AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Release of Development Improvements Agreement and

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement: BOCC and Link, LLC

Term Begins: **Term Ends:** **Grant Contract #:**

Summary:

Attached please find the Release of Development Improvements Agreement and Addendum thereto for Vista Business Center.

Fiscal Impact: 0

Submitted by: Office of the County Attorney **Submitter's Email Address:** rmagruder@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:
ok db 9/15/17

Reveiwed by: GUNCOUNTY1\dBaumgarten Discharge Date: 9/15/2017 Certificate of Insurance Required

Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\jost Discharge Date: 9/15/2017

◉ Consent Agenda ○ Regular Agenda ○ Worksession Time Allotted: 0

Agenda Date: 9/19/2017

Revised April 2015

RELEASE OF DEVELOPMENT IMPROVEMENTS AGREEMENT

AND ADDENDUM THERETO FOR

VISTA BUSINESS CENTER

WHEREAS, a Development Improvements Agreement was entered into on May 3, 2016, by and between the Board of County Commissioners of the County of Gunnison, Colorado ("Board") and Link, L.L.C., a Colorado limited liability company, ("Developer") which was recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on May 3, 2016, bearing Reception No: 639202 ("Agreement"); and

WHEREAS, the Agreement was entered into as a condition of approval of Land Use Change No: 2011-35 for the development of Vista Business Center, a commercial and industrial park, located in the NW1/4SW1/4 and the SW1/4NW1/4, Section 3, Township 49 North, Range 1 East, N.M.P.M., as identified on the plat titled "Plat of Vista Business Center Being Located in the NW1/4SW1/4 and the SW1/4NW1/4, Section 3, Township 49 North, Range 1 East, New Mexico Principal Meridian Gunnison County, Colorado", prepared by NCW & Associates, Inc., dated March 8, 2016 and recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on April 22, 2016, bearing Reception No: 639021; and

WHEREAS, an Addendum to the Agreement was entered into on August 2, 2016, by and between the Board and the Developer which was recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on October 13, 2016, bearing Reception No: 642669; and

WHEREAS, all conditions of the Agreement and Addendum thereto have been met and fully satisfied; and

WHEREAS, all funds that had been retained for security have been fully released to Developer; and

NOW THEREFORE, the Board of County Commissioners of the County of Gunnison, Colorado shall and hereby does fully release the Development Improvements Agreement recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on May 3, 2016, bearing Reception No: 639202 and Addendum thereto recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on October 13, 2016, bearing Reception No: 642669.

APPROVED this 19th day of September 2017.

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

By: _____
Phil Chamberland, Chairperson

ATTEST:

By: _____
Deputy County Clerk