

## RESOLUTION NO. 1946

### A RESOLUTION OF THE GOLDEN CITY COUNCIL APPROVING A FINAL SUBDIVISION PLAT FOR THE CANYON VIEW BUSINESS PARK FILING NO. 2 SUBDIVISION AS APPLIED FOR BY KILGROE PROPERTIES

WHEREAS, Kilgroe Properties (subdivider) has submitted a proposed final subdivision plat for property within the City of Golden, State of Colorado, entitled Canyon View Business Park Filing No. 2 Final Plat; and

WHEREAS, the City of Golden Planning Commission conducted a public hearing on Case No. PC08-37, the preliminary subdivision plat for Canyon View Business Park Filing No. 2 on November 5, 2008 and recommended to the City Council that the preliminary plat be approved. City Council approved the preliminary plat on December 11, 2008 by Resolution No. 1939; and

WHEREAS, on January 22, 2009, the Golden City Council conducted a public hearing upon the proposed final subdivision plat entitled Canyon View Business Park Filing No.2.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO:

Section 1. The final subdivision plat for Canyon View Business Park Filing No.2 is hereby approved subject to the following conditions:

- a. The subdivider shall pay applicable fees incurred as a result of the application approval, including, but not limited to, utility, remapping, public land dedication, cash-in-lieu fees, legal notice and legal review, and recording fees.
- b. The subdivider shall submit, within ninety (90) days of the date of this approval, all documents required by the Golden Municipal Code for finalization of the subdivision plat.
- c. The construction of necessary sidewalk and individual lot drainage improvements and utility connections will be determined and assured at the time of site development plan approval and building permit issuance.
- d. All geotechnical recommendations as per the report provided during the Preliminary Plat shall be implemented prior to and during construction.
- e. Satisfaction of the Parkland dedication requirement shall be accomplished by provision of a cash in lieu contribution for the remaining 1.34 acre requirement from the initial annexation, to be paid on a pro-rata share by each lot owner, prior to building permit issuance. For 2009, the fee will be based upon a lump sum of \$134,000, to be increased after 2009 according to the Denver/Boulder Consumer Price Index.
- f. The cash contribution in lieu of water rights for any lot in the subdivision purchasing a new water tap shall be satisfied at the time of building permit issuance for each affected lot, in accordance with the Kilgroe Annexation No.3 PUD Official Development Plan and the original Annexation Agreement.

Section 2. The dedication of all streets, avenues, right-of-way, tracts, and easements, and all other places designated for public use as shown upon the final plat of Canyon View Business Park Filing No. 2 is hereby accepted by the City of Golden, subject however, to the condition that the city shall not undertake maintenance of any street or avenue, right-of-way, tract, easement or other place designated for

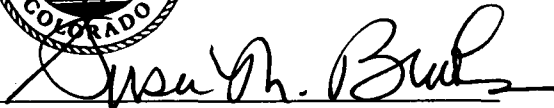
public use until after construction of said public improvement has been satisfactorily completed by the land owner and accepted in writing by the City of Golden.

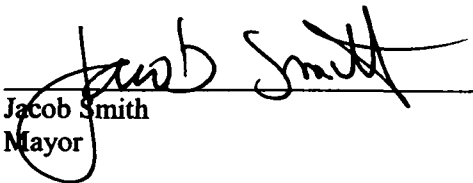
Section 3. The Mayor and City Clerk are hereby authorized and directed to certify upon the final subdivision plat, the city's approval and acceptance thereof. The City Clerk is hereby authorized and directed to file the subdivision plat with the Jefferson County Clerk and Recorder's office upon fulfillment of all conditions as indicated herein.

Section 6. Unless otherwise extended by City Council, the approval of Canyon View Business Park Filing No. 2 shall be null and void if the conditions are not complied with within ninety (90) days of the date of this resolution.

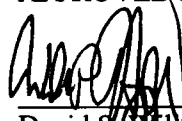
Adopted this 22nd day of January, 2009.



  
Susan M. Brooks, MMC  
City Clerk

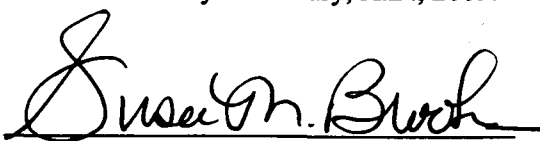
  
Jacob Smith  
Mayor

APPROVED AS TO FORM:

  
David S. Williamson  
City Attorney

I, Susan M. Brooks, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing is a true copy of a certain Resolution adopted by the City Council of the City of Golden, Colorado at a rescheduled regular business meeting thereof held on the 22nd day of January, A.D., 2009.



ATTEST:   
Susan M. Brooks, City Clerk of the City of Golden, Colorado