

**Ordinance closing, abandoning, and vacating a 25-foot wide by approximately 993.17-foot long (24,136 sq. ft.) utility easement in Callicoatte Estates Unit 5 located at 3802 Callicoatte Road.**

**WHEREAS**, Luxury Spec Homes, Inc. (Owner) is requesting the closure, abandonment and vacating of a 25-foot-wide by approximately 993.17-foot-long, (24,136 sq. ft.) portion of an existing utility easement in Callicoatte Estates Unit 5, located at 3802 Callicoatte Road.

**WHEREAS**, it has been determined that it is advantageous to the City of Corpus Christi to abandon and vacate this portion of the utility easement, subject compliance by the Owner with the conditions specified in the ordinance.

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

**SECTION 1.** Pursuant to the request of Luxury Spec Homes, Inc. (Owner), a 25-foot-wide by approximately 993.17-foot long, 0.554-acre (24,136 sq. ft.) utility easement being out of Gregorio Farias Grant 24.624 ACS out of Tract 12 ABS 592, also known as, Callicoatte Estates Unit 5, is closed, abandoned, and vacated by the City of Corpus Christi ("City"), subject to the Owner's 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. The maintenance responsibilities for the vacated easement reverts to Luxury Spec Homes, Inc.

**SECTION 2.** The closing, 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 public street right-of-way closures must be recorded at the Owner's expense in the real property 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. 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

STATE OF TEXAS  
COUNTY OF NUECES

Field notes of a 0.554 acre tract being a portion of a 25' water line easement out of a 24.63 acre tract as described in a deed recorded in Document No. 2008002947, Deed Records Nueces County, Texas. Said 24.63 acre tract also being out of the Gregorio Farias Grant, Abstract No. 592, Nueces County, Texas. Said 0.554 acre tract being more particularly described as follows:

**COMMENCING** at a point for the west corner of Bailey Drive, for the south corner of Lot 7, Block 21, Callicoatte Estates Unit 2, as shown on a map recorded in Volume 47, Pages 37 - 39, Map Records Nueces County, Texas, for the east corner of Lot 8, Block 21, Callicoatte Estates Unit 2, as shown on a map recorded in Volume 50, Page 73, Map Records Nueces County, Texas, and for the most northerly corner of said 24.63 acre tract, **THENCE** with the common line of said Lot 8, Block 21 and of said 24.63 acre tract, South 35°46'03" West, a distance of 303.94 feet to a 5/8" re-bar found for the common east corner of said Lot 8, Block 21 and of the William Jobe 2.00 acre tract described in a deed recorded in Volume 1017, Page 528, Deed Records Nueces County, Texas, and for an inside corner of said 24.63 acre tract, **THENCE** with the common line of said 2.00 and 24.63 acre tracts, South 35°40'10" West, a distance of 73.12 feet to a 5/8" re-bar set for the most northerly corner of this survey and for the **POINT of BEGINNING**.

**THENCE** crossing said 24.63 acre tract, South 21°28'07" East, a distance of 993.17 feet to a 5/8" re-bar set in the common line of said 24.63 acre tract and of the Ernie and Doris Larson Trust 39.93 acre tract, as described in a deed recorded in Document No. 2006001494, Deed Records Nueces County, Texas, for the most southerly corner of this survey, from **WHENCE** the south corner of said 24.63 acre tract bears, South 53°55'12" East, a distance of 150.10 feet.

**THENCE** with the common line of said Larson Trust 39.93 acre tract, said 24.63 acre tract, and this survey, North 53°55'12" West, a distance of 46.59 feet to a 5/8" re-bar set for the southwest corner of this survey.

**THENCE** crossing said 24.63 acre tract, North 21°28'07" West, a distance of 937.70 feet to a 5/8" re-bar set in the common line of said 2.00 acre tract and of said 24.63 acre tract, for the northwest corner of this survey.

**THENCE** with the common line of said 2.00 acre tract, said 24.63 acre tract, and this survey, North 35°40'10" East, a distance of 29.76 feet to the **POINT OF BEGINNING**, and containing 0.553 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 27, 2017 and is correct to the best of my knowledge and belief.

*Ronald E. Brister*

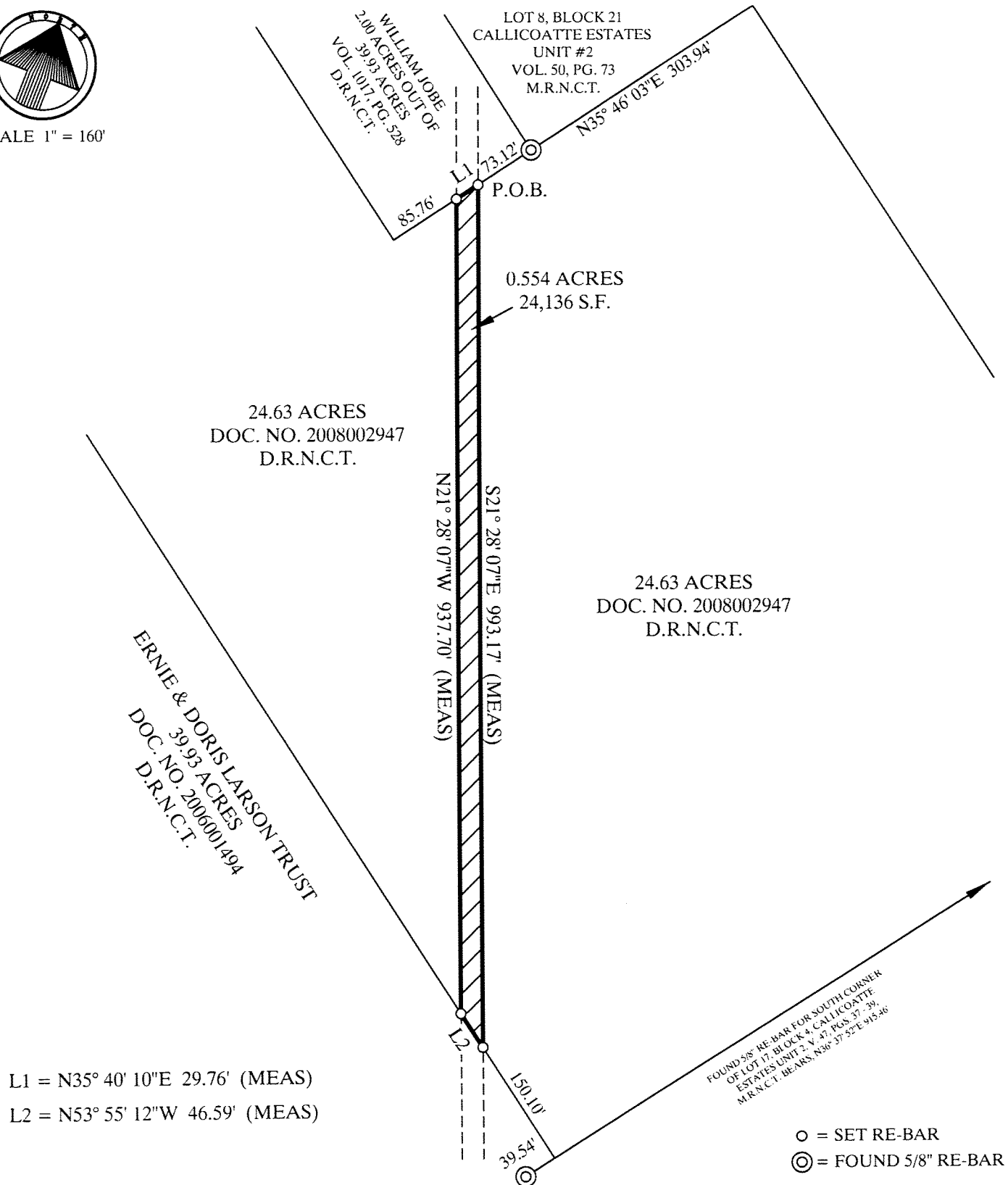
Ronald E. Brister, RPLS No. 5407  
Date: December 29, 2017.



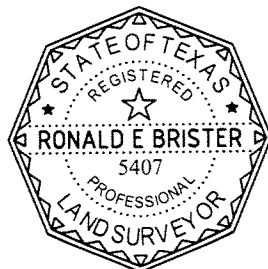
Job No. 171614A

Exhibit A

A 0.554 ACRE TRACT BEING A PORTION OF A 25' WATER LINE EASEMENT OUT OF A 24.63 ACRE TRACT AS DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 2008002947, DEED RECORDS NUECES COUNTY, TEXAS. SAID 24.63 ACRE TRACT ALSO BEING OUT OF THE GREGORIO FARIAS GRANT, ABSTRACT NO. 592, NUECES COUNTY, TEXAS.



4455 South Padre Island Drive Suite 51  
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Off 361-850-1800  
Fax 361-850-1802  
Bristersurveying@corpus.twcbc.com  
Firm Registration No. 10072800



NOTES:

- 1.) TOTAL SURVEYED AREA IS 0.554 ACRES.
- 2.) MEASURED BEARINGS ARE BASED ON GLOBAL POSITIONING SYSTEM NAD 83 (93) 4205 DATUM.
- 3.) SET 5/8" RE-BAR = STEEL RE-BAR SET WITH YELLOW PLASTIC CAP LABELED BRISTER SURVEYING.
- 4.) A METES AND BOUNDS DESCRIPTION OF EQUAL DATE ACCOMPANIES THIS SURVEY.

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 27, 2017 AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Ronald E. Bruster

SURVEY DATE DECEMBER 29, 2017

JOB NO. 171614A

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