

**TOWN OF GRAND LAKE
BOARD OF TRUSTEES
RESOLUTION NO. 13-2022**

**A RESOLUTION ACCEPTING THE GRANT OF REAL PROPERTY OF FOXY LANE AND
MAD MOOSE LANE TO THE TOWN OF GRAND LAKE**

WHEREAS, the Board of Trustees 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 Homeowner’s association for the Ridge at Elk Creek (the “Owner”) owns and maintains certain property, streets, and improvements within the Town commonly known as Foxy Lane and Mad Moose Lane (collectively the “Improvements”) depicted on **Exhibit A**, attached hereto and incorporated herein; and

WHEREAS, the Town and the Owner are parties to a Subdivision Improvements Agreement (the “SIA”) entered into October 13, 2003 and recorded at 3004-005370 with the Grand County Clerk and Record; and

WHEREAS, the SIA contemplated the Improvements would come under the ownership of the Town upon certain conditions including initial acceptance, a two year warranty period, and final acceptance; and

WHEREAS, the Grand Lake Municipal Code (the “Code”) Section 11-2-9 sets forth procedures and requirements for acceptance of the Improvements substantially similar to those established by the SIA; and

WHEREAS, multiple factors contributed to the Improvements not timely following the normal acceptance procedure; and

WHEREAS, the Improvements were completed in 2004, under the close supervision and inspection of Town Staff and have been well maintained until present day by the Owner; and

WHEREAS, the developer who constructed the Improvements represented to the Town they were constructed in conformance and in some instances in excess of the standards required by the Town; and

WHEREAS, the Town’s engineer confirmed the Improvements were constructed to acceptable and high standards; and

WHEREAS, the Town received a request from the Owner to waive initial and final acceptance requirements and for the Town to accept ownership and maintenance responsibilities of the Improvements; and

WHEREAS, the Improvements have been reinspected and are considered by Town Staff to be in satisfactory condition for a period well in excess of the contemplated two year warranty period; and

WHEREAS, Town Staff recommends the Town waive the processes and requirements set for in the SIA and Section 11-2-9 of the Town Code and accept the Improvements from the Owner via Warranty Deed attached hereto and incorporated herein as **Exhibit B**.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE
TOWN OF GRAND LAKE AS FOLLOWS:**

1. The Grand Lake Board of Trustees hereby waives the acceptance procedures and requirements set for the in the SIA and Grand Lake Municipal Code Section 11-2-9, including the proposed 2 year warranty period for the Improvements for the reasons set forth above; and

2. The Mayor, or his designee, is hereby authorized and directed to execute the Warranty Deed attached hereto and incorporated herein, as well as any and all other documents necessary to transfer ownership of the Improvements to the Town of Grand Lake, Colorado.

3. The Town shall maintain the Improvements in accordance with its regular maintenance standards.

INTRODUCED, PASSED AND ADOPTED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE AND SIGNED THIS 10TH DAY OF OCTOBER, 2022.

(S E A L)

Votes Approving:

Votes Opposed:

Absent:

Abstained:

ATTEST:

**BOARD OF TRUSTEES OF THE
TOWN OF GRAND LAKE,
COLORADO**

Alayna Carrell, Town Clerk

By:_____
Steve Kudron, Mayor