

**TOWN OF MEAD, COLORADO
RESOLUTION NO. 55-R-2022**

**A RESOLUTION OF THE TOWN OF MEAD, COLORADO, GRANTING
CONDITIONAL ACCEPTANCE OF THE PUBLIC IMPROVEMENTS
ASSOCIATED WITH THE IGLESIA DE CRISTO MI-EL LONGMONT
DEVELOPMENT**

WHEREAS, Iglesia de Cristo Mi-El Longmont, Ministerios Mi-El, a Colorado nonprofit corporation, with a mailing address of P.O. Box 2480, Longmont, Colorado 80502 (the “Developer”) has caused the completion of certain public improvements identified in the Site Plan Agreement for the Iglesia de Cristo Mi-El Longmont Development dated May 27, 2022 and recorded on November 30, 2020 at Reception No. 4655400 in the Weld County property (the “Public Improvements”); and

WHEREAS, the Public Improvements are subject to a warranty period of two (2) years following conditional acceptance; and

WHEREAS, conditional acceptance marks the beginning of the two (2) year warranty guaranty period following the effective date of the Board’s resolution granting conditional acceptance; and

WHEREAS, Section 1.3 of the Site Plan Agreement requires the Developer to request in writing the inspection and conditional acceptance of the Public Improvements; and

WHEREAS, the Developer has requested conditional acceptance of the Public Improvements by the Board of Trustees of the Town of Mead; and

WHEREAS, the Town Engineer has reviewed the installation of the Public Improvements, has determined that the Public Improvements have been installed in substantial conformance with the Town’s construction standards and the requirements of the Site Plan Agreement, and is recommending that the Board grant conditional acceptance of the Public Improvements effective August 8, 2022, 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 conditional acceptance of the Public Improvements subject to the conditions set forth in this Resolution; and

WHEREAS, the *Mead Municipal Code* (“MMC”) requires the Developer to maintain the Public Improvements for a two (2) year period from the date of conditional acceptance and clarifies that the Developer shall, at its own expense, take all actions necessary to maintain the Public Improvements and make needed repairs or replacements that, in the reasonable opinion of the Town (and the Town Engineer), shall become necessary; and

WHEREAS, if the Developer fails to make necessary repairs to the Public Improvements in accordance with the requirements set forth in the MMC, the Town may withhold final acceptance of the Public Improvements, or may take any other specific enforcement actions authorized by the Site Plan Agreement.

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

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 identified in this Resolution and orders the commencement of the two (2) year warranty period on August 8, 2022.

Section 2. Developer Obligation to Maintain Public Improvements during Guarantee Period. Developer shall maintain the Public Improvements for a two (2) year period from the date of conditional acceptance (the “Guarantee Period”). Developer shall, at its own expense, take all actions necessary to maintain the Public Improvements and make needed repairs or replacements that, in the reasonable opinion of the Town (and the Town Engineer), shall become necessary during the Guarantee Period. Failure of the Developer to maintain the Public Improvements during the Guarantee Period shall violate the requirements of this Section 1.5 and shall constitute a violation of the terms and conditions of the Site Plan Agreement.

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. Effective Date. This resolution shall become effective immediately upon adoption.

Section 5. 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
Colleen G. Whitlow, Mayor

Exhibit A
Letter dated August 8, 2022



August 8, 2022

Iglesia de Cristo Mi-El Longmont
Ministerios Mi-El
Attn: Laura Mendoza, Treasurer
P.O. Box 2480
Longmont, Colorado 80502

**RE: Iglesia de Cristo Mi-El Longmont, Phase 1
Notice of Conditional Acceptance of Public Infrastructure Improvements**

Dear Ms. Mendoza,

On July 7, 2022, Town Staff performed a walk-through of the public improvements constructed as part of the Iglesia de Cristo Mi-El Longmont, Phase 1 project. The project included installation of new asphalt pavement, concrete curb and gutter, stormwater drainage improvements, and sidewalk within public right-of-way at County Road 28 (Ronald Regan Boulevard).

All public improvements were judged to be satisfactorily completed and no punchlist was created.

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

Sincerely,

Robyn Brown, P.E.
Deputy Town Engineer