

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF OURAY COUNTY, COLORADO
FOR FINAL PLAT APPROVAL FOR THE
FISHER CANYON NORTH PUD**

WHEREAS, Fisher Creek Canyon Partners, Ltd. and Eric M. Lederer and Janet L. Lederer (“Applicant”) have filed an application for final plat approval of the Fisher Canyon North PUD (“Application”); and

WHEREAS, the Board of County Commissioners of Ouray County, Colorado (“Board”) heard comments on the Application and the Applicant’s request for Final Plat Approval at its regularly scheduled and noticed meeting on November 13, 2006; and

WHEREAS, based upon the Application, supporting materials, Staff Report and comments, the Board has determined that the Applicant has substantially complied with the requirements of the Ouray County Land Use Code (“LUC”) at Section 6.10 (D) (9) and the conditions set forth in Resolution 2006-055 for the approval of the Fisher Canyon North PUD and otherwise complied with the applicable provisions of the LUC for approval of the Final Plat for Fisher Canyon North PUD;

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

1. The Final Plat for the Fisher Canyon North PUD is approved, subject to the following conditions which shall be completed prior to recording the Final Plat:
 - a. The Applicant shall execute the Final Improvements Agreement, including the escrow of funds required to complete certain work at Fisher Canyon North PUD, in a form approved by the Ouray County Attorney.
 - b. The Applicant shall complete the grading of all of the disturbed areas as soon as practicable and no later than December 1, 2007.
 - c. The Applicant shall complete the shoulders and remove rock piles and stacked timber located along North Canyon Point as soon as practicable and no later than December 1, 2007.
 - d. The Applicant shall comply with the revegetation plan prepared by the Ouray County Weed Coordinator and attached as Exhibit “A” and shall satisfactorily complete revegetation of the disturbed area as shown on the attached Exhibit “B”. Such revegetation shall be completed as soon as possible, however, no later than December 1, 2007.

e. The Applicant shall supply a cash bond, to be held by Ouray County pursuant to the terms of the Final Improvement Agreement, in the amount of \$5000.00 in order to ensure the Applicant's completion of items b. and c. above. The bond amount shall be confirmed by the Ouray County Road and Bridge Superintendent prior to execution of the Final Improvements Agreement. Such bond shall be held by Ouray County until such time as the Ouray County Road and Bridge Superintendent certifies that all of the work described in items b. and c. have been satisfactorily completed and that the bond may be released.

f. The Applicant shall supply a cash bond, to be held by Ouray County pursuant to the terms of the Final Improvement Agreement, in the amount of \$3000.00 in order to ensure the completion of the work required in item d. above. The bond amount shall be confirmed by the Ouray County Weed Coordinator prior to execution of the Final Improvements Agreement. Such bond shall be held by Ouray County until such time as the Ouray County Weed Coordinator certifies that the revegetation plan has been satisfactorily completed and that the bond may be released.

2. The Applicant's bond in the amount of \$22,591.60 shall be released; however, Ouray County shall retain \$8,000.00 of such bond, representing the amount of the bonds set forth in paragraphs 1. e and f above.

APPROVED AND ADOPTED THIS ____ DAY OF NOVEMBER 2006,
RATIFYING ACTION TAKEN ON NOVEMBER 13, 2006.

Board of County Commissioners of
Ouray County, Colorado

Heidi M. Albritton, Chair

Don Batchelder

Kristi R. Westfall

ATTEST:

Michelle Nauer
Ouray County Clerk and Recorder