

CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: El Paso Water Utilities

AGENDA DATE: INTRODUCTION: January 20, 2009;
PUBLIC HEARING: January 27, 2009

CONTACT PERSON/PHONE: Lowell M. Stokes, Assistant General Counsel, EPWU
Jim Shelton, Land Administration, EPWU (915) 594-5511

DISTRICT(S) AFFECTED: District #7 – East El Paso

SUBJECT:

The introduction of an ordinance relating to the sale of land in East El Paso. Attached is an individual ordinance and special warranty deed. Parcel I consisting of 1.78 acres of land and Parcel II consisting of 2.96 acres of land located near Kessler Street & Castner Drive totaling 4.74 acres of land.

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

Attached is the El Paso Water Utilities Public Service Board Resolution passed and approved November 12th, 2008, authorizing the sale to the highest bidder of this property; and requesting the City Council authorize the City Manager to sign a Special Warranty Deed to convey the parcel.

Seventy-two packets were provided to potential bidders. Bids were received October 31, 2008. There were two bids received: one bidder only bid on Parcel I and was lower than the other bidder which bid on both parcels and each was in excess of the market value established by an independent appraisal. The legal descriptions and amounts of the and highest bidder for the parcels are as follows:

PSB Bid No.54-08

PARCEL I

Being a portion of Tracts 18B & 19B, Block 54, Ysleta Grant Surveys, City of El Paso, El Paso County, Texas, being approximately 1.78 acres of land, to *Instituto de Fomento Familiar Inc., dba Centro Familiar Vino Nuevo de El Paso*, in the amount of \$185,251.99.

PARCEL II

Being a portion of Tracts 18B & 19B, Block 54, Ysleta Grant Surveys, City of El Paso, El Paso County, Texas, being approximately 2.96 acres of land, to *Instituto de Fomento Familiar Inc., dba Centro Familiar Vino Nuevo de El Paso*, in the amount of \$315,125.99.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

In 2007, the City Council approved the sale of a parcel of land of 9.635 acres in the Mission Valley area of El Paso.



AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

Sale of land to the highest bidder. The City of El Paso will receive 5% of the net proceeds from the sale of the land pursuant to City of El Paso El Paso Water Utilities Water and Sewer Revenue Bond Covenants.

BOARD / COMMISSION ACTION:

Approved by the El Paso Water Utilities Public Service Board by Resolution November 12th, 2008.

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) _____

FINANCE: (if required) _____

DEPARTMENT HEAD _____
(Example: if RCA is initiated by Purchasing, client department should sign also)

Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

Attachments

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE CITY OF EL PASO TO SELL APPROXIMATELY 4.74 ACRES OF LAND BEING A PORTION OF TRACTS 18B AND 19B, BLOCK 54, YSLETA GRANT SURVEYS, EL PASO, EL PASO COUNTY, TEXAS, TO INSTITUTO DE FOMENTO FAMILIAR, INC., DBA CENTRO FAMILIAR VINO NUEVO DE EL PASO.

WHEREAS, by Resolution dated November 12, 2008, the El Paso Water Utilities Service Board (PSB), found two parcels of land totaling approximately 4.74 acres (Parcel I-1.78 acres, more or less, and Parcel II-- 2.96 acres, more or less), being a portion of Tracts 18B and 19B, Block 54, Ysleta Grant Surveys, El Paso, El Paso County, Texas, and being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes, to be inexpedient to the water system, and recommended the sale of the two identified parcels of real property; and

WHEREAS, the PSB has received an independent appraisal of the market value of its interest in the identified real property; and

WHEREAS, in accordance with Section 272.001 of the Texas Local Government Code, the City of El Paso, through its PSB, advertised and solicited bids for the purchase of the identified real property; and

WHEREAS, in its Resolution dated November 12, 2008, the PSB recommended the sale of the identified real property to Instituto de Fomento Familiar Inc., dba Centro Familiar Vino Nuevo de El Paso, the highest bidder,

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager is hereby authorized to execute a Special Warranty Deed and any other necessary documents as required for the sale and conveyance of the following described real property to Instituto de Fomento Familiar Inc., dba Centro Familiar Vino Nuevo de El Paso, the highest bidder, as recommended by the El Paso Water Utilities/Public Service Board:

4.74 acres, more or less (Parcel 1—1.78 acres and Parcel II-2.96 acres), being a portion of Tracts 18B and 19B, Clock 54, Ysleta Grant Surveys, El Paso, El Paso County, Texas, and being more particularly described in Exhibit A".

PASSED AND APPROVED this _____ day of _____, 2009.

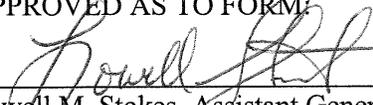
THE CITY OF EL PASO

ATTEST:

John F. Cook, Mayor

Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:



Lowell M. Stokes, Assistant General Counsel, PSB

APPROVED AS TO FORM:



Theresa Cullen, Deputy City Attorney

CITY CLERK DEPT.
09 JUN 12 PM 3:31

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED OF RECORD IN THE PUBLIC RECORDS: SOCIAL SECURITY NUMBER AND DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED

Date: _____, 2009

Grantor: The City of El Paso, Texas, a Texas municipal corporation
On Behalf of El Paso Water Utilities Public Service Board

Grantor's Mailing Address (including county): Two Civic Center Plaza
El Paso, Texas
El Paso County, Texas 79901-1196

Grantee: *Instituto de Fomento Familiar Inc.,
dba Centro Familiar Vino Nuevo de El Paso*

Grantee's Mailing Address (including county): 988 Kessler Drive
El Paso, Texas 79907
El Paso County, Texas

Consideration: TEN AND NO/100 DOLLARS and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged and confessed.

PARCEL I

Being approximately 1.78 acres of land in a portion of Tracts 18B & 19B, Block 54, Ysleta Grant Surveys, City of El Paso, El Paso County, Texas, and more particularly described in Exhibit "A", attached hereto and incorporated herein by this reference for all purposes

PARCEL II

Being approximately 2.96 acres of land in a portion of Tracts 18B & 19B, Block 54, Ysleta Grant Surveys, City of El Paso, El Paso County, Texas, and more particularly described in Exhibit "B", attached hereto and incorporated herein by this reference for all purposes.

Restrictions and Reservations from and Exceptions to Conveyance and Warranty:

1. This conveyance is subject to all easements, rights-of-way, and prescriptive rights whether of record or not, all presently recorded instruments, other than liens and conveyances, that affect the property.

Parcel I: 1.78 ACRES & Parcel II: 2.96 ACRES, BEING A PORTION OF TRACTS 18B & 19B, BLOCK 54, YSLETA GRANT SURVEYS, City of El Paso, El Paso County, Texas
Special Warranty Deed

2. Grantee, its successors or assigns shall not, for a period of at least 75 years, discard, place or store any radioactive material or other material which would contaminate or otherwise damage the groundwater supply or sources of the City of El Paso.

3. Development of the property shall be governed by the following restrictions as to turf:

a. Turf Areas, exclusive of non-irrigated or non-maintained landscape areas, shall not exceed the following percentages of the landscape area provided:

- i. Commercial, office, and industrial: 33 $\frac{1}{3}$ %
- ii. Apartments, duplexes and other multi-family dwellings, single-family detached or attached dwellings, and all other residential dwellings, including mobile and modular homes: 50%
- iii. All other developments excluding parks, golf courses, and cemeteries: 15%

b. Turf and/or sprinkler spray heads shall not be installed in the following locations:

- i. Along street curbs;
- ii. In areas whose width is less than 8 feet; and
- iii. In rights-of-way whose slopes are a ratio of 1:3 or greater from the horizontal.

4. Grantor reserves to itself an easement for access to its Well Site #404A, further described as commencing it being 0.108 acres of land in a portion of Tracts 18B & 19B, Block 54, Ysleta Grant Surveys, City of El Paso, El Paso County, Texas, and more particularly described in Exhibit "C", attached hereto and incorporated herein by this reference for all purposes.

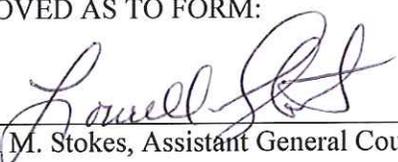
5. Grantor hereby for itself, its successors and assigns forever, reserves all water in and under, and that may be produced from or attributable to the property. If the water estate is subject to existing production or an existing license, this reservation includes the production, the license and all benefits from it.

Grantor, for the consideration and subject to the restrictions, reservations from and 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 wise belonging, to have and hold it to Grantee, Grantee's, heirs, executors, administrators, successors or assigns forever. Grantor binds Grantor and Grantor's successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty, when the claim is by, through, or under Grantor but not otherwise.

(Signatures on following page)

THE CITY OF EL PASO

APPROVED AS TO FORM:



Lowell M. Stokes, Assistant General Counsel, PSB

Joyce Wilson, City Manager

This Deed is hereby accepted by Grantee under the terms, covenants, obligations and conditions stated herein:

GRANTEE:
*Instituto de Fomento Familiar Inc.,
dba Centro Familiar Vino Nuevo de El Paso*

ATTEST:

By: _____

(print name) (title)

ACKNOWLEDGMENTS

STATE OF TEXAS }
 }
COUNTY OF EL PASO }

This instrument was acknowledged before me on the _____ day of _____, 2009, by Joyce Wilson, the City Manager of the City of El Paso.

Notary Public, State of Texas

STATE OF TEXAS }
 }
COUNTY OF EL PASO }

This instrument was acknowledged before me on the _____ day of _____, 2009, by _____, the _____ of _____.

Notary Public, State of Texas

BARRAGAN & ASSOCIATES

Land Planning & Land Surveying

10950 Pellicano Dr. Building "F", El Paso, Texas 79936 Ph. (915) 591-5709 Fax (915) 591-5706

DESCRIPTION

Description of a 1.78 acre tract out of a 5.7 acre tract in Deed filed in volume 880, page 527, Real Property Records of El Paso County, Texas, being a portion of Tracts 18B and 19B, Block 54, Ysleta Grant, City of El Paso, El Paso, County, Texas, and being more particularly described as follows:

Commencing for reference at a city monument located at the intersection of Castner Street and Kessler Drive; **THENCE**, S 16°35'11" W, a distance of 450.05 feet to a found "x" mark on the westerly right-of-way line of Kessler Drive, (70' wide right-of-way) said "x" marking the most northeasterly corner for said 5.7 acre Tract in Deed filed in volume 880, page 527 and also the northeasterly corner for said Tract 19B, Block 54, Ysleta Grant, said "x" also being the **Point of Beginning** of this **Description**;

THENCE, S 15°57'00" W, along said easterly line of Tract 19B, a distance of 163.32 feet to a set 5/8" rebar with cap stamped "B&A TX 5615";

THENCE, N 82°54'46" W, a distance of 232.92 feet to a set 5/8" iron with cap stamped "B&A TX 5615";

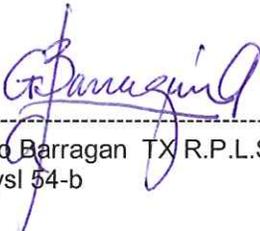
THENCE, N 89°29'28" W, a distance of 46.93 feet to a set 5/8" iron with cap stamped "B&A TX 5615" on the westerly line of said Tract 18B and westerly line of said 5.7 acre tract;

THENCE, N 15°57'00" E, along the westerly line of said Tract 18B, and said 5.7 acre tract, a distance of 391.89 feet to a found 5/8" rebar with cap stamped "LANDMARK", marking the northwesterly corner for said Tract 18B and said 5.7 acre tract;

THENCE, S 41°31'00" E, along the northerly line of said 5.7 acre tract and said Tracts 18B and 19B, a distance of 333.40 feet, to the **POINT OF BEGINNING** for the parcel of land herein described, containing 1.78 acres of land more less.

NOTES:

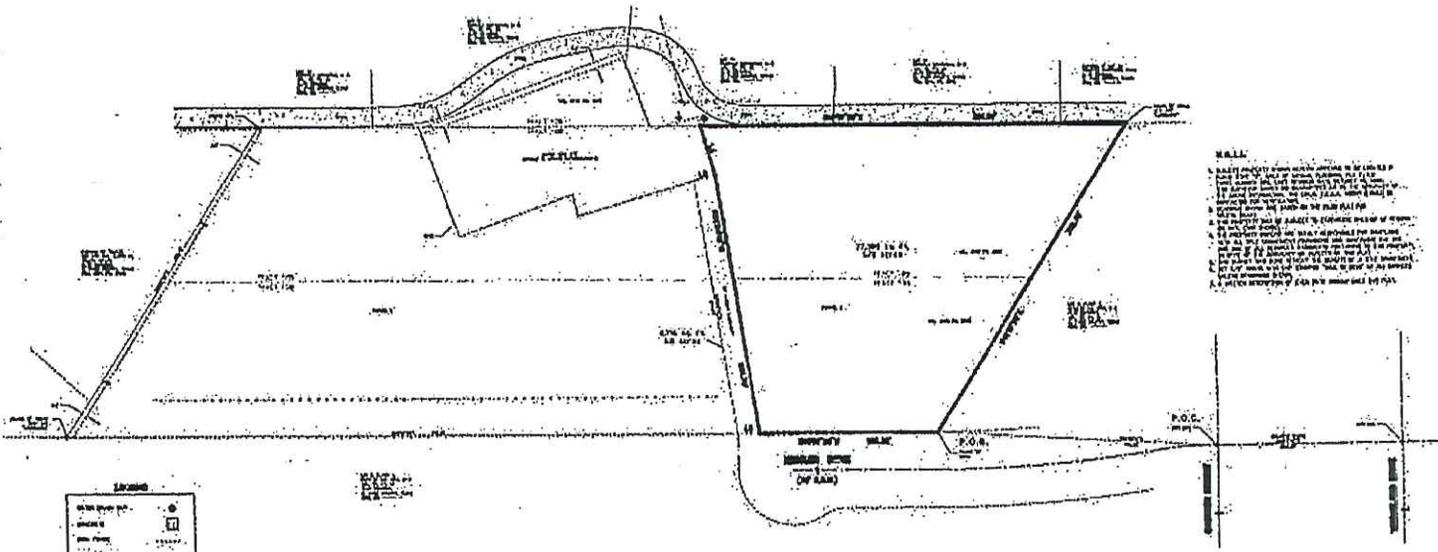
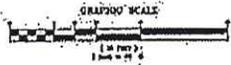
1. A Plat of Survey of even date accompanies this description
2. Bearings recited herein are based on the monument line for Kessler Drive as shown on the filed plat for Kessler Industrial District Unit 1 in volume 57, page 11, Plat Records of El Paso County, Texas.
3. This property may be subject to easements whether of record or not.


Benito Barragan TX R.P.L.S. 5615
Psb-ysl 54-b



Plat Of Survey

A PORTION OF TRACT 10-B AND TRACT 10-D,
BLOCK 64, VYSLETA GRANT,
AN ADDITION TO THE CITY OF EL PASO,
EL PASO COUNTY, TEXAS.
AREA 1.76 ACRES ±



NOTES:

1. ALL RIGHTS RESERVED TO THE ORIGINAL GRANTOR.
2. THE SURVEY IS MADE FROM THE CORNER OF TRACT 10-B AND TRACT 10-D, BLOCK 64, VYSLETA GRANT, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS.
3. THE AREA SURVEYED IS 1.76 ACRES ±.
4. THE SURVEY IS MADE FROM THE CORNER OF TRACT 10-B AND TRACT 10-D, BLOCK 64, VYSLETA GRANT, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS.
5. THE AREA SURVEYED IS 1.76 ACRES ±.
6. THE SURVEY IS MADE FROM THE CORNER OF TRACT 10-B AND TRACT 10-D, BLOCK 64, VYSLETA GRANT, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS.
7. THE AREA SURVEYED IS 1.76 ACRES ±.
8. THE SURVEY IS MADE FROM THE CORNER OF TRACT 10-B AND TRACT 10-D, BLOCK 64, VYSLETA GRANT, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS.
9. THE AREA SURVEYED IS 1.76 ACRES ±.
10. THE SURVEY IS MADE FROM THE CORNER OF TRACT 10-B AND TRACT 10-D, BLOCK 64, VYSLETA GRANT, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS.

LEGEND

Section Line	---
Survey Line	---
Boundary Line	---
Other	---

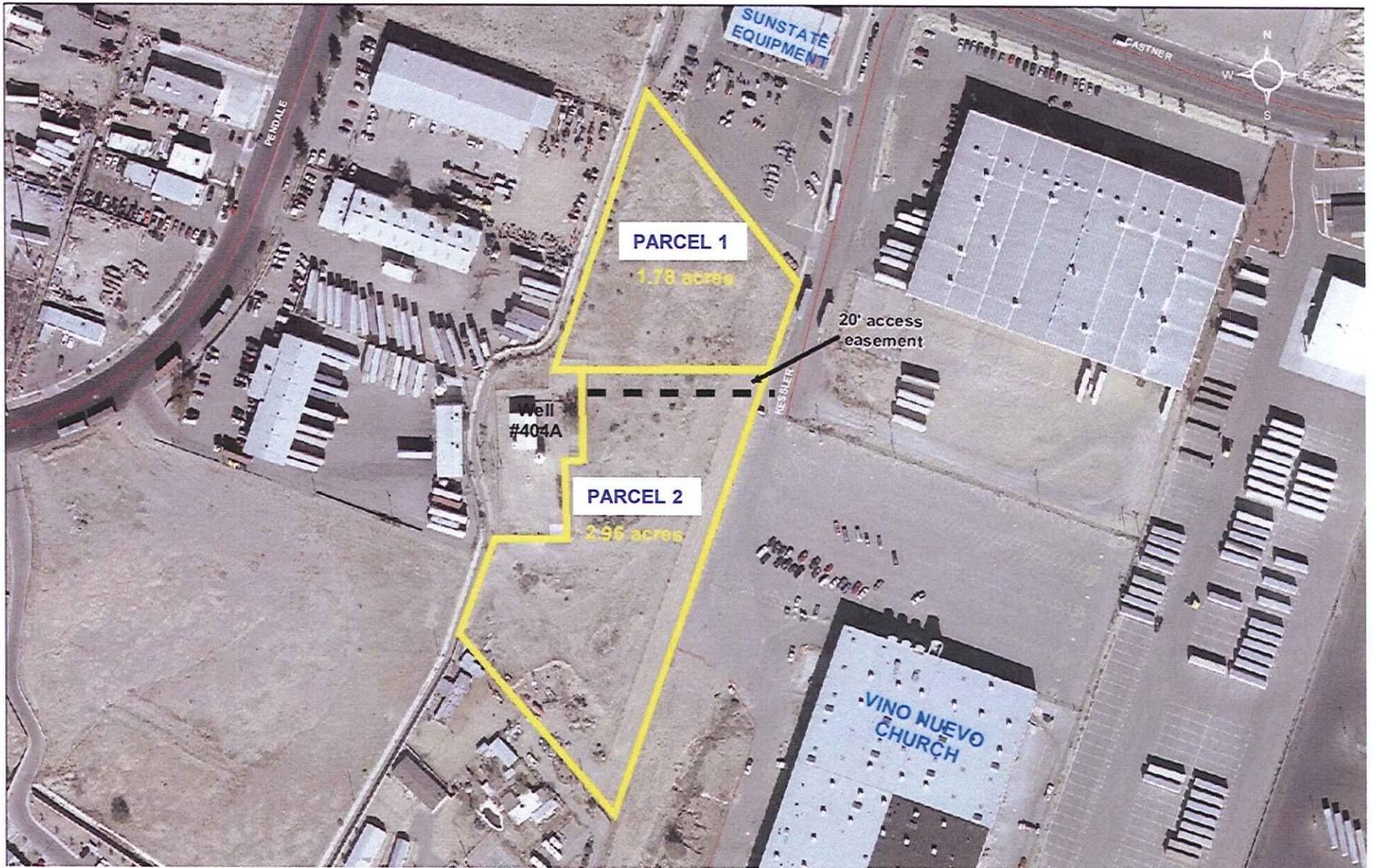
LINE TABLE

LINE	BEARING	DISTANCE
1-2	N82°22'21"W	201.8
1-3	S15°27'02"W	20.24
1-4	N82°22'21"W	49.77

Barragan & Associates
LAND SURVEYORS & ENGINEERS
1000 GARDEN OF EDEN DRIVE
EL PASO, TEXAS 79906

ACCORDANCE WITH TRACT 10-B AND TRACT 10-D, BLOCK 64, VYSLETA GRANT, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS. AREA 1.76 ACRES ±.

NO.	DATE	BY



BARRAGAN & ASSOCIATES

Land Planning & Land Surveying

10950 Pellicano Dr. Building "F", El Paso, Texas 79936 Ph. (915) 591-5709 Fax (915) 591-5706

DESCRIPTION

Description of a 2.96 acre tract out of a 5.7 acre tract in Deed filed in volume 880, page 527, Real Property Records of El Paso County, Texas, being a portion of Tracts 18B and 19B, Block 54, Ysleta Grant, City of El Paso, El Paso, County, Texas, and being more particularly described as follows:

Commencing for reference at a city monument located at the intersection of Castner Street and Kessler Drive; **THENCE**, S 16°35'11" W, a distance of 450.05 feet to a found "x" mark on the westerly right-of-way line of Kessler Drive, (70' wide right-of-way) said "x" marking the most northeasterly corner for said 5.7 acre Tract in Deed filed in volume 880, page 527 and also the northeasterly corner for said Tract 19B, Block 54, Ysleta Grant; **THENCE**, S 15°57'00" W, along the easterly line of said Tract 19B, a distance of 163.32 feet to a set 5/8" rebar with cap stamped "B&A TX 5615" said rebar also being the **Point of Beginning** of this **Description**;

THENCE, S 15°57'00" W, along said easterly line of Tract 19B, a distance of 636.68 feet to a found 5/8" rebar with cap stamped "LANDMARK", and said rebar marking the southeasterly corner for said Tract 19B and southeasterly corner for said 5.7 acre tract;

THENCE, N 41°31'00" W, along the southerly line of said Tracts 19B and 18B and said 5.7 acre tract, a distance of 333.40 feet, to a found nail marking the southwesterly corner for said 5.7 acre tract and southwesterly corner for said tract 18B;

THENCE, N 15°57'00" E, along the westerly line of said Tract 18B, and said 5.7 acre tract, a distance of 147.27 feet to a set 5/8" rebar with cap stamped "B&A TX 5615";

THENCE, N 85°46'10" E, a distance of 107.12 feet to a set 5/8" iron with cap stamped "B&A TX 5615";

THENCE, N 03°47'52" W, a distance of 111.74 feet to a set 5/8" iron with cap stamped "B&A TX 5615";

THENCE, S 86°47'16" E, a distance of 20.35 feet to a set 5/8" iron with cap stamped "B&A TX 5615";

THENCE, N 00°29'36" W, a distance of 132.13 feet to a set 5/8" iron with cap stamped "B&A TX 5615";

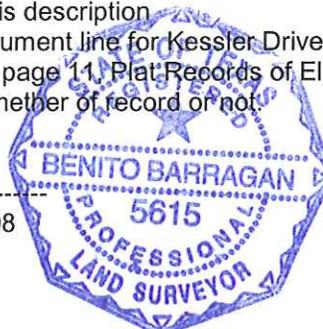
THENCE, S 82°54'46" E, a distance of 238.70 feet, to the **POINT OF BEGINNING** for the parcel of land herein described, containing 2.96 acres of land more less.

NOTES:

1. A Plat of Survey of even date accompanies this description
2. Bearings recited herein are based on the monument line for Kessler Drive as shown on the filed plat for Kessler Industrial District Unit 1 in volume 57, page 11, Plat Records of El Paso County, Texas.
3. This property may be subject to easements whether of record or not.

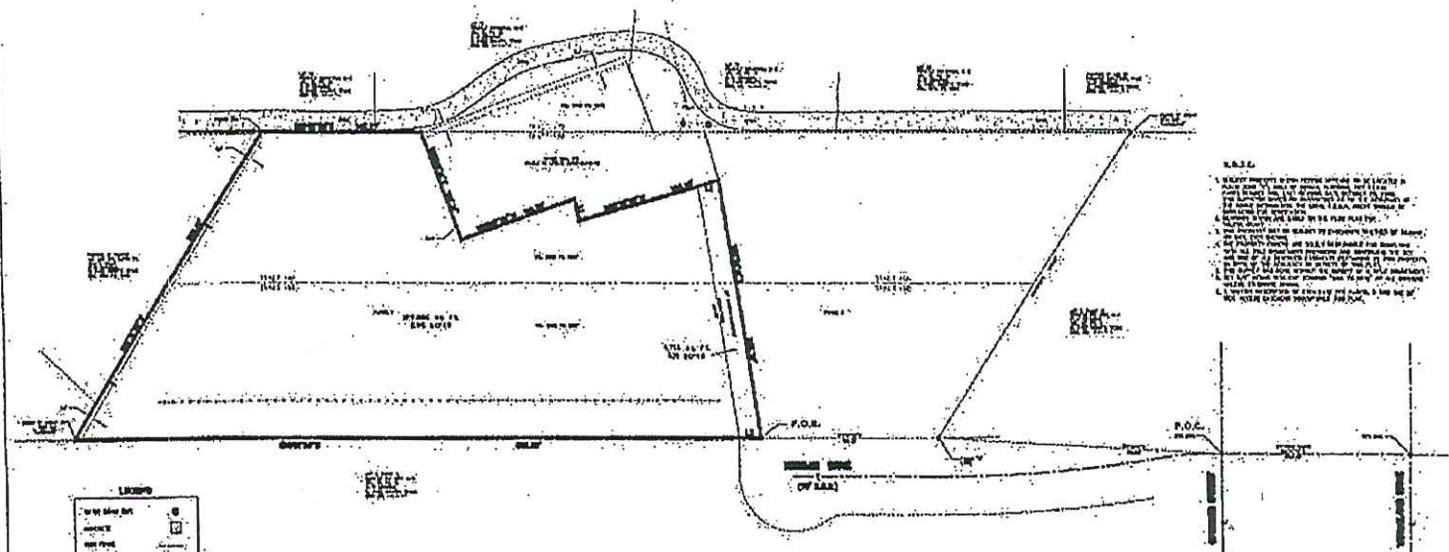
Benito Barragan TX R.P.L.S. 5615
Psb-ysl 54

8/01/08



Plat Of Survey

A PORTION OF TRACT 19-B AND TRACT 18-B,
BLOCK 54, MOLETA GRANT,
AN ADDITION TO THE CITY OF EL PASO,
EL PASO COUNTY, TEXAS.
AREA 2.88 ACRES ±



- NOTES**
1. ALL RIGHTS RESERVED BY THE ORIGINAL GRANTOR OF THE TRACTS 18-B AND 19-B, BLOCK 54, MOLETA GRANT, EL PASO COUNTY, TEXAS, ARE HEREBY RE-ASSIGNED TO THE CITY OF EL PASO, TEXAS, BY THIS PLAT.
 2. THE CITY OF EL PASO, TEXAS, IS THE SUCCESSOR IN INTEREST OF THE ORIGINAL GRANTOR OF THE TRACTS 18-B AND 19-B, BLOCK 54, MOLETA GRANT, EL PASO COUNTY, TEXAS.
 3. THE CITY OF EL PASO, TEXAS, IS THE SUCCESSOR IN INTEREST OF THE ORIGINAL GRANTOR OF THE TRACTS 18-B AND 19-B, BLOCK 54, MOLETA GRANT, EL PASO COUNTY, TEXAS.
 4. THE CITY OF EL PASO, TEXAS, IS THE SUCCESSOR IN INTEREST OF THE ORIGINAL GRANTOR OF THE TRACTS 18-B AND 19-B, BLOCK 54, MOLETA GRANT, EL PASO COUNTY, TEXAS.
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 9. THE CITY OF EL PASO, TEXAS, IS THE SUCCESSOR IN INTEREST OF THE ORIGINAL GRANTOR OF THE TRACTS 18-B AND 19-B, BLOCK 54, MOLETA GRANT, EL PASO COUNTY, TEXAS.
 10. THE CITY OF EL PASO, TEXAS, IS THE SUCCESSOR IN INTEREST OF THE ORIGINAL GRANTOR OF THE TRACTS 18-B AND 19-B, BLOCK 54, MOLETA GRANT, EL PASO COUNTY, TEXAS.

LEGEND

1/4" = 10' Scale	Symbol
Survey Line	Symbol
Property Line	Symbol
Right of Way	Symbol
Water	Symbol
Other	Symbol

SPC TABLE

LINE	BEARING	LENGTH
1	S 89° 27' 14" W	210.25
2	S 89° 27' 14" W	231.18
3	N 89° 27' 14" E	53.23

REVISIONS

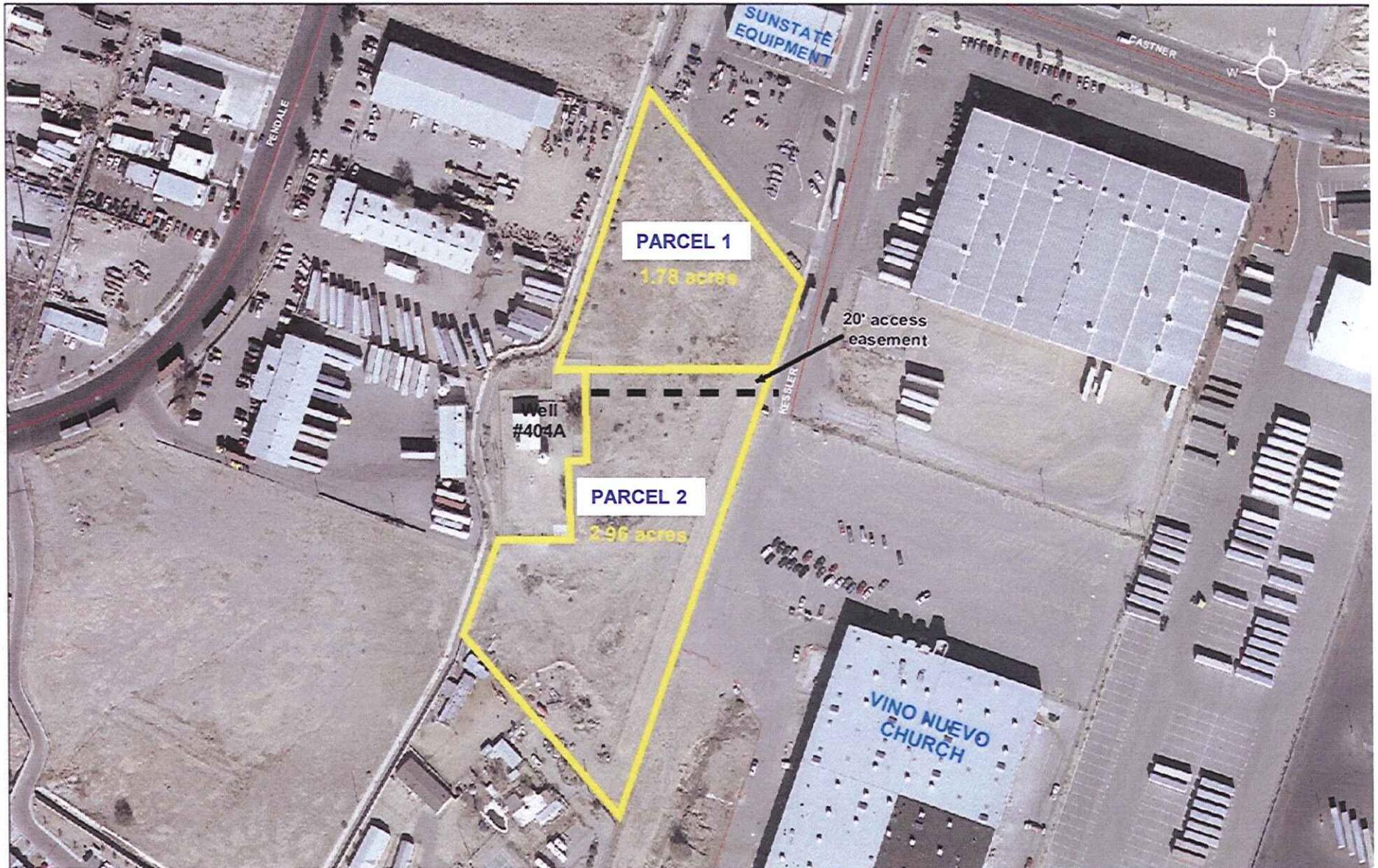
NO.	DESCRIPTION	DATE

Barragan & Associates
LAND SURVEYORS & ENGINEERS
10000 W. HIGHTWAY 170, SUITE 100
EL PASO, TEXAS 79925
PHONE: 741-1111
FAX: 741-1112

A PORTION OF TRACT 18-B AND TRACT 19-B,
BLOCK 54, MOLETA GRANT,
AN ADDITION TO THE CITY OF EL PASO,
EL PASO COUNTY, TEXAS.
AREA 2.88 ACRES ±

PLAT

DATE	
BY	
FOR	
SCALE	
OTHER	



BARRAGAN & ASSOCIATES

Land Planning & Land Surveying

10950 Pellicano Dr. Building "F", El Paso, Texas 79936 Ph. (915) 591-5709 Fax (915) 591-5706

DESCRIPTION

Description of a proposed 20' wide access easement out of a 5.7acre tract in Deed filed in volume 880, page 527, Real Property Records of El Paso County, Texas, being a portion of Tracts 18B and 19B, Block 54, Ysleta Grant, City of El Paso, El Paso, County, Texas, and being more particularly described as follows:

Commencing for reference at a city monument located at the intersection of Castner Street and Kessler Drive; **THENCE**, S 16°35'11" W, a distance of 450.05 feet to a found "x" mark on the westerly right-of-way line of Kessler Drive, (70' wide right-of-way) said "x" marking the most northeasterly corner for said 5.7 acre Tract in Deed filed in volume 880, page 527 and also the northeasterly corner for said Tract 19B, Block 54, Ysleta Grant; **THENCE**, S 15°57'00" W, along the easterly line of said Tract 19B, a distance of 163.32 feet to a set 5/8" rebar with cap stamped "B&A TX 5615" said rebar also being the **Point of Beginning** of this **Description**;

THENCE, S 15°57'00" W, along said easterly line of tract 19B, a distance of 20.24 feet to a set 5/8" iron with cap stamped "B&A TX 5615";

THENCE, N 82°54'46" W, a distance of 232.92 feet to a set 5/8" iron with cap stamped "B&A TX 5615";

THENCE, N 00°29'36" W, a distance of 20.18 feet to a set 5/8" iron with cap stamped "B&A TX 5615";

THENCE, S 82°54'46" E, a distance of 238.70 feet, to the **POINT OF BEGINNING** for the parcel of land herein described, containing 0.108 acres of land more less.

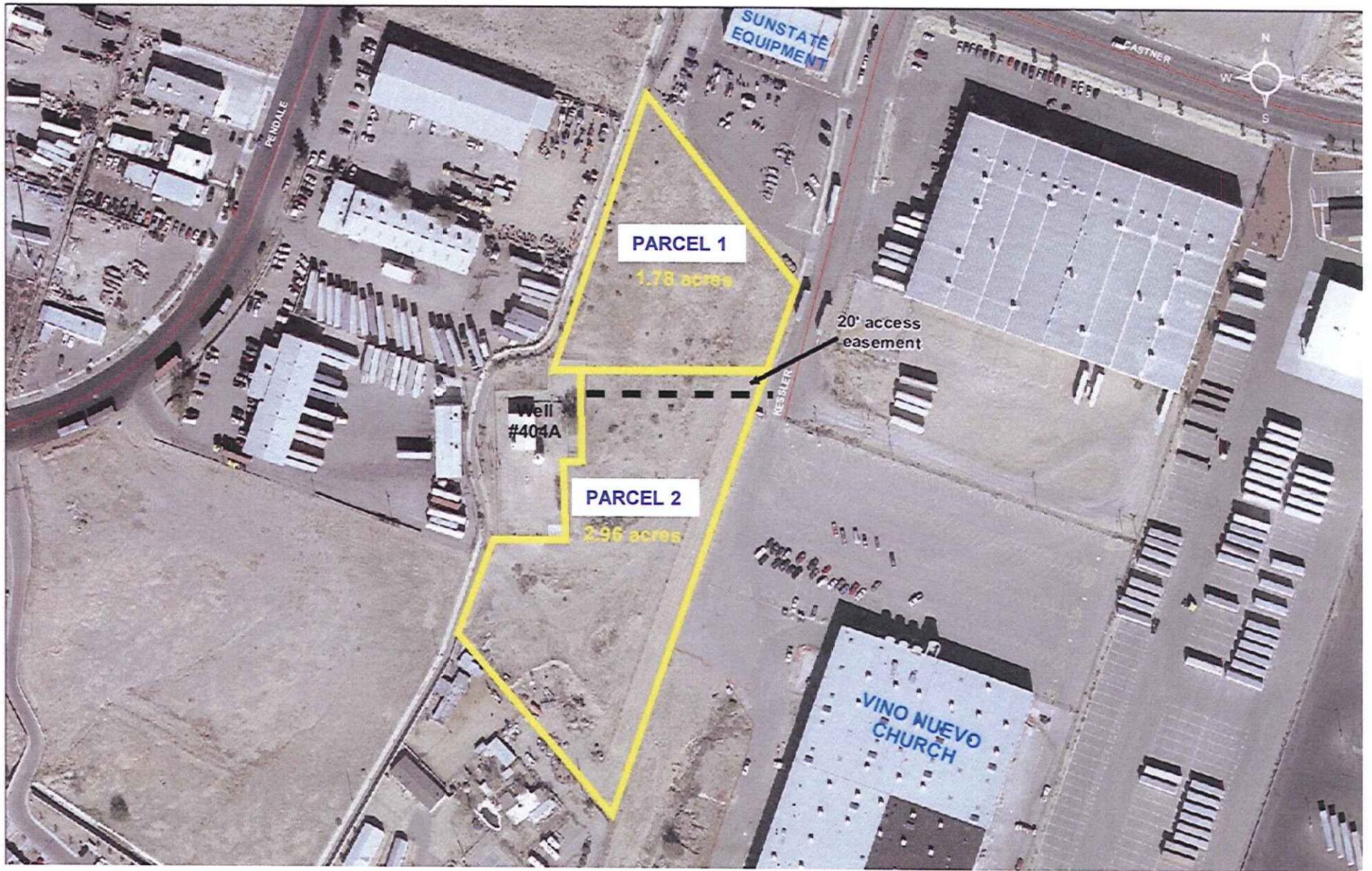
NOTES:

1. A Plat of Survey of even date accompanies this description.
2. Bearings recited herein are based on the monument line for Kessler Drive as shown on the filed plat for Kessler Industrial District Unit 1 in volume 57, page 11, Plat Records of El Paso County, Texas.
3. This property may be subject to easements whether of record or not.

Benito Barragan TX R.P.L.S. 5615
Psb-yl 54-easmt

8/01/08





RESOLUTION

A RESOLUTION AUTHORIZING THE SALE OF TWO INDEPENDENT PARCELS OF LAND TOTALLING 4.74 ACRES OF LAND TO INSTITUTO DE FOMENTO FAMILIAR INC., DBA CENTRO FAMILIAR VINO NUEVO DE EL PASO, THE HIGHEST BIDDER; PARCEL I CONSISTING OF 1.78 ACRES OF LAND & PARCEL II CONSISTING OF 2.96 ACRES OF LAND, MORE OR LESS; PARCEL I AND PARCEL II BOTH BEING LOCATED IN A PORTION OF TRACTS 18B & 19B, BLOCK 54, YSLETA GRANT SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS; SAID REAL PROPERTY BEING UNDER THE JURISDICTION OF THE PUBLIC SERVICE BOARD; REQUESTING THE CITY COUNCIL AUTHORIZE THE CITY MANAGER TO EXECUTE A SPECIAL WARRANTY DEED; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the El Paso Water Utilities Public Service Board (PSB), Trustee, has jurisdiction over certain parcels of land in east El Paso; and

WHEREAS, the Public Service Board approved the sale of the two parcels of land totaling 4.74 acres of land in east El Paso located between Kessler Street and Castner Drive; and,

WHEREAS, the PSB finds that these parcels of land are inexpedient to the water system and it is in the public interest that said land should be sold to the highest bidder, and

WHEREAS, the PSB provided approximately seventy-two bid packets to be opened on October 31, 2008, and bids were received for Parcel I and Parcel II from Instituto de Fomento Familiar Inc., dba Centro Familiar Vino Nuevo de El Paso, the higher bidder; one other bid was received for Parcel I from Watts Investments, LLC..

NOW, THEREFORE, BE IT RESOLVED BY THE PUBLIC SERVICE BOARD OF THE CITY OF EL PASO EL PASO WATER UTILITIES:

Section 1. That the findings and recitations set out in the preamble to this Resolution are true and correct and are hereby adopted by the Public Service Board and made a part of this Resolution for all purposes.

Section 2. That the Public Service Board hereby finds the land the subject of this Resolution to be inexpedient to the needs of the water utility system and hereby approves the conveyance of land described as follows:

Being two independent parcels of land totaling approximately 4.74 acres and consisting of the following:

PARCEL I

A portion of Tracts 18B & 19B, Block 54, Ysleta Grant Surveys, City of El Paso, El Paso County, Texas, being approximately 1.78 acres of land to Instituto de Fomento Familiar Inc., dba Centro Familiar Vino Nuevo de El Paso, for a total sales price of \$185,251.99.

And

PARCEL II

A portion of Tracts 18B & 19B, Block 54, Ysleta Grant Surveys, City of El Paso, El Paso County, Texas, being approximately 2.96 acres of land to Instituto de Fomento Familiar Inc., dba Centro Familiar Vino Nuevo de El Paso, for a total sales price of \$315,125.99.

Section 3. That the Public Service Board hereby requests the City Council authorize the City Manager to sign a Special Warranty Deed and any other necessary documents to convey the property to Instituto de Fomento Familiar Inc., dba Centro Familiar Vino Nuevo de El Paso.

Section 4. That a copy of this Resolution shall be transmitted to the City Attorney's Office.

PASSED AND APPROVED at a regular meeting of the Public Service Board of the City of El Paso, Texas, this 12th day of November, 2008, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A. Government Code, Sections 551.001 et. seq.

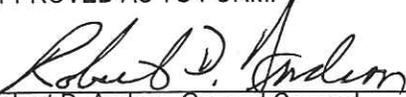
PUBLIC SERVICE BOARD


Chair

ATTEST:


Secretary-Treasurer

APPROVED AS TO FORM:


Robert D. Andron, General Counsel