



AGENDA MEMORANDUM

First Reading Ordinance for the City Council Meeting of January 10, 2017
Second Reading Ordinance for the City Council Meeting of January 17, 2017

DATE: December 1, 2016

TO: Margie C. Rose, City Manager

FROM: Julio Dimas, Interim Director, Development Services Department
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Closing a utility easement at 3749 Pope Drive

CAPTION:

Ordinance closing, abandoning, and vacating a 0.028-Acre portion of an existing utility easement out of a part of Lot 16, Block 8 of Hopper Addition No. 2, located at 3749 Pope Drive and requiring the owner, Fernando Fernandez, to comply with the specified conditions; authorizing the City Manager or designee to execute a Utility Relocation Agreement; appropriating \$31,000 into Gas Fund #4130 to be used to cap an 8-inch wrapped steel line and construct a new 8-inch wrapped steel line, and changing the FY 2016-2017 Operating Budget adopted by Ordinance number 030965- to increase revenues and expenditures each by \$31,000.

PURPOSE:

The purpose of this item is to eliminate a utility easement and allow for Fernando Fernandez to abandon and vacate the existing gas line easement and to relocate the existing gas line.

BACKGROUND AND FINDINGS:

Fernando Fernandez (Owner) is requesting the abandonment and vacation of a 0.028-Acre portion of an existing utility easement out of a part of Hopper Addition No. 2, Block 8, Lot 16, located at 3749 Pope Drive. The abandonment and vacation of the utility easement is being requested by the Owner in conjunction with the sale of the property.

Staff recommends the City close and abandon City Easement in accordance with City Code of Ordinance Section 49-13 where Owner dedicates a new utility easement of equal or greater value than the property being released by the City in this easement closure action and Owner contracts with the City of Corpus Christi to cap the 8-inch wrapped steel line that is beneath Property Owner's dwelling in the existing utility easement and construct a new 8-inch wrapped

steel line in the dedicated new utility easement. The Owner has been advised of and concurs with dedicating a new utility easement and contracting for relocation of the gas line.

ALTERNATIVES:

Denial of the utility easement closure. This will, however, adversely impact the Owner's ability to move forward with the sale of the subject property.

OTHER CONSIDERATIONS:

Not applicable

CONFORMITY TO CITY POLICY:

These requirements are in compliance with the City Code of Ordinances, Section 49-12 and 49-13.

EMERGENCY / NON-EMERGENCY: Non-Emergency

DEPARTMENTAL CLEARANCES:

The Gas Department was contacted. The Gas Department has no objection regarding the proposed utility easement abandonment.

FINANCIAL IMPACT:

☐ Operating ☐ Revenue ☐ Capital ☒ Not applicable

Fiscal Year: 2016-2017	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

Comments: None

RECOMMENDATION:

Staff recommends approval of the easement closure. The Owners must comply with all the following specified condition of the easement closure ordinance:

- a. Owner dedicate a new utility easement of equal or greater value than the property being released by the City in this easement closure action.

- b. Owner contract with the City of Corpus Christi to cap the 8-inch wrapped steel line that is beneath Property Owner's dwelling in the existing utility easement and construct a new 8-inch wrapped steel line in the dedicated new utility easement.
- c. Upon approval by the City Council and issuance of the ordinance, all grants of easement closure and specified conditions must be recorded at the Owner's 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.
- d. Failure to comply with all the conditions outlined in this Ordinance within 180 days will hereby make the Ordinance null and void.

LIST OF SUPPORTING DOCUMENTS:

Ordinance with Exhibits
Utility Relocation Agreement
Aerial Maps