

MUNICIPAL SERVICE PLAN  
FOR COUNTY ROADS 18 and 43

**Introduction**

This Service Plan (“Plan”) is made by the City of Corpus Christi, Texas pursuant to Section 43.056 of the Texas Local Government Code. This Plan relates to the annexation of County Right of Way for County Roads 18 and 43 as depicted in the attached Metes and Bounds (EXHIBIT A) and annexation area map (EXHIBIT B).

**a. Service to be provided pursuant to Texas Local Government Code 43.056(b)**

**(1) Police Protection:**

*Services to be Provided:* The Corpus Christi Police Department (CCPD) will provide police protection within the City Limits.

**(2) Fire Protection:**

*Services to be Provided:* The Corpus Christi Fire Department will provide fire protection and suppression within the City Limits through its existing fire stations.

**(3) Emergency Medical Service:**

*Services to be Provided:* The Corpus Christi Fire Department will provide emergency medical services within the City Limits.

**(4) Solid Waste Collection:**

*Services to be Provided:* After the effective date of annexation, the City of Corpus Christi will provide solid waste services to single family residential customers within the City Limits, directly or indirectly through a third-party contract.

Commercial garbage collection service for businesses and multi-family residences is available on a subscription basis from private service providers. The City of Corpus Christi will allow commercial refuse collectors to continue providing this service to condominium complexes, multi-family apartments and commercial and industrial establishments.

**(5) Operation and Maintenance of Water and Wastewater Facilities that are not Within the Service Area of Another Water or Wastewater Utility:**

Water and wastewater service will be provided within the City Limits in accordance with the Corpus Christi Unified Development Code, Utility Department Policies and engineering standards and provided the service is not within the certificated service area of another utility through existing facilities located within or adjacent to the area. Any and all water or wastewater facilities

owned or maintained by the City of Corpus Christi, Texas, at the time of the proposed annexation shall continue to be maintained by the City of Corpus Christi, Texas. Any and all water or wastewater facilities that may be the property of another municipality or other entity shall not be maintained by the City of Corpus Christi unless the facilities are dedicated to and accepted by the City of Corpus Christi. The current water line mains at their existing locations shall be available for point of use extension based upon the current City's standard water extension policies now existing or as may be amended.

On-site sewage facilities may be allowed contingent upon the property owner meeting all city, county, state and federal requirements.

**6) Operation and Maintenance of Roads, Streets, and Right of Ways:**

The City will maintain public streets and roads over which the City has jurisdiction. Roads, streets or alleyways which are dedicated to and accepted by the City of Corpus Christi, Texas, or which are owned by the City of Corpus Christi, Texas, shall be maintained to the same degree and extent that other roads, streets and alleyways are maintained in the City. Future road and street infrastructure and improvements will be constructed by the platting landowners or landowners' developers according to the Corpus Christi Unified Development Code, City's design standards, and City's master plans, as may be amended.

**(7) Operation and Maintenance of Parks, Playgrounds and Swimming Pools:**

Currently there are no public recreational facilities in the annexation area including parks, playgrounds, or swimming pools. Any park that may be under the responsibility of the County will be maintained by the City only upon dedication of the park by the County to the City and acceptance of the park by the City Council.

**(8) Operation and Maintenance of any other Publicly-Owned Facility, Building, or Service:**

Currently there are no such other publicly owned facilities, buildings, or services identified. If the City acquires any publicly owned facilities, buildings, or services within the annexation area, an appropriate City department will provide maintenance services.

**b. Services to be provided pursuant to Texas Local Government Code 43.056(C)**

**(1) Water Service:**

*Existing Services:* Currently, the annexation area lies outside a water certificate of convenience and necessity ("CCN").

*Services to be Provided:* Absent a water CCN, by the utility in whose jurisdiction the subject property, or portions thereof as applicable, is located, the extension of water service will be provided in accordance with all the ordinances, regulations, and policies of the City.

**(2) Wastewater Service:**

*Existing Services:* Currently, the annexation area lies outside a wastewater certificate of convenience and necessity (“CCN”).

*Services to be Provided:* Absent a wastewater CCN, by the utility in whose jurisdiction the subject property, or portions thereof as applicable, is located, the extension of wastewater service will be provided in accordance with all the ordinances, regulations, and policies of the City. When areas are not reasonably accessible to a public wastewater facility of sufficient capacity as determined by adopted City wastewater standards, individual aerobic system or individual wastewater treatment plant will be utilized in accordance with all the ordinances, regulations, and policies of the City.

**(3) Planning and Zoning Services:**

*Existing Services:* Subdivision planning services currently provided when plats are submitted for City review.

*Services to be Provided:* Planning and zoning services will be provided by the City. The use of land in a legal manner may continue in accordance with Texas Local Government Code §43.002.

**(4) Other Municipal Services:**

Excluding gas and electric services, all other City Departments with jurisdiction in the area will provide services within the City Limits according to City policy and procedure.

**c. Capital improvement program pursuant to Texas Local Government Code 43.056(e)**

No additional capital improvements are necessary at this time to service the Subject Property in the same manner as similarly situated properties. Upon development of the Subject Property or redevelopment, the Landowner will be responsible for the development costs the same as a developer in a similarly situated area under the ordinances in effect at the time of development or redevelopment. Capital improvement acquisition or construction will occur in accordance with applicable ordinances and regulations and the adopted capital improvement plans of the City, as may be amended.

**(1) Police Protection:** No capital improvements are necessary at this time to provide police services.

- (2) **Fire Protection:** No capital improvements are necessary at this time to provide fire services.
- (3) **Emergency Medical Service:** No capital improvements are necessary at this time to provide emergency medical services.
- (4) **Solid Waste Collection:** No capital improvements are necessary at this time to provide solid waste collection services.
- (5) **Water and Wastewater Facilities:** No additional capital improvements are necessary at this time to provide water or wastewater services.
- (6) **Parks, Playgrounds and Swimming Pools.** No capital improvements are necessary at this time to provide services.
- (7) **Other Publicly Owned Facilities, Buildings or Services:** In general, other City functions and services, and the additional services described above can be provided for the annexation area by using existing capital improvements. Additional capital improvements are not necessary to provide other City services.
- (8) **Capital Improvements Planning:** The annexation area will be included with other territory in connection with the planning for new or expanded facilities, functions, and services as part of the City's Capital Improvement Plan and Three-Year Capital Budget program.

**d. Effective Term pursuant to Texas Local Government Code 43.056(I)**

This Plan shall be in effect for a ten-year period commencing on the effective date of the annexation, unless otherwise stated in this Plan. Renewal of the Plan shall be at the option of the City. A renewal of this Plan may be exercised by the City Council provided the renewal is adopted by ordinance and specifically renews this Plan for a stated period of time.

**e. Special Findings**

The City Council of the City of Corpus Christi, Texas, finds and determines that this Plan will not provide any fewer services or a lower level of services in the annexation area than were in existence in the annexation area at the time immediately preceding the annexation process. The service plan will provide the annexed area with a level of service, infrastructure, and infrastructure maintenance that is comparable to the level of service, infrastructure, and infrastructure maintenance available in other parts of the municipality with topography, land use, and population density similar to those reasonably contemplated or projected in the area.

The City reserves the right guaranteed to it by the Texas Local Government Code to amend this Plan if the City Council determines that changed conditions or subsequent occurrences or any other legally sufficient circumstances exist under the Local Government Code or other Texas laws to make this Plan unworkable or obsolete or unlawful.

#### **f. Amendment: Governing Law**

This Plan may not be amended or repealed except as provided by the Texas Local Government Code or other controlling law. Neither changes in the methods or means of implementing any part of the service programs nor changes in the responsibilities of the various departments of the City shall constitute amendments to this Plan, and the City reserves the right to make such changes. This Plan is subject to and shall be interpreted in accordance with the Constitution and laws of the United States of America and the State of Texas, the Texas Local Government Code, and the orders, rules and regulations of governmental bodies and officers having jurisdiction.

#### **g. Force Majeure**

In case of an emergency, such as force majeure as that term is defined in this Plan, in which the City is forced to temporarily divert its personnel and resources away from the annexation area for humanitarian purposes or protection of the general public, the City obligates itself to take all reasonable measures to restore services to the annexation area of the level described in this Plan as soon as possible. Force Majeure shall include, but not be limited to, acts of God, acts of the public enemy, war, blockages, insurrection, riots, epidemics, landslides, lightning, earthquakes, fires, storms, floods, washouts, droughts, tornadoes, hurricanes, arrest and restraint of government, explosions, collisions and other inability of the City, whether similar to those enumerated or otherwise, which is not within the control of the City. Unavailability or shortage of funds shall not constitute Force Majeure for purposes of this Plan.

#### **h. Level of Service**

Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City, including the annexed areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

The City of Corpus Christi will provide services to the newly annexed area in a manner that is similar in type, kind, quantity, and quality of service presently enjoyed by the citizens of the City of Corpus Christi, Texas, who reside in areas of similar topography, land utilization and population density.

**EXHIBIT A  
METES AND BOUNDS**

Field notes of a 9.780-acre tract being a portion of County Road 43 and County Road 18. Said 9.780-acre tract being out of Sections 29, 30, 33, and 34, "Laureles Fann Tracts" as shown on the plat recorded in Volume 3, Page 15, Map Records of Nueces County, Texas. Said 9.780-acre tract being more particularly described as follows:

**BEGINNING** at a point in the north line of this survey, at the intersection of the center of Farm to Market 2444 (A.K.A. South Staples Street), and the extension of the center of County Road 43, said point also being the common corner of the north and south halves of Sections 29 and 30.

**THENCE** with the common line of the north and south half of Section 30, the center of Farm to Market 2444, and this survey, North 89°11 '13" East, a distance of 20.00 feet to a point at the intersection of the center of Farm to Market 2444 and the extended east right of way of County Road 43, and for the upper northeast corner of this survey.

**THENCE** with the common line of the extension of the east right of way of County Road 43 and this survey, South 00°48'58" East, at a distance of 50.00 feet pass a point for the northwest corner of the Cypress Point Capital, LLC 37.44 acre tract described in a deed recorded in Document No. 2017046839, Official Public Records of Nueces County, Texas, at a distance of 1908.12 feet pass a point for the southwest corner of said 37.44 acre tract, and for the northwest corner of the AI Development, INC 122.56 acre tract described in a deed recorded in Document No. 2015038326, Official Public Records of Nueces County, Texas, and in all a total distance of 5,260.64 feet to a point in the intersection of the east right of way of County Road 43 and the north right of way of County Road 18, for the southwest corner of said 122.56 acre tract, and for an inside corner of this survey, from **WHENCE** a 5/8" re-bar found in the intersection of the center of County Road 43 and the center of County Road 18, and for the common corner of the north and south halves of Sections 33 and 34 bears South 89°11 '26" West, a distance of 20.00 feet and South 00°48'58" East, a distance of 20.00 feet.

**THENCE** with the common line of the north right of way of County Road 18, said 122.56 acre tract, and this survey, North 89°11 '26" East, at a distance of 1,337.63 feet pass the southeast corner of said 122.56 acre tract, and for the southwest corner of the GTHH Development, LLC 136.02 acre tract described in a deed recorded in Document No. 2016025037, Official Public Records of Nueces County, Texas, at a distance of 2,635.69 feet pass a 5/8" re-bar found for the southeast corner of said 136.02 acre tract, and for the southwest corner of the Old Square, LLC 61.68 acre tract described in a deed recorded in Document No. 2021031571, Official Records of Nueces County, Texas, at a distance of 3,935.86 feet pass a 5/8" re-bar found for the southeast corner of said 61.68 acre tract, in the west line of the Michael Theodore Joseph Meaney and Marie Meaney 143.79 acre tract described in a deed recorded in Document No. 2012025925, Official Public Records of Nueces County, Texas, at a distance of 5,241.80 feet pass the west right of way of County Road 41, and in all a total distance of

5,261.80 feet to a point in the center of County Road 41, in the east line of said 143.79 acre tract, in the common line of Sections 32 and 33, and for the lower northeast corner of this survey.

**THENCE** with the common line of the center of County Road 41, said 143.79-acre tract, Sections 32 and 33, and this survey, South 00°48'34" East, at a distance of 20.00 feet pass a concrete monument previously set in the intersection of the center of County Road 41 and the center of County Road I 8, for the common corner of the north and south halves of Sections 32 and 33, for the southeast corner of said 143.79-acre tract, and for the northeast corner of a the El Casaga, LTD 320 acre tract described in a deed recorded in Document No. 2000027265, Official Records of Nueces County, Texas, and in all a total distance of 40.00 feet to a point at the intersection of the center of County Road 41 and the extended south right of way of County Road 18, and for the southeast corner of this survey.

**THENCE** with the common line of the south right of way of County Road 18 and this survey, South 89°11 '26" West, at a distance of 5,281.80 feet pass a point in the intersection of the center of County Road 43 and the south right of way of County Road 18, and in all a total distance of 5301.80 feet to a point in the intersection of the south right of way of County Road 18 and the west right of way of County Road 43 and for the southwest corner of this survey.

**THENCE** with the common line of the west right of way of County Road 43 and this survey, North 00°48'58" West, at a distance of 20.00 feet pass a point in the intersection of the center of County Road 18 and the west right of way of County Road 43, from **WHENCE** a railroad spike found in the intersection of the center of County Road I 8 and the center of County Road 47 and for the common corner of the south and north halves of Sections 35 and 36 bears South 89° 11 '26" West, a distance of 10,541.56 feet; at a distance of 3,084.12 feet pass a point in the intersection of the west right of way of County Road 43 and the south line of the City of Corpus Christi 13.48 acre tract described in a deed recorded in Document No. 1999037444, Official Public Records of Nueces County, Texas, at a distance of 4,158.63 feet pass a point in the intersection of the west right of way of County Road 43 and the common line of said 13.48 acre tract and of the City of Corpus Christi 15.55 acre tract described in said deed recorded in Document No. 1999037444, Official Public Records of Nueces County, Texas, and in all a total distance of 4,950.63 feet to a point in the intersection of the west right of way of County Road 43 and the north line of said 15.55-acre tract, for the southeast corner of the City of Corpus Christi 0.07-acre tract described in said deed recorded in Document No. 1999037444, Official Public Records of Nueces County, Texas, and for an inside corner of this survey.

**THENCE** with the common line of said 0.07-acre tract, said 15.55-acre tract, and this survey, South 89°11 '02" West, a distance of 10.00 feet to a point in the current west right of way of County Road 43, in the north line of said 15.55-acre tract, for the southwest corner of said 0.07-acre tract, and for an outside corner of this survey.

**THENCE** with the common line of the current west right of way of County Road 43, the west line of said 0.07-acre tract, and this survey, North  $00^{\circ}48'58''$  West, at a distance of 300.00 feet pass a point in the intersection of the west right of way of County Road 43 and the south right of way of Farm to Market 2444, and in all a total distance of 350.00 feet to a point in the center of Farm to Market 2444, in the common line of the north and south halves of Section 29, and for the northwest corner of this survey.

**THENCE** with the common line of the center of Farm to Market 2444, the north and south halves of Section 29, and this survey, North  $89^{\circ}11' 13''$  East, a distance of 30.00 feet to the **POINT** of **BEGINNING** of this tract, and containing 9.780 acres of land, more or less.

Notes:

- 1.) Bearings are based on Global Positioning System NAD 83 (93) 4205 Datum.
- 2.) Set 5/8" re-bar= steel re-bar set with yellow plastic cap labeled Brister Surveying.

# EXHIBIT B ANNEXATION AREA MAP

