

**TOWN OF ERIE
RESOLUTION NO. 19-__**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF
ERIE APPROVING A NEIGHBORHOOD PARK AGREEMENT WITH
CLAYTON PROPERTIES II, INC. FOR THE CONSTRUCTION OF
CLAYTON PARK IN THE ERIE HIGHLANDS NEIGHBORHOOD**

WHEREAS, the Town and Oakwood Homes entered into the Erie Highlands Filing No. 11 Development Agreement, dated February 28, 2017 and recorded April 6, 2017 at Reception No. 4291876, Weld County, Colorado, as subsequently amended (the "Development Agreement");

WHEREAS, Section IX.E.1 of the Development Agreement provides for a neighborhood park and the installation of landscaping improvements on Tract A as described in the Development Agreement;

WHEREAS, on November 13, 2018, the Board of Trustees approved the master plan for the Erie Highlands Neighborhood Park, which is located on property currently owned by Clayton Properties II, Inc., the successor-in-interest to Oakwood Homes (the "Park"); and

WHEREAS, the parties wish to enter into an agreement that details how the Town will construct the Park in accordance with the plan approved by the Board of Trustees, with funding to be provided by Clayton Properties II, Inc.

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

Section 1. The Board of Trustees hereby approves the Neighborhood Park Agreement with Clayton Properties II, Inc. in substantially the form attached hereto, subject to final approval by the Town Attorney. Upon such approval, the Mayor is authorized to execute the Agreement on behalf of the Town.

ADOPTED this 12th day of November, 2019.

Jennifer Carroll, Mayor

ATTEST:

Jessica Koenig, Town Clerk