

**TOWN OF ERIE  
RESOLUTION NO. 19-\_\_**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF  
ERIE APPROVING THE FIFTH AMENDMENT TO THE DISPOSITION  
AND DEVELOPMENT AGREEMENT FOR THE NINE MILE PROJECT**

**WHEREAS**, the Town of Erie and Town of Erie Urban Renewal Authority entered into a Disposition and Development dated March 22, 2016; and

**WHEREAS**, the Town of Erie, the Urban Renewal Authority, and the Developer entered into the First Amendment to the Disposition and Development Agreement dated December 13, 2016; and

**WHEREAS**, the Town of Erie, the Urban Renewal Authority, and the Developer entered into the Second Amendment to the Disposition and Development Agreement dated May 1, 2017; and

**WHEREAS**, the Town of Erie, the Urban Renewal Authority, and the Developer entered into the Third Amendment to the Disposition and Development Agreement dated December 12, 2017; and

**WHEREAS**, the Town of Erie, the Urban Renewal Authority, and the Developer entered into the Fourth Amendment to the Disposition and Development Agreement dated May 8, 2018; and

**WHEREAS**, the Town of Erie and the Developer desire to further amend the Disposition and Development Agreement; and

**WHEREAS**, the Board of Trustees finds that it is in the best interest of the Town and the public health, safety and welfare to approve the Fifth Amendment to the Disposition and Development Agreement with the Town of Erie Urban Renewal Authority and the Developer for the Nine Mile project.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO, THAT:**

Section 1. The Board of Trustees hereby approves the Fifth Amendment to the Disposition and Development Agreement substantially the form attached hereto, subject to final approval by the Town Attorney. Upon such approval, the Mayor is authorized to execute the Fifth Amendment to the Disposition and Development Agreement on behalf of the Town.

**ADOPTED this 13th day of August, 2019.**

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Jennifer Carroll, Mayor

**ATTEST:**

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Jessica Koenig, Town Clerk