

L&G Engineering

Transportation Consultants

February 7, 2024

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

RE: County: Hidalgo
RCSJ No. 0921-02-406
Parcel No. 68
Cesar Chavez Phase II: From: Business 83 To: Nolana Loop

Dear Commissioner Cantu:

Attached herewith is a counter-offer as submitted by Mr. Hector G. Salazar and Mrs. Adaleni Salazar, owner of Parcel 68 on January 31, 2024. L & G Engineering has reviewed the aforementioned and hereby recommends that counter-offer be approved. Also attached 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 counter-offer of \$45,854.00 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
2024 FEB 7 PM 4:40



HIDALGO COUNTY ADMINISTRATIVE EVALUATION AND APPROVAL FORM

ROW CSJ: 0921-02-406

County: Hidalgo

Highway: Cesar Chavez Rd

Project Limits: From Business 83 to Nolana Loop

Parcel No.: 68

Owner's Name: Hector G. Salazar and Adaleni Salazar

Approved Offer: \$43,654.00

Date Offer Sent: 12/15/2023

Owner's Counteroffer: \$45,854.00

Date Counteroffer Received: 1/31/2024

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: 06/2025
Projected possession date, if settled is: 03/2024
Projected possession date, if condemned is: 8/2024
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 68 is a partial acquisition containing 2,138 sq. ft. parcel of land situated in Hidalgo County, Texas and also being a part of a certain 0.79 of an acre tract out of Lot 4, Block 39, ALAMO LAND AND SUGAR COMPANY'S SUBDIVISION. On December 15, 2023, Acquisition Provider, L & G Engineering, made an offer of \$43,654.00 to property owners Hector G. Salazar & Adaleni Salazar, via certified mail. On January 31, 2024, Mr. & Mrs. Salazar, submitted a counter offer for \$45,854.00. In their counter offer they stated that their improvement (Lamp Post) will need to be removed and replace further into the property. This will force them to hire an electrician to move the electrical box and labor to reinstall cement base and lamp post. They are hoping to be considered for a little more compensation for the additional expenses. 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 \$2,200.00) 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 \$ 45,854.00 is / is not recommended for approval as being reasonable, justified, prudent and in the public interest.

RECOMMENDATION(S):

H. Rowland
Project Engineer/ROW Administrator

2/7/24
Date

RPIC/Authorized Pct. Representative

Date

COUNTY APPROVAL:

County Judge

Date

January 30, 2024

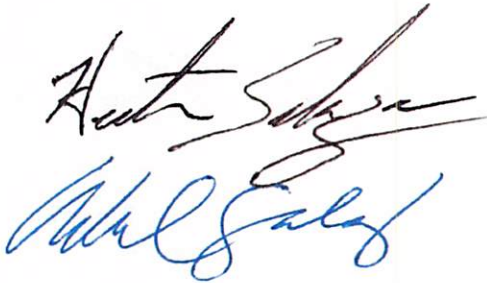
Hector Garcia Salazar
Adaleni Gonzalez-Salazar
1925 N Cesar Chavez Rd
San Juan, TX 78589
956-533-1862

RE: Parcel 68
Address: 1929 N Cesar Chavez Rd
San Juan, TX 78589

Dear Ms. Novelia Sanchez,

Due to the fact that an existing lamppost/ security light along with electrical box and electrical wiring was not taken into consideration in the initial offer submitted, We reject the original offer of \$43,654.00. We feel that due to this, the original offer is under valued. We will have to remove the lamppost/ security light, cement, electrical box and electrical wiring in order to meet the counties setbacks. We are taking into consideration the labor to remove the lamppost/ security light along with the added labor to reinstall with cement base. We are also taking into consideration the cost of electrician to move the electrical box along with wiring to another location in which it will not interfere with the county project. We are going to counter offer for \$45,854.00. If the county considers and approves this amount, we are willing to finalize this transaction for the purchase of our parcel.

Sincerely,

The image shows two handwritten signatures. The top signature is in black ink and appears to be 'Hector Garcia Salazar'. The bottom signature is in blue ink and appears to be 'Adaleni Gonzalez-Salazar'. Both signatures are written in a cursive, flowing style.



December 11, 2023

County: Hidalgo
CSJ: 0921-02-406
Highway: Cesar Chavez Section II
From: Business 83
To: Nolana Loop
Parcel: 68

RE: The purchase of a 0.049 of an acre (2,138 sf.) parcel of land situated in Hidalgo County, Texas, and also being a part or portion of a certain 0.79 an acre tract out of Lot 4, Block 39, 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.

Hector Garcia Salazar and Adaleni Gonzalez Salazar
1925 Cesar Chavez Road
San Juan, Texas 78589

Dear Mr. Hector Garcia Salazar and Mrs. Adaleni Gonzalez Salazar:

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 11/09/2023
- 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,

Fernando Herrera,
Right of Way Administrator



December 11, 2023

Via Certified Mail, Return Receipt Requested,
No. **7021 2720 0003 5005 4732**

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

ROW CSJ: 0921-02-406
Parcel ID: 68
From: Business 83
To: Nolana Loop

Hector Garcia Salazar and Adaleni Gonzalez Salazar
1925 Cesar Chavez Road
San Juan, Texas 78589

Dear Mr. Hector Garcia Salazar and Mrs. Adaleni Gonzalez Salazar:

In acquiring property for the highway system of Texas, the Texas Department of Transportation (the "Department") and Hidalgo County (the "County") follow 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, Novelia Sanchez, 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 **\$43,654.00** for the Property, which includes **\$38,654.00** for the Property to be purchased and **\$5,000.00** 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 sulfur, 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. Driveway – Concrete	\$1.00
B. Fencing – Iron Fence with Concrete Base	\$1.00
C. Gate – Iron Gate	\$1.00
D. Landscaping – Tree Topped Trees	\$1.00

If you wish to accept the offer based upon this appraisal, please contact Novelia Sanchez, 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 request 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 Ms. Novelia Sanchez at the telephone number provided above regarding any questions 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 signatories

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

County: Hidalgo
C.C.S.J.:0921-02-405
R.C.S.J.:0921-02-406
Highway: Cesar Chavez Road

January 27, 2021
Revised June 28, 2021
Parcel 68
Page 1 of 3

EXHIBIT "A"

Property Description
Parcel 68

DESCRIPTION of a 0.049 of an acre (2,138 square feet) parcel of land situated in Hidalgo County, Texas and also being a part or portion of a certain 0.79 of an acre tract out of Lot 4, Block 39, 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 June 8, 2020 from Marie Santos and husband Ruben Santos; Marvin Ortega and wife Terry Beard Ortega; and Margot Rivera, Michelle M. Haufler, and Maureen A. Ortega, all single persons to Hector Garcia Salazar and wife, Adaleni Gonzalez-Salazar, and recorded in documents number 3124870, of the Official Records of Hidalgo County (O.R.H.C.), and said 0.049 of an acre parcel (2,138 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 for the southwest corner of said 0.79 of an acre tract, thence as follows;

S 81° 25' 43" E, along the south line said 0.79 of an acre tract, a distance of 187.21 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 southwest corner and **POINT OF BEGINNING** of herein described parcel, having surface coordinates of N=16,602,459.74, E=1,105,250.74, 40.00 feet left to centerline station 256+73.32.

1. **THENCE**, along the proposed west right of way line of Cesar Chavez Road and the arc of a curve to the left having a radius of 6,440.26 feet, an interior angle of 00°43'25", an arc length of 81.33 feet, a tangent of 40.67 feet and a chord that bears N 06°46'09" E, a distance of 81.33 feet to a 5/8 inch iron rod with cap stamped RPLS 4856 set for an exterior corner of this parcel, 40.00 feet left to centerline station 257+55.16.

2. **THENCE**, along the proposed west right of way line of Cesar Chavez Road and the arc of a curve to the right having a radius of 6,520.26 feet, an interior angle of $00^{\circ}36'45''$, an arc length of 69.69 feet, a tangent of 34.85 feet and a chord that bears $N 06^{\circ}42'49'' E$, a distance of 69.69 feet to a 5/8 inch iron rod with cap stamped RPLS 4856 set on the north line of said 0.79 of an acre tract for the northwest corner of this parcel, 40.00 feet left to centerline station 258+24.43.

3. **THENCE**, $S 81^{\circ}25'43'' E$, along the north line of said 0.79 of an acre tract, a distance of 16.61 feet to a 5/8 inch iron rod with cap stamped RPLS 4856 set on the existing west right of way line of Cesar Chavez Road for the northeast corner of this parcel.

4. **THENCE**, $S 08^{\circ}34'20'' W$, along the existing west right of way line of Cesar Chavez Road, a distance of 150.95 feet to a 3/4 inch iron pipe found on the south line of said 0.79 of an acre tract for the southeast corner of this parcel.

5. **THENCE**, $N 81^{\circ}25'43'' W$, along the south line of said 0.79 of an acre tract, a distance of 11.79 feet to the **POINT OF BEGINNING**, and containing 0.049 of an acre (2,138 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



PARCEL 68						
CURVE	DELTA	RADIUS	LENGTH	CH. BEARING	CH. LENGTH	TANGENT
C1	00°43'25"	6440.26'	81.33'	N 06°46'09" E	81.33'	40.67'
C2	00°36'45"	6520.26'	69.69'	N 06°42'49" E	69.69'	34.85'



SCALE: 1" = 50'

RIGHT OF WAY SKETCH

SHOWING PROPERTY OF
HECTOR GARCIA SALAZAR AND ADELENI GONZALEZ-SALAZAR

HECTOR G. SALAZAR AND ADELENI SALAZAR WARRANTY DEED WITH VENDOR'S LIEN DOC. No. 1827365 O.R., H.C., TX. OCTOBER 30, 2007 9.21 ACRE CAL

LOT 4, BLOCK 39, ALAMO LAND AND SUGAR COMPANY'S SUBDIVISION RECORDED IN VOLUME 1, PAGES 24-26, MAP RECORDS, HIDALGO COUNTY, TEXAS.

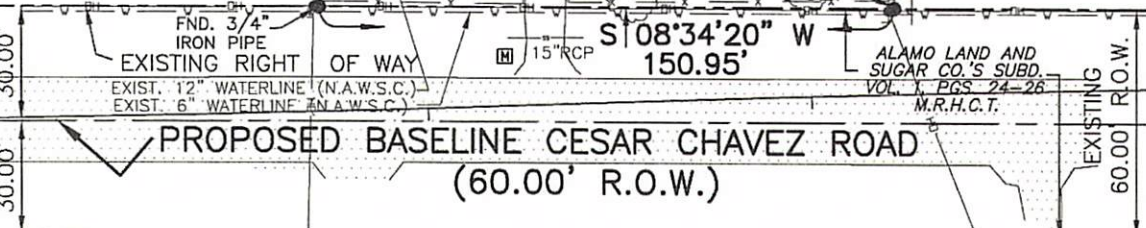
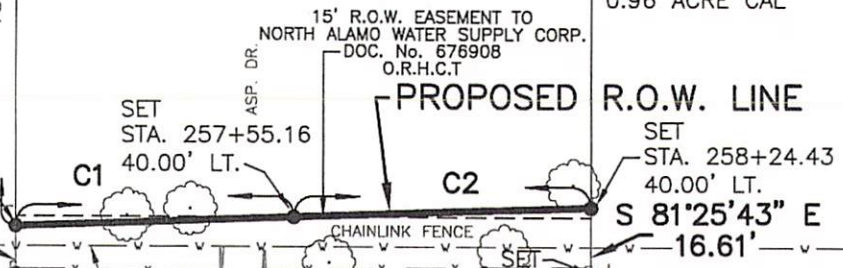
HECTOR GARCIA SALAZAR AND ADELENI GONZALEZ-SALAZAR WARRANTY DEED WITH VENDOR'S LIEN DOC. No. 3124870 O.R., H.C., TX. JUNE 8, 2020 0.79 ACRE CALL (DEED)

SHARON SMITH SHIRCLIFF AFFIDAVIT OF HEIRSHIP DOC. No. 1486267 O.R., H.C., TX. JUNE 21, 2005 0.96 ACRE CAL



[Handwritten signature of Alfonso Quintanilla]

P.O.B. PARCEL 68 SET E=1105250.74 N=16602459.74 STA. 256+73.32 40.00' LT. WROUGHT IRON FENCE



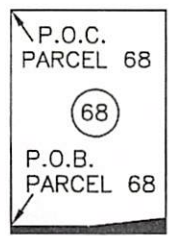
I, Alfonso Quintanilla, Registered Professional Land Surveyor No. 4856, in the State of Texas, do hereby certify that this plat delineates the results of a survey made on the ground under my supervision.

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



PARENT TRACT INSET (NOT TO SCALE)

- 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

EASEMENTS, RIGHTS, RULES, AND REGULATIONS IN FAVOR OF HIDALGO COUNTY IRRIGATION DISTRICT No. 2 (APPLY-BLANKET)
RIGHT OF WAY EASEMENT GRANTED TO NORTH ALAMO WATER SUPPLY CORPORATION, RECORDED UNDER CLERK'S DOCUMENT NO. 676908. (AS SHOWN HEREON)

STATE	PLAT OF SURVEY	COUNTY	
TEXAS	CESAR CHAVEZ RD.	HIDALGO	
ACCOUNT	C.G.S.J. No. 0921-02-405 R.C.S.J. No. 0921-02-406	DATE OF SURVEY:	
		JAN. 27, 2021	
EXISTING	TAKING	REMAINING	PARCEL 68
0.79 AC. (CALL)	0.049 AC. 2138 S.F.	0.741 AC.	PAGE 3 OF 3

QUINTANILLA, HEADLEY AND ASSOCIATES, INC.
CONSULTING ENGINEERS 124 E. STUBBS ST. EDINBURG, TEXAS 78539
LAND SURVEYORS PHONE 956-381-6480 FAX 956-381-0527
ENGINEERING REGISTRATION NUMBER F-1513 ALFONSO@QOHA-ENG.COM
SURVEYING REGISTRATION NUMBER 100411-00

REAL ESTATE APPRAISAL REPORT - TEXAS DEPARTMENT OF TRANSPORTATION

Address of Property: 1929 N Cesar Chavez Road, San Juan, Texas District: Pharr
 Property Owner: Hector Garcia Salazar and Adaleni Gonzalez Salazar Parcel: 68
 Address of Property Owner: 1925 Cesar Chavez Road, San Juan, Texas ROW CSJ: 0921-02-406
 Occupant's Name: Hector G. Salazar and Adaleni Gonzalez Salazar Federal Project No: N/A
 Whole: Partial: Acquisition Highway: Cesar Chavez Road Ph II 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 \$43,654 as of October 2, 2023, based upon my independent appraisal and the exercise of my professional judgment;

That on October 2, 2023, I personally inspected in the field the property herein appraised; that I afforded Hector Garcia Salazar and Adaleni Gonzalez Salazar, 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 1, 2023;

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

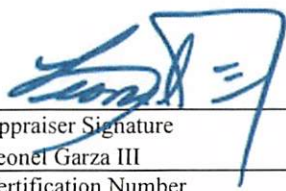
I certify to the best of my knowledge and belief:

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: November 9, 2023

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: 2023.11.14 15:18:01 -0600</small>	11/14/2023
Reviewing Appraiser	Date



TABULATION OF VALUES

Parcel: 68 Highway: Cesar Chavez Road Ph II ROW CSJ: 0921-02-406
 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: 11/9/2023

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 Acquisition Expenses

Interest Owner	Acquisition Interest	Land Area	Value	Lease (Y/N)
Hector Garcia Salazar and Adaleni Gonzalez Salazar	Fee Simple	0.049 of an acre/ 2,138 square feet	\$7,162.00	N

I. Appraised Values

Land Value	Improvement Value	Sign Value	Damages/Enhancements	Total Value
\$7,162.00	\$31,492.00	\$0.00	\$5,000.00	\$43,654.00

II. Improvements

Item No.	Improvement Type	Type Construction	Improvement Value	Retention Value	Bisection Category
A.	Driveway	Concrete	\$252.00	\$1.00	N/A
B.	Fencing	Iron Fence with Concrete Base	\$22,240.00	\$1.00	N/A
C.	Gate	Iron Gate	\$5,000.00	\$1.00	N/A
D.	Landscaping	Tree Topped Trees	\$4,000.00	\$1.00	N/A

TABULATION OF VALUES (continued)

Parcel: 68

Highway: Cesar Chavez Road Ph II

ROW CSJ: 0921-02-406

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:	11/9/2023			Recommended Value
Appraiser's Name:	Leonel Garza III			
Value of Whole Property	\$274,864.00			\$274,864.00
Parcel Area: 0.049 ac.				
VALUE FOR PARCEL				
Land: per_sf. \$3.35	\$7,162.00			\$7,162.00
Easement	\$0.00			\$0.00
Improvements	\$31,492.00			\$31,492.00
Net Damages or (Enhancements)	\$5,000.00			\$5,000.00
OAS Value(s)	\$0.00			\$0.00
TOTAL COMPENSATION	\$43,654.00			\$43,654.00

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

TABULATION OF VALUES (continued)

Parcel: 68

Highway: Cesar Chavez Road Ph II

ROW CSJ: 0921-02-406

VI. Comments and Conclusions on Values in the Appraisal Report

Appraiser: Leonel Garza III
Effective Date of Valuation: October 2, 2023
Report Dated: November 9, 2023
Review Appraiser: Brian Cade
Effective Date of Review: November 14, 2023
TxDOT Review Appraiser: N/A
Report Received at TxDOT:

Parcel 68 appears to be a parcel taking of 0.049 of an acre (2,138) sf. parcel of land being a part or portion of a 150.0 foot by 230.0-foot tract of land out of the North ½ of the South ½ of Lot 4, Block 39, Alamo Land and Sugar Company Subdivision, Hidalgo County, Texas, as per map or plat thereof recorded in Volume 1, Pages 24-26, Map Records, Hidalgo County, Texas.

This parcel is located along the west side of Cesar Chavez Road within the City of San Juan, Texas. The whole property containing a residence is owned by Hector Garcia Salazar and Adaleni Gonzalez Salazar. The highest and best use is for Interim Residential Use with Future Commercial Use.

Three (3) recent comparable sales are utilized to value the whole property at \$3.35 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 Hector Garcia Salazar and Adaleni Gonzalez Salazar be \$7,162.00, the improvements owned by Hector Garcia Salazar and Adaleni Gonzalez Salazar are \$31,492.00, the net damages and enhancements are \$4,000.00 and the cost to cure the damages is \$1,000.00 totaling \$43,654.00.

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 \$43,654.00 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: 68

Highway: Cesar Chavez Road Ph II

ROW CSJ: 0921-02-406

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: 2023.11.14 15:19:05 -06'00'

11/14/2023

Reviewing Appraiser

Date

Contract Reviewing Appraiser (if applicable)

Date

Division Reviewing Appraiser (if applicable)

Date

X. Approval of Values

[Handwritten Signature]

11/28/2023

County/City Representative

Date

ROW Staff Representative

Date

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

P 108 CC

SCHEDULE C

Commitment No.: 0003195955

GF No.: 0003195955

Your Policy will not cover loss, costs, attorney's fees, and expenses resulting from the following requirements that will appear as Exceptions in Schedule B of the Policy, unless you dispose of these matters to our satisfaction, before the date the Policy is issued:

1. Documents creating your title or interest must be approved by us and must be signed, notarized and filed for record.
2. Satisfactory evidence must be provided that:
 - a. no person occupying the land claims any interest in that land against the persons named in paragraph 3 of Schedule A,
 - b. all standby fees, taxes, assessments and charges against the property have been paid,
 - c. all improvements or repairs to the property are completed and accepted by the owner, and that all contractors, sub-contractors, laborers and suppliers have been fully paid, and that no mechanic's, laborer's or materialmen's liens have attached to the property,
 - d. there is legal right of access to and from the land,
 - e. (on a Loan Policy only) restrictions have not been and will not be violated that affect the validity and priority of the insured mortgage.
3. You must pay the seller or borrower the agreed amount for your property or interest.
4. Any defect, lien or other matter that may affect title to the land or interest insured, that arises or is filed after the effective date of this Commitment.
5. Vendor's lien retained in Deed dated June 8, 2020, filed for record on June 29, 2020, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 3124870, from Marie Santos and husband, Ruben Santos, Marvin Ortega and wife, Terry Beard Ortega, Margot Rivera, Michelle M. Haufler, and Maureen A. Ortega, to Hector Garcia Salazar and wife, Adaleni Gonzalez-Salazar, securing the payment of one certain promissory note of even date therewith in the principal amount of \$78,750.00, payable to the order of Rio Bank; said note and lien being additionally secured by Deed of Trust (with Security Agreement, Financing Statement, and Assignment of Rents and Leases) of even date to Brian A. Humphreys, Jr., Trustee, filed for record on June 29, 2020, in the Office of the County Clerk of Hidalgo County, Texas under Clerk's Document No. 3124871. **(Also Includes Other Property)**
6. Upon sale of subject property, you should secure executed letter from the Purchasers stating that they are aware of the Commissioners' Court Subdivision Regulations and of the City's Zoning Ordinances and Subdivision Regulations.
7. **NOTE:** This Title Company and its Underwriter do not assume any liability as to the accuracy of the Surveyor's Certification in the legal description and the survey plat. Said Certification and Survey Plat are attached to this policy for informational purposes, **ONLY**.
8. In accordance with Procedural Rule P-30 (Guaranty Assessment Recoupment Charge), a Policy Guaranty Fee of \$2.00 for each Owner's Policy and Loan Policy issued must be collected at time of closing and remitted by the Title Company on all transactions closed on or after May 1, 2019. The Policy Guaranty Fee will be disclosed on the Closing Disclosure and/or the Texas Disclosure Form (Form T-64) as appropriate.