

RESOLUTION NUMBER 821
(was adopted as Resolution 788 by mistake)

A RESOLUTION OF THE CITY OF KETCHUM, IDAHO, AUTHORIZING THE MAYOR TO EXECUTE A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF KETCHUM AND MICHAEL SHUM FOR THE DEVELOPMENT AGREEMENT REZONE OF LOTS 7 AND 8, BLOCK 79, KETCHUM TOWNSITE.

WHEREAS, Developer is the owner of record of that certain real estate legally described in Exhibit A, attached hereto and made a part hereof (the Property);

WHEREAS, Developer has applied to City for an amendment to the official zoning map for said Property described herein to rezone the Property from Limited Residential (LR) to Tourist (T) with certain restrictions on the uses allowed;

WHEREAS, Developer proposes that the Property be developed pursuant to and in accordance with City's Comprehensive Plan, Zoning Code, and Development Agreement Ordinance in accordance with the terms and conditions of the Development Agreement and any amendments hereto;

WHEREAS, the requested zoning satisfies the requirements set forth in the Development Agreement Ordinance and the Zoning Code for rezone findings, conclusions and approval, and the use of a development agreement will assure compliance with the conditions of approval;

WHEREAS, City, pursuant to §17.154 Ketchum City Code, and §67-6511A, Idaho Code, has the authority to conditionally zone the Property and to enter into a development agreement for the purpose of allowing, by agreement, a specific development to proceed in a specific area and for specific purposes and/or uses which are appropriate in the area;

WHEREAS, City's Planning and Zoning Commission and City's City Council have held public hearings as prescribed by law with respect to the rezoning of the Property and this Agreement;

WHEREAS, all public hearings pursuant to notice as required by law or other action required to be held or taken prior to the adoption and execution to the rezoning of the Property and the Development Agreement have been held and/or taken;

WHEREAS, it is the intent and desire of the parties hereto that development and uses of the Property proceed as provided herein subject to the terms and conditions of the Development Agreement; and,

WHEREAS, the parties have entered into a Development Agreement with mutual consideration as reflected in the covenants, duties and obligations herein set forth.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Ketchum:

1. The Development Agreement for the rezone of Lots 7 and 8, Block 79, Ketchum Townsite, Ketchum, Idaho is hereby approved.
2. The Mayor is hereby authorized to execute the Development Agreement on behalf of the City of Ketchum, Idaho.

PASSED by the City Council and APPROVED by the Mayor this 17th day of December, 2001.



A handwritten signature in blue ink, appearing to read 'David C. Hutchinson', is written over a horizontal line.

David C. Hutchinson, Mayor

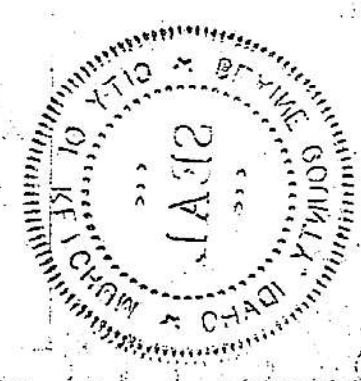
ATTEST:

A handwritten signature in blue ink, appearing to read 'Sandra E. Cady', is written over a horizontal line.

Sandra E. Cady, City Clerk

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