

**TOWN OF ERIE URBAN RENEWAL AUTHORITY
RESOLUTION NO. 18-_____**

A RESOLUTION AUTHORIZING THE TOWN OF ERIE URBAN RENEWAL AUTHORITY TO ENTER INTO A FOURTH AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT WITH THE TOWN OF ERIE AND EVERGREEN-287 & ARAPAHOE, L.L.C.; AUTHORIZING AND DIRECTING THE APPROPRIATE TOWN OF ERIE URBAN RENEWAL AUTHORITY OFFICERS TO SIGN SAID FOURTH AMENDMENT; AND, SETTING FORTH DETAILS IN RELATION THERETO.

WHEREAS, the Town of Erie Urban Renewal Authority, the Town of Erie, Colorado, and Evergreen-287 & Arapahoe, LLC previously entered into a Disposition and Development Agreement, dated March 22, 2016 (the “DDA”); and

WHEREAS, the Town of Erie Urban Renewal Authority, the Town of Erie, Colorado, and Evergreen-287 & Arapahoe, LLC previously entered into a First Amendment to the Disposition and Development Agreement, on December 13, 2016; and

WHEREAS, the Town of Erie Urban Renewal Authority, the Town of Erie, Colorado, and Evergreen-287 & Arapahoe, LLC previously entered into a Second Amendment to the Disposition and Development Agreement, on May 9, 2017; and

WHEREAS, the Town of Erie Urban Renewal Authority, the Town of Erie, Colorado, and Evergreen-287 & Arapahoe, LLC previously entered into a Third Amendment to the Disposition and Development Agreement, on December 12, 2017; and

WHEREAS, the Commissioners of the Town of Erie Urban Renewal Authority believe it is in the best interest of the Town of Erie Urban Renewal Authority to now approve a Fourth amendment to the DDA.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF THE TOWN OF ERIE URBAN RENEWAL AUTHORITY, AS FOLLOWS:

Section 1. That the Fourth Amendment to the Disposition and Development Agreement by and among the Town of Erie Urban Renewal Authority, the Town of Erie and Evergreen-287 & Arapahoe, LLC (the “Fourth Amendment”), a copy of which is attached hereto and incorporated herein by reference, is found to be a reasonable, acceptable and necessary amendment to the DDA.

Section 2. That the Town of Erie Urban Renewal Authority be and is hereby authorized and directed to enter into the Fourth Amendment, and the appropriate Town of Erie Urban Renewal Authority officers are hereby authorized and directed to sign and bind the Town of Erie Urban Renewal Authority to said Fourth Amendment.

Section 3. That entering into the Fourth Amendment is found to be in the best interest of the Town of Erie Urban Renewal Authority.

ADOPTED AND APPROVED THIS 8TH DAY OF MAY, 2018, BY THE TOWN OF ERIE URBAN RENEWAL AUTHORITY.

Town of Erie Urban Renewal Authority,
a body corporate and politic

By: _____
Jennifer Carroll, Chairperson

ATTEST:

By: _____
Jessica Koenig, Secretary

EXHIBIT A