

L&G Engineering

Transportation Consultants

May 5, 2026

The Honorable Eduardo "Eddie" Cantu
Commissioner, Pct. 2
c/o Erika Zamora
300 West Hall Acres
Pharr, Texas 78577

RE: County: Hidalgo
TxDOT CSJ No. 0921-02-406
Cesar Chavez Phase II: Business 83 to Nolana Loop
Parcel No.: 75 – Juan Pablo Cruz

Dear Commissioner Cantu:

Attached herewith is a counter-offer as submitted by Juan Pablo Cruz, owner of Parcel 75 on April 16, 2023. L & G Engineering has reviewed the aforementioned and hereby recommends that counteroffer be **approved**. Attached also is the N-9, Administrative Settlement Evaluation and Approval Form.

L & G Engineering believes the counteroffer is a valuation, legal and cost savings issue. More importantly due to recent court awards on similar projects and the cost to litigate through the Special Commissioners' Hearing we recommend that the counteroffer of **\$5,260.00** be accepted.

Please review these documents and feel free to contact me at (956) 585-1909 if you wish to discuss this matter personally.

Sincerely,

Fernando "Fred" Herrera
Right of Way Administrator

Attachments: As noted.

cc: File

P2 ADMIN
2026 MAY 6 PM 1:55



HIDALGO COUNTY ADMINISTRATIVE EVALUATION AND APPROVAL FORM

ROW CSJ: 0921-02-406

County: Hidalgo

Highway: Cesar Chavez Rd

Project Limits: From Business 83 to Nolana Loop

Parcel No.: 75

Owner's Name: Juan Pablo Cruz

Approved Offer: \$3,859.00

Date Offer Sent: 11/17/2023

Owner's Counteroffer: \$5,260.00

Date Counteroffer Received: 4/15/2026

Factors considered in evaluation:

1. Valuation Issues

- a. Reconciliation of all available appraisals, including Owner's.
- b. Other: Property owners believe that their property was undervalued.

2. Legal Issues

- a. Analysis of recent court awards on similar properties or projects.
- b. Analysis of recent court decisions which may affect the outcome of a condemnation action.
- c. Analysis of previously unlitigated issues.
- d. Other: _____

3. Cost Savings

- a. Approximate cost to litigate through Special Commissioners' Hearing \$20,000.00
- b. Approximate additional cost to litigate through jury trial \$40,000.00
- c. Other: _____

4. Timing Issues

- a. Maintain project schedule: Yes
Possession of this property is needed by: 06/2026
Projected possession date, if settled is: 06/2026
Projected possession date, if condemned is: 10/2026
Letting date: 05/2027
- 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 75 is a partial acquisition containing 228 sq. ft. parcel of land situated in Hidalgo County, Texas and also being a part of portion of a certain 0.25 of an acre tract of Lot 1, VAL-BAR ESTATES PHASE 1, according to the plat map thereof. On November 17, 2023, Acquisition Provider, L & G Engineering, made an offer of \$3,859.00 to property owner Jose Pablo Cruz, via certified mail. On April 15, 2026, Mr. Cruz submitted a counter offer for \$5,260.00. In his counter offer he states that their property had been undervalued. He believes his property should be appraised at a higher value. He also mentioned to us that his improvements were also undervalued. Based on the information provided within the the counter offer and discussion by the acquisition team it is recommended that the Administrative Settlement be approved. The difference between the approved value versus the property owner's counter offer (difference of \$1,401.00) 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 \$ 5,260.00 is / is not recommended for approval as being reasonable, justified, prudent and in the public interest.

RECOMMENDATION(S):

H. [Signature]
Project Engineer/ROW Administrator

5/4/26
Date

RPIC/Authorized Pct. Representative

Date

COUNTY APPROVAL:

County Judge

Date

Juan Pablo Cruz
1440 Val Bar Drive
Alamo, Texas 78516

April 15, 2026

Re: Purchase of 0.005 acres (228 sq. ft.) parcel of land situated in Hidalgo County Texas.

Hidalgo County
RCSJ: 0921-02-406
Cesar Chavez Section II
Parcel: 75

Dear Ms. Novelia Sanchez,


Regarding the County's right-of-way offer to purchase our Parcel No. 75. I, Juan Pablo Cruz, reject the total offer of \$3,859.00. The reason and basis for our rejection is noted as follows:

- Similar properties within the nearby area have sold for a higher per square foot rate. I feel my property has been undervalued.
- We have done all the work and removed all the improvements, and the cost was higher than what we will be paid.
- With the passage of time, we would like to be considered for the following amount below:

In consideration of the above information, our counteroffer is for the amount of \$5,260.00

If you have any questions, please contact me at (956) 732-9450. If you approve our counteroffer of \$5,260.00, we are ready to finalize this acquisition with the County of Hidalgo and L & G Engineering.

Thank you,



Juan Pablo Cruz

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

January 27, 2021
Revised June 28, 2021
Parcel 75
Page 1 of 3

EXHIBIT "A"

Property Description
Parcel 75

DESCRIPTION of a 0.005 of an acre (228 square feet) parcel of land situated in Hidalgo County, Texas and also being a part or portion of a certain 0.25 of an acre tract out of Lot 1, VAL-BAR ESTATES PHASE I, according to the plat or map thereof recorded in volume 22, page 3, of the Map Records of Hidalgo County (M.R.H.C.), described in a deed dated February 22, 2010 from Aurora A. Stack to Juan Pablo Cruz and recorded in documents number 2077925, of the Official Records of Hidalgo County (O.R.H.C.), and said 0.005 of an acre parcel (228 square feet) being more particularly described by metes and bounds as follows:

Note: All bearings and coordinates are based on the State Plane Coordinate System of Texas, South Zone, North American Datum 1983 (1993 adjustment), English units. All distances and coordinates are surface and may be converted to grid by dividing by a combined scale factor of 1.000040;

COMMENCING at a 5/8 inch iron rod with cap stamped RPLS 4856 set for the northeast corner of said Lot 1, thence as follows;

N 81° 25' 43" W, along the north line said Lot 1, a distance of 50.83 feet to a 5/8 inch iron rod with cap stamped RPLS 4856 set on the proposed east right of way line of Cesar Chavez Road for the northeast corner and **POINT OF BEGINNING** of herein described parcel, having surface coordinates of N=16,601,616.73, E=1,105,199.49, 40.00 feet right to centerline station 248+32.17.

1. **THENCE**, S 08° 34' 17" W, along the proposed east right of way line of Cesar Chavez Road a distance of 104.88 feet to a 5/8 inch iron rod with cap stamped RPLS 4856 set on the south line of Lot 1 and the north right of way line of Val Bar Drive for the southeast corner of this parcel, 42.28 feet right to centerline station 247+26.64.

2. **THENCE**, N 81°25'43" W, along the south line of Lot 1 and the north right of way of Val Bar Drive, a distance of 2.17 feet a 5/8 inch iron rod with cap stamped RPLS 4856 set on the existing east right of way of Cesar Chavez Road the southwest corner of said Lot 1 and the southwest corner of this parcel.

3. **THENCE**, N 08°34'17" E, along the existing east right of way line of Cesar Chavez Road and the west line of said Lot 1, a distance of 104.88 feet to a 5/8 inch iron rod with cap stamped RPLS 4856 set on the north line of said Lot 1 for the northwest corner of this parcel.

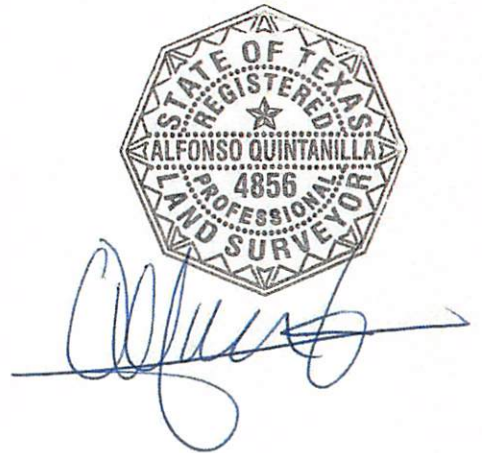
4. **THENCE**, S 81°25'43" E, along the north line of said Lot 1, a distance of 2.17 feet to the **POINT OF BEGINNING** containing 0.005 of an acre (228 square feet) of land.

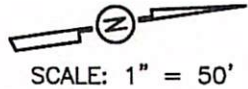
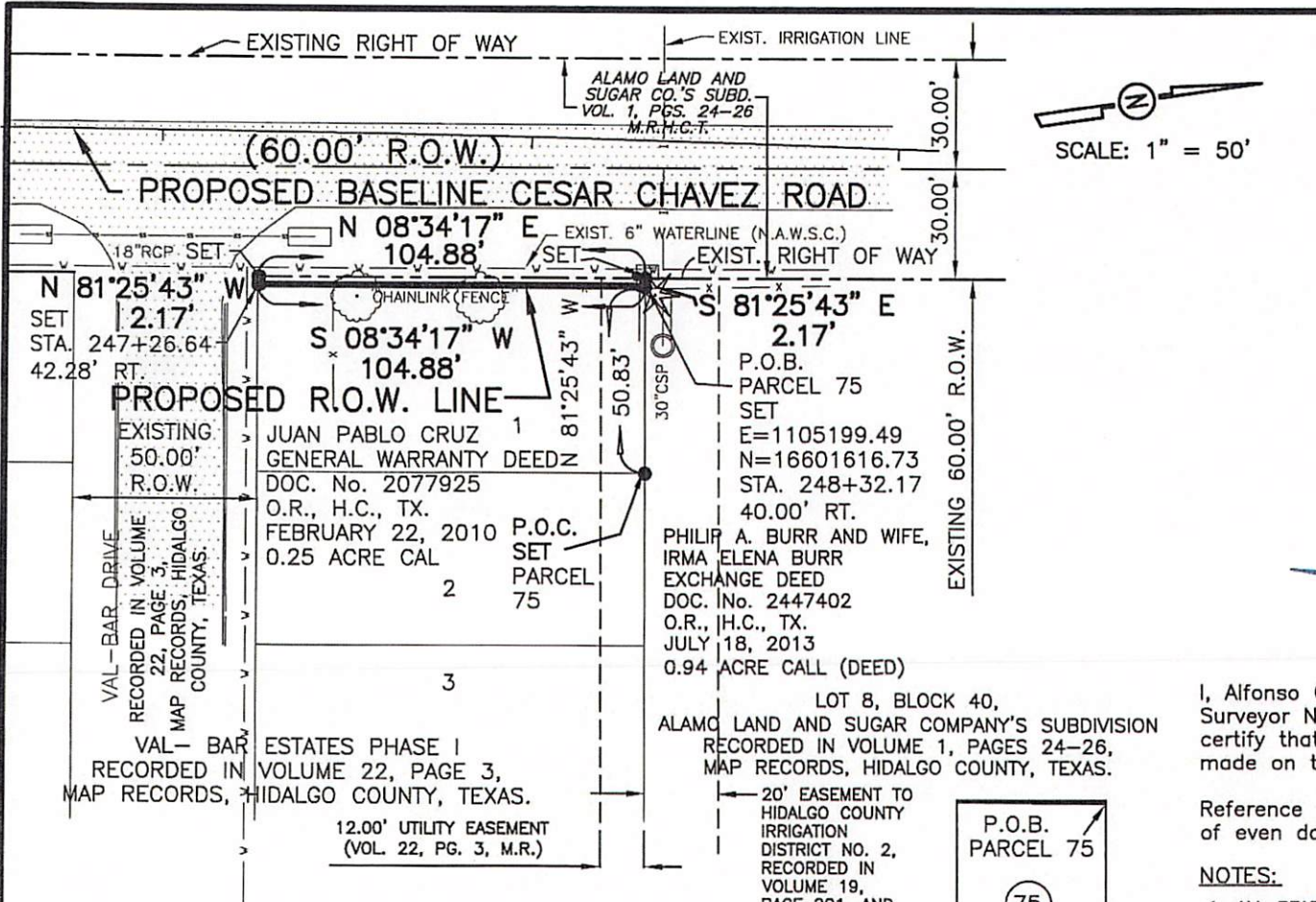
Reference is made to the parcel plat of even date accompanying this metes and bounds description.

I do hereby certify that this metes and bounds description conforms to the current General Rules of Procedures and Practices as promulgated by the Texas Board of Professional Land Surveyors.

Alfonso Quintanilla, R.P.L.S. # 4856
Quintanilla, Headley and Associates, Inc.
124 E. Stubbs Street
Edinburg, Texas 78539
Phone (956) 381-6480

Date: January 27, 2021
Revised: June 28, 2021





RIGHT OF WAY SKETCH
 SHOWING PROPERTY OF
JUAN PABLO CRUZ



Alfonso Quintanilla

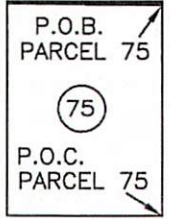
I, Alfonso Quintanilla, Registered Professional Land Surveyor No. 4856, in the State of Texas, do hereby certify that this plat delineates the results of a survey made on the ground under my supervision.

Reference is made to the metes and bounds description of even date accompanying this plat.

NOTES:

- ALL BEARINGS AND DISTANCES ARE BASED ON THE STATE PLANE COORDINATE SYSTEM NAD83. TEXAS SOUTH ZONE (4205)
- SET: INDICATES A 5/8" IRON ROD WITH A PLASTIC CAP STAMPED RPLS 4856 SET, UNLESS OTHERWISE NOTED.

REVISED: JUNE 28, 2021



PARENT TRACT INSET (NOT TO SCALE)

Restrictions recorded in Volume 1739, Page 459, Deed Records, Hidalgo County, Texas, and Restrictions as shown on plat recorded in Volume 22, Page 3, Map Records of Hidalgo County, Texas, but omitting any covenant conditions or restriction, if any, based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that the covenant, condition, or restriction (a) is exempt under Title 42 of the United States Code, or (b) relates to handicap, but not discriminate against handicapped persons. (APPLY-AS SHOWN HEREON)

Terms, conditions, covenants and provisions as set forth in that certain Water Service Agreement, dated December 11, 1979, filed for record on in the Office of the County Clerk of Hidalgo County, Texas in Volume 1806, Page 962, Deed Records Hidalgo County, Texas by and between North Alamo Water Supply Corporation and Val-Bar Estates. (NOT A SURVEY ITEM)

EASEMENTS, RIGHTS, RULES, AND REGULATIONS IN FAVOR OF HIDALGO COUNTY IRRIGATION DISTRICT No. 2 (APPLY-BLANKET)

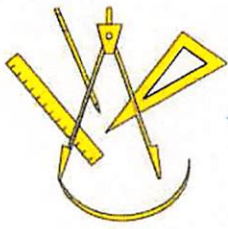
- LEGEND**
- = GAS METER
 - = FIRE HYDRANT
 - = PALM TREE
 - = TREE
 - = GUY WIRE
 - = ELECT PED
 - = POWER POLE
 - = MAILBOX
 - = SIGN
 - = WATER METER
 - = SERVICE POLE
 - = TEL PED
 - = TEL MARKER
 - = GATEWELL/STANDPIPE
 - = IRR. VALVE
 - = GAS MARKER
 - = STREET LIGHT
 - = VENT PIPE
 - = LAMP POST
 - = IRR. CONTROL VALVE

STATE TEXAS	PLAT OF SURVEY CESAR CHAVEZ RD.	COUNTY HIDALGO
ACCOUNT	G.C.S.J. No. 0921-02-405 R.C.S.J. No. 0921-02-406	DATE OF SURVEY: JAN. 27, 2021
EXISTING 0.25 AC. (CALL)	TAKING 0.005 AC. 228 S.F.	REMAINING 0.245 AC.
		PARCEL 75 PAGE 3 OF 3

QUINTANILLA, HEADLEY AND ASSOCIATES, INC.

CONSULTING ENGINEERS
 124 E. STUBBS ST.
 EDINBURG, TEXAS 78539
 ENGINEERING REGISTRATION NUMBER F-1513
 SURVEYING REGISTRATION NUMBER 100411-00

LAND SURVEYORS
 PHONE 956-381-6480
 FAX 956-381-0527
 ALFONSOQ@QHA-ENG.COM



L&G Engineering

Transportation Consultants

November 17, 2023

County: Hidalgo
CSJ: 0921-02-406
Highway: Cesar Chavez Section II
From: Business 83
To: Nolana Loop
Parcel: 75

RE: The purchase of a 0.005 of an acre (228 square feet) parcel of land situated in Hidalgo County, Texas, and also being a part or portion of a certain 0.25 an acre tract out of Lot 1, VAL-BAR ESTATES PHASE I, according to the plat or map thereof recorded in Volume 22, Page 3 of the Map Records of Hidalgo County.

Juan Pablo Cruz
1440 Val Bar Drive
Alamo, Texas 78516

Dear Mr. Juan Pablo Cruz:

Enclosed for your review and further processing are the following:

- Initial Offer Letter
- Metes and Bounds and Plat (proposed right of way to be acquired highlighted in yellow, located within appraisal report)
- Appraisal Report prepared by: Leonel Garza, III dated 10/24/2023
- Acknowledgement of Receipt of Appraisal Report
- Land Owner Bill of Rights
- Title Commitment
- Sample Deed
- Brochures ("State Purchase of Right of Way")

Please return the signed Acknowledgement of Receipt to our office at L&G Engineering, 900 S. Stewart Road, Suite 10, Mission, Texas 78572.

Should you have any questions or need additional information, please do not hesitate to contact me at (956) 585-1909.

Sincerely,

Fernando Herrera,
Right of Way Administrator



November 17, 2023

Via Certified Mail, Return Receipt Requested,
No. 7021 2720 0003 5005 3599

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

ROW CSJ: 0921-02-406
Parcel ID: 75
From: Business 83
To: Nolana Loop

Juan Pablo Cruz
1440 Val Bar Drive
Alamo, Texas 78516

Dear Mr. Juan Pablo Cruz:

In acquiring property for the highway system of Texas, the Texas Department of Transportation (the "Department") and Hidalgo County (the "County") follow a definite procedure for appraising the land needed and for handling personal negotiations with each owner. As has been or will be explained by the County's negotiator, Novelia Sanchez, a portion of your property located on Cesar Chavez Road, as described in the enclosed property description, is to be acquired for the construction or improvement of the above-referenced highway project.

We believe at this stage of the purchase process it is mutually beneficial to confirm that, based on an appraisal, the County is authorized to offer you **\$3,859.00** for the Property, which includes **\$2,978.00** for the Property to be purchased and **\$881.00** for damages to your remaining property. This amount is the total amount of just compensation for all interests in the portion of the property to be acquired, as determined in accordance with State law, less oil, gas, and sulfur, subject to clear title being conveyed to the County. In accordance with State law, it is the policy of the Department/County to negotiate with the fee owner(s) of the Property with the understanding that you will, in turn, negotiate with any lessee or other party who may own any interest in the land or improvements, with the exception of public utility easements, which will be handled separately by the Department/County.

This offer to purchase includes the contributory values of the improvement(s) listed below, which are considered to be part of the real Property. Since the improvement(s) must be removed, it is the policy of the Department/County to permit owners who convey voluntarily to the State to thereafter retain the improvement(s), if they wish to do so. The retention values shown below are estimated amounts the improvement(s) would bring if sold on public bids. If you wish to retain title to any of the following improvement(s) and remove it (them) from the right of way, the above offer must be reduced by the appropriate retention amount(s). This option to retain the improvement(s) does NOT apply should it become necessary for the County to acquire the real Property by eminent domain.

	<u>Improvement</u>	<u>Amount to be Subtracted if Retained</u>
A.	Fence – Chain Link	\$1.00
B.	Landscaping – Tree	\$1.00

If you wish to accept the offer based upon this appraisal, please contact Novelia Sanchez, as soon as possible, at (956) 585-1909 so that the process of issuing your payment may be started. If you are not willing to accept this offer, you may submit a written request for administrative settlement/counteroffer, setting forth a counteroffer amount and the basis for such amount, provided such settlement request is received in writing within 30 days from the date of this letter. *Please note that your opportunity to submit an administrative settlement shall be forfeited if such a settlement request is not received by the Department/County within the 30-day time deadline.* In the event the condition of the Property changes for any reason, the County shall have the right to withdraw or modify this offer.

After the date of payment of the purchase price, or the date of deposit in court of funds to satisfy the award of compensation as determined through eminent domain proceedings to acquire the Property, you will be reimbursed for any fair and reasonable incidental expenses necessarily incurred in transferring title to the Property for use by

the Texas Department of Transportation/Hidalgo County. Expenses eligible for reimbursement may include (1) recording fees, transfer taxes, and similar expenses incidental to conveying the real Property to the County, and (2) penalty costs for prepayment of any preexisting recorded mortgage entered into in good faith encumbering the real Property. Voluntary unnecessary expenses or expenses incurred in clearing questionable title will not be eligible for reimbursement. Eligible incidental expenses will be reimbursed upon submission of a claim supported by receipted bills or other evidence of actual expenses incurred. You may file a written request for review if you believe that the Department/County failed to properly determine the eligibility for, or the amount of, incidental expenses to be reimbursed. There is no standard form on which to request a review of a claim; however, the claim must be filed with this office within six months after you are notified of the Department's/County's determination on any claim for reimbursement.

You may be entitled to additional payments and services under the State's Relocation Assistance Program. It is emphasized, however, that any benefits that you may be entitled under this program will be handled entirely separate from and in addition to this transaction. You will receive a brochure entitled "*Relocation Assistance*", which will inform you of eligibility requirements, payments, and services that are available.

You have the right to discuss with others any offer or agreement regarding the Department's/County's acquisition of the subject Property, or you may (but are not required to) keep the offer or agreement confidential from others, subject to the provisions of Chapter 552, Government Code (the Public Records Act) as it may apply.

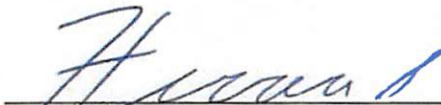
Please see the enclosed copy of the proposed instrument that will convey the Property and any improvement owned by you on the Property to the Department. Additionally, please see the enclosed copy of the Texas Landowner Bill of Rights.

Also enclosed is a copy of the Texas Department of Transportation brochure entitled "*Right of Way Purchase*", which we trust will give you a better understanding of the procedures followed by the Department in purchasing property. We respectfully request the opportunity to meet with you or to otherwise discuss and answer any questions you may have regarding the details of the type of facility to be built or concerning the County's offer or proposed purchase transaction. Also, please do not hesitate to contact Ms. Novelia Sanchez at the telephone number provided above regarding any questions you may have.

Please see the enclosed copy of the Texas Landowners' Bill of Rights.

Finally, we enclose copies of all appraisal reports relating to your Property being acquired, which were prepared in the ten (10) years preceding the date of this offer and produced or acquired by the state/County, including the appraisal on which this offer is based.

Sincerely,



Right of Way Manager or other signatories

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

TABULATION OF VALUES (continued)

Parcel: 75

Highway: Cesar Chavez Road Ph II

ROW CSJ: 0921-02-406

III. Damages and Enhancements

Total Non-Exempt Damages	Enhancements	Exempt Damages	Net Damages
\$0.00	\$0.00	\$0.00	\$0.00

IV. Sign Values

Item No.	Sign Owner	Type Construction	Improvement Value	Retention Value	Bisect. Cat.
N/A	N/A	N/A	\$0.00	\$0.00	N/A
		Total	\$0.00	\$0.00	

V. Recapitulation

Date:	10/24/2023			Recommended Value
Appraiser's Name:	Leonel Garza III			
Value of Whole Property	\$123,132.00			123132
Parcel Area: 0.005 ac.				
VALUE FOR PARCEL				
Land: per sf. \$7.00	\$1,596.00			\$1,596.00
Easement	\$0.00			\$0.00
Improvements	\$1,382.00			\$1,382.00
Net Damages or (Enhancements)	\$881.00			\$881.00
OAS Value(s)	\$0.00			\$0.00
TOTAL COMPENSATION	\$3,859.00			\$3,859.00

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

TABULATION OF VALUES (continued)

Parcel: 75

Highway: Cesar Chavez Road Ph II

ROW CSJ: 0921-02-406

VI. Comments and Conclusions on Values in the Appraisal Report

Appraiser: Leonel Garza III
Effective Date of Valuation: October 2, 2023
Report Dated: October 24, 2023
Review Appraiser: Brian Cade
Effective Date of Review: October 27, 2023
TxDOT Review Appraiser: N/A
Report Received at TxDOT:

Parcel 75 appears to be a parcel taking of 0.005 of an acre (228) sf. parcel of land being a part or portion of Lots 1 and 2, Val-Bar Estates, Phase I, Hidalgo County, Texas, according to map thereof recorded in Volume 22, Page 3 of the Map Records of Hidalgo County, Texas.

This parcel is located at the Northeast side of Cesar Chavez Road and Val Bar Drive within the City of Alamo, Texas. The whole property containing a single-family residence is owned by Juan Pablo Cruz. The highest and best use is for Single-Family Residential Use.

Three (3) recent comparable sales are utilized to value the whole property at \$7.00 per sf. The part taken is properly valued as a pro-rata part of the whole property unit value. There are no market damages to the remainder land.

A breakdown of the total compensation is as follows: Land owned by Juan Pablo Cruz to be \$1,596.00, Improvements owned by Juan Pablo Cruz to be \$1,382.00 and Cost to cure to be \$881.00 totaling \$3,859.00.

The appraiser has considered access damages in accordance with Section 21.042(d) of the Texas Property Code, as amended by SB18 of the Texas 82nd Regular Legislative Session. The result of the findings is that there is no denial of direct access nor material impairment of direct access on or off the remaining property that affects the market value of the remaining property. Therefore, there are no access damages to the remainder property.

The report prepared by the appraiser Leonel Garza III is an Appraisal Report presented on TxDOT form ROW A-5 and appears to comply with USPAP and the Texas Department of Transportation's Appraisal and Review Manual. The appraisers' opinion and conclusions appear to be well supported by information contained within this appraisal report. It is recommended that the total value of \$3,859.00 be approved for negotiations and acquisition.

VII. Justification and Explanation for Credit if Retained.

Retentions of \$1.00 are applied to each site improvement to encourage retention and removal.

TABULATION OF VALUES (continued)

Parcel: 75

Highway: Cesar Chavez Road Ph II

ROW CSJ: 0921-02-406

VIII. Conditions

Values for signs, if any, are applicable only if sign owner has compensable interest. Fencing is applicable only to actual cost or lump sum fencing on 90-10 Right of Way projects and State cost participation in fences to be in accordance with State's Right of Way Manual. The values indicated hereon have been approved on the basis that all improvements within the taking will be acquired in the name of the State through negotiation.

IX. Reviewing Appraisers' Statements

Reviewing Appraiser's Statement

It is my opinion that the appraiser's report for this parcel appears adequately supported and in compliance with all appropriate appraisal standards, laws, and regulations, and I recommend this appraisal for use by the appropriate Agency Official and his/her assigns. I have no direct or indirect present or contemplated future personal interest in such property or in any benefit from the acquisition of the parcel. To the best of my knowledge, the value does not include any items that are not compensable under State law.

Brian Cade

Digitally signed by Brian Cade
DN: cn=Brian Cade, o=RGV Appraisal
Services, ou,
email=brian@rgvappraisals.com, c=US
Date: 2023.10.27 09:45:39 -05'00'

10/27/2023

Reviewing Appraiser

Date

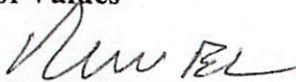
Contract Reviewing Appraiser (if applicable)

Date

Division Reviewing Appraiser (if applicable)

Date

X. Approval of Values



11/6/23

County/City Representative

Date

ROW Staff Representative

Date

APPROVED BY
COMMISSIONERS COURT
ON: 11/7/23 