RESOLUTION NO. 3976-24

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR APPROVING AN AMENDMENT TO THE SUBDIVISION IMPROVEMENT AGREEMENT FOR 19TH HOLE SUBDIVISION TO ALLOW THE TOWN COUNCIL TO APPROVE EXTENSIONS TO THE TIME FOR SUBDIVIDER'S PERFORMANCE UNDER THE AGREEMENT EVEN AFTER THE ORIGINAL PERFORMANCE PERIOD HAS EXPIRED - (APN 164-350-008) (MJS/UP/DR 19-14)

WHEREAS, a Subdivision Improvement Agreement was executed by the Mayor on October 6, 2021, for the 19th Hole Subdivision requiring that public improvements be completed in two years; and

WHEREAS, the improvements have not been completed in the two years and a request has been made by the Subdivider to extend the Subdivision Improvement agreement (SIA) by three years; and

WHEREAS, Part III of the SIA does allow the Town Council to approve extensions of time to complete the work required under the SIA; and

WHEREAS, it is unclear whether the SIA currently contemplates allowing the Town Council to extend the time to complete the required work if the original two-year period has passed and no request for extension has been granted; and

WHEREAS, the proposed Amendment to the SIA would clarify that the Town Council can approve an extension of time to complete the required improvements even if the current period for completion of the improvements has already passed.

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Windsor hereby can approve extensions of time for the subdivider's performance term under the SIA even after the original performance period has expired.

PASSED, APPROVED AND ADOPTED this 6th day of November 2024, by the following vote:

AYES:	**COUNCILMEMBERS FUDGE, SALMON, WALL, VICE MAYOR POTTER AND MAYOR REYNOZA**
NOES:	**NONE**
ABSTAIN:	**NONE**
ABSENT:	**NONE**

ROSA REYNOZA, MAYOR

ATTEST:

IRENE CAMACHO WERBY, TOWN CLERK