

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

**DEPARTMENT:**        **Engineering & Construction Management**

**AGENDA DATE:**     **March 22, 2011**

**CONTACT PERSON/PHONE:** **R. Alan Shubert, City Engineer**

**DISTRICT AFFECTED:** **8**

**SUBJECT:**

Item is to request approval of a resolution authorizing the City Manager to execute, on behalf of the City of El Paso, an electrical easement to El Paso Electric Company to be used as part of the electrical power distribution system for the new *Pedestrian Toll Plaza* at the Paso Del Norte Bridge.

**BACKGROUND / DISCUSSION:**

This agreement, which consists of a 10 ft. wide underground easement and a 12 ft. X 18 ft. transformer easement, would allow the grantee (EPE) to provide service for electrical power for construction and operational requirements at the site.

**PRIOR COUNCIL ACTION:**

Council has not previously considered this item.

**AMOUNT AND SOURCE OF FUNDING:**

There are no costs associated with this action.

<u>Project</u>	<u>Fund</u>	<u>Department</u>	<u>Account</u>
~	~	~	~

**BOARD / COMMISSION ACTION:**

(N/A)

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

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


*Information copy to appropriate Deputy City Manager*

**RESOLUTION**

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

That the City Manager be authorized to sign an Underground and Transformer Pad Electrical Easement to the El Paso Electric Company for the purpose of providing electrical service for the Paso Del Norte Pedestrian Toll Plaza located at 1000 S. Santa Fe, El Paso, Texas. Said property being more particularly described as a portion of Lot 11, Block 44, Campbell Addition, El Paso, El Paso County, Texas.

**ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.**

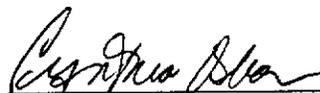
THE CITY OF EL PASO

\_\_\_\_\_  
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

THE STATE OF TEXAS §  
                                          §  
COUNTY OF EL PASO §

**UNDERGROUND AND TRANSFORMER PAD  
ELECTRICAL EASEMENT**

For and in consideration of the sum of One Dollar and No/100 (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the City of El Paso (Grantor) grants unto El Paso Electric Company (Grantee), its successors and assigns, the right and privilege to enter and erect, relocate, construct, operate, remove, inspect, access, and maintain an underground electric system consisting of transformers (conventional or pad mount), ducts, conduits, fixtures, manholes, handholes, vaults, and any other usual appurtenances pertaining thereto, and underground crossings with all necessary cables, lines, conduit, wires pertaining thereto, with the right of access, ingress, and egress, thereto for the installation, construction, operation, inspection, repair, maintenance, replacement, renewal or removal thereof, for the distribution of electricity, for any and all purposes for which same is or may hereafter be used, over, upon and along the following described premises in El Paso County, Texas, to wit:

A portion of Lot 11, Block 44, Campbell Addition, El Paso, El Paso County, Texas, known as 1000 S. Santa Fe Street, and more particularly shown on Exhibit "A"

The easement consists of (1) an underground easement 77 feet long and 10 feet wide and (2) a 12 foot by 18 foot transformer pad easement as described in Exhibit "A". The point of beginning for these easement areas occurs 257 feet from the intersection of Santa Fe and Calleros as described in Exhibit "A".

With the right to trim any trees and flora around said electrical facilities so as to keep the electrical facilities cleared and to do anything proper and necessary to operate and maintain same.

This easement shall be for the term of the Grantee's franchise and any extension and renewal thereof by the Grantor. In accepting this easement, the Grantee agrees that upon written and reasonable request it will relocate any of its facilities located within the easement at no cost to the Grantor.

In accepting this grant, Grantee agrees that it will replace or repair, as reasonable, landscaping and paving if disturbed by Grantee's construction, maintenance or repairs of or to its facilities in and upon such easement. Grantee agrees to call for utility spotting by a third party prior to any excavation by Grantee in the easement.

Grantor reserves the right to full use and enjoyment of said property except for the purposes herein granted. Grantee agrees not to interfere with any structure or tangible personal property of Grantor within the easement. Grantor agrees not to erect permanent structures or obstruct access in, over, or under Grantee's facilities.

Grantor will not be held responsible for any damage to Grantee's underground facilities from excessive erosion due to flood run-off.



GRANTEE:  
EL PASO ELECTRIC COMPANY

Reviewed and Approved.  
Legal Department

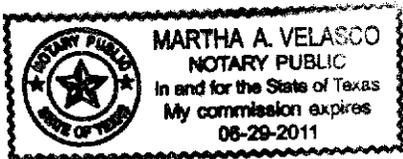
CS  
3/7/11

By: *H. Wayne Soza*  
Printed Name: H. Wayne Soza  
Title: Asst. Vice President

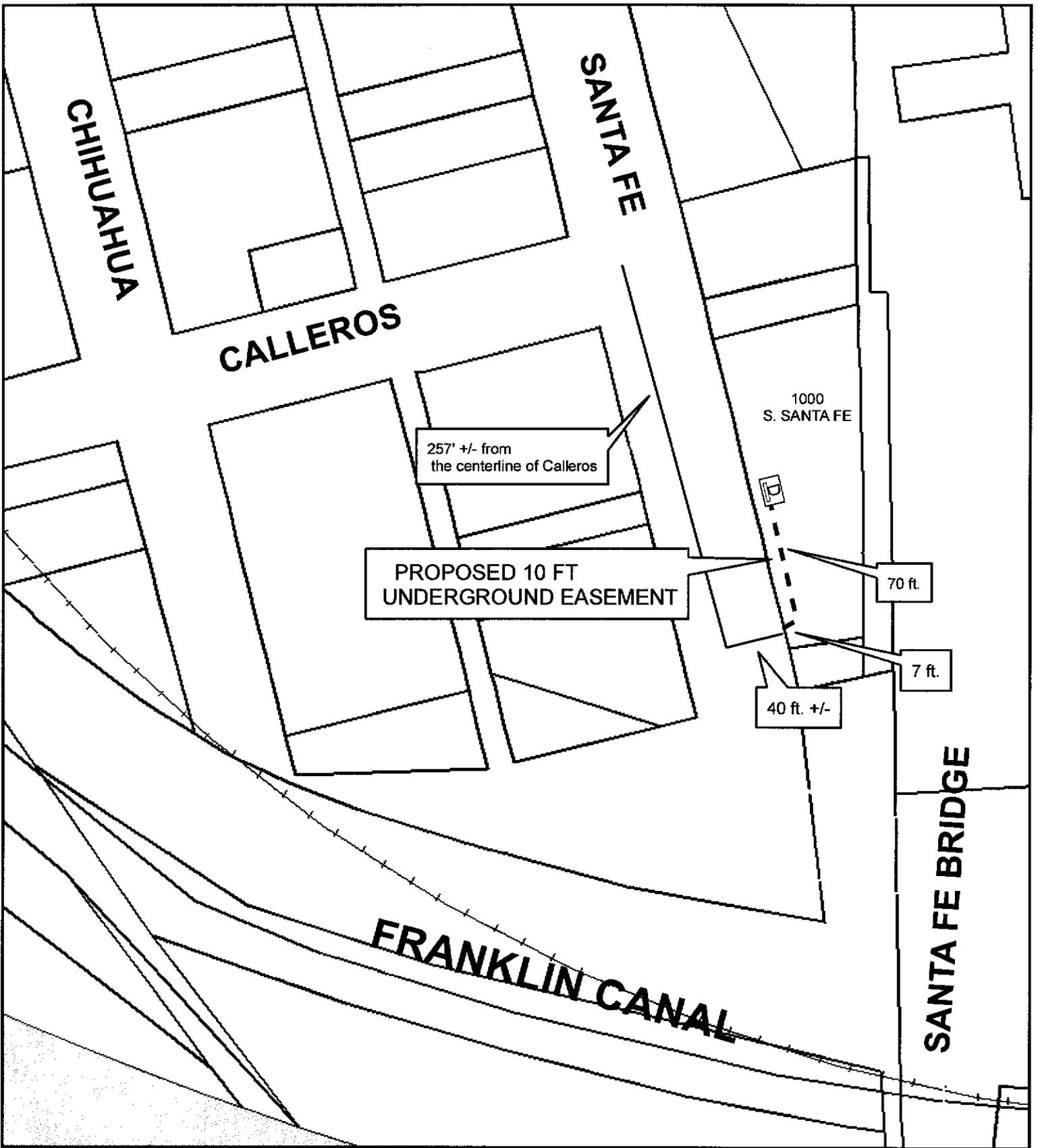
ACKNOWLEDGMENT

STATE OF TEXAS            )  
                                          ) s.s  
COUNTY OF EL PASO    )

This instrument was acknowledged before me on the 8<sup>th</sup> day of March, 2011 by H. WAYNE SOZA as ASSISTANT VICE PRESIDENT of El Paso Electric Company, on behalf of the El Paso Electric Company, a Texas corporation.



*Martha A. Velasco*  
Notary Public, State of Texas



**LEGEND**

- PROPOSED EPE CO. (UG) 10 FT. UTIL. ESMNT.
-  PROPOSED 12'X18' TRANSFORMER ESMNT.



**EL PASO ELECTRIC CO. R.O.W.**

A PORTION OF:

LOT 11, BLOCK 44,  
CAMPBELL ADDITION  
EL PASO COUNTY, TEXAS

**Exhibit "A"**



SCALE: NONE  
DATE: 3/5/2011  
W.O. #DT014139