

RESOLUTION NO. 18-_____
Series of 2018

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

WHEREAS, the Town of Erie, Colorado, the Town of Erie Urban Renewal Authority and Evergreen-287 & Arapahoe, LLC previously entered into a Disposition and Development Agreement, dated March 22, 2016 ("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 Board of Trustees of the Town of Erie believes it is in the best interest of the Town to now amend the DDA.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO, AS FOLLOWS:

Section 1. That the Fourth Amendment to the Disposition and Development Agreement by and among the Town of Erie, the Town of Erie Urban Renewal Authority 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 be and is hereby authorized and directed to enter into the Fourth Amendment, and the appropriate Town officers are hereby authorized and directed to sign and bind the Town of Erie 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, and necessary for the preservation of the public health and safety.

ADOPTED AND APPROVED THIS 8TH DAY OF MAY, 2018, BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO.

TOWN OF ERIE,
a Colorado municipal corporation

By: _____
Jennifer Carroll, Mayor

ATTEST:

By: _____
Jessica Koenig, Deputy Town Clerk

EXHIBIT A