

MEMORANDUM OF UNDERSTANDING

THIS AGREEMENT entered into this 17th day of August, 1982 by and between WEST-CAL CONSTRUCTION CO., a California corporation hereinafter referred to as WEST-CAL and the CITY OF GRAND JUNCTION, COLORADO, hereinafter referred to as the CITY.

WHEREAS West-Cal is the General Contractor of a development project on property in the City bounded by Horizon Drive on the West and "G" Road on the South, and

WHEREAS, the development of said property requires the building of a retaining wall along "G" Road, approximately 290 feet in length, and

WHEREAS, the City and West-Cal have agreed that said retaining wall will mutually benefit both parties.

NOW THEREFORE in consideration of the mutual promises herein contained, the parties agree as follows:

1. West-Cal shall cause to be built a retaining wall approximately 290 feet in length along the south property line of the property and parallel with "G" Road.
2. The total cost of said wall project is estimated to be \$47,711.00.
3. It is highly probable that certain adverse soil conditions will escalate the estimated costs.
4. The City will pay 66% of all costs related to the wall project and West-Cal will pay 34%.
5. Cone Construction shall be the prime contractor for the wall construction and Armstrong Engineering will do the necessary inspections.
6. The Prime Contractor will bill each party separately according to the proration set forth herein.

7. Each party agrees that they will, in good faith carry out all of the promises made by one to the other herein.

Executed at Grand Junction, Colorado, the date first written above.

CITY OF GRAND JUNCTION

By: James E. Wysocki
James E. Wysocki, City Manager

WEST-CAL CONSTRUCTION CO.,
a California corporation

By: Dewain Schulze
Dewain Schulze

Sandi,

This was constructed
back in 82-83. Could be
put with Horizon Dr. Proj.
G Rd to I-70 or ?

Don

Don
Please tell
Sandi where
this should be
filed.
CP