

**TOWN COUNCIL
TOWN OF GYPSUM, STATE OF COLORADO
RESOLUTION NO. 14 (SERIES 2019)**

**A RESOLUTION APPROVING FILING III FINAL PLAT OF THE HAWKS
NEST SUBDIVISION OF BUCKHORN VALLEY**

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 has adopted Title 17 of the Gypsum Municipal Code (G.M.C.) governing the subdivision of land; and

WHEREAS, BV DEVCO, LLC (“Developer”) has requested approval of the Final Plat of Filing III of the Hawks Nest Subdivision of Buckhorn Valley, attached hereto as Exhibit A; and

WHEREAS, pursuant to section 17.20.050, G.M.C., the application for Final Plat of Filing III of the Hawks Nest Subdivision of Buckhorn Valley has been reviewed and considered by the Town Planning Commission, and approved at a regular meeting following public notices as required by law, with the following conditions;

1. The Applicant meets the criteria of Section 17.20.050.
2. 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.
3. 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.
4. A revised cost estimate be resubmitted and approved by staff prior to security being posted and prior to recording the final plat.

WHEREAS, pursuant to Section 17.20.050, G.M.C., the Town Council, following notice required by law, has held a public hearing at a regular or special meeting to consider the application for Final Plat Filing III of the Hawks Nest Subdivision of Buckhorn Valley, received and considered public comments, and reviewed the proposal.


NOW, THEREFORE, be it resolved by the Town Council of the Town of Gypsum, Colorado, that the Hawks Nest Subdivision of Buckhorn Valley Final Plat of Filing III, is hereby approved with the following conditions:

1. The Applicant meets the criteria of Section 17.20.050.

2. 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.
3. 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.
4. A revised cost estimate be resubmitted and approved by staff prior to security being posted and prior to recording the final plat.
5. Effective Date. This Resolution shall become effective immediately upon adoption by the Town Council.
6. 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 12th day of March 2019, 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 *Pro Tem*
Tom Edwards

ATTEST:

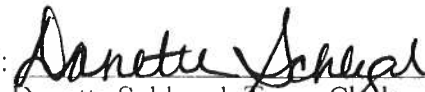
By: 
Danette Schlegel, Town Clerk



EXHIBIT A

FINAL PLAT FILING III HAWKS NEST AT BUCKHORN VALLEY