



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

**DEPARTMENT:**    **Planning & Economic Development / Planning Division**

**AGENDA DATE:**    **Introduction 11/30/2010: Public Hearing 12/7/2010**

**CONTACT PERSON/PHONE:**    **Justin Bass, Planner – 541-4930**

**DISTRICT(S) AFFECTED:**        **4**

**SUBJECT:**

An ordinance vacating a drainage easement measuring 25 feet in width, located within a portion of Lot 16, Block 74, Sun Valley Addition #7, City of El Paso, El Paso County, Texas. Applicant: City of El Paso. SUB10-00244 (District 4)

**BACKGROUND / DISCUSSION:**

N/A

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

Development Coordinating Committee: Unanimous Approval  
City Plan Commission: Unanimous Approval

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** N/A

**FINANCE:** N/A

**DEPARTMENT HEAD:**

Mathew McElroy, Deputy Director - Planning

**APPROVED FOR AGENDA:**

**CITY MANAGER:**

**DATE:** \_\_\_\_\_



**Mayor**  
John F. Cook

**City Council**

District 1  
Ann Morgan Lilly

District 2  
Susannah M. Byrd

District 3  
Emma Acosta

District 4  
Carl L. Robinson

District 5  
Rachel Quintana

District 6  
Eddie Holguin Jr.

District 7  
Steve Ortega

District 8  
Beto O'Rourke

**City Manager**  
Joyce A. Wilson

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE VACATING A DRAINAGE EASEMENT MEASURING 25 FEET IN WIDTH, LOCATED WITHIN A PORTION OF LOT 16, BLOCK 74, SUN VALLEY ADDITION #7, CITY OF EL PASO, EL PASO COUNTY, TEXAS**

WHEREAS, the abutting property owner has requested vacation of a drainage easement measuring 25 feet in width, located within a portion of Lot 16, Block 74, Sun Valley Addition #7, City of El Paso, El Paso County, Texas; and,

WHEREAS, after public hearing the City Plan Commission has recommended a vacation of a drainage easement measuring 25 feet in width, located within a portion of Lot 16, Block 74, Sun Valley Addition #7, City of El Paso, El Paso County, Texas, and the City Council finds that said easement 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, in consideration of the receipt by the City of El Paso of TWENTY-FIVE DOLLARS (\$25.00) and other good and valuable consideration, the sufficiency of which is acknowledged, a drainage easement measuring 25 feet in width, located within a portion of Lot 16, Block 74, Sun Valley Addition #7, City of El Paso, El Paso County, Texas, as further described in the attached metes and bounds description identified as Exhibit "A" and made a part hereof by reference, be and is hereby vacated.

In addition, the City Manager is authorized to sign an instrument quitclaiming all of the City's right, title and interest in and to such vacated drainage easement to **Butterfield Trails Apartments Partnership**.

**PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.**

**THE CITY OF EL PASO**

\_\_\_\_\_  
John F. Cook  
Mayor

**ATTEST:**

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Lupe Cuellar  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Mathew S. McElroy  
Deputy Director-Planning  
Planning & Economic Development



**METES AND BOUNDS DESCRIPTION**  
***"VACATED DRAINAGE EASEMENT"***

*A 0.2044 acre parcel situate within the corporate limits of the City of El Paso, El Paso County, Texas as a portion of a drainage easement located in Lot 16, Block 74, Sun Valley Addition Unit Seven and being more particularly described by metes and bounds as follows:*

**COMMENCING** for reference at a City Monument found at the intersection of the centerline of Junction Drive (60.00 feet wide right-of-way) and the east right-of-way line of a 35 feet wide service road, whence a City Monument found at the centerline intersection of Junction Drive (60.00 feet wide right-of-way) and Biscane Street (60.00 feet wide right-of-way) bears South 88°00'07" East (North 88°52'30" East ~ record), a distance of 521.67 feet (521.29 feet ~ record); **THENCE**, leaving the centerline of Junction Drive and following the east right-of-way line of said service road, North 01°49'53" East (North 01°17'30" West ~ record), a distance of 162.00 feet (measured and record) to the south boundary line of an existing drainage easement for the southwest corner and the **POINT OF BEGINNING** of the parcel herein described;

**THENCE**, continuing along the east right-of-way line of said service road, North 01°49'53" East (North 01°17'30" West ~ record), a distance of 25.00 feet (measured and record) to the north boundary line of said drainage easement for the northwest corner of the parcel herein described;

**THENCE**, leaving the east right-of-way line of said service road and following the north boundary line of said drainage easement, South 88°00'07" East (North 88°52'30" East ~ record), a distance of 281.44 feet (279.88 feet ~ record) to a point of curvature;

**THENCE**, continuing along the north boundary line of said drainage easement and following the arc of a curve to the left having a radius of 83.00 feet, a central angle of 49°22'45", an arc length of 71.53 feet and whose long chord bears North 61°18'30" East, a distance of 69.34 feet to the northeast corner of the parcel herein described and the end of said curve to the left;

**THENCE**, leaving the north boundary line of said drainage easement, South 01°59'53" East, a distance of 36.14 feet to the south boundary line of said drainage easement for the southeast corner of the parcel herein described and the beginning of a non-tangent curve to the right;

**THENCE**, following south boundary line of said drainage easement along the arc of said non-tangent curve to the right having a radius of 110.00 feet, a central angle of 34°56'26", an arc length of 67.08 feet and whose long chord bears South 74°31'40" West, a distance of 66.05 feet to the end of said non-tangent curve to the right for an angle point of the parcel herein described;

**THENCE**, continuing along the south boundary line of said drainage easement North 01°59'53" East (North 01°07'30" West ~ record), a distance of 2.00 feet (measured and record) to an angle point;

**THENCE**, continuing along the south boundary line of said drainage easement, North 88°00'07" West (South 88°52'30" West ~ record), a distance of 281.77 feet (279.81 feet ~ record) to the **POINT OF BEGINNING**.

*Said parcel containing 0.2044 acres (8,904.2 square feet), more or less, and being subject to all easements of record.*

*Isaac Camacho*

**Isaac Camacho**

**TX. R.P.L.S. No. 5337**

**Date: March 11, 2010**

**File 058797-012C Vacated Drainage Easement.doc**



FILE PATH: \\UN09579-01\2008579-01\2CLLDD\dwg\25879-01.EC-VACATE.dwg

SUN VALLEY ADDITION UNIT SEVEN  
VOLUME 19, PAGE 32

BUTTERFIELD TRAILS APTS. PARTNERSHIP  
VOL. 2404, PG. 1482

N88°52'30"E 279.88' (R)  
S88°00'07"E 281.84' (M)

PORTION OF DRAINAGE EASEMENT TO BE VACATED  
8,904.2 SQ. FT. OR 0.2044 ACRES

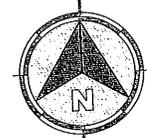
N88°00'07"W 281.77' (M)  
S88°52'30"W 279.81' (R)

BUTTERFIELD TRAILS APTS. PARTNERSHIP  
VOL. 2404, PG. 1482

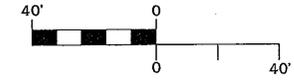
SUN VALLEY ADDITION UNIT SEVEN  
VOLUME 19, PAGE 32

CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C1 (M)	83.00'	71.53'	69.34'	N61°18'30"E	49°22'45"
C1 (R)	83.00'	71.53'	69.34'	N64°11'07"E	49°22'45"
C2 (M)	110.00'	67.08'	66.05'	S74°31'40"W	34°56'26"
C2 (R)	110.00'	67.08'	66.05'	S71°24'17"W	34°56'26"

LINE	DIRECTION	DISTANCE
L1 (M)	N 01°49'53" E	25.00'
L1 (R)	N 01°17'30" W	25.00'
L2 (M)	S 01°59'53" W	36.14'
L2 (R)	S 01°07'30" E	36.14'
L3 (M)	N 01°59'53" E	2.00'
L3 (R)	N 01°07'30" W	2.00'



GRAPHIC SCALE



LEGEND

- PROJECT BOUNDARY \_\_\_\_\_
- SUBDIVISION BOUNDARY - - - - -
- LOT LINE \_\_\_\_\_
- CENTERLINE OF ROW \_\_\_\_\_
- EASEMENT LINE - - - - -
- RIGHT-OF-WAY LINE \_\_\_\_\_
- BLOCK NUMBER (74)
- LOT NUMBER 16
- RECORD BEARING AND DISTANCE (R)
- MEASURED BEARING AND DISTANCE (M)
- PROPOSED EASEMENT CORNER ⊙

SUPPLEMENTAL NOTES

1. BASIS OF BEARING WAS OBTAINED BY G.P.S. OBSERVATION AT SHOWN MONUMENTS, AND IS EXPRESSED BY GRID BEARINGS FOR TEXAS STATE PLANE CENTRAL ZONE 4203.
2. RECORD BEARINGS SHOWN ARE FROM PLAT FOR SUN VALLEY ADDITION UNIT SEVEN.

CERTIFICATION

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS BASED ON AN ACTUAL SURVEY PERFORMED ON THE GROUND BY ME OR UNDER MY SUPERVISION AND THAT THE INFORMATION CONTAINED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*Isaac Camacho* 03/11/10  
ISAAC CAMACHO, R.P.L.S. TX. NO. 5337

JUNCTION DRIVE

S88°00'07"E (BASIS OF BEARING) (60' R. O. W.)  
N88°52'30"E

LA VISTA PLACE  
(60' R. O. W.)

521.57' (M)  
521.29' (R)

FOUND CITY MONUMENT

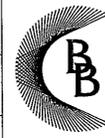
BISCANE ST.  
(60' R. O. W.)

DRAWN BY: AA
APPROVED BY: IC
DATE: 03/11/2010
SHEET: 1 OF 1
JOB NO. 05879-012C

VACATION OF A PORTION OF DRAINAGE EASEMENT

A PORTION OF LOT 16, BLOCK 74,  
SUN VALLEY ADDITION UNIT SEVEN,  
CITY OF EL PASO, EL PASO COUNTY, TEXAS.

DATE: .



BROCK & BUSTILLOS INC.

CONSULTING CIVIL ENGINEERS  
LAND SURVEYORS  
TBPE REG. NO. F-737

417 EXECUTIVE CENTER  
EL PASO, TX 79902  
PH (915) 542-4900  
FAX (915) 542-2867  
www.brockbustillos.com



EXHIBIT "A"



**ACKNOWLEDGEMENT**

**THE STATE OF TEXAS    §**  
  **§**  
**COUNTY OF TEXAS       §**

          This instrument is acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2010  
by JOHN F. COOK as MAYOR of the CITY OF EL PASO, a municipal corporation.

My Commission Expires:

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

**AFTER RECORDING RETURN TO:**

**Butterfield Trail Apartments  
Attn: Grant W. Ring, partner  
433 Spreading Oak Drive  
Scotts Valley, CA 95066-4610**

**with copy to:**

**Planning & Economic Development  
Planning Division  
#2 Civic Center Plaza, 5<sup>th</sup> Floor  
El Paso, Texas 79901**

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**"VACATED DRAINAGE EASEMENT"**

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SUN VALLEY ADDITION UNIT SEVEN  
VOLUME 19, PAGE 32

BUTTERFIELD TRAILS APTS. PARTNERSHIP  
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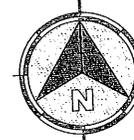
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GRAPHIC SCALE



LEGEND (IN FEET)  
1 inch = 40 FT.

- PROJECT BOUNDARY \_\_\_\_\_
- SUBDIVISION BOUNDARY - - - - -
- LOT LINE \_\_\_\_\_
- CENTERLINE OF ROW \_\_\_\_\_
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*Isaac Camacho* 03/11/10  
ISAAC CAMACHO, R.P.L.S. TX. NO. 5337



417 EXECUTIVE CENTER  
EL PASO, TX 79902  
PH (915) 542-4900  
FAX (915) 542-2867  
www.brockbustillos.com

EXHIBIT "A"

SERVICE ROAD (NOT VACATED)

PORTION OF SERVICE ROAD VACATED BY C.O.E.P. ORD. 4882

20' EPWU EASEMENT (C.O.E.P. ORD. 4882)

SERVICE ROAD (35' R.O.W.)

(P.O.C.) FOUND CITY MONUMENT

JUNCTION DRIVE

S88°00'07"E (BASIS OF BEARING) 60' R. O. W.  
N88°52'30"E

LA VISTA PLACE (60' R. O. W.)

521.57' (M)  
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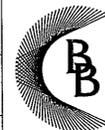
FOUND CITY MONUMENT

BISCANE ST. (60' R. O. W.)

DRAWN BY: AA
APPROVED BY: IC
DATE: 03/11/2010
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JOB NO. 05879-01ZC

VACATION OF A PORTION OF DRAINAGE EASEMENT  
A PORTION OF LOT 16, BLOCK 74,  
SUN VALLEY ADDITION UNIT SEVEN,  
CITY OF EL PASO, EL PASO COUNTY, TEXAS.

DATE: .



BROCK & BUSTILLOS INC.

CONSULTING CIVIL ENGINEERS  
LAND SURVEYORS  
TBPE REG. NO. F-737



**PLANNING AND ECONOMIC DEVELOPMENT  
PLANNING DIVISION**

**MEMORANDUM**

**DATE:** November 15, 2010

**TO:** The Honorable Mayor and City Council  
Joyce A. Wilson, City Manager

**FROM:** Justin Bass, Planner

**SUBJECT:** **Sun Valley Addition #7 Drainage Easement Vacation**

---

The City Plan Commission (CPC), on November 4, 2010, **voted 7-0** to recommend **approval** of the Sun Valley Addition #7 Drainage Easement Vacation.

The CPC determined the vacation of the drainage easement protects the best interest, health, safety and welfare of the public in general; and the vacation will have no negative effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

**Mayor**  
John F. Cook

**City Council**

District 1  
Ann Morgan Lilly

District 2  
Susannah M. Byrd

District 3  
Emma Acosta

District 4  
Carl L. Robinson

District 5  
Rachel Quintana

District 6  
Eddie Holguin Jr.

District 7  
Steve Ortega

District 8  
Beto O'Rourke

**City Manager**  
Joyce A. Wilson





## *City of El Paso – City Plan Commission Staff Report*

**Case No:** SUB10-00244 Sun Valley Addition Unit Seven Drainage Easement Vacation  
**Application Type:** Public Easement Vacation  
**CPC Hearing Date:** November 4, 2010

**Staff Planner:** Justin Bass, (915) 541-4930, [bassjd@elpasotexas.gov](mailto:bassjd@elpasotexas.gov)  
**Location:** South of Sun Valley Drive and West of Biscaine Street  
**Acreage:** 0.20-acre  
**Rep District:** 4  
**Existing Use:** Apartment Complex Driveway  
**Existing Zoning:** A-2/sc (Apartment/ special contract)  
**Proposed Zoning:** A-2/sc (Apartment/ special contract)

**Nearest Park:** Arlington Park (0.23 mile)  
**Nearest School:** Collins Elementary School (0.82 mile)

**Property Owner:** Butterfield Trails Apartments Partnership  
**Applicant:** City of El Paso  
**Representative:** City of El Paso

### **SURROUNDING ZONING AND LAND USE**

**North:** A-2/sc (Apartment/ special contract)/ Multi-Family Residential  
**South:** A-2/sc (Apartment/ special contract)/ Multi-Family Residential  
**East:** R-3 (Residential)/ Single-Family Residential  
**West:** A-2/sc (Apartment/ special contract)/ Freeway

**THE PLAN FOR EL PASO DESIGNATION:** Residential.

### **APPLICATION DESCRIPTION**

The applicant is requesting to vacate an existing 25-foot drainage easement located within a driveway/parking area at 10330 Gateway North, part of the Butterfield Trails Apartments (Lot 16, Block 74, Sun Valley Addition #7). This vacation would allow El Paso Water Utilities (EPWU) to begin the realignment and eventual new construction of the drainage facilities that currently run underneath the complex.

### **DEVELOPMENT COORDINATING COMMITTEE:**

The Development Coordinating Committee recommends *approval* of the public easement vacation, subject to the following comments and conditions:

## **Planning Division Recommendation**

*Approval.*

## **Planning Division – Land Development**

No objections.

## **El Paso Department of Transportation**

No objections.

## **El Paso Water Utilities**

General

EPWU-PSB own and operate water and sanitary sewer mains along Sun Valley Drive and Junction Drive.

As per the EPWU-PSB records no water or sanitary sewer mains exist within the vacated service road located within the subject Property.

EPWU-PSB records do not depict water or sanitary sewer mains exist within the subject Property.

As per EPWU-PSB records the Property is being served by a single six (6) inch diameter water meter.

If the City of El Paso Fire Department requires additional fire hydrants on public right-of-way and/or an on-site fire protection system within the private property, the property owner is responsible for all costs incurred to extend, relocate and construct water mains and appurtenances to provide this service.

Application for water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3<sup>rd</sup> Floor. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

## **El Paso Water Utilities – Stormwater Division**

1. The easement vacations listed above are required for EPWU's Northeast Channel No. 2 Phase II project. This is a stormwater project identified in the City of El Paso Stormwater Master Plan to address flooding and erosion damage along Northeast Channel No. 2. Besides these proposed vacations, new easement dedications are necessary for construction of the Northeast Channel No. 2. Phase II project. The EPWU Stormwater Utility requires dedication of these new easements before vacating the easements listed above.

## **Parks and Recreation Department**

No comments received.

**Fire Department**

No comments received.

**Texas Gas Service**

No comments received.

**El Paso Electric Company**

No comments received.

**Attachments**

1. Location map
2. Aerial map
3. Survey
4. Application

ATTACHMENT 1



**SUN VALLEY ADDITION #7  
DRAINAGE EASEMENT #7**

ATTACHMENT 2



**SUN VALLEY ADDITION #7  
DRAINAGE EASEMENT VACATION**



**ATTACHMENT 4**



CITY OF EL PASO, TEXAS  
APPLICATION FOR VACATION PUBLIC EASEMENTS AND RIGHTS-OF-WAY

Date: 09-09-10 File No. SUB10-00244

1. APPLICANTS NAME THE CITY OF EL PASO  
ADDRESS 2 CIVIC CENTER PLAZA ZIP CODE 79901 TELEPHONE 541-4945
2. Request is hereby made to vacate the following: (check one)  
Street  Alley  Easement  Other   
Street Name(s) WITHIN APARTMENT COMPLEX Subdivision Name SUN VALLEY ADDITION UNIT 7  
Abutting Blocks 74 Abutting Lots 16

3. Reason for vacation request: RELOCATION OF UNDERGROUND STORM DRAIN SYSTEM

4. Surface Improvements located in subject property to be vacated:  
None  Paving  Curb & Gutter  Power Lines/Poles  Fences/Walls  Structures  Other

5. Underground Improvements located in the existing rights-of-way:  
None  Telephone  Electric  Gas  Water  Sewer  Storm Drain  Other

6. Future use of the vacated right-of-way:  
Yards  Parking  Expand Building Area  Replat with abutting Land  Other

7. Related Applications which are pending (give name or file number):  
Zoning  Board of Adjustment  Subdivision  Building Permits  Other  **VACATION OF EASEMENT  
VACATION OF PORTION  
OF SERVICE ROAD**

8. Signatures: All owners of properties which abut the property to be vacated must appear below with an adequate legal description of the properties they own (use additional paper if necessary).

Signature	Legal Description	Telephone
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

The undersigned Owner/Applicant/Agent understands that the processing of this Application will be handled in accordance with the procedure for Requesting Vacations and that no action on processing will be taken without payment of the non-refundable processing fee. It is further understood that acceptance of this application and fee in no way obligates the City to grant the Vacation. I/We further understand that the fee, if the Vacation is granted will be determined by the City of El Paso and a Certified or Cashier's Check must be presented before the request will be recommended for Council action.

The undersigned acknowledges that he or she is authorized to do so, and upon the City's request will provide evidence satisfactory to the City confirming these representations.

The granting of a vacation request shall not be construed to be a waiver of or an approval of any violation of any of the provisions of any applicable City ordinances.

CASHIER'S VALIDATION  
FEE: \$966.00

OWNER SIGNATURE: [Signature]  
REPRESENTATIVE: CITY ENGINEER

NOTE: SUBMITTAL OF AN APPLICATION DOES NOT CONSTITUTE ACCEPTANCE FOR PROCESSING UNTIL THE PLANNING DEPARTMENT REVIEWS THE APPLICATION FOR ACCURACY AND COMPLETENESS.