

**TOWN COUNCIL
TOWN OF GYPSUM, STATE OF COLORADO**

RESOLUTION NO. 03 (SERIES 2026)

**A RESOLUTION OF THE TOWN OF GYPSUM EXTENDING THE TIME
PERIOD TO RECORD THE VILLAGE PHASE 2 FINAL PLAT AND UPDATE
TO THE CONDITIONS OF APPROVAL**

A. The Town of Gypsum, Colorado ("Town"), is a home rule municipality of the State of Colorado, duly organized and existing under Article XX of the Colorado Constitution and the Gypsum Home Rule Charter effective October 21, 1982. The Town has the power and authority to adopt regulations regarding the subdivision of land and to enjoin any such subdivision which does not comply with such regulations pursuant to Sections 31-23-214 and 31-23-216, C.R.S.

B. The Town Council of the Town ("Council") has adopted Titles 17 and 18 of the Gypsum Municipal Code (G.M.C.) governing the subdivision and regulation of land. Pursuant to Sections 17.20.050 and 18.08.170, G.M.C., final plats for a planned unit development (PUD) shall be considered at a Gypsum Planning and Zoning Commission ("Planning Commission") meeting and recommendations as a result of this review will be made to the Council who may approve, deny, or approve the application with conditions.

C. The Council approved Resolution No. 21 (Series 2025) on October 14, 2025, approving The Village Phase 2 Final Plat PUD (the "Final Plat") and the First Amendment to Subdivision Improvement Agreement (SIA) for Village at Buckhorn Valley Subdivision (the "SIA Amendment"). Resolution No. 21 (Series 2025) conditioned approval on certain conditions, including payment to the Town of certain fees and recording of the Final Plat within ninety days of approval.

D. BV FIREWHEEL, LLC is the owner (the "Owner") of the land subject to the Final Plat. The Owner has requested a one hundred (120) day extension to the condition of approval to record the Final Plat within 90 days of approval.

E. Due to delay in recording the Final Plat, the fees stated in Resolution No. 21 (Series 2025) shall be adjusted to the amounts required at the time of recording of Final Plat.

F. The Council has considered the requirements of Section 17.20.050, G.M.C., including (1) the comments and recommendations of Town staff, (2) comments of the general public, and (3) impacts on adjoining areas and the Town as a whole. The Town Council has determined that it is in the best interests of the Town to grant an extension of the time period to record the Final Plat, on the conditions stated herein.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF GYPSUM, COLORADO, as follows:

Section 1 - Incorporation of Recitals. The above recitals are hereby incorporated into this Resolution.

Section 2 – Extension of Conditional Approval of Subdivision Improvement Agreement and Final Plat. The conditional approval of the SIA Amendment and Final Plat of Buckhorn Valley PUD: The Village Phase 2, being a Resubdivision of Amended Parcel L2 of Buckhorn Valley P.U.D. the Village Phase 1, as approved by Resolution No. 21 (Series 2025) is hereby extended on the conditions set forth in this Resolution. Except as expressly provided herein, all conditions of approval stated Resolution No. 21 (Series 2025) remain in full force and effect.

Section 3 - Conditions. The extension of the time period for recording of the Final Plat is conditioned on the following:

- a) Recording of the plat no later than one hundred and twenty (120) days effective date hereof, and the completion of the following requirements:
 - 1) Satisfaction of the conditions of approval stated in Resolution No. 21 (Series 2025), except as modified herein.
 - 2) Payment to the Town of all fees required by Resolution No. 21 (Series 2025), the respective amounts being recalculated at the time of payment.

Section 4 - Recording of Final Plat. The Final Plat and the SIA Amendment shall be recorded only after all conditions set forth in Section 3 herein, and also those set forth in Resolution No. 21 (Series 2025), as modified herein, are satisfied.

Section 5 - Effective Date. This Resolution shall become effective and be in force immediately upon approval.

Section 6 - Severability. If any portion of this Resolution is found to be void or ineffective, it shall be deemed severed from this Resolution and the remaining provisions shall remain valid and in full force and effect.