

RESOLUTION NO. 4-95

A RESOLUTION APPROVING THE OVERALL DEVELOPMENT PLAN OF THE MATTHEWS FARM P.U.D. OF THE TOWN OF BERTHOUD, LARIMER COUNTY, COLORADO

WHEREAS, the Board of Trustees and the Planning Commission of the Town of Berthoud have reviewed the overall development plan prepared by Architractor Design Group, Inc. for Matthews Farm Associates;

WHEREAS, Section 30-16-800 of the Town of Berthoud Development Code requires that an application for a Planned Unit Development must have an overall development plan as described in Section 30-16-801; and,

WHEREAS, the Board of Trustees and the Planning Commission have reviewed the Neighborhood Code of the Matthews Farm, Berthoud, Colorado and found it to be in substantial compliance with Section 30-16-801;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, LARIMER COUNTY, COLORADO:

1. That upon annexation of the Matthews Farm the Town will proceed to zone the property as a Planned Unit Development to be improved in accordance with the Neighborhood Code of the Matthews Farm, Berthoud, Colorado as submitted to the Town of Berthoud on August 18, 1995.

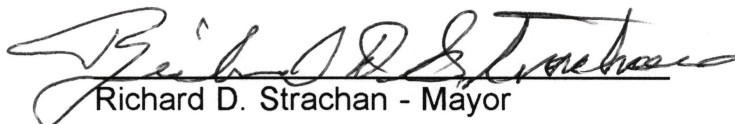
2. The Town reserves the right to reevaluate all or any portion of the Neighborhood Code of the Matthews Farm or the Town of Berthoud Development Code prior to the approval of the Preliminary Development Plan for the first phase of the Matthews Farm Development. At the time of approval of the Preliminary Development Plan for the first phase of development, final acceptance of the Overall Development Plan shall take place.

3. The Town further finds and declares that the Neighborhood Code of the Matthews Farm does not constitute a site specific development plan until approval of the Preliminary Development Plan for the first phase of the Matthews Farm Development which may occur subsequent to annexation and zoning. No vested rights shall accrue to the property owners until that time and the property owners understand and agree with the Town's position.

This resolution was read, passed, and ordered published by the Board of Trustees of the Town of Berthoud at its regular meeting on September 12, 1995.

DATED this 12th day of September, 1995.

TOWN OF BERTHOUD:


Richard D. Strachan - Mayor

ATTEST:


Mary K. Cowdin - Town Clerk