

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

DEPARTMENT: **Engineering**

AGENDA DATE: **August 31, 2010**

CONTACT PERSON/PHONE: **R. Alan Shubert, City Engineer**

DISTRICT AFFECTED: **6**

SUBJECT:

Item is to request approval of a resolution authorizing the City Manager to execute, on behalf of the City of El Paso, an underground electrical easement for the construction and maintenance of an underground electric system required for the distribution of electricity to a proposed City park.

BACKGROUND / DISCUSSION:

This agreement would allow the grantee, El Paso Electric, to provide electrical service for lighting at the *Ventanas Destiny Park*, located at Destiny Avenue and Rustic Park Hidden Drive. The easement is described as a 10 ft. wide strip along the entire perimeter of the 4.85-acre park.

PRIOR COUNCIL ACTION:

Council has not previously considered this item.

AMOUNT AND SOURCE OF FUNDING:

There are no costs associated with this action.

<u>Project</u>	<u>Fund</u>	<u>Department</u>	<u>Account</u>
~	~	~	~

BOARD / COMMISSION ACTION:

(N/A)

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

DEPARTMENT HEAD: _____



Information copy to appropriate Deputy City Manager

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 the purpose of providing electrical service for the Ventanas Destiny Park at Destiny Avenue and Rustic Hidden Drive, El Paso, Texas. Said property being more particularly described as a portion of Tract 1D, Section 46, Block 79, Township 2, T&P RR Survey, El Paso, El Paso County, Texas.

ADOPTED THIS _____ DAY OF _____, 2010.

THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Mark Shoemith
Assistant City Attorney

APPROVED AS TO CONTENT:



R. Alan Shubert, P.E.,
City Engineer

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 on the dates entered below.

GRANTOR:
THE CITY OF EL PASO

Joyce A. Wilson, City Manager

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:



Mark Shoesmith
Assistant City Attorney



R. Alan Shubert, P.E.
City Engineer

ACKNOWLEDGMENT

THE STATE OF TEXAS)
) s.s.
COUNTY OF EL PASO)

This instrument was acknowledged before me on the _____ day of _____, 2010
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 on the date entered below.

**Reviewed and Approved.
Legal Department**


9/13/10

GRANTEE:
EL PASO ELECTRIC COMPANY

By: 

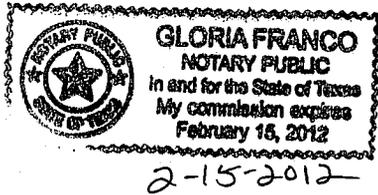
Printed Name: Andy Ramirez

Title: Vice President of Power Generation

ACKNOWLEDGMENT

STATE OF TEXAS)
) s.s
COUNTY OF EL PASO)

This instrument was acknowledged before me on the 19 day of August, 2010 by ANDY RAMIREZ as V.P. of Power/Generation of El Paso Electric Company, on behalf of the El Paso Electric Company, a Texas corporation.

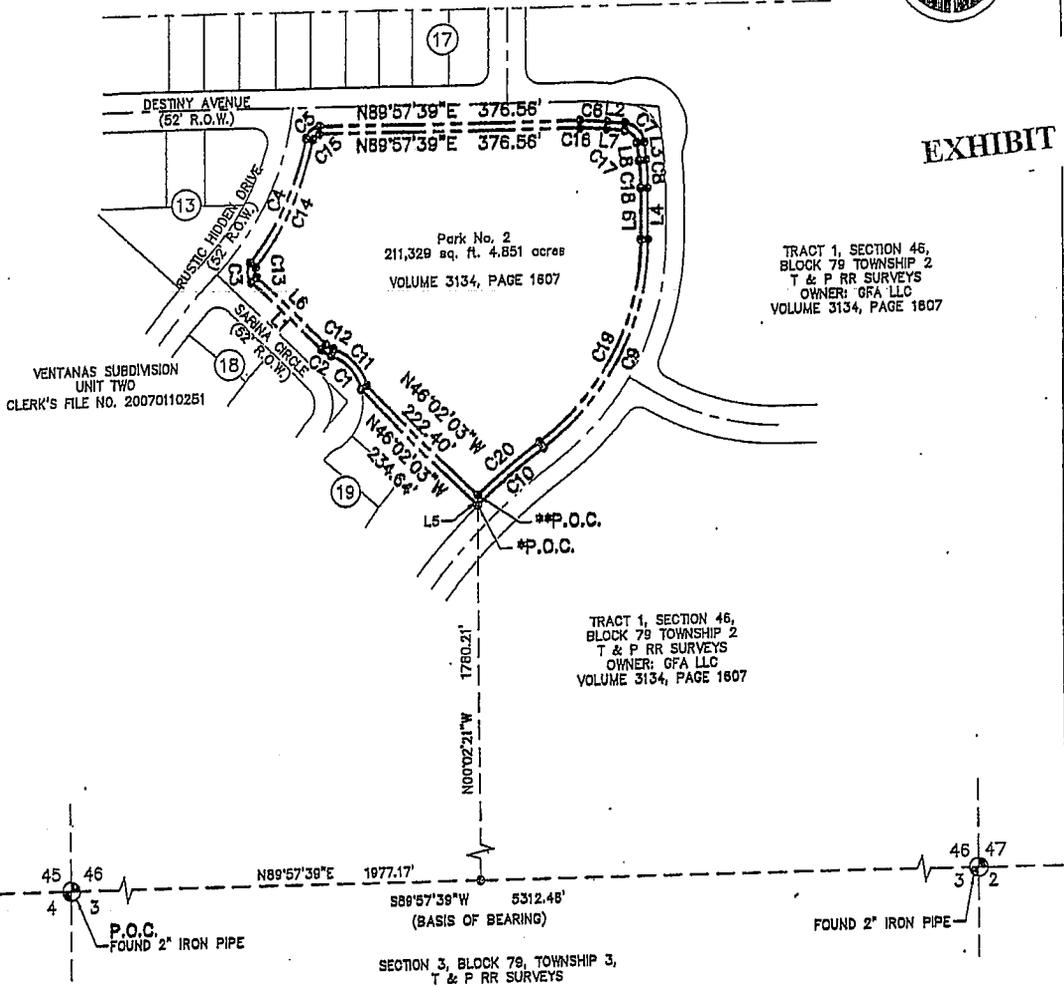


Gloria Franco
Notary Public, State of Texas



E. P. E. Co. EASEMENT

EXHIBIT A

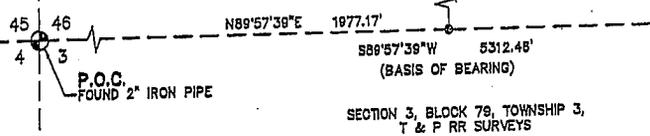


Park No. 2
211,329 sq. ft. 4.851 acres
VOLUME 3134, PAGE 1807

TRACT 1, SECTION 46,
BLOCK 79 TOWNSHIP 2
T & P RR SURVEYS
OWNER: GFA LLC
VOLUME 3134, PAGE 1807

VENTANAS SUBDIVISION
UNIT TWO
CLERK'S FILE NO. 20070110251

TRACT 1, SECTION 46,
BLOCK 79 TOWNSHIP 2
T & P RR SURVEYS
OWNER: GFA LLC
VOLUME 3134, PAGE 1807



LINE	BEARING	LENGTH
L1	N46°02'03"W	139.19'
L2	S83°41'53"E	24.91'
L3	S06°18'07"E	24.81'
L4	S00°02'21"W	71.82'
L5	N00°07'29"E	13.86'
L6	N46°02'03"W	139.19'
L7	S83°41'53"E	24.91'
L8	S06°18'07"E	24.81'
L9	S00°02'21"W	71.82'

CURVE	LENGTH	RADIUS	TANGENT	DELTA	BEARING	CHORD
C1	67.15'	70.00'	36.41'	54°57'57"	N42°52'55"W	64.61'
C2	16.99'	40.00'	8.62'	24°19'51"	N58°11'59"W	16.86'
C3	29.35'	20.00'	18.03'	84°04'48"	N03°59'39"W	26.79'
C4	190.24'	428.00'	96.73'	28°35'13"	N25°15'09"E	188.66'
C5	27.05'	20.00'	16.05'	77°30'07"	N61°12'36"E	25.04'
C6	36.71'	349.00'	18.36'	6°21'21"	S88°52'33"E	38.69'
C7	40.52'	39.00'	24.03'	77°23'47"	S44°58'59"E	37.51'
C8	38.83'	349.00'	18.33'	6°20'28"	S03°07'53"E	38.61'
C9	334.91'	349.00'	181.61'	54°58'56"	S27°31'49"W	322.20'
C10	120.85'	761.08'	60.55'	9°05'52"	S50°28'21"W	120.72'
C11	73.92'	80.00'	39.84'	52°56'37"	N43°53'35"W	71.32'
C12	12.74'	30.00'	6.47'	24°19'51"	N58°11'59"W	12.64'
C13	14.67'	10.00'	9.02'	84°04'48"	N03°59'39"W	13.39'
C14	194.71'	436.00'	99.00'	28°35'13"	N25°15'09"E	193.09'
C15	13.53'	10.00'	8.03'	77°30'07"	N61°12'36"E	12.52'
C16	37.80'	339.00'	18.82'	6°21'21"	S88°52'33"E	37.59'
C17	27.02'	20.00'	16.02'	77°23'47"	S44°58'59"E	25.01'
C18	37.52'	339.00'	18.78'	6°20'28"	S03°07'53"E	37.50'
C19	325.31'	339.00'	176.40'	54°58'56"	S27°31'49"W	312.97'
C20	112.77'	771.08'	86.48'	8°22'46"	S50°49'53"W	112.67'

- NOTES:
1. BEARINGS SHOWN ARE BASED ON THE SOUTHERLY LINE OF SECTION 46, TEXAS AND PACIFIC RAILROAD SURVEY, AS SHOWN ON PLAT OF SURVEY BY CUTTS LAND SURVEYING INC.
 2. A WRITTEN DESCRIPTION OF EVEN DATE ACCOMPANIES THIS SURVEY.
 3. SET 5/8" REBAR AT ALL CORNERS UNLESS OTHERWISE SHOWN.
 4. THIS PROPERTY MAY BE SUBJECT TO EASEMENTS WHETHER OF RECORD OR NOT. (NOT SHOWN)
 - ** POINT OF BEGINNING FOR EXTERIOR BOUNDARY.
 - ** POINT OF BEGINNING FOR INTERIOR BOUNDARY.

REVISED: 07-02-10

Barragan & Associates Inc.

LAND PLANNING - & SURVEYING
10950 Palicano Dr. Building-F,
El Paso, TX 79935
Phone (915) 591-5709 Fax (915) 591-5706

Plat of Survey

BEING A PORTION OF
TRACT 1D, SECTION 46,
BLOCK 79, TOWNSHIP 2,
TEXAS AND PACIFIC RAILROAD
SURVEYS, CITY OF EL PASO,
EL PASO COUNTY, TEXAS.
CONTAINING: 17,430 SQ. FT.
OR 0.400-ACRES ±

Plat Reference vol/bk N/A pages N/A
Scale 1"=200' Date 03-15-10 Drawn by RV

I hereby certify that the foregoing survey was made on the ground and under my supervision and its correctness is subject to the test of vision, wedge and plumb.

BENITO BARRAGAN
5315
PROFESSIONAL
LAND SURVEYOR

Benito Barragan TX R.P.L.S. No. 5315
Job No. 100316-01 Copy Rights ©

Barragan & Associates Inc. Land Planning & Land Surveying

10950 Pellicano Dr., Building "F", El Paso, Texas 79935 Ph. (915) 591-5709 Fax (915) 591-5706

METES AND BOUNDS DESCRIPTION (Proposed 10 foot Utility Easement – Park 2)

Description of a parcel of land being a portion of Tract 1D, Section 46, Block 79, Township 2, Texas and Pacific Railroad Surveys, City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Exterior Boundary of Proposed 10 foot Utility Easement

COMMENCING for reference at an existing 2" iron pipe marking the common corner for Sections 3 and 4, Block 79, Township 3 and Sections 45 and 46; Block 79, Township 2, Texas and Pacific Railroad Surveys, City of El Paso, El Paso County, Texas; **THENCE**, N 89°57'39" E, along the Southerly line of said Section 46, a distance of 1,977.17 feet to a point; **THENCE**, N 00°02'21" W, a distance of 1,780.21 feet to a set 5/8" rebar with cap stamped "B&A" for the **POINT OF BEGINNING** of this exterior boundary:

THENCE, N 46°02'03" W, a distance of 234.64 feet to a set 5/8" rebar with cap stamped "B&A" on the Northeastly right-of-way line of Sarina Circle for a corner;

THENCE, along said Northeastly right-of-way line of Sarina Circle, 67.15 feet along an arc of a curve to the left, with a radius of 70.00 feet, an interior angle of 54°57'57", and a chord which bears N 42°52'55" W, a distance of 64.61 feet to a set 5/8" rebar with cap stamped "B&A" for a corner;

THENCE, continuing along said Northeastly right-of-way line of Sarina Circle, 16.99 feet along an arc of a curve to the right, with a radius of 40.00 feet, an interior angle of 24°19'51", and a chord which bears N 58°11'59" W, a distance of 16.86 feet to a set 5/8" rebar with cap stamped "B&A" for a corner;

THENCE, N 46°02'03" W, continuing along said Northeastly right-of-way line of Sarina Circle, a distance of 139.19 feet to a set 5/8" rebar with cap stamped "B&A" for a corner;

THENCE, 29.35 feet along an arc of a curve to the right, with a radius of 20.00 feet, an interior angle of 84°04'48", and a chord which bears N 03°59'39" W, a distance of 26.79 feet to a set 5/8" rebar with cap stamped "B&A" on the Southeastly right-of-way line of Rustic Hidden Drive for a corner;

THENCE, along said Southeastly right-of-way line of Rustic Hidden Drive, 190.24 feet along an arc of a curve to the left, with a radius of 426.00 feet, an interior angle of 25°35'13", and a chord which bears N 25°15'09" E, a distance of 188.66 feet to a set 5/8" rebar with cap stamped "B&A" for a corner;

THENCE, 27.05 feet along an arc of a curve to the right, with a radius of 20.00 feet, an interior angle of 77°30'07", and a chord which bears N 51°12'36" E, a distance of 25.04 feet to a set 5/8" rebar with cap stamped "B&A" on the Southerly right-of-way line of Destiny Avenue for a corner;

THENCE, N 89°57'39" E, along said Southerly right-of-way line of Destiny Avenue, a distance of 376.56 feet to a set 5/8" rebar with cap stamped "B&A" for a corner;

THENCE, 38.71 feet along an arc of a curve to the right, with a radius of 349.00 feet, an interior angle of 06°21'21", and a chord which bears S 86°52'33" E, a distance of 38.69 feet to a set 5/8" rebar with cap stamped "B&A" for a corner;

THENCE, S 83°41'53" E, a distance of 24.91 feet to a set 5/8" rebar with cap stamped "B&A" for a corner;

THENCE, 40.52 feet along an arc of a curve to the right, with a radius of 30.00 feet, an interior angle of 77°23'47", and a chord which bears S 44°59'59" E, a distance of 37.51 feet to a set 5/8" rebar with cap stamped "B&A" for a corner;

THENCE, S 06°18'07" E, a distance of 24.91 feet to a set 5/8" rebar with cap stamped "B&A" for a corner;

THENCE, 38.63 feet along an arc of a curve to the right, with a radius of 349.00 feet, an interior angle of 06°20'28", and a chord which bears S 03°07'53" E, a distance of 38.61 feet to a set 5/8" rebar with cap stamped "B&A" for a corner;

THENCE, S 00°02'21" W, a distance of 71.82 feet to a set 5/8" rebar with cap stamped "B&A" for a corner;

THENCE, 334.91 feet along an arc of a curve to the right, with a radius of 349.00 feet, an interior angle of 54°58'56", and a chord which bears S 27°31'49" W, a distance of 322.20 feet to a set 5/8" rebar with cap stamped "B&A" for a corner;

THENCE, 120.85 feet along an arc of a curve to the left, with a radius of 761.08 feet, an interior angle of 09°05'52", and a chord which bears S 50°28'21" W, a distance of 120.72 feet to the **POINT OF BEGINNING** of this exterior boundary.

Interior Boundary of Proposed 10 foot Utility Easement

COMMENCING for reference at an existing 2" iron pipe marking the common corner for Sections 3, 4, 45 and 46; Block 79, Township 2, Texas and Pacific Railroad Surveys, City of El Paso, El Paso County, Texas; **THENCE**, N 89°57'39" E, along the Southerly line of said Section 46, a distance of 1,977.17 feet to a point; **THENCE**, N 00°02'21" W, a distance of 1,780.21 feet to a point; **THENCE**, N 00°07'29" E, a distance of 13.86 feet to a set 5/8" rebar with cap stamped "B&A" for the **POINT OF BEGINNING** of this interior boundary:

THENCE, N 46°02'03" W, a distance of 222.40 feet to a set 5/8" rebar with cap stamped "B&A" for a corner;

THENCE, 73.92 feet along an arc of a curve to the left, with a radius of 80.00 feet, an interior angle of 52°56'37", and a chord which bears N 43°53'35" W, a distance of 71.32 feet to a set 5/8" rebar with cap stamped "B&A" for a corner;

THENCE, 12.74 feet along an arc of a curve to the right, with a radius of 30.00 feet, an interior angle of 24°19'51", and a chord which bears N 58°11'59" W, a distance of 12.64 feet to a set 5/8" rebar with cap stamped "B&A" for a corner;

THENCE, N 46°02'03" W, a distance of 139.19 feet to a set 5/8" rebar with cap stamped "B&A" for a corner;

THENCE, 14.67 feet along an arc of a curve to the right, with a radius of 10.00 feet, an interior angle of 84°04'48", and a chord which bears N 03°59'39" W, a distance of 13.39 feet to a set 5/8" rebar with cap stamped "B&A" for a corner;

THENCE, 194.71 feet along an arc of a curve to the left, with a radius of 436.00 feet, an interior angle of 25°35'13", and a chord which bears N 25°15'09" E, a distance of 193.09 feet to a set 5/8" rebar with

cap stamped "B&A" for a corner;

THENCE, 13.53 feet along an arc of a curve to the right, with a radius of 10.00 feet, an interior angle of 77°30'07", and a chord which bears N 51°12'36" E, a distance of 12.52 feet to a set 5/8" rebar with cap stamped "B&A" for a corner;

THENCE, N 89°57'39" E, a distance of 376.56 feet to a set 5/8" rebar with cap stamped "B&A" for a corner;

THENCE, 37.60 feet along an arc of a curve to the right, with a radius of 339.00 feet, an interior angle of 06°21'21", and a chord which bears S 86°52'33" E, a distance of 37.59 feet to a set 5/8" rebar with cap stamped "B&A" for a corner;

THENCE, S 83°41'53" E, a distance of 24.91 feet to a set 5/8" rebar with cap stamped "B&A" for a corner;

THENCE, 27.02 feet along an arc of a curve to the right, with a radius of 20.00 feet, an interior angle of 77°23'47", and a chord which bears S 44°59'59" E, a distance of 25.01 feet to a set 5/8" rebar with cap stamped "B&A" for a corner;

THENCE, S 06°18'07" E, a distance of 24.91 feet to a set 5/8" rebar with cap stamped "B&A" for a corner;

THENCE, 37.52 feet along an arc of a curve to the right, with a radius of 339.00 feet, an interior angle of 06°20'28", and a chord which bears S 03°07'53" E, a distance of 37.50 feet to a set 5/8" rebar with cap stamped "B&A" for a corner;

THENCE, S 00°02'21" W, a distance of 71.82 feet to a set 5/8" rebar with cap stamped "B&A" for a corner;

THENCE, 325.31 feet along an arc of a curve to the right, with a radius of 339.00 feet, an interior angle of 54°58'56", and a chord which bears S 27°31'49" W, a distance of 312.97 feet to a set 5/8" rebar with cap stamped "B&A" for a corner;

THENCE, 112.77 feet along an arc of a curve to the left, with a radius of 771.08 feet, an interior angle of 08°22'46", and a chord which bears S 50°49'53" W, a distance of 112.67 feet to the **POINT OF BEGINNING** of this interior boundary.

The total proposed 10.00 foot utility easement containing in all 17,430 sq. ft. or 0.400 acres of land more or less.

NOTES:

1. A Plat of Survey of even date accompanies this description.
2. Bearings recited herein are based on southerly line for Section 46, Block 79, Tsp 2, Texas and Pacific Railroad Surveys, as shown on the Plat of Survey by Cutts Land Surveying, Inc.
3. This property may be subject to easements whether of record or not.

Benito Barragan

Benito Barragan TX R.P.L.S. 5615, March 15, 2010
Revised July 2, 2010
ventanas-park2

