

EXHIBIT A

ORDINANCE NO. 117-14

PALMER VILLAGE NO. 5

AMENDMENTS TO SUBDIVIDER AGREEMENT ORIGINALLY PASSED ON JANUARY 23, 2012 PER ORDINANCE NO. 120-11, EXTENDED ON JANUARY 28, 2013 IN ORDINANCE NO. 4-13 AND AMENDED ON JANUARY 13, 2014 IN ORDINANCE NO. 8-14.

1. Paragraph 13. Tree Deposit - which currently reads:

Prior to an ordinance being placed on Council's agenda for acceptance of improvements in this Subdivision, Subdivider will deposit with the Finance Director of the City of Avon the sum of Two Thousand Seven Hundred and 00/100 (\$2,700.00) Dollars to assure compliance with the requirement of planting of One (1) tree per subplot (\$150 x 18) in the Subdivision. The deposit will be refunded by the Finance Director upon verification by the Service Director that trees have been planted in compliance with this Agreement and the Codified Ordinances of the City of Avon.

shall be amended as follows: (New language in Bold)

Paragraph 13. Tree Deposit.

Prior to an ordinance being placed on Council's agenda for acceptance of improvements in this Subdivision, Subdivider will deposit with the Finance Director of the City of Avon the sum of **Four Thousand Nine Hundred Fifty and 00/100 (\$4,950.00)** Dollars to assure compliance with the requirement of planting of One (1) tree per subplot (**\$275** x 18) in the Subdivision. The deposit will be refunded by the Finance Director upon verification by the Service Director that trees have been planted in compliance with this Agreement and the Codified Ordinances of the City of Avon.

2. Paragraph 24. Stormwater Drainage Improvement Fund - which currently reads:

Prior to being placed on Council's agenda for acceptance of improvements in this Subdivision, Subdivider shall deposit with the Director of Finance the sum of Fourteen Thousand Eight Hundred and Eighty-Five (\$14,885.00) Dollars (\$650 x 22.9 acres). This deposit shall be placed into City Fund No. 273 in accordance with ACO §1050.193.

shall be amended as follows: (New language in Bold)

Paragraph 24. Stormwater Drainage Improvement Fund.

Prior to being placed on Council's agenda for acceptance of improvements in this

Subdivision, Subdivider shall deposit with the Director of Finance the sum of **Seventeen Thousand Three Hundred and Eighty-Three (\$17,383.00) Dollars (\$759.11 x 22.9 acres)**. This deposit shall be placed into City Fund No. 273 in accordance with ACO §1050.193.

3. 23. Engineer's As-Built Documents.

Subdivider shall file with the City's Engineer as-built documents prior to an ordinance being placed on Council's agenda for acceptance of improvements in this Subdivision. The as-built documents shall be submitted in hard copy or, if generated by such means, in electronic form. Hard copy shall be on reproducible mylar. Electronic copy shall be submitted on the appropriate digital media in DXF or DWG format.

shall be amended as follows: (New language in Bold; deleted language strike out)

23. Engineer's As-Built Documents.

Subdivider shall file with the City **Engineer Planning Department** as-built documents **per City Construction Standards and City Planning Ordinances** prior to an ordinance being placed on Council's agenda for acceptance of **Public** improvements in this Subdivision. The as-built documents shall be submitted in hard copy ~~or, if generated by such means, in and~~ electronic form. ~~Hard copy shall be on reproducible mylar.~~ Electronic copy shall be submitted on the appropriate digital media in ~~DXF or DWG~~ **and PDF** formats.

4. 25. Storm Water Detention and Fee - which currently reads:

Due to the location of this Subdivision, the City Engineer requires on-site storm water detention. The Subdivider proposes to construct storm water detention in this Subdivision at a cost that exceeds the City's storm water detention fee.

City's Storm Water Detention Fee	
(Developed Area (22.9 Acres) x \$3,830.18/Acre	\$ 87,711.12
Less Detention Basin Costs	\$289,640.00
Excess Storm Water Detention Fee	-\$201,928.88

As such, the Engineer's estimate of the cost of construction of on-site storm water detention, including the cost of land, exceeds the storm water detention fee provided for in Ordinance No. 44-93. Therefore, pursuant to Ordinance No. 44-93, no storm water detention fee shall apply to this Subdivision.

shall be amended as follows: (New language in Bold)

25. Storm Water Detention and Fee.

Due to the location of this Subdivision, the City Engineer requires on-site storm water detention. The Subdivider proposes to construct storm water detention in this Subdivision at a cost that exceeds the City's storm water detention fee.

City's Storm Water Detention Fee (Developed Area (22.9 Acres) x \$4,466.23/Acre	\$102,287.67
Less Detention Basin Costs	\$289,640.00
Excess Storm Water Detention Fee	-\$187,352.33

As such, the Engineer's estimate of the cost of construction of on-site storm water detention, including the cost of land, exceeds the storm water detention fee provided for in Ordinance No. 44-93. Therefore, pursuant to Ordinance No. 44-93, no storm water detention fee shall apply to this Subdivision.