

**Ordinance abandoning and vacating 0.0446 acre of an existing utility easement out of Geo J. Merriman Subdivision, Lots 1-A and 4-A, located at 4002 and 4018 South Padre Island Drive and requiring the owner, Weber Dorado Partners, LLC., to comply with the specified conditions.**

**WHEREAS**, Weber Dorado Partners, LLC. (Owner) is requesting the abandonment and vacation of 0.0446 acre of an existing utility easement out of Geo J. Merriman Subdivision, Lots 1-A and 4-A, located at 4002 and 4018 South Padre Island Drive;

**WHEREAS**, it has been determined that it is feasible and advantageous to the City of Corpus Christi to abandon and vacate a 0.0446 acre of an existing utility easement, 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 Weber Dorado Partners, LLC. (Owner), a 0.0446 acre of an existing utility easement out Geo J. Merriman Subdivision, Lots 1-A and 4-A, located at 4002 and 4018 South Padre Island Drive, as recorded in Volume 57, Page 6 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 and field notes, "Exhibit B", 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 utility easement 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 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
- b. The existing utility easement contains a wastewater main that shall be relocated by the applicant.
- c. The maintenance responsibilities for the vacated easement reverts to Weber Dorado Partners, LLC. (Owner).
- d. 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 \_\_\_\_\_, 2018, 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 \_\_\_\_\_, 2018, 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 \_\_\_\_\_, 2018.

ATTEST:

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

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

STATE OF TEXAS  
NUECES COUNTY

EXHIBIT "A"

Field Note Description for a 0.0446 acre lease (1,943 Square Feet), out of Lot 1-A, George J. Merriman Subdivision, as recorded in Volume 57, Page 6, Map Records of Nueces County, Texas (M.R.N.C.T.), and conveyed to Eddie Yaklin in Document No. #20030625, Official Public Records of Nueces County, Texas (O.P.R.N.C.T.), and Lot 4-A, of the said George J. Merriman Subdivision, as conveyed to Eddie Yaklin in Document No. #2006066859, O.P.R.N.C.T., the said 0.0446 acre lease (1,943 Square Feet) being more particularly described by metes and bounds as follows:

**COMMENCING** at a 5/8 inch iron rod with red plastic cap stamped "URBAN" found on the south Right-of-Way (R.O.W.) line of Delphine Street (50 foot R.O.W.), as recorded in the said Merriman Subdivision, same point being the east corner of A CALLED 0.941 acres out of Lot 4-A of the said George J. Merriman Subdivision, as conveyed to Eddie Yaklin in Document No. #2006066859, O.P.R.N.C.T. and the north corner of the said A CALLED 1.017 acre tract out of Lot 4-A as conveyed to Tinker Belle Trombley in Document No. #2015020962, O.P.R.N.C.T., from which the **"POINT OF BEGINNING"** bears South 28°43'42" West, 30.00 feet and North 61°16'18" West, 55.78 feet to the **"POINT OF BEGINNING"** of the herein described 0.0446 acre utility easement closure;

**THENCE** North 61°16'18" West, continuing across the said Lot 4-A a distance of 74.32 feet to a point for an interior corner of the said 0.0446 acre utility easement closure;

**THENCE** South 28°42'59" West, continuing across the said Lot 4-A, George J. Merriman Subdivision a distance of 110.00 feet to a point for an interior corner of the herein described 0.0446 acre utility easement closure;

**THENCE** North 61°17'01" West, continuing across the said Lot 4-A, George J. Merriman Subdivision, at 5 feet departing the said Lot 4-A, and crossing into the said Lot 1-A, in all a distance of 10.00 feet to a point for a corner of the herein described 0.0446 acre utility easement closure;

**THENCE** North 28°42'59" East, continuing across the said Lot 1-A, George J. Merriman Subdivision a distance of 120.00 feet to a point for a corner of the herein described 0.0446 acre utility easement closure;

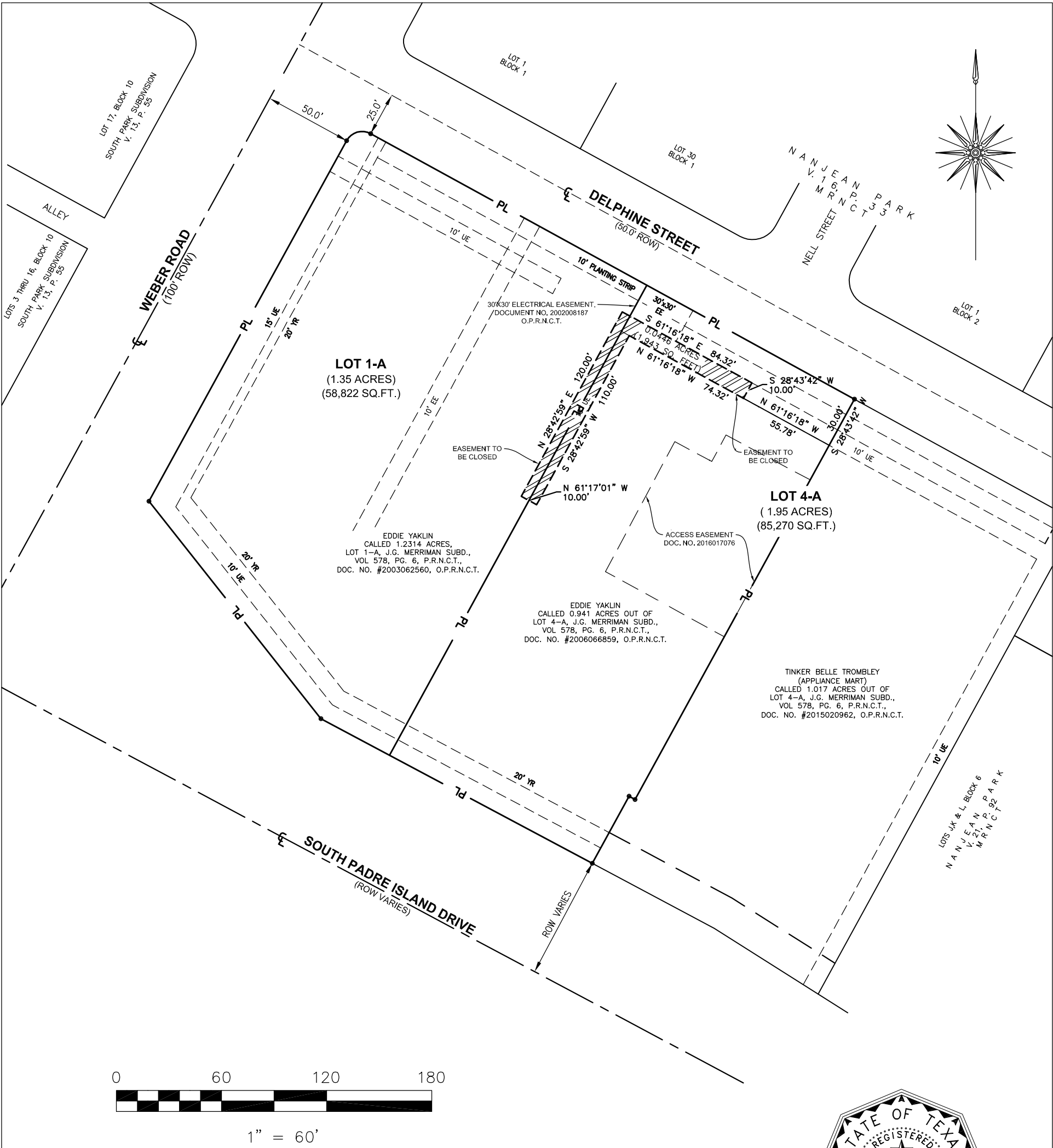
**THENCE** South 61°16'18" East, continuing across the said Lot 1-A, George J. Merriman Subdivision at 5 feet departing Lot 1-A, and crossing into Lot 4-A, in all distance of 84.32 feet to a point for a corner of the herein described 0.0446 acre utility easement closure;

**THENCE** South 28°43'42" West, continuing across the said Lot 4-A, George J. Merriman Subdivision a distance of 10.00 feet to the **"POINT OF BEGINNING"** and containing within these metes & bounds **0.0446 acre lease (1,943 Square Feet), of land, more or less.** (All bearings are based on The Texas Coordinate System, South Zone 4205, NAD83).

I hereby certify that the foregoing legal description was prepared from survey performed on the ground under my supervision and it correctly represents the facts found at the time of the survey, on this the 14th day of September, 2017.

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






*Xavier Sandoval*

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

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.N.C.T. = MAP RECORDS OF 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 SEPTEMBER, 2017.

UTILITY EASEMENT CLOSURE, 0.0446 ACRES, (1,943 SQ. FEET), OUT OF LOT 1A & LOT 4A, GEO J. MERRIMAN SUBDIVISION, VOLUME 57, PAGE 6, M.P.R.N.C.T.		
DRAWN <b>XDS</b>	DATE <b>09/14/2017</b>	
APPROVED <b>XDS</b>	DATE <b>09/15/2017</b>	
SCALE <b>1" = 60'</b>	PROJECT NO. <b>170913</b>	XDS SURVEYING & MAPPING, PC. PHONE: 210.718.7189 xaviersandoval@gmail.com FIRM REGISTRATION 10194170

