

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 012985 THAT VACATED A PORTION OF SAN FRANCISCO STREET AND EL PASO STREET ABUTTING PORTIONS OF BLOCK 16, MILLS ADDITION, AND BLOCK 17, HERALD ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS

WHEREAS, on November 5, 1996, the City Council of the City of El Paso approved the vacation of a portion of San Francisco Street closing the Right-of-Way to public vehicular use ; and,

WHEREAS, in order to promote greater connectivity in the downtown area, the City is requesting that the portion of San Francisco Street described in the attached metes and bounds description and survey identified as Exhibit "A" and made a part hereof by reference, be re-opened to public vehicular use ; and

WHEREAS, a public hearing regarding the amendment of the ordinance was held before the City Plan Commission, and the Commission recommended approval of the amendment; and,

WHEREAS, the City Council of the City of El Paso has determined that the amendment of the above ordinance will protect the best interest, health, safety and welfare of the public in general.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS:

1. That Exhibit "B" of Ordinance No. 012985 dated November 5, 1996 be amended by removing the area described in Exhibit "A" of this amendment from the portion vacated from public vehicular use; and
2. That the area described in Exhibit "A" of this amendment be re-opened to public vehicular use.
3. Except as herein amended, Ordinance No. 12985, approved by City Council on November 5, 1996, shall remain in full force and effect.

PASSED AND APPROVED this _____ day of _____, 2013.

(SIGNATURES ON FOLLOWING PAGE)

THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Lauren Ferris
Assistant City Attorney

APPROVED AS TO CONTENT:

Mathew S. McElroy, Director
City Development Department

A PORTION OF SAN FRANCISCO STREET

Property Description: The parcel of land herein described is a portion of San Francisco Street, south of Block 17, Herald Addition, an addition to the City of El Paso, El Paso County, Texas and north of Block 16, Mills Addition, addition to the City of El Paso, El Paso County, Texas and is more particularly described by metes and bounds as follows:

Commencing at an existing city monument located on the intersection of South El Paso Street (70' public right-of-way) and San Francisco Street; Thence, South $76^{\circ} 21' 17''$ West, a distance of 47.04 feet to the TRUE POINT OF BEGINNING of this description;

THENCE, 17.57 feet along the arc of a curve to the right, having a radius of 29.50 feet, a central angle of $34^{\circ} 07' 19''$ and a chord which bears South $62^{\circ} 37' 09''$ West, a distance of 17.31 feet to a point for a boundary corner;

THENCE, South $79^{\circ} 40' 52''$ West, a distance of 20.19 feet to a point for a boundary corner and a point for a curve;

THENCE, 28.50 feet along the arc of a curve to the left, having a radius of 75.15 feet, a central angle of $21^{\circ} 43' 48''$ and a chord which bears South $68^{\circ} 48' 58''$ West, a distance of 28.33 feet to a point for a boundary corner and a point for a curve;

THENCE, 28.01 feet along the arc of a curve to the left, having a radius of 56.83 feet, a central angle of $28^{\circ} 14' 17''$ and a chord which bears South $40^{\circ} 37' 25''$ West, a distance of 27.73 feet to a point for a boundary corner;

THENCE, South $80^{\circ} 22' 55''$ West, a distance of 195.34 feet to a point for a boundary corner and a point for a curve;

THENCE, 4.23 feet along the arc of a curve to the left, having a radius of 1.90 feet, a central angle of $127^{\circ} 37' 43''$ and a chord which bears South $16^{\circ} 31' 27''$ West, a distance of 3.41 feet to a point for a boundary corner;

THENCE, South $42^{\circ} 39' 59''$ West, a distance of 3.61 feet to a point for a boundary corner;

THENCE, South $80^{\circ} 29' 15''$ West, a distance of 5.79 feet to a point for a boundary corner and a point for a curve;

THENCE, 37.77 feet along the arc of a curve to the left, having a radius of 50.50 feet, a central angle of $42^{\circ} 51' 28''$ and a chord which bears North $73^{\circ} 09' 00''$ West, a distance of 36.90 feet to a point for a boundary corner and a point for a curve;

THENCE, 7.85 feet along the arc of a curve to the right, having a radius of 50.00 feet, a central angle of $08^{\circ} 59' 36''$ and a chord which bears South $89^{\circ} 06' 29''$ West, a distance of 7.84 feet to a point for a boundary corner and a point for a curve;

THENCE, 15.63 feet along the arc of a curve to the right, having a radius of 79.50 feet, a central angle of $11^{\circ} 15' 43''$ and a chord which bears South $80^{\circ} 45' 48''$ East, a distance of 15.60 feet to a point for a boundary corner;

THENCE, North $37^{\circ} 37' 00''$ West, a distance of 18.48 feet to a point for a boundary corner and a point for a curve;

THENCE, 45.18 feet along the arc of a curve to the left, having a radius of 114.83 feet, a central angle of $22^{\circ} 32' 37''$ and a chord which bears South $73^{\circ} 25' 21''$ East, a distance of 44.89 to a point for a boundary corner;

THENCE, North $80^{\circ} 07' 13''$ East, a distance of 220.91 feet to a point for a boundary corner and a point for a curve;

EXHIBIT A

THENCE, 20.08 feet along the arc of a curve to the left, having a radius of 40.25 feet, a central angle of 28° 35' 04" and a chord which bears North 65° 49' 41" East, a distance of 19.87 feet to a point for a boundary corner and a point for a curve;

THENCE, 24.56 feet along the arc of a curve to the right, having a radius of 55.09 feet, a central angle of 25° 32' 35" and a chord which bears North 64° 18' 26" East, a distance of 24.36 feet to a point for a boundary corner;

THENCE, North 78° 46' 17" East, a distance of 44.12 to a point for a boundary corner;

THENCE, North 72° 32' 52" East, a distance of 7.59 back to the TRUE POINT OF BEGINNING of this description.

Said parcel of land contains 0.0918 acre (4,001 Sq. Ft.) of land, more or less.

A PLAT OF SURVEY OF EVEN DATE ACCOMPANIES THIS METES AND BOUNDS DESCRIPTION.

SLI ENGINEERING, INC.
Consulting Engineers—Land Surveyors

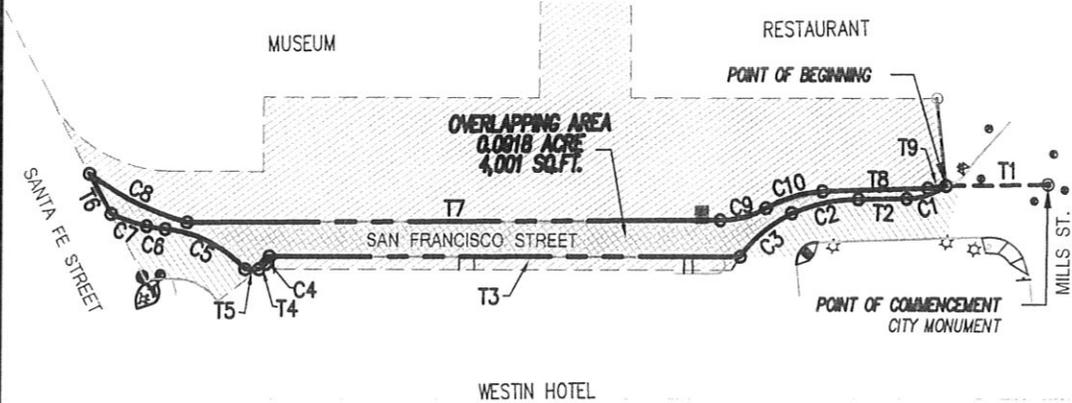
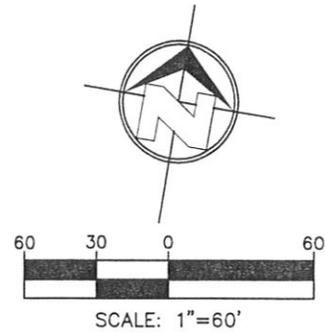
Guillermo Licon
Registered Professional Land Surveyor
Texas License No. 2998



August 29, 2012
Job# 06-12-3256
M&B/

EXHIBIT A

LINE TABLE		
TANGENT	BEARING	DISTANCE
T1	S76°21'17"W	47.04'
T2	S79°40'52"W	20.19'
T3	S80°22'55"W	195.34'
T4	S42°39'59"W	3.61'
T5	S80°29'15"W	5.79'
T6	N37°37'00"W	18.48'
T7	N80°07'13"E	220.91'
T8	N78°46'17"E	44.12'
T9	N72°32'52"E	7.59'



CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	29.50'	17.57'	9.05'	17.31'	S62°37'09"W	34°07'19"
C2	75.15'	28.50'	14.42'	28.33'	S68°48'58"W	21°43'48"
C3	56.83'	28.01'	14.29'	27.73'	S40°37'25"W	28°14'17"
C4	1.90'	4.23'	3.86'	3.41'	S16°31'27"W	127°37'43"
C5	50.50'	37.77'	19.82'	36.90'	N73°09'00"W	42°51'28"
C6	50.00'	7.85'	3.93'	7.84'	S89°06'29"W	8°59'36"
C7	79.50'	15.63'	7.84'	15.60'	S80°45'48"E	11°15'43"
C8	114.83'	45.18'	22.89'	44.89'	S73°25'21"E	22°32'37"
C9	40.25'	20.08'	10.25'	19.87'	N65°49'41"E	28°35'04"
C10	55.09'	24.56'	12.49'	24.36'	N64°18'26"E	25°32'35"

NOTE:
ALL INFORMATION SHOWN HEREON WITH RESPECT TO UNDERGROUND CONDITIONS WAS DETERMINED BY DATA COLLECTED THROUGH SURVEY CREW OBSERVATION AND OTHER INFORMATION TAKEN FROM EXISTING PLANS AND MAPS OF RECORD. NO UNDERGROUND UTILITIES EXISTING OR ABANDONED WERE EXPOSED OR LOCATED.

UNLESS SPECIFICALLY ACCEPTED BY SLI ENGINEERING, INC. IN WRITING, SLI ENGINEERING, INC. MAKES NO CLAIM, EXPRESSED OR IMPLIED, AS TO THE UNDERGROUND SITE CONDITIONS.

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NUMBER 480214 0039 B, DATED OCTOBER 15, 1982, THIS PROPERTY LIES IN FLOOD ZONE "C".

ZONE "C" AREAS OF MINIMAL FLOODING.

DUE TO INHERENT INACCURACIES OF FEMA OR FLOOD INSURANCE RATE MAPS THIS SURVEYOR DOES NOT CERTIFY TO THE ACCURACY OF LOCATIONS BASED ON SUCH MAPS. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

Copyright 2012 SLI Engineering, Inc.

This map and survey are being provided solely for the use of the City of El Paso, TX and no license has been created, expressed or implied, to copy the surveys and/or map(s) except as necessary in conjunction with the original transaction. This transaction shall be effective within six (6) months from the date hereon August 29, 2012.

- NOTES:**
1. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT OF SURVEY.
 2. SET 1/2" IRON WITH SLI CAP STAMPED "TX 2998" ON ALL PROPERTY CORNERS UNLESS OTHERWISE INDICATED.
 3. BASIS OF BEARING: MAP OF HERALD ADDITION RECORDED IN VOLUME 02, PAGE 07.
 4. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.



PLAT OF BOUNDARY

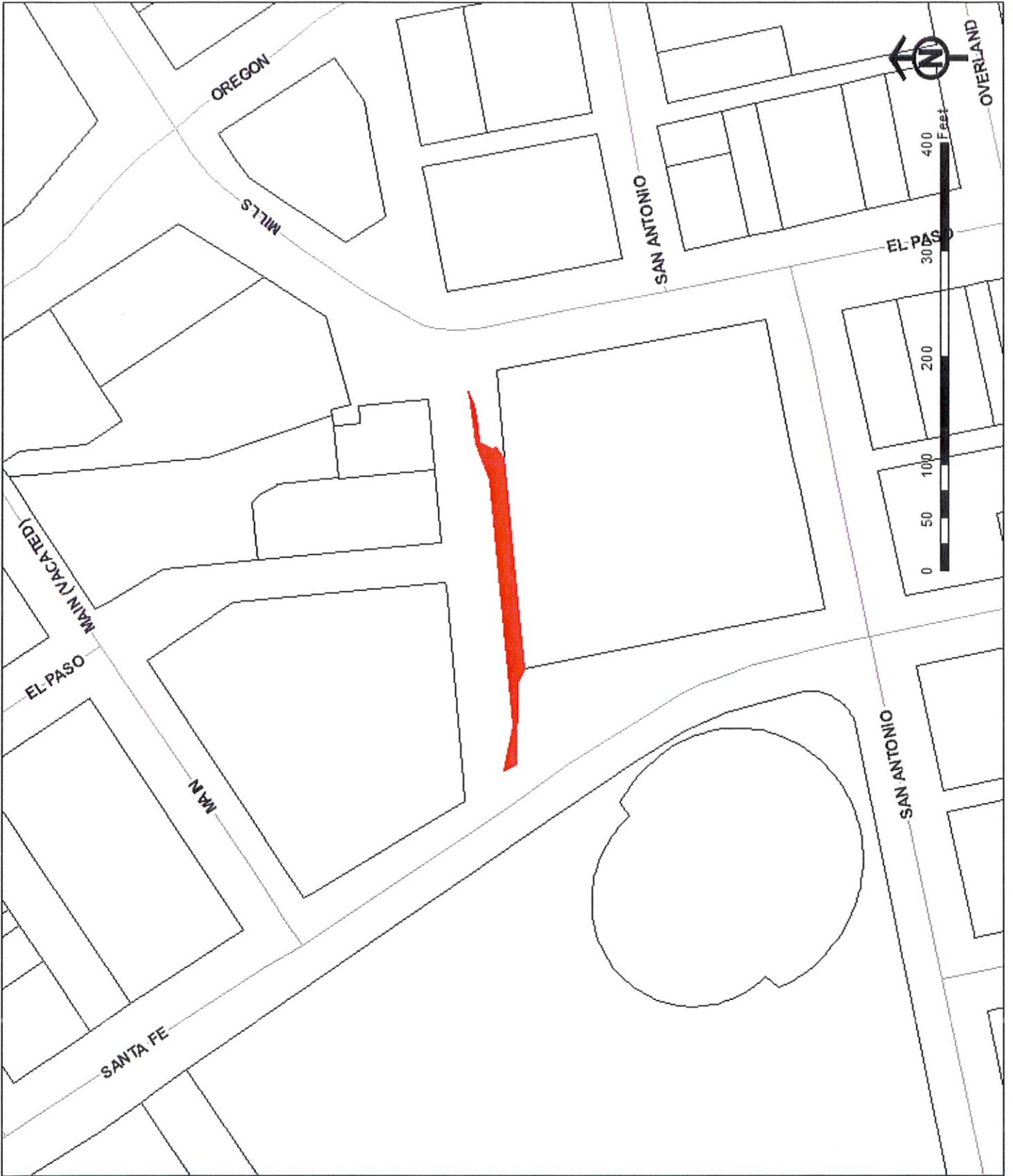
SLI ENGINEERING, INC.
CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS
6600 WESTWIND DRIVE
EL PASO, TEXAS 79912
915-584-4457

PORTION OF SAN FRANCISCO STREET, SOUTH OF BLOCK 17, HERALD ADDITION, AND NORTH OF BLOCK 16, MILLS ADDITION, BOTH BEING AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF ON FILE IN VOLUME 02, PAGE 07, PLAT RECORDS OF EL PASO COUNTY, TEXAS.

CERTIFICATION
I HEREBY CERTIFY THAT THE FOREGOING PLAT OF BOUNDARY WAS PERFORMED UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

GUILLERMO LICON, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS LICENSE NO. 2998

JOB #: 06-12-3256 DR. BY: MN
SCALE: 1"=60' F.B. #: 0055-K
F:\Vinsaur\10-28883\FacSt.
DATE: 09/29/2012 DWG.: HerdAdd1.dwg\PLSanfranciscoSt.



SAN FRANCISCO STREET
RE-OPENING

ORDINANCE NO. 012985

AN ORDINANCE VACATING PORTIONS OF SAN FRANCISCO AVENUE AND EL PASO STREET ABUTTING PORTIONS OF BLOCK 16, MILLS ADDITION, AND BLOCK 17, HERALD ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS.

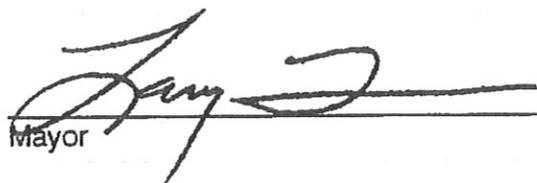
WHEREAS, the City Plan Commission has recommended that portions of San Francisco Avenue and El Paso Street, which abut Block 16, Mills Addition and Block 17, Herald Addition, City of El Paso, El Paso County, Texas, be vacated because a portion of said right-of-way is not needed for public use and another portion of said right-of-way be closed to public vehicular use and the City Council finds that said rights-of-way should be vacated or closed as recommended;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That a portion of San Francisco Street, which abuts Block 17, Herald Addition, El Paso, El Paso County, Texas, as shown on the subdivision plat on file in Volume 13, Page 6, Deed Records of El Paso County Texas, and which is more fully described in the attached metes and bounds description, identified as Exhibit "A" and made a part hereof by reference, be and is hereby vacated, closed and abandoned as a public right-of-way, and that a portion of San Francisco Street and El Paso Street abutting portions of Block 16, Mills Addition, El Paso, El Paso County, Texas as shown on the subdivision plat on file in Volume 13, Page 6, Deed Records of El Paso County, Texas and Block 17, Herald Addition, as shown on the subdivision plat on file in Volume 13, Page 6, Deed Records of El Paso County, Texas, which is more fully described in the attached metes and

bounds description, identified as Exhibit "B" and made a part hereof by reference, be and is hereby closed to public vehicular use and the use of this right-of-way as described in Exhibit "B" shall be used in connection with the Arts Festival Plaza as an environment from which pedestrians can enjoy various cultural events, subject to the entire length and width of the right-of-way in Exhibit "B" being retained as a utility easement and the area readily accessible to utility companies for maintenance, repair and replacement of their facilities.

PASSED AND APPROVED this 5th day of Nov., 1996.


Mayor

ATTEST:



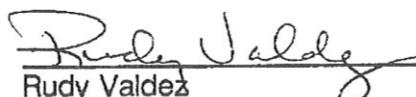
City Clerk

APPROVED AS TO FORM:



Theresa Cullen-Garney
Assistant City Attorney

APPROVED AS TO CONTENT:



Rudy Valdez
Department of Planning, Research and
Development

**HERALD ADDITION BLOCK 17
AND MILLS ADDITION, BLOCK 16 STREET VACATION
EL PASO STREET AND SAN FRANCISCO AVENUE**

Parcel No. 1

Legal description at a parcel of land being a portion of a portion of Block 17 Herald Subdivision and portion of Block 16, Mills Addition to the City of El Paso, County of El Paso, Texas and being more particularly described as follows:

Commencing at a city monument, being at the intersection of the monument line of the right-of-way of Main Avenue with the monument line of the right-of-way of El Paso Street, Thence South $09^{\circ}30'45''$ East a distance of 10.00 feet to the center line of the right-of-way of Main Avenue, Thence South $52^{\circ}23'00''$ West along the center line of the right-of-way of Main Avenue a distance of 39.00 feet, Thence South $09^{\circ}30'45''$ East a distance of 35.00 feet, Thence South $42^{\circ}19'29''$ East along the westerly right-of-way line of El Paso Street a distance of 96.98 feet, Thence South $09^{\circ}16'45''$ East along the westerly right-of-way line of El Paso Street a distance of 199.92 feet, Thence South $80^{\circ}29'15''$ West along the northerly right-of-way line of San Francisco Street a distance of 114.22 feet to the true point of beginning of this parcel of land.

Thence South $09^{\circ}16'48''$ East a distance of 30.37 feet,

Thence South $80^{\circ}43'12''$ West a distance of 38.82 feet,

Thence along the arc of a curve to the right, an arc distance of 61.11 feet, having a radius of 57.47 feet, a central angle of $60^{\circ}55'48''$, a chord distance of 58.27 feet, bearing North $68^{\circ}17'24''$ West.

Thence North $80^{\circ}29'15''$ East along the northerly right-of-way line of San Francisco Street a distance of 88.78 feet to the Point of Beginning.

Said parcel of land contains 2243.11 square feet or 0.05 acres more or less.

By: A. Avila
Checked By: A. Borrego
Date: October 31, 1996
Reference 237653

/bd

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Exhibit "A"
1 of 1

**HERALD ADDITION BLOCK 17
AND MILLS ADDITION, BLOCK 16
STREET VACATION
EL PASO STREET AND SAN FRANCISCO AVENUE**

Parcel No. 2

Legal description at a parcel of land being a portion Block 17 Herald Subdivision and portion of Block 16, Mills Addition to the City of El Paso, County of El Paso, Texas and being more particularly described as follows:

Commencing of a City Monument being at the intersection of the monument line of the right-of-way of Main Avenue with the monument line of the right-of-way of El Paso Street, Thence South $09^{\circ}30'45''$ East a distance of 10.00 feet to the center line of the right-of-way of Main Avenue, Thence South $52^{\circ}23'00''$ West along the center line of the right-of-way of Main Avenue a distance of 39.00 feet, Thence South $09^{\circ}30'45''$ East a distance of 35.00 feet to the true point of beginning of this parcel of land.

Thence South $80^{\circ}43'12''$ West a distance of 38.82 feet,

Thence North $52^{\circ}23'00''$ East along the southerly right-of-way line of Main Avenue a distance of 64.00 feet,

Thence South $37^{\circ}37'00''$ East along the easterly right-of-way line of El Paso Street a distance of 72.80 feet,

Thence South $09^{\circ}16'45''$ East along the easterly right-of-way line of El Paso Street a distance of 247.37 feet,

Thence North $80^{\circ}29'15''$ East along the northerly right-of-way line of San Francisco Street a distance of 127.68 feet,

Thence South $15^{\circ}33'45''$ East a distance of 35.66 feet,

Thence along the arc of a curve to the right, an arc distance of 17.57 feet, having a radius of 29.50 feet, a central angle of $34^{\circ}07'25''$, a chord distance of 17.31 feet, bearing South $62^{\circ}37'09''$ West,

Thence South $79^{\circ}40'52''$ West a distance of 20.19 feet,

Thence along the arc of a curve to the left, an arc distance of 28.55 feet, having a radius of 66.47 feet, a central angle of $24^{\circ}36'21''$, a chord distance of 28.33 feet, bearing South $68^{\circ}48'58''$ West,

Thence along the arc of a curve to the left, to a line common to Block 16, Mills Addition on the right-of-way line of San Francisco Street an arc distance of 34.71 feet, having a radius of 56.83 feet, a central angle of $34^{\circ}59'28''$, a chord distance of 34.17 feet, bearing South $37^{\circ}14'49''$ West,

Thence South $80^{\circ}29'15''$ West along a line common to Block 16, Mills Addition and the southerly right-of-way line of San Francisco Street a distance of 201.86 feet,

012985

Exhibit "B"
1 of 2

HERALD ADDITION BLOCK 17
and Mills Addition Block 16
Page 2

Thence through the right-of-way of Santa Fe Street the following:

Along the arc of a curve to the left, an arc distance of 37.78 feet, having a radius of 50.50 feet, a central angle of $42^{\circ}51'38''$, a chord distance of 36.90 feet, bearing North $73^{\circ}09'00''$ West,

Along the arc of a curve to the right, an arc distance of 7.84 feet, having a radius of 50.00 feet, a central angle of $08^{\circ}59'28''$, a chord distance of 7.84 feet, bearing South $89^{\circ}06'29''$ West,

Along the arc of a curve to the right, an arc distance of 16.06 feet, having a radius of 79.50 feet, a central angle of $11^{\circ}34'18''$, a chord distance of 16.03 feet, bearing North $80^{\circ}36'29''$ West,

North $37^{\circ}37'00''$ West along the easterly right-of-way line of Santa Fe Street a distance of 53.78 feet, to a common corner to Block 17, Herald Addition and same,

Thence through the right-of-way of San Francisco Street the following:

Along the arc of a curve to the left, an arc distance of 61.11 feet, having a radius of 57.47 feet, a central angle of $60^{\circ}55'48''$, a chord distance of 58.27 feet, bearing South $68^{\circ}17'24''$ East,

North $80^{\circ}43'12''$ East a distance of 38.82 feet,

North $09^{\circ}16'48''$ West a distance of 30.37 feet, to a line common to Block 17, Herald Addition and the right-of-way line of San Francisco Street

Thence North $80^{\circ}29'15''$ East along the northerly right-of-way line of San Francisco Street a distance of 114.22 feet,

Thence North $09^{\circ}16'45''$ West along the westerly right-of-way line of El Paso Street a distance of 199.92 feet,

Thence North $42^{\circ}19'29''$ West along the westerly right-of-way line of El Paso Street a distance of 96.98 feet to the true point of beginning

Said Parcel of land contains 33284.54 square feet or 0.76 acres more or less.

By: A. Avila
Checked By: A. Borrego
Date: October 31, 1996
Reference: 237653

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Exhibit "B"
2092