



RESOLUTION NO. 2016-02

**A RESOLUTION OF THE BOARD OF TRUSTEES OF
THE TOWN OF SILVERTON, COLORADO
APPROVING AN EXTENSION OF THE VESTED RIGHTS
GRANTED BY THE TOWN BOARD OF TRUSTEES FOR
THE DEKAY MORRIS RE-SUBDIVISION FINAL PLAT,
LOT CONSOLIDATION AND RE-SUBDIVISION, LOTS 1-11 AND 38-50,
BLOCK 1 BLAGUE'S ADDITION**

WHEREAS, the Board of Trustees for the Town of Silverton, Colorado, approved the DeKay Morris Re-subdivision Final Plat, Lot Consolidation and Re-subdivision, Lots 1-11 and 38-50, Block 1 Blague's Addition (the "Project") on July 22, 2013; and

WHEREAS, the statutory vested rights for the Project initiated on July 22, 2013 and will expire on July 22, 2016; and

WHEREAS, under Town Code and pursuant to state statute, the Town Board may adopt a resolution granting an extension of vested rights after a duly noticed public hearing; and

WHEREAS, the Town Planner has reviewed the application and has recommended approval of the extension of vested rights for the DeKay Morris Re-subdivision Final Plat; and

WHEREAS, the Town Board has reviewed and considered the requested extension of vested rights for the DeKay Morris Re-subdivision Final Plat, has reviewed and considered the recommendation of the Town Planner, and has taken and considered public comment at a public hearing; and

WHEREAS, the Town Board finds that the extension of vested rights proposal meets or exceeds all applicable standards and that the approval of the extension of vested rights proposal is consistent with the goals and elements of the Silverton Community Plan and Silverton Land Use Code and state statutes; and

WHEREAS, the Town Board finds that this Resolution furthers, and is necessary for, the promotion of Public Health, Safety, and Welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF SILVERTON, COLORADO, THAT:

Section 1:

The Town Board of Trustees of the Town of Silverton, Colorado, does hereby extend to July 22, 2017, the statutory vested rights as approved by the Town Board on July 22, 2013 for the DeKay Morris Re-Subdivision Final Plat, Lot Consolidation and Re-subdivision, Lots 1-11 and 38-50, Block 1 Blague's Addition.

Section 2:

All material representations and commitments made by the applicant pursuant to the development proposal approvals as herein awarded, whether in public hearing or documentation presented before the Town Board of Trustees of the Town of Silverton, Colorado, are hereby incorporated in such plan development approvals and the same shall be complied with as if fully set forth herein, unless amended by an authorized entity.

Section 3:

If any section, subsection, sentence, clause, phrase, or portion of this Resolution is for any reasons held invalid or unconstitutional in a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and shall not affect the validity of the remaining portions hereof.

Section 4:

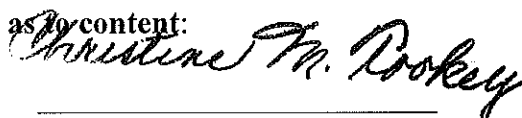
A duly noticed public hearing on this Resolution was held on the 11th day of July 2016 at 7:00 p.m. in Town Hall, Town of Silverton, Colorado.

FINALLY, resolved, adopted, passed and approved by a 6 to 0 vote on this 25th day of July, 2016.

Approved as to form:

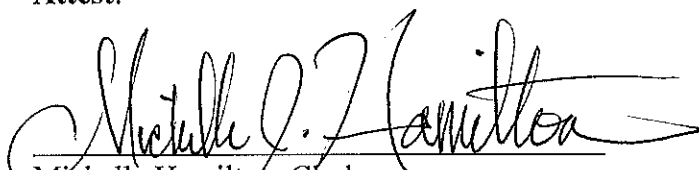
Jeffery P. Robbins, Town Attorney

Approved as to content:



Christine M. Tookey, Mayor

Attest:



Michelle Hamilton, Clerk