

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

RESOLUTION NO. 25 (SERIES 2022)

**A RESOLUTION APPROVING AN OUT-OF-TOWN WATER TAP
FOR 3700 GYPSUM CREEK ROAD**

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 Council of the Town of Gypsum (“Council”) has adopted Title 13 of the Gypsum Municipal Code (G.M.C.) governing the fees and distribution of water; and

WHEREAS, Section 13.04.200 grants the Council the authority to lease water to applicants located outside the boundaries of the town; and

WHEREAS, Gerard Brothers Partnership, LLLP is the (“Owner”) of 3700 Gypsum Creek Road; and

WHEREAS, Loyd Gerard and Clayton Gerard have requested approval of one (1) out-of-town water tap, including water dedication fees, for a single-family residence to be constructed at 3700 Gypsum Creek Road, Gypsum, Colorado which is located outside of the current town boundaries.

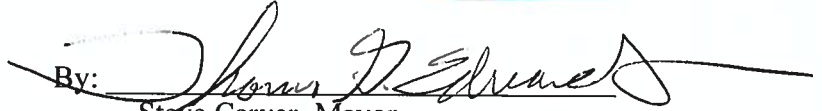
NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GYPSUM, COLORADO, the water service is approved with the following conditions:

1. 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.
2. One EQR of water service shall be provided to 3700 Gypsum Creek Road for residential use only limiting the residence to no more than 3,000 square feet, no more than four bedrooms, and no more than 2,500 square feet of outdoor irrigation.
3. Water may be used for livestock watering and if the total metered use exceeds one EQR limit, additional water tap and water dedication fees will be required to be paid.
4. Any expansion of the residence over 3,000 square feet or more than four bedrooms shall be subject to additional water service which must be authorized by the Council.
5. No additional irrigation square footage shall be granted.
6. Water services provided to 3700 Gypsum Creek Road shall also be subject to all rules and regulations as set forth in the Gypsum Municipal Code regarding water services.
7. Fees of \$12,000 for the water tap and \$7,000 for the water dedication shall be paid by January 1, 2023.


8. Any additional costs incurred by the town for updating or modifying the existing old water service, such as but not limited to meter, yoke, or meter pit, shall be reimbursed by Owner within 30 days of invoicing.

Approved and resolved this 13th day of December 2022, at a regular meeting of the Town Council of the Town of Gypsum, Colorado by a vote of 5 in favor and 0 against.

TOWN OF GYPSUM

By: 
~~Steve Carver, Mayor~~
Tom Edwards, Mayor Pro Tem

ATTEST:

By: 
Becky Close, Town Clerk

