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

DEPARTMENT: **Development Services/Planning Division**

AGENDA DATE: **Introduction 12/05/06; Public Hearing 12/19/06**

CONTACT PERSON/PHONE: **James Fisk, Senior Planner – 541-4638**

DISTRICT(S) AFFECTED: **#2 and #3**

SUBJECT:

An Ordinance vacating a portion of Convair Road right of way within El Paso International Airport Tracts Unit 5, City of El Paso, El Paso County, Texas. Subject Property: East of Convair Drive and West of Northrop Drive. Applicant: El Paso International Airport. SV06006 **(District 2, 3)**

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 A PORTION OF CONVAIR ROAD RIGHT OF WAY WITHIN EL PASO INTERNATIONAL AIRPORT TRACTS UNIT 5, CITY OF EL PASO, EL PASO COUNTY, TEXAS.

WHEREAS, the City Plan Commission has recommended a vacation of *a portion of Convair Road Right of Way within El Paso International Airport Tracts Unit 5, City of El Paso, El Paso County, Texas*, and 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:

That a determination has been made that it is in the best interest of the public that *a portion of Convair Road Right of Way within El Paso International Airport Tracts Unit 5, 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 El Paso International Airport.

PASSED AND APPROVED this ___ day of _____ 2006.

THE CITY OF EL PASO

_____
John F. Cook
Mayor

ATTEST:

_____
Richarda Duffy Momsen
City Clerk

APPROVED AS TO CONTENT:

_____
Fred Lopez, Subdivision Coordinator
Development Services Department

APPROVED AS TO FORM:

_____
Hillary S. McGinnes
Assistant City Attorney

APPROVED AS TO CONTENT:

Fred Lopez, Subdivision Coordinator
Development Services Department

APPROVED AS TO FORM:

Hillary S. McGinnes
Assistant City Attorney

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this _____ day of _____, 2006, by John F. Cook, as Mayor for the CITY OF EL PASO.

_____
Notary Public, State of Texas
Notary's Printed or Typed Name:

_____

My Commission Expires:

_____

AFTER FILING RETURN TO:

El Paso International Airport
6701 Convair
El Paso, Texas 79925

Property Description: A portion of Convair Road Right-of-Way, El Paso International Airport Tracts Unit 5, El Paso, El Paso County, Texas.

METES AND BOUNDS DESCRIPTION

The parcel of land herein described is a portion of Convair Road Right-of-Way, El Paso International Airport Tracts Unit Five, El Paso, El Paso County, Texas and is more particularly described by metes and bounds as follows:

Commencing at an existing city monument lying on the centerline point of curvature from which the centerline intersection of Convair Road and American Drive (Vacated) bears South 46° 01' 53" East a distance of 411.97 feet ; Thence, South 43° 58' 07" West, a distance of 34.00 feet to a point for curve lying on the southerly right-of-way line of Convair Road, said point being a set nail and also being the TRUE POINT OF BEGINNING of this description;

THENCE, 113.68 feet along said right-of-way line and along the arc of a curve to the left having a radius of 223.50 feet, a central angle of 29° 08' 30" and a chord which bears North 60° 36' 08" West, a distance of 112.46 feet to a point for curve said point being a set 5/8-inch iron with SLI cap "TX2998/NM6698";

THENCE, 25.52 feet along the arc of a curve to the left having a radius of 20.00 feet, a central angle of 73° 06' 36" and a chord which bears South 68° 16' 19" West, a distance of 23.82 feet to a point for curve said point being a set 5/8-inch iron with SLI cap "TX2998/NM6698";

THENCE, 101.77 feet along the arc of a curve to the left having a radius of 279.62 feet, a central angle of 20° 17' 24" and a chord which bears North 21° 17' 24" East, a distance of 101.21 feet to a point for curve said point being a set 5/8-inch iron with SLI cap "TX2998/NM6698";

THENCE, 29.25 feet along the arc of a curve to the left having a radius of 20.00 feet, a central angle of 83° 47' 25" and a chord which bears South 31° 01' 25" East, a distance of 26.71 feet to a point for curve lying on the northerly right-of-way line of Convair Road said point also being a set 5/8-inch iron with SLI cap "TX2998/NM6698";

THENCE, 291.50 feet along said right-of-way line and along the arc of a curve to the right having a radius of 291.50 feet, a central angle of 26° 53' 45" and a chord which bears South 59° 28' 45" East, a distance of 135.58 feet to a set 5/8-inch iron with SLI cap "TX2998/NM6698";

Thence, South 46° 01' 53" East, continuing along said right-of-way line, a distance of 938.97 feet to a set 5/8-inch iron with SLI cap "TX2998/NM6698";

THENCE, South 43° 58' 07" West, 68.00 feet to a point lying on the southerly right-of-way line of Convair Road said point being a set 5/8-inch iron with SLI cap "TX2998/NM6698";

THENCE, North 46° 01' 53" West, along said right-of-way line, a distance of 938.97 feet to the TRUE POINT OF BEGINNING of this description.

Said parcel of land contains 1.688 acres (73,535 sq. ft.) of land more or less.

CITY CLERK DEPT.
06 NOV 20 PM 1:22

SLI ENGINEERING, INC,
Consulting Engineers—Land Surveyors

STATE OF TEXAS
REGISTERED
GUILLERMO LICON
2998
PROFESSIONAL
LAND SURVEYOR

Guillermo Licon, R.P.L.S.
Registered Professional Land Surveyor
Texas License No. 2998

May 19, 2006
Job Number 09-05-2372

M&B/

Exhibit "A"

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED OF RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

THE STATE OF TEXAS }
}
COUNTY OF EL PASO }

QUITCLAIM DEED

That the **CITY OF EL PASO** has released and quitclaimed and by these presents does release and quitclaim unto the El Paso International Airport (Collectively, the "Grantee"), El Paso, El Paso County, all its rights, title interest, claim and demand in and to the property which was vacated, closed and abandoned by Ordinance No. _____, passed and approved by the City Council of the City of El Paso and described as **A PORTION OF CONVAIR ROAD RIGHT OF WAY WITHIN EL PASO INTERNATIONAL AIRPORT TRACTS UNIT 5, CITY OF EL PASO, EL PASO COUNTY, TEXAS**, which is more fully described in the attached metes and bounds description, identified as Exhibit "A" and made a part hereof by reference.

WITNESS the following signatures and seal this ___day of _____, 2006.

CITY OF EL PASO

_____
John F. Cook
Mayor

ATTEST:

_____
Richarda Momsen
City Clerk

CITY CLERK DEPT.
06 NOV 20 PM 1:22

(Signatures continue on next page.)

STAFF REPORT

Application No:	SV06006
Legal Description:	Being a portion of Convair Road Right-of-way which lies within El Paso International Airport Tracts Unit 5 and a replat of El Paso International Airport Tracts Unit 5, City of El Paso, El Paso County, Texas.
Type Request:	Street Vacation
Applicant:	El Paso International Airport
Property Owner:	The City of El Paso
Surveyor:	SLI Engineering, Inc.
Location:	East of Convair Drive and West of Northrop Drive
Representative District:	2 and 3
Planning Area:	Central

CITY PLAN COMMISSION HEARING, JULY 20, 2006
1:30 P.M., COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL

SV06006- Vacation of Convair Road right of way being a portion of Convair Road Right-of-way which lies within El Paso International Airport Tracts Unit 5 and a replat of El Paso International Airport Tracts Unit 5, City of El Paso, El Paso County, Texas.

GENERAL INFORMATION:

The applicant proposes to vacate Convair Road for additional parking space. The road measures 68 feet wide by approximately 1,060 feet in length. The roadway is currently paved.

STAFF RECOMMENDATION:

The Development Coordinating Committee recommends ***approval*** of the ***vacation*** of ***Convair Road*** right-of-way. The Development Coordinating Committee recommends that the right of way be vacated in its entirety with the following conditions:

Planning – Land Development Comments and Requirements:

We have reviewed the proposed Street Vacation request and recommend that the Applicant address the following comments.

1. Recommend that the tie be referenced to another monument that is not within the area to be vacated.
2. The existing City Monuments shall be relocated/replaced within abutting City street right-of-way; monuments shall be installed as per Subdivision Improvement Design Standards and certified by a surveyor.
3. One copy of the subdivision plat or instrument by which the public easement or right-of-way was dedicated, showing the recording information.
4. Clarify the ownership of all abutting properties, the City right-of-way and vacated city street right-of-way also abut the proposed street vacation.
5. Provide a print-out of the mathematical closure of the exterior boundary of the property, which indicates the error of closure of the respective parcel.
6. Identify and/or illustrate existing improvements on the street.
7. Provide the existing and proposed drainage patterns, conditions, and what will be modified.
8. Drainage easements shall be provided and they shall be tied or referenced to an existing City Monument outside the area to be vacated and shall be clearly identified and illustrated by distance and bearings on the drawing.
9. The pedestrian route and handicap accessible ramps shall be adequately relocated to area within City right-of-way.

Engineering – Traffic Division Comments:

A turnaround shall be provided at end of Northrop Road and Convair Road.

Streets Department:

No adverse comments.

<u>El Paso Water Utilities Comments</u>:

We have reviewed the above referenced street vacation request and provide the following comments:

Water
Along Convair Road there is an existing eight (8) inch diameter water main.

Sanitary Sewer
Along Convair Road there is an existing eight (8) inch diameter sanitary sewer main.

General:
The portion of Convair Road to be vacated is to be designated as a full-width utility easement in order to accommodate the above described existing EPWU-PSB water and sanitary sewer mains.

Easement grantor shall indemnify, defend, and hold harmless the El Paso Water Utilities – Public Service Board from and against any and all claims, liability, actions, and damages for bodily injury and property damage to third parties or to the El Paso Water Utilities – Public Service Board which may be caused by or arise out of the maintenance and existence of said sanitary sewer main in the easement area.

EPWU-PSB requires access to the existing water, sanitary sewer facilities, appurtenances, and meters 24 hours a day, seven (7) days a week.

No building, reservoir, structure or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced El Paso Water Utilities - Public Service Board Easements (EPWU-PSB easements) without the written consent of EPWU-PSB.

The EPWU-PSB easement shall be improved to allow the operation of EPWU maintenance vehicles.

The El Paso Water Utilities does not object to the proposed street vacation.

<u>Texas Gas Service</u>:

No adverse comments.

<u>Time Warner Cable</u>:

No adverse comments.

<u>Additional Requirements and General Comments</u>:

1. An appraisal was not required on this property as the abutting property owner is the City of El Paso.

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 541-4024.

JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

GEORGE G. SARMIENTO, AICP
DEPUTY DIRECTOR

CITY COUNCIL

ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. Alexandro Lozano, District 3
MELINA CASTRO, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

July 10, 2006

Dear Property Owner:

A public hearing will be held by the City Plan Commission on Thursday, July 20, 2006, at 1:30 p.m. in the City Council Chambers, City Hall Building, 2nd Floor, #2 Civic Center Plaza, El Paso, Texas, regarding the proposed vacation (closure) of Convair Road right-way being a portion of Convair Road right-of-way, El Paso International Airport Tract Unit 5and replat of Unit 5, City of El Paso, El Paso County, Texas. The applicant proposes to vacate the right-of-way for parking needs.

Applicant: El Paso International Airport

If you have any comments or facts that you wish to make known to the Commission, please address a letter to:

Development Services – Planning Division
#2 Civic Center Plaza, 5th floor
El Paso, Texas 79901-1196

You may wish to attend the meeting in person to present the information.

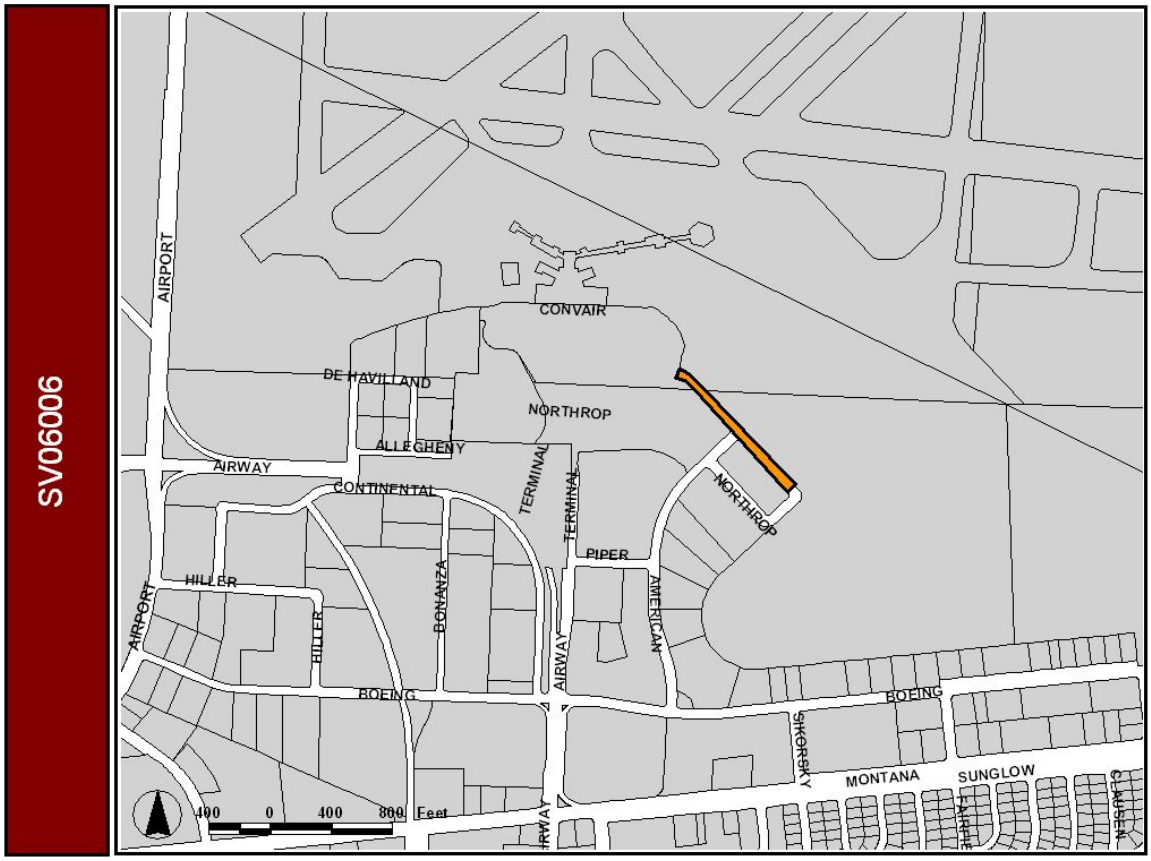
If you have any questions, contact Alex Ortiz, City Planning Department at 541-4931.

Cordially,

Alex Ortiz,
Planner

Notice to the Public: Sign language interpreters will be provided for this hearing upon request. Requests must be made to the Department of Planning at a minimum of 24 hours prior to the date and time of the hearing at either of the following number 541-4903 or 541-4635.
Si usted no entiende ingles, llame al teléfono 541-4635 y se le explicara el contenido de este aviso.

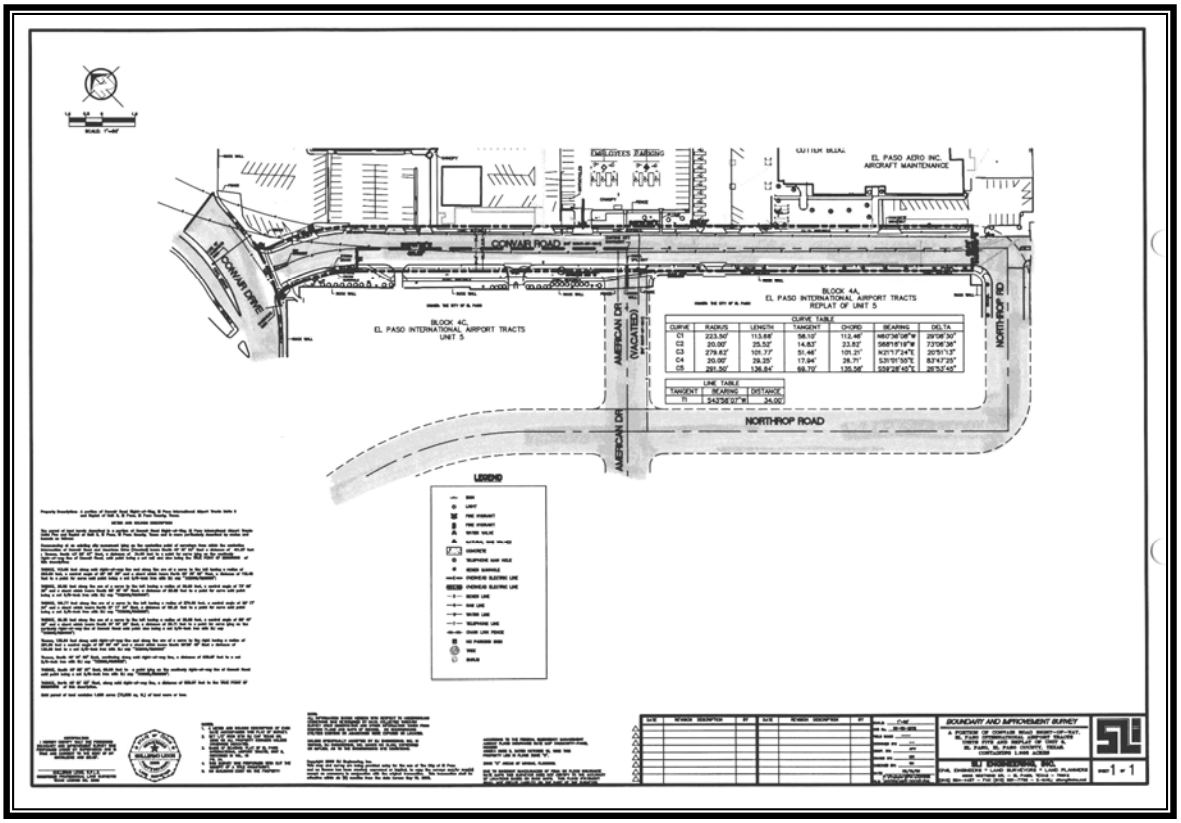
LOCATION


SV06006
AIRPORT
AIRPORT
HILLER
HILLER
AIRWAY
CONTINENTAL
ALLEGHENY
DE HAVILLAND
CONVAIR
NORTHROP
NORTHROP
TERMINAL
TERMINAL
BONANZA
AIRWAY
AIRWAY
PIPER
AMERICAN
BOEING
BOEING
SIKORSKY
MONTANA
SUNGLOW
400 0 400 800 Feet

AERIAL

SV06006

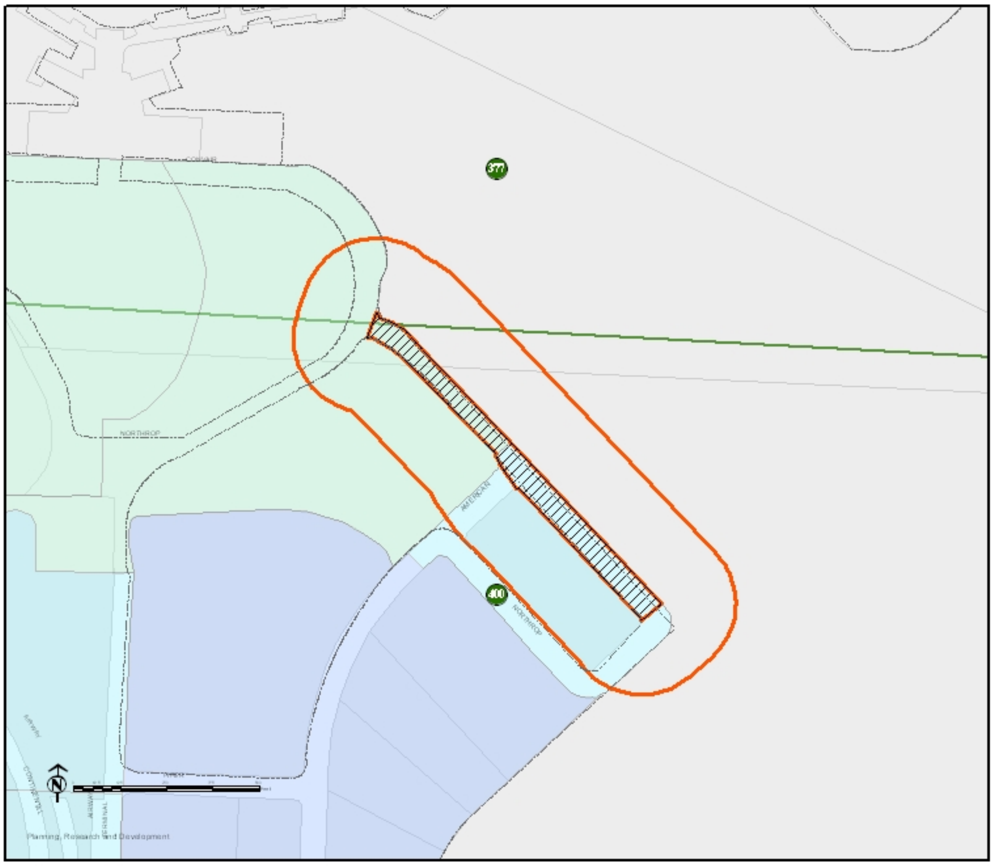
SURVEY PLAT



CURVE TABLE

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	223.50'	113.88'	58.10'	112.46'	N61°36'08"W	29°08'30"
C2	20.00'	25.53'	14.83'	23.82'	S68°15'18"W	73°06'36"
C3	279.83'	101.77'	51.46'	101.21'	N21°7'24"E	20°51'13"
C4	20.00'	29.25'	17.94'	26.71'	S31°31'35"E	83°47'25"
C5	261.50'	136.84'	69.70'	135.38'	S59°28'45"E	29°57'45"

LINE TABLE

TANGENT	BEARING	DISTANCE
L1	S43°36'07"W	34.00'

SV06006