

Ordinance abandoning and vacating a portion of a 10-foot wide utility easement out of Parkdale Village Annex B and Lot 2, Parkdale Village Annex C and requiring the owner, TWF Partners, LLC., to comply with specified conditions.

WHEREAS, TWF Partners, LLC. ("Owner") has requested the abandonment and vacation of a portion of a 10-foot wide utility easement out of Parkdale Village Annex B and Lot 2, Parkdale Village Annex C;

WHEREAS, with proper notice to the public, a public hearing was held on Tuesday, September 24, 2013 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 1,826-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 TWF Partners, LLC. ("Owner"), a 1,826-square foot portion of a 10-foot wide utility easement out of Parkdale Village Annex B and Lot 2, Parkdale Village Annex C, located west of South Staples Street and north of Everhart Road, as recorded in Volume 27, Page 67, and Volume 29, Page 12, 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 to the City new utility easements of equal or greater value than the utility easements being released by the City in this easement closure action, in accordance with the Corpus Christi Code of Ordinances, Section 49-12, within 180 days of City Council approval of this ordinance so that the requirement of paying fair market value for the properties 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 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:

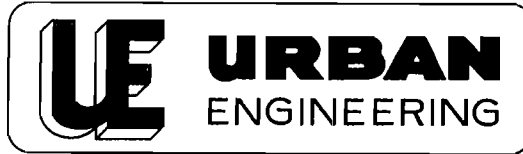
Nelda Martinez	_____	Chad Magill	_____
Kelley Allen	_____	Colleen McIntyre	_____
Rudy Garza	_____	Lillian Riojas	_____
Priscilla Leal	_____	Mark Scott	_____
David Loeb	_____		

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

ATTEST:

Armando Chapa
City Secretary

Nelda Martinez
Mayor



Revised: August 30, 2013
Job No. 40889.B3.01
August 06, 2013

10 Foot Wide Utility Easement Closure

**STATE OF TEXAS
COUNTY OF NUECES**

Fieldnotes for the closure of a 10 foot wide utility easement, 0.042 acres, more or less, over and across of Parkdale Village Annex "B", a map of which is recorded in Volume 27, Pg. 67, Map Records of Nueces County, Texas and Lot 2, Parkdale Village Annex "C", a map of which is recorded in Volume 29, Page 12, Map Records of Nueces County, Texas; said easement being more fully described as follows:

Commencing at a 1/2 inch iron pipe found on the North R-O-W line of Whataburger Way, a public roadway, for the Southeast corner of said Lot 2, same being the Southwest corner of said Parkdale Village Annex "B", thence North 28°50'30" East, 10.00 feet to the Point of Beginning and for a point in the Southwest boundary of this easement;

Thence, North 61°09'30" West, with the said Southwest easement line, 5.00 feet, to the Southwest corner of this easement;

Thence, North 28°50'30" East, 185.57 feet, to the North corner of this easement;

Thence, South 31°06'10" East, passing the Southeast line of said Lot 2 and the Northwest line of said Parkdale Village Annex "B", 11.55 feet, to the East a corner of this easement;

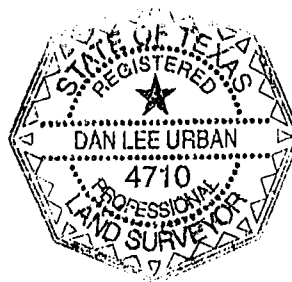
Thence, South 28°50'30" West, 179.61 feet, to the South corner of this easement;

Thence, North 63°05'13" West, 5.00 feet, to the Point of Beginning, containing 0.042 acres (1,826 Sq. Ft.) of land, more or less.

Bearings are based on the recorded plat of Parkdale Village Annex "C", a map of which is recorded in Volume 29, Page 12, 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.

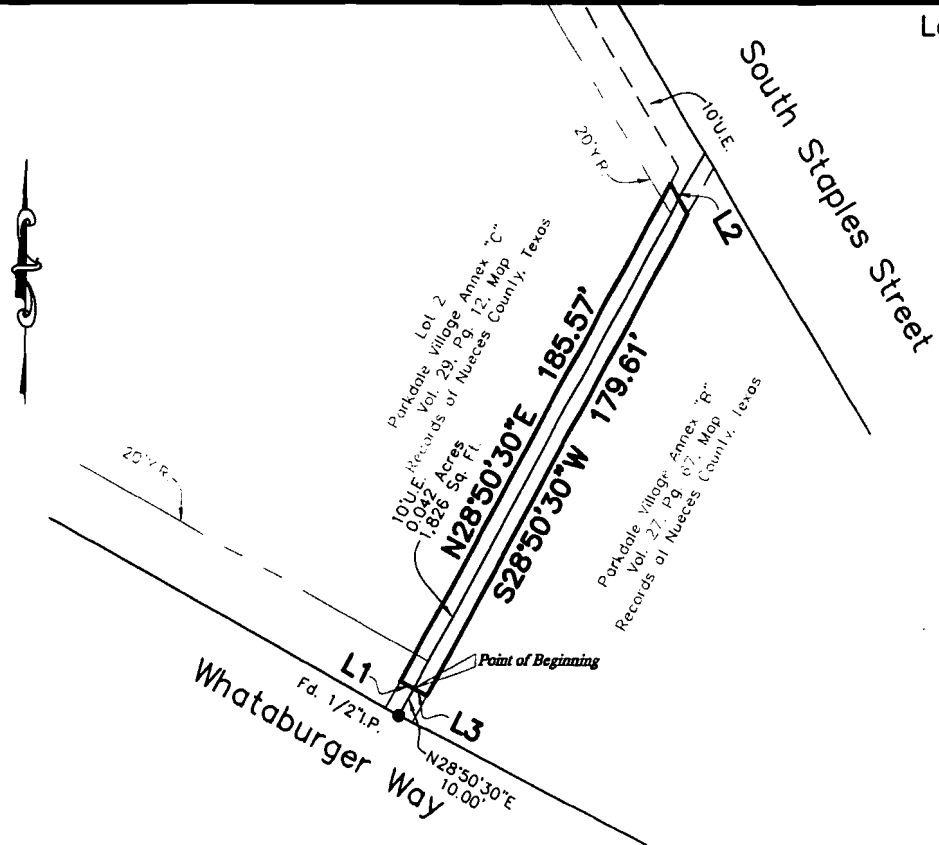


URBAN ENGINEERING
Dan L. Urban
Dan L. Urban, R.P.L.S.
License No. 4710

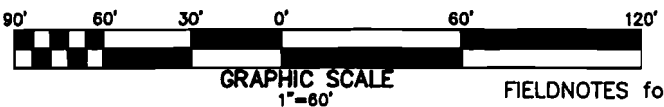
EXHIBIT A



Location Map N.T.S.

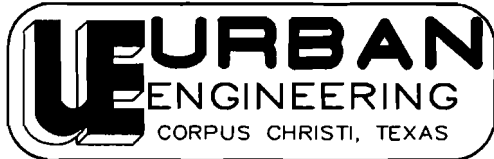


LINE	BEARING	DISTANCE
L1	N61°09'30"W	5.00'
L2	S31°06'10"E	11.55'
L3	N63°05'13"W	5.00'



Sketch to Accompany

FIELDNOTES for the closure of a 10.00 foot wide utility easement, more or less, over and across of Parkdale Village Annex "B", a map of which is recorded in Volume 27, Pg. 67, Map Records of Nueces County, Texas and Lot 2, Parkdale Village Annex "C", a map of which is recorded in Volume 29, Page 12, Map Records of Nueces County, Texas.



DATE: August 5, 2013
 SCALE: 1"=60'
 JOB NO.: 40889.B3.01
 SHEET: 1 of 1
 DRAWN BY: RLG
 ©2013 by Urban Engineering

EXHIBIT B

Firm No. 145: 2725 Swainner St., Corpus Christi, TX 78404
 PHONE: (361) 854-3101 FAX: (361) 854-6001