



**HIDALGO COUNTY DRAINAGE DISTRICT No. 1**

**RAUL E. SESIN, PE, CFM**

General Manager, Floodplain Administrator

---

**BOARD OF DIRECTORS**

---

DAVID L. FUENTES  
Board Member

EDUARDO "EDDIE" CANTU  
Board Member

RAMON GARCIA  
Chairman of the Board

JOE M. FLORES  
Board Member

JOSEPH PALACIOS  
Board Member

---

December 07, 2018

Hidalgo County  
Trenton Drain Ph III  
Parcel 3

CM: 7017 0530 0000 5619 7513

RE: Purchase of 0.18 Acre Tract of land out of Lot 15, Los Mirasoles Subdivision No. 2, Hidalgo County, Texas, as per map or plat thereof recorded in Volume 46, Page 53 Hidalgo County map records.

Luis Michael & Melissa Garcia  
3713 CABALLETE ST  
EDINBURG, TX 78542-3535

Dear Mr. & Mrs. Garcia:

Enclosed for your review and further processing are the following:

- Initial Offer Letter
- Acknowledgement of Receipt of Appraisal Report
- Metes and Bounds and Survey
- Appraisal Report prepared by: Leonel Garza III
- Land Owner Bill of Rights
- Brochures ("State Purchase of Right of Way")

Please return signed Acknowledgement of Receipt to our office at Hidalgo County Drainage District No. 1, 902 N. Doolittle Edinburg, Texas 78542.

If you have any questions, please contact me at (956) 292-7080.

Sincerely,

A handwritten signature in black ink, appearing to read "Eli Villegas", written over a circular scribble.

Eli Villegas, C.F.M.  
Hidalgo County Drainage District No. 1  
Right of Way & Utility Coordinator

Date: 12/07/2018  
Luis Michael & Melissa Garcia  
3713 CABALLETE ST  
EDINBURG, TX 78542-3535

Re: Trenton Drain Ph III  
Parcel 3

Dear Mr. and Mrs. Garcia,  
In acquiring property for the Drainage system of the County of Hidalgo (the "County") in conjunction with CDBG-Disaster Recovery Grant Funds follows a definite procedure for appraising the land needed and for handling personal negotiations with each owner. As has been or will be explained by the County's negotiator, Eli Villegas, a portion of your property, as described in the enclosed property description, is to be acquired for the construction of the Trenton Drain Ph III project.

We believe at this stage of the purchase process it is mutually beneficial to confirm that, based on an appraisal, the Hidalgo County Commissioners is authorized to offer you \$11,991.00 for your property. This amount is the total amount of just compensation for all interests in the portion of your property to be acquired, as determined in accordance with State law, less oil, gas and sulphur, subject to clear title being conveyed to the County. In accordance with State law, it is the policy of the County to negotiate with the fee owner(s) of the real property with the understanding that you will, in turn, negotiate with any lessee or other party who may own any interest in the land or improvements, with the exception of public utility easements, which will be handled separately by the County.

This offer to purchase includes the contributory values of the improvement(s) listed below, which are considered to be part of the real property. Since the improvement(s) must be removed, it is the policy of the County to permit owners who convey voluntarily to the County to thereafter retain the improvement(s) if they wish to do so. The retention values shown below are the estimated amounts the improvements(s) would bring if sold on public bids. If you wish to retain title to any of the following improvement(s) and remove it (them) from the right of way, the amount of the above offer must be reduced by the appropriate retention amount(s). This option to retain the improvement(s) does NOT apply should it become necessary for the County to acquire the real property by eminent domain.

<u>Land</u>			
Land	7,920 SF	@ \$1.25 / SF	\$9,900
Fencing -Chain Link w/ Barb wire		286 LF x \$9.75/LF x 25% Depreciation	\$2,091
<b>Grand Total</b>			<b>\$11,991.00</b>

If you wish to accept the offer based upon this appraisal, please contact Eli Villegas as soon as possible, at (956) 292-7080 Ext. 5826, so that the process of issuing your payment may be started. **If you are not willing to accept this offer, you may submit a written request for administrative settlement/counteroffer, setting forth a counteroffer amount and the basis for such amount, provided such settlement request is received in writing within 30 days from the date of this letter.** Please note that your opportunity to submit an administrative settlement shall be forfeited if such a settlement request is not received by the Department within the 30 day time deadline.

In the event the condition of the property changes for any reason, the County shall have the right to withdraw or modify this offer.

After the date of payment of the purchase price, or the date of deposit in court of funds to satisfy the award of compensation as determined through eminent domain proceedings to acquire real property, you will be reimbursed for any

fair and reasonable incidental expenses necessarily incurred in transferring title to the property for use by the County. Expenses eligible for reimbursement may include (1) recording fees, transfer taxes and similar expenses incidental to conveying the real property to the County and (2) penalty costs for prepayment of any preexisting recorded mortgage entered into in good faith encumbering the real property. Voluntary unnecessary expenses or expenses incurred in clearing questionable title will not be eligible for reimbursement. Eligible incidental expenses will be reimbursed upon submission of a claim supported by receipted bills or other evidence of actual expenses incurred. A written request may be filed for review if you believe that the County failed to properly determine the eligibility for, or the amount of, incidental expenses to be reimbursed. There is no standard form on which to request a review of a claim; however, the claim must be filed with this office within six months after you are notified of the District's determination on any claim for reimbursement.


You have the right to discuss with others any offer or agreement regarding the County's acquisition of the subject property, or you may (but are not required to) keep the offer or agreement confidential from others, subject to the provisions of Chapter 552, Government Code (the Public Records Act) as it may apply to the Department.

Attached is a copy of the Texas Department of Transportation brochure entitled "Right of Way Purchase", which we trust will give you a better understanding of the procedures followed by the County in purchasing property. We respectfully request the opportunity to meet with you, or to otherwise discuss and answer any questions you may have, regarding the details of the type of facility to be built, or concerning the County's offer or proposed purchase transaction. Also, please do not hesitate to contact Eli Villegas at the telephone number provided above regarding any question you may have.

Please see the enclosed copy of the Texas Landowner Bill of Rights.

Finally, we enclose copies of all appraisal reports relating to your property being acquired which were prepared in the ten (10) years preceding the date of this offer and produced or acquired by the County, including the appraisal on which this offer is based.

Sincerely,



---

Eli Villegas, C.F.M.  
Hidalgo County Drainage District No. 1  
Right of Way & Utility Coordinator

CC: Raul E. Sesin, P.E., C.F.M., HCDD No. 1 General Manager, Floodplain Administrator  
Jaime Salazar, HCDD No. 1 Operations Manager  
P.R. Avila II, Hidalgo County -- Urban County Program, Assistant Director

ENCLOSURES:  
Appraisal Report  
Landowner Bill of Rights  
Brochure ("Right of Way Purchase")  
Copy of Survey with Metes and Bounds

To: Hidalgo County  
Attn: Eli Villegas, C.F.M.  
HCCD No. 1 Right of Way & Utility Coordinator  
902 N. Dootlitttle  
Edinburg, Tx 78542

From: Michael Luis Garcia  
Melissa Garcia  
3713 CABALLETE ST  
EDINBURG, TX 78542-3535

Re: Acceptance of Offer – Parcel # 3  
Trenton Drain Ph III

Dear Sir:

\_\_\_\_\_ I accept the offer of \$ \_\_\_\_\_ and would like to begin the  
sale and closing process.

I do not accept the offer; the amount requested is \$ 13,991<sup>00</sup>.

Thank you,

Respectfully submitted,

Michael Garcia

January 4, 2019

Date

Melissa Garcia

January 4, 2019

Date