

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

DEPARTMENT: **Engineering & Construction Management**

AGENDA DATE: **December 11, 2012**

CONTACT PERSON/PHONE: Irene D. Ramirez, P.E. Interim City Engineer

DISTRICT AFFECTED: 4

SUBJECT:

Item is to request approval of a resolution authorizing the City Manager to execute, on behalf of the City of El Paso, an overhead electrical easement to El Paso Electric Company for the provision of electrical power to a new digital traffic condition sign on Woodrow Bean Transmountain Road at the base of the Franklin Mountains entrance, Northeast El Paso.

BACKGROUND / DISCUSSION:

El Paso Electric Company has received a request from Texas Department of Transportation to provide electric service to a new "Dynamic Message Sign" to be located at 4301 Woodrow Bean Transmountain Road in front of the *El Paso Museum of Archeology*. The power will be drawn and metered from an existing line behind the Border Patrol Museum and that terminates between the two structures. The proposed easement on City land will house a new overhead line (235 linear feet from origin to roadside right-of-way), a new power pole and two required anchor support systems.

PRIOR COUNCIL ACTION:

Mayor and Council have 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: _____



CITY CLERK DEPT.
2012 DEC -4 AM 9:59

Information copy to appropriate Deputy City Manager

RESOLUTION

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

That the City Manager be authorized to sign an Overhead Electrical Easement for the provision of electrical power to a new road condition message sign to be located at 4301 Woodrow Bean-Transmountain Road, said easement more particularly described as a portion of Section 31, Block 81, TSP 1, T & P Railroad Surveys, City of El Paso, El Paso County, Texas.

ADOPTED THIS _____ DAY OF _____, 2012.

THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

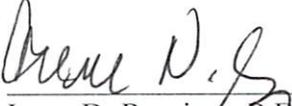
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Cynthia Osborn
Assistant City Attorney

APPROVED AS TO CONTENT:



Irene D. Ramirez, P.E.
Assistant City Engineer

time and as may be required by prudent utility practices in connection with the construction, maintenance, or repair of its facilities, restrict access to or interfere with the use of Grantor's structures(s) or tangible personal property located on or in the vicinity of the easement. In such event, Grantee shall endeavor to provide Grantor reasonable written notice of any such restriction or interference and shall use commercially reasonable efforts to coordinate its activities with Grantor so as to minimize the duration and extent of such restriction or interference. The preceding sentence notwithstanding, certain events or circumstances may occur or arise that require Grantee to take immediate action to address imminent public safety concerns, the integrity of Grantee's facilities or system, or the reliability of service provided by Grantee. Under such or similar exigencies, Grantee shall provide Grantor notice of any restrictions or interference as soon as reasonably practicable, and shall use commercially reasonable efforts to minimize the duration and extent of such restriction or interference. 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. 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 following non-use by the Grantee for one year and with use not being resumed within sixty (60) days following receipt of notice of abandonment from Grantor to Grantee, and on such abandonment, Grantee will then execute any and all necessary documents to evidence such abandonment.

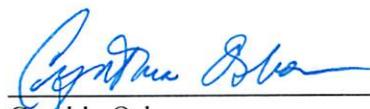
Grantee shall maintain the surface over the length and width of the easement to the satisfaction, as reasonable, of Grantor and in accordance with all applicable laws, ordinances, regulations, and City Code provisions.

WITNESS THE FOLLOWING SIGNATURES AND SEAL on the dates entered below.

**GRANTOR:
THE CITY OF EL PASO**

Joyce A. Wilson,
City Manager

APPROVED AS TO FORM:



Cynthia Osborn

Assistant City Attorney

Matter # 12-1004-284 PL # 147738
EPEC Overhead Electric Easement W.O. #DTO17545
4301 Woodrow Bean/Transmountain
El Paso Museum of Archeology

COSB

APPROVED AS TO CONTENT:



Irene D. Ramirez, P.E.
Interim City Engineer

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on the _____ day of _____, 2012 by **Joyce A. Wilson as City Manager of the City of El Paso.**

Notary Public, State of Texas

The above instrument, together with all conditions thereto is hereby accepted on the date entered below.

GRANTEE:
EL PASO ELECTRIC COMPANY

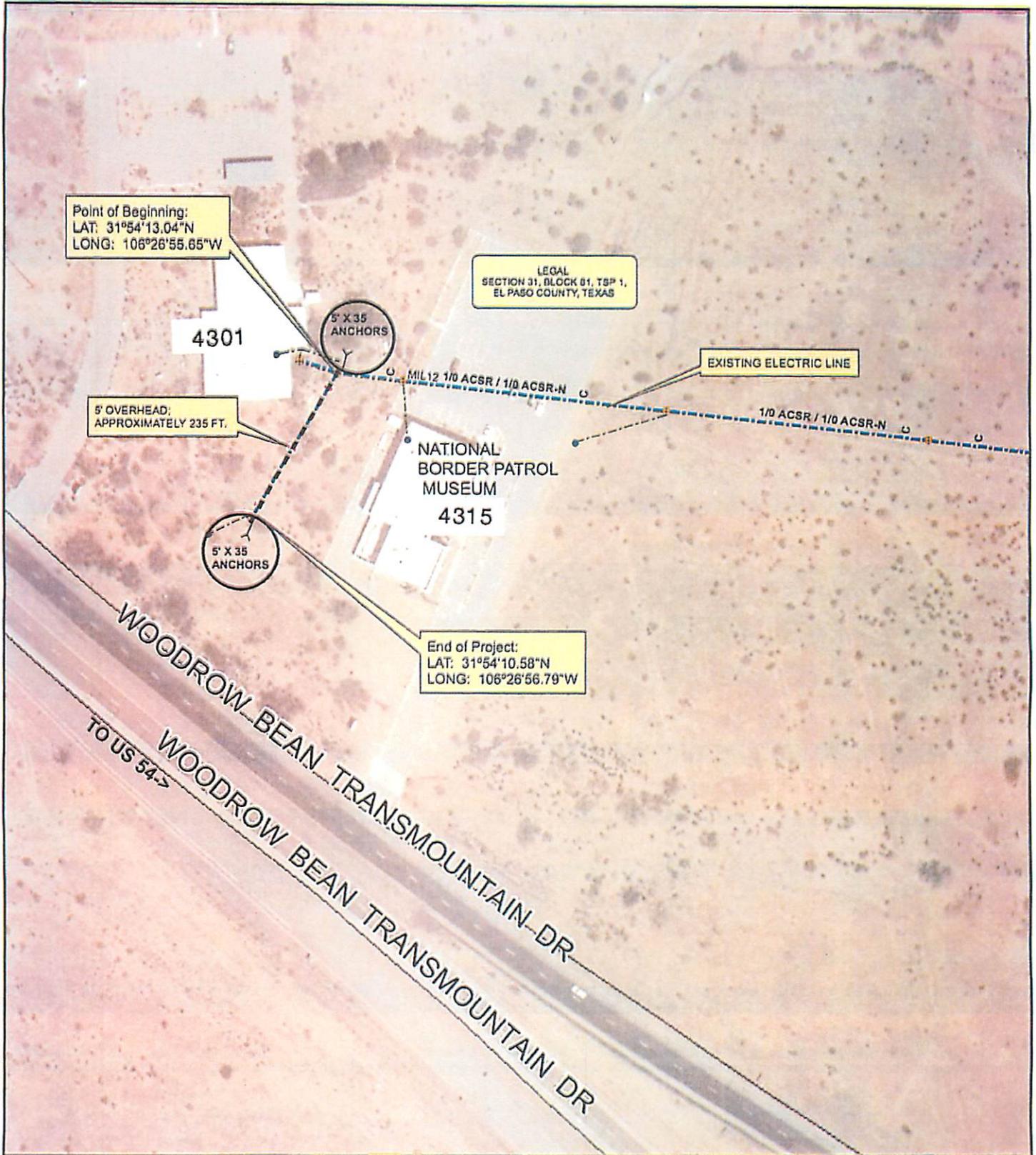
By: _____
Printed Name: _____
Title: _____

ACKNOWLEDGMENT

STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on the _____ day of _____, 2012 by _____ as _____ of **El Paso Electric Company,** on behalf of the El Paso Electric Company, a Texas corporation.

Notary Public, State of Texas



Point of Beginning:
 LAT: 31°54'13.04"N
 LONG: 106°26'55.65"W

LEGAL
 SECTION 31, BLOCK 81, TSP 1,
 EL PASO COUNTY, TEXAS

4301

5' X 35
 ANCHORS

EXISTING ELECTRIC LINE

5' OVERHEAD:
 APPROXIMATELY 235 FT.

MIL 12 1/0 ACSR / 1/0 ACSR-N

1/0 ACSR / 1/0 ACSR-N

NATIONAL
 BORDER PATROL
 MUSEUM
 4315

5' X 35
 ANCHORS

End of Project:
 LAT: 31°54'10.58"N
 LONG: 106°26'56.79"W

WOODROW BEAN TRANSMOUNTAIN-DR
 WOODROW BEAN TRANSMOUNTAIN DR
 TO US 54->



SCALE: NONE
 DATE: 10/1/2012
 W.O. #DT017545

LEGEND

- PROPOSED EPE CO. (OH) 5 FT. UTIL. ESMNT.
- > PROPOSED EPE CO. 5 X 35 FT. UTIL. ESMNT.



EL PASO ELECTRIC CO. R.O.W.

A PORTION OF:

SECTION 31, BLOCK 81,
 TSP 1, T & P RR SURVEYS,
 EL PASO COUNTY, TEXAS

Exhibit "A"