

RESOLUTION NO. 16-__

A RESOLUTION BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO AUTHORIZING THE APPROPRIATE TOWN OFFICIAL TO SIGN THE COLLIERS HILL METROPOLITAN DISTRICT NO. 3 DEVELOPMENT AGREEMENT CONDITIONAL UPON VERIFICATION OF THE FINAL AGREEMENT FORM; ADOPTING CERTAIN FINDINGS OF FACT AND CONCLUSIONS FAVORABLE TO APPROVING THE DEVELOPMENT AGREEMENT; AND, SETTING FORTH DETAILS IN RELATION THERETO.

WHEREAS, the Board of Trustees of the Town of Erie, Colorado, considered the approval of the Colliers Hill Metropolitan District No. 3 Development Agreement, pursuant to the application of Daybreak Recovery Acquisition, LLC, 7200 S. Alton Way, Suite C-400, Centennial, CO 80112, for the Colliers Hill property, Town of Erie, County of Weld, State of Colorado; and,

WHEREAS, the Board of Trustees of the Town of Erie, Colorado, desires to approve the Colliers Hill Metropolitan District No. 3 Development Agreement and to accept financial guarantees for improvements to be constructed by the Owner and the Colliers Hill Metropolitan District No. 2, or their assignees; and,

WHEREAS, the Board of Trustees of the Town of Erie, believes it is in the best interest of the Town and its citizens to approve the Colliers Hill Metropolitan District No. 3 Development Agreement as provided for herein below.

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

Section 1. The Board of Trustees of the Town of Erie hereby approves the Colliers Hill Metropolitan District No. 3 Development Agreement for the Colliers Hill property in substantially the form set forth in the Agreement copy attached hereto, marked "Exhibit A" and incorporated herein by this reference. The Board of Trustees further authorizes and directs the appropriate Town Official to sign and bind said Agreement conditional upon approval of the final form of said Agreement by the Town Administrator.

INTRODUCED, READ, SIGNED AND APPROVED this 15th day of November 2016.

TOWN OF ERIE,
a Colorado municipal corporation

By: _____
Tina Harris, Mayor

ATTEST:

By: _____
Nancy J. Parker, CMC, Town Clerk