

**RESOLUTION 2020-34**

**A RESOLUTION OF THE FRUITA CITY COUNCIL APPROVING THE FIRST  
RELEASE OF THE SUBDIVISION IMPROVEMENTS AGREEMENT FOR THE  
BRANDON RESIDENTIAL PUD SUBDIVISION**

**WHEREAS**, the developer of the Brandon Residential PUD Subdivision entered into a subdivision improvements agreement recorded in the records of the Mesa County Clerk and Recorder at Reception #2905329 to guarantee that required improvements would be completed within a certain time period, and

**WHEREAS**, the developer has requested a 1<sup>st</sup> release of the performance guarantee and to start the two-year warranty period for the subdivision improvements, and

**WHEREAS**, improvements required by the subdivision improvements agreement for the Brandon Residential PUD Subdivision have been completed and inspected and appear to have been completed as required with the exception of landscaping of all common areas and installation of the perimeter fencing, and

**WHEREAS**, a bill of sale for the required public improvements that will belong to the City of Fruita must be provided by the developer.

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

**Section 1.** The required subdivision improvements for the Brandon Residential PUD Subdivision are approved for 1<sup>st</sup> 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.

**Section 2.** This Resolution shall become effective upon the delivery of a fully executed Bill of Sale, satisfactory to the City of Fruita.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF FRUITA,  
COLORADO THIS 1<sup>st</sup> DAY OF SEPTEMBER, 2020.**

ATTEST:

City of Fruita

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Margaret Sell, City Clerk

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Joel Kincaid, Mayor