

**TOWN OF MEAD, COLORADO  
ORDINANCE NO. 882**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO,  
APPROVING THE SORRENTO SUBDIVISION FINAL PLAT**

**WHEREAS**, the Town of Mead is authorized pursuant to Title 31, Article 23, C.R.S. and the Town of Mead Land Use Code to regulate the subdivision of land; and

**WHEREAS**, 532 Ventures, LLC, a Colorado limited liability company (“Applicant”) has submitted an application for a subdivision designated as the SORRENTO SUBDIVISION FINAL PLAT (“Final Plat”) for property consisting of 158.18 acres, more or less, and located generally in the Northwest Quarter of Section 21, Township 3 North, Range 68 West of the 6th Principal Meridian, Weld County, State of Colorado, and more particularly described as follows:

**BEGINNING** at the Northwest Quarter of said Section 21 and considering the North line of the Northwest Quarter of said Section 21 as bearing North 89°23’33” East with all bearings contained herein relative thereto:

Thence North 89°23’33” East along the North line of the Northwest Quarter of said Section 21 a distance of 360.05 feet for the most Northerly corner of that certain tract of land described in deed recorded in Book 228 at page 105 of the Records of Weld County;

The following two (2) courses are along the Northwesterly and Westerly lines of said parcel described in Book 228 at page 105 of the Records of Weld County:

Thence South 20°22’26” West a distance of 143.51 feet;

Thence South 00°01’00” East of distance of 2158.18 feet to the South line of the Northwest Quarter of said Section 21 from which the Center Quarter Corner of said Section 21 bears North 89°23’13” East a distance of 50.00 feet;

Thence South 89°24’13” West along the South line of the Northwest Quarter of said Section 21 a distance of 2591.56 feet to the West Quarter Corner of said Section 21;

Thence North 00°01’52” East along the West line of the Northwest Quarter of said Section 21 a distance of 2651.75 feet to the **POINT OF BEGINNING**.

(the “Property”); and

**WHEREAS**, the Applicant is the record owner of the Property; and

**WHEREAS**, Section 16-4-70 of the Mead Municipal Code (“MMC”) authorizes administrative staff review and approval of the Final Plat, subject to confirmation by the Board of Trustees though the adoption of an ordinance approving the Final Plat; and

**WHEREAS**, the Applicant is proposing 454 single-family residential lots in the Final Plat, consistent with the Preliminary Plat that was approved on August 13, 2018 by Ordinance No. 874; and

**WHEREAS**, the administrative record for this matter includes, but is not limited to, the Town of Mead Land Use Code, the Town of Mead Comprehensive Plan, all other applicable ordinances, resolutions and regulations, the staff files and reports of the Planning Director and Town Engineer related to the Final Plat, any and all submittals by the Applicant and members of the public, and the tape recordings and minutes of the Board of Trustees meeting at which the Final Plat was considered; and



**WHEREAS**, the Applicant/Owner has agreed to all conditions of approval as stated in this Ordinance; and

**WHEREAS**, the Board of Trustees has determined that the Sorrento Subdivision Final Plat meets all applicable requirements of the Town of Mead Land Use Code and MMC and that the review criteria set forth in Section 16-4-70(b)(8) of the MMC have been satisfied; and

**WHEREAS**, a detailed Subdivision Improvement Agreement (SIA) has been prepared by and between the Town and Applicant in accordance with the requirements of Section 16-4-130 of the MMC; and

**WHEREAS**, the SIA is presently filed of record with the Town Clerk; and

**WHEREAS**, the Board of Trustees has further determined that approval of the Final Plat will advance the public health, safety, convenience and general welfare of the residents of the Town, subject to the conditions of approval as hereinafter set forth.

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

**Section 1.** That the Final Plat designated as the SORRENTO SUBDIVISION FINAL PLAT, be approved subject to the following conditions of approval:

- a. Prior to and as a condition of recordation of the Final Plat, the Applicant shall resolve/correct any minor technical issues as directed by Town Staff;
- b. Prior to and as a condition of recordation of the Final Plat, the Applicant shall resolve any issues raised by the Town's Traffic Engineer as directed by Town Staff;
- c. The Applicant shall pay all fees and costs incurred by the Town and its consultants, including without limitation legal fees and costs, for review and processing of the Final Plat application within forty-five (45) days of receiving an invoice from the Town. If the fees and costs are not paid within forty-five (45) days of receiving an invoice, the Town may withhold issuance of building permits or further approvals until the invoices have been paid;
- d. Prior to and as a condition of recordation of the Final Plat, the Applicant shall finalize and execute the SIA in a form approved by the Town Attorney; and
- e. Prior to and as a condition of the issuance of a grading or development permit, the Applicant (or Applicant's successors or assigns) shall post the financial securities with the Town set forth in the SIA.

**Section 2.** The SIA is hereby approved, in substantially the form presently on file with the Town Clerk. The Town Manager and Town Attorney shall be authorized to negotiate and make non-material changes to the SIA that do not increase the Town's obligations. The Town Manager shall be authorized to execute the SIA on behalf of the Town once the SIA has been finalized.



**Section 3.** Subject to review and approval of the Final Plat mylar by the Town Staff, and satisfaction of the conditions set forth in a. through d. in Section 1 above, the Mayor, Mayor Pro Tem, and other Town officials, as applicable, are hereby authorized to sign the Final Plat mylar.

**Section 4.** Prior to the issuance of a building or grading permit for the Property, the Applicant shall submit the documentation to the Town Clerk, as required by Section 16-4-70(b)(10) of the MMC.

**Section 5. Effective Date.** This ordinance shall be published and become effective as provided by law.

**Section 6. Repealer.** All resolutions, or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

**Section 7. Certification.** The Town Clerk shall certify to the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

**Section 8. Severability.** If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the Ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more part, section, subsection, sentence, clause or phrase is declared invalid.

**Section 9. Repealer.** All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

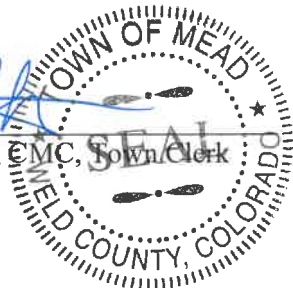
**Section 10. Certification.** The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

**INTRODUCED, READ, PASSED, AND ADOPTED THIS 29TH DAY OF OCTOBER, 2018.**

**ATTEST:**

By:

Mary E. Strutt, CMC, Town Clerk



**TOWN OF MEAD**

By:

Joyce E. Palaszewski, Mayor Pro Tem