

Ordinance abandoning and vacating an undeveloped and unsurfaced 5,445.00-square foot portion (0.125 acres) of public right-of-way, out of Lots 13, 14, 19 and 20, Section 20, Flour Bluff and Encinal Farm and 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 5,445.00-square foot portion (0.125 acres) of public right-of-way, out of Lots 13, 14, 19 and 20, Section 20, Flour Bluff and Encinal Farm and Garden Tracts.

WHEREAS, with proper notice to the public, a public hearing was held on Tuesday, August 25, 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 5,445.00-square foot portion (0.125 acres) of public right-of-way, out of Lots 13, 14, 19 and 20, Section 20, Flour Bluff and Encinal Farm and 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 5,445.00-square foot portion (0.125 acres) of public right-of-way, out of Lots 13, 14, 19 and 20, Section 20, Flour Bluff and Encinal Farm and Garden Tracts, located west Airline Road and north of Empire State Drive 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. 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.

- c. A 60 FT wide utility easement is dedicated 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

January 14, 2015
03026-M&B-Closure.doc

Road Closure

STATE OF TEXAS §

COUNTY OF NUECES §

Description of a 0.125 acre tract of land, more or less, for road closure, a portion of Lots 13, 14, 19 and 20, Section 20, Flour Bluff and Encinal Farm and Garden Tracts, a map of which is recorded in Volume "A", Page 41 - 43, Map Records, Nueces county, Texas, said 0.125 acre tract is also a part of a 60' road right-of-way described by instrument recorded at Volume 1676, Page 452, Deed Records of said county, said 0.125 acre tract of land for road closure as further described by metes and bounds as follows:

BEGINNING at a point in the northeast right-of-way line of said 60' road right-of-way for the easternmost or southeast corner of the tract herein described and which bears S61°00'00"E 13.78' and S29°00'00"W 200.46' from the southernmost corner of Lot 16, Block 2, Bordeaux Place Unit 1, a map of which is recorded in Volume 61, Pages 179 - 181, said map records, said beginning point being in the arc of a circular curve to the left having a central angle of 44°17'30", a radius of 200.00' and a chord bearing N83°08'45"W a distance of 150.79';

THENCE along the arc of said circular curve to the left a distance of 154.61' to the point of curvature of a circular curve to the right having a central angle of 22°10'22", a radius of 15.00' and a chord bearing S85°47'41"W a distance of 5.77';

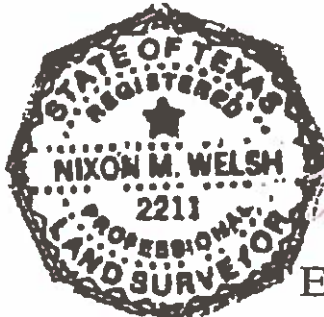
THENCE along the arc of said circular curve to the right a distance of 5.80' to a point for south central corner of the tract herein described in the southwest right-of-way line of said 60' road right-of-way;

THENCE N61°00'00"W 11.30' along said southwest right-of-way line of 60' road right-of-way to a point for south central corner of the tract herein described in the arc of a curvature of a circular curve to the right having a central angle of 21°02'14", a radius of 15.00' and a chord bearing N28°21'45"W a distance of 5.48';

THENCE along the arc of said circular curve to the right a distance of 5.51' to the point of tangency;

THENCE N17°50'38"W 83.40' to a point in said northeast right-of-way line of 60' road right-of-way for the northwest corner of the tract herein described;

THENCE along said northeast right-of-way line of 60' road right-of-way S61°00'00"E 221.24' to the POINT OF BEGINNING, a sketch showing said 0.125 acre tract of land for road closure being attached hereto as Exhibit "B".



Nixon M. Welsh
Nixon M. Welsh, R.P.L.S.

EXHIBIT "A"

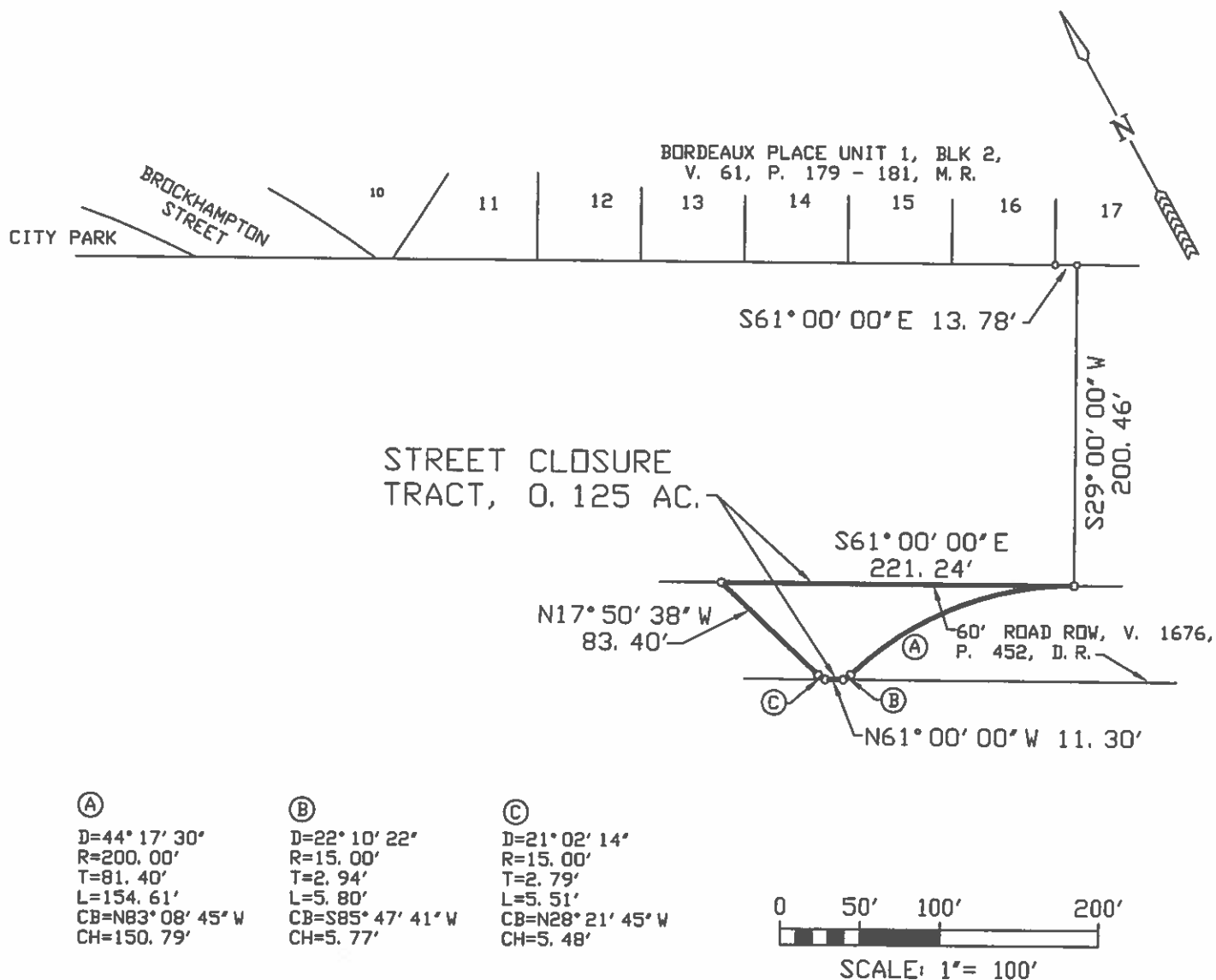
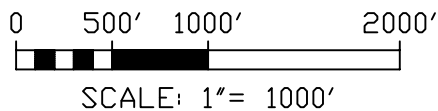
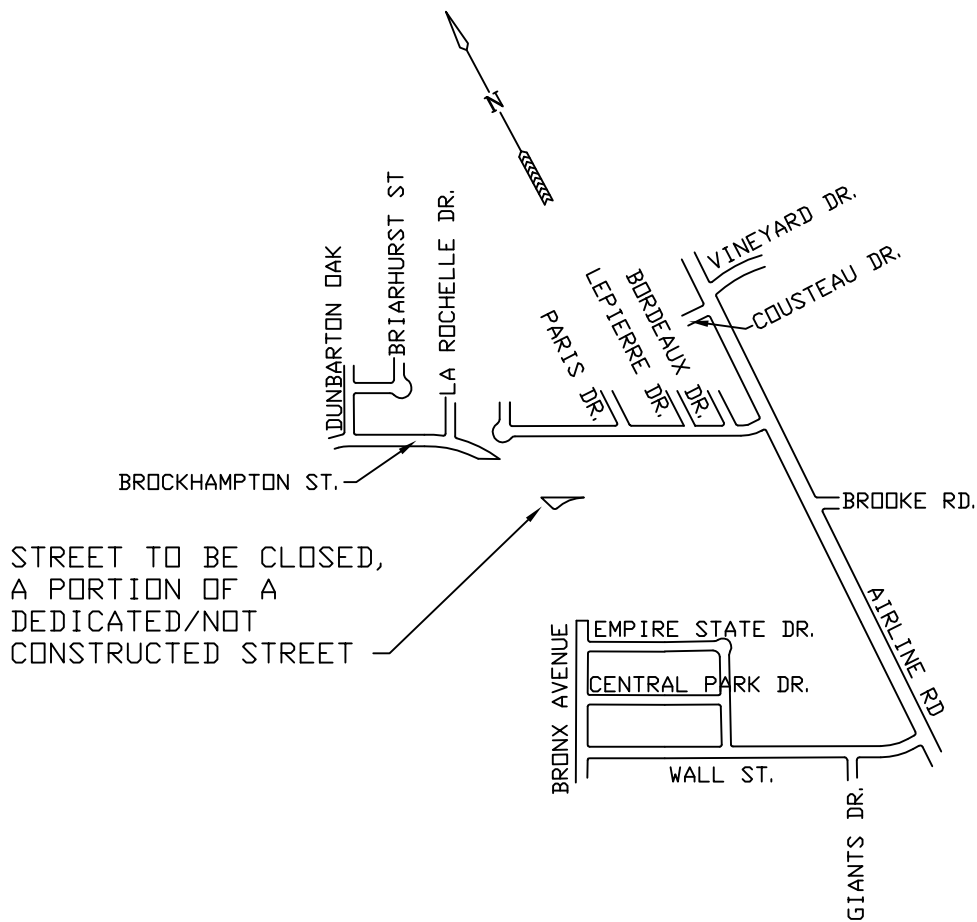


EXHIBIT "B"
SKETCH TO ACCOMPANY METES
AND BOUNDS DESCRIPTION
 1"=100'

BASS AND WELSH ENGINEERING
 CORPUS CHRISTI, TX
 SURVEY REG. NO. 100027-00,
 TX ENGINEERING REG. NO. F-52,
 FILE: EXB-STR CLOSURE, JOB
 NO. 03026, SCALE: 1" = 100'
 PLOT SCALE: SAME, PLOT DATE:
 1/14/15, SHEET 1 OF 1



LOCATION MAP
STREET ROW TO BE CLOSED IN
PROPOSED BORDEAUX PLACE UNIT 4
 1" = 1000'



BORDEAUX PLACE UNIT 4 STREET CLOSURE

