

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, AUTHORIZING USE OF THE POWER OF EMINENT DOMAIN TO ACQUIRE PROPERTY DESCRIBED AS A 313 SQUARE FOOT OR 0.0072 OF AN ACRE TRACT OF LAND SITUATED IN THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, OUT OF LOT 1, TAYLOR HEIGHTS SUBDIVISION, AS RECORDED IN VOLUME 46, PAGE 118, OF THE MAP RECORDS, HIDALGO COUNTY, TEXAS, CONVEYED BY SPECIAL WARRANTY DEED WITH VENDOR'S LIEN, DATED NOVEMBER 17, 2005, FROM TERRA HOMES CORPORATION TO MARTIN RAMIREZ AND ROSE I. RAMIREZ, AS DESCRIBED IN DOCUMENT NUMBER 1546358, OF THE OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS FOR THE TAYLOR ROAD PHASE II PROJECT FROM BRENTWOOD DRIVE TO MILE 2 NORTH PROJECT.**

**WHEREAS**, the City Council of the City of Mission, Texas, deems it necessary to acquire the property listed herein for the city's Taylor Road Phase II Project; and

**WHEREAS**, the City Council of the City of Mission, Texas, finds that the acquisition of the property promotes the health and safety of the residents of Mission, Texas; and

**WHEREAS**, there may be improvements located on some or the real property acquired for this project and such improvements may be required to be moved or acquired prior to the beginning of this project; and

**WHEREAS**, the City Council of the City of Mission, Texas has approved the power of eminent domain to acquire the above referenced property, more particularly described in Exhibit "A", (hereinafter, the "Property") for the Taylor Road Phase II project from Brentwood Drive to Mile 2 North Project.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, THAT:**

**Section 1.** The foregoing recitals are incorporated herein by reference as findings of fact as if expressly set forth herein.

**Section 2.** The City of Mission City Council, hereby officially determines that there is a public necessity for, and the public welfare and convenience will be served by, the acquisition of the Property for the Taylor Road Phase II Project.

**Section 3.** The City of Mission City Attorney's Office, in conjunction with the City of McAllen City Attorney's office, is hereby authorized and directed to proceed with condemnation

proceedings under Chapter 21, Texas Property Code against owners of the Property, and against all other owners, lien holders and other holders of an interest in the Property, in order to acquire the Property.

**Section 4.** The City Council of the City of Mission hereby officially authorizes the City Manager to execute all documents and follow all procedures required by law necessary to acquire the Property needed for said public project, on behalf of the City of Mission, Texas.

**Section 5.** Estimated value of the Property to be acquired is \$7,451.00.

**Section 6.** This Resolution shall become effective immediately after and from its passage.

**CONSIDERED, PASSED, and APPROVED** this 13<sup>th</sup> day of February, 2023, at a regular meeting of the City Council of the City of Mission, Texas, at which a quorum was present and which was held in accordance with Chapter 551, Texas Government Code.

**SIGNED** this 13<sup>th</sup> day of February 2023.

**CITY OF MISSION**

By: \_\_\_\_\_  
Norie Gonzalez Garza, Mayor

**ATTEST:**

\_\_\_\_\_  
Anna Carrillo, City Secretary

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Victor A. Flores, City Attorney

# **Property Description**

County: Hidalgo  
CCSJ: 0921-02-327  
HIGHWAY: Taylor Road Phase II  
Limits: Brentwood Dr. to 2 Mile

Exhibit: K  
FIELD NOTES FOR PARCEL 37

Being a 313 square foot or 0.0072 of an acre tract of land situated in the City of McAllen, Hidalgo County, Texas, out of Lot 1, Taylor Heights Subdivision, as recorded in Volume 46, Page 118, of the Map Records, Hidalgo County, Texas, conveyed by Special Warranty Deed with Vendor's Lien, dated November 17, 2005, from Terra Homes Corporation to Martin Ramirez and Rose I. Ramirez, as described in Document Number 1546358, of the Official Records, Hidalgo County, Texas, said 313 square foot or 0.0072 of an acre tract being more particularly described by metes and bounds as follows:

Commencing at a point in the South existing 50.00 foot Right of Way line of Sycamore Avenue, the Northwest corner of Lot 2, said Taylor Heights Subdivision, conveyed by Warranty Deed, dated December 19, 2012, from Rebecca Romero aka Rebeca Romero and husband, Francisco Romero, to Oscar Del Fierro and Herminia Del Fierro, as described in Document Number 2367560, of the Official Records, Hidalgo County, Texas, and the Northeast corner of said Lot 1;

**Thence**, with the South existing 50.00 foot Right of Way line of Sycamore Avenue and the North line of said Lot 1, North  $81^{\circ}23'39''$  West a distance of 66.90 feet to a 5/8" iron pin (N=16,608.842,9652, E=1,058,176,7318) with plastic cap stamped "ROWSS PROP COR" set 65.00 feet right to centerline station 216+67.16 in the East proposed Right of Way line of Taylor Road, for right of way cutback corner, the Northeast corner, and **Point of Beginning** of this herein described tract of land;

1. **Thence**, departing the South existing 50.00 foot Right of Way line of Sycamore Avenue, with a proposed right of way cutback line, South  $53^{\circ}35'35''$  West a distance of 35.35 feet to a 5/8" iron pin with plastic cap stamped "ROWSS PROP COR" set in the East existing Right of Way line of Taylor Road, width varies, for a right of way corner and the South corner of this herein described tract of land;
2. **Thence**, with the East existing Right of Way line of Taylor Road, width varies, North  $08^{\circ}34'50''$  East a distance of 25.00 feet to the South existing 50.00 foot Right of Way line of Sycamore Avenue, for the Northwest corner of this herein described tract of land;

- 3 Thence, departing the East existing Right of Way line of Taylor Road, width varies, with the South existing 50.00 foot Right of Way line of Sycamore Avenue, South  $81^{\circ}23'39''$  East a distance of 25.00 feet to the Point of Beginning and being a 313 square foot or 0.0072 of an acre tract of land.

Bearings based on the Texas Coordinate System, South Zone, NAD83 (NA2011), adjusted to surface using a grid to surface adjustment factor of 1.00004.

A plat of even survey date herewith accompanies this description.

I, Kurt Schumacher, a Registered Professional Land Surveyor, hereby certify that the legal description hereon and the accompanying plat represent an actual survey made on the ground under my supervision.

  
\_\_\_\_\_

Kurt Schumacher  
Registered Professional Land Surveyor  
Texas Registration No. 6333



- Thence, departing the East existing Right of Way line of Taylor Road, width varies, with the South existing 50.00 foot Right of Way line of Sycamore Avenue, South  $81^{\circ}23'39''$  East a distance of 25.00 feet to the **Point of Beginning** and being a 313 square foot or 0.0072 of an acre tract of land.

Bearings based on the Texas Coordinate System, South Zone, NAD83 (NA2011), adjusted to surface using a grid to surface adjustment factor of 1.00004.

A plat of even survey date herewith accompanies this description.

I, Kurt Schumacher, a Registered Professional Land Surveyor, hereby certify that the legal description hereon and the accompanying plat represent an actual survey made on the ground under my supervision.

  
\_\_\_\_\_

Kurt Schumacher  
Registered Professional Land Surveyor  
Texas Registration No. 6333





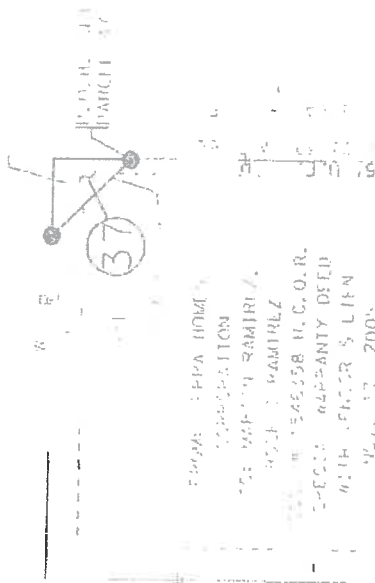
SOUTH PLANE COORDINATE SYSTEM  
PART 11.1  
R.T.S.



TO VERIFY THE PROPERTY LINE THAT BORN BIRTH ON  
SUBJECT TO THE CURRENT GENERAL RULES OF  
PROFESSIONS AND PRACTICES AS PROMULGATED BY  
THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING.

*Kurt Schumacher* 8/6/2018

KURT SCHUMACHER, P.L.S. #6333



1/4\"/>

P.O. 37  
PARCEL 37

EXISTING	TAKING	REMAINING	
		LEFT	RIGHT
0.1542 AC.	0.1542 AC.		0.1548 AC.
	0.1542 AC.		

DATE: JULY 31, 2018

### RIGHT OF WAY SKETCH

SUBJECT PROPERTY OF  
PARCEL 37  
TAYLOR ROAD PH 11  
BRENTWOOD DR. TO 2 MILE,  
HIDALGO COUNTY



ROW SURVEYING SERVICES, LLC  
1500 W. 14TH ST., SUITE 100  
DALLAS, TEXAS 75203  
PHONE: 972-282-3338

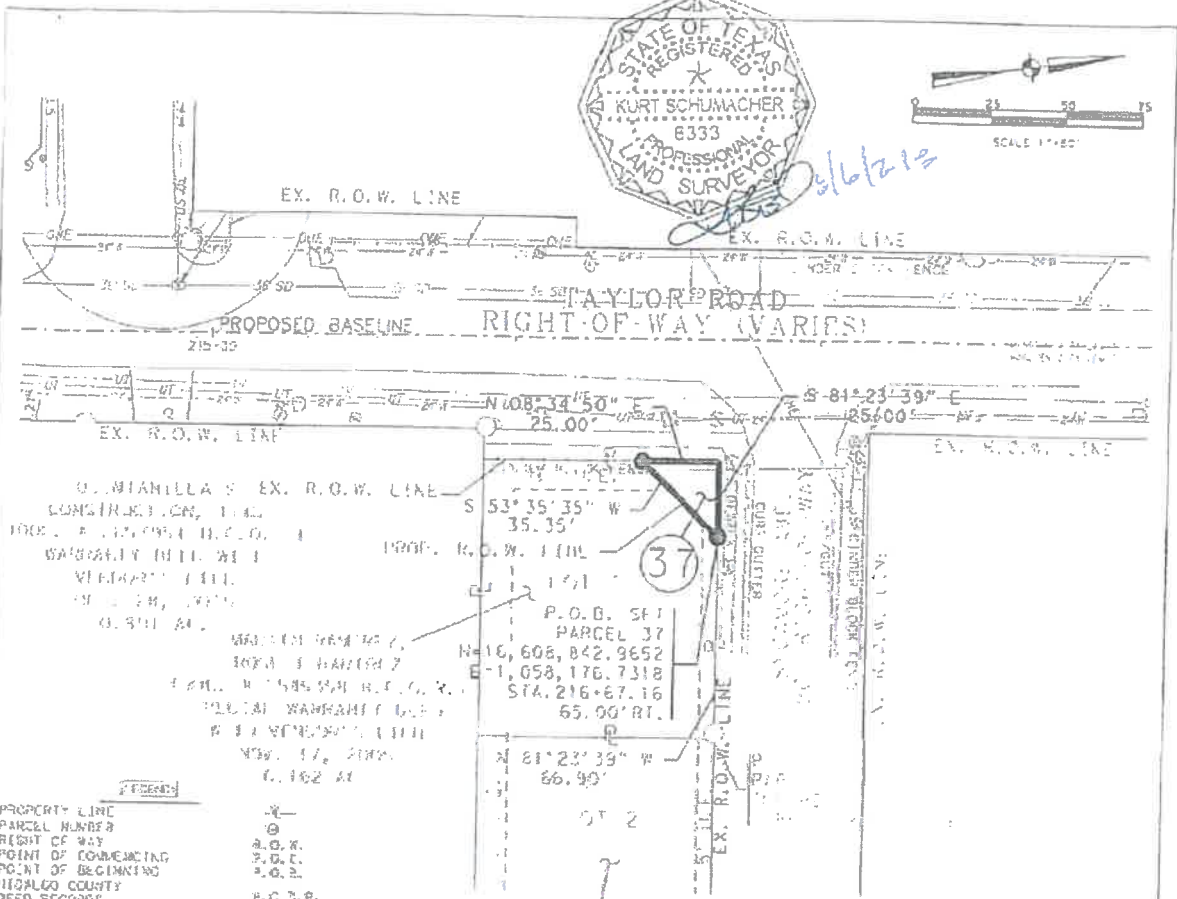
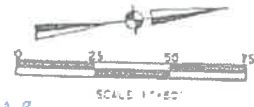
CCSJ: 0921-02-327

EXHIBIT

PAGE 3 of 4

#### NOTES:

- ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NORTH AMERICAN DATUM OF 1983 (NAZ011). ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY AN ADJUSTMENT FACTOR OF 1.00004.
- INDICATES A 5/8\"/>
- CIRCULARLY MARKED IRON PIN.
- METES AND BOUNDS DESCRIPTION ACCOMPANIES THIS PLAT.



- PROPERTY LINE
- PARCEL NUMBER
- RIGHT OF WAY
- POINT OF COMMENCING
- POINT OF BEGINNING
- HIDALGO COUNTY
- DEED RECORDS
- HIDALGO COUNTY
- MAP RECORDS
- HIDALGO COUNTY
- OFFICIAL RECORDS
- SET 3/8 INCH IRON PIN
- WITH A PLASTIC CAP
- MARKED THIRTY INCH DEEP
- FOUND 1/2 INCH IRON PIN
- BALLS DIFFERENTLY MARKED
- WATER TAP
- OVERHEAD ELEC.
- UNDERGROUND TELEPHONE
- POWER POLE
- FIRE HYDRANT
- TELEPHONE MAST
- CITY ANCHOR
- WATER VALVE
- WATER METER
- TILE

PLAT OF SURVEY  
PARCEL 37  
FOR TAYLOR ROAD

A 313 SQ. FT. (0.0072 AC.)  
TRACT OF LAND SITUATED IN LOT 1,  
TAYLOR HEIGHTS SUBDIVISION,  
OUT OF A 0.162 ACRE TRACT OF LAND,  
AS DESCRIBED IN DOCUMENT NO. 1546358,  
OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS

OSCAR DEL PIERRO AND  
HERMINIA DEL PIERRO  
PROP. & PARTNERS  
H.C.O.C.  
WARRANTY DEED  
D.A. 13, 2012  
6, 11, 2012

TAYLOR HEIGHTS SUBD.  
PROP. & PARTNERS

- NOTES:
1. ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, 1983 AMERICAN DATUM OF 1983. HORIZONTAL DISTANCES AND COORDINATES SHOWN ARE SUPPOSED AND MAY BE CONVERTED TO GRID BY APPLYING A PLANAR ADJUSTMENT FACTOR OF 1.0000.
  2. A METES AND BOUNDS DESCRIPTION ACCOMPANIES THIS PLAN.
  3. SURVEYED ON THE GROUND JULY 2018.

DATE: JULY 31, 2018

**RIGHT OF WAY SKETCH**  
SHOWING PROPERTY OF  
**PARCEL 37**  
TAYLOR RD. PH. 11  
BREWSTER DR. TO 3 MILE,  
HIDALGO COUNTY

**ROW SURVEYING SERVICES, LLC.**  
300 S. STEWART BL. SUITE 111  
MCKINNEY, TEXAS 75069  
TEL: (972) 924-3122  
FAX: (972) 924-3122

TOOLS REG. STATE 10103606  
CCSU: 0921-02-327