

RESOLUTION No. 2006-026

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO TO EXTEND THE DEADLINE SET FORTH IN RESOLUTION 2005-022 REGARDING REVOCATION OF APPROVALS FOR THE FAIRWAY PINES PLANNED UNIT DEVELOPMENT

WHEREAS, the Board of County Commissioners of Ouray County (“Board”) has previously adopted Resolution 2005-022 pursuant to which the Board had set a deadline of May 1, 2006 for an application to be filed for an amended Planned Unit Development of Fairway Pines Estates; and

WHEREAS, the Board has received a request from Fairway Pines Management Company, Inc. to extend such deadline to September 1, 2006 in order to allow a purchaser of properties included within the Fairway Pines Estates Planned Unit Development time to close and submit an application for an amended Planned Unit Development to Ouray County; and

WHEREAS, the Board received a letter of support for such extension from the Fairway Pines Property Owners Association Board; and

WHEREAS, the Board considered the request from Fairway Pines Management Company, Inc. at its regularly schedule meeting on March 27, 2006;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLROADO, AS FOLLOWS:

1. An extension of the May 1, 2006 deadline to September 1, 2006 is approved contingent upon the actual closing (defined as all appropriate deeds having been recorded in the office of the Ouray County Clerk and Recorder and funds disbursed), on or before May 1, 2006, of the properties included within the Fairway Pines Estates Planned Unit Development between Fairway Pines Management Company, Inc. and/or Fairway Pines Development and/or Jim Willey purchaser or its assignee.
2. Should the closing, as defined above, not occur on or before May 1, 2006, the extension to September 1, 2006 shall be of no force or effect and the Board shall schedule a public hearing to determine the revocation of the Planned Unit Development Plan for Fairway Pines Estates PUD.
3. If the closing, as defined in paragraph 1 above does occur on or before May 1, 2006, the purchaser of the Fairway Pines properties shall submit its preliminary plan application for an amendment to the Fairway Pines Estates PUD on or before September 1, 2006, including evidence that all necessary approvals of two-thirds of the Fairway Pines Estates property owners has been obtained. Should the purchaser fail to submit its application as described by September 1, 2006, then the Board shall, at its next regularly scheduled meeting after September 1, 2006, set a date for conducting a public hearing to consider the revocation of the PUD approval for Fairway Pines Estates.

APPROVED AND ADOPTED THIS 3rd DAY OF APRIL, 2006.

Board of County Commissioners of
Ouray County, Colorado

Heidi Albritton, Chair

Don Batchelder, Vice-Chair

Kristi R. Westfall, Commissioner Member

ATTEST:

Michelle Nauer
Ouray County Clerk and Recorder
By: Linda Munson-Haley,
Deputy Clerk of the Board