

**TOWN OF ERIE  
RESOLUTION NO. \_\_\_\_-2020**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF  
ERIE APPROVING THE FIRST AMENDMENT TO THE BIRDHOUSE  
DEVELOPMENT AGREEMENT**

WHEREAS, on December 10, 2019, the Town and RTR Birdhouse Holdings LLC ("Developer") entered into a Development Agreement regarding the development of the property at 526 Briggs Street, Erie, Colorado; and

WHEREAS, the Town and Developer wish to amend the Development Agreement to provide Developer with additional time to complete certain public improvements associated with the development of the property, and to allow Developer to post an alternate form of improvement guarantee until such time as Developer can secure a letter of credit.

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

Section 1. The First Amendment to Birdhouse Development Agreement is hereby approved in substantially the form attached hereto, subject to final approval by the Town Attorney. Upon such approval, the Mayor is authorized to execute the First Amendment on behalf of the Town.

**ADOPTED this 14<sup>th</sup> day of July, 2020.**

\_\_\_\_\_  
Jennifer Carroll, Mayor

**ATTEST:**

\_\_\_\_\_  
Heidi Leatherwood, Town Clerk