

Ordinance exempting Lot 1, Block 1, Hale Horse Ranch, located North of FM 665 and West of CR 763 with the frontage along CR 32, 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, Lot 1, Block 1, Hale Horse Ranch (Subdivision) located north of FM 665 and west of CR 763 with the frontage along CR 32 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 J & N Hill Country Investments, LLC (“owner”), Lot 1, Block 1, Hale Horse Ranch 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 J & N Hill Country Investments, LLC, 218 Woodland Acres Drive, Marble Falls, Texas 78654 hereinafter called "Developer/Owner".

WHEREAS, Developer/Owner in compliance with the City's Unified Development Code, has submitted the plat for Hale Horse Ranch, Block 1, Lot 1, Located north of FM 665 and west of CR 763 with the frontage along CR 32 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;

INDEMNIFICATION:

DEVELOPER/OWNER, COVENANTS TO FULLY INDEMNIFY, SAVE AND HOLD HARMLESS THE CITY OF CORPUS CHRISTI, ITS OFFICERS, EMPLOYEES, AND AGENTS, ("INDEMNITEES") AGAINST ANY AND ALL LIABILITY, DAMAGE, LOSS, CLAIMS, DEMANDS AND ACTIONS OF ANY NATURE WHATSOEVER ON ACCOUNT OF PERSONAL INJURIES (INCLUDING, WITHOUT LIMITATION ON THE FOREGOING, WORKERS' COMPENSATION AND DEATH CLAIMS), OR PROPERTY LOSS OR DAMAGE OF ANY KIND WHATSOEVER, WHICH ARISE OUT OF OR ARE IN ANY MANNER CONNECTED WITH, OR ARE CLAIMED TO ARISE OUT OF OR BE IN ANY MANNER CONNECTED WITH THE CONSTRUCTION, INSTALLATION, EXISTENCE, OPERATION, USE, MAINTENANCE, REPAIR, RESTORATION, OR REMOVAL OF THE PUBLIC IMPROVEMENTS ASSOCIATED WITH THE DEVELOPMENT OF PARK SPRINGS IHS, BLOCK 1, LOTS 1 THROUGH 3, INCLUDING THE INJURY, LOSS OR DAMAGE CAUSED BY THE SOLE OR CONTRIBUTORY NEGLIGENCE OF THE INDEMNITEES OR ANY OF THEM.

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 15th **day of** October, 2021.

DEVELOPER/OWNERS:



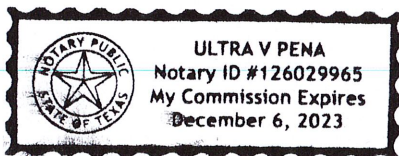
Jules Jay Hale (Managing Member)
J & N Hill Country Investments, LLC

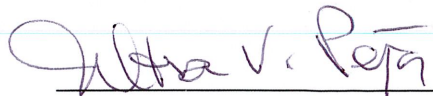


Nicole Jean Hale (Managing Member)
J & N Hill Country Investments, LLC

STATE OF TEXAS §
 §
COUNTY OF NUECES §

This instrument was acknowledged before me on this 15th, day of October, 2021, by Ultra V. Pena.





Notary Public, State of Texas

CITY OF CORPUS CHRISTI:

Al Raymond, AIA
Director of Development Services

THE STATE OF TEXAS §
 §
COUNTY OF NUECES §

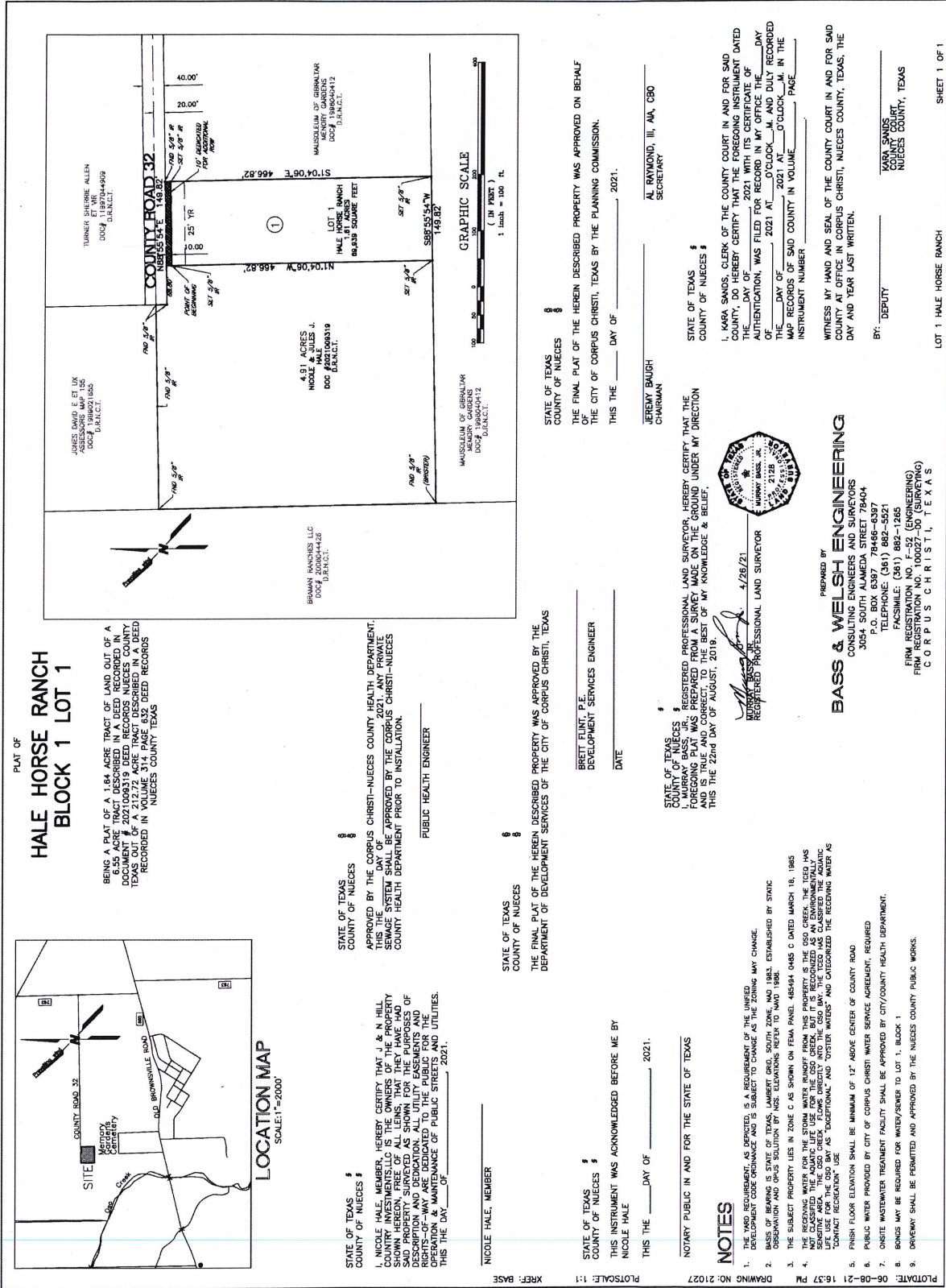
This instrument was acknowledged before me on _____, 2021, by
_____, Director of Development Services for the City
of Corpus Christi, Texas.

Notary Public's Signature

APPROVED as to form:

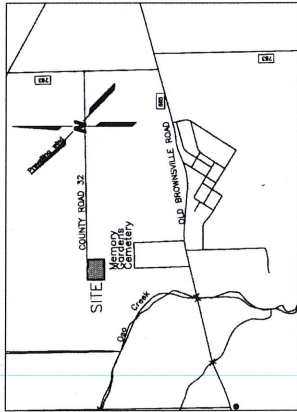
Buck Brice
Assistant City Attorney
For City Attorney

EXHIBIT 1



PLAT OF
HALE HORSE RANCH
BLOCK 1 LOT 1

BEING A PLAT OF A 1.64 ACRE TRACT OF LAND OUT OF A 6.55 ACRE TRACT DESCRIBED IN A DEED RECORDED IN PUBLIC RECORDS IN VOLUME 185, PAGE 185, DEED RECORDS, TEXAS, OUT OF A 212.72 ACRE TRACT DESCRIBED IN A DEED RECORDED IN VOLUME 314, PAGE 632, DEED RECORDS, NUECES COUNTY TEXAS



LOCATION MAP
SCALE: 1"=2000'

STATE OF TEXAS §
COUNTY OF NUECES §
APPROVED BY THE CORPUS CHRISTI-NUECES COUNTY HEALTH DEPARTMENT, THIS THE _____ DAY OF _____, 2021. ANY PRIVATE SEWAGE SYSTEM SHALL BE APPROVED BY THE CORPUS CHRISTI-NUECES COUNTY HEALTH DEPARTMENT PRIOR TO INSTALLATION.

PUBLIC HEALTH ENGINEER

STATE OF TEXAS §
COUNTY OF NUECES §
THE FINAL PLAT OF THE HEREN DESCRIBED PROPERTY WAS APPROVED BY THE DEPARTMENT OF DEVELOPMENT SERVICES OF THE CITY OF CORPUS CHRISTI, TEXAS

BRETT FLINT, P.E.
DEVELOPMENT SERVICES ENGINEER
DATE _____

STATE OF TEXAS §
COUNTY OF NUECES §
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY NICOLE HALE
THIS THE _____ DAY OF _____, 2021.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

NOTES

1. THE PROPERTY IS SUBJECT TO A REVENUE OF THE NEIGHBORHOOD DEVELOPMENT CODE OR ZONING AND IS SUBJECT TO CHANGE AS THE ZONING MAY CHANGE.
2. BASIS OF MEASUREMENT IS STATE OF TEXAS, LAMBERT GRID, SOUTH ZONE, AND 1983, ESTABLISHED BY STATE OBSERVATION AND OPUS SOLUTION BY NGS. ELEVATIONS REFER TO "MAD 1988".
3. THE SUBJECT PROPERTY LIES IN ZONE C AS SHOWN ON FEMA PANEL 485194 0485 C DATED MARCH 18, 1985.
4. THE RECEIVING WATER FOR THE STORM WATER RUNOFF FROM THIS PROPERTY IS THE OSO CREEK. THE TCEO HAS NOT CLASSIFIED THE "WADO" LIFE USE FOR THE OSO CREEK, BUT IT IS RECOGNIZED AS AN ENVIRONMENTALLY SENSITIVE AREA. THE "WADO" LIFE USE FOR THE OSO CREEK IS "EXCEPTIONAL" AND "OYSTER WATERS" AND CATEGORIZED THE RECEIVING WATER AS "CONTACT RECREATION" USE.
5. FINISH FLOOR ELEVATION SHALL BE MINIMUM OF 17' ABOVE CENTER OF COUNTY ROAD.
6. PUBLIC WATER PROVIDED BY CITY OF CORPUS CHRISTI WATER SERVICE AGREEMENT, REQUIRED.
7. ON-SITE WASTEWATER TREATMENT FACILITY SHALL BE APPROVED BY CITY/COUNTY HEALTH DEPARTMENT.
8. BONDS MAY BE REQUIRED FOR WATER/SERVICES TO LOT 1, BLOCK 1.
9. DRIVEWAY SHALL BE PERMITTED AND APPROVED BY THE NUECES COUNTY PUBLIC WORKS.

STATE OF TEXAS §
COUNTY OF NUECES §
THE FINAL PLAT OF THE HEREN DESCRIBED PROPERTY WAS APPROVED ON BEHALF OF THE CITY OF CORPUS CHRISTI, TEXAS BY THE PLANNING COMMISSION.
THIS THE _____ DAY OF _____, 2021.

JEREMY BAUGH
CHAIRMAN
AL RAYMOND, III, MA, CBO
SECRETARY

STATE OF TEXAS §
COUNTY OF NUECES §
I, MURRAY BASS, JR., REGISTERED PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THE SURVEYING PLANS AND INSTRUMENTS MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION CORRECTLY REPRESENT THE TRUTH OF MY KNOWLEDGE & BELIEF.
THIS THE 22nd DAY OF AUGUST, 2019.



MURRAY BASS, JR.
REGISTERED PROFESSIONAL LAND SURVEYOR
4/28/21

PREPARED BY
BASS & WELSH ENGINEERING
CONSULTING ENGINEERS AND SURVEYORS
3054 SOUTH ALAMEDA STREET 78404
DALLAS, TEXAS 75219
TELEPHONE (214) 488-5577
FAX (214) 488-5577

FIRM REGISTRATION NO. F-52 (ENGINEERING)
FIRM REGISTRATION NO. 100027-00 (SURVEYING)
CORPUS CHRISTI, TEXAS

STATE OF TEXAS §
COUNTY OF NUECES §
I, KARA SANDS, CLERK OF THE COUNTY COURT IN AND FOR SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT DATED _____ DAY OF _____, 2021 WITH ITS CERTIFICATE OF AUTHENTICATION, WAS FILED FOR RECORD IN MY OFFICE THIS DAY OF _____, 2021 AT _____ O'CLOCK _____ A.M. IN THE MAP RECORDS OF SAID COUNTY IN VOLUME _____ PAGE _____ INSTRUMENT NUMBER _____

WITNESS MY HAND AND SEAL OF THE COUNTY COURT IN AND FOR SAID COUNTY AT OFFICE IN CORPUS CHRISTI, NUECES COUNTY, TEXAS, THE DAY AND YEAR LAST WRITTEN.

BY: DEPUTY
KARA SANDS
COUNTY CLERK
NUECES COUNTY, TEXAS

LOT 1 HALE HORSE RANCH
SHEET 1 OF 1