

PLAT APPROVAL (MINOR SUBDIVISION)

RESOLUTION NO. _____ It was moved by Commissioner _____ and duly seconded by Commissioner _____ to approve the Final Plat for Arcadia Creek Subdivision Filing No. 1, PM22-006, a minor subdivision. Said approval is subject to the applicant agreeing to adhere to any and all Arapahoe County staff recommendations and conditions of approval as set forth within the record and as determined by the Board on this date, including:

1. Prior to the signature of the final copy of these plans, the applicant will address all Public Works and Development Staff comments.
2. Prior to recording the final plat, the applicant shall pay a total cash-in-lieu fee of \$3,092.00. This cash-in-lieu fee shall be distributed as follows: Littleton School District: \$1,612.00; Public Parks: \$1,420.80; and Other Public Purposes: \$59.20.
3. The improvements to West Christensen Lane required to be constructed by the County Engineering Services Division and under County Standards or as approved by the Technical Review Committee for adequate access to the subdivision must be built within the surveyed bounds of the Lane as described in the Court Orders from *Jefferson Bank and Trust v. Russell, et al.*, Arapahoe County District Court Case No. 92CV2564 and in *Arcadia Creek LLC v. Absher, et al.*, Arapahoe County District Court Case No. 2019CV31104, recognizing multiple rights of egress and ingress, and shall be constructed so as not to interfere with the use of existing recorded easements across, along or within West Christensen Lane.
4. Applicant shall develop a common maintenance agreement or otherwise provide for an agreed maintenance plan, as contemplated and required under the Arapahoe County Infrastructure Design and Construction Standards for private roads, with Fox Hollow HOA holding rights of egress and ingress under the Court Order in *Jefferson Bank and Trust v. Russell, et al.*, Arapahoe County District Court Case No. 92CV2564. No building permits will be issued until such agreement or plan has been approved by County staff.
5. All approved improvements to the “Driveway” for access shall be installed within the confines of the “Driveway” as defined in the Stipulated Quiet Title Decree in *Laguna Builders, Inc., et al. v. Wieder, et al.*, Case No. 94CV2094, unless otherwise agreed with the servient estate property owner as defined in said Decree.
6. Christensen Lane shall not be used for construction access.
7. The applicant shall cause the entirety of the Arcadia Creek Subdivision to at all times be an age restricted community for persons aged fifty-five and older (55+) consistent with, and as defined by, Public Law 104-76 - Housing Of Older Persons Act of 1995 (as may be amended) and as further set forth at 42 U.S.C. § 3607(b) (as may be amended) and at all times compliant with the same.

Subject to review and approval of the Final Plat mylar by the Arapahoe County Public Works and Development Department, including the Planning, Support Services, and Land Development Services Divisions, and the County Attorney's Office, the Chair of the Board is hereby authorized to sign said mylar pursuant to the terms contained therein.

The vote was:

Commissioner Baker, ____; Commissioner Campbell, ____; Commissioner Fields, ____; Commissioner Summey, ____; Commissioner Warren-Gully, ____.

The Chair declared the motion carried and so ordered.