

**TOWN OF NEW CASTLE, COLORADO
RESOLUTION NO. TC 2011-3**

A RESOLUTION OF THE NEW CASTLE TOWN COUNCIL
ACCEPTING THE PUBLIC IMPROVEMENTS FOR THE NEW FIRE
STATION, LOT 1 OF PHASE 7 OF LAKOTA CANYON RANCH.

WHEREAS, Burning Mountain Fire Protections District (“BMFPD” or “Applicant”) submitted an application requesting approval of a site plan for Lot 1 of Phase 7, Lakota Canyon Ranch; and

WHEREAS, BMFPD received approval for a lot split and PUD for the Property per Resolution PZ 2009-4 and Ordinances 2009-1 and 2009-2; and

WHEREAS, the Applicant developed the lot with a new fire station and accessory facilities and uses; and

WHEREAS, the Town and BMFPD entered into a Subdivision Improvements Agreement, (the “SIA”) regarding the development of the new fire station; and

WHEREAS, that SIA required BMFPD to build, construct and otherwise install certain public improvements (the “Public Improvements”) for the benefit of the residents of the subdivision and the Town; and

WHEREAS, the construction of the Public Improvements was secured by a letter of credit; and

WHEREAS, one hundred percent (100%) of all Public Improvements required by the SIA have been certified complete by BMFPD’s engineer; and


WHEREAS, the Town has received as-built drawings, a summary of actual construction costs for this Filing, and a bill of sale for all personal property.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF NEW CASTLE, COLORADO:

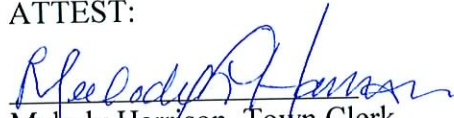
1. Recitals. The foregoing recitals are incorporated by reference as findings and determinations of the Town Council.
2. Acceptance of Improvements. The Public Improvements required by the Subdivision Improvements Agreement are hereby deemed accepted.
3. Warranty. The two (2) year warranty period outlined in paragraph 9 of the SIA commences on the effective date of this Resolution.

THIS RESOLUTION was adopted by the New Castle Town Council by a vote of 7 to 0 on the 1st day of February, 2011.

NEW CASTLE TOWN COUNCIL


Frank Breslin, Mayor

ATTEST:


Melody Harrison, Town Clerk