



## AGENDA MEMORANDUM

First Reading Ordinance for June 16, 2020  
Second Reading Ordinance for June 23, 2020

**DATE:** May 11, 2020  
**TO:** Peter Zanoni, City Manager  
**FROM:** Al Raymond, Director Development Services  
[alraymond@cctexas.com](mailto:alraymond@cctexas.com)  
(361) 826-3575

### Easement Closure for 5601 Ocean Drive

#### **CAPTION:**

Ordinance abandoning and vacating a utility easement (1,502 square feet), with dimensions of 5-foot wide by approximately 300-feet, out of Lots 1, 2, 3 and 7, Block 4, in Ocean Drive Addition located at 5601 Ocean Drive.

#### **SUMMARY:**

The purpose of this ordinance is to abandon and vacate a 5-foot wide by approximately 300-foot long utility easement (1,502 square feet), out of Lots 1, 2, 3 and 7, Block 4, in Ocean Drive Addition, located at 5601 Ocean Drive, in order to facilitate the sale of a portion of the property.

#### **BACKGROUND AND FINDINGS:**

The Estate of Annie Blake Morgan Head (owner) is requesting the City to close, abandon, and vacate a 5-foot wide by approximately 300-foot long utility easement (1,502 square feet), out of Lots 1, 2, 3 and 7, Block 4, in Ocean Drive Addition to facilitate the sale of the property. A survey of the applicant's property was conducted and revealed there was a utility easement running across the property between the main housing structure and the detached automobile garage building. The property owner is requesting the closure of the utility easement to prevent any future issues with the property and the easement. There are no public utilities in the easement and Utilities Department has not stated objections to the closure.

The property is located within the Corpus Christi Independent School District and is zoned RE – Residential Estates, and the City has not received any zoning variance requests for this property. The applicant has paid the required \$530.00 application fee and the easement closure request has been processed in accordance with Section 49-13 of the City Code of Ordinances.

#### **ALTERNATIVES:**

Deny the applicant's request. However, this will have no effect on the sale of the property. The

existing easement is dividing the lot but based upon its location and the lack of an encroachment on the easement it will not preclude the sale of the property. The easement's location will limit future alterations or additions to the existing house and garage structure based upon their proximity to the easement.

**FINANCIAL IMPACT:**

There are no financial impacts associated with the closing of the easement.

**RECOMMENDATION:**

Staff supports the applicant's request for the easement closure. The closure of the easement does not affect any public utilities and will enable the property owner full use of their property.

**LIST OF SUPPORTING DOCUMENTS:**

Ordinance with Exhibits  
Location Map  
Presentation