

CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM -
CORRECTED - FEBRUARY 1, 2007 - DISTRICT 1 TO ETJ

DEPARTMENT: El Paso Water Utilities: Submitted: January 24, 2007 AM 11:43

AGENDA DATE: Introduction: February 6, 2007 ~ Public Hearing: February 20, 2007
The El Paso Water Utilities is requesting this matter be placed on the City Council Agenda (INTRODUCTION) for February 6, 2007. A copy of this agenda item with its supporting documentation has been furnished to the City Attorney for his review prior to City Council action.

CONTACT PERSON/PHONE: Robert D. Andron, General Counsel *RD*
El Paso Water Utilities, (915) 594-5607

DISTRICT(S) AFFECTED: Extraterritorial Jurisdiction
FAR WEST - EL PASO COUNTY LAND SALE

SUBJECT:

An Ordinance authorizing the City Manager to sign a Special Warranty Deed conveying to various property owners, land totaling approximately 0.557 acres consisting of Tracts 5B & 5C, Block 18, Upper Valley Surveys, El Paso County, Texas, in far west El Paso located near Campos and Bosque Roads. (**Extraterritorial Jurisdiction**) [El Paso Water Utilities, Robert D. Andron, (915) 594-5506]

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?

By Resolution dated January 10th, 2007, the El Paso Water Utilities Public Service Board, (PSB), which has jurisdiction over that certain parcel of land described as being approximately 0.557 acres consisting of Tracts 5B & 5C, Block 18, Upper Valley Surveys, El Paso County, Texas, found the parcel to be inexpedient to the water system, authorized the sale of the land to the abutting property owners in the landlocked subdivision for use as a road, and requested the City Council to authorize the City Manager to sign a Special Warranty Deed to convey the land.

The property owners have agreed to dedicate the land to the County for roadway purposes and the Special Warranty Deed will contain a deed restriction that the land shall only be used for roadway purposes.

The property owners have paid the agreed upon consideration of \$18,500.00 into an escrow account which is the appraised value of the land. The City of El Paso will receive five percent (5%) of the net sale proceeds.

PRIOR COUNCIL ACTION:

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

On May 3, 2005, the City Council approved the sale of four (4) parcels of land totaling approximately 460 acres (for the proposed construction of housing) which are located near the land the subject of this request. Also July 12, 2005, the sale of another parcel (4.69 acres) near the same area was approved by City Council.

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? n/a

CITY CLERK DEPT.
07 FEB -1 AM 11:43

BOARD / COMMISSION ACTION:

El Paso Water Utilities Public Service Board found the land inexpedient to the water and wastewater system and authorized the sale of the 0.557 acres of land by resolution on January 10th, 2007.

*******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. _____ CITY CLERK DEPT.

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO SIGN A SPECIAL WARRANTY DEED CONVEYING TO VARIOUS PROPERTY OWNERS, LAND TOTALING APPROXIMATELY 0.557 ACRES CONSISTING OF TRACTS 5B & 5C, BLOCK 18, UPPER VALLEY SURVEYS, EL PASO COUNTY, TEXAS, IN FAR WEST EL PASO LOCATED NEAR CAMPOS AND BOSQUE ROADS.

WHEREAS, the El Paso Water Utilities, Public Service Board, as Trustee, has jurisdiction over certain lands in the so-called upper valley area of El Paso, more particularly described as a tract of land 0.557 acres consisting of a portion of Tracts 5B and 5C, Block 18, Upper Valley Surveys, El Paso County, Texas; and,

WHEREAS, various property owners in the landlocked subdivision which abut the tract of land and each other have requested to purchase a portion of the tract of land to dedicate the same to the County of El Paso for roadway use for access to their homes; and,

WHEREAS, the said property owners are allowed under Texas Local Government Code Section 272.001 to be the purchasers without bid based on this specific bid statute exception due to the fact that the land is a narrow strip that because of its size or shape cannot be used under current zoning, subdivision or other development control ordinances for another purpose and, they abut the tract or each other in the otherwise landlocked subdivision; and,

WHEREAS, by Resolution dated January 10th, 2007, the El Paso Water Utilities Public Service Board (PSB) found the said parcel to be inexpedient to the water system, authorized the sale of the land to the abutting property owners in the landlocked subdivision for use as a road, and requested the City Council to authorize the City Manager to sign a Special Warranty Deed to convey the land; and,

WHEREAS, the Special Warranty Deed will contain a restrictive covenant that the properties shall be used only for roadway purposes; and,

WHEREAS, the property owners have paid into an escrow account the agreed upon consideration of \$18,500 as set by an independent appraisal; NOW, THEREFORE,

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

That the City Manager is hereby authorized to sign a Special Warranty Deed conveying to various property owners for the purpose of gaining legal access to their properties along the Bosque Road area.

The land the subject of this Ordinance is described as approximately 0.557 acres of land consisting of Tracts 5B & 5C, Block 18, Upper Valley Surveys, El Paso County, Texas. Said property is located in far west El Paso near Campos & Bosque Roads.

The City Manager is further authorized to sign any and all documents required to accomplish the conveyance of said property.

A metes and bounds description of the land is attached hereto as Exhibit "A" and made a part hereof by this reference for all purposes.

PASSED AND APPROVED this _____ day of _____, 2007.

THE CITY OF EL PASO

ATTEST:

John F. Cook, Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Robert D. Andron
General Counsel, El Paso Water Utilities

CITY CLERK DEPT.
07 FEB - 1 AM 11:43

ATCON ENGINEERING & SURVEYING
A 0.557 ACRE PARCEL
BEING A PORTION OF TRACTS 5B AND 5C, BLOCK 18
UPPER VALLEY SURVEYS
JULY 24, 2003

DESCRIPTION

DESCRIPTION OF A PARCEL OF LAND BEING A PORTION OF TRACTS 5B AND 5C, BLOCK 18, UPPER VALLEY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGGINING AT A FOUND 1" IRON PIPE LOCATED AT THE COMMON CORNER FOR TRACTS 5B AND 5AB, BLOCK 18, UPPER VALLEY SURVEYS, FROM WHENCE A 1" IRON BEARS NORTH 86°09'00" EAST A DISTANCE 252.85 FEET TO SAID IRON PIPE ALSO BEING THE **POINT OF BEGINNING** OF THIS DESCRIPTION:

THENCE, NORTH 86°09'00" EAST A DISTANCE OF 600.00 FEET ALONG THE NORTHERLY LINE OF TRACT 5B AND 5C TO A SET 1/2" REBAR FOR A CORNER OF THIS PARCEL AND NORTHEAST CORNER FOR TRACT 5C;

THENCE, SOUTH 00°09'00" EAST A DISTANCE OF 50.10 FEET ALONG THE WESTERLY LINE OF BOSQUE ROAD (40' WIDE ROAD) TO A SET 1/2" REBAR FOR A CORNER OF THIS PARCEL;

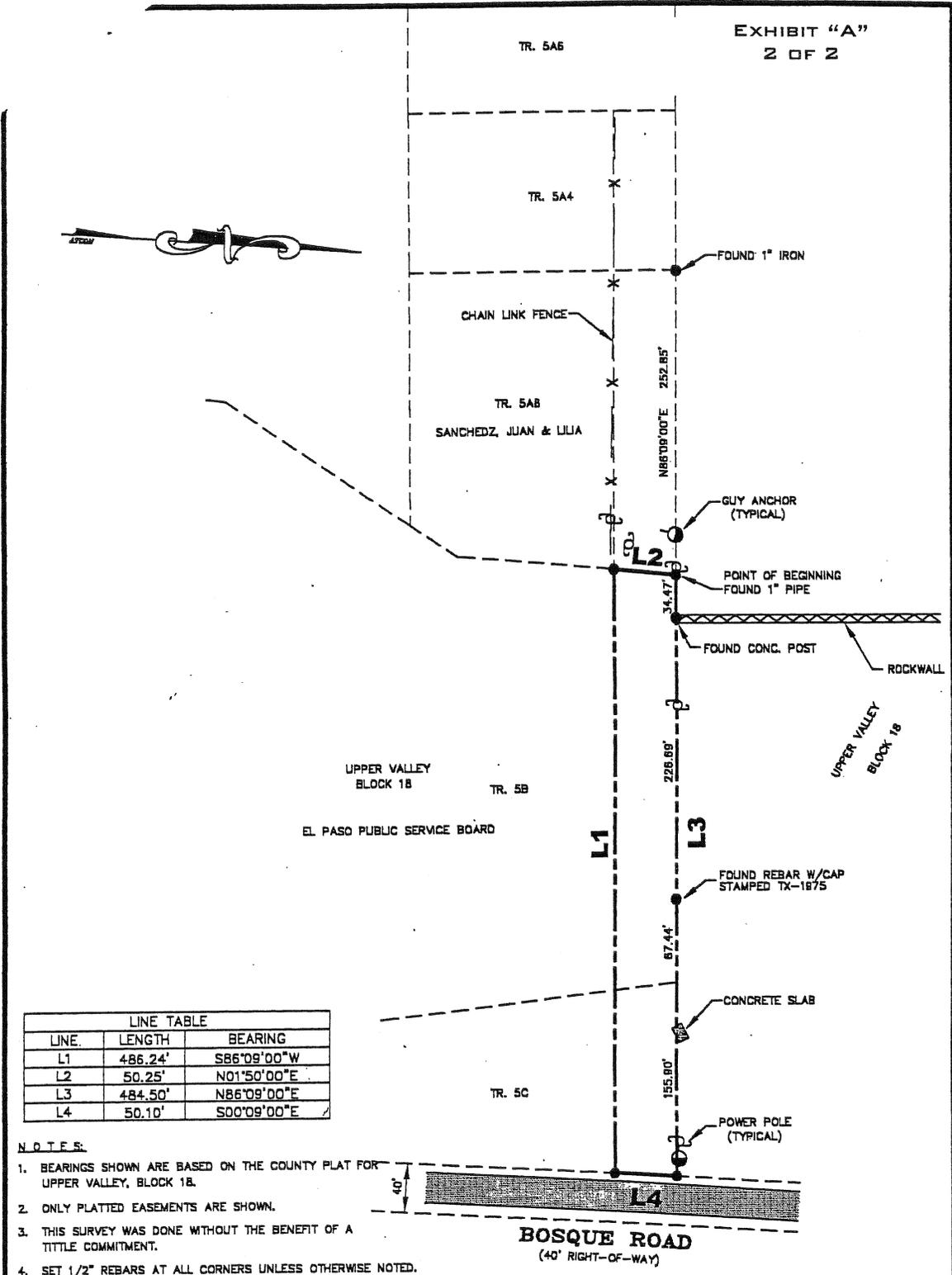
THENCE, SOUTH 86°09'00" WEST A DISTANCE OF 486.24 FEET TO A POINT FOR A CORNER OF THIS PARCEL;

THENCE NORTH 01°50'00" EAST A DISTANCE OF 50.25 FEET ALONG TRACTS 54B AND 5B TO THE **POINT OF BEGINNING** OF THIS DESCRIPTION AND CONTAINING 24,269 SQUARE FEET OR 0.557 ACRES OF LAND MORE OR LESS.

NOTES:

1. BEARINGS RECITED HEREON ARE BASED ON THE COUNTY PLAT FOR UPPER VALLEY SURVEYS, BLOCK 18.
2. A PLAT OF SURVEY DATED 7/22/03 ACCOMPANIES THIS DESCRIPTION.

CITY CLERK DEPT.
07 JAN 25 AM 11:08



LINE TABLE		
LINE	LENGTH	BEARING
L1	486.24'	S86°09'00"W
L2	50.25'	N01°50'00"E
L3	484.50'	N86°09'00"E
L4	50.10'	S00°09'00"E

NOTES

1. BEARINGS SHOWN ARE BASED ON THE COUNTY PLAT FOR UPPER VALLEY, BLOCK 18.
2. ONLY PLATTED EASEMENTS ARE SHOWN.
3. THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
4. SET 1/2" REBARS AT ALL CORNERS UNLESS OTHERWISE NOTED.
5. A DESCRIPTION DATED JULY 24, 2003 ACCOMPANIES THIS PLAT.
6. THIS PROPERTY MAY BE SUBJECT TO EASEMENTS.

ATCON ENGINEERING

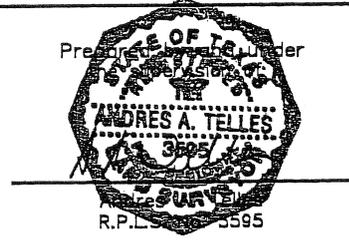
2112 TRAWOOD DRIVE, SUITE B-1
EL PASO, TEXAS 79935
ATCONENGINEERING@AOL.COM

NO PART OF THIS DRAWING MAY BE REPRODUCED OR RETRANSMITTED IN ANY WAY OR FORM (ELECTRONIC, MECHANICAL, PHOTOCOPYING OR OTHERWISE) WITHOUT EXPRESS WRITTEN PERMISSION OF ATCON ENGINEERING

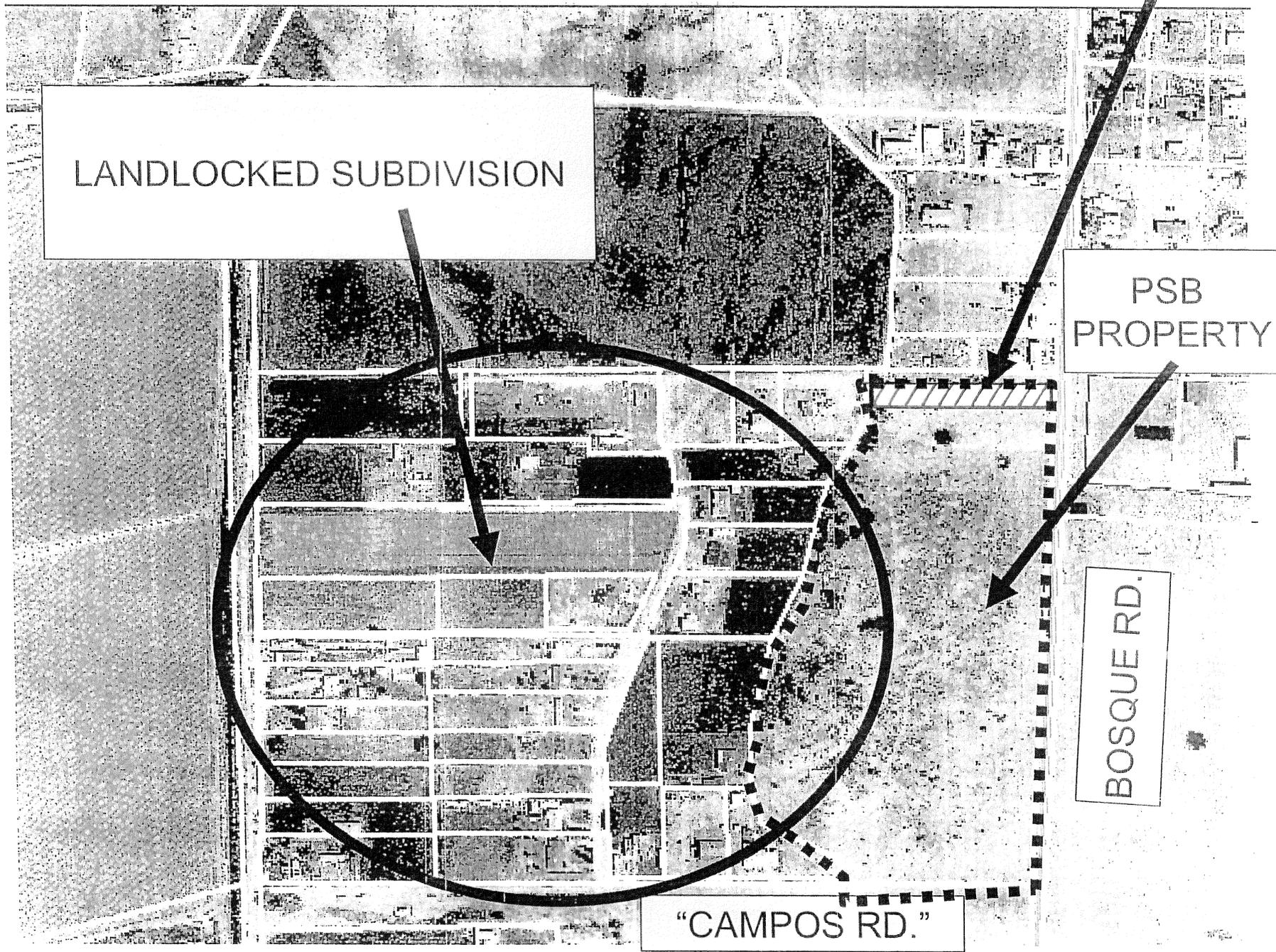
CITY CLERK DEPT.
07 JAN 25 AM 11:08

PLAT OF SURVEY
BEING A PORTION OF TRACTS 5B AND 5C
UPPER VALLEY SURVEYS, BLOCK 18
CITY OF EL PASO, EL PASO COUNTY, TEXAS
CONTAINING: 0.557 ACRES ±

DATE 07/22/03 SCALE 1"=100' DRAWN BY A.B. REVISED



GUTIERREZ'S REQUEST FOR 50'X485'+/- ACCESS EASEMENT



LANDLOCKED SUBDIVISION

PSB PROPERTY

BOSQUE RD.

"CAMPOS RD."



CITY CLERK DEPT.
07 FEB -1 AM 11:43

TO: Joyce A. Wilson, City Manager
City of El Paso, Texas

Corrected Location
From **District 1** to
Extraterritorial Jurisdiction

FROM: Robert D. Andron, General Counsel *RA*
El Paso Water Utilities Public Service Board

DATE: ~~January 24, 2007~~—February 1, 2007

SUBJECT: Request to place Item on City Council Agenda – Introduction: February 6, 2007

An Ordinance authorizing the City Manager to sign a Special Warranty Deed conveying to various property owners, land totaling approximately 0.557 acres of consisting of Tracts 5B & 5C, Block 18, Upper Valley Surveys, El Paso County, Texas, in Far West El Paso located near Campos and Bosque Roads. (**Extraterritorial Jurisdiction**) [El Paso Water Utilities, Robert D. Andron, (915) 594-5506]

INTRODUCTION – City Council Agenda – February 6, 2007

PUBLIC HEARING – City Council Agenda – February 20, 2007

Background

For a number of years the thirty-four property owners abutting this tract of land have used a portion of the land for access to their homes. Not all of the property owners abut the access parcel but they are all abutting property owners in the same subdivision which otherwise does not have legal access. The land is under the jurisdiction of the El Paso Water Utilities Public Service Board. Congressman Reyes has worked diligently with the property owners to seek to have this land conveyed to them and then to the County for roadway use.

By Resolution dated January 10th, 2007, the El Paso Water Utilities Public Service Board, (PSB), which has jurisdiction over that certain parcel of land described as being approximately 0.557 acres consisting of Tracts 5B & 5C, Block 18, Upper Valley Surveys, El Paso County, Texas, found the parcel to be inexpedient to the water system, authorized the sale of the land to the abutting property owners in the landlocked subdivision for use as a road, and requested the City Council to authorize the City Manager to sign a Special Warranty Deed to convey the land.

The property owners have agreed to dedicate the land to the County for roadway purposes and the Special Warranty Deed will contain a deed restriction that the land shall only be used for roadway purposes.

The property owners have paid the agreed upon consideration of \$18,500.00 into an escrow account which is the appraised value of the land. The City of El Paso will receive five percent (5%) of the net sale proceeds.

ACTION REQUESTED

That the City Manager is authorized to sign a Special Warranty Deed conveying to various property owners, land totaling approximately 0.557 acres consisting of Tracts 5B & 5C, Block 18, Upper Valley Surveys, El Paso County, Texas. Said property is located in far west El Paso. The City Manager is further authorized to sign any and all documents required to accomplish the conveyance of said property.

City Manager Joyce Wilson
Department Memo,
Request for Item for City Council Agenda
Introduction of Ordinance-February 6, 2007
Campos and Bosque Roads Access
Page 2

CITY CLERK DEPT.
07 FEB -1 AM 11:43

REQUEST TO PLACE ITEM ON THE CITY COUNCIL AGENDA

Attached are a copy of the El Paso Water Utilities Public Service Board Resolution, the proposed Ordinance and the Special Warranty Deed for said property in this request. Upon passage of the Ordinance, it is requested that the City Clerk provide to this office a copy of the fully executed and numbered Ordinance for this parcel.

As to the deed, after City Council approval, execution by the City Manager and notarizing such signature, the City Clerk's Office will make a copy for her files, the City Clerk will route the original Special Warranty Deed to the El Paso Water Utilities Legal Section so that arrangements can be made for a closing on said parcel. After closing and once the Special Warranty Deed has been filed of record, this office will send a conformed copy to the City Clerk for the City's permanent records.

Please advise this office upon completion of your review and approval of the placement of this item on the City Council Agenda and my Secretary will contact the City Clerk and make arrangements to have a document packet hand-delivered to the City Clerk's Office and email backup documents as noted to those listed below. If there are any questions, please call me at 594-5607 or email bandron@epwu.org.

I will plan to attend the Public Hearing for the Ordinance which is scheduled at this time for the City Council agenda February 20, 2007. Thank you for your kind attention to these matters.

Attachments

Cc: The Honorable Mayor John Cook (email)
City Council Representatives (email)
Pat Adatao, Deputy City Manager for Building & Planning Services (email)
Charlie McNabb, City Attorney (email)
Theresa Cullen-Garney, Deputy City Attorney (email)
Richarda Duffy-Momsen, City Clerk (hard copies & email)
Nicholas J. Costanzo, Assistant General Manager (email)
Marcela Navarrete, Chief Finance Officer, PSB (email)
Jim Shelton, Land Administration, PSB (email)

07 JAN 25 AM 11:08

A RESOLUTION AUTHORIZING THE SALE OF A STRIP OF LAND FOR ROADWAY USE TO VARIOUS PROPERTY OWNERS ABUTTING A PARCEL OF LAND LEGALLY DESCRIBED AS A 0.557 ACRE PORTION OF LAND OUT OF TRACTS 5B & 5C, BLOCK 18, UPPER VALLEY SURVEYS, EL PASO COUNTY, TEXAS. SAID REAL PROPERTY BEING UNDER THE JURISDICTION OF THE PUBLIC SERVICE BOARD AND REQUESTING THE EL PASO CITY COUNCIL TO AUTHORIZE THE EL PASO CITY MANAGER TO EXECUTE A SPECIAL WARRANTY DEED CONVEYING THE LAND.

WHEREAS, the El Paso Water Utilities Public Service Board (PSB), as Trustee, has jurisdiction over certain lands in the upper valley area in El Paso; and

WHEREAS, the Public Service Board at its regular meeting of September 27, 2006 approved the sale of a 0.557 acre strip of land for roadway use in the upper valley area in El Paso near Campos and Bosque Roads; and,

WHEREAS, the PSB finds that this parcel of land is inexpedient to the water system and that it is in the public interest that said land should be sold to various abutting property owners for road use to allow access to their property; and

WHEREAS, the Special Warranty Deed conveying this land will have a use restriction covenant for roadway purposes and each potential property owner has covenanted to dedicate the property to the County of El Paso for roadway use; and,

WHEREAS, the PSB set a minimum price of \$18,500.00 at their regular meeting on September 27, 2006, based upon an independent appraisal; and,

WHEREAS, the various abutting property owners are allowed under Texas Local Government Code Section 272.001 to be the purchasers of this property in exception to the state competitive bidding process based on the fact that the land is a narrow strip and because of its shape and size cannot be used under zoning, subdivision or other development control ordinances for another purpose.

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 inexpedient to the needs of the water utility system and hereby approves the conveyance of the parcel of land, to wit:

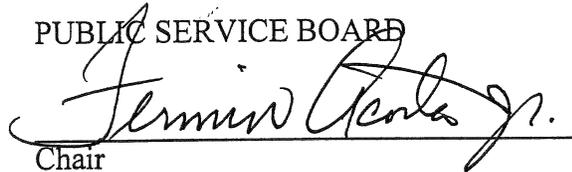
Being a portion of Tracts 5B & 5C, Block 18, Upper Valley Surveys, El Paso County, Texas, approximately 0.557 acres of land, more particularly described by metes and bounds in Exhibit "A" hereto incorporated herein by this reference for all purposes.

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 the various abutting property owners. The Special Warranty Deed shall contain a covenant and restriction that the property shall be used for roadway purposes.

Section 4. That a copy of this Resolution shall be transmitted to the City Attorney's Office for action to bring the matter before the City Council for action.

PASSED AND APPROVED at regular meeting of the **Public Service Board of the City of El Paso, Texas, this 10th day of January, 2007**, 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

CITY CLERK DEPT.
07 JAN 25 AM 11:08

AFTER RECORDING RETURN TO:

El Paso Water Utilities
Attn: Robert D. Andron
1154 Hawkins Blvd., Legal Section
El Paso, TX 79925

SPECIAL WARRANTY DEED

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

Date:

Grantor: The City of El Paso, Texas

Grantor's Mailing Address: #2 Civic Center Plaza
El Paso, TX 79901

Grantee with Grantee's Mailing Address: Anselmo Parra

Raul and Aurelia Padilla

Victoria Gonzalez

Gilberto C. and Jovita Mendoza

Simon and Lourdes P. Sapien

07 JAN 25 AM 11:09
CITY CLERK DEPT.

SPECIAL WARRANTY DEED GRANTEE'S LISTING CONTINUED:

Raul Hernandez

Juan and Lilia A. Sanchez

Jose Ortega III and Carolina

Luis and Josie Porras

Jose T. and Lillian V. Lujan

Enrique Collazo

Ruben and Hortencia Vogt

Honorio and Cruz A. Arreola

CITY CLERK DEPT.
07 JAN 25 AM 11:09

SPECIAL WARRANTY DEED GRANTEE'S LISTING CONTINUED:

Jesus M. and Fidel G. Rodriguez

Humberto and Yolanda Barboza

Jose Gutierrez

Domitilo and Lucila Mijares

Guadalupe G. Gonzalez

Consideration: TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged

Property (including any improvements):

A parcel of land being a portion of Tracts 5B and 5C, Block 18, Upper Valley Surveys, El Paso County, Texas, located in the Upper Valley Area of El Paso, according to the map thereof on file for tax purposes At the El Paso Central Appraisal District, and being more particularly Described by metes and bounds in Exhibit "A" attached hereto and Made a part hereof for all purposes by this reference.

Restrictions, Reservation from and Exceptions to Conveyance and Warranty:

1. Any discrepancies, conflicts or shortages in area or boundary lines, or any encroachments or protrusions, or any overlapping of improvements;

07 JAN 25 AM 11:09

CITY CLERK DEPT.

2. Any easements of record, visible or apparent on the property.
3. An Affidavit that is a "Notice of Claim to the Ysleta Grant and Aboriginal Title Areas" which has been filed in Volume 2553, Page 1958, Deed Records, EL Paso County, Texas.
4. It is hereby a restriction on the use of the Property that it shall always be used for a roadway right of way. Should the Property cease to be used for a roadway right of way, then, and in that event, without further legal notice or action being required, ownership of the Property shall revert to the El Paso Water Utilities Public Service Board.
5. The City of El Paso on behalf of its El Paso Water Utilities Public Service Board hereby reserves to the utility any and all surface or groundwater rights attributable to the Property for any purpose.

As a material part of the Consideration for this deed, Grantor and Grantee agree that Grantee is taking the Property "AS IS" with any and all latent and patent defects and that there is no warranty by Grantor that the Property has a particular financial value or is fit for a particular purpose. Grantee acknowledges and stipulates that Grantee is not relying on any representation, statement, or other assertion with respect to the Property condition but is relying on Grantee's examination of the Property. Grantee takes the Property with the express understanding and stipulation that there are no express or implied warranties.

GRANTOR for the Consideration recited above and subject to the Restrictions, Reservations from and the Exceptions to Conveyance and Warranty, grants, sells and conveys to Grantee, the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors and assigns forever. Grantor binds Grantor and Grantor's successors and assigns to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Restrictions, Reservations from and Exceptions to Conveyance and Warranty, when the claim is by, through or under Grantor but not otherwise.

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

GRANTOR: THE CITY OF EL PASO

APPROVED AS TO FORM:

Joyce Wilson, City Manager



Robert D. Andron, General Counsel, PSB

(Signatures & Acknowledgments continued on following page)

07 JAN 25 AM 11:09
CITY CLERK DEPT.

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

GRANTEES:

By: _____
Anselmo Parra

By: _____
Raul Padilla

By: _____
Aurelia Padilla

By: _____
Victoria Gonzalez

By: _____
Gilberto C. Mendoza

By: _____
Jovita Mendoza

By: _____
Simon Sapien

By: _____
Lourdes P. Sapien

By: _____
Raul Hernandez

By: _____
Juan Sanchez

By: _____
Lilia A. Sanchez

By: _____
Jose Ortega III

07 JAN 25 AM 11:09
CITY CLERK DEPT.
(Signatures continued on following pages)

(Signatures continued)

By: _____
Carolina Ortega

By: _____
Luis Porras

By: _____
Josie Porras

By: _____
Jose T. Lujan

By: _____
Lillian V. Lujan

By: _____
Enrique Collazo

By: _____
Ruben Vogt

By: _____
Hortencia Vogt

By: _____
Honorio Arreola

By: _____
Cruz A. Arreola

By: _____
Jesus M. Rodriguez

By: _____
Fidel G. Rodriguez

By: _____
Humberto Barboza

CITY CLERK DEPT.
07 JAN 25 AM 11:09

(Signatures continued on following pages)

CITY CLERK DEPT.
07 JAN 25 AM 11:09

(Signatures continued)

By: _____
Yolanda Barboza

By: _____
Jose Gutierrez

By: _____
Domitilo Mijares

By: _____
Lucila Mijares

By: _____
Guadalupe G. Gonzalez

ACKNOWLEDGMENTS

STATE OF TEXAS }
 }
COUNTY OF EL PASO }

This instrument was acknowledged before me on the _____ day of _____,
2007, 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 _____,
2007 by Anselmo Parra, property owner.

Notary Public, State of Texas

STATE OF TEXAS }
 }
COUNTY OF EL PASO }

This instrument was acknowledged before me on the _____ day of _____,
2007 by Raul Padilla, property owner.

Notary Public, State of Texas

(Acknowledgments continued on following pages)

(Continued Acknowledgments)

CITY CLERK DEPT.
07 JAN 25 AM 11:09

STATE OF TEXAS }
 }
COUNTY OF EL PASO }

This instrument was acknowledged before me on the _____ day of _____,
2007 by Aurelia Padilla, property owner.

Notary Public, State of Texas

STATE OF TEXAS }
 }
COUNTY OF EL PASO }

This instrument was acknowledged before me on the _____ day of _____,
2007 by Victoria Gonzalez property owner.

Notary Public, State of Texas

STATE OF TEXAS }
 }
COUNTY OF EL PASO }

This instrument was acknowledged before me on the _____ day of _____,
2007 by Gilberto C. Mendoza, property owner.

Notary Public, State of Texas

STATE OF TEXAS }
 }
COUNTY OF EL PASO }

This instrument was acknowledged before me on the _____ day of _____,
2007 by Jovita Mendoza, property owner.

Notary Public, State of Texas

STATE OF TEXAS }
 }
COUNTY OF EL PASO }

This instrument was acknowledged before me on the _____ day of _____,
2007 by Simon Sapien, property owner.

Notary Public, State of Texas

(Acknowledgments continued of following pages)

CITY CLERK DEPT.
07 JAN 25 AM 11:09

STATE OF TEXAS }
 }
COUNTY OF EL PASO }

This instrument was acknowledged before me on the _____ day of _____,
2007 by Lourdes P. Sapien, property owner.

Notary Public, State of Texas

STATE OF TEXAS }
 }
COUNTY OF EL PASO }

This instrument was acknowledged before me on the _____ day of _____,
2007 by Raul Hernandez, property owner.

Notary Public, State of Texas

STATE OF TEXAS }
 }
COUNTY OF EL PASO }

This instrument was acknowledged before me on the _____ day of _____,
2007 by Juan Sanchez, property owner.

Notary Public, State of Texas

STATE OF TEXAS }
 }
COUNTY OF EL PASO }

This instrument was acknowledged before me on the _____ day of _____,
2007 by Lilia A. Sanchez, property owner.

Notary Public, State of Texas

STATE OF TEXAS }
 }
COUNTY OF EL PASO }

This instrument was acknowledged before me on the _____ day of _____,
2007 by Jose Ortega III, property owner.

Notary Public, State of Texas

(Acknowledgments continued on following pages)

CITY CLERK DEPT.
07 JAN 25 AM 11:09

STATE OF TEXAS }
 }
COUNTY OF EL PASO }

This instrument was acknowledged before me on the _____ day of _____,
2007 by Carolina Ortega, property owner.

Notary Public, State of Texas

STATE OF TEXAS }
 }
COUNTY OF EL PASO }

This instrument was acknowledged before me on the _____ day of _____,
2007 by Luis Porras, property owner.

Notary Public, State of Texas

STATE OF TEXAS }
 }
COUNTY OF EL PASO }

This instrument was acknowledged before me on the _____ day of _____,
2007 by Josie Porras, property owner.

Notary Public, State of Texas

STATE OF TEXAS }
 }
COUNTY OF EL PASO }

This instrument was acknowledged before me on the _____ day of _____,
2007 by Jose T. Lujan, property owner.

Notary Public, State of Texas

STATE OF TEXAS }
 }
COUNTY OF EL PASO }

This instrument was acknowledged before me on the _____ day of _____,
2007 by Lillian V. Lujan, property owner.

Notary Public, State of Texas

(Acknowledgments continued on following pages)

CITY CLERK DEPT.
07 JAN 25 AM 11:09

STATE OF TEXAS }
 }
COUNTY OF EL PASO }

This instrument was acknowledged before me on the _____ day of _____,
2007 by Enrique Collazo, property owner.

Notary Public, State of Texas

STATE OF TEXAS }
 }
COUNTY OF EL PASO }

This instrument was acknowledged before me on the _____ day of _____,
2007 by Ruben Vogt, property owner.

Notary Public, State of Texas

STATE OF TEXAS }
 }
COUNTY OF EL PASO }

This instrument was acknowledged before me on the _____ day of _____,
2007 by Hortencia Vogt, property owner.

Notary Public, State of Texas

STATE OF TEXAS }
 }
COUNTY OF EL PASO }

This instrument was acknowledged before me on the _____ day of _____,
2007 by Honorio Arreola, property owner.

Notary Public, State of Texas

STATE OF TEXAS }
 }
COUNTY OF EL PASO }

This instrument was acknowledged before me on the _____ day of _____,
2007 by Cruz A. Arreola, property owner.

Notary Public, State of Texas

(Acknowledgments continued on following pages)

STATE OF TEXAS }
 }
COUNTY OF EL PASO }

CITY CLERK DEPT.
07 JAN 25 AM 11:09

This instrument was acknowledged before me on the _____ day of _____,
2007 by Jesus M. Rodriguez, property owner.

Notary Public, State of Texas

STATE OF TEXAS }
 }
COUNTY OF EL PASO }

This instrument was acknowledged before me on the _____ day of _____,
2007 by Fidel G. Rodriguez, property owner.

Notary Public, State of Texas

STATE OF TEXAS }
 }
COUNTY OF EL PASO }

This instrument was acknowledged before me on the _____ day of _____,
2007 by Humberto Barboza, property owner.

Notary Public, State of Texas

STATE OF TEXAS }
 }
COUNTY OF EL PASO }

This instrument was acknowledged before me on the _____ day of _____,
2007 by Yolanda Barboza, property owner.

Notary Public, State of Texas

STATE OF TEXAS }
 }
COUNTY OF EL PASO }

This instrument was acknowledged before me on the _____ day of _____,
2007 by Jose Gutierrez, property owner.

Notary Public, State of Texas

(Acknowledgments continued of following page)

STATE OF TEXAS }
 }
COUNTY OF EL PASO }

CITY CLERK DEPT.
07 JAN 25 AM 11:09

This instrument was acknowledged before me on the _____ day of _____,
2007 by Domitilo Mijares, property owner.

Notary Public, State of Texas

STATE OF TEXAS }
 }
COUNTY OF EL PASO }

This instrument was acknowledged before me on the _____ day of _____,
2007 by Lucila Mijares, property owner.

Notary Public, State of Texas

STATE OF TEXAS }
 }
COUNTY OF EL PASO }

This instrument was acknowledged before me on the _____ day of _____,
2007 by Guadalupe G. Gonzalez, property owner.

Notary Public, State of Texas

ATCON ENGINEERING & SURVEYING
A 0.557 ACRE PARCEL
BEING A PORTION OF TRACTS 5B AND 5C, BLOCK 18
UPPER VALLEY SURVEYS
JULY 24, 2003

CITY CLERK DEPT.

07 JAN 25 AM 11:09

DESCRIPTION

DESCRIPTION OF A PARCEL OF LAND BEING A PORTION OF TRACTS 5B AND 5C, BLOCK 18, UPPER VALLEY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGGINING AT A FOUND 1" IRON PIPE LOCATED AT THE COMMON CORNER FOR TRACTS 5B AND 5AB, BLOCK 18, UPPER VALLEY SURVEYS, FROM WHENCE A 1" IRON BEARS NORTH 86°09'00" EAST A DISTANCE 252.85 FEET TO SAID IRON PIPE ALSO BEING THE **POINT OF BEGINNING** OF THIS DESCRIPTION:

THENCE, NORTH 86°09'00" EAST A DISTANCE OF 600.00 FEET ALONG THE NORTHERLY LINE OF TRACT 5B AND 5C TO A SET 1/2" REBAR FOR A CORNER OF THIS PARCEL AND NORTHEAST CORNER FOR TRACT 5C;

THENCE, SOUTH 00°09'00" EAST A DISTANCE OF 50.10 FEET ALONG THE WESTERLY LINE OF BOSQUE ROAD (40' WIDE ROAD) TO A SET 1/2" REBAR FOR A CORNER OF THIS PARCEL;

THENCE, SOUTH 86°09'00" WEST A DISTANCE OF 486.24 FEET TO A POINT FOR A CORNER OF THIS PARCEL;

THENCE NORTH 01°50'00" EAST A DISTANCE OF 50.25 FEET ALONG TRACTS 54B AND 5B TO THE **POINT OF BEGINNING** OF THIS DESCRIPTION AND CONTAINING 24,269 SQUARE FEET OR 0.557 ACRES OF LAND MORE OR LESS.

NOTES:

1. BEARINGS RECITED HEREON ARE BASED ON THE COUNTY PLAT FOR UPPER VALLEY SURVEYS, BLOCK 18.
2. A PLAT OF SURVEY DATED 7/22/03 ACCOMPANIES THIS DESCRIPTION.

TR. 5A6

TR. 5A4

TR. 5A8

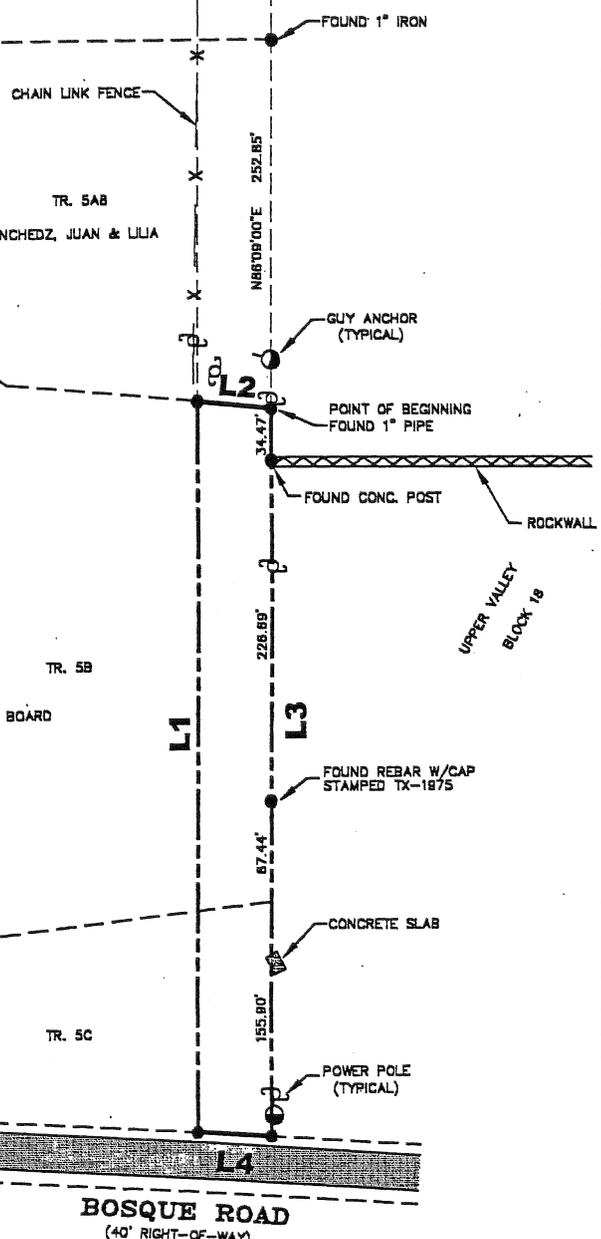
SANCHEDZ, JUAN & LILIA

UPPER VALLEY
BLOCK 18

TR. 5B

EL PASO PUBLIC SERVICE BOARD

TR. 5C



LINE TABLE		
LINE	LENGTH	BEARING
L1	486.24'	S86°09'00"W
L2	50.25'	N01°50'00"E
L3	484.50'	N86°09'00"E
L4	50.10'	S00°09'00"E

NOTES

1. BEARINGS SHOWN ARE BASED ON THE COUNTY PLAT FOR UPPER VALLEY, BLOCK 18.
2. ONLY PLATTED EASEMENTS ARE SHOWN.
3. THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
4. SET 1/2" REBARS AT ALL CORNERS UNLESS OTHERWISE NOTED.
5. A DESCRIPTION DATED JULY 24, 2003 ACCOMPANIES THIS PLAT.
6. THIS PROPERTY MAY BE SUBJECT TO EASEMENTS.

ATCON ENGINEERING

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030630-05

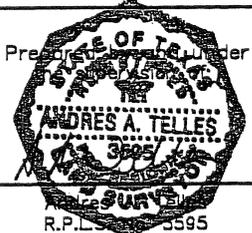
2112 TRAWOOD DRIVE, SUITE B-1
EL PASO, TEXAS 79935
ATCONENGINEERING@AOL.COM

NO PART OF THIS DRAWING MAY BE REPRODUCED OR TRANSMITTED IN ANY WAY OR FORM (ELECTRONIC, MECHANICAL, PHOTOCOPYING OR OTHERWISE) WITHOUT EXPRESS WRITTEN PERMISSION OF ATCON ENGINEERING

PLAT OF SURVEY

BEING A PORTION OF TRACTS 5B AND 5C
UPPER VALLEY SURVEYS, BLOCK 18
CITY OF EL PASO, EL PASO COUNTY, TEXAS
CONTAINING: 0.557 ACRES ±

Prepared by



R.P.L.S. 5595

DATE 07/22/03

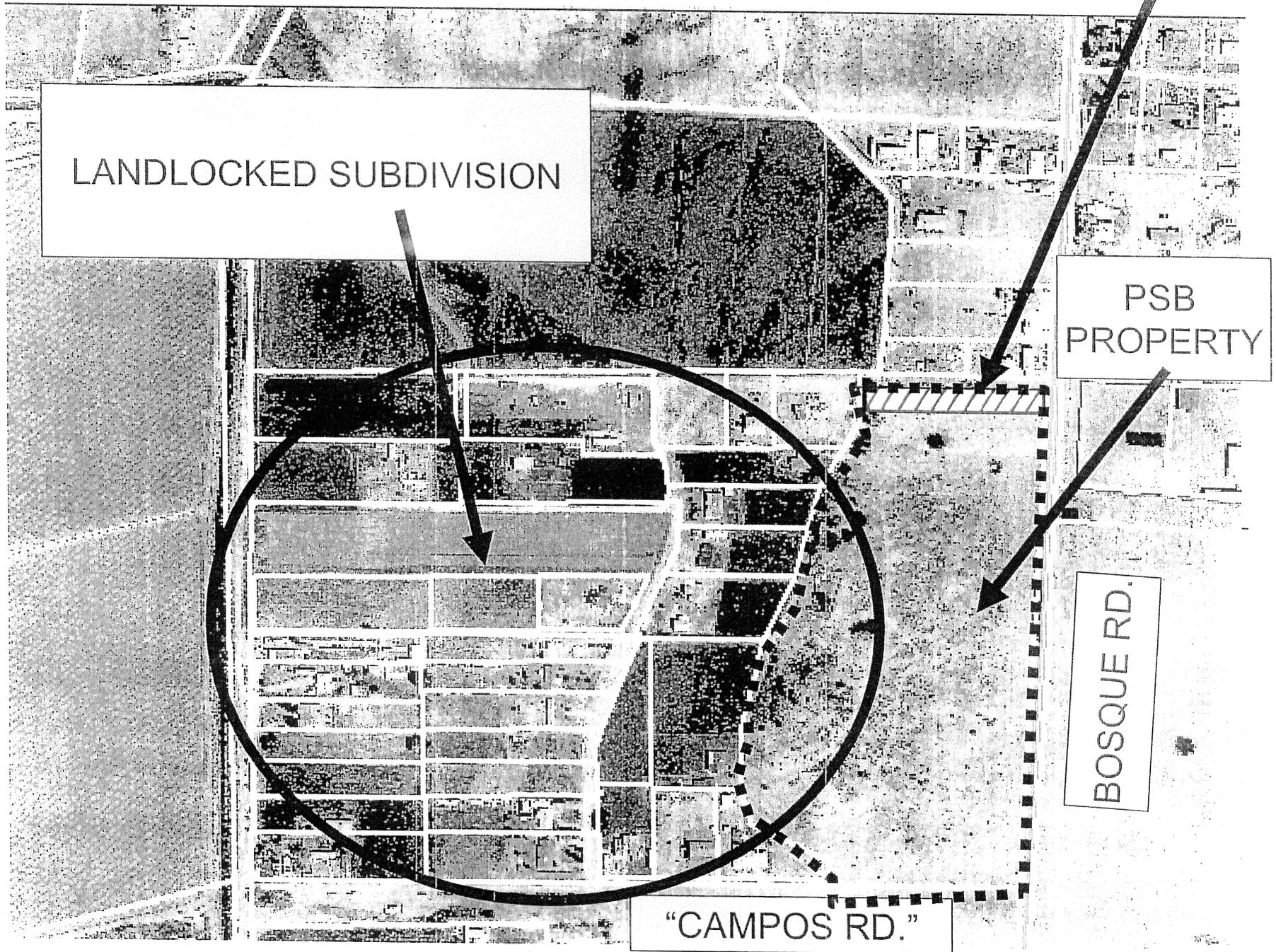
SCALE 1"=100'

DRAWN BY A.B.

REVISED

CITY CLERK DEPT.
07 JAN 25 AM 11:09

GUTIERREZ'S REQUEST FOR 50'X485'+/- ACCESS EASEMENT



LOCATION MAP ONLY