

**Case No. 0418-01 4821 Ayers, LLC. & Tawil Enterprises, LLC:
Ordinance rezoning property at or near 4821 Ayers Street from “IL”
Light Industrial District to the “CG-2” General Commercial District**

WHEREAS, the Planning Commission has forwarded to the City Council its final report and recommendation regarding the application of 4821 Ayers, LLC. & Tawil Enterprises, LLC. (“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, a public hearing was held on Wednesday, May 2, 2018, during a meeting of the Planning Commission. The Planning Commission recommended approval of the change of zoning from the “IL” Light Industrial District to the “CG-2” General Commercial District and on Tuesday, June 19, 2018, during a meeting of the City Council, during which all interested persons were allowed to appear and be heard; and

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 made by 4821 Ayers, LLC. & Tawil Enterprises, LLC. (“Owner”), the Unified Development Code (“UDC”) of the City of Corpus Christi, Texas (“City”), is amended by changing the zoning on a property described as being an 8.48 acre tract of land out of Lot 16, Section D, Paisley Subdivision of the Hoffman Tract, a map of which is recorded in Volume A, Page 28, Map Records, Nueces County, Texas, located on the west side of Ayers Street, south of Gollihar Road, and north of McArdle Road (the “Property”), from the “IL” Light Industrial District to the “CG-2” General Commercial District (Zoning Map No. 048039), as shown in Exhibits “A” and “B”. Exhibit A, which is a metes and bounds description of the Property, and Exhibit B, which is a map to accompany the metes and bounds, are attached to and incorporated in this ordinance by reference as if fully set out herein in their entireties.

SECTION 2. The official UDC Zoning Map of the City is amended to reflect changes made to the UDC by Section 1 of this ordinance.

SECTION 3. 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 4. To the extent this amendment to the UDC represents a deviation from the City’s Comprehensive Plan, the Comprehensive Plan is amended to conform to the UDC, as it is amended by this ordinance.

SECTION 5. 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 6. 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 _____, 2018, by the following vote:

Joe McComb	_____	Ben Molina	_____
Rudy Garza	_____	Everett Roy	_____
Paulette Guajardo	_____	Lucy Rubio	_____
Michael Hunter	_____	Greg Smith	_____
Debbie Lindsey-Opel	_____		

That the foregoing ordinance was read for the second time and passed finally on this the _____ day of _____, 2018, by the following vote:

Joe McComb	_____	Ben Molina	_____
Rudy Garza	_____	Everett Roy	_____
Paulette Guajardo	_____	Lucy Rubio	_____
Michael Hunter	_____	Greg Smith	_____
Debbie Lindsey-Opel	_____		

PASSED AND APPROVED on this the _____ day of _____, 2018.

ATTEST:

Rebecca Huerta
City Secretary

Joe McComb
Mayor

EXHIBIT "A"
Property Description

State of Texas
County of Nueces

Field Notes for a 8.48 acre tract of land out of Lot 16, Section D, Paisley Subdivision of the Hoffman Tract, a map of which is recorded in Volume A, Page 28, Map Records, Nueces County, Texas, said 8.48 acre tract of land being more fully described by metes and bounds as follows:

Beginning at a 1/2 inch iron rod with cap stamped "RIO DELTA SURVEYING" set on the West boundary of Ayers Street, a 100,000 foot wide public roadway, for the South corner of Lot 3J, Block 2, Behmann Addition, a map of which is recorded in Volume 63, Page 143, Map Records, Nueces County, Texas, for the Northeast corner of this tract;

Thence, South 28 degrees 30' 30" West, along the West boundary of said Ayers Street, same being the East boundary of this tract, a distance of 366.38 feet to a 1/2 inch iron rod with cap stamped "RIO DELTA SURVEYING", set for the East corner of Lots 4-B, Block 2, Behmann Addition, a map of which is recorded in Volume 48, Page 198, Map Records, Nueces County, Texas, and for the Southeast corner of this tract;

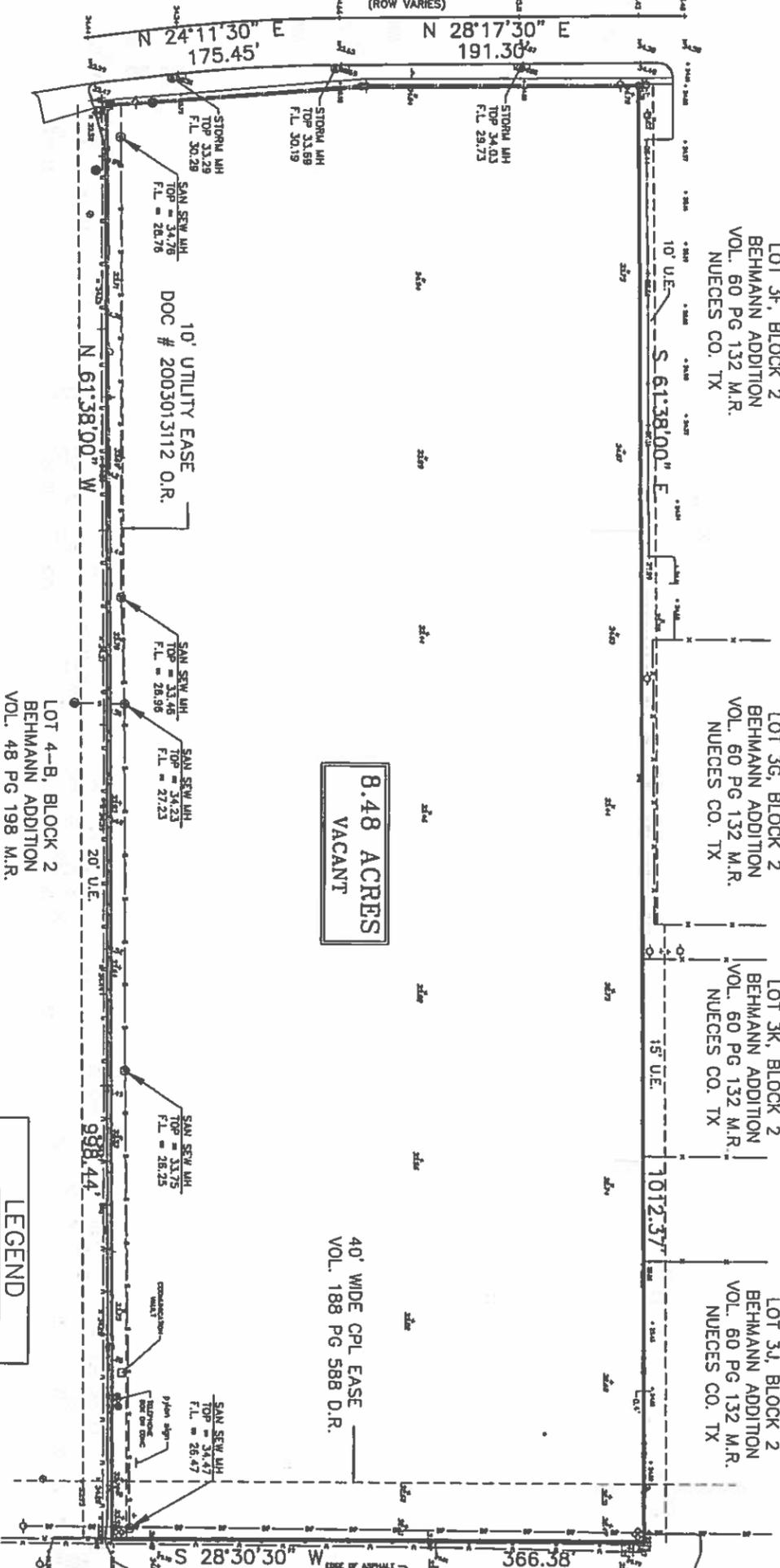
Thence, North 61 degrees 38' 00" West, along the North boundary of said Lots 4-B, same being the South boundary of this tract, a distance of 998.44 feet to a 5/8" iron rod found on the East boundary of Crosstown Expressway, a public roadway, for the North corner of said Lot 4B, and for the Southwest corner of this tract;

Thence, North 24 degrees 11' 30" East, along the East boundary of said Crosstown Expressway, same being the West boundary of this tract, a distance of 175.45 feet to a point (no monumentation found or set), for a corner of this tract, from which a found concrete monument with brass disc bears North 42 degrees 31' 37" East, a distance of 0.15 feet;

Thence, North 28 degrees 17' 30" East, continuing along the East boundary of said Crosstown Expressway, same being the West boundary of this tract, a distance of 191.39 feet to a point (no monumentation found or set) being the West corner of Lot 3F, Block 2, Behmann Addition, a map of which is recorded in Volume 60, Page 132, Map Records, Nueces County, Texas, and for the Northwest corner of this tract, from which a found concrete monument with brass disc bears South 38 degrees 55' 11" West, a distance of 0.70 feet.

Thence South 61 degrees 38' 00" East, along the South boundary of said Lots 3F, 3J and 3G, Block 2, Behmann Addition, a map of which is recorded in Volume 60, Page 132, Map Records, Nueces County, Texas, and Lot 3K, Block 2, Behmann Addition, a map of which is recorded in Volume 63, Page 143, Map Records, Nueces County, Texas, same being the North boundary of this tract, a distance of 1,012.37 feet to the Point of Beginning and containing 8.48 acres (369,557 square feet) of land.

CROSSLTOWN EXPRESSWAY



Field Notes for a 8.48 acre tract of land out of Lot 16, Section D, Paisley Subdivision of the Hoffman Tract, a map of which is recorded in Volume A, Page 2, Map Records of Nueces County, Texas, said 8.48 acre tract of land being more fully described by metes and bounds as follows:

Beginning at a 1/2 inch iron rod with cap stamped "RIO DELTA SURVEYING" set on the west boundary of Ayers Street, a 100.00 foot wide public roadway, for the south corner of Lot 3J, Block 2, Behmann Addition, a map of which is recorded in Volume 63, Map Records of Nueces County, Texas, for the northeast corner of this tract;

Thence, South 28°30'30" West, along the west boundary of said Ayers Street, some being the east boundary of this tract, a distance of 366.38 feet to a 1/2 inch iron rod with cap stamped "RIO DELTA SURVEYING" set for the east corner of Lot 4-B, Block 2, Behmann Addition, a map of which is recorded in Volume 48, Page 198, Map Records of Nueces County, Texas, and for the southeast corner of this tract;

Thence, North 61°38'00" West, along the north boundary of said Lot 4-B, some being the south boundary of this tract, a distance of 998.44 feet to a 5/8 inch rod found on the east boundary of Crossstown Expressway, a public roadway, for the north corner of said Lot 4-B, and for the southwest corner of this tract;

Thence, North 24°11'30" East, along the east boundary of said Crossstown Expressway, some being the west boundary of this tract, a distance of 175.45 feet to point (no monumentation found or set) for a corner of this tract, from which a found concrete monument with brass disc bears North 42°31'37" East, a distance of 0.15 feet;

Thence, North 28°17'30" East, continuing along the east boundary of said Crossstown Expressway, some being the west boundary of this tract, a distance of 191.39 feet to a point (no monumentation found or set) being the west corner of Lot 3F, Block 2, Behmann Addition, a map of which is recorded in Volume 60, Page 132, Map Records of Nueces County, Texas, and for the northwest corner of this tract, from which a found concrete monument with brass disc bears South 38°55'11" West, a distance of 0.70 feet;

Thence, South 61°38'00" East, along the south boundary of said Lots 3F and 3J, Lot 3G, Block 2, Behmann Addition, a map of which is recorded in Volume 60, Page 132, Map Records of Nueces County, Texas, and Lot 3K, Block 2, Behmann Addition, a map of which is recorded in Volume 63, Page 143, Map Records of Nueces County, Texas, some being the north boundary of this tract, a distance of 1,012.37 feet to the Point of Beginning and containing 8.48 acres (369,557 square feet) of land.

PLAT SHOWING

8.48 ACRES VACANT

**LOT 4-B, BLOCK 2
BEHMANN ADDITION
VOL. 48 PG 198 M.R.
NUECES CO. TX**

**LOT 3F, BLOCK 2
BEHMANN ADDITION
VOL. 60 PG 132 M.R.
NUECES CO. TX**

**LOT 3G, BLOCK 2
BEHMANN ADDITION
VOL. 60 PG 132 M.R.
NUECES CO. TX**

**LOT 3K, BLOCK 2
BEHMANN ADDITION
VOL. 60 PG 132 M.R.
NUECES CO. TX**

**LOT 3J, BLOCK 2
BEHMANN ADDITION
VOL. 60 PG 132 M.R.
NUECES CO. TX**

**40' WIDE CPL EASE
VOL. 188 PG 588 D.R.**

AYERS ST
(100' ROW)

LEGEND

- ASPHALT SURFACE
- CONCRETE SURFACE
- WATER LETTER
- WATER VALVE
- ELECTRIC BOX
- FIRE HYDRANT
- MANHOLE
- POWDER POLE
- SOIL
- BRASS DISK FOUND
- SET MARK
- FD 3/4" ROD
- UTILITY MANHOLE
- WATER LINE VANDON
- SEWAGE SINKER LINE
- DRAINAGE POWER
- FINCH
- SET 1/2" ROD W/ CAP

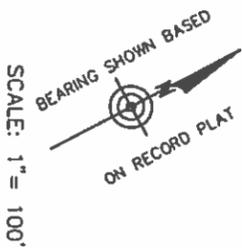


SCHEDULE B ITEMS

10h Right-of-Way dated July 22, 1929, from Clark Pease to Central Power and Light Company, recorded in Volume 188, Page 568, Deed Records, Nueces County, Texas. Partial Release and Delineation of Right-of-Way dated January 10, 1972, filed July 18, 1984, executed by Central Power and Light Company to Clark Pease, recorded under Clerk's File No. 386475, Volume 1926, Page 759, Deed Records, Nueces County, Texas PLOTTED

10i Utility Easement dated March 7, 2003, executed by and between Crossstown Holdings, Ltd., and the City of Corpus Christi, Texas, recorded under Document No. 2003013112, Official Public Records, Nueces County, Texas. PLOTTED

FLOOD ZONE DESIGNATION: ZONE "C"
COMMUNITY-PANEL NUMBER: 485464 0285 C
MAP REVISED: SEPTEMBER 17, 1992



The undersigned hereby certifies to Juan R. Cisneros, Trustee and Fidelity National Title Insurance Company, as follows:

1. That on the 28th day of July, 2017, this survey was made on the ground as per the field notes shown on this survey and is true, correct and accurate as to the boundaries and areas of the subject property and the size, location and type of buildings, structures and improvements thereon and as to all other matters shown thereon.
2. That there are no discrepancies, conflicts, shortages in area, encroachments, protrusions or overlapping of improvements, easements or waterways.
3. That all of said buildings, structures and improvements are in compliance with all setback lines on file or of record in the Real Property Records of Nueces County, Texas;
4. That this survey correctly shows the location of all easements, rights-of-way, improvements, signs, fences, drainage ditches, railroads, streams, building setback lines, party walls and encroachments visible on the ground, or of record, or of which I have knowledge or have been advised, whether or not of record, affecting the subject property;
5. That the subject property has unrestricted ingress and egress to and from a dedicated public street, and that gas, electric, telephone, water and sanitary sewer service are available at the subject property;
6. No portion of the subject property lies within Zone A (100-year flood plain), as depicted on the most recent National Flood Insurance Program Flood Insurance Rate Map prepared by The Federal Emergency Management Agency;
7. That the square footage of the property is 369,557 square feet, the overall square footage of the buildings and other structures situated upon the property is 0.0 square feet, there are no parking spaces situated upon the property, and that — parking spaces are required by applicable zoning ordinances for such improvements based on the intended use of such improvements;
8. That ingress and egress to the subject property is provided by Ayers St & Crossstown Expressway upon which the Property fronts, the same being a paved and dedicated public right-of-way maintained by the City of Corpus Christi, Texas & Txdot.
9. The subject property does not serve and is not served by any adjoining property for ingress and egress, parking or any other purposes except for the following matters shown on the survey:
10. The survey complies with the current Society of Professional Surveyors Standards and Specifications for a Category 1a, Condition II survey and the same is accurate, true and correct to the best of my knowledge and belief.

A title report on which the undersigned relies was supplied by Fidelity National Title Insurance Company, dated May 24, 2017, G.F. No. 174812029

Dated: August 01, 2017 SURVEYOR: Jose Mario Gonzalez

By: Registered Professional Surveyor

No.: 5521



RIO DELTA SURVEYING
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(TEL) 958-380-5154 (FAX) 956-380-5156
EMAIL: MARIO@RDST.SURVEYING.COM
T.B.P.L.S. FIRM # 10013900

JOB NUMBER
RIO 17 216

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