

Ordinance abandoning and vacating an undeveloped and unsurfaced 21,300.84-square foot portion (0.489 acres) of a 20-foot wide public right-of-way, out of Lot 1, Section 32, Flour Bluff & Encinal Farm & Garden Tracts and requiring the owner, MPM Development, LP to comply with specified conditions.

WHEREAS, MPM Development, LP (“Owner”) has requested the abandonment and vacation of an undeveloped and unsurfaced 21,300.84-square foot portion (0.489 acres) of a 20-foot wide public right-of-way, out of Lot 1, Section 32, Flour Bluff & Encinal Farm & Garden Tracts;

WHEREAS, with proper notice to the public, a public hearing was held on Tuesday, July 28, 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 21,300.84-square foot portion (0.489 acres) of a 20-foot wide public right-of-way, out of Lot 1, Section 32, Flour Bluff & Encinal Farm & Garden Tracts, subject to compliance by the Owner 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 MPM Development, LP (“Owner”), an undeveloped and unsurfaced 21,300.84-square foot portion (0.489 acres) of a 20-foot wide public right-of-way, out of Lot 1, Section 32, Flour Bluff & Encinal Farm & Garden Tracts, located south of Holly Road and east of Ennis Joslin Road public street right-of-way, as recorded in Volume A, Pages 41-43, 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. AEP is requiring that the Owner retain a minimum 15-foot wide utility easement, centered on the existing AEP utilities.
- c. 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.

- d. Owner 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	_____	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

BASS & WELSH ENGINEERING
Engineering Firm Reg. No. F-52
Surveying Firm Reg. No. 100027-00
P.O. Box 6397
Corpus Christi, TX 78466-6397

AUGUST 25, 2014
M&B-ROAD CLO.doc

ROAD CLOSURE TRACT

STATE OF TEXAS §

COUNTY OF NUECES §

Description of a 0.489 acre tract of land, more or less, a portion of Lot 1, Section 32, Flour Bluff and Encinal Farm and Garden Tracts, a map of which is recorded in Volume "A", Pages 41 - 43, Map Records, Nueces County, Texas, said 0.489 acre tract of land as further described by metes and bounds as follows:

BEGINNING at the easternmost corner of Lot "A", Block 1, Monte Verde at Terra Mar Unit 1, a map of which is recorded in Volume 65, Pages 76 & 77, said maps records, said beginning point for the northernmost corner of the tract herein described and being in the southwest right-of-way line of Holly Road;

THENCE S60°32'52"E 20.00' along said southwest right-of-way line of Holly Road to a point for the easternmost corner of the tract herein described;

THENCE S28°39'45"W 1,065.06' to a point for the southernmost corner of the tract herein described;

THENCE N61°21'15"W 20.00' to a point for the westernmost corner of the tract herein described and southernmost corner of Lot 21, Block 1, said Monte Verde at Terra Mar Unit 1;

THENCE N28°39'45"E 1065.34' along the southeast boundary line of said Monte Verde at Terra Mar Unit 1 to the **POINT OF BEGINNING**, a sketch showing said 0.489 acre tract for road closure being attached hereto as Exhibit "B".

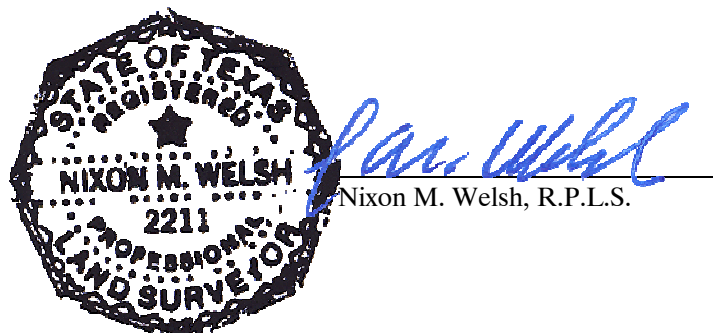
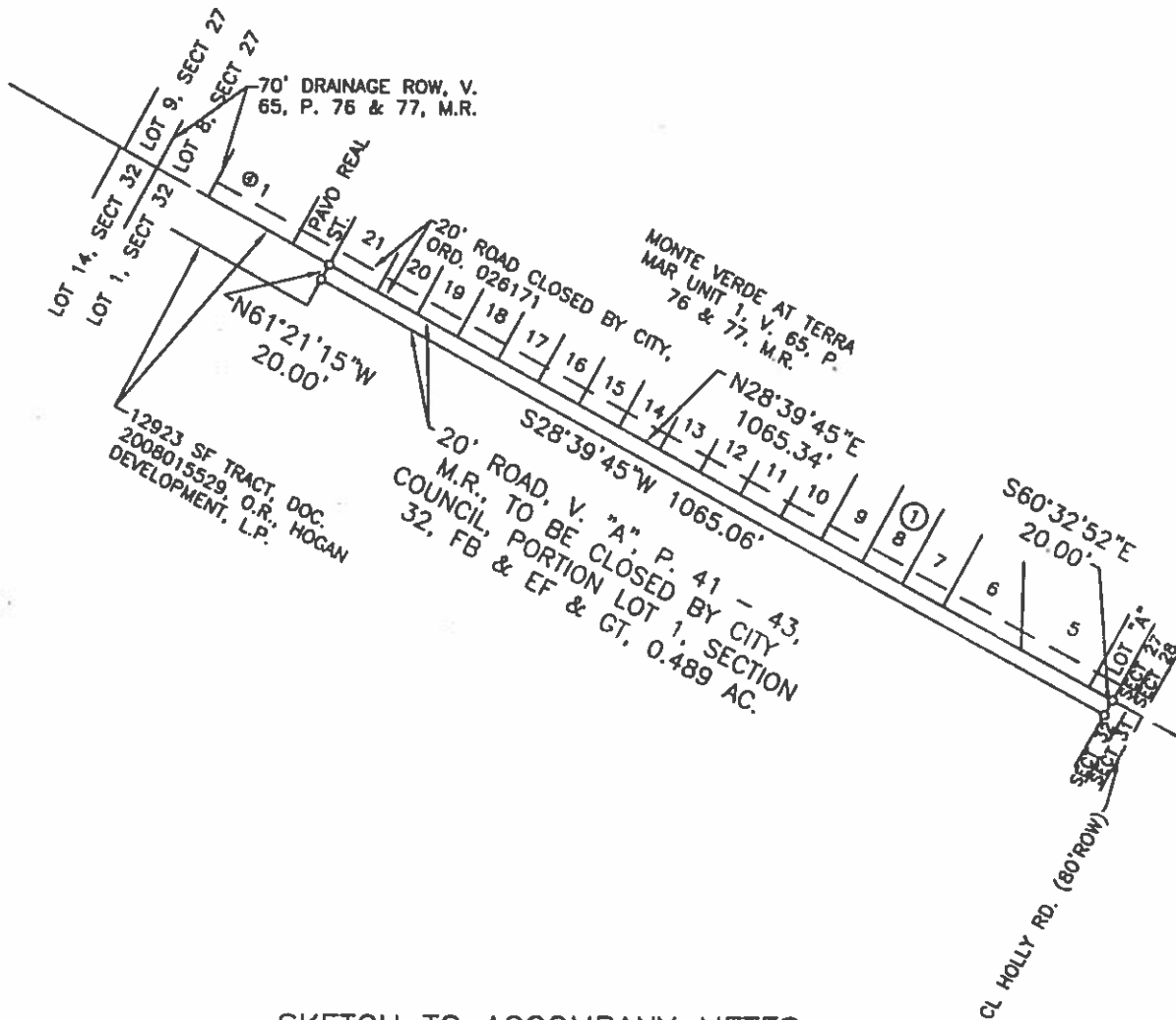


EXHIBIT "A"



SKETCH TO ACCOMPANY METES
AND BOUNDS DESCRIPTION

1" = 200'

EXHIBIT B

BASS AND WELSH ENGINEERING
CORPUS CHRISTI, TX
SURVEY REG. NO. 100027-00, TX
ENGINEERING REG. NO. F-52,
FILE: EXB-ROAD CLO, JOB NO.
14002, SCALE: 1" = 200'
PLOT SCALE: SAME, PLOT DATE:
08/25/2014 SHEET 1 OF 1