

**TOWN OF GYPSUM, COLORADO**

**RESOLUTION NO. 30  
SERIES 2020**

**A RESOLUTION OF THE TOWN OF GYPSUM, COLORADO  
APPROVING AN ASSIGNMENT OF THE SUBDIVISION IMPROVEMENT  
AGREEMENT, FIRST AMENDMENT TO SUBDIVISION IMPROVEMENT  
AGREEMENT, PLANNED UNIT DEVELOPMENT GUIDE, AND AMENDED  
PLANNED UNIT DEVELOPMENT GUIDE FOR THE SIENA LAKE PLANNED  
UNIT DEVELOPMENT**

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

WHEREAS, the Town and Red Table Ventures, LLC entered into a Subdivision Improvement Agreement and a First Amendment to Subdivision Improvement Agreement for the Siena Lake Planned Unit Development, both recorded on March 5, 2020 with the Eagle County Clerk and Recorder (collectively, the “**SIA Agreements**”); and

WHEREAS, the Town and Red Table Ventures, LLC signed the Siena Lake PUD Planned Unit Development Guide, which was recorded on January 4, 2018, and the Siena Lake PUD Amended Planned Unit Development Guide, which was recorded on November 2, 2018 (collectively, the “**PUD Guides**”); and

WHEREAS, Siena Lake, LLC has purchased or is under contract to purchase the property identified on Exhibit A, attached hereto and incorporated herein (the “**Property**”) from Red Table Ventures, LLC; and

WHEREAS, Siena Lake, LLC has requested the Town’s approval of the assignment of the SIA Agreements and PUD Guides from Red Table Ventures, LLC to Siena Lake, LLC; and

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

1. Approval of Assignment. The Town hereby approves the assignment of the SIA Agreements and PUD Guides to Siena Lake, LLC, which shall assume all rights and obligations of the “Developer” or “Applicant” under the SIA Agreements and the “Owner” under the PUD Guides.

**EXHIBIT A**

**Legal Description of Property**

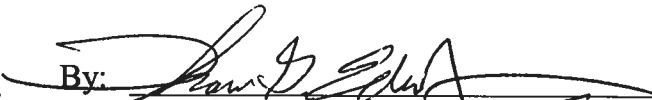
2. Condition of Approval. The Town's approval granted by this Resolution shall become effective only at such time as Siena Lake, LLC obtains title to the Property and is conditioned upon Siena Lake, LLC obtaining title to the Property and recording evidence that it has obtained such title no later than June 30, 2021. If Siena Lake, LLC fails to record evidence that it has obtained title to the Property by June 30, 2021, the Town's approval shall be automatically revoked.

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.

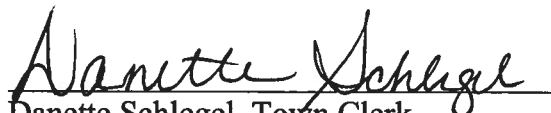
4. Effective Date. This Resolution shall take effect and be enforced immediately upon its approval by the Town Council.

INTRODUCED, READ AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF GYPSUM, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF GYPSUM ON THE 8 DAY OF Dec, 2020, BY A VOTE OF 5 IN FAVOR AND 0 AGAINST.

TOWN OF GYPSUM

By:   
Tom Edwards ~~Stephen M. Carver, Mayor Pro Tem~~

Attest:

  
Danette Schlegel, Town Clerk

