

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

DEPARTMENT:

AGENDA DATE:

PUBLIC HEARING DATE:

CONTACT PERSON NAME:

PHONE NUMBER:

2nd CONTACT PERSON NAME:

PHONE NUMBER:

DISTRICT(S) AFFECTED:

STRATEGIC GOAL:

SUBGOAL:

SUBJECT:

BACKGROUND / DISCUSSION:

COMMUNITY AND STAKEHOLDER OUTREACH:

PRIOR COUNCIL ACTION:

AMOUNT AND SOURCE OF FUNDING:

REPORTING OF CONTRIBUTION OR DONATION TO CITY COUNCIL:

| NAME | AMOUNT (\$) |
|------|-------------|
| | |

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

DEPARTMENT HEAD: Philip Fiore

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

RESOLUTION

A RESOLUTION OF THE CITY OF EL PASO, TEXAS CONSENTING TO THE ADDITION OF ROAD POWERS FOR EL PASO COUNTY MUNICIPAL UTILITY DISTRICT NO. 3 OF EL PASO COUNTY

WHEREAS, El Paso County Municipal Utility District No. 3 (the “District”) is a municipal utility district created and operated pursuant to Chapters 49 and 54 of the Texas Water Code, as amended;

WHEREAS, the District is located within the extraterritorial jurisdiction of the City of El Paso the (“City”)”) and as more particularly described by metes and bounds on the attached Exhibit “A”, incorporated by reference;

WHEREAS, Section 54.234 of the Texas Water Code authorizes any district to petition the Texas Commission on Environmental Quality (“TCEQ”) to acquire the power under the authority of Article III, Section 52, Texas Constitution, to design, acquire, construct, finance, issue bonds for, operate, maintain, and convey to the State of Texas, a county, or a municipality for operation and maintenance, a road or any improvement in aid of the road (“Road Powers”);

WHEREAS, 30 Texas Administrative Code §293.202(a)(4) requires that an application of a district to TCEQ for the addition of Road Powers include evidence that the municipality in whose extraterritorial jurisdiction that any part of the district is located has consented the district having Road Powers; and

WHEREAS, the District has petitioned the City for its consent to the addition of Road Powers;

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

The City hereby consents to the addition of road powers for El Paso County Municipal Utility District No. 3.

PASSED AND APPROVED this _____ day of _____, 2025.

THE CITY OF EL PASO

Renard U. Johnson

Mayor

ATTEST:

Laura D. Prine

City Clerk

APPROVED AS TO FORM:

Russel T. Abeln

Russel T. Abeln

Senior Assistant City Attorney

APPROVED AS TO CONTENT:

Philip F. Etwe

Philip F. Etwe, Director

Planning and Inspections Department

EXHIBIT A

STATE OF TEXAS
COUNTY OF EL PASO

M.U.D. 3
DISTRICT

22.635 ACRES, 121.095 ACRES AND
92.192 ACRES OF LAND SITUATED
IN SECTION 19, BLOCK 6,
TOWNSHIP 2, PUBLIC SCHOOL
LAND AND SECTION 25, BLOCK 79,
TOWNSHIP 2, TEXAS & PACIFIC
RAILWAY COMPANY SURVEYS IN
EL PASO COUNTY, TEXAS

EXHIBIT "A"

DESCRIPTION

DESCRIPTION OF A 22.635 ACRE TRACT, HEREIN CALLED PART 1, 121.095 ACRE TRACT, HEREIN CALLED PART 2 AND A 92.192 ACRE TRACT, HEREIN CALLED PART 3, SITUATED IN SECTION 19, BLOCK 6, TOWNSHIP 2, PUBLIC SCHOOL LAND AND SECTION 25, BLOCK 79, TOWNSHIP 2, TEXAS & PACIFIC RAILWAY COMPANY SURVEYS IN EL PASO COUNTY, TEXAS, BEING ALL OF THAT CERTAIN 121.08 ACRE TRACT OF LAND DESCRIBED AS PARCEL NORTH OF U.S. HIGHWAY 62-180 AND 23.70 ACRE TRACT OF LAND DESCRIBED AS PARCEL SOUTH OF U.S. HIGHWAY 62-180 CONVEYED IN A SPECIAL WARRANTY DEED FROM CRAWFORD S. KERR, JR., TO CSM REALTY HOLDINGS II, LTD., OF RECORD IN VOLUME 4655, PAGE 1499 OF THE OFFICIAL PUBLIC RECORDS OF EL PASO COUNTY, TEXAS, AND BEING PART OF THAT CERTAIN 550.420 ACRE TRACT OF LAND AS CONVEYED IN A SPECIAL WARRANTY DEED FROM CRAWFORD S. KERR, JR., TO CSM REALTY HOLDINGS II, LTD., OF RECORD IN VOLUME 4867, PAGE 0223 OF THE OFFICIAL PUBLIC RECORDS OF EL PASO COUNTY, TEXAS, SAID 22.635 ACRE PART 1, 121.095 ACRE PART 2 AND 92.192 ACRE PART 3 BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

PART 1

BEGINNING at a 1/2 inch iron rod with yellow cap found at the approximate west line of Section 6, Block 78, Township 2, Texas & Pacific Railway Company surveys, the approximate east line of said Section 25, Block 79, being also the northwest corner of that certain 0.824 acre tract of land conveyed by Deed of Trust to Fuel Depot, LLC of record in Document Number 20070056840 of the Official Public Records of El Paso County, Texas, being also in the south line of U.S. Highway 62-180 (aka Montana Ave) a 150 foot right-of-way, being also the northeast corner of said 23.70 acre south tract and being the northeast corner of the herein described tract;

THENCE S02°28'01"W, with the west line of said Section 6, the east line of said Section 25, the west line of said 0.824 acre tract, the east line of said 23.70 acre tract and the east line of the herein described tract, for a distance of 201.72 feet to a 1/2 inch rod found for the southwest corner of said 0.824 acre tract and being the most westerly northwest corner of that certain 9.99 Acre Tract A-1 as conveyed by Warranty Deed to Jasper Dean Hutchison and wife Mary Ann Hutchison of record in Volume 301, Page 1292 of the Official Records of El Paso County, Texas.

THENCE S04°34'57"W, departing the west line of said Section 6 and over and across the east line of said Section 25 and said 23.70 acre tract for a distance of 677.13 feet to a point, from which the southeast corner of said Section 25, the southwest corner of said Section 6, the northwest corner of Section 7, Block 78, Township 2, Texas & Pacific Railway Company surveys and the northeast corner of Section 36, Block 79, Township 2, Texas & Pacific Railway Company surveys, the northeast corner of Hill Crest Estates a subdivision of record in Volume 10, Page 14 of the Plat Records of El Paso County, Texas, the northwest corner of that certain 656.787 Acre tract of land as conveyed by Warranty Deed to Vista Del Este Joint Venture of record in Volume 1562, Page 306 of the Official Records of El Paso County, Texas, bears S 86°58'48"E a distance of 25.00 feet;

THENCE N86°58'48"W, with the north line of said Section 36, the south line of said Section 25, the north line of said Hill Crest Estates, the north line of David Drive, a 35 foot wide right-of-way as dedicated in said Hill Crest Estates and the south line of said 23.70 acre tract, for a distance of 1247.52 feet to a point, from which the southwest of said 23.70 acre tract, the southeast corner of that certain 10.00 acre tract of land as conveyed by Special Warranty Deed to Lone Starr Multitheaters, Inc., of record in Volume 2849, Page 1344 of the Official Records of El Paso County, Texas, bears N86°58'48"W a distance of 55.00 feet;

THENCE N02°28'01"E, over and across said 23.70 acre tract for a distance of 684.38 feet to a point in the south line of said U. S. Highway 62-180, from which the northeast corner of said 10.00 acre tract, the northwest corner of said 23.70 acre tract, bears S 84°19'43"W a distance of 55.00 feet;

THENCE N84°19'43"E, with the south line of said U. S. Highway 62-180 and the north line of said 23.70 acre tract for a distance of 1285.40 feet to the **POINT OF BEGINNING** and containing 22.635 acres of land.

PART 2

BEGINNING at a 1/2 inch iron rod found in the south line of Section 24, Block 79, Township 2, Texas & Pacific Railway Company surveys, the north line of Section 25, Block 79, Township 2, Texas & Pacific Railway Company surveys, being also in the south line of that certain 640 acre tract of land as conveyed by Warranty Deed to United States of America of record in Volume 1098, Page 2204 of the Official Records of El Paso County, Texas, being also the northeast corner of said 121.08 acre north tract and being the northeast corner of the herein described tract, from which a 1 inch iron rod found for the southwest corner of Section 19, Block 6, Township 2, Public School Land, the northwest corner of Section 6, Block 78, Township 2, Texas & Pacific Railway Company surveys, the northeast corner of Section 25, Block 79, Township 2, Texas & Pacific Railway Company surveys, the southeast corner of Section 24, Block 79, Township 2, Texas & Pacific Railway Company surveys, bears S86°38'10"E 45.00 feet;

THENCE S02°28'01"W, with the west line of Flager Street, a variable width right-of-way, being also the east line of said 121.08 acre tract, being also a line parallel to and 45 feet west of the east line of said Section 25 and being the east line of the herein described tract for a distance of 4015.29 to a 5/8 inch iron rod found in the north line of U.S. Highway 62-180 (aka Montana Ave) a 150 foot right-of-way, being also the west line of said Flager Street, being also the southeast corner of said 121.08 acre tract and being the southeast corner of the herein described tract;

THENCE S84°19'43"W, with the north line of said U.S. Highway 62-180, the south line of said 121.08 acre tract for a distance of 1295.50 feet to a point for the southwest corner of said 121.08 acre tract, being also the southeast corner of that certain 412.8944 acre tract of land as conveyed by Warranty Deed to Axis Gas Corporation, Inc., of record in Volume 3179, Page 2133 of the Official Records of El Paso County, Texas and being the southwest corner of the herein described tract;

THENCE N02°28'01"E, departing the north line of said U.S. Highway 62-180, with the east line of said 412.8944 acre tract, the west line of said 121.08 acre tract for a distance of 4210.92 feet to a 5/8 inch iron rod found in the south line of said Section 24, being also the north line of said Section 25, being also the south line of said 640 acre tract, being also the northeast corner of said 412.8944 acre tract, being also the northwest corner of said 121.08 acre tract and being the northwest corner of the herein described tract;

THENCE S86°59'13"E, with the south line of said 640 acre tract, the north line of said 121.08 acre tract, the north line of said Section 25, the south line of said Section 24 for a distance of 1282.51 feet to the **POINT OF BEGINNING** and containing 121.095 acres of land.

PART 3

BEGINNING at a 1 inch iron rod found for the southwest corner of Section 19, Block 6, Township 2, Public School Land, the northwest corner of Section 6, Block 78, Township 2, Texas & Pacific Railway Company surveys, the northeast corner of Section 25, Block 79, Township 2, Texas & Pacific Railway Company surveys, the southeast corner of Section 24, Block 79, Township 2, Texas & Pacific Railway Company surveys, being also the southeast corner of that certain 640 acre tract of land as conveyed by Warranty Deed to United States of America of record in Volume 1098, Page 2204 of the Official Records of El Paso County, Texas, being also the southwest corner of said 550.420 acre tract, and being the southwest corner of the herein described tract;

THENCE N02°30'24"E, with the east line of said Section 24, the west line of said Section 19, being also the east line of said 640 acre tract, the west line of said 550.420 acre tract for a distance of 2559.47 feet to a calculated point for the northwest corner of the herein described tract, being also in the north line of a 120 foot wide natural gas easement as conveyed to El Paso Gas Company of record in Volume 835, Page 116, as amended in Volume 917, Page 312, of the Official Records of El Paso County, Texas;

THENCE S47°59'51"E, departing the east line of said Section 24, the east line of said 640 acre tract, with the north line of said 120 foot gas easement and over and across said Section 19 and said 550.420 acre tract for a distance of 4066.57 feet to a calculated point in the north line of that certain 115.3 acre tract of land as conveyed by Warranty Deed to Borsberry Family Limited Partnership of record in Volume 2880, Page 417 of the Official Public Records of El Paso County, Texas, being also in the south line of said Section 19, Block 6, being also the north line of said Section 6, Block 78, being also in the south line of said 550.420 acre tract and being the southeast corner of the herein described tract;

THENCE N87°00'04"W, with the south line of said Section 19, Block 6, the north line of said Section 6, Block 78, the north line of said 115.3 acre tract, the north line of Flamigo Addition a subdivision of record in Volume 11, Page 19 of the Plat Records of El Paso County, Texas, at 481.12 feet passing a 1 inch iron pipe found for the northeast corner of said Flamigo Addition and the northwest corner of said 115.3 acre tract for a total distance of 3138.18 feet to the **POINT OF BEGINNING** and containing 92.192 acres of land.

BEARING BASIS

THE COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NAD83 (93) HARN. THE BEARINGS SHOWN ARE GRID BEARINGS. THESE COORDINATES WERE ESTABLISHED FROM CORS DATA. ALL DISTANCE SHOWN ARE SURFACE DISTANCES.

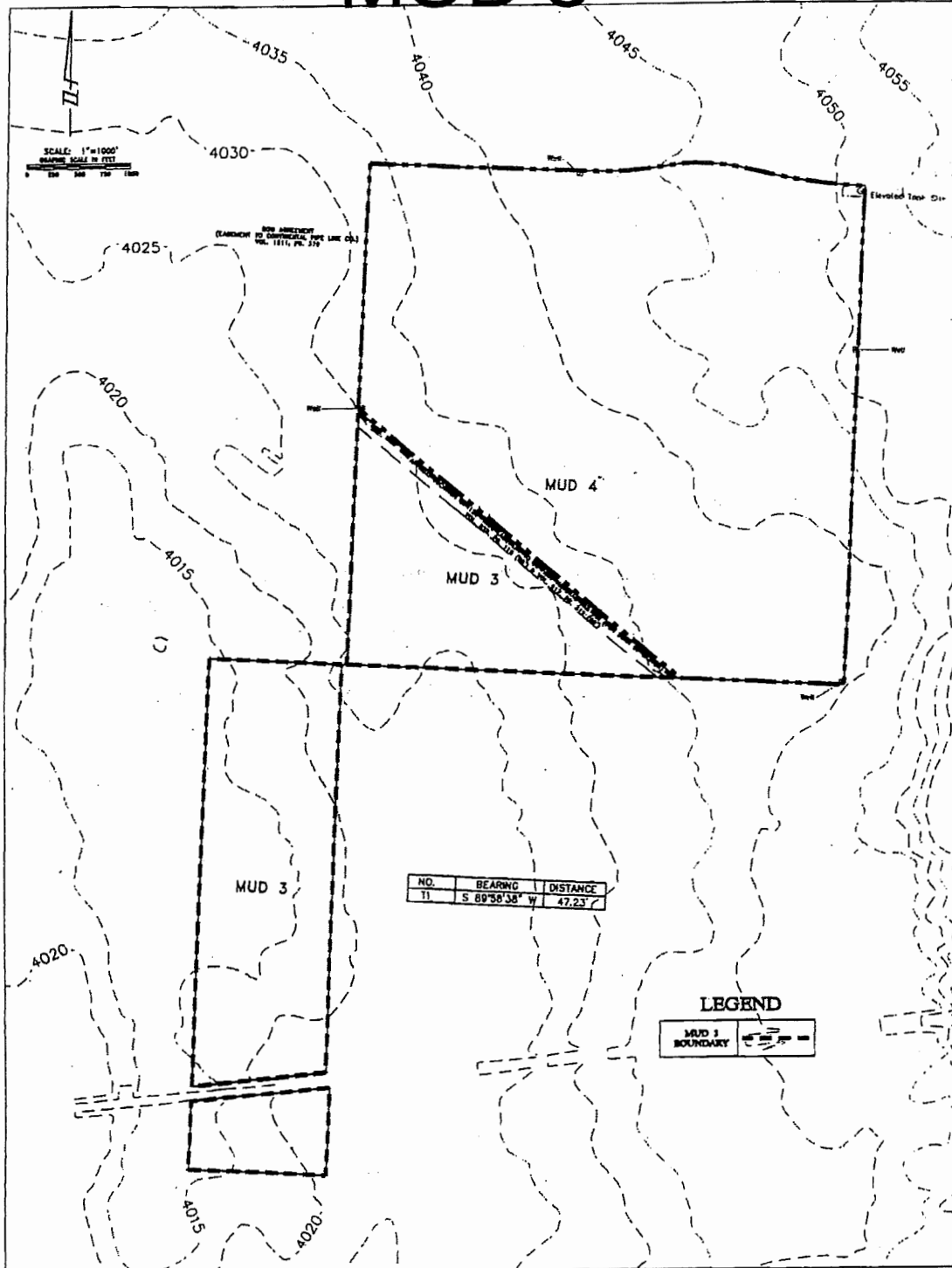
NOTE

THIS DOCUMENT WAS PREPARED UNDER 22 TAC 663.21, DOES NOT REPLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

REFERENCES

08-2005-MUD 3.DOC
08-2005-EL-PASO-MUD 3.DWG

EL PASO COUNTY MUD 3



| | S.P. LOTS | S.F. AREA | PROP. ROW | EXIST. ROW | PARK/ OPEN SPACE | CONDA. | FORD/ EXT. | WELL AREA | TOTAL ACRES |
|-------|--------------|--------------|--------------|---------------|---------------------|--------|---------------|--------------|----------------|
| MUD 3 | 07 | 88.88 | 19.82 | 11.72 | 38.14 | 86.48 | 11.68 | 8.88 | 256.98 |



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