

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 LOWM, Inc., David B. Wilson, 4434 Sunlight Drive, Corpus Christi, Texas 78413 hereinafter called "Developer/Owner".

WHEREAS, Developer/Owner in compliance with the City's Unified Development Code, has submitted the plat for Kenley Estates, Located East of Flour Bluff Drive, and south of Glenoak Drive, hereinafter called "Development," (Exhibit 1 and 2); 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;

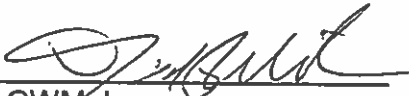
INDEMNIFICATION:

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 KENLEY ESTATES, INCLUDING THE INJURY, LOSS OR DAMAGE CAUSED BY THE SOLE OR CONTRIBUTORY NEGLIGENCE OF THE INDEMNITEES OR ANY OF THEM.

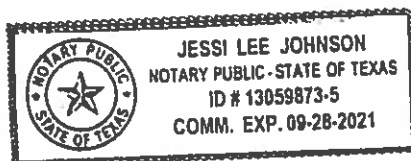
This agreements and covenants set forth herein are covenants running with the land, to be filed in the Office of the Nueces County Clerk Office, and shall be binding on Developer/Owner, its successors and assigns, and shall inure to the benefit of the parties hereto and their respective heirs, successors, and assigns and to third party beneficiaries from and after the date of execution.

EXECUTED original, this 10th day of October, 2018.

DEVELOPER/OWNERS:


LOWM, Inc.
David B. Wilson (President)

STATE OF TEXAS §
 §
COUNTY OF NUECES §



This instrument was acknowledged before me on this 10th, day of October, 2018, by Jessi Johnson


Notary Public, State of Texas

CITY OF CORPUS CHRISTI:

Nina Nixon-Méndez, FAICP
Interim Director of Development Services

THE STATE OF TEXAS §
 §
COUNTY OF NUECES §

This instrument was acknowledged before me on _____, 2018, by
_____, Interim Director of Development Services
for the City of Corpus Christi, Texas.

Notary Public's Signature

APPROVED as to form:

Buck Brice 10-11-12
Buck Brice
Assistant City Attorney
For City Attorney

PLAT OF KENLEY ESTATES

13.636 ACRES OF LAND OUT OF LOTS NOS. ONE (1) AND TWO (2), SECTION NO. FIFTY (50) FLOUR BLUFF AND ENCINAL FARM AND GARDEN TRACTS, NUECES COUNTY, TEXAS, AS RECORDED IN DOCUMENTS 2017042414, OFFICIAL PUBLIC RECORDS OF NUECES COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF _____

I, LOMA, Inc., a Texas corporation do hereby certify that I am the owner of the land described within the boundaries of the Kenley Estates and when the same are lawfully subdivided (b) the public for the installation, operation and maintenance of public utilities.

This the _____ day of _____, 2011.

By: David B. Wilson, President

STATE OF TEXAS
COUNTY OF _____

This plat was acknowledged before me by David B. Wilson, known to me to be the person whose signature is made on the foregoing instrument of writing, and he acknowledged to me that he executed the same for the purpose and consideration therein expressed and in the capacity stated.

Given under my hand and seal of office this the _____ day of _____, 2011.

Notary Public
My commission expires _____

STATE OF TEXAS
COUNTY OF NUECES

This plat of Kenley Estates, approved by the Corpus Christi Harney County Health Unit. Any private water supply and/or sewage system shall be approved by the Corpus Christi Harney County Health Department prior to installation. This the _____ day of _____, 2011.

Public Health Officer



LOCATION MAP
1" = 1000'

STATE OF TEXAS
COUNTY OF NUECES

I, Gary King, Registered Professional Land Surveyor, hereby certify that this survey map was prepared from an actual on the ground survey of the land described herein, and that the survey was made in accordance with the current standards adopted by the Texas Board of Professional Land Surveying.

Gary King, Registered Professional Land Surveyor
Texas Registration No. 8108
Hanson Professional Services, Inc.
Date: _____



STATE OF TEXAS
COUNTY OF NUECES

This plat of Kenley Estates, approved by the Department of Development Services of the City of Corpus Christi, Texas, this the _____ day of _____, 2011.

William J. Green, P.E.
Development Services Engineer

STATE OF TEXAS
COUNTY OF NUECES

This plat of Kenley Estates approved by the Planning Commission on the behalf of the City of Corpus Christi, Texas, this the _____ day of _____, 2011.

Eric Valenzuela, P.E.
City Engineer
Helen Wilson, Mayor, FALCP
Secretary

STATE OF TEXAS
COUNTY OF NUECES

I, Kara Smith, Clerk of the County Court in and for Harney County, Texas, hereby certify that the foregoing map of the plat of Kenley Estates was filed for record in my office this the _____ day of _____, 2011, with its certificate of acknowledgment, and that the survey was made in accordance with the current standards adopted by the Texas Board of Professional Land Surveying. Page _____

Witness my hand and seal of said Court at Corpus Christi, Texas, this the _____ day of _____, 2011.

No. _____
Filed for record _____
At _____, Texas
Harney County, Texas

By: _____
Deputy

RECEIVED
• 11 AM, 11/11/11 •
City of Corpus Christi
Development Services

FINAL PLAT OF KENLEY ESTATES
CITY OF CORPUS CHRISTI, NUECES COUNTY, TEXAS



Hanson Professional Services, Inc.
4861 Commerce
Corpus Christi, Texas 78411
7602-1-0000 • Fax 7602-1-0001

PLAT NO.	2017042414
SECTION	50
TOWNSHIP	10N
RANGE	10E
COUNTY	NUECES
STATE	TEXAS
DATE	11/11/11
BY	GARY KING
CHECKED BY	WILLIAM J. GREEN
DATE	11/11/11
FILED BY	WILLIAM J. GREEN
DATE	11/11/11

EXHIBIT 1

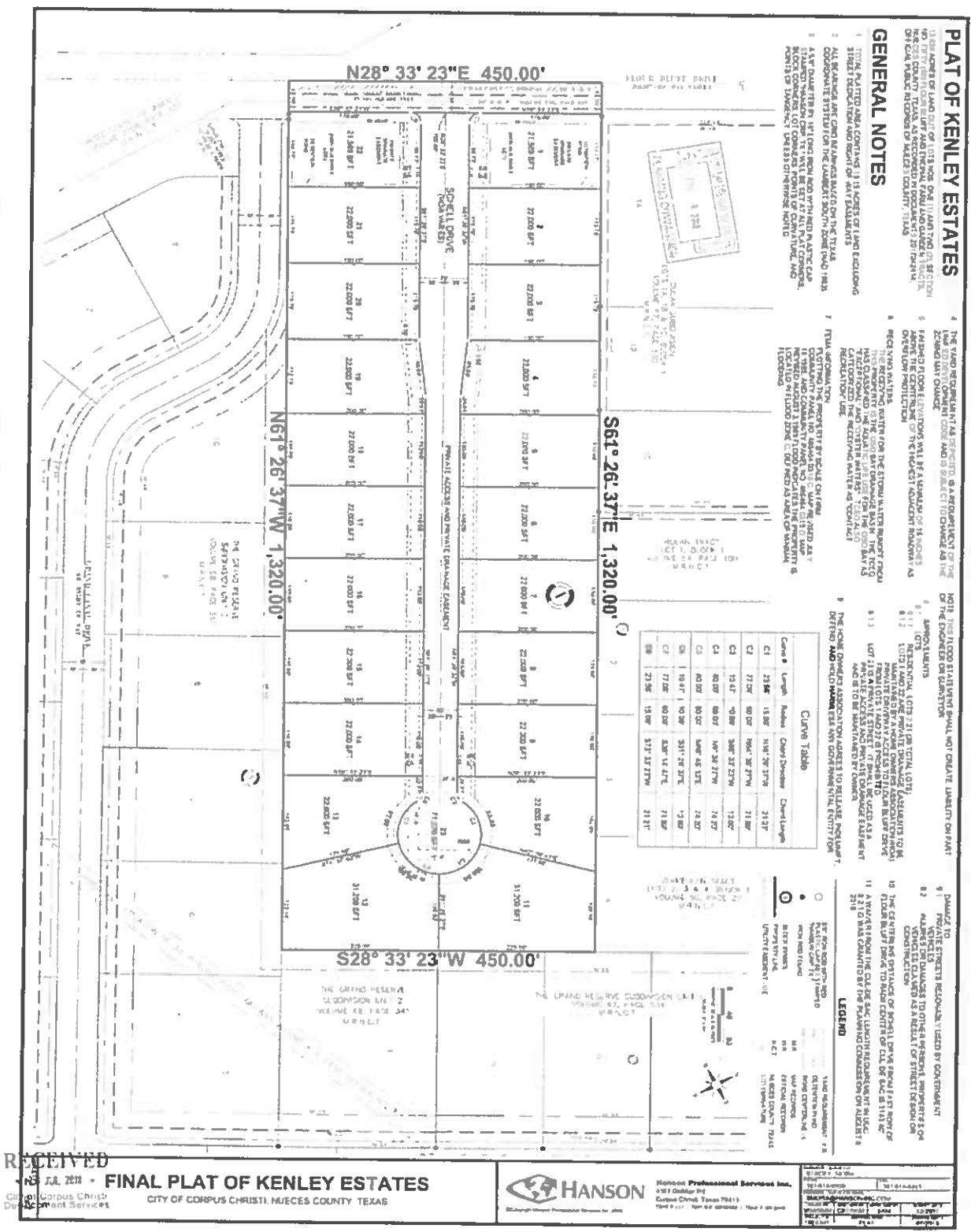


EXHIBIT 2