AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Release of DIA for Riverwalk Estates

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement:

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

Summary:

Attached please find the Release of Development Improvements Agreement, Addendums and Amendment thereto for Riverwalk Estates Subdivision.

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:

Reveiwed by: Discharge Date: Certificate of Insurance Required

Yes ○ No ○

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 8/31/2018

◉ Consent Agenda ○ Regular Agenda ○ Worksession Time Allotted: 0

Agenda Date: 9/4/2018

Revised April 2015

RELEASE OF DEVELOPMENT IMPROVEMENTS AGREEMENT,
ADDENDUMS AND AMENDMENT THERETO FOR
RIVERWALK ESTATES SUBDIVISION

WHEREAS, a Development Improvements Agreement, Addendums and Amendment thereto were entered into by and between the Board of County Commissioners of the County of Gunnison, Colorado and Riverwalk Estates, L.L.L.P., a Colorado limited liability limited partnership whose successor is Dunbar Family Partnership, L.P., an Oklahoma limited partnership, for the purpose of guaranteeing required improvements pursuant to the conditions of approval for Land Use Change Permit No: 2003-44; and

WHEREAS the Development Improvements Agreement, Addendums and Amendment thereto are identified as follows:

1. Development Improvements Agreement dated July 19, 2005, recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on July 25, 2005, bearing Reception No: 556038; and

2. Addendum to Development Improvements Agreement dated October 11, 2005, recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on October 12, 2005, bearing Reception No: 559286; and

3. Amendment to Addendum to Development Improvements Agreement dated November 15, 2005, recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on November 18, 2005, bearing Reception No: 560773; and

4. Second Addendum to Development Improvements Agreement dated March 18, 2008, recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on April 1, 2008, bearing Reception No: 583063; and

5. Third Addendum to Development Improvements Agreement dated July 7, 2009, recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on July 20, 2009, bearing Reception No: 592290; and

6. Fourth Addendum to Development Improvements Agreement dated June 6, 2017, recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on June 8, 2017, bearing Reception No: 646894; and

WHEREAS all conditions of the above referenced Development Improvements Agreement, Addendums and Amendment 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 shall and hereby does fully release the following:

1. Development Improvements Agreement dated July 19, 2005, recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on July 25, 2005, bearing Reception No: 556038; and

2. Addendum to Development Improvements Agreement dated October 11, 2005, recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on October 12, 2005, bearing Reception No: 559286; and

3. Amendment to Addendum to Development Improvements Agreement dated November 15, 2005, recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on November 18, 2005, bearing Reception No: 560773; and

4. Second Addendum to Development Improvements Agreement dated March 18, 2008, recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on April 1, 2008, bearing Reception No: 583063; and

5. Third Addendum to Development Improvements Agreement dated July 7, 2009, recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on July 20, 2009, bearing Reception No: 592290; and

6. Fourth Addendum to Development Improvements Agreement dated June 6, 2017, recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on June 8, 2017, bearing Reception No: 646894.

APPROVED this 4th day of September, 2018.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

By: _____
Phil Chamberland, Chairperson

By: _____
Jonathan Houck, Vice Chairperson

By: _____
John Messner, Commissioner

ATTEST:

By: _____
Deputy County Clerk