

**RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:
City of Brighton City Clerk**

***THIS SPACE FOR RECORDER'S USE
ONLY***

**FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT
for Bromley Park, Filing 102, 1st Amendment
(76 Commerce Center)**

THIS IS AN AMENDMENT (the “First Amendment”) to the existing Bromley Park, Filing 102, 1st Amendment (76 Commerce Center) Development Agreement (the “Agreement”), entered into by and between the City of Brighton, a Colorado home rule municipality (“City”), and 76 Commerce Center, LLC, a limited liability company of Colorado (“Developer”).

RECITALS

WHEREAS, the Bromley Park, Filing 102, 1st Amendment (76 Commerce Center) (“Development Agreement”) was originally approved on March 20, 2018, and recorded on April 4, 2018, in Adams County, Reception No. 2018000027275, by and between the City and the Developer; and

WHEREAS, in order to facilitate the development of the 76 Commerce Center development, a modification to the water dedication timing is requested by the Developer; and

WHEREAS, the Parties have agreed to modify the Development Agreement as provided herein.

NOW, THEREFORE, in consideration of the foregoing recitals and for the mutual promises and covenants set forth herein, and for other good and valuable consideration, the Parties agree as follows:

- A. **Exhibit F, Water Dedication Agreement Section 1(c)**. The Development Agreement is amended to reflect that the 25.17 acre feet of required water dedication shall be identified and dedicated before the City will issue a Certificate of Occupancy for any building in Phase 2.
- B. Any provision of the Development Agreement not expressly amended by this First Amendment shall remain in effect as written.

IN WITNESS WHEREOF, the Parties have executed this First Amendment this ____ day of _____, 2018.

76 COMMERCE CENTER, LLC

By: _____

Paul Hyde, Authorized Agent

STATE OF COLORADO)
) ss.
COUNTY OF _____)

The foregoing Agreement was acknowledged before me this ____ day of

_____, 20____, by _____

WITNESS my hand and official seal.

By: _____

Notary Public

My Commission Expires: _____

[City signatures continue on the following page]

CITY OF BRIGHTON, COLORADO

By: Kenneth J. Kreutzer, Mayor

ATTEST:

Natalie Hoel, City Clerk

Approved as to Form:

Jack D. Bajorek, City Attorney