

File No. _____
_____ County

Filed _____ 19 _____
BOB _____ ONG, Com'r

By _____

File No. Roll Sketch 46
Nueces County

Dune Protection Plat

Filed June 13 19 75

BOB ARMSTRONG, Com'r

By James E. McCarty

county 47859

On motion of Judge Barnes, seconded by Commissioner McKinzie, the Court voted that the Order establishing a dune protection line on Mustang Island and Padre Island be accepted, approved and the County Judge and County Commissioners be authorized to sign Order.

* * * * *

THE STATE OF TEXAS
COUNTY OF NUECES

ORDER

WHEREAS, the Commissioners' Court of Nueces County, Texas, is desirous of establishing a dune protection line on Mustang Island and Padre Island, the same being barrier islands in said county, pursuant to the authority conferred on such Commissioners' Court by the provisions of Chapter 235, Acts of the 63rd Legislature, Regular Session, 1973, and

WHEREAS, a public hearing on the proposed establishment of such dune protection line was held on the 9th day of October, 1973, pursuant to notice having been published as required by law, and

WHEREAS, notice of same has heretofore been given the Commissioner of the General Land Office, together with a map showing the proposed line, and

WHEREAS, a map defining such proposed line has been filed with the County Clerk of Nueces County:

IT IS THEREFORE ORDERED that a dune protection line be, and the same is hereby, established on Mustang Island and Padre Island, such line extending from the south jetty of the Aransas Pass (Corpus Christi-Port Aransas Ship Channel) southward continuously to the Nueces County-Kleberg County line, such dune protection line being located at a distance of 1000 feet landward of the line of mean high tide (Elevation 1.7) of the Gulf of Mexico, as shown on a map on file in the offices of the County Clerk of Nueces County and the Commissioner of the General Land Office of Texas. There is excluded, however, the area embraced in the Mustang Island State Park.

IT IS FURTHER ORDERED that any owner of land or person holding any interest under the owner desiring to excavate, remove or relocate any sand dune or any portion thereof located seaward of such dune protection line so as to reduce the sand dune to an elevation less than the elevation, or elevations, shown on the Special Flood Hazard Map of such area promulgated by the administrator of the Federal Insurance Administration under and in accordance with the terms of the National Flood Insurance Act, or desiring to kill, destroy or remove in any manner any vegetation growing on any sand dune seaward of such dune protection line, without making provision for the stabilization of such dune by the installation or construction of improvements or the replanting or resodding of vegetation thereon so as to maintain the dune at the minimum elevation shown on the Special Flood Hazard Map of such area hereinabove mentioned may make application to the Commissioners' Court of Nueces County for a permit for same prior to the commencement of such work. Such application shall be in letter form and must be accompanied by a filing fee of Twenty-five (\$25.00) Dollars, together with drawings, plans and specifications of the proposed construction or destruction. The Commissioners' Court shall evaluate the permit application and may grant the application if it finds as a fact after full investigation that the particular conduct proposed will not materially weaken the dune or reduce its effectiveness as a means of protection from the effects of high wind and water, taking into consideration the height, width and slope of the dune and the restoration of protection so affected by construction as well as the restoration of vegetation.

IT IS FURTHER ORDERED that no permit shall be issued which would allow the operation of a recreational vehicle on any dune seaward of the dune protection line.

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This Order is adopted for the purpose of preserving sand dunes which offer a defense against storm waters and erosion of the shoreline.

This Order shall take effect and be in force immediately.

ORDERED entered this the 23rd day of October, 1973.

Robert N. Barnes
Robert N. Barnes, County Judge

William E. McKinzie
William E. McKinzie
Commissioner, Precinct No. 4

Solomon Urcia
Solomon Urcia
Commissioner, Precinct No. 3

Carl Bluntzer
Carl Bluntzer
Commissioner, Precinct No. 2

John A. Roberts, Jr.
John A. Roberts, Jr.
Commissioner, Precinct No. 4

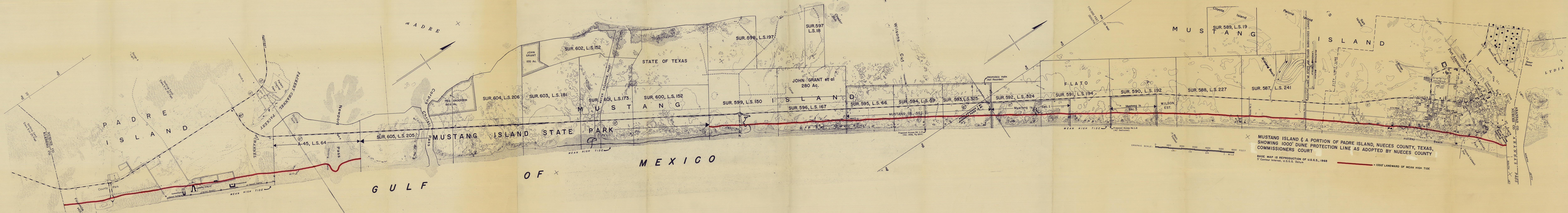
ATTEST:
Hon. Henry E. Douger
County Clerk

Henry E. Douger
Deputy

APPROVED AS TO LEGAL FORM:
Franklin L. Smith
Franklin L. Smith
County Attorney

counter 47860

RECEIVED
SEP 28 1973
GENERAL LAND OFFICE



MUSTANG ISLAND & A PORTION OF PADRE ISLAND, NUECES COUNTY, TEXAS,
SHOWING 1000' DUNE PROTECTION LINE AS ADOPTED BY NUECES COUNTY
COMMISSIONERS COURT

BASE MAP IS REPRODUCTION OF U.S.G.S., 1968
5' Contour Interval, U.S.S.S. Datum

— 1000' LANDWARD OF MEAN HIGH TIDE

File No. 801-24-26
Nueces County
1000' Dune Protection
Plan June 13 1973
Bob Armstrong, Com.
Nueces County

04-12-7704