



## HIDALGO COUNTY ADMINISTRATIVE EVALUATION AND APPROVAL FORM

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ROW CSJ:0865-01-111

County: Hidalgo

Highway: Veterans Road Blvd

Project Limits: From Abram Road to La Homa Road

Parcel No.:63

Owner's Name: Lorenzo Solis & Hermelinda Solis

Approved Offer: \$36,020.00

Date Offer Sent: 6/10/2019

Owner's Counteroffer: \$43,300.00

Date Counteroffer Received: 07/16/2019

### Factors considered in evaluation:

1. Valuation Issues

- a.  Reconciliation of all available appraisals, including Owner's.
- b.  Other: Property owner feels improvements were not valued properly.

2. Legal Issues

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

3. Cost Savings

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

4. Timing Issues

- a.  Maintain project schedule: 8/2022  
Possession of this property is needed by: 09/2019  
Projected possession date, if settled is: 08/2019  
Projected possession date, if condemned is: 12/2019  
Letting date: 8/2022
- b.  Other: \_\_\_\_\_

5. Other Issues

\_\_\_\_\_

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

**Analysis and Conclusion:**

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

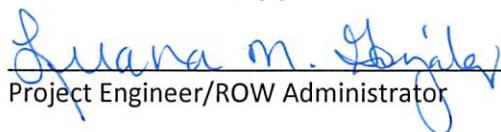
Being a 800 square foot or 0.0184 of an acre tract of land situated in the City of Palmview, Hidalgo County, Texas, out of a 1.50 acre tract of land, out of Lot 75, Bentsen Groves Subdivision, as recorded in Volume 7, Page 13, of the Map Records, Hidalgo County, Texas.

On June 10, 2019, Acquisition provider L & G Engineering, made an offer of \$36,020.00 to purchase the property to Solis Operations, LLC., c/o Lorenzo Solis and wife, Hermelinda Solis. After several contacts, the Solis's submitted their counter-offer of \$43,300.00 on July 16, 2019. Their land is presently improved with a business building and appurtenances serving as a restaurant (Taco Express). It will be necessary that they replace their business sign on their remainder and make space for the relocation of their five (5) parking spaces that are impacted by the ROW corner clip taking. The appraisal report allows for the compensation of only three (3) parking spaces but the aerial picture shown on Page 5.1 of the appraiser report clearly shows that there are five (5) parking spaces that will be affected. These anticipated expenses are correctly calculated and noted on the counter-offer letter. Furthermore, the Solis's also have concerns regarding the per square foot unit rate of the land and the need for additional damages to their remainder due to the loss of their land area for the relocation of the five (5) parking spaces. However, in an effort to proceed with these acquisitions, they are willing to accept \$43,300.00 for Parcel No. 63.

Based on the information provided within the counter-offer letter and discussions by the acquisition team, it is recommended that this Administrative Settlement be considered and approved. We believe that the proposed counter-offer amount is within a reasonable range.

This administrative settlement of \$ 43,000.00 is / is not recommended for approval as being reasonable, justified, prudent and in the public interest.

**RECOMMENDATION(S):**

  
Project Engineer/ROW Administrator

7/18/19  
Date

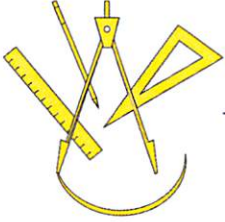
\_\_\_\_\_  
RPIC/Authorized Pct. Representative

\_\_\_\_\_  
Date

**COUNTY APPROVAL:**

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

\_\_\_\_\_  
Date



# L&G Engineering

Transportation Consultants

July 18, 2019

The Honorable Joe Flores  
Commissioner, Pct. 3  
c/o Norma Ceballos  
724 N. Breyfogle  
P.O. Box 607  
Mission, Texas 78574

RE: County: Hidalgo  
TxDOT CSJ No. 0865-01-111  
Veterans Boulevard: From Abram Road to La Homa Road  
Parcel No.: 63

Dear Mr. Flores:

Attached herewith is a counter-offer as submitted by Lorenzo Solis and wife Hermelinda Solis, owners of Parcel 63 on July 16, 2019. L & G Engineering has reviewed the aforementioned and hereby recommends that counteroffer be **approved**. Attached also is the N-9, Administrative Settlement Evaluation and Approval Form.

L & G Engineering believes the counteroffer is a valuation, legal and cost savings issue. More importantly due to recent court awards on similar projects and the cost to litigate through the Special Commissioners' Hearing we recommend that the counteroffer of **\$43,300.00** be accepted.

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

Sincerely,

  
Luana M. Gonzalez  
Right of Way Administrator

Attachments: As noted.  
cc: File

July 16, 2019

County: Hidalgo  
ROW CSJ: 0865-01-111  
Highway: Veterans Blvd.  
Parcel No.: 63

Dear Ms. Gonzalez:

In your offer letter, L & G Engineering is offering us (Solis Operations, LLC) \$36,020.00 for our Parcel No. 63. This amount is inclusive of valuation for land, improvements and damages (cost to cure) to our remaining property. After a thorough review of your offer letter and Mr. Leonel Garza's appraisal report, we have concluded that the value of our property is not acceptable. Our rejection is based on the following reasoning:

- The aerial picture shown on page 5.1 of the appraisal report clearly shows that there are five (5) parking spaces that will be impacted by the corner clip ROW taking. The appraiser allows compensation for only three (3) spaces and not five (5). An on the ground inspection and measurement of same also indicate the above. The calculations as to how we can be compensated accordingly are shown below.
  - Calculation derived from appraiser's information from pages 4.0 and 6.0.
  - Concrete pavement – Three (3) parking spaces 1680 sf divided by 3 = 560 sf per space - 560 sf x 3 spaces = 1,680 sf x \$6.50 = \$10,920.00
  - Need 2 additional parking spaces  
560sf x 2 spaces = 1,120 sf x \$6.50 psf = \$7,280.00
  - Land to be acquired:  
800 sf x \$4.50 psf = \$3,600.00
  - Five parking spaces:  
2,800sf x \$6.50 psf = \$18,200.00
  - On premise sign=\$20,000.00
  - Parking lot striping/re-striping = \$500.00
  - Landscaping: crape myrtle (2x500.00/tree) = \$1,000.00
- Total \$43,300.00**

After our consideration to the above noted calculations and information, our counteroffer for Parcel No. 63 is \$43,300.00. This amount should compensate us accordingly and is representative of our property's market value.

We have concerns regarding the per square foot unit rate value of the land and the need for additional damages to our land remainder due to the loss of our land area for the relocation of the five (5) parking spaces. However, in an effort to proceed with this acquisition negotiations, we request that our counteroffer of **\$43,300.00** be considered and approved.

Please contact us if additional information is necessary or if our counter-offer is approved.

Sincerely,



Solis Operations, LLC  
c/o Lorenzo Solis and wife, Hermelinda Solis