

**CITY OF RIFLE, COLORADO  
ORDINANCE NO. 17  
SERIES OF 2018**

**AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, APPROVING A  
FINAL SUBDIVISION PLAN AND FINAL SUBDIVISION PLAT FOR THE  
PROMONTORY AT GRHAM MESA, FILING 4.**

WHEREAS, in August 2018, there was filed with the Rifle Planning Department an application for Final Plat approval for subdivision of property owned by AEI Naperplace, LLC, (hereinafter “Developer”), which property is known as The Promontory at Graham Mesa, Filing 4 described on Exhibit A attached hereto and incorporated herein by this reference (hereinafter the “Property”); and

WHEREAS, on August 28, 2018, after a duly-noticed public hearing and pursuant to Rifle Municipal Code §16-5-280, the City of Rifle Planning Commission approved a Sketch/Preliminary Plan for the Property; and

WHEREAS, on October 17, 2018 and November 7, 2018, the Rifle City Council reviewed the Final Subdivision Plan and the Final Subdivision Plat application for the Property and found these documents to be consistent with the approved Preliminary Plan, and that all conditions of Preliminary Plan approval have been met; and

WHEREAS, the City Council desires to approve the Final Subdivision Plan and Final Subdivision Plat for the Property, subject to all terms and conditions set forth in the Site-Specific Development Plan and Subdivision Improvements Agreement for the Property (“SIA”) which Final Plat and SIA are available for inspection at the City Clerk’s Office during business hours.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF RIFLE, COLORADO, ORDAINS THAT:

1. The City Council incorporates the foregoing recitals as findings by the City Council.
2. That certain Final Subdivision Plan and Final Subdivision Plat for Promontory Graham Mesa, Filing 4 is hereby approved subject to the terms and conditions contained in the SIA. Developer shall also comply in full with the conditions of the Planning and Development Department’s staff report presented to the City Council on even date herewith.
3. Developer shall further comply with all of Developer’s representations made in any applications and in statements during the public hearings before the Planning Commission and City Council and they shall be conditions of approval with which Developer shall comply unless specifically modified. Developer shall also comply in full with the requirements of the Rifle Municipal Code, including without limitation the requirements of the City of Rifle Public Works Manual.

4. The Mayor is hereby authorized to indicate the City Council's approval of the Final Subdivision Plat for the Property and the SIA by signing the Final Plat and SIA. A true and correct copy of the Final Plat for the Property and the SIA shall be deposited with the City Clerk and shall be available for public inspection at the Clerk's office after being fully executed by the parties.

5. The City Clerk is hereby directed to file one (1) copy of the Final Plat and the original of this Ordinance in the Office of the City Clerk.

6. The City Clerk is hereby further directed to record this Ordinance, the Final Plat, the SIA and any other associated documents in the Office of the Clerk and Recorder of Garfield County, and to file one (1) certified copy of the Final Plat and this Ordinance with the Garfield County Assessor.

7. The City Council's approval of this Final Subdivision Plan and the Final Subdivision Plat creates a vested property right pursuant to the Rifle Municipal Code and Article 68 of Title 24, C.R.S., as amended, for a period of three (3) years from the effective date of this Ordinance. As a condition of the granting of such vested right, the Developer shall, at its expense, publish the vested rights notice required by C.R.S. §24-68-103(c) and the Rifle Municipal Code §16-11-10, *et. seq.*, and Developer shall comply with all other procedural requirements set forth therein.

INTRODUCED on October 17, 2018, read by title, passed on first reading, and ordered published as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on November 7, 2018, passed without amendment, approved, and ordered published in full as required by the Charter.

Dated this 7 of November, 2018.

CITY OF RIFLE, COLORADO

BY:

  
\_\_\_\_\_  
Mayor

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ATTEST:

  
\_\_\_\_\_  
City Clerk



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**EXHIBIT A**  
**LEGAL DESCRIPTION**

LOTS 1- 49,  
THE PROMONTORY AT GRAHAM MESA, FILING 4, TOWNHOME PLAT  
ACCORDING TO THE PLAT THEREOF RECORDED APRIL 8, 2008, AT RECEPTION NO.  
746199

CITY OF RIFLE  
COUNTY OF GARFIELD  
STATE OF COLORADO