

RESOLUTION NO. R2021-32

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE "FINAL PLAT" OF WESTFALL VILLAGE, PHASE TWO, A PROPOSED 29-LOT RESIDENTIAL SUBDIVISION CONSISTING OF APPROXIMATELY 7.61 ACRES; AND ACCEPTING A LETTER OF CREDIT ASSURING COMPLETION OF SUBDIVISION INFRASTRUCTURE

Whereas, City Council has approved a preliminary plat of the Westfall Village Subdivision; and

Whereas, the Planning and Zoning Commission has made its recommendation on the final plat of the Westfall Village, Phase Two; 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 letter of credit to assure applicant's completion of infrastructure after plat recordation.

NOW, THEREFORE, BE IT RESOLVED BY CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THAT:

Section 1. Findings. That the recitals to this Resolution are incorporated herein for all purposes.

Section 2. Approval. The final plat of the Westfall Village, Phase Two, is hereby approved.

Section 3. Letter of Credit Accepted. The Letter of Credit issued by First State Bank of Burnet, dated June 1, 2021, for the guaranty of completion of the public improvements required for the Westfall Village Subdivision, Phase Two, is accepted, subject to the following:

- (a) The public improvements are completed and preliminary accepted before June 1, 2022; 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 letter of credit to complete the public improvements; and
- (d) The public improvements shall not be accepted until all improvements have been satisfactory completed; and

(e) The city shall withhold all city services to the subdivision until the public improvements are satisfactorily completed and accepted.

Section 4. 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 letter of credit 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 5. Recordation. The final plat of the Westfall Village, Phase Two 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 6. 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 7. Effective Date. That this resolution shall take effect immediately upon its passage, and approval as prescribed by law.

PASSED AND APPROVED this the 22nd day of June, 2021.

CITY OF BURNET, TEXAS


Crista Goble Bromley, Mayor

ATTEST:


Kelly Dix, City Secretary

