

**CITY OF EL PASO, TEXAS
REQUEST FOR COUNCIL ACTION**

DEPARTMENT: Development Services

AGENDA DATE: August 17, 2010

CONTACT PERSON/PHONE: Mathew McElroy, ext 4193

DISTRICTS AFFECTED: All

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want city council to approve. Include dollar amount if applicable.

Discussion and Action to direct the City Manager to begin any necessary applications to secure consent from the Army Corps of Engineers (USACE) and the Office of the Secretary of the Interior to construct a bridge to cross the existing Northgate Outlet Channel to provide access to Lot 2, Block 6, Castner Range Unit 1 North of Diana Drive and East of Kenworthy Street to support a proposed rezoning to A-O and any resultant traffic.

BACKGROUND/DISCUSSION:

Discussion of the what, why, where, when, and how to enable council to have a reasonably complete description of the contemplated action. This should include attachment of the bid tabulation, or ordinance or resolution if appropriate. What are the benefits to thee City of This action? What are the Citizen concerns?

A bridge crossing is necessary (two points of access) at this location for the number of automobile trips that would be generated by full build out under A-O zoning. The only current access is from Stahala Drive, and the road has not been improved to the boundary if the site.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

No.

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

NA

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

DEPARTMENT HEAD: Mathew McElroy

(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: _____



GRAY • JANSING & ASSOCIATES, INC.

July 30, 2010

Ms. Patricia Aauto
Deputy City Manager
City of El Paso
Two Civic Center Plaza, 9th Floor
El Paso, Texas 79901

**Re: Proposed Bridge Crossing of Northgate Outlet Channel for
Kenworthy Multi-family Development: SPL10-00018
Request for Petition to USACE and Secretary of the Interior
GJA No.: 1580-10299-52**

Dear Ms. Aauto:

My firm has been to coordinating with the City of El Paso's Planning Department regarding a proposed multi-family development near the intersection of Kenworthy Drive and Stahala Drive for the past few months. On June 8, 2010, the application for Special Privilege License No. SPL10-00018 was submitted to the City of El Paso on behalf of Northeast 58 TBH/IT, LLC. This request was submitted to allow for the installation of a structure to cross the existing Northgate Outlet Channel to provide access to Lot 2, Block 6, Castner Range Unit 1 from Kenworthy Drive. Access from Kenworthy Drive would provide a second point of access for both emergency services and traffic from the site.

It has been discussed with both City staff and the Stormwater Utility that a bridge would be required in order for this crossing to be considered for approval. My clients have agreed to provide a bridge, and as such, would like to proceed with their request for a special privilege license or similar agreement to allow for the construction of this structure.

Through ongoing coordination with your office, it has been determined that in order for the City of El Paso to grant permission for a bridge within the boundaries of the Northgate Outlet Channel, the City must first secure consent from the United States Army Corps of Engineers (USACE) and the Office of the Secretary of the Interior. This requirement is stipulated by the terms of the deed (vol 713, p 414) in which that portion of the channel was received by the City from the Federal Government. As such, we respectfully request that an item be placed before City Council at your earliest convenience to authorize City staff to petition both the USACE and the Office of the Secretary of the Interior for approval of the bridge in order to proceed with this process and associated agreements.

GRAY ♦ JANSING & ASSOCIATES, INC.

July 30, 2010

Page 2 of 2

Thank you again for your diligence and continued assistance on this project. We look forward to continuing to work with you and your staff as this process continues. Should you have any questions, please do not hesitate to contact me at 915-852-9093 or ltroncoso@gja.net.

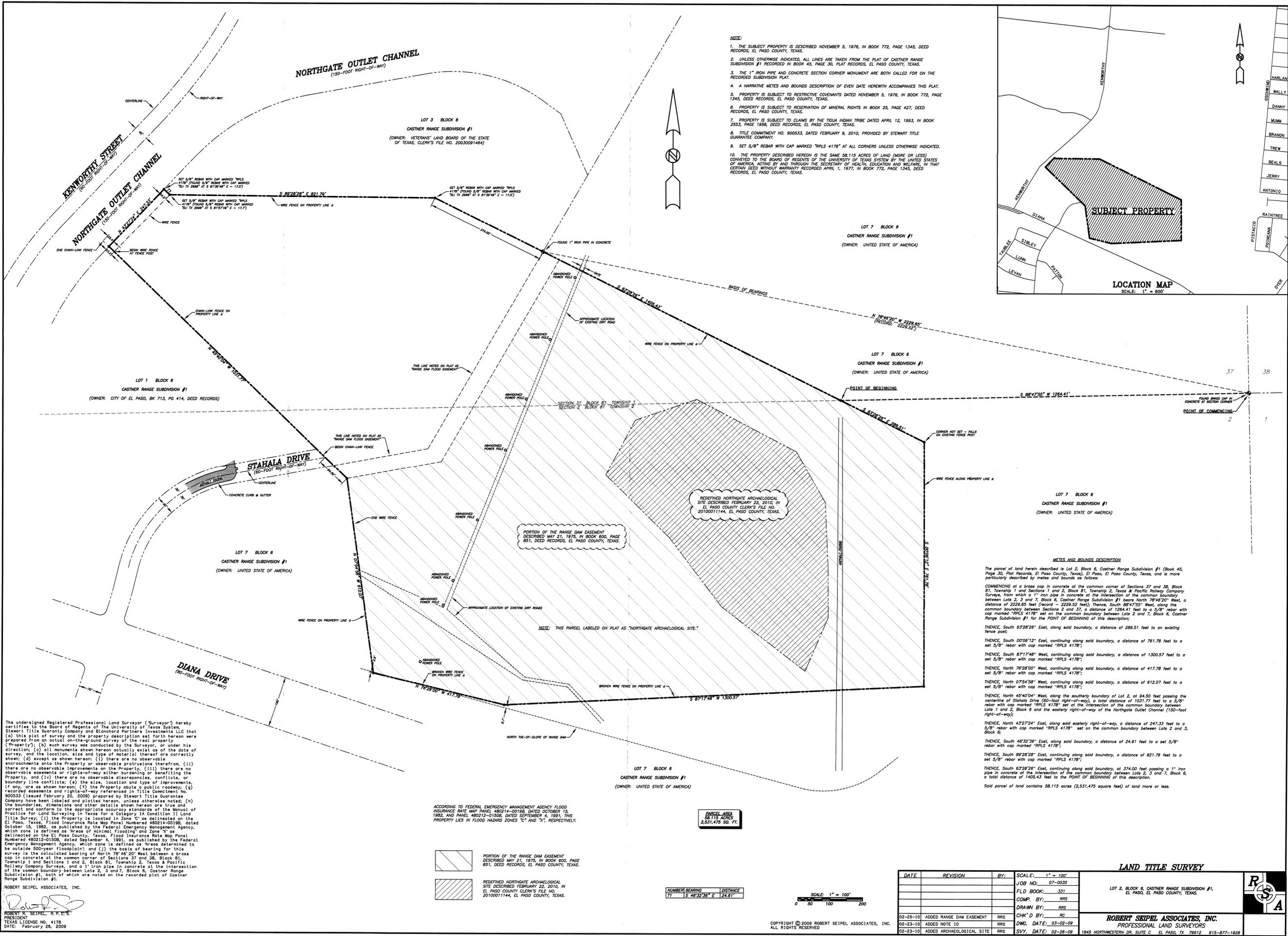
Sincerely,

GRAY ♦ JANSING & ASSOCIATES, INC.

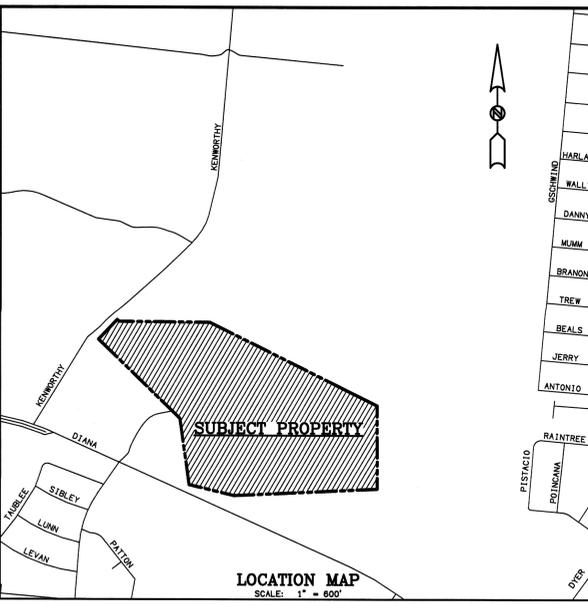
A handwritten signature in black ink, appearing to read "Linda C. Troncoso". The signature is fluid and cursive, with a prominent flourish at the end.

Linda C. Troncoso
Associate

Cc: Mr. Chris Charron; Northeast 58 TBH / IT, LLC



- NOTE:**
1. THE SUBJECT PROPERTY IS DESCRIBED NOVEMBER 5, 1976, IN BOOK 772, PAGE 1345, DEED RECORDS, EL PASO COUNTY, TEXAS.
 2. UNLESS OTHERWISE INDICATED, ALL LINES ARE TAKEN FROM THE PLAT OF CASTNER RANGE SUBDIVISION #1 RECORDED IN BOOK 45, PAGE 30, PLAT RECORDS, EL PASO COUNTY, TEXAS.
 3. THE 1" IRON PIPE AND CONCRETE SECTION CORNER MONUMENT ARE BOTH CALLED FOR ON THE RECORDED SUBDIVISION PLAT.
 4. A NARRATIVE METES AND BOUNDS DESCRIPTION OF EVEN DATE HERewith ACCOMPANIES THIS PLAT.
 5. PROPERTY IS SUBJECT TO RESTRICTIVE COVENANTS DATED NOVEMBER 5, 1976, IN BOOK 772, PAGE 1345, DEED RECORDS, EL PASO COUNTY, TEXAS.
 6. PROPERTY IS SUBJECT TO RESERVATION OF MINERAL RIGHTS IN BOOK 25, PAGE 427, DEED RECORDS, EL PASO COUNTY, TEXAS.
 7. PROPERTY IS SUBJECT TO CLAIMS BY THE TOLJA INDIAN TRIBE DATED APRIL 12, 1993, IN BOOK 2553, PAGE 1958, DEED RECORDS, EL PASO COUNTY, TEXAS.
 8. TITLE COMMITMENT NO. 900533, DATED FEBRUARY 9, 2010, PROVIDED BY STEWART TITLE GUARANTEE COMPANY.
 9. SET 5/8" REBAR WITH CAP MARKED "TRPLS 4178" AT ALL CORNERS UNLESS OTHERWISE INDICATED.
 10. THE PROPERTY DESCRIBED HEREIN IS THE SAME 58.115 ACRES OF LAND (MORE OR LESS) CONVEYED TO THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM BY THE UNITED STATES OF AMERICA ACTING BY AND THROUGH THE SECRETARY OF HEALTH, EDUCATION AND WELFARE, IN THAT CERTAIN DEED WITHOUT WARRANTY RECORDED APRIL 1, 1977, IN BOOK 772, PAGE 1345, DEED RECORDS, EL PASO COUNTY, TEXAS.



METS AND BOUNDS DESCRIPTION

The parcel of land herein described is Lot 2, Block 6, Castner Range Subdivision #1 (Book 45, Page 30, Plat Records, El Paso County, Texas), El Paso, El Paso County, Texas, and is more particularly described by metes and bounds as follows:

COMMENCING at a brass cap in concrete at the common corner of Sections 37 and 38, Block 81, Township 1 and Sections 1 and 2, Block 81, Township 2, Texas & Pacific Railway Company Survey, from which a 1" iron pipe in concrete at the intersection of the common boundary between Lots 2, 3 and 7, Block 6, Castner Range Subdivision #1 bears North 78°45'20" West, a distance of 2229.65 feet (record - 2229.52 feet); Thence, South 88°47'53" West, along the common boundary between Sections 2 and 37, a distance of 1264.41 feet to a 5/8" rebar with cap marked "RPLS 4178" set on the common boundary between Lots 2 and 7, Block 6, Castner Range Subdivision #1 for the POINT OF BEGINNING of this description;

THENCE, South 63°28'26" East, along said boundary, a distance of 289.51 feet to an existing fence post;

THENCE, South 00°06'12" East, continuing along said boundary, a distance of 761.78 feet to a set 5/8" rebar with cap marked "RPLS 4178";

THENCE, South 87°17'48" West, continuing along said boundary, a distance of 1300.57 feet to a set 5/8" rebar with cap marked "RPLS 4178";

THENCE, North 70°28'00" West, continuing along said boundary, a distance of 417.78 feet to a set 5/8" rebar with cap marked "RPLS 4178";

THENCE, North 07°54'58" West, continuing along said boundary, a distance of 612.07 feet to a set 5/8" rebar with cap marked "RPLS 4178";

THENCE, North 45°40'04" West, along the southerly boundary of Lot 2, at 94.50 feet passing the centerline of Stahala Drive (60-foot right-of-way), a total distance of 1031.77 feet to a 5/8" rebar with cap marked "RPLS 4178" set at the intersection of the common boundary between Lots 1 and 2, Block 6 and the easterly right-of-way of the Northgate Outlet Channel (150-foot right-of-way);

THENCE, North 43°27'24" East, along said easterly right-of-way, a distance of 247.33 feet to a 5/8" rebar with cap marked "RPLS 4178" set on the common boundary between Lots 2 and 3, Block 6;

THENCE, South 46°32'36" East, along said boundary, a distance of 24.61 feet to a set 5/8" rebar with cap marked "RPLS 4178";

THENCE, South 89°28'28" East, continuing along said boundary, a distance of 821.79 feet to a set 5/8" rebar with cap marked "RPLS 4178";

THENCE, South 83°28'26" East, continuing along said boundary, at 374.00 feet passing a 1" iron pipe in concrete at the intersection of the common boundary between Lots 2, 3 and 7, Block 6, a total distance of 1405.43 feet to the POINT OF BEGINNING of this description.

Said parcel of land contains 58.115 acres (2,531,475 square feet) of land more or less.

The undersigned Registered Professional Land Surveyor (Surveyor) hereby certifies to the Board of Regents of the University of Texas System, Stewart Title Guaranty Company and Blonchard Partners Investments LLC that (a) this plat of survey and the property description set forth hereon were prepared from an actual on-the-ground survey of the real property (Property); (b) such survey was conducted by the Surveyor, or under his direction; (c) all monuments shown hereon actually exist as of the date of survey, and the location, size and type of material thereof are correctly shown; (d) except as shown hereon: (i) there are no observable encroachments onto the Property or observable protrusions therefrom, (ii) there are no observable improvements on the Property, (iii) there are no observable easements or rights-of-way either burdening or benefiting the Property, and (iv) there are no observable discrepancies, conflicts, or boundary line conflicts; (e) the size, location and type of improvements, if any, are as shown hereon; (f) the Property abuts a public roadway; (g) recorded easements and rights-of-way referenced in Title Commitment No. 900533 (issued February 20, 2009) prepared by Stewart Title Guaranty Company have been labeled and plotted hereon, unless otherwise noted; (h) the boundaries, dimensions and other details shown hereon are true and correct and conform to the appropriate accuracy standards of the Manual of Practice for Land Surveying in Texas for a Category IA Condition II Land Title Survey; (i) the Property is located in Zone "C" as delineated on the El Paso, Texas, Flood Insurance Rate Map Panel Numbered 480214-00198, dated October 15, 1982, as published by the Federal Emergency Management Agency, which zone is defined as "Areas of Minimal Flooding" and Zone "X" as delineated on the El Paso County, Texas, Flood Insurance Rate Map Panel Numbered 480212-01508, dated September 4, 1981, as published by the Federal Emergency Management Agency, which zone is defined as "Areas determined to be outside 500-year floodplain" and (j) the basis of bearing for this survey is the calculated bearing of North 78°45'20" West between a brass cap in concrete at the common corner of Sections 37 and 38, Block 81, Township 1 and Sections 1 and 2, Block 81, Township 2, Texas & Pacific Railway Company Survey, and a 1" iron pipe in concrete at the intersection of the common boundary between Lots 2, 3 and 7, Block 6, Castner Range Subdivision #1, both of which are noted on the recorded plat of Castner Range Subdivision #1.

ROBERT SEIPEL ASSOCIATES, INC.
 ROBERT R. SEIPEL, R.P.S.
 PRESIDENT
 TEXAS LICENSE NO. 4178
 DATE: February 26, 2009

ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP PANEL 480214-00198, DATED OCTOBER 15, 1982, AND PANEL 480212-01508, DATED SEPTEMBER 4, 1981, THIS PROPERTY LIES IN FLOOD HAZARD ZONES "C" AND "X", RESPECTIVELY.

PORTION OF THE RANGE DAM EASEMENT DESCRIBED MAY 21, 1976, IN BOOK 600, PAGE 851, DEED RECORDS, EL PASO COUNTY, TEXAS.

REDEFINED NORTHGATE ARCHAEOLOGICAL SITE DESCRIBED FEBRUARY 22, 2010, IN EL PASO COUNTY CLERK'S FILE NO. 20100011144, EL PASO COUNTY, TEXAS.

PARCEL AREA
 58.115 ACRES
 2,531,475 SQ. FT.

NUMBER	BEARING	DISTANCE
71	S 46°32'36" E	24.61'



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DATE	REVISION	BY:	SCALE:
			1" = 100'
			JOB NO.: 07-0035
			F.L.D. BOOK: 331
			COMP. BY: RRS
			DRAWN BY: RRS
02-25-10	ADDED RANGE DAM EASEMENT	RRS	CHK'D BY: RC
02-23-10	ADDED NOTE 10	RRS	DMC. DATE: 03-02-09
02-23-10	ADDED ARCHAEOLOGICAL SITE	RRS	SVY. DATE: 02-26-09

LAND TITLE SURVEY

LOT 2, BLOCK 6, CASTNER RANGE SUBDIVISION #1,
 EL PASO, EL PASO COUNTY, TEXAS.

ROBERT SEIPEL ASSOCIATES, INC.
 PROFESSIONAL LAND SURVEYORS
 1845 NORTHWESTERN DR. SUITE C EL PASO, TX 79912 915-877-1928

