

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

**DEPARTMENT:** Planning and Inspections, Planning Division

**AGENDA DATE:** Introduction: August 20, 2019  
Public Hearing: September 17, 2019

**CONTACT PERSON/PHONE:** Philip F. Etiwe, 915-212-1550, [etiwepf@elpasotexas.gov](mailto:etiwepf@elpasotexas.gov)  
Brenda Cantu, 915-212-1642, [cantubr@elpasotexas.gov](mailto:cantubr@elpasotexas.gov)

**DISTRICT(S) AFFECTED:** 1

**SUBJECT:**

An ordinance vacating a portion of a public easement within a portion of Lot 1, Block 1, CVS Subdivision, City of El Paso, El Paso County, Texas. Subject Property: South of Boston and East of Oregon. Property Owner: 2501 Mesa, LLC. SUET19-00001 (District 1)

**BACKGROUND / DISCUSSION:**

On May 30, 2019 the CPC reviewed and recommended approval of the proposed vacation. See attached staff report.

**PRIOR COUNCIL ACTION:**

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

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

City Plan Commission (CPC) – Approval Recommendation (6-0)

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

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DEPARTMENT HEAD:** Philip Etiwe  
Director, Planning and Inspections Department

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

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

**AN ORDINANCE VACATING A PORTION OF A PUBLIC EASEMENT WITHIN A PORTION OF LOT 1, BLOCK 1, CVS SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS**

WHEREAS, the property owner of a 0.196 acre portion of Lot 1, Block 1, CVS Subdivision, City of El Paso, El Paso County, Texas; and

WHEREAS, after public hearing the City Plan Commission recommended that a 0.196 acre portion of Lot 1, Block 1, CVS Subdivision, City of El Paso, El Paso County, Texas should be vacated and the City Council finds that said portion of public 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 a determination has been made that it is in the best interest of the public that a 0.196 acre portion of Lot 1, Block 1, CVS Subdivision, 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" and in the attached survey identified as Exhibit "B" and made a part hereof by reference, is not needed for public use and is 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 property to **2501 Mesa, LLC**.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**CITY OF EL PASO**

\_\_\_\_\_  
Dee Margo  
Mayor

**ATTEST:**

\_\_\_\_\_  
Laura D. Prine  
City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Russell T. Abeln  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Philip F. Etiwe, Director  
Planning & Inspections Department

**ORDINANCE NO.** \_\_\_\_\_  
19-1007-2460 | 902917  
CVS Kern Place Business Park  
RTA

**SUET19-00001**

**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.**

STATE OF TEXAS                 )  
  )  
COUNTY OF EL PASO         )     **QUITCLAIM DEED**  
  )  
  )     **KNOW ALL MEN BY THESE PRESENTS:**

That, in consideration of the receipt by the CITY OF EL PASO of good and 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 2501 Mesa, LLC all of its right, 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 0.196 acre portion of Lot 1, Block 1, CVS Subdivision, City of El Paso, El Paso County, Texas, more fully described in the attached metes and bounds description and survey identified as Exhibit "B" and incorporated herein for any and all purposes.

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

**ATTEST:**

**CITY OF EL PASO**

\_\_\_\_\_  
Laura D. Prine  
City Clerk

\_\_\_\_\_  
Tomás González, City Manager

**APPROVED AS TO FORM:**

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Russell T. Abeln  
Assistant City Attorney

  
\_\_\_\_\_  
Philip F. Etiwe, Director  
Planning & 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:**  
**2501 Mesa, LLC**  
**6500 Montana**  
**El Paso, Texas 79925**

**With copy to:**

**Planning & Inspections Department**  
**Planning Division**  
**PO Box 1890**  
**El Paso, TX 79950-1890**

**ORDINANCE NO. \_\_\_\_\_**  
**19-1007-2460 | 902917**  
**CVS Kern Place Business Park**  
**RTA**

**SUET19-00001**

## EXHIBIT "A"

### LEGAL BOUNDARY DESCRIPTION METES AND BOUNDS EXHIBIT A

Property Description: A portion of Lot 1, Block 1, **CVS SUBDIVISION**, City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing at a city monument lying on the northeast 15 feet of the centerline intersection of Oregon Street (120 feet public right-of-way line), and Cincinnati Avenue (120 feet public right-of-way line), THENCE, leaving said city monument, and along monument line, South  $33^{\circ}47'47''$  East, a distance of 635.00 feet to a point; THENCE, leaving said monument line, North  $56^{\circ}12'13''$  East, a distance of 25.00 feet to a point lying on the northerly right-of-way line of Oregon Street and said point being **THE TRUE POINT OF BEGINNING** of this property description;

THENCE, leaving said northerly right-of-way line, North  $56^{\circ}12'13''$  East, a distance of 122.00 feet to a point for a boundary corner;

THENCE, South  $33^{\circ}47'47''$  East, a distance of 70.00 feet to a point for a boundary corner;

THENCE, South  $56^{\circ}12'13''$  West, a distance of 122.00 feet to a point for a boundary corner;

THENCE, along said northerly right-of-line, North  $33^{\circ}47'47''$  West, a distance of 70.00 feet back to **THE TRUE POINT OF BEGINNING** of this boundary description.

Said parcel of land containing 0.196 of an acre (8,540.00 s.f.) of land, more or less.

A PLAT OF BOUNDARY 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

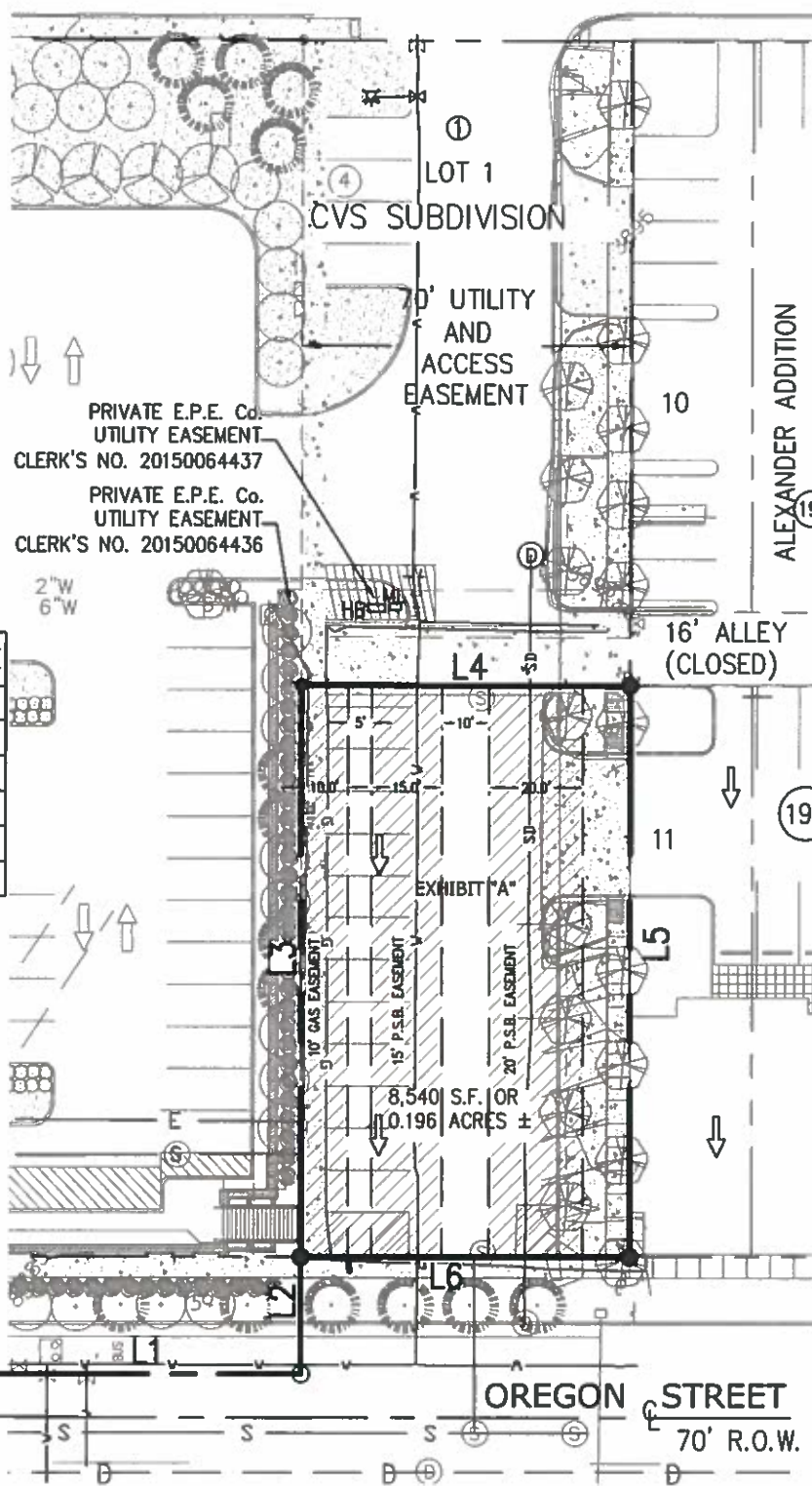


February 01, 2019.  
Job# 18-4285  
M&B/

## EXHIBIT "B"

MESA STREET

70' R.O.W.



LINE TABLE

LINE	BEARING	DISTANCE
L1	S33°47'47"E	635.00'
L2	N56°12'13"E	25.00'
L3	N56°12'13"E	122.00'
L4	S33°47'47"E	70.00'
L5	S56°12'13"W	122.00'
L6	N33°47'47"W	70.00'

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

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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 JANUARY 03, 2019.



SLI ENGINEERING, INC.  
Reg. No. F-1902  
SURVEYING  
Reg. No. 100120-00

## EXHIBIT "A"



CIVIL ENGINEERS  
LAND SURVEYORS  
LAND PLANNERS  
9900 WESTING DRIVE  
EL PASO, TEXAS  
(915) 584-4457

SLI ENGINEERING, INC.

JOB #: 18-4285 DR. BY: SM  
SCALE: 1"=40' F.B. #: \*\*\*  
DATE: 01/31/19

## PROPERTY DESCRIPTION

A PORTION OF LOT 1, BLOCK 1,  
CVS SUBDIVISION, CITY OF EL PASO,  
EL PASO COUNTY, TEXAS.

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

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