

TOWN OF TIMNATH, COLORADO

RESOLUTION NO. 28, SERIES 2013

**A RESOLUTION APPROVING REIMBURSEMENT OF 85% OF THE
CONSTRUCTION SECURITY FOR TIMNATH SOUTH 1ST FILING, PHASES 4A & 4B.**

WHEREAS, the Town of Timnath ("Town") has the power to pass resolutions pursuant to C.R.S. § 31-15-103; and

WHEREAS, Town policy is that material agreements and other documents requiring formal Town approval should be approved by resolution; and

WHEREAS, reimbursement of a portion of the construction security once Initial Acceptance is achieved is per the SIA and the amount is attached hereto as Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF TIMNATH,
COLORADO AS FOLLOWS:**

Section 1. Approval

The Town hereby approves the Reimbursement of 85% of the Construction Security and authorizes its disbursement by the Chairperson, or other person authorized by the Town adopted resolution or Documents.

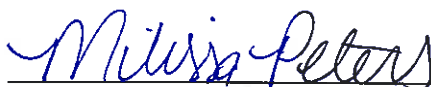
INTRODUCED, MOVED, AND ADOPTED BY THE TOWN OF TIMNATH, ON AUG 27, 2013.

TOWN OF TIMNATH, COLORADO



Jill Grossman-Belisle, Mayor

ATTEST:



Milissa Peters, Town Clerk





July 2, 2013

Mr. Dino DiTullio
Westward Development, LLC
3003 East Harmony Road #500
Fort Collins, CO 80528

Re: Initial Acceptance - Summerfield Phases 4a and 4b

Dear Mr. DiTullio,

Per your request, and based on site inspections by Town Staff, I am writing this letter for the purpose of granting Westward Development, LLC Initial Acceptance of the Phase 4a and 4b improvements of the Summerfield Subdivision in Timnath, CO. Initial Acceptance, per Section 1.9.14 of the Town's Design Criteria and Construction Specifications initiates the two year warrantee period and allows for issuance of building permits (already allowed per the previously issued "Substantial Completion" last fall) and certificates of occupancy. As of the date stated above, the warrantee obligations referenced are officially initiated.

Please note the following with regard to the requirements for Final Acceptance in the future:

"Final Acceptance is defined in section 1.9.15 of the Town's Design Criteria Manual and Construction Specifications as well as by reference to Chapter 24 of the LCUASS. Final Acceptance must be requested by the Developer (no more than 45 days prior to the 2 year warrantee period ending) and the warrantee period does not end until Final Acceptance is granted by the Town."

If you should have any questions regarding this Initial Acceptance please do not hesitate to contact me. Please be reminded that even though the landscape improvements for this development are not to be dedicated to the Town (owned and maintained by the Metro Dist), they need to be completed in a timely manner and signed off by the Town as being in general compliance with the approved plans. The Town will also require a "letter of approval and acceptance" of the landscape from the Metro District.

Respectfully,

Donald N. Taranto, P.E.
DNT/sfh