

TOWN OF NEW CASTLE, COLORADO
RESOLUTION NO. TC 2011-19

A RESOLUTION OF THE TOWN COUNCIL FOR THE TOWN OF NEW CASTLE, COLORADO, CONDITIONALLY APPROVING AN EXTENSION OF AUTHORIZATION TO KEEP AND OPERATE A TEMPORARY CLUBHOUSE PURSUANT TO THE CONDITIONAL USE AGREEMENT FOR LAKOTA CANYON GOLF CLUB.

WHEREAS, by Town of New Castle Resolution No. TC 2003-2, the Town Council conditionally approved a conditional use permit application for the construction and operation of a golf course and associated structures on Parcels A-1 and A-2 of Lakota Canyon Ranch; and

WHEREAS, approval of such conditional use permit is subject to the Conditional Use Agreement for Lakota Canyon Golf Club attached as Exhibit B to Resolution No. TC 2003-2; and

WHEREAS, paragraph 5 of the Conditional Use Agreement authorizes Lakota Canyon Golf Company to locate and operate a temporary clubhouse on the site “for up to three (3) years after initial placement.” The owner may request an extension of use of the temporary clubhouse by submitting a “written request to the town Council explaining the reasons for enlargement of the temporary time period, and if the request is granted the Town Council may impose additional terms or conditions on the continued use of the temporary clubhouse”; and

WHEREAS, the Town Council extended the existing conditional use permit until November 1, 2011; and

WHEREAS, by letter dated October 28, 2011, Cordes & Company, the court-appointed receiver for Lakota Canyon Golf Company, LLC, submitted a written request to the Town Council to extend owner’s authorization to use the temporary clubhouse until November 1, 2012; and

WHEREAS, by this Resolution, the New Castle Town Council desires to approve Lakota Canyon Golf Company’s request for extension.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF NEW CASTLE, COLORADO:

1. Incorporation of Recitals. The foregoing Recitals are incorporated herein as findings and determinations of the Town Council.

2. Extension of Authorization to Keep and Operate Temporary Clubhouse. The Town Council of the Town of New Castle hereby extends the authorization for Lakota

Canyon Golf Company to keep and operate a temporary clubhouse, as provided in paragraph 5 of the Conditional Use Agreement, until November 1, 2012.

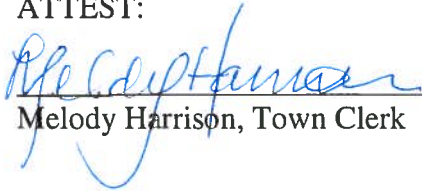
THIS RESOLUTION was adopted by the New Castle Town Council by a vote of 7 to 0 on the 1st day of November, 2011.

NEW CASTLE TOWN COUNCIL



Frank Breslin, Mayor

ATTEST:


Melody Harrison, Town Clerk