

STATE OF TEXAS

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COUNTY OF HIDALGO

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**ORDER CLOSING, ABANDONING, VACATING, AND DISCONTINUING A COUNTY RIGHT OF WAY,
40.0' RIGHT OF WAY LOCATED IN NICK DOFFING CO. SUBDIVISION 1,
PURSUANT TO TEX. TRANSP. CODE CH. 251**

WHEREAS, the Commissioners Court of Hidalgo County, on the ____ day of October, 2023, 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, Vacating, and Discontinuing a County Right of Way, 40.0' Right of Way located in Nick Doffing Co. Subdivision 1 (the "ROW"), pursuant to Chapter 251 of the Texas Transportation Code. The ROW is more specifically described by metes and bounds attached hereto as **Exhibit "A"**, and incorporated herein and made part of this Order;

WHEREAS, the Commissioners Court desires to close, abandon, vacate, and discontinue the ROW pursuant to section 251.051 of the Texas Transportation Code;

WHEREAS, in compliance with section 251.058(a) of the Texas Transportation Code, the ROW is not a cemetery road, nor is the ROW necessary to reach adjoining properties;

WHEREAS, in compliance with section 251.058 (b-4) of the Texas Transportation Code, the Commissioners Court notified all public utility and/or common carriers of the proposal to close, abandon, and vacate the Road, not later than 30 days before the date that this Order is signed; and

WHEREAS, the Commissioners Court has examined the facts and **Exhibit "A"** provided, attached hereto, and incorporated herein and made part of this Order, and is not opposed to Hidalgo County closing, abandoning, vacating, and discontinuing the ROW described in **Exhibit "A"**.

NOW THEREFORE, BE IT ORDERED, ADJUDGED, AND DECREED that pursuant to section 251.051(b) of the Texas Transportation Code, the Commissioners Court of Hidalgo County, based on the facts presented, does hereby **unanimously agree to Order the Closure, Abandonment, Vacation, and Discontinuation of the ROW described in Exhibit "A"**.

BE IT FURTHER ORDERED, in accordance with section 251.058(b) of the Texas Transportation Code, and subject to the right-of-way and/or easement, and the continued use by the public utility and/or common carrier of utility infrastructure in existence on the date the order is signed; **title to the ROW that is closed, abandoned, vacated, and discontinued to the center line of the ROW vests on the date this Order is signed by the County Judge in the owner(s) of the property that abuts the ROW being closed, abandoned, vacated, and discontinued.**

The abutting property owner and the dimensions of the real property being conveyed to each property owner are as follows:

1. Carlos G Leal, Jr., owner of Nick Doffing Co. Subdivision No. 1, 45,372 square feet or 1.041-acre tract of land, situated in Nick Doffing Co. Subdivision No. 1, as recorded in

Volume 5, Pages 24, of the Map Records, Hidalgo County, Texas, and being out of Lot 14, 15, & 18 of said Nick Doffing Co. Subdivision No. 1 conveyed by "General Warranty Deed" to Carlos Leal, Jr., as recorded in Document Number 3327164, of the Official Records, Hidalgo County, Texas.

Pursuant to section 251.058 of the Texas Transportation Code, a copy of **this Order shall be filed in the deed records of the county and serves as the official instrument of conveyance from the county to the owner of the abutting property.** This Order shall be indexed in the deed records of the county describing Hidalgo County as grantor and the above listed property owner(s) as grantee(s).

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

Hon. Richard Cortez
County Judge

Hon. David L. Fuentes
County Commissioner, Pct. 1

Hon. Eduardo "Eddie" Cantu
County Commissioner, Pct. 2

Hon. Everado "Ever" Villarreal
County Commissioner, Pct. 3

Hon. Ellie Torres
County Commissioner, Pct. 4

Attest: Hon. Arturo Guajardo, Jr.
Hidalgo County Clerk