

**TOWN OF GRAND LAKE
BOARD OF TRUSTEES
RESOLUTION NO. 46 – 2024**

**A RESOLUTION OF THE BOARD OF TRUSTEES APPROVING THE
IMPROVEMENTS AGREEMENT – LUCY LANE ROADWAY EXTENSION**

WHEREAS, the Board of Trustees (the “Board”) of the Town of Grand Lake, Colorado, pursuant to Colorado statute, is vested with the authority of administering the affairs of the Town of Grand Lake, Colorado (the “Town”); and

WHEREAS, the Town approved Ordinance 07-2023 annexing roughly nine (9) acres of undeveloped property (the “Property”) owned by Genette Simpkins Revocable Living Trust (the “Developer”) into the Town; and

WHEREAS, pursuant to the terms of the annexation Ordinance 07-2023, the Town was required to construct a basic roadway to an extremely minimal standard and the Developer was to install, *inter alia*, additional improvements such as water and waste water lines and related utilities; and

WHEREAS, the Town and Developer determined it was in the mutual best interest of each party to negotiate a single contract for both the Town roadway and the Developer required improvements with a single contractor to complete the entire project (the “Project”); and

WHEREAS, the Town published a properly notice solicitation of bids for the Project and selected a responsive bid for the Project from Evergreen Excavation (the “Excavator”); and

WHEREAS, the Town and Developer negotiated with the Excavator an Improvements Agreement for Lucy Lane Roadway Extension (the “Agreement”), attached hereto as Exhibit 1 and incorporated herein, for construction of a roadway, water and waste water and related utilities to be constructed on the Property; and

WHEREAS, the Agreement sets forth the cost of the Town Improvements for which the Town will be solely responsible as well as the Developer Improvements, for which the Developer will be solely responsible; and

WHEREAS, the Board of Trustees has reviewed the Agreement as well as the recommendation of staff and desires to enter into the Agreement.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE, COLORADO AS FOLLOWS:

1. The Board of Trustees hereby approve the Improvement Agreement – Lucy Lane Roadway Extension, inclusive of its attached exhibits, dated August __, 2024, attached hereto as **Exhibit 1** and incorporated herein.
2. The Mayor or his designee is authorized and directed to sign the Agreement and take any steps necessary to fulfill the requirements of the Agreement.

3. The Town shall only be responsible for the Town Improvements as explicitly set forth in the Agreement.
4. Severability: If any Article, Section, paragraph, sentence, clause, or phrase of this Resolution is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution. The Planning Commission declares that it would have passed this Resolution and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.
5. Repeal: Existing resolutions or parts of resolutions covering the same matters as embraced in this Resolution are hereby repealed and all resolutions or parts of resolutions inconsistent with the provisions of this Resolution are hereby repealed.

**DULY MOVED, SECONDED, AND APPROVED BY THE BOARD OF TRUSTEES OF
THE TOWN OF GRAND LAKE, COLORADO, THIS 12TH DAY OF AUGUST, 2024.**

(S E A L)

Votes Approving: ___
Votes Opposed: ___
Absent: ___
Abstained: ___

ATTEST:

TOWN OF GRAND LAKE

Alayna Carrell
Town Clerk

Steve Kudron, Mayor