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ORDINANCE NO. 019540

AN ORDINANCE VACATING A PORTION OF CITY RIGHT-OF-WAY OVER A PORTION OF MOBILE STREET, MAP OF WESTLYN HEIGHTS ADDITIONS CITY OF 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 a portion of a portion of Mobile Street, Map of Westlyn Heights Additions, City of El Paso, El Paso County, Texas; and,

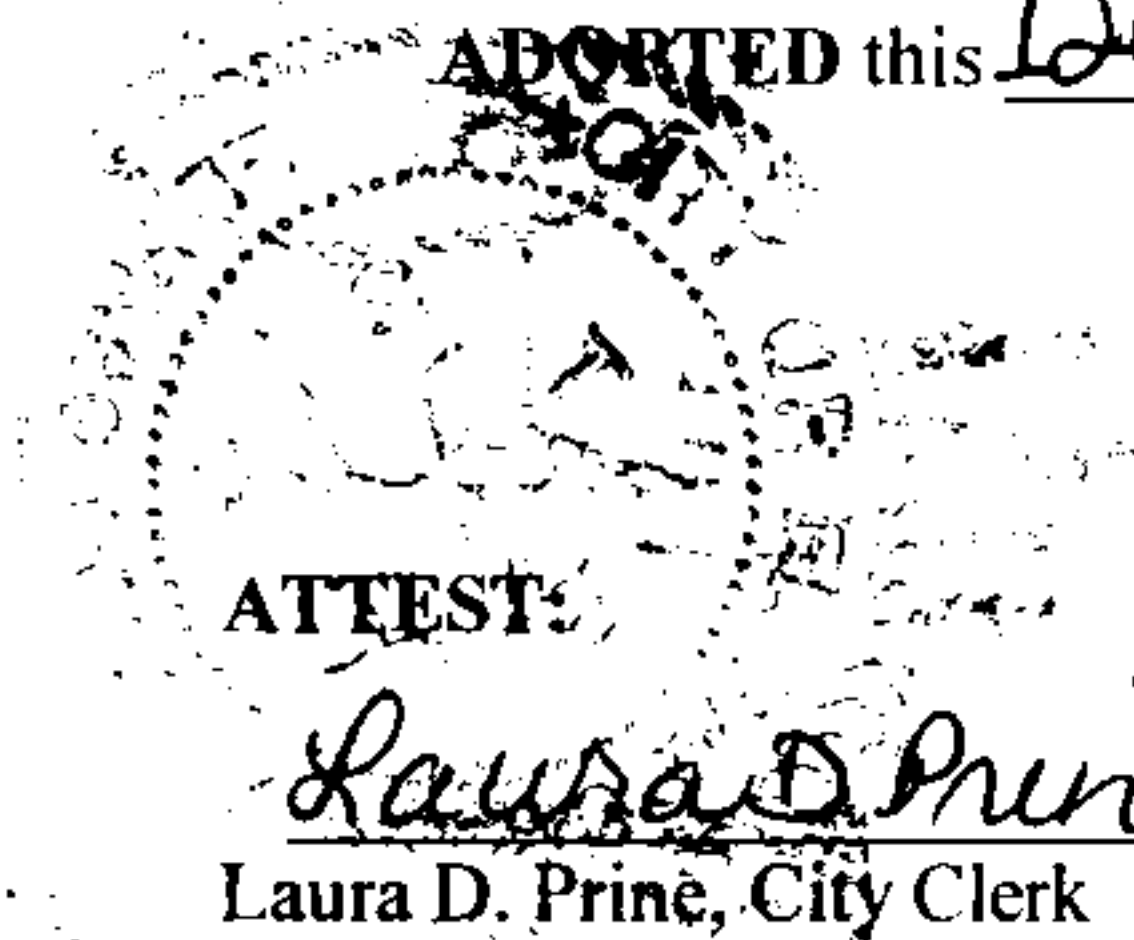
WHEREAS, after public hearing the City Plan Commission recommended that a portion of a portion of Mobile Street, Map of Westlyn Heights Addition, City of El Paso, El Paso County, Texas, should be vacated and the City Council finds that said portion of right-of-way is not needed for public use and should 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 a portion of Mobile Street, Map of Westlyn Addition, 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 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 property to El Paso Electric Company.

ADOPTED this 12th day of September 2023.



ATTEST:

Laura D. Prine
Laura D. Prine, City Clerk

THE CITY OF EL PASO:

Oscar Leesor
Oscar Leesor, Mayor

APPROVED AS TO FORM:

Russell Abeln
Russell T. Abeln
Assistant City Attorney

APPROVED AS TO CONTENT:

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

(Quitclaim Deed on following page)

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 }
 }
 } **QUITCLAIM DEED**
COUNTY OF EL PASO }

That in consideration of the receipt by the **CITY OF EL PASO** of Ten 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 El Paso Electric (the "Grantee"), all its rights, title interest, claim and demand in and to the property which was vacated, closed and abandoned by Ordinance No. 019540, passed and approved by the City Council of the City of El Paso and described as **A PORTION OF MOBILE STREET, MAP OF WESTLYN HEIGHTS ADDITION, CITY OF 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 12th day of September 2023.

CITY OF EL PASO

[Signature]
Cary Westin, Interim City Manager

ATTEST:

Laura D. Prine
Laura D. Prine, City Clerk

APPROVED AS TO FORM:

Russell Abeln
Russell T. Abeln
Assistant City Attorney

APPROVED AS TO CONTENT:

Philip Etiwe
Philip F. Etiwe, Director
Planning and Inspections Department

(Acknowledgement on following page)

ORDINANCE NO. 019540
HQ 23-494 | Tran #
Mobile ROW vacation
RTA

SURW23-00004

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Tracey Jerome
FOR:

This instrument is acknowledged before me on this 12th day of SEPT., 2023, by Cary Westin as Interim City Manager for the CITY OF EL PASO.



Mary Katz

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

My Commission Expires:
06/04/2026

AFTER FILING RETURN TO:
El Paso Electric Company
P.O. Box 982
El Paso, Texas 79902-0982

ORDINANCE NO. 019540
HQ 23-494 | Tran #
Mobile ROW vacation
RTA

SURW23-00004

Barragan And Associates Inc.

10950 Pellicano Dr., Building "F", El Paso, Texas 79935 Ph. (915) 591-5709 Fax (915) 591-5706

METES AND BOUNDS DESCRIPTION

Description of a portion of Mobile Street, Map of the Westlyn Heights Addition, filed for record in Volume 17, Page 23, Plat Records of El Paso County, Texas, and being more particularly described as follows:

COMMENCING at a found original military reservation monument on the easterly right-of-way line of El Paso and Southwestern Railroad, being the most northwesterly corner of Map of the Westlyn Heights Addition, filed for record in Volume 17, Page 23, Real Property Records of El Paso County, Texas; **WHENCE** another found original military reservation monument bears S 87°56'46" E (N 88°35'00" E-Record) (S 87°57'21" E-TxDOT), a distance of 2114.27 feet; **THENCE**, S 87° 56' 46" E (N 88° 35' 00" E - Record) (S 87° 57' 21" E - TxDOT), leaving said easterly right-of-way line of El Paso and Southwestern Railroad along the northerly line of Map of the Westlyn Heights Addition, a distance of 213.76 feet to a point on the westerly TxDOT right-of-way line (as per Volume 528, Page 72, Real Property Records of El Paso County, Texas); **THENCE** along the westerly TxDOT right-of-way line (as per Volume 528, Page 72), the following three (3) calls: **THENCE**, S 02° 03' 14" W (S 01° 25' 00" E - Record) (S 02° 02' 39" W - TxDOT), leaving said northerly line of Map of the Westlyn Heights Addition, a distance of 10.00 feet to a point on the northerly line of Block 5, Map of the Westlyn Heights Addition; **THENCE**, S 87° 56' 46" E (N 88° 35' 00" E - Record) (S 87° 57' 21" E - TxDOT), along said northerly line of Block 5, a distance of 42.00 feet to a point; **THENCE**, S 02° 03' 14" W (S 01° 25' 00" E - Record) (S 02° 02' 39" W - TxDOT), leaving said northerly line of Block 5, a distance of 130.00 feet to a found old 5/8" rebar on the northerly right-of-way line of Mobile Street (50' right-of-way) (dedicated to the public by the Map of Westlyn Heights Addition), said old 5/8" rebar being the **POINT OF BEGINNING** of this description;

THENCE, S 02° 03' 14" W (S 01° 25' 00" E - Record) (S 02° 02' 39" W - TxDOT), leaving the northerly right-of-way line of said Mobile Street along the westerly TxDOT right-of-way line (as per Volume 528, Page 72), a distance of 50.00 feet to a found concrete monument (broken) on the southerly right-of-line of Mobile Street;

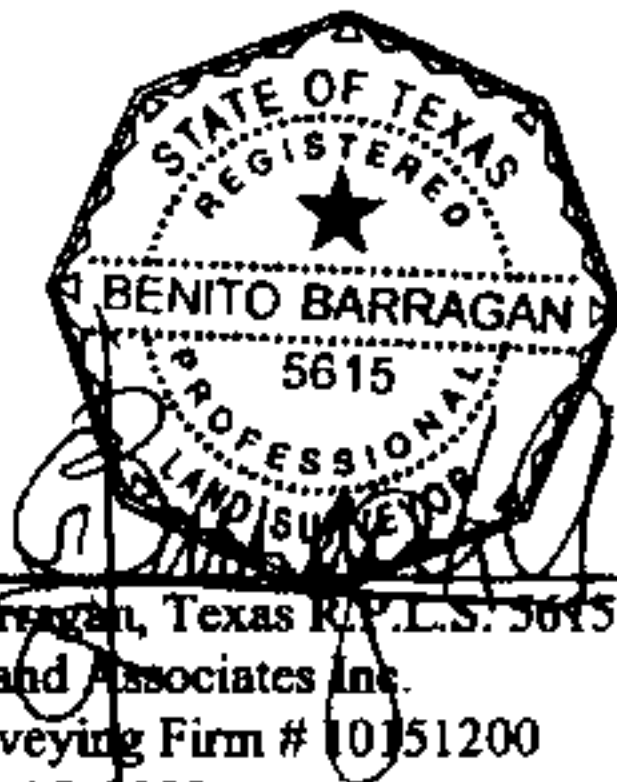
THENCE, N 87° 56' 46" W (S 88° 35' 00" W - Record) (N 87° 57' 21" W - TxDOT), leaving said westerly TxDOT right-of-way line (as per Volume 528, Page 72) along the southerly right-of-way line of Mobile Street, a distance of 350.33 feet to a found 1/2" rebar with yellow cap stamped "B&A Inc" being the beginning of a non-tangential curve on the easterly right-of-way line of El Paso and Southwestern Railroad;

THENCE, leaving said southerly right-of-way line of Mobile Street along the easterly right-of-way line of El Paso and Southwestern Railroad, 56.44 feet, along an arc of a curve to the left with a radius of 3824.78 feet, an interior angle of 00° 50' 44", and a chord which bears N 29° 40' 59" E, a distance of 56.44 feet to a found 1/2" rebar with yellow cap stamped "B&A Inc" at the intersection with a non-tangential line on the northerly right-of-way line of Mobile Street;

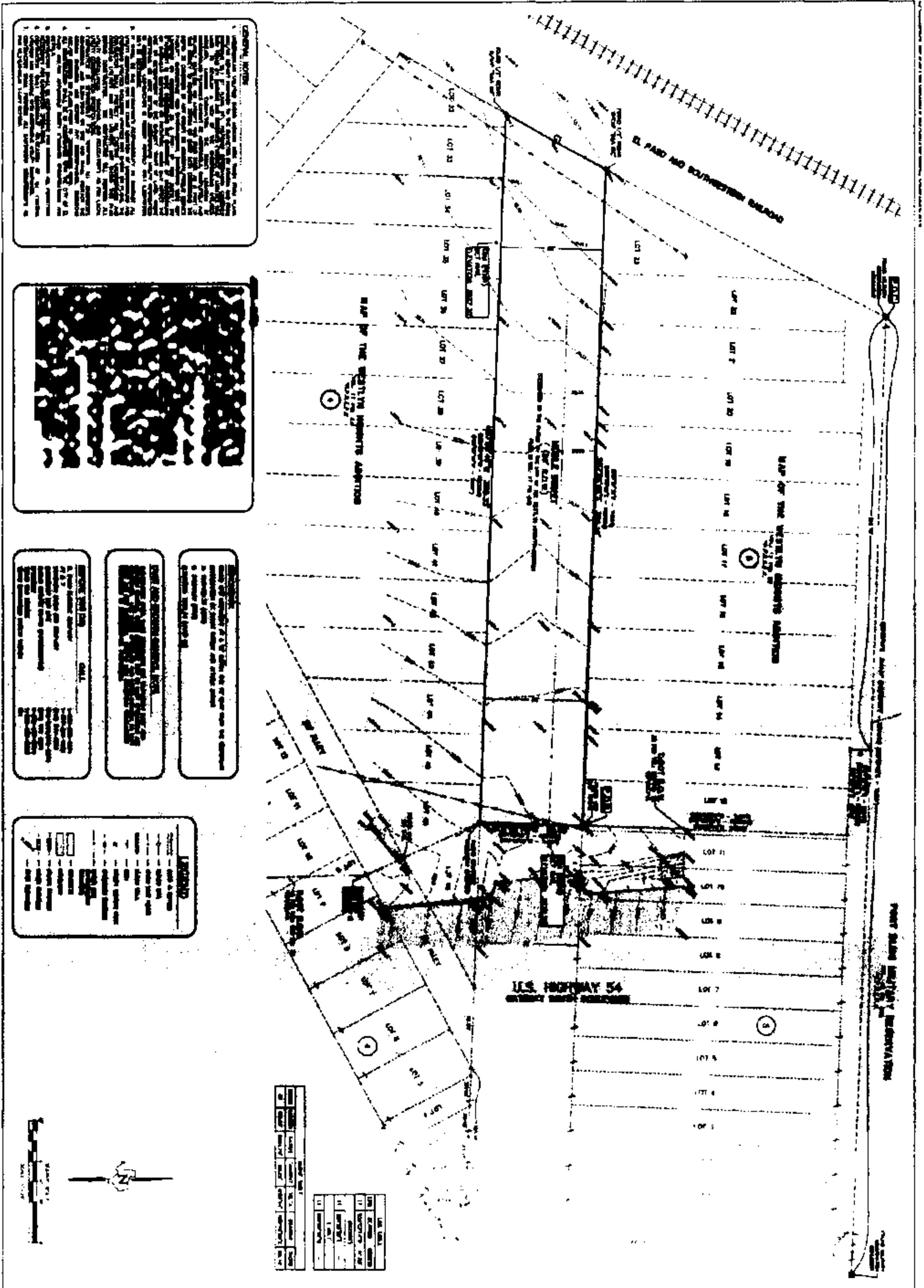
THENCE, S 87° 56' 46" E (N 88° 35' 00" E - Record) (S 87° 57' 21" E - TxDOT), leaving said easterly right-of-way line of El Paso and Southwestern Railroad along the northerly right-of-way line of Mobile Street, a distance of 324.16 feet to the **POINT OF BEGINNING** of this parcel and containing in all 0.39 acres of land more or less.

NOTES:

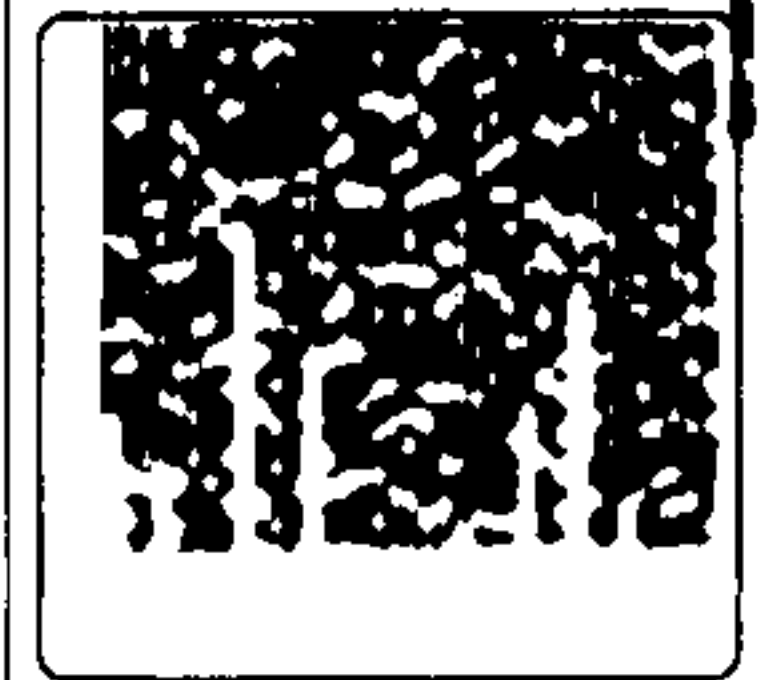
1. This property may be subject to easements whether of record or not. No Additional Research was performed by B&A Inc. for any reservations, restrictions, building lines, and or easements which may or may not affect this parcel.
2. Bearings shown are referenced to the Texas Coordinate System of 1983, Texas Central Zone 4203, and are based on the North American Datum of 1983, 2011 Adjustment. Distances are ground distances and may be converted to grid dividing by 1.000231.
3. This description does not intend to be a subdivision process which may be required by local or state code, and it is the client's/owner responsibility to comply with this code if required before any conveyance of property.
4. A survey dated 11/15/2022 accompanies this description.



Benito Barragan, Texas R.P.L.S. 5615
 Barragan and Associates Inc.
 Texas Surveying Firm # 10151200
 November 15, 2022
 Job No. 221101-12

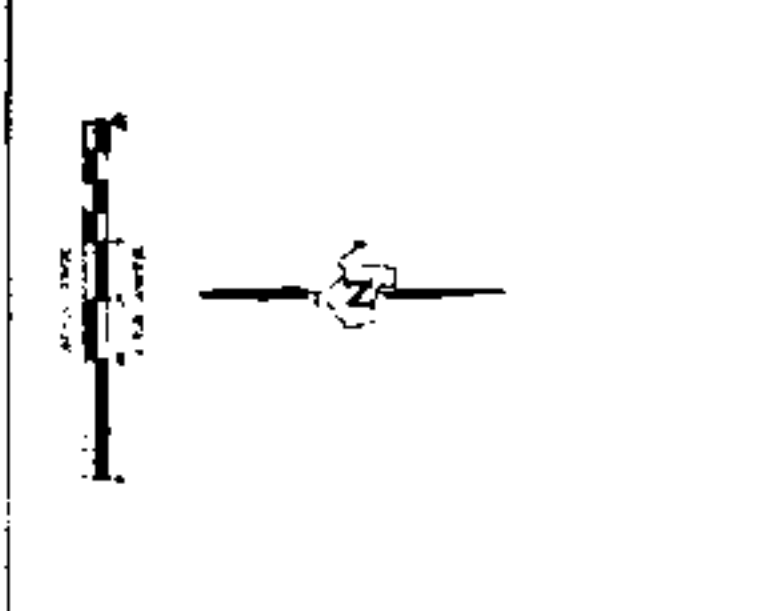


GENERAL NOTES:
 1. THIS SURVEY WAS MADE BY THE METHOD OF TRIANGULATION AND THE ANGLES WERE MEASURED BY THE REPEATED SIGHT METHOD.
 2. THE DISTANCES WERE MEASURED BY THE TAPE METHOD AND THE TAPES WERE CALIBRATED AT THE TIME OF THE SURVEY.
 3. THE CORRECTIONS FOR TEMPERATURE AND TENSION WERE MADE TO THE TAPE MEASUREMENTS.
 4. THE CORRECTIONS FOR CURVATURE OF THE EARTH AND REFRACTION WERE MADE TO THE SIGHT MEASUREMENTS.
 5. THE MEAN SEA LEVEL WAS USED AS A DATUM FOR THE ELEVATIONS.
 6. THE ELEVATIONS WERE MEASURED BY THE LEVELING METHOD AND THE LEVELING WAS MADE BY THE METHOD OF SIGHTS.
 7. THE ELEVATIONS WERE MEASURED AT THE POINTS SHOWN ON THE MAP.
 8. THE ELEVATIONS WERE MEASURED TO THE CENTERS OF THE POINTS.
 9. THE ELEVATIONS WERE MEASURED TO THE SURFACE OF THE POINTS.
 10. THE ELEVATIONS WERE MEASURED TO THE TOP OF THE POINTS.
 11. THE ELEVATIONS WERE MEASURED TO THE BOTTOM OF THE POINTS.
 12. THE ELEVATIONS WERE MEASURED TO THE CENTER OF THE POINTS.
 13. THE ELEVATIONS WERE MEASURED TO THE SURFACE OF THE POINTS.
 14. THE ELEVATIONS WERE MEASURED TO THE TOP OF THE POINTS.
 15. THE ELEVATIONS WERE MEASURED TO THE BOTTOM OF THE POINTS.
 16. THE ELEVATIONS WERE MEASURED TO THE CENTER OF THE POINTS.
 17. THE ELEVATIONS WERE MEASURED TO THE SURFACE OF THE POINTS.
 18. THE ELEVATIONS WERE MEASURED TO THE TOP OF THE POINTS.
 19. THE ELEVATIONS WERE MEASURED TO THE BOTTOM OF THE POINTS.
 20. THE ELEVATIONS WERE MEASURED TO THE CENTER OF THE POINTS.



LEGEND:
 - - - - - Dashed line: Proposed street right-of-way
 - - - - - Dotted line: Proposed lot lines
 - - - - - Solid line: Existing street right-of-way
 - - - - - Solid line: Existing lot lines
 - - - - - Solid line: Existing easements
 - - - - - Solid line: Existing utility lines
 - - - - - Solid line: Existing fences
 - - - - - Solid line: Existing walls
 - - - - - Solid line: Existing foundations
 - - - - - Solid line: Existing structures
 - - - - - Solid line: Existing trees
 - - - - - Solid line: Existing vegetation
 - - - - - Solid line: Existing water bodies
 - - - - - Solid line: Existing roads
 - - - - - Solid line: Existing bridges
 - - - - - Solid line: Existing culverts
 - - - - - Solid line: Existing ditches
 - - - - - Solid line: Existing drains
 - - - - - Solid line: Existing sewers
 - - - - - Solid line: Existing water mains
 - - - - - Solid line: Existing gas lines
 - - - - - Solid line: Existing electric lines
 - - - - - Solid line: Existing telephone lines
 - - - - - Solid line: Existing cable lines
 - - - - - Solid line: Existing power lines
 - - - - - Solid line: Existing communication lines
 - - - - - Solid line: Existing utility easements
 - - - - - Solid line: Existing easements
 - - - - - Solid line: Existing rights-of-way
 - - - - - Solid line: Existing boundaries
 - - - - - Solid line: Existing encroachments
 - - - - - Solid line: Existing encroachments
 - - - - - Solid line: Existing encroachments

ADDITIONAL NOTES:
 1. THE SURVEY WAS MADE BY THE METHOD OF TRIANGULATION AND THE ANGLES WERE MEASURED BY THE REPEATED SIGHT METHOD.
 2. THE DISTANCES WERE MEASURED BY THE TAPE METHOD AND THE TAPES WERE CALIBRATED AT THE TIME OF THE SURVEY.
 3. THE CORRECTIONS FOR TEMPERATURE AND TENSION WERE MADE TO THE TAPE MEASUREMENTS.
 4. THE CORRECTIONS FOR CURVATURE OF THE EARTH AND REFRACTION WERE MADE TO THE SIGHT MEASUREMENTS.
 5. THE MEAN SEA LEVEL WAS USED AS A DATUM FOR THE ELEVATIONS.
 6. THE ELEVATIONS WERE MEASURED BY THE LEVELING METHOD AND THE LEVELING WAS MADE BY THE METHOD OF SIGHTS.
 7. THE ELEVATIONS WERE MEASURED AT THE POINTS SHOWN ON THE MAP.
 8. THE ELEVATIONS WERE MEASURED TO THE CENTERS OF THE POINTS.
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 16. THE ELEVATIONS WERE MEASURED TO THE CENTER OF THE POINTS.



	RIGHT OF WAY B. TOPOGRAPHIC SURVEY A PORTION OF MOBILE STREET, WITHIN MAP OF THE WESTLYN HEIGHTS ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS. AREA 0.36 ACRES ±		Barragan & Associates Inc. LAND PLANNING & LAND SURVEYING "REAL SURVEYING FIRM 10111800" 7800 PARKWAY 10, SUITE 1000, EL PASO, TEXAS 79906 Phone (915) 361-3700 Fax (915) 361-8700 E-MAIL: info@barragan.com
	SHEET 1 OF 1 221121-12 MOBILE STREET DATE: 11/11/21 BY: [Signature] CHECKED BY: [Signature] TITLE: [Signature] SCALE: [Signature]		

Doc # 20230073130
#Pages 5 #NFPages 1
10/04/2023 08:40 AM
Filed & Recorded in
Official Records of
El Paso County
Delia Briones
County Clerk
Fees \$42.00

eRecorded

I hereby certify that this instrument was filed on the date and time stamped
heron by me and was duly recorded by document number in the Official
Public Records of real Property in El Paso County.



EL PASO COUNTY, TEXAS

Delia Briones