

RESOLUTION APPROVING A FIRST AMENDED AND RESTATED SUBDIVISION  
IMPROVEMENTS AGREEMENT BETWEEN ADAMS COUNTY AND POMPONIO  
TERRACE HOLDINGS LLC FOR POMPONIO TERRACE FILING 1

WHEREAS, it is provided by resolution of the Board of County Commissioners, County of Adams, that where designated the Developer shall have entered into a written agreement with the County to install public and/or private improvement, and to deed land for public purposes or right-of-way or submit cash-in-lieu; and,

WHEREAS, on December 13, 2016, the Board of County Commissioners, in Case No. PRC2016-00004, Pomponio Terrace, approved a Major Subdivision (Final Plat) to allow 74 lots on approximately 11.791 acres in the P-U-D, Planned Unit Development zone district; and,

WHEREAS, the Board of County Commissioners approved the Subdivision Improvements Agreement for Pomponio Terrace Filing No. 1 at public hearing on December 13, 2016, recorded in the public records of Adams County, Colorado at Reception No. 2016000110280 ("2016 Agreement"); and,

WHEREAS, the Developer desires to amend and restate the 2016 Agreement to add a third phase to the development, to allow the first phase to be reduced to four model homes and related public and private improvements; and,

WHEREAS, the Developer has provided appropriate collateral to meet the terms of the agreement; and,

WHEREAS, the Adams County Community and Economic Development Department recommends approval of the attached First Amended and Restated Subdivision Improvements Agreement for Pomponio Terrace Filing 1, Case No. PRC2016-00004.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the First Amended and Restated Subdivision Improvements Agreement between Adams County and Pomponio Terrace Holdings LLC for Pomponio Terrace Filing 1, Case No. PRC2016-00004, a copy of which is attached hereto and incorporated herein by this reference, be approved.

BE IT FURTHER RESOLVED that the Chair of the Board of County Commissioners be authorized to execute this AGREEMENT on behalf of the County of Adams, State of Colorado.