

RESOLUTION 2016 - 30

**A RESOLUTION OF THE FRUITA CITY COUNCIL APPROVING THE FIRST
RELEASE OF THE SUBDIVISION IMPROVEMENTS AGREEMENT FOR
VILLAGE AT COUNTRY CREEK #4 SUBDIVISION
(Application #2015 - 09)**

WHEREAS, the developer of Village at Country Creek Filing Four entered into a subdivision improvements agreement (Resolution 2015-26) recorded in the records of the Mesa County Clerk and Recorder (Reception #2751818) to guarantee that required improvements would be completed within a certain time period, and

WHEREAS, the developer has requested a 1st release of the performance guarantee for the improvements that have been completed and to start the two-year warranty period, and

WHEREAS, improvements required by the subdivision improvements agreement for Village at Country Creek Filing Four subdivision have been inspected by city staff and appear to have been completed as required, and

WHEREAS, a Bill of Sale for the required public improvements that will belong to the City of Fruita has been provided and is attached as Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF FRUITA, COLORADO:**

THAT the required subdivision improvements for Village at Country Creek Filing Four subdivision are approved for 1st release of the subdivision improvements agreement, subject to 10% of the total cost of improvements being retained for the required two-year warranty period (as required by the subdivision improvements agreement).

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF FRUITA,
COLORADO THIS 2nd DAY OF August, 2016.**

ATTEST:

City of Fruita

Margaret Sell, City Clerk

Lori Buck, Mayor

EXHIBIT A (Res # 2016-30)

BILL OF SALE

Village at Country Creek Filing 4

 Development Name

KNOW ALL MEN BY THESE PRESENTS, that Sunshine of the Redlands, Inc. as Property owner and Developer (Property Owner Name AND Developer Name) of the County of Mesa, State of Colorado (Seller), for and in good and sufficient consideration, the receipt and sufficiency of which is hereby acknowledged, has bargained and sold and by these presents does grant and convey unto the City of Fruita, Colorado, a municipal corporation (Buyer), its successors and assigns, the following property, goods and chattels, to wit:

| Type of Improvement | Description | Quantity | Measurement | City Use |
|---|-----------------|-----------|-------------|-------------------|
| Streets | Periwinkle Lane | | | |
| Interior to subdivision | | 420 | Lineal feet | |
| Offsite street improvements | | none | Lineal feet | |
| Curbs, gutters and sidewalk | | 835 | Lineal feet | |
| Street signs | | 0 | Each | |
| Street lights | | 2 | Each | |
| Storm Sewer | | | | |
| Lines | | none | Lineal feet | |
| Inlets | | | Each | |
| Other | | | | |
| Sewer Lines and Appurtenances: | | | | |
| Lines, Mains | Previously | Dedicated | Lineal feet | |
| Manholes | | | Each | |
| Other | | | | |
| Open Space dedicated to City | | | | |
| Land | | 5,381 | Sq. ft. | Dedicated on plat |
| Improvements | | 17,528 | Sq. ft. | landscaping |

m.
row

Transferred FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES located at: Periwinkle Lane, Fruita, CO.

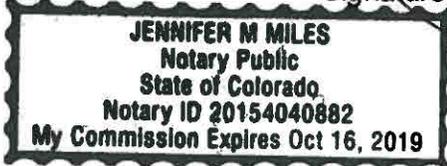
TO HAVE AND TO HOLD the same unto the said Buyer, its successors and assigns, forever. The said Seller covenants and agrees to and with the Buyer, its successors and assigns, to WARRANT AND DEFEND the sale of said property, goods and chattels, against all and every person or persons whomever. When used herein, the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the Seller has executed this Bill of Sale this 21 day of July 2016

 Signature of Seller - Property Owner

 Signature of Seller - Developer

STATE OF COLORADO)
)
 COUNTY OF MESA)



The foregoing instrument was acknowledged before me this 21 day of July, 2016 by
John Moir (Sellers name).

WITNESS MY HAND AND OFFICIAL SEAL

My Commission Expires: Oct 16, 2019

Notary Public: Jennifer M Miles