

Resolution

Authorizing the City Manager or his designee to enter into outside city limits water contracts with the property owners in the Nottingham Acres Subdivision to provide public water to their respective properties pursuant to Section 55-111, Code of Ordinances.

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

The City Council authorizes the City Manager or his designee to enter into outside city limits water contracts, which is attached to this resolution and incorporated herein for all purposes, with property owners of up to 31 lots in the Nottingham Acres Subdivision to provide public water to their respective properties located outside the city limits pursuant to Section 55-113 of the City Code of Ordinances.

ATTEST: THE CITY OF CORPUS CHRISTI

Rebecca Huerta
City Secretary

Nelda Martinez
Mayor

Corpus Christi, Texas

_____ of _____, _____

The above resolution was passed by the following vote:

Nelda Martinez _____

Rudy Garza _____

Chad Magill _____

Colleen McIntyre _____

Lillian Riojas _____

Lucy Rubio _____

Brian Rosas _____

Mark Scott _____

Carolyn Vaughn _____

**STANDARD FORM CONTRACT FOR PROVIDING WATER WHERE PROPERTY IS
SITUATED PARTLY OR WHOLLY BEYOND CITY LIMITS**

STATE OF TEXAS §

COUNTY OF NUECES §

THIS CONTRACT AND AGREEMENT made and entered into an original by and between, B & A Terra Firma LLC (Owner), whose address is 46 West Bar Le Doc, Corpus Christi, TX 78414, Kleberg Bank (Lien Holder), whose address is 4211 Ayers Street, Corpus Christi, TX 78415 and the City of Corpus Christi, Texas ("City"), a home rule city of more than 250,000 population, a municipal corporation and body politic under the laws of the State of Texas, of 1201 Leopard Street, Corpus Christi, Texas 78401, County of Nueces, State of Texas, for good and valuable consideration in hand received by the parties respectively and upon the covenants and conditions hereafter stated:

WITNESSETH:

I. Owner is owner in fee simple and of all existing rights, titles and interests therein of all the following described property located in Nueces County, Texas, which is situated partly or wholly beyond the corporate limits of the City of Corpus Christi, and further, the property is not principally used for port-related industry, as defined by Section 55-111, as amended, Code of Ordinances, City of Corpus Christi, and is generally delineated on the map attached to this contract and marked "Exhibit A" and being more particularly described as follows, to-wit:

Nottingham Acres Subdivision Lot 5, Block 1, also commonly known by its street address as 1358 Kirklees Drive, Corpus Christi, TX 78415

II. City agrees to deliver City water to such property or to waterlines on the property, under rules and regulations promulgated and authorized by Sections 55-111 as amended, of the Code of Ordinances, City of Corpus Christi.

III. Owner and Lien Holder agree to construct all improvements on such property under all City codes and regulations and to obtain all City technical construction permits as though the property were inside the City. Owner and Lien Holder consent to inspections of all of such construction of duly authorized inspectors or representatives of City departments charged with enforcement of the codes and regulations. Owner and Lien Holder agree that, as to any improvements, the applicable codes and regulations are those codes and regulations that are in effect at the time of commencement of the improvements.

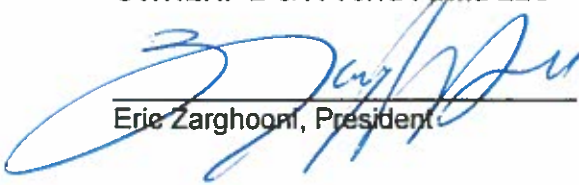
IV. All connections to the City water system are subject to the same rules and regulations regarding standards of delivery of water service, including installation and disconnections for failure to pay charges, as consumers within the City limits.

ID 706-1

V. IT IS AGREED by and between the parties hereto that all of the above conditions shall be binding upon the successors and assigns of the said Owner and each of them, if multiples, and constitutes a covenant running with the land.

WITNESS OUR HAND this 26 day of October, 2015.

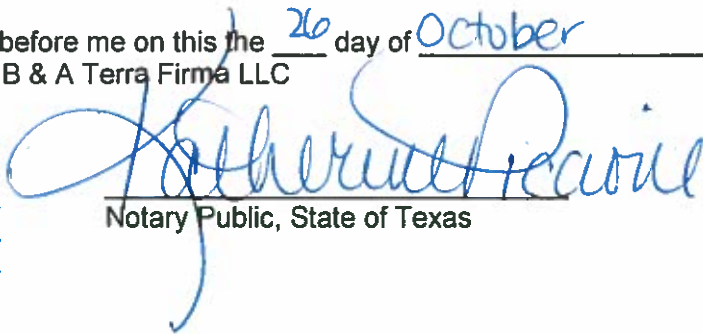
OWNER: B & A Terra Firma LLC


Eric Zarghooni, President


STATE OF TEXAS §
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COUNTY OF NUECES §

This instrument was acknowledged before me on this the 26 day of October, 2015, by Eric Zarghooni, President, B & A Terra Firma LLC




Notary Public, State of Texas

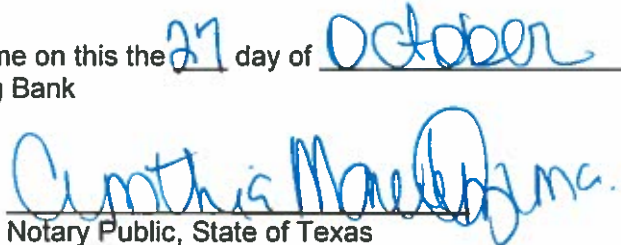
LIEN HOLDER: Kleberg Bank


Gabriel Guerra
President

STATE OF TEXAS §
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COUNTY OF NUECES §

This instrument was acknowledged before me on this the 27 day of October, 2015, by Gabriel Guerra, President, Kleberg Bank




Notary Public, State of Texas

City of Corpus Christi:

ATTEST:

By: _____
Rebecca Huerta
City Secretary

By: _____
Daniel M. Grimsbo, P.E., Director
Development Services Department

STATE OF TEXAS §
COUNTY OF NUECES §

This instrument was acknowledged before me on this ____ day of _____, 2015, by Rebecca Huerta, City Secretary, of the City of Corpus Christi, a Texas home-rule municipal corporation, on behalf of said corporation.

Notary Public, State of Texas

STATE OF TEXAS §
COUNTY OF NUECES §

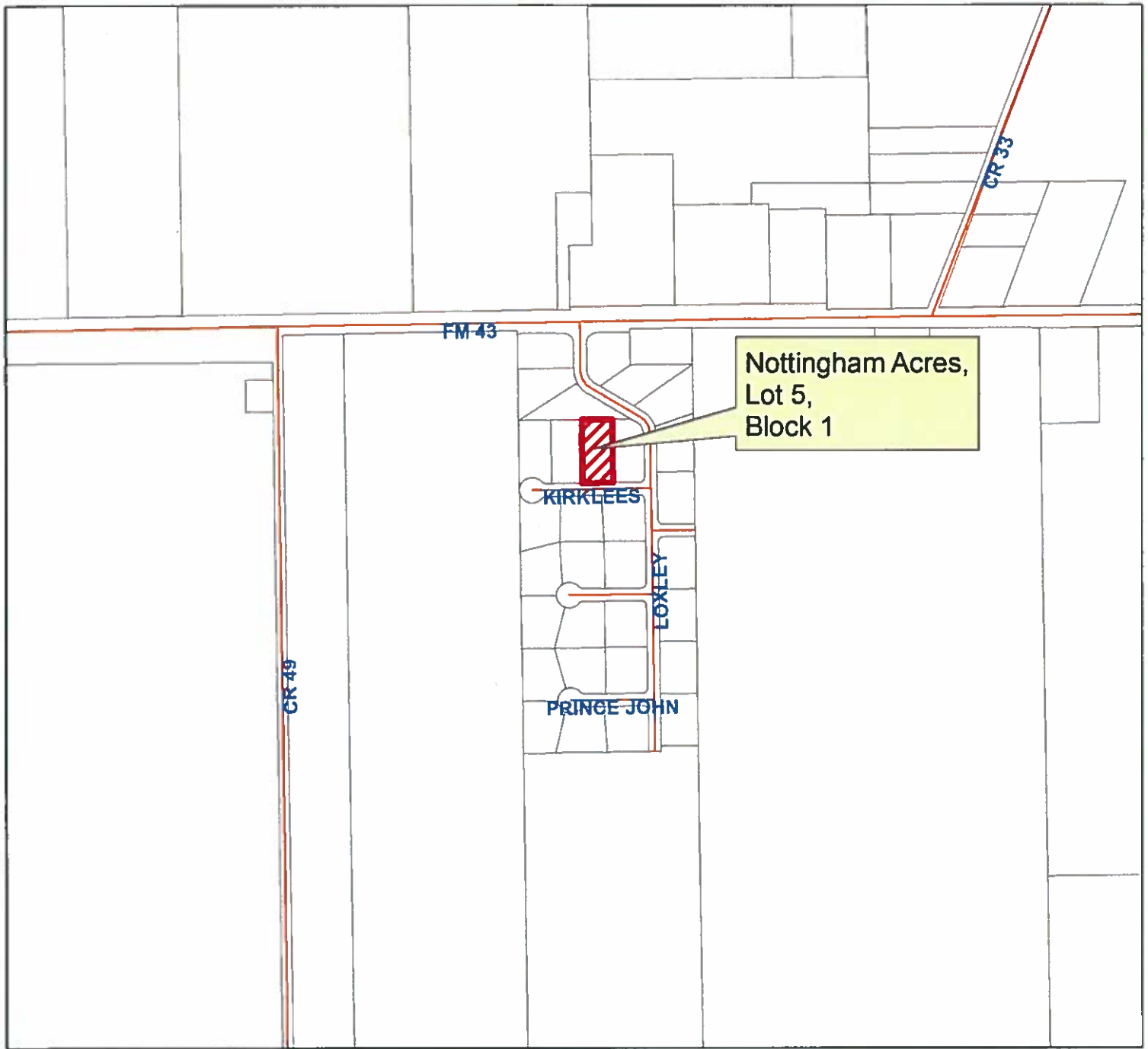
This instrument was acknowledged before me on this ____ day of _____, 2015, by City Manager or designee, of the City of Corpus Christi, a Texas home-rule municipal corporation, on behalf of said corporation.

Notary Public, State of Texas

APPROVED AS TO FORM: ____ day of _____, 2015.

Julian Grant
Senior Assistant City Attorney
for the City Attorney

FD 706-3



Nottingham Acres,
Lot 5,
Block 1

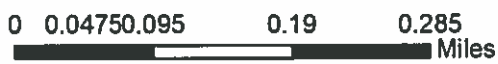
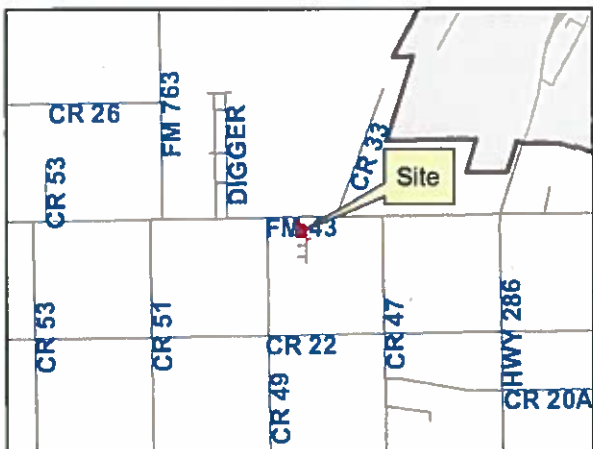


Exhibit "A"



Water Contract Location Map

 City Limits

Date Created: 10/1/2015
 Prepared By: Netta J. Magallanes
 Department of Development Services
 File: K:\Development\Svc\SPECIAL SERVICES\PLATS\Water Contracts\London Club Estates\Maps
 Projected Coordinate System: NAD_1983_StatePlane_Texas_South_FIPS_4205_Feet
 Projection: Lambert_Conformal_Conic

ID 706-4