

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

DEPARTMENT: Financial Services
AGENDA DATE: February 12, 2008
CONTACT PERSON/PHONE: Gonzalo Cedillos, P.E., 541-4074
DISTRICT(S) AFFECTED: 2



SUBJECT:

That the City Manager be authorized to sign a Temporary Easement for Construction to grant J.D. Abrams, L.P. access to the following identified parcels for the construction of Phase 2 of the Spur 601 Project.

Parcel 4-Part 4 (Animal Control)--land located in Section 17, Block 81, Township 2, Texas and Pacific Railway Company Surveys, El Paso County, Texas; and

Parcel 4-Part 5 (Sun Metro)--land located in Section 17, Block 81, Township 2, Texas and Pacific Railway Company Surveys, El Paso County, Texas.

BACKGROUND / DISCUSSION:

TxDot Representative, J.D. Abrams engaged to design and construct the Spur 601 Project. Is requesting Right of Entry to City owned property to construct utilities and roadway infrastructure.

PRIOR COUNCIL ACTION:

Yes, council has granted Right of Entry to the 601 Spur project on Airport property.

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

N/A

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

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD: Carmen Quieta Candelaria
(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:** 2-07-08

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign a Temporary Easement for Construction to grant J.D. Abrams, L.P. access to the following identified parcels for the construction of Phase 2 of the Spur 601 Project.

Parcel 4-Part 4 (Animal Control)--land located in Section 17, Block 81, Township 2, Texas and Pacific Railway Company Surveys, El Paso County, Texas; and

Parcel 4-Part 5 (Sun Metro)--land located in Section 17, Block 81, Township 2, Texas and Pacific Railway Company Surveys, El Paso County, Texas.

PASSED AND APPROVED on this _____ day of _____, 2008.

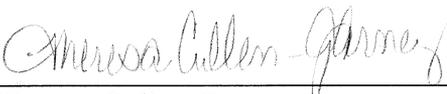
THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Theresa Cullen-Garney
Deputy City Attorney

APPROVED AS TO CONTENT:



Gonzalo Cedillos, P.E.
Capital Assets Manager

STATE OF TEXAS

§

TEMPORARY EASEMENT FOR CONSTRUCTION

§

COUNTY OF EL PASO

§

This Temporary Easement for Construction (the "Easement") is made by and between the CITY OF EL PASO, a Texas municipal corporation, hereinafter "Grantor" and J.D. ABRAMS, L.P., a Texas limited partnership, hereinafter "Grantee", on this ____ day of _____, 2008.

WHEREAS, Grantee has been charged with the design and construction of the Spur 601 Project on behalf of the Texas Department of Transportation, and that upon completion, portions of the Spur 601 Project will become a State highway and portions will become City of El Paso dedicated streets; and

WHEREAS, the construction of the Spur 601 Project will benefit the community, as evidenced by the contribution of \$10,000,000.00 to the project by the El Paso International Airport, as the Department of Aviation for the City of El Paso; and

WHEREAS, on Dec. 11, 2007, the City granted a temporary construction easement to Grantee in connection with identified portions of the Spur 601 Project that are to be constructed through portions of property owned by the City of El Paso that are managed by the El Paso International Airport; and

WHEREAS, Grantee has also requested permission for a temporary construction easement on two identified parcels of City property which construction will be part of Phase 2 of the identified Spur 601 Project,

NOW, THEREFORE, Grantor and Grantee, for the consideration and under the conditions hereinafter set forth, do hereby agree as follows:

I. GRANT OF EASEMENT

For and in consideration of the sum of TEN AND 00/100 DOLLARS (\$10.00) and other good and valuable consideration paid, receipt and sufficiency of which is hereby acknowledged, Grantor does hereby grant to Grantee a Temporary Easement for Construction in, upon and across the real property more fully described within **EXHIBIT "A"**, which is hereby incorporated herein for all purposes. This grant is being made together with the right of ingress and egress for all purposes incident to the project identified within this Easement, subject to the requirements and restrictions noted within this Easement. The real property identified within **EXHIBIT "A"**, which is the subject of this Easement, shall be referred to herein as the "Property".

II. PURPOSE OF EASEMENT

This Easement, with its rights and privileges, is hereby granted to Grantee for the purpose of using and occupying such Property during construction and installation of Phase 2 of the Spur 601 Project, hereinafter referred to as the "Project" and as identified in the Aug. 30, 2007 Pass-Through Toll Agreement between the State of Texas and Grantee. This grant of authority shall extend to all

contracts let by Grantee in furtherance of the Project and the objectives stated herein. This grant shall carry with it the right of ingress and egress, to and from the Property at all reasonable times, subject to the safety restrictions and requirements of Grantor, including those noted herein, and shall also include the right to use existing roads for the purpose of completing the Project.

Grantee is required to construct the identified Project on those portions of the Property identified within **EXHIBIT "A"** in accordance with Construction Plans to be accepted by Grantor prior to construction beginning. Grantee shall retain control over the Property, but shall provide access at all times to Grantor.

Grantee shall bear all costs and expenses associated with the work contemplated by this Easement. All work to be performed on the Property shall be completed in a good, workmanlike manner and in accordance with all applicable federal, state, and local laws, rules, and regulations. Further, Grantee shall complete all work in accordance with the requirements of the Texas Department of Transportation. Grantee shall obtain all applicable permits required for the completion of the Project. After the Project is completed, Grantee shall restore the remaining property to substantially the same condition as found prior to commencement of the Project, normal wear and tear excepted, and shall immediately remove its equipment or other property from the Property. Further, all work shall be completed in a manner to ensure that no damage shall be done to the Property that would prohibit the transfer of the respective portions to the State of Texas as State highway right of way or acceptance by Grantor of those portions intended to become dedicated City streets.

III. DURATION OF EASEMENT

This Easement and the rights herein granted shall begin upon the final execution of this Easement by Grantor and shall terminate upon completion of construction and acceptance of the respective portions of said Project by the Texas Department of Transportation and the City of El Paso.

IV. ENCROACHMENTS

Grantee shall have the right to cut and trim trees, shrubbery, underbrush, obstructions and any other vegetation, structures or obstacles that may encroach upon the Property from other property owned by Grantor.

V. INDEMNIFICATION

GRANTEE AGREES TO INDEMNIFY AND HOLD GRANTOR HARMLESS AGAINST ANY AND ALL CLAIMS, DEMANDS, DAMAGES, COSTS, AND EXPENSES, INCLUDING INVESTIGATION EXPENSES AND REASONABLE ATTORNEY'S FEES FOR THE DEFENSE OF SUCH CLAIMS AND DEMANDS, ARISING OUT OF OR ATTRIBUTED DIRECTLY, OR INDIRECTLY TO THE OPERATION, CONDUCT, OR MANAGEMENT OF GRANTEE'S ACTIVITIES ON THE PROPERTY, OR FROM ANY BREACH ON THE PART OF GRANTEE OF ANY TERMS OF THIS EASEMENT, OR FROM ANY ACT, OMISSION OR NEGLIGENCE OF GRANTEE, ITS AGENTS, CONTRACTORS, SUBCONTRACTORS, EMPLOYEES, INVITEES, OR LICENSEES IN OR ABOUT THE PROPERTY INCLUDING

CLAIMS AND DAMAGES ARISING IN WHOLE, OR IN PART, FROM THE NEGLIGENCE OF GRANTOR. IN CASE OF ANY ACTION OR PROCEEDING BROUGHT AGAINST GRANTOR BY REASON OF ANY SUCH CLAIM, GRANTEE, UPON NOTICE FROM GRANTOR, AGREES TO DEFEND THE ACTION OR PROCEEDING BY COUNSEL ACCEPTABLE TO GRANTOR.

Grantee shall name Grantor as an additional insured on the Certificate of Insurance it has provided to the Texas Department of Transportation as required by the Aug. 30, 2007 Pass-Through Toll Agreement between the State of Texas and Grantee.

VI. CONTRACTORS AND SUBCONTRACTORS

In completing the work contemplated herein, Grantee anticipates the use of various contractors and subcontractors. Upon Grantee's selection of such contractors and subcontractors, Grantee shall provide written notice of each contractor and subcontractor to Grantor. Due to the secure nature of the Project, only those contractors or subcontractors employed by the Grantee shall be granted access to the Property. GRANTEE IS RESPONSIBLE FOR THE ACTS AND OMISSIONS OF ITS CONTRACTORS AND SUBCONTRACTORS ON THE PROPERTY.

VII. RIGHTS RESERVED

The Parties recognize that the Property is owned by Grantor and is used in connection with identified municipal uses and purposes. Accordingly, Grantor reserves the right to full use and enjoyment of the Property, except as otherwise referenced herein; provided, however, that such use shall not hinder, conflict, or interfere with the exercise of Grantee's rights hereunder. Grantor represents and warrants, to the extent allowed by state law, to Grantee that the City of El Paso is the owner of record of the Property and that the undersigned has the full power and authority to grant this Easement.

VIII. GENERAL PROVISIONS

Except for the temporary construction rights expressly granted by execution of this instrument and reasonable access, and/or ingress and egress to the Property, Grantor does not convey any other right, title, or interest in the Property herein. Grantor, by granting this Easement, does not warrant or represent that any ownership or other right shall be granted to Grantee. This instrument merely grants a temporary easement for construction for the sole purpose of performing the construction services referenced herein. The parties expressly understand and agree that the granting of any ownership or other such rights shall require the execution of additional instruments and/or proper legal actions.

Grantee agrees it will acquire the identified rights-of-way for the Project in accordance with all applicable state and federal laws, regulations, policies, and procedures, including the requirements of the Right of Way Manual Collection of the Texas Department of Transportation's Online Manual System and Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. Sec. 4601 et seq. and as identified in the Aug. 30, 2007 Pass-Through Toll Agreement between the State of Texas and Grantee.

This Easement shall be governed, construed, and enforced in accordance with the laws of the State of Texas. Any controversy arising out of or connected with this Easement or the underlying construction shall be instituted and maintained in the courts of the State of Texas, County of El Paso.

Nothing in this Easement shall be construed as creating the relationship of employer and employee or agent between any of the parties named herein.

All notices to be given under this Easement shall be given by certified or registered mail, return receipt requested, postage fully prepaid, addressed to the proper party at the following addresses:

GRANTOR: City Manager
City of El Paso
2 Civic Center Plaza
El Paso, Texas 79901

GRANTEE: J.D. Abrams, L.P.
111 Congress Avenue, Suite 2400
Austin, Texas 78701-4083
ATTN: William G. Burnett, P.E.

Any notice so given shall be deemed properly delivered, given, served, or received on the date shown on the return receipt for delivery, rejection, or undeliverable. Any party may change the address to which notices shall thereafter be given upon five (5) days prior written notice to the other in the manner set forth herein.

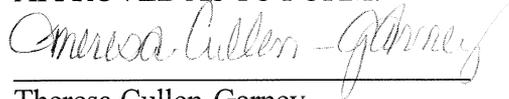
Grantee shall not assign, sublet, sell, convey, or transfer all or any part of this Easement in any way without the prior written consent of Grantor. Any attempt to transfer or assign without the prior written consent of Grantor shall be void and may result in the termination of this instrument.

IN WITNESS WHEREOF, this Easement was approved on the date first noted above.

CITY OF EL PASO:

Joyce A. Wilson
City Manager

APPROVED AS TO FORM:



Theresa Cullen-Garney
Deputy City Attorney

APPROVED AS TO CONTENT:



Gonzalo Cedillos, P.E.
Capital Assets Manager

(Signatures continued on next page)

ACKNOWLEDGMENT

STATE OF TEXAS §
 §
COUNTY OF EL PASO §

This instrument was acknowledged before me on the 7 day of FEBRUARY, 2008, by **Joyce A. Wilson**, as **City Manager** of the **City of El Paso, Texas** (Grantor).

Rosa A Vasquez
Notary Public, State of Texas



GRANTEE:
J.D. ABRAMS, L.P.

By: William G. Burnett
Name: William G. Burnett, P.E.
Title: Vice President - Project Development

ACKNOWLEDGMENT

STATE OF TEXAS §
 §
COUNTY OF EL PASO §

This instrument was acknowledged before me on the 7 day of February, 2008, by **William G. Burnett**, as **Vice President - Project Development** of **J.D. Abrams, L.P.** (Grantee).

Rosa A. Vasquez
Notary Public, State of Texas

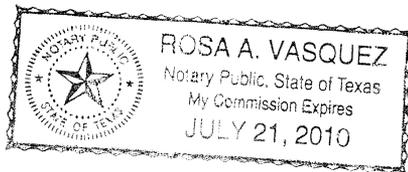


EXHIBIT A

County: El Paso
Parcel No.: 4
Highway: State Spur 601
Limits: From: Sta. 118+03-87
To: Sta. 495+95.22
RCSJ: 1046-03-002
CCSJ: 1046-03-001
OWNER: City of El Paso, Texas

**PROPERTY DESCRIPTION FOR PARCEL 4
(TOTAL ACREAGE 95.646 ACRES)**

PARCEL 4-PART 4 (0.614 ACRE)

DESCRIPTION OF A 0.614 ACRE TRACT OF LAND LOCATED IN SECTION 17, BLOCK 81, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, EL PASO COUNTY, TEXAS, BEING A PORTION OF A REMAINDER OF A CALLED 20.13 ACRE TRACT OF LAND DESCRIBED IN AN UN-RECORDED RESOLUTION TO THE CITY OF EL PASO, DATED JUNE 21, 1957, BEING FURTHER DESCRIBED AS A CALLED 4.747 ACRE TRACT OF LAND, ORDINANCE NO. 15477, EL PASO CITY/COUNTY HEALTH AND ENVIROMENTAL DISTRICT ANIMAL SHELTER FACILITY, DATED JULY 1, 2003, SAID 0.614 ACRE TRACT, AS SHOWN ON A RIGHT-OF-WAY SKETCH PREPARED BY SAM, INC. FOR THIS PARCEL, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 5/8-inch iron rod with a "SAM Inc" aluminum cap set in the proposed north right-of-way line of State Spur 601, being 105.82 feet left of State Spur 601 Survey Baseline station 144+03.11, same being in the west line of said 4.747 acre tract and the east line of a called 4.00 acre tract of land, described in the deed to Humane Society of El Paso, Inc., as recorded in Document No. 20040060034, of the Official Public Records of Real Property El Paso County, Texas, same being the northwest corner and the **POINT OF BEGINNING** of the tract described herein, from which a 5/8-inch iron rod with a cap found stamped SLI, for the common north corner of said 4.00 acre tract and said 4.747 acre tract bears N 02° 15' 43" E, a distance of 459.60 feet;

THENCE with said proposed north right-of-way line, crossing through the interior of said 4.747 acre tract, the following two (2) courses and distances:

1. with the arc of a curve to the right, a distance of 73.52 feet, through a central angle of 01° 27' 35", having a radius of 2885.88 feet, and whose chord bears S 85° 47' 35" E, a distance of 73.52 feet to a 5/8-inch iron rod with a "SAM Inc" aluminum cap set, for a point of tangency, and
2. S 85° 03' 47" E, a distance of 322.57 feet to a 5/8-inch iron rod with a "SAM Inc" aluminum cap set 86.02 feet left of State Spur 601 Baseline station 147+98.62, in the east line of said 4.747 acre tract, same being the west line of a remainder of a called 7.0 acre tract of land, described in an un-recorded Joint Resolution of the Public Service Board and the City of El Paso from Jurisdiction of the PSB to the City of El Paso for use by Sun Metro Mass Transit, Dated November 11, 1998;

THENCE leaving said proposed north right-of-way line, with the common line of said 4.747 acre tract and said 7.0 acre tract, S 01° 54' 58" W, a distance of 49.38 feet to a 1/2-inch iron rod with a "SAM Inc." plastic cap set for the south common corner of said 4.747 acre tract and said 7.0 acre tract, same being in the existing north right-of-way line of Fred Wilson Avenue, a varying width right-of-way;

Exhibit "A"
10/18

THENCE with said existing north right-of-way line, S 89° 40' 25" W, a distance of 396.40 feet to a 1/2-inch iron rod found for the southwest corner of said 4.747 acre tract, same being in the east line of a called 0.3917 acre general easement, described in the deed to Humane Society of El Paso, as recorded in Document No. 20040060034, of the Official Public Records of Real Property El Paso County, Texas, from which a 1/2-inch iron rod found for a southeast corner of said 0.3917 acre general easement, bears S 02° 15' 43" W, a distance of 10.04 feet;

THENCE leaving said existing north right-of-way line, with the common line of said 0.3917 general easement tract, N 02° 15' 43" E, passing at a distance of 40.09 feet a 1/2-inch iron rod found for the southeast corner of said 4.00 acre tract, continuing in all a total distance of 84.83 feet to the **POINT OF BEGINNING**, and containing 0.614 acres of land, more or less.

This property description is accompanied by a separate plat of even date.

Bearings and Coordinates are based on the Texas State Plane Coordinate System, NAD 83, Central Zone and adjusted to surface using a Combined Scale Factor of 1.00023100 as surveyed from NGS Triangulation Station ELP A (PID# AB8586) and NGS Benchmark Disk X 1118 (PID# CE0141). Bearing and Distance between ELP A AND X 1118 based on published Grid Coordinates is S 85° 19' 04" E, 28,662.24'.

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF TRAVIS §

That I, Robert E. Butler, Jr., a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 29th day of June, 2007 A.D.

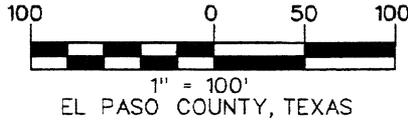
SURVEYING AND MAPPING, Inc.
5508 West Highway 290, Building B
Austin, Texas 78735




Robert E. Butler, Jr.
Registered Professional Land Surveyor
No. 5618 – State of Texas

Exhibit "A"
2 of 15

STATE SPUR 601 SURVEY
 BASELINE CURVE DATA
 P1 Sta 141+35.18
 D = 7° 15' 00.46" (RT)
 L = 1° 20' 00.00"
 L = 543.76'
 T = 272.24'
 R = 4,297.18'
 PC Sta 138+62.94
 PT Sta 144+06.70



LEGEND

- TYPE I CONCRETE MONUMENT FOUND
- TYPE II CONCRETE MONUMENT FOUND UNLESS NOTED
- ▣ TYPE II CONCRETE MONUMENT SET
- 1/2" PIPE FOUND UNLESS NOTED
- 5/8" IRON ROD W/SAM INC. ALUMINUM CAP SET UNLESS NOTED
- 1/2" IRON ROD FOUND UNLESS NOTED
- FENCE POST FOUND UNLESS NOTED
- ▲ CALCULATED POINT UNLESS NOTED
- ▲ 60 D NAIL FOUND UNLESS NOTED
- ▲ 1/2" IRON ROD W/SAM INC. PLASTIC CAP SET UNLESS NOTED
- 5/8" IRON ROD W/SAM INC. ALUMINUM CAP SET STAMPED "ADL" UNLESS NOTED
- CENTER LINE
- () RECORD INFORMATION
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- P.O.R. POINT OF REFERENCE
- ADL ACCESS DENIAL LINE
- IRF IRON ROD FOUND
- IPF IRON PIPE FOUND
- ACCESS DENIAL LINE
- D.R.E.C.TX. DEED RECORDS EL PASO COUNTY, TEXAS
- P.R.E.C.TX. PLAT RECORDS EL PASO COUNTY, TEXAS
- O.P.R.E.C.TX. OFFICIAL PUBLIC RECORDS EL PASO COUNTY, TEXAS
- O.P.R.R.P.E.C.TX. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY EL PASO COUNTY, TEXAS

CALLED 4.00 ACRES
 HUMANE SOCIETY OF EL PASO, INC.
 DOC. NO. 20040060034
 O.P.R.R.P.E.C.TX.
 APRIL 12, 2004

P.O.R.
 5/8" IRF
 W/CAP (SLI)

20' ACCESS EASEMENT
 CROWN CASTLE GT COMPANY LLC
 DOC. NO. 20020050506
 O.P.R.R.P.E.C.TX.

SECTION 17
 BLOCK 81, TSP 2

REMAINDER OF A
 CALLED 20.13 ACRES
 CITY OF EL PASO
 JUNE 21, 1957
 FURTHER DESCRIBED AS
 A CALLED 4.747 ACRES
 ORDINANCE NO. 15477
 EL PASO CITY/COUNTY HEALTH AND
 ENVIRONMENTAL DISTRICT
 ANIMAL SHELTER FACILITY
 JULY 1, 2003

PROPOSED
 R.O.W. LINE

P.O.B.
 144+03.11
 105.82' LT

PARKING AREA
 144+76.49
 102.91' LT

S85° 03' 47" E 322.57'

PART 3
 EXISTING R.O.W. LINE

40.09'

PART 4
 0.614 ACRE

S89° 40' 25" W 396.40'

REMAINDER OF A
 CALLED 20.13 ACRES
 CITY OF EL PASO
 JUNE 21, 1957

FURTHER DESCRIBED AS
 A CALLED 7.0 ACRES
 JOINT RESOLUTION OF THE
 PUBLIC SERVICE BOARD AND THE CITY
 OF EL PASO FROM JURISDICTION OF THE
 PSB TO THE CITY OF EL PASO FOR USE BY
 SUN METRO MASS TRANSIT
 NOVEMBER 11TH, 1998

REMAINDER OF A
 CALLED 9.27 ACRES
 CITY OF EL PASO
 JUNE 21, 1957

C1
 DELTA-01° 27' 35" R-2885.88'
 L-73.52' T-36.76'
 CB-S85° 47' 35" E C-73.52'

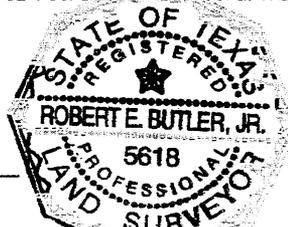
NOTES:

1. RECORD INFORMATION OF THIS DRAWING IS BASED ON PUBLIC RECORDS SEARCH BY THE SURVEYOR AND MAY NOT INCLUDE ALL EASEMENTS OR INSTRUMENTS PERTAINING TO THIS PROPERTY.
 2. BEARINGS AND COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, CENTRAL ZONE AND ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.00023100 AS SURVEYED FROM NGS TRIANGULATION STATION ELP A (PID# AB8586) AND NGS BENCHMARK DISK X 1118 (PID# CE0141). BEARING AND DISTANCE BETWEEN ELP A AND X 1118 BASED ON PUBLISHED GRID COORDINATES IS S85° 19' 04" E, 28,662.24'.
 3. IMPROVEMENTS SHOWN HEREON ARE BASED UPON TXDOT AERIAL SURVEY DIGITAL FILES SUPPLEMENTED BY ON-THE-GROUND SURVEY BY SAM, INC. AND/OR LANDTECH. THERE MAY BE ADDITIONAL IMPROVEMENTS THAT ARE NOT SHOWN.
 4. VISIBLE UTILITIES SHOWN HEREON ARE BASED UPON VISIBLE EVIDENCE FOUND ON THE GROUND. THERE MAY BE ADDITIONAL UNDERGROUND UTILITIES THAT ARE NOT SHOWN.
 5. PROPERTY DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT.
- I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION, AND THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

- L1
S01° 54' 58" W
49.38'
- L2
S02° 15' 43" W
10.04'
- L3
N02° 15' 43" E
84.83'

ROBERT E. BUTLER, JR.
 REGISTERED PROFESSIONAL LAND SURVEYOR
 NO. 5618, STATE OF TEXAS

06/29/07
 DATE



PAGE 03 OF 03
 REF. FIELD NOTE NO. 4460



5508 West Highway 290
 Building B
 Austin, Texas 78735
 (512) 447-0575
 Fax: (512) 326-3029

RIGHT-OF-WAY SKETCH
 SHOWING PROPERTY OF
 CITY OF EL PASO
 EL PASO COUNTY
 RCSJ NO. 1046-03-002

Exhibit "A"
 3 of 18

0.182 Acre (7,921 sq. ft.)
20' Wide Utility Easement
Section 17, Block 81, Township 2, Texas and
Pacific Railway Company Surveys
El Paso County, Texas

FN4625(ALG)
October 25, 2007
SAM, Inc. Job No. 27257-05

DESCRIPTION OF A 0.182 ACRE (7,921 SQ. FT.) TRACT OF LAND LOCATED IN SECTION 17, BLOCK 81, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, EL PASO COUNTY, TEXAS, BEING A PORTION OF A REMAINDER OF A CALLED 20.13 ACRE TRACT OF LAND DESCRIBED IN AN UN-RECORDED RESOLUTION TO THE CITY OF EL PASO, DATED JUNE 21, 1957, BEING FURTHER DESCRIBED AS A CALLED 4.747 ACRE TRACT OF LAND, ORDINANCE NO. 15477, EL PASO CITY/COUNTY HEALTH AND ENVIROMENTAL DISTRICT ANIMAL SHELTER FACILITY, DATED JULY 1, 2003, SAID 0.182 ACRE (7,921 SQ. FT.) TRACT, AS SHOWN ON AN EASEMENT SKETCH PREPARED BY SAM, INC., BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point, in the west line of said 4.747 acre tract and the east line of a called 4.00 acre tract of land, described in the deed to Humane Society of El Paso, Inc., as recorded in Document No. 20040060034, of the Official Public Records of Real Property El Paso County, Texas, same being the northwest corner and the **POINT OF BEGINNING** of the tract described herein, from which a 5/8-inch iron rod with a cap found stamped SLI, for the common north corner of said 4.00 acre tract and said 4.747 acre tract bears N 02° 15' 43" E, a distance of 439.59 feet;

THENCE leaving said common line, crossing through the interior of said 4.747 acre tract, the following two (2) courses and distances:

1. with the arc of a curve to the right a distance of 74.46 feet, through a central angle of 01° 28' 05", having a radius of 2905.88 feet, and whose chord bears S 85° 47' 50" E, a distance of 74.45 feet to a calculated point of tangency, and
2. S 85° 03' 47" E, a distance of 321.51 feet to a calculated point in the east line of said 4.747 acre tract, same being the west line of a remainder of a called 7.0 acre tract of land, described in an un-recorded Joint Resolution of the Public Service Board and the City of El Paso from Jurisdiction of the PSB to the City of El Paso for use by Sun Metro Mass Transit, Dated November 11, 1998;

THENCE with said common line, S 01° 54' 58" W, a distance of 20.03 feet to a 5/8-inch iron rod with a "SAM Inc" aluminum cap found in the proposed north right-of-way line of State Spur 601, same being the southeast corner of the tract described herein;

THENCE with said proposed right-of-way line, crossing through the interior of said 4.747 acre tract, the following two (2) courses and distances:

3. N 85° 03' 47" W, a distance of 322.57 feet to a 5/8-inch iron rod with a "SAM Inc" aluminum cap found for a point of curvature, and
4. with the arc of a curve to the left, a distance of 73.52 feet, through a central angle of 01° 27' 35", having a radius of 2885.88 feet, and whose chord bears N 85° 47' 35" W, a distance of 73.52 feet to a 5/8-inch iron rod with a "SAM Inc" aluminum cap found for the southwest corner of the tract described herein, same being in the common line of said 4.747 acre tract and said 4.00 acre tract;

Exhibit "A"
4/9/18

0.182 Acre (7,921 sq. ft.)
20' Wide Utility Easement
Section 17, Block 81, Township 2, Texas and
Pacific Railway Company Surveys
El Paso County, Texas

FN4625(ALG)
October 25, 2007
SAM, Inc. Job No. 27257-05

THENCE leaving said proposed right-of-way line, with said common line, N 02° 15' 43" E, a distance of 20.00 feet the **POINT OF BEGINNING**, and containing 0.182 acre (7,921 sq. ft.) of land, more or less.

This property description is accompanied by a separate plat of even date.

Bearings and Coordinates are based on the Texas State Plane Coordinate System, NAD 83, Central Zone and adjusted to surface using a Combined Scale Factor of 1.00023100 as surveyed from NGS Triangulation Station ELP A (PID# AB8586) and NGS Benchmark Disk X 1118 (PID# CE0141). Bearing and Distance between ELP A AND X 1118 based on published Grid Coordinates is S 85° 19' 04" E, 28,662.24'.

THE STATE OF TEXAS
COUNTY OF TRAVIS

§
§
§

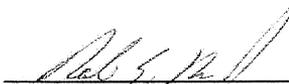
KNOW ALL MEN BY THESE PRESENTS:

That I, Robert E. Butler, Jr., a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

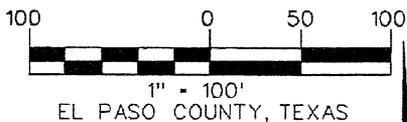
WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 26th day of October, 2007 A.D.

SURVEYING AND MAPPING, Inc.
5508 West Highway 290, Building B
Austin, Texas 78735




Robert E. Butler, Jr.
Registered Professional Land Surveyor
No. 5618 – State of Texas

STATE SPUR 601 SURVEY
 BASELINE CURVE DATA
 PI Stn 141+35.18
 D = 7° 15' 00.46" (RT)
 D = 1° 20' 00.00"
 L = 543.76'
 T = 272.24'
 R = 4,297.18'
 PC Stn 138+62.94
 PT Stn 144+06.70



EL PASO COUNTY, TEXAS

LEGEND

- 5/8" IRON ROD FOUND UNLESS NOTED
- △ CALCULATED POINT UNLESS NOTED
- ⊞ PROPERTY LINE
- ⊞ CENTER LINE
- () RECORD INFORMATION
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- P.O.R. POINT OF REFERENCE
- IRF IRON ROD FOUND
- IPF IRON PIPE FOUND
- D.R.E.C.T.X. DEED RECORDS EL PASO COUNTY, TEXAS
- P.R.E.C.T.X. PLAT RECORDS EL PASO COUNTY, TEXAS
- O.P.R.E.C.T.X. OFFICIAL PUBLIC RECORDS EL PASO COUNTY, TEXAS
- O.P.R.R.P.E.C.T.X. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY EL PASO COUNTY, TEXAS

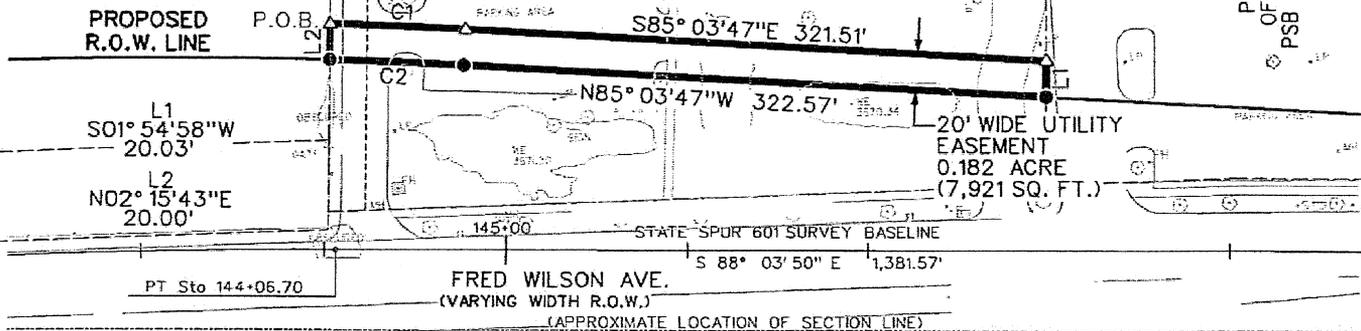
CALLLED 4.00 ACRES
 HUMANE SOCIETY OF EL PASO, INC.
 DOC. NO. 20040060034
 O.P.R.R.P.E.C.T.X.
 APRIL 12, 2004

20' ACCESS EASEMENT
 CROWN CASTLE GT. COMPANY LLC
 DOC. NO. 20020050506
 O.P.R.R.P.E.C.T.X.

SECTION 17
 BLOCK 81, TSP 2

REMAINDER OF A
 CALLED 20.13 ACRES
 CITY OF EL PASO
 JUNE 21, 1957
 FURTHER DESCRIBED AS
 A CALLED 4.747 ACRES
 ORDINANCE NO.15477
 EL PASO CITY/COUNTY HEALTH AND
 ENVIRONMENTAL DISTRICT
 ANIMAL SHELTER FACILITY
 JULY 1, 2003

REMAINDER OF A
 CALLED 20.13 ACRES
 CITY OF EL PASO
 JUNE 21, 1957
 FURTHER DESCRIBED AS
 A CALLED 7.0 ACRES
 JOINT RESOLUTION OF THE
 PUBLIC SERVICE BOARD AND THE CITY
 OF EL PASO FROM JURISDICTION OF THE
 PSB TO THE CITY OF EL PASO FOR USE BY
 SUN METRO MASS TRANSIT
 NOVEMBER 11TH, 1998



C1 DELTA=01° 28' 05" R=2905.88'
 L=74.46' T=37.23'
 CB=S85° 47' 50" E CH=74.45'

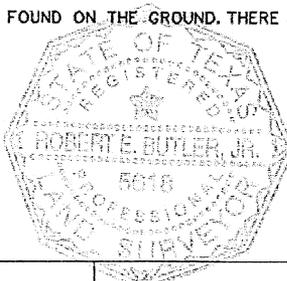
C2 DELTA=01° 27' 35" R=2885.88'
 L=73.52' T=36.76'
 CB=N85° 47' 35" W C=73.52'

NOTES:

1. RECORD INFORMATION ON THIS DRAWING IS BASED ON A PUBLIC RECORDS SEARCH BY THE SURVEYOR AND MAY NOT INCLUDE ALL EASEMENTS OR INSTRUMENTS PERTAINING TO THIS PROPERTY.
 2. BEARINGS AND COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, CENTRAL ZONE AND ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.00023100 AS SURVEYED FROM NGS TRIANGULATION STATION ELP A (PID* AB8586) AND NGS BENCHMARK DISK X 1118 (PID* CE0141). BEARING AND DISTANCE BETWEEN ELP A AND X 1118 BASED ON PUBLISHED GRID COORDINATES IS S85° 19' 04" E, 28,662.24'.
 3. IMPROVEMENTS SHOWN HEREON ARE BASED UPON TXDOT AERIAL SURVEY DIGITAL FILES SUPPLEMENTED BY ON-THE-GROUND SURVEY BY SAM, INC. AND/OR LANDTECH. THERE MAY BE ADDITIONAL IMPROVEMENTS THAT ARE NOT SHOWN.
 4. VISIBLE UTILITIES SHOWN HEREON ARE BASED UPON VISIBLE EVIDENCE FOUND ON THE GROUND. THERE MAY BE ADDITIONAL UNDERGROUND UTILITIES THAT ARE NOT SHOWN.
 5. PROPERTY DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT.
- I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION, AND THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

ROBERT E. BUTLER, JR.
 REGISTERED PROFESSIONAL LAND SURVEYOR
 NO. 5618, STATE OF TEXAS

10/26/2007
 DATE



PAGE 03 OF 03
 REF. FIELD NOTE NO. 4625



5508 West Highway 290
 Building B
 Austin, Texas 78735
 (512) 447-0575
 Fax: (512) 326-9029

20' UTILITY EASEMENT SKETCH
 SHOWING PROPERTY OF
 CITY OF EL PASO
 EL PASO COUNTY

Exhibit "A"
 6/9/18

0.649 Acre (28,282 sq. ft.)
Construction Easement
Section 17, Block 81, Township 2, Texas and
Pacific Railway Company Surveys
El Paso County, Texas

FN4646(ALG)
November 30, 2007
SAM, Inc. Job No. 27257-05

DESCRIPTION OF A 0.649 ACRE (28,282 SQ. FT.) TRACT OF LAND LOCATED IN SECTION 17, BLOCK 81, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, EL PASO COUNTY, TEXAS, BEING A PORTION OF A REMAINDER OF A CALLED 20.13 ACRE TRACT OF LAND DESCRIBED IN AN UN-RECORDED RESOLUTION TO THE CITY OF EL PASO, DATED JUNE 21, 1957, BEING FURTHER DESCRIBED AS A CALLED 4.747 ACRE TRACT OF LAND, ORDINANCE NO. 15477, EL PASO CITY/COUNTY HEALTH AND ENVIROMENTAL DISTRICT ANIMAL SHELTER FACILITY, DATED JULY 1, 2003, SAID 0.649 ACRE (28,282 SQ. FT.) TRACT, AS SHOWN ON AN EASEMENT SKETCH PREPARED BY SAM, INC., BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point in the west line of said 4.747 acre tract and the east line of a called 4.00 acre tract of land, described in the deed to Humane Society of El Paso, Inc., as recorded in Document No. 20040060034, of the Official Public Records of Real Property El Paso County, Texas, same being the southwest corner and the **POINT OF BEGINNING** of the tract described herein, from which a 5/8-inch iron rod with a "SAM Inc" aluminum cap found in the proposed north right-of-way line of State Spur 601, bears S 02° 15' 43" W, a distance of 20.00 feet;

THENCE with said common line, N 02° 15' 43" E, a distance of 154.07 feet to a calculated point, same being the northwest corner of the tract described herein, from which a 5/8-inch iron rod with a cap found stamped SLI, for the common north corner of said 4.00 acre tract and said 4.747 acre tract bears N 02° 15' 43" E, a distance of 285.53 feet;

THENCE leaving said common line crossing through the interior of said 4.747 acre tract, the following five (5) courses and distances:

1. S 87° 09' 19" E, a distance of 104.80 feet to a calculated point,
2. S 03° 32' 47" W, a distance of 16.14 feet to a calculated point,
3. S 87° 09' 19" E, a distance of 24.19 feet to a calculated point,
4. S 03° 02' 08" W, a distance of 112.57 feet to a calculated point, and
5. S 86° 38' 01" E, a distance of 268.30 feet to a calculated point in the east line of said 4.747 acre tract, same being the west line of a remainder of a called 7.0 acre tract of land, described in an un-recorded Joint Resolution of the Public Service Board and the City of El Paso from Jurisdiction of the PSB to the City of El Paso for use by Sun Metro Mass Transit, Dated November 11, 1998;

THENCE with said common line, S 01° 54' 58" W, a distance of 36.41 feet to a calculated point, from which a 5/8-inch iron rod with a "SAM Inc" aluminum cap found in said proposed north right-of-way line, bears S 01° 54' 58" W, a distance of 20.03 feet;

THENCE leaving said common line, crossing through the interior of said 4.747 acre tract, the following two (2) courses and distances:

6. N 85° 03' 47" W, a distance of 321.51 feet to a calculated point of curvature, and

0.649 Acre (28,282 sq. ft.)
Construction Easement
Section 17, Block 81, Township 2, Texas and
Pacific Railway Company Surveys
El Paso County, Texas

FN4646(ALG)
November 30, 2007
SAM, Inc. Job No. 27257-05

7. with the arc of a curve to the left a distance of 74.46 feet, through a central angle of 01° 28' 05", having a radius of 2905.88 feet, and whose chord bears N 85° 47' 50" W, a distance of 74.45 feet to the **POINT OF BEGINNING**, and containing 0.649 acre (28,282 sq. ft.) of land, more or less.

This property description is accompanied by a separate plat of even date.

Bearings and Coordinates are based on the Texas State Plane Coordinate System, NAD 83, Central Zone and adjusted to surface using a Combined Scale Factor of 1.00023100 as surveyed from NGS Triangulation Station ELP A (PID# AB8586) and NGS Benchmark Disk X 1118 (PID# CE0141). Bearing and Distance between ELP A AND X 1118 based on published Grid Coordinates is S 85° 19' 04" E, 28,662.24'.

THE STATE OF TEXAS

§
§
§

KNOW ALL MEN BY THESE PRESENTS:

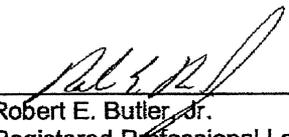
COUNTY OF TRAVIS

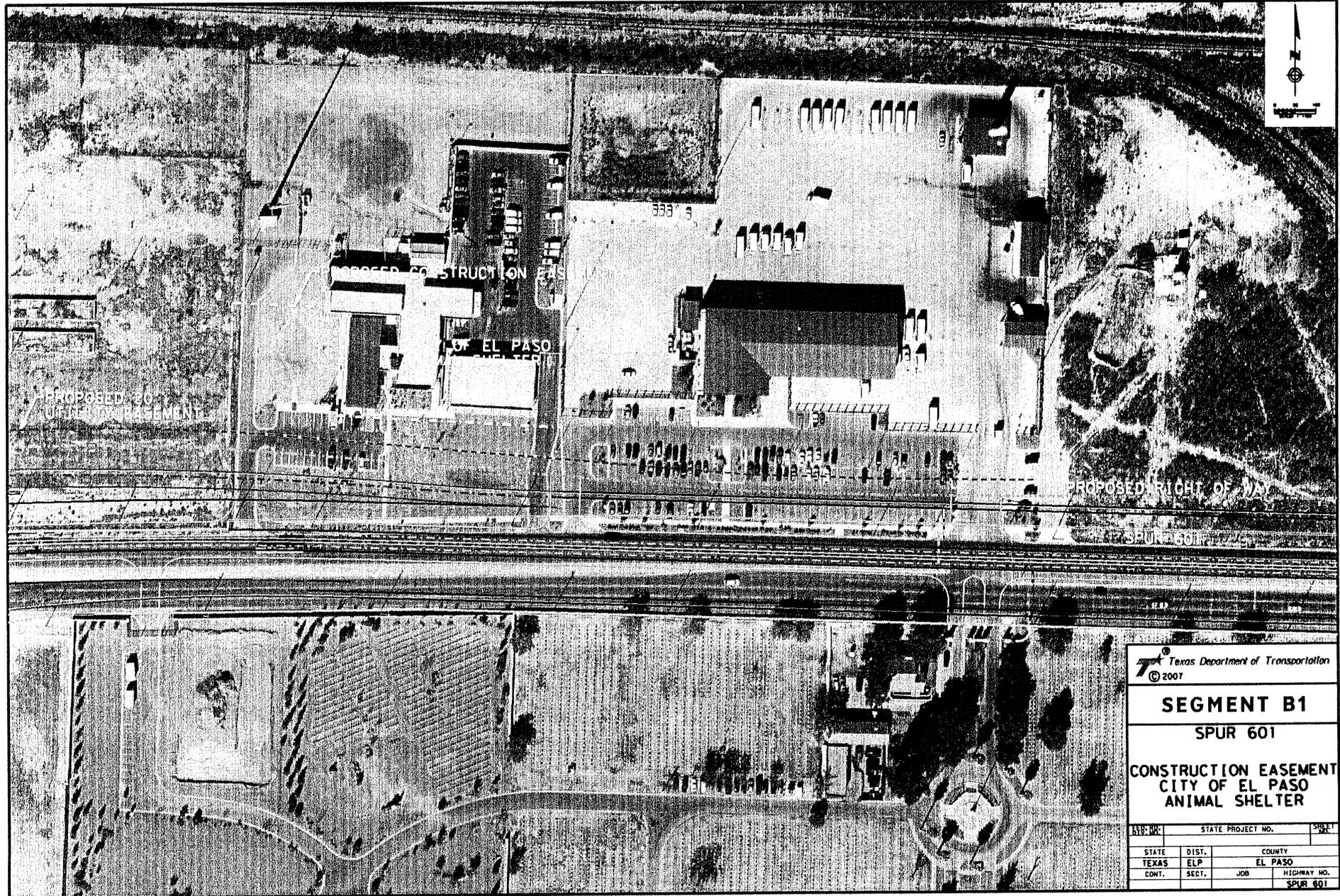
That I, Robert E. Butler, Jr., a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 3rd day of December, 2007 A.D.

SURVEYING AND MAPPING, Inc.
5508 West Highway 290, Building B
Austin, Texas 78735




Robert E. Butler, Jr.
Registered Professional Land Surveyor
No. 5618 – State of Texas



9/15
Exhibit "A"

Texas Department of Transportation © 2007			
SEGMENT B1			
SPUR 601			
CONSTRUCTION EASEMENT CITY OF EL PASO ANIMAL SHELTER			
STATE PROJECT NO.			SHEET
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.
			SPUR 601

EXHIBIT A

County: El Paso
Parcel No.: 4
Highway: State Spur 601
Limits: From: Sta. 118+03-87
To: Sta. 495+95.22
RCSJ: 1046-03-002
CCSJ: 1046-03-001
OWNER: City of El Paso, Texas

**PROPERTY DESCRIPTION FOR PARCEL 4
(TOTAL ACREAGE 95.646 ACRES)**

PARCEL 4-PART 5 (0.487 ACRE)

DESCRIPTION OF A 0.487 ACRE TRACT OF LAND LOCATED IN SECTION 17, BLOCK 81, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, EL PASO COUNTY, TEXAS, BEING A PORTION OF A REMAINDER OF A CALLED 20.13 ACRE TRACT OF LAND DESCRIBED IN AN UN-RECORDED RESOLUTION TO THE CITY OF EL PASO, DATED JUNE 21, 1957, BEING FURTHER DESCRIBED AS A CALLED 7.0 ACRE TRACT OF LAND, DESCRIBED IN AN UN-RECORDED JOINT RESOLUTION OF THE PUBLIC SERVICE BOARD AND THE CITY OF EL PASO FROM JURISDICTION OF THE PSB TO THE CITY OF EL PASO FOR USE BY SUN METRO MASS TRANSIT, DATED NOVEMBER 11, 1998, SAID 0.487 ACRE TRACT, AS SHOWN ON A RIGHT-OF-WAY SKETCH PREPARED BY SAM, INC. FOR THIS PARCEL, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 5/8-inch iron rod with a "SAM Inc" aluminum cap set in the proposed north right-of-way line of State Spur 601, being 86.02 feet left of State Spur 601 Survey Baseline station 147+98.62, same being in the common line of said 7.0 acre tract and a called 4.747 acre tract of land, Ordinance No. 15477, El Paso City/County Health and Environmental District Animal Shelter Facility, Dated July 1, 2003;

THENCE leaving said common line, with said proposed north right-of-way line, crossing through the interior of said 7.0 acre tract, the following three (3) courses and distances:

1. S 85° 03' 47" E, a distance of 229.59 feet to a 5/8-inch iron rod with a "SAM Inc" aluminum cap set, for an angle point,
2. S 88° 03' 50" E, a distance of 160.16 feet to a 5/8-inch iron rod with a "SAM Inc" aluminum cap set, for an angle point, and
3. S 89° 12' 35" E, a distance of 191.00 feet to a 5/8-inch iron rod with a "SAM Inc" aluminum cap set 77.82 feet left of State Spur 601 Survey Baseline station 153+79.01, same being the east line of said 7.0 acre tract, and a west line of said 20.13 acre tract;

THENCE leaving said proposed north right-of-way line, with said common line, S 01° 54' 58" W, a distance of 36.82 feet to a 1/2-inch iron rod with a "SAM Inc" plastic cap set in the existing north right-of-way line of Fred Wilson Avenue, a varying width right-of-way, same being the southeast corner of the tract described herein;

Exhibit "A"
10/18

THENCE leaving said common line, with said existing north right-of-way line, and same being the south line of said 7.0 acre tract, the following two (2) courses and distances:

1. N 88° 05' 58" W, a distance of 477.62 feet to a 1/2-inch iron rod with a "SAM Inc" plastic cap set, for an angle point, and
2. S 89° 40' 25" W, a distance of 102.85 feet to a 1/2-inch iron rod with a "SAM Inc" plastic cap set, for the south common corner of said 7.0 acre tract and said 4.747 acre tract;

THENCE leaving said existing right-of-way line, with the common line of said 7.0 acre tract and said 4.747 acre tract, N 01° 54' 58" E, a distance of 49.38 feet to the **POINT OF BEGINNING**, and containing 0.487 acres of land, more or less.

This property description is accompanied by a separate plat of even date.

Bearings and Coordinates are based on the Texas State Plane Coordinate System, NAD 83, Central Zone and adjusted to surface using a Combined Scale Factor of 1.00023100 as surveyed from NGS Triangulation Station ELP A (PID# AB8586) and NGS Benchmark Disk X 1118 (PID# CE0141). Bearing and Distance between ELP A AND X 1118 based on published Grid Coordinates is S 85° 19' 04" E, 28,662.24'.

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
 COUNTY OF TRAVIS §

That I, Robert E. Butler, Jr., a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 29th day of June, 2007 A.D.

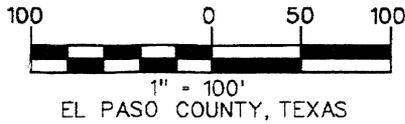
SURVEYING AND MAPPING, Inc.
5508 West Highway 290, Building B
Austin, Texas 78735



Robert E. Butler, Jr.

 Robert E. Butler, Jr.
 Registered Professional Land Surveyor
 No. 5618 – State of Texas

Exhibit "A"
11 of 18



EL PASO COUNTY, TEXAS



L1
S01° 54'58"W
36.82'
L2
N01° 54'58"E
49.38'

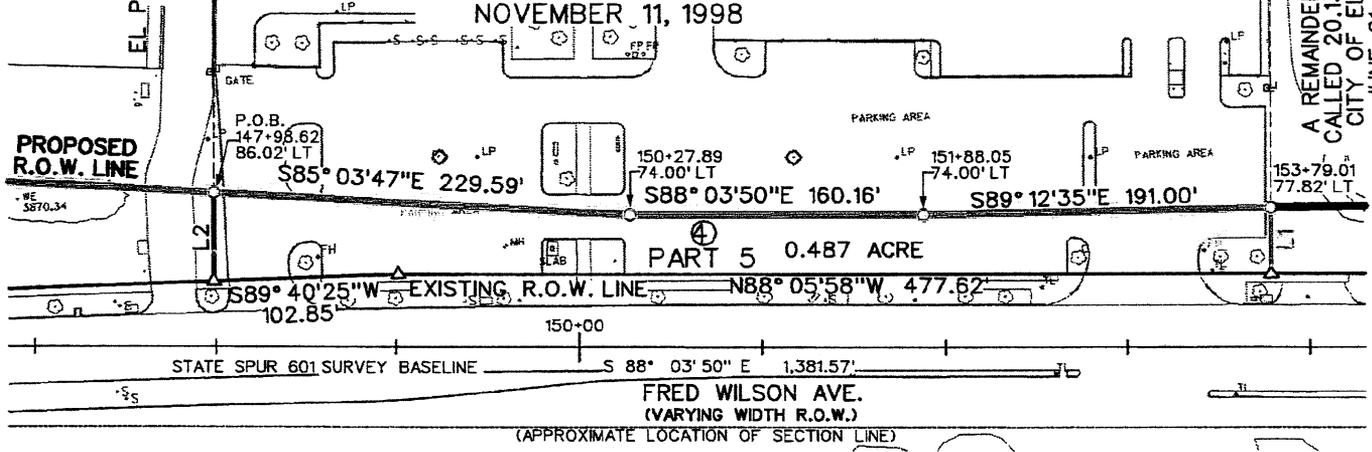
SECTION 17
BLOCK 81, TSP 2

- LEGEND**
- TYPE I CONCRETE MONUMENT FOUND
 - ▣ TYPE II CONCRETE MONUMENT FOUND UNLESS NOTED
 - ▣ TYPE II CONCRETE MONUMENT SET
 - 1/2" PIPE FOUND UNLESS NOTED
 - 5/8" IRON ROD W/SAM INC. ALUMINUM CAP SET UNLESS NOTED
 - 1/2" IRON ROD FOUND UNLESS NOTED
 - FENCE POST FOUND UNLESS NOTED
 - ▲ CALCULATED POINT UNLESS NOTED
 - ▲ 60 D NAIL FOUND UNLESS NOTED
 - ▲ 1/2" IRON ROD W/SAM INC. PLASTIC CAP SET UNLESS NOTED
 - 5/8" IRON ROD W/SAM INC. ALUMINUM CAP SET STAMPED "ADL" UNLESS NOTED
 - P — PROPERTY LINE
 - C — CENTER LINE
 - () RECORD INFORMATION
 - P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF COMMENCING
 - P.O.R. POINT OF REFERENCE
 - ADL ACCESS DENIAL LINE
 - RF IRON ROD FOUND
 - PF IRON PIPE FOUND
 - H — ACCESS DENIAL LINE
 - D.R.E.C.TX. DEED RECORDS EL PASO COUNTY, TEXAS
 - P.R.E.C.TX. PLAT RECORDS EL PASO COUNTY, TEXAS
 - O.P.R.E.C.TX. OFFICIAL PUBLIC RECORDS EL PASO COUNTY, TEXAS
 - O.P.R.R.P.E.C.TX. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY EL PASO COUNTY, TEXAS

A REMAINDER OF A
 CALLED 20.13 ACRES
 CITY OF EL PASO
 JUNE 21, 1957
 FURTHER DESCRIBED AS
 A CALLED 4.747 ACRES
 ORDINANCE NO. 15477
 EL PASO CITY/COUNTY HEALTH AND
 ENVIRONMENTAL DISTRICT
 ANIMAL SHELTER FACILITY
 JULY 1, 2003

A REMAINDER OF A
 CALLED 20.13 ACRES
 CITY OF EL PASO
 JUNE 21, 1957
 FURTHER DESCRIBED AS
 A CALLED 7.0 ACRES
 JOINT RESOLUTION OF THE
 PUBLIC SERVICE BOARD AND THE CITY
 OF EL PASO FROM JURISDICTION OF THE
 PSB TO THE CITY OF EL PASO FOR USE BY
 SUN METRO MASS TRANSIT
 NOVEMBER 11, 1998

A REMAINDER OF A
 CALLED 20.13 ACRES
 CITY OF EL PASO
 JUNE 21, 1957

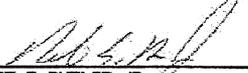


NOTES:

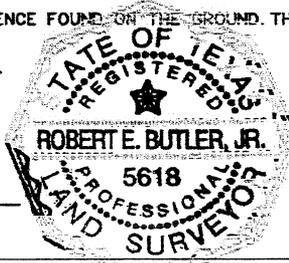
1. RECORD INFORMATION ON THIS DRAWING IS BASED ON A PUBLIC RECORDS SEARCH BY THE SURVEYOR AND MAY NOT INCLUDE ALL EASEMENTS OR INSTRUMENTS PERTAINING TO THIS PROPERTY.
2. BEARINGS AND COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, CENTRAL ZONE AND ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.00023100 AS SURVEYED FROM NGS TRIANGULATION STATION ELP A (PID# A88586) AND NGS BENCHMARK DISK X 1118 (PID# CE0141). BEARING AND DISTANCE BETWEEN ELP A AND X 1118 BASED ON PUBLISHED GRID COORDINATES IS S85° 19'04" E, 28,662.24'.
3. IMPROVEMENTS SHOWN HEREON ARE BASED UPON TXDOT AERIAL SURVEY DIGITAL FILES SUPPLEMENTED BY ON-THE-GROUND SURVEY BY SAM, INC. AND/OR LANDTECH. THERE MAY BE ADDITIONAL IMPROVEMENTS THAT ARE NOT SHOWN.
4. VISIBLE UTILITIES SHOWN HEREON ARE BASED UPON VISIBLE EVIDENCE FOUND ON THE GROUND. THERE MAY BE ADDITIONAL UNDERGROUND UTILITIES THAT ARE NOT SHOWN.
5. PROPERTY DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT.

SECTION 20
BLOCK 81, TSP 2

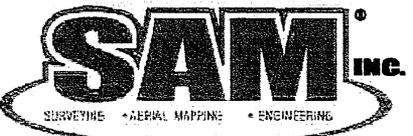
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION, AND THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.


 ROBERT E. BUTLER, JR.
 REGISTERED PROFESSIONAL LAND SURVEYOR
 NO. 5618, STATE OF TEXAS

06/29/07
DATE



PAGE 03 OF 03
REF. FIELD NOTE NO. 4461



5508 West Highway 290
 Building B
 Austin, Texas 78735
 (512) 447-0575
 Fax: (512) 326-3029

RIGHT-OF-WAY SKETCH
 SHOWING PROPERTY OF
 CITY OF EL PASO
 EL PASO COUNTY
 RCSJ NO.1046-03-002

Exhibit "A"
12/15

0.267 Acre (11,613 sq. ft.)
20' Wide Utility Easement
Section 17, Block 81, Township 2, Texas and
Pacific Railway Company Surveys
El Paso County, Texas

FN4626(ALG)
October 25, 2007
SAM, Inc. Job No. 27257-05

DESCRIPTION OF A 0.267 ACRE (11,613 SQ. FT.) TRACT OF LAND LOCATED IN SECTION 17, BLOCK 81, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, EL PASO COUNTY, TEXAS, BEING A PORTION OF A REMAINDER OF A CALLED 20.13 ACRE TRACT OF LAND DESCRIBED IN AN UN-RECORDED RESOLUTION TO THE CITY OF EL PASO, DATED JUNE 21, 1957, BEING FURTHER DESCRIBED AS A CALLED 7.0 ACRE TRACT OF LAND, DESCRIBED IN AN UN-RECORDED JOINT RESOLUTION OF THE PUBLIC SERVICE BOARD AND THE CITY OF EL PASO FROM JURISDICTION OF THE PSB TO THE CITY OF EL PASO FOR USE BY SUN METRO MASS TRANSIT, DATED NOVEMBER 11, 1998, SAID 0.267 ACRE (11,613 SQ. FT.) TRACT, AS SHOWN ON AN EASEMENT SKETCH PREPARED BY SAM, INC., BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 5/8-inch iron rod with a "SAM Inc" aluminum cap found in the proposed north right-of-way line of State Spur 601, same being in the common line of said 7.0 acre tract and a called 4.747 acre tract of land, Ordinance No. 15477, El Paso City/County Health and Environmental District Animal Shelter Facility, Dated July 1, 2003, also being the southwest corner and the **POINT OF BEGINNING** of the tract described herein, from which a 1/2-inch iron rod with a "SAM Inc" plastic cap found for the south common corner of said 7.0 acre tract and said 4.747 acre tract, same being in the existing north right-of-way line of State Spur 601;

THENCE leaving said proposed right-of-way line, with said common line, N 01° 54' 58" E, a distance of 20.03 feet to a calculated point, for the northwest corner of the tract described herein;

THENCE leaving said common line, crossing through the interior of said 7.0 acre tract, the following three (3) courses and distances:

1. S 85° 03' 47" E, a distance of 230.12 feet to a calculated angle point,
2. S 88° 03' 50" E, a distance of 159.43 feet to a calculated angle point, and
3. S 89° 12' 35" E, a distance of 191.19 feet to a calculated point in the east line of said 7.0 acre tract, and a west line of a remainder of said 20.13 acre tract, same being the northeast corner of the tract described herein;

THENCE with said common line, S 01° 54' 58" W, a distance of 20.00 feet to a 5/8-inch iron rod with a "SAM Inc" aluminum cap found for the southeast corner of the tract described herein;

THENCE leaving said common line, with said proposed right-of-way line, crossing through the interior of said 7.0 acre tract, the following three (3) courses and distances:

4. N 89° 12' 35" W, a distance of 191.00 feet to a 5/8-inch iron rod with a "SAM Inc" aluminum cap found, for an angle point,
5. N 88° 03' 50" W, a distance of 160.16 feet to a 5/8-inch iron rod with a "SAM Inc" aluminum cap found, for an angle point, and

0.267 Acre (11,613 sq. ft.)
20' Wide Utility Easement
Section 17, Block 81, Township 2, Texas and
Pacific Railway Company Surveys
El Paso County, Texas

FN4626(ALG)
October 25, 2007
SAM, Inc. Job No. 27257-05

6. N 85° 03' 47" W, a distance of 229.59 feet to the **POINT OF BEGINNING**, and containing 0.267 acre (11,613 sq. ft.) of land, more or less.

This property description is accompanied by a separate plat of even date.

Bearings and Coordinates are based on the Texas State Plane Coordinate System, NAD 83, Central Zone and adjusted to surface using a Combined Scale Factor of 1.00023100 as surveyed from NGS Triangulation Station ELP A (PID# AB8586) and NGS Benchmark Disk X 1118 (PID# CE0141). Bearing and Distance between ELP A AND X 1118 based on published Grid Coordinates is S 85° 19' 04" E, 28,662.24'.

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF TRAVIS §

That I, Robert E. Butler, Jr., a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 26th day of October, 2007 A.D.

SURVEYING AND MAPPING, Inc.
5508 West Highway 290, Building B
Austin, Texas 78735



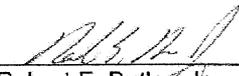

Robert E. Butler, Jr.
Registered Professional Land Surveyor
No. 5618 – State of Texas

EXhibit "A"
14 of 15



EL PASO COUNTY, TEXAS



SECTION 17
BLOCK 81, TSP 2

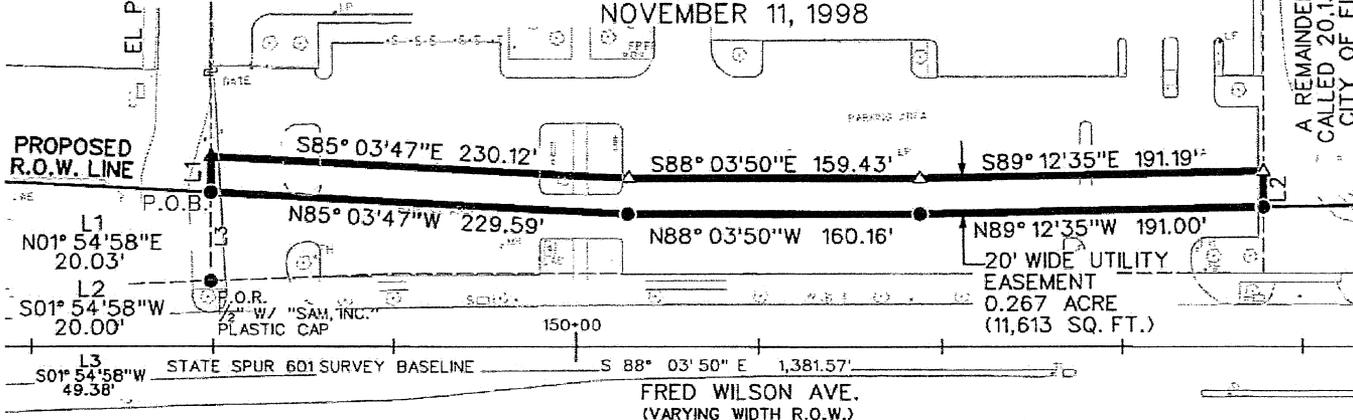
LEGEND

- 5/8" IRON ROD FOUND UNLESS NOTED
- △ CALCULATED POINT UNLESS NOTED
- PROPERTY LINE
- CENTER LINE
- () RECORD INFORMATION
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- P.O.R. POINT OF REFERENCE
- IRF IRON ROD FOUND
- IPF IRON PIPE FOUND
- D.R.E.C.TX. DEED RECORDS EL PASO COUNTY, TEXAS
- P.R.E.C.TX. PLAT RECORDS EL PASO COUNTY, TEXAS
- O.P.R.E.C.TX. OFFICIAL PUBLIC RECORDS EL PASO COUNTY, TEXAS
- O.P.R.R.P.E.C.TX. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY EL PASO COUNTY, TEXAS

A REMAINDER OF A
 CALLED 20.13 ACRES
 CITY OF EL PASO
 JUNE 21, 1957
 FURTHER DESCRIBED AS
 A CALLED 4.747 ACRES
 ORDINANCE NO. 15477
 EL PASO CITY/COUNTY HEALTH AND
 ENVIRONMENTAL DISTRICT
 ANIMAL SHELTER FACILITY
 JULY 1, 2003

A REMAINDER OF A
 CALLED 20.13 ACRES
 CITY OF EL PASO
 JUNE 21, 1957
 FURTHER DESCRIBED AS
 A CALLED 7.0 ACRES
 JOINT RESOLUTION OF THE
 PUBLIC SERVICE BOARD AND THE CITY
 OF EL PASO FROM JURISDICTION OF THE
 PSB TO THE CITY OF EL PASO FOR USE BY
 SUN METRO MASS TRANSIT
 NOVEMBER 11, 1998

A REMAINDER OF A
 CALLED 20.13 ACRES
 CITY OF EL PASO
 JUNE 21, 1957



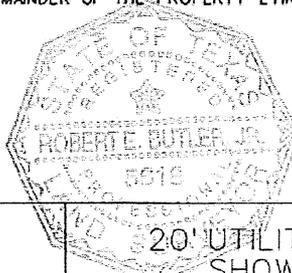
NOTES:

1. RECORD INFORMATION ON THIS DRAWING IS BASED ON A PUBLIC RECORDS SEARCH BY THE SURVEYOR AND MAY NOT INCLUDE ALL EASEMENTS OR INSTRUMENTS PERTAINING TO THIS PROPERTY.
2. BEARINGS AND COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, CENTRAL ZONE AND ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.00023100 AS SURVEYED FROM NGS TRIANGULATION STATION ELP A (PID# AB8586) AND NGS BENCHMARK DISK X 1118 (PID# CE0141). BEARING AND DISTANCE BETWEEN ELP A AND X 1118 BASED ON PUBLISHED GRID COORDINATES IS S85°19'04" E, 28,662.24'.
3. IMPROVEMENTS SHOWN HEREON ARE BASED UPON TXDOT AERIAL SURVEY DIGITAL FILES SUPPLEMENTED BY ON-THE-GROUND SURVEY BY SAM, INC. AND/OR LANDTECH. THERE MAY BE ADDITIONAL IMPROVEMENTS THAT ARE NOT SHOWN.
4. VISIBLE UTILITIES SHOWN HEREON ARE BASED UPON VISIBLE EVIDENCE FOUND ON THE GROUND. THERE MAY BE ADDITIONAL UNDERGROUND UTILITIES THAT ARE NOT SHOWN.
5. PROPERTY DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT.
6. ACCESS WILL BE PERMITTED TO THE HIGHWAY FACILITY FROM THE REMAINDER OF THE PROPERTY LYING ADJACENT TO STATE SPUR 601.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND
 UNDER MY DIRECTION AND SUPERVISION, AND THAT THIS PLAT IS
 TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

ROBERT E. BUTLER, JR.
 REGISTERED PROFESSIONAL LAND SURVEYOR
 NO. 5618, STATE OF TEXAS

10/26/2007
 DATE



PAGE 03 OF 03
 REF. FIELD NOTE NO. 4626



5508 West Highway 290
 Building B
 Austin, Texas 78735
 (512) 447-0575
 Fax: (512) 326-3029

20' UTILITY EASEMENT SKETCH
 SHOWING PROPERTY OF
 CITY OF EL PASO
 EL PASO COUNTY

Exhibit "A"
 15 of 18

0.940 Acre (40,930 sq. ft.)
Construction Easement
Section 17, Block 81, Township 2, Texas and
Pacific Railway Company Surveys
El Paso County, Texas

FN4647(ALG)
November 30, 2007
SAM, Inc. Job No. 27257-05

DESCRIPTION OF A 0.940 ACRE (40,930 SQ. FT.) TRACT OF LAND LOCATED IN SECTION 17, BLOCK 81, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, EL PASO COUNTY, TEXAS, BEING A PORTION OF A REMAINDER OF A CALLED 20.13 ACRE TRACT OF LAND DESCRIBED IN AN UN-RECORDED RESOLUTION TO THE CITY OF EL PASO, DATED JUNE 21, 1957, BEING FURTHER DESCRIBED AS A CALLED 7.0 ACRE TRACT OF LAND, DESCRIBED IN AN UN-RECORDED JOINT RESOLUTION OF THE PUBLIC SERVICE BOARD AND THE CITY OF EL PASO FROM JURISDICTION OF THE PSB TO THE CITY OF EL PASO FOR USE BY SUN METRO MASS TRANSIT, DATED NOVEMBER 11, 1998, SAID 0.940 ACRE (40,930 SQ. FT.) TRACT, AS SHOWN ON AN EASEMENT SKETCH PREPARED BY SAM, INC., BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point in the common line of said 7.0 acre tract and a called 4.747 acre tract of land, Ordinance No. 15477, El Paso City/County Health and Environmental District Animal Shelter Facility, Dated July 1, 2003, also being the southwest corner and the **POINT OF BEGINNING** of the tract described herein, from which a 5/8-inch iron rod with a "SAM Inc" aluminum cap found in the proposed north right-of-way line of State Spur 601, bears S 01° 54' 58" W, a distance of 20.03 feet;

THENCE with said common line, N 01° 54' 58" E, a distance of 49.65 feet to a calculated point;

THENCE leaving said common line crossing through the interior of said 7.0 acre tract, the following nine (9) courses and distances:

1. S 86° 52' 40" E, a distance of 64.51 feet to a calculated point,
2. N 02° 23' 09" W, a distance of 27.15 feet to a calculated point,
3. S 87° 44' 07" E, a distance of 100.11 feet to a calculated point,
4. North, a distance of 6.22 feet to a calculated point,
5. S 87° 47' 51" E, a distance of 117.64 feet to a calculated point,
6. S 03° 34' 35" W, a distance of 18.12 feet to a calculated point,
7. East, a distance of 119.24 feet to a calculated point,
8. S 01° 28' 08" W, a distance of 22.05 feet to a calculated point, and
9. S 87° 54' 17" E, a distance of 181.57 feet to a calculated point in the east line of said 7.0 acre tract, and a west line of a remainder of said 20.13 acre tract;

THENCE with said common line, S 01° 54' 58" W, a distance of 52.07 feet to a calculated point, for the southeast corner of the tract described herein, from which a 5/8-inch iron rod with a "SAM Inc" aluminum cap found in said proposed north right-of-way line of State Spur 601, bears S 01° 54' 58" W, a distance of 20.00 feet;

0.940 Acre (40,930 sq. ft.)
Construction Easement
Section 17, Block 81, Township 2, Texas and
Pacific Railway Company Surveys
El Paso County, Texas

FN4647(ALG)
November 30, 2007
SAM, Inc. Job No. 27257-05

THENCE leaving said common line, crossing through the interior of said 7.0 acre tract, the following three (3) courses and distances:

1. N 89° 12' 35" W, a distance of 191.19 feet to a calculated point,
2. N 88° 03' 50" W, a distance of 159.43 feet to a calculated point,
3. N 85° 03' 47" W, a distance of 230.12 feet to the **POINT OF BEGINNING**, and containing 0.940 acre (40,930 sq. ft.) of land, more or less.

This property description is accompanied by a separate plat of even date.

Bearings and Coordinates are based on the Texas State Plane Coordinate System, NAD 83, Central Zone and adjusted to surface using a Combined Scale Factor of 1.00023100 as surveyed from NGS Triangulation Station ELP A (PID# AB8586) and NGS Benchmark Disk X 1118 (PID# CE0141). Bearing and Distance between ELP A AND X 1118 based on published Grid Coordinates is S 85° 19' 04" E, 28,662.24'.

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF TRAVIS §

That I, Robert E. Butler, Jr., a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 3rd day of December, 2007 A.D.

SURVEYING AND MAPPING, Inc.
5508 West Highway 290, Building B
Austin, Texas 78735



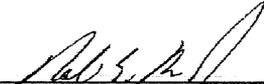
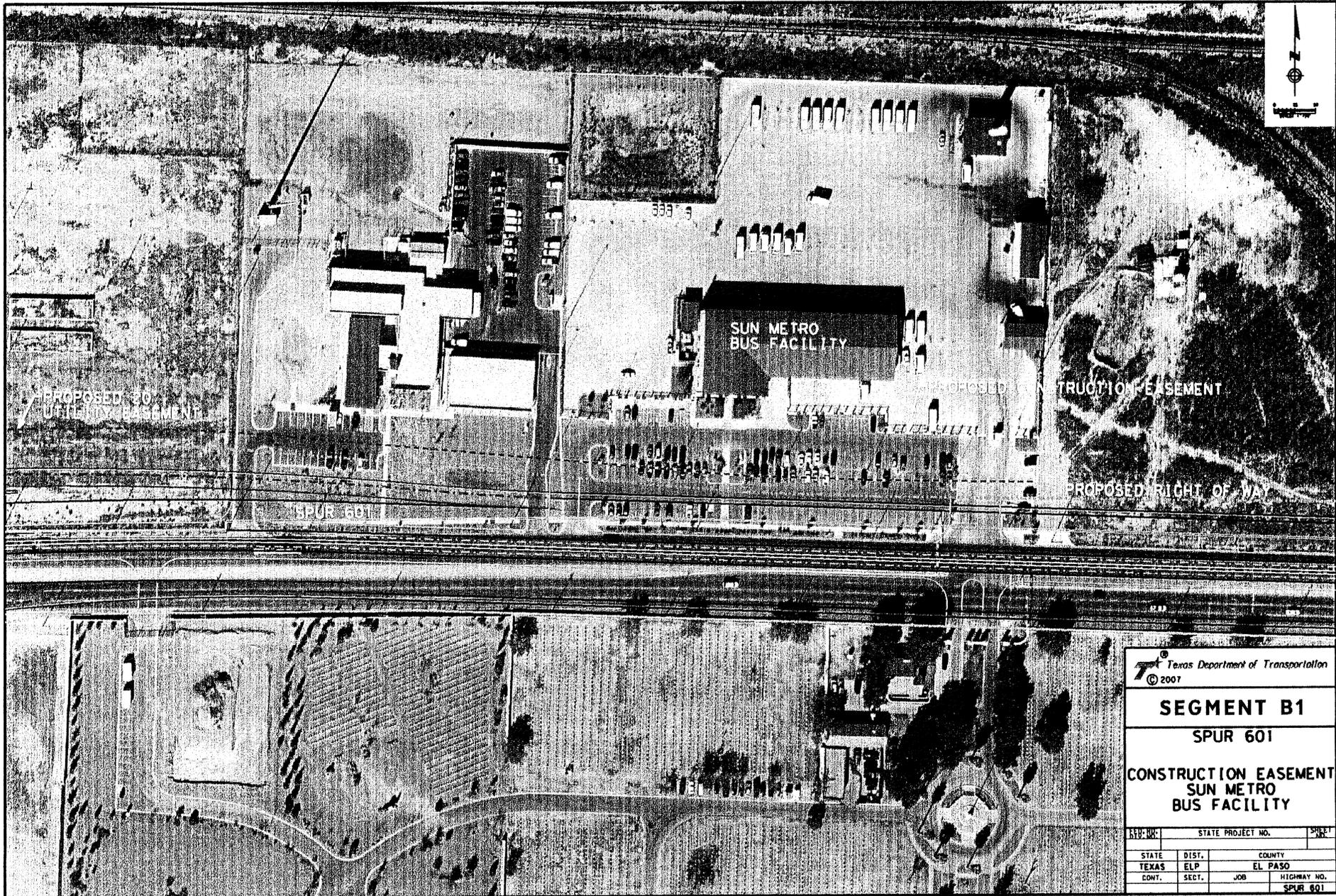

Robert E. Butler, Jr.
Registered Professional Land Surveyor
No. 5618 – State of Texas

Exhibit "A"
17 of 18

Exhibit "A"
18 of 15



Texas Department of Transportation
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SEGMENT B1

SPUR 601

**CONSTRUCTION EASEMENT
SUN METRO
BUS FACILITY**

STATE PROJECT NO.		SHEET	
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
EDMT.	SECT.	JOB	HIGHWAY NO.
			SPUR 601