

**A RESOLUTION OF THE
BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO
FOR PRELIMINARY AND FINAL APPROVAL OF THE
CORAL BELL ESTATES PUD**

WHEREAS, LK Enterprise, LLC (“Applicant”) has filed an application for Preliminary Plan/Plat and Final Development Plan approval of the Coral Bell Estates PUD (“Application”) located on a 40.32-acre parcel of property located at 2551 Coral Bell Drive (“Property”);

WHEREAS, the Board of County Commissioners of Ouray County, Colorado (“Board”) heard comments on the Application and the Applicant’s request for Preliminary Development Plan Approval and Final Development Plan Approval at its regularly scheduled and noticed meeting on June 25, 2007; and

WHEREAS, the Board has reviewed the Application and supporting materials, Staff Report and various other information supplied to the Board regarding the Application; and

WHEREAS, based upon the Application, supporting materials, Staff Report and public comments, the Board has determined that the Application meets the conditions and criteria as set forth in the Ouray County Land Use Code (“LUC”) at Section 6.10 (C)(6)(g) and Section 6.10 (D)(9) of the LUC and otherwise complies with the applicable provisions of the LUC for approval of the Preliminary Development Plan/Plat and Final Development Plan approval for Coral Bell Estates PUD; and

WHEREAS, the Board reviewed and approved the PUD Agreement and the Final Development Agreement to be executed by the Applicant;

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

1. The Preliminary Development Plan/Plat and the Final Development Plan for the Coral Bell Estates PUD are approved, subject to the following conditions:
 - a. All road improvements shall be referenced in the PUD agreement and shall be completed per the final development plan construction drawings prepared by John Peters & Associates dated March 1, 2007 with the exception of the paving shown on the internal roadway. The Ouray County Engineer and the Ouray County Road and Bridge Superintendent shall approve any modifications to the approved design drawings during the construction of the PUD infrastructure.
 - b. Prior to recording the final plat, the Applicant shall remove the existing fence from Applicant’s Property that encroaches in the thirty-foot right-of-way dedication on Coral Bell Drive.
 - c. The Ouray County Attorney shall review and approve the final plat prior to recording.
 - d. The Ouray County Attorney shall review and approve the proposed covenants prior to recording.
 - e. The Applicant shall provide a copy of the title policy to the Ouray County Attorney within ten days of approval.

- f. Prior to final plat recording the Applicant shall obtain approval for the mail delivery facilities to serve the Property from the U.S. Postal Service and the Ouray County Road and Bridge Superintendent and Applicant shall provide written evidence of such approvals to the Land Use Administrator.
- g. Prior to recording the final plat, the Applicant shall receive approval from the Ouray County Road and Bridge Department for all road names to be shown on the plat.
- h. Note 2 in the dedication on the final plat shall be changed to show that the open space/non-buildable parcels shall not be sold, subdivided, developed or improved.
- i. Prior to construction of all required improvements as set forth in the PUD Agreement, the Applicant shall obtain a PUD Construction Permit. The application for the construction permit shall include construction plans and drawings for all required improvements and shall meet all of the requirements of Section 6.10 D (8).
- j. Prior to final plat recording, the Applicant shall purchase and install, according to Ouray County standards, appropriate speed limit sign(s) on Coral Bell Drive posting the speed limit at 20 mph.
- k. Prior to any work being commenced on the Property, the Applicant shall sign the approved PUD Agreement and such PUD Agreement must be signed by the Applicant on or before July 25, 2007.
- l. Prior to any work being commenced on the Property, the Applicant shall sign the Final Development Agreement and shall submit the approved Performance Bond in the amount of \$21,985.30.
- m. Prior to final plat recording, the Applicant shall supply evidence to the Ouray County Land Use Administrator of the purchase of Tri-County water taps for each lot.
- n. Prior to final plat recording, all subdivision monumentation shall be set, as required by Section 7.2 L of the Ouray County Land Use Code.
- o. Prior to final plat recording, all street signs and traffic control devices, as required by Sections 7.2K and 7.3 B(13) and 23.2W shall be installed by the Applicant in accordance with Ouray County standards and such installation shall be approved by the Ouray county Road and Bridge Superintendent.
- p. Prior to final plat recording, the Applicant shall enter into an agreement with the Board for the revegetation of the Property, including an appropriate bond, cash deposit or letter of credit in an amount recommended by the Ouray County Weed Coordinator as security for the revegetation of the Property and all other disturbed areas (along Coral Bell Drive and at the intersection with CR 22). The security shall remain in place for at least three years from approval of the revegetation agreement.
- q. Prior to recording of the final plat, all requirements of Section 6.10 D (8) and 6.10 D (9) shall have been met.

2. Once all conditions of the Preliminary Plan and Final Development Plan approval have been met and appropriate certifications have been received from the Ouray County Land Use Administrator, Ouray County Attorney and the Ouray County Road and Bridge Superintendent, the Applicant shall submit its Final Plat for approval by the Board.

APPROVED AND ADOPTED THIS ____ DAY OF JULY 2007, RATIFYING ACTION TAKEN ON JUNE 25, 2007.

BOARD OF COUNTY COMMISSIONERS
OF OURAY COUNTY, COLORADO

Attest:

Don Batchelder, Chair

Heidi M. Albritton, Vice Chair

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

K. Keith Meinert, Commissioner Member