

L&G Engineering

Transportation Consultants

June 13, 2025

The Honorable David L. Fuentes
Commissioner, Pct. 1
Attn.: David Suarez, RPIC
1902 Joe Stevens Avenue, Ste. 101
Weslaco, Texas 78596

RE: County: Hidalgo
Hwy.: Mile 1 East
Limits: From: Business 83 To: Mile 8 North
ROW CSJ No. 0921-02-524
Parcel No.: 27

Dear Commissioner Fuentes:

Attached herewith is a counter offer as submitted by Suzanne M. Schwarz (daughter of property owners) of Parcel 27 on June 12, 2025. L & G Engineering has reviewed the aforementioned and hereby recommends that the counteroffer **be approved**. The property owner feels that their land and improvements are undervalued, but did not provide salient information. Also attached is the N-9, Administrative Settlement Evaluation and Approval Form.

L & G Engineering believes the counter offer is within an acceptable range of value. Therefore, we recommend that the counteroffer of \$29,173.20 **be approved**.

Please review these documents and if you have any questions or need more information, please contact me at (956) 585-1909.

Sincerely,

Fernando "Fred" Herrera
Right of Way Administrator

Attachments: As noted.
cc: File

DL
6-16-25
@4:43pm



HIDALGO COUNTY ADMINISTRATIVE EVALUATION AND APPROVAL FORM

ROW CSJ: 0921-02-524

County: Hidalgo

Highway: Mile 1 EAST

Project Limits: From: Business 83 To: Mile 8 North

Parcel No.: 27

Owner's Name: Kirk and Linda Schwarz Family, Ltd., a
Texas limited partnership

Avalos

Approved Offer: \$24,311.00

Date Offer Sent: 5/16/2025

Owner's Counteroffer: \$29,173.20

Date Counteroffer Received: 6/12/2025

Factors considered in evaluation:

1. Valuation Issues

- a. Reconciliation of all available appraisals, including Owner's.
- b. Other: Property owner feels that their property was under valued.

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 \$25,000.00
- 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: 7/2025
Projected possession date, if settled is: 7/2025
Projected possession date, if condemned is: 12/2025
Letting date: 9/2027
- 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 _____

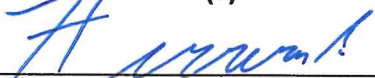
Analysis and Conclusion:

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

Parcel 27 is a partial acquisition tract of land containing 0.6946 of one acre (30,255.9319 square feet) situated in the City of Mercedes, Hidalgo County, Texas, being out of Lot 4, Block 42, Capisallo District Subdivision, according to the plat thereof recorded in Volume "P", Page 227, Hidalgo County Deed Records. On May 16, 2025 Acquisition Provider, L & G Engineering, mailed an initial offer letter package in the amount of \$24,311.00 to the property owner's "P.O.", (Kirk & Linda Schwarz Family, Ltd., a Texas limited partnership). On June 11, 2025 I used my social media to reach out to the P.O.'s family in order to make contact. On June 12, 2025 I received a call from Mrs. Suzanne M. Schwarz (daughter of P.O.'s) and we discussed the process and she will be sending me a counteroffer. Mrs. Schwarz was professional and willing to work with me. Later that afternoon, I received an email and the counteroff with supporting documents attached. In the property owners counteroffer it read their counteroffer is in the amount of \$29,173.20. After discussion and review by the evaluation team, it is the recommendation that the administrative settlement be approved. The difference between the approve value versus the property owner's counter offer is (a difference of \$4,862.20). The property owner provided information in the counter offer and the proposed consideration is a reasonable range for approval. Furthermore, accepting the counter offer would result in a cost savings to the County. We are recommending the property owners counter offer be approved and not pursue the acquisition by using the power of eminent domain.

This administrative settlement of \$ 29,173.20 is / is not recommended for approval as being reasonable, justified, prudent and in the public interest.

RECOMMENDATION(S):



Project Engineer/ROW Administrator

6/16/2025

Date

RPIC/Authorized Pct. Representative

Date

COUNTY APPROVAL:

County Judge

Date

Robert Casarez

From: Suzanne <smspc@aol.com>
Sent: Thursday, June 12, 2025 2:43 PM
To: Robert Casarez
Subject: Kirk & Linda Schwarz Family, Ltd
Attachments: Letter to Hidalgo County re Mile 1 East.pdf

You don't often get email from smspc@aol.com. [Learn why this is important](#)

Good Afternoon Robert:

Thanks for speaking with me this morning. Attached please find Kirk & Linda Schwarz Family, Ltd.'s Response/Counter to the Initial Offer Letter and package sent to us regarding Mile 1 East. The original Response/Counter was sent via express mail today.

I would appreciate an opportunity to discuss this matter further. Please feel free to contact me at 956-607-2060.

Thank you.

Suzanne

Suzanne Schwarz Shepard
Kirk & Linda Schwarz Family, Ltd.
smspc@aol.com
956-607-2060

Law Offices of Suzanne M. Schwarz, P.C.
25063 N Dilworth Rd
Harlingen, Texas 78552

This email transmission and the documents attached hereto may be considered confidential and privileged. If you have received this in error, please notify us immediately and delete the message. There is no intent by this communication by the sender to conduct a transaction or make any agreement by electronic means. Nothing in this message or attachment shall constitute a contract or electronic signature.

LAW OFFICES OF
SUZANNE M. SCHWARZ, P.C.
25063 N. Dilworth Rd.
HARLINGEN, TEXAS 78552
TELEPHONE (956) 607-2060
smspc@aol.com

June 11, 2025

Via Express Mail EI 414 731 933 US

Mr. Fernando Herrera
Right of Way Administrator
Pharr District
Hidalgo County
c/o L&G Engineering
900 S. Stewart Rd, Suite 10
Mission, Texas 78572

Mile 1 East: From: Railroad at Business 83 To: Mile 8 North
RCSJ: 0921-524
Parcel No. 27

RE: Land containing 0.6946 of one acre [30,255.9319 square feet] situated in the City of Mercedes, Hidalgo County, Texas, being out of Lot 4, Block 42, Capisallo District Subdivision, according to the plat thereof recorded in Volume "P," Page 227, Hidalgo County Deed Records, Texas ("Subject Property")

Dear Mr. Herrera:

This letter is in response to your letter dated May 15, 2025 (received May 17, 2025), regarding the valuation of the above-referenced parcel (the "Subject Property"). As set forth below, the Land Owner Kirk & Linda Schwarz Family, Ltd. ("Schwarz Family") is in disagreement with the value of the proposed right of way to be acquired, in this case an offer of \$35,000.00 an acre (or an offer of \$24,311.00 for 0.6946 acres). We formally contest the findings, make a counteroffer and respectfully request a reconsideration of the value. Please consider this a written request for administrative settlement/counteroffer. We reserve the right to amend this response upon receipt and review of information and documentation as received.

I. DESCRIPTION OF SUBJECT PROPERTY

In this matter, the description and pricing of the Subject Property fails to consider vital dynamics that set it far apart from the comparables used. The Subject Property's key characteristics include, but are not limited to, the following:

- The Subject Property has easy access to Interstate 2. The property is located less than a mile from Interstate 2 and an intersection making it a highly desirable location.
- The Subject Property is located only a short distance from commercial locations including a Bert Odgen dealership and Starbucks as well as two new residential subdivisions.
- The Subject Property is in close proximity to the Rio Grande Valley Premium Outlets and its shops. The Outlets can be seen from the Subject Property.
- The Subject Property has frontage on two roads – Mile 1 East and Mile 8 North – and is on a corner lot with excellent ingress/egress and visibility.
- The Subject Property is located in the city limits of Mercedes and is zoned business.
- The Subject Property is located in a TIRZ Zone.

See Attachment "1." Please note that since this picture of the area was taken the property to the left side of the Subject Property has developed into residential.

II. THE VALUE OF THE SUBJECT PROPERTY SHOULD BE HIGHER THAN THE COMPARABLES

Market value has been defined in case law as “the price the property will bring when offered for sale by the one who desires to sell, but is not obligated to sell, and is bought by one who desires to buy, but is under no necessity of buying.” *State v. Carpenter*. 89 S.W. 2d 194 (Tex. Civ. App. 1936). Sales must be so situated in terms of character, location, and time that they are relevant to the proceedings.

As set forth below, the comparison of the Subject Property to the comparables does not reflect the intrinsic and unique value of the Subject Property. We respectfully request that the weight of the comparables in the Report be reevaluated based on the following points:

A. THE SUBJECT PROPERTY IS IN THE MERCEDES CITY LIMITS AND PART OF TIRZ.

In the Appraisal Report and as part of its analysis, there are several references to the Subject Property not being in the city limits of Mercedes which is incorrect. On page 2.2 of the Report and entitled “Mercedes City Limits,” it incorrectly labels the wrong tract as the Subject Property – referencing instead a tract outside of the Mercedes city limits. Additionally, on page 3.1 of the Report, it states that since the Subject Property is not in the City limits it is only within the extra territorial jurisdiction of Mercedes which does not enforce zoning.

To the contrary, the Subject Property is in the Mercedes City Limits which increases its value and attractiveness. *See Attachment "2."* It is subject to zone enforcement. Furthermore, the Subject Property is actually in the Mercedes TIRZ making it highly desirable. Additionally, while the Subject Property is prime for Residential Use it also has, unlike any of the comparables, commercial potential due to its location.

B. COMPARABLE COMPARISONS.

The Schwarz Family respectfully requests that the weight of the comparisons between the Subject Property and the comparables, including Market Conditions, Relative Location, Site Utility and Size, be reconsidered, especially Comparable 3, in light of the following points.

Comparable 1:

Comparable 1 sold for \$36,843.00 in June 2023. The time element of two years should be considered in Market Conditions, but no adjustment was made.

Comparable 1 is very irregular in shape (unlike the Subject Property) with the majority of the property actually behind buildings and businesses and accessible only by a small area off the roadway. Additionally, unlike the Subject Property, this comparable is not on a corner and does not have easy access to Interstate 2. A large portion of the comparable is not visible. *See Attachment "3"*.

Yet, Comparable 1 has a higher sales price than is being offered to the Schwarz Family.

Comparable 2:

Comparable 2 sold for \$36,375.00 per acre over a year ago. Even though the sale was made over a year ago, there was no adjustment for Market Conditions.

This Comparable is miles off the Interstate. The Subject Property, in contrast, is less than a mile from Interstate 2. Comparable 2 is fronted on one side by a caliche road and the Donna Land Fill. *See Attachment "4"*. The Subject Property, on the other hand, is fronted by two asphalt roads.

Despite the above, Comparable 2 is given a higher sales price than is being offered to the Schwarz Family.

Comparable 3:

Comparable 3 sold for \$20,732.00 almost a year ago. Especially with this comparable, an adjustment in favor of the Subject Property for Market Conditions should have been made. Not only was the sale almost a year before, but also this comparable is clearly inferior to the Subject Property. No adjustment, however, was made to Market Conditions.

This Comparable is double the size of the Subject Property and further from the Interstate. While an allowance and adjustment were made as to the size and site utility, the amount of adjustment was inadequate in this case for several reasons. Comparable 3 is double the size of the Subject Property, and it is also not congruent as it is situated on different sides of the road. Additionally, part of the comparable is an odd shape and partially wooded.

Second and importantly, as set forth on *Attachment "5,"* the Seller put a restrictive condition on the sale requiring that all of the incongruent lots had to be sold in one sale and not separated which would have contributed to a lower sales price with limited marketability. This should also be considered in Market Conditions and adjustments. In the marketing material for the listing it is noteworthy that the first use for

the property, as listed on the sheet, is farmland with subdevelopment listed secondary.

C. SUMMARY

The Subject Property is in the Mercedes City limits and is part of a TIRZ. The Market Conditions for the Subject Property are superior to all the comparables, but no adjustment was made. As to Relative Location and Site Utility, the Subject Property is the closest to the Interstate and intersection; close to a major commercial shopping venue; is on a corner and fronted by two roads; has the easiest access; and is on a corner with easy access. Yet, no adjustments were made. Finally, as to Size, Comparable 3 is double the size of the Subject Property and incongruent. A larger adjustment should have been considered.

Based on the above, the Schwarz Family requests \$42,000.00 per acre (or \$29,173.20 for 0.6946) for value.

III. EXEMPTIONS

On the proposed improvements, the Schwarz Family, its heirs, successors, and/or assigns requests that the Schwarz Family Property not be charged any special assessments, impact fees, capital improvement fees or any other fees including reimbursement costs.

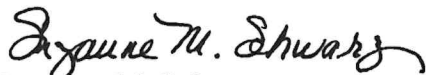
IV. MISCELLANEOUS RELATED DAMAGES

The Schwarz Family, its heirs, successors and/or assigns also requests that Hidalgo County agree to protect and indemnify the Schwarz Family from any lawsuits arising from any activities on the property. This would include any deaths, injuries, destruction of property or governmental lawsuits for environmental violation whether due to the condemner's negligence or not and include attorneys' fees and express negligence.

If Hidalgo County or any government agency stops using the Subject Property for the public use for which it was acquired, the Subject Property cannot be sold or transferred but rather will revert back to the Schwarz Family, its heirs, successors and/or assigns. Furthermore, the Subject Property will revert back to the Schwarz Family, its heirs, successors, and assigns if the public use for which the property was acquired is canceled before the property is used; if no actual progress is made toward the public use for which the property was acquired within two years; or if the property becomes unnecessary for the public use for which it was acquired.

Thank you in advance for your consideration regarding this matter. Should you have any questions, please feel free to contact us.

Very truly yours,

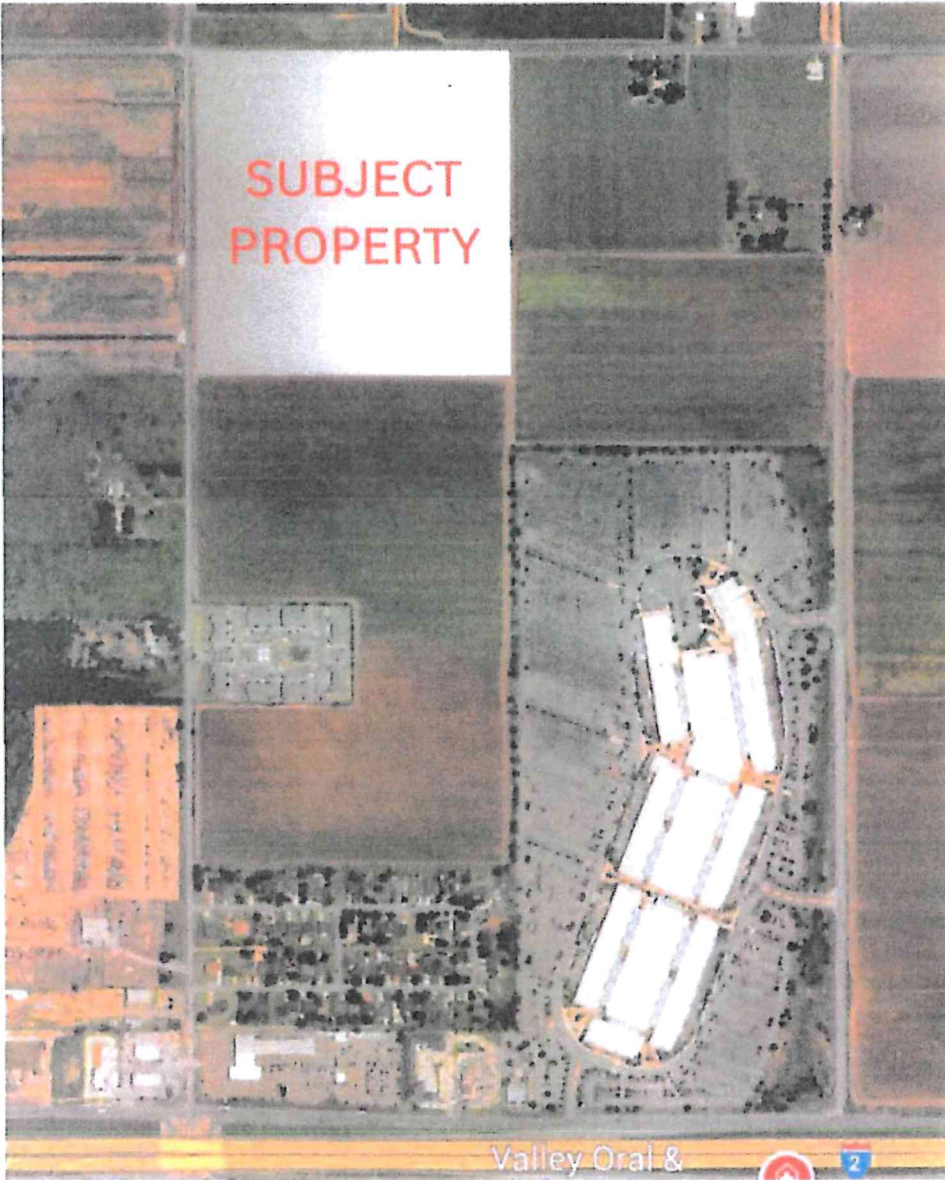


Suzanne M. Schwarz

Encl.

**ATTACHMENT 1:
SUBJECT PROPERTY OVERVIEW SHOWING
PROXIMITY TO INTERSTATE 2 AND RIO GRANDE VALLEY PREMIUM OUTLETS
TWO ASPHALT ROADS AND ON CORNER**

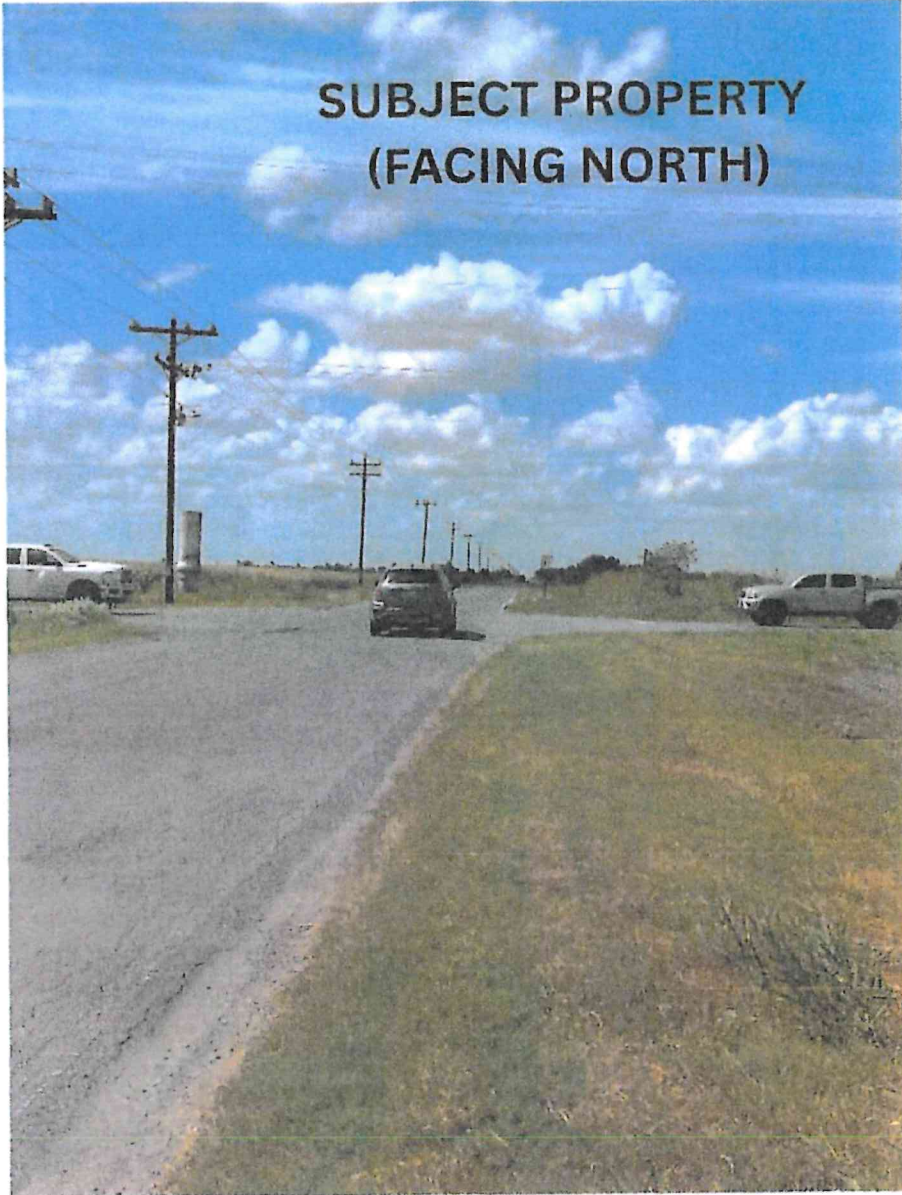
SUBJECT
PROPERTY



Valley Oral &



**SUBJECT PROPERTY
(FACING NORTH)**



SALES COMPARISON APPROACH – LAND SALES

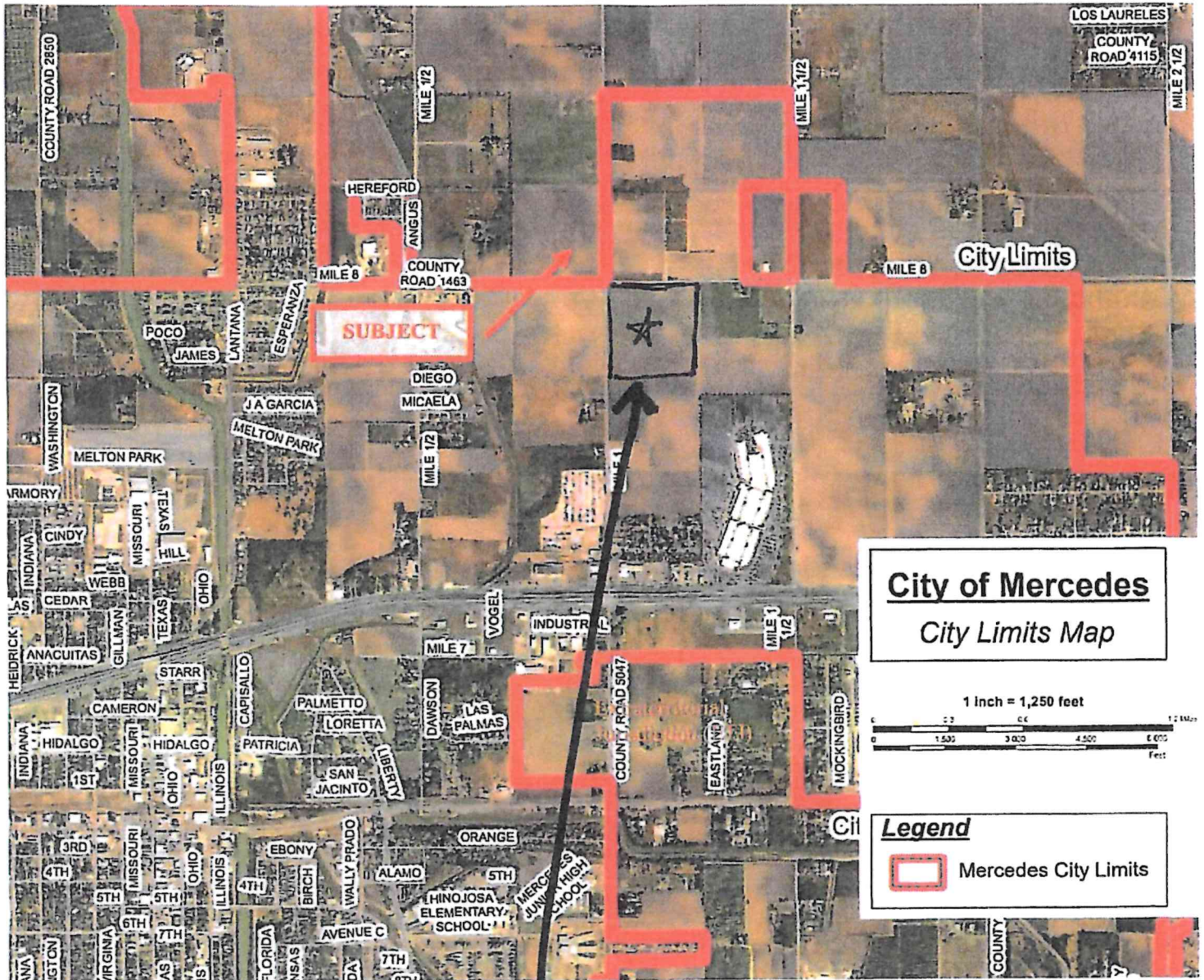
The sales comparison approach utilizes land sales with similar highest and best use in similar markets as the subject. This is performed to derive the valuation of the pro-rata part of the whole property to be acquired. Each sale was research through various sources, including but not limited to, the Greater McAllen Multiple Listing Service, Hidalgo County Deed Records, Hidalgo County Appraisal District, Realtors, Real Estate Appraisers, and conversations with various property owners along the project.



Subject Property is closest to I-2

ATTACHMENT 2
SUBJECT PROPERTY WITHIN MERCEDES CITY LIMITS

MERCEDES CITY LIMITS



Actual Subject Property
In City limits of Mercedes

COMPARABLE DATA SUPPLEMENT – SALE 1

District: Pharr Parcel No.: 27 Highway: Mile 1 East
 County: Hidalgo ROW CSJ: 0921-02-524

Land Sale

Improved Sale

Rental Data



Grantor: MRSJ Investments, LLC

Grantee: Peruggia Ventures, LLC

Date: June 30, 2023 Recording Information: 3461983 Key Map: N/A

Address: East side of FM 491 between Mile 8 and Mile 9, Mercedes, Texas Zip Code: 78570

Legal Description: s 40.08 Acre tract of land, out of Lots 6, 11, and 12, Block 64, Capisallo Subdivision

Confirmed Price: \$1,476,670

Verified with: Sales Contract / HCAD / Deed

Terms and Conditions of Sale: Cash to Seller

Rental Data: N/A

Land Size: 40.08-Acres

Unit Price as Vacant: \$36,843 / Acre

Type Street: Asphalt Paved

Utilities: Water / No Sewer

Improvement(s) Description: N/A

Improvement(s) Size: N/A Unit Price as Improved: N/A

Condition and Functional Design: N/A

Highest & Best Use: Residential Development Use

Current Use: Vacant

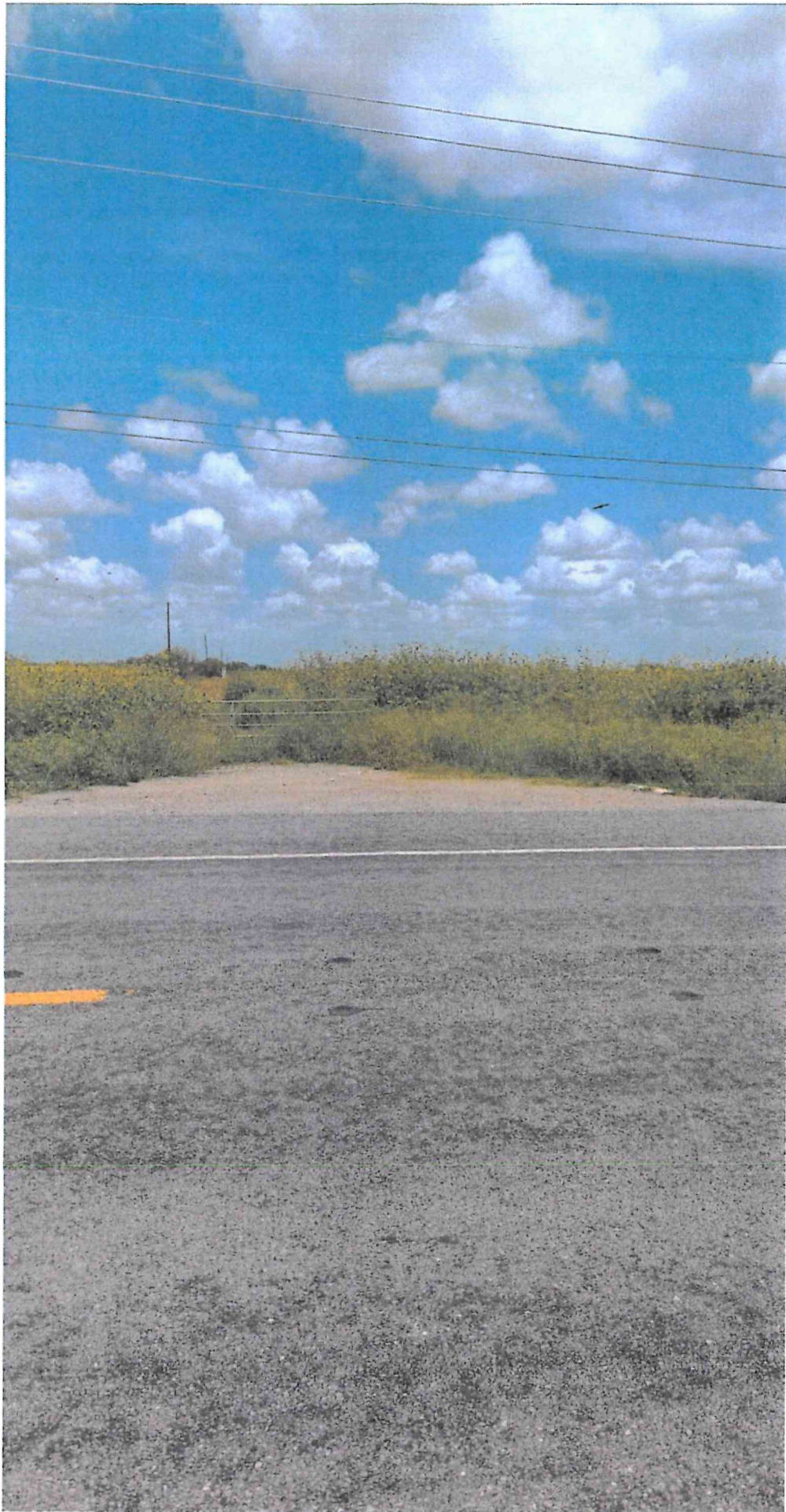
Zoning: N/A Flood Plain: Zone X

Date of Inspection: March 11, 2025

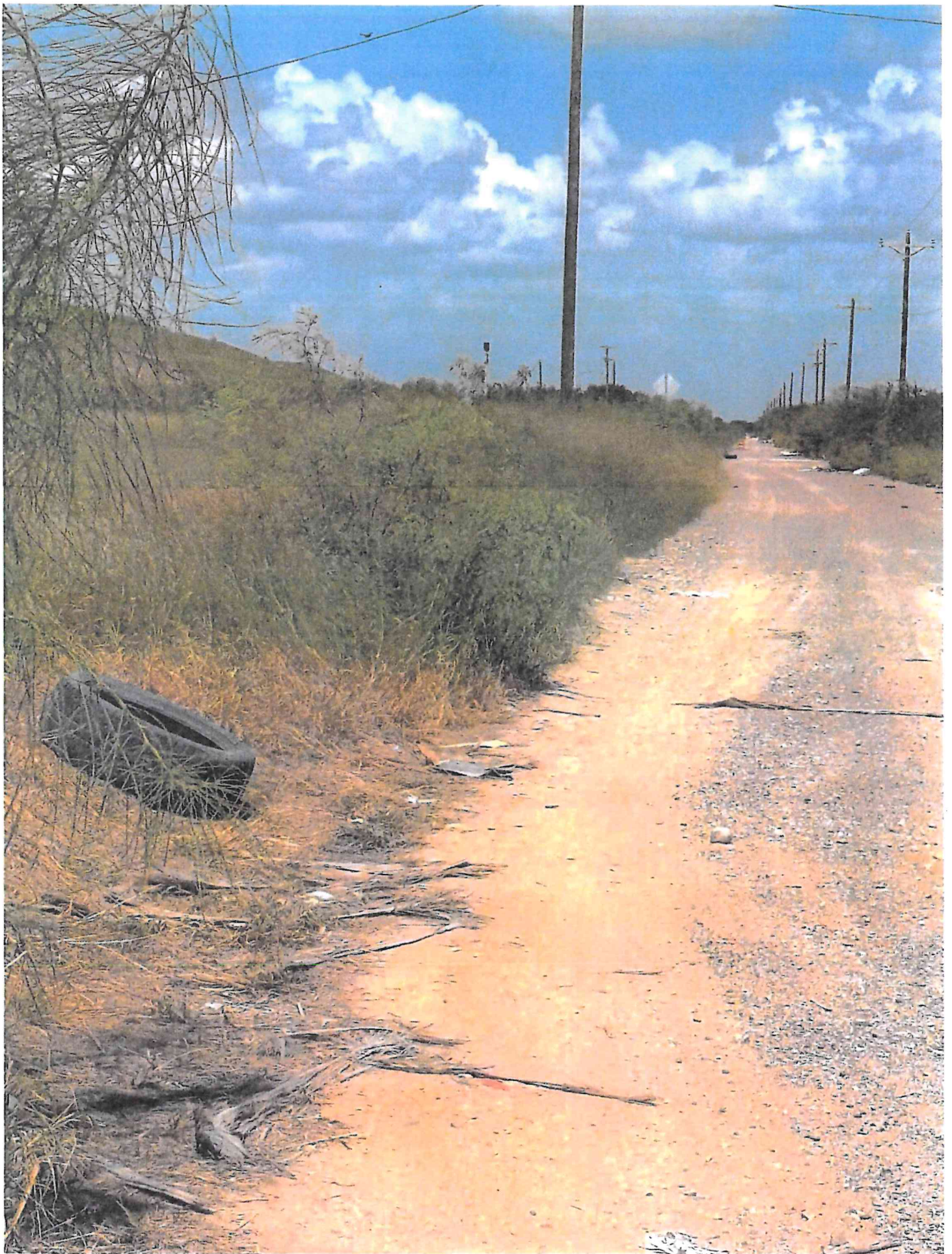
Appraiser: Leonel Garza III

March 12, 2025
Date

IRREGULAR TRACT



ATTACHMENT 4
PICTURES OF COMPARABLE 2
CALICHE ROAD



CALICHE ROAD ON SOUTH SIDE OF PROPERTY

COMPARABLE 2



ATTACHMENT 5
COMPARABLE 3 SHOWING DOUBLE SIZE, NOT CONGRUENT
REQUIRED TO BE SOLD AS ONE SALE



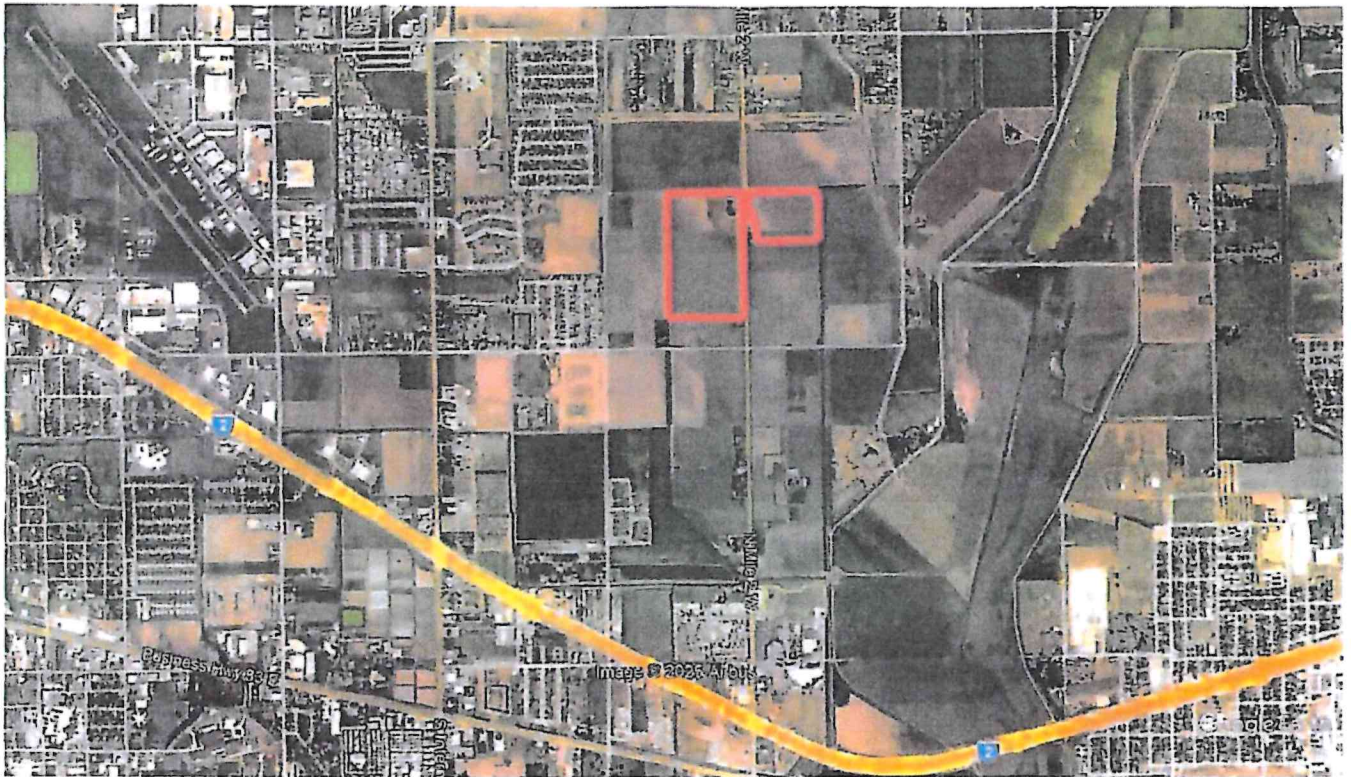
COMPARABLE DATA SUPPLEMENT – SALE 3

District: Pharr Parcel No.: 27 Highway: Mile 1 East
County: Hidalgo ROW CSJ: 0921-02-524

Land Sale

Improved Sale

Rental Data



Grantor: SPBL Farms, LLC

Grantee: Joe Daniel Olivarez and Jacinto Garza

Date: July 25, 2024 Recording Information: 3567737 Key Map: N/A

Address: East & West side of Mile 2 West Road between Mile 8 and Mile 9, Weslaco, Texas Zip Code: 78570

Legal Description: A tract of land out of Lots 9 and 16, Block 115 and Lot 12, Block 102, Campacus Addition

Confirmed Price: \$1,694,403

Verified with: MLS 426737 / HCAD / Deed

Terms and Conditions of Sale: Cash to Seller

Rental Data: N/A

Land Size: 81.73-Acres

Unit Price as Vacant: \$20,732 / Acre

Type Street: Asphalt Paved

Utilities: Water / No Sewer

Improvement(s) Description: N/A

Improvement(s) Size: N/A Unit Price as Improved: N/A

Condition and Functional Design: N/A

Highest & Best Use: Residential Development Use

Current Use: Vacant

Zoning: N/A Flood Plain: Zone X

Date of Inspection: March 11, 2025

March 12, 2025
Date

Appraiser: Leonel Garza III

IRREGULAR TRACT
NOT CONGRUENT

00 N Mile 2 Road W, Mercedes, Texas 78570

Listing

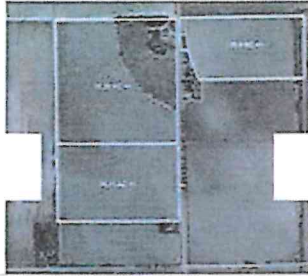


A / MLS #: 426737 (Sold)

List Price: \$2,255,000

00 N Mile 2 Road W, Mercedes, TX 78570

Sold Price: \$1,694,403 Closing Date: 07/26/2024 Financing: Conventional
Selling Office: Davis Real Estate - Weslaco Selling Agent: Rogelio roy Ramirez
Seller Concessions \$0 Seller Conc Type: Non-Realty Items \$:
Non Allowables: No Repairs: Buyer Closing Costs/Prepays: No
SP/SqFt:
SP/Acre: 44,021.91



1 / 3

Other
- Ma ...

Type: Unimproved County: Hidalgo
Suitable Use: Farmland, Subdevelopment Subdivision: Campacuas
Lot Dim: IRREGULAR School District: Weslaco ISD
Lot SqFt: 1,676,624 Elementary Sch: Rico
Acreage: 38.49 Middle School: Mary Hoge
Topography: Level, Partially Wooded High School: Weslaco East H.S.
Crops: Row Crops POA/HOA: No Mandatory:
Improvements: None Lease Exp Date: 2024-12-31
Tax GEO ID: C0700-00-115-0009-00
Base Taxes: \$343
Tax Year: 2023

Showing Instructions: Show Anytime, Vacant

Directions: From I-69, North on Mile 2 West Rd. approx. 1.5 miles. Property is on West side of Mile 2 W. Road located between Mile 8 North and Mile 9 North. North-East corner of 40 acre tract is green area with circular entry. 24.51 acres are adjacent to South of 40 acres. 19 acres are located across road , not including residential property.

Legal Description: CAMPACUAS ADDN 40 AC LT 9 BLK 115 38.49 AC NET

Utilities: Public Water, Septic Location Features: Mature Trees
Water/Sewer: Public Water, Septic Access: County Road
Water Supplier: North Alamo WSC Street Type: Paved
Water Comments: Available; not connected Fence Type: None
Irrigation District: H CCWC ID#9 Community Amenities: Horse/Livestock Allowed
Irrig/Water Rights: Yes Leased (Rent/Share): \$90/ Acre

Remarks: Available for sale are three separate tracts totaling 82 acres (+/-) of pristine leveled farmland. Seller will not consider selling individual tracts. Location is ideally suited for development into commercial and/or residential use. Location is approximately 1.5 miles North of I-69, between Weslaco & Mercedes. Tracts are irrigated and water and electricity services are available. As per FEMA, area is located in area: X500 - 500-year Floodplain, levee protected area. Interested parties are responsible for conducting their own due diligence and confirming all information.

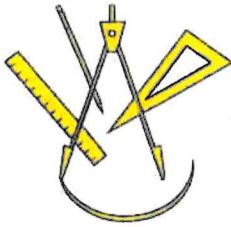
Agent Remarks: Listing consist of following legal descriptions: CAMPACUAS ADDN 40AC LT 9 BLK 115 38.49 AC NET; CAMPACUAS ADDN N825' LOT 16 BLK 115 24.51 AC; CAMPACUAS ADDN N660' LOT 12 BLK 102 EXC S317'-W190' BEING AN IRR TR 19.0AC. Seller will not consider selling individual tracts. Subject to current farm lease. No survey on file. Seller to retain any/all mineral rights, and does not waive rights to ingress and egress to subject tracts. None MLS participants Co-Broke is 2.00% Please contact LA via text when submitting offers to confirm receipt of offers. Seller's title company of choice is Edward's Abstract - Edinburg; Diana Kaufold / Escrow Officer

Escrow (Use \$ or %): 225,500

REO: No Relocation: Short Sale:
Agreement Type: Exclusive Right to Sell Possession: Closing and Funding, Subject to Tenant Rights

Proposed Terms: Cash, Conventional
Owner Name: SPBL Farms LLC Owner Name 2:
Original LP: \$2,255,000 List Date: 02/05/2024 Expiration Date: 02/28/2025 DOM: 155
Internet: Yes Display Addr: Yes Allow AVM: Yes Allow Comments: Yes
Broker License #: 453055 Broker: Flo Lasater
Supervisor Lic #: 0453055 Supervisor: Flo Lasater
Office Lic #: 0
LP/OLP: 1.00 LP/SqFt:
Curr \$/Acre: \$44,021.91 LP/Acre: \$58,586.66

Listing Office: Davis Real Estate - Weslaco Listing Agent: Rogelio roy Ramirez
Address: 2300 West Pike Blvd., Weslaco, TX 78596 Agent Email: ryrmz@msn.com



L&G Engineering

Transportation Consultants

May 15, 2025

Via Certified Mail, Return Receipt Requested
No. **9589 0710 5270 0706 0156 71**

County: Hidalgo
Federal Project No.: N/A
Highway: Mile 1 East

ROW CSJ: 0921-02-524
Parcel: 27
From: Business 83
To: Mile 8 North

Kirk and Linda Schwarz Family, LTD.
A Texas limited partnership
25063 N Dilworth Rd
Harlingen, Texas 78552

Dear Kirk and Linda Schwarz Family, LTD. A Texas limited partnership:

In acquiring property for the highway system of 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, Fernando Herrera Right of way Manager, a portion of your property located on Mile 1 East, 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 **\$24,311.00** for your property, which includes **\$24,311.00** for the property to be purchased and **\$0.00** for damages to your remaining property. This amount is the total amount of just compensation for all interests in the portion of your 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 County to negotiate with the fee owner(s) of the real 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 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 County to permit owners who convey voluntarily to the County to thereafter retain the improvement(s), if they wish to do so. The retention values shown below are the 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 amount of 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>
N/A	N/A

If you wish to accept the offer based upon this appraisal, please contact Project Manager Robert Casarez or Fernando Herrera Right of Way Manager, 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 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 real property, you will be reimbursed for any fair and reasonable



incidental expenses necessarily incurred in transferring title to the property for use by 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 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 County's determination on any claim for reimbursement.

You may be entitled to additional payments and services under the County's Relocation Assistance Program. It is emphasized, however, that any benefits to which 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 which are available.

You have the right to discuss with others any offer or agreement regarding the 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.

Attached 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 County 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 Project Manager Robert Casarez or Fernando Herrera Right of Way Manager at the telephone number provided above regarding any question you may have.

Please see the enclosed copy of the Texas Landowner 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 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
Brochure ("Right of Way Purchase")



REAL ESTATE APPRAISAL REPORT - TEXAS DEPARTMENT OF TRANSPORTATION

Address of Property: Mile 1 E Road & Mile 8 N Road (SE) Corner, Mercedes, Texas District: Pharr
Property Owner: Kirk & Linda Schwarz Family Ltd Parcel: 27
Address of Property Owner: 25063 N Dilworth Road, Harlingen, Texas 78552 ROW CSJ: 0921-02-524
Occupant's Name: Vacant Federal Project No: N/A
Whole: [] Partial: [x] Acquisition Highway: Mile 1 East 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 \$24,311 as of November 13, 2024, based upon my independent appraisal and the exercise of my professional judgment;

That on November 13, 2024, I personally inspected in the field the property herein appraised; that I afforded Kirk & Linda Schwarz Family Ltd, 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 July 11, 2024;

That I have not revealed and will not reveal the findings and results of such appraisal to anyone other than the proper officials of the L&G Engineering and 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: March 12, 2025

To the best of my knowledge, the value does not include any items which are not compensable under State law.
Harvey L Heerssen 3/19/2025
Reviewing Appraiser Date



TABULATION OF VALUES

Parcel 27 Highway: Mile 1 Road East ROW CSJ: 0921-02-524
 Taking Type: Partial District: PHR
 Size of Remainder: 38.107 Acres- (Survey Sketch) County: Hidalgo
 Type of Property: Res-SFR
 Contract Fencing: N/A
 Appraised by: Leonel Garza III
 Effective Date of Appraisal Report: November 13.2024
 Date Appraised Report Signed: March 12, 2025

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	80%	ROW Acquisition Expenses
Hidalgo County, Precinct No. 1	20%	ROW Acquisition Expenses

Interest Owner	Acquisition Interest	Land Area	Value	Lease (Y/N)
Kirk & Linda Schwartz Family LTD.	Fee Simple	0.6946 Ac./ 30,255.9319 sf,	\$24,311.00	No

I. Appraised Values

Land Value	Improvement Value	Sign Value	Damages/Enhancements	Total Value
\$24,311.00	\$0.00	\$0.00	\$0.00	\$24,311.00

II. Improvements

Item No.	Improvement Type	Type Construction	Improvement Value	Retention Value	Bisection Category

Item No.	Improvement Type	Type Construction	Improvement Value	Retention Value	Bisection Category
		Total	\$0.00	\$0.00	

TABULATION OF VALUES (continued)

Parcel 27

Highway: Mile 1 Road East

ROW CSJ: 0921-02-524

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	N/A	N/A	N/A
Total			\$0.00	\$0.00	

V. Recapitulation

Date:	11/13/2024			Recommended Value
	Effective Date			
Appraiser's Name:	Leonel Garza III.			
Value of Whole Property	\$1,337,700.00			\$1,337,700.00
Parcel Area: 0.6946 Ac.				
VALUE FOR PARCEL				
Land: per. Ac. \$35,000	\$24,311.00			\$24,311.00
Easement	\$0.00			\$0.00
Improvements	\$0.00			\$0.00
Net Damages or (Enhancements)	\$0.00			\$0.00
OAS Value(s)	\$0.00			\$0.00
TOTAL COMPENSATION	\$24,311.00			\$24,311.00

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

TABULATION OF VALUES (continued)

Parcel: 27

Highway: Mile 1 Road East

ROW CSJ: 0921-02-254

VI. Comments and Conclusions on Values in the Appraisal Report

Appraiser: Leonel Garza III
Effective Date of Report: November 13, 2024
Report Dated: March 12, 2025
Review Appraiser: Harvey L. Heerssen
Effective Date of Review: March 14, 2025

Parcel 27 is a partial taking of 0.6946 acres (30,255.9319 sf.) parcel of land situated in the City of Mercedes, Hidalgo County, Texas and being out of Lot 4 , Block 42, Capisallo District Subdivision, according to the plat thereof recorded in Volume "P," Page 227, Hidalgo County Deed Records, which said 0.6946 acre tract is out of a certain tract conveyed to Kirk and Linda Schwarz Family, LTD. by virtue of a Warranty Deed recorded in Document Number 1916097 Hidalgo County Official Records, Hidalgo County, Texas.

The whole property is a vacant tract of land at the southeast corner of Mile 1 East Road and Mile 8 North Road, Mercedes, Texas. The proposed acquisition is a fee taking.

Three (3) comparable land sales support the while property value of \$35,000 per acre. The part taken is properly valued as a pro-rata part of the whole unit value. There are no market damage to the remainder land.

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 \$24,311 be approved for negotiations and acquisition.

VII. Justification and Explanation for Credit if Retained.

Retentions are not applicable as subject parcel is vacant land.

TABULATION OF VALUES (continued)

Parcel 27

Highway: Mile 1 Road East

ROW CSJ: 0921-02-254

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.

Reviewing Appraiser
[Signature]

Contract Reviewing Appraiser (if applicable)

Date
3/19/2025

Date

Division Reviewing Appraiser (if applicable)

Date

X. Approval of Values

[Signature]

County/City Representative

4/23/2025

Date

ROW Staff Representative

Date

APPROVED BY
COMMISSIONERS COURT
ON: *6/11/24* *BMS*