

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

**AGENDA DATE:** June 20, 2023  
**PUBLIC HEARING DATE:** July 5, 2022

**CONTACT PERSON(S) NAME AND PHONE NUMBER:** Philip F. Etiwe, (915) 212-1553  
Armida R. Martinez, (915) 212-1605

**DISTRICT(S) AFFECTED:** District 8

**STRATEGIC GOAL:** #3 Promote the Visual Image of El Paso

**SUBGOAL:** 3.2 Set one standard for infrastructure across the city

**SUBJECT:**

An Ordinance vacating a portion of City Right-of-way over Father Rahm Avenue Right-of-way, Sixth Avenue Right-of-way, and Ochoa Street Right-of-way within Block 81, Campbell Addition, City of El Paso, El Paso County, Texas

Subject Property: 700 S. Ochoa Street  
Applicant: Centro De Salud Familiar La Fe, SURW22-00016

**BACKGROUND / DISCUSSION:**

The applicant is requesting to vacate portions of Father Rahm Avenue, Sixth Avenue, and Ochoa Street, to address existing encroachments. The proposed vacation will not impact the existing pedestrian or automobile passage. The applicant has provided funds in the amount of \$1,510.00, the amount of the appraised market value of the portion of rights-of-way being vacated. The City Plan Commission approved the vacation unanimously on March 9, 2023. Notices were mailed to property owners within 200 feet on February 27, 2023. No communication in support or opposition regarding this request has been received. See attached staff report for additional information.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?  YES  NO**

**PRIMARY DEPARTMENT:** Planning & Inspections, Planning Division

**SECONDARY DEPARTMENT:** N/A

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

**DEPARTMENT HEAD:**

*Philip Etiwe*

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

**AN ORDINANCE VACATING A PORTION OF CITY RIGHT-OF-WAY OVER FATHER RAHM AVENUE RIGHT-OF-WAY, SIXTH AVENUE RIGHT-OF-WAY, AND OCHOA STREET RIGHT-OF-WAY WITHIN BLOCK 81, CAMPBELL ADDITION, 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 Father Rahm Avenue, Sixth Avenue, and Ochoa Street, within Block 81, Campbell Addition, City of El Paso, El Paso County, Texas; and,

**WHEREAS**, after public hearing the City Plan Commission recommended that a portion of Father Rahm Avenue, Sixth Avenue, and Ochoa Street, within Block 81, Campbell 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 0.0055 acres within Father Rahm Avenue Right-of-Way, 0.0035 acres within Sixth Avenue Right-of-Way, and 0.0067 acres within Ochoa Street Right-of-Way, Block 81, Campbell 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 Centro De Salud Familiar La Fe

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**THE CITY OF EL PASO**

\_\_\_\_\_  
Oscar Leeser  
Mayor

**ATTEST:**

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

**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

Exhibit "A"



PRECISION LAND SURVEYORS

10441 VALLE DE ORO DR.

El Paso, Texas 79927

Ph# (915) 222-5227

Being a portion of Father Rahm Avenue,  
Block 81, Campbell Addition,  
City of El Paso, El Paso County, Texas  
November 11, 2022

METES AND BOUNDS DESCRIPTION

Being a portion of Father Rahm Avenue, Block 81, Campbell Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof filed in volume 02, page 68, El Paso County Plat Records, and being more particularly described by metes and bounds as follows:

Commencing for reference at a found city monument disk at the intersection of Virginia street and Sixth avenue, Thence along the center line of Sixth Avenue South  $74^{\circ}26'15''$  West a distance of 295.00 feet to a point, Thence leaving said center line, North  $15^{\circ}33'45''$  West a distance of 295.00 feet to a set nail at the northwest corner of Lot 11, Block 81, Campbell Addition and the "TRUE POINT OF BEGINNING".

Thence, North  $15^{\circ}33'45''$  West a distance of **1.67 feet** to a point;

Thence, North  $74^{\circ}05'15''$  East a distance of **113.05 feet** to a point;

Thence, South  $20^{\circ}13'04''$  East a distance of **0.18 feet** to a point;

Thence, North  $74^{\circ}59'01''$  East a distance of **6.26 feet** to a point;

Thence, South  $15^{\circ}05'55''$  East a distance of **2.12 feet** to a point at the north line of said Lot 11;

Thence the north line of said Lot 11, South  $74^{\circ}26'15''$  West a distance of **119.31 feet** to "TRUE POINT OF BEGINNING" and containing in all **241 square feet or 0.0055 acres** of land more or less.

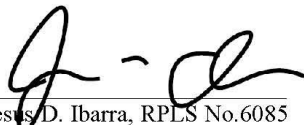
  
Jesus D. Ibarra, RPLS No. 6085  
November 11, 2022



Exhibit "A"



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Thence, leaving the southeast corner of lot 20, **South  $15^{\circ}33'45''$  East** a distance of **0.85 feet** to a point;

Thence, **South  $74^{\circ}02'11''$  West** a distance of **120.00 feet** to a point;

Thence, **North  $15^{\circ}33'45''$  West** a distance of **1.69 feet** to a point at the southwest corner of Lot 20, Block 81, Campbell Addition;

Thence along the south line of said Lot 20, **North  $74^{\circ}26'15''$  East** a distance of **120.00 feet** to "TRUE POINT OF BEGINNING" and containing in all **152 square feet or 0.0035 acres** of land more or less.

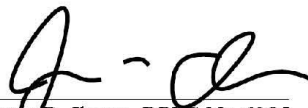
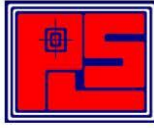
  
Jesus D. Ibarra, RPLS No. 6085  
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Exhibit "A"



**PRECISION LAND SURVEYORS**

10441 VALLE DE ORO DR.  
El Paso, Texas 79927  
Ph# (915) 222-5227

Parcel B,  
Being a portion of Ochoa Street,  
Block 81, Campbell Addition,  
City of El Paso, El Paso County, Texas  
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Thence, **South  $74^{\circ}26'15''$  West** a distance of **1.50 feet** to a point;

Thence, **North  $15^{\circ}33'45''$  West** a distance of **194.50 feet** to a point;

Thence, **North  $74^{\circ}26'15''$  East** a distance of **1.50 feet** to a point at the east right of way line of Ochoa Street;

Thence along said east right of way line of Ochoa Street, **South  $15^{\circ}33'45''$  East** a distance of **194.50 feet** to "TRUE POINT OF BEGINNING" and containing in all **292 square feet** or **0.0067 acres** of land more or less.


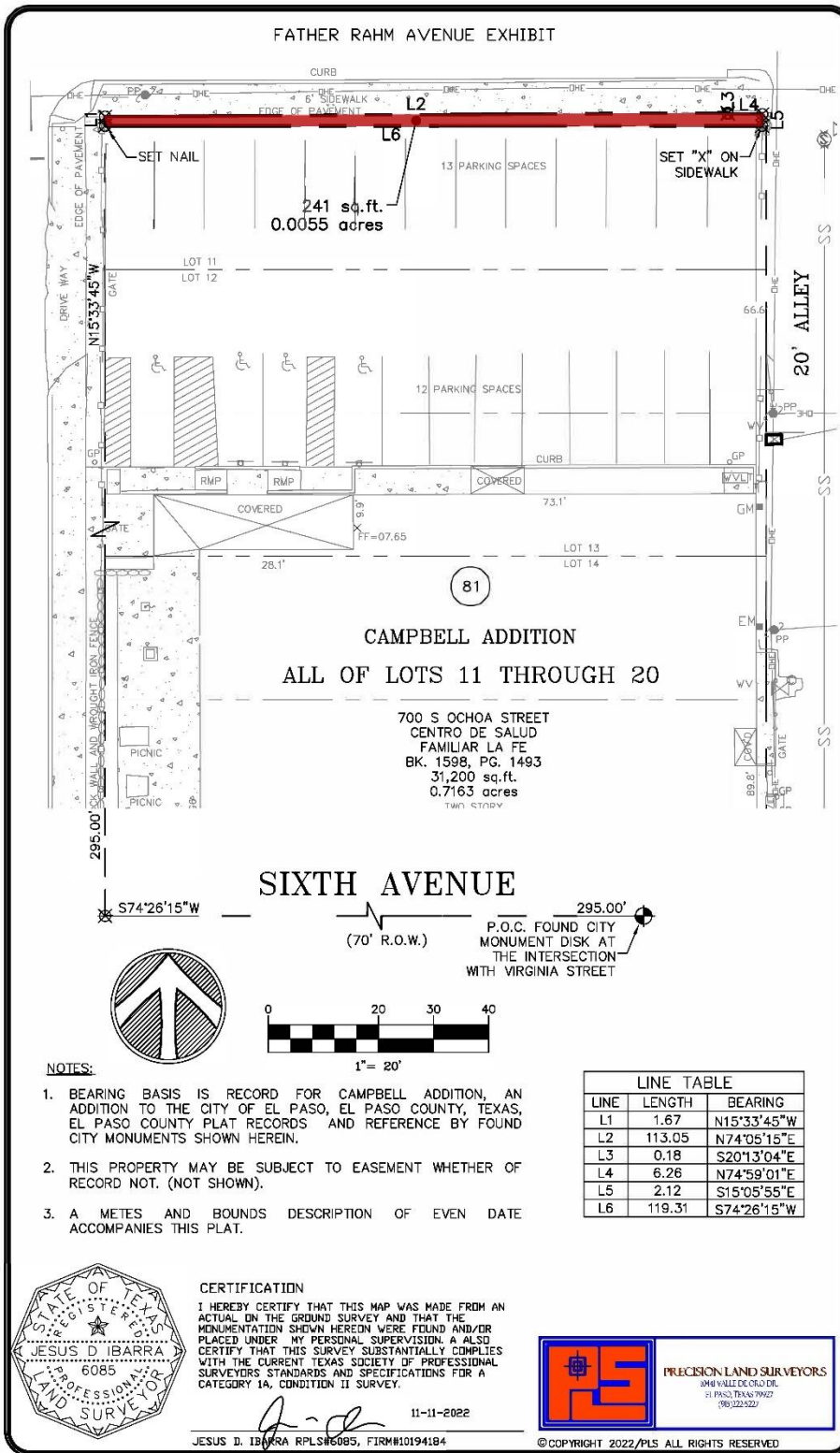
  
Jesus D. Ibarra, RPLS No. 6085  
March 1, 2023

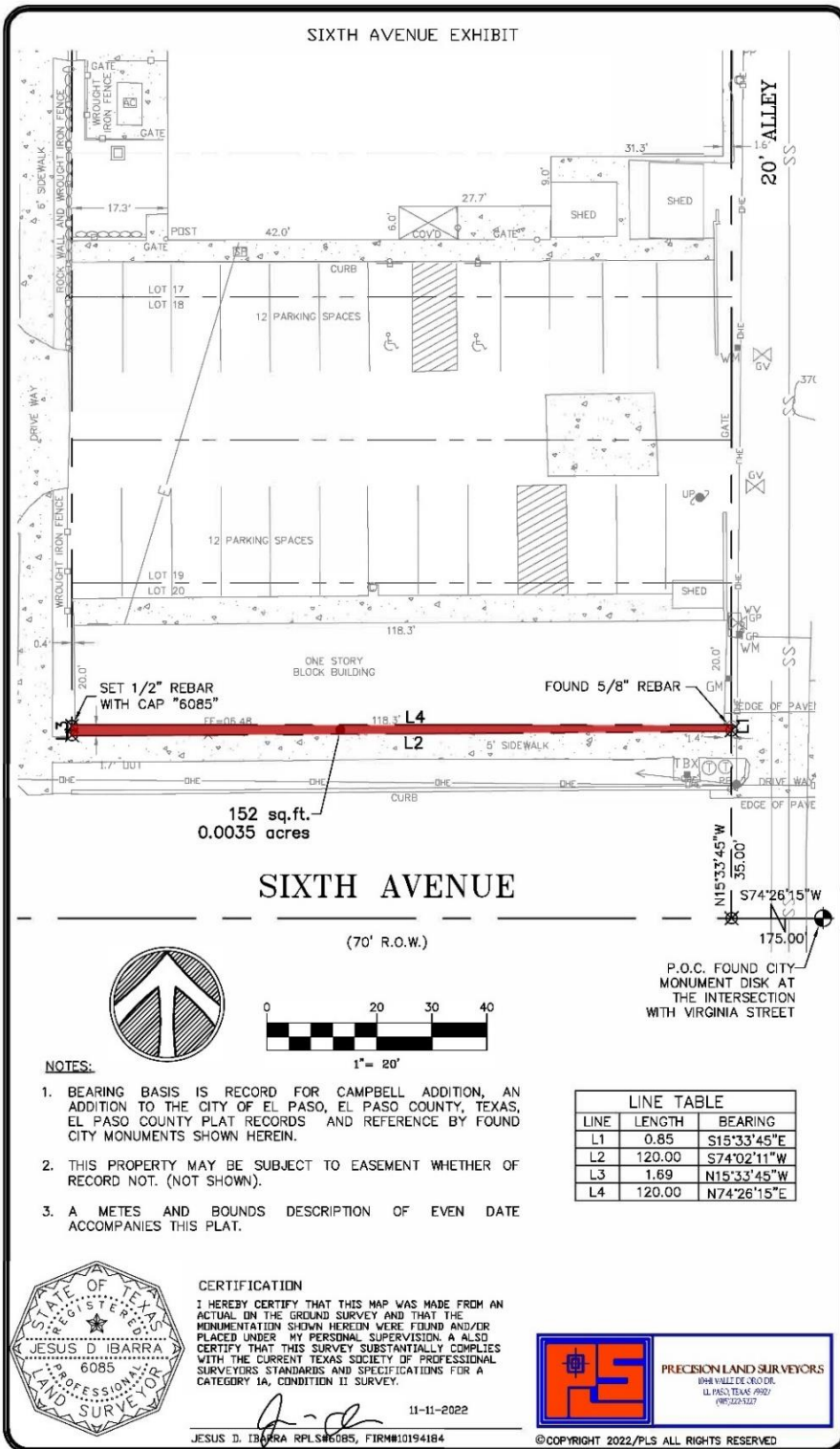


Exhibit "B"



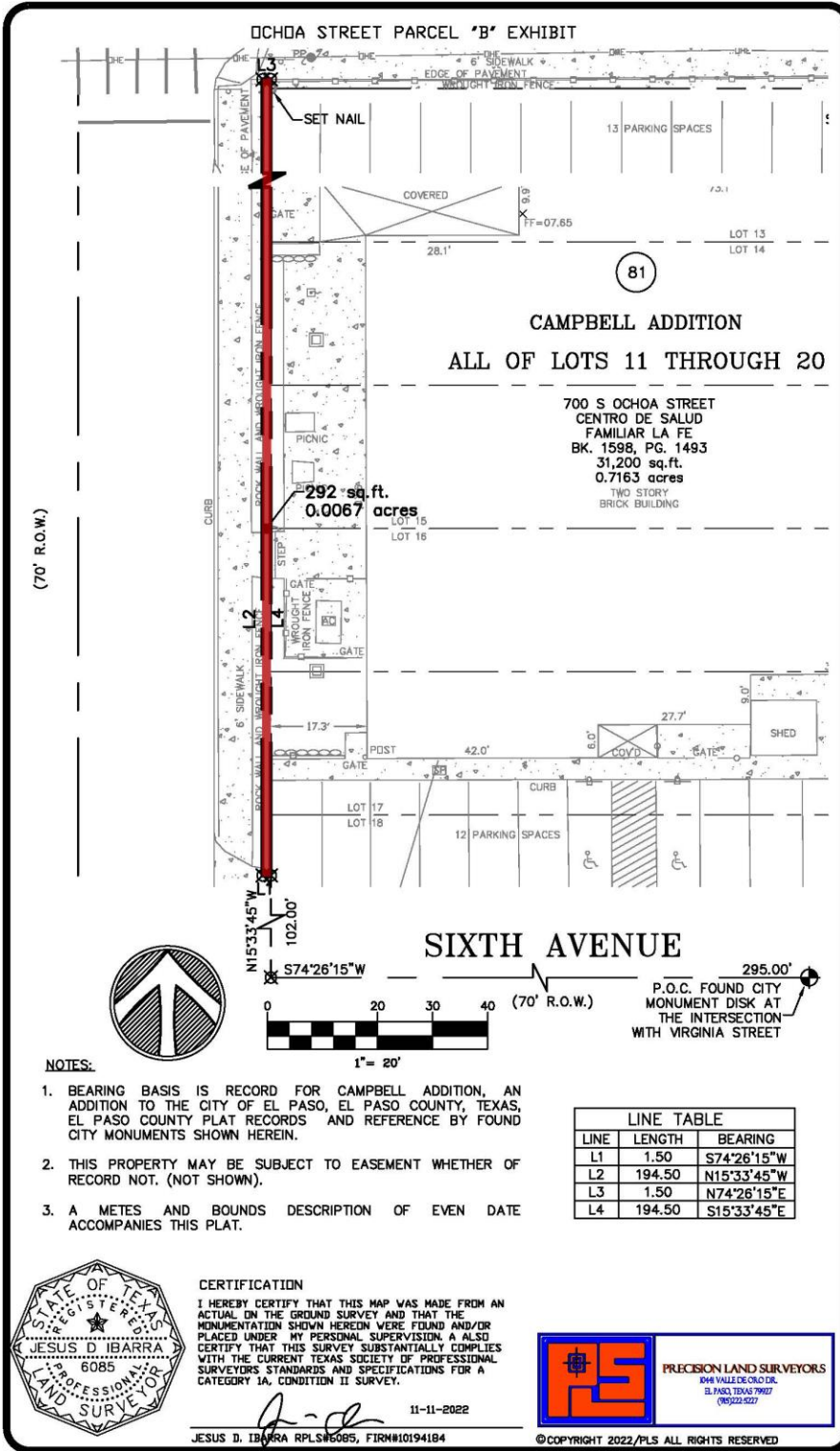
ROW Vacation SURW22-00016  
HiQ 833 TRAN-4944427

Exhibit "B"



ROW Vacation SURW22-00016  
HiQ 833 TRAN-4944427

Exhibit "B"



ROW Vacation SURW22-00016  
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**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 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 [Centro De Salud Familiar La Fe] (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 PORTION OF 0.0055 ACRES WITHIN FATHER RAHM AVENUE RIGHT-OF-WAY, 0.0035 ACRES WITHIN SIXTH AVENUE RIGHT-OF-WAY, AND 0.0067 ACRES WITHIN OCHOA STREET RIGHT-OF-WAY, BLOCK 81, CAMPBELL 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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.**

**CITY OF EL PASO**

**ATTEST:**

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

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

**APPROVED AS TO FORM:**

*Russell Abeln*  
 Russell T. Abeln  
 Senior Assistant City Attorney

**APPROVED AS TO CONTENT:**

*Philip Etiwe*  
 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 \_\_\_\_\_, 20 \_\_,  
 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:**  
 Centro De Salud Familiar La Fe  
 700 S. Ochoa  
 El Paso, Texas 79901

Exhibit "A"



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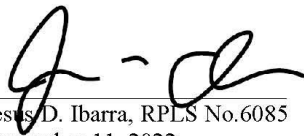
  
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Exhibit "A"



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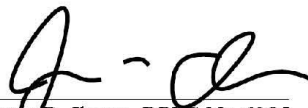
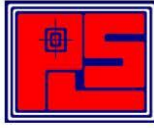
  
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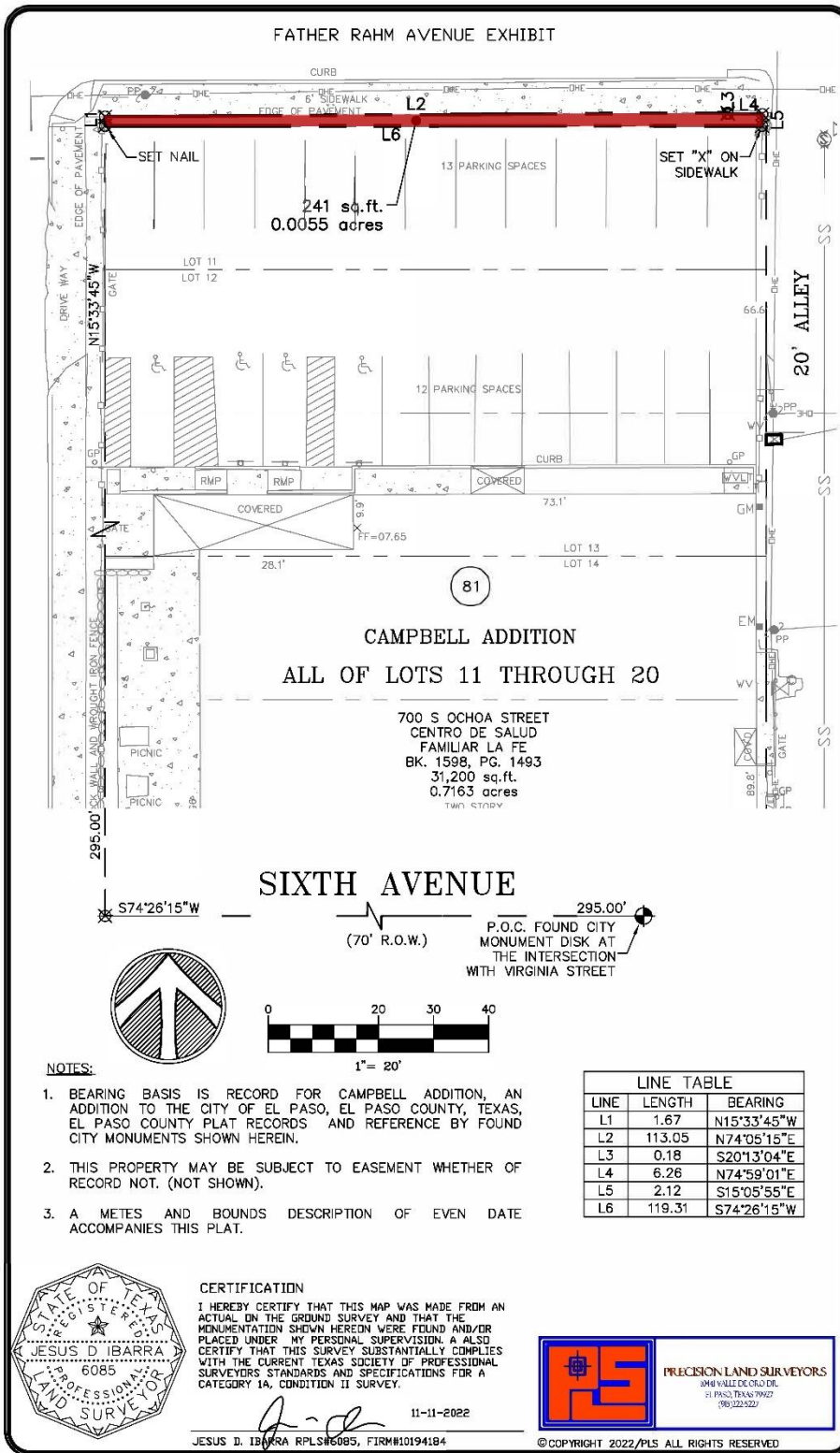
  
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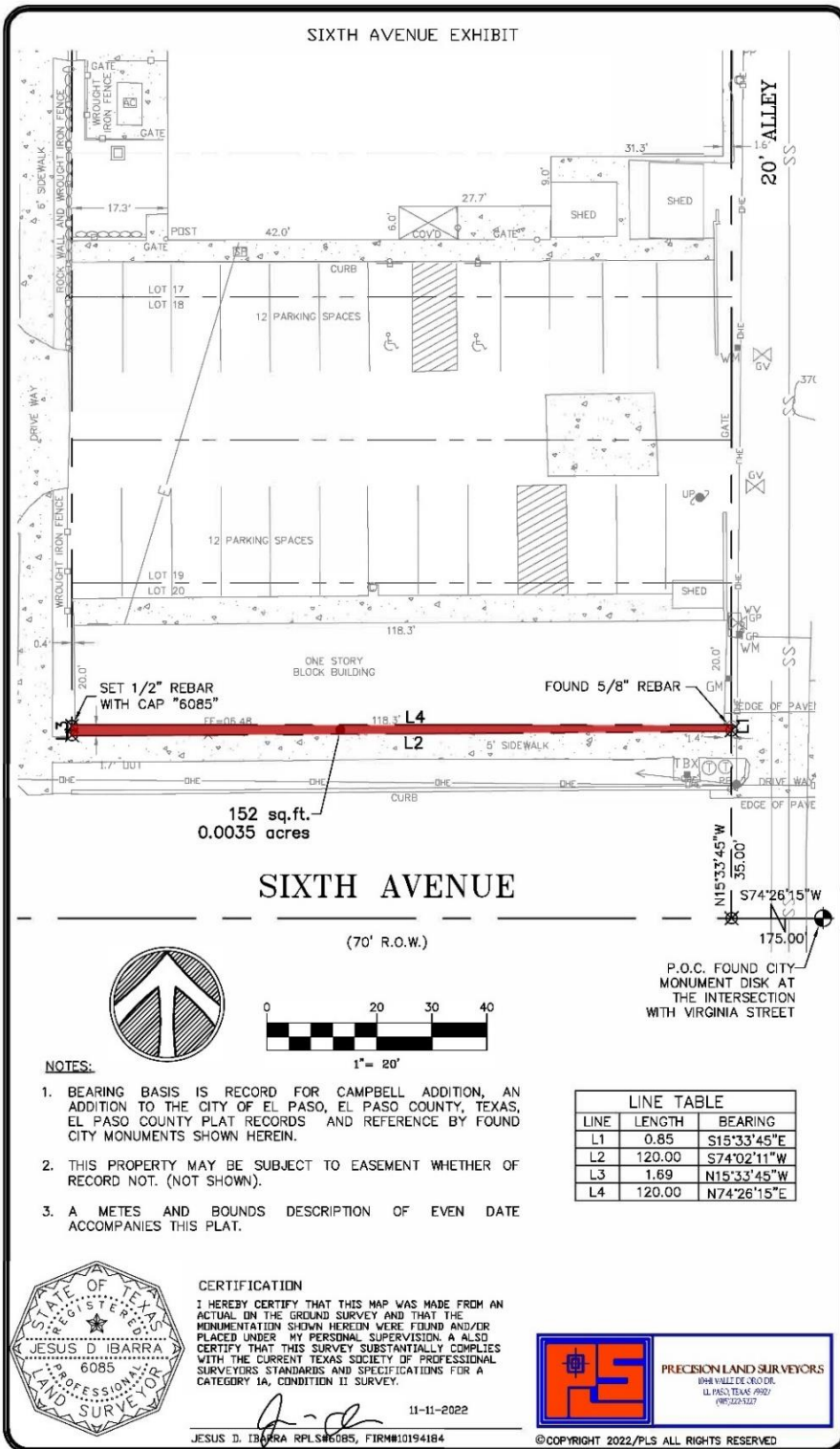


Exhibit "B"



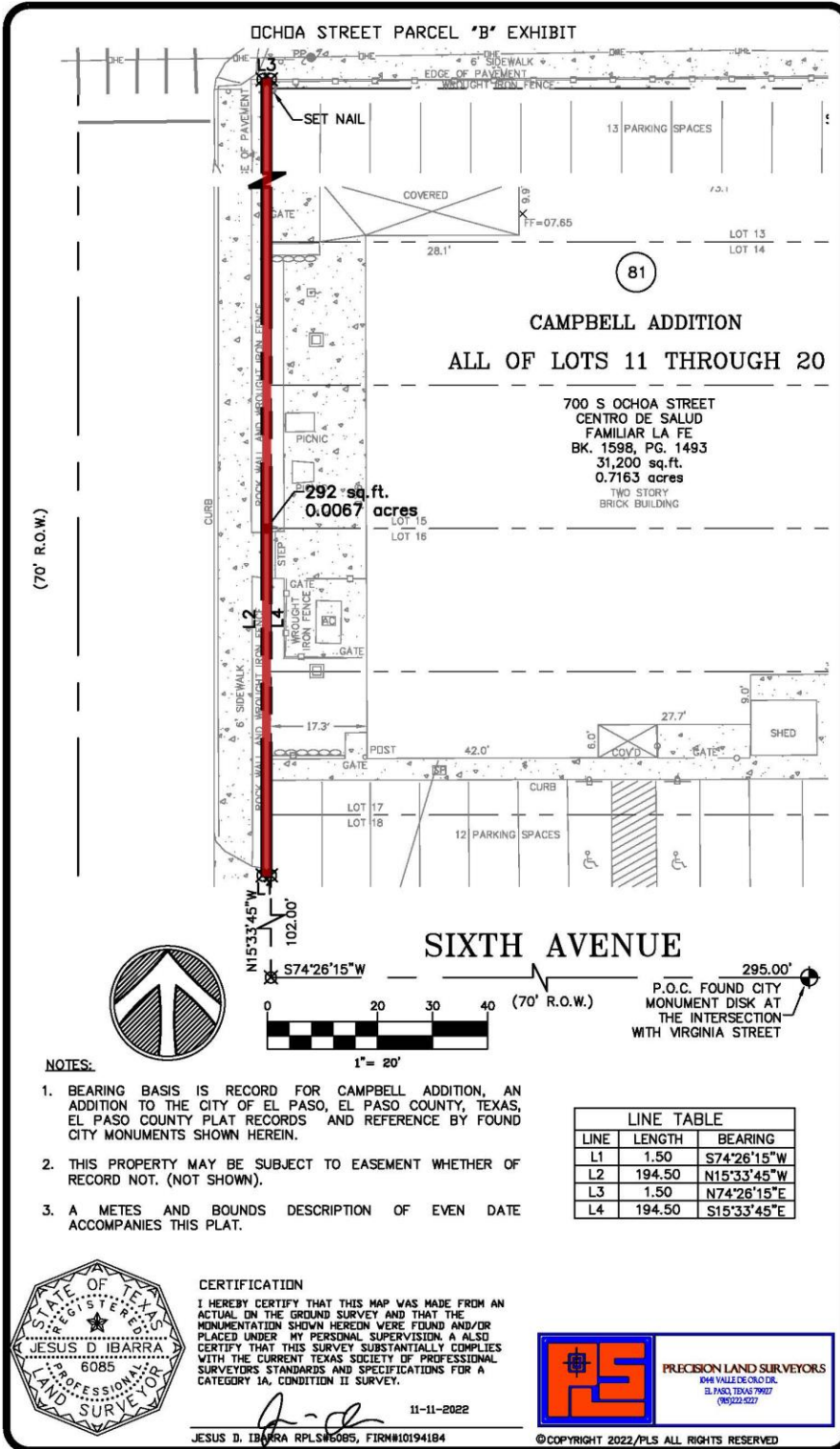
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Exhibit "B"



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Exhibit "B"



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# Father Rahm Ave., Sixth Ave., and Ochoa St. Right-of-Way Vacation **REVISED**



City Plan Commission — March 9, 2023

<b>CASE NUMBER/TYPE:</b>	<b>SURW22-00016 – Father Rahm Ave., Sixth Ave., and Ochoa St. Right-of-Way Vacation</b>
<b>CASE MANAGER:</b>	Armida R. Martinez, (915) 212-1605, <a href="mailto:martinezar@elpasotexas.gov">martinezar@elpasotexas.gov</a>
<b>PROPERTY OWNER:</b>	Centro De Salud Familiar La Fe
<b>REPRESENTATIVE:</b>	Mijares-Mora Architects, Inc.
<b>LOCATION:</b>	700 S. Ochoa (District 8)
<b>PROPERTY AREA:</b>	<b>0.057</b> acres
<b>ZONING DISTRICT(S):</b>	A-3 (Apartment)
<b>PUBLIC INPUT:</b>	No opposition received as of March 2, 2023

**SUMMARY OF RECOMMENDATION:** Staff recommends approval of the vacation of portions of Father Rahm Ave., Sixth Ave., and Ochoa St. Right-of-Way.

**Father Rahm Ave., Sixth Ave., and Ochoa St. Right-of-Way Vacation**



Figure A: Proposed area to be vacated

**DESCRIPTION OF REQUEST:** The applicant is requesting to vacate several portions of right-of-way located within Campbell Addition subdivision in order to address existing encroachments onto city right of way. The applicant is requesting to vacate a total of 0.0057 acres of portions of Father Rahm Avenue (241 sq. ft.), Sixth Avenue (152 sq. ft.) and Ochoa Street (292 sq. ft.). This request will remedy the encroachments that have been in existence since 1954.

There are no additional improvements proposed within the existing right-of-way and all existing infrastructure within the right-of way is expected to remain.

**CASE HISTORY/RELATED APPLICATIONS:** N/A

**NEIGHBORHOOD CHARACTER:** Surrounding neighborhood characteristics are identified in the following table.

<b>Surrounding Zoning and Use</b>	
North	A-3 (Apartment) / Community Center
South	C-4/sp (Commercial/special permit) / Commercial Development
East	A-3/C-4 (Apartment/Commercial) / Residential and Commercial Development
West	A-3/sp/C-4 (Apartment/special permit) Commercial) / Wellness Center/parking lot
<b>Nearest Public Facility and Distance</b>	
Park	Boys Club (0.076 mi.)
School	La Fe Preparatory Charter School (PK-7) (0.076 mi.)
<b>Plan El Paso Designation</b>	
G2, Traditional Neighborhood (Walkable)	
<b>Impact Fee Service Area</b>	
N/A	

**PUBLIC COMMENT:** Notices of the proposed right-of-way vacation were sent on February 27, 2023 to all property owners within 200 feet of the subject property. As of March 2, 2023, staff has not received any communication regarding this request.

**CITY PLAN COMMISSION OPTIONS:**

The City Plan Commission (CPC) has the authority to advise City Council on right-of-way vacation requests. When a request is brought forward to the CPC for review, the Commission may take any of the following actions:

- 1. Recommend Approval:** The CPC finds that the proposed vacation request is in conformance with all applicable requirements of Title 19 of the El Paso City Code. **(Staff Recommendation)**
- 2. Recommend Approval with Conditions:** The CPC may recommend that City Council impose additional conditions on approval of the request that bring the request into conformance with all applicable requirements of Title 19 of the El Paso City Code.
- 3. Recommend Denial:** The CPC finds that the proposed request is not in conformance with all applicable requirements of Title 19 of the El Paso City Code.

**ATTACHMENTS:**

1. Aerial Map
2. Father Rahm Avenue Survey
3. Father Rahm Metes and Bound Description
4. Sixth Avenue Survey

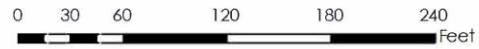
5. Six Avenue Metes and Bounds Description
6. Ochoa Street Survey
7. Ochoa Street Metes and Bounds Description
8. Application
9. Department Comments

# ATTACHMENT 1

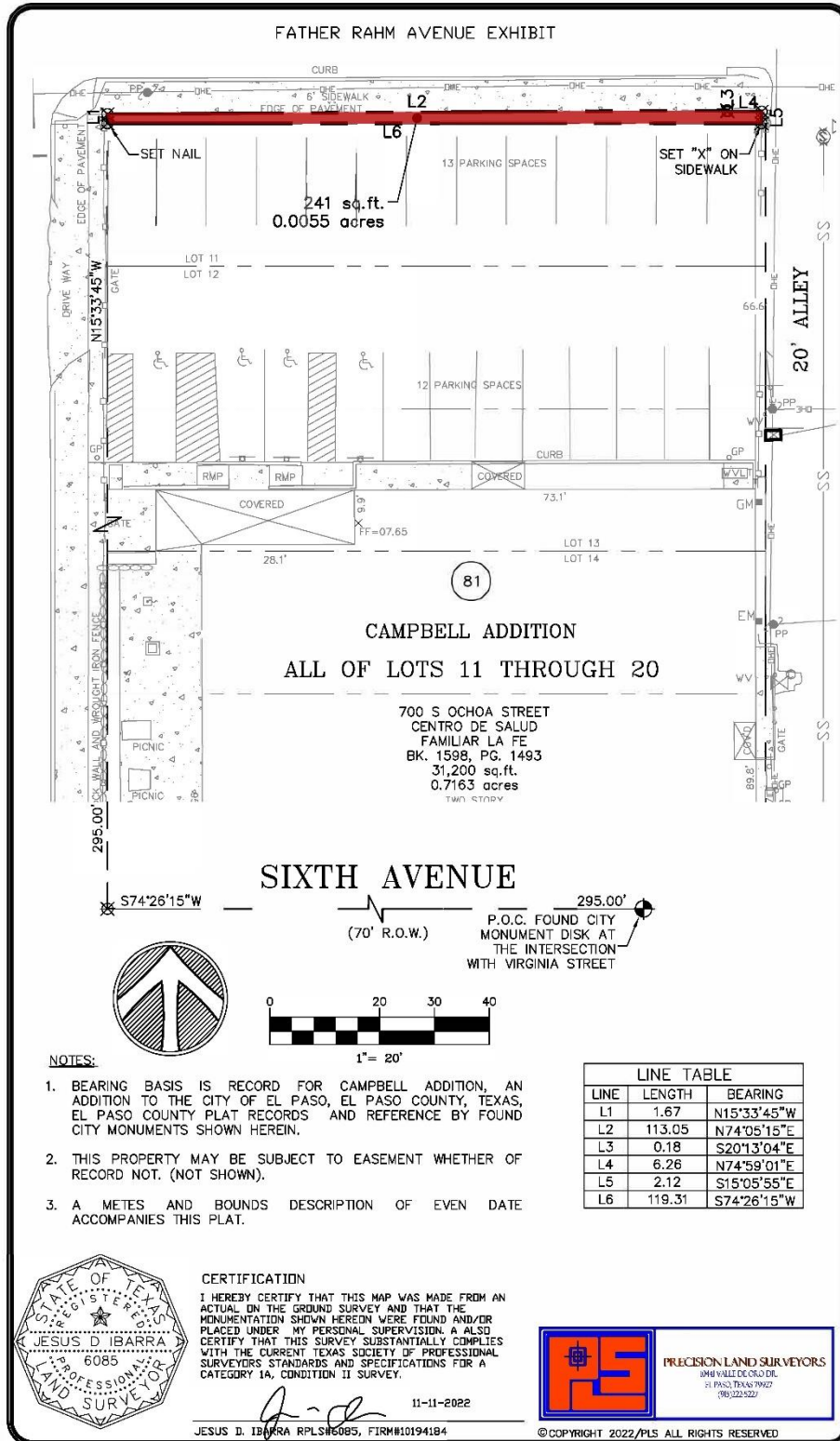
## Father Rahm Ave., Sixth Ave., and Ochoa St. Right-of-Way Vacation



This map is designed for illustrative purposes only. The features depicted here are approximate and more site-specific studies may be required to draw accurate conclusions. Enlargements of this map to scales greater than its original can induce errors and may lead to misinterpretations of the data. The Planning & Inspections Department Planning Division makes no claim to its accuracy or completeness.



# ATTACHMENT 2



# ATTACHMENT 3



## PRECISION LAND SURVEYORS

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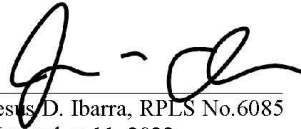
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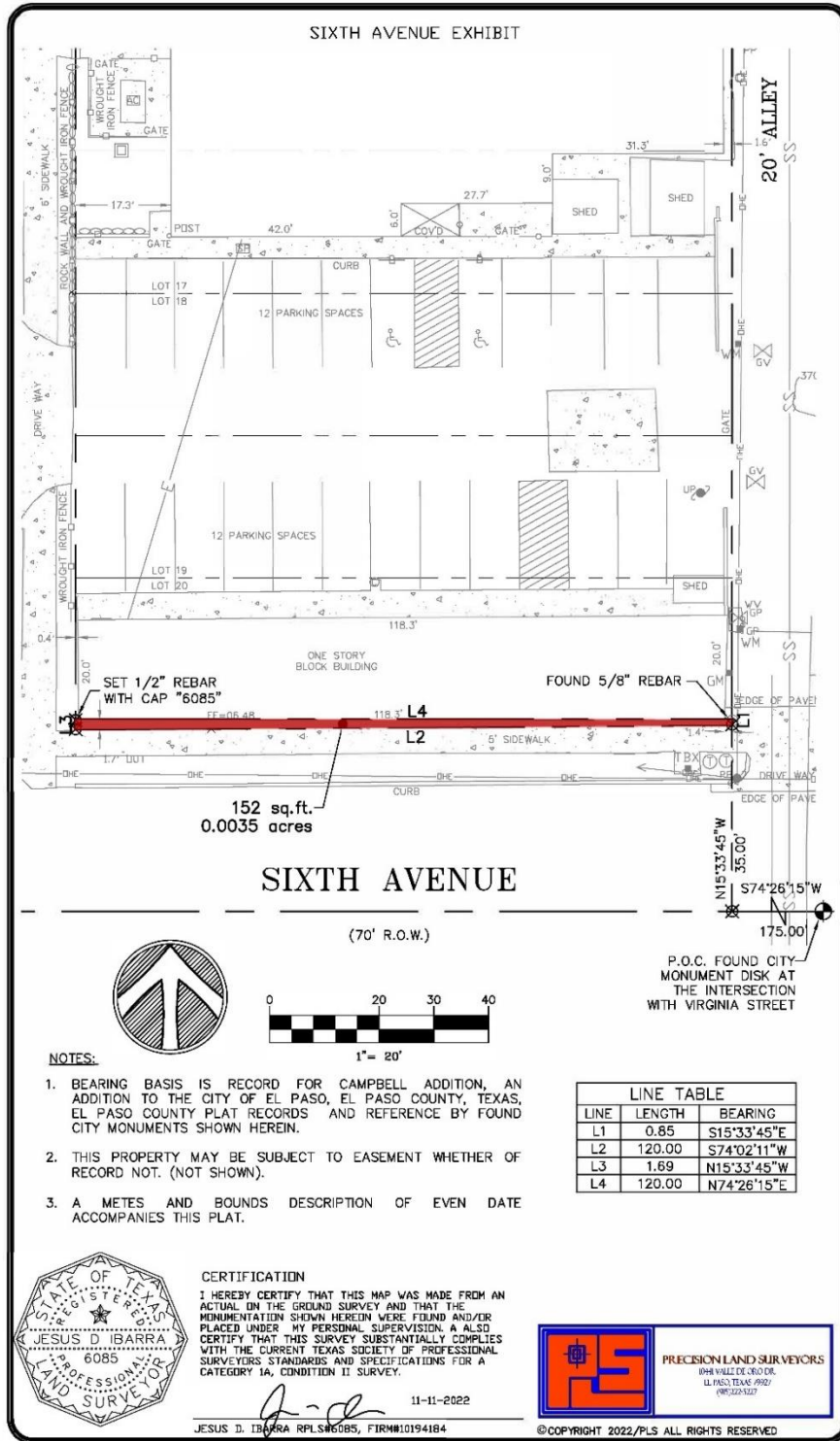
Thence the north line of said Lot 11, **South  $74^{\circ}26'15''$  West** a distance of **119.31 feet** to **"TRUE POINT OF BEGINNING"** and containing in all **241 square feet or 0.0055 acres** of land more or less.



Jesus D. Ibarra, RPLS No.6085  
November 11, 2022



# ATTACHMENT 4



# ATTACHMENT 5



## PRECISION LAND SURVEYORS

10441 VALLE DE ORO DR.

El Paso, Texas 79927

Ph# (915) 222-5227

Being a portion of Sixth Avenue,  
Block 81, Campbell Addition,  
City of El Paso, El Paso County, Texas  
November 11, 2022

### METES AND BOUNDS DESCRIPTION

Being a portion of Sixth Avenue, Block 81, Campbell Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof filed in volume 02, page 68, El Paso County Plat Records, and being more particularly described by metes and bounds as follows:

Commencing for reference at a found city monument disk at the intersection of Virginia street and Sixth Avenue, Thence along the center line of Sixth Avenue South  $74^{\circ}26'15''$  West a distance of 175.00 feet to point, thence leaving said center line, North  $15^{\circ}33'45''$  West a distance of 35.00 feet to a found 5/8" rebar at the southeast corner of Lot 20, Block 81, Campbell Addition and the "TRUE POINT OF BEGINNING".

Thence, leaving the southeast corner of lot 20, **South  $15^{\circ}33'45''$  East** a distance of **0.85 feet** to a point;

Thence, **South  $74^{\circ}02'11''$  West** a distance of **120.00 feet** to a point;

Thence, **North  $15^{\circ}33'45''$  West** a distance of **1.69 feet** to a point at the southwest corner of Lot 20, Block 81, Campbell Addition;

Thence along the south line of said Lot 20, **North  $74^{\circ}26'15''$  East** a distance of **120.00 feet** to "TRUE POINT OF BEGINNING" and containing in all **152 square feet or 0.0035 acres** of land more or less.

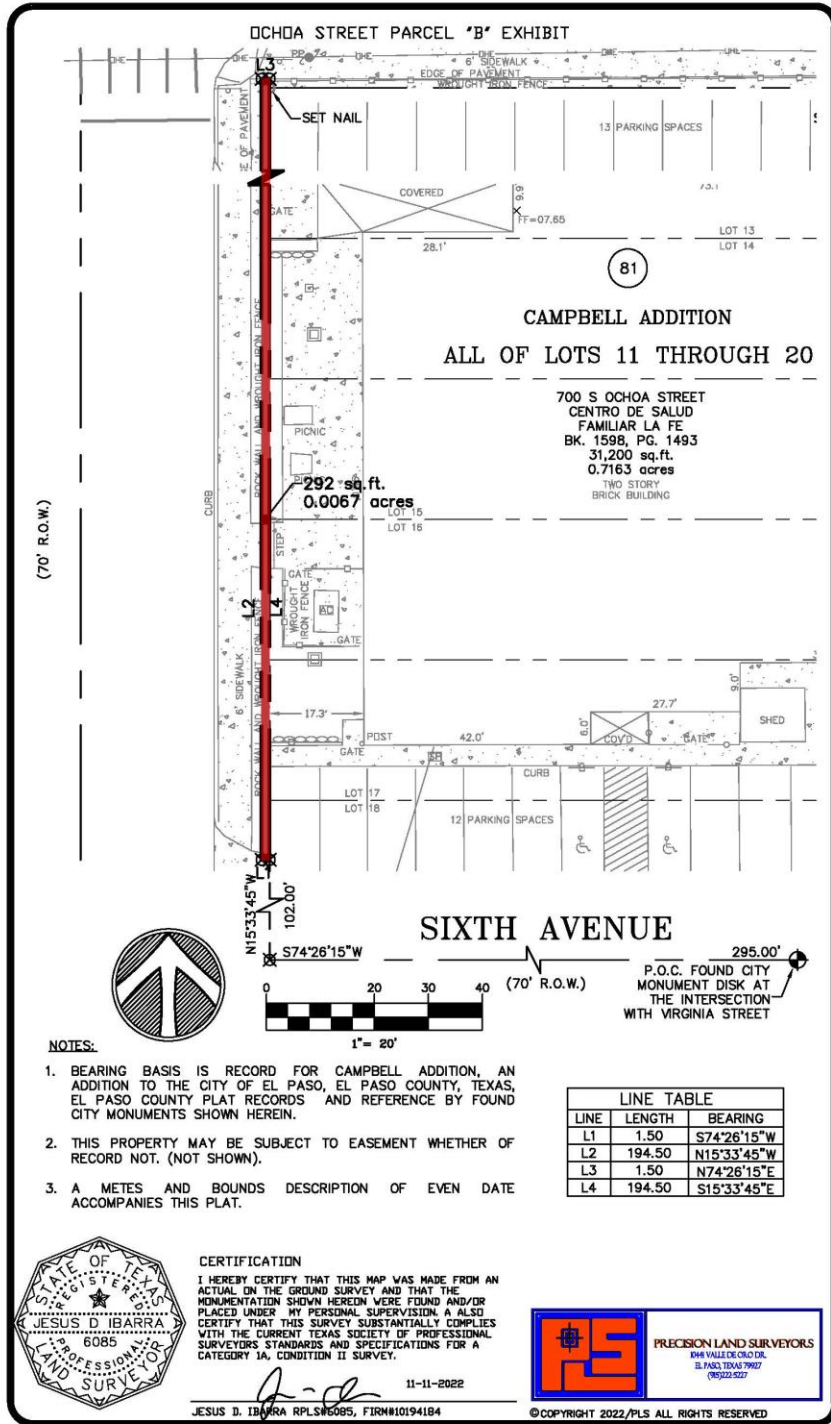
Jesus D. Ibarra, RPLS No.6085

November 11, 2022





# ATTACHMENT 6



# ATTACHMENT 7



## PRECISION LAND SURVEYORS

10441 VALLE DE ORO DR.

El Paso, Texas 79927

Ph# (915) 222-5227

Parcel B,  
Being a portion of Ochoa Street,  
Block 81, Campbell Addition,  
City of El Paso, El Paso County, Texas  
November 11, 2022

### METES AND BOUNDS DESCRIPTION

Being a portion of Ochoa Street, Block 81, Campbell Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof filed in volume 02, page 68, El Paso County Plat Records, and being more particularly described by metes and bounds as follows:

Commencing for reference at a found city monument disk at the intersection of Virginia street and Sixth avenue, Thence along the center line of Sixth Avenue, South  $74^{\circ}26'15''$  West a distance of 295.00 feet to a point, Thence leaving said center line, North  $15^{\circ}33'45''$  West a distance of 102.00 feet to a point at the east right of way line of Ochoa Street and the "TRUE POINT OF BEGINNING".

Thence, **South  $74^{\circ}26'15''$  West** a distance of **1.50 feet** to a point;

Thence, **North  $15^{\circ}33'45''$  West** a distance of **194.50 feet** to a point;

Thence, **North  $74^{\circ}26'15''$  East** a distance of **1.50 feet** to a point at the east right of way line of Ochoa Street;

Thence along said east right of way line of Ochoa Street, **South  $15^{\circ}33'45''$  East** a distance of **194.50 feet** to "TRUE POINT OF BEGINNING" and containing in all **292 square feet** or **0.0067 acres** of land more or less.

Jesus D. Ibarra, RPLS No.6085  
March 1, 2023



# ATTACHMENT 8



## VACATION PUBLIC EASEMENTS AND RIGHTS-OF-WAY APPLICATION

Date: 12-15-2022 File No. SURW22-00016

1. APPLICANTS NAME Centro de Salud Familiar La Fe  
 ADDRESS 700 S Ochoa St. El Paso TX ZIP CODE 79901 TELEPHONE 915.545.4550
2. Request is hereby made to vacate the following: (check one)  
 Street  Alley  Easement  Other   
 Street Name(s) 6th Ave, S Ochoa, Father Ram Ave Subdivision Name Campbell Addition  
 Abutting Blocks N/A Surrounded by Ochoa, Father Ram and 6th Street Abutting Lots N/A Surrounded by Ochoa, Father Ram and 6th Street
3. Reason for vacation request: Regularize existing conditions of the property
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
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.

OWNER SIGNATURE: *[Signature]* REPRESENTATIVE SIGNATURE: *[Signature]*  
 REPRESENTATIVE (PHONE) 915.542.1591  
 REPRESENTATIVE (E-MAIL) jmora@mjaresmora.com / freyes@mjaresmora.com

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

Planning & Inspections Department  
 811 Texas | P.O. Box 1890 | El Paso, Texas 79950-1890 | (915) 212-0085

# **ATTACHMENT 9**

## **Planning and Inspections Department- Planning Division**

Staff recommends approval.

## **Planning and Inspections Department- Land Development Division**

Recommend approval.

## **Parks and Recreation:**

No objections.

## **Sun Metro:**

Sun Metro does not have any issues or exceptions with application SURW22-00016 La Fe Central Clinic Vacation.

## **Fire Department:**

Recommend approval.

## **Streets and Maintenance Department:**

No objections.

## **Capital Improvement Department**

No comments received.

## **El Paso Water Utilities:**

We have reviewed the subdivision described above and provide the following comments:

1. Provide a conceptual Drainage Plan indicating existing and proposed major stormwater sewer facilities as per Section 19.02.020 of the Municipal Code.
2. Show existing drainage flow patterns on the improvement survey and identify the discharge location for all storm water runoff.
3. Provide the FEMA FIRM panel number and flood zone information.
4. As per Municipal Code: new developments and redevelopments are required to maintain the pre-development hydrologic response in their post-development state as nearly as practicable to reduce flooding. The code also encourages the use of nonstructural storm water management such as the preservation of greenspace, water harvesting, and other conservation efforts, to the maximum extent practicable, per Section 19.19.010.

## **AT&T**

No objections.

## **Texas Gas**

No comments received.

**El Paso Electric**

El Paso Electric has no comments for the plat.

**Spectrum:**

No comments received.

**El Paso County 911 District**

No comments received.

**Texas Department of Transportation**

No comments received.

**El Paso County Water Improvement District #1**

The item is not within the boundaries of EPCWID1.