

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

DEPARTMENT: City Development Department
AGENDA DATE: Introduction: August 28, 2012
Public Hearing: September 18, 2012
CONTACT PERSON/PHONE: Esther Guerrero, (915) 541-4720
DISTRICT(S) AFFECTED: 2

SUBJECT:

An ordinance granting Special Permit No. PZST12-00007, to allow for a cemetery and mausoleum and approving a Detailed Site Development Plan on the property described as Tracts 24-A-1, 25-A, 25-C and a portion of Tracts 24-A and 29-A, Section 9, Block 81, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, pursuant to Section 20.04.260 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject Property: 8700 Dyer Street. Property Owner: SCI Texas Funeral Services, Inc., d/b/a Restlawn Memorial Park. PZST12-00007 (**District 2**)

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

City Plan Commission (CPC): Recommend Approval

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Mathew S. McElroy
City Development Department Director

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST12-00007, TO ALLOW FOR A CEMETERY AND MAUSOLEUM AND APPROVING A DETAILED SITE DEVELOPMENT PLAN ON THE PROPERTY DESCRIBED AS TRACTS 24-A-1, 25-A, 25-C AND A PORTION OF TRACTS 24-A AND 29-A, SECTION 9, BLOCK 81, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.260 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, SCI Texas Funeral Services, Inc., d/b/a Restlawn Memorial Park, has applied for a Special Permit under Section 20.04.260 of the El Paso City Code to allow for a cemetery and mausoleum as required by the R-4 (RESIDENTIAL) and A-M/sc (APARTMENT/MOBILE HOME PARK/SPECIAL CONTRACT) District; and,

WHEREAS, a report was made by the City Plan Commission and a public hearing was held regarding such application; and,

WHEREAS, the City Plan Commission has recommended approval of the subject Special Permit; and,

WHEREAS, the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval; and,

WHEREAS, Section 20.04.320 of the El Paso City Code also requires submission and approval of a detailed site development plan; and,

WHEREAS, the City Council of the City of El Paso finds that the application conforms to all requirements of Section 20.04.320 of the El Paso City Code; and,

WHEREAS, the zoning was subject to certain zoning conditions, and placement of such conditions were necessitated by and attributable to the increased intensity of use generated by the change of zoning; and,

WHEREAS, the owner (applicant) submitted an application requesting the removal all of the conditions because these conditions have been satisfied or are current requirement of the City Code; and,

ORDINANCE NO. _____

Special Permit No. PZST12-00007

WHEREAS, a public hearing regarding removal of the conditions was held before the City Plan Commission, and the Commission recommended approval of the release of all conditions; and,

WHEREAS, the City Council of the City of El Paso has determined that the release of all conditions will protect the best interest, health, safety, and welfare of the public in general;

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

1. That the property described as follows, is in an **R-4 (RESIDENTIAL) and A-M/sc (APARTMENT/MOBILE HOME PARK/SPECIAL CONTRACT) District**:

Tracts 24-A-1, 25-A, 25-C and a portion of Tracts 24-A and 29-A, Section 9, Block 81, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, and as more particularly described by metes and bounds on the attached Exhibit "A"; and,

2. That the City Council hereby grants a Special Permit under Section 20.04.320 of the El Paso City Code to allow for a cemetery and mausoleum as required by **R-4 (RESIDENTIAL) and A-M/sc (APARTMENT/MOBILE HOME PARK/SPECIAL CONTRACT) District** on the property described in Paragraph 1 of this Ordinance; and,

3. That this Special Permit is issued subject to the development standards in the **R-4 (RESIDENTIAL) and A-M/sc (APARTMENT/MOBILE HOME PARK/SPECIAL CONTRACT) District** regulations and is subject to the approved Detailed Site Development Plan signed by the Applicant, the City Manager and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "B" and is incorporated herein by reference for all purposes; and,

4. That if at any time the Applicant(s) fail(s) to comply with any of the requirements of this Ordinance, **Special Permit No. PZST12-00007** shall be subject to termination; construction or occupancy shall be discontinued; and the Applicant shall be subject to the penalty provisions of Chapter 20.24 and any other legal or equitable remedy; and,

5. That the Applicant shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary to the City Plan Commission before building permits are issued; and,

ORDINANCE NO. _____

Special Permit No. PZST12-00007

6. That all of the zoning conditions imposed by Ordinance No. 3892 dated February 12, 1968, on the portion of land identified in Exhibit "A" be released because the conditions have been satisfied and are no longer necessary, or are current requirements of the City Code.

The zoning conditions:

1. *The location, design, construction and use of all structures will conform with all standards, restrictions and requirements set forth in the site development plan entitles "Plot Plan, 4888 Alps" and on file in the office of the City Clerk of the City of El Paso, and made a part of this contract and incorporated by reference thereto.*
2. *First Parties will construct and maintain solid six-foot high walls along the east and south property lines in order to screen any A-M use on the property from view from the east and south. Such walls shall be constructed before any A-M use is made of the property.*
3. *The property will contain more than 218 trailer spaced and such spaces will not be used for overnight, transient occupancy.*
4. *Lot 2084 in Block 85 of the Mountain View Addition will not be used for access to or exit from the property.*
5. *First Parties will install and maintain 6-inch water mains equipped with enough fire hydrants so that no trailer space on the property will be more than 500 feet from a fire hydrant. First Parties will pay all charges for said water mains and all rental charges for the fire hydrants.*

PASSED AND APPROVED this _____ day of _____, 2012.

THE CITY OF EL PASO

John F. Cook, Mayor

ATTEST:

Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Lupe Cuellar
Assistant City Attorney

Mathew S. McElroy, Director
City Development Department

ORDINANCE NO. _____

Special Permit No. PZST12-00007

Prepared for: Restlawn Cemetery
May 15, 2012

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being Tracts 24-A1, 25-A, 25-C and a portion of Tracts 24-A and 29-A, Section 9, Block 81, Township 2 Texas and Pacific Railway Company Surveys, 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 a point lying on the southerly right of way line of Alps Drive, said point being the Northeasterly corner of Tract 25C, Section 9, Block 81, Township 2, Texas and Pacific Railway Company Surveys;

Thence along the commonline of Tract 25C, 29A and Mountain View Addition South 01°11'00" East a distance of 1493.57 feet to a point on the Southerly line of Tract 29A;

Thence along said line South 88°49'00" West a distance of 2,703.64 feet to a point on the easterly right of way line of Dyer Street (U.S. Highway No. 54);

Thence along said right of way line, North 29°26'00" East along said line a distance of 1,503.40 feet to a point;

Thence leaving said right of way line, South 60°34'00" East a distance of 804.46 feet to a point;

Thence, South 01°11'00" East a distance of 122.15 feet to a point;

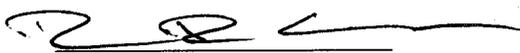
Thence North 88°49'00" East a distance of 370.64 feet to a point;

Thence North 01°11'00" West a distance of 431.61 feet to a point;

Thence North 88°49'00" East a distance of 62.32 feet to a point;

Thence North 01°11'00" West along a distance of 300.00 feet to a found 5/8" rebar on the Southerly right-of-way of Alps Street, said point also lying on the common line of Tracts 29A and 29B, Section 9, Block 81, Township 2, Texas and Pacific Railway Company Surveys;

Thence along the southerly right of way line of Alps Drive, North 88°49'00" East a distance of 812.70 feet to TRUE POINT OF BEGINNING" and containing 64.735 acres of land more or less.



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





Date: August 20, 2012
To: Honorable Mayor and City Council
Joyce Wilson, City Manager
From: Esther Guerrero, Planner
Subject: **PZST12-00007**

On August 9, 2012, the City Plan Commission (CPC) voted 8-0 to recommend **approval** of the special permit to allow a cemetery and mausoleum in an R-4 (Residential) and A-M (Apartment/Mobile Home Park) District; and to release all zoning conditions imposed per Ordinance No. 3892, and contract dated February 12, 1968. This recommendation is in agreement with the recommendation from staff.

The CPC found that the special permit is in conformance with review criteria for Plan El Paso. The CPC found that the proposed use is in conformance with the Plan El Paso Projected Land Use Map for the Northeast Planning Area. The CPC also determined that the special permit will protect the best interest, health, safety, and welfare of the public in general; and will have no effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

Attachment: CPC Staff Report

Mayor

John F. Cook

City Council

District 1

Ann Morgan Lilly

District 2

Susie Byrd

District 3

Emma Acosta

District 4

Carl L. Robinson

District 5

Dr. Michiel R. Noe

District 6

Eddie Holguin Jr.

District 7

Steve Ortega

District 8

Cortney Carlisle Niland

City Manager

Joyce A. Wilson



City Development Department



City of El Paso – City Plan Commission Staff Report

Case No: PZST12-00007
Application Type: Special Permit
CPC Hearing Date: August 9, 2012
Staff Planner: Esther Guerrero, (915) 541-4720, guerreroex@elpasotexas.gov
Location: 8700 Dyer Street
Legal Description: Tracts 24-A-1, 25A, 25-C and a portion of Tracts 24-A and 29-A, Section 9, Block 81, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas
Acreage: 64.735 acres
Rep District: 2
Zoning: R-4 (Residential) and A-M/sc (Apartment/Mobile Home Park/special contract)
Existing Use: Cemetery & Mausoleum
Request: Special Permit to allow a cemetery and mausoleum in an R-4 (Residential) and A-M (Apartment/Mobile Home Park) District; and to release all zoning conditions imposed per Ordinance No. 3892, and contract dated February 12, 1968
Proposed Use: Cemetery & Mausoleum
Property Owner: SCI Texas Funeral Services, Inc., d/b/a Restlawn Memorial Park
Representative: Conde, Inc.

SURROUNDING ZONING AND LAND USE

North: C-1 (Commercial) / commercial retail uses
South: C-3 (Commercial), R-4 (Residential) / single-family residential, commercial uses
East: R-4 (Residential) / single-family residential
West: C-3 (Commercial) / funeral home, commercial uses

Plan El Paso Designation: O-1- Preserve, (Northeast Planning Area)

Nearest Park: Wellington Chew Park (2,397 ft.)

Nearest School: Moye Elementary (624 ft.)

NEIGHBORHOOD ASSOCIATIONS

Mountainview Neighborhood Association

NEIGHBORHOOD INPUT

Notices of the August 9, 2012, public hearing were mailed to all property owners within 300 feet of the subject property on July 23, 2012. The Planning Division has received 12 phone calls from abutting property owners requesting additional information. Several residents requested that the applicant provide a masonry wall of at least six (6) or eight (8) feet in height, and a landscape buffer with high profile trees abutting the residential lots to the south and east of the subject property.

A six (6) foot masonry wall is required by City Code between residential uses and non-residential uses by the owner of the property having the non-residential use.

APPLICATION DESCRIPTION

The applicant is requesting a special permit to allow a cemetery and mausoleum in an R-4 (Residential) and A-M (Apartment/Mobile Home Park) zoning district as required by City Code, and to release all zoning conditions imposed per Ordinance No. 3892 (see Attachment 4).

The zoning conditions are as follows:

1. *The location, design, construction and use of all structures will conform with all standards, restrictions and requirements set forth in the site development plan entitled "Plot Plan, 4888 Alps" and on file in the office of the City Clerk of the City of El Paso, and made a part of this contract and incorporated by reference thereto.*
2. *First Parties will construct and maintain solid six-foot high walls along the east and south property lines in order to screen any A-M use on the property from view from the east and south. Such walls shall be constructed before any A-M use is made of the property.*
3. *The property will contain more than 218 trailer spaces and such spaces will not be used for overnight, transient occupancy.*
4. *Lot 2084 in Block 85 of the Mountain View Addition will not be used for access to or exit from the property.*
5. *First Parties will install and maintain 6-inch water mains equipped with enough fire hydrants so that no trailer space on the property will be more than 500 feet from a fire hydrant. First Parties will pay all charges for said water mains and all rental charges for the fire hydrants.*

The site plan shows the existing cemetery, mausoleum, office and future expansion is planned for the cemetery for burial lots with access via Dyer Street.

CITY DEVELOPMENT DEPARTMENT-PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of the special permit and the release of all zoning conditions imposed per Ordinance No. 3892.

Plan El Paso-Future Land Use Map Designation

All applications for special permit shall demonstrate compliance with the following criteria:

O-1 – Preserve: Publicly owned land such as the Franklin Mountains and Hueco Tanks State Parks, all City and County parks and public drainage areas, and cemeteries (even if private). These lands will not be developed due to their ownership and current use.

The purpose of the R-4 (Residential) light residential district is to promote and preserve residential development within the City to create basic neighborhood units. It is intended that the district regulations maintain a low density of dwelling units supporting a suburban-urban interface that permits developments utilizing varying lot configurations. The regulations of the districts will permit primarily single-family and two-family residential areas, and recreational and institutional uses incidental to and serving the neighborhood.

The purpose of the A-M (Apartment/Mobile Home) high residential district is to promote and preserve a diversity of residential dwelling types at the highest densities within the City and to provide for the integration of compatible business and professional office uses to complement the areas. It is intended that the district regulations allow for concentrations of population through the use of multi-story facilities. The regulations of the districts will permit site diversification for high-density residential development in which adequate public facilities are available for present and future needs.

City Development Department Section Comments

Planning

No objections to the special permit request or zoning condition release.

Note: All existing / proposed paths of travel, accessible sidewalks, wheel chair access curb ramps and driveways within public right-of-ways shall be in compliance with current ADA /TAS rules and regulations and Current City of El Paso Design Standards for Construction.

Permits & Inspections

No comments received.

Land Development

-Grading plan and permit shall be required.*

-Storm Water Pollution Prevention Plan and/or permit required.*

-Drainage plans must be approved by the City Development Department, Land Development Section.*

* This requirement will be applied at the time of development.

Fire Department

Recommend approval of “site plan” as presented and does not adversely affect fire department at this time.

** Note: a more detailed reviewed will be done by fire plan review during the permitting process

Police Department (Northeast Regional Command Center)

Applications and plans for cemetery/mausoleum project at area of Dyer and Alps have been reviewed, and there are no objections or comments.

El Paso Water Utilities

1. EPWU does not object to this request.

EPWU-PSB Comments

Water:

2. There is an existing thirty-six (36) inch diameter water main that extends along Dyer Street fronting the western boundary of the subject property. No direct service connections are allowed to this 36-inch water main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.

3. There is an existing six (6) inch diameter water main that extends along Dyer Street fronting the western boundary of the subject property. This water main is available for service.

4. There is an existing six (6) inch diameter water main that extends along Alps Drive fronting the northeastern boundary of the subject property. This water main is available for service.

5. EPWU records indicate there is an existing ¾-inch water service connection at the subject property. The addresses for this water service is 8700 Dyer Street.

6. Previous water pressure readings from a fire hydrant located at the southwest intersection of Dyer Street and Alps Drive have yielded a static pressure of 112 pounds per square inch (psi), a residual pressure of 94 psi, a pitot pressure of 1363 pounds per square inch, and a discharge of 3414 gallons per minute.

7. The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

Sanitary Sewer:

8. There is an existing twelve (12) inch diameter sanitary sewer main that extends along Dyer Street fronting the western boundary of the subject property. This sanitary sewer main is available for service.

9. There is an existing six (6) inch diameter sanitary sewer main that extends along Alps Drive fronting the northeastern boundary of the subject property. This sanitary sewer main is available for service.

10. There is an existing fifteen (15) inch diameter sanitary sewer main that extends along the Highway/Drainage easement fronting the southern boundary of the subject property. This sanitary sewer main is available for service.

General:

11. Dyer Street is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and/or sanitary sewer work to be performed within Dyer Street right-of-way requires permits from TxDOT.

12. Application for additional water services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd Floor. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water lines and appurtenances.

CITY PLAN COMMISSION OPTIONS

The City Plan Commission may consider the following options and additional options that it identifies when reviewing the special permit application and condition release:

1. Recommend approval of the application finding that it is in conformance with the review criteria for Plan El

Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan.

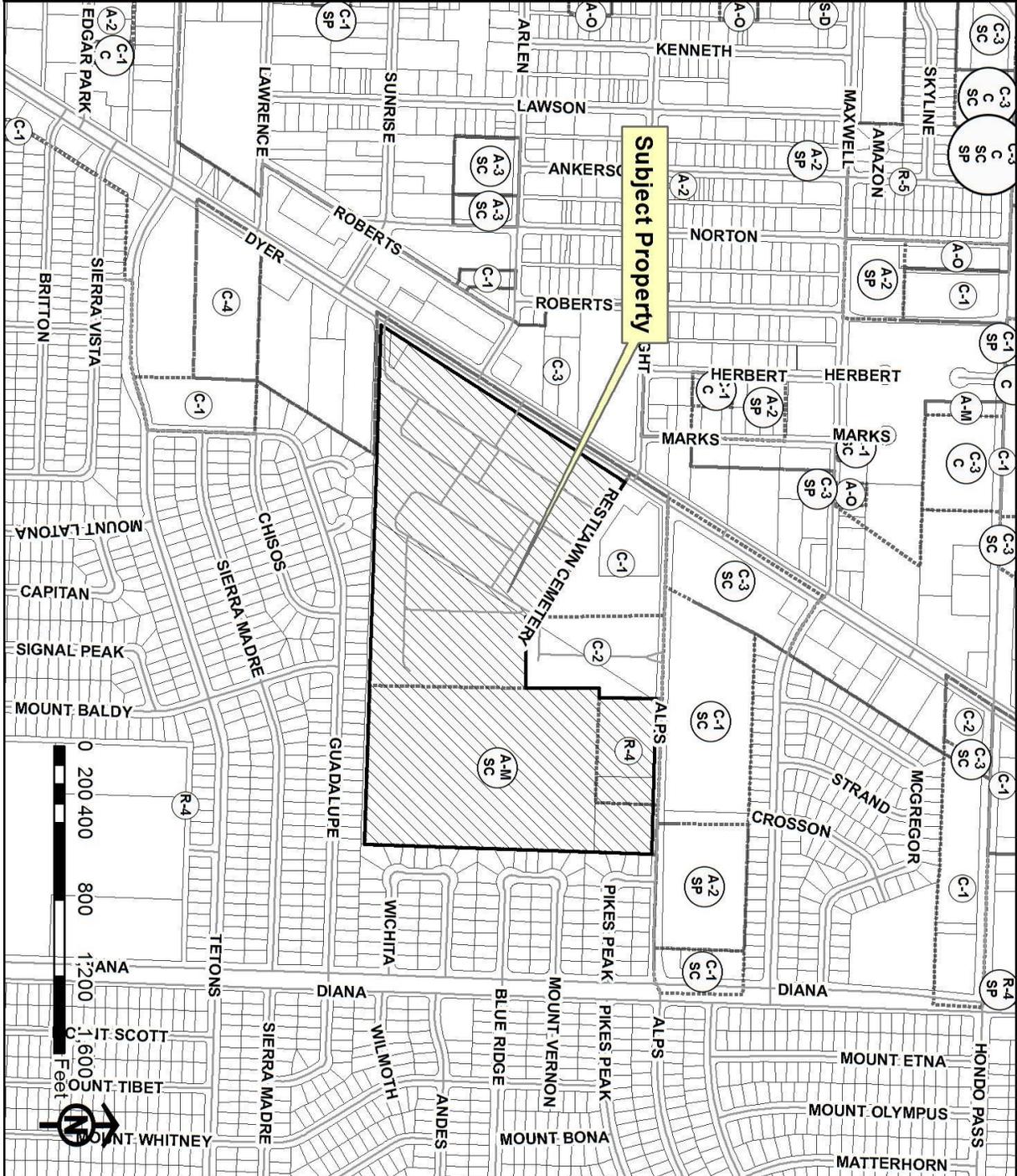
2. Recommend approval of the application with modifications to bring it into conformance with the review criteria for Plan El Paso as reflected in CPC report or other criteria from the Plan as identified by the CPC.
3. Deny the application finding that it does not conform to the review criteria for Plan El Paso as reflected in CPC report or other criteria identified from the Plan by the CPC.

Attachments

1. Location Map
2. Aerial Map
3. Detailed Site Development Plan
4. Ordinance No. 3892

ATTACHMENT 1: LOCATION MAP

PZST12-00007



PZST12-00007



ATTACHMENT 4: ORDINANCE NO. 3892

OK

FIRST READING
Date 11/16/12
City Clerk [Signature]
[Signature]

3892

AN ORDINANCE CHANGING THE ZONING OF PORTIONS OF TRACT 29A AND TRACT 25A, BLOCK 81, TOWNSHIP 2, SECTION 9, T & P RR SURVEYS, THE PENALTY BEING AS PROVIDED IN SECTION 25-10 OF THE EL PASO CITY CODE

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

That the zoning of the following described portions of Tracts 29A and 25A, Block 81, Township 2, Section 9, T & P RR Surveys, El Paso County, Texas, be and is hereby changed to A-M within the meaning of the Zoning Ordinance, and the zoning map of the City be revised accordingly:

Beginning at the northeast corner of said Tract 25A;
Thence South 1° 11' East a distance of 1493.20 feet;
Thence South 88° 49' West a distance of 875.0 feet;
Thence North 1° 11' West a distance of 1193.20 feet;
Thence North 88° 49' East a distance of 584.86 feet;
Thence North 1° 11' West a distance of 300.0 feet;
Thence North 88° 49' East a distance of 290.04 feet to the point of beginning, containing 25.96 acres, more or less.

PASSED AND APPROVED this 15 day of February 1968.

[Signature]
Mayor

ATTEST:

[Signature]
City Clerk

3892

50844

CONTRACT

This contract, made this 12th day of July, 1968, by and between Jack C. Barron, Norman Anderson and Restlawn Cemetery Company, Inc., a corporation, First Parties, and the City of El Paso, Second Party, witnesseth:

Application has been made to the City of El Paso for rezoning the following described portions of Tract 29A and Tract 25A, Block 81, Township 2, Section 9, T. & P. R. R. Surveys:

Beginning at the northeast corner of said Tract 25A;

Thence South 1° 11' East a distance of 1493.20 feet;

Thence South 88° 49' West a distance of 875.0 feet;

Thence North 1° 11' West a distance of 1193.20 feet;

Thence North 88° 49' East a distance of 584.86 feet;

Thence North 1° 11' West a distance of 300.0 feet;

Thence North 88° 49' East a distance of 290.04 feet to the point of beginning, containing 25.96 acres, more or less.

In order to remove certain objections to the rezoning First Parties covenant that if the property is rezoned to A-M it shall be subject to the following restrictions:

(1) The location, design, construction and use of all structures will conform with all standards, restrictions and requirements set forth in the site development plan entitled "Plot Plan, 4888 Alps" and on file in the office of the City Clerk of the City of El Paso, and made a part of this contract and incorporated by reference thereto.

(2) First Parties will construct and maintain solid six-foot high walls along the east and south property lines in order to screen any A-M use on the property from view from the east and south. Such walls shall be constructed before any A-M use is made of the property.

(3) The property will not contain more than 218 trailer spaces and such spaces will not be used for overnight, transient occupancy.

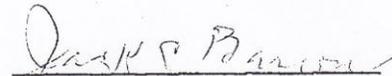
(4) Lot 2084 in Block 85 of the Mountain View Addition will not be used for access to or exit from the property.

(5) First Parties will install and maintain 6-inch water mains equipped with enough fire hydrants so that no trailer space on the property will be more than 500 feet from a fire hydrant. First Parties will pay all charges for said water mains and all rental charges for the fire hydrants.

This agreement is a restriction, condition and covenant running with the land and a charge and servitude thereon, and shall bind First Parties and their successors in title. Any future conveyance of the land shall contain this restriction, condition and covenant and shall embody this agreement by express reference.

The City may enforce this agreement by injunction or any other legal or equitable remedy. The City Council of the City of El Paso may release the above restrictions, conditions and covenants in its discretion without the consent of any third person who may be benefited thereby.

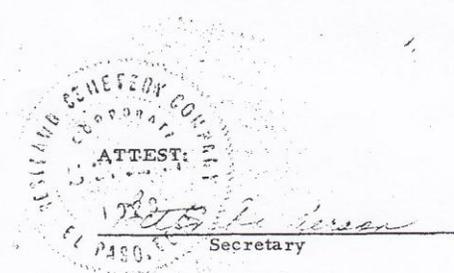
Witness the following signatures and seal:


Jack C. Barron

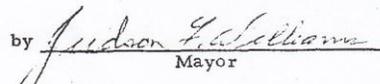

Norman Anderson

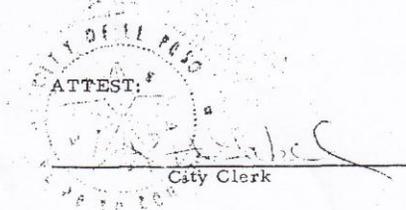
Restlawn Cemetery Company, Inc.

by 
President


ATTEST:
Secretary

THE CITY OF EL PASO

by 
Mayor

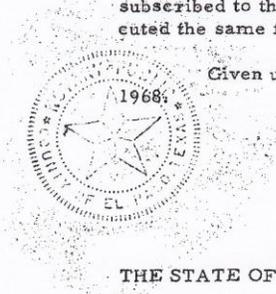

ATTEST:
City Clerk

185 2096

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared JACK C. BARRON, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and official seal this 12 day of February



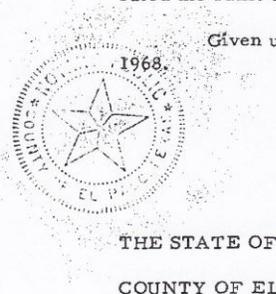
Betty Anderson
Notary Public in and for El Paso County,
Texas.

BETTY ANDERSON, Notary Public
in and for El Paso County, Texas
The State of Texas, Commission Expires 12/31/1999

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared NORMAN ANDERSON, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and official seal this 12 day of February



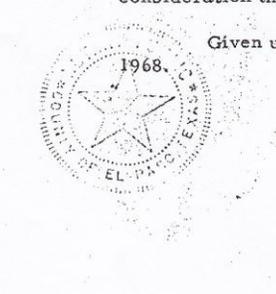
Betty Anderson
Notary Public in and for El Paso County,
Texas.

BETTY ANDERSON, Notary Public
in and for El Paso County, Texas
The State of Texas, Commission Expires 12/31/1999

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared Norman Anderson, President of RESTLAWN CEMETERY COMPANY, INC., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged before me in my county aforesaid that the same was the act of said corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and official seal this 12 day of February



Betty Anderson
Notary Public in and for El Paso County,
Texas.

BETTY ANDERSON, Notary Public
in and for El Paso County, Texas
The State of Texas, Commission Expires 12/31/1999

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared JUDSON F. WILLIAMS, Mayor of the City of El Paso, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged before me in my county aforesaid that he had executed the same for the purposes and consideration and in the capacity therein expressed, and as the act and deed of the City of El Paso.

Given under my hand and official seal this 6 day of June, 1968.

William L. Rieger, Jr.
Notary Public in and for El Paso County,
Texas.

WILLIAM L. RIEGER, JR., Notary Public
In and for El Paso County, Texas
My commission expires June 1, 1973

