

ORDINANCE NO. 019450

AN ORDINANCE VACATING A PORTION OF MARKS STREET RIGHT-OF-WAY AND A PORTION OF HERBERT STREET RIGHT-OF-WAY WITHIN THE FRANKLIN D. ROOSEVELT SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS

WHEREAS, the abutting property owner has requested vacation of a 0.62 ACRE PORTION OF Marks Street right-of-way and a portion of Herbert Street right-of-way within the Franklin D. Roosevelt Subdivision, City of El Paso, El Paso County, Texas; and

WHEREAS, after public hearing the City Plan Commission has recommended a vacation of a 0.62 acre portion of Marks Street and Herbert Street located within a portion of Marks Street right-of-way and a portion of Herbert Street right-of-way within the Franklin D. Roosevelt Subdivision City of El Paso, El Paso County, Texas, 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, in consideration of the receipt by the City of El Paso of TWENTY-FIVE AND 00/DOLLARS (\$25.00) and other good and valuable consideration, the sufficiency of which is acknowledged, a 0.62 acre portion of Marks Street and Herbert Street located within a portion of Marks Street right-of-way and a portion of Herbert Street right-of-way within the Franklin D. Roosevelt Subdivision, City of El Paso, El Paso County, Texas, as further described in the attached metes and bounds description identified as Exhibit "A" and made a part hereof by reference, be and is hereby vacated, closed and abandoned, subject to the reservation of a full-width utility easement, to include access for maintenance to the roadway, and all surface level improvements.

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 right of way to Housing Opportunity Management Enterprises (HOME).

(Signatures Begin on Following Page)

ORDINANCE NO. 019450

22-1007-2968|1203790

Planning & Zoning Easement Vacation|SURW22-00008 Herbert and Marks ROW Vacation | Ordinance

JG

ADOPTED this 28th day of March, 2023.



ATTEST:

Laura D. Prine

Laura D. Prine
City Clerk

THE CITY OF EL PASO:

Oscar Leeser
Mayor

APPROVED AS TO FORM:

Joyce Garcia

Joyce Garcia
Assistant City Attorney

APPROVED AS TO CONTENT:

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

ORDINANCE NO. 019450

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

That in consideration of the receipt by the **CITY OF EL PASO** of TWENTY-FIVE AND 00/DOLLARS (\$25.00) 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 Housing Opportunity Management Enterprises (HOME) (the "Grantee"), all its rights, title, interest, claim and demand in and to the property which was vacated, closed and abandoned by Ordinance No. 019450, passed and approved by the City Council of the City of El Paso and described as **A PORTION OF MARKS STREET RIGHT-OF-WAY AND A PORTION OF HERBERT STREET RIGHT-OF-WAY WITHIN THE FRANKLIN D. ROOSEVELT SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS**, which is more fully described in the attached metes and bounds description, identified as Exhibit "A" made a part hereof by reference.

WITNESS the following signatures and seal this 28th day of March, 2023.

ATTEST:

Laura D. Prine
Laura D. Prine, City Clerk

CITY OF EL PASO:

Tomás González
Tomás González, City Manager

APPROVED AS TO FORM:

Joyce Garcia
Joyce Garcia
Assistant City Attorney

APPROVED AS TO CONTENT:

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

(Acknowledgement on following page)

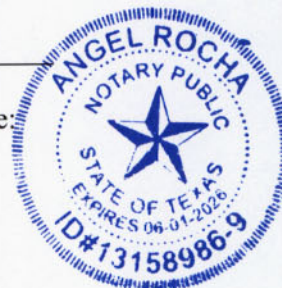
ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Tracy Jerome
801 This instrument is acknowledged before me on this 5 day of April, 2023,
by Tomás González, as City Manager for the CITY OF EL PASO.

Angel Rocha

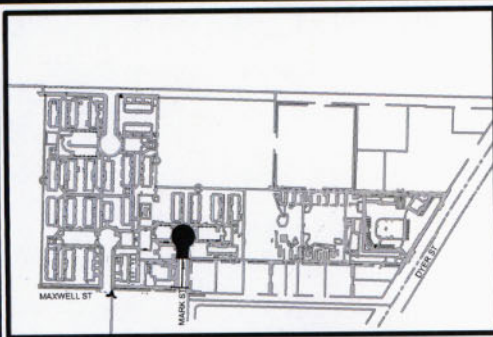
Notary Public, State of Texas
Notary's Printed or Typed Name:



My Commission Expires:
06-01-2026

AFTER FILING RETURN TO:

Housing Opportunity
Management Enterprises
(HOME)
304 Texas Avenue, Suite 1600
El Paso, Texas 79902



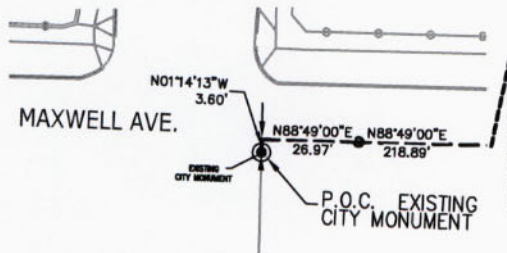
SCALE: 1"=600'

Line Table		
Line #	Length	Direction
L1	50.000	N88° 49' 00.00"E
L2	33.580	N1° 11' 00.00"W
L3	33.580	S1° 11' 00.00"E



NOTE:
ALL INFORMATION SHOWN HEREON WITH RESPECT TO UNDERGROUND CONDITIONS WAS DETERMINED BY DATA COLLECTED THROUGH SURVEY CREW OBSERVATION AND OTHER INFORMATION TAKEN FROM EXISTING PLANS AND MAPS OF RECORD. NO UNDERGROUND UTILITIES EXISTING OR ABANDONED WERE EXPOSED OR LOCATED.

UNLESS SPECIFICALLY ACCEPTED BY SLI ENGINEERING, INC. IN WRITING, SLI ENGINEERING, INC. MAKES NO CLAIM, EXPRESSED OR IMPLIED, AS TO THE UNDERGROUND SITE CONDITIONS.



CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	30.00'	24.38'	12.91'	23.72'	N24°27'57"W	46°33'54"
C2	50.00'	238.34'	47.34'	68.75'	N88°49'00"E	273°08'01"
C3	30.00'	24.38'	12.91'	23.72'	S22°05'57"W	46°33'54"



SCALE: 1"=40'



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STREET VACATE: SPLIT



JOB #: 06-XX-XXXX DR. BY: LCD
SCALE: 1"=40' F.B. #: GPS
DATE: 01/28/2022

PROPERTY DESCRIPTION

A parcel of land being the Right-Of-Way of Marks Street as dedicated by the Franklin D. Roosevelt Memorial Subdivision Plat recorded in 1974

Reg. No. F-1902
SURVEYING
Reg. No. 100120-00

CERTIFICATION
I HEREBY CERTIFY THAT THE FOREGOING BOUNDARY 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



MARKS STREET: SPLIT METES AND BOUNDS

A parcel of land being the Right-Of-Way of Marks Street as dedicated by the Franklin D. Roosevelt Memorial Subdivision Plat recorded in 1974 and being more particularly described by metes and bounds as follows;

Commencing at the City Monument found 3.60 feet offset from the centerline intersection of Maxwell Avenue (60 feet public Right-Of-Way) and Herbert Street (60 feet public Right-Of-Way); Thence, North 88°49'00" East, a distance of 26.97 feet to point; North 88°49'00" East, a distance of 218.89 feet to point; Thence, leaving the centerline of Maxwell Avenue (60 feet public Right-Of-Way) North 01°11'00" West, a distance of 30.00 feet to a point; Thence North 88° 49' 00" East, a distance of 70.00 feet to a point; Thence North 01° 49' 00" East, a distance of 120.00 feet to a point, point being the "TRUE POINT OF BEGINNING" of this description.

THENCE, North 88°49'00" West, a distance of 50.00 feet to a boundary point;

THENCE, North 1°11'00" West, a distance of 33.58 feet to a boundary point;

THENCE, along a curve to the left, having a radius of 30.00 feet, a Delta angle of 46°33'54", and whose long Chord bears North 24°27'57" West, a distance of 23.72 to a boundary point;

THENCE, along a curve to the right, having a Radius of 50.00 feet, a Delta angle of 273°08'01", and whose long Chord bears North 88°49'00" East, a distance of 68.75 feet to a boundary point;

THENCE, along a curve to the left, having a Radius of 30.00 feet, a Delta angle of 46°33'54", and whose long Chord bears South 22°05'57" West, a distance of 23.72 feet to a boundary point;

THENCE, South 1°11'00" East, a distance of 33.58 feet to a point back to the "TRUE POINT OF BEGINNING".

Said parcel of land containing 10,100.95 Sq.Ft. (0.2319 Acres) of land, more or less.



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METES AND BOUNDS: SPLIT



CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS
8800 WESTINGHOUSE DRIVE
EL PASO, TEXAS
(915) 864-4457

SLI ENGINEERING, INC.

JOB #: 06-XX-XXXX DR. BY: LCD
SCALE: 1"=40' F.B. #: GPS
DATE: 01/28/2022

PROPERTY DESCRIPTION

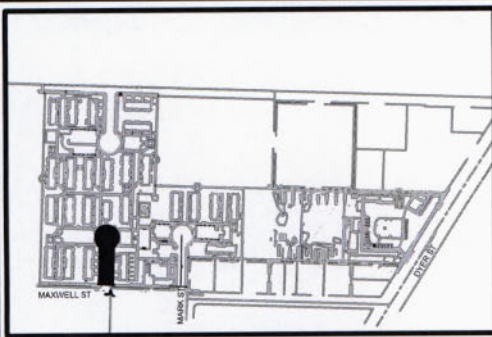
A parcel of land being the Right-Of-Way of Marks Street as dedicated by the Franklin D. Roosevelt Memorial Subdivision Plat recorded in 1974

Reg. No. F-1902
SURVEYING
Reg. No. 100120-00

CERTIFICATION

I HEREBY CERTIFY THAT THE FOREGOING BOUNDARY 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



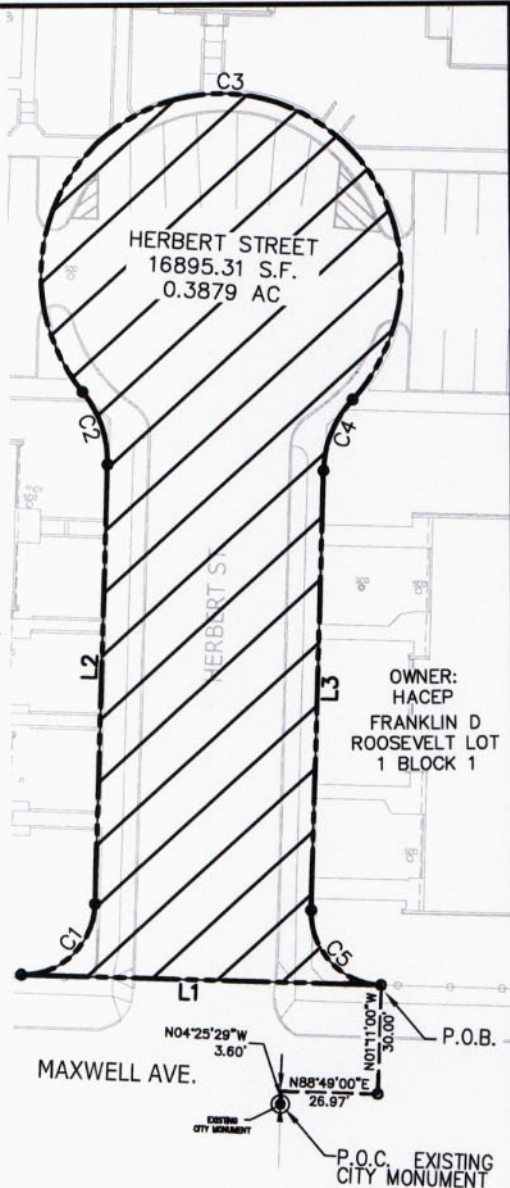
SCALE: 1"=600'

LINE TABLE		
LINE	LENGTH	BEARING
L1	100.00	S88° 49' 00"W
L2	121.08	N1° 11' 00"W
L3	121.08	S1° 11' 00"E



NOTE:
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CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	20.00	31.42	20.00	28.28	N43° 49' 00"E	90°00'00"
C2	29.97	21.68	11.34	21.21	N21° 53' 18"W	41°27'01"
C3	50.00	229.37	56.69	75.00	N88° 49' 00"E	262°49'27"
C4	29.91	21.66	11.34	21.21	S19° 31' 18"W	41°32'26"
C5	20.00	31.42	20.00	28.28	S46° 11' 00"E	90°00'00"



SCALE: 1"=40'



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STREET VACATE:



CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS
8600 WESTING DRIVE
EL PASO, TEXAS
(915) 804-1487

SLI ENGINEERING, INC.

JOB #: 06-XX-XXXX DR. BY: LCD

SCALE: 1"=40' F.B. #: GPS

DATE: 01/28/2022

PROPERTY DESCRIPTION

A parcel of land being the Right-Of-Way of Herbert Street as dedicated by the Franklin D. Roosevelt Memorial Subdivision Plat recorded in 1974

Reg. No. F-1902
SURVEYING
Reg. No. 100120-00

CERTIFICATION
I HEREBY CERTIFY THAT THE FOREGOING BOUNDARY 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



HERBERT STREET METES AND BOUNDS

A parcel of land being the Right-Of-Way of Herbert Street as dedicated by the Franklin D. Roosevelt Memorial Subdivision Plat recorded in 1974 and being more particularly described by metes and bounds as follows;

Commencing at the City Monument found 3.60 feet offset from the centerline intersection of Maxwell Avenue (60 feet public Right-Of-Way) and Herbert Street (60 feet public Right-Of-Way); Thence, North 88°49'00" East, a distance of 26.97 feet to point; Thence, leaving the centerline of Maxwell Avenue (60 feet public Right-Of-Way) North 01°11'00" West, a distance of 30.00 feet to a point, point being the "TRUE POINT OF BEGINNING" of this description.

THENCE, South 88°49'00" West, a distance of 100.00 feet to a boundary point;

THENCE, along a curve to the left, having a radius of 20.00 feet, a Delta angle of 90°00'00", and whose long Chord bears North 43°49'00" East, a distance of 28.28 to a boundary point;

THENCE, North 1°11'00" West, a distance of 121.08 feet to a boundary point;

THENCE, along a curve to the left, having a radius of 29.97 feet, a Delta angle of 41°27'01", and whose long Chord bears North 21°53'18" West, a distance of 21.21 to a boundary point;

THENCE, along a curve to the right, having a Radius of 50.00 feet, a Delta angle of 262°49'27", and whose long Chord bears North 88°49'00" East, a distance of 75.00 feet to a boundary point;

THENCE, along a curve to the left, having a Radius of 29.91 feet, a Delta angle of 41°32'26", and whose long Chord bears South 19°31'18" West, a distance of 21.21 feet to a boundary point;

THENCE, South 1°11'00" East, a distance of 121.08 feet to a boundary point;

THENCE, along a curve to the left, having a Radius of 20.00 feet, a Delta angle of 90°00'00", and whose long Chord bears South 46°11'00" East, a distance of 28.28 feet to a point back to the "TRUE POINT OF BEGINNING".

Said parcel of land containing 16,895.31 Sq.Ft. (0.3879 Acres) of land, more or less.



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Reg. No. F-1902
SURVEYING
Reg. No. 100120-00

METES AND BOUNDS



CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS
8800 WESTING DRIVE
EL PASO, TEXAS
(915) 864-4457

SLI ENGINEERING, INC.

JOB #: 06-XX-XXXX DR. BY: LCD
SCALE: 1"=40' F.B. #: GPS
DATE: 01/28/2022

PROPERTY DESCRIPTION

A parcel of land being the Right-Of-Way of Herbert Street as dedicated by the Franklin D. Roosevelt Memorial Subdivision Plat recorded in 1974

CERTIFICATION
I HEREBY CERTIFY THAT THE FOREGOING BOUNDARY 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