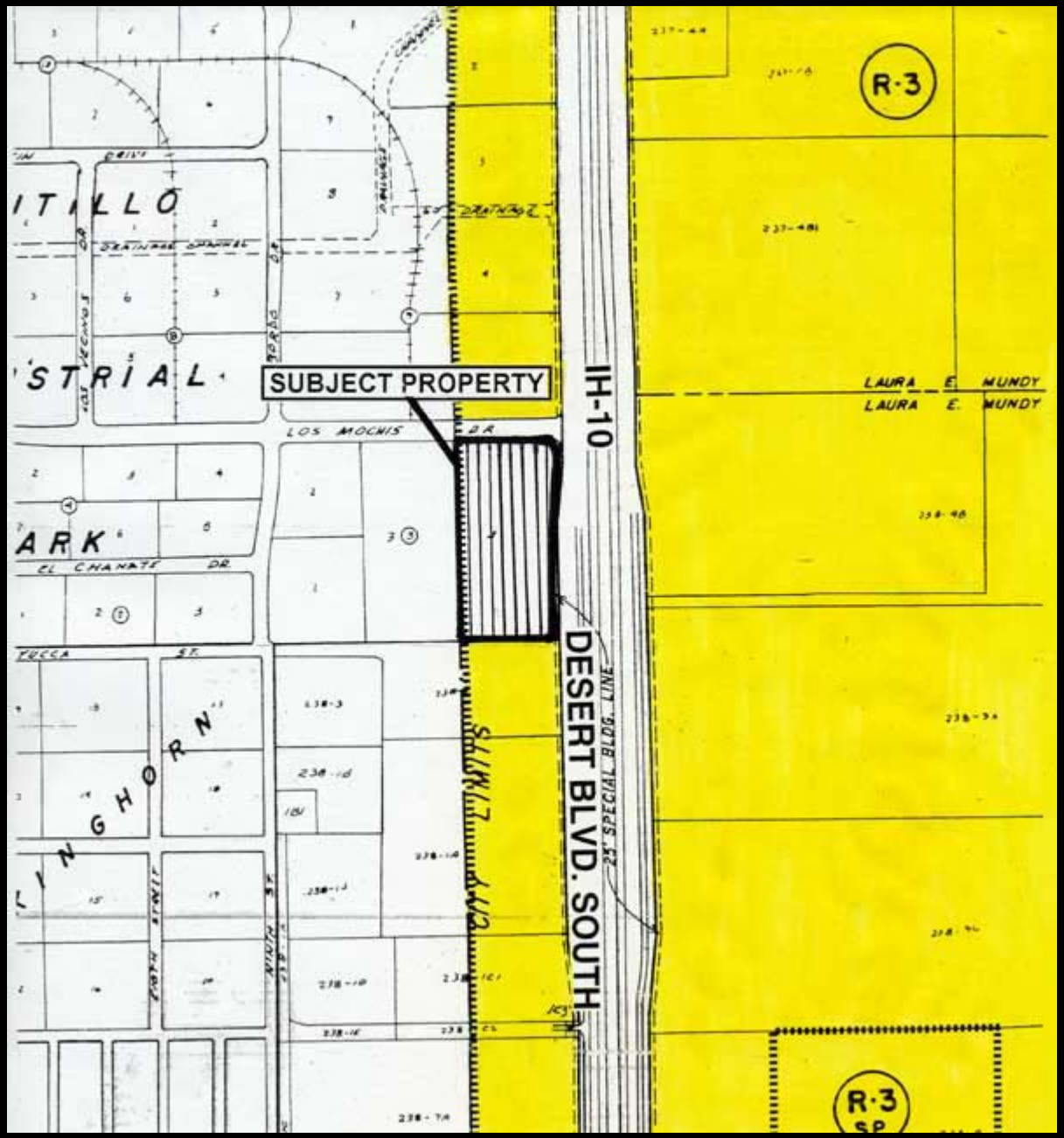
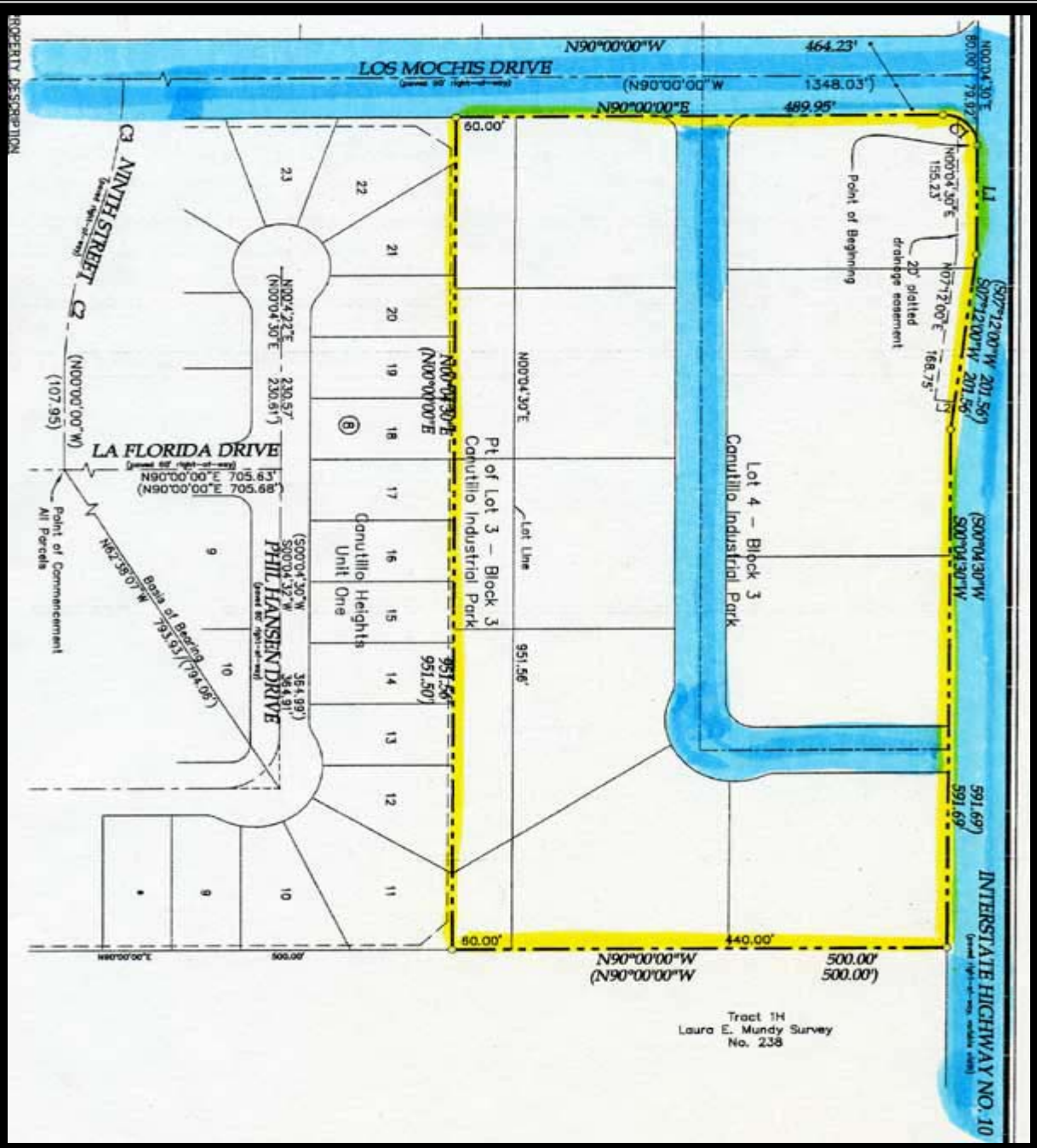
ZON04-00055



SUBJECT PROPERTY
IH-10
DESERT BLVD. SOUTH
25' SPECIAL BLDG. LINE
CITY LIMITS
LOS MOCHIS DR
EL CHANATE DR
R-3
LAURA E. MUNDY
LAURA E. MUNDY
R-3
SP

ZON04-00055



LOS MOCHIS DRIVE
N90°00'00"W
464.23'
(N90°00'00"W
1348.03')
N90°00'00"E
489.95'
60.00'
Point of Beginning
20' platted drainage easement
L1
(S07°12'00"W 201.56')
S07°12'00"W 201.56'
(S00°04'30"W
S00°04'30"W
591.69')
591.69'
Lot 4 – Block 3
Canutillo Industrial Park
Pt of Lot 3 – Block 3
Canutillo Industrial Park
Lot Line
N00°04'30"E
951.56'
951.50')
Canutillo Heights
Unit One
PHIL HANSEN DRIVE
(S00°04'30"W
S00°04'32"W
364.99')
364.91'
N00°04'22"E
(N00°04'30"E
230.57'
230.61')
LA FLORIDA DRIVE
N90°00'00"E 705.63'
(N90°00'00"E 705.68')
Point of Commencement
All Parcels
Basis of Bearing
N62°38'07"W
793.93'
(794.06')
NINTH STREET
C3
C2
(N00°00'00"W)
(107.95)
60.00'
440.00'
N90°00'00"W
(N90°00'00"W
500.00'
500.00')
INTERSTATE HIGHWAY NO. 10
Tract 1H
Laura E. Mundy Survey
No. 238

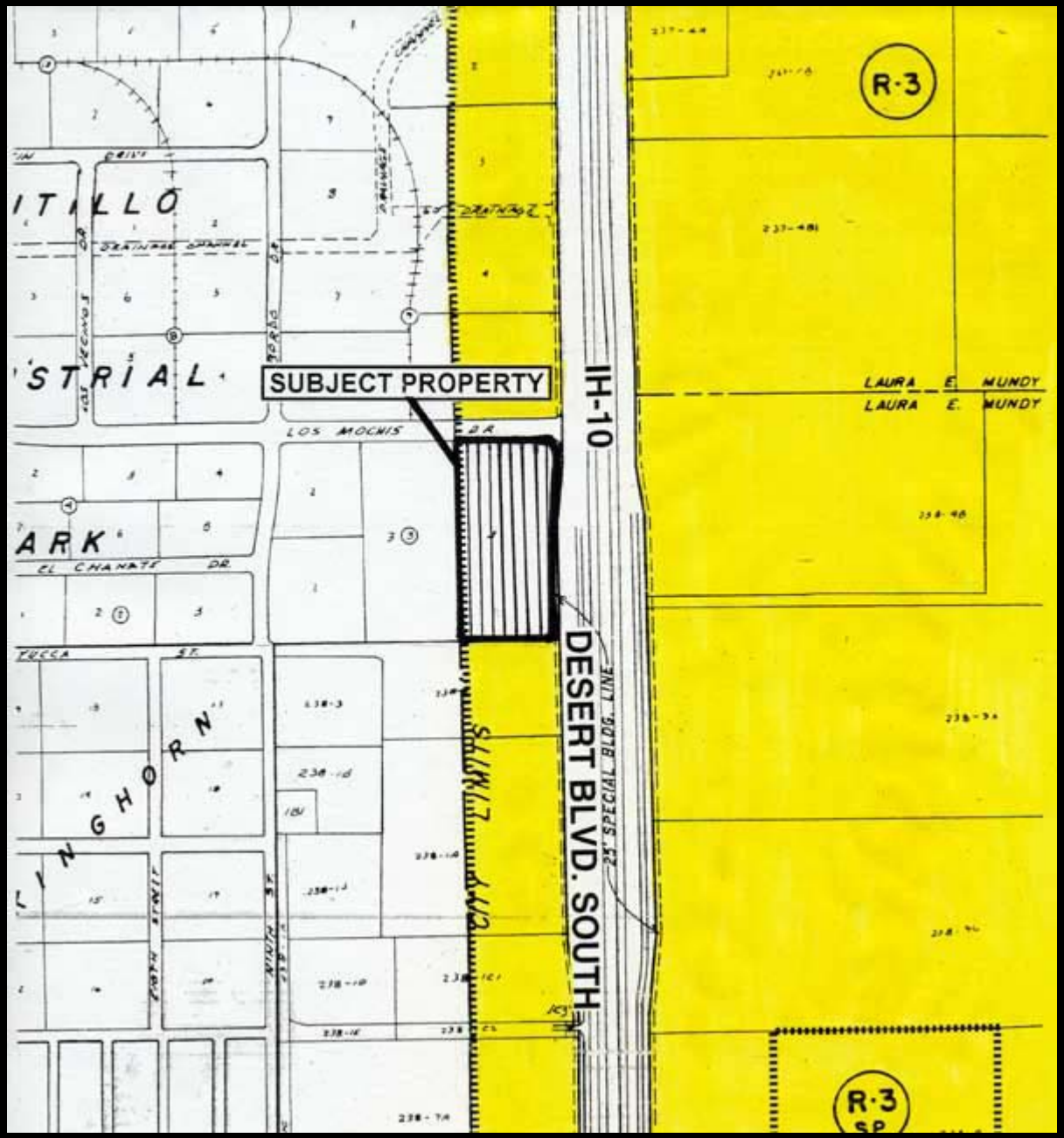
ZON04-00055

ZON04-00055

ZON04-00055

ZON04-00055

ZON04-00055



SUBJECT PROPERTY
IH-10
DESERT BLVD. SOUTH
25' SPECIAL BLDG. LINE
CITY LIMITS
LOS MOCHIS DR
EL CHANATE DR
R-3
LAURA E. MUNDY
LAURA E. MUNDY
R-3
SP

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOT 3 AND ALL OF LOT 4, BLOCK 3, CANUTILLO INDUSTRIAL PARK, EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO C-3 (COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

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

That the zoning of *a portion of Lot 3 and all of Lot 4, Block 3, Canutillo Industrial Park, El Paso, El Paso County, Texas*, as more particularly described by metes and bounds in the attached Exhibit "A", be changed **from R-3 (Residential) to C-3 (Commercial);** within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly; and

That the property be subject to the following conditions which are necessitated by and attributable to the increased intensity of use generated by the change of zoning from R-3 (Residential) to C-3 (Commercial) in order to protect the health, safety and welfare of adjacent property owners and the residents of this city:

1. *Prior to the issuance of any building permits, a detailed site plan shall be reviewed and approved per the El Paso Municipal Code.*
2. *A ten-foot (10') wide landscaped buffer to include, but not limited to, evergreen trees placed at fifteen (15) feet on center shall be required along the westerly property line where abutting residential or apartment zoning districts. This shall be in addition to the landscaping requirements of Chapter 20.65 of the El Paso Municipal Code and shall be required prior to the issuance of any building permits.*

These conditions run with the land, are a charge and servitude thereon, and bind the current property owner and any successors in title. The City may enforce these conditions by injunction, by rescission of the zoning which is made appropriate as a result of these conditions, or by any other legal or equitable remedy. The City Council of the City of El Paso may amend or release the above conditions in its discretion without the consent of any third person who may be benefitted thereby, and without affecting the validity of this ordinance.

PASSED AND APPROVED this _____ day of _____, 2004.

(signatures on the next page)

THE CITY OF EL PASO

_____
Joe Wardy, Mayor

ATTEST:

_____
Richarda Duffy Momsen, City Clerk

APPROVED AS TO CONTENT:

_____
Fred Lopez, Zoning Coordinator
Planning, Research & Development

_____
Rodolfo Valdez, Chief Urban Planner
Planning, Research & Development

APPROVED AS TO FORM:

_____
Matt Watson, Assistant City Attorney

Acknowledgment

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this _____day of _____, 2004, by JOE WARDY as MAYOR of THE CITY OF EL PASO.

My Commission Expires:

_____
Notary Public, State of Texas
Notary's Printed or Typed Name:
_____

METES & BOUNDS DESCRIPTION

The subject parcel being a portion of Lot 3, and all of Lot 4, Block 3 of Canutillo Industrial Park, recorded in Volume 78 Pages 32 & 32A of the Plat Records of El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at a city monument found at the centerline intersection of La Florida Drive and Ninth Street; Thence, with the centerline of said Ninth Street, North 00°00'00" West, 107.95 feet; Thence, 172.95 feet with an arc of a curve to the right, with a radius of 500.00 feet, a Delta angle of 19°49'09", and a chord bearing of North 09°54'34" East, 172.09 feet; Thence, 172.95 feet with an arc of a curve to the left, with a radius of 500.00 feet, Delta angle of 19°49'09", and a chord bearing of North 09°54'34" East, 172.09 feet to a point on the centerline of Los Mochis Drive (90 feet wide right-of-way); Thence, with said centerline of Los Mochis Drive, North 90°00'00" East, 1348.03 feet to a point of the westerly right-of-way line of Interstate Highway No. 10 (variable width); Thence, with said westerly right-of-way line, South 00°04'30" West, 79.92 feet to a #5 rebar with cap set for corner, and the POINT OF BEGINNING of this property description;

Thence, continuing with said westerly right-of-way line South 00°04'30" West, 124.85 feet to a #5 rebar with cap set for corner;

Thence, continuing with said westerly right-of-way line South 07°12'00" West, 201.56 feet to a #5 rebar with cap set for corner;

Thence, continuing with said westerly right-of-way line South 00°04'30" West, 591.69 feet to a #5 rebar with cap set for corner;

Thence, leaving said westerly right-of-way line, with the south property line of the subject parcel, North 90°00'00" West, 500.00 feet to a found #5 rebar with cap marked "SLI";

Thence, with the westerly property line of the subject parcel North 00°04'30" East, 951.56 feet to a #5 rebar with cap set for corner on the southerly right-of-way line of said Los Mochis Drive;

Thence, with said southerly right-of-way line, North 90°00'00" East, 489.95 feet to a #5 rebar with cap set for corner;

Thence, continuing with the said southerly right-of-way line, 55.02 feet with an arc of a curve to the right, with a radius of 35.00 feet, a Delta angle of 90°04'29", and a chord bearing of South 44°57'46" East, 49.53 feet to the POINT OF BEGINNING of this tract containing 11.065 acres or 482,006 square feet of land.

I hereby certify that this metes and bounds description is based on a field survey performed on the ground under my supervision and that the information hereon is true and correct to the best of my knowledge and belief. Basis of bearing for this survey is South 62° 38' 07" East between the Point of Commencement noted above and a City Monument located at the centerline intersection of Phil Hansen Drive and Monterrey Drive (refer to survey drawing of same property by Clausen Land Surveying).

Date 8/27/04

Christian A. Clausen, RPLS (TX #5511 - NM #16467 - AZ #36621)
729 Del Mar Drive
El Paso, TX 79932
915-355-9482
915-833-4192

STATE OF TEXAS
REGISTERED
CHRISTIAN A. CLAUSEN
5511
PROFESSIONAL
LAND SURVEYOR

Exhibit "A"

20N04-00055