

**RESOLUTION NO. 2564-09**

**A RESOLUTION OF THE TOWN COUNCIL  
OF THE TOWN OF WINDSOR  
APPROVING AND AUTHORIZING THE TOWN MANAGER TO EXECUTE AN  
AMENDMENT TO THE AGREEMENT FOR BRIDGE MODIFICATION WITH  
SHILOH OAKS COMPANY, LLC TO PROVIDE FOR A THREE-YEAR EXTENSION  
OF TIME**

**WHEREAS**, Caletti Avenue from Shiloh Road to Pruitt Avenue is intended to be a public road; and

**WHEREAS**, the existing heavy timber bridge (Bridge) on Caletti Avenue across Pruitt Creek is not to Town standards; and

**WHEREAS**, the Mitchell/Shiloh/Conde Assessment District was formed to publicly finance and construct certain infrastructure improvements in the area of Shiloh Road, including improvements to Caletti Avenue immediately south of the Bridge and improvements to the entrance to Caletti Avenue from Shiloh Road north of the Bridge; and

**WHEREAS**, Shiloh Oaks Company, LLC, owners of the properties assessed for said improvements, is also responsible for improvements to the Bridge; and

**WHEREAS**, the requirement for improvements by owner are shown on the improvement plans filed with and approved by the Town of Windsor on January 7, 2004, titled "Standard Structures MNS 91-919 Improvement Plans, Town of Windsor"; and

**WHEREAS**, the Town entered into an Acquisition Agreement, dated July 21, 2004 with Shiloh Oaks Company, LLC to acquire said improvements; and

**WHEREAS**, Shiloh Oaks Company, LLC has completed said public improvements of Caletti Avenue which encompass the Bridge; and

**WHEREAS**, the Caletti Avenue Bridge improvement was not completed and an Agreement for Bridge Modification and an Agreement for Bridge Maintenance were entered into between the Town of Windsor and Shiloh Oaks Company, LLC on February 16, 2006 requiring the Bridge to be improved by Shiloh Oaks Company, LLC within five years of Town acceptance of the offer of dedication of Caletti Avenue and Pruitt Avenue; and

**WHEREAS**, the Town accepted the Caletti Avenue and Pruitt Avenue Improvement on February 15, 2006; and

**WHEREAS**, the Bridge Maintenance Agreement maintains Shiloh Oaks Company, LLC as the responsible party for the bridge maintenance until the Bridge has been improved and accepted by the Town; and

**WHEREAS**, Shiloh Oaks Company, LLC has requested a three-year extension to the Agreement for Bridge Modification; and

**WHEREAS**, Donald T. Morton, Structural Engineer has submitted documentation that the Bridge is in excellent condition and does not show any signs of deterioration of the structural member or any other kinds of problems;

**NOW, THEREFORE BE IT RESOLVED** that the Town Council of the Town of Windsor, approves and authorizes the Town Manager to execute an amendment to the Bridge Modification Agreement between the Town of Windsor and Shiloh Oaks Company, LLC providing for a three-year extension of time.

**PASSED, APPROVED AND ADOPTED** this 4<sup>th</sup> day of November 2009, by the following vote:

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

  
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**ROBIN R. GOBLE, MAYOR**

**ATTEST:**

  
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**MARIA DE LA O, TOWN CLERK**