



# TOWN OF ERIE

645 Holbrook Street  
Erie, CO 80516

Town Council

**Board Meeting Date: 2/14/2017**

**File #:** 17-044, **Version:** 1

**SUBJECT:** Consideration Of An Ordinance Of The Town Of Erie, Colorado Terminating A Covenant; And, Setting Forth Details In Relation Thereto.

**DEPARTMENT:** Community Development

**PRESENTER:** R. Martin Ostholthoff, Director

**STAFF RECOMMENDATION:** Approval.

**SUMMARY AND BACKGROUND OF SUBJECT MATTER:**

In working with prospective tenants interested in relocating a business to 1067 Telleen Avenue, Town Staff was made aware of a Covenant and Notice of Potential Assessment ("Covenant" - See Attachment B) that was recorded against the properties highlighted in red below.



This Covenant was entered into in 1993 between the Town and the owners of the highlighted property. The purpose of the Covenant was to put future landowners on notice that additional public improvements (fire hydrants, street lights and water mains) may be necessary in the future to serve the subject properties and as property owner may be subject to an assessment to fund the aforementioned public improvements.

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Since 1993, the Creekside development, due south of the subject properties has come on-line and completed the necessary public improvements in and adjacent to Telleen Avenue.

Based on the completion of the public improvements by the Creekside developer, Town Staff recommends termination of the Covenant to avoid any confusion with prospective tenants in the future.

**ATTACHMENTS:**

- A. Ordinance \_\_\_\_-2017
- B. Covenant and Notice of Potential Assessment