

Ordinance abandoning and vacating a portion of an existing utility easement out of a part of Lot 10A and Lot 12, Blk. 16, Padre Island Number 1, located west of the South Padre Island Drive (Park Road 22) state right-of-way, and north of the Encantada Avenue public right-of-way; and requiring the owner, Island Foundation, Inc., to comply with the specified conditions.

WHEREAS, Island Foundation, Inc. ("Owner") has requested the abandonment and vacation of a portion of an existing utility easement out of a part of Lot 10A and Lot 12, Blk. 16, Padre Island Number 1;

WHEREAS, it has been determined that it is feasible and advantageous to the City of Corpus Christi to abandon and vacate a 1,361-square foot portion of an existing 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 Island Foundation, Inc., ("Owner"), a 1,361-square foot portion of an existing utility easement out of a part of Lot 10A and Lot 12, Blk. 16, Padre Island Number 1, located west of the South Padre Island Drive (Park Road 22) state right-of-way, and north of the Encantada Avenue public right-of-way, as recorded in Volume 13, Pages 1-8, and Volume 42, Pages 20-21, 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.

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:

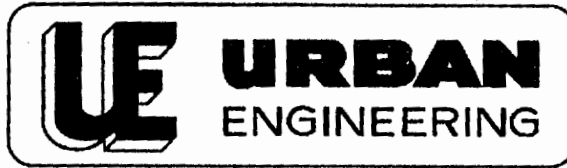
Nelda Martinez	_____	Chad Magill	_____
Kelley Allen	_____	Colleen McIntyre	_____
Rudy Garza	_____	Lillian Riojas	_____
Priscilla Leal	_____	Mark Scott	_____
David Loeb	_____		

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

ATTEST:

Rebecca Huerta
City Secretary

Nelda Martinez
Mayor



Job No. 38009.B4.03
March 26, 2014
Revised: May 30, 2014

0.031 Acre Tract, Utility Easement Closure

State of Texas
County of Nueces

FIELDNOTES for a 0.031 Acre Tract, Utility Easement Closure, more or less, over and across Lot 10A, Block 16, Padre Island Number 1, a map of which is recorded in Volume 13, Pages 1-8, Map Records of Nueces County, Texas and Lot 12, Block 16, Padre Island Number 1, a map of which is recorded in Volume 42, Pages 20-21, Map Records of Nueces County, Texas.; said 0.031 Acres, being more fully described by metes and bounds as follows:

Commencing, at a 5/8 inch iron rod with cap (Hayden) found, the Intersection of Encantada Avenue and South Padre Island Drive, a public roadway, the South corner of a County Road closed in Volume 18, Page 232, and Volume 1591, Page 65, Commissioner's Court Minutes, Nueces County, Texas;

Thence, North 65°28'01" West, with the Northeast line of the said Encantada Avenue, the Southwest line of the said Closed County Road, 114.02 feet, Thence, North 24°31'59" East, 50.00 feet, to the Southwest line of said Lot 10A, for the Point of Beginning and Northwest corner of this easement;

Thence, North 69°00'57" East, 145.66 feet, for the Northeast corner of this easement;

Thence, South 22°30'52" West, 13.79 feet to the North line of the said Closed County Road, the South line of the said Lot 12 and for the Southeast corner of this easement;

Thence, South 69°00'57" West, with the North line of the said Closed County Road, the South line of the said Lots 10A and 12, 126.35 feet, for the Southwest corner of this easement;

Thence, North 65°28'01" West, the Northeast line of the said Closed County Road, the Southwest line of this said Lot 10A, 14.02 feet, to the Point of Beginning, containing 0.031 acres (1361 Square Feet) of land, more or less;

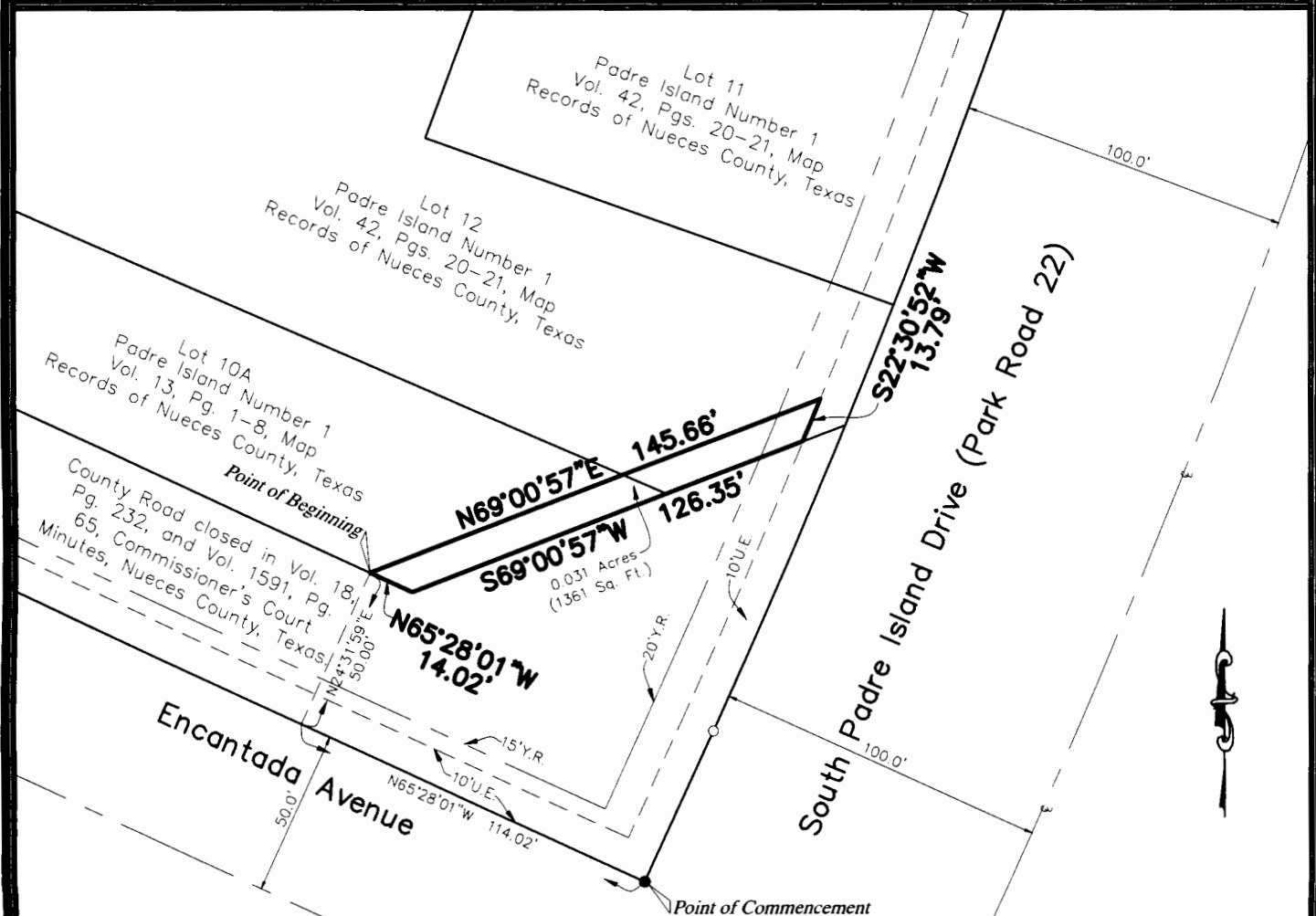
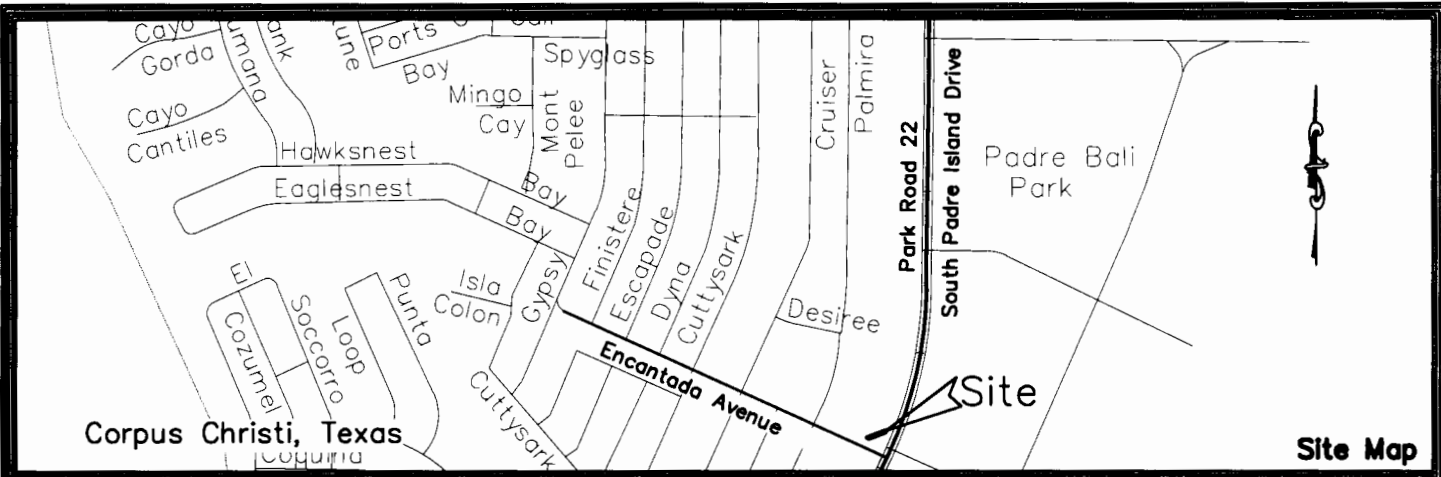
Bearings based on GPS, NAD83, State Plane Coordinates, Texas South Zone 4205.

Unless this fieldnote 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.

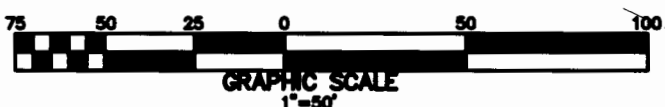


URBAN ENGINEERING
Dan Lee Urban
Dan L. Urban, R.P.L.S.
License No. 4710



Sketch to Accompany

FIELDNOTES for a 0.031 Acre Tract, Utility Easement Closure, more or less, over and across Lot 10A, Block 16, Padre Island Number 1, a map of which is recorded in Volume 13, Pages 1-8, Map Records of Nueces County, Texas and Lot 12, Block 16, Padre Island Number 1, a map of which is recorded in Volume 42, Pages 20-21, Map Records of Nueces County, Texas.



- Legend:
- Fd. 5/8" I.R. with cap (Hayden)
 - Set 5/8" iron rod with plastic cap stamped "Urban Engr C.C. Tx"

URBAN ENGINEERING

2725 Seaboard St., Corpus Christi, TX 77404
 MFC Print No. 145 TPLS Print No. 10032400
 PHONE: (361) 854-3101 FAX: (361) 854-6001

DATE: March 26, 2014
 SCALE: 1"=50'
 JOB NO.: 38009.B4.03
 SHEET: 1 of 1
 DRAWN BY: RLG
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