

Ordinance disannexing a 75.58-acre tract from a 114.8-acre continuous parcel of land currently divided by the City limit boundary; amending the boundaries of Industrial District No. 2 to include the disannexed area; and approving Industrial District Agreement No. 110B with Bootstrap Energy LLC, requiring payment in lieu of taxes in the amount of 100% of the ad valorem taxes that would be due if the property remained in the City.

WHEREAS, under Texas Local Government Code Chapter 42, Section 42.044, the Governing body of any city has the right, power and authority to designate any part of the area located in its extraterritorial jurisdiction as an Industrial District, and to treat such area from time to time as such governing body may deem to be in the best interest of the City; and

WHEREAS, included in such rights and powers of the governing body of any city is the permissive right and power to enter into written agreements with the owner or owners of land in the extraterritorial jurisdiction of a city to guarantee the continuation of the extraterritorial status of such land, and immunity from annexation by the city for a period of time, and other such terms and considerations as the parties might deem appropriate; and

WHEREAS, it is the established policy of the City Council of the City of Corpus Christi, Texas (the " City"), to adopt reasonable measures permitted by law that will tend to enhance the economic stability and growth of the City and its environs by attracting the location of new and the expansion of existing industries therein as being in the best interest of the City and its citizens; and

WHEREAS, under said policy and the provisions of Section 42.044, Texas Local Government Code, the City of Corpus Christi has enacted Ordinance No. 15898, approved November 26, 1980, as amended, indicating its willingness to enter into industrial district agreements with industries located within its extraterritorial jurisdiction and designating the specified land areas as Corpus Christi Industrial Development Area No. 1 and Corpus Christi Industrial Development Area No. 2; and

WHEREAS, in order to correct certain boundary issues and to authorize new industrial district agreements to replace those that were about to expire, the City of Corpus Christi has enacted Ordinance No. 029958, approved September 17, 2013, as amended, which reestablished the boundaries of the land areas known as Corpus Christi Industrial Development Area No. 1 and Corpus Christi Industrial Development Area No. 2 and renamed such areas "Industrial District No. 1 and Industrial District No. 2", herein collectively called "Industrial Districts;" and

WHEREAS, Bootstrap Energy LLC ("Bootstrap") has purchased a 114.8-acre parcel that is currently divided by the City limit boundary and wishes to have the entire parcel added to an Industrial District Agreement ("IDA"); and

WHEREAS, in order to add the entire parcel owned by Bootstrap to Industrial District No. 2, the City must disannex that 75.58-acre tract that is within the City limits from the City boundaries, as authorized by Texas Local Government Code Section 43.142 and Article 1, Section 2 of the City Charter, and adjust the boundaries of Industrial District No. 2 to include that tract; and

WHEREAS, Bootstrap has agreed to enter into an IDA that will commit to making payment in lieu of tax payments in the amount of 100 percent of ad valorem taxes that would be due for the parcels were they inside city boundaries, and the City Council has determined that this arrangement would best serve the public's health, necessity, and convenience and the general welfare of the City and its citizens.

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

SECTION 1. The findings contained in the preamble of this Ordinance are determined to be true and correct and are hereby adopted as a part of this Ordinance.

SECTION 2. An approximately 78.58-acre tract of land owned by Bootstrap and located in Nueces County is disannexed from the City of Corpus Christi, Texas city limits and boundaries depicted and described in the attached **Map and Metes and Bounds Describing 75.58-acre Tract**.

SECTION 3. The boundaries of the City of Corpus Christi, Texas are adjusted to exclude that property comprising the above referenced tracts of land.

SECTION 4. Ordinance 029958, as previously amended by Ordinance 031797, is amended by amending that portion of Exhibit A of Ordinance 029958, which lays out the boundaries of Industrial District No. 2, to add the property described in the attached **Map and Metes and Bounds Describing 75.58-acre Tract**. That portion of Exhibit A laying out the boundaries of Industrial District No. 1 shall remain the same. Ordinance 029958 as amended is re-authorized.

SECTION 5. The City Council approves and authorizes the City to enter into the attached **Industrial District Agreement No. 110B** with Bootstrap, which requires Bootstrap to make payment in lieu of tax payments in the amount of 100 percent of ad valorem taxes that would be due for the parcels were they inside city boundaries, and to file such agreement in the official records of Nueces County. The City Manager, or designee, is hereby authorized to execute such documents and all related documents on behalf of the City of Corpus Christi. The City Secretary is hereby authorized to attest to all such signatures and to affix the seal of the City to all such documents.

SECTION 6. If Section 4, Section 5, or the attached **Industrial District Agreement No. 110B** is held invalid or unconstitutional by final judgment of a court of competent jurisdiction, then this ordinance shall be void and no longer in effect. If any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance, is held invalid

or unconstitutional by final judgment of a court of competent jurisdiction, that judgment shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance.

SECTION 7. Publication will be made in the official publication of the City of Corpus Christi as required by the City Charter of the City of Corpus Christi.

That the foregoing ordinance was read for the first time and passed to its second reading on this the ____ day of _____, 2022, by the following vote:

Paulette M. Guajardo _____
Roland Barrera _____
Gil Hernandez _____
Michael Hunter _____
Billy Lerma _____

John Martinez _____
Ben Molina _____
Mike Pusley _____
Greg Smith _____

That the foregoing ordinance was read for the second time and passed finally on this the ____ day of _____ 2022, by the following vote:

Paulette M. Guajardo _____
Roland Barrera _____
Gil Hernandez _____
Michael Hunter _____
Billy Lerma _____

John Martinez _____
Ben Molina _____
Mike Pusley _____
Greg Smith _____

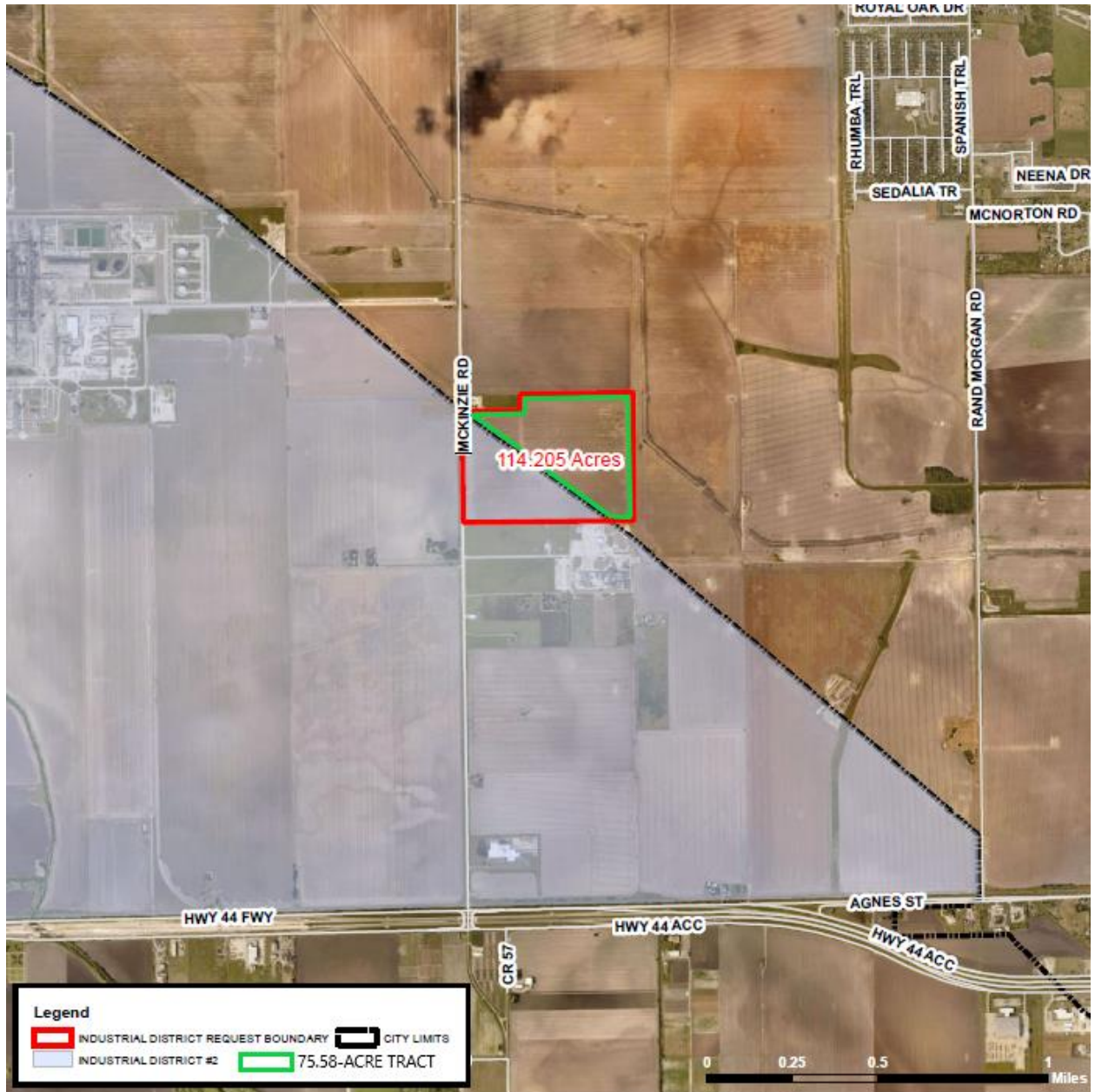
PASSED AND APPROVED on this the ____ day of _____, 2022.

ATTEST:

Rebecca Huerta
City Secretary

Paulette M. Guajardo
Mayor

MAP AND METES AND BOUNDS OF 75.58-ACRE TRACT



MAP AND METES AND BOUNDS OF 75.58-ACRE TRACT

70.572 ACRE TRACT
NUECES COUNTY, TEXAS

Page 1 of 1

DESCRIPTION FOR A 70.572 ACRE TRACT

A DESCRIPTION FOR A 70.572 ACRE TRACT WITHIN THE CITY LIMITS OF CORPUS CHRISTI, TEXAS, IN THE SOUTHEAST QUARTER OF THE ADAMS, BEATY & MOULTON SURVEY 409, A-555, NUECES COUNTY, TEXAS, SAID 70.572 ACRE TRACT BEING PART OF A CALLED 114.205 ACRE TRACT AS CONVEYED TO BOOTSTRAP ENERGY, LLC, RECORDED IN DOCUMENT NO. 202208479, OF THE OFFICIAL PUBLIC RECORDS OF NUECES COUNTY, TEXAS (O.P.R.N.C.T.). SAID 70.572 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8 INCH IRON ROD WITH CAP STAMPED "BRISTER SURVEYING" FOUND AT THE NORTHWEST CORNER OF SAID 114.205 ACRE TRACT, LYING IN THE SOUTH LINE OF A CALLED 40 ACRES CONVEYED TO WM MICHAEL MULVEY, CATHOLIC DIOCESE, RECORDED IN VOLUME 1640, PAGE 446, DEED RECORDS OF NUECES COUNTY, TEXAS (D.R.N.C.T.) AND RECORDED IN DOCUMENT NO. 2010015615 OF THE OFFICIAL PUBLIC RECORDS OF NUECES COUNTY, TEXAS (O.P.R.N.C.T.) AND BEING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N 89°11'31" E, ALONG THE NORTH LINE OF SAID 114.205 ACRE TRACT AND SOUTH LINE OF SAID 40 ACRE TRACT, A DISTANCE OF 1,738.79 FEET TO A 5/8 INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID 114.205 ACRE TRACT, SOUTHEAST CORNER OF SAID 40 ACRE TRACT, LYING IN THE WEST LINE OF A CALLED 742.54 ACRE TRACT CONVEYED TO BRAMAN RANCHES, LLC, RECORDED IN DOCUMENT NO. 2008044426, OF THE OFFICIAL PUBLIC RECORDS OF NUECES COUNTY, TEXAS (O.P.R.N.C.T.) AND THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, S 00°45'32" E, ALONG THE EAST LINE OF SAID 114.205 ACRE TRACT AND WEST LINE OF SAID 742.54 ACRE TRACT, A DISTANCE OF 1,974.62 FEET TO A 1-1/2 INCH IRON PIPE FOUND FOR THE SOUTHEAST CORNER OF SAID 114.205 ACRE TRACT, ALSO BEING THE NORTHEAST CORNER OF A TRACT "B" OF TRACT V AND CALLED 30.41 ACRE TRACT, CONVEYED TO VALERO MANAGEMENT PARTNERSHIP, L.P., RECORDED IN VOLUME 2053, PAGE 302, DEED RECORDS OF NUECES COUNTY, TEXAS (D.R.N.C.T.), LYING IN THE WEST LINE OF SAID 742.54 ACRE TRACT AND BEING THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, S 89°25'11" W, ALONG THE SOUTH LINE OF SAID 114.205 ACRE TRACT AND NORTH LINE OF SAID 30.41 ACRE TRACT, A DISTANCE OF 395.66 FEET TO A CALCULATED POINT LYING IN THE SOUTH LINE OF SAID 114.205 ACRE TRACT AND THE SOUTHWEST CITY LIMITS LINE OF THE CITY OF CORPUS CHRISTI AND BEING THE SOUTHERN SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

MAP AND METES AND BOUNDS OF 75.58-ACRE TRACT

70.572 ACRE TRACT
NUECES COUNTY, TEXAS

Page 2 of 1

THENCE, OVER AND ACROSS SAID 114.205 ACRE TRACT AND ALONG SAID CITY LIMITS LINE, THE FOLLOWING SIX (6) COURSES AND DISTANCES:

1. N 53°34'22" W, A DISTANCE OF 1,087.17 FEET TO A CALCULATED POINT;
2. N 54°03'21" W, A DISTANCE OF 1,137.56 FEET TO A CALCULATED POINT;
3. N 51°09'29" W, A DISTANCE OF 500.00 FEET TO A CALCULATED POINT;
4. N 46°57'36" W, A DISTANCE OF 66.60 FEET TO A CALCULATED POINT;
5. N 00°50'32" W, A DISTANCE OF 8.80 FEET TO A CALCULATED POINT;
6. N 49°44'09" W, A DISTANCE OF 16.43 FEET TO A CALCULATED POINT LYING IN THE SOUTHERN NORTH LINE OF SAID 114.205 ACRE TRACT AND SOUTH LINE OF LOT 2 OF MCKINZIE ACRES, RECORDED IN VOLUME 42, PAGE 6, MAP RECORDS OF NUECES COUNTY, TEXAS (M.R.N.C.T.) AND BEING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N 89°13'21" E, ALONG THE SOUTHERN NORTH LINE OF SAID 114.205 ACRE TRACT AND SOUTH LINE OF SAID LOT 2, 28.90 PASSING A 1/2 INCH IRON ROD WITH CAP FOUND AND CONTINUING FOR A TOTAL DISTANCE OF 880.92 FEET TO A 5/8 INCH IRON ROD LEANING FOUND AT AN INTERIOR CORNER FOR SAID 114.205 ACRE TRACT, SOUTHEAST CORNER OF SAID MCKINZIE ACRES AND BEING AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N 00°47'46" W, ALONG THE EASTERN WEST LINE OF SAID 114.205 ACRE TRACT AND EAST LINE OF SAID MCKINZIE ACRES, A DISTANCE OF 250.23 FEET TO THE POINT OF BEGINNING AND CONTAINING 70.572 ACRES OF LAND.

Surveying and Mapping, LLC
11111 Katy Freeway, Suite 200
Houston, Texas 77079
TX. Firm Reg. No. 10064300




J.M. Tucker
Registered Professional Land Surveyor
No. 5202 – State of Texas

03/03/2022
Date