

PLANNING DEPT. PCTS 2 & 4 WATER SERVICE AVAILABILITY		
	APPLICANT	APPLICATION NO.
1.	Wilbert & Graciela Nicolas	4-7984
	COMM. COURT: APRIL 30, 2024	



PLANNING DEPARTMENT

Rev. 12-21-23

County of Hidalgo

Main Office
2818 S. Business Hwy
281
Edinburg, Texas 78539
956-318-2840

Precinct No. 1 Substation
1900 Joe Stephens Ave.
Ste. A
Weslaco, TX 78596
956-968-4734

Precinct No.3 Substation
2401 N. Moorefield Rd.
Mission, TX 78572
956-205-7045

Precinct 1 2 3 4

Anthony Uresti
Director of Planning

Application No: 4-7984

HIDALGO COUNTY CERTIFICATE OF WATER SERVICE AVAILABILITY UNDER TEXAS LOCAL GOVT. CODE SECTION 232.029(c)(2)

Upon the application of:

Name Wilbert L. Nicolas

Address: 9500 N. Bentzen Rd
McAllen TX 78509

Phone: (832) 262-6584

Approved by Environmental Health:	Temporary Service <i>[Signature]</i> Authorized Signature	Final Service
Inspection/Permit No:	<u>LIGHT ONLY</u>	Authorized Signature
Date Approved:	<u>4 / 10 / 24</u>	<u> / / </u>

Water Supplier: Sharyland Water Supply

Utility Provider: [] M.V.E.C. [x] AEP

Account/ESI No.: 1003278946900065
[] Temporary Pole [x] Permanent Service

who is the person requesting utility service to subdivided land ("land") described as follows:

Pride Of Texas W660' Lot 146 Sec. 4R 4.55 AC NET

[Insert the lot and block number in recorded subdivision, address, or description in deed, etc]

and who has submitted to the court an affidavit as required by Local Govt. Code Sec. 232.029 (f), on April 30, 2024, the Hidalgo County Commissioners Court approved the issuance of this certificate stating as follows (strike through the statement that does not apply)

The land was not subdivided after September 1, 1995, and water service is available within 750 feet of the land.

-OR-

The land was not subdivided after September 1, 1995, and water service is available more than 750 feet from the subdivided land and the extension of water service to the land may be feasible, subject to a final determination by the water service provider.

Planning Department Authorized Signature

Hidalgo County Judge

Date

ATTEST:

Hidalgo County Clerk

Date



PLANNING DEPARTMENT

County of Hidalgo

Rev. 12-21-23

Main Office 2818 S. Business Hwy 281 Edinburg, Texas 78539 956-318-2840	Precinct No. 1 Substation 1900 Joe Stephens Ave. Ste. A Weslaco, TX 78596 956-968-4734	Precinct No.3 Substation 2401 N. Moorefield Rd. Mission, TX 78572 956-205-7045
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Precinct 1 2 3 4

Anthony Uresti
Director of Planning

Application No: 4-7984

AFFIDAVIT TO APPLY TO THE COUNTY OF HIDALGO FOR CERTIFICATE OF WATER SERVICE AVAILABILITY UNDER TEXAS LOCAL GOVT. CODE SECTION 232.029(c)(2)

[Note: To be eligible, the land must not have been subdivided after September 1, 1995.]

THE STATE OF TEXAS §
COUNTY OF HIDALGO §

BEFORE ME, the undersigned authority, on this day personally appeared

Wilbert L. Nicolas

Known to me [or proved to me in the oath of _____ or through Drivers License (description of federal or state government ID card with photograph and signature)], who swore on oath that the following two statements are true:

1. "I am requesting utility service to the following described land:

9500 N. Bentsen Rd, McAllen TX 78504
Pride of Texas W/lot 1 of 144 5ac GR 4.55 AC NET
[Insert the lot and block number in recorded subdivision, address, or description in deed, etc]

2. "The land described above has been sold or conveyed to me."

AND [strike through the statement below that does not apply]

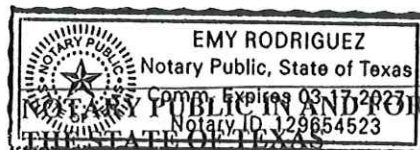
3A. "The land was not sold or conveyed to me by the Subdivider or the subdivider's agent after September 1, 1995."

-OR-

3B. "The land was on August 31, 1999, located in the extraterritorial jurisdiction of a municipality as determined by Local Govt. Code Chapter 42; and the land was not sold or conveyed to me by the Subdivider or the subdivider's agent after September 1, 1999."

[Signature] (Signature)

SUBSCRIBED AND SWORN TO before me on April 10th, 2024 to certify which, witnesses my hand and seal of office.





COUNTY OF HIDALGO
PLANNING DEPARTMENT

Main Office	Precinct No. 1 Substation	Precinct No. 3 Substation
2818 S Business Hwy 281 Edinburg, Texas 78539 Ph: 956-318-2840 Fax: 956-318-2844	1900 Joe Stephens Ave. Ste. A Weslaco, Texas 78596 Ph: 956-968-4734 Fax: 956-973-7850	2401 N. Moorefield Rd. Mission, Texas 78572 Ph: 956-205-7045 Fax: 956-205-7049

Permit No.: Permit 4-7984
Receipt No.: 032514
P8400-00-000-0146-15

NICOLAS WILBERT & GRACIELA
9500 N BENSTEN RD
MCALLEN, TX 78501
(000) 000-0000
(956) 777-8662

- [1] Contractor: SELF
- [2] Water System: City of McAllen
- [3] Class of Work: 25 Residential, new, Single Family Dwelling
- [4] Size of Structure: 10390Sq.Ft.
- [5] Legal Description: PRIDE OF TEXAS W660' LOT 146 5AC GR 4.55AC NET
- [6] Location: BENTSEN RD & MILE 6 RD
- [7] Sewage: N/A
- [8] Construction Type: Wood
- [9] Est. Cost of Construction: \$130000
- [10] Flood Zone: Zone X

Community Panel Number: 4803340295D
Precinct: 4
Certification of Elevation Required: No
Setbacks: Front 50', Rear 15', Side N6', Side S50', Corner 50'
Special Conditions: MUST COMPLY WITH ALL COUNTY SETBACKS & REGULATIONS
Description: Permit 4-7984
Price: \$30.00

Total Amount.....\$30.00

Method of Payment: Check
Check/M.O.#: 1060
Payment: \$30
Change Due: \$0.00
Application: melissa.lopez
Inspector: aaron.hernandez
Receipt: melissa.lopez

Melissa Lopez 11/27/23
Cashier Date

10#567314

[NOTICE]

ALL SETBACKS AND FINISH FLOOR ELEVATIONS SHALL BE IN COMPLIANCE WITH THE SUBDIVISION PLAT AND/OR DEED RESTRICTIONS. NO CONSTRUCTION ALLOWED OVER ANY EASEMENTS. NO MORE THAN ONE SINGLE FAMILY RESIDENCE PER LOT. APPLICANT SHALL COMPLY WITH ALL THE PLAT AND OR DEED RESTRICTIONS AND REQUIREMENTS AFFECTING THE LOT. APPLICANT ACKNOWLEDGES THAT NO FURTHER DIVISION OF THE DESCRIBED PROPERTY SHALL BE DONE WITHOUT FIRST PREPARING A SUBDIVISION PLAT IN ACCORDANCE WITH HIDALGO COUNTY SUBDIVISION RULES, TEXAS LOCAL GOVERNMENT CODE AND/OR TEXAS WATER DEVELOPMENT BOARD MODEL SUBDIVISION RULES. A CLEARANCE WILL NOT BE ISSUED FOR ANY PROPERTY LOCATED IN AN AREA DESIGNATED AS ZONE 'A', 'AE', 'AH' OR 'AO' UNTIL THE OWNER AND/OR CONTRACTOR HAS PROVIDED THE PLANNING DEPARTMENT A DEVELOPMENT PERMIT APPROVED BY THE COUNTY OF HIDALGO FLOOD PLAIN administrator INCLUDING AN ELEVATION CERTIFICATE REFLECTING THE PROPOSED FINISHED FLOOR ELEVATION FOR THE IMPROVEMENTS AND THE BASE FLOOD ELEVATION FOR THE PROPERTY. IN ADDITION, A FINAL CLEARANCE WILL NOT BE ISSUED UNTIL THE OWNER AND/OR CONTRACTOR HAS PROVIDED THE PLANNING DEPARTMENT A FINISHED FLOOR CONSTRUCTION ELEVATION CERTIFICATE CONFIRMING THAT ALL IMPROVEMENTS WERE CONSTRUCTED IN ACCORDANCE WITH THE TERMS OF THE INITIAL APPLICATION AND FLOOD PLAIN ADMINISTRATION DEVELOPMENT PERMIT. A SEPARATE PERMIT IS ALSO REQUIRED FOR INSTALLATION OF SEPTIC TANKS AND THE VERIFICATION THAT SEPTIC TANKS WERE INSTALLED IN COMPLIANCE WITH ALL LEGAL REQUIREMENTS. THIS APPLICATION IS SUBJECT TO CANCELLATION IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 6 MONTHS OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF ONE YEAR AT ANY TIME AFTER WORK IS COMMENCED. APPLICANT/OWNER STATES THAT NO STRUCTURE EXISTS ON THIS TRACT OF LAND. IF FOUND IN VIOLATION APPROVED APPLICATION MAY BE REVOKED. APPROVED APPLICATION FEE SHALL BE DOUBLED FOR CONSTRUCTION COMMENCING AND/OR STRUCTURES MOVED IN PRIOR TO OBTAINING AN APPROVED APPLICATION. THE FORGOING IS A TRUE AND CORRECT DESCRIPTION OF THE IMPROVEMENTS CONTEMPLATED BY THE UNDERSIGNED APPLICANT, AND THE APPLICANT STATES THAT THE APPLICANT WILL HAVE FULL AUTHORITY OVER THE CONSTRUCTION OF SAME AND CONTRACTOR AND APPLICANT HEREBY AGREE TO COMPLY WITH ALL COUNTY REQUIREMENTS AND APPLICABLE PLAT AND/OR DEED RESTRICTIONS. APPLICANT AND CONTRACTOR HEREBY CERTIFY THAT EACH HAS READ AND EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND REGULATIONS GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION. BY SIGNING THIS APPLICATION, APPLICANT AND CONTRACTOR AUTHORIZE REPRESENTATIVES OF THE COUNTY OF HIDALGO TO COME ON TO THE CONSTRUCTION SITE TO MONITOR CONTRACTOR'S AND APPLICANT'S COMPLIANCE WITH THE TERMS OF THE PERMIT AND THE COUNTY'S SUBDIVISION REGULATIONS. PLEASE CONTACT PLANNING DEPARTMENT 48 HOURS PRIOR TO POURING OF FOUNDATION FOR INSPECTION OF BUILDING SETBACKS FROM PROPERTY LINES AND FINISH FLOOR ELEVATION. NO CONSTRUCTION ALLOWED OVER ANY EASEMENTS. BUILDING SETBACKS AND FINISH FLOOR ELEVATIONS SHALL BE MET PRIOR TO POURING FOUNDATION OR WHEN MOVING IN A STRUCTURE.

[Signature]
Signature of Owner of Applicant

11/27/2023
Date

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Special Warranty Deed

Date: February 15, 2022

Grantor: Antonio Villeda, joined pro forma by his spouse, Maria Elena Falcon

Grantor's Mailing Address: 6316 N 10th Street, Building B, McAllen, Texas 78504

Grantee: Wilbert Nicolas and Graciela Nicolas, a married couple

Grantee's Mailing Address: 7300 N 54TH Street, Mission, Texas 78573

Consideration:

Cash and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

Property (including any improvements):

A 5.00 acres tract of land out of the West 660.02 feet of Lot 146, PRIDE O' TEXAS SUBDIVISION, Hidalgo County, Texas, according to map thereof recorded in Volume 5, Pages 58 and 59, Map Records of Hidalgo County, Texas; said tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a found one-half inch iron rod being the Southwest corner of said Lot 146, also being the centerline intersection of Mile 6 Road and Bentsen Road for the Southwest corner of herein described tract;

THENCE North 08 deg. 42 min. 30 sec. East 330.00 feet along the West line of said Lot 146 also being said centerline of Bentsen Road to a set 60 penny (60d) nail for the Northwest corner of herein described tract;

THENCE South 81 deg. 17 min. 30 sec. East along the North line of said Lot 146, pass at 20.00 feet a set one-half inch iron rod being the East right of way (R.O.W) line of said Bentsen Road and continuing for a total of 660.02 feet to a found one-half inch iron rod for the Northeast corner herein described tract;

THENCE South 08 deg. 42 min. 30 sec. West parallel to the West line of said Lot 146, pass at 310.00 feet a found one-half inch iron rod being the North R.O.W. line of said

Mile 6 Road and continuing for a total distance of 330.00 feet to a found 60 penny (60d) nail on the South line of said Lot 146, also being the centerline of said Mile 6 Road for the Southeast corner of herein described tract;

THENCE North 81 deg. 17 min. 30 sec. West 660.02 feet along said South line of Lot 146 also being the centerline of Mile 6 Road to the POINT OF BEGINNING and containing 5.00 acres of land, more less.

Reservations from Conveyance: None

Exceptions to Conveyance and Warranty:

1. Right of Way Agreement between Hidalgo County Water Control and Irrigation District No. 11 and Mission Development Co., dated February 11, 1931, filed for record on January 13, 1931, in the Office of the County Clerk of Hidalgo County, Texas in Volume M, Page 277, Deed Records Hidalgo County, Texas.

2. Right of Way Easement granted to Sharyland Water Supply Corp., by O. D. (Bob) Kelly and wife, Florence Kelly, dated October 25, 1979, filed for record on November 2, 1979, in the Office of the County Clerk of Hidalgo County, Texas in Volume 1646, Page 386, Deed Records Hidalgo County, Texas.

3. Easement and Right of Way granted to Central Power and Light Company, by O. D. Bob Kelly and wife, Florence M. Kelly, dated July 9, 1983, filed for record on September 9, 1983, in the Office of the County Clerk of Hidalgo County, Texas in Volume 1875, Page 585, Deed Records Hidalgo County, Texas.

4. Easement granted to Hidalgo County Water Control and Improvement District No. 11, by Mission Development Co., dated December 8, 1930, filed for record on January 14, 1931, in the Office of the County Clerk of Hidalgo County, Texas in Volume 331, Page 524, Deed Records Hidalgo County, Texas.

5. Utility Easement granted to City of McAllen, by John David Franz and Annette Franz, dated February 25, 2003, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 28, 2003, under Clerk's File No. 1172772.

6. Easements and conditions as shown on plat recorded in Volume 5, Pages 58 and 59, Map Records of Hidalgo County, Texas.

7. Easements, rights, rules, and regulations in favor of Hidalgo County Irrigation District No. 1.

8. Easements, or claims of easements, which are not of public record.

9. Reservation of all oil, gas, and other minerals, together with all rights relative thereto,

express or implied, reserved to grantor in that certain deed from Darrell E. Johnson and wife, Irma Z. Johnson to Heriberto Lopez and wife, Hermelinda Lopez, dated August 21, 1997, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on September 5, 1997, under Clerk's File No. 621678, reference to which instrument is made for all intents and purposes.

10. Prescriptive rights for roads, public or private, ditches, canals and/or utilities which are not a part of the public record, but visible from an inspection of the proposed insured land(s) or revealed by a proper survey.

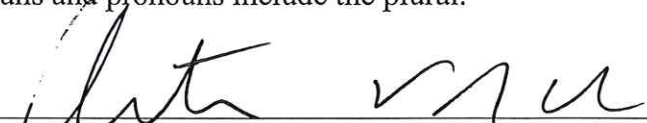
11. Any unrecorded leases or rental agreements, written or oral, together with the rights of any tenant thereunder or tenant at will.

12. Standby fees, taxes and assessments by any taxing authority for the year 2022, and subsequent years; and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

GRANTEE IS TAKING THE PROPERTY IN AN ARM'S-LENGTH AGREEMENT BETWEEN THE PARTIES. THE CONSIDERATION WAS BARGAINED ON THE BASIS OF AN "AS IS, WHERE IS" TRANSACTION AND REFLECTS THE AGREEMENT OF THE PARTIES THAT THERE ARE NO REPRESENTATIONS OR EXPRESS OR IMPLIED WARRANTIES. GRANTEE HAS NOT RELIED ON ANY INFORMATION OTHER THAN GRANTEE'S INSPECTION.

When the context requires, singular nouns and pronouns include the plural.


Antonio Villeda


Maria Elena Falcon

STATE OF TEXAS)

COUNTY OF HIDALGO)

This instrument was acknowledged before me on February 15, 2022, by Antonio Villeda.



Cindy Curry
Notary Public, State of Texas
My commission expires: 6-5-24

STATE OF TEXAS)

COUNTY OF HIDALGO)

This instrument was acknowledged before me on February 15, 2022, by Maria Elena Falcon.



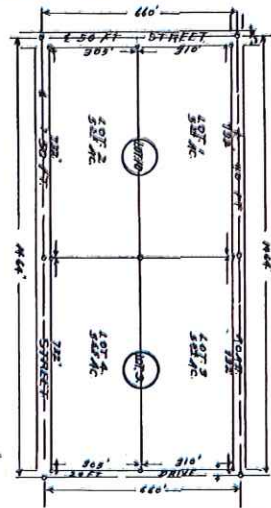
Cindy Curry
Notary Public, State of Texas
My commission expires: 6-5-24

PREPARED IN THE OFFICE OF:

Villeda Law Group
6316 N 10th Street, Building B
McAllen, Texas 78504

AFTER RECORDING RETURN TO:

Wilbert Nicolas
7300 N 54th St.
Mission, Texas 78573



PLAT
OF
PALM CITY ADDITION

BEING
A SUBDIVISION OF LOTS 28, 10, 8, 6, 4 OF THE MIDLAND
CANAL CO'S SUBDIVISION OF PORTWORTH 6425 A.C.
MIDLAND CO. TEXAS
SHEET NO. 1200 FT.

STATE OF TEXAS:
COUNTY OF MIDLAND:
I, R. C. Phillips, of the County of Midland, State of Texas, being a duly qualified and sworn public notary public, do hereby certify that the within and foregoing plat is a true and correct representation of the same as the same is on file in my office.

CITY OF MIDLAND:
I, R. C. Phillips, of the County of Midland, State of Texas, being a duly qualified and sworn public notary public, do hereby certify that the within and foregoing plat is a true and correct representation of the same as the same is on file in my office.

NOTARY PUBLIC:
I, R. C. Phillips, of the County of Midland, State of Texas, being a duly qualified and sworn public notary public, do hereby certify that the within and foregoing plat is a true and correct representation of the same as the same is on file in my office.

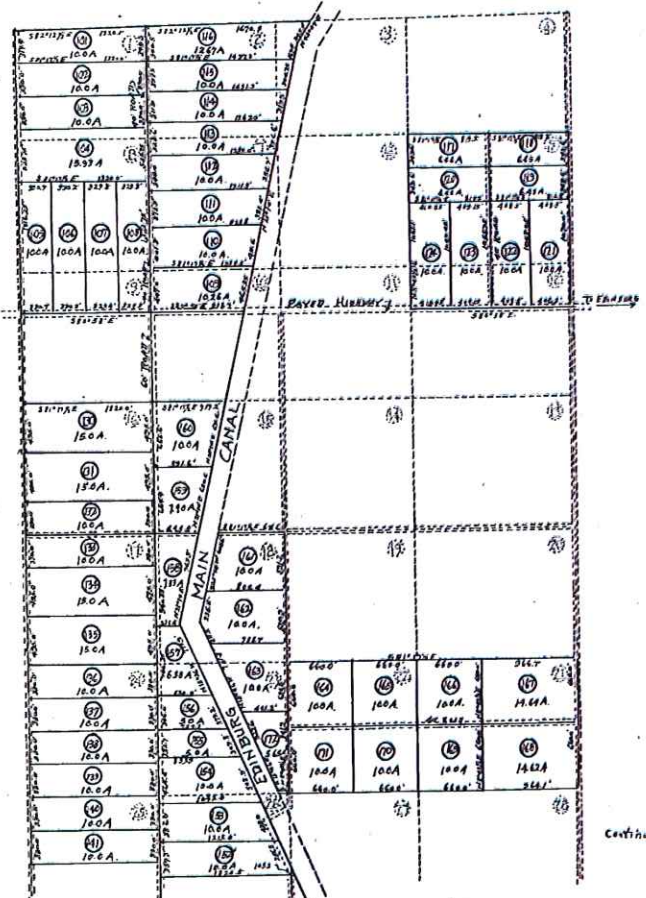
Witness my hand and seal of office this 28th day of September, 1923.

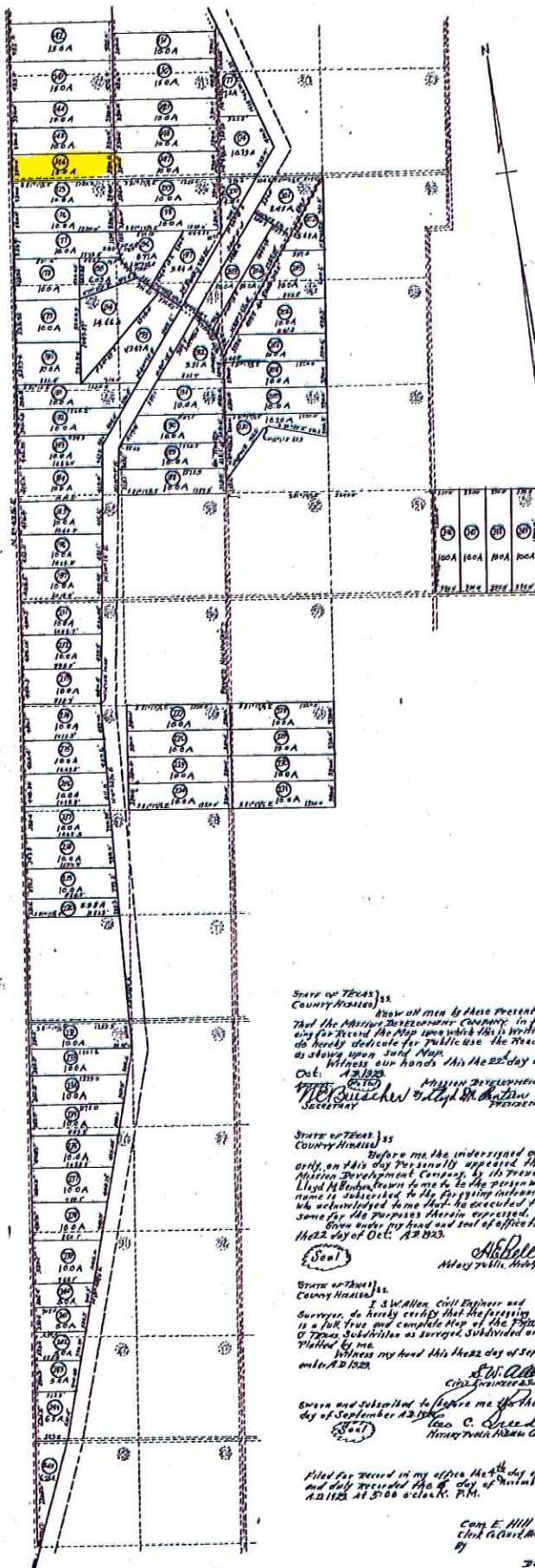
R. C. Phillips
Notary Public, Midland, Texas

Filed for Record Sept. 28, 1923
Recorded Oct. 31, 1923 at 5:00 o'clock P.M.



MAP OF THE
PRIDE O' TEXAS
SUBDIVISION
OF A PART OF THE
LA LOMITA SUBDIVISION
MIDLAND COUNTY, TEXAS
SCALE 1" = 600' SEPT. 1923.
S. W. ALLEN
CIVIL ENGINEER
MERCEDES, TEXAS





State of Texas) ss
County of Tarrant) ss

Know all men by these presents, that the Mission Development Company, in full and complete discharge of its obligations, do hereby dedicate for public use the roads as shown upon said map.

Witness our hands this the 22nd day of Oct. A.D. 1922.

W. C. Suter
Mission Development Co.
Secretary

State of Texas) ss
County of Tarrant) ss

Before me the undersigned authority, on this day personally appeared the Mission Development Company, by its President, Lloyd M. Suter, known to me to be the person whose name is subscribed to the foregoing instrument, who acknowledged to me that he executed the same for the purposes therein expressed.

Given under my hand and seal of office this the 22nd day of Oct. A.D. 1922.

W. C. Suter
Attest my hand and seal of office

State of Texas) ss
County of Tarrant) ss

I, S. W. Allen, Civil Engineer and Surveyor, do hereby certify that the foregoing is a full true and complete map of the Tract of Texas Subdivision as surveyed, subdivided and plotted by me.

Witness my hand this the 22nd day of Sept. 1922.

S. W. Allen
Civil Engineer & Surveyor

Sworn and subscribed to before me the 22nd day of September A.D. 1922.

Geo. C. Seeding
Notary Public, Tarrant Co. Tex.

Filed for record in my office the 22nd day of September A.D. 1922 at 3:00 o'clock P.M.

Com. E. Hill
Clerk of Tarrant County
Deputy