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No fee

PARK COUNTY, COLORADO  
BOARD OF COUNTY COMMISSIONERS  
Resolution No. 2016-44

Debra A Green  
Park County Clerk

**A RESOLUTION APPROVING THE REZONING FROM PLANNED UNIT DEVELOPMENT (PUD) TO VARIOUS ZONE DISTRICTS FOR FOUR PARCELS OF LAND LOCATED IN THE NORTH ONE HALF OF SECTION 26, TOWNSHIP 7 SOUTH, RANGE 73 WEST, OF THE 6<sup>TH</sup> P.M. DESCRIBED IN EXHIBIT "A".**

WHEREAS, the Applicant, Park County, has applied to rezone the property described above from Planned Unit Development (PUD) to various zone districts; and

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 following properties, designated by Park County Assessor's Office Schedule Number, are rezoned as set forth below:

- #17605 is rezoned to Commercial (C)
- #16263 is rezoned to Agricultural Small Lot (A-35)
- #43772 is rezoned to Residential Estate (R-20)
- #18714 is rezoned to Residential (R)

Moved, seconded, and passed this 29<sup>th</sup> day of September, 2016.

**PARK COUNTY BOARD OF COUNTY COMMISSIONERS**

*Mike Brazell, Chairman*  
a.c. 11/10  
RICHARD J. [Signature]

ATTEST:

*Debra A Green*  
County Clerk



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728970 9/29/2016 11:23 AM  
1 of 4 RESOL RS0.00 DS0.00

EXHIBIT A

#17605 Legal Description:

A tract of land located in the NE/2 of Section 26, Township 7 South, Range 73 West of the 6th P.M., being more particularly described as follows:

Beginning at the NW corner of said Section 26,  
 Thence S 59°40'23" East for a distance of 2746.10 feet to the TRUE POINT OF BEGINNING;  
 Thence N 14°00'00" East for a distance of 352.79 feet, to a point on the Southerly boundary of Moore Dale Ranch Resort, Condominiums II;  
 Thence N 86°53'53" East along said Southerly boundary for a distance of 40.88 feet, to a point on the Easterly boundary of said Moore Dale Ranch Resort, Condominiums II;  
 Thence N 03°47'19" West along said Easterly boundary for a distance of 107.88 feet to a point on the Southerly boundary of Moore Dale Ranch Resort Condominiums;  
 Thence Easterly along said Southerly boundary for the following 2 courses:  
 N 78°10'06" East for a distance of 92.36 feet;  
 Thence N 83°46'25" East for a distance of 92.02 feet to a point on the Westerly right of way of an existing road;  
 Thence Southerly along said right of way for the following five courses:  
 S 06°53'45" West for a distance of 81.43 feet;  
 Thence S 45°48'18" West for a distance of 32.16 feet;  
 Thence S 10°38'19" West for a distance of 222.51 feet;  
 Thence S 02°21'41" East for a distance of 187.76 feet;  
 Thence S 00°59'19" West for a distance of 18.91 feet;  
 Thence N 78°34'46" West, leaving said right of way for a distance of 239.15 feet to the TRUE POINT OF BEGINNING,,

All bearings are referenced to the North line of said Section 26 as being N 89°21'07" West, with both corners being Government Brass Caps,

County of Park,  
State of Colorado

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EXHIBIT A (continued)

#16263 Legal Description:

A tract of land being a part of the NW $\frac{1}{4}$ , Section 26, Township 7 South, Range 73 West of the 6<sup>th</sup> P.M., lying southerly of U.S. Highway No. 285, being more particularly described as follows:

Beginning at the Northwest corner of said Section 26;

thence S 89°34'27" East along the North line, NW  $\frac{1}{4}$  Section 26, for a distance of 1171.77 feet to a point on the Southwesterly right of way of U.S. Highway No. 285;

thence to the left along the arc of a curve whose delta is 26°56'51" and whose radius is 1055.06 feet for a distance of 496.19 feet, to a point on the Westlly boundary of Moore Dale Ranch Resort Condominiums;

thence leaving said right of way of U.S. Highway 285 and along the Southwesterly boundary of said Moore Dale Ranch Resort Condominiums for the following 5 courses:

S 25°57'48" West, for a distance of 170.50 feet;

thence S 25°37'58" East, for a distance of 235.25 feet;

thence S 55°19'18" East, for a distance of 217.06 feet;

thence S 37°44'18" East, for a distance of 121.39 feet;

thence S 74°13'05" East, for a distance of 380.24 feet;

thence N 86°53'53" East, for a distance of 307.42 feet, the last 215.78 feet being along the South boundary of Moore Dale Ranch Resort Condominiums II;

thence S 14°00'00" West, for a distance of 332.79 feet;

thence S 78°34'46" East, for a distance of 239.15 feet;

thence N 00°59'19" East, for a distance of 13.91 feet;

thence N 02°21'43" West, for a distance of 187.76 feet;

thence N 10°38'19" East, for a distance of 222.51 feet;

thence N 45°48'18" East, for a distance of 22.16 feet;

thence N 06°53'45" East, for a distance of 81.43 feet;

thence N 83°46'25" East, for a distance of 65.82 feet;

thence S 17°35'18" West, for a distance of 131.38 feet;

thence S 10°35'18" West, for a distance of 212.00 feet;

thence S 02°24'42" East, for a distance of 182.68 feet;

thence S 00°56'18" West, for a distance of 31.32 feet;

thence S 21°05'17" West, for a distance of 212.38 feet;

thence N 03°52'14" East, for a distance of 79.79 feet;

thence N 78°34'46" West, for a distance of 1295.30 feet;

thence S 88°33'35" West, for a distance of 209.25 feet;

thence S 89°37'14" West, for a distance of 1015.50 feet;

thence S 00°09'46" East, for a distance of 243.00 feet;

thence N 64°54'46" West, for a distance of 89.50 feet;

thence N 89°45'47" West, for a distance of 14.00 to a point on the West line NW $\frac{1}{4}$ , Section 26;

thence N 00°27'44" West, for a distance of 204.29 feet;

thence N 00°09'46" West, for a distance of 1320.79 feet to the NW corner of said Section 26, to the Point of Beginning,

All bearings are referenced to the North line of said Section 26 as being S 89°21'07" East, both Section corners being Government brass caps, excepting those portions of the land conveyed in Deeds recorded November 9, 1992 in Book 465 at Page 39E, May 2, 1995 in Book 548 at Page 442 and February 19, 1997 at Reception No. 471265.

TOGETHER WITH a 16 foot wide non-exclusive R-O-W for ingress and egress over, across and on a portion of the North  $\frac{1}{4}$  of Section 26, Township 7 South, Range 73 West of the 6<sup>th</sup> P.M., County of Park, State of Colorado, said R-O-W being centered on the following calls:

Commencing at a point from which the Northwest corner of said Section 26 bears North 76°02'34" West, a distance of 1547.33 feet;

thence South 25°57'48" West, a distance of 138.57 feet to the True Point of Beginning;

thence South 40°47'46" East, a distance of 36.54 feet;

thence South 64°41'02" East, a distance of 103.95 feet;

thence South 56°00'42" East, a distance of 78.45 feet;

thence South 63°40'36" East, a distance of 137.29 feet;

thence South 48°05'12" East, a distance of 135.64 feet;

thence South 66°20'30" East, a distance of 206.27 feet;

thence North 12°00'45" East, a distance of 108.48 feet;

thence North 08°40'23" East, a distance of 73.37 feet;

thence North 02°44'15" East, a distance of 73.36 feet;

thence North 18°45'43" East, a distance of 22.47 feet, more or less, to a point on the Southerly right of way line of U.S. Highway No. 285, said Point being the terminus of R-O-W,

County of Park, State of Colorado

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### EXHIBIT A (continued)

#### #43772 Legal Description:

A TRACT OF LAND BEING A PART OF THE NORTH 1/2 SECTION 26, TOWNSHIP 7 SOUTH, RANGE 73 WEST OF THE 6TH P.M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 26  
THENCE SOUTH 89°34'27" EAST, 659.60 FEET;  
THENCE SOUTH 00°09'46" EAST, 1311.48 FEET;  
THENCE SOUTH 89°37'14" WEST, 563.55 FEET;  
THENCE SOUTH 00°09'46" EAST, 243.00 FEET;  
THENCE NORTH 64°54'46" WEST, 89.50 FEET;  
THENCE NORTH 89°45'47" WEST, 14.80 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 26;  
THENCE NORTH 00°27'44" WEST, 204.29 FEET;  
THENCE NORTH 00°09'46" WEST, 1320.79 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF SAID SECTION 26, THE POINT OF BEGINNING,  
COUNTY OF PARK, STATE OF COLORADO

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#### #18714 Legal Description

Beginning at the W 1/4 corner of Section 26,  
Township 7 South, Range 73 West of the 6<sup>th</sup> P.M., County of Park, State of Colorado;  
running thence S 88°50' E, 202 feet to the westerly bank of a stream;  
thence along this said stream, N 39°8' E, 444 feet;  
thence N 59°17' E, 195.2 feet;  
thence N 42°55' E, 67.8 feet;  
thence N 62°35' E, 55 feet to intersect the southwesterly right of way line of the present Shawnee-Bailey County Road;  
thence along said right of way on a curve to the right and curve to the left, 350 feet;  
thence N 70°35' W, 391 feet;  
thence N 63°20' W, 444.5 feet;  
thence N 88°11' W, 14 feet to intersect the west boundary line of said Section 26;  
thence along this said boundary line, S 1°25' W, 1113.5 feet to the Place of Beginning,

County of Park,  
State of Colorado.

together with any and all water rights appertenant thereto, if any