

Ordinance abandoning and vacating 7-feet (420-square feet) of an existing 15-foot utility easement out of Lot 19, Block 3, Manhattan Estates Unit 4, located at 4030 Giants Drive; and requiring the Owner, Richard Ocanas, to comply with the specified conditions

WHEREAS, Richard Ocanas (Owner) is requesting the partial closure, abandonment, and vacation of 7-feet (420 square feet) of an existing 15-foot utility easement out of Lot 19 Block 3, Manhattan Estates Unit 4, a map which is recorded in Volume 68, Pages 56 and 57, Deed and Map Records of Nueces County, Texas, located at 4030 Giants Drive, Corpus Christi, Nueces County, Texas, 78414;

WHEREAS, it has been determined that it is feasible and advantageous to the City of Corpus Christi to abandon and vacate 7-feet (420 square feet) of an existing 15-foot 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 of Richard Ocanas (Owner), 7-feet (420 square feet) of an existing 15-foot utility easement out of Lot 19, Block 3, Manhattan Estates Unit 4, located at 4030 Giants Drive, as recorded in Volume 68, Page 56 and 57, Deed and 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 a location map, which are attached to and incorporated in this ordinance by reference as if it was fully set out herein in their entirety.

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 maintenance responsibilities for the vacated easement reverts to Richard Ocanas (Owner).
- c. Failure to comply with all the conditions outlined in this Ordinance within 90 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	_____	Everett Roy	_____
Paulette Guajardo	_____	Lucy Rubio	_____
Michael Hunter	_____	Greg Smith	_____
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	_____	Everett Roy	_____
Paulette Guajardo	_____	Lucy Rubio	_____
Michael Hunter	_____	Greg Smith	_____
Debbie Lindsey-Opel	_____		

PASSED AND APPROVED on this the _____ day of _____, 2018.

ATTEST:

City of Corpus Christi:

Rebecca Huerta
City Secretary

Joe McComb
Mayor

EXHIBIT A

**STATE OF TEXAS
COUNTY OF NUECES**

Field notes of a 0.010 acre easement closure over and across Lot 19, Block 3, Manhattan Estates Unit 4, as shown on a map recorded in Volume 68, Pages 56 – 57, Map Records of Nueces County, Texas. Said 0.010 acre tract being more particularly described as follows:

COMMENCING at a 5/8" re-bar found in the east right of way of Giants Drive, for the common west corner of Lots 19 and 20, **THENCE** with the common line of Lots 19 and 20, South 81°47'15" East, a distance of 98.20 feet to a point at the intersection of the common line of Lots 19 and 20, and the west line of an existing 15' utility easement, for the southwest corner of this tract, and for the **POINT OF BEGINNING**.

THENCE with the west line of said existing 15' utility easement, over and across Lot 19, North 08°17'46" East, a distance of 60.00 feet to a point at the intersection of the common line of Lots 18 and 19, and the west line of said existing 15' utility easement, for the northwest corner of this tract, from **WHENCE** a 5/8" re-bar found in the east right of way of Giants Drive, for the common west corner of Lots 18 and 19 bears, North 81°48'13" West, a distance of 98.28 feet.

THENCE with the common line of Lots 18, 19, and this tract, South 81°48'13" East, a distance of 7.00 feet to a point in the common line of Lots 18 and 19, for the northeast corner of this tract, from **WHENCE** a 5/8" re-bar found in the east line of said existing 15' utility easement and for the common east corner of Lots 18 and 19 bears, South 81°48'13" East, a distance of 8.00 feet.

THENCE over and across Lot 19, South 08°17'46" West, a distance of 60.00 feet to a point in the common line of Lots 19 and 20, for the southeast corner of this tract, from **WHENCE** a 5/8" re-bar found in the east line of said existing 15' utility easement and for the common east corner of Lots 19 and 20 bears, South 81°47'15" East, a distance of 8.00 feet.

THENCE with the common line of Lots 19, 20, and this tract, North 81°47'15" West, a distance of 7.00 feet to the **POINT OF BEGINNING**, and containing 0.010 acres of land, more or less.

Notes:

- 1.) Bearings are based on Global Positioning System NAD 83 (93) 4205 Datum.
- 2.) Set 5/8" re-bar = steel re-bar set with yellow plastic cap labeled Brister Surveying.
- 3.) A map of equal date accompanies this metes and bounds description.

I, Ronald E. Brister do hereby certify that this survey of the property legally described herein was made on the ground this day December 28, 2017 and is correct to the best of my knowledge and belief.



Ronald E. Brister, RPLS No. 5407
Date: June 7, 2018.



Job No. 172037

**SURVEY OF
A 0.010 ACRE EASEMENT CLOSURE OVER AND ACROSS LOT 19, BLOCK
3, MANHATTAN ESTATES UNIT 4, AS SHOWN ON A MAP RECORDED IN
VOLUME 68, PAGES 56 - 57, MAP RECORDS OF NUECES COUNTY, TEXAS.**



SCALE 1" = 10'

FOUND 5/8" RE-BAR
FOR NW CORNER OF LOT 19
BEARS, N81° 48' 13"W 98.28'

4030 GIANTS DRIVE
50' RIGHT OF WAY

LOT 19

N08° 17' 46"E 60.00' (MEAS)

UTILITY EASEMENT CLOSURE
0.010 ACRES
420 S.F.

S08° 17' 46"W 60.00' (MEAS)

REMAINING 8.0'
OF 15' UTILITY EASEMENT
OUT OF LOT 19

FOUND 5/8" RE-BAR
FOR SW CORNER OF LOT 19
BEARS, N81° 47' 15"W 98.20'

P.O.B.

N81° 47' 15"W
7.00' (MEAS)

LOT 20

EXHIBIT B

9.00 ACRES
STAPLES DEVELOPMENT LLC.
DOC. NO. 2005000992, D.R.N.C.T.

SHEET 1 OF 2

⊙ = FOUND 5/8" RE-BAR



Brister Surveying

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Corpus Christi, Texas 78411
OIT 361-850-1800
Fax 361-850-1802
BristerSurveying@scorpus.txdot.com
Firm Registration No. 10072681



NOTES:

- 1.) TOTAL SURVEYED AREA IS 0.010 ACRES.
- 2.) MEASURED BEARINGS ARE BASED ON GLOBAL POSITIONING SYSTEM NAD 83 (93) 4215 DATUM.
- 3.) SET 5/8" RE-BAR = STEEL RE-BAR SET WITH YELLOW PLASTIC CAP LABELED BRISTER SURVEYING.

THIS SURVEY DOES NOT INCLUDE THE RESEARCH, INVESTIGATION, OR LOCATIONS OF ALL SERVITUDES, EASEMENTS, RIGHT OF WAYS, OR UTILITIES ON THIS PROPERTY.

I, RONALD E. BRISTER DO HEREBY CERTIFY THAT THIS SURVEY OF THE PROPERTY LEGALLY DESCRIBED HEREIN WAS MADE ON THE GROUND THIS DAY DECEMBER 28, 2017, AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Ronald E. Brister
RONALD E. BRISTER R.P.L.S. NO. 5407

SURVEY DATE: JUNE 7, 2018

JOB NO. 172037

LOCATION MAP OF
A 0.010 ACRE EASEMENT CLOSURE OVER AND ACROSS LOT 19, BLOCK
3, MANHATTAN ESTATES UNIT 4, AS SHOWN ON A MAP RECORDED IN
VOLUME 68, PAGES 56 - 57, MAP RECORDS OF NUECES COUNTY, TEXAS.

EXHIBIT C

