

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

DEPARTMENT: City Development Department

AGENDA DATE: Consent: July 9, 2013

CONTACT PERSON NAME AND PHONE NUMBER: Mirian Spencer, (915) 541-4482, spencermd2@elpasotexas.gov

DISTRICT(S) AFFECTED: 2

SUBJECT:

A Resolution that the City dedicate a 0.0017 acre portion of land out of Lot 1, Block 13, Butterfield Industrial Park Unit Two, City of El Paso, El Paso County, Texas and being more fully described by metes and bounds in Exhibit "A" and survey in Exhibit "B" attached hereto and made part hereof, for use as a public right-of-way to allow Leigh Fisher Boulevard to be widened (SURW13-00013) District 2.

BACKGROUND / DISCUSSION:

The City is dedicating the 72.2 square foot portion of land out of airport property for the widening and realignment of Leigh Fisher Boulevard. The dedication is the first of several right-of-way dedication requests necessary for the Industrial Park roadway improvement project.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

The City Plan Commission approved the right-of-way dedication at the June 27, 2013 meeting.

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

DEPARTMENT HEAD:

**Mathew S. McElroy, Director
City Development Department**

Information copy to appropriate Deputy City Manager

RESOLUTION

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

That the City dedicate *a 0.0017 acre portion of land out of Lot 1, Block 13, Butterfield Industrial Park Unit Two, City of El Paso, El Paso County, Texas* and being more fully described by metes and bounds in Exhibit "A" and survey in Exhibit "B" attached hereto and made part hereof, for use as a public right-of-way to allow Leigh Fisher Boulevard to be widened.

PASSED AND APPROVED this _____ day of _____, 2013.

THE CITY OF EL PASO

Oscar Leeser, Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Lauren K. Ferris
Assistant City Attorney

APPROVED AS TO CONTENT:

Mathew McElroy, Director
City Development Department



ROMAN BUSTILLOS, P.E.
President
RANDY P. BROCK, P.E.
Executive Vice President
SERGIO J. ADAME, P.E.
Vice President - Engineering
ISAAC CAMACHO, R.P.L.S.
Survey Manager
TBPE Reg No. F-737
TBPLS Reg No. 101314-00

METES AND BOUNDS DESCRIPTION
"RIGHT-OF-WAY DEDICATION"

A 0.0017 acre parcel situate within the corporate limits of the City of El Paso, El Paso County, Texas as a portion of Lot 1, Block 13, Butterfield Trail Industrial Park Unit 2, as recorded in Volume 57, Page 43 of the, Plat Records of El Paso County, Texas, and being more particularly described by metes and bounds as follows.

COMMENCING for reference at an existing City Monument found at the centerline line intersection of Leigh Fisher Boulevard (90.00 feet wide) and Spur Drive (90.00 feet wide); **WHENCE**, an existing City Monument found at the center line intersection of Leigh Fisher Boulevard and Butterfield Trail Boulevard (R.O.W. varies), bears South 02°12'07" West, a distance of 940.36 feet; **THENCE**, leaving the centerline of Spur Drive and following the centerline of Leigh Fisher Boulevard, North 02°12'07" East, a distance of 368.90 feet to a point of curvature; **THENCE**, leaving the centerline of Leigh Fisher Boulevard South 87°47'53" East, a distance of 45.00 feet to a point of curvature on the east right-of-way line of Leigh Fisher Boulevard for the **POINT OF BEGINNING** of the parcel herein described;

THENCE, following the east right-of-way line of Leigh Fisher Boulevard along the arc of a curve to the left having a radius of 1,022.10 feet, a central angle of 04°16'27", an arc length of 76.25 feet and whose long chord bears North 00°03'53" East, a distance of 76.23 feet to the northwest corner of the parcel herein described, identical to the northwest corner of Lot 1, Block 13, Butterfield Trail Industrial Park Unit Three;

THENCE, leaving the east right-of-way line of Leigh Fisher Boulevard and following the north boundary line of said Lot 1, South 87°54'08" East, a distance of 2.84 feet to the northeast corner of the parcel herein described, whence the northeast corner of said Lot 1 bears, South 87°54'08" East, a distance of 324.19 feet;

THENCE, leaving the north boundary line of said Lot 1, South 02°12'07" West, a distance of 76.18 feet to the **POINT OF BEGINNING**.

Said parcel contains 0.0017 acres (72.2 square feet), more or less, and being subject to easements, restrictions and covenants of record.

Basis of Bearing is the Texas State Plane Coordinate System, Central Zone 4203, N.A.D. 83.

Aaron Alvarado, TX R.P.L.S. No. 6223

May 22, 2013

05100-043G-ROW DEDICATION.doc



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EXHIBIT "A"

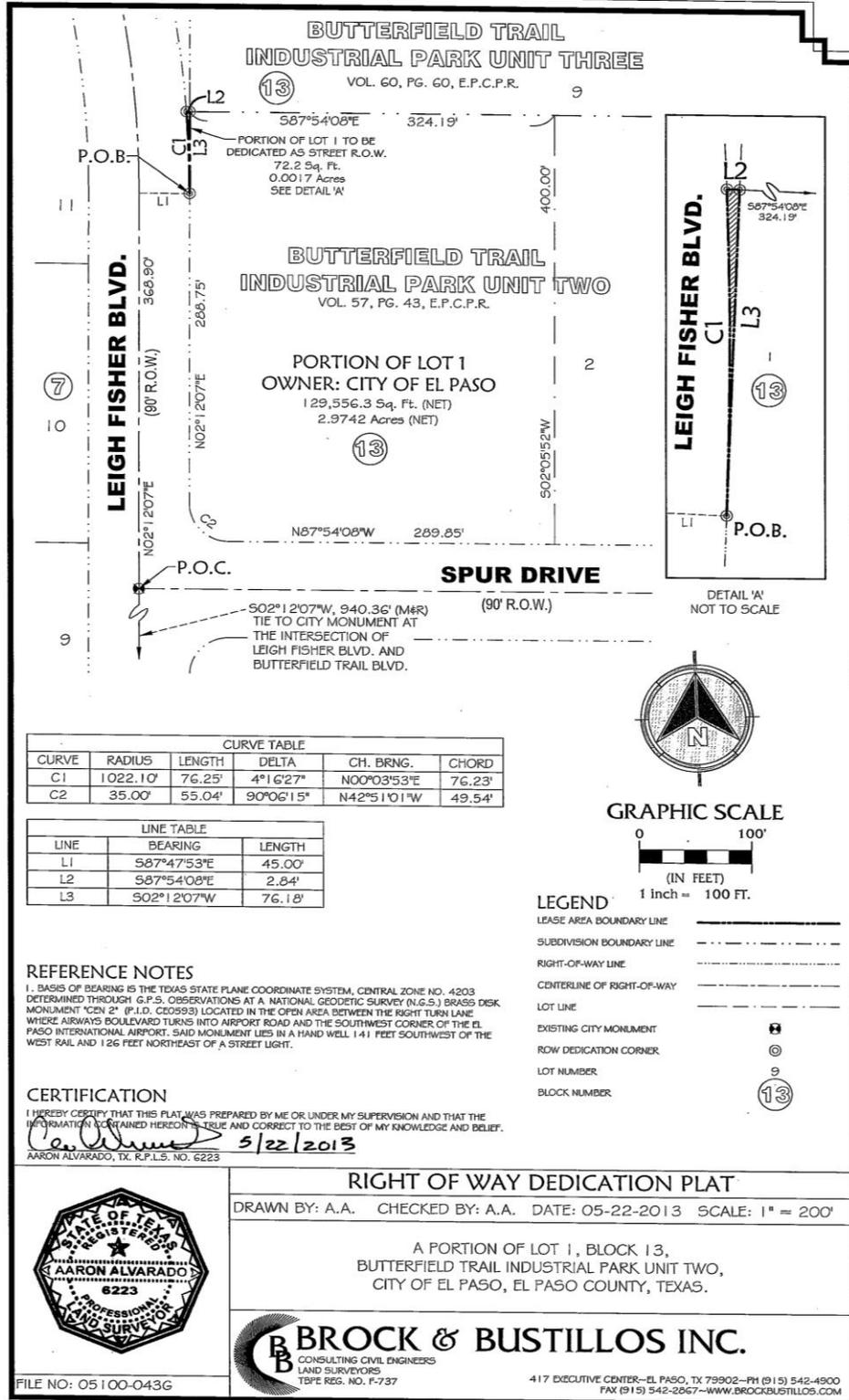


EXHIBIT "B"

CITY DEVELOPMENT DEPARTMENT
M E M O R A N D U M



DATE: July 1, 2013

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

FROM: Mirian Spencer, Planner

SUBJECT: Leigh Fisher Boulevard Right-of-way Dedication SURW13-00013

Mayor
Oscar Leeser

City Council
District 1
Ann Morgan Lilly

District 2
Larry Romero

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Dr. Michiel R. Noe

District 6
Eddie Holguin Jr.

District 7
Lilia B. Limon

District 8
Cortney C. Niland

City Manager
Joyce A. Wilson

The City Plan Commission (CPC), on June 27, 2013, voted 7-0 to approve the Leigh Fisher Boulevard right-of-way dedication.

The CPC determined the dedication is in conformance with The Plan for El Paso and the proposed use is in conformance with Plan El Paso. The CPC also determined the dedication 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.



City of El Paso – City Plan Commission Staff Report

Case No: SURW13-00013 Leigh Fisher Blvd. Right-of-Way Dedication
Application Type: Dedication by Metes & Bounds
CPC Hearing Date: June 27, 2013
Staff Planner: Mirian Spencer, 915-541-4482, spencermd2@elpasotexas.gov
Location: South of Founders and West of Spur
Legal Description Acreage: 0.0017 acre
Rep District: 2
Existing Use: Landscaping
Existing Zoning: M-1 (Light Manufacturing)
Proposed Zoning: M-1 (Light Manufacturing)
Property Owner: City of El Paso
Applicant: City of El Paso
Representative: City of El Paso

SURROUNDING ZONING AND LAND USE

North: M-1 (Light Manufacturing)/ Industrial Park
South: M-1 (Light Manufacturing)/ Industrial Park
East: M-1 (Light Manufacturing)/ Industrial Park
West: M-1 (Light Manufacturing)/ Industrial Park

THE PLAN FOR EL PASO DESIGNATION: G-7, Industrial and/or Rail yards

APPLICATION DESCRIPTION

This is a city-initiated ROW dedication. The City of El Paso is proposing to dedicate city owned property for a street widening project on a portion of Leigh Fisher Blvd. The width of the portion being dedicated varies from 2.84 ft. to 76.18 ft. and the length measures 76.23 ft. in length.

DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION:

Approval.

DEVELOPMENT COORDINATING COMMITTEE

The Development Coordinating Committee recommends **approval** of Leigh Fisher Blvd. Right-of-Way Dedication subject to the following conditions and requirements:

Planning Division Recommendation:

Approval.

Land Development:

No objections.

Engineering Department-Traffic:

No objections.

Parks and Recreation Department:

We have reviewed **Leigh Fisher Blvd.**, a street dedication survey map and offer “No” objections to this proposed street dedication request.

El Paso Water Utilities:

EPWU does not object to this request.

El Paso Fire Department:

No comments received.

911

No comments received.

El Paso Electric Company:

No comments received.

Texas Gas Company:

No comments received.

Additional Requirements and General Comments:

1. Submit to the Development Services Department – Planning Division the following prior to recording of the dedication.
 - a. Current certified tax certificate(s)
 - b. Current proof of ownership
 - c. Release of access document, if applicable
 - d. Set of restrictive covenants, if applicable

Attachments

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

ATTACHMENT 1



ATTACHMENT 2



ATTACHMENT 4



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

Date: 05/23/2013 File No. SURW13-00013

1. APPLICANTS NAME City of El Paso
ADDRESS 222 N. Campbell St. 2nd Floor ZIP CODE 79901 TELEPHONE (915) 541-4000
2. Request is hereby made to dedicate the following: (check one) Street Alley Easement Other
Street Name(s) Leigh Fisher Subdivision Name BTIP Unit 2
Abutting Blocks 13 Abutting Lots 1
3. Reason for dedication request: _____
4. Surface Improvements located in subject property to be dedicated:
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 dedicated 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 N/A
8. Signatures: All owners of properties which abut the property to be dedicated 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 Dedications 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 dedication I/We further understand that the fee, if the Dedication 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 dedication 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: \$562.00

OWNER SIGNATURE: _____
REPRESENTATIVE: Roman Bustillos
Brock & Bustillos, Inc./Roman Bustillos, P.E., CNU-A

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