

**Town of Erie
Resolution No. 21-117**

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

Whereas, the Town, the Town of Erie Urban Renewal Authority ("TOEURA"), 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 22, 2020;

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

Whereas, the Board of Trustees finds that it is in the best interest of the Town 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 Trustees of the Town of Erie, Colorado, that:

Section 1. The Ninth Amendment to the Disposition and Development Agreement by and among the Town, the Town of Erie Urban Renewal Authority, the Town of Erie and Evergreen-287 & Arapahoe, LLC is hereby approved in substantially the form attached hereto, subject to final approval by the Town Attorney. Upon such approval, the Mayor is authorized to execute the Ninth Amendment on behalf of TOEURA.

Adopted this 14th day of September, 2021.

Jennifer Carroll, Mayor

Attest:

Heidi Leatherwood, Town Clerk