

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

DEPARTMENT: Development Services Department
AGENDA DATE: CCA Intro 05/08/07; Public Hearing 05/22/07
CONTACT PERSON/PHONE: Eddie Garcia, Senior Planner – 541-4638
DISTRICT(S) AFFECTED: 8

SUBJECT:

AN ORDINANCE VACATING A PORTION OF WALNUT STREET RIGHT-OF-WAY ADJACENT TO LOT 16, BLOCK 9, COTTON ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS. SUBJECT PROPERTY: NORTHWEST CORNER OF INTERSECTION OF WYOMING STREET AND WALNUT STREET. APPLICANT: DR. LYNDON E. MANSFIELD.

BACKGROUND / DISCUSSION:

See attached report.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Kelly Carpenter, AICP

APPROVED FOR AGENDA:

ORDINANCE NO. _____

AN ORDINANCE VACATING A PORTION OF WALNUT STREET RIGHT-OF-WAY ADJACENT TO LOT 16, BLOCK 9, COTTON ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS.

WHEREAS, the abutting property owner, Dr. Lyndon E. Mansfield, has requested a vacation of a portion of Walnut Street right-of-way adjacent to Lot 16, Block 9, Cotton Addition, City of El Paso, El Paso County, Texas, and,

WHEREAS, the City Plan Commission on January 4, 2007 recommended a vacation of a portion of Walnut Street right-of-way adjacent to Lot 16, Block 9, Cotton Addition, City of El Paso, El Paso County, Texas, and the El Paso City Council finds that said right-of-way is not needed for public use and should be vacated as recommended.

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

That a determination has been made that it is in the best interest of the public that a portion of Walnut Street right-of-way adjacent to Lot 16, Block 9, Cotton Addition, City of El Paso, El Paso County, Texas, and which is more fully described in the attached metes and bounds description, identified as Exhibit "A" made a part hereof by reference, be and is hereby vacated subject to the following conditions:

Sidewalks, ADA compliant on Wyoming and Walnut Street shall be required, as well as wheel stops on parking stalls adjacent to sidewalks in accordance with the improvement plans attached herein as Exhibit "B".

In addition, the City Manager is authorized to sign an instrument quitclaiming all of the City's right, title and interest in and to such vacated property to Dr. Lyndon E. Mansfield.

PASSED AND APPROVED this _____ day of _____ 2007.

THE CITY OF EL PASO

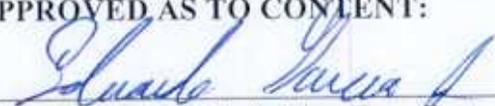
ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Lupe Cuellar
Assistant City Attorney

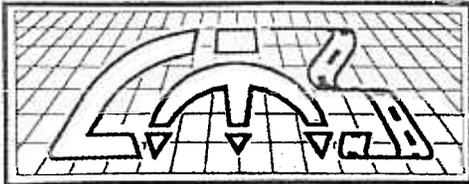
APPROVED AS TO CONTENT:


Eduardo Garcia, Subdivision Coordinator
Development Services Department

Doc No. 30178/Planning/Ord/Street Vacation SUB06-00142-Walnut St. ROW/LCUE

Ordinance No. _____

Street Vacation Application No. SUB06-00142



Land - Mark Professional Surveying Inc.

"Serving Texas, New Mexico and Arizona"

Exhibit "A"

METES AND BOUNDS DESCRIPTION "PORTION OF WALNUT STREET RIGHT-OF-WAY"

A 0.0301 acre parcel located in a portion of Walnut Street right-of-way adjacent to Lot 16, Block 4, Cotton Addition, El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows.

COMMENCING for reference at an existing city monument located at 10 feet North and 10 feet East of the centerline intersection of Wyoming Street (72.0 feet right-of-way) and Walnut Street (70.0 feet right-of-way); **THENCE**, South $52^{\circ}23'00''$ West, with the monument line of Wyoming Street, a distance of 45.00 feet to a point; **THENCE**, North $37^{\circ}37'00''$ East, a distance of 26.00 feet to an existing mark "X" in concrete lying at the southeasterly boundary corner of Lot 16, Block 4, Cotton Addition, for a corner and the **POINT OF BEGINNING** of this parcel description;

THENCE, North $37^{\circ}37'00''$ West, with the existing southwesterly right-of-way line of said Walnut Street, a distance of 120.00 feet to an existing mark "X" in concrete at the northeasterly boundary corner of said Lot 16, Block 4, Cotton Addition, for a corner of this parcel;

THENCE, North $52^{\circ}23'00''$ East, a distance of 11.50 feet to a nail, set for a corner of this parcel;

THENCE, South $37^{\circ}37'00''$ East, a distance of 108.25 feet to a nail, set for a corner of this parcel;

THENCE, South $06^{\circ}46'02''$ West, a distance of 16.44 feet to the **TRUE POINT OF BEGINNING**.

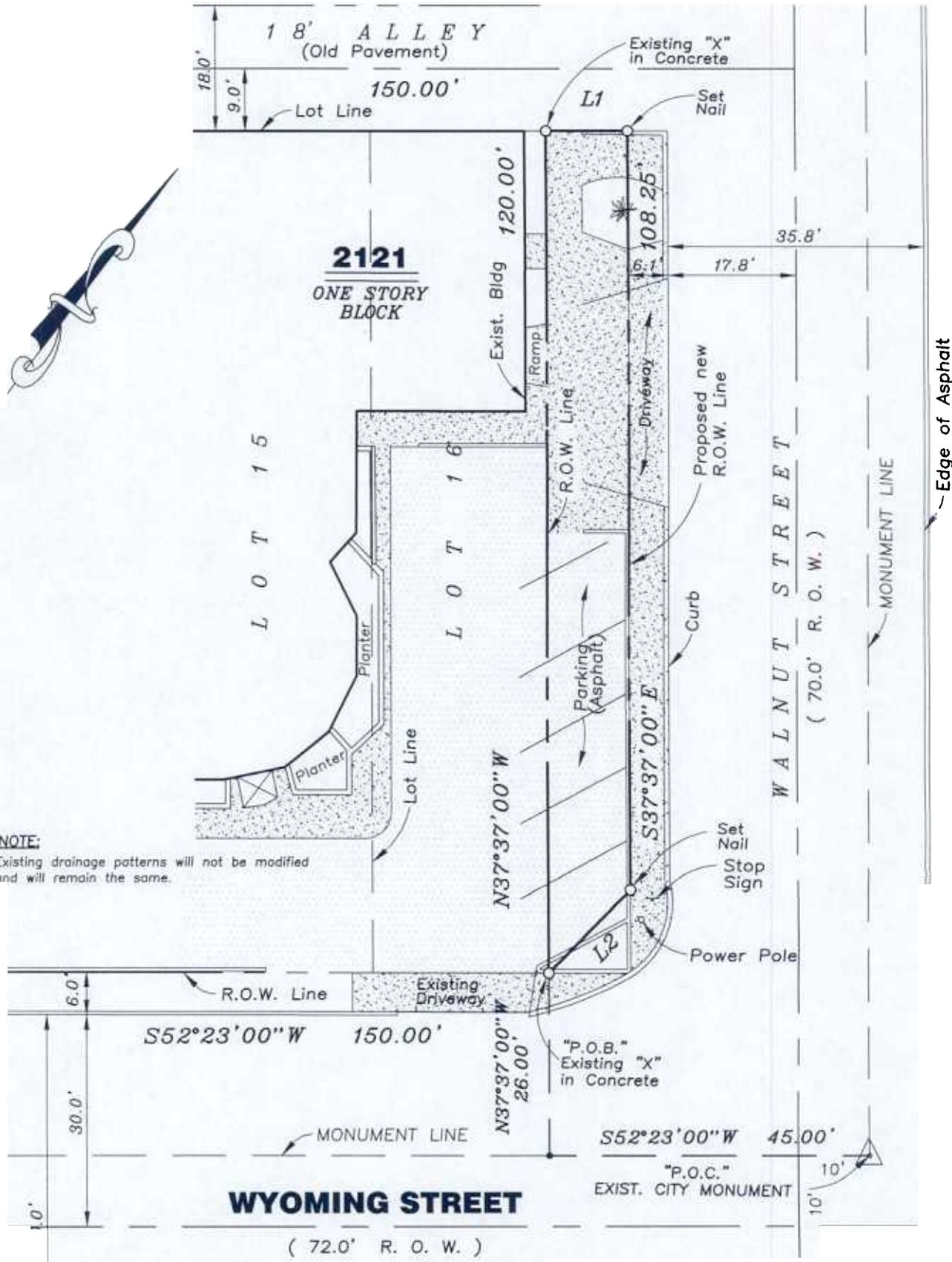
Said Parcel contains 0.0301 acres (1,312 square feet) more or less.



Larry L. Drewes, R.P.L.S.
Texas License No. 4869

Date: October 25, 2006
Job No. 06-03-23319

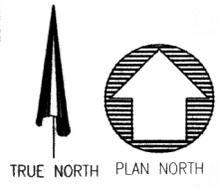
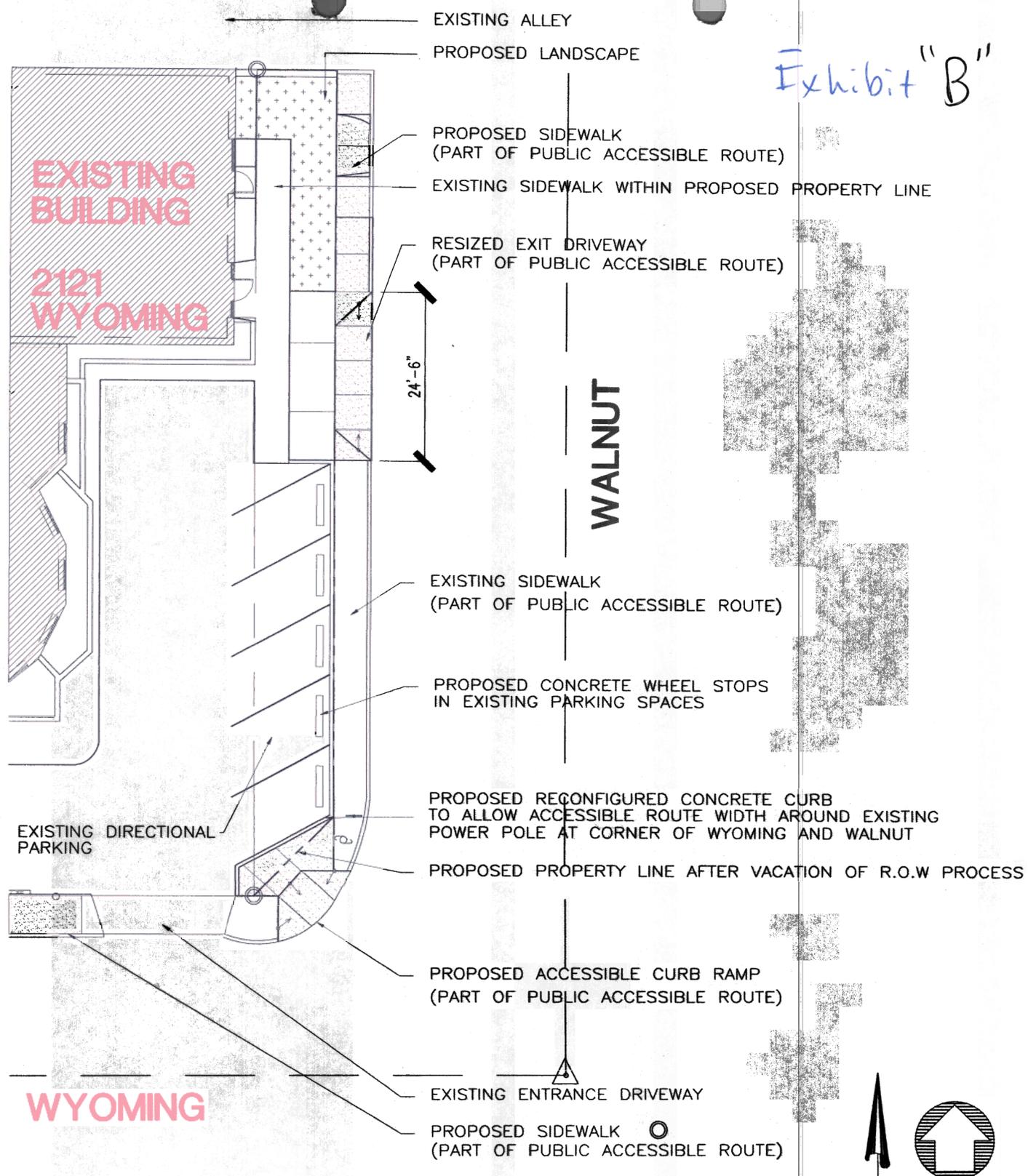
FLOOD CERTIFICATE: ACCORDING TO FLOOD INSURANCE RATE MAP, COMMUNITY-PANEL NUMBER 480214 0039B, EFFECTIVE DATE: OCTOBER 15, 1982 OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THIS PARCEL LIES WITHIN A ZONE DESIGNATION OF "C", WHICH INDICATES THAT THIS PARCEL DOES NOT LIE WITHIN A FLOOD HAZARD AREA.



NOTE:
Existing drainage patterns will not be modified and will remain the same.

LINE	DIRECTION	DISTANCE
L1	N52°23'00"E	11.50'
L2	S06°46'02"W	16.44'

Exhibit "B"



PROPOSED IMPROVEMENTS ALONG WALNUT STREET AFTER VACATION OF R.O.W PROCESS

1
A-1

Scale: 1" = 20'-0"



SUB06-00142

Application No: SUB06-00142
Legal Description: Walnut Street right-of-way adjacent to Lot 16, Block 9, Cotton Addition, City of El Paso, El Paso County, Texas.
Type Request: Street Vacation
Property Owner: The City of El Paso
Applicant: Dr. Lyndon E. Mansfield
Representative: Cesar Molina
Surveyor: Larry Lee Drewes
Location: North of Wyoming Avenue and West of Walnut Street
Representative District: 8
Planning Area: Central



GENERAL INFORMATION:

The applicant is proposing to vacate a portion of Walnut Street right-of-way in order to use the vacated right-of-way for off-street parking.

STAFF RECOMMENDATION:

The Development Coordinating Committee recommends **approval** of the vacation of the portion of Walnut Street right-of-way adjacent to Lot 16, Block 9, Cotton Addition subject to the following conditions:

Planning Division– Land Development Comments and Requirements:

Provide a printout of the mathematical closure of the exterior boundary of the property, which indicates the error of closure of the respective parcel.

EI Paso Water Utilities Comments:

Water

Along the alley located between Yandell Street and Wyoming Street west of Walnut Street there is an existing four (4) inch diameter water main.

Along Walnut Street between Yandell Street and Wyoming Street there is an existing eight (8) inch diameter water main. This main is located at approximately 20 feet west of the easternmost right-of-way line of Walnut Street.

Along Wyoming Street between Willow Street and Walnut Street there is an existing twenty (20) inch diameter water transmission main. No service connections are allowed to this main as per the EI Paso Water Utilities - Public Service Board Rules & Regulations.

Sanitary Sewer

Along the alley located between Yandell Street and Wyoming Street west of Walnut Street there is an existing eight (8) inch diameter sanitary sewer main.

Along Walnut Street between Yandell Street and Wyoming Street there is an existing eight (8) inch diameter sanitary sewer main. This main is located approximately at the centerline of Walnut Street. Along Wyoming Street between Willow Street and Walnut Street there are no existing sanitary sewer mains.

General

Application for water and sanitary sewer services should be made 6-8 weeks prior to any construction to ensure water for construction work. A site plan, a utility plan, grading & drainage plans, landscaping plan (if applicable), the legal description of the property, and a certificate-of-compliance are required at the time of application. The certificate-of-compliance can be obtained on the 5th floor at City Hall. The owner is responsible for the costs of any necessary on-site & off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

EPWU does not object to this request.

Engineering Department - Traffic Division Comments:

No major traffic issues with the proposed street vacation. Sidewalks, ADA compliant on Wyoming and Walnut Street shall be required, as well as wheel stops on parking stalls adjacent to sidewalks.

Texas Gas Service:

No comments received.

Additional Requirements and General Comments:

The applicant shall bear the cost of the appraisal and the appraised value of the alley.

AERIAL



SURVEY

