



**TOWN OF SILT
RESOLUTION NO. 19
SERIES OF 2022**

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF SILT, COLORADO, APPROVING THE AMENDED AND RESTATED SUBDIVISION IMPROVEMENTS AND DEVELOPMENT AGREEMENT FOR THE CAMARIO PLANNED UNIT DEVELOPMENT SUBDIVISION PHASE II IN THE TOWN OF SILT, COLORADO.

WHEREAS, the Town of Silt ("Town") is a Colorado home rule municipality organized under Article XX of the Colorado Constitution and with the authority of the Silt Home Rule Charter; and

WHEREAS, the Local Government Land Use Control Enabling Act of 1974, C.R.S. §§ 29-20-101, et seq.; Article 23 of Title 31, C.R.S.; and other applicable laws grant broad authority to the Town to plan for and regulate the development and use of land on the basis of the impact thereof on the community and surrounding area; and

WHEREAS, Silt Ventures, LLC is the owner, (collectively "Owner") of a 9.511 acre property known as the 1990 Grand Annexation (portion) and the Camario Planned Unit Development ("Camario PUD") Phase II Annexation, hereinafter collectively known as the "Property", located north of Grand Avenue and north of the Lyon Residential Planned Unit Development, and more particularly described on **Exhibit A**, attached hereto; and

WHEREAS, on or about July 22, 2002, the Board of Trustees ("Board") adopted Ordinance 7, Series of 2001, approving the 1990 Grand Annexation and the 1190 Grand Annexation and Development Agreement, setting forth specific conditions for development of the Subject Property, and such documents were later recorded with Garfield County Clerk and Recorder on October 9, 2002 as Reception No. 612254 and Reception No. 612255, respectively; and

WHEREAS, on or about April 9, 2007, the Board approved Resolution 21, Series of 2007, approving the Camario PUD Phase I Final Plan and Final Plat, with conditions, and recorded such resolution on June 22, 2007 as Reception No. 726114, and establishing twenty-one (21) multi-family units; and

WHEREAS, on or about May 17, 2007, the Board approved an Amended and Restated Annexation and Development Agreement ("ARADA") for the Camario PUD, and recorded such agreement on June 22, 2007 as Reception No. 726115, which governed the entire 1990 Grand Annexation; and

WHEREAS, on or about May 17, 2007, the Board approved a Master Subdivision and Off-Site Improvements and Development Agreement ("Master

SIDA”) for the Camario PUD, and recorded such agreement on June 22, 2007, with Reception No. 726117, which governed the entire 1990 Grand Annexation, including Phase I (21 lots), and anticipated further development within the 1990 Grand Annexation; and

WHEREAS, on or about August 13, 2012, the Board approved Ordinance 17, Series of 2012, annexing that property known as the Camario Phase II Annexation, also known as the “T” Parcel, and which document also included the Annexation and Development Agreement for the T parcel and a portion of the 1990 Grand Annexation, which was later recorded on June 24, 2015 as Reception No. 864395; and

WHEREAS, on or about August 13, 2012, the Board approved Ordinance 18, Series of 2012, zoning the T Parcel and the remainder of the 1990 Grand Annexation (not including Phase I Final Plat lots), as a Planned Unit Development, which was later recorded on June 24, 2015 as Reception No. 864396; and

WHEREAS, on or about August 13, 2012, the Board approved Resolution 37, Series of 2012, approving the Camario PUD Phase II Sketch/Preliminary Plan, within a portion of the 1990 Grand Annexation and within the Camario PUD Phase II Annexation, which was later recorded on June 24, 2015 as Reception No. 864397; and

WHEREAS, on or about November 10, 2016, Owner submitted the Camario Phase II Final Plat and Final Plan revised application for the Subject Property, which the Town deemed complete and, pursuant to Title 16 of the Silt Municipal Code (“Code”), processed the application as required by the Code; and

WHEREAS, on or about December 6, 2016, the Town Planning & Zoning Commission (“Commission”) considered the Final Plat, following a public hearing, and recommended to the Board approval of the Camario PUD Phase II Final Plat and Final Plan, with conditions; and

WHEREAS, on or about January 9, 2017, following a public hearing, the Board considered the Camario PUD Phase II Final Plat and Final Plan and adopted a resolution approving the same, subject to conditions; and

WHEREAS, on or about January 23, 2017, following a public hearing, the Board adopted Ordinance 1, Series of 2017, which corrected a typographical error regarding the number of allowable units within the Camario Phase II PUD by repealing and replacing Ordinance 18, Series of 2012 to allow for 74 units rather than the 65 units erroneously stated in the previous ordinance, which was recorded as Reception No. 888681; and

WHEREAS, Owner did not proceed with development of the Property, the Camario PUD Phase II Final Plat approval expired, and the Camario PUD Phase II Final Plat was not recorded; and

WHEREAS, in May 2022 the Board approved Resolution 13, Series 2022 reinstating the Camario PUD Phase II Final Plat with conditions; and

WHEREAS, The Owner has submitted information in compliance with the conditions contained in Resolution 13, Series 2022 and made application to record the Camario PUD Phase II Final Plat; and

WHEREAS, the Town Code requires that a Subdivision Improvements Agreement be approved by the Board contemporaneously with the recordation of a final plat; and

WHEREAS, the parties desire to amend and restate the Master SIDA and to have the Amended and Restated Subdivision Improvements & Development Agreement (“SIDA”) supersede the Master SIDA; and

WHEREAS, following a public meeting, on October 11, 2022, the Board of Trustees has determined that it is in the best interest of the Town to adopt the Amended and Restated Subdivision Improvements & Development Agreement for Camario PUD Phase II subject to the following conditions.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF THE TOWN OF SILT, COLORADO THAT:


The Camario PUD Phase II Amended and Restated Subdivision Improvements & Development Agreement is adopted, subject to the following conditions:

1. That all statements made in the application and in meetings before the Planning Commission and the Board of Trustees are conditions of approval, unless modified in the following conditions; and
2. That all fees incurred by the Town for review of this application, including but not limited to public notification, copying, printing, legal, engineering, planning and recordation costs have been paid; and
3. That the Owner present to the Town a version of the Final Plat that includes changes requested by the Town Attorney and the Town Engineer; and
4. That the Owner present final construction plans to the Town that include changes requested by the Town Engineer and that includes a detail for trail construction consistent with Ordinance 18, Series of 2012; and

5. That the Owner present a final cost estimate for the public improvements that includes the full costs of trails, landscaping, park improvements, and irrigation improvements; and
6. That the Owner present to the Town an updated Declaration of Covenants, Conditions, and Restrictions (CCR) for Camario Phase II that includes comments made by the Town Attorney and that have been updated by an attorney who specializes in the Colorado Common Interest Ownership Act for compliance with recent legislative changes, and thereafter records the same contemporaneously with the updated ARSIDA and Final Plat; and
7. Owner pays any dedication or impact fees required under the Town Code, Ordinance 18, Series 2012, and the ARSIDA at the appropriate stage of construction; and
8. Owner submits an up-to-date title commitment and current information identifying the ownership of the Property and the Final Plat is updated consistent with the title commitment; and
9. Owner obtains any access permit required from the Colorado Department of Transportation; and
10. Owner submits the required security for public improvements to the Town in the amount provided for in the ARSIDA.
11. Owners shall install a durasafe soft surface or similar material approved by the Town in the "tot lot" and the construction plans and cost estimate for the public improvements shall be updated accordingly.
12. Nothing in Resolution 13, Series 2022 to the contrary, the deadlines to record the Final Plat shall be governed by the Town Code. For purposes of determining the date of final plat approval, it shall be the date of this Resolution.

INTRODUCED, READ, PASSED AND ADOPTED at a regular meeting, following a public hearing, of the Board of Trustees of the Town of Silt, Colorado held on the 11th day of October, 2022.

ATTEST:


Town Clerk Sheila M. McIntyre, CMC

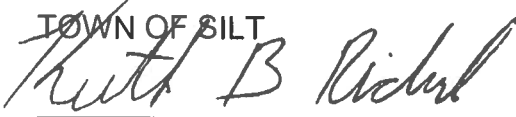
TOWN OF SILT

Mayor Keith B. Richel



Exhibit A Legal Description

The Land referred to herein is located in the County of Garfield, State of Colorado, and described as follows:

Parcel A:

Tract C,
CAMARIO SUBDIVISION, according to the Plat thereof recorded June 27, 2007 as
Reception No. 726116.

Parcel B:

T-Parcel:

A parcel of land situate in the SW $\frac{1}{4}$ of Section 2, Township 6 South, Range 92 West of the 6th P.M., County of Garfield, State of Colorado. Said parcel of land being a portion of the parcels of land as described in Book 938, Page 68 and Book 1211, Page 561 and Book 1125, Page 344 of the Garfield County Clerk and Recorder's Office. Said parcel of land being more particularly described as follows:

Commencing at the Southwest corner of Section 2, a 3/4" aluminum cap L.S. No. 36572 in place, thence N. 88°29'20" E. 210.49 feet to the Southwest corner of a parcel of land as described in Book 938, Page 68 as filed with the Garfield county Clerk and Recorder's Office; said point also being a point on the Northerly Right-of-Way line of County Road No. 218 (Grand Avenue). The True Point of Beginning;
thence departing said Northerly Right-of-Way line N. 00°00'43" W. along the Westerly line of said parcel of land 751.49 feet to a point on the Southerly line of a parcel of land as described in Book 1125, Page 344 as filed with the Garfield County Clerk and Recorder's Office;
thence departing said Westerly line N. 80°04'27" W. and along said Southerly line 115.75 feet to the Southwesterly corner of said parcel of land;
thence departing said Southerly line N. 00°03'46" E. along the Westerly line of said parcel of land 108.20 feet;
thence departing said Westerly line S. 80°58'14" E. 417.22 feet to a point on the Easterly line of said parcel of land;
thence S. 01°50'42" W. along said Easterly line 158.28 feet to a point on the Southerly line of said parcel of land;
thence along said Southerly line the following three (3) courses:
1.) N. 46°03'40" W. 33.41 feet;
2.) N. 77°48'20" W. 27.10 feet;
3.) N. 72°13'19" W. 124.78 feet to a point on the Easterly line of a parcel of land as described in Book 1211, Page 561 as filed with the Garfield County Clerk and Recorder's Office;



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thence departing said Southerly line S. 00°05'06" W. along said Easterly line 474.58 feet;
thence continuing along said Easterly line S. 00°06'59" E. 246.25 feet to a point on said
Northerly Right-of-Way line;
thence departing said Easterly line S. 89°00'16" W. along said Northerly Right-of-Way
123.34 feet to the Point of Beginning.