

Ordinance abandoning and vacating a portion of a 10-foot wide utility easement out of Lot 8, Section 50, Flour Bluff & Encinal Farm & Garden Tract, located south of the Glenoak Drive public right-of-way, and located west of the Waldron Road public right-of-way; and requiring the owner, Flour Bluff Independent School District, to comply with the specified conditions.

WHEREAS, Flour Bluff Independent School District (“Owner”) has requested the abandonment and vacation of a portion of a 10-foot wide utility easement out of Lot 8, Section 50, Flour Bluff & Encinal Farm & Garden Tract;

WHEREAS, it has been determined that it is feasible and advantageous to the City of Corpus Christi to abandon and vacate a 5,355-square foot portion of a 10-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 Flour Bluff Independent School District, (“Owner”), a 5,355-square foot portion of a 10-foot wide utility easement out of Lot 8, Section 50, Flour Bluff & Encinal Farm & Garden Tract, located south of the Glenoak Drive public right-of-way, and located west of the Waldron Road public right-of-way, as recorded in Volume A, Page 42, 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 new utility easements of equal or greater value than the property being released by the City in this easement closure action, in accordance with City of Corpus Christi, Code of Ordinance Section 49-12, within 180 days of Council approval so that the requirement of paying fair market value for the property 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 approval of the building permit and 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

**CITY OF CORPUS CHRISTI UTILITY EASEMENT
FILE NO. 745591
LEGAL DESCRIPTION
5355 SQUARE FEET TRACT**

EXHIBIT "A"

BEING a strip of land 10 feet in width out of Lot 8, Section 50, Flour Bluff and Encinal Farm and Garden Tracts, as shown by map of record in Volume A, Page 42, Nueces County, Texas, Map Records, said strip of land being more particularly described by metes and bounds as follows:

BEGINNING at a point on the common boundary between Lot 8, Section 50 and Lot 25, Section 49, Flour Bluff and Encinal Farm and Garden Tracts, Nueces County, Texas, for the East corner of the tract herein being described, from which **POINT OF BEGINNING** the East corner of said Lot 8, Section 50, bears South 61°00'00" East, 495.00 feet ;

THENCE South 29°00'00" West, 535.50 feet for the South corner of this tract;

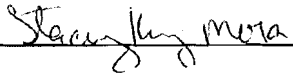
THENCE North 61°00'00" West, 10.00 feet for the West corner of this tract;

THENCE North 29°00'00" East, 535.50 feet to a point on the northeast boundary of said Lot 8, Section 50, for the North corner of this tract;

THENCE South 61°00'00" East, with said Northeast boundary of Lot 8, 10.00 feet to the **PLACE OF BEGINNING**.

NOTE:

ALL BEARINGS ARE BASED ON THE UTILITY EASEMENT AS RECORDED IN FILE NO. 745591, DEED RECORDS OF NUECES COUNTY, TEXAS.

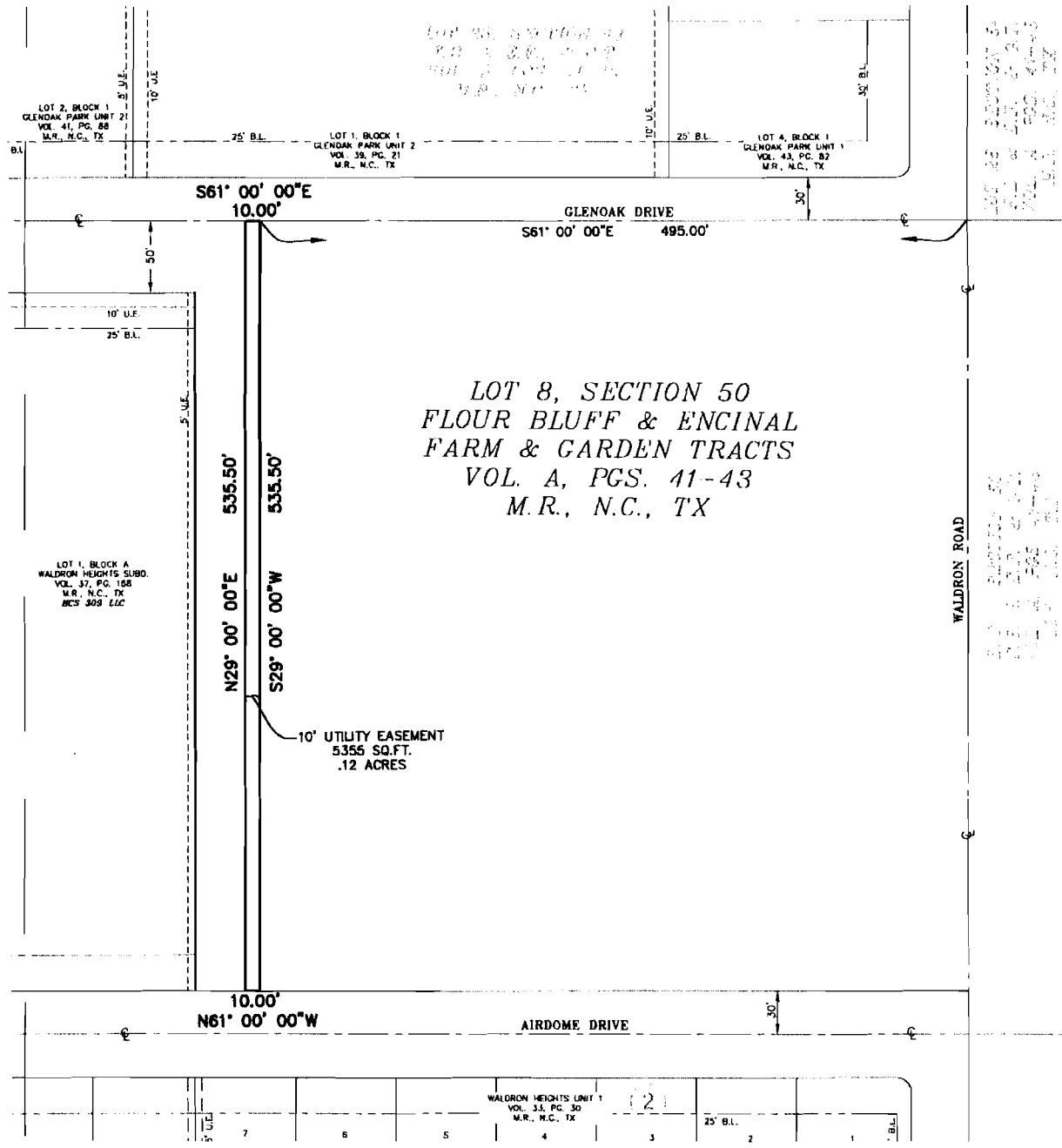


**Stacey King Mora, RPLS
Registered Professional Land Surveyor
Texas Registration No. 6166
Naismith Engineering, Inc.**

TBPE F#355 TBPLS F# 100395-00

Date: March 7, 2014

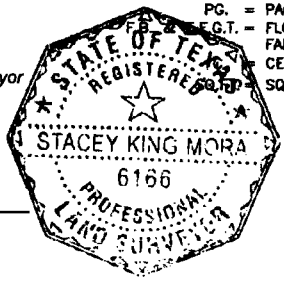




I, Stacey King Mora, Registered Professional Land Surveyor, hereby certify that this survey was prepared from an actual on the ground survey made under my direction and supervision, and represents the facts found at the time of survey, and that this survey substantially complies with the current standards adopted by the Texas Board of Professional Land Surveying.

Stacey King Mora
Stacey King Mora
Registered Professional Land Surveyor
Texas Registration No. 6166
smora@naismith-engineering.com

Naismith Engineering, Inc.
Date: *March 7, 2014*



- LEGEND:**
- U.E. = UTILITY EASEMENT
 - B.L. = BUILDING LINE
 - Y.R. = YARD REQUIREMENT
 - D.R. = DEED RECORDS
 - M.R. = MAP RECORDS
 - N.C., TX. = NUECES COUNTY, TEXAS
 - VOL. = VOLUME
 - DOC. = DOCUMENT
 - PG. = PAGE
 - F.G.T. = FLOUR BLUFF & ENCINAL FARM & GARDEN TRACTS CENTERLINE
 - SQ. FT. = SQUARE FEET

EXHIBIT B
10' UTILITY EASEMENT, FILE NO. 745591, OUT OF LOT 8, SECTION 50, FLOUR BLUFF AND ENCINAL FARM AND GARDEN TRACTS VOLUME A, PAGES. 41-43 MAP RECORDS, NUECES COUNTY, TEXAS

Naismith Engineering, Inc.
ENGINEERING • ENVIRONMENTAL • SURVEYING

TBPE FIRM #0355 TBPLS FIRM #100085-00
4601 GOLLIMAR RD CORPUS CHRISTI, TEXAS 78411 PH. NO. 361-614-6800

Project No.: 9152	Surveyed: 8/12/13	Checked By: SKM	Dwg. No. 9152 EXHIBIT
Scale: 1"=50'	Drawn By: RMC	Approved By: SKM	Sheet 1 of 1