



HIDALGO COUNTY ADMINISTRATIVE EVALUATION AND APPROVAL FORM

ROW CSJ: 0865-01-111

County: Hidalgo

Highway: Veterans Road Blvd.

Project Limits: From Abram Road to La Homa Road

Parcel No.: 50

Owner's Name: Manuel A. Garcia

Approved Offer: \$16,489.00

Date Offer Sent: 6/19/2020

Owner's Counteroffer: \$20,425.16

Date Counteroffer Received: 7/13/2020

Factors considered in evaluation:

1. Valuation Issues

- a. Reconciliation of all available appraisals, including Owner's.
- b. Other: Property owner feels improvements were 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 \$12,000.00
- b. Approximate additional cost to litigate through jury trial \$15,000.00
- c. Other: _____

4. Timing Issues

- a. Maintain project schedule: 8/2022
Possession of this property is needed by: 11/2020
Projected possession date, if settled is: 10/2020
Projected possession date, if condemned is: 01/2021
Letting date: 8/2022
- 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 50: Being a 3,262 square feet or 0.0749 of an acre tract of land situated in the City of Palmview, Hidalgo County, Texas, out of Lot 44, Amended Map of Goodwin Acres No. 2 Subdivision, as recorded in Volume 25, Page 113, of the Map Records, Hidalgo County, Texas. On June 19, 2020 Acquisition provider L & G Engineering, made an offer of \$16,489.00 for the purchase of this property to Mr. Manuel A. Garcia and wife, Maria Cristina Garcia. After several contacts Mr. Garcia submitted their counter-offer of \$ 20,425.16. The property owner provided a cost estimate for replacing the Business Sign in the amount of \$1,204.66 and cost estimate for the weather surface in the amount of \$2,731.50. This is an addition amount of \$3,936.16 to the original offer. We recommend to accept this counter offer of \$20,425.16. Based on the appraisal report, the history of the eminent domain proceeding's being in favor of the property owner's. Furthermore, accepting the counter offer would result in a cost savings to the County by avoiding the eminent domain process and avoiding any further delays to this project.

This administrative settlement of \$ 20,425.16 is / is not recommended for approval as being reasonable, justified, prudent and in the public interest.

RECOMMENDATION(S):

H. J. ...
Project Engineer/ROW Administrator

7/16/20
Date

RPIC/Authorized Pct. Representative

Date

COUNTY APPROVAL:

Richard F. ...
County Judge

Date

TABULATION OF VALUES

Parcel: 50 Highway Veterans Blvd. (SH 495) ROW CSJ: 0865-01-111
 Taking Type: Partial District: Pharr
 Size of Remainder: 0.4290 Acres County: Hidalgo
 Type of Property: Improved/Commercial Federal Project: N/A
 Contract Fencing: N/A
 Appraised by Leonel Garza III
 Date Appraised: 1/21/2020

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	80.00 %	ROW Acquisition Expenses
Hidalgo County Precinct No. 3	20.00 %	ROW Acquisition Expenses

Interest Owner	Acquisition Interest	Land Area	Value	Lease (Y/N)
Manuel Americo Garcia	Fee Simple	0.0749 Acres/ 3,262 sf.	\$14,679.00	No

I. Appraised Values

Land Value	Improvement Value	Sign Value	Damages/Enhancements	Total Value
\$14,679.00	\$1,560.00	\$0.00	\$250.00	\$16,489.00

II. Improvements

Item No.	Improvement Type	Type Construction	Improvement Value	Retention Value	Bisection Category
A.	Parking	Caliche	\$810.00	\$1.00	N/A
B.	Sign	Metal	750.00	1.00	N/A

Item No.	Improvement Type	Type Construction	Improvement Value	Retention Value	Bisection Category
		Total	\$1,560.00		

TABULATION OF VALUES (continued)

Parcel: 50

Highway: Veterans Blvd. (SH495)

ROW CSJ: 0865-01-111

III. Damages and Enhancements

Total Non-Exempt Damages	Enhancements	Exempt Damages	Net Damages
\$0.00	\$0.00	\$250.00	\$250.00

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:	1/21/2020	Recommended Value
Appraiser's Name:	Leonel Garza III	
Value of Whole Property	\$103,368.00	\$103,368.00
Parcel Area: 3,262 sf.		
VALUE FOR PARCEL		
Land: per_sf.\$ 4.50	\$14,679.00	\$14,679.00
Easement	\$0.00	\$0.00
Improvements	\$1,560.00	\$1,560.00
Net Damages or (Enhancements)	\$250.00	\$250.00
OAS Value(s)	\$0.00	\$0.00
TOTAL COMPENSATION	\$16,489.00	\$16,489.00

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

TABULATION OF VALUES (continued)

Parcel: 50

Highway: Veterans Blvd. (SH495)

ROW CSJ: 0865-01-111

VI. Comments and Conclusions on Values in the Appraisal Report

Appraiser: Leonel Garza III
Effective Date of Report: January 21, 2020
Report Dated: January 21, 2020
Review Appraiser: Harvey L. Heerssen
Effective Date of Review: May 28, 2020

Parcel 50 is a partial taking of 0.0749 acres (3,262 sf.) situated in Lot 44, Amended Map of Goodwin Acres No. 2.Subdivision, as recorded in Volume 25, Page 113, of the Map Records, Hidalgo County, Texas, said Goodwin Acres No. 2 Subdivision being a re-subdivision of Lots 15, 16, 17, 18, 19, & 20, Block 5, Goodwin Tract Subdivision No. 1. And being out of a 0.5039 acre tract of land, conveyed by a Deed of Gift, dated May 9, 19997, from Juan Angel Garcia to Manuel Americo Garcia, as recorded in Document Number 597782, of the Official Records, Hidalgo County, Texas.

This parcel is located on the northeast side of Veterans Boulevard being just west of Minnesota Road, Palmview, Texas. The whole property of 0.5039 acres is currently improved with site improvements.

Three (3) recent sales are utilized to value the whole at \$4.50 per sf. The part taken is valued as a pro-rata part of the whole unit value. The highest and best use is for future commercial purposes based on current trends on Veteran's Blvd. There are no market damages to the remainder land. Cost to cure is necessary for the advertising sign that was depreciated within the acquisition to replace the sign 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. Cost to cure is necessary for the advertising sign that was depreciated in the acquisition to replace the sign on the remainder to retain the same utility.

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 \$16,489.00 be approved for negotiations and acquisition.

VII. Justification and Explanation for Credit if Retained.

A retention of \$1.00 is applied to each site improvement on this parcel to encourage retention and removal.

TABULATION OF VALUES (continued)

Parcel: 50

Highway: Veterans Blvd. (SH495)

ROW CSJ: 0865-01-111

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

Henry L. Johnson
Contract Reviewing Appraiser (if applicable)

6/4/2020
Date

Division Reviewing Appraiser (if applicable)

Date

X. Approval of Values

Richard F. Emel
County/City Representative

6/15/20
Date

ROW Staff Representative

Date

APPROVED BY
COMMISSIONERS' COURT
ON: 1/9/19 *ms*