

ORDINANCE NO. 019427

**AN ORDINANCE VACATING A PORTION OF OREGON STREET LOCATED BETWEEN BLOCK 5 AND BLOCK 6, MILLS ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS.**

**WHEREAS**, the abutting property owner has requested vacation of a 0.0326 PORTION OF OREGON STREET LOCATED BETWEEN BLOCK 5 AND BLOCK 6, MILLS ADDITION, City of El Paso, El Paso County, Texas; and

**WHEREAS**, after public hearing the City Plan Commission has recommended a vacation of a 0.0326 acre portion of Oregon Street located within a portion of Oregon Street located between Block 5 and Block 6, Mills Addition, 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.

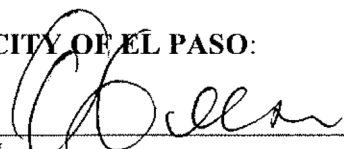
**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

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 0.0326 acre portion of Oregon Street located within a portion of Oregon Street located between Block 5 and Block 6, Mills Addition, 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 Kress Tunnel, LLC.

**ADOPTED** this 3<sup>rd</sup> day of JAN, 2023.


**THE CITY OF EL PASO:**

  
Oscar Lesser  
Mayor


**ATTEST:**

  
Laura D. Prine  
City Clerk

**APPROVED AS TO FORM:**

  
Russell T. Abeln  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

  
Philip F. Eliwe, Director  
Planning & Inspections Department

**ORDINANCE NO.** 019427  
22-1007-2967 | 1203759  
Oregon ROW Vacation  
RTA

**SURW22-00009**

**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 Kress Tunnel, LLC (the "Grantee"), all its rights, title, interest, claim and demand in and to the property which was vacated, closed and abandoned by Ordinance No. 019427 passed and approved by the City Council of the City of El Paso and described as **A PORTION OF OREGON STREET LOCATED BETWEEN BLOCK 5 AND BLOCK 6, MILLS ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, (SUBSURFACE OR SUBTERRANEAN PORTION ONLY)** and the **CITY OF EL PASO** retains its existing surface rights to solely control, operate, and maintain the surface right-of-way for pedestrian and vehicular access, to the subservience of the subsurface property 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.

Except for maintenance of the existing subsurface tunnel as described in the attached Exhibits, Grantee shall not construct any additional improvements, or make any additions or alterations on, above, or below the City right-of-way.

WITNESS the following signatures and seal this 3<sup>rd</sup> day of January, 2023.

ATTEST:

Laura D. Prine

Laura D. Prine, City Clerk

CITY OF EL PASO:

Tomás González  
Tomás González, City Manager

APPROVED AS TO FORM:

For Russell T. Abeln  
Assistant City Attorney

APPROVED AS TO CONTENT:

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

(Acknowledgement on following page)

**ACKNOWLEDGMENT**

THE STATE OF TEXAS   )  
  )  
COUNTY OF EL PASO   )

*Tracy Jerome*  
*for*

This instrument is acknowledged before me on this 6 day of January, 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:  
06-01-2024

**AFTER FILING RETURN TO:**  
Kress Tunnel, LLC  
123 W. Mills Ave., Suite 600  
El Paso, Texas 79901





## Exhibit "A"

### METES AND BOUNDS DESCRIPTION

That certain parcel of land, being a portion of Oregon Street located between Block 5 and Block 6, Mills Addition, an addition to the City of El Paso, El Paso County, Texas, more particularly described by metes and bounds as follows:

**COMMENCING** at a found city monument located 10.00 feet south and east of the centerline intersection of Oregon Street and Mills Avenue, **WHENCE**, a found city monument located 10.00 feet south and east of the centerline intersection of Mills and Kansas Street bears N 56°12'17" E, a distance of 934.80 feet (935.00'-Plat); **THENCE**, S 33°47'43" E, along the monument line of Oregon Street, a distance of 25.00 feet to a point; **THENCE**, N 56°12'17" E, a distance of 25.00 feet to a point for the northwest corner of said Block 5, Mills Addition on the easterly right-of-way line of Oregon Street; **THENCE**, S 33°47'43" E, along the easterly right-of-way line of Oregon Street a distance of 112.39 feet to the **POINT OF BEGINNING** of this description;

**THENCE**, S 33°47'43" E, along the east right-of-way line of Oregon Street, a distance of 19.32 feet to a point;

**THENCE**, S 55°28'25" W, a distance of 8.70 feet to point;

**THENCE**, S 62°42'14" W, a distance of 29.70 feet to a point;

**THENCE**, S 55°28'25" W, a distance of 31.72 feet to a point on the westerly right-of-way line of Oregon Street and the east line of said Block 6, Mills Addition;

**THENCE**, N 33°47'43" W, along said westerly right-of-way line of Oregon Street, a distance of 22.87 feet to a point,

**WHENCE**, the northeast corner of said Block 6 bears N 33°47'43" W, a distance of 105.99 feet;

**THENCE**, N 59°18'50" E, a distance of 10.17 feet to a point;

**THENCE**, N 62°42'14" E, a distance of 52.54 feet to a point;

**THENCE**, N 55°28'25" E, a distance of 7.64 feet to the **POINT OF BEGINNING**, containing 0.0326 acres more or less.

#### NOTES:

1. This description is accompanied by a survey plat of even date.
2. Bearings recited are referred to Grid North, Texas Coordinate System - NAD 83, Central Zone - and were derived using GPS relative position techniques. Distances are ground distances using a project scale factor of 1.000231.
3. This description was performed without the benefit of a title report. There may be easements affecting this property which are not shown hereon.

Cobb, Fendley & Associates, Inc.

*Raul Vaquera Jr.*

Raul Vaquera Jr.

Texas RPLS No. 6730

April 27, 2021



Job No. 2102-036-01

SHEET NO. 1 of 2

**CobbFendley**

Texas Engineering Firm No. F-274

Texas Surveying Firm No. 10194619

11427 Rojas Drive, Suite B | El Paso, TX 79936

915.858.1892 | fax 915.858.1896 | www.cobbfindley.com

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### METES & BOUNDS DESCRIPTION

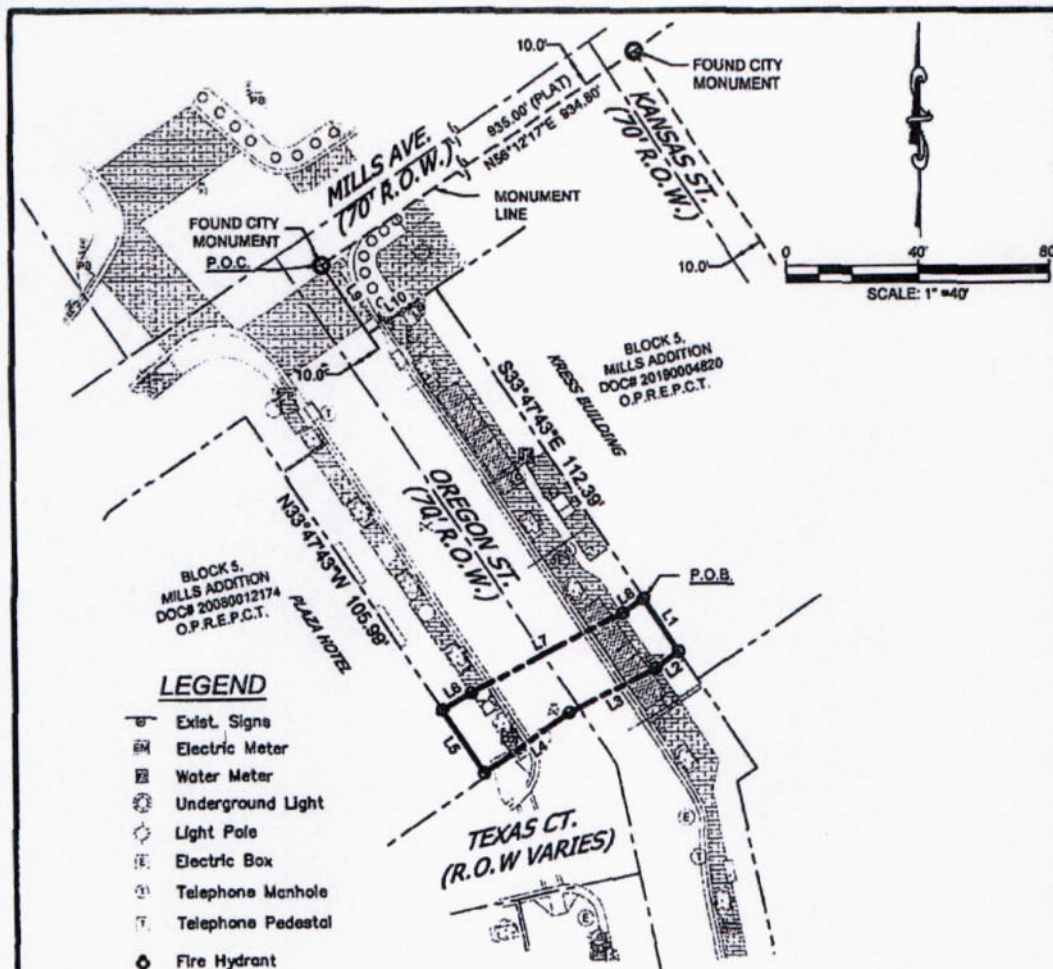
BEING ALL OF BLOCK 46,  
MILLS ADDITION,  
AN ADDITION TO THE CITY OF EL PASO,  
EL PASO COUNTY, TEXAS

C:\Users\ADMIN\Documents\2102-036-01\2102-036-01-001.dwg

ITEM 3 - GENERAL COMMENTS



# Exhibit "B"



## NOTES:

- Bearings shown are referred to Grid North, Texas Coordinate System - NAD 83, Central Zone - and were derived using GPS relative positioning techniques. Distances are ground distances using a project scale factor of 1.000231.
- Bearings and distances shown are as measured in the field.
- This survey was performed without the benefit of a title report. There may be easements affecting this property which are not shown hereon.
- This survey is accompanied by a written description of even data.
- Field work for this survey was completed on June 25, 2021.

Job No. 2102-036-01

SHEET NO. 2 of 2

**CobbFendley**

Texas Engineering Firm No. F-274  
Texas Surveying Firm No. 10194619  
11427 Rojas Drive, Suite B | El Paso, TX 79936  
915.858.1892 | fax 915.858.1896 | www.cobbfendley.com

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Surveyor's Seal: RAUL VAQUERA JR., 6730, PROFESSIONAL SURVEYOR

## PLAT OF SURVEY

A PORTION OF OREGON STREET LOCATED BETWEEN BLOCK 5 AND BLOCK 6, MILLS ADDITION, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS

ITEM 3 - GENERAL COMMENTS

Doc # 20230002768  
#Pages 5 #NFPages 1  
01/11/2023 02:32 PM  
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  
hereon 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*