

**BRIGHTON CITY COUNCIL RESOLUTION
GUZMAN SUBDIVISION**

DEVELOPMENT AGREEMENT AND FINAL PLAT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING A FINAL PLAT AND DEVELOPMENT AGREEMENT FOR THE GUZMAN SUBDIVISION AN APPROXIMATE 35.136 ACRE PARCEL OF CONTIGUOUS LAND, IN THE SOUTHWEST ¼ OF THE NORTHEAST ¼ SECTION 1, TOWNSHIP 2 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF WELD, STATE OF COLORADO; AUTHORIZING THE MAYOR TO EXECUTE THE DEVELOPMENT AGREEMENT ON BEHALF OF THE CITY; AND SETTING FORTH OTHER DETAILS RELATED THERETO.

RESOLUTION NO.: 2018-73

WHEREAS, Gabriela Guzman, (the “Owner/Applicant”) owns an approximately 35.136 acre property, generally located at 648 Weld County Road 31, and generally described in **EXHIBIT A**, attached hereto (the “Property”); and

WHEREAS, Gabriela Guzman, has requested approval of the Guzman Subdivision Final Plat, attached hereto as **EXHIBIT B** (the “Final Plat”); and

WHEREAS, the Property was annexed to the City of Brighton (the “City”) on February 2, 1991 and is proposed to be zoned as RE (Rural Estate), on June 26, 2018; and

WHEREAS, the City Council finds and declares that, although not required by the *Municipal Code*, a Notice of Public Hearing was posted on the Property and published in the *Brighton Standard Blade*, for no less than five (5) days prior to the date of the City Council public hearing; and

WHEREAS, the City Council conducted a public hearing, during a meeting, on June 5, 2018, to review and consider a Final Plat Application and Development Agreement for the Property; and

WHEREAS, the Council has reviewed the Final Plat pursuant to the applicable provisions and criteria set forth in the *Municipal Code*; and

WHEREAS, the City Council finds and declares that the Final Plat does comply with the requirements of the Final Plat procedures and regulations, provides consistency with the purpose and intent of the regulations, provides compatibility with surrounding areas, is harmonious with the character of the neighborhood, is not detrimental to the immediate area, is not detrimental to the future development of the area, and is not detrimental to the health, safety, or welfare of the inhabitants of the City.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO AS FOLLOWS:

Section 1. That the Guzman Subdivision Final Plat, attached hereto as **Exhibit B**, is hereby approved.

Section 2. That the Guzman Subdivision Development Agreement, attached hereto as **Exhibit C**, is hereby approved.

Section 3. That the Mayor is authorized to execute the Final Plat and Development Agreement for the Guzman Subdivision Final Plat, and in furtherance thereof, that the City Manager and/or his designees are hereby authorized and directed to execute such additional documents, agreements and/or related instruments, and to take such acts as are reasonably necessary, to carry out the terms and provisions of the Agreement, for and on behalf of the City of Brighton.

RESOLVED, this 26th day of June, 2018.

CITY OF BRIGHTON, COLORADO

Kenneth J. Kreutzer, Mayor

ATTEST:

Natalie Hoel, City Clerk

APPROVED AS TO FORM:

Margaret R. Brubaker, Esq., City Attorney

EXHIBIT A
LEGAL DESCRIPTION

LOT A, RECORDED EXEMPTION NO.: 1471-34-2-RE-769 AS RECORDED IN RECEPTION NO. 2017419, WELD COUNTY RECORDS, BEING A PART OF THE SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SECTION 34, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 34; THENCE NORTH 00°00'00" EAST ALONG THE WEST LINE OF SAID SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER, A DISTANCE OF 242.10 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 00°00'00" EAST AND ALONG SAID WEST LINE, A DISTANCE OF 1072.32 FEET;

THENCE NORTH 89°49'29" EAST ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 1, GOPHER'S RUN SUBDIVISION AS RECORDED IN RECEPTION NO. 2824020, WELD COUNTY RECORDS, THE SOUTH LINE OF SAID LOT 1, SAID GOPHER'S RUN SUBDIVISION, AND THE SOUTH LINE OF OUTLOT B, CORBIN KIDDER SUBDIVISION AS RECORDED IN RECEPTION NO. 3661211, WELD COUNTY RECORDS, A DISTANCE OF 1326.86 FEET TO THE EAST LINE OF SAID SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER;

THENCE SOUTH 00°04'32" WEST ALONG SAID EAST LINE AND ALONG THE WEST LINE OF OUTLOT B, AND LOT 7, BLOCK 2, OF SAID CORBIN KIDDER SUBDIVISION, A DISTANCE OF 1192.44 FEET TO A POINT 121.98 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER; THENCE ALONG THE SOUTH LINE OF SAID TRACT A THE FOLLOWING FIVE (5) COURSES AND DISTANCES:

- 1) THENCE NORTH 89°33'32" WEST, A DISTANCE OF 463.62 FEET;
 - 2) THENCE NORTH 38°26'07" WEST, A DISTANCE OF 85.42 FEET;
 - 3) THENCE NORTH 67°32'49" WEST, A DISTANCE OF 106.43 FEET;
 - 4) THENCE SOUTH 41°41'03" WEST, A DISTANCE OF 166.21 FEET;
 - 5) THENCE NORTH 77°51'14" WEST, A DISTANCE OF 613.41 FEET TO THE POINT OF BEGINNING.
- CONTAINS 35.136 ACRES MORE OR LESS.

EXHIBIT B

GUZMAN SUBDIVISION FINAL PLAT

**REDUCED COPY OF
FINAL PLAT BEGINS: NEXT 2 PAGES**

GUZMAN SUBDIVISION
A SUBDIVISION OF LOT A, RECORDED EXEMPTION NO. RE-709, BEING A PART OF THE NORTHWEST ONE-QUARTER OF SECTION 34,
TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF WELD, STATE OF COLORADO
SHEET 1 OF 2

VICINITY MAP



GENERAL NOTES (CONTINUED):

CONNECTION TO ADJACENT UTILITIES:
THE FOLLOWING UTILITIES ARE LOCATED NEAR THE PROPERTY AND SHALL BE MAINTAINED OR REPLACED AT THE OWNER'S EXPENSE:
1. ELECTRICITY: THE PROPERTY IS SERVED BY THE CITY OF BRIGHTON UTILITY DEPARTMENT. THE CITY OF BRIGHTON UTILITY DEPARTMENT SHALL BE NOTIFIED IN WRITING AT LEAST 30 DAYS BEFORE THE PROPERTY IS OCCUPIED BY THE OWNER. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF BRIGHTON UTILITY DEPARTMENT. THE CITY OF BRIGHTON UTILITY DEPARTMENT SHALL BE RESPONSIBLE FOR PROVIDING THE NECESSARY UTILITY SERVICE TO THE PROPERTY. THE CITY OF BRIGHTON UTILITY DEPARTMENT SHALL BE RESPONSIBLE FOR PROVIDING THE NECESSARY UTILITY SERVICE TO THE PROPERTY. THE CITY OF BRIGHTON UTILITY DEPARTMENT SHALL BE RESPONSIBLE FOR PROVIDING THE NECESSARY UTILITY SERVICE TO THE PROPERTY.

TITLE COMPANY CERTIFICATE:

A TITLE COMPANY CERTIFICATE SHALL BE OBTAINED BY THE OWNER OF THE PROPERTY BEFORE THE PROPERTY IS OCCUPIED. THE TITLE COMPANY SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY TITLE INSURANCE AND PROVIDING THE NECESSARY TITLE CERTIFICATE TO THE OWNER. THE TITLE COMPANY SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY TITLE INSURANCE AND PROVIDING THE NECESSARY TITLE CERTIFICATE TO THE OWNER. THE TITLE COMPANY SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY TITLE INSURANCE AND PROVIDING THE NECESSARY TITLE CERTIFICATE TO THE OWNER.

SECTION 5 CERTIFICATION:

I, ANTHONY S. HAYES, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT. I HAVE REVIEWED THE RECORDS OF THE CITY OF BRIGHTON AND HAVE FOUND NO RECORDS THAT WOULD AFFECT THE INFORMATION CONTAINED HEREIN. I HAVE REVIEWED THE RECORDS OF THE COUNTY OF WELD AND HAVE FOUND NO RECORDS THAT WOULD AFFECT THE INFORMATION CONTAINED HEREIN. I HAVE REVIEWED THE RECORDS OF THE STATE OF COLORADO AND HAVE FOUND NO RECORDS THAT WOULD AFFECT THE INFORMATION CONTAINED HEREIN.

PLANNING COMMISSION APPROVAL:

APPROVED BY _____ ON _____ A.D. BY _____

CITY COUNCIL APPROVAL:

THIS IS TO CERTIFY THAT THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO BY RESOLUTION NO. _____ HAS ADOPTED AND APPROVED THE CITY OF BRIGHTON ORDINANCE NO. _____

CLIENT AND RESIGNOR'S CERTIFICATE:

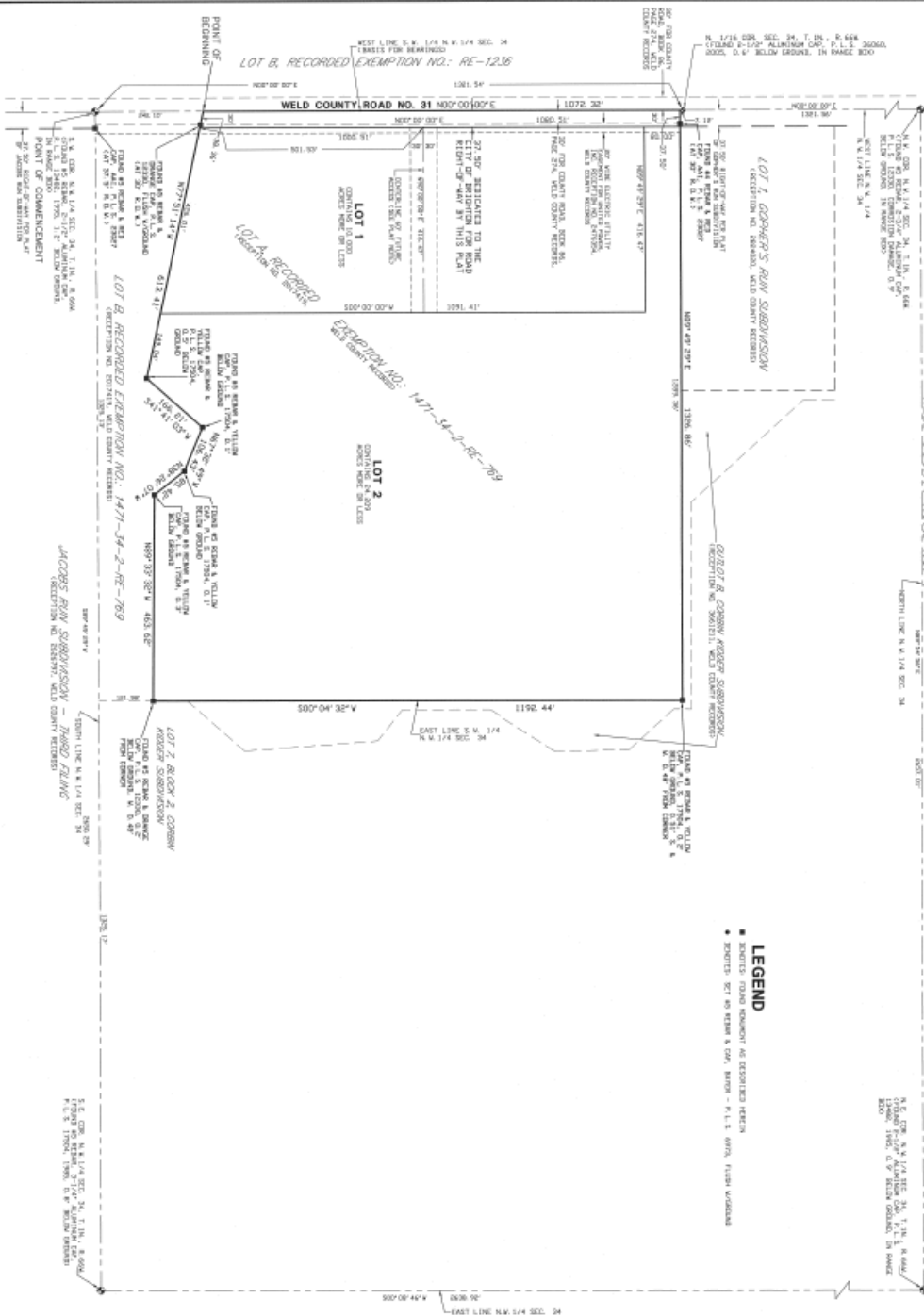
I, _____, OWNER OF THE ABOVE DESCRIBED CLAIM AND RESIGNOR IN THE STATE OF COLORADO AT _____ A.D., DO HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT. I HAVE REVIEWED THE RECORDS OF THE CITY OF BRIGHTON AND HAVE FOUND NO RECORDS THAT WOULD AFFECT THE INFORMATION CONTAINED HEREIN. I HAVE REVIEWED THE RECORDS OF THE COUNTY OF WELD AND HAVE FOUND NO RECORDS THAT WOULD AFFECT THE INFORMATION CONTAINED HEREIN. I HAVE REVIEWED THE RECORDS OF THE STATE OF COLORADO AND HAVE FOUND NO RECORDS THAT WOULD AFFECT THE INFORMATION CONTAINED HEREIN.

GENERAL NOTES:

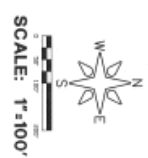
1. THE CITY OF BRIGHTON, COLORADO HAS ADOPTED THE CITY OF BRIGHTON ORDINANCE NO. _____ WHICH PROVIDES FOR THE REGULATION OF THE USE OF LAND IN THE CITY OF BRIGHTON, COLORADO. THE CITY OF BRIGHTON, COLORADO HAS ADOPTED THE CITY OF BRIGHTON ORDINANCE NO. _____ WHICH PROVIDES FOR THE REGULATION OF THE USE OF LAND IN THE CITY OF BRIGHTON, COLORADO. THE CITY OF BRIGHTON, COLORADO HAS ADOPTED THE CITY OF BRIGHTON ORDINANCE NO. _____ WHICH PROVIDES FOR THE REGULATION OF THE USE OF LAND IN THE CITY OF BRIGHTON, COLORADO. THE CITY OF BRIGHTON, COLORADO HAS ADOPTED THE CITY OF BRIGHTON ORDINANCE NO. _____ WHICH PROVIDES FOR THE REGULATION OF THE USE OF LAND IN THE CITY OF BRIGHTON, COLORADO.

GUZMAN SUBDIVISION
 A SUBDIVISION OF LOT A RECORDED EXEMPTION NO. RE-789 BEING A PART OF THE NORTHWEST ONE-QUARTER OF SECTION 34,
 TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF WELD, STATE OF COLORADO
 SHEET 2 OF 2

WELD COUNTY ROAD NO. 31



LEGEND
 ■ BOUNDARY OF RECORDED EXEMPTION
 ● BOUNDARY OF EXEMPTION



GUZMAN SUBDIVISION
 SHEET 2 OF 2

EXHIBIT C

DEVELOPMENT AGREEMENT