

Ordinance abandoning and vacating a 0.300 acre portion of an existing utility easement out of Cabaniss Acres No. 2 Subdivision, Lot 6, located at 6024 Crosstown State Highway 286.

WHEREAS, CDS Muery, representing AEP Texas Inc. (Owner) is requesting the abandonment and vacation of 0.300 acre portion of an existing utility easement out of Cabaniss Acres No. 2 Subdivision, Lot 6, located at 6024 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 0.300 acre portion 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 CDS Muery, representing AEP Texas Inc. (Owner), a 0.300 acre portion of an existing utility easement out of Cabaniss Acres No. 2 Subdivision, Lot 6, located at 6024 Crosstown State Highway 286, as recorded in Volume 67, Page 237 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 AEP Texas Inc. (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

EXHIBIT A
0.300 OF AN ACRE
UTILITY EASEMENT CLOSURE

BEING a 0.300 of an acre utility easement closure over and across a portion of Lot 6 of the Cabaniss Acres No. 2 Subdivision as described in volume 68, page 885, Map Records of Nueces County, Texas, same also being a portion of a 15' utility easement as described in Cabaniss Acres No. 2 Subdivision and recorded in volume 67, page 237, Map Records of Nueces County, Texas, same also being described by a drawing (Utility Easement Closure-R1.dwg, dated October 17, 2018) attached to and made a part hereof and being more particularly described by metes and bounds as follows:

COMENCENCING at a 1/2" iron rod found with plastic cap stamped "CDS/MUERY S.A. TX." lying in the northwest right-of-way line of Ayers Street (BU286A) (100' wide right-of-way) as described in volume G, page 548, County Court Records of Nueces County, Texas, for the east corner of the aforementioned Lot 6 and the south corner of a 1.23 acre tract of land out of Lot 2, Block 7 as described and recorded in volume 2207, page 815, Deed Records of Nueces County, Texas;

THENCE along the northwest right-of-way line of the aforementioned Ayers Street (BU286A) and the southeast line of the aforementioned Lot 6, S28°39'40"W a distance of 424.52 feet to a point;

THENCE leaving the northwest right-of-way line of the aforementioned Ayers Street (BU286A) and the southeast line of the aforementioned Lot 6, and along the northeast line of the aforementioned 15' utility easement, N61°51'17"W a distance of 15.00 feet to the **PLACE OF BEGINNING** and the east corner of the herein described 0.300 of an acre tract;

THENCE leaving the northeast line of the aforementioned 15' utility easement, S28°39'40"W a distance of 15.00 feet to a point in the southwest line of said 15' utility easement for the south corner of the herein described 0.300 of an acre tract;

THENCE along the southwest line of the aforementioned 15' utility easement, N61°51'17"W a distance of 870.21 feet to a point in the east line of a 20' utility easement as described and recorded in volume 68, page 885, Map Records of Nueces County, Texas, for the west corner of the herein described 0.300 of an acre tract;

THENCE leaving the southwest line of the aforementioned 15' utility easement, along the east line of the aforementioned 20' utility easement, N28°57'03"E a distance of 0.21 feet to a point and N30°20'07"E a distance of 14.80 feet to a point in the northeast line of said 15' utility easement for the north corner of the herein described 0.300 of an acre tract, from which a TXDOT Type II Brass Disk Monument in the east right-of-way line of State Highway 286, as described and recorded in volume 8, page 806 Lis Pendens Records of Nueces County, Texas (a variable width right-of-way) bears N61°51'17"W a distance of 20.02 feet and S30°20'07"W a distance of 14.28 feet;

THENCE leaving the southeast line of the aforementioned 20' utility easement, along the northeast line of the aforementioned 15' utility easement, S61°51'17"E a distance of 869.78 feet to the **PLACE OF BEGINNING** and containing 0.300 of an acre of land.

The bearing basis for this survey is Grid North, Texas State Plane Coordinate System, NAD 1983(HARN), South Zone.

THE STATE OF TEXAS X
 X **KNOWN TO ALL MEN BY THESE PRESENTS:**
COUNTY OF BEXAR X

I, John T. Kubala, a Registered Professional Land Surveyor, do hereby certify that the above field notes were prepared using information obtained by an on the ground survey made under my direction and supervision in August 2014 thru January 2016 and October 2018.

Date 17TH day of OCTOBER 2018 A.D.





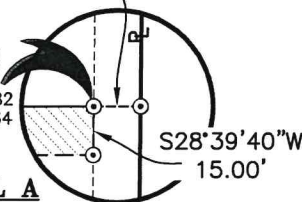
John T. Kubala
Registered Professional Land Surveyor
No. 4505 - State of Texas

N61°51'17"W
15.00'

POB

N: 17,152,693.82
E: 1,328,453.64

DETAIL A
NOT TO SCALE



LEGEND

- - FOUND MONUMENTATION
- - UNMONUMENTED POINT
- POB - PLACE OF BEGINNING
- POC - PLACE OF COMMENCEMENT
- D.R.N.C. - DENOTES DEED RECORDS OF NUECES COUNTY, TEXAS
- M.R.N.C. - DENOTES MAP RECORDS OF NUECES COUNTY, TEXAS
- R - PROPERTY LINES
- TXDOT - TEXAS DEPARTMENT OF TRANSPORTATION

LEGAL DESC. UTILITY EASEMENT
CLOSURE-R1.docx
CDS JOB NO. 118258

BEARING BASIS: GRID NORTH
COORDINATE SYSTEM: TEXAS STATE PLANE,
NAD 1983(HARN), SOUTH ZONE

ALL DISTANCES SHOWN ARE SURFACE.
(GRID X 1.00002 = SURFACE)

THIS EXHIBIT REPRESENTS A BOUNDARY
SURVEY ONLY.

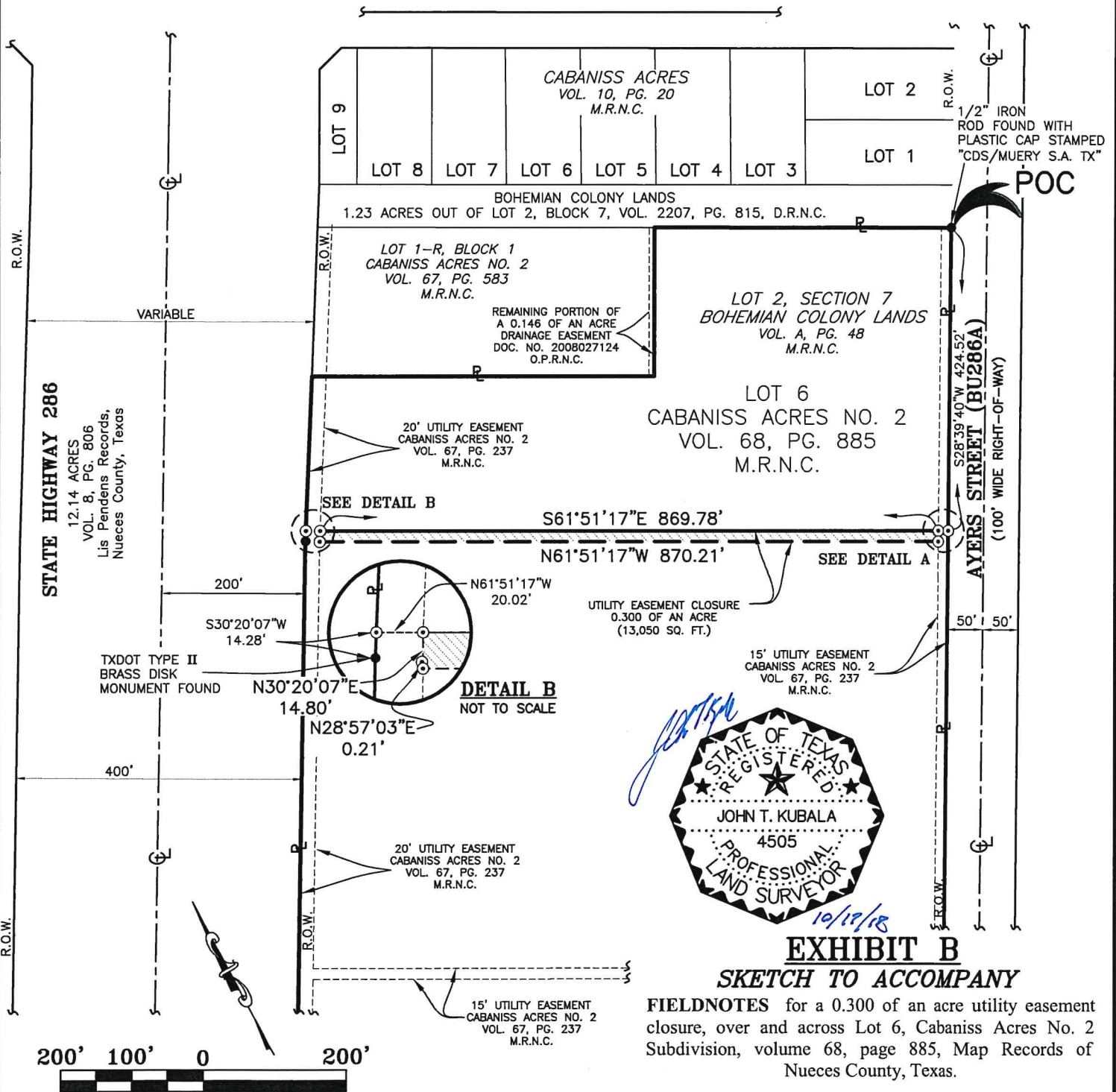


EXHIBIT B

SKETCH TO ACCOMPANY

FIELDNOTES for a 0.300 of an acre utility easement
closure, over and across Lot 6, Cabaniss Acres No. 2
Subdivision, volume 68, page 885, Map Records of
Nueces County, Texas.

DRAWN BY:

J. RODRIGUEZ

DATE:

OCTOBER 17, 2018

DRAWING NAME:

UTILITY EASEMENT CLOSURE-R1.DWG