

**TOWN OF GRAND LAKE
RESOLUTION NO. 8 – 2023**

**A RESOLUTION APPROVING THE 3RD AMENDMENT TO THE FINAL PLAT OF DAVEN
HAVEN COTTAGES AND RELATED DOCUMENTS WITH CONDITIONS**

WHEREAS, the Board of Trustees (the “Board”) of the Town of Grand Lake, Colorado (the “Town”), pursuant to Colorado statute, is vested with the authority of administering the affairs of the Town of Grand Lake, Colorado; and

WHEREAS, the Town received a land use application (the “Application”) for the Daven Haven Cabins Planned Development (the “Daven Haven PD”) requesting revisions to the existing Amended Final Plat and Development Plan for the Daven Haven PD, more particularly described in **Exhibit A**, attached hereto and incorporated herein; and

WHEREAS, such proposed revisions as illustrated in **Exhibit A** would, *inter alia*, subdivide the property to allow for an additional parcel, parcel 5, to construct a new residence, and modify parcel lines within the Daven Haven PD; and

WHEREAS, pursuant to the provisions of the Grand Lake Municipal Code (the “Code”) the Application was presented to the Grand Lake Planning Commission (the “Planning Commission”) at a properly noticed public hearing on January 18, 2023, which was opened and continued to February 1, 2023 and the continued again to February 15, 2023 where the public hearing was held; and

WHEREAS, the Planning Commission reviewed the Application, staff report, and public testimony and voted unanimously to approve the Application with the following conditions:

1. Proof of lienholder consent for the affected properties is received by Town Staff prior final acceptance of the Exhibit A by the Town, and
2. The Applicant remove the trash encroachment from the Town Right-of-Way and screen the same from public view, and
3. The Southern egress of the parcel be changed to an “Emergency Exit Only”, and
4. An additional note be added to **Exhibit A** prohibiting additional future driveways on Cairns Avenue.

WHEREAS, after review of the recommendation of the Planning Commission, as well as the historical documents, staff presentation and the application, the Board of Trustees find the Application acceptable for approval with certain conditions.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE, COLORADO,

1. The Board of Trustees has reviewed the Application and in reliance upon the statements, representations, and assurances contained within the Application review process, hereby approve the Application subject to the

conditions contained in Section 2, below.

2. The Board of Trustees approval is subject to the following condition(s):
 1. Proof of lienholder consent for the affected properties is received by Town Staff prior to final acceptance of the Exhibit A by the Town, and
 2. The Applicant remove the trash encroachment from the Town Right-of-Way and screen the same from public view, and
 3. The Southern egress of the parcel be changed to an “Emergency Exit Only”, and
 4. An additional note be added to **Exhibit A** prohibiting additional future driveways on Cairns Avenue, and
 5. The updated and Staff Approved Mutual Easement Agreement, attached hereto and incorporate herein as **Exhibit B**, be executed and recorded with the Grand County Clerk and Recorder at the expense of the Applicant, and
 6. The updated First Amendment of Amended and Restated Declaration of Covenants, Conditions And Restrictions of Daven Haven Cabins, attached hereto and incorporated herein as **Exhibit C**, be executed and recorded with the Grand County Clerk and Recorder at the expense of the Applicant.
 7. The Applicant be current with all the Town and all Town enterprises for all fees, assessments, charges, taxes, or amount due of any type.
 8. The Applicant reimburse the Town for expenses as provided by Town Code section 12-6-6-(B).

DULY MOVED, SECONDED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE, COLORADO THIS 13TH DAY OF MARCH, 2023.

(S E A L)

Votes Approving:

Votes Opposed:

Absent:

Abstained:

ATTEST:

TOWN OF GRAND LAKE

Alayna Carrell, Town Clerk

Steve Kudron, Mayor