

L&G Engineering

Transportation Consultants

June 11, 2026

The Honorable David Fuentes
Commissioner, Pct. 1
c/o David Suarez RPIC
1902 Joe Stephens Avenue
Weslaco, Texas 78599

RE: County: Hidalgo
RCSJ No. 0921-02-444
Parcel No.16
MILE 10N From : Mile 6 West To: Mile FM 1015

Dear Commissioner Fuentes:

Attached herewith is a counteroffer as submitted by James Konecny, owners of Parcel 16 on June 3, 2026. L & G Engineering has reviewed the aforementioned and hereby recommends that the counteroffer **be approved**. Also attached 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 of litigating through the Special Commissioners' Hearing we recommend that the counteroffer of **\$20,865.00** 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



HIDALGO COUNTY ADMINISTRATIVE EVALUATION AND APPROVAL FORM

ROW CSJ: 0921-02-444

County: Hidalgo

Highway: Mile 10 North

Project Limits: From MILE 6 West to N FM 1015

Parcel No.: 16

Owner's Name: James Konecny

Approved Offer: \$16,715.00

Date Offer Sent: 05/04/2026

Owner's Counteroffer: \$20,865.00

Date Counteroffer Received: 6/3/2026

Factors considered in evaluation:

1. Valuation Issues

- a. ☐ Reconciliation of all available appraisals, including Owner's.
- b. ☒ Other: Property Owner believes his 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: 3/27
Possession of this property is needed by: 10/26
Projected possession date, if settled is: 9/26
Projected possession date, if condemned is: 11/26
Letting date: 3/27
- 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 Eninent Domain would be time consuming and a costly approach.

** 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 _____

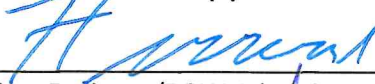
Analysis and Conclusion:

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

Being a 0.066 of an acre (2,895 square ft) parcel of land situated in Lot 6, Block 1, Country Aire Estates Unit No. 1 Subdivision, out of a 1.794 acre tract of land, as per map or plat thereof recorded in Volume 20, Page 55, Map Records, Hidalgo County, Texas as described Document Number 509075, of the official Records, Hidalgo County, Texas. On May 4, 2026, Acquisition Provider (L&G Engineering) made an offer of \$16,715.00 to purchase the property from James Konecny. On June 3, 2029 Mr. Konecny submitted a counter offer in the amount of \$20,865.00. In his counteroffer he states that an improvement was omitted from the appraisal, they missed an irrigation system. He also feels his improvements were undervalued foremost a mature oak tree. The difference between the approve value verses the property owner's counter offer is a difference of \$4,150.00. After the discussion and review by the evaluation team it is the recommendation that the administrative settlement be approved it does not warrant the risk and added expenses with standard eminent domain proceedings. Accepting the said counter offer will help avoid project time delays, and condemnation proceedings, thus resulting in a cost saving to the county.

This administrative settlement of \$ 20,865.00 ☒ is / ☐ is not recommended for approval as being reasonable, justified, prudent and in the public interest.

RECOMMENDATION(S):



Project Engineer/ROW Administrator

6/12/2026

Date



RPIC/Authorized Pct. Representative

6/15/26

Date

COUNTY APPROVAL:

County Judge

Date

June 3, 2026

James Konecny
1112 W. Mile 10 N.
Weslaco, Texas 78599

County: Hidalgo
Highway: Mile 6 West Road
ROW CSJ: 0921-02-444 Parcel No. 16

RE: Offer Letter dated May 4, 2024

Attn: Robert "Bob" Garcia
L&G Engineers ROW Agent

Dear Mr. Garcia,

I have reviewed your offer letter and the enclosed appraisal report and have determined that the value of my land and the improvement within the proposed ROW acquisition are low and have overlooked my irrigation water system. In view of these matters, I reject the County's offer of \$16,716.00 and have calculated a counter offer amount that is reasonable and in agreement to present market value for land and improvements. The basis and calculation are as follows:

- Concrete driveway – 180SF @ \$9.00/SF - \$1,620.00 @ 50% dep. =\$810.00
- Cedar Fencing – 15LF \$27.00LF = \$405.00 – No Dep. = \$405.00
- Mature Oak Tree – growing – 1 @ \$5,000.00
Shown on Attachment "A" Closed
- Sago Palm Tree - 9 trees @ \$500.00 each = \$4,500.00
- Irrigation Water System in ROW – water Valve shown on Attachment "B" is public, but the irrigation system is private part within the proposed ROW and part in my land
reminder = \$500.00
- Land – in proposed ROW –
 - Encumbered - 1930SF X \$S.50/SF = \$4,825.00
 - Fee simple – 965SF X \$5.00/SF = \$4,825.00
- Total amount for land & improvements \$20,865.00

Please note that part of the cost increase on some of the improvements that I have calculated are primary due to the present labor costs that are not considered or indicated in the appraisal report.

In consideration of the ~~above~~ denoted calculations and monetary amounts, my counter offer for Parcel No. 16 is for \$20,865.00. This amount being \$4,150.00 more than your offer of \$16,715.00

JK
6-4-26

Please consider and approve my counter offer so we may consummate this ROW acquisition in a timely maner. Thank you and Please contact me with your favorable decision.

Sincerely,



James Konecny, Owner

Rolando Gonzalez

From: Rolando Gonzalez <rgonzalez1960@icloud.com>
Sent: Tuesday, June 2, 2026 1:10 PM
To: Rolando Gonzalez



Attachment "A"



Sent from my iPhone

Attachment "B"

TABULATION OF VALUES

Parcel: 16 (P00086513) Highway: Mile 10 North Road ROW CSJ: 0921-02-444
 Taking Type: Partial District: Pharr
 Size of Remainder: 1.728 acres County: Hidalgo
 Type of Property: Single Family Residence Federal Project: N/A
 Contract Fencing: N/A
 Appraised by: Leonel Garza III
 Effective Date of Appraisal Report: December 12, 2025
 Date Appraised: February 18, 2026

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%	Right of Way Acquisition
Hidalgo County Precient No. 1	20%	Right of Way Aquisition

Interest Owner	Acquisition Interest	Land Area	Value	Lease (Y/N)
James Konecy	Fee Simple & Encumbered Fee	0.066 acres	\$7,720.00	No

I. Appraised Values

Land Value	Improvement Value	Sign Value	Damages/Enhancements	Total Value
\$7,720.00	\$8,995.00	\$0.00	\$0.00	\$16,715.00

II. Improvements

Item No.	Improvement Type	Type Construction	Improvement Value	Retention Value	Bisection Category
1	Concrete Driveway		\$675.00		
2	Cedar Fencing		\$270.00		
3	Oak Tree		\$4,000.00		
4	Sago Palm Tree		\$4,050.00		

TABULATION OF VALUES (continued)

Parcel: 16 (P00086513)

Highway: Mile 10 North Road

ROW CSJ: 0921-02-444

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:	December 12, 2025			Recommended Value
Appraiser's Name:	Leonel Garza III			
Value of Whole Property	\$520,827.00			\$520,827.00
Parcel Area: 0.066 ac.				
VALUE FOR PARCEL				
Land: per_sq ft. \$4.00 Fee \$2.00 Encumbered Fee	\$3,860.00			\$3,860.00
Easement	\$3,860.00			\$3,860.00
Improvements	\$8,995.00			\$8,995.00
Net Damages or (Enhancements)	\$0.00			\$0.00
OAS Value(s)	\$0.00			\$0.00
TOTAL COMPENSATION	\$16,715.00			\$16,715.00

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

TABULATION OF VALUES (continued)

Parcel: 16 (P00086513)

Highway: Mile 10 North Road

ROW CSJ: 0921-02-444

VI. Comments and Conclusions on Values in the Appraisal Report

Appraiser: Leonel Garza III

Effective Date of Report: December 12, 2025

Report Dated: February 18, 2026

Review Appraiser: George Jaime Salazar II, TX State Certified Appraiser

Effective Date of Review: January 23, 2026

The subject property is a 1.794-acre residential tract of land located at 1112 West Mile 10 N Road, Weslaco, Texas. The subject whole property is a single family residence.

The partial acquisition consists of 0.066 acres (2,895 square feet) with a remainder of 1.728 acres. The subject property is situated in an area where zoning is not currently recognized. The property was valued utilizing the Sales Comparison Approach and the Cost Approach. The appraiser Leonel Garza III selects three (3) sales similar to the subject in location and highest and best use to value the whole property at \$4.00 per square foot for the unencumbered portion and \$2.00 per square foot for the encumbered portion. The sale date for the comparable properties ranged from February 21, 2025 to April 25, 2025, and are considered recent transactions. The comparable sales unadjusted per square foot unit ranged from \$3.83 to \$4.53 per square foot. After adjustments the sales ranged from \$3.64 per square foot and \$4.13 per square foot. The elements of comparison include condition of sale, market conditions, location, site utility, available utilities, and size. Only adjustments for relative location, utilities, and size was made. All adjustments were considered reasonable and appropriate.

The report prepared by the appraiser Leonel Garza III is an appraisal report and is 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 \$16,715 to be approved for negotiations and acquisition.

The remainder is 1.728 acres. 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.

VII. Justification and Explanation for Credit if Retained.

Retentions are not applicable.

TABULATION OF VALUES (continued)

Parcel: 16 (P00086513)

Highway: Mile 10 North Road

ROW CSJ: 0921-02-444

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

George Salazar II

02/18/2026

Contract Reviewing Appraiser (if applicable)

Date

Division Reviewing Appraiser (if applicable)

Date

X. Approval of Values

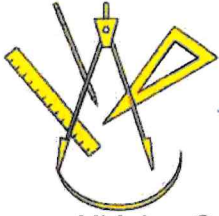
Ram R
County/City Representative

4/23/26
Date

ROW Staff Representative

Date

APPROVED BY
COMMISSIONERS COURT
ON: 2-17-26 MM
AI-102420



L&G Engineering

Transportation Consultants

5/4/2026

Hidalgo County
Mile 10 North
Limits: (Mile 6 West to N. International Blvd. (FM 1015))
RCSJ: 0921-02-444
Parcel No. 16

RE: The purchase of a 0.066 of an acre (2,895 square feet) parcel of land situated in Lot 6, Block 1, Country Aire Estates unit No. 1 Subdivision, out of a 1.794 acre tract of land, as per map or plat thereof recorded in Volume 20, Page 55, Map Records, Hidalgo County, Texas.

James Konecny
1112 W Mile 10 N
Weslaco, Texas 78599-2098

Dear Mr. James Konecny:

Enclosed for your review and further processing are the following:

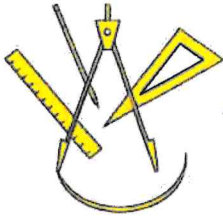
- Initial Offer Letter
- Metes and Bounds and Plat
- Appraisal Report prepared by: Leonel Garza, Jr. dated 2/18/2026
- Acknowledgement of Receipt of Appraisal Report
- Land Owner Bill of Rights w/Supplement
- Title Commitment
- Sample Deed
- Brochures ("State Purchase of Right of Way")

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



L&G Engineering

Transportation Consultants

May 4, 2026

Via Certified Mail, Return Receipt Requested
No. 9589 0710 5270 2984 0014 52

County: Hidalgo
Federal Project No.: N/A
Highway: Mile 10 North

ROW CSJ: 0921-02-444
Parcel: 16
From: Mile 6 West
To: N. International Blvd. (FM 1015)

James Konecny
1112 W Mile 10 N
Weslaco, Texas 78599-2098

Dear Mr. James Konecny:

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 **\$16,715.00** for your property, which includes **\$16,715.00** 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>
1. Concrete Driveway	\$1.00
2. Cedar Fencing	\$1.00
3. Oak Tree	\$1.00
4. Sago Palm Tree	\$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.

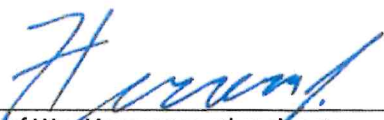
You have the right to discuss with others any offer or agreement regarding the County's acquisition of the subject property, or you may (but are not required to) keep the offer or agreement confidential from others, subject to the provisions of Chapter 552, Government Code (the Public Records Act) as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



Form ROW-A-5
(Rev. 08/11)

REAL ESTATE APPRAISAL REPORT - TEXAS DEPARTMENT OF TRANSPORTATION

Address of Property: 1112 W Mile 10 N, Weslaco, Texas
 Property Owner: James Konecny
 Address of Property Owner: 1112 W Mile 10 N, Weslaco, Texas 78599-2098

District: Pharr
 Parcel: 16 (P00086513)
 ROW CSJ: 0921-02-444

Occupant's Name: James Konecny
 Whole: ☐ Partial: ☒ Acquisition

Federal Project No: N/A
 Highway: Mile 10 North Road 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 \$16,715 as of December 12, 2025, based upon my independent appraisal and the exercise of my professional judgment;

That on December 12, 2025, I personally inspected in the field the property herein appraised; that I afforded James Konecny, 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 December 15, 2025;

That I have not revealed and will not reveal the findings and results of such appraisal to anyone other than L&G Engineering or the proper officials of 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 Senate Bill 18 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 – Certified General Real Estate Appraiser
 Certification Number
 TX 1328375-CG
 Date: February 18, 2026

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

George Salazar II

02/18/2026

Reviewing Appraiser

Date

