

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOT 1A, BLOCK 4, FALCON HILLS UNIT ONE REPLAT B, EL PASO, EL PASO COUNTY, TEXAS FROM A-2/SC (APARTMENT/SPECIAL CONTRACT) TO A-O/SC (APARTMENT /OFFICE/SPECIAL CONTRACT) AND IMPOSING CERTAIN CONDITIONS. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

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

That the zoning of *a portion of Lot 1A, Block 4, Falcon Hills Unit One Replat B, El Paso, El Paso County, Texas*, as more particularly described by metes and bounds in the attached Exhibit "A", be changed **from A-2/sc (Apartment/special contract) to A-O/sc (Apartment/Office/special contract)**, within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

That the property be subject to the following conditions which are necessitated by and attributable to the increased intensity of use generated by the change of zoning **from A-2/sc (Apartment/special contract) to A-O/sc (Apartment/Office/special contract)**, in order to protect the health, safety and welfare of adjacent property owners and the residents of this City:

- 1. No buildings on the property shall exceed forty feet in height.*
- 2. Any lighting on the property shall comply with Chapter 18.18 (Outdoor Lighting Ordinance) of the El Paso Municipal Code.*

These conditions run with the land, are a charge and servitude thereon, and bind the current property owner and any successors in title. The City may enforce these conditions by injunction or by any other legal or equitable remedy. The City Council of the City of El Paso may amend or release the above conditions in its discretion without the consent of any third person who may be benefited thereby, and without affecting the validity of this ordinance.

(Signatures on following page)

Exhibit "A"

Being a portion of Lot 1A, Block 4
Falcon Hills Unit One Replat "B"
City of El Paso, El Paso County, Texas
Prepared for Investment Builders Inc.
December 12, 2001

Metes and Bounds Description

Description of a parcel of land being a portion of Lot 1A, Block 4, Falcon Hills Unit One Replat "B", as recorded in volume 61, page 16, Plat records City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

The "TRUE POINT OF BEGINNING" being the Northwesterly corner of Lot 1A, Block 4, Falcon Hills Unit One Replat "B", said point also lying on the Easterly right of way line of N. Resler Drive;

THENCE leaving said right of way and along the common boundary line of Falcon Hills Unit One Replat "B" and Falcon Hills Unit Three North $61^{\circ} 47' 18''$ East, a distance of 255.93 feet to a point;

THENCE continuing along said boundary line South $28^{\circ} 12' 42''$ East, a distance of 160.00 feet to the point;

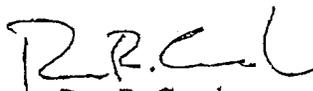
THENCE leaving said boundary line South $61^{\circ} 47' 18''$ West, a distance of 255.93 feet to point in the Easterly right of way line of N. Resler Drive;

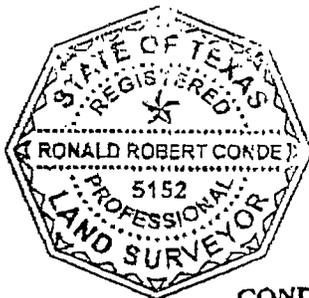
THENCE along said right of way line, North $28^{\circ} 12' 42''$ West, a distance of 160.00 feet to THE "TRUE POINT OF BEGINNING" of the herein described tract and containing 40,948.80 square feet of 0.940 acres of land more or less.

Note:

Not a ground survey, bearings and description based on Warranty Deed in volume 3635, page 212, Real Property Records of El Paso County, Texas

A drawing of same date accompanies this description


Ron R. Conde
R.P.L.S. No. 5152



Job# 1101-51.
R.C.
MGL-01\110151.LGL

CONDE, INC.
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