

CITY OF EVANS, COLORADO

ORDINANCE NO. 717-20

AN ORDINANCE APPROVING A MINOR REPLAT FOR PROPERTY GENERALLY REFERRED TO AS EVS HRC L2 HUNTERS RESERVE CENTER

WHEREAS, the City Council of the City of Evans, Colorado, (the "City Council") pursuant to Colorado statute and the Evans City Charter, is vested with the authority of administering the affairs of the City of Evans, Colorado (the "City"); and

WHEREAS, DLR Property Holdings, LLC., ("the Property Owner" and "Applicant") a Colorado Limited Liability Company, is the owner of certain property located within the City of Evans and more specifically described on Exhibit A, attached ("the Property"); and

WHEREAS, the Applicant has filed an application with the City asking for approval of a Minor Replat to subdivide one parcel into two separate parcels; and

WHEREAS, staff has reviewed the Application and deemed it to be complete; and

WHEREAS, staff has reviewed the Application and deemed it to satisfy all requirements for a Minor Replat under the Evans City Code, including but not limited to Section 18.07.120.C; and

WHEREAS, the matter has been submitted to the required referral agencies for comment and staff has determined that the Applicant has adequately addressed concerns raised by the referral agencies; and

WHEREAS, the posting and notification requirements found in Section 18.10.10 have been followed; and

WHEREAS, following proper notice, the City Council considered the Application at its regular meeting on June 16, 2020 and July 7, 2020; and

WHEREAS, based on the Application, referral comments, staff report, representations by the Applicant, and public comment, the City Council considered the criteria set forth above and made motion on the application set forth above and made motion subject to the conditions set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANS, COLORADO AS FOLLOWS:

1. This Minor Replat is hereby approved.
2. The Council's approval is subject to the following conditions, all of which shall be satisfied prior to recording the Replat.
 - a. All utilities shall be illustrated in an easement on the Replat. This includes all utilities that may be currently on lots 2A and 2B. Please coordinate with the City Engineering Department.
3. Upon completion of the Conditions of Approval listed above, the applicant shall re-submit one electronic copy of the Replat along with supporting documents for review by the City of Evans Planning Department. The mylar for the Minor Replat shall be submitted for recording within thirty (30) days of the City Council hearing.

4. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this resolution and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

5. Repeal. Existing ordinances or parts of ordinances covering the same matters embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this ordinance

PASSED AND ADOPTED AT FIRST READING AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF EVANS ON THIS 16th DAY OF JUNE, 2020.

ATTEST:

CITY OF EVANS, COLORADO



Karen Frawley, City Clerk



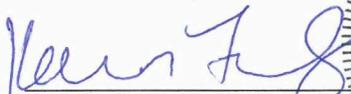


Brian Rudy, Mayor

PASSED AND ADOPTED AT SECOND READING AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF EVANS ON THIS 7th DAY OF JULY, 2020.

ATTEST:

CITY OF EVANS, COLORADO



Karen Frawley, City Clerk





Brian Rudy, Mayor

LEGAL DESCRIPTION

Legal Description of Hunter's Reserve Center Filing No. 2 Minor Subdivision

A parcel of land situated in the Northwest Quarter of Section 25, Township 5 North, Range 66 West of the 6th p.m., in the City of Evans, County of Weld, State of Colorado, described as follows:

A Replat of Lot 2, Hunter's Reserve Center, Situated in the Northwest Quarter of Section 25, Township 5 North, Range 66 West of the 6th p.m., County of Weld, State of Colorado.

