

TOWN COUNCIL
TOWN OF GYPSUM, STATE OF COLORADO

RESOLUTION NO. 17 (SERIES 2021)

A RESOLUTION TO CONTINUE THE VESTED PROPERTY RIGHTS FOR IK BAR SUBDIVISION GRANTED IN THE SUBDIVISION IMPROVEMENT AGREEMENT

WHEREAS, the Town of Gypsum, Colorado (“Town”), is a home rule municipality of the State of Colorado, duly organized and existing under Article XX of the Colorado Constitution and the Gypsum Home Rule Charter effective October 21, 1982; and

WHEREAS, the members of the Town Council (“Council”) have been duly elected, chosen and qualified; and

WHEREAS, Applicant is the owner of the real property (the “Property”) identified on **Exhibit A**, attached hereto and incorporated herein, located in Gypsum, Colorado; and

WHEREAS, pursuant to Resolution No. 15 (Series 2015) and Section 29 of the Subdivision Improvement Agreement with Developer (“Agreement”), the Town Council approved granting vested property rights for Tract A identified on Exhibit A on May 27, 2015, which vested property rights, pursuant to Resolution No. 15 (Series 2015) and the Agreement, will expire May 27, 2021; and

WHEREAS, on April 23, 2021, Developer submitted a request for an extension of the vested property rights set to expire May 27, 2021 and

WHEREAS, Section 17.36.045 of the Gypsum Municipal Code (G.M.C.) authorizes the extension of vested property rights if an Applicant meets requirements of the Town Code; and

WHEREAS, Town Council hereby finds and determines that the Applicant has met the requirements of Section 17.36.045 of the G.M.C. and qualifies for extension of the vested property rights for the IK Bar Subdivision.

NOW, THEREFORE, be it resolved by the Town Council of the Town of Gypsum, Colorado, as follows:

1. Extension of Vested Property Rights Deadline. The vested property rights for the IK Bar Subdivision granted pursuant to Resolution No. 15 (Series 2015) and the Agreement are extended through May 25, 2024 with the following conditions:

(a) That as otherwise modified by representations of the applicant in this application, all material representations of the applicant in this application, correspondence and public meetings shall be adhered to and considered conditions of approval, unless otherwise amended by other conditions.

(b) If the actual out-of-pocket costs of the Town in reviewing the application are greater than the amount of the deposit paid by the applicant, applicant shall pay the additional out-of-pocket costs incurred by the Town no later than within 30 days of receipt of an invoice.

2. Effective Date. This Resolution shall become effective immediately upon adoption by the Town Council.

3. Severability. If any part, section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.

Approved and Resolved this 25th day of May, 2021 at a regular meeting of the Town Council of the Town of Gypsum, Colorado by a vote of _____ in favor and _____ against.

TOWN OF GYPSUM

By: _____
Steven Carver, Mayor

ATTEST:

By: _____
Becky Close, Town Clerk

EXHIBIT A

Legal Description

Tract A, IK Bar Ranch/Eagle County Schools Exemption Plat, according to the Amended Exemption Plat recorded August 12, 2015 at Reception No. 201515130 of the Eagle County Clerk and Recorder's office.

