

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

**DEPARTMENT:** City Manager's Office

**AGENDA DATE:** November 12, 2024

**CONTACT PERSON NAME / PHONE NUMBER:** Robert Cortinas, Chief Financial Officer (915)-212-1067

**DISTRICT(S) AFFECTED:** All

**STRATEGIC GOALS:** Goal 6: Set the Standard for Sound Governance and Fiscal Management

**SUBJECT:**

A Resolution authorizing the Mayor, on behalf of the City of El Paso and as President of the El Paso Health Facilities Development Corporation, to sign upon the Release of Deed of Trust for the Evangelical Lutheran Good Samaritan Society whom wishes to sell the property which is the subject of the Deed of Trust.

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**BACKGROUND / DISCUSSION:**

On or about September 1, 1981 the Evangelical Lutheran Good Samaritan Society executed a Deed of Trust in favor of the City of El Paso Health Facilities Development Corporation as part of Corporation's "First Mortgage Revenue Bonds, Series 1981, the Evangelical Lutheran Good Samaritan Society project" bond issuance. The Bonds were repaid; extinguishing any indebtedness associated with the Deed of Trust.

The Society wishes to sell the property which is the subject of the Deed of Trust and will need to be released in order to allow the society to complete the sale.

**PRIOR COUNCIL ACTION:**

On or about September 1, 1981 the Evangelical Lutheran Good Samaritan Society (Society) executed a Deed of Trust in favor of the City of El Paso Health Facilities Development Corporation.

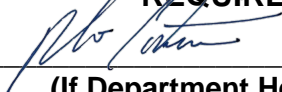
**AMOUNT AND SOURCE OF FUNDING:**

N/A

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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**



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

**RESOLUTION**

**WHEREAS**, on or about September 1, 1981 the Evangelical Lutheran Good Samaritan Society (Society) executed a Deed of Trust in favor of the City of El Paso Health Facilities Development Corporation (Corporation) as part of Corporation’s “First Mortgage Revenue Bonds, Series 1981, the Evangelical Lutheran Good Samaritan Society project” bond issuance (Bonds); and

**WHEREAS**, the Bonds were repaid; extinguishing any indebtedness associated with the Deed of Trust; and

**WHEREAS**, and the Society wishes to sell the property which is the subject of the above-described Deed of Trust and will need to be released in order to allow the society to complete the sale.

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor, on behalf of the City of El Paso and as President of the El Paso Health Facilities Development Corporation, be authorized to sign upon the Release of Deed of Trust, attached to this Resolution as Exhibit A.

**APPROVED** this \_\_\_ day of \_\_\_\_\_ 20\_\_.

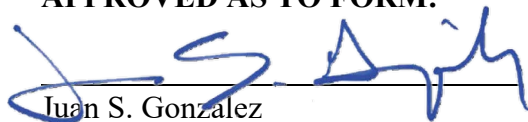
**THE CITY OF EL PASO:**

\_\_\_\_\_  
Oscar Leeser  
Mayor

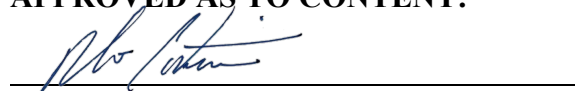
**ATTEST:**

\_\_\_\_\_  
Laura Prine  
City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Juan S. Gonzalez  
Senior Assistant City Attorney

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Robert Cortinas  
Chief Financial Officer

**Prepared By:**

Name: Michael Rogers  
Address: 4800 West 57<sup>th</sup> St  
Sioux Falls, SD 57108

**After Recording Return To:**

Name: Michael Rogers  
Address: 4800 West 57<sup>th</sup> St  
Sioux Falls, SD 57108

*Space above this line for recorder's use only*

**RELEASE OF  
DEED OF TRUST**

**THIS RELEASE OF DEED OF TRUST, ASSIGNMENTS OF RENTS, SECURITY AGREEMENT AND FINANCING STATEMENT AGREEMENT** (this "Release") is made effective as of \_\_\_\_\_, 2024 (the "Effective Date"), by **City of El Paso Health Facilities Development Corporation, El Paso, Texas** ("Beneficiary"). Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Deed of Trust (defined below).

**RECITALS**

WHEREAS, The Evangelical Lutheran Good Samaritan Society ("Society") entered into that certain Deed of Trust, Assignment of Rents, Security Agreement and Financing Statement dated as of September 1, 1981, and recorded on September 30, 1981 as Volume 1208, Page 1280 of the Official Public Records of Real Property, El Paso County, Texas (referred to herein as the "Deed of trust") and encumbering the property legally described on Exhibit A attached hereto and incorporated herein by this reference (the "Property") in order to secure, and as security for, the Society's obligations with respect to the Series 1981 Bonds issued by the City of El Paso Health Facilities Development Corporation First Mortgage Revenue Bonds ("Bonds"); and

WHEREAS, the Bonds have been paid and any obligations associated with the Deed of Trust have been extinguished; and

WHEREAS, the Beneficiary desires to release the Deed of Trust.

NOW, THEREFORE, in consideration of the full payment of the indebtedness secured by the Deed of trust, the Beneficiary, as holder of the Deed of Trust and the indebtedness it secures, does hereby remise, release and quitclaim unto the present owner or owners of the Property described therein, and unto the heirs, successors and assigns of such owner or owners forever, all the right, title and interest which the Beneficiary has under and by virtue of the aforesaid Deed of Trust in said real property, to have and to hold the same, with all the privileges and appurtenances thereunto belonging forever; and further the Beneficiary hereby fully and absolutely releases, cancels and forever discharges said Deed of Trust.

*[Remainder of page intentionally left blank; signature page(s) follow]*

IN WITNESS WHEREOF, the Trustee has executed this Release as of the Effective Date.

BENEFICIARY:

**City of El Paso Health Facilities Development Corporation, as Beneficiary**

By \_\_\_\_\_  
Name: Oscar Leeser  
Title: President

**ACKNOWLEDGMENT**

STATE OF TEXAS        )  
                                  )  
COUNTY OF EL PASO    )

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 2024, by **Oscar Leeser**, as **President** of the **City of El Paso Health Facilities Development Corporation**, on behalf of said corporation.

\_\_\_\_\_  
Notary Public, State of Texas

Notary's Commission Expires:  
  
\_\_\_\_\_

\_\_\_\_\_  
Notary's name (printed)

AFTER RECORDING RETURN TO:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PREPARED IN THE LAW OFFICE OF:  
City Attorney's Office  
P. O. Box 1890  
El Paso, TX 79950-1890

Exhibit A

Property Description: A portion of A.F. Miller Survey No. 210, El Paso, El Paso County, Texas

METES AND BOUNDS DESCRIPTION

The parcel of land herein described is a portion of A.F. Miller Survey No. 210, El Paso, El Paso County, Texas, and is more particularly described by metes and bounds as follows:

Commencing at a point, said point being a found 3/4" iron pipe lying on the northerly boundary line of A.F. Miller Survey No. 210 and the westerly boundary line of A.F. Miller Survey No. 211; thence, South 00° 00' 00" East, along the westerly boundary line of A.F. Miller Survey No. 211, a distance of 1328.16 feet to the TRUE POINT OF BEGINNING of this description;

THENCE, South 00° 00' 00" East, a distance of 577.72 feet to a point for a corner;

THENCE, North 90° 00' 00" West, a distance of 790.00 feet to a point for a corner;

THENCE, North 00° 00' 00" East, a distance of 506.11 feet to a point for a curve;

THENCE, 117.69 feet along the arc of a curve to the right having a radius of 186.10 feet, a central angle of 36° 14' 01", and a chord which bears North 71° 52' 59" East, a distance of 115.74 feet to a point for a tangent;

THENCE, North 90° 00' 00" East, a distance of 342.18 feet to a point for a curve;

THENCE, 84.82 feet along the arc of a curve to the left having a radius of 398.90 feet, a central angle of 12° 10' 57", and a chord which bears North 81° 54' 31" East, a distance of 84.66 feet to a point for a tangent;

THENCE, North 77° 49' 03" East, a distance of 85.56 feet to a point for a curve;

THENCE, 81.03 feet along the arc of a curve to the right having a radius of 381.10 feet, a central angle of 12° 10' 57", and a chord which bears North 81° 54' 31" East, a distance of 80.88 feet to a point for a tangent;

THENCE, North 00° 00' 00" East, a distance of 89.58 feet to the TRUE POINT OF BEGINNING of this description.

Said parcel of land contains 9.97657 acres (434,579.19 sq. ft.) of land more or less.

SUB-LAND, INC.  
Consulting Engineers -- Land Surveyors

*Luis A. Flores*

Luis A. Flores  
Registered Public Surveyor  
Texas License No. 1916

September 11, 1981  
Job Number 05-811288

1208-1297