

**TOWN OF MEAD, COLORADO
RESOLUTION NO. 14 - R - 2004**

**A RESOLUTION OF THE TOWN OF MEAD, COLORADO, GRANTING
CONDITIONAL ACCEPTANCE OF STREETS, SIDEWALKS, CURBS AND
GUTTERS, SANITARY SEWERS, STORM DRAINAGE FACILITIES, TRAILS,
LANDSCAPING AND BUS STOP SHELTER FOR COYOTE RUN, PHASE 1,
NUC PRO TUNC EFFECTIVE NOVEMBER 1, 2003.**

WHEREAS, U.S. Home Corporation, 6000 South Greenwood Plaza Blvd., Suite 200, Englewood, CO 80111 hereinafter known as the "Developer" has completed construction of certain public improvements within the Coyote Run Subdivision in the Town of Mead; and

WHEREAS, the improvements are subject to a warranty period of two years following the conditional acceptance of the improvements; and

WHEREAS, Developers has requested conditional acceptance of said public improvements by the Board of Trustees of the Town of Mead and have in place the proper letters of credit as surety for the improvements; and

WHEREAS, the Town Engineer has reviewed the construction of the sewer line extension and lift station improvements and found said public improvements to be constructed and installed in substantial conformance with the Town's construction standards and to be in good repair following the construction; and

WHEREAS, it is the expressed intent of the Board of Trustees to give "conditional acceptance" of the public improvements constructed by U.S. Home Corporation in accordance with the "Coyote Run Subdivision Memorandum of Agreement for Public Improvements";

WHEREAS, it is the expressed intent of the Board of Trustees that this resolution is adopted *nuc pro tunc* on November 1, 2003;

**BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF MEAD,
COLORADO, AS FOLLOWS:**

Section 1. Conditional Acceptance of Public Improvements. The Board of Trustees on behalf of the Town of Mead, hereby grants "conditional acceptance" of the public improvements constructed by the Developers within the Coyote Run Subdivision, Phase 1, including but not limited the streets, sidewalks, curbs and gutters, sanitary sewers, storm drainage improvements in, on, or adjacent to Hughes Drive, Howlett Place, Roberts Street, Weber Way, Potts Place, Clark Court, and Markham Avenue together with the trails, landscaping and the school bus stop shelter constructed in Phase 1, for the purposes for which they were constructed and installed and orders the commencement of the two year warranty period beginning November 1, 2003.

Section 2. Effective Date. This Resolution is adopted *nuc pro tunc* affective on November 1, 2003.

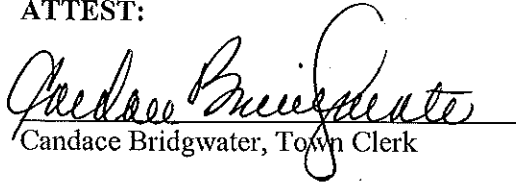
Section 3. Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance. The Town Board hereby declares that it would have passed the ordinance

including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentence, clauses or phrases be declared invalid.

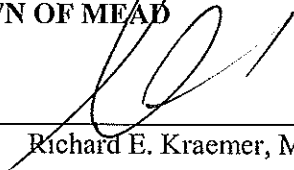
Section 4. Repealer. All ordinances or resolutions and motions of the Board of Trustees of the Town of Mead or parts thereof, in conflict with this ordinance are to the extent of such conflict hereby superseded and repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance, resolution or motion, no revive any ordinance, resolution or motion thereby.

INTRODUCED, READ, PASSED, ADOPTED THIS 24th DAY OF May, 2004.

ATTEST:


Candace Bridgwater, Town Clerk

TOWN OF MEAD

By 
Richard E. Kraemer, Mayor