AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Addendum to the Development Improvements Agreement

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement: BOCC and Horse River, LLC

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

Summary:

Attached please find the Addendum to the Development Improvements Agreement for Horse River Ranch, Tract A which extends the work completion date from 8/31/16 to 8/31/17. We are holding cash security.

Fiscal Impact: 0

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

Finance Review: (●) Required ( ) Not Required

Comments:
No concerns. ln

Reviewed by: GUNCOUNTY1\lNienhueser Discharge Date: 12/29/2016

County Attorney Review: (●) Required ( ) Not Required

Comments:
ok - gs

Reveiwed by: GUNCOUNTY1\gstuhr Discharge Date: 1/3/2017 Certificate of Insurance Required Yes ( ) No (●)

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 1/4/2017

(●) Consent Agenda ( ) Regular Agenda ( ) Worksession Time Allotted: 0

Agenda Date: 1/10/2017

Revised April 2015

ADDENDUM TO THE DEVELOPMENT IMPROVEMENTS AGREEMENT FOR HORSE RIVER RANCH, TRACT A

This Addendum to the Development Improvements Agreement for Horse River Ranch, Tract A modifies that certain Development Improvements Agreement by and between the Board of County Commissioners of the County of Gunnison, Colorado and Horse River, L.L.C., a Maryland limited liability company recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on September 17, 2015, bearing Reception No: 635499.

The Development Improvements Agreement was entered into pursuant to the approval of Land Use Change No: 2006-71 regarding constructing a road to access Lots A-1, A-2, A-3, A-4 and A-5 within Tract A, Horse River Ranch. The location and legal description of Tract A is identified on the plat titled "Land Survey Plat of Tract A, Horse River Ranch A Portion of Sections 3 and 10, Township 50 North, Range 1 West of the New Mexico Principal Meridian, Gunnison County, Colorado" prepared by NCW & Associates, Inc., dated July 25, 2009, recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on October 8, 2010, bearing Reception No: 601267.

The Development Improvements Agreement is hereby modified as follows:

> Work Completion Date. Relevant to paragraphs 3 and 6 of the Development Improvements Agreement the current work completion date for the construction of road as identified in paragraph 7 of the Development Improvements Agreement was August 31, 2016. The work completion date is hereby extended to August 31, 2017.

This Addendum to the Development Improvements Agreement shall not be effective until it is recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado.

Except as modified herein, the terms and conditions of the Development Improvements Agreement are hereby reaffirmed and ratified.

APPROVED this _____ day of January, 2017.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

By: _____
_____, Chairperson

ATTEST:

_____
Deputy County Clerk

HORSE RIVER, L.L.C.,
a Maryland limited liability company

By:_____

STATE OF MARYLAND)
)ss.
County of Howard)

The foregoing instrument was acknowledged before me this 14th day of December, 2016, by John Corbitt, Owner of Horse River, L.L.C., a Maryland limited liability company.

Witness my hand and seal.
My commission expires: Jeanette Hamor 9/11/2017
Carroll County
Notary Public
Address: