

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

DEPARTMENT:

AGENDA DATE:

PUBLIC HEARING DATE:

CONTACT PERSON NAME:

PHONE NUMBER:

2nd CONTACT PERSON NAME:

PHONE NUMBER:

DISTRICT(S) AFFECTED:

STRATEGIC GOAL:

SUBGOAL:

SUBJECT:

BACKGROUND / DISCUSSION:

COMMUNITY AND STAKEHOLDER OUTREACH:

PRIOR COUNCIL ACTION:

AMOUNT AND SOURCE OF FUNDING:

REPORTING OF CONTRIBUTION OR DONATION TO CITY COUNCIL:

NAME	AMOUNT (\$)

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

DEPARTMENT HEAD: Philip Fiore

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

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 1-B-1 AND 1-B-2, O.A. DANIELSON SURVEY 314 AND A PORTION OF TRACT 3-B, BLOCK 56, YSLETA GRANT SURVEY, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM C-3/SC (COMMERCIAL/SPECIAL CONTRACT) TO C-4/SC (COMMERCIAL/SPECIAL CONTRACT). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

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

Pursuant to Section 20.04.360 of the El Paso City Code, the zoning of a portion of Tract 1-B-1 and 1-B-2, O.A. Danielson Survey 314 and a portion of Tract 3-B, Block 56, Ysleta Grant Survey, located in the City of El Paso, El Paso County, Texas, and as more particularly described by metes and bounds on the attached Exhibit "A", incorporated by reference, be changed from C-3/sc (Commercial/special contract) to C-4/sc (Commercial/special contract), as defined in Section 20.06.020, and that the zoning map of the City of El Paso be revised accordingly.

The penalties for violating the standards imposed through this rezoning ordinance are found in Section 20.24 of the El Paso City Code.

ADOPTED this _____ day of _____, 2025.


THE CITY OF EL PASO

Renard U. Johnson, Mayor

ATTEST:

Laura D. Prine, City Clerk

APPROVED AS TO FORM:



Jesus A. Quintanilla
Assistant City Attorney

APPROVED AS TO CONTENT:



Philip F. Etiwe, Director
Planning & Inspections Department



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TBPELS Firm #15313, #10194278

METES AND BOUNDS DESCRIPTION

REZONING

**PORTION OF TRACTS 1B1 & 1B2, O.A. DANIELSON SURVEY 314, AND
PORTION OF TRACT 3-B, BLOCK 56, YSLETA GRANT SURVEY
36.9745 ACRES**

AN ENTIRE TRACT OF LAND CONTAINING 36.9745 ACRES (1,610,609.32 SQUARE FEET), MORE OR LESS, CONTAINING A PORTION OF TRACTS 1B1 & 1B2, O.A. DANIELSON SURVEY 314, AND A PORTION OF 3-B, BLOCK 56, YSLETA GRANT SURVEY, OWNED BY IVEY PARTNERS, LTD AS DESCRIBED IN DOC #00092071853 (VOLUME 2413 PAGE 0019), LOCATED IN THE CITY OF EL PASO, EL PASO COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: **COMMENCING** AT A FOUND U.S. ARMY CORPS OF ENGINEERS BRASS CAP SET IN CONCRETE STAMPED (P.B.M. #5 YEAR 1990) AS DESCRIBED IN DOC #20020033782 (VOL 4237, PAGE 0665) (SURFACE COORDINATES: N=10,637,043.20, E=444,298.40); **THENCE** TRAVELING SOUTH 40° 53' 04" EAST FOR A DISTANCE OF 2002.02 FEET (FIELD) (2,001.34 FEET R) TO A SET ½" REBAR BEING THE NORTHWESTERN CORNER OF THIS REZONING SITE (SURFACE COORDINATES: N=10,636,723.33, E=450,349.91), AND BEING THE **POINT OF BEGINNING** OF THIS DESCRIPTION,

- 1) **THENCE**, TRAVELING ALONG THE IH-10 RIGHT-OF-WAY, SOUTH 40° 53' 04" EAST, FOR A DISTANCE OF 579.84 FEET TO A FOUND TXDOT BRASS CAP;
- 2) **THENCE**, TRAVELING ALONG THE STATE LOOP 375 RIGHT-OF-WAY, SOUTH 21° 54' 20" EAST, FOR A DISTANCE OF 180.80 FEET TO A SET ½" REBAR;
- 3) **THENCE**, TRAVELING ALONG THE STATE LOOP 375 RIGHT-OF-WAY, SOUTH 0° 11' 43" EAST, FOR A DISTANCE OF 740.49 FEET TO A SET ½" REBAR;
- 4) **THENCE**, TRAVELING ALONG THE STATE LOOP 375 RIGHT-OF-WAY, SOUTH 19° 11' 00" WEST, FOR A DISTANCE OF 298.68 FEET TO A FOUND TXDOT ROW BRASS CAP;
- 5) **THENCE**, TRAVELING ALONG THE STATE LOOP 375 RIGHT-OF-WAY, SOUTH 41° 12' 27" WEST, FOR A DISTANCE OF 1389.09 FEET TO A FOUND ½" REBAR LOCATED AT THE SOUTHEASTERN CORNER OF THIS PROPERTY;
- 6) **THENCE**, TRAVELING NORTH 48° 43' 22" WEST, FOR A DISTANCE OF 367.45 FEET TO A SET ½" REBAR LOCATED AT THE SOUTHWESTERN CORNER OF THIS PROPERTY;
- 7) **THENCE**, TRAVELING NORTH 19° 03' 26" EAST, FOR A DISTANCE OF 442.90 FEET TO A SET ½" REBAR;
- 8) **THENCE**, TRAVELING SOUTH 71° 58' 32" EAST, FOR A DISTANCE OF 436.30 FEET TO A SET ½" REBAR;
- 9) **THENCE**, TRAVELING NORTH 48° 25' 18" EAST, FOR A DISTANCE OF 120.44 FEET TO A SET ½" REBAR;
- 10) **THENCE**, TRAVELING NORTH 63° 20' 25" WEST, FOR A DISTANCE OF 499.68 FEET TO A SET ½" REBAR;
- 11) **THENCE**, TRAVELING NORTH 19° 03' 26" EAST, FOR A DISTANCE OF 1,950.49 FEET, TO THE SET ½" REBAR BEING THE NORTHWESTERN PROPERTY CORNER, AND



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TBPELS Firm #15313, #10194278

BEING THE **TRUE POINT OF BEGINNING**, CONTAINING 36.9745 ACRES (1,610,609.32 SQUARE FEET) OF LAND.

SAID TRACT CONTAINING A PORTION OF TRACTS 1B1 & 1B2, O.A. DANIELSON SURVEY 314, AND A PORTION OF 3-B, BLOCK 56, YSLETA GRANT SURVEY, CONTAINING 36.9745 ACRES (1,610,609.32 SQUARE FEET), MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS OF RECORD.

THE STATE OF TEXAS

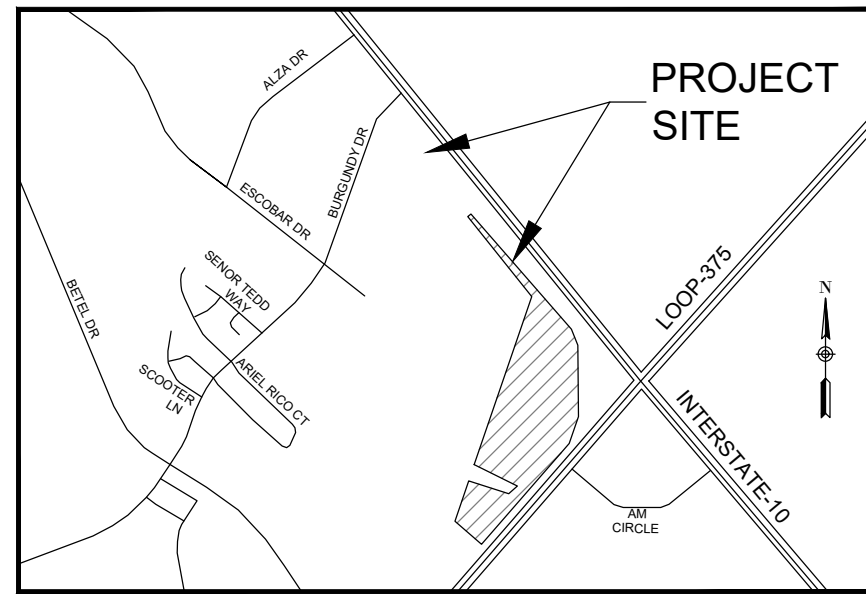
COUNTY OF EL PASO

KNOW ALL MEN BY THESE PRESENTS:

That I, Jose L. Rodarte, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision WITNESS MY HAND AND SEAL in the City of El Paso, El Paso County, Texas on the date shown below.



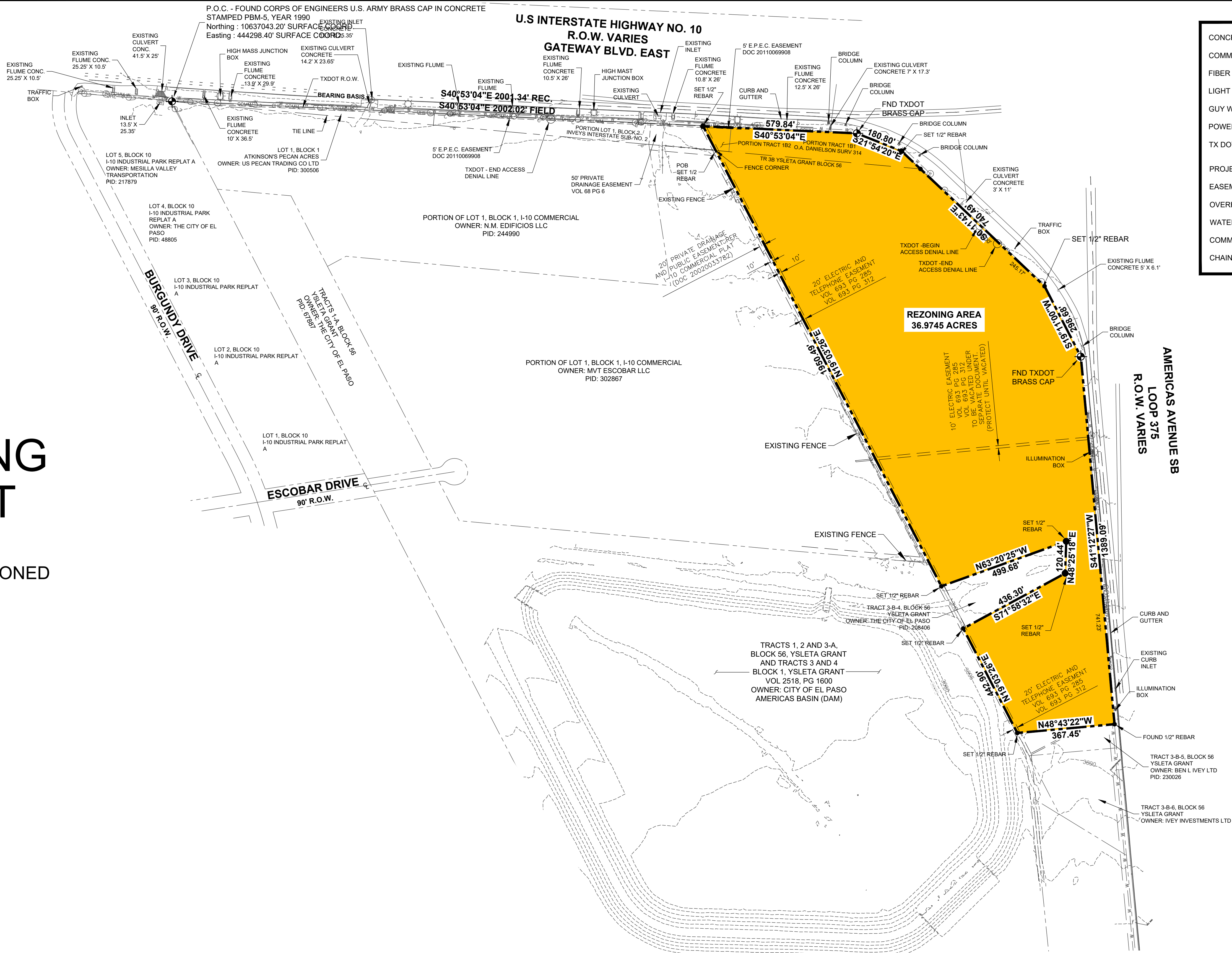
Jose L. Rodarte 2/26/25
Jose L. Rodarte Date
Registered Professional Land Surveyor



VICINITY MAP
SCALE: 1"= 2000'

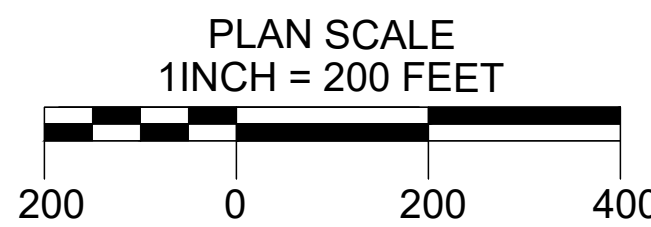
REZONING EXHIBIT

AREA TO BE REZONED



LEGEND		
CONCRETE PILLAR	■	WATER MANHOLE
COMMUNICATION MANHOLE	⊙	WHITE STRIPE LINE
FIBER OPTIC PILLAR	⊙	SIGN
LIGHT POLE	⊙	CITY MONUMENT
GUY WIRE ANCHOR	⊙	FOUND OR SET AS NOTED
POWER POLE	⊙	FOUND BRASS CAP AS NOTED
TX DOT MANHOLE	⊙	
PROJECT BOUNDARY	---	
EASEMENT LINE	---	
OVERHEAD ELECTRIC LINE	---	
WATER LINE	---	
COMMUNICATION LINE	---	
CHAIN LINK FENCE	---	

REVISION DATE:



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www.integratedengineeringsolutions.com
TBPE F#151313 TBPLS F#10194278

PROJECT NUMBER : 24-026
DATE: 2/20/2025

REZONING
EXHIBIT
MORE PARTICULARLY DESCRIBED
BY METES AND BOUNDS

SHEET:
1 OF 3

Gateway Blvd. East and Americas

City Plan Commission — February 27, 2025

REZONING



CASE NUMBER: PZRZ24-00037
CASE MANAGER: Jose Beltran, (915) 212-1607, BeltranJV@elpasotexas.gov
PROPERTY OWNER: Ivey Partners LTD
REPRESENTATIVE: CEA Group
LOCATION: Southwest of Gateway Blvd. East and northwest of Americas Ave. (District 7)
PROPERTY AREA: 36.98 acres
REQUEST: Rezone from C-3/sc (Commercial/special contract) to C-4/sc (Commercial/special contract)
RELATED APPLICATIONS: PZDS25-00006 Detailed Site Plan Application
PUBLIC INPUT: Received an email in support as of February 20, 2025

SUMMARY OF REQUEST: The applicant is requesting to rezone the subject property from C-3/sc (Commercial/special contract) to C-4/sc (Commercial/special contract) to allow for a general warehouse.

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **APPROVAL** of the request. This recommendation is based on the proposed zoning district's compatibility with commercial uses in the surrounding area and is consistent with *Plan El Paso*, the City's adopted Comprehensive Plan and the G-4, Suburban (Walkable) future land use designation.

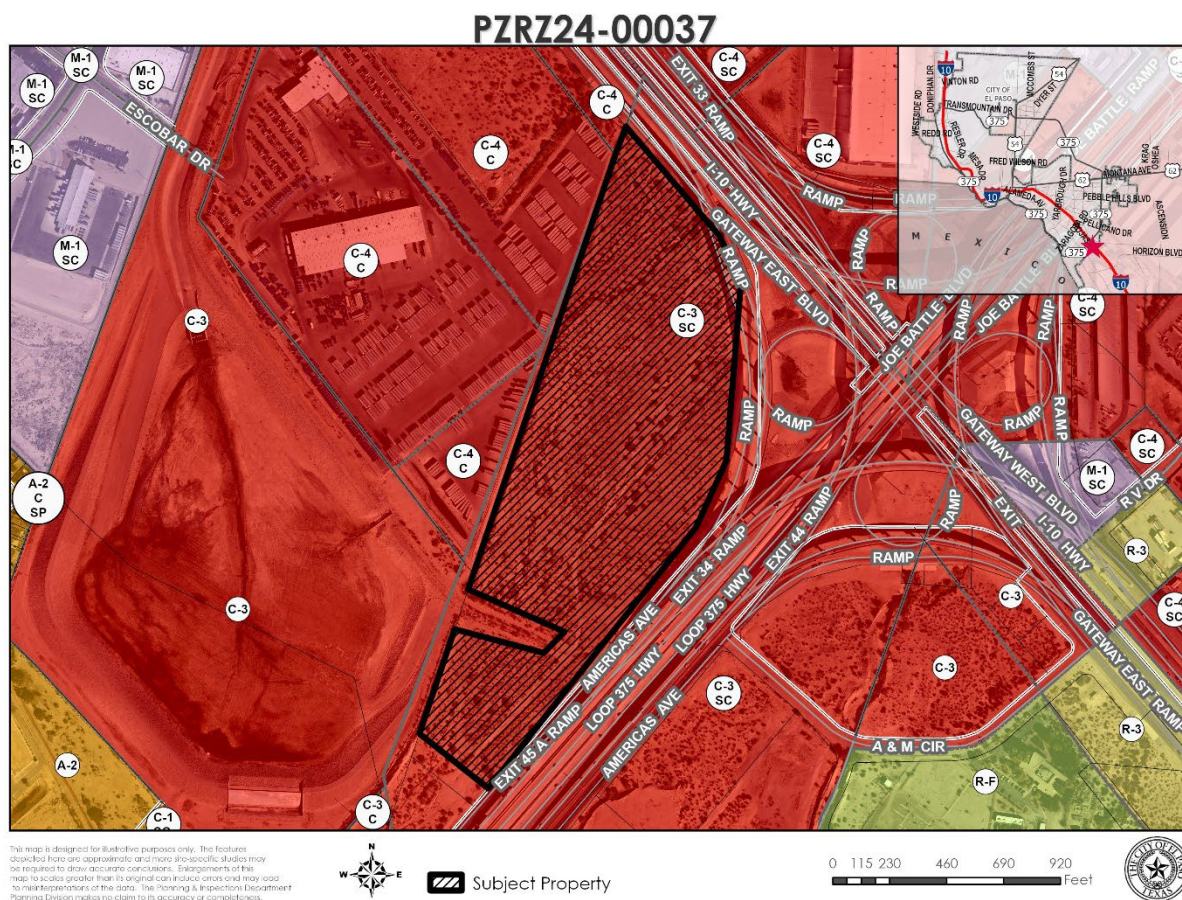


Figure A. Subject Property & Immediate Surrounding

DESCRIPTION OF REQUEST: The applicant is requesting to rezone the subject property from C-3/sc (special contract) to C-4/sc (Commercial/special contract) to allow for the proposed use of a general warehouse. The subject property is approximately 36.98 acres in size. An accompanying Detailed Site Development Plan shows the proposed 502,661 square feet general warehouse providing code compliant parking and landscaping. Access to the subject property is proposed from Gateway Boulevard East and Americas Avenue.

PREVIOUS CASE HISTORY: On May 1, 1979, City Council approved of the rezoning of Parcel 3 to C-3 (Commercial) by Ordinance No. 6567 (Attachment 3) and placed the following applicable condition on the subject property:

1. No development of any kind will be done on any parcel of the property until complete and detailed site development and architectural plans of the proposed development on such parcel have been submitted by First Parties and approved by the City Plan Commission of the City of El Paso.

Note: Condition will be satisfied by Detailed Site Development Plan application PZST25-00006.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The proposed rezoning is consistent with adjacent commercial uses within the area. To the north is Interstate 10 and to the east is Highway Loop 375. To the south there are vacant lots zoned C-3/c (Commercial/conditions) and to the west there are properties consisting of general warehouses, vacant lots, and ponding area zoned C-3 (Commercial) and C-4/c (Commercial/conditions). The nearest school is Del Valle High School located 1.73 miles away and the nearest park is Feather Lake Park located 1.37 miles away.

COMPLIANCE WITH <i>PLAN EL PASO</i>/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with <i>Plan El Paso</i>, consider the following factors:	
Criteria	Does the Request Comply?
<p>Future Land Use Map: Proposed zone change is compatible with the Future Land Use designation for the property:</p> <p>G-4, Suburban (Walkable): This sector applies to modern single use residential subdivisions and office parks, large schools and parks, and suburban shopping centers. This sector is generally stable but would benefit from strategic retrofits to supplement the limited housing stock and add missing civic and commercial uses.</p>	<p>Yes. The proposed commercial development is in character with the future land use designation of <i>Plan El Paso</i>.</p>
<p>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:</p> <p>C-4 (Commercial) District: The purpose of these districts is to provide for locations for the most intensive commercial uses intended to serve the entire city. It is intended that the district regulations permit heavy commercial uses characterized by automotive and light warehousing. The regulations of the districts are intended to provide a transition from general business areas to industrial and manufacturing uses, and to accommodate major locations of commerce, service and employment activities.</p>	<p>Yes. The proposed C-4 (Commercial) zoning district will provide for the integration of the proposed general warehouse with adjacent C-4 (Commercial) and C-3 (Commercial) zoning districts.</p>
<p>Preferred Development Locations: Located along an arterial (or greater street classification) or the intersection of two collectors (or greater street classification). The site for proposed rezoning is not located mid-block, resulting in it being the only</p>	<p>Yes. The subject property is located along Gateway Boulevard East and Americas Avenue which are designated as a major arterial and a freeway, respectively, in the City of El Paso's Major Thoroughfare Plan (MTP). The classification of these roads is appropriate for commercial development.</p>

COMPLIANCE WITH <i>PLAN EL PASO</i>/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with <i>Plan El Paso</i>, consider the following factors:	
property on the block with an alternative zoning district, density, use and/or land use.	
THE PROPOSED ZONING DISTRICT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:	
Historic District or Special Designations & Study Area Plans: Any historic district or other special designations that may be applicable. Any adopted small areas plans, including land-use maps in those plans.	None. The proposed development is not within any historic districts or study area plan boundaries.
Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested rezoning.	The proposed development is not anticipated to pose any adverse effects on the community.
Natural Environment: Anticipated effects on the natural environment.	The subject property does not involve any greenfield/environmentally sensitive land, or arroyo disturbance.
Stability: Whether the area is stable or in transition.	This area has been stable with no rezonings in the past 10 years.
Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	None.

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: Access to the subject property will be from Gateway Boulevard East and Americas Avenue. Gateway East Boulevard is classified as a major arterial and Americas Avenue is classified as a freeway on the City of El Paso's Major Thoroughfare Plan (MTP) and is appropriate for commercial development. A five-foot (5') sidewalk will be provided along Gateway East Boulevard and Americas Avenue abutting the subject property, pending Texas Department of Transportation (TxDOT) approval. There are currently no bus stops located within walkable distance (0.25 miles) of the subject property. The closest bus stop is located 1.26 miles to the west along North Loop Drive.

SUMMARY OF DEPARTMENTAL REVIEW COMMENTS: No adverse comments were received from the reviewing departments.

PUBLIC COMMENT: The subject property lies within the boundaries of the Mission Valley Civic Association and the Corridor 20 Civic Association that were notified of the of the rezoning by the applicant. Public notices were sent to property owners within 300 feet on February 14, 2025. As of February 20, 2025, the Planning Division has received one (1) letter via email in support of the request from the Mission Valley Civic Association.

RELATED APPLICATIONS: A Detailed Site Development Plan application (PZDS25-00006) is running concurrently with this rezoning request for the proposed use of a general warehouse in the proposed C-4/sc (Commercial/special contract) zoning district.

CITY PLAN COMMISSION OPTIONS: The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission (CPC) has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

1. **Recommend Approval** of the rezoning request, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan. **(Staff Recommendation)**
2. **Recommend Approval of the rezoning request With Modifications** to bring the request into conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan.

3. **Recommend Denial** of the rezoning request, finding that the request does not conform to the review criteria of *Plan El Paso* as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan.

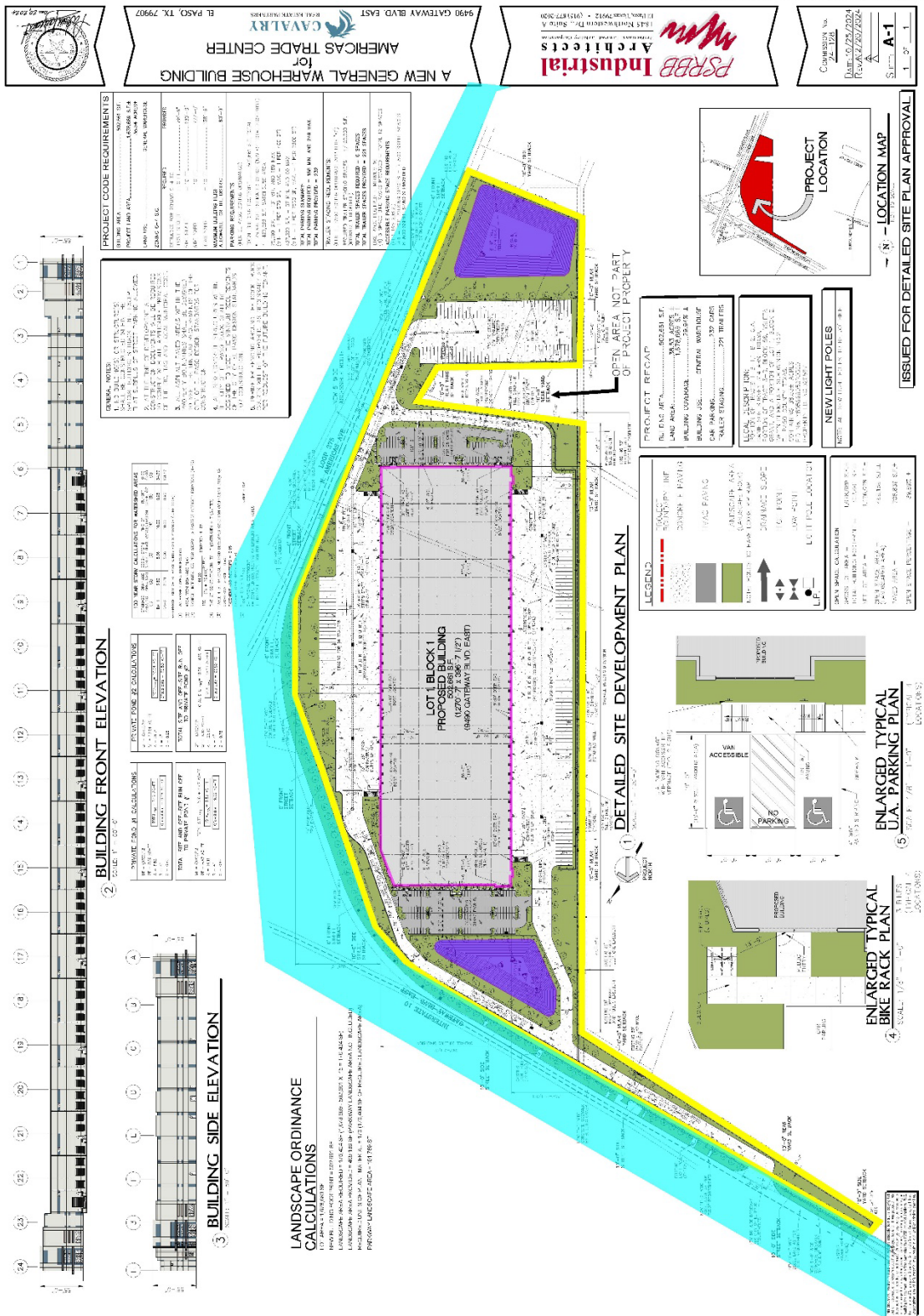
ATTACHMENTS:

1. Future Land Use Map
2. Detailed Site Plan
3. Ordinance No. 6567
4. Department Comments
5. Neighborhood Notification Boundary Map
6. Letter via Email in Support

PZRZ24-00037



ATTACHMENT 2



ATTACHMENT 3

6567

AN ORDINANCE CHANGING THE ZONING OF TRACTS 1A AND 2, O. A. DANIELSON SURVEY #314; PORTION OF TRACT 1B1, O. A. DANIELSON SURVEY #314 AND PORTION OF TRACT 3B, BLOCK 56, YSLETA GRANT; LOT 1, BLOCK 1, A & M ADDITION; PORTION OF LOTS 1 AND 2, BLOCK 2, A & M ADDITION, AND PORTION OF TRACTS 2B AND 2C, BLOCK 1, YSLETA GRANT; PORTION OF LOTS 1 AND 2, BLOCK 2, A & M ADDITION AND PORTION OF TRACTS 1A AND 2A, BLOCK 1, AND TRACT 1B, BLOCK 2, YSLETA GRANT; PORTION OF TRACTS 2A, 2B, AND 2C, BLOCK 1, YSLETA GRANT; PORTION OF TRACT 2A, BLOCK 1, YSLETA GRANT; PORTION OF TRACTS 1A AND 2A, BLOCK 1, AND ALL OF TRACTS 4A AND 5, BLOCK 2, YSLETA GRANT; PORTION OF TRACT 2A, BLOCK 1, YSLETA GRANT; TRACTS 7B AND 8F, BLOCK 2, YSLETA GRANT, THE PENALTY BEING AS PROVIDED IN SECTION 25-10 OF THE EL PASO CITY CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of Tracts 1A and 2, O. A. Danielson Survey #314; a portion of Tract 1B1, O. A. Danielson Survey #314 and a portion of Tract 3B, Block 56, Ysleta Grant; Lot 1, Block 1, A & M Addition; portion of Lots 1 and 2, Block 2, A & M Addition, and a portion of Tracts 2B and 2C, Block 1, Ysleta Grant; portion of Lots 1 and 2, Block 2, A & M Addition and a portion of Tracts 1A and 2A, Block 1, and Tract 1B, Block 2, Ysleta Grant; portion of Tracts 2A, 2B and 2C, Block 1, Ysleta Grant; portion of Tract 2A, Block 1, Ysleta Grant; portion of Tracts 1A and 2A, Block 1, and all of Tracts 4A and 5, Block 2, Ysleta Grant; a portion of Tract 2A, Block 1, Ysleta Grant; Tracts 7B and 8F, Block 2, Ysleta Grant, as more particularly described below, be changed to A-2 (Apartment), A-O (Apartment Professional Office), C-3 (Commercial) and C-4 (Commercial) within the meaning of the zoning ordinance, and the zoning map of the City of El Paso be revised accordingly.

Parcel 1 from R-3 (Residential) to C-4 (Commercial)

116.872 acres of land consisting of Tracts 1A and 2, O. A. Danielson Survey No. 314, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

6567



Beginning at the most northerly common corner of O. A. Danielson Surveys No. 314 and 315;

THENCE along the westerly boundary of said Survey No. 315, South 00°33'11" East a distance of 1111.95 feet to the TRUE POINT OF BEGINNING of this description;

THENCE continuing along the westerly boundary of said Survey No. 315, South 00°33'11" East a distance of 1966.34 feet to a point on the northeasterly right-of-way line of Interstate 10;

THENCE along the northeasterly right-of-way line of Interstate 10 the following seven courses:

South 87°03'22" West a distance of 372.44 feet,
North 68°35'33" West a distance of 861.18 feet,
North 44°01'40" West a distance of 1364.19 feet,
North 45°48'09" East a distance of 49.84 feet,
North 44°00'33" West a distance of 719.56 feet,
North 42°49'14" West a distance of 469.81 feet,
North 41°36'00" West a distance of 1603.87 feet to
its intersection with the north boundary of said Survey
No. 314;

THENCE along the north boundary of said Survey No. 314
North 89°59'59" East a distance of 2141.48 feet to a point;

THENCE along the southwesterly property line of Tract 1D,
O. A. Danielson Survey No. 314, South 43°55'53" East a
distance of 1559.57 feet to the TRUE POINT OF BEGINNING.

FR & R.3

Parcel 3, from C-1 (Commercial) to C-3 (Commercial)

47.789 acres of land consisting of a portion of Tract
1B1, O. A. Danielson Survey No. 314 and a portion of
Tract 1A, Block 56, Ysleta Grant, City of El Paso, El
Paso County, Texas and being more fully described by
metes and bounds as follows:

Beginning at a point on the northeasterly boundary of
the Ysleta Grant for the most easterly common corner of
Tracts 3A and 3B of said Block 56;

THENCE along the common boundary between said Survey No.
314 and Block 56, Ysleta Grant, South 41°31'00" East a
distance of 960.67 feet to the TRUE POINT OF BEGINNING
of this description;

THENCE along the westerly right-of-way line of the inter-
section of Interstate 10 and Americas Avenue, South 02°
43'41" East a distance of 556.66 feet to a point;

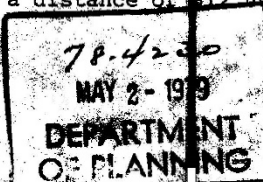
THENCE along the northwesterly right-of-way line of the
Americas Avenue, the following four courses:

South 17°33'01" West a distance of 641.18 feet,
South 38°09'29" West a distance of 399.37 feet,
South 38°09'35" West a distance of 400.14 feet,
South 38°10'05" West a distance of 1503.10 feet
to a point;

THENCE North 06°49'55" West a distance of 312.00 feet to
a point;

6567

-2-



THENCE North 37°42'05" East a distance of 13.16 feet to a point;

THENCE North 16°05'02" East a distance of 258.72 feet to a point;

THENCE North 15°59'23" East a distance of 491.10 feet to a point on the southwesterly right-of-way line of Interstate 10;

THENCE South 44°42'25" East a distance of 701.24 feet to a point;

THENCE continuing along the southwesterly right-of-way line of Interstate 10, South 33°09'58" East a distance of 147.30 feet to a point;

THENCE along the westerly right-of-way line of the intersection of Interstate 10 and Americas Avenue South 02°43'41" East a distance of 270.88 feet to the TRUE POINT OF BEGINNING.

Parcel 5, from F-R (Farm Ranch) to C-3 (Commercial)

Lot 1, Block 1, A & M Addition, City of El Paso, El Paso County, Texas containing 7.862 acres.

Parcel 6A from F-R (Farm Ranch) to C-3 (Commercial)

Being the description of 47.375 acres of land consisting of a portion of Lot 1 and Lot 2, Block 2, A & M Addition and a portion of Tract 2B and 2C, Block 1, Ysleta Grant, City of El Paso, El Paso County, Texas and being more particularly described by notes and bounds as follows:

Beginning at a point, said point being the intersection of the easterly right-of-way line of Americas Avenue with the curb return of the southerly right-of-way line of A & M Circle;

THENCE along said southerly right-of-way line 31.42 feet along the arc of a curve to the right and having a radius of 20.00 feet, a central angle of 90°00'00" and a chord which bears North 83°06'15" East a distance of 28.28 feet to a point;

THENCE the following two courses along said right-of-way line;

South 51°53'45" East a distance of 597.36 feet to a point for a curve;
35.52 feet along the arc of a curve to the right having a radius of 30.00 feet, a central angle of 67°50'45", and a chord which bears South 17°58'23" East a distance of 43.48 feet to a point lying on the westerly right-of-way line of Research Drive,

THENCE the following three courses along said right-of-way line;

South 15°57'00" West a distance of 211.83 feet to a point for a curve;

6567

-3-



307.16 feet along the arc of a curve to the left, having a radius of 445.00 feet, a central angle of 39°32'54" and a chord which bears South 03°49'27" East a distance of 301.10 feet to a point; South 23°35'54" East a distance of 688.80 feet to a point;

THENCE South 66°24'06" West a distance of 1220.59 feet to a point;

THENCE North 51°53'45" West a distance of 954.09 feet to a point lying on the easterly right-of-way line of Americas Avenue;

THENCE North 38°06'15" East along said right-of-way line a distance of 1820.15 feet to the POINT OF BEGINNING.

Parcels 6B and (7B), from F-2 (Farm Ranch) to A-2 (Apartment)

290.929 acres of land, consisting of a portion of Lot 1 and 2, Block 2, A & M Addition, a portion of Tract 1A and Tract 2A, Block 1, and Tract 1B, Block 2, Ysleta Grant, City of El Paso, El Paso County, Texas and being more fully described by metes and bounds as follows:

Beginning at the common corner of Block 1 and 56, Ysleta Grant with Block 5 of the Socorro Grant;

THENCE South 37°46'16" West along the common line of Block 1, Ysleta Grant with Block 5, Socorro Grant a distance of 3330.36 feet to a point lying on the northerly right-of-way line of the Mesa Drain;

THENCE North 39°44'00" West along said right-of-way line a distance of 3397.05 feet to a point;

THENCE North 38°06'15" East a distance of 2987.70 feet to a point;

THENCE South 51°53'45" East a distance of 547.17 feet to a point;

THENCE North 66°24'06" East a distance of 1220.59 feet to a point lying on the southerly right-of-way line of Research Drive;

THENCE South 23°35'54" East along said right-of-way line a distance of 1594.29 feet to a point;

THENCE North 66°24'06" East a distance of 45.00 feet to a point lying on the centerline of said Research Drive;

THENCE South 49°36'56" East a distance of 720.64 feet to a point;

THENCE South 15°57'00" West a distance of 496.74 feet to a point;

THENCE South 70°57'00" West a distance of 289.17 feet to the POINT OF BEGINNING of this description.

6567

78-1/2

Parcel 7A, from F-R (Farm Ranch) to A-O (Apartment Professional Office)

27.500 acres of land consisting of portions of Tracts 2A, 2B and 2C, Block 1, Ysleta Grant, City of El Paso, El Paso County, Texas and being more fully described by metes and bounds as follows:

Beginning at the intersection of the northerly right-of-way line of Mesa Drain with the easterly right-of-way line of Americas Avenue;

THENCE North 38°06'15" East along the easterly right-of-way line of Americas Avenue a distance of 900.00 feet to a point;

THENCE South 51°53'45" East a distance of 106.92 feet to a point;

THENCE South 38°06'15" West a distance of 987.70 feet to a point lying on the northerly right-of-way line of the Mesa Drain;

THENCE North 39°44'00" West a distance of 16.26 feet to the POINT OF BEGINNING of this description

Parcel 8A from F-R (Farm Ranch) to C-3 (Commercial)

10.000 acres of land consisting of a portion of Tract 2A, Block 1, Ysleta Grant, City of El Paso, El Paso County, Texas and being more fully described by metes and bounds as follows:

Beginning at the point of intersection of northerly right-of-way line of North Loop Road and the easterly right-of-way line of Americas Avenue;

THENCE along the easterly right-of-way line of Americas Avenue the following two courses:

North 50°58'37" East a distance of 50.60 feet;
North 38°08'13" East a distance of 26.61 feet
to a point lying on the southerly right-of-way line of Mesa Drain;

THENCE South 39°44'00" East along said right-of-way line a distance of 559.40 feet to a point;

THENCE South 38°08'15" West a distance of 21.40 feet to a point lying on the northerly right-of-way line of North Loop Road;

THENCE North 44°29'00" West along said right-of-way line a distance of 664.32 feet to the POINT OF BEGINNING.

Parcel 8B, from F-R (Farm Ranch) to A-2 (Apartment)

36.632 acres of land consisting of portions of Tracts 1A and 2A, Block 1, and all of Tracts 4A and 5, Block 2, Ysleta Grant, City of El Paso, El Paso County, Texas and being more fully described by metes and bounds as follows:

South 42°16'15" West a distance of 390.36 feet,
South 50°51'10" West a distance of 395.75 feet
to a point,

THENCE along the northeasterly right-of-way line of North
Loop Road North 44°29'00" West a distance of 220.98 feet
to the POINT OF BEGINNING.

Parcel 11B, from F-R (Farm Ranch) to A-2 (Apartment)

5.969 acres of land consisting of Tracts 7B and 8F,
block 2, Ysleta Grant, City of El Paso, El Paso County,
Texas and being more fully described by metes and bounds
as follows:

Beginning at the point of intersection of the southwesterly
right-of-way line of North Loop Road and the southeasterly
right-of-way line of Americas Avenue;

THENCE along the southwesterly right-of-way line of
North Loop Road South 44°29'00" East a distance of
519.00 feet to the TRUE POINT OF BEGINNING of this
description;

THENCE continuing along the southwesterly right-of-way
line of North Loop Road South 44°29'00" East a distance
of 433.40 feet to a point,

THENCE along the westerly property line of Tracts 8D and
7A of said Block 2 South 32°13'00" West a distance of
387.10 feet to a point;

THENCE along the northerly property line of Tract 7A,
North 81°10'30" West a distance of 283.50 feet to a point;

THENCE along the northerly property line of Tract 3B the
following two courses:

North 64°16'00" West a distance of 204.18 feet,
North 47°53'00" West a distance of 110.10 feet
to a point;

THENCE along the northeasterly property line of Tract 11A,
North 02°41'00" West a distance of 167.20 feet to a point;

THENCE along the southerly property line of Tract 8A the
following three courses:

South 52°26'00" East a distance of 160.00 feet,
South 84°48'18" East a distance of 199.13 feet,
North 30°31'00" East a distance of 400.00 feet

to the TRUE POINT OF BEGINNING.

PASSED AND APPROVED this 1st day of May, 1979.

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

City Attorney

I CERTIFY THAT THE FOLLOWING ZONING MAP
HAVE BEEN REVISED:
5-14-79 COUNTER
5-14-79 ORIGINAL
5-14-79 CONTROL
I certify that the zoning map has been revised to
reflect the amendment of ordinance #6567
Date 5-14-79

6567

-7-

Beginning at the common southeasterly corner of Block 1 and 2, Ysleta Grant, which also lies on the northwesterly boundary of Block 5, Socorro Grant;

THENCE along the southerly boundary of said Block 1, North 88°05'00" West a distance of 366.46 feet to a point;

THENCE along the southwesterly right-of-way line of Mesa Drain North 39°40'00" West a distance of 62.70 feet to the TRUE POINT OF BEGINNING of this description;

THENCE South 32°02'00" West a distance of 688.44 feet to a point;

THENCE along the northerly right-of-way line of North Loop Road North 38°15'59" West a distance of 646.04 feet to a point;

THENCE around the boundary of Tract 4B, Block 2, Ysleta Grant, the following three courses:

North 70°23'11" East a distance of 241.49 feet,
North 63°35'02" West a distance of 244.97 feet,
South 32°29'00" West a distance of 113.35 feet
to a point;

THENCE along the northerly right-of-way line of North Loop Road North 38°15'59" West a distance of 641.70 feet to a point;

THENCE continuing along the northerly right-of-way line of North Loop Road North 44°29'00" West a distance of 1077.84 feet to a point;

THENCE North 38°08'15" East a distance of 721.40 feet to a point lying on the southerly right-of-way line of Mesa Drain;

THENCE along the southerly right-of-way line of Mesa Drain, South 39°44'00" East a distance of 2487.51 feet to the TRUE POINT OF BEGINNING.

C-1
Parcel 9, from B-R (Farm Ranch) to C-3 (Commercial)

5.588 acres of land, being a portion of Tract 2A, Block 1, Ysleta Grant, City of El Paso, El Paso County, Texas and being more fully described by metes and bounds as follows:

Beginning at the most westerly corner of said Tract 2A, being also the intersection of the northeasterly right-of-way line of North Loop Road and the southeasterly right-of-way line of Bryan Road;

THENCE along the southeasterly right-of-way line of Bryan Road, North 36°47'00" East a distance of 124.31 feet to a point;

THENCE along the southeasterly right-of-way line of Mesa Drain, South 39°44'00" East a distance of 362.18 feet to a point;

THENCE along the northwesterly right-of-way line of Americas Avenue, the following two courses:

6567

76-4230

CONTRACT

THIS CONTRACT, made this 26th day of April, 1979, by and between IVEY INVESTMENTS, LTD., a Texas limited partnership, and DAVIS HOLDMAN, First Parties, and the CITY OF EL PASO, Second Party, witnesseth:

First Parties have applied to the City of El Paso for rezoning of certain property located in the City and County of El Paso, State of Texas, such property being more particularly described in Ordinance No. 6567, now pending before the City Council of the City of El Paso, a copy of which is attached hereto, marked Exhibit "A" and made a part hereof by reference. To remove certain objections to such rezoning, First Parties covenant that if the property is rezoned as indicated in the attached ordinance, it shall be subject to the following restrictions, conditions and covenants:

1. No development of any kind will be done on any parcel of the property until complete and detailed site development and architectural plans of the proposed development on such parcel have been submitted by First Parties and approved by the City Plan Commission of the City of El Paso.
2. No building permits will be issued for construction on parcel numbers 6B, 7A, 7B, 8B and 11B in Exhibit "A" attached hereto, until a subdivision map of the parcel upon which construction is to be performed has been approved by the City Plan Commission of the City of El Paso and filed for record.
3. The total number of dwelling units to be constructed on the portions of the property which are zoned A-2 and are described as parcel numbers 6B, 7B, 8B and 11B in Exhibit "A" attached hereto, shall not exceed 1500 units, notwithstanding the maximum number permitted under A-2 zoning. The term "dwelling unit" as used herein shall mean one or more habitable rooms, including kitchen facilities, designed for occupancy by one family for living and sleeping purposes.

71-4230
MAY 2 - 1979
DEPARTMENT
OF PLANNING

RESOLUTION

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

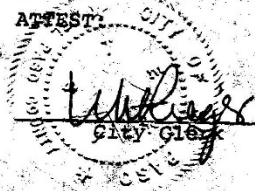
That the Mayor be authorized to sign a contract with Ivy Investments, Ltd and Davis Holdman, placing certain restrictions, conditions and covenants on the property being rezoned by Ordinance No. 657.

ADOPTED this 15 day of May, 1979.



Mayor 

ATTEST:


City Clerk

78-4230
MAY 9 - 1979
DEPARTMENT
OF PLANNING

THE STATE OF TEXAS)
COUNTY OF EL PASO)

BEFORE ME, the undersigned authority, on this day personally appeared JOHN P. IVEY, General Partner of IVEY INVESTMENTS, LTD., a Texas limited partnership, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act of of said partnership, for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 26th day of April, 1979.

Guadalupe Rios
Notary Public in and for
El Paso County, Texas

THE STATE OF TEXAS)
COUNTY OF EL PASO)

GUADALUPE RIOS, Notary Public
in and for El Paso County, Texas
My commission expires Oct 27, 1980

BEFORE ME, the undersigned authority, on this day personally appeared DAVIS HOLDMAN, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 26th day of April, 1979.

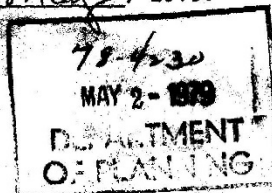
Guadalupe Rios
Notary Public in and for
El Paso County, Texas

GUADALUPE RIOS, Notary Public
in and for El Paso County, Texas
My commission expires Oct 27, 1980

THE STATE OF TEXAS)
COUNTY OF EL PASO)

BEFORE ME, the undersigned authority, on this day personally appeared Dan M. Pender, Mayor Pro Tem of the City of El Paso, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged before me in my county aforesaid that he had executed the same for the purposes and consideration and in the capacity therein expressed, and as the act and deed of the City of El Paso.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 1st day of May, 1979.



Dan M. Pender
Notary Public in and for
El Paso County, Texas

Thence, along said northerly proposed right-of-way line, North 51°01'03.50" East, a distance of 396.68 feet to a point of deflection;

Thence, along said northerly proposed right-of-way line, North 42°26'08.50" East, a distance of 401.01 feet to a point on the westerly right-of-way line of Mesa Drain;

Thence, along said westerly right-of-way line of Mesa Drain, South 39°44'00" East, a distance of 35.13 feet to a point on the northerly existing right-of-way line of Loop 375;

Thence, along said northerly existing right-of-way line, South 42°26'08.50" West, a distance of 399.60 feet to a point of deflection;

Thence, along said northerly existing right-of-way line, South 51°01'03.50" West, a distance of 395.95 feet to a point on the easterly right-of-way line of F.M. Highway 76 and to the true point of beginning, containing an area of 0.640 of an acre of land, more or less.

It is expressly agreed and understood that this is a partial release and the same shall in no wise release, affect or impair said contract against any other property in said instrument mentioned.

WITNESS THE FOLLOWING SIGNATURES AND SEAL:



Mayor

APPROVED AS TO FORM:

Cherise Cullen-Ganney
Assistant City Attorney

APPROVED AS TO CONTENT:

Bruce V. [Signature]
Department of Planning,
Research and Development

SIGNATURES CONTINUED ON NEXT PAGE

6567

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

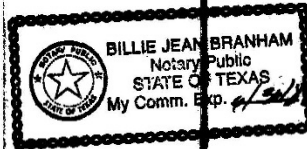
This instrument was acknowledged before me on this 7th
day of April, 1987, by JONATHAN W. ROGERS, as
Mayor of the City of El Paso, Texas.

My Commission Expires:

6/30/88

TCG1:012

Billie Jean Branham
Notary Public, State of Texas



66517

CONTRACT

THIS CONTRACT, made this 24th day of April, 1979, by and between IVEY INVESTMENTS, LTD., a Texas limited partnership, and DAVIS HOLDMAN, First Parties, and the CITY OF EL PASO, Second Party, witnesseth:

First Parties have applied to the City of El Paso for rezoning of certain property located in the City and County of El Paso, State of Texas, such property being more particularly described in Ordinance No. 6567, now pending before the City Council of the City of El Paso, a copy of which is attached hereto, marked Exhibit "A" and made a part hereof by reference. To remove certain objections to such rezoning, First Parties covenant that if the property is rezoned as indicated in the attached ordinance, it shall be subject to the following restrictions, conditions and covenants:

1. No development of any kind will be done on any parcel of the property until complete and detailed site development architectural plans of the proposed development on such parcel have been submitted by First Parties and approved by the City Plan Commission of the City of El Paso.
2. No building permits will be issued for construction on parcel numbers 6B, 7A, 7B, 8B and 11B in Exhibit "A" attached hereto, until a subdivision map of the parcel upon which construction is to be performed has been approved by the City Plan Commission of the City of El Paso and filed for record.
3. The total number of dwelling units to be constructed on the portions of the property which are zoned A-2 and are described as parcel numbers 6B, 7A, 8B and 11B in Exhibit "A" attached hereto, shall not exceed 1500 units, notwithstanding the maximum number permitted under A-2 zoning. The term "dwelling unit" as used herein shall mean: one or more habitable rooms, including kitchen facilities, designed for occupancy by one family for living and sleeping purposes.

989-900

STATE OF TEXAS)
COUNTY OF EL PASO)

PARTIAL RELEASE

This Partial Release of Contract is executed this 21st day of May, 1991, by the CITY OF EL PASO, witness:

WHEREAS, by Contract dated April 26, 1979, recorded in Volume 989, Page 900, Real Property Records of El Paso County, Texas, a copy of which is attached hereto, marked Exhibit "A" and made a part hereof by reference, IVEY INVESTMENTS, LTD., a Texas limited partnership, and DAVIS HOLDMAN, and the CITY OF EL PASO, entered into a contract in connection with the rezoning of property more particularly described in Ordinance No. 6567, which placed certain restrictions, conditions and covenants on such property; and

WHEREAS, Exhibit "A" was amended by a contract amendment on January 31, 1989, a copy of which is attached hereto, marked Exhibit "B" and made a part hereof by reference, and

WHEREAS, the City of El Paso now desires to release a parcel of the property described in the April 26, 1979 contract and the January 31, 1989 contract amendment, if applicable, from the contract conditions because the parcel is being acquired for the widening of North Loop Road;

NOW, THEREFORE, the City of El Paso hereby releases the following described parcel from the restrictions, conditions and covenants contained in the above-referenced contract and contract amendment, which are attached hereto as Exhibit "A" and Exhibit "B":

Parcel No. 210: a 0.231 acre parcel of land, more or less, out of a portion of Tract 2D, Block 1, Ysleta Grant, City of El Paso, El Paso County, Texas, being more

Case # 78-4230
Contract Amend 1-31-89


Partial Release 5-21-91

particularly described by metes and bounds in Attachment 1, which is attached hereto, and made a part hereof for all purposes,

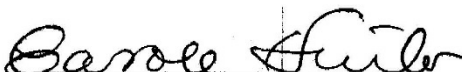
It is expressly agreed and understood that this is a Partial Release and the same shall in no wise release, affect or impair the April 26, 1979 contract and January 31, 1989 contract amendment against any other property which is described in Exhibit "A" and Exhibit "B".

WITNESS THE FOLLOWING SIGNATURES AND SEALS:

THE CITY OF EL PASO


Mayor ~~pro-tem~~


ATTEST:


City Clerk

APPROVED AS TO FORM:


Assistant City Attorney

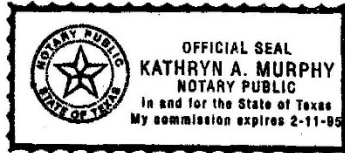
APPROVED AS TO CONTENT:


Department of Planning,
Research and Development

(Acknowledgement On Following Page)

STATE OF TXAS)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 24th day
of May, 1991, by SUZANNE S. BEAR, as Mayor of the
City of El Paso. ARVES E. JONES PRO-TEM



Kathryn A. Murphy
Notary Public, State of Texas
Notary's Name Printed:

Notary's Commission Expires:

TCG4/PARCE210.REL

RESOLUTION

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

That the Mayor be authorized to execute a Partial Release whereby the CITY OF EL PASO releases Parcel No. 210 from the April 26, 1979 contract, between the CITY OF EL PASO and IVEY INVESTMENTS, LTD., a Texas limited partnership, and DAVIS HOLDMAN, whereby certain restrictions, conditions and covenants were placed on a portion of Tract 2D, Block 1, Ysleta Grant, City of El Paso, El Paso County, Texas.

ADOPTED this 21 day of May, 1991.

Mayor *Stephen*

ATTEST:

Barbara Hunter
City Clerk

APPROVED AS TO FORM:

Charles A. Guller
Assistant City Attorney

TCG4/PARCE210.RES

This contract is a restriction, condition and covenant, running with the land and a charge and servitude thereon; and shall bind First Parties and their successors in title. Any future conveyance of the land shall contain this restriction, condition and covenant and shall embody this agreement by express reference.

The City may enforce this agreement by injunction or any other legal or equitable remedy. The City Council of the City of El Paso may release the above restrictions, conditions and covenants in its discretion without the consent of any third person who may be benefited thereby.

WITNESS the following signatures and seal:

IVEY INVESTMENTS, L.P., a Texas
limited partnership

By: John P. Ivey
John P. Ivey, General Partner

Davis Holloman
Davis Holloman

THE CITY OF EL PASO

By: Mayor
Mayor

ATTEST:

City Clerk
City Clerk

APPROVED AS TO FORM:

City Attorney
City Attorney



South 42°16'15" West a distance of 390.36 feet,
South 50°51'10" West a distance of 396.75 feet
to a point,

THENCE along the northeasterly right-of-way line of North
Loop Road North 44°29'00" West a distance of 220.98 feet
to the POINT OF BEGINNING.

Parcel 115, from F-R (Farm Ranch) to A-2 (Apartment)

5.969 acres of land consisting of Tracts 7B and 8F,
block 2, Ysleta Grant, City of El Paso, El Paso County,
Texas and being more fully described by metes and bounds
as follows:

Beginning at the point of intersection of the southwesterly
right-of-way line of North Loop Road and the southeasterly
right-of-way line of Americas Avenue;

THENCE along the southwesterly right-of-way line of
North Loop Road South 44°29'00" East a distance of
519.00 feet to the TRUE POINT OF BEGINNING of this
description;

THENCE continuing along the southwesterly right-of-way
line of North Loop Road South 44°29'00" East a distance
of 433.40 feet to a point,

THENCE along the westerly property line of Tracts 8D and
7A of said Block 2 South 32°13'00" West a distance of
387.10 feet to a point;

THENCE along the northerly property line of Tract 7A,
North 81°10'30" West a distance of 283.50 feet to a point;

THENCE along the northerly property line of Tract 3B the
following two courses:

North 64°16'00" West a distance of 284.18 feet,
North 47°53'00" West a distance of 110.10 feet
to a point;

THENCE along the northeasterly property line of Tract 11A,
North 02°41'00" West a distance of 167.20 feet to a point;

THENCE along the southerly property line of Tract 8A the
following three courses:

South 52°26'00" East a distance of 160.00 feet,
South 84°48'18" East a distance of 199.13 feet,
North 30°31'00" East a distance of 400.00 feet

to the TRUE POINT OF BEGINNING.

PASSED AND APPROVED this 15 day of May, 1979.

ATTEST:

W. R. Regan
City Clerk

APPROVED AS TO FORM:

[Signature]
Mayor
[Signature]
City Attorney

I certify that the zoning map has been revised to
reflect the amendment of ordinance #6567
by *[Signature]* Date 5-14-79
HAVE BEEN REVISSED
5-14-79 COUNTER
5-14-79 ORIGINAL
5-14-79 CONTROL

STATE OF TEXAS)
COUNTY OF EL PASO)

PARTIAL RELEASE

This Partial Release of Contract is executed this 21st day of May, 1991, by the CITY OF EL PASO, witness:

WHEREAS, by Contract dated April 26, 1979, recorded in Volume 989, Page 900, Real Property Records of El Paso County, Texas, a copy of which is attached hereto, marked Exhibit "A" and made a part hereof by reference, IVEY INVESTMENTS, LTD., a Texas limited partnership, and DAVIS HOLDMAN, and the CITY OF EL PASO, entered into a contract in connection with the rezoning of property more particularly described in Ordinance No. 6567, which placed certain restrictions, conditions and covenants on such property; and

WHEREAS, Exhibit "A" was amended by a contract amendment on January 31, 1989, a copy of which is attached hereto, marked Exhibit "B" and made a part hereof by reference, and

WHEREAS, the City of El Paso now desires to release a parcel of the property described in the April 26, 1979 contract and the January 31, 1989 contract amendment, if applicable, from the contract conditions because the parcel is being acquired for the widening of North Loop Road;

NOW, THEREFORE, the City of El Paso hereby releases the following described parcel from the restrictions, conditions and covenants contained in the above-referenced contract and contract amendment, which are attached hereto as Exhibit "A" and Exhibit "B":

Parcel No. 210: a 0.231 acre parcel of land, more or less, out of a portion of Tract 2D, Block 1, Ysleta Grant, City of El Paso, El Paso County, Texas, being more

Case # 78-4230
Contract Amend 1-31-89

Partial Release 5-21-91

part ularly described by metes and bounds in Attachment 1, which is attached hereto and made a part hereof for all purposes,


It is expressly agreed and understood that this is a Partial Release and the same shall in no wise release, affect or impair the April 26, 1979 contract and January 31, 1989 contract amendment against any other property which is described in Exhibit "A" and Exhibit "B".

WITNESS THE FOLLOWING SIGNATURES AND SEALS:

THE CITY OF EL PASO


Mayor **PRO-TEM**

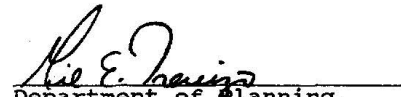
ATTEST:


City Clerk

APPROVED AS TO FORM:


Assistant City Attorney

APPROVED AS TO CONTENT:


Department of Planning,
Research and Development

(Acknowledgement On Following Page)

RESOLUTION

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

That the Mayor be authorized to execute a Partial Release whereby the CITY OF EL PASO releases Parcel No. 210 from the April 26, 1979 contract, between the CITY OF EL PASO and IVEY INVESTMENTS, LTD., a Texas limited partnership, and DAVIS HOLDMAN, whereby certain restrictions, conditions and covenants were placed on a portion of Tract 2D, Block 1, Ysleta Grant, City of El Paso, El Paso County, Texas.

ADOPTED this 21 day of May, 1991.

Mayor *[Signature]*

ATTEST:

[Signature]
City Clerk

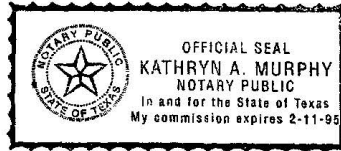
APPROVED AS TO FORM:

[Signature]
Assistant City Attorney

TCG4/PARCE210.RES

STATE OF TEXAS)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 24th day
of May, 1991, by ~~SUZANNE G. ABAR~~, as Mayor of the
City of El Paso. ARVES E. JONES PRO-TEM



Kathryn A. Murphy
Notary Public, State of Texas
Notary's Name Printed:

Notary's Commission Expires:

TCG4/PARCE210.REL

CONTRACT

THIS CONTRACT, made this 26th day of April, 1979, by and between IVEY INVESTMENTS, LTD., a Texas limited partnership, and DAVIS HOLDMAN, First Parties, and the CITY OF EL PASO, Second Party, witnesseth:

First Parties have applied to the City of El Paso for rezoning of certain property located in the City and County of El Paso, State of Texas, such property being more particularly described in Ordinance No. 6567, now pending before the City Council of the City of El Paso, a copy of which is attached hereto, marked Exhibit "A" and made a part hereof by reference. To remove certain objections to such rezoning, First Parties covenant that if the property is rezoned as indicated in the attached ordinance, it shall be subject to the following restrictions, conditions and covenants:

* 1. No development of any kind will be done on any parcel of the property until complete and detailed site development and architectural plans of the proposed development on such parcel have been submitted by First Parties and approved by the City Plan Commission of the City of El Paso.

2. No building permits will be issued for construction on parcel numbers 6B, 7A, 7B, 8B and 11B in Exhibit "A" attached hereto, until a subdivision map of the parcel upon which construction is to be performed has been approved by the City Plan Commission of the City of El Paso and filed for record.

3. The total number of dwelling units to be constructed on the portions of the property which are zoned A-2 and are described as parcel numbers 6B, 7B, 8B and 11B in Exhibit "A" attached hereto, shall not exceed 1500 units, notwithstanding any other limitations permitted under A-2 zoning. The term

This contract is a restriction, condition and covenant running with the land and a charge and servitude thereon; and shall bind First Parties and their successors in title. Any future conveyance of the land shall contain this restriction, condition and covenant and shall embody this agreement by express reference.

The City may enforce this agreement by injunction or any other legal or equitable remedy. The City Council of the City of El Paso may release the above restrictions, conditions and covenants in its discretion without the consent of any third person who may be benefited thereby.

WITNESS the following signatures and seal:

IVEY INVESTMENTS, LTD., a Texas
limited partnership

By:

John P. Ivey
John P. Ivey, General Partner

ATTEST:

W. R. Rieze
City Clerk

Davis Holdman
Davis Holdman

THE CITY OF EL PASO

By:

Mayor P. Te
Mayor P. Te

THE STATE OF TEXAS)
COUNTY OF EL PASO)

PARTIAL RELEASE

This partial release of contract is executed this 7th day
of April, 1987, by the CITY OF EL PASO,
witness:

WHEREAS, by contract dated April 26, 1979, recorded in Book 989, Page 900, of the Deed Records of El Paso County, Texas, a copy of which is attached hereto, marked Exhibit "A", and made a part hereof by reference, Ivey Investments, LTD., a Texas limited partnership, and Davis Holdman, and the City of El Paso, entered into a contract in connection with the rezoning of certain property located in the City and County of El Paso, State of Texas, such property being more particularly described in Ordinance No. 6567, placing certain restrictions on such property, and

WHEREAS, the City of El Paso now desires to release a portion of the property described in the above-referenced contract,

NOW, THEREFORE, the City of El Paso hereby releases the following described properties from the restrictions, conditions and covenants contained in the above-referenced contract which is attached hereto as Exhibit "A":

Parcel 102: Being 0.640 of an acre of land, more or less, out of and part of Tract 2D, Block 1, Ysleta Grant, City of El Paso, El Paso County, Texas, said 0.640 of an acre of land being more particularly described by metes and bounds as follows to-wit:

STATE OF TEXAS)
COUNTY OF EL PASO)

PARTIAL RELEASE

This Partial Release of Contract is executed this 21st day of May, 1991, by the CITY OF EL PASO, witness:

WHEREAS, by Contract dated April 26, 1979, recorded in Volume 989, Page 900, Real Property Records of El Paso County, Texas, a copy of which is attached hereto, marked Exhibit "A" and made a part hereof by reference, IVEY INVESTMENTS, LTD., a Texas limited partnership, and DAVIS HOLDMAN, and the CITY OF EL PASO, entered into a contract in connection with the rezoning of property more particularly described in Ordinance No. 6567, which placed certain restrictions, conditions and covenants on such property; and

WHEREAS, Exhibit "A" was amended by a contract amendment on January 31, 1989, a copy of which is attached hereto, marked Exhibit "B" and made a part hereof by reference, and

WHEREAS, the City of El Paso now desires to release a parcel of the property described in the April 26, 1979 contract and the January 31, 1989 contract amendment, if applicable, from the contract conditions because the parcel is being acquired for the widening of North Loop Road;

NOW, THEREFORE, the City of El Paso hereby releases the following described parcel from the restrictions, conditions and covenants contained in the above-referenced contract and contract amendment, which are attached hereto as Exhibit "A" and Exhibit "B":

Parcel No. 210: a 0.231 acre parcel of land, more or less, out of a portion of Tract 2D, Block 1, Ysleta Grant, City of El Paso, El Paso County, Texas, being more


P. T. O. Release 5-21-91

Property described by metes and bounds in Attachment
which is attached hereto and made a part hereof for
all purposes,

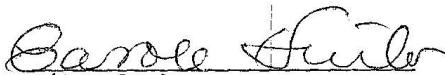
It is expressly agreed and understood that this is a Partial
Release and the same shall in no wise release, affect or impair the
April 6, 1979 contract and January 31, 1989 contract amendment
against any other property which is described in Exhibit "A" and
Exhibit "B".

WITNESS THE FOLLOWING SIGNATURES AND SEALS:

THE CITY OF EL PASO


Mayor PMS-7544

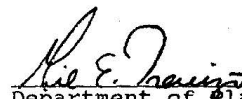
ATTEST:


City Clerk

APPROVED AS TO FORM:


Assistant City Attorney

APPROVED AS TO CONTENT:


Department of Planning,
Research and Development

(Acknowledgement On Following Page)

ATTACHMENT 4

Planning and Inspections Department - Planning Division

Staff recommends **APPROVAL** of the request. This recommendation is based on the proposed zoning district's compatibility with commercial uses in the surrounding area and is consistent with Plan El Paso, the City's adopted Comprehensive Plan and the G-4, Suburban (Walkable) future land use designation.

Planning and Inspections Department – Plan Review & Landscaping Division

No objections to rezoning request.

At the time of submittal for building permits, the project will need to comply with all applicable provisions of the ICC, TAS and Municipal Code.

Planning and Inspections Department – Land Development

Landscape areas can also serve as recessed rainwater harvesting ponding areas. The proposed ponding area(s) shall have enough capacity to hold the developed runoff for a designated 100-yr. storm event.

Note: Comment to be addressed at the permitting stage.

Fire Department

No adverse comments.

Police Department

The 911 District has no comments or concerns regarding this zoning, but would like to see the proposed address soon.

Environment Services

No comments received.

Streets and Maintenance Department

Traffic and Transportation Engineering:

1. No TIA is required.
2. Coordinate with TxDOT for access.

Street Lights Department:

Gateway Blvd. and Americas Ave. are Texas Department of Transportation (TXDOT) right-of-way (ROW).

For the development of a subdivision a complete set of plans shall be submitted to Street Lights Department for review showing the minimum requirements for street illumination proposals**. The submission shall contain but shall not necessarily be limited to plans indicating the location on the premises of all lighting fixtures, both proposed and existing on the site***. The description of all lighting fixtures, both proposed and existing. Photometric data. Plans shall show street illumination design and details. El Paso city code is applicable to this process, Street Design Manual (SDM)* and any other applicable standards or requirements of the city.

Street Lights Department requires that a project that involves a roadway is to be evaluated for lighting requirements based on the City of El Paso Street Design Manual (SDM) and the Design Standards for Construction (DSC) according to City of El Paso Codes (cited below). While developing a project or construction area the existing street illumination system shall be protected and preserved. Complete survey for street illumination system shall be shown on plans. Any change on existing street illumination systems shall be coordinated with Street Lights Department.

City of El Paso Codes to be followed:

*Title 19 - 19.16.010 - Streetlighting.

**18.18.190 – Submission contents.

*** 19.02.040 Criteria for approval.

Contract Management:

1. Indicate that all asphalt in the property must follow municipal code and its requirements.
2. Indicate that all new concrete structures in the City's ROW must be as per DSC and meet requirements of construction.
3. Indicate the type of division that is going to be used surrounding the area for safety issues.

Note: Comments have been addressed.

Sun Metro

No comments received.

El Paso Water

There is an existing 20-inch diameter water main that extends along Gateway East Blvd. and Americas Ave., located approximately 10-feet away from the property line. No direct service connections are allowed to this main as per EPWater-PSB Rules and Regulations.

Sanitary Sewer

Sanitary sewer service is critical to the property. EPWater requires a sanitary sewer study and complete grading plans before committing to provide sanitary sewer service to the property. An off-site sanitary sewer main extension along a PSB easement is anticipated to serve this property.

Water and sanitary sewer main extensions will be required to provide service. The water main shall be extended to create a looped water system and shall cover the frontage of the property. EPWater-PSB requests that the site be graded so that sanitary sewer service may be provided by gravity. All costs associated with the extension of water and sanitary sewer mains including easement acquisition, are the responsibility of the Owner/Developer. The owner's engineer is to coordinate with EPWater for water and sanitary sewer design.

There are no sanitary sewer mains fronting the property.

General

Gateway East Blvd. and Americas Ave. are Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within Gateway East Blvd. and Americas Ave. right-of-way requires written permission from TxDOT.

EPWater-PSB requires a new service application to provide service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWater-PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

Stormwater:

This property will be required to retain the developed stormwater runoff within the subdivision. On the drainage plan, provide capacity of proposed ponding area/s; they shall have enough capacity to hold the runoff for a designed 100-yr. storm event.

There are multiple flow paths running through this property; they need to be directed outside of the subdivision either through channels or pipes.

El Paso County 911 District

No comments received.

Texas Department of Transportation

Please submit a grading and drainage plan for TxDOT review and approval, as well as a detailed landscaping plan.

Note: Comment to be addressed at the permitting stage.

El Paso County Water Improvement District #1

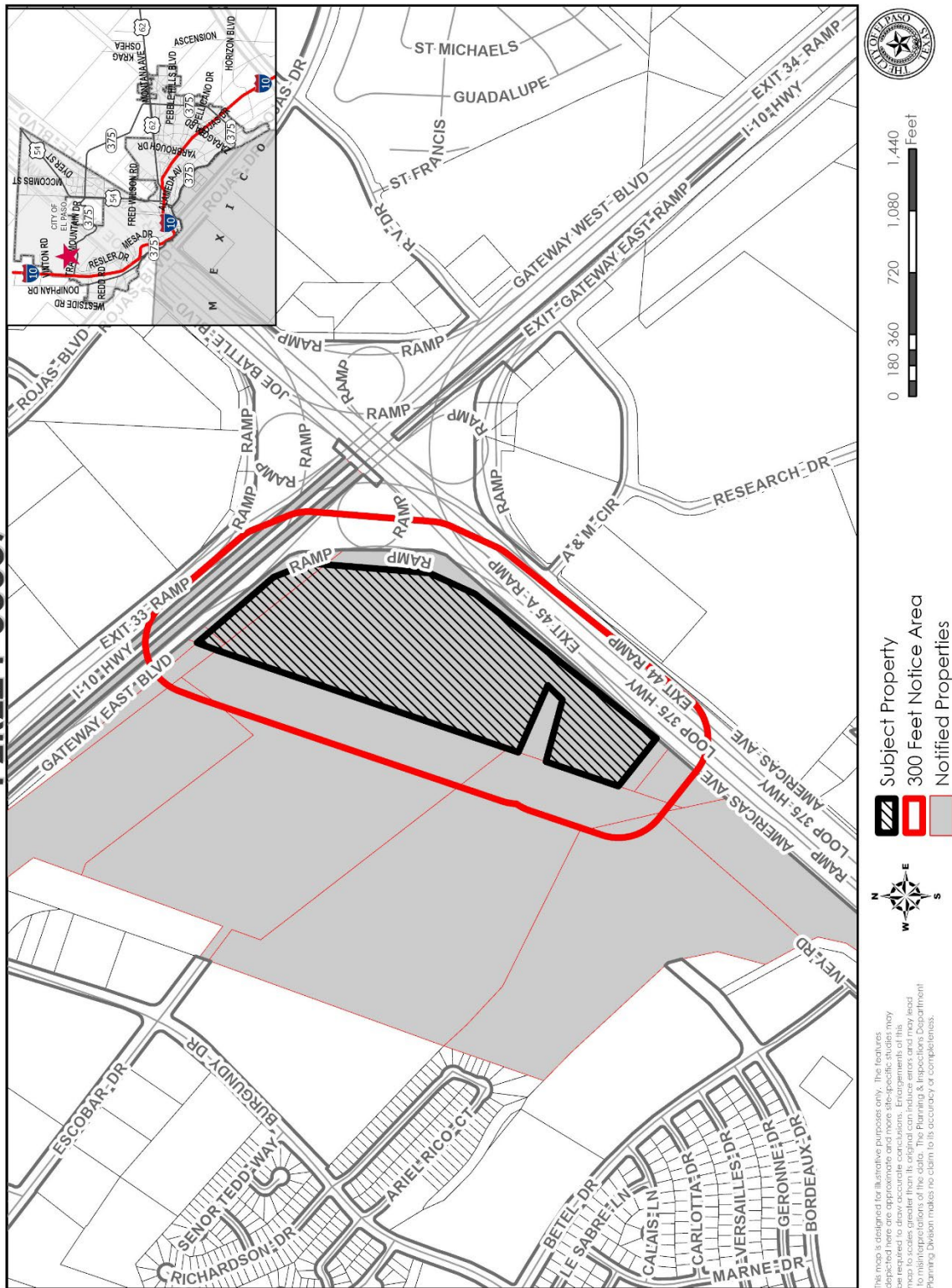
No comments received.

Texas Gas Service

Texas Gas Service does not have any objections.

ATTACHMENT 5

PZR24-00037



ATTACHMENT 6

Salloum, Andrew M.

From: Jorge Grajeda <jgrajeda@ceagroup.net>
Sent: Thursday, November 14, 2024 8:00 AM
To: Salloum, Andrew M.
Subject: FW: Ivey Interstate Industrial Center #1 - Request for Rezoning

CAUTION: This email originated from outside of the City of El Paso. Do not click links or open attachments unless you recognize the sender and know the content is safe. If suspicious, use **Phish Alert** or forward to **SpamReport@elpasotexas.gov**.

Good afternoon Andrew,

For your records, please refer to Ms. Sylvia Carreon's (*Mission Valley Civic Association*) response below. Thanks

Jorge Grajeda, PE, CFM

DIRECT LINE | 915.200.1143

OFFICE | 915.544.5232

Uptown centre

813 N. Kansas St., Ste 300

El Paso, Texas 79902



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From: Sylvia Carreon <longhorn_1989@hotmail.com>
Sent: Tuesday, November 12, 2024 3:15 PM
To: Jorge Grajeda <jgrajeda@ceagroup.net>
Subject: Re: Ivey Interstate Industrial Center #1 - Request for Rezoning

Good afternoon Mr. Grajeda, I have made note of this application and do not have any objections to it at this time.

From: Jorge Grajeda <jgrajeda@ceagroup.net>
Sent: Wednesday, November 6, 2024 4:16 PM
To: longhorn_1989@hotmail.com <longhorn_1989@hotmail.com>
Cc: mmcarr008@gmail.com <mmcarr008@gmail.com>
Subject: Ivey Interstate Industrial Center #1 - Request for Rezoning

Ms. Carreon,

Good afternoon, hope all is well. We are currently in process of a Rezoning & Detailed Site Development Plan applications with the City of El Paso, for the subject site located at the southwest corner of Interstate Highway No.10 Gateway Blvd. East, and Americas Ave. southbound (Loop 375). The proposed rezoning is for an approximately 35-acre parcel of land that is currently zoned C-3 and proposes to be rezoned to a C-4, for the development of a distribution/warehouse facility. TxDOT coordination for the proposed access driveways has been ongoing and also coordinated.

Enclosed please find the attached letter, zoning exhibit and site development plan for the project. The applicant, Cavalry Acquisitions, LLC and I would be happy to meet with you to further discuss the project at your available time.

Please let us know if you have any questions and we look forward to continued coordination and favorable response with the Mission Valley Civic Association. Thank you.

Jorge Grajeda, PE, CFM

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