

PLANNING DEPT. PCTS 2 & 4 CERTIFICATE OF PLAT & UTILITY STATUS		
	APPLICANT	APPLICATION NO.
1.	Marco Garza & Aurelia Garza	4-59
	COMM. COURT: JANUARY 16, 2018	



# PLANNING DEPARTMENT

Rev. 06-03-15

## County of Hidalgo

Main Office  
1304 South 25<sup>th</sup> Street  
Edinburg, Texas 78542  
956-318-2840  
956-318-2844

Precinct No.1 Substation  
1902 Joe Stephens Ave.  
Weslaco, TX 78596  
956-968-4734  
956-973-7850

Precinct No.3 Substation  
2401 N. Moorefield Rd.  
Mission, TX 78572  
956-205-7045  
956-205-7049

Precinct 1 2 3 4

T.J. Arredondo, CFM  
Director of Planning

Application No: 4-591

### HIDALGO COUNTY CERTIFICATE OF PLAT AND UTILITY STATUS UNDER TEXAS LOCAL GOVT. CODE SECTION 232.028(b)

WE THE UNDERSIGNED CERTIFY AS FOLLOWS:

Upon the application of:

Name: Marco Garza

Address: 1360 S. 16th Ave  
Edinburg TX 78539

Phone: 956.240.4644

Approved by Environmental Health:	Temporary Service	Final Service
<u>R Rio</u>	<u>SWITCH INSTALLING</u>	
Inspection/Permit No:	Authorized Signature	Authorized Signature
Date Approved:	<u>1/3/18</u>	<u>1 1</u>

Water Supplier: North Alamo Water

Utility Provider:  J.M.V.E.C.  AEP

Account/ESI No: 10032789434053645  
 Temporary Pole  Permanent Service

regarding the land described as:

Evergreen Valley Estates Ph 3 Lot 129

on \_\_\_\_\_, 20\_\_\_\_, the Hidalgo County Commissioners Court, at a meeting duly called and noticed in accordance with the Texas Open Meetings Act, made the following determinations regarding plat and utility status of the land herein described pursuant to Texas Local Government Code Section 232,028(b):

Fill in "yes" or "no" in each blank

- yes A plat has been prepared; (Date approved 3/16/07);
- yes A plat has been reviewed and approved by the Commissioners Court; (verified by [Signature]);
- yes water service facilities have been constructed or installed to service the subdivision under Local Government Code Section 232.023 and are fully operable; (verified by R Rio);
- NO an organized sewage collection and treatment system is to be used, and under sewer service facilities have been constructed or installed to service the subdivision under Section 232.023 and are fully operable; 1-3-18
- yes individual septic systems are to be used, and lots in the subdivision can be adequately and legally served by septic systems under Section 232.023; (verified by R Rio);
- yes electrical and gas facilities, if available, have been constructed or installed to service the subdivision under Section 232.023. (verified by [Signature]);

[Signature]  
Planning Department Authorized Signature

\_\_\_\_\_  
Hidalgo County Judge

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Hidalgo County Clerk

\_\_\_\_\_  
Date



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T.J. Arredondo, CFM  
Director of Planning

Application No: 4-59

### REQUEST FOR HIDALGO COUNTY CERTIFICATE OF PLAT AND UTILITY STATUS UNDER TEXAS LOCAL GOVT. CODE SECTION 232.028(b)

In my status and for the land indicated below, which is located outside of any municipality, I request that the Hidalgo County Commissioners Court make the determinations regarding plat and utility status described in Texas Local Government Code § 232.028(b) and issue a certificate of such determinations:

#### PARTY MAKING REQUEST:

Name: Marco & Aurelia Garza  
Address: 1300 S. 16<sup>th</sup> Ave  
Edinburg, TX 78539  
Phone: 956.240.4644

IDENTIFICATION OF LAND (e.g., lot and block number of recorded subdivision, designation on plat, address, description in deed, etc.):

Evergreen Valley Estates Ph 3 Lot 129

#### STATUS OF PERSON OR ENTITY MAKING REQUEST:

- Subdivider
- Owner of lot in subdivision
- Resident of lot in a subdivision
- Entity that provides utility service

[Signature]  
Requesting Party (Signature)

1.3.18  
Date

#### ATTACHED COPY OF VERIFICATION OF OWNERSHIP OR RESIDENCY OF LOT:

- Deed
- Executory Contract
- Lease
- Rent Receipt
- Affidavit
- Other (describe) Copy of permit

.....  
This part to be filled out by receiving county official:

Location of land verified and completed request accepted by Hidalgo County for processing on:

1/10/18  
Date

[Signature]  
County Official

**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.**

**WARRANTY DEED WITH VENDOR'S LIEN**

Date: October 15, 2008

Grantor: JORGE ALBERTO HERNANDEZ and wife, OLGA LIDIA HERNANDEZ

Grantor's Mailing Address (including county): 2115 N. Terry  
Edinburg, Texas 78541  
Hidalgo County, Texas

Grantee: MARCO E. GARZA and wife, AURELIA GARZA

Grantee's Mailing Address (including county): 1300 S. 16<sup>th</sup> Ave.  
Edinburg, Texas 78539  
Hidalgo County, Texas

Consideration: Cash and a note of even date executed by Grantee and payable to the order of INTERNATIONAL BANK OF COMMERCE in the principal amount of THIRTY-TWO THOUSAND FIVE HUNDRED AND NO/100THS DOLLARS (\$32,500.00). The note is secured by a first and superior vendor's lien and superior title retained in this deed in favor of INTERNATIONAL BANK OF COMMERCE and by a first-lien deed of trust of even date from Grantee to OSVALDO ARAIZA, Trustee.

Property (including any improvements):

Lot One Hundred Twenty-nine (129), Evergreen Valley Estates Phase III, Hidalgo County, Texas, as per map or plat thereof recorded in Volume 52, Pages 135-144, Map Records, Hidalgo County, Texas.

Reservations from and Exceptions to Conveyance and Warranty:

Restrictive covenants recorded in VOLUME 52, PAGES 135-144, MAP RECORDS, HIDALGO COUNTY, TEXAS, AND CLERK'S FILE NO. 1731025, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

All the oil, gas and other minerals, in, under or that may be produced from the subject property are excepted herefrom in instrument dated August 21, 1980, recorded in Volume 1687, Page 481, Deed Records, Hidalgo County, Texas, and subsequent transfers thereof.

All water rights and rights to water, whether riparian, appropriative or otherwise, presently appended or annexed to said property reserved in instrument dated March 22, 2007, recorded

under Clerk's File No. 1744637, Official Records, Hidalgo County, Texas, and subsequent transfers thereof.

Oil, Gas, and Mineral Leases dated August 27, 1934, recorded in Volume 8, Page 532, Oil and Gas Records, dated July 23, 1936, recorded in Volume 19, Page 227, Oil and Gas Records, and dated July 24, 1939, recorded in Volume 63, Page 229, Oil and Gas Records, Hidalgo County, Texas, and subsequent transfers thereof.

Oil, Gas and Mineral Lease dated January 10, 1939, recorded in Volume 33, Page 570, Oil and Gas Records, modified in instrument dated July 24, 1939, recorded in Volume 55, Page 520, Oil and Gas Records, amended in instrument dated January 5, 1965, recorded in Volume 294, Page 12, Oil and Gas Records, and unitized in instrument dated May 1, 1956, recorded in Volume 189, Page 512, Oil and Gas Records, said unitization revised in instrument dated May 27, 1959, recorded in Volume 230, Page 254, Oil and Gas Records, Hidalgo County, Texas, and subsequent transfers thereof.

Memoranda of Oil and Gas Leases dated March 13, 2006, recorded under Clerk's File No. 1614578, Official Records, dated April 1, 2006, recorded under Clerk's File Nos. 1639728, 1639729 and 1639730, Official Records, Hidalgo County, Texas, and subsequent transfers thereof.

Oil, Gas, and Mineral Leases dated April 29, 2006, recorded under Clerk's File Nos. 1645064 and 1645065, Official Records, Hidalgo County, Texas, and subsequent transfers thereof.

Easements, rules, regulations and rights in favor of DELTA LAKE IRRIGATION DISTRICT.

Minimum floor elevation; twenty foot (20') drainage swale easement along the rear; fifteen foot (15') exclusive easement to NORTH ALAMO WATER SUPPLY CORPORATION along the front; fifteen foot (15') electrical and utility easement along the front; fifty foot (50') minimum setback line along the front; thirty-five foot (35') minimum setback line along the rear; and, six foot (6') minimum setback line along the sides, as per map or plat recorded in Volume 52, Page 135-144, Map Records, Hidalgo County, Texas.

Easements and reservations as may appear upon the recorded map and dedication of said subdivision.

Taxes for the year 2008 and subsequent years.

Grantor, for valuable consideration, the receipt of which is hereby acknowledged, and subject to the reservations from, and exceptions to conveyance and warranty contained in this instrument, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and to hold the Property to Grantee, Grantee's heirs, executors, administrators, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part

thereof forever, except as to the reservations from, and exceptions to conveyance and warranty herein contained.

The vendor's lien against and superior title to the property are retained until each note described is fully paid according to its terms, at which time this deed will become absolute.

INTERNATIONAL BANK OF COMMERCE, at Grantee's request, has paid in cash to Grantor that portion of the purchase price of the Property that is evidenced by the note. The first and superior vendor's lien against and the superior title to the Property are retained for the benefit of INTERNATIONAL BANK OF COMMERCE and are transferred to INTERNATIONAL BANK OF COMMERCE, without recourse against Grantor.

When the context requires, singular nouns and pronouns include the plural.

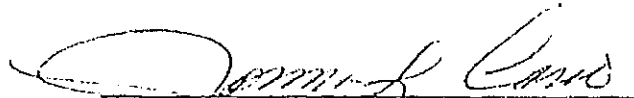
  
JORGE ALBERTO HERNANDEZ

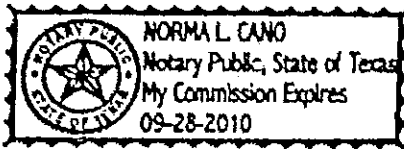
  
OLGA LIDIA HERNANDEZ

(Acknowledgment)

State of Texas §  
County of Hidalgo §

This instrument was acknowledged before me on the 27<sup>th</sup> of October, 2008, by JORGE ALBERTO HERNANDEZ and wife, OLGA LIDIA HERNANDEZ.

  
Notary Public, State of Texas



AFTER RECORDING RETURN TO:  
MARCO E GARZA  
1300 S. 16<sup>th</sup> Ave.  
Edinburg, Texas 78539

PREPARED BY:  
Lewis, Monroe & Peña  
Attorneys At Law  
3111 W. Freddy Gonzalez Drive  
Edinburg, Texas 78539  
GF#: 758254; NLC:bc



COUNTY OF HIDALGO  
PLANNING DEPARTMENT

Main Office  
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2401 N. Moorefield Rd.  
Mission, Texas 78572  
Ph: 956-205-7045  
Fax: 956-205-7049

Permit No.: Permit 4-59  
Receipt No.: 000202  
E8250-03-000-0129-00

PREMIERE HOMES & DEVELOPMENT LLC

4000 ELK RUN DR  
EDINBURG, TX 78541  
(956) 240-4644  
(956) 358-2220

- [1] Contractor: self
- [2] Water System: North Alamo WSC
- [3] Class of Work: 25 Residential, new, Single Family Dwelling
- [4] Size of Structure: 2654Sq.Ft.
- [5] Legal Description: EVERGREEN VALLEY ESTATES PH 3 LOT 129
- [6] Location: MILE 19 & SUNFLOWER
- [7] Sewage: N/A
- [8] Construction Type: Brick
- [9] Est. Cost of Construction: \$250000
- [10] Flood Zone: Zone AE

Community Panel Number: 480334-0350C/ BFE-70

Precinct: 4

Certification of Elevation Required: Yes

Setbacks: Front 50', Rear 35', Side 6', Side 6', Corner'

Special Conditions: MUST COMPLY WITH ALL COUNTY SETBACKS AND REGULATIONS

Description: Permit 4-59

Price: \$30.00

**Total Amount.....\$30.00**

Method of Payment: Check

Check/M.O.#: 1005

Payment: \$30

Change Due: \$0.00

Application: maria.cerda

Inspector: aaron.hernandez

Receipt: maria.cerda

Cashier

Date

*[Handwritten Signature]*  
*10/24/17*

[NOTICE]

ALL SETBACKS AND FINISH FLOOR ELEVATIONS SHALL BE IN COMPLIANCE WITH THE SUBDIVISION PLAT AND/OR DEED RESTRICTIONS. NO CONSTRUCTION ALLOWED OVER ANY EASEMENTS. NO MORE THAN ONE SINGLE FAMILY RESIDENCE PER LOT. APPLICANT SHALL COMPLY WITH ALL THE PLAT AND OR DEED RESTRICTIONS AND REQUIREMENTS AFFECTING THE LOT. APPLICANT ACKNOWLEDGES THAT NO FURTHER DIVISION OF THE DESCRIBED PROPERTY SHALL BE DONE WITHOUT FIRST PREPARING A SUBDIVISION PLAT IN ACCORDANCE WITH HIDALGO COUNTY SUBDIVISION RULES, TEXAS LOCAL GOVERNMENT CODE AND/OR TEXAS WATER DEVELOPMENT BOARD MODEL SUBDIVISION RULES. A CLEARANCE WILL NOT BE ISSUED FOR ANY PROPERTY LOCATED IN AN AREA DESIGNATED AS ZONE 'A', 'AE', 'AH' OR 'AO' UNTIL THE OWNER AND/OR CONTRACTOR HAS PROVIDED THE PLANNING DEPARTMENT A DEVELOPMENT PERMIT APPROVED BY THE COUNTY OF HIDALGO FLOOD PLAIN ADMINISTRATOR INCLUDING AN ELEVATION CERTIFICATE REFLECTING THE PROPOSED FINISHED FLOOR ELEVATION FOR THE IMPROVEMENTS AND THE BASE FLOOD ELEVATION FOR THE PROPERTY. IN ADDITION, A FINAL CLEARANCE WILL NOT BE ISSUED UNTIL THE OWNER AND/OR CONTRACTOR HAS PROVIDED THE PLANNING DEPARTMENT A FINISHED FLOOR CONSTRUCTION ELEVATION CERTIFICATE CONFIRMING THAT ALL IMPROVEMENTS WERE CONSTRUCTED IN ACCORDANCE WITH THE TERMS OF THE INITIAL APPLICATION AND FLOOD PLAIN ADMINISTRATION DEVELOPMENT PERMIT. A SEPARATE PERMIT IS ALSO REQUIRED FOR INSTALLATION OF SEPTIC TANKS AND THE VERIFICATION THAT SEPTIC TANKS WERE INSTALLED IN COMPLIANCE WITH ALL LEGAL REQUIREMENTS. THIS APPLICATION IS SUBJECT TO CANCELLATION IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 6 MONTHS OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF ONE YEAR AT ANY TIME AFTER WORK IS COMMENCED. APPLICANT/OWNER STATES THAT NO STRUCTURE EXISTS ON THIS TRACT OF LAND. IF FOUND IN VIOLATION APPROVED APPLICATION MAY BE REVOKED. APPROVED APPLICATION FEE SHALL BE DOUBLED FOR CONSTRUCTION COMMENCING AND/OR STRUCTURES MOVED IN PRIOR TO OBTAINING AN APPROVED APPLICATION. THE FORGOING IS A TRUE AND CORRECT DESCRIPTION OF THE IMPROVEMENTS CONTEMPLATED BY THE UNDERSIGNED APPLICANT, AND THE APPLICANT STATES THAT THE APPLICANT WILL HAVE FULL AUTHORITY OVER THE CONSTRUCTION OF SAME AND CONTRACTOR AND APPLICANT HEREBY AGREE TO COMPLY WITH ALL COUNTY REQUIREMENTS AND APPLICABLE PLAT AND/OR DEED RESTRICTIONS. APPLICANT AND CONTRACTOR HEREBY CERTIFY THAT EACH HAS READ AND EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND REGULATIONS GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION. BY SIGNING THIS APPLICATION, APPLICANT AND CONTRACTOR AUTHORIZE REPRESENTATIVES OF THE COUNTY OF HIDALGO TO COME ON TO THE CONSTRUCTION SITE TO MONITOR CONTRACTOR'S AND APPLICANT'S COMPLIANCE WITH THE TERMS OF THE PERMIT AND THE COUNTY'S SUBDIVISION REGULATIONS. PLEASE CONTACT PLANNING DEPARTMENT 48 HOURS PRIOR TO POURING OF FOUNDATION FOR INSPECTION OF BUILDING SETBACKS FROM PROPERTY LINES AND FINISH FLOOR ELEVATION. NO CONSTRUCTION ALLOWED OVER ANY EASEMENTS. BUILDING SETBACKS AND FINISH FLOOR ELEVATIONS SHALL BE MET PRIOR TO POURING FOUNDATION OR WHEN MOVING IN A STRUCTURE.

*[Handwritten Signature]*  
Signature of Owner or Applicant

*10/24/17*  
Date

*Reprinted permit and corrected information. 10/24/17 @*