

Law Office of Patrick Moore, PLLC
701 E. Expressway 83, Suite 330
McAllen, Texas 78501
Telephone: 956-971-9200 Fax: 956-971-9168

Patrick Moore, Attorney at Law

Patrick@MooreLawTexas.com

June 13, 2022

VIA CERTIFIED MAIL
NO. 7021-2720-0003-1590-1866
RETURN RECEIPT REQUESTED

Hidalgo County Judge
100 E. Cano, Second Floor
Edinburg, TX 78539
Attn: Mr. Richard Cortez

Re: Abandonment and Vacation of Hidalgo County's Interest in County Road

Dear Mr. Cortez:

I represent KVS Family Limited Partnership, a Texas limited partnership, ("KVS") in their effort to develop real property they own located in Hidalgo County Precinct 2. While conducting due diligence, KVS discovered evidence of a County Road identified on the plat of the Re-Subdivision of Lots 1, and 5 to 32 inclusive of the San Juan Plantation Subdivision. Said Plat is attached as Exhibit "B" to the enclosed Order.

I respectfully seek your guidance as we initiate the request for Hidalgo County (the "County") to abandon and vacate the Road. The Road was never constructed and has never been used by the County or the public. This property has been privately maintained and cultivated as productive farmland for the identifiable past, and there are no plans for the future use or construction of the Road. As such, this property and the abandonment thereof may fall under the procedures determined by Sections 251.057-58 of the Texas Transportation Code.

Enclosed please find the in connection with the matter referenced above, a proposed Order Closing, Abandoning and Vacating Road to the Extent of Hidalgo County's Interest.

Thank you for your time. Please feel free to contact me for any further questions or concerns.

Very truly yours,



Patrick Moore

PM

Enclosure

THE STATE OF TEXAS §

COUNTY OF HIDALGO §

**ORDER CLOSING, ABANDONING AND VACATING
ROAD TO THE EXTENT OF HIDALGO COUNTY'S INTEREST**

WHEREAS, the Commissioners Court of Hidalgo County, on the _____ day of _____ 2022, at a duly called and noticed meeting of the Hidalgo County Commissioners Court at which a quorum was present came to be heard facts and information concerning closing, abandoning and vacating a 40-foot County Road described in the attached Exhibit "A" (the "Road");

WHEREAS, the Road appears on the plat of the Re-Subdivision of Lots 1, and 5 through 32 inclusive of the San Juan Plantation Subdivision, an addition to Hidalgo County, Texas, recorded in Volume 3, Page 52 of the Map Records of Hidalgo County, Texas, attached hereto as Exhibit "B";

WHEREAS, the Road is identified in a survey attached hereto as Exhibit "C";

WHEREAS, the Commissioners Court has determined it has no purpose or use for the Road; that such Road was never used and is not currently in use; that there is no foreseeable need or use in the future for the Road;

WHEREAS, after a diligent search of the minutes of the Commissioners Court of Hidalgo County, Texas no evidence was found the Road was opened by Commissioners Court;

WHEREAS, no evidence was found that Hidalgo County ever maintained the Road;
and

WHEREAS, no evidence of any road or roadway is as of the date of this Order located on the ground at the location of the Road.

NOW THEREFORE, BE IT ORDERED, ADJUDGED AND DECREED that the Commissioners Court of Hidalgo County based on the facts presented, does hereby unanimously agree to the extent of its interest in and to the Road to abandon, close and vacate the Road as described in Exhibit "A", Exhibit "B" and Exhibit "C" respectively.

BE IT FURTHER ORDERED that, to the extent of Hidalgo County's interest in the Road, and in accordance with all applicable common law precedent, Hidalgo County's title, if any, in and to the Road that is closed, abandoned, and vacated to the center line of the Road, vests in KVS FAMILY LIMITED PARTNERSHIP, a Texas limited partnership, on the date this Order is signed by the County Judge. A copy of this Order shall be filed in the deed records of Hidalgo County and serves to the extent of Hidalgo County's interest in and to the Road as the official instrument of conveyance from Hidalgo County to KVS FAMILY LIMITED PARTNERSHIP.

WHEREUPON, Commissioner _____ moved for the adoption of said Order, said Motion being seconded _____ by Commissioner _____ and duly adopted by all members of the Court present voting "aye".

Richard Cortez, County Judge

ATTEST:

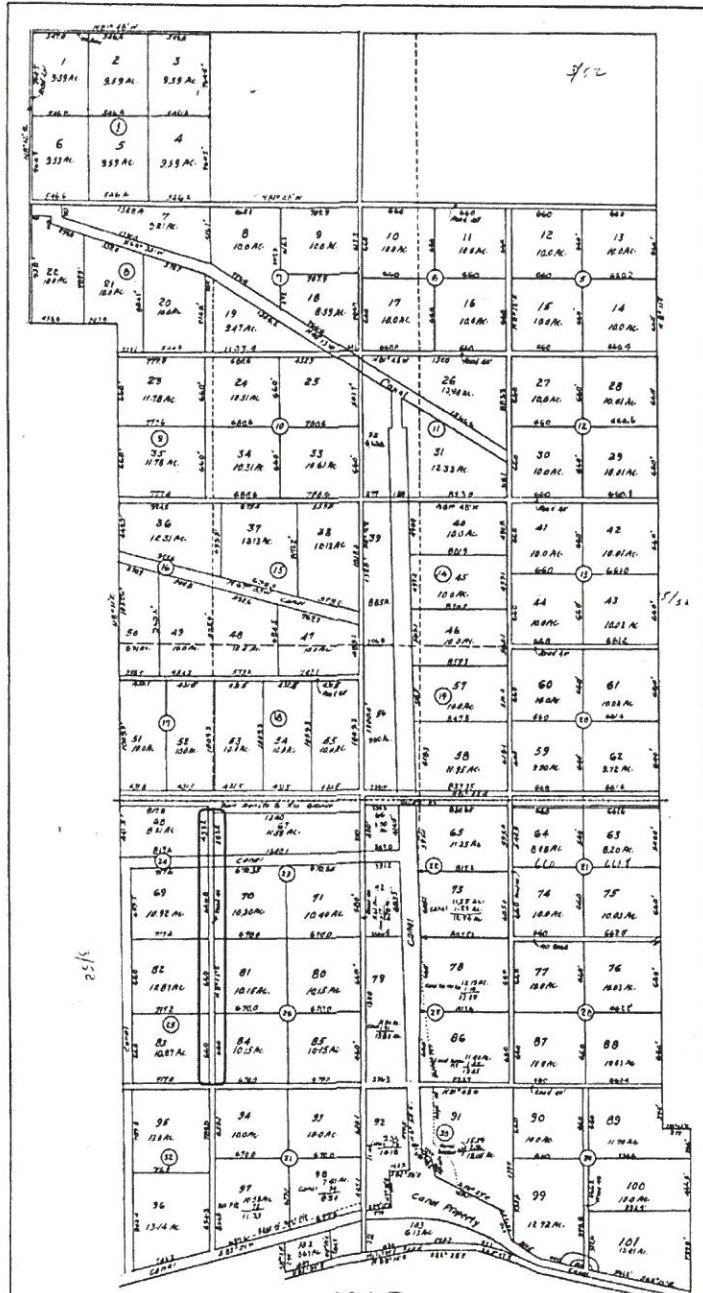
Arturo Guajardo, Jr., County Clerk

EXHIBIT "A"

40-FOOT WIDE ROAD ABANDONMENT

Part of the Re-Subdivision of Lots 1, and 5 to 32
Inclusive of the San Juan Plantation Subdivision
Porcion 71, Narciso Cabazos Survey, Abstract No. 30
Hidalgo County, Texas

BEING a portion of a 40-foot wide strip of land situated in Porcion 71, Narciso Cabazos Survey, Abstract No. 30, Hidalgo County, Texas as shown on plat of the Re-Subdivision of Lots 1, and 5 to 32 Inclusive of the San Juan Plantation Subdivision, an addition to Hidalgo County, Texas recorded in Volume 3, Page 52 of the Map Records of Hidalgo County, Texas; said strip of land being located along a centerline beginning at the intersection of the east line of Lot 95 and the west line of Lot 94 of said Subdivision and the south right-of-way line of U. S. Highway 281, a variable width right-of-way, and continuing in a southerly direction along the east lines of Lots 95 and 96 and the west lines of Lots 94 and 97 of said Subdivision to the north right-of-way line of State Highway 365, a variable width right-of-way.

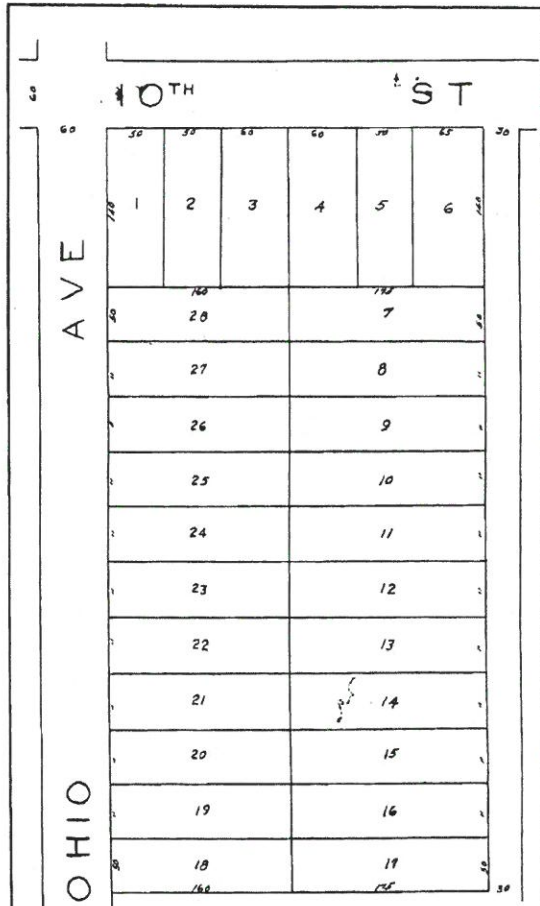


MAP
 SHOWING RE-SUBDIVISION OF
 LOTS 1, AND 5 TO 32 INCLUSIVE
 OF THE
 SAN JUAN PLANTATION SUBDIVISION
 OUT OF
 PORCIONES 71 & 72
 HIDALGO COUNTY TEXAS
 Scale 1" = 300'

I, E. M. Card, a Surveyor, do hereby certify that the foregoing map of re-subdivision of lots 1, and 5 to 32 inclusive of the San Juan Plantation is a true and correct Plat of said lands as surveyed and subdivided by me.
 E. M. Card
 Surveyor

Subscribed and sworn to before me this 1st day of November 1926.
 Notary Public in and for Hidalgo County Texas.

Recorded Nov. 18 1926
 AT 1:00 PM.



WRIGHT SUBDIVISION.
ACRE BLOCK 150.
MERCEDES, TEXAS.

SCALE 1"=50'. SEPT. 1926 F.H. WRIGHT, ENGR

STATE OF TEXAS
 COUNTY HIDALGO

I, Fred H. Wright, Civil Engineer,
 and Surveyor do hereby certify that the map
 foregoing is a full true and correct map of
 the above described tract as subdivided
 and platted by me.
 Witness my hand this 20 day of Sept. 1926
 Fred H. Wright, C.E.

STATE OF TEXAS
 COUNTY HIDALGO

Before me James Hense
 Notary Public in and for Hidalgo Co. Texas
 personally appeared Fred H. Wright known
 to me to be the person whose name is signed
 to the foregoing instrument, and acknowledged
 to me that he executed the same for the

purpose expressed
 James Hense
 Notary Public Hidalgo Co. Texas.
 Recorded Oct. 10 1926

FILED FOR RECORDED THIS DAY
 OCT 13 1926
 AT 4 PM O'Clock P.M.
 SAM E. WILLIAMS
 COUNTY CLERK HIDALGO COUNTY TEXAS
 BY JAMES O. DIMMICK, Deputy

