



Texas Department of Transportation

125 EAST 11TH STREET | AUSTIN, TEXAS 78701-2483 | (512) 463-8588 | WWW.TXDOT.GOV

September 25, 2014

John N. Maggiore
Capital Programs – Project Manager
City of Corpus Christi
1201 Leopard St.
Corpus Christi, TX. 78401

RE: Multiple Use Agreement Termination Request
SH 9/BS 44-D Heliport Parking Facility and Public Parking Facility
City of Corpus Christi, Texas

Dear Mr. Maggiore,

During our annual inspection of the Multiple Use Agreements (MUAs), it was ascertained that SH 9/BS 44-D has been turned over to the City of Corpus Christi and is no longer State ROW. There are two MUAs for SH 9/BS 44-D Heliport Parking Facility and Public Parking Facility. These agreements were executed in 1957 and 1958, respectively.

The Corpus Christi District of TxDOT, therefore, respectfully request that termination procedures be initiated in order to terminate these two MUAs. Copies of these MUAs can be made available if required for termination procedures.

Included with this request letter is the quitclaim executed on 24 July, 1996 stating the portion of ROW in question has been turned over to the City of Corpus Christi.

If you have any questions regarding this matter, feel free to contact me at (361) 808-2384 or at the following address:

Texas Department of Transportation
Corpus Christi Area Office
1701 S. Padre Island Drive, Bldg. 3
Corpus Christi, TX 78416

Sincerely,

Janan Sahtout Lee, P.E.
Assistant Area Engineer
Corpus Christi

Attachment – Quitclaim executed 24 July, 1996

TERMINATION OF THE
MULTIPLE USE AGREEMENT
BETWEEN THE STATE AND THE City of Corpus Christi
FOR THE Heliport Parking Facility.

STATE OF TEXAS §

COUNTY OF TRAVIS §

This Agreement terminates the previously executed Multiple Use Agreement for construction, maintenance, and operation of Heliport Parking Facility on the Texas Department of Transportation right-of-way, in Nueces County, originally dated the 18th day of December, 1957, by and between the Texas Department of Transportation, hereinafter referred to as "State" and the City of Corpus Christi, hereinafter referred to as City.

WITNESSEETH

WHEREAS, City has requested the State to discontinue their responsibilities for the continued maintenance and operation, of Heliport Parking Facility, located within State right-of-way on SH 9/ BS 44-D, Control 0074 Section 06 in City of Corpus Christi and being more particularly described in the exhibits attached hereto and made a part hereof; and

WHEREAS, the governing body of the City has indicated by Resolution/Ordinance No. _____, on the _____ day of _____, 20____ to dissolve their partnership with the State evidenced by the execution of the this Agreement with the State; and

WHEREAS, the City will undertake to restore the area to a condition acceptable to the State prior to the execution of this agreement.

- A. Exhibit A – Quitclaim;
- B. Copy of Original Multiple Use Agreement
- C. Copy of Resolution/Ordinance

IN WITNESS WHEREOF, the parties have hereunto affixed their signatures on the _____ day of _____, 20____, and the State on the _____ day of _____, 20____.

STATE OF TEXAS

Certified as being executed for the purpose of activating and/or carrying out the orders, established policies, or work programs heretofore approved by the Texas Transportation Commission.

By: _____

Signature

Printed Name

Title

Contact Name

Contact Telephone Number

By: _____

Signature

Carolyn Dill, P.E.

Director, Maintenance Division

APPROVAL RECOMMENDED:

By: _____

District Engineer

Printed Name

Date


Approved as to form: 11-19-14

Assistant City Attorney
For City Attorney

Exhibit A



Memorandum

To: Right of Way Section
Corpus Christi District

Date: July 30, 1996

From: Legal Section *Da,*
Right of Way Division

Subject: Transmittal of State's Deed

**Originating
Office:** JJH/ROW

Nueces County
CSJ 0074-06-027
Tract 1
Business State Highway 44-D: Between Mesquite Street and Shoreline Boulevard

Attached is a deed executed by the Governor on July 24, 1996 quitclaiming the State's interest in certain land described therein to the City of Corpus Christi, Texas. Please deliver the State's deed to the indicated grantee. In accordance with Section 421.09 of the Right of Way Manual, the deed should be delivered to the grantee by certified mail or by other means with a receipt for delivery signed by the grantee.

When the deed has been recorded, please furnish us the recording data of the quitclaim so that we may complete our file.

Please note that our quitclaim deeds will no longer contain a notary acknowledgment. We have attached a copy of V.T.C.A., Texas Property Code, Section 12.006, should the grantee have any problem with recordation of the instrument due to the omission of the acknowledgment.

If we may be of any further assistance, please let us know.

JJH:cj
Attachment

07306 u:\jhh\memo\nueces.wpd

AUG 6 1996
CORPUS CHRISTI
DISTRICT

MAIL ROUTING	
MR	
PDM	
NRE	<i>XX</i>
JDS	<i>X</i>
RBS	<i>✓</i>
JWS	<i>[Signature]</i>
AF	<i>[Signature]</i>

QUITCLAIM

STATE OF TEXAS §
 §
COUNTY OF NUECES §

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, in the City of Corpus Christi, NUECES COUNTY, Texas, on BUSINESS STATE HIGHWAY 44-D, the City and County acquired in the name of the State of Texas certain land for highway purposes, said land being conveyed to the State by instruments recorded in Volume 730, Pages 158 and 260; Volume 731, Page 310; Volume 734, Pages 169, 177, 179, 211, 217 and 219; Volume 35, Pages 451 and 453; Volume 740, Page 582; Volume 747, Page 334; Volume 759, Page 342; Volume 761, Page 435; Volume 768, Pages 310 and 312; Volume 769, Pages 570 and 573; and Volume 793, Page 517, of the Deed Records of Nueces County, Texas, and certain other land was claimed and used by the State, there being no record of title thereto in the name of the State; and

WHEREAS, said land is no longer needed by the Texas Department of Transportation as a part of the system, said surplus land being more particularly described in Exhibit A, attached hereto and made a part hereof; and

WHEREAS, the City of Corpus Christi, Texas, has, by resolution, and Nueces County, Texas, has, by order, requested that the State quitclaim said surplus land to the City of Corpus Christi, Texas; and

WHEREAS, V.T.C.A., Transportation Code, Chapter 202, Subchapter B, authorizes the State's quitclaim to the City of the State's rights, title and interest in the surplus land; and

WHEREAS, it is the opinion of the Texas Transportation Commission that it is proper and correct that the State quitclaim its rights, title and interest in said surplus land to the City of Corpus Christi, Texas in consideration of relieving the State of the responsibility and cost of maintenance of the surplus land and in consideration of the land being originally acquired in the State's name at no cost to the State; and

WHEREAS, the Texas Transportation Commission at its meeting on June 18, 1996, as shown by the official minutes of the Texas Transportation Commission, passed Minute No. 106880 recommending, subject to approval by the Attorney General, that the Governor of Texas execute a proper instrument conveying to

CITY OF CORPUS CHRISTI, TEXAS

all of the State's rights, title and interest in the aforementioned surplus land in consideration of the foregoing premises as authorized by V.T.C.A., Transportation Code, Chapter 202, Subchapter B;

NOW, THEREFORE, I, GEORGE W. BUSH, GOVERNOR OF THE STATE OF TEXAS, by virtue of the power vested in me by law and in accordance with the laws of the State of Texas, for and in consideration of the foregoing premises, and other good and valuable consideration, the receipt of which

GRANTEE: City of Corpus Christi
1201 Leopard Street
Corpus Christi, Texas 78469-9277



is hereby acknowledged, have RELEASED, REMISED and QUITCLAIMED and do by these presents RELEASE, REMISE and QUITCLAIM unto

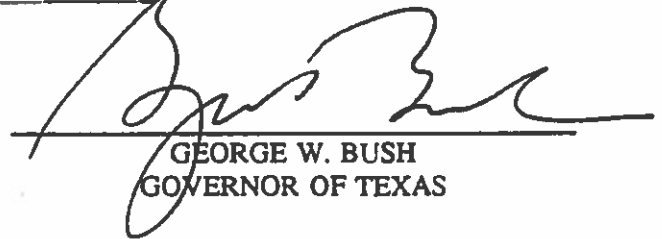
CITY OF CORPUS CHRISTI, TEXAS

all of the State's rights, title and interest in and to those certain tracts or parcels of land situated in Nueces County, Texas, which is more particularly described in Exhibit A, attached hereto and made a part hereof.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in any wise belonging unto said City of Corpus Christi, Texas, its successors and assigns forever.

IN TESTIMONY WHEREOF, I have caused the Seal of the State to be affixed.

Executed this the 24th day of July 1996.


GEORGE W. BUSH
GOVERNOR OF TEXAS

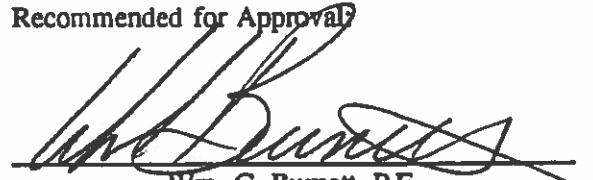
Attest:

LOTT.

Antonio O. Garza, Jr.
Secretary of State



Recommended for Approval


Wm. G. Burnett, P.E.
Executive Director

Approved:

Dan Morales
Attorney General

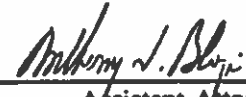
By: 
Assistant Attorney General

EXHIBIT A

BEING A PORTION OF THAT LAND SITUATED AND LYING IN CITY STREET RIGHT-OF-WAY WHICH WAS INCORPORATED INTO THE STATE OF TEXAS HIGHWAY SYSTEM, SAID CITY STREET RIGHT-OF-WAYS CONSISTING OF ALL THOSE PORTIONS OF, AUBREY STREET, WATER STREET AND CHAPARRAL STREET, SITUATED AND LYING WITHIN AN AREA BOUNDED ON THE NORTH BY THE SOUTH RIGHT-OF-WAY LINE OF BELDEN STREET, ON THE EAST BY THE WEST RIGHT-OF-WAY LINE OF SHORELINE BOULEVARD, ON THE SOUTH BY THE CURRENT SOUTH RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 37 (AUBREY STREET) AND ON THE WEST BY THE EAST RIGHT-OF-WAY LINE OF MESQUITE STREET AS SHOWN ON MAP OF BEACH PORTION, OF THE CITY OF CORPUS CHRISTI, WHICH IS RECORDED IN VOLUME A, PAGES 2 & 3, OF THE MAP RECORDS OF NUECES COUNTY, TEXAS AND ON MAP OF WATER BEACH ADDITION, WHICH IS RECORDED IN VOLUME 9, PAGES 38 THRU 40, OF THE MAP RECORDS OF NUECES COUNTY, TEXAS, AND BEING ALL OF THOSE CERTAIN TRACTS OF LAND, OUT OF SAID BEACH PORTION AND WATER BEACH ADDITION, ACQUIRED BY THE STATE OF TEXAS, FOR THE CONSTRUCTION AND MAINTENANCE OF INTERSTATE HIGHWAY NO. 37, SITUATED AND LYING BETWEEN SAID MESQUITE STREET AND SHORELINE DRIVE, SAID TRACTS OF LAND BEING MORE PARTICULARLY DESCRIBED IN INSTRUMENTS RECORDED IN THE DEED RECORDS OF NUECES COUNTY, TEXAS AT THE FOLLOWING VOLUMES AND PAGES:

DESCRIPTION	VOL.	PAGE
WATER BEACH ADDITION, BLOCK 11		
ALL OF LOTS 1 THRU 12	793	517
BEACH PORTION, BLOCK 27		
1/2 OF LOT 5	730	260
ALL OF LOT 6	759	342
WEST 1/2 OF LOT 7	768	310
EAST 1/2 OF LOT 7 & ALL OF LOT 8	768	312
1/2 OF LOT 9	731	310
BEACH PORTION, BLOCK 31		
ALL OF LOT 1 & SOUTH 1/3 OF LOT 2	740	582
NORTH 2/3 OF LOT 2	734	177
ALL OF LOTS 3, 4, 9 & 10	734	179
ALL OF LOTS 5 & 8	730	158
ALL OF LOT 6	734	211
ALL OF LOT 7	735	451
ALL OF LOTS 11 & 12	747	334
BEACH PORTION, BLOCK 32		
ALL OF LOTS 1 & 2	735	453
ALL OF LOT 3	769	573
ALL OF LOT 4	769	570
ALL OF LOTS 5, 6, 7 & 8	734	217
ALL OF LOTS 9 & 10	734	219
ALL OF LOT 11	734	169
ALL OF LOT 12	761	435

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of Race, Color, Religion, Sex, Handicap, Familial Status or National Origin, is invalid and unenforceable under FEDERAL LAW, 3/12/88.

STATE OF TEXAS
COUNTY OF NUECES

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped herein by me, and was duly RECORDED, in the Official Public Records of Nueces County, Texas



Ernest M. Briones
COUNTY CLERK
NUECES COUNTY, TEXAS

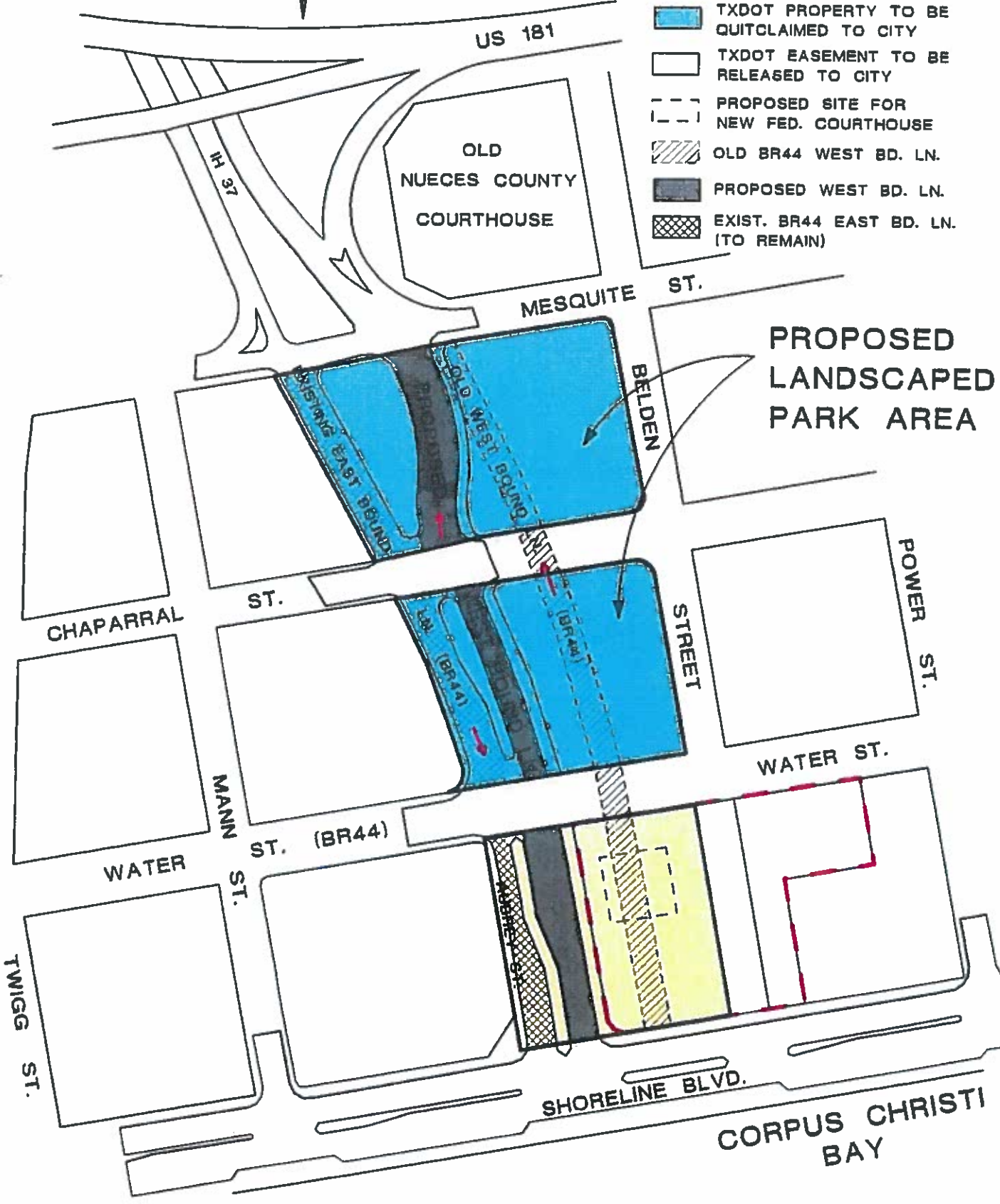
Doc# 1996030348
Pages: 4
Date : 08-06-1996
Time : 03:35:56 P.M.
Filed & Recorded in
Official Records
of NUECES County, TX.
ERNEST M. BRIONES
COUNTY CLERK
Rec. \$ 15.00

C
9/6

City of Corpus Christi
1201 Leopard Street
P. O. Box 9277
Department of Engineering Services
PROPERTY & LAND ACQUISITION DIV.
Corpus Christi, Texas 78469-9277



- LEGEND:**
-  PROPERTY TO GSA
 -  TXDOT PROPERTY TO BE QUITCLAIMED TO CITY
 -  TXDOT EASEMENT TO BE RELEASED TO CITY
 -  PROPOSED SITE FOR NEW FED. COURTHOUSE
 -  OLD BR44 WEST BD. LN.
 -  PROPOSED WEST BD. LN.
 -  EXIST. BR44 EAST BD. LN. (TO REMAIN)



CITY OF CORPUS CHRISTI GATEWAY PROJECT

Exhibit B

This Multiple Use Agreement is not able to be located.

Exhibit C