



AGENDA MEMORANDUM
for the City Council Meeting of April 17, 2012

DATE: 3/29/2012

TO: Ronald L. Olson, City Manager

FROM: Mark Van Vleck, Interim Director, Department of Development Services
MarkVV@cctexas.com *M Van Vleck*
(361) 826-3246

Amending Ordinance No. 028064, with regard to the condition noted at SECTION 2.a., by replacing former Exhibit B with the current Exhibit B, pages 1 thru 3; and by deleting the last sentence.

CAPTION:

Amending Ordinance No. 028064, with regard to the condition noted at SECTION 2.a., by replacing former Exhibit B with the current Exhibit B, pages 1 thru 3; and by deleting the last sentence.

BACKGROUND AND FINDINGS:

The City of Corpus Christi is proposing to amend Ordinance No. 028064 by making the following changes.

- Delete the last sentence in Section 2. Paragraph a.;
- Correct the metes and bounds description; and
- Correct the exhibit of the public access easement.

The last sentence in Section 2. Paragraph a. that is being deleted reads as follows:

In addition, no above ground obstructions will be allowed within one (1) horizontal foot of either side of the easement width.

The metes and bounds description and exhibit are being corrected because the metes and bounds size, description and exhibit of the access easement that was dedicated by Ordinance 028064, does not match the ordinance's declaration of intent. The corrected public easement under consideration is located between Lots 11 & 12, Block 43, Padre Island No. 2. These properties are located northeast of Playa Del Rey and Villa Maria Isabel, both east of South Padre Island Drive (PR 22).

February 10, 2009 (Ordinance No. 028064) - Council approved the abandoning and vacating of a 10-foot wide undeveloped and unsurfaced, dedicated public alley right-of-way, out of Padre Island No. 2, Block 43, Lots 12-13, located adjacent to and northeast of the Playa Del Rey public right-of-way.

ALTERNATIVES:

Deny the Request

OTHER CONSIDERATIONS:

N/A

CONFORMITY TO CITY POLICY:

These requirements are in compliance with the City of Corpus Christi, Code of Ordinance Sec. 49-13, as amended and approved on July 13, 2004, by Ordinance No. 025816.

EMERGENCY / NON-EMERGENCY:

Non-Emergency

DEPARTMENTAL CLEARANCES:

N/A

FINANCIAL IMPACT: Not applicable

Fiscal Year: 2011-2012	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

Comments: N/A

RECOMMENDATION:

Staff recommends approval of the Ordinance. Upon approval by Council and issuance of the ordinance, all grants of easement dedications must be recorded in the real property Map Records of Nueces County, Texas, in which the property is located. Prior to the approval of the building permit and construction, an up-to-date survey, abstracted for all easements and items of record, must be submitted to the City's Building Official.

LIST OF SUPPORTING DOCUMENTS:

Original Ordinance 028064
Amending Ordinance
Revised Metes and Bounds Exhibit (Exhibit B pages 1 thru 3)

Approvals: Deborah Brown, Assistant City Attorney
Eddie Houlihan, Assistant Director of Management and Budget
Toby Futrell, Interim Assistant City Manager