

RESOLUTION NO. 16-07

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF MILLIKEN AUTHORIZING THE RECORDATION OF THE MILLIKEN TOWN CENTER SUBDIVISION PLAT

WHEREAS, the Town of Milliken is authorized pursuant to Title 31, Article 23, C.R.S. and the Town of Milliken zoning and subdivision regulations codified in Chapter 16 of the Milliken Municipal Code, to regulate the subdivision of land within the Town; and

WHEREAS, on June 11, 2008, the Town Board of Trustees approved Ordinance No. 584, approving the Milliken Town Center Subdivision Plat (the "Plat"); and

WHEREAS, in conjunction with approval of the Plat, the Board of Trustees also approved Ordinance No. 582, vacating an alley to be incorporated within the Plat; and

WHEREAS, it has come to the attention of Town staff that neither the Plat nor the above referenced ordinances were recorded in the real property records of Weld County; and

WHEREAS, in order to fully effectuate the terms of Ordinance Nos. 582 and 584, the Plat and ordinances must be recorded in the real property records of Weld County; and

WHEREAS, the Town staff has confirmed through independent research and consultation with the surveyor of the Plat that no new encumbrances or easements (recorded after June 2008) affect the Plat as previously approved; and

WHEREAS, the surveyor who initially prepared the Plat has signed the Plat; and

WHEREAS, the Town staff seeks to obtain Board authorization to record the Plat in accordance with the Board's prior approval under Ordinance No. 584; and

WHEREAS, the Board determines that the Plat should have been recorded in 2008, and hereby authorizes the Plat to be executed and recorded in accordance with the terms of this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF MILLIKEN:

Section 1. The Board of Trustees hereby authorizes the Mayor and Planning Commission Chairperson to execute the Milliken Town Center Subdivision Plat and further authorizes the Town Administrator and appropriate Town staff to take all steps necessary to record Ordinance No. 582, Ordinance No. 584 and the Milliken Town Center Subdivision Plat in the real property records of Weld County.

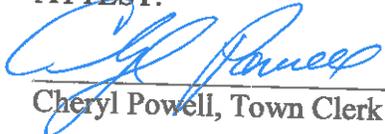
Section 2. This Resolution is effective upon adoption by the Board.

RESOLVED, APPROVED AND ADOPTED this 13th day of April, 2016.

TOWN OF MILLIKEN, COLORADO


Milt Tokunaga, Mayor

ATTEST:


Cheryl Powell, Town Clerk

APPROVED AS TO FORM:


Linda Michow, Town Attorney



**TOWN OF MILLIKEN
TOWN BOARD
AGENDA MEMORANDUM**

To: Mayor Tokunaga and Town Board of Trustees	Meeting Date:
From: Martha Perkins, Community Development Director Linda Michow, Town Attorney	Wednesday April 13, 2016

Agenda Item #	Action: X	Discussion:	Information:
Agenda Title: Resolution No. 16-07 Authorizing the Recordation of the Milliken Town Center Subdivision Plat			
Attachments: Resolution No. 16-07			

PURPOSE AND BACKGROUND:

On June 11, 2008, the Town approved Ordinance No. 584 which approved the Milliken Town Center Subdivision Plat (“Plat”). During the Town parking lot site plan process, it came to the attention of Town staff that the Plat had not been recorded in the real property records of Weld County. The Town staff has contacted the surveyor of the Plat and he has confirmed that no new easements or encumbrances affect the Plat. The surveyor has signed the Plat. Due to the long time delay, Town staff seeks Board authorization to record the Plat in accordance with the Board’s prior approval under Ordinance No. 584.

BUDGET IMPLICATONS:

None identified.

STAFF RECOMMENDATION:

Town Staff recommends approval of Resolution No. 16-07 in order to complete the subdivision process of the Milliken Town Center Subdivision Plat.

SUGGESTED MOTION:

“I move to approve Resolution No. 16-07 Authorizing the Recordation of the Milliken Town Center Subdivision Plat.”