

CHARLOTTE HOUSTON  
CLERK & RECORDERCOUNTY OF BOULDER  
STATE OF COLORADO

## A G R E E M E N T

THIS AGREEMENT is made this 10<sup>th</sup> day of AUGUST, 1983,  
by and between the CITY OF BOULDER, a Colorado municipal corporation, hereinafter  
referred to as "City", and Erik Johnson, whose address is Boulder, Colorado, hereinafter  
referred to as "Applicant",

WITNESSETH:

RECITALS

WHEREAS, the Applicant is the owner of certain real property described in the  
attached Exhibit A, and by reference made a part of this Agreement, which real property  
shall herein after be referred to as the "subject property"; and,

WHEREAS, the Applicant is interested in obtaining approval of the City of a request  
for the annexation of the subject property and a zoning designation of LR-E (Low Density  
Residential-Established) thereon; and,

WHEREAS, the City is interested in ensuring that certain things be accomplished by  
the Applicant in order to protect and preserve the public health, safety, and welfare;

COVENANTS

NOW, THEREFORE, in consideration of the recitals, promises, and covenants herein  
set forth and other good and valuable consideration herein receipted for the parties agree,  
jointly and severally, as follows:

1. Applicant shall pay front foot assessments of  $\$13.35 \times 145.2' = \$1938.42$  for  
the abutting sewer main in Sumac at time of building permit or connection to the City's  
utility system whichever occurs first.
2. Applicant shall pay a park fee for any existing single family unit prior to  
first reading of the annexation ordinance.
3. The City intends to provide public improvements in the right-of-way to  
City standards at some time in the future which shall benefit the subject property. The

applicant agrees to pay, when billed, the subject property proportionate share of the cost of such improvements or, at the option of the City, agrees to join in a petition to establish a local improvement district to construct such improvements and not to dissent therefrom or oppose or remonstrate against the establishment of such district.

4. Applicant shall join and pay all applicable fees of the Municipal Subdistrict of the Northern Colorado Conservancy District prior to second reading of the annexation ordinance.

5. Applicant agrees to develop only one single family dwelling unit plus any allowed accessory uses on each lot as platted at the time of this agreement.

6. This Agreement shall be recorded in order to put prospective purchasers or other interested parties on notice as to any of the terms contained herein. A release executed by the City Attorney or a member of his staff shall be binding upon the City and release the property from any claim by the City under the terms hereof.

7. If at any time any part hereof has been breached by any one of the Applicants, the City may withhold approval of any or all building permits applied for on any portion of the subject property until the breach or breaches has or have been cured by the Applicants or their successor in interest.

8. The agreements and covenants as set forth herein benefit the subject property and shall run with the land shall be binding upon the Applicants, their heirs, successors, representatives, and assigns, and all persons who may hereafter acquire an interest in the subject property or any part thereof. If it shall be determined that this Agreement creates an interest in land, that interest shall vest, if at all, within the lives of the undersigned parties, plus twenty years and three hundred sixty-four days.

EXECUTED on the day and year first above written.

CITY OF BOULDER, COLORADO

BY: [Signature]  
City Manager

ATTEST:  
[Signature]  
Director of Finance and Record  
Ex-officio City Clerk

STATE OF COLORADO )  
                                  ) SS  
COUNTY OF BOULDER )

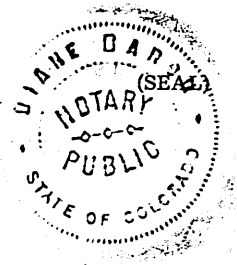
BY: [Signature]  
Erik Johnson

The foregoing instrument was acknowledged before me this 2nd day of September 1983, by Erik Johnson.

WITNESS MY HAND AND NOTARIAL SEAL.

My commission expires: July 1, 1987  
[Signature]  
Notary Public

PO box 791 Boulder, CO  
Address 80306



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EXHIBIT A

LOTS 4 AND 5, BLOCK 9, MOORE'S SUBDIVISION, COUNTY OF BOULDER, STATE OF COLORADO