

RESOLUTION 2021-28

**A RESOLUTION OF THE FRUITA CITY COUNCIL APPROVING THE FINAL
RELEASE OF THE DEVELOPMENT IMPROVEMENTS AGREEMENT FOR THE
MULBERRY ALLEY IMPROVEMENTS PROJECT.**

WHEREAS, the developer of the Mulberry Alley Improvements project entered into a Development Improvements Agreement recorded in the records of the Mesa County Clerk and Recorder (reception #2880697) to guarantee that required improvements would be completed within a certain time period, and

WHEREAS, the 1ST release of the funding guarantee for the required improvements and the start of the required two-year warranty period was approved by the City Council on September 17, 2019, and

WHEREAS, the two-year warranty period has lapsed since acceptance of the improvements and they have been found by city staff to be free of defects in materials and workmanship or other problems.

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

THAT the Mulberry Alley Improvements project is released from the Development Improvements Agreement including the two-year warranty period.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF FRUITA,
COLORADO THIS 5TH DAY OF OCTOBER 2021.**

ATTEST:

City of Fruita

Margaret Sell, City Clerk

Joel Kincaid, Mayor