

**APPRAISAL REVIEW SUBMISSION**

**FOR**

**Parcel No. 6**

**RCSJ: N/A**

**Hwy/Project: Trenton Drain Phase III**

**County: Hidalgo**

**CONSISTING OF:**

**Appraisal Review Form-USPAP Supplement  
Assumptions and Limiting Conditions-USPAP  
Certification-USPAP**

**PREPARED BY:**



John H. Malcom, Jr, MAI, CCIM, SR/WA  
State Certified General Appraiser  
No. TX-1320239-G

August 24, 2018  
Effective Date of Appraisal Review  
October 27, 2018  
Date of Appraisal Review Report

**PREPARED FOR:**

Ms. Diana Serna, Director  
Hidalgo County Urban County Program  
427 E. Duranta Avenue, Suite 107  
Alamo, Texas 78516

**APPRAISAL REVIEW REPORT - USPAP SUPPLEMENT**  
**HIGHWAY/PROJECT:** Trenton Drain Phase III **RSCJ:** N/A  
**PARCEL NO. 6**

**REVIEWER'S CLIENT:** Hidalgo County Urban County Program

**SCOPE OF THE APPRAISAL REVIEW:** This appraisal is prepared for Ms. Diana Serna, Director, Hidalgo County Urban County Program. The problem to be solved is to provide an opinion of the quality of another appraisers work. Leonel Garza, III, a State Certified General Appraiser has prepared an appraisal of the subject property. The client has requested a review of that appraisal report. The appraisal review requires a recommendation for the client to either accept or reject the value conclusions expressed in the appraisal report. The appraisal review is prepared to check for technical compliance with the TxDOT ROW Appraisal and Appraisal Review standards, to personally view the subject property and comparable sales, review the report for compliance with USPAP, and for completeness, accuracy, relevance, and reasonableness. The intended use of the appraisal review report is to formulate an opinion of completeness, accuracy, relevance, and reasonableness of a real estate appraisal report to be used for the initial offer for acquisition of drainage right of way. It is a partial acquisition of an improved property.

This appraisal review report is intended for the use of the client, Hidalgo County Urban County Program on behalf of Hidalgo County, Texas, their authorized advisors, and persons authorized in the appraisal, appraisal review, and right of way acquisition process. Use of the report by others, for any reason, is not intended

**Scope of Work – Appraisal Review**

- Report Type:** This is an Appraisal Review Report as defined by the Uniform Standards of Professional Appraisal Practice under Standards Rule 3-2. This format provides a summary or description of the work under review based on the completeness, accuracy, relevance, and reasonableness of the report, given law, regulations, or intended users requirements.
- Property Identification:** The subject whole property has been identified by the Hidalgo County Appraisal District account number and a vesting deed. The part to be acquired has been identified by a metes and bounds description and a survey prepared by Alfonso Quintanilla, RPLS dated August 14, 2018.
- Inspection:** The subject property is located along the west side of Caballete Street, east of Alamo Road and south of Wisconsin Road in Hidalgo County, Texas. The part to be acquired is a rectangular shaped tract of land from the west side of the larger

property. Although the front part of the property is improved with a single-family dwelling, there are no building improvements within the acquisition. Site improvements within the acquisition include 211' of perimeter fence which includes a chain link fence w/3 strands of barbed wire. The acquisition extends 105.6' north/south and extends 75' from the west boundary. My observation of the property included a view from Alamo Road. I have also viewed the comparable land sales.

Market Area and  
Analysis of Market  
Conditions:

My opinions of the market area and the market conditions are based on information provided in the appraisal report under review.

Information Sources

In conjunction with the appraisal review, I have visited and observed the property to be acquired and I have observed each of the comparable sales. I have reviewed the survey and property descriptions and the information contained in the appraisal report. When necessary, I have requested clarification or additional information to provide support for the statements and conclusions contained in the report under review.

Highest and Best Use  
Analysis:

A complete as vacant highest and best use analysis for the subject was presented in the appraisal report under review. Physically possible, legally permissible and financially feasible uses were considered, and the maximally productive use was concluded. The highest and best use was developed for the whole property, part to be acquired, and the remainder after the taking. My consideration of highest and best use is based on the information contained in the appraisal report and my observation of the property.

Type of Value:

Market Value – As defined in RE: City of Austin v. Cannizzo, et al per page 1.0 and page 1.4 of the appraisal report.

Specific Requirements  
or the Appraisal  
Review

Check for technical compliance with ROW Appraisal and Appraisal Review standards.

Inspect the subject property and comparable data.

Check appraisal report for USPAP compliance

Review the appraisal report for completeness, accuracy, relevance, and reasonableness

Submit appraisal review. The review report includes a recommendation for the client to either accept or reject the value conclusion expressed in the appraisal report.

Hypothetical  
Conditions:

- There are no hypothetical conditions for the appraisal review.

Extraordinary  
Assumptions:

- The review appraiser has relied on the information presented in the appraisal report for the appraisal review. The review appraiser assumes the comparable and subject property information is correct and accurate unless indicated otherwise. Use of the extraordinary assumption might have affected assignment results.

**JURISDICTIONAL EXCEPTION:** An assignment condition established by applicable law or regulation which precludes an appraiser from complying with a part of USPAP. This appraisal review has been completed in accordance with TxDOT standards, rules, regulations and policies. Therefore, if any part or portion of this appraisal review precludes compliance to USPAP due to any specific standard, rule, regulation, or policy of the client or intended users, then the JURISDICTIONAL EXCEPTION RULE is invoked.

**Extraordinary Assumptions:** The appraisal report does not reference any extraordinary assumptions.

**Hypothetical Conditions:** The appraisal report does not identify any hypothetical conditions. The use of an extraordinary assumption or hypothetical condition may have affected the assignment results.

**Jurisdictional Exceptions:** The appraisal report was developed subject to the following jurisdictional exceptions:

*Project impact/influence is disregarded in the appraisal of the subject whole property. This is a departure from Standards Rule 1-4(f), which states that "when analyzing anticipated public or private improvements, located on or off the site, an appraiser must analyze the effect on value, if any, of such improvements to the extent they are reflected in market actions." (U-20, Lines 618-620). This report has been prepared in such a manner that any market influences projected by the proposed development shall not be taken into consideration for the valuation of the whole property and is not applied to the remainder after.*

Date of the Appraisal Report: October 24, 2018

Date of the Appraisal: August 24, 2018

Identity of the Appraiser: Leonel Garza, III. Mr. Garza is a Certified General appraiser. His Texas certification number is TX 1328375-G. His certification expires December 31, 2018.

**CONCLUSION:** The appraisal report has been prepared based on recognized appraisal principles and standards. The part to be acquired includes an unimproved land tract of 7,920 square feet or 0.18 acres. The valuation of the Whole Property, Part to be acquired, and the Remainder After the Taking are summarized in the following discussions.

**Whole Property:** Parcel #6 includes a land area of 31,083 square feet (per the Hidalgo County Appraisal District) that extends along the west side of Caballete Street, west of Alamo Road and south of Wisconsin Road in Hidalgo County, Texas. It is a single subdivided lot and does adjoin another subdivided lot under the same ownership. Parcel 6 is appraised as a separate larger parcel and a separate economic unit. Since the property is improved, a cost approach and sales comparison approach is developed in the report. The land value was developed utilizing three comparable sales. The sales are located in the same market area as the subject and have a similar highest and best use. Adjustments were considered for conditions of sale, market conditions, location, site utility, physical characteristics, topography, utilities, frontage and size. The physical characteristics adjustment recognizes the encumbrance from the plat restriction that requires the west 75' to be utilized as a detention pond to service the lots in the subdivision. The comparable sales and adjustments to the comparable sales appear reasonable and support the unit value for the land. The report concludes a unit value of \$1.25/square foot for the site. Since the income approach is not applicable, the cost approach and sales comparison approach provide the basis for the final value. The whole property value is \$217,247 and includes \$38,854 for the land and \$178,393 for the improvements.

**Part To Be Acquired:** The part to be acquired is a rectangular shaped strip of 0.18 acre or 7,920 square feet. The part to be acquired is valued as a pro rata portion of the whole site at a unit value of \$1.25/square foot. Site improvements are included based on a depreciated value. The remainder before the acquisition is the mathematical difference between the whole property and the part to be acquired. the compensation for the part to be acquired is \$11,443 and is allocated \$9,900 to the land and \$1,543 to the improvements.

**Remainder After The Taking:** The remainder after the taking is valued by the cost approach and sales comparison approach. The same comparable sales utilized to value the whole property are utilized to value the remainder. The report identifies a highest and best use for residential use which is the same as the highest and best use for the whole property. The cost approach indicates a remainder value of \$216,227. The value includes a land unit value of \$1.70/square foot or \$39,377 and an improvement value of \$176,850. The unit value for the land in the remainder is higher than the unit value for the land before the acquisition. This reflects the fact that the remainder is not encumbered by the detention pond and the remainder is unencumbered land. As a result of the acquisition, it is necessary to re-fence the west end of the remainder site. A cost to cure was considered. Since the compensation for the fence in the part to be acquired exceeded the cost to construct a replacement fence, no additional compensation was included for the cost to cure.

**RECOMMENDATION:** Based on the data, analysis, and conclusions contained in the appraisal report, I recommend that the value of \$11,443 be approved for negotiation and acquisition. The total compensation includes \$11,443 for the fee owner.

## **ASSUMPTIONS AND LIMITING CONDITIONS**

### **This appraisal review report is prepared subject to the following:**

The legal description as provided by the client is assumed to be correct.

The information furnished by others is believed to be reliable, but no warranty is given for its accuracy. The right of way map and all other relevant data furnished by the client are assumed to be correct.

It is assumed that the property reviewed is unencumbered by adverse easements.

The property is reviewed as though free and clear from all liens and encumbrances in fee simple interest to the surface rights only.

No personal property (including appliances not fixed to the realty, furnishing, vehicles, trade fixtures, or intangible items) are included in the appraisal review.

Any allocation of the total value estimated in this review report between the land and improvements applies only to this parcel under review. The separate values allocated to the land and improvements must not be used in conjunction with any other appraisal report of another parcel and are invalid if so used.

The existence of potentially hazardous material and or toxic waste that may or may not be present on the property was not observed by the review appraiser. However, the review appraiser is not an expert on such matters and is not qualified to detect such substances, and no responsibility is assumed for any hazardous conditions, nor for any expertise required to discover them. The value conclusion of the appraisal review is based on the assumption that no significant environmental problems exist that would adversely affect the value or marketability of the subject property.

The professional competency of the review appraiser should not be presumed to include the knowledge or experience of a professional surveyor, architect, engineer, title lawyer or other specialist.

The appraiser was furnished comparable sale data and other data from sources considered reliable and the review appraiser assumes that all data furnished the appraiser is reliable and accurate but the reviewer does not assume responsibility for the accuracy of all items furnished by other parties.

The client is reminded that market value changes as the market changes with time. The value contained in this review report is as of the retrospective effective date of the appraisal review report. Any passage of time may render the value inaccurate and unsuitable.

The submission of the appraisal review report does not include the requirement of publication, court testimony or court appearance. Special arrangements will have to be made for this purpose, including fees and time frames.

I do not authorize the out-of-context quoting from or partial reprinting of the appraisal review report. Further, neither all nor any part of the contents of this appraisal review shall be disseminated to the public through advertising media, public relations media, news media, sales media or any public means or communications without the prior written consent and approval of the review appraiser.

The liability of the review appraisal is limited to the client and intended users only and does not extend to any third parties or to users not specifically designated or authorized. The total liability of the review appraiser is limited to the amount of the fee received by the review appraiser for the report.

## CERTIFICATION STATEMENT

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

- The statements of fact contained in this appraisal review 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.
- I have no present or prospective interest in the property that is the subject of the work under review and no personal interest with respect to the parties involved.
- I have no bias with respect to the property that is the subject of the work under review or to the parties involved with this assignment.
- My engagement in this appraisal review 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 review.
- My analyses, opinions, and conclusions were developed, and this appraisal review report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice*.
- No one provided significant real property appraisal or appraisal review assistance to the person signing this certification.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
- The use of this appraisal review report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- As of the date of this appraisal review report, John H. Malcom, Jr. has completed the continuing education program for Designated Members of the Appraisal Institute.
- As of the date of this appraisal review report, John H. Malcom, Jr. has completed the Standards and Ethics Education Requirements of the Appraisal Institute.

- I have performed no services, as an appraiser, a review appraiser, or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- John H. Malcom, Jr. has made an inspection of the subject property.



John H. Malcom, Jr, MAI, CCIM, SR/WA  
State Certified General Appraiser  
No. TX-1320239-G

August 24, 2018  
Effective Date of Appraisal Review  
October 27, 2018  
Date of Appraisal Review Report





REAL ESTATE APPRAISAL REPORT - TEXAS DEPARTMENT OF TRANSPORTATION

Address of Property: 3811 Caballete Street Edinburg, Texas  
Property Owner: Oscar A. Galvan & Melissa R. Galvan  
Address of Property Owner: 3811 Caballete Street Edinburg, Texas  
78542

District: Pharr  
Parcel: 6  
ROW CSJ: N/A

Occupant's Name: Oscar A. Galvan & Melissa R. Galvan  
Whole:  Partial:  Acquisition

Federal Project No: N/A  
Highway: Trenton Drain Phase III 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 \$11,443.00 as of August 24, 2018, based upon my independent appraisal and the exercise of my professional judgment;

That on August 24, 2018 (date)(s), I personally inspected in the field the property herein appraised; that I afforded Oscar A. Galvan & Melissa R. Galvan, the property owner or the representative of the property owner, the opportunity to accompany me at the time of the inspection;

That the comparables relied upon in making said appraisal were as represented by the photographs contained in the appraisal report and were inspected on August 24, 2018 (date)(s);

That 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, Urban County, Texas Department of Transportation, and/or their representatives, 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;

That 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.

The appraiser has considered access damages in accordance with Section 21.042(d) of the Texas Property Code, as amended by SB18 of the Texas 82<sup>nd</sup> Regular Legislative Session and finds as follows:

1. Is there a denial of direct access of the parcel? No (yes or no)
2. If so, is the denial of direct access material? N/A (yes, no, or not applicable)
3. The lack of any access denial or the material impairment of direct access on or off the remaining property affects the market value of the remaining property in the sum of \$ 0.00.


I certify to the best of my knowledge and belief:

That the statements of fact contained in this report are true and correct;


That the reported analysis, opinions and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analysis, opinions, and conclusions;

That 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;

That my analysis, 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 non-compensable 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 for which such property is to be acquired, or by the likelihood that the property would be acquired for such 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  
TX 1328375 - G  
Certification Number

October 24, 2018  
Date

To the best of my knowledge, the value does not include any items which are not compensable under State law.  
 10/27/2018  
Reviewing Appraiser Date



## Certification

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 analysis, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analysis, 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 analysis, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.

I have made a personal on-site and/or off-site visit of the property that is the subject of this report based on the permission granted at the time of inspection.

Thomas M. Davis, State Certified General Real Estate Appraiser with Leonel Garza, Jr. & Associates, LLC, 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.

No one other than those mentioned within this certification provided significant real property appraisal assistance to the person(s) signing this certification.

The reported analysis, 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 a MAI Designated Appraiser.

The employment and compensation of this appraiser in completing this appraisal assignment was not based on a requested minimum valuation, i.e., a specific valuation. This report was not prepared under the standards required by financial institutions for purposes of applying for a loan.

I have performed no other appraisal services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within a three-year period immediately preceding acceptance of this assignment.

  
\_\_\_\_\_  
Leonel Garza III

## **Assumptions & Limiting Conditions**

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.

The property is appraised free and clear of any or all liens or encumbrances, unless otherwise stated.

Responsible ownership and competent property management are assumed.

The information furnished by others is believed to be reliable, but no warranty is given for its accuracy.

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.

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.

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.

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 for which the value estimate contained in this report is based.

It is assumed that the use of the land and improvements is confined within the boundaries or property lines of the property described and that there is no encroachment or trespass, unless noted in the report.

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 and 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 the 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.

Any allocation of the total value 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.

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.

No 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. Possession of this report, or a copy thereof, does not carry with it the right of publication.

**Marketing Time:** Begins with the date of value estimate and the exposure time indicated.

**Exposure to the Open Market:** Listing the property on the market for sale with a Realtor, a member of the 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.

**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.

### **Scope of the Assignment**

The scope of this appraisal is to prepare an appraisal report based on the Texas Department of Transportation ROW A-5 Form Rev. 08/2011 to form an opinion of market value of the fee simple estate of the part to be acquired. The report shall establish the market value of the whole, part to be acquired, and the remainder before and after the acquisition. The appraiser shall determine the market value based on the standard approach to value to include but not limited to the Cost Approach, Income Approach and the Sales Comparison Approach as they apply to the subject. Those approaches not applicable shall be excluded from the report. The owner shall be given an opportunity to meet with the appraiser at the time of inspection. In the event permission is not granted nor contact made with owner prior to inspection, the client has requested that the inspection proceed off-site.

### **Intended Use of the Appraisal**

The intended use is to provide an opinion of value of the subject as defined by survey. The use of the report shall assist Hidalgo County Urban County Program along with the Hidalgo County Drainage District No. 1 and its representatives in negotiating and acquiring a portion of the subject property for the expansion of the Trenton Drain. This is Phase III of the project. The property will be purchased in the name of the County of Hidalgo.

### **Intended User of the Appraisal**

Hidalgo County Urban County Program and Hidalgo County Drainage District No. 1.

### **Client Identification**

The client for this report is the Hidalgo County Urban County Program under the direction of Director, Diana Serna. HCUCP is located at 427 E. Duranta Avenue, Suite 107 Alamo, Texas. Eli Villegas, of the Hidalgo County Drainage District No. 1 shall be the project manager and shall coordinate the negotiations to be set forth by the valuation of the part to be acquired within this report. Mr. Villegas can be contacted at Office (956) 292-7080 / Email: eli.villegas@hcdd1.org

### **Property Rights Appraised**

Fee Simple Estate - "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." Dictionary of Real Estate Appraisal, 6th Edition, Copyright 2015.

### **Hypothetical Condition**

A hypothetical condition is defined by the Uniformed Standards of Professional Appraisal Practice 2018-2019 Edition, as "a condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results but is used for the purpose of analysis. Hypothetical conditions are contrary to known facts about physical, legal, or economic characteristics of the subject property; or about conditions external to the property, such as market conditions or trends; or about the integrity of the data used in an analysis". There are no hypothetical conditions used in the derivation of market value of the subject property.

### **Definition of Market Value**

Market value is defined by as "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." This definition is derived from a court case known as City of Austin vs. Cannizzo, et al, 267 S.W. 2d 808, 815 (1954).

### **Exposure Time**

During the analysis of the subject property, the exposure time is determined in order to define trends in the market. Exposure time is defined as the "estimated 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. Exposure time is a retrospective opinion based on the analysis of past events assuming a competitive and open market." Based on research performed within the market area, there is a twelve (12) month exposure time is reasonable, based on current and past listings within the market area.

### **Personal Property**

Pursuant to the scope of the assignment, no personal property within the proposed right-of-way and the remainder before and after the acquisition shall be included for compensation. Any and all personal property and/or realty located within the existing road right-of-way shall be deemed non-compensable.

### **Access Rights**

The appraiser is to consider the impact of material impairment of direct access on and off the remaining property that affects the market value of the remainder property after the acquisition is to occur. This shall include the determination of damages to the market value of the remainder property. Based on the survey provided, the proposed acquisition will not restrict or effect the public access to the subject property.

### **Jurisdictional Exception**

Jurisdictional Exception is defined in the current Uniform Standards of Professional Appraisal Practice as an assignment condition established by applicable law or regulation which precludes an appraiser from complying with a part of USPAP. Project impact/influence is disregarded in the appraisal of the subject whole property. This is a departure from Standards Rule 1-4(f), which states that "when analyzing anticipated public or private improvements, located on or off the site, an appraiser must analyze the effect on value, if any, of such improvements to the extent they are reflected in market actions." (U-20, Lines 618-620). This report has been prepared in such a manner that any market influences projected by the proposed development shall not be taken into consideration.

### **Accessibility to Site**

The property owner shall always reserve the right to contact the office of Leonel Garza, Jr. & Associates, LLC, at (956) 687-7295 or leonel3@garza-associates.com, after the date of inspection for an additional on-site inspection in his/her presence with appraiser, Leonel Garza III. The owner-of-record was sent a certified letter asking for permission to enter the subject property to measure and photograph the subject property. On August 21, 2018, Garza & Associates met with the owner of record Oscar Galvan to discuss the project and were given verbal permission to enter the property for purposes of the on-site inspection.

### **History of the Property**

According to the Hidalgo County Deed Records and the Hidalgo County Appraisal District the subject is under the ownership of Oscar A. Galvan & Melissa R. Galvan under Document 1447963. To our knowledge, there have been no other transactions of the subject property over the prior (5) five years from the date of this report.

**Property Owner Contact**

The appraiser contacted the property owners of record by certified letter dated August 8, 2018. The contact information was gathered from the Hidalgo County Appraisal District ([www.hidalgoad.org](http://www.hidalgoad.org)). On August 21, 2018, Garza & Associates met with the owner of record Oscar Galvan to discuss the project and were given verbal permission to enter the property for purposes of the on-site inspection.



**GARZA  
& ASSOCIATES**

1419 Dove Avenue, McAllen, Texas 78504  
Office (956) 687-7295 / [leonel3@garza-associates.com](mailto:leonel3@garza-associates.com)

August 8, 2018

County: Hidalgo  
CSJ:  
Highway: Trenton Drain Phase 2  
From: Wisconsin Road to Trenton Road  
Parcel 6 & 7

Oscar A. & Melissa R. Galvan  
3811 Caballete Street  
Edinburg, Texas 78542

To Whom It May Concern:

Garza & Associates LLC has been contracted by Urban County Program, to appraise various properties along Trenton Drain Phase 2 project. The project extends from Wisconsin Road to Trenton Road. The purpose of this appraisal is to determine the market value of the part to be acquired by Urban County in conjunction with the Hidalgo County in the name of the County of Hidalgo.

I would like to extend the opportunity to meet with our appraisers, on-site, to explain the project and the purpose of the appraisal report. In the event access is not granted, we will continue our inspection off-site along the public right of way. We will be researching the market area for any and all real estate sales and would appreciate any leads or information that would aid in the determination market value of your property.

With this letter, I request permission to perform an on-site visit to measure and photograph the area to be acquired or any other improvements that may be affected by the acquisition. If you have any questions and / or would like an appointment with our appraisers, please call the office of Leonel Garza Jr. and Associates LLC at (956) 687-7295.

Sincerely,

Leonel Garza III  
State Certified, TX 1328375-G

Cc: *Urban County Program*  
*c/o: Diana R. Serna - Director*  
*427 East Duranta Avenue, Suite 107, Alamo, Texas 78516*  
*Office (956) 787-8127*

PHOTOGRAPHS OF SUBJECT PROPERTY

Parcel No. 6  
Date Taken: August 21, 2018

Local Address: 3811 Caballete Street Edinburg, Texas  
Taken By: Leonel Garza III

Point which taken: Photo 1: Caballete Street  
Photo 2: Wisconsin Road

Looking: Photo 1: West  
Photo 2: South



Photo 1  
View of subject property



Photo 2  
Aerial view of the existing detention pond by plat restriction which is also the proposed acquisition area taken by HCDD No. 1. Drone.

Point which taken: Photo 3: Caballete Street  
Photo 4: Caballete Street

Looking: Photo 3: Northwest  
Photo 4: North



Photo 3  
View of chain link fence separating main property and ditch



Photo 4  
View of acquisition area facing north

**Site Analysis: Whole Property**

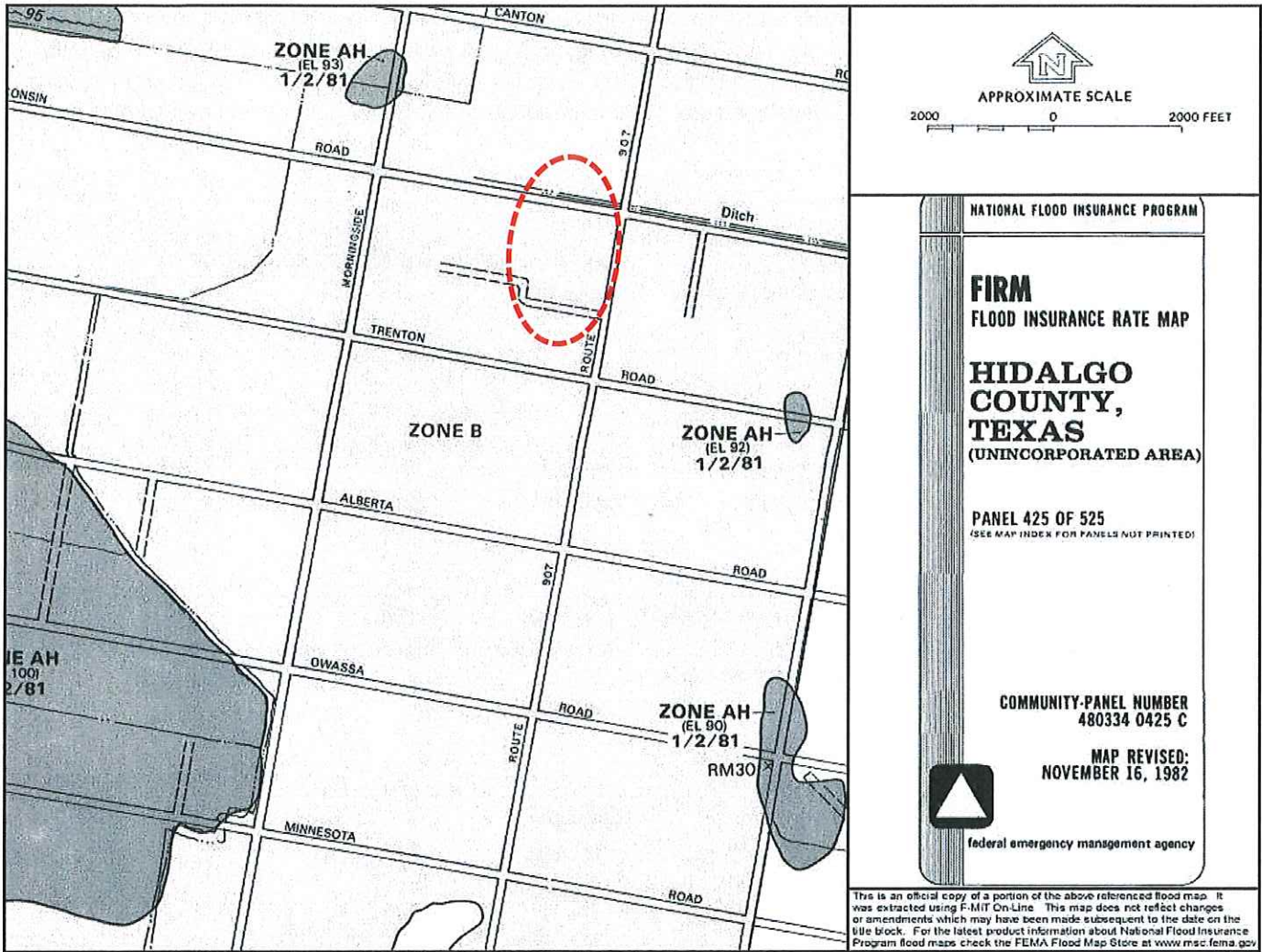
The subject property is a single-family residence which is located Caballete Street within the Los Mirasoles No. 2 Subdivision. The subject property is a 0.713-acre (31,083-square feet) tract of land which contain general utilities with the residence under septic system. The property contains an existing detention pond which is an encumbrance on the subject property by way of a plat restriction. This land area is the area which is the subject of this report. The Urban County Program along with the Hidalgo County Drainage District No. 1 is proposing to acquire the existing detention pond for a master drainage plan in the area, which will satisfy the subdivisions drainage needs and not require drainage to be replaced. This area is owned in fee simple and therefore shall valued at 100% of market value. Based on the location of the proposed acquisition, the residence will not be affected.

Whole Property Land Area	0.713-Acre / 31,083-Square Feet
Location / Address	3811 Caballete Street, Edinburg, TX
Frontage	Caballete Street / 2 lane asphalt paved
Shape	Rectangular
Utilities	Water / Electricity / Septic System
Topography	Level and Typical of Market Area
Municipal Zoning	Not Applicable
Improvements	Single-Family Residence



The above yellow boundary lines are for illustration purposes only.

Flood Map



A review of the FEMA Flood Insurance Rate Map, the subject property is located in a Flood Zone B. Zone B is not a designated Special Flood Hazard area. ([www.fema.gov](http://www.fema.gov))

**AD Valorem Tax Data**

The Hidalgo County Appraisal District provides general information about the property tax system in Texas, as well as general information regarding properties assessed for the current year. The Appraisal District will annually appraise properties according to the Texas Property Tax Code utilizing accepted practices from the Uniform Standards of Professional Appraisal Practices (USPAP). The Hidalgo County Appraisal District is located at 4405 South Professional Drive, Edinburg, Texas and online at [www.hidalgoad.org](http://www.hidalgoad.org). This information is utilized for general information only and not for valuation purposes.

**Account**

Property ID: 688599 Legal Description: LOS MIRASOLES #2 LOT 12  
Geographic ID: L6267-02-000-0012-00 Agent Code:  
Type: Real  
Property Use Code:  
Property Use Description:

**Location**

Address: 3811 CABALETE ST Mapsco:  
Neighborhood: LOS MIRASOLES #2 Map ID: 25D VOL 46 PG 53-55  
Neighborhood CD: L626702

**Owner**

Name: GALVAN OSCAR A & MELISSA R Owner ID: 599906  
Mailing Address: 3811 CABALETE ST % Ownership: 100.0000000000%  
EDINBURG, TX 78542-4783  
Exemptions: HS

**Values**

(+) Improvement Homesite Value:	+	\$155,781	
(+) Improvement Non-Homesite Value:	+	\$11,991	
(+) Land Homesite Value:	+	\$35,669	
(+) Land Non-Homesite Value:	+	\$0	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
-----			
(=) Market Value:	=	\$203,441	
(-) Ag or Timber Use Value Reduction:	-	\$0	
-----			
(=) Appraised Value:	=	\$203,441	
(-) HS Cap:	-	\$0	
-----			
(=) Assessed Value:	=	\$203,441	

**Taxing Jurisdiction**

Owner: GALVAN OSCAR A & MELISSA R  
% Ownership: 100.0000000000%  
Total Value: \$203,441

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	APPRAISAL DISTRICT	0.000000	\$203,441	\$203,441	\$0.00
DR1	DRAINAGE DISTRICT #1	0.095100	\$203,441	\$203,441	\$193.47
GHD	HIDALGO COUNTY	0.580000	\$203,441	\$203,441	\$1,179.96
JCC	SOUTH TEXAS COLLEGE	0.185000	\$203,441	\$203,441	\$376.37
R15	ROAD DIST 15	0.000000	\$203,441	\$203,441	\$0.00
SEB	EDINBURG ISD	1.239800	\$203,441	\$178,441	\$2,212.31
SST	SOUTH TEXAS SCHOOL	0.049200	\$203,441	\$203,441	\$100.09
Total Tax Rate:		2.149100			
				Taxes w/Current Exemptions:	\$4,062.20
				Taxes w/o Exemptions:	\$4,372.15

### Improvement / Building

<b>Improvement #1:</b>	RESIDENTIAL	State Code:	A1 Living Area:	2441.0 sqft	Value: \$155,781
------------------------	-------------	-------------	-----------------	-------------	------------------

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
MA	MAIN AREA	STUAV - 7	DBRK	2008	2441.0
GAR	GARAGE	*		2008	484.0
PAT	PATIO	*		2008	292.0
POR	PORCH (COVERED)	*		2008	40.0

<b>Improvement #2:</b>	RESIDENTIAL	State Code:	A1 Living Area:	400.0 sqft	Value: \$11,991
------------------------	-------------	-------------	-----------------	------------	-----------------

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
MA	MAIN AREA	WDFA - 2P	DWD	2011	400.0
POR	PORCH (COVERED)	*		2011	24.0

### Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	L	LOT	0.0000	31083.36	105.60	294.35	\$35,669	\$0

### Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2018	\$167,772	\$35,669	0	203,441	\$0	\$203,441
2017	\$169,614	\$30,384	0	199,998	\$0	\$199,998
2016	\$170,850	\$30,384	0	201,234	\$0	\$201,234
2015	\$172,810	\$30,384	0	203,194	\$11,331	\$191,863
2014	\$146,643	\$30,384	0	177,027	\$0	\$177,027
2013	\$148,198	\$30,384	0	178,582	\$0	\$178,582
2012	\$149,755	\$30,384	0	180,139	\$5,496	\$174,643
2011	\$115,933	\$30,384	0	146,317	\$0	\$146,317
2010	\$117,128	\$30,384	0	147,512	\$0	\$147,512
2009	\$118,324	\$30,384	0	148,708	\$0	\$148,708

2008	\$0	\$27,742	0	27,742	\$0	\$27,742
2007	\$0	\$27,742	0	27,742	\$0	\$27,742
2006	\$0	\$27,742	0	27,742	\$0	\$27,742
2005	\$0	\$19,419	0	19,419	\$0	\$19,419

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	3/17/2005	SVD	SPEC WD/VEN LIEN	GOMEZ ELIZABETHS S & JOSE M	GALVAN OSCAR A & MELISSA R			1447963

**PROPERTY VALUATION SUMMARY**

Whole:  Part to be Acquired:  Remainder After:

**HIGHEST AND BEST USE ANALYSIS:**

The highest and best use of the subject property is for single family residential purposes.

**VALUATION APPROACHES**

Cost Approach \$217,247  
 Sales Comparison Approach (Land Only) \$38,854  
 Income Approach N/A

**RECONCILIATION OF APPROACHES TO VALUE:**

The subject property is a partial acquisition; no structural improvements are located within the proposed acquisition. The cost approach is the only reliable method to value the whole property.

<b>Contributory Value of Improvements</b>	
Single Family Residence (Stated Value As Per HCAD)	\$ 155,781
Secondary Residence (Stated Value As Per HCAD)	\$ 11,991
Driveway	\$ 6,453
Cedar Fencing	\$ 2,625
Perimeter Fencing - Chain-link w/Barb Wire	\$ 1,543
<b>Total Contributory Value of Improvements</b>	<b>\$ 178,393</b>

Land Value (Fee Simple) 31,083 SF @ \$ 1.25 / SF \$ 38,854  
**Total Land Value \$ 38,854**  
  
**Reconciled Final Value \$ 217,247**

Each approach developed follows this page and is sequenced as shown below.

Land Value,  
pg 3.1

Cost Approach,  
pg 3.8

Sales Comparison Approach,  
pg 3.3

Income Approach,  
pg 3.10

### **Highest & Best Use**

The reasonably probable and legal use of vacant land or an improved property that is physically possible, appropriately supported, financially feasible, and that 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. Alternatively, the probable use of land or improvement property – specific with respect to the user and timing of the use – that is adequately supported and results in the highest present value. This is further defined as: “Among all reasonable, alternative uses, the use that yields the highest present land value, after payments are made for labor, capital, and coordination. The use of a property based on the assumption that the parcel of land is vacant or can be made vacant by demolishing any improvements.” The Dictionary of Real Estate Appraisal. 6<sup>TH</sup> Edition Chicago: Appraisal Institute 2015.

### **Legally Permissible**

After a review of the Hidalgo County Model Subdivision Rules, the subject can be legally utilized for single family residential development use. The subject area is located inside the extraterritorial jurisdiction (ETJ) of Edinburg, however no zoning is indicated.

### **Physically Possible**

The site is 0.713 acres which is consistent with surrounding tracts utilized for residential use. The subject has the site area and utility to allow for single family residential development.

### **Financially Feasible**

Due to the surrounding developments and market trends, it appears that it is financially feasible to develop the subject property into residential use.

### **Maximally Productive**

The subject property maximally productive state is for single family residential development. This is consistent with market trends in the immediate area. There are other types of developments including light commercial and multifamily developments in the area. The primary demand for the area is for ½ acre single family residential lots.

### **Conclusion**

The conclusion of the highest and best use as though vacant is for single family residential development. This is the same conclusion for the remainder in the before and after state.



**SALES COMPARISON APPROACH**

Whole:  Part to be Acquired:  Remainder After:   
 Land:  Improved:

**VALUATION GRID**

**REPRESENTATIVE COMPARABLE SALES**

	<b>Subject</b>	<b>Comp. No. 1</b>		<b>Comp. No. 2</b>		<b>Comp. No. 3</b>	
Grantor	Jose M. Gomez & Elizabeth S. Gomez	Graciela Gamez & Alberto Gamez		Javier Suarez		Jorge Oviedo & Laura Catalina Oviedo et al	
Grantee	Oscar Alberto Galvan & Melissa Rosales Galvan	Alberto Molina & Alicia E. Molina		Heriberto J. Arreola & Yolanda Arreola		Omar I. Rios	
Date	March 1, 2005	June 2, 2016		May 13, 2015		May 15, 2017	
Sales Price		\$ 35,000		\$ 42,500		\$ 80,000	
Unit Price		\$ 1.55 / SF		\$ 1.88 / SF		\$ 1.84 / SF	
Conditions of Sale	Cash To Seller	Similar	0%	Similar	0%	Similar	0%
Market Conditions	Average	Similar	0%	Similar	0%	Similar	0%
Adjusted Unit Price		\$ 1.55 / SF		\$ 1.88 / SF		\$ 1.84 / SF	
Relative Location	Average	Similar	0%	Superior	-10%	Superior	-10%
Site Utility (Corner/Interior)	Interior	Corner	0%	Similar	0%	Similar	0%
Physical Characteristics	Encumbered w/ Plat Restriction (Detention Pond)	Superior	-25%	Superior	-25%	Superior	-25%
Utilities	Water / Septic	Similar	0%	Similar	0%	Similar	0%
Frontage	Caballote Street	Spades Avenue	0%	Keralum Drive	0%	Alamo Road	0%
Size Adjustment	31,083 SF	22,577	-5%	22,608	-5%	43,560	5%
	Net Adjustment	\$ (0.47) -30%		\$ (0.75) -40%		\$ (0.55) -30%	
	Indicated Unit Value	\$ 1.08 / SF		\$ 1.13 / SF		\$ 1.29 / SF	
<b>Estimated Unit Value of Fee Simple Area</b>						<b>\$ 1.25 / SF</b>	

**Estimated Value by Sales Comparison Approach**

**\$ 38,854**



**COMPARABLE DATA SUPPLEMENT**

District: Pharr  
County: Hidalgo

Parcel No.: 6  
ROW CSJ:

Highway: Trenton Drain Phase III

Land Sale

Improved Sale

Rental Data



Grantor/Lessor: Graciela Gamez & Alberto Gamez

Grantee/Lessee: Alberto Molina & Alicia E. Molina

Date: June 2, 2016

Recording Information: Deed No. 2718317

Key Map: Lon: W-98.091365

Lat: N26.267875

Address: 2502 Spades Avenue, Edinburg, Texas.

Zip Code: 3811 Caballete

Street Edinburg, Texas 78542

Legal Description: Lot 39, of Palace Station Subdivision Phase II, City of Edinburg, Hidalgo County, Texas.

Confirmed Price: \$35,000

Verified with: MLS No. L192230S

Terms and Conditions of Sale: Cash To Seller

Rental Data: N/A

Land Size: 0.518 Acres / 22,577 Sq. Ft.

Unit Price as Vacant: \$67,528 / Acre  
\$1.55 / Square Foot

Type Street: Asphalt Paved

Utilities: Electricity, Water

Improvement(s) Description: N/A

Improvement(s) Size: N/A

Unit Price as Improved: N/A

Condition and Functional Design: N/A

Current Use: Single Family Residential

Highest & Best Use: Residential Development

Date of Inspection: August 24, 2018

Zoning: Residential

Flood Plain: Zone X

Appraiser: Leonel Garza III

October 24, 2018  
Date

**COMPARABLE DATA SUPPLEMENT**

District: Pharr  
 County: Hidalgo

Parcel No.: 6  
 ROW CSJ:

Highway: Trenton Drain Phase III

Land Sale

Improved Sale

Rental Data



Grantor/Lessor: Javier Suarez

Grantee/Lessee: Heriberto J. Arreola and wife,  
 Yolanda Arreola

Date: May 13, 2015

Recording Information: Deed No. 2615544

Key Map: Lon: W-98.104524  
 Lat: N26.272400

Address: Keralum Drive, Edinburg, Texas

Zip Code: 78539

Legal Description: Lot 8, Kelly Estates, City of Edinburg, Hidalgo County, Texas.

Confirmed Price: \$42,500

Verified with: MLS No. A179811S & Deed Records

Terms and Conditions of Sale: Cash To Seller

Rental Data: N/A

Land Size: 0.519 Acres / 22,608 Sq. Ft.

Unit Price as Vacant: \$81,888 / Acre  
 \$1.88 / Square Foot

Type Street: Asphalt Paved

Utilities: Electricity, Water

Improvement(s) Description: N/A

Improvement(s) Size: N/A

Unit Price as Improved: N/A

Condition and Functional Design: N/A

Current Use: Residential

Highest & Best Use: Residential Development

Date of Inspection: August 24, 2018

Zoning: Residential

Flood Plain: Zone X

Appraiser: Leonel Garza III

October 24, 2018  
 Date



**COMPARABLE DATA SUPPLEMENT**

District: Pharr  
County: Hidalgo

Parcel No.: 6  
ROW CSJ:

Highway: Trenton Drain Phase III

Land Sale

Improved Sale

Rental Data



Grantor/Lessor: Jorge Oviedo & Laura Catalina  
Oviedo et al

Grantee/Lessee: Omar I. Rios

Date: May 15, 2017

Recording Information: Deed No. 2815469

Key Map: Lon: W-98.116728

Lat: N26.218911

Address: 1418 N Alamo Road, Alamo, Texas

Zip Code: 78516

Legal Description: Lot 2, Citrus Tree Subdivision, City of Alamo, Hidalgo County, Texas.

Confirmed Price: \$80,000

Verified with: MLS No. A204270S

Terms and Conditions of Sale: Cash To Seller

Rental Data: N/A

Land Size: 1.000 Acres / 43,560 Sq. Ft.

Unit Price as Vacant: \$80,000 / Acre

\$1.84 / Square Foot

Type Street: Asphalt Paved

Utilities: Electricity, Water, Sewer

Improvement(s) Description: N/A

Unit Price as Improved: N/A

Improvement(s) Size: N/A

Condition and Functional Design: N/A

Current Use: Residential

Highest & Best Use: Residential Development

Date of Inspection: August 24, 2018

Zoning: Residential

Flood Plain: Zone X

Appraiser: Leonel Garza III

October 24, 2018

Date

**Explanation of Adjustments with Reconciliation:**

The comparable sales are reviewed for items recognized by the market that affect market value. These include but not limited to the conditions of the sale, market conditions, location, physical characteristics, utilities available, size and other factors. Each of these factors may require adjustments for any differences found in comparison to the subject property. This is based on a direct sales analysis approach to value. After adjustments were made to each sale, an adjusted unit range of value of \$1.09 per square foot to \$1.29 per square foot was determined. A unit rate of \$1.25 per square foot was selected for the valuation of the subject whole property. This unit rate shall be applied to the remainder before and after. No diminution of market value has been determined as the acquisition area does not affect the overall highest and best use, site utility nor functional utility of the property.

**COST APPROACH**

Whole:

Part to be Acquired:

Remainder After:

ESTIMATED REPLACEMENT / REPRODUCTION COST					
IMPROVEMENT	Number of Units	\$ Per Unit	Cost New	Depreciation	Value
Single Family Residence (Stated Value As Per HCAD)					\$ 155,781
Secondary Residence (Stated Value As Per HCAD)					\$ 11,991
<b>Contributory Value of the Buildings</b>					<b>\$ 167,772</b>
<b>Accessory Improvements</b>					
<b>Contributory Value of the Accessory Improvements</b>					<b>\$ -</b>
<b>Site Improvements</b>					
Driveway	1,168	\$ 6.50	\$ 7,592	15%	\$ 6,453
Cedar Fencing	200	\$ 17.50	\$ 3,500	25%	\$ 2,625
Perimeter Fencing - Chain-link w/Barb Wire	211	\$ 9.75	\$ 2,057	25%	\$ 1,543
<b>Contributory Value of the Site Improvements</b>					<b>\$ 10,621</b>
<b>Contributory Value of All Improvements</b>					<b>\$ 178,393</b>
	<b>Net Land Area</b>		<b>Price / Unit</b>		
Land Value (Fee)	31,083	SF @	\$ 1.25	/ SF	\$ 38,854
<b>Estimated Value By Cost Approach</b>					<b>\$ 217,247</b>

Furnish sources of cost data and support for depreciation factors (physical, functional, and economic. Use a separate page, numbered accordingly, as necessary)

Cost analysis derived from Marshall & Swift and local contractors.

**SALES COMPARISON APPROACH**

Whole:  Part to be Acquired:  Remainder After:   
 Land:  Improved:

**VALUATION GRID**

**REPRESENTATIVE COMPARABLE SALES**

Subject	Comp. Sale No. 1		Comp. Sale No. 2		Comp. Sale No. 3	
Grantor						
Grantee						
Date of Sale						
Unit Price	/sf	\$ - /sf	/sf	\$ - /sf	/sf	\$ - /sf
Relative Location		0%		0%		0%
Lot Location		0%		0%		0%
Financing		0%		0%		0%
Conditions of Sale		0%		0%		0%
Market Conditions		0%		0%		0%
Physical Characteristics		0%		0%		0%
Available Utilities		0%		0%		0%
Street Access		0%		0%		0%
Size of Improvement	square feet	- square feet	0%	- square feet	0%	- square feet
Net Adjustments		0%		0%		0%
Indicated Unit Value	\$ - /sf		\$ - /sf		\$ - /sf	
Estimated Unit Value of Fee Simple Area					\$ - /sf	

Estimated Value by Sales Comparison Approach ..... N/A

The sales comparison approach as improved is not applicable in the valuation of the whole property for purposes of determining the valuation of the part to be acquired.

**INCOME APPROACH**

Whole:

Part to be Acquired:

Remainder After:

Potential Gross Income	.....			\$	-
Vacancy	%			\$	-
Effective Gross Income	.....			\$	-
Expenses				\$	-
Fixed: Taxes.....		\$	-	\$	-
Insurance.....		\$	-	\$	-
Variable: Management.....		\$	-	\$	-
Other		\$	-	\$	-
		\$	-	\$	-
		\$	-	\$	-
Total Expenses	.....			\$	-
Net Operating Income	.....			\$	-
Income Capitalized @		%	.....	\$	-
Plus: Value of Excess Land (If Any)			.....	\$	-
			.....	\$	-
Estimated Value By Income Approach			.....		Not Applicable

The income approach is not applicable in the valuation of the whole property for purposes of determining the valuation of the part to be acquired.

**PROPERTY VALUATION SUMMARY**

Whole:  Part to be Acquired:  Remainder After:

**HIGHEST AND BEST USE ANALYSIS:**

The highest and best use of the subject property is for single family residential purposes. This shall be utilized for the determination of value for the part to be acquired.

**VALUATION APPROACHES**

Cost Approach	\$11,443
Sales Comparison Approach (Land Only)	\$9,900
Income Approach	\$

**RECONCILIATION OF APPROACHES TO VALUE**

The subject property is a partial acquisition; no structural improvements are located within the proposed acquisition. Several site improvements are located within the proposed acquisition; therefore, the cost approach is the only applicable method to value the part to be acquired.

Contributory Value of Improvements	
Perimeter Fencing - Chain-link w/Barb Wire (211 LF x \$9.75/LF x 25% Depreciation)	\$ 1,543
<b>Total Contributory Value of Improvements</b>	<b>\$ 1,543</b>

Land Value	7,920 SF @ \$ 1.25 / SF	\$ 9,900
Total Land Value		\$ 9,900
<b>Reconciled Final Value</b>		<b>\$ 11,443</b>

Land Value,  
pg 3.3

Cost Approach,  
pg 3.8

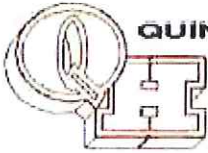
Sales Comparison Approach,  
pg 3.9

Income Approach,  
pg 3.10

**Part To Be Acquired**

The part to be acquired consist of 0.18-acres (7,920-square feet) of land located at the western portion of the whole property, currently utilized as a detention pond for the subdivision by way of a plat restriction. The valuation of the part to be acquired shall consist of the land value plus improvements, if any, located on the property defined by survey. The unit rate utilized in the determination of market value shall be a pro-rata part of the whole. The improvements located within the acquisition are valued based on the current depreciated value. The part to be acquired is to be utilized for the expansion and extension of Trenton Drain Phase III. In order to determine the unit market value of the part to be acquired, the sales comparison approach "as vacant" is utilized to determine the subject land value. Once completed, the appraiser shall utilize the determined unit rate for the pro-rata valuation and include any compensable structural and/or site improvements located within the acquisition area. This determination of market value is based on the fee simple estate for the property. During the analysis of the unit rate, the appraiser has been instructed by jurisdictional exception to disregard any decreases or increases in the market value that are directly caused by the proposed public improvement or its likelihood, prior to the date of valuation. This is applied to the valuation of the property, part to be acquired and the remainder before acquisition. In the remainder after scenario, the determination of market value must consider the effect of the proposed acquisition on the remainder after, in order to determine if any damages (diminution in value) were incurred, as required by State Law. Any utilities that are affected by the part to be acquired shall be relocated during construction and therefore, shall not be included as a compensable item for purposes of this report. Area outlined in blue is the area of acquisition.





**QUINTANILLA, HEADLEY AND ASSOCIATES, INC.**

**Consulting Engineers \* Land Surveyors**

Alfonso Quintanilla, P.E., R.P.L.S. Eulalio Ramirez, P.E.  
Engineering Firm Registration No. F-1813  
Surveying Firm Registration No. 100411-00  
Municipal & County Projects \* Subdivisions \* Surveys  
124 E. Stubbs, Edinburg, Texas 78539  
Phone 956/381-8480 Fax 956/381-8527

**METES AND BOUNDS**

HIDALGO COUNTY DRAINAGE DISTRICT No.1  
TRENTON DRAIN PHASE III  
PARCEL No. 6

A 0.18 OF AN ACRE TRACT OF LAND OUT OF LOT 12, LOS MIRASOLES SUBDIVISION No.2, HIDALGO COUNTY, TEXAS, ACCORDING TO THE PLAT OF MAP THEREOF RECORDED IN VOLUME 46, PAGE 53, MAP RECORDS HIDALGO COUNTY, TEXAS, AND ACCORDING TO SPECIAL WARRANTY DEED RECORDED WITH VENDOR'S LIEN UNDER COUNTY CLERK'S DOCUMENT NUMBER 1447963, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, REFERENCE TO WHICH IS HERE MADE FOR ALL PURPOSES AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.

BEGINNING AT A 1/2" IRON ROD WITH CAP STAMPED RPLS 4856 SET FOR THE NORTHWEST CORNER OF LOT 12, AND THE NORTHWEST CORNER OF THIS TRACT.

THENCE; S 81°28'09" E, ALONG THE NORTH LINE OF LOT 12, A DISTANCE OF 75.00 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF THIS TRACT.

THENCE; S 08°31'51" W, A DISTANCE OF 105.60 FEET TO A 1/2" IRON ROD FOUND ON THE SOUTH LINE OF LOT 12 FOR THE SOUTHEAST CORNER OF THIS TRACT.


THENCE; N 81°28'09" W, ALONG THE SOUTH LINE OF LOT 12, A DISTANCE OF 75.00 FEET TO A 1/2" IRON ROD WITH CAP STAMPED RPLS 4856 SET FOR THE SOUTHWEST CORNER OF LOT 12, AND THE SOUTHWEST CORNER OF THIS TRACT.

THENCE; N 08°31'51" E, ALONG THE WEST LINE OF LOT 12, A DISTANCE OF 105.60 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.18 OF AN ACRE OF LAND MORE OR LESS.

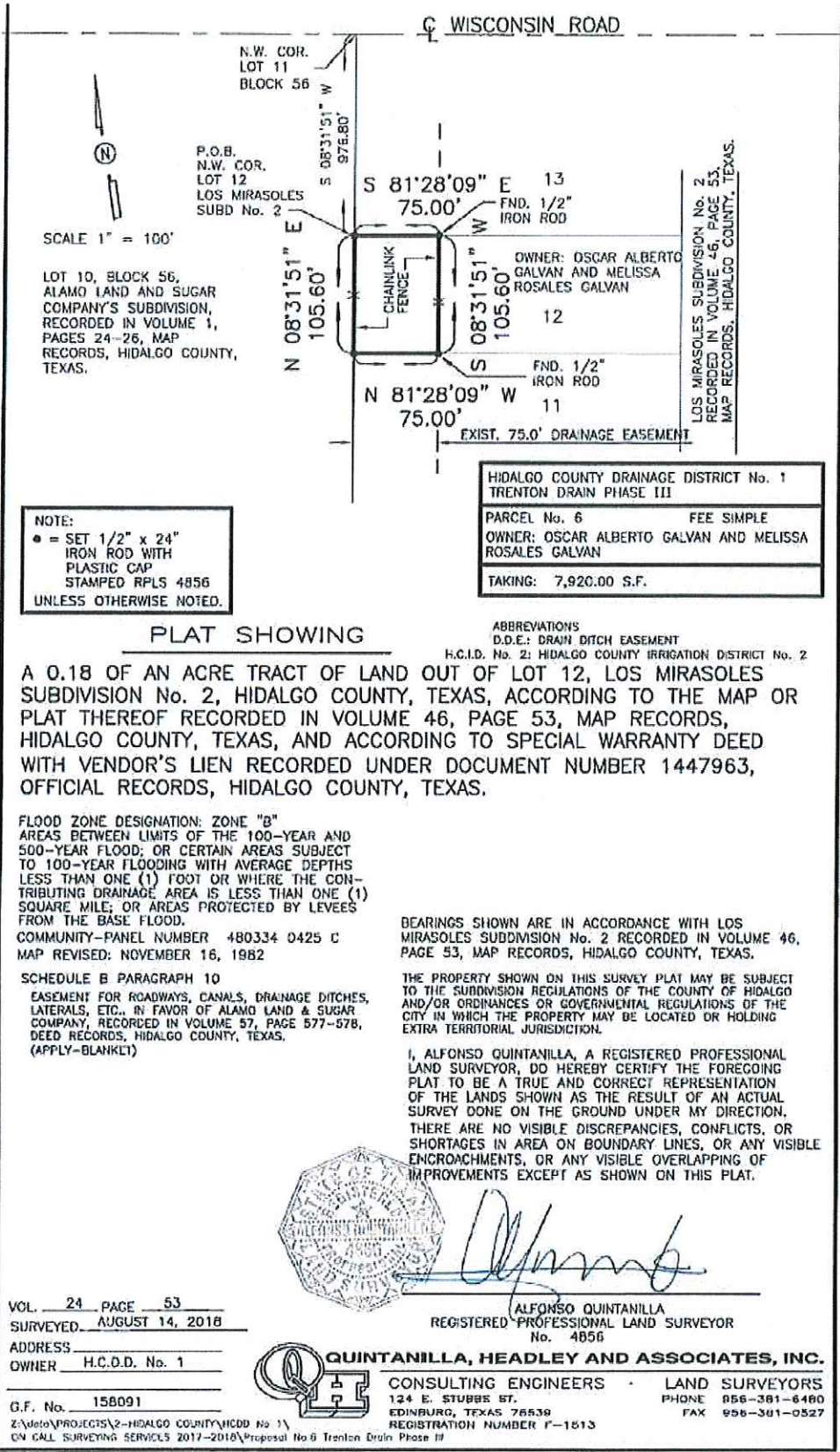
BEARINGS ARE IN ACCORDANCE WITH LOS MIRASOLES SUBDIVISION No.2, RECORDED IN VOLUME 46, PAGE 53, MAP RECORDS, HIDALGO COUNTY, TEXAS.

I, ALFONSO QUINTANILLA, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THE ABOVE METES AND BOUNDS TO BE TRUE AND CORRECT, AND TO BE THE REPRESENTATION AND RESULT OF AN ACTUAL SURVEY DONE ON THE GROUND UNDER MY DIRECTION.

DATE PREPARED: AUGUST 17, 2018

  
ALFONSO QUINTANILLA  
REGISTERED PROFESSIONAL  
LAND SURVEYOR No. 4856





**PART TO BE ACQUIRED**

Highest and Best Use:

The highest and best use of the subject property is for single family residential use.

Contributory Value of Improvements		
Perimeter Fencing - Chain-link w/Barb Wire (211 LF x \$9.75/LF x 25% Depreciation)		\$ 1,543
<b>Total Contributory Value of Improvements</b>		<b>\$ 1,543</b>
Land (Fee Simple)	7,920 SF @ \$ 1.25 / SF	\$ 9,900
Total Land		\$ 9,900
<b>TOTAL AS A UNIT</b>		<b>\$ 11,443</b>

**REMAINDER BEFORE THE ACQUISITION**

Contributory Value of Improvements		
Single Family Residence (Stated Value As Per HCAD)		\$ 155,781
Secondary Residence (Stated Value As Per HCAD)		\$ 11,991
Driveway (1,168 SF x \$6.50/SF x 15% Depreciation)		\$ 6,453
Cedar Fence (200 LF x \$17.50/LF x 25% Depreciation)		\$ 2,625
<b>Total Contributory Value of Improvements</b>		<b>\$ 176,850</b>
Land	23,163 SF @ \$ 1.25 / SF	\$ 28,954
Total Land		\$ 28,954
<b>TOTAL AS A UNIT</b>		<b>\$ 205,804</b>

**PROPERTY VALUATION SUMMARY**

Whole:  Part to be Acquired:  Remainder After:

**HIGHEST AND BEST USE ANALYSIS:**

The subject property is analyzed to determine if the acquisition area affects the highest and best use of the subject property in the remainder after. Based on the land area remaining, the highest and best use shall continue to be for single family residential purposes. The overall site and functionality of the remainder will not be damaged due to the way the property is being acquired. No diminution to market value is assessed.

**Valuation Approaches**

Cost Approach \$216,227  
 Sales Comparison Approach (Land Only) \$39,377  
 Income Approach \$

**Reconciliation of Approach to Value:**

Each approach to market value was considered for the determination of market value for the remainder after. The income approach and the sales comparison approach "as improved" are not applicable. The cost approach is the only applicable approach to determine the market value of the remainder of the subject property. No diminution to market value is assessed; however, an enhancement is indicated. The enhancement is due to the loss of the plat restriction for the detention pond and the decrease in land area causing an increase in the unit value.

Contributory Value of Improvements	
Single Family Residence (Stated Value As Per HCAD)	\$ 155,781
Secondary Residence (Stated Value As Per HCAD)	\$ 11,991
Driveway (1,168 SF x \$6.50/SF x 15% Depreciation)	\$ 6,453
Cedar Fence (200 LF x \$17.50/LF x 25% Depreciation)	\$ 2,625
<b>Total Contributory Value of Improvements</b>	<b>\$ 176,850</b>

Land Value 23,163 SF @ \$ 1.70 / SF \$ 39,377  
 Total Land Value \$ 39,377

**Reconciled Final Value** \$ 216,227

**Remainder After The Acquisition**

The subject in the remainder after will remain for single family residential use. The remainder land area will be 23,163 square feet which is sufficient for the subject to remain for single family residential use. The subject septic system will not be affected by the proposed acquisition. The existing chain link fence will be affected by the acquisition, however, a cost to cure shall be applied to the total compensation to allow the property owner to rebuild a chain-link fence on the proposed property boundary. The subject will retain frontage along Caballate Street with no denial nor impairment of access in the remainder after. The remainder is the area outlined in red below.



**SALES COMPARISON APPROACH**

Whole:  Part to be Acquired:  Remainder After:   
 Land:  Improved:

**VALUATION GRID**

**REPRESENTATIVE COMPARABLE SALES**

Subject	Comp. No. 1	Comp. No. 2	Comp. No. 3
Grantor	Jose M. Gomez & Elizabeth S. Gomez	Graciela Gamez & Alberto Gamez	Javier Suarez
Grantee	Oscar Alberto Galvan & Melissa Rosales Galvan	Alberto Molina & Alicia E. Molina	Heriberto J. Arreola & Yolanda Arreola
Date	March 1, 2005	June 2, 2016	May 13, 2015
Sales Price	\$ 35,000	\$ 42,500	\$ 80,000
Unit Price	\$ 1.55 / SF	\$ 1.88 / SF	\$ 1.84 / SF
Conditions of Sale	Cash To Seller	Similar 0%	Similar 0%
Market Conditions	Average	Similar 0%	Similar 0%
Market Conditions Adjusted Unit Price	\$ 1.55 / SF	\$ 1.88 / SF	\$ 1.84 / SF
Relative Location	Average	Similar 0%	Superior -10%
Site Utility	Interior	Corner 0%	Similar 0%
Physical Characteristics	Average	Similar 0%	Similar 0%
Available Utilities	Water / Septic	Similar 0%	Similar 0%
Frontage	Caballate Street	Spades Avenue 0%	Keralum Drive 0%
Size Adjustment	23,163 SF	22,577 0%	22,608 0%
	Net Adjustment	\$ - 0%	\$ (0.19) -10%
	Indicated Unit Value	\$ 1.55 / SF	\$ 1.69 / SF
<b>Estimated Unit Value of Fee Simple Area</b>			<b>\$ 1.70 / SF</b>

**Estimated Value by Sales Comparison Approach** \$ 39,377  
 -----  
**Diminution of Market Value** 0%  
 -----  
**Market Value Remainder After** \$ 39,377  
 -----

**Explanation of Adjustments with Reconciliation:**

The comparable sales are reviewed for items recognized by the market that affect market value. These include but not limited to the conditions of the sale, market conditions, location, physical characteristics, utilities available, size and other factors. Each of these factors may require adjustments for any differences found in comparison to the subject property. This is based on a direct sales analysis approach to value. After adjustments were made to each sale, an adjusted unit range of value of \$1.55 per square foot to \$1.84 per square foot was determined. A unit rate of \$1.70 per square foot was selected for the valuation of the subject remainder land value. This unit rate shall be applied to the remainder before and after. No diminution of market value has been determined as the acquisition area does not affect the overall highest and best use, site utility nor functional utility of the property.

**COST APPROACH**

Whole:

Part to be Acquired:

Remainder After:

ESTIMATED REPLACEMENT / REPRODUCTION COST					
IMPROVEMENT	Number of Units	\$ Per Unit	Cost New	Depreciation	Value
Single Family Residence (Stated Value As Per HCAD)					\$ 155,781
Secondary Residence (Stated Value As Per HCAD)					\$ 11,991
<b>Contributory Value of the Buildings</b>					<b>\$ 167,772</b>
<b>Accessory Improvements</b>					
<b>Contributory Value of the Accessory Improvements</b>					<b>\$ -</b>
<b>Site Improvements</b>					
Driveway	1168	\$ 6.50	\$ 7,592	15%	\$ 6,453
Cedar Fence	200	\$ 17.50	\$ 3,500	25%	\$ 2,625
<b>Contributory Value of the Site Improvements</b>					<b>\$ 9,078</b>
<b>Contributory Value of All Improvements</b>					<b>\$ 176,850</b>
	<b>Net Land Area</b>		<b>Price / Unit</b>		
Land Value (Fee)	23,163	SF @	\$ 1.70 / SF		\$ 39,377
<b>Estimated Value By Cost Approach</b>					<b>\$ 216,227</b>

**SALES COMPARISON APPROACH**

Whole:  Part to be Acquired:  Remainder After:   
 Land:  Improved:

**VALUATION GRID**

**REPRESENTATIVE COMPARABLE SALES**

Subject	Comp. Sale No. 1		Comp. Sale No. 2		Comp. Sale No. 3	
Grantor						
Grantee						
Date of Sale						
Unit Price	\$ - /SF	\$ - /SF	\$ - /SF	\$ - /SF	\$ - /SF	\$ - /SF
Relative Location	Average	0%	0%	0%	0%	0%
Lot Location	Corner	0%	0%	0%	0%	0%
Financing	Conventional	0%	0%	0%	0%	0%
Conditions of Sale	Cash to Seller	0%	0%	0%	0%	0%
Market Conditions	Average	0%	0%	0%	0%	0%
Physical Characteristics	Average	0%	0%	0%	0%	0%
Available Utilities	All Utilities	0%	0%	0%	0%	0%
Street Access	Public	0%	0%	0%	0%	0%
Size of Improvement	SF	SF	0%	SF	0%	SF
Net Adjustments		0%	0%	0%	0%	0%
Indicated Unit Value	\$ - /SF	\$ - /SF	\$ - /SF	\$ - /SF	\$ - /SF	\$ - /SF
Estimated Unit Value of Fee Simple Area					\$ - /SF	

Estimated Value by Sales Comparison Approach ..... **Not Applicable**

The sales comparison approach "as improved" is not applicable in the valuation of the remainder before and after the acquisition.

**INCOME APPROACH**

Whole:

Part to be Acquired:

Remainder After:

Potential Gross Income	.....			\$	-
Vacancy	%			\$	-
Effective Gross Income	.....			\$	-
Expenses				\$	-
Fixed: Taxes.....		\$	-	\$	-
Insurance.....		\$	-	\$	-
Variable: Management.....		\$	-	\$	-
Other		\$	-	\$	-
		\$	-	\$	-
		\$	-	\$	-
Total Expenses	.....			\$	-
Net Operating Income	.....			\$	-
Income Capitalized @		%	.....	\$	-
Plus: Value of Excess Land (If Any)			.....	\$	-
			.....	\$	-
Estimated Value By Income Approach			.....		Not Applicable

The income approach to value is not applicable in the valuation of the remainder before and after the acquisition.

**Damages / Enhancements**

No damages to the remainder were indicated due to the proposed acquisition; however, an enhancement was indicated. An enhancement may only be offset against any damages found to the remainder.

**Cost To Cure**

A cost to cure is calculated for the remainder after, as a portion of the site improvements located within the acquisition area must be replaced to maintain site utility and the existing use. Therefore, the cost to cure is based on the total cost of replacement of the improvement required, less the depreciated compensable amount calculated for the improvement within the part to be acquired, as shown below. Since the acquisition included more chain-link fencing than required in the remainder, the owner has been compensated sufficiently to replace the chain-link fence and therefore no additional compensation is required.

<b>Replacement / Cost To Cure Item</b>	<b>Units</b>	<b>\$ Per Unit</b>	<b>Replacement Cost New</b>	<b>Depreciated Market Value</b>	<b>Cost To Cure</b>
Perimeter Fencing - Chain Link w/Barb Wire	106	\$ 9.75	\$ 1,034	\$ 1,543	\$ -
<b>Total Cost To Cure</b>					<b>\$ -</b>

### COMPENSATION SUMMARY

#### WHOLE PROPERTY

The market value of the whole property is ..... \$ 217,247

#### PART TO BE ACQUIRED

Considered as severed land, the fee simple title to the part being acquired for highway purposes (less oil, gas and sulphur and subject to any existing easements, if any, which are not to be extinguished) ..... \$ 11,443

#### REMAINING PROPERTY

The value of the remainder immediately before the taking is ..... \$ 205,804

Considering the uses to which the part taken is to be subjected to the market value of the remainder immediately acquisition is ..... \$ 216,227

**NET DAMAGES OR ENHANCEMENTS (if any)** ..... \$ (10,423)

#### ACCESS

The lack of any access denial or the material impairment of direct access on or off the remaining property affects the market value of the remaining property in the sum of ..... \$ -

**COST TO CURE** ..... \$ -

**TOTAL COMPENSATION** ..... \$ 11,443

## **QUALIFICATIONS OF APPRAISERS**



## Leonel Garza Jr. & Associates

ADDRESS: 1419 Dove Avenue, McAllen, Texas 78504  
CONTACT 956-687-7295  
leonel3@garza-associates.com

### Company

Leonel Garza, Jr. & Associates, LLC provides a variety of real estate consulting services with primary focus on real estate appraisals and appraisal litigation support. The company specializes in General Commercial Real Estate, Estate Valuations, and Right-of-Way Easement Acquisition and Defense. In addition to the appraisal services, the company provides Real Property Tax Consulting Services. The purpose of this division is to support property tax owners in the verification of property tax assessment as promulgated by the Texas Property Tax Code.

### Property Tax Division

The property tax division of the firm conducts reviews of property tax assessments by various county appraisal districts to consult clients on their current tax liabilities. Reviews include attending informal and formal hearings on behalf of clients at local appraisal districts. With accounts throughout South Texas including the County of Cameron, Brooks, Hidalgo, Starr, Willacy, Webb and Nueces County. Clients include dealerships, movie theaters, concrete batch plants, convenience stores, national franchises, retail box centers, retail strip centers, warehouses, subdivisions, and many other commercial type properties and specialty type properties.

### Right-of-Way Division

The Right-of-Way Division of the firm conducts Real Estate Appraisals for various local and government agencies throughout South Texas. Leonel Garza III has undergone extensive training in this field of work. He specializes in acquisitions concerning diminution of market value and/or property bi-sections. ROW experience extends to various types of acquisitions including, but not limited to, expansion of existing roadways, development of new roadways, utility easements, transmission line easements, drainage or irrigation easements, damage assessment, cost to cure, relocation assistant research, budget analysis, condemnation hearing and trial support. Clients include the Texas Department of Transportation (TxDOT), Texas Attorney General Office Real Estate Division, Hidalgo County Drainage District No. 2, Hidalgo County Regional Mobility Authority (HCRMA), American Electric & Power (AEP), Hidalgo County Precinct No. 2, Hidalgo County Precinct No. 3, Hidalgo County Precinct No. 4 and United Irrigation District.

**Leonel Garza III**  
President of Leonel Garza, Jr. & Associates, LLC

**Texas A&M University, College Station, Texas**

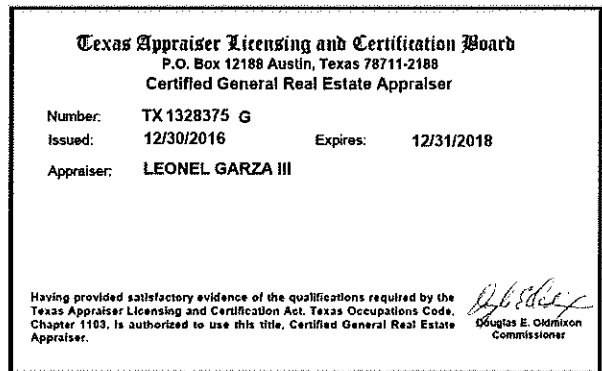
Bachelor of Science Degree, 1995  
Biomedical Science Major

**Texas Appraiser Licensing and Certification Board**

Certified General Real Estate Appraiser  
TX 1328375 G

**Texas Department of Licensing and Regulation**

State Certified Property Tax Consultant  
TX 00003181



**Professional Organizations & Public Service**

Appraisal Institute  
Associate Member

The Appraisal Institute is a global professional association of real estate appraisers, with nearly 20,000 professionals in almost 60 countries throughout the world. Its mission is to advance professionalism and ethics, global standards, methodologies, and practices through the professional development of property economics worldwide. ([www.appraisalinstitute.org](http://www.appraisalinstitute.org)).

National Association of Master Appraisers

Designated as a Master Senior Appraiser by the National Association of Master Appraisers. This designation is obtained through educational requirements and experience. ([www.naappraisers.org](http://www.naappraisers.org))

International Right of Way Association (IRWA)

Associate Member 7899430

The International Right of Way Association is a professional member organization comprised of global infrastructure real estate practitioners. IRWA has served professionals who acquire, manage and transfer the land rights needed for building and maintaining energy and transportation infrastructure. Recognized for their high ethical standards, commitment to integrity and professional excellence, IRWA's nearly 10,000 members hail from over 15 countries around the world. They are united by their profession and their commitment to pursuing training and professional development through courses, chapter meetings, seminars and the annual education conference. ([www.IRWA.com](http://www.IRWA.com))

Hidalgo County Subdivision Advisory Board

Chairman of the 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 General's 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 board's secondary function is to review applications for variances against the Flood Plain Administrators decisions of the base flood elevations throughout the County of Hidalgo. Appointed to the board since May 1999.

Hidalgo County Building Line of Adjustments  
Chairman of the Board

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. Appointed to the board since January 2005.

McAllen Planning and Zoning Board  
Former Member & Chairman

This board is charged with submitting reports, plans, and recommendations to the City Commission for the orderly growth, development, and welfare of the City. They review and make recommendations on zoning change requests, conditional use permits for longer than one year, and variances to Subdivision Ordinance requirements for development. Member of board from February 8, 2010 to January 28, 2016.

McAllen Traffic Commission Board  
Former Member & Vice Chairman

Makes recommendations to the City Commission to reduce and eliminate traffic congestion and flow throughout the City. Member of board from April 14, 2008 to June 24, 2014.

McAllen Zoning Board of Adjustments and Appeals  
Former Member & Chairman

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. Member of board from February 2002 to February 2008.

McAllen Ambulance Advisory Committee  
Former Member & Vice Chairman

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

McAllen Building Board of Adjustments and Appeals  
Former Member

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. Board member from January 28, 2002 to December 31, 2003.

ADDENDA

WARRANTY DEED

~~following information from this instrument before it is made for record in the public records. Your social security number or your driver's license number.~~

Date: **March 1, 2005**

Grantor: **JOSE M. GOMEZ and ELIZABETH S. GOMEZ**

Grantor's Mailing Address: **219 South Cage, Pharr, Hidalgo County, Texas 78577**  
(including county)

Grantee: **OSCAR ALBERTO GALVAN and MELISSA ROSALES GALVAN**

Grantee's Phone Number: **(956) 739-1124**

Grantee's Mailing Address: **1204 West View, San Juan, Hidalgo County, Texas 78589**  
(including county)

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 **Nine Thousand Five Hundred Fifty Dollars and No Cents (\$9,550.00)**, 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 **Robert Geissler, Trustee**.

Property (including any improvements):

**Lot Twelve (12), Los Mirasoles Subdivision No. 2, as shown by the map or plat thereof recorded in Volume 46, Page 53-55, Map Records, Hidalgo County, Texas**

Reservations from and Exceptions to Conveyance and Warranty:

1. A lien securing a promissory note (the "Prior Note"), dated January 14, 2004, payable to the order of Elsa State Bank and Trust Company 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 1297008. 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. Visible and apparent easements on or across the subject property;
3. Rights of parties in possession;
4. Easements, rights-of-way, and prescriptive rights, whether of record or not;
5. All recorded restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and other instruments, other than liens and conveyances, that affect the property;

9. All rights, obligations, and other matters pertaining to the establishment, maintenance, and operation of any Water Improvement District, Irrigation District, or other applicable governmental district, agency, or authority;
10. Taxes for the current year and subsequent years, and subsequent assessments for prior years due to change in land usage or ownership;
11. 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;
12. All Easements, restrictions, set back lines, drainage swale requirements, and other matters shown on the plat of Los Mirasoles Subdivision No. 2, as shown on the plat thereof, recorded in Volume 46, Pages 53-55, Map records of Hidalgo County, Texas; and
13. 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 therefrom.

**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.

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.

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

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.

Elizabeth S. Gomez  
**ELIZABETH S. GOMEZ, individually, and as  
agent and attorney in fact for JOSE M. GOMEZ**

(Acknowledgment)

State of Texas  
County of Hidalgo

This instrument was acknowledged before me on the 8th day of March, 2005, by **ELIZABETH S. GOMEZ, individually, and as agent and attorney in fact for JOSE M. GOMEZ.**

Marivel Cantu  
Notary Public, State of Texas



**AFTER RECORDING RETURN TO:**

Jose M. Gomez and Elizabeth S. Gomez  
219 South Cage  
Pharr, Texas 78577

Filed for Record in:  
Hidalgo County, III  
by  
J. D. Salinas,  
County Clerk

On: Mar 17, 2005 at 11:47A

As a Recording

Document Number: 14479653  
Total Fees : 18.00

Receipt Number - 660466  
By,  
Arma Maria Muniz, Deputy

