

**TOWN OF ERIE**  
**BOARD OF TRUSTEE AGENDA ITEM**  
**June 12, 2018**

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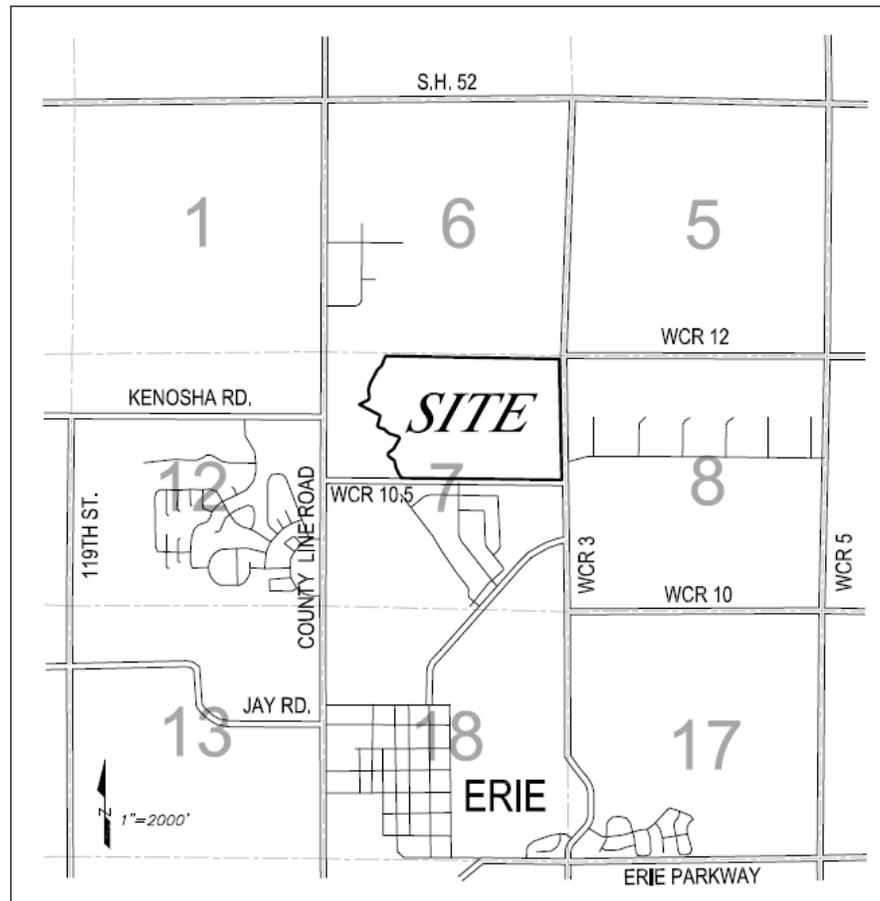
<b>SUBJECT:</b>	<b>Consent:</b>  A Resolution By The Board Of Trustees Of The Town Of Erie, Colorado Accepting Dedications As Shown In The Morgan Hill Filing No. 1 Final Plat; Authorizing The Appropriate Town Official To Sign The Morgan Hill Filing No. 1 Development Agreement, First Amendment To Morgan Hill First Amended And Restated Annexation Agreement, Grants Of Permanent Access And Utilities Easements And Avigation Easement; Adopting Certain Findings Of Fact And Conclusions Favorable To The Acceptance Of The Morgan Hill Filing No. 1 Final Plat Dedications And Development Agreement, First Amendment To Morgan Hill First Amended And Restated Annexation Agreement, Grants Of Permanent Access And Utilities Easements And Avigation Easement, And Setting Forth Details In Relation Thereto.
<b>CODE REVIEW:</b>	Erie Municipal Code, Title 10
<b>PURPOSE:</b>	Board of Trustees acceptance of dedications on the final plat, the development agreement, and other agreements related to the Morgan Hill Filing No. 1 Final Plat.
<b>DEPARTMENT:</b>	Planning and Development
<b>PRESENTER:</b>	Hannah Hippely, AICP, Senior Planner
<b>STAFF RECOMMENDATION:</b>	Approval

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## **SUMMARY AND BACKGROUND OF SUBJECT MATTER**

**Owners:** Jon Lee  
Morgan Hill Investors, LLC,  
2500 Arapahoe Road, Suite 220  
Boulder, Colorado, 80302

**Location:** North of CR 10.5 and West of CR 3.



### **Summary:**

The Resolution, provided for consideration by the Board of Trustees, accepts dedications for the Morgan Hill Filing No. 1 Final Plat; and, authorizes the appropriate town official to sign the Morgan Hill Filing No. 1 Development Agreement which outlines obligations of the Town and the Owners for the Morgan Hill Filing No. 1 Final Plat. The resolution also accepts and authorizes the appropriate town official to sign the First Amendment To Morgan Hill First Amended And Restated Annexation Agreement, Grants Of Permanent Access And Utilities Easements for storm water, water, and sanitary facilities to be constructed off site, and an Avigation Easement.

### **Project Description:**

The Morgan Hill Filing No. 1 Final Plat subdivides 214.86 acres into 151 lots, 8 tracts, and provides necessary easements. Off site facilities will be constructed on private property as part of this development and the utility easement grants are necessary for this construction. The avigation easement acknowledges the operations of the Erie Municipal Tri-County Airport and the Parkland Estates Airport and the impacts this may have on the property.

**Project Process:**

The Planning and Development Director has conditionally approved the Morgan Hill Filing No. 1 Final Plat, contingent upon the acceptance of the dedications on the Final Plat; acceptance of the Development Agreement by the Board of Trustees; and, the following:

1. Prior to Recordation of the Morgan Hill Filing No. 1 Final Plat
  - a. Morgan Hill Zoning Amendment No. 1 shall be recorded;
  - b. Morgan Hill PUD Overlay shall be recorded;
  - c. Morgan Hill PUD Overlay Amendment No. 1 shall be recorded;
  - d. Access sufficient for long term maintenance of public facilities shall be established and a recorded copy of the fully executed agreements shall be submitted;
  - e. The slope easements along County Road 10.5 shall be vacated and evidence of this vacation shall be submitted;
  - f. A recorded copy of the fully executed Consent Agreement with Lower Boulder Ditch Company shall be submitted;
  - g. A recorded copy of the fully executed License Agreement for Discharge and Historic Seepage with the Boulder and Weld County Ditch Company shall be submitted;
  - h. A recorded copy of the fully executed RTD License Agreement for the waterline shall be submitted; and
  - i. A recorded copy of the fully executed agreement between the Erie Coal Creek Ditch and Reservoir Company and Morgan Hill Investors, LLC shall be submitted;
  - j. Documentation related to plugged and abandoned wells per Article 10.6.14 shall be provided;
  - k. Technical corrections to the plat shall be made to the Town's satisfaction.

**Public Notice:**

Public Notice is not required.