

# L&G Engineering

Transportation Consultants

September 25, 2023

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.: 9

Dear Commissioner Cantu:

Attached herewith is a counter-offer as submitted by Alejandro & Brenda Santos, owners of Parcel 9 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 **\$24,217.00** 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



## HIDALGO COUNTY ADMINISTRATIVE EVALUATION AND APPROVAL FORM

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ROW CSJ: 0921-02-412

Highway: Cesar Chavez Rd

Parcel No.: 9

Owner's Name: Alejandro & Brenda Santos

Approved Offer: \$18,274.00

Owner's Counteroffer: \$24,217.00

County: Hidalgo

Project Limits: From Business 83 to Ridge Rd

Date Offer Sent: 5/2/2023

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: 10/2023  
Projected possession date, if settled is: 11/2023  
Projected possession date, if condemned is: 3/2024  
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 9 is a partial acquisition containing 0.064 of an acre (2,795 sq. ft.) parcel of land situated in Hidalgo County, Texas and also being a part or portion of a certain 1.0 acre tract, ALAMO LAND AND SUGAR COMPANY'S SUBDIVISION. On May 16, 2023, Acquisition Provider, L & G Engineering, made an offer of \$18,274.00 to property owners, Alejandro & Brenda Santos, via certified mail. On June 22, 2023 Property owners submitted a counter in the amount of \$24,217.00. In her counter offer property owners state that they feel their property and improvements nhave been undervalued. 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 properety owner's counter offer (difference of \$5,943.00) 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 \$ 24,217.00  is /  is not recommended for approval as being reasonable, justified, prudent and in the public interest.

**RECOMMENDATION(S):**

*H. Crownd*  
Project Engineer/ROW Administrator

9/25/2023  
Date

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

\_\_\_\_\_  
Date

**COUNTY APPROVAL:**

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

\_\_\_\_\_  
Date

June 21, 2023

**Re: Cesar Chavez Rd. Project**  
**Parcel No. 9**  
**Owners: Alejandro & Brenda Santos**

Dear L&G Engineers:

After a review of the appraisal report (specifically page 4.5) and our cost information of local land sales and improvements/landscaping; we offer the following costs and calculations that better indicate their present worth on today's real estate market (revised page 4.5):

The cost reflected on the attached page 4.5 of the report shows our basis as to how our counter offer of \$24,217.00 has been calculated and determined. These cost indicate as increase of \$5,943.00 over your offer of \$18,274.00.

Please note that our counteroffer does not include the amount of the cost-to-cure damages since no depreciation was applied to those specific improvements.

If our counteroffer is considered and approved, we are willing to finalize the acquisition of the ROW taking of Parcel No. 9.

Thank you for your consideration of this important matter.

Sincerely,

  
\_\_\_\_\_  
Alejandro Santos

  
\_\_\_\_\_  
Brenda Santos

**PART TO BE ACQUIRED**

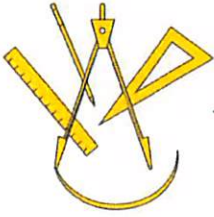
**Highest and Best Use**

The determination of the highest and best use of the part to be acquired is based on the parent / larger parcel defined as the whole property. Since the acquisition is a pro-rata part of the whole, the highest and best use of the acquisition area is based on its current assemblage with the whole property. Therefore, the highest and best use is considered to be for interim residential use.

Contributory Value of Improvements			
3-Tier Wood Fence (211 LF x <del>\$15.00</del> / LF @ <del>75%</del> Depreciation)	<del>17.00</del> <b>\$17.00</b>	\$	<del>791</del> <b>3,587.00</b>
Concrete Driveway (128 SF x \$7.00 / SF @ <del>75%</del> Depreciation)	<del>8.00</del> <b>\$8.00</b>	\$	<del>224</del> <b>1,024.00</b>
Ranch Tube Gate (2 x \$650 / Gate @ <del>75%</del> Depreciation)	<del>750.00</del> <b>\$750.00</b>	\$	<del>325</del> <b>1,500.00</b>
Silk Floss Tree (1 x \$1,000 / Tree)	<del>1,500.00</del> <b>\$1,500.00</b>	\$	<del>1,000</del> <b>1,500.00</b>
Shade Tree (1 x \$500 / Tree)	<del>750.00</del> <b>\$750.00</b>	\$	<del>500</del> <b>750.00</b>
Pine Tree (3 x \$650 / Tree)	<del>700.00</del> <b>\$700.00</b>	\$	<del>1,950</del> <b>2,100.00</b>
Japanese Yew (1 x \$850 / Tree)	<del>1,000.00</del> <b>\$1,000.00</b>	\$	<del>850</del> <b>1,000.00</b>
Small Palm Tree (3 x \$450 / Tree)	<del>500.00</del> <b>\$500.00</b>	\$	<del>1,350</del> <b>1,500.00</b>
Bouganvillea (2 x \$100 / Shrub)	<del>150.00</del> <b>\$150.00</b>	\$	<del>200</del> <b>300.00</b>
<b>Total Contributory Value of Improvements</b>			<del>7,190</del> <b>\$13,261.00</b>
Land	2,795 Square Feet @ \$ <del>3.00</del> / Square Foot	\$	<del>8,385</del> <b>10,956.00</b>
<b>Total Land</b>			<del>8,385</del> <b>10,956.00</b>
<b>TOTAL AS A UNIT</b>			<del>15,575</del> <b>\$24,217.00</b>

**REMAINDER BEFORE THE ACQUISITION**

Contributory Value of Improvements			
Single-Family Residence (Stated Value as per HCAD)		\$	<del>66,332</del>
Concrete Drive (422 SF x \$7.00 / SF @ 75% Depreciation)		\$	<del>739</del>
Vegetation		\$	<del>9,150</del>
<b>Total Contributory Value of Improvements</b>		\$	<del>76,221</del>
Land	<del>40,765</del> Square Foot @ \$ <del>3.00</del> / Square Foot	\$	<del>122,295</del>
<b>Total Land</b>		\$	<del>122,295</del>
<b>TOTAL AS A UNIT</b>		\$	<del>198,516</del>



# L&G Engineering

Transportation Consultants

May 2, 2023

County: Hidalgo  
CSJ: 0921-02-412  
Highway: Cesar Chavez Section I  
From: Business 83  
To: Ridge Road  
Parcel: 9

RE: Purchase of 0.064 acres (2,795 sf.) parcel of land situated in Hidalgo County, Texas, and also being a part or portion of a certain 1.0-acre tract out of the South 20.0 acres of Lot 1, Block 32, Alamo Land and Sugar Company's Subdivision, according to the plat or map thereof recorded in Volume 1, pages 24-26 of the Map Records of Hidalgo County.

Alejandro & Brenda Santos  
1435 Vida St.  
Alamo, Texas 78516

Dear Mr. & Mrs. Santos:

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 1/19/2023
- 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,

For Fernando Herrera,  
Right of Way Administrator



# L&G Engineering

Transportation Consultants

May 2, 2023

Via Certified Mail, Return Receipt Requested,  
No. **7022 2410 0002 7168 4297**

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

ROW CSJ: 0921-02-412  
Parcel ID: 9  
From: Business 83  
To: Ridge Road

Alejandro & Brenda Santos  
1435 Vida Street  
Alamo, Texas 78516

Dear Sir/Madam:

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 \$18,274.00 for the Property, which includes \$15,575.00 for the Property to be purchased and \$2,699.00 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. Fence – Wood	\$1.00
B. Driveway - Concrete	\$1.00
C. Gate – Ranch Tube	\$1.00
D. Landscaping – Tree	\$1.00
E. Landscaping – Tree	\$1.00
F. Landscaping – Tree	\$1.00
G. Landscaping – Tree	\$1.00
H. Landscaping – 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

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 9  
Page 1 of 3

EXHIBIT "A"

Property Description  
Parcel 9

DESCRIPTION of a 0.064 of an acre (2,795 square feet) parcel of land situated in Hidalgo County, Texas and also being a part or portion of a certain 1.0 acre tract out of South 20.0 acres of Lot 1, Block 32, ALAMO LAND AND SUGAR COMPANY'S SUBDIVISION, according to the plat or map thereof recorded in Volume 1, Pages 24-26, of the Map Records of Hidalgo County (M.R.H.C.), described in a deed dated January 1, 2003 from Jose F. Lopez and Maria L. Lopez, co-trustees of the Jose F. and Maria L. Lopez Living Trust UTD June 4, 1992 to J & M Family Ltd. and recorded in document number 1183113, of the Official Records of Hidalgo County (O.R.H.C.), and said 0.064 of an acre parcel (2,795 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 1/2 inch iron rod found with cap stamped RPLS 4856 on the south line of Lot 1 for the southeast corner of said 1.0 acre tract, thence as follows;

N 81° 25' 43" W, along the south line of Lot 1 and the south line of said 1.0 acre tract, a distance of 147.00 feet to a 5/8 inch iron rod with cap stamped RPLS 4856 set on the proposed east right of way line of Cesar Chavez Road for the southeast corner and **POINT OF BEGINNING** of herein described parcel, having surface coordinates of N=16,590,672.84, E=1,103,557.87, 40.00 feet right to centerline station 137+63.49.

1. **THENCE**, N 81°25'43" W, along the south line of Lot 1 and the south line of said 1.0 acre tract, a distance of 10.00 feet to a 1/2 inch iron rod with cap stamped CVQ found on the existing east right of way line of Cesar Chavez Road for the southwest corner of this parcel.

2. **THENCE**, N 08°34'17" E, along the existing east right of way line of Cesar Chavez Road, a distance of 234.52 feet to a point on the south right of way line of Vida Grande Street and on the north line of said 1.0 acre tract for the northwest corner of this parcel.

3. **THENCE**, S 81°25'43" E, along the south right of way line of Vida Grande Street and the north line of said 1.0 acre tract, a distance of 40.00 feet to a 5/8 inch iron rod with cap stamped RPLS 4856 set on the proposed east right of way line of Cesar Chavez Road for the northeast corner of this parcel, 70.00 feet right to centerline station 139+98.01.

4. **THENCE**, S 53°34'17" W, along the proposed east right of way line of Cesar Chavez Road, a distance of 42.43 feet to a 5/8 inch iron rod with cap stamped RPLS 4856 set for an interior corner of this parcel, 40.00 feet right to centerline station 139+68.01.

5. **THENCE**, S 08°34'17" W, along the proposed east right of way line of Cesar Chavez Road, a distance of 204.52 feet to the **POINT OF BEGINNING**, and containing 0.064 of an acre (2,795 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 blue ink, appearing to read "Alfonso Quintanilla", written over the seal.

# RIGHT OF WAY SKETCH

SHOWING PROPERTY OF  
J & M FAMILY LTD.



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.

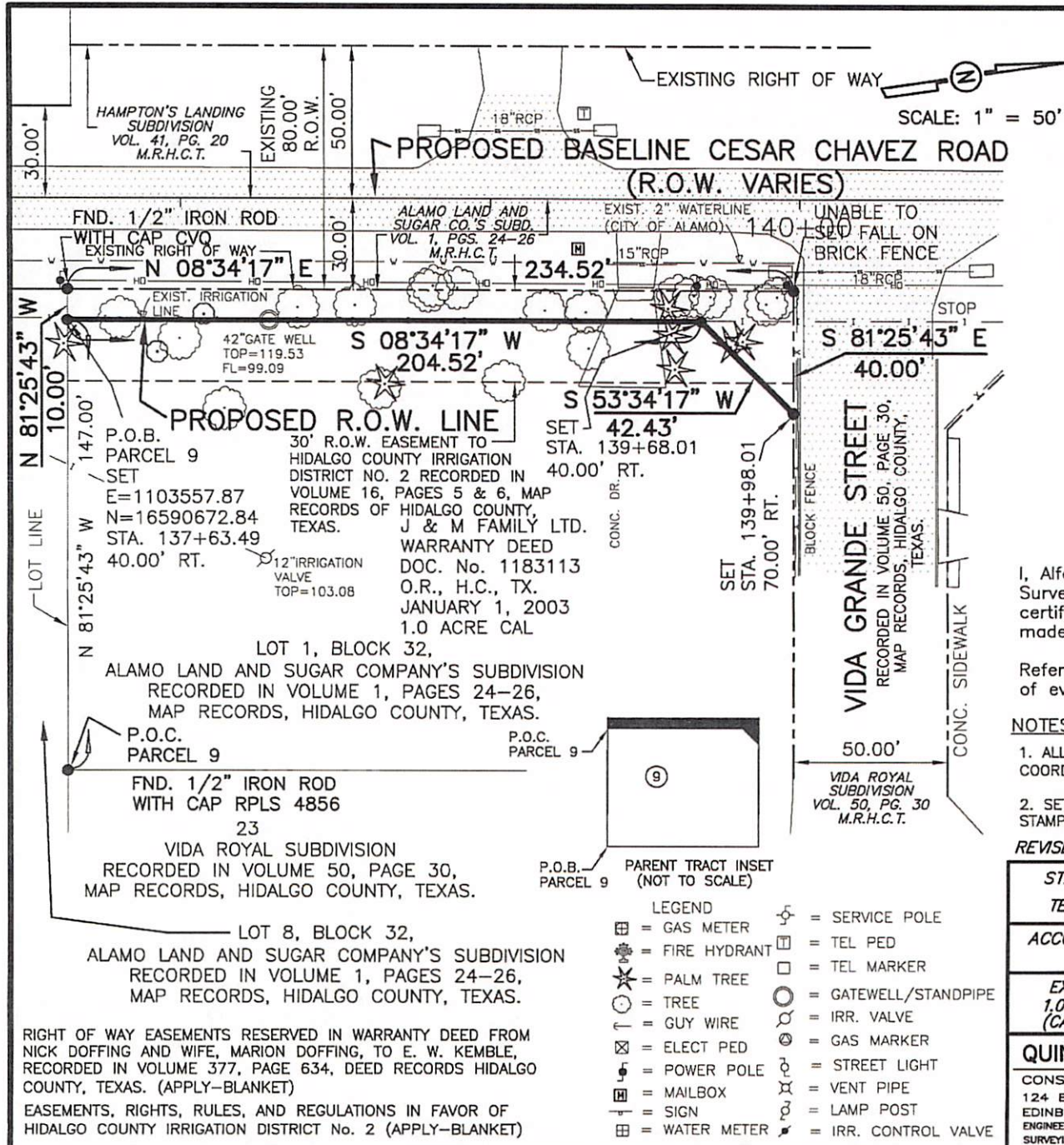
REVISED JUNE 28, 2021

STATE TEXAS	PLAT OF SURVEY <b>CESAR CHAVEZ RD.</b>	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 1.00 AC. (CALL)	TAKING 0.064 AC. 2795 S.F.	REMAINING 0.936 AC.
PARCEL 9 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  
ALFONSO@QHA-ENG.COM



SCALE: 1" = 50'



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.

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REVISED JUNE 28, 2021

STATE TEXAS	PLAT OF SURVEY <b>CESAR CHAVEZ RD.</b>	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
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PARCEL 9 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  
ALFONSO@QHA-ENG.COM

**REAL ESTATE APPRAISAL REPORT - TEXAS DEPARTMENT OF TRANSPORTATION**

Address of Property: 500 S Cesar Chavez Road, Alamo, Texas      District: Pharr  
 Property Owner: Alejandro Santos & Brenda Santos      Parcel: 9  
 Address of Property Owner: 1435 Vida Street, Alamo, Texas 78516      ROW CSJ: 0921-02-412  
 Occupant's Name: Alejandro Santos & Brenda Santos      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 \$18,274.00 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 Alejandro Santos & Brenda Santos, 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 82<sup>nd</sup> 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: January 19, 2023

To the best of my knowledge, the value does not include any items which are not compensable under State law.

Digitally signed by Brian Cade  
 DN: cn=Brian Cade, o=RGV Appraisal Services, ou,  
 email=brian@rgvappraisals.com, c=US  
 Date: 2023.01.19 15:20:15 -06'00'

**Brian Cade**      1/19/2023  
 Reviewing Appraiser      Date



### TABULATION OF VALUES

Parcel: 9 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: 1/19/2023

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)
Alejandro Santos & Brenda Santos	Fee Simple	0.0642 of an acre/2,795 square feet	\$8,385.00	N

#### I. Appraised Values

Land Value	Improvement Value	Sign Value	Damages/Enhancements	Total Value
\$8,385.00	\$7,190.00	\$0.00	\$2,699.00	\$18,274.00

#### II. Improvements

Item No.	Improvement Type	Type Construction	Improvement Value	Retention Value	Bisection Category
A.	Fence	Wood	\$791.00	\$1.00	N/A
B.	Driveway	Concrete	\$224.00	\$1.00	N/A
C.	Gate	Ranch Tube	\$325.00	\$1.00	N/A
D.	Landscaping	Tree	\$1,000.00	\$1.00	N/A
E.	Landscaping	Tree	\$500.00	\$1.00	N/A
F.	Landscaping	Tree	\$1,950.00	\$1.00	N/A
G.	Landscaping	Tree	\$850.00	\$1.00	N/A
H.	Landscaping	Tree	\$1,350.00	\$1.00	N/A

<b>Item No.</b>	<b>Improvement Type</b>	<b>Type Construction</b>	<b>Improvement Value</b>	<b>Retention Value</b>	<b>Bisection Category</b>
I.	Landscaping	Shrub	\$200.00	\$1.00	N/A
		<b>Total</b>	<b>\$7,190.00</b>	<b>\$9.00</b>	

**TABULATION OF VALUES (continued)**

Parcel: 9

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
<b>Total</b>			\$0.00	\$0.00	

**V. Recapitulation**

<b>Date:</b>	1/19/2023			<b>Recommended Value</b>
<b>Appraiser's Name:</b>	Leonel Garza III			
<b>Value of Whole Property</b>	\$214,091.00			\$214,091.00
<b>Parcel Area: 0.0642 ac.</b>				
<b>VALUE FOR PARCEL</b>				
Land: per sf. \$3.00	\$8,385.00			\$8,385.00
Easement	\$0.00			\$0.00
Improvements	\$7,190.00			\$7,190.00
Net Damages or (Enhancements)	\$2,699.00			\$2,699.00
OAS Value(s)	\$0.00			\$0.00
<b>TOTAL COMPENSATION</b>	\$18,274.00			\$18,274.00

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

**TABULATION OF VALUES (continued)**

Parcel: 9

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: January 19, 2023  
Review Appraiser: Brian Cade  
Effective Date of Review: January 19, 2023  
TxDOT Review Appraiser: N/A  
Report Received at TxDOT:

Parcel 9 appears to be a parcel taking of 0.0642 of an acre (2,795) sf. parcel of land being a part or portion of a certain 1.0 acre tract out of South 20.00 acres of Lot 1, Block 32, Alamo Land and Sugar Company's Subdivision, Hidalgo County, Texas.

This parcel is located at the Southeast corner of Cesar Chavez Road and Vida Grande Street within the City of Alamo Texas, Texas. The whole property containing a single family residence is owned by Alejandro Santos & Brenda Santos. The highest and best use is for Interim Single-Family Residential Use with a future Commercial Use.

Three (3) recent comparable sales are utilized to value the whole property at \$3.00 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: Land owned by Alejandro Santos & Brenda Santos to be \$8,385.00, the improvements owned by Alejandro Santos & Brenda Santos are \$7,190.00 and the cost to cure the damages is \$2,699.00, totaling \$18,274.00.

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 \$18,274.00 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: 9

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 hereon 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: 2023.01.19 15:21:10 -06'00'

1/19/2023

\_\_\_\_\_  
Reviewing Appraiser

\_\_\_\_\_  
Date

1/19/2023

\_\_\_\_\_  
Contract Reviewing Appraiser (if applicable)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Division Reviewing Appraiser (if applicable)

\_\_\_\_\_  
Date

**X. Approval of Values**

*Richard T. ...*

1/26/23

\_\_\_\_\_  
County/City Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
ROW Staff Representative

\_\_\_\_\_  
Date

APPROVED BY  
COMMISSIONERS COURT  
ON: 1/17/23 *...*