

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

DEPARTMENT: Development Services/Planning Division
AGENDA DATE: Introduction 10/31/06; Public Hearing 11/14/06
CONTACT PERSON/PHONE: James Fisk, Senior Planner – 541-4638
DISTRICT(S) AFFECTED: #1

SUBJECT:

An Ordinance vacating all of the 20-foot wide alley within Block 54, Kern Place Addition, City of El Paso, El Paso County, Texas. Subject Property: West of Stanton between Althea Park and Kern. Applicant: El Paso Independent School District. AV06005
(District 1)

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: Alan Shubert

APPROVED FOR AGENDA:

ORDINANCE NO. _____

AN ORDINANCE VACATING ALL OF THE 20-FOOT WIDE ALLEY WITHIN BLOCK 54, KERN PLACE ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS.

WHEREAS, the City Plan Commission has recommended vacation of *all of the 20-foot wide alley within Block 54, Kern Place Addition, City of El Paso, El Paso County, Texas*, and the 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:

That a determination has been made that it is in the best interest of the public that all of the 20-foot wide alley within Block 54, Kern Place Addition, City of El Paso, El Paso County, Texas, and which is more fully described in the attached metes and bounds description, identified as Exhibit "A" made a part hereof by reference, be and is hereby vacated.

In addition, the Mayor is authorized to sign an instrument quitclaiming all of the City's right, title and interest in and to such vacated property to the City of El Paso.

PASSED AND APPROVED this _____ day of _____, 2006.

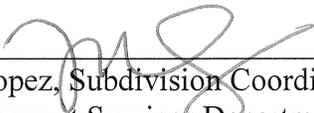
THE CITY OF EL PASO

John F. Cook, Mayor

ATTEST:

City Clerk

APPROVED AS TO CONTENT:



Fred Lopez, Subdivision Coordinator
Development Services Department

APPROVED AS TO FORM:



Hillary S. McGinnes
Assistant City Attorney

CITY CLERK DEPT.
06 OCT 23 AM 3:00

SURVEYOR'S DESCRIPTION
"PARCEL A"

The following is a description of the boundaries of the original 20-foot wide alley in Block 54, First Supplemental Map of Kern place Addition; more particularly described as follows:

Commencing at a 2" bolt ("K37") found for the intersection of the centerlines of McKelligon Avenue (60-foot wide platted right-of-way) and Alethea Park Road (90-foot wide right-of-way), from which the following monuments are located:

1. A 2" bolt ("K35") found for the intersection of the centerlines of Mesita Avenue (60-foot wide right-of-way) and Hixson Street (60-foot wide right-of-way) bears North $54^{\circ} 06' 56''$ West 738.77 feet (738.74 feet record); and
2. A 2" bolt ("K41") found for the intersection of the centerlines of Mesita Avenue (60-foot wide right-of-way) and O'Keefe Avenue (60-foot wide right-of-way) bears North $9^{\circ} 01' 46''$ West 554.07 feet (538.78 feet record);

Thence, from said monument "K37", with the centerline of said McKelligon Avenue, South $37^{\circ} 02' 06''$ East 227.68 feet; Thence, leaving said centerline, South $52^{\circ} 57' 54''$ West 30.00 feet to a point on the southwesterly right-of-way line of said McKelligon Avenue, the same being the northernmost corner of Lot 23 in said Block 54 and the easternmost corner of the alley described herein and the POINT OF BEGINNING of this surveyor's description; THENCE, the following eight (8) courses:

1. South $63^{\circ} 19' 54''$ West 143.34 feet;
2. South $36^{\circ} 52' 45''$ West 45.33 feet;
3. South $23^{\circ} 02' 54''$ West 420.54 feet to a point in the northerly right-of-way line of Kern Boulevard;
4. With said northerly right-of-way line of Kern Boulevard, along the arc of a curve non-tangential to the previous course 21.70 feet through a central angle of $03^{\circ} 36' 59''$; said curve having a radius of 343.87 feet and a chord which bears South $89^{\circ} 47' 14''$ East 21.70 feet;
5. Departing said right-of-way line, North $23^{\circ} 02' 54''$ East 444.45 feet;
6. North $40^{\circ} 26' 50''$ East 38.38 feet;
7. North $63^{\circ} 19' 54''$ East 146.03 feet to a point in the southwesterly right-of-way line of said McKelligon Avenue;
8. With said southwesterly right-of-way line of McKelligon Avenue, South $37^{\circ} 02' 06''$ East 20.33 feet to the POINT OF BEGINNING and containing, in all, 0.2862 acres of land more or less.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS GRID NORTH - TEXAS STATE COORDINATE SYSTEM, NAD83, DETERMINED USING GPS SURVEYING EQUIPMENT AND METHODS.

THIS DESCRIPTION ACCOMPANIES A SURVEY DRAWING AND IS INTENDED TO BE INTERPRETED ALONGTHEREWITH.

THIS SURVEYOR'S DESCRIPTION WAS PREPARED BY ME AND DEPICTS THE RESULTS OF AN ON ON-THE-GROUND FIELD SURVEY.

Witness my hand and seal of registration, this 13th day of July, 2006



Texas Registration No. 5511

STAFF REPORT

Application No: AV06005

Legal Description: A 20-foot alley within Block 54, Kern Place Addition, City of El Paso, El Paso County, Texas.

Type Request: Alley Vacation

Property Owner: The City of El Paso

Applicant: El Paso Independent School District

Representative: Sergio Martinez

Surveyor: Christian A. Clausen

Location: West of Stanton between Althea Park and Kern

Representative District: 1

Planning Area: Central

AV06005 - Vacation of a 20-foot alley within Block 54, Kern Place Addition, City of El Paso, El Paso County, Texas.

GENERAL INFORMATION:

The applicant, the El Paso Independent School District, proposes to vacate a 20-foot alley in its entirety from McKelligon to Althea Park. The vacation request comes after the El Paso Independent School District started construction of a new elementary school to replace the existing Mesita Elementary. During construction and upon applying for a grading permit, an alley dedicated as part of Kern Place Addition was discovered. There are no improvements to the alley, but construction in the alley cannot occur until the alley is vacated.

STAFF RECOMMENDATION:

The Development Coordinating Committee recommends ***approval*** of the vacation of the 20-foot alley within Block 54 Kern Place Addition in its entirety with the following conditions:

Planning – Land Development Comments and Requirements:

The applicant needs to clarify and provide metes and bounds description for portion of Parcel A that will be retained as a utility easement, if applicable.

El Paso Water Utilities Comments:

Water

Along the alley located west of Stanton Street between McKelligon Street and Kern Street, there is an existing twelve (12) inch diameter water main.

From the intersection of McKelligon Street and Alethea Park Street, along McKelligon Street towards Stanton Street, there is an existing six (6) inch diameter water main. This 6-inch diameter water main connects to the above described 12-inch diameter water main. From this point towards Stanton Street there are no existing water mains along McKelligon Street.

Along Kern Street between Mesa Street and Stanton Street there are no existing water mains.

Along Stanton Street between McKelligon Street and Kern Street there are no existing water mains.

EPWU-PSB records depict an existing water service pertaining to EPISD Mesita School originating from the described existing twelve (12) inch diameter water main located along the alley proposed to be vacated.

Sanitary Sewer

Along the alley located west of Stanton Street between McKelligon Street and Kern Street, there are no existing sanitary sewer mains.

From the intersection of McKelligon Street and Alethea Park Street, along McKelligon Street towards Stanton Street, there is an existing six (6) inch diameter sanitary sewer main. This 6-inch diameter sanitary sewer main dead-ends approximately at the alley located west of Stanton Street.

Along McKelligon Street from Alethea Park Street to Stanton Street there is an existing six (6) inch diameter pressurized sanitary sewer main (force main). This main originates at the existing sewage pumping station located at the corner of Mesa Street and Alethea Park Street.

Along Kern Street between Mesa Street and Stanton Street there are no existing sanitary sewer mains.

Along Stanton Street between McKelligon Street and Kern Street there is an existing twelve (12) inch diameter sanitary sewer main.

EPWU-PSB records depict an abandoned eight (8) inch diameter sanitary sewer main within the vicinity of the existing alley proposed to be vacated. Records depict a portion of this abandoned main aligned in an east-to-west direction towards Stanton Street transecting the alley proposed to be vacated. Records depict a portion of this abandoned main located within Lot 21, Block 54, Kern Place Addition.

General

EPWU-PSB requires a request in writing to relocate the described existing water main and appurtenances from the alley proposed to be vacated.

Application for water and sanitary sewer services should be made 6-8 weeks prior to any construction to ensure water for construction work. A site plan, a utility plan, grading & drainage plans, landscaping plan (if applicable), the legal description of the property, and a certificate-of-compliance are required at the time of application. The owner is responsible for the costs of any necessary on-site & off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances. The certificate-of-compliance can be obtained on the 2nd floor at City Hall.

EPWU does not object to this request.

El Paso Electric:

El Paso Electric has completed a work order to remove our facilities in this alley. We do not object to this vacation request.

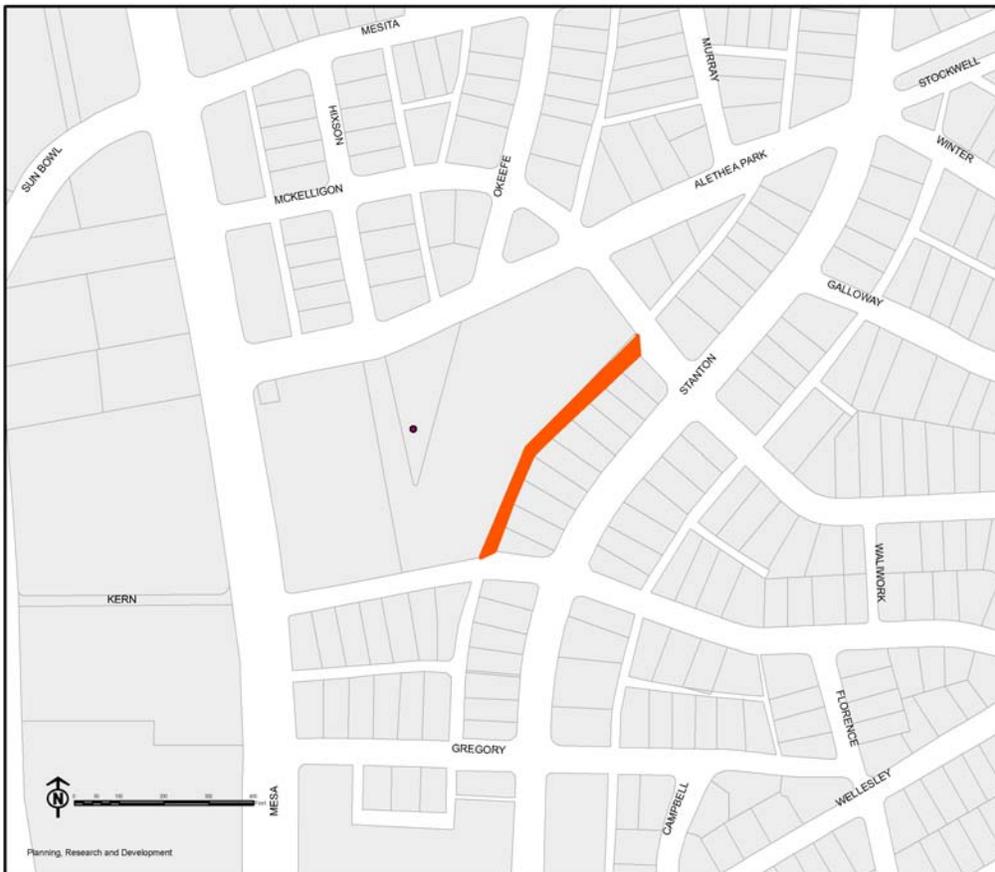
City Engineering / Traffic Division Comments:

No apparent traffic concerns with the proposed alley vacation in Block 54 of the Kern Place Addition between Kern Boulevard and McKelligon Avenue.

NOTE TO PROPERTY OWNER: CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR HIS REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. IF YOU HAVE ANY QUESTIONS CONCERNING THIS REPORT, PLEASE CONTACT THE DEPARTMENT OF PLANNING AT 541-4635.

LOCATION

AV06005



AERIAL

AV06005



