

**RESOLUTION NO. 2701-10**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR APPROVING A THREE (3) YEAR EXTENSION TO THE SUBDIVISION IMPROVEMENT AGREEMENT FOR THE EVANS/DREW INDUSTRIAL SUBDIVISION PHASE 1 LOCATED AT 900 MITCHELL LANE AND AUTHORIZING THE TOWN MANAGER TO EXECUTE SAID AGREEMENT EXTENSION ON BEHALF OF THE TOWN**

**WHEREAS**, the Subdivision Improvement Agreement for Evans/Drew Industrial Subdivision Phase 1 expired on November 20, 2008; and

**WHEREAS**, the subdivider has requested a (3) year extension to the term of the Subdivision Improvement Agreement; and

**WHEREAS**, the developer has completed all improvements except for undergrounding of utilities, and the developer has sold Lot 1 of the subdivision to PG&E with the understanding that PG&E will underground the utilities with construction of a new substation, and the developer will maintain the bonds on the subdivision until such time that the undergrounding is completed; and

**WHEREAS**, pursuant to Part III of the Subdivision Agreement, the Town Engineer has the authority to extend the term of the Subdivision Agreement for delays caused by riots, strikes, lockouts, fires, earthquakes, flood and conditions resulting therefrom. Extension of the term for the Subdivision Improvement for any other cause can only be made by the Town Council.

**BE IT NOW, THEREFORE RESOLVED** that the Town Council hereby approves the subdividers request for a three (3) year extension to the term of the Subdivision Improvement Agreement for Evans/Drew Industrial Subdivision Phase 1 commencing as of June 2, 2010, and expiring on June 2, 2013.

**BE IT FURTHER RESOLVED** that the Town Council authorizes the Town Manager to execute said agreement on behalf of the Town.

**PASSED, APPROVED AND ADOPTED** this 2<sup>nd</sup> day of June 2010, by the following vote:

**AYES: COUNCILMEMBERS FUDGE, GOBLE, SCHOLAR AND  
MAYOR SALMON**  
**NOES: NONE**  
**ABSTAIN: NONE**  
**ABSENT: VICE MAYOR ALLEN**

  
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**SAM SALMON, MAYOR**

**ATTEST:**

  
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**MARIA DE LA O, TOWN CLERK**