

**Town of Lyons, Colorado
Board of Trustees
BOT Agenda Cover Sheet
Agenda Item No: IX. 1.
Meeting Date: 3 Apr 2023**

TO: **Mayor Rogin and Members of Board of Trustees**

FROM: **Aaron Caplan, Engineering, Building & Utilities Director**

DATE: **28 Mar 2023**

ITEM: **Resolution 2023-13, a Resolution of the Town of Lyons, Colorado
Approving a Temporary Construction Access Easement and Grading
Agreement with Lyons Valley Town Homes LP**

 X ORDINANCE
MOTION / RESOLUTION
INFORMATION

- I. **REQUEST OR ISSUE:** Staff feels the Town should have an easement agreement for work to be done by Lyons Valley Town Homes on a Town owned parcel.
- II. **RECOMMENDED ACTION / NEXT STEP:** Approve Resolution 2023-13
- III. **FISCAL IMPACTS:** The Town will be paid \$1.00.
- IV. **BACKGROUND INFORMATION:** Lyons Valley Townhomes has realized the grading of some of their lots to the slope required by their development agreement will require grading a portion of Town property. The Town has requested the hillside be graded to a specific slope. In order to meet this slope the grading will need to occur various distances into Town property most of which will be under 10 feet. One location may be graded as much as 25 feet.

Included is a map showing the Town property location and a markup in red of the approximate location of the grading. Note that the mapping used by Boulder County property records is not perfect. The grading will not come within 20 feet of the South Ledge Ditch, an irrigation ditch in the area. The ditch company has been advised of the work.

The resolution has been modified to include an indemnification clause for the Town.

- V. **LEGAL ISSUES:** None
- VI. **CONFLICTS OR ENVIRONMENTAL ISSUES:** None
- VII. **SUMMARY AND ALTERNATIVES:**
 - Approve Resolution 2023-13
 - Request additional information on the Easement Agreement
 - Deny Resolution 2023-13



