

# L&G Engineering

Transportation Consultants

November 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.: 3

Dear Commissioner Fuentes:

Attached herewith is a counteroffer as submitted by Mark Twenhafel (Attorney Representative) of Parcel 3 on October 29, 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 counteroffer is within an acceptable range of value. Therefore, we recommend that the counteroffer of \$10,361.97 **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

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**ROW CSJ:** 0921-02-524

**County:** Hidalgo

**Highway:** Mile 1 EAST

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

**Parcel No.:** 3

**Owner's Name:** Mildred R. Twenhafel individually and as Trustee of Erwin A. Twenhafel Testamentary Trust; Mark A. Twenhafel; and Lauren Leigh Tankersley and Caresse Laine Tankersley

**Approved Offer:** \$8,290.00

**Date Offer Sent:** 10/2/2025

**Owner's Counteroffer:** \$10,361.97

**Date Counteroffer Received:** 10/29/2025

### Factors considered in evaluation:

1. Valuation Issues

- a.  Reconciliation of all available appraisals, including Owner's.
- b.  Other: Property owner feels that his 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: 11/2025  
Projected possession date, if settled is: 11/2025  
Projected possession date, if condemned is: 3/2026  
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 3 is a tract of land containing 0.0952 one acre [4,144.7873 square feet] situated in the City of Mercedes, Hidalgo County, Texas, being out of Lot 8, Block 66, Capisallo District Subdivision, according to the plat thereof recorded in Volume "P", Page 227, Hidalgo County Deed Records. On October 2, 2025 Acquisition Provider, L & G Engineering, mailed an initial offer letter package in the amount of \$8,290.00 to the property owner's. On October 20, 2025 I emailed the property owners Attorney (Mark Twenhafel), and on October 27, 2025 I emailed the Attorney again for a response to the initial offer letter. The Attorney emailed me on October 29, 2025 with their counteroffer of \$10,361.97. 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 counteroffer is (a difference of \$2,071.97). The property owner did not provide salient information in the counteroffer, but 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 \$ 10,361.97  is /  is not recommended for approval as being reasonable, justified, prudent and in the public interest.

**RECOMMENDATION(S):**

*H. Rowal*  
Project Engineer/ROW Administrator

*11/13/25*  
Date

\_\_\_\_\_  
RPIC/Authorized Pct. Representative

\_\_\_\_\_  
Date

**COUNTY APPROVAL:**

\_\_\_\_\_  
County Judge

\_\_\_\_\_  
Date

## Robert Casarez

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**From:** Mark Twenhafel <mark@twenhafel-law.com>  
**Sent:** Wednesday, October 29, 2025 10:11 AM  
**To:** Robert Casarez  
**Subject:** RE: Mile 1 East Parcel 3  
**Attachments:** Appraisal.Property Valuation Summary.Parcel6A,B.pdf

Robert,

My apologies for not getting with you sooner.

I'd propose a figure based on \$2.50 per square foot rather than the proposed \$2.00 per square foot. That would bring the purchase price to \$10,361.97.

Parcel 6A, B were valued by County's appraiser at \$2.50 per square foot (see attached), and we've signed the closing documents for Parcel 6A, B and are only waiting to be paid.

Parcel 6A, B is probably less than a hundred feet from this parcel 3, with both 6 and 3 on the west side of Mile 1. If anything, Parcel 3 is probably more valuable because it's closer to US Bus. 83 than Parcel 6A,B.

Not sure why Parcel 3 would be materially different than Parcel 6A, B.

Owners propose a purchase price based on \$2.50 per square foot to remain consistent with the County's purchase price of \$2.50 per square foot for Parcel 6A, B.

Please let me know if this is acceptable. Any prior proposals are revoked.

Thanks.



TWENHAFEL LAW P.C.

MARK A. TWENHAFEL

*e:* 956.687.6225

*f:* 956.686.1276

3825 N. 10TH ST., SUITE E • McALLEN, TEXAS 78501

*mark@twenhafel-law.com*

**From:** Robert Casarez <rcasarez@lgengineers.com>  
**Sent:** Monday, October 27, 2025 1:37 PM  
**To:** Mark Twenhafel <mark@twenhafel-law.com>  
**Subject:** Mile 1 East Parcel 3

Good Afternoon Mark,

**PROPERTY VALUATION SUMMARY**

Whole:  Part to be Acquired:  Remainder After:

**HIGHEST AND BEST USE ANALYSIS:**

The determination of the market value of the part to be acquired is based on the subject's existing highest and best use: Single-Family Residential Use

**VALUATION APPROACHES**

Cost Approach \$  
 Sales Comparison Approach (Land Only) \$22,275  
 Income Approach \$

**Reconciliation of Approaches to Value:**

Each approach to market value was reviewed to determine the most applicable approach for acquiring the part's market value. Based on the inspection of the part to be acquired, the sales comparison approach (as vacant) is the most applicable approach to value.

<b>Contributory Value of Improvements</b>	
<b>Total Contributory Value of Improvements</b>	\$ -

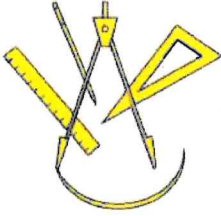
Part 1 Land Area	4,950.1980	SF @	\$ 2.50 / SF	\$ 12,375
Part 2 Land Area	3,960.1584	SF @	\$ 2.50 / SF	\$ 9,900
Total Land Value				\$ 22,275
<b>Reconciled Final Value</b>				<b>\$ 22,275</b>

Land Value,  
pg 3.2

Cost Approach,  
pg 3.8

Sales Comparison Approach,  
pg 3.9

Income Approach,  
pg 3.10



# L&G Engineering

Transportation Consultants

September 30, 2025

*Via Certified Mail, Return Receipt Requested  
No. 9589 0710 5270 2984 0006 53*

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

ROW CSJ: 0921-02-524  
Parcel: 3  
From: Business 83  
To: Mile 8

Mildred R. Twenhafel individually and as Trustee of Erwin A. Twenhafel Testamentary Trust;  
Mark A. Twenhafel; and Lauren Leigh Tankersley and Caresse Laine Tankersley  
P.O. Box 3766  
McAllen, Texas 78502-3766

Dear Mildred R. Twenhafel et al.:

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 **\$8,290.00** for your property, which includes **\$8,290.00** 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	

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 East Road (W/S) 0.10 miles north of  
Business 83, Mercedes, Texas  
Property Owner: E.A. Twenhafel & Mildred R Twenhafel  
Address of Property Owner: PO Box 3766, McAllen, Texas 78502  
Occupant's Name: Vacant  
Whole:  Partial:  Acquisition

District: Pharr  
Parcel: 3  
ROW CSJ: 0921-02-524  
Federal Project No: N/A  
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 \$8,290 as of April 8, 2025, based upon my independent appraisal and the exercise of my professional judgment;

That on April 8, 2025, I personally inspected in the field the property herein appraised; that I afforded E.A. Twenhafel & Mildred R Twenhafel, 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, Hidalgo County, 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 82<sup>nd</sup> 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: August 21, 2025

To the best of my knowledge, the value does not include any items which are not compensable under State law.  
*Harvey L. Heerssen* 8/23/2025  
Reviewing Appraiser Date





**TABULATION OF VALUES (continued)**

Parcel 3 Update (3)

Highway: Mile 1 Road

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
		<b>Total</b>	\$0.00	\$0.00	

**V. Recapitulation**

Date:	8/21/2025 3 <sup>rd</sup> Updated Report	11/13/2024 2 <sup>nd</sup> Updated Report	8/19/2024 1 <sup>st</sup> Updated Report	Recommended Value
Appraiser's Name:	Leonel Garza III.	Leonel Garza III.	Leonel Garza III	
Value of Whole Property	\$126,000.00	\$497,994.00	\$497,994.00	\$126,000.00
Parcel Area: 4,144.7873 SF				
<b>VALUE FOR PARCEL</b>				
Land:	\$0.00	\$0.00	\$0.00	\$0.00
Easement per SF. \$2.00	\$8,290.00	\$16,377.00	\$19,074.00	\$8,290.00
Improvements	\$0.00	\$0.00	\$0.00	\$0.00
Net Damages or (Enhancements)	\$0.00	\$0.00	\$0.00	\$0.00
OAS Value(s)	\$0.00	\$0.00	\$0.00	\$0.00
<b>TOTAL COMPENSATION</b>	<b>\$8,290.00</b>	<b>\$16,377.00</b>	<b>\$19,074.00</b>	<b>\$8,290.00</b>

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

**TABULATION OF VALUES (continued)**

Parcel: 3 Update (3)

Highway: Mile 1 Road

ROW CSJ: 0921-02-524

**VI. Comments and Conclusions on Values in the Appraisal Report**

**Appraiser: Leonel Garza III**

**Effective Date of 3rd Updated Report: April 8, 2025**

**3rd Updated Report Dated: August 21, 2025**

**Review Appraiser: Harvey L. Heerssen**

**Effective Date of 3rd<sup>d</sup> Updated Review: August 22, 2025**

Parcel 3 has been updated a third time to reflect current market value due to a change in the field note description of the amount of square footage within the proposed acquisition. The price per sf. remains the same as originally reported. In this update, the easement valuation has been removed, the improvements within the part taken also have also been removed, This update represents a decrease in value from \$19,040 to \$8,290 .

Parcel 3 is a partial taking of 0.011 acres (471.8050 sf.) parcel of land situated in the City of Mercedes, Hidalgo County, Texas and being out of Lot 8, Block 64, Capisallo District Subdivision, according to the plat thereof recorded in Volume "P," Page 227, Hidalgo County Deed Records, which said 0.011 of one acre tract is out of a 30-foot Irrigation Easement claimed by Hidalgo And Cameron Counties Irrigation District No. 9, Hidalgo County, Texas.

The whole property is an improved tract of land addressed as 8745 Mile 1 East, Mercedes, Texas. The whole property contains two (2) single-family residences, a residential storage and shed that are not impacted by the proposed acquisition.

Three (3) comparable land sales support the whole property value of \$2.00 per sf. 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 3<sup>rd</sup> updated 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 3<sup>rd</sup> <sup>d</sup> updated value of \$8,290 be approved for continuing negotiations and acquisition.

**VII. Justification and Explanation for Credit if Retained.**

Retentions are not applicable as subject easement parcel is vacant land.

**TABULATION OF VALUES (continued)**

Parcel 3 Update (3rd)

Highway: Mile 1 Road

ROW CSJ: 0921-02-524

**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

*John L. Johnson*  
\_\_\_\_\_  
Contract Reviewing Appraiser (if applicable)

\_\_\_\_\_  
8/23/2025

\_\_\_\_\_  
Date

\_\_\_\_\_  
Division Reviewing Appraiser (if applicable)

\_\_\_\_\_  
Date

**X. Approval of Values**

*Rum B2*  
\_\_\_\_\_  
County/City Representative

*9/18/25*

\_\_\_\_\_  
Date

\_\_\_\_\_  
ROW Staff Representative

\_\_\_\_\_  
Date

APPROVED BY  
COMMISSIONERS COURT  
ON: *6/11/24 BAS*  
*AI-95630*