

Ordinance abandoning and vacating a portion of an existing 60-foot wide utility easement out of a part of Lot 8, Blk. 1, Wildcat Industrial Park, located north of the Sedwick Road public street right-of-way, and west of the Southern Minerals Road public street right-of-way; and requiring the owner, Scott Humpal, to comply with the specified conditions.

WHEREAS, Scott Humpal (“Owner”) has requested the abandonment and vacation of a portion of an existing utility easement out of a part of Lot 8, Blk. 1, Wildcat Industrial Park;

WHEREAS, with proper notice to the public, a public hearing was held on Tuesday, November 18, 2014, 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 a 138,490-square foot portion (3.179 acres) of an existing 60-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 Scott Humpal, (“Owner”), a 138,490-square foot portion (3.179 acres) out of a part of Lot 8, Blk. 1, Wildcat Industrial Park, located north of the Sedwick Road public street right-of-way, and west of the Southern Minerals Road public street right-of-way, as recorded in Volume 67, Pages 126-127, 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.
- 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	_____	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

**STATE OF TEXAS
COUNTY OF NUECES**

Field Notes of a closure of 3.179 acres of an existing 60' Utility Easement described in a deed recorded in Volume 1508, Page 394, Deed Records Nueces County, Texas, with a portion being out of Lot 8, Block 1, Wildcat Industrial Park, as shown on a map recorded in Volume 67, Pages 126 – 127, Map Records Nueces County, Texas, and a portion being out of the Scott Humpal 150.372 acre tract as described in a deed recorded in Document No. 2012044135, Deed Records Nueces County, Texas; and being more particularly described as follows:

COMMENCING at a 5/8" iron rod found in the north right of way of Sedwick Road, for the southeast corner of the said 150.372 acre tract, **THENCE** S89°00'33"W, a distance of 570.00' to a point in the north right of way of Sedwick Road, for the southeast corner of the said existing 60' Utility Easement, and for the southeast corner of this closure, and for the **POINT OF BEGINNING** of this tract;

THENCE with the north right of way of Sedwick Road, S89°00'33"W, a distance of 60.00' to a point in the north right of way of Sedwick Road, for the southwest corner of this closure;

THENCE with the northeast line of the said existing 60' Utility Easement, N00°26'02"W a distance of 2241.05' to a point in the southeast line of the 3.50 acre Pathfinder Energy tract as described in a deed recorded in Document No. 2010039358, Deed Records Nueces County, Texas, and for the northwest corner of this closure;

THENCE N24°00'24"E, a distance of 179.66' to a point in the southeast line of Lot 1, Block 1, Preston Park Addition, as shown on a map recorded in Volume 67, Page 63, Map Records Nueces County, Texas, and for the northeast corner of this closure, said point being a point of curvature of a curve to the left with a radius 160.00', from **WHENCE** a 5/8" iron rod found in the south right of way of Leopard Street, for the northeast corner of the said Lot 1, Block 1, Preston Park Addition, and for an outside corner of the said Wildcat Industrial Park bears N24°00'16"E, a distance of 461.63';

THENCE with said curve to the left a distance of 68.25 feet, with a chord bearing of S11°47'07"W, and a chord distance of 67.73' to a point in the north right of way of Spindletop Road, and for an inside corner of this closure;

THENCE with the southeast line of the said existing 60' Utility Easement, S00°26'02"W a distance of 2337.83' to the **POINT OF BEGINNING** of this easement, and containing 3.179 acres of land, more or less.

Notes:

- 1.) Bearings are based on global positioning system NAD83 (93) 4205 datum.
- 2.) A Map of equal date accompanies this Metes and Bounds description.

I, Ronald E. Brister do hereby certify that this survey of the property legally described herein is correct to the best of my knowledge and belief.

Ronald E. Brister

Ronald E. Brister, RPLS No. 5407
Date: August 22, 2014.



JOB NO. 141393

EXHIBIT A

SURVEY OF

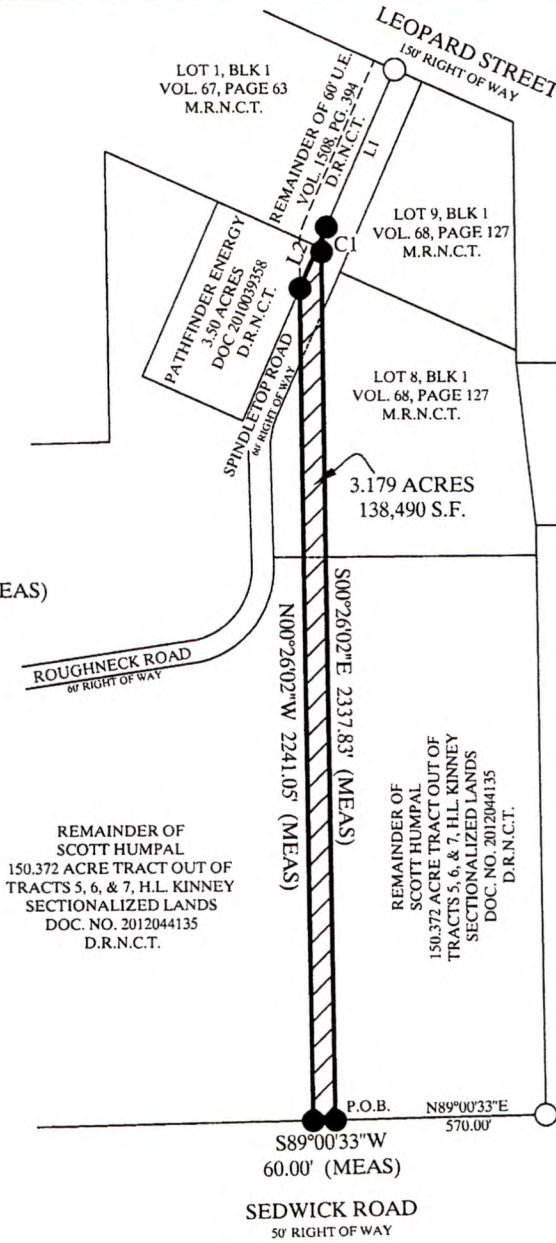
A CLOSURE OF 3.179 ACRES OF AN EXISTING UTILITY EASEMENT DESCRIBED IN A DEED RECORDED IN VOLUME 1508, DEED RECORDS NUECES COUNTY, TEXAS, WITH A PORTION BEING OUT OF LOT 8, BLOCK 1, WILDCAT INDUSTRIAL PARK, AS SHOWN ON A MAP RECORDED IN VOLUME 67, PAGES 126 - 127, MAP RECORDS OF NUECES COUNTY TEXAS, AND A PORTION BEING OUT OF THE SCOTT HUMPAL 150.372 ACRE TRACT AS DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 2012044135, DEED RECORDS NUECES COUNTY, TEXAS.



SCALE 1" = 400'

C1
 R= 160.00
 L=68.25
 TAN=34.65
 0.00=24°26'19"
 CB=S11°47'07"W, 67.73

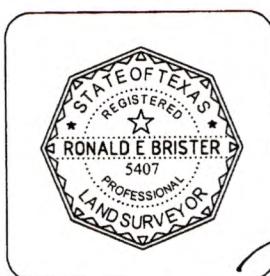
L1 S24°00'16"W 461.63'
 L2 N24°00'24"E 179.66' (MEAS)



○ = 5/8" IRON ROD FOUND
 ● = POINT



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 Bristersurveying@corpus.twcba.com
 Firm Registration No. 10072800



NOTES:
 1.) TOTAL SURVEYED AREA IS 3.179 ACRES.
 2.) MEASURED BEARINGS ARE BASED ON GLOBAL POSITIONING SYSTEM NAD 83 (93) 4205 DATUM.
 3.) A METES AND BOUNDS DESCRIPTION OF EQUAL DATE ACCOMPANIES THIS SURVEY.

THIS SURVEY DOES NOT INCLUDE THE RESEARCH, INVESTIGATION, OR LOCATIONS OF ALL SERVITUDES, EASEMENTS, RIGHT OF WAYS, OR UTILITIES ON THIS PROPERTY.

I, RONALD E. BRISTER DO HEREBY CERTIFY THAT THIS SURVEY OF THE PROPERTY LEGALLY DESCRIBED HEREIN IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Ronald E. Brister

EXHIBIT B

SURVEY DATE AUGUST 22, 2014

JOB NO. 141393

RONALD E. BRISTER R.P.L.S. NO. 5407