



Legislation Details (With Text)

File #: 18-006 **Version:** 1 **Name:**
Type: Consent Agenda **Status:** Passed
File created: 12/13/2017 **In control:** Town Council
On agenda: 1/23/2018 **Final action:** 1/23/2018
Title: A Resolution Approving a First Amended and Restated Maintenance Agreement between the Town of Erie and the Candlelight Ridge Home Owners Association; And Setting Forth Details In Relation Thereto.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Resolution, 2. Agreement

Date	Ver.	Action By	Action	Result
1/23/2018	1	Town Council	approve	Pass

SUBJECT: CONSENT AGENDA

Resolution Approving a First Amended and Restated Maintenance Agreement between the Town of Erie and the Candlelight Ridge Home Owners Association; And Setting Forth Details In Relation Thereto.

DEPARTMENT: Planning and Development - Engineering

PRESENTER: Russell Pennington, Town Engineer
Todd Bjerkaas, Director of Planning and Development

FISCAL INFORMATION: N/A

Cost as Recommended:

Balance Available:

Budget Line Item Number:

New Appropriation Required:

STAFF RECOMMENDATION:

Approve Resolution adopting a First Amended and Restated Maintenance Agreement with Candlelight Ridge Home Owners Association.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

The Town and the Candlelight Ridge Home Owners' Association (CRHOA) previously entered into an agreement regarding responsibilities for items of the Candlelight Ridge subdivision. This agreement was approved by the Board of Trustees on June 14, 2011 as Resolution 11-80.

This Resolution replaces the original agreement by including additional responsibilities to those previously accepted by the CRHOA. The agreement clarifies previously misunderstood Town responsibilities, with respect to Detention Pond maintenance, as originally defined in the recorded Development Agreement for the

subdivision.

For clarity purposes the original agreement is superseded in its entirety by the new agreement. The previously agreed landscape maintenance and snow removal responsibilities of the CRHOA are included in this document along with added responsibility for vegetation maintenance, associated with two of the subdivision detention ponds.

Likewise, the previously agreed Town responsibilities are included in this document along with the identification of Town responsibilities with respect to the detention ponds in the subdivision.

The Town staff members and the CRHOA representative have addressed this matter in a cooperative effort to achieve a responsible and equitable definition of responsibilities for the Candlelight Ridge subdivision, not previously documented and clearly understood.

The primary points of agreement include the following:

1. Clearly defined boundaries for the section of Longs Peak Park that lies within the Candlelight Ridge subdivision (refer to Exhibit A in the Agreement). The eastern portion of the park is in the Meadow Sweet Farm subdivision.
2. Clearly defined division of responsibilities for maintenance of open space areas. The Town's area of responsibility is reflected in Exhibit A to the Agreement; CRHOA's areas of responsibility are reflected in Exhibit B.
3. Clearly defined responsibility for maintenance of Tracts A and B (located along Erie Parkway at the entrance to the subdivision). CRHOA will now perform the right-of-way mowing along Eire Parkway along with Tracts A and B.
4. Clearly defined responsibility for maintenance of landscape islands, tree lawns and other landscaped areas,
5. Clarification of snow removal responsibilities throughout the subdivision.
6. Clearly defined responsibility for maintenance of detention ponds in the subdivision.

ATTACHMENTS:

- a. Agreement to follow
- b. Resolution