

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

DEPARTMENT: Engineering Department

AGENDA DATE: May 1, 2007

CONTACT PERSON/PHONE: Alan Shubert, ext. 4423

DISTRICT(S) AFFECTED: 23

SUBJECT:

EPEC is requesting an underground electrical easement at 1850 Airway (EPIA property).

BACKGROUND / DISCUSSION:

EPIA is leasing Lot 1, Block 1A, EPIA tracts replat of Unit 4 to Guest House Suites in order to provide electrical service, EPEC is requesting an underground easement.

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: _____

07 APR 18 AM 11:18
CITY CLERK DEPT.

RESOLUTION

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

That the City Manager be authorized to sign an agreement granting an underground electrical utility easement with transformer site, to the El Paso Electric Company for the purpose of providing electrical service to Guest House Suites presently under construction at 1850 Airway Drive. Said property being more particularly described as a portion of real property known as Lot 1, Bock 1A, El Paso International Airport Tracts, Replat of Unit 4, City of El Paso, El Paso County, Texas.

ADOPTED THIS _____ DAY OF _____, 2007.

THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:



R. Alan Shubert, P.E., C.B.O.
City Engineer

07 APR 18 AM 11:18
CITY CLERK DEPT.

WITNESS THE FOLLOWING SIGNATURES AND SEAL this _____ day of _____, 2007.

GRANTOR:
THE CITY OF EL PASO

Joyce A. Wilson, City Manager

APPROVED AS TO FORM:

Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

for Rick Conner, P. E.
City Engineer

ACKNOWLEDGMENT

THE STATE OF TEXAS §
 §
COUNTY OF EL PASO §

This instrument was acknowledged before me on the _____ day of _____ 2007 by Joyce A. Wilson as City Manager of the City of El Paso.

Notary Public, State of Texas

The above instrument, together with all conditions thereto is hereby accepted this _____ day of February, 2007.

CITY CLERK DEPT.
07 APR 18 AM 11:18

GRANTEE:
EL PASO ELECTRIC COMPANY

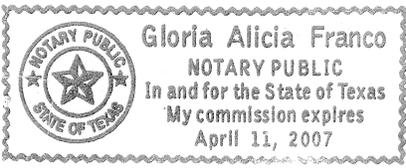
By: _____
Printed Name: John A. Whitacre
Title: VP-System Operations

ACKNOWLEDGMENT

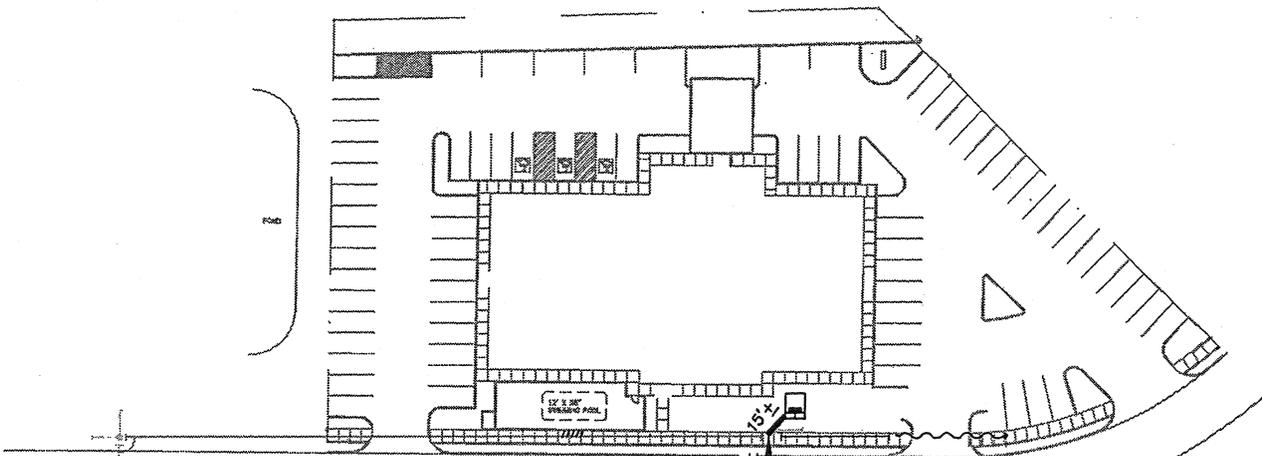
STATE OF TEXAS §
 §
COUNTY OF EL PASO §

This instrument was acknowledged before me on the 8 day of February, 2007 by John A. Whitacre as VP-System Operations of El Paso Electric Company, on behalf of the El Paso Electric Company, a Texas corporation.

Gloria Alicia Franco
Notary Public, State of Texas



AIRWAY BOULEVARD



CONTINENTAL DRIVE

CONTINENTAL DRIVE

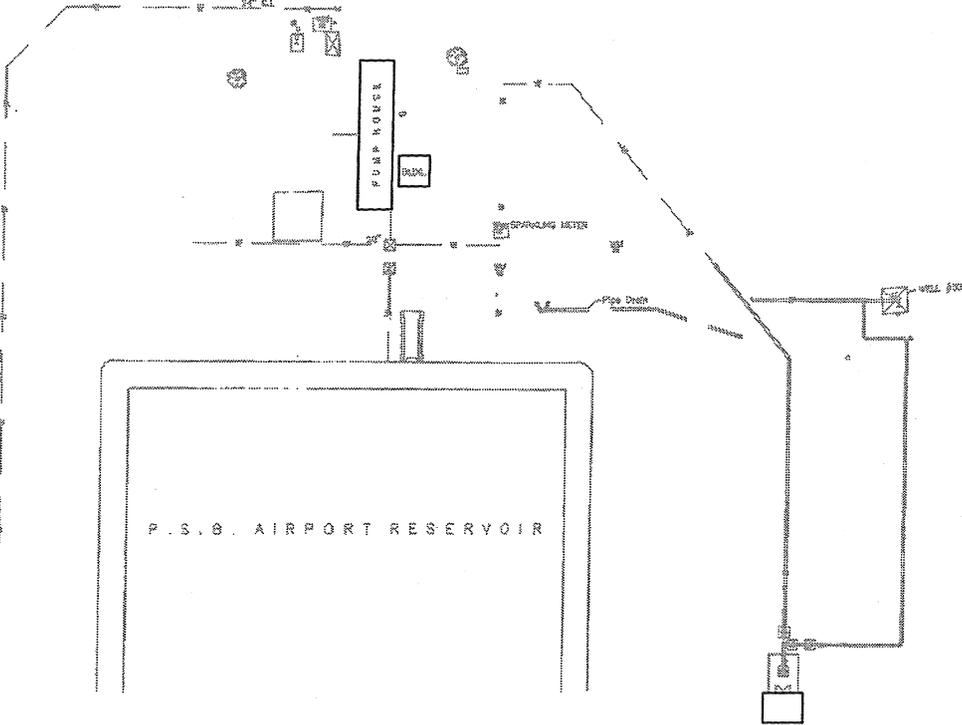


EXHIBIT "A"

LEGEND

--- PROPOSED E.P.E. CO. 10 FT. UTIL. ESMT.

 16' X 18' TRANSFORMER EASEMENT

GRANTORS INITIALS _____

Return to:
El Paso Electric Co.
P.O. Box 982-Loc 501
El Paso, TX. 79960

PROPOSED EASEMENT IN A PORTION OF
LOT 1, BLOCK 1A, EL PASO INTERNATIONAL
AIRPORT TRACTS, REPLAT UNIT 4
EL PASO COUNTY, TEXAS

EL PASO ELECTRIC CO. R.O.W.

DATE 12/05/06

EST. NO.

SCALE NONE

06-7-1-70226

MEMORANDUM

Date: December 14, 2006

To: Joe Vela
City of El Paso Engineering Department
(915) (915) 541-4585

From: Art Dahlberg
to El Paso International Airport
(915) 780-4721

RE: Request for Transformer Easement
A portion of Lot 1, Block 1A, ^{E.P.E.C.} ~~Butterfield~~ ^{PASO} International Airport
Tracts, Unit 4, El Paso County Texas - Underground Easement -
EPE W.O. 06-7-1-70226

El Paso Electric Company (EPEC) received a request to provide electrical service, and a new transformer to Guest House Suites presently under construction between Continental Drive and Airway Blvd Just north of the P.S.B. Reservoir.

Please process the request for the Transformer Easement for City Council review and approval. In addition, please return an approved copy of the documents for our records.

Thank you for your assistance.

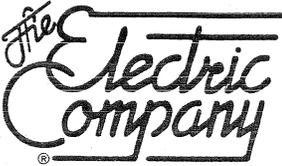

Arthur A. Dahlberg

Attachments:

Request from EPEC dated December 6, 2006 with attached site plan indicating location of easement.

Lessee Approval of Easement

07 APR 18 AM 11:18
CITY CLERK DEPT.



El Paso Electric

P.O. Box 982
El Paso, Texas
79960-0982
(915) 543-5711

December 6, 2006

DEC - 8 2006

Art Dahlberg
El Paso International Airport
Property Section-Land & Contract Administrator
6701 Convair
El Paso, Texas 79925-1091

EL PASO

REPLAT

RE: A portion of Lot 1, Block 1A, ~~Butterfield~~ International Airport Tracts, Unit 4,
Underground Easement – EPE W.O. 06-7-1-70226

Dear M. Dahlberg:

Enclosed you will find (3) three copies of the print, along with the enlarge map for the proposed easement. If you and your client concur with our proposal, please return two executed easement documents signed and notarized.

If you have any additional concerns, you may contact me at (915) 543-4364 or E-mail me at gfranco @epelectric.com.

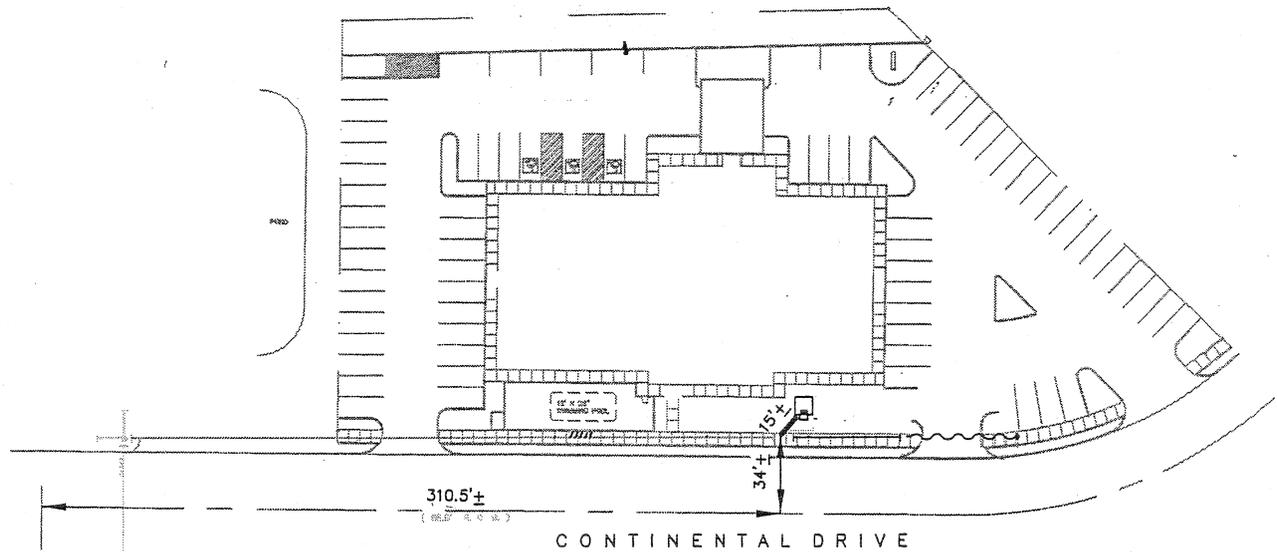
Sincerely,

Gloria Franco, R/W-NAC
Senior Right-of-Way Specialist

Enclosure

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CITY CLERK DEPT.

AIRWAY BOULEVARD

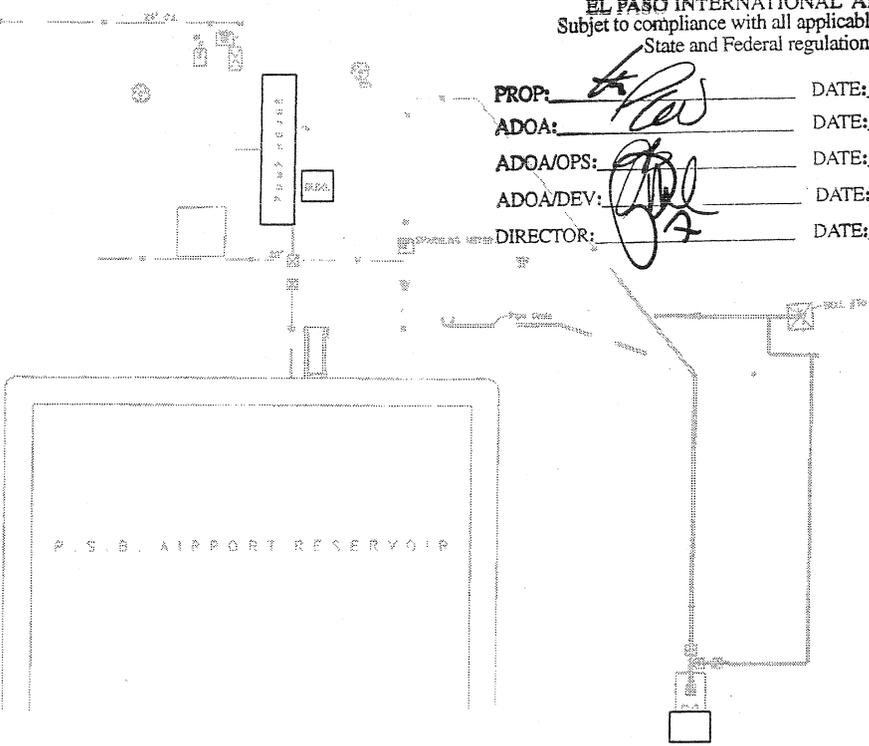


CONTINENTAL DRIVE

APPROVED
EL PASO INTERNATIONAL AIRPORT
 Subject to compliance with all applicable City codes,
 State and Federal regulations.

PROP: *[Signature]* DATE: 12-14-2006
 ADOA: *[Signature]* DATE: 12/14/06
 ADOA/OPS: *[Signature]* DATE: 12-14-06
 ADOA/DEV: *[Signature]* DATE: 12/14/06
 DIRECTOR: *[Signature]* DATE: 12/14/06

CONTINENTAL DRIVE



LEGEND

- PROPOSED E.P.E. CO. 10' FT. UTIL. ESMT.
- 12' X 16' TRANSFORMER EASEMENT

GRANTORS INITIALS _____

Return to:
 El Paso Electric Co.
 P.O. Box 982-Loc 501
 El Paso, TX. 79960

PROPOSED EASEMENT IN A PORTION OF
 LOT 1, BLOCK 1A
 EL PASO INTERNATIONAL AIRPORT TRACTS, UNIT 4
 EL PASO COUNTY, TEXAS

REPLAT

EL PASO ELECTRIC CO. R.O.W.

DATE 12/5/06	EST. NO.
SCALE NONE	06-7-1-70226

STATE OF TEXAS)
)
COUNTY OF EL PASO)

LESSEE'S APPROVAL OF EASEMENT

The undersigned Lessee hereby consents to the granting of an underground electrical line utility easement, being more particularly described in Exhibit "A", attached hereto and incorporated herein for all purposes, from CITY OF EL PASO to EL PASO ELECTRIC COMPANY for the right to enter upon and erect, construct, operate and maintain said easement and underground electrical line, with the right of ingress and egress for the installation, operation, inspection, repair, maintenance, replacement, renewal or removal thereof, for the transmission of electricity, electric energy and power, for any and all purposes for which same is or may hereafter be used, over, upon, and along the premises described as a parcel of property known as Lot 1, Block 1A, El Paso International Tracts, Unit 4, El Paso County Texas. Construction and/or installation of necessary protection for the transformer are to be provided by Lessee.

This easement shall be for the term of the Hotel Site Lease Agreement effective January 1, 2006 between Flight Deck EP LP, Lessee and the City of El Paso, Lessor, and any extension or renewals thereof.

WITNESSED THE FOLLOWING SIGNATURES AND SEAL this 14th day of December, 2006.

ATTEST:

Karola Finley

Name: Karola Finley

LESSEE: Flight Deck EP, LP
By: Flight Deck EP Management, LLC

Richard Cane

Name: Richard Cane
Title: Managing Member

07 APR 18 AM 11:18
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ACKNOWLEDGEMENT CONTAINED ON THE NEXT PAGE

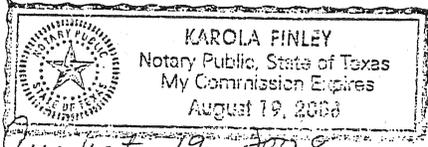
ACKNOWLEDGEMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 14 day of December, 2006,
by Karola Finley as notary on behalf of Flight Deck EP, LP.

Karola Finley
Notary Public, State of Texas

My Commission Expires:



August 19, 2008

CITY CLERK DEPT.
07 APR 18 AM 11:19