

**RESOLUTION NO. 2006-5
TOWN OF OPHIR
APPROVING THE PUBLIC IMPROVEMENTS
TO THE 800 BLOCK OF PORPHYRY.**

WHEREAS, on December 6, 2005, the Town Manager entered an agreement whereby Bristol and Covington would each transfer \$2,000.00 to the Town, for a total of \$4,000.00, and the Town would lay road base and install a culvert on the 800 Block of Porphyry by the fall of 2006 (the "Agreement"). (See Exhibit A attached hereto and incorporated herein by this reference.)

WHEREAS, Bristol and Covington each have honored the Agreement by transferring their respective \$2,000.00 to the Town, and the Town wishes to honor the Agreement and to resolve any issues regarding the 800 Block of Porphyry at this time and before proceeding with the adoption of any road standards ordinance.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE GENERAL ASSEMBLY OF THE TOWN OF OPHIR THAT:

SECTION 1: The Recitals of this Resolution, as set forth above, are hereby incorporated into this Resolution as General Assembly findings of fact and conclusions of law.

SECTION 2: The public improvements conditions with respect to the 800 Block of Porphyry, necessary for issuance of a certificate of occupancy, as specified in Note 2 of the Replat, have been fully and completely satisfied.

SECTION 3: The 800 Block of Porphyry is hereby dedicated for public use subject to scheduled maintenance and improvement by the Town at the Town's sole expense, including without limitation snowplowing, resurfacing, grading and upgrading.

SECTION 4: This Resolution shall be in full force and effect from and after its passage and approval.

SECTION 5: The Town Clerk of the Town of Ophir shall cause a copy of this Resolution to be recorded in the records of the Clerk and Recorder, San Miguel County, Colorado.

RESOLVED, APPROVED AND ADOPTED by the Town of Ophir General Assembly at a public meeting on this 19th day of December, 2006.

TOWN OF OPHIR, GENERAL ASSEMBLY

(SEAL)

by: Monica Carey, Mayor

ATTEST:

Randy Barnes, Town Clerk

APPROVED AS TO FORM:
