



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

**DEPARTMENT:** City Development Department  
**AGENDA DATE:** CCA 7/24/12 Introduction, Public Hearing 7/31/12  
**CONTACT PERSON/PHONE:** Justin Bass, 541-4930  
**DISTRICT(S) AFFECTED:** 8

**SUBJECT:**

An ordinance vacating a portion of a 15 foot alley, Block 61, Supplemental Map No. 1 of East El Paso, City of El Paso, El Paso County, Texas. Applicant: Vasquez Realty Holdings, LLC. SURW12-00001 (**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) 541-4000

**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 A 15 FOOT ALLEY, BLOCK 61, SUPPLEMENTAL MAP NO. 1 OF EAST EL PASO, CITY OF EL PASO, EL PASO COUNTY, TEXAS**

**WHEREAS**, the abutting property owners have requested a vacation of a portion of a 15 foot alley, Block 61, Supplemental Map No. 1 of East El Paso, City of El Paso, El Paso County, Texas; and,

**WHEREAS**, after public hearing the City Plan Commission recommended that a portion of a 15 foot alley, Block 61, Supplemental Map No. 1 of East El Paso, 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 a 15 foot alley, Block 61, Supplemental Map No. 1 of East El Paso, 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 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 **VAZQUEZ REALTY HOLDINGS, LLC**.

**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, Deputy Director  
Planning & Economic Dev. Department  
*(Quitclaim Deed on following page)*

\_\_\_\_\_  
Lupe Cuellar  
Assistant City Attorney



# PRECISION LAND SURVEYORS

10441 VALLE DE ORO DR.

El Paso, Texas 79927

Ph# (915) 222-5227

Being a portion of a 15 foot alley, Block 61,  
Supplemental Map No. 1 of East El Paso,  
City of El Paso, El Paso County, Texas  
January 17, 2012;

## METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of a 15 foot alley, Block 61, Supplemental Map No. 1 of East El Paso, City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference a found City Monument at the intersection of the E. Missouri Avenue (70 foot R.O.W.) monument line with the N. Cebada Street (70 foot R.O.W.) monument line, from which a found City Monument at the intersection of the E. Missouri Avenue monument line with the N. San Marcial Street (70 foot R.O.W.) monument line bears North 89°35'16" West a distance of 940.37 feet (940.0 feet as per County Plat Records Volume 1, Page 51), thence with said monument line, North 89°35'16" West a distance of 310.00 feet to a point, thence leaving said monument line, South 00°24'44" West a distance of 205.00 feet to a set nail at the west line of said 15 foot alley and the "TRUE POINT OF BEGINNING".

Thence, **South 89°35'16" East** a distance of **15.00 feet** to a set nail at the northwest corner of Lot 13 and the east line of 15 foot alley;

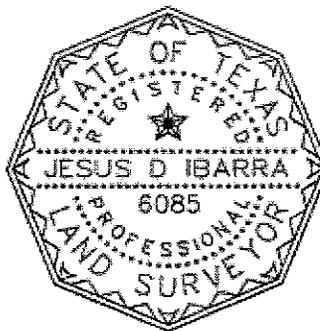
Thence with said east line, **South 00°24'44" West** a distance of **140.00 feet** to a set nail at the southwest corner of Lot 13 and the northerly right of way of Gateway West;

Thence with said right of way, **North 89°35'16" West** a distance of **15.00 feet** to a set nail at the south east corner of Lot 1 and the west line of 15 foot alley;

Thence with said west line, **North 00°24'44" East** a distance of **140.00 feet** to "TRUE POINT OF BEGINNING" and containing in all **2,100 square feet** or **0.0482 acres** of land more or less.

Note: Monument Line runs 10 foot north of east-west centerline and 10 foot east of north-south centerline.

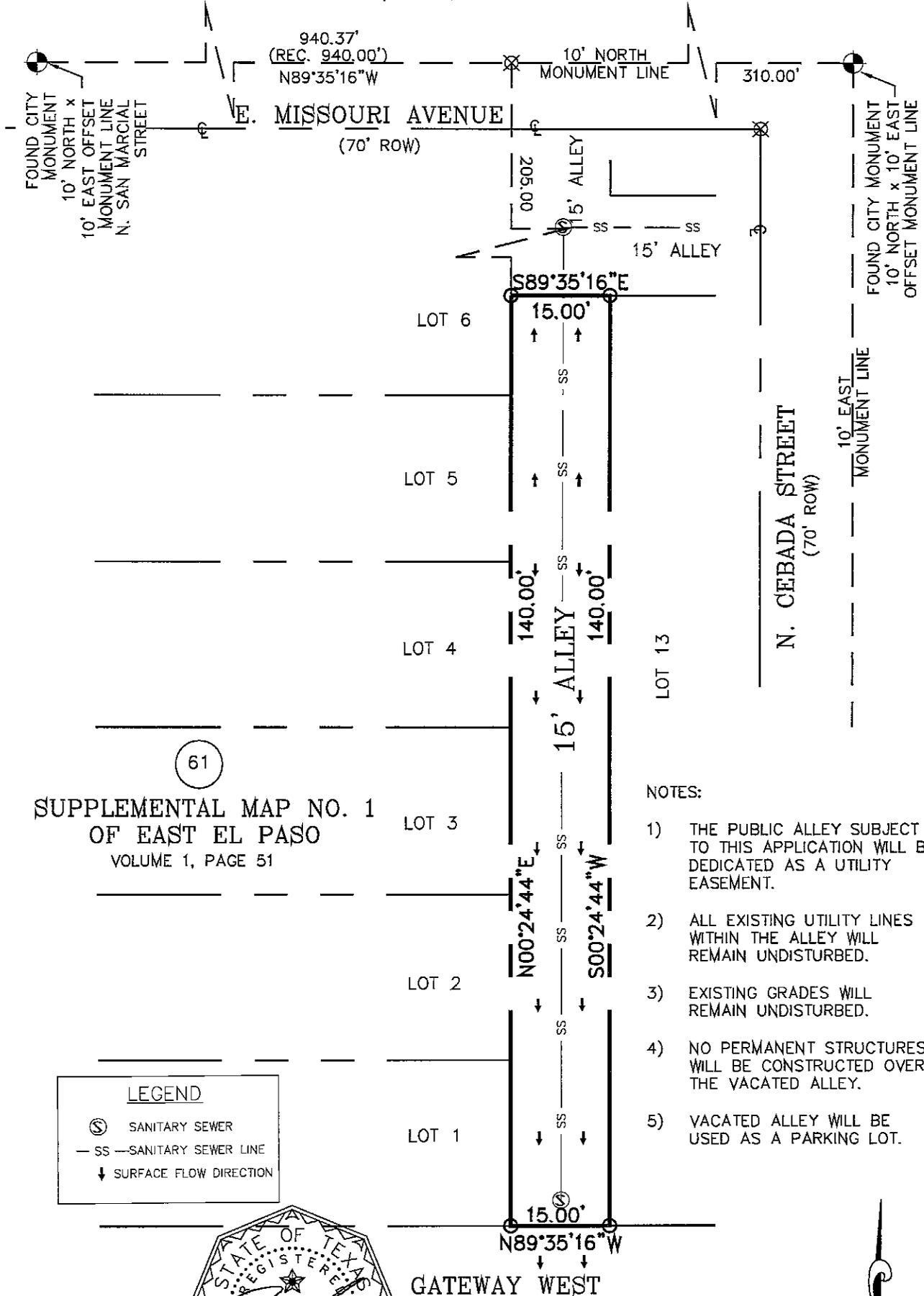
Exhibit of even date accompanies this metes and bounds description.



Jesus D. Ibarra, RPLS No.6085

EXHIBIT  
 BEING A PORTION OF 15' ALLEY, BLOCK 61,  
 SUPPLEMENTAL MAP NO. 1 OF EAST EL PASO,  
 AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS,  
 ACCORDING TO THE PLAT THEREOF FILED IN VOLUME 1, PAGE 51,  
 EL PASO COUNTY PLAT RECORDS

TOTAL AREA 2,100 SQUARE FEET OR 0.0482 ACRES



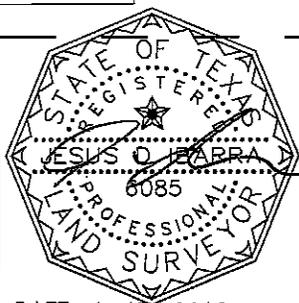
61  
 SUPPLEMENTAL MAP NO. 1  
 OF EAST EL PASO  
 VOLUME 1, PAGE 51

NOTES:

- 1) THE PUBLIC ALLEY SUBJECT TO THIS APPLICATION WILL BE DEDICATED AS A UTILITY EASEMENT.
- 2) ALL EXISTING UTILITY LINES WITHIN THE ALLEY WILL REMAIN UNDISTURBED.
- 3) EXISTING GRADES WILL REMAIN UNDISTURBED.
- 4) NO PERMANENT STRUCTURES WILL BE CONSTRUCTED OVER THE VACATED ALLEY.
- 5) VACATED ALLEY WILL BE USED AS A PARKING LOT.

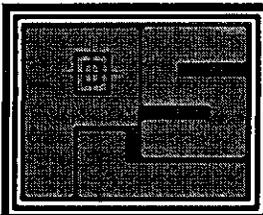
**LEGEND**

- ⊙ SANITARY SEWER
- SS - SANITARY SEWER LINE
- ↓ SURFACE FLOW DIRECTION

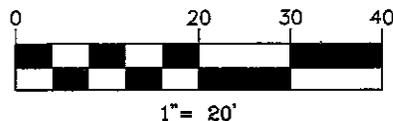


DATE: 1-17-2012

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PRECISION LAND SURVEYORS  
 1041 VALLE DE ORO DR.  
 EL PASO, TEXAS 79927  
 (915) 222-5227 - (575) 640-0174





**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:**

**Vazquez Realty Holdings, LLC**  
**1324 N. Yarbrough Drive**  
**El Paso, Texas 79925**

**with copy to:**

**Planning & Economic Development**  
**Planning Division**  
**2 Civic Center Plaza, 5<sup>th</sup> Floor**  
**El Paso, Texas 79901**



# PRECISION LAND SURVEYORS

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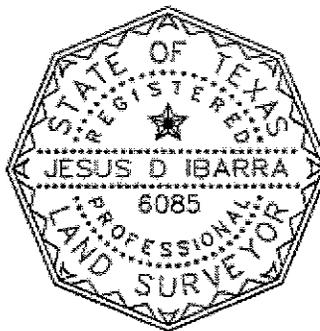
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Exhibit of even date accompanies this metes and bounds description.



Jesus D. Ibarra, RPLS No.6085





**CITY DEVELOPMENT  
PLANNING DIVISION**

**MEMORANDUM**

**DATE:** July 24, 2012

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

**FROM:** Justin Bass, Planner

**SUBJECT:** **SURW12-00001 Gateway West Alley Vacation**

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The City Plan Commission (CPC), on March 8, 2012, **voted 6-0** to recommend **approval** of the Gateway West 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

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Carl L. Robinson

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*District 7*

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*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:** SURW12-00001 Gateway West Alley Vacation  
**Application Type:** Alley Vacation  
**CPC Hearing Date:** March 8, 2012

**Staff Planner:** Justin Bass, 915-541-4930, [bassjd@elpasotexas.gov](mailto:bassjd@elpasotexas.gov)  
**Location:** North of Gateway West and West of Copia Street  
**Acreage:** 0.0482-acre  
**Rep District:** 8  
**Existing Use:** Alley right-of-way  
**Existing Zoning:** C-1/sc (Commercial/special contract) & R-5/sp (Residential/special permit) & R-5 (Residential)

**Property Owner:** City of El Paso  
**Applicant:** Vazquez Realty Holdings, LLC  
**Representative:** Sitework Engineering, LLC.

### **SURROUNDING ZONING AND LAND USE**

**North:** C-1/sc (Commercial/special contract) & R-5/sp (Residential/ special permit)/ Alley right-of-way  
**South:** C-1/sc (Commercial/special contract) & R-5/sp (Residential/ special permit)/ Interstate 10 right-of-way  
**East:** C-1/sc (Commercial/special contract)/ Commercial development  
**West:** R-5/sp (Residential/ special permit) & R-5 (Residential)/ Surface parking

**THE PLAN FOR EL PASO DESIGNATION:** Commercial.

### **APPLICATION DESCRIPTION**

The applicant is requesting to vacate a portion of a 15-foot alley located within Block 61 of the Supplemental Map No. 1 of East El Paso Addition. A utility easement will be retained in place of the vacated alley. The existing alley runs in a north-south direction between Gateway West and Missouri Avenue. The proposed vacation would vacate the southern half of this alley. A second, perpendicular alley between Cebada Street and the proposed vacation of the subject alley will remain in place, providing for continued alley circulation between Missouri Avenue and Cebada Street.

All abutting properties have been acquired by Vazquez Realty Holdings, LLC. The applicant states that the purpose of the alley vacation is to create additional parking to serve the adjacent business.

**DEVELOPMENT COORDINATING COMMITTEE**

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

**Planning Division Recommendation:**

Approval.

**Engineering & Construction Management - Land Development:**

We have reviewed subject plan recommend **Approval**; Developer/Engineer needs to address the following comments:

1. Applicant shall comply with **Chapter 18.60 Flood Damage Prevention.**

**The Subdivision is within Flood Zones AH- Panel 480214 0034 B dated October 15, 1982.**

**EPDOT:**

Department of Transportation does not object to the proposed alley vacation.

**El Paso Water Utilities:**

1. EPWU requires a full width utility easement.

**Water**

2. There is an existing 1-inch diameter water line that extends along the proposed alley vacation. This water line dead-ends approximately 80-feet south of the northern boundary of the proposed alley vacation.

**Sanitary Sewer:**

3. There is an existing 12-inch diameter sanitary sewer main that extends along the full length of the proposed alley vacation.

**Stormwater Division:**

No comments received.

**Parks and Recreation:**

No comments received.

**El Paso Fire Department:**

No comments received.

**El Paso Electric Company:**

El Paso Electric has no objection to the alley vacation as shown on the attached survey and location map.

**Sun Metro:**

No comments received.

**911:**

No comments received.

**Texas Gas Company:**

Texas Gas

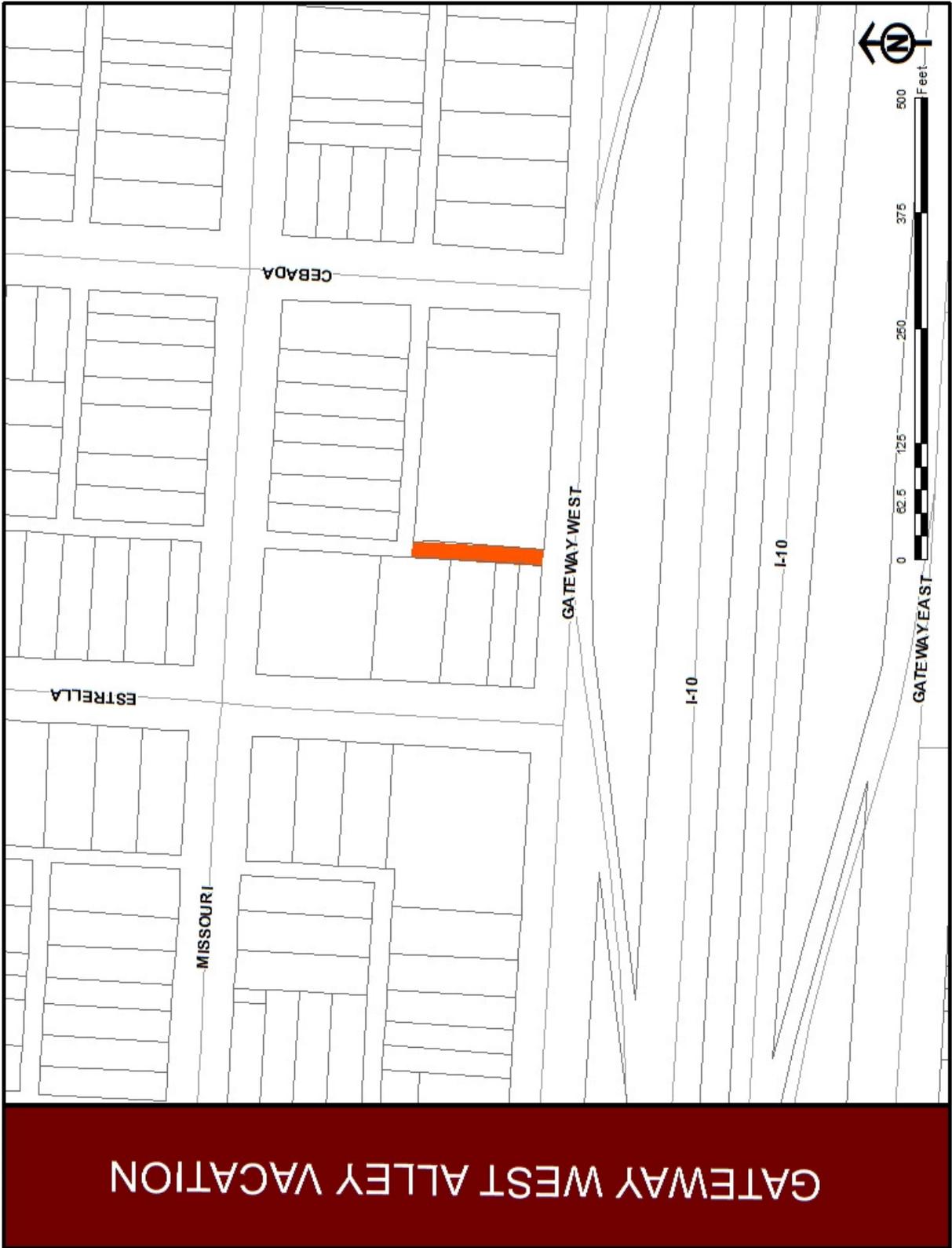
**El Paso Independent School District:**

No comments received.

## **Attachments**

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

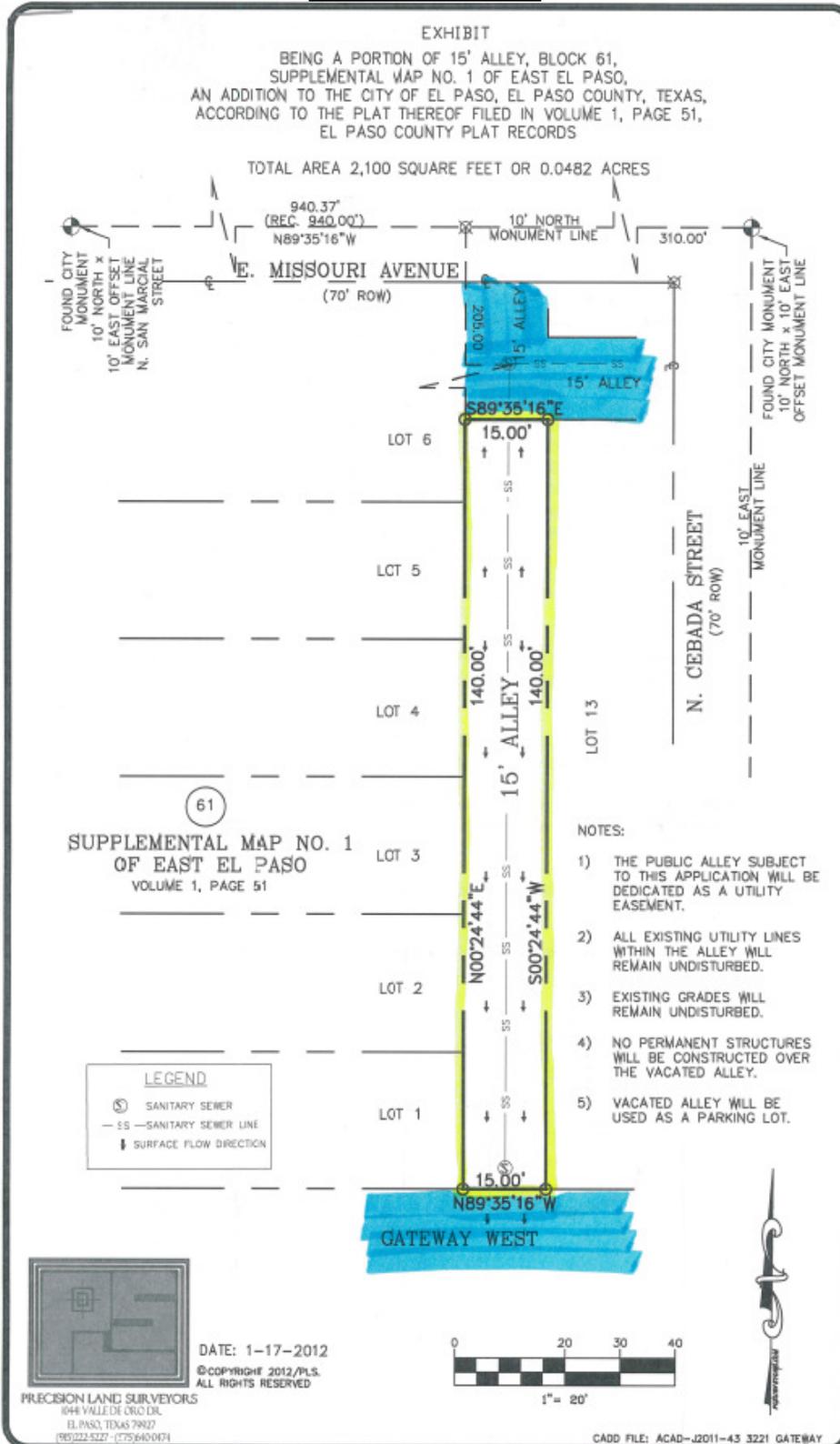
ATTACHMENT 1



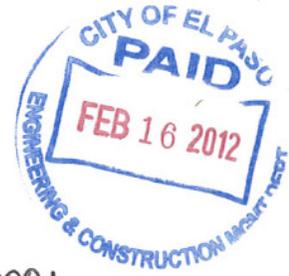
ATTACHMENT 2



# ATTACHMENT 3



**ATTACHMENT 4**



CITY OF EL PASO, TEXAS

APPLICATION FOR VACATION PUBLIC EASEMENTS AND RIGHTS-OF-WAY

Date: 2.14.12 File No. SURW12-00001

1. APPLICANTS NAME VAZQUEZ REALTY HOLDINGS, LLC  
ADDRESS 1324 YARBROUGH ZIP CODE 79925 TELEPHONE \_\_\_\_\_

2. Request is hereby made to vacate the following: (check one)  
Street \_\_\_\_\_ Alley  Easement \_\_\_\_\_ Other \_\_\_\_\_  
Street Name(s) \_\_\_\_\_ Subdivision Name EAST EL PASO  
Abutting Blocks 61 Abutting Lots 1-6 & 13

3. Reason for vacation request: PROPOSED PARKING LOT TO SERVE EXIST. BUILDING LOCATED AT 3215 GATEWAY WEST.

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  SHARED PARKING

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
<u>VAZQUEZ REALTY HOLDINGS</u>	<u>LOTS 1-6, BLK 61</u>	<u>(915)526-7880</u>
<u>VAZQUEZ REALTY HOLDINGS</u>	<u>LOTS 13, BLK 61</u>	_____
_____	_____	_____
_____	_____	_____

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: *Edwards M*  
REPRESENTATIVE: SITENOR ENGINEERING, LLC

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