

RESOLUTION 2020-28

**A RESOLUTION OF THE FRUITA CITY COUNCIL APPROVING THE FIRST
RELEASE OF THE SUBDIVISION IMPROVEMENTS AGREEMENT FOR THE
GARDEN ESTATES SUBDIVISION**

WHEREAS, the developer of the Garden Estates Subdivision entered into a Subdivision Improvements Agreement recorded in the records of the Mesa County Clerk and Recorder at Reception #2892592 to guarantee that required improvements would be completed within a certain time period, and

WHEREAS, the developer has requested a 1st release of the Subdivision Improvements Agreement and to start the two-year warranty period for the subdivision improvements, and

WHEREAS, improvements required by the Subdivision Improvements Agreement for the Garden Estates Subdivision have been inspected and have been sufficiently completed to allow a 1st release of the SIA with the exception of the irrigation vault and landscaping, and

WHEREAS, the irrigation vault was redesigned to handle additional capacity to serve an adjoining subdivision causing a delay in construction, and

WHEREAS, the developer has provided the city with an Irrigation Exhibit showing the costs for the redesigned irrigation vault system, 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:**

Section 1. The required subdivision improvements for the Garden Estates Subdivision are approved for 1st release of the Subdivision Improvements Agreement with the exception of the costs for the irrigation vault.

Section 2. The City Council authorizes the City Engineer and the Planning Director to administratively allow the supplemental release of the costs for the irrigation vault while retaining the required 10% for the two-year warranty period.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF FRUITA,
COLORADO THIS 21st DAY OF JULY, 2020.**

ATTEST:

City of Fruita

Margaret Sell, City Clerk

Joel Kincaid, Mayor