Ordinance declaring and dedicating 16.744 acres of land located on North Beach as a wetland preserve; authorizing execution of the deed restriction and actions necessary to maintain the protected property as a wetland preserve subject to the conditions of U.S. Army Corps of Engineers Permit and the Final Mitigation Plan for the US 181 Harbor Bridge Replacement Project filed by Flatiron-Dragados, LLC

**WHEREAS**, one of the goals of the Clean Water Act is to prevent the degradation of the Nation's waters, including the needless destruction of wetlands;

**WHEREAS**, the Texas Department of Transportation's ("TXDOT") U.S. Highway 181 Harbor Bridge Replacement Project ("Project") impacted the waters of the US and requires wetland mitigation;

**WHEREAS**, the City owns property adjacent to the Project that it desires be used as the mitigation site;

**WHEREAS**, TXDOT and its contractor, Flatiron-Dragados, will remove concrete foundations and pilings, excavate and fill as needed to ensure appropriate elevations and hydrology to successfully establish the target wetland areas, plant required vegetation and monitor to ensure the success criteria are met; and

**WHEREAS**, the purpose and intent of this Ordinance is to assure that the subject lands will always be retained and maintained forever predominantly in the vegetative and hydrologic condition described in the success criteria of the Mitigation Plan for the Project under TXDOT's Section 404 Permit No. SWG-2014-00408.

# BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS:

**SECTION 1:** That a 12.24 acre tract of land (Wetland Preservation Site, Tract #1) and a 4.504 acre tract of land (Wetland Preservation Site, Tract #2), real property owned by the City and more particularly described and shown in the attached map and metes and bounds (**Exhibit A**), is land hereby declared and dedicated as a Wetland Preserve, to be monitored by the City and held in perpetuity as a wetland preserve.

**SECTION 2:** The City Manager or designee is authorized to sign and record all necessary documents and real estate instruments to that effect, including but not limited to the required deed restriction/conservation easement.

**SECTION 3:** That the City Manager or designee is authorized to take other actions that are necessary to maintain and preserve the Wetland Preservation Sites as a wetland preserve subject to and in accordance with U.S. Army Corps of Engineers Section 404/10 Individual Permit Number SWG-2014-00408 and the Final Mitigation Plan for the US 181 Harbor Bridge Replacement Project filed by Flatiron-Dragados, LLC.

Rebecca Huerta City Secretary	Joe McComb Mayor	
ATTEST:		
PASSED AND APPROVED, this theday	of, 201	9
Gil Hernandez		
Paulette M. Guajardo	Greg Smith	
Rudy Garza	Everett Roy	
Roland Barrera	Ben Molina	
Joe McComb	Michael Hunter	
That the foregoing ordinance was read for the sthe day of2019, by		this
Gil Hernandez		
Paulette M. Guajardo	Greg Smith	
Rudy Garza	Everett Roy	
Roland Barrera	Ben Molina	
Joe McComb	Michael Hunter	
That the foregoing ordinance was read for the freading on this the day of		

County: Nueces Highway: US 181

Project: North Beach Wetlands

Page 1 of 6 Dated: August 31, 2018

Revised:

# Property Description for Tract 1

Being a 12.24 acre (533,144 square feet) parcel of land, situated in the Enriquez Villareal Survey, Abstract Number 1, Nueces County, Texas, being all of a 12.239 acre (calculated 12.24 acre) tract of land described as "Tract 1" of the Beach Park Unit 1 Subdivision as shown by plat thereof, dated February 10, 1988, recorded in Volume 53, Pages 125-126 of the Map Records of Nueces County, Texas (M.R.N.C.T.), also being the same tract of land conveyed to the City of Corpus Christi as shown by said plat. Metes and bounds description of said 12.24 acre parcel is as follows:

**BEGINNING** at a leaning 5/8 inch diameter iron rod found for the south corner of the herein described tract, the south corner of said Tract 1, lying at the intersection of the existing northeast right-of-way line of Gulden Street (60 foot right-of-way) and the existing northwest right-of-way line of Timon Boulevard (60 foot right-of-way), and having State Plane Coordinates of N=17,193,062.06, E=1,345,364.20, from which a 5/8 inch diameter iron rod found for reference bears South 56 deg. 11 min. 27 sec. East, a distance of 60.00 feet, said reference rod being the West corner of a 0.807 acre tract of land described as "Tract 3" of said subdivision, and lying at the intersection of the existing southeast right-of-way line of said Timon Boulevard and the northeast right-of-way line of said Gulden Street, said reference rod also having State Plane Coordinates of N= 17,192,990.72, E= 1,345,470.73;

- (1) **THENCE**, North 58 deg. 21 min. 47 sec. West, with the southwest line of said Tract 1 and the existing northeast right-of-way line of said Gulden Street, a distance of 472.67 feet (Called North 58 deg. 12 min. West, 472.67 feet) to a 1 inch diameter iron rod found for the West corner of the herein described tract, the West corner of said Tract 1, the southwest corner of a street dedication (calculated 0.1766 acre) as shown by said plat, and lying at the intersection of the existing northeast right-of-way line of said Gulden Street and the existing southeast right-of-way line of US 181 (250 foot right-of-way) and Avenue "E" (100 foot right-of-way), said iron rod also having State Plane Coordinates of N= 17,193,309.99, E= 1,344,961.77;
- (2) **THENCE**, North 41 deg. 36 min. 10 sec. East, with the northwest line of said Tract 1 and the existing southeast right-of-way line of said US 181 and said Avenue "E", a distance of 444.57 feet (Called North 41 deg. 45 min. 56 sec. East, 444.57 feet) to a 5/8 inch diameter iron rod found for an angle point of the herein described tract, and having State Plane Coordinates of N= 17,193,642.43, E= 1,345,256.95, said iron rod also being the northeast corner of said dedication;

County: Nueces Page 2 of 6
Highway: US 181 Dated: August 31, 2018

Project: North Beach Wetlands Revised:

## Property Description for Tract 1

(3) **THENCE**, North 49 deg. 33 min. 38 sec. East, with the northwest line of said Tract 1 and the existing southeast right-of-way line of said US 181 and said Avenue "E", a distance of 234.01 feet (Called – North 49 deg. 43 min. 25 sec. East, 234.01 feet) to a TxDOT "Type II" monument set for an angle point of the herein described tract, and having State Plane Coordinates of N= 17,193,794.22, E= 1,345,435.06, from which a broken TxDOT "Type I" monument bears South 08 deg. 06 min. 45 sec. West, a distance of 0.52 feet;

- (4) **THENCE**, North 55 deg. 36 min. 13 sec. East, with the northwest line of said Tract 1 and the existing southeast right-of-way line of said US 181 and said Avenue "E", a distance of 787.90 feet (Called North 55 deg. 46 min. 00 sec. East, 787.90 feet) to a TxDOT "TYPE II" monument set for the northeast corner of the herein described tract, the northeast corner of said Tract 1, lying at the intersection of the existing southeast right-of-way line of said US 181, and said Avenue "E", and the West right-of-way line of Hull Street (variable width right-of-way), said monument also being the beginning of a non-tangent curve to the right and having State Plane Coordinates of N= 17,194,239.31, E= 1,345,470.73;
- (5) **THENCE**, With a northeast line of said Tract 1, the existing West right-of-way line of said Hull Street, and said curve to the right having a radius of 225.00 feet (Called 225 feet), a central angle of 101 deg. 29 min. 15 sec. (Called 101 deg. 29 min. 13 sec.), an arc length of 398.54 feet (Called 398.54 feet), and a chord which bears South 07 deg. 15 min. 35 sec. East, a distance of 348.45 feet to a 5/8 inch diameter iron rod with yellow plastic cap stamped "CIVILCORP" set for an East corner of the herein described tract, an East corner of said Tract 1, and lying at the intersection of the existing West right-of-way line of said Hull Street and the existing West right-of-way line of said Timon Boulevard, said iron rod also having State Plane Coordinates of N= 17,193,893.66, E= 1,346,129.22 and being the end of said curve to the right;
- (6) **THENCE**, South 45 deg. 51 min. 21 sec. West, with the southeast line of said Tract 1 and the existing northwest right-of-way line of said Timon Boulevard, a distance of 510.17 feet (Called South 46 deg. 01 min. 08 sec. West, 510.17 feet) to a 5/8 inch diameter iron rod found for the beginning of a tangent curve to the left, and having State Plane Coordinates of N= 17,193,538.35, E= 1,345,763.13;

County: Nueces Highway: US 181

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## Property Description for Tract 1

(7) **THENCE**, With the southeast line of said Tract 1, the existing West right-of-way line of said Timon Blvd., and said curve to the left having a radius of 3,018.49 feet (Called – 3,018.49 feet), a central angle of 11 deg. 48 min. 50 sec. (Called - 11 deg. 48 min. 50 sec.), an arc length of 622.39 feet (Called – 622.39 feet), and a chord which bears South 39 deg. 56 min. 56 sec. West, a distance of 621.29 feet to the **POINT OF BEGINNING**, containing 12.24 acre (533,144 square feet) of land.

All bearings and coordinates are based on the Texas Coordinate System, South Zone (4205), NAD 1983 (93). Due to the combined surface adjustment factor of 1.00000 the distances and coordinate values of surface and grid are equal. All distances are based on U.S. Survey Feet.

A plat of even date was prepared in conjunction with this property description.

This survey was performed on the ground under my supervision during August 2018.

Bennie L. Galvan

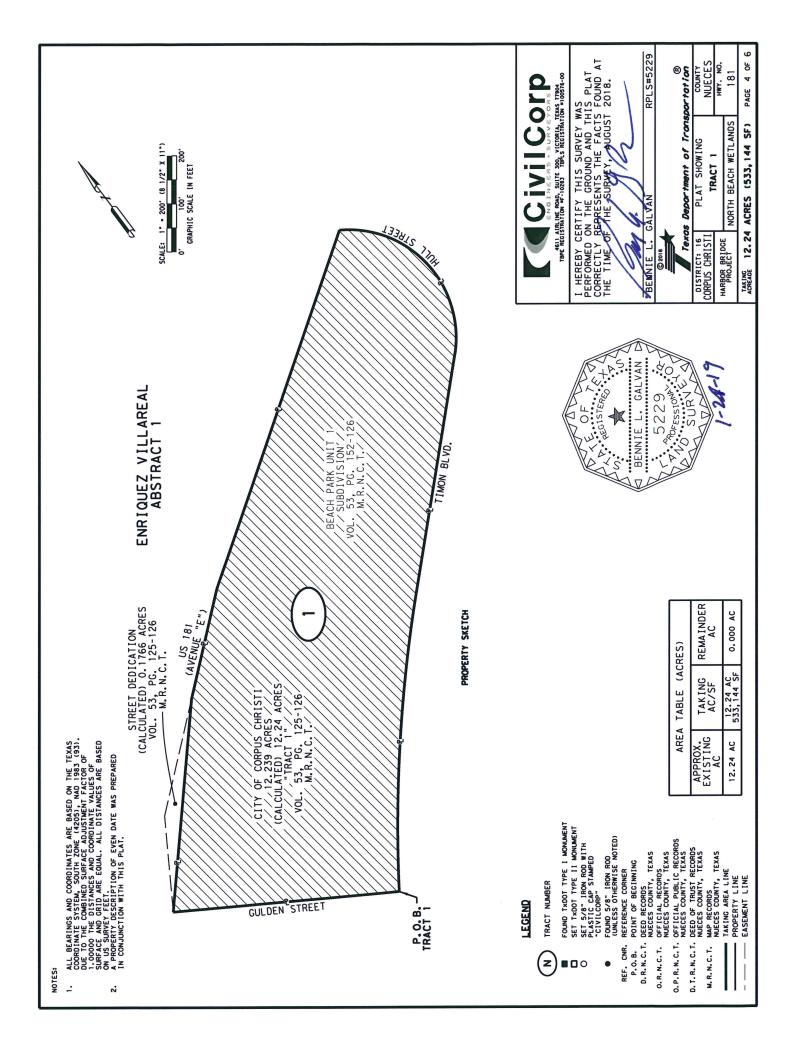
Registered Professional Land Surveyor

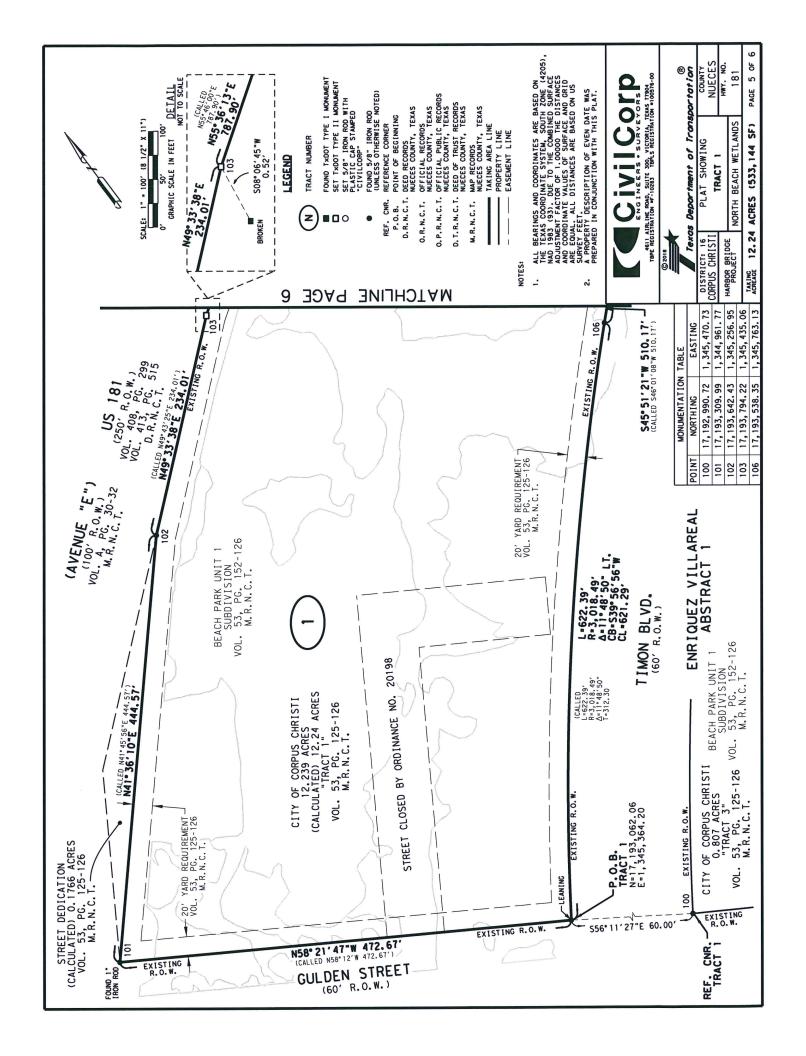
License No. 5229, State of Texas

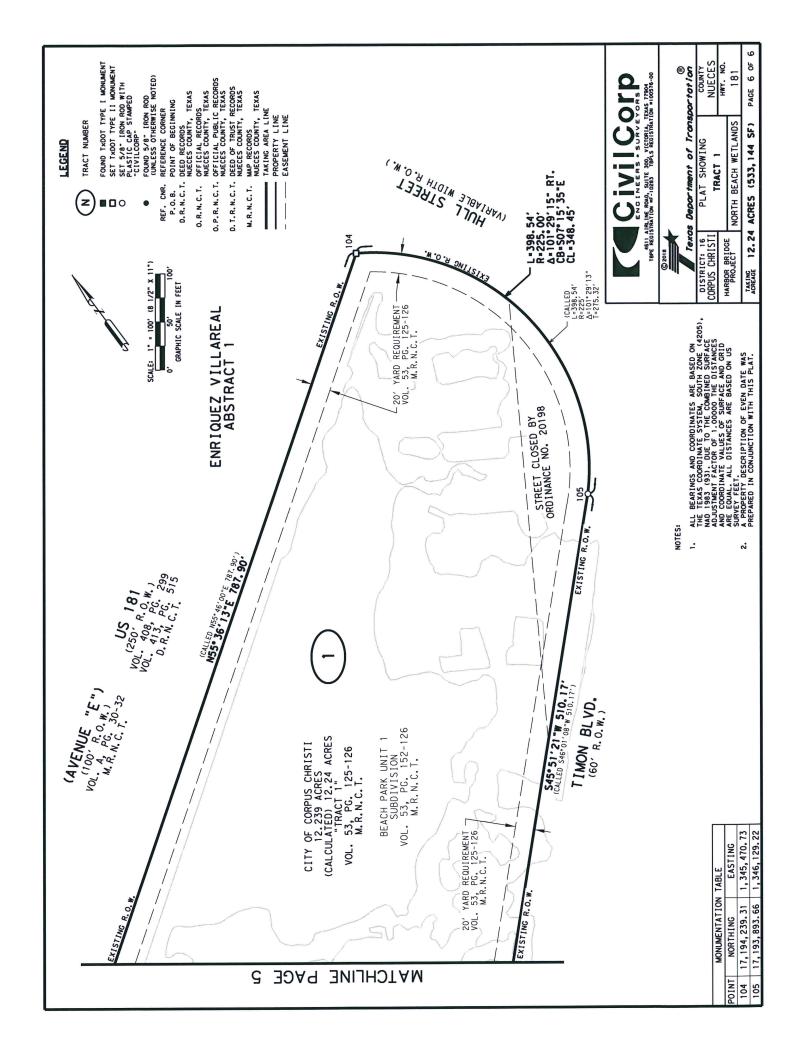
CivilCorp, LLC - 4611 E. Airline Suite #300, Victoria, Texas 77904

361-570-7500

Texas Firm Registration No. 100576-00







- \* 1 \$ Parcel Closure Report: TRACT1
- 3 \$ Start Coordinates, North: 17193062.06 East: 1345364.20 Name: 14
- <\* 4 \$ Line: N 58^ 21' 47" W Dist.: 472.67 PtNum: 15</p>
- <\* 5 \$ Line: N 41^ 36' 10" E Dist.: 444.57 PtNum: 16</p>
- <\* 6 \$ Line: N 49^ 33' 38" E Dist.: 234.01 PtNum: 17</p>
- <\* 7 \$ Line: N 55^ 36' 13" E Dist.: 787.90</p>
- 9 \$ Degree: 25^ 27' 53" Tan.: 275.32 Mid Ord.: 82.62 Ext. 130.57
- <\* 10 \$ Chord Bearing: S 7^ 15' 35" E Chord Dist.: 348.45</p>
- \* 11 \$ Line: S 45^ 51' 21" W Dist.: 510.17
- <\* 12 \$ Curve: C3 Rad.: 3018.49 Delta: 11^48' 50" lft. Arc: 622.39</p>
- <\* 13 \$ Degree: 1^53'53" Tan.: 312.30 Mid Ord.: 16.03 Ext. 16.11</p>
- <\* 14 \$ Chord Bearing: S 39^ 56' 56" W Chord Dist.: 621.29</p>
- <\* 15 \$ End Coordinates, North: 17193062.05 East: 1345364.20</p>
- <\* 16 \$ Error North: -0.01 Error East: -0.00</p>
- 4 17 \$ Error Direction: N 12^ 55' 23" E Total Distance Error: 0.01
- <\* 18 \$ Error of Closure: 1/267264.11</p>

- \* 19 \$ Perimeter: 3470.25
- <\* 20 \$ Area: sq. Feet: 533144 Acres: 12.24</p>

County: Nueces Highway: US 181

Project: North Beach Wetlands

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Dated: August 31, 2018

Revised:

## Property Description for Tract 2

Being a 4.504 acre (196,214 square feet) parcel of land, situated in the Enriquez Villareal Survey, Abstract Number 1, Nueces County, Texas, being a portion of a 9.315 acre tract of land described as "Tract 2" of the Beach Park Unit 1 Subdivision as shown by plat thereof, dated February 10, 1988, recorded in Volume 53, Pages 125-126 of the Map Records of Nueces County, Texas (M.R.N.C.T.), also being the same tract of land conveyed to the City of Corpus Christi as shown by said plat. Metes and bounds description of said 4.504 acre parcel is as follows:

BEGINNING at a 5/8 inch diameter iron rod with yellow plastic cap stamped "CIVILCORP" set for the south corner of the herein described tract, lying in the southeast line of said Tract 2, the northwest line of Lot 10, Block 385 of the Brooklyn Addition as shown by plat thereof, recorded in Volume A, Page 30-32 of the M.R.N.C.T., and having State Plane Coordinates of N=17,193,247.80, E=1,346,167.18, from which a 5/8 inch diameter iron rod with yellow plastic cap stamped "CIVILCORP" set for reference bears South 31 deg. 19 min. 01 sec. West, a distance of 218.64 feet, said reference rod being the South corner of said Tract 2, lying in the northwest line of Lot 2, Block 385 of said Addition and the existing northeast right-of-way line of Sandbar Street (60 foot right-of-way), from which a 1 inch diameter iron pipe found bears South 37 deg. 50 min. 35 sec. West, a distance of 0.36 feet, said reference rod also having State Plane Coordinates of N= 17,193,115.52, E=1,346,086.71;

- (1) **THENCE**, North 62 deg. 11 min. 23 sec. West, severing said Tract 2, a distance of 451.65 feet to a 5/8 inch diameter iron rod with yellow plastic cap stamped "CIVILCORP" set for the West corner of the herein described tract, lying in the northwest line of said Tract 2 and the existing southeast right-of-way line of Timon Boulevard (right-of-way width varies), said iron rod also having State Plane Coordinates of N= 17,193,458.52, E= 1,345,767.70 and being the beginning of a non-tangent curve to the right;
- (2) **THENCE**, With the northwest line of said Tract 2, the southeast right-of-way line of said Timon Boulevard, and said curve to the right having a radius of 2,958.49 feet (Called 2,958.49 feet), a central angle of 01 deg. 00 min. 56 sec., an arc length of 52.44 feet, and a chord which bears North 45 deg. 21 min. 01 sec. East, a distance of 52.44 feet to a 5/8 inch diameter iron rod with yellow plastic cap stamped "CIVILCORP" set for the end of said curve, and having State Plane Coordinates of N=17,193,495.37, E=1,345,805.00, from which a found 5/8 inch diameter iron rod bears North 11 deg. 38 min. 36 sec. West, a distance of 0.51 feet;

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## Property Description for Tract 2

- (3) **THENCE**, North 45 deg. 51 min. 21 sec. East, with the northwest line of said Tract 2 and the existing southeast right-of-way line of said Timon Boulevard, a distance of 510.17 feet (Called North 46 deg. 01 min. 08 sec. East, 510.17 feet) to a 5/8 inch diameter iron rod with yellow plastic cap stamped "CIVILCORP" set for an angle point of the herein described tract, and having State Plane Coordinates of N=17,193,850.69, E=1,346,171.10;
- (4) **THENCE**, North 52 deg. 38 min. 48 sec. East, with the northwest line of said Tract 2 and the existing southeast right-of-way line of said Timon Boulevard, a distance of 68.08 feet (Called North 52 deg. 48 min. 35 sec. East, 68.08 feet) to a 5/8 inch diameter iron rod found for the North corner of the herein described tract, and having State Plane Coordinates of N= 17,193,891.99, E= 1,346,225.21, from which a 5/8 inch diameter iron rod found for reference bears North 47 deg. 10 min. 07 sec. East, a distance of 109.33 feet:
- (5) **THENCE**, South 28 deg. 52 min. 23 sec. East, severing said Tract 2, a distance of 293.87 feet to a 5/8 inch diameter iron rod with yellow plastic cap stamped "CIVILCORP" set for an angle point of the herein described tract, and having State Plane Coordinates of N=17,193,634.65, E=1,346,367.11, said iron rod being an angle point in the southeast line of said Tract 2 and the northwest line of Block 387 of said Brooklyn Addition;
- (6) **THENCE**, South 00 deg. 21 min. 13 sec. West, with the southeast line of said Tract 2 and the northwest line of said Block 387, a distance of 70.61 feet (Called South 0 deg. 31 min. West, 70.61 feet) to a 5/8 inch diameter iron rod with yellow plastic cap stamped "CIVILCORP" set for an angle point of the herein described tract, and having State Plane Coordinates of N= 17,193,564.04, E= 1,346,366.68;
- (7) **THENCE**, South 89 deg. 29 min. 13 sec. West, with the common line of said Tract 2 and said Block 387, a distance of 7.14 feet (Called South 89 deg. 39 min. West, 7.14 feet) to a 5/8 inch diameter iron rod with yellow plastic cap stamped "CIVILCORP" set for an angle point of the herein described tract, and having State Plane Coordinates of N=17,193,563.98, E=1,346,359.54;
- (8) **THENCE**, South 31 deg. 18 min. 54 sec. West, (Called South 31 deg. 28 min. 41 sec. West) with the common line of said Tract 2, said Block 387 and said Block 385, a distance of 370.09 feet to the **POINT OF BEGINNING**, containing 4.504 acre (196,214 square feet) of land.

County: Nueces Highway: US 181

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Dated: August 31, 2018

Revised:

## Property Description for Tract 2

All bearings and coordinates are based on the Texas Coordinate System, South Zone (4205), NAD 1983 (93). Due to the combined surface adjustment factor of 1.00000 the distances and coordinate values of surface and grid are equal. All distances are based on U.S. Survey Feet.

A plat of even date was prepared in conjunction with this property description.

This survey was performed on the ground under my supervision during August 2018.

BENNIE L. GALVAN D

Bennie L. Galvan

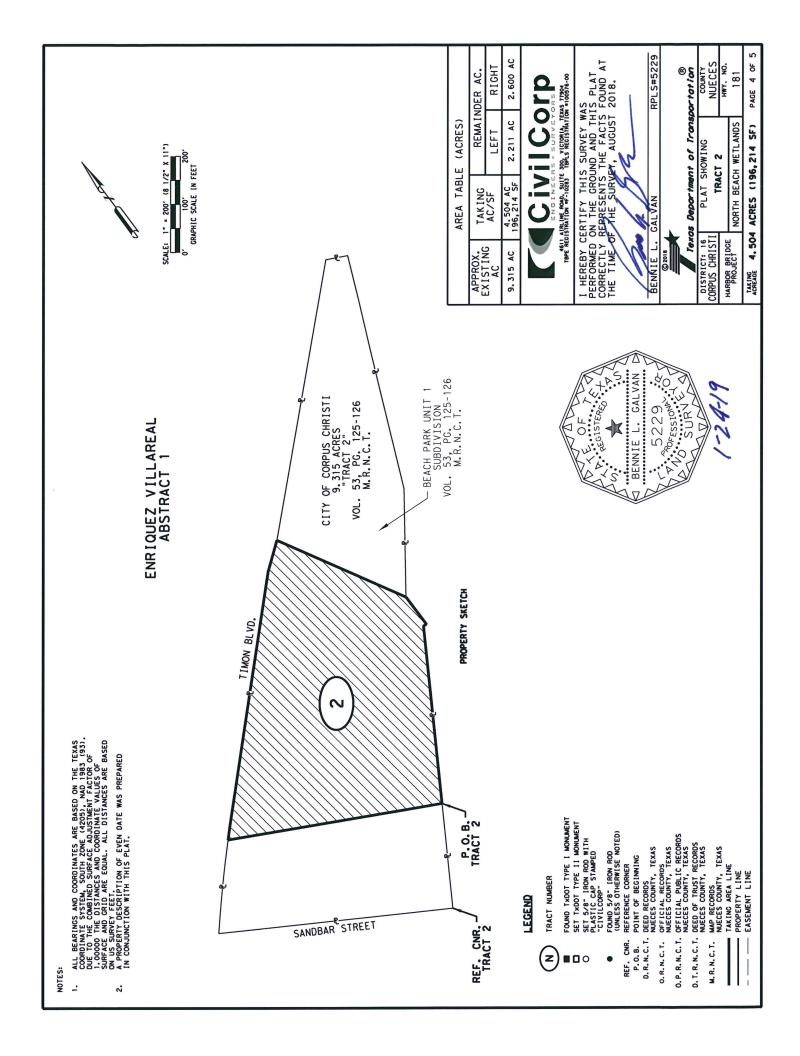
Registered Professional Land Surveyor

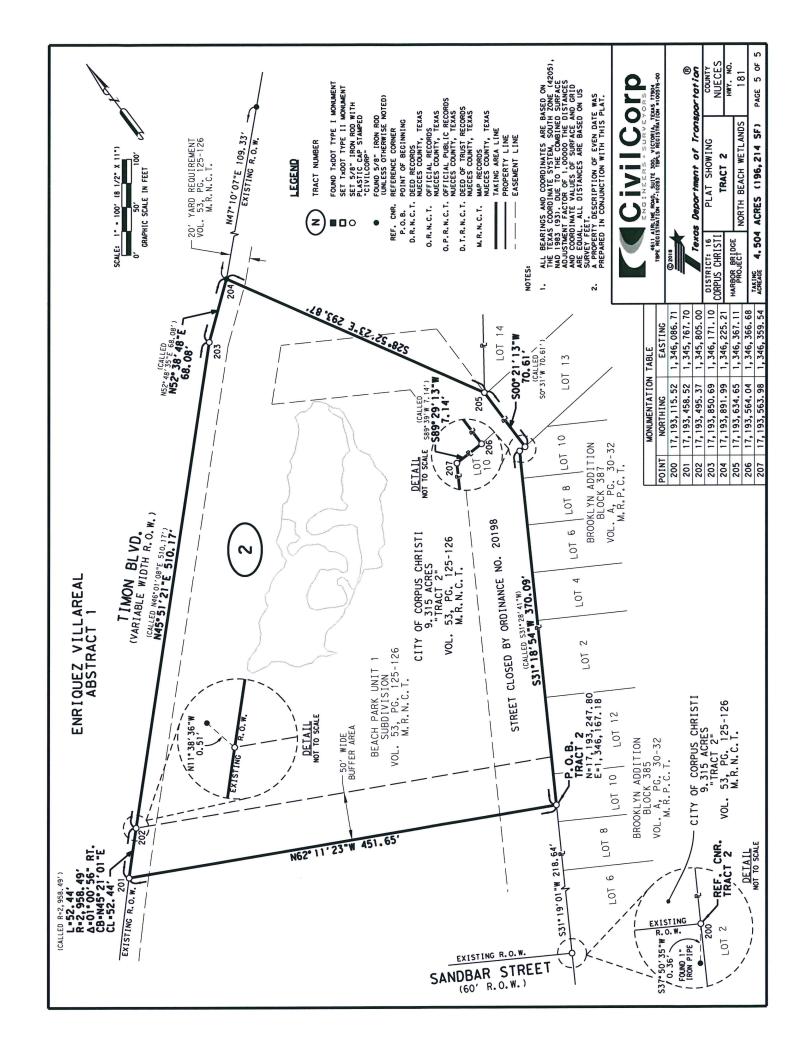
License No. 5229, State of Texas

CivilCorp, LLC - 4611 E. Airline Suite #300, Victoria, Texas 77904

361-570-7500

Texas Firm Registration No. 100576-00





- <\* 21 \$ Parcel Closure Report: TRACT2</p>
- <\* 22 \$----- US 181 HB Wetlands ------</p>
- <\* 23 \$ Start Coordinates, North: 17193247.80 East: 1346167.18 Name: 3</p>
- <\* 24 \$ Line: N 62^ 11' 23" W Dist.: 451.65</p>
- <\* 25 \$ Curve: C1 Rad.: 2958.49 Delta: 1^00'56" rt. Arc: 52.44</p>
- <\* 26 \$ Degree: 1^56' 12" Tan.: 26.22 Mid Ord.: 0.12 Ext. 0.12</p>
- <\* 27 \$ Chord Bearing: N 45^ 21' 01" E Chord Dist.: 52.44</p>
- <\* 28 \$ Line: N 45^ 51' 21" E Dist.: 510.17 PtNum: 1</p>
- <\* 29 \$ Line: N 52^ 38' 48" E Dist.: 68.08 PtNum: 9</p>
- <\* 30 \$ Line: S 28^ 52' 23" E Dist.: 293.87 PtNum: 8</p>
- <\* 31 \$ Line: S 0^21'13" W Dist.: 70.61 PtNum: 7
- <\* 32 \$ Line: S 89^ 29' 13" W Dist.: 7.14 PtNum: 6</p>
- <\* 33 \$ Line: S 31^18' 54" W Dist.: 370.09
- <\* 34 \$ End Coordinates, North: 17193247.80 East: 1346167.19</p>
- <\* 35 \$ Error North: 0.00 Error East: 0.01</p>
- 36 \$ Error Direction: S 73^ 28' 46" W Total Distance Error: 0.01
- <\* 37 \$ Error of Closure: 1/227864.62</p>

- <\* 38 \$ Perimeter: 1824.05
- <\* 39 \$ Area: sq. Feet: 196214 Acres: 4.504</p>