

MUNICIPAL SERVICE PLAN
FOR THE LONDON TOWNE SUBDIVISION

Introduction

This Service Plan (“Plan”) is made by the City of Corpus Christi, Texas pursuant to Section 43.056 of the Texas Local Government Code. This Plan relates to the annexation of the area depicted in the attached map (“annexation area”).

a. Service to be provided pursuant to Texas Local Government Code 43.056(b)

(1) Police Protection:

Services to be Provided: The Corpus Christi Police Department (CCPD) will provide police protection.

(2) Fire Protection:

Services to be Provided: The Corpus Christi Fire Department will provide fire protection and suppression through its existing fire stations.

(3) Emergency Medical Service:

Services to be Provided: The Corpus Christi Fire Department will provide emergency medical services.

(4) Solid Waste Collection:

Services to be Provided: After the effective date of annexation, the City of Corpus Christi will provide solid waste services to single family residential customers directly or indirectly through a third-party contract.

Commercial garbage collection service for businesses and multi-family residences is available on a subscription basis from private service providers. The City of Corpus Christi will allow commercial refuse collectors to continue providing this service to condominium complexes, multi-family apartments and commercial and industrial establishments.

(5) Operation and Maintenance of Water and Wastewater Facilities that are not Within the Service Area of Another Water or Wastewater Utility:

Water and wastewater service will be provided in accordance with the Corpus Christi Unified Development Code, Utility Department Policies and engineering standards and provided the service is not within the certificated service area of another utility through existing facilities located within or adjacent to the area. Any and all water or wastewater facilities owned or maintained by the City of Corpus Christi, Texas, at the time of the proposed annexation shall continue to

be maintained by the City of Corpus Christi, Texas. Any and all water or wastewater facilities that may be the property of another municipality or other entity shall not be maintained by the City of Corpus Christi unless the facilities are dedicated to and accepted by the City of Corpus Christi. The current water line mains at their existing locations shall be available for point of use extension based upon the current City's standard water extension policies now existing or as may be amended.

On-site sewage facilities may be allowed contingent upon the property owner meeting all city, county, state and federal requirements.

(6) Operation and Maintenance of Roads and Streets, including Street Lighting:

The City will maintain public streets over which the City has jurisdiction. Roads, streets or alleyways which are dedicated to and accepted by the City of Corpus Christi, Texas, or which are owned by the City of Corpus Christi, Texas, shall be maintained to the same degree and extent that other roads, streets and alleyways are maintained in the City. Lighting of public roads, streets and alleyways shall be maintained by the applicable utility company servicing the City unless the lighting facility has been dedicated to the public, in which case the City will be the operator.

(7) Operation and Maintenance of Parks, Playgrounds and Swimming Pools:

Currently there are no public recreational facilities in the annexation area including parks, playgrounds, or swimming pools. Any park that may be under the responsibility of the County will be maintained by the City only upon dedication of the park by the County to the City and acceptance of the park by the City Council.

(8) Operation and Maintenance of any other Publicly-Owned Facility, Building, or Service:

Currently there are no such other publicly owned facilities, buildings, or services identified. If the City acquires any publicly owned facilities, buildings, or services within the annexation area, an appropriate City department will provide maintenance services.

b. Services to be provided pursuant to Texas Local Government Code 43.056(a)

(1) Water Service:

Existing Services: Currently, the City of Corpus Christi holds a water certificate of convenience and necessity ("CCN") for the annexation area.

Services to be Provided: The City of Corpus Christi will continue to provide water service to the annexed area. In accordance with the applicable rules and regulations for the provision of water service, water service will be provided to the subject property, or applicable portions thereof, by the utility holding a water CCN for the subject property or portions thereof (the “CCN holder”) and, as applicable, the utility providing wholesale or retail water service to said CCN holder. Absent a water CCN, by the utility in whose jurisdiction the subject property, or portions thereof as applicable, is located, the extension of water service will be provided in accordance with all the ordinances, regulations, and policies of the City.

(2) Wastewater Service:

Existing Services: Currently, the annexation area lies outside a wastewater certificate of convenience and necessity (“CCN”).

Services to be Provided: Absent a wastewater CCN, by the utility in whose jurisdiction the subject property, or portions thereof as applicable, is located, the extension of wastewater service will be provided in accordance with all the ordinances, regulations, and policies of the City. When areas are not reasonably accessible to a public wastewater facility of sufficient capacity as determined by adopted City wastewater standards, individual aerobic system or individual wastewater treatment plant will be utilized in accordance with all the ordinances, regulations, and policies of the City.

(3) Planning and Zoning Services:

Existing Services: Subdivision planning services currently provided when plats are submitted for City review.

Services to be Provided: Planning and zoning services will be provided by the City. The use of land in a legal manner may continue in accordance with Texas Local Government Code §43.002.

(4) Other Municipal Services:

Excluding gas and electric services, all other City Departments with jurisdiction in the area will provide services according to City policy and procedure.

c. Capital improvement program pursuant to Texas Local Government Code 43.056(e)

The City will initiate the construction of capital improvements necessary for providing municipal services for the annexation area as necessary.

(1) Police Protection: No capital improvements are necessary at this time to provide police services.

(2) Fire Protection: No capital improvements are necessary at this time to provide fire services.

(3) Emergency Medical Service: No capital improvements are necessary at this time to provide emergency medical services.

(4) Solid Waste Collection: No capital improvements are necessary at this time to provide solid waste collection services.

(5) Water and Wastewater Facilities: Currently, a lift station inside the city limits, a 16-inch force main line, and gravity sewer trunk mains are under construction by the London Towne Developer to connect the proposed subdivision to the municipal wastewater system. A water line and distribution system will be constructed by the London Towne developer to provide water to the proposed subdivision. No additional capital improvements are necessary at this time to provide water or wastewater services. Water and wastewater services to new development and subdivisions will be provided according to the Corpus Christi Unified Development Code and the Water and Wastewater Department standards, which may require the developer of a new subdivision or site plan to install water and wastewater lines.

(7) Roads and Streets: Improvements are needed to County Road 33 in order to serve the London Towne Subdivision. Only a portion of County Road 33 is located within the annexation area. Responsibility for improvements to County Road 33 outside the annexation area will remain with Nueces County.

In general, the City will acquire control of all public roads and public streets within the annexation area upon annexation. Future extensions of roads or streets and future installation of related facilities, such as traffic control devices, will be governed by the City's standard policies and procedures.

(8) Parks, Playgrounds and Swimming Pools. No capital improvements are necessary at this time to provide services.

(9) Street Lighting: Street lighting in new and existing subdivisions will be installed and maintained in accordance with the applicable standard policies and procedures.

(11) Other Publicly Owned Facilities, Buildings or Services: In general, other City functions and services, and the additional services described above can be provided for the annexation area by using existing capital improvements. Additional capital improvements are not necessary to provide other City services.

(12). Capital Improvements Planning: The annexation area will be included with other territory in connection with the planning for new or expanded facilities,

functions, and services as part of the City's Capital Improvement Plan and Three-Year Capital Budget program.

d. Effective Term

This Plan shall be in effect for a ten-year period commencing on the effective date of the annexation, unless otherwise stated in this Plan. Renewal of the Plan shall be at the option of the City. A renewal of this Plan may be exercised by the City Council provided the renewal is adopted by ordinance and specifically renews this Plan for a stated period of time.

e. Special Findings

The City Council of the City of Corpus Christi, Texas, finds and determines that this Plan will not provide any fewer services or a lower level of services in the annexation area than were in existence in the annexation area at the time immediately preceding the annexation process. The service plan will provide the annexed area with a level of service, infrastructure, and infrastructure maintenance that is comparable to the level of service, infrastructure, and infrastructure maintenance available in other parts of the municipality with topography, land use, and population density similar to those reasonably contemplated or projected in the area.

The City reserves the right guaranteed to it by the Texas Local Government Code to amend this Plan if the City Council determines that changed conditions or subsequent occurrences or any other legally sufficient circumstances exist under the Local Government Code or other Texas laws to make this Plan unworkable or obsolete or unlawful.

f. Amendment: Governing Law

This Plan may not be amended or repealed except as provided by the Texas Local Government Code or other controlling law. Neither changes in the methods or means of implementing any part of the service programs nor changes in the responsibilities of the various departments of the City shall constitute amendments to this Plan, and the City reserves the right to make such changes. This Plan is subject to and shall be interpreted in accordance with the Constitution and laws of the United States of America and the State of Texas, the Texas Local Government Code, and the orders, rules and regulations of governmental bodies and officers having jurisdiction.

g. Force Majeure

In case of an emergency, such as force majeure as that term is defined in this Plan, in which the City is forced to temporarily divert its personnel and resources away from the annexation area for humanitarian purposes or protection of the general public, the City obligates itself to take all reasonable measures to restore services to the annexation area of the level described in this Plan as soon as possible. Force Majeure shall

include, but not be limited to, acts of God, acts of the public enemy, war, blockages, insurrection, riots, epidemics, landslides, lightning, earthquakes, fires, storms, floods, washouts, droughts, tornadoes, hurricanes, arrest and restraint of government, explosions, collisions and other inability of the City, whether similar to those enumerated or otherwise, which is not within the control of the City. Unavailability or shortage of funds shall not constitute Force Majeure for purposes of this Plan.

h. Level of Service

Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City, including the annexed areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

The City of Corpus Christi will provide services to the newly annexed area in a manner that is similar in type, kind, quantity, and quality of service presently enjoyed by the citizens of the City of Corpus Christi, Texas, who reside in areas of similar topography, land utilization and population density.

EXHIBIT A METES AND BOUNDS

FIELD NOTES for a 161.56 Acre, Annexation Tract, being a portion of a 173.21 Acre Tract out of Section "D", Laureles Farm Tracts, a map of which is recorded in Volume 3, Page 15, Map Records of Nueces County, Texas; said 173.21 Acre Tract described in a Gift Deed from Mary Cecile Meaney, a married woman, as her separate property and estate to Elizabeth Anne Meaney Trustee of the Lucy A. Haynes Trust, as recorded in Document No. 2014032038, Official Public Records of Nueces County, Texas; said 161.56 Acre Tract also being a portion of County Road 33, and a portion of a 118.126 Acre Tract out of Cuadrilla Irrigation Company Survey No. Survey 139, Abstract 577 and I.&G.N.R.R. Survey No. 140, Abstract 612, as shown on the map of Laureles Farm Tracts, a map of which is recorded in Volume 3, Page 15, Map Records of Nueces County, Texas; said 118.126 Acre Tract described as Tract II in a Correction Warranty Deed from Sheilah London to Bill J. Brown, Reagan Travis Brown and Alyssa Ann Brown McCoy, as recorded in Document No. 2015011169, Official Public Records of Nueces County, Texas; said 161.56 Acre, Annexation Tract being more fully described by metes and bounds as follows:

Beginning at a 5/8 Inch Iron Rod Found, being the Southwest corner of a 308.99 Acre Tract described in a Special Warranty Deed from The Joslin Partnership, Ltd., to The City of Corpus Christi, as recorded in Document No. 941343, said Official Public Records, for the Southeast corner of an 8.00 Acre Tract described in Gift Deed from Mary Cecile Meaney to Agape Ranch, as recorded in Document No.2016053230, said Official Public Records;

Thence, North 89° 12' 59" East, with the South boundary line of the said 308.99 Acre Tract, the North boundary line of the said 173.21 Acre Tract, 1,405.07 Feet, to the common corner of the said 308.99 Acre Tract and 173 .21 Acre Tract, for a Northeast corner of this Tract;

Thence, South 18°02'59" West, with the common boundary line of the said 308.99 Acre Tract and 173.21 Acre Tract, 87 l.67 Feet, for a Southeast corner of this Tract;

Thence, South 89°12'59" West, over and across the said 173.21 Acre Tract, 2,083.85 Feet, to the East boundary line of a 2.00 Acre Tract described in a Warranty Deed with Vendor's Lien from Shawn A. Lockett and Marcella R. Lockett to Jeremy Scott and Paige Scott, as recorded in Document No. 2016034176, of the said Official Public Records, for a corner of this Tract;

Thence, North 20°10'52" East, with the Southeast boundary line of the said 2.00 Acre Tract, 251.64 Feet, to the Northeast corner of the said 2.00 Acre Tract and for an inner ell corner of this Tract;

Thence, North 69°49'13" West, with the North boundary line of the said 2.00 Acre Tract, at 320.48 Feet, pass the apparent Southeast Right-of-Way line of the said County Road 33, in all a distance of 343.96 Feet, to the apparent Northwest Right-of-Way line of the said County Road 33, the Southeast boundary line of the said 118.126 Acre Tract, for an inner ell corner of this Tract;

Thence, South 20°13'25" West, with the common boundary line of the said Right-of-Way and the said 118.126 Acre Tract, 1,164.13 Feet, to a 5/8 Inch Iron Rod Found, being the Northeast corner of a 20.00 Acre Tract described in a Special Warranty Deed from Sheilah Ruth London to London Independent School District, as recorded in Document No. 2005027456, of the said Official Public Records, the Southeast corner of the said 118.126 Acre Tract, for a South corner of this Tract, from

Whence a 5/8 Inch Iron Rod Found, for the Southeast corner of the said 20.00 Acre Tract, bears South 20°13'34" West, 1,146.66 Feet;

Thence, South 88°54'56" West, with the common boundary line of the said 20.00 Acre Tract, and the said 118.126 Acre Tract, 1,023.87 Feet, to a 5/8 Inch Iron Rod Found, being the Northwest corner of the said 20.00 Acre Tract, for the Southwest corner of the said 118.126 Acre Tract and of this Tract, from **Whence** a 5/8 Inch Iron Rod Found, for the Southwest corner of the said 20.00 Acre Tract, bears South 01°00'07" East, 1,065.51 Feet;

Thence, North 01°00'19" West, with the West boundary line of the said 118.126 Acre Tract, 3,143.05 Feet, to the Northwest corner of the said 118.126 Acre Tract;

Thence, North 88°54'56" East, with the North boundary line of the said 118.126 Acre Tract, 2,245.46 Feet, to a Nail Found, on the said Right-of-Way, for the Northeast corner of the said 118.126 Acre Tract and of this Tract;

Thence, South 20°13'25" West, with the common boundary line of the said Right-of-Way, and the said 118.126 Acre Tract, 1,699.95 Feet, to an inner ell corner of this Tract;

Thence, South 69°46'35" East, over and across the said County Road 33, 24.45 Feet, to the said apparent Southeast Right-of-Way line, for a corner of this Tract;

Thence, North 89°12'59" East, with the common boundary line of the said 8.00 Acre Tract, and the said 173.21 Acre Tract, 985.82 Feet, to the **Point of Beginning**, containing 161.56 Acres (7,037,378 Sq. Ft) of Land, more or less.

Grid Bearings and Distances shown hereon are referenced to the Texas Coordinate System of 1983, Texas South Zone 4205, and are based on the North American Datum of 1983(2011) Epoch 2010.00.

EXHIBIT B ANNEXATION AREA MAP

