

PLANNING DEPT. PCTS 2 & 4 CERTIFICATE OF PLAT & UTILITY STATUS		
	APPLICANT	APPLICATION NO.
1.	SANTANA GUTIERREZ	4-772
2.	GERARDO PENA Jr.	4-1332
3.	FRAGA CONSTRUCTION	4-1392
	COMM. COURT: MARCH 5, 2019	



# PLANNING DEPARTMENT

## County of Hidalgo

Rev. 06-03-15

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: 4-772

### 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: SANTANA GARCIA

Address: 575 BUCKFAWN DR  
Edinburg TX

Phone: 956-207-1663

Approved by Environmental Health:	Temporary Service	Final Service
Authorized Signature	Authorized Signature	Authorized Signature
Inspection/Permit No:		<u>EXISTING O&amp;P</u>
Date Approved:	<u>/ /</u>	<u>2 / 25 / 14</u>

Water Supplier: CITY OF EDINBURG

Utility Provider:  M.V.E.C.       AEP

Account/ESI No.: 332576-001  
 Temporary Pole       Permanent Service

regarding the land described as:

Los Venados PH-5 lot 575

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;
- yes A plat has been reviewed and approved by the Commissioners Court;
- yes water service facilities have been constructed or installed to service the subdivision under Local Government Code Section 232.023 and are fully operable;
- 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;
- 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;
- yes electrical and gas facilities, if available, have been constructed or installed to service the subdivision under Section 232.023.

(Date approved 4/8/05);

(verified by [Signature]);

(verified by [Signature]);

(verified by [Signature]);

(verified by [Signature]);

\_\_\_\_\_  
Planning Department Authorized Signature

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

\_\_\_\_\_  
Date

ATTEST:

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

\_\_\_\_\_  
Date



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Precinct 1 2 3 4

T.J. Arredondo, CFM  
Director of Planning

Application No: 4-772

### 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: Ric SANTANA GUTIERREZ  
Address: 575- BUCKFAWN DRIVE  
Edinburg TX 78539  
Phone: 956-257-1683

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

Los Venados PH. 5 lot 575

#### 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)      2/22/19  
Date

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

- Deed
- Executory Contract
- Lease
- Rent Receipt
- Affidavit
- Other (describe) plat (4-772)

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

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

3/1/19  
Date

[Signature]  
County Official

EDWARDS ABSTRACT

GF# 913633

**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

Date: September 27, 2017

Grantor: IMELDA CUSTODIO and husband, ROY CUSTODIO

Grantor's Mailing Address (including county): 4919 Elk Lane  
Edinburg, Texas 78539  
Hidalgo County, Texas

Grantee: SANTANA GUTIERREZ and wife, NOEMI GUTIERREZ

Grantee's Mailing Address (including county): 2112 W. University Dr., Ste. 602  
Edinburg, Texas 78539  
Hidalgo County, Texas

Consideration: Ten and No/100ths Dollars (\$10.00) and other good and valuable consideration to the undersigned paid by the grantee herein named, the receipt of which is hereby acknowledged.

Property (including any improvements):

Lot Five Hundred Seventy-five (575), LOS VENADOS SUBDIVISION PHASE V, Hidalgo County, Texas, as per map or plat thereof recorded in Volume 47, Pages 130-140, Map Records, Hidalgo County, Texas.

Reservations from and Exceptions to Conveyance and Warranty:

Restrictive covenants recorded in CLERK'S FILE NOS. 1220191, 1229132, 1253996, 1326322, 1349572, 1405101, AND 1464510, OFFICIAL RECORDS, AND VOLUME 47, PAGES 130-140, MAP RECORDS, HIDALGO COUNTY, TEXAS.

Mineral and/or royalty grant and/or reservation in instrument dated January 24, 2006, recorded under Clerk's File No. 1571309, Official Records, Hidalgo County, Texas, and subsequent transfers thereof.

Mineral reservation as set forth in instruments dated March 10, 1942, recorded in Volume 508, Page 247, Deed Records, dated November 15, 1945, recorded in Volume 67, Page 579, Oil and Gas Records, dated December 27, 1945, recorded in Volume 573, Pages 206, dated December 22, 1954, recorded in Volume 822, Page 367, Deed Records, dated December 19, 1955, recorded in Volume 180, Page 524, Oil and Gas Records, dated December 3, 1956, recorded in Volume 879, Page 524, dated December 15, 1956, recorded in Volume 879, Page 534, and dated December 11, 1956, recorded in Volume 879,

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

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

*Imelda Custodio*

IMELDA CUSTODIO

*Roy Custodio*

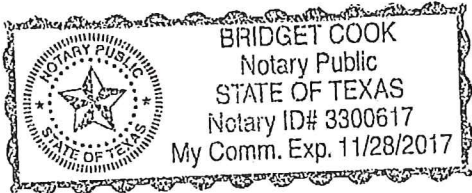
ROY CUSTODIO

(Acknowledgment)

State of Texas  
County of Hidalgo

This instrument was acknowledged before me on the 28<sup>th</sup> of September, 2017, by IMELDA CUSTODIO and husband, ROY CUSTODIO.

*Bridget Cook*  
Notary Public, State of Texas



AFTER RECORDING RETURN TO:  
SANTANA GUTIERREZ and wife,  
NOEMI GUTIERREZ  
2112 W. University Dr., Ste. 602  
Edinburg, Texas 78539

PREPARED BY:  
Lewis, Monroe & Peña  
Attorneys At Law  
3111 W. Freddy Gonzalez Drive  
Edinburg, Texas 78539  
GF#: 913633; MDL:vm



Chapter 232, Texas Local Government Code

5/25/2018 2:51:12 PM

COUNTY OF HIDALGO  
PLANNING DEPARTMENT

Main Office  
1304 South 25th Street  
Edinburg, Texas 78542  
Ph: 956-318-2840  
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Ph: 956-968-4734  
Fax: 956-973-7850

Precinct No. 3 Substation  
2401 N. Moorefield Rd.  
Mission, Texas 78572  
Ph: 956-205-7045  
Fax: 956-205-7049

Permit No.: 4-772

Receipt No.: 002987

L6446-05-000-0575-00

GUTIERREZ SANTANA & GUTIERREZ NOEMI

2112 W UNIVERSITY SUITE 602

EDINBURG, TX 78539

(956) 207-1683

(956) 207-1683

[1] Contractor: ALFREDO LLANOS

[2] Water System: City of Edinburg

[3] Class of Work: 25 Residential, new, Single Family Dwelling

[4] Size of Structure: 4010Sq.Ft.

[5] Legal Description: LOS VENADOS PH 5 LOT 575

[6] Location: N 281 & LOS VENADOS DR.

[7] Sewage: N/A

[8] Construction Type: Brick

[9] Est. Cost of Construction: \$262000

[10] Flood Zone: No

Community Panel Number: 4803340225B

Precinct: 4

Certification of Elevation Required: No

Setbacks: Front 100', Rear 15', Side 20', Side 20', Corner'

Special Conditions: **APPLICANT MUST COMPLY WITH ALL HCPD SET BACKS AND REGULATIONS.**

Description: Permit 4-772

Price: \$30.00

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

Method of Payment: Cash

Check/M.O.#:

Payment: \$40

Change Due: \$10.00

Application: maria.cerda

Inspector: guillermo.rodriguez

Receipt: maria.cerda

Cashier

Date

5/1/19

[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.

Signature of Owner or Applicant

Date

Reprinted: 03/01/2019



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Rev. 06-03-15

## County of Hidalgo

Main Office  
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Mission, TX 78572  
956-205-7045  
956-205-7049

Precinct 1 2 3 4

T.J. Arredondo, CFM  
Director of Planning

Application No: 4-1332

### 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: Gerardo Peña Jr.

Address: 22925 North

Skinner Rd.

Elisa, TX 78543

Phone: (956) 483-9960

Approved by Environmental Health:	Temporary Service	Final Service
Inspection/Permit No:	Authorized Signature	<u>WRamirez</u> Authorized Signature
Date Approved:	<u>1 / 1</u>	<u>existing septic</u> <u>2/26/19</u>

Water Supplier: N.A.W.S

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

Account/ESI No.: N/A  
 Temporary Pole  Permanent Service

regarding the land described as:

Evergreen Valley Estates PH3 lot 9

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 3/16/19);
- 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;
- 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; (verified by WRamirez);
- 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 WRamirez);
- yes electrical and gas facilities, if available, have been constructed or installed to service the subdivision under Section 232.023. (verified by [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: 4-1332

### 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: Gerardo Peña Jr.  
Address: 22925 North Skinner Rd.  
Elco TX 78543  
Phone: (956) 483-9960

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

Evergreen Valley Estates DH 3 lot #9

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

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

Gerardo Peña Jr.  
Requesting Party (Signature)

2/25/19  
Date

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

- Deed
- Executory Contract
- Lease
- Rent Receipt
- Affidavit
- Other (describe) copy of plat

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

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

3/1/19  
Date

[Signature]  
County Official

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

---

## SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

Date: March 21, 2017

Grantor: Evergreen Valley Inc., a Texas Corporation  
 Grantor's Mailing Address:  
 902 Bigohorn Dr.  
 Edinburg, Texas 78542

Grantee: Gerardo Pena Jr. and Christian Madelyn Garcia  
 Grantee's Phone Number: (956) 483-9960  
 Grantee's Mailing Address (including county):  
 554 Benito St.  
 Rio Grande, Texas 78582  
 Starr County, Texas

Consideration: Ten Dollars and other valuable consideration paid by Grantee to Grantor, the receipt of which is hereby acknowledged, and the further consideration of a note of even date that is in the principal amount of Thirty-Eight Thousand Nine Hundred Fifty and 00/100 (\$38,950.00), and is executed by Grantee, payable to the order of Grantor (the "Purchase Note"). The Purchase Note is secured by a vendor's lien retained in this deed and by a deed of trust of even date to Timothy Sers, Trustee.

Property (including any improvements):

Lot(s) 9, Evergreen Valley Estates, Phase III, as shown by the map or plat thereof recorded in Volume 52, Pages 135-144, Map Records, Hidalgo County, Texas

### Reservations from and Exceptions to Conveyance and Warranty:

1. A lien securing a promissory note (the "Prior Note"), dated October 13, 2006, payable to the order of First National Bank which is described in and secured by a Deed of Trust filed for record in the Office of the County Clerk of Hidalgo County, Texas under Clerk's Document Number 1703891. Grantor shall be obligated to obtain a release of the Property from all liens and security interests securing the Prior Note within 30 days of the date Grantee makes final payment on the Purchase Note;
2. A lien securing a promissory note (the "Prior Note"), dated October 13, 2006, payable to the order of Sundown Developments, Ltd., a Texas Limited Partnership which is described in and secured by a Deed of Trust filed for record in the Office of the County Clerk of Hidalgo County, Texas under Clerk's Document Number 1703892. Grantor shall be obligated to obtain a release of the Property from all liens and security interests securing the Prior Note within 30 days of the date Grantee makes final payment on the Purchase Note;
3. Visible and apparent easements on or across the subject property;
4. Rights of parties in possession;
5. Easements, rights-of-way, and prescriptive rights, whether of record or not;
6. All recorded restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and other instruments, other than liens and conveyances, that affect the property;
7. Rights of adjoining owners in any walls and fences situated on a common boundary;
8. Any discrepancies, conflicts, or shortages in area or boundary lines;
9. Any encroachments or overlapping of improvements;
10. All rights, obligations, and other matters emanating from and existing by reason of the creation, establishment, maintenance, and operation of any Water Improvement District, Irrigation District, or other applicable governmental district, agency, or authority;
11. Taxes for the current year and subsequent years, and subsequent assessments for prior years due to change in land usage or ownership;
12. The prior reservation or conveyance of all oil, gas, and other minerals previously reserved or conveyed by any parties having the right to do so;
13. All Easements, restrictions, set back lines, drainage swale requirements, and other matters shown on the plat of Evergreen Valley Estates, Phase III, as shown on the plat thereof, recorded in Volume 52, Pages 135-144, Map records of Hidalgo County, Texas; and

14. Subdivision Restrictions filed for record in the Office of the County Clerk of Hidalgo County, Texas affecting the subject property.

SAVE AND EXCEPT, and there is hereby reserved unto Grantor, Grantor's successors and assigns, all oil, gas, and other minerals in, on, or under, or that may be produced from the Property, together with the right of ingress and egress at all times for the purpose of mining, drilling, exploring, operating, and developing said Property for oil, gas, and/or other minerals and removing the same there from. If the Property is subject to an existing Lease for oil and gas, or oil, gas and other minerals, Grantor is entitled to receive the royalties and other benefits that are associated with the Property and payable under the Lease.

SAVE AND EXCEPT, and there is hereby reserved unto Grantor, Grantor's successors and assigns, (to the fullest extent permitted by law) all water rights and rights to water (whether riparian, appropriative or otherwise) presently appended or annexed to said property.

Grantor, for the consideration and subject to the reservations from, and exceptions to conveyance and warranty, 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 hold it to Grantee, Grantee's heirs, executors, administrators, successors, or 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, except as to the reservations from and exceptions to warranty, when the claim is by, through, or under Grantor, but not otherwise.

By the acceptance of this Deed, Grantee is taking the Property "as is", "where is" and "with all faults", and without any representations or warranties whatsoever, express or implied, written or oral, it being the intention of Grantor and Grantee to expressly negate and exclude all representations and warranties, including, but not limited to (i) the physical condition of the property or any element thereof, including, without limitation, warranties related to suitability for habitation, merchantability or fitness for a particular purpose; (ii) the nature or quality of construction, structural design and engineering of any improvements; (iii) the quality of the labor and materials included in any improvements; (iv) the soil conditions; drainage or other conditions existing at the property with respect to any particular purpose, developmental potential or otherwise; (v) all warranties created by any affirmation of fact or promise or by any description of the property; and (vi) all other warranties and representations whatsoever, except the warranty of title expressly set forth herein.

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

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

Evergreen Valley Inc., a Texas Corporation

BY: [Signature]  
Herb Scurlock III, Secretary

(Acknowledgment)

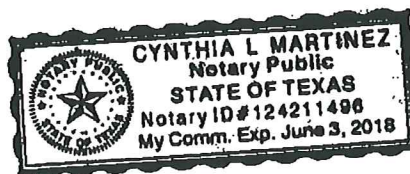
State of Texas  
County of Hidalgo

This instrument was acknowledged before me on the 3/21/2017, by Herb Scurlock III, Secretary of Evergreen Valley Inc., a Texas Corporation, on behalf of said Texas Corporation.

[Signature]  
Notary Public, State of Texas

AFTER RECORDING RETURN TO:

Evergreen Valley Inc.  
902 Bighorn Dr.  
Edinburg, Texas 78542





COUNTY OF HIDALGO  
PLANNING DEPARTMENT

Main Office  
1304 South 25th Street  
Edinburg, Texas 78542  
Ph: 956-318-2840  
Fax: 956-318-2844

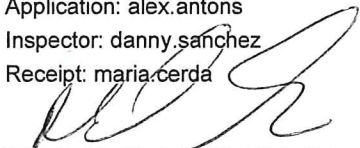
Precinct No. 1 Substation  
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Fax: 956-973-7850

Precinct No. 3 Substation  
2401 N. Moorefield Rd.  
Mission, Texas 78572  
Ph: 956-205-7045  
Fax: 956-205-7049

Permit No.: Permit 4-1332  
Receipt No.: 005311  
E8250-03-000-0009-00

- PENA GERARDO JR & CHRISTIAN M GARCIA
- 2400 NORTH 31ST LANE APT #2
- MCALLEN , TX 78501
- (956) 483-9960
- (956) 483-9960
- [1] Contractor: SELF
- [2] Water System: North Alamo WSC
- [3] Class of Work: 25 Residential, new, Single Family Dwelling
- [4] Size of Structure: 4253Sq.Ft.
- [5] Legal Description: EVERGREEN VALLEY ESTATES PH 3 LOT 9
- [6] Location: monte cristo rd and skinner
- [7] Sewage: N/A
- [8] Construction Type: Brick
- [9] Est. Cost of Construction: \$180000
- [10] Flood Zone: Zone X

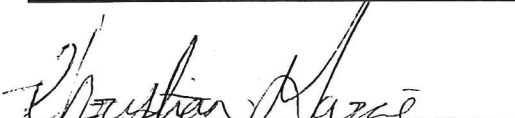
Community Panel Number: 4803340325D  
 Precinct: 4  
 Certification of Elevation Required: No  
 Setbacks: Front 50', Rear 35', Side NS60', Side 6', Corner '  
 Special Conditions: must comply with all setbacks and regulations required by the hcpd  
 Description: Permit 4-1332  
 Price: \$30.00  
**Total Amount.....\$30.00**  
 Method of Payment: Cash  
 Check/M.O.#:  
 Payment: \$40  
 Change Due: \$10.00  
 Application: alex.antons  
 Inspector: danny.sanchez  
 Receipt: maria.cerda

  
 \_\_\_\_\_  
 Cashier

11/30/18  
 Date

[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.

  
 \_\_\_\_\_  
 Signature of Owner of Applicant

11/30/18  
 Date



# PLANNING DEPARTMENT

## County of Hidalgo

Rev. 06-03-15

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: 4-1392

### 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: Fraga Construction

Address: 5512 N. Ebony St  
Pharr, TX 78577

Phone: 956-478-4592

Approved by Environmental Health:	Temporary Service	Final Service <u>Light only</u> <u>WRamirez</u>
Inspection/Permit No:	Authorized Signature	Authorized Signature
Date Approved:	<u>1 1</u>	<u>No sewer connection</u> <u>2 1 25 19</u>

Water Supplier: North Alamo WSC

Utility Provider: [ ] M.V.E.C. [x] AEP

Account/ESI No.: 10032789456416353  
[ ] Temporary Pole [x] Permanent Service

regarding the land described as:

La Quietud Lot 16

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 5/14/04);
- 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 WRamirez);
- yes 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; (verified by WRamirez);
- No 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 [Signature]);
- yes electrical and gas facilities, if available, have been constructed or installed to service the subdivision under Section 232.023. (verified by [Signature]);

Planning Department Authorized Signature

Hidalgo County Judge

Date

ATTEST:

Hidalgo County Clerk

Date



# PLANNING DEPARTMENT

## County of Hidalgo

Rev. 06-03-15

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Mission, TX 78572  
956-205-7045  
956-205-7049

T.J. Arredondo, CFM  
Director of Planning

Precinct 1 2 3 4

Application No: 4-1392

### 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: Fraga Construction

Address: 5512 N. Ebony St  
Pharr, TX 78577

Phone: 956-478-4592

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

La Quietud Lot 16

#### 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)

2-25-19  
Date

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

- Deed
- Executory Contract
- Lease
- Rent Receipt
- Affidavit
- Other (describe) copy of plat.

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

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

3/1/19  
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.**

**General Warranty Deed**

**Date:** July 13, 2018

**Grantor:** Susana V. Lopez, joined herein by her spouse, Jose Pilar Lopez

**Grantor's Mailing Address:** 4506 E FM 2812, Edinburg, Texas 78542

**Grantee:** Fraga Construction

**Grantee's Mailing Address:** 5512 N. Ebony St., Pharr, Texas 78577

**Consideration:**

Cash and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

**Property (including any improvements):**

All of Lot 16, LA QUIETUD SUBDIVISION, an Addition to the City of Edinburg, Hidalgo County, Texas, according to the map recorded in Volume 45, Pages 41 thru 43, Map Records in the Office of the County Clerk of Hidalgo County, Texas, reference to which is here made for all purposes.

**Reservations from Conveyance:** None

**Exceptions to Conveyance and Warranty:**

1. Restrictive covenants of record in documents dated August 5, 2005, filed August 10, 2005 under Document Number 2005-1507091 and dated August 31, 2005 filed August 31, 2005 under Document Number 2005-1515689, both in the Official Records and Volume 45, Pages 41 thru 43, Map Records of Hidalgo County, Texas.

2. Statutory easements, rules, regulations and rights in favor of Santa Cruz Irrigations District No. 15.

3. Minimum floor elevations, setback lines, utility easements and restrictions as shown on the map of La Quietud Subdivision, recorded in Volume 45, Pages 41 thru 43, Map Records of Hidalgo County, Texas.

4. Right of way easement in favor of North Alamo Water Supply Corporation as shown by instrument recorded in Volume 1411, Page 421, Deed Records of Hidalgo County, Texas.

5. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated March 15, 1944, recorded in Volume 54, Page 93, Oil and Gas Records of Hidalgo County, Texas.

6. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated May 17, 1993, filed July 22, 1993 under Document Number 334331 and amendment dated March 13, 1997, filed July 18, 1997 under Document Number 611618, all in the Official Records of Hidalgo County, Texas.

7. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated September 15, 1996, filed October 16, 1996 under Document Number 556915, Official Records of Hidalgo County, Texas.

8. Terms, stipulations and conditions contained in Declaration of Unit as set forth in instrument dated June 15, 1994, filed June 19, 1995 under Document Number 458573 and dated March 13, 1997, filed July 18, 1997 under Document Number 611617, Official Records of Hidalgo County, Texas.

9. Mineral and/or royalty reservation contained in deed recorded in Volume 829, Page 400, Deed Records and dated April 2, 2003, filed April 17, 2003 under Document Number 1189661, Official Records of Hidalgo County, Texas.

10. Mineral and/or royalty reservation contained in deed dated March 25, 2006, filed April 10, 2006 under Document Number 2006-1601086, Official Records of Hidalgo County, Texas.

11. Rights of parties in possession.

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

13. Taxes for the year 2018 and subsequent years, which Grantee assumes and agrees to pay, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

GRANTEE IS TAKING THE PROPERTY IN AN ARM'S-LENGTH AGREEMENT BETWEEN THE PARTIES. THE CONSIDERATION WAS BARGAINED ON THE BASIS OF AN "AS IS, WHERE IS" TRANSACTION AND REFLECTS THE AGREEMENT OF THE PARTIES THAT THERE ARE NO REPRESENTATIONS OR EXPRESS OR IMPLIED WARRANTIES. GRANTEE HAS NOT RELIED ON ANY INFORMATION OTHER THAN GRANTEE'S INSPECTION.

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

Susana V Lopez  
Susana V. Lopez  
Jose Pilar Lopez  
Jose Pilar Lopez

STATE OF TEXAS )  
COUNTY OF HIDALGO )

This instrument was acknowledged before me on July 13, 2018, by Susana V. Lopez and husband, Jose Pilar Lopez.



Cindy Curry  
Notary Public, State of Texas  
My commission expires: 6-5-20

PREPARED IN THE OFFICE OF:  
  
Villeda Law Group  
6316 North 10th Street, Building B  
McAllen, TX 78504

AFTER RECORDING RETURN TO:  
  
Villeda Law Group  
6316 North 10th Street, Building B  
McAllen, TX 7850



COUNTY OF HIDALGO  
PLANNING DEPARTMENT

Main Office	Precinct No. 1 Substation	Precinct No. 3 Substation
1304 South 25th Street Edinburg, Texas 78542	1902 Joe Stephens Ave. Weslaco, Texas 78596	2401 N. Moorefield Rd. Mission, Texas 78572
Ph: 956-318-2840 Fax: 956-318-2844	Ph: 956-968-4734 Fax: 956-973-7850	Ph: 956-205-7045 Fax: 956-205-7049

Permit No.: Permit 4-1392  
Receipt No.: 005575  
L1780-00-000-0016-00

- FRAGA CONSTRUCTION
- 5512 N EBONY ST
- PHARR, TX 78577
- (956) 478-4592
- (956) 478-4592
- [1] Contractor: SELF
- [2] Water System: North Alamo WSC
- [3] Class of Work: 01 Residential, new, Single Family Dwelling
- [4] Size of Structure: 2136Sq.Ft.
- [5] Legal Description: LA QUIETUD LOT 16
- [6] Location: fm 2812 and doolittle
- [7] Sewage: City of Edinburg
- [8] Construction Type: Brick
- [9] Est. Cost of Construction: \$105000
- [10] Flood Zone: Zone X

Community Panel Number: 4803340325D  
Precinct: 4  
Certification of Elevation Required: No  
Setbacks: Front 25', Rear 30', Side 6', Side 6', Corner '  
Special Conditions: must comply with all setbacks and regulations required by the hcpd  
Description: Permit 4-1392  
Price: \$30.00

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

Method of Payment: Cash  
Check/M.O.#:  
Payment: \$30.00  
Change Due: \$0.00  
Application: alex.antons  
Inspector: danny.sanchez  
Receipt: alex.antons

  
\_\_\_\_\_  
Cashier

12/21/18  
Date

[NOTICE]

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\_\_\_\_\_  
Signature of Owner or Applicant

12-21-18  
Date