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Meeting Date: August 8, 2022

Subject: RESOLUTION 22-58, A RESOLUTION GRANTING FINAL ACCEPTANCE OF THE PUBLIC IMPROVEMENTS FOR AUTUMN VALLEY RANCH SUBDIVISION FILING NO 2

Presenter: Jennifer Krieger, AICP, Community Development Director

Background: By Resolution No. 17-20, adopted on March 13, 2017, the City Council approved a Subdivision Agreement between the City and AVR C, LLC, which was recorded with the Weld County Clerk and Recorder on July 6, 2017, at Reception No. 43316077. Resolution No. 18-105, adopted on December 10, 2018, granted probationary acceptance effective October 31, 2018, and authorized the release of eighty percent (80%) of the Improvement Guarantee.

Jon Erickson, Empire Management, conducted a final warranty inspection of the public improvements and recommended final acceptance.

Recommended Action: Staff recommends approval of Resolution 22-58, finding that the required public improvements for the Autumn Valley Ranch Filing Subdivision No. 2 were built per the approved plans and passed a final warranty inspection.

RESOLUTION NO. 22-58

A RESOLUTION GRANTING FINAL ACCEPTANCE OF THE PUBLIC IMPROVEMENTS FOR AUTUMN VALLEY RANCH SUBDIVISION FILING NO. 2

WHEREAS, by Resolution No. 17-20 adopted on March 13, 2017, the City Council approved a Subdivision Agreement between the City and AVR C, LLC (the “Subdivider”), which Agreement was recorded with the Weld County Clerk and Recorder on July 6, 2017 at Reception No. 4316077; and

WHEREAS, the Subdivision Agreement requires the Subdivider to construct certain improvements for the Autumn Valley Ranch Subdivision Filing No. 2; and

WHEREAS, in accordance with Section 1.11 of the Subdivision Agreement and Chapter 17, Article 15 of the Dacono Municipal Code, the Subdivider provided the City with a letter of credit in the amount of \$832,050.19; and

WHEREAS, by Resolution No. 18-105 adopted on December 10, 2018, the City granted probationary acceptance of the public improvements pursuant to Section 1.6 of the Subdivision Agreement, and authorized the reduction in the required Improvement Guarantee to \$166,410.04 in accordance with Section 1.11(d) of the Subdivision Agreement; and

WHEREAS, a final acceptance inspection of the public improvements has been conducted by the City and City staff has recommended the public improvements be granted final acceptance; and

WHEREAS, the City Council desires by this resolution to grant final acceptance of the public improvements and authorize release of the Improvement Guarantee for the same in accordance with the Subdivision Agreement, as set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DACONO, COLORADO:

Section 1. Pursuant to Section 1.8 of the Subdivision Agreement between the City and AVR C, LLC for the Autumn Valley Ranch Subdivision Filing No. 2 and Section 17-264(b) of the Dacono Municipal Code, the City Council hereby grants final acceptance of the public improvements for Autumn Valley Ranch Subdivision Filing No. 2, and the same are deemed dedicated to the City and other serving utilities for the public use forever.

Section 2. The City Council hereby authorizes release of the Improvement Guarantee, in the amount of \$166,410.04, for Autumn Valley Ranch Subdivision Filing No. 2.

INTRODUCED, READ, and ADOPTED this 8th day of August, 2022.

CITY OF DACONO, COLORADO

Adam Morehead, Mayor

ATTEST:

Valerie Taylor, City Clerk

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June 21, 2022

Jennifer Krieger, AICP
Community Development Director
512 Cherry Ave.
Dacono, CO 80514

RE: Autumn Valley Ranch Filing 2

Dear Jennifer,

Empire Management has observed and inspected the public improvements that the Developer has constructed per the approved PICP's for the Autumn Valley Ranch Filing 2 project. We believe that these improvements have been constructed accordingly to the approved plans.

Inspection reports, photo documentation Developer required material submittals, materials testing reports and as-built plans are on file supporting this conclusion. All final punch list items have been completed and therefore we would recommend that the project be accepted for final acceptance for the following items.

- Domestic water distribution system
- Storm sewer systems and grading
- Concrete curb and gutter, sidewalks and concrete ramps
- Asphalt paving
- Street signage and pavement markings



Jon Erickson
Vice President
Project Manager