



BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO
RESOLUTION NO. 19, SERIES 2011

A RESOLUTION REAPPROVING THE FINAL PLAN OF LAND USE CHANGE APPLICATION
NO. 2005-73 A LAND USE CHANGE PERMIT FOR VERZUH RANCH INC. FOR THE
SHADY ISLAND SUBDIVISION

WHEREAS, Verzuh Ranch, Inc. has applied for a Gunnison County Land Use Change Permit to subdivide a 10.36-acre parcel into sixteen single-family residential lots and common open space area of 4.74 acres on a parcel legally described as the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 24, Township 50 North, Range 1 West, N.M.P.M.; and

WHEREAS, after a review of the application and all information, documentation and testimony related to it, the Gunnison County Planning Commission did, on April 4, 2008 forward to the Board of County Commissioners of the County of Gunnison, Colorado (herein the "Board") a Recommendation of approval of the Preliminary Plan application with certain Findings and Conditions and whereas on April 15, 2008 the Board did approve with certain Findings and Conditions the Shady Island Preliminary Plan;

WHEREAS, the Board approved the Final Plan of Land Use Change Application No. 2005-73 on May 20, 2008, which final approval was recorded in the office of the Gunnison County Clerk & Recorder on May 21, 2008, at Reception No. 584019; and

WHEREAS, the Board and Verzuh Ranch, Inc. entered into that certain Settlement Agreement on May 3, 2011 which satisfies certain conditions of the aforementioned approval and contemplates the reapproval of said land use change;

FINDINGS AND CONDITIONS:

1. The findings and conditions set forth in **RESOLUTION REAPPROVING THE FINAL PLAN OF LAND USE CHANGE APPLICATION NO. 2005-73 A LAND USE CHANGE PERMIT FOR VERZUH RANCH INC. FOR THE SHADY ISLAND SUBDIVISION**, except as modified or otherwise set forth in that certain Settlement Agreement between the Board and Verzuh Ranch, Inc., dated May 3, 2011 are incorporated herein.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado, that the Final Plan for Land Use Change application No. 2005-73 is hereby reapproved; and

WHEREAS, THIS APPROVAL is affected noting that decision documentation includes, but is not limited to the application and the entire Planning Department Land Use Change Permit No: 2005-73 application file. This reapproval is founded on each individual finding and requirement, except as modified or otherwise set forth in that certain Settlement Agreement between Gunnison County and Verzuh Ranch, Inc. dated May 3, 2011. Should Verzuh Ranch, Inc. successfully challenge any such finding or requirement, this approval is null and void.

THIS RESOLUTION AND THE APPROVAL GRANTED HEREBY shall not be effective unless and until a copy is recorded in the Office of the Clerk and Recorder of Gunnison County, Colorado.

INTRODUCED by Commissioner Swenson, seconded by Commissioner Channell, and passed on this 3rd day of May, 2011

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

Hap Channell
Hap Channell,
Chairperson

Paula Swenson
Paula Swenson,
Vice Chairperson

Phil Chamberland
Phil Chamberland,
Commissioner

ATTEST:

[Signature]
Deputy County Clerk

