

**ORDINANCE**

**AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE TO ACCEPT \$69,267.05 FROM FIRST WORTHING COMPANY AS PAYMENT IN LIEU OF CONSTRUCTING ONE-HALF OF DUNBARTON OAKS AND THE SUPPORTING PUBLIC UTILITY INFRASTRUCTURE (“IMPROVEMENTS”) THAT ARE REQUIRED TO DEVELOP AND PLAT BRIGHTON VILLAGE UNIT 5, BLOCK 1, LOT 3; ESTABLISHING A CITY INTEREST-BEARING ACCOUNT IN THE INFRASTRUCTURE TRUST FUND TO DEPOSIT THE FUNDS, WHICH ARE RESTRICTED FOR COMPLETION OF THE IMPROVEMENTS WHEN THE PROPERTY ABUTTING THE IMPROVEMENTS AND OPPOSITE BRIGHTON VILLAGE UNIT 5, BLOCK 1, LOT 3 ARE PLATTED; AND DECLARING AN EMERGENCY.**

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

**SECTION 1.** That the City Manager, or his designee is accepting \$69,267.05 from First Worthing Company as payment in lieu of constructing one-half of Dunbarton Oaks and the supporting Public Utility Infrastructure (“Improvements”) that are required to develop and plat Brighton Village Unit 5, Block 1, Lot 3, and includes the following specifications:

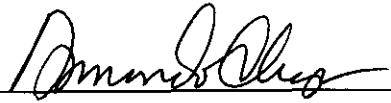
- 1) First Worthing is paying \$69,267.05 in lieu of improvements that are required to plat and develop Brighton Village Unit 5, Block 1, Lot 3, which include an approximate 600-foot extension of Street pavement with supporting sanitary sewer and drainage service typically found in a Collector Street Right-of-Way. An Engineer’s Cost Estimate for this extension establishes the Developer’s contribution at \$69,267.05.
- 2) First Worthing Company must deposit the \$69,267.05 escrow amount with the City before the plat known as Brighton Village Unit 5, Block 1, Lot 3 can be recorded. A note citing that cash in lieu of construction of a half street and supporting public infrastructure referenced by Ordinance number will be added to the plat prior to plat recordation.
- 3) Upon payment of the \$69,267.05, First Worthing Company is relieved from any future obligation to construct any public improvements as it relates to Brighton Village Unit 5, Block 1, Lot 3.

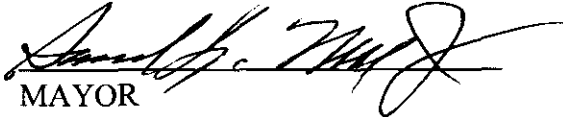
**SECTION 2.** That a city interest-bearing account is established to deposit the Developer's \$69,267.05 contribution that restricts use of the said monies for the completion of "Improvements" at the time of platting and development of the property ( Lot 8, Section 11, Flour Bluff & Encinal Farm & Garden Tracts) directly adjacent to and abutting the secured "Improvement".

**SECTION 3.** That upon written request of the Mayor or five Council members, copy attached, to find and declare an emergency due to the need for immediate action necessary for the efficient and effective administration of City affairs, such finding of an emergency is made and declared requiring suspension of the Charter rule as to consideration and voting upon ordinances at two regular meetings so that this ordinance is passed and shall take effect upon first reading as an emergency measure this the 12th day of August, 1997.


**ATTEST:**

**THE CITY OF CORPUS CHRISTI**

  
\_\_\_\_\_  
City Secretary

  
\_\_\_\_\_  
MAYOR  
The City of Corpus Christi

Legal form approved 7 Aug, 1997; James R. Bray, Jr., City Attorney.

By:   
\_\_\_\_\_  
Alison Gallaway, Assistant City Attorney

Corpus Christi, Texas

13th day of August, 1997.

TO THE MEMBERS OF THE CITY COUNCIL  
Corpus Christi, Texas

For the reasons set forth in the emergency clause of the foregoing ordinance an emergency exists requiring suspension of the Charter rule as to consideration and voting upon ordinances at two regular meetings: I/we, therefore, request that you suspend said Charter rule and pass this ordinance finally on the date it is introduced, or at the present meeting of the City Council.

Respectfully,

Respectfully,

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\_\_\_\_\_

  
\_\_\_\_\_  
MAYOR  
THE CITY OF CORPUS CHRISTI

Council Members

The above ordinance was passed by the following vote:

Loyd Neal	<u>Aye</u>
Jaime Capelo	<u>Aye</u>
Melody Cooper	<u>Absent</u>
Alex L. Garcia, Jr.	<u>Aye</u>
Arnold Gonzales	<u>Aye</u>
Betty Jean Longoria	<u>Aye</u>
John Longoria	<u>Aye</u>
Edward A. Martin	<u>Aye</u>
Dr. David McNichols	<u>Aye</u>