

**RESOLUTION NO. 20-R-75**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING A SUBDIVISION IMPROVEMENT AGREEMENT CROSSVINE M1U3 PHASE B, AND OTHER MATTERS IN CONNECTION THEREWITH**

**WHEREAS**, the Landowner desires to defer certain dedication and improvement obligation for Crossvine M1U3 Phase B; and

**WHEREAS**, pursuant to Section 21.4.15 of the City's Unified Development Code, the obligation to dedicate and construct improvements for the Subdivision may be deferred if an Improvement Agreement is executed and if sufficient surety is provided to secure the obligation to construct the improvements; and

**WHEREAS**, the City staff of the City of Schertz has recommended that the City enter into a Subdivision Improvement Agreement; and

**WHEREAS**, the City Council has determined that it is in the best interest of the City to authorize the City Manager to enter into a Subdivision Improvement Agreement.

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS: THAT:**

Section 1. The City Council hereby authorizes the City Manager to execute a Subdivision Improvement Agreement for Crossvine M1U3 Phase B.

Section 2. The recitals contained in the preamble hereof 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 Council.

Section 3. 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resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. 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 5. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. 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, Texas Government Code, as amended.

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

PASSED AND ADOPTED, this 7<sup>th</sup> day of July, 2020.

---

Ralph Gutierrez, Mayor

ATTEST:

---

Brenda Dennis, City Secretary  
(SEAL OF THE CITY)