

**APPENDIX IIC**  
**FLOODPLAINS**

**APPENDIX IIC1**  
**FEMA CLOMR-F REQUEST**



03/25/2016

1401491

LOMC Clearinghouse  
847 South Pickett Street  
Alexandria, VA 22304-4605

**RE: REQUEST FOR CLOMR-F  
PERMIT AMENDMENT APPLICATION  
EDINBURG REGIONAL DISPOSAL FACILITY  
HIDALGO COUNTY, TEXAS  
TCEQ PERMIT MSW-956C**

Dear Recipient:

The City of Edinburg is preparing a Permit Amendment Application, to submit to the Texas Commission on Environmental Quality (TCEQ) Solid Waste Permits Division proposing an expansion to the Edinburg Regional Disposal Facility's permit boundary from 254 acres (currently permitted under TCEQ Permit MSW-956B) to 603 acres (to be permitted as TCEQ Permit MSW-956C). The proposed waste disposal footprint and permit boundary are shown in Figure 1. The existing and proposed permit boundaries overlaying a 7.5 minute USGS quadrangle map are shown in Figure 2.

The proposed permit boundary for the Edinburg Regional Disposal Facility extends into two small unnamed ponding areas designated Special Flood Hazard Area (SFHA) Flood Zone A as shown in Figures 1, 3, and 5; the facility's design involves placement of fill in these two Zone A areas. In order to comply with current solid waste regulations 30 Texas Administrative Code (TAC) §330.61(m)(1) and 330.547(a) through (c), Golder Associates Inc., on behalf of the City of Edinburg, is requesting a Conditional Letter of Map Revision Based on the Placement of Fill (CLOMR-F). The CLOMR-F request has been initiated through FEMA's online Letter of Map Change (LOMC) system. This letter provides a brief description of the supporting documents being submitted with the online request for a CLOMR-F, Application I.D. 1463085163038 and describes how placement of fill in the Zone A areas in conjunction with the construction of stormwater structures allows the facility to prevent washout during a 100-year storm event while not affecting the floodplain's Base Flood Elevation (BFE).

## BASE FLOOD ELEVATION DETERMINATION

The Edinburg Regional Disposal Facility property is located in Hidalgo County, National Flood Insurance Program (NFIP) community number 480338. The Facility's property boundary is located on the Flood Insurance Rate Map (FIRM) panel number 480334 0325D, which was most recently revised by the Letter of Map Revision Based on Fill (LOMR-F) case number 03-06-153P in 2003. The SFHA changes made by LOMR-F 03-06-153P have not yet been incorporated into a FIRM revision and FEMA's National Flood Insurance Program (NFIP) National Flood Hazard Layer (NFHL) digital database does not yet contain high resolution flood hazard mapping data for Hidalgo County.

The most current SFHA delineations available are FEMA Quality Level 3 (Q3) Flood Data files. The source information section of the Q3 Flood Data metadata file lists a modification in 2005 confirming the Q3 incorporates the 2003 LOMR-F 03-06-153P map changes in the SFHA delineations. Figure 5 presents the current Q3 Flood Data Zone A delineations (provided by Texas Natural Resources Information System Data Support Team in January 2016) overlaying the unrevised effective FIRM panel, annotated to show where the property is located.

p:\\_2014\_project\_folders\1401491 city of edinburg\application\part ii\lib\_locationrestrictionsdocumentation\lib5\_femaclomr-f\lib5\_itr\_requestforclomr-f\_text.docx

**Golder Associates Inc.**  
500 Century Plaza Drive, Suite 190  
Houston, TX 77073 USA  
Tel: (281) 821-6868 Fax: (281) 821-6870 [www.golder.com](http://www.golder.com)

Golder Associates: Operations in Africa, Asia, Australasia, Europe, North America and South America

Golder, Golder Associates and the GA globe design are trademarks of Golder Associates Corporation



FEMA's Q3 Flood Data Zone A delineation was used in the development of a BFE for this CLOMR-F. The 100-year BFE was determined to be 86 feet above mean sea level (ft-msl) using contour interpolation as described in FEMA's guide, Managing Floodplain Development in Approximate Zone A Areas.

## FACILITY DESIGN

The facility's stormwater management system will incorporate ponds with adequate capacity to hold all runoff, and there will be no offsite stormwater discharge except the insignificant runoff from the exterior slope of the access road berm. The landfill perimeter berms are designed to protect deposited waste from flooding. The diversion structures route stormwater run-off to the stormwater ponds along the perimeter of the facility and the access roads prevent run-on from entering the facility.

Figure 4 presents Sections A and B for profile views of the northeast Zone A SFHA and northwest Zone A SFHA, respectively. Section A shows that the proposed construction in the northeast Zone A SFHA includes the waste buttressed by a landfill perimeter berm, a facility stormwater perimeter channel, and a perimeter access road with a crest elevation of 95 ft-msl. Section B shows the waste buttressed by a landfill perimeter berm, a stormwater perimeter channel, a perimeter access road with a minimum elevation of 89 ft-msl, a stormwater pond, and a perimeter berm with a minimum elevation of 89 ft-msl, i.e. a 3-ft minimum freeboard is maintained above the 100-year design flood (86 ft-msl) in accordance with 30 TAC 330.307(b).

As discussed above, the facility will provide stormwater holding ponds. The proposed design will not restrict flow or adversely impact the storage area of the ponding areas.

## SUPPORTING DOCUMENTS

The following is a list of the figures attached to indicate the property location and FEMA's SFHAs:

- Figure 1 – Site Location Map with FEMA SFHA
- Figure 2 - 7.5 minute USGS Quadrangle Map Showing Facility Boundary
- Figure 3 – Facility Design with FEMA SFHA
- Figure 4 – Zone A Special Flood Hazard Areas
- Figure 5 – FEMA Flood Insurance Rate Map

The following is a list of the other supporting documents being submitted with the online request for a CLOMR-F, Application I.D. 1463085163038:

- Property deeds for areas involved in CLOMR-F
- Proposed permit boundary's surveyed metes and bounds
- Elevation form (Form 2)
- A signed community acknowledgement form (Form 3)
- A copy of a letter from the United States Department of the Interior Fish and Wildlife Service's "not likely to adversely affect" determination
- A copy of the effective FIRM, annotated to show the property's general location

## FOLLOW UP

After construction is completed certified as-built information will be submitted to FEMA for a Letter of Map Revision (LOMR) to be issued.

## CLOSING

We appreciate your assistance with this request for a CLOMR-F. If further information is required by your department, please call the undersigned at (281) 821-6868.

Sincerely,

## GOLDER ASSOCIATES INC.



Chad E. Ireland, P.E.  
Senior Project Geological Engineer



May Xin, P.E.  
Senior Engineer

cc: Ramiro L. Gomez, Jr. City of Edinburg Department of Solid Waste

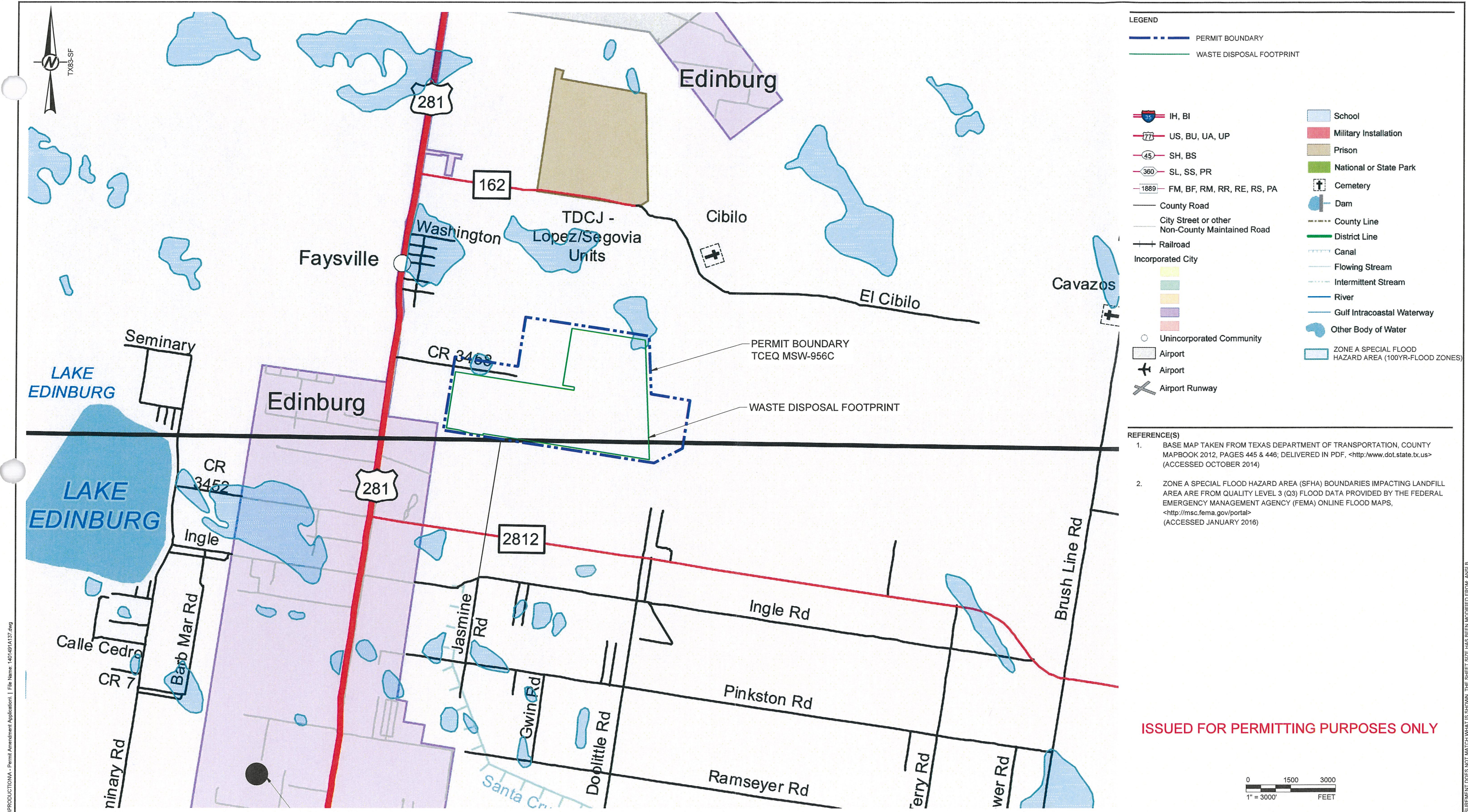
### Attachments:

- Figures
  - Figure 1 – Site Location Map with FEMA SFHA
  - Figure 2 - 7.5 minute USGS Quadrangle Map Showing Facility Boundary
  - Figure 3 – Facility Design with FEMA SFHA
  - Figure 4 – Zone A Special Flood Hazard Areas
  - Figure 5 – FEMA Flood Insurance Rate Map
- Property Deeds
- Proposed Permit Boundary Metes and Bounds
- Elevation Form (Form 2)
- Community Acknowledgment Form (Form 3)
- USFWS Letter
- Copy of Effective FIRM

### References:

FEMA. Managing Floodplain Development in Approximate Zone A Areas, FEMA, April 1995. Accessed February 2016. <https://www.fema.gov/media-library/assets/documents/1911>

## FIGURES



Path: W:\edwin\edwin\1401491\1401491.dwg  
City of Edinburg\PRODUCTION\Permit Amendment Application | File Name: 1401491\1401491.dwg  
1401491

0	2016-03-24	ISSUED FOR PERMITTING PURPOSES ONLY	CEI	AGM	MX	CEI
REV.	YYYY-MM-DD	DESCRIPTION	DESIGNED	PREPARED	REVIEWED	APPROVED

SEAL

GOLDER ASSOCIATES INC.  
TEXAS REGISTRATION F-2578

CLIENT  
CITY OF EDINBURG  
DEPARTMENT OF SOLID WASTE MANAGEMENT

CONSULTANT

HOUSTON OFFICE  
500 CENTURY PLAZA DRIVE, SUITE 190  
HOUSTON, TEXAS  
USA  
[+1] (281) 821 6868  
www.golder.com

PROJECT  
EDINBURG REGIONAL DISPOSAL FACILITY  
PERMIT AMENDMENT APPLICATION TCEQ PERMIT MSW-956C  
EDINBURG, HIDALGO COUNTY, TEXAS

TITLE  
**SITE LOCATION WITH FEMA SFHA**

PROJECT NO. 1401491	APPLICATION SECTION IIB5	REV. 0	1 of 5	FIGURE IIB5-1
------------------------	-----------------------------	-----------	--------	------------------

LEGEND

--- PERMIT BOUNDARY  
--- WASTE DISPOSAL FOOTPRINT

IH, BI  
US, BU, UA, UP  
SH, BS  
SL, SS, PR  
FM, BF, RM, RR, RE, RS, PA

County Road  
City Street or other  
Non-County Maintained Road  
Railroad

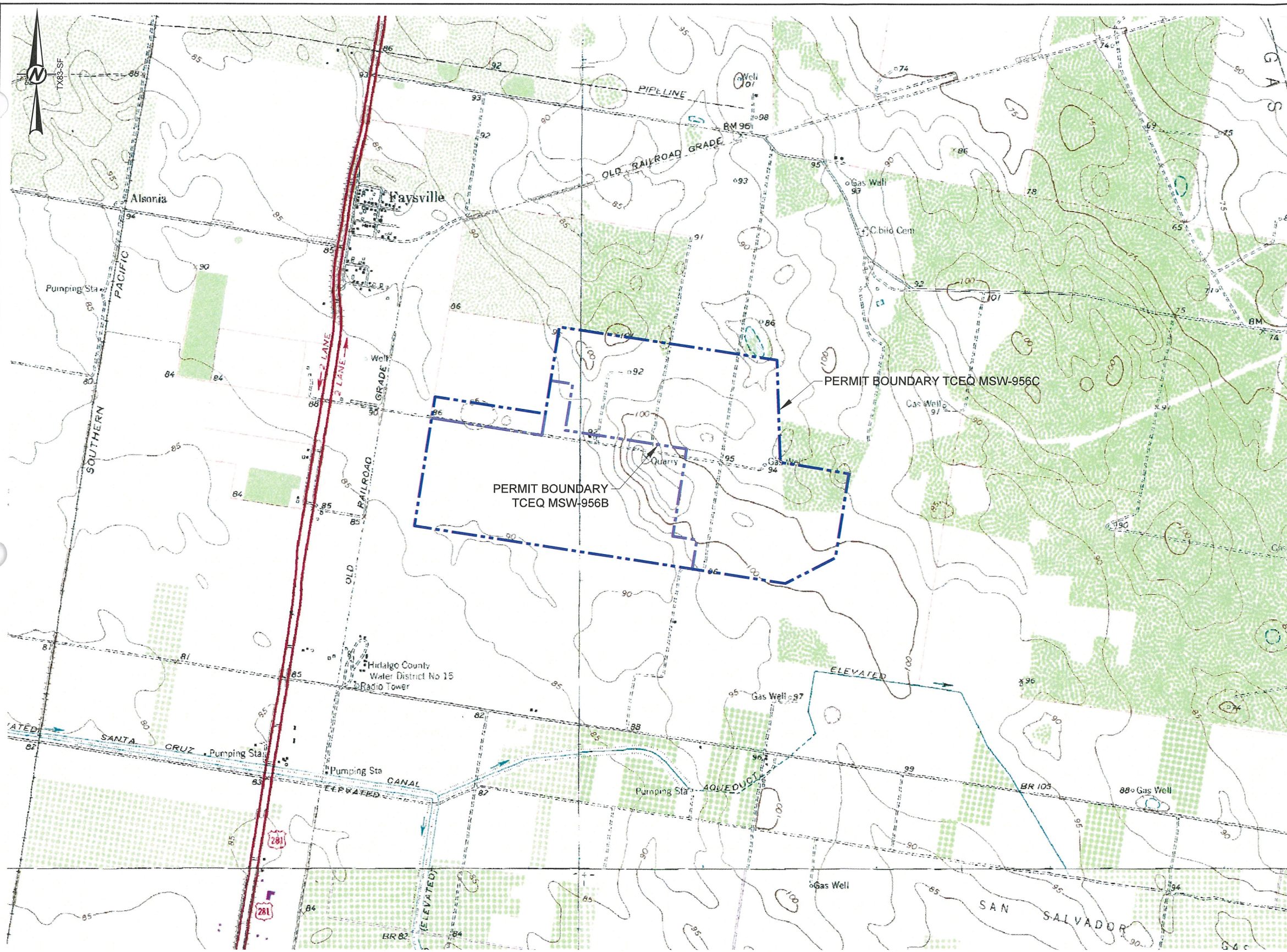
Incorporated City  
Unincorporated Community  
Airport  
Airport Runway

School  
Military Installation  
Prison  
National or State Park  
Cemetery  
Dam  
County Line  
District Line  
Canal  
Flowing Stream  
Intermittent Stream  
River  
Gulf Intracoastal Waterway  
Other Body of Water  
ZONE A SPECIAL FLOOD  
HAZARD AREA (100YR-FLOOD ZONES)

REFERENCE(S)  
1. BASE MAP TAKEN FROM TEXAS DEPARTMENT OF TRANSPORTATION, COUNTY MAPBOOK 2012, PAGES 445 & 446; DELIVERED IN PDF, <http://www.dot.state.tx.us> (ACCESSED OCTOBER 2014)  
2. ZONE A SPECIAL FLOOD HAZARD AREA (SFHA) BOUNDARIES IMPACTING LANDFILL AREA ARE FROM QUALITY LEVEL 3 (Q3) FLOOD DATA PROVIDED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ONLINE FLOOD MAPS, <http://msc.fema.gov/portal> (ACCESSED JANUARY 2016)

ISSUED FOR PERMITTING PURPOSES ONLY

0 1500 3000  
1" = 3000' FEET

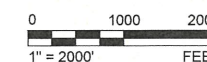


COUNTY MAPBOOK 2012 LEGEND	
<b>Railroad Features</b>	
Railroad	
<b>Road Features</b>	
Expressway	
Secondary Hwy	
Ramp	
Local Connector	
Local Road	
<b>Contour Features</b>	
Index	
Intermediate	
Supplemental	
Depression Index	
Depression Intermediate	
Depression Supplemental	

LEGEND	
	PERMIT BOUNDARY TCEQ MSW-956C
	PERMIT BOUNDARY TCEQ MSW-956B

REFERENCE(S)  
BASE MAP INITIALLY DEVELOPED BY THE UNITED STATES GEOLOGICAL SURVEY (USGS) AND ENHANCED BY TEXAS NATURAL RESOURCE INFORMATION SYSTEM (TNRIS), PUBLICATION DATE: AUGUST 20, 1996, DELIVERED IN A DIGITAL RASTER GRAPHIC (DRG) (ACCESSED JUNE 2014 FOR LA BLANCA AND EDINBURG, ACCESSED FEBRUARY 2013 FOR HARGILL AND FAYSVILLE)

ISSUED FOR PERMITTING PURPOSES ONLY



0	2016-03-24	ISSUED FOR PERMITTING PURPOSES ONLY	USGS	AGM	MX	CEI
REV.	YYYY-MM-DD	DESCRIPTION	DESIGNED	PREPARED	REVIEWED	APPROVED



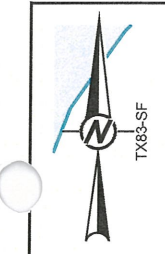
CLIENT  
CITY OF EDINBURG  
DEPARTMENT OF SOLID WASTE MANAGEMENT

CONSULTANT



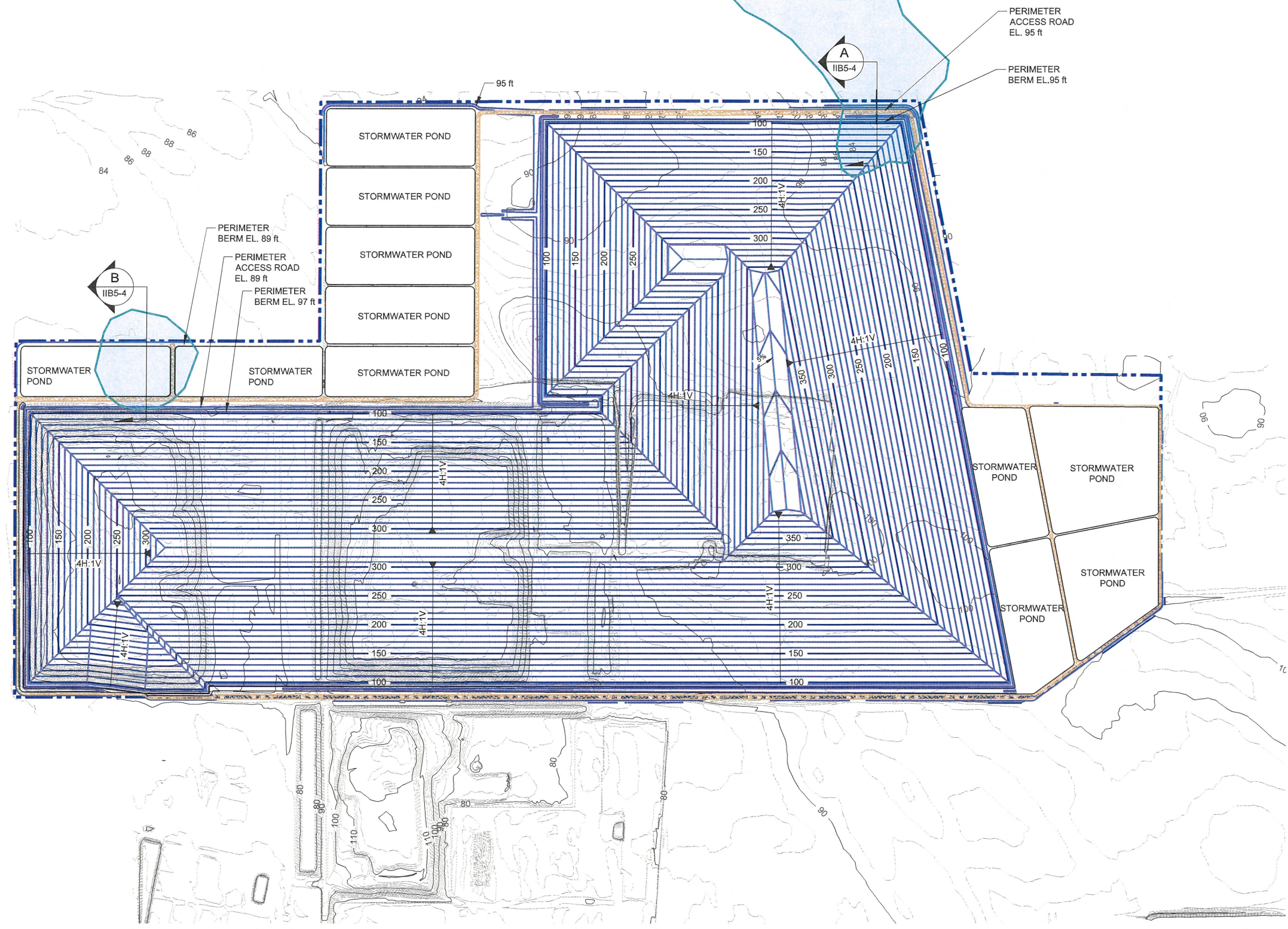
HOUSTON OFFICE  
500 CENTURY PLAZA DRIVE, SUITE 190  
HOUSTON, TEXAS  
USA  
[+1] (281) 821 6868  
www.golder.com

PROJECT EDINBURG REGIONAL DISPOSAL FACILITY PERMIT AMENDMENT APPLICATION TCEQ PERMIT MSW-956C EDINBURG, HIDALGO COUNTY, TEXAS		TITLE 7.5 MINUTE USGS QUADRANGLE MAP SHOWING FACILITY BOUNDARY	
PROJECT NO. 1401491	APPLICATION SECTION IIB5	REV. 0	FIGURE IIB5-2



- LEGEND
- PERMIT BOUNDARY
  - WASTE DISPOSAL FOOTPRINT
  - ZONE A SPECIAL FLOOD HAZARD AREA (100YR-FLOOD ZONES)
  - PROPOSED ROAD
  - PROPOSED FINAL GRADES MAJOR CONTOURS
  - PROPOSED FINAL GRADES MINOR CONTOURS
  - EXISTING GROUND 10 ft CONTOUR
  - EXISTING GROUND 2 ft CONTOUR

- REFERENCE(S)
- ZONE A SPECIAL FLOOD HAZARD AREA (SFHA) BOUNDARIES IMPACTING LANDFILL AREA ARE FROM QUALITY LEVEL 3 (Q3) FLOOD DATA PROVIDED BY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ONLINE FLOOD MAPS, <<http://msc.fema.gov/portal>> (ACCESSED JANUARY 2016)



ISSUED FOR PERMITTING PURPOSES ONLY



0	2016-03-24	ISSUED FOR PERMITTING PURPOSES ONLY	CEI	AGM	MX	CEI
REV.	YYYY-MM-DD	DESCRIPTION	DESIGNED	PREPARED	REVIEWED	APPROVED

SEAL

GOLDER ASSOCIATES INC.  
TEXAS REGISTRATION F-2578

CLIENT  
CITY OF EDINBURG  
DEPARTMENT OF SOLID WASTE MANAGEMENT

CONSULTANT

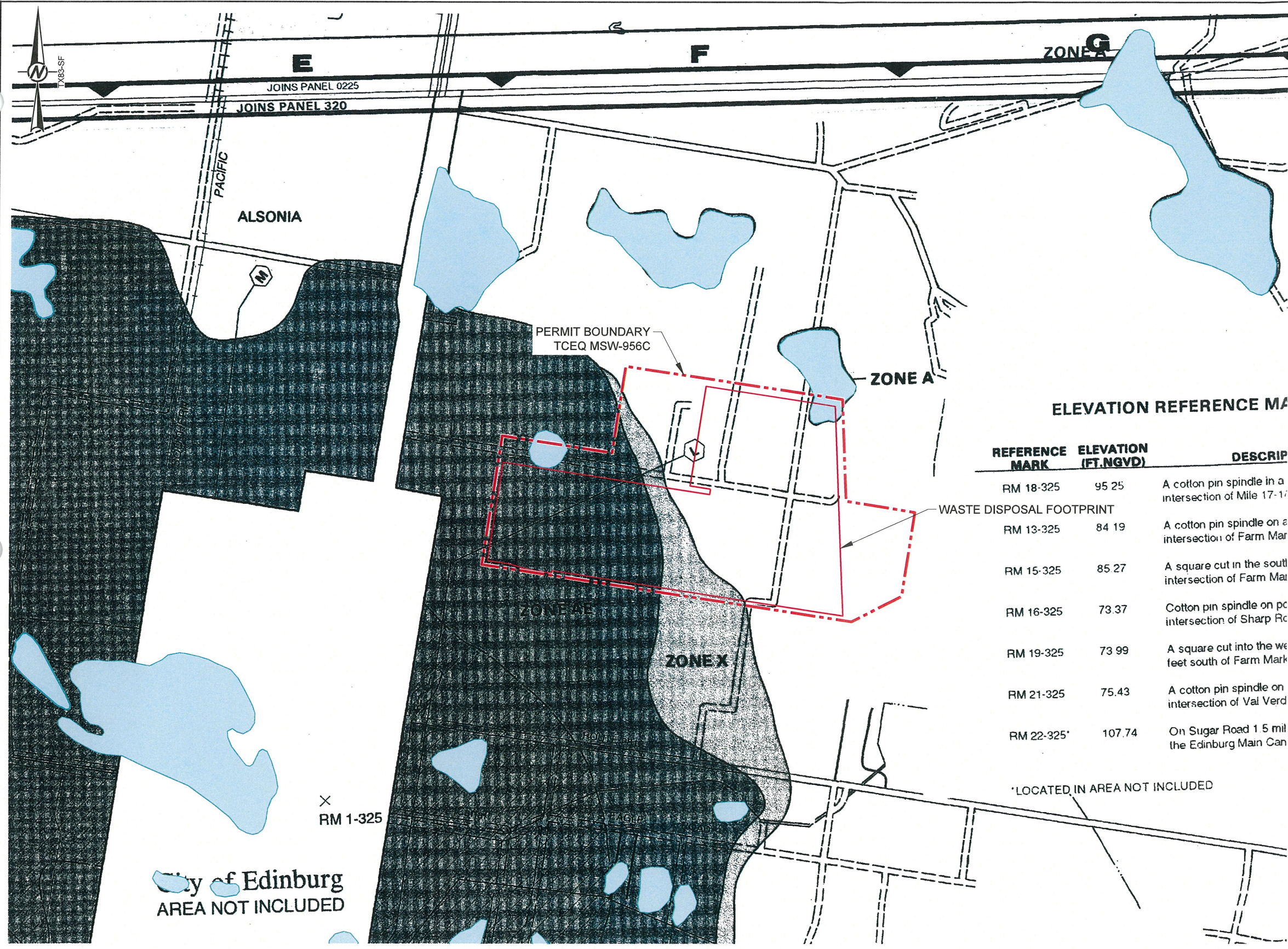
HOUSTON OFFICE  
500 CENTURY PLAZA DRIVE, SUITE 190  
HOUSTON, TEXAS  
USA  
[+1] (281) 821 6868  
[www.golder.com](http://www.golder.com)

PROJECT  
EDINBURG REGIONAL DISPOSAL FACILITY  
PERMIT AMENDMENT APPLICATION TCEQ PERMIT MSW-956C  
EDINBURG, HIDALGO COUNTY, TEXAS

TITLE  
FACILITY DESIGN WITH FEMA SFHA

PROJECT NO. 1401491	APPLICATION SECTION IIB5	REV. 0	3 of 5	FIGURE IIB5-3
------------------------	-----------------------------	-----------	--------	------------------

Path: \\houston\engineering\2014\1401491\1401491A136.dwg



LEGEND

**NATIONAL FLOOD INSURANCE PROGRAM**

**FIRM FLOOD INSURANCE RATE MAP**

HIDALGO COUNTY, TEXAS (UNINCORPORATED AREAS)

(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER 480334 0325 D

MAP REVISED: JUNE 6, 2000

Federal Emergency Management Agency

**SPECIAL FLOOD HAZARD AREAS INUNDED BY 100-YEAR FLOOD**

**ZONE A** No base flood elevations determined.

**ZONE AE** Base flood elevations determined.

**ZONE AH** Flood depths of 1 to 3 feet (usually areas of ponding); base flood elevations determined.

**ZONE AO** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding; velocities also determined.

**ZONE AB** To be protected from 100-year flood by Federal flood protection system under construction; no base flood elevations determined.

**ZONE V** Coastal flood with velocity hazard (wave action); no base flood elevations determined.

**ZONE VE** Coastal flood with velocity hazard (wave action); base flood elevations determined.

**FLOODWAY AREAS IN ZONE AE**

**OTHER FLOOD AREAS**

**ZONE X** 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.

**OTHER AREAS**

**ZONE X** Areas determined to be outside 500-year floodplain.

**ZONE D** Areas in which flood hazards are undetermined.

**UNDEVELOPED COASTAL BARRIERS†**

Identified 1983 Identified 1990 Otherwise Protected Areas

†Coastal barrier areas are normally located within or adjacent to special flood hazard areas.

Floodplain Boundary

Floodway Boundary

Zone D Boundary

Boundary Dividing Special Flood Hazard Zones, and Boundary Dividing Areas of Different Coastal Base Flood Elevations Within Special Flood Hazard Zones.

Base Flood Elevation Line; Elevation in Feet\*

Cross Section Line

Base Flood Elevation in Feet Where Uniform Within Zone\*

RM 7<sub>x</sub> Elevation Reference Mark

RM 1.5 River Mile

\*Referenced to the National Geodetic Vertical Datum of 1929

ZONE A SPECIAL FLOOD HAZARD AREA (100YR-FLOOD ZONES)

ELEVATION REFERENCE MARKS

REFERENCE MARK	ELEVATION (FT. NGVD)	DESCRIP
RM 18-325	95.25	A cotton pin spindle in a intersection of Mile 17-17
RM 13-325	84.19	A cotton pin spindle on a intersection of Farm Mar
RM 15-325	85.27	A square cut in the south intersection of Farm Mar
RM 16-325	73.37	Cotton pin spindle on pc intersection of Sharp Rd
RM 19-325	73.99	A square cut into the west feet south of Farm Mark
RM 21-325	75.43	A cotton pin spindle on intersection of Val Verd
RM 22-325*	107.74	On Sugar Road 1.5 mile the Edinburg Main Can

\*LOCATED IN AREA NOT INCLUDED

- REFERENCE(S)
- FLOOD INSURANCE RATE MAP TAKEN FROM FEMA FLOOD MAP SERVICE CENTER, DELIVERED IN PDF, <<http://msc.fema.gov/portal>> (ACCESSED JANUARY 2016)
  - ZONE A SPECIAL FLOOD HAZARD AREA (SFHA) BOUNDARIES IMPACTING LANDFILL AREA ARE FROM QUALITY LEVEL 3 (Q3) FLOOD DATA PROVIDED BY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ONLINE FLOOD MAPS, <<http://msc.fema.gov/portal>> (ACCESSED JANUARY 2016)

ISSUED FOR PERMITTING PURPOSES ONLY



0	2016-03-24	ISSUED FOR PERMITTING PURPOSES ONLY	AGM	CEI	MX	CEI
REV.	YYYY-MM-DD	DESCRIPTION	DESIGNED	PREPARED	REVIEWED	APPROVED

SEAL

CLIENT  
CITY OF EDINBURG  
DEPARTMENT OF SOLID WASTE MANAGEMENT

CONSULTANT

GOLDER ASSOCIATES INC.  
TEXAS REGISTRATION F-2578

HOUSTON OFFICE  
500 CENTURY PLAZA DRIVE, SUITE 190  
HOUSTON, TEXAS  
USA  
[+1] (281) 821 6868  
[www.golder.com](http://www.golder.com)

PROJECT

EDINBURG REGIONAL DISPOSAL FACILITY

PERMIT AMENDMENT APPLICATION TCEQ PERMIT MSW-956C

EDINBURG, HIDALGO COUNTY, TEXAS

TITLE

FEMA FLOOD INSURANCE RATE MAP

PROJECT NO.

1401491

APPLICATION SECTION

IIB5

REV.

0

5 of 5

FIGURE

IIB5-5

Path: \\edburg\production\Permit Amendment Applications\1401491\1401491.dwg

## Online Letter of Map Change

## LOMC Application

Application ID: 1463085163038

## Amendment

## Amendment Review

## Property Information Form

Letter of Map Amendment Type: CLOMR-F

## Fill Section

Has fill been placed on your property to raise ground that was previously below the BFE? No

When was fill placed?

Will fill be placed on your property to raise ground that is below the BFE? Yes

When will fill be placed? 03/2017

## Street Address of Property

Address	Legal Description								
Edinburg Regional Disposal Facility 8601 North Jasman Road, Block 43, Lot 7 Edinburg, TX 78541	<table> <tr><td><b>Lot:</b></td><td>7</td></tr> <tr><td><b>Block/Section:</b></td><td>43</td></tr> <tr><td><b>Subdivision:</b></td><td>Citrus Fruit Development Company Subdivision</td></tr> <tr><td><b>Property Description:</b></td><td>City of Edinburg landfill permit boundary</td></tr> </table>	<b>Lot:</b>	7	<b>Block/Section:</b>	43	<b>Subdivision:</b>	Citrus Fruit Development Company Subdivision	<b>Property Description:</b>	City of Edinburg landfill permit boundary
<b>Lot:</b>	7								
<b>Block/Section:</b>	43								
<b>Subdivision:</b>	Citrus Fruit Development Company Subdivision								
<b>Property Description:</b>	City of Edinburg landfill permit boundary								
Edinburg Regional Disposal Facility 8601 North Jasman Road, Block 43, Lot 8 Edinburg, TX 78541	<table> <tr><td><b>Lot:</b></td><td>8</td></tr> <tr><td><b>Block/Section:</b></td><td>43</td></tr> <tr><td><b>Subdivision:</b></td><td>Citrus Fruit Development Company Subdivision</td></tr> <tr><td><b>Property Description:</b></td><td>City of Edinburg landfill permit boundary</td></tr> </table>	<b>Lot:</b>	8	<b>Block/Section:</b>	43	<b>Subdivision:</b>	Citrus Fruit Development Company Subdivision	<b>Property Description:</b>	City of Edinburg landfill permit boundary
<b>Lot:</b>	8								
<b>Block/Section:</b>	43								
<b>Subdivision:</b>	Citrus Fruit Development Company Subdivision								
<b>Property Description:</b>	City of Edinburg landfill permit boundary								
Edinburg Regional Disposal Facility 8601 North Jasman Road, Block 41, Lot 13 Edinburg, TX 78541	<table> <tr><td><b>Lot:</b></td><td>13</td></tr> <tr><td><b>Block/Section:</b></td><td>41</td></tr> <tr><td><b>Subdivision:</b></td><td>Citrus Fruit Development Company Subdivision</td></tr> </table>	<b>Lot:</b>	13	<b>Block/Section:</b>	41	<b>Subdivision:</b>	Citrus Fruit Development Company Subdivision		
<b>Lot:</b>	13								
<b>Block/Section:</b>	41								
<b>Subdivision:</b>	Citrus Fruit Development Company Subdivision								

Address	Legal Description								
	<table border="1"> <tr> <td><b>Property Description:</b></td><td>City of Edinburg landfill</td></tr> </table>	<b>Property Description:</b>	City of Edinburg landfill						
<b>Property Description:</b>	City of Edinburg landfill								
Edinburg Regional Disposal Facility 8601 North Jasman Road, Block 41, Lot 14 Edinburg, TX 78541	<table border="1"> <tr> <td><b>Lot:</b></td><td>14</td></tr> <tr> <td><b>Block/Section:</b></td><td>41</td></tr> <tr> <td><b>Subdivision:</b></td><td>Citrus Fruit Development Company Subdivision</td></tr> <tr> <td><b>Property Description:</b></td><td>City of Edinburg landfill</td></tr> </table>	<b>Lot:</b>	14	<b>Block/Section:</b>	41	<b>Subdivision:</b>	Citrus Fruit Development Company Subdivision	<b>Property Description:</b>	City of Edinburg landfill
<b>Lot:</b>	14								
<b>Block/Section:</b>	41								
<b>Subdivision:</b>	Citrus Fruit Development Company Subdivision								
<b>Property Description:</b>	City of Edinburg landfill								
Edinburg Regional Disposal Facility 8601 North Jasman Road, Block 50, Lot 4 Edinburg, TX 78541	<table border="1"> <tr> <td><b>Lot:</b></td><td>4</td></tr> <tr> <td><b>Block/Section:</b></td><td>50</td></tr> <tr> <td><b>Subdivision:</b></td><td>Citrus Fruit Development Company Subdivision</td></tr> <tr> <td><b>Property Description:</b></td><td>City of Edinburg landfill</td></tr> </table>	<b>Lot:</b>	4	<b>Block/Section:</b>	50	<b>Subdivision:</b>	Citrus Fruit Development Company Subdivision	<b>Property Description:</b>	City of Edinburg landfill
<b>Lot:</b>	4								
<b>Block/Section:</b>	50								
<b>Subdivision:</b>	Citrus Fruit Development Company Subdivision								
<b>Property Description:</b>	City of Edinburg landfill								
Edinburg Regional Disposal Facility 8601 North Jasman Road, Block 50, Lot 3 Edinburg, TX 78541	<table border="1"> <tr> <td><b>Lot:</b></td><td>3</td></tr> <tr> <td><b>Block/Section:</b></td><td>50</td></tr> <tr> <td><b>Subdivision:</b></td><td>Citrus Fruit Development Company Subdivision</td></tr> <tr> <td><b>Property Description:</b></td><td>City of Edinburg landfill</td></tr> </table>	<b>Lot:</b>	3	<b>Block/Section:</b>	50	<b>Subdivision:</b>	Citrus Fruit Development Company Subdivision	<b>Property Description:</b>	City of Edinburg landfill
<b>Lot:</b>	3								
<b>Block/Section:</b>	50								
<b>Subdivision:</b>	Citrus Fruit Development Company Subdivision								
<b>Property Description:</b>	City of Edinburg landfill								

### Legal Description of Property

Requesting that a flood zone determination be completed for: A portion of land within the bounds of the property

Date of Construction:

Lot Type: Multiple lots

Number of structures:

Number of lots: 6

### Applicant Information

Applicant Title: Miss.

First Name: Alexandra

Last Name: Morales

Address 1: 500 Century Plaza Dr Suite 190

Address 2:

City: Houston  
State, District or Territory: TX  
ZIP Code: 77002  
Email Address: Alexandra\_Morales@golder.com  
Company: Golder Associates Inc.  
Phone: 832-234-4576  
Fax: 281-821-6870

**PROPERTY DEEDS**

**DOCUMENT NO. 2597776**  
**(INCLUDES LOT 7, BLOCK 43**

Hidalgo County  
Arturo Guajardo Jr.  
County Clerk  
Edinburg, TX 78540



70 2015 02597776

Instrument Number: 2015-2597776

Recorded On: March 27, 2015

As  
Recording

Parties:

To

Billable Pages: 5  
Number of Pages: 6

Comment: SWD

**\*\* Examined and Charged as Follows: \*\***

Recording	42.00
Total Recording:	42.00

\*\*\*\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\*

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY  
because of color or race is invalid and unenforceable under federal law.

**File Information:**

Document Number: 2015-2597776  
Receipt Number: 1509726  
Recorded Date/Time: March 27, 2015 10:18A

**Record and Return To:**

CONTRERAS GUTIERREZ AND ASSOCIATES  
ORIGINAL RETURNED TO CUSTOMER  
TX

User / Station: A Rodriguez - Cash Superstation 09



STATE OF TEXAS  
COUNTY OF HIDALGO

I hereby certify that this instrument was FILED in the File Number sequence on the date/time  
printed hereon, and was duly RECORDED in the Official Records of Hidalgo County, Texas

Arturo Guajardo Jr.  
County Clerk  
Hidalgo County, TX

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**SPECIAL WARRANTY DEED**

DATE: March 26, 2015

GRANTOR: **EDINBURG ECONOMIC DEVELOPMENT CORPORATION, a Texas Non-Profit Development Corporation**

GRANTOR'S MAILING ADDRESS (INCLUDING COUNTY):

**101 N. 10<sup>th</sup> Ave  
Edinburg, Hidalgo County, Texas 78541**

GRANTEE: **CITY OF EDINBURG**

GRANTEE'S MAILING ADDRESS (INCLUDING COUNTY):

**415 W. University Drive  
Edinburg, Hidalgo County, Texas 78539**

CONSIDERATION: TEN AND NO/ 100 DOLLARS (\$10.00) and other valuable consideration to the undersigned paid by the grantee herein named, the receipt of which is hereby acknowledged.

Property (including any improvements):

**REFER TO THE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.**

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

This conveyance is made and accepted subject to all restrictions, covenants, conditions, rights of way, assessments, outstanding royalty and mineral reservations and easements, if any, affecting the above described property that are valid, existing and properly of record and subject, further, to taxes for the year 2015 and subsequent years.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs,

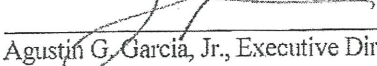
successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

THE PROPERTY IS SOLD AS IS, AND WITH ALL FAULTS. GRANTOR MAKES NO REPRESENTATIONS OR WARRANTIES WHATSOEVER, EITHER EXPRESS OR IMPLIED OR STATUTORY, RELATING TO THE PROPERTY OR ANY PORTION THEREOF, OR ITS CONDITION, INCLUDING, WITHOUT LIMITATION, ANY REPRESENTATION OR WARRANTY WITH RESPECT TO (A) THE STRUCTURAL CONDITION OF ANY IMPROVEMENTS, MAINTENANCE AND REPAIR OR THE NEED THEREFOR OR THE EXISTENCE OF AND DEFECTS, WHETHER LATENT, PATENT, STRUCTURAL, FUNCTIONAL, COSMETIC OR OTHERWISE; (B) ENVIRONMENTAL MATTERS RELATING TO THE PROPERTY OR ANY PORTION THEREOF INCLUDING, WITHOUT LIMITATION, THE EXISTENCE OF ANY HAZARDOUS OR TOXIC SUBSTANCE, WASTES, HYDROCARBONS, POLYCHLORINATED BIPHENYLS, ASBESTOS OR RELATED MATERIALS; (C) GEOLOGICAL CONDITIONS, INCLUDING, WITHOUT LIMITATION, SUBSIDENCE, SUBSURFACE CONDITIONS, WATER TABLE, UNDERGROUND WATER RESERVOIRS, LIMITATIONS REGARDING THE WITHDRAWAL OF WATER AND FAULTING; (D) WHETHER OR NOT AND THE EXTENT TO WHICH THE PROPERTY OR ANY PORTION THEREOF ARE AFFECTED BY ANY STREAM (SURFACE OR UNDERGROUND), BODY OF WATER, FLOOD PRONE AREA, FLOOD PLAIN, FLOOD WAY OR SPECIAL FLOOD HAZARD; (E) DRAINAGE; (F) SOIL CONDITIONS; (G) THE AVAILABILITY OF ANY UTILITIES TO THE PROPERTIES OR ANY PORTION THEREOF INCLUDING, WITHOUT LIMITATION, WATER, SEWAGE, GAS AND ELECTRIC; (H) USAGES OF ADJOINING PROPERTY; (I) ACCESS TO THE PROPERTIES OR ANY PORTION THEREOF; AND (J) THE VALUE, COMPLIANCE WITH SPECIFICATIONS, SIZE, LOCATION, AGE, USE, MERCHANTABILITY, DESIGN, QUALITY, DESCRIPTION, DURABILITY, OPERATION OR CONDITION OF THE PROPERTY OR ANY PORTION THEREOF, OR SUITABILITY OF THE PROPERTY OR ANY PORTION THEREOF FOR GRANTEE'S PURPOSES, OR FITNESS FOR ANY USE OF PURPOSE WHATSOEVER. GRANTEE AGREES THAT GRANTEE IS NOT RELYING ON ANY WARRANTY OR REPRESENTATION OF GRANTOR AND THAT GRANTEE HAS SATISFIED OR WILL SATISFY ITSELF AS TO ALL THE FOREGOING MATTERS. GRANTOR FURTHER MAKES NO WARRANTY OF MERCHANTABILITY OF FITNESS FOR PURPOSE IN RESPECT OF THE PROPERTY. GRANTEE AFFIRMS THAT GRANTEE HAS NOT RELIED ON GRANTOR'S SKILL OR JUDGMENT TO SELECT OR FURNISH SUCH PROPERTY FOR ANY PARTICULAR PURPOSE AND THAT GRANTOR MAKES NO WARRANTY THAT SUCH PROPERTY IS FIT FOR ANY PARTICULAR PURPOSE.

When the context requires, singular nouns and pronouns include the plural.

**SIGNATURE PAGE TO FOLLOW**

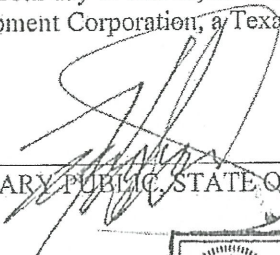
**EDINBURG ECONOMIC DEVELOPMENT CORPORATION**  
A Texas non-profit corporation

By:   
Agustin G. Garcia, Jr., Executive Director

**CORPORATE ACKNOWLEDGMENT**

STATE OF TEXAS           §  
                                     §  
COUNTY OF HIDALGO   §

This instrument was acknowledged before me on this 26th day of March, 2015 by Agustin G. Garcia, Jr., Executive Director of Edinburg Economic Development Corporation, a Texas non-profit development corporation, on behalf of said corporation.

  
NOTARY PUBLIC, STATE OF TEXAS

**AFTER RECORDING RETURN TO:**  
CONTRERAS GUTIERREZ AND ASSOCIATES  
10113 N. 10<sup>th</sup> St., Suite L  
McAllen, Texas 78504  
File #03-027/ GF#0003160037

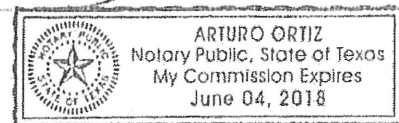


EXHIBIT 'A'

TRACT 1:

Being a 100.03 acre tract of land being out of a part or portion of Lot Forty-one (41), Lot Forty-two (42) and Lot Fifty (50) of SANTA CRUZ RANCH, situated in Hidalgo County, Texas, according to the map or plat thereof recorded in Volume "Z", Page 161, of the Deed Records of Hidalgo County, Texas; and being out of a part or portion of that certain tract of land as conveyed to SKC Development, L.T.D., a Texas limited partnership in Warranty Deed dated May 29, 2003, as recorded in Document Number 1205101 of the Official Records of Hidalgo County, Texas; said 100.03 acre tract of land being more particularly described by metes and bounds as follows, with all bearings referenced to Santa Cruz Gardens Unit No. 3, situated in Hidalgo County, Texas, according to the map or plat thereof recorded in Volume 09, Page 03 of the Map Records of Hidalgo County, Texas;

COMMENCING at a found Cotton Spindle located on the South right-of-way line of Davis Road (60-foot right-of-way), also being the Northeast corner of E.C.I.S.D. Elementary No. 28, situated in Hidalgo County, Texas, according to the map or plat thereof recorded in Instrument Number 2174899 of the Map Records of Hidalgo County, Texas;

THENCE North 81 degrees 37 minutes 00 seconds West, at 968.72 feet pass a point at the Northwest corner of said E.C.I.S.D. Elementary No. 28, in all a total distance of 1078.72 feet to a set 3/4-inch iron rod with a D.E.C. plastic cap located on the South right-of-way line of said Davis Road (60-foot right-of-way), also being the North line of said tract of land conveyed to SKC Development, L.T.D. for the Northeast corner and POINT OF BEGINNING of the tract of land herein described;

THENCE South 08 degrees 23 minutes 00 seconds West, 511.00 feet to a set 3/4-inch iron rod with a D.E.C. plastic cap for a corner at the beginning of a curve to the right on the East line of the tract of land herein described;

THENCE along the arc of said curve to the right, having a chord of South 13 degrees 52 minutes 04 seconds West, 141.45 feet, a radius of 740.00 feet, a central angle of 10 degrees 58 minutes 07 seconds, a distance of 141.67 feet to a set 3/4-inch iron rod with a D.E.C. plastic cap for a corner at a point of tangency on the East line of said tract of land herein described;

THENCE South 19 degrees 21 minutes 07 seconds West, 38.00 feet to a set 3/4-inch iron rod with a D.E.C. plastic cap for a corner at the beginning of a curve to the right on the East line of the tract of land herein described;

THENCE along the arc of said curve to the right, having a chord of South 35 degrees 48 minutes 04 seconds West, 453.10 feet, a radius of 800.07 feet, a central angle of 32 degrees 53 minutes 53 seconds, a distance of 459.39 feet to a set 3/4-inch iron rod with a D.E.C. plastic cap for a corner at a point of tangency on the East line of said tract of land herein described;

THENCE South 52 degrees 15 minutes 01 seconds West, 1,041.93 feet to a set 3/4-inch iron rod with a D.E.C. plastic cap for a corner at the beginning of a curve to the left on the East line of the tract of land herein described;

THENCE along the arc of said curve to the left, having a chord of South 36 degrees 00 minutes 00 seconds West, 873.06 feet, a radius of 1,560.00 feet, a central angle of 32 degrees 30 minutes 01 seconds, a distance of 884.89 feet to a set 3/4-inch iron rod with a D.E.C. plastic cap for a corner at a point of reverse curvature on the East line of said tract of land herein described;

THENCE along the arc of said curve to the right, having a chord of South 23 degrees 26 minutes 21 seconds West, 63.06 feet, a radius of 490.00 feet, a central angle of 07 degrees 22 minutes 43 seconds, a distance of 63.10 feet to a set 3/4-inch iron rod with a D.E.C. plastic cap for the Southeast corner of the tract of land herein described;

EXHIBIT 'A'  
(continued)

~~THENCE North 81 degrees 37 minutes 00 seconds West, 814.46 feet to a set 3/4-inch iron rod with a D.E.C. plastic cap for the Southwest corner of the tract of land herein described;~~

~~THENCE North 08 degrees 23 minutes 00 seconds East, 2,677.00 feet to a set 3/4-inch iron rod with a D.E.C. plastic cap located on the South right-of-way line of said Davis Road (60-foot right-of-way), for the Northwest corner of the tract of land herein described;~~

~~THENCE South 81 degrees 37 minutes 00 seconds East with the South right-of-way line of said Davis Road, 2,187.00 feet to the POINT OF BEGINNING; containing 100.03 acres of land more or less.~~

Tract 2:

A 50.00 acre tract of land being all of Lots 3, 4, 5, 6, and 7, Block 43, CITRUS FRUIT DEVELOPMENT COMPANY SUBDIVISION, Hidalgo County, Texas, according to the map recorded in Volume 6, Page 428 through 431, Deed Records in the Office of the County Clerk of Hidalgo County, Texas, also being a portion of those certain tracts described in Administrator's Warranty Deed with Vendor's Lien described in Document #1155189, Official Records, Hidalgo County, Texas, reference to which is here made for all purposes, and being more fully described by metes and bounds as follows:

BEGINNING at a found cotton picker spindle on the centerline of a County Road being the Southeast corner of said Lot 7, Block 43, for the Southeast corner of herein described tract;

THENCE North 81 degrees 03 minutes 00 seconds West along said centerline of a County Road also being the South line of said Lot 7, Block 43, pass at 420.70 feet a point being the Southwest corner of said Lot 7, Block 43, also being the Southeast corner of said Lot 6, Block 43, and continuing along the South line of said Lot 6, Block 43, for a total distance of 841.40 feet to a set cotton picker spindle being the Southwest corner of said Lot 6, Block 43, for the Southwest corner of herein described tract;

THENCE North 08 degrees 57 minutes 00 seconds East along the centerline of an unopened County Road also being the West line of said Lot 6, Block 43, pass at 20.00 feet a found one-inch iron pipe being the apparent North Right-of-Way line of said County Road, pass at 1,035.40 feet a point being the Northwest corner of said Lot 6, Block 43, also being the Southwest corner of said Lot 5, Block 43, and continuing along the West line of said Lot 5, Block 43, for a total distance of 2,070.80 feet to a set one-half inch iron rod on the centerline of an unopened County Road being the Northwest corner of said Lot 5, Block 43, for the Northwest corner of herein described tract;

THENCE South 81 degrees 03 minutes 00 seconds East along said centerline of an unopened County Road also being the North line of said Lot 5, Block 43, pass at 420.70 feet a point being the Northeast corner of said Lot 5, Block 43, also being the Northwest corner of said Lot 4, Block 43, pass at 841.40 feet a point being the Northeast corner of said Lot 4, Block 43, also being the Northwest corner of said Lot 3, Block 43, and continuing along the North line of said Lot 3, Block 43, for a total distance of 1,262.10 feet to a found one-half inch iron rod being the Northeast corner of said Lot 3, Block 43, for the Northeast corner of herein described tract;

THENCE South 08 degrees 57 minutes 00 seconds West 1,035.40 feet along the East line of said Lot 3, Block 43, to a found one-half inch iron rod being the Southeast corner of said Lot 3, Block 43, for an exterior corner of herein described tract;

THENCE North 81 degrees 03 minutes 00 seconds West 420.70 feet along the South line of said Lot 3, Block 43, to a found one-half inch iron rod being the Southwest corner of said Lot 3, Block 43, also being the

Northeast corner of said Lot 7, Block 43, for an interior corner of herein described tract;

THENCE South 08 degrees 57 minutes 00 seconds West along the East line of said Lot 7, Block 43, pass at 1,015.40 feet a found one-half inch iron rod being the apparent North Right-of-Way line of said County Road, and continuing for a total distance of 1,035.40 feet to the POINT OF BEGINNING.

**DOCUMENT NO. 2225641**  
**(INCLUDES LOT 8, BLOCK 43)**

\*\*\*\* Electronically Filed Document \*\*\*\*

**Hidalgo County  
Arturo Guajardo Jr.  
County Clerk**

---

Document Number: 2011-2225641

Recorded As : RECORDING ELECTRONIC

Recorded On: July 25, 2011

Recorded At: 02:31:52 pm

Number of Pages: 4

Recording Fee: \$24.00

Parties:

Direct-  
Indirect-

Receipt Number: 1212276

Processed By: Imelda Leal

---

\*\*\*\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\*

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY  
because of color or race is invalid and unenforceable under federal law.

---



STATE OF TEXAS  
COUNTY OF HIDALGO

I hereby certify that this instrument was FILED in the File Number sequence on the date/time  
printed hereon, and was duly RECORDED in the Official Records of Hidalgo County, Texas

Arturo Guajardo Jr.  
County Clerk  
Hidalgo County, TX

CHARGE: VLTC  
GF#125497

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

### WARRANTY DEED WITH VENDOR'S LIEN

Date: July 20, 2011

Grantor: MVP PROPERTIES, LLC, a Texas Limited Liability Company

Grantor's Mailing Address (including county): 3101 North Jackson Road  
McAllen, Hidalgo County, Texas 78501

Grantee: CITY OF EDINBURG, a Texas Municipal Corporation

Grantee's Mailing Address (including county): P.O. Box 1079  
Edinburg, Hidalgo County, Texas 78540-1079

Consideration: TEN AND NO/100 (\$10.00) DOLLARS and a note of even date executed by Grantee and payable to the order of Grantor in the principal amount of EIGHT HUNDRED FORTY-THREE THOUSAND SEVEN HUNDRED FIFTY AND NO/100 DOLLARS (\$843,750.00). The note is secured by a first and superior vendor's lien and superior title retained in this deed and by a first-lien deed of trust of even date from Grantee to CIRO OCHOA, JR., trustee.

Property (including any improvements):

A 50.00 acre tract of land being all of Lots 1, 2, 8, 9 and 10, Block 43, CITRUS FRUIT DEVELOPMENT COMPANY SUBDIVISION, Hidalgo County, Texas, according to the map recorded in Volume 6, Pages 428-431, Deed Records in the Office of the County Clerk of Hidalgo County, Texas, also being a portion of those certain tracts described in Administrator's Warranty Deed with Vendor's Lien recorded in Document # 1155189, Official Records, Hidalgo County, Texas, reference to which is here made for all purposes, and being more fully described by metes and bounds as follows:

BEGINNING at a set cotton picker spindle on the centerline of a County Road being the southeast corner of said Lot 10, Block 43, for the Southeast corner of herein described tract;

THENCE, North 81 degrees, 03 minutes, 00 seconds West along said centerline of a County Road also being the South line of said Lot 10, Block 43, pass at 420.70 feet a point being the Southwest corner of said Lot 10, Block 43, also being the Southeast corner of said Lot 9, Block 43, pass at 841.40 feet a point being the Southwest corner of said Lot 9, Block 43, also being the Southeast corner of said Lot 8, Block 43, and continuing along the South line of said Lot 8, Block 43, for a total distance of 1,262.10 feet to a set cotton picker spindle being the Southwest corner of said Lot 8, Block 43, for the Southwest corner of herein described tract

THENCE, North 08 degrees, 57 minutes, 00 seconds East along the West line of Lot 8, Block 43, pass at 20.00 feet a set one-half inch iron rod being the apparent North Right-of-Way line of said County Road, and continuing for a total distance of 1,035.40 feet a set one-half inch iron rod being the Northwest corner of said Lot 8, Block 43, for an exterior corner of herein described tract;

THENCE South 81 degrees, 03 minutes, 00 seconds East 420.70 feet along the north line of Lot 8, Block 43, to a set one-half inch iron rod being the Northeast corner of said Lot 8, Block 43, also being the Southwest corner of said Lot 2, Block 43, for an interior corner of herein described tract;

THENCE North 08 degrees 57 minutes 00 seconds East 1,035.40 feet along the west line of said Lot 2, Block 43, to a set one-half inch iron rod on the centerline of an unopened County Road being the Northwest corner of said Lot 2, Block 43, for the Northwest corner of herein described tract.

THENCE South 81 degrees 03 minutes 00 seconds East along said centerline of an unopened County Road also being the north line of said Lot 2, Block 43, pass at 420.70 feet a point being the Northeast corner of said Lot 2, Block 43, also being the Northwest corner of said Lot 1, Block 43, and continuing along the north line of said Lot 1, Block 43, for a total distance of 841.40 feet to a found one-half inch iron rod being the Northeast corner of said Lot 1, Block 43, for the Northeast corner of herein described tract;

THENCE South 08 degrees, 57 minutes, 00 seconds West along the East line of said Lot 1, Block 43, pass at 1,035.40 feet a point being the Southeast corner of said Lot 1, Block 43, also being the Northeast corner of said Lot 10, Block 43, pass at 2,050.80 feet a set one-half inch iron rod being the apparent North Right-of-Way line of said County Road, and continuing for a total distance of 2,070.80 feet to the POINT OF BEGINNING.

Reservations from Conveyance: NONE

Exceptions to Conveyance and Warranty: To the extent they validly exist:

1. Roadways as shown on the map of Citrus Fruit Development Company Subdivision, recorded in Volume 6, Pages 428-431, Deed Records of Hidalgo County, Texas.

2. Subject to any portion of subject property described herein lying within canal right of way.
3. Terms, stipulations and conditions contained in Oil, Gas and Mineral Lease executed by L.A. Gannaway and wife Julia Schwab Gannaway to Sinclair Oil and Gas Company, dated December 7, 1954, recorded in Volume 164, Page 575, Oil and Gas Records of Hidalgo County, Texas.
4. Terms, stipulations and conditions contained in the Declaration of Unit as set forth in instrument dated February 4, 1955, recorded in Volume 171, Page 358, Oil and Gas Records of Hidalgo County, Texas.
5. Terms, stipulations and conditions contained in Declaration of Unit as set forth in instrument dated August 12, 1959, recorded in Volume 236, Page 375, Oil and Gas Records of Hidalgo County, Texas.
6. Mineral and/or royalty reservation contained in deed dated November 25, 2002, filed January 7, 2003 under Document Number 1155189, and dated June 28, 2010, filed June 29, 2010 under Document Number 2115785, Official Records of Hidalgo County, Texas.
7. Any portion of the property described herein within the limits or boundaries of any public or private roadway and/or highway.
8. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the land.
9. Standby fees, taxes and assessments by any taxing authority for the year 2011, and subsequent years, and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership, the payment of which Grantee assumes.

GRANTEE ACKNOWLEDGES AND AGREES THAT GRANTOR HAS NOT MADE, DOES NOT MAKE AND SPECIFICALLY DISCLAIMS ANY REPRESENTATION, WARRANTIES, PROMISES, COVENANTS, AGREEMENTS OR GUARANTITIES OF ANY KIND OR CHARACTER WHATSOEVER, WHETHER EXPRESS OR IMPLIED, ORAL OR WRITTEN, PAST, PRESENT OR FUTURE, OF, AS TO, CONCERNING OR WITH RESPECT TO (A) THE NATURE, QUALITY OR CONDITION OF THE PROPERTY, INCLUDING, WITHOUT LIMITATION, THE WATER, THE SOIL, AND GEOLOGY, (B) THE INCOME TO BE DERIVED FROM THE PROPERTY, (C) THE SUITABILITY OF THE PROPERTY FOR ANY AND ALL ACTIVITIES AND USES WHICH GRANTEE MAY CONDUCT THEREON, (D) THE COMPLIANCE OF OR BY THE PROPERTY OR ITS OPERATION WITH ANY LAWS, RULES, ORDINANCES OR REGULATIONS OF ANY APPLICABLE GOVERNMENTAL AUTHORITY OR BODY, INCLUDING, WITHOUT LIMITATION, THE AMERICANS WITH DISABILITIES ACT AND ANY RULES AND REGULATIONS PROMULGATED THEREUNDER OR IN CONNECTION THEREWITH, AND THE TEXAS ARCHITECTURAL BARRIERS ACT AND THE RULES AND REGULATIONS PROMULGATED THEREUNDER OR IN CONNECTION THEREWITH, (E) THE HABITABILITY, MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OF THE PROPERTY, OR (F) ANY OTHER MATTER WITH RESPECT TO THE PROPERTY, AND SPECIFICALLY THAT GRANTOR HAS NOT MADE, DOES NOT MAKE ANY SPECIFICALLY DISCLAIMS ANY REPRESENTATIONS REGARDING SOLID WASTE, AS DEFINED BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY REGULATIONS AT 40 C.F.R., PART 261, OR THE DISPOSAL OR EXISTENCE, IN OR ON THE PROPERTY, OF ANY HAZARDOUS SUBSTANCE, AS DEFINED BY THE COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION AND LIABILITY ACT OF 1980, AS AMENDED, AND APPLICABLE STATE LAWS, AND REGULATIONS PROMULGATED THEREUNDER. GRANTEE FURTHER ACKNOWLEDGES AND AGREES THAT HAVING BEEN GIVEN THE OPPORTUNITY TO INSPECT THE PROPERTY, GRANTEE RELIES SOLELY ON ITS OWN INVESTIGATION OF THE PROPERTY AND NOT ON ANY INFORMATION PROVIDED OR TO BE PROVIDED BY GRANTOR. GRANTEE FURTHER ACKNOWLEDGES AND AGREES THAT ANY INFORMATION PROVIDED OR TO BE PROVIDED WITH RESPECT TO THE PROPERTY WAS OBTAINED FROM A VARIETY OF SOURCES AND THAT GRANTOR HAS NOT MADE ANY INDEPENDENT INVESTIGATION OR VERIFICATION OF SUCH INFORMATION. GRANTEE FURTHER ACKNOWLEDGES AND AGREES THAT THE SALE OF THE PROPERTY AS PROVIDED FOR HEREIN IS MADE ON AN "AS IS, WHERE IS" CONDITION AND BASIS "WITH ALL FAULTS."

GRANTEE RELEASES GRANTOR FROM LIABILITY FOR ENVIRONMENTAL PROBLEMS AFFECTING THE PROPERTY, INCLUDING LIABILITY (1) UNDER THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA), THE RESOURCE CONSERVATION AND RECOVERY ACT (RCRA), THE TEXAS SOLID WASTE DISPOSAL ACT, AND THE TEXAS WATER CODE; OR (2) ARISING AS THE RESULT OF THEORIES OF PRODUCT LIABILITY AND STRICT LIABILITY, OR UNDER NEW LAWS OR CHANGES TO EXISTING LAWS ENACTED AFTER THE EFFECTIVE DATE OF THE PURCHASE CONTRACT THAT WOULD OTHERWISE

**IMPOSE ON GRANTORS IN THIS TYPE OF TRANSACTION NEW LIABILITIES FOR ENVIRONMENTAL PROBLEMS AFFECTING THE PROPERTY. THIS RELEASE APPLIES EVEN WHEN THE ENVIRONMENTAL PROBLEMS AFFECTING THE PROPERTY RESULT FROM GRANTOR'S OWN NEGLIGENCE OR THE NEGLIGENCE OF GRANTOR'S REPRESENTATIVE.**

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

The vendor's lien against and superior title to the Property are retained until each note described is fully paid according to its terms, at which time this deed will become absolute.

When the context requires, singular nouns and pronouns include the plural.

**MVP PROPERTIES, LLC, a Texas Limited Liability Company**

BY: *Raul Medina*  
RAUL MEDINA, Member

BY: *Matias Pena, Jr.*  
MATIAS PENA, JR., Member

BY: *Jesus Villalobos*  
JESUS VILLALOBOS, Member

STATE OF TEXAS  
COUNTY OF HIDALGO

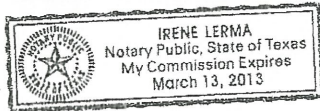
This instrument was acknowledged before me on July 20, 2011 by RAUL MEDINA, Member, of MVP PROPERTIES, LLC, a Texas Limited Liability Company, on behalf of said company.



*Belia N. Saenz*  
NOTARY PUBLIC - STATE OF TEXAS

STATE OF TEXAS  
COUNTY OF HIDALGO

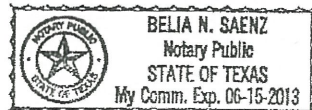
This instrument was acknowledged before me on July 20<sup>th</sup>, 2011 by MATIAS PENA, JR., Member, of MVP PROPERTIES, LLC, a Texas Limited Liability Company, on behalf of said company.



*Irene Lerma*  
NOTARY PUBLIC - STATE OF TEXAS

STATE OF TEXAS  
COUNTY OF HIDALGO

This instrument was acknowledged before me on July 20, 2011 by JESUS VILLALOBOS, Member, of MVP PROPERTIES, LLC, a Texas Limited Liability Company, on behalf of said company.



*Belia N. Saenz*  
NOTARY PUBLIC - STATE OF TEXAS

AFTER RECORDING RETURN TO :  
CITY OF EDINBURG  
P.O. BOX 1079  
Edinburg, Texas 78540-1079

PREPARED IN THE LAW OFFICE OF:  
L.G. 'JERRY' CANALES  
217 W. Cano  
Edinburg, Texas 78539  
File No.: 125497

**DOCUMENT NO. 2597776**  
**(INCLUDES LOTS 13 & 14, BLOCK 41)**

Hidalgo County  
Arturo Guajardo Jr.  
County Clerk  
Edinburg, TX 78540



70 2015 02597776

Instrument Number: 2015-2597776

Recorded On: March 27, 2015

As  
Recording

Parties:

To

Billable Pages: 5

Number of Pages: 6

Comment: SWD

**\*\* Examined and Charged as Follows: \*\***

Recording	42.00
Total Recording:	42.00

\*\*\*\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\*

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY  
because of color or race is invalid and unenforceable under federal law.

**File Information:**

Document Number: 2015-2597776  
Receipt Number: 1509726  
Recorded Date/Time: March 27, 2015 10:18A

**Record and Return To:**

CONTRERAS GUTIERREZ AND ASSOCIATES  
ORIGINAL RETURNED TO CUSTOMER  
TX

User / Station: A Rodriguez - Cash Superstation 09



STATE OF TEXAS  
COUNTY OF HIDALGO

I hereby certify that this Instrument was FILED in the File Number sequence on the date/time  
printed hereon, and was duly REGISTERED in the Official Records of Hidalgo County, Texas

Arturo Guajardo Jr.  
County Clerk  
Hidalgo County, TX

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**SPECIAL WARRANTY DEED**

DATE: March 26, 2015

GRANTOR: **EDINBURG ECONOMIC DEVELOPMENT CORPORATION, a Texas Non-Profit Development Corporation**

GRANTOR'S MAILING ADDRESS (INCLUDING COUNTY):

101 N. 10<sup>th</sup> Ave  
Edinburg, Hidalgo County, Texas 78541

GRANTEE: **CITY OF EDINBURG**

GRANTEE'S MAILING ADDRESS (INCLUDING COUNTY):

415 W. University Drive  
Edinburg, Hidalgo County, Texas 78539

CONSIDERATION: TEN AND NO/ 100 DOLLARS (\$10.00) and other valuable consideration to the undersigned paid by the grantee herein named, the receipt of which is hereby acknowledged.

Property (including any improvements):

**REFER TO THE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.**

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

This conveyance is made and accepted subject to all restrictions, covenants, conditions, rights of way, assessments, outstanding royalty and mineral reservations and easements, if any, affecting the above described property that are valid, existing and properly of record and subject, further, to taxes for the year 2015 and subsequent years.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs,

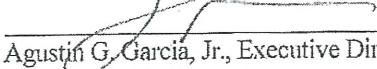
successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

THE PROPERTY IS SOLD AS IS, AND WITH ALL FAULTS. GRANTOR MAKES NO REPRESENTATIONS OR WARRANTIES WHATSOEVER, EITHER EXPRESS OR IMPLIED OR STATUTORY, RELATING TO THE PROPERTY OR ANY PORTION THEREOF, OR ITS CONDITION, INCLUDING, WITHOUT LIMITATION, ANY REPRESENTATION OR WARRANTY WITH RESPECT TO (A) THE STRUCTURAL CONDITION OF ANY IMPROVEMENTS, MAINTENANCE AND REPAIR OR THE NEED THEREFOR OR THE EXISTENCE OF AND DEFECTS, WHETHER LATENT, PATENT, STRUCTURAL, FUNCTIONAL, COSMETIC OR OTHERWISE; (B) ENVIRONMENTAL MATTERS RELATING TO THE PROPERTY OR ANY PORTION THEREOF INCLUDING, WITHOUT LIMITATION, THE EXISTENCE OF ANY HAZARDOUS OR TOXIC SUBSTANCE, WASTES, HYDROCARBONS, POLYCHLORINATED BIPHENYLS, ASBESTOS OR RELATED MATERIALS; (C) GEOLOGICAL CONDITIONS, INCLUDING, WITHOUT LIMITATION, SUBSIDENCE, SUBSURFACE CONDITIONS, WATER TABLE, UNDERGROUND WATER RESERVOIRS, LIMITATIONS REGARDING THE WITHDRAWAL OF WATER AND FAULTING; (D) WHETHER OR NOT AND THE EXTENT TO WHICH THE PROPERTY OR ANY PORTION THEREOF ARE AFFECTED BY ANY STREAM (SURFACE OR UNDERGROUND), BODY OF WATER, FLOOD PRONE AREA, FLOOD PLAIN, FLOOD WAY OR SPECIAL FLOOD HAZARD; (E) DRAINAGE; (F) SOIL CONDITIONS; (G) THE AVAILABILITY OF ANY UTILITIES TO THE PROPERTIES OR ANY PORTION THEREOF INCLUDING, WITHOUT LIMITATION, WATER, SEWAGE, GAS AND ELECTRIC; (H) USAGES OF ADJOINING PROPERTY; (I) ACCESS TO THE PROPERTIES OR ANY PORTION THEREOF; AND (J) THE VALUE, COMPLIANCE WITH SPECIFICATIONS, SIZE, LOCATION, AGE, USE, MERCHANTABILITY, DESIGN, QUALITY, DESCRIPTION, DURABILITY, OPERATION OR CONDITION OF THE PROPERTY OR ANY PORTION THEREOF, OR SUITABILITY OF THE PROPERTY OR ANY PORTION THEREOF FOR GRANTEE'S PURPOSES, OR FITNESS FOR ANY USE OF PURPOSE WHATSOEVER. GRANTEE AGREES THAT GRANTEE IS NOT RELYING ON ANY WARRANTY OR REPRESENTATION OF GRANTOR AND THAT GRANTEE HAS SATISFIED OR WILL SATISFY ITSELF AS TO ALL THE FOREGOING MATTERS. GRANTOR FURTHER MAKES NO WARRANTY OF MERCHANTABILITY OF FITNESS FOR PURPOSE IN RESPECT OF THE PROPERTY. GRANTEE AFFIRMS THAT GRANTEE HAS NOT RELIED ON GRANTOR'S SKILL OR JUDGMENT TO SELECT OR FURNISH SUCH PROPERTY FOR ANY PARTICULAR PURPOSE AND THAT GRANTOR MAKES NO WARRANTY THAT SUCH PROPERTY IS FIT FOR ANY PARTICULAR PURPOSE.

When the context requires, singular nouns and pronouns include the plural.

**SIGNATURE PAGE TO FOLLOW**

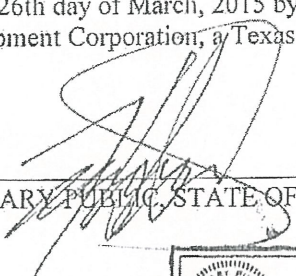
**EDINBURG ECONOMIC DEVELOPMENT CORPORATION**  
A Texas non-profit corporation

By:   
Agustin G. Garcia, Jr., Executive Director

**CORPORATE ACKNOWLEDGMENT**

STATE OF TEXAS       §  
                                  §  
COUNTY OF HIDALGO   §

This instrument was acknowledged before me on this 26th day of March, 2015 by Agustin G. Garcia, Jr., Executive Director of Edinburg Economic Development Corporation, a Texas non-profit development corporation, on behalf of said corporation.

  
NOTARY PUBLIC, STATE OF TEXAS

**AFTER RECORDING RETURN TO:**  
CONTRERAS GUTIERREZ AND ASSOCIATES  
10113 N. 10<sup>th</sup> St., Suite L  
McAllen, Texas 78504  
File #03-027/ GF#0003160037

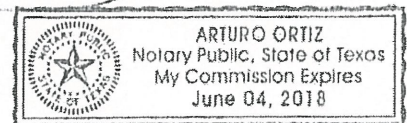


EXHIBIT 'A'

TRACT 1:

Being a 100.03 acre tract of land being out of a part or portion of Lot Forty-one (41), Lot Forty-two (42) and Lot Fifty (50) of SANTA CRUZ RANCH, situated in Hidalgo County, Texas, according to the map or plat thereof recorded in Volume "Z", Page 161, of the Deed Records of Hidalgo County, Texas; and being out of a part or portion of that certain tract of land as conveyed to SKC Development, L.T.D., a Texas limited partnership in Warranty Deed dated May 29, 2003, as recorded in Document Number 1205101 of the Official Records of Hidalgo County, Texas; said 100.03 acre tract of land being more particularly described by metes and bounds as follows, with all bearings referenced to Santa Cruz Gardens Unit No. 3, situated in Hidalgo County, Texas, according to the map or plat thereof recorded in Volume 09, Page 03 of the Map Records of Hidalgo County, Texas; .

COMMENCING at a found Cotton Spindle located on the South right-of-way line of Davis Road (60-foot right-of-way), also being the Northeast corner of E.C.I.S.D. Elementary No. 28, situated in Hidalgo County, Texas, according to the map or plat thereof recorded in Instrument Number 2174809 of the Map Records of Hidalgo County, Texas;

THENCE North 81 degrees 37 minutes 00 seconds West, at 968.72 feet pass a point at the Northwest corner of said E.C.I.S.D. Elementary No. 28, in all a total distance of 1078.72 feet to a set 3/4-inch iron rod with a D.E.C. plastic cap located on the South right-of-way line of said Davis Road (60-foot right-of-way), also being the North line of said tract of land conveyed to SKC Development, L.T.D. for the Northeast corner and POINT OF BEGINNING of the tract of land herein described;

THENCE South 08 degrees 23 minutes 00 seconds West, 511.00 feet to a set 3/4-inch iron rod with a D.E.C. plastic cap for a corner at the beginning of a curve to the right on the East line of the tract of land herein described;

THENCE along the arc of said curve to the right, having a chord of South 13 degrees 52 minutes 04 seconds West, 141.45 feet, a radius of 740.00 feet, a central angle of 10 degrees 58 minutes 07 seconds, a distance of 141.67 feet to a set 3/4-inch iron rod with a D.E.C. plastic cap for a corner at a point of tangency on the East line of said tract of land herein described;

THENCE South 19 degrees 21 minutes 07 seconds West, 38.00 feet to a set 3/4-inch iron rod with a D.E.C. plastic cap for a corner at the beginning of a curve to the right on the East line of the tract of land herein described;

THENCE along the arc of said curve to the right, having a chord of South 35 degrees 48 minutes 04 seconds West, 453.10 feet, a radius of 800.07 feet, a central angle of 32 degrees 53 minutes 53 seconds, a distance of 459.39 feet to a set 3/4-inch iron rod with a D.E.C. plastic cap for a corner at a point of tangency on the East line of said tract of land herein described;

THENCE South 52 degrees 15 minutes 01 seconds West, 1,041.93 feet to a set 3/4-inch iron rod with a D.E.C. plastic cap for a corner at the beginning of a curve to the left on the East line of the tract of land herein described;

THENCE along the arc of said curve to the left, having a chord of South 36 degrees 00 minutes 00 seconds West, 873.08 feet, a radius of 1,560.00 feet, a central angle of 32 degrees 30 minutes 01 seconds, a distance of 884.89 feet to a set 3/4-inch iron rod with a D.E.C. plastic cap for a corner at a point of reverse curvature on the East line of said tract of land herein described;

THENCE along the arc of said curve to the right, having a chord of South 23 degrees 26 minutes 21 seconds West, 63.06 feet, a radius of 490.00 feet, a central angle of 07 degrees 22 minutes 43 seconds, a distance of 63.10 feet to a set 3/4-inch iron rod with a D.E.C. plastic cap for the Southeast corner of the tract of land herein described;

EXHIBIT 'A'  
(continued)

~~THENCE North 81 degrees 37 minutes 00 seconds West, 814.46 feet to a set 3/4-inch iron rod with a D.E.C. plastic cap for the Southwest corner of the tract of land herein described;~~

~~THENCE North 08 degrees 23 minutes 00 seconds East, 2,677.00 feet to a set 3/4-inch iron rod with a D.E.C. plastic cap located on the South right-of-way line of said Davis Road (60-foot right-of-way), for the Northwest corner of the tract of land herein described;~~

~~THENCE South 81 degrees 37 minutes 00 seconds East with the South right-of-way line of said Davis Road, 2,187.00 feet to the POINT OF BEGINNING; containing 100.03 acres of land more or less.~~

Tract 2:

A 50.00 acre tract of land being all of Lots 3, 4, 5, 6, and 7, Block 43, CITRUS FRUIT DEVELOPMENT COMPANY SUBDIVISION, Hidalgo County, Texas, according to the map recorded in Volume 6, Page 428 through 431, Deed Records in the Office of the County Clerk of Hidalgo County, Texas, also being a portion of those certain tracts described in Administrator's Warranty Deed with Vendor's Lien described in Document #1155189, Official Records, Hidalgo County, Texas, reference to which is here made for all purposes, and being more fully described by metes and bounds as follows:

BEGINNING at a found cotton picker spindle on the centerline of a County Road being the Southeast corner of said Lot 7, Block 43, for the Southeast corner of herein described tract;

THENCE North 81 degrees 03 minutes 00 seconds West along said centerline of a County Road also being the South line of said Lot 7, Block 43, pass at 420.70 feet a point being the Southwest corner of said Lot 7, Block 43, also being the Southeast corner of said Lot 6, Block 43, and continuing along the South line of said Lot 6, Block 43, for a total distance of 841.40 feet to a set cotton picker spindle being the Southwest corner of said Lot 6, Block 43, for the Southwest corner of herein described tract;

THENCE North 08 degrees 57 minutes 00 seconds East along the centerline of an unopened County Road also being the West line of said Lot 6, Block 43, pass at 20.00 feet a found one-inch iron pipe being the apparent North Right-of-Way line of said County Road, pass at 1,035.40 feet a point being the Northwest corner of said Lot 6, Block 43, also being the Southwest corner of said Lot 5, Block 43, and continuing along the West line of said Lot 5, Block 43, for a total distance of 2,070.80 feet to a set one-half inch iron rod on the centerline of an unopened County Road being the Northwest corner of said Lot 5, Block 43, for the Northwest corner of herein described tract;

THENCE South 81 degrees 03 minutes 00 seconds East along said centerline of an unopened County Road also being the North line of said Lot 5, Block 43, pass at 420.70 feet a point being the Northeast corner of said Lot 5, Block 43, also being the Northwest corner of said Lot 4, Block 43, pass at 841.40 feet a point being the Northeast corner of said Lot 4, Block 43, also being the Northwest corner of said Lot 3, Block 43, and continuing along the North line of said Lot 3, Block 43, for a total distance of 1,262.10 feet to a found one-half inch iron rod being the Northeast corner of said Lot 3, Block 43, for the Northeast corner of herein described tract;

THENCE South 08 degrees 57 minutes 00 seconds West 1,035.40 feet along the East line of said Lot 3, Block 43, to a found one-half inch iron rod being the Southeast corner of said Lot 3, Block 43, for an exterior corner of herein described tract;

THENCE North 81 degrees 03 minutes 00 seconds West 420.70 feet along the South line of said Lot 3, Block 43, to a found one-half inch iron rod being the Southwest corner of said Lot 3, Block 43, also being the

Northeast corner of said Lot 7, Block 43, for an interior corner of herein described tract;

THENCE South 08 degrees 57 minutes 00 seconds West along the East line of said Lot 7, Block 43, pass at 1,015.40 feet a found one-half inch iron rod being the apparent North Right-of-Way line of said County Road, and continuing for a total distance of 1,035.40 feet to the POINT OF BEGINNING.

**DOCUMENT NO. 25647**  
**(INCLUDES LOTS 3 & 4, BLOCK 50)**

The State of Texas,

25647

Know All Men by These Presents:

County of HIDALGO

That I, LAURA LOU BAKER, a feme sole,

of the County of Hidalgo State of Texas for and in consideration

of the sum of ----- Ten and No/100 -----

----- (\$10.00) -----DOLLARS

and other good and valuable consideration  
to me in hand paid by City of Edinburg, Texas, the receipt of which is  
hereby acknowledged and confessed;

XXXXXX

have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey unto the said

CITY OF EDINBURG, TEXAS

XXXXXX State of Texas all that certain  
tract or parcel of land being situated in the County of Hidalgo, State  
of Texas and being more fully described as follows, to-wit:  
All of Lots One (1) to Ten (10), both inclusive, in Block Fifty (50),  
Citrus Fruit Development Company Subdivision of lands in the San Salvador  
del Tule Grant, Hidalgo County, Texas, as per map or plat thereof of  
record in the Office of the County Clerk of Hidalgo County, Texas.  
SAVE AND EXCEPT all oil, gas and other minerals, samehaving been excepted  
and reserved in deed to Laura Lou Baker.

SUBJECT TO THE FOLLOWING:

- (1) Oil, Gas & Mineral Lease from A. Y. Baker, Jr. to Lee Hawkins,  
dated Feb. 24, 1945, recorded in Vol. 58, page 503, Oil & Gas Lease Re-  
cords, Hidalgo County, Texas, unitized on February 4, 1955.
- (2) Easements appearing on the recorded map and dedication of the  
subdivision, and all visible easements.

TO HAVE AND TO HOLD the above described premises, together with all and singular the  
rights and appurtenances thereto in anywise belonging unto the said

CITY OF EDINBURG, TEXAS, its successors and assigns  
~~hereby~~ forever and I do hereby bind myself, my  
heirs, executors and administrators, to Warrant and Forever Defend, all and singular the said premises  
unto the said

CITY OF EDINBURG, TEXAS, its successors and assigns  
~~hereby~~ against every person whomsoever lawfully claiming, or to claim the same, or any  
part thereof.

WITNESS my hand at Edinburg, Hidalgo County, Texas  
this 9th day of September, 1976.

XXXXXX

*Laura Lou Baker*  
LAURA LOU BAKER

SINGLE ACKNOWLEDGMENT

THE STATE OF TEXAS,  
COUNTY OF HIDALGO

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared

**LAURA LOU BAKER**

known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,

this the 17th day of September A. D. 19 76

Notary Public in and for Hidalgo County, Texas

SINGLE ACKNOWLEDGMENT

THE STATE OF TEXAS,  
COUNTY OF

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared

known to me to be the person whose name subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,

this the day of A. D. 19

(L. S.)

Notary Public in and for County, Texas

SINGLE ACKNOWLEDGMENT

THE STATE OF TEXAS,  
COUNTY OF

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared

known to me to be the person whose name subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,

this the day of A. D. 19

(L. S.)

Notary Public in and for County, Texas

THE STATE OF TEXAS,  
COUNTY OF

I HEREBY CERTIFY that the foregoing instrument of writing with its certificate of authentication, was filed for record in my office on the day of A. D. 19 at o'clock M., and was duly recorded by me on the day of A. D. 19 in Vol. page of the Records of said County.

WITNESS MY HAND and the Seal of the County Court of said County, at my office in the day and year last above written.

(L. S.)

County Clerk County, Texas

By Deputy.

25647

Warranty Deed

FROM

TO

FILED FOR RECORD

This day of A.D. 19 at o'clock M.

County Clerk

Deputy

RECORDED  
FILED FOR RECORD THIS DATE

At o'clock M. A. D. 19

In County Records

In Book SEP 20 1976 on Page

SANTOS SALDANA

County Clerk, Hidalgo County, Texas

By Deputy

Deputy

Recording Fee \$  
This instrument should be filed immediately with the County Clerk for Record.

Return to:  
Elly Davis Medical Center  
P.O. Box 154  
Edinburg, TX 78539

**PROPOSED PERMIT BOUNDARY METES AND BOUNDS**

**EXHIBIT "A"**

**PERMIT BOUNDARY  
CITY OF EDINBURG LANDFILL  
LEGAL DESCRIPTION  
602.52 ACRE TRACT**

**BEING** a 602.52 acre tract of land comprised of Lots 42-46 & 57-61, Block 42, South Texas Development Company Subdivision, as shown on a map recorded in Volume 9, Page 44, Map Records Hidalgo County, Texas, and Lots 1-24, The Re-Subdivision of the Citrus Fruit Development Company's Land, as shown on a map recorded in Volume 9, Page 38, Map Records Hidalgo County, Texas, Lots 1-10, Block 51, Lots 1-10, Block 50, and a portion of Lots 6-10, Block 43, all being of the Citrus Fruit Development Company's Land, as shown on a map recorded in Volume 6, Page 430 – 431, Map Records Hidalgo County, Texas, as well as portions of Share 5 & 6, of the Mutual Partition of Tract 158, San Salvador Del Tule Grant, as shown on a map recorded in Volume 16, Page 11, Map Records Hidalgo County, Texas and being more particularly described as follows:

**BEGINNING** at a 5/8" iron rod found at the intersection of two county roads platted yet unopened, for the southwest corner of Lot 6, said Block 50, for the southwest corner and the **POINT OF BEGINNING** of the herein described tract;

**THENCE** North 08°47'19" East, with the west line of said Block 50, at a distance of 2060.15 feet pass a cotton spindle found at the intersection of the centerline of Encintos Road and the centerline of the platted yet unopened road for the southwest corner of Lot 6, said Block 43, continue for a total distance of 2470.00 feet to a calculated point on the west line of Lot 6, said Block 43, for a northwest corner of the herein described tract;

**THENCE** South 81°13'21" East, crossing Lots 6-10, said Block 43, a distance of 2103.60 feet to a calculated point on the common boundary of said Block 42 & 43, and for an interior corner of the herein described tract;

**THENCE** North 08°46'39" East, with the west line of said Block 42, a distance of 635.96 feet to a 5/8" iron rod found for corner of the herein described tract;

**THENCE** North 08°46'38" East, with the west line of said Block 42, a distance of 1025.08 feet to an iron pipe found in the centerline of a platted yet unopened road, for the northwest corner Lot 42 of said Block 42, and for the northwest corner of the herein described tract;

**THENCE** South 81°25'29" East, with the north line of said Block 42, a distance of 2102.31 feet to a 5/8" iron rod found for the northeast corner of Lot 57, said Block 42, and for a corner of the herein described tract;

**THENCE** South 81°16'58" East, with the north line of The Re-Subdivision of the Citrus Fruit Development Company's Land, a distance of 2056.54 feet to a calculated point in the west line of Share 3, of said Mutual Partition, for the northeast corner of Lot 13, of said Re-Subdivision of the Citrus Fruit Development Company's Land, and for the northeast corner of the herein described tract;

**THENCE** South 02°00'45" East, with the east line of said Re-Subdivision of the Citrus Fruit Development Company's Land, a distance of 764.09 feet to a calculated corner for an outside corner of the herein described tract;

**THENCE** South 02°11'40" East, with the east line of said Re-Subdivision of the Citrus Fruit Development Company's Land, a distance of 1167.07 feet to a 5/8" iron rod found for the northwest corner of said Share 5, of said Mutual Partition, and for an interior corner of the herein described tract;

**THENCE** South 80°38'14" East, with the north line of said Share 5, a distance of 1313.67 feet to a calculated point for a northeast corner of the herein described tract;

**THENCE** South 08°47'42" West, crossing said Share 5, a distance of 1609.05 feet to a calculated point for a southeast corner of the herein described tract;

**THENCE** South 62°52'20" West, crossing said Share 5 and Share 6 of said Mutual Partition, a distance of 1064.05 feet to a calculated point for the southeast corner of the herein described tract;

**THENCE** North 81°12'18" West, with the centerline of a platted yet unopened road, same being the south line of Re-Subdivision of the Citrus Fruit Development Company's Land, the south line of said Block 51 and the south line of said Block 50, a distance of 7079.33 feet to the **POINT OF BEGINNING** and containing 602.52 acre of land.

**NOTE:**

ALL BEARINGS ARE GRID BEARINGS BASED ON THE TEXAS COORDINATE SYSTEM FOR THE LAMBERT SOUTH ZONE NAD 1983.

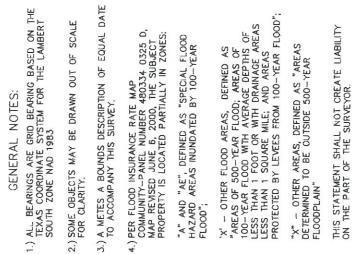
Stacey King Mora  
**Stacey King Mora, RPLS**  
**Registered Professional Land Surveyor**  
**Texas Registration No. 6166**  
**Naismith Engineering, Inc.**

**TBPE F#355    TBPLS F# 100395-00**

**Date:** March 4, 2016



OWNER	XX	
PHONE	X	
ZONING	X	
ENGINEER / SURVEYOR		STACEY KING MORFA
PHONE		361-814-9900
		FAX 361-814-4401
		ENGINEER / SURVEYOR EMAIL:



Stacey King Mora  
Stacey King Mora  
Registered Professional Land Surveyor  
Texas Registration No. 6166  
Naismith Engineering, Inc.  
Date: March 4, 2016

**ELEVATION FORM**

**DEPARTMENT OF HOMELAND SECURITY - FEDERAL EMERGENCY MANAGEMENT AGENCY  
ELEVATION FORM**

**O.M.B. NO. 1660-0015  
Expires February 28, 2014**

**PAPERWORK BURDEN DISCLOSURE NOTICE**

Public reporting burden for this data collection is estimated to average 1.25 hours per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the needed data, and completing and submitting the form. This collection is required to obtain or retain benefits. You are not required to respond to this collection of information unless a valid OMB control number is displayed on this form. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing this burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 1800 South Bell Street, Arlington, VA 20598-3005, Paperwork Reduction Project (1660-0015). **NOTE: Do not send your completed form to this address.**

This form must be completed for requests and must be completed and signed by a registered professional engineer or licensed land surveyor. **A DHS - FEMA National Flood Insurance Program (NFIP) Elevation Certificate may be submitted in lieu of this form for single structure requests.**

For requests to remove a structure on natural grade OR on engineered fill from the Special Flood Hazard Area (SFHA), submit the lowest adjacent grade (the lowest ground touching the structure), **including an attached deck or garage**. For requests to remove an entire parcel of land from the SFHA, provide the lowest lot elevation; or, if the request involves an area described by metes and bounds, provide the lowest elevation within the metes and bounds description. All measurements are to be rounded to nearest tenth of a foot. In order to process your request, all information on this form must be completed **in its entirety**. **Incomplete submissions will result in processing delays.**

1. NFIP Community Number: **480338** Property Name or Address: **Edinburg Regional Disposal Facility, 8601 North Jasman road, Edinburg, TX 78539**
2. Are the elevations listed below based on ☒ **existing** or ☐ **proposed** conditions? (Check one)
3. For the existing or proposed structures listed below, what are the types of construction? (check all that apply)  
☐ crawl space ☐ slab on grade ☐ basement/enclosure ☒ other (explain) **Edinburg Regional Disposal facility (landfill)**
4. Has DHS - FEMA identified this area as subject to land subsidence or uplift? (see instructions) ☐ Yes ☒ No  
 If yes, what is the date of the current re-leveling?      /      (month/year)
5. What is the elevation datum? ☐ NGVD 29 ☐ NAVD 88 ☒ Other (explain) **Naismith Engineering surveyed site using Type 1 benchmark located off Encinitos Road.**  
 If any of the elevations listed below were computed using a datum different than the datum used for the effective Flood Insurance Rate Map (FIRM) (e.g., NGVD 29 or NAVD 88), what was the conversion factor? **Site Elevation +1.15 ft. = FIRM Datum**  
**Local Elevation +/- ft. = FIRM Datum**
6. Please provide the Latitude and Longitude of the most upstream edge of the **structure** (in decimal degrees to the nearest fifth decimal place):  
 Indicate Datum: ☐ WGS84 ☐ NAD83 ☐ NAD27 Lat.      Long.  
 Please provide the Latitude and Longitude of the most upstream edge of the **property** (in decimal degrees to the nearest fifth decimal place):  
 Indicate Datum: ☐ WGS84 ☒ NAD83 ☐ NAD27 Lat.      Long.  
**NAD83 Texas State Planes, South Zone for latitudes and longitudes.**  
 Did not provide "most upstream edge" location because this requirement does not apply in the case of small unnamed ponding areas.

Address	Lot Number	Block Number	Lowest Lot Elevation*	Lowest Adjacent Grade To Structure	Base Flood Elevation	BFE Source
8601 Jasman Road	13	43	81 ft-msl	81 ft-msl	86 ft-msl	Zone A - Estimated
8601 Jasman Road	14	43	86 ft-msl	86 ft-msl	86 ft-msl	Zone A - Estimated

This certification is to be signed and sealed by a licensed land surveyor, registered professional engineer, or architect authorized by law to certify elevation information. All documents submitted in support of this request are correct to the best of my knowledge. I understand that any false statement may be punishable by fine or imprisonment under Title 18 of the United States Code, Section 1001.

Certifier's Name:	License No.:	Expiration Date:
Company Name:	Telephone No.:	<div style="border: 2px solid black; width: 100px; height: 100px; margin: 0 auto; text-align: center; vertical-align: middle;">                     Seal (optional)                 </div>
Email:	Fax No.:	
Signature:	Date:	

\* For requests involving a portion of property, include the lowest ground elevation within the metes and bounds description.  
 Please note: If the Lowest Adjacent Grade to Structure is the only elevation provided, a determination will be issued for the structure only.

[illegible]

**COMMUNITY ACKNOWLEDGEMENT FORM**

DEPARTMENT OF HOMELAND SECURITY - FEDERAL EMERGENCY MANAGEMENT AGENCY  
COMMUNITY ACKNOWLEDGMENT FORM

O.M.B. NO. 1660-0015  
Expires February 28, 2014

PAPERWORK BURDEN DISCLOSURE NOTICE

Public reporting burden for this data collection is estimated to average 1.38 hours per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the needed data, and completing and submitting the form. This collection is required to obtain or retain benefits. You are not required to respond to this collection of information unless a valid OMB control number is displayed on this form. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing this burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 1800 South Bell Street, Arlington, VA 20598-3005, Paperwork Reduction Project (1660-0015). NOTE: Do not send your completed form to this address.

This form must be completed for requests involving the existing or proposed placement of fill (complete Section A) *OR* to provide acknowledgment of this request to remove a property from the SFHA which was previously located within the regulatory floodway (complete Section B).

This form must be completed and signed by the official responsible for floodplain management in the community. The six digit NFIP community number and the subject property address must appear in the spaces provided below. Incomplete submissions will result in processing delays. Please refer to the MT-1 Instructions for additional information about this form.

Community Number: 480338 Property Name or Address: Edinburg Regional Disposal Facility, Hidalgo County, TX

**A. REQUESTS INVOLVING THE PLACEMENT OF FILL**

As the community official responsible for floodplain management, I hereby acknowledge that we have received and reviewed this Letter of Map Revision Based on Fill (LOMR-F) or Conditional LOMR-F request. Based upon the community's review, we find the completed or proposed project meets or is designed to meet all of the community floodplain management requirements, including the requirement that no fill be placed in the regulatory floodway, and that all necessary Federal, State, and local permits have been, or in the case of a Conditional LOMR-F, will be obtained. For Conditional LOMR-F requests, the applicant has or will document Endangered Species Act (ESA) compliance to FEMA prior to issuance of the Conditional LOMR-F determination. For LOMR-F requests, I acknowledge that compliance with Sections 9 and 10 of the ESA has been achieved independently of FEMA's process. Section 9 of the ESA prohibits anyone from "taking" or harming an endangered species. If an action might harm an endangered species, a permit is required from U.S. Fish and Wildlife Service or National Marine Fisheries Service under Section 10 of the ESA. For actions authorized, funded, or being carried out by Federal or State agencies, documentation from the agency showing its compliance with Section 7(a)(2) of the ESA will be submitted. In addition, we have determined that the land and any existing or proposed structures to be removed from the SFHA are or will be reasonably safe from flooding as defined in 44CFR 65.2(c), and that we have available upon request by DHS-FEMA, all analyses and documentation used to make this determination. For LOMR-F requests, we understand that this request is being forwarded to DHS-FEMA for a possible map revision.

Community Comments:

Community Official's Name and Title: *(Please Print or Type)*  
Ponciano Longoria, PE, CFM, Director of Public Works

Telephone No.:  
956-388-8210

Community Name:

City of Edinburg, Hidalgo County

Community Official's Signature: *(required)*

*[Signature]* PE/CFM

Date:

4/21/16

**B. PROPERTY LOCATED WITHIN THE REGULATORY FLOODWAY**

As the community official responsible for floodplain management, I hereby acknowledge that we have received and reviewed this request for a LOMA. We understand that this request is being forwarded to DHS-FEMA to determine if this property has been inadvertently included in the regulatory floodway. We acknowledge that no fill on this property has been or will be placed within the designated regulatory floodway. We find that the completed or proposed project meets or is designed to meet all of the community floodplain management requirements.

Community Comments:

Community Official's Name and Title: *(Please Print or Type)*

Telephone No.:

Community Name:

Community Official's Signature: *(required)*

Date:

**USFWS LETTER  
“NOT LIKELY TO ADVERSELY AFFECT” DETERMINATION**



**United States Department of the Interior**  
**FISH AND WILDLIFE SERVICE**  
Corpus Christi Office  
Texas Coastal Ecological Service Field Office  
3325 Green Jay Rd  
Alamo, TX 78516

October 20, 2015

Chad E. Ireland, PE  
Senior Project Geological Engineer  
Golder Associates  
500 Century Plaza Drive, Suite 190  
Houston, TX 77073

Consultation No. 02ETCC00-2016-I-0030

Dear Mr. Ireland:

Thank you for your letter received October 13, 2015, regarding the effects of the proposed expansion of the Edinburg Sanitary Landfill on species federally listed species in Hidalgo County, Texas. In addition, your project was evaluated with respect to wetlands and other important fish and wildlife resources.

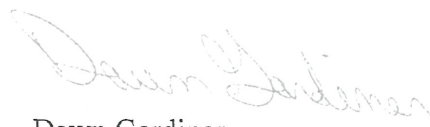
It is the Service's understanding that the City of Edinburg proposes to expand the existing Sanitary Landfill from 254 acres to approximately 603 acres. The expansion would incorporate 258.8 acres of agricultural and bare land and about 20 acres of dense Tamaulipan thornscrub habitat. On August 14, 2015, we met with Mr. Ramiro L. Gomez to discuss the project, and it was agreed to preserve a 200' wide corridor of dense native woodland along the northern property boundary, and establish a 200' wide corridor planted with native vegetation, connecting to the southern property boundary of dense native woodland owned by the City. This is shown on the enclosed Figure 1.

To comply with the Migratory Bird Treaty Act and avoid impacts to avian species, the City proposes to complete all clearing activities during the non-nesting season (September-February) to avoid potential impacts with birds nesting within the ROW. If project activities must be conducted during nesting season, we recommend surveying for nests prior to commencing work and if a nest is found, and if possible, the Service recommends a buffer of vegetation ( $\geq 50$  ft) remain around the nest until the young have fledged or the nest is abandoned.

You made a "not likely to adversely affect" determination on Gulf Coast jaguarundi, and the ocelot. Based on project information submitted and above understanding, the Service concurs with your determination. We appreciate the opportunity to provide pre-planning information. If we can be of further assistance, please contact Ernesto Reyes at (956) 784-7560.

Enclosure

Sincerely,

  
Dawn Gardiner  
Acting Field Supervisor

cc: Russell Hooten, Wildlife Habitat Assessment Program, Corpus Christi, TX



October 12, 2015

Project No. 1401491

Ernesto Reyes, Director  
U.S. Fish & Wildlife Service  
Wildlife Diversity Program  
3325 Green Jay Road  
Alamo, TX 78516

**RE: RESPONSE TO MEETING  
THREATENED OR ENDANGERED SPECIES REVIEW  
PERMIT AMENDMENT APPLICATION  
EDINBURG REGIONAL DISPOSAL FACILITY, TCEQ PERMIT MSW-956C  
HIDALGO COUNTY, TEXAS**

Dear Mr. Reyes:

This letter is in response to a meeting between Ramiro L Gomez, Jr., Director of Solid Waste Management for the City of Edinburg and you on August 25, 2015 regarding suitable habitat for federally listed ocelot (*Leopardus pardalis*).

Texas Parks and Wildlife Department (TPWD) responded to a request for a rare species review for a permit amendment application to expand the 254-acre Type I facility to approximately 603 acres in a letter dated September 14, 2015. TPWD provided the following recommendation for the ocelot:

*"In order to preserve potential ocelot habitat and avoid and/or minimize potential negative impacts to ocelots, TPWD recommends avoiding or minimizing clearing potential ocelot habitat. At a minimum, TPWD recommends preserving a corridor of the dense native woodland, at least 300-feet wide, along the easternmost boundary of the property. Also, all lighting installed around the perimeter and within the expanded disposal facility should be down-shielded and directed into the property."*

As a result of the meeting's discussion, it was agreed to preserve a 200-ft wide corridor along the northern property boundary of dense native woodland and establish a 200-ft wide corridor connecting to southern property boundary as shown on Figure 1. Fencing will be added to the north side along the property line.

On behalf of City of Edinburg, we are requesting your concurrence in the proposed 200-ft wide wildlife corridor. If further information or documentation is required by your department, please give me a call at (281) 821-6868.

Sincerely,

**GOLDER ASSOCIATES INC.**

Chad E. Ireland, PE  
Senior Project Geological Engineer

Charles G. Dominguez, PE  
VP Central Region / Principal

cc: Ramiro L Gomez, Jr., City of Edinburg, Director of Solid Waste Management  
Russell Hooten, Texas Parks and Wildlife Department, Wildlife Assessment Program, Wildlife Division

CEI/CGD/kjc

Golder Associates Inc.  
500 Century Plaza Drive, Suite 190  
Houston, TX 77073 USA

Tel: (281) 821-6868 Fax: (281) 821-6870 [www.golder.com](http://www.golder.com)

Golder Associates: Operations in Africa, Asia, Australasia, Europe, North America and South America

Golder, Golder Associates and the GA globe design are trademarks of Golder Associates Corporation





06/23/2016

1401491

Federal Emergency Management Agency  
LOMC Clearinghouse  
847 South Pickett Street  
Alexandria, VA 22304-4605

**RE: RESPONSE TO REQUEST FOR CLOMR-F  
PERMIT AMENDMENT APPLICATION  
EDINBURG REGIONAL DISPOSAL FACILITY  
HIDALGO COUNTY, TEXAS  
TCEQ PERMIT MSW-956C  
CASE NUMBER 16-06-2076C**

Dear Recipient:

**Comment: After an initial review of your submittal, we need to clarify exactly what you are requesting from FEMA.**

**Response: A CLOMR-F is requested.**

**If your request is to receive a comment from FEMA regarding whether this property can be conditionally removed from the SFHA then the following data is required.**

**Comment: Please have the Chief Executive Officer (CEO) of the community or an official designated by the CEO fill out section A of the Community Acknowledgement Form.**

**Response: A signed community acknowledgement form (Form 3) was submitted on April 25, 2016. Please find the attached copy of the submitted form.**

**Comment: Please have the elevation form certified by a registered land surveyor or professional engineer.**

**Response: Revised Elevation form certified by a professional engineer is attached.**

**Comment: Projects that are not constructed, funded or permitted by a federal agency must have the project proponent submit a statement as to the impacts of the project on endangered and threatened species to comply with the Endangered Species Act (ESA). Please note that the information provided by the Services may be used to inform this determination but cannot replace this requirement. Please submit a signed statement from the project proponent or community official responsible for floodplain development confirming that the impact of the project on endangered and threatened species consistent with the following terminology. For projects that are not constructed, funded or permitted by a federal agency, the requester must demonstrate ESA compliance by submitting to FEMA written justification that a "Take," meaning to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct, will not occur to threatened and endangered species present in the county as a result of the project. If a project has the potential to "Take" listed species, an Incidental Take**

p:\\_2014 project folders\1401491 city of edinburg\application\part ii\lib\_locationrestrictionsdocumentation\lib5\_femaclomr-f\response to comments\lib5\_ltr\_response to requestforclomrf\_text.docx

**Golder Associates Inc.**  
500 Century Plaza Drive, Suite 190  
Houston, TX 77073 USA  
Tel: (281) 821-6868 Fax: (281) 821-6870 [www.golder.com](http://www.golder.com)

**Golder Associates: Operations in Africa, Asia, Australasia, Europe, North America and South America**

Golder, Golder Associates and the GA globe design are trademarks of Golder Associates Corporation



**Perm it may be submitted with justification that the project is the subject, or is covered by the subject, of the permit.**

**Response:** A "take" will not occur to threatened and endangered species present in the county as a result of the project. Please find the attached endangered species biological assessment prepared by Naismith Engineering, Inc.

**Comment:** The submitted Elevation Form indicates that the elevations provided are based on existing conditions. Please note that CLORM-F requests must be submitted based on proposed conditions. Please clarify whether the elevations are based on existing conditions or proposed.

**Response:** The elevation form has been revised to represent proposed conditions.

**Comment:** Your Metes and Bounds Description and accompanying Map for your portion of the property to be removed from the SFHA cannot have any areas of water such as the proposed stormwater ponds in it. Please revise your Metes and Bounds Description and Map to show this. The map and description need to be certified by a registered land surveyor or professional engineer.

**Response:** Please find the attached revised Figure IIB5-3 to demonstrate the proposed fill within SFHA without storm water ponds.

## CLOSING

We appreciate your assistance with this request for a CLOMR-F. If further information is required by your department, please call the undersigned at (281) 821-6868.

Sincerely,

**GOLDER ASSOCIATES INC.**



Chad E. Ireland, P.E.  
Senior Project Geological Engineer



May Xin, P.E.  
Senior Engineer

cc: Ramiro L. Gomez, Jr. City of Edinburg Department of Solid Waste

Attachments:

**FEDERAL EMERGENCY MANAGEMENT AGENCY  
PAYMENT INFORMATION FORM**

Community Name: City of Edinburg, Hidalgo County

Project Identifier: Edinburg Regional Disposal Facility, City of Edinburg, Hidalgo County, Community number 480338

**THIS FORM MUST BE MAILED, ALONG WITH THE APPROPRIATE FEE, TO THE ADDRESS BELOW OR FAXED TO THE FAX NUMBER BELOW.**

Please make check or money order payable to the National Flood Insurance Program.

**Type of Request:**

☒ MT-1 application }  
☐ MT-2 application }

**LOMC Clearinghouse**  
847 South Pickett Street  
Alexandria, VA 22304-4605  
Attn.: LOMC Manager

☐ EDR application }

**FEMA Project Library**  
847 South Pickett Street  
Alexandria, VA 22304-4605  
FAX (703) 212-4090

Request No. (if known): \_\_\_\_\_

Check No.: \_\_\_\_\_

Amount: \$ 900.00

☐ INITIAL FEE\* ☐ FINAL FEE ☐ FEE BALANCE\*\* ☒ MASTER CARD ☐ VISA ☐ CHECK ☐ MONEY ORDER

\*Note: Check only for EDR and/or Alluvial Fan requests (as appropriate).

\*\*Note: Check only if submitting a corrected fee for an ongoing request.

**COMPLETE THIS SECTION ONLY IF PAYING BY CREDIT CARD**

**CARD NUMBER**

**EXP. DATE**

5	5	6	7	—	3	5	6	0	—	5	7	3	9	—	8	6	7	9
1	2	3	4		5	6	7	8		9	10	11	12		13	14	15	16

0	3	—	1	8
Month			Year	

6/23/16  
Date

Kelly Crowe  
Signature

NAME (AS IT APPEARS ON CARD): Kelly Crowe Golder Associates  
(please print or type)

ADDRESS: 500 Century Plaza Drive, Suite 190  
(for your credit card receipt—please print or type)  
Houston, Texas 77073

DAYTIME PHONE: 281-821-6868

DEPARTMENT OF HOMELAND SECURITY - FEDERAL EMERGENCY MANAGEMENT AGENCY  
**COMMUNITY ACKNOWLEDGMENT FORM**

O.M.B. NO. 1660-0015  
Expires February 28, 2014

**PAPERWORK BURDEN DISCLOSURE NOTICE**

Public reporting burden for this data collection is estimated to average 1.38 hours per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the needed data, and completing and submitting the form. This collection is required to obtain or retain benefits. You are not required to respond to this collection of information unless a valid OMB control number is displayed on this form. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing this burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 1800 South Bell Street, Arlington, VA 20598-3005, Paperwork Reduction Project (1660-0015). NOTE: Do not send your completed form to this address.

This form must be completed for requests involving the existing or proposed placement of fill (complete Section A) **OR** to provide acknowledgment of this request to remove a property from the SFHA which was previously located within the regulatory floodway (complete Section B).

This form must be completed and signed by the official responsible for floodplain management in the community. The six digit NFIP community number and the subject property address must appear in the spaces provided below. Incomplete submissions will result in processing delays. Please refer to the MT-1 Instructions for additional information about this form.

Community Number: 480338 Property Name or Address: Edinburg Regional Disposal Facility, Hidalgo County, TX

**A. REQUESTS INVOLVING THE PLACEMENT OF FILL**

As the community official responsible for floodplain management, I hereby acknowledge that we have received and reviewed this Letter of Map Revision Based on Fill (LOMR-F) or Conditional LOMR-F request. Based upon the community's review, we find the completed or proposed project meets or is designed to meet all of the community floodplain management requirements, including the requirement that no fill be placed in the regulatory floodway, and that all necessary Federal, State, and local permits have been, or in the case of a Conditional LOMR-F, will be obtained. For Conditional LOMR-F requests, the applicant has or will document Endangered Species Act (ESA) compliance to FEMA prior to issuance of the Conditional LOMR-F determination. For LOMR-F requests, I acknowledge that compliance with Sections 9 and 10 of the ESA has been achieved independently of FEMA's process. Section 9 of the ESA prohibits anyone from "taking" or harming an endangered species. If an action might harm an endangered species, a permit is required from U.S. Fish and Wildlife Service or National Marine Fisheries Service under Section 10 of the ESA. For actions authorized, funded, or being carried out by Federal or State agencies, documentation from the agency showing its compliance with Section 7(a)(2) of the ESA will be submitted. In addition, we have determined that the land and any existing or proposed structures to be removed from the SFHA are or will be reasonably safe from flooding as defined in 44CFR 65.2(c), and that we have available upon request by DHS-FEMA, all analyses and documentation used to make this determination. For LOMR-F requests, we understand that this request is being forwarded to DHS-FEMA for a possible map revision.

Community Comments:

Community Official's Name and Title: *(Please Print or Type)*  
Ponciano Longoria, PE, CFM, Director of Public Works

Telephone No.:  
958-388-8210

Community Name:

City of Edinburg, Hidalgo County

Community Official's Signature (required)

*[Signature]* PE, CFM

Date:

4/21/16

**B. PROPERTY LOCATED WITHIN THE REGULATORY FLOODWAY**

As the community official responsible for floodplain management, I hereby acknowledge that we have received and reviewed this request for a LOMA. We understand that this request is being forwarded to DHS-FEMA to determine if this property has been inadvertently included in the regulatory floodway. We acknowledge that no fill on this property has been or will be placed within the designated regulatory floodway. We find that the completed or proposed project meets or is designed to meet all of the community floodplain management requirements.

Community Comments:

Community Official's Name and Title: *(Please Print or Type)*

Telephone No.:

Community Name:

Community Official's Signature (required):

Date:

DEPARTMENT OF HOMELAND SECURITY - FEDERAL EMERGENCY MANAGEMENT AGENCY  
ELEVATION FORM

O.M.B. NO. 1660-0015  
Expires February 28, 2014

PAPERWORK BURDEN DISCLOSURE NOTICE

Public reporting burden for this data collection is estimated to average 1.25 hours per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the needed data, and completing and submitting the form. This collection is required to obtain or retain benefits. You are not required to respond to this collection of information unless a valid OMB control number is displayed on this form. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing this burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 1800 South Bell Street, Arlington, VA 20598-3005, Paperwork Reduction Project (1660-0015). **NOTE: Do not send your completed form to this address.**


This form must be completed for requests and must be completed and signed by a registered professional engineer or licensed land surveyor. **A DHS - FEMA National Flood Insurance Program (NFIP) Elevation Certificate may be submitted in lieu of this form for single structure requests.**

For requests to remove a structure on natural grade OR on engineered fill from the Special Flood Hazard Area (SFHA), submit the lowest adjacent grade (the lowest ground touching the structure), **including an attached deck or garage**. For requests to remove an entire parcel of land from the SFHA, provide the lowest lot elevation; or, if the request involves an area described by metes and bounds, provide the lowest elevation within the metes and bounds description. All measurements are to be rounded to nearest tenth of a foot. In order to process your request, all information on this form must be completed **in its entirety**. **Incomplete submissions will result in processing delays.**

- NFIP Community Number: 480338 Property Name or Address: Edinburg Regional Disposal Facility, 8601 North Jasman road, Edinburg, TX 78539
- Are the elevations listed below based on ☐ existing or ☒ proposed conditions? (Check one)
- For the existing or proposed structures listed below, what are the types of construction? (check all that apply)  
☐ crawl space ☐ slab on grade ☐ basement/enclosure ☒ other (explain) Edinburg Regional Disposal facility (landfill)
- Has DHS - FEMA identified this area as subject to land subsidence or uplift? (see instructions) ☐ Yes ☒ No  
If yes, what is the date of the current re-leveling? / (month/year)
- What is the elevation datum? ☐ NGVD 29 ☐ NAVD 88 ☒ Other (explain) Naismith Engineering surveyed site using Type 1 benchmark located off Encinitos Road.  
If any of the elevations listed below were computed using a datum different than the datum used for the effective Flood Insurance Rate Map (FIRM) (e.g., NGVD 29 or NAVD 88), what was the conversion factor? Site Elevation +1.15 ft. = FIRM Datum  
Local Elevation +/- ft. = FIRM Datum
- Please provide the Latitude and Longitude of the most upstream edge of the **structure** (in decimal degrees to the nearest fifth decimal place):  
Indicate Datum: ☐ WGS84 ☐ NAD83 ☐ NAD27 Lat. Long.  
Please provide the Latitude and Longitude of the most upstream edge of the **property** (in decimal degrees to the nearest fifth decimal place):  
Indicate Datum: ☐ WGS84 ☒ NAD83 ☐ NAD27 Lat. Long.  
NAD83 Texas State Planes, South Zone for latitudes and longitudes.  
Did not provide "most upstream edge" location because this requirement does not apply in the case of small unnamed ponding areas.

Address	Lot Number	Block Number	Lowest Lot Elevation*	Lowest Adjacent Grade To Structure	Base Flood Elevation	BFE Source
8601 Jasman Road	13	41	82 ft-msl	94 ft-msl	86 ft-msl	Zone A - Estimated
8601 Jasman Road	14	41	85 ft-msl	95 ft-msl	86 ft-msl	Zone A - Estimated

This certification is to be signed and sealed by a licensed land surveyor, registered professional engineer, or architect authorized by law to certify elevation information. All documents submitted in support of this request are correct to the best of my knowledge. I understand that any false statement may be punishable by fine or imprisonment under Title 18 of the United States Code, Section 1001.


Certifier's Name: Chad E. Ireland	License No.: 99293	Expiration Date: 03/31/2017
Company Name: Golder Associates Inc.	Telephone No.: 281-214-0004	
Email: cireland@golder.com	Fax No.: 281-821-6870	
Signature: <i>Chad E. Ireland</i>	Date: 6/23/16	

\* For requests involving a portion of property, include the lowest ground elevation within the metes and bounds description.  
Please note: If the Lowest Adjacent Grade to Structure is the only elevation provided, a determination will be issued for the structure only.

Continued from Page 1.

[illegible]

This certification is to be signed and sealed by a licensed land surveyor, registered professional engineer, or architect authorized by law to certify elevation information. All documents submitted in support of this request are correct to the best of my knowledge. I understand that any false statement may be punishable by fine or imprisonment under Title 18 of the United States Code, Section 1001.

Certifier's Name: Chad E Ireland	License No.: 99293	Expiration Date: 03/31/2017
Company Name: Golder Associates Inc.	Telephone No.: 281-214-0004	
Email: cireland@golder.com	Fax No.: 281-821-6870	
Signature: <i>Chad E Ireland</i>	Date: 6/23/16	

\* For requests involving a portion of property, include the lowest ground elevation within the metes and bounds description.  
Please note: If the Lowest Adjacent Grade to Structure is the only elevation provided, a determination will be issued for the structure only.



**APPENDIX IIC2**  
**FEMA RESPONSE**



# Federal Emergency Management Agency

Washington, D.C. 20472

October 07, 2016

Miss Alexandra Morales  
Golder Associates Inc.  
500 Century Plaza Drive, Suite 190  
Houston, TX 77002

IN REPLY REFER TO CASE NO.: 16-06-2076C  
Community: Hidalgo County, Texas  
(Unincorporated Areas)  
Community No.: 480334  
Map Panel No.: 4803340325D  
Effective Date: June 6, 2000 revised by LOMR  
01-06-1095P, dated May 17, 2001  
218-I

RE: Edinburg Regional Disposal Facility

Dear Miss Morales:

This is in reference to a request that the Federal Emergency Management Agency (FEMA) issue a Conditional Letter of Map Revision Based on Fill (CLOMR-F) for the property referenced above in accordance with the National Flood Insurance Program (NFIP) regulations.

After reviewing the information submitted with the request and the effective NFIP map for the referenced community, FEMA has determined that the property is partially located within a Special Flood Hazard Area (SFHA) designated Zone AE with established base (100-year) flood elevations and designated Zone A without established base (100-year) flood elevations.

The subject property is shown on NFIP map Panel Number 4803340325D, dated June 6, 2000 for Hidalgo County, Texas. The portion of this map panel showing the site was subsequently revised by Letter of Map Revision case number 01-06-1095P, dated May 17, 2001. The submitted technical data indicates fill is proposed along the Zone AE floodplain for Santa Cruz Canal as well as portions of several Zone A ponding areas shown within the site. The data further indicates that the site is to be used for expansion of an existing landfill.

Because the proposed development does not encroach on a FEMA designated floodway and no buildings are anticipated to be constructed on the site, there are no procedures under the NFIP regulations that require action on your request by FEMA. Hidalgo County, or other agencies having jurisdiction of the site, may have requirements that apply.

With your request you submitted a payment in the amount of \$900 as the review and processing fee. We will process a refund for this amount and you will be notified when the processing is complete.

If you have any questions concerning this letter, please contact the FEMA Map Information eXchange toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 847 South Pickett Street, Alexandria, VA 22304-4605.

Sincerely,

A handwritten signature in black ink, appearing to read 'Luis Rodriguez', with a stylized, cursive script.

Luis Rodriguez, P.E., Chief  
Engineering Management Branch  
Federal Insurance and Mitigation Administration

cc: Mr. Raul Segin, Hidalgo County District General Manager and Floodplain Administrator  
Mr. Chad E. Ireland, Senior Project Geological Engineer, Golder Associates Inc.