

Ordinance abandoning and vacating three utility easements, 0.0281-acre portion of an existing utility easement out of a part of Gusto Subdivision, Block 1, Lot 6 and 0.0311-acre portion of an existing utility easement out of a part of Gusto Subdivision, Block 1, Lot 1A, located at 6116 South Staples and 0.0237-acre portion of an existing utility easement out of a part of Gusto Subdivision, Block 1, Lot 2A, located at 6002 South Staples; and requiring the owner, Gandy-Robertson, Inc, to comply with the specified conditions.

WHEREAS, Gandy-Robertson, Inc. (Owner) is requesting the abandonment and vacation of three utility easements, 0.0281-acre portion of an existing utility easement out of a part of Gusto Subdivision, Block 1, Lot 6 and 0.0311-acre portion of an existing utility easement out of a part of Gusto Subdivision, Block 1, Lot 1A, located at 6116 South Staples and 0.0237-acre portion of an existing utility easement out of a part of Gusto Subdivision, Block 1, Lot 2A, located at 6002 South Staples;

WHEREAS, it has been determined that it is feasible and advantageous to the City of Corpus Christi to abandon and vacate portions of three utility easements, 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 Gandy-Robertson, Inc. ("Owner"), three utility easements, 0.0281-acre portion of an existing utility easement out of a part of Gusto Subdivision, Block 1, Lot 6 and 0.0311-acre portion of an existing utility easement out of a part of Gusto Subdivision, Block 1, Lot 1A, located at 6116 South Staples and 0.0237-acre portion of an existing utility easement out of a part of Gusto Subdivision, Block 1, Lot 2A, located at 6002 South Staples, as recorded in Volume 44, Page 163, and Volume 47, Page 161 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" (A-1, A-2, A-3) which is a metes and bounds description and field notes, Exhibit "B" (B-1, B-2, B-3) which is the graphical representation of the legal, and "Exhibit C", which is the location map which are attached to and incorporated in this ordinance by reference as if it was fully set out herein in their entireties.

SECTION 2. The abandonment and vacation of the three utility easements 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 City Council approval.
- 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. Failure to comply with all the conditions outlined in this Ordinance within 180 days will hereby make the Ordinance null and void.

That the foregoing ordinance was read for the first time and passed to its second reading on this the _____ day of _____, 2017, by the following vote:

| | | | |
|-------------------|-------|----------------|-------|
| Joe McComb | _____ | Ben Molina | _____ |
| Rudy Garza | _____ | Lucy Rubio | _____ |
| Paulette Guajardo | _____ | Greg Smith | _____ |
| Michael Hunter | _____ | Carolyn Vaughn | _____ |
| Council Member | _____ | | |

That the foregoing ordinance was read for the second time and passed finally on this the _____ day of _____, 2017, by the following vote:

| | | | |
|-------------------|-------|----------------|-------|
| Joe McComb | _____ | Ben Molina | _____ |
| Rudy Garza | _____ | Lucy Rubio | _____ |
| Paulette Guajardo | _____ | Greg Smith | _____ |
| Michael Hunter | _____ | Carolyn Vaughn | _____ |
| Council Member | _____ | | |

PASSED AND APPROVED on this the _____ day of _____, 2017.

ATTEST:

Rebecca Huerta
City Secretary

Joe McComb
Mayor

STATE OF TEXAS
NUECES COUNTY

Exhibit "A-1"

Field Note Description for a **0.0281 of an acre (1,225 square feet)** - 5' Utility Easement out of Lot 6, Block 1, Gusto Subdivision, as recorded in Volume 44, Page 163, Map Records of Nueces County, Texas (M.R.N.C.T.), being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod found in the east Right-of-Way (R.O.W.) of South Staples (100' R.O.W.) as recorded in Volume 47, Page 161 M.R.N.C.T., said point being the west corner of the said Lot 1A, Block 1, Gusto Subdivision, same point being the north corner of Lot 6, Block 1, Gusto Subdivision as recorded in Volume 44, Page 163 M.R.N.C.T., for the **"POINT OF BEGINNING"** of the herein described 5' utility easement, from which the point of curvature for a cutback corner located on the east R.O.W. of the said South Staples Street and the south R.O.W. of Wooldridge Road (75' R.O.W.), as recorded in Volume 47, Page 161 M.R.N.C.T., bears North 28°33' 49" East, 80.00 feet;

THENCE South 61°26'11" East, continuing along and with the common boundary of the said Lot 1A & Lot 6, Block 1, Gusto Subdivision, a distance of 160.00 feet to a 5/8 inch iron rod found for the east corner of the said, Gusto Subdivision, same point being an interior corner of the said Lot 2A, Block 1, Gusto Subdivision for a corner of the herein described 5' utility easement;

THENCE South 28°33'49" West, continuing along and with the common boundary of the said Lot 2A, Block 1 & Lot 6, Block 1, Gusto Subdivision, a distance of 90.00 feet to a 5/8 inch iron rod found for the south corner of the said Lot 6, Block 1, Gusto Subdivision, same point being the west corner of the said Lot 2A, Block 1, Gusto Subdivision for a corner of the herein described 5' utility easement;

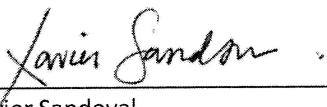
THENCE North 61°26'11" West, along and with the common boundary of the said Lot 1A Block 2, Champion Way Subdivision as recorded in Volume 67, Page 338, M.R.N.C.T., and the said Lot 6, Block 1, Gusto Subdivision, a distance of 5.00 feet to a point for a corner of the herein described 5' utility easement;

THENCE North 28°33'49" East, departing the common boundary of the said Lot 1A, Block 2, Champion Way Subdivision and Lot 6, Block 1, Gusto Subdivision, crossing the said Lot 6, Block 1, Gusto Subdivision, a distance of 85.00 feet to a point for a corner of the herein described 5' utility easement;

THENCE North 61°26'11" West, continuing across the said Lot 6, Block 1, Gusto Subdivision, a distance of 155.00 feet to a point in the east R.O.W. of the said South Staples Street (100' R.O.W.), for a corner of the herein described 5' utility easement;

THENCE North 28°33'49" East, along and with the east R.O.W. of the said South Staples Street (100' R.O.W.), a distance of 5.00 feet to the **"POINT OF BEGINNING"** and containing within these metes & bounds a **0.0281 of an acre (1,225 square feet)** of land, more or less. (All bearings are based on The Texas State Plane Coordinate System, South Central Zone 4204, NAD 83).

I hereby certify that the foregoing legal description was prepared from an on the ground survey performed on December 15, 2016, under my supervision and it correctly represents the facts found at the time of the survey. *Revised 05/22/2017.


Xavier Sandoval
Registered Professional Land Surveyor
License No. 5886 State of Texas



STATE OF TEXAS
NUECES COUNTY

Exhibit "A-2"

Field Note Description for a **0.0311 of an acre (1,356 square feet)** - 5' Utility Easement out of Lot 1A, Block 1, Gusto Subdivision, as recorded in Volume 47, Page 161, Map Records of Nueces County, Texas (M.R.N.C.T.), being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod found In the east Right-of-Way (R.O.W.) of South Staples (100' R.O.W.) as recorded in Volulme 47, Page 161 M.R.N.C.T., said point being the west corner of the said Lot 1A, Block 1, Gusto Subdivision, same point being the north corner of Lot 6, Block 2, Gusto Subdivision as recorded in Volume 44, Page 163 M.R.N.C.T., for the **"POINT OF BEGINNING"** of the herein described 5' utility easement, from which the point of curvature for a cutback corner located on the east R.O.W. of the said South Staples Street and the south R.O.W. of Wooldridge Road (75' R.O.W.), as recorded in Volume 47, Page 161 M.R.N.C.T., bears North 28°33' 49" East, 80.00 feet;

THENCE North 28°33'49" East, along and with the east R.O.W. of the said South Staples Street (100' R.O.W.), a distance of 5.00 feet to a point for a corner of the herein described 5' utility easement;

THENCE South 61°26'11" East, departing the east R.O.W. of the said South Staples Street (100' R.O.W.) continuing across the said Lot 1A, Block 1, Gusto Subdivision, a distance of 181.27 feet to a point for a corner of the herein described 5' utility easement;

THENCE North 28°33'49" East, continuing across the said Lot 1A, Block 1, Gusto Subdivision, a distance of 85.00 feet to a point in the south R.O.W. of the said Wooldridge Road (75.00' R.O.W.), for a corner of the herein described 5' utility easement;

THENCE South 61°26'11" East, along and with the south R.O.W. of the said Wooldridge Road (75' R.O.W.), a distance of 5.00 feet to a 5/8 iron rod found for the east corner of the said Lot 1A, Block 1, same point being the north corner of Lot 2A, Block 1, of the said Gusto Subdivision, for a corner of the herein described 5' utility easement;

THENCE South 28°33'49" West, departing the south R.O.W. of the said Wooldridge Road (75' R.O.W.) continuing along and with the common boundary of the said Lot 1A & Lot 2A, Block 1, Gusto Subdivision, a distance of 90.00 feet to a point for a common corner of the said Lot 1A & Lot 2A, Block 1, Gusto Subdivision for a corner of the herein described 5' utility easement;

THENCE North 61°26'11" West, continuing along and with the common boundary of the said Lot 1A & Lot 2A, Block 1, Gusto Subdivision, a distance of 186.27 feet to the **"POINT OF BEGINNING"** and containing within these metes & bounds a **0.0311 of an acre (1,356 square feet)** of land, more or less. (All bearings are based on The Texas State Plane Coordinate System, South Central Zone 4204, NAD 83).

I hereby certify that the foregoing legal description was prepared from an on the ground survey performed on December 15, 2016, under my supervision and it correctly represents the facts found at the time of the survey.


Xavier Sandoval
Registered Professional Land Surveyor
License No. 5886 State of Texas



STATE OF TEXAS
NUECES COUNTY

Exhibit "A-3"

Field Note Description for a **0.0237 of an acre (1,031 square feet)** - 5' Utility Easement out of Lot 2A, Block 1, Gusto Subdivision, as recorded in Volume 47, Page 161, Map Records of Nueces County, Texas (M.R.N.C.T.), being more particularly described by metes and bounds as follows:

Commencing at a 5/8 inch iron rod found at the in the south Right-of-Way (R.O.W.) of Wooldridge Road (75' R.O.W.) as recorded in Volulme 47, Page 161 M.R.N.C.T., same point being the west R.O.W. of Sarazen Drive (60.0' R.O.W.) as recorded in Volume 47, Page 161, M.R.N.C.T., for the east corner of Lot 2A, Block 1, Gusto Subdivision, from which the **"POINT OF BEGINNING"** of bears North 61°26'11" East, 183.73 feet, along and with the west boundary of the said Wooldridge Road, to a 5/8 iron rod found for the herein described 5' utility easement;

THENCE South 61°26'11" East, along and with the west R.O.W. of the said Woodridge Road (75' R.O.W.), a distance of 5.00 feet to a point for a corner of the herein described 5' utility easement;

THENCE South 28°33'49" West, departing the west R.O.W. of the said Wooldridge Road (75' R.O.W.) , crossing the said Lot 2A, Block 1, Gusto Subdivision, a distance of 95.00 feet to a point for a corner of the herein described 5' utility easement;

THENCE North 61°26'11" West, continuing across the said Lot 2A, Block 1, Gusto Subdivision, a distance of 26.27 feet to a point for a corner of the herein described 5' utility easement;

THENCE South 28°33'49" West, continuing across the said Lot 2A, Block 1, Gusto Subdivision, a distance of 85.00 feet to a point for a corner of the herein described 5' utility easement;

THENCE North 61°26'11" West, continuing across the said Lot 2A, Block 1, Gusto Subdivision, a distance of 5.0 feet to a point for a corner of the herein described 5' utility easement

THENCE North 28°33'49" East, departing the east boundary of Lot 1A, Block 2, Gusto Subdivision as recorded in Volume 67, Page 338, M.R.N.C.T., continuing along and with the common boundary of Lot 6, Block 1, Gusto Subdivision, as recorded in Volume 44, Page 163, M.R.N.C.T., and the said Lot 2a, Block 1, Gusto Subdivision, a distance of 90.00 feet to a in the west boundary of Lot 1A, Block 1, Gusto Subdivision, as recorded in Volume 47, Page 161, M.R.N.C.T., same point being the east corner of the said Lot 6, Block 2, Gusto Subdivision, for a corner of the herein described 5' utility easement;

THENCE South 61°26'11" East, along and with the common boundary of the said Lot 1A & Lot 2A, Block 1, a distance of 26.27 feet to a 5/8 iron rod found for the south corner of the said Lot 1A, Block 1, Gusto Subdivision, an interior corner of the said Lot 2A, Block 1, same point being a corner of the herein described 5' utility easement;

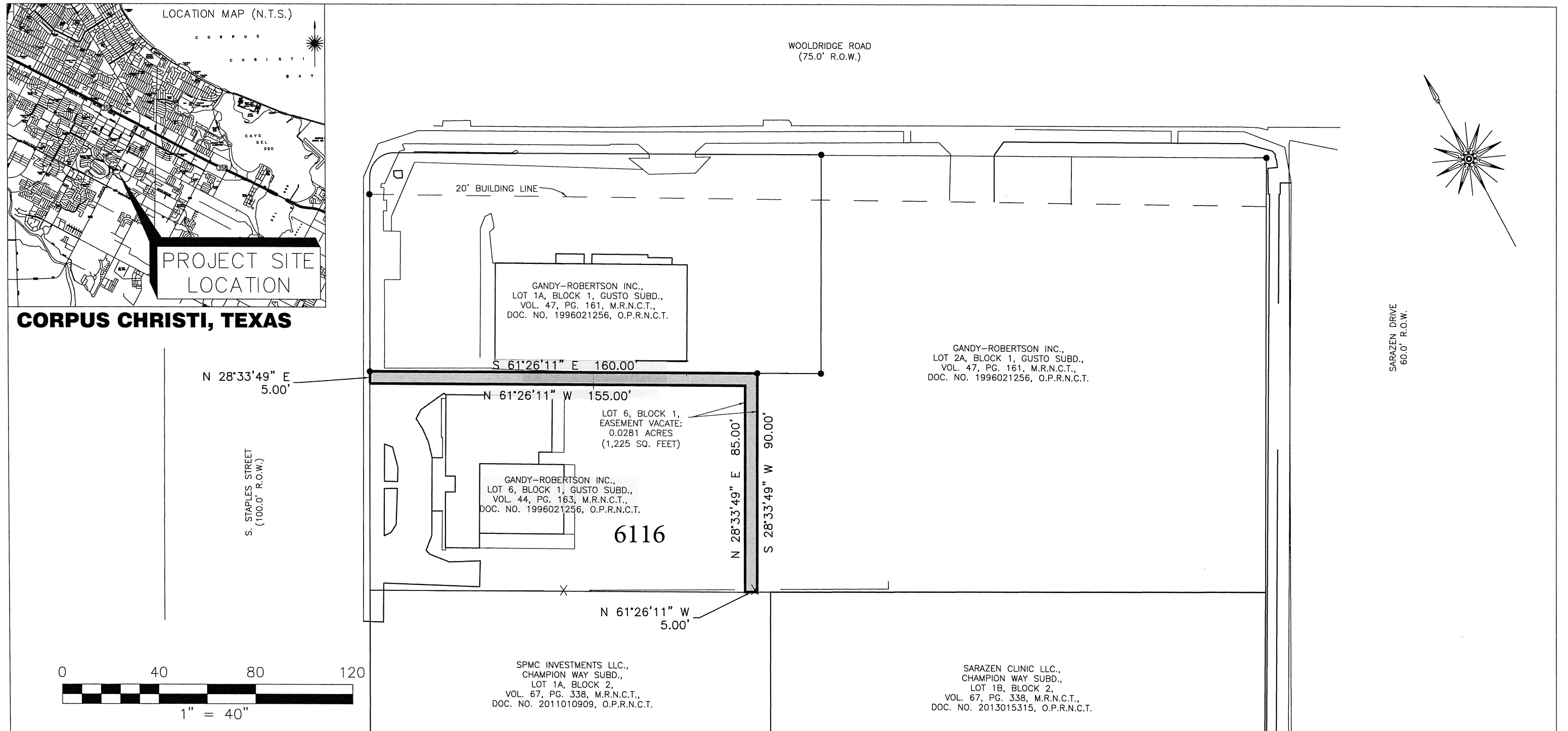
THENCE North 28°33'49" East, continuing along and with the common boundary of the said Lot 1A & Lot 2A, Block 1, Gusto Subdivision, a distance of 90.00 feet to a 5/8 inch iron rod found in the west R.O.W. of the said Wooldridge Road (75' R.O.W.), same point being a common corner of the said Lot 1A & Lot 2A, Block 1, Gusto Subdivision to the **"POINT OF BEGINNING"** and containing within these metes & bounds a **0.0237 of an acre (1,031 square feet)** of land, more or less. (All bearings are based on The Texas State Plane Coordinate System, South Central Zone 4204, NAD 83).

I hereby certify that the foregoing legal description was prepared from an on the ground survey performed on December 15, 2016, under my supervision and it correctly represents the facts found at the time of the survey.


Xavier Sandoval
Registered Professional Land Surveyor
License No. 5886 State of Texas



Exhibit B-1



NOTES:

- GRID BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NAD83, SOUTH ZONE 4205.
- A METES & BOUNDS DESCRIPTION ACCOMPANIES THIS BOUNDARY EXHIBIT.
- O.P.R.N.C.T. = OFFICIAL PUBLIC RECORDS OF NUECES COUNTY, TEXAS.
- M.R.B.N.T. = MAP RECORDS OF NUECES COUNTY, TEXAS.
- D.R.B.N.T. = DEED RECORDS NUECES COUNTY TEXAS.
- \mathbb{P} = DENOTES PROPERTY LINE.
- ALL RIGHTS RESERVED © UCC1-2.7.
- REVISED 05/22/2017.

I, XAVIER SANDOVAL, REGISTERED PROFESSIONAL LAND SURVEYOR
OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT REPRESENTS AN
ON THE GROUND SURVEY, PERFORMED UNDER MY SUPERVISION
THIS THE 15TH DAY OF DECEMBER, 2016.



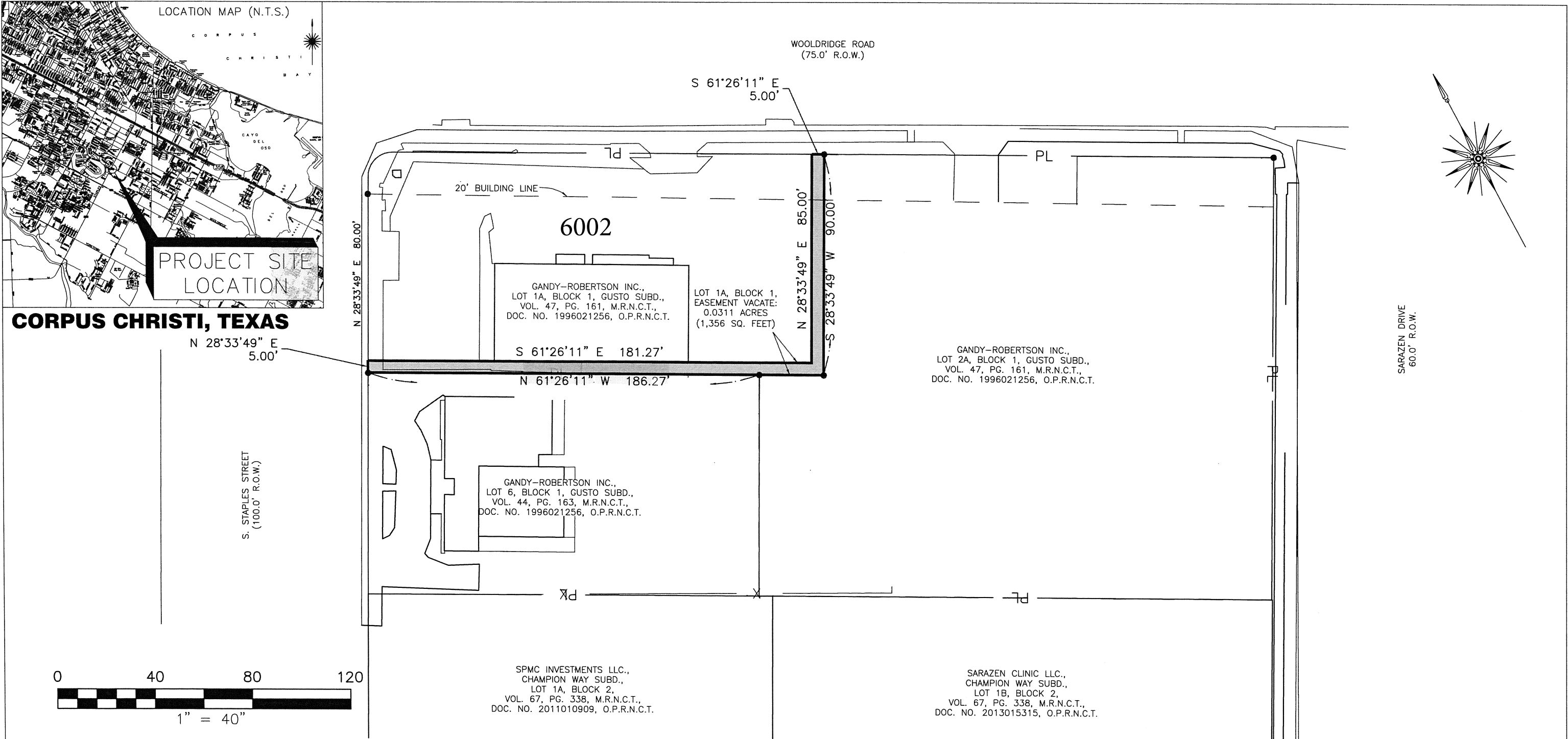
REGISTERED PROFESSIONAL LAND SURVEYOR
LICENSE NO. 5886, STATE OF TEXAS

EXHIBIT SHOWING EASEMENT TO BE VACATED OUT OF LOT 1A, BLOCK 1
GUSTO SUBDIVISION, VOLUME 47, PAGE 161, M.R.N.C.T. AND ALL OF LOT
6, BLOCK 1, GUSTO SUBDIVISION, VOLUME 44, PAGE 163, M.R.N.C.T.

| | | |
|-------------------|--|--|
| DRAWN XDS | DATE 12/20/2016 | |
| APPROVED XDS | DATE 05/23/2017 | |
| SCALE 1" = 40' | PROJECT NO. 161220-Esmt. *REV 05/23/17 | |

XDS LAND SURVEYING, LLC.
PHONE: 210.718.7189
xaviersandoval@gmail.com
FIRM REGISTRATION 10194170

Exhibit B-2



NOTES:

- GRID BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NAD83, SOUTH ZONE 4205.
- A METES & BOUNDS DESCRIPTION ACCOMPANIES THIS BOUNDARY EXHIBIT.
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- M.R.B.N.T. = MAP RECORDS OF NUECES COUNTY, TEXAS.
- D.R.B.N.T. = DEED RECORDS NUECES COUNTY TEXAS.
- PL = DENOTES PROPERTY LINE.
- ALL RIGHTS RESERVED © UCC1-2.7.

I, XAVIER SANDOVAL, REGISTERED PROFESSIONAL LAND SURVEYOR OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT REPRESENTS AN ON THE GROUND SURVEY, PERFORMED UNDER MY SUPERVISION THIS THE 15TH DAY OF DECEMBER, 2016.

Xavier Sandoval

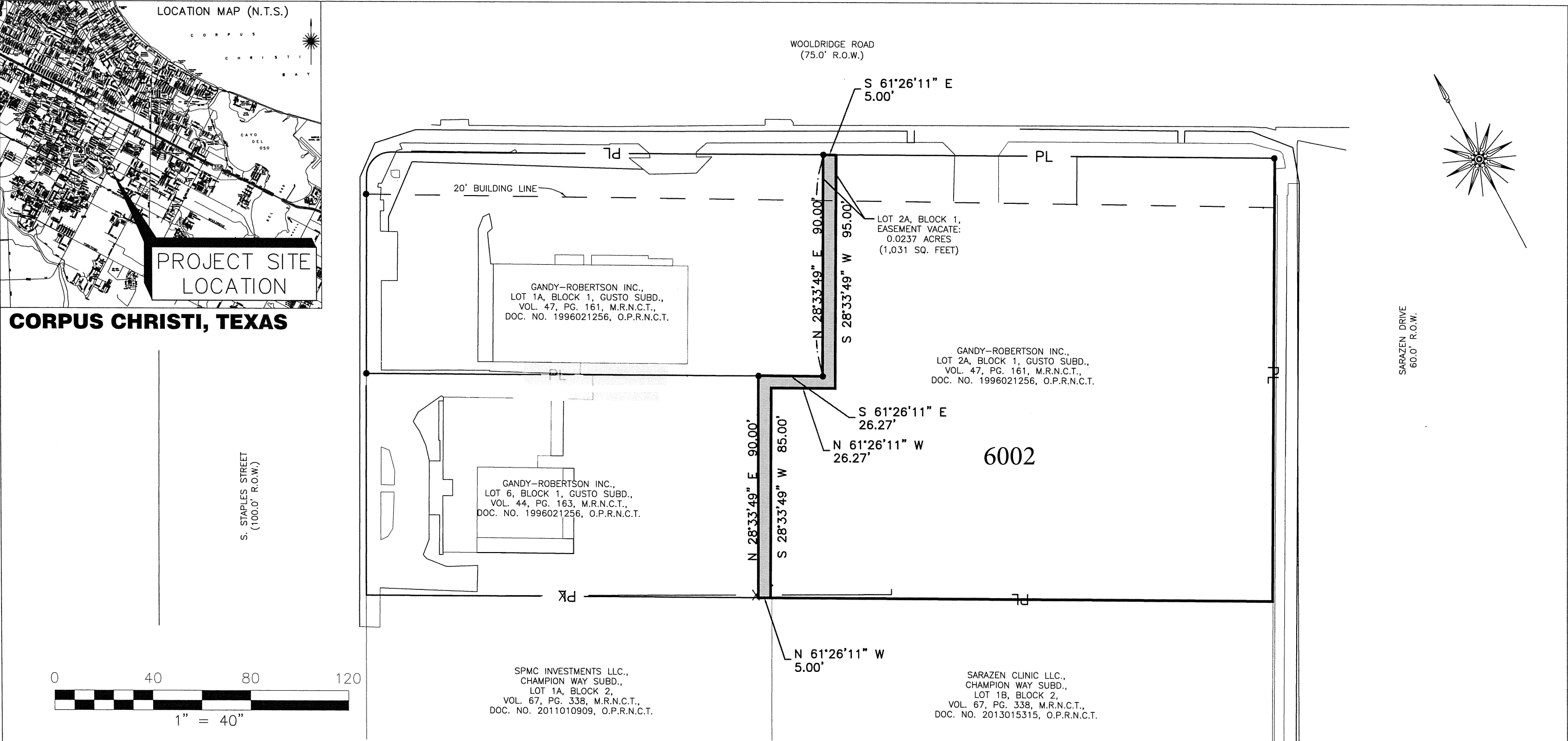
STATE OF TEXAS
REGISTERED
XAVIER SANDOVAL
5886
PROFESSIONAL
LAND SURVEYOR

REGISTERED PROFESSIONAL LAND SURVEYOR
LICENSE NO. 5886, STATE OF TEXAS

EXHIBIT SHOWING EASEMENT TO BE VACATED OUT OF LOT 1A, BLOCK 1 GUSTO SUBDIVISION, VOLUE 47, PAGE 161, M.R.N.C.T. AND ALL OF LOT 6, BLOCK 1, GUSTO SUBDIVISION, VOLUME 44, PAGE 163, M.R.N.C.T.

| | | |
|-------------------|---|---|
| DRAWN XDS | DATE 12/20/2016 | XDS SURVEYING & MAPPING |
| APPROVED XDS | DATE 12/21/2016 | |
| SCALE 1" = 40' | PROJECT NO. 161220-Esmt. VACATE LOT 1A - BLOCK 1 | |
| | | XDS LAND SURVEYING, LLC. PHONE: 210.718.7189 xaviersandoval@gmail.com FIRM REGISTRATION 10194170 |

Exhibit B-3



NOTES:


- GRID BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NAD83, SOUTH ZONE 4205.
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- M.R.B.N.T. = MAP RECORDS OF NUECES COUNTY, TEXAS.
- D.R.B.N.T. = DEED RECORDS NUECES COUNTY TEXAS.
- PL = DENOTES PROPERTY LINE.
- ALL RIGHTS RESERVED © UCC1-2.7.

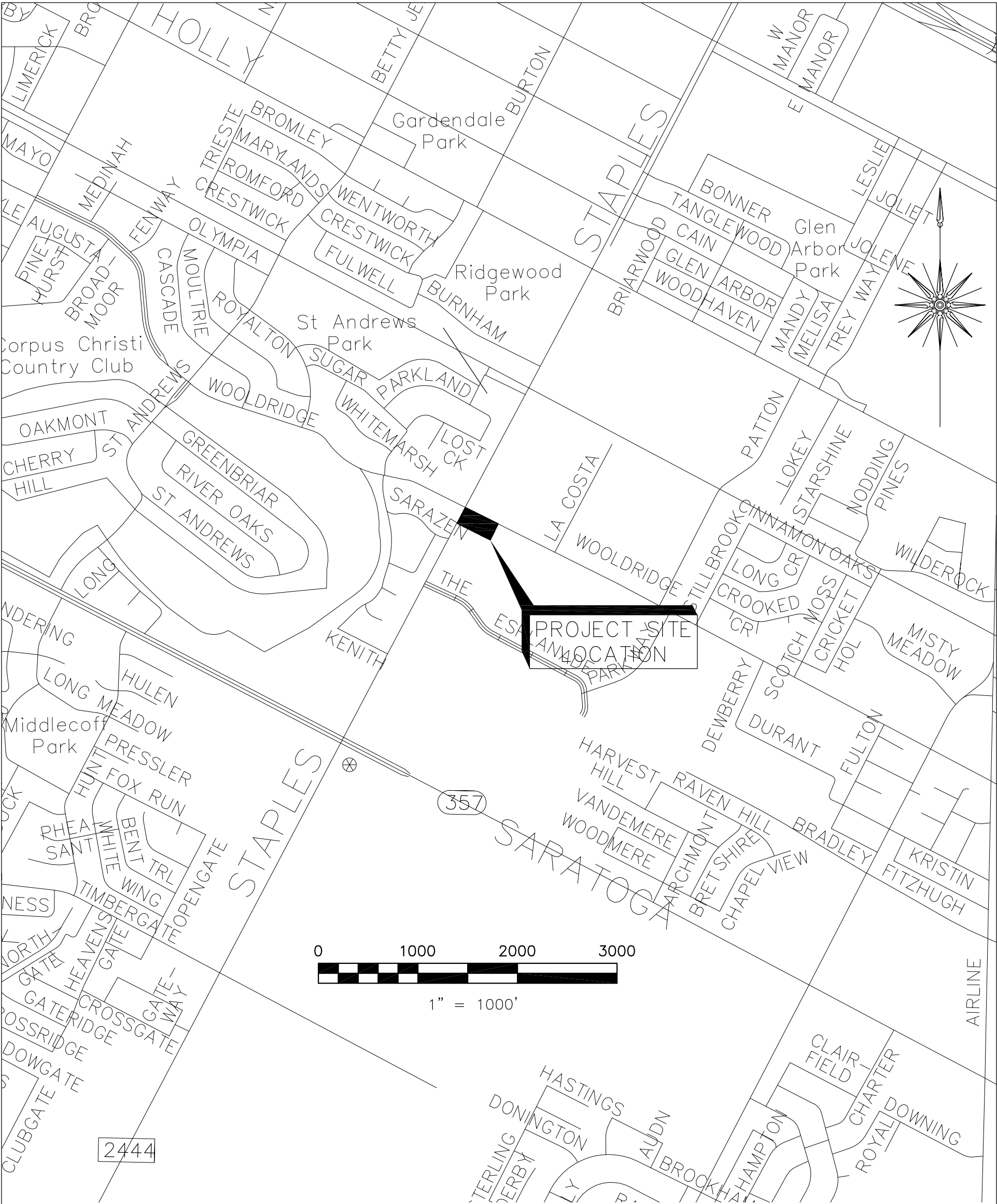
I, XAVIER SANDOVAL, REGISTERED PROFESSIONAL LAND SURVEYOR OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT REPRESENTS AN ON THE GROUND SURVEY, PERFORMED UNDER MY SUPERVISION THIS THE 15TH DAY OF DECEMBER, 2016.



REGISTERED PROFESSIONAL LAND SURVEYOR
LICENSE NO. 5886, STATE OF TEXAS

EXHIBIT SHOWING EASEMENTS TO BE VACATED OUT OF LOT 2A, BLOCK 1, GUSTO SUBDIVISION, VOLUME 47, PAGE 161, M.R.N.C.T. AND ALL OF LOT 6, BLOCK 1, GUSTO SUBDIVISION, VOLUME 44, PAGE 163, M.R.N.C.T.

| | | |
|-------------------|--|---|
| DRAWN XDS | DATE 12/20/2016 |  |
| APPROVED XDS | DATE 12/21/2016 | |
| SCALE 1" = 40' | PROJECT NO. 161220-Esmt. VACATE LOT 2A, BLOCK 1 | |
| | | XDS LAND SURVEYING, LLC. PHONE: 210.718.7189 xaviersandoval@gmail.com FIRM REGISTRATION 10194170 |



NOTES:

- GRID BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NAD83, SOUTH ZONE 4205.
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- D.R.B.N.T. = DEED RECORDS NUECES COUNTY TEXAS.
- P = DENOTES PROPERTY LINE.
- ALL RIGHTS RESERVED © UCC1-2.7.

L O C A T I O N M A P
C O R P U S C H R I S T I , T E X A S .

| | | |
|---|--------------------|--|
| LOCATION MAP SHOWING EASEMENT TO BE VACATED OUT OF LOT 6, BLOCK 1, GUSTO SUBDIVISION, VOLUE 44, PAGE 163, M.R.N.C.T. AND ALL OF LOT 6, BLOCK 1, GUSTO SUBDIVISION, VOLUME 44, P A G E 1 6 3 , M . R . N . C . T . | | |
| DRAWN XDS | DATE 12/20/2016 | <div>XDS SURVEYING & MAPPING</div> <div>XDS LAND SURVEYING, LLC. PHONE: 210.718.7189 xaviersandoval@gmail.com FIRM REGISTRATION 10194170</div> |
| APPROVED XDS | DATE 12/21/2016 | |
| SCALE | PROJECT NO. | |