



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

DEPARTMENT: City Development Department
AGENDA DATE: CCA 6/26/12 Introduction, Public Hearing 7/3/12
CONTACT PERSON/PHONE: Justin Bass, 541-4930
DISTRICT(S) AFFECTED: 8

SUBJECT:

An ordinance vacating a portion of an 18' alley out of Block 47, Bassett Addition, City of El Paso, El Paso County, Texas. Applicant: El Paso Water Utilities. SUB10-00307 (District 8)

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

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

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD:

Mathew McElroy, Director – City Development Department

APPROVED FOR AGENDA:

CITY MANAGER:

DATE: _____



Two Civic Center Plaza
El Paso, TX 79901
(915) 541-0000

Mayor

John F. Cook

City Council

District 1

Ann Morgan Lilly

District 2

Susie Byrd

District 3

Emma Acosta

District 4

Carl L. Robinson

District 5

Dr. Michiel R. Noe

District 6

Eddie Holguin Jr.

District 7

Steve Ortega

District 8

Cortney Carlisle Niland

City Manager

Joyce A. Wilson

ORDINANCE NO. _____

AN ORDINANCE VACATING A PORTION OF AN 18' ALLEY OUT OF BLOCK 47, BASSETT ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS

WHEREAS, the abutting property owners have requested a vacation of a portion of an 18' alley out of Block 47, Bassett Addition, City of El Paso, El Paso County, Texas; and,

WHEREAS, after public hearing the City Plan Commission recommended that a portion of an 18' alley out of Block 47, Bassett Addition, City of El Paso, El Paso County, Texas, should be vacated and the City Council finds that said portion of alley 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 an 18' alley out of Block 47, Bassett 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" and in the attached survey identified as Exhibit "B," and made a part hereof by reference, be and is hereby vacated subject to the following condition:

A utility easement for the existing El Paso Electric Company utilities shall remain on the entire vacated alley right-of-way.

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 **THE CITY OF EL PASO**.

PASSED AND APPROVED this _____ day of _____, 2012.

THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

Mathew McElroy, Director
City Development Department

Lupe Cuellar
Assistant City Attorney

(Quitclaim Deed on following page)

LEGAL DESCRIPTION

Property Description: Parcel 2: Portion of an 18' Alley out of Block 47, Bassett Addition, an Addition to the City of El Paso, El Paso County, Texas, according to the Plat thereof on file in Volume 5, Page 21, Plat Records of El Paso County, Texas.

METES AND BOUNDS DESCRIPTION
PARCEL 2

The parcel of land herein described is all of Lots 17-19, Block 47, Bassett Addition, City of El Paso, El Paso County, Texas, recorded in Volume 5, Page 21, Plat Records of El Paso County, Texas, and is more particularly described by metes and bounds as follows:

Commencing at an existing city monument lying 10 feet north and 10 feet east of the centerline intersection of Texas Street (72' right-of-way) and Poplar Street (70' right-of-way), from which an existing city monument lying 10 feet north and 10 feet east of the centerline intersection of Poplar Street and Bassett Street (72' right-of-way) bears South 37°00'03" East, a distance of 660.00 feet, for a reference and the Basis of Bearings; Thence, from the **Point of Commencement** and along the monument line on Poplar Street, South 37°00'03" East, a distance of 46.00 feet to a point lying on the southerly right-of-way line of Texas Street; Thence, leaving said monument line and along said right-of-way line, North 52°59'57" East, a distance of 495.00 feet to a found 1/2" iron pin with cap stamped SLI lying on the intersection of the southerly right-of-way of Texas Street and the easterly right-of-way of Magnolia Street;

THENCE, South 37° 00' 03" East, along the right-of-way of Magnolia Street, a distance of 120.00 feet to the **TRUE POINT OF BEGINNING** of this description

THENCE, North 52° 59' 57" East, along the northerly boundary line of said 18' alley, a distance of 69.03 feet to a set PK nail for a corner;

THENCE, South 00° 11' 19" West, abandoning said boundary line, a distance of 22.59 feet to a set PK nail for a corner lying on the southerly boundary line of said 18' alley;

THENCE, South 52° 59' 57" West, along said boundary line, a distance of 55.37 feet to a point for a corner lying on the easterly right-of-way line of Magnolia Street;

THENCE, North 37° 00' 03" West, along said right-of-way line, a distance of 18.00 feet to the **TRUE POINT OF BEGINNING** of this description.

Said parcel of land contains 0.026 acres (1,120 Sq. Ft.) of land more or less.

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

SLI ENGINEERING, INC,
Consulting Engineers—Land Surveyors



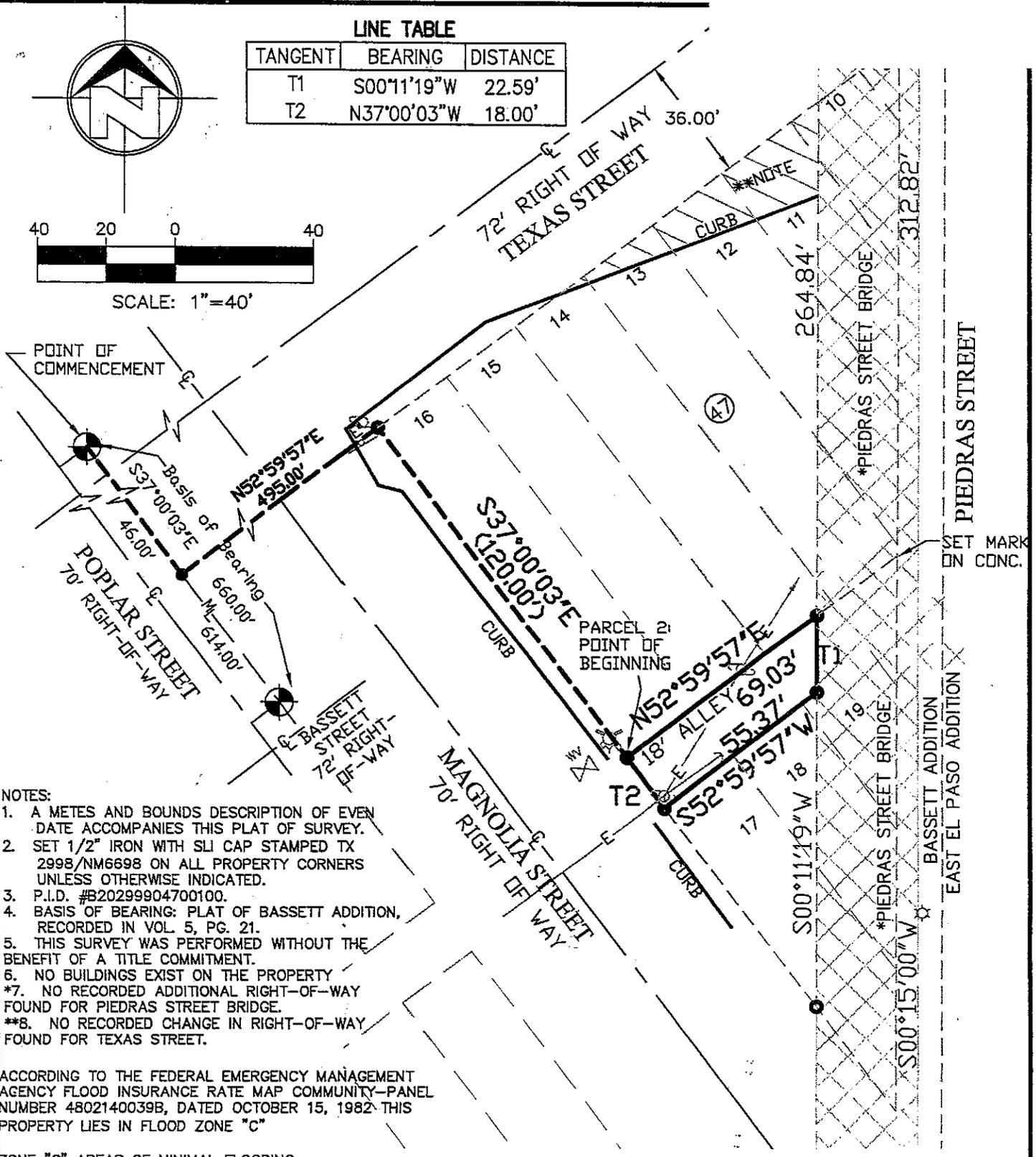
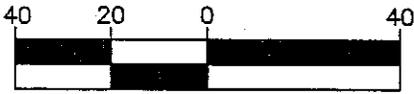
[Handwritten signature of Guillermo Licon]

Guillermo Licon
Registered Professional Land Surveyor
Texas License No. 2998
October 27, 2010
Job # 06-09-2850

M&B/1583-3

LINE TABLE

TANGENT	BEARING	DISTANCE
T1	S00°11'19"W	22.59'
T2	N37°00'03"W	18.00'



NOTES:

1. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT OF SURVEY.
2. SET 1/2" IRON WITH SLI CAP STAMPED TX 2998/NM6698 ON ALL PROPERTY CORNERS UNLESS OTHERWISE INDICATED.
3. P.I.D. #B20299904700100.
4. BASIS OF BEARING: PLAT OF BASSETT ADDITION, RECORDED IN VOL 5, PG. 21.
5. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
6. NO BUILDINGS EXIST ON THE PROPERTY
- *7. NO RECORDED ADDITIONAL RIGHT-OF-WAY FOUND FOR PIEDRAS STREET BRIDGE.
- **8. NO RECORDED CHANGE IN RIGHT-OF-WAY FOUND FOR TEXAS STREET.

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NUMBER 4802140039B, 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 2010 SLI Engineering, Inc.

This map and survey are being provided solely for the use of 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 October 27, 2010.

LEGEND

- EXISTING CITY MONUMENT LOCATED 10' NORTH & 10' EAST OF CENTERLINE INTERSECTION
- CENTERLINE
- MONUMENT LINE
- UTILITY POLE
- FIRE HYDRANT
- WATER VALVE
- GUY WIRE



SLI ENGINEERING, INC.
F-1902

PLAT OF BOUNDARY

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

JOB #: 05-09-2850 FIELD: BS
SCALE: 1"=40' OFFICE: EK/MN
DATE: 10/27/10 REV: 10/28/2010

PARCEL 2:
PORTION OF AN 18' ALLEY OUT OF BLOCK 47, BASSETT ADDITION, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS.

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CERTIFICATION
I HEREBY CERTIFY THAT THE FOREGOING BOUNDARY 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

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this _____ day of _____, 2012,
by Joyce Wilson, as City Manager for the CITY OF EL PASO.

Notary Public, State of Texas
Notary's Printed or Typed Name:

My Commission Expires:

AFTER FILING RETURN TO:

El Paso Water Utilities
Attn: Rudy Valdez
1154 Hawkins
El Paso, Texas 79925

with copy to:

City Development Dept.
Planning Division
2 Civic Center Plaza, 5th Floor
El Paso, Texas 79901

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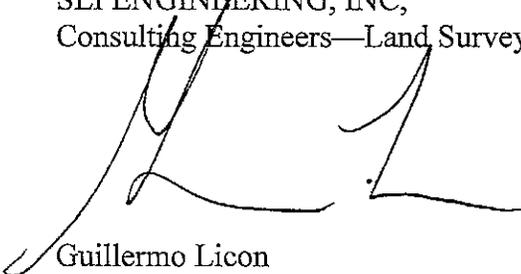
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SLI ENGINEERING, INC,
Consulting Engineers—Land Surveyors



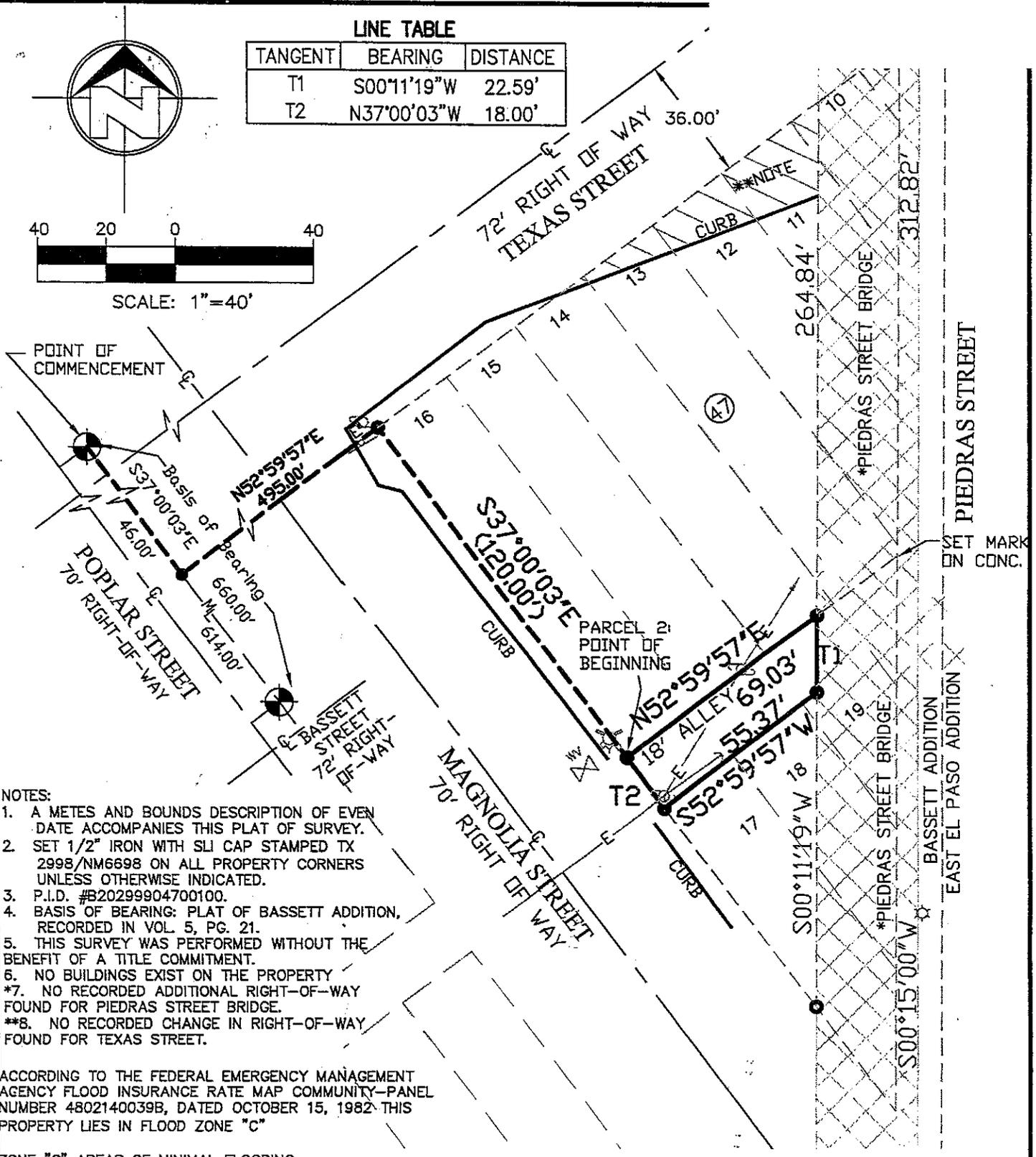
Guillermo Licon
Registered Professional Land Surveyor
Texas License No. 2998
October 27, 2010
Job # 06-09-2850



M&B/1583-3

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LEGEND

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- MONUMENT LINE
- UTILITY POLE
- FIRE HYDRANT
- WATER VALVE
- GUY WIRE



SLI ENGINEERING, INC.
F-1902

PLAT OF BOUNDARY

PARCEL 2:

PORTION OF AN 18' ALLEY OUT OF BLOCK 47, BASSETT ADDITION, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS.

CERTIFICATION
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GUILLERMO LICON, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS LICENSE NO. 2998

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

JOB #: 05-09-2850 FIELD: BS
SCALE: 1"=40' OFFICE: EK/MN
DATE: 10/27/10 REV: 10/28/2010

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**PLANNING AND ECONOMIC DEVELOPMENT
PLANNING DIVISION**

MEMORANDUM

DATE: June 26, 2012

TO: The Honorable Mayor and City Council
Joyce A. Wilson, City Manager

FROM: Justin Bass, Planner

SUBJECT: **SUB10-00307 Magnolia Street Alley Vacation**

The City Plan Commission (CPC), on June 14, 2012, **voted 7-0** to recommend **approval** of the Magnolia Street Alley Vacation.

The CPC determined the vacation is in conformance with Plan El Paso and the proposed use is in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined the vacation protects the best interest, health, safety and welfare of the public in general; and the proposed use is compatible with adjacent land uses; and the vacation will have no negative effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

Mayor

John F. Cook

City Council

District 1

Ann Morgan Lilly

District 2

Susie Byrd

District 3

Emma Acosta

District 4

Carl L. Robinson

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Dr. Michiel R. Noe

District 6

Eddie Holguin Jr.

District 7

Steve Ortega

District 8

Cortney Carlisle Niland

City Manager

Joyce A. Wilson



Two Civic Center Plaza
El Paso, TX 79901
(915) 541-0000



City of El Paso – City Plan Commission Staff Report

Case No: SUB10-00307 Magnolia Street Alley Vacation
Application Type: Alley Vacation
CPC Hearing Date: June 14, 2012

Staff Planner: Justin Bass, 915-541-4930, bassjd@elpasotexas.gov
Location: South of Gateway East and West of Piedras Street
Acreage: 0.026-acre
Rep District: 8
Existing Use: Vacant
Existing Zoning: C-4(Commercial)

Property Owner: City of El Paso
Applicant: El Paso Water Utilities (EPWU)
Representative: El Paso Water Utilities (EPWU)

SURROUNDING ZONING AND LAND USE

North: C-4 (Commercial)/ Vacant
South: C-4 (Commercial)/ Vacant
East: C-4 (Commercial)/ Overpass right-of-way
West: C-4 (Commercial)/ Right-of-way

PLAN EL PASO DESIGNATION: G2 Traditional Neighborhood.

APPLICATION DESCRIPTION

The applicant is requesting to vacate a portion of an undeveloped 18-foot alley located within Block 47 of the Bassett Addition. The applicant states that the purpose of the vacation is to allow the development of a pump station facility within the subject block.

The applicant currently owns all properties abutting the proposed alley vacation.

DEVELOPMENT COORDINATING COMMITTEE

The Development Coordinating Committee recommends **approval** of Magnolia Street Alley Vacation subject to the following conditions and requirements:

Planning Division Recommendation:

Approval.

City Development Dept. - Land Development:

We have reviewed the subject plan and recommend **Approval**.

No Objection

Planning - Transportation:

No objections to the proposed alley vacation.

El Paso Water Utilities:

The El Paso Water Utilities does not object to the proposed vacation. Existing water and sewer mains will be relocated as required by the stormwater project.

Stormwater Division:

No objections.

Parks and Recreation:

We have reviewed **Magnolia Street - Alley Vacation**, a survey map and offer “No” objections to this proposed alley vacation request.

El Paso Fire Department:

No comments received.

El Paso Electric Company:

El Paso Electric must maintain easement rights in the proposed alley and ingress and egress rights due to an existing overhead line. If the overhead line is in the way of construction then the customer will be responsible for the relocation cost of the electric line.

(To be addressed prior to City Council consideration)

Sun Metro:

No comments received.

911:

No comments received.

Texas Gas Company:

No comments received.

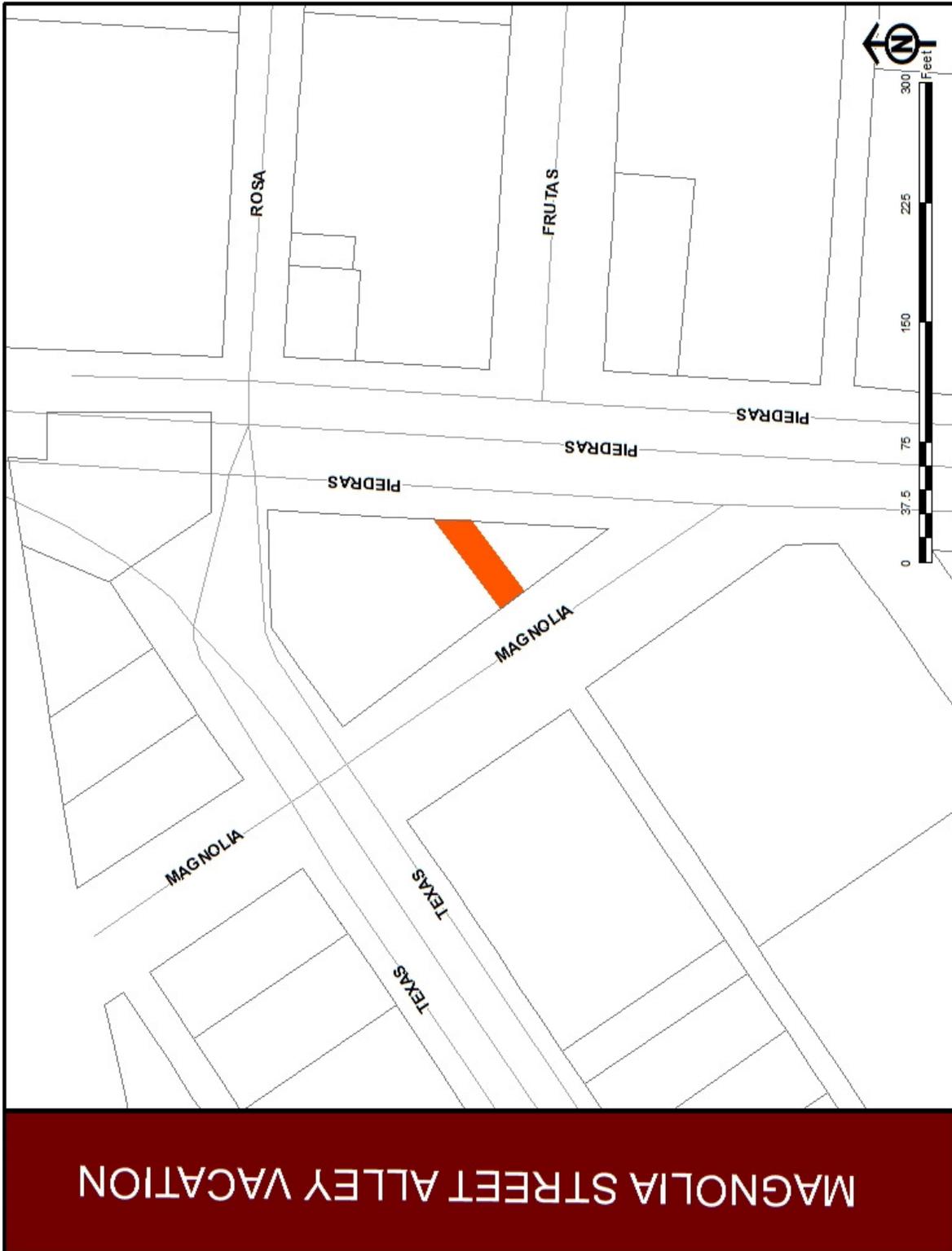
El Paso Independent School District:

No comments received.

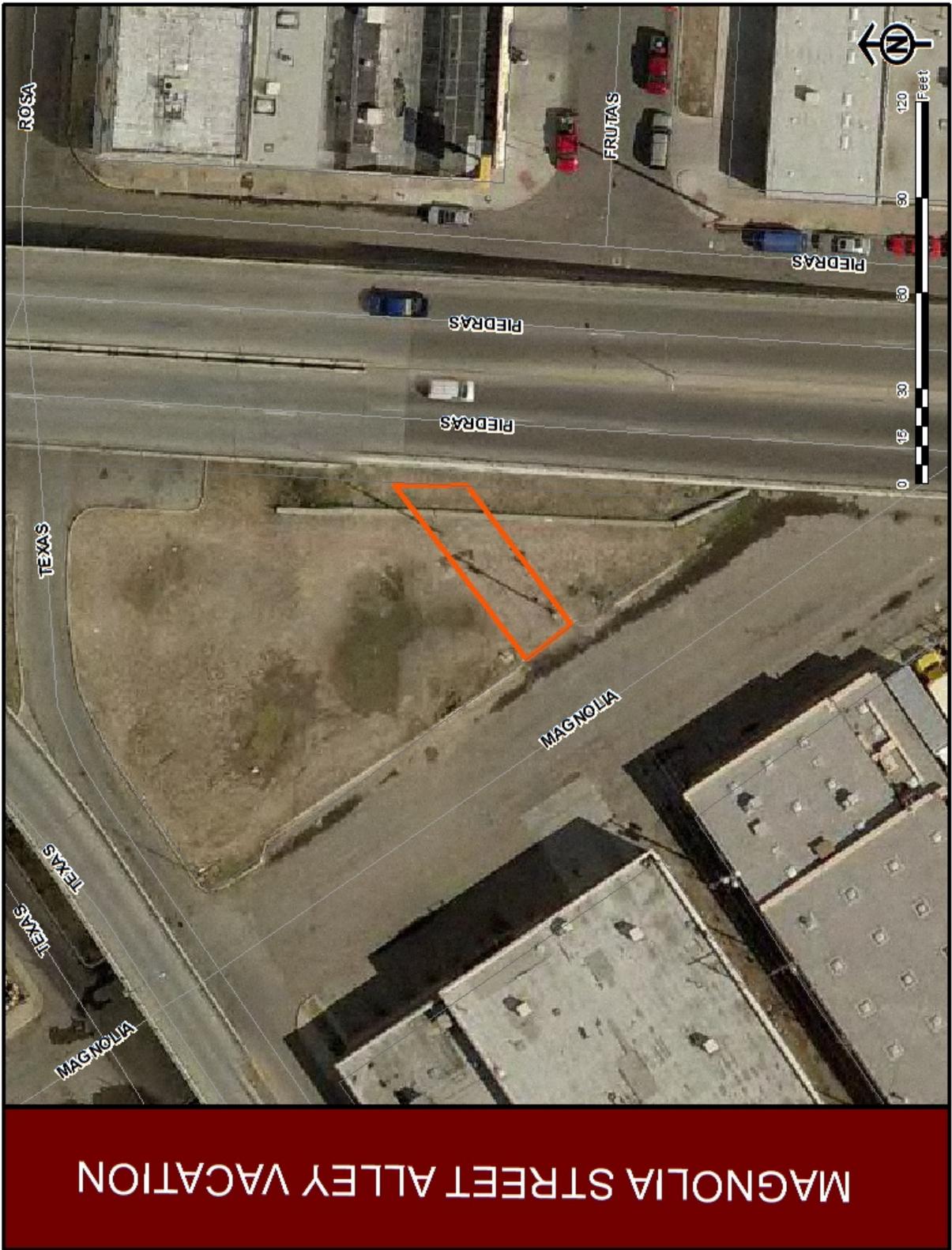
Attachments

1. Location map
2. Aerial map
3. Survey
4. Application

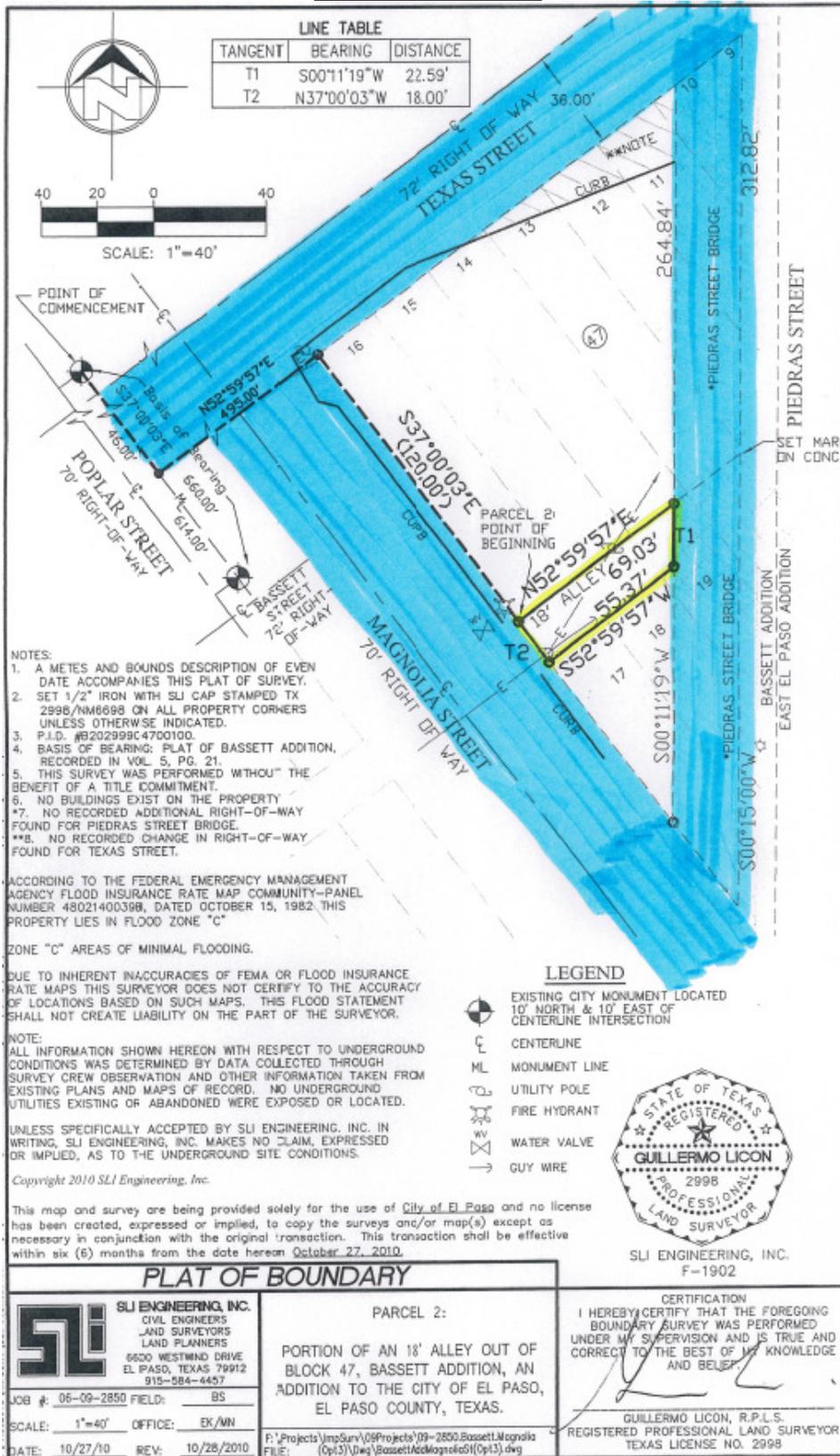
ATTACHMENT 1



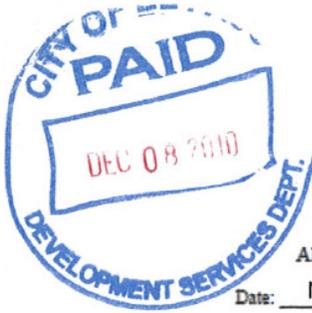
ATTACHMENT 2



ATTACHMENT 3



ATTACHMENT 4



**CITY OF EL PASO, TEXAS
APPLICATION FOR VACATION PUBLIC EASEMENTS AND RIGHTS-OF-WAY**

Date: November 10, 2010 File No. SUB10-00307

1. APPLICANTS NAME City of El Paso/Public Service Board/El Paso Water Utilities
ADDRESS 1154 Hawkins ZIP CODE 79925 TELEPHONE 594-5590
2. Request is hereby made to vacate the following: (check one)
Street Alley Easement Other
Street Name(s) Ptn of an Alley Subdivision Name Bassett Addition
Abutting Blocks 47 Abutting Lots Ptn 14, 15, 16, ptn 17, ptn 18, ptn 19
3. Reason for vacation request: Need to acquire the property for Stormwater Project (Pump Station)
4. Surface Improvements located in subject property to be vacated:
None Paving Curb & Gutter Power Lines/Poles Fences/Walls Structures Other
5. Underground Improvements located in the existing rights-of-way:
None Telephone Electric Gas Water Sewer Storm Drain Other
6. Future use of the vacated right-of-way:
Yards Parking Expand Building Area Replat with abutting Land Other
7. Related Applications which are pending (give name or file number):
Zoning Board of Adjustment Subdivision Building Permits Other
8. Signatures: All owners of properties which abut the property to be vacated must appear below with an adequate legal description of the properties they own (use additional paper if necessary).

Signature	Legal Description	Telephone
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

The undersigned Owner/Applicant/Agent understands that the processing of this Application will be handled in accordance with the procedure for Requesting Vacations and that no action on processing will be taken without payment of the non-refundable processing fee. It is further understood that acceptance of this application and fee in no way obligates the City to grant the Vacation. I/We further understand that the fee, if the Vacation is granted will be determined by the City of El Paso and a Certified or Cashier's Check must be presented before the request will be recommended for Council action.

The undersigned acknowledges that he or she is authorized to do so, and upon the City's request will provide evidence satisfactory to the City confirming these representations.

The granting of a vacation request shall not be construed to be a waiver of or an approval of any violation of any of the provisions of any applicable City ordinances.

CASHIER'S VALIDATION
FEE: \$966.00

OWNER SIGNATURE: [Signature]
REPRESENTATIVE: Rudy Valdez
594-5590

NOTE: SUBMITTAL OF AN APPLICATION DOES NOT CONSTITUTE ACCEPTANCE FOR PROCESSING UNTIL THE PLANNING DEPARTMENT REVIEWS THE APPLICATION FOR ACCURACY AND COMPLETENESS.