

No fee

PARK COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS

Resolution No. 2016- 33

Debra A Green
Park County Clerk

A RESOLUTION APPROVING THE REZONING FROM PLANNED UNIT DEVELOPMENT (PUD) TO RESIDENTIAL (R) AND COMMERCIAL (C) FOR FOUR PARCELS OF LAND LOCATED IN PARTS OF SECTIONS 1, 2, 11 AND 12, TOWNSHIP 7 SOUTH, RANGE 72 WEST, OF THE 6TH P.M..

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8/4/2016 11:14 AM
RESOL R\$0.00 DS0.00

WHEREAS, the Applicant, Park County Administration, has applied to rezone the property described in Exhibit A hereto from Planned Unit Development (PUD) to Residential (R), except that the legal description described as Exhibit B shall be rezoned to Commercial (C); and

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WHEREAS, at a regularly scheduled public meeting of the Park County Board of County Commissioners, preceded by the required public notice, the Board of County Commissioners conducted a public hearing on the application for rezoning at which it reviewed the application and all supporting documentation, the recommendations of the Planning Department and the Park County Planning Commission, and considered the testimony of the Applicant and patrons; and

WHEREAS, based on the testimony and evidence presented at the public hearing the Board of County Commissioner determines and finds that compliance with the standards for approval of a rezoning set forth in Section 5-203 of the Park County Land Use Regulations has been demonstrated by clear and convincing evidence.

NOW THEREFORE, BE IT RESOLVED THAT:

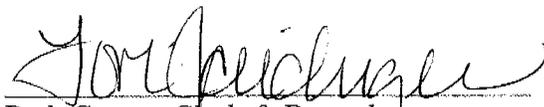
The application to rezone the above-described real property from Planned Unit Development (PUD) to Residential (R) and Commercial (C) is approved.

Moved, seconded, and passed this 4th day of August, 2016.

PARK COUNTY BOARD OF COUNTY COMMISSIONERS


Richard F. Hodges, Acting Chair

ATTEST:


Park County Clerk & Recorder
Deputy



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8/4/2016 11:14 AM
RESOL. R\$0.00 D\$0.00

Debra A Green
Park County Clerk

EXHIBIT A

PARCEL A:

A TRACT OF LAND LYING IN THE SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 7 SOUTH, RANGE 72 WEST OF THE 6TH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST ONE-QUARTER CORNER OF SAID SECTION 1; THENCE NORTH 86 DEGREES 59 MINUTES 47 SECONDS EAST, 2626.38 FEET, ALONG THE NORTH LINE OF SAID SOUTHWEST 1/4 TO THE CENTER OF SAID SECTION 1;
THENCE SOUTH 01 DEGREES 35 MINUTES 50 SECONDS WEST, 1762.94 FEET ALONG THE EAST LINE OF SAID SOUTHWEST 1/4 TO POINT ON A CURVE ON THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 285; THENCE 195.02 FEET ALONG SAID RIGHT-OF-WAY LINE AND ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 10 DEGREES 40 MINUTES 57 SECONDS, AND A RADIUS OF 1046.00 FEET AND WHOSE CHORD BEARS SOUTH 70 DEGREES 15 MINUTES 11 SECONDS WEST, 194.74 FEET; THENCE SOUTH 80 DEGREES 39 MINUTES 10 SECONDS WEST, 286.70 FEET ALONG SAID RIGHT-OF-WAY LINE; THENCE SOUTH 83 DEGREES 05 MINUTES 40 SECONDS WEST, 970.30 FEET ALONG SAID RIGHT-OF-WAY LINE; THENCE SOUTH 80 DEGREES 22 MINUTES 40 SECONDS WEST, 413.60 FEET ALONG SAID RIGHT-OF-WAY LINE TO A POINT ON CURVE; THENCE 419.77 FEET ALONG SAID RIGHT-OF-WAY LINE AND ALONG THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 15 DEGREES 41 MINUTES 39 SECONDS, AND A RADIUS OF 1532.50 FEET AND WHOSE CHORD BEARS SOUTH 67 DEGREES 14 MINUTES 51 SECONDS WEST, 418.46 FEET; THENCE SOUTH 70 DEGREES 23 MINUTES 55 SECONDS WEST, 50.32 FEET; THENCE NORTH 10 DEGREES 02 MINUTES 00 SECONDS WEST, 1040.00 FEET; THENCE NORTH 88 DEGREES 22 MINUTES 21 SECONDS WEST, 143.73 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 1; THENCE NORTH 01 DEGREES 09 MINUTES 42 SECONDS EAST, 1073.56 FEET, MORE OR LESS, ALONG SAID WEST LINE OF THE WEST ONE-QUARTER CORNER OF SAID SECTION 1 AND POINT OF BEGINNING.

EXCEPT THAT PORTION THEREOF PLATTED AS WILL-O-WISP FILING NO. 1, AND EXCEPT THAT PORTION CONVEYED IN DEED RECORDED FEBRUARY 25, 2000 AT RECEPTION NO. 521283, COUNTY OF PARK, STATE OF COLORADO.

PARCEL B:

A TRACT OF LAND LYING IN THE SOUTHWEST 1/4 OF SECTION 1 AND THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 7 SOUTH, RANGE 72 WEST OF THE 6TH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 1, SAID POINT ALSO BEING THE NORTH ONE-QUARTER CORNER OF SAID SECTION 12; THENCE SOUTH 00 DEGREES 58 MINUTES 05 SECONDS EAST, 1366.07 FEET ALONG THE EAST LINE OF SAID NORTHWEST 1/4 TO THE SOUTHEAST CORNER OF THE NORTH 1/2 NORTHWEST 1/4 OF SAID SECTION 12; THENCE SOUTH 86 DEGREES 19 MINUTES 27 SECONDS WEST, 2206.47 FEET ALONG THE SOUTH LINE OF SAID NORTH 1/2 NORTHWEST 1/4; THENCE NORTH 00 DEGREES 27 MINUTES 49 SECONDS WEST, 1681.20 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 285; THENCE 478.70 FEET ALONG SAID RIGHT-OF-WAY LINE AND ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A DELTA OF 20 DEGREES 35 MINUTES 00 SECONDS, AND A RADIUS OF 1332.50 FEET, WHOSE CHORD BEARS NORTH 64 DEGREES 48 MINUTES 10 SECONDS EAST, 476.13 FEET; THENCE NORTH 80 DEGREES 28 MINUTES 40 SECONDS EAST, 385.70 FEET ALONG SAID RIGHT-OF-WAY LINE; THENCE NORTH 83 DEGREES 05 MINUTES 40 SECONDS EAST, 387.85 FEET ALONG SAID RIGHT-OF-WAY LINE; THENCE 348.88 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A DELTA OF 25 DEGREES 37 MINUTES 39 SECONDS AND A RADIUS OF 780.00 FEET, WHOSE CHORD BEARS SOUTH 88 DEGREES 25 MINUTES 15 SECONDS EAST, 345.98 FEET; THENCE NORTH 78 DEGREES 45 MINUTES

55 SECONDS EAST, 680.35 FEET TO A POINT ON THE EAST LINE OF SAID SOUTHWEST 1/4; THENCE SOUTH 01 DEGREES 35 MINUTES 50 SECONDS WEST, 610.15 FEET, MORE OR LESS, ALONG SAID EAST LINE TO THE SOUTH ONE-QUARTER CORNER OF SECTION 1 AND POINT OF BEGINNING,

EXCEPT THAT PORTION CONVEYED TO WILL-O-WISP METROPOLITAN DISTRICT, RECORDED IN BOOK 491 AT PAGE 630, COUNTY OF PARK, STATE OF COLORADO.

PARCEL C:

A TRACT OF LAND LYING IN SECTIONS 1, 2, 11 AND 12, TOWNSHIP 7 SOUTH, RANGE 72 WEST OF THE 6TH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 NORTHEAST 1/4 OF SAID SECTION 11; THENCE NORTH 01 DEGREES 20 MINUTES 53 SECONDS WEST, 176.41 FEET ALONG THE WEST LINE OF SAID NORTHEAST 1/4 NORTHEAST 1/4, TO A POINT ON THE SOUTHERN RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 285; THENCE NORTH 48 DEGREES 52 MINUTES 40 SECONDS EAST, 243.22 FEET ALONG SAID RIGHT-OF-WAY LINE TO A POINT OF CURVE; THENCE 240.82 FEET ALONG SAID RIGHT-OF-WAY LINE AND ALONG THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 02 DEGREES 22 MINUTES 00 SECONDS, AND A RADIUS OF 5830.00 FEET TO A POINT OF TANGENCY; THENCE NORTH 46 DEGREES 30 MINUTES 40 SECONDS EAST, 360.13 FEET ALONG SAID RIGHT-OF-WAY LINE; THENCE NORTH 62 DEGREES 08 MINUTES 51 SECONDS EAST, 140.82 FEET TO A POINT OF CURVE; THENCE 370.47 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 43 DEGREES 19 MINUTES 09 SECONDS AND A RADIUS OF 490.00 FEET AND WHOSE CHORD BEARS NORTH 40 DEGREES 29 MINUTES 16 SECONDS EAST, 361.71 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 285; THENCE NORTH 46 DEGREES 30 MINUTES 40 SECONDS EAST, 541.45 FEET ALONG SAID RIGHT-OF-WAY LINE; THENCE NORTH 49 DEGREES 07 MINUTES 40 SECONDS EAST, 385.70 FEET ALONG SAID RIGHT-OF-WAY LINE; THENCE SOUTH 00 DEGREES 27 MINUTES 49 SECONDS EAST, 1681.20 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 1/2 NORTHWEST 1/4 OF SAID SECTION 12; THENCE SOUTH 86 DEGREES 19 MINUTES 27 SECONDS WEST, 365.00 FEET ALONG SAID SOUTH LINE TO THE SOUTHWEST CORNER OF SAID NORTH 1/2 NORTHWEST 1/4, ALSO BEING THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 NORTHEAST 1/4 OF SAID SECTION 11; THENCE SOUTH 89 DEGREES 40 MINUTES 04 SECONDS WEST, 1311.57 FEET, MORE OR LESS, ALONG THE SOUTH LINE OF SAID NORTHEAST 1/4 NORTHEAST 1/4 TO THE SOUTHWEST CORNER OF SAID NORTHEAST 1/4 NORTHEAST 1/4 AND THE POINT OF BEGINNING,

EXCEPT THAT PORTION THEREOF INCLUDED WITHIN THE BOUNDARIES OF WILL-O-WISP FILING NO. 1, COUNTY OF PARK, STATE OF COLORADO.

PARCEL D:

A PART OF THE EAST 1/2 OF SECTION 11, THE WEST 1/2 OF SECTION 12 AND THE NORTHWEST 1/4 OF SECTION 13, TOWNSHIP 7 SOUTH, RANGE 72 WEST OF THE 6TH PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 NORTHWEST 1/4 OF SAID SECTION 12; THENCE SOUTH 01 DEGREES 42 MINUTES 26 SECONDS EAST, 1343.8 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 00 DEGREES 08 MINUTES 21 SECONDS WEST, 1374.95 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 SOUTHWEST 1/4 OF SAID SECTION 12; THENCE SOUTH 00 DEGREES 15 MINUTES 14 SECONDS WEST, 1353.07 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST 1/4 NORTHWEST 1/4 OF SAID SECTION 13; THENCE SOUTH 02 DEGREES 09 MINUTES 23 SECONDS WEST ALONG THE EAST LINE OF SAID NORTHWEST 1/4 NORTHWEST 1/4, 654.08 FEET TO THE POINT OF INTERSECTION WITH THE FENCE LINE AGREED IN INSTRUMENT RECORDED IN BOOK 216 AT PAGE 235, TO BE THE BOUNDARY LINE BETWEEN THE PROPERTIES OF KEELING AND TIMMERMAN; THENCE WESTERLY ALONG AND CONFORMING TO SAID FENCE LINE, 1475.63 FEET TO THE SOUTHEAST CORNER OF TRACT 15, WILL-O-WISP

FILING NO. 1; THENCE ALONG THE EASTERLY BOUNDARY OF SAID SUBDIVISION, THE FOLLOWING COURSES AND DISTANCES:

DUE NORTH, 2692.09 FEET;
DUE WEST, 440 FEET;
NORTH 24 DEGREES 17 MINUTES 59 SECONDS WEST, 766.83 FEET;
NORTH 49 DEGREES 22 MINUTES 07 SECONDS WEST, 90 FEET;
THENCE NORTH 40 DEGREES 37 MINUTES 53 SECONDS EAST, 82.29 FEET, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 660 FEET AND A CENTRAL ANGLE OF 08 DEGREES 40 MINUTES 52 SECONDS, AN ARC DISTANCE OF 342.78 FEET;
NORTH 10 DEGREES 52 MINUTES 29 SECONDS EAST, 299.82 FEET;
SOUTH 79 DEGREES 07 MINUTES 31 SECONDS EAST, 100 FEET;
NORTH 47 DEGREES 37 MINUTES 15 SECONDS EAST, 437.57 FEET; AND
SOUTH 76 DEGREES 59 MINUTES 44 SECONDS EAST, 300 FEET TO A POINT ON THE WESTERLY LINE OF TRACT 3 IN SAID SUBDIVISION;
THENCE SOUTH 09 DEGREES 06 MINUTES 12 SECONDS EAST, 149.83 FEET;
THENCE DUE EAST 288.9 FEET;
THENCE DUE NORTH 488.66 FEET TO A POINT ON THE NORTH LINE OF SAID NORTHWEST 1/4 SOUTHWEST 1/4;
THENCE NORTH 86 DEGREES 19 MINUTES 27 SECONDS EAST, 1010.25 FEET TO THE POINT OF BEGINNING, COUNTY OF PARK, STATE OF COLORADO.

EXHIBIT B

Beginning at CDOT Project No. NH2854-088 Point No. 451, thence east along the southerly right-of-way line of Highway 285 to its intersection with the westerly right-of-way line of Wandcrest Park Drive;
Thence S31°24'01"E 46.17 feet;
Thence 85.68 feet along a curve with a radius of 150.00 feet, a tangent of 44.04 feet, a chord of 84.52 feet, and a bearing of N15°02'13"W;
Thence S01°19'34"W 460.70 feet;
Thence S88°40'26"E 35.00 feet;
Thence S01°19'34"W 212.60 feet;
Thence S02°59'07"W 214.78 feet;
Thence N83°17'14"W 381.23 feet;
Thence S57°08'12"W;
Thence 173.27 feet along a curve with a radius of 430.00 feet, a tangent of 87.83 feet, a chord of 172.10 feet, and a bearing of N40°47'11"W;
Thence N52°19'48"W 182.32 feet;
Thence S65°00'00"W 103.00 feet;
Thence N28°44'32"W 441.48 feet;
Thence N68°14'54"W 339.00 feet;
Thence N02°00'39"E to a point on the southerly right-of-way line of Highway 285;
Thence east along said right-of-way line to the point of beginning.

Containing 23.7 acres, more or less.