

**TOWN COUNCIL  
TOWN OF GYPSUM, STATE OF COLORADO**

**RESOLUTION NO. 21 (SERIES 2022)**

**A RESOLUTION OF THE TOWN OF GYPSUM APPROVING THE AMENDED FINAL  
PLAT FOR AIRWALK BUISNESS PARK FILING 1 LOT 3 A RESUBDIVISION**

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 Town of Gypsum has the power and authority to adopt regulations regarding the subdivision of land and to enjoin any such subdivision which does not comply with such regulations, pursuant to Sections 31-23-214 and 31-23-216, C.R.S.; and

WHEREAS, the Town Council of the Town of Gypsum (“Council”) has adopted Title 17 of the Gypsum Municipal Code (G.M.C.) governing the subdivision and regulation of land and Title 18 of the G.M.C. governing zoning; and

WHEREAS, pursuant to Chapters 17.20, G.M.C., final amended plats shall be considered at a Gypsum Planning and Zoning Commission (“Planning Commission”) meeting and recommendations as a result of this review will be made to the Council who may approve, deny, or approve the application with conditions; and

WHEREAS, 450 Gilder Way, LLC (the “Applicant”) is the owner of the real property described on Exhibit A, attached hereto, and

WHEREAS, Applicant submitted an application (“Application”) on July 28, 2022, for approval of the Amended Final Plat for Airwalk Business Park Filing 1 Lot 3 A Resubdivision (the “Final Plat Amendment”), attached hereto as Exhibit B and incorporated herein, located in Gypsum, Colorado; and

WHEREAS, pursuant to 17.20.070 of the G.M.C., a public hearing before the Planning Commission on the Application was held on October 5, 2022 at 7:00 p.m. and the Planning Commission recommended approval of the Final Amendment Plat; and

WHEREAS, the Council hereby finds that pursuant to Section 17.20.070 of the G.M.C., all public notice requirements for the public hearing before the Planning Commission and the meeting for the Council were met, as follows:

- a. On September 21, 2022 notice of the hearing before the Planning Commission was mailed to property owners within three hundred feet of the Property. On October 14, 2022 notice of the hearing before the Town Council was mailed to property owners within three hundred feet of the Property;
- b. On September 9, 2022 Public Notice was physically posted at the Property prior to the public hearings of which an affidavit of posting has been received. On October 9,

2022, the physical Public Notice was updated prior to the public hearing of the Town Council.

WHEREAS, the Council has considered the criteria of Sections 17.20.070, G.M.C., in reviewing the subdivision application, including (1) the comments and recommendations of Town staff, (2) comments of the general public, and (3) impacts on adjoining areas and the Town as a whole.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GYPSUM, COLORADO, as follows:

1. **Incorporation of Recitals and Findings.** The above Recitals and Findings of the Planning Commission are hereby incorporated into this Resolution.

2. **Final Plat Approved.** The Final Plat Amendment of Airwalk Business Park Filing 1 Lot 3, attached hereto as Exhibit B and incorporated herein, is approved subject to the conditions set forth in this Resolution.

3. **Conditions.** This Resolution and Final Plat Amendment and approvals are conditioned on the following:

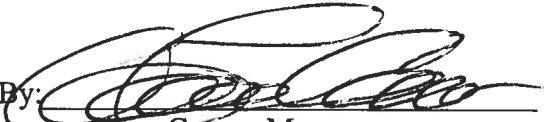
- a) The Applicant meets the criteria of Section 17.20.070(a)(2).
- b) That as otherwise modified by representations of the applicant in this application, all material representations of the applicant in this application, correspondence and public meetings shall be adhered to and considered conditions of approval, unless otherwise amended by other conditions.
- c) If the actual out-of-pocket costs of the Town in reviewing the application are greater than the amount of the deposit paid by 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.
- d) The Final Plat Amendment shall not be recorded until all water and sewer fees have been paid.
- e) The Final Plat Amendment shall not be recorded until the Subdivision Improvements Agreement has been fully executed.

4. **Severability.** If any portion of this Resolution is found to be void or ineffective, it shall be deemed severed from this Resolution and the remaining provisions shall remain valid and in full force and effect.

5. **Effective date.** This Resolution shall become effective and be in force immediately upon approval.

Approved and resolved this 25<sup>th</sup> day of October 2022 at a regular meeting of the Town Council of the Town of Gypsum, Colorado by a vote of 7 in favor and 0 against.

TOWN OF GYPSUM

By:   
Steve Carver, Mayor

ATTEST:

By:   
Becky Close, Town Clerk



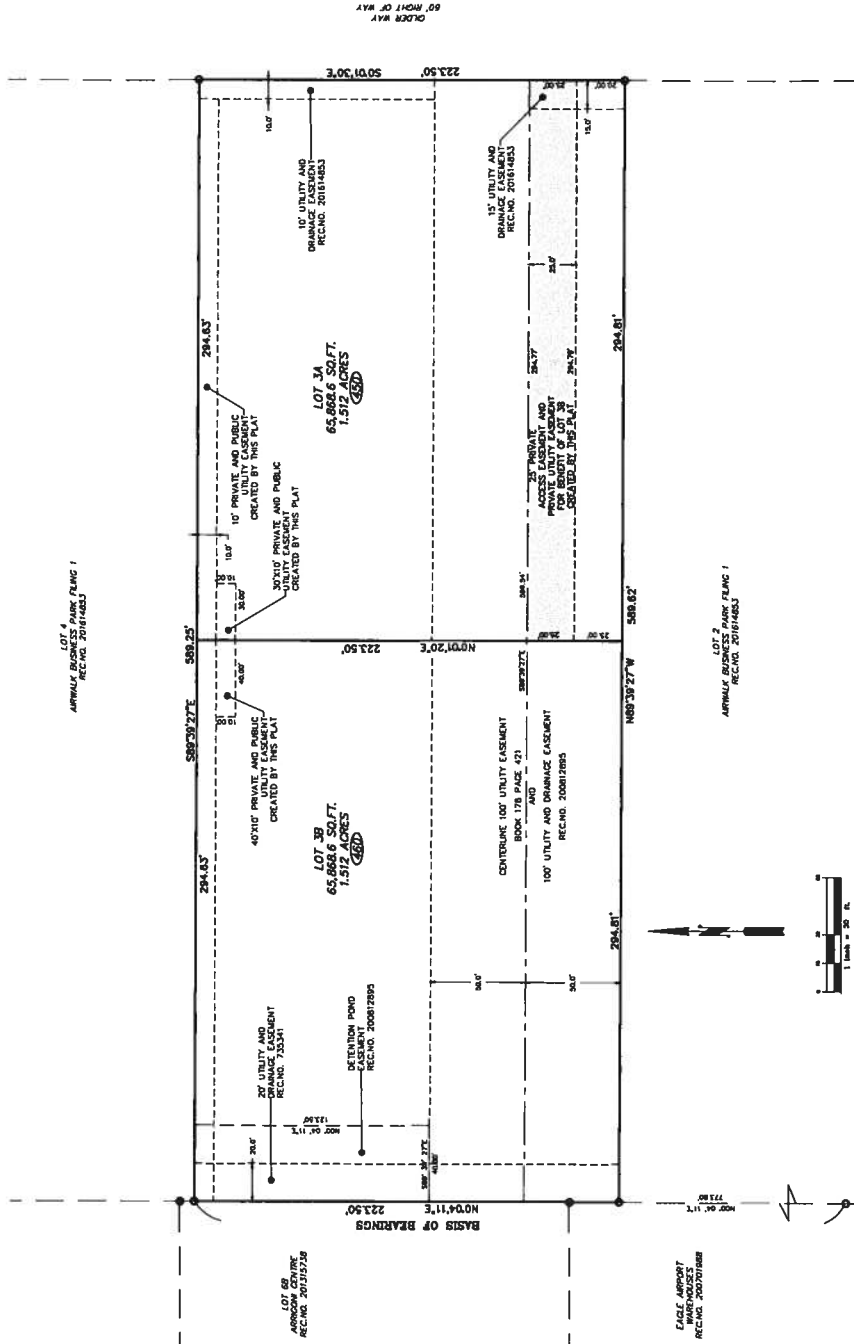
**EXHIBIT A**  
**LEGAL DESCRIPTION**

Lot 3 of the Airwalk Business Park Filing I, A Replat of Parcel A, Airwalk Business Park Recorded on September 14, 2016 at Reception No. 201614853.

**EXHIBIT B**  
**FINAL PLAT**



AMENDED FINAL PLAT  
**AIRWALK BUSINESS PARK FILING 1**  
**LOT 3 RESUBDIVISION**  
 TOWN OF GYPSUM, EAGLE COUNTY, COLORADO



- LEGEND:**
- DENOTES BOUNDARY LINE
  - - - - - DENOTES EASEMENT LINE
  - - - - - DENOTES EASEMENT LINE
  - - - - - DENOTES CENTERLINE EASEMENT
  - - - - - DENOTES ROW/ADJACENT PROPERTY LINES
  - DENOTES FOUND SURVEY MONUMENT - 1.5" ALUMINUM CAP ON #3 REBAR
  - DENOTES FOUND SURVEY MONUMENT - 1.5" ALUMINUM CAP ON #3 REBAR
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AMENDED FINAL PLAT	
<b>AIRWALK BUSINESS PARK FILING 1</b>	
<b>LOT 3 RESUBDIVISION</b>	
Town of Gypsum, County of Eagle, State of Colorado	
JOB NO.: 211025	DATE: 09-23-2022
DMS NAME: 211025-1.GIS ASP FI Resub Lot 3	
SHEET 2 OF 2	
<b>KIPP LAND SURVEYING</b>	
RANDY KIPP P.L.S. P.O. Box 3154 Eagle, CO 81631 (970) 390-9540 email: randy@kippandsurveying.com web: kippandsurveying.com	