

**TOWN OF MEAD, COLORADO
RESOLUTION NO. 29-R-2005**

**A RESOLUTION REGARDING THE REVIEW OF THE FINAL PLAT OF THE
“MEAD WESTERN MEADOWS FILING TWO,” ADOPTING CERTAIN
FINDINGS OF FACT AND CONCLUSIONS FAVORABLE TO THE FINAL
PLAT.**

WHEREAS, the Board of Trustees of the Town of Mead, Colorado, on Monday, October 10, 2005, reviewed the application of Western Meadows Investments, LLC, 7251 W. 20th Street #L-200, Greeley, CO 80634, for the Final Plat of the following real property; to wit:

A portion of the Southeast quarter of Section 9, Township 3 North, Range 68 West of the Sixth Principal Meridian, Town of Mead, County of Weld, State of Colorado being more particularly described in Appendix A.

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Mead, Weld County, Colorado, that:

Section 1. Findings of Fact.

- a. The applicant’s application and supporting documents are in substantial compliance with “*Chapter 16, Land Use Regulations, of the Mead Municipal Code.*”
- b. The Final Plat application was submitted as a combination of preliminary and final plat as allowed by the *Mead Municipal Code*.
- c. The Final Plat is compatible with adjacent land uses and conforms with the requirements and standards established in “*Chapter 16, Land Use Regulations, of the Mead Municipal Code.*”
- d. A satisfactory Memorandum of Agreement for Public Improvements (MOAPI) has been prepared, or will be completed prior to the recording of the Final Plat.
- e. The Final Plat as proposed preserves the health, safety, welfare and interest of the citizens of the Town of Mead, Colorado.

Section 2. Conclusions and Order Approving the Final Plat of the Mead Western Meadows Filing Two.

- a. The proposed Mead Western Meadows Filing Two final plat complies with the applicable sections of “*Chapter 16, Land Use Regulations, of the Mead Municipal Code.*”
- b. A detailed Memorandum of Agreement for Public Improvements (MOAPI) shall be prepared and signed before the platting process is completed.
- c. Approval of the final plat is subject to the following conditions:

- (1) No major park lighting will be permitted.
 - (2) Consistent fencing shall be provided along Welker Avenue and the public park's boundary edges to separate public from private land.
 - (3) Consider providing a parking lot for the soccer field.
 - (4) The Developer shall pay to the Town \$350 per lot in the development as reimbursement for water system capacity developed by Anthony Howland on behalf of the Town. Payment shall be made no later than the application for a building permit associated with the water tap. The Town may withhold building permits for the development until the payment is made. Nothing herein shall prohibit the developer for making payment in advance of application for building permits.
 - (5) Utilities oversized by the Developer shall be subject to the standard MOAPI provisions for reimbursement of the proportional cost of the improvements benefitting subsequent developers.
 - (6) The MOAPI shall provide that the Developer will hold the town harmless in the event of any legal challenge on the exchange of the park property.
 - (7) The Developer will complete improvements in the park to Town standards as agreed upon with the Mead Parks and Recreation Committee, including parking.
 - (8) The Town agrees to waive the cash in lieu balance owing for park and open space dedication in exchange for the Developer providing park amenities and parking at the park and for completed roadway repairs and improvements to 7th Street, Palmer Avenue and Dillingham Avenue, totaling \$102,930.80.
 - (9) The Developer agrees to pay the cost of repair to the existing Fairbairn Avenue sewer main in an amount up to \$200,000, to be offset by a reduction in the sewer tap-on fees to be paid for lots in Mead Western Meadows Second Filing.
 - (10) The Developer will pay \$110,000 to oversize the sewer main in Fairbairn Avenue, \$78,000 of which is to be reimbursed from subsequent developers of property using the sewer main.
 - (11) The Town shall sign the plat as an owner and the dedication certificate shall be modified as appropriate.
- d. The proposed Final Plat of the Mead Western Meadows Filing Two, subject to the above conditions, should be granted approval.

INTRODUCED, READ, PASSED, AND SIGNED THIS 10th DAY OF October, 2005.

ATTEST:

TOWN OF MEAD

By Marcia David
Marcia David, Acting Town Clerk

By [Signature]
Richard E. Kraemer, Mayor

Appendix A

Mead Western Meadows Filing Two

Legal Description:

A parcel of land consisting of Outlot A and Outlot B, Mead Western Meadows Filing One, recorded July 21, 2003 as Reception No. 3085657 of the records of the Weld County Clerk and Recorder (WCCR) and unplatted portions of the Southeast Quarter (SE1/4) of Section Nine (9), Township Three North (T.3N.), Range Sixty-eight West (R.68W.) of the Sixth Principal Meridian (6thP.M.), Town of Mead, County of Weld, State of Colorado, and being more particularly described as follows:

BEGINNING at the South Quarter (S1/4) corner of said Section 9 and assuming the West line of said SE1/4 as bearing North 00 23'18" West, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/92, a distance of 2646.99 feet with all other bearings contained herein relative thereto:

THENCE North 00 23'18" West along the West line of said SE1/4 a distance of 2646.99 feet to the Center Quarter (C1/4) corner of said Section 9;

THENCE North 88 58'51" East along the North line of said SE1/4 a distance of 209.83 feet to the Northwest corner of said Mead Western Meadows Filing One;

THENCE South 00 23'26" East along the Westerly line of said Mead Western Meadows Filing One a distance of 50.00 feet to the South Right-of-Way (ROW) of Weld County Road No. 34 ½ (WCR34 ½), said point being the Northwest corner of said Outlot B;

THENCE North 88 58'51" East along said South ROW also being along the North line of said Outlot B a distance of 891.45 feet to the Northeast corner of said Outlot B;

THENCE North 00 29'49" West along the Northerly line of said Mead Western Meadows Filing One a distance of 50.00 feet to the North line of said SE1/4, said point also being the Northeast corner of said Mead Western Meadows Filing One;

THENCE North 88 58'51" East along the North line of said SE1/4 a distance of 1554.31 feet to the East Quarter (E1/4) corner of said Section 9;

THENCE South 00 28'07" East along the East line of said SE1/4 a distance of 337.68 feet to the intersection with the Easterly prolongation of the South line of said Outlot A;

THENCE South 89 34'33" West along said Easterly prolongation and along the South line of said Outlot A a distance of 1554.08 feet to the Southwest corner of said Outlot A;

THENCE South 00 29'49" East along the East line of said Outlot B a distance of 777.64 feet to the Southeast corner of said Outlot B;

THENCE South 89 25'30" West along the South line of said Outlot B and along the North ROW of Palmer Avenue a distance of 140.03 feet to the Westerly line of said Mead Western Meadows Filing One;

THENCE South 00 23'26" East along the Westerly line of said Mead Western Meadows Filing One a distance of 1553.04 feet to the South line of said SE1/4, said point being the Southwest corner of said Mead Western Meadows Filing One;

THENCE South 89 13'44" West along the South line of said SE1/4 a distance of 963.27 feet to the **POINT OF BEGINNING**.

Said parcel contains 72.819 acres more or less (±), and is subject to any rights-of-way or other easements of record or as now existing on said described parcel of land.