

## **A RESOLUTION**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS ACCEPTING A PETITION FOR ANNEXATION FROM BRMK BOERNE RANCH, LLC; AUTHORIZING THE CITY MANAGER TO NEGOTIATE A WRITTEN SERVICES AGREEMENT WITH THE PETITIONER; AND SETTING A PUBLIC HEARING DATE FOR SAID ANNEXATION**

**WHEREAS**, on December 12, 2024, the City of Fair Oaks Ranch received an annexation petition from BRMK Boerne Ranch, LLC, and

**WHEREAS**, the applicant has submitted the request for annexation on behalf of the property owner, and

**WHEREAS**, the requested annexation includes 344.6 acres of undeveloped land in the City's extraterritorial jurisdiction (ETJ), situated along Ammann Road to the south and west, and

**WHEREAS**, the staff has deemed the petition complete, and

**WHEREAS**, Texas Local Government Code Section Chapter 43, Subchapter C-3 Section 43.0672 requires the City Council, prior to adopting an ordinance to annex the area, to negotiate and enter into a written services agreement with the owners of the land in the proposed annexation area for the provision of municipal services, and

**WHEREAS**, Texas Local Government Code Section Chapter 43, Subchapter C-3 Section 43.0673 requires the City Council, prior to adopting an ordinance to annex the area, to conduct one public hearing to provide persons interested in the annexation with the opportunity to be heard.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS:**

- Section 1.** That the City Council accepts the petition for annexation from BRMK Boerne Ranch, LLC as attached (**Exhibit A**), authorizes the City Manager to negotiate an annexation services agreement with the petitioner, and sets June 19, 2025, as the public hearing date for said annexation petition.
- Section 2.** That the recitals contained in the preamble hereto are hereby found to be true and such recitals are hereby made a part of this resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.
- Section 3.** If any provision of this resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this resolution would have been enacted without such invalid provision.
- Section 4.** That it is officially found, determined, and declared that the meeting at which this resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this

resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.

**Section 5.** All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this resolution are hereby repealed to the extent of such conflict, and the provision of this resolution shall be and remain controlling as to the matters resolved herein.

**Section 6.** This resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

**Section 7.** This resolution shall be in force and effect from and after its final passage, and it is so resolved.

**PASSED, APPROVED, and ADOPTED on this 20<sup>th</sup> day of May 2025.**

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Gregory C. Maxton, Mayor

ATTEST:

APPROVED AS TO FORM:

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Christina Picioccio, TRMC  
City Secretary

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Denton Navarro Rodriguez Bernal Santee & Zech  
P.C., City Attorney