

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

RESOLUTION NO. 04 (SERIES 2020)

**A RESOLUTION APPROVING GREEN'S LANDING
PRELIMINARY PLAN, FINAL PLAT, AND 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, on May 15, 2019, Developer submitted applications for Preliminary Plan and Final Plat for the Green's Landing Subdivision; and

WHEREAS, approval of the Final Plat, attached hereto and incorporated herein, as **Exhibit B**, obligates the Developer to provide certain infrastructure improvements and facilities to serve the Green's Landing Subdivision and mitigate the impact of the project on the Town through a Subdivision Improvements Agreement for Green's Landing, attached hereto and incorporated herein, as **Exhibit C**; and

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

1. Preliminary Plan, Final Plat, and Subdivision Improvements Agreement. Approval of the Preliminary Plan, Final Plat, and Subdivision Improvements Agreement for Green's Landing is, is hereby approved, subject to the following conditions, which must be met by July 28, 2020:

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. If the actual out-of-pocket costs of the Town in reviewing the agreement is 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.

3. Final Plat shall have finished floor elevations added as per Section 17.20.020(2)(m)
4. Notes be added to the Final Plat:
 - i. 12. Terms, conditions, and provisions of Annexation Agreement Green Annexation recorded June 6, 2019 at Reception No. 201908428.
 - ii. 13. Terms, conditions, and provisions of Subdivision Improvements Agreement recorded _____ at Reception No. _____.
 - iii. 14. Terms, conditions, and provisions of Declaration of Covenants, Conditions and Restrictions for Green's Landing recorded on _____ at Reception No. _____.
5. The Certificate of Dedication Language needs to be revised to reflect private streets per Appendix A of Title 17 of the Gypsum Municipal Code.
6. Receipt of a town approved letter of credit or cash in the amount of \$922,400.05 to secure infrastructure costs prior to recording the final plat.
7. Final plat approval will expire on July 28, 2020 if the security has not been received, fees paid, and all documents have not been executed and recorded by this date.

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 28th day of January 2020 at a regular meeting of the Town Council of the Town of Gypsum, Colorado by a vote of 6 in favor and 0 against.

TOWN OF GYPSUM

By: 
Steven Carver, Mayor

ATTEST:

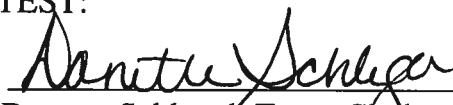
By: 
Danette Schlegel, Town Clerk



EXHIBIT A

Legal Description

Lot 1, Amended Plat, IK Bar Ranches, according to the Survey recorded
November 1, 1995 in Book 679 at Page 869, County of Eagle, State of Colorado

EXHIBIT B

Final Plat Green's Landing

EXHIBIT C

Subdivision Improvements Agreement
Green's Landing