AGREEMENT FOR DIRECTED DONATION OF MONEY FOR TRAFFIC AND SAFETY IMPROVEMENTS AT TULOSO-MIDWAY PRIMARY SCHOOL

BE IT REMEMBERED, that on the 17th day of July, 2015, came on to be considered the donation of money to Tuloso-Midway Independent School District, Nueces County, Texas, (the "District") by AAF-Vantage at Corpus Christi, Inc., its successors or assigns (the "Donor"). After careful consideration, the Board of Trustees of the District has determined that the donation of an amount not to exceed ONE HUNDRED THIRTY THREE THOUSAND ONE HUNDRED EIGHTY SEVEN DOLLARS AND FIFTY CENTS ($133,187.50) (the "Donation") for traffic and safety improvements at Tuloso-Midway Primary School (the "School") is suitable to reconfigure the traffic flow and stacking in the School's parking lot and restripe the adjoining the City of Corpus Christi roadways, including Deer Run and Up River Road, to address traffic issues related to ingress and egress at the School (the "Improvements"), and thereby serves a public benefit.

BE IT THEREFORE RESOLVED, ADJUDGED and DECREED, that:

Section 1. The Donor is developing a multifamily housing complex (the "Project") in the vicinity of the School. The Donor has been made aware that during peak drop-off and pick-up hours for the School, traffic in the school parking lot and adjacent public roadway has become an on-going safety issue and concern. The Donor conducted a traffic study to assess any impact the Project would have on the traffic congestion at and around the School. The study showed that the Project would not have a significant impact or worsen the School area's traffic congestion. The parties hereby agree that, based on the traffic study, the Project is not and will not be a factor in the traffic problems at the School.

Section 2. The Donor desires to be a good neighbor to the School and create benefit for the public by mitigating the traffic congestion at and around the School; accordingly, the Donor hereby agrees to make the Donation.

Section 3. The Donation is contingent and shall be made by the Donor to the District upon closing of the Donor's construction loan to finance the Project. If the referenced construction loan does not close, the Donor is under no obligation to fund the Donation.

Section 4. The Donation amount shall be placed into escrow with Alamo Title (the "Escrow Agent"), subject to the terms and conditions of this Donation Agreement.

Section 5. The District hereby agrees to accept the Donation for the limited purpose of only funding the Improvements, to wit: (i) improving the School's parking lot in order to reconfigure the traffic flow, and (ii) in coordination with the City of Corpus Christi, improving the traffic flow adjacent to the School on Deer Run and Up River Road by restriping the roadways. The District agrees to complete these Improvements within twenty-four (24) months of receipt of the Donation.

Section 6. The Donation shall be used to reimburse the District for actual costs incurred in making the Improvements through draw requests. In order to receive a reimbursement, the District shall submit a draw request with evidence of payment and a corresponding invoice(s) to the Donor and the Escrow Agent. If the draw request is complete and complies with purposes outlined in Section 5 above, then the Escrow

Agent shall release a reimbursement to the District. The total amount of reimbursements provided to the District may not exceed the Donation amounts. If the Improvements cost more than the Donation amount, the Donor is not obligated to fund any additional amount.

Section 7. The Donation will be held escrow for twenty-four (24) months. On the first day of the twenty-fifth (25th) month after the Donation is placed into escrow, the Escrow Agent will release any and all remaining funds back to the Donor and the total value of the Donation under this Donation Agreement shall be adjusted accordingly.

Section 8. The Donation received by the District pursuant to this Donation Agreement shall only be applied to the Improvements. The Donor hereby assigns its rights to the traffic study attached hereto as Exhibit A; however, discretion as to how to undertake the Improvements shall remain solely with the District. The Donor shall have no obligation or liability with regard to the development or construction of Improvements or the attached traffic study.

Executed this 17th day of July, 2015.

APPROVED BY DONOR:

____

Name: David Smith

Title: Advantage @ Corpus Christi

ACCEPTED BY DISTRICT:

____

Paul Mostella, President, Board of Trustees
Tuloso-Midway Independent School District

Exhibit A

Traffic Study

The objective of this technical report is to provide information to be used on engineering design services related to Tuloso Midway Primary School parking lot revisions. Maximized parking and improved circulation will be combined into one new configuration.

The following guidelines have not received considerable attention in the Tuloso Midway Primary School Parking Lot revisions schematic design:

- **Number of School Access Driveways**: The proposed schematic recommends a total of 7 driveways for the school property. 4 of the driveways are to serve the parking lot and parent's pickup and drop off. Based on previous studies and policies, for an elementary school, the recommended number of driveways should not exceed 3.

Recommended Number of Driveways:

School Type	Number of Driveways
Elementary	2 – 3
Middle	2
High	3 - 4

Sources: • TTI 4286-2 report, http://tti.tamu.edu/documents/4286-2.pdf

- **Driveways location not conform to the minimum offset distances**: The change involved modifying the actual loop driveway used to drop off to a single two-way driveway. Recently, there was a new development approved (Lone Start States Subdivison) where the proposed ingress/egress location will be near the suggested single two-way driveway. This is an area of concern, since the proposed driveway location will not align with the proposed street that will service the residential development.

- **Provide adequate Stacking distance for parents drop off/ pick up**: The Proposed Parking Lot Revision does not offer the required Stacking length for a school with 1,200 students. The stacking length recommended should be between 750 to 1500 feet. This proposed layout, actually, reduces the current staking length by about 100'. GKW recommends a stacking distance between 1300 feet to 1500 feet; providing sufficient onsite stacking space, which allow the maximum queues to avoid overflows on the adjacent roadways. Based on the actual situation we research for best practices. To determine the loop drive stacking length for Tuloso-Midway Primary School, we recommend to use the Table 1 which recommends on-site stacking lengths for Texas schools. This information suggests a 750-1500 loop drive stacking length for student population 500 or more.

School Type /Student Population	Loop Drive Stacking Length (ft)
Elementary / Less than 500	400 – 750
Middle/ Less than 600	500 – 800
High (31) /400 – 800	800 – 1200

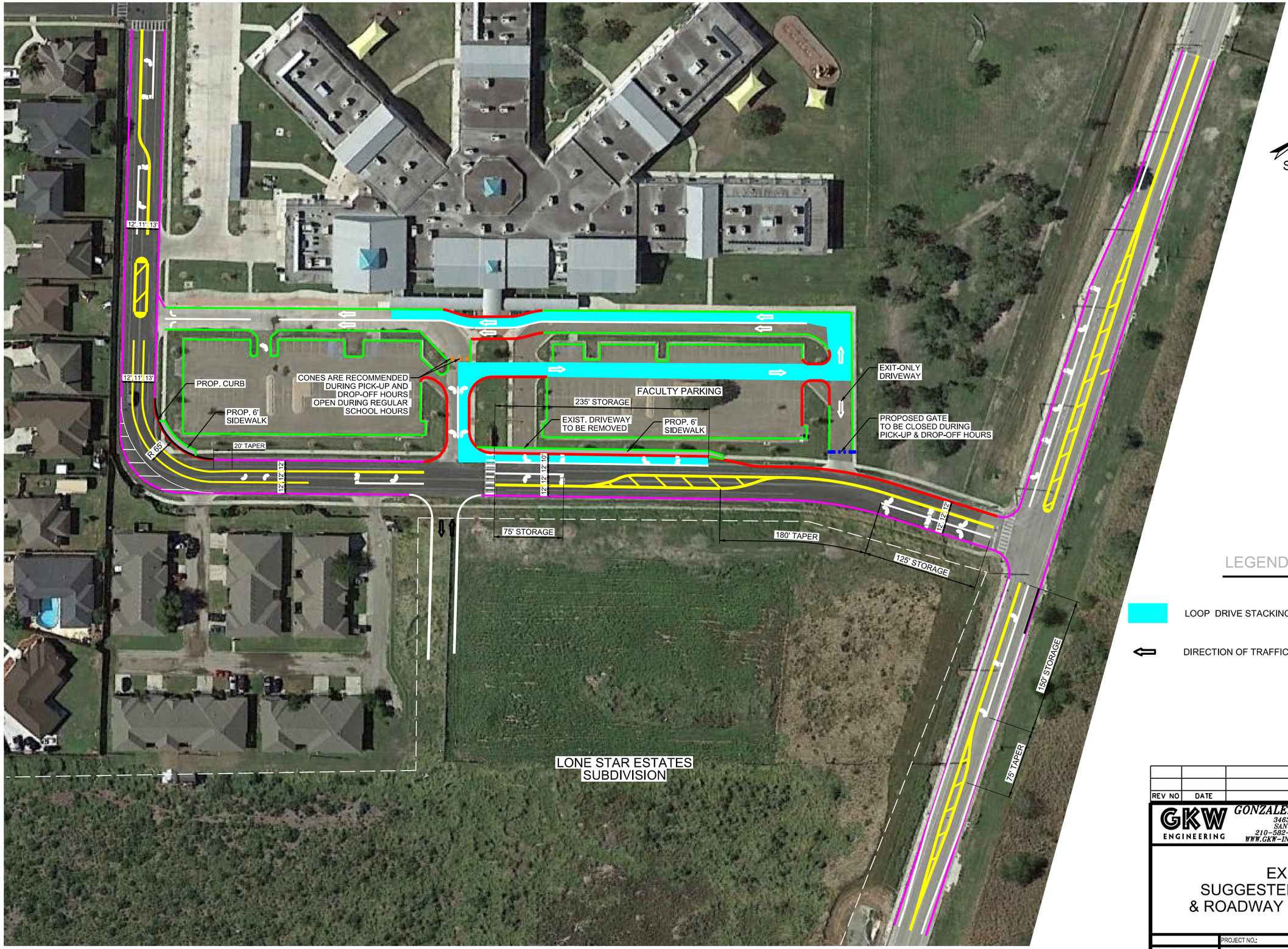
Table 1- School Type Student Population Loop Drive Stacking Length (linear feet) [TTI]
(Sources: • TTI 4286-2 report, http://tti.tamu.edu/documents/4286-2.pdf.)

- **Changes to the public street on providing turning lanes into the school:** This drawing does not make any recommendation to the public road to include a third lane (continuous left turn lane) or a dedicated right turn lane into the school entrance to manage the school operations.

GKW Recommendations (See Exhibits 5 & 6)

The change involved modifying the actual loop driveway to two one-way driveways (along Deer Run and Turning Leaf Drive). In the designs, we increase the actual drive stacking length from 726 linear feet to 1310 linear feet. An increase of 584 LF (80%) which is equivalent of approximately 29 additional vehicles. In addition, the proposed roadway striping will provide additional stacking in case that the queuing extends to the public street without affecting thru movements, thus providing a safer and more efficient alternative.

As shown on the exhibits, the proposed suggestion will require to restripe existing pavement foot print. For Up River Road NB Approach, the thru lane is proposed to be a 13 foot Shared lane (bike/auto) and a 10' left turn lane. For the SB Approach, maintain the right turn lane and provide 13 ft shared lane with a 10' median. For Deer Run, adding a 10-feet Right turn Lane onto the proposed School main entrance and restriping the existing pavement to provide a middle left turn lane. The overall section for Deer Run is 12 feet lanes, as shown on the exhibit. There will be a transition at the corner with Turning Leaf Dr. (See exhibits for details). This proposed layouts will provide ample queuing area on which the thru traffic will not be affected by on which is the existing case scenario. As an effect of the restriping, and having a two-way left turn lane, we suggest trimming the corner at Deer Run and Turning Leaf Dr. With the aid of AutoTURN 9 for Microstation V8i, and selecting a school bus as the vehicle of concern, we concluded and suggest a 65' radius for such corner for the turn to be feasible for the bus drivers without the need of obstruction to other travel lanes.



SCALE:1"=100'

LEGEND

LOOP DRIVE STACKING LENGTH 1310 LF

DIRECTION OF TRAFFIC FLOW

REV NO	DATE	DESCRIPTION	BY

GKW ENGINEERING
GONZALEZ, KYPUROS AND WHITE
3463 MAGIC DR., SUITE 250
SAN ANTONIO, TEXAS 78229
210-582-5870 FAX 210-582-5872
WWW.GKW-INC.COM FIRM No. TX - 4532

EXHIBIT 6
SUGGESTED SCHOOL SITE & ROADWAY CONFIGURATION

	PROJECT NO.:		DATE:
DRWN. BY:	DSGN. BY:	CHKD. BY:	SHEET NO.: OF

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