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CONSENT TO AND RATIFICATION OF SUBDIVISION
REPLAT BY OWNER OF COMMON AREAS:

STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF EL PASO

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THAT, WHEREAS, LOS COMPADRES CANYON HOMEOWNERS ASSOCIATION, INC. (the "Association") is the present and lawful owner of the common area in Los Compadres Canyon, an addition in the City of El Paso, Texas, more particularly described as:

LOTS 4A, 23, 23A, 69A, 72A, 79A, 86, 87, 88, 41A, 45A, 53 AND 65 IN BLOCK 1, LOS COMPADRES CANYON, AN ADDITION IN THE CITY OF EL PASO, EL PASO COUNTY, TEXAS, CONTAINING 5.53733 ACRES, MORE OR LESS, BEING ALL THAT COMMON OPEN AREA AS SHOWN ON THE MAP AND PLAT ON FILE IN BOOK 57, PAGE 14a/14b, PLAT RECORDS OF EL PASO COUNTY, TEXAS;

such ownership arising from a Declaration of Covenants, Conditions and Restrictions for Los Compadres Canyon as granted by Conquistador Construction Company, Inc., and filed of record at Volume 1256, Page 1801, revised in Volume 1311, Page 788, and amended in Volume 1360, Page 495 Real Property Records, El Paso County, Texas; a like grant also being made by Warranty Deed from Conquistador Construction Company, Inc., to the Association and filed of record at Volume 1259, Page 969; Real Property Records, El Paso County, Texas;

WHEREAS, Los Compadres Canyon has been replatted three times since the initial plat referred to in the grant of ownership to the Association, such replats being referred to as Replat A, filed of record in Volume 58, Page 70, Real Property Records, El Paso County, Texas; Replat A, Correction Plat, filed of record in Volume 59, Page 56, Real Property Records, El Paso County, Texas; and Replat B, filed of record in Volume 61, Page 68, Real Property Records, El Paso County, Texas; such Replat B, filed at Volume 61, Page 68 being the most recent replat;

WHEREAS, the Resolution Trust Corporation and the Association recognize that certain boundary discrepancies have arisen from the series of replats; and

WHEREAS, the Resolution Trust Corporation as Receiver for El Paso Federal Savings Association (the "RTC") is the present owner of Tracts C, E and G, Block 1, and Tracts A and C, Block 2, and may have or be entitled to an interest in lots 8 and 13, Block 1, Replat B, Los Compadres Canyon, and desires to join in this ratification agreement with the Association to facilitate future conveyances; and

WHEREAS, the Association desires to enter into this ratification with the RTC for the same reasons;

NOW THEREFORE, in consideration of the premises and the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, cash in hand paid to the Association, the receipt and sufficiency of which is hereby acknowledged, the Association hereby

consents to, ratifies, confirms and joins in the execution and delivery of said Replat A, Correction Plat, filed of record in Volume 59, Page 56, Real Property Records, El Paso County, Texas, and Replat B, filed of record in Volume 61, Page 68, Real Property Records, El Paso County, Texas, and hereby expressly acknowledges and consents to all lines, dedications, restrictions and notations as shown on said replats, notwithstanding any designations to the contrary in that Warranty Deed filed of record in Volume 1259, Page 969 or in the Declaration of Covenants, Conditions and Restrictions filed at Volume 1256, Page 1801, revised in Volume 1311, Page 788, and amended in Volume 1360, Page 495, all of the Real Property Records, El Paso County, Texas; and further, the Association and the RTC do agree that upon acceptance of the Replat A, Correction Plat and Replat B, by any governmental authority having jurisdiction in the premises, said Replats and all easements, resources and building lines shall cover and affect all of the real property shown on said Replat A, Correction Plat and Replat B; and

NOW THEREFORE, the Association, without warranty express or implied, QUITCLAIMS unto the RTC any right title or interest that it may have in Lots C, E and G in Block 1 and Lots A and C in Block 2, as shown on Replat A, Correction Plat of Los Compadres Canyon, an addition in the City of El Paso, El Paso County, Texas, as shown on the map and plat on file in Volume 59, Page 56, Plat Records of El Paso County, Texas; and

NOW THEREFORE, the RTC, without warranty express or implied, QUITCLAIMS unto the Association any right, title or interest that it may have in Lots 1, B, D, F and H in Block 1 and Lots 4A, B and D in Block 2, as shown on Replat A, Correction Plat and lots 8 and 13, Block 1 as shown on Replat B of Los Compadres Canyon, an addition in the city of El Paso, El Paso County, Texas, as shown on the map and plat on file in Volume 59, Page 56 and the Map and Plat on file in Volume 61, Page 68, Plat Records of El Paso County, Texas.

LOS COMPADRES HOMEOWNERS
ASSOCIATION, INC.

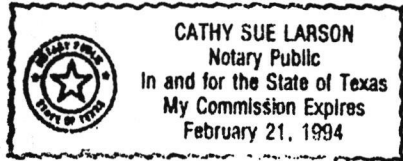
By: Judy C. Leatherwood
Its: President

RESOLUTION TRUST CORPORATION
AS RECEIVER FOR EL PASO FEDERAL
SAVINGS AND LOAN ASSOCIATION

By: Ron Weller
Its: Attorney In Fact

THE STATE OF TEXAS §
COUNTY OF El Paso §

This instrument was acknowledge before me on the 6th day of August, 1993, by Judy C. Leatherwood as President of LOS COMPADRES HOMEOWNERS ASSOCIATION, INC., a Texas corporation, on behalf of said corporation.

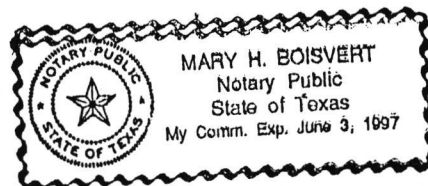


Cathy Sue Larson
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

THE STATE OF TEXAS §
COUNTY OF Dallas §

This instrument was acknowledge before me on the 12th day of August, 1993, by Kon Weller as ATTORNEY-IN-FACT of RESOLUTION TRUST CORPORATION AS RECEIVER FOR EL PASO FEDERAL SAVINGS AND LOAN ASSOCIATION.

Mary H. Boisvert
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS



 **Lawyers Title**
of El Paso

September 29, 1993

Ms. Judy Leatherwood
Los Compadres Canyon Homeowners Association
Box 16, 226 Canyon Terrace
El Paso, Texas 79902

RE: LT #93-2845
Lots 1, B, D, F, and H, Block 1, and Lots 4A, B, and D,
Block 2, Los Compadres Canyon Replat A Correction Plat,
AND Lots 8 and 13, Block 1, Los Compadres Canyon Replat B

Dear Judy:

In connection with the above referenced transaction, enclosed herewith is the original Owner Policy of Title Insurance issued on the common area, along with a copy of the recorded Consent and Ratification of Subdivision Replat by Owner of Common Areas.

Also enclosed are copies of the tax certificates on the common-area lots you acquired, all of which indicate that taxes are current. However, as I advised you, it has come to my attention that the tax office is claiming that taxes for 1983 are still due on the legal descriptions before they were replatted. The 1983 taxes were carried under different tax ID numbers, and they have apparently not made the connection to your new lots and tax ID numbers. I am enclosing a copy of tax code sec. 31.08, which basically states that if a tax certificate was issued showing no taxes due and you relied on that tax certificate, the tax office may be estopped from foreclosing its lien, although they may proceed to sue the owner of record on January 1, 1983.

Accordingly, our Owner Policy excepts to delinquent 1983 taxes. You could probably protect yourself, however, by producing the tax certificates showing all taxes paid current if the City ever attempts to assert its lien for 1983 taxes. Please call me if you have any questions.

Sincerely yours,



Ron R. Rush
President



RRR:cl
Enclosures

cc: Mr. Robert C. Belk

 **Lawyers Title**
of El Paso

August 9, 1993

Ms. Judy Leatherwood
Los Compadres Canyon Homeowners Association
Box 16, 226 Canyon Terrace
El Paso, Texas 79902

RE: LT #93-2845
Lots 1, B, D, F, and H, Block 1, and Lots 4A, B, and D,
Block 2, Los Compadres Canyon Replat A Correction Plat,
AND Lots 8 and 13, Block 1, Los Compadres Canyon Replat B

Dear Judy:

Enclosed herewith is the original Commitment for Title Insurance issued in connection with the above referenced transaction, along with copies of the exceptions to title reflected thereon. Upon our receipt of the executed Ratification and Consent, we will be in a position to close and issue our title insurance policy.

Should you have any questions or need anything further at this time, please feel free to contact me.

Sincerely yours,


Ron R. Rush *by cc*
President

RRR:cl
Enclosures

FILED FOR RECORD
IN MY OFFICE

'93 AUG 25 AM 10 37

COUNTY CLERK
EL PASO COUNTY, TEXAS

Adrian Alvarez
DEPUTY

RECEIPT FOR INSTRUMENT FILED FOR RECORD

LAWYERS TITLE # B-2845

INSTRUMENT NO. 87497

FILING FEE \$ 7.00 + \$5.00

TYPE OF INSTRUMENT Consent and Ratification

GRANTOR LOS Compadres Canyon Homeowners
Association

GRANTEE _____