

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

DEPARTMENT: El Paso Water Utilities Public - Service Board (EPWater)

AGENDA DATE: Introduction – July 6, 2022
Public Hearing – July 19, 2022

CONTACT PERSON/PHONE: Alex Vidales, Real Estate Manager, 594-5636

DISTRICT(S) AFFECTED: District 3

SUBJECT: APPROVE the following Ordinance

Authorizing the City Manager to sign an Offer to Sell, a deed, and any other documents necessary to convey approximately 1.432 acres of land to the United States of America and its assigns, Department of Homeland Security, U.S. Immigration and Customs Enforcement, legally described as portion of Sections 33 and 40, Block 80, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas. (District: 3) EPWater, Alex Vidales, Real Estate Manager (915) 594-5636.

BACKGROUND / DISCUSSION:

This parcel of land is owned by the City of El Paso and managed by the El Paso Water Utilities - Public Service Board (EPWU/PSB). On July 14, 2021, and October 13, 2021, the Public Service Board declared the property inexpedient to the water system and authorized the President/CEO of El Paso Water to obtain an appraisal of the property. Both parties obtained an appraisal, the sales price includes the cost for the relocation of Well No. 45.

PRIOR COUNCIL ACTION:

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

Yes, on December 7, 2021, City Council approved the sale of approximately 59.022 acres to the United States of America and its assigns Department of Homeland Security, Customs and Border Protection

AMOUNT AND SOURCE OF FUNDING: N/A

BOARD / COMMISSION ACTION:

On July 14 and October 13, 2021, the El Paso Water Utilities - Public Service Board declared the property inexpedient to the system and authorized the President/CEO to sell the property.

AFTER EXECUTION OF ALL DOCUMENTS, PLEASE CONTACT ALEX VIDALES TO PICK UP THE DOCUMENTS. 594-5636. THANK YOU.

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO SIGN AN OFFER TO SELL, A DEED, AND ANY OTHER DOCUMENTS NECESSARY TO CONVEY 1.432 ACRES OF LAND MORE OR LESS, BEING DESCRIBED AS PORTION OF SECTIONS 33 AND 40, BLOCK 80, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS TO THE UNITED STATES OF AMERICA AND ITS ASSIGNS, DEPARTMENT OF HOMELAND SECURITY, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

WHEREAS, the El Paso Water Utilities Public Service Board (EPWU/PSB) holds certain real properties in its land inventory that are owned by the City of El Paso and are under the management and control of EPWU/PSB; and,

WHEREAS, the U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement submitted a request to purchase property for a new detention dormitory, and such property is contained within EPWU/PSB land inventory; and,

WHEREAS, at its regular meetings on July 14, 2021 and October 13, 2021, the El Paso Water Utilities -Public Service Board (EPWU/PSB) determined 1.432 acres of land more or less, being described as portion of Sections 33 and 40, Block 80, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, to be inexpedient to the water system and authorized the President/CEO to obtain an appraisal and thereafter to forward the recommendation to the El Paso City Council for the sale of the identified property; and,

WHEREAS, Section 272.001(b) (5) of the Texas Local Government Code provides for an exception to the bidding requirements for the sale of land to a governmental entity that has the power of eminent domain is not required to be placed for public bid; and,

WHEREAS, the property was appraised for sale at its fair market and The United States of America has agreed to the sales price;

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

That the City Manager is authorized to sign an offer to sell, a Deed, and any other necessary documents, in a form approved by the City Attorney's Office, for the sale of the following property:

Approximately 1.432 acres, out of Sections 33 and 40, Block 80, Township 2, Texas and Pacific Railway Company Surveys, in the City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds in **Exhibit A** attached hereto and made a part hereof for all purposes.

(Signatures begin on following page)

ADOPTED this _____ day of _____, 2022.


CITY OF EL PASO

Oscar Leeser,
Mayor

ATTEST:

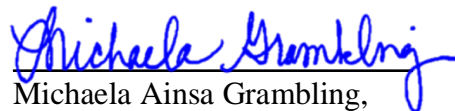
Laura D. Prine,
City Clerk

APPROVED AS TO FORM:



Roberta Brito,
Assistant City Attorney

APPROVED AS TO FORM:




Michaela Ainsa Grambling,
Senior Assistant General Counsel
El Paso Water Utilities



TO: Roberta Brito
Assistant City Attorney

FROM: Alex Vidales 
Real Estate Manager

THRU: Alma De Anda 
Utility Land and Water Rights Manager

DATE: June 14, 2022

SUBJECT: Placement of Item on City Council Agenda
City Council authorizing the City Manager to sign an Offer to Sell and Deed conveying approximately 1.432 acres of land being described as a portion of Sections 33 and 40, Block 80, Township 2, Texas and Pacific Railway Company Surveys. City of El Paso, El Paso County, Texas

This is a request for review and approval of the documents necessary to place an item on the City Council agenda for approval of the above referenced sale of property from the City of El Paso on behalf of El Paso Water Utilities to the United States of America and its assigns Department of Homeland Security, U.S. Immigration and Customs Enforcement. All the standard documents are attached including the DHS form, proposed Ordinance, Deed, and Offer to Sell.

The subject property is City of El Paso property managed and controlled by the El Paso Water Utilities - Public Service Board (EPWater). The Public Service Board determined the land inexpedient to the system and was forwarded to City staff for consideration as required by the Joint Resolution between the City and EPWater. City staff reviewed and approved the sale. We would like to place this item on City Council agenda for introduction and public hearing for approval of the sale.

Also attached are the following documents:

- Attachment A - DHS
- Attachment B - Ordinance
- Attachment C - Special Warranty Deed
- Attachment D - Offer to Sell

The wording of the Ordinance should be as follows:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO SIGN AN OFFER TO SELL, A DEED, AND ANY OTHER DOCUMENTS NECESSARY TO CONVEY 1.432 ACRES OF LAND MORE OR LESS, BEING DESCRIBED AS PORTION OF SECTIONS 33 AND 40, BLOCK 80, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS TO THE UNITED STATES OF AMERICA AND ITS ASSIGNS, DEPARTMENT OF HOMELAND SECURITY, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

(District 3) El Paso Water Utilities, Alex Vidales, Real Estate Manager (915) 594-5636.

DEPARTMENT OF HOMELAND SECURITY

OFFER TO SELL REAL PROPERTY

Project: ICE El Paso SPC Real Estate Acquisition

Tract No.: EPT-EPS-F2001

Contract No.: DACW63-6-22- 0153

El Paso Water Utilities - Public Service Board, a component unit of the City of El Paso, a Texas municipal corporation (hereinafter referred to as "Vendor" or "Grantor"), in consideration of the mutual covenants and agreements herein set forth, offers and agrees to sell and convey to the United States of America and its assigns ("hereinafter referred to as Vendee," "Grantee," or "United States"), that certain real property located in the County of El Paso, State of Texas referred to as government Tract No. EPT-EPS-F2001 and more particularly described in the attached **Exhibit "A"** (the "Property"), in fee simple subject to the exceptions and reservations more particularly described in the attached **Exhibit "B"** and **Exhibit "C"** which are necessary for Vendor to perform the agreed upon work on the Property.

The terms and conditions of this Offer to Sell Real Property (this "Offer") to sell are as follows:

(1) Vendor agrees that this Offer may be accepted by the United States through any duly authorized representative, by delivering, mailing, or electronically transmitting a notice of acceptance to the Vendor at the address stated below, at anytime within THIRTY (30) days from the date hereof, whereupon this Offer and the acceptance thereof become a binding contract.

(2) The United States agrees to pay to the Vendor the sum of TWO MILLION ONE HUNDRED NINETY ONE THOUSAND FOUR HUNDRED AND FIVE DOLLARS (\$2,191,405), of which \$5,000 is for the removal of the abandoned in place line to Mattox St. payable upon the satisfaction of the following conditions:

(a) the United States' acceptance of this Offer and approval by the United States of Vendor's title;

(b) Vendor executing and delivering a good and sufficient general warranty deed conveying the Property with the hereditaments and appurtenances thereunto belonging to the United States of America and its assigns, in fee simple, free and clear from all liens and encumbrances, except those specifically excepted or

reserved;

(c) Vendor executing and delivering unto the United States of America and its assigns a Temporary Access Easement as shown on **Exhibit "D"**, attached hereto, for ingress and egress for a period of 24 months to commence the earlier of September 27, 2022, or the earlier of El Paso Water completion of the removal of their infrastructure. Such ingress/egress to be across that certain real property located in El Paso County, Texas referred to as Tract No. EPT-EPS-F2001E and more fully described in the attached **Exhibit "A-1;"**

(d) approval by the City Council of the City of El Paso of an ordinance authorizing the City Manager to effectuate the sale of the Property to the United States and grant the United States the Temporary Access Easement discussed in 2(d) above; and

(e) authorization, approval, and execution of this Offer and associated closing documents (including, but not limited to, the Warranty Deed covering Tract No. EPT-EPS-F2001 discussed in paragraph 2(a), and the Temporary Access Easement covering Tract No. EPT-EPS-F2001E discussed in paragraph 2(d)) by the City Manager of the City of El Paso.

Accordingly, closing shall take place upon satisfaction of the above conditions (2(a)-(e)) and within thirty (30) days from the date of approval by the City Council of the City of El Paso of the ordinance discussed in 2(d).

(3) It is agreed that the United States will defray the expenses incident to the preparation and recordation of the deed to The United States and the procurement of the necessary title evidence.

(4) The Vendor agrees to satisfy at or before the transfer of title, all encumbrances and special assessments which are a lien against the land, as the United States may require, and to pay the pro rata portion of all taxes on the property which are allocable to a period prior to and including the date of vesting title in the United States, or the effective date of possession of such real property by the United States, whichever is the earlier, and, if the Vendor fails to do so, the United States may pay any taxes, assessments, and encumbrances which are a lien against the land; that the amount of any such payments by the United States shall be deducted from the purchase price of the land; and that the Vendor will, at the request of the United States and without prior payment or tender of the purchase price, execute and deliver a general warranty deed to The United States and obtain and record such other curative evidence of title as may be required by the United States.

(5) The Vendor agrees that the United States may, notwithstanding the prior acceptance of this Offer, acquire title to said land in the name of the United States by condemnation or other judicial proceedings, in which event the Vendor agrees to cooperate

with the United States in the prosecution of such proceedings; agrees that the consideration hereinabove stated shall be the full amount of just compensation, inclusive of interest, for the taking of said land; agrees that the consideration recited in paragraph 2 hereof constitutes the full amount of the compensation for the land and shall be pro-rated among all persons having an interest in this property as their respective interests may appear; and agrees that the said consideration shall be in full satisfaction of any and all claims of the Vendor for payment for the right of occupancy and use hereinafter provided for in paragraph 7.

(6) The Vendor agrees that loss or damage to the property by fire or acts of God shall be at the risk of the Vendor until the title to the land and deed to The United States have been accepted by the United States through its duly authorized representative or until the right of occupancy and use of the land, as herein below provided for, has been exercised by The United States; and, in the event that such loss or damage occurs before the risk of loss has passed to the United States, the United States may, without liability, refuse to accept conveyance of the title or it may elect to accept conveyance of title to such property, in which case there shall be an equitable adjustment of the purchase price.

(7) The Vendor hereby grants to The United States the right of immediate occupancy and use of the land for any purpose whatsoever from and after the acceptance by the United States of this Offer until such time as said land is conveyed to The United States and, upon demand, the Vendor will immediately vacate the property and deliver possession to The United States except as noted below.

Note: A Temporary Right of Entry and Construction Easement, the terms of which are more fully set forth in the attached **Exhibit "C"** is to be reserved by the Vendor which authorizes Vendor to access the Property to perform the Work therein.

(8) Vendor represents, and it is a condition of acceptance of this Offer that no Member of or Delegate to Congress, or Resident Commissioner, shall be admitted to or share any part of this agreement, or to any benefits that may arise therefrom; but this provision shall be not construed to extend to any agreement if made with a corporation for its general benefit.

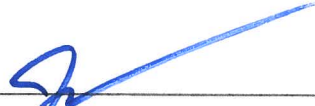
(9) The terms and conditions aforesaid are to apply to and bind the heirs, executors, administrators, successors, and assigns of Vendor.

(10) All terms and conditions with respect to this Offer are expressly contained herein and Vendor agrees that no representative or agent of the United States has made any representation or promise with respect to this Offer not expressly contained herein.

SIGNED, SEALED, AND DELIVERED this _____ day of _____ 2022.

EXECUTED on this the 9th day of June, 2022 by:

EL PASO WATER UTILITIES-
PUBLIC SERVICE BOARD




John Balliew
President/CEO

APPROVED AS TO FORM:



Michaela Ainsa Grambling
Assistant General Counsel

APPROVED AS TO CONTENT:

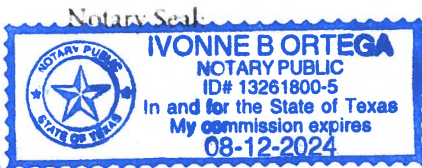


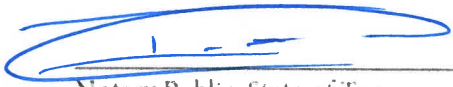
Alma De Anda
Utility Land & Water Rights Manager

ACKNOWLEDGMENT

STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this the 9th day of June, 2022, by JOHN BALLIEW, PRESIDENT/CEO, on behalf of the El Paso Water Utilities Public Service Board.





Notary Public, State of Texas

Commission Expires: 08-12-2024

THIS SIGNATURE PAGE IS SOLELY FOR ADMINISTRATIVE PURPOSES FOR THE ACCEPTANCE OF THIS OFFER. SATISFACTION OF THE CONDITION TO SALE CONTAINED IN PARAGRAPH 2(a) OF THIS AGREEMENT REQUIRES THE SIGNATURE OF THE CITY MANAGER OF THE CITY OF EL PASO ON THE CLOSING DOCUMENTS.

EXECUTED on this the _____ day of _____, 2022 by:

CITY OF EL PASO, a Texas municipal corporation

By: _____

Title: _____

APPROVED AS TO FORM:



By: Roberta Brito

Title: Assistant City Attorney

ACCEPTANCE OF OFFER TO SELL REAL PROPERTY

Date: 6 Jun 2022

The Offer of the Vendor contained herein is hereby accepted for and on behalf of the United States of America.



Garry L. Branch
Contracting Officer
Office of Asset and Facilities Management
U.S. Immigration and Customs Enforcement

NOTICE OF ACCEPTANCE OF THIS OFFER IS TO BE SENT TO:

Garry L. Branch
U.S. Immigration and Customs Enforcement
Department of Homeland Security
500 12th Street, S.W.,
STOP 5703
Washington, DC 20536-5704

Exhibit "A"

to the Offer to Sell Real Property covering Tract No. EPT-EPS-F2001

**Department of Homeland Security
Immigration and Customs Enforcement
Proposed Acquisition of Tract EPT-EPS-F2001
Property Description**

County: El Paso

Grantor: City of El Paso

Acreage: 1.432

Being a 1.432 acre (62,368 square feet) parcel of land, more or less, being out of Block 80, Township 2, Sections 33 and 40 of the Texas and Pacific Railway Company Survey, City of El Paso, El Paso County, Texas and being out of the remainder of a called 1,663.08 acre tract conveyed to the City of El Paso by Quitclaim Deed recorded in Volume 1348, Page 146, Official Public Records of El Paso County, Texas (Parcel A), said parcel of land being more particularly described by metes and bounds as follows:

Commencing at a found 1/2" rebar at the southeast corner of the remainder of the called 1,663.08 acre tract and the northeast corner of a called 1.0801 acre tract conveyed to 3801 Mattox, LLC recorded in Document No. 20190067504, Official Public Records of El Paso County, Texas, said point being in the west right-of-way line of Mattox Street (50' width, Volume 52, Page 23, Plat Records of El Paso County, Texas), said point having the coordinates of N=10668335.205, E=422728.723, said point bears N 47°50'30" W, a distance of 64.12' from United States Army Corps of Engineers Control Point No. MDS-EL-1;

Thence: N 87°52'52" W, departing the west right-of-way line of Mattox Street, with the south line of the remainder of the called 1,663.08 acre tract and the north line of the called 1.0801 acre tract, passing at 166.80' a found 1/2" rebar at the northwest corner of the called 1.0801 acre tract and the northeast corner of Lot 5, Block 6, McRae Commercial District, Unit 2-B, recorded in Volume 38, Page 2, Plat Records of El Paso County, Texas, continuing for a total distance of 192.34' to a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "EPT-EPS-F2001-1=F2001E-2" for the **Point of Beginning** and south corner of Tract EPT-EPS-F2001, said point being in the south line of the remainder of the called 1,663.08 acre tract and the north line of Lot 5, Block 6, McRae Commercial District, Unit 2-B, said point having the coordinates of N=10668342.316, E=422536.519;

Thence: N 87°52'52" W, with the south line of the remainder of the called 1,663.08 acre tract and the north line of Lot 5, Block 6, McRae Commercial District, Unit 2-B, for a distance of 145.66' to a calculated point in a rock wall for the southwest corner of Tract EPT-EPS-F2001, said point being at the northwest corner of Lot 5, Block 6, McRae Commercial District, Unit 2-B and the southwest corner of the remainder of the called 1,663.08 acre tract, said point being in the east line of a called 27.168 acre tract conveyed to the United States of America recorded in Volume 123, Page 398, Official Public Records of El Paso County, Texas;

Thence: N 02°07'15" E, with the west line of the remainder of the called 1,663.08 acre tract, the east line of the called 27.168 acre tract and along the centerline of a rock wall, for a distance of 255.70' to a calculated point in a rock wall for the northwest corner of Tract EPT-EPS-F2001, said

point being at the northwest corner of the remainder of the called 1,663.08 acre tract and the northeast corner of the called 27.168 acre tract, said point being in the south line of the El Paso International Airport tract (no deed of record found);

Thence: S 83°36'09" E, with the north line of the remainder of the called 1,663.08 acre tract, the south line of the El Paso International Airport tract and the south line of a rock wall, for a distance of 264.57' to a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "EPT-EPS-F2001-4=F2001E-5" for the northeast corner of Tract EPT-EPS-F2001, said point being in the north line of the remainder of the called 1,663.08 acre tract and the south line of the El Paso International Airport tract;

Thence: departing the north line of the remainder of the called 1,663.08 acre tract and the south line of the El Paso International Airport tract, over and across the remainder of the called 1,663.08 acre tract, the following courses and distances:

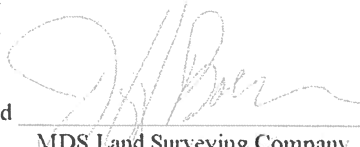
- S 01°43'33" W, for a distance of 209.55' to a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "EPT-EPS-F2001-5=F2001E-4" for the southeast corner of Tract EPT-EPS-F2001;
- S 89°48'18" W, for a distance of 101.93' to a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "EPT-EPS-F2001-6=F2001E-3" for angle;
- S 40°39'28" W, for a distance of 28.52' to the **Point of Beginning**.

Note: All bearings, distances and coordinates are referenced to the Texas State Plane Coordinate System, Central Zone grid (SPCS 4203) NAD'83. Values may be converted to ground values using a combined scale factor of 1.000180000.

Prepared Date 8/27/2021

Revision Date 8/31/2021

Signed



MDS Land Surveying Company, Inc.
Jeff Boerner, R.P.L.S. No. 4939



Exhibit "A-1"

to the Offer to Sell Real Property covering Tract No. EPT-EPS-F2001E

**Department of Homeland Security
Immigration and Customs Enforcement
Proposed Acquisition of Tract EPT-EPS-F2001E
Property Description**

County: El Paso

Grantor: City of El Paso

Acreage: 0.592

Being a 0.592 of one acre (25.799 square feet) parcel of land, more or less, being out of Block 80, Township 2, Sections 33 and 40 of the Texas and Pacific Railway Company Survey, City of El Paso, El Paso County, Texas and being out of the remainder of a called 1,663.08 acre tract conveyed to the City of El Paso by Quitclaim Deed recorded in Volume 1348, Page 146, Official Public Records of El Paso County, Texas (Parcel A), said parcel of land being more particularly described by metes and bounds as follows;

Beginning at a found 1/2" rebar for the southeast corner of Tract EPT-EPS-F2001E, said point being at the southeast corner of the remainder of the called 1,663.08 acre tract and the northeast corner of a called 1.0801 acre tract conveyed to 3801 Mattox, LLC recorded in Document No. 20190067504, Official Public Records of El Paso County, Texas, said point being in the west right-of-way line of Mattox Street (50' width, Volume 52, Page 23, Plat Records of El Paso County, Texas), said point having the coordinates of N=10668335.205, E= 422728.723, said point bears N 47°50'30" W, a distance of 64.12' from United States Army Corps of Engineers Control Point No. MDS-EL-1;

Thence: N 87°52'52" W, departing the west right-of-way line of Mattox Street, with the south line of the remainder of the called 1,663.08 acre tract and the north line of the called 1.0801 acre tract, passing at 166.80' a found 1/2" rebar at the northwest corner of the called 1.0801 acre tract and the northeast corner of Lot 5, Block 6, McRae Commercial District, Unit 2-B, recorded in Volume 38, Page 2, Plat Records of El Paso County, Texas, continuing for a total distance of 192.34' to a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "EPT-EPS-F2001-1=F2001E-2" for the southwest corner of Tract EPT-EPS-F2001E, said point being in the south line of the remainder of the called 1,663.08 acre tract and the north line of Lot 5, Block 6, McRae Commercial District, Unit 2-B;

Thence: departing the south line of the remainder of the called 1,663.08 acre tract and the north line of Lot 5, Block 6, McRae Commercial District, Unit 2-B, over and across the remainder of the called 1,663.08 acre tract, the following courses and distances:

- N 40°39'28" E, for a distance of 28.52' to a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "EPT-EPS-F2001-6=F2001E-3" for angle;
- N 89°48'18" E, for a distance of 101.93' to a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "EPT-EPS-F2001-5=F2001E-4" for a westerly interior corner of Tract EPT-EPS-R1002E;

- N 01°43'33" E, for a distance of 209.55' to a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "EPT-EPS-F2001-4=F2001E-5" for the northwest corner of Tract EPT-EPS-R1002E, said point being in the north line of the remainder of the called 1,663.08 acre tract and the south line of the El Paso International Airport tract (no deed of record found);

Thence: S 83°36'09" E, with the north line of the remainder of the called 1,663.08 acre tract, the south line of the El Paso International Airport tract and the south line of a rock wall, for a distance of 131.63' to a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "EPT-EPS-F2001E-6" for the northeast corner of Tract EPT-EPS-F2001E, said point being at the northeast corner of the remainder of the called 1,663.08 acre tract and the northwest corner of Lot 5, Block 7, Montana Industrial Center, Unit 5, recorded in Volume 52, Page 23, Plat Records of El Paso County, Texas, said point being in the south line of the El Paso International Airport tract;

Thence: S 03°06'27" W, departing the south line of the El Paso International Airport tract, with the east line of the remainder of the called 1,663.08 acre tract and the west line of Lot 5, Block 7, Montana Industrial Center, Unit 5, for a distance of 95.54' to a set PK nail with an MDS LAND SURVEYING washer in concrete for an easterly exterior corner of Tract EPT-EPS-F2001E, said point being at an easterly exterior corner of the remainder of the called 1,663.08 acre tract and a westerly exterior corner of Lot 5, Block 7, Montana Industrial Center, Unit 5, said point being in the north right-of-way line of Mattox Street, said point marking a point of curvature to the left;

Thence: with the northwesterly and westerly right-of-way line of Mattox Street and the southeasterly and easterly line of the remainder of the called 1,663.08 acre tract, the following courses and distances:

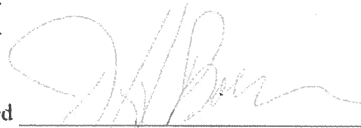
- Along said curve to the left for an arc distance of 84.07', with a central angle of 96°19'55" and a radius of 50.00', with a chord bearing of S 50°15'24" W, for a distance of 74.51' to a set PK nail with an MDS LAND SURVEYING washer in concrete for the point of tangency;
- S 02°05'27" W, for a distance of 80.90' to the **Point of Beginning**.

Note: All bearings, distances and coordinates are referenced to the Texas State Plane Coordinate System, Central Zone grid (SPCS 4203) NAD'83. Values may be converted to ground values using a combined scale factor of 1.000180000.

Prepared Date 8/27/2021

Revision Date 8/31/2021

Signed



MDS Land Surveying Company, Inc.
Jeff Boerner, R.P.L.S. No. 4939



LEGEND SEE SHEET 6 NOTES SEE SHEET 6

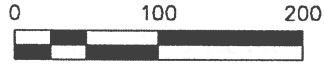
DETAIL SEE SHEET 6

LINE TABLE SEE SHEET 7

CURVE TABLE SEE SHEET 7

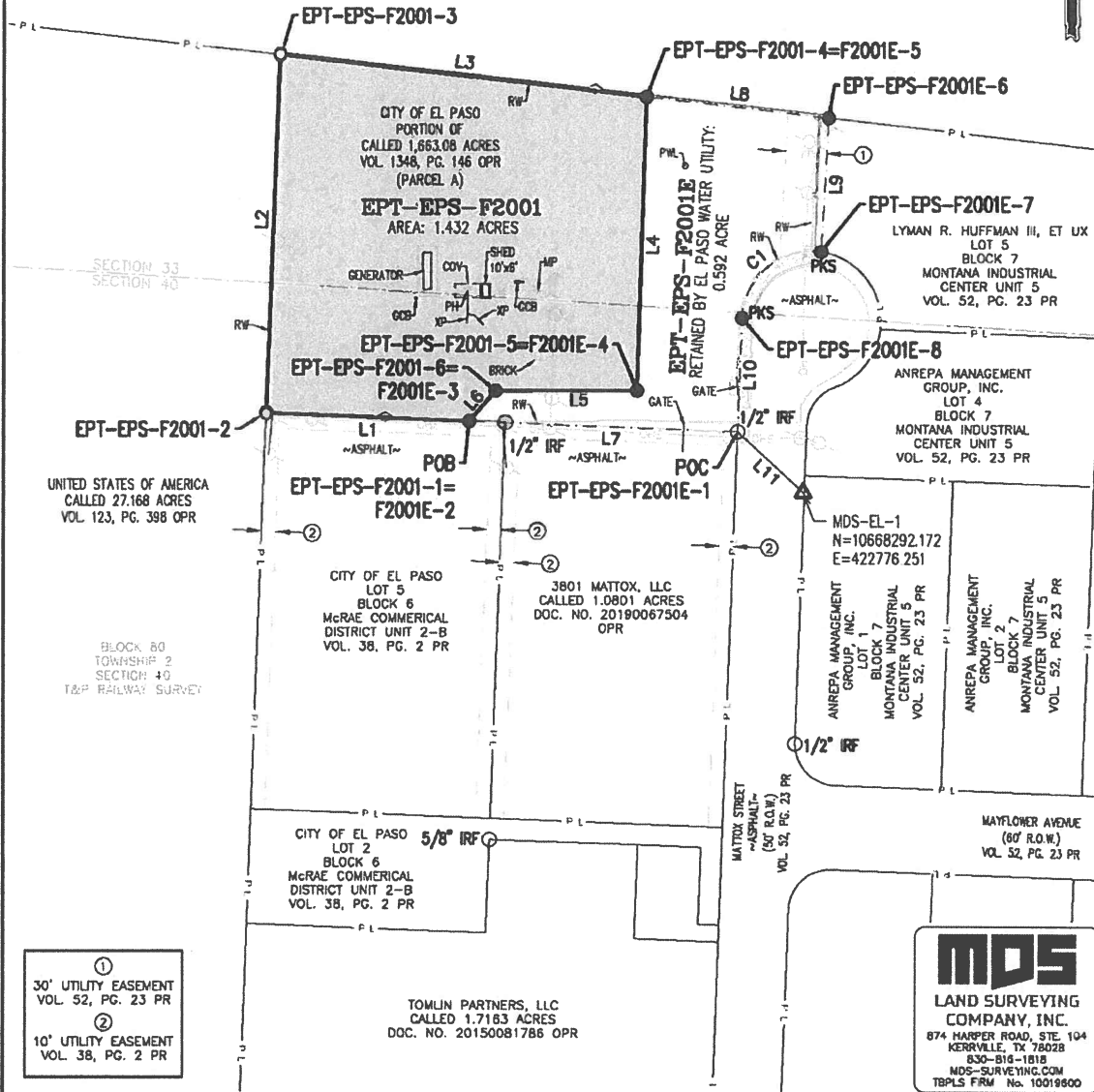
COORDINATE TABLE SEE SHEET 7

SCALE: 1"=100'



BLOCK 80
TOWNSHIP 2
SECTION 33
T&P RAILWAY SURVEY

EL PASO INTERNATIONAL AIRPORT
(NO DEED OF RECORD FOUND)



- ① 30' UTILITY EASEMENT VOL. 52, PG. 23 PR
- ② 10' UTILITY EASEMENT VOL. 38, PG. 2 PR

MDS
LAND SURVEYING
COMPANY, INC.
874 HARPER ROAD, STE. 104
KERRVILLE, TX 78028
830-816-1818
MDS-SURVEYING.COM
TBPLS FIRM No. 10019800

LAND TITLE SURVEY
U.S. ARMY CORPS OF ENGINEERS
TRACT NO. EPT-EPS-F2001 & EPT-EPS-F2001E
EL PASO COUNTY TEXAS

Mark	Description	Date	Appr.
1	Notice wait 60 days & parent tract	8/31	

CONTRACT NO. W9128G19D6001
T.O.: W9126G270286

BY	DATE
Drawn LMK	8/31
Checked LMK	8/31
Surveyor JCB	8/31
Flid.Bk. #	

TEXAS LICENSED SURVEYING FIRM
B&B ENGINEERING, INC.
NO. 1072843

B&B ENGINEERING, INC.
928 AIRPORT ROAD
HOT SPRINGS, AR 71313
(PH) 501-767-2366
(FAX) 501-767-8839
EMAIL: B&B@B&Beng.com



GENERAL SURVEYOR'S NOTES:

1. THE BEARINGS, DISTANCES AND COORDINATE VALUES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, REFERENCED TO NAD 83(2011), TX CENTRAL ZONE(4203), US SURVEY FEET, USING THE CORS(2011) ADJUSTMENT. THE DISTANCES AND COORDINATES SHOWN HEREON ARE GRID VALUES AND MAY BE CONVERTED TO GROUND (SURFACE) USING THE TXDOT COUNTY PUBLISHED COMBINED SCALE FACTOR OF 1.000180000 (E.G. GRID X 1.000180000 = SURFACE).
2. A SEPARATE METES AND BOUNDS DESCRIPTION OF EQUAL DATE WAS WRITTEN IN CONJUNCTION WITH THIS SURVEY PLAT.
3. THE SQUARE FOOTAGE TOTAL RECITED HEREIN IS BASED ON MATHEMATICAL CALCULATIONS AND SUBJECT TO THE RULES OF ROUNDING AND SIGNIFICANT NUMBERS.
4. THE REMAINING ACREAGE OF THE PARENT TRACT WAS CALCULATED FROM THE RECORDED INSTRUMENTS AND IS NOT BASED ON FIELD DIMENSIONS. SEE SURVEYORS REPORT FOR BOUNDARY AND REMAINING ACREAGE NOTES.
5. FIELD SURVEY WAS COMPLETED IN AUGUST 2021.
6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
7. MDS LAND SURVEYING COMPANY, INC. HAS PROVIDED THESE SURVEY SERVICES TO THE CORPS OF ENGINEERS AS A SUB-CONSULTANT TO B&F ENGINEERING, INC., THE PRIME CONSULTANT. THE CORP'S CONTRACTING OFFICER'S REPRESENTATIVE IS STEPHEN CORLEY, RPLS (817) 886-1143.

ALTA/NSPS TABLE A NOTES:

1. EXISTING AND SET MONUMENTS SHOWN HEREON.
3. ACCORDING TO COMMUNITY PANEL NO. 48021400358 OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAPS FOR EL PASO COUNTY, TEXAS, HAVING AN EFFECTIVE DATE OF OCTOBER 15, 1982, THE SUBJECT TRACT IS SITUATED WITHIN: ZONE "C"; DEFINED AS AREAS OF MINIMAL FLOODING. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.
4. GROSS LAND AREA: 1.432 ACRES.
- 7(A). EXTERIOR DIMENSIONS OF ALL BUILDINGS AT GROUND LEVEL ARE SHOWN HEREON.
8. SUBSTANTIAL FEATURES OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK ARE SHOWN HEREON.
9. TOTAL NO. OF PARKING SPACES: 0
 - NO. OF REGULAR PARKING SPACES: 0
 - NO. OF HANDICAPPED PARKING SPACES: 0
11. VISIBLE UTILITIES WERE LOCATED WITH THIS SURVEY; NO SUBSURFACE PROBING, EXCAVATION OR EXPLORATION WAS PERFORMED FOR THIS SURVEY. UNDERGROUND UTILITIES MAY EXIST WHICH ARE NOT SHOWN HEREON.
13. NAMES OF ADJOINERS SHOWN HEREON.
19. PLOTTABLE OFFSITE EASEMENTS OBTAINED BY THE SURVEYOR ARE SHOWN HEREON.
21. LOCATION OF PROPOSED WELL SHOWN HEREON.

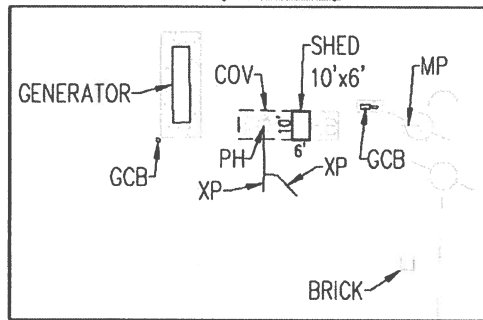
SPECIAL NOTE:

THIS LAND TITLE SURVEY IS NOT CONSIDERED AN OFFICIAL ALTA/NSPS LAND TITLE SURVEY, SINCE THE CLIENT DID NOT PROVIDE A TITLE COMMITMENT AND/OR THE REFERENCED DOCUMENTS FOR EASEMENTS, ETC. THAT EXIST WITHIN A TITLE COMMITMENT. HOWEVER, THE BASIS OF THIS SURVEY IS THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, INCLUDING TABLE A (THE OPTIONAL SURVEY RESPONSIBILITIES AND SPECIFICATIONS, AS HIGHLIGHTED IN THE USACE SCOPE OF WORK (E.G. TABLE A ITEMS: 1, 3, 4, 7A, 8, 9, 11, 13, 19 AND 21).

LEGEND

- COV COVERED
- GCB GENERATOR CONTROL BOX
- IRF REBAR FOUND (SIZE NOTED)
- MP METER PANEL
- OPR OFFICIAL PUBLIC RECORDS OF EL PASO COUNTY
- PG PAGE
- PH PUMP HEAD
- PKS PK NAIL W/ "MDS" WASHER SET
- POB POINT OF BEGINNING
- POC POINT OF COMMENCING
- PR PLAT RECORDS OF EL PASO COUNTY
- PWL PROPOSED WELL LOCATION
- RW ROCK WALL (HEIGHT: +/- 8')
- T&P TEXAS AND PACIFIC
- VOL VOLUME
- XP EXPOSED 8" PIPE
- SET 5/8" REBAR W/ "MDS" CAP AS NOTED
- FOUND MONUMENT AS NOTED
- CALCULATED POINT (IN ROCK WALL)
- ▲ CONTROL POINT
- ⊞ ELECTRIC CONTROL BOX
- ⊞ GUY ANCHOR
- ⊞ POWER POLE
- ⊞ TELEPHONE PEDESTAL
- ACQUISITION AREA BOUNDARY
- - - ACQUISITION EASEMENT BOUNDARY
- - - APPROXIMATE SECTION LINE
- ◇ CHAIN LINK FENCE
- - - EXISTING EASEMENT
- - - OVERHEAD UTILITIES
- PL — PROPERTY LINE

DETAIL (SCALE: 1"=50')



MDS
LAND SURVEYING
COMPANY, INC.
 874 HARPER ROAD, STE. 104
 KERRVILLE, TX 78028
 830-816-1818
 MDS-SURVEYING.COM
 TBPLS FIRM No. 10019600

Drawing Ref. No. SHEET 6 OF 8

LAND TITLE SURVEY
U.S. ARMY CORPS OF ENGINEERS
TRACT NO. EPT-EPS-F2001 & EPT-EPS-F2001E
EL PASO COUNTY TEXAS

Mark	Description	Date	Appr.
1	Revised west cdp & parent tract	8/31	

CONTRACT NO.: W9126C11808001
 T.O.: W9126C2F0286

BY	DATE
Drawn LMK	8/2
Checked LMK	8/21
Surveyor JCS	8/21
Flt Bk. #	

TEXAS LICENSED SURVEYING FIRM
B&F ENGINEERING, INC.
 NO. 1003354

B&F
ENGINEERING, INC.
 928 AIRP. ST. BOX 4
 HOT SPRING, AR 71913
 (PH) 501-767-2266
 (FAX) 501-767-8889
 (EMAIL) mds@b-feng.com

U.S. Army Corps of Engineers

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 87°52'52" W	145.66'
L2	N 02°07'15" E	255.70'
L3	S 83°36'09" E	264.57'
L4	S 01°43'33" W	209.55'
L5	S 89°48'18" W	101.93'
L6	S 40°39'28" W	28.52'
L7	N 87°52'52" W	192.34'
L8	S 83°36'09" E	131.63'
L9	S 03°06'27" W	95.54'
L10	S 02°05'27" W	80.90'
L11	N 47°50'30" W	64.12'

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	50.00'	84.07'	74.51'	S 50°15'24" W	96°19'55"

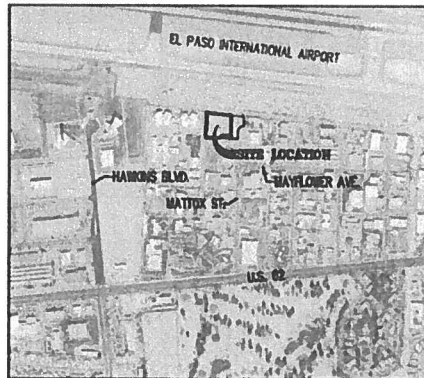
COORDINATE TABLE

MONUMENT NAME	NORTHING	EASTING
EPT-EPS-F2001-1=F2001E-2	10668342.316	422536.519
EPT-EPS-F2001-2	10668347.702	422390.955
EPT-EPS-F2001-3	10668603.231	422400.418
EPT-EPS-F2001-4=F2001E-5	10668573.751	422663.335
EPT-EPS-F2001-5=F2001E-4	10668364.297	422657.024
EPT-EPS-F2001-6=F2001E-3	10668363.950	422555.099
EPT-EPS-F2001E-1	10668335.205	422728.723
EPT-EPS-F2001E-6	10668559.085	422794.144
EPT-EPS-F2001E-7	10668463.685	422788.965
EPT-EPS-F2001E-8	10668416.048	422731.674

OWNERSHIP INFO

① CITY OF EL PASO REMAINDER OF CALLED 1,663.08 ACRES VOL. 1348, PG. 146 OPR (PARCEL A)	② CITY OF EL PASO LOT 5, BLOCK 6 McRAE COMMERCIAL DISTRICT UNIT 2-B VOL. 38, PG. 2 PR	③ 3801 MATTOX, LLC CALLED 1.0801 ACRES DOC NO. 20190067504 OPR
④ LYMAN R. HUFFMAN III, ET UX LOT 5, BLOCK 7 MONTANA INDUSTRIAL CENTER UNIT 5 VOL. 52, PG. 23 PR	⑤ ANREPA MANAGEMENT GROUP, INC. LOT 4, BLOCK 7 MONTANA INDUSTRIAL CENTER UNIT 5 VOL. 52, PG. 23 PR	⑥ ANREPA MANAGEMENT GROUP, INC. LOT 1, BLOCK 7 MONTANA INDUSTRIAL CENTER UNIT 5 VOL. 52, PG. 23 PR
⑦ CITY OF EL PASO LOT 2, BLOCK 6 McRAE COMMERCIAL DISTRICT UNIT 2-B VOL. 38, PG. 2 PR	⑧ TOMLIN PARTNERS, LLC. CALLED 1.7163 ACRES DOC. NO. 20150081786 OPR	⑨ HECTOR ZEPEDA CALLED 1.8611 ACRES DOC. NO. 20080017801 OPR
⑩ JMS & T PROPERTIES LLC LOT 9, BLOCK 6 McRAE COMMERCIAL DISTRICT UNIT 2-C VOL. 47, PG. 21 PR	⑪ STORY & SONS INVESTMENTS, LLC LOT 8, BLOCK 6 McRAE COMMERCIAL DISTRICT UNIT 2-C VOL. 47, PG. 21 PR	⑫ DIANA V. MIRAMONTES LOT 7, BLOCK 6 McRAE COMMERCIAL DISTRICT UNIT 2-C VOL. 47, PG. 21 PR
⑬ UNITED STATES OF AMERICA CALLED 0.4538 ACRE VOL. 2040, PG. 1253 OPR	⑭ UNITED STATES OF AMERICA CALLED 27.168 ACRES VOL. 123, PG. 398 OPR	

**VICINITY MAP
NOT TO SCALE**



MDS

LAND SURVEYING
COMPANY, INC.
874 HARPER ROAD, STE. 104
KERRVILLE, TX 78028
830-816-1818
MDS-SURVEYING.COM
TBPLS FIRM No. 10019600

Drawing Ref. No.
SHEET 7 OF 8

LAND TITLE SURVEY
U.S. ARMY CORPS OF ENGINEERS
TRACT NO. EPT-EPS-F2001 & EPT-EPS-F2001E
EL PASO COUNTY TEXAS

Mark	Description	Date	Appr.
1	Revised west side & parent tract	8/31	

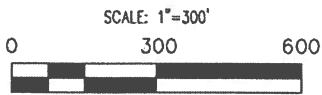
CONTRACT NO. W9126C1906001
T.O. W9126C2929288

BY	DATE
Drawn LMK	8/21
Checked LMK	8/21
Surveyor JDB	8/21
Fid Bk #	

TEXAS LICENSED SURVEYING FIRM
BDF ENGINEERING, INC.
NO. 1913342

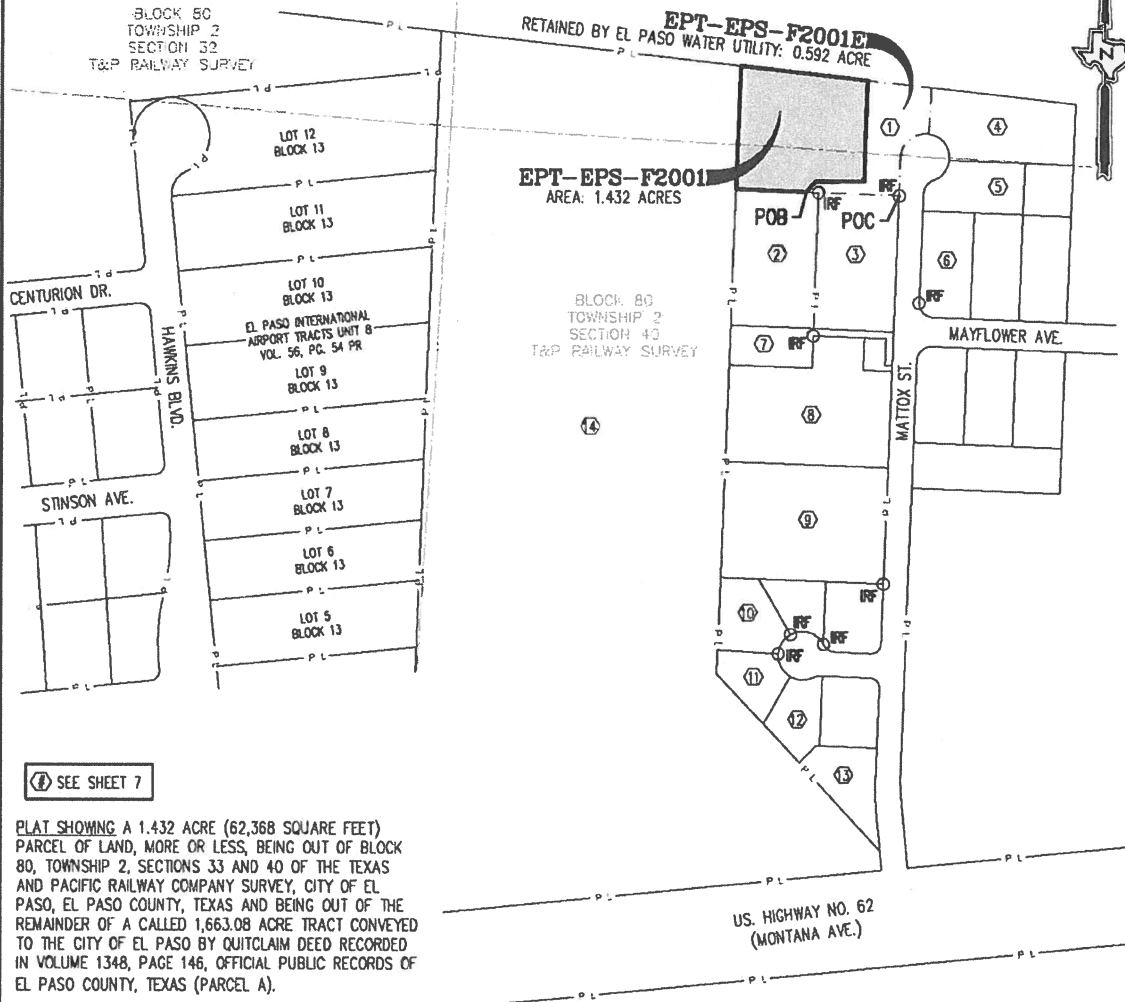
BDF ENGINEERING, INC.
822 AIRPORT ROAD
HOT SPRINGS, AR 71711
(PH) 501-751-2396
(FAX) 501-761-4554
EMAIL: info@bdfeng.com





EL PASO INTERNATIONAL AIRPORT
(NO DEED OF RECORD FOUND)

BLOCK 80
TOWNSHIP 2
SECTION 33
T&P RAILWAY SURVEY



SEE SHEET 7

PLAT SHOWING A 1.432 ACRE (62,368 SQUARE FEET) PARCEL OF LAND, MORE OR LESS, BEING OUT OF BLOCK 80, TOWNSHIP 2, SECTIONS 33 AND 40 OF THE TEXAS AND PACIFIC RAILWAY COMPANY SURVEY, CITY OF EL PASO, EL PASO COUNTY, TEXAS AND BEING OUT OF THE REMAINDER OF A CALLED 1,663.08 ACRE TRACT CONVEYED TO THE CITY OF EL PASO BY QUITCLAIM DEED RECORDED IN VOLUME 1348, PAGE 146, OFFICIAL PUBLIC RECORDS OF EL PASO COUNTY, TEXAS (PARCEL A).

I, JEFF BOERNER, TEXAS REGISTERED PROFESSIONAL SURVEYOR NO. 4939, DO HEREBY CERTIFY THAT THIS BOUNDARY SURVEY WAS PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION, THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN THE STATE OF TEXAS; AS PROMULGATED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYORS.

JEFF BOERNER R.P.L.S. 4939



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KERRVILLE, TX 78028
830-816-1818
MDS-SURVEYING.COM
TBPLS FIRM No. 10019800

Drawing Ref. No. SHEET 8 OF 8

LAND TITLE SURVEY
U.S. ARMY CORPS OF ENGINEERS
TRACT NO. EPT-EPS-F2001 & EPT-EPS-F2001E
EL PASO COUNTY TEXAS

Mark	Description	Date	Appr.
1	Initial plat 8/31 & percent tract	8/31	

BY	DATE
Drawn LMK	8/21
Checked LMK	8/21
Surveyor JCS	8/21
Fid. Bk. #	

B&F ENGINEERING, INC.
528 ARNDORF PKWY
HOT SPRINGS, AR 71913
(479) 501-7577, 2366
(479) 501-7677, 5959
(E-Mail) rfs@bfeinc.com



Exhibit "B"

to the Offer to Sell Real Property covering Tract No. EPT-EPS-F2001

ESTATE TAKEN

El Paso County, Texas

Tract: EPT-EPS-F2001

Owner: City of El Paso

Acres: 1.432

The estate acquired is fee simple, subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; and subject to all interests in minerals and appurtenant rights for the exploration, development, production and removal of said minerals;

reserving unto Grantor a temporary right-of-entry and construction easement, the terms and conditions of which are set forth in the attached **Exhibit "C,"** over, across, under, and through that certain real property referred to as Tract No. EPT-EPS-F2001 located in El Paso County, Texas, more particularly described in the attached **Exhibit "A"** (the "Property");

excepting and excluding all interests in water rights and water distribution and drainage systems, if any, provided that any surface rights arising from such water rights or systems are subordinated to the United States' construction, operation and maintenance of U.S Immigration and Custom Enforcement facilities.

Exhibit "C"

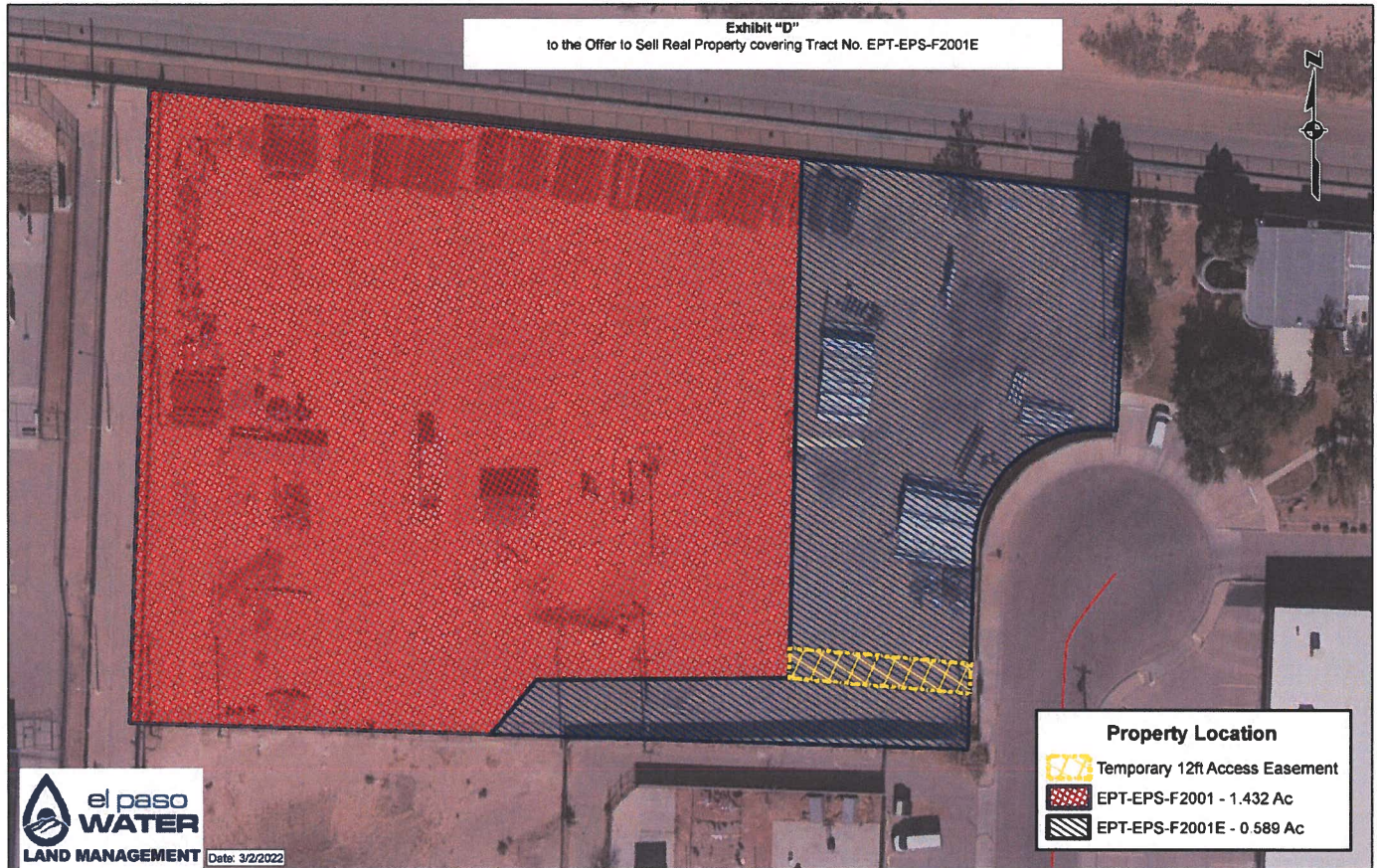
The Vendor agrees to:

- (1) provide the United States with design plans for the work described below prior to the commencement of construction to verify the work will be sufficient for supporting site activities.
- (2) drill, install, test, and connect a new water well for the City of El Paso to be located at Northeast portion of Tract No EPT-EPS-F2001E.
- (3) cap and remove all equipment/facilities associated with the old water well located on the land described in **Exhibit "A"** referred to as Tract No. EPT-EPS-F2001 once the new water well is online and producing.
- (4) remove and dispose of all portions of the water force main , above ground and below ground, from the pump control building to the east property line of Tract No. EPT-EPS-F2001. The trench excavated for the underground removal shall be backfilled with excavated material and backfilled in 12-inch lifts
- (5) remove all construction materials and all excavation debris and restore the surface of the land described in **Exhibit "A"** to as near the condition as existing prior to the commencement of the work described in paragraphs 2 and 3 above as is reasonably practical and leave the land in a condition sufficient for governmental purposes.
- (6) all activities to be concluded on or before September 27, 2022.

Unless the Easement is extended by written agreement signed by both parties hereto, the Easement shall automatically terminate on September 27, 2022, or when the Work is completed by Grantor, whichever is earlier. The parties further agree to terminate the Easement earlier if the Secretary determines that the Easement hereby reserved interferes with the future use or disposal of the Property by the United States; or at any time in the event of a national emergency as declared by the President or Congress; or in the interest of national defense; or for failure of Grantor to comply with any material conditions of the Easement; or for non-use for a consecutive period of two years, excepting events of force majeure, or upon abandonment. The United States will provide written notice of termination to Grantor. Upon termination or voluntary cessation of use by Grantor, Grantor shall be entitled to remove its facilities within thirty (30) days following termination or voluntary cessation. If not so removed during that time period, The United States may remove such facilities at Grantor's sole cost.

Exhibit "D"

Exhibit "D"
to the Offer to Sell Real Property covering Tract No. EPT-EPS-F2001E



SPECIAL WARRANTY DEED

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 FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER LICENSE NUMBER

GRANTOR:

EL PASO WATER UTILITIES - PUBLIC SERVICE BOARD,
a component unit of the City of El Paso, a Texas municipal corporation
1154 Hawkins Blvd.
El Paso, Texas 79925

GRANTEE:

UNITED STATES OF AMERICA and its assigns
Department of Homeland Security, U.S. Immigration and Customs Enforcement
500 12th Street, S.W., STOP 5703
Washington, DC 20536-5704

CONSIDERATION: For and in consideration of the sum of TWO MILLION ONE HUNDRED FIFTY THOUSAND ONE HUNDRED FORTY-TWO DOLLARS AND NO/100 (\$2,150,142.00) in hand paid by GRANTEE to GRANTOR, together with other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, GRANTOR has **GRANTED, SOLD AND CONVEYED**, and by these presents does hereby **GRANT, SELL AND CONVEY** unto the United States of America and its assigns, all of the following described real property located in El Paso County, Texas, in fee simple:

PROPERTY (including any improvements):

1.432 acres of land, more or less, being out of Block 80, Township 2, Sections 33 and 40 of the Texas and Pacific Railway Company Survey, City of El Paso, El Paso County, Texas and being out of the remainder of a called 1,663.08 acre tract conveyed to the City of El Paso by Quitclaim Deed recorded in Volume 1348, Page 146, Official Public Records of El Paso County, Texas (Parcel A), and being more particularly described by metes and bounds and survey in **Exhibit "A"** attached hereto and made a part hereof for all purposes.

THE ESTATE GRANTED BY GRANTOR AND ACQUIRED BY GRANTEE is fee simple, subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; and subject to all interests in minerals and appurtenant rights for the exploration, development, production and removal of said minerals;

EXCEPTING AND EXCLUDING all interests in water rights and water distribution and drainage systems, if any, provided that any surface rights arising from such water rights or systems are subordinated to the United States' construction, operation, and maintenance of U.S Immigration and Customs Enforcement facilities.

RESERVING unto Grantor a temporary right-of-entry and construction easement in, on, over and across the Property described above and more particularly described by metes and bounds and survey in the attached Exhibit "A" (the "Temporary Easement"), the terms and conditions of which are more fully set forth in that certain Offer to Sell Real Property (the "OTS") covering the Property and executed by the parties herein; the Temporary Easement shall automatically terminate on September 27, 2022, or when the Work described in the OTS is completed by Grantor, whichever is earlier.

TO HAVE AND TO HOLD the above-described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said GRANTEE and its assigns forever.

The said GRANTOR does hereby bind GRANTOR and its administrators, successors, and assigns to **WARRANT AND FOREVER DEFEND** all and singular the said Property unto the GRANTEE and its assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by through or under Grantor, but not otherwise.

EXHIBIT "A"

**Department of Homeland Security
Immigration and Customs Enforcement
Proposed Acquisition of Tract EPT-EPS-F2001
Property Description**

County: El Paso

Grantor: City of El Paso

Acreage: 1.432

Being a 1.432 acre (62,368 square feet) parcel of land, more or less, being out of Block 80, Township 2, Sections 33 and 40 of the Texas and Pacific Railway Company Survey, City of El Paso, El Paso County, Texas and being out of the remainder of a called 1,663.08 acre tract conveyed to the City of El Paso by Quitclaim Deed recorded in Volume 1348, Page 146, Official Public Records of El Paso County, Texas (Parcel A), said parcel of land being more particularly described by metes and bounds as follows;

Commencing at a found 1/2" rebar at the southeast corner of the remainder of the called 1,663.08 acre tract and the northeast corner of a called 1.0801 acre tract conveyed to 3801 Mattox, LLC recorded in Document No. 20190067504, Official Public Records of El Paso County, Texas, said point being in the west right-of-way line of Mattox Street (50' width, Volume 52, Page 23, Plat Records of El Paso County, Texas), said point having the coordinates of N=10668335.205, E=422728.723, said point bears N 47°50'30" W, a distance of 64.12' from United States Army Corps of Engineers Control Point No. MDS-EL-1;

Thence: N 87°52'52" W, departing the west right-of-way line of Mattox Street, with the south line of the remainder of the called 1,663.08 acre tract and the north line of the called 1.0801 acre tract, passing at 166.80' a found 1/2" rebar at the northwest corner of the called 1.0801 acre tract and the northeast corner of Lot 5, Block 6, McRae Commercial District, Unit 2-B, recorded in Volume 38, Page 2, Plat Records of El Paso County, Texas, continuing for a total distance of 192.34' to a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "EPT-EPS-F2001-1=F2001E-2" for the **Point of Beginning** and south corner of Tract EPT-EPS-F2001, said point being in the south line of the remainder of the called 1,663.08 acre tract and the north line of Lot 5, Block 6, McRae Commercial District, Unit 2-B, said point having the coordinates of N=10668342.316, E=422536.519;

Thence: N 87°52'52" W, with the south line of the remainder of the called 1,663.08 acre tract and the north line of Lot 5, Block 6, McRae Commercial District, Unit 2-B, for a distance of 145.66' to a calculated point in a rock wall for the southwest corner of Tract EPT-EPS-F2001, said point being at the northwest corner of Lot 5, Block 6, McRae Commercial District, Unit 2-B and the southwest corner of the remainder of the called 1,663.08 acre tract, said point being in the east line of a called 27.168 acre tract conveyed to the United States of America recorded in Volume 123, Page 398, Official Public Records of El Paso County, Texas;

Thence: N 02°07'15" E, with the west line of the remainder of the called 1,663.08 acre tract, the east line of the called 27.168 acre tract and along the centerline of a rock wall, for a distance of 255.70' to a calculated point in a rock wall for the northwest corner of Tract EPT-EPS-F2001, said

EPT-EPS-F2001

point being at the northwest corner of the remainder of the called 1,663.08 acre tract and the northeast corner of the called 27.168 acre tract, said point being in the south line of the El Paso International Airport tract (no deed of record found);

Thence: S 83°36'09" E, with the north line of the remainder of the called 1,663.08 acre tract, the south line of the El Paso International Airport tract and the south line of a rock wall, for a distance of 264.57' to a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "EPT-EPS-F2001-4=F2001E-5" for the northeast corner of Tract EPT-EPS-F2001, said point being in the north line of the remainder of the called 1,663.08 acre tract and the south line of the El Paso International Airport tract;

Thence: departing the north line of the remainder of the called 1,663.08 acre tract and the south line of the El Paso International Airport tract, over and across the remainder of the called 1,663.08 acre tract, the following courses and distances:

- S 01°43'33" W, for a distance of 209.55' to a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "EPT-EPS-F2001-5=F2001E-4" for the southeast corner of Tract EPT-EPS-F2001;
- S 89°48'18" W, for a distance of 101.93' to a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "EPT-EPS-F2001-6=F2001E-3" for angle;
- S 40°39'28" W, for a distance of 28.52' to the **Point of Beginning**.

Note: All bearings, distances and coordinates are referenced to the Texas State Plane Coordinate System, Central Zone grid (SPCS 4203) NAD'83. Values may be converted to ground values using a combined scale factor of 1.000180000.

Prepared Date 8/27/2021

Revision Date 8/31/2021

Signed _____



MDS Land Surveying Company, Inc.
Jeff Boerner, R.P.L.S. No. 4939



EPT-EPS-F2001

LEGEND SEE SHEET 6 **NOTES** SEE SHEET 6

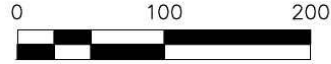
DETAIL SEE SHEET 6

LINE TABLE SEE SHEET 7

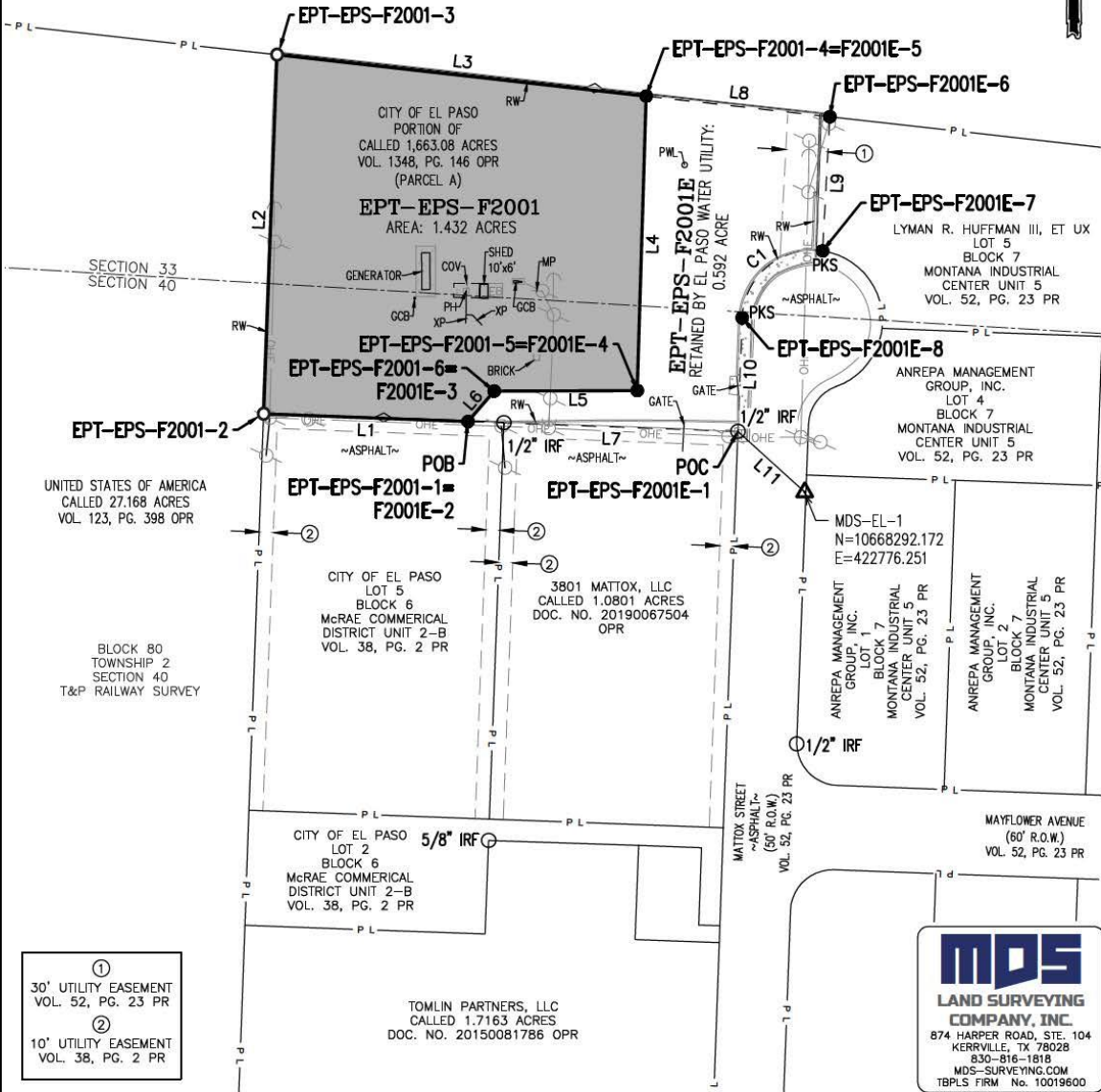
CURVE TABLE SEE SHEET 7

COORDINATE TABLE SEE SHEET 7

SCALE: 1"=100'



BLOCK 80
TOWNSHIP 2
SECTION 33
T&P RAILWAY SURVEY
EL PASO INTERNATIONAL AIRPORT
(NO DEED OF RECORD FOUND)



- ① 30' UTILITY EASEMENT VOL. 52, PG. 23 PR
- ② 10' UTILITY EASEMENT VOL. 38, PG. 2 PR

MDS
LAND SURVEYING
COMPANY, INC.
874 HARPER ROAD, STE. 104
KERRVILLE, TX 78028
830-816-1818
MDS-SURVEYING.COM
TBPLS FIRM No. 10019600

Drawing Ref. No. SHEET 5 OF 8

LAND TITLE SURVEY
U.S. ARMY CORPS OF ENGINEERS
TRACT NO. EPT-EPS-F2001 & EPT-EPS-F2001E
EL PASO COUNTY TEXAS

Mark	Description	Date	Appr.
1	Revise west adj. & parent tract	8/31	

CONTRACT NO.: W9126G1906001
I.O.: W9126G270286

BY	DATE
Drawn LMK	8/21
Checked LMK	8/21
Surveyor JDB	8/21
Fid Bk #	

TEXAS LICENSED SURVEYING FIRM
B&F ENGINEERING, INC.
NO. 10193942

B&F
ENGINEERING, INC.
628 AIRPORT ROAD
HOT SPRINGS, AR 71913
(PH) 501-767-2388
(FAX) 501-767-6859
(EMAIL) info@bfneng.com



GENERAL SURVEYOR'S NOTES:

1. THE BEARINGS, DISTANCES AND COORDINATE VALUES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, REFERENCED TO NAD 83(2011), TX CENTRAL ZONE(4203), US SURVEY FEET, USING THE CORS(2011) ADJUSTMENT. THE DISTANCES AND COORDINATES SHOWN HEREON ARE GRID VALUES AND MAY BE CONVERTED TO GROUND (SURFACE) USING THE TXDOT COUNTY PUBLISHED COMBINED SCALE FACTOR OF 1.000180000 (E.G. GRID X 1.000180000 = SURFACE).
2. A SEPARATE METES AND BOUNDS DESCRIPTION OF EQUAL DATE WAS WRITTEN IN CONJUNCTION WITH THIS SURVEY PLAT.
3. THE SQUARE FOOTAGE TOTAL RECITED HEREIN IS BASED ON MATHEMATICAL CALCULATIONS AND SUBJECT TO THE RULES OF ROUNDING AND SIGNIFICANT NUMBERS.
4. THE REMAINING ACREAGE OF THE PARENT TRACT WAS CALCULATED FROM THE RECORDED INSTRUMENTS AND IS NOT BASED ON FIELD DIMENSIONS. SEE SURVEYORS REPORT FOR BOUNDARY AND REMAINING ACREAGE NOTES.
5. FIELD SURVEY WAS COMPLETED IN AUGUST 2021.
6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
7. MDS LAND SURVEYING COMPANY, INC. HAS PROVIDED THESE SURVEY SERVICES TO THE CORPS OF ENGINEERS AS A SUB-CONSULTANT TO B&F ENGINEERING, INC., THE PRIME CONSULTANT. THE CORP'S CONTRACTING OFFICER'S REPRESENTATIVE IS STEPHEN CORLEY, RPLS (817) 886-1143.

ALTA/NSPS TABLE A NOTES:

1. EXISTING AND SET MONUMENTS SHOWN HEREON.
3. ACCORDING TO COMMUNITY PANEL NO. 4802140035B OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAPS FOR EL PASO COUNTY, TEXAS, HAVING AN EFFECTIVE DATE OF OCTOBER 15, 1982, THE SUBJECT TRACT IS SITUATED WITHIN: ZONE "C"; DEFINED AS AREAS OF MINIMAL FLOODING. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.
4. GROSS LAND AREA: 1.432 ACRES.
- 7(A). EXTERIOR DIMENSIONS OF ALL BUILDINGS AT GROUND LEVEL ARE SHOWN HEREON.
8. SUBSTANTIAL FEATURES OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK ARE SHOWN HEREON.
9. TOTAL NO. OF PARKING SPACES: 0
 - NO. OF REGULAR PARKING SPACES: 0
 - NO. OF HANDICAPPED PARKING SPACES: 0
11. VISIBLE UTILITIES WERE LOCATED WITH THIS SURVEY; NO SUBSURFACE PROBING, EXCAVATION OR EXPLORATION WAS PERFORMED FOR THIS SURVEY. UNDERGROUND UTILITIES MAY EXIST WHICH ARE NOT SHOWN HEREON.
13. NAMES OF ADJOINERS SHOWN HEREON.
19. PLOTTABLE OFFSITE EASEMENTS OBTAINED BY THE SURVEYOR ARE SHOWN HEREON.
21. LOCATION OF PROPOSED WELL SHOWN HEREON.

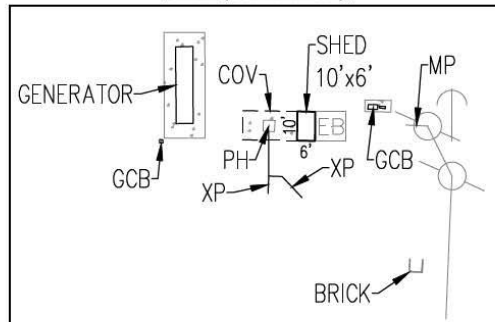
SPECIAL NOTE:

THIS LAND TITLE SURVEY IS NOT CONSIDERED AN OFFICIAL ALTA/NSPS LAND TITLE SURVEY, SINCE THE CLIENT DID NOT PROVIDE A TITLE COMMITMENT AND/OR THE REFERENCED DOCUMENTS FOR EASEMENTS, ETC. THAT EXIST WITHIN A TITLE COMMITMENT. HOWEVER, THE BASIS OF THIS SURVEY IS THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, INCLUDING TABLE A (THE OPTIONAL SURVEY RESPONSIBILITIES AND SPECIFICATIONS, AS HIGHLIGHTED IN THE USACE SCOPE OF WORK (E.G. TABLE A ITEMS: 1, 3, 4, 7A, 8, 9, 11, 13, 19 AND 21).

LEGEND

- COV COVERED
- GCB GENERATOR CONTROL BOX
- IRF REBAR FOUND (SIZE NOTED)
- MP METER PANEL
- OPR OFFICIAL PUBLIC RECORDS OF EL PASO COUNTY
- PG PAGE
- PH PUMP HEAD
- PKS PK NAIL W/ "MDS" WASHER SET
- POB POINT OF BEGINNING
- POC POINT OF COMMENCING
- PR PLAT RECORDS OF EL PASO COUNTY
- PWL PROPOSED WELL LOCATION
- RW ROCK WALL (HEIGHT: +/- 8')
- T&P TEXAS AND PACIFIC
- VOL VOLUME
- XP EXPOSED 8" PIPE
- SET 5/8" REBAR W/ "MDS" CAP AS NOTED
- FOUND MONUMENT AS NOTED
- CALCULATED POINT (IN ROCK WALL)
- △ CONTROL POINT
- ⊞ ELECTRIC CONTROL BOX
- ← GUY ANCHOR
- ⊙ POWER POLE
- ⊞ TELEPHONE PEDESTAL
- ACQUISITION AREA BOUNDARY
- - - ACQUISITION EASEMENT BOUNDARY
- - - APPROXIMATE SECTION LINE
- ◇ CHAIN LINK FENCE
- - - EXISTING EASEMENT
- OHE OVERHEAD UTILITIES
- PL PROPERTY LINE

DETAIL (SCALE: 1'=50')



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 KERRVILLE, TX 78028
 830-816-1818
 MDS-SURVEYING.COM
 TBPLS FIRM No. 10019600

Drawing Ref. No. SHEET 6 OF 8

LAND TITLE SURVEY
U.S. ARMY CORPS OF ENGINEERS
TRACT NO. EPT-EPS-F2001 & EPT-EPS-F2001E
EL PASO COUNTY TEXAS

Mark	Description	Date	Appr.
1	Revise west adj. & parent tract	8/31	

CONTRACT NO: W9126G1906001
 I.O.: W9126G270286

BY	DATE
Drawn LMK	8/21
Checked LMK	8/21
Surveyor JDB	8/21
Fld Bk #	

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 (FAX) 501-767-6859
 (EMAIL) info@brefeng.com

US Army Corps of Engineers

EPT-EPS-F2001

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 87°52'52" W	145.66'
L2	N 02°07'15" E	255.70'
L3	S 83°36'09" E	264.57'
L4	S 01°43'33" W	209.55'
L5	S 89°48'18" W	101.93'
L6	S 40°39'28" W	28.52'
L7	N 87°52'52" W	192.34'
L8	S 83°36'09" E	131.63'
L9	S 03°06'27" W	95.54'
L10	S 02°05'27" W	80.90'
L11	N 47°50'30" W	64.12'

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	50.00'	84.07'	74.51'	S 50°15'24" W	96°19'55"

COORDINATE TABLE

MONUMENT NAME	NORTHING	EASTING
EPT-EPS-F2001-1=F2001E-2	10668342.316	422536.519
EPT-EPS-F2001-2	10668347.702	422390.955
EPT-EPS-F2001-3	10668603.231	422400.418
EPT-EPS-F2001-4=F2001E-5	10668573.751	422663.335
EPT-EPS-F2001-5=F2001E-4	10668364.297	422657.024
EPT-EPS-F2001-6=F2001E-3	10668363.950	422555.099
EPT-EPS-F2001E-1	10668335.205	422728.723
EPT-EPS-F2001E-6	10668559.085	422794.144
EPT-EPS-F2001E-7	10668463.685	422788.965
EPT-EPS-F2001E-8	10668416.048	422731.674

OWNERSHIP INFO

① CITY OF EL PASO REMAINDER OF CALLED 1,663.08 ACRES VOL. 1348, PG. 146 OPR (PARCEL A)	② CITY OF EL PASO LOT 5, BLOCK 6 McRAE COMMERCIAL DISTRICT UNIT 2-B VOL. 38, PG. 2 PR	③ 3801 MATTOX, LLC CALLED 1.0801 ACRES DOC. NO. 20190067504 OPR
④ LYMAN R. HUFFMAN III, ET UX LOT 5, BLOCK 7 MONTANA INDUSTRIAL CENTER UNIT 5 VOL. 52, PG. 23 PR	⑤ ANREPA MANAGEMENT GROUP, INC. LOT 4, BLOCK 7 MONTANA INDUSTRIAL CENTER UNIT 5 VOL. 52, PG. 23 PR	⑥ ANREPA MANAGEMENT GROUP, INC. LOT 1, BLOCK 7 MONTANA INDUSTRIAL CENTER UNIT 5 VOL. 52, PG. 23 PR
⑦ CITY OF EL PASO LOT 2, BLOCK 6 McRAE COMMERCIAL DISTRICT UNIT 2-B VOL. 38, PG. 2 PR	⑧ TOMLIN PARTNERS, LLC. CALLED 1.7163 ACRES DOC. NO. 20150081786 OPR	⑨ HECTOR ZEPEDA CALLED 1.8611 ACRES DOC. NO. 20080017801 OPR
⑩ 3MS & T PROPERTIES LLC LOT 9, BLOCK 6 McRAE COMMERCIAL DISTRICT UNIT 2-C VOL. 47, PG. 21 PR	⑪ STORY & SONS INVESTMENTS, LLC LOT 8, BLOCK 6 McRAE COMMERCIAL DISTRICT UNIT 2-C VOL. 47, PG. 21 PR	⑫ DIANA V. MIRAMONTES LOT 7, BLOCK 6 McRAE COMMERCIAL DISTRICT UNIT 2-C VOL. 47, PG. 21 PR
⑬ UNITED STATES OF AMERICA CALLED 0.4538 ACRE VOL. 2040, PG. 1253 OPR	⑭ UNITED STATES OF AMERICA CALLED 27.168 ACRES VOL. 123, PG. 398 OPR	

VICINITY MAP NOT TO SCALE



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Drawing Ref. No.
SHEET 7 OF 8

LAND TITLE SURVEY
U.S. ARMY CORPS OF ENGINEERS
TRACT NO. EPT-EPS-F2001 & EPT-EPS-F2001E
EL PASO COUNTY TEXAS

Mark	Description	Date	Appr.
1	Revise west adj. & parent tract	8/31	

CONTRACT NO.: W9126G1906001
I.O.: W9126G270286

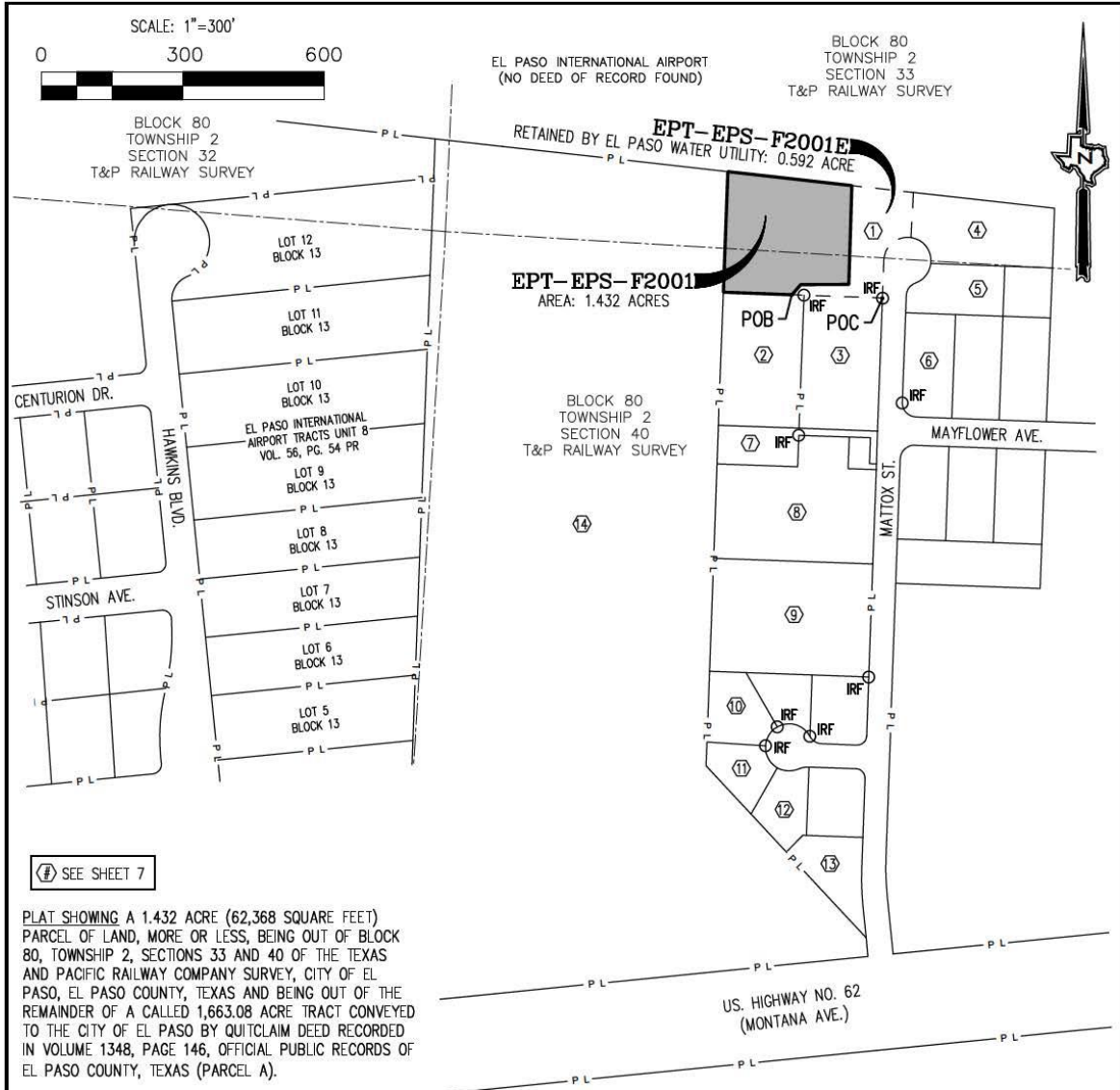
	BY	DATE
Drawn	LMK	8/21
Checked	LMK	8/21
Surveyor	JDB	8/21
Fid Bk #		

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EPT-EPS-F2001



SEE SHEET 7

PLAT SHOWING A 1.432 ACRE (62,368 SQUARE FEET) PARCEL OF LAND, MORE OR LESS, BEING OUT OF BLOCK 80, TOWNSHIP 2, SECTIONS 33 AND 40 OF THE TEXAS AND PACIFIC RAILWAY COMPANY SURVEY, CITY OF EL PASO, EL PASO COUNTY, TEXAS AND BEING OUT OF THE REMAINDER OF A CALLED 1,663.08 ACRE TRACT CONVEYED TO THE CITY OF EL PASO BY QUITCLAIM DEED RECORDED IN VOLUME 1348, PAGE 146, OFFICIAL PUBLIC RECORDS OF EL PASO COUNTY, TEXAS (PARCEL A).

I, JEFF BOERNER, TEXAS REGISTERED PROFESSIONAL SURVEYOR NO. 4939, DO HEREBY CERTIFY THAT THIS BOUNDARY SURVEY WAS PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION, THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN THE STATE OF TEXAS; AS PROMULGATED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYORS.

Jeff Boerner

JEFF BOERNER R.P.L.S. 4939



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 KERRVILLE, TX 78028
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Drawing Ref. No. SHEET 8 OF 8

LAND TITLE SURVEY
U.S. ARMY CORPS OF ENGINEERS
TRACT NO. EPT-EPS-F2001 & EPT-EPS-F2001E
EL PASO COUNTY TEXAS

Mark	Description	Date	Appr.
1	Revised west adj. & parent tract	8/31	

CONTRACT NO.: W9126G19D0001
 T.O.: W9126G270286

BY	DATE
Drawn LMK	8/21
Checked LMK	8/21
Surveyor JDB	8/21
Fid Bk #	

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SPECIAL WARRANTY DEED

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 FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER LICENSE NUMBER

GRANTOR:

EL PASO WATER UTILITIES - PUBLIC SERVICE BOARD,
a component unit of the City of El Paso, a Texas municipal corporation
1154 Hawkins Blvd.
El Paso, Texas 79925

GRANTEE:

UNITED STATES OF AMERICA and its assigns
Department of Homeland Security, U.S. Immigration and Customs Enforcement
500 12th Street, S.W., STOP 5703
Washington, DC 20536-5704

CONSIDERATION: For and in consideration of the sum of TWO MILLION ONE HUNDRED FIFTY THOUSAND ONE HUNDRED FORTY-TWO DOLLARS AND NO/100 (\$2,150,142.00) in hand paid by GRANTEE to GRANTOR, together with other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, GRANTOR has **GRANTED, SOLD AND CONVEYED**, and by these presents does hereby **GRANT, SELL AND CONVEY** unto the United States of America and its assigns, all of the following described real property located in El Paso County, Texas, in fee simple:

PROPERTY (including any improvements):

1.432 acres of land, more or less, being out of Block 80, Township 2, Sections 33 and 40 of the Texas and Pacific Railway Company Survey, City of El Paso, El Paso County, Texas and being out of the remainder of a called 1,663.08 acre tract conveyed to the City of El Paso by Quitclaim Deed recorded in Volume 1348, Page 146, Official Public Records of El Paso County, Texas (Parcel A), and being more particularly described by metes and bounds and survey in **Exhibit "A"** attached hereto and made a part hereof for all purposes.

THE ESTATE GRANTED BY GRANTOR AND ACQUIRED BY GRANTEE is fee simple, subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; and subject to all interests in minerals and appurtenant rights for the exploration, development, production and removal of said minerals;

EXCEPTING AND EXCLUDING all interests in water rights and water distribution and drainage systems, if any, provided that any surface rights arising from such water rights or systems are subordinated to the United States' construction, operation, and maintenance of U.S Immigration and Customs Enforcement facilities.

RESERVING unto Grantor a temporary right-of-entry and construction easement in, on, over and across the Property described above and more particularly described by metes and bounds and survey in the attached Exhibit "A" (the "Temporary Easement"), the terms and conditions of which are more fully set forth in that certain Offer to Sell Real Property (the "OTS") covering the Property and executed by the parties herein; the Temporary Easement shall automatically terminate on September 27, 2022, or when the Work described in the OTS is completed by Grantor, whichever is earlier.

TO HAVE AND TO HOLD the above-described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said GRANTEE and its assigns forever.

The said GRANTOR does hereby bind GRANTOR and its administrators, successors, and assigns to **WARRANT AND FOREVER DEFEND** all and singular the said Property unto the GRANTEE and its assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by through or under Grantor, but not otherwise.

IN TESTIMONY WHEREOF, witness my signature on this ____ day of _____, 2022.

“GRANTOR”
THE EL PASO WATER UTILITIES-
PUBLIC SERVICE BOARD, for and on behalf of
the CITY OF EL PASO, a Texas municipal
corporation

By: Tomas Gonzalez, City Manager

STATE OF TEXAS §
 §
COUNTY OF _____ §

Before me, the undersigned notary public, on this day personally appeared Tomas Gonzalez, as City Manager of the City of El Paso, who has proven to me through presentation of appropriate and legally sufficient identification 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 seal this the _____ day of _____ 2022.

Notary Public, State of Texas

EXHIBIT "A"

**Department of Homeland Security
Immigration and Customs Enforcement
Proposed Acquisition of Tract EPT-EPS-F2001
Property Description**

County: El Paso

Grantor: City of El Paso

Acreage: 1.432

Being a 1.432 acre (62,368 square feet) parcel of land, more or less, being out of Block 80, Township 2, Sections 33 and 40 of the Texas and Pacific Railway Company Survey, City of El Paso, El Paso County, Texas and being out of the remainder of a called 1,663.08 acre tract conveyed to the City of El Paso by Quitclaim Deed recorded in Volume 1348, Page 146, Official Public Records of El Paso County, Texas (Parcel A), said parcel of land being more particularly described by metes and bounds as follows;

Commencing at a found 1/2" rebar at the southeast corner of the remainder of the called 1,663.08 acre tract and the northeast corner of a called 1.0801 acre tract conveyed to 3801 Mattox, LLC recorded in Document No. 20190067504, Official Public Records of El Paso County, Texas, said point being in the west right-of-way line of Mattox Street (50' width, Volume 52, Page 23, Plat Records of El Paso County, Texas), said point having the coordinates of N=10668335.205, E=422728.723, said point bears N 47°50'30" W, a distance of 64.12' from United States Army Corps of Engineers Control Point No. MDS-EL-1;

Thence: N 87°52'52" W, departing the west right-of-way line of Mattox Street, with the south line of the remainder of the called 1,663.08 acre tract and the north line of the called 1.0801 acre tract, passing at 166.80' a found 1/2" rebar at the northwest corner of the called 1.0801 acre tract and the northeast corner of Lot 5, Block 6, McRae Commercial District, Unit 2-B, recorded in Volume 38, Page 2, Plat Records of El Paso County, Texas, continuing for a total distance of 192.34' to a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "EPT-EPS-F2001-1=F2001E-2" for the **Point of Beginning** and south corner of Tract EPT-EPS-F2001, said point being in the south line of the remainder of the called 1,663.08 acre tract and the north line of Lot 5, Block 6, McRae Commercial District, Unit 2-B, said point having the coordinates of N=10668342.316, E=422536.519;

Thence: N 87°52'52" W, with the south line of the remainder of the called 1,663.08 acre tract and the north line of Lot 5, Block 6, McRae Commercial District, Unit 2-B, for a distance of 145.66' to a calculated point in a rock wall for the southwest corner of Tract EPT-EPS-F2001, said point being at the northwest corner of Lot 5, Block 6, McRae Commercial District, Unit 2-B and the southwest corner of the remainder of the called 1,663.08 acre tract, said point being in the east line of a called 27.168 acre tract conveyed to the United States of America recorded in Volume 123, Page 398, Official Public Records of El Paso County, Texas;

Thence: N 02°07'15" E, with the west line of the remainder of the called 1,663.08 acre tract, the east line of the called 27.168 acre tract and along the centerline of a rock wall, for a distance of 255.70' to a calculated point in a rock wall for the northwest corner of Tract EPT-EPS-F2001, said

EPT-EPS-F2001

point being at the northwest corner of the remainder of the called 1,663.08 acre tract and the northeast corner of the called 27.168 acre tract, said point being in the south line of the El Paso International Airport tract (no deed of record found);

Thence: S 83°36'09" E, with the north line of the remainder of the called 1,663.08 acre tract, the south line of the El Paso International Airport tract and the south line of a rock wall, for a distance of 264.57' to a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "EPT-EPS-F2001-4=F2001E-5" for the northeast corner of Tract EPT-EPS-F2001, said point being in the north line of the remainder of the called 1,663.08 acre tract and the south line of the El Paso International Airport tract;

Thence: departing the north line of the remainder of the called 1,663.08 acre tract and the south line of the El Paso International Airport tract, over and across the remainder of the called 1,663.08 acre tract, the following courses and distances:

- S 01°43'33" W, for a distance of 209.55' to a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "EPT-EPS-F2001-5=F2001E-4" for the southeast corner of Tract EPT-EPS-F2001;
- S 89°48'18" W, for a distance of 101.93' to a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "EPT-EPS-F2001-6=F2001E-3" for angle;
- S 40°39'28" W, for a distance of 28.52' to the **Point of Beginning**.

Note: All bearings, distances and coordinates are referenced to the Texas State Plane Coordinate System, Central Zone grid (SPCS 4203) NAD'83. Values may be converted to ground values using a combined scale factor of 1.000180000.

Prepared Date 8/27/2021

Revision Date 8/31/2021

Signed _____



MDS Land Surveying Company, Inc.
Jeff Boerner, R.P.L.S. No. 4939



EPT-EPS-F2001

LEGEND SEE SHEET 6 **NOTES** SEE SHEET 6

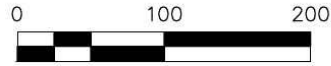
DETAIL SEE SHEET 6

LINE TABLE SEE SHEET 7

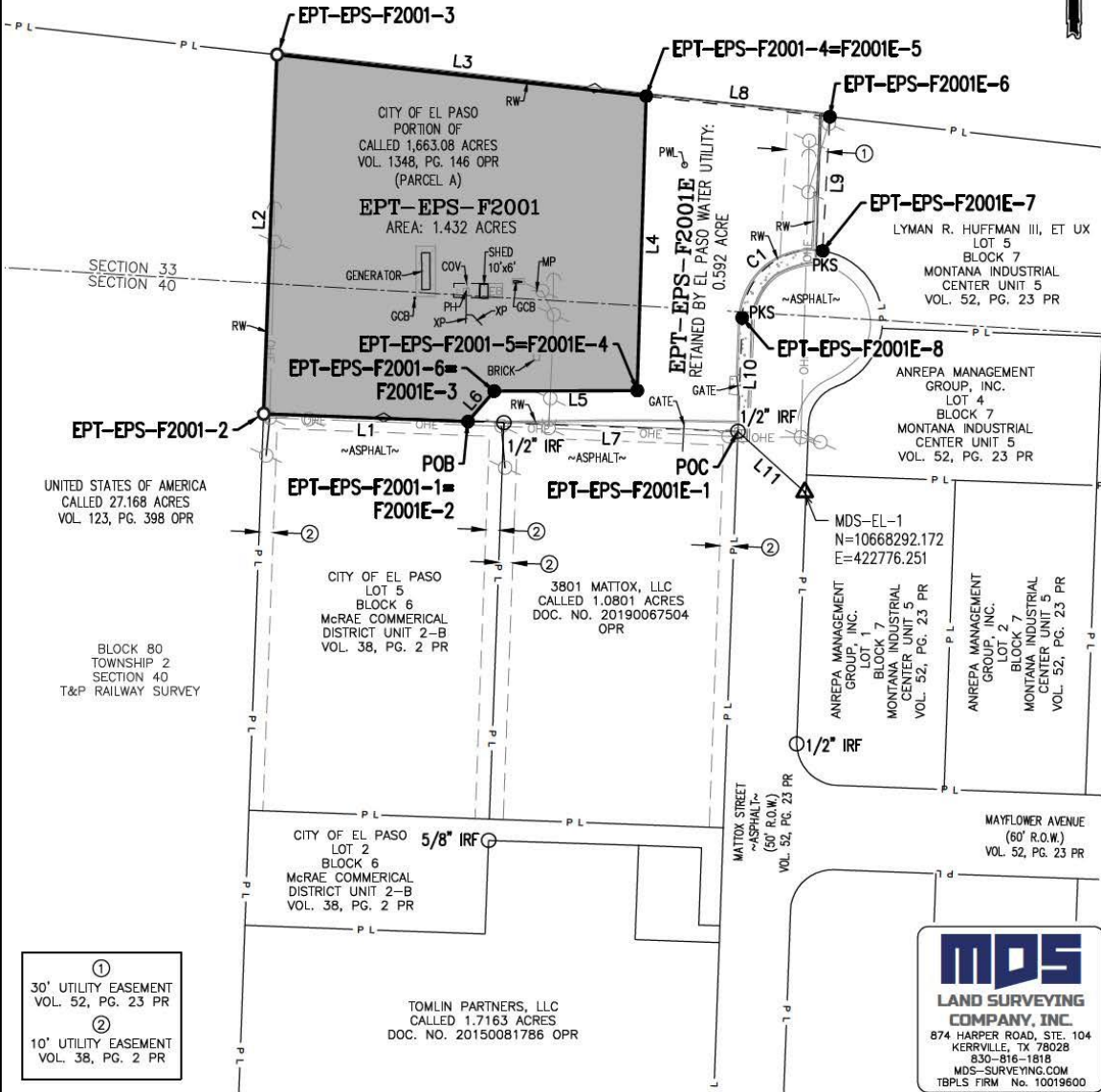
CURVE TABLE SEE SHEET 7

COORDINATE TABLE SEE SHEET 7

SCALE: 1"=100'



BLOCK 80
TOWNSHIP 2
SECTION 33
T&P RAILWAY SURVEY
EL PASO INTERNATIONAL AIRPORT
(NO DEED OF RECORD FOUND)



- ① 30' UTILITY EASEMENT VOL. 52, PG. 23 PR
- ② 10' UTILITY EASEMENT VOL. 38, PG. 2 PR

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Drawing Ref. No. SHEET 5 OF 8

LAND TITLE SURVEY
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TRACT NO. EPT-EPS-F2001 & EPT-EPS-F2001E
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I.O.: W9126G270286

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 - NO. OF REGULAR PARKING SPACES: 0
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11. VISIBLE UTILITIES WERE LOCATED WITH THIS SURVEY; NO SUBSURFACE PROBING, EXCAVATION OR EXPLORATION WAS PERFORMED FOR THIS SURVEY. UNDERGROUND UTILITIES MAY EXIST WHICH ARE NOT SHOWN HEREON.
13. NAMES OF ADJOINERS SHOWN HEREON.
19. PLOTTABLE OFFSITE EASEMENTS OBTAINED BY THE SURVEYOR ARE SHOWN HEREON.
21. LOCATION OF PROPOSED WELL SHOWN HEREON.

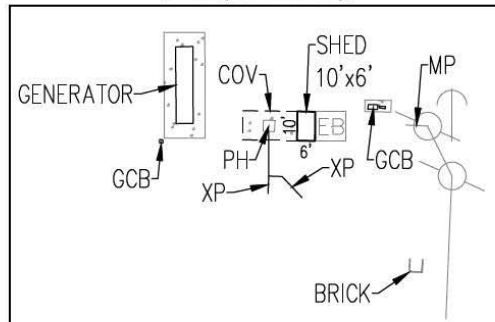
SPECIAL NOTE:

THIS LAND TITLE SURVEY IS NOT CONSIDERED AN OFFICIAL ALTA/NSPS LAND TITLE SURVEY, SINCE THE CLIENT DID NOT PROVIDE A TITLE COMMITMENT AND/OR THE REFERENCED DOCUMENTS FOR EASEMENTS, ETC. THAT EXIST WITHIN A TITLE COMMITMENT. HOWEVER, THE BASIS OF THIS SURVEY IS THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, INCLUDING TABLE A (THE OPTIONAL SURVEY RESPONSIBILITIES AND SPECIFICATIONS, AS HIGHLIGHTED IN THE USACE SCOPE OF WORK (E.G. TABLE A ITEMS: 1, 3, 4, 7A, 8, 9, 11, 13, 19 AND 21).

LEGEND

- COV COVERED
- GCB GENERATOR CONTROL BOX
- IRF REBAR FOUND (SIZE NOTED)
- MP METER PANEL
- OPR OFFICIAL PUBLIC RECORDS OF EL PASO COUNTY
- PG PAGE
- PH PUMP HEAD
- PKS PK NAIL W/ "MDS" WASHER SET
- POB POINT OF BEGINNING
- POC POINT OF COMMENCING
- PR PLAT RECORDS OF EL PASO COUNTY
- PWL PROPOSED WELL LOCATION
- RW ROCK WALL (HEIGHT: +/- 8')
- T&P TEXAS AND PACIFIC
- VOL VOLUME
- XP EXPOSED 8" PIPE
- SET 5/8" REBAR W/ "MDS" CAP AS NOTED
- FOUND MONUMENT AS NOTED
- CALCULATED POINT (IN ROCK WALL)
- △ CONTROL POINT
- ▢ ELECTRIC CONTROL BOX
- ← GUY ANCHOR
- ⊙ POWER POLE
- ⊞ TELEPHONE PEDESTAL
- ACQUISITION AREA BOUNDARY
- - - ACQUISITION EASEMENT BOUNDARY
- - - APPROXIMATE SECTION LINE
- ◇ CHAIN LINK FENCE
- - - EXISTING EASEMENT
- OHE OVERHEAD UTILITIES
- PL PROPERTY LINE

DETAIL (SCALE: 1'=50')



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 TBPLS FIRM No. 10019600

Drawing Ref. No. SHEET 6 OF 8

LAND TITLE SURVEY
U.S. ARMY CORPS OF ENGINEERS
TRACT NO. EPT-EPS-F2001 & EPT-EPS-F2001E
EL PASO COUNTY TEXAS

Mark	Description	Date	Appr.
1	Revise west adj. & parent tract	8/31	

CONTRACT NO: W9126G1906001
 I.O.: W9126G270286

BY	DATE
Drawn LMK	8/21
Checked LMK	8/21
Surveyor JDB	8/21
Fld Bk #	

TEXAS LICENSED SURVEYING FIRM
 B&F ENGINEERING, INC.
 NO. 10193942

B&F
ENGINEERING, INC.
 828 AIRPORT ROAD
 HOT SPRINGS, AR 71913
 (PH) 501-767-2266
 (FAX) 501-767-6859
 (EMAIL) info@brefeng.com



EPT-EPS-F2001

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 87°52'52" W	145.66'
L2	N 02°07'15" E	255.70'
L3	S 83°36'09" E	264.57'
L4	S 01°43'33" W	209.55'
L5	S 89°48'18" W	101.93'
L6	S 40°39'28" W	28.52'
L7	N 87°52'52" W	192.34'
L8	S 83°36'09" E	131.63'
L9	S 03°06'27" W	95.54'
L10	S 02°05'27" W	80.90'
L11	N 47°50'30" W	64.12'

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	50.00'	84.07'	74.51'	S 50°15'24" W	96°19'55"

COORDINATE TABLE

MONUMENT NAME	NORTHING	EASTING
EPT-EPS-F2001-1=F2001E-2	10668342.316	422536.519
EPT-EPS-F2001-2	10668347.702	422390.955
EPT-EPS-F2001-3	10668603.231	422400.418
EPT-EPS-F2001-4=F2001E-5	10668573.751	422663.335
EPT-EPS-F2001-5=F2001E-4	10668364.297	422657.024
EPT-EPS-F2001-6=F2001E-3	10668363.950	422555.099
EPT-EPS-F2001E-1	10668335.205	422728.723
EPT-EPS-F2001E-6	10668559.085	422794.144
EPT-EPS-F2001E-7	10668463.685	422788.965
EPT-EPS-F2001E-8	10668416.048	422731.674

OWNERSHIP INFO

① CITY OF EL PASO REMAINDER OF CALLED 1,663.08 ACRES VOL. 1348, PG. 146 OPR (PARCEL A)	② CITY OF EL PASO LOT 5, BLOCK 6 McRAE COMMERCIAL DISTRICT UNIT 2-B VOL. 38, PG. 2 PR	③ 3801 MATTOX, LLC CALLED 1.0801 ACRES DOC. NO. 20190067504 OPR
④ LYMAN R. HUFFMAN III, ET UX LOT 5, BLOCK 7 MONTANA INDUSTRIAL CENTER UNIT 5 VOL. 52, PG. 23 PR	⑤ ANREPA MANAGEMENT GROUP, INC. LOT 4, BLOCK 7 MONTANA INDUSTRIAL CENTER UNIT 5 VOL. 52, PG. 23 PR	⑥ ANREPA MANAGEMENT GROUP, INC. LOT 1, BLOCK 7 MONTANA INDUSTRIAL CENTER UNIT 5 VOL. 52, PG. 23 PR
⑦ CITY OF EL PASO LOT 2, BLOCK 6 McRAE COMMERCIAL DISTRICT UNIT 2-B VOL. 38, PG. 2 PR	⑧ TOMLIN PARTNERS, LLC. CALLED 1.7163 ACRES DOC. NO. 20150081786 OPR	⑨ HECTOR ZEPEDA CALLED 1.8611 ACRES DOC. NO. 20080017801 OPR
⑩ 3MS & T PROPERTIES LLC LOT 9, BLOCK 6 McRAE COMMERCIAL DISTRICT UNIT 2-C VOL. 47, PG. 21 PR	⑪ STORY & SONS INVESTMENTS, LLC LOT 8, BLOCK 6 McRAE COMMERCIAL DISTRICT UNIT 2-C VOL. 47, PG. 21 PR	⑫ DIANA V. MIRAMONTES LOT 7, BLOCK 6 McRAE COMMERCIAL DISTRICT UNIT 2-C VOL. 47, PG. 21 PR
⑬ UNITED STATES OF AMERICA CALLED 0.4538 ACRE VOL. 2040, PG. 1253 OPR	⑭ UNITED STATES OF AMERICA CALLED 27.168 ACRES VOL. 123, PG. 398 OPR	

VICINITY MAP NOT TO SCALE



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Drawing Ref. No.
SHEET 7 OF 8

LAND TITLE SURVEY
U.S. ARMY CORPS OF ENGINEERS
TRACT NO. EPT-EPS-F2001 & EPT-EPS-F2001E
EL PASO COUNTY TEXAS

Mark	Description	Date	Appr.
1	Revise west adj. & parent tract	8/31	

CONTRACT NO.: W9126G1906001
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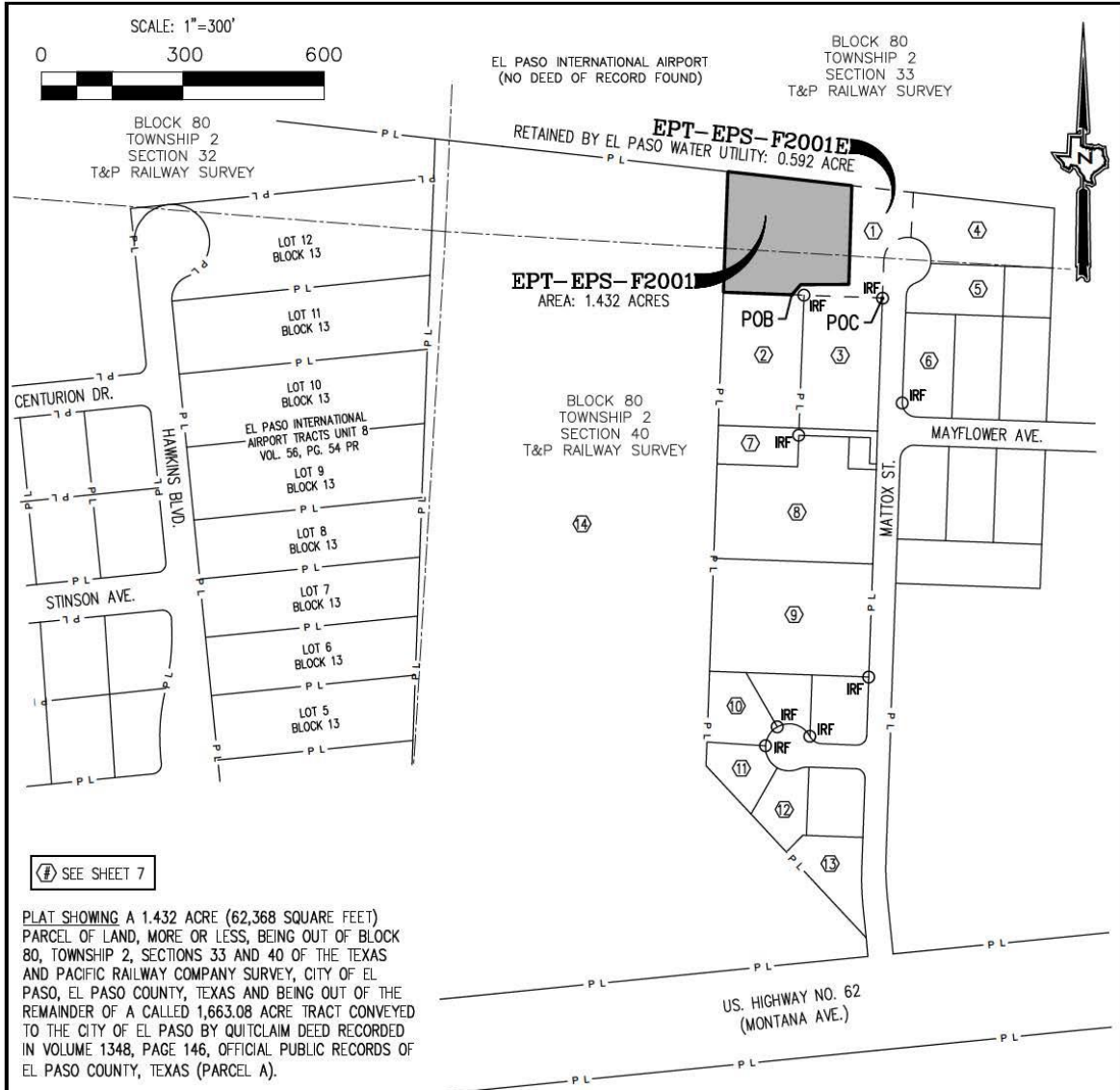
	BY	DATE
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Surveyor	JDB	8/21
Fid Bk #		

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EPT-EPS-F2001



SEE SHEET 7

PLAT SHOWING A 1.432 ACRE (62,368 SQUARE FEET) PARCEL OF LAND, MORE OR LESS, BEING OUT OF BLOCK 80, TOWNSHIP 2, SECTIONS 33 AND 40 OF THE TEXAS AND PACIFIC RAILWAY COMPANY SURVEY, CITY OF EL PASO, EL PASO COUNTY, TEXAS AND BEING OUT OF THE REMAINDER OF A CALLED 1,663.08 ACRE TRACT CONVEYED TO THE CITY OF EL PASO BY QUITCLAIM DEED RECORDED IN VOLUME 1348, PAGE 146, OFFICIAL PUBLIC RECORDS OF EL PASO COUNTY, TEXAS (PARCEL A).

I, JEFF BOERNER, TEXAS REGISTERED PROFESSIONAL SURVEYOR NO. 4939, DO HEREBY CERTIFY THAT THIS BOUNDARY SURVEY WAS PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION, THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN THE STATE OF TEXAS; AS PROMULGATED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYORS.

Jeff Boerner

JEFF BOERNER R.P.L.S. 4939



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Drawing Ref. No. SHEET 8 OF 8

LAND TITLE SURVEY
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TRACT NO. EPT-EPS-F2001 & EPT-EPS-F2001E
EL PASO COUNTY TEXAS

Mark	Description	Date	Appr.
1	Revised west adj. & parent tract	8/31	

CONTRACT NO.: W9126G19D0001
 T.O.: W9126G270286

BY	DATE
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