

1-1 By: Marquez, Margo (Senate Sponsor - Rodriguez) H.B. No. 3831
1-2 (In the Senate - Received from the House May 4, 2011;
1-3 May 5, 2011, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 23, 2011, reported favorably, as
1-5 amended, by the following vote: Yeas 5, Nays 0; May 23, 2011, sent
1-6 to printer.)

1-7 COMMITTEE AMENDMENT NO. 1 By: Nichols

1-8 Amend H.B. 3831 (engrossed) by adding the following
1-9 appropriately numbered SECTION to the bill and renumbering
1-10 subsequent SECTIONS of the bill accordingly:

1-11 SECTION ____ . NO TOLL ROADS. The district may not
1-12 construct, acquire, maintain, or operate a toll road.

1-13 A BILL TO BE ENTITLED
1-14 AN ACT

1-15 relating to the creation of the Montecillo Municipal Management
1-16 District No. 1; providing authority to levy an assessment, impose a
1-17 tax, and issue bonds.

1-18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-19 SECTION 1. Subtitle C, Title 4, Special District Local Laws
1-20 Code, is amended by adding Chapter 3900 to read as follows:

1-21 CHAPTER 3900. MONTECILLO MUNICIPAL MANAGEMENT DISTRICT NO. 1

1-22 SUBCHAPTER A. GENERAL PROVISIONS

1-23 Sec. 3900.001. DEFINITIONS. In this chapter:

1-24 (1) "Board" means the district's board of directors.

1-25 (2) "City" means the City of El Paso, Texas.

1-26 (3) "County" means El Paso County, Texas.

1-27 (4) "Director" means a board member.

1-28 (5) "District" means the Montecillo Municipal
1-29 Management District No. 1.

1-30 Sec. 3900.002. CREATION AND NATURE OF DISTRICT. The
1-31 district is a special district created under Sections 52 and 52-a,
1-32 Article III, and Section 59, Article XVI, Texas Constitution.

1-33 Sec. 3900.003. PURPOSE; LEGISLATIVE FINDINGS. (a) The
1-34 creation of the district is essential to accomplish the purposes of
1-35 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
1-36 Texas Constitution, and other public purposes stated in this
1-37 chapter. By creating the district and in authorizing the city and
1-38 other political subdivisions to contract with the district, the
1-39 legislature has established a program to accomplish the public
1-40 purposes set out in Section 52-a, Article III, Texas Constitution.

1-41 (b) The creation of the district is necessary to promote,
1-42 develop, encourage, and maintain employment, commerce,
1-43 transportation, housing, tourism, recreation, the arts,
1-44 entertainment, economic development, safety, and the public
1-45 welfare in the district.

1-46 (c) This chapter and the creation of the district may not be
1-47 interpreted to relieve the city or county from providing the level
1-48 of services provided to the area in the district as of the effective
1-49 date of the Act enacting this chapter. The district is created to
1-50 supplement and not to supplant the city and county services
1-51 provided in the district.

1-52 Sec. 3900.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
1-53 The district is created to serve a public use and benefit.

1-54 (b) All land and other property included in the district
1-55 will benefit from the improvements and services to be provided by
1-56 the district under powers conferred by Sections 52 and 52-a,
1-57 Article III, and Section 59, Article XVI, Texas Constitution, and
1-58 other powers granted under this chapter.

1-59 (c) The district is created to accomplish the purposes of a
1-60 municipal management district as provided by general law and
1-61 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
1-62 Texas Constitution.

2-1 (d) The creation of the district is in the public interest
2-2 and is essential to:

2-3 (1) further the public purposes of developing and
2-4 diversifying the economy of the state;

2-5 (2) eliminate unemployment and underemployment; and

2-6 (3) develop or expand transportation and commerce.

2-7 (e) The district will:

2-8 (1) promote the health, safety, and general welfare of
2-9 residents, employers, potential employees, employees, visitors,
2-10 and consumers in the district, and of the public;

2-11 (2) provide needed funding for the district to
2-12 preserve, maintain, and enhance the economic health and vitality of
2-13 the district territory as a community and business center; and

2-14 (3) promote the health, safety, welfare, and enjoyment
2-15 of the public by providing pedestrian ways and by landscaping and
2-16 developing certain areas in the district, which are necessary for
2-17 the restoration, preservation, and enhancement of scenic beauty.

2-18 (f) Pedestrian ways along or across a street, whether at
2-19 grade or above or below the surface, and street lighting, street
2-20 landscaping, parking, and street art objects are parts of and
2-21 necessary components of a street and are considered to be a street
2-22 or road improvement.

2-23 (g) The district will not act as the agent or
2-24 instrumentality of any private interest even though the district
2-25 will benefit many private interests as well as the public.

2-26 Sec. 3900.005. DISTRICT TERRITORY. (a) The district is
2-27 initially composed of the territory described by Section 2 of the
2-28 Act enacting this chapter.

2-29 (b) The boundaries and field notes contained in Section 2 of
2-30 the Act enacting this chapter form a closure. A mistake in the
2-31 field notes or in copying the field notes in the legislative process
2-32 does not affect the district's:

2-33 (1) organization, existence, or validity;

2-34 (2) right to contract;

2-35 (3) authority to borrow money or issue bonds or other
2-36 obligations described by Section 3900.201 or to pay the principal
2-37 and interest of the bonds or other obligations;

2-38 (4) right to impose or collect a tax or an assessment,
2-39 or collect other revenue; or

2-40 (5) legality or operation.

2-41 Sec. 3900.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.
2-42 (a) All or any part of the area of the district is eligible to be
2-43 included in:

2-44 (1) a tax increment reinvestment zone created under
2-45 Chapter 311, Tax Code;

2-46 (2) a tax abatement reinvestment zone created under
2-47 Chapter 312, Tax Code;

2-48 (3) an enterprise zone created under Chapter 2303,
2-49 Government Code; or

2-50 (4) an industrial district created under Chapter 42,
2-51 Local Government Code.

2-52 (b) If the city creates a tax increment reinvestment zone
2-53 described by Subsection (a), the city and the board of directors of
2-54 the zone, by contract with the district, may grant money deposited
2-55 in the tax increment fund to the district to be used by the district
2-56 for:

2-57 (1) the purposes permitted for money granted to a
2-58 corporation under Section 380.002(b), Local Government Code; and

2-59 (2) any other district purpose, including the right to
2-60 pledge the money as security for any bonds or other obligations
2-61 issued by the district under Section 3900.201.

2-62 (c) A tax increment reinvestment zone created by the city in
2-63 the district is not subject to the limitations provided by Section
2-64 311.006, Tax Code.

2-65 Sec. 3900.007. APPLICABILITY OF MUNICIPAL MANAGEMENT
2-66 DISTRICTS LAW. Except as otherwise provided by this chapter,
2-67 Chapter 375, Local Government Code, applies to the district.

2-68 Sec. 3900.008. LIBERAL CONSTRUCTION OF CHAPTER. This
2-69 chapter shall be liberally construed in conformity with the

3-1 findings and purposes stated in this chapter.

3-2 [Sections 3900.009-3900.050 reserved for expansion]

3-3 SUBCHAPTER B. BOARD OF DIRECTORS

3-4 Sec. 3900.051. GOVERNING BODY; TERMS. The district is
 3-5 governed by a board of five directors who serve staggered terms of
 3-6 four years, with two or three directors' terms expiring May 31 of
 3-7 each even-numbered year.

3-8 Sec. 3900.052. APPOINTMENT OF DIRECTORS. The governing
 3-9 body of the city shall appoint directors.

3-10 Sec. 3900.053. VACANCY. If there are fewer than three
 3-11 directors, the governing body of the city shall appoint the
 3-12 necessary number of directors to fill all board vacancies.

3-13 Sec. 3900.054. COMPENSATION; EXPENSES. (a) A director is
 3-14 entitled to receive fees of office of not more than \$150 a day for
 3-15 each day the director spends performing the director's duties.

3-16 (b) A director is entitled to receive reimbursement for
 3-17 actual expenses reasonably and necessarily incurred while engaging
 3-18 in activities on behalf of the district.

3-19 Sec. 3900.055. INITIAL DIRECTORS. (a) Not later than
 3-20 September 1, 2012, the governing body of the city shall appoint the
 3-21 initial board.

3-22 (b) Of the initial directors, the terms of two directors
 3-23 expire May 31, 2013, and the terms of three directors expire May 31,
 3-24 2015.

3-25 (c) This section expires September 1, 2013.

3-26 [Sections 3900.056-3900.100 reserved for expansion]

3-27 SUBCHAPTER C. POWERS AND DUTIES

3-28 Sec. 3900.101. GENERAL POWERS AND DUTIES. The district has
 3-29 the powers and duties necessary to accomplish the purposes for
 3-30 which the district is created.

3-31 Sec. 3900.102. PUBLIC IMPROVEMENT DISTRICT POWERS:
 3-32 LIMITATION. The district has the powers provided by Chapter 372,
 3-33 Local Government Code, to a municipality. The district may not
 3-34 exercise public improvement district powers in a municipality's
 3-35 extraterritorial jurisdiction.

3-36 Sec. 3900.103. WATER DISTRICT POWERS. The district has the
 3-37 powers provided by the general laws relating to conservation and
 3-38 reclamation districts created under Section 59, Article XVI, Texas
 3-39 Constitution, including Chapters 49 and 54, Water Code.

3-40 Sec. 3900.104. ROAD DISTRICT POWERS. The district has the
 3-41 powers provided by the general laws relating to road districts and
 3-42 road utility districts created under Sections 52(b) and 52-a,
 3-43 Article III, Texas Constitution, including Chapters 365 and 441,
 3-44 Transportation Code.

3-45 Sec. 3900.105. CONTRACT POWERS. The district may contract
 3-46 with a governmental or private entity, on terms determined by the
 3-47 board, to carry out a power or duty authorized by this chapter or to
 3-48 accomplish a purpose for which the district is created.

3-49 Sec. 3900.106. IMPROVEMENT PROJECT AND SERVICE IN DEFINABLE
 3-50 AREA. The district may undertake an improvement project or service
 3-51 that confers a special benefit on a definable area in the district
 3-52 and levy and collect a special assessment on benefited property in
 3-53 the district in accordance with:

3-54 (1) Chapter 372, Local Government Code; or

3-55 (2) Chapter 375, Local Government Code.

3-56 Sec. 3900.107. IMPROVEMENT PROJECTS AND SERVICES IN
 3-57 GENERAL. The district may provide, design, construct, acquire,
 3-58 improve, relocate, operate, maintain, or finance an improvement
 3-59 project or service using money available to the district, or
 3-60 contract with a governmental or private entity to provide, design,
 3-61 construct, acquire, improve, relocate, operate, maintain, or
 3-62 finance an improvement project or service authorized under this
 3-63 chapter or Chapter 375, Local Government Code.

3-64 Sec. 3900.108. DEVELOPMENT CORPORATION POWERS. The
 3-65 district, using money available to the district, may exercise the
 3-66 powers given to a development corporation under Chapter 505, Local
 3-67 Government Code, including the power to own, operate, acquire,
 3-68 construct, lease, improve, or maintain a project under that
 3-69 chapter.

4-1 Sec. 3900.109. NONPROFIT CORPORATION. (a) The board by
 4-2 resolution may authorize the creation of a nonprofit corporation to
 4-3 assist and act for the district in implementing a project or
 4-4 providing a service authorized by this chapter.

4-5 (b) The nonprofit corporation:
 4-6 (1) has each power of and is considered to be a local
 4-7 government corporation created under Subchapter D, Chapter 431,
 4-8 Transportation Code; and

4-9 (2) may implement any project and provide any service
 4-10 authorized by this chapter.

4-11 (c) The board shall appoint the board of directors of the
 4-12 nonprofit corporation. The board of directors of the nonprofit
 4-13 corporation shall serve in the same manner as the board of directors
 4-14 of a local government corporation created under Subchapter D,
 4-15 Chapter 431, Transportation Code, except that a board member is not
 4-16 required to reside in the district.

4-17 Sec. 3900.110. AGREEMENTS; GRANTS. (a) As provided by
 4-18 Chapter 375, Local Government Code, the district may make an
 4-19 agreement with or accept a gift, grant, or loan from any person.

4-20 (b) The implementation of a project is a governmental
 4-21 function or service for the purposes of Chapter 791, Government
 4-22 Code.

4-23 Sec. 3900.111. LAW ENFORCEMENT SERVICES. To protect the
 4-24 public interest, the district may contract with a qualified party,
 4-25 including the county or the city, to provide law enforcement
 4-26 services in the district for a fee.

4-27 Sec. 3900.112. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The
 4-28 district may join and pay dues to a charitable or nonprofit
 4-29 organization that performs a service or provides an activity
 4-30 consistent with the furtherance of a district purpose.

4-31 Sec. 3900.113. ECONOMIC DEVELOPMENT. (a) The district may
 4-32 engage in activities that accomplish the economic development
 4-33 purposes of the district.

4-34 (b) The district may establish and provide for the
 4-35 administration of one or more programs to promote state or local
 4-36 economic development and to stimulate business and commercial
 4-37 activity in the district, including programs to:

- 4-38 (1) make loans and grants of public money; and
- 4-39 (2) provide district personnel and services.

4-40 (c) The district may create economic development programs
 4-41 and exercise the economic development powers that:

4-42 (1) Chapter 380, Local Government Code, provides to a
 4-43 municipality; and

4-44 (2) Subchapter A, Chapter 1509, Government Code,
 4-45 provides to a municipality.

4-46 Sec. 3900.114. PARKING FACILITIES. (a) The district may
 4-47 acquire, lease as lessor or lessee, construct, develop, own,
 4-48 operate, and maintain parking facilities or a system of parking
 4-49 facilities, including lots, garages, parking terminals, or other
 4-50 structures or accommodations for parking motor vehicles off the
 4-51 streets and related appurtenances.

4-52 (b) The district's parking facilities serve the public
 4-53 purposes of the district and are owned, used, and held for a public
 4-54 purpose even if leased or operated by a private entity for a term of
 4-55 years.

4-56 (c) The district's parking facilities are necessary
 4-57 components of a street and are considered to be a street or road
 4-58 improvement.

4-59 (d) The development and operation of the district's parking
 4-60 facilities may be considered an economic development program.

4-61 Sec. 3900.115. NO EMINENT DOMAIN POWER. The district may
 4-62 not exercise the power of eminent domain.

4-63 [Sections 3900.116-3900.150 reserved for expansion]

4-64 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

4-65 Sec. 3900.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The
 4-66 board by resolution shall establish the number of signatures and
 4-67 the procedure required for a disbursement or transfer of the
 4-68 district's money.

4-69 Sec. 3900.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.

5-1 The district may acquire, construct, finance, operate, or maintain
 5-2 an improvement project or service authorized under this chapter
 5-3 using any money available to the district.

5-4 Sec. 3900.153. RESIDENTIAL PROPERTY NOT EXEMPT. Section
 5-5 375.161, Local Government Code, does not apply to the district.

5-6 Sec. 3900.154. TAX AND ASSESSMENT ABATEMENTS. The district
 5-7 may designate reinvestment zones and may grant abatements of a tax
 5-8 or assessment on property in the zones.

5-9 [Sections 3900.155-3900.200 reserved for expansion]

5-10 SUBCHAPTER E. TAXES AND BONDS

5-11 Sec. 3900.201. BONDS AND OTHER OBLIGATIONS. (a) The
 5-12 district may issue bonds or other obligations payable wholly or
 5-13 partly from ad valorem taxes, assessments, impact fees, revenue,
 5-14 grants, or other money of the district, including revenue from a tax
 5-15 increment reinvestment zone created under Chapter 311, Tax Code, or
 5-16 any combination of those sources of money, to pay for any authorized
 5-17 purpose of the district.

5-18 (b) In exercising the district's borrowing power, the
 5-19 district may issue a bond or other obligation in the form of a bond,
 5-20 note, certificate of participation or other instrument evidencing a
 5-21 proportionate interest in payments to be made by the district, or
 5-22 other type of obligation.

5-23 Sec. 3900.202. APPROVAL BY CITY; BOND ISSUANCE PLAN. (a)
 5-24 Except as provided by Subsection (c), the district must obtain the
 5-25 approval of the city for:

5-26 (1) the issuance of bonds for an improvement project;
 5-27 (2) the plans and specifications of an improvement
 5-28 project financed by the bonds; and

5-29 (3) the plans and specifications of an improvement
 5-30 project related to the use of land owned by the city, an easement
 5-31 granted by the city, or a right-of-way of a street, road, or
 5-32 highway.

5-33 (b) The district may not issue bonds until the governing
 5-34 body of the city approves a bond issuance plan authorizing and
 5-35 setting forth the limitations on the issuance of the bonds.

5-36 (c) If the district obtains the approval of the city of a
 5-37 capital improvements budget for a period not to exceed five years,
 5-38 the district may finance the capital improvements and issue bonds
 5-39 specified in the budget without further approval from the city.

5-40 Sec. 3900.203. ELECTIONS REGARDING TAXES OR BONDS. (a) The
 5-41 district may issue, without an election, bonds and other
 5-42 obligations payable from any source other than ad valorem taxation.

5-43 (b) The district must hold an election to obtain voter
 5-44 approval before the district may impose an ad valorem tax or issue
 5-45 bonds payable from ad valorem taxes.

5-46 (c) Section 375.243, Local Government Code, does not apply
 5-47 to the district.

5-48 (d) The district may not issue bonds payable from ad valorem
 5-49 taxes to finance a road project unless the issuance is approved by a
 5-50 vote of a two-thirds majority of the district voters voting at an
 5-51 election held for that purpose.

5-52 Sec. 3900.204. OPERATION AND MAINTENANCE TAX. (a) If
 5-53 authorized at an election, the district may impose an operation and
 5-54 maintenance tax in accordance with Section 49.107, Water Code.

5-55 (b) The board shall determine the tax rate. The rate may not
 5-56 exceed the rate approved at the election.

5-57 Sec. 3900.205. CONTRACT TAXES. (a) In accordance with
 5-58 Section 49.108, Water Code, the district may make payments under a
 5-59 contract from taxes other than operation and maintenance taxes
 5-60 after the provisions of the contract have been approved by a
 5-61 majority of the district voters voting at an election held for that
 5-62 purpose.

5-63 (b) A contract approved by the district voters may contain a
 5-64 provision stating that the contract may be modified or amended by
 5-65 the board without further voter approval.

5-66 Sec. 3900.206. TAXES FOR BONDS. (a) At the time the
 5-67 district issues bonds payable from ad valorem taxes, the board
 5-68 shall impose a continuing direct annual ad valorem tax, without
 5-69 limit as to rate or amount, as required by Section 54.601, Water

6-1 Code.

6-2 (b) The board shall annually impose the tax while all or
6-3 part of the bonds are outstanding. Sections 54.601 and 54.602,
6-4 Water Code, govern the amount and rate of the tax.

6-5 Sec. 3900.207. BONDS FOR ROAD PROJECTS. At the time of
6-6 issuance, the total principal amount of bonds or other obligations
6-7 issued or incurred to finance road projects may not exceed
6-8 one-fourth of the assessed value of the real property in the
6-9 district.

6-10 Sec. 3900.208. PROJECT DEVELOPMENT AGREEMENT REQUIRED TO
6-11 IMPOSE TAXES OR BORROW MONEY, INCLUDING BONDS. Before the district
6-12 may issue bonds, impose taxes, impose assessments, or borrow money,
6-13 the district and the city must negotiate and execute a mutually
6-14 approved and accepted project development agreement regarding the
6-15 development plans and rules for:

6-16 (1) the development and operation of the district; and

6-17 (2) the financing of improvement projects.

6-18 SECTION 2. The Montecillo Municipal Management District No.
6-19 1 initially includes all the territory contained in the following
6-20 area:

6-21 TRACT 1

6-22 A parcel of land being a portion of Tract 1, John Barker
6-23 Survey No. 10 and a portion of Montecillo Unit Three Amending Plat
6-24 as recorded in clerks file no. 20090065237, City of El Paso, El Paso
6-25 County, Texas, and being more particularly described by metes and
6-26 bounds as follows:

6-27 COMMENCING for reference at a found 1" pipe in concrete
6-28 marked "NE 10" for the northeast corner of John Barker Survey No.
6-29 10; from which a found pipe for the northwest corner of John Baker
6-30 Survey No. 10 bears North 89°10'00" West a distance of 2,596.86
6-31 feet; thence from said northeast corner of John Baker No. 10, North
6-32 89°10'00" West a distance of 978.66 feet to a point on the westerly
6-33 line of Lot 2, Block 2, Montecillo Unit Three Amending for the "TRUE
6-34 POINT OF BEGINNING";

6-35 THENCE along the westerly line of Lot 2, Block 2, Montecillo
6-36 Unit Three Amending Plat the following courses; South 05°24'34" West
6-37 a distance of 178.31 feet to a point; South 18°45'13" West a distance
6-38 of 133.53 feet to a point; South 09°53'25" West a distance of 133.88
6-39 feet to a point; South 10°01'41" West a distance of 124.87 feet to a
6-40 point; South 05°56'36" West a distance of 54.88 feet to a point;
6-41 South 10°14'52" East a distance of 95.04 feet to a point; South
6-42 01°18'09" West a distance of 49.46 feet to a point; South 11°35'01"
6-43 West a distance of 71.13 feet to a point; South 15°50'34" East a
6-44 distance of 206.33 feet to a point; South 06°49'19" East a distance
6-45 of 46.74 feet to a point; South 01°32'51" West a distance of 152.97
6-46 feet to a point; South 06°11'09" East a distance of 156.42 feet to a
6-47 point; South 49°10'11" East a distance of 212.37 feet to a point on
6-48 the northwesterly right-of-way line of Montecillo Blvd.;

6-49 THENCE along said right-of-way line 64.94 feet along the arc
6-50 of a curve to the left which has a radius of 1045.00 feet a central
6-51 angle of 03°33'29" a chord which bears North 15°30'36" East a
6-52 distance of 64.93 feet to a point;

6-53 THENCE along said right-of-way line North 13°43'46" East a
6-54 distance of 67.75 feet to a point of curve;

6-55 THENCE along said right-of-way line 450.97 feet along the arc
6-56 of a curve to the right which has a radius of 860.00 feet a central
6-57 angle of 30°02'42" a chord which bears North 28°45'07" East a
6-58 distance of 445.82 feet to a point;

6-59 THENCE along said right-of-way line North 43°46'28" East a
6-60 distance of 10.23 feet to a point of curve;

6-61 THENCE along said right-of-way line 213.50 feet along the arc
6-62 of a curve to the right which has a radius of 1068.00 feet a central
6-63 angle of 01°27'14" a chord which bears North 49°30'05" East a
6-64 distance of 213.15 feet to a point on the intersection of the
6-65 westerly line of Montecillo Unit Two and the northerly right-of-way
6-66 line of Montecillo Blvd.;

6-67 THENCE along the northerly right-of-way line of Montecillo
6-68 Blvd., 200.54 feet along the arc of a curve to the right which has a
6-69 radius of 1068.00 feet a central angle of 10°45'30" a chord which

7-1 bears North 60°36'28" East a distance of 200.24 feet to a point;
7-2 THENCE along said right-of-way line North 65°59'13" East a
7-3 distance of 56.37 feet to a point of curve;
7-4 THENCE 39.27 feet along the arc of a curve to the left which
7-5 has a radius of 25.00 feet a central angle of 89°59'44" a chord which
7-6 bears North 20°59'21" East a distance of 35.35 feet to a point on the
7-7 westerly right-of-way line of Mesa Street (U.S. 80);
7-8 THENCE along said right-of-way line South 24°00'31" East a
7-9 distance of 160.00 feet to a point;
7-10 THENCE leaving said right-of-way line 39.27 feet along the
7-11 arc of a curve to the left which has a radius of 25.00 feet a central
7-12 angle of 90°00'16" a chord which bears North 69°00'39" West a
7-13 distance of 35.36 feet to a point on the southerly right-of-way line
7-14 of Montecillo Blvd.;
7-15 THENCE along said right-of-way line South 65°59'13" West a
7-16 distance of 56.35 feet to a point;
7-17 THENCE 371.40 feet along the arc of a curve to the left which
7-18 has a radius of 958.00 feet a central angle of 22°12'45" a chord
7-19 which bears South 54°52'51" West a distance of 369.08 feet to a point
7-20 on the westerly line of Montecillo Unit One;
7-21 THENCE along said line South 28°33'14" East a distance of
7-22 538.18 feet to a point on the southerly line of Montecillo Unit One;
7-23 THENCE along said line North 63°20'17" East a distance of
7-24 269.84 feet to a point on the easterly line of Montecillo Unit
7-25 Three;
7-26 THENCE along said line South 00°46'50" West a distance of
7-27 953.90 feet to a point on the southerly line of Montecillo Unit
7-28 Three;
7-29 THENCE along said line North 82°25'27" West a distance of
7-30 1051.35 feet to a point on the easterly right-of-way line of
7-31 Montecillo Blvd.;
7-32 THENCE 152.54 feet along the arc of a curve to the left which
7-33 has a radius of 2144.12 feet a central angle of 04°04'34" a chord
7-34 which bears South 17°58'17" West a distance of 152.50 feet to a
7-35 point;
7-36 THENCE leaving said right-of-way line North 82°25'27" West a
7-37 distance of 111.12 feet to a point on the westerly right-of-way line
7-38 of Montecillo Blvd.;
7-39 THENCE along said right-of-way line 152.29 feet along the arc
7-40 of a curve to the right which has a radius of 2254.12 feet a central
7-41 angle of 03°52'15" a chord which bears North 17°27'29" East a
7-42 distance of 152.26 feet to a point;
7-43 THENCE leaving said right-of-way line Montecillo 82°25'27"
7-44 West a distance of 1452.81 feet to a point on the westerly line of
7-45 Montecillo Unit Three Amending;
7-46 THENCE along said line North 00°49'12" East passing the
7-47 northerly line of Block 6 of Montecillo Unit Three at a distance of
7-48 1113.33 feet a total distance of 2051.92 feet to a point on the
7-49 northerly line of John Barker Survey No.10;
7-50 THENCE along said line South 89°10'00" East a distance of
7-51 1618.20 feet to the "TRUE POINT OF BEGINNING" and containing 101.97
7-52 acres of land more or less.
7-53 TRACT 2
7-54 A parcel of land being Tracts 6 and 7, I.F. Harrison Survey
7-55 No. 54, Tracts 3 and 3A, J. Barker Survey No. 10, and Tract 4F2B,
7-56 A. F. Miller Survey No. 215, City of El Paso, El Paso County, Texas,
7-57 and being more particularly described by metes and bounds as
7-58 follows:
7-59 COMMENCING for reference at a found chiseled "X" at the most
7-60 easterly corner of Rubin Heights Unit Two Replat "A" Amending Plat
7-61 recorded in Volume 75, Page 53 of the El Paso County Plat Records,
7-62 from which a found city monument disk at the intersection of
7-63 Suncrest Drive and Rubin Drive bears, North 00°27'58" West a
7-64 distance of 534.99 feet, said chiseled "X" being the "TRUE POINT OF
7-65 BEGINNING".
7-66 THENCE along the westerly right-of-way extension of Suncrest
7-67 Drive described as northeasterly line of Tract 6, I.F. Harrison
7-68 Survey No. 54 recorded in Book 3019, Page 1895 with the El Paso
7-69 County Deed Records, 378.95 feet (379.09 feet, Bk. 3019, Pg. 1895)

8-1 along the arc of a curve to the left which has a radius of 695.00
8-2 feet, a central angle of 31°14'25" (31°15'08", Bk. 3019, Pg. 1895),
8-3 and a chord which bears South 36°00'23" East (South 36°02'41" East,
8-4 Bk. 3019, Pg. 1895) a distance of 374.27 feet (374.41 feet, Bk.
8-5 3019, Pg. 1895) to a set 1/2" rebar with cap "5152" at a point of
8-6 tangency;

8-7 THENCE along said right-of-way extension, South 51°37'35"
8-8 East (South 51°40' 15" East, Bk. 3019, Pg. 1895) a distance of 90.00
8-9 feet to a found 5/8" rebar with cap "2998" at the common line
8-10 between Tract 7 and Tract 6;

8-11 THENCE with the westerly line of Tract 7, I.F. Harrison
8-12 Survey No. 54 described in Book 3019, Page 1895 with the El Paso
8-13 County Deed Records, North 38°22'25" East (North 38°19'45" East, Bk.
8-14 3019, Pg. 1895) a distance of 35.00 feet to a found 5/8" rebar with
8-15 cap "2998" at the centerline extension of Suncrest Drive;

8-16 THENCE with said centerline extension, North 51°37'35" West
8-17 (North 51°40'15" West, Bk. 3019, Pg. 1895) a distance of 90.00 feet
8-18 to a set 1/2" rebar with cap "5152" at a point of curvature;

8-19 THENCE with said centerline extension, 360.00 feet along the
8-20 arc of a curve to the right which has a radius of 660.00 feet, a
8-21 central angle of 31°15'08", and a chord of 355.55 feet that bears
8-22 North 36°00'01" West (North 36°02'41" West, Bk. 3019, Pg. 1895) to a
8-23 set 1/2" rebar with cap "5152";

8-24 THENCE leaving said centerline, North 69°37'36" East (North
8-25 69°34'53" East, Bk. 3019, Pg. 1895) a distance of 35.00 feet to a set
8-26 1/2" rebar with cap "5152" at the southwesterly corner of Lot 1,
8-27 Block 2, Ruben Heights Unit One recorded in Volume 37, Page 8 with
8-28 the El Paso County Plat Records;

8-29 THENCE with the southerly line of said lot, North 85°08'41"
8-30 East (North 85°04'36" East, Bk. 3019, Pg. 1895) a distance of 665.73
8-31 feet (665.94 feet, Bk. 3019, Pg. 1895) to a set 1/2" rebar with cap
8-32 "5152";

8-33 THENCE continuing with the southerly line of said lot, North
8-34 68°51'17" East (North 68°47'14" East, Bk. 3019, Pg. 1895) a distance
8-35 of 480.17 feet to a set 1/2" rebar with cap "5152" at the common line
8-36 between I.F. Harrison No. 54 and A.F. Miller Survey No. 215, from
8-37 which a found 5/8" rebar with cap "2998" bears North 02°08'52" East a
8-38 distance of 0.64 feet;

8-39 THENCE with said common line, North 00°50'42" East (North
8-40 00°48'15" East, Bk. 3019, Pg. 1895) a distance of 23.28 feet to a
8-41 found 5/8" rebar, from which a found 5/8" rebar with cap "2998"
8-42 bears South 27°21'08" East a distance of 0.12 feet;

8-43 THENCE continuing with said common line, North 00°48'05" East
8-44 (North 00°45'38" East, Bk. 3019, Pg. 1895) a distance of 22.00 feet
8-45 to a set 1/2" rebar with cap "5152" on the southerly line of Fiesta
8-46 Hills Addition Unit Three recorded in Volume 19, Page 28 with the El
8-47 Paso County Plat Records;

8-48 THENCE along the southerly line of said Fiesta Hills Addition
8-49 Unit Three, North 77°12'38" East (North 77°10'11" East, Bk. 3019, Pg.
8-50 1895) a distance of 1463.16 feet (1463.37 feet, Bk. 3019, Pg. 1895)
8-51 to a point on the westerly line of Fiesta Hills Addition Unit Four
8-52 recorded in Volume 52, Page 11, of the El Paso County Plat Records,
8-53 from which a found 5/8" rebar with cap "2998" bears North 57°53'10"
8-54 East a distance of 0.33 feet, and from which a found city monument
8-55 disk set for the centerline intersection of Festival Drive and
8-56 Carousel Drive, bears North 46°02'23" East a distance of 373.89
8-57 feet;

8-58 THENCE with said westerly line, South 00°48'00" West (South
8-59 00°46'56" West, Bk. 3019, Pg. 1895) a distance of 260.73 feet
8-60 (260.49 feet, Bk. 3019, Pg. 1895) to a set 1/2" rebar with cap
8-61 "5152" at the southwest corner of Lot 36, Block 3, Fiesta Hills
8-62 Addition Unit Four;

8-63 THENCE with the south line of said Lot 36, South 89°55'57"
8-64 East (South 89°57'01" East, Bk. 3019, Pg. 1895) a distance of 153.24
8-65 feet to a point on the northerly right-of-way of New Orleans Drive,
8-66 from which a found 5/8" rebar with cap "2998" bears North 37°19'09"
8-67 East a distance of 0.34 feet;

8-68 THENCE South 00°04'03" West (South 00°02'59" West, Bk. 3019,
8-69 Pg. 1895) a distance of 171.00 feet (171.16 feet, Bk. 3019, Pg.

9-1 1895) to a set 1/2" rebar with cap "5152" at the north line of Tract
 9-2 1, J. Barker Survey No. 10 as described by Book 1177, Page 0599
 9-3 recorded with the El Paso County Deed Records;
 9-4 THENCE along said north line, North 89°10'00" West
 9-5 (Montecillo 89°13'04" West, Bk. 3019, Pg. 1895) a distance of 633.05
 9-6 feet (633.30 feet, Bk. 3019, Pg. 1895) to a found brass cap at the
 9-7 northwesterly corner of said Tract 1;
 9-8 THENCE along the west line of said Tract 1, South 00°49'12"
 9-9 West (South 00°46'16" West, Bk. 3019, Pg. 1895) passing a found nail
 9-10 in rock for the southeasterly corner of Tract 3A, J. Barker Survey
 9-11 No. 10 at 1143.91 feet a total distance of 1976.87 feet to a set 1/2"
 9-12 rebar with cap "5152" at the southeast corner of Tract 3, J. Barker
 9-13 Survey No. 10 recorded in Book 3712, Page 1055 and the northerly
 9-14 line of 175 foot El Paso Electric Company right-of-way as described
 9-15 by Book 1357, Page 385, Book 1324, Page 273, and Book 552, Page 446,
 9-16 recorded with the El Paso County Deed Records, from which a found
 9-17 E.P.E.C. brass cap bears South 00°49' 12" West a distance of 75.05
 9-18 feet;
 9-19 THENCE South 88°42'39" West (South 87°59' West, Bk. 1357, Pg.
 9-20 385) a distance of 731.43 feet to a set 1/2" rebar with cap "5152" at
 9-21 the easterly right-of-way line of Interstate Highway No.10 as per
 9-22 R.O.W. Map Control No. 2121, Sect. 2, Job No. 27, from which a found
 9-23 TX.D.O.T. brass cap bears South 52°28'48" East a distance of 0.50
 9-24 feet;
 9-25 THENCE along said right-of-way line, North 37°37'35" West
 9-26 (North 34°27'12" West, Control No. 2121, Sect. 2, Job No. 27) a
 9-27 distance of 86.51 feet (87.29 feet, Book 3712, Page 1055) to a found
 9-28 TX.D.O.T. brass cap;
 9-29 THENCE along said right-of-way line, North 53°33'34" West
 9-30 (North 50°22'46" West, Control No. 2121, Sect. 2, Job No. 27) a
 9-31 distance of 1031.67 feet (1030.12 feet, Control No. 2121, Sect. 2,
 9-32 Job No. 27) to a found TX.D.O.T. brass cap;
 9-33 THENCE along said right-of-way, North 73°22'05" West (North
 9-34 70°10'33" West, Control No. 2121, Sect. 2, Job No. 27) a distance of
 9-35 596.01 feet (595.93 feet, Control No. 2121, Sect. 2, Job No. 27) to
 9-36 a found TX.D.O.T. brass cap;
 9-37 THENCE along said right-of-way line, North 89°50'45" West
 9-38 (North 86°38'04" West, Control No. 2121, Sect. 2, Job No. 27)
 9-39 passing a found TX.D.O.T. brass cap at 804.85 feet and a total
 9-40 distance of 1156.06 feet (1158.22 feet, Control No. 2121, Sect. 2,
 9-41 Job No. 27) to a set 1/2" rebar with cap "5152" at the intersection
 9-42 of said right-of-way and the southeasterly line of Ruben Heights
 9-43 Unit Two Replat "A" Amending Plat, from which a found 5/8" rebar
 9-44 with cap "2998" bears North 85°05'11" West a distance of 2.31 feet
 9-45 to;
 9-46 THENCE along said southeasterly line, North 57°42'45" East
 9-47 (North 57°42'12" East, Vol. 75, Pg. 53) a distance of 364.55 feet
 9-48 (364.33 feet, Vol. 75, Pg. 53) to a found 5/8" rebar with cap
 9-49 "2998";
 9-50 THENCE along said southeasterly line, South 21°57'44" East
 9-51 (South 21°58'17" East, Vol. 75, Pg. 53) a distance of 51.42 feet
 9-52 (51.56 feet, Book. 3019, Page 1895) to a found 5/8" rebar with cap
 9-53 "2998" at a point of inverse;
 9-54 THENCE along said southeasterly line, North 48°10'04" East
 9-55 (North 48°09'31" East, Vol. 75, Pg. 53) a distance of 949.15 feet
 9-56 (Book 3019, Page 1895) to a set 1/2" rebar with cap "5152";
 9-57 THENCE along said southeasterly line, North 53°40'20" East
 9-58 (North 53°39'47" East, Vol. 75, Pg. 53) a distance of 265.80 feet
 9-59 (263.78 feet, Vol. 75, Pg. 53) to the "TRUE POINT OF BEGINNING" and
 9-60 containing in all 4,325,020.78 square feet or 99.2888 acres of land
 9-61 more or less.
 9-62 TRACT 3
 9-63 A parcel of land being Tract 4, J. Barker Survey No. 10, City
 9-64 of El Paso, El Paso County, Texas, and being more particularly
 9-65 described by metes and bounds as follows:
 9-66 COMMENCING for reference at a found brass disk marking the
 9-67 northeast corner of Tract 3A, John Barker Survey No. 10, thence
 9-68 along the line between Tracts 1 and 3, John Barker Survey No. 10,
 9-69 South 00°49'08" West a distance of 2252.05 feet to a set 1/2" rebar

10-1 with cap "5152" set for the northeasterly corner of Tract 4 as
 10-2 described in Book 3712, Page 1055, from which a found E.P.E.C. brass
 10-3 cap bears North 00°48'24" East a distance of 200.13 feet;

10-4 THENCE along the easterly line of said Tract 4, South
 10-5 00°48'24" West (South 00°01'45" West, Bk. 3712, Pg. 1055) a distance
 10-6 of 1283.08 feet (1283.47 feet, Bk. 3712, Pg. 1055) to a found
 10-7 TX.D.O.T. sheared concrete monument at the easterly right-of-way
 10-8 line of Interstate 10 as per R.O.W. Map Control No. 2121, Sect. 2,
 10-9 Job No. 27;

10-10 THENCE with said right-of-way line, North 21°16'42" West
 10-11 (North 18°07'32" West, Control No. 2121, Sect. 2, Job No. 27) a
 10-12 distance of 663.74 feet (661.79 feet, Control No. 2121, Sect. 2, Job
 10-13 No. 27) to a found TX.D.O.T. brass cap;

10-14 THENCE with said right-of-way line, North 71°39'13" East
 10-15 (North 71°52'28" East, Control No. 2121, Sect. 2, Job No. 27) a
 10-16 distance of 49.73 feet (50.00 feet, Control No. 2121, Sect. 2, Job
 10-17 No. 27) to a found TX.D.O.T. brass cap;

10-18 THENCE with said right-of-way line, North 21°53'42" West
 10-19 (North 18°39'33" West, Control No. 2121, Sect. 2, Job No. 27) a
 10-20 distance of 537.26 feet (536.77 feet, Control No. 2121, Sect. 2, Job
 10-21 No. 27) to a found TX.D.O.T. brass cap;

10-22 THENCE with said right-of-way line, North 37°37'35" West
 10-23 (North 34°27'12" West, Control No. 2121, Sect. 2, Job No. 27) a
 10-24 distance of 175.03 feet (175.26 feet, Control No. 2121, Sect. 2, Job
 10-25 No. 27) to a point the southerly line of 175 foot El Paso Electric
 10-26 Company right-of-way as described by Book 1357, Page 385, Book
 10-27 1324, Page 273, and Book 552, Page 446, recorded with the El Paso
 10-28 County Deed Records, from which a found 1/2" rebar bears North
 10-29 30°35'53" West a distance of 0.23 feet;

10-30 THENCE leaving said right-of-way line, North 88°42'39" East
 10-31 (North 87°59'00" East, Bk. 1324, Pg. 273) a distance of 519.06 feet
 10-32 to the "TRUE POINT OF BEGINNING" and containing in all 300,801.16
 10-33 square feet or 6.9054 acres of land, more or less.

10-34 TRACT 4

10-35 Description of a parcel of land being a Tract 21, John Barker
 10-36 Survey No. 10 and Tract 4A and a portion of Tract 6A, A.F. Miller
 10-37 Survey No. 216, City of El Paso, El Paso County, Texas and being
 10-38 more particularly described by metes and bounds as follows:

10-39 COMMENCING for reference at a found city monument at the
 10-40 centerline intersection of Argonaut Drive and Kingspoint Drive;
 10-41 thence North 89°09'56" East a distance of 51.83 feet to a point on
 10-42 the westerly boundary line of a 75 feet El Paso Electric Company
 10-43 right-of-way; thence along said right-of-way line North 00°50'04"
 10-44 West a distance of 620.02 feet to a set 1/2" rebar with cap marked TX
 10-45 5152 for the northeasterly corner of Tract 6G, A.F. Miller Survey
 10-46 No. 216 as described in Volume 2482, Page 1056, Real Property
 10-47 Records of El Paso County, Texas for The "TRUE POINT OF BEGINNING";

10-48 THENCE along the northerly boundary line of said Tract 6G the
 10-49 following three courses: South 89°09'56" West a distance of 676.83
 10-50 feet to a set 1/2" rebar with cap marked TX 5152; 209.44 feet along
 10-51 the arc of a curve to the left whose radius is 400.00 feet whose
 10-52 interior angle is 30°00'00" whose chord bears North 75°50'04" West a
 10-53 distance of 207.06 feet to a set 1/2" rebar with cap marked TX 5152;
 10-54 North 60°50'04" West a distance of 33.13 feet to a set 1/2" rebar
 10-55 with cap marked TX 5152 on the westerly boundary line of Tract 6G,
 10-56 A.F. Miller Survey No. 216;

10-57 THENCE along said boundary line South 29°09'56" West a
 10-58 distance of 204.43 feet to a set 1/2" rebar with cap marked TX 5152;

10-59 THENCE continuing along said boundary line South 18°01'00"
 10-60 East a distance of 575.39 feet to a set 1/2" rebar with cap marked TX
 10-61 5152 on the common boundary line of Tracts 6A and 6F, A.F. Miller
 10-62 Survey No. 216;

10-63 THENCE along the common boundary line of Tracts 6A and 6F,
 10-64 A.F. Miller Survey No. 216 the following seven courses: South
 10-65 60°09'56" West a distance of 427.00 feet to a set 1/2" rebar with cap
 10-66 marked TX 5152 from this point a found 1/2" rebar with cap marked TX
 10-67 2027 bears N 07°20'58" E a distance of 0.52 feet; South 58°48'50"
 10-68 West a distance of 114.48 feet to a set 1/2" rebar with cap marked TX
 10-69 5152 from this point a found 1/2" rebar with cap marked TX 2027

11-1 bears N 06°27'21" E a distance of 0.76 feet; South 41°09'56" West a
 11-2 distance of 115.13 feet to a set 1/2" rebar with cap marked TX 5152
 11-3 from this point a found 1/2" rebar with cap marked TX 2027 bears N
 11-4 15°03'01" W a distance of 0.61 feet; South 28°29'56" West a distance
 11-5 of 115.13 feet to a set 1/2" with cap marked TX 5152 from this point
 11-6 a found 1/2" rebar with cap marked TX 2027 bears N 04°41'02" W a
 11-7 distance of 0.71 feet; South 22°09'56" West a distance of 153.07
 11-8 feet to a set 1/2" rebar with cap marked TX 5152 from this point a
 11-9 found 1/2" rebar with cap marked TX 2027 bears N 22°17'52" W a
 11-10 distance of 0.54 feet; South 12°00'00" East a distance of 130.00
 11-11 feet to a set 1/2" rebar with cap marked TX 5152 from this point a
 11-12 found 1/2" rebar with cap marked TX 2027 bears N 07°22'45" W a
 11-13 distance of 0.78 feet; South 35°50'16" East a distance of 120.36
 11-14 feet to a set 1/2" rebar with cap marked TX 5152 on the common
 11-15 boundary line of Tract 6A and Lot 11, Block 1, Kings Hills;
 11-16 THENCE along said boundary line South 42°56'56" East a
 11-17 distance of 297.80 feet to a set 1/2" rebar with cap marked TX 5152;
 11-18 THENCE continuing along said boundary line South 60°31'49"
 11-19 East a distance of 150.09 feet to a set 1/2" rebar with cap marked TX
 11-20 5152 on the westerly right-of-way line of Argonaut Drive;
 11-21 THENCE along said right-of-way line South 31°26'17" West a
 11-22 distance of 43.20 feet to a set 1/2" rebar with cap marked TX 5152 on
 11-23 the southerly boundary line of Tract 6A, A.F. Miller Survey No. 216;
 11-24 THENCE along said boundary line North 89°28'41" West a
 11-25 distance of 551.99 feet to a set 1/2" rebar with cap marked TX 5152
 11-26 on the easterly right-of-way line of Mesa Street;
 11-27 THENCE along said right-of-way line the following three
 11-28 courses: North 33°51'53" West a distance of 483.84 feet to a set 1/2"
 11-29 rebar with cap marked TX 5152; North 22°47'47" West a distance of
 11-30 127.04 feet to a set 1/2" rebar with cap marked TX 5152; North
 11-31 15°17'53" West (N 14°43'47" W Vol. 1426, Pg. 1380) a distance of
 11-32 923.26 feet to a set nail with cap marked TX 5152 on face of rock
 11-33 wall;
 11-34 THENCE 31.42 feet along the arc of a curve to the left whose
 11-35 interior angle is 90°00'00" whose radius is 20.00 feet whose chord
 11-36 bears South 60°17'53" East a distance of 28.28 feet to a set nail
 11-37 with cap marked TX 5152 on face of rock wall on the common boundary
 11-38 line of Tract 4A, A.F. Miller Survey No. 216 and Mesa Hills Unit 15
 11-39 recorded in Volume 61, Page 66, Plat records of El Paso County,
 11-40 Texas;
 11-41 THENCE along said boundary line North 74°42'07" East (N
 11-42 75°16'56" E Vol. 61, Pg. 66) a distance of 97.77 feet to a set 1/2"
 11-43 rebar with cap marked TX 5152 on the easterly boundary line of Mesa
 11-44 Hills Unit 15;
 11-45 THENCE along the easterly boundary line of Mesa Hills Unit 15
 11-46 the following six courses: North 00°15'38" East (N 00°50'27" E Vol.
 11-47 61, Pg. 66) a distance of 747.02 feet to a set 1/2" rebar with cap
 11-48 marked TX 5152; 68.76 feet along the arc of a curve to the left whose
 11-49 interior angle is 13°07'54" whose radius is 300.00 feet whose chord
 11-50 bears North 27°11'01" East a distance of 68.61 feet to a set 1/2"
 11-51 rebar with cap marked TX 5152; North 20°37'09" East (N 21°11'58" E
 11-52 Vol. 61, Pg. 66) a distance of 33.96 feet to a found 1/2" rebar with
 11-53 cap marked TX 2027; 101.08 feet along the arc of a curve to the right
 11-54 whose interior angle is 18°14'24" whose radius is 317.50 feet whose
 11-55 chord bears North 29°44'21" East a distance of 100.65 feet to a set
 11-56 1/2" rebar with cap marked TX 5152;
 11-57 North 38°51'30" East (N 39°26' 19" E Vol. 61, Pg. 66) a
 11-58 distance of 334.47 feet to a set 1/2" rebar with cap marked TX 5152;
 11-59 39.51 feet along the arc of a curve to the left whose interior angle
 11-60 is 07°32'47" whose radius is 300.00 feet whose chord bears North
 11-61 35°05'07" East a distance of 39.48 feet to a set 1/2" rebar with cap
 11-62 marked TX 5152;
 11-63 THENCE South 89°43'19" East (S 89°08'30" W Vol. 76, Pg. 48) a
 11-64 distance of 1730.88 feet to a set 1/2" rebar with cap marked TX 5152
 11-65 on the westerly boundary line of a 75 foot El Paso Electric Company
 11-66 right-of-way;
 11-67 THENCE along said right-of-way line South 00°50'04" East a
 11-68 distance of 814.44 feet to the "TRUE POINT OF BEGINNING" and
 11-69 containing 72.28 acres of land more or less.

12-1 TRACT 5

12-2 A parcel of land being of Tract 6A, NKA Tract 6G, A.F. Miller
12-3 Survey No. 216 and Lot 1, Block 36, Kings Hill Replat, City of El
12-4 Paso, El Paso County, Texas and being more particularly described
12-5 by metes and bounds as follows:

12-6 COMMENCING for reference at a found city monument at the
12-7 centerline intersection of Argonaut Drive and Kingspoint Drive
12-8 thence along the centerline of Kingspoint Dr., South 89°09'56" West
12-9 a distance of 150.00 feet to a point; thence leaving said centerline
12-10 North 00°50'04" West a distance of 30.00 feet to a point on the
12-11 northerly right-of-way line of Kingspoint Dr. for The "TRUE POINT
12-12 OF BEGINNING";

12-13 THENCE leaving said right-of-way line North 00°50'04" West a
12-14 distance of 151.58 feet to a point on the line between Tracts 6F and
12-15 6G;

12-16 THENCE along said line South 89°09'56" West a distance of
12-17 242.35 feet to a point;

12-18 THENCE along said line South 60°09'56" West a distance of
12-19 450.00 feet to a point on the line between Tracts 6A and 6G, A.F.
12-20 Miller Survey No. 216;

12-21 THENCE along said line North 18°01'00" West a distance of
12-22 575.39 feet to a point;

12-23 THENCE along said line North 29°09'56" East a distance of
12-24 204.43 feet to a point;

12-25 THENCE along said line South 60°50'04" East a distance of
12-26 33.13 feet to a point;

12-27 THENCE along said line 209.44 feet along the arc of a curve to
12-28 the left whose interior angle is 30°00'00" whose radius is 400.00
12-29 feet whose chord bears South 75°50'04" East a distance of 207.06
12-30 feet;

12-31 THENCE along said line North 89°09'56" East a distance of
12-32 676.83 feet to a point;

12-33 THENCE leaving said line South 00°50'04" East a distance of
12-34 68.61 feet to a point;

12-35 THENCE South 89°02'02" West a distance of 1.83 feet to a point
12-36 on the easterly line of Lot 1, Block 9, Kings Hill Replat;

12-37 THENCE along said line South 00°50'04" East a distance of
12-38 501.39 feet to a point on the northerly right-of-way line of
12-39 Kingspoint Dr.;

12-40 THENCE along said right-of-way line South 89°09'56" West a
12-41 distance of 80.00 feet to a point;

12-42 THENCE along said right-of-way line 31.42 feet along the arc
12-43 of a curve to the left whose interior angle is 90°00'00" whose radius
12-44 is 20.00 feet whose chord bears South 44°09'56" West a distance of
12-45 28.28 feet;

12-46 THENCE along said right-of-way line South 89°09'56" West a
12-47 distance of 100.00 feet to the "TRUE POINT OF BEGINNING" and
12-48 containing 11.626 acres of land more or less.

12-49 SECTION 3. (a) The legal notice of the intention to
12-50 introduce this Act, setting forth the general substance of this
12-51 Act, has been published as provided by law, and the notice and a
12-52 copy of this Act have been furnished to all persons, agencies,
12-53 officials, or entities to which they are required to be furnished
12-54 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
12-55 Government Code.

12-56 (b) All requirements of the constitution and laws of this
12-57 state and the rules and procedures of the legislature with respect
12-58 to the notice, introduction, and passage of this Act have been
12-59 fulfilled and accomplished.

12-60 SECTION 4. This Act takes effect September 1, 2011.

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