

REPORT TO THE BOARD OF MAYOR & ALDERMEN

DATE: November 10, 2025

FROM: Dale Perryman, P.E., Town Engineer

SUBJECT: Release of the Letter of Credit for Hidden Creek, Phase 2 (Crooked Creek Road), First Amendment, Case #215736

INTRODUCTION:

This agenda item is to consider the Release of Letter of Credit #19121715 in the amount of \$194,000.00 for Hidden Creek, Phase 2, First Amendment. (Exhibit 2)

BACKGROUND:

- The Board of Mayor and Aldermen (BMA) approved the Hidden Creek, Phase 2 Development Agreement (DA) on June 13, 2022.
- The BMA approved an amendment to open Crooked Creek Road earlier for public use and to relieve congestion related to pick-up and drop-off at Bailey Station Elementary School.
- On September 6, 2013, the developer of Criss Cross, Phase 2 made a payment of \$129,740.00 in lieu of constructing Criss Cross Lane and Crooked Creek Road. In January 2024, the Town reimbursed \$108,500 to cover the completed construction of those roads.
- As part of the amendment, the Developer agreed to a separate security amount for Crooked Creek Road right-of-way and Criss Cross Lane right-of-way in the amount of \$194,000.00.
- The deed for Crooked Creek Road was recorded on --January 12, 2024, beginning the one-year warranty.

DISCUSSION:

- To ensure developers complete and maintain specific public and private improvements for approved projects, the Town regularly requires performance securities (Letters of Credit) to ensure Town Standards are met. The Developer is requesting the Release of the Bank of Fayette County Letter of Credit #19121715 for Hidden Creek, Phase 2, First Amendment (Crooked Creek Road) in the amount of \$194,000.00.
- Opening the road has relieved traffic to the Houston Levee and Poplar Avenue intersection during school peak hours, as well as allowing for major path changes for residents within the vicinity. In addition, it has allowed more access routes and reduced response times for the Town's Fire, Police, and Safety officials to existing subdivisions and to Bailey Station Elementary School.
- The Letter of Credit (#192107915) in the amount of \$706,000.00 for Hidden Creek, Phase 2 will remain in place.
- The Developer has committed to install erosion control materials to a small area along the south side of Crooked Creek Road by the end of November.
- In order to obtain the full Release of this Letter of Credit (LOC), the Developer has agreed to install the erosion control material on the south side of Crooked Creek Road prior to the release of Phase 2 Letter of Credit. This will ensure the erosion control materials will be installed and will hold up.

STAFF RECOMMENDATION:

Staff recommends approval of the release of the Bank of Fayette County Letter of Credit #19121715.

BUDGET IMPACT:

There is no impact to the budget.

ATTACHMENTS:

[Exhibit 1 - Vicinity Map](#)

[Exhibit 2 - First Amendment](#)

[Request for Release for Crooked Creek.pdf](#)

PROPOSED MOTION:

To approve the Release of The Bank of Fayette County Letter of Credit #19121715 in the amount of \$194,000.00 for Hidden Creek, Phase 2, First Amendment (Crooked Creek Road)

Board Action: Motion By_____ Seconded By_____

Vote Total	Hall	Jordan	Robbins	Marshall	Stamps	Fraser
Yes						
No						
Abstain						