

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.

WHEREAS, The Estate of Annie Blake Morgan Head, (Owner) is requesting the closure, abandonment and vacating of a 5-foot wide by approximately 300-foot long utility easement (1,502 square feet), and

WHEREAS, it has been determined that it is advantageous to the City of Corpus Christi to abandon and vacate the 5-foot utility easements, subject compliance by the Owner with the conditions specified in the ordinance.

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

SECTION 1. Pursuant to Corpus Christi Code Sec. 49.13, an existing 5-foot wide by approximately 300-foot long, 0.034-acre (1,502 sq. ft.) utility easement, as shown in Exhibit A & B, being out of Lot 1, 2, 3 and 7 Block 4, Ocean Drive Addition, located at 5601 Ocean Drive, as recorded in volume 6, page 22, of the Map Records of Nueces County, Texas, is abandoned and vacated by the City of Corpus Christi ("City"), subject to the Owner's compliance with the conditions specified in Section 2 of this ordinance. Exhibit "A," which is a metes and bounds description and field notes, "Exhibit B", which is the graphical representation of the legal, which are attached to and incorporated in this ordinance by reference as if it was fully set out herein in their entireties. The maintenance responsibilities for the vacated easement reverts to the Owner of the property.

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

- a. Upon approval by the City Council and issuance of the ordinance, all grants of public easement closures must be recorded at the Owner's expense in the real property 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
- b. Failure to comply with all the conditions outlined in this Ordinance within 180 days will hereby make the Ordinance null and void.

That the foregoing ordinance was read for the first time and passed to its second reading on this the _____ day of _____, 2020, by the following vote:

Joe McComb _____

Michael Hunter _____

Roland Barrera _____

Ben Molina _____

Rudy Garza _____

Everett Roy _____

Paulette M. Guajardo _____

Greg Smith _____

Gil Hernandez _____

That the foregoing ordinance was read for the second time and passed finally on this the _____ day of _____ 2020, by the following vote:

Joe McComb _____

Michael Hunter _____

Roland Barrera _____

Ben Molina _____

Rudy Garza _____

Everett Roy _____

Paulette M. Guajardo _____

Greg Smith _____

Gil Hernandez _____

PASSED AND APPROVED on this the _____ day of _____, 2020.

ATTEST:

Rebecca Huerta
City Secretary

Joe McComb
Mayor

EXHIBIT A

**STATE OF TEXAS
COUNTY OF NUECES**

Field notes of a 0.034 acre tract being the 5 foot easement for pipes and poles out of Lots 1, 2, 3 and 7, Block 4, "Ocean Drive Addition" as shown on the plat recorded in Volume 6, Page 22, Map Records of Nueces County, Texas. Said 0.034 acre tract being more particularly described as follows:

COMMENCING at a drill hole found at the intersection of the southeast right of way of Claremore Street and the southwest right of way of Ocean Drive, and for the north corner of said Lot 1, **THENCE** with common line of the southeast right of way of Claremore Street and Lot 1, South $28^{\circ}36'21''$ West, a distance of 273.14 feet to a point for the common north corner of said 5 foot easement, of this survey, and for the **POINT of BEGINNING**.

THENCE with the common line of the northeast line of said 5 foot easement and this survey, South $56^{\circ}04'19''$ East, a distance of 79.91 feet to a point for a common inside corner of said 5 foot easement and this survey.

THENCE with the common line of the northeast line of said 5 foot easement and this survey, South $61^{\circ}38'59''$ East, at a distance of 20.44 feet pass a point in the common line of Lots 1 and 2, at a distance of 120.44 feet pass a point in the common line of Lots 2 and 3, and in all a total distance of 220.44 feet to a point in the common line of a 10 foot alley and Lot 3, and for the east corner of this survey, from **WHENCE** a drill hole found in the southwest right of way of Ocean Drive and for the common north corner of Lot 3 and a 10 foot alley, bears North $28^{\circ}36'21''$ East, a distance of 272.50 feet.

THENCE with the common line of Lot 3, a 10 foot alley, and this survey, South $28^{\circ}36'21''$ West, at a distance of 2.50 feet pass a point for the east corner of Lot 7 and for the south corner of Lot 3, and in all a total distance of 5.00 feet to a point in the southwest line of said 5 foot easement, in the southeast line of Lot 7, and for the south corner of this survey.

THENCE with the common line of the southwest line of said 5 foot easement and this survey, North $61^{\circ}38'59''$ West, a distance of 220.66 feet to a point for an outside corner of this survey.

THENCE with the common line of the southwest line of said 5 foot easement and this survey, North $56^{\circ}04'19''$ West, a distance of 79.69 feet to a point in the southeast right of way of Claremore Street, the northwest line of Lot 7, and for the west corner of this survey.

THENCE with the common line of the southeast right of way of Claremore Street, Lot 7, and this survey, North $28^{\circ}36'21''$ East, at a distance of 2.51 feet pass a point for the common west corner of Lots 7 and 1, and in all a total distance of 5.02 feet to the **POINT of BEGINNING**, and containing 0.034 acres of land, more or less.

Notes:

- 1.) Bearings are based on Global Positioning System NAD 83 (93) 4205 Datum.
- 2.) A Map of equal date accompanies this Metes and Bounds description.
- 3.) Set 5/8" re-bar = steel re-bar set with yellow plastic cap labeled Brister Surveying.

I, Ronald E. Brister do hereby certify that this survey of the property legally described herein was made on the ground this day March 25, 2020 and is correct to the best of my knowledge and belief.

Ronald E. Brister

Ronald E. Brister, RPLS No. 5407

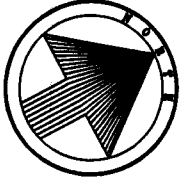
Date: April 71, 2019.



Job No. 200626-1

EXHIBIT B

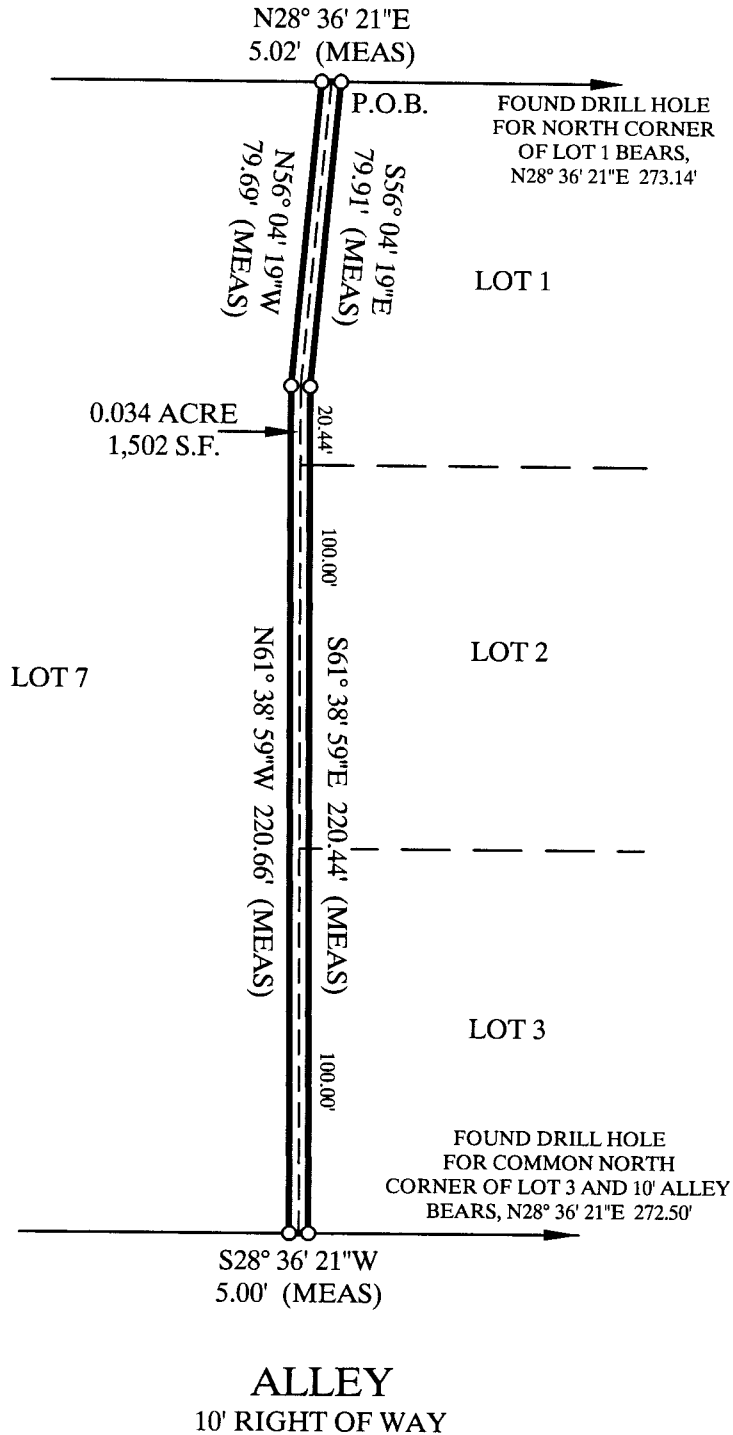
A 0.034 ACRE TRACT BEING THE 5 FOOT EASEMENT FOR PIPES AND POLES OUT OF LOTS 1, 2, 3 AND 7, BLOCK 4, "OCEAN DRIVE ADDITION" AS SHOWN ON THE PLAT RECORDED IN VOLUME 6, PAGE 22, MAP RECORDS OF NUECES COUNTY, TEXAS.



SCALE 1" = 50'

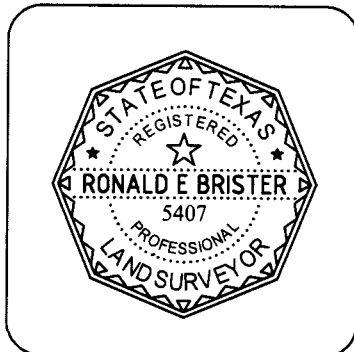
EXHIBIT B

CLAREMORE STREET
50' RIGHT OF WAY



Brister Surveying

4455 South Padre Island Drive Suite 51
Corpus Christi, Texas 78411
Off 361-850-1800
Fax 361-850-1802
Bristersurveying@corpus.twebc.com
Firm Registration No. 10072800



NOTES:

- 1.) TOTAL SURVEYED AREA IS 0.034 ACRES.
- 2.) MEASURED BEARINGS ARE BASED ON GLOBAL POSITIONING SYSTEM NAD 83 (93) 4205 DATUM.
- 3.) SET 5/8" RE-BAR = STEEL RE-BAR SET WITH YELLOW PLASTIC CAP LABELED BRISTER SURVEYING.
- 4.) A METES AND BOUNDS DESCRIPTION OF EQUAL DATE ACCOMPANIES THIS SURVEY.

THIS SURVEY DOES NOT INCLUDE THE RESEARCH, INVESTIGATION, OR LOCATIONS OF ALL SERVITUDES, EASEMENTS, RIGHT OF WAYS, OR UTILITIES ON THIS PROPERTY.

I, RONALD E. BRISTER DO HEREBY CERTIFY THAT THIS SURVEY OF THE PROPERTY LEGALLY DESCRIBED HEREIN WAS MADE ON THE GROUND THIS DAY MARCH 25, 2020 AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Ronald E. Brister

SURVEY DATE APRIL 7, 2020

JOB NO. 200626-1

RONALD E. BRISTER R.P.L.S. NO. 5407