

STATE OF TEXAS

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§

COUNTY OF HIDALGO

ORDER CONFIRMING SALE OR EXCHANGE OF REAL PROPERTY

**C-14-029-08-25**

On this the 25<sup>th</sup> day of August, **2014**, came on to be heard the sale or exchange of a tract of land, filed with the Commissioners Court of Hidalgo County, Texas, regarding the sale or exchange of that certain tract more particularly described on Exhibit A which is attached hereto and incorporated herein by reference for all purposes (hereinafter "the Property") by sealed bid; the said sale or exchange being duly advertised as to the time and place of sale for the length of time and in the manner provided by law, subject to the terms and conditions and requirements set forth as follows:

1. The Property shall be conveyed with special warranty of title;
2. The Property and all improvements located thereon shall be conveyed "AS IS";
3. The Property shall be conveyed subject to any and all existing easements, rights of way or encumbrances, recorded or unrecorded, which affect or may affect the Property, including any roadway or other easements, rights of way or encumbrances in favor of the County;
4. The Property shall be conveyed subject to any prior reservation of oil gas or other minerals, oil, gas and mineral leases of record, any encroachments or shortage in existing boundaries and any zoning restrictions or other restrictions promulgated by any city in which such tract of land is situated, if any;
5. All persons bidding on the Property shall inspect the premises prior to submitting a bid in order to determine whether or not the Property is suitable for the purpose desired by the bidder for that Property;
- 6a. The conveyance of the Property shall be for cash or exchange or other immediately available funds, with closing of the sale to occur within thirty (30) days following the acceptance of a bid for the purchase of the Property;
- 6b. The County of Hidalgo will follow the statutory requirements set forth under the Texas

Local Government Code, Chapter 272.001; and will obtain a Fair Market Value Appraisal.

7. Hidalgo County shall reserve all oil, gas and other minerals in, on and under the Property;
8. The successful bidder(s) shall be required to pay all County's costs associated with the sale or exchange of the Property, including but not limited to the cost of advertising the Property for sale, the cost of the appraisal of the Property, the cost of the Environmental Study, the cost of a title report, the cost of a survey (if requested by the purchaser) and the cost of an owner and/or mortgagee policy of title insurance (if requested by the purchaser);
9. The Hidalgo County Commissioner's Court may reject any or all bids submitted;
10. The conveyance of the Property shall be subject to any recorded or unrecorded leases which may be in effect at the time of sale, to conflicts or shortages in area or boundaries, and to rights of parties in possession;
11. The successful bidder may select a title company located in Hidalgo County.
12. No facsimile or telegraphic bids will be accepted.

WHEREAS, on the appointed date, after publication notice in the Monitor, a newspaper published in Hidalgo County, Texas, the Hidalgo County Purchasing Department received sealed bids for the Property and at said sale, the highest bid for the Property was received as follows:

**Guerra Brothers Master Partnership, offered to pay the County the sum of or in lieu of cash that certain real property with a value of \$ 20,000.00 as shown by an appraisal of the tract offered in exchange for the Property and agreed to fully and completely comply with all the terms, requirements and conditions set forth above;**

IT IS, THEREFORE, ORDERED ADJUDGED AND DECREED by the Hidalgo County Commissioners Court that said sale or exchange of the tract of land be, and the same is hereby in all things, approved and confirmed, and it is further ordered that the County Judge of Hidalgo County, Texas be and is hereby authorized and directed to execute and deliver a proper deed of conveyance

of the Property to the highest bidder named above, such instrument of conveyance to be in accordance with and subject to the terms, requirements and conditions specified above, and to deliver such other documents as are reasonably required in connection with the sale of said Property.

WHEREUPON Commissioner Flores moved for the adoption of said Order and Order Confirming Sale, which motion was seconded by Commissioner Cuellar and unanimously adopted by all members present voting "AYE", a quorum being present.

DATED the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

Approved by Commissioners' Court  
on 8-25-14 RD

Ramon Garcia  
Ramon Garcia, Hidalgo County Judge

Attested:

Arturo Guajardo Jr.  
Arturo Guajardo Jr. County Clerk

Approved as to form:  
Atlas, Hall and Rodriguez, L.L.P.

By: [Signature]

# EXHIBIT A

## HIDALGO COUNTY

### “Sale or Exchange of A Tract of Land”-Precinct #4

Bid No.: 2014-029-08-06-YZV

**Track I:** “A 0.935 acre tract of land lying in an being a part of Tract 84, San Salvador Del Tule Grant, Hidalgo County Texas as per map recorded in Volume 10, Pages 58-60, Hidalgo County Map Records, (H.C.M.R.), and also being part of a 10.0 acre tract of land described in a deed to Hidalgo County, Texas as recorded in Document No. 2443360, Hidalgo County Official Records (H.C.O.R.). Said 0.935 acre tract being more particularly described by metes and bounds.



**AGENDA  
CC REGULAR  
HIDALGO COUNTY  
COMMISSIONERS COURT  
MEETING  
August 25, 2014  
9:30 A.M.**

**NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held at the Edinburg Council Chambers 415 W. University Drive, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:**

**1. Roll Call**

All members of the Court were counted present for the exception of Commissioner Pct. 4, Joseph Palacios.

**2. Pledge of Allegiance**

Judge Garcia led the Court and Audience in reciting the Pledge of Allegiance.

**3. Prayer**

Virginia Townsend led the Court and Audience in Prayer.

**4. Approval of Consent Agenda**

The Court moved to approve the Consent Agenda for the exception of Item 2.JJ to be pulled for discussion.

*The Court proceeded to Item 10.A.*

**5. Open Forum**

Fern McClaugherty reminded the Court of delayed implementation of Obamacare Employer Mandate until 2015 and how it will effect the County's budget. She commented on taxes, indigent health care, and the hospital district.

Virginia Townsend commented on how she is attempting to inform herself on the hospital district and whether she can trust the elected officials to make the right decisions. She also expressed her disappointment on the budget process.

**6. County Judge's Office:**

August 25, 2014

- A. **AI-46052** Consideration and approval of Imposition of Optional Fees for Calendar Year 2015 in accordance with Transportation Code Section 502.401, Section 502.402, and Section 502.403 (option A: No change- Hidalgo County will charge the same fees in 2015)

On motion by COMMISSIONER PCT. 3, JOE M. FLORES, seconded by COMMISSIONER PCT. 1, A.C. CUELLAR, JR. , the Court made a UNANIMOUS vote of approval.

**Vote:** 4 - 0 - Unanimously

B. **Budget Appropriations:**

1. **AI-46096** County Records Management & Preservation (1238):  
Approval of 2014 appropriation of funds into the County Records Management & Preservation fund in the amount of \$63,840.23 to fund records storage & retrieval services for the months of Oct.-Dec. 2014.

On motion by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., seconded by COMMISSIONER PCT. 3, JOE M. FLORES , the Court made a UNANIMOUS vote of approval.

**Vote:** 4 - 0 - Unanimously

2. **AI-45862** County Transportation Infrastructure Fund grant program (1287)  
A. Approval of Certification of Revenues by County Auditor for the County Transportation Infrastructure Fund grant program.  
B. Approval of 2014 appropriation of funds in the amount of \$908,285.00 and \$100,920.00 (10% cash match requirement).

On motion by COMMISSIONER PCT. 3, JOE M. FLORES, seconded by COMMISSIONER PCT. 1, A.C. CUELLAR, JR. , the Court made a UNANIMOUS vote of approval.

**Vote:** 4 - 0 - Unanimously

3. **AI-46072** CO 2010A&B (1442):  
Approval of 2014 appropriation of funds into CO 2010A&B in the amount of \$500.00 to fund agent fees.

On motion by COMMISSIONER PCT. 2, HECTOR PALACIOS, seconded by COMMISSIONER PCT. 1, A.C. CUELLAR, JR. , the Court made a UNANIMOUS vote of approval.

**Vote:** 4 - 0 - Unanimously

22.



**Purchasing Department - Marty Salazar:**


**Notes:**

**A. FOR ANY CONTRACT(S) AWARDED AND APPROVED UNDER THIS AGENDA, EXECUTED COPIES OF THE CONTRACT(S) WILL BE AVAILABLE ON THE COUNTY INTRA-NET WEBSITE AND WILL BE FOWARDED VIA E-MAIL, FAX OR HAND DELIVERED TO HIDALGO COUNTY AUDITOR'S OFFICE.**

1. **AI-46131** Requesting approval of a professional engineering services agreement with **L&G ENGINEERING LABORATORY, LLC d/b/a L&G ENGINEERS, INC.** for the purposes of (ON CALL) - "GEO TECHNICAL and CONSTRUCTION MATERIAL TESTING SERVICES" for projects located within **HIDALGO COUNTY PRECINCT NO. 4.**

On motion by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., seconded by COMMISSIONER PCT. 2, HECTOR PALACIOS, the Court made a UNANIMOUS vote of approval.


**Vote:** 4 - 0 - Unanimously

2. **AI-45878**  a. Acceptance of sole bid received from **Guerra Brothers Master Partnership** for RFB No. 2014-029-08-06-YZV "Sale or Exchange of Real Property" - Precinct 4 with value of \$20,000.00 (County's value of 10,500)

On motion by COMMISSIONER PCT. 3, JOE M. FLORES, seconded by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., the Court made a UNANIMOUS vote of approval.

**Vote:** 4 - 0 – Unanimously

**APPROVED**

-  b. Acceptance and approval of Order Confirming Sale or Exchange document with **Guerra Brothers Master Partnership** for RFB 2014-029-08-06-YZV "Sale or Exchange of Real Property" - Precinct 4

On motion by COMMISSIONER PCT. 3, JOE M. FLORES, seconded by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., the Court made a UNANIMOUS vote of approval.

**Vote:** 4 - 0 - Unanimously

Mrs. Salazar stated for the record that the County's exchange is \$10,500.

3. **AI-46085** Requesting acceptance and approval of Application for Wastewater Service and Water Meter Installation Agreements with North Alamo Water Supply Corporation for Hidalgo County Precinct No. 4 -Sunflower Park with authority for County Judge to execute Service Agreements and applications.

On motion by COMMISSIONER PCT. 1, A.C. CUELLAR, JR., seconded by COMMISSIONER PCT. 3, JOE M. FLORES, the Court made a UNANIMOUS vote of approval.

**Vote:** 4 - 0 - Unanimously

**D. Sheriff's Office**

1. **AI-45579** A. Pursuant to Texas Local Government Code 263.152 (2) The Hidalgo County Sheriff's Office is requesting to surplus for trade-in communication equipment listed in Exhibit A for discount on new communication equipment as stated in Contract No. 12-270-10-23, approved thru Commissioners' Court 10-23-2012.

On motion by COMMISSIONER PCT. 3, JOE M. FLORES, seconded by

**SOUTH TEXAS LAND INVESTIGATIONS**

3111 WEST FREDDY GONZALEZ DRIVE

EDINBURG, TEXAS 78539

PHONE (956) 383-4951

FAX (956) 383-5443

stxland.lopez@gmail.com

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August 18, 2014

*Mr. Jesus ("Jesse") Ozuna*, Right of Way Agent

**HIDALGO COUNTY PRECINCT NO. 4**

1051 N. Doolittle Rd.

Edinburg, Texas 78542

**RE: "BREWSTER PARK PROJECT"**

In connection with your request and in reference to **Property ID No. 897225** and **Property ID No. 728155**, we now enclose **Title Report No. 2443360** covering a **0.935 acre tract of land** lying in and being a part of **TRACT 84, SAN SALVADOR DEL TULE GRANT**, Hidalgo County, Texas, being a part of a **10.0 acre tract** of land described in a **Deed to Hidalgo County, Texas**, as recorded in **Document No. 2443360, Official Records**, Hidalgo County, Texas. And **Title Report No. 2534742**, covering a **0.935 acre tract of land** lying in and being a part of **TRACT 84, SAN SALVADOR DEL TULE GRANT**, Hidalgo County, Texas, being part of a **2.00 acre tract** of land described in a **Deed to Guerra Brothers, a Texas General Partnership** as recorded in **Document No. 1923730, Official Records**, Hidalgo County, Texas and being as follows to-wit:

**Report No.**

**2443360**

**2534742**

**Owners:**

**HIDALGO COUNTY, TEXAS**

**GUERRA BROTHERS MASTER PARTNERSHIP**

Should you need any additional information, please do not hesitate to call me at your earliest convenience.

**SOUTH TEXAS LAND INVESTIGATIONS**

  
JORGE A. LOPEZ/TITLE EXAMINER

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THANK YOU FOR GIVING US THE OPPORTUNITY TO SERVE YOU!

"EXCELLENCE IS NOT A SKILL, IT IS AN ATTITUDE"

THE STATE OF TEXAS §  
§  
COUNTY OF HIDALGO §

**TITLE REPORT**  
**NO. 2443360**

Prepared For: **HIDALGO COUNTY PRECINCT NO. 4**  
**MR. JOSEPH PALACIOS, Commissioner Precinct No. 4**  
**1051 N. Doolittle Road**  
**Edinburg, Texas 78542-0337**

Attention: *Mr. Jesse Ozuna*

C/O **ARANDA & ASSOCIATES, INC.**

**PROJECT NAME: "BREWSTER PARK PROJECT"**

Geographic ID: **D3200-00-084-0000-41**

Property ID: **897225**

I, **Jorge A. López**, hereby certify that after a careful search of the records and files in the office of **EDWARDS ABSTRACT AND TITLE CO.**, and the **OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS**, affecting title to the following described tract of land situated in Hidalgo County, Texas to-wit:

**THE RECORDS SHOW THE FOLLOWING:**

**DESCRIPTION:** Being a **0.935 acre tract of land lying in and being a part of TRACT 84, SAN SALVADOR DEL TULE GRANT**, Hidalgo County, Texas, according to the map thereof recorded in **Volume 10, Pages 58-60, Map Records**, Hidalgo County, Texas, and also being a part of a **10.0 acre tract of land described in a Deed to Hidalgo County, Texas**, as recorded in **Document No. 2443360, Official Records**, Hidalgo County, Texas. Said **0.935 acre tract** being more particularly described by **metes and bounds** in **Exhibit "A"** hereto attached.

**TITLE APPEARS TO BE VESTED IN:**

**HIDALGO COUNTY, TEXAS**  
**Attention: Ramón García, County Judge**  
**P.O. Box 1356**  
**Edinburg, Texas 78540-1356**

