

**Ordinance exempting Morton Meadows subdivision, located East of Flour Bluff Drive and South of Graham Road, from the payment of the wastewater lot or acreage fee under section 8.5.2.G.1 of the Unified Development Code conditioned upon a Sanitary Sewer Connection Agreement**

**WHEREAS**, Morton Meadows located East of Flour Bluff Drive and South of Graham 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; and

**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 Dinah & Gary Morton ("owner"), Morton Meadows subdivision is exempt from wastewater lot or acreage fees 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.
- 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 \_\_\_\_\_, 2020, by the following vote:

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

Michael Hunter \_\_\_\_\_

Roland Barrera \_\_\_\_\_

Ben Molina \_\_\_\_\_

Rudy Garza \_\_\_\_\_

Everett Roy \_\_\_\_\_

Paulette M. Guajardo \_\_\_\_\_

Greg Smith \_\_\_\_\_

Gil Hernandez \_\_\_\_\_

That the foregoing ordinance was read for the second time and passed finally on this the \_\_\_\_\_ day of \_\_\_\_\_ 2020, by the following vote:

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

Michael Hunter \_\_\_\_\_

Roland Barrera \_\_\_\_\_

Ben Molina \_\_\_\_\_

Rudy Garza \_\_\_\_\_

Everett Roy \_\_\_\_\_

Paulette M. Guajardo \_\_\_\_\_

Greg Smith \_\_\_\_\_

Gil Hernandez \_\_\_\_\_

PASSED AND APPROVED on this the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

ATTEST:

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

\_\_\_\_\_  
Joe McComb  
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 Dinah and Gary Morton, Owner, 1518 Flour Bluff Drive, 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 Morton meadows, 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 YBARRA TERRACE LOT 1 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 7<sup>th</sup> day of Nov., 2019.

DEVELOPER/OWNER:

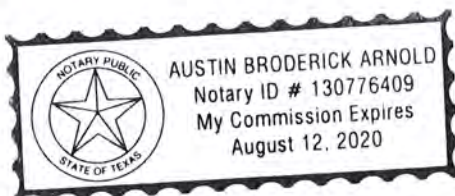
Dinah Morton  
Dinah Morton, Owner

Gary Morton  
Gary Morton, Owner

STATE OF TEXAS       §  
                                  §  
COUNTY OF NUECES   §

This instrument was acknowledged before me on this the 7<sup>th</sup> day of November, 2019, by Dinah and Gary Morton, Owners.

[Signature]  
Notary Public, State of Texas



City of Corpus Christi:

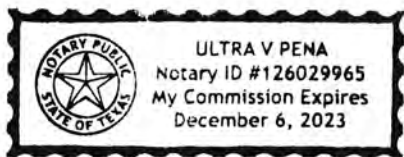
ATTEST:

By: Rebecca Huerta  
Rebecca Huerta  
City Secretary

By: Albert J. Raymond III  
Albert J. Raymond III, AIA, CBO  
Director of Development Services

STATE OF TEXAS           §  
COUNTY OF NUECES   §

This instrument was acknowledged before me on this 24<sup>th</sup> day of January, 2020, by Albert J. Raymond III, AIA, CBO, Director of Development Services Department, of the City of Corpus Christi, a Texas home-rule municipal corporation, on behalf of said corporation.



Ultra V. Pena  
Notary Public, State of Texas

APPROVED AS TO FORM:

Buck Brice  
Buck Brice  
Assistant City Attorney  
for the City Attorney





PLAT OF  
MORTON MEADOWS  
BLOCK 1, LOTS 1 - 5

BEING A 6.024 ACRE TRACT COMPRISED OF BLOCK 1, LOT 2, AS SHOWN ON A MAP RECORDED IN VOLUME 67, PAGE 143, MAP RECORDS OF NUECES COUNTY, TEXAS AND A PORTION OF A 7.113 ACRE TRACT DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 2016046605, OFFICIAL PUBLIC RECORDS OF NUECES COUNTY, TEXAS. SAID 6.024 ACRE TRACT ALSO BEING OUT OF SECTION 41, LOT 15, FLOUR BLUFF AND ENCINAL FARM AND GARDEN TRACTS, AS SHOWN ON A MAP RECORDED IN VOLUME "A", PAGES 41 - 43, MAP RECORDS OF NUECES COUNTY, TEXAS.

STATE OF TEXAS  
COUNTY OF NUECES

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

THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019

\_\_\_\_\_  
GABRIEL HINOJOSA, P.E.  
DEVELOPMENT SERVICES ENGINEER

STATE OF TEXAS  
COUNTY OF NUECES

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

THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019

\_\_\_\_\_  
CARL CRULL, P.E.  
CHAIRMAN

\_\_\_\_\_  
NINA NIXON-MENDEZ, F.A.I.C.P.  
SECRETARY

STATE OF TEXAS  
COUNTY OF NUECES

I, KARA SANDS, CLERK OF THE COUNTY COURT IN AND FOR NUECES COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT DATED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019, WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019 AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M IN SAID COUNTY IN VOLUME \_\_\_\_\_, PAGE \_\_\_\_\_ MAP RECORDS.

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

NO.  
FILED FOR RECORD

\_\_\_\_\_  
KARA SANDS, CLERK  
NUECES COUNTY, TEXAS  
AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M

BY: \_\_\_\_\_  
DEPUTY:



STATE OF TEXAS  
COUNTY OF NUECES

WE, DINAH P. MORTON AND GARY L. MORTON, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF MORTON MEADOWS, THE PROPERTY SHOWN HEREON, WE HAVE HAD SAID LAND SURVEYED AS SHOWN ON THE FOREGOING MAP. THIS MAP HAS BEEN PREPARED FOR THE PURPOSE OF DESCRIPTION AND DEDICATION.

THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019

\_\_\_\_\_  
DINAH P. MORTON, OWNER

\_\_\_\_\_  
GARY L. MORTON, OWNER

STATE OF TEXAS  
COUNTY OF NUECES

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS THE ACT AND DEED OF SAID LANDS FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE.

THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019

\_\_\_\_\_  
NOTARY PUBLIC

STATE OF TEXAS  
COUNTY OF NUECES

APPROVED BY THE CORPUS CHRISTI-NUECES COUNTY HEALTH DEPARTMENT THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019. ANY PRIVATE WATER SUPPLY AND/OR SEWAGE SYSTEM SHALL BE APPROVED BY THE CORPUS CHRISTI-NUECES COUNTY HEALTH DEPARTMENT PRIOR TO INSTALLATION.

\_\_\_\_\_  
PUBLIC HEALTH DEPARTMENT

STATE OF TEXAS  
COUNTY OF NUECES

I, RONALD E. BRISTER, A REGISTERED PROFESSIONAL LAND SURVEYOR OF BRISTER SURVEYING, HAVE PREPARED THE FOREGOING MAP FROM A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019

\_\_\_\_\_  
RONALD E. BRISTER  
REGISTERED PROFESSIONAL LAND SURVEYOR



NOTES:

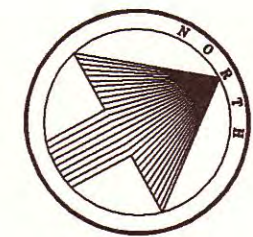
1. THE RECEIVING WATERS FOR THE STORM WATER RUNOFF FROM THIS PROPERTY IS THE OSO BAY. THE TCEQ HAS CLASSIFIED THE AQUATIC LIFE USE FOR THE OSO BAY AS "EXCEPTIONAL" AND "OYSTER WATERS". TCEQ ALSO CATEGORIZED THE RECEIVING WATER AS "CONTACT RECREATIONAL" USE.
2. BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE "C" ON FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 485464 0316 C, NUECES COUNTY, TEXAS, DATE OF JULY 18, 1985.
3. BEARINGS ARE BASED ON GLOBAL POSITIONING SYSTEM NAD 83 (93) 4205 DATUM.
4. THE TOTAL PLATTED AREA IS 6.024 ACRES.
5. THE YARD REQUIREMENT, AS DEPICTED, IS A REQUIREMENT OF THE UNIFIED DEVELOPMENT CODE AND IS SUBJECT TO CHANGE AS THE ZONING MAY CHANGE.
6. SET 5/8" RE-BAR = STEEL RE-BAR SET WITH YELLOW PLASTIC CAP LABELED BRISTER SURVEYING.

 **Brister Surveying**  
4455 South Padre Island Drive Suite 51  
Corpus Christi, Texas 78411  
Office 361-850-1800  
Fax 361-850-1802  
bristersurveying@corpus.twebc.com  
Firm Registration No. 10072800

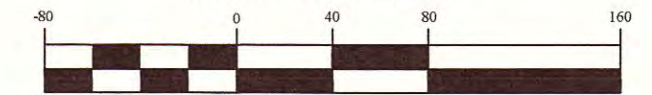


# PLAT OF MORTON MEADOWS BLOCK 1, LOTS 1 - 5

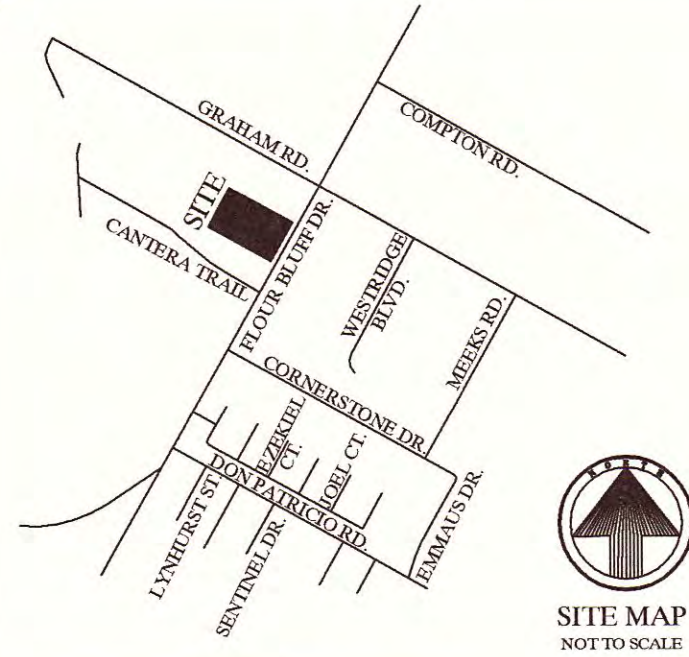
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GRAPHIC SCALE



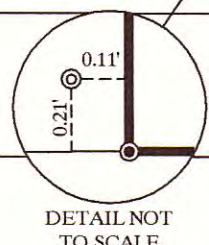
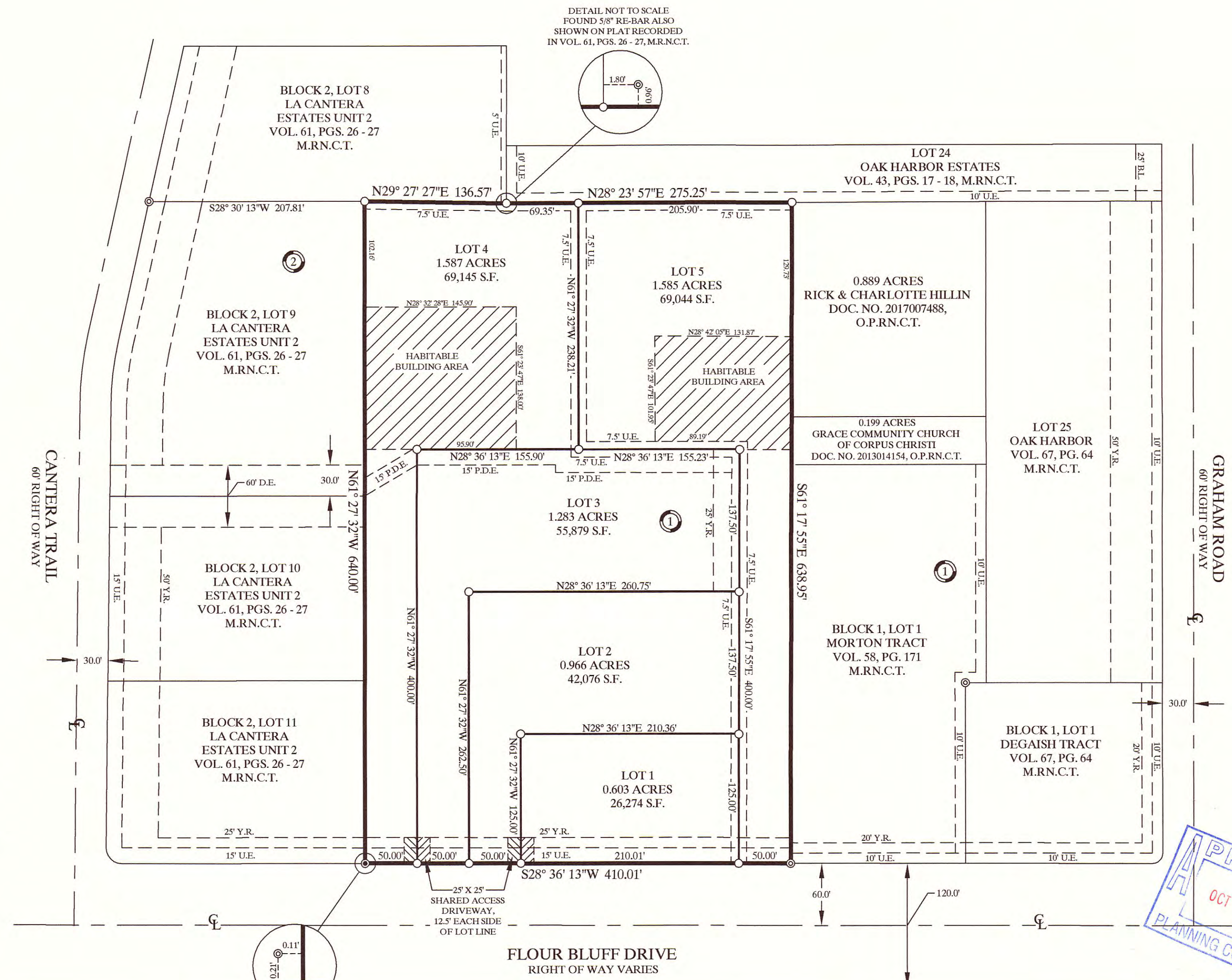
( IN FEET )  
1 inch = 80 ft.



- = SET 5/8" RE-BAR
- ⊙ = FOUND 5/8" RE-BAR
- = PROPERTY CORNER

LEGEND:  
B.L. = BUILDING LINE  
CL = CENTERLINE  
DOC. NO. = DOCUMENT NUMBER  
E.E. = ELECTRICAL EASEMENT  
M.R.N.C.T. = MAP RECORDS OF NUECES COUNTY, TEXAS  
O.P.R.N.C.T. = OFFICIAL PUBLIC RECORDS OF NUECES COUNTY, TEXAS  
P.D.E. = PRIVATE DRAINAGE EASEMENT  
PG = PAGE  
PGS. = PAGES  
S.F. = SQUARE FEET  
U.E. = UTILITY EASEMENT  
VOL. = VOLUME  
Y.R. = YARD REQUIREMENT

- NOTES:
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DETAIL NOT TO SCALE

FLOUR BLUFF DRIVE  
RIGHT OF WAY VARIES

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