

Ordinance abandoning and vacating an undeveloped and unsurfaced 11,420-square foot portion (0.262 acres) of a 20-foot wide public right-of-way, out of Lot 1, Block 1, Oso River Estates Unit 2, and requiring the owners, Breckenridge Group Corpus Christi Phase II, LP., to comply with specified conditions.

WHEREAS, Breckenridge Group Corpus Christi Phase II, LP. (“Owners”) have requested the abandonment and vacation of an undeveloped and unsurfaced 11,420-square foot portion (0.262 acres) of a 20-foot wide public right-of-way, out of Lot 1, Block 1, Oso River Estates Unit 2;

WHEREAS, with proper notice to the public, a public hearing was held on Tuesday, March 31, 2015, during a meeting of the City Council, during which all interested parties and citizens were allowed to appear and be heard; and

WHEREAS, it has been determined that it is feasible and advantageous to the City of Corpus Christi to abandon and vacate the subject portion of the undeveloped and unsurfaced 11,420-square foot portion (0.262 acres) of a 20-foot wide public right-of-way, out of Lot 1, Block 1, Oso River Estates Unit 2, 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 Breckenridge Group Corpus Christi Phase II, LP. (“Owners”), an undeveloped and unsurfaced 11,420-square foot portion (0.262 acres) of a 20-foot wide public right-of-way, out of Lot 1, Block 1, Oso River Estates Unit 2, located south of and adjacent to Williams Drive and north of Holly Road., as recorded in Volume 68, Pages 336-337, of the 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 public street right-of-way described in Section 1 of this ordinance is expressly conditioned upon the Owners’ compliance with the following requirements:

- a. City staff recommends that payment of the fair market value be waived because City Code, Sec. 49-12, (c)(4) of the City Code of Ordinances eliminates payment of the fair market value when an abandoned street is unimproved, as it is in this case.
- b. Upon approval by the City Council and issuance of the ordinance, all grants of streets closures must be recorded at the Owners’ expense in the real property Official Deed and Map Records of Nueces County, Texas, in which the subject portion of the property is located, with a copy of the recording provided to the City. Prior to the issuance of any permits for construction on the land, an up-to-date survey, abstracted for all streets, alleys or public

rights-of-way, and items of record must be submitted by the Owners to the Director of Development Services.

~~e. Failure to comply with all the conditions outlined in this Ordinance within the specified time frame will hereby make the Ordinance null and void.~~

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	_____	Brian Rosas	_____
Rudy Garza	_____	Lucy Rubio	_____
Chad Magill	_____	Mark Scott	_____
Colleen McIntyre	_____	Carolyn Vaughn	_____
Lillian Riojas	_____		

The foregoing ordinance was read for the second time and passed finally on this the _____ day of _____, 20____, by the following vote:

Nelda Martinez	_____	Brian Rosas	_____
Rudy Garza	_____	Lucy Rubio	_____
Chad Magill	_____	Mark Scott	_____
Colleen McIntyre	_____	Carolyn Vaughn	_____
Lillian Riojas	_____		

PASSED AND APPROVED this the _____ day of _____, 20____.

ATTEST:

Rebecca Huerta
City Secretary

Nelda Martinez
Mayor



Exhibit A
0.262 Acres, Road Closure

STATE OF TEXAS
COUNTY OF NUECES

Fieldnotes, for a 0.262 Acre, Road Closure, out of Lot 1, Block 1, Oso River Estates Unit 2, a map of which is recorded in Volume 68, Pages 336-337, Map Records of Nueces County, Texas; said 0.262 Acres being more fully described by metes and bounds as follows:

Beginning, at a 5/8 inch iron rod, with red plastic cap stamped "URBAN ENGR C.C. TX" found, on the Southwest Right-of-Way of Williams Drive, a public roadway, the Southeast Line of the said Lot 24 and the said Lot 1, for the East corner of this tract;

Thence, South 29°00'00" West, with the Southeast line of the said Lot 24, at 5.00 feet, pass the North corner of Lot 1, Paul Jones Sports Complex, as recorded in Volume 67, Pages 495-496, of the said Map Records, in all 571.00 feet to a 5/8 inch iron rod, with red plastic cap stamped "URBAN ENGR C.C. TX" found on the East corner of the Remainder of 174.425 Acre Tract, described in an Exchange Deed, from Gladys Mattie Smith, to Gladys Mattie Smith Marital Trust, as recorded in Document Number 2011007302, of the Official Public Records of Nueces County, Texas, the South corner of the said Lot 1 and of this tract;

Thence, North 61°00'00" West, with the Northeast line of the said Remainder of 174.425 Acre Tract, 20.00 feet, to the West corner of this tract;

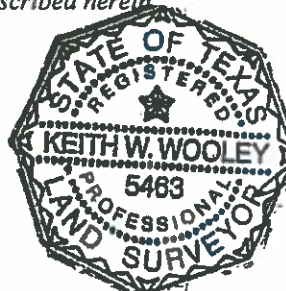
Thence, North 29°00'00" East, 571.00 feet, to the said Southwest Right-of-Way line, for the North corner of this tract;

Thence, South 61°00'00" East, 20.00 feet, to the Point of Beginning, containing 0.262 acres (11,420 Square Feet) of land, more or less.

Bearings are based on the record plat of Flour Bluff and Encinal Farm and Garden Tracts, a map of which is recorded in Volume A, Pages 41-43, Map Records of Nueces County, Texas.

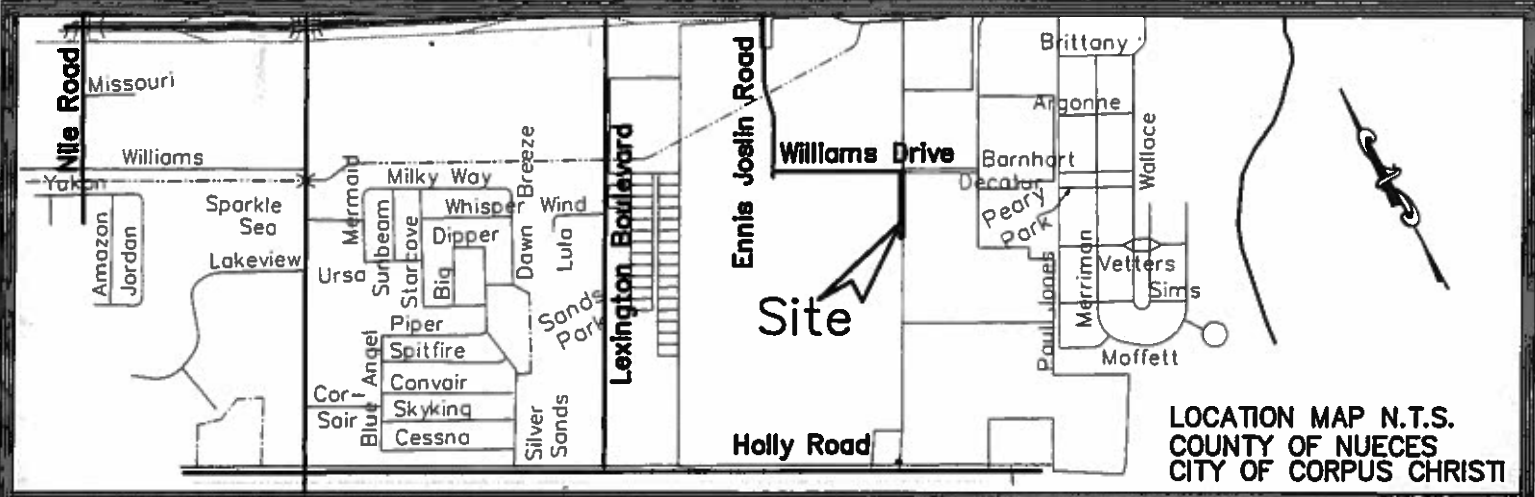
Unless this fieldnotes description, including preamble, seal and signature, appears in its entirety, in its original form, surveyor assumes no responsibility for its accuracy.

Also reference accompanying sketch of tract described herein

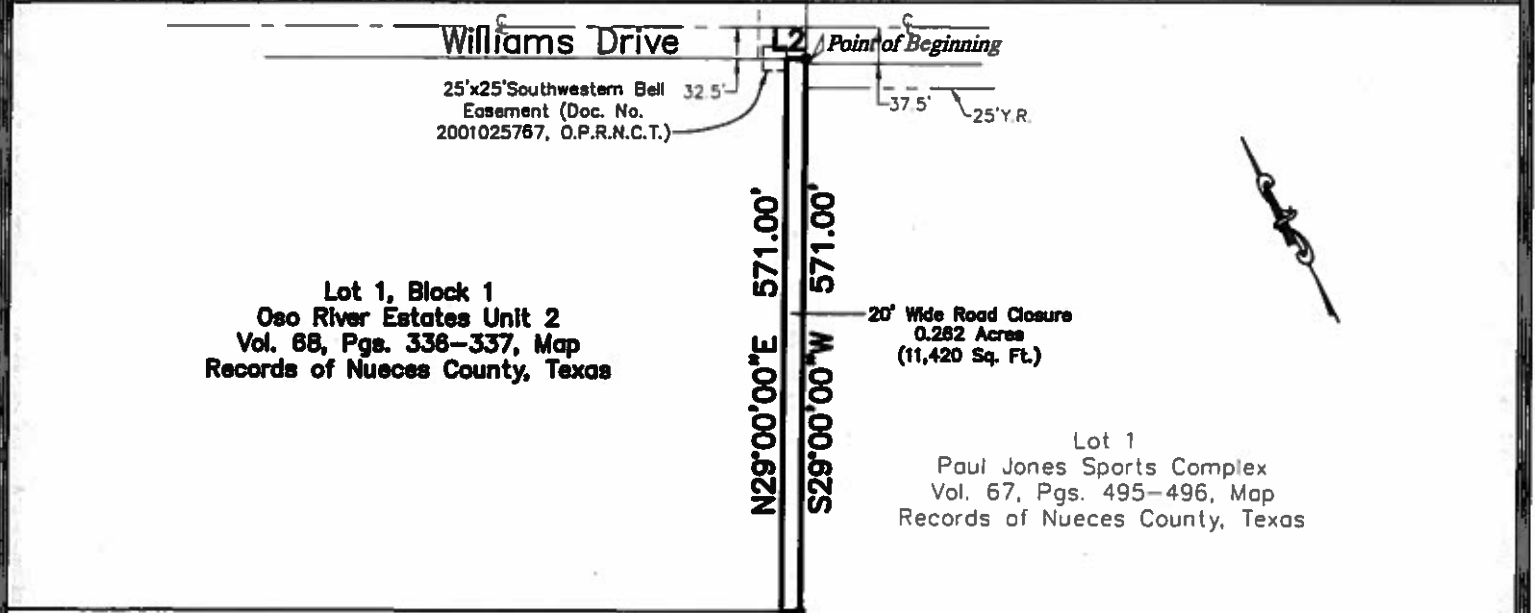


URBAN ENGINEERING

Keith W. Wooley
Keith W. Wooley, R.P.L.S.
License No. 5463



LOCATION MAP N.T.S.
COUNTY OF NUECES
CITY OF CORPUS CHRISTI



Lot 1, Block 1
Oso River Estates Unit 2
Vol. 68, Pgs. 336-337, Map
Records of Nueces County, Texas

20' Wide Road Closure
0.262 Acres
(11,420 Sq. Ft.)

Lot 1
Paul Jones Sports Complex
Vol. 67, Pgs. 495-496, Map
Records of Nueces County, Texas

LOT 24, SECTION 28
FLOUR BLUFF AND ENCINAL FARM
AND GARDEN TRACTS
VOL. A, PGS. 41-43, MAP
RECORDS OF NUECES COUNTY, TEXAS

Remainder of 174.425 Acres
(Owners: Gladys Mattie Smith Marital Trust)
Doc.#201107302

LINE	BEARING	DISTANCE
L1	N61°00'00\"W	20.00'
L2	S61°00'00\"E	20.00'

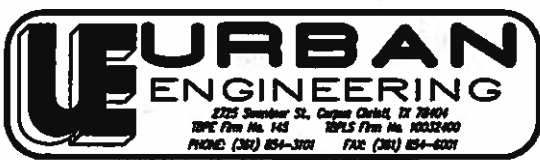


Exhibit B
Sketch to Accompany

Fieldnotes, for a 0.262 Acre, Road Closure, out of Lot 1, Block 1, Oso River Estates Unit 2, a map of which is recorded in Volume 68, Pages 336-337, Map Records of Nueces County, Texas.

Legend:

- Fd. 5/8" I.R. with red plastic cap stamped "Urban Engr C.C. Tx"



DATE: Nov. 16, 2014
SCALE: 1"=100'
JOB NO.: 08896.B4.10
SHEET: 1 of 1
DRAWN BY: RLG