

**TOWN OF MEAD, COLORADO
RESOLUTION NO. 70-R-2024**

**A RESOLUTION OF THE TOWN OF MEAD, COLORADO,
APPROVING THE FIRST AMENDMENT TO THE SUBDIVISION
IMPROVEMENT AGREEMENT FOR RED BARN FARMS, FILING #1**

WHEREAS, the Town of Mead, Colorado and 13-32 Development, LLC, a Colorado limited liability company (“Developer”) entered into that certain Subdivision Improvement Agreement dated March 16, 2021 and recorded in the official records of Weld County, Colorado, on April 15, 2021 at Reception No. 4705174 regarding improvements to be made in Red Barn Farms Filing No. 1 (the “Agreement”); and

WHEREAS, Developer desires to construct the Improvements, as defined in the Agreement, pursuant to a phasing plan, as contemplated in Section I(C) of the Agreement; and

WHEREAS, the Agreement requires that any phasing plan be incorporated by amendment of the Agreement upon Town’s approval of the phasing plan; and

WHEREAS, the proposed phasing plan (“Phasing Plan”) and related amendments to the Agreement are set forth in that certain First Amendment to the Agreement (“First Amendment”), a copy of which is attached to this Resolution as **Exhibit 1** and is incorporated herein by reference; and

WHEREAS, the Town Engineer and Town Manager have reviewed and approved the proposed adjustment to the Phasing Plan, as set forth and included in the First Amendment; and

WHEREAS, the Board of Trustees desires to approve the First Amendment and further desires to authorize the Town Manager to execute the First Amendment on behalf of the Town,

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Mead, Weld County, Colorado, that:

Section 1. The foregoing recitals and findings are incorporated herein as findings and conclusions of the Board of Trustees.

Section 2. The Board of Trustees hereby: (a) approves the First Amendment in substantially the same form as attached hereto as **Exhibit 1**; (b) authorizes the Town Attorney in cooperation with the Town Manager to make non-material changes to the First Amendment that do not increase the Town’s obligations; and (c) authorizes the Town Manager to execute the First Amendment on behalf of the Town.

Section 3. Following the execution of the First Amendment by the Town Manager, the Town Clerk shall cause the First Amendment to be recorded in the real property records of Weld County, Colorado.

Section 4. Effective Date. This resolution shall be effective immediately upon adoption.

Section 5. Repealer. All resolutions, or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

Section 6. Certification. The Town Clerk shall certify to the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 9TH DAY OF SEPTEMBER 2024.

ATTEST:

TOWN OF MEAD

By _____
Mary E. Strutt, MMC, Town Clerk

By _____
Colleen G. Whitlow, Mayor

Exhibit 1 – First Amendment to Subdivision Improvement Agreement for Red Barn Farms, Filing #1

(Attached)