

9371

QUIT-CLAIM DEED

THE STATE OF TEXAS)
COUNTY OF EL PASO)

KNOW ALL MEN BY THESE PRESENTS: THAT

The City of El Paso, a municipal corporation duly organized and existing under the laws of the State of Texas and situated within the County of El Paso and State of Texas, for and in consideration of the benefits derived and to be derived by the said City and all of the residents thereof by the operation and maintenance by the United States of America and its successors and assigns of the Franklin Canal of the Rio Grande Reclamation Project and pursuant to the provisions of that certain

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act of the 45th Legislature of Texas, Chapter 77, (1937) and ordinance of said City duly enacted and approved on the *9th* day of *January*, 1939, does by these presents Bargain, Sell, Release and Forever Quit-Claim and confirm unto the said United States of America, pursuant to the Act of June 17, 1902 (32 Stat., 388), and acts amendatory thereof and supplementary thereto, its successors and assigns, all its right, title and interest in and to that tract or parcel of land lying in the County of El Paso, and State of Texas, described as follows, to-wit:

Correct as to Engr. Data *Q. Q. A.*

All parts of streets, alleys and intersections, or any other lands owned by the City of El Paso, within the limits of the following described right-of-way: Beginning at the headgates of said Franklin Canal as constructed in 1914 and enlarged in 1921 by the Bureau of Reclamation; thence to and across the Riverside Drive or Levee Road over land acquired by the United States for the headworks of said canal; thence following along the north or east bank of the Rio Grande over right-of-way acquired by the El Paso Irrigation Company from H. B. Stevens et al. to a point 3,610 feet below the headgates measured on the center line of the canal, being the end of the concrete lined section, 25 feet on each side of the center line of said canal; thence continuing along the north or east bank of the Rio Grande over said acquired right-of-way to Eighth Street 40 feet on each side of the center line of said canal, together with all wasteway or sluiceway channels leading from the canal into the river; thence along Eighth Street to and into property known as the Cotton Estate, a concrete lined section 13 feet on each side of the center line of said canal; thence turning and continuing northeasterly through said Cotton Estate to the intersection of Williams and East San Antonio Streets 50 feet on each side of the center line of said canal; thence along East San Antonio Street over right-of-way acquired by the El Paso Irrigation Company from the Bassett Addition to Piedras Street 35 feet on each side of the center line of said canal; thence continuing along East San Antonio Street and turning

into an alley between Rivera Street and East San Antonio Street to Stevens Street over right-of-way acquired by the El Paso Irrigation Company from the East El Paso Addition 35 feet on each side of the center line of said canal; thence continuing along said alley and turning into Boone Avenue 35 feet on each side of the center line of said canal; thence south along Boone Avenue a distance of approximately 900 feet, and 40 feet on each side of the center line of said canal; thence turning easterly through Washington Park over right-of-way acquired by the El Paso Irrigation Company from J. B. Leahy, and extending on to the city limits, being 40 feet on each side of the center line of said canal; reserving to the said City of El Paso the right to use as a part of the City street system of said city all bridges heretofore constructed by the Bureau of Reclamation of the United States at the points on said canal where the same is intersected by the following described streets, alleys or other crossings: S. Santa Fe St., S. El Paso St., S. Oregon St., S. Mesa Ave., S. Stanton St., S. Kansas St., S. Campbell St., S. Florence St., S. Ochoa St., S. Virginia St., S. St. Vrain St., Hills St., Tays St., Park St., Fourth St., First St., Laurel St., Eucalyptus St., Willow St. Foot Bridge, S. Piedras St., S. Raynor St., S. Estrella St., S. Grama St., S. Stevens St., Hammett Boulevard, Boone Ave., Evergreen St. (In Washington Park), Washington Park East Road, Tobin Place, Alley East of Hadlock Place, Francis St., and Verde Ave.; provided, however, and this conveyance is subject to the condition that the United States shall be obligated to maintain the said bridges at the said described crossings contingent, however, upon appropriations being made therefor by Congress; and there is further reserved to the said City of El Paso the right to construct and maintain at its own cost and expense such additional bridges and other structures across said canal other than those hereinabove designated as it may deem necessary.

TO HAVE AND TO HOLD all its right, title, interest, estate and claim in and to the said premises, together with all and singular, the rights, privileges and appurtenances to the same in any manner belonging unto the

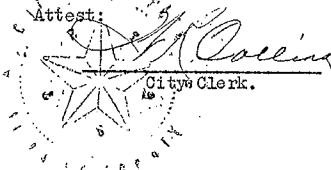
said United States of America, its successors and assigns, forever; provided, however, that if at any time in the future, the Secretary of the Interior of the United States of America or other duly authorized officer of the United States shall decide that said right-of-way or any part thereof is no longer needed for the operation of said canal or for irrigation purposes, then and in that event whatever rights or title the City of El Paso has by these presents conveyed to the United States as to such part thereof shall thereupon revert to the said City of El Paso and the obligation of the United States under the conditions of this conveyance to maintain any bridge or bridges situated on such part thereof so reverting to the City of El Paso shall thereupon terminate, but any such reverter shall leave unaffected whatever right, title or interest the United States may have or acquire in or to said hereinabove described premises other than by virtue of this conveyance.

IN WITNESS WHEREOF the said City of El Paso has caused these presents to be executed and subscribed by its Mayor and attested by its Clerk this 9th day of November, A. D. 1939.

THE CITY OF EL PASO

By J. E. Anderson
Mayor.

Attest:

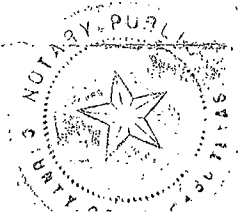


THE STATE OF TEXAS)
COUNTY OF EL PASO)

BEFORE ME, a Notary Public in and for El Paso County, Texas, on this day personally appeared J. E. Anderson, Mayor of the City of El Paso, a municipal corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the Act of the said City of El Paso, a municipal corporation, and that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND and seal of office, this 9th day of November, A. D. 1939.

J. E. Anderson
Notary Public in and for
El Paso County, Texas.



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L.C.D.
S. C. P. Co. City of
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UNITED STATES OF AMERICA

FILED FOR RECORD

FEB 20 1940
AT 4:15 o'clock P.M.

AND RECORDED

FEB 23 1940
AT 8:26 o'clock A.M.

P. D. LOWRY, County Clerk

BY W. L. Lawrence DEPUTY

11/9/39