

**TOWN OF MEAD, COLORADO
RESOLUTION NO. 26 - R - 2001**

A RESOLUTION OF THE TOWN OF MEAD, COLORADO, GRANTING FINAL APPROVAL OF THE PUBLIC IMPROVEMENTS FOR THE MARGIL FIRST FILING SUBDIVISION AND ACCEPTING THE IMPROVEMENTS FOR MAINTENANCE.

WHEREAS, MFD LLC hereinafter know as the "Developer" completed construction of the public improvements for the Margil First Filing Subdivision in the Town of Mead and received construction acceptance of said improvements on September 1, 2000; and

WHEREAS, the warranty period for the public improvements has been successfully completed; and

WHEREAS, Developer has requested approval and final acceptance of said public improvements by the Board of Trustees of the Town of Mead for the maintenance by the Town; and

WHEREAS, the Town Engineer has reviewed the construction of the public improvements associated with Margil First Filing Subdivision, including but not limited to streets, water lines, sewer lines, drainage swales and culverts within the development 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 completion of the warranty period; and

WHEREAS, it is the expressed intent of the Board of Trustees to give final acceptance of the public improvements constructed by MFD LLC for the Margil First Filing Subdivision and to release the letter of credit being held by the Town;

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

Section 1. Final Acceptance of Public Improvements. The Board of Trustees on behalf of the Town of Mead, hereby grants final acceptance of the public improvements lying within the Margil First Filing Subdivision for the purpose for which they were constructed and installed and hereby discharge MFD LLC from further maintenance responsibilities of said improvements with the exception of the native grass ground cover on outlots A, B, C and D, the warranty period of which is extended through September 1, 2002 to assure a viable establishment thereof.

Section 2. Release of Letter of Credit. The Board of Trustees hereby releases the remainder of the MFD LLC letter of credit being held by the Town during the warranty period with the exception of \$3,600.00 which is to be held through September 1, 2002, or until the grass ground cover is established, whichever is later. In the event that the existing letter of credit expires prior to September 1, 2002, MFD LLC shall obtain an extension to the present letter of credit, or provide the Town a replacement letter of credit with a term through September 1, 2002.

Section 3. Effective Date. This Resolution is adopted and shall become effective upon the date so adopted.

Section 4. 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 5. 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 12th DAY OF November, 2001.

ATTEST:



Judy L. Hegwood, Town Clerk

TOWN OF MEAD



By Keith A. Goshia, Mayor