

**TOWN OF MOUNTAIN VILLAGE
TOWN COUNCIL SPECIAL MEETING
THURSDAY MAY 31, 2018, 8:30 AM
2nd FLOOR CONFERENCE ROOM, MOUNTAIN VILLAGE TOWN HALL
455 MOUNTAIN VILLAGE BLVD, MOUNTAIN VILLAGE, COLORADO
AGENDA**

	Time	Min	Presenter	Type	
1.	8:30				Call to Order
2.	8:30	60	Mahoney	Action	Consideration of an Amendment to the February 15th, 2018 Standstill Agreement Between the Town of Mountain Village and Northlight Trust I, to Extend the Application Deadline from June 15, 2018 to September 14, 2018
3.	9:30				Adjourn

Please note that times are approximate and subject to change.

sj
05/23/18

Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting Town Hall at 970-369-6429 or email: mvclerk@mtnvillage.org. A minimum advance notice of 48 hours is required so arrangements can be made to locate requested auxiliary aid(s)



J. David Reed, P.C.

ATTORNEYS AT LAW

J. David Reed | James D. Mahoney | Bo James Nerlin | Sarah H. Abbott

MONTROSE • RIDGWAY • TELLURIDE

Item 2

Memo

To: Mayor and Council Members
From: James Mahoney
Date: May 24, 2018
Re: Lot 126R and 152R First Amendment to Standstill Agreement

As you are aware of, the Town and the current landowner of Lots 126R and 152R, which is commonly known as “Rosewood”, entered into a Standstill Agreement dated February 15th, 2018. One of the requirements of the Standstill Agreement was for the landowner to submit an Alternative Development Plan application by June 15th, 2018.

Due to extensive public comment and other factors the landowner desires to have that deadline extended by approximately 90 days to September 14, 2018 in order to consider public comments and further evaluate their Alternative Development Plan . Staff fully supports this extension as the speed in which the application is filed is not as important as having plenty of opportunity for dialog, reflection and refinement.

Included in your packets is a draft first amendment to the Standstill Agreement.

FIRST AMENDMENT TO STANDSTILL AGREEMENT

This First Amendment to the February 15, 2018 Standstill Agreement (the “**Agreement**”), made effective is made by and between Town of Mountain Village, a Colorado Home Rule Municipality and Political Subdivision of the State of Colorado (“**Town**”) and Northlight Trust I (“**Landowner**”) on this ___ day of June 2018. The Town and the Landowner also are referred to as the Parties.

WHEREAS, February 15, 2018 the Town and Landowner entered into a Standstill Agreement relating to the Property (as defined in the “**Agreement**”) including but not limited to certain land use approvals and new land use application.

WHEREAS, one of the requirements of the Agreement is for the Landowner to submit an “Alternative Development Plan” for the Property by June 15, 2018.

WHEREAS, due to extensive public input to the Property Owner regarding their Alternative Development Plan and a desire by the Landowner to consider public comments and further evaluate elements of their Alternative Development Plan, the parties wish to extend the Landowner’s Application Deadline as set forth below.

NOW THEREFORE, the Town and Property owner do hereby amend the Agreement as follows:

1. Paragraph 3.b. of the Agreement (Term and Termination) is replaced in its entirety with the following new paragraph:
 - b. Landowner agrees that Landowner shall submit an application for its Alternative Development Plan pursuant to the provisions of the CDC on or before September 14th, 2018 (the “Application Deadline”). Landowner and the Town agree that the Landowner shall diligently pursue action on the Alternative Development Plan and that the Town shall in good faith process, review and act upon the application for the Alternative Development Plan according to the processes set forth in the CDC. Nothing herein shall be construed as contractually or otherwise obligating the Town to approve Landowner’s application for the Alternative Development Plan.
2. All other terms, conditions and provisions of the Agreement shall remain in full force and effect as if restated herein verbatim.

IN WITNESS WHEREOF, the parties have executed this First Amendment on the ___ day of June 2018.

TOWN:

Town of Mountain Village, a Colorado Home Rule Municipality
and Political Subdivision of the State of Colorado

By: _____ Date: _____
Printed Name: Laila Benitez
Title: Mayor

Attest: _____
Town Clerk

STATE OF _____)
) ss
COUNTY OF _____)

Acknowledged, subscribed and sworn to before me this ____ day of _____, 2018 by Laila Benitez as the Mayor of The Town of Mountain Village.

Witness my hand and official seal.

Notary Public

My commission expires: _____.

LANDOWNER:
Northlight Trust I

By: _____
Printed Name: _____
Title: _____

Date: _____

STATE OF _____)
) ss
COUNTY OF _____)

Acknowledged, subscribed and sworn to before me this ____ day of _____, 2018 by _____ as the _____ of Northlight Trust I.

Witness my hand and official seal.

Notary Public

My commission expires: _____.

