

One-Reading Ordinance abandoning and vacating utility easements totaling 4,005.00 square feet out of Flour Bluff Center, Block 6, Lots 1, 2, 3, 4, 5, 6, 7, 8, 38, 39, and 40, located at 9825 and 9841 South Padre Island Drive, conditioned on the dedication of a replacement easement.

WHEREAS, The Estate of Betty Talley, (Owner) is requesting the closure, abandonment and vacating of 4,005.00 square feet of an existing utility easement out of Flour Bluff Center, Block 6, Lots 1, 2, 3, 4, 5, 6, 7, 8, 38, 39, and 40.

WHEREAS, The Estate of Betty Talley (Owner) will deed a new utility easement of adequate design and construction in accordance with standard details of the City of Corpus Christi for Flour Bluff Center.

WHEREAS, it has been determined that it is advantageous to the City of Corpus Christi to abandon and vacate the 4,005.00 square feet of existing utility easement, subject to 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 4,005.00 square foot portion of existing utility easement as recorded in Volume 8, Page 41 and being out of Flour Bluff Center, Block 6, Lots 1, 2, 3, 4, 5, 6, 7, 8, 38, 39, and 40, located at 9825 and 9841 South Padre Island Drive, as recorded in Volume 8, Page 41, 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. The owner will dedicate a replacement utility easement as shown in "Exhibit C".

c. Failure to comply with all the conditions outlined in this Ordinance within 365 days will hereby make the Ordinance null and void.

Section 3. Upon the written request of the Mayor or majority of the members of the Council, copy attached, the City Council: (1) finds and declares an emergency due to the need for immediate action necessary for the efficient and effective administration of City affairs; and (2) suspends the City Charter rule that requires consideration of and voting upon ordinances at two regular meetings so that this ordinance is passed and takes effect upon first reading as an emergency measure on this the ____ day of _____, 2022.

TO THE MEMBERS OF THE CITY COUNCIL

Corpus Christi, Texas

For the reasons set forth in the emergency clause of the foregoing ordinance, an emergency exists requiring suspension of the Charter rule as to consideration and voting upon ordinances at two regular meetings: I/we, therefore, request that you suspend said Charter rule and pass this ordinance finally on the date it is introduced or at the present meeting of the City Council.

Respectfully,

Respectfully,

Paulette Guajardo
Mayor

Council Members

The above ordinance was passed by the following vote:

Paulette Guajardo
Roland Barrera
Gil Hernandez
Michael Hunter
Billy Lerma
John Martinez
Ben Molina
Mike Pusley
Greg Smith

PASSED AND APPROVED on this the _____ day of _____, 2022.

ATTEST:

Rebecca Huerta
City Secretary

Paulette Guajardo
Mayor

UTILITY EASEMENT

52/1582

THE STATE OF TEXAS |
COUNTY OF NUECES |

KNOW ALL MEN BY THESE PRESENTS:

748712

THAT We, Daniel Korn and wife Shirley Korn

of the County of Nueces, State of Texas, for an in consideration of the sum of
One dollar (\$1.00) DOLLARS to us in hand paid by the City of
Corpus Christi, Nueces County, Texas, the receipt of which is hereby acknowledged,
have granted and conveyed, and by these presents do grant and convey unto the City
of Corpus Christi, Texas, a municipal corporation duly incorporated under and by
virtue of the laws of the State of Texas, its successors and legal representatives
the free and uninterrupted use, liberty, privilege, and easement of going in, on,
over, under, and along a certain tract of land situated in Nueces County, Texas and
being described as follows:

A tract of land 10 feet in width out of Lot 8, Block 6, Flour Bluff
Center, as shown by map recorded in Vol. 8, Page 41, Nueces County, Texas Map
Records, said tract of land being more particularly described by metes and bounds
as follows.

BEGINNING at the southwest corner of said Lot 8, Block 6, for the
southwest corner of the tract herein being described;

THENCE N 29° 02' E with the west boundary of said Lot 8, 10.0 feet
for the northwest corner of this tract;

THENCE S 60° 58' E, parallel to the south boundary of said Lot 8 and
10.0 feet distant in a northerly direction therefrom, measured at right angles thereto,
a distance of 140.0 feet to a point in the east boundary of said Lot 8, for the north-
east corner of this tract;

THENCE S 29° 02' W, with the east boundary of said Lot 8 to its southeast
corner for the southeast corner of this tract;

THENCE N 60° 58' W, with the south boundary of said Lot 8, 140.0 feet to
the PLACE OF BEGINNING.

together with the free ingress, egress, and regress to and for the City of Corpus Christi,
Texas, for the purpose of constructing, laying, and keeping public utility lines, and for
the purposes of maintaining, servicing, repairing, and inspecting said lines under, on,
and along said tract.

521583

TO HAVE AND TO HOLD, ALL AND SINGULAR, the rights and privileges aforesaid to the City of Corpus Christi, Texas, its successors and legal representatives, for the proper use as a utility easement and utility right-of-way, for so long as used for such purpose, and if the use for said easement and way of said uses be ever abandoned, then in that event, the aforesaid rights and privileges shall cease.

WITNESS _____ HAND this the 26 day of September, 1967.

Daniel Korn
Daniel Korn

Shirley Korn
Shirley Korn

THE STATE OF TEXAS }

COUNTY OF NUECES }

Before me, the undersigned authority, a Notary Public in and for Nueces County, Texas, on this day personally appeared Daniel Korn and Shirley Korn, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 26 day of September, 1967.

Ray DeGuzman
Notary Public in and for Nueces County, Texas

THE STATE OF TEXAS }

COUNTY OF NUECES }

Before Me, the undersigned authority, a Notary Public in and for Nueces County, Texas, on this day personally appeared Shirley Korn wife of Daniel Korn, known to me to be the person whose name is subscribed to the foregoing instrument and having been examined by me privily and apart from her husband and having the same fully explained to her, she, the said Shirley Korn, acknowledged such instrument to be her act and deed, and declared that she had willingly signed the same for the purposes and consideration therein expressed and that she did not wish to retract it.

Given under my hand and seal of office, this the 26 day of September, 1967.

Ray DeGuzman
Notary Public in and for Nueces County, Texas

DEED RECORDS

VOL 1240 PAGE 28

EXHIBIT "A" TO DEED FROM EXXON CORPORATION, A NEW JERSEY CORPORATION, TO WILLIAM T. TALLEY OF CORPUS CHRISTI, TEXAS

All that certain property situated in Nueces County, Texas, described as follows, to-wit:

1584 14538

Lots 1, 2, 3, 38, 39 and 40, Block 6, FLOUR BLUFF CENTER, an addition to the City of Corpus Christi, Texas, according to map or plat recorded in Vol. 8, page 41, Map Records of Nueces County, Texas, SAVE AND EXCEPT the Northeast 90' of said Lots 1, 2 and 3, heretofore conveyed by Right-of-Way Deed to the State of Texas by Jose A. Garcia, recorded in Vol. 746, page 244, Deed Records of Nueces County, Texas, together with Abutter's rights of access to both South Padre Island Drive and Barton Street and with all right, title and interest in and to any land lying in the right-of-way of any street in front of or adjoining said premises to the center line thereof and having unencumbered access to each of said Streets.

Being the same land described in that certain Warranty Deed, dated May 29, 1969, by DR. JOSE A. GARCIA and wife, WYONA GARCIA, Grantors, to HUMBLE OIL & REFINING COMPANY, a Delaware corporation (now Exxon Corporation), Grantee, and recorded in the County Clerk's Office of Nueces County, Texas, Volume 1331, Pages 243-244.

AND:

The following described premises located in Nueces County, Texas, to-wit:

Lots 4, 5, 6, 7, and 8, Block 3, FLOUR BLUFF CENTER, an addition to the City of Corpus Christi, Nueces County, Texas save and except the North or Northeast 90 feet of said lots 4, 5 and 6, heretofore conveyed to the State of Texas by Steve Bartosh and wife, Annie Bartosh, by Right-of-Way Deed, dated February 27, 1957 recorded in Volume 768, Page 229 of the Deed Records of Nueces County, Texas and recorded in Volume 8, Page 41 of the Map Records of Nueces County, Texas, together with abutter's rights of access to both South Padre Island Drive and Preston Street and with all right, title and interest in and to any street lying in the right-of-way of any street in front of or adjoining said premises to the center line thereof and having unencumbered access to each of said streets.

Being the same land described in that certain Warranty Deed, dated October 24, 1967, by DANIEL KORN, and wife, SHIRLEY KORN, Grantors, to HUMBLE OIL & REFINING COMPANY, a Delaware corporation (now Exxon Corporation), Grantee, and recorded in the County Clerk's Office of Nueces County, Texas, Volume 1240, Pages 307-308.

STATE OF TEXAS }
COUNTY OF NUECES }

This instrument was FILED on the 2nd day of November 1976, and was duly recorded in the Deed Records of Nueces County, Texas, as shown and stated by me, on

NOV 2 1976



COUNTY CLERK
NUECES COUNTY, TEXAS

Marion H. Linger

FOUND DRILL HOLE.

EXHIBIT "B"

EASEMENT CLOSURE

Being a total of 4000.05 sq.ft. tract, being out of Lots 1, 2, 3, 4, 5, 6, 7, 8, 38, 39 and 40, Block 6 of the FLOUR BLUFF CENTER, an addition to the City of Corpus Christi, Texas, according to map or plat recorded in Volume 8, Page 41 of the Map Records of Nueces County, Texas.

PRESTON STREET
(50' R.O.W.)

LOT 6

LOT 5

LOT 4

TEXAS STATE HIGHWAY 358
SOUTH PADRE ISLAND DRIVE

LOT 3

LOT 2

FOUND TXDOT MON.

LOT 1

4000.05 Sq.ft.

LOT 8

LOT 9

LOT 40

NUM	BEARING	DISTANCE
L1	N61°11'00"W	5.00'
L2	N61°11'00"W	5.00'
L3	N28°49'00"E	10.00'
L4	S28°31'08"W	10.00'

LOT 39

LOT 10

P.O.B.
POINT

LOT 38

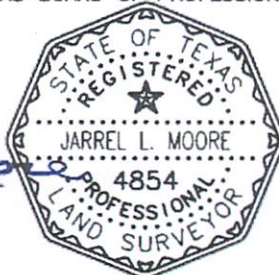
BARTON STREET
(50' R.O.W.)

LOT 37

SCALE: 1" = 40'

FOUND 5/8" I.R.

I, JARREL L. MOORE, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, THIS PLAT REPRESENTS AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION AND SUBSTANTIALLY COMPLIES WITH THE MINIMUM STANDARDS FOR LAND SURVEYING IN TEXAS AS SET FORTH BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYORS.



JARREL L. MOORE
REGISTERED PROFESSIONAL LAND SURVEYOR
LICENSE No. 4854

ALL BEARINGS AND DISTANCE REFER TO THE TEXAS
STATE PLANE COORDINATE SYSTEM OF 1983, TEXAS
SOUTH ZONE.

TEXAS GEO TECH LAND SURVEYING, INC

6626 SOUTH STAPLES, SUITE B-2
Corpus Christi, TX 78411
(381) 993-0808 Fax (381) 993-2956
www.texasgeotech.com

DATE: NOVEMBER 01, 2022 DRAWN: RC

SCALE: 1" = 40' JOB NUMBER: 221102

APPROVED: JLM SURVEY: JUAN

Exhibit C

