

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

DEPARTMENT: **Engineering**

AGENDA DATE: **October 5, 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, multiple related easements to El Paso Electric Company to be used as part of the electrical distribution system for a new elementary school at 9143 Escobar Drive.

BACKGROUND / DISCUSSION:

The City-owned property at 9143 Escobar Drive was leased to the Ysleta Independent School District in 2008. The district plans to construct the new Del Valle Elementary School. This agreement, which consists of an overhead, an underground, and a transformer pad easement, would allow the grantee (EPE) to provide electrical service for electrical power at the proposed school site for all of their construction and operational requirements.

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: _____

R. Alan Shubert

Information copy to appropriate Deputy City Manager

CITY CLERK DEPT.
10 SEP 27 PM 2:47

RESOLUTION

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

That the City Manager be authorized to sign an electrical easement for overhead and underground electrical service and an electrical transformer pad to the El Paso Electric Company for the purpose of providing electrical service to 9143 Escobar, El Paso, Texas, for the Del Valle Elementary School. The property was leased to the Ysleta Independent School District for 99 years, Ordinance No. 016958, passed August 5, 2008. Said property being more particularly described as a portion of lot 16, block 44, Ysleta Grant, a Subdivision in the City of El Paso, El Paso County, Texas.

ADOPTED THIS _____ DAY OF _____, 2010.

THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

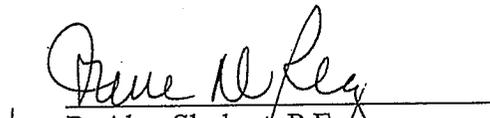
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Mark Shoosmith
Assistant City Attorney

APPROVED AS TO CONTENT:



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

THE STATE OF TEXAS §
 §
COUNTY OF EL PASO §

Underground, Overhead, and Transformer Easement

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 overhead electric system consisting of any and all necessary poles, cables, lines, wires, crossarms, guys and anchors for an above ground electric distribution and/or transmission system, together with the overhang of service wires, a underground electrical system and a transformer pad with the right of access, ingress, and egress, thereto for the installation, construction, 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 the following described premises in El Paso County, Texas, to wit:

A portion of Lot 16, Block 55, Ysleta Grant, a Subdivision in the City of El Paso, El Paso County, Texas, and more particularly shown on Exhibit "A" and Exhibit "B".

The easement consists of (1) an overhead easement 300 feet long and 10 feet wide, commencing 45 ft. from the centerline of Escobar Street, as described in Exhibit "A", (2) a 5 ft. by 35 ft. guy wire easement, as described in Exhibit "A", (3) followed by a 745 ft. underground easement running along the western and northern property lines, as described in Exhibit "B", and (4) ending with a 16 ft. by 20 ft. transformer easement, as described in Exhibit "B".

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. Grantee agrees to call for utility spotting by a third party prior to any excavation by Grantee in the 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 or obstruct access in, over, or under Grantee's 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.

GRANTEE:
EL PASO ELECTRIC COMPANY

By: _____

Printed Name: _____

Title: _____

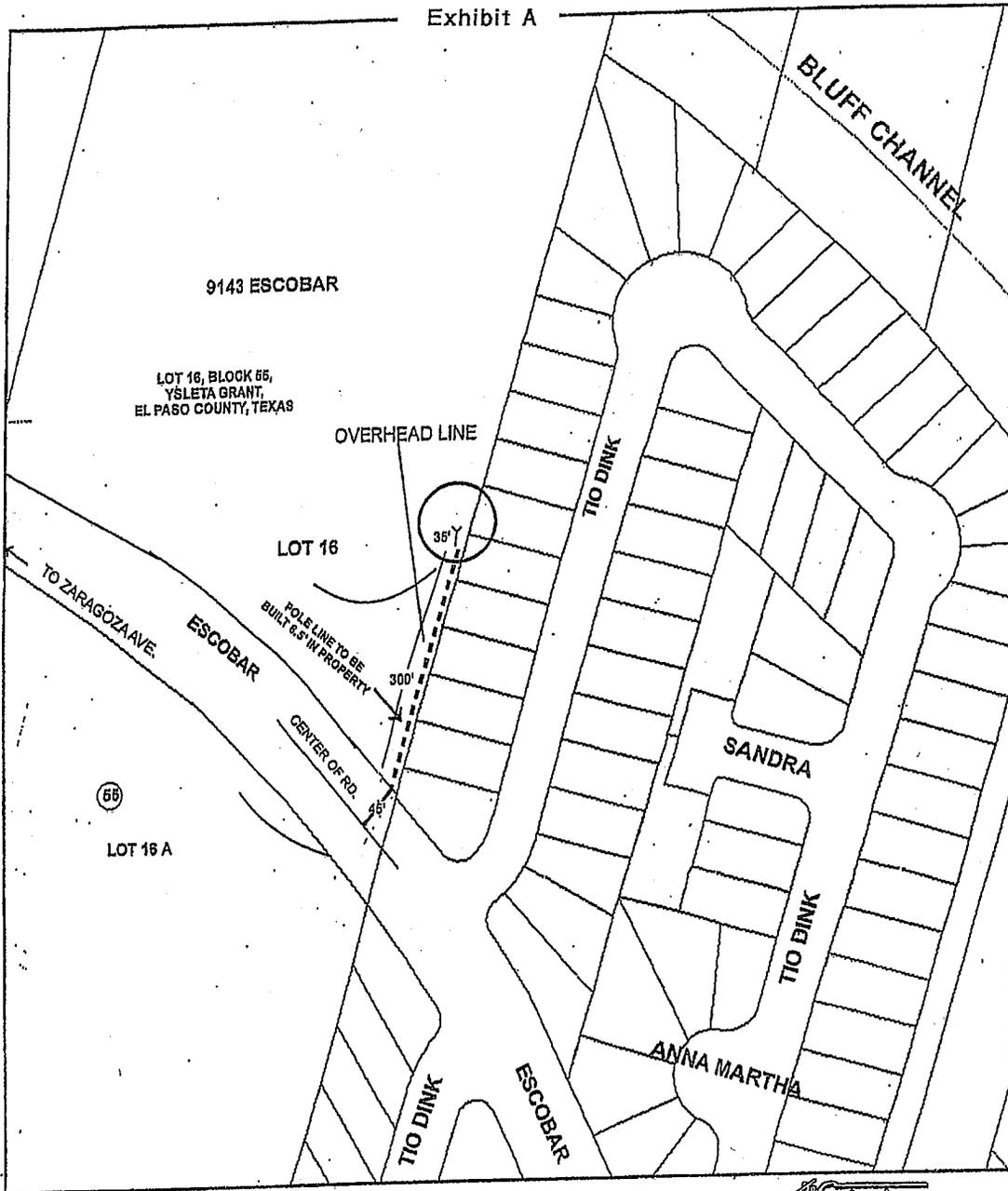
ACKNOWLEDGMENT

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

This instrument was acknowledged before me on the _____ day of _____, 2010
by _____ as _____ of El Paso Electric Company, on behalf of the
El Paso Electric Company, a Texas corporation.

Notary Public, State of Texas

Exhibit A



LEGEND

- PROPOSED EPE CO. (OH) 10 FT. UTIL. ESMNT.
- Y PROPOSED EPE CO. 6 X 36 FT. UTIL. ESMNT.



EL PASO ELECTRIC CO. R.O.W.
 A PORTION OF:
 LOT 16, BLOCK 55,
 YSLETA GRANT,
 EL PASO COUNTY, TEXAS



SCALE: NONE
 DATE: 9/23/2010
 W.O. #DT012249

Return to:
 El Paso Electric Co.
 P.O. Box 982-Loo 601
 El Paso, Texas 79980

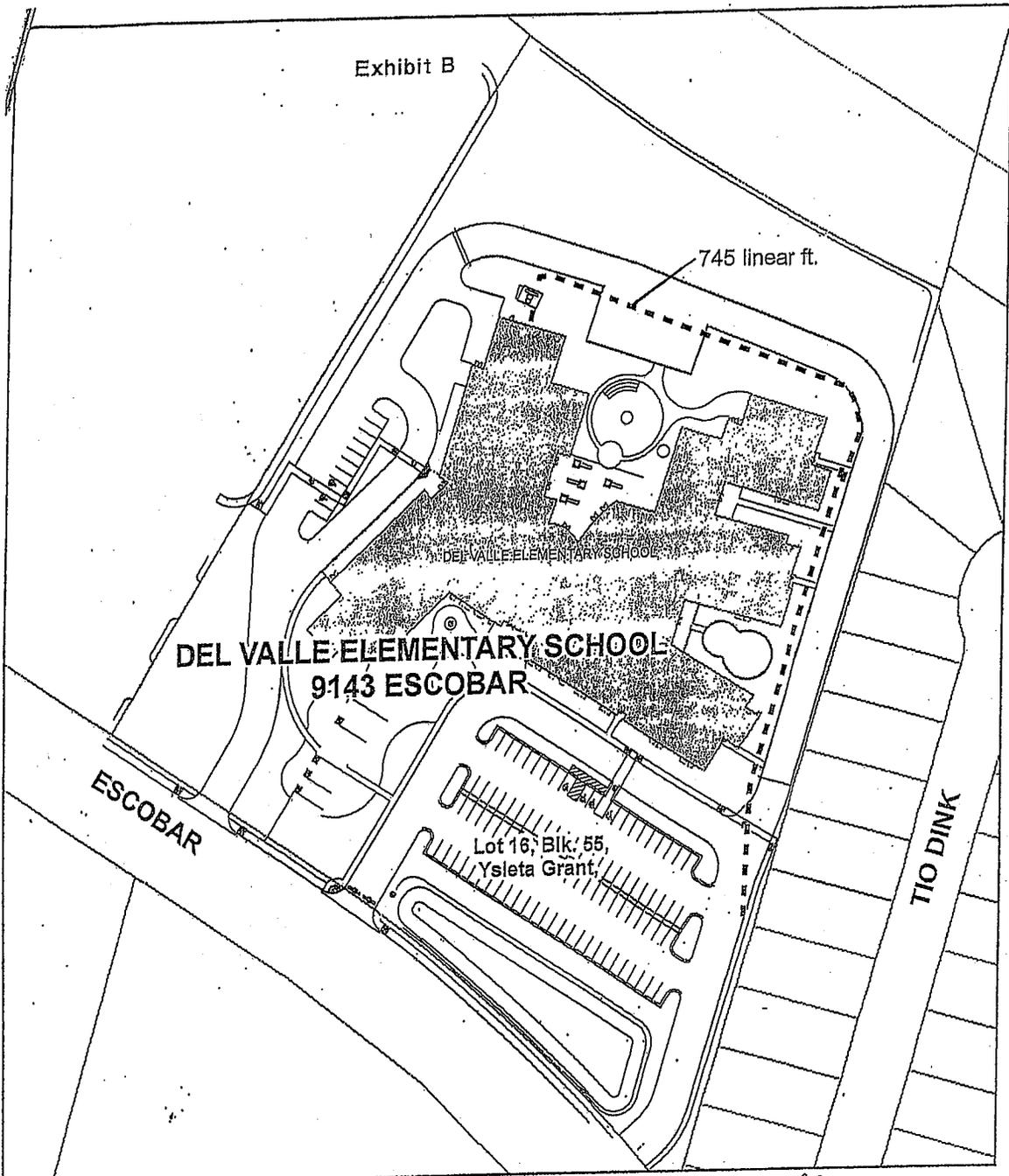


Exhibit B

745 linear ft.

DEL VALLE ELEMENTARY SCHOOL
9143 ESCOBAR

ESCOBAR

TIO DINK

Lot 16, Blk. 55,
 Ysleta Grant.

LEGEND

- - - - - PROPOSED EPE CO. (UG) 10 FT. UTIL. ESMNT.
-  PROPOSED 16'X20' TRANSFORMER ESMNT.



SCALE: NONE
 DATE: 8/5/2010
 W.O. #DT012319

Return to:
 El Paso Electric Co.
 P.O. Box 982-Loc 601
 El Paso, Texas 79880



EL PASO ELECTRIC CO. R.O.W.
 A PORTION OF:
 LOT 16, BLOCK 55,
 YSLETA GRANT
 EL PASO COUNTY, TEXAS