

**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.**



## **DEED**

**TxDOT ROW CSJ:** 0864-01-073

**TxDOT Parcel No.:** 13

**Grantor(s), whether one or more:**  
The County of Hidalgo

**Grantor's Mailing Address (including county):**  
P.O. Box 1356  
Edinburg, Texas 78539  
Hidalgo County

**Grantee:**

The State of Texas, acting by and through the Texas Transportation Commission

**Grantee's Authority:**

The Texas Transportation Commission is authorized under the Texas Transportation Code to purchase land and such other property rights (including requesting that counties and municipalities acquire highway right of way) deemed necessary or convenient to a state highway or turnpike project to be constructed, reconstructed, maintained, widened, straightened, or extended, or to accomplish any purpose related to the location, construction, improvement, maintenance, beautification, preservation, or operation of a state highway or turnpike project.

The Texas Transportation Commission is also authorized under the Texas Transportation Code, Chapter 203 to acquire or request to be acquired such other property rights deemed necessary or convenient for the purposes of operating a state highway or turnpike project, with control of access as necessary to facilitate the flow of traffic and promote the public safety and welfare on both non-controlled facilities and designated controlled access highways and turnpike projects.

**Grantee's Mailing Address (including county):**  
Texas Department of Transportation  
125 E. 11<sup>th</sup> Street  
Austin, Texas 78701  
Travis County

**Consideration:**

The sum of Two Thousand, Two Hundred and Thirty-Nine and no/100 Dollars (\$2,239.00) to Grantor in hand paid by Grantee, receipt of which is hereby acknowledged, and for which no lien is retained, either expressed or implied.



**Property:**

All of that certain tract or parcel of land in Hidalgo County, Texas, being more particularly described in the attached Exhibit A (the "Property").

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

This conveyance is made by Grantor and accepted by Grantee 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.
3. Easements, restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and encumbrances for taxes and assessments (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.

Grantor reserves all of the oil, gas, sulfur in and under the Property but waives 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, its successors and assigns, to take and use all other minerals and materials thereon, therein and thereunder.

Grantor is retaining title to the following improvements ("Retained Improvements") located on the Property, to wit: *None*

Grantor covenants and agrees to remove the Retained Improvements from the Property by n/a, subject to such extensions of time as may be granted by Grantee in writing. In the event Grantor fails, for any reason, to remove the Retained Improvements within the time prescribed, then, without further consideration, title to all or part of such Retained Improvements not so removed shall pass to and vest in Grantee, its successors and assigns, forever.

Access on and off Grantor's remaining property to and from the State highway facility shall be permitted except to the extent that such access is expressly prohibited by the provisions set out in Exhibit "A". Grantor acknowledges that such access on and off the State highway facility is subject to regulation as may be determined by the Texas Department of Transportation to be necessary in the interest of public safety or by applicable local municipal or county zoning, platting or permitting requirements.

**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 anywise belonging, to have and to hold it to Grantee and Grantee's successors and assigns forever. Grantor binds Grantor and Grantor's heirs, successors and assigns to Warrant and Forever Defend all and singular the Property to Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to the claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

EXECUTED on the date(s) of acknowledgement indicated below.

Attest:

Hidalgo County Clerk

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

GRANTOR:

The County of Hidalgo

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_



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Acknowledgment

State of Texas

County of \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_

by \_\_\_\_\_,

of \_\_\_\_\_

, a \_\_\_\_\_, on behalf of said entity.

\_\_\_\_\_  
Notary Public's Signature



EXHIBIT *A*

County: Hidalgo  
Highway: FM 494 (N. Shary Road)  
Limits: From FM 1924 to FM 676  
CCSJ: 0864-01-069  
RCSJ: 0864-01-073

Property Description for Parcel 13

Being a 0.0689 acre (3,000 square feet) parcel of land located in the Ramon Manquilla Survey, Abstract No. 42, Hidalgo County, Texas, being out of Lot 345, John H. Shary Subdivision, according to the map recorded in Volume 1, Page 17, of the Map Records of Hidalgo County, Texas, and being part of the called 13.32 acre Parcel 1 – Tract 2, described in the deed executed on the 18th day of April, 2006, from Sharest, Ltd. to The County of Hidalgo, as recorded in Document No. 1651444, of the Official Records of Hidalgo County, Texas, said 0.0689 acre (3,000 square feet) parcel of land being more particularly described by metes and bounds as follows:

**COMMENCING** at the southerly interior ell corner of the beforementioned 13.32 acre tract, from which a 5/8" iron rod found bears South 08° 39' 14" West – 44.58 feet;

**THENCE**, North 81° 25' 31" West along the westerly north line of the beforementioned 13.32 acre tract, same being a south line of the Sharest, Ltd – called 349.33 acre (net) Tr. VIII as described in Document No. 864240 (dated April 14, 2000), of the Official Records of Hidalgo County, Texas, for a distance of 1109.72 feet to a 5/8" iron rod with TxDOT aluminum cap (2" diameter) set at the **POINT OF BEGINNING** of the herein described parcel, in the proposed east right-of-way line of Farm to Market Road No. 494 (N. Shary Road), having coordinates of N = 16,619,470.01', E = 1,057,105.36', located 60.00 feet left of FM No. 494 Proposed Baseline Station (P.B.S.) 218+73.51;

- 1) **THENCE**, South 08° 35' 34" West along the proposed east right-of-way line of FM No. 494, through the interior of and entirely across the beforementioned 13.32 acre tract, for a distance of 150.00 feet to a 5/8" iron rod with TxDOT aluminum cap (2" diameter) set in the westerly south line of the 13.32 acre tract, same being in a north line of the beforementioned 349.33 acre tract, located 60.00 feet left of FM No. 494 P.B.S. 220+23.51;
- 2) **THENCE**, North 81° 25' 31" West along the westerly south line of the beforementioned 13.32 acre tract, same being a north line of the beforementioned 349.33 acre tract, for a distance of 20.00 feet to the southwest corner of the 13.32 acre tract in the east right-of-way line of FM No. 494 located 40.00 feet left of FM No. 494 P.B.S. 220+23.52, from which a 5/8" iron rod found bears South 09° 05' 04" West – 43.83 feet;
- 3) **THENCE**, North 08° 35' 34" East along the east right-of-way line of FM No. 494 (80' wide right-of-way), for a distance of 150.00 feet to the southerly and westerly northwest corner of the beforementioned 13.32 acre tract, located 40.00 feet left of FM No. 494 P.B.S. 218+73.52;

EXHIBIT A

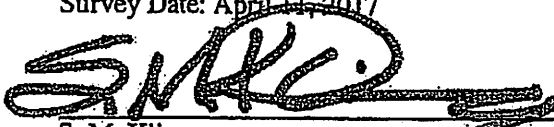
- 4) **THENCE**, South 81° 25' 31" East along the westerly north line of the beforementioned 13.32 acre tract, same being a south line of the beforementioned 349.33 acre tract, for a distance of 20.00 feet to the **POINT OF BEGINNING**, containing 0.0689 acre (3,000 square feet) of land.

Notes:

1. All bearings and coordinates are referenced to the Texas Coordinate System of 1983 (NAD83) 2011 Adjustment, South Zone (4205), based on the TxDOT RTN Mountpoint NAD83\_(2010)-South\_VRS\_CMR. All distances and coordinates shown are surface values and may be converted to grid by dividing a Combined Adjustment Factor of 1.000040.
2. The unit of measure is the U.S. Survey Foot.
3. A parcel plat of even date was prepared in conjunction with this property description.

I hereby certify that this survey was performed on the ground under my supervision and that this property description and accompanying parcel plat represent the facts as found at the time of the survey.

Survey Date: April 11, 2017



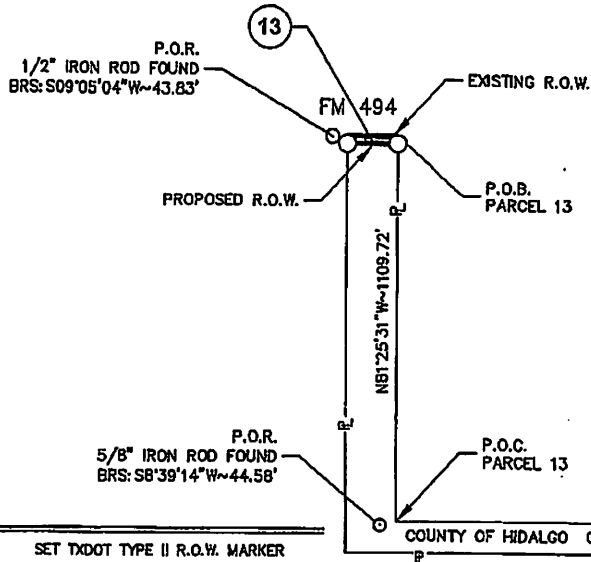
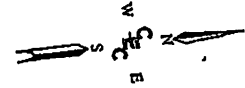
S. M. Kling  
Registered Professional Land Surveyor  
Texas Registration No. 2003  
Civil Engineering Consultants  
4101 S. Texas Ave. Suite A  
Bryan, TX 77802  
(979)846-6212  
TBPLS Firm No. 10042800

May 9, 2017



**NOTES:**

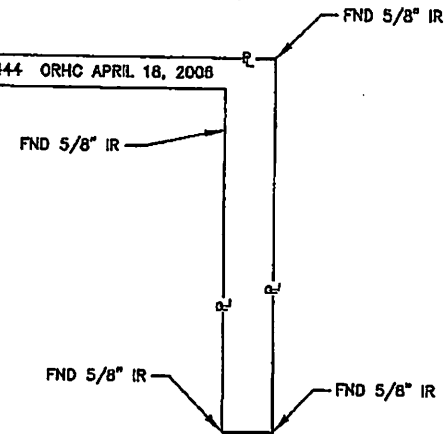
1. ALL BEARINGS AND COORDINATES ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983 SOUTH ZONE (4265), (NAD 83) 2011 ADJ. BASED ON TXDOT RTH MOUNTPOINT NAD 83 (2010) SOUTH\_VRS\_CMR. ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE VALUES AND MAY BE CONVERTED TO GRID BY DIVIDING BY A COMBINED ADJUSTMENT FACTOR OF 1.000040.
2. AN ABSTRACT WAS PERFORMED ON THIS PROPERTY BY CAROL B. WOOTEN WITH MORGAN/BROOKS RESOURCES, INC., 14928 JONES MALTSBERGER, SUITE 214, SAN ANTONIO, TX 78247 (210)476-0500. THE EASEMENTS ARE GLEANED FROM HISTORICAL RESEARCH LIMITED TO PLATS AS WELL AS THOSE EASEMENTS REFERENCED ON VESTING DEEDS AND FROM THE CURRENT OWNER.
3. FIELD SURVEYS WERE PERFORMED JANUARY, 2017 THROUGH MARCH, 2017.
4. A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT.
5. \*LOT (#) INDICATES LOTS IN THE JOHN H. SHARY SUBDIVISION, RECORDED IN VOL. 1, PG. 17 M.R.H.C.



**LEGEND:**

- ⊠ SET TXDOT TYPE II R.O.W. MARKER
- ⊙ SET TXDOT TYPE III R.O.W. MARKER
- ⊡ FOUND TXDOT TYPE II R.O.W. MARKER
- △ CALCULATED POINT
- 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
- 5/8" REBAR SET WITH 2" ALUMINUM TXDOT CAP
- P— PROPERTY LINE
- OE— OVERHEAD ELECTRIC LINE
- WL— WATERLINE LINE
- OT— OVERHEAD TELEPHONE
- HV— HIGH VOLTAGE LINE
- SD— UNDERGROUND IRRIGATION LINE
- UT— UNDERGROUND TELEPHONE LINE
- R.O.W. RIGHT-OF-WAY
- D.R.H.C. DEED RECORDS HIDALGO COUNTY
- O.R.H.C. OFFICIAL RECORDS OF HIDALGO COUNTY
- M.R.H.C. MAP RECORDS OF HIDALGO COUNTY
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- P.O.R. POINT OF REFERENCE

PARENT TRACT INSET FOR  
PARCEL NO. 13  
(SCALE: 1"=500')



I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY

*(Signature)*  
NAME: STEWART KLING 4/11/17  
RPLS No. 2003

<b>PARCEL 13</b>		
SHEET 3 OF 4		COUNTY HIDALGO
DISTRICT: #21	FM 494	
C.C.S.J. 0864-01-069	SURVEY DATE 4/11/17	
R.C.S.J. 0864-01-073		
R.O.W. ACQUISITION: 0.0689 OF AN ACRE (3,000 SQ. FT.)		
REMAINDER: 13.1117 ACRES (571,146 SQ. FT.)		

**CEC**  
CIVIL ENGINEERING CONSULTANTS  
DON DURDEN, INC.  
4101 S. TEXAS AVE., SUITE A  
BRYAN, TEXAS 77802  
P) 979.846.6212  
F) 979.846.8252  
Email: skling@cectexas.com  
Engineering No.: F-2214  
Surveying No.: 100410-00



For Comptroller's use only

# Application for Texas Identification Number

• See instructions on back

	1. Is this a new account?	<input checked="" type="checkbox"/> YES	Mail Code 000	<input type="checkbox"/> NO	Enter Mail Code _____	Agency number _____
		Complete Sections 1 - 5		Complete Sections 1, 2 & 5		
Section 1	2. Texas Identification Number (TIN) - Indicate the type of number you are providing to be used for your TIN					
	<input checked="" type="checkbox"/> Employer Identification Number (EIN) (9 digits)		Enter the number indicated _____			
	<input type="checkbox"/> Social Security number (SSN) (9 digits)					
	<input type="checkbox"/> Individual Taxpayer Identification Number (ITIN) (9 digits)					
	<input type="checkbox"/> Comptroller's assigned number (FOR STATE AGENCY USE ONLY) (11 digits)					
	<input type="checkbox"/> Current Texas Identification Number (FOR STATE AGENCY USE ONLY) (11 digits)					
	3. Are you currently reporting any Texas tax to the Comptroller's office such as sales tax or franchise tax?					
	<input type="checkbox"/> YES		<input checked="" type="checkbox"/> NO		If "YES," enter Texas Taxpayer Number _____	
Section 2	<b>Payee Information (Please type or print)</b>					
	4. Name of payee (Individual or business to be paid)					
	<b>The County of Hidalgo and Sierra Title Company</b>					
	5. Mailing address where you want to receive payments					
	<b>3401 N. 10th</b>					
	6. (Optional) _____					
	7. (Optional) _____					
	8. (Optional) _____					
	9. City _____ State <b>T, X</b> ZIP code <b>7 8 5 0 1 - 0 0 0 0</b>					
	10. Payee telephone number (Area code and number) <b>9 5 6 , 6 8 2 - 8 3 2 1</b> SIC code _____ Security type code <b>( 0, 1, 2 )</b> Zone code _____					
Section 3	11. Ownership Codes - Check only one code by the appropriate ownership type that applies to you or your business.					
	<input type="checkbox"/> I - Individual Recipient (not owning a business)		<input type="checkbox"/> L - Texas Limited Partnership: If checked, enter the Texas File Number _____			
	<input type="checkbox"/> S - Sole Ownership (Individual owning a business): If checked, enter the owner's name and Social Security number (SSN)		<input type="checkbox"/> T - Texas Corporation: If checked, enter the Texas File Number _____			
	Owner's name _____					
	SSN / ITIN (9 digits) _____		<input type="checkbox"/> A - Professional Association: If checked, enter the Texas File Number _____			
	<input type="checkbox"/> P - Partnership: If checked, enter two partner's names and Social Security numbers (SSN). If a partner is a corporation, use the corporation's Employer Identification Number (EIN).		<input type="checkbox"/> C - Professional Corporation: If checked, enter the Texas File Number _____			
	Name _____		<input type="checkbox"/> O - Out-of-State Corporation			
	SSN / ITIN / EIN (9 digits) _____		<input checked="" type="checkbox"/> G - Governmental Entity			
	Name _____		<input type="checkbox"/> U - State agency / University			
	SSN / ITIN / EIN (9 digits) _____		<input type="checkbox"/> F - Financial Institution			
<input type="checkbox"/> N - Other: If checked, explain. _____		<input type="checkbox"/> R - Foreign (out of U.S.A.)				
Section 4	12. Payment Assignment? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <i>Note: A copy of the assignment agreement between payees must be attached.</i>					
	Assignee name _____		Assignment date _____			
Assignee TIN _____						
Section 5	13. Comments _____					
	14. <b>sign here</b> _____ Authorized signature (Applicant or authorized agent)					Date _____
	15. Agency name <b>Sendero Acquisitions, LP</b>		Prepared by <b>Carlos Lascurain</b>		Phone (Area code and number) <b>956-821-9869</b>	

FEI #

Sign