

**CITY OF EL PASO, TEXAS**  
**AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

**DEPARTMENT:** Engineering Department

**AGENDA DATE:** January 8, 2008

**CONTACT PERSON/PHONE:** R. Alan Shubert, P.E. - ext. 4423

**DISTRICT(S) AFFECTED:** 7

**SUBJECT:**

Texas Gas is requesting the right to cross and construct a proposed two (2) inch PPE I.P. pipe within a proposed four (4) inch steel casing pipe through the thirty (30) foot City drainage channel right-of-way located in the North West boundary of Colonia del Carmen Unit Two subdivision.

**BACKGROUND / DISCUSSION:**

This is required in order to provide gas service to the Spanish Creek Townhomes, being constructed at the northeast corner of the intersection of Lee Trevino Drive and North Loop Boulevard.

**PRIOR COUNCIL ACTION:**

City council has not previously considered this item.

**AMOUNT AND SOURCE OF FUNDING:**

No funding required for execution of this item.

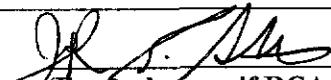
**BOARD / COMMISSION ACTION:**

N/A

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) \_\_\_\_\_ **FINANCE:** (if required) \_\_\_\_\_

**DEPARTMENT HEAD:** \_\_\_\_\_

  
(Example: \_\_\_\_\_)

if RCA is initiated by Purchasing, client department should sign also)  
*Information copy to appropriate Deputy City Manager*

**APPROVED FOR AGENDA:** \_\_\_\_\_

**CITY MANAGER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

## **RESOLUTION**

**WHEREAS**, on February 22, 2000, the El Paso City Council approved Ordinance NO. 014360 granting Southern Union Company, its legal representatives, successors, lessees, and assigns, the right, privilege and franchise to construct, operate and maintain a natural gas distribution system in the City of El Paso, Texas, for a period of thirty (30) years; and

**WHEREAS**, on May 30, 2000, the El Paso City Council approved Ordinance NO. 014496 which modified the franchise fee factor, and in every other aspect reaffirmed the franchise granted by Ordinance No.014360, hereinafter collectively referred to as the Franchise Ordinance; and

**WHEREAS**, on December 23, 2002, the El Paso City Council approved Ordinance NO. 15316 granting Southern Union Company permission and authority to assign and transfer its rights and obligations under the Franchise Ordinance to ONEOK, Inc., an Oklahoma Corporation; and

**WHEREAS**, Texas Gas Service is a division of ONEOK, Inc.; and

**WHEREAS**, ONEOK, Inc. has assigned Texas Gas Service all the obligations, duties and liabilities of Southern Union Company in and under the terms and conditions of the Franchise Ordinance; and

**WHEREAS**, the Franchise states that in laying mains and pipes, the Grantee shall not interfere with any water or sewer lines, electric conduit, or the lines of any other gas company, or with any public or private drain, except with the consent of the City; and

**WHEREAS**, Texas Gas Service now seeks consent from the City of El Paso to cross under a portion of a 30-foot wide drainage channel right-of-way dedicated to the public in Colonia del Carmen Unit Two, as recorded in Volume 45, Page 4, Plat Records of El Paso County, Texas for the purpose of providing natural gas service to the Spanish Creek Townhomes being constructed at the northeast corner of the intersection of Lee Trevino Dr. and North Loop Blvd.; and

**WHEREAS**, Texas Gas Service proposes to extend its pipeline under the identified drainage channel right-of-way within the 0.0103 acre parcel more particularly described in Exhibit "A", attached hereto, and as shown on the plan and profile in Exhibit "B", attached hereto. Exhibits "A" and "B" have been approved by the City Engineer and are incorporated herein for all purposes.

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

That the City of El Paso gives its consent to Texas Gas Service to cross under an identified portion of a 30-foot wide drainage channel right-of-way in Colonia del Carmen Unit Two, as recorded in Volume 45, Page 4, Plat Records of El Paso County, Texas, for the purpose of providing natural gas service to the Spanish Creek Townhomes being constructed at the northeast corner of the intersection of Lee Trevino Dr. and North Loop Blvd., pursuant to the terms of the February 22, 2000 Franchise (Ordinance NO. 014360) and its May 30, 2000 Amendment (Ordinance NO. 14496), and the December 23, 2002 Assignment (Ordinance NO. 15316), and in accordance with the plan and profile approved by the City Engineer.

**ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.**

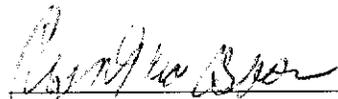
THE CITY OF EL PASO

\_\_\_\_\_  
John F. Cook  
Mayor

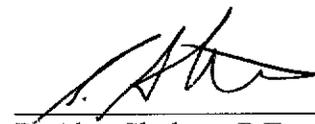
ATTEST:

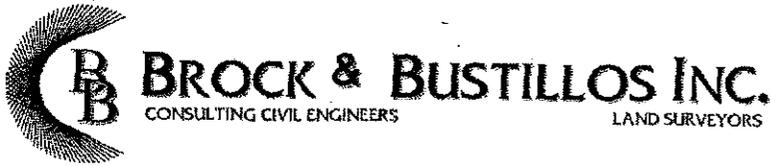
\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Cynthia Osborn  
Assistant City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
R. Alan Shubert, P.E.  
City Engineer



ROMAN BUSTILLOS, P.E.  
President  
RANDY P. BROCK, P.E.  
Executive Vice President  
SERGIO J. ADAME, P.E.  
Vice President - Engineering  
OSCAR V. PEREZ  
Vice President - Operations  
ISAAC CAMACHO, R.P.L.S.  
Survey Manager

**METES AND BOUNDS DESCRIPTION**  
**"15 FEET WIDE PROPOSED UTILITY GAS EASEMENT"**

*A 0.0103 acre parcel situate within the corporate limits of the City of El Paso, El Paso County, Texas as a portion of a 30 feet wide channel right-of-way in Colonia del Carmen Unit Two, as recorded in Volume 45, Page 4, Plat Records of El Paso County, Texas, and being more particularly described by metes and bounds as follows.*

**COMMENCING** for reference at the northwest corner of Lot 34, Block 5, Colonia del Carmen Unit Two, identical to the intersection of the southerly right-of-way line of the Juan De Herrera Lateral and the easterly right-of-way line of said 30 feet wide channel; **THENCE**, leaving the southerly right-of-way line of the Juan De Herrera Lateral and following the easterly right-of-way line of said 30 feet wide channel, South 33°02'00" West, a distance of 408.18 feet to the **POINT OF BEGINNING** of the parcel herein described;

**THENCE**, continuing along the easterly right-of-way line of said 30 feet wide channel, South 33°02'00" West, a distance of 15.00 feet to the southeasterly corner of the parcel herein described identical to the northwest corner of Lot 22, Block 4, Colonia del Carmen Unit Two;

**THENCE**, leaving the easterly right-of-way line of said 30 feet wide channel, North 56°58'00" West, 30.00 feet to the westerly right-of-way line of said 30 feet wide channel to the southwesterly corner of the parcel herein described;

**THENCE**, following the westerly right-of-way line of said 30 feet wide channel, North 33°02'00" East, a distance of 15.00 feet to the northwesterly corner of the parcel herein described;

**THENCE**, leaving the westerly right-of-way line of said 30 feet wide channel, South 56°58'00" West, 30.00 feet to the **TRUE POINT OF BEGINNING**.

*Said Parcel contains 0.0103 acres (450.0 square feet) more or less.*

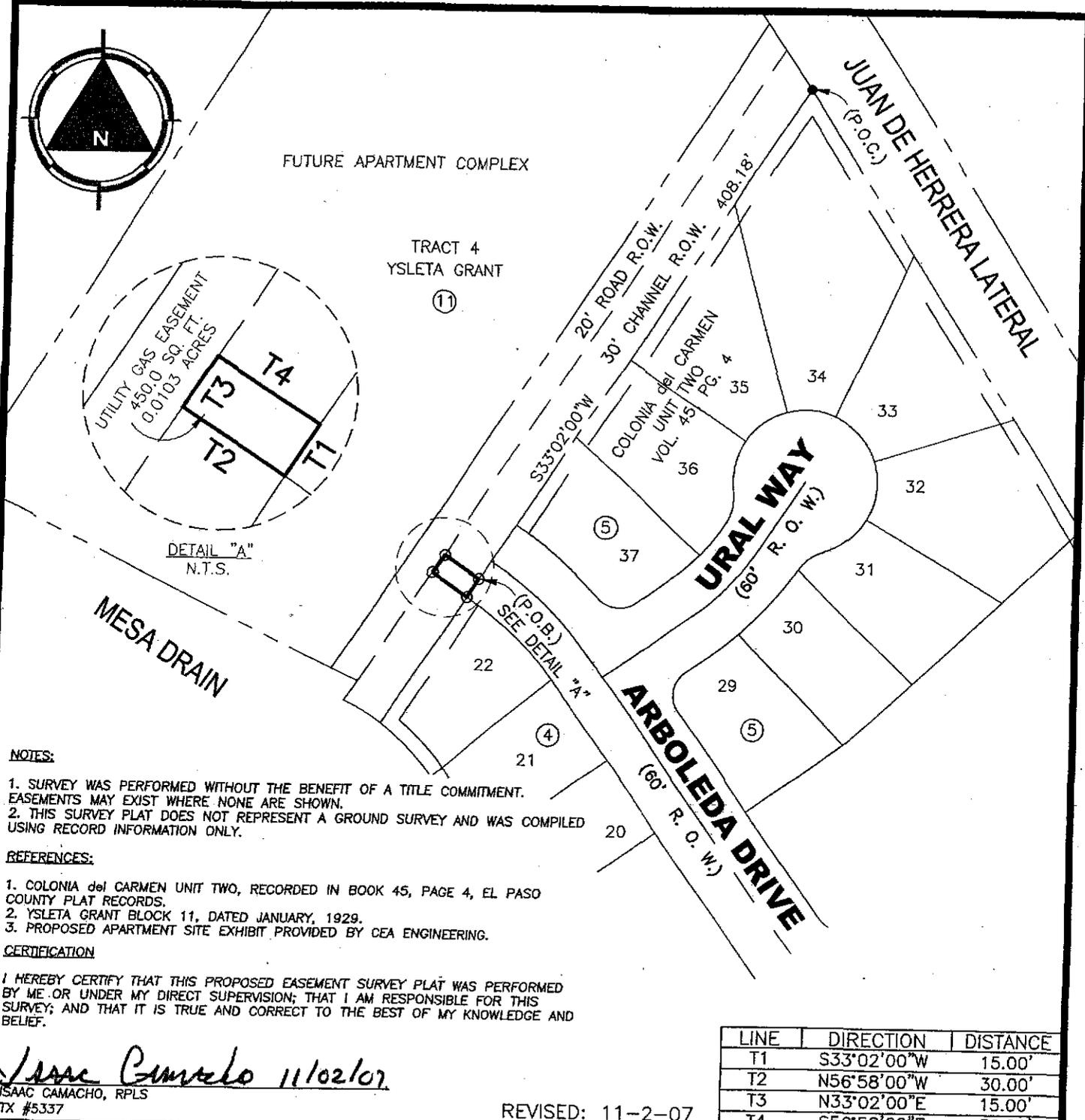
*I hereby certify that this description was prepared by me or under my supervision based on record data and does not represent a ground survey*

*Isaac Camacho 11/02/07*

Isaac Camacho, R.P.L.S.  
TX 5337

Date: September 27, 2007  
6425-84EAS.doc (Revised: 11-02-07)





**NOTES:**  
 1. SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. EASEMENTS MAY EXIST WHERE NONE ARE SHOWN.  
 2. THIS SURVEY PLAT DOES NOT REPRESENT A GROUND SURVEY AND WAS COMPILED USING RECORD INFORMATION ONLY.

**REFERENCES:**  
 1. COLONIA del CARMEN UNIT TWO, RECORDED IN BOOK 45, PAGE 4, EL PASO COUNTY PLAT RECORDS.  
 2. YSLETA GRANT BLOCK 11, DATED JANUARY, 1929.  
 3. PROPOSED APARTMENT SITE EXHIBIT PROVIDED BY CEA ENGINEERING.

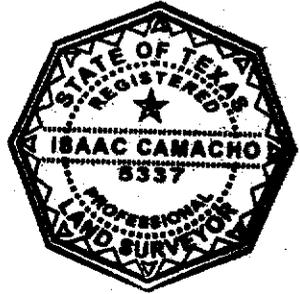
**CERTIFICATION**  
 I HEREBY CERTIFY THAT THIS PROPOSED EASEMENT SURVEY PLAT WAS PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION; THAT I AM RESPONSIBLE FOR THIS SURVEY; AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*Isaac Camacho 11/02/07*  
 ISAAC CAMACHO, RPLS  
 TX #5337

REVISED: 11-2-07

**PROPOSED 15' UTILITY GAS EASEMENT**

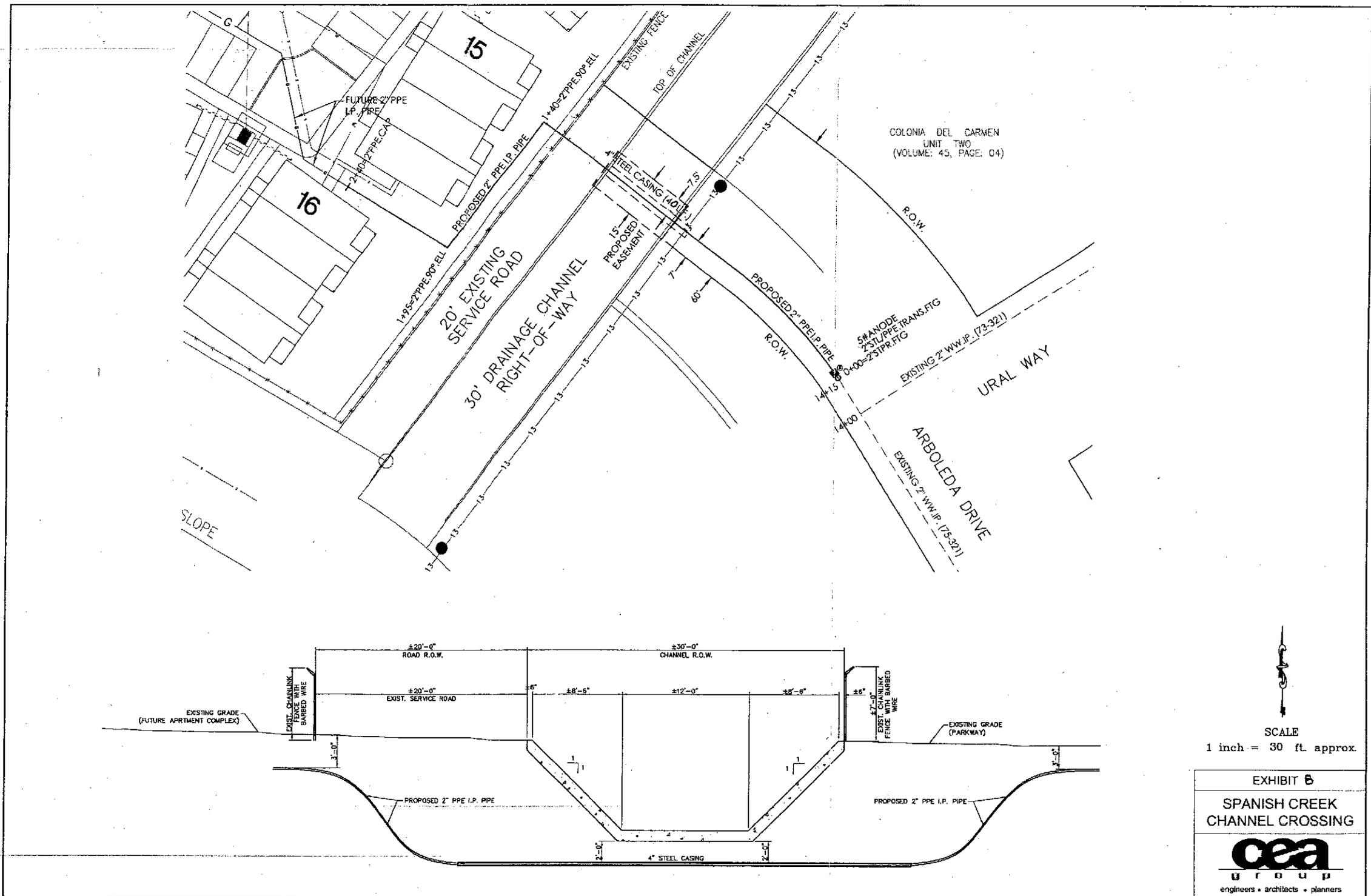
DRAWN BY: A.A. CHECKED BY: I.C. DATE: 09/27/07 SCALE: 1"=100'  
 PORTION OF CHANNEL R.O.W. WITHIN COLONIA DEL CARMEN UNIT TWO, CITY OF EL PASO, EL PASO COUNTY, TEXAS.



**BROCK & BUSTILLOS INC.**  
 CONSULTING CIVIL ENGINEERS  
 LAND SURVEYORS

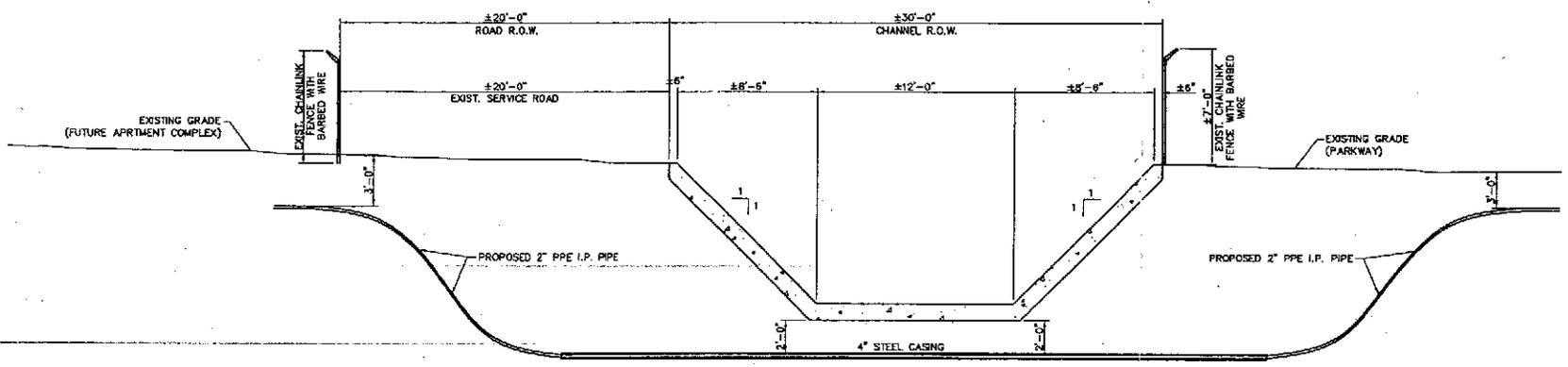
FILE NO: S-6425-84

417 EXECUTIVE CENTER~EL PASO, TX 79902~PH (915) 542-4900  
 FAX (915) 542-2867~WWW.BROCKBUSTILLOS.COM



COLONIA DEL CARMEN  
UNIT TWO  
(VOLUME: 45, PAGE: 04)

SLOPE



SCALE  
1 inch = 30 ft. approx.

EXHIBIT B  
SPANISH CREEK  
CHANNEL CROSSING

