

RESOLUTION NO. 2019-92

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING AN AGREEMENT REGARDING MEDICAL CENTER DRIVE IMPROVEMENTS BETWEEN THE CITY OF BRIGHTON AND THF PRAIRIE CENTER DEVELOPMENT, L.L.C., AND AUTHORIZING THE CITY MANAGER TO SIGN SAID AGREEMENT

WHEREAS, THF Prairie Center Development, LLC (“THF”) owns certain parcels along Medical Center Drive corresponding to the following Adams County parcel numbers: 0156915101023, 0156915101022, 0156915101006, 0156915401006, 0156915401005, 0156915301009, 0156915301008, 0156915301016, 0156915301020, 0156915301019, 0156915301020 (“THF Parcels”); and

WHEREAS, pursuant to the Bromley Park Filing 203 Development Agreement, recorded at Reception No. C1023071 (“Development Agreement”), improvements for Medical Center Drive would not be required until development of the adjacent parcels occurred; and

WHEREAS, the majority of the Medical Center Drive improvements adjacent to the THF Parcels have already been completed by THF or its predecessor in interest; and

WHEREAS, the Parties now desire to work cooperatively to complete the final lift of roadway surface on that portion of Medical Center Drive adjacent to the THF Parcels and between parcel numbers 0156915301020 and 0156915101023 (the “Project”) earlier than what would be required by the Development Agreement; and

WHEREAS, it is in the best interests of the City and THF that this work be completed before any further material deterioration of this portion of Medical Center Drive occurs, and to otherwise improve and enhance this public street for the use and enjoyment of the citizens of Brighton and the public generally; and

WHEREAS, City Council finds and determines that the Agreement between the City of Brighton and THF Prairie Center Development, LLC, is reasonable and that it is the best interests of Brighton residents to enter into the Agreement.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AS FOLLOWS:

Section 1. The Agreement Regarding Medical Center Drive Improvements between the City of Brighton and THF Prairie Center Development, LLC, is hereby approved.

Section 2. The City Manager is hereby authorized to sign the Agreement on behalf of the City, in substantially the form presented at this meeting, with such technical additions, deletions, and variations as the City Attorney may deem necessary or appropriate and not inconsistent with this Resolution.

ADOPTED this 3<sup>rd</sup> day of September, 2019.

CITY OF BRIGHTON, COLORADO

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KENNETH J. KREUTZER, Mayor

ATTEST:

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NATALIE HOEL, City Clerk

APPROVED AS TO FORM:

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JACK D. BAJOREK, City Attorney