

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

**AGENDA DATE:** February 15, 2022

**CONTACT PERSON(S) NAME AND PHONE NUMBER:** Philip F. Etiwe, (915) 212-1553  
Raul Garcia, (915) 212-1643

**DISTRICT(S) AFFECTED:** N/A – Extraterritorial Jurisdiction (ETJ)

**STRATEGIC GOAL:** #3 Promote the Visual Image of El Paso

**SUBGOAL:** 3.1 Provide business friendly permitting and inspection processes  
3.2 Improve the visual impression of the community

**SUBJECT:**

A Resolution that the City of El Paso consents to the Paseo Del Este Municipal Utility District No. 6 request to serve and annex certain property located within the Extraterritorial Jurisdiction of the City of El Paso, Texas. (ETJ) Subject Property: South of Eastlake Blvd. and West of Darrington Rd. Applicant: Paseo Del Este Municipal Utility District No. 6 and Northtowne Village Joint Venture

**BACKGROUND / DISCUSSION:**

The applicants are requesting the City of El Paso's consent to serve and annex property within the City's ETJ in order to provide water and wastewater services. The property is 17.66 acres in size. The City Plan Commission recommended 7-0 to approve the request on December 16, 2021. See attached staff report for additional information.

**PRIOR COUNCIL ACTION:**

N/A.

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?**  YES  NO

**PRIMARY DEPARTMENT:** Planning & Inspections, Planning Division

**SECONDARY DEPARTMENT:** N/A

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

**DEPARTMENT HEAD:**

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*Philip Etiwe*  
Philip F. Etiwe – Planning and Inspections Director

## RESOLUTION

### **A RESOLUTION THAT THE CITY OF EL PASO CONSENTS TO THE PASEO DEL ESTE MUNICIPAL UTILITY DISTRICT NO. 6 REQUEST TO SERVE AND ANNEX CERTAIN PROPERTY LOCATED WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF EL PASO, TEXAS.**

**WHEREAS**, the Paseo Del Este Municipal Utility District No. 6 (“District”) is a Municipal Utility District which exists under the terms and provisions of Article XVI, Section 59 and Article III, Section 52 of the Constitution of Texas, the Code Chapters, and/or the act; and

**WHEREAS**, the District has received a request from the landowners of the property described in **Exhibit “A”** attached hereto (“Property”) to be annexed and included in the District; and

**WHEREAS**, the District has submitted a request to the City of El Paso for its consent to annex the Property into the District, see **Exhibit “B”** attached hereto; and

**WHEREAS**, the Property is located in the Extraterritorial Jurisdiction of the City of El Paso, Texas; and

**WHEREAS**, El Paso Water Utilities understands the "Property" is within the District Service Area and does not object to the annexation of the Property into the District; and

**WHEREAS**, pursuant to Chapter 54 of the Texas Water Code and Chapter 42 of the Texas Local Government Code, a resolution authorizing such annexation/inclusion of the Property in the District must be passed by the City Council prior to inclusion of such land in the District; and

**WHEREAS**, the District’s request was presented to the City Plan Commission for its review and made recommendation in favor of the request; and

**WHEREAS**, the City Council has determined that it is in the best interest of the citizenry for the City to consent to the annexation and inclusion of the Property into the District.

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

Pursuant to the provisions of Chapter 54 of the Texas Water Code and Chapter 42 of the Texas Local Government Code, the City of El Paso, Texas hereby consents to the inclusion of the Property in the Paseo Del Este Municipal Utility District.

*(Signatures on the following page)*

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**CITY OF EL PASO:**

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

**ATTEST:**

\_\_\_\_\_  
Laura D. Prine,  
City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Russell T. Abeln  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

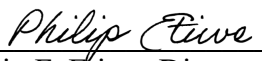
  
\_\_\_\_\_  
Philip F. Etiwe, Director  
Planning and Inspections Department

EXHIBIT "A"

**Barragan And Associates Inc.**

10950 Pollicano Dr., Building "F", El Paso, Texas 79935 Ph. (915) 891-5700 Fax (915) 891-5708

**METES AND BOUNDS DESCRIPTION**

Description of a 17.66 Acre Tract of land being all of a 15.49 Acre Tract file in Instrument No. 20200088141, Real Property Records of El Paso County, Texas, all of two (2) 0.03 Acre Tracts file in Instrument No. 20190057616, Real Property Records of El Paso County, Texas, all of a 0.48, a 0.64, and a 0.51 Acre Tracts filed in Instrument No. 20210027034, Real Property Records of El Paso County, Texas, and a portion of the General Land Office Parcel, all situated in the C.D. Stewart Survey No. 317 and W.J. Rand Survey No. 315-1/2, in El Paso County, Texas, and being more particularly described as follows:

COMMENCING at a found 5/8 inch rebar cap stamped "Landmark:" on the northeast corner of C.D. Stewart Survey No. 317, El Paso County, Texas (Volume 4786, Page 1806); From which, "NOS" monument "Belea" (now obliterated), bears N 55°15'23" W, a distance of 564.64 feet, THENCE, S 02°21'59" W, along the common boundary line of C.D. Stewart Survey No. 317 and 318, El Paso County, Texas (also being the McCombs Baseline), a distance of 3252.78 feet to a point on the northerly right-of-way line of Rojas Drive (dedicated in SISK Peyton Estates Elementary Subdivision)(Clerk's File No. 20130036620), and also for the common southerly corner of a 0.48 Acre Tract (Exhibit "A") described in Instrument No. 20210027034, Real Property Records of El Paso County, Texas, and Emerald Heights Unit 2, filed in Instrument No. 20200028407, Plat Records of El Paso County, Texas, said point also being the POINT OF BEGINNING of this description;

THENCE, along said northerly right-of-way line of Rojas Drive, also being the southerly line of said 0.48 Acre Tract (Exhibit "A") described in Instrument No. 20210027034 and a 15.49 Acre Tract described in Instrument No. 20200088141, Real Property Records of El Paso County, Texas, the following two (2) calls:

34.82 feet, along an arc of a curve to the left, with a radius of 8659.00 feet, and interior angle of 0°13'49", and a chord which bears, N 77°22'42" W, a distance of 34.82 feet to a point;

THENCE, N 78°26'30" W, a distance of 199.88 feet to a point on the easterly line of Mission Ridge Unit Two, filed in Instrument No. 20130022043, Plat Records of El Paso County, Texas, and for the southwesterly corner of said 15.49 Acre Tract described in Instrument No. 20200088141;

THENCE, N 02°28'17" E, leaving said northerly right-of-way line along the westerly line of said 15.49 Acre Tract described in Instrument No. 20200088141, and along the easterly line of Mission Ridge Unit Two, of a portion of a 1.414 Acre Tract described in Instrument No. 20120010977, of a 3.947 Acre Tract described in Instrument No. 20130036358, of a 10.882 Acre Tract described in Instrument No. 20140063203, of a portion of a 29.923 Acre Tract described in Instrument No. 20140012338, Real Property Records of El Paso County, Texas, and of The View at Mission Ridge, filed in Instrument No. 20170031952, Plat Records of El Paso County, Texas, a distance of, a distance of 3348.14 feet to a point for the common corner of said 15.49 Acre Tract described in Instrument No. 20200088141 and The View at Mission Ridge;

THENCE, along the southerly line of said The View at Mission Ridge, also being the northerly line of said 15.49 Acre Tract described in Instrument No. 20200088141 and of a portion of the General Land Office, for the following two (2) calls:


S 86°55'51" E, a distance of 161.42 feet to a point;

S 86°57'02" E, a distance of 64.03 feet to a point for the common corner of said portion of the General Land Office and a 2.38 Acre Tract described in Instrument No. 20140046106, Real Property Records of El Paso County, Texas;

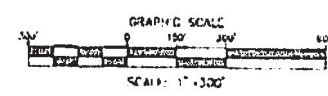
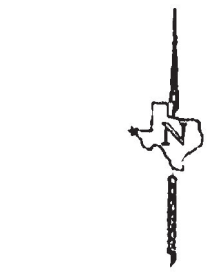
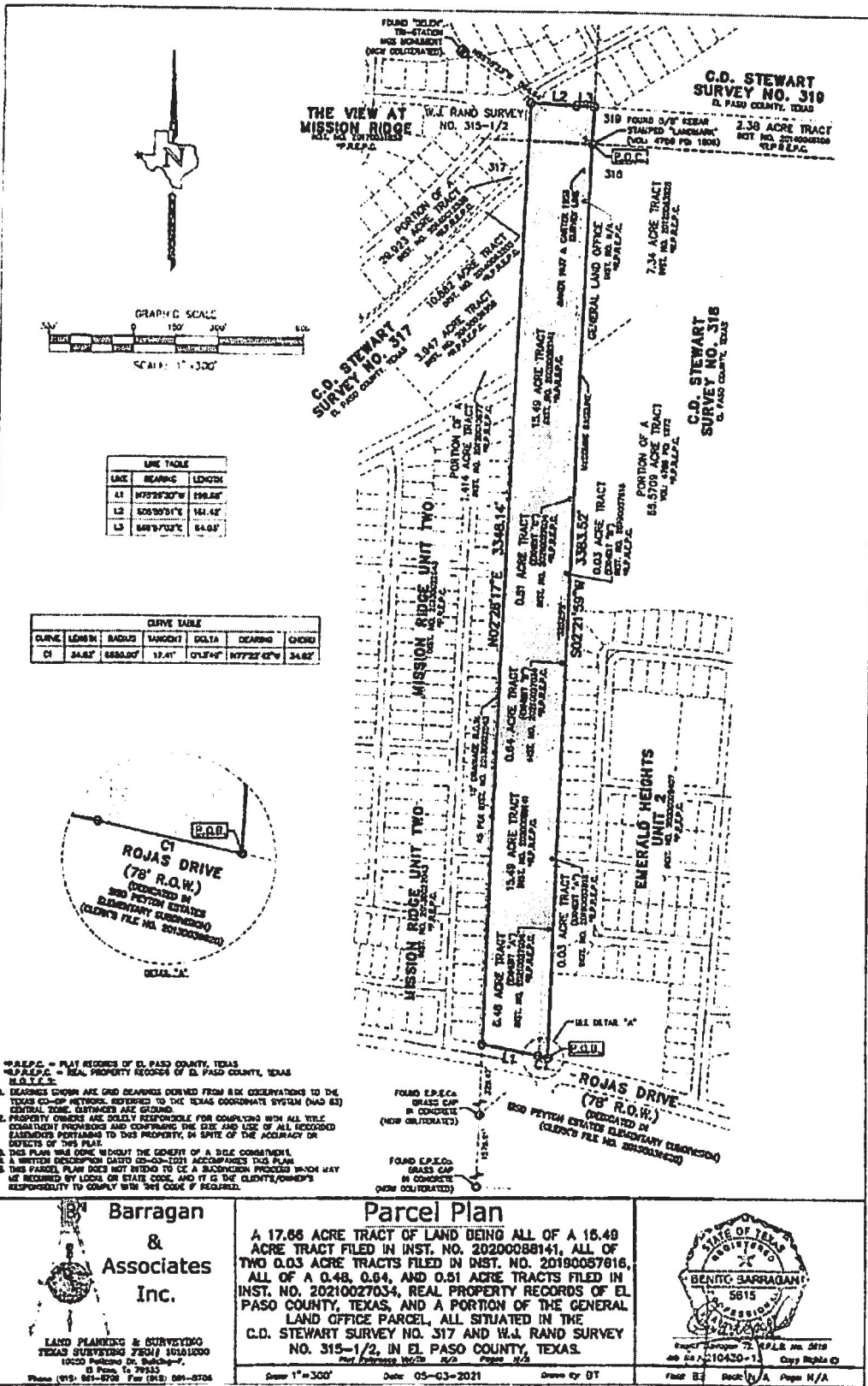
THENCE, S 02°21'59" W, leaving said southerly line of The View at Mission Ridge along the easterly line of said portion of the General Land Office, of a 0.51 Acre Tract (Exhibit "C") described in Instrument No. 20210027034, of a 0.03 Acre Tract (Exhibit "B") described in Instrument No. 20190057616, of a 0.64 Acre Tract (Exhibit "B") described in Instrument No. 20210027034, of a 0.03 Acre Tract (Exhibit "A") described in Instrument No. 20190057616, Real Property Records of El Paso County, Texas, and of said 0.48 Acre Tract (Exhibit "A") described in Instrument No. 20210027034, and along the westerly line of said 2.38 Acre Tract described in Instrument No. 20140046106, of a 7.34 Acre Tract described in Instrument No. 20120063528, of a portion of a 66.5709 Acre Tract described in Volume 4786, Page 1873, Real Property Records of El Paso County, Texas, and of said Emerald Heights Unit 2, a distance of 3383.52 feet to the POINT OF BEGINNING of this description and containing in all 17.66 acres more or less.

**NOTES:**

1. This property may be subject to easements whether of record or not. No Additional Research was performed by B&A Inc. for any reservations, restrictions, building lines, and or easements which may or may not affect this parcel.
2. Bearings shown are grid bearings derived from RTK Observations to the Texas CO-OP Network. Referred to the Texas Coordinate System (NAD 83) Central Zone. Distances are ground.
3. This description does not intend to be a subdivision process which may be required by the City of El Paso ordinance, and it is the client's/owner responsibility to comply with this ordinance if it is required.
4. A Parcel Plan of even date accompanies this description.

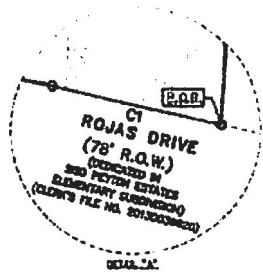
  
Benito Barragan, Texas R.P.T. S. 5615  
Barragan and Associates Inc.  
Texas Surveying License # 10151200  
May 3, 2021  
Emerald Heights -- E.P.E.Co. and G.L.O. Land





LINE	BEARING	LENGTH
L1	N75°25'30"W	198.68'
L2	S05°50'51"E	161.45'
L3	S85°17'32"E	84.01'

CURVE	LENGTH	RADIUS	TANGENT	DELTA	CHORD	CHORD
C1	34.87'	688.507'	17.44'	071°40'	N77°52'47"	34.87'



\*P.L.P.C. = PLAT RECORDS OF EL PASO COUNTY, TEXAS  
 \*R.P.R.P.C. = REAL PROPERTY RECORDS OF EL PASO COUNTY, TEXAS  
 S.L.P.C. =

- DEAD-END CORNER AND BEARINGS DERIVED FROM B.M. OBSERVATIONS TO THE TEXAS CO-OP NETWORK, REFERRED TO THE TEXAS COORDINATE SYSTEM (NAD 83) CENTRAL ZONE. DISTANCES ARE GROUND.
- PROPERTY OWNERS ARE SOLELY RESPONSIBLE FOR COMPLYING WITH ALL TITLE COMMITMENT PROVISIONS AND CONFIRMING THE SIZE AND USE OF ALL RECORDED EASEMENTS PERTAINING TO THIS PROPERTY, IN SPITE OF THE ACCURACY OR DEFECTS OF THIS PLAN.
- THIS PLAN WAS DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
- A WRITTEN DESCRIPTION DATED 03-03-2021 ACCOMPANIES THIS PLAN.
- THIS PARCEL PLAN DOES NOT INTEND TO CELEBRATE A SUBDIVISION PROCEDURE WHICH MAY BE REQUIRED BY LOCAL OR STATE CODE, AND IT IS THE CLIENT'S/OWNER'S RESPONSIBILITY TO COMPLY WITH THE CODE IF REQUIRED.

**Barragan & Associates, Inc.**  
 LAND PLANNING & SURVEYING  
 TEXAS SURVEYING TEAM 16181300  
 10020 Piedras Dr., Suite 407  
 El Paso, TX 79932  
 Phone: (915) 865-8726 Fax: (915) 861-8704

**Parcel Plan**  
 A 17.66 ACRE TRACT OF LAND BEING ALL OF A 16.49 ACRE TRACT FILED IN INST. NO. 20200088141, ALL OF TWO 0.03 ACRE TRACTS FILED IN INST. NO. 20190087816, ALL OF A 0.48, 0.64, AND 0.51 ACRE TRACTS FILED IN INST. NO. 20210027034, REAL PROPERTY RECORDS OF EL PASO COUNTY, TEXAS, AND A PORTION OF THE GENERAL LAND OFFICE PARCEL, ALL SITUATED IN THE C.D. STEWART SURVEY NO. 317 AND W.J. RAND SURVEY NO. 315-1/2, IN EL PASO COUNTY, TEXAS.  
 Plat Submitter: BBA Date: 05-03-2021 Pages: 3/3

**BENITO BARRAGAN**  
 5815  
 Registered Professional Surveyor  
 State of Texas

{12136.1/MCCL/06851348.3}



**REQUEST FOR CONSENT TO  
ANNEX PROPERTY LOCATED WITHIN THE EXTRATERRITORIAL JURISDICA-  
TION OF THE CITY OF EL PASO, TEXAS TO THE PASEO DEL ESTE MUNICIPAL  
UTILITY DISTRICT NO. 6, A SPECIAL PURPOSE DISTRICT  
UNDER TEXAS CONSTITUTION**

**THE STATE OF TEXAS                   §  
  §  
COUNTY OF EL PASO                 §**

**TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF EL PASO,  
TEXAS:**

The undersigned (herein the "District") acting pursuant to the provisions of Section 54.016, Texas Water Code, and Section 42.042, Texas Local Government Code, respectfully requests the City Council of the City of El Paso, Texas, for its written consent to the annexation/inclusion of the property described herein into the District and would respectfully show the following:

**I.**

The District exists under the terms and provisions of Article XVI, Section 59 of the Constitution of Texas and operates pursuant to Chapters 49 and 54, Texas Water Code.

**II.**

The area within the current boundaries of the District is provided with retail water and sewer services by Paseo del Este Municipal Utility District No. 1 (the "Master District") pursuant to a wholesale water and sewer service contract between the Master District and El Paso Water Utilities.

**III.**

The property which is now proposed to be included in the District measures approximately 17.66 acres, more or less, situated wholly within El Paso County, Texas and the extraterritorial jurisdiction of the City of el Paso, and is described more particularly on Exhibit A hereto, which is attached hereto and incorporated herein for all purposes (the "Property").

**IV.**

The general nature of the work will be to provide water and sewer service to the Property at a cost of approximately \$240,000 and shall include the extension of the following: (1) approximately 2,800 linear feet of 8-inch to 12-inch waterlines with services and related appurtenances and (2) approximately 2,200 linear feet of 8-inch gravity wastewater lines with manholes and services.

**V.**

The El Paso Water Utilities has previously agreed to the provision of water and sewer service to the Property by the Master District and, therefore, El Paso Water Utilities does not object to the annexation/inclusion of the Property into the District (see Exhibit B hereto).

**VI.**

The owners of the Property have requested that the District provide them service to the Property and authorized the District to respectfully request the City of El Paso's consent to the annexation of the Property into the District.

**VII.**

WHEREFORE, the District respectfully prays that this request be heard and that your Honorable Body duly pass and approve an ordinance or resolution granting the consent to the annexation/inclusion of the Property to the District.

RESPECTFULLY SUBMITTED, this 20th day of October, 2021.

**PASEO DEL ESTE MUNICIPAL UTILITY  
DISTRICT NO. 6**

By: Lorraine Huit

Name: Lorraine Huit

Title: President, Board of Directors

Date: October 14, 2021

ACKNOWLEDGMENT

THE STATE OF TEXAS       §  
  §  
COUNTY OF EL PASO       §

This instrument was acknowledged before me on the 14<sup>th</sup> day of October, 2021, by Lorraine Huit, President of Board of Directors for Pasco del Este Municipal Utility District No. 6 on behalf of said district.

*Kayla Manall*  
Notary Public in and for the State of Texas



# EXHIBIT A

## Barragan And Associates Inc.

10950 Pollicano Dr., Building "F", El Paso, Texas 79935 Ph. (915) 891-5700 Fax (915) 891-5708

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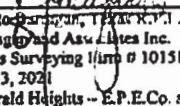
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THENCE, S 02°21'59" W, leaving said southerly line of The View at Mission Ridge along the easterly line of said portion of the General Land Office, of a 0.51 Acre Tract (Exhibit "C") described in Instrument No. 20210027034, of a 0.03 Acre Tract (Exhibit "B") described in Instrument No. 20190057616, of a 0.64 Acre Tract (Exhibit "B") described in Instrument No. 20210027034, of a 0.03 Acre Tract (Exhibit "A") described in Instrument No. 20190057616, Real Property Records of El Paso County, Texas, and of said 0.48 Acre Tract (Exhibit "A") described in Instrument No. 20210027034, and along the westerly line of said 2.38 Acre Tract described in Instrument No. 20140046106, of a 7.34 Acre Tract described in Instrument No. 20120063528, of a portion of a 66.5709 Acre Tract described in Volume 4786, Page 1873, Real Property Records of El Paso County, Texas, and of said Emerald Heights Unit 2, a distance of 3383.52 feet to the POINT OF BEGINNING of this description and containing in all 17.66 acres more or less.

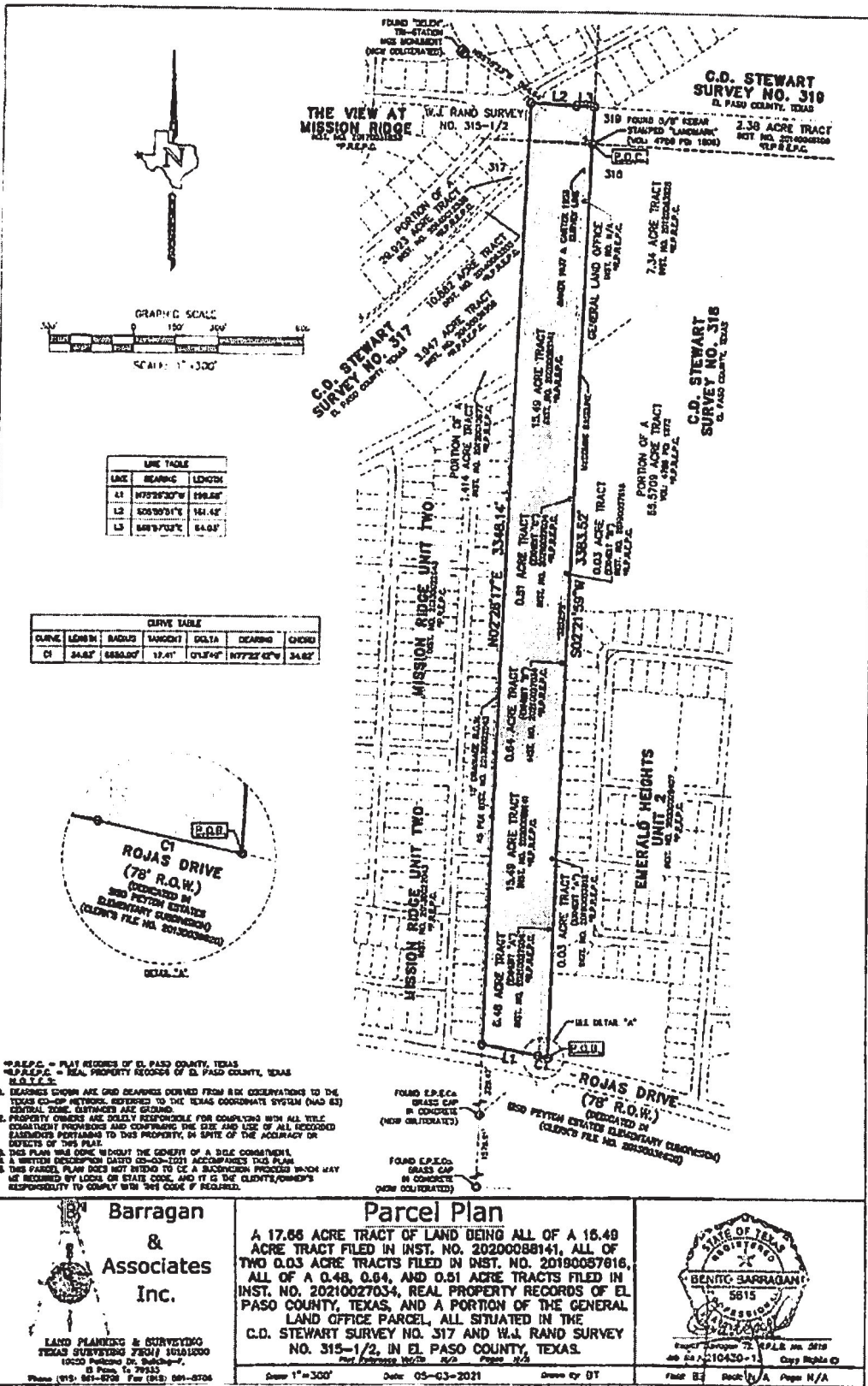
### NOTES:

1. This property may be subject to easements whether of record or not. No Additional Research was performed by B&A Inc. for any reservations, restrictions, building lines, and or easements which may or may not affect this parcel.
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3. This description does not intend to be a subdivision process which may be required by the City of El Paso ordinance, and it is the client's/owner responsibility to comply with this ordinance if it is required.
4. A Parcel Plan of even date accompanies this description.

  
Benito Barragan, Texas R.P.T. S. 5615  
Barragan and Associates Inc.  
Texas Surveying License # 10151200  
May 3, 2021  
Emerald Heights -- E.P.E.Co. and G.L.O. Land



{12136.1/MMCL/06851348.3}



{12136.1/MCML/06851348.3}

## EXHIBIT B



August 27, 2021

Ms. Linda Troncoso, P.E.  
President  
TRE & Associates, LLC  
110 Mesa Park Drive, Suite 200  
El Paso, TX 79912

RE: 17.18 Acre Petition for Annexation into Paseo Del Este Municipal Utility District No. 6

Dear Ms. Troncoso:

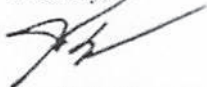
This letter is in response to your correspondence date June 1, 2021 regarding a petition by Northtowne Village Joint Venture for annexation into Paseo Del Este Municipal Utility District No. 6 (PDEMUD6) and the existing *Paseo del Este Wholesale Potable Water Supply and Wastewater Treatment and Transportation Contract (Agreement)* between El Paso Water (EPWater) and Paseo Del Este Municipal Utility District No. 1 (PDE).

Your letter mentions that the property that is the subject of the Northtowne Village Joint Venture's annexation petition is a 17.18-acre tract legally described as a portion of C.D. Stewart Survey No. 317 and W.J. Rand Survey No. 315-1/2, El Paso County, Texas (Property). In accordance with your letter, EPWater understands that this Property is within the District Service Area of the Agreement between EPWater and PDE.

If the City of El Paso consents to the annexation of the Property into PDEMUD6, EPWater services to PDE in accordance with the Agreement will remain without any changes.

If you have any questions, please do not hesitate to contact me at (915) 594-5595.

Sincerely,



John E. Balliew, P.E.  
President/CEO

/ac

cc: Daniel Ortiz, General Counsel  
Ms. Adriana Castillo, P.E., El Paso Water  
Mr. Ronald J. Freeman, Attorney  
Mr. Harrel Davis; Gordon, Davis, Johnson & Shane, P.C.  
Mr. Jorge Azcarate, CEA Group





## *City of El Paso – City Plan Commission Staff Report*

### **Request to serve and annex certain property within the El Paso ETJ (Extraterritorial Jurisdiction)**

Section 54.016 of the Texas Water Code stipulates that no land within the extraterritorial jurisdiction of a city, shall be included in a utility district without that city's written consent, by either a resolution or ordinance.

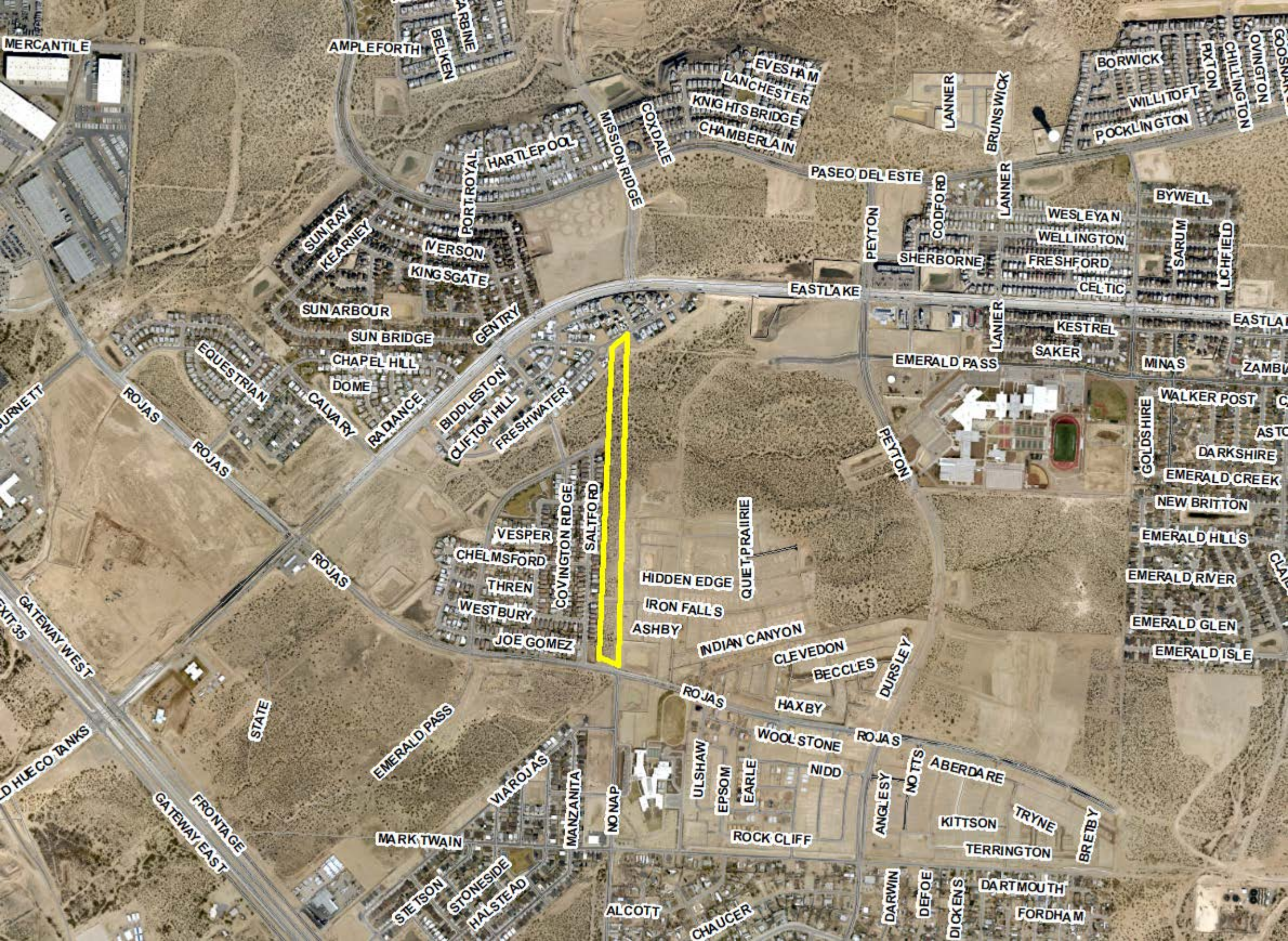
The owners of the subject property, together with the Paseo Del Este Municipal Utility District No. 6, have requested written consent from the City to include the subject property within the boundaries of the Paseo Del Este Municipal Utility District No. 6 in order to begin providing utility services to the property.

The El Paso Water Utility has acknowledged and understands the property is within the District Service Area and does not object to the extension of such services to the property by the Paseo Del Este Municipal Utility District No. 6.

#### **Attachment:**

1. Aerial map
2. Metes and Bounds
3. Survey
4. Applicant's request





MERCANTILE

AMPLEFORTH

BARBINE

BELKEN

COXDALE

MISSION RIDGE

LANCHESTER

KNIGHTS BRIDGE

CHAMBERLAIN

PASEO DEL ESTE

PEYTON

CODFORD

LANNER

BRUNSWICK

BORWICK

WILLITFT

POCKLINGTON

CHILLINGTON

OVINGTON

GOOSMAN

SUN RAY

KEARNEY

MERSON

KINGSGATE

PORT ROYAL

HARTLEPOOL

SHERBORNE

WESLEYAN

WELLINGTON

FRESHFORD

CELTIC

BYWELL

SARUM

LICHFIELD

SUN ARBOUR

SUN BRIDGE

CHAPEL HILL

DOMES

GENTRY

EAST LAKE

EMERALD PASS

LANIER

KESTREL

SAKER

MINAS

ZAMBA

EAST LAKE

BURNETT

ROJAS

EQUESTRIAN

ROJAS

CALVARY

RADANCE

BIDDLESTON

CLIFTON HILL

FRESHWATER

PEYTON

EMERALD PASS

LANIER

WALKER POST

ASTON

DARKSHIRE

EMERALD CREEK

NEW BRITTON

STATE

ROJAS

ROJAS

ROJAS

ROJAS

VESPER

CHELMSFORD

THREN

WESTBURY

COVINGTON RIDGE

SALT FORD

HIDDEN EDGE

IRON FALLS

ASHBY

INDIAN CANYON

CLEVEDON

BECCLES

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# Barragan And Associates Inc.

10950 Pollicano Dr., Building "F", El Paso, Texas 79935 Ph. (915) 891-5709 Fax (915) 891-5708

## METES AND BOUNDS DESCRIPTION

Description of a 17.66 Acre Tract of land being all of a 15.49 Acre Tract file in Instrument No. 20200088141, Real Property Records of El Paso County, Texas, all of two (2) 0.03 Acre Tracts file in Instrument No. 20190057616, Real Property Records of El Paso County, Texas, all of a 0.48, a 0.64, and a 0.51 Acre Tracts filed in Instrument No. 20210027034, Real Property Records of El Paso County, Texas, and a portion of the General Land Office Parcel, all situated in the C.D. Stewart Survey No. 317 and W.J. Rand Survey No. 315-1/4, in El Paso County, Texas, and being more particularly described as follows:

COMMENCING at a found 5/8 inch rebar cap stamped "Landmark:" on the northeast corner of C.D. Stewart Survey No. 317, El Paso County, Texas (Volume 4786, Page 1806); From which, "NGS" monument "Belca" (now obliterated), bears N 55°15'23" W, a distance of 564.64 feet, THENCE, S 02°21'59" W, along the common boundary line of C.D. Stewart Survey No. 317 and 318, El Paso County, Texas (also being the McCombs Baseline), a distance of 3252.78 feet to a point on the northerly right-of-way line of Rojas Drive (dedicated in SISD Peyton Estates Elementary Subdivision)(Clerk's File No. 20130036620), and also for the common southerly corner of a 0.48 Acre Tract (Exhibit "A") described in Instrument No. 20210027034, Real Property Records of El Paso County, Texas, and Emerald Heights Unit 2, filed in Instrument No. 20200028407, Plat Records of El Paso County, Texas, said point also being the POINT OF BEGINNING of this description;

THENCE, along said northerly right-of-way line of Rojas Drive, also being the southerly line of said 0.48 Acre Tract (Exhibit "A") described in Instrument No. 20210027034 and a 15.49 Acre Tract described in Instrument No. 20200088141, Real Property Records of El Paso County, Texas, the following two (2) calls:

34.82 feet, along an arc of a curve to the left, with a radius of 8659.00 feet, and interior angle of 0°13'49", and a chord which bears, N 77°22'42" W, a distance of 34.82 feet to a point;

THENCE, N 78°26'30" W, a distance of 199.88 feet to a point on the easterly line of Mission Ridge Unit Two, filed in Instrument No. 20130022043, Plat Records of El Paso County, Texas, and for the southwesterly corner of said 15.49 Acre Tract described in Instrument No. 20200088141;

THENCE, N 02°28'17" E, leaving said northerly right-of-way line along the westerly line of said 15.49 Acre Tract described in Instrument No. 20200088141, and along the easterly line of Mission Ridge Unit Two, of a portion of a 1.414 Acre Tract described in Instrument No. 20120010977, of a 3.947 Acre Tract described in Instrument No. 20130036358, of a 10.882 Acre Tract described in Instrument No. 20140063203, of a portion of a 29.923 Acre Tract described in Instrument No. 20140012338, Real Property Records of El Paso County, Texas, and of The View at Mission Ridge, filed in Instrument No. 20170031952, Plat Records of El Paso County, Texas, a distance of, a distance of 3348.14 feet to a point for the common corner of said 15.49 Acre Tract described in Instrument No. 20200088141 and The View at Mission Ridge;

THENCE, along the southerly line of said The View at Mission Ridge, also being the northerly line of said 15.49 Acre Tract described in Instrument No. 20200088141 and of a portion of the General Land Office, for the following two (2) calls:

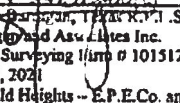
S 86°55'31" E, a distance of 161.42 feet to a point;

S 86°57'02" E, a distance of 64.03 feet to a point for the common corner of said portion of the General Land Office and a 2.38 Acre Tract described in Instrument No. 20140046106, Real Property Records of El Paso County, Texas;

THENCE, S 02°21'59" W, leaving said southerly line of The View at Mission Ridge along the easterly line of said portion of the General Land Office, of a 0.51 Acre Tract (Exhibit "C") described in Instrument No. 20210027034, of a 0.03 Acre Tract (Exhibit "B") described in Instrument No. 20190057616, of a 0.64 Acre Tract (Exhibit "B") described in Instrument No. 20210027034, of a 0.03 Acre Tract (Exhibit "A") described in Instrument No. 20190057616, Real Property Records of El Paso County, Texas, and of said 0.48 Acre Tract (Exhibit "A") described in Instrument No. 20210027034, and along the westerly line of said 2.38 Acre Tract described in Instrument No. 20140046106, of a 7.34 Acre Tract described in Instrument No. 20120063528, of a portion of a 66.5709 Acre Tract described in Volume 4786, Page 1873, Real Property Records of El Paso County, Texas, and of said Emerald Heights Unit 2, a distance of 3383.52 feet to the POINT OF BEGINNING of this description and containing in all 17.66 acres more or less.

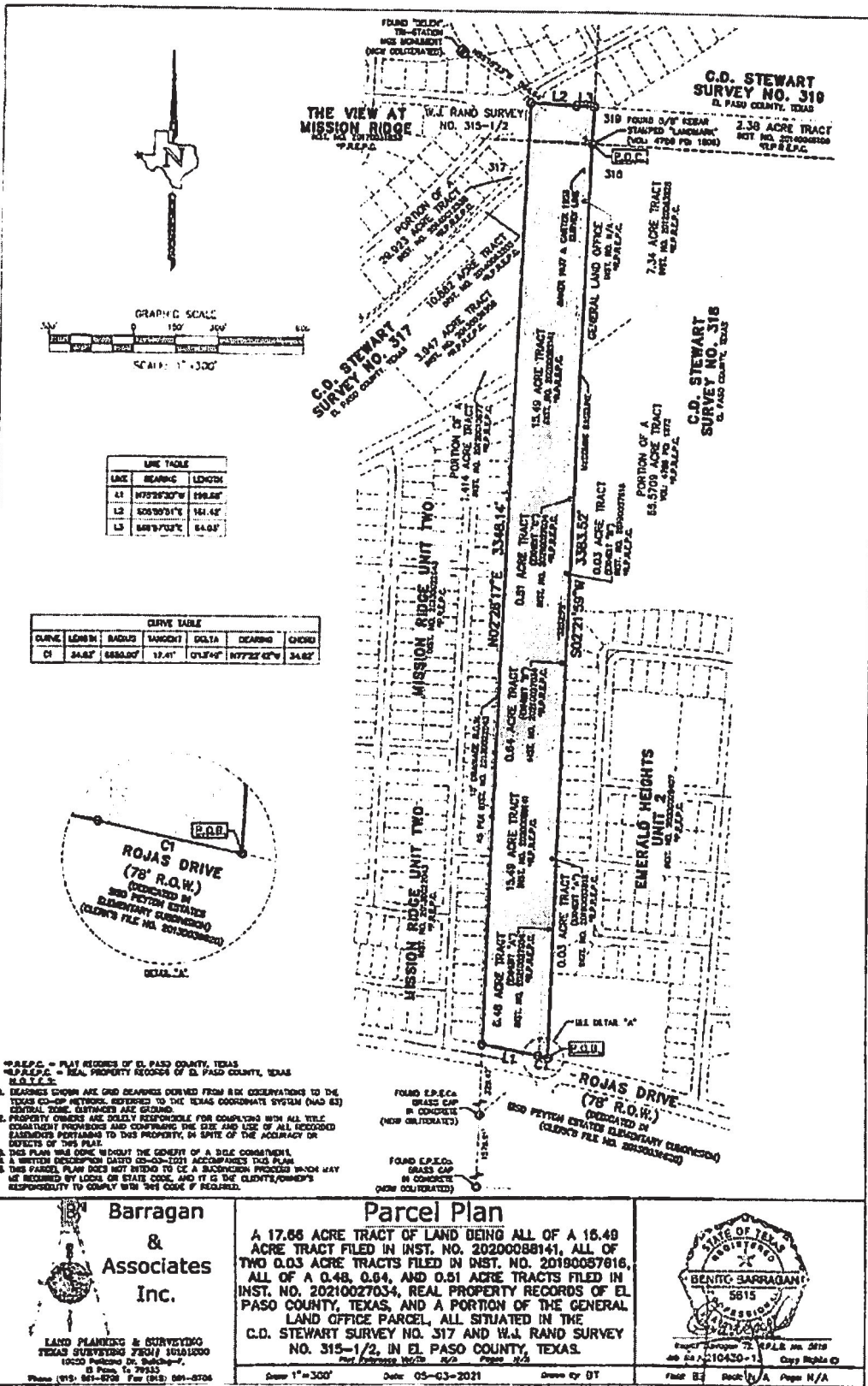
### NOTES:

1. This property may be subject to easements whether of record or not. No Additional Research was performed by B&A Inc. for any reservations, restrictions, building lines, and or easements which may or may not affect this parcel.
2. Bearings shown are grid bearings derived from RTK Observations to the Texas CO-OP Network. Referred to the Texas Coordinate System (NAD 83) Central Zone. Distances are ground.
3. This description does not intend to be a subdivision process which may be required by the City of El Paso ordinance, and it is the client's/owner responsibility to comply with this ordinance if it is required.
4. A Parcel Plan of even date accompanies this description.

  
Benito Barragan, T.S. & L.S. 5615  
Barragan And Associates Inc.  
Texas Surveying License # 10151200  
May 3, 2021  
Emerald Heights -- E.P.E.Co. and G.L.O. Land



{12136.1/MMCL/06851348.3}



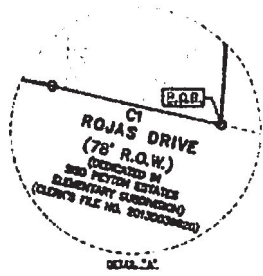
GRAPHIC SCALE

0 100 200

SCALE: 1" = 300'

LINE	BEARING	LENGTH
L1	N75°25'30"W	198.68'
L2	S05°50'51"E	161.42'
L3	S85°17'32"E	84.01'

CURVE	LENGTH	RADIUS	ANGLES	DELTA	CHORD	CHORD
C1	34.87'	688.50'	17.41°	071°40'	N77°52'47"W	34.87'



- \*P.L.P.C. = PLAT RECORDS OF EL PASO COUNTY, TEXAS  
 \*R.P.R.P.C. = REAL PROPERTY RECORDS OF EL PASO COUNTY, TEXAS  
 S.L.P.L.C. =
1. DIMENSIONS SHOWN ARE AND BEHAVES DERIVED FROM R.M. OBSERVATIONS TO THE TEXAS CO-OP NETWORK, REFERRED TO THE TEXAS COORDINATE SYSTEM (NAD 83) CENTRAL ZONE. DISTANCES ARE GROUND.
  2. PROPERTY OWNERS ARE SOLELY RESPONSIBLE FOR COMPLYING WITH ALL TITLE COMMITMENT PROVISIONS AND CONFIRMING THE SIZE AND USE OF ALL RECORDED EASEMENTS PERTAINING TO THIS PROPERTY, IN SPITE OF THE ACCURACY OR DEFECTS OF THIS PLAN.
  3. THIS PLAN WAS DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
  4. A WRITTEN DESCRIPTION DATED 03-03-2021 ACCOMPANIES THIS PLAN.
  5. THIS PARCEL PLAN DOES NOT INTEND TO CE A SUBDIVISION PROCEDURE WHICH MAY BE REQUIRED BY LOCAL OR STATE CODE, AND IT IS THE CLIENT'S/OWNER'S RESPONSIBILITY TO COMPLY WITH THE CODE IF REQUIRED.

**Barragan & Associates Inc.**

LAND PLANNING & SURVEYING  
 TEXAS SURVEYING TEAM 16181000  
 10020 Piedras Dr, Suite 407  
 El Paso, TX 79932  
 Phone: (915) 865-8726 Fax: (915) 861-8704

**Parcel Plan**

A 17.66 ACRE TRACT OF LAND BEING ALL OF A 15.49 ACRE TRACT FILED IN INST. NO. 20200088141, ALL OF TWO 0.03 ACRE TRACTS FILED IN INST. NO. 20190087816, ALL OF A 0.48, 0.64, AND 0.51 ACRE TRACTS FILED IN INST. NO. 20210027034, REAL PROPERTY RECORDS OF EL PASO COUNTY, TEXAS, AND A PORTION OF THE GENERAL LAND OFFICE PARCEL, ALL SITUATED IN THE C.O. STEWART SURVEY NO. 317 AND W.J. RAND SURVEY NO. 315-1/2, IN EL PASO COUNTY, TEXAS.

Map: February 16/21 R/P Page: 1/1

Drawn: 1" = 300' Date: 05-03-2021 Drawn by: DT

STATE OF TEXAS  
 REGISTERED PROFESSIONAL SURVEYOR  
 BENITO BARRAGAN  
 5815

Expire: September 2, 2025  
 REG. NO. 110420-1 Copy Rights ©

Sheet: E3 Book: 1/A Page: N/A

{12136.1/MCCL/06851348.3}

**REQUEST FOR CONSENT TO  
ANNEX PROPERTY LOCATED WITHIN THE EXTRATERRITORIAL JURISDICA-  
TION OF THE CITY OF EL PASO, TEXAS TO THE PASEO DEL ESTE MUNICIPAL  
UTILITY DISTRICT NO. 6, A SPECIAL PURPOSE DISTRICT  
UNDER TEXAS CONSTITUTION**

**THE STATE OF TEXAS                   §  
  §  
COUNTY OF EL PASO                 §**

**TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF EL PASO,  
TEXAS:**

The undersigned (herein the "District") acting pursuant to the provisions of Section 54.016, Texas Water Code, and Section 42.042, Texas Local Government Code, respectfully requests the City Council of the City of El Paso, Texas, for its written consent to the annexation/inclusion of the property described herein into the District and would respectfully show the following:

**I.**

The District exists under the terms and provisions of Article XVI, Section 59 of the Constitution of Texas and operates pursuant to Chapters 49 and 54, Texas Water Code.

**II.**

The area within the current boundaries of the District is provided with retail water and sewer services by Paseo del Este Municipal Utility District No. 1 (the "Master District") pursuant to a wholesale water and sewer service contract between the Master District and El Paso Water Utilities.

**III.**

The property which is now proposed to be included in the District measures approximately 17.66 acres, more or less, situated wholly within El Paso County, Texas and the extraterritorial jurisdiction of the City of el Paso, and is described more particularly on Exhibit A hereto, which is attached hereto and incorporated herein for all purposes (the "Property").

**IV.**

The general nature of the work will be to provide water and sewer service to the Property at a cost of approximately \$240,000 and shall include the extension of the following: (1) approximately 2,800 linear feet of 8-inch to 12-inch waterlines with services and related appurtenances and (2) approximately 2,200 linear feet of 8-inch gravity wastewater lines with manholes and services.

**V.**

The El Paso Water Utilities has previously agreed to the provision of water and sewer service to the Property by the Master District and, therefore, El Paso Water Utilities does not object to the annexation/inclusion of the Property into the District (see Exhibit B hereto).

**VI.**

The owners of the Property have requested that the District provide them service to the Property and authorized the District to respectfully request the City of El Paso's consent to the annexation of the Property into the District.

**VII.**

WHEREFORE, the District respectfully prays that this request be heard and that your Honorable Body duly pass and approve an ordinance or resolution granting the consent to the annexation/inclusion of the Property to the District.

RESPECTFULLY SUBMITTED, this 20th day of October, 2021.

**PASEO DEL ESTE MUNICIPAL UTILITY  
DISTRICT NO. 6**

By: Lorraine Huit

Name: Lorraine Huit

Title: President, Board of Directors

Date: October 14, 2021



ACKNOWLEDGMENT

THE STATE OF TEXAS       §  
  §  
COUNTY OF EL PASO       §

This instrument was acknowledged before me on the 14<sup>th</sup> day of October, 2021, by Lorraine Huit, President of Board of Directors for Paseo del Este Municipal Utility District No. 6 on behalf of said district.

*Kayla Manall*  
Notary Public in and for the State of Texas



# EXHIBIT A

## Barragan And Associates Inc.

10950 Pollicano Dr., Building "F", El Paso, Texas 79935 Ph. (915) 891-5709 Fax (915) 891-5708

### METES AND BOUNDS DESCRIPTION

Description of a 17.66 Acre Tract of land being all of a 15.49 Acre Tract file in Instrument No. 20200088141, Real Property Records of El Paso County, Texas, all of two (2) 0.03 Acre Tracts file in Instrument No. 20190057616, Real Property Records of El Paso County, Texas, all of a 0.48, a 0.64, and a 0.51 Acre Tracts filed in Instrument No. 20210027034, Real Property Records of El Paso County, Texas, and a portion of the General Land Office Parcel, all situated in the C.D. Stewart Survey No. 317 and W.J. Rand Survey No. 315-½, in El Paso County, Texas, and being more particularly described as follows:

**COMMENCING** at a found 5/8 inch rebar cap stamped "Landmark:" on the northeast corner of C.D. Stewart Survey No. 317, El Paso County, Texas (Volume 4786, Page 1806); From which, "NOS" monument "Belea" (now obliterated), bears N 55°15'23" W, a distance of 564.64 feet, **THENCE**, S 02°21'59" W, along the common boundary line of C.D. Stewart Survey No. 317 and 318, El Paso County, Texas (also being the McCombs Baseline), a distance of 3252.78 feet to a point on the northerly right-of-way line of Rojas Drive (dedicated in SISK Peyton Estates Elementary Subdivision)(Clerk's File No. 20130036620), and also for the common southerly corner of a 0.48 Acre Tract (Exhibit "A") described in Instrument No. 20210027034, Real Property Records of El Paso County, Texas, and Emerald Heights Unit 2, filed in Instrument No. 20200028407, Plat Records of El Paso County, Texas, said point also being the **POINT OF BEGINNING** of this description;

**THENCE**, along said northerly right-of-way line of Rojas Drive, also being the southerly line of said 0.48 Acre Tract (Exhibit "A") described in Instrument No. 20210027034 and a 15.49 Acre Tract described in Instrument No. 20200088141, Real Property Records of El Paso County, Texas, the following two (2) calls:

34.82 feet, along an arc of a curve to the left, with a radius of 8659.00 feet, and interior angle of 0°13'49", and a chord which bears, N 77°22'42" W, a distance of 34.82 feet to a point;

**THENCE**, N 78°26'30" W, a distance of 199.88 feet to a point on the easterly line of Mission Ridge Unit Two, filed in Instrument No. 20130022043, Plat Records of El Paso County, Texas, and for the southwesterly corner of said 15.49 Acre Tract described in Instrument No. 20200088141;

**THENCE**, N 02°28'17" E, leaving said northerly right-of-way line along the westerly line of said 15.49 Acre Tract described in Instrument No. 20200088141, and along the easterly line of Mission Ridge Unit Two, of a portion of a 1.414 Acre Tract described in Instrument No. 20120010977, of a 3.947 Acre Tract described in Instrument No. 20130036358, of a 10.882 Acre Tract described in Instrument No. 20140063203, of a portion of a 29.923 Acre Tract described in Instrument No. 20140012338, Real Property Records of El Paso County, Texas, and of The View at Mission Ridge, filed in Instrument No. 20170031952, Plat Records of El Paso County, Texas, a distance of, a distance of 3348.14 feet to a point for the common corner of said 15.49 Acre Tract described in Instrument No. 20200088141 and The View at Mission Ridge;

**THENCE**, along the southerly line of said The View at Mission Ridge, also being the northerly line of said 15.49 Acre Tract described in Instrument No. 20200088141 and of a portion of the General Land Office, for the following two (2) calls:

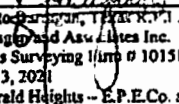
S 86°55'51" E, a distance of 161.42 feet to a point;

S 86°57'02" E, a distance of 64.03 feet to a point for the common corner of said portion of the General Land Office and a 2.38 Acre Tract described in Instrument No. 20140046106, Real Property Records of El Paso County, Texas;

**THENCE**, S 02°21'59" W, leaving said southerly line of The View at Mission Ridge along the easterly line of said portion of the General Land Office, of a 0.51 Acre Tract (Exhibit "C") described in Instrument No. 20210027034, of a 0.03 Acre Tract (Exhibit "B") described in Instrument No. 20190057616, of a 0.64 Acre Tract (Exhibit "B") described in Instrument No. 20210027034, of a 0.03 Acre Tract (Exhibit "A") described in Instrument No. 20190057616, Real Property Records of El Paso County, Texas, and of said 0.48 Acre Tract (Exhibit "A") described in Instrument No. 20210027034, and along the westerly line of said 2.38 Acre Tract described in Instrument No. 20140046106, of a 7.34 Acre Tract described in Instrument No. 20120063528, of a portion of a 66.5709 Acre Tract described in Volume 4786, Page 1873, Real Property Records of El Paso County, Texas, and of said Emerald Heights Unit 2, a distance of 3383.52 feet to the **POINT OF BEGINNING** of this description and containing in all 17.66 acres more or less.

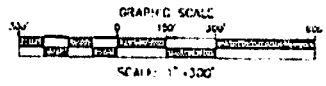
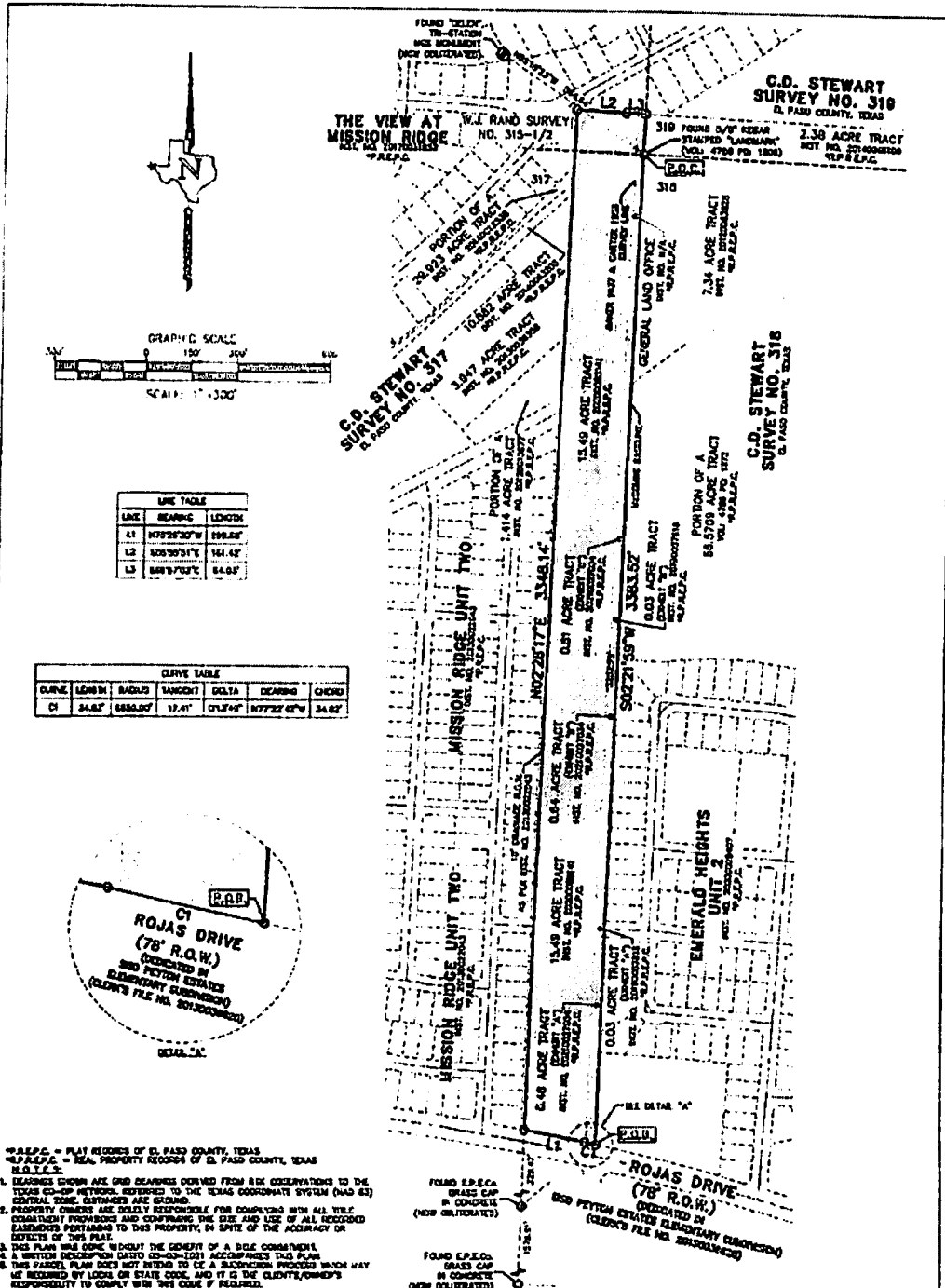
### NOTES:

1. This property may be subject to easements whether of record or not. No Additional Research was performed by B&A Inc. for any reservations, restrictions, building lines, and or easements which may or may not affect this parcel.
2. Bearings shown are grid bearings derived from RTK Observations to the Texas CO-OP Network. Referred to the Texas Coordinate System (NAD 83) Central Zone. Distances are ground.
3. This description does not intend to be a subdivision process which may be required by the City of El Paso ordinance, and it is the client's/owner responsibility to comply with this ordinance if it is required.
4. A Parcel Plan of even date accompanies this description.

  
Benito Barragan, Texas R.P.S. 5615  
Barragan and Associates Inc.  
Texas Surveying License # 10131200  
May 3, 2021  
Emerald Heights -- E.P.E.Co. and G.L.O. Land

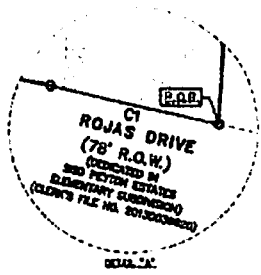


{12136.1/MMCL/06851348.3}



LINE	BEARING	LENGTH
L1	N75°53'07"W	194.62'
L2	S05°50'01"E	161.42'
L3	S89°17'02"E	84.93'

CURVE	LENGTH	RADIUS	CHORD	DELTA	BEARING	CHORD
C1	34.87'	688.007'	13.41'	071°40'	N77°52'42"W	34.87'



- \*P.A.P.C. = PLAT RECORDS OF EL PASO COUNTY, TEXAS  
 \*R.P.A.P.C. = REAL PROPERTY RECORDS OF EL PASO COUNTY, TEXAS  
 R.L.T.S. = REAL PROPERTY RECORDS OF EL PASO COUNTY, TEXAS
1. BEARINGS SHOWN ARE OLD BEARINGS DERIVED FROM B.M. OBSERVATIONS TO THE TEXAS CO-OP NETWORK REFERRED TO THE TEXAS COORDINATE SYSTEM (NAD 83) CENTRAL ZONE. DISTANCES ARE SHOWN.
  2. PROPERTY OWNERS ARE SOLELY RESPONSIBLE FOR COMPLYING WITH ALL TITLE COMPANY REQUIREMENTS AND CONFIRMING THE SIZE AND USE OF ALL RECORDED EASEMENTS PERTAINING TO THIS PROPERTY, IN WITNESS WHEREOF, THE SURVEYOR HAS SET HIS HAND AND SEAL ON THIS DATE.
  3. THIS PLAN WAS DONE WITHOUT THE BENEFIT OF A SOLE COMMENTARY.
  4. A WRITTEN DESCRIPTION DATED 03-03-2021 ACCOMPANIES THIS PLAN.
  5. THIS PARCEL PLAN DOES NOT INTEND TO BE A SUCCESSION PROCEEDING WHICH MAY BE REQUIRED BY LOCAL OR STATE CODE, AND IT IS THE CLIENT'S/OWNER'S RESPONSIBILITY TO COMPLY WITH THE CODES IF REQUIRED.

**Barragan & Associates Inc.**

LAND PLANNING & SURVEYING  
 TEXAS SURVEYING FIRM NO.1014300  
 10000 Piedras Dr., Suite 407,  
 El Paso, TX 79905  
 Phone (915) 861-8706 Fax (915) 861-8706

**Parcel Plan**

A 17.66 ACRE TRACT OF LAND BEING ALL OF A 16.40 ACRE TRACT FILED IN INST. NO. 20200088141, ALL OF TWO 0.03 ACRE TRACTS FILED IN INST. NO. 20190087616, ALL OF A 0.48, 0.64, AND 0.51 ACRE TRACTS FILED IN INST. NO. 20210027034, REAL PROPERTY RECORDS OF EL PASO COUNTY, TEXAS, AND A PORTION OF THE GENERAL LAND OFFICE PARCEL, ALL SITUATED IN THE C.D. STEWART SURVEY NO. 317 AND W.J. RAND SURVEY NO. 315-1/2, IN EL PASO COUNTY, TEXAS.

Map Reference: 10/25 1/20 2/20 3/20  
 Date: 05-03-2021  
 Drawn by: DT

STATE OF TEXAS  
 BENTIC SARRAGAN  
 5815  
 PROFESSIONAL SURVEYOR

Expire: September 2, 2018  
 REG. NO. 110420-1  
 Page 03 of 11

(12136.1/MMC1/06851348.3)

**EXHIBIT B**



August 27, 2021

Ms. Linda Troncoso, P.E.  
President  
TRE & Associates, LLC  
110 Mesa Park Drive, Suite 200  
El Paso, TX 79912

RE: 17.18 Acre Petition for Annexation into Paseo Del Este Municipal Utility District No. 6

Dear Ms. Troncoso:

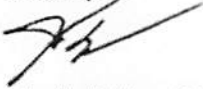
This letter is in response to your correspondence date June 1, 2021 regarding a petition by Northtowne Village Joint Venture for annexation into Paseo Del Este Municipal Utility District No. 6 (PDEMUD6) and the existing *Paseo del Este Wholesale Potable Water Supply and Wastewater Treatment and Transportation Contract (Agreement)* between El Paso Water (EPWater) and Paseo Del Este Municipal Utility District No.1 (PDE).

Your letter mentions that the property that is the subject of the Northtowne Village Joint Venture's annexation petition is a 17.18-acre tract legally described as a portion of C.D. Stewart Survey No. 317 and W.J. Rand Survey No. 315-1/2, El Paso County, Texas (Property). In accordance with your letter, EPWater understands that this Property is within the District Service Area of the Agreement between EPWater and PDE.

If the City of El Paso consents to the annexation of the Property into PDEMUD6, EPWater services to PDE in accordance with the Agreement will remain without any changes.

If you have any questions, please do not hesitate to contact me at (915) 594-5595.

Sincerely,



John E. Balliew, P.E.  
President/CEO

/ac

cc: Daniel Ortiz, General Counsel  
Ms. Adriana Castillo, P.E., El Paso Water  
Mr. Ronald J. Freeman, Attorney  
Mr. Harrel Davis; Gordon, Davis, Johnson & Shane, P.C.  
Mr. Jorge Azcarate, CEA Group