

THE STATE OF TEXAS    )  
  )    **RIGHT OF WAY LICENSE AGREEMENT**  
COUNTY OF EL PASO    )

This Right of Way License Agreement (“**Agreement**”) is made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ (“**Effective Date**”) between the City of El Paso, a municipal corporation organized and existing under the laws of the State of Texas (“**City**”) and the County of El Paso, a political subdivision of the State of Texas (“**County**”). For the convenience of the parties, all defined terms appear in **bold face** print when first defined.

The parties agree as follows:

## SECTION 1. RIGHT OF WAY

- A. Provided that the City complies with the terms of this Agreement, the County grants to the City a non-exclusive license to use the following portions of County public right-of-way for the purpose stated in this Agreement:
1. Delta Bridge Replacement Project limits, as further described in the attached survey and metes and bounds attached as **Attachment “A”**, the **“Right of Way”**.

**SECTION 2. PURPOSE.**

- A. The City shall use the Right of Way for the purpose of constructing vehicular and pedestrian improvements (the “**Improvements**”) and for maintaining City improvements on the Right of Way.

### SECTION 3. TERM

- A. The term of this Agreement commences on the Effective Date and ends when terminated pursuant to the terms of this Agreement.

## SECTION 4. CITY OBLIGATIONS

- A. The City will build the Improvements in general accordance to the Improvements Plans attached to this Agreement as Attachment “B” (the “**Improvement Plans**”). The City shall provide the County with Final Improvement Plans no less than 5 working days prior to commencing work on the Improvements. The City will obtain the advance approval of the County prior to building any Improvements that are not in accordance to the Final Improvement Plans.

- B. The City will maintain the Improvements for the term of this Agreement.
- C. The City will obtain all necessary permits required for the construction of the Improvements, including traffic control permits.
- D. The City will require any contractors hired by the City to construct the Improvements to procure liability insurance, workers compensation insurance, automobile liability insurance, errors and omissions insurance, payment and performance bonds, and to add the City and County as additional insured. The City will also require contractors to indemnify the County and the City from any third party claims involving property damage, breach of contract, injury, or death caused by the actions or omissions of the contractor or the contractor's subcontractors or agents while constructing the Improvements.
- E. The removal or modification of any existing County Improvements is subject to written approval by the County prior to removal or modification. The City shall pay any expense to remove or replace any existing element.

## **SECTION 5. COUNTY OBLIGATIONS.**

- A. The County will maintain the Right of Way and the Improvements open for the use of the public consistent with County's past practices. The County may allow temporary closures to perform maintenance, construction, or for public safety issues. The City will continue to maintain and keep open any appurtenant rights-of-way for the use of the public which the City has previously maintained consistent with City's past practices.
- B. Following the completion of the Improvements, the County will work with the City, and other necessary parties, to dedicate the Right of Way to the City for use as public right of way. To the extent reasonable, this will include other portions of Delta Street and adjacent right of way owned by the County which have been used in connection with public ingress and egress.
- C. The County authorizes Lidia G. Arias to approve any changes to the Improvements or Improvement Plans.

## **SECTION 6. TERMINATION.**

- A. The City and the County may terminate the Agreement as follows.

1. **MUTUAL AGREEMENT.** The parties may terminate this Agreement by form of a separate written agreement executed by both parties.
2. **TERMINATION FOR CAUSE.** Either party may terminate this Agreement if one party fails to fulfill the obligations set out in this Agreement. Before terminating this Agreement pursuant to this provision, the terminating party will provide written notice of intent to terminate enumerating the failures for which termination is being sought and provide at least 30 calendar days to the non-terminating party to cure any failure.

## **SECTION 7. GENERAL PROVISIONS.**

- A. **NO REAL PROPERTY INTEREST.** The County, by granting a license to use the Right of Way under this Agreement, does not give any real property rights of the Right of Way or any other County property to the City, except as expressly stated under this Agreement. The City acknowledges that the granting of any other rights for any other purpose requires additional instruments separate from this Agreement.
- B. **NO WAIVER.** Either party may waive any default without waiving any prior or subsequent defaults. Either party's failure to exercise or delay in exercising any right under this Agreement, will not operate as a waiver of such right.
- C. **INDEPENDENT CONTRACTOR RELATIONSHIP.** This Agreement does not create an employee-employer relationship between the County and the City.
- D. **TIME IS OF THE ESSENCE.** The times and dates specified in this contract are material to this Agreement. For the purpose of this agreement "**business days**" means Monday through Friday excluding County or City of El Paso holidays and "**calendar days**" means Monday through Sunday excluding County or City of El Paso holidays.
- E. **NOTICES.** The parties will send all notices required by this Agreement in writing both postmarked and delivered by certified mail. All mailed notices are considered received 3 business days after the postmark date. Parties may change their address by sending a written notice to the other party. A new address is not official until the change of address notice is received by the other party as provided in this section. Upon receipt of proper notification of change of address the notified party will send all further notifications to the new address. Parties will address notices as follows:

To the City:

The City of El Paso  
Attn: City Manager  
P. O. Box 1890

El Paso, Texas 79950-1890

To the County: El Paso County Public Works Department  
Attn: Norma Rivera Palacios, Executive Director  
Address: 800 E. Overland Suite 200  
El Paso, TX 79901

- F. **CONFIDENTIALITY.** The County and the City acknowledge that this Agreement is subject to Chapter 552 of the Texas Government Code (Texas Public Information Act). The release of the Agreement as a whole or in part must comply with Chapter 552 of the Texas Government Code.
- G. **GOVERNING LAW.** This Agreement is governed by Texas law.
- H. **VENUE.** The venue for disputes regarding this Agreement between the parties is El Paso County, Texas.
- I. **SEVERABILITY.** A future finding of invalidity of any provision of this Agreement does not affect the validity of any remaining provisions of this Agreement.
- J. **HEADINGS.** The headings and subheadings of this Agreement are for information purposes only and are not substantive terms.
- K. **CURRENT REVENUE.** Each party paying for the performance of governmental functions or services must make those payments from current revenues available to the paying party. No interest or sinking fund has been set aside or established
- L. **COMPLIANCE WITH THE LAWS.** The parties will comply with all applicable laws, administrative orders, and any rules or regulations relating to the obligations under this Agreement.
- M. **FORCE MAJEURE.** There is no breach of contract should either party's obligations within this Agreement be delayed due to an act of God, outbreak of hostilities, riot, civil disturbance, acts of terrorism, the act of any government or authority, fire, explosion, flood, theft, malicious damage, strike, lockout, or any cause or circumstances whatsoever beyond

either party's reasonable control. The delayed party must promptly resume performing its obligations under this Agreement after the reason for the delay is resolved.

N. THIRD-PARTY BENEFICIARIES. There are no third party beneficiaries for this Agreement.

O. REPRESENTATIONS AND WARRANTIES. The parties represent that the person executing this Agreement on behalf of both parties have the authority to sign on behalf of their respective parties.


P. ENTIRE AGREEMENT. This Agreement constitutes the entire agreement between the parties.

EXECUTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

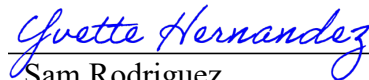
CITY OF EL PASO, TEXAS:

\_\_\_\_\_  
Dee Margo  
Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Omar De La Rosa  
Assistant City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Sam Rodriguez  
For City Engineer

**ACKNOWLEDGMENT**

THE STATE OF TEXAS   )  
  )  
COUNTY OF EL PASO   )

This instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 2020,  
by Dee Margo, Mayor of the City of El Paso.

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

[SIGNATURES CONTINUE ON THE FOLLOWING PAGE]

**EXECUTED THIS**            **DAY OF**                     , 2020.

County

By: \_\_\_\_\_

Ricardo A. Samaniego

El Paso County Judge

El Paso County Texas

APPROVED AS TO FORM

APPROVED AS TO CONTENT

Erich A. Morales  
Assistant County Attorney  
Division Chief

Norma R. Palacios  
Public Works Director

## ACKNOWLEDGMENT

THE STATE OF TEXAS )  
 )  
COUNTY OF EL PASO )

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2020, by Ricardo A. Samaniego, County Judge of the County of El Paso.

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

# ATTACHMENT "A"

## RIGHT OF WAY TRACT 1

TRACT 1 - DELTA DRIVE ROW WITHIN US PARCEL 3  
CITY OF EL PASO, EL PASO COUNTY, TEXAS

The parcel of land herein described is a portion of the International Boundary Commission's "Parcel No. 3" (IBWC Survey Plat 1913-40) in the City of El Paso, and is a portion of that 352.40 acre parcel conveyed from the United States of America to the County of El Paso for park purposes in the year 1937 in Volume 0630 at Page 0147, Document No. 00037101276, Official Public Records of El Paso County, Texas, and is more particularly described by metes and bounds as follows [note that State Plane bearings are used herein, with record bearings in parentheses; surface distances and surface coordinates are reported]:

Commencing for reference at a found 2 inch diameter pipe (Surface Coordinates N=10653177.58 ft. E=409982.47 ft.) at the most southerly corner of said 352.40 acre portion of US Parcel No. 3, being corner Number 51-A of said park deed, being also shown as an angle point on the right-of-way line of Loop 375, Cesar Chavez Border Highway (C. S. J. NO. 2552-04-029 ROW map set by SURVCON, Inc.) at Station 10380+27.87 75.69 ft. Left of TxDOT survey baseline; [from this point of commencement, a found TxDOT brass disk (Surface Coordinates N=10655490.50 ft. E=406739.41 ft.) on the southwest boundary of said 352.40 acre parcel and on the northeast right-of-way line of Loop 375 (TxDOT Sta. 10340+49.83 110.05 ft. Lt. of TxDOT survey baseline) bears N54° 30' 14"W 3983.33 ft. (N57° 24' 39"W 3985.20 ft. to Corner 2-A of said deed); Thence, from said point of commencement at park parcel corner 51-A, crossing said park, North 14°06'56" East, 5151.43 feet (N11°12'31"E 5151.43 ft.) to US Parcel 3 corner number 23 (Surface Coordinates N=10658173.47 ft., E=411238.79 ft. *not found*); Thence, with the boundary line of said US Parcel 3, South 49°16'25" West, 289.76 feet (S46° 22' W 289.76 ft.) to US Parcel 3 corner number 22 (Surface Coordinates N=10657984.42 ft., E=411019.20 ft. *not found*); Thence, continuing with the boundary line of said US Parcel 3, South 39°17'25" West (S36° 23' W), 1.74 feet to a set "Mag Nail" (at Surface Coordinates N=10657983.07 ft., E=411018.10 ft.) on the north right-of-way line of Delta Drive for the **POINT OF BEGINNING** (reference is made to the following deeds that previously described this north right-of-way line: Vol. 1762 Pg. 0407 Inst. # 00063008751, Vol. 0018 Pg. 1360 Inst. # 00064026145; Vol.0028 Pg. 1054 Inst. # 00064032058, Vol. 0151 Pg. 0047 Inst. # 00067017410, and Vol.0383 Pg. 0653 Inst. # 00072090691);

Thence, with the previously described north Delta Drive right-of-way line, the following four courses:

- 1) South 82°39'33" East (S85°45'40"E), 270.41 feet to a set 1/2" diameter rebar with plastic cap stamped TX 4297 NM 10472;
- 2) with a curve to the left having the following elements: Arc Length = 293.86 feet, Radius = 664.92 feet, Delta Angle = 25°19'20", Chord Bearing = North 84°40'47" East, and Chord Length = 291.48 feet;
- 3) with a curve to the right having the following elements: Arc Length = 3.07 feet, Radius = 627.86 feet, Delta Angle = 00°16'47", Chord Bearing = South 17°26'23" East, and Chord Length = 3.07 feet (this "jog" in the right-of-way is forced by necessity to transition into deeded north Delta Drive right-of-way to the east); and,
- 4) with a curve to the left having the following elements: Arc Length = 115.17 feet, Radius = 664.92 feet, Delta Angle = 09°55'26", Chord Bearing = North 66°45'04" East, and Chord Length = 115.02 feet to a set chiseled "X" on concrete (at Surface Coordinates N=10658018.03 ft.,



TRACT 1 - DELTA DRIVE ROW WITHIN US PARCEL 3  
CITY OF EL PASO, EL PASO COUNTY, TEXAS

E=411683.11 ft.) on easterly boundary line said US Parcel 3 and on the southeast boundary line of land conveyed from the County to Yearwood (Tr. 12B, Blk. 21, Ysleta Grant Vol. 1533 Pg. 0241);

Thence, with the easterly boundary line said US Parcel 3, the following two courses:

- 1) South 11°21'35" East (S14° 16' E), 103.24 feet to a set "Mag Nail" at the record location of Corner No. 28 of US Parcel 3 (at Surface Coordinates N=10657916.82 ft., E=411703.44 ft.); and,
- 2) South 14°13'25" West (S11° 19' W), 37.16 feet to a set chiseled "X" on concrete (at Surface Coordinates N=10657880.80 ft., E=411694.31 ft.) on the southeast boundary of land conveyed to the County of El Paso in Vol. 0698 at Pg. 0018 Inst. # 00041022955);

Thence, with the proposed southerly right-of-way line of Delta Drive, the following thirteen courses:

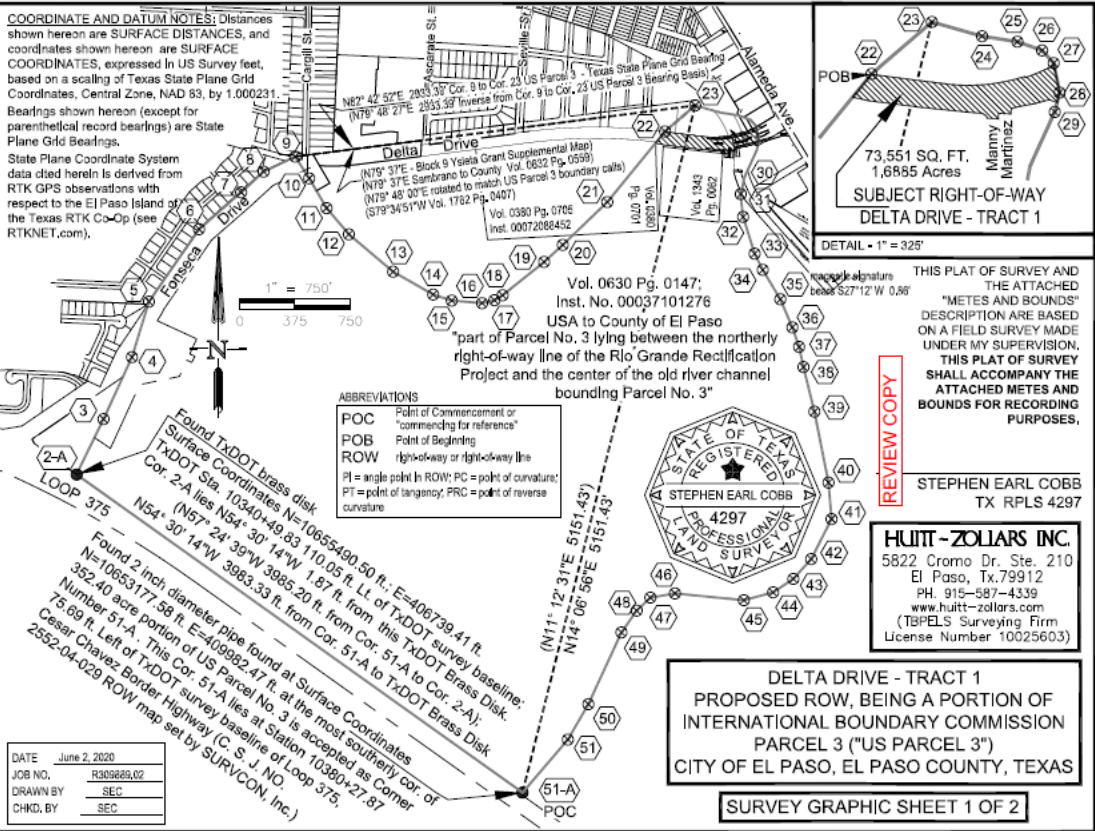
- 1) North 70°35'56" West, 29.72 feet to a set 1/2" diameter rebar with plastic cap stamped TX 4297 NM 10472;
- 2) South 75°24'27" West, 58.69 feet to a set 1/2" diameter rebar with plastic cap stamped TX 4297 NM 10472;
- 3) South 79°10'40" West, 74.50 feet to a set 1/2" diameter rebar with plastic cap stamped TX 4297 NM 10472;
- 4) with a curve to the left having the following elements: Arc Length = 15.78 feet, Radius = 12.00 feet, Delta Angle = 75°21'48", Chord Bearing = South 41°29'46" West, and Chord Length = 14.67 feet to a set chiseled "V";
- 5) South 03°48'52" West, 11.98 feet to a set chiseled "V";
- 6) crossing the physical improvements of Manny Martinez Blvd., North 86°11'08" West,, 44.08 feet to a set chiseled "X";
- 7) South 03°48'52" West, 20.83 feet to a set chiseled "V";
- 8) crossing the physical improvements of Manny Martinez Blvd., North 86°11'08" West, 39.94 feet to a set 1/2" diameter rebar with plastic cap stamped TX 4297 NM 10472 on a curve (not tangential to this course);
- 9) with said curve to the left having the following elements: Arc Length = 34.33 feet, Radius = 30.00 feet, Delta Angle = 65°34'15", Chord Bearing = North 55°15'15" West, and Chord Length = 32.49 feet to a set 1/2" diameter rebar with plastic cap stamped TX 4297 NM 10472 at a point of reverse curvature;
- 10) with said curve to the right having the following elements: Arc Length = 36.45 feet, Radius = 527.00 feet, Delta Angle = 03°57'47", Chord Bearing = North 86°03'28" West, and Chord Length = 36.44 feet to a set 1/2" diameter rebar with plastic cap stamped TX 4297 NM 10472;
- 11) North 84°04'35" West, 192.88 feet to a set 1/2" diameter rebar with plastic cap stamped TX 4297 NM 10472;
- 12) North 82°39'33" West, 180.76 feet to a set 1/2" diameter rebar with plastic cap stamped TX 4297 NM 10472; and,
- 13) North 77°18'08" West, 57.35 feet to a set 1/2" diameter rebar with plastic cap stamped TX 4297 NM 10472 (at Surface Coordinates N=10657900.40 ft., E=410950.44 ft.) on the boundary line of said US Parcel 3 that lies between the record positions of Monument No. 21 and Monument No. 22;

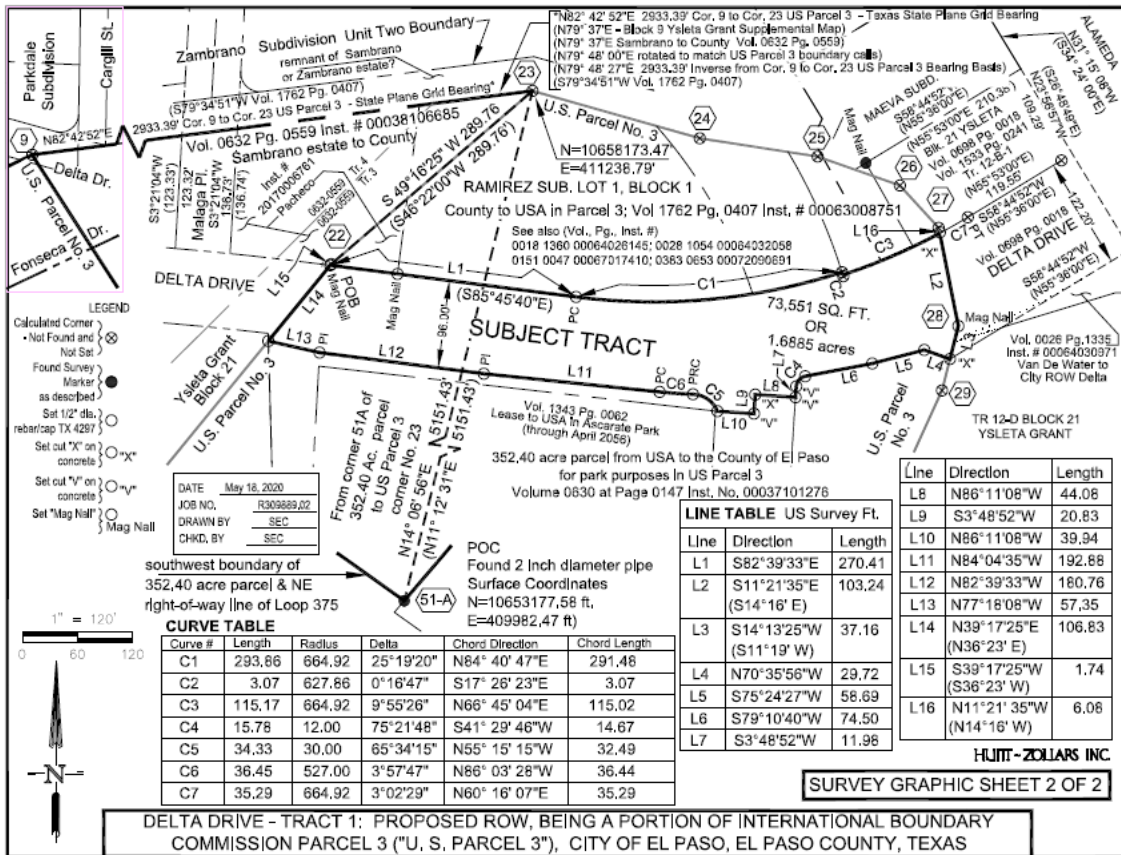
TRACT 1 - DELTA DRIVE ROW WITHIN US PARCEL 3  
CITY OF EL PASO, EL PASO COUNTY, TEXAS

Thence, with said US Parcel 3 boundary line, North 39°17'25" East (N36° 23' E), 106.83 feet to the **POINT OF BEGINNING** and containing 73551 square feet or 1.6885 acres (from this point, the point of curvature of a 3859.83 ft. radius curve in the north line of Delta Drive bears N82° 39' 33"W 8.81 ft.).

This description is based on a field survey performed under the supervision of Stephen Earl Cobb, Texas RPLS 4297. Bearings shown hereon (except for parenthetical record bearings) are State Plane Grid Bearings. The horizontal datum used in this survey is the Texas State Plane Coordinate System, Central Zone 4203, NAD 1983 (2011), US Survey Feet, adjusted to surface using a factor of 1.000231. Coordinates were measured using the El Paso Island of the real time GPS network called RTKNET as administered by ALLTERRA Central. See <https://allterracentral.com/coverage-map>. Surface coordinates using said sale factor are reported above. **A PLAT OF SURVEY ON LETTER SIZE SHEET(S) ATTACHED TO THIS "METES AND BOUNDS" SHALL ACCOMPANY THIS WRITTEN DESCRIPTION FOR RECORDING PURPOSES. THE SEAL AND SIGNATURE OF THIS SURVEYOR CERTIFYING THE ABOVE "METES AND BOUNDS" DESCRIPTION FOLLOWS ON SAID PLAT OF SURVEY.**

Stephen Earl Cobb, Texas RPLS 4297  
Huitt-Zollars, Inc.; El Paso Office (Firm License Number 10025603)  
5822 Cromo Drive, Suite 210, El Paso, Texas, 79912-5502  
Phone 915-587-4339  
June 2, 2020







## TRACT 2

TRACT 2 - DELTA DRIVE TEMPORARY CONSTRUCTION EASEMENT WITHIN US PARCEL 3  
CITY OF EL PASO, EL PASO COUNTY, TEXAS

The Temporary Construction Easement herein described is a portion of the International Boundary Commission's "Parcel No. 3" (IBWC Survey Plat 1913-40) in the City of El Paso, and is a portion of that 352.40 acre parcel conveyed from the United States of America to the County of El Paso for park purposes in the year 1937 in Volume 0630 at Page 0147, Document No. 00037101276, Official Public Records of El Paso County, Texas, and is more particularly described by metes and bounds as follows [note that State Plane bearings are used herein, with record bearings in parentheses; surface distances and surface coordinates are reported]:

Commencing for reference at a found 2 inch diameter pipe (Surface Coordinates N=10653177.58 ft. E=409982.47 ft.) at the most southerly corner of said 352.40 acre portion of US Parcel No. 3, being corner Number 51-A of said park deed, being also shown as an angle point on the right-of-way line of Loop 375, Cesar Chavez Border Highway (C. S. J. NO. 2552-04-029 ROW map set by SURVCON, Inc.) at Station 10380+27.87 75.69 ft. Left of TxDOT survey baseline; [from this point of commencement, a found TxDOT brass disk (Surface Coordinates N=10655490.50 ft. E=406739.41 ft.) on the southwest boundary of said 352.40 acre parcel and on the northeast right-of-way line of Loop 375 (TxDOT Sta. 10340+49.83 110.05 ft. Lt. of TxDOT survey baseline) bears N54° 30' 14"W 3983.33 ft. (N57° 24' 39"W 3985.20 ft. to Corner 2-A of said deed); Thence, from said point of commencement at park parcel corner 51-A, crossing said park, North 14°06'56" East, 5151.43 feet (N11°12'31"E 5151.43 ft.) to US Parcel 3 corner number 23 (Surface Coordinates N=10658173.47 ft., E=411238.79 ft. *not found*); Thence, with the boundary line of said US Parcel 3, South 49°16'25" West, 289.76 feet (S46° 22' W 289.76 ft.) to US Parcel 3 corner number 22 (Surface Coordinates N=10657984.42 ft., E=411019.20 ft. *not found*); Thence, continuing with the boundary line of said US Parcel 3, South 39°17'25" West (S36° 23' W), 1.74 feet to a set "Mag Nail" (at Surface Coordinates N=10657983.07 ft., E=411018.10 ft.) on the north right-of-way line of Delta Drive (reference is made to the following deeds that previously described this north right-of-way line: Vol. 1762 Pg. 0407 Inst. # 00063008751, Vol. 0018 Pg. 1360 Inst. # 00064026145; Vol.0028 Pg. 1054 Inst. # 00064032058, Vol. 0151 Pg. 0047 Inst. # 00067017410, and Vol.0383 Pg. 0653 Inst. # 00072090691); Thence, continuing with the boundary line of said US Parcel 3, South 39°17'25" West, 106.83 feet to a set 1/2" diameter rebar with plastic cap stamped TX 4297 NM 10472 (at Surface Coordinates N=10657900.40 ft., E=410950.44 ft.); Thence, with the proposed southerly right-of-way line of Delta Drive, the following five courses:

- 1) South 77°18'08" East, 57.35 feet to a set 1/2" diameter rebar with plastic cap stamped TX 4297 NM 10472;
- 2) South 82°39'33" East, 180.76 feet to a set 1/2" diameter rebar with plastic cap stamped TX 4297 NM 10472;
- 3) South 84°04'35" East, 192.88 feet to a set 1/2" diameter rebar with plastic cap stamped TX 4297 NM 10472;
- 4) with a curve to the left having the following elements: Arc Length = 36.45 feet, Radius = 527.00 feet, Delta Angle = 03°57'47", Chord Bearing = South 86°03'28" East, and Chord Length = 36.44 feet to a set 1/2" diameter rebar with plastic cap stamped TX 4297 NM 10472 at a point of reverse curvature; and,
- 5) with a curve to the right having the following elements: Arc Length = 34.33 feet, Radius = 30.00 feet, Delta Angle = 65°34'15", Chord Bearing = South 55°15'15" East, and Chord Length = 32.49 feet to a set 1/2" diameter rebar with plastic cap stamped TX 4297 NM

TRACT 2 - DELTA DRIVE TEMPORARY CONSTRUCTION EASEMENT WITHIN US PARCEL 3  
CITY OF EL PASO, EL PASO COUNTY, TEXAS

10472 at the **POINT OF BEGINNING** (at surface coordinate N=10657823.77 ft., E=411440.57 ft.);

Thence, continuing with said proposed Delta Drive south right-of-way line, the following three courses:

- 1) South 86°11'08" East, 39.94 feet to a set chiseled "V";
- 2) North 03°48'52" East, 20.83 feet to a set chiseled "X"; and,
- 3) South 86°11'08" East, 44.08 feet to a set chiseled "V";

Thence, South 03°48'52" West, 66.75 feet;

Thence, North 86°11'08" West, 80.92 feet;

Thence, North 03°48'52" East, 32.63 feet;

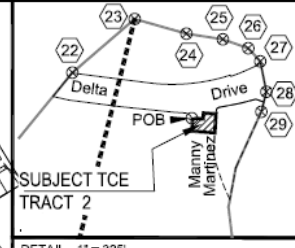
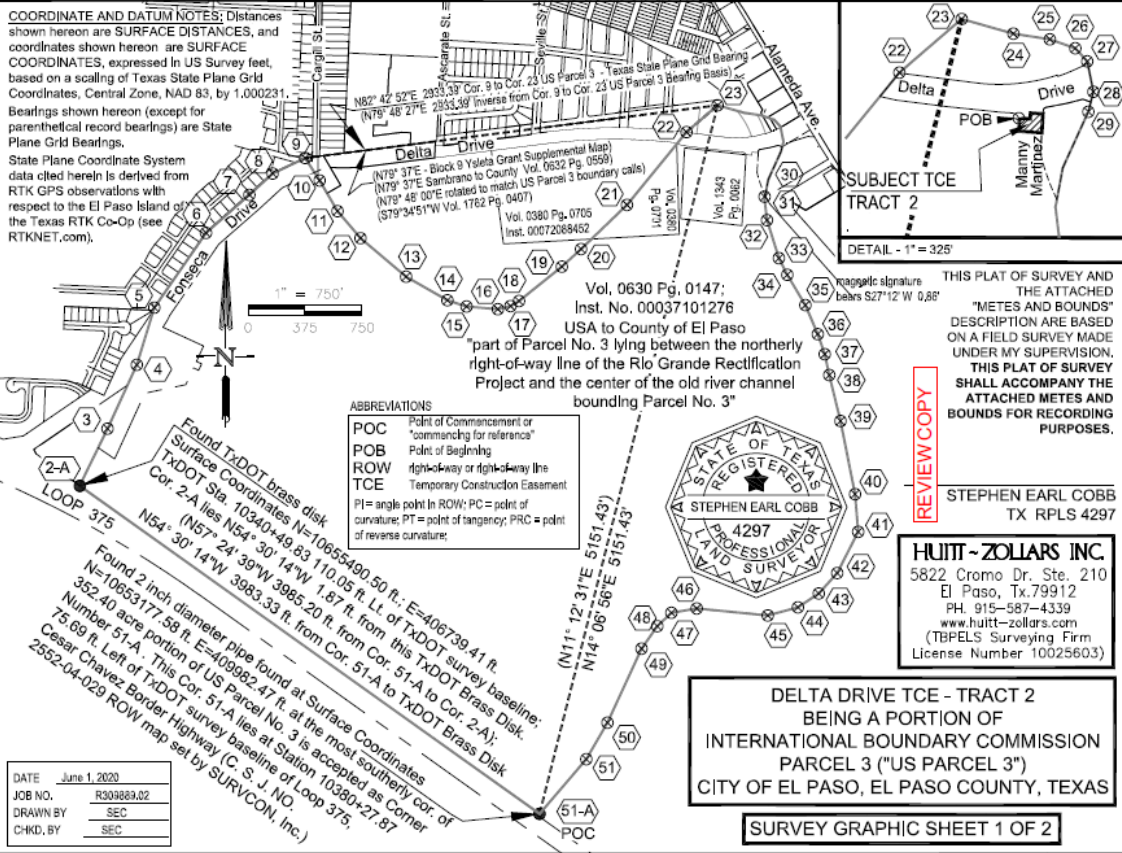
Thence, with a curve to the left having the following elements: Arc Length = 13.76 feet, Radius = 30.00 feet, Delta Angle = 26°16'59", Chord Bearing = North 09°19'38" West, and Chord Length = 13.64 feet to the **POINT OF BEGINNING** and containing 4647 square feet or 0.1067 acres.

This description is based on a field survey performed under the supervision of Stephen Earl Cobb, Texas RPLS 4297. Bearings shown hereon (except for parenthetical record bearings) are State Plane Grid Bearings. The horizontal datum used in this survey is the Texas State Plane Coordinate System, Central Zone 4203, NAD 1983 (2011), US Survey Feet, adjusted to surface using a factor of 1.000231. Coordinates were measured using the El Paso Island of the real time GPS network called RTKNET as administered by ALLTERRA Central. See <https://allterracentral.com/coverage-map>. Surface coordinates using said sale factor are reported above. **A PLAT OF SURVEY ON LETTER SIZE SHEET(S) ATTACHED TO THIS "METES AND BOUNDS" SHALL ACCOMPANY THIS WRITTEN DESCRIPTION FOR RECORDING PURPOSES. THE SEAL AND SIGNATURE OF THIS SURVEYOR CERTIFYING THE ABOVE "METES AND BOUNDS" DESCRIPTION FOLLOWS ON SAID PLAT OF SURVEY.**

Stephen Earl Cobb, Texas RPLS 4297  
Huitt-Zollars, Inc.; El Paso Office (Firm License Number 10025603)  
5822 Cromo Drive, Suite 210, El Paso, Texas, 79912-5502  
Phone 915-587-4339  
June 2, 2020

**COORDINATE AND DATUM NOTES:** Distances shown hereon are SURFACE DISTANCES, and coordinates shown hereon are SURFACE COORDINATES, expressed in US Survey feet, based on a scaling of Texas State Plane Grid Coordinates, Central Zone, NAD 83, by 1.000231. Bearings shown hereon (except for parenthetical record bearings) are State Plane Grid Bearings.

State Plane Coordinate System data cited herein is derived from RTK GPS observations with respect to the El Paso Island of the Texas RTK Co-Op (see RTKNET.COM).



**ABBREVIATIONS**

POC Point of Commencement or "commanding for reference"

POB Point of Beginning

ROW right-of-way or right-of-way line

TCE Temporary Construction Easement

PI = angle point in ROW; PC = point of curvature; PT = point of tangency; PRC = point of reverse curvature.



THIS PLAT OF SURVEY AND THE ATTACHED "METES AND BOUNDS" DESCRIPTION ARE BASED ON A FIELD SURVEY MADE UNDER MY SUPERVISION. THIS PLAT OF SURVEY SHALL ACCOMPANY THE ATTACHED METES AND BOUNDS FOR RECORDING PURPOSES.

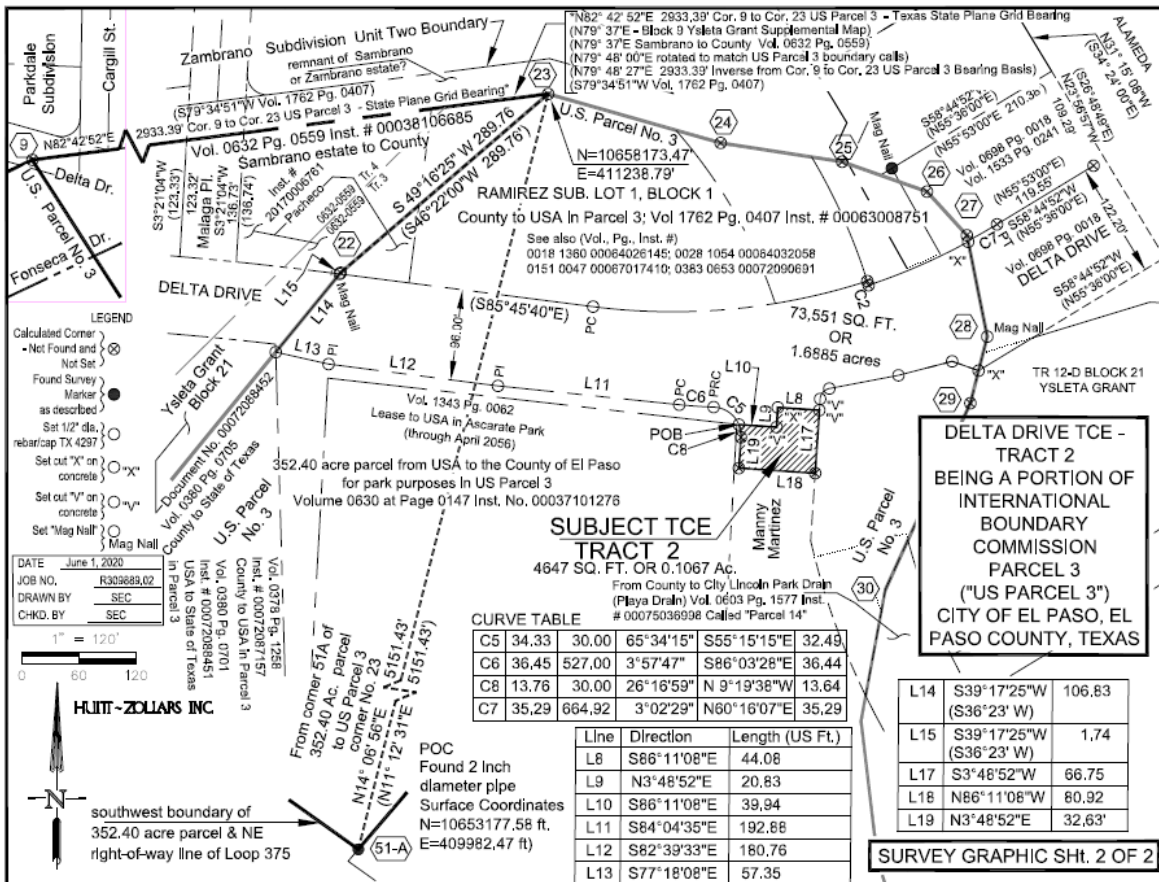
STEPHEN EARL COBB  
TX RPLS 4297

**HUITT-ZOLLARS INC.**  
5822 Cromo Dr. Ste. 210  
El Paso, Tx. 79912  
PH. 915-587-4339  
www.huitt-zollars.com  
(TBPELS Surveying Firm  
License Number 10025603)

**DELTA DRIVE TCE - TRACT 2  
BEING A PORTION OF  
INTERNATIONAL BOUNDARY COMMISSION  
PARCEL 3 ("US PARCEL 3")  
CITY OF EL PASO, EL PASO COUNTY, TEXAS**

**SURVEY GRAPHIC SHEET 1 OF 2**

DATE June 1, 2020  
JOB NO. R309883.02  
DRAWN BY SEC  
CHKD. BY SEC



Map showing land parcels, boundaries, and survey data. Key features include:

- Parcels:** U.S. Parcel No. 3, Delta Dr., Fonseca Dr., Mag Nail, U.S. Parcel No. 3, U.S.



## Tract 3

TRACT 3 - LINCOLN PARK DRAIN (PLAYA DRAIN) EASEMENT WITHIN US PARCEL 3  
CITY OF EL PASO, EL PASO COUNTY, TEXAS

The parcel of land herein described is a portion of the International Boundary Commission's "Parcel No. 3" (IBWC Survey Plat 1913-40) in the City of El Paso, and is a portion of that 352.40 acre parcel conveyed from the United States of America to the County of El Paso for park purposes in the year 1937 in Volume 0630 at Page 0147, Document No. 00037101276, Official Public Records of El Paso County, Texas, and is more particularly described by metes and bounds as follows [note that State Plane bearings are used herein, with record bearings in parentheses; surface distances and surface coordinates are reported]:

Commencing for reference at a found 2 inch diameter pipe (Surface Coordinates N=10653177.58 ft. E=409982.47 ft.) at the most southerly corner of said 352.40 acre portion of US Parcel No. 3, being corner Number 51-A of said park deed, being also shown as an angle point on the right-of-way line of Loop 375, Cesar Chavez Border Highway (C. S. J. NO. 2552-04-029 ROW map set by SURVCON, Inc.) at Station 10380+27.87 75.69 ft. Left of TxDOT survey baseline; [from this point of commencement, a found TxDOT brass disk (Surface Coordinates N=10655490.50 ft. E=406739.41 ft.) on the southwest boundary of said 352.40 acre parcel and on the northeast right-of-way line of Loop 375 (TxDOT Sta. 10340+49.83 110.05 ft. Lt. of TxDOT survey baseline) bears N54° 30' 14"W 3983.33 ft. (N57° 24' 39"W 3985.20 ft. to Corner 2-A of said deed);

Thence, from said point of commencement at park parcel corner 51-A, crossing said park, North 14°06'56" East, 5151.43 feet (N11°12'31"E 5151.43 ft.) to US Parcel 3 corner number 23 (Surface Coordinates N=10658173.47 ft., E=411238.79 ft. *not found*); Thence, with the boundary line of said US Parcel 3, South 49°16'25" West, 289.76 feet (S46° 22' W 289.76 ft.) to US Parcel 3 corner number 22 (Surface Coordinates N=10657984.42 ft., E=411019.20 ft. *not found*); Thence, continuing with the boundary line of said US Parcel 3, South 39°17'25" West (S36° 23' W), 1.74 feet to a set "Mag Nail" (at Surface Coordinates N=10657983.07 ft., E=411018.10 ft.) on the north right-of-way line of Delta Drive (reference is made to the following deeds that previously described this north right-of-way line: Vol. 1762 Pg. 0407 Inst. # 00063008751, Vol. 0018 Pg. 1360 Inst. # 00064026145; Vol.0028 Pg. 1054 Inst. # 00064032058, Vol. 0151 Pg. 0047 Inst. # 00067017410, and Vol.0383 Pg. 0653 Inst. # 00072090691); Thence, with the previously described north Delta Drive right-of-way line, the following four courses:

- 1) South 82°39'33" East (S85°45'40"E), 270.41 feet to a set 1/2" diameter rebar with plastic cap stamped TX 4297 NM 10472;
- 2) with a curve to the left having the following elements: Arc Length = 293.86 feet, Radius = 664.92 feet, Delta Angle = 25°19'20", Chord Bearing = North 84°40'47" East, and Chord Length = 291.48 feet;
- 3) with a curve to the right (not tangential to previous course) having the following elements: Arc Length = 3.07 feet, Radius = 627.86 feet, Delta Angle = 00°16'47", Chord Bearing = South 17°26'23" East, and Chord Length = 3.07 feet (this "jog" in the right-of-way is forced by necessity to transition into deeded north Delta Drive right-of-way to the east); and,
- 4) with a curve to the left (not tangential to previous course) having the following elements: Arc Length = 115.17 feet, Radius = 664.92 feet, Delta Angle = 09°55'26", Chord Bearing = North 66°45'04" East, and Chord Length = 115.02 feet to a set chiseled "X" on concrete (at Surface Coordinates N=10658018.03 ft., E=411683.11 ft.) on easterly

TRACT 3 - LINCOLN PARK DRAIN (PLAYA DRAIN) EASEMENT WITHIN US PARCEL 3  
CITY OF EL PASO, EL PASO COUNTY, TEXAS

boundary line said US Parcel 3 and on the southeast boundary line of land conveyed from the County to Yearwood (Tr. 12B, Blk. 21, Ysleta Grant Vol. 1533 Pg. 0241);  
Thence, with the easterly boundary line said US Parcel 3, the following two courses:  
1) South 11°21'35" East (S14° 16' E), 103.24 feet to a set "Mag Nail" at the record location of Corner No. 28 of US Parcel 3 (at Surface Coordinates N=10657916.82 ft., E=411703.44 ft.); and,  
2) South 14°13'25" West (S11° 19' W), 37.16 feet to a set chiseled "X" on concrete (at Surface Coordinates N=10657880.80 ft., E=411694.31 ft.) on the southeast boundary of land conveyed to the County of El Paso in Vol. 0698 at Pg. 0018 Inst. # 00041022955) for the **POINT OF BEGINNING**;

Thence, continuing with said US Parcel 3 boundary line, South 14°13'25" West (S11°19' W), 35.44 feet to a set Mag Nail at the record location of Corner No. 29;

Thence, with said US Parcel 3 boundary line, South 24°31'25" West (S21°37'W), 216.83 feet;

Thence, with said US Parcel 3 boundary line, South 10°31'25" West (S7° 37' 00"W), 114.16 feet to a set 1/2" diameter rebar with plastic cap stamped TX 4297 NM 1047;

Thence, with a curve to the right (not tangential to previous course) having the following elements: Arc Length = 174.22 feet, Radius = 770.54 feet, Delta Angle = 12°57'17", Chord Bearing = North 19°33'00" West, and Chord Length = 173.85 feet to a set chiseled "V";

Thence, North 03°48'52" East, 138.51 feet to a set chiseled "V" on the proposed south right-of-way line of Delta Drive;

Thence, with said proposed Delta Drive south right-of-way line, the following four courses:

- 1) North 03°48'52" East, 11.98 feet to a set chiseled "V";
- 2) with a curve to the right having the following elements: Arc Length = 15.78 feet, Radius = 12.00 feet, Delta Angle = 75°21'48", Chord Bearing = North 41°29'46" East, and Chord Length = 14.67 feet to a set 1/2" diameter rebar with plastic cap stamped TX 4297 NM 1047;
- 3) North 79°10'40" East, 74.50 feet to a set 1/2" diameter rebar with plastic cap stamped TX 4297 NM 1047; and,
- 4) North 75°24'27" East, 58.69 feet to a set 1/2" diameter rebar with plastic cap stamped TX 4297 NM 1047;

Thence, South 70°35'56" East, 29.72 feet to the POINT OF BEGINNING and containing 32,073 square feet or 0.7363 acres.

TRACT 3 - LINCOLN PARK DRAIN (PLAYA DRAIN) EASEMENT WITHIN US PARCEL 3  
CITY OF EL PASO, EL PASO COUNTY, TEXAS

This description is based on a field survey performed under the supervision of Stephen Earl Cobb, Texas RPLS 4297. Bearings shown hereon (except for parenthetical record bearings) are State Plane Grid Bearings. The horizontal datum used in this survey is the Texas State Plane Coordinate System, Central Zone 4203, NAD 1983 (2011), US Survey Feet, adjusted to surface using a factor of 1.000231. Coordinates were measured using the El Paso Island of the real time GPS network called RTKNET as administered by ALLTERRA Central. See <https://allterracentral.com/coverage-map>. Surface coordinates using said scale factor are reported above. **A PLAT OF SURVEY ON LETTER SIZE SHEET(S) ATTACHED TO THIS "METES AND BOUNDS" SHALL ACCOMPANY THIS WRITTEN DESCRIPTION FOR RECORDING PURPOSES. THE SEAL AND SIGNATURE OF THIS SURVEYOR CERTIFYING THE ABOVE "METES AND BOUNDS" DESCRIPTION FOLLOWS ON SAID PLAT OF SURVEY.**

Stephen Earl Cobb, Texas RPLS 4297  
Huitt-Zollars, Inc.; El Paso Office (Firm License Number 10025603)  
5822 Cromo Drive, Suite 210, El Paso, Texas, 79912-5502  
Phone 915-587-4339  
June 2, 2020

COORDINATE AND DATUM NOTES: Distances shown herein are SURFACE DISTANCES, and coordinates shown herein are SURFACE COORDINATES, expressed in US Survey feet, based on a scaling of Texas State Plane Grid Coordinates, Central Zone, NAD 83, by 1.000231. Bearings shown herein (except for parenthetical record bearings) are State Plane Grid Bearings.

State Plane Coordinate System data cited herein is derived from RTK GPS observations with respect to the El Paso Island of the Texas RTK Co-Op (see RTKNET.com).

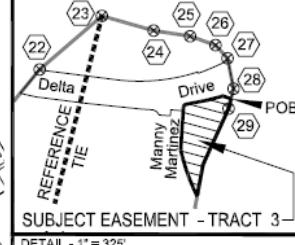
1" = 750'

#### ABBREVIATIONS

POC Point of Commencement or "commencing for reference"  
 POB Point of Beginning  
 ROW right-of-way or right-of-way line  
 PI = angle point in ROW; PC = point of curvature;  
 PT = point of tangency; PRC = point of reverse curvature

Found TxDOT brass disk  
 Surface Coordinates N=10655490.50 ft.; E=406739.41 ft.  
 TxDOT Sta. 10340+49.83 110.05 ft. Lt. of TxDOT survey baseline;  
 Cor. 2-A lies N54° 30' 14"W 3983.33 ft. from Cor. 51-A to TxDOT Brass Disk  
 Found 2 inch diameter pipe found at Surface Coordinates  
 N=10653177.58 ft.; E=409982.47 ft. at the most southerly cor. of  
 Number 51-A. This Cor. 51-A lies at Station 10380+27.87  
 75.69 ft. Left of TxDOT survey baseline of Loop 375.  
 Cesar Chavez Border Highway (C.S. J. NO. 2552-04-029 ROW map set by SURVCON, Inc.)

DATE June 2, 2020  
 JOB NO. R303889.02  
 DRAWN BY SEC  
 CHKD, BY SEC



THIS PLAT OF SURVEY AND THE ATTACHED "METES AND BOUNDS" DESCRIPTION ARE BASED ON A FIELD SURVEY MADE UNDER MY SUPERVISION. THIS PLAT OF SURVEY SHALL ACCOMPANY THE ATTACHED METES AND BOUNDS FOR RECORDING PURPOSES.

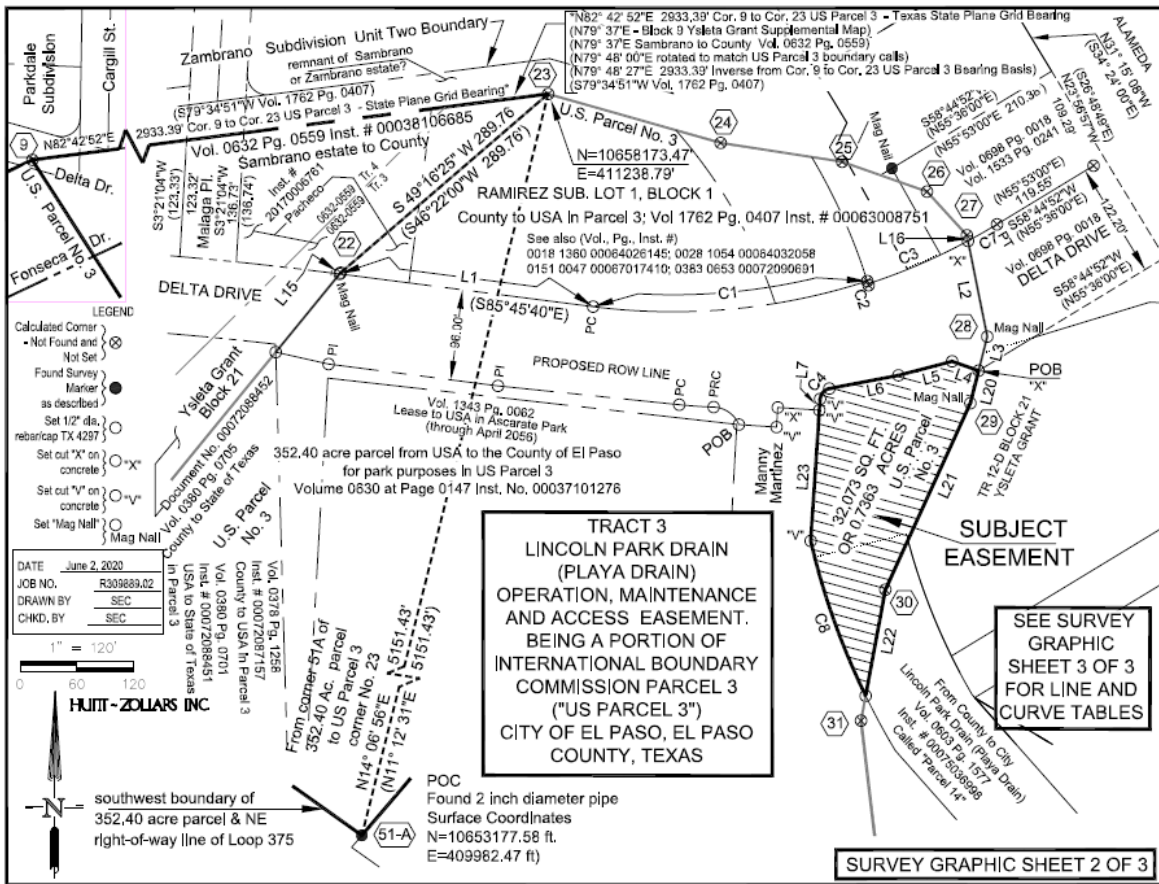
STEPHEN EARL COBB  
 TX RPLS 4297

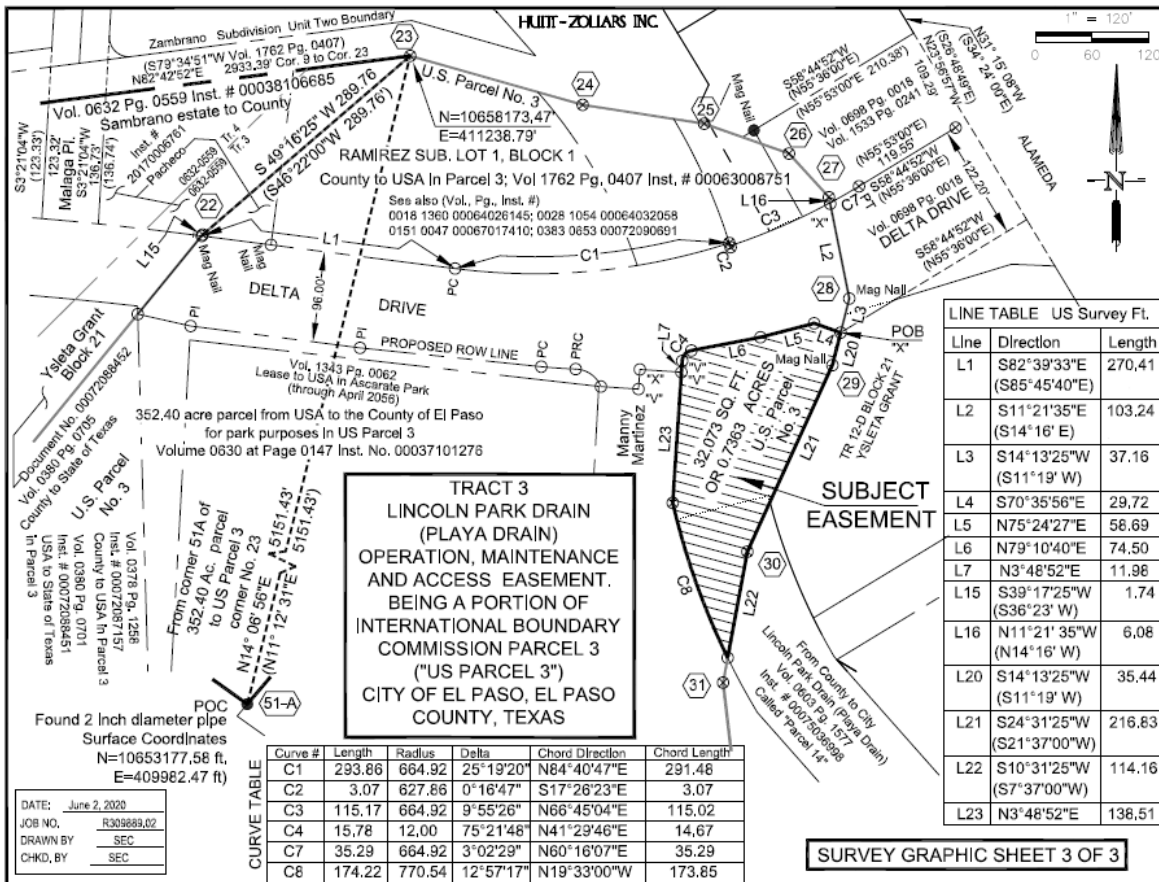
**HULT - ZOLLARS INC.**  
 5822 Cromo Dr., Ste. 210  
 El Paso, TX 79912  
 PH: 915-587-4339  
 www.hult-zollars.com  
 (TSPS Surveying Firm  
 License Number 10025603)

TRACT 3  
 LINCOLN PARK DRAIN (PLAYA DRAIN)  
 OPERATION, MAINTENANCE  
 AND ACCESS EASEMENT.  
 BEING A PORTION OF  
 INTERNATIONAL BOUNDARY COMMISSION  
 PARCEL 3 ("U. S. PARCEL 3")  
 CITY OF EL PASO, EL PASO COUNTY, TEXAS

SURVEY GRAPHIC SHEET 1 OF 3







## TRACT 4

DELTA DRIVE TRACT 4 - PROPOSED ROW  
BEING TR. 12-B, BLOCK 21, YSLETA GRANT  
CITY OF EL PASO, EL PASO COUNTY, TEXAS

The proposed Delta Drive right-of-way herein described is a portion of Tract 12, Block 21, Ysleta Grant, in the City of El Paso, in accordance with the 1929 County Survey of El Paso County, and as shown on Supplemental Map Y-21-1, designated as Tract 12-B; said Tract 12-B being a portion of the 1.00 acre parcel of land conveyed from Mathias, Stevens, and Harris to the County of El Paso in VOL. 0698 at PG. 0018 Inst. # 00041022955; save and except that land conveyed from the County of El Paso to Yearwood in Vol. 1533 at Pg. 0241 Inst. # 00060098102, Official Public Records of El Paso County, Texas, and is more particularly described by metes and bounds as follows [note that State Plane bearings are used herein, with record bearings in parentheses; surface distances and surface coordinates are reported]:

Commencing for reference at a found 2 inch diameter pipe (Surface Coordinates N=10653177.58 ft. E=409982.47 ft.) at the most southerly corner of said 352.40 acre portion of US Parcel No. 3, being corner Number 51-A of said park deed, being also shown as an angle point on the right-of-way line of Loop 375, Cesar Chavez Border Highway (C. S. J. NO. 2552-04-029 ROW map set by SURVCON, Inc.) at Station 10380+27.87 75.69 ft. Left of TxDOT survey baseline; [from this point of commencement, a found TxDOT brass disk (Surface Coordinates N=10655490.50 ft. E=406739.41 ft.) on the southwest boundary of said 352.40 acre parcel and on the northeast right-of-way line of Loop 375 (TxDOT Sta. 10340+49.83 110.05 ft. Lt. of TxDOT survey baseline) bears N54° 30' 14"W 3983.33 ft. (N57° 24' 39"W 3985.20 ft. to Corner 2-A of said deed); Thence, from said point of commencement at park parcel corner 51-A, crossing said park, North 14°06'56" East, 5151.43 feet (N11°12'31"E 5151.43 ft.) to US Parcel 3 corner number 23 (Surface Coordinates N=10658173.47 ft., E=411238.79 ft. *not found*); Thence, with the boundary line of said US Parcel 3, South 49°16'25" West, 289.76 feet (S46° 22' W 289.76 ft.) to US Parcel 3 corner number 22 (Surface Coordinates N=10657984.42 ft., E=411019.20 ft. *not found*); Thence, continuing with the boundary line of said US Parcel 3, South 39°17'25" West (S36° 23' W), 1.74 feet to a set "Mag Nail" (at Surface Coordinates N=10657983.07 ft., E=411018.10 ft.) on the north right-of-way line of Delta Drive (reference is made to the following deeds that previously described this north right-of-way line: Vol. 1762 Pg. 0407 Inst. # 00063008751, Vol. 0018 Pg. 1360 Inst. # 00064026145; Vol.0028 Pg. 1054 Inst. # 00064032058, Vol. 0151 Pg. 0047 Inst. # 00067017410, and Vol.0383 Pg. 0653 Inst. # 00072090691);

Thence, with the previously described north Delta Drive right-of-way line, the following four courses:

- 1) South 82°39'33" East (S85°45'40"E), 270.41 feet to a set 1/2" diameter rebar with plastic cap stamped TX 4297 NM 10472;
- 2) with a curve to the left having the following elements: Arc Length = 293.86 feet, Radius = 664.92 feet, Delta Angle = 25°19'20", Chord Bearing = North 84°40'47" East, and Chord Length = 291.48 feet;
- 3) with a curve to the right having the following elements: Arc Length = 3.07 feet, Radius = 627.86 feet, Delta Angle = 00°16'47", Chord Bearing = South 17°26'23" East, and Chord Length = 3.07 feet (this "jog" in the right-of-way is forced by necessity to transition into deeded north Delta Drive right-of-way to the east); and,

DELTA DRIVE TRACT 4 - PROPOSED ROW  
BEING TR. 12-B, BLOCK 21, YSLETA GRANT  
CITY OF EL PASO, EL PASO COUNTY, TEXAS

4) with a curve to the left having the following elements: Arc Length = 115.17 feet, Radius = 664.92 feet, Delta Angle =  $09^{\circ}55'26''$ , Chord Bearing = North  $66^{\circ}45'04''$  East, and Chord

Length = 115.02 feet to a set chiseled "X" on concrete (at Surface Coordinates N=10658018.03 ft., E=411683.11 ft.) on the boundary line of said US Parcel 3 between Corners 27 and 28, and on the southeast boundary line of said Yearwood parcel for the **POINT OF BEGINNING**;

Thence, the boundary line of said Yearwood parcel, the following three courses:

- 1) with a curve to the left having the following elements: Arc Length = 35.29 feet, Radius = 664.92 feet, Delta Angle =  $03^{\circ}02'29''$ , Chord Bearing = North  $60^{\circ}16'07''$  East, and Chord Length = 35.29 feet to a set Mag Nail;
- 2) North  $58^{\circ}44'52''$  East (N $55^{\circ}53'E$  Vol. 1533 Pg. 0241 and N $55^{\circ}36'E$  Vol. 0698 Pg. 0018), 119.55 feet to a set Mag Nail; and,
- 3) North  $23^{\circ}56'57''$  West (N $26^{\circ}48'49''W$ ), 109.29 feet to a set Mag Nail at the most northerly corner of said Yearwood parcel, and being on the southwest right-of-way line of Alameda Avenue [from this corner, found chiseled "X"s in concrete at the north corner of Lot 3 and Lot 1, Maeva Park subdivision bear N $31^{\circ}15'08''W$  130.10 ft. (N $34^{\circ}24'00''W$  130.00 ft.) and N $31^{\circ}15'08''W$  412.97 ft. (N $34^{\circ}24'00''W$  412.80 ft.), respectively];

Thence, with the southwest right-of-way line of Alameda Ave. (TxDOT ROW Map CSJ 2-1-01-12 dated August 14, 1931), and with the northeast boundary line of said County of El Paso 1.00 acre parcel (Vol. 0698 at Pg. 0018), South  $31^{\circ}15'08''$  East (S $34^{\circ}24'00''E$ ), 230.60 feet to the common east corner of said 1.00 acre County parcel and that 0.43 acre parcel conveyed from Van De Water to the City of El Paso for right-of-way in Vol. 0026 Pg.1335 Inst. # 00064030971 [from this corner, a found 1/2" diameter rebar at the most easterly corner of Tr 12-D Block 21 Ysleta Grant bears South  $31^{\circ}15'08''$  East (S $34^{\circ}24'00''E$ ), 131.00 ft. and along a curve to the left with elements L=112.01 ft., R=2904.90 ft., Delta= $2^{\circ}12'33''$ , CB=S $32^{\circ}21'24''E$ , and Ch=112.00 ft.];

Thence, with the southeast boundary of said 1.00 acre County parcel and the northwest boundary of said 10.43 acre City parcel, South  $58^{\circ}44'54''$  West, 230.34 feet (South  $55^{\circ}36'$  West 235.59 ft.) to a set chiseled "X" on the boundary line of said US Parcel 3 between corners 28 and 29;

Thence, with said US Parcel 3 boundary, the following two courses:

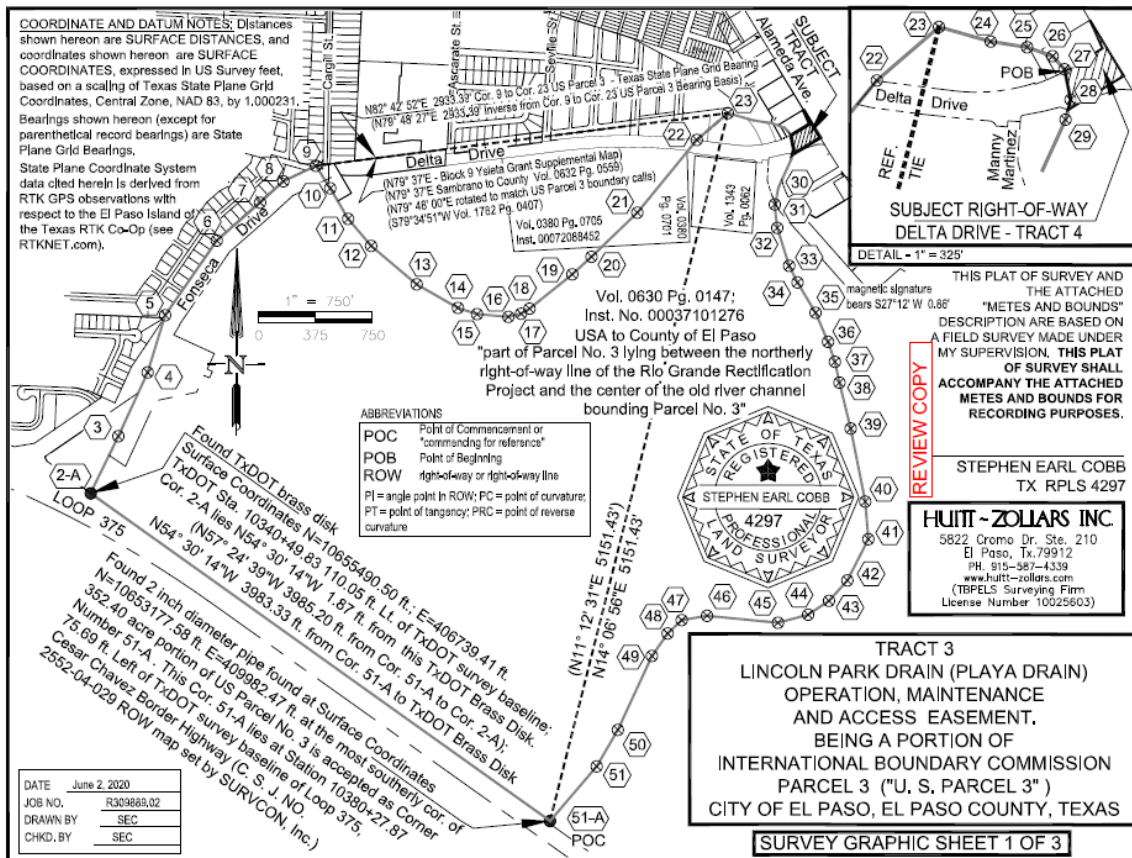
- 1) North  $14^{\circ}13'25''$  East (N $11^{\circ}19'E$ ), 37.16 feet; and,
- 2) North  $11^{\circ}21'35''$  West, 103.24 feet to the **POINT OF BEGINNING** and containing 24,347 square feet or 0.5589 acres.

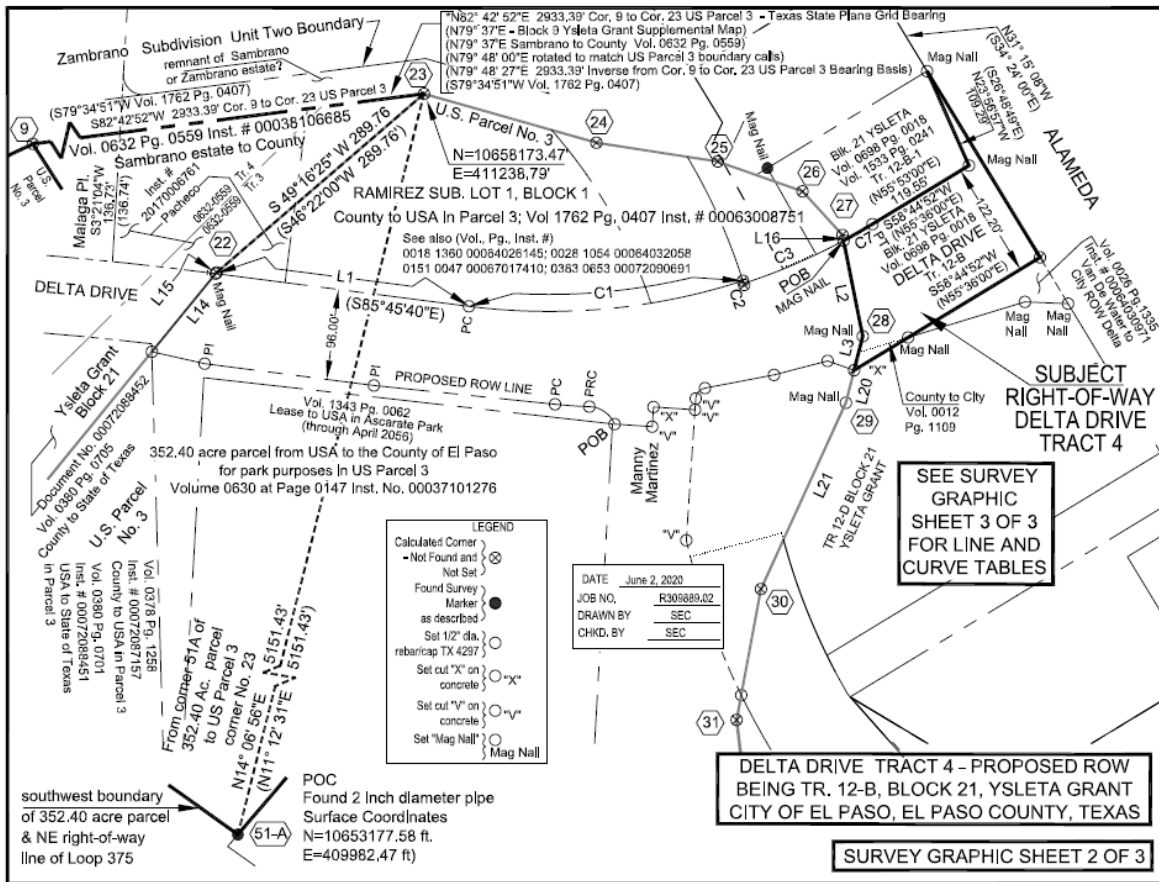


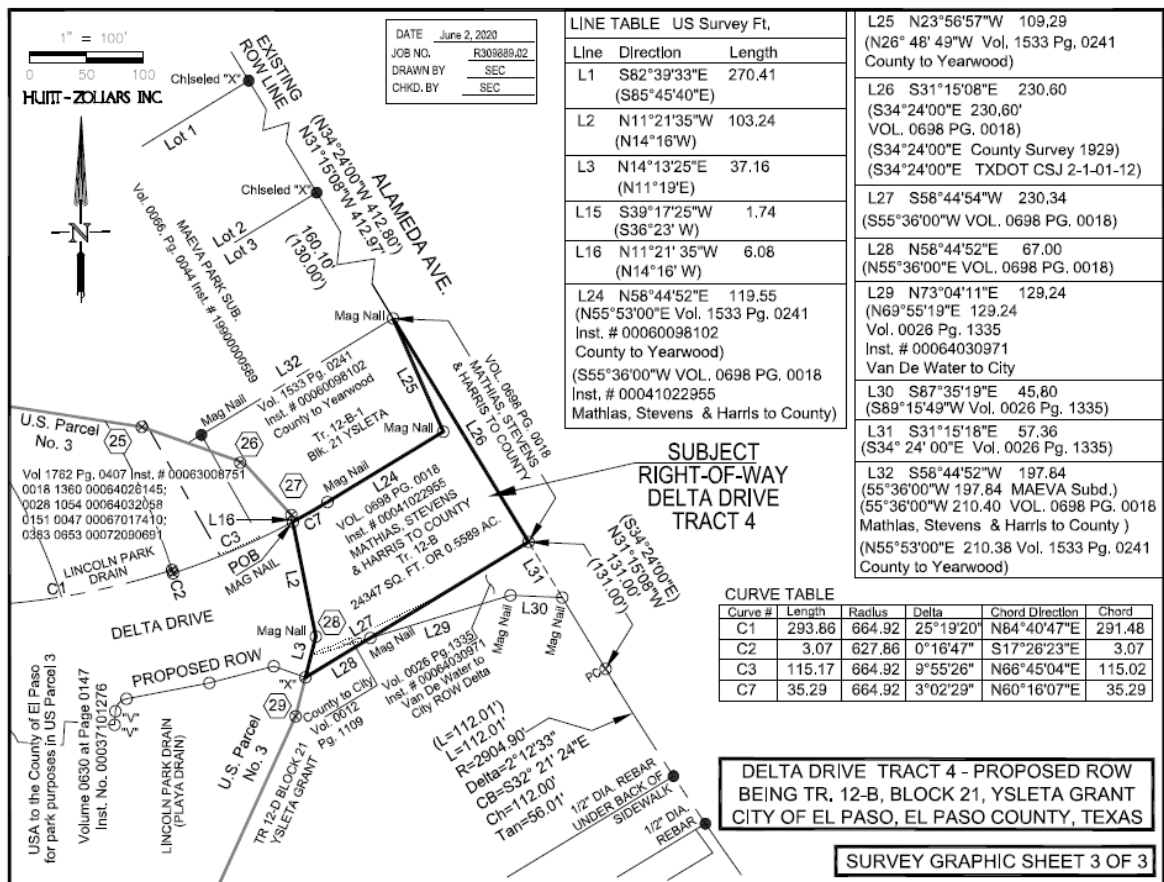
DELTA DRIVE TRACT 4 - PROPOSED ROW  
BEING TR. 12-B, BLOCK 21, YSLETA GRANT  
CITY OF EL PASO, EL PASO COUNTY, TEXAS

This description is based on a field survey performed under the supervision of Stephen Earl Cobb, Texas RPLS 4297. Bearings shown hereon (except for parenthetical record bearings) are State Plane Grid Bearings. The horizontal datum used in this survey is the Texas State Plane Coordinate System, Central Zone 4203, NAD 1983 (2011), US Survey Feet, adjusted to surface using a factor of 1.000231. Coordinates were measured using the El Paso Island of the real time GPS network called RTKNET as administered by ALLTERRA Central. See <https://allterracentral.com/coverage-map>. Surface coordinates using said scale factor are reported above. **A PLAT OF SURVEY ON LETTER SIZE SHEET(S) ATTACHED TO THIS "METES AND BOUNDS" SHALL ACCOMPANY THIS WRITTEN DESCRIPTION FOR RECORDING PURPOSES. THE SEAL AND SIGNATURE OF THIS SURVEYOR CERTIFYING THE ABOVE "METES AND BOUNDS" DESCRIPTION FOLLOWS ON SAID PLAT OF SURVEY.**

Stephen Earl Cobb, Texas RPLS 4297  
Huitt-Zollars, Inc.; El Paso Office (Firm License Number 10025603)  
5822 Cromo Drive, Suite 210, El Paso, Texas, 79912-5502  
Phone 915-587-4339  
June 2, 2020







## Tract 5

**DELTA DRIVE TRACT 5 PROPOSED ROW  
WITHIN TRACT 9-B AND TRACT 15-B, BLOCK 21, YSLETA GRANT, AND LUCERO SURVEY 45  
CITY OF EL PASO, EL PASO COUNTY, TEXAS**

The parcel of land herein described is a portion of Tract 9-B and Tract 15-B, Block 21, Ysleta Grant, and Lucero Survey 45, in the City Of El Paso, El Paso County, Texas, is also a portion of that land conveyed from the Sambrano (Zambrano) estate to the County of El Paso in Vol. 0632 at Pg. 0559 (Inst. # 00038106685), Official Public Records of said County, and is more particularly described by metes and bounds as follows [note that State Plane bearings are used herein, with record bearings in parentheses; surface distances and surface coordinates are reported]:

Commencing for reference at a found 2 inch diameter pipe (Surface Coordinates N=10653177.58 ft. E=409982.47 ft.) at the most southerly corner of a 352.40 acre portion of US Parcel No. 3, being corner Number 51-A of that 352.40 acre parcel conveyed from the United States of America to the County of El Paso for park purposes in the year 1937 in Volume 0630 at Page 0147, Document No. 00037101276 (said park parcel being a portion of the International Boundary Commission's "Parcel No. 3" on IBWC Survey Plat 1913-40), this Corner 51-A being also shown as an angle point on the right-of-way line of Loop 375, Cesar Chavez Border Highway (C. S. J. NO. 2552-04-029 ROW map set by SURVCON, Inc.) at Station 10380+27.87 75.69 ft. Left of TxDOT survey baseline; [from this point of commencement, a found TxDOT brass disk (Surface Coordinates N=10655490.50 ft. E=406739.41 ft.) on the southwest boundary of said 352.40 acre parcel and on the northeast right-of-way line of Loop 375 (TxDOT Sta. 10340+49.83 110.05 ft. Lt. of TxDOT survey baseline) bears N54° 30' 14"W 3983.33 ft. (N57° 24' 39"W 3985.20 ft. to Corner 2-A of said deed); Thence, from said point of commencement at park parcel corner 51-A, crossing said park, North 14°06'56" East, 5151.43 feet (N11°12'31"E 5151.43 ft.) to US Parcel 3 corner number 23 (Surface Coordinates N=10658173.47 ft., E=411238.79 ft. *not found*); Thence, with the boundary line of said US Parcel 3, South 49°16'25" West, 289.76 feet (S46° 22' W 289.76 ft.) to US Parcel 3 corner number 22 (Surface Coordinates N=10657984.42 ft., E=411019.20 ft. *not found*); Thence, continuing with the boundary line of said US Parcel 3, South 39°17'25" West (S36° 23' W), 1.74 feet to a set "Mag Nail" (at Surface Coordinates N=10657983.08 ft., E=411018.09 ft.) on the north right-of-way line of Delta Drive for the **POINT OF BEGINNING** (reference is made to the following deeds that previously described this north right-of-way line: Vol. 1762 Pg. 0407 Inst. # 00063008751, Vol. 0018 Pg. 1360 Inst. # 00064026145; Vol. 0028 Pg. 1054 Inst. # 00064032058, Vol. 0151 Pg. 0047 Inst. # 00067017410, and Vol. 0383 Pg. 0653 Inst. # 00072090691);

Thence, continuing with said US Parcel 3 boundary line, South 39°17'25" West (S36°23'W), 96.92 feet to a point on the south right-of-way line of Delta Drive (at Surface Coordinates N=10657908.06 ft., E=410956.72 ft.) [for reference, this corner is witnessed by a set 1/2" dia. rebar with plastic cap stamped TX 4297 NM 10472 that lies S39°17'25"W (S36°23'W) 9.91 ft.];

Thence, along the south right-of-way line of Delta Drive, with a curve to the left having the following elements: Arc Length = 916.05 feet, Radius = 3777.83 feet (3779.83 ft. per adjacent deed), Delta Angle = 13°53'35", Chord Bearing = South 89°45'00" West, and Chord Length = 913.81 feet to a set "Mag Nail" with 2 in. washer stamped TX4297 NM10472 AZ 25068 (Surface Coordinates N=10657904.08 ft., E=410042.92 ft.) at point of tangency [reference the adjacent



**DELTA DRIVE TRACT 5 PROPOSED ROW  
WITHIN TRACT 9-B AND TRACT 15-B, BLOCK 21, YSLETA GRANT, AND LUCERO SURVEY 45  
CITY OF EL PASO, EL PASO COUNTY, TEXAS**

"El Paso State Supported Living Center" land was conveyed from the County to the State of Texas Vol. 0380 Pg. 0705 Inst. # 00072088452];

Thence, continuing with the south right-of-way line of Delta Drive, South 82°48'12" West (S79°40'10"W), at approximately 404.00 ft. passing the northwest corner of said State Living Center (407.31 ft. per deed), for a total distance of 807.13 feet to a set 1/2" dia. rebar with plastic cap stamped TX 4297 NM 10472 (Surface Coordinates N=10657802.96 ft., E= 409242.14 ft.) at the southeast corner of that certain 1.947 acre parcel conveyed from the County to the City of El Paso for Delta Drive right-of-way in Vol. 1227 Pg. 0041 (Inst. # 00055054183);

Thence, with the east boundary line of said 1.947 acre City parcel, North 02°41'51" East (N0°24'00"W), 116.08 feet to a set 1/2" dia. rebar with plastic cap stamped TX 4297 NM 10472 (Surface Coordinates N=10657918.91 ft., E=409247.61 ft.) at the northeast corner of said 1.947 acre parcel and lying on the north boundary line of said Sambrano (Zambrano) conveyance to the County (Vol. 0632 at Pg. 0559) on the line that lies between Corner 9 and Corner 23 of said US Parcel 3;

Thence, with the north boundary line of said Sambrano (Zambrano) conveyance to the County, North 82°42'52" East (N79°37'E), 60.97 feet to a set 1/2" dia. rebar with plastic cap stamped TX 4297 NM 10472 (Surface Coordinates N=10657926.64 ft., E=409308.09 ft.) on the projected current east right-of-way line of Ascarate Street per Park View Addition;

Thence, with said Ascarate Street current projected east right-of-way line, South 02°40'04" West (S0°24'00"E), 15.10 feet to a point of curvature;

Thence, with a curve to the left having the following elements: Arc Length = 26.14 feet, Radius = 15.00 feet, Delta Angle = 99°51'52", Chord Bearing = South 47°15'52" East, and Chord Length = 22.96 feet to point of tangency on the north right-of-way line of Delta Drive [for reference, the PI of this curve is monumented with a set "Mag Nail" with 2 in. washer stamped TX4297 NM10472 AZ 25068 at Surface Coordinates N=10657893.75 ft., E=409306.55 ft.];

Thence, with the north right-of-way line of Delta Drive, North 82°48'12" East (N79°40'10"E), 605.41 feet to a set "Mag Nail" with 2 in. washer stamped TX4297 NM10472 AZ 25068 at the projected west right-of-way line of Seville Street;

Thence, with said projected Seville Street right-of-way line, North 03°21'04" East (N 0°17'E & N0°03'51"E), 33.99 feet to a set "Mag Nail" with 2 in. washer stamped TX4297 NM10472 AZ 25068 on the north boundary line of said Sambrano (Zambrano) conveyance to the County;

Thence, with the north boundary line of said Sambrano (Zambrano) conveyance to the County, North 82°42'52" East (N79°37'E), 61.06 feet to a set 1/2" dia. rebar with plastic cap stamped TX 42997 NM 10472 on the projected east right-of-way line of Seville Street, being also a corner of that 0.57 acre parcel conveyed from the County to Flache and Pearce in Vol. 1525 Pg. 0325 (Inst. # 00060094524);

**DELTA DRIVE TRACT 5 PROPOSED ROW  
WITHIN TRACT 9-B AND TRACT 15-B, BLOCK 21, YSLETA GRANT, AND LUCERO SURVEY 45  
CITY OF EL PASO, EL PASO COUNTY, TEXAS**

Thence, with the projected east line of Seville, and the west boundary line of said 0.57 acre parcel, South 03°21'04" West (S 0°17'W or S0°03'51"W), 34.08 feet to a set "Mag Nail" with 2 in. washer stamped TX4297 NM10472 AZ 25068 on the north right-of-way line of Delta Drive;

Thence, with the north right-of-way line of Delta Drive, and the south boundary of said 0.57 acre Flache and Pearce land, North 82°48'12" East (N79°40'10"E), 47.57 feet to a set 1/2" dia. rebar with plastic cap stamped TX4297 NM 10472 (Surface Coordinates N=10657985.43 ft., E=410032.65 ft.) at point of curvature;

Thence, with the north right-of-way line of Delta Drive, and the south boundary of said 0.57 acre parcel, with a curve to the right having the following elements: Arc Length = 514.39 feet, Radius = 3859.83 feet, Delta Angle = 07°38'08", Chord Bearing = North 86°37'16" East, and Chord Length = 514.00 feet (Record Chord is 514.49 ft.) to a set "Mag Nail" with 2 in. washer stamped TX4297 NM10472 AZ 25068 at the projected west boundary line of Tangier St. at a corner of said 0.57 acre parcel;

Thence, with the projected west right-of-way line of Tangier and the east boundary line of said 0.57 acre parcel, North 03°21'04" East (N 0°17'E or N0°03'51"E), 69.79 feet to a set "Mag Nail" with 2 in. washer stamped TX4297 NM10472 AZ 25068 on the north boundary line of said Sambrano (Zambrano) conveyance to the County;

Thence, with the north boundary line of said Sambrano (Zambrano) conveyance to the County, North 82°42'52" East (N79°37'E), 61.05 feet to the projected east right-of-way line of Tangier Street at a corner of that 0.56 acre parcel conveyed from the County to Orndorff Vol. 1525 Pg. 0371 (Doc. # 00060094559) [no monument set – mobile home over corner];

Thence, with the projected Tangier St. east right-of-way line, and the west boundary of said 0.56 acre Orndorff tract, South 03°21'04" West (S 0°17'W or S0°03'51"W), 78.48 feet to a set "Mag Nail" with 2 in. washer stamped TX4297 NM10472 AZ 25068 on the north right-of-way line of Delta Drive;

Thence, with the north right-of-way line of Delta Drive and the south boundary line of said 0.56 acre Orndorff tract, being a curve to the right having the following elements: Arc Length = 243.63 feet, Radius = 3859.83 feet, Delta Angle = 03°36'59", Chord Bearing = South 86°51'41" East, and Chord Length = 243.59 feet (Record Chord = 243.73 ft.) to a set 1/2" dia. rebar with plastic cap stamped TX4297 NM 10472 at the projected west right-of-way line of Malaga Street;

Thence, with said west Malaga Street right-of-way line, and with the east boundary line of said 0.56 acre Orndorff tract, North 03°21'04" East (N 0°17'E or N0°03'51"E), 123.32 feet to a set 1/2" dia. rebar with plastic cap stamped TX4297 NM 10472 on the north boundary line of said Sambrano (Zambrano) conveyance to the County;

Thence, with the north boundary line of said Sambrano (Zambrano) conveyance to the County, North 82°42'52" East (N79°37'E), 61.05 feet to a set 1/2 inch diameter rebar with plastic cap stamped TX 4297 NM 10472 on the east projected right-of-way line of Malaga Street at the

**DELTA DRIVE TRACT 5 PROPOSED ROW  
WITHIN TRACT 9-B AND TRACT 15-B, BLOCK 21, YSLETA GRANT, AND LUCERO SURVEY 45  
CITY OF EL PASO, EL PASO COUNTY, TEXAS**

northwest corner of that certain 0.76 acre parcel conveyed from the County to McKinstry in Vol. 1525 Pg. 0045 (Inst. # 00060094302);

Thence, with said projected east Malaga Street right-of-way line and the west boundary of said 0.76 acre McKinstry tract, South 03°21'04" West (S 0°17'W or S0°03'51"W), 136.73 feet to a set 1/2" dia. rebar with plastic cap stamped TX4297 NM 10472 on the north right-of-way line of Delta Drive;

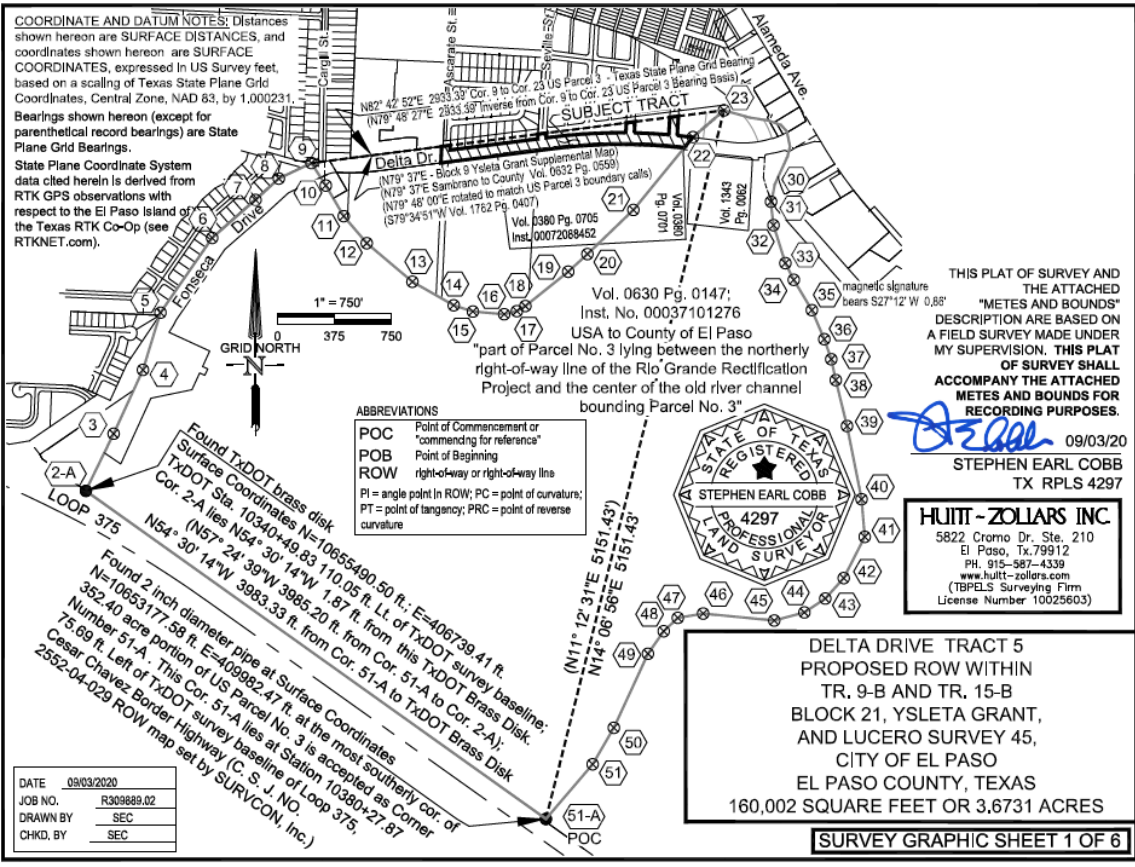
Thence with the north right-of-way line of Delta Drive and the south boundary line of said 0.76 acre McKinstry tract, with a curve to the right having the following elements: Arc Length = 101.22 feet, Radius = 3859.83 feet, Delta Angle = 01°30'09", Chord Bearing = South 83°24'38" East, and Chord Length = 101.22 feet (record chord = 102.68 ft.) to a set "Mag Nail" with 2 in. washer stamped TX4297 NM10472 AZ 25068 (Surface Coordinates N=10657984.20 ft., E= 411009.35 ft.) at point of tangency;

Thence, South 82°39'33" East (S85°45'40"E) 8.81 feet to the **POINT OF BEGINNING** and containing 160,002 square feet or 3.6731 acres.

This description is based on a field survey performed under the supervision of Stephen Earl Cobb, Texas RPLS 4297. Bearings shown hereon (except for parenthetical record bearings) are State Plane Grid Bearings. The horizontal datum used in this survey is the Texas State Plane Coordinate System, Central Zone 4203, NAD 1983 (2011), US Survey Feet, adjusted to surface using a factor of 1.000231. Coordinates were measured using the El Paso Island of the real time GPS network called RTKNET as administered by ALLTERRA Central. See <https://allterracentral.com/coverage-map>. Surface coordinates using said sale factor are reported above. **A PLAT OF SURVEY ON LETTER SIZE SHEET(S) ATTACHED TO THIS "METES AND BOUNDS" SHALL ACCOMPANY THIS WRITTEN DESCRIPTION FOR RECORDING PURPOSES. THE SEAL AND SIGNATURE OF THIS SURVEYOR CERTIFYING THE ABOVE "METES AND BOUNDS" DESCRIPTION FOLLOWS ON SAID PLAT OF SURVEY.**

Stephen Earl Cobb, Texas RPLS 4297  
Huitt-Zollars, Inc.; El Paso Office (Firm License Number 10025603)  
5822 Cromo Drive, Suite 210, El Paso, Texas, 79912-5502  
Phone 915-587-4339  
September 3, 2020





CurveTable					
Curve#	Length	Radius	Delta	ChordBearing	Chord
C9	916.05'	3777.83'	13°53'35"	S89°45'00"W	913.81'
C10	514.39'	3859.83'	7°38'08"	N86°37'16"E	514.00'
(Record Chord = 514.49')					
C11	243.63'	3859.83'	3°36'59"	S86°51'41"E	243.59'
(Record Chord = 243.73')					
C12	101.22'	3859.83'	1°30'09"	S83°24'38"E	101.22'
(Record Chord = 102.68')					
C13	26.14'	15.00'	99°51'52"	S47°15'52"E	22.96'

LineTable			
Line	Direction	Length	Record Direction Record Length
L33	N14°06'56"E	5151.43'	
L34	S49°16'25"W	289.76'	
L35	S39°17'25"W	1.74'	(S36°23'W)
L36	S39°17'25"W	96.92'	(S36°23'W)
L37	S82°48'12"W	807.13'	(S79°40'10"W)
L38	N2°41'51"E	116.08'	(N0°24'00"E) (116.08')
L39	N82°42'52"E	60.97'	(N79°37'E)
L40	S2°40'04"W	15.10'	(S0°24'E)
L41	N82°48'12"E	605.41'	(N79°40'10"E)
L42	N3°21'04"E	33.99'	(N0°03'51"E)
L43	N82°42'52"E	61.06'	(N79°37'E)
L44	S3°21'04"W	34.08'	(S0°03'51"W) (34.07')
L45	N82°48'12"E	47.57'	(N79°40'10"E) (47.24')
L46	N3°21'04"E	69.79'	(N0°03'51"E) (69.78')
L47	N82°42'52"E	61.05'	(N79°37'E)
L48	S3°21'04"W	78.48'	(S0°03'51"W) (78.46')
L49	N3°21'04"E	123.32'	(N0°03'51"E) (123.33')
L50	N82°42'52"E	61.05'	(N79°37'E)
L51	S3°21'04"W	136.73'	(S0°03'51"W) (136.74')
L52	S82°39'33"E	8.81'	(S85°45'40"E) (4.35')

SELECT CORNER COORDINATES AND KEYED NOTE DESCRIPTIONS  
SEE SURVEY GRAPHIC SHEETS 3, 4, 5 & 6 OF 6

I	Rebar with Cap N=10657918,91'; E=409247,61'
II	Rebar with Cap N=10657926,64'; E=409308,09'
III	Mag Nail/Washer at Curve PI N=10657893,75'; E=409306,55'
PC IV	Rebar with Cap N=10657985,43'; E=410032,65'
V	Found chiseled marks and concrete nails in Park View Addn. lie average of 1.47' North and 1.59' West of calculated lot corners.
VI	Found 5/8" dia. rebar lies 2.0' North and 1.9' West of calculated PC at return.
VII	Found 5/8" Rebar lies 0.18' North of ROW line.
VIII	Found 5/8" Rebar lies 0.18' South of calculated ROW line and lies 0.12' West of LULAC corner.
IX	Found 5/8" Rebar lies 0.21' West of calculated southeast corner of Park Side Addition, and lies 0.98' South of calculated ROW Line
X	Found 2" Pipe bears S7°51'34"E 1.30' from calculated corner.
XI	Found 5/8" Rebar bears S1°49'48"E 1.76' from calculated corner.
XII	Found 5/8" Rebar w/ 2" Aluminum Cap bears S6°58'18"E 2.02' from calculated corner.

LEGEND

Calculated Corner }  
 • Not Found and }  
 Not Set }  
 Found Survey }  
 Marker }  
 as described }  
 Set 1/2" dia. }  
 rebar/cap TX 4297 }  
 Set cut "X" on }  
 concrete }  
 Set cut "V" on }  
 concrete }  
 Set "Mag Nail" }  
 } Mag Nail

Calculated Corner }  
 of US Parcel No. 3 }  
 Set Corner - }  
 description per }  
 Roman Numeral }  
 etc.

Corners labeled "Mag Nail" on the subject Tract 5 boundary are a set "Mag Nail" with 2 in. washer stamped TX4297 NM10472 AZ 25068.

**HUITT-ZOLIARS INC.**  
 5822 Cromo Dr. Ste. 210  
 El Paso, Tx. 79912  
 PH. 915-567-4339  
 www.huitt-zoliars.com  
 (TSPELS Surveying Firm  
 License Number 10025603)

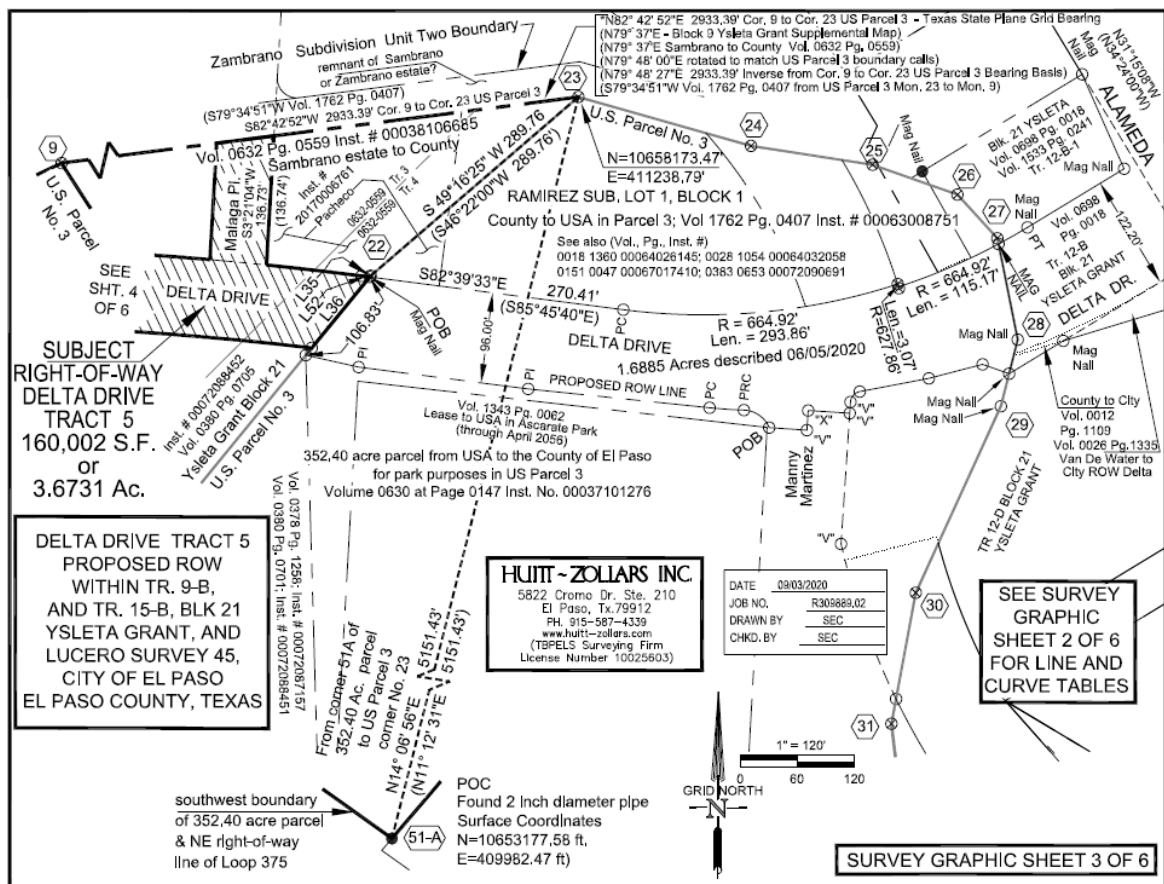
Deed references for Tracts 15-B-1 through 15-B-10, out of Tract 15, Block 21, Ysleta Grant, between Ascarate Street and Seville Street along north right-of-way line of Delta Drive.

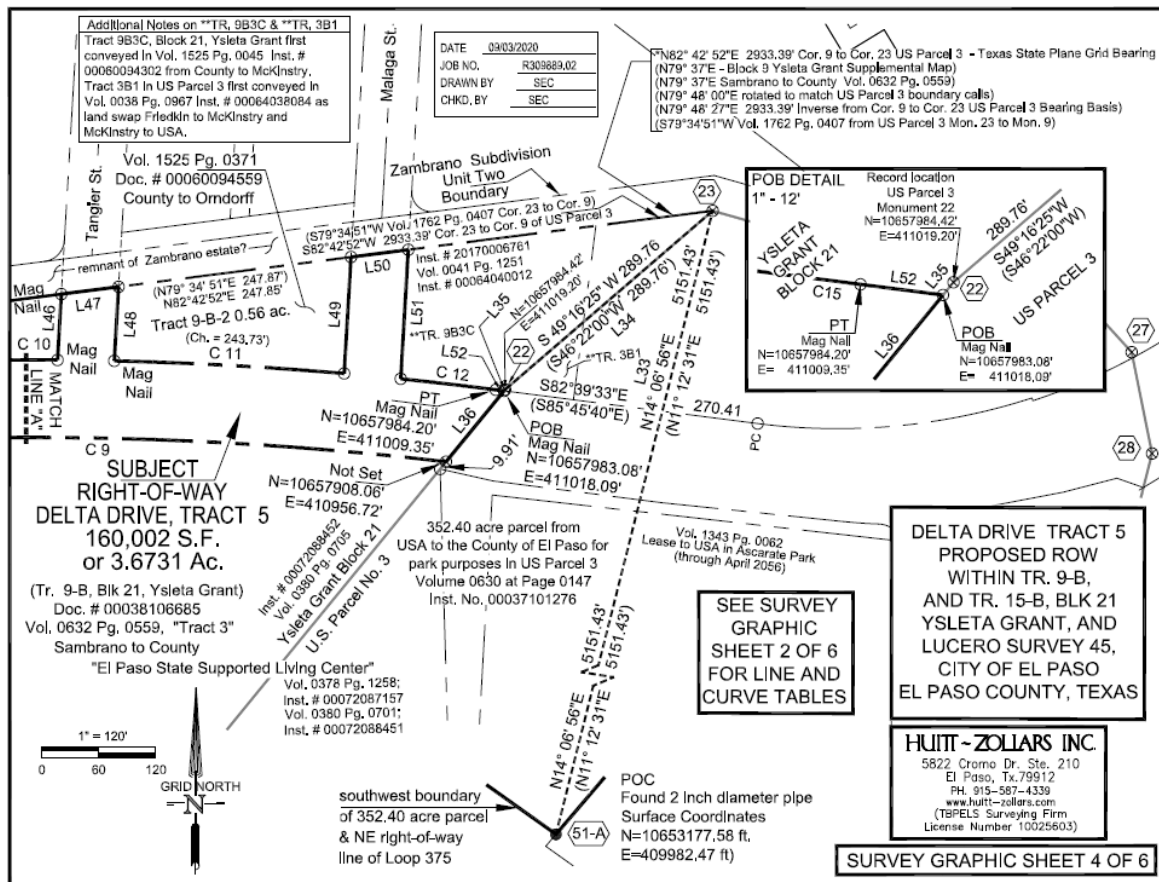
Tr. 15-B-1 (southerly portion) being part of "Tract 2" in Vol. 0632 Pg. 0559 Inst. # 00038106885 Sambrano to County
Tr. 15-B-2 Vol. 1544 Pg. 0339 Inst. # 00060003456 County to Arturo T Garcia
Tr. 15-B-3 Vol. 1544 Pg. 0341 Inst. # 00060003457 County to Arturo T Garcia
Tr. 15-B-2 & Tr. 15-B-3 Vol. 1254 Pg. 1173 Inst. # 00062035116 Arturo T Garcia to Adolfo Urqueta
Tr. 15-B-2 & Tr. 15-B-3 Inst. # 20190022228 Luis Gutierrez to Arnold Davis
Tr. 15-B-4 Vol. 1642 Pg. 0610 Inst. # 00061051150 Dula to County
Tr. 15-B-5 Vol. 1642 Pg. 0608 Inst. # 00061051149 Dula to County
Tr. 15-B-6 Vol. 1642 Pg. 0607 Inst. # 00061051148 Dula to County
Tr. 15-B-7 Vol. 1642 Pg. 0581 Inst. # 00061051147 Dula to County
Tr. 15-B-8 Vol. 1642 Pg. 0580 Inst. # 00061051146 Dula to County
Tr. 15-B-9 Vol. 1642 Pg. 0577 Inst. # 00061051144 Dula to County
Tr. 15-B-10 Vol. 1642 Pg. 0578 Inst. # 00061051145 Dula to County

DATE	09/03/2020
JOB NO.	R30888.02
DRAWN BY	SEC
CHKD. BY	SEC

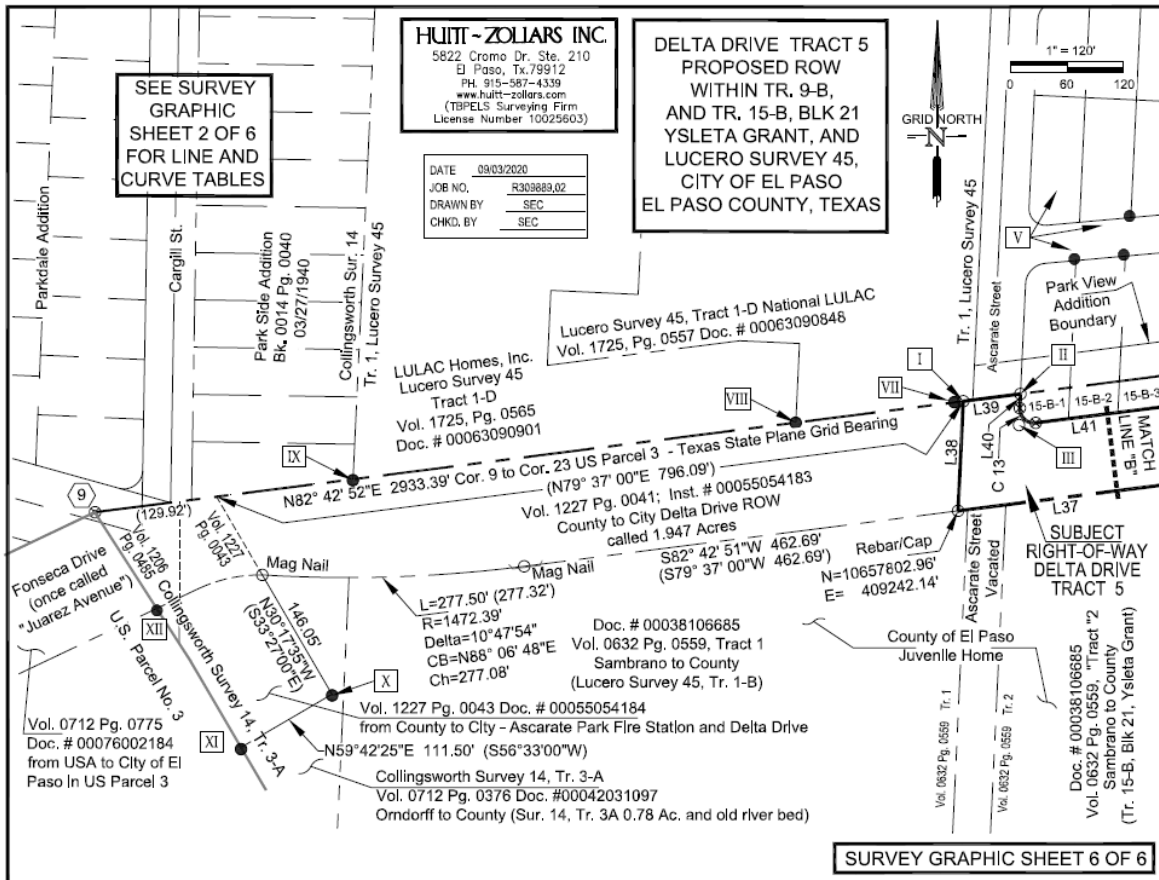
DELTA DRIVE TRACT 5  
 PROPOSED ROW  
 WITHIN TR. 9-B,  
 AND TR. 15-B, BLK 21  
 YSLETA GRANT, AND  
 LUCERO SURVEY 45,  
 CITY OF EL PASO  
 EL PASO COUNTY, TEXAS

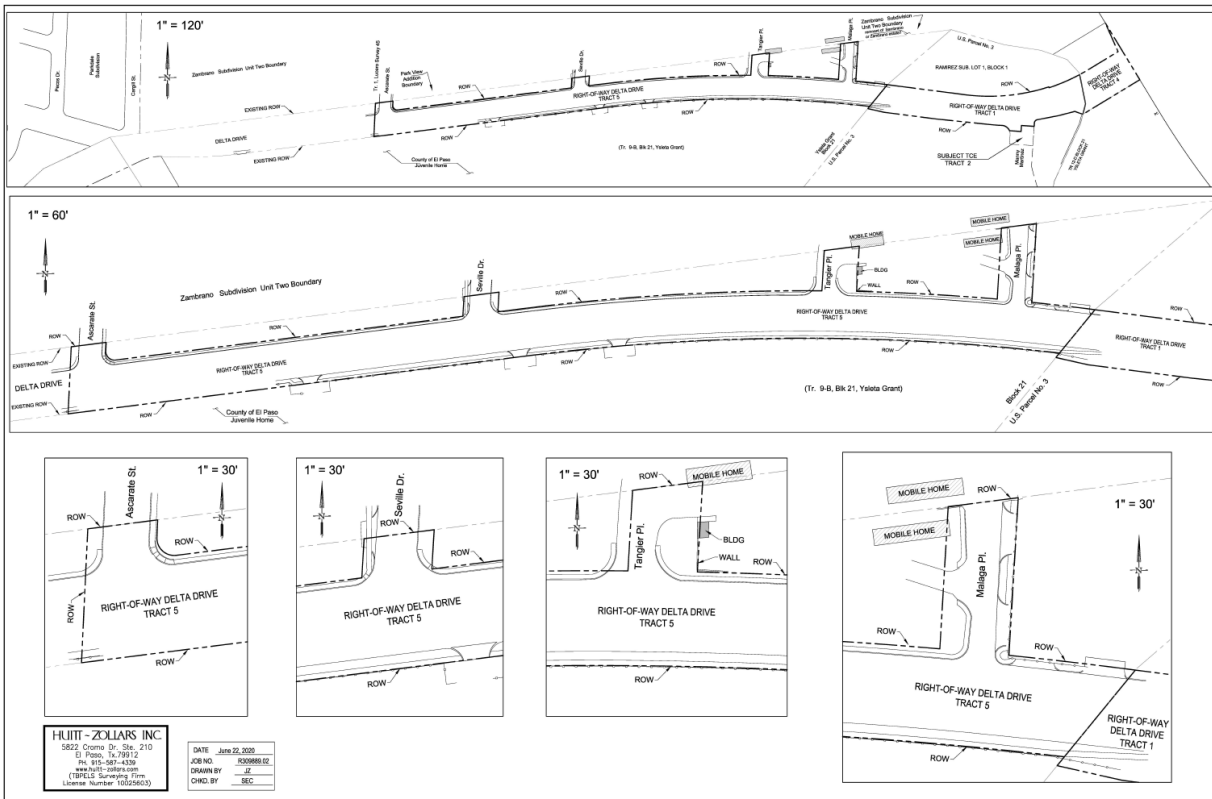
SURVEY GRAPHIC SHEET 2 OF 6











**ATTACHMENT “B”**  
**IMPROVEMENTS**