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

DEPARTMENT: El Paso Water Utilities

AGENDA DATE: INTRODUCTION: March 1, 2011
PUBLIC HEARING: March 8, 2011

CONTACT PERSON/PHONE: Terry Quezada, Deputy Director EPDOT (599-6201)

DISTRICT(S) AFFECTED: **District #1** – West El Paso

SUBJECT:

An Ordinance authorizing the City Manager of the City of El Paso to sign a Special Warranty Deed and any other documents required, such as, but not limited to, a disclaimer of interest in property or donation agreement, to convey to the State of Texas approximately 12.080 acres of land knows as Parts 1 and 2 of Parcel 14 along and adjacent to the existing Loop 375 being portion of Nellie D. Mundy Survey 246, City of El Paso, El Paso County, Texas for the State of Texas Loop 375 Highway Project.

BACKGROUND / DISCUSSION:

The widening of Loop 375 in west El Paso from I-10 to the entrance of the state park is a project in the 2008 Comprehensive Mobility Plan (CMP). Right-of-way acquisition is required for the widening and the City of El Paso, through the El Paso Water Utilities/PSB owns a parcel required for the roadway. The ordinance to be considered by Council transfers the property to the State for this project. The El Paso Water Utility Public Service Board considered this transfer at its meeting of August 25, 2010. The attached Official Minute Order passed and approved August 25, 2010, authorizing the transfer of land to the State of Texas based on a finding by the Board that the conveyance is in the public interest; and, requesting the City Council to authorize the City Manager to sign a Special Warranty Deed to convey the property to the State of Texas.

The land is valued at $184,177. This valuation will serve as the City's match for the Right-of-Way acquisition costs. The agreement for the City's participation will be considered on March 8, 2011 along with the final hearing of this proposed ordinance.

PRIOR COUNCIL ACTION:

Council has considered this project, related zoning changes and the 2008 CMP as a whole at multiple meetings.

AMOUNT AND SOURCE OF FUNDING:

The State of Texas has agreed to accept the appraised value of the parcels as credit in lieu of monetary contributions required to be paid to the State for the City's funding share of the right of way to be acquired for the project.

BOARD / COMMISSION ACTION:

Approved by the El Paso Water Utilities Public Service Board by Minute Order as reflected in the Official Minutes of August 25, 2010.

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

for **DEPARTMENT HEAD:** _____

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

Information copy to appropriate Deputy City Manager

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE CITY MANAGER OF THE CITY OF EL PASO TO SIGN A SPECIAL WARRANTY DEED AND ANY OTHER DOCUMENTS REQUIRED, SUCH AS, BUT NOT LIMITED TO, A DISCLAIMER OF INTEREST IN PROPERTY OR DONATION AGREEMENT, TO CONVEY TO THE STATE OF TEXAS, APPROXIMATELY 12.080 ACRES OF LAND KNOWN AS PARTS 1 AND 2 OF PARCEL 14 ALONG AND ADJACENT TO THE EXISTING LOOP 375 BEING PORTIONS OF NELLIE D. MUNDY SURVEY 246, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FOR THE STATE OF TEXAS LOOP 375 HIGHWAY PROJECT.

WHEREAS, the El Paso Water Utilities Public Service Board is a Board of Trustees delegated the complete management and control of the City's water and wastewater system and as such has the jurisdiction and control over certain lands in El Paso, El Paso County, Texas; and,

WHEREAS, the State of Texas has requested the El Paso Water Utilities Public Service Board to declare certain parcels of land being 12.080 acres as described hereinabove to be inexpedient to the water and wastewater system and approve the conveyance of the parcels to the State of Texas by the City of El Paso; and,

WHEREAS, the PSB determined at its regular meeting of August 25, 2010 that in consideration of TxDOT's need and request for the parcels for completion of its Loop 375 Highway Project and in further consideration of TxDOT accepting the appraised value of said parcels as credit in lieu of monetary contributions required to be paid to the State for the City's funding share of the right of way to be acquired for this project; and finding it to be in the best interest of the utility ratepayers, it would recommend the transfer of the land to TxDOT; and,

WHEREAS, by PSB action as reflected in the Official Minutes of Agust 25, 2010 as a Minute Order, the El Paso Water Utilities Public Service Board (PSB), found several parcels of land known as Parts 1 and 2 of Parcel 14, being 12.080 acres of land, more or less, and being portions of the Nellie D. Mundy Survey 246, City of El Paso, El Paso County, Texas, and more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes, to be inexpedient to the water system, and approved the conveyance of the real property to the State of Texas;

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

That the City Manager is hereby authorized to execute: 1) a Special Warranty Deed in form and substance approved by the City Attorney or his designee; and, 2) any other necessary documents, such as but not limited to a Disclaimer of Interest or Donation Agreement, as

required for the sale and conveyance of the following described real property to the State of Texas, as approved and requested by the El Paso Water Utilities Public Service Board; to wit:

Being portions of the Nellie D. Mundy Survey 246, City of El Paso, El Paso County, Texas, consisting of 12.080 acres of land and being more particularly described in Exhibits "A" attached hereto and made a part hereof by this reference for all purposes.

PASSED AND APPROVED this _____ day of _____, 2011, at a regular meeting of the El Paso City Council.

THE CITY OF EL PASO

_____
John F. Cook, Mayor

ATTEST:

_____
Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

_____
Cynthia S. Osborn, Assistant City Attorney

APPROVED AS TO CONTENT:

_____
Daryl W. Cole, Director
El Paso Department of Transportation

EXHIBIT "A"

HIGHWAY: Loop 375
LIMITS: From: 0.038 Miles W. Of IH 10 at Loop 375
To: 0.479 Miles E. of Franklin Mountain State Park
COUNTY: El Paso
ROW CSJ: 2552-01-045

Property Description for Parcel 14

Being 526,219 square feet or 12.080 acres of land out of Nellie D. Mundy Survey No. 246, S.F. 7225 El Paso County, Texas, being out of a called 637.5 acre tract as described by patent dated February 4, 1956 to the City of El Paso recorded in Volume 1273, Page 349, Deed Records, El Paso County, Texas, and being more particularly described in two parts as follows:

Part 1

COMMENCING at a 2" iron pipe with brass cap in a rock and concrete cairn marked "EPNG, El. 4152.40, 1977, BSE" found for the common northwest corner said Nellie D. Mundy Survey No. 246 and the northeast corner Nellie D. Mundy Survey No. 243, S.F.7222 same being the northeast corner of a 80.370 acre tract as described in a Special Warranty Deed to Hunt El Paso Invest, LTD recorded in Volume 4241, Page 1982, Real Property Records, El Paso County, Texas;

THENCE South 03° 14' 27" West (South 00° 02' 40" East) [South],along the common west line said Nellie D. Mundy Survey No. 246, the east line said Nellie D. Mundy Survey No. 243 and the east line said 80.370 acre tract, a distance of 2807.56 feet to a 5/8" iron rod with aluminum cap marked "TX DEPT OF TRANSPORTATION PROPERTY CORNER" set for the northwest corner of the herein described parcel, being on the proposed north right-of –way line Loop 375, at 168.50 feet left of Loop 375 Proposed Baseline Station 251+50.90 and having coordinates of X= 366952.77, Y= 10713407.05 for the POINT OF BEGINNING of the herein described parcel;

1.) THENCE South 81° 16' 03" East, along said proposed north right-of-way line Loop 375, a distance of 193.96 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 168.50 feet left of Proposed Baseline Station 253+44.87;

2.) THENCE North 63° 43' 57" East, continuing along said proposed north right-of-way Loop 375, a distance of 43.59 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 193.50 feet left of Proposed Baseline Station 253+80.57;

3.) THENCE South 81° 16' 03" East, continuing along said proposed north right-of-way Loop 375, a distance of 50.00 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 193.50 feet left of Proposed Baseline Station 254+30.57;

4.) THENCE South 36° 16' 03" East, continuing along said proposed north right-of-way Loop 375, a distance of 35.36 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 168.50 feet left of Proposed Baseline Station 254+55.57;

5.) THENCE South 81° 16' 03" East, continuing along said proposed north right-of-way Loop 375, a distance of 358.07 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW ACCESS DENIAL" ** set for an angle point same being the beginning of a Denial of Access Line at 165.27 feet left of Proposed Baseline Station 258+11.88;

6.) THENCE North 55° 10' 57" East, continuing along said proposed north right-of-way Loop 375 and said Denial of Access Line, a distance of 32.97 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW ACCESS DENIAL" ** set for an angle point at 191.22 feet left of Proposed Baseline Station 258+37.53;

7.) THENCE South 79° 15' 23" East, continuing along said proposed north right-of-way Loop 375 and said Denial of Access Line, a distance of 161.75 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW ACCESS DENIAL" ** set for an angle point at 185.54 feet left of Proposed Baseline Station 259+99.18;

8.) THENCE South 34° 49' 03" East, continuing along said proposed north right-of-way Loop 375 and said Denial of Access Line, a distance of 34.71 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW ACCESS DENIAL" ** set for an angle point at 160.38 feet left of Proposed Baseline Station 260+23.09;

9.) THENCE South 80° 52' 51" East, continuing along said proposed north right-of-way Loop 375 and said Denial of Access Line, a distance of 244.99 feet to a 5/8" iron rod with aluminum cap marked "TX DEPT OF TRANSPORTATION POINT ACCESS DENIAL" set for the end of the Denial of Access Line at 158.73 feet left of Proposed Baseline Station 262+68.08;

10.) THENCE South 80° 52' 51" East, continuing along said proposed north right-of-way Loop 375, a distance of 181.91 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 157.50 feet left of Proposed Baseline Station 264+49.98;

11.) THENCE North 78° 26' 40" East, continuing along said proposed north right-of-way Loop 375, a distance of 185.59 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 221.85 feet left of Proposed Baseline Station 266+24.06;

12.) THENCE South 81° 16' 50" East, continuing along said proposed north right-of-way Loop 375, a distance of 136.23 feet to a 5/8" iron rod with aluminum cap

marked "TXDOT ROW" ** set for an angle point at 221.88 feet left of Proposed Baseline Station 267+60.30;

13.) THENCE South 42° 10' 33" East, continuing along said proposed north right-of-way Loop 375, a distance of 83.08 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 169.50 feet left of Proposed Baseline Station 268+24.78;

14.) THENCE South 81° 16' 03" East, continuing along said proposed north right-of-way Loop 375, a distance of 375.21 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW ACCESS DENIAL" ** set for an angle point same being the beginning of a Denial of Access Line at 169.50 feet left of Proposed Baseline Station 271+99.98;

15.) THENCE South 84° 35' 43" East, continuing along said proposed north right-of-way Loop 375 and said Denial of Access Line, a distance of 683.92 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW ACCESS DENIAL" ** set for an angle point at 195.00 feet left of Proposed Baseline Station 278+99.98;

16.) THENCE South 86° 00' 30" East, continuing along said proposed north right-of-way Loop 375 and said Denial of Access Line, a distance of 405.35 feet to a 5/8" iron rod with aluminum cap marked "TX DEPT OF TRANSPORTATION POINT ACCESS DENIAL" set for the end of the Denial of Access Line at 172.09 feet left of Proposed Baseline Station 283+24.27;

17.) THENCE South 86° 00' 30" East, continuing along said proposed north right-of-way Loop 375, a distance of 516.55 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for the beginning of a non-tangent curve to the left at 80.00 feet left of Proposed Baseline Station 288+49.95;

18.) THENCE continuing along said proposed north right-of –way line Loop 375 northeasterly with said non-tangent curve to the left having a radius of 3928.00 feet, an arc length of 324.55 feet, a central angle of 04° 44' 03" and a chord which bears North 77° 50' 48" East, a distance of 324.46 feet to the intersection with the existing north right-of way Loop 375 as described in a deed to the State of Texas recorded in Volume 78, Page 628, Deed Records, El Paso County, Texas, a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for the east corner of the herein described parcel at 82.00 feet left of Proposed Baseline Station 291+81.27;

19.) THENCE South 70° 02' 58" West (South 66° 51' 42" West), along said existing north right-of-way Loop 375, a distance of 188.41 feet to a point for angle from which a Texas Department of Transportation Type II Right of Way monument bears South 69° 24' 37" West 8.52 feet;

20.) THENCE South 84° 22' 20" West (South 81° 12' 18" West), along said existing north right-of-way Loop 375, a distance of 1049.60 feet (1049.83 feet) to a point for angle from which a Texas Department of Transportation Type II Right of Way monument bears South 81° 16' 00" East 8.19 feet;

21.) THENCE North 81° 15' 55" West (North 84° 27' 05" West), continuing along said existing north right-of-way Loop 375, at 481.18 feet passing a Texas Department of Transportation Type I Right of Way monument, at 981.23 feet passing another Texas Department of Transportation Type I Right of Way monument and continuing for a total distance of 1481.47 feet to a point for angle from which Texas Department of Transportation Type II Right of Way monument bears North 78° 38' 57" West 3.98 feet;

22.) THENCE North 08° 44' 05" East (North 05° 32' 55" East), continuing along said existing north right-of-way Loop 375, a distance of 20.00 feet to a Texas Department of Transportation Type II Right of Way monument found for an angle point;

23.) THENCE North 81° 15' 55" West (North 84° 27' 05" West), continuing along said existing north right-of-way Loop 375, a distance of 300.00 feet to a Texas Department of Transportation Type II Right of Way monument found for an angle point;

24.) THENCE South 08° 44' 05" West (South 05° 32' 05" West), continuing along said existing north right-of-way Loop 375, a distance of 20.00 feet to a Texas Department of Transportation Type II Right of Way monument found for an angle point;

25.) THENCE North 81° 15' 55" West (North 84° 27' 05" West), continuing along said existing north right-of-way Loop 375, at 499.96 feet passing a Texas Department of Transportation Type I Right of Way monument and continuing for a total distance of 978.80 feet (974.85 feet) to a 5/8" iron rod with cap marked "RPLS 4178" found for the southwest corner herein described parcel same being in the west line said Nellie D. Mundy Survey No. 246, the east line said Nellie D. Mundy Survey No. 243 and the east line said 80.370 acre tract, from which a found Texas Department of Transportation Type I Right of Way monument bears South 87° 53' 00" East 0.35 feet;

26.) THENCE North 03° 14' 27" East (North 00° 02' 40" West) [North], along the common west line said Nellie D. Mundy Survey No. 246, the east line said Nellie D. Mundy Survey No. 243 and the east line said 80.370 acre tract, a distance of 118.63 feet to the POINT OF BEGINNING and containing 431,085 square feet or 9.896 acres of land.

Part 2

COMMENCING at a 2" iron pipe with brass cap in a rock and concrete cairn marked "EPNG, El. 4152.40, 1977, BSE" found for the common northwest corner said Nellie D. Mundy Survey No. 246 and the northeast corner Nellie D. Mundy Survey No. 243 same being the northeast corner of a 80.370 acre tract as described in a Special Warranty Deed to Hunt El Paso Invest, LTD recorded in Volume 4241, Page 1982, Real Property Records, El Paso County, Texas;

THENCE South 03° 14' 27" West (South 00° 02' 40" East) [South],along the common west line said Nellie D. Mundy Survey No. 246, the east line said Nellie D. Mundy Survey No. 243 and the east line said 80.370 acre tract, at a distance of 3127.11 feet passing a 5/8" iron rod with cap marked "RPLS 4178" found for the northeast corner of a 76.8241 acre tract as described in a Special Warranty Deed to Hillview Properties (Exhibit "B") recorded in Volume 3903, Page 0086, Real Property Records, El Paso County, Texas and continuing for a total distance of 3173.94 to a 5/8" iron rod with aluminum cap marked "TX DEPT OF TRANSPORTATION PROPERTY CORNER" set for the southeast corner of the herein described parcel, being on the proposed south right-of –way line Loop 375, at 196.20 feet right of Loop 375 Proposed Baseline Station 251+85.94 and having coordinates of X= 366932.06, Y= 10713041.26 for the POINT OF BEGINNING of the herein described parcel;

1.) THENCE North 55° 23' 45" East, along said proposed south right-of-way line Loop 375, a distance of 35.37 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 171.93 feet right of Proposed Baseline Station 252+11.69;

2.) THENCE South 79° 35' 55" East, continuing along said proposed south right-of-way Loop 375, a distance of 71.16 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 174.00 feet right of Proposed Baseline Station 252+82.82;

3.) THENCE South 81° 16' 03" East, continuing along said proposed south right-of-way Loop 375, a distance of 217.17 feet to a 5/8" iron rod with aluminum cap marked "TEXAS DEPT. OF TRANSPORTATION POINT ACCESS DENIAL" ** set for the beginning of a Denial of Access Line at 174.00 feet right of Proposed Baseline Station 254+99.98;

4.) THENCE South 81° 16' 03" East, continuing along said proposed south right-of-way Loop 375 and said Denial of Access Line, a distance of 425.56 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW ACCESS DENIAL" ** set for an angle point at 174.00 feet right of Proposed Baseline Station 259+25.54;

5.) THENCE South 57° 02' 23" East, continuing along said proposed south right-of-way Loop 375 and said Denial of Access Line, a distance of 136.46 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW ACCESS DENIAL" ** set for an angle point at 230.00 feet right of Proposed Baseline Station 260+49.98;

6.) THENCE South 81° 16' 03" East, continuing along said proposed south right-of-way Loop 375 and said Denial of Access Line, a distance of 250.00 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW ACCESS DENIAL" ** set for an angle point and the end of the Access Denial Line at 230.00 feet right of Proposed Baseline Station 262+99.98;

7.) THENCE North 82° 23' 04" East, continuing along said proposed south right-of-way Loop 375 and said Denial of Access Line, a distance of 156.32 feet to a 5/8"

iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 186.00 feet right of Proposed Baseline Station 264+49.98;

8.) THENCE South 81° 16' 03" East, continuing along said proposed south right-of-way Loop 375, a distance of 106.38 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 186.00 feet right of Proposed Baseline Station 265+56.36;

9.) THENCE South 32° 28' 31" East, continuing along said proposed south right-of-way Loop 375, a distance of 107.68 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 267.01 feet right of Proposed Baseline Station 266+27.30;

10.) THENCE South 81° 16' 03" East, continuing along said proposed south right-of-way Loop 375, a distance of 130.00 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 267.01 feet right of Proposed Baseline Station 267+57.30;

11.) THENCE North 55° 33' 40" East, continuing along said proposed south right-of-way Loop 375, a distance of 132.38 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 176.44 feet right of Proposed Baseline Station 268+53.84;

12.) THENCE South 81° 16' 03" East, continuing along said proposed south right-of-way Loop 375, a distance of 101.14 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 176.44 feet right of Proposed Baseline Station 269+54.98;

13.) THENCE South 36° 16' 03" East, continuing along said proposed south right-of-way Loop 375, a distance of 35.36 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 201.44 feet right of Proposed Baseline Station 269+79.98;

14.) THENCE South 81° 16' 03" East, continuing along said proposed south right-of-way Loop 375, a distance of 100.00 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 201.44 feet right of Proposed Baseline Station 270+79.98;

15.) THENCE North 68° 43' 57" East, continuing along said proposed north right-of-way Loop 375, a distance of 54.24 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 174.32 feet right of Proposed Baseline Station 271+26.95;

16.) THENCE South 84° 35' 43" East, continuing along said proposed north right-of-way Loop 375, a distance of 424.54 feet to the intersection with the existing south right-of way Loop 375 as described in a deed to the State of Texas recorded in Volume 78, Page 628, Deed Records, El Paso County, Texas, a 5/8" iron rod with aluminum cap marked "TXDOT ROW ACCESS DENIAL" ** set for the east corner of the herein described parcel and the beginning of a Denial of Access Line at 149.68 feet right of Proposed Baseline Station 275+50.78, from which the

proposed Denial of Access line continues South 81° 15' 55" East (South 84° 27' 05" East), at 379.85 feet passing a Texas Department of Transportation Type I monument and continuing for a total distance of 628.74 to a 5/8" iron rod with aluminum cap marked "TXDOT ROW ACCESS DENIAL" ** set for the end of the proposed Denial of Access Line at 196.52 feet right of Proposed Baseline Station 281+52.71;

17.) THENCE North 81° 27'' 55" West (North 84° 27' 05" West), along said existing south right-of-way Loop 375, at a distance of 109.58 feet passing a Texas Department of Transportation Type I Right of Way monument, at 609.62 feet passing another Texas Department of Transportation Type I Right of Way monument and continuing for a total distance of 1109.66 feet to a Texas Department of Transportation Type II Right of Way monument found for an angle point from which an iron rod found bears North 84° 28' 10" West, 3.91feet;

18.) THENCE South 08° 44' 05" West (South 05° 32' 55" West), along said existing south right-of-way Loop 375, a distance of 20.00 feet to a Texas Department of Transportation Type II Right of Way monument found for an angle point from which a iron rod found bears North 85° 52' 52" West, 3.94 feet;

19.) THENCE North 81° 15' 55" West (North 84° 27' 05" West), continuing along said existing south right-of-way Loop 375, a distance of 300.00 feet to a Texas Department of Transportation Type II Right of Way monument found for an angle point from which iron rod found bears North 84° 43' 11" West, 3.88 feet;

20.) THENCE North 08° 44' 05" East (North 05° 32' 55" East), continuing along said existing south right-of-way Loop 375, a distance of 20.00 feet to a Texas Department of Transportation Type II Right of Way monument found for an angle point from which an iron rod found bears North 84° 39' 33" West, 3.95 feet;

21.) THENCE North 81° 15' 55" West (North 84° 27' 05" West), continuing along said existing north right-of-way Loop 375, at a distance of 499.97 feet passing Texas Department of Transportation Type II Right of Way monument and continuing for a total distance of 959.64 feet (955.29 feet) to an iron rod with cap marked "RPLS 4178" found for the northwest corner herein described parcel same being in the west line said Nellie D. Mundy Survey No. 246, the east line said Nellie D. Mundy Survey No. 243 and the east line said 76.8241 acre tract from which a Texas Department of Transportation Type II Right of Way monument bears South 58° 00' 17" East;

22.) THENCE South 03° 14' 27" West (South 00° 02' 40" East), along the common line said Nellie D. Mundy Survey No. 246, the east line said Nellie D. Mundy Survey No. 243 and the east line said 80.370 acre tract, a distance of 46.83 to the POINT OF BEGINNING and containing 95,134 square feet or 2.184 acres of land.

Summary

Part 1 = 9.896 acres (431,085 square feet)

Part 2 = 2.184 acres (95,134 square feet)

Total = 12.080 acres (526,219 square feet)

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

( ) Denotes record calls of existing Loop 375 ROW acquisition deeds.
[ ] Denotes record calls of existing property deeds.

** The monument described and set in this call may be replaced with a TxDOT Type II Marker upon the completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

Bearings and coordinates are based upon Texas State Plane, Central Zone, NSRS2007 and are referenced to Primary Control Points 093-103 (X=370223.070, Y=10712625.861) and 093-203 (X=358000.334, Y=10714873.742) as provided by TxDOT El Paso District and Jacobs Engineering Group. All coordinates and distances shown are surface values and may be converted to State Plane by dividing by the Surface Adjustment Factor of 1.000231.

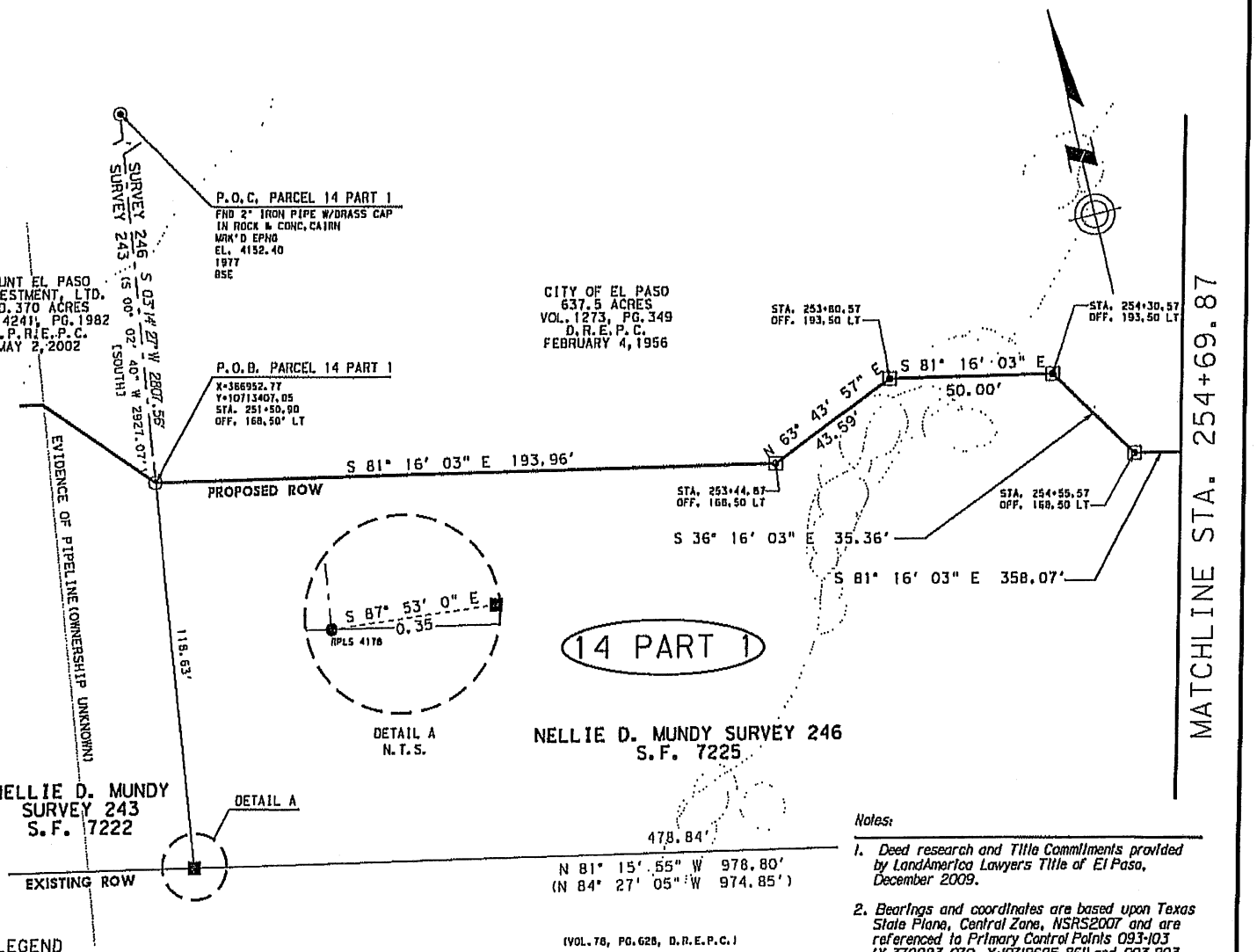
Access is prohibited across the "Denial of Access Line" to the transportation facility from the adjacent property.

I, Robert H. Bridwell, Registered Professional Land Surveyor, do hereby certify that this Property Description is a true and correct representation of a survey made on the ground, under my direction and supervision.

STATE OF TEXAS
REGISTERED
ROBERT H. BRIDWELL
5406
PROFESSIONAL
LAND SURVEYOR

Date: May 19, 2010

Robert H. Bridwell
Registered Professional Land Surveyor
No. 5406



LEGEND

▲	CALCULATED POINT (NOTHING FOUND)
⊙	FND 2" I.P. (UNLESS NOTED)
▩	SET ½" I.R. W/ALUMINUM CAP MARKED "TXDOT ROW ACCESS DENIAL" **
⊗	SET ½" I.R. W/ALUMINUM CAP MARKED "TX DEPT. OF TRANSPORTATION POINT ACCESS DENIAL"
●	FND I.R.
○	SET ½" I.R. W/ALUMINUM CAP MARKED "TX DEPT. OF TRANSPORTATION PROPERTY CORNER"
▣	FND TXDOT TYPE II ROW MONUMENT
⊡	SET ½" I.R. W/ALUMINUM CAP MARKED "TXDOT ROW" **
■	FND TXDOT TYPE I ROW MONUMENT
⊠	FND X IN CONCRETE
—℄—	PROPERTY LINE
— · —	SURVEY LINE
———	PROPOSED ROW LINE
———	EXISTING ROW LINE
—N—	PROPOSED ACCESS DENIAL LINE
—W—	EXISTING WATER LINE
TCL———	UNDERGROUND FIBER OPTIC LINE
—SS—	EXISTING SANITARY SEWER LINE
—G—	EXISTING GAS PIPELINE
⊙	PARCEL NUMBER
D.R.E.P.C.	DEED RECORDS, EL PASO COUNTY
R.P.R.E.P.C.	REAL PROPERTY RECORDS, EL PASO COUNTY
P.R.E.P.C.	PLAT RECORDS, EL PASO COUNTY
( )	DENOTES RECORD CALLS OF EXISTING LOOP 375 ROW ACQUISITION DEEDS
[ ]	DENOTES RECORD CALLS OF PROPERTY DEEDS

** THE MONUMENT DESCRIBED AND SET IN THIS CALL MAY BE REPLACED WITH A TXDOT TYPE II RIGHT OF WAY MARKER UPON THE COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.

Notes:

1. *Deed research and Title Commitments provided by LandAmerica Lawyers Title of El Paso, December 2009.*
2. *Bearings and coordinates are based upon Texas State Plane, Central Zone, NSRS2007 and are referenced to Primary Control Points 093-103 (X=370223.070, Y=10712625.861) and 093-203 (X=358000.334, Y=10714873.742), as provided by TxDOT El Paso District and Jacobs Engineering Group. All coordinates and distances shown are surface values and may be converted to State Plane by dividing by the Surface Adjustment Factor of 1.000231.*
3. *Field work for this project was performed in December 2009 thru May 2010.*
4. *Topography shown provided by TxDOT El Paso District.*
5. *Partially Controlled Access Facility.*
6. *This Plat is accompanied by a property description of an even date.*

0 25 50 75 100

SCALE IN FEET

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF SURVEY.
SURVEY DATE: DECEMBER 2009 THRU MAY 2010

5/19/10

ROBERT H. BRIDWELL
REGISTERED PROFESSIONAL LAND SURVEYOR

STATE OF TEXAS
REGISTERED
ROBERT H. BRIDWELL
5406
PROFESSIONAL
LAND SURVEYOR

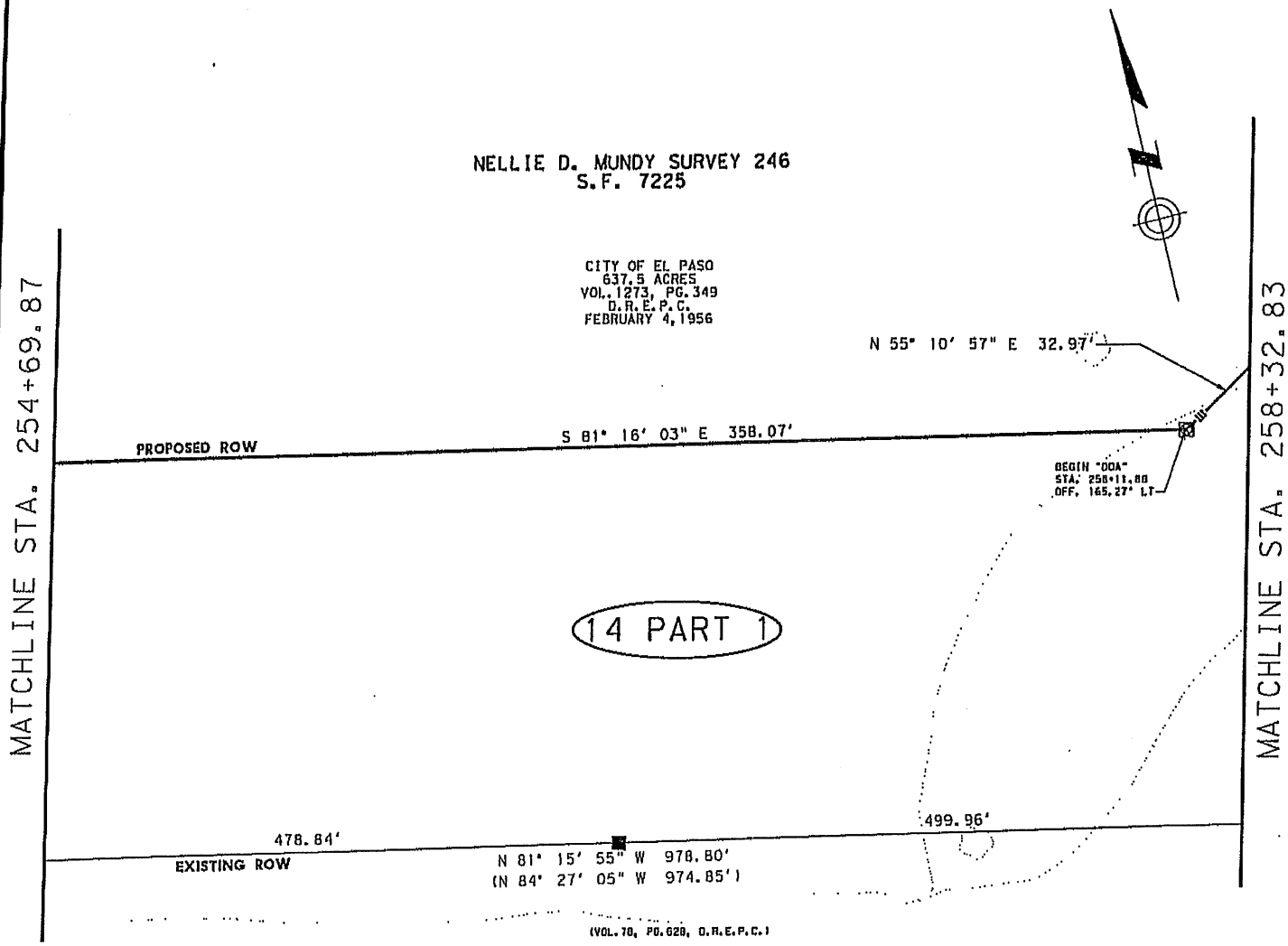
Texas Department of Transportation
© 2010 TxDOT

PARCEL PLAT OF PARCEL 14 PART 1

SCALE 1" = 50'

SHEET 9 OF 28

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.



0 25 50 75 100

SCALE IN FEET

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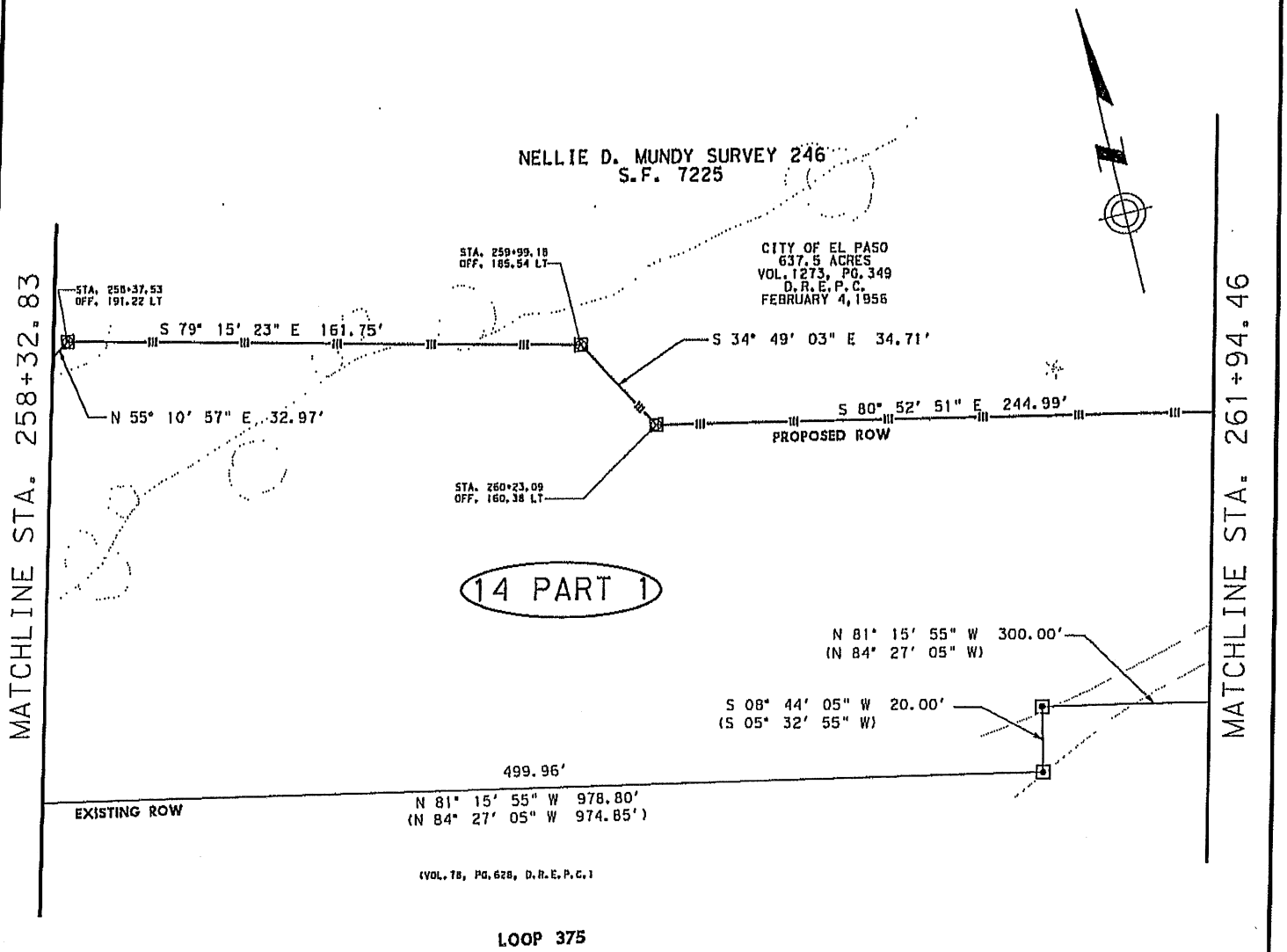
PARCEL PLAT OF PARCEL 14 PART 1

SCALE 1" = 50'

SHEET 10 OF 28

FED. RD. DIV. NO.	PROJECT NO.	SHEET NO.
6		

STATE	DIST.	COUNTY
TEXAS	ELP	EL PASO



0 25 50 75 100

SCALE IN FEET

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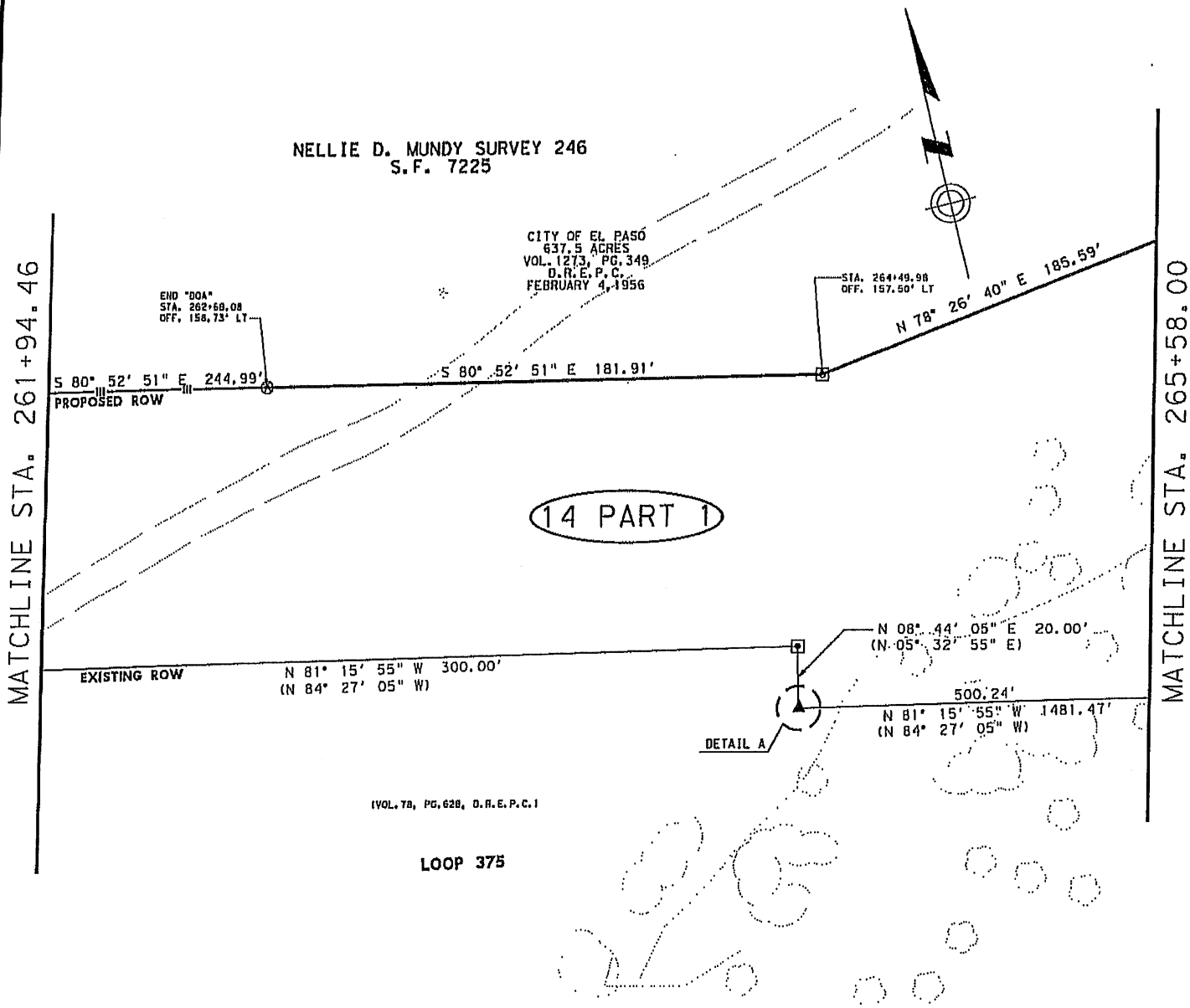
PARCEL PLAT OF PARCEL 14 PART 1

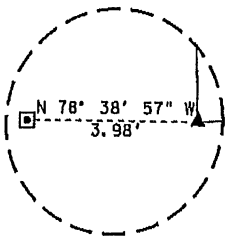
SCALE 1" = 50'

SHEET 11 OF 28

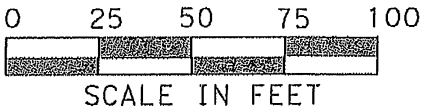
FED. RD. DIV. NO.	PROJECT NO.	SHEET NO.
6		

STATE	DIST.	COUNTY
TEXAS	ELP	EL PASO





DETAIL A
N.T.S.



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PARCEL PLAT OF PARCEL 14 PART 1

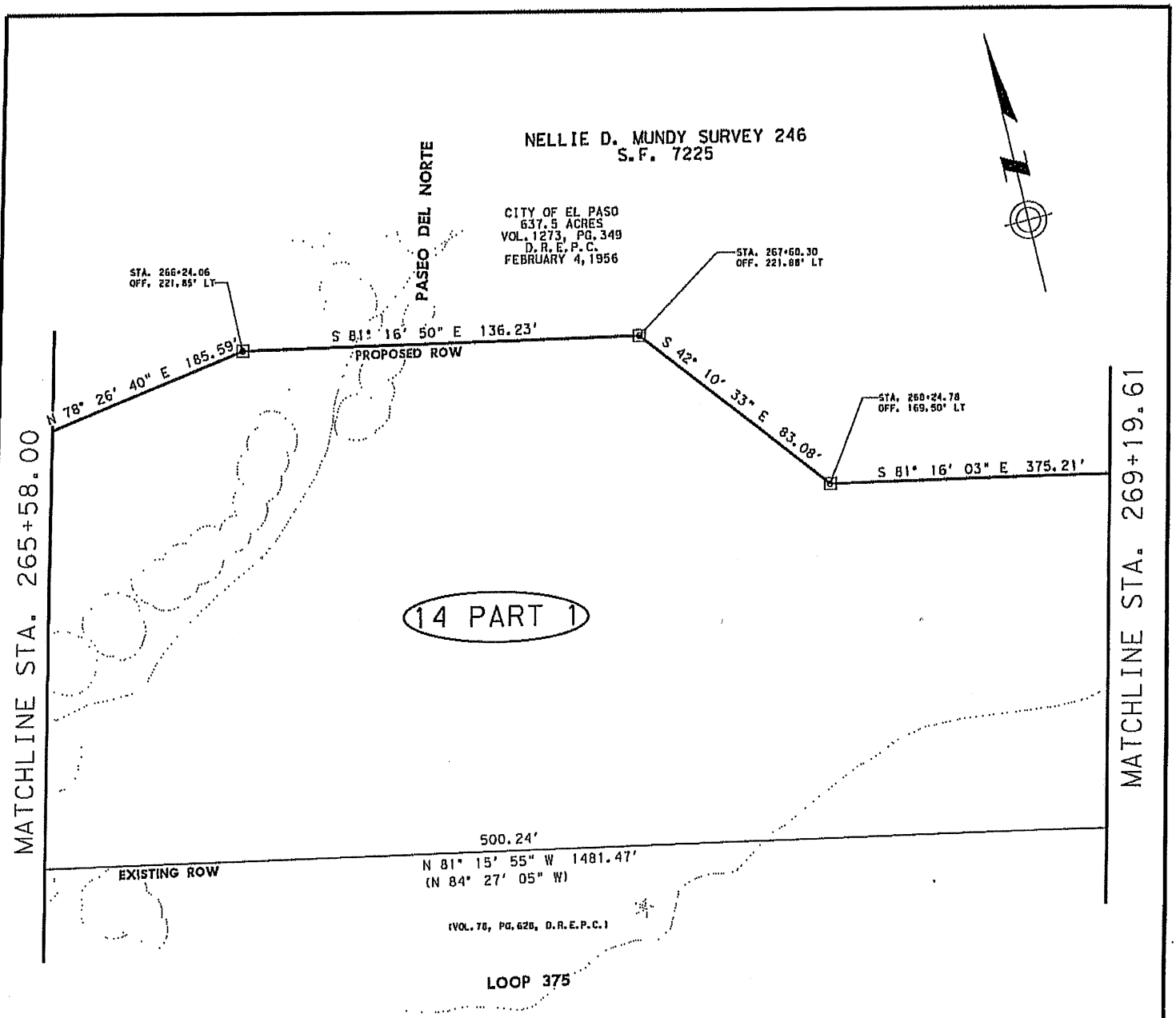
SCALE 1" = 50'

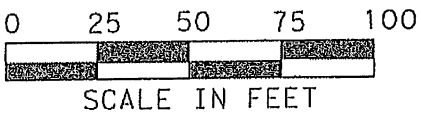
SHEET 12 OF 28

FED. RD. DIV. NO.	PROJECT NO.	SHEET NO.
6		

STATE	DIST.	COUNTY
TEXAS	ELP	EL PASO

CONT.	SECT.	JOB	HIGHWAY NO.





Texas Department of Transportation
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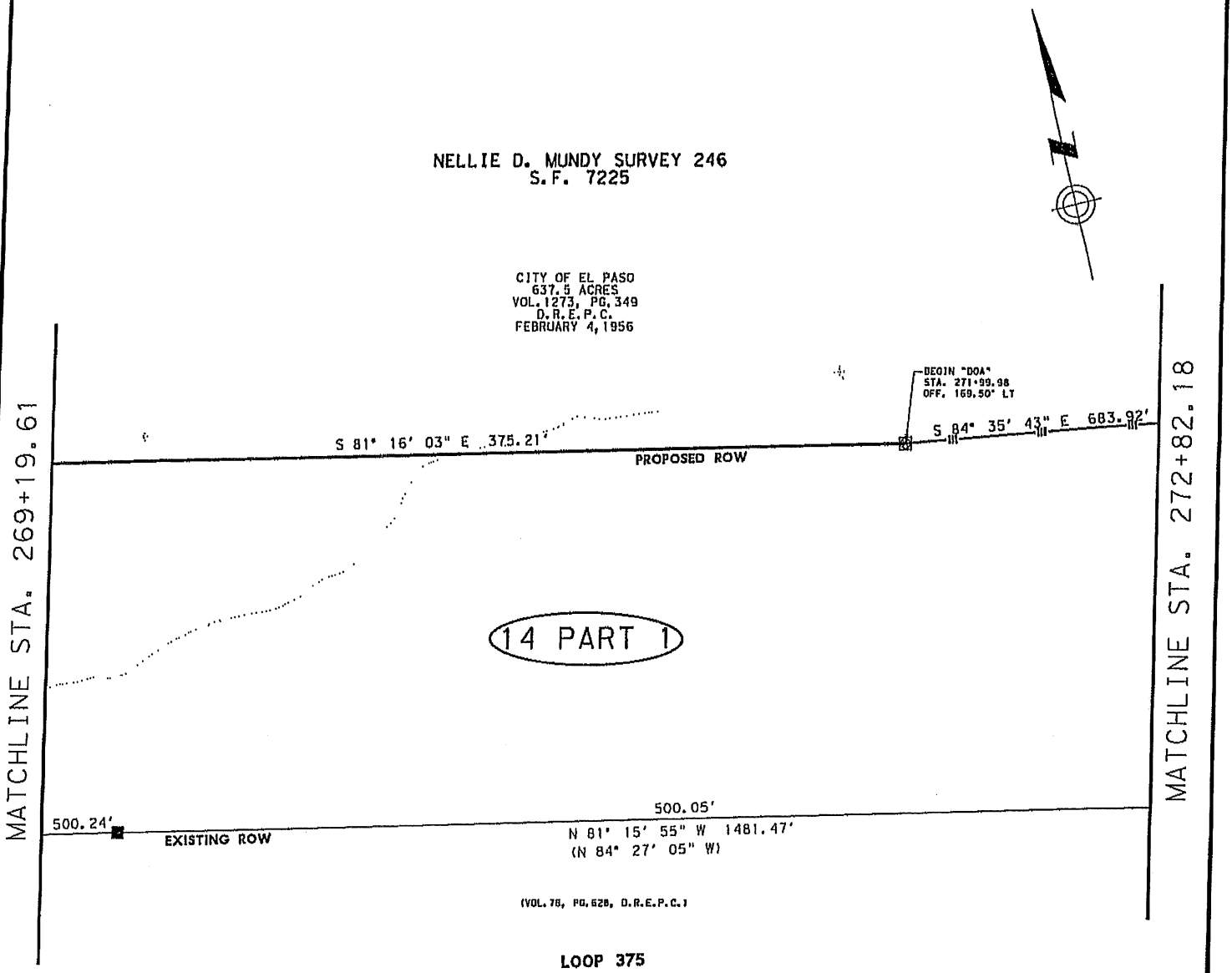
PARCEL PLAT OF PARCEL 14 PART 1

SCALE 1" = 50'

SHEET 13 OF 28

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.



0 25 50 75 100

SCALE IN FEET

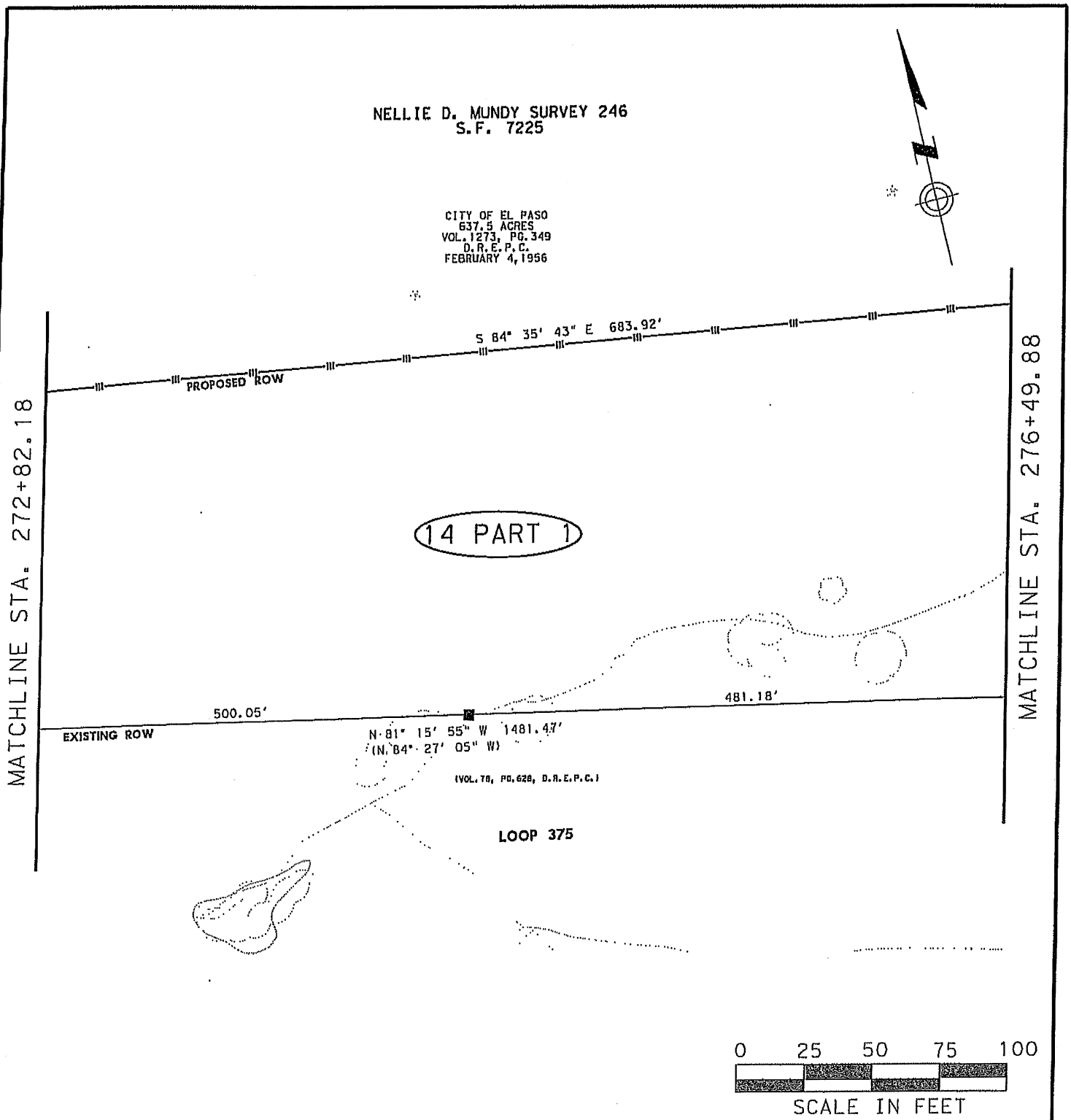
Texas Department of Transportation
© 2010 TxDOT

PARCEL PLAT OF PARCEL 14 PART 1

SCALE 1" = 50'

SHEET 14 OF 28

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.



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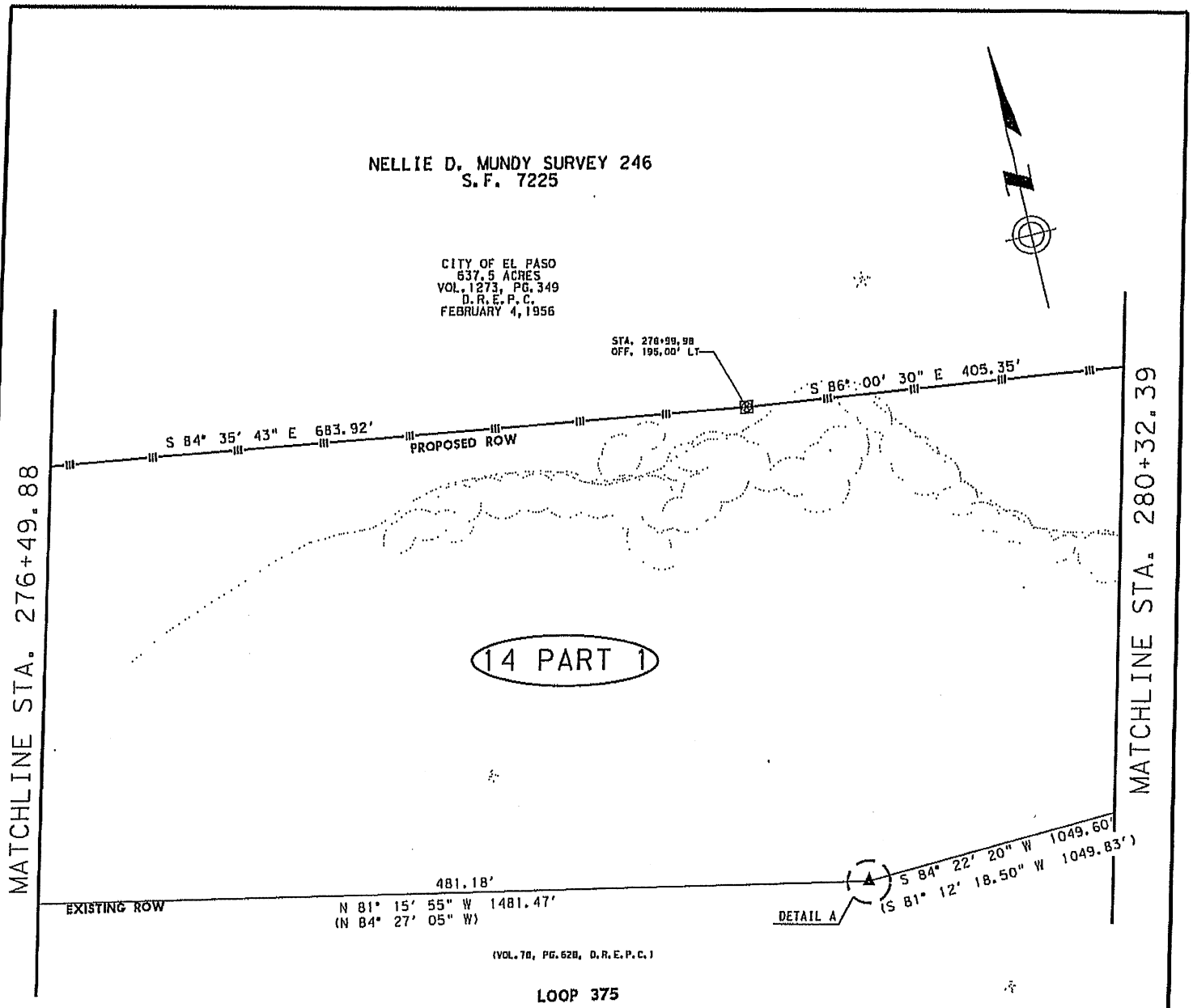
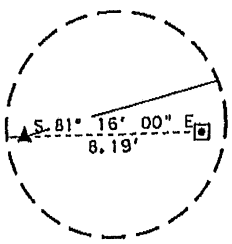
PARCEL PLAT OF PARCEL 14 PART 1

SCALE 1" = 50'

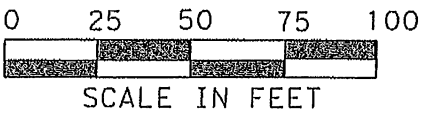
SHEET 15 OF 28

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.





DETAIL A
N.T.S.



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PARCEL PLAT OF PARCEL 14 PART 1

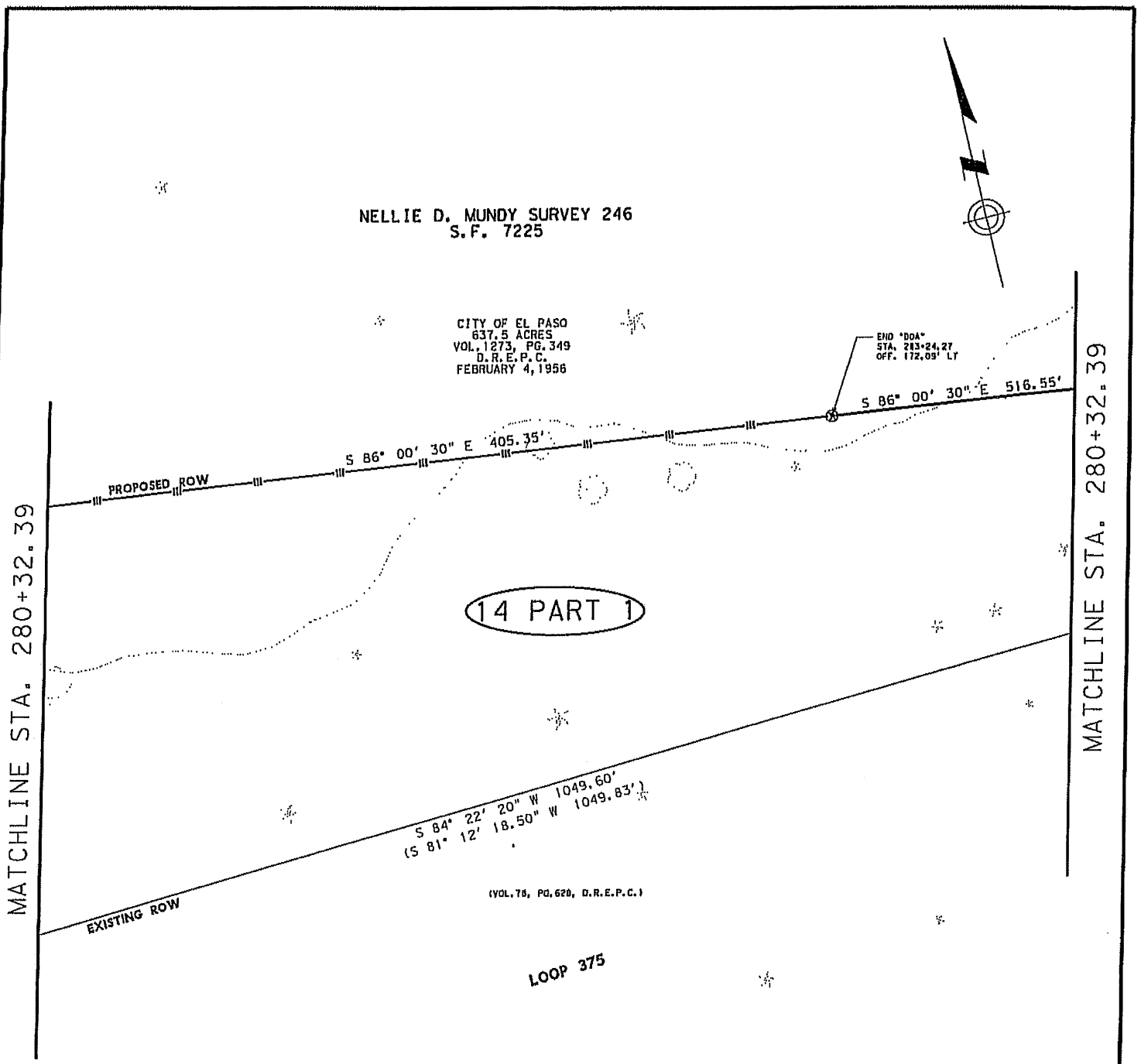
SCALE 1" = 50'

SHEET 16 OF 28

FED. RD. DIV. NO.	PROJECT NO.	SHEET NO.
6		

STATE	DIST.	COUNTY
TEXAS	ELP	EL PASO

CONT.	SECT.	JOB	HIGHWAY NO.



0 25 50 75 100

SCALE IN FEET

Texas Department of Transportation

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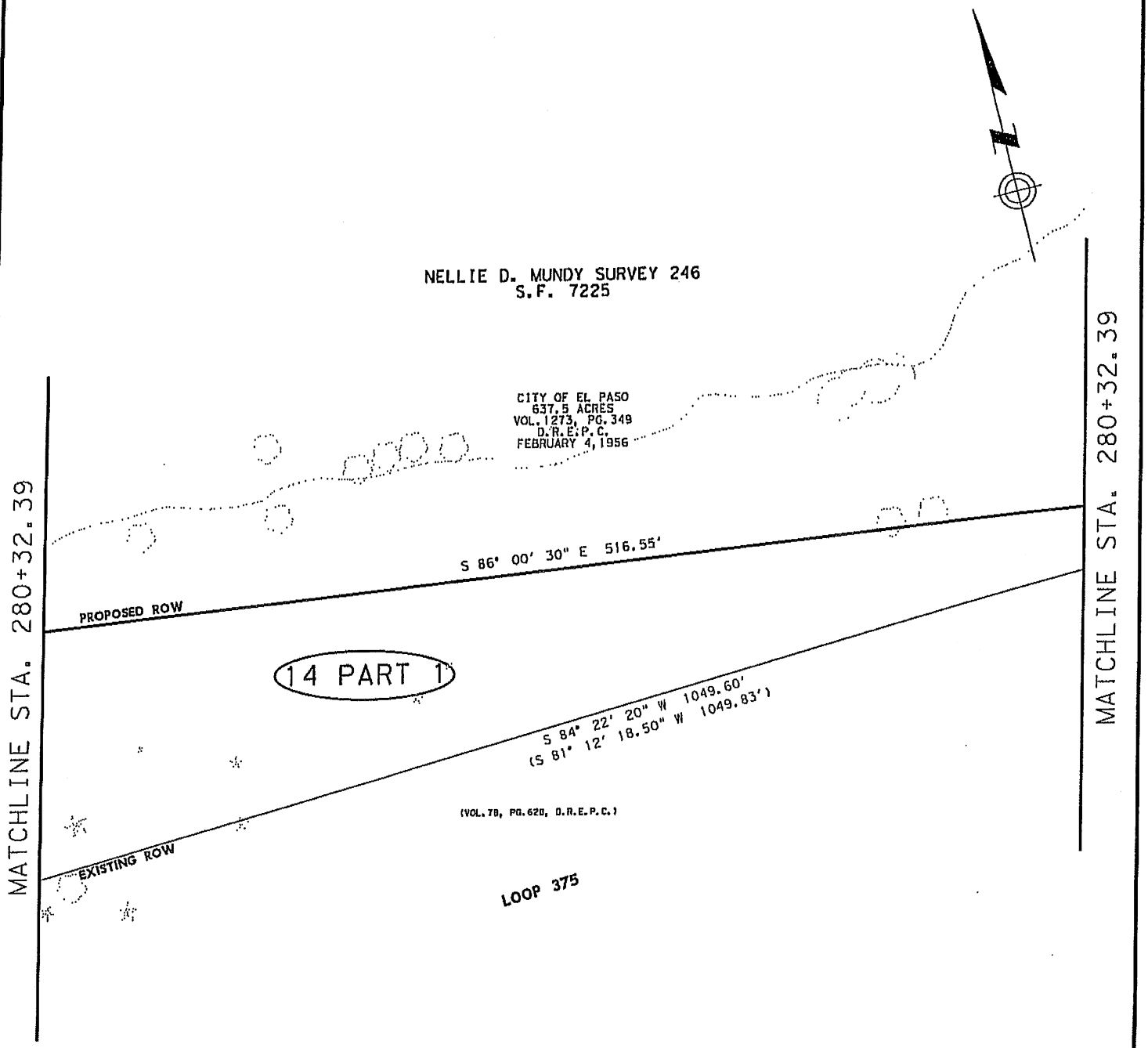
PARCEL PLAT OF PARCEL 14 PART 1

SCALE 1" = 50'

SHEET 17 OF 28

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.



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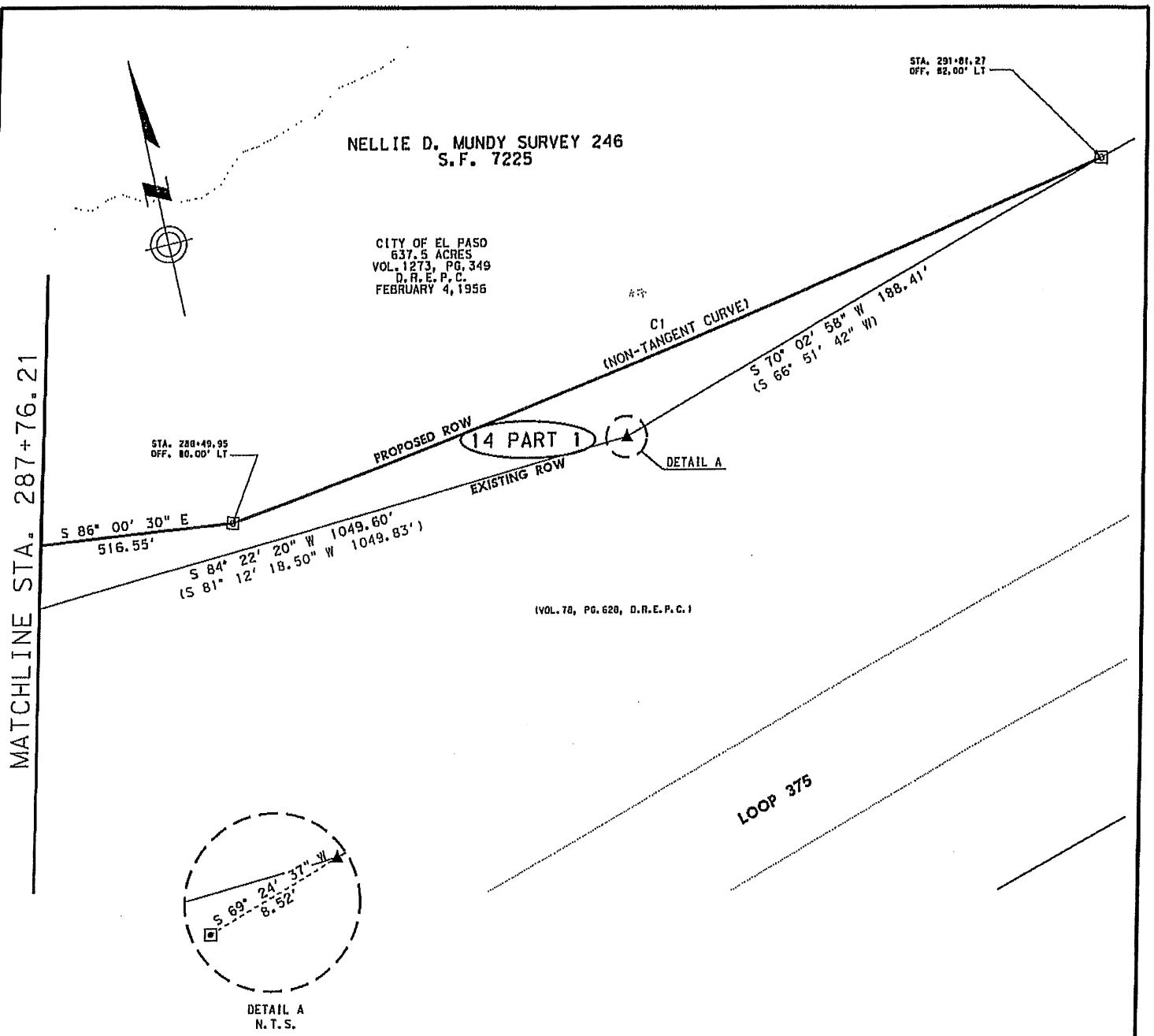
© 2010 TxDOT

PARCEL PLAT OF PARCEL 14 PART 1

SCALE 1" = 50'

SHEET 18 OF 28

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.



CURVE DATA				
CURVE	△	RADIUS	LENGTH	CHORD
C1	04°44'03"	3928.00'	324.55'	N 77° 50' 48" E 324.46'

0 25 50 75 100

SCALE IN FEET

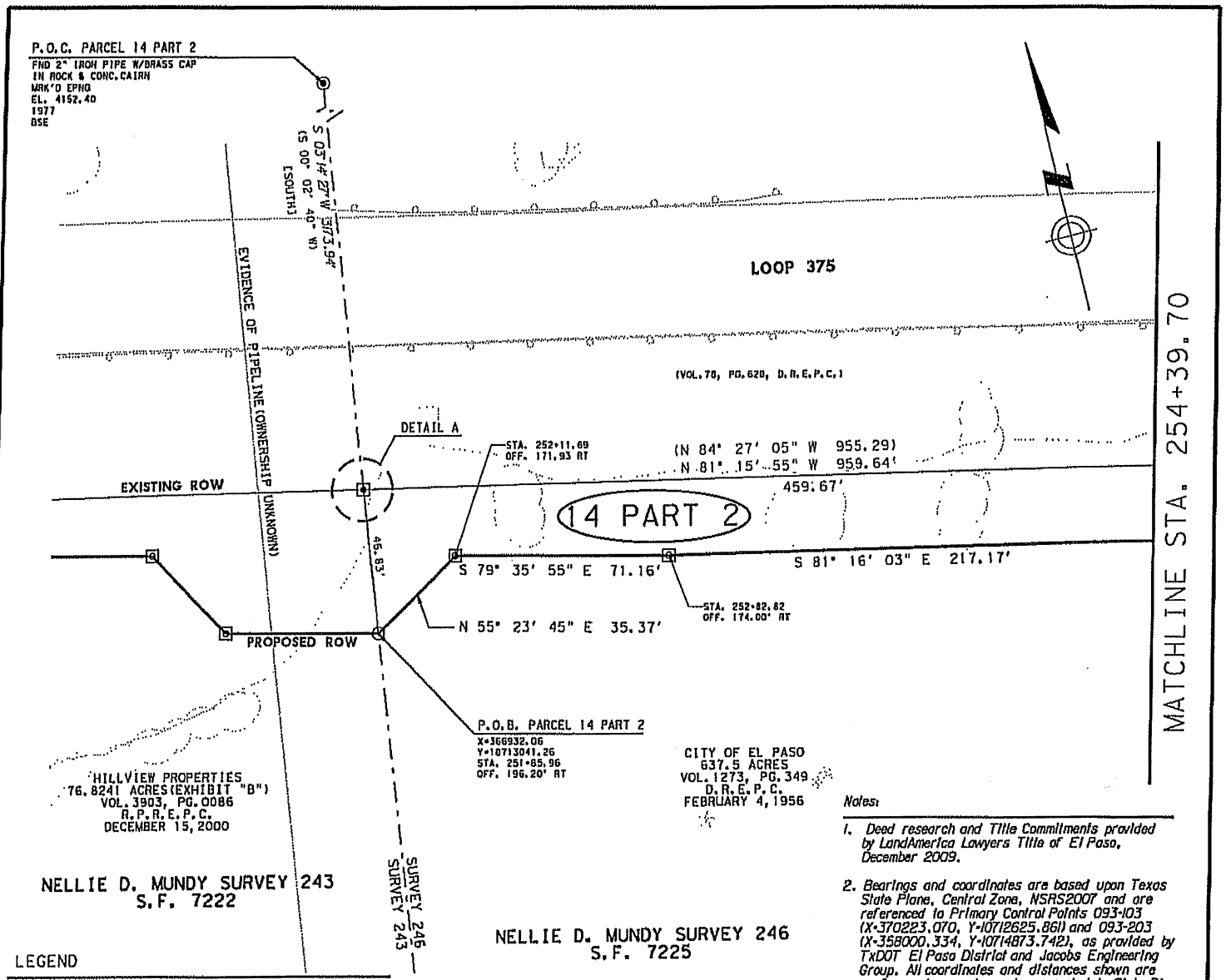
Texas Department of Transportation
© 2010 TxDOT

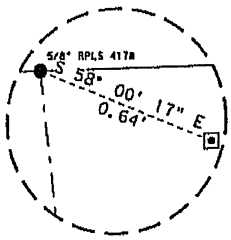
PARCEL PLAT OF PARCEL 14 PART 1

SCALE 1" = 50'

SHEET 19 OF 28

FED.RD. DIV.NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.





DETAIL A
N.T.S.

LEGEND

▲	CALCULATED POINT (NOTHING FOUND)
⊙	FND 2" I.P. (UNLESS NOTED)
⊠	SET 5/8" I.R. W/ALUMINUM CAP MARKED "TXDOT ROW ACCESS DENIAL" **
⊗	SET 5/8" I.R. W/ALUMINUM CAP MARKED "TX DEPT. OF TRANSPORTATION POINT ACCESS DENIAL"
●	FND I.R.
○	SET 5/8" I.R. W/ALUMINUM CAP MARKED "TX DEPT. OF TRANSPORTATION PROPERTY CORNER"
▣	FND TXDOT TYPE II ROW MONUMENT
⊡	SET 5/8" I.R. W/ALUMINUM CAP MARKED "TXDOT ROW" **
■	FND TXDOT TYPE I ROW MONUMENT
⊠	FND X IN CONCRETE
—℄—	PROPERTY LINE
— — —	SURVEY LINE
═══	PROPOSED ROW LINE
———	EXISTING ROW LINE
—ACC—	PROPOSED ACCESS DENIAL LINE
—W—	EXISTING WATER LINE
—FO—	UNDERGROUND FIBER OPTIC LINE
—SS—	EXISTING SANITARY SEWER LINE
—G—	EXISTING GAS PIPELINE
⊙	PARCEL NUMBER
D.R.E.P.C.	DEED RECORDS, EL PASO COUNTY
R.P.R.E.P.C.	REAL PROPERTY RECORDS, EL PASO COUNTY
P.R.E.P.C.	PLAT RECORDS, EL PASO COUNTY
( )	DENOTES RECORD CALLS OF EXISTING LOOP 375 ROW ACQUISITION DEEDS
[ ]	DENOTES RECORD CALLS OF PROPERTY DEEDS

** THE MONUMENT DESCRIBED AND SET IN THIS CALL MAY BE REPLACED WITH A TXDOT TYPE II RIGHT OF WAY MARKER UPON THE COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.

Notes:

1. *Deed research and Title Commitments provided by LandAmerica Lawyers Title of El Paso, December 2009.*
2. *Bearings and coordinates are based upon Texas State Plane, Central Zone, NSRS2007 and are referenced to Primary Control Points 093-103 (X=370223.070, Y=10712625.861) and 093-203 (X=358000.334, Y=10714873.742), as provided by TxDOT El Paso District and Jacobs Engineering Group. All coordinates and distances shown are surface values and may be converted to State Plane by dividing by the Surface Adjustment Factor of 1.000231.*
3. *Field work for this project was performed in December 2009 thru May 2010.*
4. *Topography shown provided by TxDOT El Paso District.*
5. *Partially Controlled Access Facility.*
6. *This Plat is accompanied by a property description of an even date.*

0 25 50 75 100

SCALE IN FEET

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF SURVEY.
SURVEY DATE: DECEMBER 2009 THRU MAY 2010

5/19/10

ROBERT H. BRIDWELL
REGISTERED PROFESSIONAL LAND SURVEYOR

STATE OF TEXAS
REGISTERED
ROBERT H. BRIDWELL
5406
PROFESSIONAL
LAND SURVEYOR

Texas Department of Transportation
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PARCEL PLAT OF PARCEL 14 PART 2

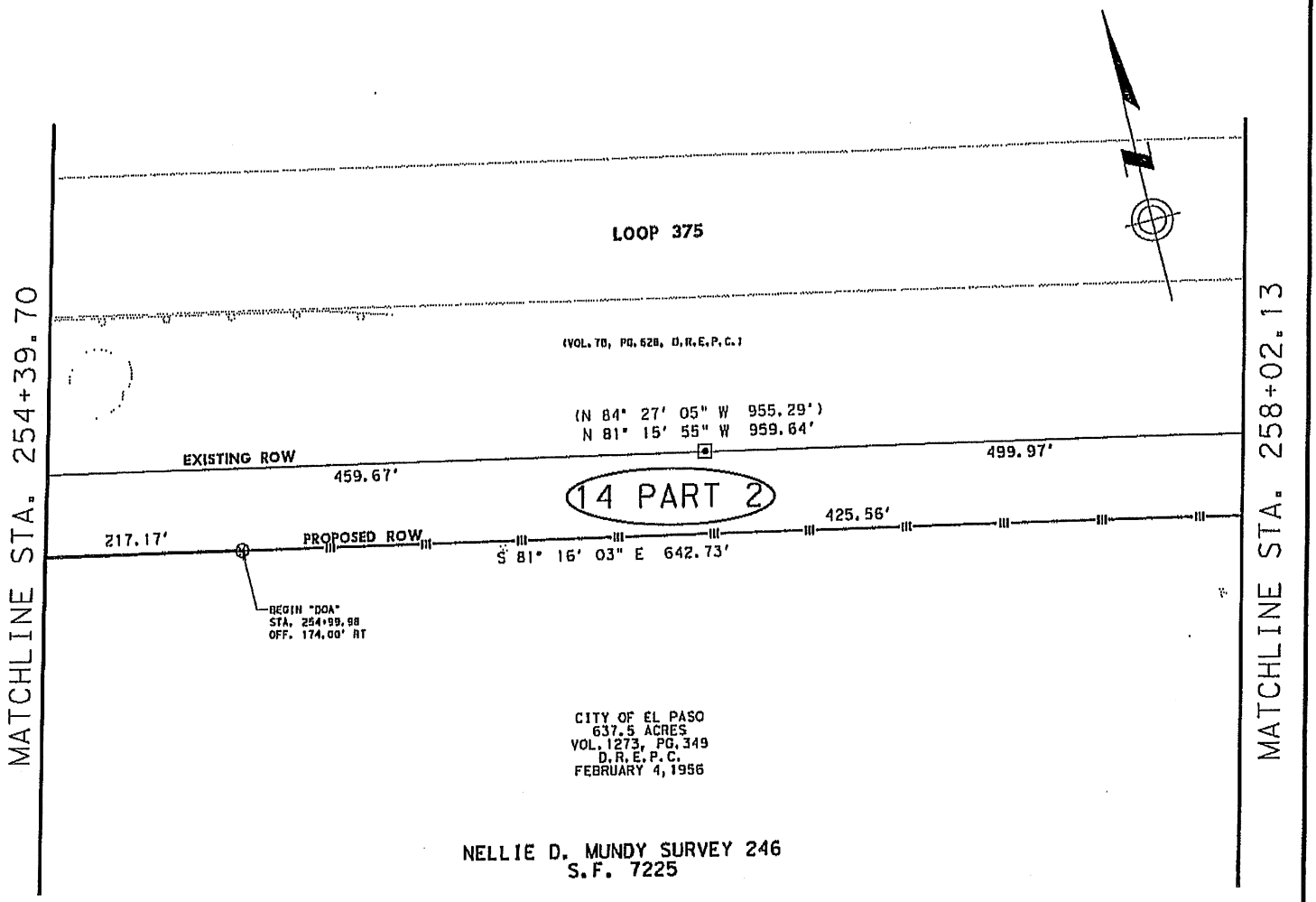
SCALE 1" = 50'

SHEET 20 OF 28

FED. RD. DIV. NO.	PROJECT NO.	SHEET NO.
6		

STATE	DIST.	COUNTY
TEXAS	ELP	EL PASO

CONT.	SECT.	JOB	HIGHWAY NO.



0 25 50 75 100

SCALE IN FEET

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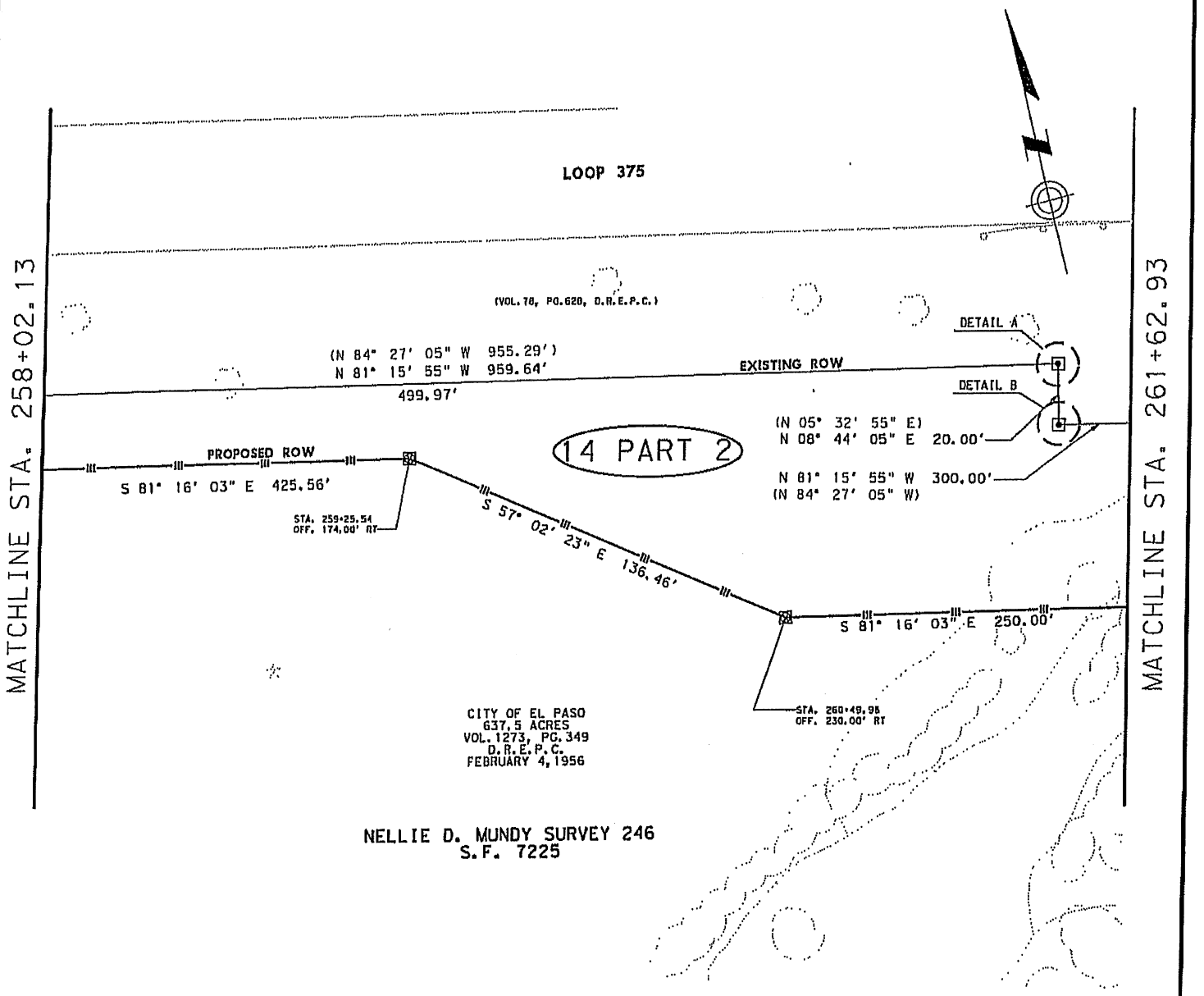
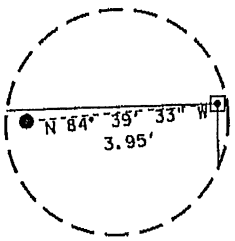
PARCEL PLAT OF PARCEL 14 PART 2

SCALE 1" = 50'

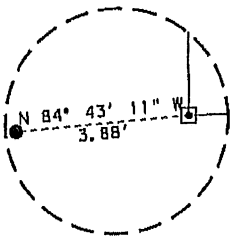
SHEET 21 OF 28

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.





DETAIL A
N.T.S.



DETAIL B
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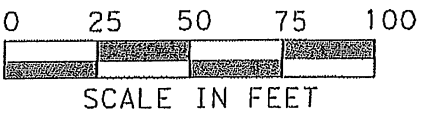

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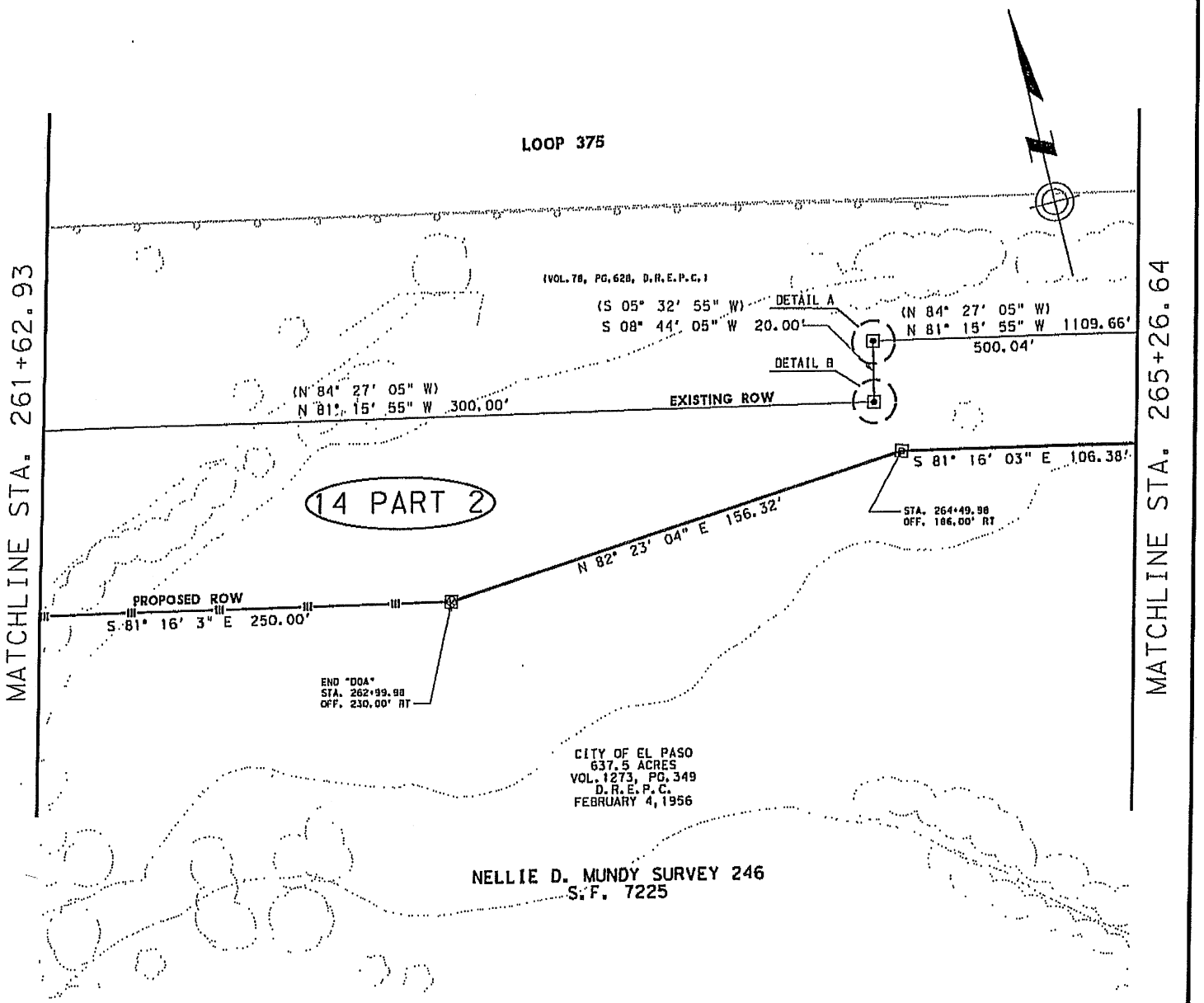
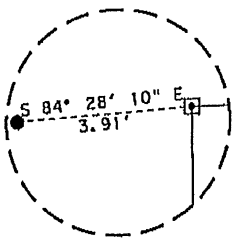
PARCEL PLAT OF PARCEL 14 PART 2

SCALE 1" = 50'

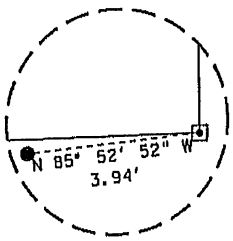
SHEET 22 OF 28

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.

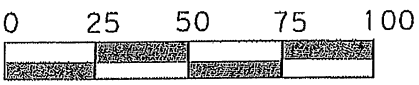




DETAIL A
N.T.S.



DETAIL B
N.T.S.



SCALE IN FEET

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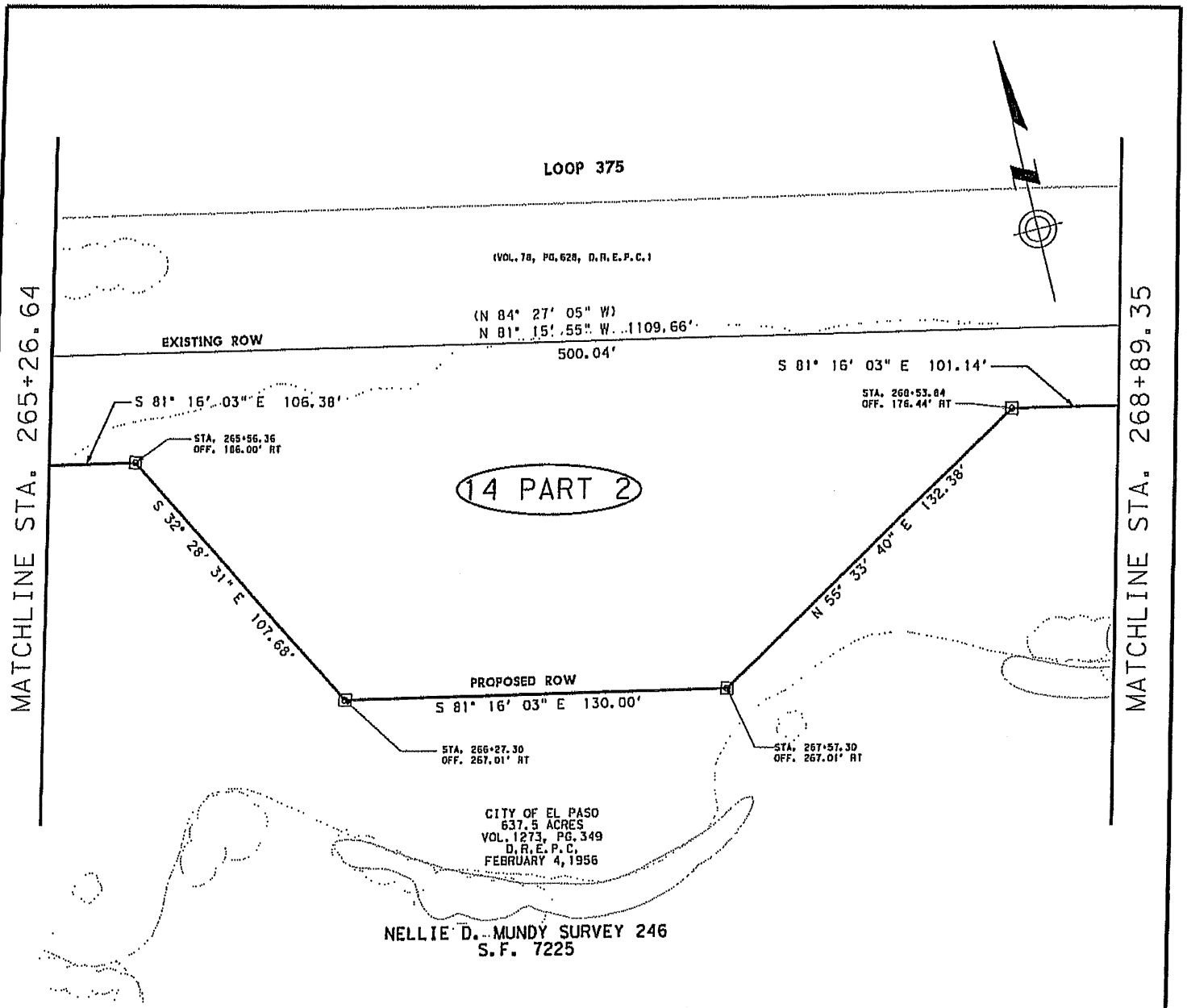
PARCEL PLAT OF PARCEL 14 PART 2

SCALE 1" = 50'

SHEET 23 OF 28

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.



0 25 50 75 100

SCALE IN FEET

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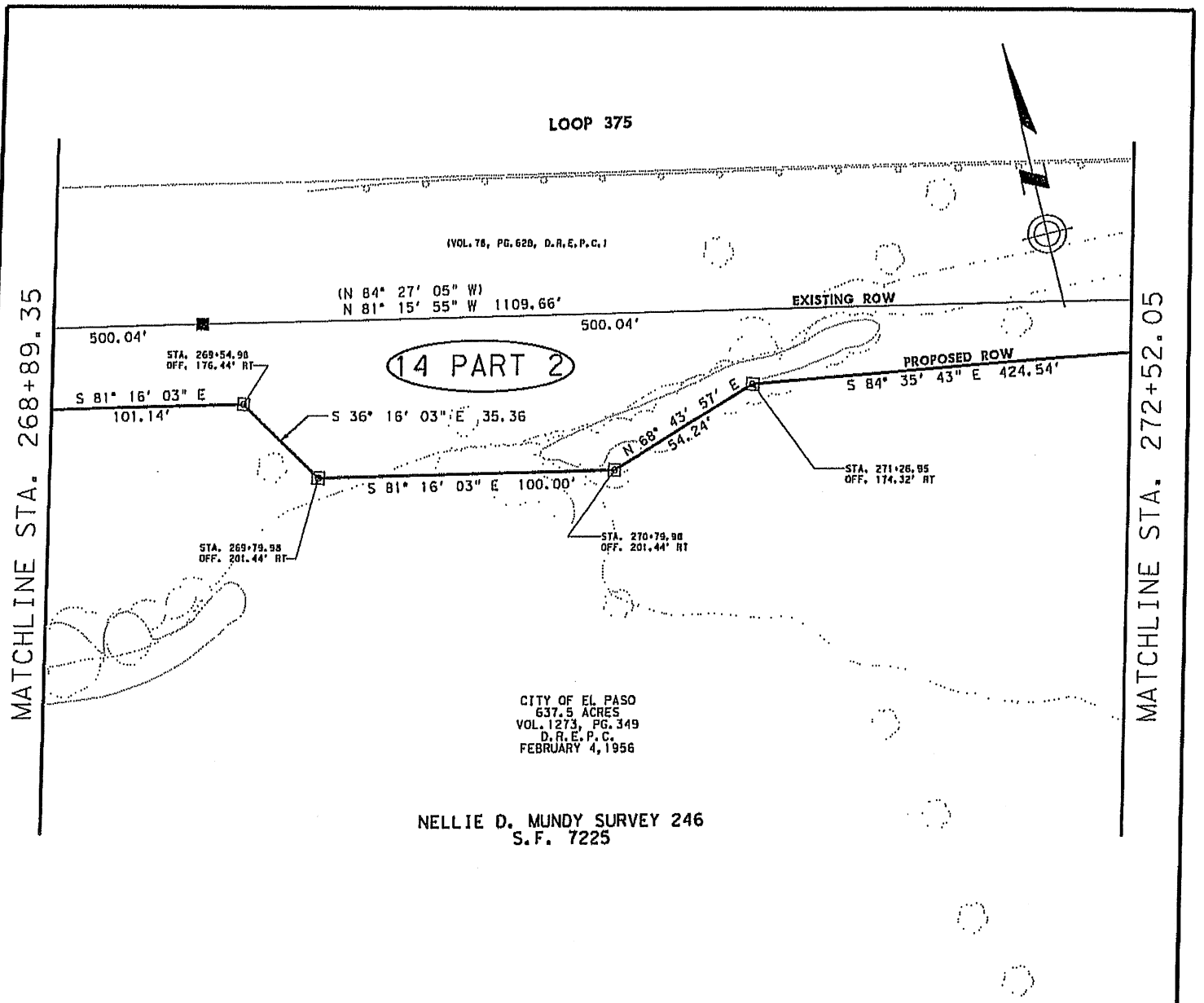
PARCEL PLAT OF PARCEL 14 PART 2

SCALE 1" = 50'

SHEET 24 OF 28

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.



0 25 50 75 100

SCALE IN FEET

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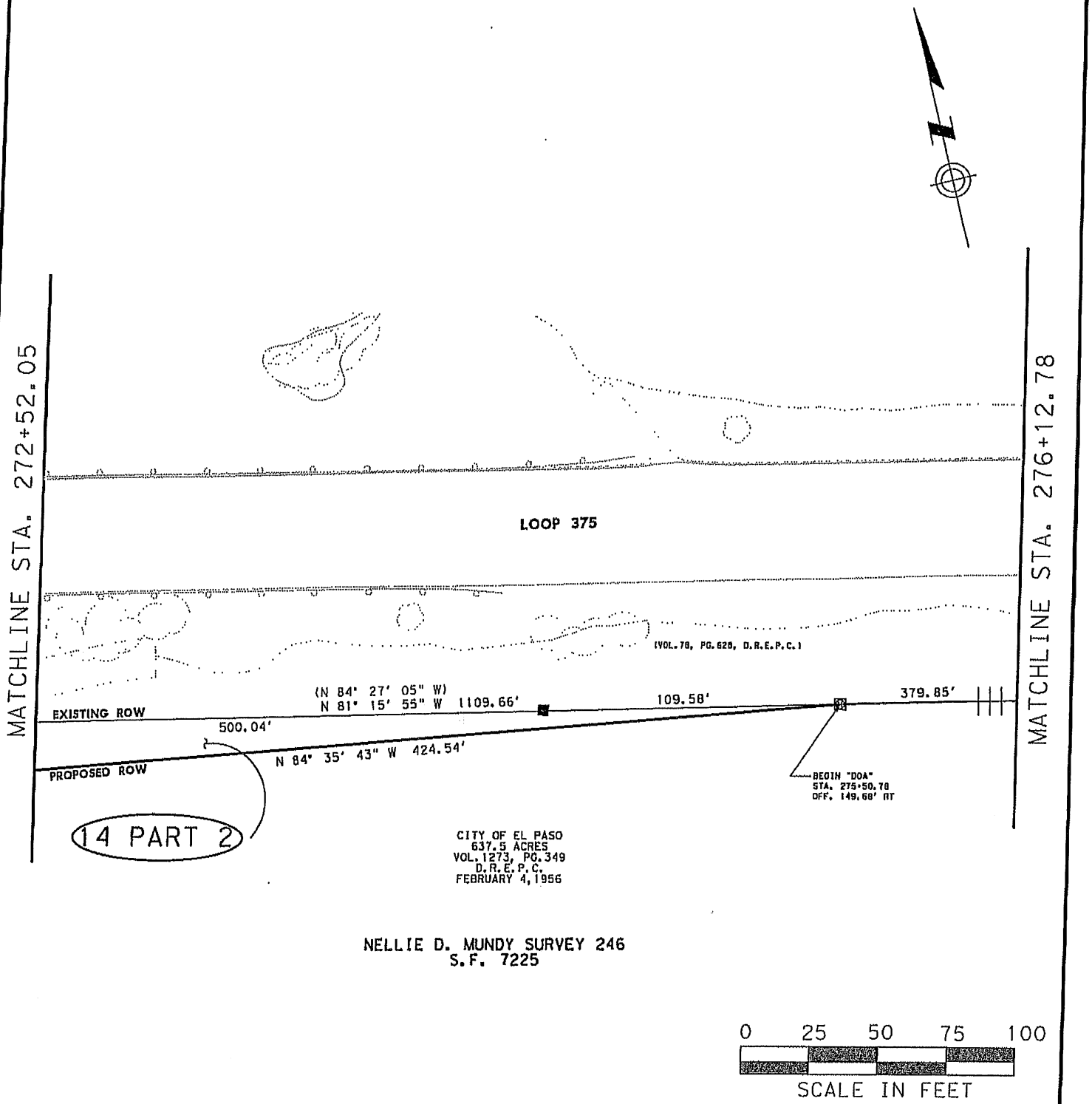
PARCEL PLAT OF PARCEL 14 PART 2

SCALE 1" = 50'

SHEET 25 OF 28

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.



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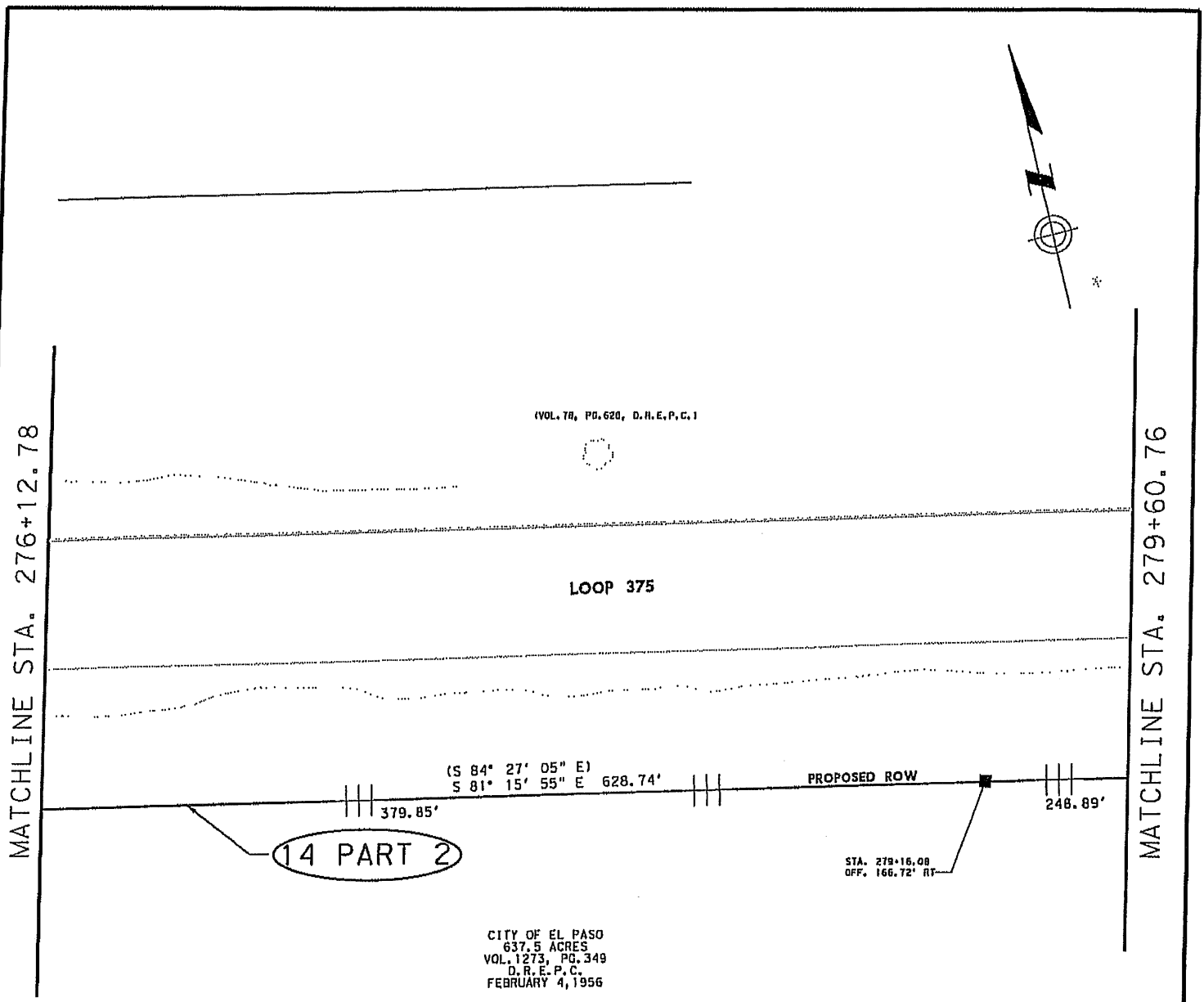
PARCEL PLAT OF PARCEL 14 PART 2

SCALE 1" = 50'

SHEET 26 OF 28

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.



0 25 50 75 100

SCALE IN FEET

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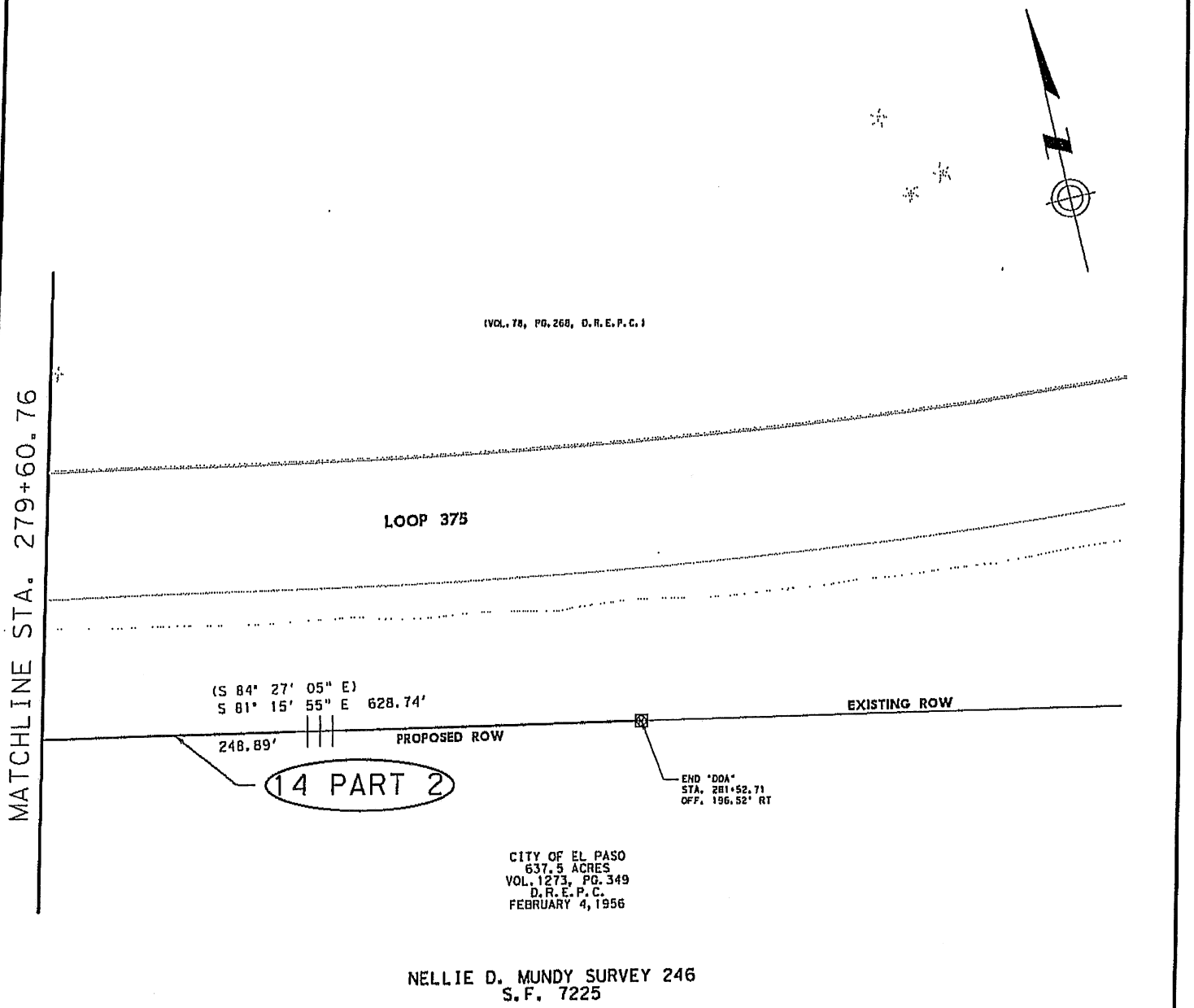
PARCEL PLAT OF PARCEL 14 PART 2

SCALE 1" = 50'

SHEET 27 OF 28

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.



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PARCEL PLAT OF PARCEL 14 PART 2

SCALE 1" = 50'

SHEET 28 OF 28

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.

CITY CLERK DEPT.

2011 MAR 23 AM 11: 14

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

SPECIAL WARRANTY DEED

Date: _____, 2011

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

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

Grantee: The State of Texas

Grantee's Mailing Address (including county): 125th East 11th Street
Austin, Texas
Travis County, Texas 78701-2483

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

Property:

Being 526,219 square feet or 12.080 acres of land out of Nellie D. Mundy Survey No. 246, S.F. 7225, El Paso County, Texas, being called out of a 637.5 acre tract as described by patent dated February 4, 1956 to the City of El Paso recorded in Volume 1273, Page 349, Deed Records, El Paso County, Texas and more particularly described by metes and bounds in Exhibit "A", attached hereto and incorporated herein by this reference for all purposes, hereinafter, the "Property".

Restrictions and Reservations from and Exceptions to Conveyance and Warranty:

1. This Property is being conveyed "AS IS", with no express or implied warranty being made for a particular use or purpose. Grantee shall be responsible, at its own cost, to conduct any necessary archeological or environmental surveys or studies. Any remediation required of Grantee for or due to the transportation facility to be constructed on the Property shall be at Grantee's sole cost.

2. This conveyance is subject to all easements, rights-of-way, and prescriptive rights whether of record or not, all presently recorded instruments, other than liens and conveyances, affecting the Property.

CITY CLERK DEPT.
2011 MAR 23 AM 11:14

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

4. Grantor hereby, for itself, its successors and assigns forever, reserves all water in and under, and that may be produced from or attributable to the Property. If the water estate is subject to existing production or an existing license, this reservation includes the production, the license and all benefits from it: provided, however that Grantor hereby waives any right of ingress and egress to the surface of the Property for the purpose of exploring, drilling, developing or producing same.

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

THE CITY OF EL PASO, TEXAS

_____
Joyce A. Wilson, City Manager

APPROVED AS TO FORM:

Cynthia S. Osborn
Assistant City Attorney

(Acceptance and Acknowledgements on following pages)

CITY CLERK DEPT.

2011 MAR 23 AM 11: 15

This Special Warranty Deed is hereby accepted by Grantee under the terms, covenants, obligations and conditions state hereinabove:

THE STATE OF TEXAS

_____
John P. Campbell, P. E., Director
Right-of-Way Division, Texas
Department of Transportation

ACKNOWLEGEMENTS

STATE OF TEXAS

COUNTY OF EL PASO

This instrument was acknowledged before me on the _____ day of _____, 2011, by **Joyce A. Wilson**, the **City Manager** of the **City of El Paso, Texas**.

_____
Printed Name:_____
Notary Public, State of Texas

STATE OF TEXAS

COUNTY OF TRAVIS

This instrument was acknowledged before me on the _____ day of _____, 2011, **by John P. Campbell**, P. E., **Director, Right-of-Way Division**, **Texas Department of Transportation.**

_____
Printed Name:_____
Notary Public, State of Texas

EXHIBIT "A"

HIGHWAY: Loop 375
LIMITS: From: 0.038 Miles W. Of IH 10 at Loop 375
To: 0.479 Miles E. of Franklin Mountain State Park
COUNTY: El Paso
ROW CSJ: 2552-01-045

Property Description for Parcel 14

Being 526,219 square feet or 12.080 acres of land out of Nellie D. Mundy Survey No. 246, S.F. 7225 El Paso County, Texas, being out of a called 637.5 acre tract as described by patent dated February 4, 1956 to the City of El Paso recorded in Volume 1273, Page 349, Deed Records, El Paso County, Texas, and being more particularly described in two parts as follows:

Part 1

COMMENCING at a 2" iron pipe with brass cap in a rock and concrete cairn marked "EPNG, El. 4152.40, 1977, BSE" found for the common northwest corner said Nellie D. Mundy Survey No. 246 and the northeast corner Nellie D. Mundy Survey No. 243, S.F.7222 same being the northeast corner of a 80.370 acre tract as described in a Special Warranty Deed to Hunt El Paso Invest, LTD recorded in Volume 4241, Page 1982, Real Property Records, El Paso County, Texas;

THENCE South 03° 14' 27" West (South 00° 02' 40" East) [South],along the common west line said Nellie D. Mundy Survey No. 246, the east line said Nellie D. Mundy Survey No. 243 and the east line said 80.370 acre tract, a distance of 2807.56 feet to a 5/8" iron rod with aluminum cap marked "TX DEPT OF TRANSPORTATION PROPERTY CORNER" set for the northwest corner of the herein described parcel, being on the proposed north right-of –way line Loop 375, at 168.50 feet left of Loop 375 Proposed Baseline Station 251+50.90 and having coordinates of X= 366952.77, Y= 10713407.05 for the POINT OF BEGINNING of the herein described parcel;

1.) THENCE South 81° 16' 03" East, along said proposed north right-of-way line Loop 375, a distance of 193.96 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 168.50 feet left of Proposed Baseline Station 253+44.87;

2.) THENCE North 63° 43' 57" East, continuing along said proposed north right-of-way Loop 375, a distance of 43.59 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 193.50 feet left of Proposed Baseline Station 253+80.57;

3.) THENCE South 81° 16' 03" East, continuing along said proposed north right-of-way Loop 375, a distance of 50.00 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 193.50 feet left of Proposed Baseline Station 254+30.57;

4.) THENCE South 36° 16' 03" East, continuing along said proposed north right-of-way Loop 375, a distance of 35.36 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 168.50 feet left of Proposed Baseline Station 254+55.57;

5.) THENCE South 81° 16' 03" East, continuing along said proposed north right-of-way Loop 375, a distance of 358.07 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW ACCESS DENIAL" ** set for an angle point same being the beginning of a Denial of Access Line at 165.27 feet left of Proposed Baseline Station 258+11.88;

6.) THENCE North 55° 10' 57" East, continuing along said proposed north right-of-way Loop 375 and said Denial of Access Line, a distance of 32.97 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW ACCESS DENIAL" ** set for an angle point at 191.22 feet left of Proposed Baseline Station 258+37.53;

7.) THENCE South 79° 15' 23" East, continuing along said proposed north right-of-way Loop 375 and said Denial of Access Line, a distance of 161.75 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW ACCESS DENIAL" ** set for an angle point at 185.54 feet left of Proposed Baseline Station 259+99.18;

8.) THENCE South 34° 49' 03" East, continuing along said proposed north right-of-way Loop 375 and said Denial of Access Line, a distance of 34.71 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW ACCESS DENIAL" ** set for an angle point at 160.38 feet left of Proposed Baseline Station 260+23.09;

9.) THENCE South 80° 52' 51" East, continuing along said proposed north right-of-way Loop 375 and said Denial of Access Line, a distance of 244.99 feet to a 5/8" iron rod with aluminum cap marked "TX DEPT OF TRANSPORTATION POINT ACCESS DENIAL" set for the end of the Denial of Access Line at 158.73 feet left of Proposed Baseline Station 262+68.08;

10.) THENCE South 80° 52' 51" East, continuing along said proposed north right-of-way Loop 375, a distance of 181.91 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 157.50 feet left of Proposed Baseline Station 264+49.98;

11.) THENCE North 78° 26' 40" East, continuing along said proposed north right-of-way Loop 375, a distance of 185.59 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 221.85 feet left of Proposed Baseline Station 266+24.06;

12.) THENCE South 81° 16' 50" East, continuing along said proposed north right-of-way Loop 375, a distance of 136.23 feet to a 5/8" iron rod with aluminum cap

marked "TXDOT ROW" ** set for an angle point at 221.88 feet left of Proposed Baseline Station 267+60.30;

13.) THENCE South 42° 10' 33" East, continuing along said proposed north right-of-way Loop 375, a distance of 83.08 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 169.50 feet left of Proposed Baseline Station 268+24.78;

14.) THENCE South 81° 16' 03" East, continuing along said proposed north right-of-way Loop 375, a distance of 375.21 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW ACCESS DENIAL" ** set for an angle point same being the beginning of a Denial of Access Line at 169.50 feet left of Proposed Baseline Station 271+99.98;

15.) THENCE South 84° 35' 43" East, continuing along said proposed north right-of-way Loop 375 and said Denial of Access Line, a distance of 683.92 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW ACCESS DENIAL" ** set for an angle point at 195.00 feet left of Proposed Baseline Station 278+99.98;

16.) THENCE South 86° 00' 30" East, continuing along said proposed north right-of-way Loop 375 and said Denial of Access Line, a distance of 405.35 feet to a 5/8" iron rod with aluminum cap marked "TX DEPT OF TRANSPORTATION POINT ACCESS DENIAL" set for the end of the Denial of Access Line at 172.09 feet left of Proposed Baseline Station 283+24.27;

17.) THENCE South 86° 00' 30" East, continuing along said proposed north right-of-way Loop 375, a distance of 516.55 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for the beginning of a non-tangent curve to the left at 80.00 feet left of Proposed Baseline Station 288+49.95;

18.) THENCE continuing along said proposed north right-of –way line Loop 375 northeasterly with said non-tangent curve to the left having a radius of 3928.00 feet, an arc length of 324.55 feet, a central angle of 04° 44' 03" and a chord which bears North 77° 50' 48" East, a distance of 324.46 feet to the intersection with the existing north right-of way Loop 375 as described in a deed to the State of Texas recorded in Volume 78, Page 628, Deed Records, El Paso County, Texas, a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for the east corner of the herein described parcel at 82.00 feet left of Proposed Baseline Station 291+81.27;

19.) THENCE South 70° 02' 58" West (South 66° 51' 42" West), along said existing north right-of-way Loop 375, a distance of 188.41 feet to a point for angle from which a Texas Department of Transportation Type II Right of Way monument bears South 69° 24' 37" West 8.52 feet;

20.) THENCE South 84° 22' 20" West (South 81° 12' 18" West), along said existing north right-of-way Loop 375, a distance of 1049.60 feet (1049.83 feet) to a point for angle from which a Texas Department of Transportation Type II Right of Way monument bears South 81° 16' 00" East 8.19 feet;

21.) THENCE North 81° 15' 55" West (North 84° 27' 05" West), continuing along said existing north right-of-way Loop 375, at 481.18 feet passing a Texas Department of Transportation Type I Right of Way monument, at 981.23 feet passing another Texas Department of Transportation Type I Right of Way monument and continuing for a total distance of 1481.47 feet to a point for angle from which Texas Department of Transportation Type II Right of Way monument bears North 78° 38' 57" West 3.98 feet;

22.) THENCE North 08° 44' 05" East (North 05° 32' 55" East), continuing along said existing north right-of-way Loop 375, a distance of 20.00 feet to a Texas Department of Transportation Type II Right of Way monument found for an angle point;

23.) THENCE North 81° 15' 55" West (North 84° 27' 05" West), continuing along said existing north right-of-way Loop 375, a distance of 300.00 feet to a Texas Department of Transportation Type II Right of Way monument found for an angle point;

24.) THENCE South 08° 44' 05" West (South 05° 32' 05" West), continuing along said existing north right-of-way Loop 375, a distance of 20.00 feet to a Texas Department of Transportation Type II Right of Way monument found for an angle point;

25.) THENCE North 81° 15' 55" West (North 84° 27' 05" West), continuing along said existing north right-of-way Loop 375, at 499.96 feet passing a Texas Department of Transportation Type I Right of Way monument and continuing for a total distance of 978.80 feet (974.85 feet) to a 5/8" iron rod with cap marked "RPLS 4178" found for the southwest corner herein described parcel same being in the west line said Nellie D. Mundy Survey No. 246, the east line said Nellie D. Mundy Survey No. 243 and the east line said 80.370 acre tract, from which a found Texas Department of Transportation Type I Right of Way monument bears South 87° 53' 00" East 0.35 feet;

26.) THENCE North 03° 14' 27" East (North 00° 02' 40" West) [North], along the common west line said Nellie D. Mundy Survey No. 246, the east line said Nellie D. Mundy Survey No. 243 and the east line said 80.370 acre tract, a distance of 118.63 feet to the POINT OF BEGINNING and containing 431,085 square feet or 9.896 acres of land.

Part 2

COMMENCING at a 2" iron pipe with brass cap in a rock and concrete cairn marked "EPNG, El. 4152.40, 1977, BSE" found for the common northwest corner said Nellie D. Mundy Survey No. 246 and the northeast corner Nellie D. Mundy Survey No. 243 same being the northeast corner of a 80.370 acre tract as described in a Special Warranty Deed to Hunt El Paso Invest, LTD recorded in Volume 4241, Page 1982, Real Property Records, El Paso County, Texas;

THENCE South 03° 14' 27" West (South 00° 02' 40" East) [South],along the common west line said Nellie D. Mundy Survey No. 246, the east line said Nellie D. Mundy Survey No. 243 and the east line said 80.370 acre tract, at a distance of 3127.11 feet passing a 5/8" iron rod with cap marked "RPLS 4178" found for the northeast corner of a 76.8241 acre tract as described in a Special Warranty Deed to Hillview Properties (Exhibit "B") recorded in Volume 3903, Page 0086, Real Property Records, El Paso County, Texas and continuing for a total distance of 3173.94 to a 5/8" iron rod with aluminum cap marked "TX DEPT OF TRANSPORTATION PROPERTY CORNER" set for the southeast corner of the herein described parcel, being on the proposed south right-of –way line Loop 375, at 196.20 feet right of Loop 375 Proposed Baseline Station 251+85.94 and having coordinates of X= 366932.06, Y= 10713041.26 for the POINT OF BEGINNING of the herein described parcel;

1.) THENCE North 55° 23' 45" East, along said proposed south right-of-way line Loop 375, a distance of 35.37 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 171.93 feet right of Proposed Baseline Station 252+11.69;

2.) THENCE South 79° 35' 55" East, continuing along said proposed south right-of-way Loop 375, a distance of 71.16 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 174.00 feet right of Proposed Baseline Station 252+82.82;

3.) THENCE South 81° 16' 03" East, continuing along said proposed south right-of-way Loop 375, a distance of 217.17 feet to a 5/8" iron rod with aluminum cap marked "TEXAS DEPT. OF TRANSPORTATION POINT ACCESS DENIAL" ** set for the beginning of a Denial of Access Line at 174.00 feet right of Proposed Baseline Station 254+99.98;

4.) THENCE South 81° 16' 03" East, continuing along said proposed south right-of-way Loop 375 and said Denial of Access Line, a distance of 425.56 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW ACCESS DENIAL" ** set for an angle point at 174.00 feet right of Proposed Baseline Station 259+25.54;

5.) THENCE South 57° 02' 23" East, continuing along said proposed south right-of-way Loop 375 and said Denial of Access Line, a distance of 136.46 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW ACCESS DENIAL" ** set for an angle point at 230.00 feet right of Proposed Baseline Station 260+49.98;

6.) THENCE South 81° 16' 03" East, continuing along said proposed south right-of-way Loop 375 and said Denial of Access Line, a distance of 250.00 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW ACCESS DENIAL" ** set for an angle point and the end of the Access Denial Line at 230.00 feet right of Proposed Baseline Station 262+99.98;

7.) THENCE North 82° 23' 04" East, continuing along said proposed south right-of-way Loop 375 and said Denial of Access Line, a distance of 156.32 feet to a 5/8"

iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 186.00 feet right of Proposed Baseline Station 264+49.98;

8.) THENCE South 81° 16' 03" East, continuing along said proposed south right-of-way Loop 375, a distance of 106.38 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 186.00 feet right of Proposed Baseline Station 265+56.36;

9.) THENCE South 32° 28' 31" East, continuing along said proposed south right-of-way Loop 375, a distance of 107.68 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 267.01 feet right of Proposed Baseline Station 266+27.30;

10.) THENCE South 81° 16' 03" East, continuing along said proposed south right-of-way Loop 375, a distance of 130.00 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 267.01 feet right of Proposed Baseline Station 267+57.30;

11.) THENCE North 55° 33' 40" East, continuing along said proposed south right-of-way Loop 375, a distance of 132.38 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 176.44 feet right of Proposed Baseline Station 268+53.84;

12.) THENCE South 81° 16' 03" East, continuing along said proposed south right-of-way Loop 375, a distance of 101.14 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 176.44 feet right of Proposed Baseline Station 269+54.98;

13.) THENCE South 36° 16' 03" East, continuing along said proposed south right-of-way Loop 375, a distance of 35.36 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 201.44 feet right of Proposed Baseline Station 269+79.98;

14.) THENCE South 81° 16' 03" East, continuing along said proposed south right-of-way Loop 375, a distance of 100.00 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 201.44 feet right of Proposed Baseline Station 270+79.98;

15.) THENCE North 68° 43' 57" East, continuing along said proposed north right-of-way Loop 375, a distance of 54.24 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" ** set for an angle point at 174.32 feet right of Proposed Baseline Station 271+26.95;

16.) THENCE South 84° 35' 43" East, continuing along said proposed north right-of-way Loop 375, a distance of 424.54 feet to the intersection with the existing south right-of way Loop 375 as described in a deed to the State of Texas recorded in Volume 78, Page 628, Deed Records, El Paso County, Texas, a 5/8" iron rod with aluminum cap marked "TXDOT ROW ACCESS DENIAL" ** set for the east corner of the herein described parcel and the beginning of a Denial of Access Line at 149.68 feet right of Proposed Baseline Station 275+50.78, from which the

proposed Denial of Access line continues South 81° 15' 55" East (South 84° 27' 05" East), at 379.85 feet passing a Texas Department of Transportation Type I monument and continuing for a total distance of 628.74 to a 5/8" iron rod with aluminum cap marked "TXDOT ROW ACCESS DENIAL" ** set for the end of the proposed Denial of Access Line at 196.52 feet right of Proposed Baseline Station 281+52.71;

17.) THENCE North 81° 27'' 55" West (North 84° 27' 05" West), along said existing south right-of-way Loop 375, at a distance of 109.58 feet passing a Texas Department of Transportation Type I Right of Way monument, at 609.62 feet passing another Texas Department of Transportation Type I Right of Way monument and continuing for a total distance of 1109.66 feet to a Texas Department of Transportation Type II Right of Way monument found for an angle point from which an iron rod found bears North 84° 28' 10" West, 3.91feet;

18.) THENCE South 08° 44' 05" West (South 05° 32' 55" West), along said existing south right-of-way Loop 375, a distance of 20.00 feet to a Texas Department of Transportation Type II Right of Way monument found for an angle point from which a iron rod found bears North 85° 52' 52" West, 3.94 feet;

19.) THENCE North 81° 15' 55" West (North 84° 27' 05" West), continuing along said existing south right-of-way Loop 375, a distance of 300.00 feet to a Texas Department of Transportation Type II Right of Way monument found for an angle point from which iron rod found bears North 84° 43' 11" West, 3.88 feet;

20.) THENCE North 08° 44' 05" East (North 05° 32' 55" East), continuing along said existing south right-of-way Loop 375, a distance of 20.00 feet to a Texas Department of Transportation Type II Right of Way monument found for an angle point from which an iron rod found bears North 84° 39' 33" West, 3.95 feet;

21.) THENCE North 81° 15' 55" West (North 84° 27' 05" West), continuing along said existing north right-of-way Loop 375, at a distance of 499.97 feet passing Texas Department of Transportation Type II Right of Way monument and continuing for a total distance of 959.64 feet (955.29 feet) to an iron rod with cap marked "RPLS 4178" found for the northwest corner herein described parcel same being in the west line said Nellie D. Mundy Survey No. 246, the east line said Nellie D. Mundy Survey No. 243 and the east line said 76.8241 acre tract from which a Texas Department of Transportation Type II Right of Way monument bears South 58° 00' 17" East;

22.) THENCE South 03° 14' 27" West (South 00° 02' 40" East), along the common line said Nellie D. Mundy Survey No. 246, the east line said Nellie D. Mundy Survey No. 243 and the east line said 80.370 acre tract, a distance of 46.83 to the POINT OF BEGINNING and containing 95,134 square feet or 2.184 acres of land.

Summary

Part 1 = 9.896 acres (431,085 square feet)

Part 2 = 2.184 acres (95,134 square feet)

Total = 12.080 acres (526,219 square feet)

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

( ) Denotes record calls of existing Loop 375 ROW acquisition deeds.
[ ] Denotes record calls of existing property deeds.

** The monument described and set in this call may be replaced with a TxDOT Type II Marker upon the completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

Bearings and coordinates are based upon Texas State Plane, Central Zone, NSRS2007 and are referenced to Primary Control Points 093-103 (X=370223.070, Y=10712625.861) and 093-203 (X=358000.334, Y=10714873.742) as provided by TxDOT El Paso District and Jacobs Engineering Group. All coordinates and distances shown are surface values and may be converted to State Plane by dividing by the Surface Adjustment Factor of 1.000231.

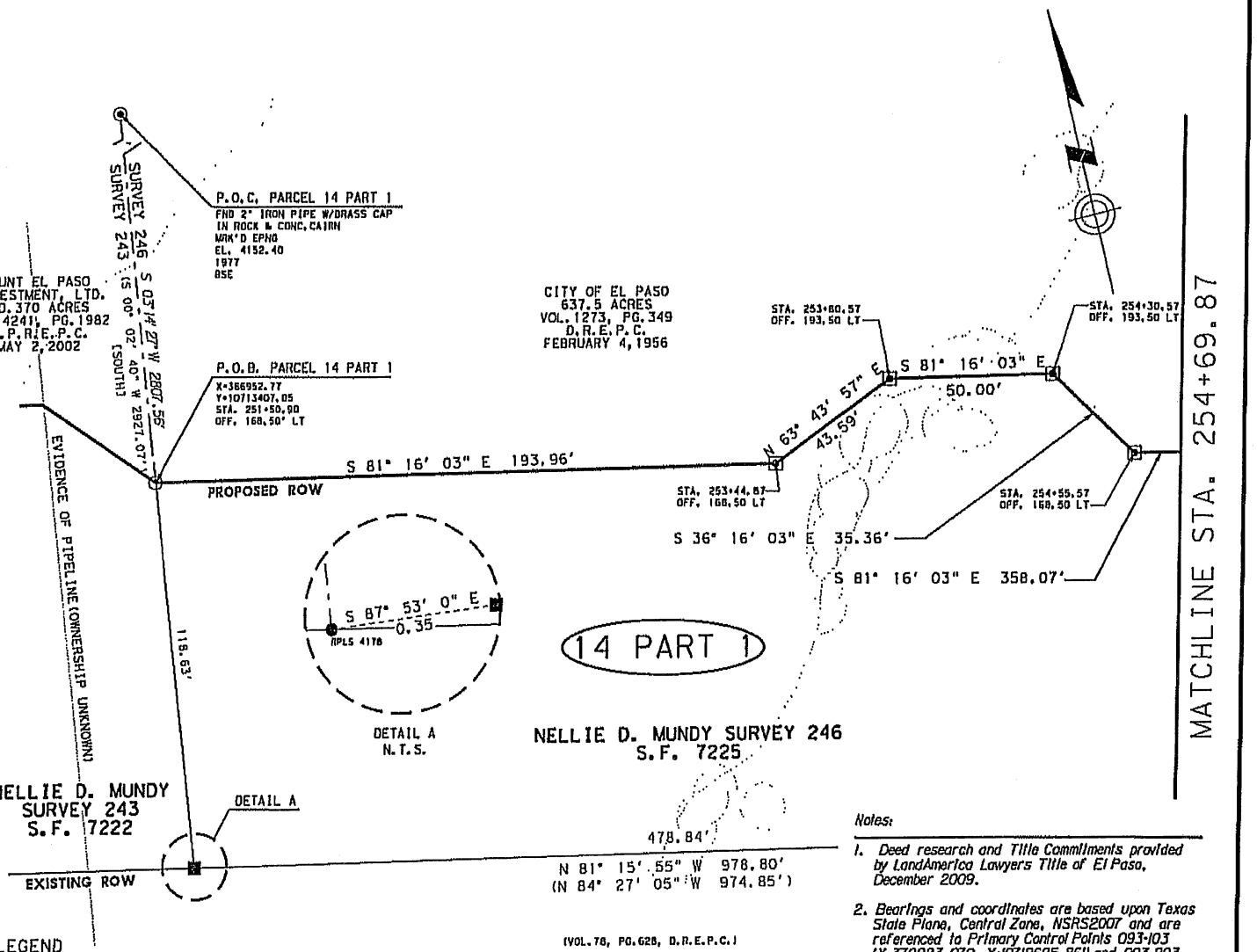
Access is prohibited across the "Denial of Access Line" to the transportation facility from the adjacent property.

I, Robert H. Bridwell, Registered Professional Land Surveyor, do hereby certify that this Property Description is a true and correct representation of a survey made on the ground, under my direction and supervision.

STATE OF TEXAS
REGISTERED
ROBERT H. BRIDWELL
5406
PROFESSIONAL
LAND SURVEYOR

Date: May 19, 2010

Robert H. Bridwell
Registered Professional Land Surveyor
No. 5406



LEGEND

▲	CALCULATED POINT (NOTHING FOUND)
⊙	FND 2" I.P. (UNLESS NOTED)
▩	SET ½" I.R. W/ALUMINUM CAP MARKED "TXDOT ROW ACCESS DENIAL" **
⊗	SET ½" I.R. W/ALUMINUM CAP MARKED "TX DEPT. OF TRANSPORTATION POINT ACCESS DENIAL"
●	FND I.R.
○	SET ½" I.R. W/ALUMINUM CAP MARKED "TX DEPT. OF TRANSPORTATION PROPERTY CORNER"
▣	FND TXDOT TYPE II ROW MONUMENT
⊡	SET ½" I.R. W/ALUMINUM CAP MARKED "TXDOT ROW" **
■	FND TXDOT TYPE I ROW MONUMENT
⊠	FND X IN CONCRETE
—℄—	PROPERTY LINE
— · —	SURVEY LINE
———	PROPOSED ROW LINE
———	EXISTING ROW LINE
—N—	PROPOSED ACCESS DENIAL LINE
—W—	EXISTING WATER LINE
TCL———	UNDERGROUND FIBER OPTIC LINE
—SS—	EXISTING SANITARY SEWER LINE
—G—	EXISTING GAS PIPELINE
⊙	PARCEL NUMBER
D.R.E.P.C.	DEED RECORDS, EL PASO COUNTY
R.P.R.E.P.C.	REAL PROPERTY RECORDS, EL PASO COUNTY
P.R.E.P.C.	PLAT RECORDS, EL PASO COUNTY
( )	DENOTES RECORD CALLS OF EXISTING LOOP 375 ROW ACQUISITION DEEDS
[ ]	DENOTES RECORD CALLS OF PROPERTY DEEDS

** THE MONUMENT DESCRIBED AND SET IN THIS CALL MAY BE REPLACED WITH A TXDOT TYPE II RIGHT OF WAY MARKER UPON THE COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.

Notes:

1. *Deed research and Title Commitments provided by LandAmerica Lawyers Title of El Paso, December 2009.*
2. *Bearings and coordinates are based upon Texas State Plane, Central Zone, NSRS2007 and are referenced to Primary Control Points 093-103 (X=370223.070, Y=10712625.861) and 093-203 (X=358000.334, Y=10714873.742), as provided by TxDOT El Paso District and Jacobs Engineering Group. All coordinates and distances shown are surface values and may be converted to State Plane by dividing by the Surface Adjustment Factor of 1.000231.*
3. *Field work for this project was performed in December 2009 thru May 2010.*
4. *Topography shown provided by TxDOT El Paso District.*
5. *Partially Controlled Access Facility.*
6. *This Plat is accompanied by a property description of an even date.*

0 25 50 75 100

SCALE IN FEET

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF SURVEY.
SURVEY DATE: DECEMBER 2009 THRU MAY 2010

5/19/10

ROBERT H. BRIDWELL
REGISTERED PROFESSIONAL LAND SURVEYOR

STATE OF TEXAS
REGISTERED
ROBERT H. BRIDWELL
5406
PROFESSIONAL
LAND SURVEYOR

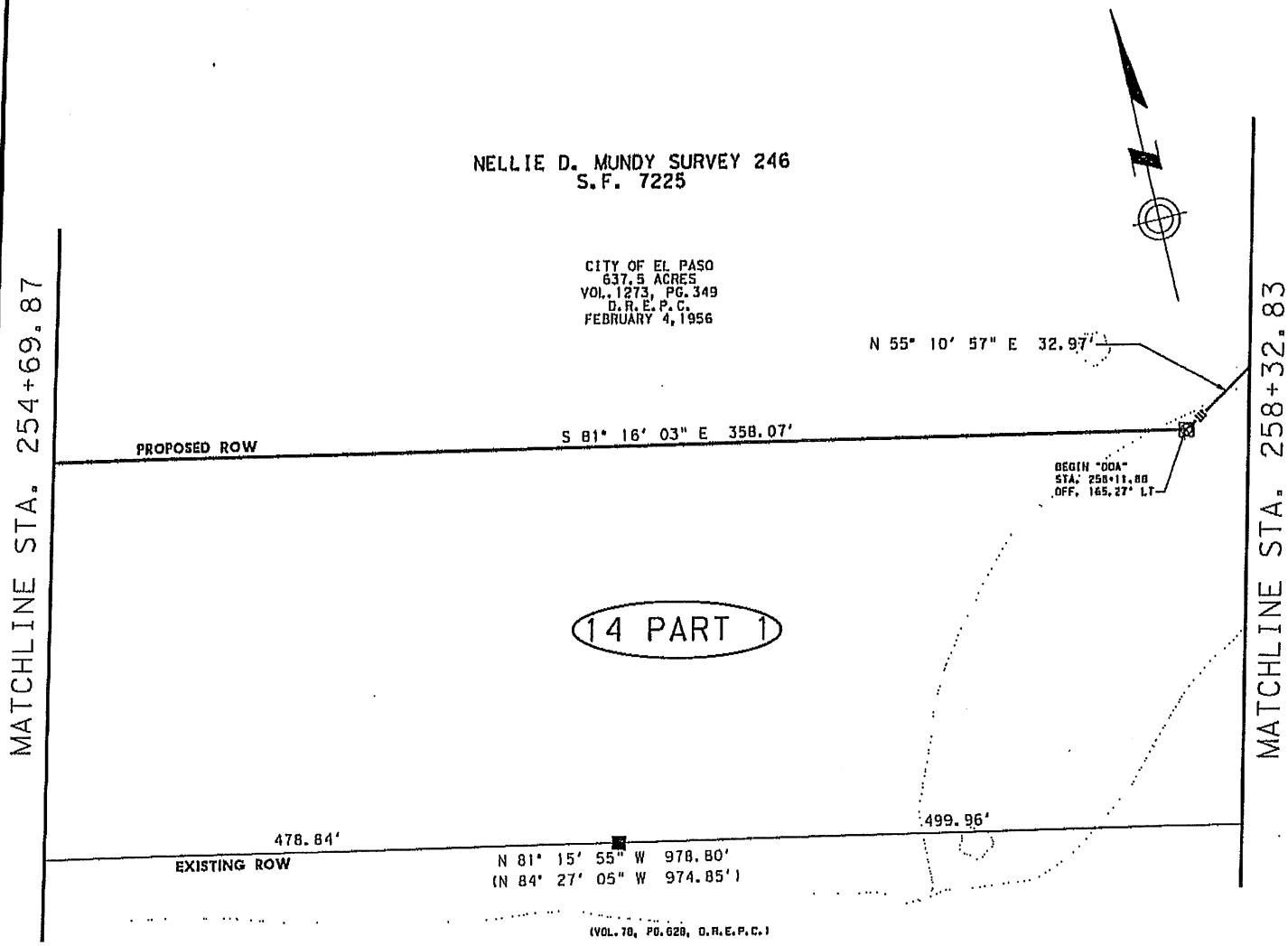
Texas Department of Transportation
© 2010 TxDOT

PARCEL PLAT OF PARCEL 14 PART 1

SCALE 1" = 50'

SHEET 9 OF 28

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.



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SCALE IN FEET

Texas Department of Transportation
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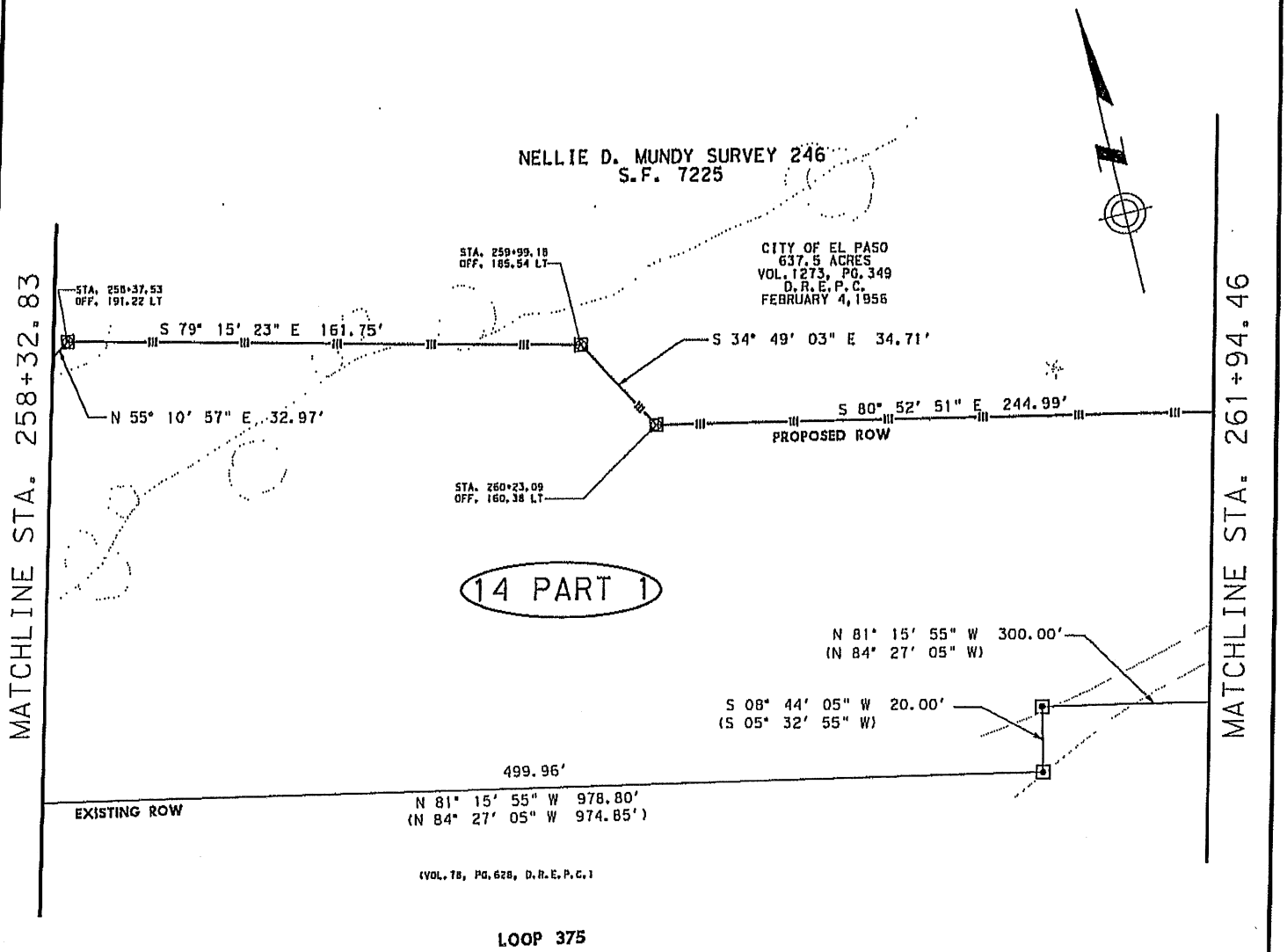
PARCEL PLAT OF PARCEL 14 PART 1

SCALE 1" = 50'

SHEET 10 OF 28

FED. RD. DIV. NO.	PROJECT NO.	SHEET NO.
6		

STATE	DIST.	COUNTY
TEXAS	ELP	EL PASO



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SCALE IN FEET

Texas Department of Transportation
© 2010 TxDOT

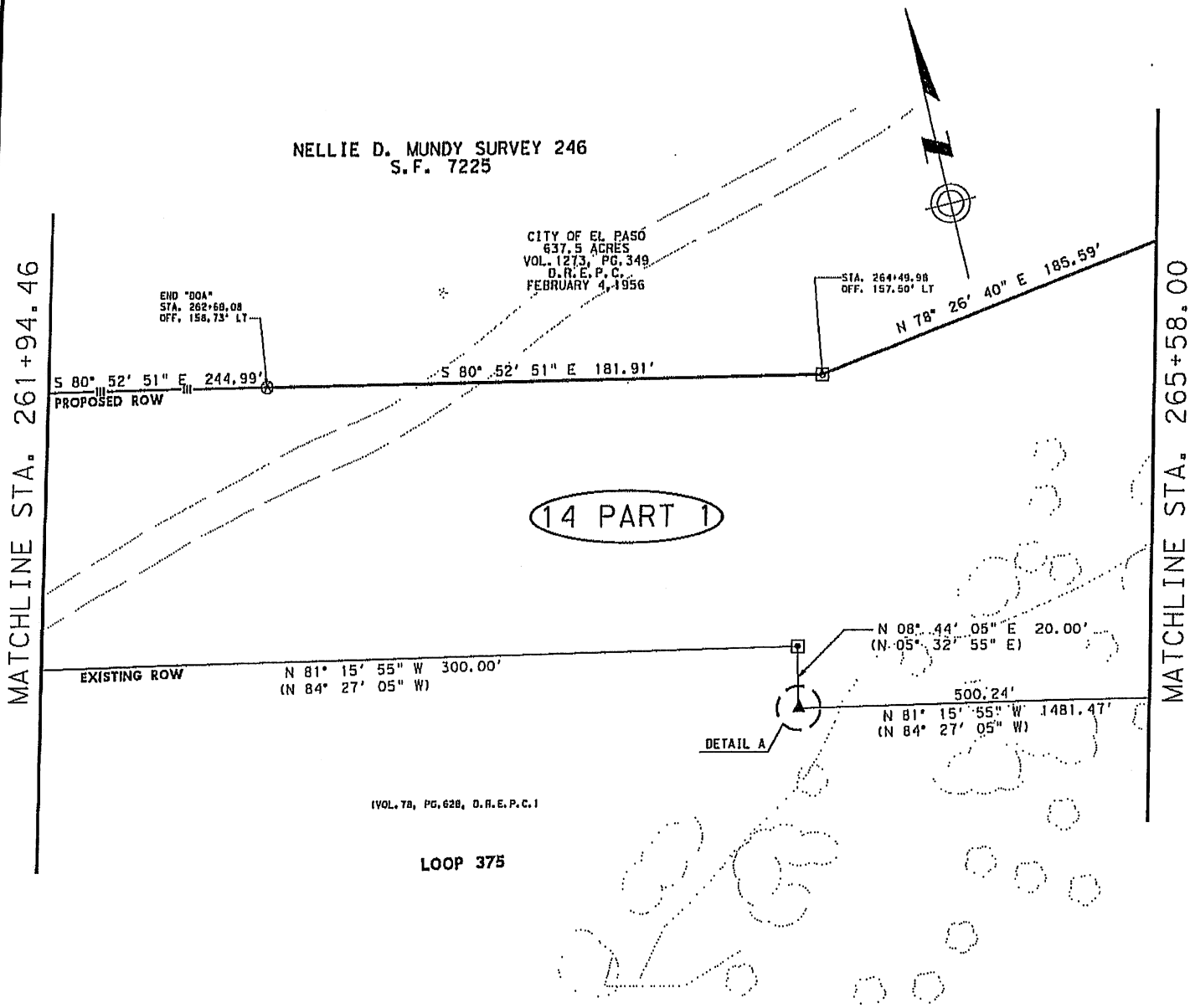
PARCEL PLAT OF PARCEL 14 PART 1

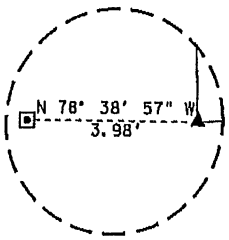
SCALE 1" = 50'

SHEET 11 OF 28

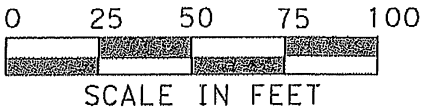
FED. RD. DIV. NO.	PROJECT NO.	SHEET NO.
6		

STATE	DIST.	COUNTY
TEXAS	ELP	EL PASO





DETAIL A
N.T.S.



Texas Department of Transportation
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PARCEL PLAT OF PARCEL 14 PART 1

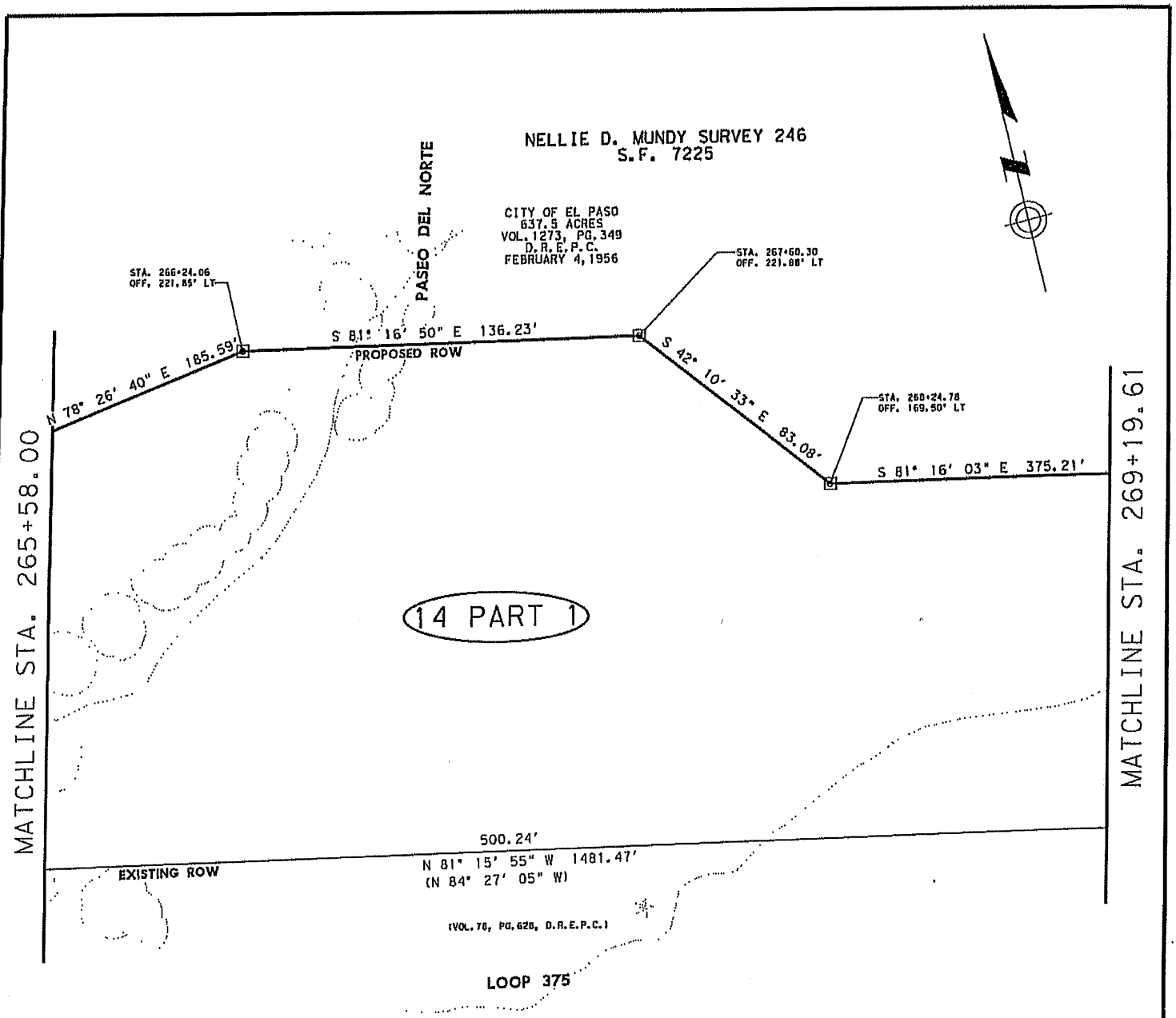
SCALE 1" = 50'

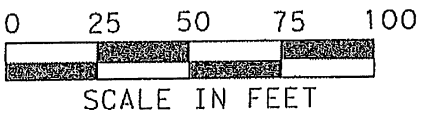
SHEET 12 OF 28

FED. RD. DIV. NO.	PROJECT NO.	SHEET NO.
6		

STATE	DIST.	COUNTY
TEXAS	ELP	EL PASO

CONT.	SECT.	JOB	HIGHWAY NO.





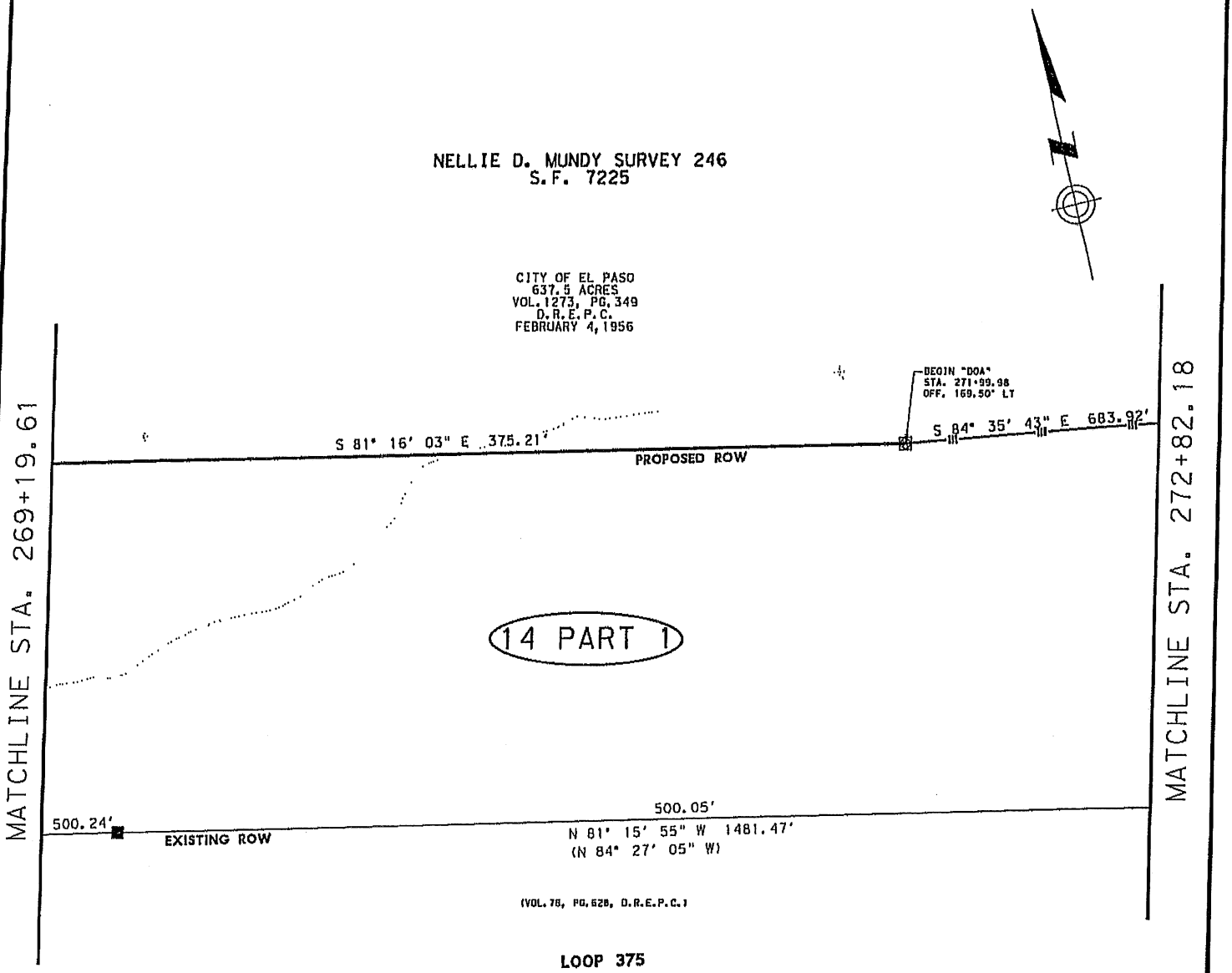
Texas Department of Transportation
© 2010 TxDOT

PARCEL PLAT OF PARCEL 14 PART 1

SCALE 1" = 50'

SHEET 13 OF 28

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.



0 25 50 75 100

SCALE IN FEET

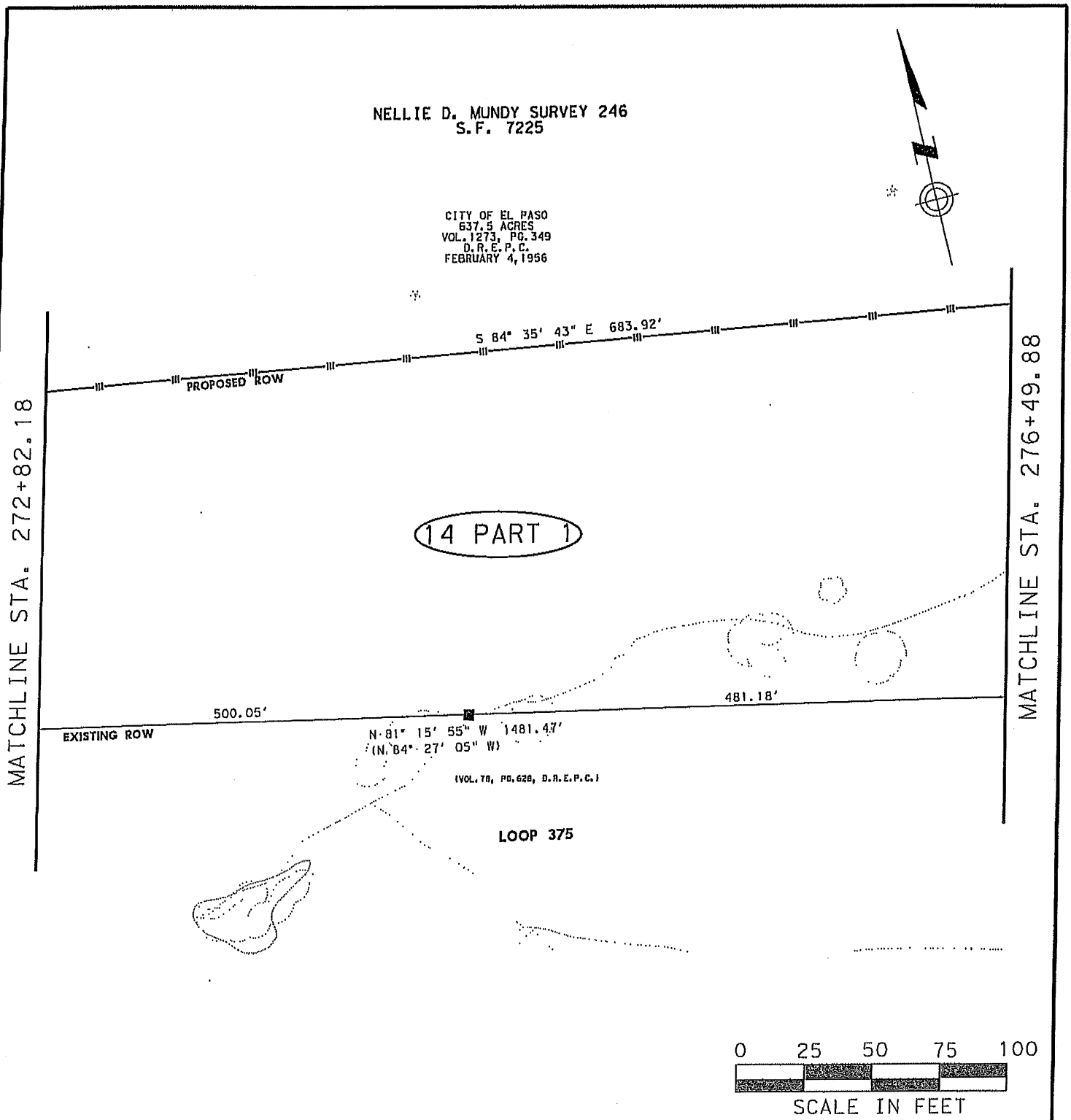
Texas Department of Transportation
© 2010 TxDOT

PARCEL PLAT OF PARCEL 14 PART 1

SCALE 1" = 50'

SHEET 14 OF 28

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.



Texas Department of Transportation
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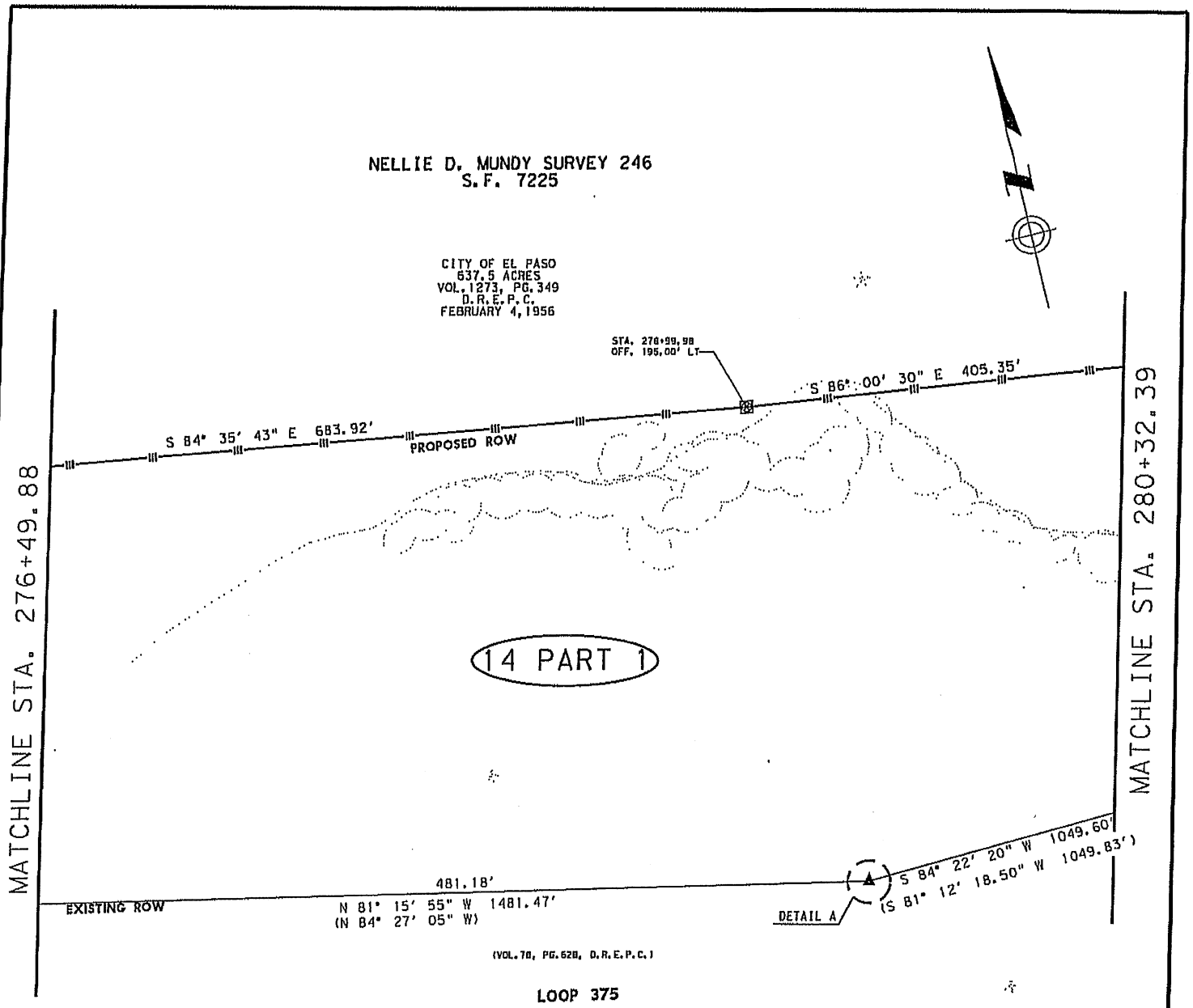
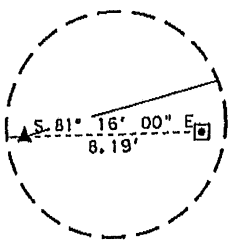
PARCEL PLAT OF PARCEL 14 PART 1

SCALE 1" = 50'

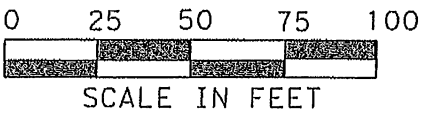
SHEET 15 OF 28

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.





DETAIL A
N.T.S.



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PARCEL PLAT OF PARCEL 14 PART 1

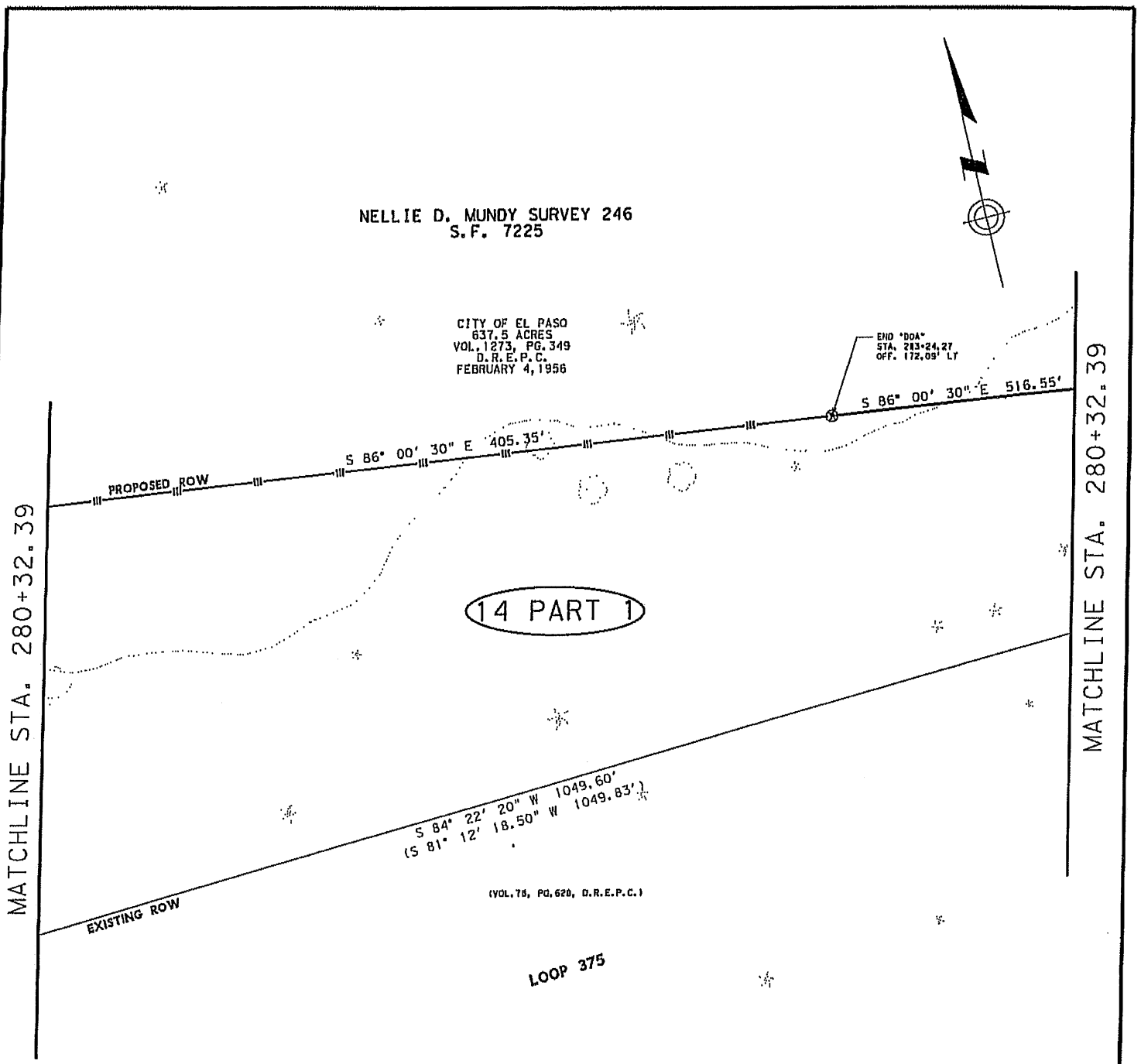
SCALE 1" = 50'

SHEET 16 OF 28

FED. RD. DIV. NO.	PROJECT NO.	SHEET NO.
6		

STATE	DIST.	COUNTY
TEXAS	ELP	EL PASO

CONT.	SECT.	JOB	HIGHWAY NO.



0 25 50 75 100

SCALE IN FEET

Texas Department of Transportation

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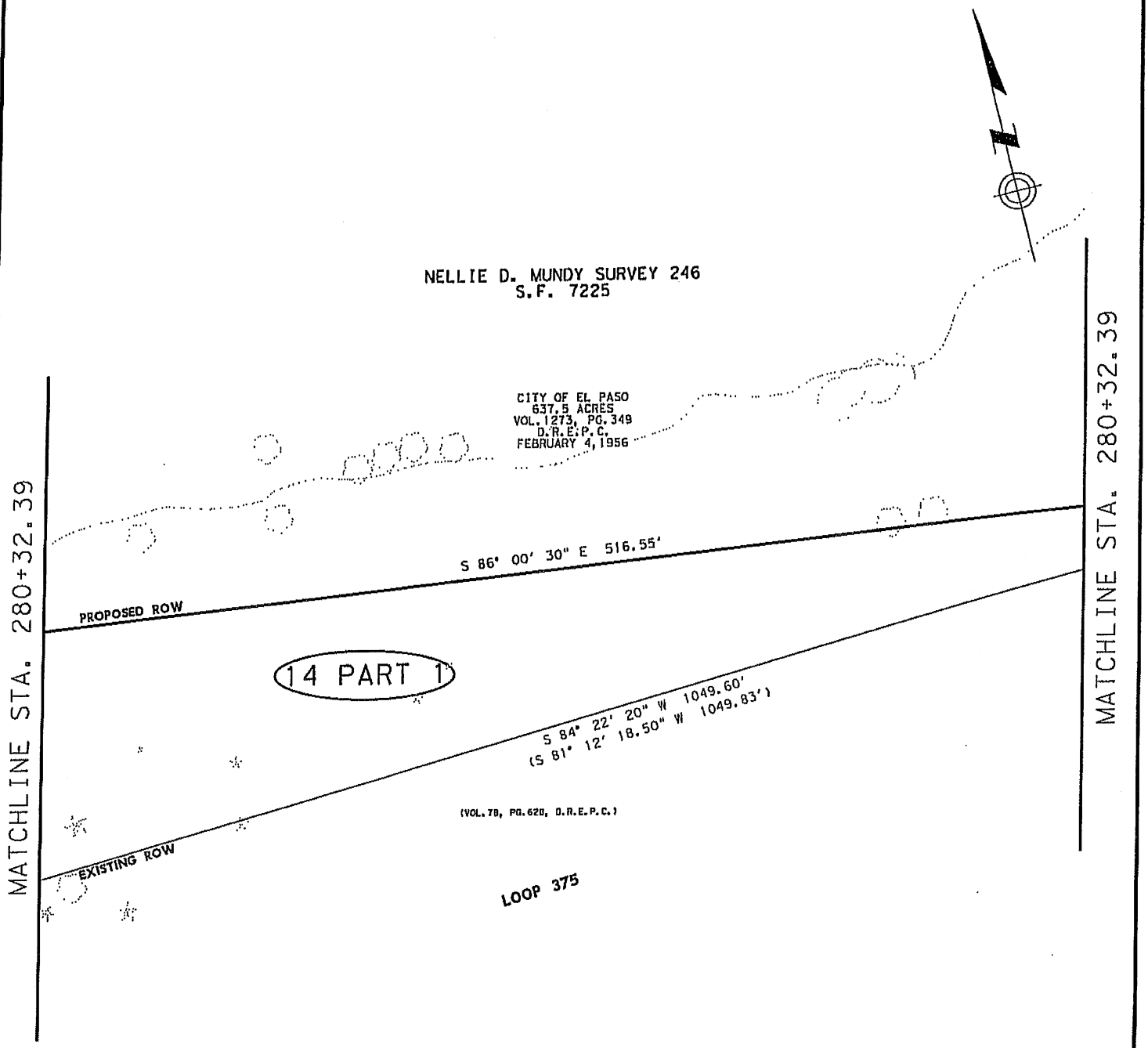
PARCEL PLAT OF PARCEL 14 PART 1

SCALE 1" = 50'

SHEET 17 OF 28

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.



Texas Department of Transportation
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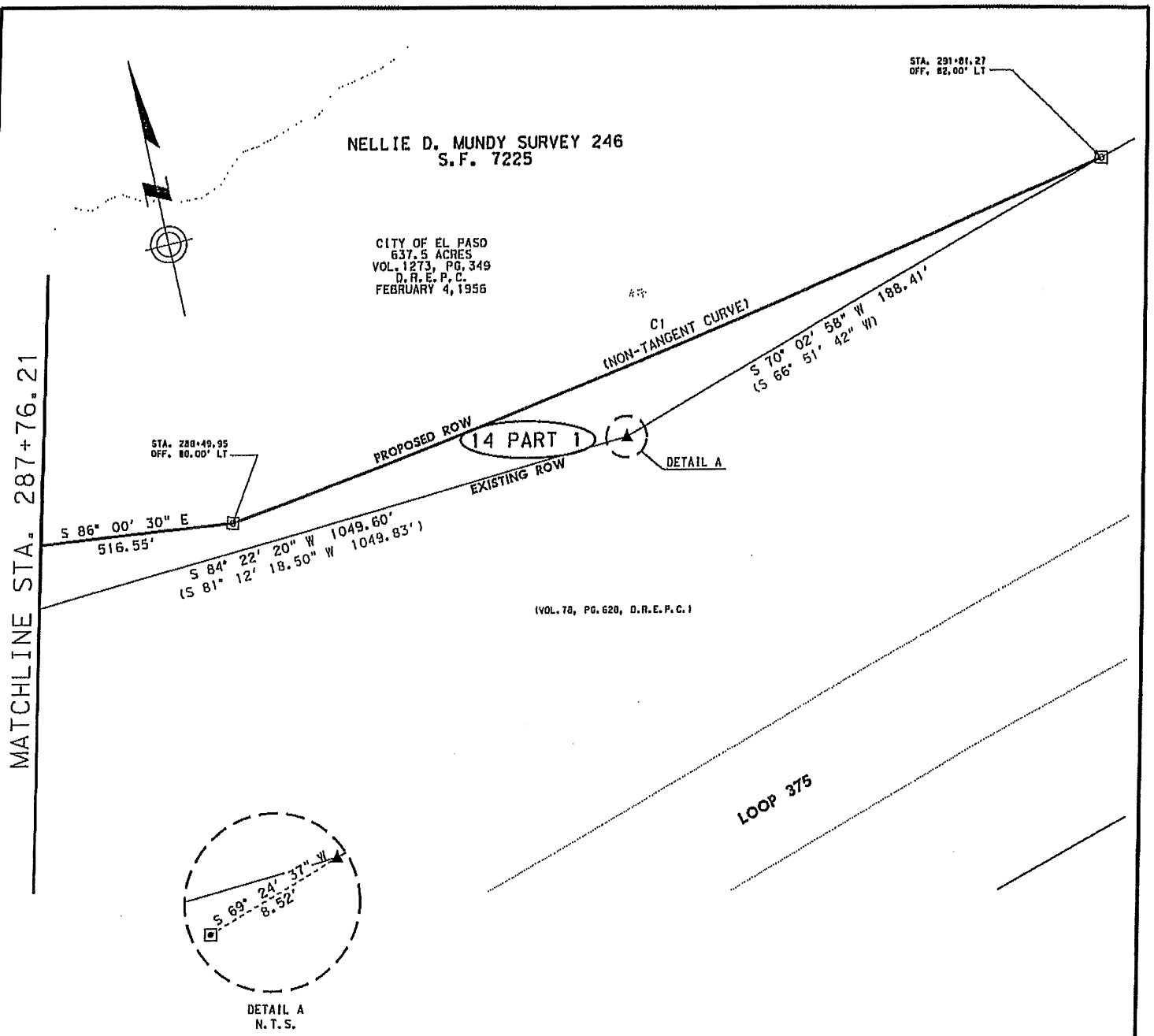
PARCEL PLAT OF PARCEL 14 PART 1

SCALE 1" = 50'

SHEET 18 OF 28

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.



CURVE DATA				
CURVE	△	RADIUS	LENGTH	CHORD
C1	04°44'03"	3928.00'	324.55'	N 77° 50' 48" E 324.46'

0 25 50 75 100

SCALE IN FEET

Texas Department of Transportation
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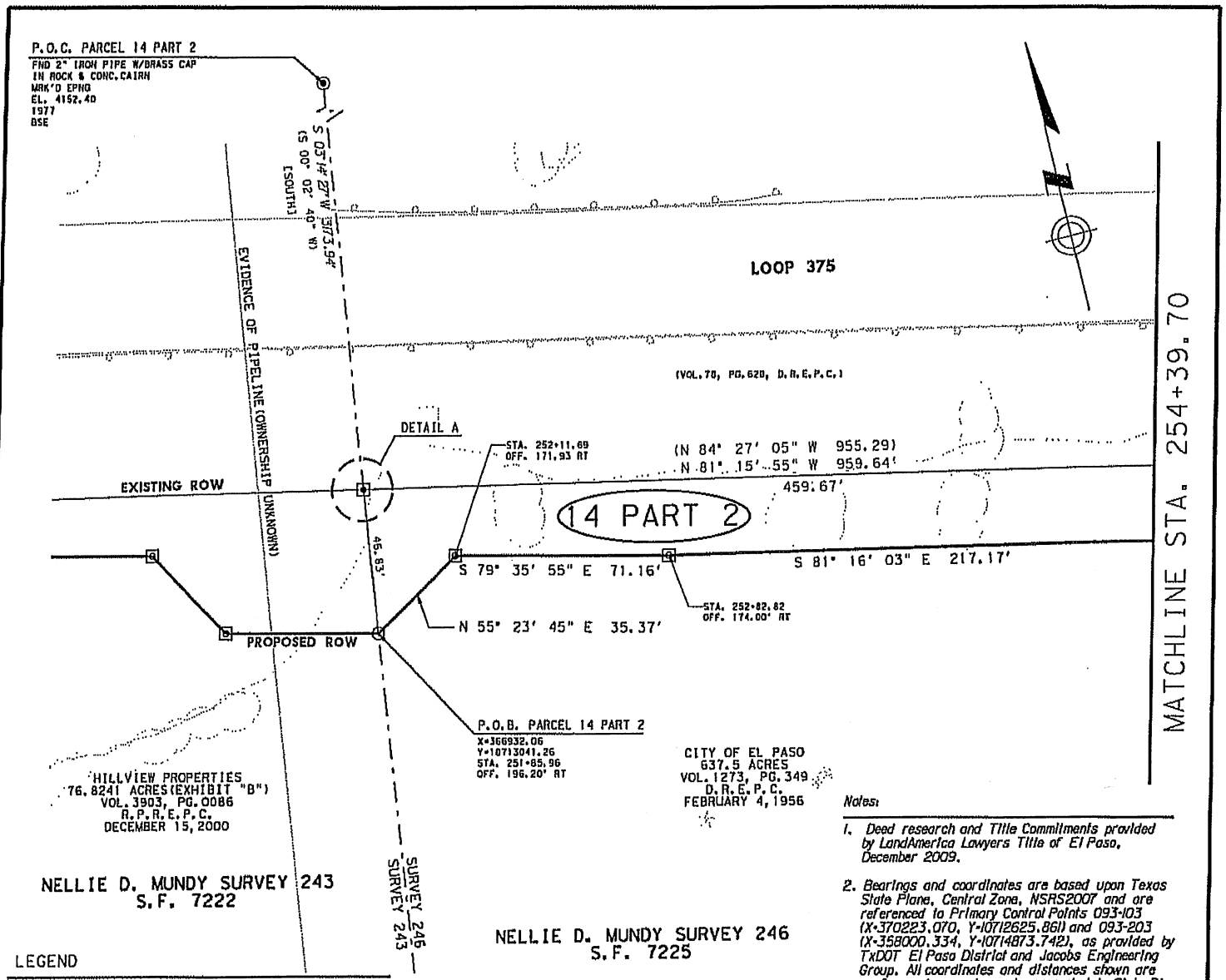
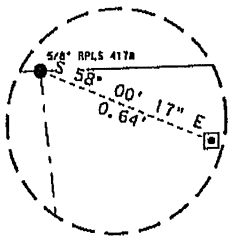
PARCEL PLAT OF PARCEL 14 PART 1

SCALE 1" = 50'

SHEET 19 OF 28

FED.RD. DIV.NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.





DETAIL A
N.T.S.

LEGEND

▲	CALCULATED POINT (NOTHING FOUND)
⊙	FND 2" I.P. (UNLESS NOTED)
⊠	SET 5/8" I.R. W/ALUMINUM CAP MARKED "TXDOT ROW ACCESS DENIAL" **
⊗	SET 5/8" I.R. W/ALUMINUM CAP MARKED "TX DEPT. OF TRANSPORTATION POINT ACCESS DENIAL"
●	FND I.R.
○	SET 5/8" I.R. W/ALUMINUM CAP MARKED "TX DEPT. OF TRANSPORTATION PROPERTY CORNER"
▣	FND TXDOT TYPE II ROW MONUMENT
⊡	SET 5/8" I.R. W/ALUMINUM CAP MARKED "TXDOT ROW" **
■	FND TXDOT TYPE I ROW MONUMENT
⊠	FND X IN CONCRETE
—℄—	PROPERTY LINE
— — —	SURVEY LINE
═══	PROPOSED ROW LINE
———	EXISTING ROW LINE
—ACC—	PROPOSED ACCESS DENIAL LINE
—W—	EXISTING WATER LINE
—FO—	UNDERGROUND FIBER OPTIC LINE
—SS—	EXISTING SANITARY SEWER LINE
—G—	EXISTING GAS PIPELINE
⊙	PARCEL NUMBER
D.R.E.P.C.	DEED RECORDS, EL PASO COUNTY
R.P.R.E.P.C.	REAL PROPERTY RECORDS, EL PASO COUNTY
P.R.E.P.C.	PLAT RECORDS, EL PASO COUNTY
( )	DENOTES RECORD CALLS OF EXISTING LOOP 375 ROW ACQUISITION DEEDS
[ ]	DENOTES RECORD CALLS OF PROPERTY DEEDS

** THE MONUMENT DESCRIBED AND SET IN THIS CALL MAY BE REPLACED WITH A TXDOT TYPE II RIGHT OF WAY MARKER UPON THE COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.

Notes:

1. *Deed research and Title Commitments provided by LandAmerica Lawyers Title of El Paso, December 2009.*
2. *Bearings and coordinates are based upon Texas State Plane, Central Zone, NSRS2007 and are referenced to Primary Control Points 093-103 (X=370223.070, Y=10712625.861) and 093-203 (X=358000.334, Y=10714873.742), as provided by TxDOT El Paso District and Jacobs Engineering Group. All coordinates and distances shown are surface values and may be converted to State Plane by dividing by the Surface Adjustment Factor of 1.000231.*
3. *Field work for this project was performed in December 2009 thru May 2010.*
4. *Topography shown provided by TxDOT El Paso District.*
5. *Partially Controlled Access Facility.*
6. *This Plat is accompanied by a property description of an even date.*

0 25 50 75 100

SCALE IN FEET

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF SURVEY.
SURVEY DATE: DECEMBER 2009 THRU MAY 2010

5/19/10

ROBERT H. BRIDWELL
REGISTERED PROFESSIONAL LAND SURVEYOR

STATE OF TEXAS
REGISTERED
ROBERT H. BRIDWELL
5406
PROFESSIONAL
LAND SURVEYOR

Texas Department of Transportation
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PARCEL PLAT OF PARCEL 14 PART 2

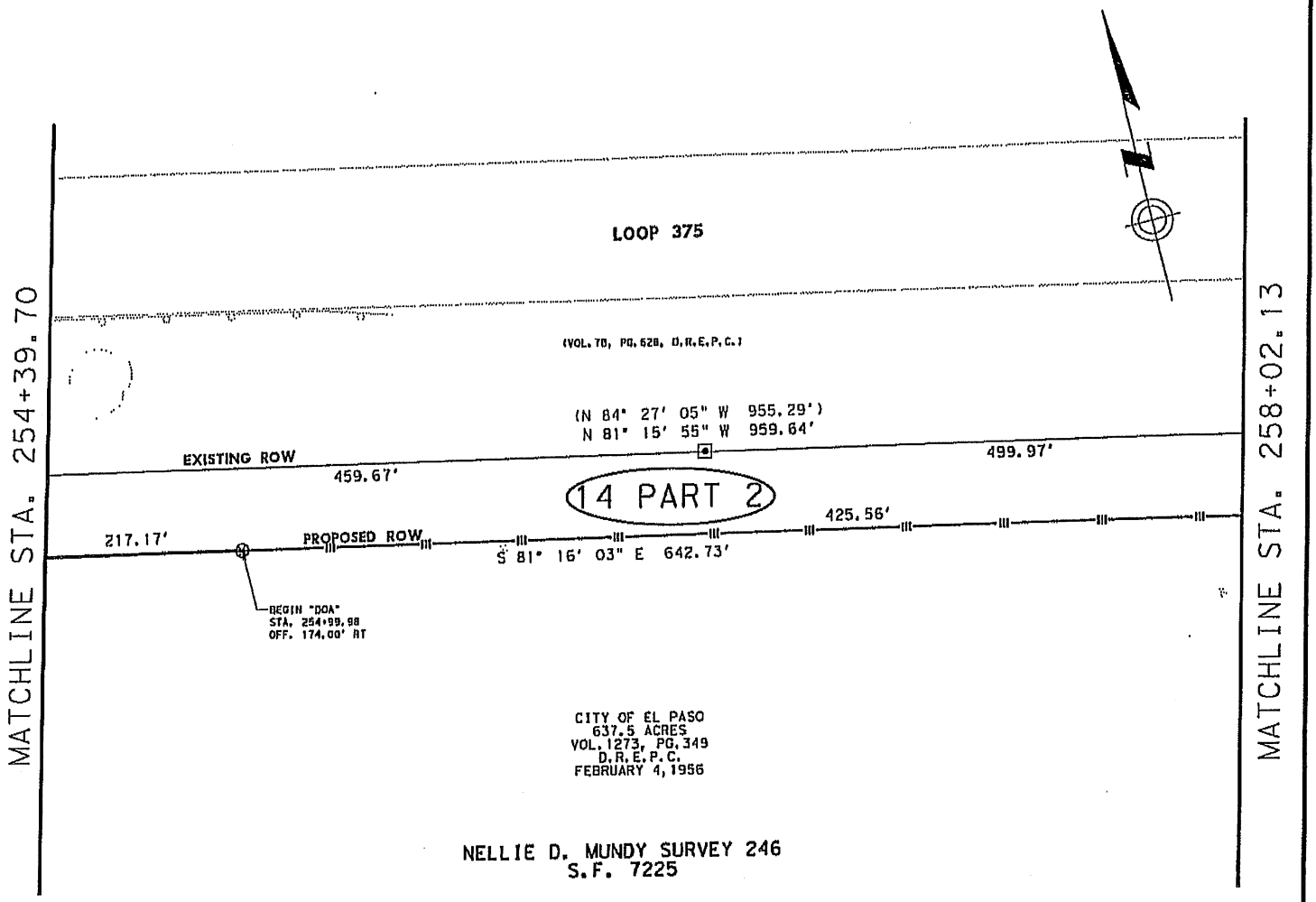
SCALE 1" = 50'

SHEET 20 OF 28

FED. RD. DIV. NO.	PROJECT NO.	SHEET NO.
6		

STATE	DIST.	COUNTY
TEXAS	ELP	EL PASO

CONT.	SECT.	JOB	HIGHWAY NO.



0 25 50 75 100

SCALE IN FEET

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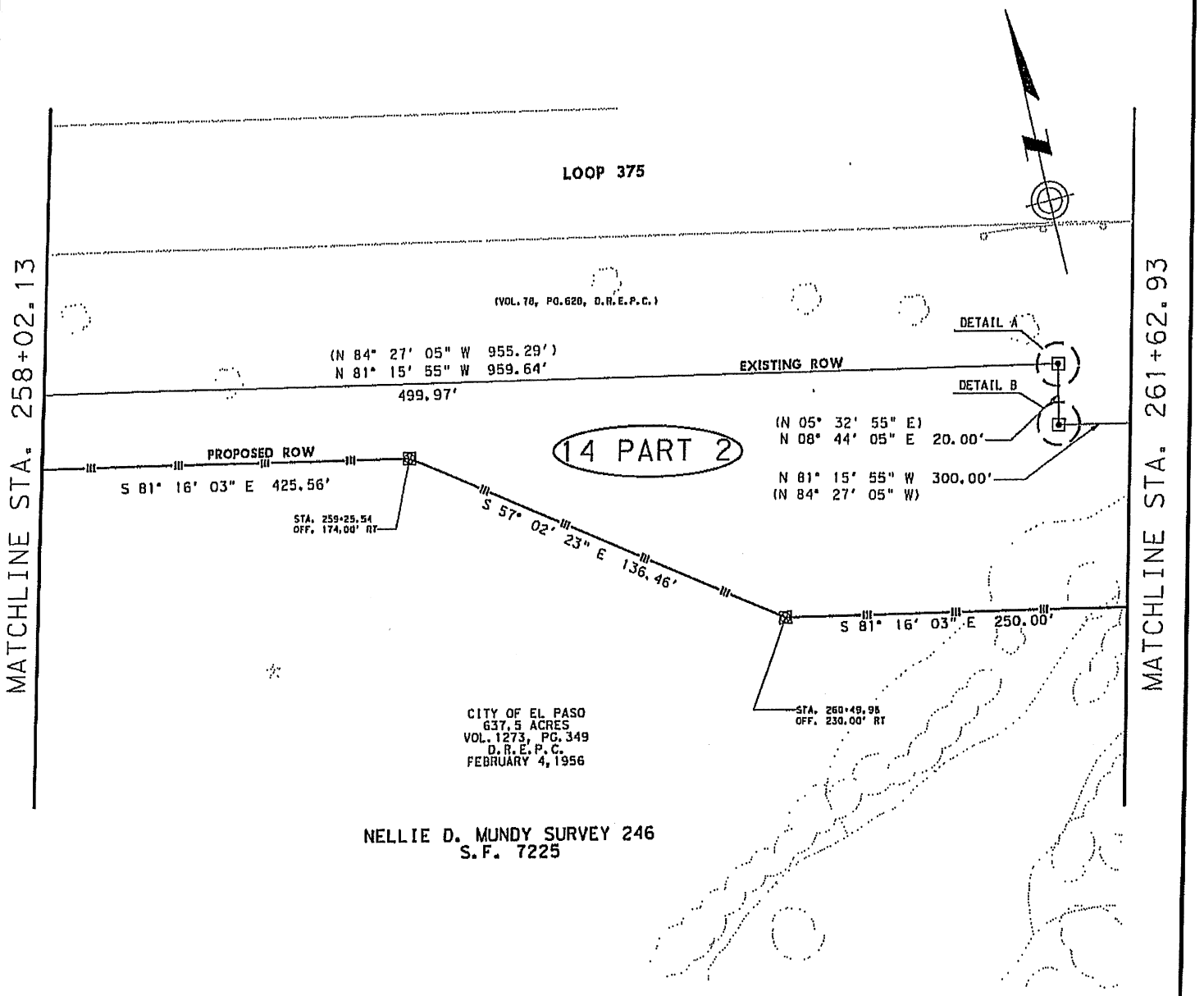
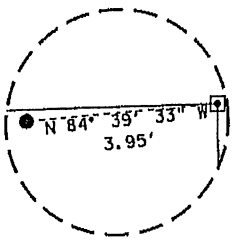
PARCEL PLAT OF PARCEL 14 PART 2

SCALE 1" = 50'

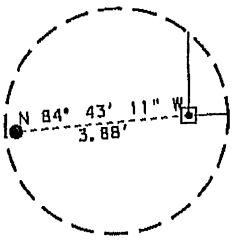
SHEET 21 OF 28

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.





DETAIL A
N.T.S.



DETAIL B
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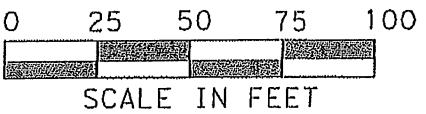

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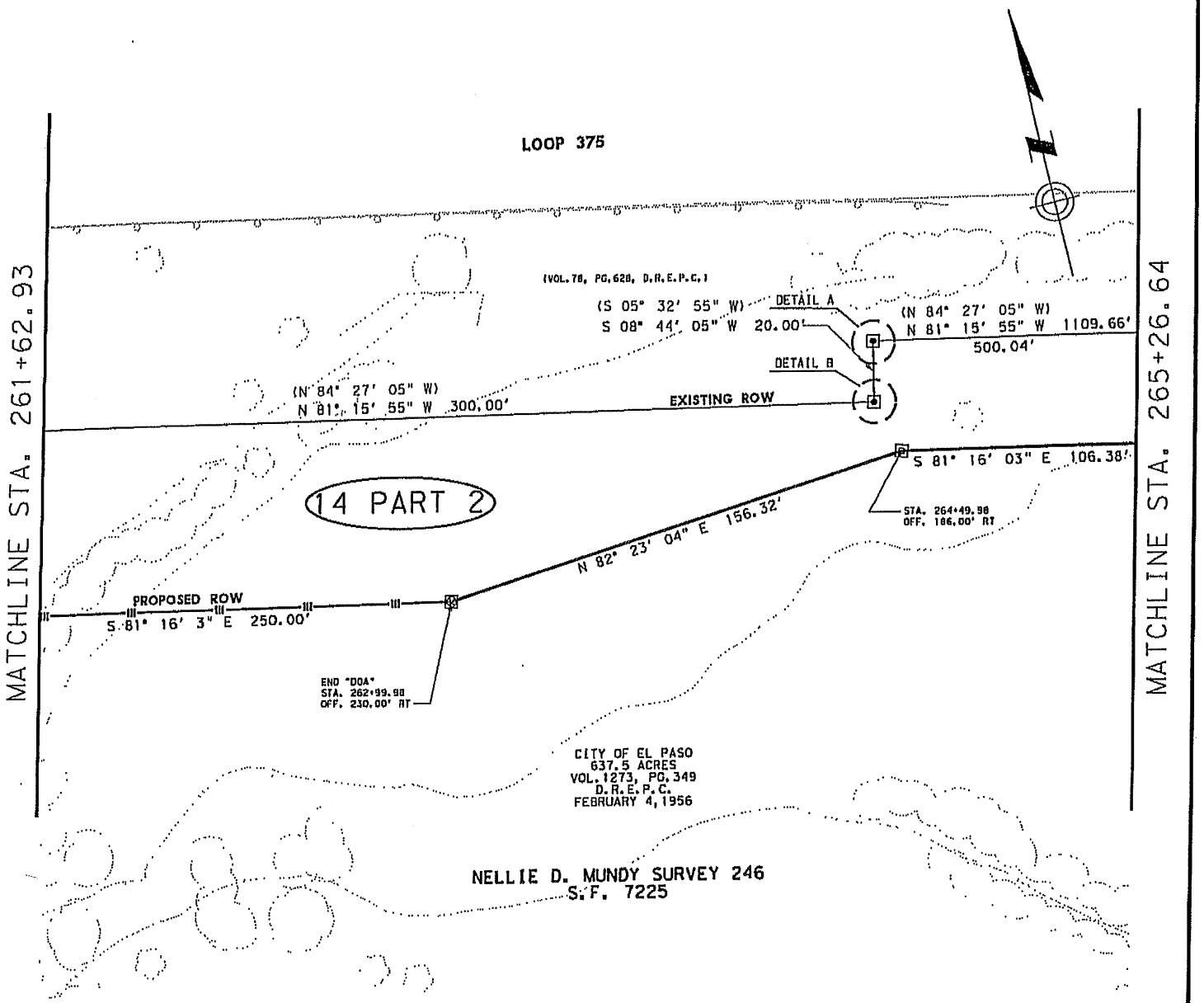
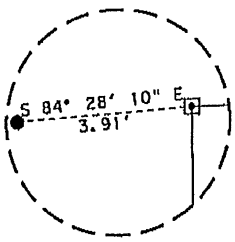
PARCEL PLAT OF PARCEL 14 PART 2

SCALE 1" = 50'

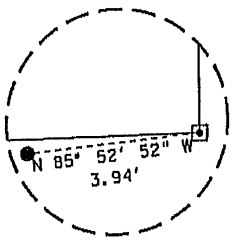
SHEET 22 OF 28

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.

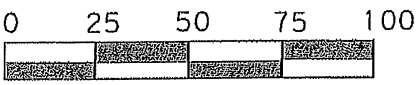




DETAIL A
N.T.S.



DETAIL B
N.T.S.



SCALE IN FEET

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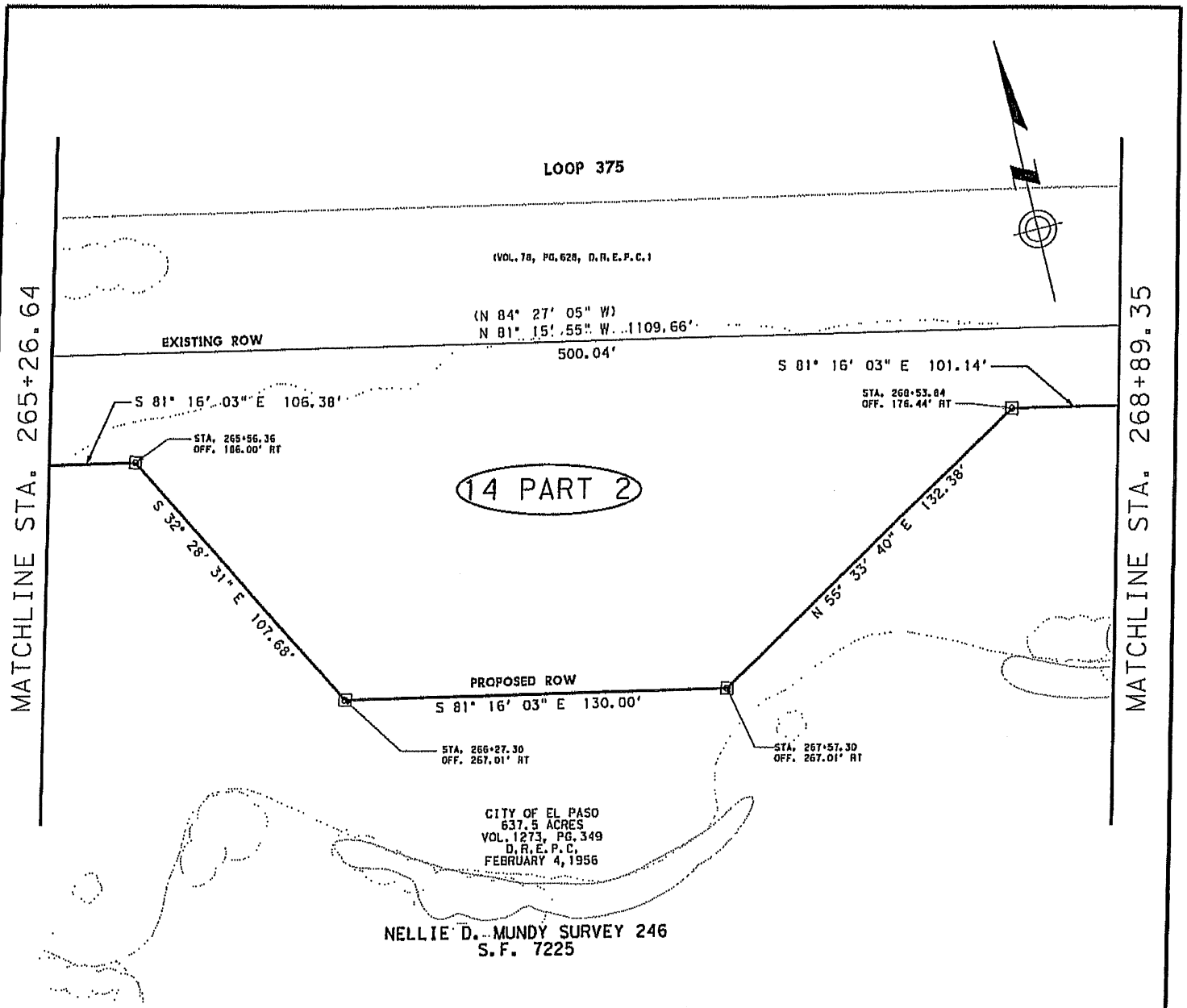
PARCEL PLAT OF PARCEL 14 PART 2

SCALE 1" = 50'

SHEET 23 OF 28

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.



0 25 50 75 100

SCALE IN FEET

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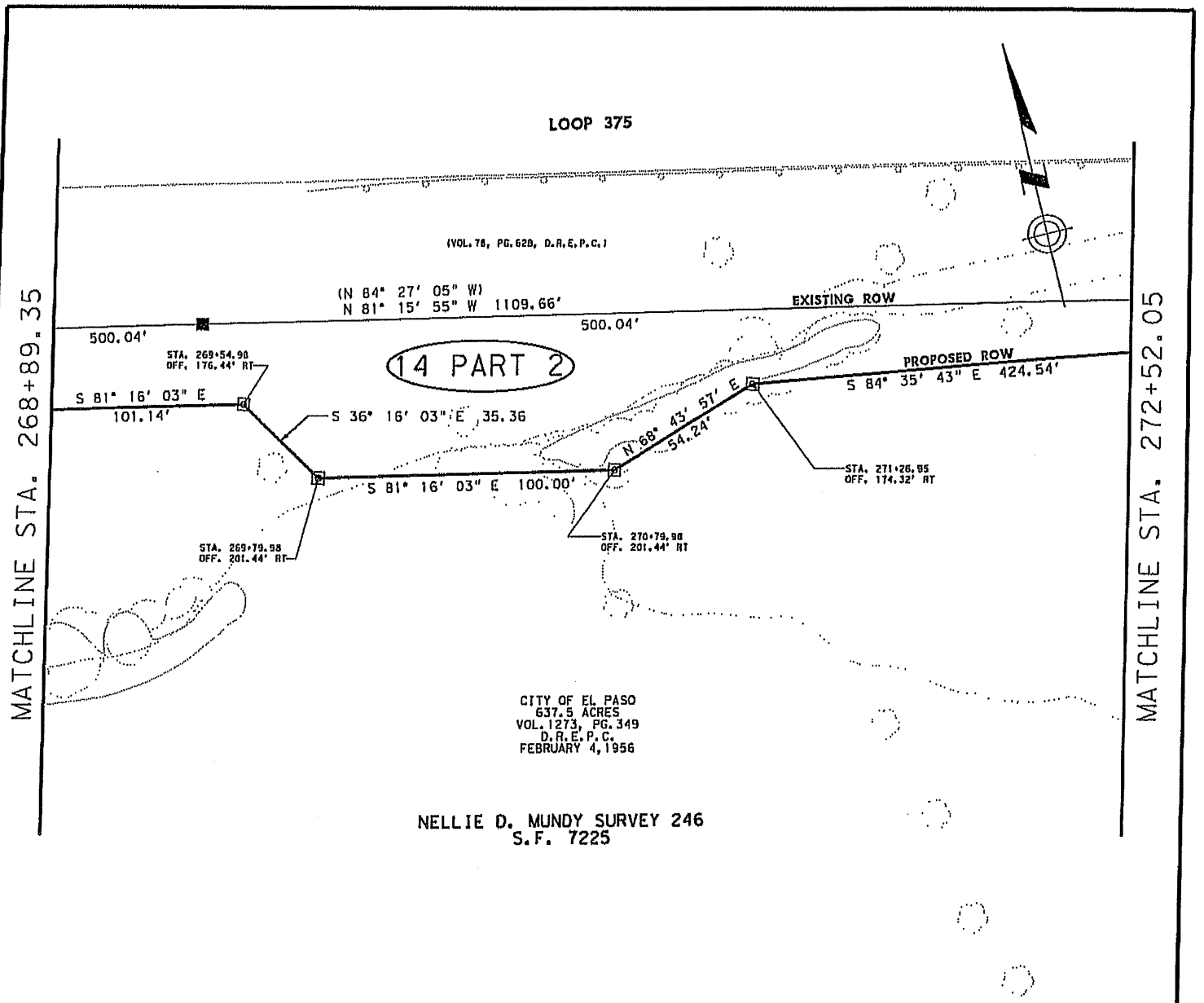
PARCEL PLAT OF PARCEL 14 PART 2

SCALE 1" = 50'

SHEET 24 OF 28

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.



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SCALE IN FEET

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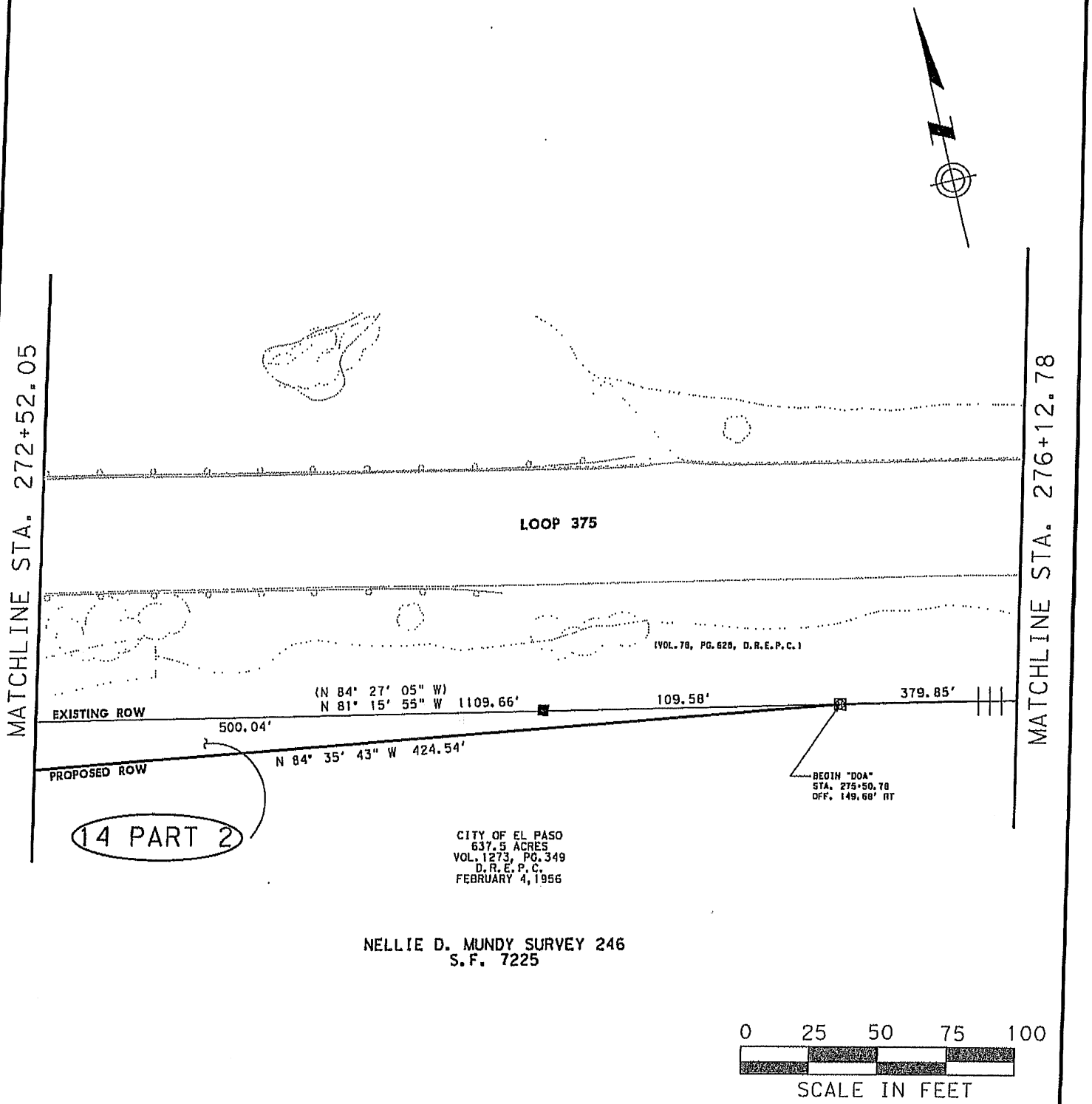
PARCEL PLAT OF PARCEL 14 PART 2

SCALE 1" = 50'

SHEET 25 OF 28

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.



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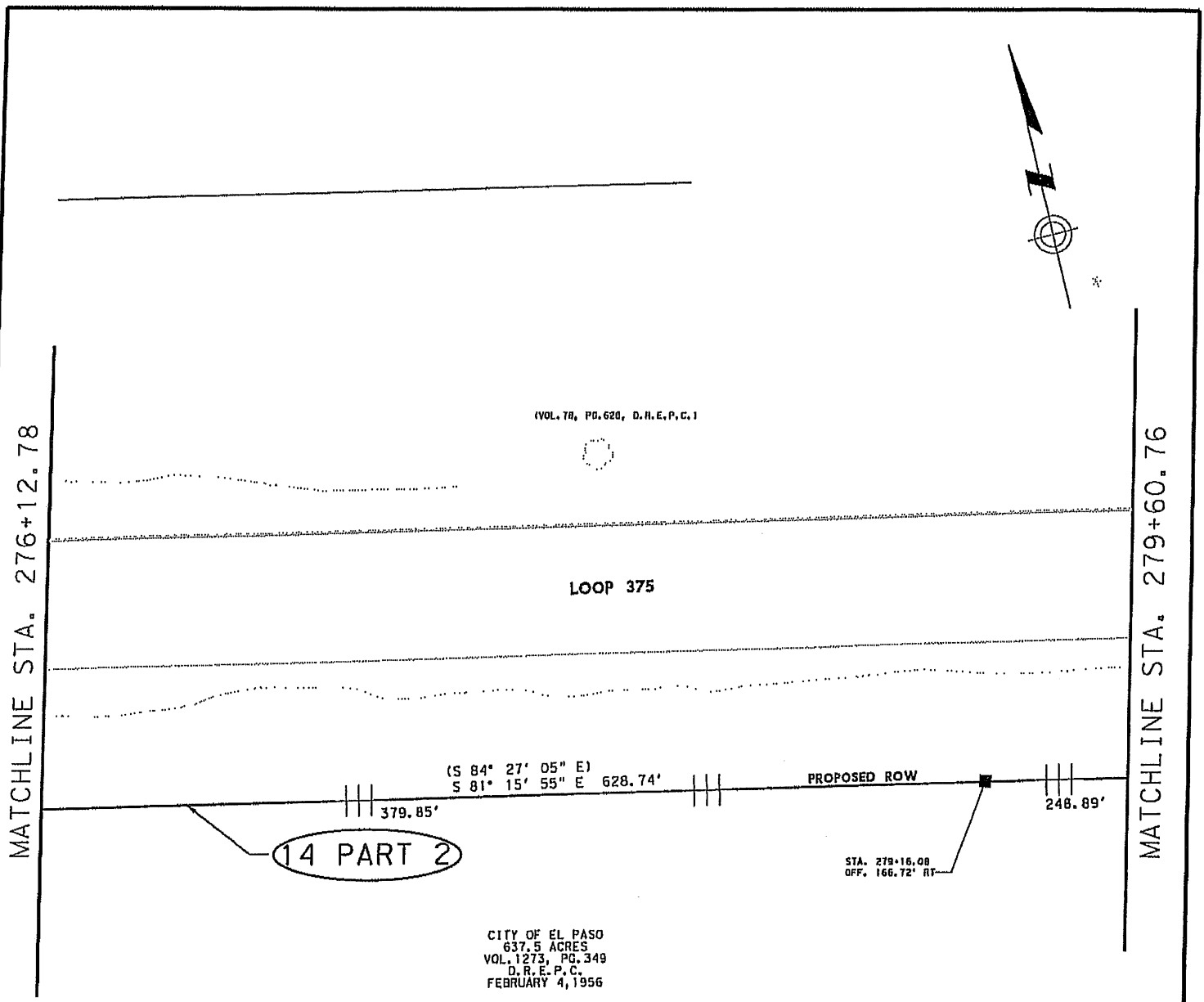
PARCEL PLAT OF PARCEL 14 PART 2

SCALE 1" = 50'

SHEET 26 OF 28

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.



0 25 50 75 100

SCALE IN FEET

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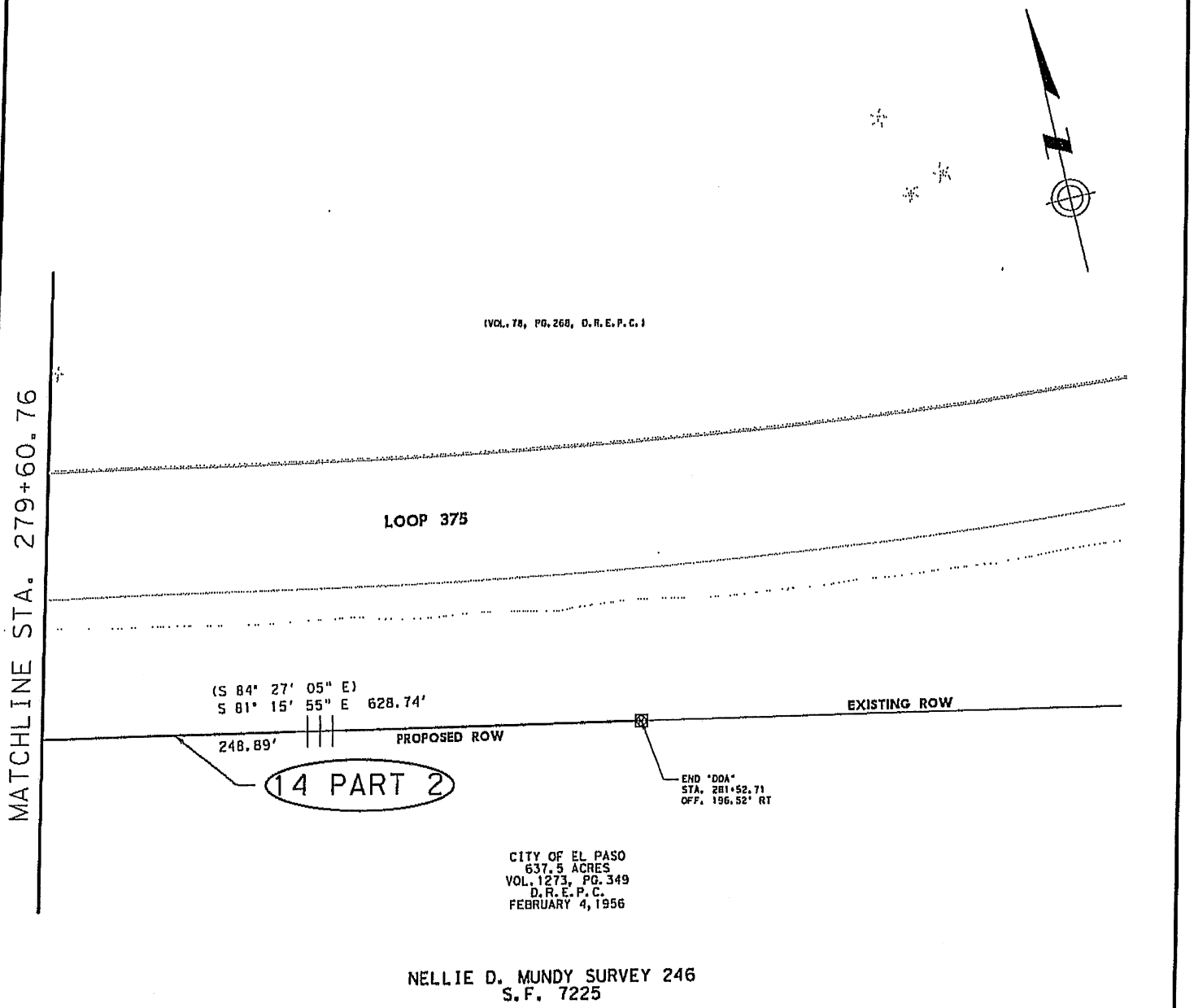
PARCEL PLAT OF PARCEL 14 PART 2

SCALE 1" = 50'

SHEET 27 OF 28

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.



Texas Department of Transportation
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PARCEL PLAT OF PARCEL 14 PART 2

SCALE 1" = 50'

SHEET 28 OF 28

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.

NOTICE: The regular meeting of the Public Service Board will be held at **9:00 a.m.**, Wednesday, August 25, 2010, at the Public Service Board Meeting Room, 1154 Hawkins Boulevard, El Paso, Texas.

CITY OF EL PASO
PUBLIC SERVICE BOARD
AGENDA

August 25, 2010

9:00 a.m.

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA will be considered by the Public Service Board to be routine and will be enacted by one motion in the form listed below. There will be no separate discussion of these items unless members of the Board or persons in the audience request specific items be removed from the CONSENT AGENDA to the REGULAR AGENDA for discussion prior to the time the Public Service Board votes on the motion to adopt the CONSENT AGENDA. The Public Service Board may reconsider an agenda item at any time prior to adjournment. Comment as to any regular agenda item may be allowed by the Chair at its discretion. Reasonable time limits may be imposed by the Chair.

CALL TO ORDER
ESTABLISHMENT OF A QUORUM
MOMENT OF SILENT PRAYER
PLEDGE OF ALLEGIANCE

CONSENT AGENDA

1. Consider approval of the minutes of the regularly scheduled meeting held on August 11, 2010.

REGULAR AGENDA

2. Presentation on fundraising activities and a check to Project Vida from monies raised by El Paso Water Utilities' employees.
(Attachment)

3. Consider approval of the El Paso County Stormwater Master Plan and authorize the President/CEO to submit the Plan to the County.
(Attachment)

4. Consider award of a Professional Engineering Services Contract to the team of Huitt-Zollars, Inc./McGann & Associates for the design of the Palisades Stormwater Drainage and planning of the Natural Open Space Project.
(Attachment)

5. Management Report.
   - Capital Projects - Change Order History

6. Public Comment: The PSB will permit public comment on any item not on the agenda. The Chair may impose reasonable time limits for each speaker.

EXECUTIVE SESSION

The Public Service Board will retire in Executive Session pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 through 551.076. (The items listed below are matters of the sort to be discussed in Executive Session; however, the Public Service Board may move to Executive Session any item of this agenda, consistent with the terms of the Open Meetings Act.)

Section 551.071	Consultation with Attorney
Section 551.072	Deliberation regarding Real Property

a. Deliberation regarding Real Property (Section 551.072)
The Board will deliberate the sale of approximately 3.9 acres in a portion of Tract 6C, Block 18, Upper Valley Surveys in Northwest El Paso. This property is located in the County, north of Canutillo - La Union Road and west of Bosque Road.

b. Deliberation regarding Real Property (Section 551.072)
The Board will deliberate the possible conveyance of PSB land to TxDOT for right of way and preservation of open space along the Texas Department of Transportation planned Transmountain Road widening project in Northwest El Paso.

Any action as a result of these discussions will be taken at the re-opening of this meeting or at a subsequent meeting.

Adjournment.

ALL PUBLIC SERVICE BOARD AGENDAS ARE PLACED ON THE INTERNET AT WWW.EPWU.ORG

MINUTES
PUBLIC SERVICE BOARD
CITY OF EL PASO

AUGUST 25, 2010

The regular meeting of the Public Service Board was held at 9:10 a.m., Wednesday, August 25, 2010, at the El Paso Water Utilities Public Service Board Meeting Room located at 1154 Hawkins Boulevard, El Paso, Texas.

PSB MEMBERS PRESENT
Richard O. Martinez, Chair
Maria F. Teran, Vice Chair
Dr. Richard Schoephoerster, Secretary Treasurer
Dr. Richard Bonart, Member
Ruth Katherine Brennand, Member
Edward Escudero, Member
Mayor John F. Cook, Ex-officio Member

PSB EMPLOYEES PRESENT
Edmund G. Archuleta, P.E., President and Chief Executive Officer
John Balliew, P.E., Vice President
Nicholas J. Costanzo, Vice President
Christina Montoya, Vice President
Robert Andron, General Counsel

EPWU EMPLOYEES PRESENT
Marcela Navarrete, Chief Financial Officer
Fernie Rico, Water Systems Division Manager
Daniel Avila, Chief Technical Officer
Hector Gonzalez, Government Affairs Manager
Paula Lisko-Apodaca, Consumer Affairs Officer
Gretchen Byram, Computer Media Specialist
Helen Gutierrez, Administrative Assistant
Irene Arellano, Purchasing Agent
Bruce Ponikvar, Database Administrator
Ana Sanchez, Human Resource Manager
Edgar Campos, Database Administrator
Mike Fahy, Grant Project Manager

MEDIA
David Burge, El Paso Times
KFOX- Channel 14 News

GUESTS
Jose Rodarte, Huitt-Zollars
Corky Hall, First Southwest
Maria Urbina, First Southwest
Robert Young, Advanced Temp
Kelvin Krucher, Huitt-Zollars
Don McGann, McGann & Associates
Keith Rutherford, Parkhill, Smith & Cooper

Rick French, URS
Jeff Irvin, URS
Bill Schlesinger, Project Vida
Oscar Padilla, Greater Chamber
Aide Ponce, Project Vida
Eloisa Sandoval, Project Vida
Mark Gonzalez, Painted Dunes
Sanaan Larr, CH2MHILL

The Public Service Board meeting was called to order by Chair Martinez. A quorum of its members was present. After a moment of silence, those in attendance joined Mr. Mark Gonzalez, Pained Dunes Golf Course, in reciting the Pledge of Allegiance.

CONSENT AGENDA

On a motion made by Ms. Brennand, seconded by Dr. Schoephoerster, and unanimously carried, the Board took action on the following consent agenda items:

APPROVED THE MINUTES OF THE REGULARLY SCHEDULED MEETING HELD ON AUGUST 11, 2010.
The Board approved the minutes of the regularly scheduled meeting held on August 11, 2010. Maria Teran and Rick Bonart were absent during the action taken.

REGULAR AGENDA

PRESENTATION ON FUNDRAISING ACTIVITIES AND A CHECK TO PROJECT VIDA FROM MONIES RAISED BY EL PASO WATER UTILITIES' EMPLOYEES.
Ms. Christina Montoya, Vice President, discussed the Board policy which allows for support of nonprofit organizations that give back to the community. This year, the Board selected Project Vida. Their current south-central facility is in dire need of repair, and a federal grant makes construction of a new and improved facility possible. The grant does not include funding to vacate the site or for a temporary location until construction is complete. Project Vida requested assistance to allow them to continue serving the community with vital programs including child care, health care, housing, and business development during the construction.

Ms. Montoya presented an overview of the two initiatives to raise funds for Project Vida which included a series of employee-organized fundraising events done on their off hours, and a golf tournament at Painted Dunes. The total amount raised through all these events was $21,256.98. Ms. Montoya thanked all of the Utility employees who volunteered their time and talents for this worthy cause. A copy of the presentation is on file in Central Files.

Mayor Cook and Mr. Archuleta, on behalf of the Board, presented Mr. Bill Schlesinger, Project Vida Director, a check in the amount of $21,256.98. Mr. Schlesinger thanked the Board/Utility employees for this generous contribution.

APPROVED THE EL PASO COUNTY STORMWATER MASTER PLAN AND AUTHORIZED THE PRESIDENT/CEO TO SUBMIT THE PLAN TO THE COUNTY.
Mr. John Balliew, Vice President, stated during the summer of 2006, the City and County of El Paso experienced severe flooding due to an exceptional, monsoonal-type rain season, resulting in serious damage and millions of dollars in property damage. The damage was primarily the result of poor

stormwater planning, development in high-risk areas, limited maintenance and watersheds lacking historical runoff data. The City of El Paso Stormwater Master Plan was developed and then completed in March 2009 to outline a long-term program to better understand and appropriately improve the drainage structure of the City. Both EPWU and County staff concurred that a similar stormwater master plan was needed to address the same type of issues for the County of El Paso.

With input from the County and funding from the Texas Water Development Board, the Utility contracted with URS Corporation (URS) to conduct the El Paso County Stormwater Master Plan (EPCSMP). Areas evaluated included northwest El Paso County (Canutillo, Vinton) and the Mission Valley (Sparks, Socorro, Clint, Fabens and Tornillo). These areas were selected based on recurring flood problems reported by El Paso County. Three public meetings were conducted to keep the public informed and updated on the developments of the master plan. Also, a three day long workshop was conducted with all involved key stakeholders. The County of El Paso and the Texas Water Development Board were represented at the meetings and workshop. URS evaluated the drainage problems and developed alternatives to address the problems. These were presented to a working group attended by representatives of the County of El Paso, Texas Water Development Board, City of Socorro, Village of Vinton and the Utility who selected the alternatives and approved the projects and their priority.

Mr. Balliew reviewed the draft of the EPCSMP and reviewed different maps of the above listed drainage problems in El Paso County. Mr. Balliew advised the next step after the EPCSMP is approved for submittal to El Paso County, funding must be secured from county, state, and/or federal governments for design and construction. Also, El Paso County will be urged to seek state/legislative authority to enforce design and development standards.

On a motion made by Dr. Schoephoerster, seconded by Ms. Teran, and unanimously carried, the Board approved the El Paso County Stormwater Master Plan and authorized the President/CEO to submit the Plan to the County. A copy of the presentation is on file in Central Files. A draft copy of the El Paso County Stormwater Master Plan is located at the EPWU website.

AWARDED A PROFESSIONAL ENGINEERING SERVICES CONTRACT TO THE TEAM OF HUITT-ZOLLARS, INC./MCGANN & ASSOCIATES FOR THE DESIGN OF THE PALISADES STORMWATER DRAINAGE AND PLANNING OF THE NATURAL OPEN SPACE PROJECT.
Mr. John Balliew, Vice President, stated the Utility purchased the 202 acres parcel known as the Palisades using the 10% dedicated set-aside for open space acquisition based on guidance from the Stormwater Advisory Committee and other interested parties. This project involves providing proper stormwater drainage for the property to reduce the impact on downstream properties. Furthermore, this project will plan for open space enhancement for public use; although the cost of the enhancements will be provided by the City of El Paso. The City of El Paso has adopted an Open Space Master Plan which emphasizes open spaces and natural areas as a possible method to help manage stormwater, reduce flooding risk and improve water quality. This project is compatible with that plan.

A committee consisting of Richard Martinez, Richard T. Schoephoerster, John Balliew, Nick Costanzo, David R. Brosman, and Daniel Avila reviewed the proposals which were scored in the areas of Technical Competence, Project Approach, Team Organization & Availability, and Project Management & Quality Control. Huitt-Zollars, Inc./McGann & Associates were selected as the firms that best meet the needs of the Utility in this important project. The Huitt-Zollars, Inc./ McGann & Associates team demonstrated excellent abilities in all the evaluated categories and they are the most qualified of all the firms considered.

Mr. Jose Rodarte and Mr. Kelvin Krucher of Huitt-Zollars, and Mr. Don McGann of McGann & Associates addressed the Board and discussed some of the past projects they have been involved in and their past experience working with similar projects.

On a motion made by Ms. Teran, seconded by Dr. Schoephoerster, and unanimously carried, the Board awarded a Professional Engineering Services Contract to the team of Huitt-Zollars, Inc./McGann & Associates for the design of the Palisades Stormwater Drainage and planning of the Natural Open Space Project. A copy of the presentation is on file in Central Files.

MANAGEMENT REPORT:
Capital Projects - Change Order History: Mr. Archuleta provided information on the Change Order history of the Utility and the reasons for Change Orders on construction projects. The Utility started tracking change orders back in 1990 and set a ceiling for change orders at 2% or less. From 1990 to 1996, total change orders were at .88%, and from 1996 to August 2010, change orders were at .60%. During the last 20 years, the Utility has constructed over three-quarters of a billion dollars in improvements with a change order amount of .67%. The average is between 2% to 5% throughout the country and often exceeds 10%. The Utility's success is due to good engineering practices, along with working with the Council of Engineering Companies (CEC) as well as contractors to achieve and exceed our goal.

PUBLIC COMMENT: THE PSB WILL PERMIT PUBLIC COMMENT ON ANY ITEM NOT ON THE AGENDA. THE CHAIR MAY IMPOSE REASONABLE TIME LIMITS FOR EACH SPEAKER.
Mr. Jim Tolbert addressed the Board with a question about why some of the items listed to be discussed in Executive Session were not being discussed in the public session. Mr. Robert Andron, General Counsel, explained the reasons for placing these items in Executive Session.

EXECUTIVE SESSION

On a motion made by Ms. Brennand, seconded by Dr. Schoephoerster, and unanimously carried, the Board retired in Executive Session at 10: 35 a.m., August 25, 2010, pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 through 551.076 to discuss any of the following:

Section 551.071	Consultation with Attorney
Section 551.072	Deliberation regarding Real Property

a. Deliberation regarding Real Property (Section 551.072)
The Board will deliberate the sale of approximately 3.9 acres in a portion of Tract 6C, Block 18, Upper Valley Surveys in Northwest El Paso. This property is located in the County, north of Canutillo - La Union Road and west of Bosque Road.

b. Deliberation regarding Real Property (Section 551.072)
The Board will deliberate the possible conveyance of PSB land to TxDOT for right of way and preservation of open space along the Texas Department of Transportation planned Transmountain Road widening project in Northwest El Paso.

THE BOARD DELIBERATED THE POSSIBLE CONVEYANCE OF PSB LAND TO TXDOT FOR RIGHT OF WAY AND PRESERVATION OF OPEN SPACE ALONG THE TEXAS DEPARTMENT OF

TRANSPORTATION PLANNED TRANSMOUNTAIN ROAD WIDENING PROJECT IN NORTHWEST EL PASO.

The Board reconvened in open session at 11:54 a.m., August 25, 2010. On a motion made by Mayor Cook, seconded by Mr. Escudero, and unanimously carried, the Board finds that portions of land identified in the above agenda item to be inexpedient to the system and authorized the President/CEO to take all necessary actions to exchange land with TxDot in accordance with Texas Law. TxDot will pay for any required boring and casing at intersections. In addition, the Board takes no affirmative action regarding the additional requests for 10 feet of right away pending the decisions of other property owners and that the Board finds and recommends remaining consistent with the Master Plan of that area.

ADJOURNMENT

The Board adjourned at 12:00 p.m. on August 25, 2010.

~~Richard O. Martinez~~, Chair
Vice -

ATTEST:

Dr. Richard Schoephoerster, Secretary Treasurer