

**Ordinance closing, abandoning and vacating a 1.89 acre prescriptive easement known as Airline Road Extension between Yorktown Boulevard and Rodd Field Road pursuant to a land exchange agreement.**

**WHEREAS**, the City of Corpus Christi is initialing the closure, vacation, and abandonment of a previously developed and surfaced prescriptive easement consisting of 1.89 acres;

**WHEREAS**, the City has an agreement approved on May 15, 2018, by City Council, exchanging this prescriptive easement for a right-of-way along the north side of the abutting property to complete the Rodd Field Road expansion.

**WHEREAS**, upon approval by the City Council, the completion of the Rodd Field Road expansion, and issuance of the ordinance, all grants of the easement closure will be recorded, at the City expense in the real property Official Deed and Map Records of Nueces County, Texas, in which the subject portion of the property is located, and with a copy of the recording retained by the City:

**WHEREAS**, it has been determined that it is feasible and advantageous to the City of Corpus Christi to close, vacate, and abandon the subject portion of the previously developed and surfaced prescriptive easement, subject to compliance by the 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 Article X, Sec.1 (a) (11) of the City Charter, the previously developed and surfaced prescriptive easement consisting of 1.89 acres is closed, abandoned and vacated by the City of Corpus Christi ("City"), subject to abutting Owner compliance with the conditions specified in Section 2 of this ordinance. Exhibit "A" which is the metes and bounds description of the subject portion, Exhibit "B" which is the graphical representation for the metes and bounds description, and Exhibit "C", which is the location map, are attached to and incorporated in this ordinance by reference as if each were fully set out herein in their entirety.

**SECTION 2.** The closure, abandonment and vacation of the prescriptive easement described in Section 1 of this ordinance is expressly conditioned upon the abutting Owner compliance with the following requirements:

- a. A 15-foot utility easement for 12" wastewater line near the north end of this property is retained in favor of the City. Pipe is centered in this easement.
- b. A 15-foot utility easement around the 8" waterline near the north end of this property is retained in favor of the City. Pipe is centered in this easement.
- c. A 15-Foot Utility Easement around 12" Waterline parallel to Yorktown Blvd is retained in favor of the City. Pipe is centered in this easement.

- d. A 15-Foot Drainage Easement at the north end of the property is retained in favor of the City.
- e. Failure to comply with all the conditions outlined in this Ordinance will hereby make the ordinance null and void.

**SECTION 3.** This ordinance takes effect upon passage.

That the foregoing ordinance was read for the first time and passed to its second reading on this the \_\_\_\_ day of \_\_\_\_\_, 2020, 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 \_\_\_\_\_, 2020, 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 \_\_\_\_\_, 2020.

ATTEST:

\_\_\_\_\_  
Rebecca Huerta  
City Secretary

\_\_\_\_\_  
Joe McComb  
Mayor



Job No.: 43201.B8.12

December 19, 2018

**Exhibit A**  
**1.89 Acre Tract**

STATE OF TEXAS  
COUNTY OF NUECES

**Fieldnotes** for a 1.89 Acre Tract, over and across a portion of a 9.8005 Acre Tract described in a General Warranty Deed from Charles L. Milks and Mary A. Milks to Nuss Family Partnership, Ltd., GSC Holdings, Ltd. and Wayne A. Lundquist, Jr., as recorded in Document No. 2010003983, of the Official Public Records of Nueces County, Texas; comprising of portions of 135 Foot wide Master Drainage Channel 31, described in a Drainage Easement from Annie T. Smith to The City of Corpus Christi, as recorded in Volume 2005, Page 880, Deed Records of Nueces County, Texas, a 0.338 Acre Tract described in a Deed from Annie T. Smith and F.J. Smith to the State of Texas, as recorded in Volume 271, Page 245, Deed Records of Nueces County, Texas and a portion of a 1.601 Acre Tract (Unrecorded); said 1.89 Acre Tract, being described by metes and bounds as follows;

**Commencing**, at a 5/8 Inch Iron Rod with orange plastic cap stamped "BASS AND WELSH ENGINEERING" Found, on the Northeast boundary line of Yorktown Boulevard, a public Right-of-Way (varied width), the East boundary line of the said 9.8005 Acre Tract, being a Southwest corner of Lot 7, Block 1, Airline Estates, a map of which is recorded in Volume 69, Pages 131-132, Map Records of Nueces County, Texas, for the Southeast corner of the said 1.601 Acre Tract;

**Thence**, North 02°08'44" East, with the common boundary line of the said 9.8005 Acre Tract, the said 1.601 Acre Tract, and the said Lot 7, at 6.32 Feet, pass a 5/8 Inch Iron Rod with orange plastic cap stamped "BASS AND WELSH ENGINEERING" Found, being the common corner of the said Lots 7 and 8, continuing with the common boundary line of the said 9.8005 Acre Tract, the said 1.601 Acre Tract, and the said Lot 8, in all a distance of 9.52 Feet, to the **Point of Beginning** and for the Southeast corner of this Tract;

**Thence**, over and across portions of the said 9.8005 Acre Tract, the said 135 Foot wide Master Drainage Channel 31, the said 0.338 Acre Tract and the said 1.601 Acre Tract, with the boundary of this Tract as follows:

- North 61°17'23" West, 67.08 Feet;
- North 02°08'44" East, 1002.22 Feet;
- North 87°51'16" West, 85.69 Feet;
- North 28°42'37" East, 325.77 Feet;

**Thence**, South 02°08'44" West, with the common boundary line of the said 9.8005 Acre Tract, the said 1.601 Acre Tract, and the said Block 1, 1323.60 Feet, to the **Point of Beginning**, containing 1.89 Acres (82,255 Sq. Ft) of Land, more or less.

Grid Bearings and Distances shown hereon are referenced to the Texas Coordinate System of 1983, Texas South Zone 4205, and are based on the North American Datum of 1983(2011) Epoch 2010.00.

Unless this fieldnotes description, including preamble, seal and signature, appears in its entirety, in its original form, surveyor assumes no responsibility for its accuracy.

*Also reference accompanying sketch of tract described herein.*



URBAN ENGINEERING

James D. Carr, R.P.L.S.

License No. 6458

S:\Surveying\43201\B812\OFFICE\METES AND BOUNDS\FN43201B812\_1.89Ac\_20181219.docx

Page 1 of 1

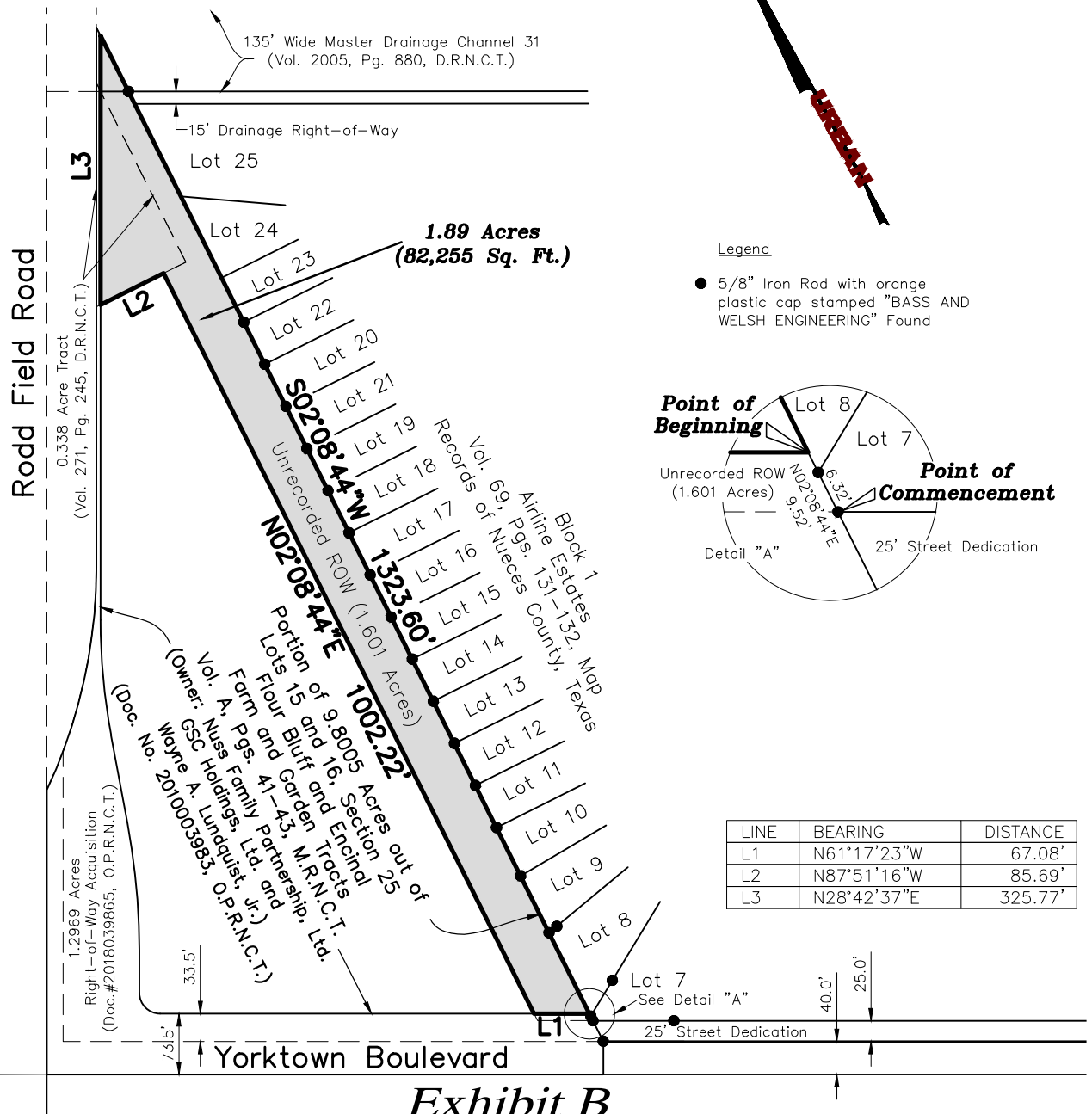
OFFICE: (361)854-3101

2725 SWANTNER DR. • CORPUS CHRISTI, TEXAS 78404

FAX (361)854-6001

[www.urbaneng.com](http://www.urbaneng.com)

TBPE Firm # 145 • TBPLS Firm # 10032400



## Exhibit B

### Sketch to Accompany

FIELDNOTES for a 1.89 Acre Tract, over and across a portion of a 9.8005 Acre Tract described in a General Warranty Deed from Charles L. Milks and Mary A. Milks to Nuss Family Partnership, Ltd., GSC Holdings, Ltd. and Wayne A. Lundquist, Jr., as recorded in Document No. 2010003983, of the Official Public Records of Nueces County, Texas; comprising of portions of 135 Foot wide Master Drainage Channel 31, described in a Drainage Easement from Annie T. Smith to The City of Corpus Christi, as recorded in Volume 2005, Page 880, Deed Records of Nueces County, Texas, a 0.338 Acre Tract described in a Deed from Annie T. Smith and F.J. Smith to the State of Texas, as recorded in Volume 271, Page 245, Deed Records of Nueces County, Texas and a portion of a 1.601 Acre Tract (Unrecorded).

#### General Notes:

- 1.) 1.89 Acre Tract is located within the City limits of Corpus Christi, Texas and a subdivision based on this sketch/description may be in violation of the current City of Corpus Christi subdivision ordinance.



DATE: Dec. 19, 2018  
 SCALE: 1"=200'  
 JOB NO.: 43201.B8.12  
 SHEET: 1 of 1  
 DRAWN BY: RLG  
 urbansurvey1@urbaneng.com  
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# Exhibit C

