

**TOWN OF MEAD, COLORADO  
RESOLUTION NO. 38 - R - 2004**

**A RESOLUTION OF THE TOWN OF MEAD, COLORADO, GRANTING  
CONDITIONAL ACCEPTANCE OF STREETS, CURB AND GUTTER,  
SIDEWALKS, SANITARY SEWER LINES, STORM SEWER FACILITIES AND  
OTHER MISCELLANEOUS PUBLIC IMPROVEMENTS, EFFECTIVE APRIL  
21, 2004.**

**WHEREAS**, Willowbrook Development, LLC, 7251 W. 20<sup>th</sup> St., Building L., Suite 201, Greeley, CO 80634 hereinafter known as the "Developer" have completed construction of certain public improvements within the Margil Farms Second Filing 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 required public improvements and found said public improvements to be constructed and installed in substantial conformance with the Town's construction standards and be approved plans 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 Willowbrook Development, LLC in accordance with the "Margil Farms Second Filing Memorandum of Agreement for Public Improvements" dated March 25, 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 Developer in the Margil Farms 2<sup>nd</sup> Filing subdivision including but not limited to the streets, sidewalks, water, sewer and drainage improvements in, on or adjacent to portions of Margil Road south of Homestead Drive, Settler Ridge Drive south of Anvil Court, Silver Fox Court south of Margil Road, Anvil Court, Homestead Drive, and Calico Court for the purpose for which they were constructed and installed and orders the commencement of the two year warranty period beginning April 21, 2004.

**Section 2. Effective Date.** This Resolution is to become effective as provided by law.

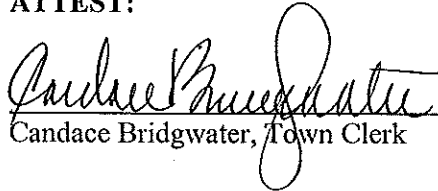
**Section 3. Severability.** If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance. The Town Board hereby declares that it would have passed the ordinance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

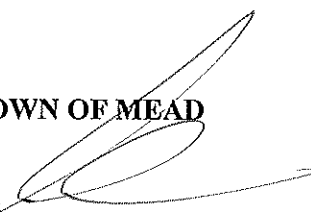
the Town of Mead or parts thereof, in conflict with this ordinance are to the extent of such conflict hereby superseded and repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance, resolution or motion, no revive any ordinance, resolution or motion thereby.

**INTRODUCED, READ, PASSED, ADOPTED THIS 13<sup>th</sup> DAY OF December , 2004.**

**ATTEST:**

  
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Candace Bridgwater, Town Clerk

**TOWN OF MEAD**

By   
\_\_\_\_\_  
Richard E. Kraemer, Mayor