Agenda Item Submittal

Date of Request	May 8, 2013
Completion Deadline	(This is the LAST possible date that you need the package back to your office.)
Desired Agenda Date	May 21, 2013
Amount of Time Requested	Consent
Is this Confidential?	(Select Yes if it should be kept out of public packet. Leave blank if No.)
Action Requested*	Please select one or select "Other" and enter in field below. Board of County Commissioners' Signature
Parties to the Agreement	Board of County Commissioners and First Bank of Colorado
Term Begins	
Term Ends	
Grant Contract Number	
Agenda Item*	(50 Character Limit) Release of DIA for Tomichi Village
Agenda Title	This is the legal description
Summary*	Attached please find the Release of Development Improvements Agreement and Addendum thereto for Tomichi Village Sewer Line and Lift Station. Please know D. Baumgarten has already approved this submittal. A hard copy is in your mail cubby. May I please ask that you return the signed original to me for recording.
Fiscal Impact*	0
Submitted By*	Office of the County Attorney Approved by Art Trezise via Laserfiche 5/15/13
Submitter's email address*	rmagruder@gunnisoncounty.org
Upload any supporting Documents	Please upload any necessary supporting documents. **DIARelease.doc** 25.5KB

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RELEASE OF DEVELOPMENT IMPROVEMENTS AGREEMENT AND ADDENDUM THERETO FOR TOMICHI VILLAGE SEWER LINE AND LIFT STATION LOCATED IN THE COLORADO STATE HIGHWAY 50 RIGHT-OF-WAY AND PORTIONS OF S1/2 SECTION 31, S1/2SW1/4 SECTION 32, TOWNSHIP 50 NORTH, RANGE 1 EAST, AND S1/2SE1/4 SECTION 36, TOWNSHIP 50 NORTH, RANGE 1 WEST N.M.P.M.

WHEREAS a Development Improvements Agreement was entered into on May 14, 2010, by and between the Board of County Commissioners of the County of Gunnison, Colorado (herein "Gunnison County") and First Bank of Hotchkiss n/k/a First State Bank of Colorado (herein Developer@), for the purpose of guaranteeing the Developer's required improvements for the Tomichi Village Sewer Line and Lift Station located in the Colorado State Highway 50 right-of-way and portions of S1/2 Section 31, S1/2SW1/4 Section 32, Township 50 North, Range 1 East, and S1/2SE1/4 Section 36, Township 50 North, Range 1 West, N.M.P.M., County of Gunnison, State of Colorado and as identified on the site plan titled "The Sanitary Sewer Plan - Tomichi Village Inn, dated October 5, 2009, prepared by Robert Williams, P.E., Williams Engineering, L.L.C.; and

WHEREAS the Development Improvements Agreement entered into by and between Gunnison County and the Developer was recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on May 18, 2010, bearing Reception No: 598497. An Addendum to the Development Improvements Agreement was recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on March 2, 2011, bearing Reception No: 604039; and

WHEREAS all conditions of the Development Improvements Agreement and Addendum thereto have been met and fully satisfied; and

WHEREAS all funds that had been retained for security have been fully released to Developer; and

NOW THEREFORE, the Board of County Commissioners of the County of Gunnison, Colorado fully releases the Development Improvements Agreement recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on May 18, 2010, bearing Reception No: 598497 and the Addendum to the Development Improvements Agreement recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on March 2, 2011, bearing Reception No: 604039.

Dated this 21st day of May, 2013.

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

By:_____
Paula Swenson, Chairperson

ATTEST:

By:_____
Deputy County Clerk