

File #000189
PSB/PCW10
LAND SWAP

SPECIAL WARRANTY DEED

Date: May 13, 1998

Grantor: El Paso County Water Improvement District Number One, a political subdivision of the State of Texas organized and existing pursuant to Article XVI, Section 59 of the constitution of the State of Texas.

Grantor's Mailing Address (including county): 294 Candelaria
El Paso, Texas
El Paso County, Texas 79907-5599

Grantee: The City of El Paso, Texas, a Texas municipal corporation

Grantee's Mailing Address (including county): Two Civic Center Plaza
El Paso, Texas
El Paso County, Texas 79901-1196

Consideration: This deed is given in exchange for and in sole consideration for a deed of even date herewith from the Grantee to the Grantor, delivery of which deed is hereby acknowledged.

Property (including any improvements):

PARCEL 1

Being a portion of Tract 7, Block 53, YSLETA GRANT, in the City of El Paso, El Paso County, Texas, according to the resurvey of said YSLETA GRANT made by El Paso County, Texas, for tax purposes, and being more particularly described by metes and bounds in Exhibit "A", attached hereto and made a part hereof.

PARCEL 2

Being a portion of Block 53, YSLETA GRANT, in the City of El Paso, El Paso County, Texas, according to the resurvey of said YSLETA GRANT made by El Paso County, Texas, for tax purposes, and being more particularly described by metes and bounds in Exhibit "B" attached hereto and made a part hereof.

PARCEL 3

Being the description Lateral located in Tract 5, Block 53, YSLETA GRANT, in the City of El Paso, El Paso County, according to the resurvey of said YSLETA GRANT made by El Paso County, Texas, for tax purposes, and being more particularly described by metes and bounds in Exhibit "C" attached hereto and made a part hereof.

and

PARCEL 4

Being a portion of Southside Feeder and a portion of Socorro Intercepting Drain, located in Blocks 52 and 53, YSLETA GRANT, in the City of El Paso, El Paso County, Texas, according to the resurvey of said YSLETA GRANT made by El Paso County, Texas, for tax purposes, and being more particularly described by metes and bounds in Exhibit "D" attached hereto and made a part hereof.

This deed is subject to the following terms, conditions, provisions, easements and reservations and to the reservation of water rights and all other provisions, easements and reservations set out in Deed Without Warranty filed in Volume 3002, Page 1025, Real Property Records, El Paso County, Texas, from THE UNITED STATES OF AMERICA:

Easement to EL PASO ELECTRIC COMPANY in Volume 1962, Page 1405, Real Property Records, El Paso County, Texas.

License Agreement and the effects thereof, if any, on this property, as filed in Volume 2673, Page 1722, Real Property Records, El Paso County, Texas, from THE CITY OF EL PASO to THE UNITED STATES OF AMERICA U. S. ARMY CORPS OF ENGINEERS.

Ordinance dated 6/23/92, filed in Volume 2484, Page 399, Real Property Records, El Paso County, Texas by THE CITY OF EL PASO.

Any portion of Winn Road that may lie within the boundaries of this property and all rights, privileges and immunities relating thereto.

Any and all claims of right, title and interest to the land, including but not limited to any right of possession or claim for damages relating to the land which has been asserted or may be asserted, of record or not, by or on behalf of any Indian or Indian Tribe, including but not limited to the Tigua Indian Tribe of El Paso, Texas, also known as Pueblo De La Ysleta del Sur, also known as the Ysleta del Sur Pueblo Indian Tribe, also known as the Tigua Indian Community, including but not limited to claims appearing in Affidavit of Julian Granillo, filed for record April 16, 1993, recorded in Volume 2553, Page 1958, Real Property Records of El Paso County, Texas.

Grantor excepts from this conveyance and reserves unto Grantor, its successors and assigns an easement for ingress and egress within the boundaries of Parcel #2 described herein, together with a right to cross Parcel #4 herein in order to access this reservation of easement, and to access the Access Easement granted by the City of El Paso to EPCWID#1 of even date herewith.

All matters emanating out of or in connection with the property's being within the boundaries of the El Paso County Water Improvement District Number One.

Grantor, for the consideration and subject to the restrictions, reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's, heirs, executors, administrators, successors or assigns forever. Grantor binds Grantor and Grantor's successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty, when the claim is by, through, or under Grantor but not otherwise.

When the context requires, singular nouns and pronouns include the plural.

El Paso County Water Improvement District Number One

By: Johnny Stubbs
Johnny Stubbs, President, Board of Directors
(Print Name) (Title)

ATTEST:
[Signature]
Secretary

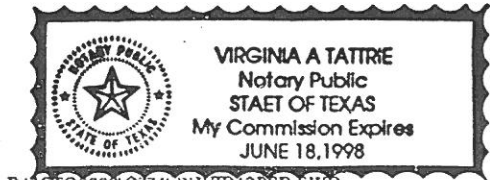
APPROVED AS TO FORM:

[Signature]
Attorney for District

ACKNOWLEDGMENT

STATE OF TEXAS }
 }
COUNTY OF EL PASO }

This instrument was acknowledged before me on the 13th day of May, 1998, by Johnny Stubbs as the President of El Paso County Water Improvement District Number One.



Virginia A Tattre
Notary Public in and for the State of Texas

PA1STQ9899107HERWID12PSB SWD

SPECIAL WARRANTY DEED

Date:

Grantor: The City of El Paso, Texas, a Texas municipal corporation

Grantor's Mailing Address (including county): Two Civic Center Plaza
El Paso, Texas
El Paso County, Texas 79901-1196

Grantee: El Paso County Water Improvement District Number One, a political subdivision of the State of Texas organized and existing pursuant to Article XVI, Section 59 of the constitution of the State of Texas.

Grantee's Mailing Address (including county): 294 Candelaria
El Paso, Texas
El Paso County, Texas 79907-5599

Consideration: This deed is given in exchange for and in sole consideration of a deed and an access easement of even date herewith from the Grantee to the Grantor, delivery of which is hereby acknowledged.

Property (including any improvements):

PARCEL 5

A portion of Tract 5, Block 53, YSLETA GRANT, in the City of El Paso, El Paso County, Texas, according to the resurvey of said YSLETA GRANT made by El Paso County, Texas, for tax purposes, said parcel being more particularly described by metes and bounds in Exhibit "A", attached hereto and made a part hereof.

and

PARCEL 6

A parcel of land being all of Tracts 6-A and 6-B and a portion of Tract 11, Block 53, YSLETA GRANT, in the City of El Paso, El Paso County, Texas, according to the resurvey of said YSLETA GRANT made by El Paso County, Texas, for tax purposes, all of said land being more particularly described by metes and bounds in Exhibit "B" attached hereto and made a part hereof.

Such parcels being shown on Exhibit "D" attached hereto and made a part hereof.

This deed is subject to the following:

Easements to EL PASO ELECTRIC COMPANY in Volume 311, Page 1525; Volume 1962, Page 1405; and Volume 2475, Page 274, Real Property Records, El Paso County, Texas.

Ordinance dated 6/23/92, filed in Volume 2484, Page 399, Real Property Records, El Paso County, Texas by THE CITY OF EL PASO.

License Agreement and the effects thereof, if any, on this property, as filed in Volume 2673, Page 1722, Real Property Records, El Paso County, Texas, from THE CITY OF EL PASO to THE UNITED STATES OF AMERICA U.S. ARMY CORPS OF ENGINEERS.

Any and all claims of right, title and interest to the land, including but not limited to any right of possession or claim for damages relating to the land which has been asserted or may be asserted, of record or not, by or on behalf of any Indian or Indian Tribe, including but not limited to the Tigua Indian Tribe of El Paso, Texas, also known as Pueblo De La Ysleta del Sur, also known as the Ysleta del Sur Pueblo Indian Tribe, also known as the Tigua Indian Community, including but not limited to claims appearing in Affidavit of Julian Granillo, filed for record April 16, 1993, recorded in Volume 2553, Page 1958, Real Property Records of El Paso County, Texas.

Reservation of a 10-foot-wide easement along the eastern boundary of Parcel 6 for the existing underground water and sewer lines and appurtenances thereto, together with the right to construct, repair, maintain, and use the water and sewer lines and appurtenances. The reservation of this easement includes the right to vacate the easement and abandon the existing lines in place. The easement is described by metes and bounds in Exhibit "C", attached hereto and made a part hereof.

Grantor, for the consideration and subject to the restrictions, reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto, in any wise belonging, to have and hold it to Grantee, Grantee's successors or assigns forever. Grantor binds Grantor and Grantor's successors to warrant and forever defend all and singular the property to Grantee and Grantee's, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty, when the claim is by, through, or under Grantor but not otherwise.

When the context requires, singular nouns and pronouns include the plural.

THE CITY OF EL PASO

ATTEST:

MAYOR

City Clerk

APPROVED AS TO FORM:

Michael Spurlock, General Counsel, PSB

(Acknowledgment on following page)

ACKNOWLEDGMENT

STATE OF TEXAS

}

COUNTY OF EL PASO

}

}

This instrument was acknowledged before me on the _____ day of _____, 1998, by _____ as the _____ of El Paso.

Notary Public in and for the State of Texas

PA1STQ98899\OTHER\PSB2WID1.SWD

EF

PROPERTY DESCRIPTION
16.108 ACRES
PARCEL #1

Being a portion of Tract 7, Block 53, Ysleta Grant, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at the City Monument at the centerline intersection of Pan American Drive and Oro Verde Drive located in Pan American Center for Industry, as recorded in Book 42, Page 2, El Paso County Plat Records;

THENCE, South 25°18'30" West, a distance of 5,328.69 feet to a set 1/2" rebar with cap at the intersection of the easterly right-of-way line of the Riverside Lateral with the south right-of-way line of the Riverside Canal and POINT OF BEGINNING for the herein described tract;

THENCE, along the south right-of-way line of said Riverside Canal, the following five courses:

South 89°30'47" East, a distance of 1,004.60 feet to a set 1/2" rebar with cap;

South 76°49'30" East, a distance of 259.44 feet to a set 1/2" rebar with cap;

South 71°37'59" East, a distance of 281.77 feet to a set 1/2" rebar with cap;

South 66°20'39" East, a distance of 214.67 feet to a set 1/2" rebar with cap;

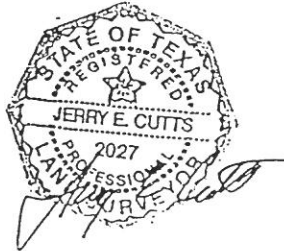
South 58°22'41" East, a distance of 445.67 feet to a found 1/2" rebar at the southeast corner of said Tract 7;

THENCE, along the south line of said Tract 7, North 89°30'00" West, a distance of 1,842.82 feet to a set 1/2" rebar with cap in the easterly right-of-way line of said Riverside Lateral;

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

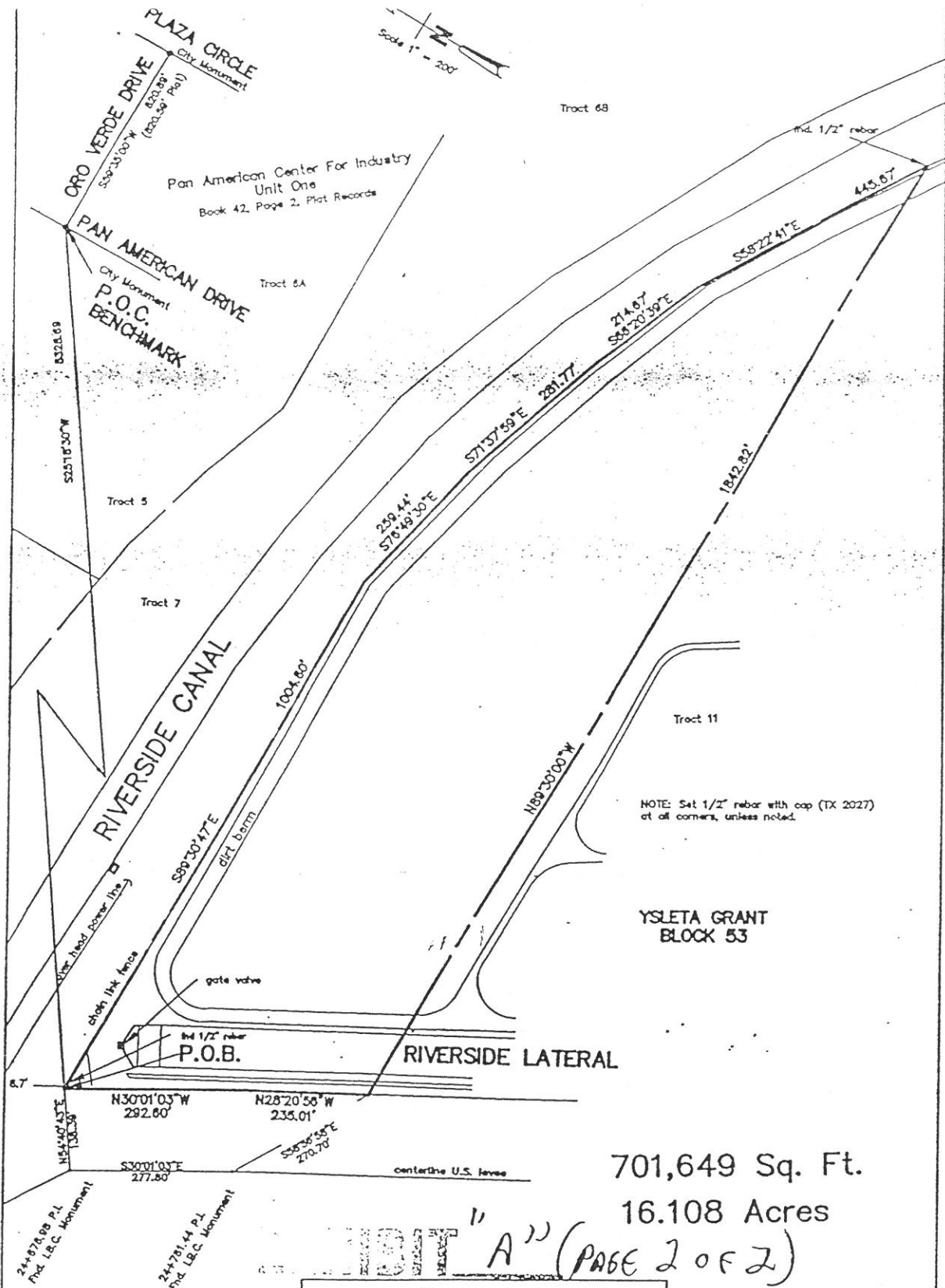
North 28°20'56" West, a distance of 235.01 feet to a set 1/2" rebar with cap;

North 30°01'03" West, a distance of 292.60 feet to the POINT OF BEGINNING and containing 16.108 acres of land.



PREPARED BY:
Faight & Associates Inc.
El Paso, Texas
June 15, 1993
Job No. 5970-01A

EXHIBIT "A" (PAGE 1 OF 2)



I hereby certify that this survey was made on the ground under my supervision and that this plat correctly represents the facts found at the time of this survey.

JERRY E. CUTTS
2027
JERRY E. CUTTS R.P.L.S. No. 2027

Faught & Associates Inc.
CONSULTING ENGINEERS

433 Executive Center Blvd.
El Paso, Texas 79902
(915) 542-4900

PARCEL #1
PORTION OF TRACT 7, BLOCK 53,
YSLETA GRANT,
CITY OF EL PASO, EL PASO COUNTY, TEXAS

| | | | |
|---------------------|------------------|---------------------|---------------------|
| Drawn By: CAH/JC | Date: 6-08-93 | Scale: 1" = 200' | Job No: 5970-01A |
|---------------------|------------------|---------------------|---------------------|

PROPERTY DESCRIPTION
0.966 ACRE
PARCEL #2

Being a portion of Block 53, Ysleta Grant, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at the City Monument at the intersection of Pan American Drive and Oro Verda Drive located in Pan American Center for Industry Unit One as recorded in Book 42, Page 2, El Paso County Plat Records;

THENCE, South $02^{\circ}31'13''$ East, a distance of 4,195.72 feet to a set 1/2" rebar with cap at the intersection of the north right-of-way line of said 40 feet wide road with the east right-of-way line of Southside Road and POINT OF BEGINNING for the herein described tract;

THENCE, along the east end of said 40 feet wide road, South $26^{\circ}21'00''$ East, a distance of 44.34 feet to a set 1/2" rebar with cap in the south right-of-way line of said 40 feet wide road;

THENCE, along said south right-of-way line, South $89^{\circ}12'00''$ West, a distance of 870.04 feet to a set 1/2" rebar with cap;

THENCE, leaving said south right-of-way line and along the arc of a curve to the right (Delta Angle = $15^{\circ}54'12''$, Radius = 1,045.00 feet, Chord = North $82^{\circ}50'54''$ West, 289.13 feet) a distance of 290.06 feet to a set 1/2" rebar with cap in the north right-of-way line of said 40 feet wide road;

THENCE, along said north right-of-way line, North $89^{\circ}12'00''$ East, a distance of 1,137.26 feet to the POINT OF BEGINNING and containing 0.966 acre of land.

PREPARED BY:
Faught & Associates Inc.
El Paso, Texas
March 9, 1994
Job No. 5970-01A

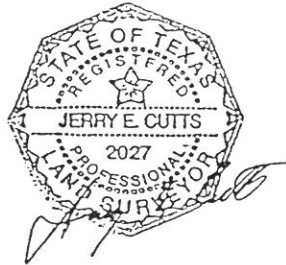
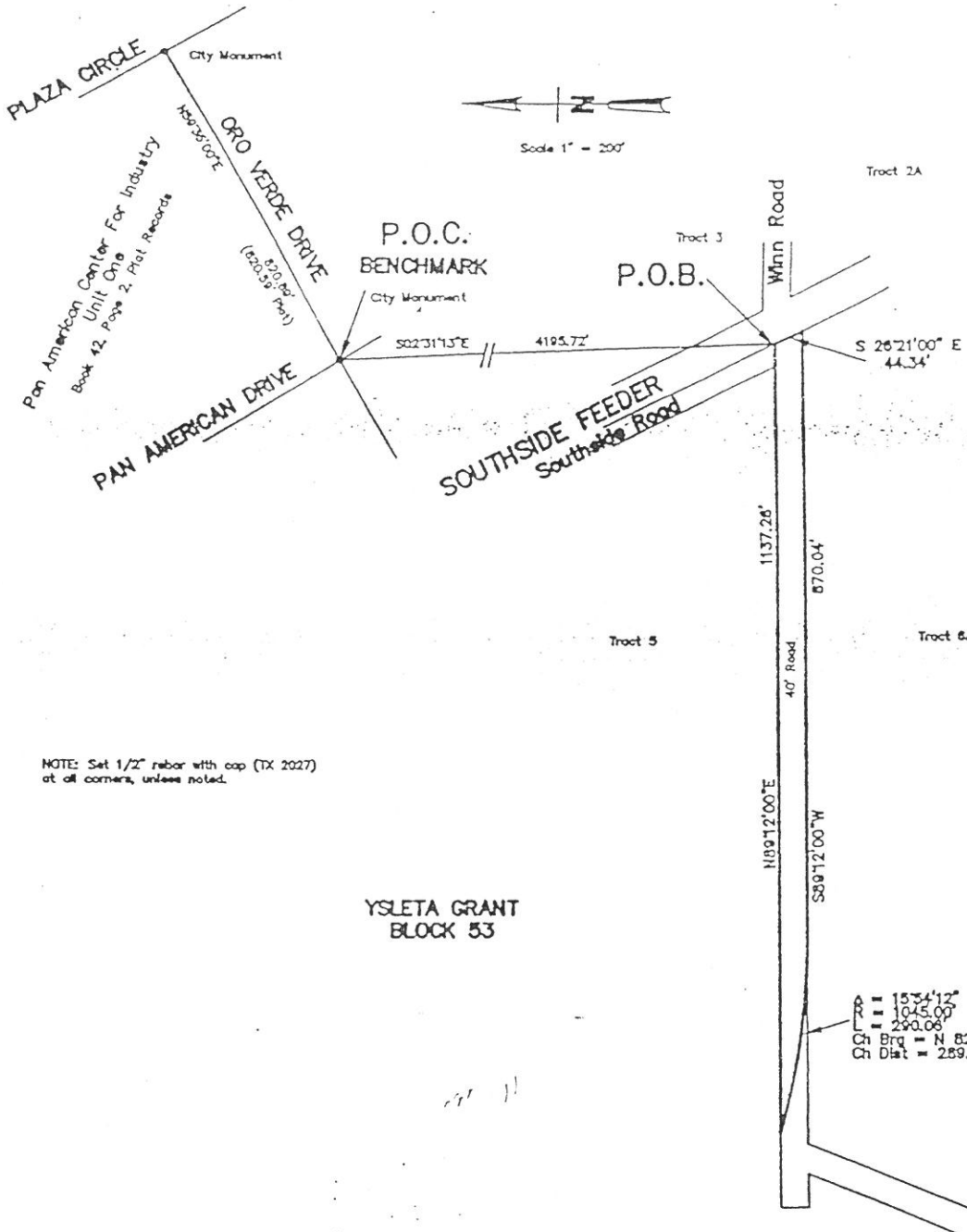


EXHIBIT "B" (PAGE 1 OF 2)



42,082 Sq. Ft.
0.966 Acre

RECORDED
INDEXED
B (PAGE 66 OF 21)

Faught & Associates Inc.
CONSULTING ENGINEERS

433 Executive Center Blvd.
El Paso, Texas 79902
(915) 542-4900

I hereby certify that this survey was made on the ground under my supervision and that this plat correctly represents the facts found at the time of this survey.

JERRY E. CUTTS
2027
PROFESSIONAL ENGINEER
No. 2027

PARCEL #2
PORTION OF BLOCK 53, BETWEEN
TRACT 5 AND TRACT 6A, YSLETA GRANT,
CITY OF EL PASO, EL PASO COUNTY, TEXAS

| | | | |
|----------------------|------------------|---------------------|---------------------|
| Drawn By: CAH/JC. | Date: 3-09-94 | Scale: 1" = 200' | Job No: 5970-01A |
|----------------------|------------------|---------------------|---------------------|

PROPERTY DESCRIPTION

1.350 ACRES

PARCEL #3

Being the description of a Lateral located in Tract 5, Block 53, Ysleta Grant, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at the City Monument at the intersection of Pan American Drive and Oro Verde Drive located in Pan American Center for Industry Unit One as recorded in Book 42, Page 2, El Paso County Plat Records;

THENCE, South $05^{\circ}10'30''$ West, a distance of 3,295.96 feet to a set 1/2" rebar with cap at the intersection of the south right-of-way line of the Franklin Spur Drain with the west right-of-way line of Southside Road and POINT OF BEGINNING for the herein described tract;

THENCE, along the west right-of-way line of said Southside Road, South $26^{\circ}21'00''$ East, a distance of 78.52 feet to a set 1/2" rebar with cap at the intersection of the south right-of-way line of said Lateral with the west right-of-way line of said Southside Road;

THENCE, along said Lateral right-of-way line, the following six courses:

North $89^{\circ}25'00''$ West, a distance of 648.68 feet to a set 1/2" rebar with cap;

South $20^{\circ}05'00''$ West, a distance of 276.73 feet to a set 1/2" rebar with cap;

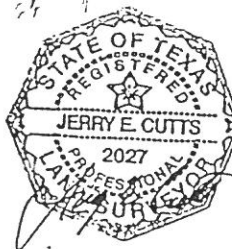
South $00^{\circ}05'00''$ East, a distance of 165.87 feet to a set 1/2" rebar with cap;

South $89^{\circ}55'00''$ West, a distance of 30.00 feet to a set 1/2" rebar with cap;

North $00^{\circ}05'00''$ West, a distance of 171.20 feet to a set 1/2" rebar with cap;

North $20^{\circ}05'00''$ East, a distance of 345.70 feet to a set 1/2" rebar with cap in the south right-of-way line of said Franklin Spur Drain;

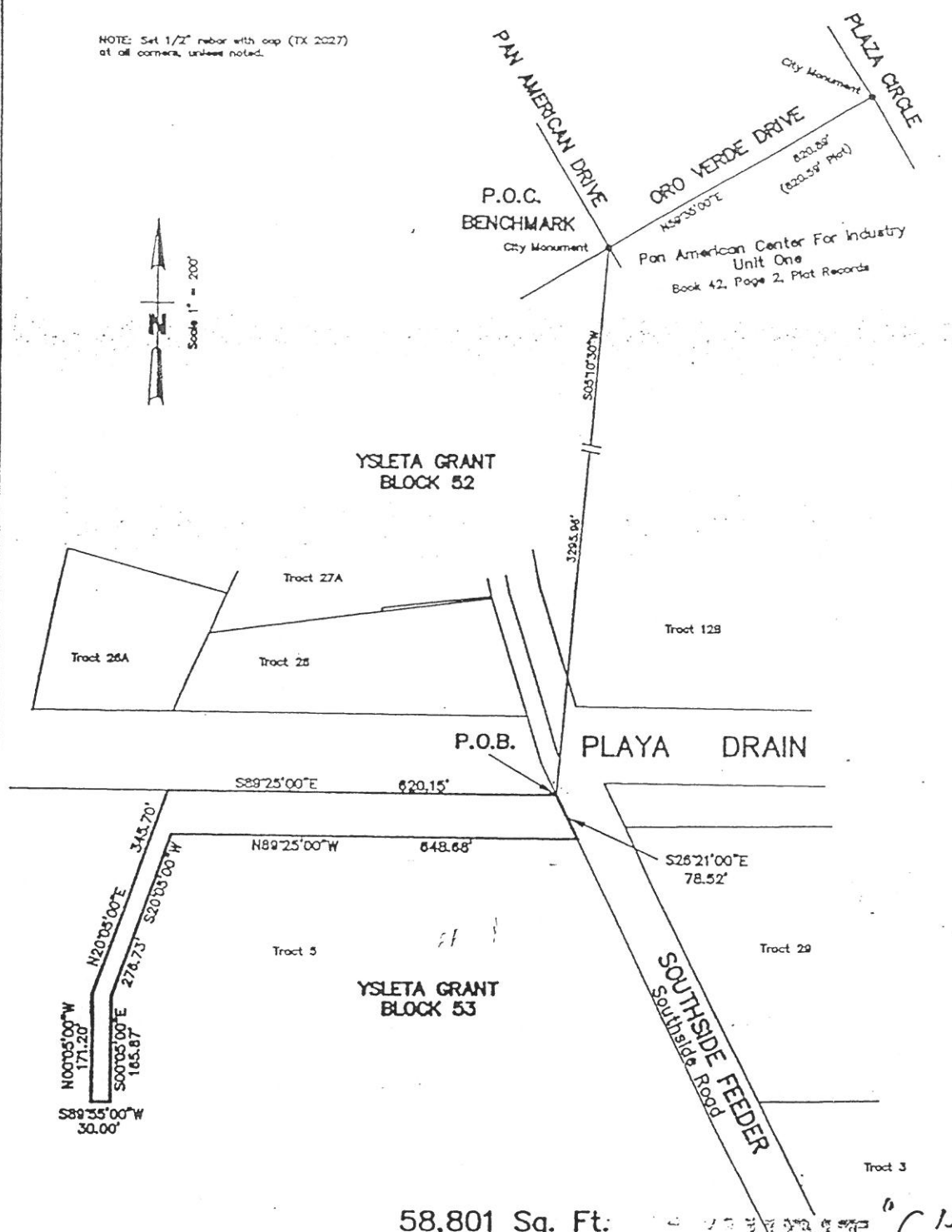
THENCE, along said south right-of-way line, South $89^{\circ}25'00''$ East, a distance of 620.15 feet to the POINT OF BEGINNING and containing 1.350 acres of land.



PREPARED BY:
Faight & Associates Inc.
El Paso, Texas
July 2, 1993
Job No. 5970-01A

EXHIBIT C (PAGE 1 OF 2)

NOTE: Set 1/2" rebar with cap (TX 2027) at all corners, unless noted.



58,801 Sq. Ft.
1.350 Acres

Handwritten: "C" (Page 2 of 2)

I hereby certify that this survey was made on the ground under my supervision and that this plat correctly represents the facts found at the time of this survey.

Jerry E. Cutts
JERRY E. CUTTS
2027
Professional Engineer
State of Texas

| | | | |
|--|------------------|--|---------------------|
| Faught & Associates Inc. CONSULTING ENGINEERS | | 433 Executive Center Blvd. El Paso, Texas 79902 (915) 542-4900 | |
| PARCEL #3 LATERAL, A PORTION OF TRACT 5, BLOCK 53, YSLETA GRANT, CITY OF EL PASO, EL PASO COUNTY, TEXAS | | | |
| Drawn By: CAH/JC | Date: 6-07-93 | Scale: 1" = 200' | Job No: 5970-10A |

PROPERTY DESCRIPTION
8.836 ACRES
PARCEL #4

Being a portion of Southside Feeder and a portion of Socorro Intercepting Drain, located in Blocks 52 and 53, Ysleta Grant, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at the City Monument at the centerline intersection of Pan American Drive and Oro Verde Drive located in Pan American Center for Industry Unit One recorded in Book 42, Page 2, Plat records El Paso County;

THENCE, South $03^{\circ}48'57''$ West, a distance of 3,270.33 feet to a set $1/2''$ rebar with cap at the intersection of the east right-of-way line of said Southside Feeder with the south right-of-way line of the Franklin Spur Drain and POINT OF BEGINNING for the herein described tract;

THENCE, along the east right-of-way line of said Southside Feeder, South $26^{\circ}21'00''$ East, a distance of 1,761.48 feet to a set $1/2''$ rebar with cap in the west right-of-way line of the Socorro Intercepting Drain;

THENCE, along the north end of said Intercepting Drain, North $63^{\circ}39'00''$ East, a distance of 79.13 feet to a set $1/2''$ rebar with cap in the east right-of-way line of said Intercepting Drain;

THENCE, along the east right-of-way line of said Socorro Intercepting Drain, the following five courses:

South $26^{\circ}21'00''$ East, a distance of 1,044.47 feet to a set $1/2''$ rebar with cap;

South $30^{\circ}39'04''$ East, a distance of 200.00 feet to a set $1/2''$ rebar with cap;

South $32^{\circ}59'24''$ East, a distance of 203.76 feet to a set $1/2''$ rebar with cap;

South $36^{\circ}29'56''$ East, a distance of 240.00 feet to a set $1/2''$ rebar with cap;

South $43^{\circ}08'00''$ East, a distance of 1,003.39 feet to a set $1/2''$ rebar with cap in the Ysleta and Socorro Grant line;

THENCE, along said Grant line, South $21^{\circ}52'00''$ West, a distance of 75.03 feet to a set $1/2''$ rebar with cap in the east right-of-way line of the Riverside Canal;

THENCE, along said east right-of-way line, North $43^{\circ}45'13''$ West, a distance of 1,499.79 feet to a set $1/2''$ rebar with cap at the intersection of the east right-of-way line of the Riverside Canal with the west right-of-way line of said Southside Feeder;

THENCE, along said west right-of-way line, the following three courses:

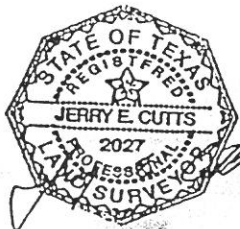
North $26^{\circ}14'00''$ West, a distance of 1,135.90 feet to a set $1/2''$ rebar with cap;

North $26^{\circ}18'00''$ West, a distance of 832.70 feet to a set $1/2''$ rebar with cap;

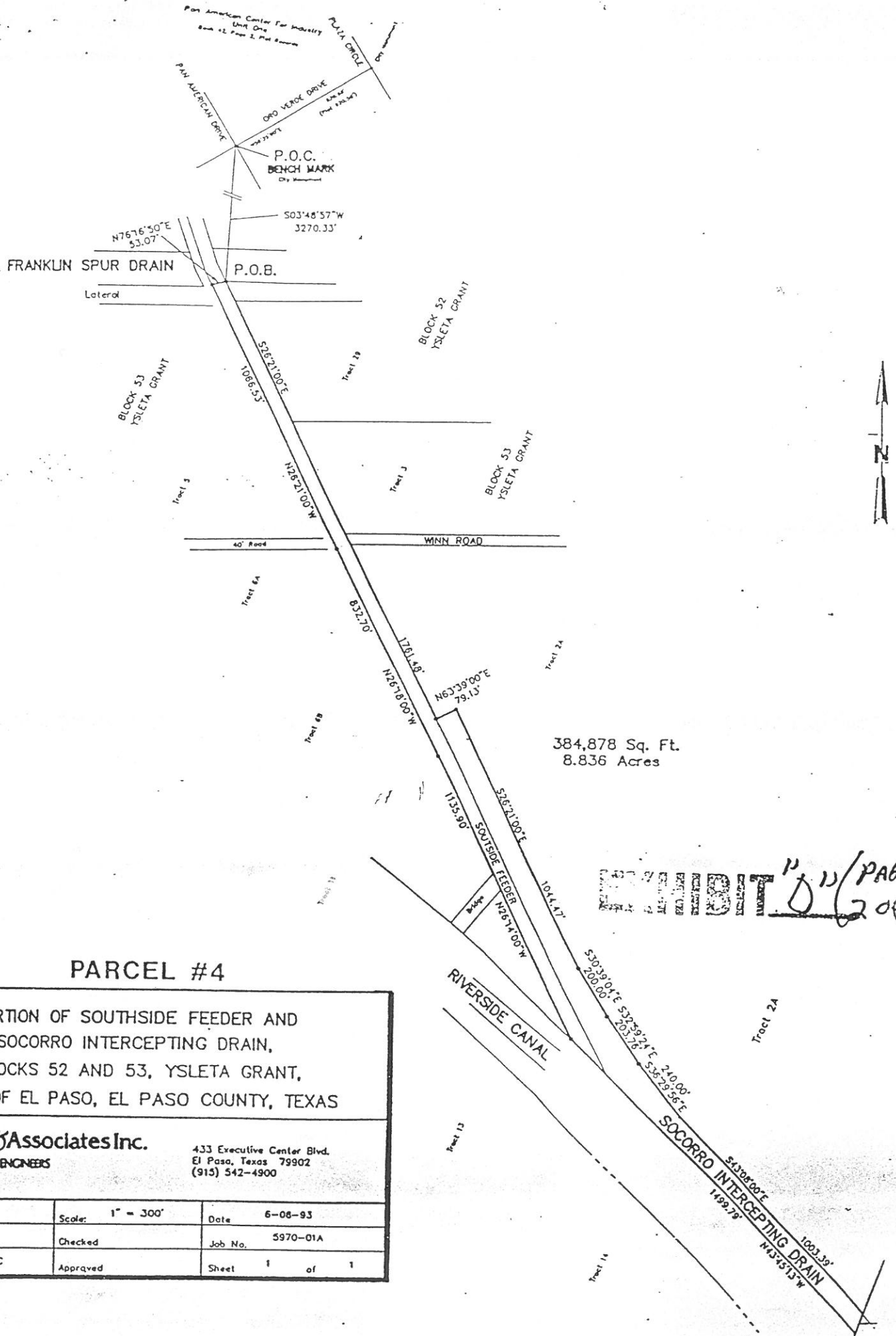
North $26^{\circ}21'00''$ West, a distance of 1,066.53 feet to a point for corner;

THENCE, leaving said west right-of-way line, North $76^{\circ}16'50''$ East, a distance of 53.07 feet to the POINT OF BEGINNING and containing 8.836 acres of land.

PREPARED BY:
Faight & Associates Inc.
El Paso, Texas
July 2, 1993



11 0 11 (PAGE 1 OF 2)



384,878 Sq. Ft.
8.836 Acres

EXHIBIT *D 11/PAGE 2 of 2*

PARCEL #4

PORTION OF SOUTHSIDE FEEDER AND
SOCORRO INTERCEPTING DRAIN,
BLOCKS 52 AND 53, YSLETA GRANT,
CITY OF EL PASO, EL PASO COUNTY, TEXAS

Faught & Associates Inc.
CONSULTING ENGINEERS
433 Executive Center Blvd.
El Paso, Texas 79902
(915) 542-4900

| | | | | |
|-------|---------|------------------|---------|----------|
| Unit | Survey | Scale: 1" = 300' | Date | 6-08-93 |
| | Checked | | Job No. | 5970-01A |
| Drawn | CAH/JC | Approved | Sheet | 1 of 1 |