



## HIDALGO COUNTY ADMINISTRATIVE EVALUATION AND APPROVAL FORM

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**ROW CSJ:** 0921-02-372

**County:** Hidalgo

**Highway:** Liberty Rd

**Project Limits:** US 83 to Mile 3

**Parcel No.:** 17

**Owner's Name:** Esteban Ozuna, Maria L. Ozuna,  
Eduardo Ozuna

**Approved Offer:** \$14,901.00

**Date Offer Sent:** 10/5/18

**Owner's Counteroffer:** \$22,901.00

**Date Counteroffer Received:** 12/4/2018

### Factors considered in evaluation:

1. Valuation Issues

- a.  Reconciliation of all available appraisals, including Owner's.
- b.  Other: \_\_\_\_\_

2. Legal Issues

- a.  Analysis of recent court awards on similar properties or projects.
- b.  Analysis of recent court decisions which may affect the outcome of a condemnation action.
- c.  Analysis of previously unlitigated issues.
- d.  Other: \_\_\_\_\_

3. Cost Savings

- a.  Approximate cost to litigate through Special Commissioners' Hearing \$12,000.00
- b.  Approximate additional cost to litigate through jury trial \$15,000.00
- c.  Other: \_\_\_\_\_

4. Timing Issues

- a.  Maintain project schedule: N/A  
Possession of this property is needed by: N/A  
Projected possession date, if settled is: N/A  
Projected possession date, if condemned is: N/A  
Letting date: N/A
- b.  Other: \_\_\_\_\_

5. Other Issues

\_\_\_\_\_

\*\* The following documents have been considered and are incorporated by reference: appraisals, appraisal review form, owner's counteroffer and supporting documentation, negotiator's log, and \_\_\_\_\_

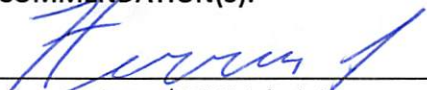
**Analysis and Conclusion:**

Our  approval/  disapproval recommendation is based on the items checked above and has been evaluated as follows: (attach additional sheets as necessary)

Being a 5,519 square foot or 0.1267 of an acre tract of land situated in the Pedro Flores Survey, Abstract 577, Porcion 77, Hidalgo County, Texas, out of Lot 38, NORTH RIDGE ACRES SUBDIVISION. On October 5, 2018, Acquisition Provider (L&G Engineering) made an offer of \$14,901.00 to purchase the property to Esteban Ozuna, Maria L. Ozuna, & Eduardo Ozuna. On December 4, 2018 the property owners submitted a counter offer of \$22,901.00 in order to build a more durable concrete block fence. In their counter offer they feel that the road is going to be close to their apartment complex. Therefore, it could potentially cause a vehicle into their property. The Ozuna family has provided a quote for a concrete block fence and hope that the county considers their counteroffer to avoid condemnation. Based on the information provided within the counter offer and discussion by the acquisition team it is recommended that the Administrative Settlement be approved. We believe that the proposed counter offer is within a reasonable range.

This administrative settlement of \$ 22,901.00  is /  is not recommended for approval as being reasonable, justified, prudent and in the public interest.

**RECOMMENDATION(S):**

  
\_\_\_\_\_  
Project Engineer/ROW Administrator

12/10/18  
\_\_\_\_\_  
Date

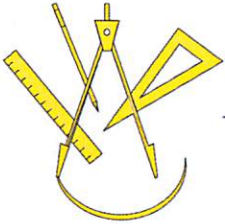
\_\_\_\_\_  
RPIC/Authorized Pct. Representative

\_\_\_\_\_  
Date

**COUNTY APPROVAL:**

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

\_\_\_\_\_  
Date



# L&G Engineering

Transportation Consultants

December 10, 2018

Hon. Joe Flores  
Attn: Norma Ceballos, R.P.I.C.  
Hidalgo County Commissioner, Pct. #3  
724 Breyfogle Rd.  
Mission TX. 78574

RE: County: Hidalgo  
ROW CSJ No. 0921-02-372  
Liberty Rd  
Parcel # 17

Dear Mr. Flores:

Attached herewith is a counter-offer as submitted by Esteban Ozuna, Maria L. Ozuna, Eduardo Ozuna, owners of Parcels 17 on December 4, 2018. L & G Engineering has reviewed the aforementioned and hereby recommends that counteroffer be **approved**. Attached also is the N-9, Administrative Settlement Evaluation and Approval Form.

L & G Engineering believes the counteroffer is a legal and cost savings issue and a timing issue due to the imminent "let" date. More importantly due to recent court awards on similar projects and the cost to litigate through the Special Commissioners' Hearing we recommend that the counteroffer of **\$22,901.00** be accepted.

Please review these documents and feel free to contact me at (956) 585-1909 if you wish to discuss this matter personally.

Sincerely,

Fernando Herrera Jr.  
Right of Way Administrator

Attachments: As noted.

cc: File  
Robert Macheska, PE