

RESOLUTION NO. 14-09

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF CASTLE PINES, COLORADO
APPROVING THE IREA HAPPY CANYON
SUPERBLOCK PLAT, CASE NO. SB 13-002**

WHEREAS, the City of Castle Pines is authorized pursuant to Title 31, Article 23, C.R.S., the City of Castle Pines zoning and subdivision regulations as adopted via Ordinance No. 08-04, as amended (“Zoning Ordinance”), and the Canyons Subdivision Regulations as adopted through Ordinance No. 09-18, to regulate the subdivision of land within the Canyons Planned Development; and

WHEREAS, the Applicant, Intermountain Rural Electric Association (“IREA” or the “Applicant”), has submitted an application for a superblock plat (“Plat”) to subdivide a portion of property within the Canyons Planned Development, containing more or less 6.03 acres, generally located at 745 West Happy Canyon Road, City of Castle Pines, County of Douglas, State of Colorado, as more fully described in the legal description attached hereto and incorporated herein as **Exhibit A** (the “Property”); and

WHEREAS, in conjunction with the Plat, IREA has submitted an application for a Use by Special Review to construct a 115kV-12.47kV electrical substation on the Property; and

WHEREAS, the City Council considered the Final Plat during a duly noticed public hearing; and

WHEREAS, the Applicant has agreed to all conditions of approval as stated in this Resolution; and

WHEREAS, the City Council has determined that the Plat meets all applicable requirements of the Zoning Ordinance and the Canyons Subdivision Regulations, subject to the conditions of approval as stated in this Resolution.

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

Section 1. The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the City Council.

Section 2. The Plat designated as the IREA Happy Canyon Superblock Plat, Case No. SB13-002, is approved subject to the following conditions of approval:

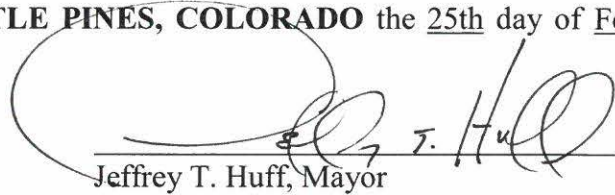
- a. The Applicant shall resolve any minor technical changes to the Plat exhibit as directed by City staff prior to recordation; and

- b. The Applicant shall pay all fees and costs incurred by the City and its consultants in reviewing and processing of the application prior to recordation of the Plat; and
- c. Prior to issuance of a grading, erosion and sediment control ("GESC") permit, the Applicant shall submit final roadway design and construction plans for the access road to the Property from West Happy Canyon Road.

Section 3. The Mayor is hereby authorized to sign the Plat exhibit upon final review and approval as to form by the Community Development Director and the City Attorney.

Section 4. Effective Date. Approval of the Final Plat shall be deemed effective upon its recordation in the office of the Douglas County Clerk and Recorder.

INTRODUCED, READ AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO the 25th day of February, 2014.



Jeffrey T. Huff, Mayor

ATTEST:


Diane Spomer, CMC, City Clerk

Approved as to form:


Linda C. Michow, City Attorney

EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY

A PARCEL OF LAND IN THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE 6th PRINCIPAL MERIDIAN AND IN THE NORTH HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE 6th PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 10, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN; THENCE N89°31'53"W, 45.58 FEET ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 10 TO THE WESTERLY LINE OF A 75 FOOT WIDE PUBLIC SERVICE COMPANY EASEMENT RECORDED IN BOOK 122 AT PAGE 109 OF THE DOUGLAS COUNTY RECORDS; THENCE N33°43'35"W, 94.45 FEET ALONG SAID WESTERLY LINE TO THE POINT OF BEGINNING; THENCE S56°16'25"W, 534.55 FEET; THENCE N33°43'35"W, 416.27 FEET; THENCE N56°16'25"E 105.02 FEET; THENCE N31°38'21"E, 369.76 FEET; THENCE N56°16'25"E, 93.42 FEET TO SAID WESTERLY LINE; THENCE S33°43'35"E, 570.40 FEET TO THE POINT OF BEGINNING. CONTAINING 262,816 SQUARE FEET OR 6.033 ACRES MORE OR LESS.