

## **A RESOLUTION**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS APPROVING AMENDMENT NO. 1 TO THE POST OAK DEVELOPMENT AGREEMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL RELATED DOCUMENTS**

**WHEREAS**, in 2013 the City entered into a development agreement known as The Reserve Development Agreement, and

**WHEREAS**, on May 20, 2025, the City Council approved Resolution 2025-26, authorizing an amended development agreement with BitterBlue Inc. for the Post Oak Subdivision, and

**WHEREAS**, the developer and the City have negotiated certain amendments to the agreement as shown in **Exhibit A**, including street frontage requirements, drainage standards, reduced density and living unit equivalents, and clarification of impact fee payments, and

**WHEREAS**, the City Council has determined that the amended terms of the development agreement are in the best interest of the City and its long-term efforts to responsibly manage growth.

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

- Section 1.** That the City Council approves Amendment No. 1 to the Post Oak Development Agreement as presented in **Exhibit A** and authorizes the City Manager to execute all related documents.
- 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resolutions or parts thereof, which are in conflict or inconsistent with any provision of this resolution are hereby repealed to the extent of such conflict, and the provision of this resolution shall be and remain controlling as to the matters resolved herein.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 7<sup>th</sup> day of May 2025.**

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Gregory C. Maxton, Mayor

ATTEST:

APPROVED AS TO FORM:

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Amanda Valdez, TRMC  
Deputy City Secretary

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