

ORDINANCE

ANNEXING 70.25 ACRES OF LAND OWNED BY THE SKB ACQUISITION LLC, FORMERLY KNOWN AS SAM KANE BEEF PROCESSORS, LOCATED AT THE INTERSECTION OF LEOPARD STREET AND CLARKWOOD ROAD; PROVIDING THAT THE OWNERS AND INHABITANTS ARE ENTITLED TO ALL RIGHTS, PRIVILEGES, AND BURDENS OF OTHER CITIZENS AND PROPERTY OWNERS OF THE CITY OF CORPUS CHRISTI AND ARE SUBJECT TO AND BOUND BY THE CITY CHARTER, ORDINANCES, RESOLUTIONS, AND RULES; PROVIDING FOR AMENDMENT OF THE OFFICIAL MAPS OF THE CITY OF CORPUS CHRISTI; PROVIDING FOR SEVERANCE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION.

WHEREAS, SKB Acquisition LLC (formerly Sam Kane Beef Processors), is the sole owner of all interest in the surface of a 70.25 acre tract of land, located at the intersection of Leopard Street and Clarkwood Road, which is situated in Nueces County, Texas, and which is described in Exhibit A;

WHEREAS, SKB Acquisition LLC petitioned and requested the City Council of the City of Corpus Christi, Texas, to annex the land to the City of Corpus Christi, Texas, and make the tract of land a part of the City of Corpus Christi, Texas;

WHEREAS, SKB Acquisition LLC land is contiguous and adjacent to the existing city limits of the City of Corpus Christi, Texas;

WHEREAS, SKB Acquisition LLC is the subject of a 380 Agreement entered into by and between the Sam Kane Beef Processors (now SKB Acquisition LLC) and the City of Corpus Christi which prevents the city from initiating annexation without a specific petition from the land owner;

WHEREAS, the City of Corpus Christi is authorized to annex the tract of land owned by the SKB Acquisition LLC, by petition under the authority of Section 43.028, Texas Local Government Code;

WHEREAS, approval of this ordinance shall constitute the granting of the petition specified in Section 43.028(d), Texas Local Government Code;

WHEREAS, it has been determined by the City Council that the territory now proposed to be annexed lies wholly within the extraterritorial jurisdiction of the City of Corpus Christi;

WHEREAS, it has been determined by the City Council that the territory now proposed to be annexed abuts and is contiguous and adjacent to the City of Corpus Christi;

WHEREAS, it has been determined by the City Council that the territory now proposed to be annexed constitutes lands and territories subject to annexation as provided by the City Charter of the City of Corpus Christi and the laws of the State of Texas; and

WHEREAS, it has been determined that it would be advantageous to the City and to its citizens and in the public interest to annex the lands and territory described in this ordinance.

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

SECTION 1. That a 70.25 acre tract of land, now or formerly owned by SKB Acquisition LLC, described in Document No. 2013016625, dated April 29, 2013, filed for record in Nueces County Deed Records, located south of Leopard Street and west of Clarkwood Road, brought within the corporate limits, and made an integral part of the City of Corpus Christi. The tract of land is described by metes and bounds in Exhibit A and by a map in Exhibit B of this ordinance.

SECTION 2. That the owners and inhabitants of the tracts or parcels of land annexed by this ordinance are entitled to all the rights, privileges, and burdens of other citizens and property owners of the City of Corpus Christi, and are subject to and bound by the City Charter of the City of Corpus Christi, and the ordinances, resolutions, motions, laws, rules and regulations of the City of Corpus Christi and to all intents and purposes as the present owners and inhabitants of the City of Corpus Christi are subject.

SECTION 3. That the official map and boundaries of the City and its extraterritorial jurisdiction, previously adopted and amended, are amended to include the territories described in this ordinance as part of the City of Corpus Christi, Texas.

SECTION 4. That the City Manager or his designee is directed and authorized to perform or cause to be performed all acts necessary to correct the official map of the City and its extra territorial jurisdiction to add the territory annexed as required by law.

SECTION 5. If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of the ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

SECTION 6. This ordinance is effective immediately upon passage.

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 _____, _____, by the following vote:

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

That the foregoing ordinance was read for the second time and passed finally on this the _____ day of _____, _____, 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 _____th day of _____, _____.

ATTEST:

Rebecca Huerta
City Secretary

Nelda Martinez
Mayor

Exhibit A

Field Notes for a 70.25 acre tract of land, more or less, situated in Survey No. 416, Abstract No. 838 and Survey No. 500, Abstract No. 582, being out of Share No 3 and Share No. 4, of the George Frank Partition, as recorded in Volume 142, Page 579 of the Deed Records of Nueces County, Texas, and being comprised of a 16.3639 acre tract of land, described in a deed from Sam Kane and wife, Aranka Kane to Sam Kane Wholesale Meats, Inc., recorded in Volume 1450, Page 237 of the said Deed Records, a 16.526 acre tract of land, recorded in Volume 1589, Page 197 of the said Deed Records, and all of Tract A, of Sam Kane Tract A, as recorded in Volume 28. Page 38 of the Plat Records of Nueces County, Texas, said 70.25 acre tract being more fully described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod found, on the South R-0-W line of Leopard Street, a public roadway, the Northeast corner of a 0.23 acre tract, called Tract 5, on the plat of Tract 5 and 6 Hutchins Tracts, as recorded in Volume 32, Page 98 of the said Plat Records, the West Line of the said Share 3, for the Northwest corner of the said 16.526 acre tract and this tract;

THENCE, South 65°55'52" East, with the said South R-0-W, being the North line of the said 16.526 acre tract, at 462.86 feet, pass the Northwest corner of the said 16.3639 acre tract, being the Northeast corner of the said 16.526 acre tract, continuing with the said R-0-W line and the North line of the said 16.3639 acre tract, at 983.91 feet pass the Northwest corner of the said Tract A the Northeast corner of the said 16.3639 acre tract, continuing with the said R-0-W line, being the North line of the said Tract A, in all 2659.98 feet, to a 5/8 inch iron rod with red plastic cap stamped "Urban Engr. C.C. TX" set, for the Northeast corner of the said Tract A and this tract;

THENCE, South 33°20'13" East, 98.52 feet, to a 5/8 inch iron rod with red plastic cap stamped "Urban Engr. C.C. TX" set, on the West R-0-W line of Clarkwood Road, a public roadway, for a corner of the said Tract A and this tract;

THENCE. South 00°43'08" East, with the said West R-0-W, 613.32 feet to a 5/8 inch iron rod with red plastic cap stamped "Urban Engr. C.C. TX" set, being the Northeast corner of a 1.00 acre tract. described in a deed from M.B. Mastin to W.S. Hutchins. as recorded in Volume I 80, Page 147 of the said Deed Records, for the Southeast corner of the said Tract A and this tract;

THENCE, South 89°17'22" West, with the common line of the said 1.00 acre tract and the said Tract A, at 1572.86 feet, pass a 1 inch iron pipe found, being the Southeast corner of the said 16.3639 acre tract, the Southwest corner of Tract A, continuing with the common line of the said 1.00 acre tract and the said 16.3639 acre tract, at 2045.42 feet, pass a 1 inch iron pipe found, being the Southeast corner of the said 16.526 acre tract, the Southwest corner of the said 16.3639 acre tract, continuing with the common line of the said 1.00 acre tract and the said 16.526 acre tract, in all 2465.49 feet, to a 1 inch iron pipe found, in the East line of a tract, described in a deed from Mary Hutchins

Triestman to the Mary Hutchins Triestman Limited Partnership, as recorded in Document No. 2001007773 of the Official Public Records of Nueces County, Texas, being the Northwest corner of the said 1.00 acre tract, for Southwest corner of the said 16.526 acre tract and this tract;

THENCE, North 00°47'54" West, with the West line of the said 16.526 acre tract, 1811.17 feet to the Point of Beginning and containing 70.25 acres of land, more or less (3060127 square feet).

Bearings are based on OPS, Grid North, NAD 83, State Plane Coordinates, Texas South Zone 4205.

Exhibit B

