

# **BRIGHTON CITY COUNCIL RESOLUTION**

## **BROMLEY PARK, FILING 102, 1<sup>ST</sup> AMENDMENT (76 COMMERCE CENTER) DEVELOPMENT AGREEMENT**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING WITH CONDITIONS THE BROMLEY PARK, FILING 102, 1<sup>ST</sup> AMENDMENT DEVELOPMENT AGREEMENT, FOR APPROXIMATELY 122.377 ACRES OF PROPERTY, GENERALLY LOCATED WITHIN SECTION 1, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, BRIGHTON, COLORADO, AUTHORIZING THE MAYOR TO EXECUTE THE DEVELOPMENT AGREEMENT ON BEHALF OF THE CITY; AND SETTING FORTH OTHER DETAILS RELATED THERETO.**

**RESOLUTION NO.: 2018-30**

***WHEREAS***, Hyde Development, LLC (the “Applicant”) is the owner and developer of Bromley Park, Filing 102, 1<sup>st</sup> Amendment, generally located within Section 1, Township 1 South, Range 66 West of the 6<sup>th</sup> Principal Meridian and more specifically described in **EXHIBIT A**, attached hereto (the “Property”); and

***WHEREAS***, the Property was annexed as part of the Bromley Park Annexation on June 4, 1985, given its current zoning designation of the Bromley Park Planned Unit Development (PUD), 1<sup>st</sup> Amendment on December 16, 1986 and in accordance with Section 17-8-20 (e)(7) of the Municipal Code, the Bromley Park, Filing 102, 1<sup>st</sup> Amendment, as depicted in **EXHIBIT B**, may be administratively approved; and

***WHEREAS***, the Applicant has submitted a request to approve the Bromley Park, Filing 102, 1<sup>st</sup> Amendment Development Agreement; and

***WHEREAS***, the City Council acknowledges that the Development Agreement for Bromley Park, Filing 102, 1<sup>st</sup> Amendment complies with the Subdivision 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.** The Development Agreement for Bromley Park Filing 102, 1<sup>st</sup> Amendment, attached hereto as Exhibit C is approved subject to the following conditions:

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1. That Anadarko Petroleum Corp. shall provide to the City no later than 12:00 noon March 23, 2018 a complete legal description and map to scale of the purported pipeline (RGS-51-2) as described in its objection letter dated March 20, 2018. If it is determined that a pipeline exists, the Developer shall amend the Bromley Park Filing 102 1<sup>st</sup> Amendment Plat accordingly, including the designation of all easements necessitated thereby.
2. That Anadarko Petroleum Corp. shall schedule a meeting with City staff no later than April 3, 2018 to describe its mineral interests and all proposed oil and gas facilities to be located on the subject property and to determine if a surface use or other agreement is warranted, as required by COGCC Rule 302(c). If it is determined at that meeting that a surface use or other agreement is warranted, the City will not issue any building permit for Phase III of the Development until said agreement is finalized and provided to the City.
3. If any of the above conditions is not timely met, the City will proceed to administratively approve the Bromley Park Filing 102 1<sup>st</sup> Amendment as originally submitted, and record the same.

Section 2. That the Mayor is authorized to execute the Development Agreement for Bromley Park, Filing 102, 1<sup>st</sup> Amendment, and in furtherance thereof, that the City Manager and/or his designee(s) 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, for and on behalf of the City of Brighton.

***RESOLVED, this 20<sup>th</sup> day of March, 2018.***

**CITY OF BRIGHTON, COLORADO**

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Kenneth J. Kreutzer, Mayor

***ATTEST:***

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Natalie Hoel, City Clerk

***APPROVED AS TO FORM:***

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Margaret R. Brubaker, Esq., City Attorney

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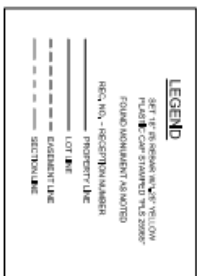
**EXHIBIT A**  
**LEGAL DESCRIPTION**  
**BROMLEY PARK, FILING 102, 1<sup>st</sup> AMENDMENT**

Lot 2, Lot 3 and Lot 4, Block 1, Bromley Park Filing 102, 1<sup>st</sup> Amendment. Section 1, Township 1 South, Range 66 West of the 6<sup>th</sup> P.M., City of Brighton, County of Adams, State of Colorado.

## DEPUTY CLERK

## MINOR SUBDIVISION PLAT

SHEET 2 OF 4



Sheet 2 of 4

# BROMLEY PARK FILING NO. 102 1ST AMENDMENT

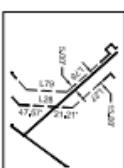
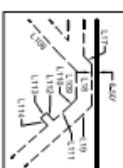
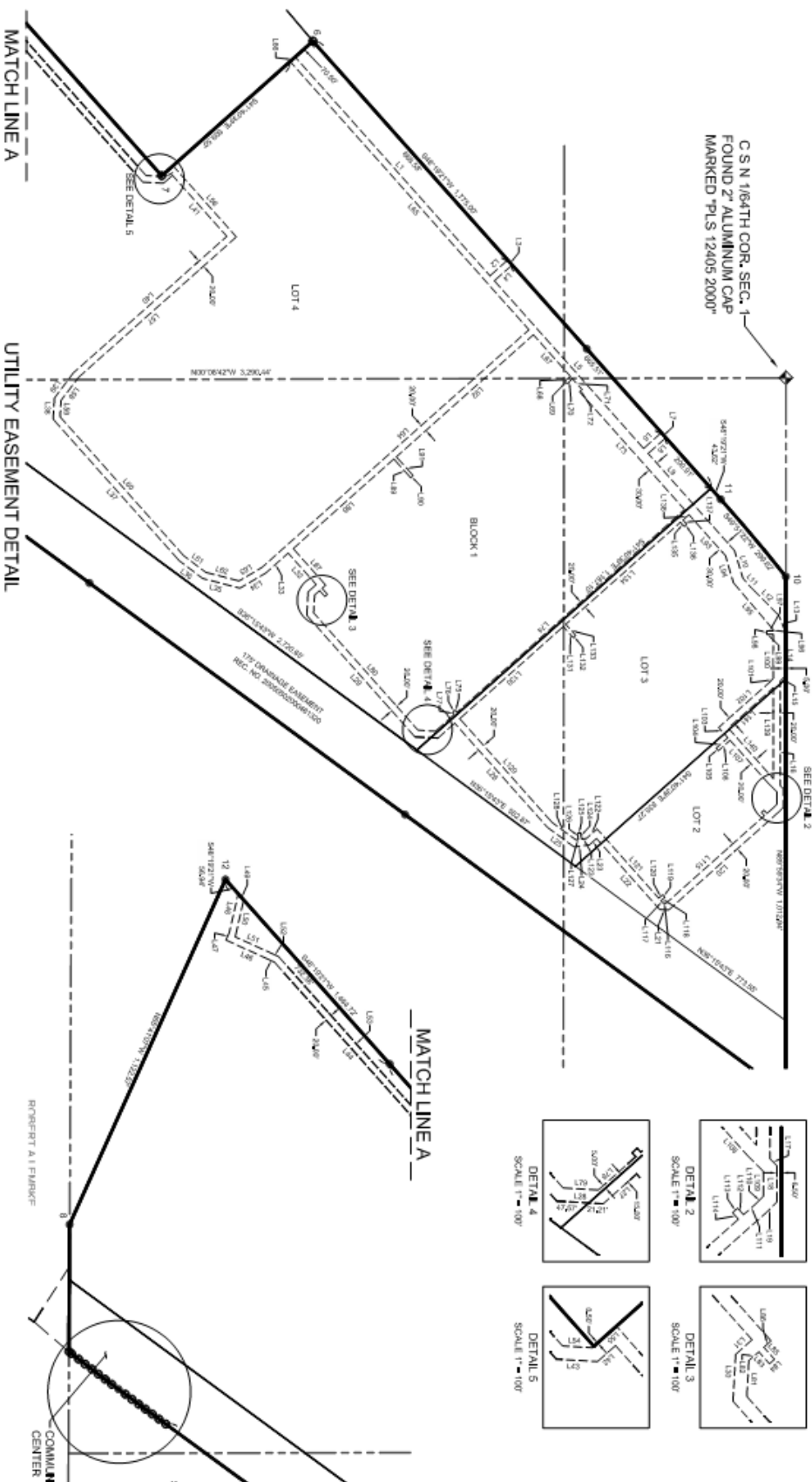
MINOR SUBDIVISION PLAT

A REPLAT OF LOT 2, BLOCK 1, BROMLEY PARK FILING NO. 102

LOCATED IN SECTION 1, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,

CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO

SHEET 3 OF 4



MATCH LINE A

UTILITY EASEMENT DETAIL

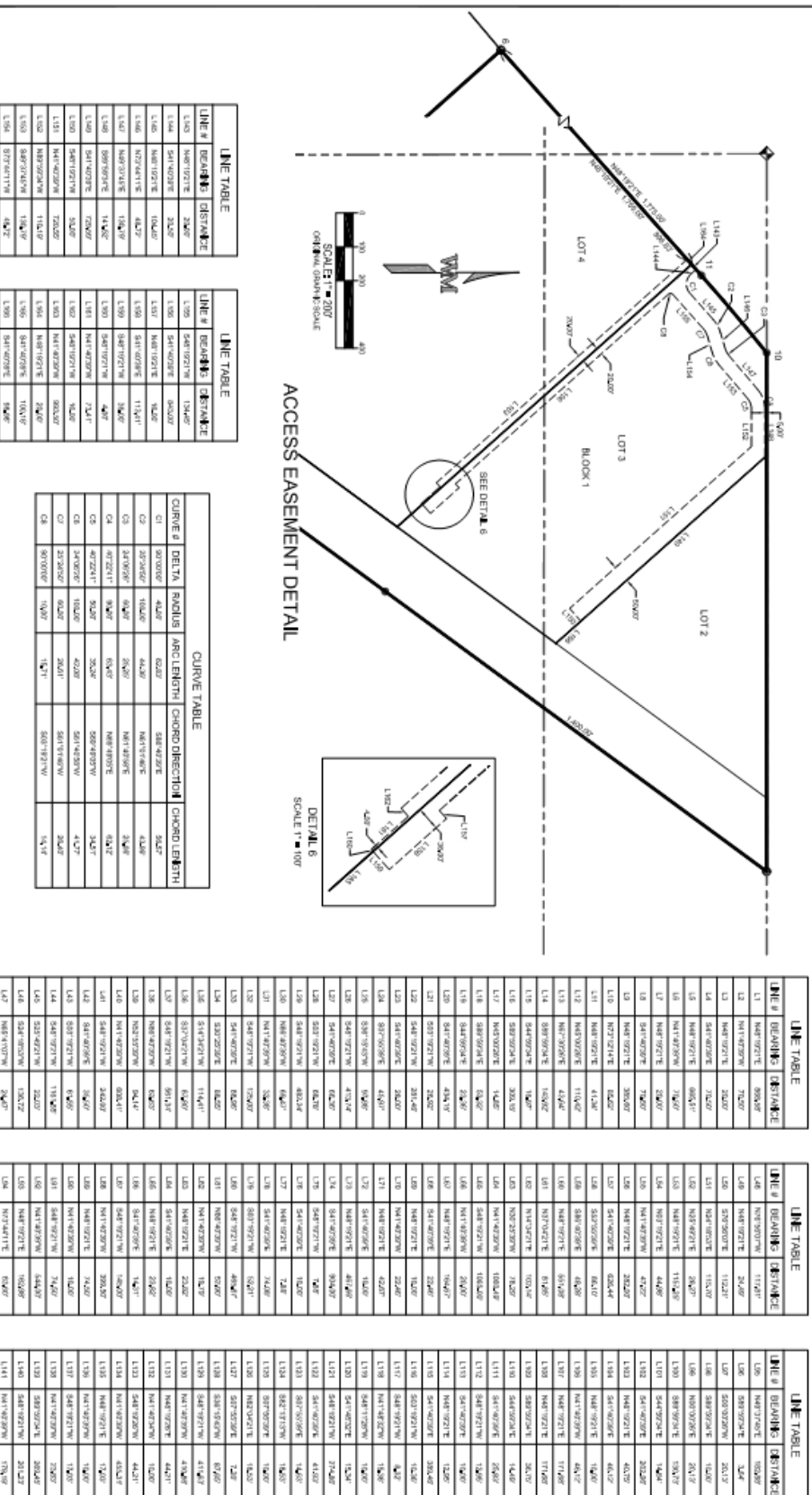
MATCH LINE A

990 south broadway denver, co 80209 phone: 303.733.8800 www.waremalcomb.com															<b>WARE MALCOMB</b> CIVIL ENGINEERING & SURVEYING															<b>BROMLEY PARK FILING NO. 102</b> 1ST AMENDMENT															SHEET <b>PLAT</b> 3 of 4														
NO.		DATE		REMARKS		NO.		DATE		REMARKS		JOB NO.		DATE		JOB NO.		DATE		REMARKS		JOB NO.		DATE		JOB NO.		DATE		REMARKS																													
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# BROMLEY PARK FILING NO. 102 1ST AMENDMENT

MINOR SUBDIVISION PLAT  
A REPLAT OF LOT 2, BLOCK 1, BROMLEY PARK FILING NO. 102  
LOCATED IN SECTION 1, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,  
CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO  
SHEET 4 OF 4

UTILITY EASEMENT LINE TABLE



WARE MALCOMB				BROMLEY PARK FILING NO. 102			
CITY ENGINEERING & SURVEYING				1ST AMENDMENT			
960 South Broadway Suite 200 P.O. Box 13330 Denver, CO 80202				SHEET PLAT 4 of 4			

**EXHIBIT C**  
**DEVELOPMENT AGREEMENT**