

RESOLUTION NO. 1557

**A RESOLUTION OF THE GOLDEN CITY COUNCIL
APPROVING THE CANYON VIEW FILING NO. 3
PRELIMINARY PLAT, AS REQUESTED BY MCSTAIN
ENTERPRISES INC.**

WHEREAS, McStain Enterprises, LLC (subdivider) has submitted a proposed preliminary subdivision plat for property within the City of Golden, State of Colorado, entitled Canyon View Filing No.3 Subdivision Preliminary Plat; and

WHEREAS, the City of Golden Planning Commission conducted hearings on the proposed preliminary plat on February 2, 2005 and March 2, 2005, and recommended denial of the preliminary plat based on the findings contained in Planning Commission Resolution PC 05-01; and

WHEREAS, the City of Golden City Council conducted a public hearing on Case No. PC 05-01, the proposed preliminary subdivision plat on April 14, 2005.

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

Section 1. The City Council finds that the proposed privately owned and maintained but publicly accessible open space and trail corridor qualify for park land dedication, therefore credit in the amount of one half acre can be given and acknowledges that remaining park land dedication requirement will be satisfied with the balance of Kilgroe Annexation No. 3.

Section 2. The City Council finds that the Canyon View Subdivision Filing No. 3 Preliminary plat is in substantial conformance with Title 17 of the Golden Municipal Code and approves the Plat in the form presented to City Council at the meeting, including any changes agreed upon in the hearing, and subject to the following conditions:


- a. The deed for the Pine Ridge Road right-of-way shall be conveyed to the City prior to the approval of the Final Plat.
- b. The Applicant shall continue to work with the City to define a cost-sharing agreement for the pumping improvements needed for the water tank.
- c. The Preliminary Plat shall show all setback requirements.
- d. A table shall be added to the Preliminary Plat listing all Tracts and designating ownership and maintenance responsibilities for each Tract.
- e. A Final Landscape Plan shall be reviewed and approved administratively prior to the Final Plat submittal.
- f. The Water Rights fees are calculated to be \$4400 per unit and an additional \$500 per thousand square feet of landscape irrigation. These fees are valid for up to one year from the date of Final Plat approval and after such time will be recalculated as per the PUD.

Section 3. City Council has determined that City shall be responsible for ensuring that the water tank pumping improvements shall be completed prior to the issuance of a building permit for the project.

Section 4. The Mayor is authorized to sign the preliminary plat on behalf of the city.

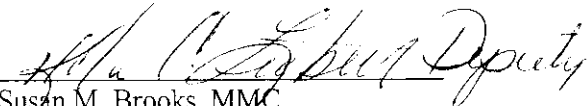
Section 5. Unless otherwise extended by City Council, the approval of the Canyon View Filing No.3 Subdivision Preliminary Plat shall be null and void if a final plat for all or a portion of the property is not approved by the City of Golden within two years of the date of this Resolution.

Adopted this 14th day of April, 2005.



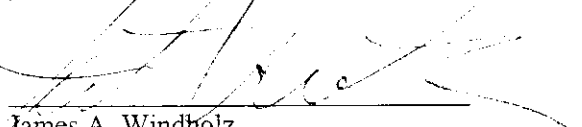
Charles J. Baroch
Mayor

ATTEST:



Susan M. Brooks, MMC
City Clerk

APPROVED AS TO FORM:

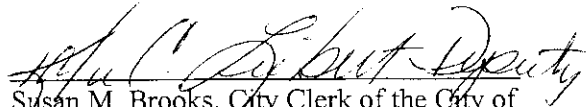


James A. Windholz
City Attorney

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 regular meeting thereof held on the 14th day of April, A.D., 2005.

(SEAL)

ATTEST:



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