

**Ordinance abandoning and vacating a portion of a 10-foot wide utility easement out of a part of Lots 7B, 8B, 9B, 10A, 10B, and 12, Blk. 16, Padre Island Number 1, located north of the Encantada Avenue public right-of-way, and east of the Palmira Avenue public right-of-way; and requiring the owner, Island Foundation, Inc., to comply with the specified conditions.**

**WHEREAS**, Island Foundation, Inc. ("Owner") has requested the abandonment and vacation of a portion of a 10-foot wide utility easement out of a part of Lots 7B, 8B, 9B, 10A, 10B, and 12, Blk. 16, Padre Island Number 1;

**WHEREAS**, it has been determined that it is feasible and advantageous to the City of Corpus Christi to abandon and vacate a 2,130-square foot portion of a 10-foot wide utility easement, 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 Island Foundation, Inc., ("Owner"), a 2,130-square foot portion of a 10-foot wide utility easement out of a part of Lots 7B, 8B, 9B, 10A, 10B, and 12, Blk. 16, Padre Island Number 1, located north of the Encantada Avenue public right-of-way, and east of the Palmira Avenue public right-of-way, as recorded in Volume 13, Pages 1-8, and Volume 42, Pages 20-21, of the Official Deed and 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 entireties.

**SECTION 2.** The abandonment and vacation of the utility easement described in Section 1 of this ordinance is expressly conditioned upon the Owners' compliance with the following requirements:

- a. Owner must dedicate new utility easements of equal or greater value than the property being released by the City in this easement closure action, in accordance with City of Corpus Christi, Code of Ordinance Section 49-12, within 180 days of Council approval so that the requirement of paying fair market value for the property can be waived.
- b. Upon approval by the City Council and issuance of the ordinance, all grants of easement closure and specified conditions must be recorded at the Owners' expense in the Official Deed and Map Records of Nueces County, Texas, in which the affected property is located, with a copy of the recording provided to the City.
- c. Prior to the approval of the building permit and the permitting of any construction on the affected property, the Owners must submit up-to-date surveys, abstracted for all easements and items of record, to the Director of Development Services, or his designee.

d. Owners must comply with all specified conditions of the ordinance within 180 days of City Council approval.

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:

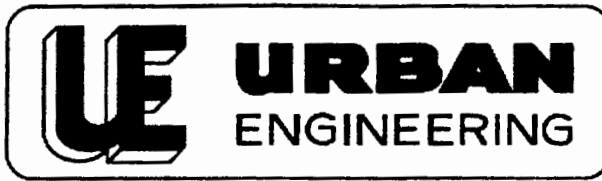
Nelda Martinez	_____	Chad Magill	_____
Kelley Allen	_____	Colleen McIntyre	_____
Rudy Garza	_____	Lillian Riojas	_____
Priscilla Leal	_____	Mark Scott	_____
David Loeb	_____		

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

ATTEST:

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

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



Job No. 38009.B4.03  
March 26, 2014

**0.049 Acre Tract, Utility Easement Closure**

State of Texas  
County of Nueces

FIELDNOTES for a 0.049 Acre Tract, Utility Easement Closure, more or less, over and across Lots 7B, 8B, 9B, 10A and 10B, Block 16, Padre Island Number 1, a map of which is recorded in Volume 13, Pages 1-8, Map Records of Nueces County, Texas and Lot 12, Block 16, Padre Island Number 1, a map of which is recorded in Volume 42, Pages 20-21, Map Records of Nueces County, Texas.; said 0.049 Acres, being more fully described by metes and bounds as follows:

Commencing, at a 5/8 inch iron rod with cap (Hayden) found, the Intersection of Encantada Avenue and Palmira Avenue, a public roadway, the West corner of a County Road closed in Volume 18, Page 232, and Volume 1591, Page 65, Commissioner's Court Minutes, Nueces County, Texas;

Thence, South 65°28'01" East, with the Northeast line of the said Encantada Avenue, the Southwest line of the said Closed County Road, 145.00 feet, Thence, North 24°31'59" East, 50.00 feet, to the Southwest line of said Lot 10B, for the Point of Beginning and Southwest corner of this easement;

Thence, with a curve turning to the left with an arc length of 212.53 feet, with a radius of 2459.93 feet, with a chord bearing of North 22°03'28" East, with a chord length of 212.47 feet, for the North corner of this easement;

Thence, South 70°25'02" East, the Northeast line of the said Lot 7B and Lot 12, the Southwest line of Lots 6B and 6A, Padre Island Number 1, a map of which is recorded in Volume 13, Pages 1-8, Map Records of Nueces County, Texas, 10.00 feet, for the East corner of this easement;

Thence, with a curve turning to the right with an arc length of 213.40 feet, with a radius of 2469.93 feet, with a chord bearing of South 22°03'28" West, with a chord length of 213.33 feet, for the South corner of this easement;

Thence, North 65°28'01" West, the Northeast line of the said Closed County Road, the Southwest line of this said Lots 10B and 10A, 10.00 feet, to the Point of Beginning, containing 0.049 acres (2130 Square Feet) of land, more or less;

Bearings based on GPS, NAD83, State Plane Coordinates, Texas South Zone 4205.

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  
*Dan Lee Urban*  
Dan L. Urban, R.P.L.S.  
License No. 4710

