

**Ordinance abandoning and vacating an undeveloped and unsurfaced 37,786-square foot (0.87 acres) portion of a 60-foot wide public right-of-way, as shown and dedicated by Plat of Los Encinos 10 Acre School Tract, a map of which is recorded in Volume 26, Page 63, Map Records of Nueces County, Texas, and requiring the owners, Corpus Christi Independent School District, and Seaside Builders, LLC to comply with specified conditions.**

**WHEREAS**, Corpus Christi Independent School District, and Seaside Builders, LLC, a Texas limited liability company (“Owners”) has requested the abandonment and vacation of an undeveloped and unsurfaced 37,786-square foot (0.87 acres) portion of a 60-foot wide public right-of-way, as shown and dedicated by Plat of Los Encinos 10 Acre School Tract, a map of which is recorded in Volume 26, Page 63, Map Records of Nueces County, Texas. This closure is being requested in conjunction with the future Plat of Los Encinos (to be submitted at a later date).

**WHEREAS**, with proper notice to the public, a public hearing was held on Tuesday, November 17, 2015, during a meeting of the City Council, during which all interested parties and citizens were allowed to appear and be heard.

**WHEREAS**, it has been determined that it is feasible and advantageous to the City of Corpus Christi to abandon and vacate the subject portion of the undeveloped and unsurfaced 37,786-square foot (0.87 acres) portion of a 60-foot wide public right-of-way, as shown and dedicated by Plat of Los Encinos 10 Acre School Tract, a map of which is recorded in Volume 26, Page 63, Map Records of Nueces County, Texas, subject to compliance by the Owners with the conditions specified in this ordinance.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS:**

**SECTION 1.** Pursuant to the request of Corpus Christi Independent School District, and Seaside Builders, LLC, a Texas limited liability company (“Owner”) has requested the abandonment and vacation of an undeveloped and unsurfaced 37,786-square foot (0.87 acres) portion of a 60-foot wide public right-of-way, as shown and dedicated by Plat of Los Encinos 10 Acre School Tract, a map of which is recorded in Volume 26, Page 63, Map Records of Nueces County, Texas is abandoned and vacated by the City of Corpus Christi (“City”), subject to the Owners’ compliance with the conditions specified in Section 2 of this ordinance. Exhibit “A,” which is a metes and bounds description of the subject portion, Exhibit “B,” which is the graphical representation for the metes and bounds description, and Exhibit “C,” which is the location map, are attached to and incorporated in this ordinance by reference as if each were fully set out herein in their entireties.

**SECTION 2.** The abandonment and vacation of the public street right-of-way described in Section 1 of this ordinance is expressly conditioned upon the Owners’ compliance with the following requirements:

- a. City staff recommends that payment of the fair market value be waived because City Code, Sec. 49-12, (c)(4) of the City Code of Ordinances eliminates payment of the fair market value when an abandoned street is unimproved, as it is in this case.
- b. Upon approval by the City Council and issuance of the ordinance, all grants of streets closures must be recorded at the Owners’ expense in the real property Official Deed and Map Records of Nueces County, Texas, in which the subject portion of the property is located, with a copy of the recording provided to the City. Prior to the issuance of any permits for construction on the land, an up-to-date survey, abstracted for all streets, alleys

or public rights-of-way, and items of record must be submitted by the Owners to the Director of Development Services.

- c. Dedicate a 15 FT wide Utility Easement with a separate instrument for looping the water line on Martin Street within 180 days.
- d. Failure to comply with all the conditions outlined in this Ordinance within the specified time frame will hereby make the Ordinance null and void.

The foregoing ordinance was read for the first time and passed to its second reading on this the day of \_\_\_\_\_, 20\_\_\_\_, by the following vote:

Nelda Martinez	_____	Brian Rosas	_____
Rudy Garza	_____	Lucy Rubio	_____
Chad Magill	_____	Mark Scott	_____
Colleen McIntyre	_____	Carolyn Vaughn	_____
Lillian Riojas	_____		

The foregoing ordinance was read for the second time and passed finally on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by the following vote:

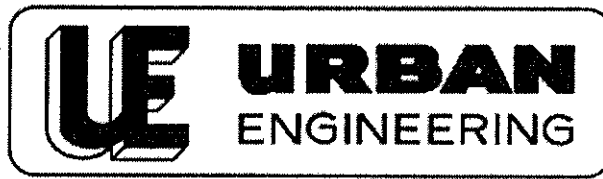
Nelda Martinez	_____	Brian Rosas	_____
Rudy Garza	_____	Lucy Rubio	_____
Chad Magill	_____	Mark Scott	_____
Colleen McIntyre	_____	Carolyn Vaughn	_____
Lillian Riojas	_____		

PASSED AND APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

ATTEST:

\_\_\_\_\_  
Rebecca Huerta  
City Secretary

\_\_\_\_\_  
Nelda Martinez  
Mayor



Job No. 4916.B502  
July 22, 2015

**Exhibit A**  
**0.87 Acre Tract**

**STATE OF TEXAS**  
**COUNTY OF NUECES**

**Fieldnotes** for a 0.87 Acre Tract of Land (not based on an on-the-ground Survey), being a portion of Hacala Street (not constructed), a 60' public roadway, as shown and dedicated by Plat of Los Encinos 10 Acre School Tract, a map of which is recorded in Volume 26, Page 63, Map Records of Nueces County, Texas, said 0.87 Acre Tract being more fully described as follows:

**Beginning**, at the South corner of the said Los Encinos 10 Acre School Tract, on a Northeast boundary line of a 45.316 Acre Tract described in a Warranty Deed from AHA Housing Alternatives, LLC to Seaside Builders, LLC, as recorded in Document Number 2014045952, of the Official Public Records of Nueces County, Texas, the Northwest Right-of-Way line of the said Hacala Street, for the Southwest corner of the said Hacala Street and this Tract;

**Thence**, North  $28^{\circ}59'00''$  East, with the common boundary line of the said Los Encinos 10 Acre School Tract and the said Northwest Right-of-Way line, 180.28 Feet, to the beginning of a circular curve to the left, having a delta of  $29^{\circ}18'27''$ , a radius of 438.72 Feet, an arc length of 224.41 Feet, and a chord which bears North  $14^{\circ}19'47''$  East, 221.97 Feet;

**Thence**, with the said common boundary line and the said circular curve to the left, 224.41 Feet, to the beginning of a circular curve to the right, having a delta of  $24^{\circ}45'24''$ , a radius of 498.72 Feet, an arc length of 215.49 Feet, and a chord which bears North  $12^{\circ}03'15''$  East, 213.82 Feet;

**Thence**, with the said common boundary line and the said circular curve to the right, 215.49 Feet, to the beginning of a circular curve to the left, having a delta of  $86^{\circ}00'03''$ , a radius of 10.00 Feet, an arc length of 15.01 Feet, and a chord which bears North  $18^{\circ}34'04''$  West, 13.64 Feet;

**Thence**, with the said common boundary line and the said circular curve to the left, 15.01 Feet, to the Southwest Right-of-Way line of Frio Street, 60' public roadway, as shown in the said Volume 26, Page 63, being a Northeast corner of the said Los Encinos 10 Acre School Tract, for the North corner of this Tract;

**Thence**, South  $61^{\circ}33'00''$  East, over and across the said Hacala Street, 69.49 Feet, to the common Northwest boundary line of the said 45.316 Acre Tract and a 10 Acre Tract (surveyed same date), the Southeast Right-of-Way line of the said Hacala Street, for the East corner of this Tract and the beginning of a non-tangent circular curve to the left, having a delta of  $25^{\circ}25'22''$ , a radius of 438.72 Feet, an arc length of 194.67 Feet, and a chord which bears South  $12^{\circ}23'11''$  West, 193.07 Feet;

**Thence**, with the said common boundary line and the said non-tangent circular curve to the left, 194.67 Feet, to the beginning of a circular curve to the right, having a delta of  $29^{\circ}18'31''$ , a radius of 498.72 Feet, an arc length of 255.11 Feet, and a chord which bears South  $14^{\circ}19'45''$  West, 252.34 Feet;

**Thence**, with the said common boundary line and the said circular curve to the right, at 207.11 Feet, pass the West corner of the said 10 Acre Tract, in all 255.11 Feet;

S:\Surveying\4916\B502\OFFICE\METES AND BOUNDS\0.87Acres\_4916B502\_Fieldnotes

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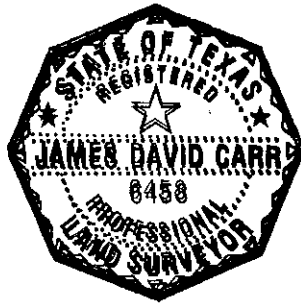
**Thence**, South 28°59'00" West, with the common boundary line of the said 45.316 Acre Tract, the said Southeast Right-of-Way, 179.72 Feet, to the Southwest Right-of-Way line of the said Hacala Street, the said Northeast boundary line, being the inner ell corner of the said 45.316 Acre Tract, for a South corner of the said Hacala Street and this Tract;

**Thence**, North 61°33'00" West, with the common boundary line of the said 45.316 Acre Tract and the said Southwest Right-of-Way line, 60.00 Feet, to the **Point of Beginning** containing 0.87 Acres (37,786 SqFt) of land, more or less.

Bearings based on Plat of Los Encinos 10 Acre School Tract, a map of which is recorded in Volume 26, Page 63, Map Records of Nueces County, Texas.

Unless this fieldnotes description, including preamble, seal and signature, appears in its entirety, in its original form, surveyor assumes no responsibility for its accuracy.

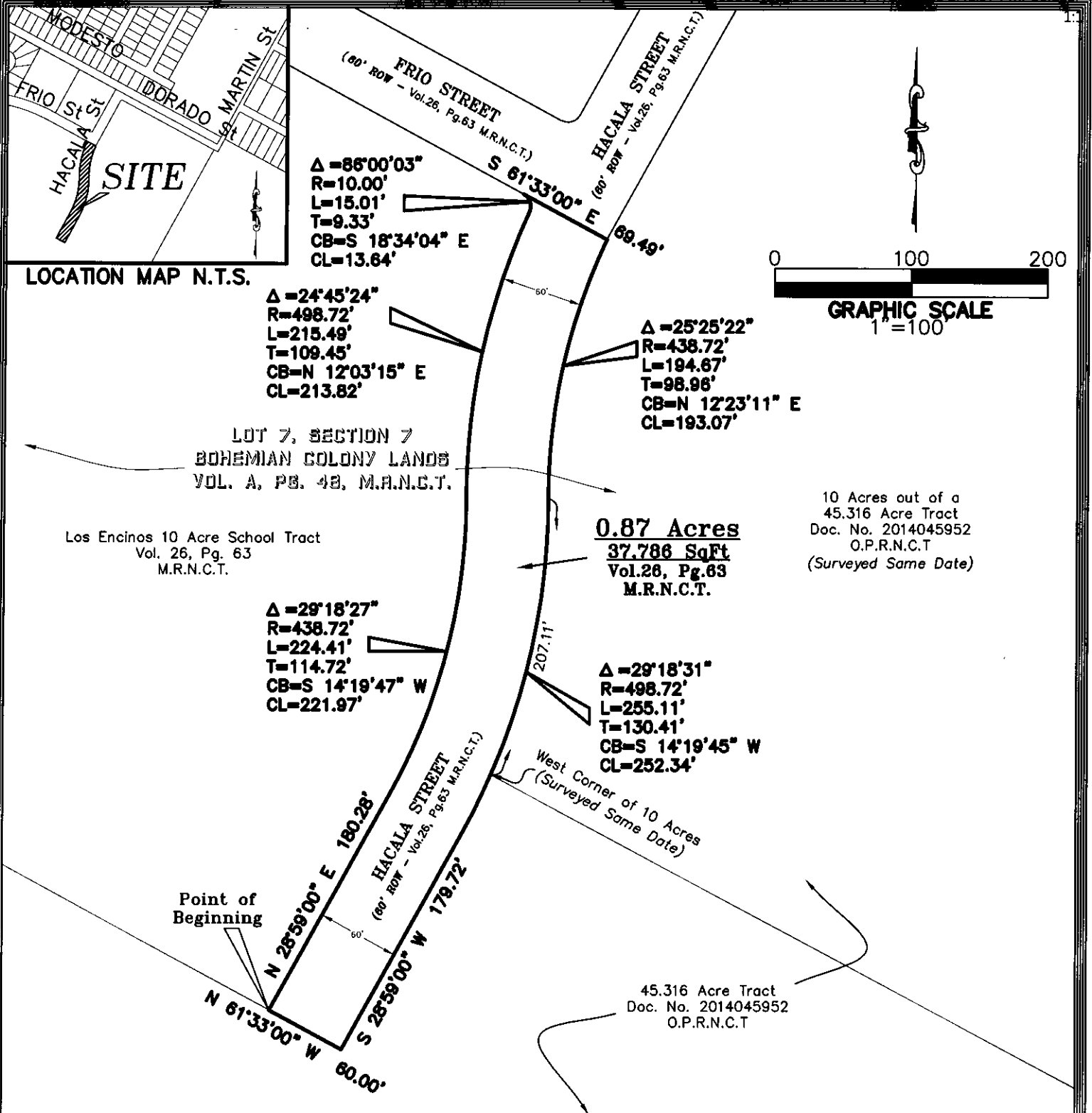
*Also reference accompanying sketch of tract described herein.*



URBAN ENGINEERING

A handwritten signature in black ink that reads "James D. Carr". The signature is written in a cursive style with some loops and flourishes.

James D. Carr, R.P.L.S.  
License No. 6458



*Exhibit B*  
Sketch to Accompany

**DATE: July 22, 2015**  
**SCALE: 1" = 100'**  
**JOB NO.: 4916.B5.02**  
**SHEET: 1 of 1**  
**DRAWN BY: CDS**

0.87 Acre Tract of Land (not based on an on-the-ground Survey), being a portion of Hacala Street (not constructed), a 60' public roadway, as shown and dedicated by Plat of Los Encinos 10 Acre School Tract, a map of which is recorded in Volume 26, Page 63, Map Records of Nueces County, Texas,

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# EXHIBIT C - HACALA ST - LOS ENCINOS RIGHT-OF-WAY CLOSURE

