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

CITY CLERK DEPT.
06 AUG -7 PM 1:32

DEPARTMENT: Engineering Department

AGENDA DATE: August 15, 2006

CONTACT PERSON/PHONE: Rick Conner, ext. 4423

DISTRICT(S) AFFECTED: 3

SUBJECT:

That the City Manager be authorized to sign an Underground Electrical Easement to the El Paso Electric Company for a portion of Tract 3A, Section 40, Block 80, Township 2, El Paso, El Paso County, Texas to provide electrical service to the Lone Star Golf Course located at 1510 Hawkins.

BACKGROUND / DISCUSSION:

The City of El Paso is granting an easement to the El Paso Electric Company to provide electrical service to a pump station within the Lone Star Golf Course. The Lone Star Golf Course is owned by the El Paso International Airport and is on City property. El Paso Electric Company will not provide power to the facility unless the City of El Paso grants an easement to El Paso Electric Company.

PRIOR COUNCIL ACTION:

City Council has not previously considered this item.

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

N/A

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

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD: JR Rick Conner

(Example: if RCA is initiated by Purchasing, client department should sign also)

Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

RESOLUTION

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

That the City Manager be authorized to sign an Underground Electrical Easement to the El Paso Electric Company for a portion of Tract 3A, Section 40, Block 80, Township 2, El Paso, El Paso County, Texas to provide electrical service to the Lone Star Golf Course located at 1510 Hawkins.

ADOPTED THIS _____ DAY OF _____, 2006.

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:

_____
Rick Conner, P.E.
City Engineer

Doc #23528
Doc Name: Eng/Reso/Underground Electrical Easement/1510 Hawkins (Lone Star Golf Course)
Doc Author: LCUE

THE STATE OF TEXAS §
§ **UNDERGROUND ELECTRICAL EASEMENT**
COUNTY OF EL PASO §

For and in consideration of the sum of One Dollar and No/100 ($1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the City of El Paso (Grantor) grants unto El Paso Electric Company (Grantee), its successors and assigns, the right and privilege to enter and erect, relocate, construct, operate, remove, inspect, access, and maintain an underground electric system consisting of transformers (conventional or pad mount), ducts, conduits, fixtures, manholes, handholes, vaults, and any other usual appurtenances pertaining thereto, and an underground crossing with all necessary cables, lines, conduit, wires pertaining thereto, with the right of access, ingress, and egress thereto, for the installation, operation, inspection, repair, maintenance, replacement, renewal or removal thereof, for the distribution of electricity, for any and all purposes for which same is or may hereafter be used, over, upon, and along a 10' wide area in the following described premises in El Paso County, Texas, to wit:

> A portion of Tract 3A, Section 40, Block 80, Township 2, El Paso, El Paso County, Texas and more particularly shown on Exhibit "A", which is attached hereto and incorporated herein for all purposes.

With the right to trim any trees and flora around said electrical facilities so as to keep the electrical facilities cleared and to do anything proper and necessary to operate and maintain same.

This easement shall be for the term of the Grantee's franchise and any extension and renewal thereof by the Grantor. In accepting this easement, the Grantee agrees that upon written and reasonable request it will relocate any of its facilities located within the easement at no cost to the Grantor.

In accepting this grant, Grantee agrees that it will replace or repair, as reasonable, landscaping and paving if disturbed by Grantee's construction, maintenance or repairs of or to its facilities in and upon such easement.

Grantor reserves the right to full use and enjoyment of said property except for the purposes herein granted. Grantee agrees not to interfere with any structure or tangible personal property of Grantor within the easement. Grantor agrees not to erect permanent structures on or over Grantee's underground facilities.

Grantor will not be held responsible for any damage to Grantee's underground facilities from excessive erosion due to flood run-off.

Should Grantee abandon the easement, then the easement hereinabove described shall revert to Grantor or its successors and assigns. Such abandonment shall be conclusively presumed following non-use by the Grantee for one year and with use not being resumed within sixty (60) days following receipt of notice of abandonment from Grantor to Grantee, and on such abandonment, Grantee will then execute any and all necessary documents to evidence such abandonment.

Grantee shall maintain the surface over the length and width of the easement to the satisfaction, as reasonable, of Grantor and in accordance with applicable City Code provisions.

WITNESS THE FOLLOWING SIGNATURES AND SEAL this _____ day of _____, 2006.

GRANTOR:
THE CITY OF EL PASO

_____
Joyce A. Wilson, City Manager

APPROVED AS TO FORM:

_____
Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

_____
Rick Conner, P. E.
City Engineer

ACKNOWLEDGMENT

THE STATE OF TEXAS §
§
COUNTY OF EL PASO §

This instrument was acknowledged before me on the _____ day of _____, 2006 by Joyce A. Wilson as City Manager of the **City of El Paso.**

_____
Notary Public, State of Texas

The above instrument, together with all conditions thereto is hereby accepted this 26 day of July, 2006.

GRANTEE:
EL PASO ELECTRIC COMPANY

By: _____
Printed Name: Kerry Lore
Title: Vice President-Admin.

ACKNOWLEDGEMENTS CONTINUE ON FOLLOWING PAGE

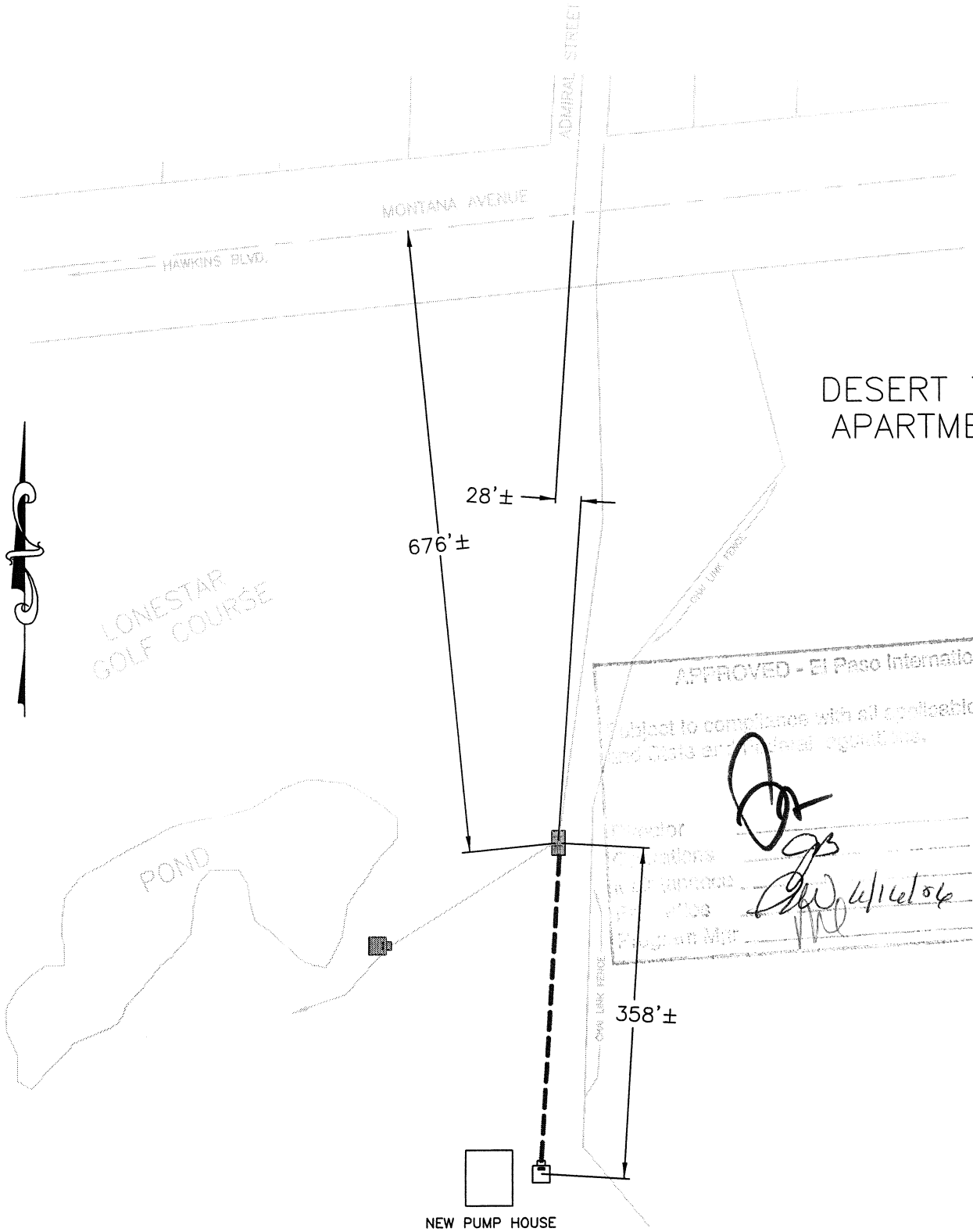
ACKNOWLEDGMENT

STATE OF TEXAS §
§
COUNTY OF EL PASO §

This instrument was acknowledged before me on the 26 day of July, 2006 by Kerry B Love as VP Admin of **El Paso Electric Company,** on behalf of the El Paso Electric Company, a Texas corporation.

CAROLINA PENA
NOTARY PUBLIC
State of Texas
Comm. Exp. 03-24-2007

Notary Public, State of Texas



APPROVED - El Paso International Airport
Subject to compliance with all applicable City codes and State and Federal regulations.
Date:
Director 6-12-06
Operations
Maintenance
Facilities 4/16/06
Program Mgr 3/23/06

LEGEND

PROPOSED E.P.E. CO. 10 FT. UTIL. ESMT.

12' X 16' TRANSFORMER EASEMENT

GRANTORS INITIALS _____

Return to:
El Paso Electric Co.
P.O. Box 982–Loc 501
El Paso, TX. 79960

PROPOSED EASEMENT IN A PORTION OF
TRACT 3A, SECTION 40,
BLOCK 80, TOWNSHIP 2
EL PASO COUNTY, TEXAS

EL PASO ELECTRIC CO. R.O.W.

DATE 3–15–06	EST. NO. 06–7–1–70059
SCALE NONE	