

L&G Engineering

Transportation Consultants

November 5, 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 6 West
Limits: From: Mile 14.5 to Mile 11
ROW CSJ No. 0921-02-355
Parcel No.: 142


Dear Commissioner Fuentes:

Attached herewith is a counter-offer as submitted by Alfredo Almaguer (owner) of Parcel 142 on October 5, 2025. L & G Engineering has reviewed the aforementioned and hereby recommends that counter-offer **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 \$58,071.00 **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



HIDALGO COUNTY ADMINISTRATIVE EVALUATION AND APPROVAL FORM

ROW CSJ: 0921-02-355

County: Hidalgo

Highway: Mile 6 West

Project Limits: From MILE 14.5 to Mile 11N

Parcel No.: 142

Owner's Name: Alfredo Almaguer

Approved Offer: \$49,771.00

Date Offer Sent: 9/24/2025

Owner's Counteroffer: \$58,071.00

Date Counteroffer Received: 10/29/2005

Factors considered in evaluation:

1. Valuation Issues

- a. Reconciliation of all available appraisals, including Owner's.
- b. Other: Property Owner believes her land and improvements were 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 \$20,000.00
- b. Approximate additional cost to litigate through jury trial \$40,000.00
- c. Other: _____

4. Timing Issues

- a. Maintain project schedule: 3/26
Possession of this property is needed by: 2/26
Projected possession date, if settled is: 2/26
Projected possession date, if condemned is: 6/26
Letting date: 12/26
- b. Other: _____

5. Other Issues

- It appears that the property owner's counteroffer is within an acceptable value. Subjecting this parcel through the process of Condemnation using the State's sovereign power of Eminent Domain would be time consuming and a costly approach.

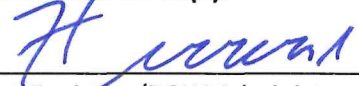
Analysis and Conclusion:

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

Parcel 142 is a partial acquisition containing 0.171 of an acre (7,464 sq. ft.) parcel of land situated in Hidalgo County, Texas and also being part of a 14.70 acre tract of land out of farm Tract 235 , WEST AND ADAMS TRACTS SUBDIVISION , according to the plat or map thereof recorded in Volume 2, Pages 34-37, of the Map Records of Hidalgo County (M.R.H.C.). On July 23, 2025, Acquisition Provider (L&G) mailed an offer of \$49,771.00 to purchase the property of Alfredo Almaguer and Alma Almaguer . L & G ROW Agent Rolando Gonzalez went and visited the property owner on site on October 15, 2025 to discuss the offer and answer any questions they might have. On October 29, 2025, the property owner submitted a counter offer in the amount of \$58,071.00. In the counter offer Mr. Almaguer stated that the replacement cost of concrete fence and gate and land were under valued. 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 aproved value versus the property owner's counter offer is a difference of (\$8,300.00) 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 \$ 58,071.00 is / is not recommended for approval as being reasonable, justified, prudent and in the public interest.

RECOMMENDATION(S):



Project Engineer/ROW Administrator

11/5/25
Date



RPIC/Authorized Pct. Representative

11/5/25
Date

COUNTY APPROVAL:

County Judge

Date

TABULATION OF VALUES

Parcel: 142 Highway: Mile 6 West Road-Phase II ROW CSJ: 0921-02-355
 Taking Type: Partial District: PHR
 Size of Remainder: 14.529 Acres County: Hidalgo
 Type of Property: Res-SFR
 Contract Fencing: N/A
 Appraised by: Leonel Garza III
 Effective Date of Appraisal Report 7/29/2025
 Date Appraised Report Signed: 7/31/2025

Access will be provided or denied to the new facility. If access will be partially provided or denied, explain in the 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) |
|----------------------------------|----------------------|-----------------------|-------------|-------------|
| Alfredo Almaguer & Alma Almaguer | Fee Simple | 0.171 Ac/ 7,464 sf | \$10,260.00 | No |

I. Appraised Values

| Land Value | Improvement Value | Sign Value | Damages/Enhancements | Total Value |
|-------------|-------------------|------------|----------------------|-------------|
| \$10,260.00 | \$22,411.00 | \$0.00 | \$17,100.00 | \$49,771.00 |

II. Improvements

| Item No. | Improvement Type | Type Construction | Improvement Value | Retention Value | Bisection Category |
|----------|------------------|-------------------|-------------------|-----------------|--------------------|
| A. | Wall | Masonry 276-LF. | \$20,700.00 | \$1.00 | N/A |
| B. | Gate | Tube -1 EA. | 450.00 | 1.00 | N/A |
| C. | Fencing | Barb Wire-9 LF. | 29.00 | 1.00 | N/A |
| D. | Drive | Caliche- 373 SF. | 93.00 | 1.00 | N/A |
| E. | Drive | Asphalt-414 SF. | 1,139.00 | 1.00 | N/A |
| | | | | | |
| | | | | | |

| Item No. | Improvement Type | Type Construction | Improvement Value | Retention Value | Bisection Category |
|-----------------|-------------------------|--------------------------|--------------------------|------------------------|---------------------------|
| | | | | | |
| | | | | | |
| | | Total | \$22,411.00 | \$6.00 | N/A |

TABULATION OF VALUES (continued)

Parcel: 142

Highway: Mile 6 West Road-Phase II ROW CSJ: 0921-02-355

III. Damages and Enhancements

| Total Non-Exempt Damages | Enhancements | Exempt Damages | Net Damages |
|--------------------------|--------------|----------------|-------------|
| \$0.00 | \$0.00 | \$17,100.00 | \$17,100.00 |

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: | 7/29/2025 | | | Recommended Value |
| | Effective Date | | | |
| Appraiser's Name: | Leonel Garza III. | | | |
| Value of Whole Property | \$1,361,288.00 | | | \$1,361,288.00 |
| Parcel Area: 0.171 Acres | | | | |
| VALUE FOR PARCEL | | | | |
| Land: per ac. \$60,000 | \$10,260.00 | | | \$10,260.00 |
| Easement | \$0.00 | | | \$0.00 |
| Improvements | \$22,411.00 | | | \$22,411.00 |
| Net Damages or (Enhancements) | \$17,100.00 | | | \$17,100.00 |
| OAS Value (s) | \$0.00 | | | \$0.00 |
| Total Compensation | \$49,771.00 | | | \$49,771.00 |

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

TABULATION OF VALUES (continue)

Parcel: 142

Highway: Mile 6 West Road-Phase II ROW CSJ: 0921-02-355

VI. Comments and Conclusions on Values in the Appraisal Report

Appraiser: Leonel Garza III
Effective Date of Report: July 29, 2025
Report Dated: July 31, 2025
Review Appraiser: Harvey L. Heerssen
Effective Date of Review: August 15, 2025

Parcel 142 is a partial taking of 0.171 acres (7,464 sf.) parcel of land situated in Hidalgo County, Texas and being a part or a portion of a 14.70-acre tract out of Farm Tract 235, West and Adams Tracts Subdivision according to the plat or map thereof recorded Volume 2, Pages 34-37, of the Map Records of Hidalgo County, according to a deed dated January 11, 2018 from Jesus Villa to Anita Ramos Villa recorded in Document 2894248 of the Official Records of Hidalgo County, Texas.

The whole property is located on the east side of Mile 6 West Road, and addressed as 6622 Mil 6 West Road, Weslaco, Texas. The whole tract is improved with a single-family residence that is not impacted by the proposed acquisition.

The appraiser has selected three (3) vacant sales to value the whole property at 60,000 per acre. The part taken is properly valued as a pro-rata part of the whole value. There are no market damage to the remainder land. Cost to cure is calculated for the improvements that were depreciated within the acquisition to replace these items on the remainder to retain the same utility.

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 \$49,771 be approved for negotiations and acquisition.

VII. Justification and Explanation for Credit if Retained.

A retention of \$1.00 is applied to each item within the acquisition to encourage retention and removal.

TABULATION OF VALUES (continued)

Parcel: 142

Highway: Mile 6 West Road-Phase II ROW CSJ: 0921-02-355

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

Date

J. Henry L. Johnson

Contract Reviewing Appraiser (if applicable)

8/31/2025

Date

Division Reviewing Appraiser (if applicable)

Date

X. Approval of Values

Ann Bz

County/City Representative

9/18/25

Date

ROW Staff Representative

Date

APPROVED BY
COMMISSIONERS COURT
ON: 5/3/22 BMS
AI-85699

REAL ESTATE APPRAISAL REPORT - TEXAS DEPARTMENT OF TRANSPORTATION

Address of Property: 6622 N Mile 6 Rd, Weslaco, Texas
Property Owner: Alfredo Almaguer & Alma Almaguer
Address of Property Owner: 6622 N Mile 6 Rd., Weslaco, Texas 78599
Occupant's Name: Alfredo Almaguer & Alma Almaguer
Whole: Partial: Acquisition

District: Pharr
Parcel: 142
ROW CSJ: 0921-02-355
Federal Project No: N/A
Highway: Mile 6 West Road Phase III 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 \$49,771 as of July 29, 2025, based upon my independent appraisal and the exercise of my professional judgment;

That on July 29, 2025, I personally inspected in the field the property herein appraised; that I afforded Alfredo Almaguer & Alma Almaguer, 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 29, 2025;

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. 1 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

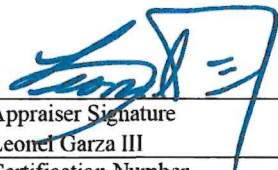
I certify to the best of my knowledge and belief:

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

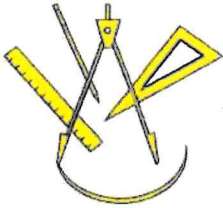
Date: July 31, 2025

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

 8/31/2025

Reviewing Appraiser Date





L&G Engineering

Transportation Consultants

September 24, 2025

**Via Certified Mail, Return Receipt Requested
No. 9589 0710 5270 2984 0005 61**

County: Hidalgo
Federal Project No.: N/A
Highway: Mile 6 West

ROW CSJ: 0921-02-355
Parcel: 142
From: Mile 14.5
To: Mile 11 N.

Alfredo Almaguer and Alma Almaguer
6622 N Mile 6 Rd.
Weslaco, Texas 78599

Dear Mr. Alfredo Almaguer and Ms. Alma Almaguer:

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 6 West, 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 **\$49,771.00** for your property, which includes **\$32,671.00** for the property to be purchased and **\$17,100.00** 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>Type</u> | <u>Amount to be Subtracted if Retained</u> |
|--------------------|-------------|--|
| A. Wall | Masonry | \$1.00 |
| B. Gate | Tube | \$1.00 |
| C. Fencing | Barb Wire | \$1.00 |
| D. Drive | Caliche | \$1.00 |
| E. Drive | Asphalt | \$1.00 |

If you wish to accept the offer based upon this appraisal, please contact Project Manager Robert "Bob" Garcia 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 "Bob" Garcia 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*")

Attention: Rolando Gonzalez, ROW Agent


10-29-2025

I, Alfredo Almaguer, respectfully reject the total offer of \$49,771.00 for Parcel Number 142. My counteroffer is based on the replacement cost of my concrete fence, gate and value of my land. I believe the valuation provided for the fence, gate and land is below fair market value.

Based on current estimates, the total cost to replace the fence and gate is approximately \$8,300.00 higher than the amount reflected in your estimate.

I respectfully ask that you consider my counteroffer for a total value of \$58,071.00. I believe this figure represents a fair and equitable agreement for both parties.

Thank you for your consideration.

 10-29-2025
Alfredo Almaguer