



**Hidalgo County
Planning
Department**

T.J. Arredondo, CFM
Director of Planning

Main Office

1304 S. 25th Street
Edinburg, Texas 78542
Phone (956) 318-2840
Fax (956) 318-2844

Engineering Projects Office

902 N. Doolittle Road
Edinburg, Texas 78542
Phone (956) 292-7080
Fax (956) 292-7089

Precinct No. 1 Substation

1902 Joe Stephens Ave.
Weslaco, Texas 78596
Phone (956) 968-4734
Fax (956) 973-7850

Precinct No. 3 Substation

2401 N. Moorefield Road
Mission, Texas 78572
Phone (956) 205-7045
Fax (956) 205-7049

PIPELINE AND UTILITY PERMIT APPLICATION PACKET

THE STATE OF TEXAS

COUNTY OF HIDALGO

PRECINCT 3

**APPLICATION AND AGREEMENT FOR PIPELINE OR
UTILITY PERMIT**

Date: July 24, 2019

Agua Special Utility District (hereinafter referred to as "Applicant") does hereby make application to the Hidalgo County through the Hidalgo County Planning Department (hereinafter referred to as "HCPD") to construct, maintain and repair pipelines or utilities across the easements, right-of-ways, property or property interest as described below.

Information required:

1. Name, Address and Phone number of Applicant:

Agua Special Utility District, Kristina Peña (Customer Service Rep.)
3120 North Abram Road, Palmview, Texas 78572. (956) 585-2459

2. Name, Address and Phone number of company or agency owning Pipeline or Utility (please indicate if same as Applicant):

Same as Applicant

3. Name, Address and Phone number of operator of Pipeline or Utility (please indicate if same as Applicant):

Same as Applicant

4. Name, Address and Phone number of contractor to install Pipeline or Utility:

Agua Special Utility District



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12. Utility Crossing Coordinate X: 1019964.04 Y: 16646260.18
(NAD 83 Texas South FIPS 4205 feet)
13. Number and size of lines:
One - 1" Service Connection w/ 2" PVC Casing from existing 8" WL
14. Pressure (each line):
+/-35 PSI (To Be Higher Upon Completion of Booster Station in Construction)
15. Content (each line):
Water
16. Estimated date of installation of Pipeline or Utility:
Upon approval by County Commissioners Court



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If requested permit is granted by HCPD, Applicant, in consideration thereof, agrees and binds itself as follows:

1. All pipelines or utilities herein will be horizontally placed within the right-of-way as determined by HCPD and at a minimum depth of five (5) feet below natural ground. Depth, horizontal, and vertical location shall be confirmed by HCPD Inspectors.
2. Location map, profile, and plans concerning the proposed pipeline or utility crossing will furnished with this application.
3. HCPD will be notified in writing ten days prior to the beginning date of construction under this permit.
4. Applicant will bear the entire expense of all future relocations of any pipelines or utilities should such relocation, at the sole discretion of the Hidalgo County Commissioners Court, be necessary for improvements, alteration, or maintenance of the Hidalgo County's easement or property of interest.
5. Applicant will notify the HCPD at least 48 hours prior to covering work and or completion of its work and removal of its equipment from the job site to permit HCPD to make an inspection.
6. Upon notification by the HCPD, the Applicant will promptly repair or rectify any deficiency or condition caused by the Applicant's operations or installations under this permit. Applicant will leave easement in as near the same condition or better, in the HCPD's sole judgment, as it existed prior to the commencement of the operations under this permit.
7. Hidalgo County shall not be liable or responsible for, and shall be saved and held harmless by Applicant, and further shall be indemnified by Applicant, from and against any and all suits, actions, losses, damages, claims, or liability of any character, type, or description, including all expenses of litigation, court costs, attorney's fees, and engineering fees for injury or death to any person, or injury to any property, received or sustained by any person or persons or property, arising out of, or occasioned by, directly or indirectly, the performance of Applicant under this agreement, including claims and damages arising in part from the negligence of the Hidalgo County.



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It is the expressed intent of the parties to this agreement that the indemnity provided for in this section is extended by Applicant to indemnify and protect Hidalgo County from the consequences of Hidalgo County's own negligence, whether that negligence is the sole or contributory cause of the resultant injury death, or damage.

Applicant further agrees to defend, at its own expense, with attorneys acceptable to Hidalgo County and on behalf of the Hidalgo County, and in the name of Hidalgo County, any claim or litigation brought against the Hidalgo County in connection with any such injury, death or damage.

Before construction is begun on such pipeline or utility crossings, Applicant will furnish to the HCPD a certificate of insurance (or other security approved by the HCPD) payable to Hidalgo County and protecting Hidalgo County (as an additional named insured) against any claims for personal injuries or damages to property resulting from the operations of Applicant, its agents, servants, employees, and contractors under this permit. Insurance is to be supplied in accordance with the attached Schedule A.

8. Hidalgo County makes no warranties, expressed or implied, in the granting of this permit; nor does Hidalgo County purport to grant any property interest or exclusive privileges whatsoever by granting such permit. It is specifically understood that Hidalgo County is not the agent for, nor does it act for, the fee owners or any persons or entities having any right, or title to possession of the land upon which the Hidalgo County's easement or other property interest is located. Furthermore, in granting this permit Hidalgo County makes no representation or warranty that it has any property interest, including, but not limited to, an easement or right of way, in the land

upon which Applicant constructs, maintains, repairs, or modifies the pipelines or utilities, made the subject of this application, nor does Hidalgo County make any representation or warranty as to the validity, quality or extent of such property interest, if any. Applicant acknowledges its understanding that Hidalgo County in granting this permit, does not convey or grant to Applicant any rights, title or interest for which is has no legal authority to grant or convey.

9. Applicant binds itself to comply with all federal, state, and local laws or regulations and will obtain all necessary permits from all local and federal agencies required by law before installation or construction is begun.



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10. Applicant will install its pipelines and utilities in a manner and location as shown in the plans and specifications filed with HCPD in support of this application for permit. Hidalgo County Planning Department's representative may at any time make such inspection as such engineer or other representation may deem necessary to assure that the construction of the pipeline or utilities is in accordance with the plans and specifications submitted, and said engineer or representative shall have the right to temporarily suspend Applicant's work if necessary, while such inspection is being made. Should Applicant not install the pipelines or utilities in accordance with the terms and conditions of this permit, Applicant agrees that the Hidalgo County shall have the right to require, at Applicant's expense, the removal of the pipelines and utilities and its replacement in conformance to said plans and specifications and conditions of this permit. Hidalgo County may revoke this permit and suspend all work hereunder if it is determined by Hidalgo County that the pipelines or utilities are not being installed in accordance with such plans and specifications and conditions of this permit. The suspension or revocation of this permit shall not be a basis for a claim for damages against Hidalgo County.

11. Except in emergency situations where it is necessary to protect life and property, Applicant will not make any change, modification, or alteration in or to the pipelines or utilities without first securing a new or amended permit from Hidalgo County prior to the making of any such change. Applicant will maintain the pipelines or utilities hereby authorized in good and safe condition, and in accordance with plans, specifications, and this permit.

12. Applicant agrees to pay HCPD a permit fee to cover administrative costs in the amount of **\$500.00**, plus a reimbursement to HCPD for any necessary engineering fees which may be incurred for the study and processing of the Application. This fee will permit a single pipeline or utility to be within County right-of-way. Applicant further agrees to pay an additional fee of **\$500.00** for each additional line included in permit application at the same location; however, more than one location may be included in a single application.

Requests to lay additional line or lines, not included in an initial permit application, must be made by separate application, with new permit fees paid accordingly and support data provided.



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Permit fees may be waived where Applicant is a state, county, municipality, or a special political subdivision.

13. The Applicant is allowed one hundred twenty days (120) from the granting of the permit to start construction of the pipelines or utilities crossings. Once started, the Applicant is allowed ninety (90) days to complete all work under such permit. All construction must be completed within two hundred ten (210) days from the date of issuance of permit. Upon application, extension of the time periods set forth in this paragraph may be granted by the Hidalgo County Commissioners Court. Such applications for extension must be received by HCPD at least thirty days before the expiration of the two hundred ten (210) days period. A new permit fee, in accordance with Paragraph 12 hereof, will be charged for each extension granted.

Construction of any pipeline or utility crossing will not begin until written approval has been given by HCPD.

14. All provisions of the Pipeline and Utility Permit Administration Policy of Hidalgo County, if any, and all amendments thereto, are hereby incorporated herein as part of the terms and conditions of this permit for all purposes.
15. Applicant warrants and represents that it has secured from all fee owners of the involved property an easement or other property rights to construct, repair or modify the pipeline or utility in the manner set forth herein.
16. This Pipeline and Utility Permit if granted by Hidalgo County is subject to any and all other requirements, specifications and conditions listed in Exhibit A attached hereto.
17. Hidalgo County requires all coordinates of all utility crossings. Horizontal datum to be in NAD 83 State Plane Texas South 4205 feet and vertical datum in NAVD 88 Geoid 12a.



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18. This permit constitutes the entire agreement between the parties with regard to the subject matter hereof, and all prior agreements, representations, and negotiations between the parties regarding the subject matter are hereby superseded. This permit shall not be altered or amended except by an agreement in writing executed by the parties hereto.

19. Applicant warrants and represents that its undersigned representative has full authority to bind Applicant to the terms and conditions of the foregoing Application and Agreement for Pipeline or Utility Permit.

DATED this 24th day of July, 2019.

Emigdio Salinas
(Name of Applicant – Printed or Typed)

By: [Signature]
Signature

Title: President

STATE OF TEXAS
COUNTY OF HIDALGO

SUBSCRIBED AND SWORN TO before me the Applicant, Emigdio Salinas, on this 24th day of July, 2019, to which witness my hand and seal of office.

[Signature]
Notary Public for the State of Texas

My Commission Expires: 4/22/22





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**APPROVAL OF APPLICATION BY
HIDALGO COUNTY PLANNING DEPARTMENT**

Came on for consideration this _____ day of _____,
20____. The above and foregoing Application for Pipeline and Utility
Permit, and after consideration of the same by the Hidalgo County
Commissioners Court, said Application and Agreement for Pipeline or
Utility Permit is hereby APPROVED.

HIDALGO COUNTY:

Richard F. Cortez, County Judge



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EXHIBIT A

(Please insert description of project location and supporting documents for proposed utility work)

**CERTIFICATE OF LIABILITY INSURANCE**

DATE (MM/DD/YYYY)

6/17/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER IAM Insurance Agency L.L.C. P.O. Box 657 Edinburg, Texas 78540	CONTACT NAME: Smiley Martinez
	PHONE (A/C, No, Ext): (956) 207-2789 FAX (A/C, No): () -- E-MAIL ADDRESS: iamins@sbcglobal.net
INSURED Agua Special Utility District P.O. Box 4379 Mission, TX 78573	INSURER(S) AFFORDING COVERAGE
	INSURER A: Texas Mutual Insurance Company
	INSURER B: NAS INSURANCE SERVICE
	INSURER C: Philadelphia Ins. Company
	INSURER D:
	INSURER E:
INSURER F:	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
C	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	1973998-673561	05/01/2019	05/01/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000
C	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input checked="" type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	1973998-673561	05/01/2019	05/01/2020	COMBINED SINGLE LIMIT (Ea accident) \$ 500,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
C	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	1973998-673561	05/01/2019	05/01/2020	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	N/A	0002014134	05/01/2019	05/01/2020	PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
C	Phys Damage-Covered Symbols	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	1973998-673561	05/01/2019	05/01/2020	ACV 1,000,102
B	02,08 Cyber Liability	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	WN174696-1	05/01/2019	05/01/2020	Retention Aggregate \$ 0,000/30,000 Security & Privacy Liability \$ 0,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER**CANCELLATION**

Hidalgo County 2818 S.Hwy 281 Edinburg, Texas 78539	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE Ismael A. Martinez

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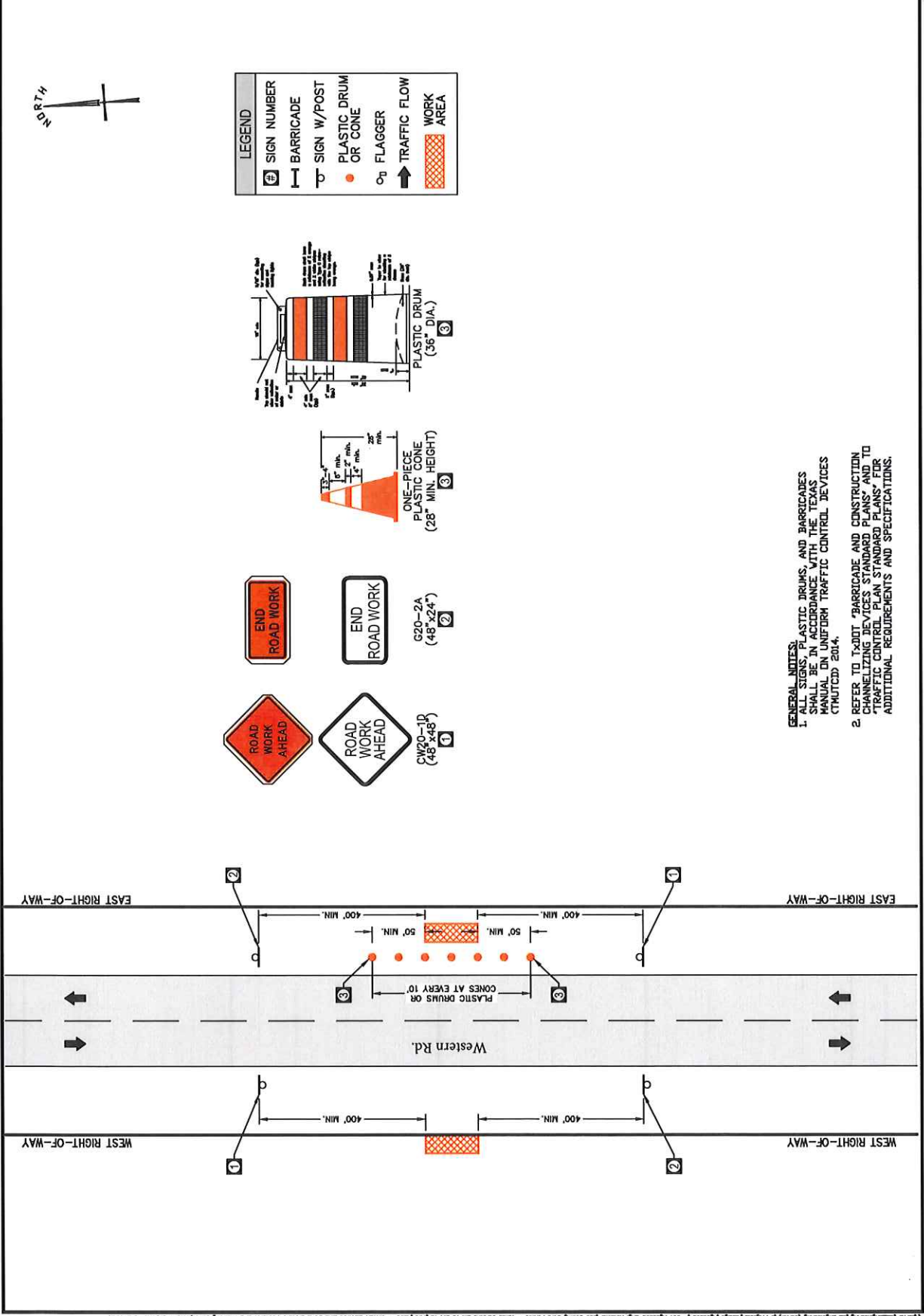
Engineering, PLLC
 M2
 956.227.5327
 P.O. BOX 5069
 McALLEN, TX 78502
 FIRM REGISTRATION # F-19545



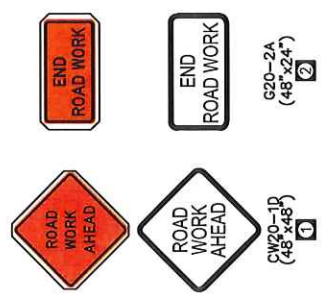
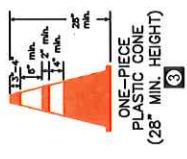
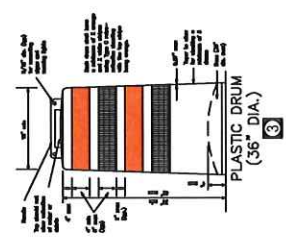
AGUA SPECIAL UTILITY DISTRICT
 LOT 18 BLK 18, TEXAN GARDENS SUBDIVISION
 HIDALGO COUNTY, TEXAS
 TRAFFIC CONTROL PLAN (TCP)

THIS DOCUMENT IS
 RELEASED FOR THE
 PURPOSE OF REVIEW
 ONLY. IT IS NOT TO BE
 USED FOR ANY OTHER
 PROJECT.
 DATE: 7/18/2019
 BY: [Signature]

SCALE: NOT TO SCALE
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 EXHIBIT "B"



- LEGEND**
- ① SIGN NUMBER
 - ② BARRICADE
 - ③ SIGN W/POST
 - PLASTIC DRUM OR CONE
 - FLAGGER
 - ↑ TRAFFIC FLOW
 - ▨ WORK AREA



GENERAL NOTES:

1. ALL SIGNS, PLASTIC DRUMS, AND BARRICADES SHALL BE IN ACCORDANCE WITH THE TEXAS MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) 2003.
2. REFER TO MUTCD "BARRICADE AND CONSTRUCTION CHANNELIZING DEVICES STANDARD PLANS" AND TO "TRAFFIC CONTROL PLAN STANDARD PLANS" FOR ADDITIONAL REQUIREMENTS AND SPECIFICATIONS.

GIFT DEED

Date: August 17, 2018

Grantors: Cruz Villarreal and wife, Gloria Villarreal

Grantors' Mailing Address:

7425 W Mile 8 Road
Mission, Texas 78574
Hidalgo County

Grantee: Brenda Lee Villarreal

Grantee's Mailing Address:

2418 Megan Drive
Mission, Texas 78574
Hidalgo County

Consideration:

For the love and affection provided to Grantors by the Grantee, our daughter.

Property (including any improvements):

A 1.50 acre tract of land being the south 90.00 feet of the east one-half of Lot 18, Block 18, Texan Gardens Subdivision, as recorded in Volume 8, Page 57, Map Records, Hidalgo County, Texas, also being the south 90.00 feet of that certain Tract 1 described in Partition Deed recorded in Volume 3043, Page 70, Deed Records, Hidalgo County, Texas, and being more fully described by metes and bounds as follows:

BEGINNING at a point on centerline of Western Road being the southeast corner of said Lot 18, Block 18, for the southeast corner of herein described tract.

THENCE N 81° 01' 00" W along the south line of said Lot 18, Block 18, pass at 30.00 feet a found pipe being the west Right-of-Way line of said Western Road and continuing for a total distance of 726.00 feet to a found one-half inch iron rod being the southeast corner of that certain Tract 2 described in Warranty Deed with Vendor's Lien recorded in Volume 3253, Page 170, Map Records, Hidalgo County, Texas, for the southwest corner of herein described tract.

THENCE N 08° 59' 00" E 90.00 feet along the east line of said Tract 2 described in Warranty Deed with Vendor's Lien recorded in Volume 3253, Page 170, Map Records, Hidalgo County,

Texas, being parallel to the east line of said Lot 18, Block 18, to a set one-half inch iron rod with a cap labeled "RPLS 4204" for the northwest corner of herein described tract.

THENCE S 81 ° 01' 00" E parallel to the north line of said Lot 18, Block 18, pass at 696.00 feet a set one-half inch iron rod with a cap labeled "RPLS 4204" being the west Right-of-Way line of said Western Road and continuing for a total distance of 726.00 feet to a point on the centerline of said Western Road also being the east line of said Lot 18, Block 18, for the northeast corner of herein described tract.

THENCE S 08° 59' 00" W 90.00 feet along said centerline of Western Road also being the east line of said Lot 18, Block 18, to the point of beginning and containing 1.50 acres of land, more or less.

Reservations from and Exceptions to Conveyance and Warranty:

1. Present restrictions, if any, existing against said property;
2. Existing Building and Zoning Ordinances; if any;
3. Prior reservations of the oil, gas and other minerals, on, in, under or that may be produced from the subject property;
4. Any and all oil, gas and mineral leases of record;
5. All easements of record and visible easements;
6. Easements for roadways as shown on the map or above described subdivision,

Grantors give and convey, with full intention, the following described property unto Grantee as a gift. Grantors retain no reversionary rights or interest in and to the Property. Grantors give, grant and convey unto Grantee all of Grantors' title, right and interest in and to the Property.

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

NO TITLE EXAMINATION WAS REQUIRED IN CONNECTION WITH THE PREPARATION OF THE DOCUMENTATION CONCERNING THE PURCHASE OF THE ABOVE DESCRIBED PROPERTY, NOR WAS ANY MADE. THE PREPARER EXPRESSES NO OPINION AS TO THE TITLE OF THE PROPERTY, NOR AS TO ANY TAXES DUE ON THE PROPERTY


CRUZ VILLARREAL, GRANTOR


GLORIA VILLARREAL, GRANTOR

STATE OF TEXAS)
)
COUNTY OF HIDALGO)

This instrument was acknowledged before me on the 17th day of August 2018 by CRUZ VILLARREAL.





Notary Public, State of Texas

STATE OF TEXAS)
)
COUNTY OF HIDALGO)

This instrument was acknowledged before me on the 17th day of August 2018 by GLORIA VILLARREAL.



Notary Public, State of Texas



Prepared By:
Timothy A. Davis
DAVIS LAW, P.C.
1302 N. 10th Street, Suite 140
McAllen, Texas 78501
As scrivener only, without title search