

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

DEPARTMENT: Development Services Department
AGENDA DATE: CCA Intro 05/29/07; Public Hearing 06/12/07
CONTACT PERSON/PHONE: Christina Stokes, Planner – 541-4627
DISTRICT(S) AFFECTED: 2

SUBJECT:

AN ORDINANCE VACATING A PORTION OF A 20-FOOT ALLEY ABUTTING LOTS 1, 2, 3, 4 AND LOTS 24, 25, 26, OUT OF BLOCK 89-A, LOGAN HEIGHTS ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS. APPLICANT: CITY OF EL PASO.

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 THE PORTION OF A 20-FOOT ALLEY ABUTTING LOTS 1, 2, 3, 4 AND LOTS 24, 25, 26, OUT OF BLOCK 89A, LOGAN HEIGHTS ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS.

WHEREAS, the abutting property owner, the City of El Paso, has requested that the portion of the alley abutting Lots 1, 2, 3, 4 and Lots 24, 25, 26, Block 89-A, Logan Heights Addition, City of El Paso, El Paso County, Texas, be vacated; and,

WHEREAS, City Plan Commission has recommended the vacation, and the El Paso City Council finds that said right-of-way is not needed for public use and should be vacated as recommended with certain conditions.

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

Section 1. That a determination has been made that it is in the best interest of the public that the portion of the alley abutting Lots 1, 2, 3, 4 and Lots 24, 25, 26, Block 89-A, Logan Heights 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 condition:

Ten feet, taken from the center line of the power poles, within the alley shall be retained as an electrical aerial easement; and,

PASSED AND APPROVED 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:

Eduardo Garcia

Eduardo Garcia, Subdivision Coordinator
Development Services Department

Exhibit "A"

Property Description: Portion of a 20-foot alley, out of Block 89-A, Logan Heights Addition, El Paso, El Paso County, Texas.

METES AND BOUNDS DESCRIPTION

The parcel of land herein described is portion of a 20-foot alley, out of Block 89-A, Logan Heights Addition, El Paso, El Paso County, Texas and is more particularly described by metes and bounds as follows:

Commencing at an existing city monument lying on the centerline intersection of Fred Wilson Boulevard and Byron Street; Thence, South 88° 45' 11" West, along said centerline of Fred Wilson Boulevard, a distance of 670.50 feet to a point; Thence, North 01° 14' 49" West, a distance of 35.00 feet, to a point lying on the northerly right-of-way line of Fred Wilson Boulevard, said point being a found 1/2-inch iron with SLI cap (TX2998/NM6698); Thence, North 01° 14' 49" West, a distance of 120.00 feet to a point lying on the southerly boundary line of a 20-foot alley, said point being a set 1/2-inch iron with SLI cap (TX2998/NM6698; and also being the TRUE POINT OF BEGINNING of this description;

THENCE, South 88° 45' 11" West, along said boundary line, a distance of 85.00 feet to a point for a curve lying on the easterly right-of-way line of Alabama Avenue, said point being a set 1/2-inch iron with SLI cap (TX2998/NM6698);

THENCE, 26.67 feet along said right-of-way and along the arc of a curve to the left, having a radius of 1179.92 feet, a central angle of 01° 17' 43" and a chord which bears North 40° 10' 37" East, a distance of 26.67 feet to a point lying on the northerly boundary line of said 20-foot alley, said point being a set 1/2-inch iron with SLI cap (TX2998/NM6698);

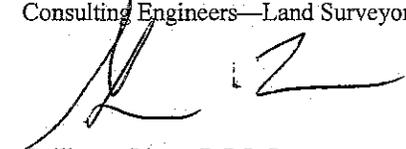
THENCE, North 88° 45' 11" East, along said boundary line, a distance of 67.36 feet to a point lying on the common boundary line between said 20-foot alley(vacated) and Tract I, Block 89A, Logan Heights Addition, said point being a set 1/2-inch iron with SLI cap (TX2998/NM6698);

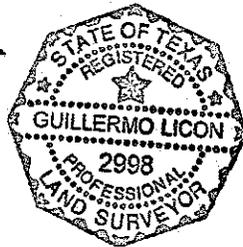
THENCE, South 01° 14' 49" East, along said boundary line, a distance of 20.00 feet to the TRUE POINT OF BEGINNING of this description.

Said parcel of land contains 0.035 acres (1,522 sq. ft.) of land more or less.

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

SLI ENGINEERING, INC,
Consulting Engineers—Land Surveyors


Guillermo Licon, R.P.L.S.
Registered Professional Land Surveyor
Texas License No. 2998

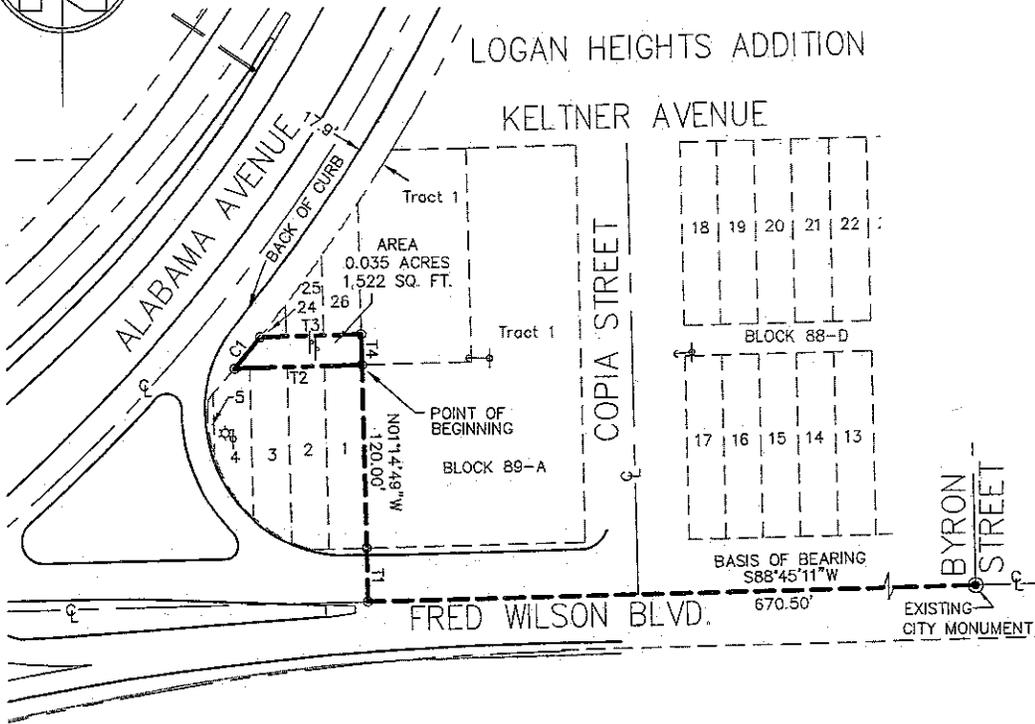


April 13, 2006
Job Number 06-06-2412

Exhibit "A"

CURVE TABLE

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	1179.92'	26.67'	13.34'	26.67'	N40°10'37"E	1°17'43"



LINE TABLE

TANGENT	BEARING	DISTANCE
T1	N01°14'49"W	35.00'
T2	S88°45'11"W	85.00'
T3	N88°45'11"E	67.36'
T4	S01°14'49"E	20.00'

LEGEND

	4" Dia. SIGNS
	CENTERLINE
	CITY MONUMENT
	LAMP POST
	POWER POLE
	GUY WIRE (ANCHOR)

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NUMBER 4802140029B, 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.

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.

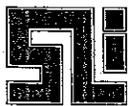
Copyright 2006 SLI Engineering, Inc. This map and survey are being provided solely for the use of The City of El Paso and no license has been created, expressed or implied, to copy the surveys and/or map(s) except as necessary in conjunction with the original transaction. This transaction shall be effective within six (6) months from the date hereon April 13, 2006.

NOTES:

1. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT OF SURVEY.
2. SET 1/2" IRON WITH SLI CAP TEXAS NO. 2998 ON ALL PROPERTY CORNERS UNLESS OTHERWISE INDICATED.
3. SURVEY PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
4. NO BUILDINGS EXIST ON THE PROPERTY



PLAT OF BOUNDARY AND IMPROVEMENT



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

PORTION OF A 20-FOOT ALLEY,
OUT OF BLOCK 89A,
LOGAN HEIGHTS ADDITION, EL PASO,
EL PASO COUNTY, TEXAS.

CERTIFICATION
I HEREBY CERTIFY THAT THE FOREGOING BOUNDARY AND IMPROVEMENT SURVEY 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 # 06-06-2412 DR. BY: AFV

SCALE: 1"=100' F.B. # "PINACLE"

DATE: 4/13/2006 DWG.: F:\PROJECTS\CITY\PROJ\LOGANHEIGHTS\WORKING\89A-ALY\ALY.DWG

PLAT REFERENCE
VOLUME 12 PAGE 37

STAFF REPORT

File #: AV06004

Legal Description: A portion of a 20-foot Alley out of Block 89-A, Logan Heights Addition, City of El Paso, El Paso County, Texas.

Type Request: Alley Vacation

Property Owner: City of El Paso

Applicants: City of El Paso

Surveyor: Guillermo Licon

Representative: Gonzalo Cedillos

Location: East of Alabama Street and North of Fred Wilson Avenue

Representative District: 2

Planning Area: Central

**CITY PLAN COMMISSION HEARING, JULY 6, 2006
1:30 P.M., COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

AV06003- Vacation of a 20-foot Alley out of Block 89-A, Logan Heights Addition, City of El Paso, El Paso County, Texas.

GENERAL INFORMATION:

The applicant is proposing to vacate a portion of a 20-foot alley located east of Alabama Street, with the intent to sell this surplus property along with the remaining lots in Block 89-A.

STAFF RECOMMENDATION:

The Development Coordinating Committee recommends **approval** of the vacation of a 20-foot Alley out of Block 89-A, Logan Heights Addition. Approval is subject to the following conditions and recommendations:

Planning Division– Land Development Comments and Requirements:

We have reviewed subject request and recommend approval.

El Paso Water Utilities Comments:

General

El Paso Water Utilities – Public Service Board (EPWU-PSB) does not own or operate any facilities within the above referenced alley.

EPWU does not object to this request.

Engineering Department - Traffic Division Comments:

No apparent traffic concerns with the proposed alley vacation.

Time Warner Cable:

No comments received.

El Paso Electric Company

El Paso Electric Company has existing facilities within this alley and must retain full easement rights. The cost of any relocation of these facilities will be borne by the owner/developer.

Geographic Information Systems:

No comments received.

911:

No comments received.

Additional Requirements and General Comments:

1. Vacation Fee for Public Right-of-Way. In addition to the application fee, the applicant shall pay the following:
 - a. The cost of the appraisal; and
 - b. The appraised market value of the city's interest in the public right-of-way.

NOTE TO PROPERTY OWNER: CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR HIS REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. IF YOU HAVE ANY QUESTIONS CONCERNING THIS REPORT, PLEASE CONTACT THE DEPARTMENT OF PLANNING AT 541-4635.

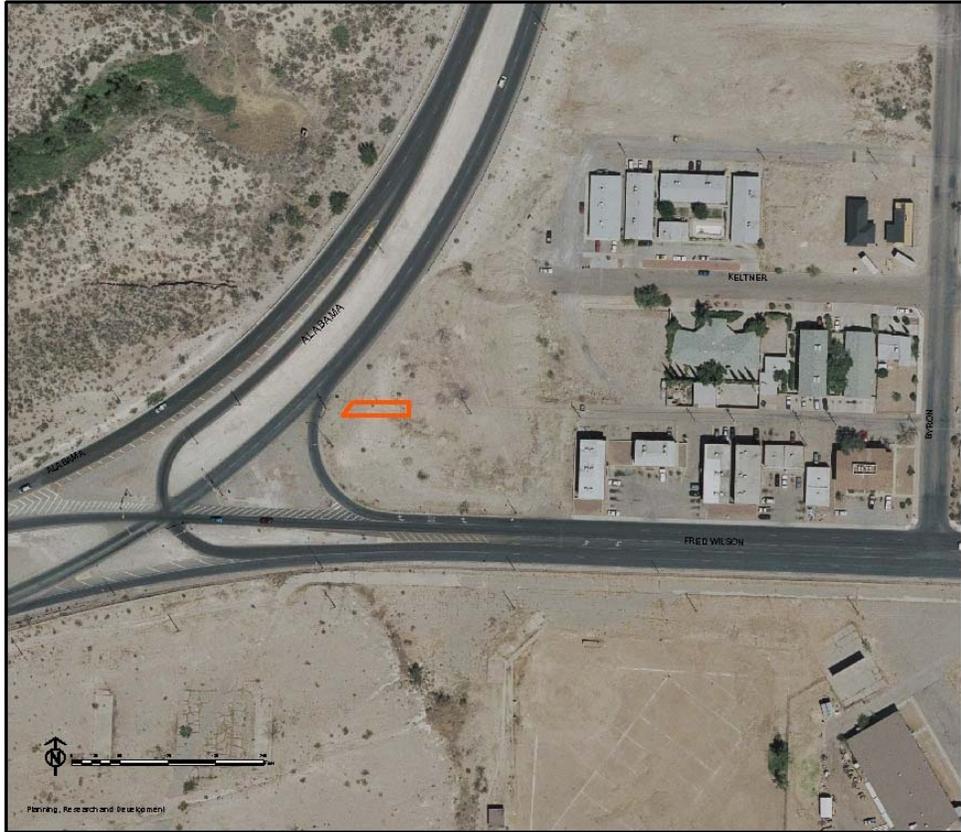
LOCATION MAP



AV06004

AERIAL MAP

AV06004



PUBLIC NOTICE

June 23, 2006

Dear Property Owner:

A public hearing will be held by the City Plan Commission on Thursday, July 6, 2006, at 1:30 p.m. in the City Council Chambers, City Hall Building, 2nd Floor, #2 Civic Center Plaza, El Paso, Texas, regarding the proposed vacation of a 20-foot alley out of Block 89-A, Logan Heights Addition, City of El Paso, El Paso County, Texas.

Applicant: City of El Paso

If you have any comments or facts that you wish to make known to the Commission, please address a letter to:

Development Services – Planning Division
#2 Civic Center Plaza, 5th Floor
El Paso, Texas 79901-1196

You may wish to attend the meeting in person to present the information.

If you have any questions, contact Srijana Basnyat, City Planning Department at 541-4903.

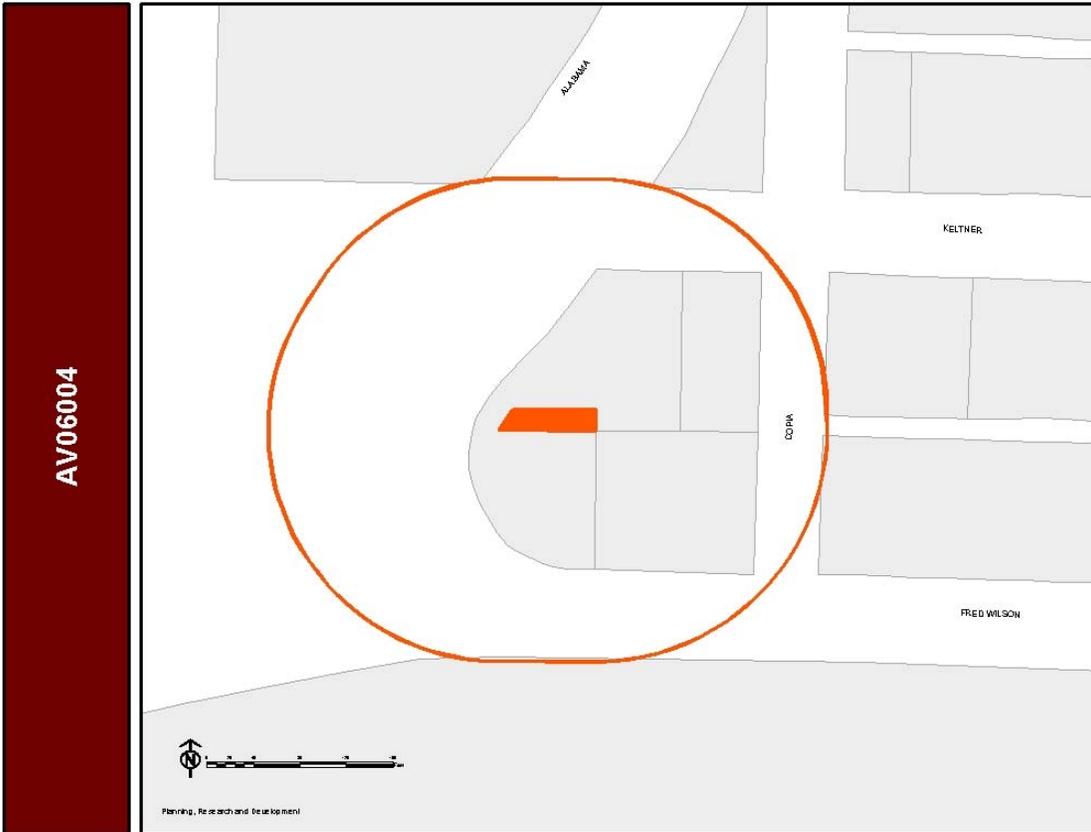
Cordially,

Srijana Basnyat
Planner

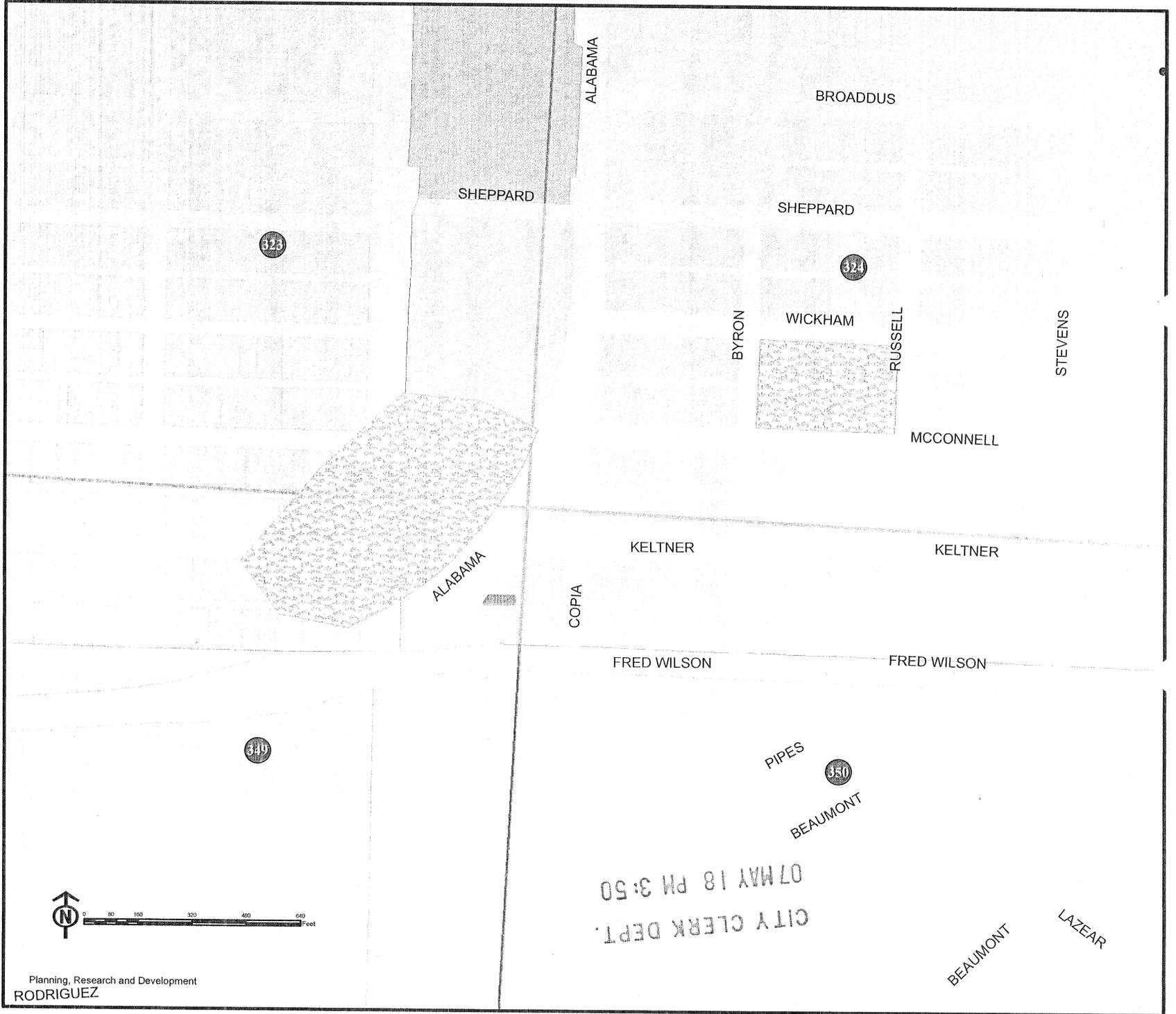
Notice to the Public: Sign language interpreters will be provided for this hearing upon request. Requests must be made to the Department of Planning at a minimum of 24 hours prior to the date and time of the hearing at either of the following number 541-4903 or 541-4635.

Si usted no entiende ingles, llame al telefono 541-4635 y se le explicara el contennido de este aviso.

PUBLIC NOTICE MAP



AV06004

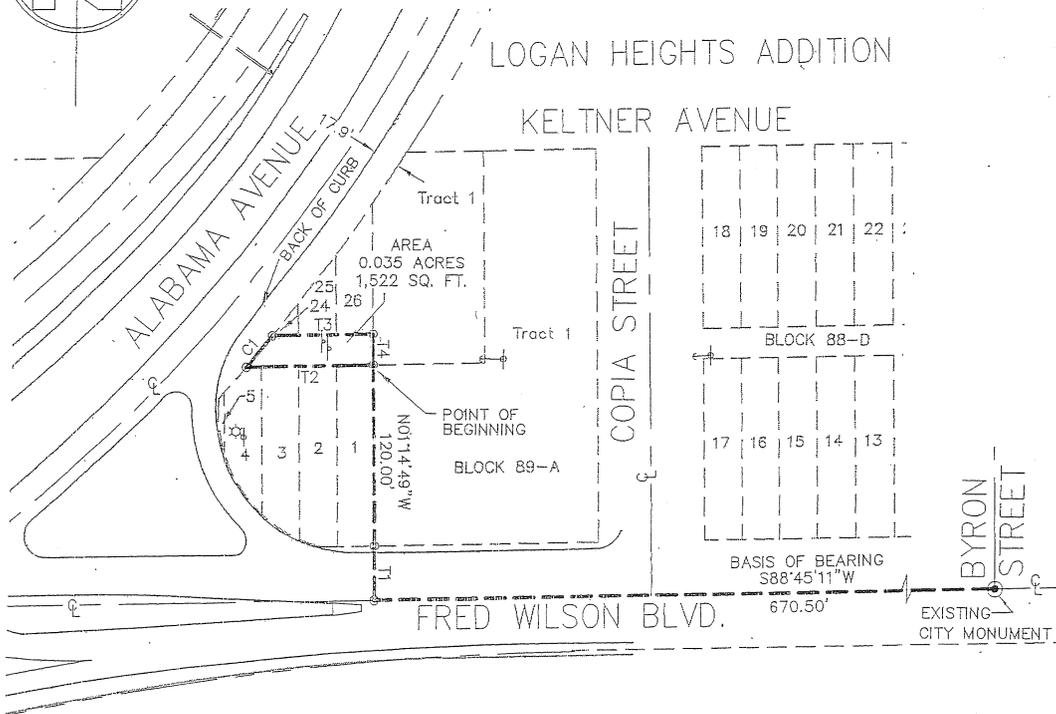


Planning, Research and Development
RODRIGUEZ

CITY CLERK DEPT.
07 MAY 18 PM 3:50



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JOB # 06-06-2412 DR. BY: AFV
SCALE: 1"=100' F.B. #: "PINACLE"
DATE: 4/13/2006 DWG. # PROJECTS\CITY\EL PASO\LOGAN HEIGHTS\WORKING\LF8K89-A-AbyWAC.DWG

PLAT REFERENCE
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GUILLERMO LICON, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR
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07 MAY 18 PM 3:51

CITY CLERK DEPT.