

**Town of Erie Urban Renewal Authority
Resolution No. 21-10**

A Resolution of the Board of Commissioners of the Town of Erie Urban Renewal Authority Approving the Ninth Amendment to the Disposition and Development Agreement with Evergreen-287 & Arapahoe, L.L.C. and the Town of Erie for the Nine Mile Corner Development

Whereas, the Town of Erie Urban Renewal Authority ("TOEURA"), the Town of Erie and Evergreen-287 & Arapahoe L.L.C. entered into a Disposition and Development Agreement for the Nine Mile Corner development dated March 22, 2016 (the "DDA"), which DDA was subsequently amended on December 13, 2016, May 1, 2017, December 12, 2017, May 8, 2018, August 13, 2019 October 22, 2019, May 13, 2020 and September 30, 2020;

Whereas, the parties wish to further amend the DDA; and

Whereas, the Board of Commissioners finds that it is in the best interest of TOEURA and the public health, safety and welfare to approve the Ninth Amendment to the Disposition and Development Agreement for the Nine Mile Corner development.

Now Therefore be it Resolved by the Board of Commissioners of the Town of Erie Urban Renewal Authority that:

Section 1. The Ninth Amendment to the Disposition and Development Agreement by and among TOEURA, the Town of Erie and Evergreen-287 & Arapahoe, L.L.C. is hereby approved in substantially the form attached hereto, subject to final approval by TOEURA's General Counsel. Upon such approval, the Chair is authorized to execute the Ninth Amendment on behalf of TOEURA.

Adopted this 14th day of September, 2021.

Jennifer Carroll, Chair

ATTEST:

Heidi Leatherwood, Town Clerk