

RESOLUTION 2007-04
FINAL ACCEPTANCE OF PUBLIC IMPROVEMENTS
AND RELEASE OF PERFORMANCE GUARANTEE
MISSY MINOR SUBDIVISION

WHEREAS, the Subdivision Improvements Agreement for Missy Minor Subdivision as recorded in Book 3953, at Page(s) 545 thru 570, was released by Resolution 2005-118 on 12/20/05, subject to retention of 10% of the cost for construction and installation of the improvements as a performance guarantee for one year from the date of acceptance of the improvements by the Community Development Director, and,

WHEREAS, a one-year period has lapsed since acceptance of the public improvements and they have been found by the City Engineer to be free of defects in materials and workmanship.

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

1. That the conveyance of the physical facilities necessary for the extension, maintenance and repair of municipal utility service located in Missy Minor Subdivision, as more fully described in Exhibit A attached hereto, is hereby accepted, and
2. That the Missy Minor Subdivision, be released from the Public Improvements Performance Guarantee recorded in book 3953 pages 571-572 required pursuant to Section 17.21.070 of the Fruita Municipal Code which warrants that the title conveyed shall be good and its transfer rightful; any and all facilities conveyed shall be free from any security interest or other lien encumbrance; and all public improvements are free of defects in workmanship and materials.

PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL
THIS 2nd DAY OF JANUARY 2007

CITY OF FRUITA

E. James Adams, Mayor

ATTEST:

City Clerk

Resolution 2007-04
Exhibit A
Legal Description

MISSY MINOR SUBDIVISION, a Re-subdivision Lot 2, Peterson Minor Subdivision, Tax Parcel No. 2697-092-47-002.

Situated in the SW¹/₄ NW¹/₄ of Section 9,

Township 1 North, Range 2 West, of the Ute Meridian