

**Ordinance abandoning and vacating a 1,226-square foot portion of a 5-foot wide utility easement out of a part of Lots 8-10, Blk. 40, Bluff Portion Subdivision, located south of the Leopard Street public right-of-way, and east of the North Staples Street public right-of-way; and requiring the owner, Regional Transportation Authority (RTA), to comply with the specified conditions.**

**WHEREAS**, Regional Transportation Authority (“Owner”) has requested the abandonment and vacation of a portion of a 5-foot wide utility easement out of Lots 8-10, Blk. 40, Bluff Portion Subdivision;

**WHEREAS**, it has been determined that it is feasible and advantageous to the City of Corpus Christi to abandon and vacate a 1,226-square foot portion of a 5-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 Regional Transportation Authority, (“Owner”), a 1,226-square foot portion of a 5-foot wide utility easement out of Lots 8-10, Blk. 40, Bluff Portion Subdivision, located south of the Leopard Street public right-of-way, and east of the North Staples Street public right-of-way, as recorded in Volume A, Pages 2-3, 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 is required to pay the fair market value fee of \$2,025.00 for the abandonment and vacation of the 1,226-square-foot portion of a 5-foot-wide utility easement out of Lots 8-10, Blk. 40, Bluff Portion Subdivision.
- 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

**1,226 SQUARE FOOT EASEMENT  
AS RECORDED IN VOLUME 268, PAGE 363**

A 1,226 SQUARE FOOT TRACT OF LAND OUT OF LOTS 8, 9 AND 10, BLOCK 40 OF THE BLUFF PORTION SUBDIVISION PLAT AS RECORDED IN VOLUME A, PAGES 2-3, MAP RECORDS, NUECES COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** at a found drill hole on the east right-of-way line of North Staples Street marking the southwest corner of said Lot 8, Block 40 of the Bluff Portion Subdivision Plat as recorded in Volume A, Pages 2-3, Nueces County, Texas for the **POINT OF BEGINNING** and a corner for the herein described tract;

**THENCE** North 00°36'24" East, with said west right-of-way line, a distance of 5.00 feet to a calculated point for a corner of the herein described tract;

**THENCE** South 89°23'36" East, departing said right-of-way line, parallel with and 5.0 feet perpendicular distance from the south line of said Lot 8, Block 40, a distance of 145.20 feet to a calculated point on a common lot line between Lots 5 and 8, Block 40 for a corner of the herein described tract;

**THENCE** South 00°36'24" East, with said common lot line between Lots 5 and 8 and the common lot lines between Lots 4 and 9 and Lots 3 and 10, Block 40, a distance of 105.00 feet to a calculated point marking a common corner for the southwest corner of said Lot 3 and the southeast corner of said Lot 10, Block 40, for a corner of the herein described tract;

**THENCE** North 89°23'36" West, with the south line of said Lot 10, a distance of 5.00 feet to a calculate point for a corner of the herein described tract;

**THENCE** North 00°36'24" East, parallel with and 5.0 feet perpendicular distance from the east line of said Lots 9 and 10, Block 40 of the Bluff Portion Subdivision Plat, a distance of 100.00 feet to a calculated point on the aforementioned south line of Lot 8, Block 40 for a corner of the herein described tract;

**THENCE** North 89°23'36" West, with said south line of Lot 8, a distance of 140.21 feet to the **POINT OF BEGINNING** and containing 0.03 acre or 1,226 square feet of land.

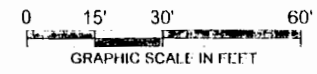
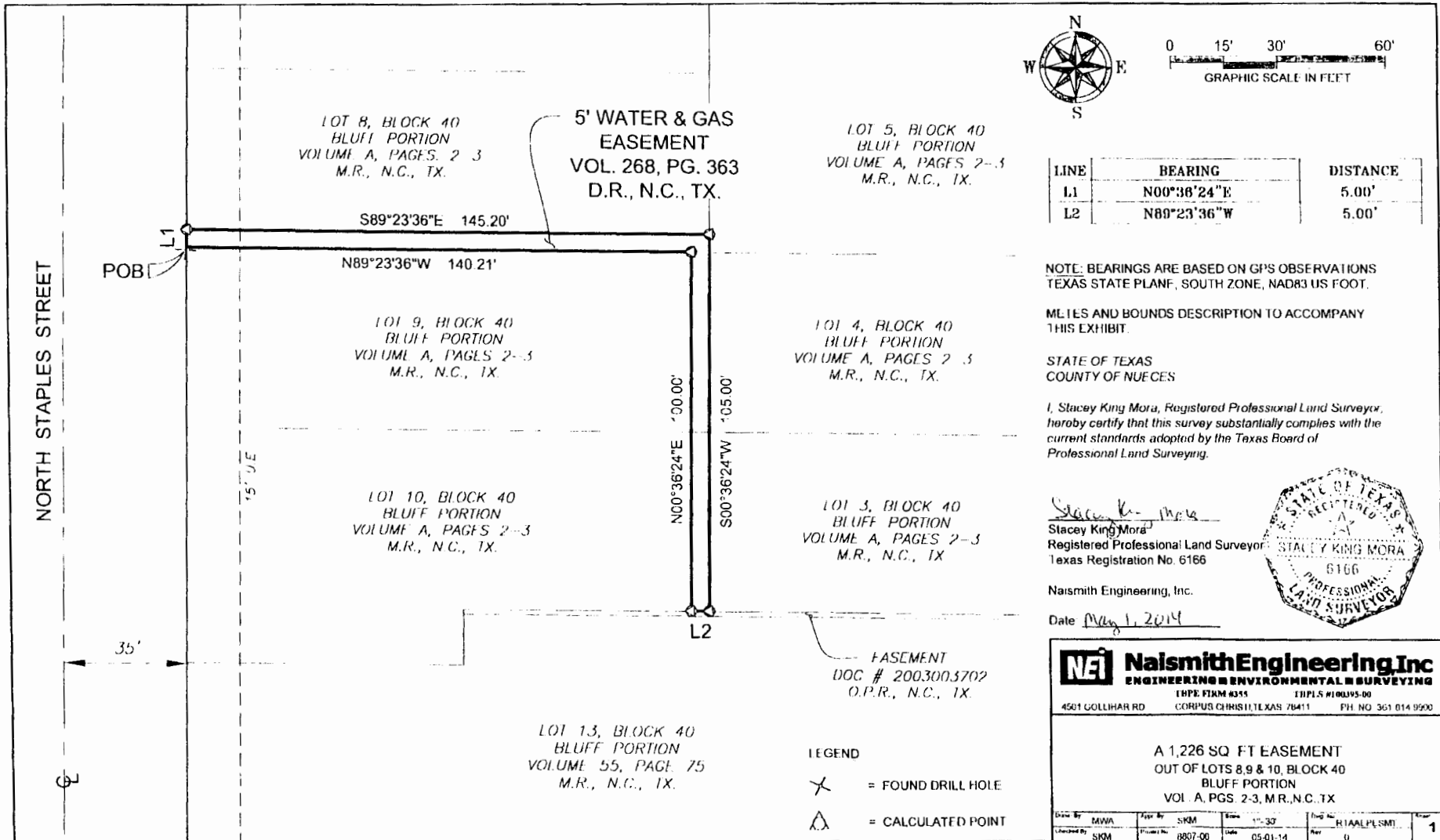
NOTE: ALL BEARINGS ARE GRID BEARINGS BASED ON THE TEXAS COORDINATE SYSTEM FOR THE LAMBERT SOUTH ZONE NAD 1983 (CORS 96) EPOCH 2002.

Stacey King Mora  
Stacey King Mora, RPLS  
Registered Professional Land Surveyor  
Texas Registration No. 6166  
Naismith Engineering, Inc.  
TBPE F#355 TBPLS#100395-00



Date May 1, 2014

**EXHIBIT B**



LINE	BEARING	DISTANCE
L1	N00°36'24"E	5.00'
L2	N80°23'36"W	5.00'

NOTE: BEARINGS ARE BASED ON GPS OBSERVATIONS TEXAS STATE PLANN, SOUTH ZONE, NAD83 US FOOT.

MLTIES AND BOUNDS DESCRIPTION TO ACCOMPANY THIS EXHIBIT.

STATE OF TEXAS  
COUNTY OF NUECES

I, Stacey King Mora, Registered Professional Land Surveyor, hereby certify 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



Naismith Engineering, Inc.

Date *May 1, 2014*

EASEMENT  
DOC # 2003003702  
O.P.R., N.C., TX

- LEGEND
- = FOUND DRILL HOLE
  - = CALCULATED POINT

**NEI Nalsmith Engineering Inc**  
ENGINEERING & ENVIRONMENTAL SURVEYING  
TBP&E FIRM #355 EPLS #100195-00  
4501 GOLLHAR RD CORPUS CHRISTI, TEXAS 78411 PH. NO 361 014 9500

**A 1,226 SQ FT EASEMENT  
OUT OF LOTS 8, 9 & 10, BLOCK 40  
BLUFF PORTION  
VOL. A, PGS. 2-3, M.R., N.C. TX**

Drawn By: MWA	Plot By: SKM	Scale: 1"=30'	Proj No: R1AALPLS001	Sheet: 1
Checked By: SKM	Printed By: 8807-00	Date: 05-01-14	Rev: 0	