

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

DEPARTMENT: Financial Services
AGENDA DATE: December 5, 2006
CONTACT PERSON/PHONE: Gonzalo Cedillos, P.E., 541-4074
DISTRICT(S) AFFECTED: 1

CITY CLERK DEPT.
06 NOV 30 PM 3:51

SUBJECT:

AN ORDINANCE REAFFIRMING THE AUTHORIZATION, APPROVED IN ORDINANCE NO. 016484, FOR THE CITY OF EL PASO TO SELL A 12.197-ACRE PARCEL OF LAND, MORE OR LESS, BEING A PORTION OF TRACT 6B, S.A. & M. G. RAILWAYS SURVEY COMPANY NO. 268 AND A PORTION OF TRACT 3B, JOHN WHITTAKER SURVEY, NO. 134, CITY OF EL PASO, EL PASO COUNTY, TEXAS TO HAM MANAGEMENT, LLC, AND CORRECTING AN ERROR IN THE LEGAL DESCRIPTION TO INCLUDE "ALL OF TRACT 10C2" AND "NOW KNOWN AS TRACT 3B2" IN THE IDENTIFIED LEGAL DESCRIPTION AND SURVEY.

BACKGROUND / DISCUSSION:

Capital Assets Manager has recommended release of this property.

PRIOR COUNCIL ACTION:

Yes, sales of city land.

AMOUNT AND SOURCE OF FUNDING:

Revenue of \$406,950.00

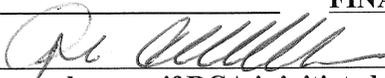
BOARD / COMMISSION ACTION:

Capital Assets Real Estate Committee has approved sale.

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

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD: _____


(Example: if RCA is initiated by Purchasing, client department should sign also)
Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA: _____

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

CITY CLERK DEPT.

NOV 30 12:07 PM 3:52

AN ORDINANCE REAFFIRMING THE AUTHORIZATION, APPROVED IN ORDINANCE NO. 016484, FOR THE CITY OF EL PASO TO SELL A 12.197-ACRE PARCEL OF LAND, MORE OR LESS, BEING A PORTION OF TRACT 6B, S.A. & M. G. RAILWAYS SURVEY COMPANY NO. 268 AND A PORTION OF TRACT 3B, JOHN WHITTAKER SURVEY, NO. 134, CITY OF EL PASO, EL PASO COUNTY, TEXAS TO HAM MANAGEMENT, LLC, AND CORRECTING AN ERROR IN THE LEGAL DESCRIPTION TO INCLUDE "ALL OF TRACT 10C2" AND "NOW KNOWN AS TRACT 3B2" IN THE IDENTIFIED LEGAL DESCRIPTION AND SURVEY.

WHEREAS, the City of El Paso received an independent appraisal of a 12.197-acre parcel of land, more or less, in Northwest El Paso; and

WHEREAS, in accordance with Section 272.001 of the Texas Local Government Code, the City of El Paso advertised and solicited bids for the purchase of the identified 12.197 acre parcel of land; and

WHEREAS, on Oct. 24, 2006, the El Paso City Council approved Ordinance No. 016484 which authorized the sale of the identified property to HAM Management, LLC, as the highest bidder; and

WHEREAS, an error was identified in the attached legal description and the survey because the words "all of Tract 10C2" and "now known as Tract 3B2" had been inadvertently omitted; however, the error did not revise the total acreage of the land nor the configuration of the identified Plat Survey,

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign a revised Contract of Sale and all other necessary documents, in a form approved by the City Attorney's Office, conveying a 12.197-acre parcel of land, more or less, being a portion of Tract 6B and all of Tract 10C2, S.A. & M. G. Railways Survey Company No. 268 and a portion of Tract 3B, now known as Tract 3B2, John Whittaker Survey, No. 134, being more particularly described in Exhibit "A" attached hereto and made a part hereof, City of El Paso, El Paso County, Texas to HAM Management, LLC.

PASSED AND APPROVED this _____ day of _____, 2006.

THE CITY OF EL PASO

John F. Cook, Mayor

ATTEST:

Richarda Momsen
City Clerk

APPROVED AS TO CONTENT:

Carmen Arrieta-Candalaria
Carmen Arrieta-Candalaria
Chief Financial Officer

APPROVED AS TO FORM:

Theresa Cullen-Garney
Theresa Cullen-Garney
Deputy City Attorney

PARCEL 1

CITY CLERK DEPT.

06 NOV 30 PM 3:52

Property Description: A portion of Tract 6B and all of Tract 10C2, S.A. & M.G. Railways Company Survey No. 268 and a portion of Tract 3B now known as Tract 3B2, John Whittaker Survey No. 134, EL Paso, EL Paso County, Texas.

METES AND BOUNDS DESCRIPTION

The parcel of land herein described is a portion of Tract 6B and all of Tract 10C2, S.A. & M.G. Railways Company Survey No. 268 and a portion of Tract 3B now known as Tract 3B2, John Whittaker Survey No. 134, 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 intersection of Waterhouse Drive and Bartlett Drive; Thence, 170.07 feet along said centerline of Bartlett Drive and along the arc of a curve to the right, having a radius of 1672.45 feet, a central angle of 5° 49' 35" and a chord which bears South 02° 54' 47" East, a distance of 170.00 feet to a point; Thence, North 90° 00' 00" West, a distance of 35.00 feet to a point lying on the westerly right-of-way line of Bartlett Drive, said point being a set 1/2-inch iron with SLI plastic cap stamped "TX 2998", also being the TRUE POINT OF BEGINNING of this description;

THENCE, along said right-of-way line, the following courses:

209.36 feet along the arc of a curve to the left, having a radius of 665.14 feet, a central angle of 18° 02' 05" and a chord which bears South 09° 01' 02" East, a distance of 208.50 feet to a set 1/2-inch iron with SLI plastic cap stamped "TX 2998";

South 18° 02' 05" East, a distance of 312.35 feet to a point for a curve, said point being a set 1/2-inch iron with SLI plastic cap stamped "TX 2998";

187.33 feet along the arc of a curve to the right, having a radius of 595.14 feet, a central angle of 18° 02' 05" and a chord which bears South 09° 01' 02" East, a distance of 186.56 feet to a point lying on the common boundary line between Tract 6B and Lots 10 through 14, Block 11, Mesa Del Castillo Unit 3, EL Paso, EL Paso County, Texas, said point being a set 1/2-inch iron with SLI plastic cap stamped "TX 2998";

THENCE, South 90° 00' 00" West, along said boundary line, a distance of 387.04 feet to a point lying on the common boundary line between Tract 6B and Lots 10 through 14, Block 11, Mesa Del Castillo Unit 3, said point being a set 1/2-inch iron with SLI plastic cap stamped "TX 2998";

THENCE, South 17° 37' 15" West, along the common boundary line between Lots 7 through 9, Block 11, Mesa Del Castillo Unit 3 and Tract 3B, John Whittaker Survey No. 134, a distance of 243.27 feet to a set 1/2-inch iron with SLI plastic cap stamped "TX 2998";

THENCE, South 34° 49' 04" West, along the common boundary line between Tract 3B, John Whittaker Survey No. 134 and Lots 3 through 7, Block 11, Mesa Del Castillo Unit 3, a distance of 276.45 feet to a set 1/2-inch iron with SLI plastic cap stamped "TX 2998";

THENCE, North 26° 48' 57" West, a distance of 18.46 feet to a set 1/2-inch iron with SLI plastic cap stamped "TX 2998";

THENCE, North 08° 01' 26" West, a distance of 446.71 feet to a point lying on the common boundary line between Tract 6B, S.A. & M.G. Railways Company Survey No. 268 and Tract 3B, John Whittaker Survey No. 134, said point being a set 1/2-inch iron with SLI plastic cap stamped "TX 2998";

THENCE, North 07° 58' 31" West, a distance of 477.74 feet to a set 1/2-inch iron with SLI plastic cap stamped "TX 2998";

THENCE, North 08° 02' 20" West, a distance of 90.00 feet to a set 1/2-inch iron with SLI plastic cap stamped "TX 2998";

Exhibit "A"

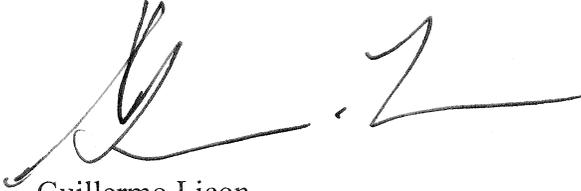
THENCE, North 02° 31' 58" West, a distance of 125.06 feet to a point lying on the common boundary line between Tract 6B, S.A. & M.G. Railways Company Survey No. 268 and Lot 18 Block 27, West Hills Unit Thirteen, said point being a set ½-inch iron with SLI plastic cap stamped "TX 2998";

THENCE, North 90° 00' 00" East, along the common boundary line between Lots 18 through 28, Block 27, West Hills Unit Thirteen, a distance of 615.00 feet to the TRUE POINT OF BEGINNING of this description.

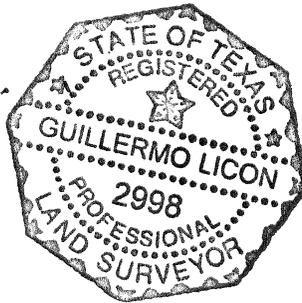
Said parcel of land contains 12.197 acres (531,291 sq. ft.) of land more or less.

A PLAT OF SURVEY OF EVEN DATE ACCOMPANIES THIS METES AND BOUNDS DESCRIPTION.

SLI ENGINEERING, INC.
Consulting Engineers—Land Surveyors



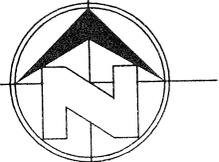
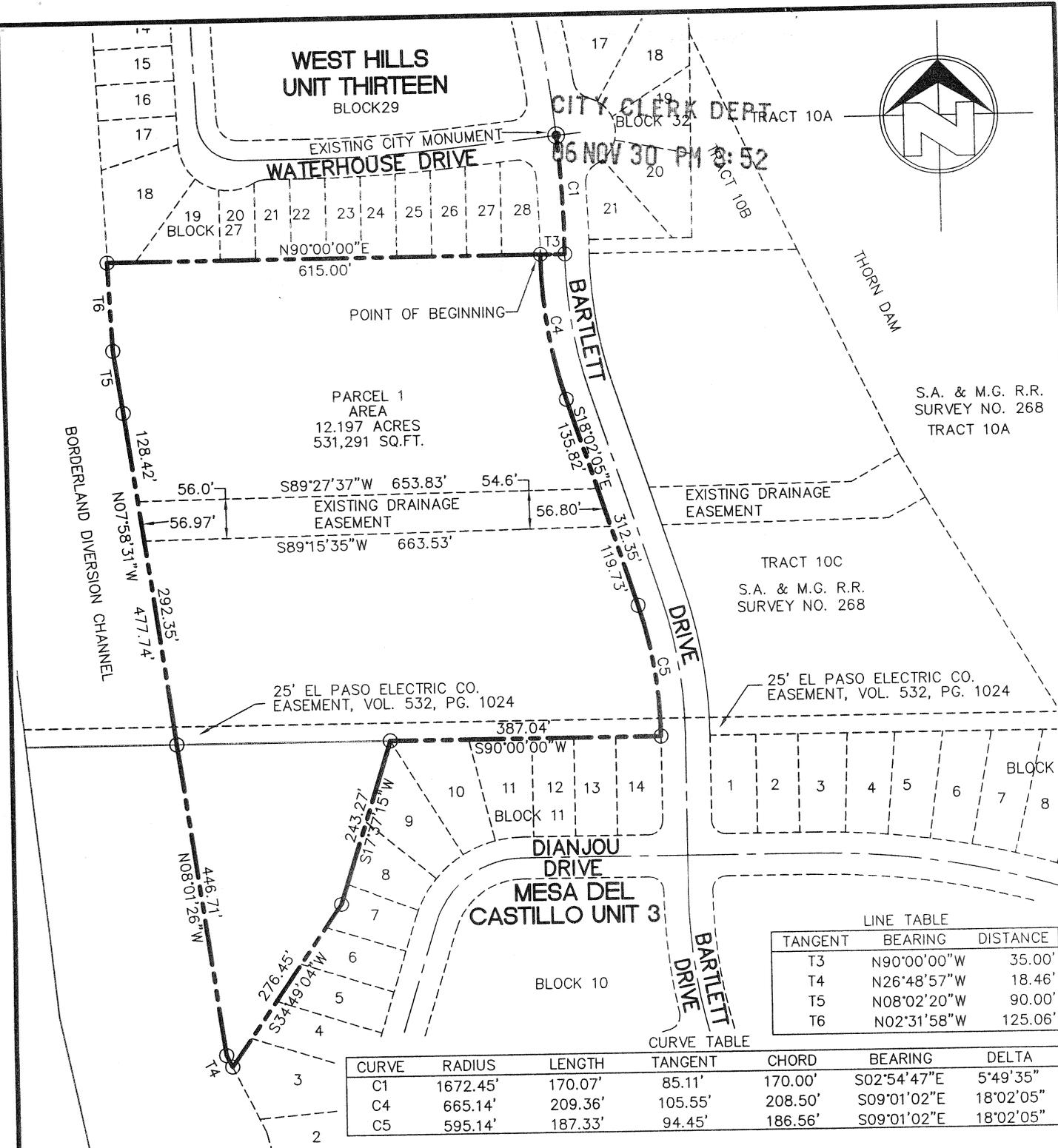
Guillermo Licon
Registered Professional Land Surveyor
Texas License No. 2998



March 1, 2006
Revised on November 30, 2006.

Job Number 06-06-2506
M&B\1275

CITY CLERK DEPT.
06 NOV 30 PM 3:52



LINE TABLE

TANGENT	BEARING	DISTANCE
T3	N90°00'00"W	35.00'
T4	N26°48'57"W	18.46'
T5	N08°02'20"W	90.00'
T6	N02°31'58"W	125.06'

CURVE TABLE

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	1672.45'	170.07'	85.11'	170.00'	S02°54'47"E	5°49'35"
C4	665.14'	209.36'	105.55'	208.50'	S09°01'02"E	18°02'05"
C5	595.14'	187.33'	94.45'	186.56'	S09°01'02"E	18°02'05"

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NUMBER 480214 0021 D, DATED JANUARY 03, 1997, THIS PROPERTY LIES IN FLOOD ZONE "C". ZONE "C", AREAS OF MINIMAL FLOODING.

DUE TO INHERENT INACCURACIES OF FEMA OR FLOOD INSURANCE RATE MAPS THIS SURVEYOR DOES NOT CERTIFY TO THE ACCURACY OF LOCATIONS BASED ON SUCH MAPS. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

NOTE:
ALL INFORMATION SHOWN HEREON WITH RESPECT TO UNDERGROUND CONDITIONS WAS DETERMINED BY DATA COLLECTED THROUGH SURVEY CREW OBSERVATION AND OTHER INFORMATION TAKEN FROM EXISTING PLANS AND MAPS OF RECORD. NO UNDERGROUND UTILITIES EXISTING OR ABANDONED WERE EXPOSED OR LOCATED. UNLESS SPECIFICALLY ACCEPTED BY SLI ENGINEERING, INC. IN WRITING, SLI ENGINEERING, INC. MAKES NO CLAIM, EXPRESSED OR IMPLIED, AS TO THE UNDERGROUND SITE CONDITIONS.

Copyright 2006 SLI Engineering, Inc.
This map and survey are being provided solely for the use of the City of El Paso, Texas, and no license has been created, expressed or implied, to copy the surveys and/or map(s) except as necessary in conjunction with the original transaction. This transaction shall be effective within six (6) months from the date hereon November 08, 2006.

- NOTES:
1. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT OF SURVEY.
 2. SET 1/2" IRON WITH SLI CAP TEXAS NO. 2998 ON ALL PROPERTY CORNERS UNLESS OTHERWISE INDICATED.
 3. BASIS OF BEARING: PLAT OF WEST HILLS UNIT THIRTEEN, RECORDED IN VOL. 65, PG. 41.
 4. TITLE COMMITMENT PROVIDED BY LONR STAR TITLE OF EL PASO; GF No. 06102977, WITH EFFECTIVE DATE OF AUGUST 1, 2006.
 5. NO BUILDINGS EXIST ON THE PROPERTY.
 6. REVISED ON NOVEMBER 30, 2006.



PLAT OF SURVEY

SLI ENGINEERING, INC.
CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS
6600 WESTWIND DRIVE
EL PASO, TEXAS 79912
915-584-4457

A PORTION OF TRACT 6B AND ALL OF TRACT 10C2, S.A. & M.G. RAILWAYS COMPANY SURVEY No. 268 AND A PORTION OF TRACT 3B NOW KNOWN AS TRACT 3B2, JOHN WITTAKER SURVEY NO. 134, EL PASO, EL PASO COUNTY, TEXAS.

CERTIFICATION
I HEREBY CERTIFY THAT THE FOREGOING BOUNDARY SURVEY WAS PERFORMED UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

(Signature)

GUILLERMO LICON, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS LICENSE NO. 2998

JOB #: 06-06-2506 DR. BY: AFV
SCALE: 1"=200' F.B. #: -
CITYPROJ\BARTLETT\WORKING
DATE: 03-01-2006 DWG.: \mesadc-3.dwg