

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: August 14, 2007
Public Hearing: August 21, 2007

CONTACT PERSON/PHONE: Michelle Padilla, 541-4903

DISTRICT(S) AFFECTED: 6

SUBJECT:

AN ORDINANCE VACATING ALL OF A 15-FOOT WIDE ALLEY (0.0413 ACRES OF LAND) EAST OF LOT 7, BLOCK 8, HOME IMPROVEMENT CO. SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS

BACKGROUND / DISCUSSION:

See attached report.

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) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Kelly Carpenter

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE VACATING ALL OF A 15-FOOT WIDE ALLEY (0.0413 ACRES OF LAND) EAST OF LOT 7, BLOCK 8, HOME IMPROVEMENT CO. SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS

WHEREAS, the City of El Paso, has requested that *the alley (0.0413 acres) East of Lot 7, Block 8, Home Improvement Co. Subdivision, City of El Paso, El Paso County, Texas*, be vacated; and,

WHEREAS, the City Plan Commission on April 19, 2007 recommended a vacation of *the alley (0.0413 acres) East of Lot 7, Block 8, Home Improvement Co. Subdivision, 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 *the alley (0.0413 acres) East of Lot 7, Block 8, Home Improvement Co. Subdivision, 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 alley to Ramon and Maria A. Sepulveda.

PASSED AND APPROVED this _____ day of _____, 2007.

THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

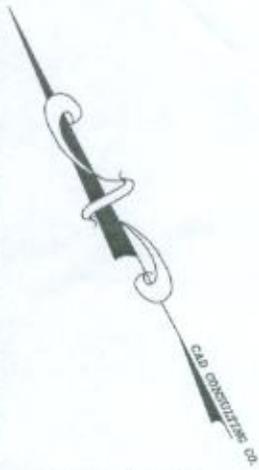
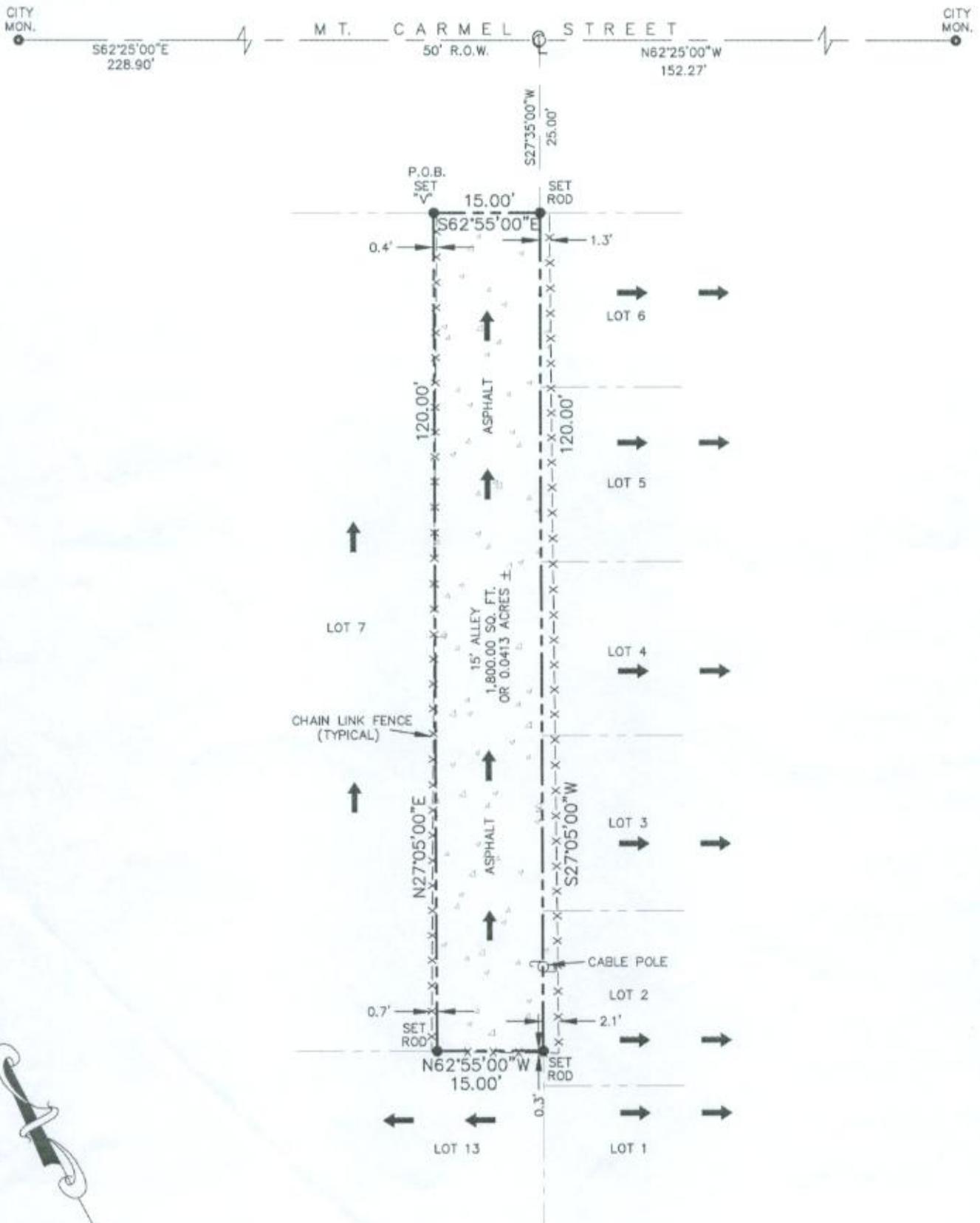
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

Eduardo Garcia
Eduardo Garcia, Senior Planner
Development Services Department



SCALE 1"=20'

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NOTE:
THIS SURVEY WAS
DONE WITHOUT THE
BENEFIT OF A
TITLE COMMITMENT.

CERTIFICATION

I HEREBY CERTIFY THAT THE FOREGOING BOUNDARY SURVEY WAS MADE ON THE GROUND AND UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THAT THERE ARE NO ENCROACHMENTS EXCEPT AS SHOWN HEREON.

CARLOS M. JIMENEZ
R.P.L.S. No. 3950

JOB # 70400 DATE: 03-01-07 FIELD: JC OFFICE: EA FILE: NET:\ENRIQUE\2007\70400
LOCATED IN ZONE X PANEL # 480214-0048-C DATED 02-05-96
RECORDED IN VOLUME 13 PAGE 13 , PLAT RECORDS, EL PASO COUNTY, TX

15' FEET ALLEY EAST OF LOT 7, BLOCK 8
SEE EXHIBIT "A"
HOME IMPROVEMENT CO. SUBDIVISION
CITY OF EL PASO, EL PASO COUNTY, TEXAS

CONSULTING COMPANY
1790 LEE TREVINO DRIVE SUITE 503
EL PASO, TEXAS 79936
(915) 633-6422

Being all of a 15 Feet Alley East of Lot 7, Block 8,
Home Improvement Co. Subdivision,
City of El Paso, El Paso County, Texas

March 02, 2007

METES AND BOUNDS DESCRIPTION
Exhibit "A"

FIELD NOTE DESCRIPTION of a parcel of land being all of a 15 Feet Alley East of Lot 7, Block 8, Home Improvement Co. Subdivision, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at a set iron rod located at the common boundary line of Lot 7 and the 15 feet alley, same being the southerly right-of-way line of Mt. Carmel Street (50' R.O.W.) and being the **POINT OF BEGINNING** of the herein described parcel;

THENCE, leaving said common boundary line and along said southerly right-of-way line, South 62°55' 00" East, a distance of 15.00 feet to a set iron rod for corner;

THENCE, leaving said southerly right-of-way line, South 27°05' 00" West, a distance of 120.00 feet to a set iron rod for corner;

THENCE, North 62°55' 00" West, a distance of 15.00 feet to a set iron rod for corner;

THENCE, North 27°05' 00" East, a distance of 120.00 to the **POINT OF BEGINNING** of the herein described lot and containing 1,800.00 square feet or 0.0413 Acres of land more or less.



Carlos M. Jimenez
Registered Professional Land Surveyor
Texas No. 3950

CAD CONSULTING COMPANY.
1790 Lee Trevino Suite # 503
El Paso, Texas 79936
(915) 633-6422
70400.wpd



SUB07-00036

Subdivision Name:	SUB07-00036		
Type Request:	Alley Vacation		
Property Owner:	City of El Paso		
Developer:	N/A		
Engineer:	N/A		
Surveyor:	CAD Consulting Company		
Location:	South of Alameda Avenue and West of Zaragosa Rd.		
Acres:	0.0413 Acres	Representative District:	6
Planning Area:	Mission Valley	Present Zone:	R-4
Park Fees Required:	N/A	Park Zone:	414



GENERAL INFORMATION:

The applicant, Ramon Sepulveda, proposes to vacate a 15' wide alley east of Lot 7, Block 8. The applicant has not proposed any improvements to the property.

STAFF RECOMMENDATION:

The Development Coordinating Committee recommends **approval** of the proposed vacation of the 15' wide alley basis subject to the following conditions and requirements:

Planning Division – Land Development Comments and Requirements:

1. This proposed alley vacation is within Flood Zone X, "Areas determined to be outside the 0.2% annual chance floodplain." Panel 480214 0048 C

Engineering Department – Traffic Division:

No comments received.

EI Paso Water Utilities Comments:

EPWU does not object to the proposed vacation of the 15-foot wide alley.

Water

- Along Mt. Carmel Street between Gibbs Street and Schultz Street there is an existing four (4) inch diameter water main.
- Along the 15-foot wide alley located east of Lot 7, Block 8, Home Improvement Co. Subdivision there are no existing water mains.

Sanitary Sewer

- Along Mt. Carmel Street between Gibbs Street and Schultz Street there is an existing eight (8) inch diameter sanitary sewer main.
- Along the 15-foot wide alley located east of Lot 7, Block 8, Home Improvement Co. Subdivision there are no existing sanitary sewer mains.

Central Appraisal District:

No comments received.

Texas Gas Service

Texas Gas Service Company does not have existing facilities within the above mentioned alley right of-way proposed to be vacated, and therefore, does not object to the proposed project.

Additional Requirements and General Comments:

1. Submit to the Development Services Department – Planning Division the following prior to recording of the subdivision.
 - i) Square footage datum for each lot

List of Attachments

Attachment 1: Aerial

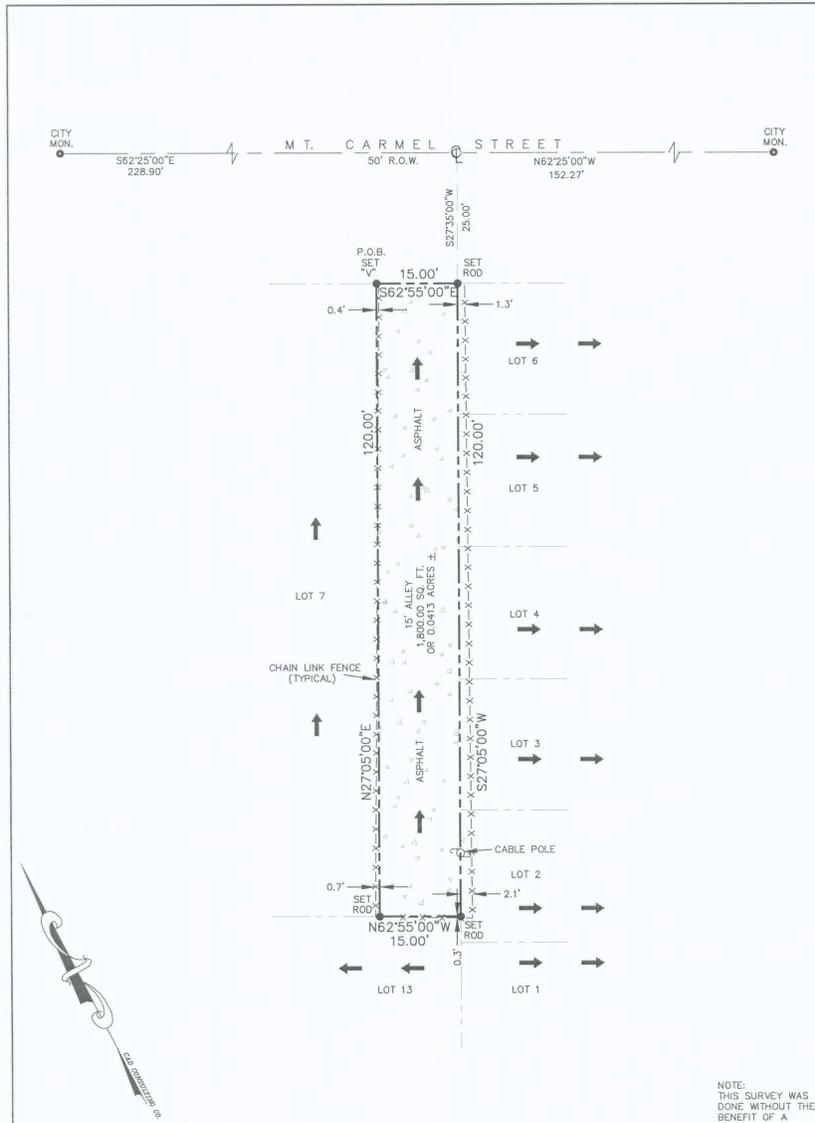
Attachment 2: Survey

Attachment 3: Application

ATTACHMENT 1



ATTACHMENT 2



SCALE 1"=20'

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NOTE:
THIS SURVEY WAS
DONE WITHOUT THE
BENEFIT OF A
TITLE COMMITMENT.

<p style="text-align: center;">CERTIFICATION</p> <p>I HEREBY CERTIFY THAT THE FOREGOING BOUNDARY SURVEY WAS MADE ON THE GROUND AND UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THERE ARE NO ENCROACHMENTS EXCEPT AS SHOWN HEREON.</p> <div style="text-align: center;">  CARLOS M. JIMENEZ R.P.L.S. No. 3950 </div>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>JOB # 70400</td> <td>DATE: 03-01-07</td> <td>FIELD: JC</td> <td>OFFICE: EA</td> <td>FILE: NET\ENRIQUE\2007\70400</td> </tr> <tr> <td>LOCATED IN ZONE</td> <td>x</td> <td>PANEL # 480214-0048-C</td> <td>DATED</td> <td>02-05-96</td> </tr> <tr> <td>RECORDED IN VOLUME</td> <td>13</td> <td>PAGE 13</td> <td colspan="2">, PLAT RECORDS, EL PASO COUNTY, TX</td> </tr> <tr> <td colspan="2" style="vertical-align: top;"> <p>15' FEET ALLEY EAST OF LOT 7, BLOCK 8 SEE EXHIBIT "A" HOME IMPROVEMENT CO. SUBDIVISION CITY OF EL PASO, EL PASO COUNTY, TEXAS</p> </td> <td colspan="3" style="text-align: center; vertical-align: middle;">  <p>CONSULTING COMPANY 1790 LEE TREVINO DRIVE SUITE 503 EL PASO, TEXAS 79936 (915) 633-6422</p> </td> </tr> </table>	JOB # 70400	DATE: 03-01-07	FIELD: JC	OFFICE: EA	FILE: NET\ENRIQUE\2007\70400	LOCATED IN ZONE	x	PANEL # 480214-0048-C	DATED	02-05-96	RECORDED IN VOLUME	13	PAGE 13	, PLAT RECORDS, EL PASO COUNTY, TX		<p>15' FEET ALLEY EAST OF LOT 7, BLOCK 8 SEE EXHIBIT "A" HOME IMPROVEMENT CO. SUBDIVISION CITY OF EL PASO, EL PASO COUNTY, TEXAS</p>		 <p>CONSULTING COMPANY 1790 LEE TREVINO DRIVE SUITE 503 EL PASO, TEXAS 79936 (915) 633-6422</p>		
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ATTACHMENT 3

CITY CLERK DEPT.

07 AUG -6 PM 2:58



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

SUB07-00036

DATE 2/19/07

1. APPLICANT'S NAME Ramon Sepulveda
ADDRESS 1 ZIP CODE _____ TELEPHONE _____
2. Request is hereby made to dedicate the following: (check one)
Street _____ Alley Easement _____ Other _____
Street Name(s) Mt. Carmel Subdivision Name Home Improvement Company's Subdivision of Ysleta
Abutting Blocks _____ Abutting Lots _____
3. Reason for the vacation request: para ampliar la propiedad y que no entren personas ajenas por la propiedad para ver las muestras
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 subject right-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 _____
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/Address	Telephone Number
<u>[Signature]</u>	<u>146 S. Schutz Dr.</u>	
<u>[Signature]</u>	<u>All of Lots 1, 2 and 3 Blk 8</u>	
	<u>Enclosed are the descriptions of PROPERTIES</u>	<u>915-355-9128</u>
<u>[Signature]</u>	<u>8952 Mt. Carmel</u>	
<u>[Signature]</u>	<u>8938 Mt. Carmel</u>	<u>915-859-3167</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. 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.

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

Signed By: [Signature]
Land Owner/Applicant/Agent
Date 2/19/2007

CASHIER'S VALIDATION

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