

Ordinance abandoning and vacating portions of an existing utility easement, a 46.9 square foot portion out of Lot 35 (118 Las Aves Court) and a 48.1 square foot portion out of Lot 37 (123 Rum Cay Court), Block 1, The Preserve at Mustang Island, Unit 1

WHEREAS, Tortuga Dunes Holding Company (Owner) is requesting the abandonment and vacating of an existing utility easement, 46.9 square foot portion out of Lot 35 (118 Las Aves Court) and a 48.1 square foot portion out of Lot 37 (123 Rum Cay Court), Block 1, The Preserve at Mustang Island, Unit 1.

WHEREAS, it has been determined that it is feasible and advantageous to the City of Corpus Christi to abandon and vacate 46.9 square foot portion out of Lot 35, and a 48.1 square foot portion out of Lot 37 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 Tortuga Dunes Holding Company. (Owner), two locations in an existing utility easement including a 46.9 square foot portion out of Lot 35 (118 Las Aves Court) and a 48.1 square foot portion out of Lot 37, Block 1, The Preserve at Mustang Island, Unit 1, as recorded in Volume 67, Page 186 - 188 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 entireties.

SECTION 2. The abandonment and vacating 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 Tortuga Dunes Holding Company (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 _____, 2019, by the following vote:

Joe McComb	_____	Michael Hunter	_____
Roland Barrera	_____	Ben Molina	_____
Rudy Garza	_____	Everett Roy	_____
Paulette M. Guajardo	_____	Greg Smith	_____
Gil Hernandez	_____		

That the foregoing ordinance was read for the second time and passed finally on this the _____ day of _____ 2019, by the following vote:

Joe McComb	_____	Michael Hunter	_____
Roland Barrera	_____	Ben Molina	_____
Rudy Garza	_____	Everett Roy	_____
Paulette M. Guajardo	_____	Greg Smith	_____
Gil Hernandez	_____		

PASSED AND APPROVED on this the _____ day of _____, 2019.

ATTEST:

Rebecca Huerta
City Secretary

Joe McComb
Mayor

EXHIBIT "A"

46.9 SQUARE FOOT EASEMENT CLOSURE
LEGAL DESCRIPTION

BEING a 46.9 square foot tract out of Lot 35, Block 1, The Preserve at Mustang Island, Unit 1, as shown on a map recorded in Volume 67, Pages 186-188, Map Records, Nueces County, Texas, and being more particularly described as follows:

COMMENCING on the northeast right-of-way of Grand Dune Drive, at the common west corner of Lots 35 and Lot 36, Block 1, of said Unit 1, THENCE South $64^{\circ}13'50''$ East, with the common boundary line of said Lots 35 & 36, a distance of 10.00 feet to an existing 10' utility easement, THENCE South $25^{\circ}41'00''$ West, with said boundary of existing 10' utility easement, a distance of 41.94 feet to a calculated point for the northeast corner and POINT OF BEGINNING of the herein described tract;

THENCE South $25^{\circ}41'00''$ West, a distance of 20.75 feet to a calculated point for the southeast corner of the herein described tract;

THENCE North $64^{\circ}13'50''$ West, a distance of 2.26 feet to a calculated point for the southwest corner of the herein described tract;

THENCE North $25^{\circ}41'00''$ East, a distance of 20.75 feet to a calculated point for the northwest corner of the herein described tract;

THENCE South $64^{\circ}13'50''$ East, a distance of 2.26 feet to the POINT OF BEGINNING and containing 46.9 square feet of land.

NOTE:

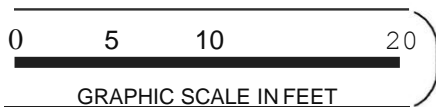
ALL BEARINGS ARE GRID BEARINGS BASED ON THE TEXAS COORDINATE SYSTEM FOR THE LAMBERT SOUTH ZONE NAD 1983. SEPARATE MAP EXHIBIT "B" WITH EVEN DATE ACCOMPANIES THIS DESCRIPTION.

Stacey King Mora

Stacey King Mora, RPLS
Registered Professional Land Surveyor
Texas Registration No. 6166
Hanson Professional Services Inc.
TBPE F#417 TBPLS F# 100395-00



Date: 11-11-2011



SCALE: 1"=10'

LOT 36, BLOCK 1
THE PRESERVE AT MUSTANG ISLAND
UNIT 1
VOLUME 67, PAGES 186-188

M.R., N.C., T.

GRAND DUNE DRIVE
50' RIGHT-OF-WAY

P.O.C.

S64°13'50"E
10.00'

S25°41'00"W
41.94'

P.O.B.

S64°13'50"E
2.26'

LOT 35, BLOCK 1
THE PRESERVE AT MUSTANG ISLAND
UNIT 1
VOLUME 67, PAGES 186-188
M.R., N.C., T.

46.9 SQUARE FEET

N64°13'50"W
2.26'

N25°41'00"E 20.75'
S25°41'00"W 20.75'

LEGEND:

fl CALCULATED POINT

POC = POINT OF COMMENCEMENT

POB = POINT OF BEGINNING

M.R., N.C., T = MAP RECORDS, NUECES
COUNTY, TEXAS

I hereby certify that this survey was prepared from an actual on the ground survey made under my direction and supervision, and represents the facts found at the time of survey, and that this survey substantially complies with the current standard Texas Board of Professional Land Surveyors.

EXHIBIT "8"

A METES & BOUNDS DESCRIPTION OF EQUAL DATE IS TO ACCOMPANY THIS EXHIBIT

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EASEMENT CLOSURE

EASEMENT CLOSURE OF A 46.9 SQUARE FOOT TRACT BEING OUT OF THE PRESERVE AT MUSTANG ISLAND, UNIT 1, AS SHOWN ON A MAP RECORDED IN VOLUME 67, PAGE 186-188, MAP RECORDS, NUECES COUNTY, TEXAS.



Hanson Professional Services Inc.
4501 GOLLIHAR ROAD,
CORPUS CHRISTI, TEXAS 78411
361-814-9900

TBAEF-BR2-458 /TBPGF-50556

Stacey Mo, RPLS
Registered Professional Land Surveyor
Texas R on No. 6166
Date: 1/11/18

EXHIBIT "A"

**48.1 SQUARE FOOT EASEMENT CLOSURE
LEGAL DESCRIPTION**

BEING a 48.1 square foot tract out of Lot 37, Block 1, The Preserve at Mustang Island, Unit 1, as shown on a map recorded in Volume 67, Pages 186-188, Map Records, Nueces County, Texas, and being more particularly described as follows:

COMMENCING on the southwest right-of-way of Rum Cay Court at the intersection of Grand Dune Drive and Rum Cay Court, at the northernmost northeast corner of said Lot 37, **THENCE** South 25°41'00" West, with the existing 10' utility easement, a distance of 37.17 feet to a calculated point for the northeast corner and **POINT OF BEGINNING** of the herein described tract;

THENCE South 25°41'00" West, a distance of 20.66 feet to a calculated point for the southeast corner of the herein described tract;

THENCE North 64°19'00" West, a distance of 2.33 feet to a calculated point for the southwest corner of the herein described tract;

THENCE North 25°41'00" East, a distance of 20.66 feet to a calculated point for the northwest corner of the herein described tract;

THENCE South 64°19'00" East, a distance of 2.33 feet to the **POINT OF BEGINNING** and containing 48.1 square feet of land.

NOTE:

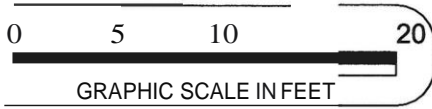
ALL BEARINGS ARE BASED ON THE RECORDED PLAT IN VOLUME 67, PAGES 186-188, MAP RECORDS, NUECES COUNTY, TEXAS. SEPARATE MAP EXHIBIT "B" WITH EVEN DATE ACCOMPANIES THIS DESCRIPTION.

Stacey King Mora

**Stacey King Mora, RPLS
Registered Professional Land Surveyor
Texas Registration No. 6166
Hanson Professional Services Inc.
TBPE F#417 TBPLS F# 100395-00**



Date: '21 J.V. 10.01



SCALE: 1"=10'

GRAND DUNE DRIVE
30' RIGHT-OF-WAY

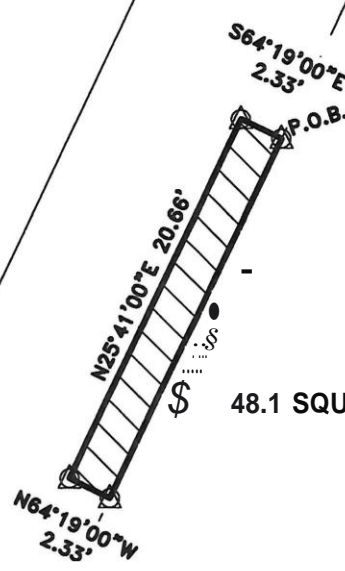
RUM CAY COURT
20' RIGHT-OF-WAY

LOT 37, BLOCK 1
THE PRESERVE AT MUSTANG ISLAND
UNIT 1
VOLUME 67, PAGES 186-188
M.R., N.C., T.

48.1 SQUARE FEET

LEGEND:

<i>B</i>	= CALCULATED POINT
POC	= POINT OF COMMENCEMENT
POB	= POINT OF BEGINNING
M.R., N.C., T	= MAP RECORDS, NUECES COUNTY, TEXAS



NOTE:
THIS DOES NOT REPRESENT AN ON THE GROUND SURVEY.
THIS WAS CREATED FROM MASTER PLANS PROVIDED BY
CLIENT. NO FIELD SURVEY WAS PERFORMED OR COMPLETED
TO VERIFY THE TRACT BOUNDARIES AS DEPICTED HEREON.
ALL BEARINGS ARE BASED ON THE RECORDED PLAT.

I, Stacey King Mora, Registered Professional Land Surveyor, hereby certify that this survey substantially complies with the current standards adopted by the Texas Board of Professional Land Surveyors.

EXHIBIT "B"

A METES & BOUNDS DESCRIPTION OF EQUAL DATE

IS TO ACCOMPANY THIS EXHIBIT

Copyright Hanson Professional Services Inc. 2019

EASEMENT CLOSURE

EASEMENT CLOSURE OF A 48.1 SQUARE FOOT TRACT BEING OUT OF THE PRESERVE AT MUSTANG ISLAND, UNIT 1, AS SHOWN ON A MAP RECORDED IN VOLUME 67, PAGE 186-188, MAP RECORDS, NUECES COUNTY, TEXAS.

Stacey King Mora, Registered Professional Land Surveyor
Texas License No. 6166
Date: 1/11/2019