

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 910**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO,
APPROVING THE HIGHLANDS FILING NO. 1 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, HIGHLANDS MEAD, LLC, a Colorado limited liability company (“Applicant”) has submitted an application for a subdivision designated as THE HIGHLANDS FILING NO. 1 FINAL PLAT (“Final Plat”) for property consisting of 64.87 acres, more or less, and located generally in the Northwest Quarter of Section 10, Township 3 North, Range 68 West of the 6th Principal Meridian, Weld County, State of Colorado, and more particularly described in **Exhibit A** attached hereto (the “Property”); and

WHEREAS, the Applicant is the current 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 through the adoption of an ordinance approving the Final Plat; and

WHEREAS, the Applicant is proposing 154 single-family residential lots in the Final Plat, consistent with the Preliminary Plat that was approved on June 10, 2019 by Resolution No. 43-R-2019; 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 has agreed to all conditions of approval as stated in this Ordinance; and

WHEREAS, the Board of Trustees has determined that The Highlands Filing No. 1 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 HIGHLANDS FILING NO. 1 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 and all minor technical issues as directed by Town Staff; and
- b. 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.

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. and b. in Section 1 above, the Mayor 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.

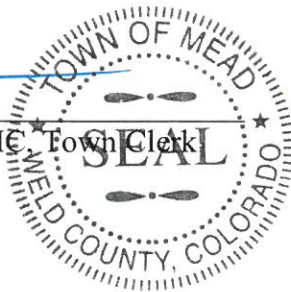
Section 10. Certification. The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 30TH DAY OF SEPTEMBER, 2019.

ATTEST:

By: 

Mary E. Strutt, MMC, Town Clerk



TOWN OF MEAD

By: 

Colleen G. Whitlow, Mayor

EXHIBIT A
Legal Description
The Highlands Filing No. 1

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 3 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, WELD COUNTY, COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST SIXTEENTH CORNER OF SAID NORTHWEST QUARTER OF SAID SECTION 10;

THENCE NORTH 00°23'44" WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 10, A DISTANCE OF 25.51 FEET TO A POINT;

THENCE NORTH 89°07'24" EAST, A DISTANCE OF 30.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF 3RD STREET, A.K.A. COUNTY ROAD 7, SAID POINT BEING THE POINT OF BEGINNING;

THENCE NORTH 00°23'54" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF SAID 3RD STREET, A DISTANCE OF 302.29 FEET TO THE SOUTHWEST CORNER OF THAT PROPERTY DESCRIBED AT RECEPTION NO. 4243959;

THENCE NORTH 88°51'54" EAST, A DISTANCE OF 1729.99 FEET TO THE SOUTHEAST CORNER OF THAT PROPERTY DESCRIBED AT RECEPTION NO. 2920493;

THENCE NORTH 00°23'54" WEST ALONG THE EAST LINE OF SAID PROPERTY DESCRIBED AT RECEPTION NO. 2920493, A DISTANCE OF 960.02 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD 36;

THENCE NORTH 88°52'10" EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 36, A DISTANCE OF 879.40 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10;

THENCE SOUTH 00°24'21" EAST ALONG SAID EAST LINE, A DISTANCE OF 1782.03 FEET TO A POINT OF THE NORTH LINE OF FEATHER RIDGE ESTATES, AS DESCRIBED AT RECEPTION NO. 2469040;

THENCE SOUTH 88°54'27" WEST ALONG SAID NORTH LINE, A DISTANCE OF 2293.98 FEET TO THE SOUTHEAST CORNER OF THAT PROPERTY DESCRIBED AT RECEPTION NO. 2807299;

THENCE NORTH 00°24'42" WEST ALONG THE EAST LINE OF SAID PROPERTY DESCRIBED AT RECEPTION NO. 2807299, A DISTANCE OF 341.63 FEET TO THE NORTHEAST CORNER OF SAID PROPERTY;

THENCE SOUTH 89°07'50" WEST ALONG THE NORTH LINE OF SAID PROPERTY, A DISTANCE OF 14.76 FEET TO THE SOUTHWEST CORNER OF THAT PROPERTY DESCRIBED AT RECEPTION NO. 2807298;

THENCE NORTH 01°46'59" EAST ALONG THE EAST LINE OF SAID PROPERTY, A DISTANCE OF 175.22 FEET TO THE NORTHEAST CORNER OF SAID PROPERTY;

THENCE SOUTH 89°07'28" WEST ALONG THE NORTH LINE OF SAID PROPERTY, A DISTANCE OF 307.43 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 2,825,572 SQUARE FEET, OR 64.866 ACRES MORE OR LESS.