

CP 460 (OH/UG) Rev. (01/23)  
Town: EDINBURG  
Submitted by: JM

FILED AT 11:20 O'CLOCK A M  
MAY 16 2023  
ARTURO GUAJARDO, JR., COUNTY CLERK  
HIDALGO CO. TEXAS  
BY \_\_\_\_\_ DEPUTY

TTTX2223  
WR#83880708

**EASEMENT AND RIGHT OF WAY**

**HIDALGO COUNTY**, ("Grantor"), for and in consideration of Ten & 00/100 Dollars (\$10.00), and other good and valuable consideration to Grantor in hand paid by **AEP TEXAS INC.**, a Delaware Corporation, whose address is P.O. Box 2121, Corpus Christi, Texas 78403 ("Grantee") the receipt and sufficiency of which is hereby acknowledged and confessed, has **GRANTED, SOLD, and CONVEYED**, and by these presents does **GRANT, SELL, and CONVEY** unto Grantee, its successors and assigns, a perpetual easement and right of way for electric distribution lines, consisting of poles made of wood, metal, or other materials, cross arms, static wires, guys, wire circuits, underground cables and conduits, communication circuits, metering equipment and all necessary or desirable appurtenances (including, but not limited to, transformers, meters, vaults, and service pedestals) over, under, across, and upon a portion of the following described land located in Hidalgo County, Texas, to wit:

SEE EXHIBIT "A" AND "B", ATTACHED HERETO, MADE A PART HEREOF AND INCORPORATED HEREIN FOR ALL APPLICABLE PURPOSES. (the "Easement Area")

Together with the right of ingress and egress over, under, across and upon the Easement Area and Grantor's adjacent land for the purpose of constructing, operating, reconstructing on poles or burying and replacing underground cables and conduits (including necessary ditching and backfilling), enlarging, inspecting, patrolling, repairing, maintaining, upgrading and removing said lines, circuits, underground cables and conduits, poles, wires and appurtenances; the right to relocate along the same general direction of said lines, cables, and conduits; and the right to remove from the Easement Area all structures, obstructions, trees and parts thereof, using generally accepted vegetation management practices, (whether from the Easement Area or that could grow into the Easement Area) which may, in the reasonable judgment of Grantee, endanger or interfere with the safe and efficient operation and/or maintenance of said lines, cables, conduits or appurtenances or ingress and egress to, from or along the Easement Area.

Grantor reserves the right to use the Easement Area subject to said Easement and Right of Way in any way that will not interfere with Grantee's exercise of the rights hereby granted. However, Grantor shall not construct or permit to be constructed any house or other above ground structure on or within the Easement Area containing Grantee's improvements without the express written consent of Grantee.

TO HAVE AND TO HOLD the above described easement and rights unto the Grantee, its successors and assigns forever. Grantor binds itself, assigns, and legal representatives to warrant and forever defend all and singular the above described easement and rights unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this 2nd day of May, 2023.

[Rest of this page intentionally left blank-Signature page follows]

APPROVED BY  
COMMISSIONERS COURT  
ON: 5/2/23

TXTX2223  
WR#83880708


Hidalgo County  
1907 Jackson Creek Ave, Edinburg

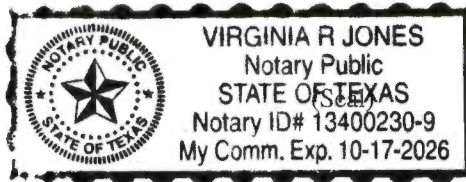
By:   
Richard F. Cortez, Hidalgo County Judge

**ACKNOWLEDGMENT**

**STATE OF TEXAS  
COUNTY OF HIDALGO**

This instrument was acknowledged before me on this 10th day of May, 2023, by  
Richard F. Cortez, Hidalgo County Judge.

  
NOTARY PUBLIC, State of Texas



APPROVED BY  
COMMISSIONERS COURT  
ON: 5/2/23 

**EXECUTED** as of the day and year first written above.

**APPROVED BY COMMISSIONERS' COURT ON MAY 2<sup>nd</sup>, 2023**

**Agenda Item No. 90650**

**Executive Office:** \_\_\_\_\_


**COUNTY:**  
COUNTY OF HIDALGO

  
\_\_\_\_\_  
Hon. Richard F. Cortez, County Judge

**APPROVED AS TO FORM**  
Office of the Criminal District Attorney,  
Toribio "Terry" Palacios

**ATTEST:**

  
\_\_\_\_\_  
Michelle Lopez, Assistant District Attorney

  
\_\_\_\_\_  
Arturo Guajardo, Jr., County Clerk



**ATTACHMENTS:**  
(If Applicable)

**SUPPLEMENTAL SIGNATURES:**  
(If Applicable)



LOT 6  
JACKSON CREEK PHASE I  
VOL. 54, PG. 77,  
H.C.M.R.  
  
OWNER NAME: GINGERBREAD  
HOUSE LEARNING CENTER LLC  
DOC NO. 3319538  
O.R.H.C.

LEGEND	
●	- FND. 1/2" IRON ROD W/ NO CAP
○	- SET 1/2" IRON ROD W/PLASTIC CAP STAMPED "SAMES"
-x-	- CHAINLINK FENCE LINE
○-○	- WROUGHT IRON FENCE LINE
-//-	- CEDAR FENCE LINE
▣	- TRANSFORMER BOX
⊙	- TELEPHONE PEDESTAL
— —	- UNDER GROUND CABLE
EXIST.	- EXISTING
CONC.	- CONCRETE
▨	- ASPHALT
▩	- CONCRETE
H.C.M.R.	- HIDALGO COUNTY MAP RECORDS
H.C.D.R.	- HIDALGO COUNTY DEED RECORDS
O.R.H.C.	- OFFICIAL RECORDS OF HIDALGO COUNTY
R.O.W.	- RIGHT OF WAY
FND.	- FOUND

**SURVEY NOTES:**

1. BASIS OF BEARING THE EAST LOT LINE OF LOT 6 JACKSON'S CREEK SUBDIVISION, AS PER THE MAP OR PLAT THEREOF RECORDED IN VOLUME 54, PAGE 77, MAP RECORDS OF HIDALGO COUNTY, TEXAS.

2. ALL COORDINATES, BEARINGS, AND DISTANCES, ARE BASED ON THE TEXAS COORDINATE SYSTEM, (NAD 83), TEXAS STATE PLANES, SOUTH ZONE, US SURVEY FEET, GRID. BEARINGS AND DISTANCES SHOWN IN PARENTHESIS ARE BASED ON RECORDED DOCUMENT.

3. ALL HORIZONTAL CONTROL ON THIS PROJECT WAS ESTABLISHED UTILIZING RTK GPS METHODS.

4. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THERE MAY BE EASEMENTS OR OTHER MATTERS THAT ARE NOT SHOWN.

**THE FOLLOWING MATTERS AND ALL TERMS OF THE DOCUMENTS CREATING OR OFFERING EVIDENCE OF THE MATTERS:**

5. SUBJECT TO THE SUBDIVISION RULES AND REGULATIONS OF THE COUNTY OF HIDALGO AND/OR ORDINANCES OR GOVERNMENTAL REGULATIONS OF THE CITY IN WHICH THE PROPERTY MAY BE LOCATED OR HOLDING EXTRA TERRITORIAL JURISDICTION OF SAID PROPERTY.



**GENERAL NOTES:**

ADDRESS: 2015 S JACKSON CREEK AVE EDINBURG, TX  
SURVEYED: FEBRUARY 20, 2023  
REQUESTED BY: JREH LIRA CABELLO  
OWNER NAME: HIDALGO COUNTY

FLOOD ZONE DESIGNATION: "ZONE AH" - FLOOD DEPTHS OF 1 TO 3 FEET (USUALLY AREAS OF PONDING); BASE FLOOD ELEVATIONS DETERMINED.

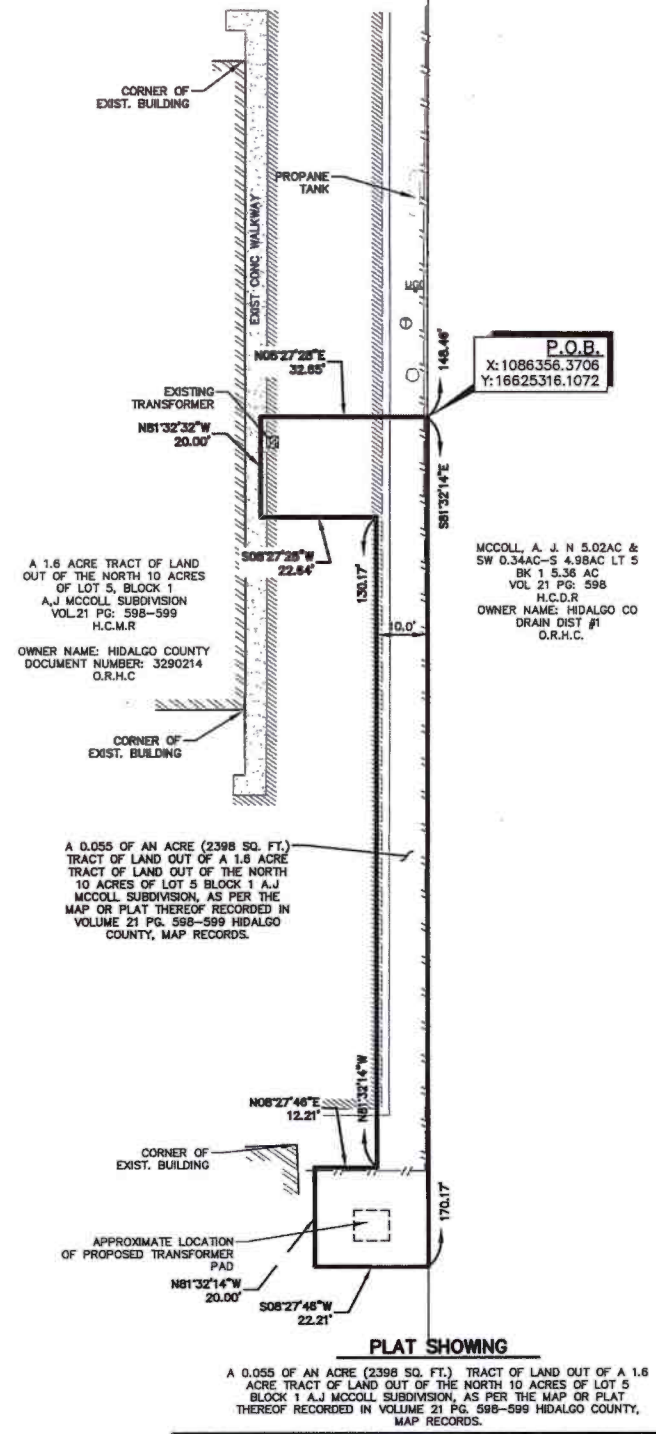
COMMUNITY-PANEL NUMBER: 4803380030E  
MAP REVISED: 06/06/2000

I, LEO L. RODRIGUEZ, JR., CERTIFY THAT THIS PLAT REPRESENTS THE FACTS FOUND ON THE GROUND AT THE TIME OF SURVEY AND THAT THERE ARE NO VISIBLE OR APPARENT EASEMENTS, DISCREPANCIES, CONFLICTS, OR SHORTAGES IN AREA OR BOUNDARY LINES, OR ANY ENCROACHMENTS, OR OVERLAPPING OR IMPROVEMENTS OR VISIBLE EASEMENTS EXCEPT AS SHOWN ON THIS PLAT. NO SUBSURFACE UTILITIES OR SERVICE CONNECTIONS ARE SHOWN. © COPYRIGHT 2018 SAM ENGINEERING & SURVEYING. THIS SURVEY WAS PROVIDED IN MULTIPLE ORIGINALS SOLELY FOR THE BORROWER NAMED HEREON, IN CONJUNCTION WITH THE ORIGINAL TRANSACTION WHICH SHALL TAKE PLACE WITHIN 6 MONTHS AFTER THE SURVEY WAS PROVIDED. NO LICENSE HAS BEEN CREATED OR IMPLIED COPY THIS SURVEY. SURVEY VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE.

*Leo L. Rodriguez, Jr.* 3/16/23  
LEO L. RODRIGUEZ, JR. DATE  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 2448

JOB NUMBER	DRAWN BY	RVWD. BY	DATE
SUR 23.005	C.M.	LLR.	3/1/2023

**P.O.C.**  
FND. 1/2" IRON ROD  
X: 1086209.781000  
Y: 16625339.560000  
COMMON CORNER OF LOT LOT 6  
JACKSON CREEK PHASE I  
VOL. 54, PG. 77, H.C.M.R. AND A  
1.6 ACRE TRACT OF LAND OUT  
OF THE LOT 5, BLOCK 1 A, J  
MCCOLL SUBDIVISION  
VOL. 21 PG: 598-599, H.C.M.R.



**P.O.B.**  
X: 1086356.3706  
Y: 16625316.1072

A 1.6 ACRE TRACT OF LAND  
OUT OF THE NORTH 10 ACRES  
OF LOT 5, BLOCK 1  
A, J MCCOLL SUBDIVISION  
VOL. 21 PG: 598-599  
H.C.M.R.  
  
OWNER NAME: HIDALGO COUNTY  
DOCUMENT NUMBER: 3290214  
O.R.H.C.

MCCOLL, A. J. N 5.02AC &  
SW 0.34AC-S 4.98AC LT 5  
BK 1 5.36 AC  
VOL 21 PG: 598  
H.C.D.R.  
OWNER NAME: HIDALGO CO  
DRAIN DIST #1  
O.R.H.C.

A 0.055 OF AN ACRE (2398 SQ. FT.)  
TRACT OF LAND OUT OF A 1.6 ACRE  
TRACT OF LAND OUT OF THE NORTH  
10 ACRES OF LOT 5 BLOCK 1 A, J  
MCCOLL SUBDIVISION, AS PER THE  
MAP OR PLAT THEREOF RECORDED IN  
VOLUME 21 PG. 598-599 HIDALGO  
COUNTY, MAP RECORDS.

**PLAT SHOWING**

A 0.055 OF AN ACRE (2398 SQ. FT.) TRACT OF LAND OUT OF A 1.6 ACRE TRACT OF LAND OUT OF THE NORTH 10 ACRES OF LOT 5 BLOCK 1 A, J MCCOLL SUBDIVISION, AS PER THE MAP OR PLAT THEREOF RECORDED IN VOLUME 21 PG. 598-599 HIDALGO COUNTY, MAP RECORDS.

**SAMES** 200 S. 10TH STREET, SUITE 1500 TEL: (956) 702-8880  
MCALLEN, TEXAS 78501 FAX: (956) 702-8883  
SURVEY FIRM REG. No. 101416-00  
[MCALLEN TX. | DALLAS TX. | SAN ANTONIO TX. | HOUSTON TX.]



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Engineering Firm Reg # 10602    Surveying Firm Reg # 101416-00    Architectural Firm Reg # BR 4166  
200 S. 10<sup>th</sup> Street, Suite 1500, McAllen, Texas 78501    Phone: (956) 702-8880    Fax: (956) 702-8883  
DUNS 834820735    CAGE CODE 66N60

**A 0.055 (2398 SQ. FT.) OF AN ACRE TRACT OF LAND OUT OF A 1.60 ACRE TRACT OF LAND CONVEYED TO HIDALGO COUNTY, AS RECORDED IN DOCUMENT NUMBER 3290214, OUT OF LOT 5 BLOCK 1 A.J MCCOLL SUBDIVISION, AS PER THE MAP OR PLAT THEREOF RECORDED IN VOLUME 21 PG. 598-599 HIDALGO COUNTY, MAP RECORDS.**

A 0.055 (2398 SQ. FT.) OF AN ACRE TRACT OF LAND OUT OF A 1.60 ACRE TRACT OF LAND CONVEYED TO HIDALGO COUNTY, AS RECORDED IN DOCUMENT NUMBER 3290214, OUT OF LOT 5 BLOCK 1 A.J MCCOLL SUBDIVISION, AS PER THE MAP OR PLAT THEREOF RECORDED IN VOLUME 21 PG. 598-599 HIDALGO COUNTY, MAP RECORDS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS, AS FOLLOWS.

**COMMENCING** AT A FOUND HALF INCH IRON ROD, FOR THE COMMON CORNER OF LOT 6 JACKSON CREEK PHASE 1 AND SAID 1.60 ACRE TRACT OF LAND CONVEYED TO HIDALGO COUNTY, **THENCE;** SOUTH 81° 32' 14" EAST, BEING ON THE SOUTH LINE OF A TRACT OF LAND CONVEYED TO HIDALGO COUNTY DRAIN DISTRICT NO.1, A DISTANCE OF 148.46' TO THE NORTHWEST CORNER AND **POINT OF BEGINNING** OF THIS HEREIN TRACT OF LAND. HAVING A GRID COORDINATE OF X: 1086356.3706 Y:16625316.1072

**THENCE;** SOUTH 81°32'14" EAST, ALONG THE SOUTH LINE OF SAID TRACT CONVEYED TO HIDALGO COUNTY DRAIN DISTRICT NO.1 AND NORTH LINE OF SAID 1.60 ACRE TRACT OF LAND, A DISTANCE OF 170.17' TO A POINT FOR THE NORTHEAST CORNER OF THIS HEREIN TRACT OF LAND.

**THENCE;** SOUTH 08°27'46" WEST, A DISTANCE OF 22.21' TO A CORNER POINT OF THIS HEREIN TRACT OF LAND;

**THENCE;** NORTH 81°32'14" WEST, A DISTANCE OF 20.00' TO A CORNER POINT OF THIS HEREIN TRACT OF LAND;

**THENCE;** NORTH 08°27'46" EAST, A DISTANCE OF 12.21' TO A CORNER POINT OF THIS HEREIN TRACT OF LAND;

**THENCE;** NORTH 81°32'14" WEST, PARALLEL TO THE SOUTH LINE OF SAID TRACT CONVEYED TO HIDALGO DRAIN DISTRICT NO.1 AND THE NORTH LINE OF SAID 1.60 ACRE TRACT OF LAND A DISTANCE OF 130.17 TO A POINT FOR A CORNER OF THIS THIS HEREIN TRACT OF LAND;

**THENCE;** SOUTH 08°27'28" WEST, A DISTANCE OF 22.64' TO A CORNER POINT OF THIS HEREIN TRACT OF LAND;

**THENCE;** NORTH 81°32'32" WEST, A DISTANCE OF 20.00' TO A CORNER POINT OF THIS HEREIN TRACT OF LAND;

