



FM 1732
From US 281 to I-69E

August 16, 2023

Wednesday, August 16, 2023

Golden Estancias, LLC
608 Zapata Avenue,
Rancho Viejo, Tx 78575

Re: Right-of-Entry Agreement Instructions
Property ID: 160282; 160283

Dear Mr. De Ponce,

The Texas Department of Transportation (TxDOT) is developing a project to widen FM 1732, from US 281 to I-69E in Cameron County, Texas to improve operation and safety of the roadway (Project). TxDOT is contacting landowner(s) of property located adjacent to the proposed Project and that may be affected by the Project in order to request permission to enter the property to perform various types of investigations.

The enclosed Right-of-Entry Agreement (Agreement) provides a detailed explanation of the types and nature of the investigations that are needed.

If you wish to grant TxDOT right-of-entry onto your property, please follow these steps to complete and return the enclosed Agreement **within fifteen days of the date of this letter.**

- Sign and date the Agreement.
- Add your comments and conditions for the right-of entry at the bottom of the Agreement.
- Make a copy for your records.
- Mail the original to: FM 1732 Project, c/o CD&P, PO Box 5459, Austin, TX 78763
- Please use the self-addressed stamped envelope contained within this packet.
- If you have questions, please contact: Viviana Kfir, Project Representative, by phone at (956) 694-5152 or by email at vkfir@cdandp.com.

Please note that you are not required to grant TxDOT right-of-entry at this time, however we appreciate your consideration of this request.

Sincerely,

DocuSigned by:
A handwritten signature in black ink, appearing to read "Norma Y. Garza".
2B9AF4E2F319409

Norma Y. Garza, P.E.
Director of Transportation Planning & Development

August 16, 2023

Rancho Cordillera LLC
PO Box 8848
Corpus Christi TX 78468-8848

Re: Instrucciones para el acuerdo de derecho de entrada
ID de propiedad: 160282; 160283

Estimados Rancho Cordillera LLC,

El Departamento de Transporte de Texas (TxDOT) está llevando a cabo un proyecto para ampliar la carretera FM 1732, desde la Ruta 281 hasta la Ruta I-69E en el condado de Cameron, Texas, con el fin de mejorar tanto la operación como la seguridad de esta vía.

TxDOT está contactando a los propietarios de terrenos adyacentes al Proyecto propuesto y que puedan ser afectados por el Proyecto para solicitar permiso para entrar a la propiedad para realizar varios tipos de investigaciones.

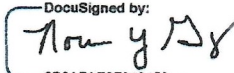
El Acuerdo de Derecho de Entrada (Acuerdo) adjunto proporciona una explicación detallada de los tipos y naturaleza de las investigaciones que se necesitan.

Si desea conceder a TxDOT el derecho de entrada a su propiedad, por favor siga estos pasos para completar y devolver el Acuerdo **adjunto dentro de los quince días siguientes a la fecha de esta carta.**

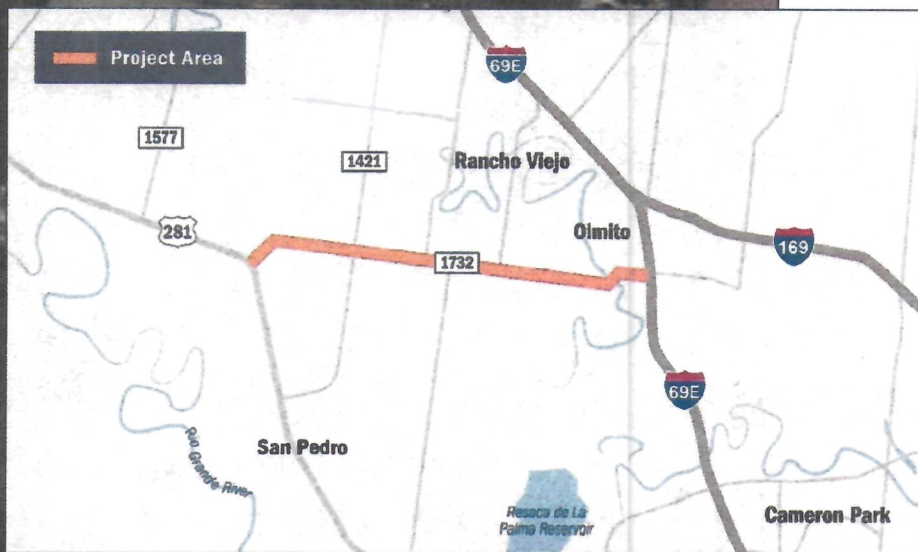
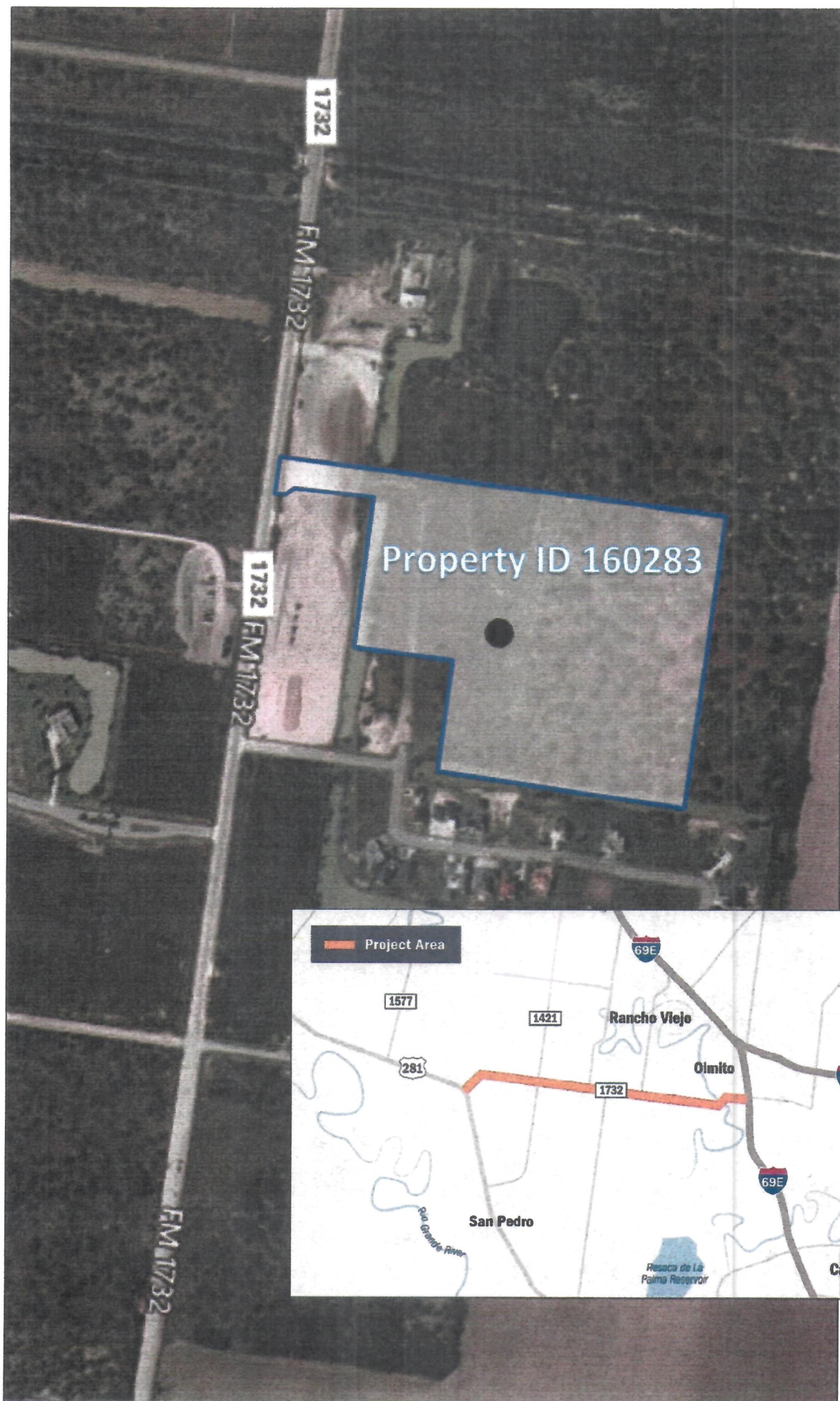
- Firme y feche el Acuerdo.
- Agregar sus comentarios y condiciones para el derecho de entrada en la parte inferior del Acuerdo.
- Haga una copia para sus archivos.
- Envíe el original a: FM 1732 Project, c/o CD&P, PO Box 5459. Austin, TX 78763
- Si tiene preguntas, por favor contacte a: Viviana Kfir, Representante del Proyecto, por teléfono al (956) 694-5152 o por correo electrónico a vkfir@cdandp.com.

Tenga en cuenta que no se requiere que permita el derecho de entrada a TxDOT en este momento, sin embargo, agradecemos su consideración de esta solicitud.

Sinceramente,

DocuSigned by:

2B9AFAE2F319409

Norma Y. Garza, P.E.
Director de Planificación y Desarrollo de Transporte







Right-of-Entry Agreement

Roadway Name: FM 1732

Project Limits: From US 281 To I-69E

Control Section Job Number (CSJ): 0684-03-019

District and County: Pharr District, Cameron County

Parcel ID: 160282; 160283

Property Legal Description: ABST2 - UNSUBDIVIDED 26.841 ACS OUT OF S33.361 OF 40 AC SHARE 1 TRACT D; ABST2 - UNSUBDIVIDED 24.0752 ACS OUT OF S27.7852 AC OF S32.7852 OF 40 AC SH 1 TR D, 24.0752 ACRES

The undersigned property owner or authorized designee (Grantor) hereby grants unto the Texas Department of Transportation (TxDOT) a right-of-entry (ROE) upon the real property (Property) shown on the attached map (Attachment A) for the purpose of conducting environmental investigations (the Agreement).

TxDOT Pharr District has proposed to widen FM 1732, from US 281 to I-69E in Cameron County, Texas to improve operation and safety of the roadway (Project). The Property is located within an area that may be affected by the Project (Corridor).

TxDOT is required by state and federal environmental laws to determine whether there are specific environmental resources located in the vicinity of the Project and evaluate the potential for impacting the resources that may be located in the Corridor. TxDOT or TxDOT contractors may be performing investigations for the Project, and may be identifying environmental resources along the Corridor including, but not limited to:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Wetlands and Streams | <input checked="" type="checkbox"/> Cultural Resources, Historical and Archeological |
| <input checked="" type="checkbox"/> Hazardous Materials | <input checked="" type="checkbox"/> Threatened and Endangered Species |
| <input checked="" type="checkbox"/> Sensitive Habitat/Areas | <input checked="" type="checkbox"/> Land Surveying |
| <input type="checkbox"/> Traffic Noise Survey | |

Work that TxDOT deems necessary to complete schematic design, surveying, and environmental investigations needed for the Project will be conducted by TxDOT or TxDOT contractors. The investigations may include surveys to identify archeological sites and, if sites are present, further evaluation of those sites to determine their eligibility for inclusion in the National Register of Historic Places and designations as a State Antiquities Landmark may be required. In some cases, the investigations may also involve the following activities (only if the box is checked):

- ☒ Limited hand excavation (such as a series of shovel-dug probes); and/or



Right-of-Entry Agreement

- ☒ Mechanical trenching and scraping (trenches/scraping typically 5 by 15 feet in size and 6 feet in depth).

Any excavations that are conducted will be backfilled, and the surface will be returned as closely as practicable to its original state.

In addition, TxDOT may need to investigate habitat and areas that may include threatened or endangered species and areas that may be wetlands or streams. Land surveying in the project vicinity, along the roadway right-of-way, may also need to be performed. Field investigations would likely take place on foot, but may require an all-terrain-vehicle (ATV) depending on the activities to be performed.

The Grantor understands and agrees to the following terms and conditions:

- After granting the requested Right-of-Entry, the Owner, or authorized agent with signatory responsibilities reserves all rights, titles and interest in and to the property.
- The Right-of-Entry shall not prejudice the Owner's rights to any relocation benefits for which the Owner or Owners would otherwise be eligible.
- The Owner, Owners or authorized representative with signatory authority, grants TxDOT or TxDOT's contractors access to perform the investigation work at its own risk and expense. Temporary flagging or temporary markers may be used to locate specific features or survey points at the property.
- TxDOT and TxDOT's contractors are authorized to cross other portions of the Property in order to gain access to the Corridor for purposes of the investigative work.
- To the extent possible, TxDOT, and its contractors will walk the Corridor and observe all of the information needed for the investigation, without using excavations. TxDOT will leave the Property in substantially the same condition as it was prior to the investigation.
- The Agreement shall be effective the date it is executed and shall remain in effect until the earlier of
 1. The Agreement is revoked in writing by the Grantor
 2. The Property no longer belongs to the Grantor, or
 3. The Property is acquired by the State of Texas.
- The Grantor may be present during the investigation. Please indicate the preferred method for notification at the bottom of the form.
- The Grantor will contact any tenants or lessees on the Property, or will provide the names and contact numbers to TxDOT prior to TxDOT or its contractors entering the Property.
- The Right-of-Entry, unless revoked or terminated, shall extend to and bind the signatory parties, their heirs, executors, administrators, legal representatives, successors, and assigns, including the contractors, consultants, agents and all others TxDOT has deemed necessary to share in this Right-of-Entry.
- If the Owner is not the original individual, by signature, the undersigned authorized representative of the Owner with signatory authority warrants and represents that he or she is duly authorized and empowered to enter into and to execute the Right-of-Entry on behalf of the Owner
- If the Property is owned by multiple Owners, all legal Owners must sign this Right-of Entry Form for it to be effective.
- Any artifacts found during the investigation will be documented in the field and then returned to the place from which they were found.



Right-of-Entry Agreement

If you have any questions about the investigations or surveys that may be conducted, or if you have information about the Property you wish to share, please contact our project representative:

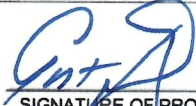
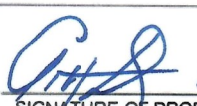
Viviana Kfir

Email address: vkfir@cdandp.com

Telephone Number: (956) 694-5152

Note that information, conditions, or comments concerning the Property may be described below.

This Agreement applies to the **FM 1732 widening project** and Parcel ID **160282; 160283**, and shall be effective as of the date of signature(s) below:

 SIGNATURE OF PROPERTY OWNER/AUTHORIZED AGENT	 SIGNATURE OF PROPERTY OWNER/AUTHORIZED AGENT
<u>ANTHONY DePONCE</u> PRINTED NAME OF PROPERTY OWNER/AUTHORIZED AGENT	<u>ANTHONY DePONCE</u> PRINTED NAME OF PROPERTY OWNER/AUTHORIZED AGENT
<u>8/18/2023</u> DATE	<u>8/18/2023</u> DATE
CONTACT INFORMATION:	CONTACT INFORMATION:
Telephone Number: <u>956-456-1097</u>	Telephone Number: <u>956-456-1097</u>
Email Address: <u>C.ANTHONY@RHACIENDAS.COM</u>	Email Address: _____
Mailing Address: <u>608 ZAPATA AVE.</u>	Mailing Address: _____
<u>Rancho Viejo, TX 78575</u>	_____

Comment/Conditions for Right-of-Entry or Denial of Right-of-Entry
(Include contact information for advanced notification)

AGREE 8/18/2023 For Rancho Cordillera AND
GOLDEN ESTANCIAS, LLC.