

**Ordinance closing, abandoning and vacating an undeveloped and unsurfaced 479.16-square foot (0.011 acre) parcel of public right-of-way, portion out of Bohemian Colony Lands, Section 12, Lot 1, a map of which is recorded in Volume A, Page 48, Map Records of Nueces County, Texas and requiring the owner, VMB Equity Properties, LLC., to comply with specified conditions.**

**WHEREAS**, VMB Equity Properties, LLC., ("Owner") has requested the abandonment and vacation of an undeveloped and unsurfaced 479.16-square foot (0.011 acre) of an approximate 40-foot wide public right-of-way, portion out of Bohemian Colony Lands, Section 12, Lot 1, a map of which is recorded in Volume A, Page 48, Map records of Nueces County, Texas;

**WHEREAS**, with proper notice to the public, a public hearing was held on Tuesday, November 14, 2017, during a meeting of the City Council, during which all interested parties and citizens were allowed to appear and be heard;

**WHEREAS**, no further payment shall be required because Corpus Christi Code, Sec. 49-12(c)(4) exempts payment of the fair market value when an abandoned street is unimproved and not used for any public street purpose and

**WHEREAS**, it has been determined that it is feasible and advantageous to the City of Corpus Christi to close, abandon and vacate the subject portion of the undeveloped and unsurfaced 479.16-square foot (0.011 acre) of an approximate 40-foot wide public right-of-way, portion out of Bohemian Colony Lands, Section 12, Lot 1, a map of which is recorded in Volume A, Page 48, Map records of Nueces County, Texas, 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 VMB Equity Properties, LLC., ("Owner"), an undeveloped and unsurfaced 479.16-square foot portion (0.011 acre) portion of an approximate 40-foot wide public right-of-way, portion out of Bohemian Colony Lands, Section 12, Lot 1, a map of which is recorded in Volume A, Page 48, Map records of Nueces County, Texas, located south of Saratoga Boulevard and west of Zenith Drive, is closed, 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, Exhibit "B," which is a field notes map, and Exhibit "C" which is a location map are attached to and incorporated in this ordinance by reference as if each were fully set out herein in their entirety.

**SECTION 2.** The closing, 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. Upon approval by the City Council and issuance of the ordinance, all grants of public street right-of-way closures must be recorded at the Owners' expense in the real property 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. Failure to record as required by this Ordinance within 180 calendar days will hereby make this Ordinance null and void

**SECTION 3.** The Maintenance responsibilities for the vacated public street right-of-way reverts to VMB Equity Properties, LLC., (Owner).

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	_____
Debbie Lindsey-Opel	_____		

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	_____
Debbie Lindsey-Opel	_____		

PASSED AND APPROVED on this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

\_\_\_\_\_  
Rebecca Huerta  
City Secretary

\_\_\_\_\_  
Joe McComb  
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

February 21, 2017  
16043-M&B-STR-Closure.doc

STATE OF TEXAS §

COUNTY OF NUECES §

Description of a 0.011 acre tract of land, more or less, a portion of Lot 1, Section 12, Bohemian Colony Lands, a map of which is recorded in Volume "A", Page 48, Map Records, Nueces County, Texas, said 0.011 acre tract of land for street closure as further described by metes and bounds as follows:

**BEGINNING** at the point of intersection of the northwest boundary line of said Lot 1 and the southwest right-of-way line of Saratoga Boulevard (SH 357), said beginning point for the northernmost corner of the tract herein described and southwesterly right-of-way corner of said Saratoga boulevard;

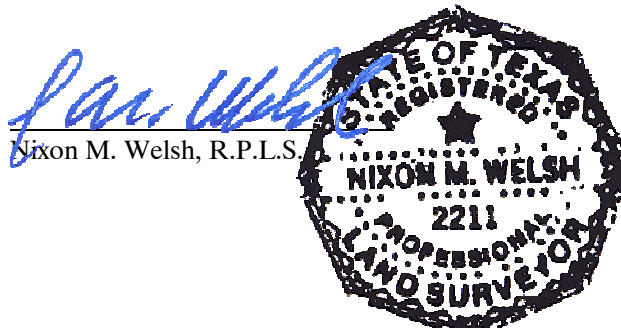
THENCE across a southwesterly portion of the right-of-way of Saratoga Boulevard S61°49'32"E 40.00' to a point for the easternmost corner of the tract herein described and point of curvature of a circular curve to the left having a central angle of 90°00'00", a radius of 10.00' and a chord bearing S73°10'28"W a distance of 14.14';

THENCE along the arc of said circular curve to the left, being along a southwesterly right-of-way line of said Saratoga Boulevard, a distance of 15.71' to the point of tangency;

THENCE S28°10'28"W 5.00' along a southwesterly right-of-way line of said Saratoga Boulevard to a point for the southernmost corner of the tract herein described and southwesterly right-of-way corner of said Saratoga Boulevard;

THENCE N61°49'32"W 30.12' along a southwesterly right-of-way line of said Saratoga Boulevard to a point for the westernmost corner of the tract herein described and southwesterly right-of-way corner of said Saratoga Boulevard;

THENCE along said northwest boundary line of Lot 1, being along a southwesterly right-of-way line of said Saratoga Boulevard, N28°37'19"E 15.00' to the **POINT OF BEGINNING**, a sketch showing said 0.011 acre tract of land being attached hereto as Exhibit "B", this description not being based on an on-the-ground survey.



**EXHIBIT "A"**

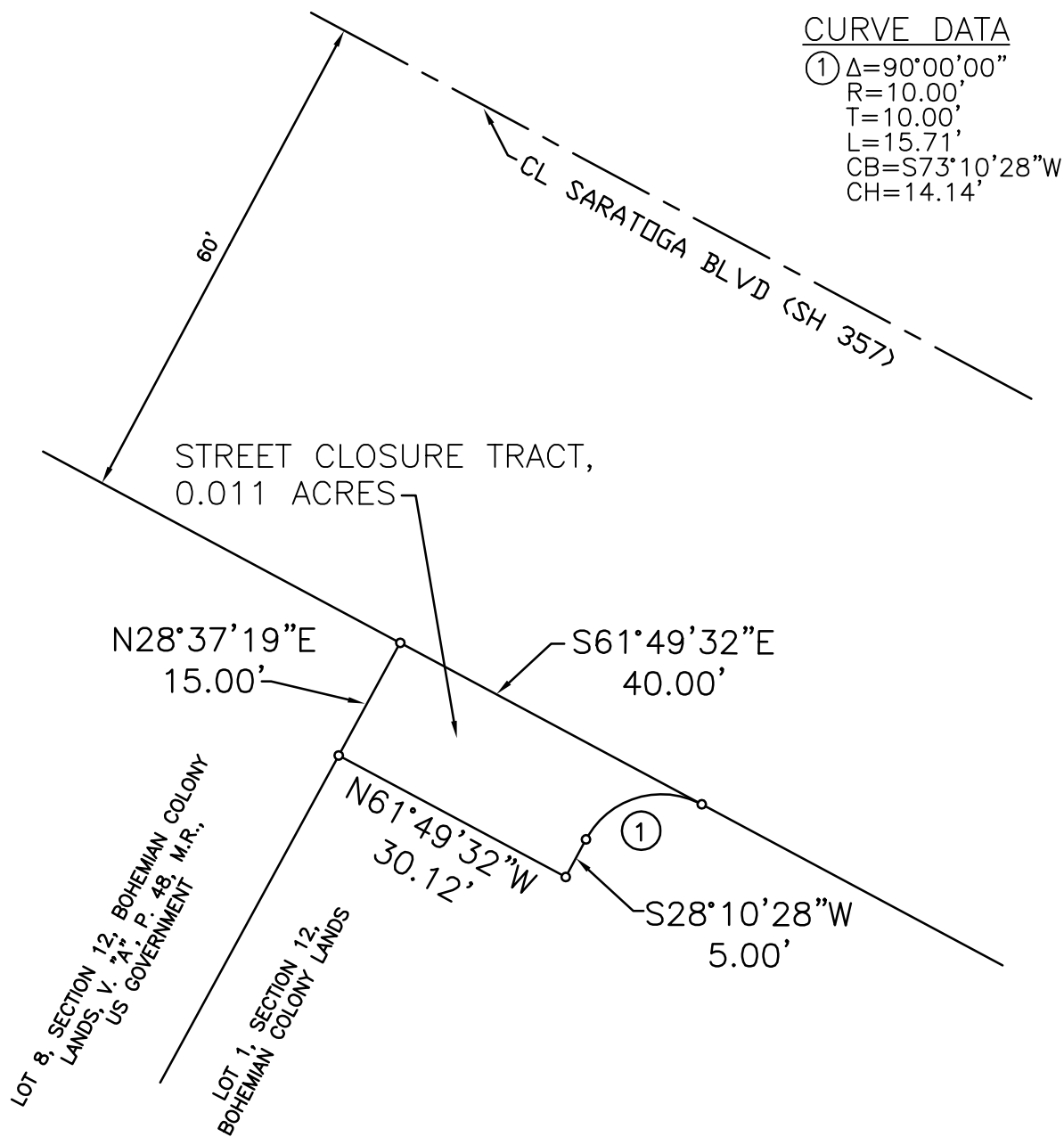
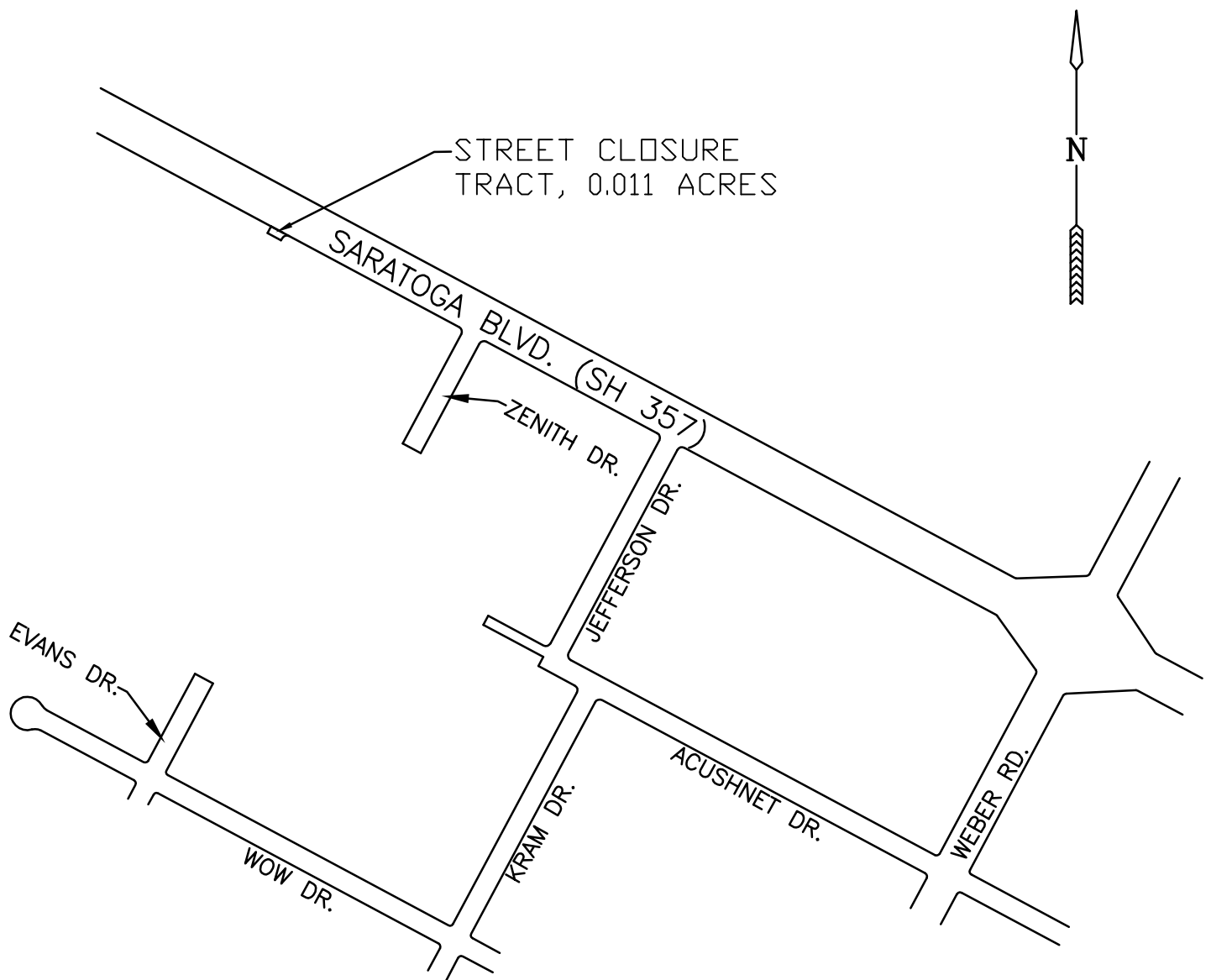


EXHIBIT "B"  
SKETCH TO ACCOMPANY METES  
AND BOUNDS DESCRIPTION  
1"=20'



LOCATION MAP  
1" = 500'