

ORDINANCE

EXEMPTING DON PATRICIO, BLOCK G, LOT 1R, LOCATED WEST OF WALDRON ROAD AND SOUTH OF DON PATRICIO ROAD, FROM THE PAYMENT OF THE WASTEWATER LOT/ACREAGE FEES UNDER SECTION 8.5.2.G.1 OF THE UNIFIED DEVELOPMENT CODE; REQUIRING THE OWNER/DEVELOPER TO COMPLY WITH THE SPECIFIED CONDITIONS.

WHEREAS, Don Patricio, Block G, Lot 1R, located west of Waldron Road and south of Don Patricio Road is not currently served by the City wastewater system;

WHEREAS, the owner/developer has submitted a written request that the Subdivision be exempt from the payment of wastewater lot or acreage fees based on the determination that it is not likely that the area will be served by the City wastewater system within the next fifteen (15) years;

WHEREAS, based on Section 8.5.2.G.1 of the Unified Development Code of the City of Corpus Christi, the Planning Commission recommend the City Council that it is not likely that the area will be served by the City wastewater system within the next fifteen (15) years and that the Subdivision 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 the Don Patricio, Block G, Lot 1R, Mr. Weston Beseda ("owner") the Planning Commission has recommended City Council approving the applicant request to waive sanitary sewer infrastructure construction per Section 8.2.7.A of the Unified Development Code (UDC) and an exemption from the Wastewater Lot/Acreage Fees in the 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 requires payment of the wastewater lot or acreage, pro-rata, and tap fees at the rate in effect at the time of connection to City wastewater.

c. 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.

d. That the Sanitary Sewer Connection Agreement and covenants contained in the agreement are covenants running with the land.

That the foregoing ordinance was read for the first time and passed to its second reading on this the _____ day of _____, 2017, by the following vote:

Mayor _____	Ben Molina _____
Rudy Garza _____	Lucy Rubio _____
Paulette Guajardo _____	Greg Smith _____
Michael Hunter _____	Carolyn Vaughn _____
Joe McComb _____	

That the foregoing ordinance was read for the second time and passed finally on this the _____ day of _____, 2017, by the following vote:

Mayor _____	Ben Molina _____
Rudy Garza _____	Lucy Rubio _____
Paulette Guajardo _____	Greg Smith _____
Michael Hunter _____	Carolyn Vaughn _____
Joe McComb _____	

PASSED AND APPROVED on this the _____ day of _____, 2017.

ATTEST:

Rebecca Huerta
City Secretary

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 Weston and Katy Beseda, 2033 Sentinel, Corpus Christi, Texas 78418 hereinafter called "Developer/Owner."

WHEREAS, Developer/Owner in compliance with the City's Unified Development Code, has submitted the plat for Don Patricio, Block G, Lot 1R, 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 THE GRAND RESERVE UNIT 2, 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 _____ day of _____, 2017.

DEVELOPER/OWNER:

Weston Beseda and Katy Beseda
Owner

STATE OF TEXAS §

COUNTY OF NUECES §

This instrument was acknowledged before me on this _____, day of
_____, 2017, by _____.

Notary Public, State of Texas

APPROVED:

This _____ day of _____, 2017

By: _____
Julio Dimas, CFM, Interim Director
Development Services

APPROVED as to form:

By: _____
Buck Brice
Senior Assistant City Attorney
For City Attorney

Sanitary Sewer Connection Agreement
Don Patricio, Block G, Lot 1R
Page 4

**DON PATRICIO
LOT 1R, BLOCK G**

BEING A REPLAT OF LOTS 1, 2, 3, & 4 BLOCK G
DON PATRICIO,
AS RECORDED IN VOLUME 8 PAGE 30 (M.R.N.C.T.)
CORPUS CHRISTI, NUECES COUNTY, TEXAS

APPROVED
JUL 27 2016
PLANNING COMMISSION

NOTES:

1. YARD REQUIREMENTS AS DEPICTED ARE A REQUIREMENT OF THE UNIFIED DEVELOPMENT CODE AND SUBJECT TO CHANGE AS THE ZONING MAY CHANGE.
2. FOUND 36 INCH IRON ROOS AT ALL LOT CORNERS, P.C.T.S.
3. A.C. DENOTES ACRES OF LAND
S.F. DENOTES SQUARE FEET OF LAND
V.R. DENOTES VARIOUS REQUIREMENTS
B.L. DENOTES BUILDING LINE
H.F. DENOTES UTILITY EASEMENT
D.E. DENOTES DRAINAGE EASEMENT
C.L. DENOTES CENTERLINE OF ROADWAY
B.C. DENOTES BLOCK CORNER
D.H. DENOTES DRAIN HOLE
"R" DENOTES SET BACK
"G" DENOTES GRADE ELEVATIONS
4. THIS PROPERTY LIES WITHIN FLOOD ZONE C, COMMUNITY AREAS, PANEL, (HMC, CITY OF CORPUS CHRISTI), AND IS NOT WITHIN THE 100 YEAR FLOOD PLAIN, REFER TO MAP INDEX DATED 2/19/16.
5. THE RECEIVING WATER FOR THE STORM WATER RUNOFF FROM IS THE LAGUNA MADRE. THE TCEC HAS CLASSIFIED THE AQUATIC LIFE USE FOR THE LAGUNA MADRE AS "EXCEPTIONAL" AND "OYSTER WATERS". TCEC ALSO CATEGORIZED THE LAGUNA MADRE AS "CONTACT RECREATION" USE.
6. TOTAL PLATTED AREA IS 0.666 ACRES WITH STREET DEDICATION.
7. BASIS OF BEARINGS ARE THE BEARINGS FROM DON PATRICIO, AS RECORDED IN VOLUME 8, PAGES 30 (M.R.N.C.T.)

STATE OF TEXAS
COUNTY OF NUECES

WE, WESTON JACK BESEDA & KATY JEAN BESEDA HEREBY CERTIFY THAT WE ARE THE OWNERS OF LOT 1R, BLOCK G, DON PATRICIO AS SHOWN ON THE MAP. WE HAVE BEEN ADVISED BY THE SURVEYOR THAT THE STREETS SHOWN ARE DEDICATED TO THE PUBLIC FOREVER AND STREET DEDICATION IS BY THE SIMPLE ACT OF RECORDING THIS MAP. THAT ALL EASEMENTS ARE SHOWN ON THIS MAP AND DEDICATION IS BY THE SIMPLE ACT OF RECORDING THIS MAP. THAT THIS MAP WAS MADE FOR THE PURPOSES OF DESCRIPTION AND DEDICATION.

THIS THE ____ DAY OF ____, 2016.

WESTON JACK BESEDA
OWNER

KATY JEAN BESEDA
OWNER

STATE OF TEXAS
COUNTY OF NUECES

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED WESTON JACK BESEDA & KATY JEAN BESEDA KNOWN TO ME TO BE THE PERSONS WHOSE NAMES IS SUBSCRIBED TO THE FOREGOING INSTRUMENT OF WRITING AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION HEREIN EXPRESSED AND IN THE CAPACITY HEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE ____ DAY OF ____, 2016.

NOTARY PUBLIC IN AND FOR NUECES CO., TEXAS

STATE OF TEXAS
COUNTY OF NUECES

WE FIRST COMMUNITY BANK DO HEREBY CERTIFY THAT WE ARE THE HOLDERS OF A LIEN ON LOT 1R, BLOCK G OWNED BY WESTON JACK BESEDA & KATY JEAN BESEDA AND THAT WE APPROVE OF THE SUBDIVISION AND DEDICATION FOR THE PURPOSES AND CONSIDERATIONS EXPRESSED.

THIS THE ____ DAY OF ____, 2016.

EXECUTIVE LOAN OFFICER

STATE OF TEXAS
COUNTY OF NUECES

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSONS WHOSE NAMES IS SUBSCRIBED TO THE FOREGOING INSTRUMENT OF WRITING AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY STATED.

THIS THE ____ DAY OF ____, 2016.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

STATE OF TEXAS
COUNTY OF NUECES

(RONALD A VOSE, A REGISTERED PROFESSIONAL LAND SURVEYOR OF VOSS ENGINEERING, INC., HAVE PREPARED THE FOREGOING MAP FROM SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF. I HAVE BEEN EMPLOYED UNDER CONTRACT TO SET ALL LOT AND BLOCK CORNERS AS SHOWN HEREIN AND TO COMPLETE SUCH OPERATIONS WITH DUE AND REASONABLE DILIGENCE CONSISTENT WITH SOUND PROFESSIONAL PRACTICE.

THIS THE ____ OF ____, 2016.

SEAL

RONALD A. VOSE
REGISTERED PROFESSIONAL LAND SURVEYOR No. 3260

STATE OF TEXAS
COUNTY OF NUECES

THIS FINAL PLAT OF THE HEREIN DESCRIBED PROPERTY WAS APPROVED ON BEHALF OF THE CITY OF CORPUS CHRISTI, TEXAS BY THE PLANNING COMMISSION.

THIS THE ____ DAY OF ____, 2016.

PHILIP J. RAMIREZ, A.T.A., LEED AP, COMMISSIONER

DANIEL R. MCGARR, A.T.A., LEED AP, SECRETARY

STATE OF TEXAS
COUNTY OF NUECES

THIS FINAL PLAT OF THE HEREIN DESCRIBED PROPERTY APPROVED BY THE DEVELOPMENT SERVICES ENGINEER OF THE CITY OF CORPUS CHRISTI, TEXAS.

THIS THE ____ OF ____, 2016.

RATNA POTTAMATHU, P.E., LEED AP
DEVELOPMENT SERVICES ENGINEER

STATE OF TEXAS
COUNTY OF NUECES

I, KARA SANDS, CLERK OF THE COUNTY COURT, IN AND FOR NUECES COUNTY TEXAS, HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT DATED THE ____ DAY OF ____, 2016, WITH IT'S CERTIFICATE OF AUTHENTICATION, WAS FILED FOR RECORD IN MY OFFICE THIS ____ DAY OF ____, 2016 AT ____ O'CLOCK ____ M AND DULY RECORDED IN VOLUME ____ PAGE ____ (M.R.N.C.T.)

WITNESS MY HAND AND SEAL OF OFFICE IN CORPUS CHRISTI, TEXAS, THIS THE ____ DAY OF ____, 2016.

KARA SANDS, COUNTY CLERK

DEPUTY TO THE COUNTY CLERK

STATE OF TEXAS
COUNTY OF NUECES

THIS FINAL PLAT IN NUECES COUNTY, TEXAS, HAS BEEN APPROVED BY THE CORPUS CHRISTI-NUECES COUNTY HEALTH DEPARTMENT. ANY PRIVATE WATER SUPPLY AND/OR SEWAGE SYSTEM SHALL BE APPROVED BY THE CORPUS CHRISTI-NUECES COUNTY HEALTH DEPARTMENT PRIOR TO INSTALLATION.

THIS THE ____ OF ____, 2016.

NUECES COUNTY HEALTH DEPARTMENT

SITE

VICINITY MAP (NTS)

DON PATRICIO ROAD
(60' R.O.W.)

$\Delta = 89^\circ 51' 56''$
 $R = 15.00'$
 $T = 14.97'$
 $LA = 23.53'$
 $LC = S 14^\circ 56' 00'' E 21.19'$

$S 59^\circ 52' 00'' E 145.19'$
10' STREET DEDICATION
 $S 59^\circ 52' 00'' E 125.04'$

LOT 52

LOT 51
G
DON PATRICIO
V. 8, PG. 30
(M.R.N.C.T.)

LOT 1R
G
26,215.9 S.F.
0.602 AC.

LOT 50

LOT 49

LOT 48

LOT 5

$N 29^\circ 56' 45'' E 197.59'$
 $187.60'$
 $20' Y.A. C.L.$
 $20' Y.A. C.L.$
 $S 30^\circ 00' 00'' W 172.64'$
5' STREET DEDICATION
 $S 30^\circ 00' 00'' W 197.59'$
POPLAR AVENUE (40' R.O.W.)
(UNIMPROVED ROADWAY)

$140.00'$
 $N 59^\circ 52' 00'' W 145.00'$

$25.0'$
 $30.0'$

VOSS ENGINEERING, INC.
ENGINEERING AND LAND SURVEYING
6838 GREENWOOD DRIVE, CORPUS CHRISTI, TEXAS 78415
PHONE: (361)854-6202 FAX: (361)853-4096

DATE: 05/31/2016
REVISED:
OFFICE: RV & RG
JOB #: 16-6276

FIRM NO. F-166

GRAPHIC SCALE: 1" = 20'

DON PATRICIO
LOT 1R, BLOCK G

BEING A REPLAT OF LOTS 1, 2, 3, & 4 BLOCK G
DON PATRICIO
AS RECORDED IN VOLUME 8 PAGE 30 (M.R.N.C.T.)
CORPUS CHRISTI, NUECES COUNTY, TEXAS



STATE OF TEXAS
COUNTY OF NUECES

THIS FINAL PLAT OF THE HEREIN DESCRIBED PROPERTY WAS APPROVED ON BEHALF OF
THE CITY OF CORPUS CHRISTI, TEXAS BY THE PLANNING COMMISSION.

THIS THE ____ DAY OF _____, 2016,

PHILIP J. RAMIREZ, A.I.A., LEED AP, COMMISSIONER

DANIEL M. McGINN, A.I.C.P., INTERIM SECRETARY

STATE OF TEXAS
COUNTY OF NUECES

THIS FINAL PLAT OF THE HEREIN DESCRIBED PROPERTY APPROVED BY THE
DEVELOPMENT SERVICES ENGINEER OF THE CITY OF CORPUS CHRISTI, TEXAS.

THIS THE ____ OF _____, 2016,

RATNA POTTUMUTHU, P.E., LEED AP,
DEVELOPMENT SERVICES ENGINEER

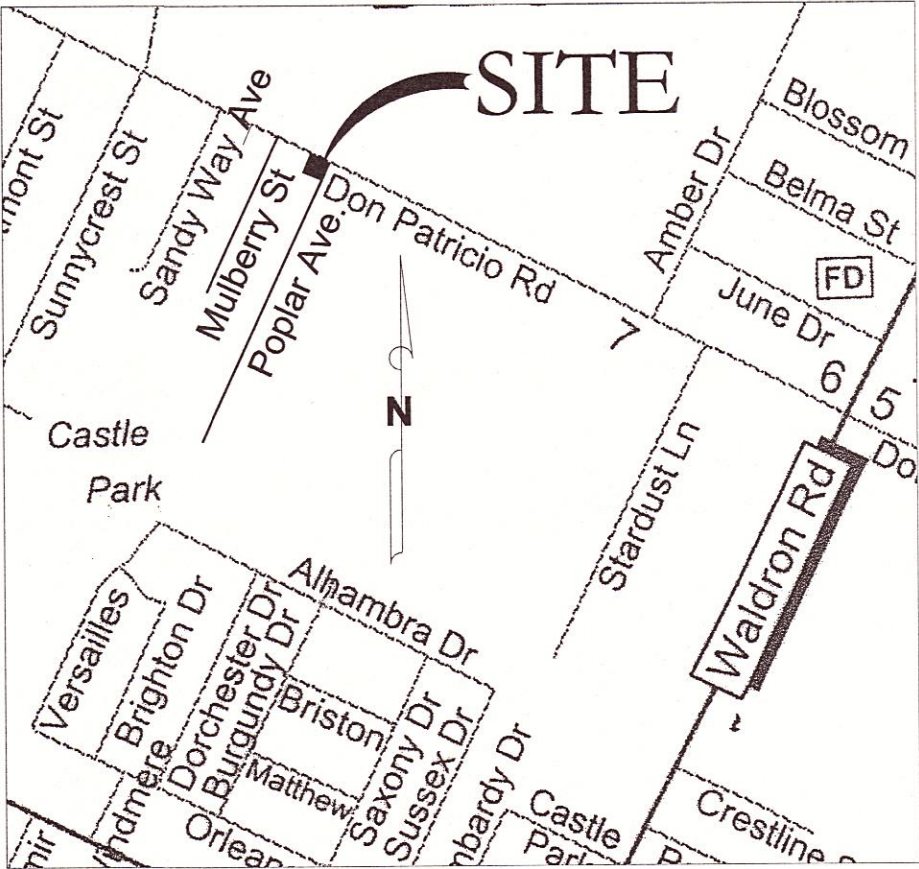
STATE OF TEXAS
COUNTY OF NUECES

I, KARA SANDS, CLERK OF THE COUNTY COURT, IN AND FOR NUECES COUNTY TEXAS, HEREBY
CERTIFY THAT THE FOREGOING INSTRUMENT DATED THE ____ DAY OF
_____, 2016, WITH ITS CERTIFICATE OF AUTHENTICATION, WAS FILED FOR RECORD IN MY
OFFICE THIS ____ DAY OF _____, 2015 AT ____ O'CLOCK ____ M AND DULY
RECORDED IN VOLUME ____, PAGE ____ (M.R.N.C.T.)

WITNESS MY HAND AND SEAL OF OFFICE IN CORPUS CHRISTI, TEXAS, THIS THE ____ DAY OF
_____, 2016.

KARA SANDS, COUNTY CLERK

DEPUTY TO THE COUNTY CLERK



VICINITY MAP (NTS)

STATE OF TEXAS
COUNTY OF NUECES

THIS FINAL PLAT IN NUECES COUNTY, TEXAS, HAS BEEN APPROVED BY
THE CORPUS CHRISTI-NUECES COUNTY HEALTH DEPARTMENT. ANY PRIVATE
WATER SUPPLY AND/OR SEWAGE SYSTEM SHALL BE APPROVED BY THE
CORPUS CHRISTI-NUECES COUTNY HEALTH DEPARTMENT PRIOR TO INSTALLATION

THIS THE ____ OF _____, 2016,

NUECES COUNTY HEALTH DEPARTMENT

STATE OF TEXAS
COUNTY OF NUECES

WE, WESTON JACK BESEDA & KATY JEAN BESEDA HEREBY CERTIFY THAT WE ARE THE OWNERS OF
LOT 1R, BLOCK G, DON PATRICIO AS EMBRACED WITHIN THE BOUNDS OF THE FOREGOING MAP; THAT WE HAD SAID LAND
SURVEYED AS SHOWN; THAT STREETS AS SHOWN ARE DEDICATED TO THE PUBLIC FOREVER AND STREET DEDICATION IS IN FEE SIMPLE
THAT ALL EASEMENTS ARE DEDICATED TO THE PUBLIC FOR THE INSTALLATION, OPERATION AND USE
OF THE PUBLIC UTILITIES; THAT THIS MAP WAS MADE FOR THE PURPOSES OF DESCRIPTION AND
DEDICATION,

THIS THE ____ OF _____, 2016,

WESTON JACK BESEDA
OWNER

KATY JEAN BESEDA
OWNER

STATE OF TEXAS
COUNTY OF NUECES

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED
WESTON JACK BESEDA & KATY JEAN BESEDA KNOWN TO ME TO BE THE PERSONS WHOSE NAMES IS SUBSCRIBED TO THE
FOREGOING INSTRUMENT OF WRITING AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME
FOR THE PURPOSES AND CONSIDERATION HEREIN EXPRESSED AND IN THE CAPACITY HEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE ____ DAY OF _____, 2016

NOTARY PUBLIC IN AND FOR NUECES CO., TEXAS

STATE OF TEXAS
COUNTY OF NUECES

WE FIRST COMMUNITY BANK DO HEREBY CERTIFY THAT WE ARE THE HOLDERS OF A LIEN
ON LOT 1R, BLOCK G OWNED BY WESTON JACK BESEDA & KATY JEAN BESEDA AND THAT WE APPROVE
OF THE SUBDIVISION AND DEDICATION FOR THE PURPOSE AND CONSIDERATIONS EXPRESSED

THIS THE ____ DAY OF _____, 2016

EXECUTIVE LOAN OFFICER

STATE OF TEXAS
COUNTY OF NUECES

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED
KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING
INSTRUMENT OF RECORD AND THAT HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES
AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY STATED

THIS THE ____ DAY OF _____, 2016

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

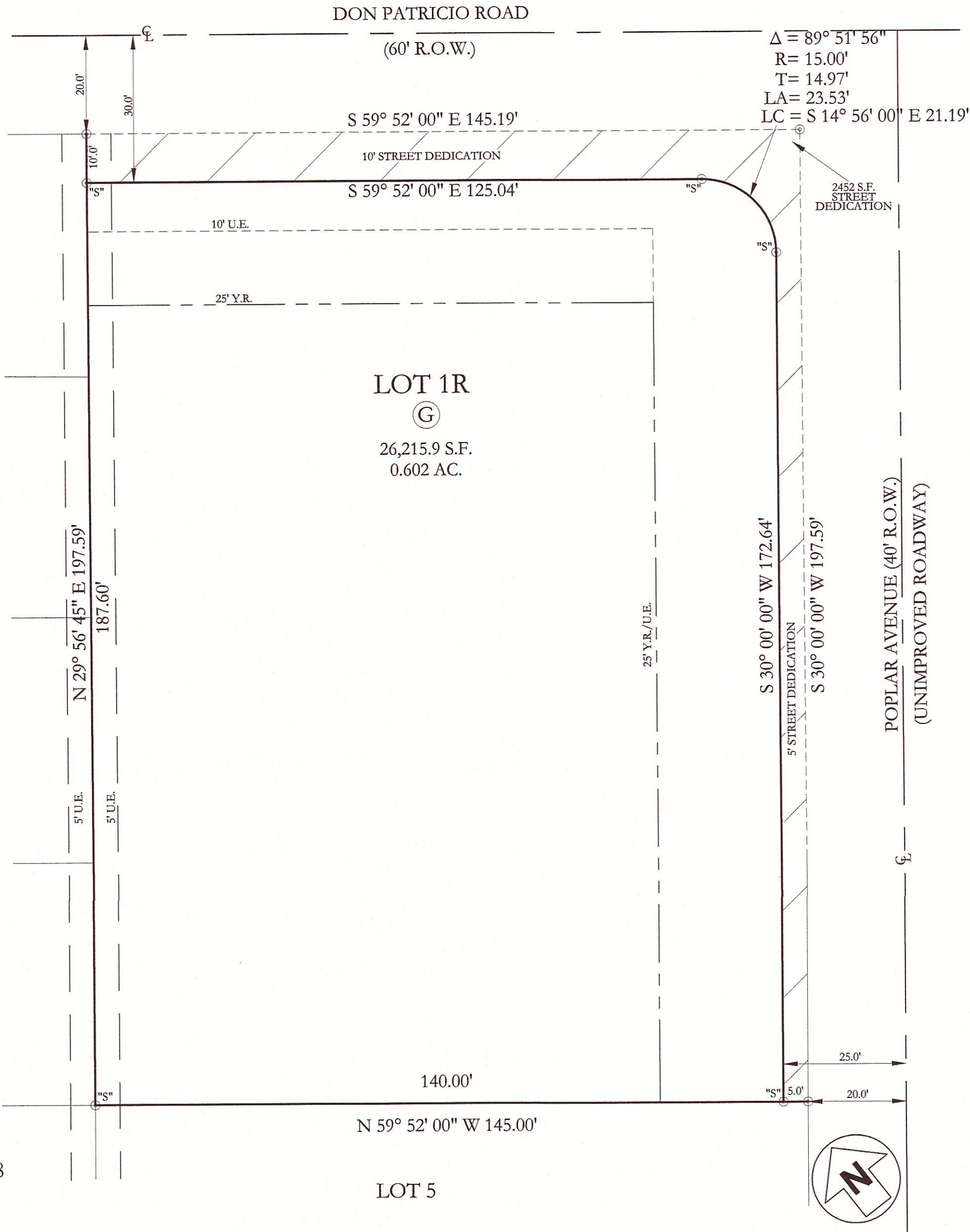
STATE OF TEXAS
COUNTY OF NUECES

I, RONALD A VOSS, A REGISTERED PROFESSIONAL LAND SURVEYOR OF VOSS ENGINEERING, INC.,
HAVE PREPARED THE FOREGOING MAP FROM SURVEY MADE ON THE GROUND UNDER MY DIRECTION
AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF; I HAVE
BEEN ENGAGED UNDER CONTRACT TO SET ALL LOT AND BLOCK CORNERS AS SHOWN HEREIN AND
TO COMPLETE SUCH OPERATIONS WITH DUE AND REASONABLE DILIGENCE CONSISTENT WITH SOUND
PROFESSIONAL PRACTICE.

THIS THE ____ OF _____, 2016,

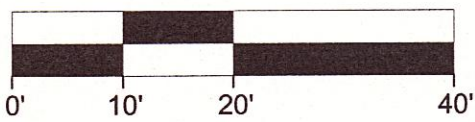
SEAL

RONALD A. VOSS
REGISTERED PROFESSIONAL LAND SURVEYOR No. 2293



VOSS ENGINEERING, INC.

ENGINEERING AND LAND SURVEYING
6838 GREENWOOD DRIVE, CORPUS CHRISTI, TEXAS 78415
PHONE: (361)854-6202 FAX: (361)853-4696



DATE:	REVISED:	OFFICE:	JOB #:
05/31/2016		RV & RG	16-6276
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