

Ordinance abandoning and vacating a 0.0223 acre portion of a utility easement out of Roseland Place Lot 4, Block 4, located at 3945 Crosstown State Highway 286.

WHEREAS, Kleberg Bank. (Owner) is requesting the abandonment and vacation of a 0.0223 acre portion of an existing utility easement out of Roseland Place Lot 4, Block 4, located at 3945 Crosstown State Highway 286;

WHEREAS, it has been determined that it is feasible and advantageous to the City of Corpus Christi to abandon and vacate a 0.0223 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 of Kleberg Bank (Owner), a 0.0223 acre portion of an existing utility easement out Roseland Place Lot 4, Block 4, located at 3945 Crosstown State Highway 286, as recorded in Volume 68, Page 910-911 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, 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 Kleberg Bank. (Owner).
- 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 _____, 2018, by the following vote:

Joe McComb	_____	Ben Molina	_____
Rudy Garza	_____	Lucy Rubio	_____
Paulette Guajardo	_____	Greg Smith	_____
Michael Hunter	_____	Everett Roy	_____
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	_____	Everett Roy	_____
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 the closure of a 5 foot Utility Easement being a **0.0224 of an acre (975 square feet)** and being out of Lot 4, Block 4, of the Roseland Place Subdivision, as recorded in Volume 42, Page 172, Map Records of Nueces County Texas (M.R.N.C.T.), the said 5 foot wide Utility Easement **0.0224 of an acre (975 square feet)** being closed and vacated and being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8 inch iron rod found in the west Right-of-Way (R.O.W.) of Crosstown Expressway (S.H. 286, Variable width R.O.W.), same being the north R.O.W. Horne Road (100' R.O.W.), as recorded in Volume 42, Page 172, M.R.N.C.T., from which the **"POINT OF BEGINNING"** bears North 62°02'03" West, 180.76 feet., along and with the common boundary of the said Lot 4, Block 4, (Kleberg Bank N.A. tract) and the said north R.O.W. of Horne Road, to the south corner of Lot 3, Block 4, of the said Roseland Place Subdivision, as conveyed to Kleberg Bank N.A., in Document No. #2017038751, O.P.R.N.C.T., for the **"POINT OF BEGINNING"** for the west corner of the herein described 5 foot wide Utility Easement Closure;

THENCE North 27°57'57" East, along and with the common boundary of the said Lot 3, Block 4 (Kleberg Bank N.A. tract) and the said Lot 4, Block 4, (Kleberg Bank N.A. tract), departing the north line of the said Horne Road (100' R.O.W.), a distance of 195.00 feet to a point for the north corner of the herein described 5 foot wide Utility Easement Closure;

THENCE South 62°02'03" East, departing the common boundary of the said Lot 3, Block 4, (Kleberg Bank N.A. tract) and the said Lot 4, Block 4, (Kleberg Bank N.A. tract), crossing into the said Lot 4, Block 4 (Kleberg Bank N.A. tract), a distance of 5.00 feet to a point for the east corner of the herein described 5 foot wide Utility Easement Closure;

THENCE South 27°57'57" West, continuing across the said Lot 4, Block 4 (Kleberg Bank N.A. tract), a distance of 195.00 feet, to a point on the common boundary of the said Lot 4, Block 4 (Kleberg Bank N.A.) and the north R.O.W. of the said Horne Road (100' R.O.W.), for the south corner of the herein described 5 foot wide Utility Easement Closure;

THENCE North 62°02'03" West, along and with the common boundary of the said Lot 4, Block 4, (Kleberg Bank N.A.) and the said north R.O.W. of Horne Road (100' R.O.W.), a distance of 5.00 to the **"POINT OF BEGINNING"** and containing within these metes & bounds **0.0224 of an acre (975 square feet)** of land, more or less. (All bearings are based on The Texas State Plane Coordinate System, South Zone 4205, NAD 83).

I hereby certify that the foregoing legal description was prepared from an on the ground survey performed on February 13, 2018, under my supervision and it correctly represents the facts found at the time of the survey. *Revised 08/31/2018.



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



