

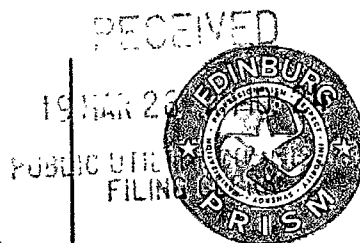
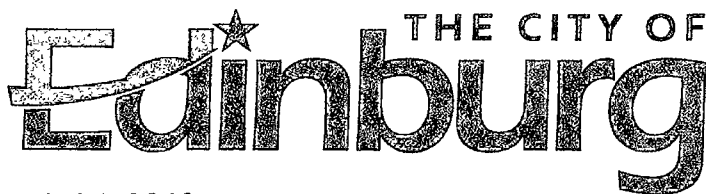


Control Number: 48714



Item Number: 15

Addendum StartPage: 0



March 25, 2019

Via US Postal Service Overnight Priority Express Mail
Filing Clerk
Public Utilities Commission of Texas
1701 North Congress Avenue
Austin, Texas 78711-3326

RE: Docket No. 48714 - Application Of The City Of Edinburg Public Utility Commission To Amend A Certificate Of Convenience And Necessity Under Water Code §13.255 And To Decertify A Portion Of North Alamo Water Supply Corporation's Service Area In Hidalgo County

Dear Clerk:

Enclosed, please find the original and ten (10) copies of the approved Buyout and Transfer of Service Area Agreement for Boys & Girls Club and Trenton Park Plaza Subdivision between the City of Edinburg and North Alamo Water Supply.

Should you have any questions or require additional information in connection with this filing, please contact our offices at your earliest convenience.

Thank you for your attention to this matter.

Sincerely,

Arturo Martinez / vv ^{wp}

Arturo Martinez
Utilities Director

cc: Richard W. Fryer
Attorney for North Alamo Water Supply Corporation
Omar Ochoa, City Attorney

BUYOUT AND TRANSFER OF SERVICE AREA AGREEMENT

STATE OF TEXAS
COUNTY OF HIDALGO

**BETWEEN: NORTH ALAMO
WATER SUPPLY CORPORATION
AND CITY OF EDINBURG**
**Boys & Girls Subdivision – Lots 1, 3,
5A, 5B, & 7**
Trenton Park Plaza Subdivision

PREAMBLE

This Buyout and Transfer of Service Area Agreement (“*Buyout and Transfer Agreement*”) is made this 8th day of March, 2019, by and between the City of Edinburg, 415 W. University Drive, P.O. Box 1079, Edinburg, Hidalgo County, Texas 78540 (“**CITY**”) and North Alamo Water Supply Corporation, 420 S. Doolittle Road, Edinburg, Hidalgo County, Texas 78542 (“**NAWSC**”), a non-profit corporation of the State of Texas.

I. RECITALS

1. NAWSC presently holds a certificate of convenience and necessity (“**CCN**”) to serve an area adjacent to CITY’s current CCN boundary with potable water supply under the rules and regulations of the Public Utilities Commission (“**PUC**”) located on the West side of Interstate Highway I-69 south of Rogers Road (area “**A**” #2) and at Trenton Road and Bus. 281 (area “**B**” #8) as shown on the map attached hereto as *Exhibit “A”* and incorporated herein for all purposes, which said area is all located within Hidalgo County, Texas (“**NAWSC Transfer Area**”). CITY desires to purchase the internal lines serving the NAWSC Transfer Area and to provide customers of the NAWSC Transfer Area with potable water supply service. NAWSC

desires to sell the internal lines used to serve the Transfer Area and desires that CITY supply potable water service to the customers in the NAWSC Transfer Area.

II. COVENANTS AND CONDITIONS

Purchase of NAWSC Transfer Area

2. NAWSC agrees to sell, and does hereby sell, all internal water lines and individual meters serving the NAWSC Transfer Area and does hereby assign to CITY the right to serve customers within said NAWSC Transfer Area, and CITY agrees to purchase, and does hereby purchase, such facilities and rights.

3. The **Purchase Price** for the NAWSC Transfer Area is Forty-Seven Thousand Eight Hundred Eighty and 00/100ths Dollars (\$47,880.00). The Purchase Price has been paid to NAWSC, and is subjected to the following conditions being satisfied:

- i. The Public Utilities Commission ("**PUC**") shall approve of the transfer and designate the CITY as the holder of the CCN for the NAWSC Transfer Area by written order delivered to NAWSC and CITY, and
- ii. NAWSC shall obtain a written release of any security interest in favor of United States Department of Agriculture-Rural Development (hereinafter referred to as "**USDA-RD**") and when it has been obtained by NAWSC, a copy forwarded to CITY.
- iii. NAWSC shall obtain a written release of any security interest in favor of Texas Water Development Board (hereinafter referred to as "**TWDB**") and when it has been obtained by NAWSC, a copy forwarded to CITY.

- iv. NAWSC shall obtain a written release of any security interest in favor of CoBank, ACB (hereinafter referred to as “CoBank”) and when it has been obtained by NAWSC, a copy forwarded to CITY.

4. Subject to the approval of this Agreement by PUC, NAWSC hereby agrees to relinquish its rights to supply potable water to its customers located within the NAWSC Transfer Area and CITY hereby agrees to supply potable water to all existing customers of NAWSC and to any new customers requesting water service within the NAWSC Transfer Area, under the terms of NAWSC's tariff, as amended from time to time until the accomplishment of all the conditions for final closing, after which time such service shall be in accordance with the standards established by the CITY. CITY hereby agrees and obligates itself to supply potable water service to all customers or members possessing service to the property within the NAWSC Transfer Area at the time of Final Closing, without an additional fee, meter fee, hook-up fee or other additional charge or deposit as a condition for initial or continued service. Prior to the final closing of the purchase of the NAWSC Transfer Area, City and NAWSC agree to join and support the application with the PUC requesting approval of the transfer of the NAWSC Transfer Area from the area of NAWSC's Certificate of Convenience and Necessity 10553 to the area of the CITY's Certificate of Convenience and Necessity 12106.

5. Final Closing with respect to the purchase of the NAWSC Transfer Area shall be not more than forty-five (45) days after all of the following requirements to closing have been completed:

- i. The Purchase Price is completed and delivered;
- ii. Approval by the PUC has been obtained; and

- iii. A release of any Security Agreement in favor of USDA-RD, TWDB, and CoBank has been obtained and a copy forwarded to City.

Furthermore, CITY shall have the PUC application filed. NAWSC and CITY shall bear their own respective administrative costs and attorney's fees relating thereto. CITY shall provide NAWSC monthly periodic status updates of the progress of the application. NAWSC and CITY shall bear their own respective attorney's fees relating to the drafting and execution of this Agreement.

NAWSC Transfer and Release

6. This Buyout and Transfer Agreement is subject to NAWSC obtaining a release of any Security Agreement in favor of USDA-RD, TWDB, and CoBank ("*NAWSC Transfer Area Releases*") covering the NAWSC Transfer Area and payment of the Purchase Price to NAWSC. Upon delivery of the NAWSC Transfer Area Release by USDA-RD to NAWSC, NAWSC will give notice to CITY and send CITY a copy of said NAWSC Transfer Area Release.

7. Pending Final Closing and consummation of this Agreement, CITY will commence or continue service, as applicable, and NAWSC will cease service to the NAWSC Transfer Area on the first day of the first billing cycle to occur after thirty-five (35) days after the date of execution of this Buyout and Transfer Agreement have elapsed, and CITY has completed all pipeline construction, if any, with notice to NAWSC of said completion. Until approval by the PUC is received and all requirements to final closing have been satisfied, CITY shall act as agent for the purpose of supplying all existing and new customers of NAWSC within the NAWSC Transfer Area and approving all subdivision utility layouts within the NAWSC Transfer Area. CITY will be responsible for billing and collection of all bills for potable water

service to such customers of NAWSC as agent for NAWSC. CITY shall be entitled to receive and keep all amounts collected thereunder as a manager fee and CITY will charge the same rate charged in accordance to CITY's tariff for water service during this period. On closing and consummation of this Agreement, CITY shall no longer be an agent for NAWSC and may begin charging the lawful rates as established by CITY.

General Provisions

NAWSC Transfer Area

8. During the period of time CITY commences to provide potable water service in the NAWSC Transfer Area until the closing and consummation of this Buyout and Transfer Agreement, CITY agrees to defend, indemnify and hold NAWSC harmless for any claim by any customer of NAWSC located in the NAWSC Transfer Area for any acts or omissions by CITY, as agent or otherwise, in supplying such customers with a potable water supply hereunder.

9. Any lines owned by NAWSC which run through the NAWSC Transfer Area which are necessary for service of water to customers of NAWSC within its remaining certified area shall not become the property of CITY but shall remain the property of NAWSC.

10. This Buyout and Transfer Agreement has been approved by the appropriate bodies of NAWSC and CITY as evidenced by appropriate minutes of the governing bodies, copies of which are attached hereto as **Exhibits "B" and "C"**, respectively, and are executed by the appropriate officers of same.

11. Failure to perform any covenant and agreement herein shall entitle the non-breaching party to enforce the provisions hereof by specific performance or injunctive relief in addition to any remedy in damages to which either party may be entitled.

12. It is the intent of NAWSC and CITY, and they do hereby specifically agree, that this Buyout and Transfer Agreement creates no third-party beneficiary rights or interest in or to the supply of any treated water or facility relating thereto, nor to any existing or potential retail customer of NAWSC or CITY.

13. No amendment, modification, or alteration of the terms hereof shall be binding unless the same be in writing, dated and subsequent to the date hereof and duly executed by the parties hereto.

14. No waiver by the parties hereto of any default or breach of any term, condition, or covenant of this Buyout and Transfer Agreement shall be deemed to be a waiver of any other breach of the same or other term, condition, or covenant contained herein.

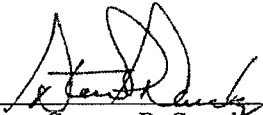
15. Each party represents and warrants that (i) it has carefully reviewed this Buyout and Transfer Agreement, (ii) it has at all times been represented by and consulted with legal counsel concerning this Buyout and Transfer Agreement, (iii) any questions that it has pertaining to this Buyout and Transfer Agreement have been answered and fully explained to it by its counsel, (iv) its decision to execute this Buyout and Transfer Agreement was not based on any statement or representation, either oral or written, made by any person on behalf of the other party, (v) this buyout and Transfer Agreement constitutes the entire Agreement and understanding of the parties (vi) neither party has assigned, conveyed, hypothecated or transferred any interest in any cause of action relating to the above described claims, (vii) each party understands that the other party is relying upon these representations and warranties in entering into this Buyout and Transfer Agreement, and (viii) this Buyout and Transfer Agreement may not be amended, modified, or changed orally.

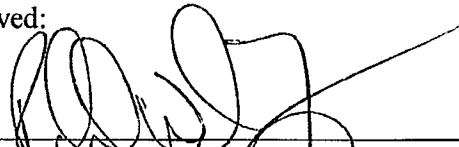
16. The conveyance made in this Buyout and Transfer Agreement is made without warranty, express or implied, and the internal lines and meters, to the extent they exist, are conveyed "AS IS" and "WHERE IS."

[The remainder of this page is intentionally left blank.]

IN WITNESS WHEREOF, THE PARTIES HERETO have executed this Buyout and Transfer Agreement as of the date above stated.

NORTH ALAMO WATER SUPPLY CORPORATION
420 S. DOOLITTLE ROAD
EDINBURG, Texas 78542

By: 
Steven P. Sanchez, General Manager

Approved:
By: 
Richard Ward Fryer, Attorney for
North Alamo Water Supply Corporation



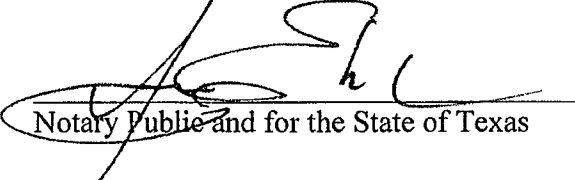
CORPORATE ACKNOWLEDGMENT

STATE OF TEXAS §
 §
COUNTY OF HIDALGO §



I hereby certify that on this day before me, an officer duly authorized in the State of Texas and in the County of Hidalgo to take acknowledgments, personally appeared Steven P. Sanchez, known to me to be the person described in and who executed the foregoing instrument as General Manager of North Water Supply Corporation, the corporation therein, and acknowledged that he executed the same as such an officer, in the name and for on behalf of the said corporation.

JE
8 IN WITNESS WHEREOF I hereunto set my hand and affixed my official seal this
day of March, 2019.


Notary Public and for the State of Texas

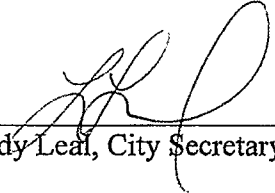
ATTEST:

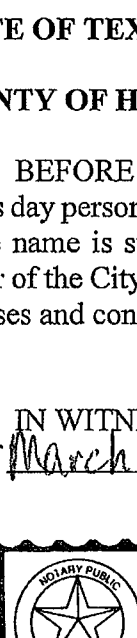
CITY OF EDINBURG, TEXAS

415 W. University Drive

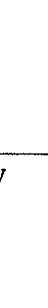
P. O. Box 1079

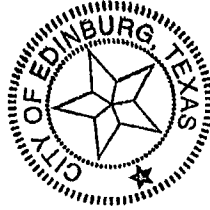
Edinburg, Texas 78540

By: 
Ludy Leal, City Secretary

By: 
Juan G. Guerra, CPA., City Manager

Approved:
OMAR OCHOA LAW FIRM, P.C.

BY: 
Omar Ochoa, City Attorney



ACKNOWLEDGMENT

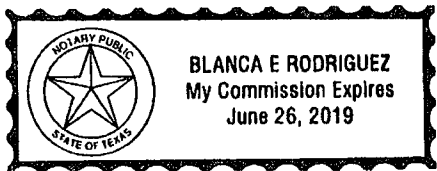
STATE OF TEXAS §

§

COUNTY OF HIDALGO §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Juan G. Guerra, CPA, City Manager, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he is the Mayor of the City of Edinburg, that he executed the same as the act of the City of Edinburg for the purposes and consideration therein expressed and in the capacity therein stated.

IN WITNESS WHEREOF I hereunto set my hand and affixed my official seal this 8th day of March, 2019.



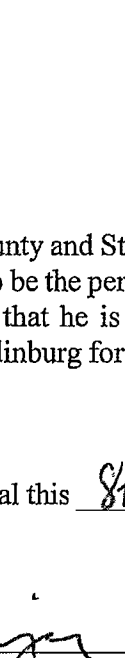
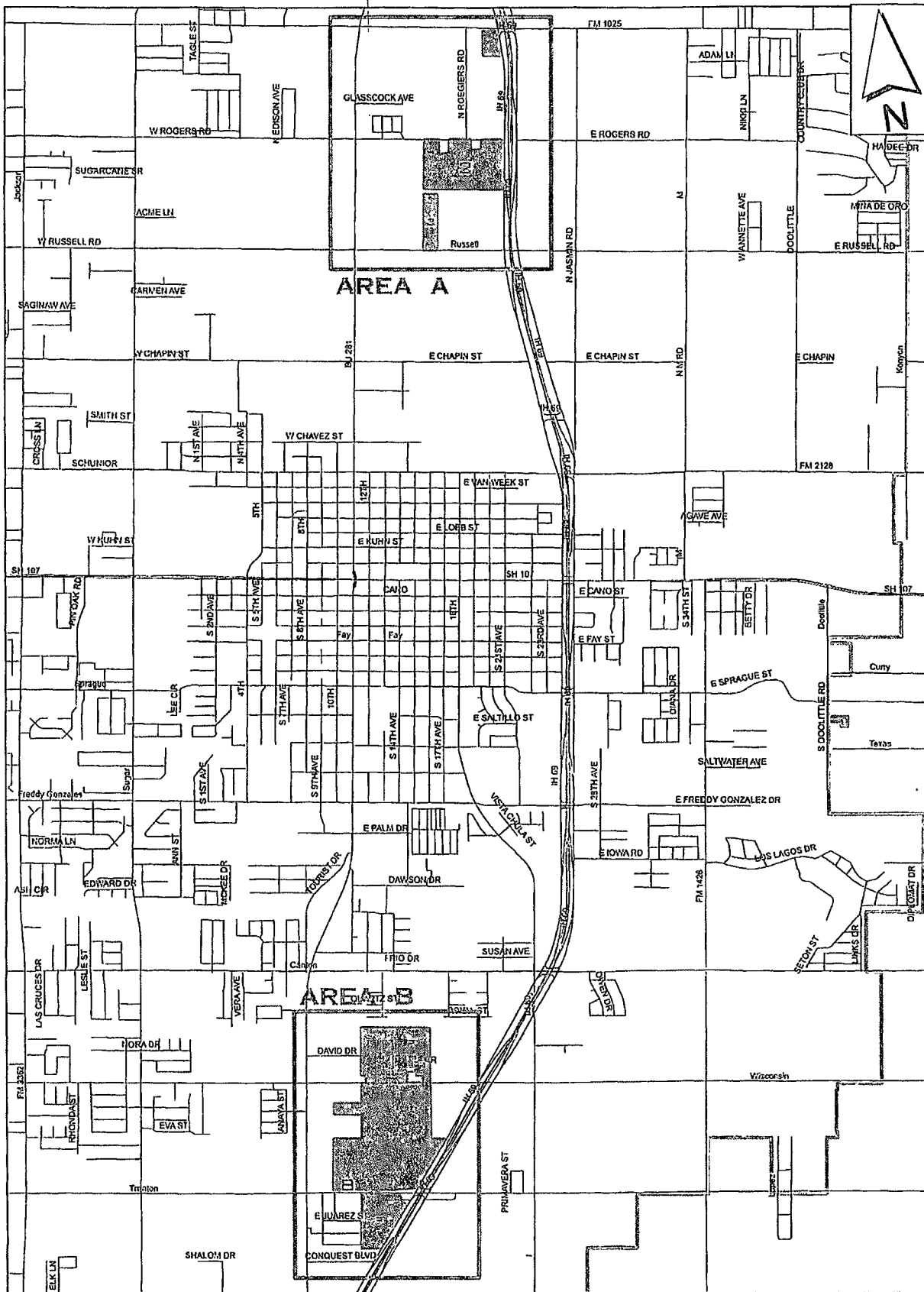



Notary Public and for the State of Texas

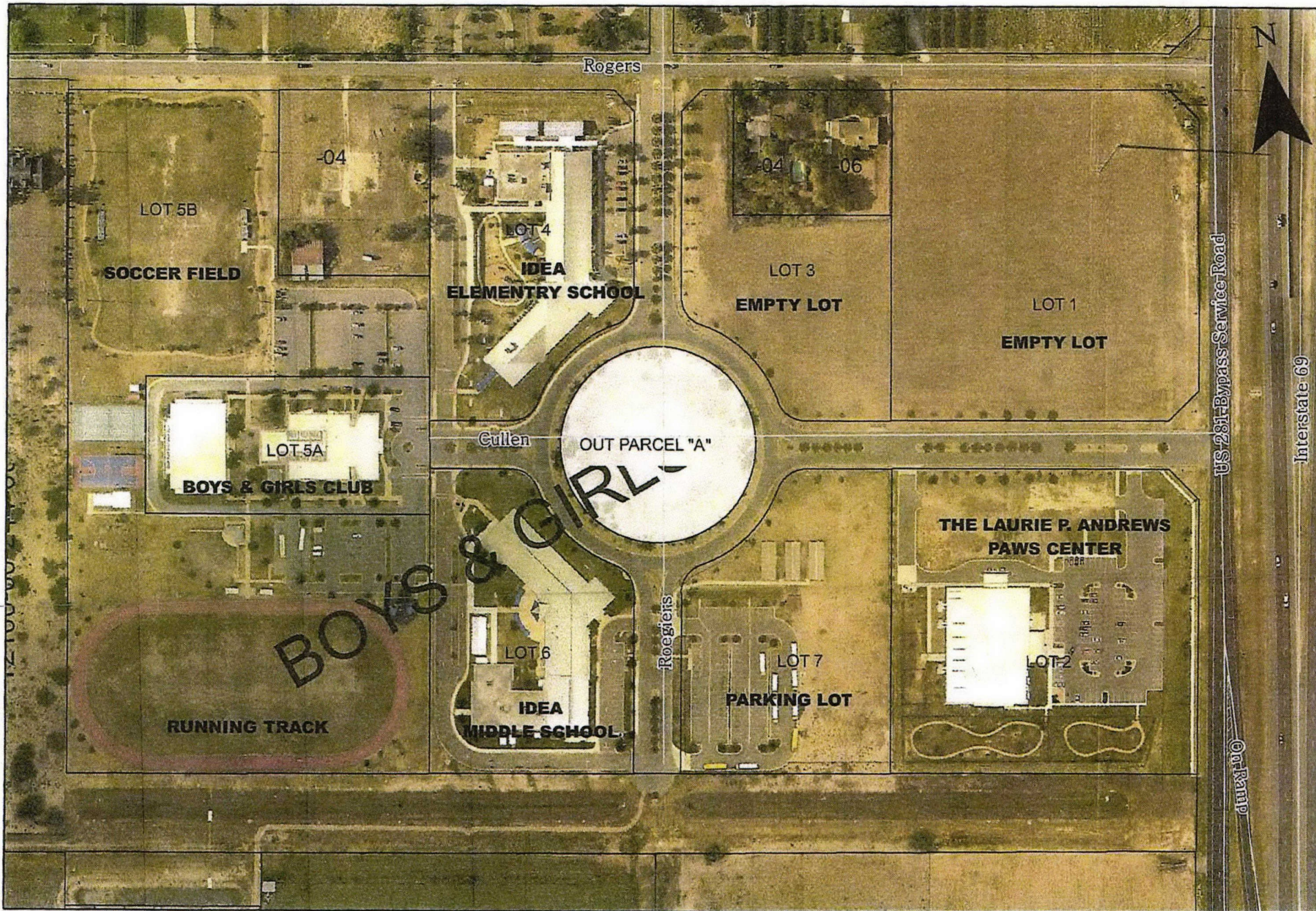
Exhibit “A” (NAWSC Transfer Area Map and Description)



- LEGEND:**
-  General Location Group
 -  City Limits

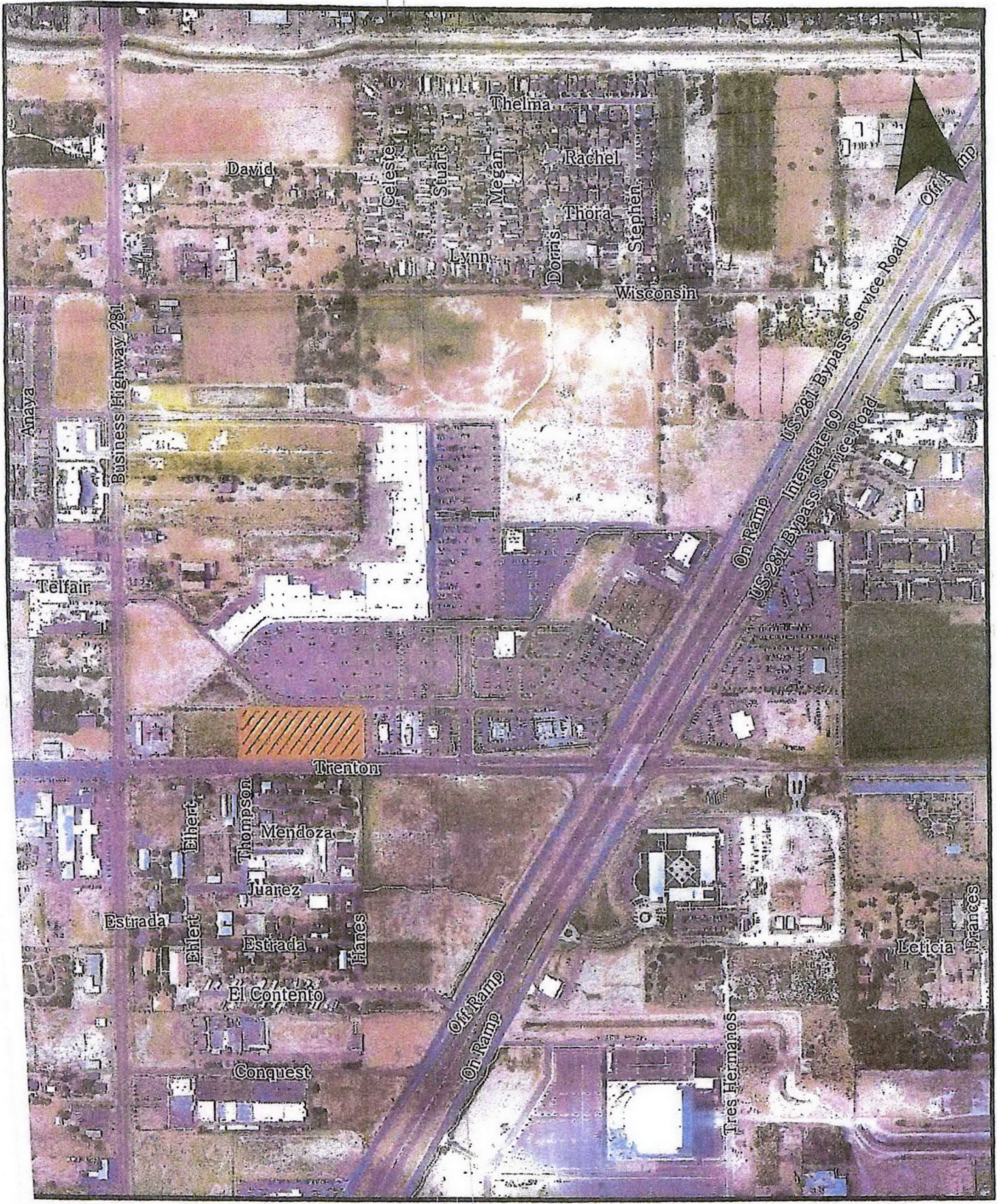
**LOCATION MAP
FOR
BOYS AND GIRLS CLUB SUBDIVISION
AND
TRENTON PARK PLAZA
DOCKET NO. 48714
CITY OF EDINBURG
415 W. UNIVERSITY DR.
R. 956.388.8212 F. 956.363.7111**







LOT IDENTIFICATION MAP
 FOR
 BOYS & GIRLS CLUB SUBDIVISION
 CITY OF EDINBURG





LEGEND:

-  Trenton Park Plaza
-  City Limits

**VICINITY MAP
OF
TRENTON TOWN PLAZA**

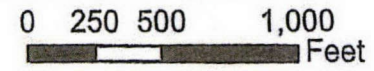


Exhibit "B"(NAWSC Minute Excerpt)

NORTH ALAMO WATER SUPPLY CORPORATION

3/8 MILE S OF SH 107 ON DOOLITTLE ROAD
420 S DOOLITTLE RD EDINBURG TX 78542-3832

TELEPHONE 956-383-1618

FAX 956-383-1372

July 12, 2010

Mr. Fred Kurth, P.E.
Melden & Hunt, Inc.
115 West McIntyre
Edinburg, Texas 78541

RE: Release of 3.94-acres, located on the north side of Trenton Rd. east of Business 281 in Hidalgo County, Texas. (*Trenton Park Plaza Subdivision - 1 lot*)

Dear Mr. Kurth,

Pursuant to your request, the Board of Directors of North Alamo Water Supply Corporation at the June 15th, 2010 monthly board meeting approved the release of the above tract of land for in consideration of \$10,779.84. North Alamo Water Supply Corporation has received written communication from the City of Edinburg stating that the City is willing and able to provide potable water service to the above location. Any legal costs associated with the transfer of this service area will not be the responsibility of NAWSC.

Should you need additional information, please call me.

Sincerely,

North Alamo Water Supply Corporation





Dennis M. Goldsberry
Interim General Manager

DMG/nlr

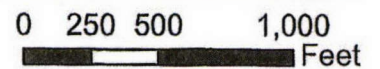
cc: City of Edinburg - Attn: Mr. Isael Posadas, via facsimile 956-383-7111



LEGEND:

-  Trenton Park Plaza
-  City Limits

**VICINITY MAP
OF
TRENTON TOWN PLAZA**



MAP B, SECTION 8

A Regular Meeting of the Board of Directors of North Alamo Water Supply Corporation will be held at 1:00p.m. Tuesday, June 15, 2010 at the Main Office located at 420 S. Doolittle Road, Edinburg, Texas. At that time the following items will be considered for approval:

AGENDA

01. Call Meeting to Order.

The North Alamo Water Supply Corporation reserves the right to adjourn into Executive Session at any time to discuss any of the matters listed below in accordance with Chapter 551 of the Texas Government Code, Vernon's Civil Statutes, Subchapter D, as it pertains to private consultation with the Corporation's attorneys (§551.071). THE BELOW LISTED ITEMS MAY BE DISCUSSED AND ACTED UPON, IF APPROPRIATE IN OPEN SESSION.

02. The Board will enter into Executive Session according to Tex. Gov. Code Chapter 551.071 to consider and discuss the following:

A. Management discussion.

03. The Board will return to Regular Session to take action on the following:

04. Approval of Minutes for May 18 and 25, 2010.

05. Public comments and consider action on customers' bills.

06. Approval of Financial Re-statement for January, February and March, 2010.

07. Approval of Financial Statement for April and May, 2010.

08. Water Operations Report. Sanchez

A. Water Loss for the Month of May 2010

B. Santa Rosa Project

C. City of Edinburg Interconnect

D. City of San Juan Interconnect

E. Texas Water Development Board (TWDB) Grant for Donna well casing

F. Ground breaking for Donna RO Plant

09. Wastewater Operations Report. Aguirre

A. Plant Reports for May 2010

1. Lasara WWTP

2. San Carlos WWTP

3. Monte Alto WWTP

4. Hargill WWTP

B. San Carlos WWT Plant Expansion

10. General Manager's Report. (Possible Action)
 - A. Watermaster's Report.
 - B. Water Rights.
 - C. Status of Lasara RO Plant (submersible pump)
 - D. Status of Donna RO Project
 - E. CoBANK - Closing Instructions
 - F. Tx Attorney General's Office presentation on Open Meetings Act, June 4, 2010 at SPI
 - G. Office Safety
 - H. July Board Meeting.
11. Consideration and approval of resolution adding the President of the Providence Administrative Service, Inc. as a signatory to the NAWSC's Frost Bank account for the corporation health insurance.
12. Consideration and approval to amend existing Carmen Avila Elementary Interlocal Agreement with the City of Edinburg to provide water service inside Edinburg's CCN.
13. Consideration and approval of allowing the use of a smaller than an 8" waterline to supply water to Saint Agustín Estates Subdivision (located W of Skinner Rd. & N of Tex-Mex Rd.).
14. Consideration and approval of request to buy out service area on Trenton Rd. and Bus. 281.
15. Consideration and approval of final pay estimate to O.G. Construction in the amount of \$72,364.50 for the Hidalgo Co. E.Z. Project Phase I – Waterline; pending final walk-thru and accept as completed.
16. Consideration and approval of final pay estimate to Landmark Structures in the amount of \$72,868.50 for the Hidalgo Co. E.Z. Project Phase I – Elevated tank; pending final walk-thru and accept as completed.
17. Consideration and approval of payment of \$108,810.00 to BEFESA/WaterBuilt for work completed to date on the Donna Reverse Osmosis Plant.
18. Consideration and approval of a Sewer Billing Agreement for the City of Alamo, subject to receipt of a Sewer Treatment Agreement from the City.
19. Consideration and approval of releasing NAWSC Water and Sewer.CCN area to the City of Primera.
20. The Regular Session will be recessed and the Board will enter into Executive Session according to Tex. Gov. Code Chapter 551.071 to consider and discuss the following:
 - A.
21. The Board will return to Regular Session to take action on the following:
 - A.

22. Consideration for Approval; Subdivisions.

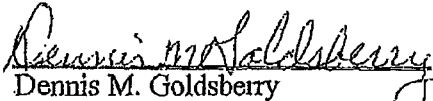
- A. Arturo Gomez Subdivision, 1 lot on 1.82 acres, located south of FM 495 west of Border Rd., developer – Arturo and Belinda Gomez
- B. Contreras Subdivision, 2 lots on 2.50 acres, located on the north side of Ingle Rd. east of Doolittle Rd., developers – Andres and Emilia G. Contreras
- C. Loma Verde Subdivision, 19 lots on 11.27 acres, located on the south side of Mile 22 ½ N Rd. west of Jesus Flores Rd., developer – Richard Ruppert
- D. Rio Grande Produce Park Phase I Subdivision, 1 lot on 14.707 acres, located on east of US Exp 281 south of FM 2812., developer – Jose L. Gonzalez
- E. San Jacinto Estates No. 7 Subdivision, 70 lots on 29.99 acres, located on the south side of Mile 10 N Rd. east of Mile 4 ½ W Rd., developer – San Jacinto Enterprises, LLC-Jacinto Garza, Pres.

23. Consideration for Approval; Membership Applications, Installations, Membership Transfers, and Membership Cancellations.

The Board may reconvene in Executive and Open Session from time to time and may take ACTION in Open Session regarding the above listed items to discussion.

24. Adjourn.

I certify that this is a true copy of the Agenda for the June 15, 2010 meeting of the Board of Directors of North Alamo Water Supply Corporation.


Dennis M. Goldsberry
Interim General Manager

MINUTES
NORTH ALAMO WATER SUPPLY CORPORATION
BOARD OF DIRECTORS MEETING
June 15, 2010

The Board of Directors of North Alamo Water Supply Corporation met for a regular meeting on Tuesday June 15, 2010 at 1:00 p.m. in the main office building.

Present:Directors	Staff	Others
Dennis Goldsberry	Dennis Goldsberry	J W Dyer – Corporation Attorney
Manuel Garcia	Steven Sanchez	Alan Booe – Engineer
Leonard Camarillo	Jesse Aguirre	Juan Garza – Customer Request
Steve Krenek	Jo Ann Searson	Javier Mendez - City of Primera
Mike England	Ed Bennett	Pat Patterson – City of Primera
Ray Yeary		
Manuel Garcia		
Derrick Swanberg		

1. The meeting was called to order by President Dennis Goldsberry at 1:08 p.m., and immediately recessed into Executive Session.
2. The Board returned to Regular Session at 2:05 p.m.
3. England moved to approve the minutes for May 18, and 25, 2010. Yeary seconded and the motion carried.
4. England moved to approve the Re-statement of January, February, and March 2010 financial statements. Mr, Ed Bennett gave the Board an overview of the corrected items. Swanberg seconded and the motion carried.
5. Garcia moved to approve the financial statements for April and May 2010 as presented by Mr. Bennett. England seconded and the motion carried.
6. Steven Sanchez reported the month of May water loss was at 25.33% resulting in a year-to-date 15.54%. Also, reported on the water system updates.
7. Jesse Aguirre reported on the wastewater department for the month of May 2010.
8. During the General Manager's report, Krenek moved to approve re-installing a submersible pump at La Sara RO Plant at a cost of \$7,395.00. England seconded and the motion carried. Also, Swanberg moved to approve the amount of money borrowed from CoBank at for the Donna RO Plant from \$7 million to \$5 million and a \$2 million line of credit. England seconded and the motion carried.
9. Camarillo moved to approve a resolution adding the President of Providence Administrative Services, Inc. as a signatory to the North Alamo Water Supply Corporation's Frost Bank account for the corporation health insurance. Yeary seconded and the motion carried.

North Alamo WSC Board of Directors meeting -- June 15, 2010

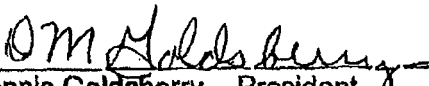
10. Swanberg moved to approve amending the existing Carmen Avila Elementary Interlocal Agreement with the City of Edinburg to provide water service inside Edinburg's CCN. England seconded and the motion carried.
11. Mr. Juan Garza addressed the Board concerning water supplied to a customer by the name of Mario M. Gonzalez, III. The property location is located West of Skinner Road and North of Tex-Mex Road. Swanberg moved to approve allowing the use of a 6" water line to Saint Agustin Estates Subdivision. England seconded and the motion carried.
12. Swanberg moved to approve a request by the City of Edinburg to buyout a service area on Trenton and Bus. 281 at the normal buyout amount, and manager to sign all related documents. England seconded and the motion carried.
13. England moved to approve a final payment to O.G. Construction in the amount of \$72,364.50 for the Hidalgo Co. E.Z. Project Phase I -- Waterline: pending final walk-thru and accept as complete. Swanberg seconded and the motion carried. Camarillo moved to approve the Acting Manager, Dennis Goldsberry, to sign all related documents. Swanberg seconded and the motion carried.
14. England moved to approve a final payment to Landmark Structures in the amount of \$72,868.50 for the Hidalgo County E, Z. Project Phase I -- Elevated tank: pending final walk-thru and accept complete.. Krenek seconded and the motion carried.
15. Krenek moved to approve a payment in the amount of \$108,810.00 to BEFESA/Waterbuilt for work completed to date on the Donna RO Plant, after staff reviews information received. Yeary seconded and the motion carried.
16. A Sewer Billing Agreement with the City of Alamo was Tabled.
17. Camarillo moved to approve the following subdivisions:
 - Arturo Gomez Subdivision: South of FM 495, West of Border Road.
 - Contreras Subdivision; North side of Ingle, East of Doolittle Roads
 - Loma Verde Subdivision; South side of 22 1/2 N, West of Jesus Flores Roads.
 - Rio Grande Produce Park Phase I Subd.; East of US Exp 281, South of FM 2812.
 - San Jacinto Estates No. 7 Subd.; South side of Mile 10N, East of Mile 4 1/2W Roads.All these subdivisions are subject to all applicable subdivision rules and regulations of the Corporation. Yeary seconded and the motion carried.
18. Camarillo moved to approve Membership Applications, Installations, Transfers, and Cancellations for the month of May 2010. Yeary seconded and the motion carried.

North Alamo WSC Board meeting – June 15, 2010

19. The Board recessed to Executive Session at 4:50 p.m. to discuss the following items.
 - a. Management
20. The Board returned to Regular Session at 5:24 p.m.
 - a. No Action
21. Yeary moved to adjourn at 5:25 p.m. and passed by consensus.

Jo Ann Searson, Recording


Leonard Camarillo – Secretary


Dennis Goldsberry – President

MINOR TRENT PL

BEING A RESUB
SITUATED IN THE CITY OF E
OUT OF LOT 36, K
ACCORDING TO TH
RECORDED IN VOL
DEED RECORDS OF

METES AND BOUNDS DESCRIPTION

A TRACT OF LAND CONTAINING 3.34 AC
COUNTY, TEXAS, OUT OF LOT 36, KELLY
PLAT HEREIN RECORDED IN VOLUME 6
RECORDS, SAID 3.34 ACRES BEING MORE
AS FOLLOWS:

CORNERING AT THE SOUTHEAST CORNER
LOCATED WITHIN THE ROAD RIGHT-OF-W
THENCE, N 05° 25' 46" E ALONG THE I
SUBDIVISION, A DISTANCE OF 70.00 FEET
E-1092243-4300) ON THE NORTH RIGHT
SOUTHEAST CORNER AND POINT OF BEG

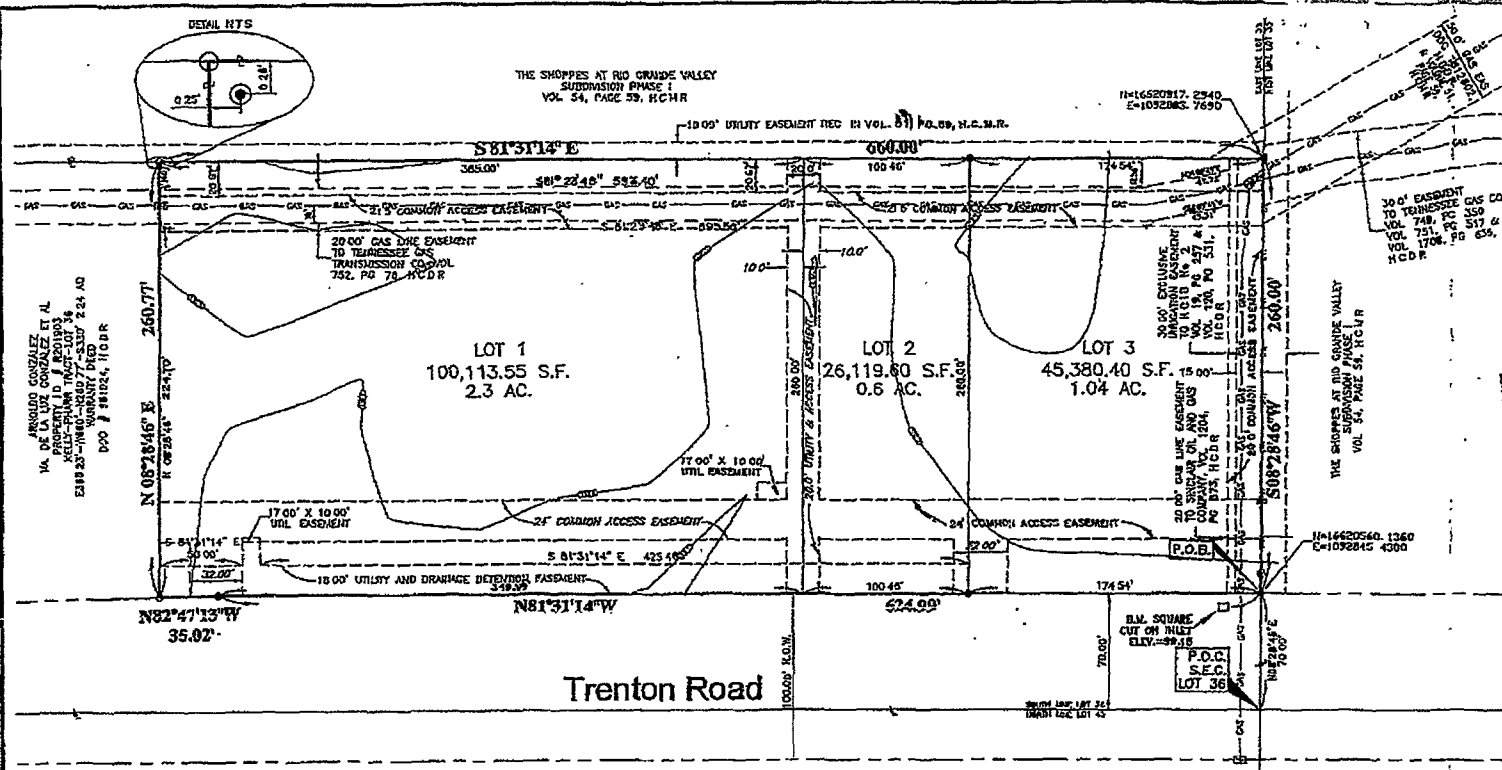
1. THENCE, N 81° 31' 14" W, ALONG THE
ROAD, AT DISTANCE OF 187.54 FEET PA
DISTANCE OF 624.89 FEET TO A N+ 4.

2. THENCE, N 62° 47' 13" W, CONTINUI
TRENTON ROAD, A DISTANCE OF 35.02 I
CORNER OF THIS TRACT;

3. THENCE, N 08° 22' 48" E, A DISTAN
NORTHWEST CORNER OF THIS TRACT;

4. THENCE, S 01° 31' 14" E, AT A DIST
LINE, AND CONTINUING A TOTAL DISTANCE
(N-10922017-2940, E-10922013-7690) O
NORTHEAST CORNER OF THIS TRACT;

5. THENCE, S 08° 22' 48" W, ALONG TH
FEET TO THE POINT OF BEGINNING, AND

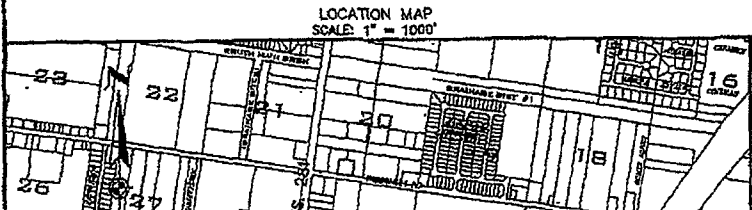


Trenton Road

LEGEND:	
FOUND IRON PIPE	⊙
No. 4 REBAR FOUND	⊙
No. 4 REBAR SET	⊙
GAS MAIN	—
GAS WELL	⊙
U.E. - INDICATES UTILITY EASEMENT	

GENERAL NOTES

- BUILDING SETBACK LINES SHALL BE AS PER CITY OF EDINBURG CO (COMMERCIAL GENERAL) ZONING
- MINIMUM PERMISSIBLE FINISHED FLOOR ELEVATION SHALL BE 3' ABOVE TOP OF CURB OR BASE FLOOD ELEVATION, WHICHEVER IS GREATER
- FLOOD ZONE DESIGNATION, ZONE "X" (SHADED), AREAS OF 500-YEAR FLOOD; AREAS OF 100-YEAR FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED BY LEVEES FROM 100-YEAR FLOOD. FLOOD RISK AS FLOOD INSURANCE RATE MAP COMMUNITY PANEL No. 48033A DOGS E MAP REVISED, JUNE 6, 2000, REVISED TO REFLECT L.O.M.R. MAY 14, 2001.
- TOTAL RAINOFF DEFLECTION REQUIRED: 15,350 OF (0.368 AC-FT.)
LOT 1: 9,311 CF (0.214 AC-FT.)
LOT 2: 2,429 CF (0.056 AC-FT.)
LOT 3: 4,210 CF (0.096 AC-FT.)
- SEWER MARK - SQUARE CUT ON HILL LOCATED AT THE SOUTHEAST CORNER OF THIS SUBDIVISION. ELEVATION=99.15
- THIS SUBDIVISION SHALL BE FOR COMMERCIAL USE
- NO PERMANENT STRUCTURES SHALL BE ALLOWED WITHIN UTILITY EASEMENTS, GAS EASEMENTS, BONGATORY EASEMENTS OR LOT LINES.
- PROPOSED DETENTION AREAS SHALL BE MAINTAINED BY INDIVIDUAL LOT OWNERS, AND SHALL BE PROVIDED ACCORDING TO DRAINAGE REPORT.
- 5-FOOT CONCRETE SLOTTALS WITH ADA RAMP ARE REQUIRED ALONG TRENTON ROAD DURING SUBDIVISION CONSTRUCTION
- ALL CONSTRUCTION SHALL COMPLY WITH STORM WATER POLLUTION PREVENTION PLAN REQUIREMENTS
- ADDITIONAL FIRE HYDRANTS MAY BE REQUIRED FOR COMMERCIAL AREAS AT BUILDING POINT STAGE, INCLUDING NECESSARY EASEMENTS
- SITE PLAN MUST BE REVIEWED/APPROVED BY THE CITY OF EDINBURG PRIOR TO ISSUANCE OF BUILDING PERMIT FOR COMMERCIAL DEVELOPMENTS
- ALL COMMON ACCESS EASEMENTS, PARKING AND LANDSCAPING AREAS WILL BE MAINTAINED BY LOT OWNERS.
- COMMON ACCESS AND PARKING LOT SHALL BE HELD COMMON FOR COMMERCIAL AREAS ON ALL LOTS



STATE OF TEXAS
COUNTY OF HIDALGO
I, FRED L. KUEHN, THE UN
THE STATE OF TEXAS, HERE
CONSIDERATION HAS BEEN C
DATED THIS THE 19th

Exhibit "C" (City of Edinburg Minute Excerpt)

MINUTES EXCERPT

**STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF EDINBURG**

The Edinburg City Council convened for a **Special Meeting on Tuesday, February 26, 2019 at 12:00 pm**, at Edinburg City Hall Council Chambers, 415 W. University Drive, Edinburg, Texas, with the following present:

Mayor and Councilmembers:

Richard R. Molina, Mayor
David Torres, Mayor Pro Tem
Jorge Luis Salinas, Councilmember Place 1
Gilbert Enriquez, Councilmember Place 2

Absent:

Homer Jasso, Jr., Councilmember Place 3

Staff: Juan Guerra, CPA, City Manager, Omar Ochoa, City Attorney, Ludivina Leal, City Secretary, Sonia Marroquin, Assistant City Manager, Carla M. Rodriguez, Assistant City Manager, and City Department Directors.

4. BIDS/CONTRACTUALS

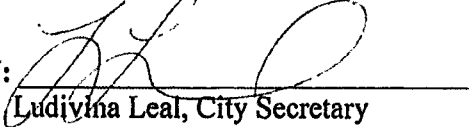
A. Consider authorizing payment for the Boys & Girls Club Subdivision and Trenton Park Plaza Subdivision water service buyouts. [Arturo Martinez, Director of Utilities]

Councilmember Salinas moved to approve authorizing payment for the Boys & Girls Club Subdivision and Trenton Park Plaza Subdivision water service buyouts. Mayor Pro Tem Torres seconded the motion. The motion carried unanimously with all members present.

CERTIFICATE OF RECORDING OFFICER

I, Ludivina Leal, City Secretary for the City of Edinburg hereby certify that this is a true and correct copy of the original Governing Body's legislative history for the special meeting held February 26, 2019, and is on file in the City Secretary's Office of the City of Edinburg, Texas. TO CERTIFY WHICH WITNESS MY HAND AND SEAL OF OFFICE THIS THE 5th day of March, 2019.

BY:


Ludivina Leal, City Secretary
City of Edinburg, Texas



VENDOR NO.

37780

CHECK DATE 03/01/2019

CK. NO. 1356

INVOICE NO.	INVOICE DATE	DESCRIPTION	INVOICE AMOUNT	DISCOUNT	NET AMOUNT
TRANSFER BUYOUT	A02/26/19	B&G CLUB & TRENTON	47880.00	0.00	47880.00
NORTH ALAMO WATER SUPPLY			47880.00	0.00	47880.00

CHECK IS VOID IF ANY OF THE FOLLOWING SECURITY FEATURES ARE ABSENT: ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER

THE CITY OF Edinburg

FINANCE DEPARTMENT
P.O. BOX 1079
EDINBURG, TEXAS 78540

Texas National Bank
Edinburg, Texas

CHECK DATE	CHECK NO.
03/01/2019	1356

AMOUNT
\$47,880.00

PAY

FORTY SEVEN THOUSAND EIGHT HUNDRED EIGHTY DOLLARS AND 00 CENTS

TO THE ORDER OF

NORTH ALAMO WATER SUPPLY
420 S DOOLITTLE RD.
EDINBURG, TX 78539



[Signature]
AUTHORIZED SIGNATURE

City Manager

[Signature]
AUTHORIZED SIGNATURE

City Mayor

RUB RED IMAGE - DISAPPEARS WITH HEAT

SEE BACK FOR TRUE WATERMARK

Security Features Included Details on back

001356 1214920128 1002005955

MINUTES EXCERPT

**STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF EDINBURG**

The Edinburg City Council convened for a **Regular Meeting on Friday, March 8, 2019 at 12:00 pm**, at Edinburg City Hall Council Chambers, 415 W. University Drive, Edinburg, Texas, with the following present:

Mayor and Councilmembers Present: Richard R. Molina, Mayor
David Torres, Mayor Pro Tem
Jorge Luis Salinas, Councilmember Place 1

Absent: Gilbert Enriquez, Councilmember Place 2
Homer Jasso, Jr., Councilmember Place 3

Staff Present: Juan Guerra, CPA, City Manager, Omar Ochoa, City Attorney, Ludivina Leal, City Secretary, Sonia Marroquin, Assistant City Manager, Carla M. Rodriguez, Assistant City Manager, and City Department Directors.

6. BIDS/CONTRACTUALS

- E. Consider approval of Buyout and Transfer of Service Area Agreement for Boys & Girls Club and Trenton Park Plaza Subdivisions between the City of Edinburg and North Alamo Water Supply and authorize City Manager to enter into an agreement relating thereto. [Arturo Martinez, Director of Utilities]**

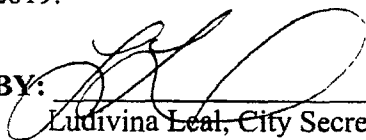
Councilmember Salinas moved to approve Buyout and Transfer of Service Area Agreement for Boys & Girls Club and Trenton Park Plaza Subdivisions between the City of Edinburg and North Alamo Water Supply and authorize City Manager to enter into an agreement relating thereto. Mayor Pro Tem Torres seconded the motion.

There was discussion. Arturo Martinez, Director of Utilities explained the details of this item.

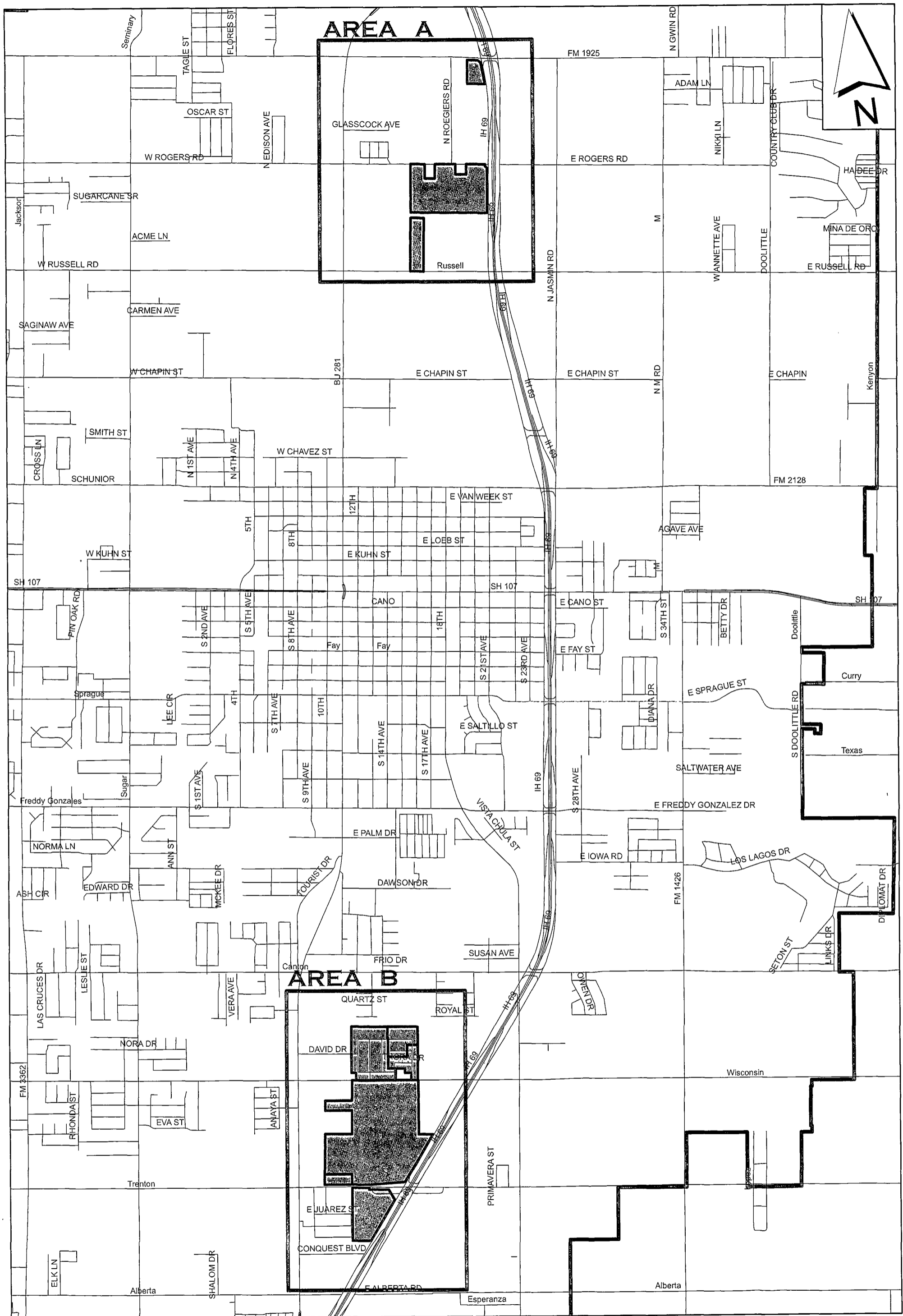
Mayor Molina called for a vote. The motion carried with all members in attendance.

CERTIFICATE OF RECORDING OFFICER

I, Ludivina Leal, City Secretary for the City of Edinburg hereby certify that this is a true and correct copy of the original Governing Body's legislative history for the regular meeting held Tuesday, February 19, 2019, and is on file in the City Secretary's Office of the City of Edinburg, Texas. TO CERTIFY WHICH WITNESS MY HAND AND SEAL OF OFFICE THIS THE 8th day of March, 2019.

BY: 
Ludivina Leal, City Secretary
City of Edinburg, Texas



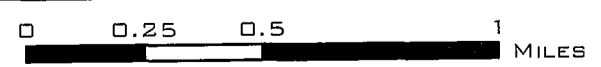


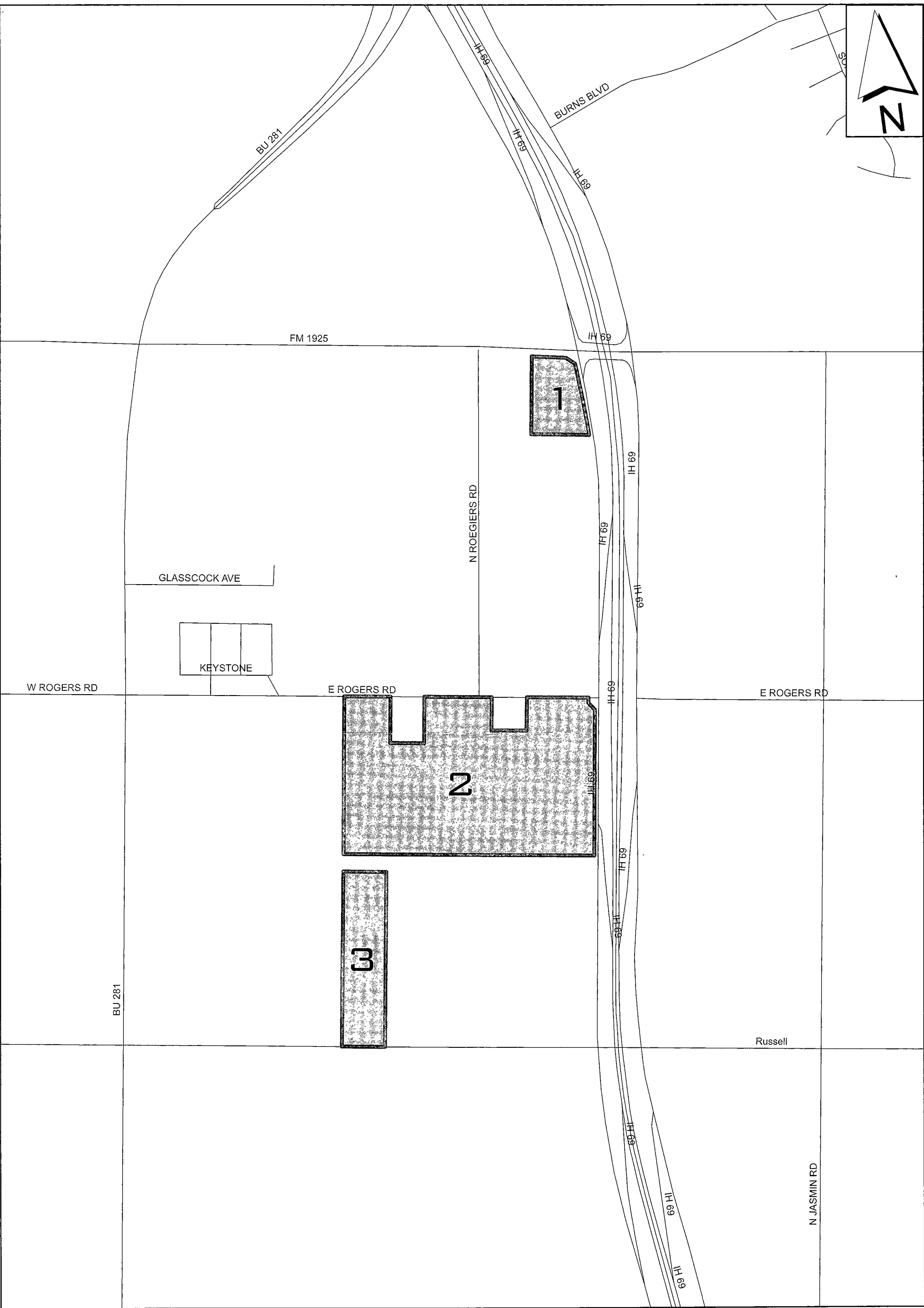
LEGEND:

- General Location Group
- City Limits

**GENERAL LOCATION MAP
CITY OF EDINBURG
DOCKET No. 48714**

415 W. UNIVERSITY DR.
P. 956.388.8212 F. 956.383.7111

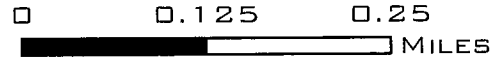




LEGEND:



-  Area A
(NORTH ALAMO WATER SUPPLY CORPORATION)
-  City Limits

**AREA BUYOUT
DETAILED AREA A MAP
CITY OF EDINBURG
DOCKET NO 48714**



415 W. UNIVERSITY DR.
P. 956.388.8212 F. 956.383.7111



LEGEND:
 Area B
 City Limits

(NORTH ALAMO WATER SUPPLY CORPORATION)

**AREA BUYOUT
 DETAILED AREA B MAP
 CITY OF EDINBURG
 DOCKET NO 48714**

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