

**TOWN OF MEAD, COLORADO  
RESOLUTION NO. 54-R-2022**

**A RESOLUTION OF THE TOWN OF MEAD, COLORADO, GRANTING  
FINAL ACCEPTANCE OF THE PUBLIC IMPROVEMENTS ASSOCIATED  
WITH THE ROCKY MOUNTAIN MIDSTREAM OFFICE BUILDING  
DEVELOPMENT**

**WHEREAS**, CMC Group, Inc., a Colorado Corporation with offices at 2000 South Colorado Blvd, Tower I, Suite 10500, Denver, Colorado 80222 (the “Developer”) has caused the completion of certain public improvements identified in the Site Plan Agreement for the Rocky Mountain Midstream Office Building Development dated August 22, 2019 and recorded on September 26, 2019 at Reception No. 4526791 in the Weld County Property Records (the “Public Improvements”); and

**WHEREAS**, the Public Improvements were conditionally accepted effective June 22, 2020; and

**WHEREAS**, the two-year warranty period for the Improvements has been completed and the Town Engineer has found the Public Improvements to be satisfactorily completed, has identified no punch list items, and recommends final acceptance of the Public Improvements be approved effective August 8, 2022; and

**WHEREAS**, Section 202.9 of the *Town of Mead Design Standards and Construction Specifications for the Design and Construction of Public and Private Improvements* (the “Standards and Specifications”) states that “[i]f the public improvements completed by the developer are satisfactory, the Town shall grant final acceptance by a resolution of the Board of Trustees”; and

**WHEREAS**, Developer has requested approval and final acceptance of the Public Improvements; and

**WHEREAS**, the Town Engineer has reviewed the Improvements, has found the same to be in compliance with the requirements of the Standards and Specifications, and has found the same to be in good repair following the completion of the warranty period, as set forth and confirmed in that certain letter from the Town to Developer dated August 8, 2022, a copy of which is attached to this Resolution as **Exhibit A**; and

**WHEREAS**, the Board of Trustees desires to grant final acceptance of the Improvements completed by Developer, effective August 8, 2022.

**NOW THEREFORE, BE IT RESOLVED** by the Town of Mead, Weld County, Colorado, that:

**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 identified in this Resolution. The Town hereby discharges the Developer from further maintenance responsibilities associated with the Public Improvements, effective August 8, 2022.

**Section 2. Release of Security.** The Board of Trustees hereby authorizes the release or any warranty security guaranteeing the Public Improvements through the two-year warranty period. The Town Engineer and Town Clerk shall be authorized to take any administrative actions necessary to release the warranty security.

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

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

**Section 5. Effective Date.** This resolution shall become effective immediately upon adoption.

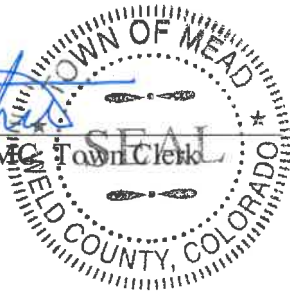
**Section 6. Certification.** The Town Clerk shall certify to the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

**INTRODUCED, READ, PASSED, AND ADOPTED THIS 8th DAY OF AUGUST, 2022.**

**ATTEST:**

By: 

Mary E. Strutt, MMC Town Clerk



**TOWN OF MEAD**

By: 

Colleen G. Whitlow, Mayor

**Exhibit A**  
Letter dated August 8, 2022



August 8, 2022

CMC Group, Inc.  
Attn: Craig Richard Benes  
2000 South Colorado Boulevard, Suite 10500  
Denver, Colorado 80222

**RE: Rocky Mountain Midstream Office Building Development  
Notice of Final Acceptance of Public Infrastructure Improvements**

Dear Mr. Benes,

On July 7, 2022, Town Staff performed a walk-through of the public improvements constructed as part of the Rocky Mountain Midstream Office Building development. The project included installation of storm pipe, sidewalk and handicap ramp, and drivecut with crossspan within public rights-of-way at Pacific Circle and Mead Street.

All public improvements were judged to be in satisfactory condition and no punchlist was created.

This letter conveys the Town of Mead's Final Acceptance of the public infrastructure improvements completed as part of the aforementioned development and officially terminates the two-year warranty period.

Sincerely,

A handwritten signature in black ink that reads "RE Brown".

Signed: 07/25/2022 @ 4:40:43 PM

Robyn Brown, P.E.  
Deputy Town Engineer