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

CITY CLERK DEPT.
05 JUL 27 PM 1:03

DEPARTMENT: El Paso Water Utilities: Submitted: July 27th, 2005

AGENDA DATE: **AUGUST 2ND, 2005 – CONSENT AGENDA**

The El Paso Water Utilities is requesting these matters be placed on the Consent Agenda for August 2nd, 2005

CONTACT PERSON/PHONE: Robert D. Andron, General Counsel
El Paso Water Utilities, (915) 594-5607

DISTRICT(S) AFFECTED: District #1, District#2, District #3 & District #4

SUBJECT:
Six individual items for underground, overhead and transformer electrical easements:

CONSENT AGENDA FOR CITY COUNCIL – August 2nd, 2005

A resolution authorizing the City Manager to sign an instrument granting an underground/overhead electrical easement and two transformer easements to the El Paso Electric Company for the purpose of providing electrical service to a new El Paso Water Utilities Public Service Board Water Treatment Plant located at 9070 N. Vinton Road near Foster Road in far west El Paso in a portion of Tract 1A, Block 21, Upper Valley Survey, El Paso, El Paso County, Texas. **(District #1)** [El Paso Water Utilities, Robert D. Andron, (915) 594-5506]

A resolution authorizing the City Manager to sign an instrument granting an underground electrical easement and one transformer easement to the El Paso Electric Company for the purpose of providing electrical service to Festival Pump Station located near Mesa Street and Festival in west El Paso in a portion of Lot 1, Block 2, Mesa Place Unit 2, El Paso, El Paso County, Texas. **(District #1)** [El Paso Water Utilities, Robert D. Andron, (915) 594-5506]

A resolution authorizing the City Manager to sign an instrument granting an underground electrical easement and one transformer easement to the El Paso Electric Company for the purpose of providing electrical service to Well #522 located at 10222 Railroad Drive near Deer Avenue and Roy Johnson in northeast El Paso in a portion of Section 41, Block 80, Township 1, T & P Railroad Surveys, El Paso, El Paso County, Texas. **(District #4)** [El Paso Water Utilities, Robert D. Andron, (915) 594-5506]

A resolution authorizing the City Manager to sign an instrument granting an underground electrical easement and one transformer easement to the El Paso Electric Company for the purpose of providing electrical service to a new reclaimed water pump site located at 1114 Thunderbird between Singing Hills and Torrey Pines in west El Paso in a portion of A. G. McMath Survey No. 298, El Paso, El Paso County, Texas. **(District #1)** [El Paso Water Utilities, Robert D. Andron, (915) 594-5506]

A resolution authorizing the City Manager to sign an instrument granting an overhead electrical easement to the El Paso Electric Company for the purpose of relocating electrical service to Well #46 located at 9841 Carnegie near Montana Avenue and Killarney in east El Paso in a portion of Tract 2A, Section 39, Block 80, TSP 2, El Paso, El Paso County, Texas. **(District #2)** [El Paso Water Utilities, Robert D. Andron, (915) 594-5506]

A resolution authorizing the City Manager to sign an instrument granting an overhead electrical easement to the El Paso Electric Company for the purpose of providing electrical service to proposed Well #30C located at 6444 Continental Drive near Airport Road and Hiller in east El Paso in a portion of Lot 1, Block 2A, El Paso International Airport Tracts, El Paso, El Paso County, Texas. **(District #3)** [El Paso Water Utilities, Robert D. Andron, (915) 594-5506]

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

On May 11, 2005, the El Paso Water Utilities Public Service Board (PSB), passed a Resolution on each of the above-listed items (six total) requesting the City of El Paso grant the electric easements as requested.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

These are routine electric easement requests received from El Paso Electric Company to provide electric service to certain properties.

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

n/a

BOARD / COMMISSION ACTION:

Approved by the El Paso Water Utilities Public Service Board by Resolution May 11, 2005.

********************REQUIRED AUTHORIZATION*********************

LEGAL: (if required)_____

FINANCE: (if required)_____

DEPARTMENT HEAD _____

(Example: if RCA is initiated by Purchasing, client department should sign also)

Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

Attachments

p:\20052006\August2005\CityCouncilItems\ElecEasements\MemoAgendaItemRequestSixElectricEasementsAug2.doc

EL PASO WATER UTILITIES PUBLIC SERVICE BOARD

TO: Joyce Wilson, City Manager
City of El Paso, Texas

FROM: Robert D. Andron, General Counsel
El Paso Water Utilities Public Service Board

DATE: July 27, 2005

SUBJECT: Request to place Items on City Council Agenda – Consent: August 2nd, 2005
(Six Individual Resolutions/Electrical Easements)

CITY CLERK DEPT.
05 JUL 27 PM 1:33

CONSENT AGENDA FOR CITY COUNCIL – August 2nd, 2005

A resolution authorizing the City Manager to sign an instrument granting an underground/overhead electrical easement and two transformer easements to the El Paso Electric Company for the purpose of providing electrical service to a new El Paso Water Utilities Public Service Board Water Treatment Plant located at 9070 N. Vinton Road near Foster Road in far west El Paso in a portion of Tract 1A, Block 21, Upper Valley Survey, El Paso, El Paso County, Texas. **(District #1)** [El Paso Water Utilities, Robert D. Andron, (915) 594-5506]

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BACKGROUND

On May 11, 2005, the El Paso Water Utilities Public Service Board (PSB), passed a Resolution on each of the above-listed items (six total) requesting the City of El Paso grant the electric easements as requested.

ACTION REQUESTED

Approval of the 6 separate electrical easement requests
underground, overhead and transformer easements

REQUEST TO PLACE ITEMS ON THE CITY COUNCIL AGENDA – August 2nd, 2005

Attached is a copy of each of the six easements in this request. Upon approval of these items, it is requested that the City Clerk keep one original and return **TWO originals to this office** so that recording arrangements may be made.

The El Paso Water Utilities is requesting this matter be placed on the Consent Agenda for August 2nd, 2005.

Please advise this office upon completion of your review and approval of the placement of these items on the City Council Agenda and my secretary will contact the City Clerk and make arrangements to have document packets hand-delivered to the City Clerk's Office and email backup documents as noted to those listed below. If there are any questions, please call me at 594-5607 or email bandron@epwu.org.

I will plan to attend the City Council meeting. Thank you for your kind attention to these matters.

Attachments

Cc: The Honorable Mayor John F. Cook (email)
City Council Representatives (email)
Pat Adauto, Deputy City Manager for Building & Planning Services (email)
Matt Briones, Executive Assistant to the Mayor (email)
Charlie McNabb, City Attorney (email)
Theresa Cullen-Garney, Deputy City Attorney (email)
Richarda Duffy-Momsen, City Clerk (hard copies & email)
Nicholas J. Costanzo, Assistant General Manager (email)
Jim Shelton, Land Administration, PSB (email)

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RESOLUTION

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN INSTRUMENT GRANTING AN UNDERGROUND ELECTRICAL EASEMENT AND ONE TRANSFORMER EASEMENT TO THE EL PASO ELECTRIC COMPANY FOR THE PURPOSE OF PROVIDING ELECTRICAL SERVICE TO WELL #522 LOCATED AT 10222 RAILROAD DRIVE NEAR DEER AVENUE AND ROY JOHNSON IN NORTHEAST EL PASO IN A PORTION OF SECTION 41, BLOCK 80, TOWNSHIP 1, T & P RAILROAD SURVEYS, EL PASO, EL PASO COUNTY, TEXAS.

WHEREAS, May 11, 2005, the El Paso Water Utilities Public Service Board (PSB), passed a Resolution requesting the City of El Paso grant an underground (10') electrical easement and one transformer easement (12' x 16') for the purpose of providing electrical service to Well #522 located at 10222 Railroad Drive near Deer Avenue and Roy Johnson in northeast El Paso in a portion of Section 41, Block 80, Township 1, T & P Railroad Surveys, El Paso, El Paso County, Texas; and

WHEREAS, the City Council finds it to be in the public interest to grant an underground electrical easement and one transformer easement for service to land in a portion of Section 1, Block 80, Township 1, T & P Railroad Surveys, El Paso, El Paso County, Texas; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

The City Manager is hereby authorized to sign a document granting an underground electrical easement and one transformer easement for the purpose of providing electrical service to Well #522 located at 10222 Railroad Drive near Deer Avenue and Roy Johnson in northeast El Paso in a portion of Section 41, Block 80, Township 1, T & P Railroad Surveys, El Paso, El Paso County, Texas.

ADOPTED and EFFECTIVE this the _____ day of _____, 2005.

THE CITY OF EL PASO

ATTEST:

_____
John F. Cook
Mayor

_____
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

_____
Robert D. Andron, General Counsel
El Paso Water Utilities Public Service Board

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THE STATE OF TEXAS }
}
COUNTY OF EL PASO }

EASEMENT

Location Index 4584-3298
School District 051
Work Order No. 04-7-1-70021

For ten dollars ($10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the CITY OF EL PASO, hereinafter called Grantor, grants unto El Paso Electric Company, hereinafter called Grantee, its successors and assigns, whose address is P.O. Box 982, El Paso, Texas 79960, the non-exclusive right, privilege, authority and easement to enter upon and erect, construct, operate, remove, inspect, access, and maintain and install underground cables, lines, conductors, conduits, transformer installation including padmount and conventional, ducts, vaults, pullboxes, manholes, handholes, service facilities, fixtures and all other necessary equipment for an underground electric distribution system, with the right of access, ingress, and egress thereto for the installation, construction, operation, inspection, repair, maintenance, replacement, renewal or removal thereof, for the distribution of electricity for which same is or may hereafter be used, over, upon and along the following described premises and the adjoining roads, streets and highways, in the county named above, to-wit:

A portion of Section 41, Block 80, Township 1, T & P Railroad Surveys, El Paso, El Paso County, Texas as shown on the attached print and made a part thereof

with the right to trim any trees and flora and around said electrical equipment so as to keep the electrical equipment cleared, and to do anything reasonably proper and necessary to operate and maintain same.

This easement shall be for the term of the El Paso Electric Company's franchise and any extension and renewal thereof by the City of El Paso. In accepting this easement, the Grantee agrees that upon request it will relocate any of its facilities located within the easement at no cost to the City of El Paso, or its Public Service Board, successors or assigns.

In accepting this grant, Grantee agrees that it will replace landscaping and paving as disturbed by the construction, maintenance or repairs of and to its facilities in and upon such easement.

Grantor reserves the right to full use and enjoyment of said property, except for the purposes herein granted.

Should Grantee abandon the facilities and right-of-way, then the interest in land herein above described shall revert to Grantor, its successors and assigns. Such abandonment shall be conclusively presumed following non-use by Grantee for one year and with use not being resumed within sixty (60) days following receipt of notice of abandonment from Grantor to Grantee, and on such abandonment, Grantee will then execute any and all necessary documents to evidence such abandonment.

WITNESS the following seal and signature this _____ day of _____, 2005.

CITY OF EL PASO

_____
Joyce Wilson, City Manager

APPROVED AS TO FORM:

_____
Robert D. Andron, General Counsel
El Paso Water Utilities Public Service Board

(Acknowledgment on following page)

ACKNOWLEDGMENT

STATE OF TEXAS }
}
COUNTY OF EL PASO }

This instrument was acknowledged before me on the _____ day of _____, 2005, by Joyce Wilson as the City Manager of the City of El Paso.

_____
Notary Public in & for
The State of Texas

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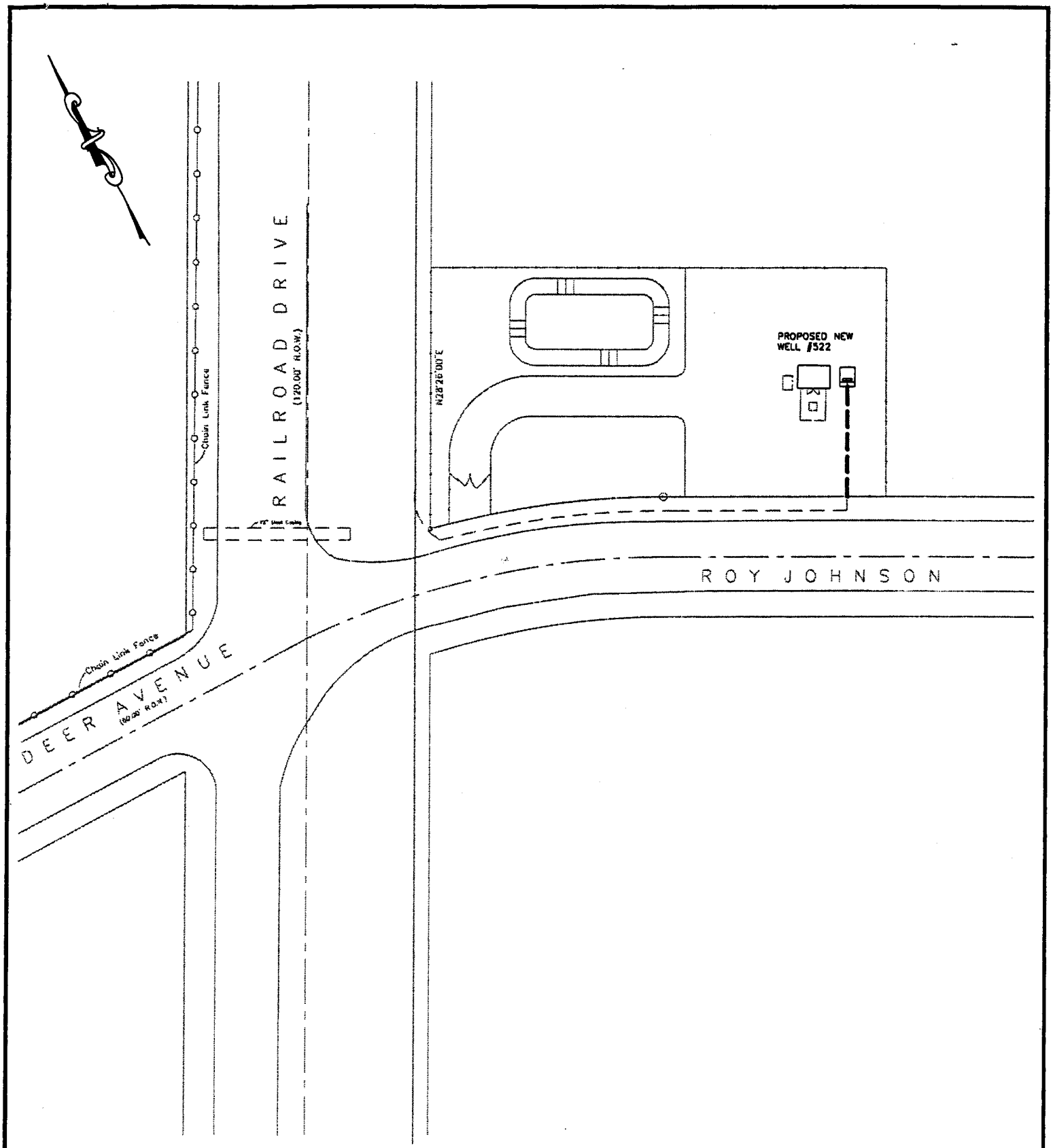


LEGEND

PROPOSED E.P.E. CO. 10 FT. UTIL. ESMT.

12' X 16' TRANSFORMER EASEMENT

GRANTORS INITIALS _____

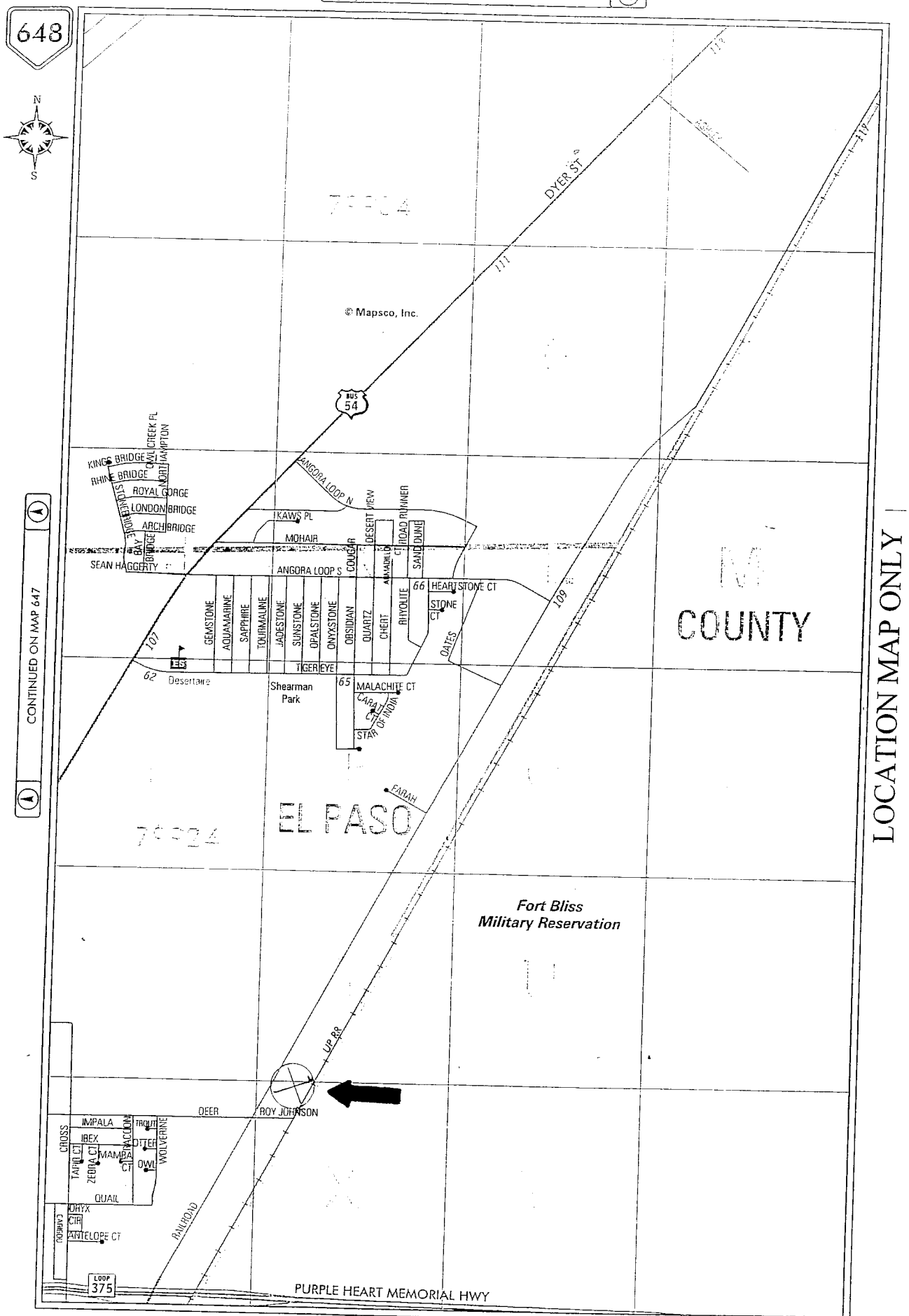
Return to:
El Paso Electric Co.
P.O. Box 982-Loc 501
El Paso, TX. 79960

PROPOSED EASEMENT IN A PORTION OF
SECTION 41, BLOCK 80, TOWNSHIP 1
TEXAS & PACIFIC RAILROAD SURVEYS
EL PASO COUNTY, TEXAS

EL PASO ELECTRIC CO. R.O.W.

DATE 3-10-04	EST. NO. 04-7-1-70021
SCALE NONE	

CONTINUED ON MAP 618



SCALE IN MILES
0 1/8 1/4 3/8 1/2

CONTINUED ON MAP 678

SCALE IN FEET
0 1000 2000 3000

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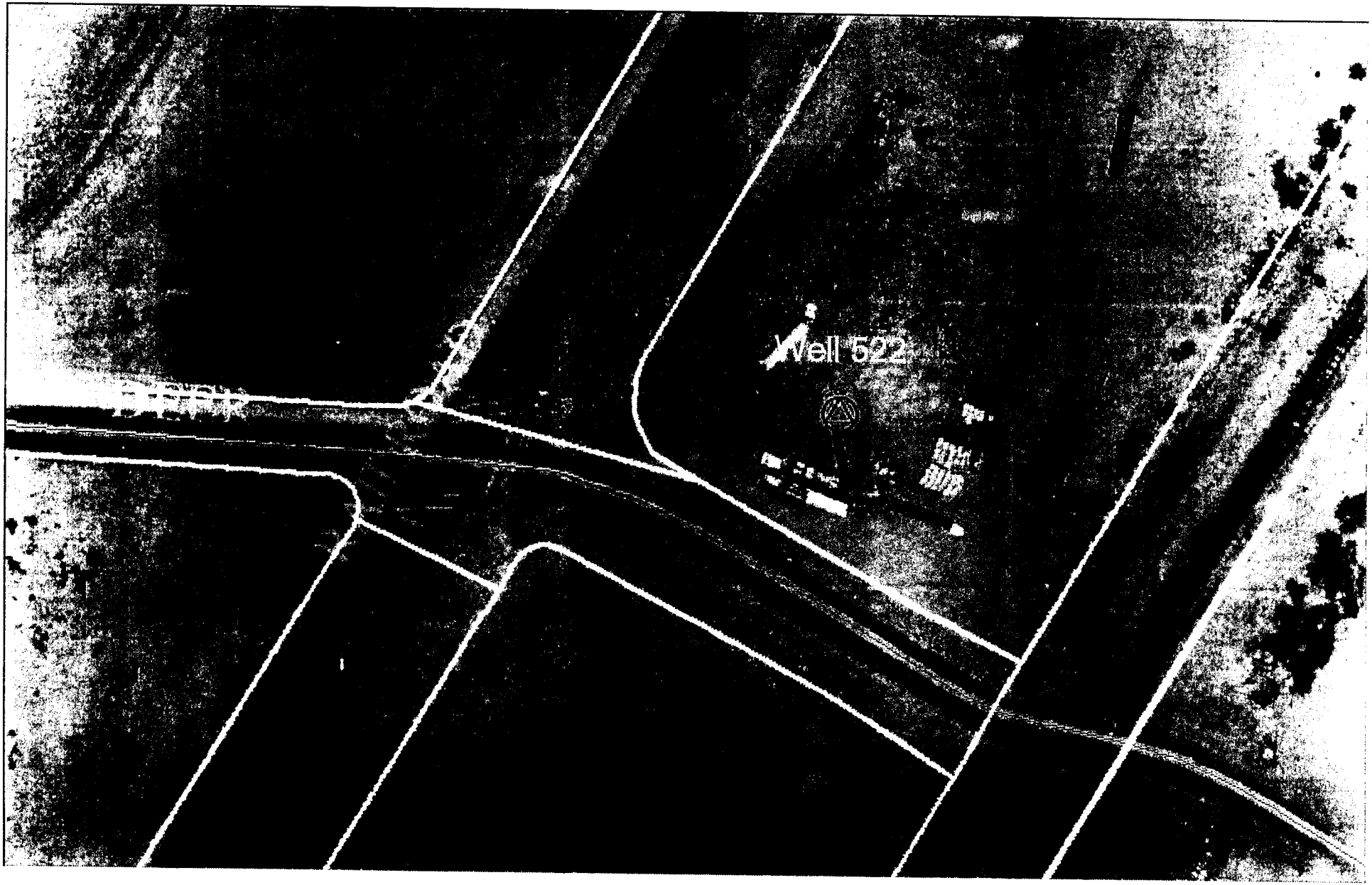
A Portion of Section 41, Block 80, Township 1



LOCATION MAP ONLY