

SANITARY SEWER CONNECTION AGREEMENT

STATE OF TEXAS §

COUNTY OF NUECES §

THIS AGREEMENT is entered into between the City of Corpus Christi, a Texas Home-Rule Municipal Corporation, P.O. Box 9277, Corpus Christi, Texas 78469-9277, hereinafter called "City" and R. Bryan Johnson, 801 Lipan Street, Corpus Christi, Texas 78401 hereinafter called "Developer/Owner."

WHEREAS, Developer/Owner in compliance with the City's Unified Development Code, has submitted the plat for The Grand Reserve Unit 2, hereinafter called "Development," (**Exhibit 1**); and,

WHEREAS, wastewater construction plans and construction are a requirement of the plat, and

WHEREAS, the Development Services Engineer has determined that sanitary sewer is not reasonably available or of sufficient capacity; and

WHEREAS, City agrees to allow Developers/Owner to record the plat of the Development Property without initial construction of wastewater laterals and collection lines; and

NOW THEREFORE, for the consideration set forth hereinafter, the City and Developer agree as follows:

Developer/Owner agrees for itself, its successors, transferees, and assigns, as follows:

1. to connect to City sewer at such time as a wastewater manhole is located at the frontage of the property or a wastewater line extends along the frontage of the property;
2. to pay wastewater acreage fees at the rate in effect at the time of connection if wastewater services are available within fifteen (15) years from the recording date of the plat; and
3. to pay tap fees and pro rata fees at the time of connection to City wastewater.

City agrees:

1. to allow property to use on-site wastewater treatment in compliance with State and local regulations;

INDEMNIFICATION:

DEVELOPER/OWNER, COVENANTS TO FULLY INDEMNIFY, SAVE AND HOLD HARMLESS THE CITY OF CORPUS CHRISTI, ITS OFFICERS, EMPLOYEES, AND AGENTS, ("INDEMNITEES") AGAINST ANY AND ALL LIABILITY, DAMAGE, LOSS, CLAIMS, DEMANDS AND ACTIONS OF ANY NATURE WHATSOEVER ON ACCOUNT OF PERSONAL INJURIES (INCLUDING, WITHOUT LIMITATION ON THE FOREGOING, WORKERS' COMPENSATION AND DEATH CLAIMS), OR PROPERTY LOSS OR DAMAGE OF ANY KIND WHATSOEVER, WHICH ARISE OUT OF OR ARE IN ANY MANNER CONNECTED WITH, OR ARE CLAIMED TO ARISE OUT OF OR BE IN ANY MANNER CONNECTED WITH THE CONSTRUCTION, INSTALLATION, EXISTENCE, OPERATION, USE, MAINTENANCE, REPAIR, RESTORATION, OR REMOVAL OF THE PUBLIC IMPROVEMENTS ASSOCIATED WITH THE DEVELOPMENT OF THE GRAND RESERVE UNIT 2, INCLUDING THE INJURY, LOSS OR DAMAGE CAUSED BY THE SOLE OR CONTRIBUTORY NEGLIGENCE OF THE INDEMNITEES OR ANY OF THEM.

This agreements and covenants set forth herein are covenants running with the land, to be filed in the Office of the Nueces County Clerk Office, and shall be binding on Developer/Owner, its successors and assigns, and shall inure to the benefit of the parties hereto and their respective heirs, successors, and assigns and to third party beneficiaries from and after the date of execution.

EXECUTED original, this _____ day of _____, 2014.

DEVELOPER/OWNER:

R. Bryan Johnson

STATE OF TEXAS §

COUNTY OF NUECES §

This instrument was acknowledged before me on this _____, day of _____, 2014, by R. Bryan Johnson.

Notary Public, State of Texas

APPROVED:

This _____ day of _____, 2014

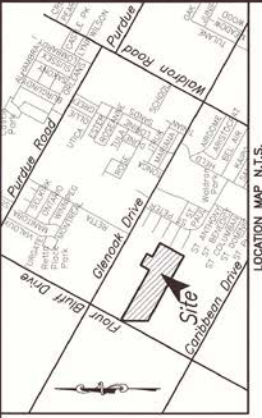
By: _____
Renee Couture, P.E.
Development Services Engineer

APPROVED as to form:


By: _____
Julian Grant
Senior Assistant City Attorney
For City Attorney

Notes:

- Total platted area contains 23.38 acres of land. (Includes Street Dedication)
- Set 5/8 inch iron rods with red plastic cap stamped "URBAN ENCR C.C. TX" at all lot corners, except where noted.
- The receiving water for the storm water runoff from this property is the Oak Bay. The TCEQ has classified the aquatic life use for the Oak Bay as "exceptional" and "oyster waters". The TCEQ also categorized the receiving water as "contact recreation" use.
- Bearings are based on the recorded plat of The Grand Reserve Subdivision which is recorded in Volume 517, Page 30A, Map Records of Nueces County, Texas.
- By zoning tables only, this property is in Zone "C" or Flood Insurance Rate Map Community Panel No. 485264-0018 C, City of Corpus Christi, Texas, which bears an effective date of July 18, 1985 and Flood Insurance Rate Map, Community Panel No. 485264-0312 D, City of Corpus Christi, Texas, which bears an effective date of August 5, 1989 and is not in a Special Flood Hazard Area.
- The yard requirement, as depicted is a requirement of the Unified Development Code and is subject to change as the zoning may change.
- Wastewater service by publicly owned sewerage facilities (OSSEFS) per City of Corpus Christi and Nueces County Public Health Department Standards and Practices.
- A Federal Aviation Administration (FAA) Letter of Determination must be submitted with building plans for each building site.




LOCATION MAP N.T.S.



**Plat of
 The Grand Reserve
 Subdivision
 Unit 2**

**23.38 acres of land out of Lots 1, 2 and 3,
 Section 50, Flour Bluff and Enchinal Farm and
 Garden Tracts, a map of which is recorded in
 Volume 517, Pages 41-43, Map Records of Nueces
 County, Texas.**



State of Texas
 County of Nueces

This first plat of the herein described property was approved by the Department of Development Services of the City of Corpus Christi, Texas.

This the _____ day of _____, 20____

_____ 20____
 Deanna T. Coulburn, P.E.
 Development Services Engineer

State of Texas
 County of Nueces

This first plat of the herein described property was approved on behalf of the City of Corpus Christi, Texas by the Planning Commission.

This the _____ day of _____, 20____

_____ 20____
 Mark E. Van Velsk, P.E.
 Secretary

State of Texas
 County of Nueces

I, Diana T. Barrera, Clerk of the County Court in and for said County, do hereby certify that the foregoing instrument dated the _____ day of _____, 20____ with its certificate of O'Clock _____ M., and duly recorded the _____ day of _____, 20____ at _____ O'Clock _____ M., in said County in Volume _____ Page _____ Map Records.

Witness my hand and seal of the County Court, in and for said County, at offices in Corpus Christi, Texas, this day and month last written.

No. _____
 Filed for Record _____
 at _____ O'Clock _____ M.

 Deputy

State of Texas
 County of Nueces

Texas Chamber Bank, hereby certifies that it holds a lien on the property owned by Robert Bryon Johnson, as shown on the attached plat, for the purpose of the dedication of the dedication for the purposes and considerations therein expressed.

This the _____ day of _____, 20____

By: _____ 20____
 Texas Chamber Bank

By: _____ 20____
 Donal L. Walker, Vice President - Commercial Lending

State of Texas
 County of Nueces

This instrument was acknowledged before me by Robert L. Walker, as Vice President - Commercial Lending of Texas Chamber Bank, on behalf of said Bank.

This the _____ day of _____, 20____

Notary Public in and for the State of Texas

State of Texas
 County of Nueces

Robert Bryon Johnson, hereby certifies that he is the owner of the lands embraced within the boundaries of the foregoing plat, and that he has duly assumed and subjected the same to the public use for the installation, operation and use of public utilities; and that this map was made for the purpose of description and dedication.

This the _____ day of _____, 20____

By: _____ 20____
 Robert Bryon Johnson

State of Texas
 County of Nueces

This instrument was acknowledged before me by Robert Bryon Johnson.

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