

**Town of Basalt, Colorado
Ordinance No. 25
Series of 2015**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BASALT,
COLORADO, GRANTING AN EXTENSION ON THE RECORDING DEADLINE
FOR THE ROARING FORK APARTMENTS LAND USE APPROVAL
DOCUMENTS, LOTS D, E, F, AND G, BASALT COMMERCIAL PARK,
BASALT, COLORADO (ALSO KNOWN AS 109, 113, 117, AND 121 EMMA
ROAD)**

RECITALS

A. The Town of Basalt ("Town"), acting by and through its Town Council ("Town Council"), has the power to extend the recording deadline for the approval documents for the Roaring Fork Apartments pursuant to Ordinance No. 17, Series of 2013. Real America ("Applicant") received approval pursuant to Ordinance No. 17, Series of 2013, to construct a 56-unit affordable housing project on Lots D-G, of the Basalt Commercial Park. The recording deadline for the approval documents has been extended several times by the Town Planner, but any additional extensions require approval by the Town Council. The Applicant has requested to further extend the recording deadline for the approval documents by an additional six (6) months.

B. As requested by the Applicant, the Town Staff recommends approval of the six (6) month extension of the approval document recording deadline.

C. At a public meeting held on November 10, 2015, the Town Council considered this Ordinance on first reading and set a public hearing and second reading for this Ordinance for November 24, 2015, for a meeting beginning no earlier than 6:00 pm at the Basalt Town Hall, 101 Midland Avenue, Basalt, Colorado.

D. At a public hearing and second reading on November 24, 2015, the Town Council heard evidence and testimony as offered by the Town Staff, the Applicant, and members of the public.

E. The Town Council finds and determines it is in the best interests of the Town to approve this Ordinance. The Town Council finds and determines this Ordinance is reasonable and consistent with the Town Code. Further, the Town Council finds and determines this Ordinance is reasonably necessary to promote the legitimate public purposes of the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BASALT, COLORADO AS FOLLOWS:

A. FINDINGS. The Town Council hereby incorporates by reference and conclusively makes the above findings.

B. CONDITIONS.

1. The six-month extension of the deadline for the recording of approval documents on the Roaring Fork Apartments Project is hereby approved, subject to the following conditions:

a. The length of the extension shall be six (6) months from the effective date of this ordinance.

b. All other terms and conditions established in Ordinance No. 17, Series of 2013, shall remain in full force and effect.

c. The Applicant shall comply with all material representations made by the Applicant in the meetings before the Town Council.

C. MISCELLANEOUS.

1. The approvals and conditions contained herein shall be binding on and inure to the benefit of the heirs, successors and assigns of the Applicant and the owners of the Property.

2. This Ordinance, after fully executed, shall be recorded in the office of the Clerk and Recorder of Pitkin County.

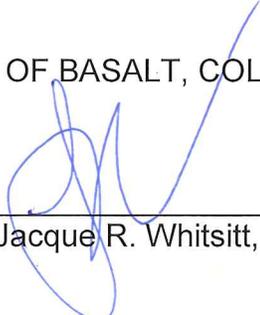
3. If any part, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance and the Town Council hereby declares it would have passed this Ordinance and each part, section, subsection, sentence, clause or phrase thereof regardless of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

READ ON FIRST READING, ORDERED PUBLISHED AND SET FOR PUBLIC HEARING TO BE HELD ON November 24, 2015 by a vote of 5 to 0 on November 10, 2015.

READ ON SECOND READING AND ADOPTED, by a vote of 7 to 0 on
November 24, 2015.

TOWN OF BASALT, COLORADO

By:



Jacquie R. Whitsitt, Mayor

ATTEST:



Pamela K. Schilling, Town Clerk

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