

**TOWN OF JOHNSTOWN, COLORADO
RESOLUTION NO. 2021-50**

APPROVING THE PRELIMINARY/FINAL SUBDIVISION PLAT FOR WELTY RIDGE SUBDIVISION FILING NO. 1, LOCATED IN THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 4 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF JOHNSTOWN, COUNTY OF WELD, STATE OF COLORADO, CONSISTING OF APPROXIMATELY 140.08 ACRES

WHEREAS, the Town of Johnstown, Colorado (“Town”) is a Colorado home rule municipality, duly organized and existing under the laws of the State of Colorado and the Town’s Home Rule Charter; and

WHEREAS, the Town Council is vested with authority to administer the affairs of the Town; and

WHEREAS, Platte Land & Water, LLC, a Delaware limited liability company (“Applicant”), submitted an application to the Town for approval of a Preliminary/Final Subdivision Plat for Welty Ridge Subdivision Filing No. 1, located in the Northeast Quarter of Section 10, Township 4 North, Range 68 West of the 6th Principal Meridian, Town of Johnstown, County of Weld, State of Colorado, consisting of approximately 140.08 acres (“Property”); and

WHEREAS, on December 1, 2021, the Planning and Zoning Commission held a public hearing and recommended approval of the Preliminary/Final Subdivision Plat for Welty Ridge Subdivision Filing No. 1, with conditions; and

WHEREAS, on December 13, 2021, the Town Council held a public hearing concerning approval of the Preliminary/Final Subdivision Plat for Welty Ridge Subdivision Filing No. 1, and, after considering the Planning and Zoning Commission’s recommendation, reviewing the file and conducting such hearing, found that the Preliminary/Final Subdivision Plat for Welty Ridge Subdivision Filing No. 1, satisfies the data requirements, design standards and required improvements contained in the Johnstown Municipal Code, including the regulations contained in Chapters 16 and 17; and

WHEREAS, based on the foregoing, the Town Council desires to approve the Preliminary/Final Subdivision Plat for Welty Ridge Subdivision Filing No. 1, with conditions.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, THAT:

Section 1. Preliminary/Final Subdivision Plat Approval: The Preliminary/Final Subdivision Plat for Welty Ridge Subdivision Filing No. 1, located in the Northeast Quarter of Section 10, Township 4 North, Range 68 West of the 6th Principal Meridian, Town of Johnstown, County of Weld, State of Colorado, consisting of approximately 140.08 acres, attached as Exhibit A, is hereby approved, subject to the conditions set forth in Section 2.

Section 2. Conditions of Approval: The Preliminary/Final Subdivision Plat for Welty Ridge Subdivision Filing No. 1 is approved subject to the following conditions, which conditions shall bind the Applicant and any subsequent owner or developer of the Property:

1. Prior to construction of any public or private improvements, Town approval of all required plans, reports and permits shall be obtained;
2. Prior to recordation of the Preliminary/Final Subdivision Plat, the Town and the Applicant shall execute a Subdivision Development and Improvement Agreement;
3. At the discretion of Town staff, each developer of any portion of the Property shall be obligated to execute a separate Subdivision Development and Improvement Agreement with the Town or execute an amendment to the Subdivision Development and Improvement Agreement executed between the Applicant and the Town, describing, among other matters, the public and private improvements and the obligations associated therewith with respect to such portion of the Property; and
4. Each developer of any portion of the Property shall execute a Water and Sewer Service Agreement with the Town related to such portion of the Property.

Section 3. Recording: The Town Clerk is hereby directed to obtain the appropriate signatures for the Preliminary/Final Subdivision Plat for Welty Ridge Subdivision Filing No. 1, and, once the second condition of approval is met, record the Preliminary/Final Subdivision Plat as provided herein at the Office of the Weld County Clerk and Recorder.

PASSED, SIGNED, APPROVED, AND ADOPTED THIS _____ day of December, 2021.

ATTEST:

TOWN OF JOHNSTOWN, COLORADO

By: _____
Diana Seele, Town Clerk

By: _____
Gary Lebsack, Mayor