

**TOWN OF MEAD, COLORADO
RESOLUTION NO. 42-R-2023**

**A RESOLUTION OF THE TOWN OF MEAD, COLORADO, APPROVING THE
FIRST AMENDMENT TO QUIKTRIP STORE #4227
SITE PLAN AGREEMENT AND ACCEPTING
RIGHT-OF-WAY CONVEYANCE**

WHEREAS, pursuant to *Mead Municipal Code* (“MMC”) Section 16-4-100(b)(10)(h), the Town of Mead (“Town”) may require an applicant for a site plan to enter into a site plan agreement to assure construction of required on-site and off-site improvements; and

WHEREAS, the Town and QuikTrip Corporation, an Oklahoma corporation (“Developer”) entered into that certain Site Plan Agreement dated October 10, 2022, and recorded in the official records of Weld County, Colorado, on January 26, 2023, at Reception No. 4878712 (“Agreement”); and

WHEREAS, the Agreement constitutes a site plan agreement regarding the improvements for development pursuant to the QuikTrip Store #4227 Site Plan, approved by Town Ordinance No. 1014 on September 26, 2022; and

WHEREAS, Developer requests and Town staff recommends amending the Agreement to include additional Public Improvements, as defined in the Agreement, as well as updating the required guaranty, as further set out in the First Amendment to Site Plan Agreement, attached to this Resolution as **Exhibit 1** and incorporated herein by reference (“First Amendment”); and

WHEREAS, the Town seeks to accept conveyance of additional right-of-way for the extension of Highland Drive, as further described in the Special Warranty Deed attached hereto as **Exhibit 2** and incorporated by this reference (“ROW Conveyance”); and

WHEREAS, the Board of Trustees desires to approve the First Amendment and further desires to authorize the Town Manager to execute the First Amendment on behalf of the Town.

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

Section 1. Recitals. The foregoing recitals and findings are incorporated herein as findings and conclusions of the Board of Trustees.

Section 2. Approval. The Board of Trustees hereby: (a) approves the First Amendment in substantially the same form as is attached hereto as **Exhibit 1**; (b) authorizes the Town Attorney in cooperation with the Town Manager to make non-material changes to the First Amendment that do not increase the Town’s obligations; (c) accepts the ROW Conveyance as attached hereto as **Exhibit 2**; and (d) authorizes the Town Manager to execute and the Town Clerk to attest the First Amendment and ROW Conveyance on behalf of the Town once in final form, subject to review and approval by the Town Attorney.

Section 3. Recordation. Following the execution of the First Amendment and ROW Conveyance by the Town Manager, the Town Clerk shall cause the First Amendment and ROW Conveyance to be recorded in the real property records of Weld County, Colorado.

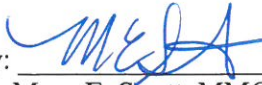
Section 4. Effective Date. This resolution shall be effective immediately upon adoption.


Section 5. Repealer. All resolutions, or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

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 12th DAY OF JUNE, 2023.

ATTEST:

By: 
Mary E. Strutt, MMC, Town Clerk



TOWN OF MEAD:

By: 
Colleen G. Whitlow, Mayor

Exhibit 1

First Amendment to QuikTrip Store #4227 Site Plan Agreement

Exhibit 2

Special Warranty Deed [Conveyance of Right-of-Way to Town of Mead]