

## **RESOLUTION NO. R2025-63**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, CONDITIONALLY APPROVING THE "FINAL PLAT" OF CREEKFALL PHASE 3 SUBDIVISION, A PROPOSED 115-LOT RESIDENTIAL SUBDIVISION CONSISTING OF APPROXIMATELY 37.72 ACRES; AND ACCEPTING A PERFORMANCE BOND ASSURING COMPLETION OF SUBDIVISION INFRASTRUCTURE**

**WHEREAS**, the City Council of the City of Burnet (City Council), Texas, has approved the Final Plat of Creekfall Phase 3 Subdivision; and

**WHEREAS**, the Planning and Zoning Commission has made its recommendation on the Final Plat of Creekfall Phase 3 Subdivision; and

**WHEREAS**, the city staff and the city engineer have opined the application substantially complies with the subdivision ordinance; and;

**WHEREAS**, accordance with City Code Sec. 98-61, the applicant has requested the final plat be recorded after approval and that the applicant be allowed to provide a performance bond to assure applicant's completion of infrastructure after plat recordation.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF BURNET, TEXAS, AS FOLLOWS:**

**Section One. Findings.** The recitals set out above are hereby approved and incorporated herein for all purposes.

**Section Two. Conditional Approval.** The Final Plat of Creekfall Phase 3 Subdivision is hereby approved with the condition that the plat shall not be recorded until all required pavement improvements have been completed and have received satisfactory inspection and approval by the City Engineer.

**Section Three. Performance Bond Accepted.** The Performance Bond is accepted, subject to the following:

- (a) The public improvements are completed and preliminarily accepted before August 12, 2026; and
- (b) At the time of preliminary acceptance of the public improvements the subdivider provides a warranty or maintenance bond, assuring the quality of materials and workmanship, and maintenance of all public improvements; and

- (c) Failure to timely complete the public improvements shall cause the city manager to draw on the performance bond to complete the public improvements; and
- (d) The public improvements shall not be accepted until all improvements have been satisfactorily completed; and
- (e) The city shall withhold all city services to the subdivision until the public improvements are satisfactorily completed and accepted.

**Section Four. Authorization.** The city manager is authorized and directed to take those actions that are reasonably necessary to facilitate the purpose of this Resolution. Further, the city manager is to draw on the performance bond to complete the public improvements, without any further city council action necessary, should the subdivider fail to complete the public improvements within the period prescribed in this resolution.

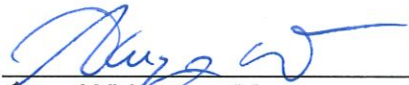
**Section Five. Recordation.** The Final Plat of Creekfall Phase 3 Subdivision may be recorded in the Public Records of the County Clerk of Burnet County, Texas upon compliance with the requirements of Subdivision Code Sec. 98-24(h) and related regulations.

**Section Six. Open Meetings.** It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

**Section Seven. Effective Date.** That this resolution shall take effect immediately upon its passage, and approval as prescribed by law.

**PASSED AND APPROVED** on this the 12<sup>th</sup> day of August 2025.

**CITY OF BURNET, TEXAS**

  
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Gary Wideman, Mayor

**ATTEST:**

  
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Maria Gonzales, City Secretary

