

**CITY OF RIFLE, COLORADO
ORDINANCE NO. 14
SERIES OF 2018**

**AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, APPROVING A
FINAL SUBDIVISION PLAN AND FINAL SUBDIVISION PLAT FOR NORTH
PASTURE SUBDIVISION, FILING 6.**

WHEREAS, in June 2018, there was filed with the Rifle Planning Department an application for Final Plat approval for subdivision of property owned by Savage Ltd. Partnership I, (hereinafter "Developer"), which property is known as North Pasture Subdivision, Filing 6 described on Exhibit A attached hereto and incorporated herein by this reference (hereinafter the "Property"); and

WHEREAS, on November 28, 2017, after a duly-noticed public hearing and pursuant to Rifle Municipal Code §16-5-280, the City of Rifle Planning Commission approved a Sketch/Preliminary Plan for the Property; and

WHEREAS, on August 28, 2018, after a duly-noticed public hearing, the City of Rifle Planning Commission approved a Final Subdivision Plan and Final Subdivision Plat for the Property; and

WHEREAS, on September 19, 2018 and October 3, 2018, the Rifle City Council reviewed the Final Subdivision Plan and the Final Subdivision Plat application for the Property and found these documents to be consistent with the approved Preliminary Plan, and that all conditions of Preliminary Plan approval have been met; and

WHEREAS, the City Council desires to approve the Final Subdivision Plan and Final Subdivision Plat for the Property, subject to all terms and conditions set forth in the Site-Specific Development Plan and Subdivision Improvements Agreement for the Property ("SIA") which Final Plat and SIA are available for inspection at the City Clerk's Office during business hours.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF RIFLE, COLORADO, ORDAINS THAT:

1. The City Council incorporates the foregoing recitals as findings by the City Council.

2. That certain Final Subdivision Plan and Final Subdivision Plat for North Pasture Subdivision, Filing 6 is hereby approved subject to the terms and conditions contained in the SIA. Developer shall also comply in full with the conditions of the Planning and Development Department's staff report presented to the City Council on even date herewith, which conditions must be satisfied prior to the recording of the Final Plat. The Mayor's execution and the City's recording of this Ordinance with the Garfield County Clerk and Recorder shall be deemed satisfaction of the conditions in the staff report.

3. Developer shall further comply with all of Developer's representations made in any applications and in statements during the public hearings before the Planning Commission and City Council and they shall be conditions of approval with which Developer shall comply unless specifically modified. Developer shall also comply in full with the requirements of the Rifle Municipal Code, including without limitation the requirements of the City of Rifle Public Works Manual.

4. The Mayor is hereby authorized to indicate the City Council's approval of the Final Subdivision Plat for the Property and the SIA by signing the Final Plat and SIA. A true and correct copy of the Final Plat for the Property and the SIA shall be deposited with the City Clerk and shall be available for public inspection at the Clerk's office after being fully executed by the parties.

5. The City Clerk is hereby directed to file one (1) copy of the Final Plat and the original of this Ordinance in the Office of the City Clerk.

6. The City Clerk is hereby further directed to record this Ordinance, the Final Plat, the SIA and any other associated documents in the Office of the Clerk and Recorder of Garfield County, and to file one (1) certified copy of the Final Plat and this Ordinance with the Garfield County Assessor.

7. The City Council's approval of this Final Subdivision Plan and the Final Subdivision Plat creates a vested property right pursuant to the Rifle Municipal Code and Article 68 of Title 24, C.R.S., as amended, for a period of three (3) years from the effective date of this Ordinance. As a condition of the granting of such vested right, the Developer shall, at its expense, publish the vested rights notice required by C.R.S. §24-68-103(c) and the Rifle Municipal Code §16-11-10, *et. seq.*, and Developer shall comply with all other procedural requirements set forth therein.

INTRODUCED on September 19, 2018, 2018, read by title, passed on first reading, and ordered published as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on October 3, 2018, 2018, passed without amendment, approved, and ordered published in full as required by the Charter. .

Dated this 3 of October, 2018.

CITY OF RIFLE, COLORADO

BY:

Mayor

ATTEST:

Kathy Christensen
City Clerk



EXHIBIT A
LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF LOT MDR \square 3 AS SHOWN ON THE FINAL PLAT NORTH PASTURE, FILING 5 RECORDED OCTOBER 19, 2010 AS RECEPTION NO. 793153 IN THE GARFIELD COUNTY, COLORADO CLERK AND RECORDER'S OFFICE,

SITUATE IN THE NE1/4NE1/4 OF SECTION 9, TOWNSHIP 6 SOUTH, RANGE 93 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF GARFIELD, STATE OF COLORADO.

ALL BEARINGS RELATIVE TO A BEARING OF N89°37'14"E ALONG THE SOUTHERLY LINE OF SAID NORTH PASTURE, FILING 5 BETWEEN THE SOUTHWEST CORNER AND SOUTHEAST CORNER OF SAID NORTH PASTURE, FILING 5 BOTH BEING MARKED WITH A #5 REBAR AND 1 \square 1/4" PLASTIC CAPS STAMPED LS NO. 36572 IN PLACE.

SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTH PASTURE, FILING 5, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID LOT MDR \square 3;
THENCE ALONG THE SOUTH LINE OF SAID LOT MDR \square 3 N89°37'14"E 517.29 FEET TO A POINT ON THE WESTERLY LINE OF LOT CS \square 1 OF SAID NORTH PASTURE, FILING 5;
THENCE DEPARTING SAID SOUTHERLY LINE AND ALONG SAID WESTERLY LINE N00°06'06"W 145.00 FEET TO A POINT ON THE NORTHERLY LINE OF SAID LOT CS \square 1;
THENCE DEPARTING SAID WESTERLY LINE AND ALONG SAID NORTHERLY LINE N89°38'49"E 90.00 FEET;
THENCE DEPARTING SAID NORTHERLY LINE N00°06'06"W 323.59 FEET TO A POINT ON THE NORTHERLY LINE OF SAID LOT MDR \square 3;
THENCE ALONG SAID NORTHERLY LINE THE FOLLOWING THREE (3) COURSES:
1.) S88°39'29"W 90.02 FEET
2.) N89°22'32"W 50.00 FEET
3.) S86°09'14"W 164.22 FEET
TO A POINT ON THE WESTERLY LINE OF SAID LOT MDR \square 3;
THENCE ALONG SAID WESTERLY LINE THE FOLLOWING THREE (3) COURSES:
1.) S30°58'37"W 430.06 FEET
2.) S48°28'53"W 108.68 FEET
3.) S00°22'46"E 19.22 FEET
TO THE TRUE POINT OF BEGINNING, SAID PARCEL OF LAND CONTAINING 4.446 ACRES MORE OR LESS.