

**RESOLUTION NO. 1775**

**A RESOLUTION OF THE GOLDEN CITY COUNCIL  
CONSENTING TO CERTAIN REVISIONS TO THE ULYSSES  
SENIOR COMMUNITY ASSOCIATION DECLARATIONS  
PERTAINING TO RESTRICTIONS IMPOSED PURSUANT TO  
ORDINANCE NO. 1483**

WHEREAS, City Council enacted Ordinance No. 1483 on January 13, 2000 exempting a twenty-four (24) unit Senior Housing project at 1180 Ulysses Street from the provisions of Chapter 18.70 of the Golden Municipal Code; and

WHEREAS, Ordinance No. 1483 required that the Ulysses Senior Housing project at 1180 Ulysses Street provide evidence that the property would be developed and remain a senior housing project, which evidence was approved in the form of Association Declarations; and

WHEREAS, Section 18.70.020(2)(d) provides that a senior housing project exempted from the provisions of Chapter 18.70 may be converted to another residential use if each affected dwelling secures an allocation pursuant to the provisions of that Chapter 18.70; and

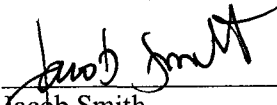
WHEREAS, the Ulysses Senior Community Association, Inc is considering a modification of the age limitation for residents in the community, and is seeking City Council consent for a change applicable to those dwelling units within the development where an allocation has been issued under the provisions of Chapter 18.70; and

WHEREAS, as of the date of this resolution, allocations have been issued by the City for 20 of the total 24 dwellings within the development.

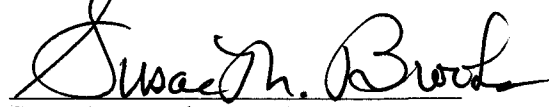
THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO:

City Council hereby consents to a change in the Declaration of the Ulysses Senior Community as described in Exhibit A attached hereto to lower the resident age limitations for specific dwellings units for which allocations have been, or will be, issued. City Council's consent to the amendment is for the sole purpose of addressing the matters contemplated in the original exemption ordinance; does not constitute consent to occupation in violation of the growth management ordinances; and does not constitute City approval or consent to any other matters in the amendments beyond that addressing enforcement of the age requirement. The Mayor is authorized to execute such consent in a form approved by the City Attorney.

Adopted this 7th day of June, 2007.

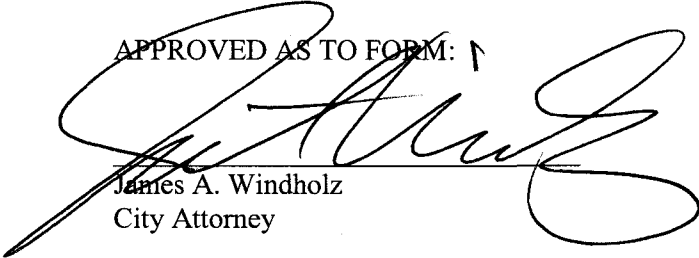
  
\_\_\_\_\_  
Jacob Smith  
Mayor Pro Tem

ATTEST:



Susan M. Brooks, MMC  
City Clerk

APPROVED AS TO FORM: ✓

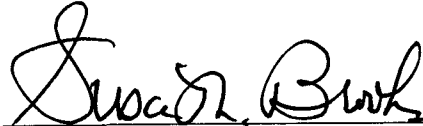


James A. Windholz  
City Attorney

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 rescheduled regular meeting thereof held on the 7th day of June, A.D., 2007.

(SEAL)

ATTEST:



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

Exhibit A, Amendments to Ulysses Senior Community Association Declarations

Section 6.2 is amended to read as follows: “6.2 Age Restrictions. The Ulysses Senior Community is an age-restricted community established pursuant to the Fair Housing Act, as amended by the Housing for Older Persons Act of 1995 and subject to the ordinances of the City of Golden. At all times, all occupants of each Unit which has been issued a Growth Management Allocation from the City of Golden shall be at least fifty-five (55) years of age. All occupants of each Unit which has not been issued a Growth Management Allocation shall be at least sixty (60) years of age as currently required under ordinances of the City of Golden, until or unless otherwise allowed by City of Golden ordinances to meet the requirements for senior housing, as that term is defined by the City of Golden. The Association shall have the authority to prohibit the purchase or lease of a Unit to anyone intending to occupy a Unit who does not comply with these minimum age use restrictions. Further, the Association shall require each Unit to provide proof that occupants meet these age restrictions. Proof of age may be demonstrated through driver’s license, birth certificate, military identification, or any other official government document containing a birth date of comparable reliability. The City of Golden shall have the right to approve any amendments to this Section pertaining to Units which have not been issued a Growth Management Allocation. The Association shall have authority to adopt rules and regulations concerning the implementation and enforcement of the age restrictions and otherwise limiting the presence of children and use of the Common Elements by children within the Ulysses Senior Community, to the extent that such rules and regulations are permitted by law.”

Section 6.5, Leasing and Occupancy, is hereby amended by striking the words “at least one occupant is at least sixty (60) years of age” and replacing the stricken words with “all occupants of Units which have been issued Growth Management Allocations from the City of Golden shall be at least fifty-five (55) years of age. All occupants of Units which have not been issued Growth Management Allocations shall be at least sixty (60) years of age as currently required under ordinances of the City of Golden.”

Section 6.19, Restrictions on Sale of a Unit, is hereby amended by striking the first sentence in its entirety, and replacing that sentence with the following: “All Units which have been issued Growth Management Allocations from the City of Golden are subject to a restriction that all such Units must be occupied by persons who are at least fifty-five (55) years of age. All Units which have not been issued Growth Management Allocations are subject to a restriction that all such Units must be occupied by persons who are at least sixty (60) years of age as currently required under ordinances of the City of Golden.”