

BOARD OF COUNTY COMMISSIONERS FOR  
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING THE SECOND AMENDED AND  
RESTATED DEVELOPMENT AGREEMENT FOR WELBY BUSINESS  
PARK BETWEEN ADAMS COUNTY AND LYK WELBY, LLC

Resolution 2020-**XXX**

WHEREAS, the Adams County Development Standards and Regulations of the County of Adams, State of Colorado, require a developer to enter into a Development Agreement for the construction of certain public and private improvements; and,

WHEREAS, on April 2, 2018, the Board of County Commissioners approved a First Amendment to the Development Agreement (DA) for the public and private improvements for Case No. EGR2016-00042/ SIA2017-00001; and,

WHEREAS, the original owner of the development, Welby Business Park, LLC, has since sold the development to LYK Welby, LLC (“Developer”); and,

WHEREAS, the County has begun work on a Capital Improvements Project to improve York Street (“York St CIP”) from Highway 224 to E 78<sup>th</sup> Ave and install storm sewer; and,

WHEREAS, the Developer wishes to connect a detention pond outfall pipe to the proposed storm pipe that is a part of the York St CIP; and,

WHEREAS, the approved York St CIP construction plans will require revisions to accommodate the Developer’s request, and the Developer has agreed to incur all costs of revising the York St CIP construction plans and related work to accommodate this request; and,

WHEREAS, the parties wish to amend the DA pursuant to the terms and conditions in the attached Second Amended and Restated Development Agreement for Welby Business Park; and,

WHEREAS, the Adams County Community and Economic Development Department recommends approval of the attached Second Amended and Restated Development Agreement between Adams County and LYK Welby, LLC, Case No. SIA2020-00021.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that Second Amended and Restated Development Agreement for Welby Business Park between Adams County and LYK Welby, LLC, 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 said Second Amended and Restated Development Agreement on behalf of the County of Adams, State of Colorado.