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FILED NO.95R-044

'95 MAY 22 A8:29

BARBARA REED

## **RESOLUTION NUMBER 95R-044**

RESOLUTION OF INTENT REGARDING THE CHANGE IN LAND USE FOR THE FRIEDA LAND DEVELOPMENT APN'S 25-020-03, -04, -05, -06, and -08

## **Preamble**

On February 16, 1995, the Douglas County Board of Commissioners conditionally approved a request for a zone change by Jesus and Mary Rey, Louis Bustanhoby, and John and Mary Rosegard, property owners for APN'S 25-020-03, -04, -05, -06, and -08, also known as the Frieda Lane Development, from A-4 (Farm, Forestry and Open Reserve) to E-1 (First Estates).

Douglas County Code requires that a resolution of intent to reclassify the property be adopted to include any condition, stipulation, or limitation which the Commission may feel necessary to require in the public interest as a prerequisite to a final action. Douglas County Code Section 17.12.070(3)(L) requires that in absence of a demonstration of appurtenant rights at the time of application for amendment is made, the requested amendment will be subject to a resolution of intent requiring water rights of acceptable character appurtenant to the proposed district be demonstrated prior to the amendment becoming effective.

Therefore, it is resolved that the described property as shown on the attachment marked "Exhibit 1", be reclassified from A-4 to E-1 with the following conditions:

- 1. The applicant shall demonstrate to the satisfaction of Douglas County and the Town of Minden that water rights of acceptable character appurtenant to the proposed district be demonstrated prior to the zone change becoming effective.
- 2. All property owners of the project site must jointly file and sign the tentative map application.

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3. The applicants must pay the fair share school mitigation fee for the project's impact to school facilities.

The fulfillment of the conditions by the applicant shall make this a binding resolution on the County Commission.

ADOPTED this 16th day of February 1995, by the following vote:

VAT	c.
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Ayes:

Commissioners

David Pumphrey

Jacques Etchegoyhen

Donald Miner

Robert Allgeier

Nays:

Commissioners

Barbara S. Smallwood

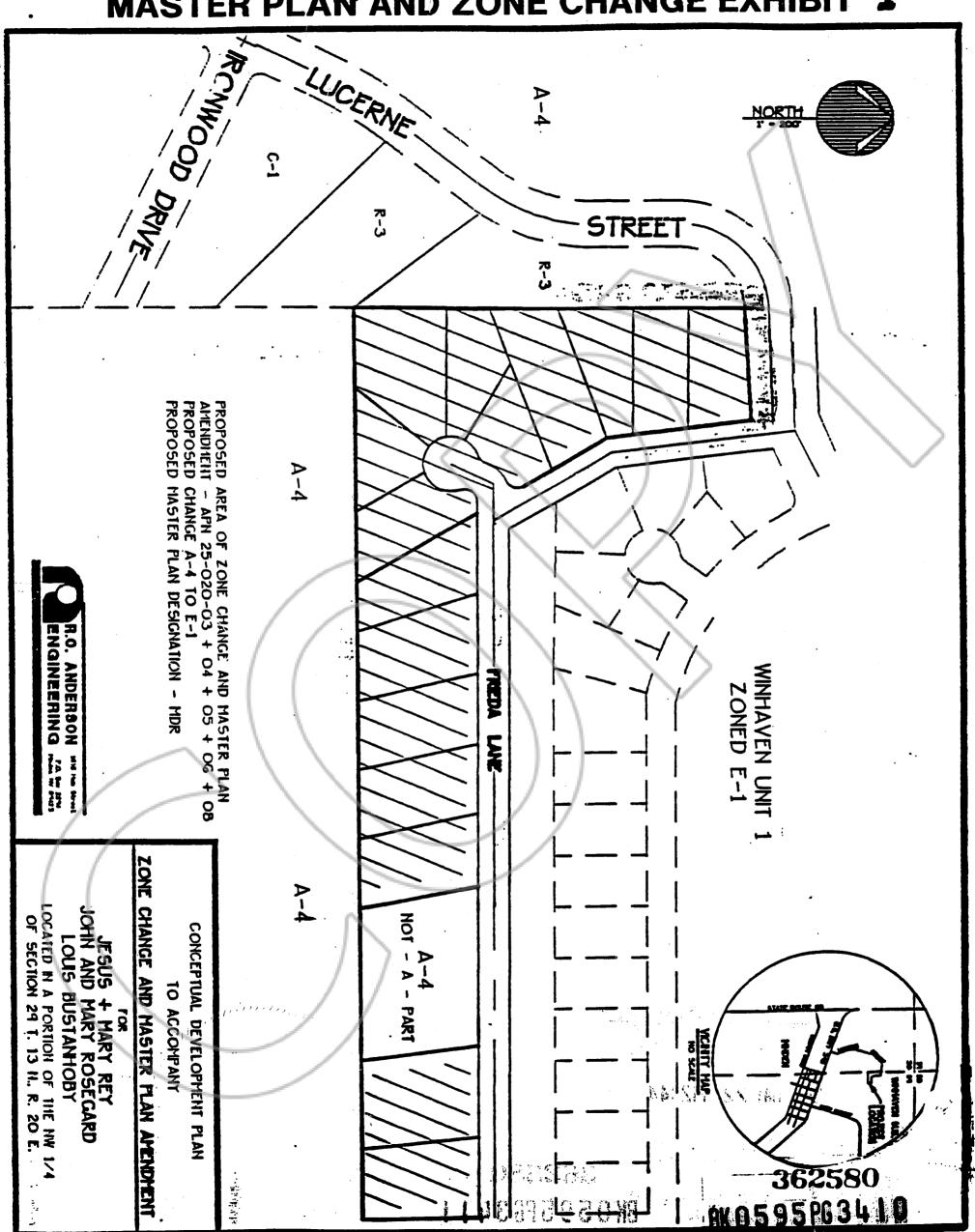
Robert Allgeier, Chairman

ATTEST:

Barbara J. Reed, Clerk

Deputy

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REQUESTED BY

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LINDA SLATER RECORDER

1 DEPUTY

## **CERTIFIED COPY**

The document to which this certificate is attached is a full, true and correct copy of the original on file and on record in my office.

DATE: State of Neys the Judicial District Court a, in and for the County of Douglas.