

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 944**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO,
APPROVING WITH CONDITIONS THE RANGE VIEW ESTATES
AMENDED PLAT #1**

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, RANGE VIEW ESTATES LLC, a Colorado limited liability company and owner of the Property (“Applicant”) has submitted an application for a resubdivision designated as RANGE VIEW ESTATES AMENDED PLAT #1 (“Amended Final Plat”) for property consisting of 107.064 acres, more or less, and located generally in the Southeast Quarter of Section 16, 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 Property was previously platted as part of the Final Plat of Range View Estates, recorded in the Weld County Real Property Records on August 6, 2009 at Rec. No. 3640933 (“Prior Plat”); and

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

WHEREAS, the Applicant is proposing 55 single-family residential lots in the Amended Final Plat, consistent with the Prior Plat; 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 Amended 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 Amended 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 Amended 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 Amended 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. The Amended Final Plat designated as RANGE VIEW ESTATES AMENDED PLAT #1, be approved subject to the following conditions of approval:

- a. Prior to and as a condition of recordation of the Amended Final Plat, the Applicant shall resolve/correct any and all minor technical issues as directed by Town Staff;
- b. Prior to and as a condition of recordation of the Amended Final Plat, the Town and the Range View Metropolitan District (“RVMD”) shall execute a Trail Maintenance Easement Agreement setting forth RVMD’s perpetual maintenance obligations associated with future trail improvements to be constructed on a portion of Tract A of the Amended Final Plat (the “Easement Agreement”);
- 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 Amended 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; and
- d. The fully executed SIA and Easement Agreement shall be recorded in the Weld County real property records with the Amended Final Plat.

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. The Town Manager and Town Attorney shall be authorized to negotiate the Easement Agreement between the Town and RVMD as referenced in Section 1.b. above, which Easement Agreement shall not increase any obligations of the Town. The Town Manager shall be authorized to execute the Easement Agreement on behalf of the Town once the Agreement is finalized, has been approved as to form by the Town Attorney, and has been executed by RVMD.

Section 4 Subject to review and approval of the Amended Final Plat mylar by the Town Staff, and satisfaction of the conditions set forth in Section 1 above, the Mayor and other Town officials, as applicable, are hereby authorized to sign the Amended Final Plat mylar.

Section 5. 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 6. Effective Date. This ordinance shall be published and become effective as provided by law.

Section 7. 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 8. 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 9. 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.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 26TH DAY OF OCTOBER, 2020.

ATTEST:

By: 
Mary E. Strutt, MMC Town Clerk



TOWN OF MEAD

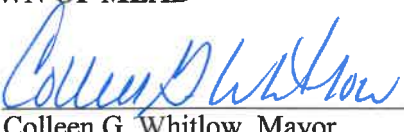
By: 
Colleen G. Whitlow, Mayor

EXHIBIT A
Legal Description

A parcel of land situate in the Southeast Quarter (SE1/4) of Section Sixteen (16), Township Three North (T.3N.), Range Sixty-eight West (R.68W.) of the Sixth Principal Meridian (6th P.M.), Town of Mead, County of Weld, State of Colorado, being:

Lots 1 through 55, Tracts A, B, K, O, Q and the associated Right of Way of Range View Estates as recorded August 6, 2009 at Reception No. 3640933 of the Weld County Clerk and Recorder.

The Property consists of 107.064 acres, more or less. To the extent that any differences exist between this Legal Description and the legal description shown on the Amended Final Plat, the legal description on the Amended Final Plat shall control.