

**Ordinance abandoning and vacating a portion of a 15-foot wide utility easement out of Lots 5A and 6A, Industrial Technology Park Unit 1, and requiring the owner, Agnes Properties, to comply with specified conditions.**

**WHEREAS**, Agnes Properties ("Owner") has requested the abandonment and vacation a portion of a 15-foot wide utility easement out of Lots 5A and 6A, Industrial Technology Park Unit 1;

**WHEREAS**, with proper notice to the public, a public hearing was held on Tuesday, May 13, 2014 during a meeting of the City Council, during which all interested parties and citizens were allowed to appear and be heard; and

**WHEREAS**, it has been determined that it is feasible and advantageous to the City of Corpus Christi to abandon and vacate a 9,489-square foot portion of a 15-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 Agnes Properties ("Owner"), a 9,489-square foot portion of a 15-foot wide utility easement out of Lots 5A and 6A, Industrial Technology Park Unit 1, located northeast of Junior Beck Drive and southwest of South Padre Island Drive, as recorded in Volume 54, Page 161, and Volume 53, Page 187, 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 to the City new utility easements of equal or greater value than the utility easements being released by the City in this easement closure action, in accordance with the Corpus Christi Code of Ordinances, Section 49-12, within 180 days of City Council approval of this ordinance so that the requirement of paying fair market value for the properties 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 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. 37394.B2.00  
August 12, 2013

**15 Foot Wide Utility Easement Closure**

**STATE OF TEXAS  
COUNTY OF NUECES**

Fieldnotes for the closure of a 15 foot wide utility easement, 0.22 acres, more or less, over and across of Lots 5A & 6A, Industrial Technology Park Unit 1, a map of which is recorded in Volume 54, Page 161, Map Records of Nueces County, Texas and of Lot 7, Industrial Technology Park Unit 1, a map of which is recorded in Volume 53, Page 187, Map Records of Nueces County, Texas; said easement being more fully described as follows:

Commencing at a 5/8 inch iron rod found on the East R-O-W line of Junior Beck Drive, a public roadway, for the Southwest corner of Lot 4, Industrial Technology Park Unit 1, a map of which is recorded in Volume 53, Page 187, Map Records of Nueces County, Texas, same being the Northwest corner of said Lot 5A;

Thence, of a circular curve to the right, whose radius point bears, South 87°59'52" West, 828.02.00 feet, having a delta angle of 02°16'08", a radius of 828.02 feet, a tangent length of 16.40 feet and an arc length of 32.79 feet;

Thence, with said East R-O-W line of Junior Beck Drive and circular curve to the right, 32.79 feet to a point;

Thence, South 00°16'00" West, 78.82 feet, to a point on the East line of said Junior Beck Drive, same being the West line of said Lot 5A;

Thence, South 89°24'19" East, 20.00 feet, to the Point of Beginning and for the Northwest corner of this easement;

Thence, South 89°24'19" East, passing the East line of said Lot 5A and the West line of said Lot 6A, 632.58 feet, to the Northeast corner of this easement;

Thence, South 00°16'00" West, passing the South line of said Lot 5A and the North line of said Lot 7, 15.00 feet, to the Southeast a corner of this easement;

Thence, North 89°24'19" West, with the South easement line, 632.58 feet, to the Southwest corner of this easement;

Thence, North 00°16'00" East, 15.00 feet, to the Point of Beginning, containing 0.22 acres (9,489 Sq. Ft.) of land, more or less.

Bearings are based on the recorded plat of Industrial Technology Park Unit 1, a map of which is recorded in Volume 54, Page 161, Map Records of Nueces County, Texas.

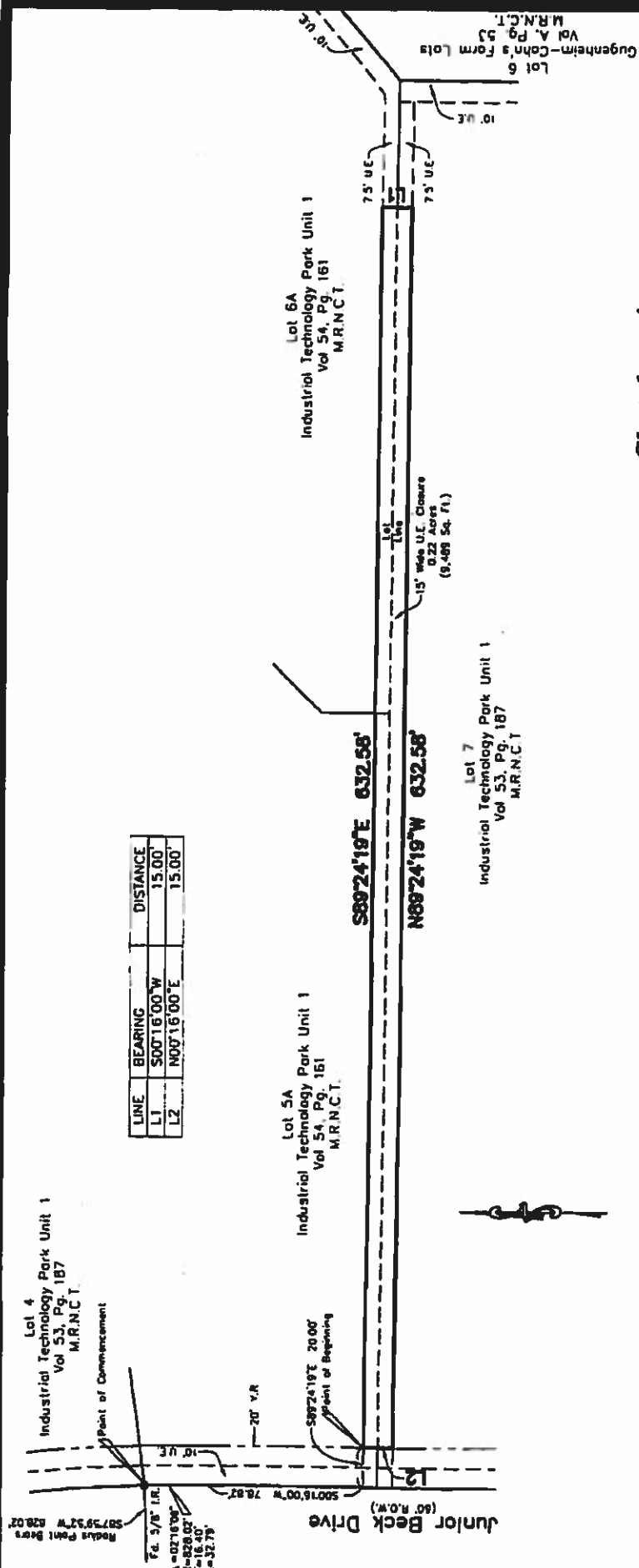
Unless this fieldnotes description, including preamble, seal and signature, appears in its entirety, in its original form, surveyor assumes no responsibility for its accuracy.

*Also reference accompanying sketch of tract described herein.*



URBAN ENGINEERING  
  
Dan L. Urban, R.P.L.S.  
License No. 4710

**EXHIBIT A**



LINE	BEARING	DISTANCE
L1	S00°16'00\"/>	

**Sketch to Accompany**

FIELDNOTES for the closure of a 15 foot wide utility easement, 0.22 acres, more or less, over and across of Lots 5A & 6A, Industrial Technology Park Unit 1, a map of which is recorded in Volume 54, Page 161, Map Records of Nueces County, Texas and of Lot 7, Industrial Technology Park Unit 1, a map of which is recorded in Volume 53, Page 187, Map Records of Nueces County, Texas



DATE: AUG. 12, 2013  
 SCALE: 1"=80'  
 JOB NO.: 37394.B2.00  
 SHEET: 1 OF 1  
 DRAWN BY: RLG  
 © 2013 by Urban Engineering



EXHIBIT B