

RESOLUTION 2019-48

A RESOLUTION OF THE FRUITA CITY COUNCIL TO APPROVE THE 1ST RELEASE OF THE DEVELOPMENT IMPROVEMENTS AGREEMENT FOR THE MULBERRY ALLEY IMPROVEMENTS.

WHEREAS, the developer of the Mulberry Alley Improvements project entered into a development improvements agreement recorded in the records of the Mesa County Clerk and Recorder at Reception #2880697 to guarantee that required improvements would be completed within a certain time period, and

WHEREAS, the developer has requested a 1st release of the performance guarantee and to start the two-year warranty period for the improvements, and

WHEREAS, improvements required by the Development Improvements Agreement for the Mulberry Alley Improvements project have been inspected and have been sufficiently completed to allow a 1st release of the DIA, and

NOW, THEREFORE, BE IT RESOLVED BY THE FRUITA CITY COUNCIL THAT:

- A. The required development improvements for the Mulberry Alley Improvements are approved for 1st release of the Development Improvements Agreement subject to the following:
 - a. 10% of the total cost of improvements being retained for the required two-year warranty period as required by the Development Improvements Agreement.
 - b. A Bill of Sale submitted and acceptable to the City of Fruita.
- B. The City Clerk shall record Resolution 2019-48 along with Exhibit A with the Mesa County Clerk & Records Office.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF FRUITA, COLORADO THIS 17th DAY OF SEPTEMBER, 2019.

ATTEST:

City of Fruita

Margaret Sell, City Clerk

Joel Kincaid, Mayor