

Ordinance abandoning and vacating an undeveloped and unsurfaced 67,120-square foot portion of a 40-foot wide public right-of-way, out of Lots 2-4, Section 24, & Lots 29-31, Section 25, Flour Bluff & Encinal Farm & Garden Tracts and requiring the owner, Yorktown Joint Venture, to comply with specified conditions.

WHEREAS, Yorktown Joint Venture (“Owner”) has requested the abandonment and vacation of an undeveloped and unsurfaced 67,120-square foot portion of a 40-foot wide public right-of-way, out of Lots 2-4, Section 24, & Lots 29-31, Section 25, Flour Bluff & Encinal Farm & Garden Tracts;

WHEREAS, with proper notice to the public, a public hearing was held on Tuesday, November 18, 2014, during a meeting of the City Council, during which all interested parties and citizens were allowed to appear and be heard; and

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 67,120-square foot portion of a 40-foot wide public right-of-way, out of Lots 2-4, Section 24, & Lots 29-31, Section 25, Flour Bluff & Encinal Farm & Garden Tracts, 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 Yorktown Joint Venture (“Owner”), an undeveloped and unsurfaced 67,120-square foot portion of a 40-foot wide public right-of-way, out of Lots 2-4, Section 24, & Lots 29-31, Section 25, Flour Bluff & Encinal Farm & Garden Tracts, located west of the Fred’s Folly Drive public street right-of-way and south of the Idle Hour public street right-of-way., as recorded in Volume A, Pages 41-43, of the 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, and Exhibit “B,” which is a field notes map, are attached to and incorporated in this ordinance by reference as if each were fully set out herein in their entirety.

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. 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	_____	Chad Magill	_____
Kelley Allen	_____	Colleen McIntyre	_____
Rudy Garza	_____	Lillian Riojas	_____
Priscilla Leal	_____	Mark Scott	_____
David Loeb	_____		

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

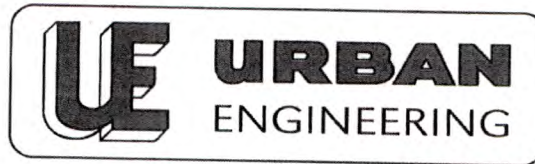
Nelda Martinez	_____	Chad Magill	_____
Kelley Allen	_____	Colleen McIntyre	_____
Rudy Garza	_____	Lillian Riojas	_____
Priscilla Leal	_____	Mark Scott	_____
David Loeb	_____		

PASSED AND APPROVED this the _____ day of _____, 20____.

ATTEST:

Rebecca Huerta
City Secretary

Nelda Martinez
Mayor



Job No. 39319.B4.04
August 26th, 2014

1.54 Acre
40 Foot Wide ROW Closure

STATE OF TEXAS
COUNTY OF NUECES

Fieldnotes, for a 1.54 Acre tract, of Lots 29-31, Section 25 and Lots 2-4, Section 24, Flour Bluff and Encinal Farm and Garden Tracts, a map of which is recorded in Volume A, Pages 41 thru 43, of the Map Records of Nueces County, Texas; said 1.54 Acres, being more fully described by metes and bounds as follows:

Commencing, on the common line of Lot 28 and Lot 29, of the said Section 25, for the South corner of Lot 20, Block 14, Rancho Vista Subdivision Unit 6, a map of which is recorded in Volume 67, Pages 726-727, of the said Map Records;

Thence, South 28°42'09" West, with the said common line, 178.15 feet, to the Point of Beginning and East corner of this tract;

Thence South 28°42'09" West, continuing with the said common line, at 20 feet, pass the North corner of Lot 5, of the said section 24, the East corner of the said Lot 4, the West corner of the said Lot 28 and the South corner of the said Lot 29, continue with the common line of the said Lot 5 and the said Lot 4, in all, 40.00 feet, for the South corner of this tract;

Thence, North 61°17'51" West, 1678.00 feet, for the West corner of this tract;

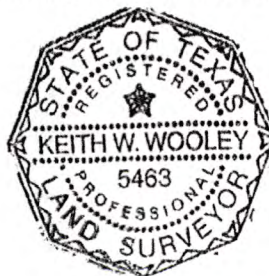
Thence, North 28°42'09" East, at 20.00 feet, pass the North line of the said Lot 2, the South line of the said Lot 31, in all 40.00 feet, for the North corner of this tract;

Thence, South 61°17'51" East, 1678.00 feet to the Point of Beginning, containing 1.54 acres (67,120 Square Feet) of land, more or less.

Bearings are based on the recorded plat of Rancho Vista Subdivision Unit 6, a map of which is recorded in Volume 67, Pages 726-727, of the Map Records of Nueces County, Texas. This description was prepared from record information and does not represent a current on the ground Survey.

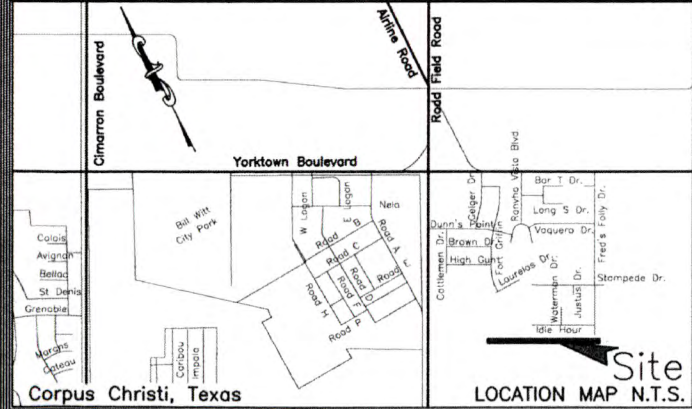
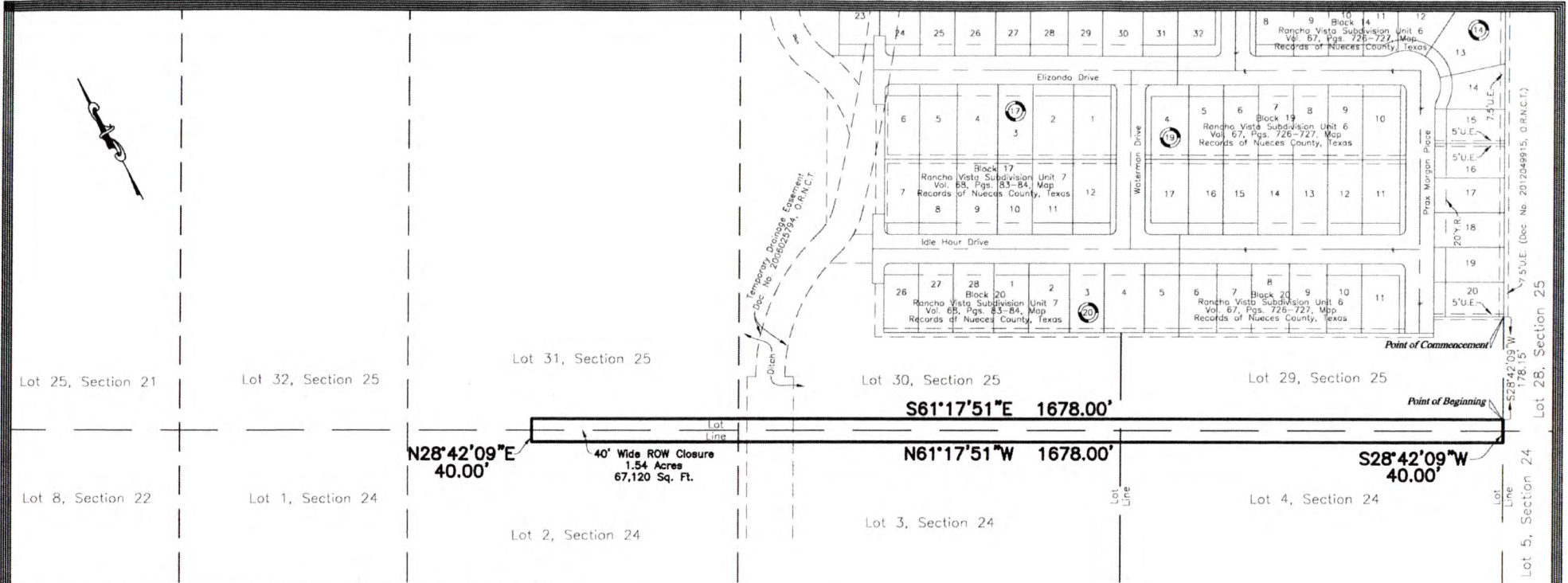
Unless this fieldnote description, including preamble, seal and signature, appears in its entirety, in its original form, surveyor assumes no responsibility for its accuracy.

Also reference accompanying sketch of tract described herein.



URBAN ENGINEERING

Keith W. Wooley
Keith W. Wooley, R.P.L.S.
License No. 5463



Flour Bluff and Encinal Farm and Garden Tracts
 Vol. A, Pgs. 41-43, Map
 Records of Nueces County, Texas



EXHIBIT B

Sketch to Accompany

FIELDNOTES, for a 1.54 Acre tract, of Lots 29-31, Section 25 and Lots 2-4, Section 24, Flour Bluff and Encinal Farm and Garden Tracts, a map of which is recorded in Volume A, Pages 41 thru 43, of the Map Records of Nueces County, Texas



DATE: August 26, 2014
 SCALE: 1"=200'
 JOB NO.: 39319.B4.04
 SHEET: 1 OF 1
 DRAWN BY: RLG