

RESOLUTION NO. 2019-89

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE VILLAGE AT SOUTHGATE BRIGHTON FIRST DEVELOPMENT AGREEMENT AMENDMENT FOR APPROXIMATELY 15.45 ACRES OF PROPERTY, LOCATED WITHIN BLOCK 3, LOT 1 AND BLOCK 4 OF THE VILLAGE AT SOUTHGATE BRIGHTON, GENERALLY LOCATED IN SECTION 1, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO AUTHORIZING THE MAYOR TO EXECUTE THE DEVELOPMENT AGREEMENT; AND SETTING FORTH OTHER DETAILS RELATED THERETO

WHEREAS, Meritage Homes, LLC, (the “Owner”) owns an approximately 15.45 acre property, generally located south of E. 120th Avenue, east of Peoria Street, and west of Potomac Street, and more specifically described in EXHIBIT A, attached hereto (the “Property”); and

WHEREAS, Kip Gilleland, Arcus Southgate, LLC, (the “Developer”), on behalf of the Owner, has requested approval of the Village at Southgate Brighton First Development Agreement Amendment attached hereto as EXHIBIT B (the “Development Agreement Amendment”); and

WHEREAS, the Property was annexed to the City of Brighton (the “City”) on August 2, 1988 and zoned as the Southgate Brighton PUD (Planned Unit Development) on February 4, 2014, and amended as the Southgate Brighton PUD, 3rd Amendment on March 19, 2019; and

WHEREAS, the City Council conducted a public hearing, during its regular meeting, on September 3, 2019, to review and consider the Plat Amendment titled as the Village at Southgate Brighton, Filing 2 and the Development Agreement Amendment for the Property; and

WHEREAS, the City Council has reviewed the Development Agreement Amendment.

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

Section 1. That the Village at Southgate Brighton First Development Agreement Amendment, attached hereto as Exhibit B, is hereby approved.

Section 2. That the Mayor is authorized to execute the Village at Southgate Brighton First Development Agreement Amendment, 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 Development Agreement Amendment, for and on behalf of the City of Brighton.

RESOLVED, this 3rd day of September, 2019.

CITY OF BRIGHTON, COLORADO

KENNETH J. KREUTZER, Mayor

ATTEST:

NATALIE HOEL, City Clerk

APPROVED AS TO FORM:

JACK D. BAJOREK, City Attorney

EXHIBIT A

LEGAL DESCRIPTION

Lot 1, Block 3 and Lot 1, Block 4 of Village at Southgate Brighton Subdivision, City of Brighton, County of Adams, State of Colorado.

Said parcel described above contains a total of 15.45 acres more or less.

EXHIBIT B

DEVELOPMENT AGREEMENT AMENDMENT