

Ordinance exempting Country Acres, Lots 4A & 4B, east of FM 1889 and north of CR 48, from the payment of a not to exceed amount of \$3,676.14 for the wastewater lot or acreage fee under Section 8.5.2.G.1 of the Unified Development Code; requiring a sanitary sewer connection agreement. (Planning Commission and staff recommend denial of fee waiver)

WHEREAS, Lots 4A & 4B, Country Acres, located east of FM 1889 and north of CR 48 is not currently served by the City wastewater system;

WHEREAS, the owner/developer has submitted a written request that the Subdivision be exempt from the payment of wastewater lot or acreage fees;

WHEREAS, the City Council finds that the Subdivision is not likely to be served by the City wastewater system within the next 15 years and that the Subdivision should be exempt from the payment of wastewater lot or acreage fees at this time.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS, THAT:

SECTION 1. Pursuant to the request of Enrique and Palmira Mendez (“owners”), Lots 4A & 4B, Country Acres is exempt from the wastewater lot or acreage fee in accordance with Section 8.5.2.G of the Unified Development Code of the City of Corpus Christi.

SECTION 2. The exemption from the payment of wastewater lot or acreage fees, pursuant to Section 8.5.2.G.1 of the Unified Development Code of the City of Corpus Christi, is conditioned upon owner/developer compliance with the following:

- a. That the owner/developer of the Subdivision enter into a Sanitary Sewer Connection Agreement with conditions (copy of Agreement attached hereto and incorporated herein to this Ordinance for all purposes).
- b. That the Sanitary Sewer Connection Agreement be recorded in the Office of the Nueces County Clerk’s Office prior to the recordation of the plat.

That the foregoing ordinance was read for the first time and passed to its second reading on this the _____ day of _____, 2021, by the following vote:

Paulette M. Guajardo _____

John Martinez _____

Roland Barrera _____

Ben Molina _____

Gil Hernandez _____

Mike Pusley _____

Michael Hunter _____

Greg Smith _____

Billy Lerma _____

That the foregoing ordinance was read for the second time and passed finally on this the _____ day of _____ 2021, by the following vote:

Paulette M. Guajardo _____

John Martinez _____

Roland Barrera _____

Ben Molina _____

Gil Hernandez _____

Mike Pusley _____

Michael Hunter _____

Greg Smith _____

Billy Lerma _____

PASSED AND APPROVED on this the _____ day of _____, 2021.
ATTEST:

Rebecca Huerta
City Secretary

Paulette M. Guajardo
Mayor

SANITARY SEWER CONNECTION AGREEMENT

THE 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 Enrique and Palmira Mendez, 3935 CR 79, Robstown, Texas 78380 hereinafter called "Developer/Owner".

WHEREAS, Developer/Owner in compliance with the City's Unified Development Code, has submitted the plat for Country Acres, Lots 4A & 4B, located east of FM 1889 and north of CR 48 and, 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;

Covenants running with the land

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 25th day of October, 2021.

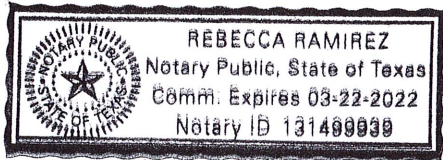
DEVELOPER/OWNERS:

Enrique Mendez
Enrique Mendez

Palmira Mendez
Palmira Mendez

STATE OF TEXAS §
 §
COUNTY OF NUECES §

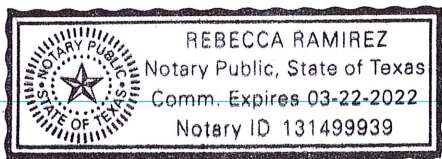
This instrument was acknowledged before me on this 25th day of October, 2021, by Enrique Mendez.



Rebecca Ramirez
Notary Public, State of Texas

STATE OF TEXAS §
 §
COUNTY OF NUECES §

This instrument was acknowledged before me on this 25th day of October, 2021, by Palmira Mendez.



Rebecca Ramirez
Notary Public, State of Texas

CITY OF CORPUS CHRISTI:

Al Raymond, AIA
Director of Development Services

THE STATE OF TEXAS §
 §
COUNTY OF NUECES §

This instrument was acknowledged before me on _____, 2021, by
_____, Director of Development Services for the City
of Corpus Christi, Texas.

Notary Public's Signature

APPROVED as to form:

Buck Brice
Assistant City Attorney
For City Attorney

