



**Hidalgo County  
Planning  
Department**

**T.J. Arredondo, CFM**  
*Director of Planning*

**Main Office**  
1304 S. 25<sup>th</sup> Street  
Edinburg, Texas 78542  
Phone (956) 318-2840  
Fax (956) 318-2844

**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** 4

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

Date: 6/24/20

Spectrum 1505799 WE75 (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:

Spectrum. 1514 South 77 Sunshine strip suite 1  
Harlingen, Texas .....Robert Martinez 956-535-3264

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

Spectrum, 1514 South 77 Sunshine strip suite 1  
Harlingen, Texas 78550....Robert Martinez 956-535-3264

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

Spectrum, 1514 S 77 Sunshine Strip suite 1  
Harlingen, Texas 78550....Robert Martinez 956-535-3264

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

Dcomm Inc. 1810 East Sugar Cane Weslaco Texas, 78596  
Andrew Garza .....956-929-8965



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12. Utility Crossing Coordinate X: 26.345782 Y: -98.054736  
(NAD 83 Texas South FIPS 4205 feet)
13. Number and size of lines:  
N/A
14. Pressure (each line):  
N/A
15. Content (each line):  
N/A
16. Estimated date of installation of Pipeline or Utility:  
As soon as permit is granted.



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5. Is this a common carrier pipeline or utility? If yes, please submit the Applicant's Texas Railroad Commission Form "T-4" or similar form designating the facility:

N/A

6. Does Applicant have the Power of Eminent Domain?

N/A

7. Will the product be carried for hire or by the owner of the goods?

N/A

8. Name and Legal description of property owner requesting utility services if applicable:

Evergreen Estates

2246 Uresti st. Edinburg, TX.

9. Type of utility work within county road right-of-way:

Bore Crossing     Line Extension Along R.O.W.     Other Pole aerial  
Power supply

10. Where is the origin of the line?

N/A

11. Where is the destination of the line?

N/A



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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 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 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 Hidalgo County, and in the name of Hidalgo County, any claim or litigation brought against 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 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 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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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 25 day of June, 2020

Robert Martinez  
(Name of Applicant – Printed or Typed)

By: Robert Martinez  
Signature

Title: Construction Coordinator

STATE OF TEXAS  
COUNTY OF HIDALGO

SUBSCRIBED AND SWORN TO before me the Applicant,  
Robert Martinez, on this 25 day of June, 2020  
to which witness my hand and seal of office.



Buniga  
Notary Public for the State of Texas

My Commission Expires: 8-24-22



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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)





GONZALES JUAN & MARIBEL  
2200 URESTI RD  
PROJ ID#469765  
LEGAL DESCRIPTION:  
LOT 7, BLK 20, 10,204-C  
GR 9,304C NET

DIARTE MARCO G  
ANZINO URESTI RD  
PROJ ID#469761  
LEGAL DESCRIPTION:  
EVERGREEN VALLEY  
ESTATES PH 2 LOT 17

GAZCA CELIA  
2200 URESTI RD  
PROJ ID#469762  
LEGAL DESCRIPTION:  
EVERGREEN VALLEY  
ESTATES PH 2 LOT 18

GUARARDO BRUNO JR  
& ISABEL CANTU  
2200 URESTI RD  
PROJ ID#469763  
LEGAL DESCRIPTION:  
EVERGREEN VALLEY  
ESTATES PH 2 LOT 164

GUTIERREZ JUAN JOSE  
2200 URESTI RD  
PROJ ID#469764  
LEGAL DESCRIPTION:  
EVERGREEN VALLEY  
ESTATES PH 2 LOT 165

CONVALZ MARCO T  
N URESTI RD  
PROJ ID#469760  
LEGAL DESCRIPTION:  
EVERGREEN VALLEY  
ESTATES PH 2 LOT 166

GALVAN RAMIRO E  
2200 URESTI RD  
PROJ ID#469765  
LEGAL DESCRIPTION:  
EVERGREEN VALLEY  
ESTATES PH 2 LOT 171

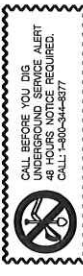
GALVAN GRACEIA G  
DAVIS RD  
PROJ ID#469770  
LEGAL DESCRIPTION:  
EVERGREEN VALLEY  
ESTATES PH 2 LOT 229

ACUNA JORGE & MARIA S  
2200 URESTI RD  
PROJ ID#469768  
LEGAL DESCRIPTION:  
EVERGREEN VALLEY  
ESTATES PH 2 LOT 230

GAZCA APOLONO & ISABEL CANTU  
2200 URESTI RD  
PROJ ID#469774  
LEGAL DESCRIPTION:  
EVERGREEN VALLEY  
ESTATES PH 2 LOT 231

NAMBODIR HARI KRISHNA S & MAYA  
2200 URESTI RD  
PROJ ID#469776  
LEGAL DESCRIPTION:  
EVERGREEN VALLEY  
ESTATES PH 2 LOT 232

CARRILLO LUISES & LISA MARIE GARCIA  
2200 URESTI RD  
PROJ ID#469772  
LEGAL DESCRIPTION:  
EVERGREEN VALLEY  
ESTATES PH 2 LOT 278



CALL BEFORE YOU DIG  
UNDERGROUND SERVICE ALERT  
IF YOU ARE NOT SURE OF THE LOCATION OF UTILITIES  
CALL 1-800-344-5477

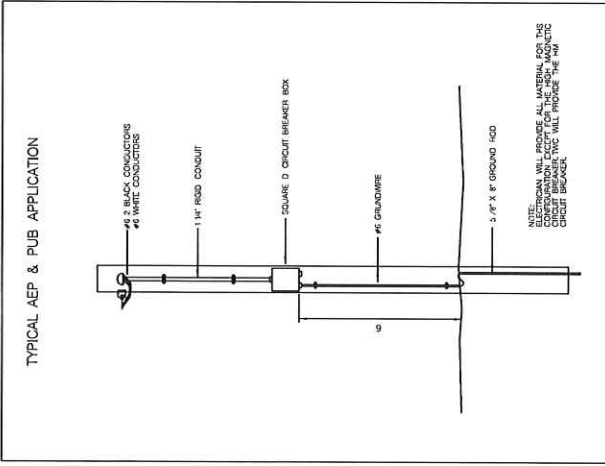
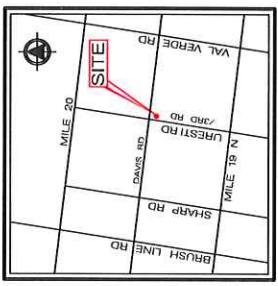
NOTE:  
NEW PROPOSED SPECTRUM POLE  
IS IN ALLEYS OFF SOUTH  
DAVIS RD ON THE EAST SIDE  
OF URESTI ST. 10' SOUTH OF EXISTING  
POWER POLE. 2' IN ROW & 33' FROM  
EOP AT ADDRESS 22426 URESTI RD.

EXISTING POWER POLE  
NEW PROPOSED SPECTRUM POLE



LAT: 26.3448919 - LONG: -88.0632996  
NEW PROPOSED SPECTRUM POLE  
2' IN ROW & 33' FROM EOP

NOTE:  
DEPTH OF EXISTING BURIED UTILITIES  
TO BE DETERMINED BY  
CONTRACTOR.



NOTE:  
THE INFORMATION AND GRAPHICS DEPICTED ON THIS SHEET HAVE BEEN PLOTTED FROM AVAILABLE RECORDS  
AND FIELD OBSERVATIONS BUT ARE NOT NECESSARILY EXACT. IT IS THE EXCAVATOR'S RESPONSIBILITY TO VERIFY  
AND FIELD LOCATE ALL UNDERGROUND OBSTRUCTIONS AND UTILITIES PRIOR TO EXCAVATION. COMPLETE REPAIR  
OF ANY AND ALL DAMAGES INCURRED SHALL BE AT THE EXPENSE OF THE EXCAVATOR.

PROJECT: EVERGREEN ESTATES - C  
 LOCATION: 22426 URESTI ST  
 SHEET: 06-24-20  
 DATE: 06-24-20  
 SCALE: 1" = 100'  
 DRAWN BY: WETS  
 CHECKED BY: WETS  
 CITY: EDINBURG, TX  
 PROJECT NO: 1 OF 1  
 APPROVED BY: FRED DAVALA



REVISIONS	COMMENTS

LEGEND	DESCRIPTION
W	WATER UTILITY
G	NATURAL GAS UTILITY
C	CABLE TV UTILITY
T	TELEPHONE UTILITY
E	ELECTRIC UTILITY
SS	SANITARY SEWER UTIL.
UG	UNDERGROUND
ROW	RIGHT OF WAY LINE
EOP	EDGE OF PAVEMENT
SW	EDGE OF SIDEWALK
DOWN GUY & ANCHOR	SIDEWALK GUY & ANC.
HAND-POLE	HAND-POLE
OVERLASH	OVERLASH
NEW BUILD	NEW BUILD



PREPARED BY: