

**TOWN OF GRANBY**

**Board of Trustees**

MEETING DATE: May 26, 2020

- Consent Agenda**
- Resolution or Ordinance**
- Citizen Requests**
- Public Hearing**
- Committee/Staff Reports:**
- TOWN CLERK**
- FINANCE DIRECTOR**
- BUILDINGS AND STREETS**
- ECONOMIC DEVELOPMENT**
- PUBLIC SAFETY**
- RECREATION**
- WATER DEPARTMENTS**
- MAYOR**
- TOWN MANAGER**
- TOWN ATTORNEY**
- Other**
- Executive Session**
- Workshop**

TIME OF AGENDA ITEM: 6:15 PM

**Agenda Request No. 2**

**MEETING TO BE HELD AT:**  
**Town Hall, Zero Jasper Avenue**  
**Granby, CO 80446**

**(2) DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 2020-05-26, A RESOLUTION THE BOARD OF TRUSTEES OF THE TOWN OF GRANBY NOTIFYING THE PUBLIC OF THE STATUS AND CONDITION OF ROADWAYS WITHIN THE GRANBY RANCH DEVELOPMENT / TOWN MANAGER & TOWN ATTORNEY**  
**6:15 PM**

# MEMO



To: Mayor and Board of Trustees  
From: Ted Cherry, Town Manager  
Cc: Deb Hess, Town Clerk  
Date: 5.26.2020  
Re: Granby Ranch Roads Resolution

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**Background:** During the last meeting of the Board of Trustees it was asked that more time was given to the Board to think about the attached resolution. Some items were brought up that might make the resolution better for future owners of the Granby Ranch property as well as make sure the Town is covered correctly.

Language was added in regards to the filings, reference back to the SIA agreements, as well as name the individual roads in the filings. There is some broad language that would allow for the residents of Granby Ranch and the Town to be further protected moving into this next stage of ownership.

There were some questions received from Board members. The first was could we just file the letters that were previously sent. The advice we have received is that a resolution is a good point of information for the potential buyers and having a more recent vote of the Board on the resolution should be sufficient.

Also, a question was asked if the Town would be able to put timeframes in place for when inspections and final completion of the roads in Granby Ranch would need to be done by. Similar to the advice the Board received in regards to the sales restrictions, the Town does not have a legal authority to do something along these lines. The sales restrictions remaining in place would be the best opportunity for the Town to force the new owners to fix and finish the roads in Granby Ranch.

**Financial Impact:** None

**Recommendation:** Manager would recommend approval of the resolution as presented.

**TOWN OF GRANBY  
BOARD OF TRUSTEES  
RESOLUTION 2020-05-26**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF  
GRANBY NOTIFYING THE PUBLIC OF THE STATUS AND CONDITION  
OF ROADWAYS WITHIN THE GRANBY RANCH DEVELOPMENT**

**WHEREAS**, the Board of Trustees of the Town of Granby, Colorado, pursuant to Colorado statute is vested with the authority of administering the affairs of the Town of Granby, Colorado; and

**WHEREAS**, the Granby Ranch development depicted generally on Exhibit A, attached hereto, was annexed into and made a part of the Town of Granby in or about 2003; and

**WHEREAS**, the annexation agreement that resulted in the annexation of the Granby Ranch development into the Town of Granby, as well as multiple documents executed in connection with the subsequent development of the Granby Ranch development provide that the Town shall have no obligations with regard to the construction, operation, or maintenance of roadways within the Granby Ranch project and that all responsibility and liability for such roadways rests with the developer, certain special districts within the Granby Ranch development, and owners associations within the Granby Ranch development; and

**WHEREAS**, many of the roadways within Granby Ranch have not been finally inspected or approved by the Town of Granby and the responsibility to construct and maintain those roads are reflected in the Subdivision Improvement Agreements (SIA) for Filings 6&8 and 10; and

**WHEREAS**, roadways that have not been inspected or approved are located, but may not be limited to, those roadways located in 6&8 and 10 (Cirrus Way, Cumulus Rd., Nimbus Dr., Stratus Ct., Eagle Nest Ct., Lone Eagle Dr., Black Feather Ct.)

**WHEREAS**, the Board of Trustees have been made aware that not only have many of the roadways within the Granby Ranch development never been inspected or approved by the Town, but many of the roadways are in poor condition, as evidenced by studies of such roadways that have been performed by the developer and the special districts within Granby Ranch, and

**WHEREAS**, although the documentation explaining the relative responsibilities of the developer, the special districts and owners associations within Granby Ranch as they relate to the roadways are matters of public record, as is the fact that the Town has and shall have no responsibility or liability related to such roadways, the Board of Trustees has concluded that it is important to provide additional notice to persons who are or may

become involved in the Granby Ranch development of the need to inquire into the condition of the roadways, and the obligations to construct, maintain, repair and replace such roadways, by adopting this resolution and directing its recordation in the records of the Clerk and Recorder of Grand County in order.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRANBY, COLORADO, AS FOLLOWS:**

1. This resolution is hereby approved by the Board of Trustees.
2. The Clerk is directed to publish this resolution on the Town's website and to record it with the Grand County Clerk and Recorder.
3. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.
4. Repeal. Existing ordinances or parts of ordinances covering the same matters embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this ordinance.

**MOVED, SECONDED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRANBY, COLORADO THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.**

TOWN OF GRANBY  
BOARD OF TRUSTEES

Votes Approving: \_\_\_\_\_  
Votes Opposed: \_\_\_\_\_  
Absent: \_\_\_\_\_  
Abstained: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Deborah K. Hess, CMC  
Town Clerk

By: \_\_\_\_\_  
Paul Chavoustie  
Mayor