

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

DEPARTMENT: Planning and Inspections, Planning Division

AGENDA DATE: Introduction – September 17, 2019

PUBLIC HEARING DATE: October 1, 2019

CONTACT PERSON NAME AND PHONE NUMBER:

Philip F. Etiwe, 915-212-1553, Etiwepf@elpasotexas.gov

Nelson Ortiz, 915-212-1606, Ortiznx@elpasotexas.gov

DISTRICT(S) AFFECTED: 8

STRATEGIC GOAL: 3 – Promote the visual image of El Paso

SUBGOAL: 3.1 – Provide business friendly permitting and inspection processes
3.2 – Improve the visual impression of the community

SUBJECT:

An Ordinance vacating all of the 20-foot alley, Block 253, Campbell's Addition, El Paso, El Paso County, Texas. Subject Property: North of Wyoming and South of Yandell. Applicant: Church of St. Clement of El Paso, Texas. **SURW17-00007** (District 8).

BACKGROUND / DISCUSSION:

On January 25, 2018, the CPC reviewed and recommended approval of the proposed right-of-way vacation subject to following condition:

- That the applicant dedicates utility easements to El Paso Water, El Paso Electric Company, Texas Gas Services, AT&T and Charter for their existing lines/facilities before approval by City Council.

PRIOR COUNCIL ACTION:

There is no prior City Council action on this proposed vacation.

AMOUNT AND SOURCE OF FUNDING:

N/A

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

DEPARTMENT HEAD:



Philip F. Etiwe, Director
Planning and Inspections Department

ORDINANCE NO. _____

AN ORDINANCE VACATING ALL OF THE 20-FOOT ALLEY, BLOCK 253, CAMPBELL'S ADDITION, EL PASO, EL PASO COUNTY, TEXAS

WHEREAS, the abutting property owners have requested vacation of the City right-of-way located on a parcel of land being all of the 20-foot alley, Block 253, Campbell's Addition, El Paso, El Paso County, Texas; and,

WHEREAS, after public hearing the City Plan Commission recommended that all of the 20-foot alley, Block 253, Campbell's Addition, El Paso, El Paso County, Texas, should be vacated and the City Council finds that said portion of 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 the City Right-of-Way located on the property described as all of the 20-foot alley, Block 253, Campbell's Addition, El Paso, El Paso County, Texas, and which is more fully described in the attached metes and bounds description, identified as Exhibit "A" and in the attached survey identified as Exhibit "B" and made a part hereof by reference is hereby vacated subject to the following condition:

1. That the full length and width shall be retained as an easement for utilities and no structure shall be constructed that interfere with existing utility infrastructure and access.

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 property to the Church of St. Clement of El Paso, Texas.

ADOPTED this _____ day of _____, 2019.

THE CITY OF EL PASO:

Dee Margo
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:

Russell Abeln
Assistant City Attorney

APPROVED AS TO CONTENT:

Philip F. Etiwe, Director
Planning and Inspections Department

ORDINANCE NO. _____

SURW17-00007

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR 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 in consideration of the receipt by the **CITY OF EL PASO** of TEN and No/100THS Dollars (\$10.00) and other valuable consideration, the sufficiency of which is acknowledged, **THE CITY OF EL PASO**, has released and quitclaimed and by these presents does release and quitclaim unto Church of St. Clement of El Paso at El Paso (the "Grantee"), 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 **ALL OF THE 20-FOOT ALLEY, BLOCK 253, CAMPBELL'S ADDITION, EL PASO, EL PASO COUNTY, TEXAS**, which is more fully described in the attached metes and bounds description, identified as Exhibit "A" and in the attached survey identified as Exhibit "B" and made a part hereof by reference.

WITNESS the following signatures and seal this _____ day of _____, 2019.


CITY OF EL PASO

ATTEST:

Tomás González, City Manager


Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Russell Abeln
Assistant City Attorney

APPROVED AS TO CONTENT:



Philip F. Etiwe, Director
Planning and Inspections Department

(Acknowledgement on following page)

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

 This instrument is acknowledged before me on this _____ day of _____, 2019,
by Tomás González, as City Manager for the CITY OF EL PASO.

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

My Commission Expires:

AFTER FILING RETURN TO:

Church of St. Clement of El Paso, Texas
810 N. Campbell
El Paso, Texas 79902

EXHIBIT A

Property description: All of the 20-foot alley, Block 253, Campbell's Addition, El Paso, El Paso County, Texas

METES AND BOUNDS DESCRIPTION

The parcel of land herein described is all of the 20-foot alley, Block 253, Campbell's Addition (Book 2, Page 68, Plat Records, El Paso County, Texas), El Paso, El Paso County, Texas, and is more particularly described by metes and bounds as follows:

COMMENCING at a city monument at the intersection of the monument lines of Yandell Drive (70-foot right-of-way, Campbell's Addition) and Ochoa Street (70-foot right-of-way, Campbell's Addition), said monument lines lying 15 feet north and 10 feet east of the respective centerlines of Yandell Drive and Ochoa Street; Thence, North 90°00'00" West, along the monument line of Yandell Drive, a distance of 165.00 feet; Thence, South 0°00'00" East, a distance of 50.00 feet to a chiseled "crow's foot" set at the intersection of the southerly right-of-way of Yandell Drive and the easterly right-of-way of a 20-foot alley Block 253, Campbell's Addition, for the **POINT OF BEGINNING** of this description;

THENCE, South 0°00'00" East, along said easterly right-of-way, a distance of 260.00 feet to a chiseled "X" found on the northerly right-of-way of Wyoming Avenue (70-foot right-of-way, Campbell's Addition)

THENCE, North 90°00'00" West, along said right-of-way, a distance of 20.00 feet to an "X" marked on a rock wall on the westerly right-of-way of said 20-foot alley;

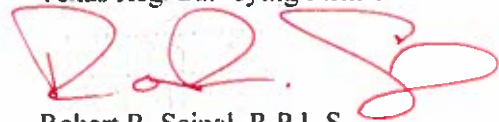
THENCE, North 0°00'00" East, along said westerly right-of-way, a distance of 260.00 feet to a chiseled "X" set on the southerly right-of-way of Yandell Drive;

THENCE, North 90°00'00" East, along said right-of-way, a distance of 20.00 feet to the **POINT OF BEGINNING** of this description.

Said parcel of land contains 0.119 acres (5,200 square feet) of land more or less.

NOTE: A PLAT OF EVEN DATE HERewith ACCOMPANIES THIS DESCRIPTION.

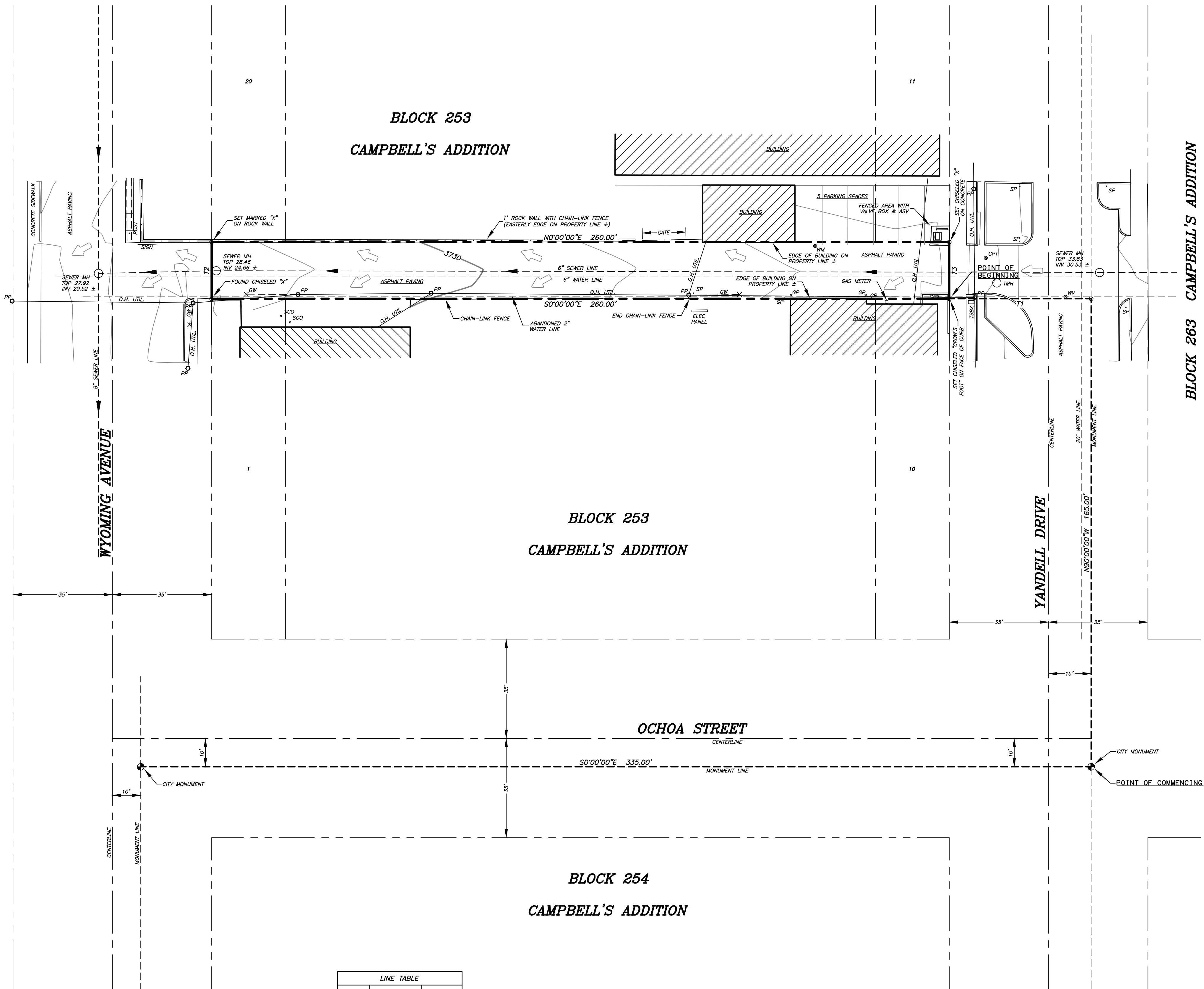
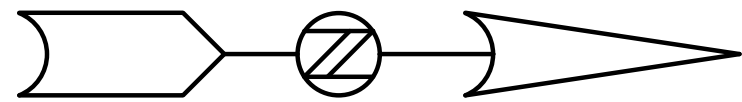
ROBERT SEIPEL ASSOCIATES, INC.
Professional Land Surveyors
Texas Reg. Surveying Firm 10060500



Robert R. Seipel, R.P.L.S.
President
Texas License No. 4178

Job Number 17-0005
February 10, 2017

EXHIBIT B



- LEGEND
- TC TOP OF CURB
 - G GUTTER
 - P PAVEMENT
 - GR NATURAL GROUND
 - CC CONCRETE
 - PP POWER POLE
 - LP LIGHT POLE
 - WV WATER VALVE
 - WM WATER METER
 - FH FIRE HYDRANT
 - SP 0.2' SIGNPOST
 - GP GUARDPOST
 - GM GAS METER
 - GV GAS VALVE
 - SCV SEWER CLEANOUT
 - TBX TELEPHONE PEDESTAL
 - EBX ELECTRIC BOX
 - CATV CABLE TV PEDESTAL
 - TW TOP OF WALL
 - MBX MAILBOX
 - TSBX TRAFFIC SIGNAL BOX
 - TMH TELEPHONE MANHOLE
 - ASV ANTI-SIPHON VALVE
 - ICV IRRIGATION CTRL VALVE
 - FOMKR FIBER OPTIC CBL MKR
 - CPT CATHODIC PROTECTION STATION
 - O.H. UTIL. OVERHEAD UTILITY LINE(S)
 - EXISTING DRAINAGE FLOW

- NOTES:
- CAMPBELL'S ADDITION IS RECORDED IN BOOK 2, PAGE 68, PLAT RECORDS, EL PASO COUNTY, TEXAS.
 - THERE ARE NO BEARINGS ON THE PLAT OF CAMPBELL'S ADDITION; THE BEARINGS NOTED HEREON ARE ASSUMED.
 - A NARRATIVE METES AND BOUNDS DESCRIPTION OF EVEN DATE HERewith ACCOMPANIES THIS PLAT.
 - ALL EXISTING IMPROVEMENTS ARE EXPECTED TO REMAIN.
 - NO MODIFICATION OF DRAINAGE PATTERNS OR CONDITIONS IS PROPOSED.

PARCEL AREA
0.119 ACRES
5,200 SQ. FT.

LINE TABLE		
LINE #	BEARING	DISTANCE
T1	S0°00'00"E	50.00'
T2	N90°00'00"W	20.00'
T3	N90°00'00"E	20.00'

ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP PANEL 480214-39B, DATED OCTOBER 15, 1982, THIS PROPERTY LIES IN FLOOD HAZARD ZONE "C".

NOTE: THE UNDERGROUND UTILITIES NOTED HEREON HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND UTILITY COMPANY AS-BUILT DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES ARE IN THE EXACT LOCATIONS INDICATED. ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE, THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

BE AWARE THAT TEXAS GAS COMPANY NO LONGER PROVIDES AS-BUILT GAS LINE INFORMATION; UNDERGROUND GAS LINES MAY EXIST ON OR NEAR THE SUBJECT PROPERTY.

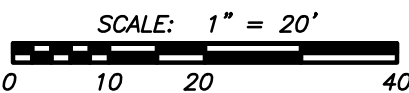
I HEREBY CERTIFY THAT THE FOREGOING BOUNDARY SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PLAT REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY.

ROBERT SEIPEL ASSOCIATES, INC.

BENCHMARK: CITY MONUMENT AT THE INTERSECTION OF THE MONUMENT LINES OF OCHOA STREET AND YANDELL AVENUE.

ELEVATION = 3732.25 (CITY OF EL PASO DATUM)

CONTOUR INTERVAL: ONE (1) FOOT



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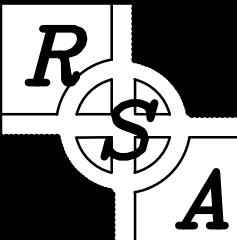
DATE	REVISION	BY:	SCALE: 1" = 20'
			JOB NO: 17-0005
			FLD BOOK: 433
			COMP. BY: MUB
			DRAWN BY: RRS
			CHK'D BY: RRS
07-25-17	REV'D WATER & SEWER LOC'N	RRS	DWG. DATE: 02-15-17
			SVY. DATE: 02-10-17
TEXAS REG. SURVEYING FIRM 10060500			

PLAT OF SURVEY

ALL OF THE 20-FOOT ALLEY, BLOCK 253, CAMPBELL'S ADDITION, EL PASO, EL PASO COUNTY, TEXAS.

ROBERT SEIPEL ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS

1845 NORTHWESTERN DR. SUITE C EL PASO, TX 79912 915-877-1928



MEMORANDUM

DATE: September 10, 2019

TO: The Honorable Mayor and City Council
Tommy Gonzalez, City Manager

FROM: Nelson Ortiz, Lead Planner

SUBJECT: SURW17-00007 – Wyoming-Yandell Alley Vacation

The City Plan Commission (CPC) – recommended approval of this request on January 25, 2018 with the following requirement and condition:

- That the applicant dedicates utility easements to El Paso Water, El Paso Electric Company, Texas Gas Services, AT&T and Charter for their existing lines/facilities before approval by City Council.

The CPC determined that the request to vacate the subject ROW protects the best interest, health, safety and welfare of the public in general; and will have no effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

Applicant: Church of St. Clement of El Paso, Texas

Attachments: Staff Report

Wyoming – Yandell Alley Vacation (REVISED)

City of El Paso — City Plan Commission — 1/25/2018

SURW17-00007 — Right-of-Way Vacation



STAFF CONTACT: Vanessa Munoz, (915) 212-1644, munozvx@elpasotexas.gov

PROPERTY OWNER: Church of St. Clement

REPRESENTATIVE: Risher Gilbert

LOCATION: North of Wyoming and South of Yandell, District 8

ACREAGE: 0.119

VESTED: No

PARK FEES REQUIRED: N/A

EXCEPTION/MODIFICATION REQUEST: N/A

RELATED APPLICATIONS: N/A

PUBLIC INPUT: No comments in support or opposition received.

STAFF RECOMMENDATION: Approval subject to the condition and requirement listed below.
~~Pending concurrence from utility companies, with the exception of El Paso Electric, regarding the easement reservation language.~~

SUMMARY OF REQUEST: The applicant is requesting to vacate a 20-foot wide public alley located within Block 253, Campbell's Addition for the future expansion of St. Clement's Parish School.

SUMMARY OF RECOMMENDATION: Staff recommends **APPROVAL** of the Wyoming – Yandell Alley Vacation subject to the following condition and requirement:

- That the applicant dedicates utility easements to El Paso Water, El Paso Electric Company, Texas Gas Services, AT&T and Charter for their existing lines/facilities before approval by City Council.

~~Planning staff's recommendation is **PENDING** of Wyoming Yandell Alley Vacation until concurrence from utility companies, with the exception of El Paso Electric, regarding the easement reservation language is acquired.~~



DESCRIPTION OF ANY EXCEPTIONS, MODIFICATIONS, OR WAIVERS

N/A

RELATION OF PROPOSED APPLICATION TO THE CITY'S COMPREHENSIVE PLAN

CONSISTENCY WITH PLAN EL PASO: Subject property is designated G2, Traditional Neighborhood (Walkable)

NEIGHBORHOOD CHARACTER: Subject property is zoned C-4/sp (Commercial/special permit) and is currently right-of-way. Properties adjacent to the subject property are zoned C-4/sp (Commercial/special permit). Surrounding land uses are commercial developments. The nearest school is St. Clements School (0.00 miles). The nearest park is Houston Park (0.17 miles). This property is not located within any Impact Fee Service Area.

COMMENT FROM THE PUBLIC: Notice of Public Hearing was published in the El Paso Times on January 10, 2018 and a notice was mailed to all property owners within 300 feet of the subject property.

STAFF COMMENTS:

Staff recommends **APPROVAL** of the Wyoming – Yandell Alley Vacation subject to the following condition and requirement:

- That the applicant dedicates utility easements to El Paso Water, El Paso Electric Company, Texas Gas Services, AT&T and Charter for their existing lines/facilities before approval by City Council.

~~Planning staff's recommendation is **PENDING** of Wyoming Yandell Alley Vacation until concurrence from utility companies, with the exception of El Paso Electric, regarding the easement reservation language is acquired.~~

PLAT EXPIRATION:

N/A

ATTACHMENTS:

1. Survey
2. Metes & Bounds
3. Application
4. Department Comments

[illegible]

ATTACHMENT 2

Property description: All of the 20-foot alley, Block 253, Campbell's Addition, El Paso, El Paso County, Texas

METES AND BOUNDS DESCRIPTION

The parcel of land herein described is all of the 20-foot alley, Block 253, Campbell's Addition (Book 2, Page 68, Plat Records, El Paso County, Texas), El Paso, El Paso County, Texas, and is more particularly described by metes and bounds as follows:

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THENCE, South 0°00'00" East, along said easterly right-of-way, a distance of 260.00 feet to a chiseled "X" found on the northerly right-of-way of Wyoming Avenue (70-foot right-of-way, Campbell's Addition)

THENCE, North 90°00'00" West, along said right-of-way, a distance of 20.00 feet to an "X" marked on a rock wall on the westerly right-of-way of said 20-foot alley;

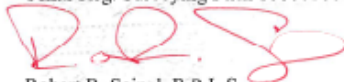
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THENCE, North 90°00'00" East, along said right-of-way, a distance of 20.00 feet to the **POINT OF BEGINNING** of this description.

Said parcel of land contains 0.119 acres (5,200 square feet) of land more or less.

NOTE: A PLAT OF EVEN DATE HEREWITH ACCOMPANIES THIS DESCRIPTION.

ROBERT SEIPEL ASSOCIATES, INC.
Professional Land Surveyors
Texas Reg. Surveying Firm 10060500



Robert R. Seipel, R.P.L.S.
President
Texas License No. 4178

Job Number 17-0005
February 10, 2017

ATTACHMENT 3



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

Date: March 8, 2017

File No. SURW17-00017

1. APPLICANT'S NAME Church of St. Clement of El Paso, Texas + Parish School
ADDRESS 810 N. Campbell ZIP CODE 79902 TELEPHONE 533-4915

2. Request is hereby made to vacate the following: (check one)

Street ☐ Alley ☒ Easement ☐ Other ☐

Street Name(s) _____ Subdivision Name Campbell Addition

Abutting Blocks 253 Abutting Lots 1-10 and 11-20

3. Reason for vacation request: Safety of school children and future expansion of campus

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 ☒ safe passage for students

7. Related Applications which are pending (give name or file number):
Zoning ☐ Board of Adjustment ☐ Subdivision ☐ Building Permits ☐ Other ☐

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).

Church of St. Clement of El Paso, Texas
By: Don Ward, Junior Warden Legal Description Lots 1 through 20 Telephone 533-4915

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 of the provisions of any applicable City ordinances.

*Effective September 1, 2014, a 3% technology fee has been added to all Planning application fees.

OWNER SIGNATURE: By: Don Ward, Junior Warden
REPRESENTATIVE: Risher Gilbert 276-2905

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

City Development Department
811 Texas | P.O. Box 1890 | El Paso, Texas 79950-1890 | (915) 212-0085

ATTACHMENT 4

PLANNING AND INSPECTION DEPARTMENT – PLANNING:

Staff recommends **APPROVAL** of the Wyoming – Yandell Alley Vacation subject to the following condition and requirement:

- That the applicant dedicates utility easements to El Paso Water, El Paso Electric Company, Texas Gas Services, AT&T and Charter for their existing lines/facilities before approval by City Council.

Planning staff's recommendation is **PENDING** of Wyoming-Yandell Alley Vacation until concurrence from utility companies, with the exception of El Paso Electric, regarding the easement reservation language is acquired.

PLANNING AND INSPECTION DEPARTMENT – LAND DEVELOPMENT:

We have reviewed subject plats and recommend **Approval**.

The Developer/Engineer shall address the following comments.

1. EPW – Storm-water Engineering does not object to the subject request (vacation of alley); however, the historic storm-water hydrologic response must be maintained throughout the alley (alley must be free of obstructions from surface run-off).

CAPITAL IMPROVEMENTS DEPARTMENT – PARKS:

We have reviewed Wyoming / Yandell Alley Vacation a survey map and on behalf of CID Parks Planning Division we offer "**No**" objections to this proposed alley vacation request.

If density/acreage is increased /decreased or the property zoning /use changes, then "Park fees" will be re-assessed based on applicable conditions.

EL PASO WATER:

El Paso Water (EPWater) doesn't object to this request, as long as a utility & drainage easement is retained.

EPWater is coordinating with the owner's representative regarding accessibility for the easement.

Water:

There is an existing 6-inch diameter water main located along the Alley between Ochoa Street and Campbell Street. This water main is available for service.

EPWater records indicate one (1) 1-1/2" service meter (Active) on the property with 608 E. Yandell Drive, as the service address.

Sanitary Sewer:

There is an existing 6-inch diameter sanitary sewer main located along the Alley between Ochoa Street and Campbell Street. This sanitary sewer main is available for service.

General:

All easements dedicated for public water and/or sanitary sewer facilities are to comply with EPWater-PSB Easement Policy. EPWater-PSB requires access to the proposed water, sanitary sewer facilities, appurtenances, and meters within the easement 24 hours a day, seven (7) days a week. No building, reservoir, structure, parking stalls or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced EPWater-PSB easements without the written consent of EPWater-PSB. The Developer shall refrain from constructing rock walls, signs, buildings, curbs or any structure that will interfere with the access to the PSB easements. There shall be at least 5-foot setback from the easement line to any sign or structure.

During the site improvement work, the Owner/Developer shall safeguard all existing water mains, sewer mains, and appurtenant structures. The Owner/Developer shall minimize changes in grade above or near the vicinity of the existing PSB facilities and is responsible for the cost of setting appurtenant structures to final grade.

An application for water and sanitary sewer services should be submitted 6 to 8 weeks prior to construction to ensure water for construction work. Additional service applications are available at 1154 Hawkins, 3rd 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.

AT&T:

AT&T would not have any objections to vacating the ROW and converting to the utility easement.

EL PASO ELECTRIC:

El Paso Electric is in concur with the proposed language.

TEXAS GAS SERVICE:

Texas Gas Service currently maintains facilities within this alley to be vacated and therefore objects to the alley vacation unless requestor grant a utility easement for the existing facilities to remain or request that the facilities be relocated at requester expense.

If it's still possible to suggest alternate language (and assuming that the rights are consistent with any existing agreements), TGS could propose the following:

Texas Gas Service, a division of ONE Gas, Inc., shall retain and continue to have an easement and unrestricted ingress and egress within, beneath and across such street, avenue and/or alley to continue to enter upon, possess, occupy, maintain, operate, use, inspect, repair, upgrade, replace, reconstruct, abandon in place and remove its facilities therein and to continue to operate and provide such services in the performance of its public service undertaking, pursuant to instruments of record, including easements, franchise agreements, etc., filed on or before the date of this vacating ordinance. Provided, however, that should Property Owner, its successors, or assigns, require the existing facilities to be relocated, the same shall be at the expense of Property Owner, its successors, or assigns, upon the grant and acceptance of a new utility easement acceptable to Texas Gas Service, a division of ONE Gas, Inc., whereupon a release of the utility easement reserved by this decree shall be executed by Texas Gas Service, a division of ONE Gas, Inc. (or its successors or assigns), and recorded with the El Paso County Clerk.

If we need to stick with the existing language, TGS could propose:

Utility easements along the entire alleyway will remain and continue in favor of El Paso Electric Company, Texas Gas Service, El Paso Water Utilities, AT&T and Charter Communications and their successors and assigns for the infrastructure in existence in the alleyway, pursuant to instruments of record filed on or before the date of this vacating ordinance. The rights granted by these utility easements include rights of access, operation, use, inspection, repair, replacement, removal, abandonment in place, upgrade, and maintenance by El Paso Electric Company, Texas Gas Service, El Paso Water Utilities, AT&T and Charter Communications and their successors and assigns. Property Owner shall be

responsible for costs of any relocation requested by Property Owner and such relocation shall be contingent upon the grant and acceptance of a new utility easement acceptable to each affected Utility.

CHARTER:

We may approve the alley vacation with utility easement provided with the exception that existing facilities are to remain and be marked prior to any construction; and the property owner is responsible for relocation cost at their own expense if relocation becomes necessary in the future.

FORCED RELOCATES:

If the applicant is willing to provide a utility easement for the overhead lines, I see no reason that Charter would have a reason to object to the vacation of the ROW for the alley. The applicant will have to ensure that Charter utilities will be protected during construction and that they will be accessible by Charter for future maintenance or upgrades. The applicant will need to provide a plat showing the utility easement granted for the overhead utilities along the alley, prior to abandonment of the ROW. Once the final plat has been received, we will forward it to Charter for signatures on the abandonment letter.

STREETS AND MAINTENANCE:

Streets and Maintenance has no issue with the proposed alley vacation contingent on the following:

In order to assure a safe conversion of westbound Wyoming into a dead-end street, the following improvements/alterations – to be paid for by the applicant – are required:

- Installation of approximately 450-ft of double yellow striping along Wyoming, beginning at Ochoa and going west toward the ramp
- Addition of ten raised pavement markers within new double yellow striping area
- Removal of existing directional arrow at alley
- Replacement and relocation of existing "Closed To Thru Traffic" signage with "Dead End" signage for westbound Wyoming
- Installation of "Dead End" plaque on street sign for southbound traffic on Ochoa
- Replacement of existing "Road Closed One Block Ahead..." signage with "Road Ends" signage for westbound Wyoming
- Installation of 20-ft of yellow paint along curb adjacent to alley

The above described improvements/alterations will require the applicant to issue payment to the City in the amount of \$488.96 for materials and labor. **(Exhibits on following two pages).**

Employee	Hourly	Installation time	Total	
Signs and Marking Tech	\$19.34	3.5	\$67.69	
Signs and Marking Tech	\$19.34	3.5	\$67.69	
			\$135.38	Total
Equipment	Hourly	Installation time	Total	
Vehicle	\$6.90	3.5	\$24.15	
Compresor	\$25.53	3.5	\$89.36	
			\$113.51	Total
Markings				
Materials	Each	QTY	Total	
R.P.M.	10	\$1.10	\$11.10	
Paint Yellow	5	\$12.60	\$63.00	
Glass beads	4	\$0.24	\$0.96	
			\$75.06	Total
Employee	Hourly	Installation time	Total	
Signs and Marking Tech	\$19.34	1	\$19.34	
Signs and Marking Tech	\$19.34	1	\$19.34	
			\$38.68	Total
Equipment	Hourly	Installation time	Total	
Vehicle	\$6.90	1	\$6.90	
			\$6.90	Total
Revised 7/27/17			\$488.96	Grand Total



Streets and
Maintenance

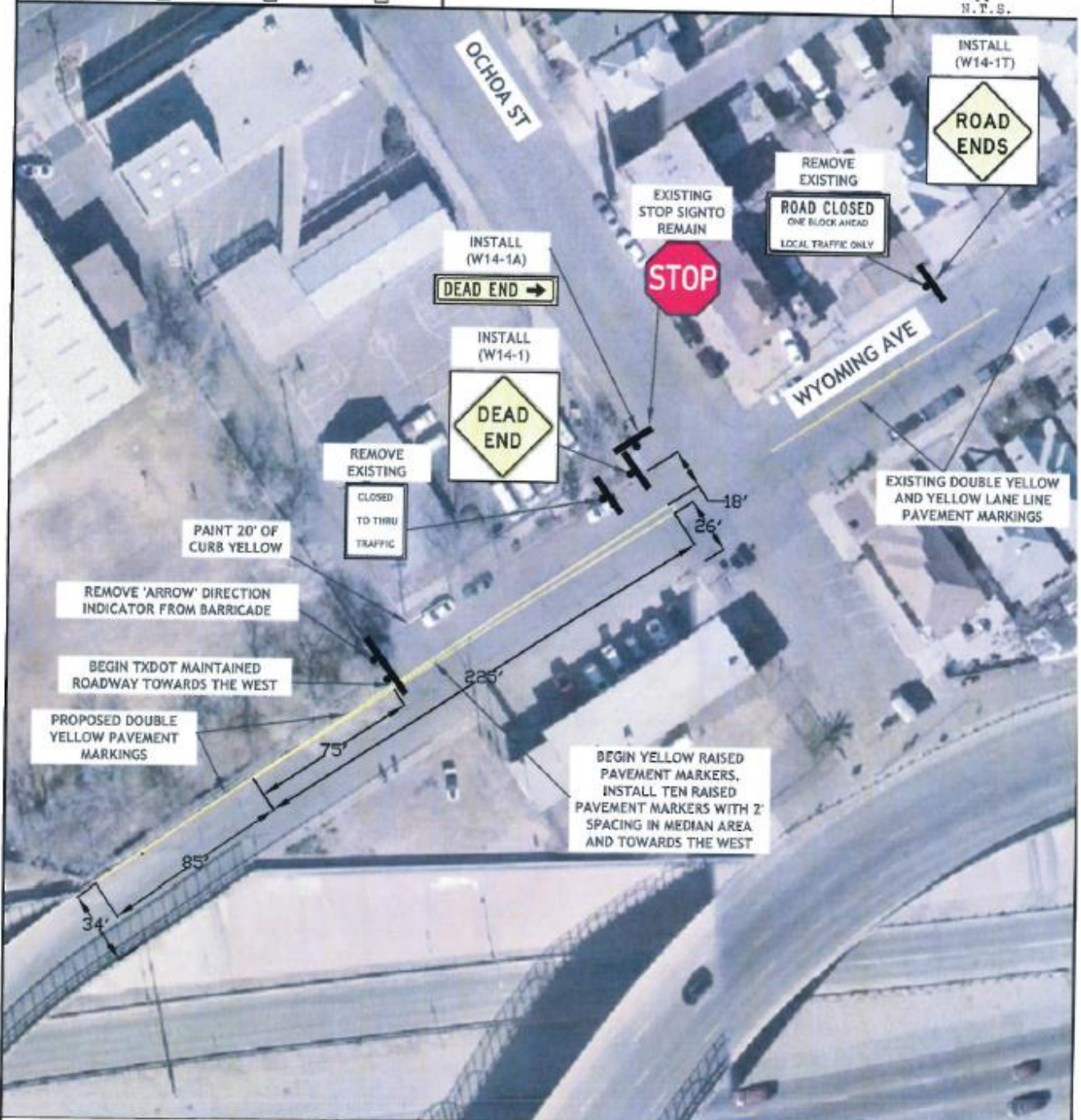
Service Request No. 225237 Date: 7/17/2017

Location: Wyoming & Ochoa

Assigned To:
Paint Shop ☒ Sign Shop ☒
Meter Shop ☐ Signal Shop ☐

Prepared By: Ivan Chan

Reviewed By: Rudy Pino, P.E.



Completed: _____
(Date & Signature)

Approved by: Rudy P.

I T E M

Wyoming Yandell Alley Vacation

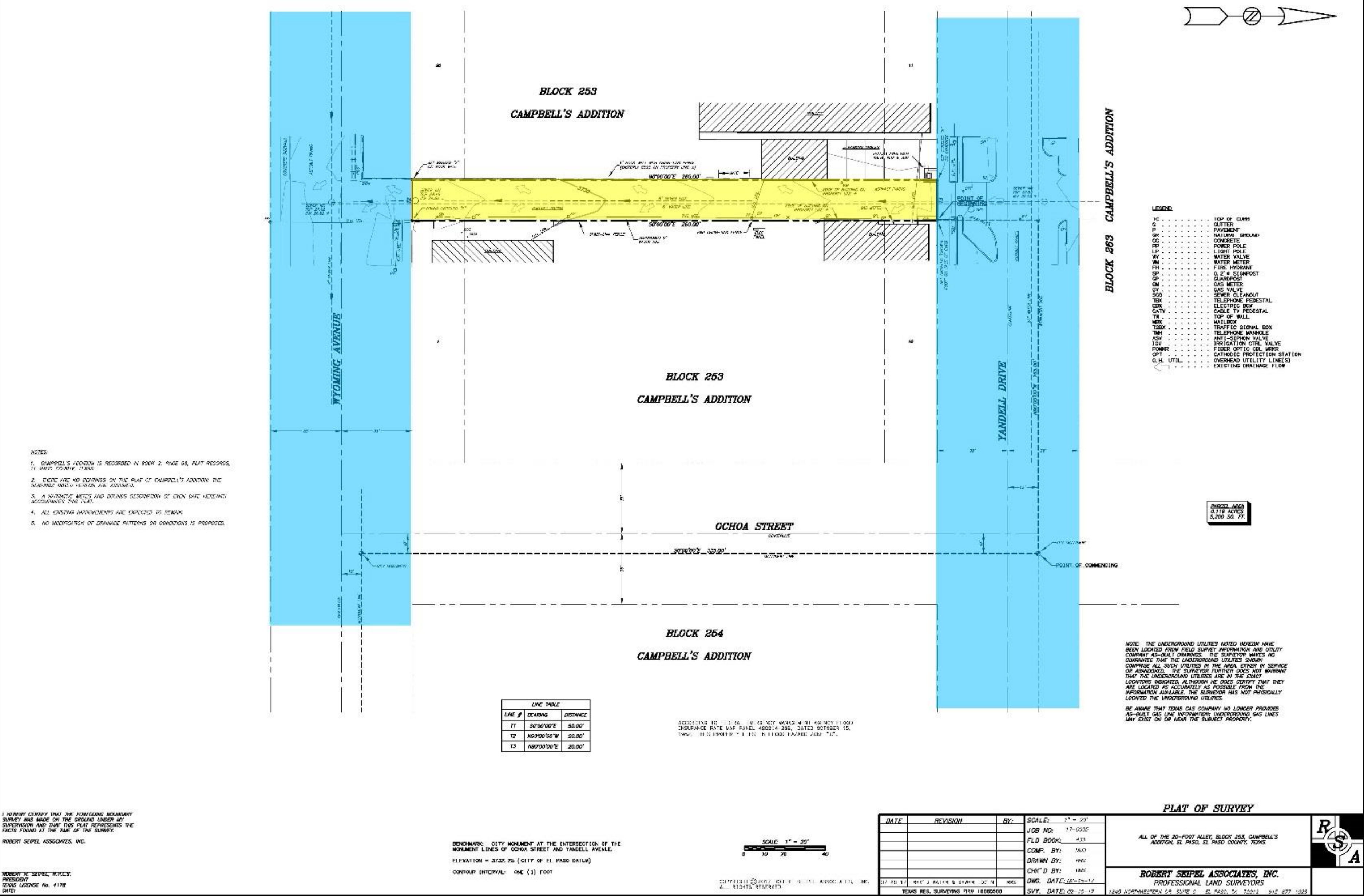


WYOMING-YANDELL ALLEY VACATION



WYOMING-YANDELL ALLEY VACATION









Recommendation | Public Input

6

Planning and Development Coordinating Committee

recommendation:

- Approval w/ condition

Public Input:

- Notice of public hearing was published in the El Paso Times on January 9, 2018 and notices were mailed to all property owners within 300 feet of the subject property.

CPC Vote:

- Approval w/ condition

Strategic Goal #3 Promote the Visual Image of El Paso

3.1 Provide business friendly permitting and inspection processes

3.2 Improve the visual impression of the community

THANK YOU

