

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

CITY CLERK DEPT.  
08 JUN 30 AM 9:23

**DEPARTMENT:** Development Services Department  
**AGENDA DATE:** Introduction: July 8, 2008  
Public Hearing: July 15, 2008  
**CONTACT PERSON/PHONE:** Michelle Padilla, Planner – 541-4903  
**DISTRICT(S) AFFECTED:** 8

**SUBJECT:**

An ordinance vacating a portion of Denver Street (70' wide public right-of-way), City of El Paso, El Paso County, Texas **Location: Denver Street East of Murchison Drive and West of Idaho Street.**  
**Applicant: 1810 Murchison, L.P. SUB07-00111 (District 8)**

**BACKGROUND / DISCUSSION:**

Please see attached

**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) \_\_\_\_\_ **FINANCE:** (if required) \_\_\_\_\_

**DEPARTMENT HEAD:** *Victor Q. Torres*  
*for* Victor Q. Torres, Development Services Director

**APPROVED FOR AGENDA:** \_\_\_\_\_

**CITY MANAGER:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE VACATING A PORTION OF DENVER STREET (70' WIDE PUBLIC RIGHT-OF-WAY), CITY OF EL PASO, EL PASO COUNTY, TEXAS**

WHEREAS, the City of El Paso, has requested that *a portion of Denver Street (70' wide public right-of-way), City of El Paso, El Paso County, Texas*, be vacated; and,

WHEREAS, the City Plan Commission on December 6, 2007 recommended a vacation of *a portion of Denver Street (70' wide public right-of-way), City of El Paso, El Paso County, Texas*; and,

WHEREAS, 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:**

**Section 1.** That a determination has been made that it is in the best interest of the public that *a portion of Denver Street (70' wide public right-of-way), City of El Paso, El Paso County, Texas*, be and is hereby vacated.

**Section 2:** That the City Manager is authorized to sign an instrument quitclaiming all of the City's right, title and interest in the portion of the right-of-way to 1810 Murchison, L.P.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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:

\_\_\_\_\_  
*Victor Q. Torres*  
Victor Q. Torres, Director  
Development Services Department



**ACKNOWLEDGMENT**

THE STATE OF TEXAS    )  
                                  )  
COUNTY OF EL PASO    )

This instrument is acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2008,  
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:**  
**1810 Murchison, L.P.**  
**C/O Gordon & Mott, P.C.**  
**221 N. Kansas**  
**El Paso, Texas 79901**

PREPARED FOR: Gordon & Mott P.C.  
A Portion of Denver Street (70' wide public right-of-way)  
City of El Paso, El Paso County, Texas  
Date: August, 23 2007  
W.O. 013106-11  
Revised: November 12, 2007

Exhibit A

**METES AND BOUNDS DESCRIPTION**  
**(PROPOSED DENVER STREET PARTIAL VACATION)**

Description of a 0.1310 acre parcel of land being A Portion of Denver Street right-of-way, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows to wit:

Commencing at an existing city monument located at the centerline intersection of Curie Drive and Murchison Street, Thence North  $80^{\circ}23'31''$  East a distance of 332.40 feet to a set "X" mark on rock rip-rap lying on the northerly right-of-way line of Denver Street, said point being the "True Point of Beginning";

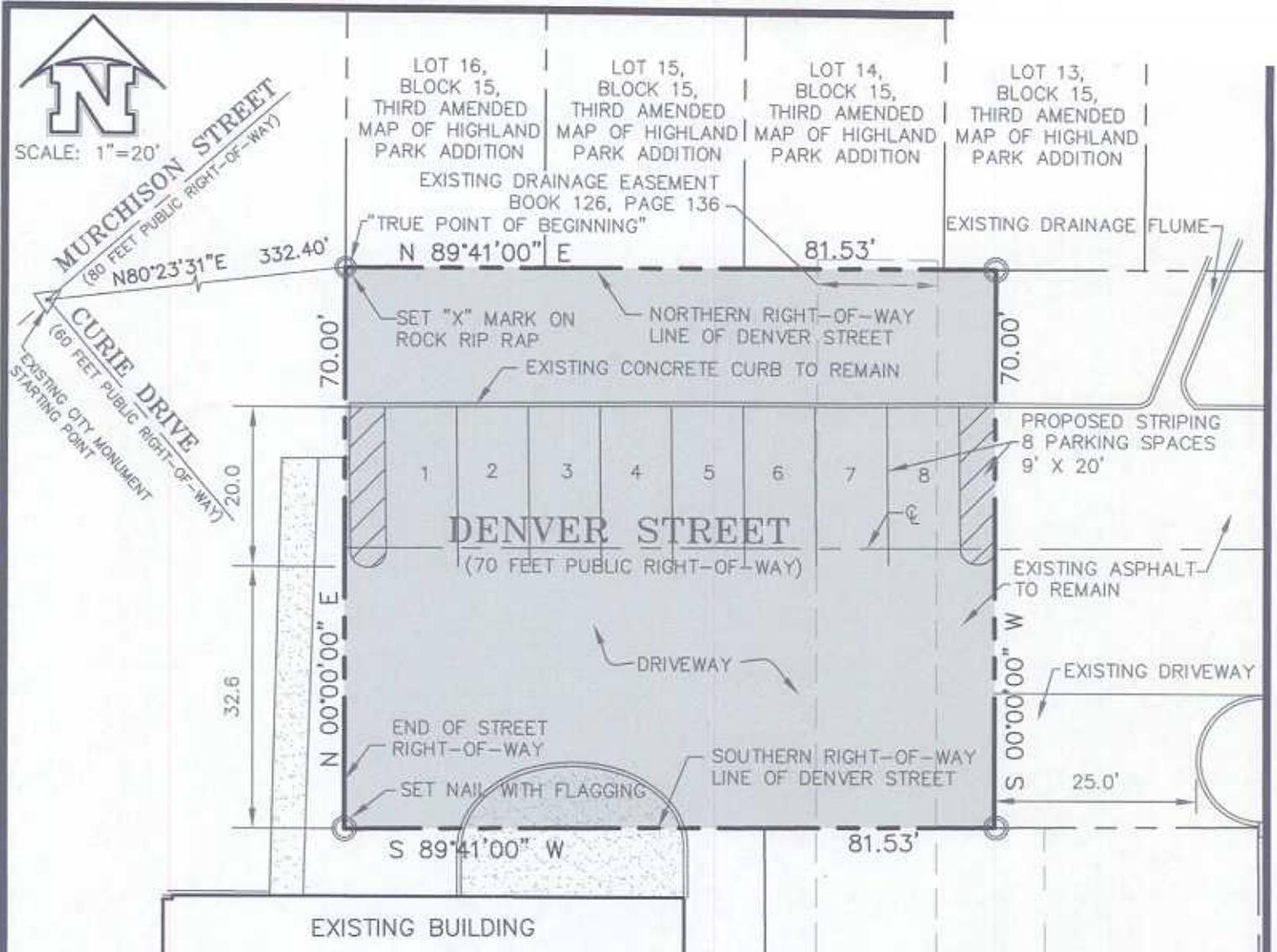
Thence North  $89^{\circ}41'00''$  East along said northerly right-of-way line a distance of 81.53 feet to a point;

Thence South  $00^{\circ}00'00''$  West a distance of 70.00 feet to point lying on the southerly right-of-way line of Denver Street;

Thence South  $89^{\circ}41'00''$  West along said southerly right-of-way line a distance of 81.53 feet to a set nail with flagging;

Thence North  $00^{\circ}00'00''$  East a distance of 70.00 feet to a set "X" mark on rock rip-rap, and back to the "True Point of Beginning"; and containing in all 5,707.16 square feet or 0.1310 acres of land more or less.





**METES AND BOUNDS DESCRIPTION**

Description of a 0.1310 acre parcel of land being A Portion of Denver Street (70' wide public right-of-way), City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows to wit:

Commencing at an existing city monument located at the centerline intersection of Curie Drive and Murchison Street, Thence North 80°23'31" East a distance of 332.40 feet to a set "X" mark on rock rip-rap lying on the northerly right-of-way line of Denver Street, said point being the "True Point of Beginning";

Thence North 89°41'00" East along said northerly right-of-way line a distance of 81.53 feet to a point;

Thence South 00°00'00" West a distance of 70.00 feet to point lying on the southerly right-of-way line of Denver Street;

Thence South 89°41'00" West along said southerly right-of-way line a distance of 81.53 feet to a set nail with flagging;

Thence North 00°00'00" East a distance of 70.00 feet to a set "X" mark on rock rip-rap, and back to the "True Point of Beginning"; and containing in all 5,707.16 square feet or 0.1310 acres of land more or less.

NOTE: The above referenced property is within Zone "C" (Explanation: Area of Minimal Flooding) according to the Federal Emergency Management Agency Flood Insurance Rate Maps, as per Area Community Panel No. 480214 0033 B, dated October 15, 1982.

This document, whether in hard copy or machine readable format, is owned by Roe Engineering, L.C. and an instrument of services in respect to the project for which it was prepared. This document is not intended or authorized for reuse by any party on extensions of such project or any other project. Any reuse, including copying and/or modifying the document, without written permission from Roe Engineering, L.C., for the specific purpose intended maybe a violation of law. Unauthorized use of this material may result in civil and/or criminal penalties.

REVISED NOV 12, 2007

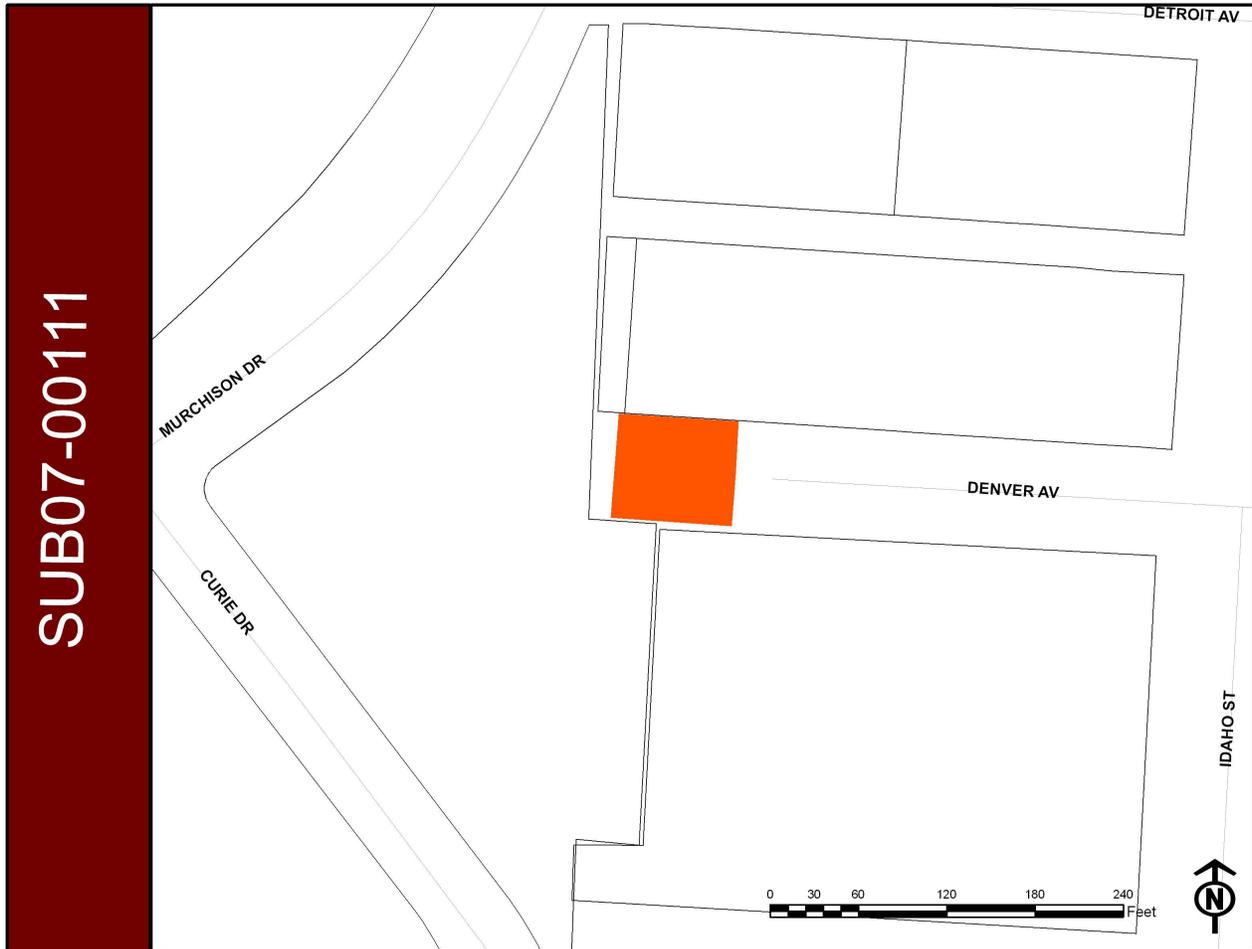
C:\Projects\011907-5 1440 MRACLE\013106-11 1810 MURCHISON\dwg\VACATION OF DENVER STREET.DWG 11/26/2007 1:47PM-L.D.R.\_CNTRLINE

| FILING INFORMATION  | PLOT PLAN   |   |
|---|---|---|
| <p>DATE: AUG 23, 2007<br/>                     CENSUS TRACT: 15.01<br/>                     DISTRICT: SOUTHWEST<br/>                     AREA: 10<br/>                     COUNTY PLAT RECORDS<br/>                     BOOK: 13<br/>                     PAGE: 8<br/>                     FIELD: J.B./P.C.<br/>                     OFFICE: L.D.R.<br/>                     W.O. 013106-11<br/>                     FILE: VAC. PARCEL<br/>                     SCALE: 1" = 20'</p> | <p>PROPOSED PARTIAL STREET VACATION BEING A PORTION OF DENVER STREET, (70' WIDE PUBLIC RIGHT-OF-WAY), CITY OF EL PASO, EL PASO COUNTY, TEXAS</p> <p>CONTAINING IN ALL 5,707.16 SQ.FT. OR 0.1310 AC.</p> <p>PREPARED FOR:<br/>                     GORDON AND MOTT, P.C.</p> | <p><b>Roe Engineering, L.C.</b><br/>                     901 N. Cotton St. Suite No. 2 El Paso, Tx. 79902<br/>                     (915) 533-1418 - FAX: (915) 533-4972<br/>                     EMAIL: roeeng@earthlink.net</p> <p>ENGINEERING/LAND DEVELOPMENT/PLANNING/SURVEYING</p> |



# SUB07-00111

**Subdivision Name:** SUB07-00111  
**Type Request:** Right of Way Vacation  
**Property Owner:** City of El Paso  
**Developer:** N/A  
**Representative:** Gordon & Mott, P.C.  
**Surveyor:** Roe Engineering, L.C.  
**Location:** West of Cotton Street at Denver Street  
**Acres:** 0.1418  
**Planning Area:** Central  
**Representative District:** 8  
**Present Zone:** A-O & R-5



**GENERAL INFORMATION:**

The applicant proposes to vacate a portion of Denver Street. The applicant owns the abutting properties to the West and to the South. The City of El Paso owns the drainage easement to the North. This vacation will not have a negative effect on any of the abutting property owners.

**STAFF RECOMMENDATION:**

The Development Coordinating Committee recommends *approval* of the proposed vacation of the portion of Denver Street, subject to the following requirements:

**Planning Division – Land Development Comments and Requirements:**

No objections.

**Engineering Department – Traffic Division**

No traffic concerns.

**El Paso Water Utilities Comments**

1. EPWU-PSB does not object to this request.

**General**

2. El Paso Water Utilities – Public Service Board (EPWU-PSB) does not own or operate any facilities within the above referenced portion of Denver Street to be vacated.
3. Existing sanitary sewer facilities are located along Denver Street east of Idaho Street. Existing water facilities along Denver Street dead-end approximately 218-feet west of the eastern Idaho Street right-of-way line.

**Central Appraisal District**

No comments received.

**Texas Gas Service**

No comments received.

**School District**

No comments received.

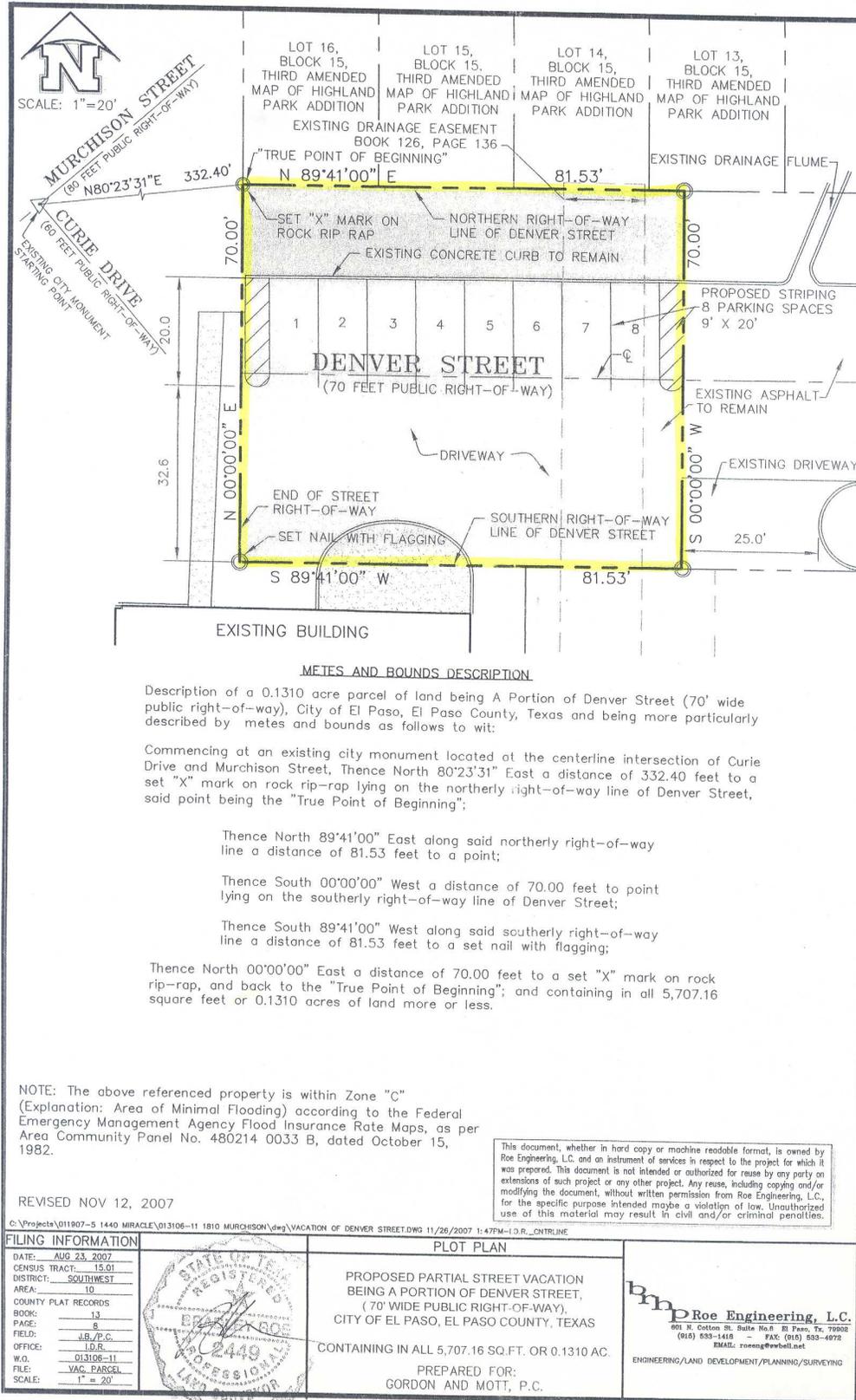
**List of Attachments**

- Attachment 1: Aerial
- Attachment 2: Survey
- Attachment 3: Application

ATTACHMENT 1



## ATTACHMENT 2



**METES AND BOUNDS DESCRIPTION.**

Description of a 0.1310 acre parcel of land being A Portion of Denver Street (70' wide public right-of-way), City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows to wit:

Commencing at an existing city monument located at the centerline intersection of Curie Drive and Murchison Street, Thence North 80°23'31" East a distance of 332.40 feet to a set "X" mark on rock rip-rap lying on the northerly right-of-way line of Denver Street, said point being the "True Point of Beginning";

Thence North 89°41'00" East along said northerly right-of-way line a distance of 81.53 feet to a point;

Thence South 00°00'00" West a distance of 70.00 feet to point lying on the southerly right-of-way line of Denver Street;

Thence South 89°41'00" West along said southerly right-of-way line a distance of 81.53 feet to a set nail with flagging;

Thence North 00°00'00" East a distance of 70.00 feet to a set "X" mark on rock rip-rap, and back to the "True Point of Beginning"; and containing in all 5,707.16 square feet or 0.1310 acres of land more or less.

NOTE: The above referenced property is within Zone "C"  
(Explanation: Area of Minimal Flooding) according to the Federal Emergency Management Agency Flood Insurance Rate Maps, as per Area Community Panel No. 480214 0033 B, dated October 15, 1982.

This document, whether in hard copy or machine readable format, is owned by Roe Engineering, L.C. and an instrument of services in respect to the project for which it was prepared. This document is not intended or authorized for reuse by any party on extensions of such project or any other project. Any reuse, including copying and/or modifying the document, without written permission from Roe Engineering, L.C., for the specific purpose intended may be a violation of law. Unauthorized use of this material may result in civil and/or criminal penalties.

REVISED NOV 12, 2007

C:\Projects\011907-5 1440 MIRACLE\013106-11 1810 MURCHISON.dwg VACATION OF DENVER STREET.DWG 11/26/2007 1:47PM-I.D.R.\_CONTR.LIN

| FILING INFORMATION  |              |
|---------------------|--------------|
| DATE:               | AUG 23, 2007 |
| CENSUS TRACT:       | 15.01        |
| DISTRICT:           | SOUTHWEST    |
| AREA:               | 10           |
| COUNTY PLAT RECORDS |              |
| BOOK:               | 13           |
| PAGE:               | 6            |
| FIELD:              | J.B./P.C.    |
| OFFICE:             | I.D.R.       |
| W.O.:               | 01306-11     |
| FILE:               | VAC. PARCEL  |
| SCALE:              | 1" = 20'     |



**PLOT PLAN**

PROPOSED PARTIAL STREET VACATION  
BEING A PORTION OF DENVER STREET,  
(70' WIDE PUBLIC RIGHT-OF-WAY),  
CITY OF EL PASO, EL PASO COUNTY, TEXAS

CONTAINING IN ALL 5,707.16 SQ.FT. OR 0.1310 AC.

PREPARED FOR:  
GORDON AND MOTT, P.C.

**Roe Engineering, L.C.**

901 N. Cotton St. Suite No. 8 El Paso, Tx. 79902  
(915) 833-1416 — FAX: (915) 833-4972  
EMAIL: roeeng@earthlink.net

ENGINEERING/LAND DEVELOPMENT/PLANNING/SURVEYING

ATTACHMENT 3



APPLICATION FOR VACATION OF PUBLIC EASEMENTS AND RIGHTS-OF-WAY

SUB07-0

DATE 9.26.2007

- 1. APPLICANTS NAME 1810 Murchison, L.P. c/o Gordon Mott P.C. (Yolanda Giner)
ADDRESS 221 N. Kansas ZIP CODE 79901 TELEPHONE 545-1133
2. Request is hereby made to dedicate the following: (check one)
Street X Alley Easement Other
Street Name(s) Denver Street Subdivision Name
Abutting Blocks Abutting Lots
3. Reason for the vacation request: connection to applicant's abutting properties
4. Surface Improvements located in subject property to be dedicated:
None X Paving Curb & Gutter Power Lines/Poles Fences/Walls Structures Other
5. Underground Improvements located in subject right-of-way:
None X Telephone Electric Gas Water Sewer Storm Drain Other
6. Future use of the vacated right-of-way:
Yards Parking X Expand Building Area Replat with abutting Land Other X (access to abutting parcel)
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 dedicated must appear below with an adequate legal description of the properties they own (use additional paper if necessary).

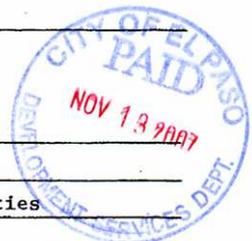


Table with 3 columns: Signature, Legal Description/Address, Telephone Number

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.

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.

FEE AMOUNTS:
Easement Vacation \$342.00
X Street, Alley, Other Rights-of-Way Vacation \$571.00

1810 Murchison, L.P.
Signed By: 1810 Murchison, General Partner, LLC
Land Owner/Applicant/Agent
9.26.2007
Date

CASHIER'S VALIDATION



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

ADDENDUM TO APPLICATION FOR VACATION OF  
PUBLIC EASEMENTS AND RIGHTS-OF-WAY

All owners of properties which abut the property to be dedicated must appear below with an adequate legal description of the properties they own.

1. A portion of Lot 1, Block 3, Medical Center Plaza and a portion of Block 14, Highland Park Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Volume 13, Page 8, Real Property Records, El Paso County, Texas
  
2. Lot 16, Block 15, THIRD AMENDED MAP OF HIGHLAND PARK ADDITION, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Volume 13, Page 8, Real Property Records, El Paso County, Texas.

Parcels 1 and 2 owned by:

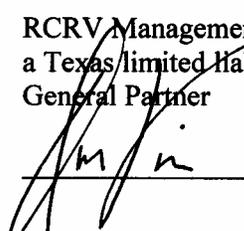
1810 Murchison L.P.  
Attn: Omar Villa  
915-778-7500

**1810 Murchison, LP,**  
a Texas limited partnership

By: 1810 Murchison GP, LLC,  
a Delaware limited liability company,  
General Partner

By: RCRV Family Limited Partnership,  
A Texas limited partnership,  
Authorized Member

By: RCRV Management LLC,  
a Texas limited liability company,  
General Partner

By:   
\_\_\_\_\_