

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

DEPARTMENT: Economic and International Development

AGENDA DATE: CCA Regular 11.24.2020

CONTACT PERSON: Pamela Sifuentes, (915) 212-1633
sifuentesp@elpasotexas.gov

DISTRICT(S) AFFECTED: 8

SUBJECT:

That the City Council approve a Resolution for a Downtown Management District expansion to include the "Ballpark West" area of downtown El Paso.

BACKGROUND/DISCUSSION:

The Downtown Management District ("DMD") boundaries cover most of Downtown, but not the area of Downtown to the west and north of Southwest University Ballpark. In 2019 and 2020, the DMD received petitions from several property owners in the Ballpark West area asking for their properties to be included in the DMD's territory. The petitioners were willing to take on the DMD's small annual assessment in return for the DMD's array of services, which include sanitation, security, special events, economic development, and promotions for Downtown.

The 2020 petitions represented over 50 percent of the assessed value of tax-paying properties in the Ballpark West area. Of the 38 properties in the Ballpark West area, 14 supported the petition and only four (4) opposed it. The 2020 petitions were heard by the DMD's Board of Directors ("Board") at a duly called public hearing and the Board voted to approve the petitions.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

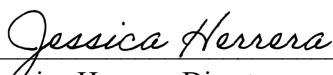
N/A

BOARD/COMMISSION ACTION:

The Downtown Management District Board of Directors at a duly called public hearing on October 22, 2020 voted to approve adding the proposed territory to the District.

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

DEPARTMENT HEAD:



Jessica Herrera, Director

Economic & International Development

RESOLUTION

WHEREAS, pursuant to Chapter 375 of the Texas Local Government Code, the El Paso Downtown Management District (the “District”) was legally created as a municipal management district by order of the Texas Natural Resources Conservation Commission on March 10, 1997; and

WHEREAS, by Resolution dated September 3, 1996, the City of El Paso supported the creation of the District; and

WHEREAS, the District promotes, develops, encourages and maintains commerce, employment, transportation, tourism, economic development, safety and the public welfare in the downtown area of the City of El Paso; and

WHEREAS, the District’s existing boundaries are generally defined by Wyoming Street on the north; Cesar Chavez Memorial Highway on the south; Santa Fe and Paisano on the west; and Ochoa and Alley G (Kansas) on the east; and

WHEREAS, pursuant to §49.301 (a) of the Texas Water Code, the District received petitions from property owners (“Petitioners”) in an area referred to herein as the “Proposed Additional Territory”; and

WHEREAS, the boundaries of the Proposed Additional Territory are generally defined by Prospect Street and I-10 on the north; Santa Fe Street, Missouri Avenue and Durango Street on the east; and West Franklin Avenue on the south/west; and

WHEREAS, an aerial map outlining the Proposed Additional Territory is attached hereto as Attachment “A” and a list of properties in the Proposed Additional Territory are provided in Attachment “B”; and

WHEREAS, Petitioners asked the District to add the Proposed Additional Territory to the District; and

WHEREAS, Petitioners represented more than fifty percent of the assessed value of tax-paying properties subject to the special assessment in the Proposed Additional Territory; and

WHEREAS, of the thirty-eight total properties in the Proposed Additional Territory, fourteen supported the petition and four opposed it; and

WHEREAS, pursuant to §49.301 (d), the petitions were heard by the District’s Board of Directors (“Board”) at a duly called public hearing on October 22, 2020 wherein the Board voted to approve adding the Proposed Additional Territory to the District; and

WHEREAS, Texas Local Government Code §375.043 (a), provides that a district may annex land as provided by the Texas Water Code §49.301 and Chapter 54, subject to the approval of the governing body of the municipality; and

WHEREAS, the City Council of the City of El Paso, Texas has considered the annexation of the Proposed Additional Territory to the District and approves of the annexation of the Proposed Additional Territory.

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

THAT the City Council of the City of El Paso hereby approves the annexation into the El Paso Downtown Management District of the land in the Proposed Additional Territory as described in Attachment "A" and Attachment "B".

APPROVED this ____ day of _____, 2020.

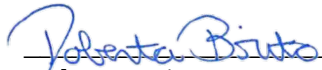
CITY OF EL PASO

Dee Margo
Mayor

ATTEST:

Laura D. Prine

APPROVED AS TO FORM:



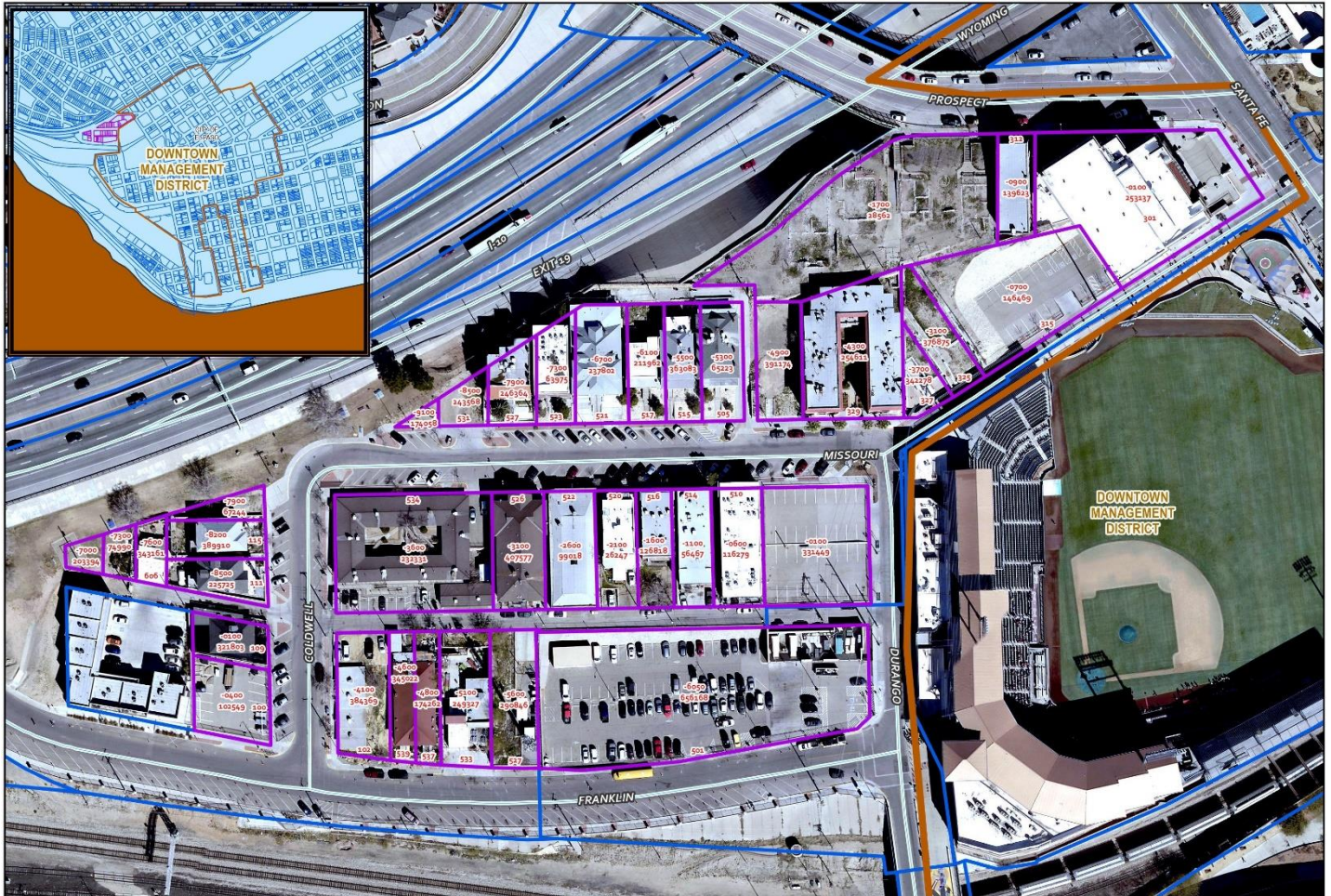
Roberta Brito
Assistant City Attorney

APPROVED AS TO CONTENT:



Jessica Herrera, Director Economic
& Int'l Development

ATTACHMENT “A”
Proposed Additional Territory



ATTACHMENT “B”
Properties in Proposed Additional Territory

PROP_ID	OWNER_ID	FILE_AS_NA	SITUS_NUM	SITUS_STRE	SITUS_DIR	SITUS_CITY
26247	1082859	OSCAR ANDRADE PROPERTIES	520	MISSOURI	AVE	EL PASO
28562	1003915	MOUNTAINSTAR PROPERTIES COMPANY		MISSOURI	AVE	EL PASO
56467	61833	SAN FRANCISCO HISTORIC DIST LTD	514	MISSOURI	AVE	EL PASO
63975	43765	ANDRADE OSCAR & ROCIO	523	MISSOURI	AVE	EL PASO
65223	1018579	ANDAZOLA REALTY LLC	505	MISSOURI	AVE	EL PASO
67244	370766	PASSON ETHEL A		MISSOURI	AVE	EL PASO
74990	10474	CITY OF EL PASO		MISSOURI	AVE	EL PASO
99018	263431	ABRAHAM JOSEPH	522	MISSOURI	AVE	EL PASO
102549	10474	CITY OF EL PASO	100	COLDWELL	ST	EL PASO
116279	43765	ANDRADE OSCAR & ROCIO	510	MISSOURI	AVE	EL PASO
126818	454291	FRAUSTO SERGIO X	516	MISSOURI	AVE	EL PASO
139623	85959	GUERRERO SUMIE & JESSICA (TR)	312	PROSPECT	ST	EL PASO
146469	74683	EL PASO SCOTTISH RITE HISTORICAL	315	MISSOURI	AVE	EL PASO
174058	14940	HAMRAH VICTORIA & ROSALIE M		MISSOURI	AVE	EL PASO
174262	978579	PONCE ALFONSO R & 2	537	FRANKLIN	AVE	EL PASO
203394	982199	KASHI PROPERTIES LLC		MISSOURI	AVE	EL PASO
211962	1084035	517 W MISSOURI LLC	517	MISSOURI	AVE	EL PASO
225725	203512	ALARCON RODOLFO & MARISELA	111	COLDWELL	ST	EL PASO
232331	973211	NATHAN PROPERTIES LLC	534	MISSOURI	AVE	EL PASO
237802	451686	MAYVIEW REAL ESTATE LP	521	MISSOURI	AVE	EL PASO
243568	1063209	ANDRADE OSCAR & ROCIO	531	MISSOURI	AVE	EL PASO
246364	1082862	OSCAR ANDRADE PROPERTIES	527	MISSOURI	AVE	EL PASO
249327	976055	533 W FRANKLIN LLC	533	FRANKLIN	AVE	EL PASO
253137	74683	EL PASO SCOTTISH RITE HISTORICAL	301	MISSOURI	AVE	EL PASO
254611	274864	RECENDEZ JAVIER M	329	MISSOURI	AVE	EL PASO
290846	1017167	SALCIDO ISABEL	527	FRANKLIN	AVE	EL PASO
321803	1108384	FRANKLIN COLDWELL LLC	109	COLDWELL	ST	EL PASO
331449	74683	EL PASO SCOTTISH RITE HISTORICAL		MISSOURI	AVE	EL PASO
342278	1003915	MOUNTAINSTAR PROPERTIES COMPANY	327	MISSOURI	AVE	EL PASO
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345022	955798	RIVERA ALBERTO	539	FRANKLIN	AVE	EL PASO
363083	1018579	ANDAZOLA REALTY LLC	515	MISSOURI	AVE	EL PASO
376875	1003915	MOUNTAINSTAR PROPERTIES COMPANY	325	MISSOURI	AVE	EL PASO
384369	150680	INTERNATIONAL CUTTING SEV LTD	102	COLDWELL	ST	EL PASO
389910	75257	SIERRA MARIA	115	COLDWELL	ST	EL PASO
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407577	1054282	526 MISSOURI LLC	526	MISSOURI	AVE	EL PASO
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To: Tommy Gonzalez, City Manager
Karla Nieman, City Attorney
Roberta Brito, Assistant City Attorney
Jessica Herrera, Economic & International Development
Elizabeth Triggs, Economic & International Development
Mirella Craigo, Economic & International Development

From: Joe Gudenrath, Executive Director
El Paso Downtown Management District

Date: October 26, 2020

Re: Request for City Council Approval of DMD District Expansion to Include the “Ballpark West”
Area of Downtown El Paso

The El Paso Downtown Management District (DMD) is a municipal management district, an independent governmental entity established in 1997 with the mission to promote economic development by providing services that champion a vibrant Downtown El Paso. The DMD’s goal is to mobilize resources and affect positive growth in order to revitalize and sustain a vibrant Downtown El Paso. The DMD achieves this goal by promoting and delivering economic development initiatives, projects, programs, and services that create a more vibrant, welcoming environment in Downtown.

The District’s boundaries cover most of Downtown, but not the area of Downtown to the west and north of Southwest University Ballpark. In 2019 and 2020, the DMD received petitions from several property owners in the Ballpark West area asking for their properties to be included in the DMD’s territory. The petitioners were willing to take on the DMD’s small annual assessment in return for the DMD’s array of services, which include sanitation, security, special events, economic development, promotions for Downtown.

The 2020 petitions represented over 50 percent of the assessed value of tax-paying properties in the Ballpark West area. Of the 38 properties in the Ballpark West area, 14 supported the petition and only four (4) opposed it. The 2020 petitions were heard by the DMD’s Board of Directors (“Board”) at a duly called public hearing this week, and the DMD Board voted to approve the petitions.

We are writing this to now ask that this matter be placed on City Council’s agenda, as the law requires City Council to approve the DMD Board’s action to expand the district’s territory before the new area can be brought into the DMD’s territorial area.

The legal process to expand the DMD’s district boundaries is set forth in Texas Local Government Code §375.043. This provision provides that property may be added to a municipal management district such as the DMD by utilizing the process described in Texas Water Code § 49.301 and Chapter 54.

The *first step* of the expansion process starts when a property owner submits a petition asking that their property be added to the district. This step is complete, as the DMD received petitions from property owners of 14 separate properties asking to be added to the district's territory.

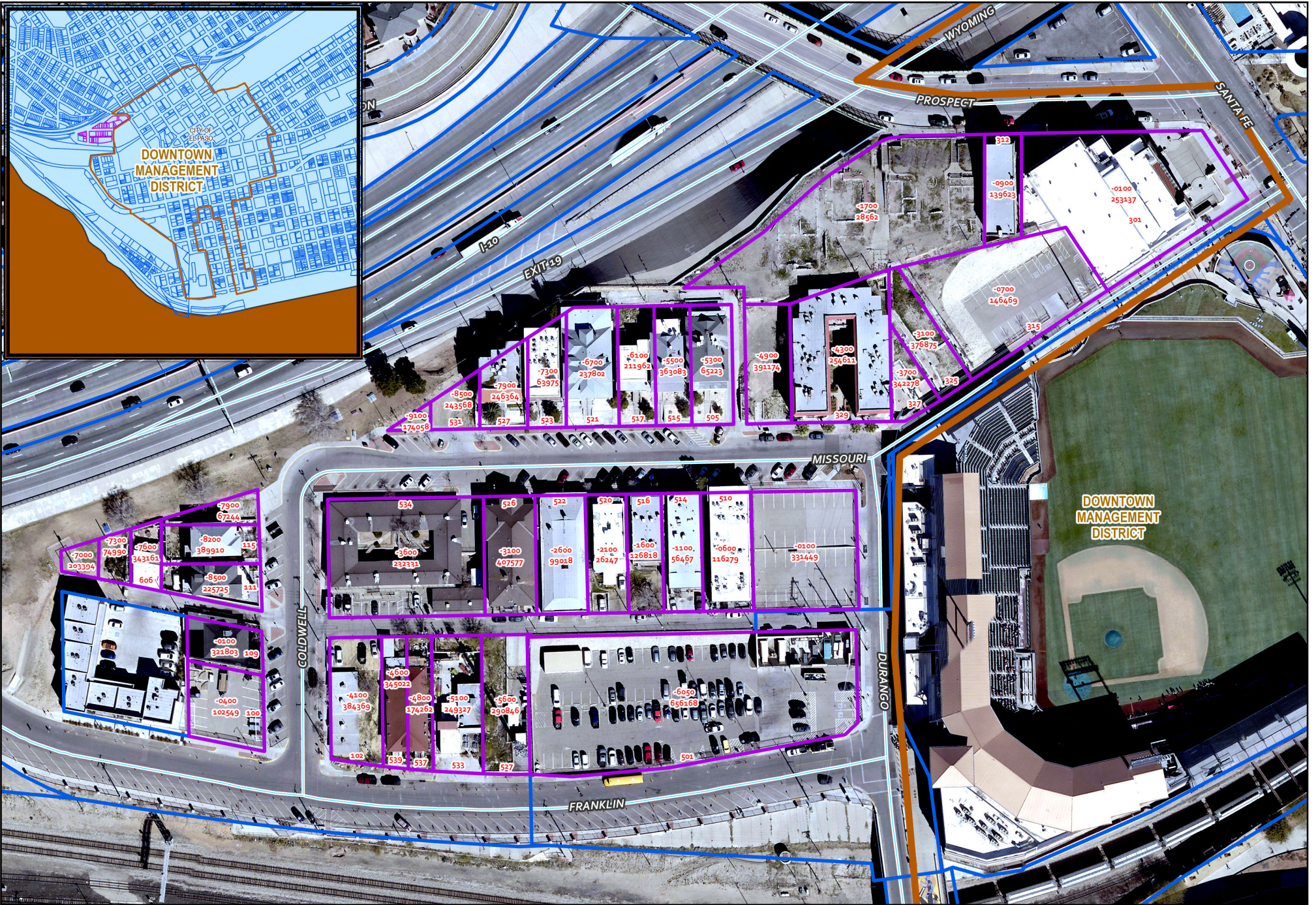
The *second step* of the process calls for the DMD's Board to call a public hearing, review the petitions, hear public comments, and decide whether to grant the petition. The DMD Board may add the property into the district's territory if it is feasible, practicable, and to the DMD's advantage, and if the addition of the property does not injure land already in the DMD. This second step is also complete. On October 22, 2020, the DMD Board met, held a public meeting, and granted the property owners' petitions to be added to the district.

The *third step* of the expansion process requires the DMD Board's action to be approved by the governing body of the municipality, meaning the El Paso City Council. This is the step we are asking City Council to take.

The *fourth and final step* is, assuming City Council approval, to file the approved petition with the County Clerk's office and Central Appraisal District. This final step has to be completed in December 2020, so we are asking that City Council expedite its review and consideration of this request.

We want to make it clear that there is no cost or expense to the City here. This action will have no impact on the City, and the City will not be required to pay any cost or expense related to the expansion of the district. We also want to state that there is no cost to the general public or taxpayers in general. There is no tax or assessment charged to any taxpayers except a small amount to those property owners inside the Ballpark West area who have overwhelmingly agreed to accept this obligation.

We truly appreciate your consideration of this request. If there are any questions or if you need further information about this matter, please let us know.



DOWNTOWN MANAGEMENT DISTRICT



PROP_ID	OWNER_ID	FILE_AS_NA	SITUS_NUM	SITUS_STRE	SITUS_DIR	SITUS_CITY
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**Petition Requesting Annexation of New Properties Into the
El Paso Downtown Management District
(Drafted and Proposed September 1, 2020)**

To the Board of Directors of the El Paso Downtown Management District:

The undersigned (the “*Petitioners*”), constituting the owners of property in or near downtown El Paso, Texas, are submitting this petition drafted and proposed on September 1, 2020 (the “*Petition*”) to formally request the properties and area set forth on Attachment A be annexed into, and included within, the territory of the El Paso Downtown Management District (the “*District*”).

1. The Legal Basis and Process for Annexation. The law permits Petitioners’ request for annexation into the District. The process to expand in order to add new properties into the District’s existing boundaries is set forth in Texas Local Government Code § 375.043. This statutory provision provides that property may be annexed by a municipal management district, such as the District, pursuant to the process described in Texas Water Government Code § 49.301 and Texas Water Code Chapter 54.

Texas Water Code § 49.301 provides that one or more property owners may petition the District to have their properties annexed into, or added, to the existing territory of the municipal management district. The District’s Board must hear and consider the Petition after it is submitted. The District’s Board may then vote to add the Petitioner’s property into the District’s territory if it is feasible, practicable, and to the District’s advantage, and if the addition of the property does not injure land already within the District’s existing territory. The addition of Petitioner’s properties must also be deemed legally valid and sufficient, which depends on the number of participating owners who support the Petition.

Texas Water Code Chapter 54 further provides that a property owner may submit a written application for inclusion into an existing territory of a municipal management district. Tex. Water Code Ann. § 54.742. The application must include:

- (a) A statement that the property owner assumes payment of all taxes, assessments, and fees levied on it by the District after inclusion in the District;
- (b) An agreement by the property owner that their property shall be subject to future taxes, fees and assessments levied by the District; and
- (c) An agreement by the property owner that their property will be subject to the same liens and statutes governing other properties in the District (as if the property was originally included in the district).

If the Petitioners’ written application is approved by the District’s board of directors (the “*Board*”), then the request for expansion of the District’s territory must be approved by the governing body of the municipality, meaning the El Paso City Council (“*City Council*”). Thus, the first step of this Petition would be submission to the District’s Board for consideration. The

second step, assuming the District's Board approves the application, is to request final approval from City Council.

2. The Mission, Services, and Structure of the District. In submitting this Petition, Petitioners wish to confirm they are aware of the history, purpose, mission, operations, and structure of the District.

As background, the District is an independent governmental entity established in 1997 with the mission to promote economic development by providing services that champion a vibrant Downtown El Paso. The District's goal is to mobilize resources and affect positive growth in order to revitalize and sustain a vibrant Downtown El Paso ("*Downtown*"). The District achieves this goal by promoting and delivering economic development initiatives, projects, programs, and services that create a more vibrant, welcoming environment in Downtown.

The District's key focus areas and operations include the following services and programs for its Downtown owners:

- Sanitation and Security
- Special Events
- Economic and Commercial Development
- Quality of Life
- Transportation/Parking
- Education and Promotion

The District's existing boundaries, as shown below, is generally bounded on the north by Wyoming Street, on the south by the Cesar Chavez Memorial Hwy, on the west by Santa Fe and Paisano, and on the east by Ochoa and Alley G (Kansas).



The District is governed by the Board consisting of 21 board members. To serve, the board members must meet the qualifications set forth in Texas Local Government Code § 375.063, which generally provides that board members must own property in the District, represent an owner, or work for an employer located in the District. New board members are nominated by the Board itself, and then submitted to City Council for approval (except for unexpired terms, which are filled by the Board itself). In addition, there are ex officio (non-voting) members of the Board, including the City of El Paso City Manager, the Chief Executive Officers of the chambers of commerce, and the city, county, and state elected officials whose districts include Downtown El Paso.

The actual operations of the District are overseen by the District's own staff. The day-to-day operations are led by the District's Executive Director. The Executive Director, in turn, oversee the employees, contractors, and consultants employed by the District.

3. The District's Funding and Budget. In submitting this Petition, Petitioners further wish to state they are aware of how the District is funded and budgets its finances.

The District is funded by assessment revenue from property within the District and through collaboration on specific projects and programs with the City of El Paso, and others. The primary source of funding is by means of assessment revenue from private property within the District assessed at \$.12 per \$100 of valuation. This assessment rate has been the same since the inception of the District in 1997. In addition, the District receives contractual funding from the City of El Paso through Interlocal Agreements and Amendments. All these resources are spent directly in the District's territorial area.

The District's funds are used to provide services and programs for the benefit of Downtown. The District's original service plan in the late 1990s and early 2000s focused on cleanliness, transportation, security and promotion of Downtown. Over time, beginning in approximately 2010, the District took on additional operations and programs, to include: Marketing & Education; Economic Development Promotion; Security; Sanitation; and, Transportation & Parking. The services are in alignment with the District's goal to serve as the primary clearinghouse for public/private activities and commerce in Downtown.

Each year, the Board approves a budget for the District. By way of illustration, the approved FY 2020-2021 budget is shown below.

<i>Revenue</i>	
Assessment	\$ 437,645
Interlocal Agreements	\$ 326,515
Other Income	\$ 152,228
Budget Carry Over	\$ 95,359
Total Income/Revenue	\$ 1,011,747

<i>Expenses</i>	
Administration	\$42,930
Salaries	\$328,325
Contracted Services	\$12,000
Office Administration	\$95,847
Economic Development/Grants	\$70,915
Marketing	\$135,169
Sanitation	\$264,996
Infrastructure/Security	\$32,000
Community Projects/Programs	\$27,000
Total Expenses	\$1,009,182

The District has investments and cash on hand in the approximate amount of \$716,924 as of the date this Petition was drafted and proposed, on September 1, 2020. These funds are used to ensure appropriate funding is on hand for continuing operational expenses.

The District seeks to dedicate as much of its budget as possible to its services and programs, for the benefit of the District, Downtown, and the property owners in the District. The District, as an organization, does have certain general expenses, which include the cost of its personnel, professional services including contracting for legal and accounting work to ensure local, state and federal regulations for a municipal management district are adhered to, office administrative expenses, and certain periodic capital expenditures.

4. The Proposed Area of Expansion/Annexation. The Petitioners own all or a majority of the properties in the area indicated in the picture below bordered in purple. This area is generally bounded by: Prospect Street and I-10 on the north; Santa Fe Street, Missouri Avenue and Durango Street on the east; and West Franklin Avenue on the South/West. The Petitioners are asking the District's Board, and City Council, to approve the annexation of this area, referred to as the "*Proposed Additional Territory*" for purposes of this Petition, into the District.



A detailed picture denoting which specific properties are included in the Proposed Additional Territory is available in electronic format at: <https://downtownelpaso.com/petition-for-boundary-expansion-public-hearing-october-22-2020/>. The properties to be included in the Proposed Additional Territory are not only bordered in purple, but also have red numbers on them in the picture. A list of the properties to be included in the Proposed Additional Territory is further contained at the foregoing link. The streets/roads and properties bordered in blue are not included in the Proposed Additional Territory. As further background, the Proposed Additional Territory set forth in this Petition is similar to, but slightly smaller, than the territory that was the subject of a prior petition circulated in 2019, but which was not approved by the Board or City Council.

5. Statements of Agreement in Support of Petition. The following section contains the Petitioners' statements of agreement in support of the Petition.

By their signatures to this Petition, in return for the District's consideration of the Petition and possible approval of same, each Petitioner swears and affirms the following:

A. The Petitioner has received a copy of this Petition, carefully read and reviewed it, understands its meaning and effect, had an opportunity to review and discuss the Petition, and voluntarily signed the Petition.

B. Each of the Petitioners owns land in the Proposed Additional Territory as determined by the certified El Paso County property tax rolls, and collectively, the Petitioners represent all/a majority of the property owners in the Proposed Additional Territory.

C. Petitioners specifically request the Board to annex the Proposed Additional Territory and to provide the services within the Proposed Additional Territory as generally described in this document and as further described in the District's Annual Report 2019 (available at <https://downtownelpaso.com/wp-content/uploads/2020/09/2019-Annual-Report-Final-FINAL.pdf>) and on the District's web site (available at <https://downtownelpaso.com/dwntwn-about/>) (collectively, the "Services"). Notwithstanding the foregoing, the Petitioners grant the District the discretion to modify the Services, the costs thereof and the effective tax rate set forth in Section 3 above (by the process authorized by law) if the Board determines that the modification is in the best and common interest of the Petitioners', the District's property owners, and the District, and that the need therefore is due to the receipt of in kind contributions, or additional dollar contributions not anticipated as of the date hereof; or a change in priorities has occurred; or an unanticipated need has arisen; or a change in applicable law, regulation or ordinance has occurred; or the size of the District changes; or a similar need or event occurs. The term "modify" shall include amendments, reallocations among categories, creation of new categories or services, deletions, and similar modifications.

D. Petitioners request that the assessment for the Services be payable at the same rate as for the existing territory of the District, currently \$0.12 per \$100 of assessed valuation of land and improvements for properties in the District as shown on the tax rolls (the "Tax Rolls") of the El Paso County Central Appraisal District ("Appraisal District") as most recently certified and each subsequent year thereafter on the same basis as the existing District.

E. Each Petitioner agrees that it will assume payment of all taxes, assessments, and fees levied on it by the District after the time the Petitioners' property is included in the District.

F. Each Petitioner agrees it shall be subject to future taxes, fees and assessments levied by the District on the same basis as any other property owner in the District.

G. Each Petitioner agrees it will be subject to the same liens and statutes governing other properties in the District (as if the property was originally included in the district).

H. Each Petitioner agrees and understands that the foregoing obligations contained herein are permanent and run with the land they own. Thus, Petitioners' property will be included in the District, treated as a property owner of the District as of the date of inclusion (if approved), and thereafter subject to the assessment as such an owner, for the duration of time the District exists and the Petitioners' property is included in the District.

I. The person(s) signing the Petition on behalf of Petitioner are authorized, qualified, and fully vested with authority to sign the Petition and make the statements and agreements set forth herein.

J. This Petition is executed in multiple counterparts, each of which shall be an original, and the signature pages may be merged so as to create an original document.

K. The effective date of this Petition shall be the date it is anticipated to be approved by the District's Board, on or about October 22, 2020 (or whenever such Board approval occurs), even though it may be executed by Petitioners prior to that date.

L. If this Petition is approved by the Board, and also City Council, during 2020, the Proposed Additional Territory will become part of the District on January 1, 2021.

Wherefore, Petitioners pray that this Petition be heard, and that the Board authorize notice of a hearing to be held on the Petition be published in a newspaper of general circulation within the County, otherwise give notice of the hearing in accordance with the law, and duly pass and approve an order approving the proposed services and assessment set forth in this Petition.

Submitted this 15 day of Oct, 2020.

Signature Approving and Agreeing to Petition Requesting Annexation of New Properties Into the El Paso Downtown Management District

The Property (Owner and Information)

Name of Owner of Property: FRANKLIN COLDWELL LLC

Property ID: 321803

Name of Person Signing for Owner (if Entity or Held in Trust): _____

Address of Property: 109 COLDWELL ST, EL PASO, TX, 79901

Land Acres of Entire Property: 0.0785

Square Footage of Structures, if any: _____

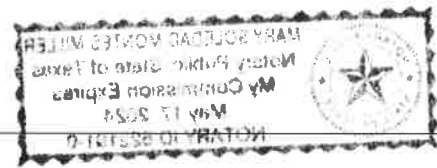
Last Appraised Value of Property: \$186,512

Estimated DMD Assessment based on current value: \$223.82

Date of Purchase of Property: 2019

Current Use of Property, if any: _____

Contact Person Telephone and Email: _____



Execution of Petition

1. I have received and read the Petition in its entirety.
2. I am affirming the statements and agreements made in Section 5 of the Petition.
3. I am authorized to execute this Petition as the owner, or on behalf of the owner, of the Property.
4. I declare under penalty of perjury that the foregoing is true and correct

Signed this 15 day of Oct, 2020.

By: Jonathan Escalante Property Owner's Name Printed

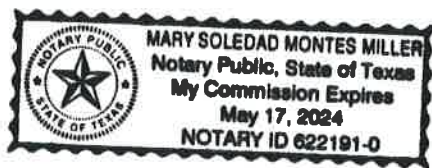
By: [Signature] Signature of Owner/Owner's Authorized Representative

STATE OF TEXAS
COUNTY OF EL PASO

This instrument was acknowledged before me on the 15 day of Oct,
2020 by [Signature].

(Personalized Seal)

M. Soledad Montes Miller
Notary Public's Signature



**Petition Requesting Annexation of New Properties Into the
El Paso Downtown Management District
(Drafted and Proposed September 1, 2020)**

To the Board of Directors of the El Paso Downtown Management District:

The undersigned (the “*Petitioners*”), constituting the owners of property in or near downtown El Paso, Texas, are submitting this petition drafted and proposed on September 1, 2020 (the “*Petition*”) to formally request the properties and area set forth on Attachment A be annexed into, and included within, the territory of the El Paso Downtown Management District (the “*District*”).

1. The Legal Basis and Process for Annexation. The law permits Petitioners’ request for annexation into the District. The process to expand in order to add new properties into the District’s existing boundaries is set forth in Texas Local Government Code § 375.043. This statutory provision provides that property may be annexed by a municipal management district, such as the District, pursuant to the process described in Texas Water Government Code § 49.301 and Texas Water Code Chapter 54.

Texas Water Code § 49.301 provides that one or more property owners may petition the District to have their properties annexed into, or added, to the existing territory of the municipal management district. The District’s Board must hear and consider the Petition after it is submitted. The District’s Board may then vote to add the Petitioner’s property into the District’s territory if it is feasible, practicable, and to the District’s advantage, and if the addition of the property does not injure land already within the District’s existing territory. The addition of Petitioner’s properties must also be deemed legally valid and sufficient, which depends on the number of participating owners who support the Petition.

Texas Water Code Chapter 54 further provides that a property owner may submit a written application for inclusion into an existing territory of a municipal management district. Tex. Water Code Ann. § 54.742. The application must include:

- (a) A statement that the property owner assumes payment of all taxes, assessments, and fees levied on it by the District after inclusion in the District;
- (b) An agreement by the property owner that their property shall be subject to future taxes, fees and assessments levied by the District; and
- (c) An agreement by the property owner that their property will be subject to the same liens and statutes governing other properties in the District (as if the property was originally included in the district).

If the Petitioners’ written application is approved by the District’s board of directors (the “*Board*”), then the request for expansion of the District’s territory must be approved by the governing body of the municipality, meaning the El Paso City Council (“*City Council*”). Thus, the first step of this Petition would be submission to the District’s Board for consideration. The

second step, assuming the District's Board approves the application, is to request final approval from City Council.

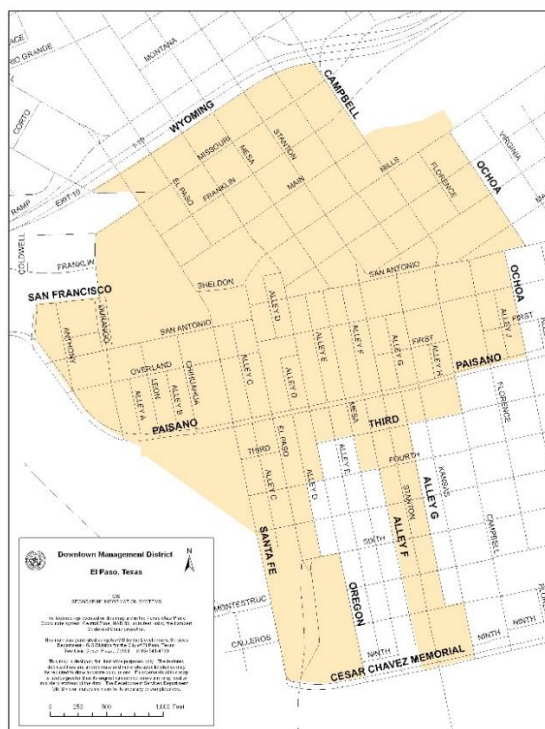
2. The Mission, Services, and Structure of the District. In submitting this Petition, Petitioners wish to confirm they are aware of the history, purpose, mission, operations, and structure of the District.

As background, the District is an independent governmental entity established in 1997 with the mission to promote economic development by providing services that champion a vibrant Downtown El Paso. The District's goal is to mobilize resources and affect positive growth in order to revitalize and sustain a vibrant Downtown El Paso ("*Downtown*"). The District achieves this goal by promoting and delivering economic development initiatives, projects, programs, and services that create a more vibrant, welcoming environment in Downtown.

The District's key focus areas and operations include the following services and programs for its Downtown owners:

- Sanitation and Security
- Special Events
- Economic and Commercial Development
- Quality of Life
- Transportation/Parking
- Education and Promotion

The District's existing boundaries, as shown below, is generally bounded on the north by Wyoming Street, on the south by the Cesar Chavez Memorial Hwy, on the west by Santa Fe and Paisano, and on the east by Ochoa and Alley G (Kansas).



The District is governed by the Board consisting of 21 board members. To serve, the board members must meet the qualifications set forth in Texas Local Government Code § 375.063, which generally provides that board members must own property in the District, represent an owner, or work for an employer located in the District. New board members are nominated by the Board itself, and then submitted to City Council for approval (except for unexpired terms, which are filled by the Board itself). In addition, there are ex officio (non-voting) members of the Board, including the City of El Paso City Manager, the Chief Executive Officers of the chambers of commerce, and the city, county, and state elected officials whose districts include Downtown El Paso.

The actual operations of the District are overseen by the District's own staff. The day-to-day operations are led by the District's Executive Director. The Executive Director, in turn, oversee the employees, contractors, and consultants employed by the District.

3. The District's Funding and Budget. In submitting this Petition, Petitioners further wish to state they are aware of how the District is funded and budgets its finances.

The District is funded by assessment revenue from property within the District and through collaboration on specific projects and programs with the City of El Paso, and others. The primary source of funding is by means of assessment revenue from private property within the District assessed at \$.12 per \$100 of valuation. This assessment rate has been the same since the inception of the District in 1997. In addition, the District receives contractual funding from the City of El Paso through Interlocal Agreements and Amendments. All these resources are spent directly in the District's territorial area.

The District's funds are used to provide services and programs for the benefit of Downtown. The District's original service plan in the late 1990s and early 2000s focused on cleanliness, transportation, security and promotion of Downtown. Over time, beginning in approximately 2010, the District took on additional operations and programs, to include: Marketing & Education; Economic Development Promotion; Security; Sanitation; and, Transportation & Parking. The services are in alignment with the District's goal to serve as the primary clearinghouse for public/private activities and commerce in Downtown.

Each year, the Board approves a budget for the District. By way of illustration, the approved FY 2020-2021 budget is shown below.

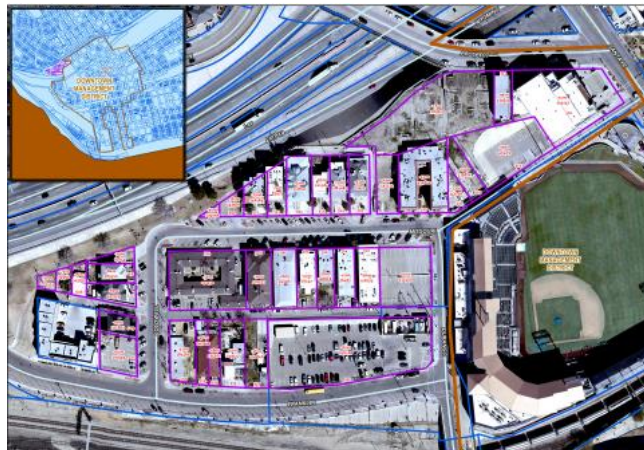
<i>Revenue</i>	
Assessment	\$ 437,645
Interlocal Agreements	\$ 326,515
Other Income	\$ 152,228
Budget Carry Over	\$ 95,359
Total Income/Revenue	\$ 1,011,747

<i>Expenses</i>	
Administration	\$42,930
Salaries	\$328,325
Contracted Services	\$12,000
Office Administration	\$95,847
Economic Development/Grants	\$70,915
Marketing	\$135,169
Sanitation	\$264,996
Infrastructure/Security	\$32,000
Community Projects/Programs	\$27,000
Total Expenses	\$1,009,182

The District has investments and cash on hand in the approximate amount of \$716,924 as of the date this Petition was drafted and proposed, on September 1, 2020. These funds are used to ensure appropriate funding is on hand for continuing operational expenses.

The District seeks to dedicate as much of its budget as possible to its services and programs, for the benefit of the District, Downtown, and the property owners in the District. The District, as an organization, does have certain general expenses, which include the cost of its personnel, professional services including contracting for legal and accounting work to ensure local, state and federal regulations for a municipal management district are adhered to, office administrative expenses, and certain periodic capital expenditures.

4. The Proposed Area of Expansion/Annexation. The Petitioners own all or a majority of the properties in the area indicated in the picture below bordered in purple. This area is generally bounded by: Prospect Street and I-10 on the north; Santa Fe Street, Missouri Avenue and Durango Street on the east; and West Franklin Avenue on the South/West. The Petitioners are asking the District's Board, and City Council, to approve the annexation of this area, referred to as the "*Proposed Additional Territory*" for purposes of this Petition, into the District.



A detailed picture denoting which specific properties are included in the Proposed Additional Territory is available in electronic format at: <https://downtownelpaso.com/petition-for-boundary-expansion-public-hearing-october-22-2020/>. The properties to be included in the Proposed Additional Territory are not only bordered in purple, but also have red numbers on them in the picture. A list of the properties to be included in the Proposed Additional Territory is further contained at the foregoing link. The streets/roads and properties bordered in blue are not included in the Proposed Additional Territory. As further background, the Proposed Additional Territory set forth in this Petition is similar to, but slightly smaller, than the territory that was the subject of a prior petition circulated in 2019, but which was not approved by the Board or City Council.

5. Statements of Agreement in Support of Petition. The following section contains the Petitioners' statements of agreement in support of the Petition.

By their signatures to this Petition, in return for the District's consideration of the Petition and possible approval of same, each Petitioner swears and affirms the following:

A. The Petitioner has received a copy of this Petition, carefully read and reviewed it, understands its meaning and effect, had an opportunity to review and discuss the Petition, and voluntarily signed the Petition.

B. Each of the Petitioners owns land in the Proposed Additional Territory as determined by the certified El Paso County property tax rolls, and collectively, the Petitioners represent all/a majority of the property owners in the Proposed Additional Territory.

C. Petitioners specifically request the Board to annex the Proposed Additional Territory and to provide the services within the Proposed Additional Territory as generally described in this document and as further described in the District's Annual Report 2019 (available at <https://downtownelpaso.com/wp-content/uploads/2020/09/2019-Annual-Report-Final-FINAL.pdf>) and on the District's web site (available at <https://downtownelpaso.com/dwntwn-about/>) (collectively, the "Services"). Notwithstanding the foregoing, the Petitioners grant the District the discretion to modify the Services, the costs thereof and the effective tax rate set forth in Section 3 above (by the process authorized by law) if the Board determines that the modification is in the best and common interest of the Petitioners', the District's property owners, and the District, and that the need therefore is due to the receipt of in kind contributions, or additional dollar contributions not anticipated as of the date hereof; or a change in priorities has occurred; or an unanticipated need has arisen; or a change in applicable law, regulation or ordinance has occurred; or the size of the District changes; or a similar need or event occurs. The term "modify" shall include amendments, reallocations among categories, creation of new categories or services, deletions, and similar modifications.

D. Petitioners request that the assessment for the Services be payable at the same rate as for the existing territory of the District, currently \$0.12 per \$100 of assessed valuation of land and improvements for properties in the District as shown on the tax rolls (the "Tax Rolls") of the El Paso County Central Appraisal District ("Appraisal District") as most recently certified and each subsequent year thereafter on the same basis as the existing District.

E. Each Petitioner agrees that it will assume payment of all taxes, assessments, and fees levied on it by the District after the time the Petitioners' property is included in the District.

F. Each Petitioner agrees it shall be subject to future taxes, fees and assessments levied by the District on the same basis as any other property owner in the District.

G. Each Petitioner agrees it will be subject to the same liens and statutes governing other properties in the District (as if the property was originally included in the district).

H. Each Petitioner agrees and understands that the foregoing obligations contained herein are permanent and run with the land they own. Thus, Petitioners' property will be included in the District, treated as a property owner of the District as of the date of inclusion (if approved), and thereafter subject to the assessment as such an owner, for the duration of time the District exists and the Petitioners' property is included in the District.

I. The person(s) signing the Petition on behalf of Petitioner are authorized, qualified, and fully vested with authority to sign the Petition and make the statements and agreements set forth herein.

J. This Petition is executed in multiple counterparts, each of which shall be an original, and the signature pages may be merged so as to create an original document.

K. The effective date of this Petition shall be the date it is anticipated to be approved by the District's Board, on or about October 22, 2020 (or whenever such Board approval occurs), even though it may be executed by Petitioners prior to that date.

L. If this Petition is approved by the Board, and also City Council, during 2020, the Proposed Additional Territory will become part of the District on January 1, 2021.

Wherefore, Petitioners pray that this Petition be heard, and that the Board authorize notice of a hearing to be held on the Petition be published in a newspaper of general circulation within the County, otherwise give notice of the hearing in accordance with the law, and duly pass and approve an order approving the proposed services and assessment set forth in this Petition.

Submitted this 12th day of October, 2020.

Signature Approving and Agreeing to Petition Requesting Annexation of New Properties Into the El Paso Downtown Management District

The Property (Owner and Information)

Name of Owner of Property: MOUNTAINSTAR PROPERTIES COMPANY

Property ID: 376875

Name of Person Signing for Owner (if Entity or Held in Trust): _____

Address of Property: 325 MISSOURI AVE, EL PASO, TX, 79901

Land Acres of Entire Property: 0.1129

Square Footage of Structures, if any: _____

Last Appraised Value of Property: \$25,422

Estimated DMD Assessment based on current value: \$30.51

Date of Purchase of Property: _____

Current Use of Property, if any: _____

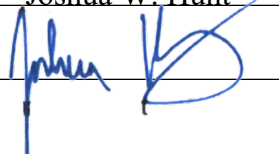
Contact Person Telephone and Email: _____

Execution of Petition

1. I have received and read the Petition in its entirety.
2. I am affirming the statements and agreements made in Section 5 of the Petition.
3. I am authorized to execute this Petition as the owner, or on behalf of the owner, of the Property.
4. I declare under penalty of perjury that the foregoing is true and correct

Signed this 12th day of October, 2020.

By: Joshua W. Hunt Property Owner's Name Printed

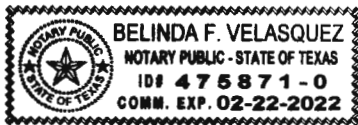
By:  Signature of Owner/Owner's Authorized Representative

STATE OF TEXAS
COUNTY OF EL PASO

This instrument was acknowledged before me on the 12th day of October,
2020 by Joshua M. Hunt.

(Personalized Seal)

Belinda F. Velasquez
Notary Public's Signature



**Petition Requesting Annexation of New Properties Into the
El Paso Downtown Management District
(Drafted and Proposed September 1, 2020)**

To the Board of Directors of the El Paso Downtown Management District:

The undersigned (the “*Petitioners*”), constituting the owners of property in or near downtown El Paso, Texas, are submitting this petition drafted and proposed on September 1, 2020 (the “*Petition*”) to formally request the properties and area set forth on Attachment A be annexed into, and included within, the territory of the El Paso Downtown Management District (the “*District*”).

1. The Legal Basis and Process for Annexation. The law permits Petitioners’ request for annexation into the District. The process to expand in order to add new properties into the District’s existing boundaries is set forth in Texas Local Government Code § 375.043. This statutory provision provides that property may be annexed by a municipal management district, such as the District, pursuant to the process described in Texas Water Government Code § 49.301 and Texas Water Code Chapter 54.

Texas Water Code § 49.301 provides that one or more property owners may petition the District to have their properties annexed into, or added, to the existing territory of the municipal management district. The District’s Board must hear and consider the Petition after it is submitted. The District’s Board may then vote to add the Petitioner’s property into the District’s territory if it is feasible, practicable, and to the District’s advantage, and if the addition of the property does not injure land already within the District’s existing territory. The addition of Petitioner’s properties must also be deemed legally valid and sufficient, which depends on the number of participating owners who support the Petition.

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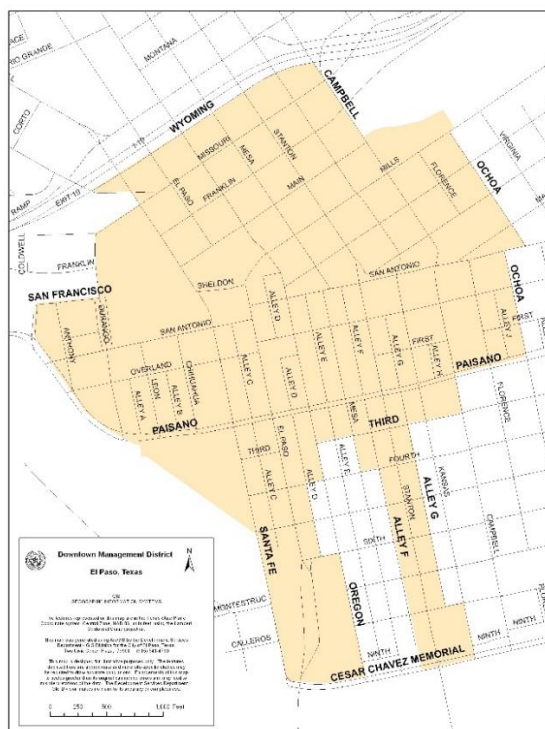
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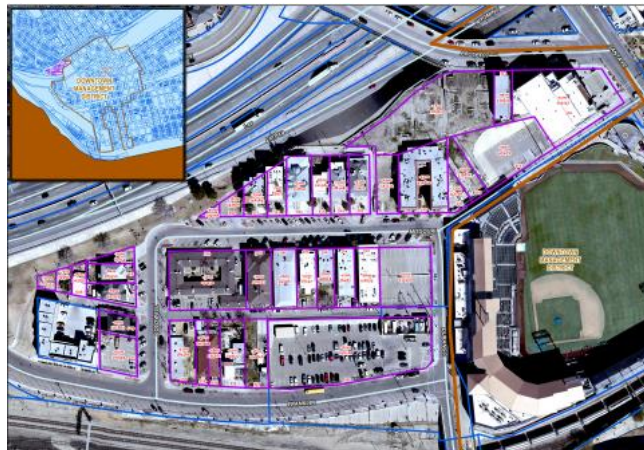
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Administration	\$42,930
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4. The Proposed Area of Expansion/Annexation. The Petitioners own all or a majority of the properties in the area indicated in the picture below bordered in purple. This area is generally bounded by: Prospect Street and I-10 on the north; Santa Fe Street, Missouri Avenue and Durango Street on the east; and West Franklin Avenue on the South/West. The Petitioners are asking the District's Board, and City Council, to approve the annexation of this area, referred to as the "*Proposed Additional Territory*" for purposes of this Petition, into the District.



A detailed picture denoting which specific properties are included in the Proposed Additional Territory is available in electronic format at: <https://downtownelpaso.com/petition-for-boundary-expansion-public-hearing-october-22-2020/>. The properties to be included in the Proposed Additional Territory are not only bordered in purple, but also have red numbers on them in the picture. A list of the properties to be included in the Proposed Additional Territory is further contained at the foregoing link. The streets/roads and properties bordered in blue are not included in the Proposed Additional Territory. As further background, the Proposed Additional Territory set forth in this Petition is similar to, but slightly smaller, than the territory that was the subject of a prior petition circulated in 2019, but which was not approved by the Board or City Council.

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By their signatures to this Petition, in return for the District's consideration of the Petition and possible approval of same, each Petitioner swears and affirms the following:

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B. Each of the Petitioners owns land in the Proposed Additional Territory as determined by the certified El Paso County property tax rolls, and collectively, the Petitioners represent all/a majority of the property owners in the Proposed Additional Territory.

C. Petitioners specifically request the Board to annex the Proposed Additional Territory and to provide the services within the Proposed Additional Territory as generally described in this document and as further described in the District's Annual Report 2019 (available at <https://downtownelpaso.com/wp-content/uploads/2020/09/2019-Annual-Report-Final-FINAL.pdf>) and on the District's web site (available at <https://downtownelpaso.com/dwntwn-about/>) (collectively, the "Services"). Notwithstanding the foregoing, the Petitioners grant the District the discretion to modify the Services, the costs thereof and the effective tax rate set forth in Section 3 above (by the process authorized by law) if the Board determines that the modification is in the best and common interest of the Petitioners', the District's property owners, and the District, and that the need therefore is due to the receipt of in kind contributions, or additional dollar contributions not anticipated as of the date hereof; or a change in priorities has occurred; or an unanticipated need has arisen; or a change in applicable law, regulation or ordinance has occurred; or the size of the District changes; or a similar need or event occurs. The term "modify" shall include amendments, reallocations among categories, creation of new categories or services, deletions, and similar modifications.

D. Petitioners request that the assessment for the Services be payable at the same rate as for the existing territory of the District, currently \$0.12 per \$100 of assessed valuation of land and improvements for properties in the District as shown on the tax rolls (the "Tax Rolls") of the El Paso County Central Appraisal District ("Appraisal District") as most recently certified and each subsequent year thereafter on the same basis as the existing District.

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I. The person(s) signing the Petition on behalf of Petitioner are authorized, qualified, and fully vested with authority to sign the Petition and make the statements and agreements set forth herein.

J. This Petition is executed in multiple counterparts, each of which shall be an original, and the signature pages may be merged so as to create an original document.

K. The effective date of this Petition shall be the date it is anticipated to be approved by the District's Board, on or about October 22, 2020 (or whenever such Board approval occurs), even though it may be executed by Petitioners prior to that date.

L. If this Petition is approved by the Board, and also City Council, during 2020, the Proposed Additional Territory will become part of the District on January 1, 2021.

Wherefore, Petitioners pray that this Petition be heard, and that the Board authorize notice of a hearing to be held on the Petition be published in a newspaper of general circulation within the County, otherwise give notice of the hearing in accordance with the law, and duly pass and approve an order approving the proposed services and assessment set forth in this Petition.

Submitted this 12th day of October, 2020.

Signature Approving and Agreeing to Petition Requesting Annexation of New Properties Into the El Paso Downtown Management District

The Property (Owner and Information)

Name of Owner of Property: MOUNTAINSTAR PROPERTIES COMPANY

Property ID: 342278

Name of Person Signing for Owner (if Entity or Held in Trust): _____

Address of Property: 327 MISSOURI AVE, EL PASO, TX, 79901

Land Acres of Entire Property: 0.0615

Square Footage of Structures, if any: _____

Last Appraised Value of Property: \$14,217

Estimated DMD Assessment based on current value: \$17.06

Date of Purchase of Property: _____

Current Use of Property, if any: _____

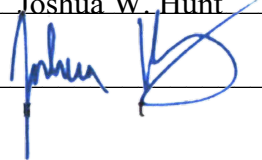
Contact Person Telephone and Email: _____

Execution of Petition

1. I have received and read the Petition in its entirety.
2. I am affirming the statements and agreements made in Section 5 of the Petition.
3. I am authorized to execute this Petition as the owner, or on behalf of the owner, of the Property.
4. I declare under penalty of perjury that the foregoing is true and correct

Signed this 12th day of October, 2020.

By: Joshua W. Hunt Property Owner's Name Printed

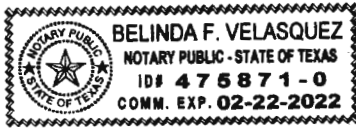
By:  Signature of Owner/Owner's Authorized Representative

STATE OF TEXAS
COUNTY OF EL PASO

This instrument was acknowledged before me on the 12th day of October,
2020 by Joshua H. Hunt.

(Personalized Seal)

Belinda F. Velasquez
Notary Public's Signature



**Petition Requesting Annexation of New Properties Into the
El Paso Downtown Management District
(Drafted and Proposed September 1, 2020)**

To the Board of Directors of the El Paso Downtown Management District:

The undersigned (the "*Petitioners*"), constituting the owners of property in or near downtown El Paso, Texas, are submitting this petition drafted and proposed on September 1, 2020 (the "*Petition*") to formally request the properties and area set forth on Attachment A be annexed into, and included within, the territory of the El Paso Downtown Management District (the "*District*").

1. The Legal Basis and Process for Annexation. The law permits Petitioners' request for annexation into the District. The process to expand in order to add new properties into the District's existing boundaries is set forth in Texas Local Government Code § 375.043. This statutory provision provides that property may be annexed by a municipal management district, such as the District, pursuant to the process described in Texas Water Government Code § 49.301 and Texas Water Code Chapter 54.

Texas Water Code § 49.301 provides that one or more property owners may petition the District to have their properties annexed into, or added, to the existing territory of the municipal management district. The District's Board must hear and consider the Petition after it is submitted. The District's Board may then vote to add the Petitioner's property into the District's territory if it is feasible, practicable, and to the District's advantage, and if the addition of the property does not injure land already within the District's existing territory. The addition of Petitioner's properties must also be deemed legally valid and sufficient, which depends on the number of participating owners who support the Petition.

Texas Water Code Chapter 54 further provides that a property owner may submit a written application for inclusion into an existing territory of a municipal management district. Tex. Water Code Ann. § 54.742. The application must include:

- (a) A statement that the property owner assumes payment of all taxes, assessments, and fees levied on it by the District after inclusion in the District;
- (b) An agreement by the property owner that their property shall be subject to future taxes, fees and assessments levied by the District; and
- (c) An agreement by the property owner that their property will be subject to the same liens and statutes governing other properties in the District (as if the property was originally included in the district).

If the Petitioners' written application is approved by the District's board of directors (the "*Board*"), then the request for expansion of the District's territory must be approved by the governing body of the municipality, meaning the El Paso City Council ("*City Council*"). Thus, the first step of this Petition would be submission to the District's Board for consideration. The

second step, assuming the District's Board approves the application, is to request final approval from City Council.

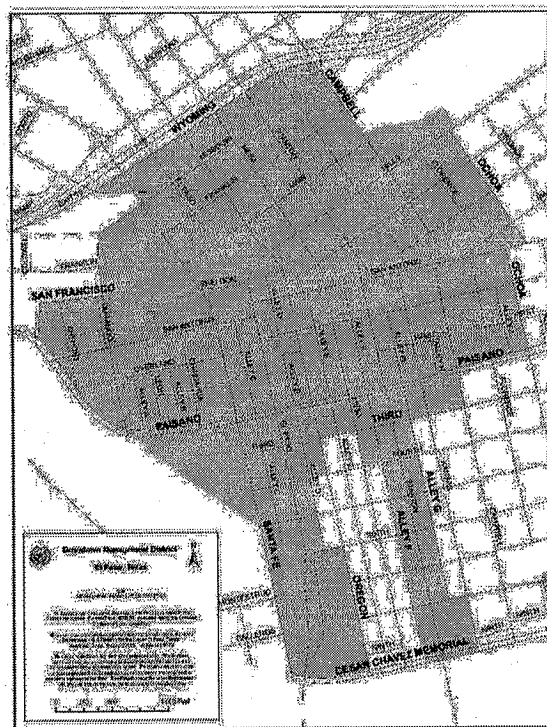
2. The Mission, Services, and Structure of the District. In submitting this Petition, Petitioners wish to confirm they are aware of the history, purpose, mission, operations, and structure of the District.

As background, the District is an independent governmental entity established in 1997 with the mission to promote economic development by providing services that champion a vibrant Downtown El Paso. The District's goal is to mobilize resources and affect positive growth in order to revitalize and sustain a vibrant Downtown El Paso ("Downtown"). The District achieves this goal by promoting and delivering economic development initiatives, projects, programs, and services that create a more vibrant, welcoming environment in Downtown.

The District's key focus areas and operations include the following services and programs for its Downtown owners:

- Sanitation and Security
- Special Events
- Economic and Commercial Development
- Quality of Life
- Transportation/Parking
- Education and Promotion

The District's existing boundaries, as shown below, is generally bounded on the north by Wyoming Street, on the south by the Cesar Chavez Memorial Hwy, on the west by Santa Fe and Paisano, and on the east by Ochoa and Alley G (Kansas).



The District is governed by the Board consisting of 21 board members. To serve, the board members must meet the qualifications set forth in Texas Local Government Code § 375.063, which generally provides that board members must own property in the District, represent an owner, or work for an employer located in the District. New board members are nominated by the Board itself, and then submitted to City Council for approval (except for unexpired terms, which are filled by the Board itself). In addition, there are ex officio (non-voting) members of the Board, including the City of El Paso City Manager, the Chief Executive Officers of the chambers of commerce, and the city, county, and state elected officials whose districts include Downtown El Paso.

The actual operations of the District are overseen by the District's own staff. The day-to-day operations are led by the District's Executive Director. The Executive Director, in turn, oversee the employees, contractors, and consultants employed by the District.

3. The District's Funding and Budget. In submitting this Petition, Petitioners further wish to state they are aware of how the District is funded and budgets its finances.

The District is funded by assessment revenue from property within the District and through collaboration on specific projects and programs with the City of El Paso, and others. The primary source of funding is by means of assessment revenue from private property within the District assessed at \$.12 per \$100 of valuation. This assessment rate has been the same since the inception of the District in 1997. In addition, the District receives contractual funding from the City of El Paso through Interlocal Agreements and Amendments. All these resources are spent directly in the District's territorial area.

The District's funds are used to provide services and programs for the benefit of Downtown. The District's original service plan in the late 1990s and early 2000s focused on cleanliness, transportation, security and promotion of Downtown. Over time, beginning in approximately 2010, the District took on additional operations and programs, to include: Marketing & Education; Economic Development Promotion; Security; Sanitation; and, Transportation & Parking. The services are in alignment with the District's goal to serve as the primary clearinghouse for public/private activities and commerce in Downtown.

Each year, the Board approves a budget for the District. By way of illustration, the approved FY 2020-2021 budget is shown below.

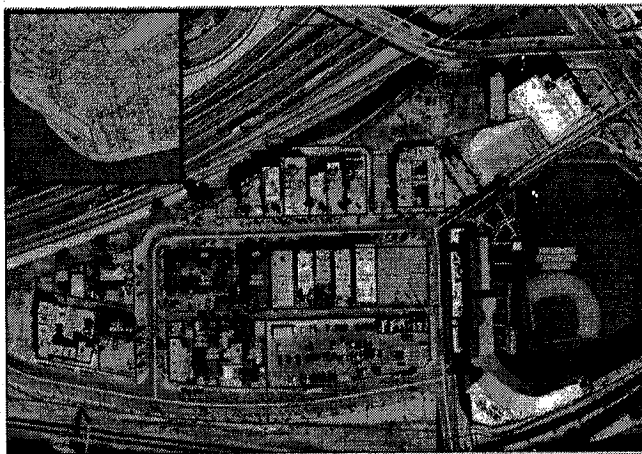
<i>Revenue</i>	
Assessment	\$ 437,645
Interlocal Agreements	\$ 326,515
Other Income	\$ 152,228
Budget Carry Over	\$ 95,359
Total Income/Revenue	\$ 1,011,747

<i>Expenses</i>	
Administration	\$42,930
Salaries	\$328,325
Contracted Services	\$12,000
Office Administration	\$95,847
Economic Development/Grants	\$70,915
Marketing	\$135,169
Sanitation	\$264,996
Infrastructure/Security	\$32,000
Community Projects/Programs	\$27,000
Total Expenses	\$1,009,182

The District has investments and cash on hand in the approximate amount of \$716,924 as of the date this Petition was drafted and proposed, on September 1, 2020. These funds are used to ensure appropriate funding is on hand for continuing operational expenses.

The District seeks to dedicate as much of its budget as possible to its services and programs, for the benefit of the District, Downtown, and the property owners in the District. The District, as an organization, does have certain general expenses, which include the cost of its personnel, professional services including contracting for legal and accounting work to ensure local, state and federal regulations for a municipal management district are adhered to, office administrative expenses, and certain periodic capital expenditures.

4. The Proposed Area of Expansion/Annexation. The Petitioners own all or a majority of the properties in the area indicated in the picture below bordered in purple. This area is generally bounded by: Prospect Street and I-10 on the north; Santa Fe Street, Missouri Avenue and Durango Street on the east; and West Franklin Avenue on the South/West. The Petitioners are asking the District's Board, and City Council, to approve the annexation of this area, referred to as the "*Proposed Additional Territory*" for purposes of this Petition, into the District.



A detailed picture denoting which specific properties are included in the Proposed Additional Territory is available in electronic format at: <https://downtownelpaso.com/petition-for-boundary-expansion-public-hearing-october-22-2020/>. The properties to be included in the Proposed Additional Territory are not only bordered in purple, but also have red numbers on them in the picture. A list of the properties to be included in the Proposed Additional Territory is further contained at the foregoing link. The streets/roads and properties bordered in blue are not included in the Proposed Additional Territory. As further background, the Proposed Additional Territory set forth in this Petition is similar to, but slightly smaller, than the territory that was the subject of a prior petition circulated in 2019, but which was not approved by the Board or City Council.

5. Statements of Agreement in Support of Petition. The following section contains the Petitioners' statements of agreement in support of the Petition.

By their signatures to this Petition, in return for the District's consideration of the Petition and possible approval of same, each Petitioner swears and affirms the following:

A. The Petitioner has received a copy of this Petition, carefully read and reviewed it, understands its meaning and effect, had an opportunity to review and discuss the Petition, and voluntarily signed the Petition.

B. Each of the Petitioners owns land in the Proposed Additional Territory as determined by the certified El Paso County property tax rolls, and collectively, the Petitioners represent all/a majority of the property owners in the Proposed Additional Territory.

C. Petitioners specifically request the Board to annex the Proposed Additional Territory and to provide the services within the Proposed Additional Territory as generally described in this document and as further described in the District's Annual Report 2019 (available at <https://downtownelpaso.com/wp-content/uploads/2020/09/2019-Annual-Report-Final-FINAL.pdf>) and on the District's web site (available at <https://downtownelpaso.com/dwntwn-about/>) (collectively, the "*Services*"). Notwithstanding the foregoing, the Petitioners grant the District the discretion to modify the Services, the costs thereof and the effective tax rate set forth in Section 3 above (by the process authorized by law) if the Board determines that the modification is in the best and common interest of the Petitioners', the District's property owners, and the District, and that the need therefore is due to the receipt of in kind contributions, or additional dollar contributions not anticipated as of the date hereof; or a change in priorities has occurred; or an unanticipated need has arisen; or a change in applicable law, regulation or ordinance has occurred; or the size of the District changes; or a similar need or event occurs. The term "modify" shall include amendments, reallocations among categories, creation of new categories or services, deletions, and similar modifications.

D. Petitioners request that the assessment for the Services be payable at the same rate as for the existing territory of the District, currently \$0.12 per \$100 of assessed valuation of land and improvements for properties in the District as shown on the tax rolls (the "*Tax Rolls*") of the El Paso County Central Appraisal District ("*Appraisal District*") as most recently certified and each subsequent year thereafter on the same basis as the existing District.

E. Each Petitioner agrees that it will assume payment of all taxes, assessments, and fees levied on it by the District after the time the Petitioners' property is included in the District.

F. Each Petitioner agrees it shall be subject to future taxes, fees and assessments levied by the District on the same basis as any other property owner in the District.

G. Each Petitioner agrees it will be subject to the same liens and statutes governing other properties in the District (as if the property was originally included in the district).

H. Each Petitioner agrees and understands that the foregoing obligations contained herein are permanent and run with the land they own. Thus, Petitioners' property will be included in the District, treated as a property owner of the District as of the date of inclusion (if approved), and thereafter subject to the assessment as such an owner, for the duration of time the District exists and the Petitioners' property is included in the District.

I. The person(s) signing the Petition on behalf of Petitioner are authorized, qualified, and fully vested with authority to sign the Petition and make the statements and agreements set forth herein.

J. This Petition is executed in multiple counterparts, each of which shall be an original, and the signature pages may be merged so as to create an original document.

K. The effective date of this Petition shall be the date it is anticipated to be approved by the District's Board, on or about October 22, 2020 (or whenever such Board approval occurs), even though it may be executed by Petitioners prior to that date.

L. If this Petition is approved by the Board, and also City Council, during 2020, the Proposed Additional Territory will become part of the District on January 1, 2021.

Wherefore, Petitioners pray that this Petition be heard, and that the Board authorize notice of a hearing to be held on the Petition be published in a newspaper of general circulation within the County, otherwise give notice of the hearing in accordance with the law, and duly pass and approve an order approving the proposed services and assessment set forth in this Petition.

Submitted this 15 day of October, 2020.

Signature Approving and Agreeing to Petition Requesting Annexation of New Properties Into the El Paso Downtown Management District

The Property (Owner and Information)

Name of Owner of Property: ANDRADE OSCAR & ROCIO

Property ID: 116279

Name of Person Signing for Owner (if Entity or Held in Trust): _____

Address of Property: 510 MISSOURI AVE, EL PASO, TX, 79901

Land Acres of Entire Property: 0.1377

Square Footage of Structures, if any: _____

Last Appraised Value of Property: \$448,714

Estimated DMD Assessment based on current value: \$538.46

Date of Purchase of Property: _____

Current Use of Property, if any: _____

Contact Person Telephone and Email: _____

Execution of Petition

1. I have received and read the Petition in its entirety.
2. I am affirming the statements and agreements made in Section 5 of the Petition.
3. I am authorized to execute this Petition as the owner, or on behalf of the owner, of the Property.
4. I declare under penalty of perjury that the foregoing is true and correct

Signed this 19 day of October, 2020.

By: Oscar Andrade Property Owner's Name Printed

By: [Signature] Signature of Owner/Owner's Authorized Representative

STATE OF TEXAS
COUNTY OF EL PASO

This instrument was acknowledged before me on the _____ day of _____
2020 by _____

(Personalized Seal)

Notary Public's Signature

Unsworn Declaration Under 28 US. Section 1746

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 2, 2020.



(Signature)

**Petition Requesting Annexation of New Properties Into the
El Paso Downtown Management District
(Drafted and Proposed September 1, 2020)**

To the Board of Directors of the El Paso Downtown Management District:

The undersigned (the “*Petitioners*”), constituting the owners of property in or near downtown El Paso, Texas, are submitting this petition drafted and proposed on September 1, 2020 (the “*Petition*”) to formally request the properties and area set forth on Attachment A be annexed into, and included within, the territory of the El Paso Downtown Management District (the “*District*”).

1. The Legal Basis and Process for Annexation. The law permits *Petitioners*’ request for annexation into the *District*. The process to expand in order to add new properties into the *District*’s existing boundaries is set forth in Texas Local Government Code § 375.043. This statutory provision provides that property may be annexed by a municipal management district, such as the *District*, pursuant to the process described in Texas Water Government Code § 49.301 and Texas Water Code Chapter 54.

Texas Water Code § 49.301 provides that one or more property owners may petition the *District* to have their properties annexed into, or added, to the existing territory of the municipal management district. The *District*’s Board must hear and consider the *Petition* after it is submitted. The *District*’s Board may then vote to add the *Petitioner*’s property into the *District*’s territory if it is feasible, practicable, and to the *District*’s advantage, and if the addition of the property does not injure land already within the *District*’s existing territory. The addition of *Petitioner*’s properties must also be deemed legally valid and sufficient, which depends on the number of participating owners who support the *Petition*.

Texas Water Code Chapter 54 further provides that a property owner may submit a written application for inclusion into an existing territory of a municipal management district. Tex. Water Code Ann. § 54.742. The application must include:

- (a) A statement that the property owner assumes payment of all taxes, assessments, and fees levied on it by the *District* after inclusion in the *District*;
- (b) An agreement by the property owner that their property shall be subject to future taxes, fees and assessments levied by the *District*; and
- (c) An agreement by the property owner that their property will be subject to the same liens and statutes governing other properties in the *District* (as if the property was originally included in the district).

If the *Petitioners*’ written application is approved by the *District*’s board of directors (the “*Board*”), then the request for expansion of the *District*’s territory must be approved by the governing body of the municipality, meaning the El Paso City Council (“*City Council*”). Thus, the first step of this *Petition* would be submission to the *District*’s Board for consideration. The

second step, assuming the District's Board approves the application, is to request final approval from City Council.

2. The Mission, Services, and Structure of the District. In submitting this Petition, Petitioners wish to confirm they are aware of the history, purpose, mission, operations, and structure of the District.

As background, the District is an independent governmental entity established in 1997 with the mission to promote economic development by providing services that champion a vibrant Downtown El Paso. The District's goal is to mobilize resources and affect positive growth in order to revitalize and sustain a vibrant Downtown El Paso ("*Downtown*"). The District achieves this goal by promoting and delivering economic development initiatives, projects, programs, and services that create a more vibrant, welcoming environment in Downtown.

The District's key focus areas and operations include the following services and programs for its Downtown owners:

- Sanitation and Security
- Special Events
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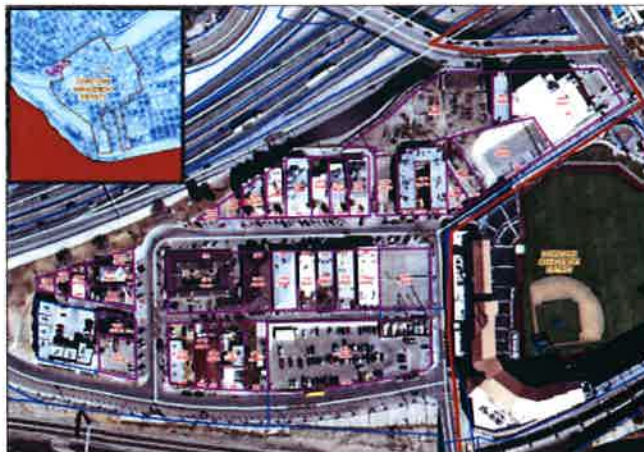
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Total Income/Revenue	\$ 1,011,747

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4. The Proposed Area of Expansion/Annexation. The Petitioners own all or a majority of the properties in the area indicated in the picture below bordered in purple. This area is generally bounded by: Prospect Street and I-10 on the north; Santa Fe Street, Missouri Avenue and Durango Street on the east; and West Franklin Avenue on the South/West. The Petitioners are asking the District's Board, and City Council, to approve the annexation of this area, referred to as the "*Proposed Additional Territory*" for purposes of this Petition, into the District.



A detailed picture denoting which specific properties are included in the Proposed Additional Territory is available in electronic format at: <https://downtownelpaso.com/petition-for-boundary-expansion-public-hearing-october-22-2020/>. The properties to be included in the Proposed Additional Territory are not only bordered in purple, but also have red numbers on them in the picture. A list of the properties to be included in the Proposed Additional Territory is further contained at the foregoing link. The streets/roads and properties bordered in blue are not included in the Proposed Additional Territory. As further background, the Proposed Additional Territory set forth in this Petition is similar to, but slightly smaller, than the territory that was the subject of a prior petition circulated in 2019, but which was not approved by the Board or City Council.

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By their signatures to this Petition, in return for the District's consideration of the Petition and possible approval of same, each Petitioner swears and affirms the following:

A. The Petitioner has received a copy of this Petition, carefully read and reviewed it, understands its meaning and effect, had an opportunity to review and discuss the Petition, and voluntarily signed the Petition.

B. Each of the Petitioners owns land in the Proposed Additional Territory as determined by the certified El Paso County property tax rolls, and collectively, the Petitioners represent all/a majority of the property owners in the Proposed Additional Territory.

C. Petitioners specifically request the Board to annex the Proposed Additional Territory and to provide the services within the Proposed Additional Territory as generally described in this document and as further described in the District's Annual Report 2019 (available at <https://downtownelpaso.com/wp-content/uploads/2020/09/2019-Annual-Report-Final-FINAL.pdf>) and on the District's web site (available at <https://downtownelpaso.com/dwntwn-about/>) (collectively, the "Services"). Notwithstanding the foregoing, the Petitioners grant the District the discretion to modify the Services, the costs thereof and the effective tax rate set forth in Section 3 above (by the process authorized by law) if the Board determines that the modification is in the best and common interest of the Petitioners', the District's property owners, and the District, and that the need therefore is due to the receipt of in kind contributions, or additional dollar contributions not anticipated as of the date hereof; or a change in priorities has occurred; or an unanticipated need has arisen; or a change in applicable law, regulation or ordinance has occurred; or the size of the District changes; or a similar need or event occurs. The term "modify" shall include amendments, reallocations among categories, creation of new categories or services, deletions, and similar modifications.

D. Petitioners request that the assessment for the Services be payable at the same rate as for the existing territory of the District, currently \$0.12 per \$100 of assessed valuation of land and improvements for properties in the District as shown on the tax rolls (the "Tax Rolls") of the El Paso County Central Appraisal District ("Appraisal District") as most recently certified and each subsequent year thereafter on the same basis as the existing District.

E. Each Petitioner agrees that it will assume payment of all taxes, assessments, and fees levied on it by the District after the time the Petitioners' property is included in the District.

F. Each Petitioner agrees it shall be subject to future taxes, fees and assessments levied by the District on the same basis as any other property owner in the District.

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H. Each Petitioner agrees and understands that the foregoing obligations contained herein are permanent and run with the land they own. Thus, Petitioners' property will be included in the District, treated as a property owner of the District as of the date of inclusion (if approved), and thereafter subject to the assessment as such an owner, for the duration of time the District exists and the Petitioners' property is included in the District.

I. The person(s) signing the Petition on behalf of Petitioner are authorized, qualified, and fully vested with authority to sign the Petition and make the statements and agreements set forth herein.

J. This Petition is executed in multiple counterparts, each of which shall be an original, and the signature pages may be merged so as to create an original document.

K. The effective date of this Petition shall be the date it is anticipated to be approved by the District's Board, on or about October 22, 2020 (or whenever such Board approval occurs), even though it may be executed by Petitioners prior to that date.

L. If this Petition is approved by the Board, and also City Council, during 2020, the Proposed Additional Territory will become part of the District on January 1, 2021.

Wherefore, Petitioners pray that this Petition be heard, and that the Board authorize notice of a hearing to be held on the Petition be published in a newspaper of general circulation within the County, otherwise give notice of the hearing in accordance with the law, and duly pass and approve an order approving the proposed services and assessment set forth in this Petition.

Submitted this 15th day of OCTOBER, 2020.

Signature Approving and Agreeing to Petition Requesting Annexation of New Properties Into the El Paso Downtown Management District

The Property (Owner and Information)

Name of Owner of Property: SAN FRANCISCO HISTORIC DIST LTD

Property ID: 56467

Name of Person Signing for Owner (if Entity or Held in Trust):

Address of Property: 514 MISSOURI AVE, EL PASO, TX, 79901

Land Acres of Entire Property: 0.1033

Square Footage of Structures, if any: _____

Last Appraised Value of Property: \$275,592

Estimated DMD Assessment base on current value: \$330.72

Date of Purchase of Property: _____

Current Use of Property, if any: _____

Contact Person Telephone and Email: Suzanne Dipp - suzdipp@gmail.com

Execution of Petition

1. I have received and read the Petition in its entirety.
2. I am affirming the statements and agreements made in Section 5 of the Petition.
3. I am authorized to execute this Petition as the owner, or on behalf of the owner, of the Property.
4. I declare under penalty of perjury that the foregoing is true and correct

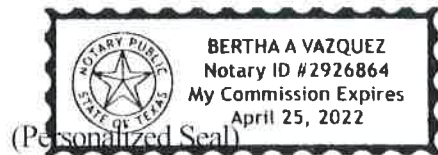
Signed this 15th day of October, 2020.

By: SAN FRANCISCO HISTORIC DISTRICT, LLC Property Owner's Name Printed

By: [Signature] Signature of Owner/Owner's Authorized Representative

STATE OF TEXAS
COUNTY OF EL PASO

This instrument was acknowledged before me on the 15th day of October,
2020 by Paul N Dipp.



Bertha A Vazquez
Notary Public's Signature

**Petition Requesting Annexation of New Properties Into the
El Paso Downtown Management District
(Drafted and Proposed September 1, 2020)**

To the Board of Directors of the El Paso Downtown Management District:

The undersigned (the "*Petitioners*"), constituting the owners of property in or near downtown El Paso, Texas, are submitting this petition drafted and proposed on September 1, 2020 (the "*Petition*") to formally request the properties and area set forth on Attachment A be annexed into, and included within, the territory of the El Paso Downtown Management District (the "*District*").

1. The Legal Basis and Process for Annexation. The law permits Petitioners' request for annexation into the District. The process to expand in order to add new properties into the District's existing boundaries is set forth in Texas Local Government Code § 375.043. This statutory provision provides that property may be annexed by a municipal management district, such as the District, pursuant to the process described in Texas Water Government Code § 49.301 and Texas Water Code Chapter 54.

Texas Water Code § 49.301 provides that one or more property owners may petition the District to have their properties annexed into, or added, to the existing territory of the municipal management district. The District's Board must hear and consider the Petition after it is submitted. The District's Board may then vote to add the Petitioner's property into the District's territory if it is feasible, practicable, and to the District's advantage, and if the addition of the property does not injure land already within the District's existing territory. The addition of Petitioner's properties must also be deemed legally valid and sufficient, which depends on the number of participating owners who support the Petition.

Texas Water Code Chapter 54 further provides that a property owner may submit a written application for inclusion into an existing territory of a municipal management district. Tex. Water Code Ann. § 54.742. The application must include:

- (a) A statement that the property owner assumes payment of all taxes, assessments, and fees levied on it by the District after inclusion in the District;
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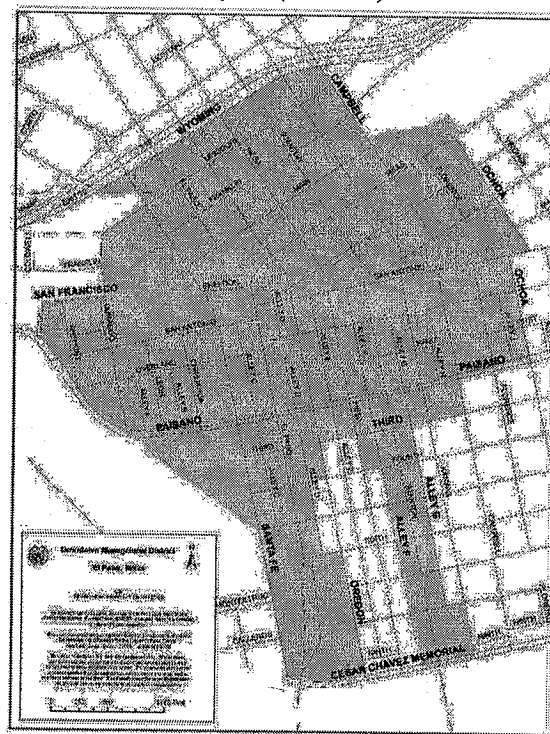
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As background, the District is an independent governmental entity established in 1997 with the mission to promote economic development by providing services that champion a vibrant Downtown El Paso. The District's goal is to mobilize resources and affect positive growth in order to revitalize and sustain a vibrant Downtown El Paso ("*Downtown*"). The District achieves this goal by promoting and delivering economic development initiatives, projects, programs, and services that create a more vibrant, welcoming environment in Downtown.

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The District is governed by the Board consisting of 21 board members. To serve, the board members must meet the qualifications set forth in Texas Local Government Code § 375.063, which generally provides that board members must own property in the District, represent an owner, or work for an employer located in the District. New board members are nominated by the Board itself, and then submitted to City Council for approval (except for unexpired terms, which are filled by the Board itself). In addition, there are ex officio (non-voting) members of the Board, including the City of El Paso City Manager, the Chief Executive Officers of the chambers of commerce, and the city, county, and state elected officials whose districts include Downtown El Paso.

The actual operations of the District are overseen by the District's own staff. The day-to-day operations are led by the District's Executive Director. The Executive Director, in turn, oversee the employees, contractors, and consultants employed by the District.

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The District is funded by assessment revenue from property within the District and through collaboration on specific projects and programs with the City of El Paso, and others. The primary source of funding is by means of assessment revenue from private property within the District assessed at \$.12 per \$100 of valuation. This assessment rate has been the same since the inception of the District in 1997. In addition, the District receives contractual funding from the City of El Paso through Interlocal Agreements and Amendments. All these resources are spent directly in the District's territorial area.

The District's funds are used to provide services and programs for the benefit of Downtown. The District's original service plan in the late 1990s and early 2000s focused on cleanliness, transportation, security and promotion of Downtown. Over time, beginning in approximately 2010, the District took on additional operations and programs, to include: Marketing & Education; Economic Development Promotion; Security; Sanitation; and, Transportation & Parking. The services are in alignment with the District's goal to serve as the primary clearinghouse for public/private activities and commerce in Downtown.

Each year, the Board approves a budget for the District. By way of illustration, the approved FY 2020-2021 budget is shown below.

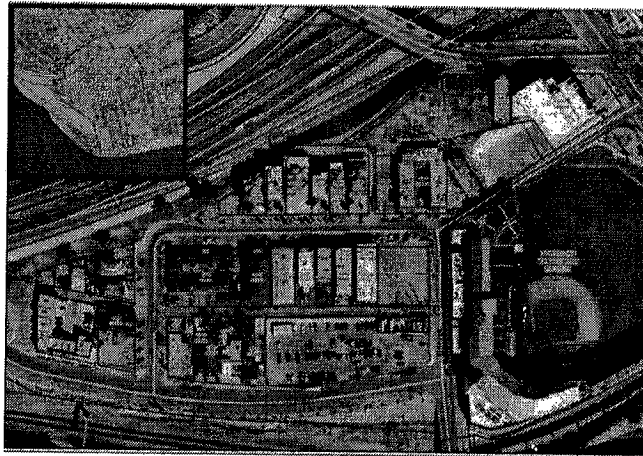
<i>Revenue</i>	
Assessment	\$ 437,645
Interlocal Agreements	\$ 326,515
Other Income	\$ 152,228
Budget Carry Over	\$ 95,359
Total Income/Revenue	\$ 1,011,747

<i>Expenses</i>	
Administration	\$42,930
Salaries	\$328,325
Contracted Services	\$12,000
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Marketing	\$135,169
Sanitation	\$264,996
Infrastructure/Security	\$32,000
Community Projects/Programs	\$27,000
Total Expenses	\$1,009,182

The District has investments and cash on hand in the approximate amount of \$716,924 as of the date this Petition was drafted and proposed, on September 1, 2020. These funds are used to ensure appropriate funding is on hand for continuing operational expenses.

The District seeks to dedicate as much of its budget as possible to its services and programs, for the benefit of the District, Downtown, and the property owners in the District. The District, as an organization, does have certain general expenses, which include the cost of its personnel, professional services including contracting for legal and accounting work to ensure local, state and federal regulations for a municipal management district are adhered to, office administrative expenses, and certain periodic capital expenditures.

4. The Proposed Area of Expansion/Annexation. The Petitioners own all or a majority of the properties in the area indicated in the picture below bordered in purple. This area is generally bounded by: Prospect Street and I-10 on the north; Santa Fe Street, Missouri Avenue and Durango Street on the east; and West Franklin Avenue on the South/West. The Petitioners are asking the District's Board, and City Council, to approve the annexation of this area, referred to as the "*Proposed Additional Territory*" for purposes of this Petition, into the District.



A detailed picture denoting which specific properties are included in the Proposed Additional Territory is available in electronic format at: <https://downtownelpaso.com/petition-for-boundary-expansion-public-hearing-october-22-2020/>. The properties to be included in the Proposed Additional Territory are not only bordered in purple, but also have red numbers on them in the picture. A list of the properties to be included in the Proposed Additional Territory is further contained at the foregoing link. The streets/roads and properties bordered in blue are not included in the Proposed Additional Territory. As further background, the Proposed Additional Territory set forth in this Petition is similar to, but slightly smaller, than the territory that was the subject of a prior petition circulated in 2019, but which was not approved by the Board or City Council.

5. Statements of Agreement in Support of Petition. The following section contains the Petitioners' statements of agreement in support of the Petition.

By their signatures to this Petition, in return for the District's consideration of the Petition and possible approval of same, each Petitioner swears and affirms the following:

A. The Petitioner has received a copy of this Petition, carefully read and reviewed it, understands its meaning and effect, had an opportunity to review and discuss the Petition, and voluntarily signed the Petition.

B. Each of the Petitioners owns land in the Proposed Additional Territory as determined by the certified El Paso County property tax rolls, and collectively, the Petitioners represent all/a majority of the property owners in the Proposed Additional Territory.

C. Petitioners specifically request the Board to annex the Proposed Additional Territory and to provide the services within the Proposed Additional Territory as generally described in this document and as further described in the District's Annual Report 2019 (available at <https://downtownelpaso.com/wp-content/uploads/2020/09/2019-Annual-Report-Final-FINAL.pdf>) and on the District's web site (available at <https://downtownelpaso.com/dwntwn-about/>) (collectively, the "Services"). Notwithstanding the foregoing, the Petitioners grant the District the discretion to modify the Services, the costs thereof and the effective tax rate set forth in Section 3 above (by the process authorized by law) if the Board determines that the modification is in the best and common interest of the Petitioners', the District's property owners, and the District, and that the need therefore is due to the receipt of in kind contributions, or additional dollar contributions not anticipated as of the date hereof; or a change in priorities has occurred; or an unanticipated need has arisen; or a change in applicable law, regulation or ordinance has occurred; or the size of the District changes; or a similar need or event occurs. The term "modify" shall include amendments, reallocations among categories, creation of new categories or services, deletions, and similar modifications.

D. Petitioners request that the assessment for the Services be payable at the same rate as for the existing territory of the District, currently \$0.12 per \$100 of assessed valuation of land and improvements for properties in the District as shown on the tax rolls (the "Tax Rolls") of the El Paso County Central Appraisal District ("Appraisal District") as most recently certified and each subsequent year thereafter on the same basis as the existing District.

E. Each Petitioner agrees that it will assume payment of all taxes, assessments, and fees levied on it by the District after the time the Petitioners' property is included in the District.

F. Each Petitioner agrees it shall be subject to future taxes, fees and assessments levied by the District on the same basis as any other property owner in the District.

G. Each Petitioner agrees it will be subject to the same liens and statutes governing other properties in the District (as if the property was originally included in the district).

H. Each Petitioner agrees and understands that the foregoing obligations contained herein are permanent and run with the land they own. Thus, Petitioners' property will be included in the District, treated as a property owner of the District as of the date of inclusion (if approved), and thereafter subject to the assessment as such an owner, for the duration of time the District exists and the Petitioners' property is included in the District.

I. The person(s) signing the Petition on behalf of Petitioner are authorized, qualified, and fully vested with authority to sign the Petition and make the statements and agreements set forth herein.

J. This Petition is executed in multiple counterparts, each of which shall be an original, and the signature pages may be merged so as to create an original document.

K. The effective date of this Petition shall be the date it is anticipated to be approved by the District's Board, on or about October 22, 2020 (or whenever such Board approval occurs), even though it may be executed by Petitioners prior to that date.

L. If this Petition is approved by the Board, and also City Council, during 2020, the Proposed Additional Territory will become part of the District on January 1, 2021.

Wherefore, Petitioners pray that this Petition be heard, and that the Board authorize notice of a hearing to be held on the Petition be published in a newspaper of general circulation within the County, otherwise give notice of the hearing in accordance with the law, and duly pass and approve an order approving the proposed services and assessment set forth in this Petition.

Submitted this 15 day of October, 2020.

Signature Approving and Agreeing to Petition Requesting Annexation of New Properties Into the El Paso Downtown Management District

The Property (Owner and Information)

Name of Owner of Property: OSCAR ANDRADE PROPERTIES

Property ID: 26247

Name of Person Signing for Owner (if Entity or Held in Trust): _____

Address of Property: 520 MISSOURI AVE, EL PASO, TX, 79901

Land Acres of Entire Property: 0.1033

Square Footage of Structures, if any: _____

Last Appraised Value of Property: \$181,230

Estimated DMD Assessment base on current value: \$217.48

Date of Purchase of Property: _____

Current Use of Property, if any: _____

Contact Person Telephone and Email: _____

Execution of Petition

1. I have received and read the Petition in its entirety.
2. I am affirming the statements and agreements made in Section 5 of the Petition.
3. I am authorized to execute this Petition as the owner, or on behalf of the owner, of the Property.
4. I declare under penalty of perjury that the foregoing is true and correct

Signed this 19 day of October, 2020.

By: Oscar Andrade Property Owner's Name Printed

By: [Signature] Signature of Owner/Owner's Authorized Representative

STATE OF TEXAS
COUNTY OF EL PASO

This instrument was acknowledged before me on the _____ day of _____
2020 by _____

(Personalized Seal)

Notary Public's Signature

Unsworn Declaration Under 28 US. Section 1746

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 19, 2020.



(Signature)

**Petition Requesting Annexation of New Properties Into the
El Paso Downtown Management District
(Drafted and Proposed September 1, 2020)**

To the Board of Directors of the El Paso Downtown Management District:

The undersigned (the “*Petitioners*”), constituting the owners of property in or near downtown El Paso, Texas, are submitting this petition drafted and proposed on September 1, 2020 (the “*Petition*”) to formally request the properties and area set forth on Attachment A be annexed into, and included within, the territory of the El Paso Downtown Management District (the “*District*”).

1. The Legal Basis and Process for Annexation. The law permits Petitioners’ request for annexation into the District. The process to expand in order to add new properties into the District’s existing boundaries is set forth in Texas Local Government Code § 375.043. This statutory provision provides that property may be annexed by a municipal management district, such as the District, pursuant to the process described in Texas Water Government Code § 49.301 and Texas Water Code Chapter 54.

Texas Water Code § 49.301 provides that one or more property owners may petition the District to have their properties annexed into, or added, to the existing territory of the municipal management district. The District’s Board must hear and consider the Petition after it is submitted. The District’s Board may then vote to add the Petitioner’s property into the District’s territory if it is feasible, practicable, and to the District’s advantage, and if the addition of the property does not injure land already within the District’s existing territory. The addition of Petitioner’s properties must also be deemed legally valid and sufficient, which depends on the number of participating owners who support the Petition.

Texas Water Code Chapter 54 further provides that a property owner may submit a written application for inclusion into an existing territory of a municipal management district. Tex. Water Code Ann. § 54.742. The application must include:

- (a) A statement that the property owner assumes payment of all taxes, assessments, and fees levied on it by the District after inclusion in the District;
- (b) An agreement by the property owner that their property shall be subject to future taxes, fees and assessments levied by the District; and
- (c) An agreement by the property owner that their property will be subject to the same liens and statutes governing other properties in the District (as if the property was originally included in the district).

If the Petitioners’ written application is approved by the District’s board of directors (the “*Board*”), then the request for expansion of the District’s territory must be approved by the governing body of the municipality, meaning the El Paso City Council (“*City Council*”). Thus, the first step of this Petition would be submission to the District’s Board for consideration. The

second step, assuming the District's Board approves the application, is to request final approval from City Council.

2. The Mission, Services, and Structure of the District. In submitting this Petition, Petitioners wish to confirm they are aware of the history, purpose, mission, operations, and structure of the District.

As background, the District is an independent governmental entity established in 1997 with the mission to promote economic development by providing services that champion a vibrant Downtown El Paso. The District's goal is to mobilize resources and affect positive growth in order to revitalize and sustain a vibrant Downtown El Paso ("*Downtown*"). The District achieves this goal by promoting and delivering economic development initiatives, projects, programs, and services that create a more vibrant, welcoming environment in Downtown.

The District's key focus areas and operations include the following services and programs for its Downtown owners:

- Sanitation and Security
- Special Events
- Economic and Commercial Development
- Quality of Life
- Transportation/Parking
- Education and Promotion

The District's existing boundaries, as shown below, is generally bounded on the north by Wyoming Street, on the south by the Cesar Chavez Memorial Hwy, on the west by Santa Fe and Paisano, and on the east by Ochoa and Alley G (Kansas).



The District is governed by the Board consisting of 21 board members. To serve, the board members must meet the qualifications set forth in Texas Local Government Code § 375.063, which generally provides that board members must own property in the District, represent an owner, or work for an employer located in the District. New board members are nominated by the Board itself, and then submitted to City Council for approval (except for unexpired terms, which are filled by the Board itself). In addition, there are ex officio (non-voting) members of the Board, including the City of El Paso City Manager, the Chief Executive Officers of the chambers of commerce, and the city, county, and state elected officials whose districts include Downtown El Paso.

The actual operations of the District are overseen by the District's own staff. The day-to-day operations are led by the District's Executive Director. The Executive Director, in turn, oversee the employees, contractors, and consultants employed by the District.

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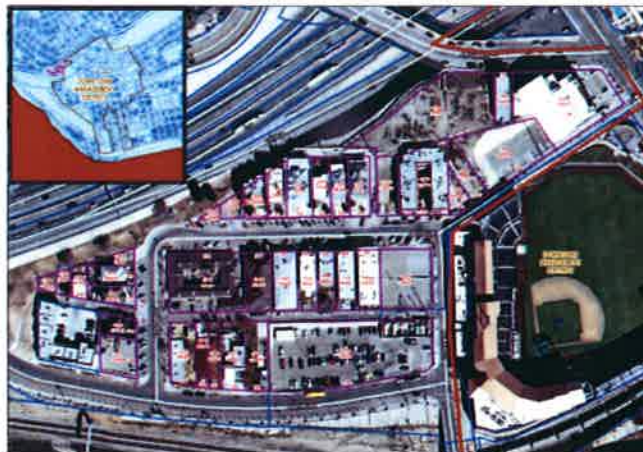
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The District has investments and cash on hand in the approximate amount of \$716,924 as of the date this Petition was drafted and proposed, on September 1, 2020. These funds are used to ensure appropriate funding is on hand for continuing operational expenses.

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A detailed picture denoting which specific properties are included in the Proposed Additional Territory is available in electronic format at: <https://downtownelpaso.com/petition-for-boundary-expansion-public-hearing-october-22-2020/>. The properties to be included in the Proposed Additional Territory are not only bordered in purple, but also have red numbers on them in the picture. A list of the properties to be included in the Proposed Additional Territory is further contained at the foregoing link. The streets/roads and properties bordered in blue are not included in the Proposed Additional Territory. As further background, the Proposed Additional Territory set forth in this Petition is similar to, but slightly smaller, than the territory that was the subject of a prior petition circulated in 2019, but which was not approved by the Board or City Council.

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By their signatures to this Petition, in return for the District's consideration of the Petition and possible approval of same, each Petitioner swears and affirms the following:

A. The Petitioner has received a copy of this Petition, carefully read and reviewed it, understands its meaning and effect, had an opportunity to review and discuss the Petition, and voluntarily signed the Petition.

B. Each of the Petitioners owns land in the Proposed Additional Territory as determined by the certified El Paso County property tax rolls, and collectively, the Petitioners represent all/a majority of the property owners in the Proposed Additional Territory.

C. Petitioners specifically request the Board to annex the Proposed Additional Territory and to provide the services within the Proposed Additional Territory as generally described in this document and as further described in the District's Annual Report 2019 (available at <https://downtownelpaso.com/wp-content/uploads/2020/09/2019-Annual-Report-Final-FINAL.pdf>) and on the District's web site (available at <https://downtownelpaso.com/dwntwn-about/>) (collectively, the "Services"). Notwithstanding the foregoing, the Petitioners grant the District the discretion to modify the Services, the costs thereof and the effective tax rate set forth in Section 3 above (by the process authorized by law) if the Board determines that the modification is in the best and common interest of the Petitioners', the District's property owners, and the District, and that the need therefore is due to the receipt of in kind contributions, or additional dollar contributions not anticipated as of the date hereof; or a change in priorities has occurred; or an unanticipated need has arisen; or a change in applicable law, regulation or ordinance has occurred; or the size of the District changes; or a similar need or event occurs. The term "modify" shall include amendments, reallocations among categories, creation of new categories or services, deletions, and similar modifications.

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I. The person(s) signing the Petition on behalf of Petitioner are authorized, qualified, and fully vested with authority to sign the Petition and make the statements and agreements set forth herein.

J. This Petition is executed in multiple counterparts, each of which shall be an original, and the signature pages may be merged so as to create an original document.

K. The effective date of this Petition shall be the date it is anticipated to be approved by the District's Board, on or about October 22, 2020 (or whenever such Board approval occurs), even though it may be executed by Petitioners prior to that date.

L. If this Petition is approved by the Board, and also City Council, during 2020, the Proposed Additional Territory will become part of the District on January 1, 2021.

Wherefore, Petitioners pray that this Petition be heard, and that the Board authorize notice of a hearing to be held on the Petition be published in a newspaper of general circulation within the County, otherwise give notice of the hearing in accordance with the law, and duly pass and approve an order approving the proposed services and assessment set forth in this Petition.

Submitted this 2 day of Oct, 2020.

Signature Approving and Agreeing to Petition Requesting Annexation of New Properties Into the El Paso Downtown Management District

The Property (Owner and Information)

Name of Owner of Property: MAYVIEW REAL ESTATE LP

Property ID: 237802

Name of Person Signing for Owner (if Entity or Held in Trust): _____

Address of Property: 521 MISSOURI AVE, EL PASO, TX, 79901

Land Acres of Entire Property: 0.1377

Square Footage of Structures, if any: 9677 sf.

Last Appraised Value of Property: \$327,160

Estimated DMD Assessment based on current value: \$392.60

Date of Purchase of Property: 11-1-1988

Current Use of Property, if any: multifamily rental

Contact Person Telephone and Email: Naomi Fabrey naomifabrey@me.com

Execution of Petition

1. I have received and read the Petition in its entirety.
2. I am affirming the statements and agreements made in Section 5 of the Petition.
3. I am authorized to execute this Petition as the owner, or on behalf of the owner, of the Property.
4. I declare under penalty of perjury that the foregoing is true and correct

Signed this 2 day of Oct, 2020.

By: Naomi Fabrey Property Owner's Name Printed

By: [Signature] Signature of Owner/Owner's Authorized Representative

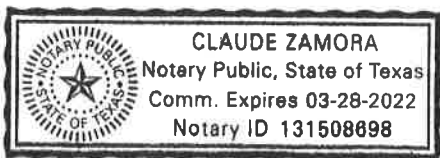
STATE OF TEXAS
COUNTY OF EL PASO

This instrument was acknowledged before me on the 2 day of October,
2020 by Naomi Falvey.



(Personalized Seal)

Notary Public's Signature



**Petition Requesting Annexation of New Properties Into the
El Paso Downtown Management District
(Drafted and Proposed September 1, 2020)**

To the Board of Directors of the El Paso Downtown Management District:

The undersigned (the "*Petitioners*"), constituting the owners of property in or near downtown El Paso, Texas, are submitting this petition drafted and proposed on September 1, 2020 (the "*Petition*") to formally request the properties and area set forth on Attachment A be annexed into, and included within, the territory of the El Paso Downtown Management District (the "*District*").

1. The Legal Basis and Process for Annexation. The law permits Petitioners' request for annexation into the District. The process to expand in order to add new properties into the District's existing boundaries is set forth in Texas Local Government Code § 375.043. This statutory provision provides that property may be annexed by a municipal management district, such as the District, pursuant to the process described in Texas Water Government Code § 49.301 and Texas Water Code Chapter 54.

Texas Water Code § 49.301 provides that one or more property owners may petition the District to have their properties annexed into, or added, to the existing territory of the municipal management district. The District's Board must hear and consider the Petition after it is submitted. The District's Board may then vote to add the Petitioner's property into the District's territory if it is feasible, practicable, and to the District's advantage, and if the addition of the property does not injure land already within the District's existing territory. The addition of Petitioner's properties must also be deemed legally valid and sufficient, which depends on the number of participating owners who support the Petition.

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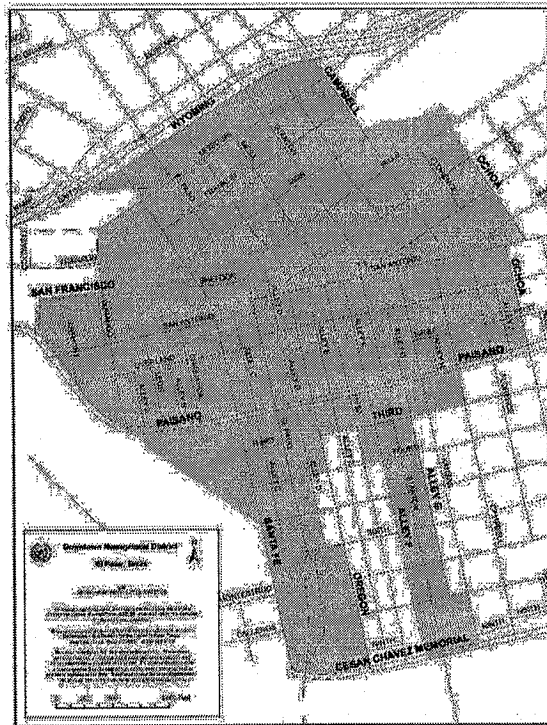
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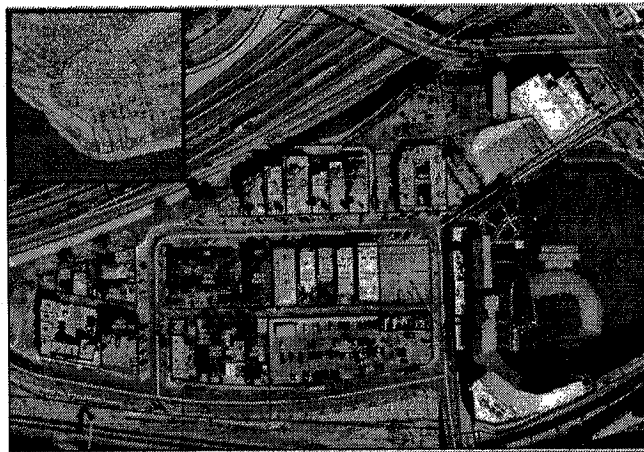
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By their signatures to this Petition, in return for the District's consideration of the Petition and possible approval of same, each Petitioner swears and affirms the following:

A. The Petitioner has received a copy of this Petition, carefully read and reviewed it, understands its meaning and effect, had an opportunity to review and discuss the Petition, and voluntarily signed the Petition.

B. Each of the Petitioners owns land in the Proposed Additional Territory as determined by the certified El Paso County property tax rolls, and collectively, the Petitioners represent all/a majority of the property owners in the Proposed Additional Territory.

C. Petitioners specifically request the Board to annex the Proposed Additional Territory and to provide the services within the Proposed Additional Territory as generally described in this document and as further described in the District's Annual Report 2019 (available at <https://downtownelpaso.com/wp-content/uploads/2020/09/2019-Annual-Report-Final-FINAL.pdf>) and on the District's web site (available at <https://downtownelpaso.com/dwntwn-about/>) (collectively, the "Services"). Notwithstanding the foregoing, the Petitioners grant the District the discretion to modify the Services, the costs thereof and the effective tax rate set forth in Section 3 above (by the process authorized by law) if the Board determines that the modification is in the best and common interest of the Petitioners', the District's property owners, and the District, and that the need therefore is due to the receipt of in kind contributions, or additional dollar contributions not anticipated as of the date hereof; or a change in priorities has occurred; or an unanticipated need has arisen; or a change in applicable law, regulation or ordinance has occurred; or the size of the District changes; or a similar need or event occurs. The term "modify" shall include amendments, reallocations among categories, creation of new categories or services, deletions, and similar modifications.

D. Petitioners request that the assessment for the Services be payable at the same rate as for the existing territory of the District, currently \$0.12 per \$100 of assessed valuation of land and improvements for properties in the District as shown on the tax rolls (the "Tax Rolls") of the El Paso County Central Appraisal District ("Appraisal District") as most recently certified and each subsequent year thereafter on the same basis as the existing District.

E. Each Petitioner agrees that it will assume payment of all taxes, assessments, and fees levied on it by the District after the time the Petitioners' property is included in the District.

F. Each Petitioner agrees it shall be subject to future taxes, fees and assessments levied by the District on the same basis as any other property owner in the District.

G. Each Petitioner agrees it will be subject to the same liens and statutes governing other properties in the District (as if the property was originally included in the district).

H. Each Petitioner agrees and understands that the foregoing obligations contained herein are permanent and run with the land they own. Thus, Petitioners' property will be included in the District, treated as a property owner of the District as of the date of inclusion (if approved), and thereafter subject to the assessment as such an owner, for the duration of time the District exists and the Petitioners' property is included in the District.

I. The person(s) signing the Petition on behalf of Petitioner are authorized, qualified, and fully vested with authority to sign the Petition and make the statements and agreements set forth herein.

J. This Petition is executed in multiple counterparts, each of which shall be an original, and the signature pages may be merged so as to create an original document.

K. The effective date of this Petition shall be the date it is anticipated to be approved by the District's Board, on or about October 22, 2020 (or whenever such Board approval occurs), even though it may be executed by Petitioners prior to that date.

L. If this Petition is approved by the Board, and also City Council, during 2020, the Proposed Additional Territory will become part of the District on January 1, 2021.

Wherefore, Petitioners pray that this Petition be heard, and that the Board authorize notice of a hearing to be held on the Petition be published in a newspaper of general circulation within the County, otherwise give notice of the hearing in accordance with the law, and duly pass and approve an order approving the proposed services and assessment set forth in this Petition.

Submitted this 15 day of October, 2020.

Signature Approving and Agreeing to Petition Requesting Annexation of New Properties Into the El Paso Downtown Management District

The Property (Owner and Information)

Name of Owner of Property: ANDRADE OSCAR & ROCIO

Property ID: 63975

Name of Person Signing for Owner (if Entity or Held in Trust): _____

Address of Property: 523 MISSOURI AVE, EL PASO, TX, 79901

Land Acres of Entire Property: 0.0913

Square Footage of Structures, if any: _____

Last Appraised Value of Property: \$259,838

Estimated DMD Assessment based on current value: \$311.81

Date of Purchase of Property: _____

Current Use of Property, if any: _____

Contact Person Telephone and Email: _____

Execution of Petition

1. I have received and read the Petition in its entirety.
2. I am affirming the statements and agreements made in Section 5 of the Petition.
3. I am authorized to execute this Petition as the owner, or on behalf of the owner, of the Property.
4. I declare under penalty of perjury that the foregoing is true and correct

Signed this 19 day of October, 2020.

By: Oscar Andrade Property Owner's Name Printed

By: [Signature] Signature of Owner/Owner's Authorized Representative

STATE OF TEXAS
COUNTY OF EL PASO

This instrument was acknowledged before me on the _____ day of _____
2020 by _____

(Personalized Seal)

Notary Public's Signature

Unsworn Declaration Under 28 US. Section 1746

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 19, 2020.



(Signature)

**Petition Requesting Annexation of New Properties Into the
El Paso Downtown Management District
(Drafted and Proposed September 1, 2020)**

To the Board of Directors of the El Paso Downtown Management District:

The undersigned (the "*Petitioners*"), constituting the owners of property in or near downtown El Paso, Texas, are submitting this petition drafted and proposed on September 1, 2020 (the "*Petition*") to formally request the properties and area set forth on Attachment A be annexed into, and included within, the territory of the El Paso Downtown Management District (the "*District*").

1. The Legal Basis and Process for Annexation. The law permits Petitioners' request for annexation into the District. The process to expand in order to add new properties into the District's existing boundaries is set forth in Texas Local Government Code § 375.043. This statutory provision provides that property may be annexed by a municipal management district, such as the District, pursuant to the process described in Texas Water Government Code § 49.301 and Texas Water Code Chapter 54.

Texas Water Code § 49.301 provides that one or more property owners may petition the District to have their properties annexed into, or added, to the existing territory of the municipal management district. The District's Board must hear and consider the Petition after it is submitted. The District's Board may then vote to add the Petitioner's property into the District's territory if it is feasible, practicable, and to the District's advantage, and if the addition of the property does not injure land already within the District's existing territory. The addition of Petitioner's properties must also be deemed legally valid and sufficient, which depends on the number of participating owners who support the Petition.

Texas Water Code Chapter 54 further provides that a property owner may submit a written application for inclusion into an existing territory of a municipal management district. Tex. Water Code Ann. § 54.742. The application must include:

- (a) A statement that the property owner assumes payment of all taxes, assessments, and fees levied on it by the District after inclusion in the District;
- (b) An agreement by the property owner that their property shall be subject to future taxes, fees and assessments levied by the District; and
- (c) An agreement by the property owner that their property will be subject to the same liens and statutes governing other properties in the District (as if the property was originally included in the district).

If the Petitioners' written application is approved by the District's board of directors (the "*Board*"), then the request for expansion of the District's territory must be approved by the governing body of the municipality, meaning the El Paso City Council ("*City Council*"). Thus, the first step of this Petition would be submission to the District's Board for consideration. The

second step, assuming the District's Board approves the application, is to request final approval from City Council.

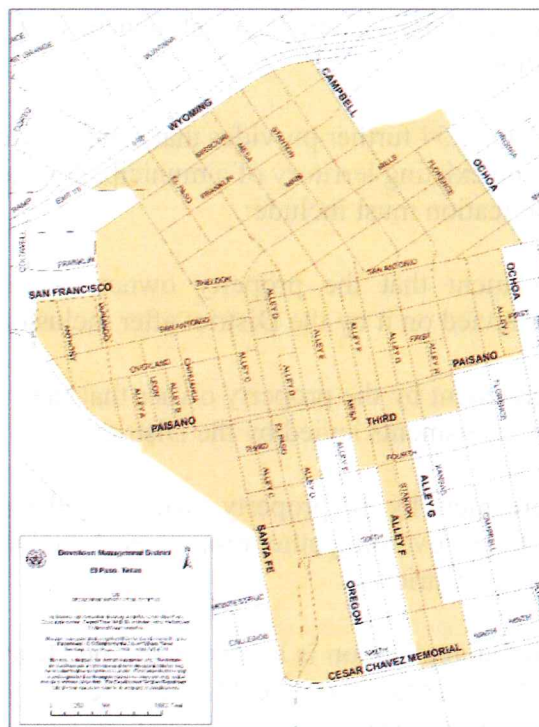
2. The Mission, Services, and Structure of the District. In submitting this Petition, Petitioners wish to confirm they are aware of the history, purpose, mission, operations, and structure of the District.

As background, the District is an independent governmental entity established in 1997 with the mission to promote economic development by providing services that champion a vibrant Downtown El Paso. The District's goal is to mobilize resources and affect positive growth in order to revitalize and sustain a vibrant Downtown El Paso ("*Downtown*"). The District achieves this goal by promoting and delivering economic development initiatives, projects, programs, and services that create a more vibrant, welcoming environment in Downtown.

The District's key focus areas and operations include the following services and programs for its Downtown owners:

- Sanitation and Security
- Special Events
- Economic and Commercial Development
- Quality of Life
- Transportation/Parking
- Education and Promotion

The District's existing boundaries, as shown below, is generally bounded on the north by Wyoming Street, on the south by the Cesar Chavez Memorial Hwy, on the west by Santa Fe and Paisano, and on the east by Ochoa and Alley G (Kansas).



The District is governed by the Board consisting of 21 board members. To serve, the board members must meet the qualifications set forth in Texas Local Government Code § 375.063, which generally provides that board members must own property in the District, represent an owner, or work for an employer located in the District. New board members are nominated by the Board itself, and then submitted to City Council for approval (except for unexpired terms, which are filled by the Board itself). In addition, there are ex officio (non-voting) members of the Board, including the City of El Paso City Manager, the Chief Executive Officers of the chambers of commerce, and the city, county, and state elected officials whose districts include Downtown El Paso.

The actual operations of the District are overseen by the District's own staff. The day-to-day operations are led by the District's Executive Director. The Executive Director, in turn, oversee the employees, contractors, and consultants employed by the District.

3. The District's Funding and Budget. In submitting this Petition, Petitioners further wish to state they are aware of how the District is funded and budgets its finances.

The District is funded by assessment revenue from property within the District and through collaboration on specific projects and programs with the City of El Paso, and others. The primary source of funding is by means of assessment revenue from private property within the District assessed at \$.12 per \$100 of valuation. This assessment rate has been the same since the inception of the District in 1997. In addition, the District receives contractual funding from the City of El Paso through Interlocal Agreements and Amendments. All these resources are spent directly in the District's territorial area.

The District's funds are used to provide services and programs for the benefit of Downtown. The District's original service plan in the late 1990s and early 2000s focused on cleanliness, transportation, security and promotion of Downtown. Over time, beginning in approximately 2010, the District took on additional operations and programs, to include: Marketing & Education; Economic Development Promotion; Security; Sanitation; and, Transportation & Parking. The services are in alignment with the District's goal to serve as the primary clearinghouse for public/private activities and commerce in Downtown.

Each year, the Board approves a budget for the District. By way of illustration, the approved FY 2020-2021 budget is shown below.

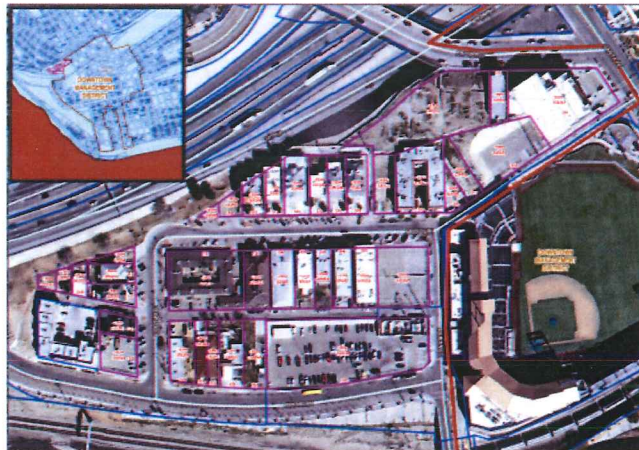
<i>Revenue</i>	
Assessment	\$ 437,645
Interlocal Agreements	\$ 326,515
Other Income	\$ 152,228
Budget Carry Over	\$ 95,359
Total Income/Revenue	\$ 1,011,747

<i>Expenses</i>	
Administration	\$42,930
Salaries	\$328,325
Contracted Services	\$12,000
Office Administration	\$95,847
Economic Development/Grants	\$70,915
Marketing	\$135,169
Sanitation	\$264,996
Infrastructure/Security	\$32,000
Community Projects/Programs	\$27,000
Total Expenses	\$1,009,182

The District has investments and cash on hand in the approximate amount of \$716,924 as of the date this Petition was drafted and proposed, on September 1, 2020. These funds are used to ensure appropriate funding is on hand for continuing operational expenses.

The District seeks to dedicate as much of its budget as possible to its services and programs, for the benefit of the District, Downtown, and the property owners in the District. The District, as an organization, does have certain general expenses, which include the cost of its personnel, professional services including contracting for legal and accounting work to ensure local, state and federal regulations for a municipal management district are adhered to, office administrative expenses, and certain periodic capital expenditures.

4. The Proposed Area of Expansion/Annexation. The Petitioners own all or a majority of the properties in the area indicated in the picture below bordered in purple. This area is generally bounded by: Prospect Street and I-10 on the north; Santa Fe Street, Missouri Avenue and Durango Street on the east; and West Franklin Avenue on the South/West. The Petitioners are asking the District's Board, and City Council, to approve the annexation of this area, referred to as the "*Proposed Additional Territory*" for purposes of this Petition, into the District.



A detailed picture denoting which specific properties are included in the Proposed Additional Territory is available in electronic format at: <https://downtownelpaso.com/petition-for-boundary-expansion-public-hearing-october-22-2020/>. The properties to be included in the Proposed Additional Territory are not only bordered in purple, but also have red numbers on them in the picture. A list of the properties to be included in the Proposed Additional Territory is further contained at the foregoing link. The streets/roads and properties bordered in blue are not included in the Proposed Additional Territory. As further background, the Proposed Additional Territory set forth in this Petition is similar to, but slightly smaller, than the territory that was the subject of a prior petition circulated in 2019, but which was not approved by the Board or City Council.

5. Statements of Agreement in Support of Petition. The following section contains the Petitioners' statements of agreement in support of the Petition.

By their signatures to this Petition, in return for the District's consideration of the Petition and possible approval of same, each Petitioner swears and affirms the following:

A. The Petitioner has received a copy of this Petition, carefully read and reviewed it, understands its meaning and effect, had an opportunity to review and discuss the Petition, and voluntarily signed the Petition.

B. Each of the Petitioners owns land in the Proposed Additional Territory as determined by the certified El Paso County property tax rolls, and collectively, the Petitioners represent all/a majority of the property owners in the Proposed Additional Territory.

C. Petitioners specifically request the Board to annex the Proposed Additional Territory and to provide the services within the Proposed Additional Territory as generally described in this document and as further described in the District's Annual Report 2019 (available at <https://downtownelpaso.com/wp-content/uploads/2020/09/2019-Annual-Report-Final-FINAL.pdf>) and on the District's web site (available at <https://downtownelpaso.com/dwntwn-about/>) (collectively, the "Services"). Notwithstanding the foregoing, the Petitioners grant the District the discretion to modify the Services, the costs thereof and the effective tax rate set forth in Section 3 above (by the process authorized by law) if the Board determines that the modification is in the best and common interest of the Petitioners', the District's property owners, and the District, and that the need therefore is due to the receipt of in kind contributions, or additional dollar contributions not anticipated as of the date hereof; or a change in priorities has occurred; or an unanticipated need has arisen; or a change in applicable law, regulation or ordinance has occurred; or the size of the District changes; or a similar need or event occurs. The term "modify" shall include amendments, reallocations among categories, creation of new categories or services, deletions, and similar modifications.

D. Petitioners request that the assessment for the Services be payable at the same rate as for the existing territory of the District, currently \$0.12 per \$100 of assessed valuation of land and improvements for properties in the District as shown on the tax rolls (the "Tax Rolls") of the El Paso County Central Appraisal District ("Appraisal District") as most recently certified and each subsequent year thereafter on the same basis as the existing District.

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G. Each Petitioner agrees it will be subject to the same liens and statutes governing other properties in the District (as if the property was originally included in the district).

H. Each Petitioner agrees and understands that the foregoing obligations contained herein are permanent and run with the land they own. Thus, Petitioners' property will be included in the District, treated as a property owner of the District as of the date of inclusion (if approved), and thereafter subject to the assessment as such an owner, for the duration of time the District exists and the Petitioners' property is included in the District.

I. The person(s) signing the Petition on behalf of Petitioner are authorized, qualified, and fully vested with authority to sign the Petition and make the statements and agreements set forth herein.

J. This Petition is executed in multiple counterparts, each of which shall be an original, and the signature pages may be merged so as to create an original document.

K. The effective date of this Petition shall be the date it is anticipated to be approved by the District's Board, on or about October 22, 2020 (or whenever such Board approval occurs), even though it may be executed by Petitioners prior to that date.

L. If this Petition is approved by the Board, and also City Council, during 2020, the Proposed Additional Territory will become part of the District on January 1, 2021.

Wherefore, Petitioners pray that this Petition be heard, and that the Board authorize notice of a hearing to be held on the Petition be published in a newspaper of general circulation within the County, otherwise give notice of the hearing in accordance with the law, and duly pass and approve an order approving the proposed services and assessment set forth in this Petition.

Submitted this 24th day of September, 2020.

Signature Approving and Agreeing to Petition Requesting Annexation of New Properties Into the El Paso Downtown Management District

The Property (Owner and Information)

Name of Owner of Property: 526 MISSOURI LLC

Property ID: 407577

Name of Person Signing for Owner (if Entity or Held in Trust): PETER SPIER

Address of Property: 526 MISSOURI AVE, EL PASO, TX, 79901

Land Acres of Entire Property: 0.157

Square Footage of Structures, if any: 12,888

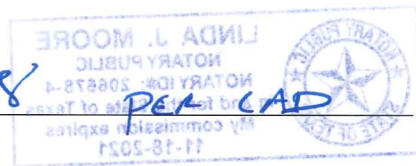
Last Appraised Value of Property: \$435,240

Estimated DMD Assessment based on current value: \$522.29

Date of Purchase of Property: 11 / 30 / 2016

Current Use of Property, if any: RESIDENTIAL - M/F

Contact Person Telephone and Email: 915.238.3882



Execution of Petition

1. I have received and read the Petition in its entirety.
2. I am affirming the statements and agreements made in Section 5 of the Petition.
3. I am authorized to execute this Petition as the owner, or on behalf of the owner, of the Property.
4. I declare under penalty of perjury that the foregoing is true and correct

Signed this 24 day of SEPT., 2020.

By: PETER A SPIER Property Owner's Name Printed

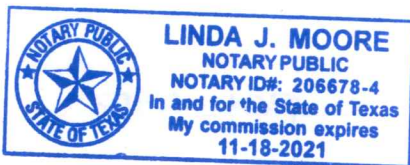
By: Peter A Spier Signature of Owner/Owner's Authorized Representative

STATE OF TEXAS
COUNTY OF EL PASO

This instrument was acknowledged before me on the 24th day of September,
2020 by Peter A. Spier.

(Personalized Seal)

Linda J. Moore
Notary Public's Signature



**Petition Requesting Annexation of New Properties Into the
El Paso Downtown Management District
(Drafted and Proposed September 1, 2020)**

To the Board of Directors of the El Paso Downtown Management District:

The undersigned (the "*Petitioners*"), constituting the owners of property in or near downtown El Paso, Texas, are submitting this petition drafted and proposed on September 1, 2020 (the "*Petition*") to formally request the properties and area set forth on Attachment A be annexed into, and included within, the territory of the El Paso Downtown Management District (the "*District*").

1. The Legal Basis and Process for Annexation. The law permits Petitioners' request for annexation into the District. The process to expand in order to add new properties into the District's existing boundaries is set forth in Texas Local Government Code § 375.043. This statutory provision provides that property may be annexed by a municipal management district, such as the District, pursuant to the process described in Texas Water Government Code § 49.301 and Texas Water Code Chapter 54.

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If the Petitioners' written application is approved by the District's board of directors (the "*Board*"), then the request for expansion of the District's territory must be approved by the governing body of the municipality, meaning the El Paso City Council ("*City Council*"). Thus, the first step of this Petition would be submission to the District's Board for consideration. The

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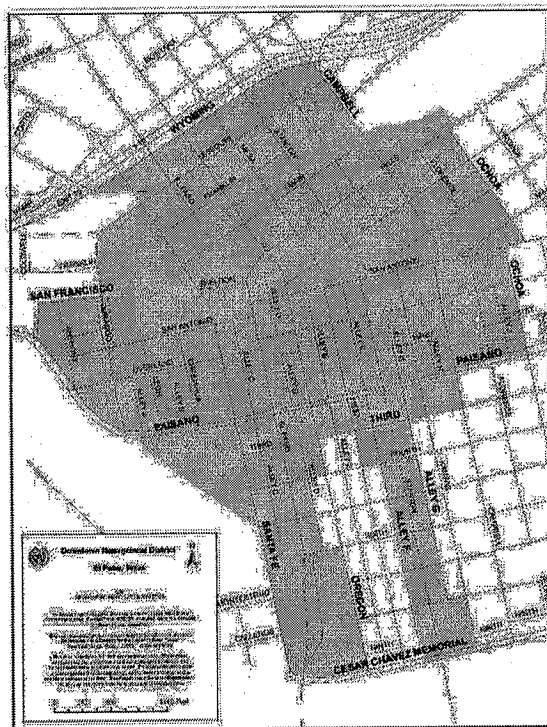
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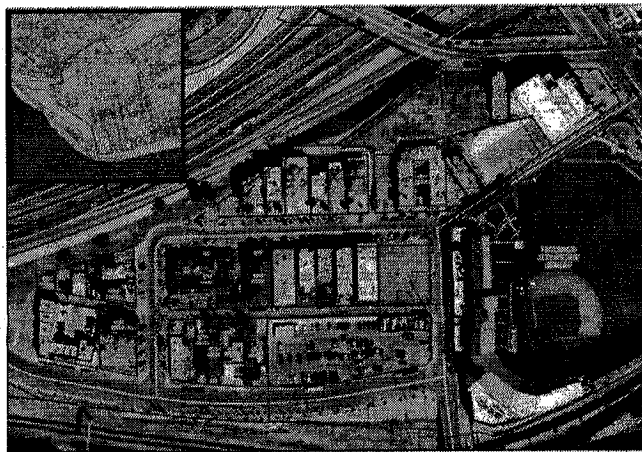
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F. Each Petitioner agrees it shall be subject to future taxes, fees and assessments levied by the District on the same basis as any other property owner in the District.

G. Each Petitioner agrees it will be subject to the same liens and statutes governing other properties in the District (as if the property was originally included in the district).

H. Each Petitioner agrees and understands that the foregoing obligations contained herein are permanent and run with the land they own. Thus, Petitioners' property will be included in the District, treated as a property owner of the District as of the date of inclusion (if approved), and thereafter subject to the assessment as such an owner, for the duration of time the District exists and the Petitioners' property is included in the District.

I. The person(s) signing the Petition on behalf of Petitioner are authorized, qualified, and fully vested with authority to sign the Petition and make the statements and agreements set forth herein.

J. This Petition is executed in multiple counterparts, each of which shall be an original, and the signature pages may be merged so as to create an original document.

K. The effective date of this Petition shall be the date it is anticipated to be approved by the District's Board, on or about October 22, 2020 (or whenever such Board approval occurs), even though it may be executed by Petitioners prior to that date.

L. If this Petition is approved by the Board, and also City Council, during 2020, the Proposed Additional Territory will become part of the District on January 1, 2021.

Wherefore, Petitioners pray that this Petition be heard, and that the Board authorize notice of a hearing to be held on the Petition be published in a newspaper of general circulation within the County, otherwise give notice of the hearing in accordance with the law, and duly pass and approve an order approving the proposed services and assessment set forth in this Petition.

Submitted this 15 day of October, 2020.

Signature Approving and Agreeing to Petition Requesting Annexation of New Properties Into the El Paso Downtown Management District

The Property (Owner and Information)

Name of Owner of Property: OSCAR ANDRADE PROPERTIES

Property ID: 246364

Name of Person Signing for Owner (if Entity or Held in Trust): _____

Address of Property: 527 MISSOURI AVE, EL PASO, TX, 79901

Land Acres of Entire Property: 0.0895

Square Footage of Structures, if any: _____

Last Appraised Value of Property: \$137,560

Estimated DMD Assessment based on current value: \$165.08

Date of Purchase of Property: _____

Current Use of Property, if any: _____

Contact Person Telephone and Email: _____

Execution of Petition

1. I have received and read the Petition in its entirety.
2. I am affirming the statements and agreements made in Section 5 of the Petition.
3. I am authorized to execute this Petition as the owner, or on behalf of the owner, of the Property.
4. I declare under penalty of perjury that the foregoing is true and correct

Signed this 19 day of October, 2020.

By: Oscar Andrade Property Owner's Name Printed

By: [Signature] Signature of Owner/Owner's Authorized Representative

STATE OF TEXAS
COUNTY OF EL PASO

This instrument was acknowledged before me on the _____ day of _____
2020 by _____

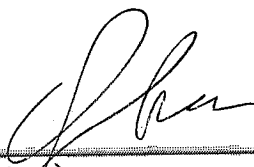
(Personalized Seal)

Notary Public's Signature

Unsworn Declaration Under 28 US. Section 1746

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 14, 2020.



(Signature)

**Petition Requesting Annexation of New Properties Into the
El Paso Downtown Management District
(Drafted and Proposed September 1, 2020)**

To the Board of Directors of the El Paso Downtown Management District:

The undersigned (the "*Petitioners*"), constituting the owners of property in or near downtown El Paso, Texas, are submitting this petition drafted and proposed on September 1, 2020 (the "*Petition*") to formally request the properties and area set forth on Attachment A be annexed into, and included within, the territory of the El Paso Downtown Management District (the "*District*").

1. The Legal Basis and Process for Annexation. The law permits Petitioners' request for annexation into the District. The process to expand in order to add new properties into the District's existing boundaries is set forth in Texas Local Government Code § 375.043. This statutory provision provides that property may be annexed by a municipal management district, such as the District, pursuant to the process described in Texas Water Government Code § 49.301 and Texas Water Code Chapter 54.

Texas Water Code § 49.301 provides that one or more property owners may petition the District to have their properties annexed into, or added, to the existing territory of the municipal management district. The District's Board must hear and consider the Petition after it is submitted. The District's Board may then vote to add the Petitioner's property into the District's territory if it is feasible, practicable, and to the District's advantage, and if the addition of the property does not injure land already within the District's existing territory. The addition of Petitioner's properties must also be deemed legally valid and sufficient, which depends on the number of participating owners who support the Petition.

Texas Water Code Chapter 54 further provides that a property owner may submit a written application for inclusion into an existing territory of a municipal management district. Tex. Water Code Ann. § 54.742. The application must include:

- (a) A statement that the property owner assumes payment of all taxes, assessments, and fees levied on it by the District after inclusion in the District;
- (b) An agreement by the property owner that their property shall be subject to future taxes, fees and assessments levied by the District; and
- (c) An agreement by the property owner that their property will be subject to the same liens and statutes governing other properties in the District (as if the property was originally included in the district).

If the Petitioners' written application is approved by the District's board of directors (the "*Board*"), then the request for expansion of the District's territory must be approved by the governing body of the municipality, meaning the El Paso City Council ("*City Council*"). Thus, the first step of this Petition would be submission to the District's Board for consideration. The

second step, assuming the District's Board approves the application, is to request final approval from City Council.

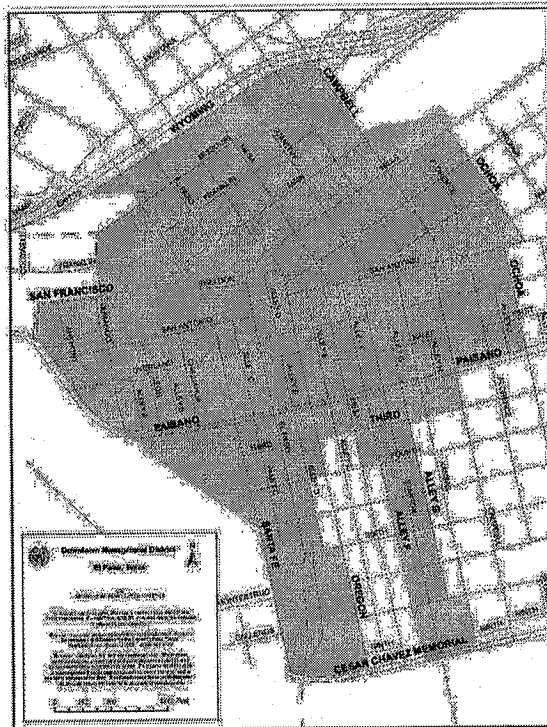
2. The Mission, Services, and Structure of the District. In submitting this Petition, Petitioners wish to confirm they are aware of the history, purpose, mission, operations, and structure of the District.

As background, the District is an independent governmental entity established in 1997 with the mission to promote economic development by providing services that champion a vibrant Downtown El Paso. The District's goal is to mobilize resources and affect positive growth in order to revitalize and sustain a vibrant Downtown El Paso ("*Downtown*"). The District achieves this goal by promoting and delivering economic development initiatives, projects, programs, and services that create a more vibrant, welcoming environment in Downtown.

The District's key focus areas and operations include the following services and programs for its Downtown owners:

- Sanitation and Security
- Special Events
- Economic and Commercial Development
- Quality of Life
- Transportation/Parking
- Education and Promotion

The District's existing boundaries, as shown below, is generally bounded on the north by Wyoming Street, on the south by the Cesar Chavez Memorial Hwy, on the west by Santa Fe and Paisano, and on the east by Ochoa and Alley G (Kansas).



The District is governed by the Board consisting of 21 board members. To serve, the board members must meet the qualifications set forth in Texas Local Government Code § 375.063, which generally provides that board members must own property in the District, represent an owner, or work for an employer located in the District. New board members are nominated by the Board itself, and then submitted to City Council for approval (except for unexpired terms, which are filled by the Board itself). In addition, there are ex officio (non-voting) members of the Board, including the City of El Paso City Manager, the Chief Executive Officers of the chambers of commerce, and the city, county, and state elected officials whose districts include Downtown El Paso.

The actual operations of the District are overseen by the District's own staff. The day-to-day operations are led by the District's Executive Director. The Executive Director, in turn, oversee the employees, contractors, and consultants employed by the District.

3. The District's Funding and Budget. In submitting this Petition, Petitioners further wish to state they are aware of how the District is funded and budgets its finances.

The District is funded by assessment revenue from property within the District and through collaboration on specific projects and programs with the City of El Paso, and others. The primary source of funding is by means of assessment revenue from private property within the District assessed at \$.12 per \$100 of valuation. This assessment rate has been the same since the inception of the District in 1997. In addition, the District receives contractual funding from the City of El Paso through Interlocal Agreements and Amendments. All these resources are spent directly in the District's territorial area.

The District's funds are used to provide services and programs for the benefit of Downtown. The District's original service plan in the late 1990s and early 2000s focused on cleanliness, transportation, security and promotion of Downtown. Over time, beginning in approximately 2010, the District took on additional operations and programs, to include: Marketing & Education; Economic Development Promotion; Security; Sanitation; and, Transportation & Parking. The services are in alignment with the District's goal to serve as the primary clearinghouse for public/private activities and commerce in Downtown.

Each year, the Board approves a budget for the District. By way of illustration, the approved FY 2020-2021 budget is shown below.

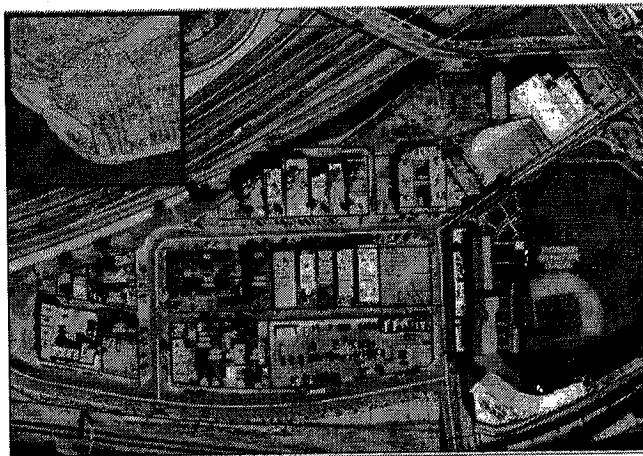
<i>Revenue</i>	
Assessment	\$ 437,645
Interlocal Agreements	\$ 326,515
Other Income	\$ 152,228
Budget Carry Over	\$ 95,359
Total Income/Revenue	\$ 1,011,747

<i>Expenses</i>	
Administration	\$42,930
Salaries	\$328,325
Contracted Services	\$12,000
Office Administration	\$95,847
Economic Development/Grants	\$70,915
Marketing	\$135,169
Sanitation	\$264,996
Infrastructure/Security	\$32,000
Community Projects/Programs	\$27,000
Total Expenses	\$1,009,182

The District has investments and cash on hand in the approximate amount of \$716,924 as of the date this Petition was drafted and proposed, on September 1, 2020. These funds are used to ensure appropriate funding is on hand for continuing operational expenses.

The District seeks to dedicate as much of its budget as possible to its services and programs, for the benefit of the District, Downtown, and the property owners in the District. The District, as an organization, does have certain general expenses, which include the cost of its personnel, professional services including contracting for legal and accounting work to ensure local, state and federal regulations for a municipal management district are adhered to, office administrative expenses, and certain periodic capital expenditures.

4. The Proposed Area of Expansion/Annexation. The Petitioners own all or a majority of the properties in the area indicated in the picture below bordered in purple. This area is generally bounded by: Prospect Street and I-10 on the north; Santa Fe Street, Missouri Avenue and Durango Street on the east; and West Franklin Avenue on the South/West. The Petitioners are asking the District's Board, and City Council, to approve the annexation of this area, referred to as the "*Proposed Additional Territory*" for purposes of this Petition, into the District.



A detailed picture denoting which specific properties are included in the Proposed Additional Territory is available in electronic format at: <https://downtownelpaso.com/petition-for-boundary-expansion-public-hearing-october-22-2020/>. The properties to be included in the Proposed Additional Territory are not only bordered in purple, but also have red numbers on them in the picture. A list of the properties to be included in the Proposed Additional Territory is further contained at the foregoing link. The streets/roads and properties bordered in blue are not included in the Proposed Additional Territory. As further background, the Proposed Additional Territory set forth in this Petition is similar to, but slightly smaller, than the territory that was the subject of a prior petition circulated in 2019, but which was not approved by the Board or City Council.

5. Statements of Agreement in Support of Petition. The following section contains the Petitioners' statements of agreement in support of the Petition.

By their signatures to this Petition, in return for the District's consideration of the Petition and possible approval of same, each Petitioner swears and affirms the following:

A. The Petitioner has received a copy of this Petition, carefully read and reviewed it, understands its meaning and effect, had an opportunity to review and discuss the Petition, and voluntarily signed the Petition.

B. Each of the Petitioners owns land in the Proposed Additional Territory as determined by the certified El Paso County property tax rolls, and collectively, the Petitioners represent all/a majority of the property owners in the Proposed Additional Territory.

C. Petitioners specifically request the Board to annex the Proposed Additional Territory and to provide the services within the Proposed Additional Territory as generally described in this document and as further described in the District's Annual Report 2019 (available at <https://downtownelpaso.com/wp-content/uploads/2020/09/2019-Annual-Report-Final-FINAL.pdf>) and on the District's web site (available at <https://downtownelpaso.com/dwntwn-about/>) (collectively, the "Services"). Notwithstanding the foregoing, the Petitioners grant the District the discretion to modify the Services, the costs thereof and the effective tax rate set forth in Section 3 above (by the process authorized by law) if the Board determines that the modification is in the best and common interest of the Petitioners', the District's property owners, and the District, and that the need therefore is due to the receipt of in kind contributions, or additional dollar contributions not anticipated as of the date hereof; or a change in priorities has occurred; or an unanticipated need has arisen; or a change in applicable law, regulation or ordinance has occurred; or the size of the District changes; or a similar need or event occurs. The term "modify" shall include amendments, reallocations among categories, creation of new categories or services, deletions, and similar modifications.

D. Petitioners request that the assessment for the Services be payable at the same rate as for the existing territory of the District, currently \$0.12 per \$100 of assessed valuation of land and improvements for properties in the District as shown on the tax rolls (the "Tax Rolls") of the El Paso County Central Appraisal District ("Appraisal District") as most recently certified and each subsequent year thereafter on the same basis as the existing District.

E. Each Petitioner agrees that it will assume payment of all taxes, assessments, and fees levied on it by the District after the time the Petitioners' property is included in the District.

F. Each Petitioner agrees it shall be subject to future taxes, fees and assessments levied by the District on the same basis as any other property owner in the District.

G. Each Petitioner agrees it will be subject to the same liens and statutes governing other properties in the District (as if the property was originally included in the district).

H. Each Petitioner agrees and understands that the foregoing obligations contained herein are permanent and run with the land they own. Thus, Petitioners' property will be included in the District, treated as a property owner of the District as of the date of inclusion (if approved), and thereafter subject to the assessment as such an owner, for the duration of time the District exists and the Petitioners' property is included in the District.

I. The person(s) signing the Petition on behalf of Petitioner are authorized, qualified, and fully vested with authority to sign the Petition and make the statements and agreements set forth herein.

J. This Petition is executed in multiple counterparts, each of which shall be an original, and the signature pages may be merged so as to create an original document.

K. The effective date of this Petition shall be the date it is anticipated to be approved by the District's Board, on or about October 22, 2020 (or whenever such Board approval occurs), even though it may be executed by Petitioners prior to that date.

L. If this Petition is approved by the Board, and also City Council, during 2020, the Proposed Additional Territory will become part of the District on January 1, 2021.

Wherefore, Petitioners pray that this Petition be heard, and that the Board authorize notice of a hearing to be held on the Petition be published in a newspaper of general circulation within the County, otherwise give notice of the hearing in accordance with the law, and duly pass and approve an order approving the proposed services and assessment set forth in this Petition.

Submitted this 15 day of October, 2020.

**Signature Approving and Agreeing to Petition Requesting Annexation of New
Properties Into the El Paso Downtown Management District**

The Property (Owner and Information)

Name of Owner of Property: ANDRADE OSCAR & ROCIO

Property ID: 243568

Name of Person Signing for Owner (if Entity or Held in Trust): _____

Address of Property: 531 MISSOURI AVE, EL PASO, TX, 79901

Land Acres of Entire Property: 0.0528

Square Footage of Structures, if any: _____

Last Appraised Value of Property: \$11,500

Estimated DMD Assessment based on current value: \$13.80

Date of Purchase of Property: _____

Current Use of Property, if any: _____

Contact Person Telephone and Email: _____

Execution of Petition

1. I have received and read the Petition in its entirety.
2. I am affirming the statements and agreements made in Section 5 of the Petition.
3. I am authorized to execute this Petition as the owner, or on behalf of the owner, of the Property.
4. I declare under penalty of perjury that the foregoing is true and correct

Signed this 19 day of October, 2020.

By: Oscar Andrade Property Owner's Name Printed

By: [Signature] Signature of Owner/Owner's Authorized Representative

STATE OF TEXAS
COUNTY OF EL PASO

This instrument was acknowledged before me on the _____ day of _____
2020 by _____

(Personalized Seal)

Notary Public's Signature

Unsworn Declaration Under 28 US. Section 1746

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 19, 2020.



(Signature)

**Petition Requesting Annexation of New Properties Into the
El Paso Downtown Management District
(Drafted and Proposed September 1, 2020)**

To the Board of Directors of the El Paso Downtown Management District:

The undersigned (the “*Petitioners*”), constituting the owners of property in or near downtown El Paso, Texas, are submitting this petition drafted and proposed on September 1, 2020 (the “*Petition*”) to formally request the properties and area set forth on Attachment A be annexed into, and included within, the territory of the El Paso Downtown Management District (the “*District*”).

1. The Legal Basis and Process for Annexation. The law permits Petitioners’ request for annexation into the District. The process to expand in order to add new properties into the District’s existing boundaries is set forth in Texas Local Government Code § 375.043. This statutory provision provides that property may be annexed by a municipal management district, such as the District, pursuant to the process described in Texas Water Government Code § 49.301 and Texas Water Code Chapter 54.

Texas Water Code § 49.301 provides that one or more property owners may petition the District to have their properties annexed into, or added, to the existing territory of the municipal management district. The District’s Board must hear and consider the Petition after it is submitted. The District’s Board may then vote to add the Petitioner’s property into the District’s territory if it is feasible, practicable, and to the District’s advantage, and if the addition of the property does not injure land already within the District’s existing territory. The addition of Petitioner’s properties must also be deemed legally valid and sufficient, which depends on the number of participating owners who support the Petition.

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If the Petitioners’ written application is approved by the District’s board of directors (the “*Board*”), then the request for expansion of the District’s territory must be approved by the governing body of the municipality, meaning the El Paso City Council (“*City Council*”). Thus, the first step of this Petition would be submission to the District’s Board for consideration. The

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- The District's existing boundaries, as shown below, is generally bounded on the north by Wyoming Street, on the south by the Cesar Chavez Memorial Hwy, on the west by Santa Fe and Paisano, and on the east by Ochoa and Alley G (Kansas).



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The actual operations of the District are overseen by the District's own staff. The day-to-day operations are led by the District's Executive Director. The Executive Director, in turn, oversee the employees, contractors, and consultants employed by the District.

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Each year, the Board approves a budget for the District. By way of illustration, the approved FY 2020-2021 budget is shown below.

<i>Revenue</i>	
Assessment	\$ 437,645
Interlocal Agreements	\$ 326,515
Other Income	\$ 152,228
Budget Carry Over	\$ 95,359
Total Income/Revenue	\$ 1,011,747

<i>Expenses</i>	
Administration	\$42,930
Salaries	\$328,325
Contracted Services	\$12,000
Office Administration	\$95,847
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Marketing	\$135,169
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Community Projects/Programs	\$27,000
Total Expenses	\$1,009,182

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The District seeks to dedicate as much of its budget as possible to its services and programs, for the benefit of the District, Downtown, and the property owners in the District. The District, as an organization, does have certain general expenses, which include the cost of its personnel, professional services including contracting for legal and accounting work to ensure local, state and federal regulations for a municipal management district are adhered to, office administrative expenses, and certain periodic capital expenditures.

4. The Proposed Area of Expansion/Annexation. The Petitioners own all or a majority of the properties in the area indicated in the picture below bordered in purple. This area is generally bounded by: Prospect Street and I-10 on the north; Santa Fe Street, Missouri Avenue and Durango Street on the east; and West Franklin Avenue on the South/West. The Petitioners are asking the District's Board, and City Council, to approve the annexation of this area, referred to as the "*Proposed Additional Territory*" for purposes of this Petition, into the District.



A detailed picture denoting which specific properties are included in the Proposed Additional Territory is available in electronic format at: <https://downtownelpaso.com/petition-for-boundary-expansion-public-hearing-october-22-2020/>. The properties to be included in the Proposed Additional Territory are not only bordered in purple, but also have red numbers on them in the picture. A list of the properties to be included in the Proposed Additional Territory is further contained at the foregoing link. The streets/roads and properties bordered in blue are not included in the Proposed Additional Territory. As further background, the Proposed Additional Territory set forth in this Petition is similar to, but slightly smaller, than the territory that was the subject of a prior petition circulated in 2019, but which was not approved by the Board or City Council.

5. Statements of Agreement in Support of Petition. The following section contains the Petitioners' statements of agreement in support of the Petition.

By their signatures to this Petition, in return for the District's consideration of the Petition and possible approval of same, each Petitioner swears and affirms the following:

A. The Petitioner has received a copy of this Petition, carefully read and reviewed it, understands its meaning and effect, had an opportunity to review and discuss the Petition, and voluntarily signed the Petition.

B. Each of the Petitioners owns land in the Proposed Additional Territory as determined by the certified El Paso County property tax rolls, and collectively, the Petitioners represent all/a majority of the property owners in the Proposed Additional Territory.

C. Petitioners specifically request the Board to annex the Proposed Additional Territory and to provide the services within the Proposed Additional Territory as generally described in this document and as further described in the District's Annual Report 2019 (available at <https://downtownelpaso.com/wp-content/uploads/2020/09/2019-Annual-Report-Final-FINAL.pdf>) and on the District's web site (available at <https://downtownelpaso.com/dwntwn-about/>) (collectively, the "Services"). Notwithstanding the foregoing, the Petitioners grant the District the discretion to modify the Services, the costs thereof and the effective tax rate set forth in Section 3 above (by the process authorized by law) if the Board determines that the modification is in the best and common interest of the Petitioners', the District's property owners, and the District, and that the need therefore is due to the receipt of in kind contributions, or additional dollar contributions not anticipated as of the date hereof; or a change in priorities has occurred; or an unanticipated need has arisen; or a change in applicable law, regulation or ordinance has occurred; or the size of the District changes; or a similar need or event occurs. The term "modify" shall include amendments, reallocations among categories, creation of new categories or services, deletions, and similar modifications.

D. Petitioners request that the assessment for the Services be payable at the same rate as for the existing territory of the District, currently \$0.12 per \$100 of assessed valuation of land and improvements for properties in the District as shown on the tax rolls (the "Tax Rolls") of the El Paso County Central Appraisal District ("Appraisal District") as most recently certified and each subsequent year thereafter on the same basis as the existing District.

E. Each Petitioner agrees that it will assume payment of all taxes, assessments, and fees levied on it by the District after the time the Petitioners' property is included in the District.

F. Each Petitioner agrees it shall be subject to future taxes, fees and assessments levied by the District on the same basis as any other property owner in the District.

G. Each Petitioner agrees it will be subject to the same liens and statutes governing other properties in the District (as if the property was originally included in the district).

H. Each Petitioner agrees and understands that the foregoing obligations contained herein are permanent and run with the land they own. Thus, Petitioners' property will be included in the District, treated as a property owner of the District as of the date of inclusion (if approved), and thereafter subject to the assessment as such an owner, for the duration of time the District exists and the Petitioners' property is included in the District.

I. The person(s) signing the Petition on behalf of Petitioner are authorized, qualified, and fully vested with authority to sign the Petition and make the statements and agreements set forth herein.

J. This Petition is executed in multiple counterparts, each of which shall be an original, and the signature pages may be merged so as to create an original document.

K. The effective date of this Petition shall be the date it is anticipated to be approved by the District's Board, on or about October 22, 2020 (or whenever such Board approval occurs), even though it may be executed by Petitioners prior to that date.

L. If this Petition is approved by the Board, and also City Council, during 2020, the Proposed Additional Territory will become part of the District on January 1, 2021.

Wherefore, Petitioners pray that this Petition be heard, and that the Board authorize notice of a hearing to be held on the Petition be published in a newspaper of general circulation within the County, otherwise give notice of the hearing in accordance with the law, and duly pass and approve an order approving the proposed services and assessment set forth in this Petition.

Submitted this 15 day of Oct, 2020.

Signature Approving and Agreeing to Petition Requesting Annexation of New Properties Into the El Paso Downtown Management District

The Property (Owner and Information)

Name of Owner of Property: 533 W FRANKLIN LLC

Property ID: 249327

Name of Person Signing for Owner (if Entity or Held in Trust): _____

Address of Property: 533 FRANKLIN AVE, EL PASO, TX, 79901

Land Acres of Entire Property: 0.1507

Square Footage of Structures, if any: _____

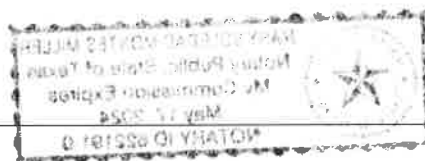
Last Appraised Value of Property: \$209,492

Estimated DMD Assessment based on current value: \$251.40

Date of Purchase of Property: Dec, 2019

Current Use of Property, if any: _____

Contact Person Telephone and Email: _____



Execution of Petition

1. I have received and read the Petition in its entirety.
2. I am affirming the statements and agreements made in Section 5 of the Petition.
3. I am authorized to execute this Petition as the owner, or on behalf of the owner, of the Property.
4. I declare under penalty of perjury that the foregoing is true and correct

Signed this 15 day of Oct, 2020.

By: Nathan Escalante Property Owner's Name Printed

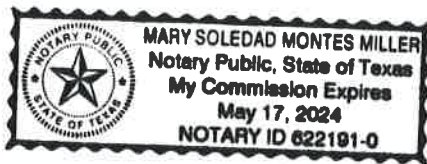
By: [Signature] Signature of Owner/Owner's Authorized Representative

STATE OF TEXAS
COUNTY OF EL PASO

This instrument was acknowledged before me on the 15th day of October,
2020 by M. Soledad Montes-Miller
Jonathan Esclante

(Personalized Seal)

M. Soledad Montes-Miller
Notary Public's Signature



**Petition Requesting Annexation of New Properties Into the
El Paso Downtown Management District
(Drafted and Proposed September 1, 2020)**

To the Board of Directors of the El Paso Downtown Management District:

The undersigned (the “*Petitioners*”), constituting the owners of property in or near downtown El Paso, Texas, are submitting this petition drafted and proposed on September 1, 2020 (the “*Petition*”) to formally request the properties and area set forth on Attachment A be annexed into, and included within, the territory of the El Paso Downtown Management District (the “*District*”).

1. The Legal Basis and Process for Annexation. The law permits Petitioners’ request for annexation into the District. The process to expand in order to add new properties into the District’s existing boundaries is set forth in Texas Local Government Code § 375.043. This statutory provision provides that property may be annexed by a municipal management district, such as the District, pursuant to the process described in Texas Water Government Code § 49.301 and Texas Water Code Chapter 54.

Texas Water Code § 49.301 provides that one or more property owners may petition the District to have their properties annexed into, or added, to the existing territory of the municipal management district. The District’s Board must hear and consider the Petition after it is submitted. The District’s Board may then vote to add the Petitioner’s property into the District’s territory if it is feasible, practicable, and to the District’s advantage, and if the addition of the property does not injure land already within the District’s existing territory. The addition of Petitioner’s properties must also be deemed legally valid and sufficient, which depends on the number of participating owners who support the Petition.

Texas Water Code Chapter 54 further provides that a property owner may submit a written application for inclusion into an existing territory of a municipal management district. Tex. Water Code Ann. § 54.742. The application must include:

- (a) A statement that the property owner assumes payment of all taxes, assessments, and fees levied on it by the District after inclusion in the District;
- (b) An agreement by the property owner that their property shall be subject to future taxes, fees and assessments levied by the District; and
- (c) An agreement by the property owner that their property will be subject to the same liens and statutes governing other properties in the District (as if the property was originally included in the district).

If the Petitioners’ written application is approved by the District’s board of directors (the “*Board*”), then the request for expansion of the District’s territory must be approved by the governing body of the municipality, meaning the El Paso City Council (“*City Council*”). Thus, the first step of this Petition would be submission to the District’s Board for consideration. The

second step, assuming the District's Board approves the application, is to request final approval from City Council.

2. The Mission, Services, and Structure of the District. In submitting this Petition, Petitioners wish to confirm they are aware of the history, purpose, mission, operations, and structure of the District.

As background, the District is an independent governmental entity established in 1997 with the mission to promote economic development by providing services that champion a vibrant Downtown El Paso. The District's goal is to mobilize resources and affect positive growth in order to revitalize and sustain a vibrant Downtown El Paso ("*Downtown*"). The District achieves this goal by promoting and delivering economic development initiatives, projects, programs, and services that create a more vibrant, welcoming environment in Downtown.

The District's key focus areas and operations include the following services and programs for its Downtown owners:

- Sanitation and Security
- Special Events
- Economic and Commercial Development
- Quality of Life
- Transportation/Parking
- Education and Promotion

The District's existing boundaries, as shown below, is generally bounded on the north by Wyoming Street, on the south by the Cesar Chavez Memorial Hwy, on the west by Santa Fe and Paisano, and on the east by Ochoa and Alley G (Kansas).



The District is governed by the Board consisting of 21 board members. To serve, the board members must meet the qualifications set forth in Texas Local Government Code § 375.063, which generally provides that board members must own property in the District, represent an owner, or work for an employer located in the District. New board members are nominated by the Board itself, and then submitted to City Council for approval (except for unexpired terms, which are filled by the Board itself). In addition, there are ex officio (non-voting) members of the Board, including the City of El Paso City Manager, the Chief Executive Officers of the chambers of commerce, and the city, county, and state elected officials whose districts include Downtown El Paso.

The actual operations of the District are overseen by the District's own staff. The day-to-day operations are led by the District's Executive Director. The Executive Director, in turn, oversee the employees, contractors, and consultants employed by the District.

3. The District's Funding and Budget. In submitting this Petition, Petitioners further wish to state they are aware of how the District is funded and budgets its finances.

The District is funded by assessment revenue from property within the District and through collaboration on specific projects and programs with the City of El Paso, and others. The primary source of funding is by means of assessment revenue from private property within the District assessed at \$.12 per \$100 of valuation. This assessment rate has been the same since the inception of the District in 1997. In addition, the District receives contractual funding from the City of El Paso through Interlocal Agreements and Amendments. All these resources are spent directly in the District's territorial area.

The District's funds are used to provide services and programs for the benefit of Downtown. The District's original service plan in the late 1990s and early 2000s focused on cleanliness, transportation, security and promotion of Downtown. Over time, beginning in approximately 2010, the District took on additional operations and programs, to include: Marketing & Education; Economic Development Promotion; Security; Sanitation; and, Transportation & Parking. The services are in alignment with the District's goal to serve as the primary clearinghouse for public/private activities and commerce in Downtown.

Each year, the Board approves a budget for the District. By way of illustration, the approved FY 2020-2021 budget is shown below.

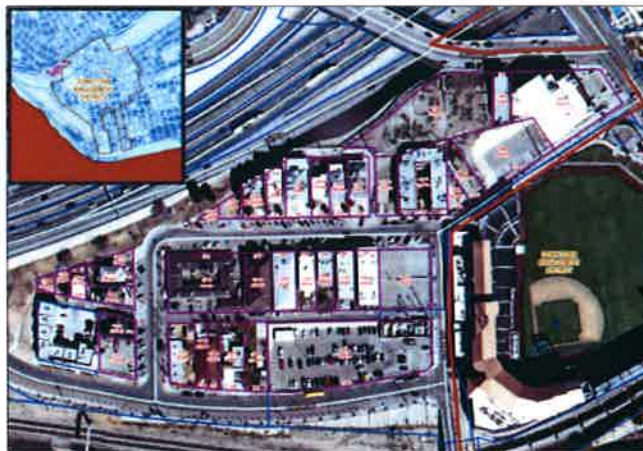
<i>Revenue</i>	
Assessment	\$ 437,645
Interlocal Agreements	\$ 326,515
Other Income	\$ 152,228
Budget Carry Over	\$ 95,359
Total Income/Revenue	\$ 1,011,747

<i>Expenses</i>	
Administration	\$42,930
Salaries	\$328,325
Contracted Services	\$12,000
Office Administration	\$95,847
Economic Development/Grants	\$70,915
Marketing	\$135,169
Sanitation	\$264,996
Infrastructure/Security	\$32,000
Community Projects/Programs	\$27,000
Total Expenses	\$1,009,182

The District has investments and cash on hand in the approximate amount of \$716,924 as of the date this Petition was drafted and proposed, on September 1, 2020. These funds are used to ensure appropriate funding is on hand for continuing operational expenses.

The District seeks to dedicate as much of its budget as possible to its services and programs, for the benefit of the District, Downtown, and the property owners in the District. The District, as an organization, does have certain general expenses, which include the cost of its personnel, professional services including contracting for legal and accounting work to ensure local, state and federal regulations for a municipal management district are adhered to, office administrative expenses, and certain periodic capital expenditures.

4. The Proposed Area of Expansion/Annexation. The Petitioners own all or a majority of the properties in the area indicated in the picture below bordered in purple. This area is generally bounded by: Prospect Street and I-10 on the north; Santa Fe Street, Missouri Avenue and Durango Street on the east; and West Franklin Avenue on the South/West. The Petitioners are asking the District's Board, and City Council, to approve the annexation of this area, referred to as the "*Proposed Additional Territory*" for purposes of this Petition, into the District.



A detailed picture denoting which specific properties are included in the Proposed Additional Territory is available in electronic format at: <https://downtownelpaso.com/petition-for-boundary-expansion-public-hearing-october-22-2020/>. The properties to be included in the Proposed Additional Territory are not only bordered in purple, but also have red numbers on them in the picture. A list of the properties to be included in the Proposed Additional Territory is further contained at the foregoing link. The streets/roads and properties bordered in blue are not included in the Proposed Additional Territory. As further background, the Proposed Additional Territory set forth in this Petition is similar to, but slightly smaller, than the territory that was the subject of a prior petition circulated in 2019, but which was not approved by the Board or City Council.

5. Statements of Agreement in Support of Petition. The following section contains the Petitioners' statements of agreement in support of the Petition.

By their signatures to this Petition, in return for the District's consideration of the Petition and possible approval of same, each Petitioner swears and affirms the following:

A. The Petitioner has received a copy of this Petition, carefully read and reviewed it, understands its meaning and effect, had an opportunity to review and discuss the Petition, and voluntarily signed the Petition.

B. Each of the Petitioners owns land in the Proposed Additional Territory as determined by the certified El Paso County property tax rolls, and collectively, the Petitioners represent all/a majority of the property owners in the Proposed Additional Territory.

C. Petitioners specifically request the Board to annex the Proposed Additional Territory and to provide the services within the Proposed Additional Territory as generally described in this document and as further described in the District's Annual Report 2019 (available at <https://downtownelpaso.com/wp-content/uploads/2020/09/2019-Annual-Report-Final-FINAL.pdf>) and on the District's web site (available at <https://downtownelpaso.com/dwntwn-about/>) (collectively, the "*Services*"). Notwithstanding the foregoing, the Petitioners grant the District the discretion to modify the Services, the costs thereof and the effective tax rate set forth in Section 3 above (by the process authorized by law) if the Board determines that the modification is in the best and common interest of the Petitioners', the District's property owners, and the District, and that the need therefore is due to the receipt of in kind contributions, or additional dollar contributions not anticipated as of the date hereof; or a change in priorities has occurred; or an unanticipated need has arisen; or a change in applicable law, regulation or ordinance has occurred; or the size of the District changes; or a similar need or event occurs. The term "modify" shall include amendments, reallocations among categories, creation of new categories or services, deletions, and similar modifications.

D. Petitioners request that the assessment for the Services be payable at the same rate as for the existing territory of the District, currently \$0.12 per \$100 of assessed valuation of land and improvements for properties in the District as shown on the tax rolls (the "*Tax Rolls*") of the El Paso County Central Appraisal District ("*Appraisal District*") as most recently certified and each subsequent year thereafter on the same basis as the existing District.

E. Each Petitioner agrees that it will assume payment of all taxes, assessments, and fees levied on it by the District after the time the Petitioners' property is included in the District.

F. Each Petitioner agrees it shall be subject to future taxes, fees and assessments levied by the District on the same basis as any other property owner in the District.

G. Each Petitioner agrees it will be subject to the same liens and statutes governing other properties in the District (as if the property was originally included in the district).

H. Each Petitioner agrees and understands that the foregoing obligations contained herein are permanent and run with the land they own. Thus, Petitioners' property will be included in the District, treated as a property owner of the District as of the date of inclusion (if approved), and thereafter subject to the assessment as such an owner, for the duration of time the District exists and the Petitioners' property is included in the District.

I. The person(s) signing the Petition on behalf of Petitioner are authorized, qualified, and fully vested with authority to sign the Petition and make the statements and agreements set forth herein.

J. This Petition is executed in multiple counterparts, each of which shall be an original, and the signature pages may be merged so as to create an original document.

K. The effective date of this Petition shall be the date it is anticipated to be approved by the District's Board, on or about October 22, 2020 (or whenever such Board approval occurs), even though it may be executed by Petitioners prior to that date.

L. If this Petition is approved by the Board, and also City Council, during 2020, the Proposed Additional Territory will become part of the District on January 1, 2021.

Wherefore, Petitioners pray that this Petition be heard, and that the Board authorize notice of a hearing to be held on the Petition be published in a newspaper of general circulation within the County, otherwise give notice of the hearing in accordance with the law, and duly pass and approve an order approving the proposed services and assessment set forth in this Petition.

Submitted this 16th day of October, 2020.

Signature Approving and Agreeing to Petition Requesting Annexation of New Properties Into the El Paso Downtown Management District

The Property (Owner and Information)

Name of Owner of Property: HAMRAH VICTORIA & ROSALIE M

Property ID: 174058

Name of Person Signing for Owner (if Entity or Held in Trust): JRV Properties

Address of Property: MISSOURI AVE, EL PASO, TX, 79901

Land Acres of Entire Property: 0.0167

Square Footage of Structures, if any: _____

Last Appraised Value of Property: \$100

Estimated DMD Assessment based on current value: \$0.12

Date of Purchase of Property: _____

Current Use of Property, if any: _____

Contact Person Telephone and Email: Suzanne Dipp (915) 544-0230
Suzdipp@gmail.com

Execution of Petition

Execution of Petition

1. I have received and read the Petition in its entirety.
2. I am affirming the statements and agreements made in Section 5 of the Petition.
3. I am authorized to execute this Petition as the owner, or on behalf of the owner, of the Property.
4. I declare under penalty of perjury that the foregoing is true and correct

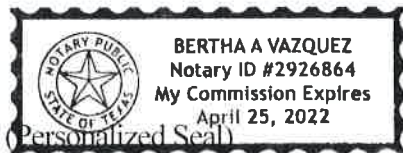
Signed this 16th day of October, 2020.

By: Jay Properties Property Owner's Name Printed

By:  Signature of Owner/Owner's Authorized Representative

STATE OF TEXAS
COUNTY OF EL PASO

This instrument was acknowledged before me on the 16th day of October,
2020 by Paul V. Sipp.



Bertha A. Vazquez
Notary Public's Signature

**Petition Requesting Annexation of New Properties Into the
El Paso Downtown Management District
(Drafted and Proposed September 1, 2020)**

To the Board of Directors of the El Paso Downtown Management District:

The undersigned (the “*Petitioners*”), constituting the owners of property in or near downtown El Paso, Texas, are submitting this petition drafted and proposed on September 1, 2020 (the “*Petition*”) to formally request the properties and area set forth on Attachment A be annexed into, and included within, the territory of the El Paso Downtown Management District (the “*District*”).

1. The Legal Basis and Process for Annexation. The law permits Petitioners’ request for annexation into the District. The process to expand in order to add new properties into the District’s existing boundaries is set forth in Texas Local Government Code § 375.043. This statutory provision provides that property may be annexed by a municipal management district, such as the District, pursuant to the process described in Texas Water Government Code § 49.301 and Texas Water Code Chapter 54.

Texas Water Code § 49.301 provides that one or more property owners may petition the District to have their properties annexed into, or added, to the existing territory of the municipal management district. The District’s Board must hear and consider the Petition after it is submitted. The District’s Board may then vote to add the Petitioner’s property into the District’s territory if it is feasible, practicable, and to the District’s advantage, and if the addition of the property does not injure land already within the District’s existing territory. The addition of Petitioner’s properties must also be deemed legally valid and sufficient, which depends on the number of participating owners who support the Petition.

Texas Water Code Chapter 54 further provides that a property owner may submit a written application for inclusion into an existing territory of a municipal management district. Tex. Water Code Ann. § 54.742. The application must include:

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If the Petitioners’ written application is approved by the District’s board of directors (the “*Board*”), then the request for expansion of the District’s territory must be approved by the governing body of the municipality, meaning the El Paso City Council (“*City Council*”). Thus, the first step of this Petition would be submission to the District’s Board for consideration. The

2. The Mission, Services, and Structure of the District. In submitting this Petition, Petitioners wish to confirm they are aware of the history, purpose, mission, operations, and structure of the District.

The District’s key focus areas and operations include the following services and programs for its Downtown owners:

- The District's existing boundaries, as shown below, is generally bounded on the north by Wyoming Street, on the south by the Cesar Chavez Memorial Hwy, on the west by Santa Fe and Paisano, and on the east by Ochoa and Alley G (Kansas).



The District is governed by the Board consisting of 21 board members. To serve, the board members must meet the qualifications set forth in Texas Local Government Code § 375.063, which generally provides that board members must own property in the District, represent an owner, or work for an employer located in the District. New board members are nominated by the Board itself, and then submitted to City Council for approval (except for unexpired terms, which are filled by the Board itself). In addition, there are ex officio (non-voting) members of the Board, including the City of El Paso City Manager, the Chief Executive Officers of the chambers of commerce, and the city, county, and state elected officials whose districts include Downtown El Paso.

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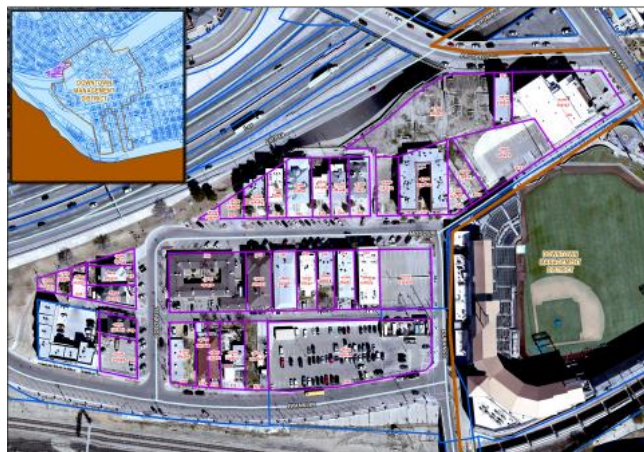
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4. The Proposed Area of Expansion/Annexation. The Petitioners own all or a majority of the properties in the area indicated in the picture below bordered in purple. This area is generally bounded by: Prospect Street and I-10 on the north; Santa Fe Street, Missouri Avenue and Durango Street on the east; and West Franklin Avenue on the South/West. The Petitioners are asking the District's Board, and City Council, to approve the annexation of this area, referred to as the "*Proposed Additional Territory*" for purposes of this Petition, into the District.



A detailed picture denoting which specific properties are included in the Proposed Additional Territory is available in electronic format at: <https://downtownelpaso.com/petition-for-boundary-expansion-public-hearing-october-22-2020/>. The properties to be included in the Proposed Additional Territory are not only bordered in purple, but also have red numbers on them in the picture. A list of the properties to be included in the Proposed Additional Territory is further contained at the foregoing link. The streets/roads and properties bordered in blue are not included in the Proposed Additional Territory. As further background, the Proposed Additional Territory set forth in this Petition is similar to, but slightly smaller, than the territory that was the subject of a prior petition circulated in 2019, but which was not approved by the Board or City Council.

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By their signatures to this Petition, in return for the District's consideration of the Petition and possible approval of same, each Petitioner swears and affirms the following:

A. The Petitioner has received a copy of this Petition, carefully read and reviewed it, understands its meaning and effect, had an opportunity to review and discuss the Petition, and voluntarily signed the Petition.

B. Each of the Petitioners owns land in the Proposed Additional Territory as determined by the certified El Paso County property tax rolls, and collectively, the Petitioners represent all/a majority of the property owners in the Proposed Additional Territory.

C. Petitioners specifically request the Board to annex the Proposed Additional Territory and to provide the services within the Proposed Additional Territory as generally described in this document and as further described in the District's Annual Report 2019 (available at <https://downtownelpaso.com/wp-content/uploads/2020/09/2019-Annual-Report-Final-FINAL.pdf>) and on the District's web site (available at <https://downtownelpaso.com/dwntwn-about/>) (collectively, the "Services"). Notwithstanding the foregoing, the Petitioners grant the District the discretion to modify the Services, the costs thereof and the effective tax rate set forth in Section 3 above (by the process authorized by law) if the Board determines that the modification is in the best and common interest of the Petitioners', the District's property owners, and the District, and that the need therefore is due to the receipt of in kind contributions, or additional dollar contributions not anticipated as of the date hereof; or a change in priorities has occurred; or an unanticipated need has arisen; or a change in applicable law, regulation or ordinance has occurred; or the size of the District changes; or a similar need or event occurs. The term "modify" shall include amendments, reallocations among categories, creation of new categories or services, deletions, and similar modifications.

D. Petitioners request that the assessment for the Services be payable at the same rate as for the existing territory of the District, currently \$0.12 per \$100 of assessed valuation of land and improvements for properties in the District as shown on the tax rolls (the "Tax Rolls") of the El Paso County Central Appraisal District ("Appraisal District") as most recently certified and each subsequent year thereafter on the same basis as the existing District.

E. Each Petitioner agrees that it will assume payment of all taxes, assessments, and fees levied on it by the District after the time the Petitioners' property is included in the District.

F. Each Petitioner agrees it shall be subject to future taxes, fees and assessments levied by the District on the same basis as any other property owner in the District.

G. Each Petitioner agrees it will be subject to the same liens and statutes governing other properties in the District (as if the property was originally included in the district).

H. Each Petitioner agrees and understands that the foregoing obligations contained herein are permanent and run with the land they own. Thus, Petitioners' property will be included in the District, treated as a property owner of the District as of the date of inclusion (if approved), and thereafter subject to the assessment as such an owner, for the duration of time the District exists and the Petitioners' property is included in the District.

I. The person(s) signing the Petition on behalf of Petitioner are authorized, qualified, and fully vested with authority to sign the Petition and make the statements and agreements set forth herein.

J. This Petition is executed in multiple counterparts, each of which shall be an original, and the signature pages may be merged so as to create an original document.

K. The effective date of this Petition shall be the date it is anticipated to be approved by the District's Board, on or about October 22, 2020 (or whenever such Board approval occurs), even though it may be executed by Petitioners prior to that date.

L. If this Petition is approved by the Board, and also City Council, during 2020, the Proposed Additional Territory will become part of the District on January 1, 2021.

Wherefore, Petitioners pray that this Petition be heard, and that the Board authorize notice of a hearing to be held on the Petition be published in a newspaper of general circulation within the County, otherwise give notice of the hearing in accordance with the law, and duly pass and approve an order approving the proposed services and assessment set forth in this Petition.

Submitted this 12th day of October, 2020.

Signature Approving and Agreeing to Petition Requesting Annexation of New Properties Into the El Paso Downtown Management District

The Property (Owner and Information)

Name of Owner of Property: MOUNTAINSTAR PROPERTIES COMPANY

Property ID: 28562

Name of Person Signing for Owner (if Entity or Held in Trust): _____

Address of Property: MISSOURI AVE, EL PASO, TX, 79901

Land Acres of Entire Property: 0.6514

Square Footage of Structures, if any: _____

Last Appraised Value of Property: \$85,128

Estimated DMD Assessment base on current value: \$102.16

Date of Purchase of Property: _____

Current Use of Property, if any: _____

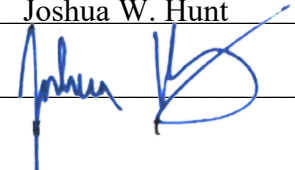
Contact Person Telephone and Email: _____

Execution of Petition

1. I have received and read the Petition in its entirety.
2. I am affirming the statements and agreements made in Section 5 of the Petition.
3. I am authorized to execute this Petition as the owner, or on behalf of the owner, of the Property.
4. I declare under penalty of perjury that the foregoing is true and correct

Signed this 12th day of October, 2020.

By: Joshua W. Hunt Property Owner's Name Printed

By:  Signature of Owner/Owner's Authorized Representative

STATE OF TEXAS
COUNTY OF EL PASO

This instrument was acknowledged before me on the 12th day of October,
2020 by Joshua H. Hunt.

(Personalized Seal)

Belinda J. Delosguiz
Notary Public's Signature

**Signature ~~Disapproving~~ and ~~Disagreeing~~ to Petition
Requesting Annexation of New Properties Into the El Paso
Downtown Management District**

The Property (Owner and Information)

Name of Owner of Property: RECENDEZ JAVIER M

Property ID: 254611

Address of Property: 329 W. MISSOURI AVE. EL PASO, TX 79901

Land Acres of Entire Property: 0.3122

Last Appraised Value of Property: \$708,136

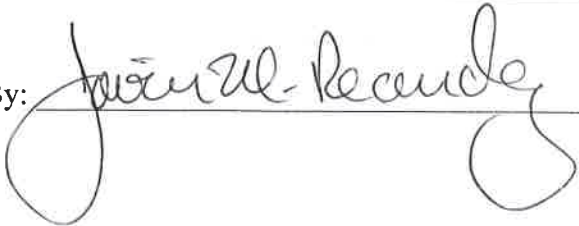
Contact Telephone Number: (909) 896-5916

Nonfulfillment of Petition

1. I have received and read the Petition in its entirety.
2. I am rejecting the statements and agreements made in Section 5 of the Petition.
3. I am authorized to reject this Petition as the owner of the Property.
4. I declare under penalty of perjury that the foregoing is true and correct.

Signed this 27th day of November, 2019.

By: Javier M. Recendez Property Owner's Name Printed

By:  Signature of Owner.



EL PASO SCOTTISH RITE

Larry V. Kane, 33°
Chief Operations Officer
General Secretary
lkane@elpasoscottishrite.org



301 W. Missouri Ave.
El Paso, TX 79901-1131
(915) 533-4409
Fax (915) 533-1077

October 1, 2020

Downtown Management District of El Paso
ATTN: Joe Gudenrath, Executive Director
201 E. Main, STE 107
El Paso, TX 79901

RE: Property ID: 253137

Dear Sir,

As Secretary of the Board of Directors of the El Paso Scottish Rite Historical Library and Museum Foundation, a 501(c)(3) Organization; I am addressing the correspondence we received pertaining to the "Petition Requesting Annexation of New Properties into the El Paso Downtown Management District" and the Hearing on Possible Expansion that will take place on October 22, 2020.

Our Organization has several properties within the proposed DMD boundary expansion and the Board of Directors of our Organization wishes to again go on record in our opposition to our properties being included into the proposed expansion. Our stance has not changed since the previous petition attempt on December 5, 2019.

We have been advised that pursuant to the Texas Water Government Code § 49.303 provisions can be made to exclude land or property from the district. Further provisions are made under Section § 49.306 under Grounds for Exclusion, and Section § 49.308 under Suit to Review Exclusion under District Court jurisdiction; therefore, this Organization wishes to be excluded from the proposed expansion. The detailed picture of proposed annexations of property does show that an exclusion was made in the case of the Franklin Avenue Apartments at 617 W. Franklin, we ask for the same consideration on our properties.

In the event the DMD Board approves the application and our properties are included in the application presented to City Council, the intent of our Board of Directors will be to continue our objections as to the arbitrary decision to annex our properties into the DMD.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Larry V. Kane". The signature is written in a cursive, flowing style.

Larry V. Kane

EL PASO SCOTTISH RITE

Larry V. Kane, 33°
Chief Operations Officer
General Secretary
lkane@elpasoscottishrite.org



301 W. Missouri Ave.
El Paso, TX 79901-1131
(915) 533-4409
Fax (915) 533-1077

October 1, 2020

Downtown Management District of El Paso
ATTN: Joe Gudenrath, Executive Director
201 E. Main, STE 107
El Paso, TX 79901

RE: Property ID: 146469

Dear Sir,

As Secretary of the Board of Directors of the El Paso Scottish Rite Historical Library and Museum Foundation, a 501(c)(3) Organization; I am addressing the correspondence we received pertaining to the "Petition Requesting Annexation of New Properties into the El Paso Downtown Management District" and the Hearing on Possible Expansion that will take place on October 22, 2020.

Our Organization has several properties within the proposed DMD boundary expansion and the Board of Directors of our Organization wishes to again go on record in our opposition to our properties being included into the proposed expansion. Our stance has not changed since the previous petition attempt on December 5, 2019.

We have been advised that pursuant to the Texas Water Government Code § 49.303 provisions can be made to exclude land or property from the district. Further provisions are made under Section § 49.306 under Grounds for Exclusion, and Section § 49.308 under Suit to Review Exclusion under District Court jurisdiction; therefore, this Organization wishes to be excluded from the proposed expansion. The detailed picture of proposed annexations of property does show that an exclusion was made in the case of the Franklin Avenue Apartments at 617 W. Franklin, we ask for the same consideration on our properties.

In the event the DMD Board approves the application and our properties are included in the application presented to City Council, the intent of our Board of Directors will be to continue our objections as to the arbitrary decision to annex our properties into the DMD.

Thank you for your time and consideration.

Sincerely,


Larry V. Kane

EL PASO SCOTTISH RITE

Larry V. Kane, 33°
Chief Operations Officer
General Secretary
lkane@elpasoscottishrite.org



301 W. Missouri Ave.
El Paso, TX 79901-1131
(915) 533-4409
Fax (915) 533-1077

October 1, 2020

Downtown Management District of El Paso
ATTN: Joe Gudenrath, Executive Director
201 E. Main, STE 107
El Paso, TX 79901

RE: Property ID: 331449

Dear Sir,

As Secretary of the Board of Directors of the El Paso Scottish Rite Historical Library and Museum Foundation, a 501(c)(3) Organization; I am addressing the correspondence we received pertaining to the "Petition Requesting Annexation of New Properties into the El Paso Downtown Management District" and the Hearing on Possible Expansion that will take place on October 22, 2020.

Our Organization has several properties within the proposed DMD boundary expansion and the Board of Directors of our Organization wishes to again go on record in our opposition to our properties being included into the proposed expansion. Our stance has not changed since the previous petition attempt on December 5, 2019.

We have been advised that pursuant to the Texas Water Government Code § 49.303 provisions can be made to exclude land or property from the district. Further provisions are made under Section § 49.306 under Grounds for Exclusion, and Section § 49.308 under Suit to Review Exclusion under District Court jurisdiction; therefore, this Organization wishes to be excluded from the proposed expansion. The detailed picture of proposed annexations of property does show that an exclusion was made in the case of the Franklin Avenue Apartments at 617 W. Franklin, we ask for the same consideration on our properties.

In the event the DMD Board approves the application and our properties are included in the application presented to City Council, the intent of our Board of Directors will be to continue our objections as to the arbitrary decision to annex our properties into the DMD.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script that reads "Larry V. Kane". The signature is written in black ink and is positioned above the printed name.

Larry V. Kane