

Courtesy 109
(17)

AFTER RECORDING RETURN TO:

ROBERT D. BURTON, ESQ.
WINSTEAD PC
401 CONGRESS AVE., SUITE 2100
AUSTIN, TEXAS 78701



NOTICE OF WITHDRAWAL OF LAND

MONTECILLO
[UNIT 11, SAVE AND EXCEPT TOPGOLF
PROPERTY AND PARKING AREA]

El Paso County, Texas

Declarant: EPT MESA DEVELOPMENT, LP, a Delaware limited partnership

Cross-reference to that certain Montecillo Amended and Restated Master Covenant, recorded as Document No. 20160088513, Official Public Records of El Paso County, Texas and that certain Montecillo Notice of Annexation [Unit 11], recorded as Document No. 20180003371, Official Public Records of El Paso County, Texas.

NOTICE OF WITHDRAWAL OF LAND
MONTECILLO
[UNIT 11, SAVE AND EXCEPT TOPGOLF PROPERTY AND PARKING AREA]

THE STATE OF TEXAS §

COUNTY OF EL PASO §

This Notice of Withdrawal of Land (this "Notice of Withdrawal") is made and executed by EPT MESA DEVELOPMENT, LP, a Delaware limited partnership ("Declarant"), and is as follows:

1. **Identification of Land Withdrawn from the Property.** This Notice of Withdrawal is filed with respect to all that certain real property located in El Paso County, Texas, described on Exhibit "A", attached hereto and incorporated herein by reference (the "Land"). Declarant previously filed that certain Montecillo Notice of Annexation [Unit 11], recorded as Document No. 20180003371, Official Public Records of El Paso County, Texas, which subjected the Land to the terms and provisions of that certain Montecillo Amended and Restated Master Covenant, recorded as Document No. 20160088513, Official Public Records of El Paso County, Texas (the "Master Covenant").

2. **Consent.** EPT MONTECILLO I-10 DEVELOPMENT, LLC, a Texas limited liability company owns the Land and executes this Notice of Withdrawal to evidence its consent to the terms and conditions of this Notice of Withdrawal.

3. **Authority to Withdraw From Master Covenant.** Pursuant to *Section 12.04* of the Master Covenant, Declarant served notice that Declarant may, at any time and from time to time, reduce or withdraw land from the Property and/or the Development, upon the filing of the appropriate notice of withdrawal of land, and upon such withdrawal, the Master Covenant, and the covenants, conditions, restrictions and obligations set forth therein, shall no longer apply to the portion of the Property and/or Development withdrawn. Declarant has satisfied all conditions contained in *Section 12.04* of the Master Covenant.

4. **Withdrawal of Land.** This Notice of Withdrawal is filed with respect to the Land and constitutes a notice of withdrawal of land under *Section 12.04* of the Master Covenant. The Land is hereby withdrawn from the terms and provisions of the Master Covenant will no longer apply to the Land.

5. **Defined Terms.** Capitalized terms used but not defined in this Notice of Withdrawal will have the meaning subscribed to such terms in the Master Covenant.

6. Counterparts. This Notice of Withdrawal may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

[SIGNATURE PAGES FOLLOW]


EXECUTED to be effective as of the 19th day of June, 2018.

DECLARANT:

EPT MESA DEVELOPMENT, LP,
a Delaware limited partnership

By: EPT Mesa Development Management, LLC,
a Delaware limited liability company, its
General Partner

By: EPT Land Management, LLC, a Texas
~~limited liability company~~, its Manager

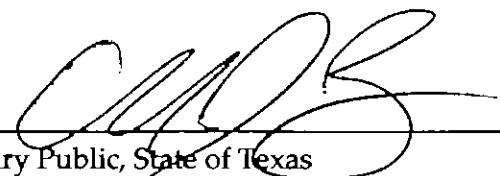
By: 
Printed Name: Richard Aguilera
Title: Manager

THE STATE OF TEXAS §

COUNTY OF EL PASO §

This instrument was acknowledged before me on this 19th day of June, 2018, by Richard Aguilera Manager of EPT Land Management, LLC, a Texas limited liability company, Manager of EPT Mesa Development Management, LLC, a Delaware limited liability company, General Partner of EPT MESA Development, LP, a Delaware limited partnership, on behalf of said limited liability companies and limited partnership.





Notary Public, State of Texas

ACKNOWLEDGED AND AGREED

EPT MONTECILLO I-10 DEVELOPMENT, LLC,
a Texas limited liability company

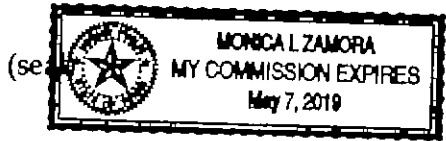
By: 123 Plus Management, LLC,
a Texas limited liability company,
its Manager

By: _____
Printed Name: Richard Aguilar
Title: Manager

THE STATE OF TEXAS §

COUNTY OF EL PASO §

This instrument was acknowledged before me on this 19th day of June, 2018, by Richard Aguilar, Manager of 123 Plus Management, LLC, a Texas limited liability company, Manager of EPT Montecillo I-10 Development, LLC, a Texas limited liability company, on behalf of said limited liability company.



Notary Public, State of Texas

EXHIBIT "A"

LAND

Approximately 60.0651 acres of real property located in El Paso County, Texas, as more particularly described on Exhibit "A-1", **SAVE AND EXCEPT** approximately 8.7816 acres of real property located in El Paso County, Texas, as more particularly described on Exhibit "A-2" and **SAVE AND EXCEPT** approximately 3.5751 acres of real property located in El Paso County, Texas, as more particularly described on Exhibit "A-3".

EXHIBIT "A" - 1

NOTICE OF WITHDRAWAL OF LAND
MONTECILLO [UNIT 11]

EXHIBIT "A-1"

[See Attached]

EXHIBIT "A-1" - 1

NOTICE OF WITHDRAWAL OF LAND
MONTECILLO [*UNIT 11*]



BROCK & BUSTILLOS INC.
CONCRETE CONCRETE CONCRETE
LAND SURVEYORS

CONRAD J. BUSTILLOS, INC.
1901 6th St.
SAN ANTONIO, TEXAS 78205
GAYNOR P. BROCK, INC.
LAW OFFICE FOR REAL ESTATE
515 G. O. ALBARELLO, P.L.L.C.
10000 North Loop West, Suite 1000
HOUSTON, TEXAS 77037
ANDREW A. BUSTILLOS, II, P.L.L.C.
11000 Katy Road, Suite 1000
HOUSTON, TEXAS 77058
BANK C. BUSTILLOS, P.L.L.C.
Survey Division
1901 6th St., Suite 1000
HOUSTON, TEXAS 77037

METES AND BOUNDS DESCRIPTION

A 60.6431 acre parcel situate within the City of El Paso, El Paso County, Texas as a portion of Tracts 3 and 3A, John Barker Survey No. 10, all of Tract 6 and a portion of Tract 7, J.F. Harrison Survey No. 54 and a portion of Lots 6 and 7, Block 2, Montecillo Unit Three, Replat "B", as recorded in File No. 20120094929, Plat Records of El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING for reference at a one inch pipe in concrete found at the intersection of the boundary line common to A. F. Miller Survey No. 215 and John Barker Survey No. 10 and the boundary line common to Tract 3A, John Barker Survey No. 10 and Tract 7, J.F. Harrison Survey No. 54, identical to the northwest corner of said Tract 3A; *THENCE*, a 1/2 inch rebar with survey cap No. "TX 5152" found for the northeast corner of Lot 3, Block 2, Montecillo Unit Three Replat "B", bears South 89°10'00" East, a distance of 2,563.27 feet; *THENCE*, leaving the boundary line common to said Survey No. 215 and said Survey No. 10 and following the boundary line common to said Tracts 3A and 7, South 00°50'38" West, a distance of 225.25 feet to the *POINT OF BEGINNING* of the parcel herein described;

THENCE, leaving the boundary line common to said Tracts 3A and 7, North 72°01'31" East, a distance of 8.09 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for an angle point of the parcel herein described;

THENCE, South 53°11'14" East, a distance of 199.99 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for an angle point of the parcel herein described;

THENCE, South 01°36'01" West, a distance of 76.30 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for an angle point of the parcel herein described;

THENCE, South 30°11'34" West, a distance of 315.71 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for an angle point of the parcel herein described;

THENCE, South 53°40'20" East, a distance of 458.03 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for an angle point of the parcel herein described;

THENCE, South 36°19'40" West, at a distance of 229.70 feet pass the boundary line common to said Tracts 3A and 7 and continuing for a total distance of 491.00 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for an angle point of the parcel herein described;

THENCE, South 53°40'20" East, a distance of 530.05 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for an angle point of the parcel herein described;

THENCE, South 37°33'44" East, a distance of 80.77 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for an angle point of the parcel herein described;

THENCE, South 69°44'40" East, a distance of 2.41 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for the beginning of a non-tangent curve to the left;

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EXHIBIT "A-1" - 2

NOTICE OF WITHDRAWAL OF LAND
MONTECILLO [UNIT 11]

4824-2362-0703v.2
61767-1 5/23/2018

THENCE, following the arc of said non-tangent curve to the left having a radius of 70.00 feet, a central angle of $35^{\circ}18'17''$, an arc length of 43.13 feet and whose long chord bears South $87^{\circ}23'48''$ East, a distance of 42.54 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for a point of tangency;

THENCE, North $74^{\circ}57'04''$ East, a distance of 39.31 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for a point of curvature;

THENCE, following the arc of a curve to the right having a radius of 633.00 feet, a central angle of $13^{\circ}27'50''$, an arc length of 148.75 feet and whose long chord bears North $81^{\circ}40'59''$ East, a distance of 148.41 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for a point of tangency;

THENCE, North $88^{\circ}24'54''$ East, a distance of 23.78 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for a point of curvature;

THENCE, following the arc of a curve to the right having a radius of 333.00 feet, a central angle of $52^{\circ}48'34''$, an arc length of 306.93 feet and whose long chord bears South $65^{\circ}10'49''$ East, a distance of 296.18 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for a point of tangency;

THENCE, South $58^{\circ}46'32''$ East, a distance of 104.86 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for a point of curvature;

THENCE, following the arc of a curve to the left having a radius of 147.00 feet, a central angle of $31^{\circ}22'23''$, an arc length of 80.49 feet and whose long chord bears South $54^{\circ}27'44''$ East, a distance of 74.49 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for a point of compound curvature;

THENCE, following the arc of a curve to the left having a radius of 45.00 feet, a central angle of $74^{\circ}29'25''$, an arc length of 58.50 feet and whose long chord bears North $72^{\circ}36'22''$ East, a distance of 54.47 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for a point of tangency;

THENCE, North $35^{\circ}21'39''$ East, a distance of 44.69 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for an angle point of the parcel herein described;

THENCE, South $54^{\circ}34'45''$ East, a distance of 42.00 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for the beginning of a non-tangent curve to the left;

THENCE, following the arc of said non-tangent curve to the left having a radius of 35.00 feet, a central angle of $117^{\circ}47'08''$, an arc length of 71.95 feet and whose long chord bears South $23^{\circ}31'54''$ East, a distance of 59.93 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for a point of tangency;

THENCE, South $82^{\circ}25'27''$ East, a distance of 308.69 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for a point of curvature;

THENCE, following the arc of a curve to the left having a radius of 50.00 feet, a central angle of $75^{\circ}26'03''$, an arc length of 65.83 feet and whose long chord bears North $59^{\circ}51'32''$ East, a distance of 61.18 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for a point of reverse curvature;

THENCE, following the arc of a curve to the right having a radius of 205.00 feet, a central angle of $07^{\circ}33'22''$, an arc length of 27.04 feet and whose long chord bears North $25^{\circ}55'11''$ East, a distance of 27.02 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for the end of said curve to the right;

THENCE, South $60^{\circ}18'08''$ East, a distance of 50.00 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for the beginning of a non-tangent curve to the left;

THENCE, following the arc of said non-tangent curve to the left having a radius of 155.00 feet, a central angle of $04^{\circ}36'14''$, an arc length of 12.46 feet and whose long chord bears South $27^{\circ}23'45''$ West, a distance of 12.45 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for a point of compound curvature;

THENCE, following the arc of a curve to the left having a radius of 25.00 feet, a central angle of $107^{\circ}31'02''$, an arc length of 46.91 feet and whose long chord bears South $28^{\circ}39'55''$ East, a distance of 40.33 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for a point of tangency;

THENCE, South $82^{\circ}25'27''$ East, a distance of 268.33 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for an angle point of the parcel herein described;

THENCE, North $29^{\circ}47'14''$ East, a distance of 3.24 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for an angle point of the parcel herein described, identical to the southwesterly corner of Lot 5, Block 2, Montecillo Unit Three Replat B;

THENCE, following the southerly boundary line of said Lot 5, South $82^{\circ}25'27''$ East, a distance of 90.90 feet past the boundary line common to said Lot 5 and Lot 4, Block 2, Montecillo Unit Three Replat B and continuing along the southerly boundary line of said Lot 4 for a total distance of 196.30 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for the most easterly corner of the parcel herein described;

THENCE, leaving the southerly boundary line of said Lot 4, South $07^{\circ}34'33''$ West, a distance of 64.00 feet to a 1/2 inch rebar with survey cap No. "TX 6223" found on the northerly boundary line of "Open Space", Lot 7, Block 2, Montecillo Unit Three Replat "B", said Lot 7 being a 75.00 feet wide El Paso Electric Company Easement as filed in Book 1344, Page 241, El Paso County Dead Records;

THENCE, following the northerly boundary line of said Lot 7, North $82^{\circ}25'27''$ West, a distance of 1,041.38 feet to a 1/2-inch rebar with survey cap No. "TX 6223" set for an angle point of the parcel herein described;

THENCE, leaving the northerly boundary line of said Lot 7, South $06^{\circ}52'28''$ West, a distance of 75.01 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set on the southerly boundary line of said Lot 7 for an angle point of the parcel herein described;

THENCE, following the southerly boundary line of said Lot 7, North $82^{\circ}25'27''$ West, a distance of 273.33 feet to an El Paso Electric Company brass cap monument found on the boundary line common to said Lot 7 and Tract B, John Barber Survey No. 10 for an angle point of the parcel herein described, identical to the southwest corner of said Lot 7;

THENCE, leaving the southerly boundary line of said Lot 7 and following the boundary line common to said Lot 7 and said Tract 8, North $00^{\circ}49'12''$ East, a distance of 75.03 feet to a 1/2 inch rebar with survey cap No. "TX 5572" found on the boundary line common to said Tract 8 and Tract 3, John Barker Survey No. 10 for an angle point of the parcel herein described, identical to the northwest corner of said Lot 7;

THENCE, leaving the boundary line common to said Lot 7 and said Tract 8 and following the boundary line common to said Tracts 3 and 8, South $88^{\circ}41'02''$ West, a distance of 731.27 feet to a 1/2 inch rebar with survey cap No. "TX 5572" found on the northeasterly right-of-way line of Interstate Highway No. 10 (variable width) for an angle point of the parcel herein described, identical to the northeasterly corner of said Tract 8;

THENCE, leaving the boundary line common to said Tracts 3 and 8 and following the northeasterly right-of-way line of Interstate Highway No. 10, North $37^{\circ}37'52''$ West, a distance of 84.61 feet (North $38^{\circ}39'05''$ West, 87.29 feet ~ deed) to a TXDOT brass cap right-of-way marker found for an angle point of the parcel herein described;

THENCE, continuing along the northeasterly right-of-way line of Interstate Highway No. 10, North $53^{\circ}31'31''$ West, at a distance of 199.52 feet pass the boundary line common to said Tracts 3 and 6 and continuing on for a total distance of 1,033.77 feet (North $53^{\circ}37'06''$ West, 1,032.86 feet ~ deed) to a TXDOT brass cap right-of-way marker found for an angle point of the parcel herein described;

THENCE, continuing along the northeasterly right-of-way line of Interstate Highway No. 10, North $73^{\circ}20'38''$ West, a distance of 596.04 feet (North $73^{\circ}24'53''$ West, 595.93 feet ~ deed) to a TXDOT brass cap right-of-way marker found for an angle point of the parcel herein described;

THENCE, continuing along the northeasterly right-of-way line of Interstate Highway No. 10, North $89^{\circ}51'09''$ West, a distance of 1,155.85 feet (North $89^{\circ}52'24''$ West, 1,156.61 feet ~ deed) to a 1/2-inch rebar found for the southwesterly corner of Rubin Heights Unit Two Replat "A" Amending Plat, as filed in Book 75, Page 53, El Paso County Plat Records;

THENCE, leaving the northeasterly right-of-way line of Interstate Highway No. 10 and following the southeasterly boundary line of Rubin Heights Unit Two Replat "A" Amending Plat, North $57^{\circ}42'12''$ East, a distance of 364.33 feet (North $57^{\circ}43'32''$ East, 364.33 feet ~ deed) to a 1/2-inch rebar with survey cap No. "TX2998" found for an angle point of the parcel herein described;

THENCE, continuing along the southeasterly boundary line of Rubin Heights Unit Two Replat "A" Amending Plat, South $21^{\circ}58'17''$ East, a distance of 51.42 feet (South $22^{\circ}02'40''$ East, 51.56 feet ~ deed) to a 1/2-inch rebar with survey cap No. "TX2998" found for an angle point of the parcel herein described;

THENCE, continuing along the southeasterly boundary line of Rubin Heights Unit Two Replat "A" Amending Plat, North $48^{\circ}09'31''$ East, a distance of 949.15 feet (North $48^{\circ}06'58''$ East, 949.11 feet ~ deed) to a 1/2-inch rebar with survey cap No. "TX6223" set for an angle point of the parcel herein described;

THENCE, continuing along the southeasterly boundary line of Rubin Heights Unit Two Replat "A" Amending Plat, North $53^{\circ}39'47''$ East, a distance of 265.78 feet (North $53^{\circ}39'58''$ East, 265.72 feet ~ deed) to a chiseled "X" in concrete found on the westerly right-of-way line of Suncrest Drive (60 feet wide) for the southeasterly corner of Rubin Heights Unit Two Replat "A" Amending Plat, identical to the

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EXHIBIT "A-1" - 5

NOTICE OF WITHDRAWAL OF LAND
MONTECILLO [UNIT 11]

southwesterly corner of Rubin Heights Unit One, as filed in Book 37, Page 8. Plat Records of El Paso County, Texas;

THENCE, leaving the westerly right-of-way line of said Suncrest Drive and following the southerly boundary line of Rubin Heights Unit One, North 69°34'53" East, a distance of 70.00 feet (North 69°34'53" East, 70.00 feet ~ deed) to a chiseled "X" in concrete found on the easterly right-of-way line of Suncrest Drive, identical to the southwesterly corner of Lot 1, Block 1, Rubin Heights Unit One;

THENCE, leaving the easterly right-of-way line of Suncrest Drive and following the southerly boundary line of said Lot 1, North 85°04'36" East, a distance of 453.51 feet to a 1/2-inch rebar with survey cap No. "TX6223" set for an angle point of the parcel herein described;

THENCE, leaving the southerly boundary line of said Lot 1, South 33°36'03" East, a distance of 314.79 feet to a 1/2-inch rebar with survey cap No. "TX6223" set for a point of curvature;

THENCE, following the arc of a curve to the left having a radius of 172.06 feet, a central angle of 11°27'34", an arc length of 34.41 feet and whose long chord bears South 39°19'50" East, a distance of 34.36 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for a point of tangency;

THENCE, South 45°03'37" East, a distance of 72.34 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for an angle point of the parcel herein described;

THENCE, South 70°11'32" East, a distance of 18.02 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for an angle point of the parcel herein described;

THENCE, South 46°36'35" East, a distance of 48.79 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for an angle point of the parcel herein described;

THENCE, North 43°35'22" East, a distance of 346.67 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for the beginning of a non-tangent curve to the right;

THENCE, following the arc of said non-tangent curve to the right having a radius of 270.00 feet, a central angle of 67°48'39", an arc length of 36.81 feet and whose long chord bears North 47°17'44" East, a distance of 36.78 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for the end of said curve;

THENCE, North 72°01'31" East, a distance of 94.34 feet to the **POINT OF BEGINNING**;

Said parcel containing a gross area of 60.0651 acres (2,616,435.1 square feet, more or less, and being subject to all easements, restrictions and covenants of record.

Aaron Alvarado, TX R. P. L. S. No. 6223
Date: December 21, 2017
07604-014R Unit 11 Desc.doc



EXHIBIT "A-2"

TOPGOLF PROPERTY

[See Attached]

EXHIBIT "A-2" - 1

NOTICE OF WITHDRAWAL OF LAND
MONTECILLO [UNIT 11]

EXHIBIT "A"

TOPGOLF PROPERTY

A 8.7816 acre parcel situate south of the City of El Paso, El Paso County, Texas as a portion of Tracts 6 and 7, I.F. Harrison Survey No. 54 and a portion of Tract 3A, John Barker Survey No. 10 and being more particularly described by metes and bounds as follows:

COMMENCING at a one inch pipe in concrete found for the northwest corner of Tract 3A, John Barker Survey No. 10 and the east boundary line of Tract 7, I.F. Harrison Survey No. 54, WHENCE, a 1/2 inch rebar with survey cap No. "TX 5152" found for the northeast corner of Lot 3, Block 2, Montecillo Unit Three, Replat "B", recorded in file No. 20120094929, plat records of El Paso County bears South 89°10'00" East, a distance of 2,563.27 feet; THENCE, following the boundary line common to said Tracts 3A and 7, South 00°50'38" West, a distance of 225.25 feet to the POINT OF BEGINNING of the parcel herein described;

THENCE, leaving the boundary line common to said Tracts 3A and 7, North 72°01'31" East, a distance of 8.09 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for the most northerly corner of the parcel herein described;

THENCE, South 53°11'14" East, a distance of 199.39 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for an angle point of the parcel herein described;

THENCE, South 01°36'01" West, a distance of 76.30 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for an angle point of the parcel herein described;

THENCE, South 30°11'34" West, a distance of 321.36 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for an angle point of the parcel herein described;

THENCE, South 27°02'31" West, at a distance of 23.81 feet pass the boundary line common to said Tracts 3A and 6 and continuing on for a total distance of 324.05 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for an angle point of the parcel herein described;

THENCE, North 63°06'23" West, a distance of 10.00 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for an angle point of the parcel herein described;

THENCE, South 36°19'35" West, a distance of 56.91 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for an angle point of the parcel herein described;

THENCE, South 53°28'37" East, a distance of 59.99 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for an angle point of the parcel herein described; WHENCE, a city monument found at the centerline intersection of Montecillo Boulevard (110 feet wide) and Castellano Drive (64 feet wide) bears, South 76°40'03" East, a distance of 2,898.50 feet;

THENCE, South 36°19'35" West, a distance of 207.82 feet to a 1/2 inch rebar with survey cap No. "TX 6223" set for a point of curvature;

EXHIBIT "A-2" - 2

NOTICE OF WITHDRAWAL OF LAND
MONTECILLO [UNIT 11]

EXHIBIT "A-3"

PARKING AREA

[See Attached]

EXHIBIT "A-3" - 1

NOTICE OF WITHDRAWAL OF LAND
MONTECILLO [UNIT 11]



ROMAN BUSTILLOS, P.E.
President
LARRY P. BROCK, P.L.
Executive Vice President
SERGIO J. ABAME, P.L.
Vice President - Engineering
AARON ALVARADO, R.P.L.S.
Vice President - Surveying
ISAAC CAMACHO, R.P.L.S.
Survey Manager
TSPS Reg. No. 2-737
TSPS Reg. No. 181314-80

METES AND BOUNDS DESCRIPTION

A 3.5751 acre parcel situated within the City of El Paso, El Paso County, Texas being a portion of Tracts 6 and 7, I.P. Harrison Survey No. 54 and being more particularly described by metes and bounds as follows:

COMMENCING at a one inch pipe in concrete found for the northwest corner of Tract 3A, John Barker Survey No. 10 and the east boundary line of Tract 7, I.P. Harrison Survey No. 54, **WHENCE**, a 1/2 inch rebar with survey cap No. "TX 5152" found for the northeast corner of Lot 3, Block 2, Montecillo Unit Three, Replat "B", bears South 89°10'00" East, a distance of 2,563.27 feet; **THENCE**, South 61°11'36" West, a distance of 690.55 feet to a 1/2-inch rebar with survey cap No. "TX6223" set for the **POINT OF BEGINNING** of the parcel herein described;

THENCE, South 33°36'03" East, a distance of 133.68 feet to a 1/2-inch rebar with survey cap No. "TX6223" set for a point of curvature;

THENCE, following the arc a curve to the left having a radius of 228.06 feet, a central angle of 11°27'23", an arc length of 45.60 feet and whose long chord bears South 39°19'56" East, a distance of 45.52 feet to 1/2-inch rebar with survey cap No. "TX6223" set for a point of tangency;

THENCE, South 45°03'37" East, a distance of 59.41 feet to 1/2-inch rebar with survey cap No. "TX6223" set for a point of curvature;

THENCE, following the arc a curve to the right having a radius of 20.00 feet, a central angle of 88°38'59", an arc length of 30.94 feet and whose long chord bears South 00°44'08" East, a distance of 27.95 feet to 1/2-inch rebar with survey cap No. "TX6223" set for a point of tangency;

THENCE, South 43°35'22" West, a distance of 148.81 feet to 1/2-inch rebar with survey cap No. "TX6223" set for the beginning of a non-tangent curve to the left;

THENCE, following the arc of said non-tangent curve to the left having a radius of 368.37 feet, a central angle of 25°05'12", an arc length of 161.29 feet and whose long chord bears South 29°57'47" West, a distance of 160.00 feet to 1/2-inch rebar with survey cap No. "TX6223" set for a point of tangency;

THENCE, South 16°37'55" West, a distance of 104.52 feet to 1/2-inch rebar with survey cap No. "TX6223" set for the southeasterly corner of the parcel herein described;

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EXHIBIT "A-3" - 2

NOTICE OF WITHDRAWAL OF LAND
MONTECILLO [UNIT 11]

THENCE, North 73°22'05" West, a distance of 177.00 feet to 1/2-inch rebar with survey cap No. "TX6223" set for the southwesterly corner of the parcel herein described;

THENCE, North 16°37'55" East, a distance of 234.70 feet to 1/2-inch rebar with survey cap No. "TX6223" set for an angle point of the parcel herein described;

THENCE, North 73°22'05" West, a distance of 268.92 feet to 1/2-inch rebar with survey cap No. "TX6223" set for the beginning of a non-tangent curve to the left;

THENCE, following the arc of said non-tangent curve to the left having a radius of 530.00 feet, a central angle of 06°19'56", an arc length of 58.57 feet and whose long chord bears North 01°48'48" East, a distance of 58.54 feet to 1/2-inch rebar with survey cap No. "TX6223" set for the end of said curve;

THENCE, North 90°00'00" East, a distance of 84.82 feet to 1/2-inch rebar with survey cap No. "TX6223" set for an angle point of the parcel herein described;

THENCE, North 00°00'00" East, a distance of 42.15 feet to 1/2-inch rebar with survey cap No. "TX6223" set for an angle point of the parcel herein described;

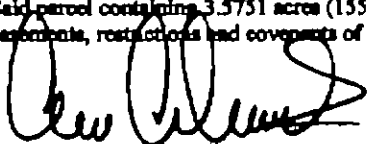
THENCE, North 77°49'17" East, a distance of 266.33 feet to 1/2-inch rebar with survey cap No. "TX6223" set for an angle point of the parcel herein described;

THENCE, North 12°10'43" West, a distance of 88.79 feet to 1/2-inch rebar with survey cap No. "TX6223" set for an angle point of the parcel herein described;

THENCE, North 77°40'31" East, a distance of 11.36 feet to 1/2-inch rebar with survey cap No. "TX6223" set for a point of curvature;

THENCE, following the arc a curve to the right having a radius of 84.00 feet, a central angle of 68°43'26", an arc length of 100.75 feet and whose long chord bears South 67°57'46" East, a distance of 94.82 feet to the **POINT OF BEGINNING**;

Said parcel containing 3.5731 acres (155,730.7 square feet), more or less, and being subject to all easements, restrictions and covenants of record.


Aaron Alvarado, TX E. P. L. S. No. 6225
Date: March 15, 2017
07004-014B-PARKING-EASEMENT.doc



Doc # 20180049490
#Pages 17 #NFPages 1
6/26/2018 9:29 AM
Filed & Recorded in
Official Records of
El Paso County
Delia Briones
County Clerk
Fees \$90.00

eRecorded

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded by document number in the Official Public Records of Real Property in El Paso County.



EL PASO COUNTY, TEXAS

Delia Briones