

**TOWN OF LYONS, COLORADO
RESOLUTION 2022-74**

**A RESOLUTION OF THE TOWN OF LYONS, COLORADO
WAIVING THE WATER RIGHTS DEDICATION REQUIREMENT
FOR 423 REESE ST. SUBDIVISION APPLICATION**

WHEREAS, pursuant to Article XXV of the Colorado Constitution, the Town of Lyons Board of Trustees (the "Board") has the authority to establish and operate municipal utilities serving the Town of Lyons (the "Town") and pass rates, rules, and regulations governing the operation of those municipal utilities; and

WHEREAS, pursuant to that power the Board previously enacted Article 4, Chapter 13, of the Lyons Municipal Code ("LMC") entitled "Water Service" establishing a water utility; and

WHEREAS, Board also previously enacted Article 14, Chapter 17, of the Lyons LMC entitled "Dedication and Fees Requirement"; and

WHEREAS, pursuant to LMC Section 17-14-20 specifically, water rights are required to be dedicated upon subdivision; and

WHEREAS, on June 20, 2022, the Board approved the subdivision of 423 Reese St.; and

WHEREAS, as a condition of approval of the subdivision, the Board required the Applicant of the subdivision to apply for a waiver of the water rights dedication requirement of LMC Section 17-14-20; and

WHEREAS, the Applicant has requested a waiver of the requirements of LMC Section 17-14-20 as it pertains to the 423 Reese Subdivision; and

WHEREAS, pursuant to LMC Sections 17-14-10 (d) and 17-14-20, the Board may waive the number of water rights required to be dedicated to the Town upon subdivision; and

WHEREAS, the Applicant has demonstrated that the subdivision of 423 Reese St. will not result in additional water use; and

WHEREAS, the Board finds good cause to waive the water rights dedication requirement for the 423 Reese St. Subdivision.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS THAT:

Section 1. The above recitals are hereby incorporated by reference.

Section 2. The Board hereby waives the water dedication required for the subdivision of 423 Reese St. as conditionally approved on June 20, 2022.

Section 3. This resolution shall take effect upon adoption.

ADOPTED THIS 18th DAY OF July 2022.

TOWN OF LYONS, COLORADO

Hollie Rogin, Mayor

ATTEST:

Dolores Vasquez, MMC – Town Clerk