



AGENDA MEMORANDUM

First Reading Ordinance for the City Council Meeting February 23, 2021
Second Reading Ordinance for the City Council Meeting March 2, 2021

DATE: February 16, 2021
TO: Peter Zaroni, City Manager
FROM: Richard Martinez, Director of Public Works
Richardm5@cctexas.com
(361) 826-3419

Street Closure of Butler Road between Violet Road and Cliff Crenshaw Street

CAPTION:

Ordinance abandoning, vacating, and closing a 1.200-acre (52,272 square-feet) tract of an improved portion of dedicated public right-of-way identified as Butler Road, as shown on the recorded plat of Lots 2A and 2B, Block 2, Moores Independence Acres and recorded plat of Annville Baptist Church, Block 1, Lots 1 and 2, and requiring the petitioner, Annville Baptist Church, to comply with specified conditions.

SUMMARY:

The purpose of this ordinance is to abandon, vacate and close a 1.200-acre (52,272 square-feet) tract of an improved portion of dedicated public right-of-way identified as Butler Road, as shown on the recorded plat of Lots 2A and 2B, Block 2, Moores Independence Acres, a map recorded in Volume 27, Page 66 of the Nueces County Map Records and recorded plat of Annville Baptist Church, Block 1, Lots 1 and 2, a map recorded in Volume 69, Page 314 of the Nueces County Map Records.

BACKGROUND AND FINDINGS:

Section 49-12 of the City Municipal Code provides the procedures for City Council to establish or close public streets, alleys, or other public ways. A request shall be filed with the City containing the description of the street, or portion thereof, to be opened, closed, or altered.

Annville Baptist Church filed a request to abandon, vacate and close a 1.200-acre (52,272 square-feet) portion of Butler Road, lying between Violet Road and Cliff Crenshaw Street. The Annville Baptist Church owns the properties on each side of Butler Road and the closure would allow for future development. If closed, the area would be owned and maintained by Annville Baptist Church. If the City agrees to release this portion of public property, Annville Baptist Church is responsible for paying the City the Fair Market Value (FMV) of \$45,000 for the acquired property.

A review of the request was conducted by City Departments and external Public Utility

Companies. The request to close, abandon, and vacate public right-of-way is recommended for City Council approval by Public Works based on Annville Baptist Church satisfying all conditions and requirements presented during the review process. This includes maintaining an easement for City utilities and for use as an emergency access.

ALTERNATIVES:

The alternative is to deny the closure, abandonment, and vacation of requested portion of Butler Road.

FISCAL IMPACT:

If the City agrees to release this portion of public property, Annville Baptist Church is responsible for paying the City the Fair Market Value (FMV) of \$45,000 for the acquired property.

Funding Detail:

Fund: N/A
Organization/Activity: N/A
Mission Element: N/A
Project # (CIP Only): N/A
Account: N/A

RECOMMENDATION:

City staff recommends approval.

LIST OF SUPPORTING DOCUMENTS:

Ordinance
Exhibit
PowerPoint Presentation