



# HIDALGO COUNTY PRECINCT 2



Eduardo "Eddie" Cantu  
COUNTY COMMISSIONER

## PAY-MEMO

To: Commissioner Eduardo "Eddie" Cantu, Pct. # 2  
Attn: Erika Zamora

From: Jaime Salinas, ROW Agent  
Hidalgo County Right of Way Department

Date: January 18, 2017

Re: Yuma Avenue Extension (Parcel # 1)  
G.F. # 000150736

Dear Commissioner Cantu,

Attached please find a copy of the sealed survey metes & bounds, appraisal, and a 1099 form signed by **David Kenneth Seal & wife Marianne Mahler Seal, Julian G. Zendejas and wife Elda Veronica Zendejas** and the settlement statement on the above-mentioned parcel. We are requesting a check in the amount of \$ **65,955.00** made payable to **Valley Land Title Company** for Closing cost and Title Policy. The Original deed will be held by the title company and recorded as soon as payment to the Title Company is processed.

Please have your accounting department process this statement out of your Account # **6-1345-431-00-122-126-0-710** for Right of Way acquisition on this project.

**Commissioners Court approved this project for acquisition on July 6, 2016.**

Should you have any questions, please call me @ (956) 283-8134 or my cell phone (956) 207-9298.

Thanks.

Approved:   
Eduardo "Eddie" Cantu, Commissioner Pct. 2

**AI-55226**  
**CC - REGULAR**

**Precinct #2 14. B.**

**Meeting Date:** 07/06/2016

**Submitted For:** Eddie Cantu, COMM. PCT. #2

**Submitted By:** Erika Zamora, COMM. PCT. #2

**Department:** COMM. PCT. #2

**Information**

**CAPTION**

Requesting approval for title reports, appraisals, surveys metes & bounds, and acquisition of land for Pct 2 Yuma Avenue Extension Road Project.

**BACKGROUND**

**Fiscal Impact**

**FISCAL YEAR:** 2016

**ACCT. #:** 6-1345-431-00-122-126-0-841

**FUNDS AVAILABLE Y/N?:** Y

**MATCHING FUNDS Y/N?:** N

**BUDGETARY IMPACT:**

Funding available as of 6/29/16.

**Attachments**

backup

**Form Review**

<b>Inbox</b>	<b>Reviewed By</b>	<b>Date</b>
Budget & Management	Veronica Ortiz	06/29/2016 03:59 PM
Final Approval	Monica Badillo	07/01/2016 05:32 PM
Form Started By: Erika Zamora		Started On: 06/29/2016 10:01 AM
Final Approval Date: 07/01/2016		

**A. Settlement Statement**

**B. Type of Loan**

1. <input type="checkbox"/> FHA	2. <input type="checkbox"/> FmHA	3. <input type="checkbox"/> Conv Unins	6. File Number 150736	7. Loan Number	8. Mortgage Ins Case Number
4. <input type="checkbox"/> VA	5. <input type="checkbox"/> Conv Ins.	6. <input type="checkbox"/> Seller Finance			

**C. Note:** This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(p.o.c.)" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.

D. Name & Address of Borrower <b>THE COUNTY OF HIDALGO, TEXAS 300 West Hall Acres Ste. G Pharr, TX 78577</b>	E. Name & Address of Seller <b>David Kenneth Seal and Marianne Mahler Seal, husband and wife 425 E. Moore Rd San Juan, TX 78589 See Addendum</b>	F. Name & Address of Lender
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G. Property Location  <b>Steele And Pershing, Lot 1, Block 16, Bng an Irr Tract N245.74'- W338.23', 1.00ac, Hidalgo County S. McColl Road Yuma Extension McAllen, TX 78501</b>	H. Settlement Agent Name <b>Valley Land Title Co. 6013 N. 10th Street McAllen, TX 78504 Tax ID: 20-4064406</b>	I. Settlement Date <b>1/5/2017</b> Fund:
	Place of Settlement <b>Valley Land Title Company 217 W. Cano Edinburg, TX 78539</b>	

J. Summary of Borrower's Transaction		K. Summary of Seller's Transaction	
<b>100. Gross Amount Due from Borrower</b>		<b>400. Gross Amount Due to Seller</b>	
101. Contract Sales Price	<b>\$64,548.00</b>	401. Contract Sales Price	<b>\$64,548.00</b>
102. Personal Property		402. Personal Property	
103. Settlement Charges to borrower	<b>\$1,407.00</b>	403.	
104.		404.	
105.		405.	
<b>Adjustments for items paid by seller in advance</b>		<b>Adjustments for items paid by seller in advance</b>	
106. City property taxes		406. City property taxes	
107. County property taxes		407. County property taxes	
108. Annual assessments		408. Annual assessments	
109. School property taxes		409. School property taxes	
110. Water District Taxes		410. Water District Taxes	
111. HOA Dues		411. HOA Dues	
112.		412.	
113.		413.	
114.		414.	
115.		415.	
116.		416.	
<b>120. Gross Amount Due From Borrower</b>	<b>\$65,955.00</b>	<b>420. Gross Amount Due to Seller</b>	<b>\$64,548.00</b>
<b>200. Amounts Paid By Or in Behalf Of Borrower</b>		<b>500. Reductions in Amount Due to Seller</b>	
201. Deposit or earnest money		501. Excess Deposit	
202. Principal amount of new loan(s)		502. Settlement Charges to Seller (line 1400)	
203. Existing loan(s) taken subject to		503. Existing Loan(s) Taken Subject to	
204. Loan Amount 2nd Lien		504. Payoff of first mortgage loan	
205.		505. Payoff of second mortgage loan	
206.		506.	
207.		507.	
208.		508.	
209.		509.	
<b>Adjustments for items unpaid by seller</b>		<b>Adjustments for items unpaid by seller</b>	
210. City property taxes		510. City property taxes	
211. County property taxes		511. County property taxes	
212. Annual assessments		512. Annual assessments	
213. School property taxes		513. School property taxes	
214. Water District Taxes		514. Water District Taxes	
215. HOA Dues		515. HOA Dues	
216.		516.	
217.		517.	
218.		518.	
219.		519.	
<b>220. Total Paid By/For Borrower</b>	<b>\$0.00</b>	<b>520. Total Reduction Amount Due Seller</b>	<b>\$0.00</b>
<b>300. Cash At Settlement From/To Borrower</b>		<b>600. Cash At Settlement To/From Seller</b>	
301. Gross Amount due from borrower (line 120)	<b>\$65,955.00</b>	601. Gross Amount due to seller (line 420)	<b>\$64,548.00</b>
302. Less amounts paid by/for borrower (line 220)	<b>\$0.00</b>	602. Less reductions in amt. due seller (line 520)	<b>\$0.00</b>
<b>303. Cash From Borrower</b>	<b>\$65,955.00</b>	<b>603. Cash To Seller</b>	<b>\$64,548.00</b>

**L. Settlement Charges**

<b>700. Total Sales/Broker's Commission based on price</b>			<b>\$64,548.00</b>	<b>@ % = \$0.00</b>	Paid From Borrower's Funds at Settlement	Paid From Seller's Funds at Settlement
Division of Commission (line 700) as follows:						
701.	to					
702.	to					
703.	Commission Paid at Settlement				<b>\$0.00</b>	<b>\$0.00</b>
704.	The following persons, firms or	to				
705.	corporations received a portion	to				
706.	of the real estate commission amount	to				
707.	shown above:	to				
<b>800. Items Payable in Connection with Loan</b>						
801.	Loan Origination Fee	% to				
802.	Loan Discount	% to				
803.	Appraisal Fee	to				
804.	Credit Report	to				
805.	Lender's Inspection Fee	to				
806.	Mortgage Insurance Application	to				
807.	Assumption Fee	to				
<b>900. Items Required by Lender To Be Paid in Advance</b>						
901.	Interest from	1/5/2017 to 2/1/2017 @ \$0/day				
902.	Mortgage Insurance Premium for	months to				
903.	Hazard Insurance Premium for	years to				
<b>1000. Reserves Deposited With Lender</b>						
1001.	Hazard insurance	months @		per month		
1002.	Mortgage insurance	months @		per month		
1003.	City property taxes	months @		per month		
1004.	County property taxes	months @		per month		
1005.	Annual assessments	months @		per month		
1006.	School property taxes	months @		per month		
1007.	Water District taxes	months @		per month		
1008.	HOA Dues	months @		per month		
1011.	Aggregate Adjustment					
<b>1100. Title Charges</b>						
1101.	Settlement or closing fee	to				
1102.	Abstract or title search	to				
1103.	Title examination	to				
1104.	Title insurance binder	to				
1105.	Document preparation	to	Law Office of Richard A. Cantu, P.C.		<b>\$325.00</b>	
1106.	Notary fees	to				
1107.	Attorney's fees	to				
	(includes above items numbers:		)			
1108.	Title insurance	to	Valley Land Title Company		<b>\$628.00</b>	
	(includes above items numbers:		)			
1109.	Lender's coverage		\$0.00/\$0.00			
1110.	Owner's coverage		\$64,548.00/\$628.00			
1111.	Escrow fee	to	Valley Land Title Company		<b>\$300.00</b>	
1112.	State Guaranty Fee	to	Valley Land Title Company-Guaranty Fee Escrow Account		<b>\$3.00</b>	
1113.	Tax Service Fee	to	Hidalgo County Property Tax Service		<b>\$55.00</b>	
<b>1200. Government Recording and Transfer Charges</b>						
1201.	Recording Fees	Deed \$48.00 ; Mortgage ; Rel \$48.00		to Valley Land Title Company	<b>\$96.00</b>	
1202.	City/county tax/stamps	Deed ; Mortgage		to		
1203.	State tax/stamps	Deed ; Mortgage		to		
1204.		to				
<b>1300. Additional Settlement Charges</b>						
1301.	Survey	to				
1302.	Pest Inspection	to				
<b>1400. Total Settlement Charges (enter on lines 103, Section J and 502, Section K)</b>					<b>\$1,407.00</b>	

SOLICITATION

You are required by law to provide VALLEY LAND TITLE CO. with your correct taxpayer identification number. If you do not provide VALLEY LAND TITLE CO. with your correct taxpayer identification number, you may be subject to civil or criminal penalties imposed by law.

SUBSTITUTE FORM 1099 SELLER STATEMENT

The information contained in blocks E, G, H and I and on line 401 (or, if line 401 is asterisked, on lines 403 and 404) is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction will be imposed on you if this item is required to be reported and the IRS determines that it has not been reported.

SELLER INSTRUCTIONS

If this real estate was your principal residence, file Form 2119, Sale or Exchange of Principal Residence, for any gain, with your income tax return; for other transactions, complete the applicable parts of Form 4797, Form 6252 and/or Schedule D (Form 1040).

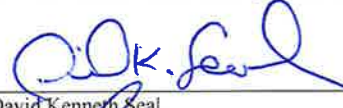
Seller understands the closing or Escrow Agent has assembled this information representing the transaction from the best information available from other sources and cannot guaranty the accuracy thereof. Any real estate agent or lender involved may be furnished a copy of this Statement. Seller understands that tax and insurance prorations and reserves were based on figures for the preceding year or supplied by others, or estimates for current year, and in the event of any change for current year, all necessary adjustments must be made between Purchaser and Seller direct. The undersigned hereby authorizes VALLEY LAND TITLE CO. to make expenditures and disbursements as shown above and approves same for payment. The undersigned also acknowledges receipt of Loan funds, if applicable, in the amount shown above and receipt of a copy of this Statement.

\*Note: Interest on existing liens is figured to the date indicated. If not paid by then, additional interest will have to be collected and your statement will be adjusted to have sufficient funds to secure release from the lien holder.

I have carefully reviewed the HUD-1 Settlement Statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction. I further certify that I have received a completed copy of pages 1, 2 and 3 of this HUD-1 Settlement Statement.

The County of Hidalgo, Texas

By:   
Valde Guerra, Executive Officer

  
David Kenneth Seal  
  
Marianne Mahler Seal

SETTLEMENT AGENT CERTIFICATION

The HUD-1 Settlement Statement which I have prepared is a true and accurate account of this transaction. I have caused the funds to be disbursed in accordance with this statement.

\_\_\_\_\_  
Settlement Agent  
\_\_\_\_\_  
Date  
**Warning:** It is a crime to knowingly make false statements to the United States on this or any other similar form. Penalties upon conviction can include a fine and imprisonment. For details see: Title 18 U.S. Code Section 1001 and Section 1010.

**Addendum to HUD Settlement Statement**


**Additional Buyers/Borrowers & Sellers**

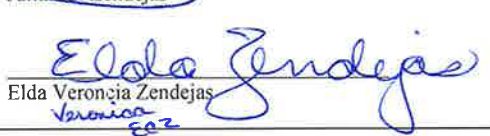
I have carefully reviewed the HUD-1 Settlement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction. I further certify that I have received a completed copy of pages 1, 2 and 3 of this HUD-1 Settlement Statement.

**Section D – Additional Buyers/Borrowers**

**Section E – Additional Sellers**

Julian G. Zendejas and Elda Veroncia Zendejas, husband and wife  
711 Rio Grande Court  
Mission, TX 78572-7451

  
Julian G. Zendejas

  
Elda Veroncia Zendejas  
Veronica  
Eaz

**AFFILIATED BUSINESS ARRANGEMENT DISCLOSURE STATEMENT**

DATE: January 5, 2017

TO: David Kenneth Seal and Marianne Mahler Seal, husband and wife; AND  
THE COUNTY OF HIDALGO, TEXAS

FROM: VALLEY LAND TITLE COMPANY, LTD.

PROPERTY:

Being a 7,120 square foot or 0.16 of an acre tract of land, out of Lot 1, Block 16, Steele and Pershing Subdivision, as recorded in Volume 8, Page 115, of the Deed Records, Hidalgo County, Texas, and being out of a called 0.95 of an acre tract of land, conveyed by Warranty Deed with Vendor's Lien dated October 20, 2005, as described in Document No. 1540418 of the Official Records, Hidalgo County, Texas, said 7,120 square foot or 0.16 of an acre tract of land being more particularly described by metes and bounds as follows;

Commencing at McColl Road, for the Northwest corner of said called 0.95 of an acre tract of land, for the Northwest corner of said Lot 1, Block 16, Steele and Pershing Subdivision;

Thence with the West line of said Lot 1, Block 16, South 08 degrees 37 minutes 54 seconds West a distance of 50.00 feet to a point;

Thence departing the West line of said Lot 1, Block 16, and across and through said called 0.95 of an acre tract of land, South 81 degrees 22 minutes 06 seconds East a distance of 50.00 feet to a 5/8" iron pin with plastic cap stamped "R.O.W. PROP. COR." (N=16,590,644.854, E=1,077,146.319) set in the apparent East Right of Way line of McColl Road, for the Southwest corner and Point of Beginning of this herein described tract of land;

1. Thence with the apparent East Right of Way line of McColl Road, North 08 degrees 37 minutes 54 seconds East a distance of 30.00 feet to the existing South Right of Way line of Yuma Avenue (60' R.O.W.) for the Northwest corner of this herein described tract of land;

2. Thence with the existing South Right of Way line of Yuma Avenue, South 81 degrees 22 minutes 06 seconds East a distance of 258.29 feet to the existing West Right of Way line of the Hidalgo County Irrigation District No.2 Lateral "E" canal, described as Tract No. 2, Volume 120, Page 546, of the Deed Records, Hidalgo County, Texas, for the Northeast corner of this herein described tract of land;

3. Thence with the West line of said Hidalgo County Irrigation District No. 2 Lateral "E", South 63 degrees 01 minutes 53 seconds West a distance of 51.54 feet to a 5/8" iron pin with plastic cap stamped "R.O.W.S. PROP. COR." set for the Southeast corner of this herein described tract of land;

4. Thence across and though said 0.95 of an acre tract of land, with the South proposed Right of Way line of Yuma Avenue, North 81 degrees 22 minutes 06 seconds West a distance of 216.38 feet to the Point of Beginning and being a 7,120 square foot or 0.16 of an acre tract of land.

NOTE: The company does not represent that the above acreage or square footage calculations are correct.

This is to give you notice that VALLEY LAND TITLE COMPANY, LTD. has a business relationship with HIDALGO COUNTY PROPERTY TAX SERVICE. The shareholders of VALLEY LAND TITLE COMPANY, LTD. composes a majority of the shareholders of HIDALGO COUNTY PROPERTY TAX SERVICE. Because of this relationship, this referral may provide VALLEY LAND TITLE COMPANY, LTD. a financial or other benefit. HIDALGO COUNTY PROPERTY TAX SERVICE is contracted to obtain tax information and guarantee taxes to VALLEY LAND TITLE COMPANY, LTD. on all real estate related closings.

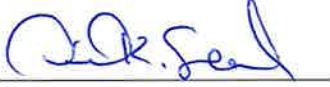
HIDALGO COUNTY PROPERTY TAX SERVICE will charge \$55.00 for the first tax account and \$20.00 for each additional tax account from the various taxing authorities, plus tax. **THERE MAY BE OTHER SETTLEMENT SERVICE PROVIDERS AVAILABLE WITH SIMILAR SERVICES OR YOU MAY SECURE TAX CERTIFICATES FROM THE VARIOUS TAXING AUTHORITIES ON YOUR OWN AND DELIVER THEM TO VALLEY LAND TITLE COMPANY, LTD. THE NORMAL FEE PAID TO EACH TAXING AUTHORITY IS \$10.00 FOR EACH TAX ACCOUNT AND THERE ARE USUALLY 2 TO 4 TAXING AUTHORITIES TAXING YOUR PROPERTY. YOU ARE FREE TO SHOP AROUND TO DETERMINE THAT YOU ARE RECEIVING THE BEST SERVICES AND THE BEST RATE FOR THESE SERVICES.**

**I/WE HAVE READ THIS DISCLOSURE FORM, AND UNDERSTAND THAT VALLEY LAND TITLE COMPANY, LTD. IS REFERRING ME/US TO HIDALGO COUNTY PROPERTY**

**TAX SERVICE AND MAY RECEIVE A FINANCIAL OR OTHER BENEFIT AS THE RESULT OF THIS REFERRAL.**

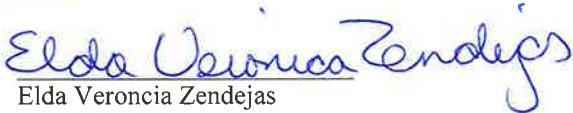
I XX prefer to use HIDALGO COUNTY PROPERTY TAX SERVICE \_\_\_\_\_ PREFER TO OBTAIN TAX CERTIFICATES ON MY OWN AND AGREE TO DELIVER THE SAME TO VALLEY LAND TITLE COMPANY, LTD. PRIOR TO CLOSING.

SELLER:

  
David Kenneth Seal

  
Marianne Mahler Seal

  
Julian G. Zendejas

  
Eida Veronica Zendejas  
Veronica  
cc2

BUYER/BORROWER:

The County of Hidalgo, Texas

By:

  
Valde Guerra, Executive Officer

NO PRORATION AGREEMENT

WHEREAS, David Kenneth Seal and wife, Marianne Mahler Seal and Julian G. Zendejas and wife, Elda Veronica Zendejas, hereinafter referred to as SELLER has this day sold to The County of Hidalgo, Texas, hereinafter referred to as PURCHASER, the following described property, to-wit:


SEE EXHIBIT "A"

SELLER and PURCHASER acknowledge that taxes will not be prorated through the date of closing and PURCHASER shall be fully and solely responsible for taxes for the year 2017 and all subsequent years and subsequent assessments for prior years due to change in land usage or ownership.

EXECUTED this 5th day of January, 2017.

SELLER

  
David Kenneth Seal

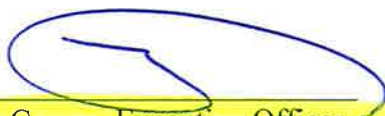
  
Marianne Mahler Seal

  
Julian G. Zendejas

  
Elda Veronica Zendejas

BUYER

The County of Hidalgo, Texas

By:   
Valde Guerra, Executive Officer

County: Hidalgo, Precinct 2  
WA#22 Supplemental #2: Yuma Extension

Exhibit: A  
FIELD NOTES FOR PARCEL 1

Being a 7,120 square foot or 0.16 of an acre tract of land, out of Lot 1, Block 16, Steele and Pershing Subdivision, as recorded in Volume 8, Page 115, of the Deed Records, Hidalgo County, Texas, and being out of a called 0.95 of an acre tract of land, conveyed by Warranty Deed with Vendor's Lien dated October 20, 2005, as described in Document No. 1540418 of the Official Records, Hidalgo County, Texas, said 7,120 square foot or 0.16 of an acre tract of land being more particularly described by metes and bounds as follows;

Commencing at McColl Road, for the Northwest corner of said called 0.95 of an acre tract of land, for the Northwest corner of said Lot 1, Block 16, Steele and Pershing Subdivision;

Thence with the West line of said Lot 1, Block 16, South 08°37'54" West a distance of 50.00 feet to a point;

Thence departing the West line of said Lot 1, Block 16, and across and through said called 0.95 of an acre tract of land, South 81°22'06" East a distance of 50.00 feet to a 5/8" iron pin with plastic cap stamped "R.O.W. PROP. COR." (N=16,590,644.854, E=1,077,146.319) set in the apparent East Right of Way line of McColl Road, for the Southwest corner and Point of Beginning of this herein described tract of land;

1. Thence with the apparent East Right of Way line of McColl Road, North 08°37'54" East a distance of 30.00 feet to the existing South Right of Way line of Yuma Avenue (60' R.O.W.) for the Northwest corner of this herein described tract to of land;
2. Thence with the existing South Right of Way line of Yuma Avenue, South 81°22'06" East a distance of 258.29 feet to the existing West Right of Way line of the Hidalgo County Irrigation District No. 2 Lateral "E" canal, described as Tract No.2, Volume 120, Page 546, of the Deed Records, Hidalgo County, Texas, for the Northeast corner of this herein described tract of land;
3. Thence with the West line of said Hidalgo County Irrigation District No.2 Lateral "E", South 63°01'53" West a distance of 51.54 feet to a 5/8" iron pin with plastic cap stamped "R.O.W.S. PROP. COR." set for the Southeast corner of this herein described tract of land;

4. **Thence** across and through said 0.95 of an acre tract of land, with the South proposed Right of Way line of Yuma Avenue, North  $81^{\circ}22'06''$  West a distance of 216.38 feet to the **Point of Beginning** and being a 7,120 square foot or 0.16 of an acre tract of land.

Bearings based on the Texas Coordinate System, South Zone, NAD83 (NA2011), adjusted to surface using a grid to surface adjustment factor of 1.00004.

A plat survey of even survey date herewith accompanies this description.

I, Kurt Schumacher, a Registered Professional Land Surveyor, hereby certify that the legal description hereon and the accompanying plat represent an actual survey made on the ground under my supervision.

























































 06/22/2016

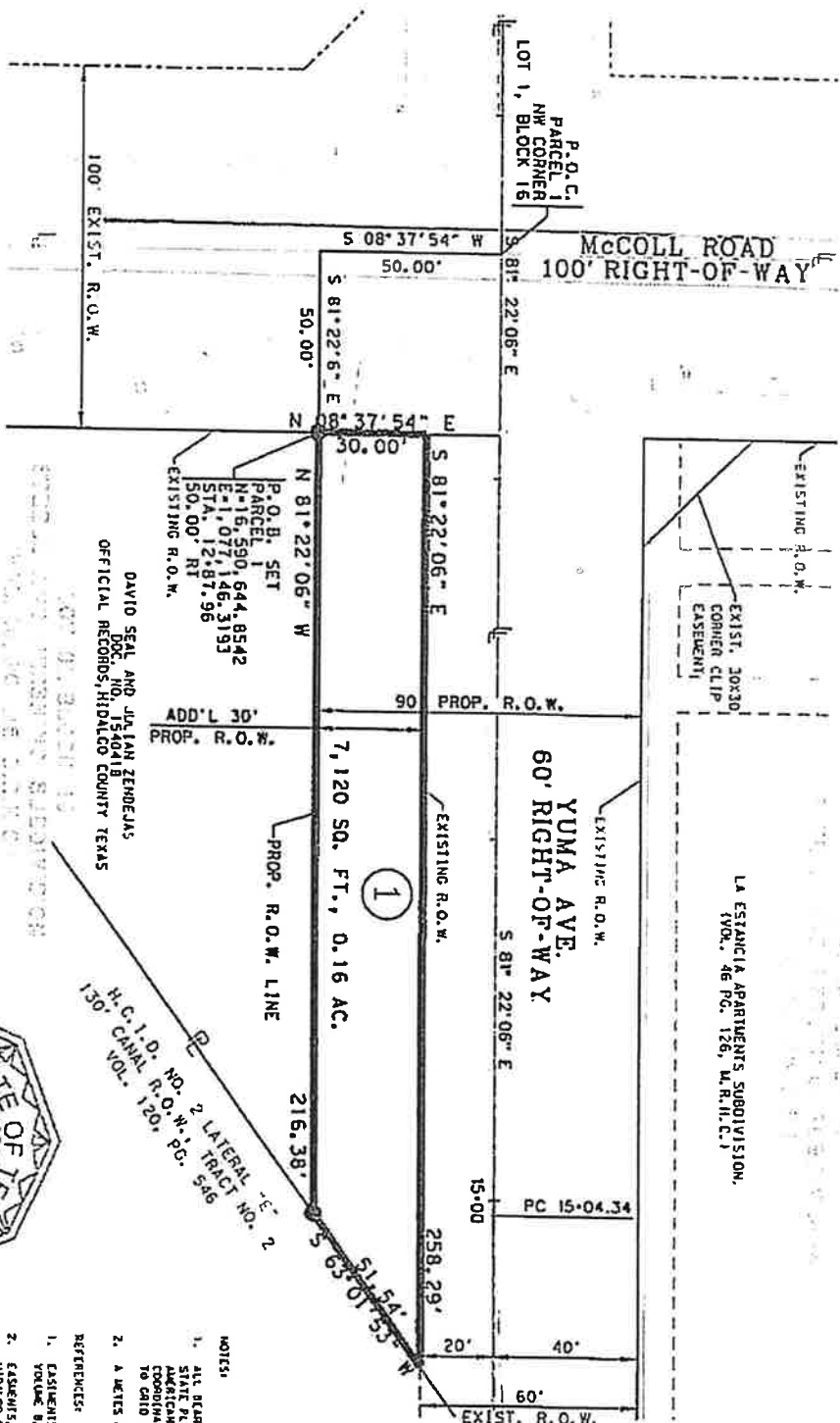
Kurt Schumacher  
Registered Professional Land Surveyor  
Texas Registration No. 6333



**LEGEND:**

LOT LINE  
PROPERTY LINE  
PARCEL NUMBER  
RIGHT OF WAY  
POINT OF BEGINNING  
POINT OF COMMENCING  
HIDALGO COUNTY  
DEED RECORDS  
HIDALGO COUNTY  
MAP RECORDS  
HIDALGO COUNTY  
OFFICIAL RECORDS  
SET 5/8" IRON ROD  
WITH PLASTIC CAP  
STAMPED "ROWS PROP. COR."  
FOUND 1/2" IRON ROD  
UNLESS OTHERWISE NOTED  
OVERHEAD ELECTRIC

 R.O.W.  
 P.O.C.  
 H.C.O.R.  
 H.C.M.R.  
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 H.C.O.R.  
 H.C.O.R.



**PLAT OF SURVEY  
YUMA EXTENSION**

A 7,120 SQ. FT. (0.16 AC.)  
TRACT OF LAND SITUATED IN LOT 1, BLOCK 16  
STEELE AND PERSHING SUBDIVISION,  
OUT OF A CALLED 0.95 ACRES OF LAND  
AS RECORDED IN DOCUMENT NO. 1540418,  
OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.



- NOTES:**
- ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS STATE COORDINATE SYSTEM, SOUTH ZONE, NAD 83. ALL BEARINGS AND COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY AN ADJUSTMENT FACTOR OF 1.00004.
  - A METES AND BOUNDS DESCRIPTION ACCOMPANIES THIS PLAT.
- REFERENCES:**
- EASEMENTS AND CONDITIONS AS SHOWN ON THE MAP RECORDED IN VOLUME B, PAGE 115, DEED RECORDS, HIDALGO COUNTY, TEXAS.
  - EASEMENTS, RIGHTS, GRACES AND RESTRICTIONS IN FAVOR OF HIDALGO COUNTY INDICATED BY DISTRICT NO. 2.
  - EASEMENTS OR CLAUSES OF EASEMENTS WHICH ARE NOT OF PUBLIC RECORD.
  - ALL RIGHTS, TITLES, AND INTERESTS IN AND TO ALL PORTIONS OF THE PROPOSED SURVEY ARE RESERVED UNLESS OTHERWISE SPECIFICALLY RELEASED BY INSTRUMENT. A CHAIN OF INDICATION MAY BE FOLLOWED IN THE HIDALGO COUNTY INDICATION DISTRICT NO. 2.

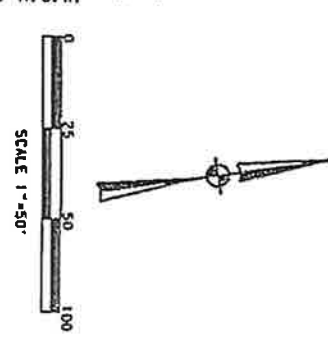
EXHIBIT \_\_\_\_\_

PAGE 3 OF 3

**TITLE COMMITMENT:**  
CHICAGO TITLE INSURANCE COMPANY  
PROPOSED INSURED/BORROWER:  
HIDALGO COUNTY  
OWNER: DAVID SEAL AND JULIAN ZENDEJAS  
OF NO. 1 0003166520  
EFFECTIVE DATE:  
MAY 4, 2016

**RIGHT OF WAY SKETCH**  
SHOWING PROPERTY OF  
PARCEL 1  
YUMA EXTENSION

**ROW**  
SURVEYING SERVICES, LLC  
300 S. STEWART ST. SUITE 113  
DALLAS, TEXAS 75201  
TEL: (972) 412-1317  
FAX: (972) 412-1313  
TXSAC REG. TRACER 181324K



**VALLEY LAND TITLE COMPANY, LTD.**

612 W. Nolana Ave. Suite 570

McALLEN, TEXAS 78504

(956) 687-7763

FAX (956) 217-3190

**ACCEPTANCE OF TITLE POLICY EXCEPTIONS**

GF NO. 150736

Gentlemen:

We agree that the Owner's Title Policy you are to issue covering:

**Being a 7,120 square foot or 0.16 of an acre tract of land, out of Lot 1, Block 16, Steele and Pershing Subdivision, as recorded in Volume 8, Page 115, of the Deed Records, Hidalgo County, Texas, and being out of a called 0.95 of an acre tract of land, conveyed by Warranty Deed with Vendor's Lien dated October 20, 2005, as described in Document No. 1540418 of the Official Records, Hidalgo County, Texas, said 7,120 square foot or 0.16 of an acre tract of land being more particularly described by metes and bounds as follows;**

**Commencing at McColl Road, for the Northwest corner of said called 0.95 of an acre tract of land, for the Northwest corner of said Lot 1, Block 16, Steele and Pershing Subdivision;**

**Thence with the West line of said Lot 1, Block 16, South 08 degrees 37 minutes 54 seconds West a distance of 50.00 feet to a point;**

**Thence departing the West line of said Lot 1, Block 16, and across and through said called 0.95 of an acre tract of land, South 81 degrees 22 minutes 06 seconds East a distance of 50.00 feet to a 5/8" iron pin with plastic cap stamped "R.O.W. PROP. COR." (N=16,590,644.854, E=1,077,146.319) set in the apparent East Right of Way line of McColl Road, for the Southwest corner and Point of Beginning of this herein described tract of land;**

**1. Thence with the apparent East Right of Way line of McColl Road, North 08 degrees 37 minutes 54 seconds East a distance of 30.00 feet to the existing South Right of Way line of Yuma Avenue (60' R.O.W.) for the Northwest corner of this herein described tract of land;**

**2. Thence with the existing South Right of Way line of Yuma Avenue, South 81 degrees 22 minutes 06 seconds East a distance of 258.29 feet to the existing West Right of Way line of the Hidalgo County Irrigation District No.2 Lateral "E" canal, described as Tract No. 2, Volume 120, Page 546, of the Deed Records, Hidalgo County, Texas, for the Northeast corner of this herein described tract of land;**

**3. Thence with the West line of said Hidalgo County Irrigation District No. 2 Lateral "E", South 63 degrees 01 minutes 53 seconds West a distance of 51.54 feet to a 5/8" iron pin with plastic cap stamped "R.O.W.S. PROP. COR." set for the Southeast corner of this herein described tract of land;**

**4. Thence across and through said 0.95 of an acre tract of land, with the South proposed Right of Way line of Yuma Avenue, North 81 degrees 22 minutes 06 seconds West a distance of 216.38 feet to the Point of Beginning and being a 7,120 square foot or 0.16 of an acre tract of land.**

**NOTE: The company does not represent that the above acreage or square footage calculations are correct.**

will be on the usual Texas form which contains the following printed exceptions:

1. Restrictive covenants affecting the land described or referred to on Schedule B of the Title Commitment as Deleted
2. Any discrepancies, conflicts, or shortages in area or boundary lines, any encroachments, or any overlapping of improvements.
3. Standby fees and taxes for the year 2017 and subsequent years, and subsequent assessments for prior years due to change in land usage or ownership.

and that the policy to be issued on this particular transaction will contain the following special exceptions:

Statutory easements, rules, regulations and rights in favor of Hidalgo County Irrigation District No. 2

Roads, easements and reservations as shown on the map of Steele and Pershing Subdivision, recorded in Volume 8, Page 115, Deed Records of Hidalgo County, Texas.

Easements for canals, rights of way, ditches, etc. easement in favor of Rio Grande Valley Development Company as shown by instrument dated April 1, 1915, recorded in Volume 52, Page 307, Deed Records of Hidalgo County, Texas.

Mineral and/or royalty reservation contained in deeds dated December 7, 1982, recorded in Volume 1817, Pages 363, 366, 370, and 374, Deed Records of Hidalgo County, Texas.

Title to the herein described mineral interest not checked subsequent to date of aforesaid instrument.

Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated November 6, 1946, in favor of Coastal Refineries, Inc., as Lessee, recorded in Volume 70, Page 101 Oil and Gas Records of Hidalgo County, Texas. Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to ownership or holder of such interest(s).

Deleted

Any claim or allegation that the land, described in Schedule "A", was or is to be conveyed in violation of state statutes or any county or municipal ordinances requiring the platting of the land or affecting subdivisions, or any loss of the use of the land by reason thereof.

Rights of parties in possession.

Visible and apparent easements on or across the property herein described.

Any portion of the property described herein within the limits or boundaries of any public or private roadway and/or highway.

Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the land. (NOTE: UPON RECEIPT OF A SURVEY ACCEPTABLE TO COMPANY, THIS EXCEPTION WILL BE DELETED. COMPANY RESERVES THE RIGHT TO ADD ADDITIONAL EXCEPTIONS PER ITS EXAMINATION OF SAID SURVEY.)

4. Lien or liens created or assumed in conjunction with this transaction, if any.
5. Rights of parties in possession.

Since the title company examines only the record title and does not actually see the property, we hereby waive inspection by the title company of this property and accept our policy subject to the rights of parties in possession. We agree that it is our responsibility to inspect said premises and to obtain possession of it from the present occupants, if any.

OWNER:

The County of Hidalgo, Texas

By:

  
Valde Guerra, Executive Officer

Date: January 5, 2017

NOTIFICATION OF TAXING AUTHORITIES

GF# 150736

RE: Being a 7,120 square foot or 0.16 of an acre tract of land, out of Lot 1, Block 16, Steele and Pershing Subdivision, as recorded in Volume 8, Page 115, of the Deed Records, Hidalgo County, Texas, and being out of a called 0.95 of an acre tract of land, conveyed by Warranty Deed with Vendor's Lien dated October 20, 2005, as described in Document No. 1540418 of the Official Records, Hidalgo County, Texas, said 7,120 square foot or 0.16 of an acre tract of land being more particularly described by metes and bounds as follows;

Commencing at McColl Road, for the Northwest corner of said called 0.95 of an acre tract of land, for the Northwest corner of said Lot 1, Block 16, Steele and Pershing Subdivision;

Thence with the West line of said Lot 1, Block 16, South 08 degrees 37 minutes 54 seconds West a distance of 50.00 feet to a point;

Thence departing the West line of said Lot 1, Block 16, and across and through said called 0.95 of an acre tract of land, South 81 degrees 22 minutes 06 seconds East a distance of 50.00 feet to a 5/8" iron pin with plastic cap stamped "R.O.W. PROP. COR." (N=16,590,644.854, E=1,077,146.319) set in the apparent East Right of Way line of McColl Road, for the Southwest corner and Point of Beginning of this herein described tract of land;

1. Thence with the apparent East Right of Way line of McColl Road, North 08 degrees 37 minutes 54 seconds East a distance of 30.00 feet to the existing South Right of Way line of Yuma Avenue (60' R.O.W.) for the Northwest corner of this herein described tract of land;

2. Thence with the existing South Right of Way line of Yuma Avenue, South 81 degrees 22 minutes 06 seconds East a distance of 258.29 feet to the existing West Right of Way line of the Hidalgo County Irrigation District No.2 Lateral "E" canal, described as Tract No. 2, Volume 120, Page 546, of the Deed Records, Hidalgo County, Texas, for the Northeast corner of this herein described tract of land;

3. Thence with the West line of said Hidalgo County Irrigation District No. 2 Lateral "E", South 63 degrees 01 minutes 53 seconds West a distance of 51.54 feet to a 5/8" iron pin with plastic cap stamped "R.O.W.S. PROP. COR." set for the Southeast corner of this herein described tract of land;

4. Thence across and though said 0.95 of an acre tract of land, with the South proposed Right of Way line of Yuma Avenue, North 81 degrees 22 minutes 06 seconds West a distance of 216.38 feet to the Point of Beginning and being a 7,120 square foot or 0.16 of an acre tract of land.

NOTE: The company does not represent that the above acreage or square footage calculations are correct.

Please be advised that tax statements will continue to be sent to the previous owner. In order for tax statements to be sent to you, upon receipt of the recorded Warranty Deed which is mailed to you directly from our office, you need to take it to the following office so that they can change their records accordingly:

Hidalgo County Appraisal District  
4405 South Professional Drive (West of Bert Ogden on Trenton Road)  
Edinburg, Texas 78539  
WWW.HIDALGOAD.ORG  
(956) 381-8466

This information will also need to be given to any Water District which affects the property.

**PLEASE NOTE THAT IT IS THE NEW OWNERS RESPONSIBILITY TO NOTIFY THE APPRAISAL DISTRICT AND WATER DISTRICT OF THE CHANGE OF OWNERSHIP. FAILURE TO DO SO MAY RESULT IN PENALTY AND INTEREST CHARGES BEING ADDED TO YOUR TAX STATEMENTS FOR LATE PAYMENT.**

The undersigned hereby acknowledges receipt of this notice on January 5, 2017.

BUYER:

The County of Hidalgo, Texas

By:

  
Valde Guerra, Executive Officer


**BUYER'S ACCEPTANCE OF DEED**

The undersigned Buyer hereby accepts and consents to the form of Deed attached hereto including, but not limited to, the provision(s) concerning title exceptions contained therein, and acknowledges that same is in conformity with Buyer's intent, and the terms and provisions of same shall control in the event of any conflict of the contract Buyer has signed regarding the property described in the attached Deed.

BUYER:

The County of Hidalgo, Texas

By:

  
Valde Guerra, Executive Officer

DATED: **January 5, 2017**

**WAIVER OF INSPECTION**

PLEASE SIGN & RETURN THIS WAIVER

GF NO: 150736

TO: VALLEY LAND TITLE COMPANY, LTD.

AGENT FOR: First American Title Insurance Company

Gentlemen:

I/We, THE COUNTY OF HIDALGO, TEXAS have this day purchased from David Kenneth Seal and Marianne Mahler Seal, husband and wife (if married spouse should join in Deed) the following described property in Hidalgo County, Texas, to-wit:

Being a 7,120 square foot or 0.16 of an acre tract of land, out of Lot 1, Block 16, Steele and Pershing Subdivision, as recorded in Volume 8, Page 115, of the Deed Records, Hidalgo County, Texas, and being out of a called 0.95 of an acre tract of land, conveyed by Warranty Deed with Vendor's Lien dated October 20, 2005, as described in Document No. 1540418 of the Official Records, Hidalgo County, Texas, said 7,120 square foot or 0.16 of an acre tract of land being more particularly described by metes and bounds as follows;

Commencing at McColl Road, for the Northwest corner of said called 0.95 of an acre tract of land, for the Northwest corner of said Lot 1, Block 16, Steele and Pershing Subdivision;

Thence with the West line of said Lot 1, Block 16, South 08 degrees 37 minutes 54 seconds West a distance of 50.00 feet to a point;

Thence departing the West line of said Lot 1, Block 16, and across and through said called 0.95 of an acre tract of land, South 81 degrees 22 minutes 06 seconds East a distance of 50.00 feet to a 5/8" iron pin with plastic cap stamped "R.O.W. PROP. COR." (N=16,590,644.854, E=1,077,146.319) set in the apparent East Right of Way line of McColl Road, for the Southwest corner and Point of Beginning of this herein described tract of land;

1. Thence with the apparent East Right of Way line of McColl Road, North 08 degrees 37 minutes 54 seconds East a distance of 30.00 feet to the existing South Right of Way line of Yuma Avenue (60' R.O.W.) for the Northwest corner of this herein described tract of land;

2. Thence with the existing South Right of Way line of Yuma Avenue, South 81 degrees 22 minutes 06 seconds East a distance of 258.29 feet to the existing West Right of Way line of the Hidalgo County Irrigation District No.2 Lateral "E" canal, described as Tract No. 2, Volume 120, Page 546, of the Deed Records, Hidalgo County, Texas, for the Northeast corner of this herein described tract of land;

3. Thence with the West line of said Hidalgo County Irrigation District No. 2 Lateral "E", South 63 degrees 01 minutes 53 seconds West a distance of 51.54 feet to a 5/8" iron pin with plastic cap stamped "R.O.W.S. PROP. COR." set for the Southeast corner of this herein described tract of land;

4. Thence across and though said 0.95 of an acre tract of land, with the South proposed Right of Way line of Yuma Avenue, North 81 degrees 22 minutes 06 seconds West a distance of 216.38 feet to the Point of Beginning and being a 7,120 square foot or 0.16 of an acre tract of land.

**NOTE: The company does not represent that the above acreage or square footage calculations are correct.**

I/We waive inspection and hereby accept a policy showing the exception "Right of Parties in Possession".

EXECUTED on **January 5, 2017**

BUYER:

The County of Hidalgo, Texas

By:

Valde Guerra, Executive Officer

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER 'S LICENSE NUMBER.

Parcel: #1

RIGHT OF WAY DEED

THE STATE OF TEXAS §
COUNTY OF HIDALGO § KNOW ALL MEN BY THESE PRESENTS:

That, DAVID KENNETH SEAL and wife, MARIANNE MAHLER SEAL, 425 E. Moore Rd. San Juan, Hidalgo County, Texas 78589, and JULIAN G. ZENDEJAS and wife, ELDA VERONICA ZENDEJAS, 711 Rio Grande Court Mission, Hidalgo County, Texas 78572-7451, hereinafter referred to as Grantor, whether one or more, for and in consideration of the sum of SIXTY-FOUR THOUSAND FIVE HUNDRED FORTY-EIGHT AND NO/100 DOLLARS (\$64,548.00) and other good and valuable consideration to Grantors in hand paid by the County of Hidalgo, Texas, receipt of which is hereby acknowledged, and for which no lien is retained, either expressed or implied, have this day Sold and by these presents do Grant, Sell and Convey unto THE COUNTY OF HIDALGO, TEXAS, all that certain tracts or parcels of land in Hidalgo County, Texas, being as follows:

Being a 7,120 square foot or 0.16 of an acre tract of land, out of Lot 1, Block 16, Steele and Pershing Subdivision, as recorded in Volume 8, Page 115, of the Deed Records, Hidalgo County, Texas, and being out of a called 0.95 of an acre tract of land, conveyed by Warranty Deed with Vendor's Lien dated October 20, 2005, as described in Document No. 1540418 of the Official Records, Hidalgo County, Texas, said 7,120 square foot or 0.16 of an acre tract of land being more particularly described by metes and bounds as follows;

Commencing at McColl Road, for the Northwest corner of said called 0.95 of an acre tract of land, for the Northwest corner of said Lot 1, Block 16, Steele and Pershing Subdivision;

Thence with the West line of said Lot 1, Block 16, South 08 degrees 37 minutes 54 seconds West a distance of 50.00 feet to a point;

Thence departing the West line of said Lot 1, Block 16, and across and through said called 0.95 of an acre tract of land, South 81 degrees 22 minutes 06 seconds East a distance of 50.00 feet to a 5/8" iron pin with plastic cap stamped "R.O.W. PROP. COR." (N=16,590,644.854, E=1,077,146.319) set in the apparent East Right of Way line of McColl Road, for the Southwest corner and Point of Beginning of this herein described tract of land;

1. Thence with the apparent East Right of Way line of McColl Road, North 08 degrees 37 minutes 54 seconds East a distance of 30.00 feet to the existing South Right of Way line of Yuma Avenue (60' R.O.W.) for the Northwest corner of this herein described tract of land;

2. Thence with the existing South Right of Way line of Yuma Avenue, South 81 degrees 22 minutes 06 seconds East a distance of 258.29 feet to the existing West Right of Way line of the Hidalgo County Irrigation District No.2 Lateral "E" canal, described as Tract No. 2, Volume 120, Page 546, of the Deed Records, Hidalgo County, Texas, for the Northeast corner of this herein described tract of land;

3. Thence with the West line of said Hidalgo County Irrigation District No. 2 Lateral "E", South 63 degrees 01 minutes 53 seconds West a distance of 51.54 feet to a 5/8" iron pin with plastic cap stamped "R.O.W.S. PROP. COR." set for the Southeast corner of this herein described tract of land;

4. Thence across and though said 0.95 of an acre tract of land, with the South proposed Right of Way line of Yuma Avenue, North 81 degrees 22 minutes 06 seconds West a distance of 216.38

feel to the Point of Beginning and being a 7,120 square foot or 0.16 of an acre tract of land.

**SUBJECT TO THE FOLLOWING:**

1. Statutory easements, rules, regulations and rights in favor of Hidalgo County Irrigation District No. 2.
2. Roads, easements and reservations as shown on the map of Steele and Pershing Subdivision, recorded in Volume 8, Page 115, Deed Records of Hidalgo County, Texas.
3. Easements for canals, rights of way, ditches, etc. easement in favor of Rio Grande Valley Development Company as shown by instrument dated April 1, 1915, recorded in Volume 52, Page 307, Deed Records of Hidalgo County, Texas.
4. Mineral and/or royalty reservation contained in deeds dated December 7, 1982, recorded in Volume 1817, Pages 363, 366, 370, and 374, Deed Records of Hidalgo County, Texas.
5. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated November 6, 1946, in favor of Coastal Refineries, Inc., as Lessee, recorded in Volume 70, Page 101 Oil and Gas Records of Hidalgo County, Texas.
6. Any part thereof which lies within the canal right of way claimed in fee simple by Hidalgo County Irrigation District No. 2.
7. Any claim or allegation that the land, described herein above, was or is to be conveyed in violation of state statutes or any county or municipal ordinances requiring the platting of the land or affecting subdivisions, or any loss of the use of the land by reason thereof.
8. Visible and apparent easements on or across the property herein described.
9. Any portion of the property described herein within the limits or boundaries of any public or private roadway and/or highway.
10. Standby fees, taxes and assessments by any taxing authority for the year 2017, and subsequent years.

**SAVE AND EXCEPT:**

Grantor reserves all of the oil, gas and sulphur in and under the land herein conveyed but waive all rights of ingress and egress to the surface thereof for the purpose of exploring, developing, mining or drilling for same, however, nothing in this reservation shall affect the title and rights of the Grantee to take and use all other minerals and materials thereon, therein and thereunder.

**TO HAVE AND TO HOLD** the premises herein described and herein conveyed together with all and singular the rights and appurtenances thereto in any wise belonging unto the County of Hidalgo and its assigns forever; and Grantors do hereby bind ourselves, our heirs, executors, administrators, successors and assigns to Warrant and Forever Defend all and singular the said premises herein conveyed unto the County of Hidalgo and its assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

**IN WITNESS WHEREOF**, this instrument is executed on this the 5<sup>th</sup> day of January, 2017.

  
\_\_\_\_\_  
DAVID KENNETH SEAL

  
\_\_\_\_\_  
MARIANNE MAHLER SEAL

  
\_\_\_\_\_  
JULIAN G. ZENDEJAS

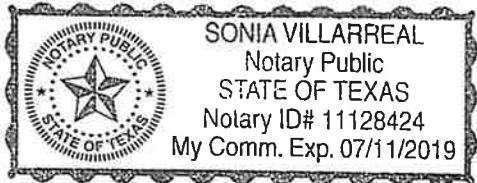
Elida Veronica Zendejas  
ELDA VERONICA ZENDEJAS

STATE OF TEXAS )

COUNTY OF HIDALGO )

Before me, the undersigned authority, on this day personally appeared DAVID KENNETH SEAL, proved to me through photo id to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that DAVID KENNETH SEAL executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 18<sup>th</sup> day of January, 2017.



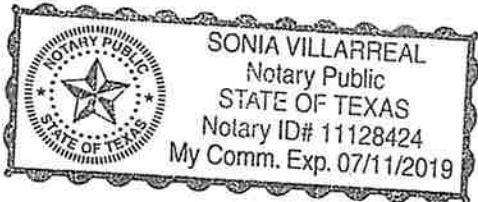
Sonia Villarreal  
Notary Public, State of Texas  
My commission expires: 7-11-19  
Notary Public ID: 11128424

STATE OF TEXAS )

COUNTY OF HIDALGO )

Before me, the undersigned authority, on this day personally appeared MARIANNE MAHLER SEAL, proved to me through photo id to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that MARIANNE MAHLER SEAL executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 18<sup>th</sup> day of January, 2017.



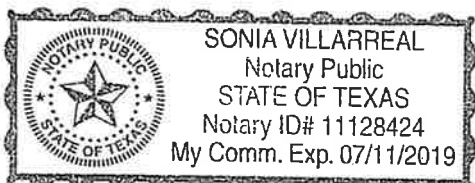
Sonia Villarreal  
Notary Public, State of Texas  
My commission expires: 7-11-19  
Notary Public ID: 11128424

STATE OF TEXAS )

COUNTY OF HIDALGO )

Before me, the undersigned authority, on this day personally appeared JULIAN G. ZENDEJAS, proved to me through photo id to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that JULIAN G. ZENDEJAS executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 18<sup>th</sup> day of January, 2017.



Sonia Villarreal  
Notary Public, State of Texas  
My commission expires: 7-11-19  
Notary Public ID: 11128424

STATE OF TEXAS )

COUNTY OF HIDALGO )

Before me, the undersigned authority, on this day personally appeared ELDA VERONICA ZENDEJAS, proved to me through photo id to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that ELDA VERONICA ZENDEJAS executed the same for the purposes and consideration therein expressed.

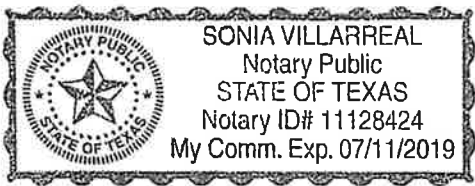
Given under my hand and seal of office this 18<sup>th</sup> day of January, 2017.

*Sonia Villarreal*

Notary Public, State of Texas

My commission expires: 7-1-19

Notary Public ID: 11128424



**PREPARED IN THE OFFICE OF:**

LAW OFFICE OF RICHARD A. CANTU, P.C.

6013 N. 10<sup>th</sup> Street

McAllen, Texas 78504

Tel: (956) 630-6330

Tel: (956) 687-7763

Email: [CantuR@valleylandtitleco.com](mailto:CantuR@valleylandtitleco.com)

File/GF No.: 8644-17/150736vltc

**AFTER RECORDING RETURN TO:**

THE COUNTY OF HIDALGO, TEXAS

300 W. Hall Acres, Suite G

Pharr, Texas 78577

County: Hidalgo, Precinct 2  
WA#22 Supplemental #2: Yuma Extension

Exhibit: A  
FIELD NOTES FOR PARCEL 1

Being a 7,120 square foot or 0.16 of an acre tract of land, out of Lot 1, Block 16, Steele and Pershing Subdivision, as recorded in Volume 8, Page 115, of the Deed Records, Hidalgo County, Texas, and being out of a called 0.95 of an acre tract of land, conveyed by Warranty Deed with Vendor's Lien dated October 20, 2005, as described in Document No. 1540418 of the Official Records, Hidalgo County, Texas, said 7,120 square foot or 0.16 of an acre tract of land being more particularly described by metes and bounds as follows;

**Commencing** at McColl Road, for the Northwest corner of said called 0.95 of an acre tract of land, for the Northwest corner of said Lot 1, Block 16, Steele and Pershing Subdivision;

**Thence** with the West line of said Lot 1, Block 16, South 08°37'54" West a distance of 50.00 feet to a point;

**Thence** departing the West line of said Lot 1, Block 16, and across and through said called 0.95 of an acre tract of land, South 81°22'06" East a distance of 50.00 feet to a 5/8" iron pin with plastic cap stamped "R.O.W. PROP. COR." (N=16,590,644.854, E=1,077,146.319) set in the apparent East Right of Way line of McColl Road, for the Southwest corner and **Point of Beginning** of this herein described tract of land;

1. **Thence** departing the South line of said called 0.95 of an acre tract of land, and with the apparent East Right of Way line of McColl Road, North 08°37'54" East a distance of 30.00 feet to the existing South Right of Way line of Yuma Avenue (60' R.O.W.) for the Northwest corner of this herein described tract to of land;
2. **Thence** with the existing South Right of Way line of Yuma Road, South 81°22'06" East a distance of 258.29 feet to the existing West Right of Way line of the Hidalgo County Irrigation District No. 2 Lateral "E" canal, described as Tract No.2, Volume 120, Page 546, of the Deed Records, Hidalgo County, Texas, for the Northeast corner of this herein described tract of land;
3. **Thence** with the Northwesterly line of the Hidalgo County Irrigation District No.2 Lateral "E", South 63°01'53" West a distance of 51.54 feet to a 5/8" iron pin with plastic cap stamped "R.O.W.S. PROP. COR." set in the South line of said of said Lot 1, Block 16, for the Southeast corner of this herein described tract of land;

4. **Thence** with the South line of said Lot 1, Block 16, across and through said 0.95 of an acre tract of land, with the South proposed Right of Way line of Yuma Avenue, North  $81^{\circ}22'06''$  West a distance of 216.38 feet to the **Point of Beginning** and being a 7,120 square foot or 0.16 of an acre tract of land.

Bearings based on the Texas Coordinate System, South Zone, NAD83 (NA2011), adjusted to surface using a grid to surface adjustment factor of 1.00004.

A plat survey of even survey date herewith accompanies this description.

I, Kurt Schumacher, a Registered Professional Land Surveyor, hereby certify that the legal description hereon and the accompanying plat represent an actual survey made on the ground under my supervision.

 04/01/2016

Kurt Schumacher  
Registered Professional Land Surveyor  
Texas Registration No. 6333



LOT 06, BLOCK 16  
STEELE AND PERSHING SUBDIVISION  
(VOL. 08, PG. 115 D.R.H.C.)

LA ESTANCIA APARTMENTS SUBDIVISION,  
(VOL. 46 PG. 126, M.R.H.C.)

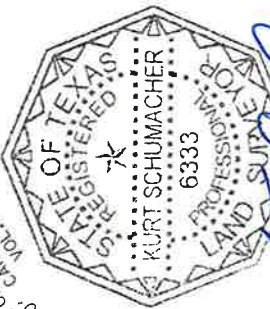


**NOTES:**

- ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NORTH AMERICAN DATUM OF 1983, NAD2011. ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY AN ADJUSTMENT FACTOR OF 1.00004.
- A METES AND BOUNDS DESCRIPTION ACCOMPANIES THIS PLAT.

**REFERENCES:**

- EASEMENTS AND CONDITIONS AS SHOWN ON THE MAP RECORDED IN VOLUME 8, PAGE 115, DEED RECORDS, HIDALGO COUNTY, TEXAS.
- EASEMENTS, EIGHT'S, WELLS, AND REGULATIONS IN FAVOR OF HIDALGO COUNTY IRRIGATION DISTRICT NO. 2.
- EASEMENTS OR CLAIMS OF EASEMENTS WHICH ARE NOT OF PUBLIC RECORD.
- ALL RIGHTS, TITLES, AND INTERESTS IN AND TO ALL PORTIONS OF THE PROPOSED INSURED LAND LYING WITHIN A DRAINAGE DITCH, DRAINAGE PIPE, DRAINAGE LINE, A CANAL OR IRRIGATION LINE AS SHOWN ON THIS MAP SHALL BE CLAIMED IN FEE BY HIDALGO COUNTY IRRIGATION DISTRICT NO. 2.



DAVID SEAL AND JULIAN ZENDEJAS  
DOC. NO. 1540418  
OFFICIAL RECORDS, HIDALGO COUNTY TEXAS

**PLAT OF SURVEY  
FOR PCT. 2 REGIONAL LINEAR PARK PROJECT**

A 7,120 SQ. FT. (0.16 AC.)  
TRACT OF LAND SITUATED IN LOT 1, BLOCK 16  
STEELE AND PERSHING SUBDIVISION,  
OUT OF A CALLED 0.95 ACRES OF LAND  
AS RECORDED IN DOCUMENT NO. 1540418,  
OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

- LEGEND:**
- LOT LINE
  - PROPERTY LINE
  - PARCEL NUMBER
  - R.O.W.
  - RIGHT OF WAY
  - P.O.C.
  - POINT OF COMMENCING
  - P.O.B.
  - POINT OF BEGINNING
  - HIDALGO COUNTY DEED RECORDS
  - HIDALGO COUNTY MAP RECORDS
  - HIDALGO COUNTY OFFICIAL RECORDS
  - SET 5/8" IRON ROD WITH PLASTIC CAP
  - STAMPED "ROW'S PROP. COR."
  - FOUND 1/2" IRON ROD UNLESS OTHERWISE NOTED
  - OVERHEAD ELECTRIC

**TITLE COMMITMENT:**  
CHICAGO TITLE INSURANCE COMPANY  
PROPOSED INSURED/BORROWER: HIDALGO COUNTY  
OWNER: DAVID SEAL AND JULIAN ZENDEJAS  
GF No.: 0003166520  
EFFECTIVE DATE: MAY 4, 2016

**RIGHT OF WAY SKETCH**  
SHOWING PROPERTY OF  
PARCEL 1  
PCT. 2 REGIONAL LINEAR PARK PROJECT

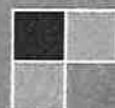
**ROW SURVEYING SERVICES, L.L.C.**  
900 S. STEWART RD., SUITE 13  
MIDLAND, TEXAS 79701  
TEL: (846) 424-2832  
FAX: (846) 424-3322  
TDLPS REG. FIRM# 01918486

# Yuma Avenue Project

## Leonel Garza Jr & Associates LLC Real Estate Appraisal Services

Project: Yuma Avenue Project  
Owner of Record: David Seal and Julian Zendejas  
PID No. 290247  
Date of Appraisal November 28, 2016

Hidalgo County Precinct No. 2  
C/o: Jaime Salinas, Right of Way Agent  
300 West Hall Acres, Suite G  
Pharr, Texas 78577



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# Leonel Garza Jr. & Associates

## Real Estate Appraisal Services

November 28, 2016

Hidalgo County Precinct No. 2  
C/o: Jaime Salinas  
300 West Hall Acres, Suite G  
Pharr, Texas 78577

Owner of Record: David Seal and Julian Zendejas

Mr. Salinas:

In accordance with your request, we are presenting an appraisal report of the underlying fee simple land described as a 0.160 acre tract of land out of Lot 1, Block 16 of the Steele and Pershing Subdivision located at the northwest corner of McColl Road and Yuma Avenue in McAllen, Texas. The scope of the assignment is to value the subject property as per date of inspection, to determine the current market value of the part to be acquired. This acquisition shall be recorded in the name of Hidalgo County, Texas. This report is for the sole use and analysis by the Hidalgo County Precinct No. 2 and has been performed under that standards set forth by the Uniform Standards of Professional Appraisal Practice (USPAP), The State of Texas, Standards of Professional Practice of the Appraisal Institute and Senate Bill 18 (SB-18) as per scope of the assignment. The report is limited to the information provided by the client and by other public information sources such as the Hidalgo County Appraisal District, Hidalgo County Deed Records and the Hidalgo County Tax Office and is limited to the on or off-site inspection of the proposed acquisition area.

I, Leonel Garza III, a General Certified Real Estate Appraiser, personally inspected the subject property on November 4, 2016 and have carefully studied and analyzed factors pertinent to the valuation of the estimate of value. Information provided by the client was utilized for the determination of market value and for the overall analysis of the remainder before and after the acquisition. It should be understood by the reader that the client and intended user is Hidalgo County Precinct No. 2. The report has been developed based on the knowledge that said acquisition area shall be utilized for the public use indicated to be for the extension and expansion of Yuma Avenue to be developed by Hidalgo County Precinct No. 2.

***I hereby certify that, it is my opinion the total compensation for the acquisition of the herein described property is \$64,548 as of the most recent inspection (visit) of the subject on November 4, 2016.***

Based upon my independent appraisal and the exercise of my professional judgment; on November 4, 2016, (date)(s), I personally inspected in the field the property herein appraised; I afforded David Seal and Julian Zendejas, the property owner(s) or the representative (s) of the property owner, the opportunity to accompany me at the time of the inspection. The comparables relied upon in making said appraisal were as represented by the photographs contained in the appraisal report and were inspected on November 4, 2016. I have not revealed and will not reveal the findings and results of such appraisal to anyone other than the proper officials of Hidalgo County Precinct No. 2 until authorized by the client to do so, or until I am required to do so by due process of law or until I am released from this obligation by having publicly testified to such findings. My compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result or the occurrence of a subsequent event.

The appraiser has considered access damages in accordance with Section 21.042(d) of the Texas Property Code, as amended by SB18 of the Texas 82<sup>nd</sup> Regular Legislative Session and finds as follows:

1. Is there a denial of direct access of the parcel? No (yes or no)
2. If so, is the denial of direct access material? N/A (yes, no, or not applicable)
3. The lack of any access denial or the material impairment of direct access on or off the remaining property affects the market value of the remaining property in the sum of \$ 0.00.

I certify to the best of my knowledge and belief that the statements of fact contained in this report are true and correct; the reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions and conclusions; I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved; and, my analyses, opinions and conclusions were developed, and this report has been prepared in conformity with the appropriate State laws, regulations, and policies and procedures applicable to the appraisal of right-of-way for such purposes, and that to the best of my knowledge no portion of the value assigned to such property consists of items which are non-compensable under the established law of said State, and any decrease or increase in the fair market value of subject real property prior to the date of valuation caused by the public improvement other than that due to the physical deterioration within the reasonable control of the owner has been disregarded in estimating the compensation for the property.

Sincerely,



Leonel Garza III  
TX-1328375-General

APPRAISAL SUMMARY

Fee Simple Owner of Record \_\_\_\_\_ David Seal & Julian Zendajas  
425 East Moore Road, Pharr, Texas 78577

Physical Location \_\_\_\_\_ Southeast Corner of South McColl Road and Yuma Avenue (Not  
Constructed), McAllen, Texas

Date of Off-Site Visit \_\_\_\_\_ November 4, 2016

Type of Property/Existing Use \_\_\_\_\_ Light Commercial / Vacant

Property Rights Appraised \_\_\_\_\_ Fee Simple Estate

City Zoning Ordinance \_\_\_\_\_ R-3A Multifamily Residential Apartment Zone

Flood Zone Designation \_\_\_\_\_ Zone B

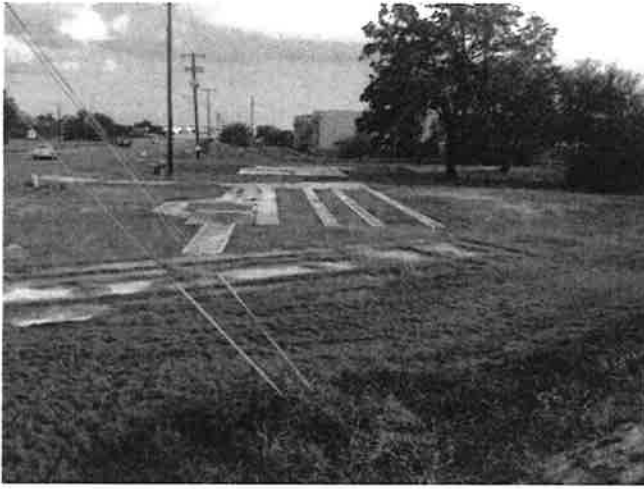
Utilities Available \_\_\_\_\_ All Municipal Utilities Available

Legal Description (Parent Tract) \_\_\_\_\_ All that part of Lot 1, Block 16, lying North and West of Hidalgo County  
Water Improvement District No. 2 canal, containing 0.95 acre more or  
less, Steele and Pershing Subdivision, Hidalgo County, Texas.

Parent Tract _____	0.950 Acres	41,382 square feet
Existing Yuma Avenue Right of Way _____	0.172 Acres	7,361 square feet
Adjusted Gross Acreage _____	0.778 Acre	34,021 square feet
Existing Right of Way McColl Road _____	0.107 Acre	4,108 square feet
Net Acreage _____	0.671 Acre	29,913 square feet
Concurrent Acquisition Area		
Linear Park Project _____	0.511 Acre	22,793 square feet
Net Acquisition Area _____	0.160 Acres	7,120 square feet
Remainder Area _____	0.000 Acres*	

*\*A separate acquisition of 0.511 acres (22,793 square feet) is concurrent with this parcel acquisition which is the northern property boundary of the subject property and the remainder of this tract. The 0.511 acres shall be purchased for the Hidalgo County Precinct No. 2. It is also noted that within the survey a portion of right-of-way claimed by City of McAllen (0.136 acres) has not be acquired by deed and therefore shall be included in the acquisition area as per scope of assignment.*

PHOTOGRAPHS



**Photo 1**

Northern view of the subject area along the northern boundary of the Canal ROW.



**Photo 2**

Eastern view of the subject area along the eastern boundary of South McColl Road. This area of subject shall be acquired for the Yuma-McColl Road Project



**Photo 3**

Eastern view of the proposed acquisition area along the eastern boundary of South McColl Road.



**Photo 4**

A secondary view of the proposed acquisition area along the eastern boundary of South McColl Road.

#### PURPOSE OF THE ASSIGNMENT

The property rights being appraised in this report consist of the fee simple estate and easement valuation of the subject property. Fee Simple Estate is defined by the Dictionary of Real Estate Appraisal, Sixth Edition, Copyright 2015 by the Appraisal Institute as being: "Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat."

#### CLIENT AND INTENDED USER

The client and intended user of this report is identified as Hidalgo County Precinct No. 2. Hidalgo County Precinct No. 2 has a local office at 300 W. Hall Acres, Pharr, Texas 78577. Jaime Salinas and Jaime Cruz, right of way agents for Precinct No. 2 shall be negotiating the acquisition of said parcel. They can be contacted directly at (956) 787-1891.

#### INTENDED USE

The intended use of the report is to provide a market valuation of the proposed acquisition area and in order for Hidalgo County Precinct No. 2 and / or assigns for assistance in the purchase of the fee estate of the subject property. This report shall be utilized for negotiations and eminent domain proceedings (if necessary). The appraisal shall assist the determined negotiator the market value for the purchase of all or part of the area identified by survey. This appraiser does not authorize the unintended use of the report for any other purpose without the written consent of Leonel Garza III.

#### SCOPE OF ASSIGNMENT

By request of L&G Engineering on behalf of Hidalgo County Precinct No. 2, a request for Leonel Garza Jr. & Associates, LLC to prepare an appraisal report of the fee simple estate of the part to be acquired. The client indicated that the scope of the assignment is to determine the underlying land value of the subject property and any contributory value of the site improvements located within the part to be acquired and diminution of market value (if any). Market sales within the area and / or comparable market areas are to be identified and analyzed for the determination of market value of the proposed acquisition area as per date of on or off-site inspection.

- Contact owner of record by certified mail as per Hidalgo County Appraisal District records as to the intent to inspect said property. Afford owner opportunity to meet with appraiser. In the event, access is not granted or any written or verbal communication has not been made with owner of record, appraiser is to proceed off-site. The owner shall always reserve the right for a re-inspection of the subject parcel at a later date if requested in writing.
- The market area shall be researched in order to identify comparable sales to the subject property.
- Appraiser is to determine the most applicable approach to market value for valuation of the subject property. This will include each segment of value; Whole Property, Part To Be Acquired, Remainder Before and After Acquisition as they apply to the subject property.
- Any improvements not located within the part to be acquired and outside of the permissibility of inspection as defined by the owner of record or representative, shall be given a stated value for purposes of the report.
- Personal property is not to be included in the valuation of the subject property.

#### PROPERTY RIGHTS APPRAISED

The property rights being appraised in this report consist of the fee simple estate and easement valuation of the subject property. Fee Simple Estate is defined by the Dictionary of Real Estate Appraisal, Sixth Edition, by the Appraisal Institute as being: "Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat."

#### PARTIAL ACQUISITION METHODOLOGY

The method of valuation involved in this project is set forth by the State of Texas when the governmental retained right of eminent domain is exercised. The Texas Constitution permits the acquisition of private property for public use (eminent domain), but it requires that any such acquisition entitles the owner to just compensation and that it shall be by the due process of the law of the land. The law dictates that the value of the whole property, the value of the part taken, the value of the remainder before the taking and the value after the taking be ascertained. The law allows for the offset of damages by enhancement if the enhancement is specific to the subject property. In the valuation of the proposed easement(s), the appraisers have taken into consideration the rights being taken and the contributory value of the land affected by this project. The percentage of the fee value acquired in the acquisition of the easement is based on two basic effects: 1) the Legal Encumbrance of the easement rights and obligations; and 2) the Physical Use of the easement areas.

#### EXTRAORDINARY ASSUMPTIONS

An extraordinary assumption is required that no other easements or encumbrances are located within the part to be acquired. The report has been prepared under the extraordinary assumption that the subject property can be rezoned to a light commercial zone similar to neighboring properties at the intersection of Yuma Avenue and McColl Road.

#### HYPOTHETICAL CONDITIONS

Report has been prepared under the hypothetical condition that the subject can be approved for a light commercial zone by the City of McAllen.

#### JURISDICTIONAL EXCEPTION RULE

If any part of the Uniform Standards of Professional Appraisal Practice is contrary to the law or public policy of any jurisdiction, only that part shall be void and of no force or effect in that jurisdiction. For the purposes of this assignment, in valuing the whole property before the taking, we have disregarded any increase or decrease in the market value of the property caused by the public improvement for which part of the property is being taken, or by the likelihood that the property would be taken. Therefore, no enhancement to market value (if any) shall be considered based on project influence.

#### ENVIRONMENTAL STATEMENT

This appraiser has made a visual on-site observation of the subject property and no obvious adverse environmental concerns, pesticides or other potentially hazardous materials were present. However, this appraiser is not qualified to make a detailed study on environmental concerns of the subject property. If, for any reason an environmental concern exist which was not observable to this appraiser, then it is highly recommended that an inspection be made by a qualified environmental engineer. Based on this appraiser's observation and conversations with the subject owner, this appraisal shall be based on the assumption that no environmental concern exist and shall be valued as such. If an environmental concern is noted to this appraiser after the date of report, Leonel Garza, Jr. & Associates, LLC reserves the right to re-evaluate the market value of the subject property as mentioned in the scope of the assignment for an additional fee. As per L&G Engineering, an asbestos study was performed on the subject property which identified vinyl tile located on the remaining concrete slabs located within the acquisition area.

ACCESSIBILITY OF SUBJECT

Julian Zendejas contacted Leonel Garza III, to discuss the proposed project at the offices of Leonel Garza Jr. & Associates. Mr. Zendejas gave verbal permission to enter the property for purposes of photographing and measuring site improvements on the property. Ownership was verified with information from the Hidalgo County Appraisal District and County Deed Records. This report is subject to a title search of which is outside the scope of the assignment.

DATE OF VALUE

The effective date of appraised value is based on the most recent off-site visit to said property which is, November 4, 2016.

DATE OF REPORT

The effective date of report is November 28, 2016

SALES HISTORY

This appraiser has examined the history of the subject property and has found the following: According to the Hidalgo County Appraisal District and the County Clerk's Office, the subject property has been under the ownership of David Seal and Julian Zendejas, and has been since October 20, 2005. The subject property was conveyed from Roy Clarence Busby and wife, Mary Busby (Grantor) to David Seal and Julian Zendejas (Grantee) according to Warranty Deed with Vendor's lien recorded under Document No. 1540418.

## ASSUMPTIONS & LIMITING CONDITIONS

The appraisal report is based on facts present and found during the report. The report is conducted under the following assumptions and limiting conditions, except as otherwise noted in our report.

No responsibility is assumed for the legal description or for matters including legal or title considerations. Title to the property is assumed to be good and marketable, unless otherwise stated.

The property is appraised free and clear of any or all liens or encumbrances, unless otherwise stated.

Responsible ownership and competent property management are assumed.

The information furnished by others is believed to be reliable, but no warranty is given for its accuracy.

All engineering is assumed to be correct. The plot plans and illustrative material in this report are included only to assist the reader in visualizing the property.

It is assumed that there are no hidden or un-apparent conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.

It is assumed that the property is in full compliance with all applicable federal, state, and local environmental regulations and laws, unless the lack of compliance is stated, described, and considered in the appraisal report.

It is assumed that all required licenses, certificates of occupancy, consents, or other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.

It is assumed that the use of the land and improvements is confined within the boundaries or property lines of the property described and that there is no encroachment or trespass, unless noted in the report.

Unless otherwise stated in this report, the existence of hazardous material, which may or may not be present on the property, was not observed by this appraiser. The appraiser does not have any knowledge of the existence of such material on or in the property. The appraiser, however, is not qualified to detect such substances. The presence of substances such as asbestos, urea-formaldehyde foam insulation or other potentially hazardous materials may affect the value of the property. The value estimate is predicated on the assumption that there is no such material on or in property that would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in this field, if desired.

Any sketch of the property included in the body of this report is for illustrative purposes only and should not be considered to be scaled accurately as this is utilized for demonstrative purposes only in order to have the reader understand the scope of the assignment as stated in the report. Any survey provided by the client shall be utilized as the official indicator of land area to be acquired throughout the body of the report.

The appraiser accepts no responsibility for considerations requiring expertise in other fields. Such considerations include, but are not limited to, legal descriptions and other legal matters, geologic considerations, such as soils and seismic stability, and civil, mechanical, electrical, structural and other engineering and environmental matters. The distribution of the total valuation in this report between land and improvements applies only under the reported highest and best use of the property. The allocations of value for land and improvements must not be used in conjunction with any other appraisal and are invalid if so used. This appraisal report shall be considered only in its entirety. No part of this appraisal report shall be utilized separately or out of context.

No part of the contents of this report (especially any conclusions as to value, the identity of the appraisers, or any reference to the Appraisal Institute) shall be disseminated through advertising media, public relations media, news media or any other means of communication (including without limitation prospectuses, private offering memoranda and other offering material provided to prospective investors) without the prior written consent of the appraisers.

Information, estimates and opinions contained in this report, obtained from sources outside of the office of the undersigned, are assumed to be reliable and have not been independently verified.

Any income and expense estimates contained in this appraisal report are used only for the purpose of estimating value and do not constitute predictions of future operating results.

No consideration has been given to personal property located on the premises or to the cost of moving or relocating such personal property; only the real property has been considered.

All parties who use or rely upon any information in this report without our written consent do so at their own risk. No studies have been provided to us indicating the presence or absence of hazardous materials on the site or in the improvements, and our valuation is predicated upon the property being free and clear of any environment hazards.

No evidence or documentation has been provided as to the presence or location of any floodplain areas and/or wetlands. We are not qualified to detect such areas. The presence of floodplain areas and/or wetlands may affect the value of the property, and the value conclusion is predicated on the assumption that wetlands are non-existent or minimal. The only method of determining flood zone in the area is by way of FEMA Flood Map designations of which are subject to change.

Possession of this report, or a copy thereof, does not carry with it the right of publication. Any and all further copies of said report must be requested with the client.

The appraiser, by reason of this appraisal, is not required to give further consultation, testimony, or be in attendance in court with reference to the property in question unless arrangements have been previously made.

No part of the contents of this report (especially any conclusions as to value, the identity of the appraiser, or the firm with which the appraiser is connected) shall be disseminated to the public through advertising, public relations, news, sales, or other media without the prior written consent and approval of Leonel Garza III, President of Leonel Garza Jr. & Associates, LLC.

## CITY OF MCALLEN MARKET ANALYSIS

The City of McAllen, Texas, and is approximately 222 miles south of San Antonio, Texas. Hidalgo County contains one of the fastest growing MSA's (Metropolitan Statistical Area) in the State as well as the Nation. The McAllen, Mission, Edinburg MSA and Reynosa, Mexico comprise a dynamic community with a combined population of ±1.4 million. During the past two decades, this area has made bold advances, with unprecedented growth in both population and industrial attraction. The McAllen MSA is ranked

- 4th fastest growing MSA in America by percent change in population (U.S. Census 2000).
- #1 county in Texas by percent change in population (U.S. Census 2000).
- 25th best place to do business or advance a career in the U.S. (Forbes Magazine, 2001).
- #1 in mid-size cities for growth and development in the South (Southern Business Magazine 2001).
- Top 50 automotive supplier locations. (Southern Business Magazine 2001).

McAllen is represented by 37 of America's top 100 retailers. More than 80 of Fortune 500's global manufacturers have operations in McAllen/Reynosa. Included among them are: AT&T, Bissel, Black & Decker, BMW, Delco, Drexel Meyer, Eaton, Emerson, GE, Johnson Controls, Nokia, R. R. Donnelley & Sons, Panasonic, Siemens, Sony, Symbol, TRW, West Bend and Whirlpool.

In 2000, from among the top 20 cities in Texas, McAllen ranks 4th in per-capita sales tax collections, 6th in the percent change in population, 12th in retail sales and 15th in population.

- County bank deposits grew from \$2.6 billion to \$4.8 billion in the 1990's, while McAllen's share grew 68%, from \$1.6 billion to \$2.5 billion of the total.
- County retail trade grew from \$2.57 billion to \$ 4.90 billion, while McAllen's retail sales grew 74%, from \$1.86 billion to \$2.37 billion of the total.
- McAllen's retail totals accounted for 48% of all retail sales in Hidalgo County, even though McAllen represents just 19% of the county's population.
- McAllen is the retail center of South Texas and Northern Mexico, drawing from a consumer base of over 10 million people. This sector has become the driving force in McAllen's economy, growing a staggering 138% over the last 10 years, to over 2 billion and employing 27% of the workforce.

The McAllen area has also been successful in attracting new call centers employing over 4,200 people due mostly to the fact that the Valley boasts the 7th largest pool of available labor in the country, and it's bilingual, too. A few of the call centers that have established in the past two years are Convergys, TicketMaster, West TeleServices, Western Wireless and Teleperformance.

In Hidalgo County, cross-border cargo and vehicular traffic increased 214% and 69% respectively during the decade of the 1990's from 228,133 to 715,305 cargo trucks and from 10.92 million to 18.45 million automobiles. US/Mexico trade crossing the international bridge in Hidalgo County increased from \$5.0 billion in 1994, pre-NAFTA, to \$12.56 billion in 2000.

The market area includes ample recreational, educational, medical, and employment facilities within proximity. The trend for the market area of the subject property appears to be for the continued development of commercial retail developments along the frontage of U.S. Expressway 83, 10<sup>th</sup> Street, Ware Road, Taylor, Shary Road and Bryan Road. The area around the intersection of Ware Road and US Expressway 83 continues to expand.

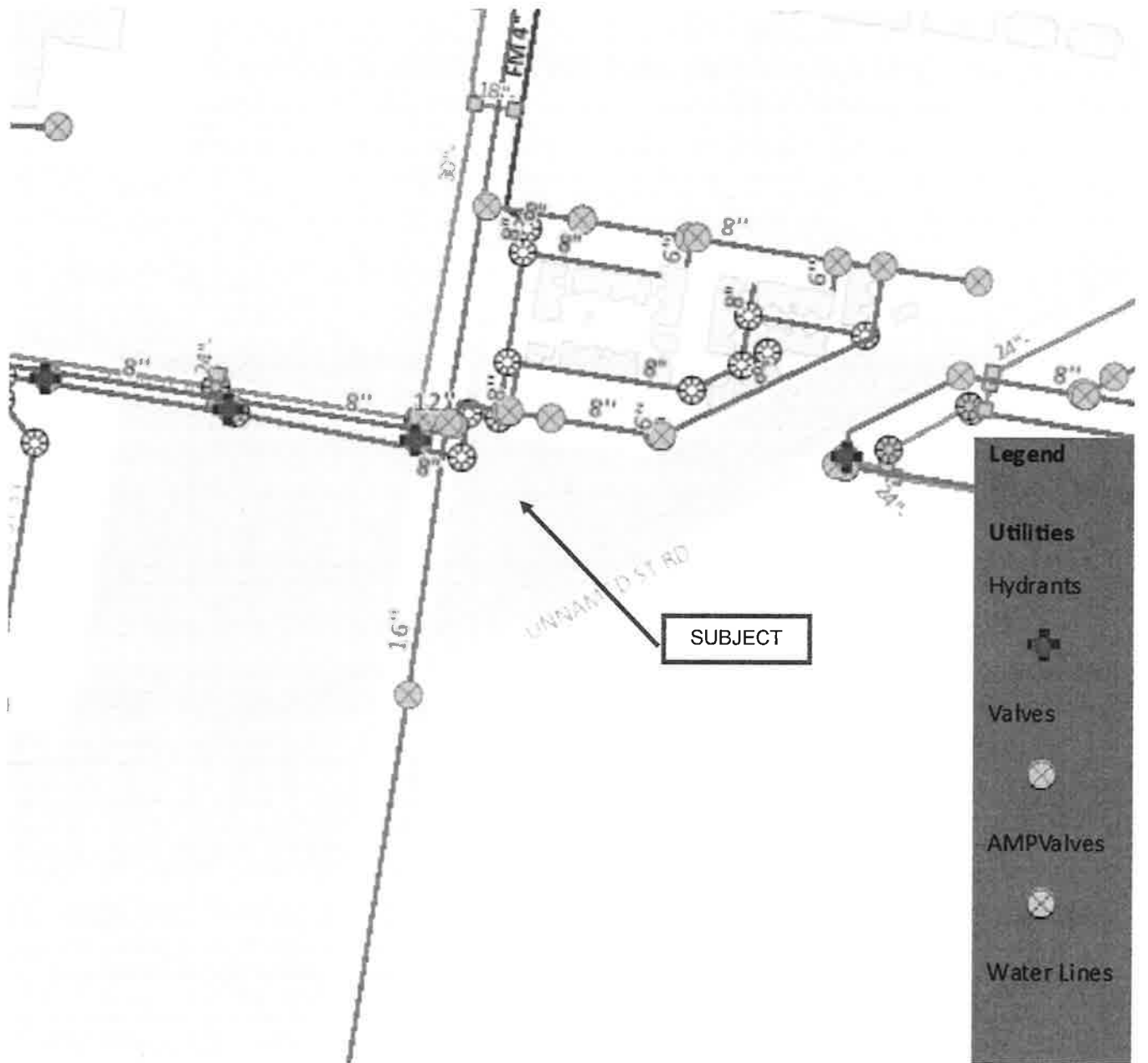
McALLEN CITY LIMITS AND EXTRATERRITORIAL JURISDICTION



[www.cityofmcallen.net](http://www.cityofmcallen.net)

UTILITIES

According to the City of McAllen, the subject area does contain electricity, water and phone service. Other utility or public services in this region include multiple irrigation districts and drainage districts, as depicted within the following graphic.



www.cityofmcallen.net

**MUNICIPAL ZONING**

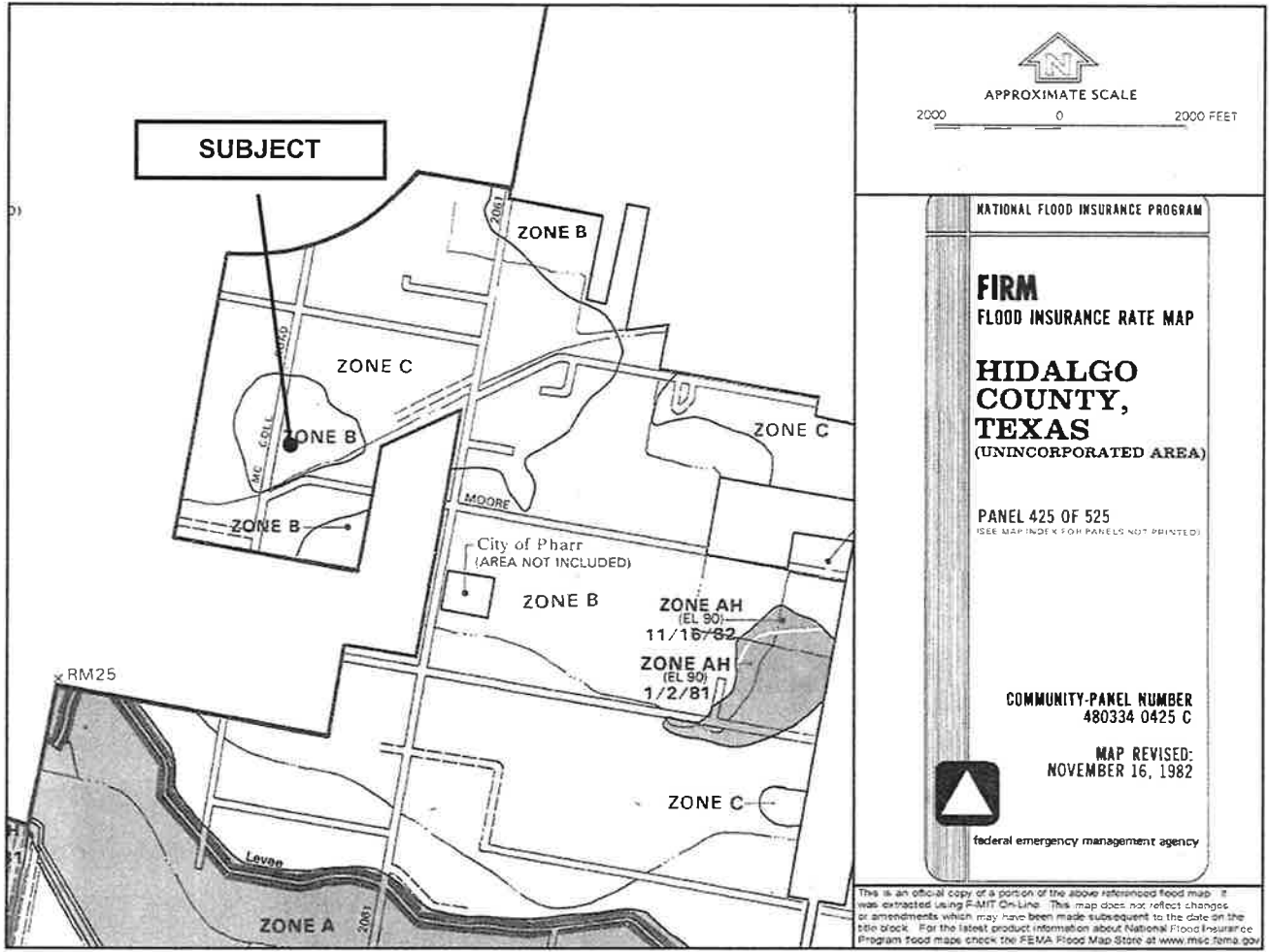
City of McAllen Planning and Zoning Department indicated that the property was currently zoned R-3A Apartments. Note, properties located at the northwest corner of Yuma Avenue and McColl Road are zoned C-1 (Office Building) while the southwest corner is zoned C-3L (Light Commercial). This report has been prepared under the extraordinary assumption that the subject property due to its overall size, location and surrounding use could be rezoned to a C-1 or C-3L zone like the neighboring properties along the west side of McColl Road.



[www.mcallen.net](http://www.mcallen.net)

**FEMA FLOOD MAP**

FEMA MAP No. \_\_\_\_\_ 480334025C  
 FLOOD ZONE DESIGNATION\* \_\_\_\_\_ Zone B



Flood hazard areas identified on the Flood Insurance Rate Map are identified as a Special Flood Hazard Area (SFHA). SFHA are defined as the area that will be inundated by the flood event having a 1-percent chance of being equaled or exceeded in any given year. The 1-percent annual chance flood is also referred to as the base flood or 100-year flood. SFHAs are labeled as Zone A, Zone AO, Zone AH, Zones A1-A30, Zone AE, Zone A99, Zone AR, Zone AR/AE, Zone AR/AO, Zone AR/A1-A30, Zone AR/A, Zone V, Zone VE, and Zones V1-V30. Moderate flood hazard areas, labeled Zone B or Zone X (shaded) are also shown on the FIRM, and are the areas between the limits of the base flood and the 0.2-percent-annual-chance (or 500-year) flood. The areas of minimal flood hazard, which are the areas outside the SFHA and higher than the elevation of the 0.2-percent-annual-chance flood, are labeled Zone C or Zone X (unshaded).

<http://www.fema.gov/flood-zones>

**PROPERTY TAX ASSESSMENT**

**Hidalgo CAD**

**Property Search Results > 290247 SEAL DAVID & JULIAN ZENDEJAS for Year 2017**

**Property**

**Account**

Property ID: 290247 Legal Description: STEELE & PERSHING BNG AN IRR TR N245.74'-W338.23' LOT 1 BLK 16 1.00AC GR .72AC NET  
 Geographic ID: S5950-00-016-0001-00 Agent Code:  
 Type: Real  
 Property Use Code:  
 Property Use Description:

**Location**

Address: S MCCOLL RD Mapsco:  
 MCALLEN, TX  
 Neighborhood: STEELE & PERSHING Map ID: CML  
 Neighborhood CD: S595000

**Owner**

Name: SEAL DAVID & JULIAN ZENDEJAS Owner ID: 368023  
 Mailing Address: 425 E MOORE RD % Ownership: 100.0000000000%  
 PHARR, TX 78577-6300  
 Exemptions:

**Taxing Jurisdiction**

Owner: SEAL DAVID & JULIAN ZENDEJAS  
 % Ownership: 100.0000000000%  
 Total Value: \$63,750

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	APPRAISAL DISTRICT	0.000000	\$63,750	\$63,750	\$0.00
CML	CITY OF MCALLEN	0.476300	\$63,750	\$63,750	\$303.64
DR1	DRAINAGE DISTRICT #1	0.095100	\$63,750	\$63,750	\$60.63
GHD	HIDALGO COUNTY	0.590000	\$63,750	\$63,750	\$376.13
JCC	SOUTH TEXAS COLLEGE	0.185000	\$63,750	\$63,750	\$117.94
R12	ROAD DIST 12	0.000000	\$63,750	\$63,750	\$0.00
SPA	PSJA ISD	1.399200	\$63,750	\$63,750	\$891.99
SST	SOUTH TEXAS SCHOOL	0.049200	\$63,750	\$63,750	\$31.37
<b>Total Tax Rate:</b>		<b>2.794800</b>			
<b>Taxes w/Current Exemptions:</b>					<b>\$1,781.70</b>
<b>Taxes w/o Exemptions:</b>					<b>\$1,781.69</b>

**Roll Value History**

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2017	\$0	\$63,750	0	63,750	\$0	\$63,750
2016	\$0	\$63,750	0	63,750	\$0	\$63,750
2015	\$0	\$63,750	0	63,750	\$0	\$63,750
2014	\$0	\$63,750	0	63,750	\$0	\$63,750

### HIGHEST & BEST USE

The highest and best use is defined as "The reasonably probable and legal use of vacant land / or an improved property that is physically possible, appropriately supported, financially feasible and that results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity".

*The Dictionary of Real Estate Appraisal. 6<sup>TH</sup> Edition Chicago: Appraisal Institute, 2015*

The highest and best use of both land as though vacant and property as improved must meet four criteria known as the highest and best use. The criteria includes; physically possible, legally permissible, financially feasible, and maximally productive. The analysis of these four criteria are the basis for the overall valuation of the subject property. It is imperative that the appraiser analyze each of these four criteria to determine the market value of the subject property. In review of the subject properties overall physical characteristics of the surrounding neighborhood it is determined that the overall subject property can be utilized for a variety of developments to include but not limited to single family residential, multifamily residential, light commercial development.

The second criteria is legally permissible. The subject property is currently zoned R-3A (Apartments) which would require the development of 1 to 4 family type units on the subject property. However, based on the surrounding use of properties located at the northwest and southwest corner of Yuma Avenue in South McColl Road it is highly likely that with an application to rezone the subject property that a higher intensity use would be approved by the city of McAllen. This is an extraordinary assumption based on review of surrounding properties along McColl Road in Yuma Avenue. This report is under the extraordinary assumption and hypothetical condition of the subject property would be zoned for a C-1 or C-3 L type zone similar to neighboring properties. As of the date of this report, the owners have indicated that they have not applied for a rezone of the subject property.

The final two criteria include financially feasible and maximally productive use, which the subject in its current state as vacant does not meet these criteria. Therefore, the subject property would have to be developed to be at its most financially feasible and maximally productive state. This appraiser is making the extra assumption that a C-1 or C-3 L type zone would be allowed on the subject property and thereby making the most financially feasible and maximally productive state, which would warrant the highest market value. In conclusion based on the review of the four criteria of the highest and best use, it is indicated that the subject property market value be based on a light commercial development use.

### DEFINITION OF MARKET VALUE

Market Value is defined as the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the Buyer and Seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from Seller to Buyer under conditions whereby:

Buyer and Seller are typically motivated.

Both parties are well informed or well advised, and each-acting in what they consider their own best interest.

A reasonable time is allowed for exposure in the open market.

Payment is made in terms of cash in U.S. Dollars or in terms of financial arrangements comparable thereto.

The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

*The Office of the Comptroller of the Currency. (2006). 12 CFR, Part 34, Subpart C-Appraisals, 34-42, Definitions (g). Retrieved March 12, 2007, from <http://www.occ.treas.gov/fr/cfrparts/12CFR34.htm#§%2034.42%20Definitions>.*

**MARKET LAND SALES**

The following sales were derived from a multitude of sources of which include the local multiple listing service, appraisal district public information, deed records and other appraisers and Realtors in the Lower Rio Grande Valley. These sales are verified with at least two sources and are deemed reliable as of the date of this report. Other sales may have been identified in the area; however, if all information cannot be verified as per date of the report they may only be mentioned, but not heavily weighted in the overall analysis of the subject property.





Land Sale No. 1



Sales Record ID	2333
Property Type	Vacant Commercial
Tax ID	M2650-00-007-0006-03
Grantor	Gaspar Barrera and wife, Rachel Barrera
Grantee	Kemas Pharr Jackson, LTD
Sale Date	January 27, 2015
Verification	MLS: A247172487S
Gross Land Size	0.650 Acres or 28,314 SF
Sale Price	\$ 400,000
Unit Sales Price	\$14.13 / SF
Utilities	Water / Sewer / Electrical

Legal Description

Being a 0.741 acre tract of land (Gross), more or less, out of the South 1/2 of Lot 6, Block 7, A.J. McColl Subdivision, of Porcion 68 as recorded in Vol. 21, Pg. 598, Map Records, Hidalgo County, Texas.

Property Description:

the subject property is a vacant tract of land located along the east side of Jackson Avenue just north of Oakland Avenue. The subject is an emerging market in which light commercial developments are occurring in the immediate area. The subject property has accessibility to all municipal services at the time of sale.

Land Sale No. 2



Sales Record ID	2299
Property Type	Vacant - Multifamily
Tax ID	L2100-00-000-0001-00
Grantor	Trigo Investments, LLC
Grantee	Fenech Sole, LLC
Sale Date	June 23, 2015
Verification	MLS: L178643S
Gross Land Size	0.740 Acres or 32,234 SF
Sale Price	\$ 150,000
Unit Sales Price	\$4.65 / SF
Utilities	Water / Sewer / Electrical

Legal Description

Lots 1A and 2A, together with the East 31 feet of abandoned Sixth Street lying West of said Lots, La Villita Subdivision, an addition to the City of McAllen, Hidalgo County, Texas.

Property Description:

The subject property is a vacant tract of land located on the north side of Jackson Avenue. Subject is in an area which there is a transition from multifamily residential to light commercial developments. Subject has access to all city municipal services and is currently zoned R-3C.

Land Sale No. 3



Sales Record ID	2513
Property Type	Vacant Commercial
Tax ID	B2031-01-000-0001-00
Grantor	Bealuh Enterprises, LLC
Grantee	Luis F. Gonzalez
Sale Date	July 31, 2015
Verification	MLS: E180772S
Gross Land Size	0.946 Acres or 41,195 SF
Sale Price	\$ 164,000
Unit Sales Price	\$3.98 / SF
Utilities	Water / Sewer / Electrical

Legal Description

All of Lot 1, Bealuh Enterprises No. 1 Subdivision, an Addition to the City of Pharr, Hidalgo County, Texas.

Property Description:

The subject property is a light commercial tract of land located on the north side of Dicker Road. Property was purchased for a commercial development and has municipal services available.

## Land Sale No. 4



Sales Record ID	1950
Property Type	Vacant Commercial
Location	Jackson Road (E/S) South of Expressway 83
Tax ID	M2650-00-007-0005-06
Grantor	Thomas F. Philips, Trustee
Grantee	Domain Development Corporation
Sale Date	June 18, 2014
Verification	MLS: E7961S
Gross Land Size	6.050 Acres or 263,538 SF
Sale Price	\$1,415,000
Unit Sales Price	\$5.37 / SF
Utilities	Water / Sewer / Electrical

### Legal Description

A tract of land containing 6.565 acres situated in Hidalgo County, Texas, Being a part or portion of a certain (27.98-acre) tract of Lot 5, Block 7, A.J. McColl Subdivision, Hidalgo County, Texas, according to the map recorded in volume 21, page 598, deed records in the office of the County Clerk of Hidalgo County, Texas.

### Property Description:

The subject is a commercial tract of land that was part of a larger 13.00 acre tract sold for commercial and retail development. The subject property does contain all municipal services available to the site at the time of sale.

Active Land Listings Near Subject



Listing Record ID	3710
Property Type	Vacant Light Commercial and or Multifamily
Tax ID	S5950-00-015-0005-02
Grantor	William A. Schwartz, Trustee
Verification	MLS: A194565A
Gross Land Size	3.750 Acres or 163,350 SF
Asking Price	\$1,395,000
Asking Unit Price	\$8.54 / SF
Topography	Level
Utilities	Water / Sewer / Electrical

Legal Description

Three (3) acres out of Lot Five (5), Block Fifteen (15), Steele & Pershing Subdivision of the East 1/2 of Porcion 66 and all of Porcion 67, Hidalgo County, Texas.

**MARKET VALUE ANALYSIS**

VALUATION GRID		REPRESENTATIVE COMPARABLE SALES			
	Subject	Comp. No. 1	Comp. No. 2	Comp. No. 3	Comp. No. 4
Grantor	Roy Clarence Busby and Mary Busby	Gaspar Barrera and Rachel Barrera	Trigo Investments, LLC	Bealuh Enterprises, LLC	Thomas F. Philips, Trustee
Grantee	David Seal and Julian Zendejas	Kemas Pharr Jackson, LTD	Fenche Sole, LLC	Luis F. Gonzalez	Domain Development Corp., a Texas Corporation
Date	October 20, 2005	January 27, 2015	June 23, 2015	July 31, 2015	August 18, 2014
Sales Price	\$ -	\$ 400,000	\$ 150,000	\$ 164,000	\$ 1,415,000
Unit Price	/ SF	\$ 14.13 / SF	\$ 4.65 / SF	\$ 3.98 / SF	\$ 5.37 / SF
Conditions of Sale	Cash To Seller	Similar 0%	Similar 0%	Similar 0%	Similar 0%
Market Conditions	Average	Similar 0%	Similar 0%	Similar 0%	Similar 0%
Relative Location	Average	Superior -30%	Inferior 40%	Inferior 40%	Superior 0%
Physical Characteristics	Irregular	Rectangular -5%	Rectangular -5%	Rectangular -5%	Rectangular -5%
Topography	Level	Similar 0%	Similar 0%	Similar 0%	Similar 0%
Available Utilities	All Municipal Utilities Available in Area	Similar 0%	Similar 0%	Similar 0%	Similar 0%
Economic Unit	29,913 SF	28,314 0%	32,234 0%	41,195 0%	263,538 50%
	Net Adjustment	\$ (4.94) -35%	\$ 1.63 35%	\$ 1.39 35%	\$ 2.42 45%
	Indicated Unit Value	\$ 9.18 / SF	\$ 6.28 / SF	\$ 5.37 / SF	\$ 7.79 / SF
<b>Unit Value of Fee Simple Area</b>					<b>\$ 8.00 / SF</b>

During the analysis of the acquisition area, the value for the subject whole property was determined utilizing the direct sales comparison approach to value, as vacant. Once the sales are identified, each is reviewed for comparability to the subject property. The determination of market value once all applicable adjustments are made, are applied to the part to be acquired (pro-rata part of the whole). The local market and extended market was searched for comparable land sales that are most like the subject property. Each of these sales utilized were indicated to be indicative of the market for the subject and therefore are reliable for the determination of the unit value of said tract of land. These sales were verified through various sources of which include, the Greater McAllen Multiple Listing Service, Hidalgo County Appraisal District, Grantors and / or Grantees, Appraisers and local Realtors. The land comparables were reviewed for similarity on several factors including but not limited to: Financing Terms, Market Conditions at Time of Sale, Available Utilities, Zoning, Road Access, Site Utility and Size of Tract. The subject property was analyzed based on the whole property land area of 29,913 square feet. Since the subject is being acquired under two separate acquisitions, the remainder of this report shall reflect the part to be acquired as a whole acquisition with no remainder as per scope of the assignment. The remainder 22,793 square feet (0.511 acres) shall be acquired under the Yuma Road Extension Project.

WHOLE PROPERTY ANALYSIS	LAND AREA	UNIT RATE	MARKET VALUE
LAND AREA (100% OF MARKET VALUE)	7,120 SF	\$ 8.00 / SF	\$ 56,960
IMPROVEMENT VALUE			\$ 6,588
LANDSCAPING			\$ 1,000
			\$ 64,548

County: Hidalgo, Precinct 2  
WA#22 Supplemental #2: Yuma Extension

Exhibit: A  
FIELD NOTES FOR PARCEL 1

Being a 7,120 square foot or 0.16 of an acre tract of land, out of Lot 1, Block 16, Steele and Pershing Subdivision, as recorded in Volume 8, Page 115, of the Deed Records, Hidalgo County, Texas, and being out of a called 0.95 of an acre tract of land, conveyed by Warranty Deed with Vendor's Lien dated October 20, 2005, as described in Document No. 1540418 of the Official Records, Hidalgo County, Texas, said 7,120 square foot or 0.16 of an acre tract of land being more particularly described by metes and bounds as follows;

**Commencing** at McColl Road, for the Northwest corner of said called 0.95 of an acre tract of land, for the Northwest corner of said Lot 1, Block 16, Steele and Pershing Subdivision;

**Thence** with the West line of said Lot 1, Block 16, South 08°37'54" West a distance of 50.00 feet to a point;

**Thence** departing the West line of said Lot 1, Block 16, and across and through said called 0.95 of an acre tract of land, South 81°22'06" East a distance of 50.00 feet to a 5/8" iron pin with plastic cap stamped "R.O.W. PROP. COR." (N=16,590,644.854, E=1,077,146.319) set in the apparent East Right of Way line of McColl Road, for the Southwest corner and **Point of Beginning** of this herein described tract of land;

1. **Thence** with the apparent East Right of Way line of McColl Road, North 08°37'54" East a distance of 30.00 feet to the existing South Right of Way line of Yuma Avenue (60' R.O.W.) for the Northwest corner of this herein described tract to of land;
2. **Thence** with the existing South Right of Way line of Yuma Avenue, South 81°22'06" East a distance of 258.29 feet to the existing West Right of Way line of the Hidalgo County Irrigation District No. 2 Lateral "E" canal, described as Tract No.2, Volume 120, Page 546, of the Deed Records, Hidalgo County, Texas, for the Northeast corner of this herein described tract of land;
3. **Thence** with the West line of said Hidalgo County Irrigation District No.2 Lateral "E", South 63°01'53" West a distance of 51.54 feet to a 5/8" iron pin with plastic cap stamped "R.O.W.S. PROP. COR." set for the Southeast corner of this herein described tract of land;

4. Thence across and through said 0.95 of an acre tract of land, with the South proposed Right of Way line of Yuma Avenue, North  $81^{\circ}22'06''$  West a distance of 216.38 feet to the **Point of Beginning** and being a 7,120 square foot or 0.16 of an acre tract of land.

Bearings based on the Texas Coordinate System, South Zone, NAD83 (NA2011), adjusted to surface using a grid to surface adjustment factor of 1.00004.

A plat survey of even survey date herewith accompanies this description.

I, Kurt Schumacher, a Registered Professional Land Surveyor, hereby certify that the legal description hereon and the accompanying plat represent an actual survey made on the ground under my supervision.

 06/22/2016

Kurt Schumacher  
Registered Professional Land Surveyor  
Texas Registration No. 6333



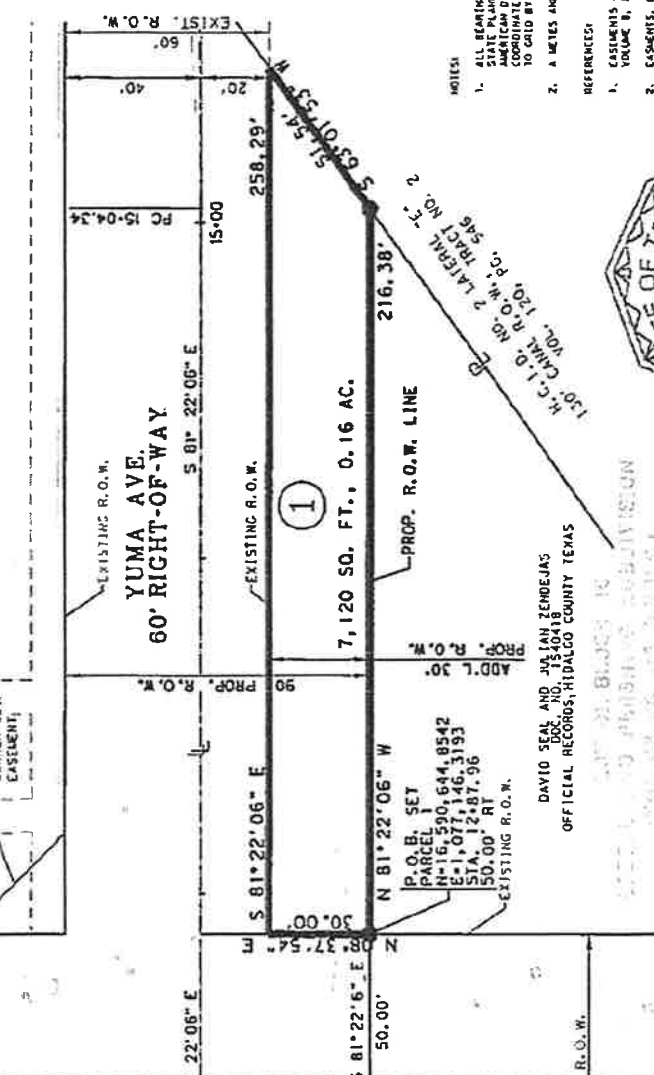
LOT 24, BLOCK 11  
STEELE AND PERSHING SUBDIVISION  
VOL. 08 PG 106-107

LA ESTANCIA APARTMENTS SUBDIVISION  
VOL. 46 PG. 126, M. R.H.C.

EXIST. 200330  
CORNER CLIP  
EASEMENT

EXISTING R.O.W.  
100' RIGHT-OF-WAY  
MCCOLL ROAD

P.O.C.  
PARCEL 1  
NW CORNER  
LOT 1,  
BLOCK 16



EXISTING R.O.W.  
YUMA AVE.  
60' RIGHT-OF-WAY

EXISTING R.O.W.  
15.00'

7,120 SQ. FT., 0.16 AC.

PROP. R.O.W. LINE

PROP. R.O.W.  
216.38'

PROP. R.O.W.  
258.29'

EXIST. R.O.W.  
60'

EXIST. R.O.W.  
60'

P.O.B. SET  
PARCEL 1  
N=15,590.644,8542  
E=1,077.196,3133  
STA 12+87.96  
50.00' RT  
EXISTING R.O.W.

DAVID SEAL AND JULIAN ZENDEJAS  
OFFICIAL RECORDS, HIDALGO COUNTY TEXAS

K.C.I.D. NO. 2 LATENT NO. 2  
150' C&G 120' R.O.W. 5/6

STATE OF TEXAS  
KURT SCHUMACHER  
REGISTERED  
LAND SURVEYOR  
6333  
04/29/2016

LOT 1, BLOCK 16  
STEEL AND PERSHING SUBDIVISION  
AS RECORDED IN DOCUMENT NO. 1540418,  
OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

PLAT OF SURVEY  
YUMA EXTENSION

A 7,120 SQ. FT. (0.16 AC.)  
TRACT OF LAND SITUATED IN LOT 1, BLOCK 16  
STEELE AND PERSHING SUBDIVISION,  
OUT OF A CALLED 0.95 ACRES OF LAND  
AS RECORDED IN DOCUMENT NO. 1540418,  
OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

TITLE COMMITMENT  
CHICAGO TITLE INSURANCE  
COMPANY  
PROPOSED INSURED/BORROWER  
HIDALGO COUNTY  
OWNER: DAVID SEAL AND  
JULIAN ZENDEJAS  
CF No. 1 0003166520  
EFFECTIVE DATE:  
MAY 4, 2016

LEGEND:

LOT LINE  
PROPERTY LINE  
PARCEL NUMBER  
RIGHT OF WAY  
POINT OF BEGINNING  
HIDALGO COUNTY  
DEED RECORDS  
MAP RECORDS  
HIDALGO COUNTY  
OFFICIAL RECORDS  
SET 5/8" IRON ROD  
WITH PLASTIC CAP  
STAMPED "HOWSS PROP. COR."  
FOUND 1/2" IRON ROD  
UNLESS OTHERWISE NOTED  
OVERHEAD ELECTRIC

NOTES

REFERENCES

SCALE 1"=50'

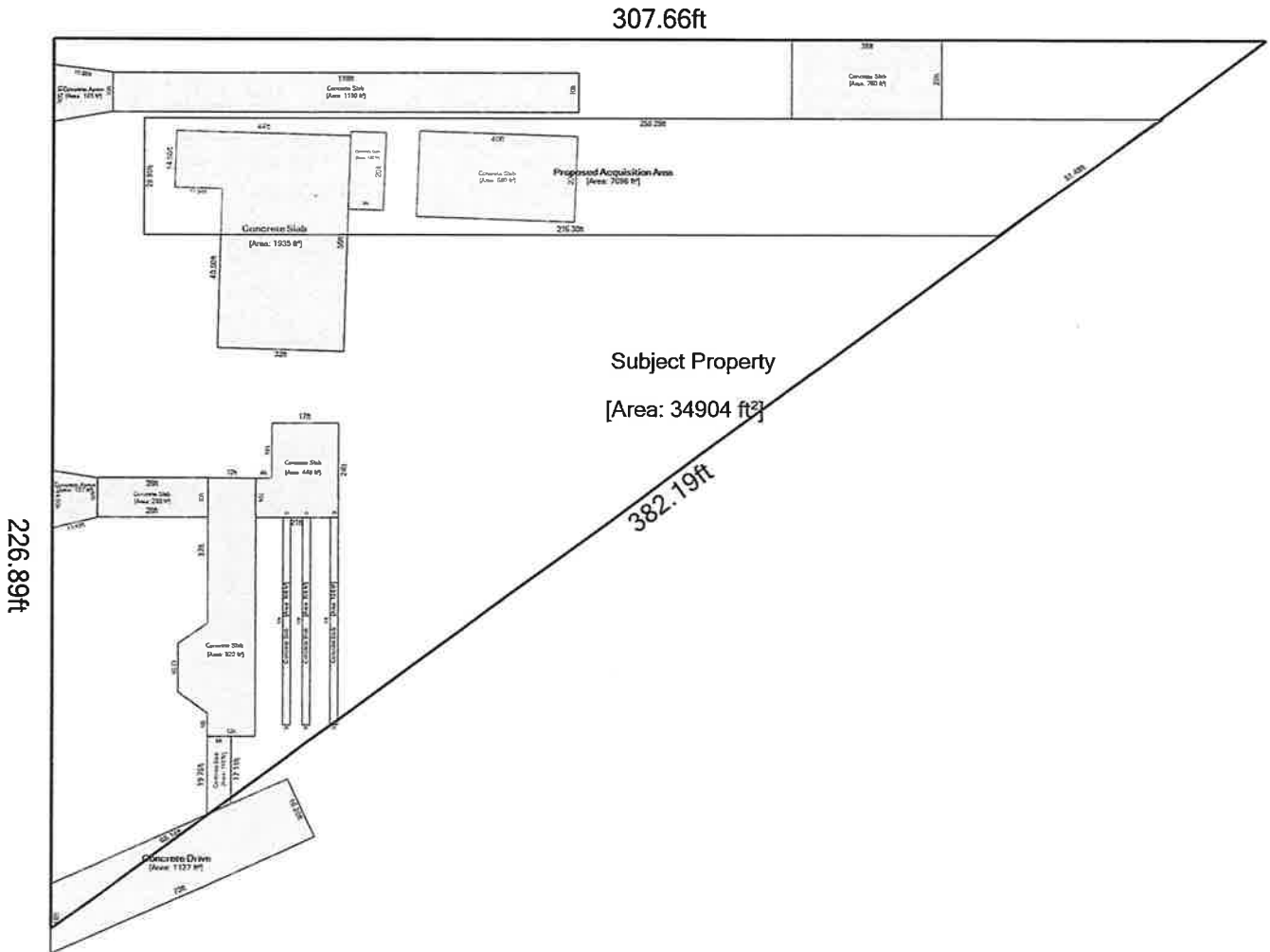
RIGHT OF WAY SKETCH  
SHOWING PROPERTY OF  
PARCEL 1  
YUMA EXTENSION

ROW  
SURVEYING SERVICES, L.L.C.  
2001 STEWART AVE. SUITE 113  
DALLAS, TEXAS 75247  
TEL: (972) 412-2321  
FAX: (972) 412-3131

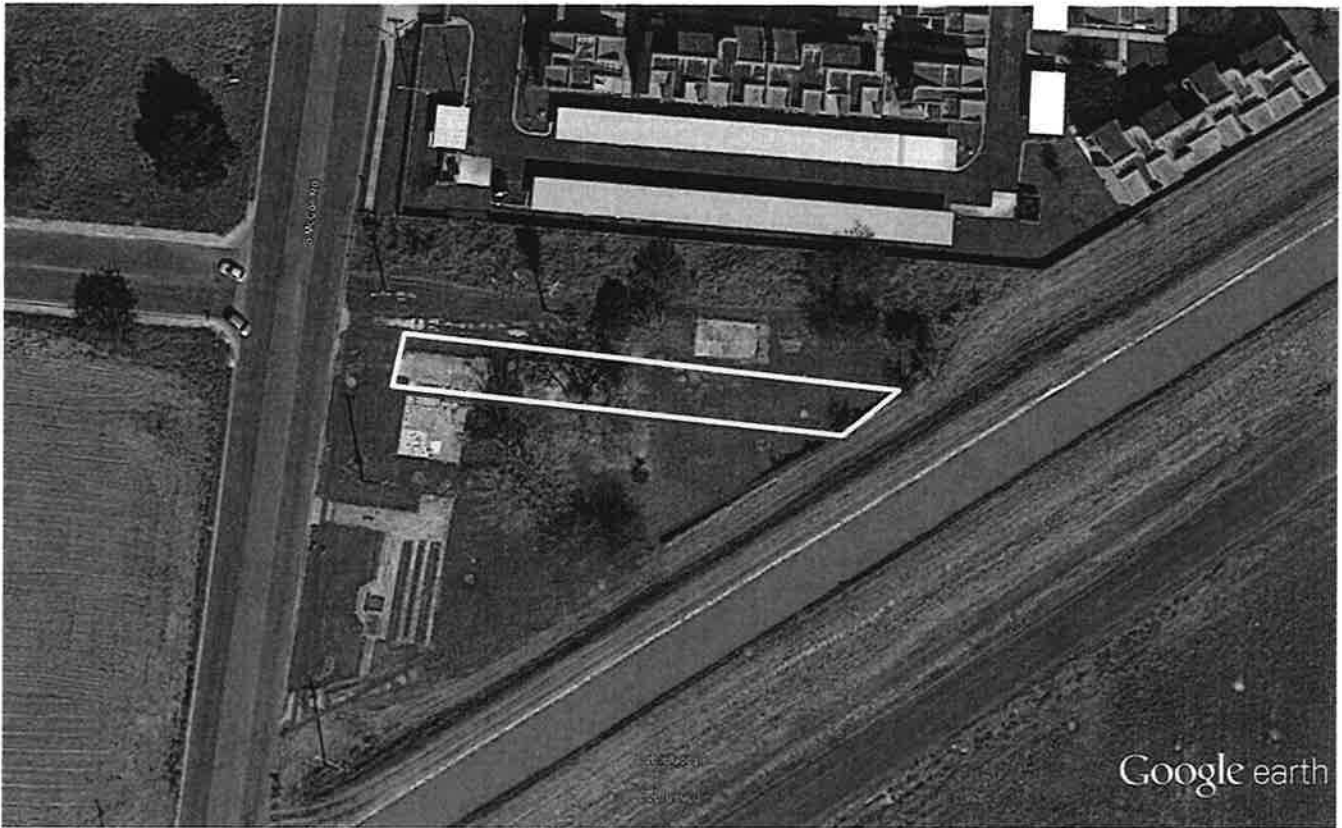
TEXAS REG. #1115348

# SKETCH OF ACQUISITION AREA

Area highlighted in yellow is the section of the subject property to be purchased as part of the Yuma Road Extension Project. The area to the north of the Yuma Road Project are improvements that appear to be encroaching onto existing Yuma Road Right of Way.



PART TO BE ACQUIRED



The part to be acquired consists of an irregular shaped tract of land out of Lot 1, Block 16 of the Steel and Pershing Subdivision with a total land area of 7,120 square feet or 0.160 acres (outlined in yellow). The part to be acquired was once utilized as a single family residential property. However, all that remains with in the acquisition area are three concrete foundations and associated large trees which was part of the original landscaping. The part to be acquired does not constitute an economic unit upon it-self and therefore shall be valued as a pro-rata part of whole property for purposes of determining market value of the acquisition area. The following is the total land area to be acquired as per survey.

AREA TO BE ACQUIRED	LAND AREA	UNIT RATE	MARKET VALUE
PART TO BE ACQUIRED	7,120 SF	\$ 8.00 / SF	\$ 56,960
IMPROVEMENT VALUE			\$ 6,588
LANDSCAPING			\$ 1,000
			<u>\$ 64,548</u>

**REMAINDER BEFORE & AFTER ACQUISITION**

As per scope of the assignment, the remainder of the subject property before and after the proposed acquisition shall be analyzed for the purposes of determining any damages or diminution in market value. In the case of the subject property, it was determined that the remainder before and after shall be part of a future acquisition to be incorporated within Hidalgo County Precinct No. 2. Because of separate funding sources the remainder shall be acquired under a separate acquisition from this parcel. This will thereby make the subject property a whole acquisition under two separate closings. The remainder 22,793 square feet (0.511 acres) shall not be damaged based on the existing acquisition since the client, Hidalgo County Precinct No. 2, will be making a separate offer to the owner of record for this remainder concurrently. This appraiser has been contracted to appraise the 0.511 acre remainder on a separate report for such purpose. Therefore, no diminution or damages to the remainder is indicated for purposes of this report.

SUMMATION OF COMPENSATION	
PART TO BE ACQUIRED	\$ 56,960
IMPROVEMENTS (2,027 sf Concrete Slab within Take @ \$6.50/sf x 50% Depreciation)	\$ 6,588
LANDSCAPING	\$ 1,000
DIMINUTION OF MARKET VALUE TO REMAINDER AFTER	\$ -
TOTAL COMPENSATION	\$ 64,548

**RECONCILIATION OF VALUE:**

Based on the analysis of the subject property on the date of inspection, and the facts presented within this report, it is the opinion that as of November 4, 2016, the estimate of total compensation for the part to be acquired is indicated to be \$64,548. No damages are assessed for the remainder as they are being purchased thru a separate offer, making the combined acquisition a whole acquisition, under two funding sources.

CERTIFICATION

I, Leonel Garza III, certify that, to the best of my knowledge and beliefs that the statement of fact contained within the report are true and correct and include the following:

The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and is my personal, impartial, and unbiased professional analyses, opinions, and conclusions.

I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.

I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

My engagement in this assignment was not contingent upon developing or reporting predetermined results.

My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice*.

I have made a personal inspection of the property that is the subject of this report.

No one provided significant real property appraisal assistance to the person(s) signing the certification.

The reported analyses, opinions, and conclusions were developed, and this report has been prepared in conformity with the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.

The use of this report is subject to the requirements of the Appraisal Institute relating to the review by its duly authorized representatives.

Leonel Garza, Jr. & Associates, LLC has not performed an appraisal on the subject property within the last (3) three years.



Leonel Garza III  
TX – 1328375-General

QUALIFICATION OF APPRAISER

Leonel Garza Jr. & Associates, LLC, provides a variety of real estate consulting services with primary focus on real estate appraisals and appraisal litigation support. The company specializes in General Commercial Real Estate, Estate Valuations, and Right-of- Way Easement Acquisition and Defense. In addition to the appraisal services, the company provides Real Property Tax Consulting Services. The purpose of this division is to support property tax owners in the verification of property tax assessment as promulgated by the Texas Property Tax Code.

Property Tax Division

The property tax division of the firm conducts reviews of property tax assessments by various county appraisal districts in order to consult clients on their current tax liabilities. Reviews include attending informal and formal hearings on behalf of clients at local appraisal districts. With over 2,500 accounts throughout South Texas of which includes the County of Cameron, Brooks, Hidalgo, Starr, Willacy, Webb and Nueces County. Clients include dealerships, movie theaters, concrete batch plants, convenience stores, retail box centers, retail strip centers, warehouses, subdivisions, and many other commercial type properties.

Right-of-Way Division

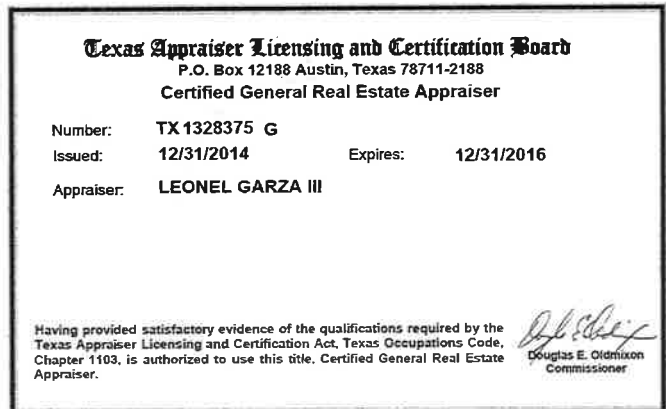
The Right-of-Way Division of the firm conducts Real Estate Appraisals for various local and government agencies throughout South Texas. Leonel Garza III has undergone extensive training in this field of work. He specializes in acquisitions concerning diminution of market value and/or property bi-sections. ROW experience extends to various types of acquisitions including, but not limited to, expansion of existing roadways, development of new roadways, utility easements, transmission line easements, drainage or irrigation easements, damage assessment, cost to cure, relocation assistant research, budget analysis, condemnation hearing and trial support.

Education & Licensure

Graduate, 1995, Texas A&M University, College Station, Texas (Bachelor of Science)

State Certified General Real Estate Appraiser  
Number TX - 1328375-General

State Certified Property Tax Consultant  
Number TX – 00003181



Professional Organizations

Associate Member of the Appraisal Institute  
Taking courses toward the designation of MAI through the Appraisal Institute.

National Association of Master Appraisers (MAA)  
Designated as a Master Senior Appraiser by the National Association of Master Appraisers. This designation is obtained through educational requirements and experience.

Associate Member of the International Right-of-Way Association (IRWA) (Member # 7899430)

## Public Service

### **Hidalgo County Subdivision Advisory Board (Active Member / Chairman)**

This county board on subdivision reviews primary goal is to ensure that proper standards, set by Texas Water Development Board and the Texas Subdivision Model Rules and/or opinions from the Texas State Attorney General's Office, are conducted in the development of proposed subdivision within the County of Hidalgo and/or Extraterritorial Jurisdiction of municipalities throughout the County of Hidalgo. The board's secondary function is to review applications for variances against the Flood Plain Administrators decisions of the base flood elevations throughout the County of Hidalgo. (Appointed in 1998 – Present)

### **Hidalgo County Building Line of Adjustments (Active Member / Chairman)**

This county board reviews applications of variances to general set-back regulations set forth by the County of Hidalgo. This review includes the review of existing and/or proposed encroachments into set-backs, easements, road right-of-way set-back, subdivision plat requirements and/or requirements set forth by adjoining municipalities of which the subject is within the extraterritorial jurisdiction.

### **McAllen Planning and Zoning Board (Former Member / Chairman)**

This board is charged with submitting reports, plans, and recommendations to the City Commission for the orderly growth, development, and welfare of the City. They review and make recommendations on zoning change requests, conditional use permits for longer than one year, and variances to Subdivision Ordinance requirements for development.

### **McAllen Traffic Commission Board (Former Member & Vice Chairman)**

Makes recommendations to the City Commission in order to reduce and eliminate traffic congestion and flow throughout the City.

### **McAllen Zoning Board of Adjustments and Appeals (Former Member & Chairman)**

This city board has the duty to hear and decide appeals where it is alleged there is error in any requirement, or determination made administratively in the enforcement of the Zoning Ordinance. The Board hears appeals that grant variances to setback requirements and special exceptions to reconstruction of nonconforming buildings.

### **McAllen Ambulance Advisory Committee (Former Member & Vice Chairman)**

Evaluates and reports to the City Commission on the operation of the emergency ambulance service rendered by company or companies rendering such service.

### **McAllen Building Board of Adjustments and Appeals (Former Member)**

The BBOA reviews the decision of City Staff for the demolition of properties deemed unsafe through the City for a variety of reasons. The board review all facts and concerns and make the decision to secure or proceed with demolition based upon the safety of the neighboring property owners and occupants. The greatest concern for the commission is the safety of the surrounding neighborhood occupants.

### **McAllen Palm City Lions Club (Former Member)**

Direct the fund raising for the annual Thanksgiving Drive on behalf of Lion Leonel Garza Jr. who founded the drive more than 20 years ago raising funds to provided dinners to as many as 60 families (approximately 240 – 300 individuals) throughout the City of McAllen.

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