AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

AgendaTitle:
Addendum to the Landscaping Improvements Agreement for Lot 4, Riverland Industrial Park; John Nichols

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement: Board of County Commissioners and John Nichols

Term Begins: **Term Ends:** **Grant Contract #:**

Summary:
This Addendum extends the work completion date for landscaping improvements for Lot 4, Riverland Industrial Park. We have cash security for those improvements. May I please ask that the original Addendum be returned to the Office of the County Attorney.

Fiscal Impact: 0

Submitted by: Office of the County Attorney **Submitter's Email Address:** rmagruder@gunnisoncounty.org

Finance Review: ○ Required ● Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ● Required ○ Not Required

Comments:

Reviewed by: GUNCOUNTY1\ATREZISE Discharge Date: 11/8/2013 Certificate of Insurance Required Yes ○ No ●

County Manager Review:

Comments:

Reviewed by: GUNCOUNTY1\MBIRNIE Discharge Date: 11/12/2013

● Consent Agenda ○ Regular Agenda ○ Worksession Time Allotted:

Agenda Date: 11/19/2013 Follow Up Agenda Date:

Revised April 2013

ADDENDUM TO THE LANDSCAPING IMPROVEMENTS AGREEMENT

FOR LOT 4, RIVERLAND INDUSTRIAL PARK

THIS ADDENDUM TO THE LANDSCAPING IMPROVEMENTS AGREEMENT FOR LOT 4, RIVERLAND INDUSTRIAL PARK (herein "Addendum") modifies that certain Landscaping Improvements Agreement by and between the Board of County Commissioners of the County of Gunnison, Colorado and John Nichols dated December 4, 2012 and recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on December 11, 2012, bearing Reception No: 617197 (herein "Agreement").

The Agreement was entered into as a condition of approval of Land Use Change No: 2012-23public and identifies the required landscaping improvements for Lot 4, Riverland Industrial Park, Filing 1. The location of Lot 4 is identified on the plat titled "Plat of Riverland –an industrial park, filing 1 Situated In Sections 12 & 13, T14S, R86W and Sections 7 & 18, T14S, R85W, 6th P.M., County of Gunnison, State of Colorado", recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on September 14, 1982, bearing Reception No: 369534 and the plat titled "Boundary Line Adjustment Lot 4, Riverland An Industrial Park Subdivision Gunnison County, Colorado Part of Sections 7 and 18, T14S, R85W, 6th P.M. Sections 12 and 13, T14S, R86W, 6th P.M." recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on August 18, 2011, bearing reception No: 607487.

This Addendum hereby modifies the Agreement by extending the work completion date pursuant to paragraph 3.B of the Agreement.

The work completion date identified in paragraph 3.A of the Agreement shall be and hereby is extended from September 30, 2013 to June 30, 2014. The certification of completion of work date identified in paragraphs 6.A and 6.B of the Agreement shall be and hereby is extended from October 31, 2013 to July 31, 2014.

Except as modified herein, any and all terms and conditions of the Landscaping Improvements Agreement referenced above are hereby reaffirmed and ratified.

APPROVED this 19th day of November, 2013.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

By: _____
Paula Swenson, Chairperson

ATTEST:

_____
Deputy County Clerk

JOHN NICHOLS

By: _____
John Nichols

STATE OF COLORADO)
)ss.
COUNTY OF GUNNISON)

The foregoing instrument was acknowledged before me this 5th day of November, 2013 by John Nichols.

Witness my hand and seal.
My commission expires: 11/30/15.

DENA HILDRETH
Notary Public
State of Colorado

_____
Notary Public
Address:
1313 W. Ohio Ave, Office
Gunnison, CO 81230