

L&G Engineering

June 22, 2023

Transportation Consultants

The Honorable Eduardo "Eddie" Cantu
Commissioner, Pct. 2
c/o Armando Garza Jr.
300 West Hall Acres
Pharr, Texas 78577

RE: County: Hidalgo
TxDOT CSJ No. 0921-02-412
Cesar Chavez Phase I: Business 83 to Ridge Road
Parcel No.: 14

Dear Commissioner Cantu:

Attached herewith is a counter-offer as submitted by Lilian Lopez, owner of Parcel 14 on June 22, 2023. 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 **\$4,500.00** 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,


Fernando "Fred" Herrera
Right of Way Administrator

Attachments: As noted.
cc: File

P2 ADMIN
2023 JUN 23 PM 4:42



HIDALGO COUNTY ADMINISTRATIVE EVALUATION AND APPROVAL FORM

ROW CSJ: 0921-02-412

County: Hidalgo

Highway: Cesar Chavez Rd

Project Limits: From Business 83 to Ridge Rd

Parcel No.: 14

Owner's Name: Lilian Lopez

Approved Offer: \$3,000.00

Date Offer Sent: 2/16/2023

Owner's Counteroffer: \$4,500.00

Date Counteroffer Received: 6/22/2023

Factors considered in evaluation:

1. Valuation Issues

- a. Reconciliation of all available appraisals, including Owner's.
- b. Other: Property owner believes that her improvements were undervalued.

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 \$20,000.00
- b. Approximate additional cost to litigate through jury trial \$40,000.00
- c. Other: _____

4. Timing Issues

- a. Maintain project schedule: Yes
Possession of this property is needed by: 07/2023
Projected possession date, if settled is: 07/2023
Projected possession date, if condemned is: 12/2023
Letting date: 6/2025
- 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 _____

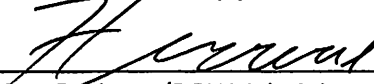
Analysis and Conclusion:

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

Parcel 14 is a partial acquisition containing 0.003 of an acre (113 sq. ft.) parcel of land situated in Hidalgo County, Texas and also being a part or portion of Lot 46, MI CASA SUBDIVISION. On February 16, 2023, Acquisition Provider, L & G Engineering, made an offer of \$3,000.00 to property owner, Lilian Lopez, via certified mail. On June 22, 2023 Ms. Lopez submitted a counter in the amount of \$4,500.00. In her counter offer she states that her property is being protected by a fence that is used for safety and barrier purposes. She feels this has played a major role in avoiding break-ins. She also mentioned since today's inflation is high, she is countering at that amount. Based on the information provided within the the counter offer and discussion by the acquisition team it is recommended that the Administrative Settlement be approved. The difference between the approved value versus the property owner's counter offer (difference of \$1,500.00) does not warrant the risk and added expenses associated with standard eminent domain proceedings. Accepting said counter offer will help avoid project time delays, and associated condemnation proceedings, thus resulting in a cost saving to the county.

This administrative settlement of \$ 4,500.00 is / is not recommended for approval as being reasonable, justified, prudent and in the public interest.

RECOMMENDATION(S):



Project Engineer/ROW Administrator

6/22/23

Date

RPIC/Authorized Pct. Representative

Date

COUNTY APPROVAL:

County Judge

Date

L & G Engineering

500 S Stewart Rd Suite 10

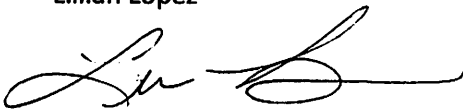
Mission, Tx 78572

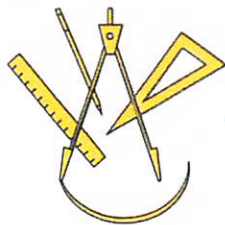
June 22, 2023

I have reviewed your offer in the amount of 3,000.00 proposed for Lot 46, Mi Casa Subdivision. After careful review I reject the offer of 3,000.00. I would like to counter offer tor 4,500.00. It is my understanding the chain link fence will be removed and I have placed that fence for my safety since I have had several break-ins however since installing the fence as a barrier, I have not had any break-ins. Another reason is in today's market and with today's inflation costs I feel I need to be compensated to replace my fence and feel secure. I would like the county to consider my offer to close on this land parcel.

Thank you,

Lillian Lopez

A handwritten signature in black ink, appearing to read 'Lillian Lopez', with a long horizontal flourish extending to the right.



L&G Engineering

Transportation Consultants

February 16, 2023

County: Hidalgo
CSJ: 0921-02-412
Highway: Cesar Chavez Section I
From: Business 83
To: Ridge Road
Parcel: 14

RE: Purchase of 0.003 of an acre (113 sf.) parcel of land situated in Hidalgo County, Texas, and also being a part or portion of Lot 46, MI CASA SUBDIVISION, according to the plat or map thereof recorded in Volume 25, page 138-A, of the Map Records of Hidalgo County.

Lilian Lopez
1614 E. 7th St.
San Juan, Texas 78589

Dear Ms. Lopez:

Enclosed for your review and further processing are the following:

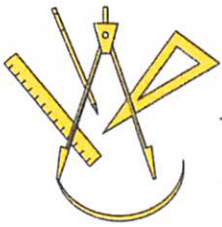
- Initial Offer Letter
- Metes and Bounds and Plat (proposed right of way to be acquired highlighted in yellow, located within appraisal report)
- Appraisal Report prepared by: Leonel Garza, III dated 12/15/2022
- Acknowledgement of Receipt of Appraisal Report
- Land Owner Bill of Rights
- Title Commitment
- Sample Deed
- Brochures ("State Purchase of Right of Way")

Please return the signed Acknowledgement of Receipt to our office at L&G Engineering, 900 S. Stewart Road, Suite 10, Mission, Texas 78572.

Should you have any questions or need additional information, please do not hesitate to contact me at (956) 585-1909.

Sincerely,

Fernando "Fred" Herrera, Jr.
Right of Way Administrator



L&G Engineering

Transportation Consultants

February 16, 2023

Via Certified Mail, Return Receipt Requested,
No. 7021 2720 0003 5005 2608

County: Hidalgo
Federal Project No.: N/A
Highway: Cesar Chavez Section I

ROW CSJ: 0921-02-412
Parcel ID: 14
From: Business 83
To: Ridge Road

Lilian Lopez
1614 E. 7th St.
San Juan, Texas 78589-4318

Dear Ms. Lopez:

In acquiring property for the highway system of Texas, the Texas Department of Transportation (the "Department") and Hidalgo County (the "County") 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, Robert "Bob" Garcia, a portion of your property located on Cesar Chavez Road, as described in the enclosed property description, is to be acquired for the construction or improvement of the above-referenced highway project.

We believe at this stage of the purchase process it is mutually beneficial to confirm that, based on an appraisal, the County is authorized to offer you \$3,000.00 for the Property, which includes \$3,000.00 for the Property to be purchased and \$0.00 for damages to your remaining property. This amount is the total amount of just compensation for all interests in the portion of the 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 Department/County to negotiate with the fee owner(s) of the 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 Department/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 Department/County to permit owners who convey voluntarily to the State to thereafter retain the improvement(s), if they wish to do so. The retention values shown below are estimated amounts the improvement(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 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>Improvement</u>	<u>Amount to be Subtracted if Retained</u>
A. Chain Link Fence	\$1.00
B. Pavement – Concrete	\$1.00
C. Landscaping – Oak Tree	\$1.00

If you wish to accept the offer based upon this appraisal, please contact Robert "Bob" Garcia, as soon as possible, at (956) 585-1909 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/County 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 the Property, you will be reimbursed for any fair and reasonable incidental expenses necessarily incurred in transferring title to the Property for use by the Texas Department of Transportation/Hidalgo 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. You may file a written request for review if you believe that the Department/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 Department's/County's determination on any claim for reimbursement.

You may be entitled to additional payments and services under the State's Relocation Assistance Program. It is emphasized, however, that any benefits that you may be entitled under this program will be handled entirely separate from and in addition to this transaction. You will receive a brochure entitled "*Relocation Assistance*", which will inform you of eligibility requirements, payments, and services that are available.

You have the right to discuss with others any offer or agreement regarding the Department's/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.


Please see the enclosed copy of the proposed instrument that will convey the Property and any improvement owned by you on the Property to the Department. Additionally, please see the enclosed copy of the Texas Landowner Bill of Rights.

Also enclosed 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 Department in purchasing property. We respectfully requests 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 Mr. Robert "Bob" Garcia at the telephone number provided above regarding any question you may have.

Please see the enclosed copy of the Texas Landowners 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 state/County, including the appraisal on which this offer is based.

Sincerely,



Right of Way Manager or other signatory

ENCLOSURES:
Appraisal Report(s)
Landowner Bill of Rights
"Right of Way Purchase" Brochure

REAL ESTATE APPRAISAL REPORT - TEXAS DEPARTMENT OF TRANSPORTATION

Address of Property: 1614 E 7th St, San Juan, Texas District: Pharr
 Property Owner: Lilian Lopez Parcel: 14
 Address of Property Owner: 1614 E 7th St, San Juan, Texas 78589 ROW CSJ: 0921-02-412
 Occupant's Name: Lilian Lopez Federal Project No: N/A
 Whole: Partial: Acquisition Highway: Cesar Chavez Road County: Hidalgo

Purpose of the Appraisal

The purpose of this appraisal is to estimate the market value of the fee simple title to the real property to be acquired, encumbered by any easements not to be extinguished, less oil, gas and Sulphur. If this acquisition is of less than the whole property, then any special benefits and /or damages to the remainder property must be included in accordance with the laws of Texas.

Market Value

Market value is defined as follows: "Market Value is the price which the property would bring when it is offered for sale by one who desires, but is not obliged to sell, and is bought by one who is under no necessity of buying it, taking into consideration all of the uses to which it is reasonably adaptable and for which it either is or in all reasonable probability will become available within the reasonable future."

Certificate of Appraiser

I hereby certify:

That it is my opinion the total compensation for the acquisition of the herein described property is \$3,000.00 as of October 3, 2022, based upon my independent appraisal and the exercise of my professional judgment;

That on October 3, 2022, I personally inspected in the field the property herein appraised; that I afforded Lilian Lopez, the property owner or the representative of the property owner, the opportunity to accompany me at the time of the inspection;

That the comparables relied upon in making said appraisal were as represented by the photographs contained in the appraisal report and were inspected on October 12, 2022;

That I have not revealed and will not reveal the findings and results of such appraisal to anyone other than the proper officials of L&G Engineering Transportation Consultants Inc., Hidalgo County Precinct No. 2 and or the Texas Department of Transportation, and/or their representatives, or officials of the Federal Highway Administration until authorized by State officials to do so, or until I am required to do so by due process of law, or until I am released from this obligation by having publicly testified to such findings;

That my compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.

The appraiser has considered access damages in accordance with Section 21.042(d) of the Texas Property Code, as amended by SB18 of the Texas 82nd Regular Legislative Session and finds as follows:

1. Is there a denial of direct access of the parcel? No
2. If so, is the denial of direct access material? Not Applicable
3. The lack of any access denial or the material impairment of direct access on or off the remaining property affects the market value of the remaining property in the sum of \$ 0.00

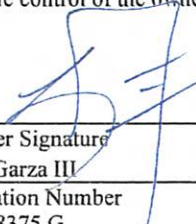
I certify to the best of my knowledge and belief:

That the statements of fact contained in this report are true and correct;

That the reported analysis, opinions and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analysis, opinions, and conclusions;

That I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved;

That my analysis, opinions and conclusions were developed, and this report has been prepared in conformity with the appropriate State laws, regulations, and policies and procedures applicable to the appraisal of right-of-way for such purposes, and that to the best of my knowledge no portion of the value assigned to such property consists of items which are non-compensable under the established law of said State, and any decrease or increase in the fair market value of subject real property prior to the date of valuation caused by the public improvement for which such property is to be acquired, or by the likelihood that the property would be acquired for such improvement, other than that due to the physical deterioration within the reasonable control of the owner, has been disregarded in estimating the compensation for the property.



 Appraiser Signature
 Leonel Garza III

 Certification Number
 TX-1328375 G

 Date: December 15, 2022

To the best of my knowledge, the value does not include any items which are not compensable under State law.	
Brian Cade <small>Digitally signed by Brian Cade DN: cn=Brian Cade, o=RGV Appraisal Services, ou, email=brian@rgvappraisals.com, c=US Date: 2022.12.19 16:22:45 -0600</small>	12/19/2022
Reviewing Appraiser	Date



County: Hidalgo
C.C.S.J.:0921-02-399
R.C.S.J.:0921-02-412
Highway: Cesar Chavez Road

January 27, 2021
Revised June 28, 2021
Parcel 14
Page 1 of 3

EXHIBIT "A"

Property Description
Parcel 14

DESCRIPTION of a 0.003 of an acre (113 square feet) parcel of land situated in Hidalgo County, Texas and also being a part or portion of Lot 46, MI CASA SUBDIVISION, according to the plat or map thereof recorded in Volume 25, Page 138-A, of the Map Records of Hidalgo County (M.R.H.C.), described in a deed dated July 22, 2008 from L.D.T. Land Co., Inc. to Lilian Lopez and recorded in document number 1927178, of the Official Records of Hidalgo County (O.R.H.C.), and said 0.003 of an acre parcel (113 square feet) being more particularly described by metes and bounds as follows:

Note: All bearings and coordinates are based on the State Plane Coordinate System of Texas, South Zone, North American Datum 1983 (1993 adjustment), English units. All distances and coordinates are surface and may be converted to grid by dividing by a combined scale factor of 1.000040;

COMMENCING at a 5/8 inch iron rod with cap stamped RPLS 4856 set on the south right of way line of 7th Street for the northwest corner of said Lot 46, thence as follows;

S 81° 25' 43" E, along the north line of said Lot 46 and the south right of way line of 7th Street, a distance of 40.00 feet to a 5/8 inch iron rod with cap stamped RPLS 4856 set on the proposed west right of way line of Cesar Chavez Road for the northwest corner and **POINT OF BEGINNING** of herein described parcel, having surface coordinates of N=16,593,157.87, E=1,103,837.21, 54.16 feet left to centerline station 162+62.40.

1. **THENCE**, S 81°25'43" E, along the north line of said Lot 46 and the south right of way line of 7th Street, a distance of 15.00 feet to a 1/2 inch iron pipe found on the existing west right of way line of Cesar Chavez Road for the northeast corner of said Lot 46 and the northeast corner of this parcel.

January 27, 2021
Revised June 28, 2021
Parcel 14
Page 2 of 3

2. **THENCE**, S 08°34'17" W, along the east line of said Lot 46 and the existing west right of way line of Cesar Chavez Road, a distance of 15.00 feet to a 5/8 inch iron rod with cap stamped RPLS 4856 set for the southeast corner of this parcel, 39.16 feet left to centerline station 162+47.40.

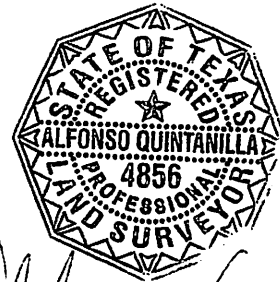
3. **THENCE**, N 36°25'43" W, along the proposed west right of way line of Cesar Chavez Road, a distance of 21.21 feet to the **POINT OF BEGINNING**, and containing 0.003 of an acre (113 square feet) of land, more or less.

Reference is made to the parcel plat of even date accompanying this metes and bounds description.

I do hereby certify that this metes and bounds description conforms to the current General Rules of Procedures and Practices as promulgated by the Texas Board of Professional Land Surveyors.

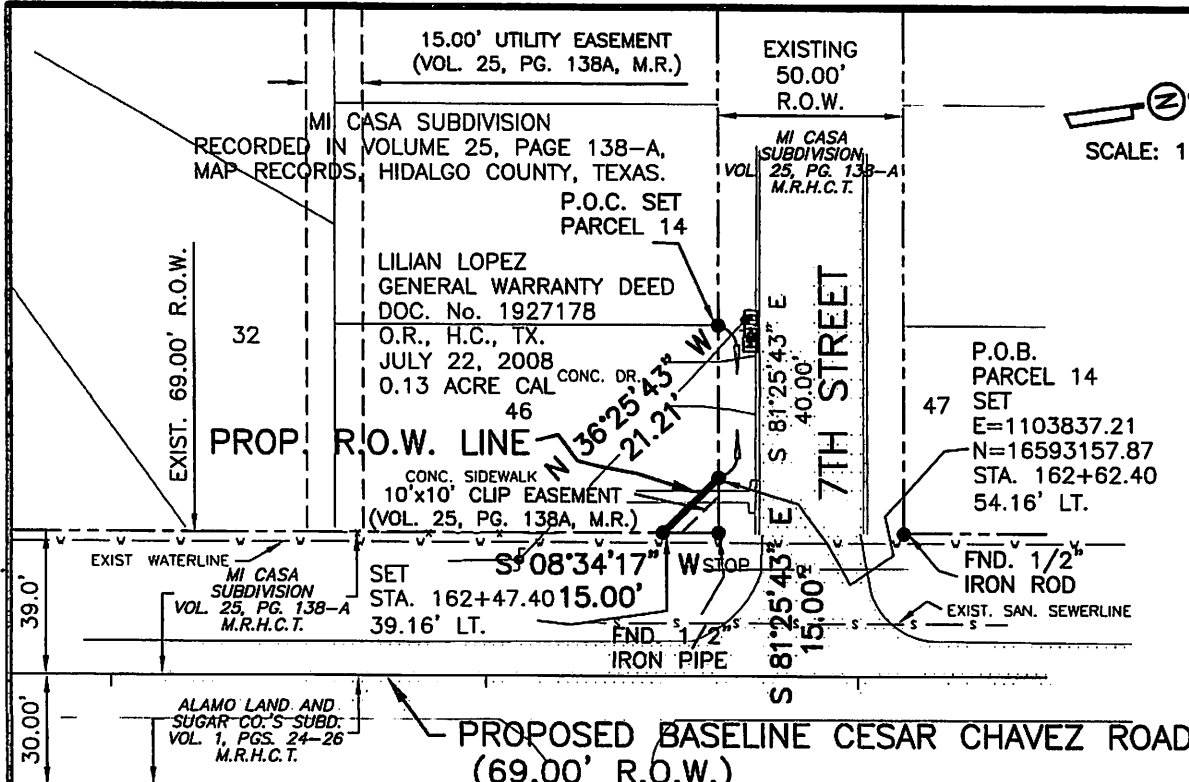
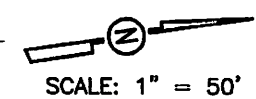
Alfonso Quintanilla, R.P.L.S. # 4856
Quintanilla, Headley and Associates, Inc.
124 E. Stubbs Street
Edinburg, Texas 78539
Phone (956) 381-6480

Date: January 27, 2021
Revised: June 28, 2021



A handwritten signature in black ink, appearing to read "Alfonso Quintanilla", written over a horizontal line.

RIGHT OF WAY SKETCH
SHOWING PROPERTY OF
LILIAN LOPEZ



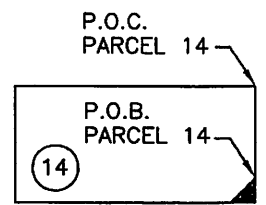
I, Alfonso Quintanilla, Registered Professional Land Surveyor No. 4856, in the State of Texas, do hereby certify that this plat delineates the results of a survey made on the ground under my supervision.

Reference is made to the metes and bounds description of even date accompanying this plat.

- NOTES:**
- ALL BEARINGS AND DISTANCES ARE BASED ON THE STATE PLANE COORDINATE SYSTEM NAD83. TEXAS SOUTH ZONE (4205)
 - SET: INDICATES A 5/8" IRON ROD WITH A PLASTIC CAP STAMPED RPLS 4856 SET, UNLESS OTHERWISE NOTED.

REVISED JUNE 28, 2021

STATE TEXAS	PLAT OF SURVEY CESAR CHAVEZ RD.	COUNTY HIDALGO
ACCOUNT	C.C.S.J. No. 0921-02-399 R.C.S.J. No. 0921-02-412	DATE OF SURVEY: JAN. 27, 2021
EXISTING 0.13 AC. (CAL)	TAKING 0.003 AC. 113 S.F.	REMAINING 0.127 AC.
PARCEL 14 PAGE 3 OF 3		
QUINTANILLA, HEADLEY AND ASSOCIATES, INC.		
CONSULTING ENGINEERS 124 E. STUBBS ST. EDINBURG, TEXAS 78539 ENGINEERING REGISTRATION NUMBER F-1513 SURVEYING REGISTRATION NUMBER 100411-00		LAND SURVEYORS PHONE 956-381-6480 FAX 956-381-0527 ALFONSOQ@QHA-ENG.COM



PARENT TRACT INSET (NOT TO SCALE)

EASEMENTS RESERVED IN GENERAL WARRANTY DEED FROM ALAMO LAND AND SUGAR COMPANY TO C. E. HAWKS, RECORDED IN VOLUME 90, PAGE 505, DEED RECORDS HIDALGO COUNTY, TEXAS. (APPLY-BLANKET)

RIGHT-OF-WAY EASEMENT GRANTED BY EMMA FRAD TO VALLEY ELECTRIC AND ICE COMPANY, RECORDED IN VOLUME 167, PAGE 280, DEED RECORDS OF HIDALGO COUNTY, TEXAS. (APPLY-BLANKET)

EASEMENTS, RIGHTS, RULES, AND REGULATIONS IN FAVOR OF HIDALGO COUNTY IRRIGATION DISTRICT No. 2 (APPLY-BLANKET)

- LEGEND**
- = GAS METER
 - = FIRE HYDRANT
 - = PALM TREE
 - = TREE
 - = GUY WIRE
 - = ELECT PED
 - = POWER POLE
 - = MAILBOX
 - = SIGN
 - = WATER METER
 - = SERVICE POLE
 - = TEL PED
 - = TEL MARKER
 - = GATEWELL/STANDPIPE
 - = IRR. VALVE
 - = GAS MARKER
 - = STREET LIGHT
 - = VENT PIPE
 - = LAMP POST
 - = IRR. CONTROL VALVE

TABULATION OF VALUES

Parcel: 14 Highway: Cesar Chavez Road ROW CSJ: 0921-02-412
 Taking Type: Partial District: Pharr
 Size of Remainder: None County: Hidalgo
 Type of Property: Residential Federal Project: N/A
 Contract Fencing: N/A
 Appraised by: Leonel Garza III
 Date Appraised: December 15, 2022

Access will be provided or denied to the new facility. If access will be partially provided or denied, explain in comments.

Agency	Participating Percentage	Expense Description
State of Texas	100.00%	ROW Aquisition Expenses

Interest Owner	Acquisition Interest	Land Area	Value	Lease (Y/N)
Lilian Lopez	Fee Simple	0.1326 of an acre/5,775 square feet	\$31,766.00	N

I. Appraised Values

Land Value	Improvement Value	Sign Value	Damages/Enhancements	Total Value
\$350.00	\$2,650.00	\$0.00	\$0.00	\$3,000.00

II. Improvements

Item No.	Improvement Type	Type Construction	Improvement Value	Retention Value	Bisection Category
A.	Fence	Chain Link	\$108.00	\$1.00	N/A
B.	Pavement	Concrete	\$42.00	\$1.00	N/A
C.	Landscaping	Oak Tree	\$2,500.00	\$1.00	N/A

Item No.	Improvement Type	Type Construction	Improvement Value	Retention Value	Bisection Category
		Total	\$2,650.00	\$3.00	

TABULATION OF VALUES (continued)

Parcel: 14

Highway: Cesar Chavez Road

ROW CSJ: 0921-02-412

III. Damages and Enhancements

Total Non-Exempt Damages	Enhancements	Exempt Damages	Net Damages
\$0.00	\$0.00	\$0.00	\$0.00

IV. Sign Values

Item No.	Sign Owner	Type Construction	Improvement Value	Retention Value	Bisect. Cat.
N/A	N/A	N/A	\$0.00	\$0.00	N/A
Total			\$0.00	\$0.00	

V. Recapitulation

Date:	12/15/2022	Recommended Value
Appraiser's Name:	Leonel Garza III	
Value of Whole Property	\$77,136.00	\$77,136.00
Parcel Area: 0.0026 ac.		
VALUE FOR PARCEL		
Land: per sf. \$5.50	\$347.00	\$347.00
Easement	\$3.00	\$3.00
Improvements	\$2,650.00	\$2,650.00
Net Damages or (Enhancements)	\$0.00	\$0.00
OAS Value(s)	\$0.00	\$0.00
TOTAL COMPENSATION	\$3,000.00	\$3,000.00

Calculations for Net Damages or (Enhancements) considers Direct Access Denial damages.

TABULATION OF VALUES (continued)

Parcel: 14

Highway: Cesar Chavez Road

ROW CSJ: 0921-02-412

VI. Comments and Conclusions on Values in the Appraisal Report

Appraiser: Leonel Garza III
Effective Date of Valuation: October 3, 2022
Report Dated: December 15, 2022
Review Appraiser: Brian Cade
Effective Date of Review: December 19, 2022
TxDOT Review Appraiser: N/A
Report Received at TxDOT:

Parcel 14 appears to be a parcel taking of 0.0026 of an acre (133) square feet parcel of land out of Lot 46, Mi Casa Subdivision, according to plat or map thereof recorded in Volume 25, Page 138-A, of the Map Records of Hidalgo County (M.R.H.C), described in a deed dated July 22, 2008 from L.D.T. Land Co., Inc. to Lilian Lopez and recorded in document number 1927178, of the Official Records of Hidalgo County, Texas.

This parcel is located on the south side of East 7th Street, west of Cesar Chavez Road, San Juan, Texas. The whole property containing a single family residence is owned by Lilian Lopez. The highest and best use is for its continued use as a single family residence.

Three (3) recent comparable sales are utilized to value the whole property at \$5.50 per sf. The part taken is properly valued as a pro-rata part of the whole property unit value. There are no market damages to the remainder land.

A breakdown of the total compensation is as follows: (63) square feet of net Land owned by Lilian Lopez to be \$347.00, (50) square feet of an easement to be \$3.00 and the improvements owned by Lilian Lopez are \$2,650.00 totaling \$3,000.00.

The appraiser has considered access damages in accordance with Section 21.042(d) of the Texas Property Code, as amended by SB18 of the Texas 82nd Regular Legislative Session. The result of the findings is that there is no denial of direct access nor material impairment of direct access on or off the remaining property that affects the market value of the remaining property. Therefore, there are no access damages to the remainder property.

The report prepared by the appraiser Leonel Garza III is an Appraisal Report presented on TxDOT form ROW A-5 and appears to comply with USPAP and the Texas Department of Transportation's Appraisal and Review Manual. The appraisers' opinion and conclusions appear to be well supported by information contained within this appraisal report. It is recommended that the total value of \$3,000.00 be approved for negotiations and acquisition.

VII. Justification and Explanation for Credit if Retained.

Retentions of \$1.00 are applied to each site improvement to encourage retention and removal.

TABULATION OF VALUES (continued)

Parcel: 14

Highway: Cesar Chavez Road

ROW CSJ: 0921-02-412

VIII. Conditions

Values for signs, if any, are applicable only if sign owner has compensable interest.
Fencing is applicable only to actual cost or lump sum fencing on 90-10 Right of Way projects and State cost participation in fences to be in accordance with State's Right of Way Manual.
The values indicated heron have been approved on the basis that all improvements within the taking will be acquired in the name of the State through negotiation.

IX. Reviewing Appraisers' Statements

Reviewing Appraiser's Statement

It is my opinion that the appraiser's report for this parcel appears adequately supported and in compliance with all appropriate appraisal standards, laws, and regulations, and I recommend this appraisal for use by the appropriate Agency Official and his/her assigns. I have no direct or indirect present or contemplated future personal interest in such property or in any benefit from the acquisition of the parcel. To the best of my knowledge, the value does not include any items that are not compensable under State law.

Brian Cade

Digitally signed by Brian Cade
DN: cn=Brian Cade, o=RGV Appraisal
Services, ou,
email=brian@rgvappraisals.com, c=US
Date: 2022.12.19 16:24:20 -06'00

12/19/2022

Reviewing Appraiser

Date

Contract Reviewing Appraiser (if applicable)

Date

Division Reviewing Appraiser (if applicable)

Date

X. Approval of Values

Ricardo F. Cuatrecasas

County/City Representative

1/17/23

Date

ROW Staff Representative

Date

APPROVED BY
COMMISSIONERS COURT
ON: 1/17/23 JS