

**Ordinance exempting Kenley Estates, located east of Flour Bluff Drive and South of Glenoak Drive, from the payment of the wastewater lot or acreage fees under section 8.5.2.G.1 of the Unified Development Code; requiring sanitary sewer connection agreement.**

**WHEREAS**, Kenley Estates, located East of Flour Bluff Drive and South of Glenoak Drive, is not currently served by the City wastewater system;

**WHEREAS**, LOWM Inc., ("owner") 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.** It is determined that Kenley Estates is not likely to be served by City wastewater services within the next 15 years and is exempted from the payment of wastewater lot or acreage fees at this time in the accordance with Section 8.5.2.G.1 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 \_\_\_\_\_, 2018, by the following vote:

Joe McComb	_____	Ben Molina	_____
Rudy Garza	_____	Everett Roy	_____
Paulette Guajardo	_____	Lucy Rubio	_____
Michael Hunter	_____	Greg Smith	_____
Debbie Lindsey-Opel	_____		

That the foregoing ordinance was read for the second time and passed finally on this the \_\_\_\_\_ day of \_\_\_\_\_, 2018, by the following vote:

Joe McComb	_____	Ben Molina	_____
Rudy Garza	_____	Everett Roy	_____
Paulette Guajardo	_____	Lucy Rubio	_____
Michael Hunter	_____	Greg Smith	_____
Debbie Lindsey-Opel	_____		

PASSED AND APPROVED on this the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

ATTEST:

\_\_\_\_\_  
Rebecca Huerta  
City Secretary

\_\_\_\_\_  
Joe McComb  
Mayor