

Ordinance

amending the Unified Development Code (“UDC”), upon application by CLA Realtors for Carriage Management, Inc. (“Owner”), by changing the UDC Zoning Map in reference to a 3.09-acre tract of land out , Seaside Subdivision, Block 2, Lots 1 and 2, from the “RM-AT” Multi-Family Apartment Tourist District to the “RS-10/SP” Single-Family 10 District with a Special Permit; amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause and publication.

WHEREAS, the Planning Commission has forwarded to the City Council its final report and recommendation regarding the application of CLA Realtors for Carriage Management, Inc. (“Owner”), for an amendment to the City of Corpus Christi’s Unified Development Code (“UDC”) and corresponding UDC Zoning Map;

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, January 11, 2017, during a meeting of the Planning Commission when the Planning Commission recommended approval of the requested “RS-10/SP” Single-Family 10 District with a Special Permit, and on Tuesday, February 21, 2017, during a meeting of the City Council, during which all interested persons were allowed to appear and be heard; and

WHEREAS, the Special Permit granted in Section 1 of this ordinance is due to the provisions stated in the UDC 4.3.2 Permitted Uses Tables where it states that a cemetery, mausoleum, columbaria, or memorial park need a Special Permit for existing facilities expanding on same or adjacent property.

WHEREAS, the City Council has determined that this amendment would best serve the public health, necessity, convenience and general welfare of the City of Corpus Christi and its citizens.

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

SECTION 1. Upon application by CLA Realtors for Carriage Management, Inc. (“Owner”), the Unified Development Code (“UDC”) of the City of Corpus Christi, Texas (“City”), is amended by changing the zoning on a 3.09-acre tract of land, Seaside Subdivision, Block 2, Lots 1 and 2, located along the south side of Ocean Drive between Robert Drive and Airline Road (the “Property”), from the “RM-AT” Multi-Family Apartment Tourist District to the “RS-10/SP” Single-Family 10 District with a Special Permit (Zoning Map No. 042038), as shown in Exhibits “A” and “B,” Exhibit A, which is a warranty deed of the Property, Exhibit B, which is a map to accompany the warranty deed, are attached to and incorporated in this ordinance by reference as if fully set out herein in their entirety.

SECTION 2. The Special Permit granted in Section 1 of this ordinance is subject to the Owner meeting the following conditions:

1. **Uses:** The Owner will not place any burial plots on the property abutting Ocean Dr.

SECTION 3. The official UDC Zoning Map of the City is amended to reflect changes made to the UDC by Section 1 of this ordinance.

SECTION 4. The UDC and corresponding UDC Zoning Map of the City, made effective July 1, 2011, and as amended from time to time, except as changed by this ordinance, both remain in full force and effect.

SECTION 5. To the extent this amendment to the UDC represents a deviation from the City's Comprehensive Plan, also known as Plan CC, the Comprehensive Plan is amended to conform to the UDC, as it is amended by this ordinance.

SECTION 6. All ordinances or parts of ordinances specifically pertaining to the zoning of the Property and that are in conflict with this ordinance are hereby expressly repealed.

SECTION 7. Publication shall be made in the City's official publication as required by the City's Charter.

That the foregoing ordinance was read for the first time and passed to its second reading on this the _____ day of _____, 2017, by the following vote:

Mayor	_____	Ben Molina	_____
Rudy Garza	_____	Lucy Rubio	_____
Paulette Guajardo	_____	Greg Smith	_____
Michael Hunter	_____	Carolyn Vaughn	_____
Joe McComb	_____		

That the foregoing ordinance was read for the second time and passed finally on this the _____ day of _____, 2017, by the following vote:

Mayor	_____	Ben Molina	_____
Rudy Garza	_____	Lucy Rubio	_____
Paulette Guajardo	_____	Greg Smith	_____
Michael Hunter	_____	Carolyn Vaughn	_____
Joe McComb	_____		

PASSED AND APPROVED on this the _____ day of _____, 2017.

ATTEST:

Rebecca Huerta
City Secretary

Mayor

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL 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.

WARRANTY DEED

EFFECTIVE DATE: February 22, 2016

GRANTOR: COASTAL AFFLUENCE GROUP, LTD., a Texas limited partnership

GRANTEE: CARRIAGE MANAGEMENT, INC., a Delaware corporation

GRANTEE'S MAILING ADDRESS:

3040 Post Oak Blvd, Suite 300
Houston, TX 77056

CONSIDERATION: Ten Dollars and other valuable consideration.

PROPERTY: The following described Land:

Lot Six B (6B), Block One (1), SEASIDE SUBDIVISION, a Subdivision of the City of Corpus Christi, Nueces County, Texas, as shown by the map or plat thereof recorded in Volume 58, Page 117, Map Records of Nueces County, Texas, to which reference is here made for all pertinent purposes.

Together with and including all of the Grantor's right, title and interest in and to the rights and appurtenances in any way belonging or appurtenant to said Land, including, without limitation: (i) any improvements on said Land; (ii) strips and gores, if any, adjacent or contiguous to the Land; (iii) any land lying in or under the bed of any street, alley, road, creek or stream running through, abutting or adjacent to the Land; (iv) any riparian rights appurtenant to the Land relating to surface or subsurface waters; (v) easements, rights of ingress and egress and reversionary interests benefitting or serving the Land; (vi) all rights pertaining to any Exceptions to Warranty stated below; and (vii) any and all other rights, titles or interests of Grantor in the Land regardless of how evidenced or arising (the Land and other appurtenant rights being referred to herein as the "Property").

RESERVATIONS FROM CONVEYANCE: None.

EXHIBIT A

EXCEPTIONS TO WARRANTY:

This conveyance is subject to the following matters to the extent that such are presently in force and effect and affect the Property:

- (1) All easements, rights-of-way and restrictive covenants, if any, of record with the County Clerk of the County in which the Property is located;
- (2) Taxes for the current year, the payment of which Grantee assumes;
- (3) All mineral estate reservations and conveyances (including assignments or reservations of royalty interests) by Grantor and by Grantor's predecessors in title as shown by the records of the County Clerk of the County in which the Property is located.

The above exceptions are solely stated as limitations and qualifications to Grantor's warranty, and nothing herein shall be construed as an acknowledgement by Grantee as to the validity of any such Exceptions or an assumption or agreement by Grantee as to the terms of such Exceptions.

GRANT OF PROPERTY:

Grantor, for the Consideration and subject to the Reservations From Conveyance and Exceptions to Warranty, GRANTS, SELLS, CONVEYS, ASSIGNS and DELIVERS to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold unto Grantee, Grantee's heirs, executors, administrators, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, executors, administrators, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations From Conveyance and Exceptions to Warranty.

ASSIGNMENT OF CLAIMS:

Grantor hereby assigns and transfers to Grantee all claims and causes of action arising from or relating to any injury to the Property that may have occurred or originated before the Effective Date. Grantor makes no representations or warranties to Grantee as to the existence or viability of any such claims or causes of action. Grantee, and its successor and assigns, shall have the full right and power to maintain any action against any such third party (but not in the name of Grantor) and to settle, compromise or reassign any such claim and cause of action, and deliver a release in full discharge of liability for the same.

ATTORNEY'S FEES:

If any action at law or in equity, including an action for declaratory relief, is brought to enforce or interpret the provisions of this Deed, the prevailing party will be entitled to recover reasonable attorney's fees and court costs from the other party, which fees and costs will be in addition to any other relief awarded.

EXHIBIT A

When the context requires, singular nouns and pronouns include the plural.

COASTAL AFFLUENCE GROUP, LTD.
By: Coastal Essence Group, LLC
Its General Partner

By: [Signature]
Rakesh Patel
Managing Member

STATE OF TEXAS

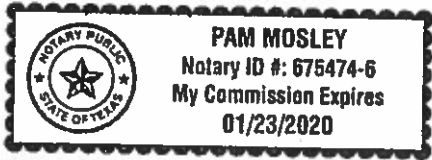
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COUNTY OF NUECES

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This instrument was acknowledged before me on the 22 day of February, 2016, by Rakesh Patel, Managing Member of Coastal Essence Group, LLC, a Texas limited liability company, acting as General Partner of COASTAL AFFLUENCE GROUP, LTD., a Texas limited partnership, on behalf of said partnership.



[Signature]
Notary Public, State of Texas

GF # 158510221
AMOUNT: _____
PAGES: 3
SAN JACINTO TITLE SERVICES-HOLLY

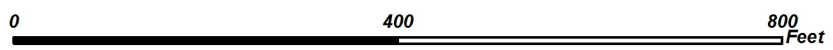
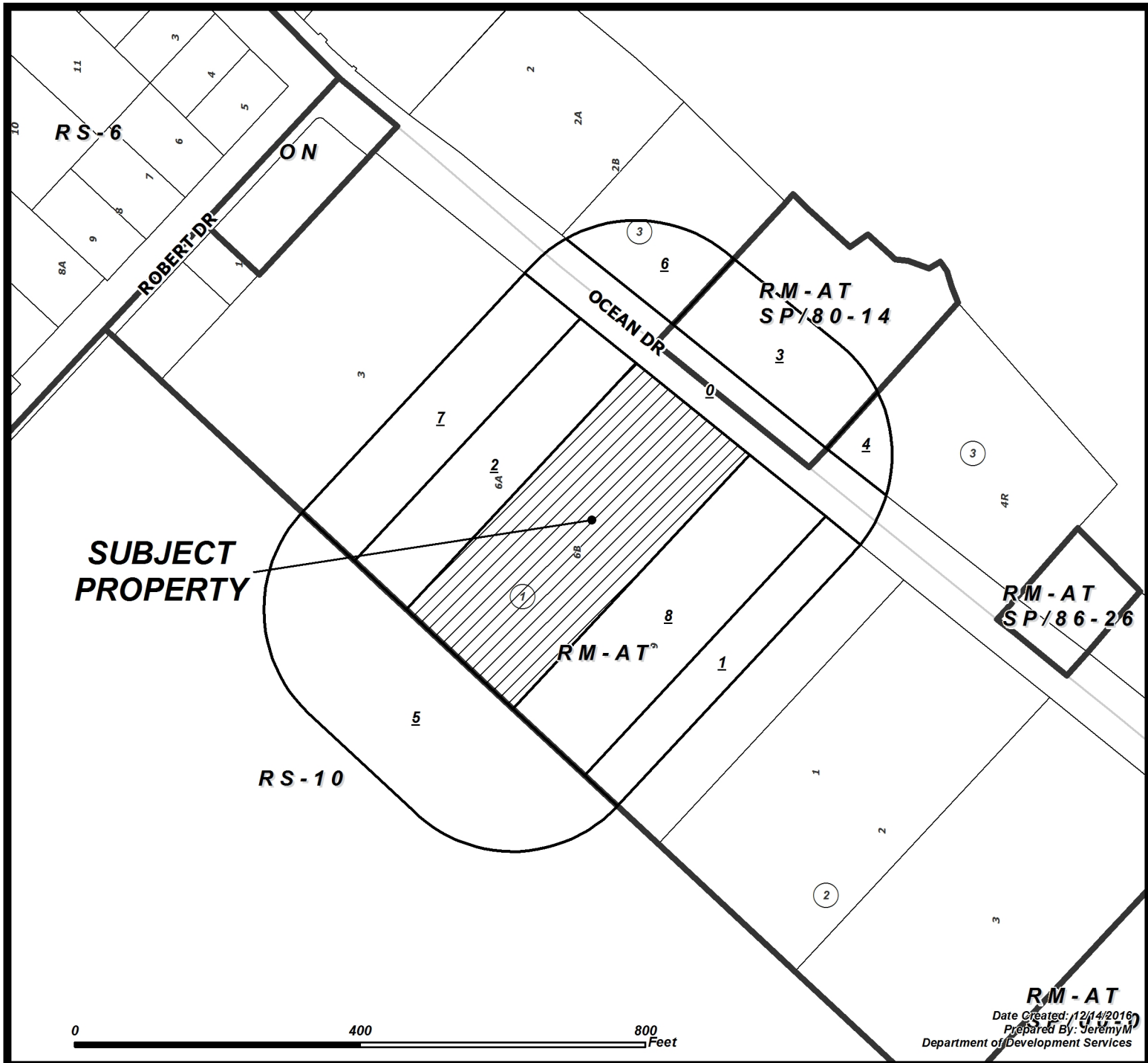
Doc# 2016007193
Pages 4
02/23/2016 9:59AM
e-Filed & e-Recorded in the
Official Public Records of
NUECES COUNTY
KARA SANDS
COUNTY CLERK
Fees \$23.00

Any provision herein which restricts the Sale, Rental
or use of the described REAL PROPERTY because of
Race, Color, Religion, Sex, Handicap, Familial Status
or National Origin is invalid and unenforceable
under FEDERAL LAW, 3/12/89

STATE OF TEXAS
COUNTY OF NUECES
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS
FILED IN FILE NUMBER SEQUENCE ON THE DATE AND
AT THE TIME STAMPED HEREON BY ME AND WAS DULY
RECORDED IN THE OFFICIAL PUBLIC
RECORDS OF NUECES COUNTY TEXAS



Kara Sands
COUNTY CLERK
NUECES COUNTY TEXAS



RM-AT
Date Created: 12/14/2016
Prepared By: Jeremy M
Department of Development Services

CASE: 0117-02 ZONING & NOTICE AREA

RM-1 Multifamily 1	IL Light Industrial
RM-2 Multifamily 2	IH Heavy Industrial
RM-3 Multifamily 3	PUD Planned Unit Dev. Overlay
ON Professional Office	RS-10 Single-Family 10
RM-AT Multifamily AT	RS-6 Single-Family 6
CN-1 Neighborhood Commercial	RS-4.5 Single-Family 4.5
CN-2 Neighborhood Commercial	RS-TF Two-Family
CR-1 Resort Commercial	RS-15 Single-Family 15
CR-2 Resort Commercial	RE Residential Estate
CG-1 General Commercial	RS-TH Townhouse
CG-2 General Commercial	SP Special Permit
CI Intensive Commercial	RV Recreational Vehicle Park
CBD Downtown Commercial	RMH Manufactured Home
CR-3 Resort Commercial	
FR Farm Rural	
H Historic Overlay	
BP Business Park	

- Subject Property with 200' buffer
- Owners in favor
- Owners within 200' listed on attached ownership table
- Owners in opposition

