

**RESOLUTION**

**BOARD COUNTY COMMISSIONERS  
OURAY COUNTY**

**RE: Fairway Pines Estate PUD Revocation**

**WHEREAS**, a public hearing was held by the Ouray County Board of County Commissioners (“BOCC”) during a regular meeting on the 7<sup>th</sup> day of March, 2005 regarding the revocation of the Fairway Pines Estates Planned Unit Development (“Development”); and

**WHEREAS**, Centex Destination Properties (“Centex”), a subsidiary of Centex Homes Corporation, testified at the public hearing that it had entered into a written contract for the purchase of Development lots for which final plat approval had not been obtained; and

**WHEREAS**, the BOCC heard testimony from a number of residents of the Development that they supported providing the opportunity to Centex to explore its options for development; and

**WHEREAS**, the BOCC is ready to take action regarding the revocation of the Fairway Pines Estates Planned Unit Development.

**NOW, THEREFORE, BE IT RESOLVED**, that based upon the foregoing, the BOCC has determined that, in the best interests of the residents and property owners of Fairway Pines Estates Planned Unit Development, it will not revoke the Fairway Pines Planned Unit Development at this particular time contingent upon all of the following:

1. Centex will properly submit to the Ouray County Land Use Department a complete application for an amended Planned Unit Development for Fairway Pines Estates Planned Unit Development on or before July 8, 2005.

2. Approval of the amended Planned Unit Development submitted by Centex is obtained as required in Section 6.13 of the Ouray County Land Use Code, as amended from time to time.

3. In the event that Centex determines not to proceed with the development of the Fairway Pines Estates Planned Unit Development, Centex will notify the County in writing within ten (10) days of such determination.

4. In the event that the conditions provided in paragraphs 1 and 2 hereinabove are not met or that Centex determines not to proceed with the development of the Fairway Pines Estates Planned Unit Development, Ouray County shall set a hearing as meeting schedules allow, but in no case more than forty-five (45) days, upon the matter of revocation of the Planned Unit Development plan for lots lacking final plat approval based upon facts and conditions existing prior to the date of this Resolution.

**Resolution No. 2005-015**

Adopted this \_\_\_\_\_ day of March, 2005.

BOARD OF COUNTY COMMISSIONERS  
OF OURAY COUNTY, COLORADO

\_\_\_\_\_  
Don Batchelder, Chairman

\_\_\_\_\_  
Michelle Nauer, Clerk and Recorder

\_\_\_\_\_  
Tom Hollenbeck, Vice-Chairman

By: \_\_\_\_\_  
Linda Munson-Haley,  
Deputy Clerk of the Board

\_\_\_\_\_  
Heidi Albritton, Member