

Ordinance exempting Drillen Subdivision, located west of CR 73 and north along FM 624, from payment of wastewater acreage fee under Section 8.5.2.G.1 of the Unified Development Code and requiring a Sanitary Sewer Connection Agreement

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

WHEREAS, Drillen Subdivision located west of CR 73 and north along FM 624 is not currently served by the City wastewater system;

WHEREAS, the Planning Commission recommends 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 Butch and Margaret Drillen (“owner”), Drillen Subdivision 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

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 Butch and Margaret Drillen, 16234 FM 624, Robstown, Texas 78380 hereinafter called "Developer/Owner".

WHEREAS, Developer/Owner in compliance with the City's Unified Development Code, has submitted the plat for Drillen Subdivision (Plat), located west of CR 73 and north along FM 624 and, hereinafter called "Development," (**Exhibit 1**);

WHEREAS, City finds that the Subdivision it 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;

WHEREAS, wastewater lot and acreage fees are a requirement of the plat; and

WHEREAS, wastewater lot and acreage fees are being exempted conditioned upon this agreement.

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 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;
2. to exempt Drillen Subdivision from wastewater lot or acreage fees

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 22^{ed} day of October, 2021.

DEVELOPER/OWNERS:

Butch Drillen
Butch Drillen

Margaret Drillen
Margaret Drillen

STATE OF TEXAS §
 §
COUNTY OF NUECES §

This instrument was acknowledged before me on this 22^{ed} day of October, 2021, by Butch Drillen.



Kathrine R Friesen
Notary Public, State of Texas

STATE OF TEXAS §
 §
COUNTY OF NUECES §

This instrument was acknowledged before me on this 22^{ed} day of October, 2021, by Margaret Drillen.



Kathrine R Friesen
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

