



## HIDALGO COUNTY RIGHT OF WAY DEPARTMENT

Jose N. Peña  
Director

### *MEMO*

TO: Commissioner's Court

FROM: Lupe Rodriguez  
Right Of Way Agent *Lupe*

DATE: January 11, 2010

RE: L J Drainage Project Parcel 1  
The Floyd E. Anderson Estate

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Robert K. Anderson, Executor of the Estate, has requested counter on a final amount to be approved. Please consider.

A copy of Leonel Garza, Jr. & Associates' appraisal and a counter offer letter from Mr. Anderson is enclosed.

Thank you.

Appraised Value:	\$ 107,426.00
Amount requested:	<u>\$ 140,848.00</u>
Difference;	\$ 33,422.00

Approved; \_\_\_\_\_

Not Approved:  \_\_\_\_\_



## HIDALGO COUNTY RIGHT OF WAY DEPARTMENT

Jose N. Peña  
Director

### ADMINISTRATIVE SETTLEMENT DISAPPROVAL LETTER

January 13, 2010

Certified Letter # 7006-2760-0002-0142-2931

Floyd E. Anderson Estate  
Robert K. Anderson, Executor  
6168 Sylvia Ave.  
Tarzana, Ca. 91335-6603

Re: **Settlement Disapproval**  
LJ Drainage Project  
Parcel # 1

Dear Mr. Robert K. Anderson:

I reviewed your counter offer which increases to \$ 29,500 per acre on open land and \$ 14,750 per acre on easement acquisition. Your offer would result to a total of \$ 140,848.00. This would increase our original offer by \$ 33,422.

I presented your request to Mr. Jose N. Pena, Director of Right of way Acquisitions. He asked that I prepare your counter offer for presentation to the Hidalgo County Commissioner's court. Enclosed is the document presented to Commissioner's Court.

Your counter offer was denied. Commissioner's Court asked that I counter your offer with a total offer of \$ 125,000.00. This would increase our original offer of \$ 107,426.00 by \$ 17,525.00.

If this offer is not accepted I will be forced to refer this case to our legal department and our original offer of \$ 107,426.00 will stand before the condemnation court. Please contact our office, otherwise, within ten working days from the date receipt of this letter, condemnation proceedings will be instituted for the acquisition of right of way.

We would like to thank you for your effort and cooperation in attempting to settle this acquisition in order to expedite this much needed project.

Sincerely,

Lupe Rodriguez, Right of Way Agent  
Hidalgo County Right of Way Department

6168 Sylvia Ave.  
Tarzana, CA 91335-6603  
January 29, 2010

Lupe Rodriguez  
Hidalgo County Right of Way Department  
2401 N. Moorefield Rd.  
Mission, TX 78572

Re: LJ Drainage Ditch Project

Dear Mr. Rodriguez,

Thank you for your letter of January 13<sup>th</sup> in response to the counter offer submitted on our land to be purchased by the Right of Way Department.

Though Mr. Jose N. Pena did not accept our counter, I was pleased to hear in our recent telephone conversation that there was a new offer of \$26,200.00 per acre with an additional \$13,010.00 for the easement. I stated at the time that this was an offer we could accept and I now do so in writing.

I'm a little puzzled by your recent letter. You state that the Commissioner's Court has asked you to counter our offer with a total offer of \$125,000.00. Given the figures you quoted me in our phone conversation, and as I've repeated above, how does this factor out? I was also concerned that the letter did not address our wish to retain the mineral rights to the property as expressed in my letter dated December 15, 2009.

Thank you again for your assistance and patience. It would appear that we're nearing a resolution that is amicable to all parties concerned.

Sincerely,



Robert K. Anderson  
Executor, Floyd E. Anderson

**REAL ESTATE APPRAISAL REPORT**
  
**TEXAS DEPARTMENT OF TRANSPORTATION**

Address of Property: Located approximately 300' feet South of District Pharr
   
 Owassa Road along the east line of ROW CSJ: N/A
   
 Cesar Chavez Road, Hidalgo County, Texas

Property Owner: Floyd E Anderson Parcel: 1 (Revised 10/06/09)

Address of Property Owner: 6168 Sylvia Avenue, Tarzana, CA Federal Project No: N/A
   
 91335-6603

Occupant's Name: Vacant Acreage

Whole:  Partial:  Acquisition Highway: LJ Drainage Project County: Hidalgo

**Purpose of the Appraisal**

The purpose of this appraisal is to estimate the market value of the fee simple title to the real property to be acquired, encumbered by any easements not to be extinguished, less oil, gas and sulphur. If this acquisition is of less than the whole property, then any special benefits and/or damages to the remainder property must be included in accordance with the laws of Texas.


**Market Value**

Market value is defined as follows: "Market Value is the price which the property would bring when it is offered for sale by one who desires, but is not obliged to sell, and is bought by one who is under no necessity of buying it, taking into consideration all of the uses to which it is reasonably adaptable and for which it either is or in all reasonable probability will become available within the reasonable future."

**Certificate of Appraiser**

I hereby certify that, it is my opinion the total compensation for the acquisition of the herein described property is \$107,426.00 as of July 10, 2009, based upon my independent appraisal and the exercise of my professional judgment; on July 10, 2009 (date)(s), I personally inspected in the field the property herein appraised; I afforded The Estate of Floyd E. Anderson, Deceased, the property owner or the representative 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 May 4, 2009 (date)(s), I have not revealed and will not reveal the findings and results of such appraisal to anyone other than the proper officials of the County of Hidalgo or officials of the Federal Highway Administration until authorized by State officials 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; and, 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.

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 noncompensable 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.


  
 \_\_\_\_\_
   
 Appraiser Signature - Leonel Garza III
   
 \_\_\_\_\_
   
 State Certified General Real Estate Appraiser - TX 1328375-General
   
 \_\_\_\_\_
   
 Certification Number
   
 \_\_\_\_\_
   
 October 6, 2009
   
 \_\_\_\_\_
   
 Date

To the best of my knowledge, the value does not include any items which are not compensable under the State law.	
_____	_____
District Reviewing Appraiser	Date

### **Certificate of Appraisal**

This appraisal report conforms to the Uniform Standards of Professional Appraisal Practice (USPAP) as adopted by the Appraisal Standards Board of the Appraisal Foundation. The subject property was analyzed utilizing the Cost Approach to value which is a Sales Comparison Approach to the subject as if vacant and includes the estimated depreciated market value of real estate improvements located within the part to be acquired. This is further explained within each section of the appraisal report.

### **Identification of Client & Intended User of Appraisal Report**

The client for this report is identified as Hidalgo County Precinct No. 2 under the direction of Honorable Hidalgo County Commissioner Hector "Tito" Palacios. Commissioner Palacios and others which would be involved with the acquisition of said proposed right-of-way. The part to be acquired is for the expansion and improvement of an existing drainage canal with the project limits: Being an area of land located between Owassa Road and Minnesota Road, from Cesar Chavez Road to east of Tower Road, in Hidalgo County, Texas.

The intended use of the report is to assist Lupe Rodriguez, Right-of-Way Agent and others involved with the project, for future negotiations of acquiring a portion of said property as fee simple in the name of the County of Hidalgo. This report is not intended for any other use, unless specified by the client. The clients have identified that the report shall be a limited restricted appraisal report, which is to conform with the ROW-A-6 Form Rev. 7/2004. The intended user of the report is defined as Hidalgo County Precinct No. 2 and may include other governmental entities which may be participating in the project. Lupe Rodriguez is the right-of-way agent of which has a local office located at 509 E Earling Road, San Juan, Texas. Lupe Rodriguez, Right-of-Way Agent of the Hidalgo County Right-of-Way Department, shall be the project manager for this project under the direction of Commissioner Hector "Tito" Palacios. Mr. Rodriguez can be contacted at (956) 283-8134.

### **Scope of the Assignment**

By work order dated July 7, 2009, on behalf of Hidalgo County Precinct No. 2, Lupe Rodriguez, requested for Leonel Garza Jr. & Associates LLC to prepare an appraisal report of the part to be acquired as described by survey and metes and bounds created by R. Gutierrez Engineering Corporation located at 130 E. Park Avenue, Pharr, Texas. The scope of the assignment is to appraise the area as fee simple, to be acquired as indicated by the survey as of the date of on-site or off-site inspection as permitted by the owner of record. Market sales within the market area and comparable market areas are to be identified and analyzed for comparability and for their reliability in determining the estimated market value of the subject property. The comparables have been collected, confirmed and analyzed with respect to comparability to the subject property. These comparable sales were gathered through various sources which included the Greater McAllen Multiple Listing Service, local Realtors & Brokers, Real Estate Appraisers, and conversations with various owners along the project. The appraisal report shall indicate the current market value of the subject property as per date of on-site and or off-site inspection. This inspection is limited by the permissibility of the subject owner as per date of report. A copy of a certified letter of intent to inspect said property is located within the addenda of this appraisal report. In the event an on-site inspection was not permitted, the appraiser continued the inspection off-site along existing road Cesar Chavez Road.

### **Purpose of the Appraisal Report**

This appraisal is prepared for the purpose of estimating the current market value of the fee simple estate of the subject property in order to determine the value of the proposed right-of-way to be acquired by the Hidalgo County Precinct No. 2, as defined within this report. This appraisal does not include any enhancement in value resulting from items of intangible personal property such as marketing and management skill, an assembled work force, working capital, trade names, franchises, patents, trademarks, contracts, leases (mineral and or ground lease), or operating agreements and project influence (if any exist). The area to be acquired may contain personal property items and or real estate items, which may be compensable for the purpose of right-of-way acquisition only. These items deemed compensable shall be included within the body of the report and itemized for clarity. Any improvements not located within the part to be acquired and outside of the permissibility of inspection as defined by the subject owner, shall be given a stated value based on the assessment established by the corresponding Appraisal District and or by off-site estimation by appraiser as they are not affected by the acquisition.

**Property Rights Appraised**

As per scope of the assignment the property rights being appraised in this report consist of the fee simple estate of the subject property and an easement that encumber said subject property. Fee Simple Estate is defined by the Dictionary of Real Estate Appraisal, Fourth Edition, copyright 2002, page 113, 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." The subject property is encumbered with an active irrigation easement. As per scope of the assignment a value estimate for the easement is also to be determined. According to the Dictionary of Real Estate Appraisal "An easement is the conveyance of certain property rights, but not ownership, to a parcel of real estate." By definition, the ownership of real estate is endowed with a bundle of rights.

**Accessibility To Subject Property**

The owner of record of the subject property, as per Hidalgo County Appraisal District Records was sent a letter of intent to inspect the subject property. The letter afforded the property owner the opportunity to accompany the appraiser during the on or off-site inspection of the subject property. A copy of the certified letter is located within the addenda of this report. In the event no written or verbal permission was granted to the office of Leonel Garza Jr. & Associates LLC prior to date of inspection, the inspection proceeded off-site along existing road right-of-way. The property owner shall reserve the right to contact this office after the date of inspection for an additional on-site inspection in their presence.

**Analysis of Subject As A Whole**

A survey of the property owners entire tract was not performed as the part to be acquired incorporates a portion of land located along southern property boundary of the subject property and does not affect the remainder of the tract in the remainder after state. As per scope of the assignment, the subject property shall be analyzed based on the combined information of several sources including, the survey provided, on-site and or off-site inspection, personal interviews, and information gathered from the local appraisal district. The property was analyzed based on the whole property less any existing road right-of-way. Based on the inspection of the subject property and the evaluation of the subject as a whole, the remainder shall not be affected by the part to be acquired and therefore shall not be included within the valuation of this report.

**Economic Unit Analysis**

The subject property shall be analyzed based on a 20.00 acre tract of land as described by survey. Any existing road right-of-way indicated along Cesar Chavez Road shall be excluded as per scope of the assignment. The area for the subject property as a whole is indicated as per survey provided by R. Gutierrez Engineering Corporation dated October 2, 2009. The comparable sales used for the analysis of the subject property as whole and as the partial acquisition indicated a range of economic units of 7.47 acres to 15.01 acres. These indicated economic unit values are used for the valuation of the proposed acquisition as the part to be acquired does constitute an economic unit. Therefore, the pro-rata part of the whole is applied as the market valuation of the whole.

**Part To Be Acquired**

The proposed acquisition is comprised of fee land in which the gross land area to be acquired is 5.207 acres (226,817 square feet). The proposed acquisition is located along the northern property line of the subject whole property which fronts the east line of Cesar Chavez Road. The proposed acquisition has approximately 173.23' lineal feet of frontage along the east line of Cesar Chavez Road and depth of 1,290 lineal feet. The subject whole property is encumbered with several irrigation easements that are located along the northern, eastern and western property boundaries. The proposed acquisition, which is the subject of this report, shall be evaluated as a whole as determined by the approaches to market value selected. The subject shall be valued based on the highest and best use as a residential use tract of land, which is based on the local market trends along Owassa Road, Cesar Chavez and nearby thoroughfares. This highest and best use is further explained on page 1.4 of this report.

<b>To Be Acquired</b>	<b>5.2070 Acres</b>
	<b>226,817 S.F.</b>

### **Legal Description of the Part To Be Acquired**

A 5.207 acre tract of land out of the north one-half of Lot 8, Block 48, Alamo Land & Sugar Company's Subdivision, Hidalgo County, Texas, as recorded in Volume 1, Page 24 - 26, Map Records, Hidalgo County, Texas.

### **Remainder Before and After Acquisition**

The remainder before and after the acquisition is defined as the partial acquisition subtracted from the whole property which is described as the subject property. It is determined at the time of appraisal whether or not damages to the remainder are caused by the proposed part to be acquired. The highest and best use of the subject property before and after the proposed partial acquisition is analyzed to determine whether or not the use of the subject property will be altered as a result of the proposed part to be acquired. After a review of the remainder after the acquisition, no damages to the remainder were indicated.

### **Property Tax Information**

This appraiser has examined the property tax information indicated by the Hidalgo County Appraisal District (HCAD) as of the date of appraisal and has found that the subject property is under the ownership of Floyd E. Anderson. The part to be acquired was identified as the subject whole property which contained tax identification no. R112903. The subject property, which is a vacant agricultural use tract of land, is valued at \$293,100 with an indicated assessed value at \$8,187. The property taxes for the subject appear to be current, however, further research with the Hidalgo County Tax Office shall be required to confirm any outstanding tax liabilities attributable to the subject property.

### **General Site Assessment Statement**

This appraiser has made an off-site inspection of the subject property, and no obvious adverse environmental concerns or potentially hazardous materials were observed. This appraiser is not qualified to make a detailed environmental study and highly recommends that an inspection be made by a qualified environmental engineer if an environmental concerns exists. Leonel Garza Jr. & Associates LLC has performed this appraisal report under the hypothetical condition and extraordinary assumption that the subject property has not experienced any adverse environmental concerns which may influence it's marketability and or value. A survey of the remainder of the subject property was not provided nor necessary due to the acquisition size of the partial acquisition. The extraordinary assumption that no adverse easements nor encroachments are located within the subject property which would affect the value of the whole. The subject property was observed that the property is generally level and typical of the surrounding market area. No severe low lying areas were observed, however, this appraiser is not an engineer and cannot certify to the topography nor drainage of the subject property.

### **Utility Services Available**

The subject property is located in a region, which contains potable water, electricity, and phone service, which is typical of the market area.

### **Identification of Personal Property**

As per scope of the assignment, no personal property located within the proposed right-of-way and the remainder before and after the taking shall be included for compensation, unless it was determined by the appraiser that these item shall be affected or damaged by the proposed taking. In the event the selected items are determined to be compensable, then they shall be included within the cost approach section of this report. A value which shall be either the cost to cure and or the cost of replacement shall be delineated for each item for clarity.

### **Current Listing Status**

Based on the off-site inspection of the subject property no visible "For Sale" signs were located on-site indicated the subject property listed for sale. Additional research was conducted with local Realtor's® Multiple Listing Services and the subject property was not listed.

### **Estimated Marketing Time Period**

The indicated marketing period is based on the marketing periods of the comparable sales used in the Sales Comparison Approach and the surrounding sales found. Based on the research performed, a twelve (12) to twenty-four month (24) marketing time period appears to be adequate. This time period was selected after a review of multiple land sales within the Edinburg, San Juan and Alamo markets. The analysis included the indicated "DOM" Days on Market as shown on the McAllen Multiple Listing Service which provides local Realtors an avenue to advertise properties located in the Rio Grande Valley, with its primary focus on properties within Hidalgo County.

### **Exposure Time**

Exposure time is defined as the "length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal." Based on research performed within the market area, an indicated twelve (12) to twenty-four month (24) exposure time is indicated for the subject property. This was estimated based on current and past listings located within the market area which were reviewed during our sales search for comparables similar to the subject property.

### **Statement of Highest & Best Use**

The subjects highest and best use as vacant and as if improved is indicated for residential development use. This type of use is concurrent with the recent trends located along Cesar Chavez Road within Hidalgo County and nearby municipalities to the project including the City of Edinburg, City of San Juan and the City of Alamo. This highest and best use is based on the determined economic unit of the subject property as whole which is being acquired in the name of the County of Hidalgo, Texas.

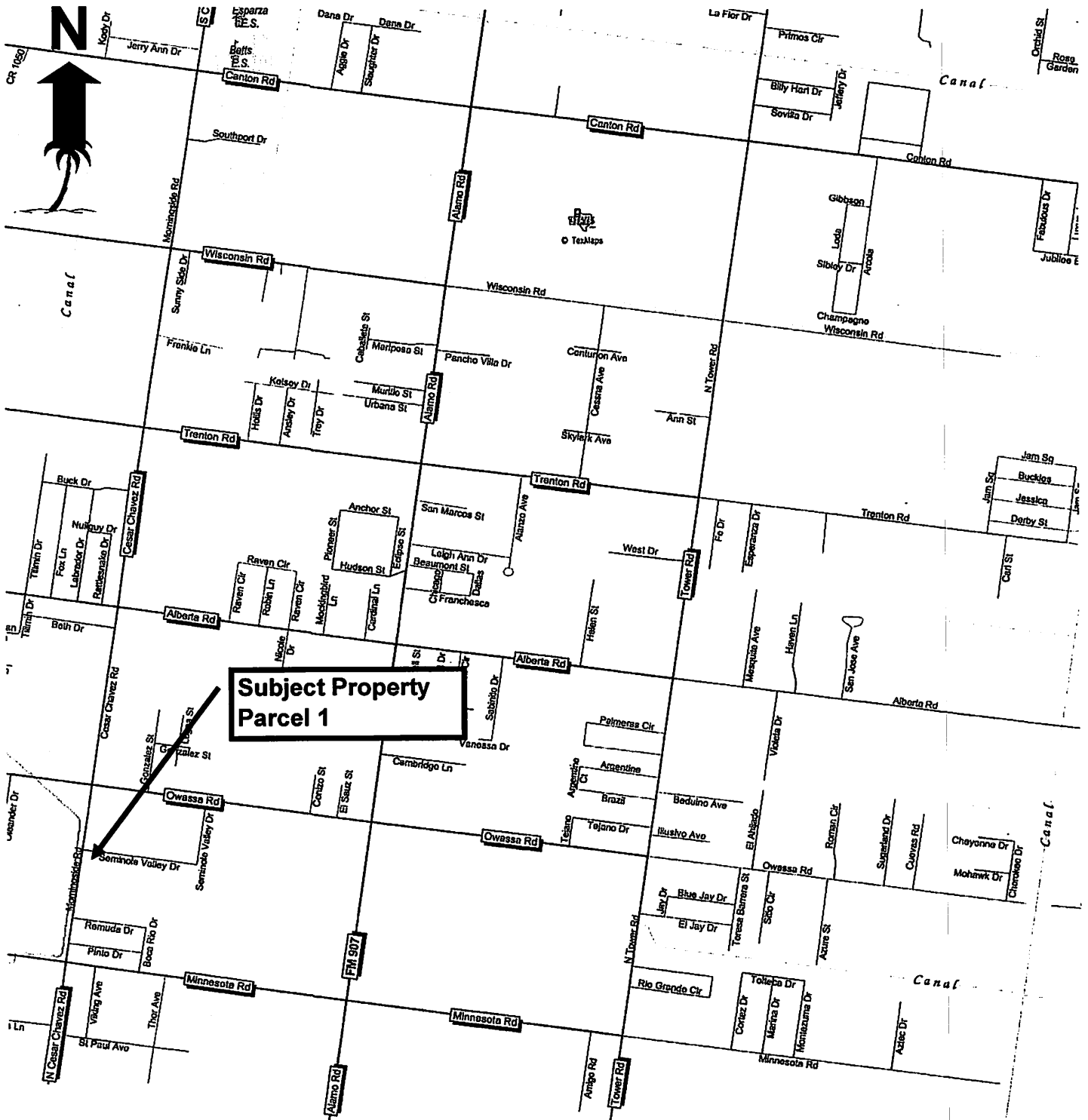
When a property is evaluated, the highest and best use must always be considered. In the current case, the highest and best use of the whole is determined to be for residential development use based on several factors. Factors taken into consideration are defined by The Dictionary of Real Estate Appraisal, Fourth Edition, copyright 2002, page 135, by the Appraisal Institute as being: "The reasonably probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible, and there 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 scope of the assignment is to evaluate the subject property as a whole, part to be acquired and the remainder before and after the acquisition, excluding project influence as required by Standards Rule 1-4(f) under the Jurisdictional Exception provision as defined by the Uniform Standards of Professional Appraisal Practice (USPAP). The highest and best use is analyzed for each of these scenarios as each parcel shall be evaluated before and after the proposed acquisition if applicable. In order to determine the highest and best use, research was performed within Hidalgo County with the corresponding municipalities located near the subject property. Since the subject lies within the jurisdiction of the County of Hidalgo, Texas municipal zoning ordinance restrictions are not applicable to the subject as per date of appraisal. This office shall evaluate the subject properties based on the continuing trend along Cesar Chavez Road and should continue its use before and after the proposed right-of-way acquisition. Therefore, the highest and best use of single family residential development "as vacant" and "as if improved" would therefore be legally permissible as of the date of this report.

The physical characteristics of the subject property as a whole are typically found throughout the central region of Hidalgo County. The subject property contains adequate land area to allow the future residential development before and after the proposed acquisition. Based on the size and shape of the subject property as a whole and the remainder before and after the acquisition, the property shall maintain a residential highest and best use. As for the part to be acquired, it contains limited use based on its proposed size and shape and therefore does not constitute an economic unit in itself and must be used in conjunction with the whole. Since the valuation of the part to be acquired is based on the pro-rata part of the whole, then the part to be acquired shall be evaluated with a similar highest and best use as the whole. This highest and best use shall not be affected for the remainder before and after the acquisition.

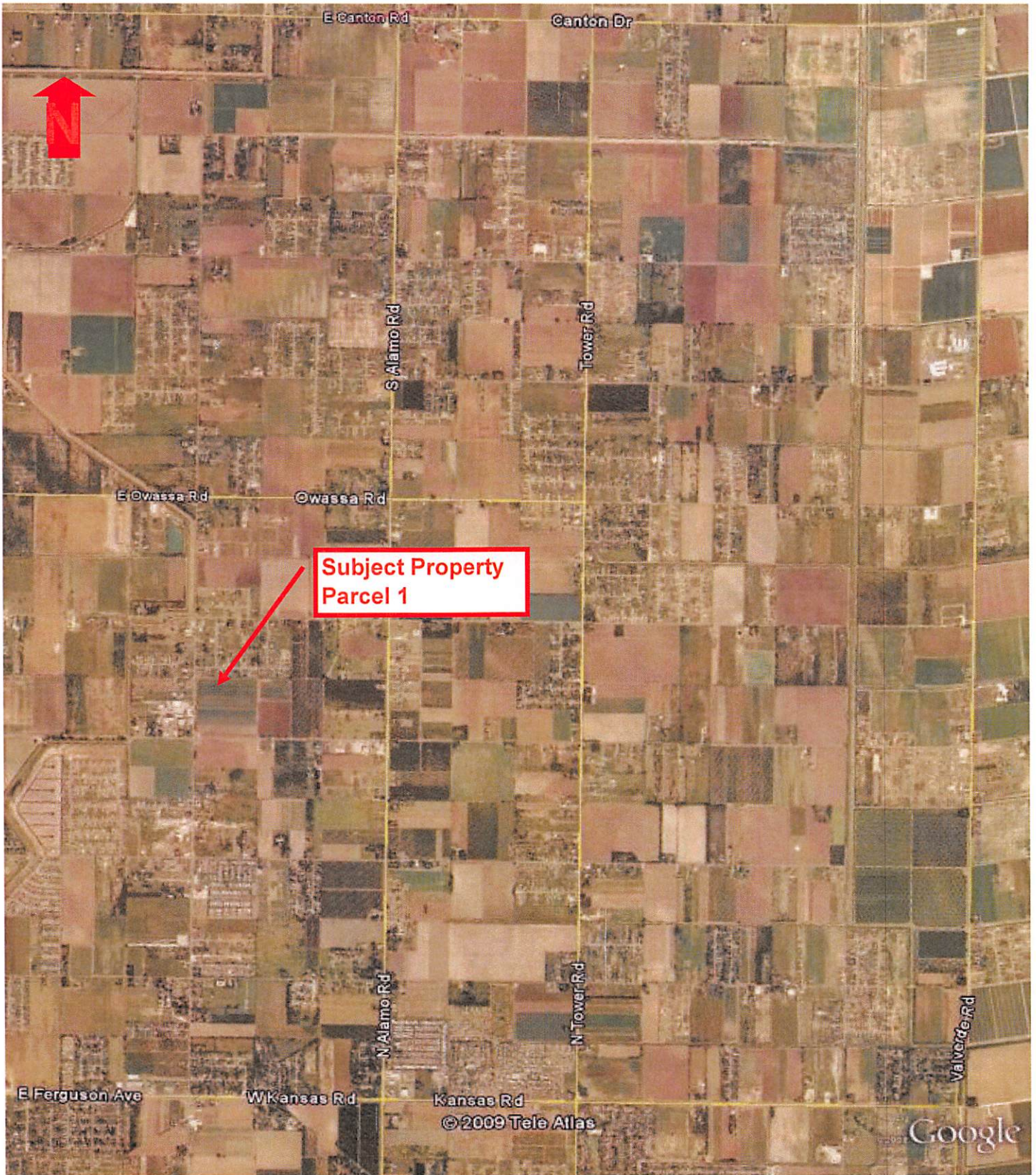
The financial feasibility and maximally productive use of the subject property is based on the growth trends along Owassa Road include agricultural, grazing, residential, and small retail developments. Based on the stable growth along Cesar Road and nearby Tower Road and Alamo Road, it is estimated that the subject can be financially feasible to contain residential development "as vacant" and "as if improved". This determination of financial feasibility and productivity is also attributed to the remainder before and after the acquisition which will not be affected nor damaged as a result of the part to be acquired. After careful review of the four approaches to the highest and best use test, it is concluded that the subject property "as vacant" and "as if improved" shall be for residential development use. This conclusion is correlated to the subject property as a whole and selected economic unit.

# LOCATION MAP OF SUBJECT PROPERTY



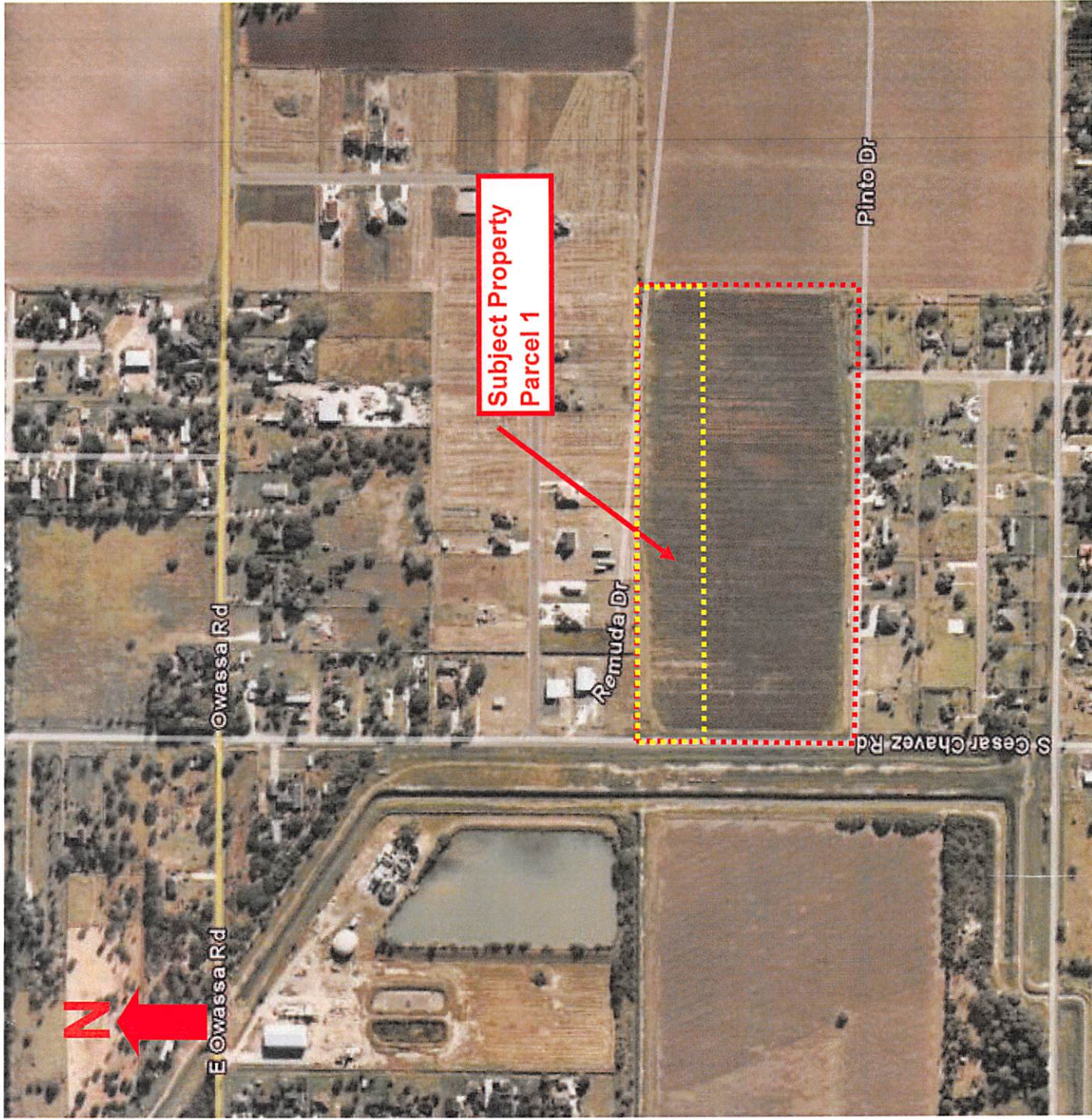
Copyright 1996-2007 TexMaps; 8th Edition

AERIAL PHOTOGRAPH OF SUBJECT PROPERTY



# AERIAL PHOTOGRAPH OF SUBJECT

(Closer View of Subject Property)



NOTE: SUBJECT PROPERTY AS A WHOLE IS ESTIMATED AND DEPICTED BY THE RED DASHED LINE. THIS INCLUDES THE PART TO BE ACQUIRED WHICH IS OUTLINED IN YELLOW. COMPLETE SURVEY OF SUBJECT AS A WHOLE WAS NOT PROVIDED BY R. GUTIERREZ ENGINEERING CORPORATION, AND IS ESTIMATED BASED ON INFORMATION GATHERED DURING THE INSPECTION OF THE SUBJECT PROPERTY OR THE HIDALGO COUNTY APPRAISAL DISTRICT.

**FIELD NOTES OF PART TO BE ACQUIRED (Page 1 of 2)**

**EXHIBIT "A"**

**COUNTY: HIDALGO**

**DITCH: L. J. Drainage Lateral**

**PROJECT LIMITS: From Cesar Chavez Rd. to Alamo Lateral Drain**

**Eng08.024J  
June 26, 2009  
Parcel 1  
Page 1 of 3  
Rev.: 10/02/09**

**FIELD NOTES FOR PARCEL – 1**

Being a 5.207-acre tract of land out of the North one-half (1/2) of Lot 8, Block 48, Alamo Land and Sugar Company's Subdivision, Hidalgo County, Texas, as per map recorded in Volume 1, Pages 24~26, Map Records of Hidalgo County, Texas. Said North one-half (1/2) of said Lot 8 is vested to: The Estate of Floyd E. Anderson, Deceased, from H.S. Anderson, Independent Executor of the Estate of Minnie Anderson, Deceased, dated October 10, 1958, by virtue of a Warranty Deed, recorded in Volume 926, Page 482, Deed Records of Hidalgo County, Texas, by virtue of a Consent to termination of Trust and Conveyance, dated September 11, 1998, recorded in Document No. 854134, Official Records of Hidalgo County, Texas, and by virtue of the Last Will and Testament of Floyd Anderson Ellison, recorded in Document No. 854136, Official Records of Hidalgo County, Texas. Said 5.207-acre tract of land being more particularly described by metes and bounds as follows;

**Beginning** at a No. 4 rebar set at the Northeast corner of Lot 8, for the Northeast corner and the **POINT OF BEGINNING** of this tract of land;

1. **THENCE**, South 08 degrees 31 minutes 51 seconds West, with the East line of said Lot 8, a distance of 178.39 feet to a No. 4 rebar set at the Proposed South Right of Way line of L.J. Drainage Lateral, for the Southeast corner of this tract of land;
2. **THENCE**, North 81 degrees 14 minutes 23 seconds West, with the Proposed South Right of Way line of said L.J. Drainage Lateral, a distance of 1290.00 feet to a No. 4 rebar set at the Existing East Right of Way line of Cesar Chavez Road, for the Southwest corner of this tract of land;
3. **THENCE**, North 08 degrees 31 minutes 51 seconds East, with the Existing East Right of Way line of said Cesar Chavez Road, a distance of 173.23 feet to a No. 4 rebar set at the North line of said Lot 8, for the Northwest corner of this tract of land;

**PHOTOGRAPHS OF SUBJECT PROPERTY**

Parcel No.: 1

Local Address: Located approximately 300' feet South of Owassa Road along the east line of Cesar Chavez Road, Hidalgo County, Texas

Date Taken: July 10, 2009

Taken By: Leonel Garza III

1. Point from which taken: Photo 1: Cesar Chavez Road  
Photo 2: Cesar Chavez Road

Looking: Photo 1: Eastern  
Photo 2: Northern View



**Photo 1**

Eastern view of the subject whole property from Cesar Chavez Road.



**Photo 2**

Northern view of Cesar Chavez Road and the most western property boundary of the subject property. The survey stake indicates the southwest corner of the proposed acquisition.

2. Point from which taken: Photo 3: Existing HCID ROW  
Photo 4: Existing HCID ROW

Looking: Photo 3: Western View  
Photo 4: Western View



**Photo 3**

Southern view of Cesar Chavez Road. The proposed acquisition is located along the left of the photo.



**Photo 4**

Eastern view of the subject whole property as seen from its most southwestern property boundary.

**DESCRIPTION OF PROPERTY:**

The subject property, as a whole, is a 20.00 gross acre vacant agricultural tract of land located along the eastern line of Cesar Chavez Road in the County of Hidalgo, Texas. According to the survey provided by R. Gutierrez Engineering Corporation, dated October 2, 2009, the part to be acquired is approximately 5.207 acres (226,817 square feet) located along the most northern property boundary of the subject whole property. The subject whole property is encumbered with a 0.865 acre irrigation easement held by Hidalgo County Irrigation District No. 2. The proposed acquisition contains 173.23' lineal feet of frontage along the east line of Cesar Chavez Road and a depth of 1,290 lineal feet. This area includes a 19.0 foot wide Hidalgo County Irrigation District easement along the most western property boundary of the partial acquisition. Access to the subject whole property is via Cesar Chavez Road, a county maintained asphalt paved road. Based on the area indicated by the survey provided the subject of this report shall be utilized as the economic unit of the subject property for valuation. This land area currently in fee simple shall be calculated at 100% of the unit value derived from the sales comparison approach as vacant. This is performed in order to determine the unit value for the proposed acquisition for the purchase of said tract in the name of the County of Hidalgo, Texas

**AREA OR NEIGHBORHOOD ANALYSIS:**

The subject neighborhood along Cesar Chavez Road, south of Owassa Road, is a mixture of single family homes, single family residential developments and agricultural uses. Leonel Garza Jr. & Associates LLC has inspected the market area along Cesar Chavez Road and Owassa Road and has found that the market contains stable growth as traffic in the immediate area along Cesar Chavez Road continues to increase.

**SITE ANALYSIS:**

**Five Year Sales History:**

The subject property is indicated to be under the ownership of Floyd E Anderson, Deceased as indicated by survey and field notes provided by R Gutierrez Engineering Corporation. Further investigation of the subjects ownership history through the Hidalgo County Appraisal District and the Hidalgo County Clerks Office confirmed the current owner of record to be Floyd E Anderson, Deceased. The subject property was transferred from H. S. Anderson, Independent Executor of the Estate of Minnie Anderson, Deceased (Grantor) to Floyd E. Anderson (Grantee) on October 10, 1958. The subject has been in the name of The Estate of Floyd E. Anderson, Deceased for over fifty (50) years.

**Legal Description:  
(Whole Property)**

Being 20.0 acres out of Lot 8, Block 48, Alamo Land & Sugar Company's Subdivision, according to the map recorded in Volume 1, Pages 24-26, Map Records of Hidalgo County, Texas.

**Legal Description:  
(Part To Be Acquired)**

A 5.207 acre tract of land out of the north one-half of Lot 8, Block 48, Alamo Land and Sugar Company's Subdivision, Hidalgo County, Texas Volume 1, Pages 24-26, M.R.H.C.

**Improvements:**

During the off-site inspection of the subject property no building or site improvements were indicated within the part to be acquired. Any utilities located within the part to be acquired shall be relocated as an item of construction and shall not be included within the compensation of the subject property.

**HIGHEST AND BEST USE ANALYSIS: Single Family Residential Development**

**VALUATION OF PART TO BE ACQUIRED**

**LAND VALUATION**

**Representative Comparable Sales**

	<b>Subject</b>	<b>Comp. No. 1</b>	<b>Comp. No. 2</b>	<b>Comp. No. 3</b>
Grantor	H.S. Anderson, Independent Executor of the Estate of Minnie Anderson, Deceased	Johnny J. Harper, Sr.	Todd D. Kinney and Michelle Kinney	Nahum Rodriguez and wife, Jaine V. Rodriguez
Grantee	Floyd E Anderson	Jaime J. Munoz, Trustee	Garco, LTD	Ester A. Salazar
Date	October 10, 1958	July 13, 2009	May 5, 2008	May 18, 2007
Unit Price	/ Ac	\$ 22,949 / Ac	13,324 / Ac	\$ 22,972 / Ac
Relative Location	Average	Superior -20%	Inferior Tract 20%	Superior -20%
Lot Location	Interior Tract	Interior Tract 0%	Interior Tract 0%	Interior Tract 0%
Financing	Conventional	Similar 0%	Similar 0%	Similar 0%
Conditions of Sale	Cash To Seller	Similar 0%	Similar 0%	Similar 0%
Market Conditions	Average	Similar 0%	Similar 0%	Similar 0%
Physical Characteristics	Level	Similar 0%	Similar 0%	Inferior 20%
Available Utilities	Water / Electricity / Phone	Utilites Available 0%	Similar 0%	All Municipal Utilites Available 0%
Street Access / Frontage	Cesar Chavez Road	Sioux Road East of "I" Road 0%	Alberta Road 0%	Sioux Road West of Cesar Chavez Road 0%
Size of Tract	19.900 Ac	7.68 Acres 0%	15.01 Ac 0%	7.47 Acres 0%
Net Adjustments		Δ -20%	Δ 20%	Δ 0%
Indicated Unit Value		\$ 18,359 / Ac	\$ 15,989 / Ac	\$ 22,972 / Ac
<b>Estimated Unit Value of Fee Simple Area</b>				\$ 22,500 / Acre
<b>Estimated Unit Value of Easement Area (\$22,500/Acres x 50% of Fee Simple Value)</b>				\$ 11,250 / Acre
<b>Estimated Fee Value by Sales Comparison Approach (4.342 Acres x \$22,500/Acre)</b> (Includes Part To Be Acquired Only)				\$ 97,695
<b>Estimated Value by Sales Comparison Approach (0.865 Acres x \$11,250/Acre)</b> (Easement Portion of Part To Be Acquired Only @ 50% of Fee Simple Value)				\$ 9,731
<b>Combined Market Value</b>				\$ 107,426

**COMPARABLE DATA SUPPLEMENT**

District: Pharr Parcel No.: 1 Highway: LJ Drainage Project County: Hidalgo ROW CSJ N/A

Land Sale  Improved Sale  Rental Data



Grantor/Lessor: Johnny J. Harper, Sr. Grantee/Lessee: Jaime J. Munoz, Trustee  
 Date: July 13, 2009 Recording Information: Doc# 2018724 Key Map: N/A  
 Address: Located along the northern frontage of Sioux Road, East of "I" Road, San Juan, Texas Zip Code: 78589  
 Legal Description: A 7.68 acre tract of land out of Lot 9, Block 6, John Closner et al Subdivision, Hidalgo County, Texas, according to the map recorded in Volume 0, Page 4, Map Records in the Office of the County Clerk of Hidalgo County, Texas.  
 Confirmed Price \$: 176,250 Verified with: MLS# A117671s  
 Terms and Conditions of Sale: Cash to Seller  
 Rental Data: N/A  
 Land Size: 7.68 Acres Unit Price as Vacant \$: 22,949 per acre  
 Type Street: Asphalt Paved – Sioux Road Utilities: All Municipal Utilities Available  
 Improvement(s) Description: None  
 Improvement(s) Size: NA (GBA) NA (NRA) Unit Price as Improved \$: NA  
 Condition and Functional Design: NA  
 Current Use: Vacant Highest & Best Use: Single Family Residential Development  
 Date of Inspection: August 7, 2009 Zoning: N/A Flood Plain:  
 Attach additional information as necessary.

Appraiser: Leonel Garza III October 6, 2009  
 (Typed, not signed) Date



**COMPARABLE DATA SUPPLEMENT**

District: Pharr Parcel No.: 1 Highway: LJ Drainage Project County: Hidalgo ROW CSJ N/A  
 Land Sale  Improved Sale  Rental Data



Grantor/Lessor: Todd D. Kinney and Michelle Kinney Grantee/Lessee: Garco, LTD.  
 Date: May 5, 2008 Recording Information: Doc# 110853 Key Map: N/A  
 Address: Located along the northern frontage of Alberta Road, east of Tower Road, Hidalgo County, Texas Zip Code: 78537  
 Legal Description: A 15.01 acre tract of land out of the east 20.00 acres of Block 82, Hall Field Subdivision, Hidalgo County, Texas, according to map or plat thereof recorded in Volume 1, Page 53, Map Records Hidalgo County, Texas.  
 Confirmed Price \$: 200,000 Verified with: MLS# F107045s  
 Terms and Conditions of Sale: Cash to Seller  
 Rental Data: N/A  
 Land Size: 15.01 Acres Unit Price as Vacant \$: 13,324 per acre  
 Type Street: Asphalt Paved – Alberta Road Utilities: Water, Electricity, and Phone  
 Improvement(s) Description: None  
 Improvement(s) Size: NA (GBA) NA (NRA) Unit Price as Improved \$: NA  
 Condition and Functional Design: NA  
 Current Use: Single Family Residential Development Highest & Best Use: Single Family Residential Development  
 Date of Inspection: March 4, 2009 Zoning: N/A Flood Plain:   
 Attach additional information as necessary.

Appraiser: Leonel Garza III October 6, 2009  
 (Typed, not signed) Date

**COMPARABLE DATA SUPPLEMENT**

District: Pharr Parcel No.: 1 Highway: LJ Drainage County: Hidalgo ROW CSJ N/A
   
 Project
   
 Land Sale  Improved Sale  Rental Data



Grantor/Lessor: Nahum Rodriguez and wife, Jaine V. Rodriguez Grantee/Lessee: Ester A. Salazar
   
 Date: May 18, 2007 Recording Information: Doc# 1761468 Key Map: N/A
   
 Address: Located along the southern side of Sioux Road, west of Cesar Chavez Road, San Juan, Texas. Zip Code: 78589
   
 Legal Description: A tract consisting of 7.47 gross acres (or 325,314 square feet), more or less, out of and forming a part of Lot Four (4), Block Thirty-nine (39), Alamo Land and Sugar Company Subdivision, Hidalgo County, Texas, according to the map or plat thereof recorded in Volume 1, Page 24-27, Map Records of Hidalgo County, Texas. (7.40 Acres Net)
   
 Confirmed Price \$: 170,000 Verified with: MLS# A100415S
   
 Terms and Conditions of Sale: Cash to Seller
   
 Rental Data: N/A
   
 Land Size: 7.40 acres Unit Price as Vacant \$: 22,972 per acre
   
 Type Street: Asphalt Paved – Sioux Road Utilities: All Municipal Utilities Available
   
 Improvement(s) Description: N/A
   
 Improvement(s) Size: N/A (GBA) N/A (NRA) Unit Price as Improved \$: N/A
   
 Condition and Functional Design: NA
   
 Current Use: Vacant Highest & Best Use: Single Family Residential Development
   
 Date of Inspection: August 7, 2009 Zoning: N/A Flood Plain: N/A
   
 Attach additional information as necessary.

Appraiser: Leonel Garza III October 6, 2009
   
 (Typed, not signed) Date



**Explanation of Adjustments with Reconciliation:**

During the analysis of the acquisition area, the value for the subject property as a whole or economic unit was determined. This determination of market value is utilized for the valuation of the proposed acquisition which is a pro-rata part of the whole. The local market and extended market was searched for comparable sales of which contained similar frontage along Cesar Chavez Road and other similar and thoroughfares. Each of the sales utilized are located within Hidalgo County and are the most comparable located in the market place of which all information pertinent to the transaction could be verified. Several sales were located within this parameter of which had occurred within the past three years. Three sales were selected which were the most comparable to the subject property and required the least number of adjustments. The following three comparable sales were reviewed for location, available utilities, financing, site utility, topography and other factors of which the real estate market shall recognized for the purchase of said tracts.

Sale No. 1 is located along the northern frontage of Sioux Road, east of "I" Road within San Juan, Texas. The property was purchased for \$176,250 for 7.68 acres which equates to a unit rate of \$22,949 per acre. The sale is located in an area superior to the subject as such a downward adjustment of -20% was indicated. Due to the sales similar lot location, financing, marketing conditions, physical characteristics, and access as compared to the subject property, no adjustments for these items of comparison were indicated. No other adjustments were indicated. After adjustments a unit value for the subject property is indicated to be \$18,359 per acre.

Sale No. 2 is located along the northern frontage of Alberta Road, east of Tower Road within Hidalgo County, Texas. The property was purchased for \$200,000 for 15.01 acres which equates to a unit rate of \$13,324 per acre. The sale is inferior in location as compared to the subject; as such an upward adjustment of 20% was indicated. Due to the sales similar in financing, marketing conditions, physical characteristics, access and size as compared to the subject property, no adjustments for these items of comparison were indicated. A unit value for the subject property is indicated to be \$15,989 per acre.

Sale No. 3 is located at the along the southern side of Sioux Road, west of Cesar Chavez Road in San Juan, Texas. The property was purchased for \$170,000 for 7.40 acres which equates to a unit rate of \$22,972 per acre. The sale is located in an area superior to the subject as such a downward adjustment of -20% was indicated. An adjustment of +20% were indicated for sales inferior physical characteristics. Due to the sales similar lot location, financing, marketing conditions, and access as compared to the subject property, no adjustments for these items of comparison were indicated. No other adjustments were indicated. After adjustments a unit value for the subject property is indicated to be \$22,972 per acre.

Reviewing the comparable sales selected, an unadjusted range of market unit value of \$13,324 per acre to \$22,949 per acre is indicated. After applicable adjustments were made in a paired sales analysis of the comparables to the subject property, an adjusted range of unit market value of \$15,989 per acre to \$22,972 per acre was determined. Based on the subject property location along Cesar Chavez Road. A value near the mid to upper end of the adjusted unit rates was selected for the subject property, \$18,750 per acre.

As for the portion of the part to be acquired of which is encumbered by the Hidalgo County Irrigation District No. 2 Easement, a 50% discount of the fee simple unit rate is applied for this area only. The purpose of such discount is that the fee simple owner of record does not contain the full bundle of right to said this portion of the subject property as the irrigation district has the right to construct, repair any drain or irrigation lines located within this designated easement area. This area reserved for such use will not be able to be built upon with structures with out the explicit permissibility of the district. However, upon the permissibility of the irrigation district, the fee simple owner may cross, farm, and utilize the surface of said tract of land. Since the fee simple owner does not contain full control of the land area a discount of 50% is applied. Therefore, the 0.865 acres located with the H.C.I.D. No. 2 Irrigation Easement unit rate is calculated at 50% of the \$22,500/acre value determined for the fee simple area. This value shall be included for total compensation for the part to be acquired.



## ADDENDUM

1. Certification of Appraisal
2. Assumption & Limiting Conditions
3. Qualification of Appraiser
4. Letter of Inspection Sent To Owner of Record Via Certified Mail
5. Certified Letter Tracking Information
6. Warranty Deed

## Certification of Appraisal

I, Leonel Garza III, certify that, to the best of my knowledge and belief:

- 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, impartial, and unbiased professional analyses, opinions, and conclusions.
- The employment and compensation of this appraiser in completing this appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.
- 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 (2006 Edition)*.
- I have made a personal on-site visit of the property that is the subject of this report.
- Luis C. Garza, State Certified General Real Estate Appraiser with Leonel Garza Jr. & Associates who provided significant professional assistance in the preparation of this report not limited to a physical inspection, taking of photographs of the subject property and value analysis. Personal Assistant Adrian Perez, aided in the physical measuring of the subject property only.
- No one other than those mentioned within this certification provided significant real property appraisal assistance to the person(s) signing this 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 the Standards of Professional Appraisal Practice of the Appraisal Institute;
- I certify that the use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives. I also acknowledge that Leonel Garza III is an associate member of the Appraisal Institute and is not an MAI Designated Appraiser, however is currently seeking designation. Leonel Garza is designated as a Master Real Estate Appraiser through the National Association of Master Appraisers.
- The employment and compensation of this appraiser in completing this appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.



\_\_\_\_\_  
Leonel Garza III  
General Certified Real Estate Appraiser  
License No. TX - 1378375 General



\_\_\_\_\_  
Luis Carlos Garza  
General Certified Real Estate Appraiser  
License No. TX - 1338051 - General

## **ASSUMPTIONS AND LIMITING CONDITIONS**

### **This report has been prepared with the following general assumptions:**

1. 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.
2. The property is appraised free and clear of any or all liens or encumbrances unless otherwise stated.
3. Responsible ownership and competent property management are assumed.
4. The information furnished by others is believed to be reliable, but no warranty is given for its accuracy.
5. 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.
6. 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.
7. 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.
8. 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.
9. It is assumed that the use of the land and improvements is confined within the boundaries or property line of the property described and that there is no encroachment or trespass unless noted in the report.
11. 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.

### **General Limiting Conditions:**

1. Any allocation of the total value of the total valuation in this report between land and improvements applies only under the stated program of utilization. The separate allocations for land and buildings must not be used in conjunction with any other appraisal and are invalid if so used.
2. Possession of this report, or a copy thereof, does not carry with it the right of publication.
3. 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.
4. Neither all or any 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 the appraiser.
5. If the property rights appraised are the "Leased Fee Estate", then the Final Indicated Market Value Estimate is based on the continued performance under the lease terms.
6. The original and one copy of this report have been signed in blue ink. Any other copy, which is not signed in blue may have been altered, and this appraiser is not responsible for its contents or value indicated.

### **Assumptions and Interpretations Made by Appraiser of the Marketing Period**

1. Indicated Marketing Time: Begins with the date of value estimate and the exposure time indicated.
2. Exposure to the Open Market: Listing the property on the market for sale with a Realtor, member of Multiple Listing Service, or a licensed Real Estate Broker, that will properly expose the property to the Market. This appraiser does not consider a sign placed by a bank on the property as proper marketing. If the property is presently listed for sale on the market, this appraiser must be notified prior to the completion of the appraisal.
3. Exposure Time: The length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal.

# QUALIFICATIONS OF APPRAISER - LEONEL GARZA III

## Education

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

Graduate, 1991 McAllen Memorial High School, McAllen, Texas

## Licenses

### **State Certified General Real Estate Appraiser**

Number TX - 1328375-General

Licensed Since December 31, 1998

Expires: December 31, 2010 (Active)

### **State Certified Property Tax Consultant**

Number TX - 00003181

Licensed Since May 20, 2002

June 16, 2009 through June 16, 2010 (Active)

## Public Service Organizations

### **Associate Member of the Appraisal Institute (Not MAI Designated)**

Currently taking courses toward the designation of MAI through the Appraisal Institute.

### **National Association of Master Appraisers**

Designated as a Master Senior Appraiser in 2006 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)**

### **Former Chairman of the City of McAllen Zoning Board of Adjustments and Appeals**

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.

### **Chairman of the Hidalgo County Subdivision Advisory Board**

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 Generals 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 boards secondary function is to review applications for variances against the Flood Plain Administrators decisions of the base flood elevations throughout the County of Hidalgo.

### **Chairman of the Hidalgo County Building Line of Adjustments**

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.

### **Member of The McAllen Palm City Lions Club**

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. In 2005 & 2006, the club raised funds to feed 60 family's throughout the City of McAllen.

### **Former Executive Board Member of the Lower Rio Grande Valley Boy Scouts Council**

The goal of the council is to maintain membership and the continued progress of the boy scouts within the Lower Rio Grande Valley. The council shall maintain progress reports of financial status of the council and plan for events world wide which local children may participate as a representative of the council. These events include the World Jamboree and the National Jamboree.

### **Former Vice Chairman of the City of McAllen Ambulance Advisory Committee**

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

### **Former Member of the City of McAllen Building Board of Adjustments and Appeals**

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.

### **Former Member of the Pharr Municipal Park Charter Committee**

Appointed in 1998-1999, our goal was to establish a 103 acre master planned recreational park to the City of Pharr during our membership with the City of Pharr Leadership Class X.

**Work Experience**

- *Employee of Leonel Garza Jr. & Associates since 1990*
- *State Certified General Real Estate Appraiser since December 31, 1998*
- *Owner of G-3 Construction which primary focus is custom commercial and multifamily residential construction.*
- *Commercial and residential property manager throughout the City of McAllen & Pharr, Texas.*
- *Licensed Property Tax Consultant Since 2000.*
- *Appraiser Trainee from 1995 thru 1998 under the sponsorship of Leonel Garza Jr. who was a State Certified General Real Estate Appraiser & Board Member of the Texas State Appraisal Review Board from October 23, 1995 Through September 15, 1998. Appointed by Governor George W. Bush for two (2) terms.*

**Clients For Which Appraisals Have Been Prepared By This Appraiser**

Banks	Bankruptcy Courts	Cities of:	
Attorneys	Homeowners	Alamo	Cameron County
Retailers	Rancher	Alton	Hidalgo County
Doctors	National Franchises	Edinburg	Starr County
Oil Companies	Estate Planners	Hidalgo	
Farmers	Texas Department of	Mercedes	
Mortgage Companies	Transportation	Mission	
Hotel Franchises		McAllen	
US Department of Interior		Pharr	
		San Juan	
		Progresso	

**Type of Appraisals Which Have Been Prepared By This Office**

Caliche Pits / Land Fills	Apartment Complexes	Agricultural Land
Commercial Lots	Automobile Agencies	Bar / Lounges
Convenience Stores	Mini-Storage Units	Grocery Stores
Farms & Ranches	Mobile Home Park Subdivision	Multi-Tenant Retail
Industrial (McAllen Foreign Trade Zone)	Motels / Hotels	Multi-Tenant Offices
Industrial Subdivisions	Ranches	Residential
Medical Offices	Residential Subdivisions	Vacant Residential Lots
Retail Commercial Strips	Restaurants	Veterinary Clinics
Warehouses	Right of Way Acquisitions	
	Truck Stops	

**Areas Where Appraised Properties Have Been Performed By This Office**

Alamo	Edcouch	Alice	Austin
Beeville	Hargill	Georgewest	Donna
Elsa	Harlingen	Kingsville	Edinburg
Mission	Hidalgo	McAllen	La Feria
New Braunfels	Los Ebanos	Palmview	La Joya
Progresso	Port Isabel	San Antonio	Mercedes
Rio Grande City	South Padre Island	Sullivan City	San Juan
Roma	Zapata	McCook	Weslaco

## QUALIFICATIONS OF APPRAISER - LUIS CARLOS GARZA

### Education

- Graduate 2002 University of Texas Pan American, Edinburg, Texas  
Bachelor of Business Administration
- Graduate 1995 McAllen High School, McAllen, Texas

### Licenses Held

- State Certified General Real Estate Appraiser  
Number TX – 1338051-General  
Licensed since July 28, 2008  
Expires: July 31, 2010 (Active)

### Public Service Organization

- McAllen Palm City Lions Club
- Associate Member of the International Right of Way Association (IRWA) (Member # 78992)

### Work Experience

- Employee of Leonel Garza Jr. and Associates since 2004

**CERTIFIED LETTER OF INSPECTION SENT TO PROPERTY OWNER OF RECORD**

**Leonel Garza Jr. & Associates LLC**  
*Appraisal Services*

1419 Dove, Suite 1 - McAllen, Texas 78504  
(956) 687-7295 (24 hour answering service) Fax (956) 687-9236

July 8, 2009

**Project: LJ Drainage Project**  
The North one-half (N. 1/2) of Lot 8, Block 48, Alamo Land & Sugar Company's Subdivision, Hidalgo County, Texas

**Parcel No. 1**  
**The Estate of Floyd E Anderson Deceased**  
6168 Sylvia Ave  
Tarzana, CA 91335-6603

**To Whom It May Concern:**

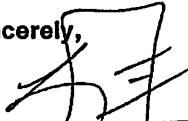
Leonel Garza Jr. & Associates LLC has been contracted by Hidalgo County Precinct No. 2, to appraise various properties within your market area for the purpose of acquiring either land in fee simple or as an easement. This proposed acquisition is for the purpose of creating a master plan drainage system for the County of Hidalgo. Attached is a survey of the property to be appraised. This office shall be inspecting the subject property from existing road right-of-way until verbal or written permission from you is granted to enter the subject property. We would like to extend the opportunity to meet with our office at your site at a later date in order to explain the project and the purpose of the appraisal report requested by Hidalgo County Precinct No. 2.

The Hidalgo County Precinct No. 2 is interested in acquiring said property believed to be in the name of The Estate of Floyd E Anderson Deceased. This is the beginning process for future negotiations to acquire the all or a portion of the subject property. If you or your representative wish to meet with us to discuss the purpose of the appraisal and join me for an on-site inspection of your land, I can be reached at (956) 687-7295. I will be researching the market area for any and all real estate sales, and would appreciate any leads or information in which you may have. If this letter does not pertain to you and you have sold said property, please notify our office as soon as possible so that the proper ownership identification can be preformed.

If you have any questions please call the office of Leonel Garza Jr. & Associates LLC at (956) 687-7295.

*With this letter I request permission to perform an on-site inspection and photograph your property. If you have any objections to our inspection of your property please call the office of Leonel Garza Jr. and Associates LLC at (956) 687-7295 as soon as possible. Thank you.*

Sincerely,



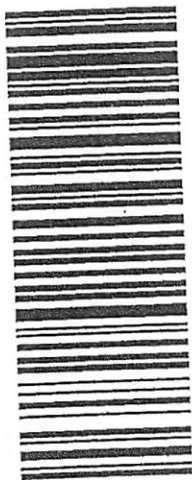
\_\_\_\_\_  
**Leonel Garza III**  
State Certified General  
Real Estate Appraiser  
TX1328375-General

**Cc: Hidalgo County Right-of-Way Department**  
**Lupe Rodriguez, Right-of-Way Agent**  
**509 East Earling**  
**San Juan, Texas 78589**  
**(956) 283-8134**

*Leonel Garza Jr. & Associates LLC*

**CERTIFIED LETTER TRACKING INFORMATION**

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
 OF THE RETURN ADDRESS, FOLD AT DOTTED LINE  
**CERTIFIED MAIL™**



7009 0080 0000 5956 8502  
 7009 0080 0000 5956 8502

U.S. Postal Service™ <b>CERTIFIED MAIL™ RECEIPT</b> (Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>OFFICIAL USE</b>	
Postage \$	Postmark Here
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	
Parcel No. 1 Sent To <b>The Estate of Floyd E Anderson</b> <b>Deceased</b> Street, Apt. No.; or PO Box No. <b>6168 Sylvia Ave</b> City, State, ZIP+4 <b>Tarzana, CA 91335-6603</b>	
PS Form 3800, August 2003 <b>Drainage Project</b> See Reverse for Instructions	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature <b>X</b> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee
1. Article Addressed to: <b>The Estate of Floyd E Anderson Deceased</b> <b>6168 Sylvia Avenue</b> <b>Tarzana, CA 91335-6603</b>  <b>Parcel No. 1</b>	B. Received by (Printed Name) C. Date of Delivery  D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No
2. Article Number (Transfer from serv. <b>7009 0080 0000 5956 8502</b> )	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.
	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes

WARRANTY DEED (Page 1 of 2)

VOLUME 926, PAGE 482, DEED RECORDS

15573  
*150*

The State of Texas, Known all Men by These Presents:  
County of HIDALGO

That I, H. S. ANDERSON, Independent Executor of the Estate of  
Minnie Anderson, Deceased,

of the County of Hidalgo, State of Texas, for and in consideration  
of the sum of ----- TEN and no/100 (\$10.00) ---- DOLLARS,  
and other good and valuable considerations

to me is hand paid by FLOYD E. ANDERSON, the receipt of which is hereby  
acknowledged and confessed,

DOLLARS  
acknowledged

WARRANTY DEED (Page 2 of 2)

483

have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey, unto the said  
**FLOYD E. ANDERSON**  
of the County of **Los Angeles** State of **California** all that certain  
lot, tract or parcel of land situated in Hidalgo County, Texas, and  
more particularly described by metes and bounds as follows; to wit:  
The North one-half (N. 1/2) of Lot Eight (8),  
Block Forty-eight (48), Alamo Land & Sugar  
Company's Subdivision of lands in Hidalgo  
County, Texas,

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights  
and appurtenances thereto in anywise belonging unto the said **FLOYD E. ANDERSON, his**  
heirs and assigns forever and I do hereby bind myself, my  
heirs, executors and administrators, to Warrant and Forever Defend, all and singular the said premises  
unto the said **FLOYD E. ANDERSON, his**  
heirs and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any  
part thereof.

WITNESS my hand at McAllen, Texas  
this 10th day of October 19 58  
Witness at request of Grantor:

*[Signature]*  
**H. S. ANDERSON, Independent  
Executor of the Estate of  
Minnie Anderson, Deceased.**

SINGLE ACKNOWLEDGEMENT

THE STATE OF TEXAS, COUNTY OF **HIDALGO**  
I, **H. S. ANDERSON, Independent Executor of the Estate of Minnie Anderson, Deceased,**  
do hereby acknowledge that I have executed the foregoing instrument, and acknowledged to  
**Notary Public** *[Signature]* for Hidalgo County, Texas  
this 17th day of October, A. D. 1958.

JOINT ACKNOWLEDGEMENT

THE STATE OF TEXAS, COUNTY OF **HIDALGO**  
I, **H. S. ANDERSON, Independent Executor of the Estate of Minnie Anderson, Deceased,**  
do hereby acknowledge that I have executed the foregoing instrument, and acknowledged to  
**Notary Public** *[Signature]* for Hidalgo County, Texas  
this 17th day of October, A. D. 1958.

Filed for Record on the 18<sup>th</sup> day of October A.D. 1958, at 8:08 o'clock A.M.  
Duly Recorded this the 21<sup>st</sup> day of October A.D. 1958, at 1:25 o'clock P.M.  
Instrument No. **15173**  
**GEO. L. ANDERSON, County Clerk**  
Hidalgo County, Texas  
By *[Signature]* Deputy

**A. Settlement Statement**

U.S. Department of Housing  
and Urban Development

OMB No. 2502-0265

<b>B. Type of Loan</b>			
1. <input type="checkbox"/> FHA	2. <input type="checkbox"/> FmHA	3. <input type="checkbox"/> Conv Unins	6. File Number 120374
4. <input type="checkbox"/> VA	5. <input type="checkbox"/> Conv Ins.	6. <input type="checkbox"/> Seller Finance	7. Loan Number
			8. Mortgage Ins Case Number
<b>C. Note:</b> 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.			
<b>D. Name &amp; Address of Borrower</b> THE COUNTY OF HIDALGO, TEXAS 300 West Hall Acres Ste. G Pharr, TX 78577		<b>E. Name &amp; Address of Seller</b> Robert K. Anderson aka Robert Keemy Anderson, Individually and as Administrator of the Estate of Josephine K. Anderson aka Josephine Kemmy Anderson, deceased 6168 Sylvia Avenue Tarzana, CA 91335	
		<b>F. Name &amp; Address of Lender</b>	
<b>G. Property Location</b>  Alamo Land And Sugar Company, Lot 8, Block 48, Hidalgo County  , TX		<b>H. Settlement Agent Name</b> Valley Land Title Co. 6013 N. 10th Street McAllen, TX 78504 Tax ID: 20-4064406	
		<b>Place of Settlement</b> Valley Land Title Company 217 W. Cano Edinburg, TX 78539	<b>I. Settlement Date</b> 2/10/2017 Fund:
<b>J. Summary of Borrower's Transaction</b>		<b>K. Summary of Seller's Transaction</b>	
<b>100. Gross Amount Due from Borrower</b>		<b>400. Gross Amount Due to Seller</b>	
101. Contract Sales Price	\$125,000.00	401. Contract Sales Price	\$125,000.00
102. Personal Property		402. Personal Property	
103. Settlement Charges to borrower	\$3,913.35	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>\$128,913.35</b>	<b>420. Gross Amount Due to Seller</b>	<b>\$125,000.00</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)	\$128,913.35	601. Gross Amount due to seller (line 420)	\$125,000.00
302. Less amounts paid by/for borrower (line 220)	\$0.00	602. Less reductions in amt. due seller (line 520)	\$0.00
<b>303. Cash From Borrower</b>	<b>\$128,913.35</b>	<b>603. Cash To Seller</b>	<b>\$125,000.00</b>

<b>L. Settlement Charges</b>				Paid From Borrower's Funds at Settlement	Paid From Seller's Funds at Settlement
<b>700. Total Sales/Broker's Commission based on price</b>		<b>\$125,000.00</b>	<b>@ % = \$0.00</b>		
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.	corporation s 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 2/10/2017 to 3/1/2017 @ \$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 L. G. "Jerry" Canales		<b>\$1,100.00</b>	
1106.	Notary fees	to			
1107.	Attorney's fees	to			
(includes above items numbers: )					
1108.	Title insurance	to Valley Land Title Company		<b>\$1,014.00</b>	
(includes above items numbers: )					
1109.	Lender's coverage	\$0.00/\$0.00			
1110.	Owner's coverage	\$125,000.00/\$1,014.00			
1111.	Escrow fee	to Valley Land Title Company		<b>\$300.00</b>	
1112.	Guaranty Assessment Recoupment Charge	to		<b>\$0.00</b>	<b>\$0.00</b>
1113.	Tax Service Fee	to Hidalgo County Property Tax Service		<b>\$55.00</b>	
1114.	FedEx Fee	to Valley Land Title Company		<b>\$126.85</b>	
1115.	State Guaranty Fee	to Valley Land Title Company-Guaranty Fee Escrow Account		<b>\$3.00</b>	
<b>1200. Government Recording and Transfer Charges</b>					
1201.	Recording Fees	Deed \$56.00 ; Mortgage ; Rel	to Valley Land Title Company	<b>\$56.00</b>	
1202.	City/county tax/stamps	Deed ; Mortgage	to		
1203.	State tax/stamps	Deed ; Mortgage	to		
1204.	Aff of Heirship/Probate rec reimbursemt	to Valley Land Title Company		<b>\$380.00</b>	
1205.	Reimbursement of certified copies	to Robert K. Anderson		<b>\$878.50</b>	
<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>\$3,913.35</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).

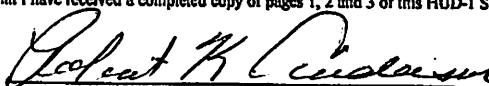
Seller understands the closing or Escrow Agent has assembled this information representing the transaction from the best information available from other sources and cannot guaranty the accuracy thereof. Any real estate agent or lender involved may be furnished a copy of this Statement. Seller understands that tax and insurance premiums 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



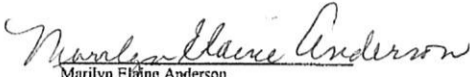

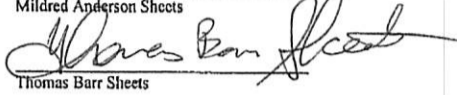
Robert K. Anderson aka Robert Kemmy Anderson, Individually and as Administrator of the Estate of Josephine K. Anderson aka Josephine Kemmy Anderson, deceased

**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	
<b>Additional Buyers/Borrowers &amp; Sellers</b> 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.	
<b>Section D – Additional Buyers/Borrowers</b>	<b>Section E – Additional Sellers</b>  Marilyn Elaine Anderson 6168 Sylvia Avenue Tarzanna, CA 91335   Marilyn Elaine Anderson Mildred Anderson Sheets and Thomas Barr Sheets, 24723 Calvert Street Woodland Hills, CA 91367   Mildred Anderson Sheets  Thomas Barr Sheets

**AFFILIATED BUSINESS ARRANGEMENT DISCLOSURE STATEMENT**

**DATE:** February 10, 2017

**TO:** SELLER: MARILYN ELAINE ANDERSON; ROBERTO K. ANDERSON AKA ROBERT KEMMY ANDERSON, INDIVIDUALLY AND AS ADMINISTRATOR OF THE ESTATE OF JOSEPHINE K. ANDERSON AKA JOSEPHINE KEMMY ANDERSON, DECEASED; AND MILDRED ANDERSON SHEETS AND HUSBAND, THOMAS BARR SHEETS

**BUYER:** THE COUNTY OF HIDALGO, TEXAS

**FROM:** VALLEY LAND TITLE CO.

**PROPERTY:** A 5.207-acre tract of land out of the North one-half (1/2) of Lot 8, Block 48, Alamo Land and Sugar Company's Subdivision, Hidalgo County, Texas, as per map recorded in Volume 1, Pages 24-26, Map Records of Hidalgo County, Texas. Said North one-half (1/2) of said Lot 8 is vested to: The Estate of Floyd E. Anderson, Deceased, from H.S. Anderson, Independent Executor of the Estate of Minnie Anderson, Deceased, dated October 10, 1958, by virtue of a Warranty Deed, recorded in Volume 926, Page 482, Deed Records of Hidalgo County, Texas, by virtue of a Consent to termination of Trust and Conveyance, dated September 11, 1998, recorded in Document Number 854134, Official Records of Hidalgo County, Texas, and by virtue of the Last Will and Testament of Floyd Anderson Ellison, recorded in Document Number 854136, Official Records of Hidalgo County, Texas. Said 5.207-acre tract of land being more particularly described by metes and bounds in Exhibit "A", which is attached hereto and incorporated herein for any and all purposes.

This is to give you notice that VALLEY LAND TITLE CO. has a business relationship with HIDALGO COUNTY PROPERTY TAX SERVICE. The shareholders of VALLEY LAND TITLE CO. composes a majority of the shareholders of HIDALGO COUNTY PROPERTY TAX SERVICE. Because of this relationship, this referral may provide VALLEY LAND TITLE CO. a financial or other benefit. HIDALGO COUNTY PROPERTY TAX SERVICE is contracted to obtain tax information and guarantee taxes to VALLEY LAND TITLE CO. 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 CO. 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 CO. 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  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 CO. PRIOR TO CLOSING.

**SELLER:**

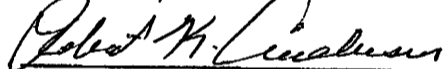
**BORROWER:**

THE COUNTY OF HIDALGO, TEXAS

  
MARILYN ELAINE ANDERSON

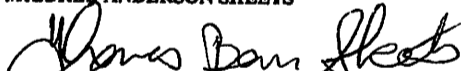
**BY:**

VALDE GUERRA, Executive Officer



ROBERT K. ANDERSON aka ROBERT  
KEMMY ANDERSON, Individually and as  
Administrator of the Estate of Josephine K.  
Anderson aka Josephine Kemmy Anderson,  
Deceased

  
MILDRED ANDERSON SHEETS

  
THOMAS BARR SHEETS

## EXHIBIT "A"

COUNTY: HIDALGO

DITCH: L. J. Drainage Lateral

PROJECT LIMITS: From Cesar Chavez Rd. to Alamo Lateral Drain

Eng08.024J  
June 26, 2009  
Parcel 1  
Page 1 of 3  
Rev.: 10/02/09

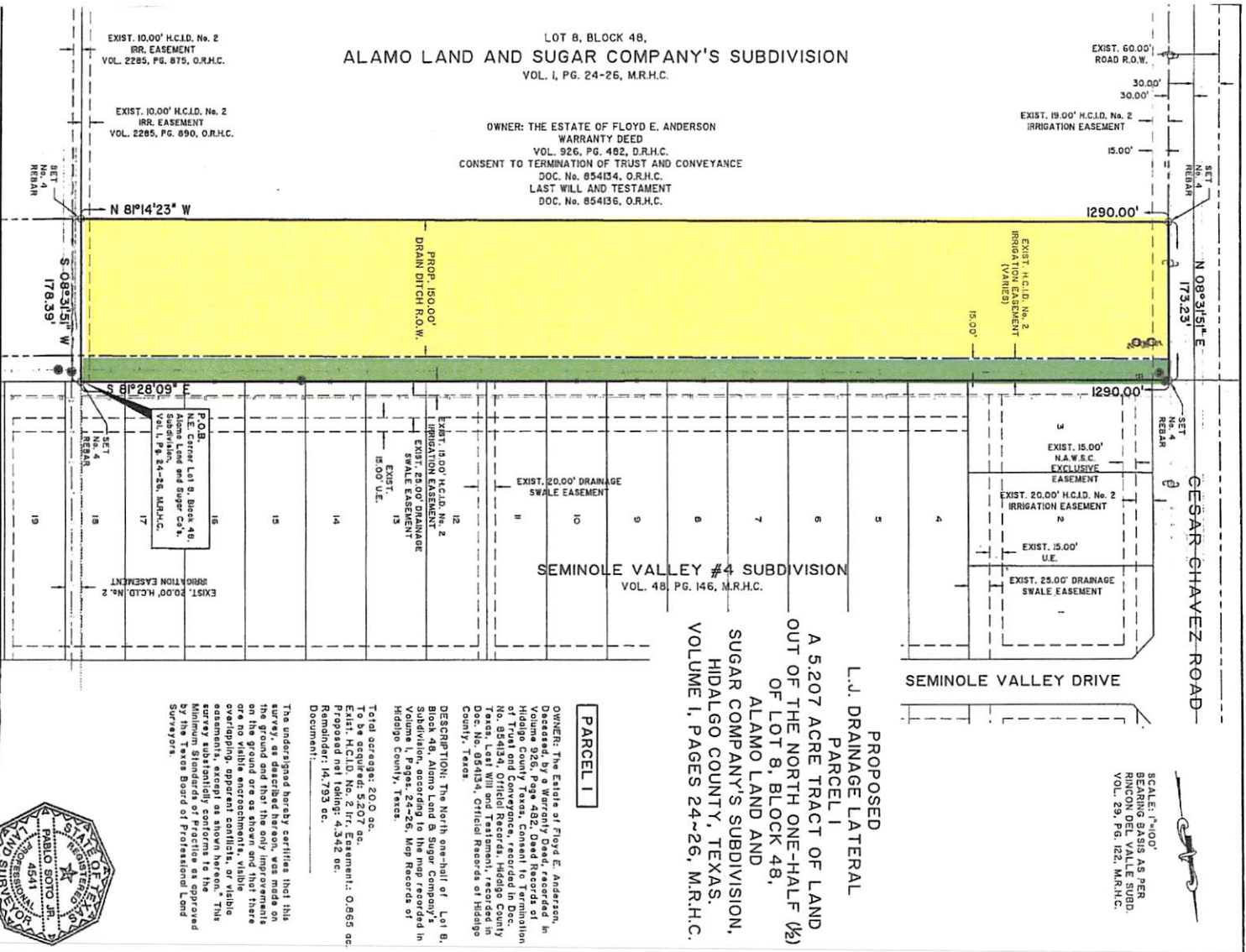
### FIELD NOTES FOR PARCEL - 1

Being a 5.207-acre tract of land out of the North one-half (1/2) of Lot 8, Block 48, Alamo Land and Sugar Company's Subdivision, Hidalgo County, Texas, as per map recorded in Volume 1, Pages 24~26, Map Records of Hidalgo County, Texas. Said North one-half (1/2) of said Lot 8 is vested to: The Estate of Floyd E. Anderson, Deceased, from H.S. Anderson, Independent Executor of the Estate of Minnie Anderson, Deceased, dated October 10, 1958, by virtue of a Warranty Deed, recorded in Volume 926, Page 482, Deed Records of Hidalgo County, Texas, by virtue of a Consent to termination of Trust and Conveyance, dated September 11, 1998, recorded in Document No. 854134, Official Records of Hidalgo County, Texas, and by virtue of the Last Will and Testament of Floyd Anderson Ellison, recorded in Document No. 854136, Official Records of Hidalgo County, Texas. Said 5.207-acre tract of land being more particularly described by metes and bounds as follows;

**Beginning** at a No. 4 rebar set at the Northeast corner of Lot 8, for the Northeast corner and the **POINT OF BEGINNING** of this tract of land;

1. **THENCE**, South 08 degrees 31 minutes 51 seconds West, with the East line of said Lot 8, a distance of 178.39 feet to a No. 4 rebar set at the Proposed South Right of Way line of L.J. Drainage Lateral, for the Southeast corner of this tract of land;
2. **THENCE**, North 81 degrees 14 minutes 23 seconds West, with the Proposed South Right of Way line of said L.J. Drainage Lateral, a distance of 1290.00 feet to a No. 4 rebar set at the Existing East Right of Way line of Cesar Chavez Road, for the Southwest corner of this tract of land;
3. **THENCE**, North 08 degrees 31 minutes 51 seconds East, with the Existing East Right of Way line of said Cesar Chavez Road, a distance of 173.23 feet to a No. 4 rebar set at the North line of said Lot 8, for the Northwest corner of this tract of land;

**SURVEY OF PART TO BE ACQUIRED (Page 1 of 1)**



SCALE: 1"=100'  
 BEARING BASIS AS PER  
 RINCON DEL VALLE SUBD.  
 VOL. 29, PG. 122, M.R.H.C.

**PROPOSED  
 L.U. DRAINAGE LATERAL  
 PARCEL 1**  
 A 5.207 ACRE TRACT OF LAND  
 OUT OF THE NORTH ONE-HALF (1/2)  
 OF LOT 8, BLOCK 48,  
 ALAMO LAND AND  
 SUGAR COMPANY'S SUBDIVISION,  
 HIDALGO COUNTY, TEXAS.  
 VOLUME I, PAGES 24~26, M.R.H.C.

LOT 8, BLOCK 48,  
**ALAMO LAND AND SUGAR COMPANY'S SUBDIVISION**  
 VOL. I, PG. 24-26, M.R.H.C.  
 OWNER: THE ESTATE OF FLOYD E. ANDERSON  
 WARRANTY DEED  
 VOL. 926, PG. 482, D.R.H.C.  
 CONSENT TO TERMINATION OF TRUST AND CONVEYANCE  
 DOC. No. 854154, O.R.H.C.  
 LAST WILL AND TESTAMENT  
 DOC. No. 854156, O.R.H.C.

**PARCEL 1**

OWNER: The Estate of Floyd E. Anderson,  
 Deceased, by a Warranty Deed, recorded in  
 Volume 926, Page 482, Deed Records of  
 Hidalgo County, Texas, and a Termination of  
 Trust and Conveyance, recorded in Doc.  
 No. 854154, Official Records, Hidalgo County  
 Texas, Last Will and Testament, recorded in  
 Doc. No. 854154, Official Records of Hidalgo  
 County, Texas.

DESCRIPTION: The North one-half of Lot 8,  
 Block 48, Alamo Land & Sugar Company's  
 Subdivision, according to the map recorded in  
 Volume I, Pages 24-26, Map Records of  
 Hidalgo County, Texas.

Total acreage: 50.0 ac.  
 Tract area: 5.207 ac.  
 Exist. H.C.I.D. No. 2 Irr. Easement: 0.866 ac.  
 Proposed net taking: 4.342 ac.  
 Remainder: 14.793 ac.  
 Document: \_\_\_\_\_

The undersigned hereby certifies that this  
 survey, as described hereon, was made on  
 the ground and that the only improvements  
 shown hereon are those actually existing  
 on the ground one as shown and that there  
 are no other improvements, or visible  
 encumbrances, except as shown hereon. This  
 survey substantially conforms to the  
 Minimum Standards of Practice as approved  
 by the Texas Board of Professional Land  
 Surveyors.



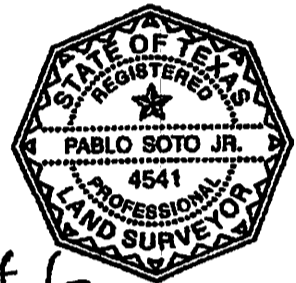
**R. Gutierrez**  
**Engineering Corporation**  
**Professional Engineers & Land Surveyors**  
 130 E. PARK AVENUE • PHARR, TEXAS 78877  
 (TEL) 956 782-2557 • (FAX) 956 782-2558  
 FIRM No. 488

*Pablo Soto Jr.*  
 PABLO SOTO, JR. - M.P.L.S. No. 4541  
 Date: 6/28/09 Rev: 10/2/09  
 JOB No.: ENG09.024J DATE: 6/11/09  
 DRAWN BY: JHF. PAGE: 3 OF 3

Yellow Highlight = Fee Simple; Green Highlight = Hidalgo County Irrigation District Easement  
 Page 1 of 9

4. **THENCE**, South 81 degrees 28 minutes 09 seconds East, with the North line of said Lot 8, a distance of 1290.00 feet to the **POINT OF BEGINNING**, containing 5.207-acres, of which 0.865-acres lies in the Existing Hidalgo County Irrigation District No. 2 Easement, leaving a **Proposed Net Taking** of 4.342-acres of land, more or less.

I, Pablo Soto, Jr., a Registered Professional Land Surveyor in the State of Texas, do hereby certify the above metes and bounds are true and is the result of an actual survey performed on the ground under my direction.

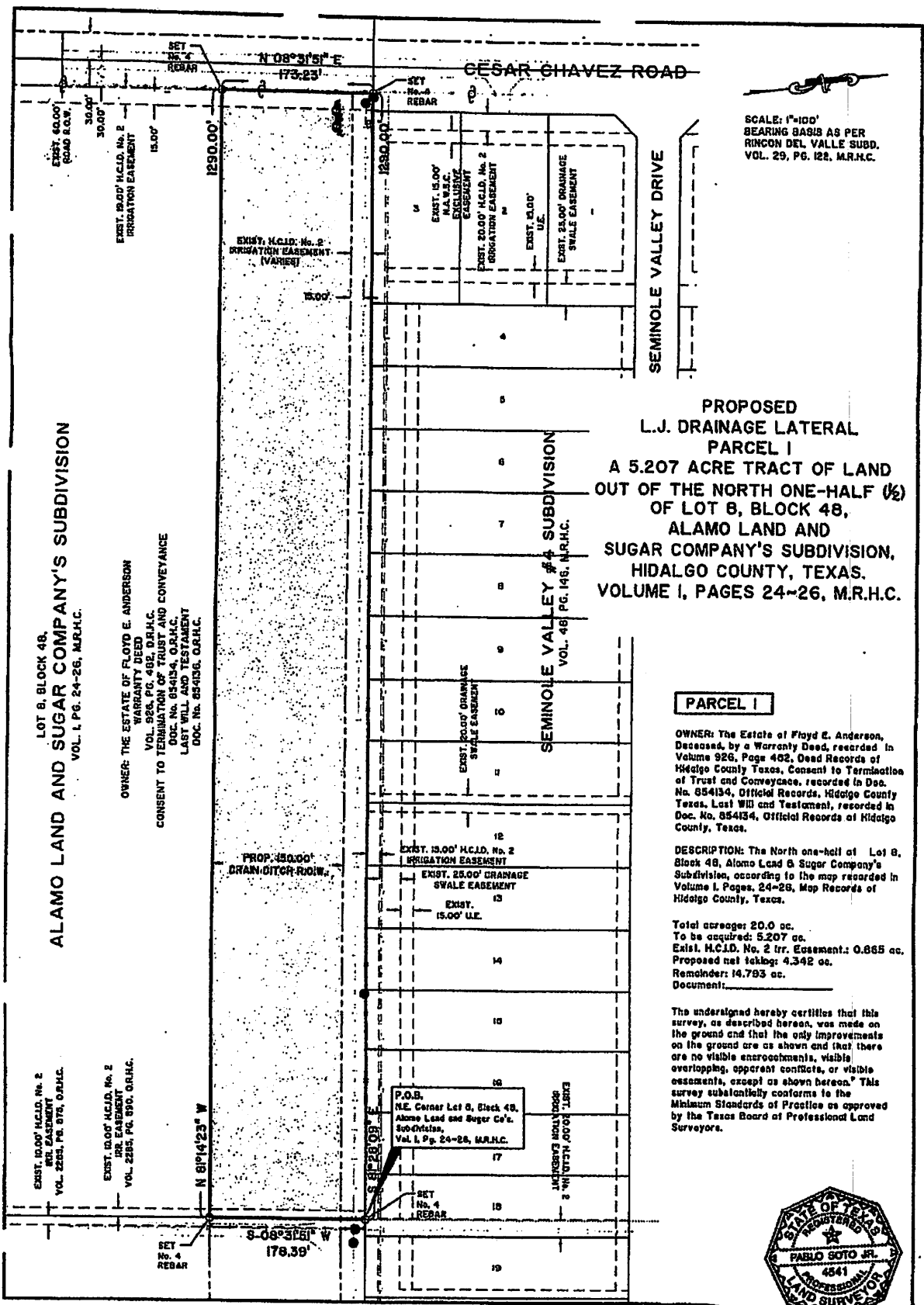


A large, stylized handwritten signature in black ink, appearing to read "Pablo Soto, Jr.", is written over a horizontal line.

PABLO SOTO, JR. - R.P.L.S. No. 4541

Date: 6/26/09

Rev.: 10/2/09



SCALE: 1"=100'  
BEARING BASIS AS PER  
RINCON DEL VALLE SUBD.  
VOL. 29, PG. 122, M.R.H.C.

LOT 8, BLOCK 48,  
ALAMO LAND AND SUGAR COMPANY'S SUBDIVISION  
VOL. 1, PG. 24-26, M.R.H.C.

OWNER: THE ESTATE OF FLOYD E. ANDERSON  
WARRANTY DEED  
VOL. 926, PG. 492, D.R.H.C.  
CONSENT TO TERMINATION OF TRUST AND CONVEYANCE  
DOC. NO. 854134, O.R.H.C.  
LAST WILL AND TESTAMENT  
DOC. NO. 854134, O.R.H.C.

EXIST. 10.00' M.C.I.D. No. 2  
IRR. EASEMENT  
VOL. 2281, PG. 574, O.R.H.C.

EXIST. 10.00' M.C.I.D. No. 2  
IRR. EASEMENT  
VOL. 2285, PG. 890, O.R.H.C.

P.O.B.  
N.E. Corner Lot 8, Block 48,  
Alamo Land and Sugar Co.'s  
Subdivision,  
Vol. 1, Pg. 24-26, M.R.H.C.

PROPOSED  
L.J. DRAINAGE LATERAL  
PARCEL I  
A 5.207 ACRE TRACT OF LAND  
OUT OF THE NORTH ONE-HALF (1/2)  
OF LOT 8, BLOCK 48,  
ALAMO LAND AND  
SUGAR COMPANY'S SUBDIVISION,  
HIDALGO COUNTY, TEXAS.  
VOLUME I, PAGES 24-26, M.R.H.C.

**PARCEL I**

OWNER: The Estate of Floyd E. Anderson,  
Deceased, by a Warranty Deed, recorded in  
Volume 926, Page 492, Deed Records of  
Hidalgo County Texas, Consent to Termination  
of Trust and Conveyance, recorded in Doc.  
No. 854134, Official Records, Hidalgo County  
Texas, Last Will and Testament, recorded in  
Doc. No. 854134, Official Records of Hidalgo  
County, Texas.

DESCRIPTION: The North one-half of Lot 8,  
Block 48, Alamo Land & Sugar Company's  
Subdivision, according to the map recorded in  
Volume I, Pages, 24-26, Map Records of  
Hidalgo County, Texas.

Total acreage: 20.00 ac.  
To be acquired: 5.207 ac.  
Exist. M.C.I.D. No. 2 Irr. Easement: 0.665 ac.  
Proposed net taking: 4.342 ac.  
Remainder: 14.793 ac.  
Document:

The undersigned hereby certifies that this  
survey, as described hereon, was made on  
the ground and that the only improvements  
on the ground are as shown and that there  
are no visible encroachments, visible  
overlapping, apparent conflicts, or visible  
encroachments, except as shown hereon. This  
survey substantially conforms to the  
Minimum Standards of Practice as approved  
by the Texas Board of Professional Land  
Surveyors.



**R. Gutierrez**  
Engineering  
Corporation

**Professional Engineers & Land Surveyors**

130 E. PARK AVENUE • PHARR, TEXAS 78577  
(TEL) 956 782-2557 • (FAX) 956 782-2558  
FIRM No. 488

*Pablo Soto, Jr.*  
PABLO SOTO, JR. - R.P.L.S. No. 4541  
Date: 6/26/09 Rev: 10/2/09

JOB No.: ENG09.024J	DATE: 6/11/09
DRAWN BY: J.M.F.	PAGE: 3 OF 3

**L. G. "JERRY" CANALES**

ATTORNEY AT LAW  
6013 N. 10<sup>th</sup> Street, McAllen, Texas 78504  
(956) 687-7763

**ATTORNEY REPRESENTATION AND FEE LETTER**

The legal documents needed for this closing have been prepared by the law office of L.G. 'JERRY' CANALES. The legal fees for preparation of the documents are based on the customary fees charged for document preparation in similar transactions. Mr. Canales has undertaken to prepare documents only, and has not in any way undertaken to assist or advise the seller or buyer about this transaction or the documents executed in connection with it.

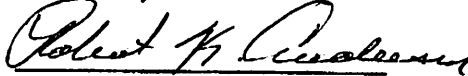
All documents were prepared by Mr. Canales based on information provided to him by third parties (e.g. the earnest money contract, title commitment and loan closing instructions), and he has not made any independent effort to verify this information.

Mr. Canales may have prepared the legal documents for both seller and buyer and may also have given legal advice to Valley Land Title Company concerning this transaction. Under the strict rules which lawyers must follow to avoid conflicts of interest, he has determined that he would be able to prepare the documents in such a case.

We agree to pay the fees charged by Mr. Canales for document preparation as shown on the closing statement and acknowledge that we have been given the opportunity to have our own attorney review the documentation.

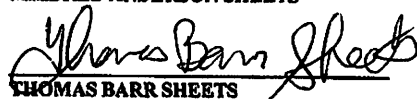
**GRANTOR:**

  
MARILYN ELAINE ANDERSON



ROBERT K. ANDERSON aka ROBERT  
KEMMY ANDERSON, Individually and as  
Administrator of the Estate of Josephine K.  
Anderson aka Josephine Kemmy Anderson,  
Deceased

  
MILDRED ANDERSON SHEETS

  
THOMAS BARR SHEETS

**GRANTEE:**

THE COUNTY OF HIDALGO, TEXAS

BY: \_\_\_\_\_  
VALDE GUERRA, Executive Officer

Date: February 10, 2017  
GF#120374

**NO PRORATION AGREEMENT**


WHEREAS, MARILYN ELAINE ANDERSON; ROBERTO K. ANDERSON AKA ROBERT KEMMY ANDERSON, INDIVIDUALLY AND AS ADMINISTRATOR OF THE ESTATE OF JOSEPHINE K. ANDERSON AKA JOSEPHINE KEMMY ANDERSON, DECEASED; AND MILDRED ANDERSON SHEETS AND HUSBAND, THOMAS BARR SHEETS, 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:

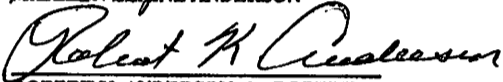
A 5.207-acre tract of land out of the North one-half (1/2) of Lot 8, Block 48, Alamo Land and Sugar Company's Subdivision, Hidalgo County, Texas, as per map recorded in Volume 1, Pages 24-26, Map Records of Hidalgo County, Texas. Said North one-half (1/2) of said Lot 8 is vested to: The Estate of Floyd E. Anderson, Deceased, from H.S. Anderson, Independent Executor of the Estate of Minnie Anderson, Deceased, dated October 10, 1958, by virtue of a Warranty Deed, recorded in Volume 926, Page 482, Deed Records of Hidalgo County, Texas, by virtue of a Consent to termination of Trust and Conveyance, dated September 11, 1998, recorded in Document Number 854134, Official Records of Hidalgo County, Texas, and by virtue of the Last Will and Testament of Floyd Anderson Ellison, recorded in Document Number 854136, Official Records of Hidalgo County, Texas. Said 5.207- acre tract of land being more particularly described by metes and bounds in Exhibit "A", which is attached hereto and incorporated herein for any and all purposes.

SELLER and PURCHASER acknowledge that taxes will not be prorated through the date of closing and SELLER shall be fully and solely responsible for taxes for the year 2017 through the date of closing.

EXECUTED at Edinburg, Texas, this 10<sup>th</sup> day of February, 2017.

SELLER:

  
MARIYN ELAINE ANDERSON



ROBERT K. ANDERSON aka ROBERT KEMMY ANDERSON, Individually and as Administrator of the Estate of Josephine K. Anderson aka Josephine Kemmy Anderson, Deceased

  
MILDRED ANDERSON SHEETS

  
THOMAS BARR SHEETS

BUYER:

THE COUNTY OF HIDALGO, TEXAS

BY: \_\_\_\_\_  
VALDE GUERRA, Executive Officer

## EXHIBIT "A"

COUNTY: HIDALGO

DITCH: L. J. Drainage Lateral

PROJECT LIMITS: From Cesar Chavez Rd. to Alamo Lateral Drain

Eng08.024J  
June 26, 2009  
Parcel 1  
Page 1 of 3  
Rev.: 10/02/09

### FIELD NOTES FOR PARCEL - 1

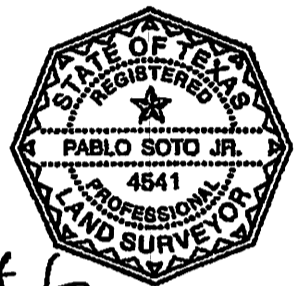
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Beginning at a No. 4 rebar set at the Northeast corner of Lot 8, for the Northeast corner and the **POINT OF BEGINNING** of this tract of land;

1. **THENCE**, South 08 degrees 31 minutes 51 seconds West, with the East line of said Lot 8, a distance of 178.39 feet to a No. 4 rebar set at the Proposed South Right of Way line of L.J. Drainage Lateral, for the Southeast corner of this tract of land;
2. **THENCE**, North 81 degrees 14 minutes 23 seconds West, with the Proposed South Right of Way line of said L.J. Drainage Lateral, a distance of 1290.00 feet to a No. 4 rebar set at the Existing East Right of Way line of Cesar Chavez Road, for the Southwest corner of this tract of land;
3. **THENCE**, North 08 degrees 31 minutes 51 seconds East, with the Existing East Right of Way line of said Cesar Chavez Road, a distance of 173.23 feet to a No. 4 rebar set at the North line of said Lot 8, for the Northwest corner of this tract of land;

4. **THENCE**, South 81 degrees 28 minutes 09 seconds East, with the North line of said Lot 8, a distance of 1290.00 feet to the **POINT OF BEGINNING**, containing 5.207-acres, of which 0.865-acres lies in the Existing Hidalgo County Irrigation District No. 2 Easement, leaving a **Proposed Net Taking** of 4.342-acres of land, more or less.

I, Pablo Soto, Jr., a Registered Professional Land Surveyor in the State of Texas, do hereby certify the above metes and bounds are true and is the result of an actual survey performed on the ground under my direction.



A handwritten signature in black ink, appearing to read "Pablo Soto, Jr.", written over a horizontal line.

PABLO SOTO, JR. - R.P.L.S. No. 4541

Date: 6/26/09

Rev.: 10/2/09



**WAIVER OF INSPECTION**

**PLEASE SIGN & RETURN THIS WAIVER**

**GF NO: 120374**

**TO: VALLEY LAND TITLE CO.**

**AGENT FOR: ALLIANT NATIONAL TITLE INSURANCE CO.**

Gentlemen:

I/We, **THE COUNTY OF HIDALGO, TEXS**, has this day purchased from **MARILYN ELAINE ANDERSON; ROBERTO K. ANDERSON AKA ROBERT KEMMY ANDERSON, INDIVIDUALLY AND AS ADMINISTRATOR OF THE ESTATE OF JOSEPHINE K. ANDERSON AKA JOSEPHINE KEMMY ANDERSON, DECEASED; AND MILDRED ANDERSON SHEETS AND HUSBAND, THOMAS BARR SHEETS**, the following described property in Hidalgo County, Texas, to-wit:

A 5.207-acre tract of land out of the North one-half (1/2) of Lot 8, Block 48, Alamo Land and Sugar Company's Subdivision, Hidalgo County, Texas, as per map recorded in Volume 1, Pages 24-26, Map Records of Hidalgo County, Texas. Said North one-half (1/2) of said Lot 8 is vested to: The Estate of Floyd E. Anderson, Deceased, from H.S. Anderson, Independent Executor of the Estate of Minnie Anderson, Deceased, dated October 10, 1958, by virtue of a Warranty Deed, recorded in Volume 926, Page 482, Deed Records of Hidalgo County, Texas, by virtue of a Consent to termination of Trust and Conveyance, dated September 11, 1998, recorded in Document Number 854134, Official Records of Hidalgo County, Texas, and by virtue of the Last Will and Testament of Floyd Anderson Ellison, recorded in Document Number 854136, Official Records of Hidalgo County, Texas. Said 5.207- acre tract of land being more particularly described by metes and bounds in Exhibit "A", which is attached hereto and incorporated herein for any and all purposes.

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

EXECUTED on \_\_\_\_\_, 2017.

**BUYER:**

**THE COUNTY OF HIDALGO, TEXAS**

**BY: \_\_\_\_\_**  
**VALDE GUERRA, Executive Officer**

## EXHIBIT "A"

COUNTY: HIDALGO

DITCH: L. J. Drainage Lateral

PROJECT LIMITS: From Cesar Chavez Rd. to Alamo Lateral Drain

Eng08.024J  
June 26, 2009  
Parcel 1  
Page 1 of 3  
Rev.: 10/02/09

### FIELD NOTES FOR PARCEL -- 1


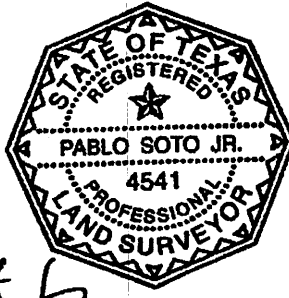
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**Beginning** at a No. 4 rebar set at the Northeast corner of Lot 8, for the Northeast corner and the **POINT OF BEGINNING** of this tract of land;

1. **THENCE**, South 08 degrees 31 minutes 51 seconds West, with the East line of said Lot 8, a distance of 178.39 feet to a No. 4 rebar set at the Proposed South Right of Way line of L.J. Drainage Lateral, for the Southeast corner of this tract of land;
2. **THENCE**, North 81 degrees 14 minutes 23 seconds West, with the Proposed South Right of Way line of said L.J. Drainage Lateral, a distance of 1290.00 feet to a No. 4 rebar set at the Existing East Right of Way line of Cesar Chavez Road, for the Southwest corner of this tract of land;
3. **THENCE**, North 08 degrees 31 minutes 51 seconds East, with the Existing East Right of Way line of said Cesar Chavez Road, a distance of 173.23 feet to a No. 4 rebar set at the North line of said Lot 8, for the Northwest corner of this tract of land;

4. **THENCE**, South 81 degrees 28 minutes 09 seconds East, with the North line of said Lot 8, a distance of 1290.00 feet to the **POINT OF BEGINNING**, containing 5.207-acres, of which 0.865-acres lies in the Existing Hidalgo County Irrigation District No. 2 Easement, leaving a **Proposed Net Taking** of 4.342-acres of land, more or less.

I, Pablo Soto, Jr., a Registered Professional Land Surveyor in the State of Texas, do hereby certify the above metes and bounds are true and is the result of an actual survey performed on the ground under my direction.

  
  
PABLO SOTO, JR. - R.P.L.S. No. 4541  
Date: 6/26/09  
Rev.: 10/2/09



**NOTIFICATION OF TAXING AUTHORITIES**

GF#120374

RE: A 5.207-acre tract of land out of the North one-half (1/2) of Lot 8, Block 48, Alamo Land and Sugar Company's Subdivision, Hidalgo County, Texas, as per map recorded in Volume 1, Pages 24-26, Map Records of Hidalgo County, Texas. Said North one-half (1/2) of said Lot 8 is vested to: The Estate of Floyd E. Anderson, Deceased, from H.S. Anderson, Independent Executor of the Estate of Minnie Anderson, Deceased, dated October 10, 1958, by virtue of a Warranty Deed, recorded in Volume 926, Page 482, Deed Records of Hidalgo County, Texas, by virtue of a Consent to termination of Trust and Conveyance, dated September 11, 1998, recorded in Document Number 854134, Official Records of Hidalgo County, Texas, and by virtue of the Last Will and Testament of Floyd Anderson Ellison, recorded in Document Number 854136, Official Records of Hidalgo County, Texas. Said 5.207- acre tract of land being more particularly described by metes and bounds in Exhibit "A", which is attached hereto and incorporated herein for any and all purposes.

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 the Hidalgo County Clerk's office, you need to take it to the following office so that they can change their records accordingly:

Hidalgo County Appraisal District  
4405 S. Professional Drive  
Edinburg, Texas 78539  
www.HIDALGOAD.ORG

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 \_\_\_\_\_, 2017.

BUYER:

THE COUNTY OF HIDALGO, TEXAS

BY: \_\_\_\_\_  
VALDE GUERRA, Executive Officer

Dated: February 10, 2017

## EXHIBIT "A"

COUNTY: HIDALGO

DITCH: L. J. Drainage Lateral

PROJECT LIMITS: From Cesar Chavez Rd. to Alamo Lateral Drain

Eng08.024J

June 26, 2009

Parcel 1

Page 1 of 3

Rev.: 10/02/09

### FIELD NOTES FOR PARCEL – 1


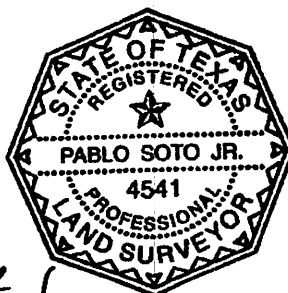
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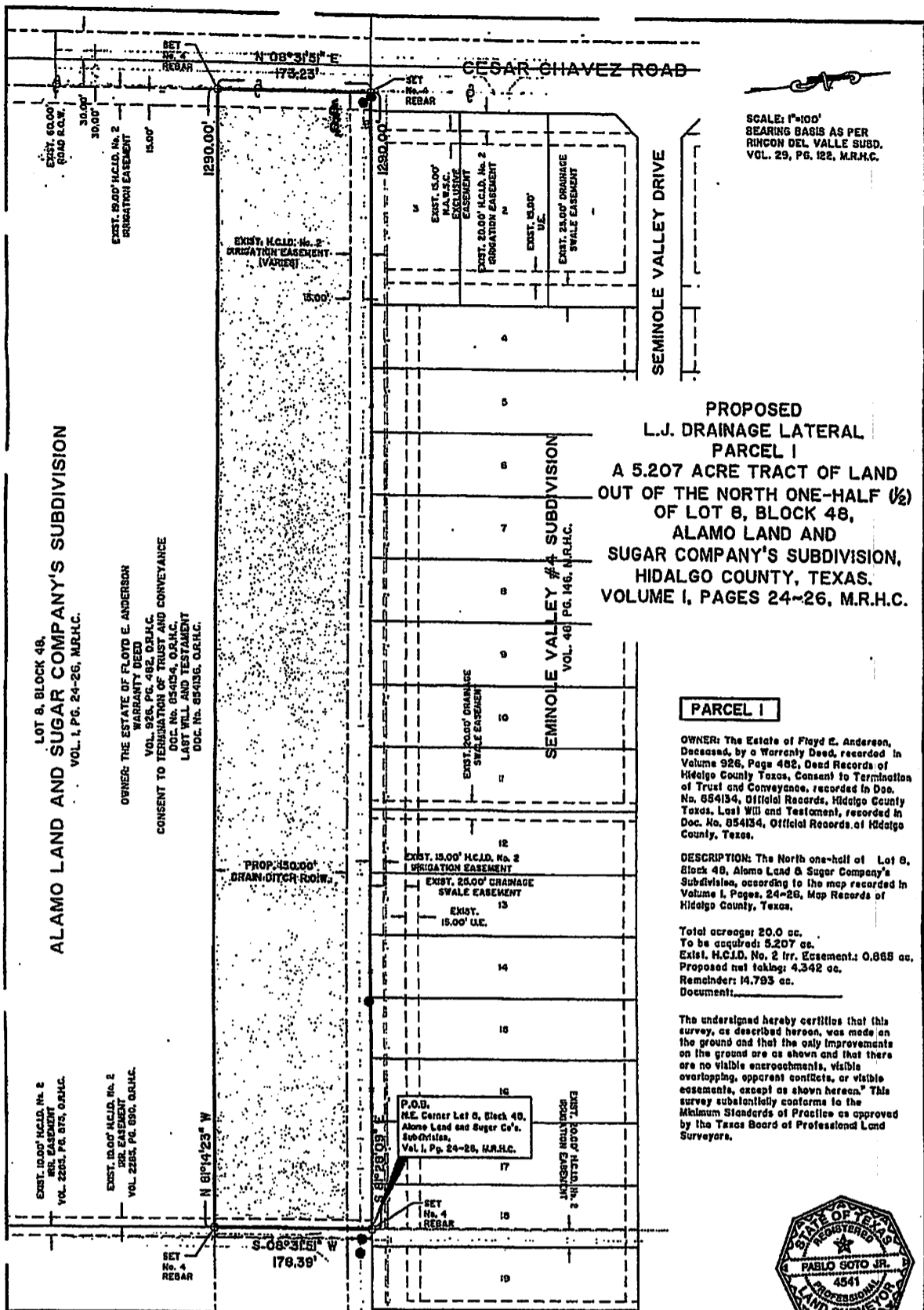
**Beginning** at a No. 4 rebar set at the Northeast corner of Lot 8, for the Northeast corner and the **POINT OF BEGINNING** of this tract of land;

1. **THENCE**, South 08 degrees 31 minutes 51 seconds West, with the East line of said Lot 8, a distance of 178.39 feet to a No. 4 rebar set at the Proposed South Right of Way line of L.J. Drainage Lateral, for the Southeast corner of this tract of land;
2. **THENCE**, North 81 degrees 14 minutes 23 seconds West, with the Proposed South Right of Way line of said L.J. Drainage Lateral, a distance of 1290.00 feet to a No. 4 rebar set at the Existing East Right of Way line of Cesar Chavez Road, for the Southwest corner of this tract of land;
3. **THENCE**, North 08 degrees 31 minutes 51 seconds East, with the Existing East Right of Way line of said Cesar Chavez Road, a distance of 173.23 feet to a No. 4 rebar set at the North line of said Lot 8, for the Northwest corner of this tract of land;

4. **THENCE**, South 81 degrees 28 minutes 09 seconds East, with the North line of said Lot 8, a distance of 1290.00 feet to the **POINT OF BEGINNING**, containing 5.207-acres, of which 0.865-acres lies in the Existing Hidalgo County Irrigation District No. 2 Easement, leaving a **Proposed Net Taking** of 4.342-acres of land, more or less.

I, Pablo Soto, Jr., a Registered Professional Land Surveyor in the State of Texas, do hereby certify the above metes and bounds are true and is the result of an actual survey performed on the ground under my direction.

  
  
PABLO SOTO, JR. - R.P.L.S. No. 4541  
Date: 6/26/09  
Rev.: 10/2/09



SCALE: 1"=100'  
 BEARING BASIS AS PER  
 RINCON DEL VALLE SUBD.  
 VOL. 29, PG. 122, M.R.H.C.

**PROPOSED  
 L.J. DRAINAGE LATERAL  
 PARCEL I**  
 A 5.207 ACRE TRACT OF LAND  
 OUT OF THE NORTH ONE-HALF (1/2)  
 OF LOT 8, BLOCK 48,  
 ALAMO LAND AND  
 SUGAR COMPANY'S SUBDIVISION,  
 HIDALGO COUNTY, TEXAS.  
 VOLUME I, PAGES 24-26, M.R.H.C.

**PARCEL I**

**OWNER:** The Estate of Floyd E. Anderson, Deceased, by a Warranty Deed, recorded in Volume 926, Page 482, Deed Records of Hidalgo County Texas, Consent to Termination of Trust and Conveyance, recorded in Doc. No. 654134, Official Records, Hidalgo County Texas, Last Will and Testament, recorded in Doc. No. 654134, Official Records of Hidalgo County, Texas.

**DESCRIPTION:** The North one-half of Lot 8, Block 48, Alamo Land & Sugar Company's Subdivision, according to the map recorded in Volume I, Pages 24-26, Map Records of Hidalgo County, Texas.

Total acreage: 20.0 ac.  
 To be acquired: 5.207 ac.  
 Exist. H.C.I.D. No. 2 Irr. Easement: 0.868 ac.  
 Proposed net taking: 4.342 ac.  
 Remainder: 14.793 ac.  
 Document: \_\_\_\_\_

The undersigned hereby certifies that this survey, as described hereon, was made on the ground and that the only improvements on the ground are as shown and that there are no visible encroachments, visible overlapping, apparent conflicts, or visible easements, except as shown hereon. This survey substantially conforms to the Minimum Standards of Practice as approved by the Texas Board of Professional Land Surveyors.



LOT 8, BLOCK 48,  
**ALAMO LAND AND SUGAR COMPANY'S SUBDIVISION**  
 VOL. 1, PG. 24-26, M.R.H.C.

OWNERS: THE ESTATE OF FLOYD E. ANDERSON  
 WARRANTY DEED  
 VOL. 926, PG. 482, D.R.H.C.  
 CONSENT TO TERMINATION OF TRUST AND CONVEYANCE  
 DOC. NO. 654134, O.R.H.C.  
 LAST WILL AND TESTAMENT  
 DOC. NO. 654136, O.R.H.C.

EXIST. 15.00' H.C.I.D. No. 2  
 IRR. EASEMENT  
 VOL. 2285, PG. 675, O.R.H.C.

EXIST. 15.00' H.C.I.D. No. 2  
 IRR. EASEMENT  
 VOL. 2285, PG. 690, O.R.H.C.

P.O.B.  
 N.E. Corner Lot 8, Block 48,  
 Alamo Land and Sugar Co.'s  
 Subdivision,  
 Vol. 1, Pg. 24-26, M.R.H.C.



**Professional Engineers & Land Surveyors**  
 130 E. PARK AVENUE • PHARR, TEXAS 78577  
 (TEL) 956 782-2557 • (FAX) 956 782-2558  
 FIRM No. 488

*Pablo Soto Jr.*  
 PABLO SOTO, JR. - M.P.L.S. No. 4541  
 Date: 6/26/09 Rev.: 10/2/09

JOB No.: ENG09.024J DATE: 6/1/09  
 DRAWN BY: J.H.F. PAGE: 3 OF 3

Charge to VLTC  
GF#120374/SV

**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, **MARILYN ELAINE ANDERSON**, a single person, 6168 Sylvia Avenue, Tarzana, in the State of California 91335; **ROBERT K. ANDERSON** aka **ROBERT KEMMY ANDERSON**, a single person, Individually and as Administrator of the Estate of Josephine K. Anderson aka Josephine Kemmy Anderson, Deceased, 6168 Sylvia Avenue, Tarzana, in the State of California 91335; and **MILDRED ANDERSON SHEETS AND HUSBAND, THOMAS BARR SHEETS**, 24723 Calvert Street, Woodland Hills, in the State of California 91367, hereinafter referred to as Grantor, whether one or more, for and in consideration of the sum of **ONE HUNDRED TWENTY-FIVE THOUSAND AND NO/100 DOLLARS (\$125,000.00)** 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 5.207-acre tract of land out of the North one-half (1/2) of Lot 8, Block 48, Alamo Land and Sugar Company's Subdivision, Hidalgo County, Texas, as per map recorded in Volume 1, Pages 24-26, Map Records of Hidalgo County, Texas. Said North one-half (1/2) of said Lot 8 is vested to: The Estate of Floyd E. Anderson, Deceased, from H.S. Anderson, Independent Executor of the Estate of Minnie Anderson, Deceased, dated October 10, 1958, by virtue of a Warranty Deed, recorded in Volume 926, Page 482, Deed Records of Hidalgo County, Texas, by virtue of a Consent to termination of Trust and Conveyance, dated September 11, 1998, recorded in Document Number 854134, Official Records of Hidalgo County, Texas, and by virtue of the Last Will and Testament of Floyd Anderson Ellison, recorded in Document Number 854136, Official Records of Hidalgo County, Texas. Said 5.207- acre tract of land being more particularly described by metes and bounds in Exhibit "A", which is attached hereto and incorporated herein for any and all purposes.

**SUBJECT TO THE FOLLOWING:**

1. Visible and apparent easements not appearing of record;
2. Any discrepancies, conflicts, or shortages in area or boundary lines or any encroachments or any overlapping of improvements which a current survey would show; and
3. Easements, rights of way, restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and other instruments (other than liens and conveyances) presently of record in the Official Public Records of Hidalgo County, Texas, that affect the property, but only to the extent that said items are still valid and in force and effect at this time.

**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 10<sup>th</sup> day of February, 2017.

Marilyn Elaine Anderson  
MARILYN ELAINE ANDERSON

Robert K. Anderson  
ROBERT K. ANDERSON aka ROBERT  
KEMMY ANDERSON, Individually and as  
Administrator of the Estate of Josephine K.  
Anderson aka Josephine Kemmy Anderson,  
Deceased

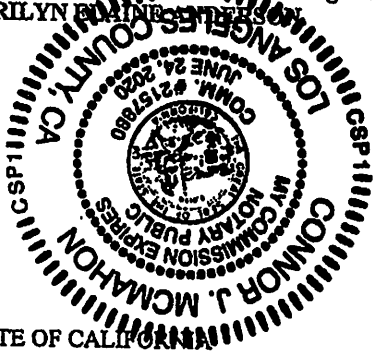
Mildred Anderson Sheets  
MILDRED ANDERSON SHEETS

Thomas Barr Sheets  
THOMAS BARR SHEETS

STATE OF CALIFORNIA

COUNTY OF Los Angeles

This instrument was acknowledged before me on 03/04/17, 2017 by  
MARILYN ELAINE ANDERSON



Connor J. McMahon  
NOTARY PUBLIC, STATE OF CALIFORNIA

STATE OF CALIFORNIA

COUNTY OF Los Angeles

This instrument was acknowledged before me on 03/04/17, 2017 by ROBERT  
K. ANDERSON aka ROBERT KEMMY ANDERSON, a single person, Individually and as  
Administrator of the Estate of Josephine K. Anderson aka Josephine Kemmy Anderson, Deceased.

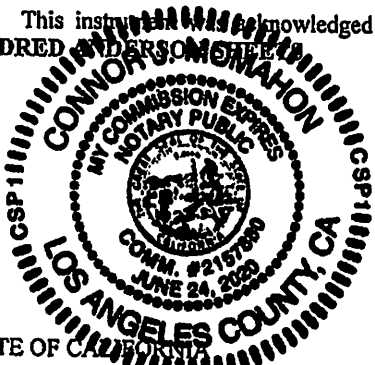


Connor J. McMahon  
NOTARY PUBLIC, STATE OF CALIFORNIA

STATE OF CALIFORNIA

COUNTY OF Los Angeles

This instrument was acknowledged before me on 03/04/17, 2015 by  
MILDRED ANDERSON



Connor J. McMahon  
NOTARY PUBLIC, STATE OF CALIFORNIA

STATE OF CALIFORNIA  
COUNTY OF Los Angeles

This instrument was acknowledged before me on 03/04/17, 2015 by  
THOMAS BARRON



Connor J. McMahon  
NOTARY PUBLIC, STATE OF CALIFORNIA

AFTER RECORDING RETURN TO:  
THE COUNTY OF HIDALGO, TEXAS  
1902 Joe Stephens Avenue  
Weslaco, Texas 78596

PREPARED IN THE LAW OFFICE OF:  
L.G. "JERRY" CANALES  
6013 N. 10th Street  
McAllen, Texas 78594  
File No. 120374

## EXHIBIT "A"

COUNTY: HIDALGO

DITCH: L. J. Drainage Lateral

PROJECT LIMITS: From Cesar Chavez Rd. to Alamo Lateral Drain

Eng08.024J  
June 26, 2009  
Parcel 1  
Page 1 of 3  
Rev.: 10/02/09

### FIELD NOTES FOR PARCEL - 1


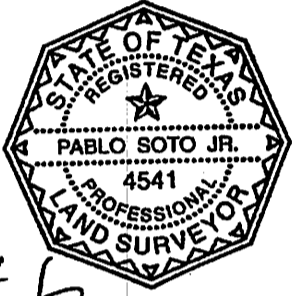
Being a 5.207-acre tract of land out of the North one-half (1/2) of Lot 8, Block 48, Alamo Land and Sugar Company's Subdivision, Hidalgo County, Texas, as per map recorded in Volume 1, Pages 24~26, Map Records of Hidalgo County, Texas. Said North one-half (1/2) of said Lot 8 is vested to: The Estate of Floyd E. Anderson, Deceased, from H.S. Anderson, Independent Executor of the Estate of Minnie Anderson, Deceased, dated October 10, 1958, by virtue of a Warranty Deed, recorded in Volume 926, Page 482, Deed Records of Hidalgo County, Texas, by virtue of a Consent to termination of Trust and Conveyance, dated September 11, 1998, recorded in Document No. 854134, Official Records of Hidalgo County, Texas, and by virtue of the Last Will and Testament of Floyd Anderson Ellison, recorded in Document No. 854136, Official Records of Hidalgo County, Texas. Said 5.207-acre tract of land being more particularly described by metes and bounds as follows;

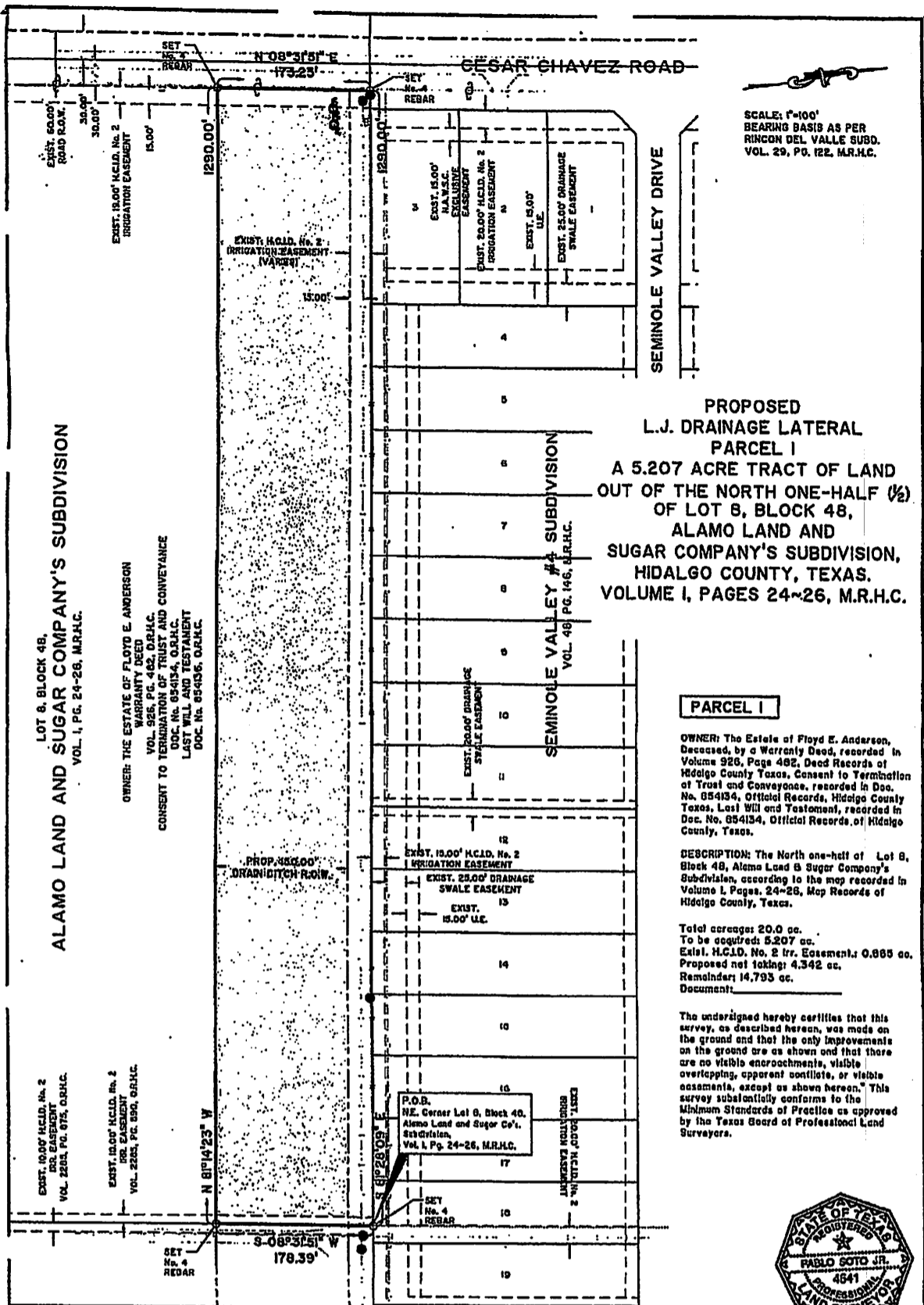
**Beginning** at a No. 4 rebar set at the Northeast corner of Lot 8, for the Northeast corner and the **POINT OF BEGINNING** of this tract of land;

1. **THENCE**, South 08 degrees 31 minutes 51 seconds West, with the East line of said Lot 8, a distance of 178.39 feet to a No. 4 rebar set at the Proposed South Right of Way line of L.J. Drainage Lateral, for the Southeast corner of this tract of land;
2. **THENCE**, North 81 degrees 14 minutes 23 seconds West, with the Proposed South Right of Way line of said L.J. Drainage Lateral, a distance of 1290.00 feet to a No. 4 rebar set at the Existing East Right of Way line of Cesar Chavez Road, for the Southwest corner of this tract of land;
3. **THENCE**, North 08 degrees 31 minutes 51 seconds East, with the Existing East Right of Way line of said Cesar Chavez Road, a distance of 173.23 feet to a No. 4 rebar set at the North line of said Lot 8, for the Northwest corner of this tract of land;

4. **THENCE**, South 81 degrees 28 minutes 09 seconds East, with the North line of said Lot 8, a distance of 1290.00 feet to the **POINT OF BEGINNING**, containing 5.207-acres, of which 0.865-acres lies in the Existing Hidalgo County Irrigation District No. 2 Easement, leaving a **Proposed Net Taking** of 4.342-acres of land, more or less.

I, Pablo Soto, Jr., a Registered Professional Land Surveyor in the State of Texas, do hereby certify the above metes and bounds are true and is the result of an actual survey performed on the ground under my direction.

  
  
PABLO SOTO, JR. - R.P.L.S. No. 4541  
Date: 6/26/09  
Rev.: 10/2/09



SCALE: 1"=100'  
BEARING BASIS AS PER  
RINCON DEL VALLE SUBD.  
VOL. 29, PG. 122, M.R.H.C.

LOT 8, BLOCK 48,  
ALAMO LAND AND SUGAR COMPANY'S SUBDIVISION  
VOL. 1, PG. 24-26, M.R.H.C.

OWNER: THE ESTATE OF FLOYD E. ANDERSON  
WARRANTY DEED  
VOL. 928, PG. 482, D.R.H.C.  
CONSENT TO TERMINATION OF TRUST AND CONVEYANCE  
DOC. NO. 054134, O.R.H.C.  
LAST WILL AND TESTAMENT  
DOC. NO. 054136, O.R.H.C.

EXIST. 10.00' H.C.I.D. No. 2  
IRRIGATION EASEMENT  
VOL. 2281, PG. 074, O.R.H.C.

EXIST. 10.00' H.C.I.D. No. 2  
IRRIGATION EASEMENT  
VOL. 2285, PG. 090, O.R.H.C.

P.O.B.  
NE Corner Lot 8, Block 48,  
Alamo Land and Sugar Co.'s  
Subdivision,  
Vol. 1, Pg. 24-26, M.R.H.C.

PROPOSED  
L.J. DRAINAGE LATERAL  
PARCEL I  
A 5.207 ACRE TRACT OF LAND  
OUT OF THE NORTH ONE-HALF (1/2)  
OF LOT 8, BLOCK 48,  
ALAMO LAND AND  
SUGAR COMPANY'S SUBDIVISION,  
HIDALGO COUNTY, TEXAS.  
VOLUME I, PAGES 24-26, M.R.H.C.

**PARCEL I**

OWNER: The Estate of Floyd E. Anderson,  
Deceased, by a Warranty Deed, recorded in  
Volume 928, Page 482, Deed Records of  
Hidalgo County Texas. Consent to Termination  
of Trust and Conveyance, recorded in Doc.  
No. 054134, Official Records, Hidalgo County  
Texas, Last Will and Testament, recorded in  
Doc. No. 054134, Official Records of Hidalgo  
County, Texas.

DESCRIPTION: The North one-half of Lot 8,  
Block 48, Alamo Land & Sugar Company's  
Subdivision, according to the map recorded in  
Volume 1, Pages 24-26, Map Records of  
Hidalgo County, Texas.

Total acreage: 20.0 ac.  
To be acquired: 5.207 ac.  
Exist. H.C.I.D. No. 2 Irr. Easement: 0.865 ac.  
Proposed not taking: 4.342 ac.  
Remainder: 14.793 ac.  
Document:

The undersigned hereby certifies that this  
survey, as described herein, was made on  
the ground and that the only improvements  
on the ground are as shown and that there  
are no visible encroachments, visible  
overlapping, apparent conflicts, or visible  
easements, except as shown herein. This  
survey substantially conforms to the  
Minimum Standards of Practice as approved  
by the Texas Board of Professional Land  
Surveyors.



**Professional Engineers & Land Surveyors**  
130 E. PARK AVENUE • PHARR, TEXAS 78577  
(TEL) 958 782-2557 • (FAX) 956 782-2558  
FIRM No. 488

*Pablo Soto Jr.*  
PABLO SOTO, JR. - R.P.L.S. No. 4641  
Date: 6/26/09 Rev: 10/2/09

JOB No.: ENG09.024J DATE: 6/10/09  
DRAWN BY: J.H.F. PAGE: 3 OF 3