

**OFFICIAL RECORD COPY**

**MELODY RANCH PUD**  
**(PUD 93-0001)**  
**FINAL DEVELOPMENT PLAN**  
**AND**  
**STATEMENT OF OUTSTANDING OBLIGATIONS AND CONDITIONS**  
**APRIL 1998**

By agreement between Teton County and Melody Ranch entities, this document, TOGETHER WITH the following plats of record in the Office of the Clerk of Teton County, Wyoming: the Melody Ranch Upper Ranch Master Plat, First, and Second Amendments (Plat Nos. 856, 862, and 884 respectively, and the Melody Ranch Lower Ranch Master Plat (Plat No. 875), shall constitute the official record copy of the Final Development Plan text and drawings for the Melody Ranch Planned Unit Development (PUD 93-0001) approved by the Teton County Board of County Commissioners on October 3, 1995.

The Melody Ranch Planned Unit Development represents those lands contained within the boundaries of said Melody Ranch Upper Ranch and Melody Ranch Lower Ranch Master Plats; said lands are located within Sections 20, 21, 28 and 29 of T40N, R116W, 6<sup>th</sup> P.M. Teton County, Wyoming and are shown illustratively on the "Illustrative Map of Melody Ranch Planned Unit Development," attached hereto as Exhibit II-A.

The approval of the Melody Ranch Planned Unit Development Final Development Plan established the allowed land uses, open space areas, density of development, general layout of roads and pathways, certain development standards, phasing schedule, and the scheme of development for the proposed single-family residential units within the above-described lands. The subsequent recordation of the above-referenced Master Plats fixed the boundaries between development areas and agricultural open space areas; set the maximum number of dwelling units in the residential units of each development area; established certain landscape, utility and trail easements; and dedicated exaction parcels, a right-of-way for the South Park County Road and a wildlife migration corridor easement. Upon approval of the Final Development Plan, the County and the Developer of Melody Ranch agreed to certain conditions and obligations to implement the development of the Melody Ranch Planned Unit Development. The details of the approved development are contained in this document, in the above-referenced Master Plats and exhibits in the files of the Teton County Planning Office, including The Final Development Plan Submittal for the Melody Ranch Planned Unit Development, dated August 1995.

This document is intended to be recorded in the Miscellaneous Records in the Office of the Teton County Clerk, Teton County, Wyoming for the purpose of placing of record the obligations of the parties with respect to the development. The filing of a final plat for any portion of the development is intended to constitute agreement and approval that all conditions set forth in this agreement with regard to that particular plat have been satisfied and no individual lot purchaser shall have any obligation with regard to the completion of any required improvements or the satisfaction of any obligations set forth herein. All uncompleted portions of the conditions and obligations shall be the subject of future final plat approvals and/or shall be secured by letters of credit or other security as deemed appropriate by the County.

The following is a list of obligations and conditions which are outstanding as of the date of the recordation of this document in the Office of the Clerk of Teton County, Wyoming:

Grantor: TETON COUNTY ET AL  
Grantee: TETON COUNTY ET AL  
Doc 0465443 bk 355 pg 801-831 Filed at 11:11 on 06/02/98  
V Jolynn Coonce, Teton County Clerk fees: 80.00  
By BRET MOSLEY Deputy

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| RELEASED   |  |
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| ABSTRACTED |  |
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### ATTACHED EXHIBITS

- II-A. Illustrative Map Showing Melody Ranch Planned Unit Development
- II-B. Illustrative Private Road Entrance and Easement Plan
- II-C. Development Area/Agricultural Open Space Map
- II-D. Trail Development Guidelines
- II-E. Infrastructure/Obligations Phasing Plan
- II-F. Water and Sewer System Proportionate Costs for County Exaction Parcel Along State Highway 89
- II-G. Development Standards
- II-H. Sketch Showing Variable Setbacks

### REFERENCED EXHIBITS ON FILE IN THE TETON COUNTY PLANNING OFFICE

- Upper Ranch Development Phasing Plan – Exhibit F of The Final Development Plan Submittal for the Melody Ranch Planned Unit Development dated August 1995
- Lower Ranch Development Phasing Plan – Exhibit G of The Final Development Plan Submittal for the Melody Ranch Planned Unit Development dated August 1995
- County Park Concept Master Plan – Exhibit H of The Final Development Plan Submittal for the Melody Ranch Planned Unit Development dated August 1995
- Trail Phasing Plan – Exhibit X dated May 1998

A. Access Road to East Upper Melody

In recognition that the access road serving east Upper Melody (identical with Residential Unit Two, which is shown on said Melody Ranch Upper Ranch Master Plats) is roughly a half-mile long cul-de-sac, and in order to ensure emergency vehicle access should there be a blockage of the road, emergency vehicle lanes, a minimum of twenty feet (20') wide, shall be developed to provide access redundant to the cul-de-sac.

1. Emergency vehicle lanes, a minimum of 20 feet wide, shall be provided in the form of loops off the east side of the cul-de-sac through and around the multi-family housing clusters to provide alternative emergency vehicle access should there be blockage of the cul-de-sac road; the Developer shall construct sufficient fire lane loops along the length of the cul-de-sac to provide alternative access routes around any blockages as well as fire access to the multi-family housing complexes; these loops shall be constructed as part of each phase of development of multi-family housing served by the cul-de-sac road and shall be incorporated in the site development plan for each such phase.
2. A 30 foot wide paved road section shall be constructed along the entire length of the Upper Melody access road servicing Residential Unit Two on the east side of Flat Creek; the Developer, subject to the County Planning Director's approval, shall explore alternative road cross-section designs to minimize the pavement width consistent with satisfying public safety objectives.

B. South Park Loop Road and Bridge Cost-Sharing Agreement

The Developer shall commit to a proportional fee of \$1,000 per residential density unit according to the cost sharing arrangement for the improvement of South Park Loop County road and bridge based on the following with allowance for changes in the stated percentages as determined in further studies:

1. Percentage Cost Share. The Melody Ranch Developer shall provide:
  - a. 40.1% of the cost of the road upgrade for segment 1 consisting of approximately 0.8 miles, which is measured from the beginning of the County jurisdiction at the right-of-way of State Highway 89 and to the west side of intersection of Cortland Drive and South Park Loop Road;
  - b. 7.45% of the cost of the road upgrade for segment 2 consisting of approximately 0.9 miles, which is measured from the west side of the intersection of Cortland Drive and South park Loop Road to the intersection of Hufsmith Hill Road and the South Park Loop Road;
  - c. 12.56% of the cost of the road upgrade for segment 3, consisting of approximately 1.0 mile, which is measured from the intersection of Hufsmith Hill Road and South Park Loop Road to a point north of and adjacent to North Meadow Subdivision; and
  - d. 40.1% of the cost of upgrading the South Park Loop Road bridge over Flat Creek.
  - e. The distances between the above described points shall be measured on the ground and the actual distances shall be used for each of the three road segments in computing the amounts of contribution.
2. Estimated Costs of Upgrade. The current cost estimates of the upgrade are \$650,000 per mile for the road and \$160,000 for the bridge.

3. Reduction of Costs of Upgrade. It is recognized that both cost estimates may be reduced upon further investigation of the quality of the existing road and upon further study of the bridge. Any reductions in the cost estimates shall reduce the amount of contribution from the Developer while maintaining the percentages described in #(1) above. The decision on the amount of, if any, cost savings that result from the investigation of the road and bridge shall be a technical decision made amongst the project engineer, County engineer, County road and levee agent, and the WY DOT engineer. Notwithstanding, the cost estimates shall not be increased above the \$650,000 and \$160,000 figures described in #2 above except in accordance with the inflator provision stated in #6 below.
4. Gravel in Lieu of Fee. At the time of the road upgrade, gravel may be provided by the Developer in-lieu of cash, with the gravel cost typically paid by the County for road projects at the time of the road upgrade being credited against the dollar contribution of the Developer. This credit is available provided the gravel provided in-lieu of cash passes all applicable quality control tests.
5. Letter of Credit. The cost sharing contributions shall be secured by a Letter of Credit at the recording of the plat of each phase. The amount of each phase of contribution shall be proportional with the amount of density in the corresponding phase of development. Cash may be provided instead of a Letter of Credit, and any existing Letter of Credit may be replaced with cash at the discretion of the Developer.

At such time as the incremental cost sharing contributions are equal to the then current cost estimate for the bridge upgrades, the Developer may utilize such accumulated funds to pay for the cost of construction of the upgrades in accordance with plans and specifications approved by the County.

The contribution for each dwelling unit shall be \$1,000 per dwelling unit with any required adjustments to be made with the recording of the plat containing the 350th residential lot.

6. Inflator. The amount of contribution secured by a Letter of Credit shall increase for inflation at a rate equal to the increase in the construction costs as determined by the Construction Cost Index for the Denver region as reported by Engineering News Record and published by McGraw Hill. Cash provided instead of a Letter of Credit is not subjected to the inflator.
7. Work to be Done Within Ten Years. The County shall expend such contributions for appropriate road and bridge upgrades within 10 years of their receipt. If the County does not expend such contributions for road and bridge upgrades as anticipated, any funds previously paid by the Developer and held by the County for said upgrades shall be returned to the Developer with interest.
8. Ability to Advance Upgrade on Bridge and Portion of Road. Because of demands created by the construction of the PUD, the Developer may request the County to complete the upgrade of the bridge and a portion of the South Park Loop Road sooner than 10 years. If the County is unable to meet the schedule of the PUD, the Developer may accomplish the upgrades of the bridge and a portion of the road to applicable County standards and the cost of the advanced upgrades shall be credited against the total contribution of the Developer.
9. Easement for Temporary Road Construction, Drainage, Grading and Other Purposes. An easement shall be granted to the County on those Melody Ranch lands that adjoin the South Park Loop Road right-of-way (that are being reserved with an easement for pathways, utilities, and landscaping) for a temporary construction easement, drainage, grading, fill and other purposes related directly to and necessary for the improvement of South Park Loop County Road; language to be incorporated in the easement shall

be determined on the basis of mutual agreement between the Developer and the County.

10. Uniform Policy. The County shall establish a uniform policy or adopt an ordinance that requires road upgrade fees similar to the fees established for the Melody Ranch PUD for future developments that are similar to the Melody Ranch PUD. If the County does not establish a uniform policy or ordinance, the Melody Ranch Developer shall be released of all cost sharing obligations for the road and bridge upgrades, and any funds previously paid by the Developer and held by the County for said upgrades shall be returned to the Developer of the Melody Ranch PUD.

C. Other Road Design and Improvement Features

1. Phasing of Road Construction—the roads serving Melody Ranch PUD shall be built in phases corresponding to the development phases of the residential development which they will serve; the proposed phasing is shown on Exhibits F and G of The Final Development Plan Submittal for the Melody Ranch Planned Unit Development, dated August 1995, on file in the Teton County Planning Office.
2. Interior Subdivision Roads—the Developer shall provide an 80 foot wide road and utility easement at each entrance (three on the north side, one on the south side) for a distance of 200 feet from the proposed South Park Loop Road right-of-way. This additional width shall allow the construction of a divided entry with multiple lanes as shown on the “Illustrative Private Road Entrance and Easement Plan,” attached hereto as Exhibit II-B.
3. School Bus Turnouts—school bus turnouts and shelters for children shall be constructed at locations mutually agreed to by the School District and the Developer in accordance with the “Infrastructure/Obligations Phasing Plan,” attached hereto as Exhibit II-E.

D. Recreational Equipment/Maintenance Area

1. A 4.0 to 5.0 acre RV storage area shall be developed in the northeast corner of Development Area Two (just north of the affordable housing area). Development Area Two is shown on the “Development Area/Agricultural Open Space Map,” attached hereto as Exhibit II-C.
2. The site plan for the storage area shall incorporate a 12 foot high articulated pole fence with entry gates, and shall maintain a 20 foot wide landscape easement, which shall be planted, around the perimeter of the site, as well as provide interior landscaped islands to visually screen and break up the mass of the recreational equipment/maintenance area.
3. A site plan for the development of the RV storage area shall be provided to the County when development of lots require the construction of a road through the area currently used as a temporary RV storage area.
4. Construction of improvements within the permanent RV storage area shall be phased to meet demands of existing residential lot development.

E. Proposed Melody Ranch Public Trails

The Developer shall dedicate easements and construct a system of public pathways and trails through the ranch—the three Upper Melody trails described below, as well as the

Melody Ranch Scenic Trail (Highway 89/East Melody Ranch Trail), are all part of the public trail system through the ranch; the Developer shall record easements for the Upper Melody trails and construct the public pathways on a phased basis, as development progresses. Finalization of easements and construction of the Melody Ranch Scenic Trail (Highway 89/East Melody Ranch Trail) shall be accomplished as summarized below; the remaining trails shall be constructed by the Developer to County trail standards, as illustrated on the "Trail Development Guidelines," attached hereto as Exhibit II-D, the trail surface shall be compacted crushed rock to accommodate equestrian use; the public trail easements shall be dedicated to the County in a manner consistent with the "Recreational and Transportation Access Easement and Agreement," of record in the Office of the Clerk of Teton County, Wyoming in Book 322 of Photo, pages 654-662; and the public trails shall be maintained by the County.

1. County Constructed Trails

Melody Ranch Scenic Trail (Highway 89/East Melody Ranch Trail)

The conditions and responsibilities for finalizing the Melody Ranch Scenic Trail and outstanding balance due Teton County are outlined in the letter to Paul von Gontard from Teton County Pathways Director, Tim Young, dated April 26, 1998 and amended June 1, 1998, on file with the Teton County Planning Office. Further discussions between Melody Ranch and the Pathways Director may identify additional items that may be added to the conditions and responsibilities with the consent of the Planning Director, which will not be unreasonably withheld. Upon completion of items 1, 4, 5, 6, 7, and 10 of said letter and any other Planning Director approved items, the Developer will make a final payment of ninety-three thousand nine hundred forty (\$93,940.00) dollars to Teton County

2. Developer Constructed Trails

a. South Park Loop Road Trail

- (1) The South Park Loop Road trail is an important aspect of the Melody Ranch development and shall also become a significant link in the County pathways system.
- (2) The County recognizes that the preferred alignment for this trail is along the north side of South Park Loop Road; the need to accommodate the trail shall be an important consideration at the time South Park Loop Road and the Flat Creek bridge are improved.
- (3) The design plans, final routing and alignment for each of the development phases of this pathway shall be reviewed and approved by the Planning Director.
- (4) In accommodating the trail on the north side of South Park Loop Road, the road improvement design prepared by the County shall provide for an adequate landscape strip between the road shoulder and the trail, and shall also provide as wide a landscape area as reasonably possible between the trail and the existing fence at the ranch headquarters.
- (5) However, to allow for the possibility that the trail cannot be built past Melody Ranch Headquarters on the north side of South Park Loop Road, a trail easement was reserved, by said Lower Ranch Master Plat, on the south side of the road. Said easement shall be utilized if it becomes necessary to continue the trail from Flat Creek Bridge to the State Highway on the south side of South Park Loop Road.

- (6) If it is found, at the time of completion by the County of engineering designs for the improvement of South Park Loop Road, that the South Park Loop Road Trail can be accommodated within the County road right-of-way on the north side of the road through the section from the Flat Creek bridge on the west to the east entrance of upper Melody Ranch, then this phase of the South Park Loop Road trail shall be constructed by the Developer in conjunction with the scheduled improvement by the County of South Park Loop Road and bridge.
- (7) Alternate Route—until the location of the section of the South Park Loop trail from the Flat Creek bridge to the east boundary of the Ranch Headquarters is resolved, the South Park Loop Road trail may follow an alternate route via the Upper Melody Loop Trail; the Upper Melody Loop Trail shall provide a trail connection via a pedestrian bridge between east Upper Melody and west Upper Melody; said pedestrian bridge will be constructed in accordance with the “Infrastructure/Obligations Phasing Plan,” attached hereto as Exhibit II-E.

b. The Upper Melody Loop Trail

- (1) This trail, designated a public trail, shall provide a direct pedestrian/bicycle connection between east Upper Melody and west Upper Melody via a pedestrian bridge across Flat Creek, and it shall also serve as an alternate route through the Melody Ranch development for the South Park Loop Road trail users.
- (2) This trail, including the trail bridge across Flat Creek, shall be dedicated as a public trail easement to the County, as well as graded and surfaced with crushed gravel by the Developer to County standards, as shown on the “Trail Development Guidelines,” attached hereto as Exhibit II-D, at no cost to the County, in accordance with the “Trail Phasing Plan,” Exhibit X, dated May 1998, on file with the Teton County Planning Office.
- (3) The design plans, final routing and alignment for each of the development phases of this pathway shall be reviewed and approved by the Planning Director.

c. Flat Creek Pathway

- (1) The County Pathway Plan proposes this pathway to run generally north and south along the west side of Flat Creek to, at some future date, link High School Road with South Park Loop Road; the Upper Melody section of this trail is shown as following the recreational open space corridor within Upper Melody on the Trail Phasing Plan, dated May 1998, on file with the Teton County Planning Office.
- (2) This trail shall be dedicated to the County as a public trail easement, and shall be graded and surfaced with crushed gravel by the Developer to County standards, as shown on said attached Exhibit II-D, at no cost to the County in accordance with the “Trail Phasing Plan,” Exhibit X, dated May 1998, on file with the Teton County Planning Office.
- (3) The design plans, final routing and alignment for each of the development phases of this pathway shall be reviewed and approved by the Planning Director.

d. Phasing Schedule for Trail Development

- (1) The phasing of development of the Developer constructed pathways are tied to the phasing of the various residential subdivision filings, in accordance with the "Trail Phasing Plan," Exhibit X, dated May 1998, on file with the Teton County Planning Office.
- (2) The pathway easements shall be dedicated to the County and the pathways shall be graded and surfaced with crushed gravel by the Developer in association with each phase of residential development that is undertaken. The easements shall provide alignments that minimize utility conflicts.
- (3) Whichever Plat Filing in each particular phase is undertaken first shall trigger the dedication and development by the Developer of the particular trail section associated with that Filing.

F. Private Trails

The Developer shall also construct trails through the recreational and agricultural open space areas to link the residential areas of the ranch to the regional trail system; these internal trails, to be constructed as development of adjacent areas takes place, are not intended to be part of the public trail system; the private trails will be owned and maintained by the property owners association or the proposed service and maintenance district.

G. Infrastructure and Development Phasing

1. The phasing of infrastructure improvements shall be carried out and coordinated with the subdivision and platting of lots for sale (and/or construction of multi-family units).
2. The infrastructure phasing schedule is presented in the "Infrastructure/Obligations Phasing Plan," attached hereto as Exhibit II-E. County planning staff shall continue to review this schedule to verify that all infrastructure improvements and obligations are listed; this infrastructure phasing plan shall be considered a working document subject to change and continuing review.
3. If the schedule as presented changes, the Developer shall file copies of the revised phasing schedule with the County Planning Director for review and approval.

H. Conditions for Issuance of Building Permits

Building permits shall not be issued until required infrastructure is in place, unless the Developer meets the following conditions before issuance of building permits in each phase of development:

1. In no instance shall the construction of single family or attached dwelling units commence until security in the form of a letter of credit or a bond for the construction of all required roads, pathways and utilities has been posted.
2. Building permits shall be issued prior to completion of the infrastructure subject to the following conditions:
  - a. An all weather access road shall be constructed.
  - b. Adequate temporary or permanent water supply for fire protection is provided.



- b. Temporary sanitary facilities shall be provided on each construction site.
3. No domestic water service or electrical service shall be connected to a residence until issuance of an occupancy permit by the County Building Inspector.

I. Underground Utilities

1. Water and sewer plans and facilities for future phases are subject to State DEQ approval; all utilities shall be underground, except for temporary fire-fighting water supply system and temporary construction power.
2. Easements shall be provided incrementally for the installation of underground electric, telephone, cable TV, security, gas, sewer and water systems; the sewer and water systems shall be built in accordance with the DEQ approved plans.
3. The Developer shall provide, through the covenants, a five foot wide utility easement along the front of all private residential lots to insure adequate room for underground utilities.

J. Service and Maintenance District

The Developer may form a service and maintenance district in accordance with the applicable provisions of State law; if formed the service and maintenance district would operate and maintain the sewer and water system and perform such other special local services as may be appropriate; the service and maintenance district might be structured to provide such services to adjacent properties as well.

K. Irrigation Water Rights

Melody Ranch has irrigation water rights for 790 acres; the Developer submitted an irrigation plan to the State Engineer's Office for review and approval prior to Final Development Plan approval. Required abandonment of irrigation water rights within platted roadway areas will occur in phases.

L. Boundary Fence Along North and East Boundary

A five foot high wire mesh and log post with log top rail fence shall be built in increments by the Developer along the north and east boundaries of Upper Melody Ranch.

M. Exaction Parcels

1. Concurrently with the platting of the Melody Ranch Upper Ranch Master Plat, Plat No. 856, two exaction parcels were deeded by the Developer to Teton County. The exaction parcels are: Lot 9 of the Melody Ranch Upper Ranch Master Plat (310 p. 1163-1165), a 5.56 acre park/soccer field located in the southwest corner of Upper Melody; and Lot 8 of said Upper Ranch Master Plat (310 p. 1167-1171), a 10.35 acre development area/open space parcel located in the northeast corner of Melody Ranch adjoining Highway 89.
2. The review and approval of the park and development parcel site plans, landscaping plans, building plans and elevations shall be carried out by Melody Ranch Investment LLC; such approval shall not be unreasonably withheld.

3. Construction of improvements upon said exaction parcels shall be governed by the following:

a. Park/Soccer Field Parcel

- (1) With the platting of Filing B-1, B-2 or B-3, (shown on Exhibit F of The Final Development Plan Submittal for the Melody Ranch Planned Unit Development, dated August 1995, on file in the Teton County Planning Office) of the Upper Melody, whichever occurs first, the Developer shall improve the park/soccer field for the County through the provision of grading, seeding, drainage pond, water supply and irrigation water supply; sewer service to the site and the grading and compacting of the gravel parking lot shall be carried out concurrently with the construction of the access road serving the park site.
- (2) The Developer shall in Phase III, (as shown on Exhibit F of The Final Development Plan Submittal for the Melody Ranch Planned Unit Development, dated August 1995, on file with the Teton County Planning Office) also build a five foot high wire mesh and log security fence along the northern boundary of the park to separate it from adjoining residential lots, and shall build log fences and ditches along the parking areas to keep cars off the playing fields.
- (3) The improvements provided by the Developer shall be carried out in accordance with the park concept plan shown on Exhibit H of The Final Development Plan Submittal for the Melody Ranch Planned Unit Development, dated August 1995, on file in the Teton County Planning Office.
- (4) The County shall undertake to complete all other site and building improvements (e.g. construction of a park shelter/restroom facility, and paving of the parking lot) within a ten year period; such improvements are to conform to the Melody Ranch Development standards insofar as they are applicable.

b. County Development Area/Open Space Parcel—(Lot 8 of said Melody Ranch Upper Ranch Master Plat) about half of this 10.35 acre parcel will be preserved as open space subject to an agricultural open space easement to preserve the present character of the land.

- (1) By virtue of said Plat and that Warranty Deed of record in the Office of the Clerk of Teton County, Wyoming in Book 310 p. 1167-1171, a 5 acre site at the north end of said exaction parcel was designated as a development area for the County; said Deed defines prohibited and permitted uses on said exaction parcel; access to this site shall be provided from South Park Loop Road along the old State highway right-of-way.
- (2) Improvements constructed in the development area shall be consistent with the Melody Ranch Development Standards. The standards shall be applied in a manner appropriate to the type of development being proposed.
- (3) The density of development of residential dwelling units on the development area shall not exceed fifteen dwelling units per acre.
- (4) The development area property may not be sold by the County or transferred for any use other than residential.

- (5) A 50 foot wide landscape easement along South Park Loop Road has been retained by Melody Ranch and is shown on said Lower Ranch Master Plat.
- (6) The Developer shall provide water and sewer service to the site; the cost of the water and sewer system shall be apportioned based upon the formula set forth in "Water and Sewer System Proportionate Costs for County Exaction Parcel Along State Highway 89," attached hereto as Exhibit II-F.
- (7) It is anticipated that water capacity will not be available for the County development site until Phase IX; if the County requests that such water and sewer service be provided to the exaction parcel boundary sooner than the Developer's infrastructure plans would allow, then the County shall advance funds to extend the water and sewer service to the site with repayment from the Developer to the County of the advanced funds over and above the County's proportionate share.
- (8) The development area property shall be subject to the service and maintenance agreement for provision of sewer and water service.
- (9) A detailed agreement between the County and the Developer setting out these provisions shall be executed at a future date.

N. Affordable Housing

1. The Developer shall provide for a total of 128 units of affordable housing in Upper Melody Ranch; the establishment and administration of restrictions on the resale of affordable units and criteria for rental or ownership occupants shall be established to the satisfaction of the Teton County Housing Authority; these restrictions and criteria shall follow the Teton County Housing Authority Affordable Housing Guidelines as closely as practicable.

2. Allocation and Phasing

- a. The number of affordable housing units, their location within the Melody Ranch PUD and the timing of their creation shall be determined as follows :

- (1) The number of affordable housing units required shall equal approximately 46.89% of the number of market units built. At full buildout, in accordance with the limits established by the Melody Ranch Final Development Permit, the distribution of units shall be as follows:

|                        |     | Percentage of<br>Total | Percentage of<br>Market Units |
|------------------------|-----|------------------------|-------------------------------|
| Total Market Units     | 273 | 68.08                  | 100.00                        |
| Total Affordable Units | 128 | 31.92                  | 46.89                         |
| Total Dwelling Units   | 401 | 100.00                 |                               |

- (2) Phasing of affordable housing shall proceed on a proportionate basis with the development of market units based on the following formula:

Multiply the total number of all units in a phase by 0.3192

A plat for market units will not be allowed to be recorded unless the requisite number of affordable units are also being, or have already been provided for to the satisfaction of the County.

- (3) All affordable housing shall be provided in the Melody Ranch Upper Ranch and shall be distributed in the Development Areas shown on the "Development Area/Agricultural Open Space Map," attached hereto as Exhibit II-C as follows:

| <u>Development Area</u> | <u>Total Number of Units</u> | <u>Number of Units in Each Category*</u> |    |     |    |
|-------------------------|------------------------------|--|----|-----|----|
|                         |                              | I  | II | III | IV |
| One                     | 24                           |  |    | 12  | 12 |
| Two                     | 104                          | 27                                       | 62 | 15  | 0  |

\*See Section N2.b. below for discussion of Affordable Housing Categories

The units shall be apportioned within each Development Area as mutually agreed between the developer and Teton County.

- b. The allocation of the housing units shall be by categories

- (1) The Affordable Housing categories and required number within each category are defined below:

| <u>Category</u>  | <u>Sale Price</u>      | <u>No. of Units</u> |
|--|------------------------|---------------------|
| Category 1 - Rental or for sale units<br>(rental rate \$400-\$600/month) | up to \$100,000        | 27 *                |
| Category 2 - For sale units  | \$100,000 to \$125,000 | 62                  |
| Category 3 - For sale units  | \$125,000 to \$160,000 | 27                  |
| Category 4 - For sale units  | \$160,000 to \$250,000 | 12                  |

Rental or For Sale Units (Category 1)\*—attached units that will either be for sale (up to \$100,000 per unit) or for rent for roughly \$400 to \$600 per month.

Attached/Detached Sale Units (Category 2)—attached and/or detached single family homes for sale ranging from \$100,000 to \$125,000.

Attached/Detached Sale Units (Category 3)—detached single family for sale homes ranging from \$125,000 to \$160,000.

Detached Sale Units (Category 4)—12 detached single family homes ranging from \$160,000 to \$250,000 (limited to locally employed year-round residents)

\*See also Section O of this document

- (2) The housing units constructed in each category of affordable housing shall reflect a range of prices across the category and shall not be concentrated at the high end or at the low end of each category.
- (3) The allocation of units to each category may be altered through the mutual agreement between the Developer and the County based upon evolving housing market conditions and actual absorption rates.
- (4) The sales price of each category shall be adjusted annually based upon an inflation index, which shall be determined by the County prior to the approval of the first plat containing affordable dwelling units.

- (5) Maximum annual family income for each affordable housing category— Each category shall have an annual family income index as set out below. The index shall be adjusted annually in a manner to be determined by the County.

| <u>Category</u> | <u>Maximum Annual Family Income</u>   |
|-----------------|---|
| Category 1*     | \$27,020  |
| Category 2      | \$35,000  |
| Category 3      | \$49,560  |
| Category 4      | unrestricted—buyer must be a full time employee and year round resident of Teton County |

\*See also Section O of this document.

3. The affordable housing shall be planned and designed to be compatible with the remainder of the development and that all restrictive covenants and architectural controls established by the Developer and approved by the County as a part of the Final Development Plan approval shall equally apply to the affordable housing.
4. A detailed agreement between the Developer and the County regarding all of the respective responsibilities and obligations affecting the development and sale of the affordable dwelling units shall be executed at a future date.

O. Category I Affordable Housing

1. The Developer shall construct 27 Category 1 units as proposed, as per the income guidelines.
2. In the event that the Developer determines that it is not financially feasible to build the twenty seven (27) Category 1 dwelling units, either for sale or for rent, the Developer shall sell to the County the land required for the subject units based upon a density of eight units to the acre.
3. The land price, with utilities stubbed off at the property, shall be determined by the median of three independent appraisals. The land price shall be equal to the maximum appreciated sale price at the time of sale less the estimated cost of building the subject dwelling units and on-site improvements.
4. The cost of the appraisals shall be borne by the Developer. A detailed agreement between the County and the Developer setting out the terms of the purchase shall be executed at a future date.
5. Notwithstanding the preceding, the County and the Developer may reallocate the units to another affordable housing category and agree upon alternate valuation methods for Category I parcels by mutual agreement.

P. Ranch Operations Area

1. The six ranch operations lots are shown on said Master Plats and are designated thereon as Ranch Unit 1 through Ranch Unit 6 with Ranch Unit 1 being the existing Ranch headquarters located in Upper Melody; the other 5 ranch unit lots are located in Lower Melody.
2. Each ranch unit is composed of a Ranch Residence lot and a Ranch Operations lot;

except for Ranch Unit 1 and Ranch Unit 5, the other 4 ranch residence lots shall be permitted 1 ranch residence unit per lot; Ranch Unit 1, the existing ranch headquarters, shall be permitted 2 ranch residence units; and Ranch Unit 5 in Lower Melody shall be permitted 2 ranch residence units.

3. No ranch residence units shall be permitted on the 6 ranch operations lots.
4. Ranch operations areas adjacent to the wildlife migration corridor, shown on said Lower Ranch Master Plat, shall not be fenced off from the adjacent pastures with continuous fences; however, individual corrals, training areas, barns and sheds shall be allowed.

Q. Development Areas/Agricultural Open Space

1. The total acreage contained in each of the three development areas and in the agricultural open space, (shown illustratively on the "Development Area/Agricultural Open Space Map," attached hereto as Exhibit II-C and more particularly described on said recorded Master Plats of the Upper and Lower Ranches) shall not be increased or decreased, nor the boundaries altered without an amendment to this document. Proposed modifications of the arrangement of the residential lots, private roads and recreational open space areas, as shown on the Final Development Plan detail drawings in The Final Development Plan Submittal for the Melody Ranch Planned Unit Development, dated August 1995, on file in the Teton County Planning Office, shall be presented by a revised site development plan submitted by the Developer for approval by the County in accordance with the procedures and submittal requirements in effect at the time of application.
2. The total number of dwelling units contained in the development areas shall not be increased unless specifically approved by the County Commissioners through processing of an amendment to the final development plan.

R. Open Space Designations

Four categories of open space have been established in order to preserve the majority of the Ranch for continued ranching use and to maintain existing wildlife migration corridors. To the extent that the open space designations and allowed uses are different for Upper Melody and Lower Melody for the same category of open space, the uses are listed separately for Upper Melody and Lower Melody as follows:

Agricultural Open Space Areas—Upper Melody

Plowing and cultivating  
 Grazing and fencing  
 Hay sheds  
 Corrals  
 Jumping structures  
 Ponds (habitat enhancement) and irrigation  
 Bicycling, walking, hiking, riding horses, skiing, snowshoeing, dogsledding, including trails for these activities  
 Ranch roads for trucks and ranch snowmobiles

Agricultural Open Space Areas—Lower Melody

Plowing and cultivating  
 Grazing and fencing  
 Hay sheds  
 Corrals  
 Jumping structures  
 Ponds (habitat enhancement) and irrigation  
 Bicycling, walking, hiking, riding horses, skiing, snowshoeing, dogsledding, including trails for these activities  
 Ranch roads for trucks and ranch snowmobiles  
 Loading docks & chutes  
 Existing landing strip and hanger  
 Gravel extraction and processing (subject to County permit)  
 Existing cutter racing

Wildlife Migration Corridor Easement Area

Grazing & fencing\*\*  
Gravel extraction and processing (subject to County permit)  
Plowing and cultivating  
Ponds (habitat enhancement) and irrigation

Bicycling, walking, hiking, riding horses, skiing, snowshoeing, dogsledding, including trails for these activities  
(subject to some restrictions on these activities during the elk migration season from November 1 through January 31)

\*\* Fencing permitted in the Wildlife Migration Corridor shall meet Wyoming Game and Fish Department criteria of height and design to facilitate movement of big game animals through the corridor.

The Wildlife Migration Corridor was adopted as a more restrictive easement over agricultural open space areas. Two or more additional elk jumps and a gate shall be constructed in the fence at the elk refuge concurrently with the recordation of the first plat in Residential Unit No. 3, as shown on said Lower Ranch Master Plat.

Ranch Operations Areas

Grazing & fencing  
Hay sheds  
Loading docks & chutes  
Jumping structures  
Plowing and cultivating  
Ponds (habitat enhancement) and irrigation  
Horse training / stables  
Bicycling, walking, hiking, riding horses, snowshoeing, dogsledding, including trails for these activities  
Clubhouse/community center  
Barns & stables  
Horse corrals  
Employee housing  
Riding arena/bleachers

Equestrian Operations Areas

Grazing & fencing  
Hay sheds  
Loading docks & chutes  
Jumping structures  
Plowing and cultivating  
Ponds (habitat enhancement) and irrigation  
Horse training / stables  
Bicycling, walking, hiking, riding horses, snowshoeing, dogsledding, including trails for these activities  
Polo field/bleachers & parking  
Barns, stables and arenas  
Horse corrals  
Employee housing  
Nursery/greenhouse  
Gravel extraction and processing (subject to County permit)

Recreational Open Space - Upper Melody

Plowing and cultivating  
Ponds (habitat enhancement) and irrigation  
Bicycling, walking, hiking, riding horses, skiing, snowshoeing, dogsledding, including trails for these activities  
Clubhouse/ community center  
Playgrounds, recreation facilities and structures

Recreational Open Space - Lower Melody

Plowing and cultivating  
Ponds (habitat enhancement) and irrigation  
Bicycling, walking, riding horses, skiing snowshoeing, dogsledding, including trails for these activities  
Clubhouse/community center  
Playgrounds, recreation facilities and structures  
Grazing & fencing  
Hay sheds

**NOTE:** With the exception of gravel extraction and cutter racing, the preceding uses shall not be conducted as commercial ventures open to the general public. All activities which are incidental to ranch operations shall be permitted in all areas unless specifically precluded.

**NOTE:** Corrals, hay sheds, loading docks and chutes which are located in agricultural open space areas shall be set back a minimum of 75 feet from adjacent residential lots.

S. Temporary Sales and Construction Office

1. An initial temporary sales and construction office has been erected and may be maintained in the Upper Ranch until completion of all private roads and agricultural

open space areas within the Upper Ranch.

2. Upon completion of all private roads and agricultural open space within the Upper Ranch, this office shall either be removed and relocated or converted into a community building, pending approval of a development plan.
3. Upon the initiation of development within the Lower Ranch, a temporary sales and construction office may be erected and maintained within the Lower Ranch. Upon completion of all roads and open space areas in the Lower Ranch, the office shall be removed or relocated to the polo field area of the Agricultural Open Space for use as a Clubhouse or Community Center, pending approval of a development plan.

T. Site Development Standards

The building set backs, site coverage, impervious surface coverage and building heights shall conform to the attached Exhibits II-G and II-H, titled "Development Standard Table" and "Sketch Showing Variable Setbacks," respectively; however, total habitable gross floor area above ground shall not exceed 8,000 square feet for principal residential structures and 1,000 square feet for guest houses in accordance with Sections 2360 and 2450 of the current Teton County Land Development Regulations.

U. Implementation

1. The Melody Ranch Planned Unit Development was approved in accordance with the standards, provisions, and implementation procedures contained in the former 1978 Land Use and Development Regulations under Chapter V. Planned Unit Development.
2. The Plan was processed for approval substantially in accordance with the procedures set out in the County Land Development Regulations that went into effect in May 1994.
3. The term "Final Development Plan" shall be considered the same as the term "Final Master Plan", and the term "Final Plat" shall be considered the same as "Final Plat of Subdivision" both as used in the 1978 regulations.
4. The following implementing provisions apply to the plan:
  - a. Development Permits—No further Development Permits shall be required for those areas of the Final Development Plan where single family residential lots and street layouts are set out, provided they are developed in accordance with the provisions and standards of the Final Development Plan.
  - b. Site Development Plans—Site development plans shall be submitted for the following development areas or modifications:
    - (1) All attached market and affordable dwelling units not yet developed—Filings E-1, D-2 and D-3 (said Filings are shown on Exhibit F of The Final Development Plan Submittal for the Melody Ranch Planned Unit Development, dated August 1995, on file in the Teton County Planning Office).
    - (2) Recreational Equipment/Maintenance Area (defined in Section D of this document).
    - (3) All non-residential development areas, i.e. community



buildings/clubhouses, sales offices and arenas, but excluding other agricultural structures.

- (4) Modifications to approved lot sizes, private road layout, and recreational open space configurations within an approved development area.
  - (5) Modifications to approved plats to change the use or density of development of a lot or lots.
- c. The processing and content of these applications shall be in accordance with the County Planning Department procedures in effect at the time of submittal; for proposed development that exceeds the County Land Development Regulations definition of a minor development, public hearings as required for immediate developments will be held.
  - d. The plans shall include utility, grading, drainage, site improvement drawings and such other supporting data as may be required by the Planning Director.

5. Phasing

- a. The Development of the Ranch shall continue in phases in general conformance with the approved phasing plans. The phasing plans may be modified from time to time with approval by the Planning Director through the filing by the Developer of an amended phasing plan with the Planning Director.
- b. The phasing plan consists of the following:
  - (1) "Development Phasing Schedule Plans," Exhibits E, F and G of The Final Development Plan Submittal for the Melody Ranch Planned Unit Development, dated August 1995, on file in the Teton County Planning Office.
  - (2) "Infrastructure/Obligations Phasing Plan," attached hereto as Exhibit II-E.
  - (3) "Trail Phasing Plan," Exhibit X, on file with the Teton County Planning Office.
- c. All obligations of the Final Development Plan shall be carried out proportionally with the development of residential lots.

6. Rights Granted and Obligations Undertaken Pursuant to Approval

- a. Applications for individual site development plans shall be submitted by the Developer for review and approval by the County in accordance with the procedures and submittal requirements in effect at the time of application.

The site development plans shall conform to the development standards set out in the approved Final Development Plan.

- b. For as long as the Developer performs in accordance with the provisions of the approved Final Development Plan, said Master Plats, and is not otherwise in violation of those applicable Land Development Regulations of Teton County, the Developer may continue the development of the project without being affected by subsequent changes to the Teton County Zoning Map or Land Development Regulations that would alter the provisions of the approved Final Development Plan.

Changes in Land Development Regulations which do not materially conflict

with or substantially alter or affect provisions of the Final Development Plan and the Developer's ability to implement the Final Development Plan as approved shall be applicable to the site development plans requiring County approval.

- c. In the event the Developer requests an Amendment to the Final Development Plan which changes the development boundaries, or increases the number of dwelling units allowed in the development as a whole, as shown on said Master Plats, the County may subject the amended development area to the land use regulations in existence at the time of the submittal, or adopt new conditions of approval.
- d. In the event the Developer fails to meet the obligations set out in the Final Development Plan, as approved and conditioned, or substantially ceases further material development for three consecutive years, the County Commissioners may subject the plan to the Land Development Regulations in existence after the time of failure, or adopt new conditions for extension of the approval.

7. Amendments to Final Development Plan

- a. An amendment to the Final Development Plan shall be required for any modification to the Development boundary or maximum number of dwelling units in each Development Area (1, 2 and 3), as shown on the "Development Area/Agricultural Open Space Map," attached hereto as Exhibit II-C and as set out on said recorded Master Plats.
- b. The processing and required submittals for an amendment is to be in accordance with the Planning Department procedures in effect at the time of filing.

8. Final Plat

- a. A Final Plat shall be recorded prior to the development of any phase of residential development. The Plat shall conform to the Final Development Plan, the provisions of the subdivision regulations and any conditions of approval. Compliance with the conditions and obligations of prior filings shall be verified before approval of a new filing.
- b. Transfer of ownership of unimproved lots, other than individual single family residential lots, shall be approved by the Staff of the Teton County Planning Office to insure that the responsibility and security for the required improvements and other conditions of approval have been adequately addressed in the transfer of ownership. Upon satisfaction of this condition, vesting to such units shall transfer concurrently.

9. Official Record Copy of Final Development Plan

The Developer shall maintain a copy of this document, and one additional copy shall be filed with each Home Owners Association formed on the Ranch.

V. Agricultural Open Space Area Easements

1. Easements establishing the agricultural open space areas required for residential filings already platted, and a wildlife migration corridor in the Lower Ranch have been recorded in the Teton County Clerk's Office.
2. Additional agricultural open space easements shall be established proportionately with the development of additional residential lots based on the following:

- a. One acre of Development Area requires 1.1265 acres of Agricultural Open Space.
  - b. In the event a boundary between Agricultural Open Space and Development Area, as shown on the "Development Area Map," attached hereto as Exhibit II-C and more particularly described on said recorded Master Plats, is amended by mutual agreement between the County and the Developer, the ratio will be recalculated.
  - c. The development area considered excludes the two Exaction Parcels (described in Section M of this document) and the South Park Road Lot (Lot 10 of said Upper Ranch Master Plat, Plat No. 856).
  - d. With the recordation of the plat creating the 401st residential lot, all remaining Agricultural Open Space shall be dedicated.
3. The Developer reserves the right to create utility easements within the development areas as may be required for sewer, water, electric, gas and telephone service.

IN WITNESS WHEREOF the parties have acknowledged the foregoing Statement of Outstanding Obligations and Conditions by affixing their signatures hereto to be effective this 1st day of June, 1998.

TETON COUNTY PLANNING DEPARTMENT

By: [Signature]  
Bill Collins, Director

MELODY RANCH INVESTMENTS I LLC, a Wyoming limited liability company;

MELODY RANCH INVESTMENTS II LLC, a Wyoming limited liability company;

MELODY RANCH INVESTMENTS III LLC, a Wyoming limited liability company;

MELODY ESTANCIA LLC, a Wyoming limited liability company; and

MELODY ESTANCIA II LLC, a Wyoming limited liability company

By: Melody Ranch Investments, Inc., a Wyoming corporation

By: [Signature]  
Paul T. von Gontard, President

ATTEST:

By: [Signature]  
David Quinn, Vice President

STATE OF WYOMING )  
                                  )ss.  
COUNTY OF TETON )

The foregoing instrument was acknowledged before me by Bill Collins, Teton County Planning Director this 2 day of June, 1998.

Witness my hand and official seal.

[Signature]  
Notary Public

My Commission Expires: June 19, 2000



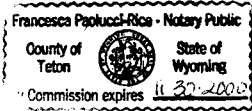
STATE OF WYOMING )  
 )ss.  
COUNTY OF TETON )

The foregoing instrument was acknowledged before me by Paul T. von Gontard and David Quinn, as President and Vice President, respectively, of Melody Ranch Investments, Inc., as Manager and Member of Melody Ranch Investments I LLC, Melody Ranch Investments II LLC, Melody Ranch Investments III LLC, Melody Estancia LLC and Melody Estancia II LLC, and acknowledged that they executed the foregoing as such officers in the name and on behalf of said corporation this 1st day of June, 1998.

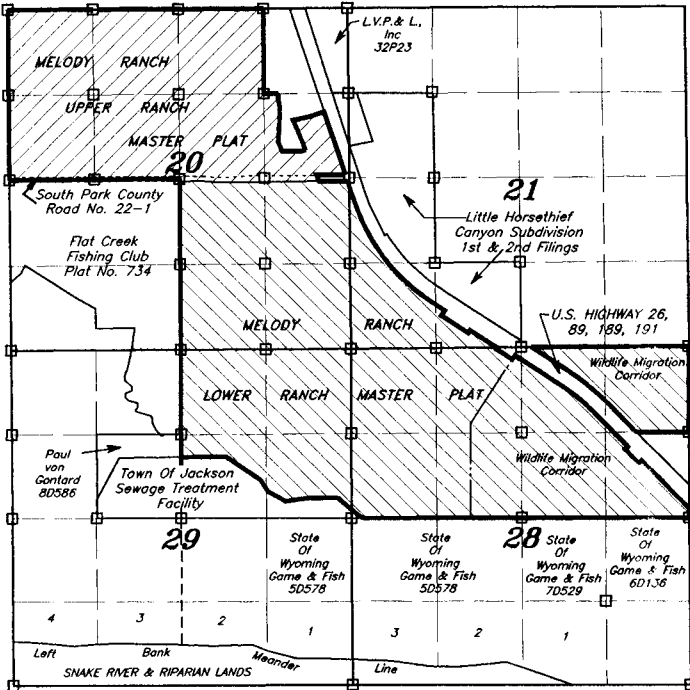
Witness my hand and official seal.

*Francesca Pasucci-Rice*  
Notary Public

My Commission Expires: 11 30 2000



T40N R116W  
TETON COUNTY, WYOMING



□ indicates a Corner Record filed.

— indicates the boundary of the MELODY RANCH PLANNED UNIT DEVELOPMENT (containing 892.75 acres).

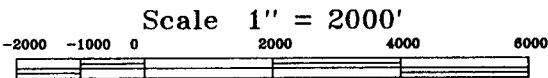
▨ indicates lands within the Melody Ranch Planned Unit Development platted as the Melody Ranch Upper Ranch Master Plat and its Amendments (containing 267.53 Acres).

▨ indicates lands within the Melody Ranch Planned Unit Development platted as Melody Ranch Lower Ranch Master Plat (containing 625.22 Acres).

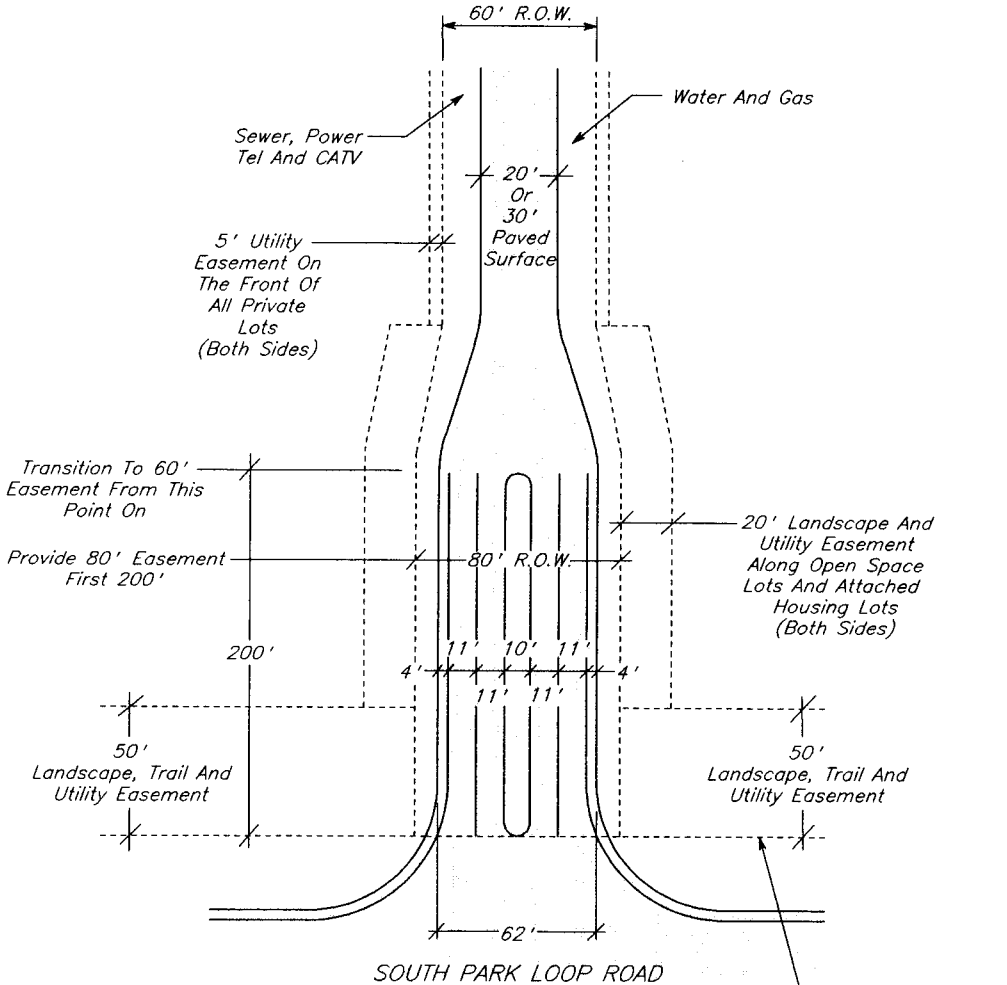
NOTE: At the time of preparation of this Exhibit, the following phases, NOT SHOWN HEREON, have been platted within the Upper Ranch Master Plat; they are the Melody Ranch Residential Unit One First and Second Filings (Plat Nos. 858 and 863); and Melody Ranch Townhomes First Filing (Plat No. 909).

**ILLUSTRATIVE MAP  
SHOWING  
MELODY RANCH  
PLANNED UNIT DEVELOPMENT  
LOCATED WITHIN  
PORTIONS OF  
SECTIONS 20, 21, 28, & 29  
T40N, R116W  
TETON COUNTY, WYOMING  
EXHIBIT II-A**

FOR OFFICIAL RECORD COPY OF  
MELODY RANCH  
PLANNED UNIT DEVELOPMENT  
FINAL DEVELOPMENT PLAN  
MAY 1998



# ILLUSTRATIVE PRIVATE ROAD ENTRANCE AND EASEMENT PLAN MELODY RANCH



**NOTE:**

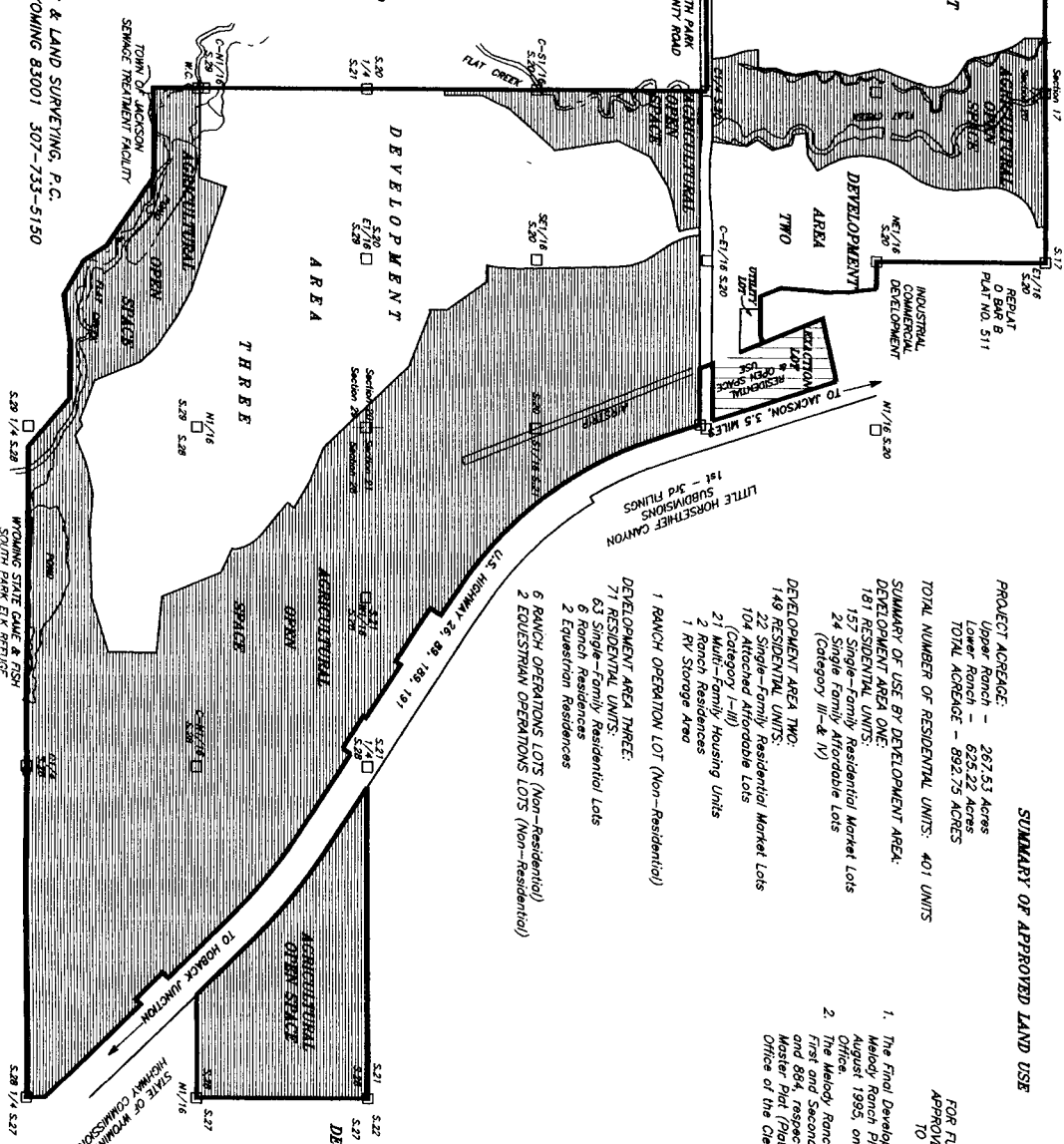
Illustrative Plan shows (2) 11' travel lanes per side (4 total), 10' median and 4' shoulders on each side and represents the largest road section likely to be constructed at entrance.

NO SCALE

In accordance with the "Melody Ranch Planned Unit Development Trail Phasing Plan", Exhibit X, on file in the Teton County Planning Office, pathways easements will be provided to connect Melody Ranch Planned Unit Development interior trails to the trail easements running parallel with and adjoining the South Park Loop County Road. Said easements shall be twenty (20') wide and will allow for a minimum separation of ten feet between the pathway surface and road pavement.

**EXHIBIT II-B**  
FOR OFFICIAL RECORD COPY OF  
MELODY RANCH  
PLANNED UNIT DEVELOPMENT  
FINAL DEVELOPMENT PLAN  
MAY 1998

JORGENSEN ENGINEERING & LAND SURVEYING, P.C.  
 P.O. BOX 1142 JACKSON, WYOMING 83001 307-733-5150



**LEGEND**

- DEVELOPMENT AREA
- AGRICULTURAL OPEN SPACE
- ELECTION LOT
- BOUNDARY OF MELODY RANCH PAD

**SUMMARY OF APPROVED LAND USE**

**PROJECT ACREAGE:**  
 Upper Ranch - 267.53 Acres  
 Lower Ranch - 625.22 Acres  
 TOTAL ACREAGE - 892.75 ACRES

**TOTAL NUMBER OF RESIDENTIAL UNITS: 401 UNITS**

**SUMMARY OF USE BY DEVELOPMENT AREA:**  
 DEVELOPMENT AREA ONE:  
 15 Single Family Residential Market Lots  
 24 Single Family Affordable Lots  
 (Category III & IV)

DEVELOPMENT AREA TWO:  
 149 RESIDENTIAL UNITS:  
 22 Single-Family Residential Market Lots  
 104 Attached Affordable Lots  
 (Category I-III)  
 21 Multi-Family Housing Units  
 2 Ranch Residences  
 1 RV Storage Area

DEVELOPMENT AREA THREE:  
 163 Single-Family Residential Lots  
 6 Ranch Residences  
 2 Equestrian Residences

6 RANCH OPERATIONS LOTS (Non-Residential)  
 2 EQUESTRIAN OPERATIONS LOTS (Non-Residential)

**NOTE:**  
 FOR FURTHER DETAILS OF  
 APPROVED LAND USE REFER  
 TO THE FOLLOWING:

1. The Final Development Plan Submittal for the Melody Ranch Planned Unit Development, dated August 1995, on file in the Teton County Planning Office.
2. The Melody Ranch Upper Ranch Master Plat and its First and Second Amendments (Plat Nos. 856, 862, and 864, respectively), the Melody Ranch Lower Ranch Master Plat (Plat No. 825), all of record in the Office of the Clerk of Teton County, Wyoming.

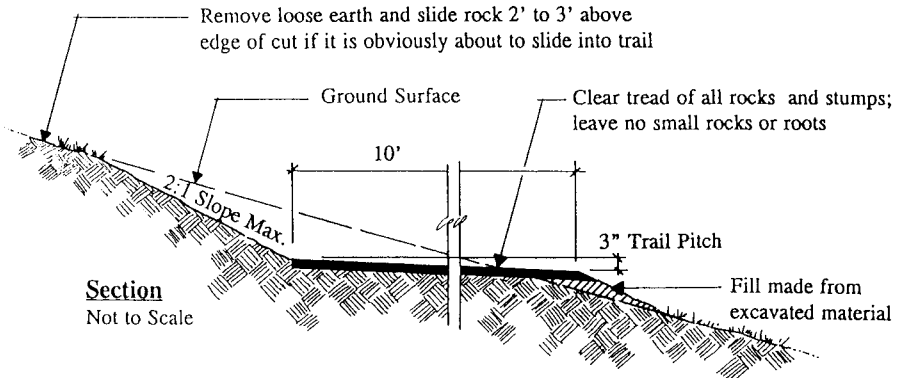
SCALE 1" = 1000'

**MELODY RANCH  
 PLANNED UNIT DEVELOPMENT  
 DEVELOPMENT AREA/AGRICULTURAL  
 OPEN SPACE MAP**

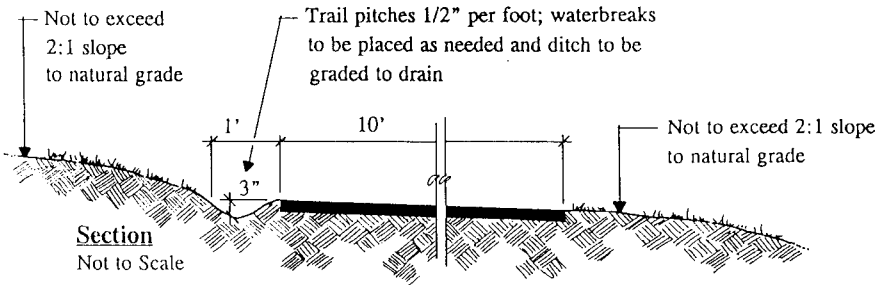
SHOWING PORTIONS OF  
 SECTIONS 20, 21, 28 AND 29  
 TETON COUNTY WYOMING  
 MAY 1998

**EXHIBIT II-C**  
 FOR OFFICIAL RECORD COPY OF  
 PLANNED UNIT DEVELOPMENT  
 FINAL DEVELOPMENT PLAN  
 MAY 1998





① TRAIL SECTION/TYPICAL ON STEEP SLOPES



② TRAIL SECTION ON LEVEL GROUND

Melody Ranch  
TRAIL DEVELOPMENT GUIDELINES

Final Development Plan

**EXHIBIT II-D**

FOR OFFICIAL RECORD COPY OF  
 MELODY RANCH  
 PLANNED UNIT DEVELOPMENT  
 FINAL DEVELOPMENT PLAN

MAY 1998

**THE MELODY RANCH**  
Planned Unit Development  
Final Development Plan

**INFRASTRUCTURE/OBLIGATIONS PHASING PLAN**

| Filing                                  | Infrastructure  |  |
|---|---|--|
| Master Plat North<br>September 20, 1995 | <ul style="list-style-type: none"><li>• Dedication of Park and Development/Open Space Exaction Parcels</li><li>• Dedication of South Park Road right-of-way</li><li>• Reservation of easement for landscape, trail, utilities, and temporary road construction on South Park Road.</li><li>• Irrevocable offer to dedicate agricultural open space easement.</li><li>• Establish development area boundaries and maximum number of dwelling units.</li><li>• Reservation of easement for sewer service to O-Bar-B Subdivision</li></ul> |  |
| Master Plat South<br>January 15, 1996   | <ul style="list-style-type: none"><li>• Dedication of easement for Highway 89 Trail and approval of Engineer's Estimate</li><li>• Reservation of easement for landscape, trail, utilities, and temporary road construction on South Park Road.</li><li>• Irrevocable offer to dedicate agricultural open space easement.</li><li>• Establish development area boundaries and maximum number of dwelling units.</li><li>• Dedication of Elk Migration Corridor easement</li></ul>  |  |
| Phase                                   | Filing  | Infrastructure   |
| I                                       | A2  | <ul style="list-style-type: none"><li>• Incremental dedications and improvements</li><li>• Dedicate Agricultural Open Space and Recreational Open Space easements.</li><li>• Construct two wells and fire pond.</li><li>• Form Service and Maintenance District - Melody Ranch</li></ul> |
|   | A1  | <ul style="list-style-type: none"><li>• Incremental dedications and improvements</li><li>• Dedicate Agricultural Open Space and Recreational Open Space easements.</li><li>• Form West Melody Homeowners Association</li></ul>   |
|   | D1  | <ul style="list-style-type: none"><li>• Construct First Phase of Water System</li><li>• Construct initial school bus stop</li><li>• Form East Melody Homeowners Association</li></ul>  |

***EXHIBIT II-E***

***1 of 3***

FOR OFFICIAL RECORD COPY OF  
MELODY RANCH  
PLANNED UNIT DEVELOPMENT  
FINAL DEVELOPMENT PLAN

MAY 1998

- Install landscaping and drip irrigation system along South Park Road. Grade and surface pedestrian/equestrian trail, Ranch Headquarters to tract A1.
  
- II      A3
  - Incremental dedications and improvements
  - Dedicate Agricultural Open Space and Recreational Open Space easements.
  - Improve Recreational Equipment/Maintenance Yard
  
- III     B1
  - Incremental dedications and improvements
  - Dedicate Agricultural Open Space and Recreational Open Space easements.
  - Improve Soccer Field
  - Construct Sewer Lift Station, East Melody Ranch
  - Install landscaping and drip irrigation system along north side of South Park Road, grade and surface pedestrian/equestrian trail tract A1 to West Melody boundary.
  - Construct Second Phase of Water System
  
- IV     B2
  - Incremental dedications and improvements
  - Dedicate Agricultural Open Space and Recreational Open Space easements.
- C1
  - Complete trail link from West Entrance to attached affordable housing and build pedestrian bridge over Flat Creek.
  - Construct School Bus Turnouts.
  
- V      D2
  - Incremental dedications and improvements
- A4
  - Dedicate Agricultural Open Space and Recreational Open Space easements.
  
- VII/II B3/B4/C2
  - Incremental dedications and improvements
  - Dedicate Agricultural Open Space and Recreational Open Space easements.
  
- VIII/IX D3A
  - Incremental dedications and improvements
- E1
  - Dedicate Agricultural Open Space and Recreational Open Space easements.
  - Stub off Utilities to Highway 89 Exaction Parcel
  - Construct Third Phase of Water System
  
- X      F1
  - Incremental dedications and improvements
  - Dedicate Agricultural Open Space and Recreational Open Space easements.
  - Install landscaping and drip irrigation system along south side of South Park Road. Grade and surface pedestrian / equestrian trail, Highway 89 to Flat Creek Bridge

**EXHIBIT II-E**

**2 of 3**

FOR OFFICIAL RECORD COPY OF  
MELODY RANCH  
PLANNED UNIT DEVELOPMENT  
FINAL DEVELOPMENT PLAN

MAY 1998

- Construct Highway 89 trail along east boundary of Melody Ranch from south end of trail built by Wyoming Department of Transportation to southerly boundary of Melody Ranch.
  - Form Lower Melody Homeowners Association
- XI
- Construct Fourth Phase of Water System
  - Water Service Available for Highway 89 Exaction Parcel
  - Incremental dedications and improvements
  - Dedicate Agricultural Open Space and Recreational Open Space easements.
- XII
- Incremental dedications and improvements
  - Dedicate Agricultural Open Space and Recreational Open Space easements.
  - Construct Sewer Pump Station, South Melody

The normal phase by phase improvements which will be constructed in each phase are set out below and are not listed in the schedule.

- A. Incremental provision of affordable units, attached and detached.
- B. Agricultural Open Space Easements
- C. Improvement drawings, security and recordation of plats for each filing.
- D. Annexation of Plat Lots to Homeowners Association
- E. Incremental (Plat by Plat) provision of private streets, underground utilities, trails, irrigation systems, ponds, streetscape, landscaping and open space.
- F. Dedication of easements for trails, street landscaping, utilities, drainage, grading, and temporary road construction.
- G. Contribution of funds for construction of South Park Road and Flat Creek Bridge, \$1,000 per lot platted. Payment upon recordation.

**Note:** Filings A1, A2 and B2 of Phase 1 shall be recorded prior to any subsequent filings.

***EXHIBIT II-E***

***3 of 3***

***FOR OFFICIAL RECORD COPY OF  
MELODY RANCH  
PLANNED UNIT DEVELOPMENT  
FINAL DEVELOPMENT PLAN***

***MAY 1998***

**TETON COUNTY'S WATER AND SEWER PROPORTIONATE COSTS FOR EXACTION PARCEL**

Water =  $\frac{23}{424}$  Afford D.U. x \$1,190,250 (Total Water System Cost) + \$11,100 (Cost to Extend Water) = **\$75,665.45**

Amount Paid to Melody Ranch = **\$64,565.45**

Sewer =  $\frac{23}{46}$  Afford D.U. x \$0 (Main Line Tap Fees) + \$0 (Cost to Increase Sewer Line size) + \$29,400 (Cost to Extend Sewer) = **\$29,400.00**

Total Estimated Teton County Costs for sewer extension = **\$64,400.00**

**MELODY RANCH'S WATER AND SEWER PROPORTIONATE COSTS FOR EXACTION PARCEL**

Water = **\$0**

Sewer = **\$35,000**

- Notes:
1. Total Water Supply System costs include potable supply wells, booster pump station, and storage tank -- both construction and engineering costs. See attached cost estimate.
  2. The cost to extend water to exaction lot is estimated based upon a per foot cost of \$30 to allow for fittings and distance of 370 feet.
  3. The cost to extend sewer to exaction lot is estimated based upon a per foot cost of \$35 to allow for manholes and distance of 840 feet.
  4. Sewer alignment assumed to extend south to South Park Road and back north to exaction parcel.
  5. Melody Ranch sewer portion assumed to be \$35,000 based upon 1000 feet at \$35 per foot, but would not be paid until Filing E is platted and would be reimbursed to Teton County.
  6. Sewer costs assume that no increase in line size will be required to serve the affordable lot.
  7. No water line costs are anticipated for Melody Ranch for the exaction lot.
  8. Sewer and water costs are estimated to the exaction parcel boundary.

**WATER & SEWER  
SYSTEM PROPORTIONATE  
COSTS FOR  
COUNTY EXACTION PARCEL  
EXHIBIT II-F**

FOR OFFICIAL RECORD COPY OF  
MELODY RANCH  
PLANNED UNIT DEVELOPMENT  
FINAL DEVELOPMENT PLAN

MAY 1998

THE MELODY RANCH  
Planned Unit Development  
Final Development Plan

DEVELOPMENT STANDARDS

EXHIBIT U-1

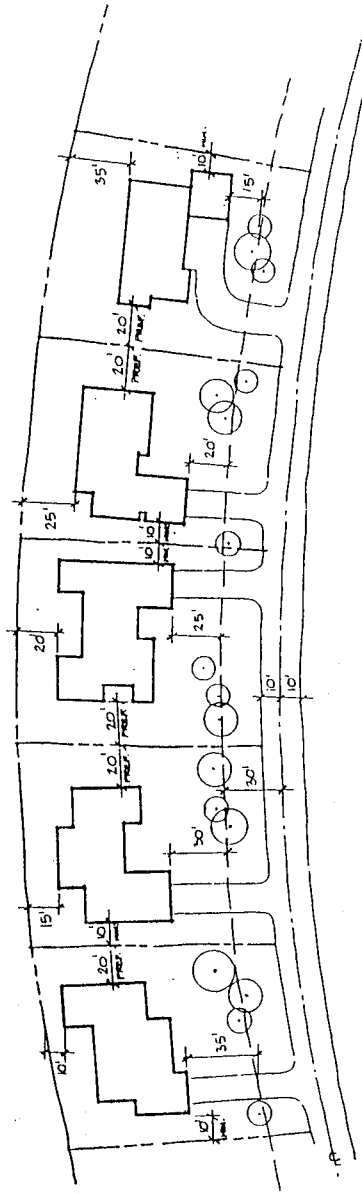
| STANDARD                    | .22 to .41 ac                             | .42 to 1.24 ac                        | 1.25 to 3 ac                          | RANCHES/<br>EQUESTRIAN<br>3 to 4.79 ac | ATTACHED <sup>9)</sup><br>Building Pavement |
|-----------------------------|---|---------------------------------------|---------------------------------------|--|---|
| Setbacks                    |   |                                       |                                       |  |   |
| Front                       | 15 <sup>1)</sup> , 20 to 35 <sup>2)</sup> | 25 to 40 <sup>3)</sup>                | 50 min                                | 50 min                                 | 30  |
| Rear                        | 35 <sup>1)</sup> , 30 to 10 <sup>3)</sup> | 40 to 25 <sup>3)</sup>                | 40 min                                | 40 min                                 | 30  |
| Side                        | 10 or 20 <sup>3)</sup>                    | 20 or 30 <sup>4)</sup>                | 40 min                                | 40 min                                 | 30  |
| Between two story buildings | 30 ft.                                    | 40 ft.                                | 50 ft.                                | 50 ft.                                 | 30ft.                                       |
| Building Height             | 28 ft.<br>two story 30% <sup>6)</sup>     | 28 ft.<br>two story 30% <sup>6)</sup> | 28 ft.<br>two story 30% <sup>6)</sup> | 28 ft.<br>two story 30% <sup>6)</sup>  | 28 ft.<br>two story 30% <sup>6)</sup>       |
| Parking                     | 2 Covered<br>2 Open                       | 2 Covered<br>2 Open                   | 2 Covered<br>2 Open                   | 2 Covered<br>2 Open                    | 2 Dwelling<br>1 Guest                       |
| Guest House                 | Attached                                  | Detached                              | Detached                              | Detached                               | No  |
| Coverage <sup>7)</sup>      | 3,500sf - 5,000sf                         | 5,500sf - 12,000sf                    | 12,500sf - 15,000sf                   | 15,000sf - 30,000sf                    | 30%   |
| Impervious <sup>7)</sup>    | 5,000sf - 7,200sf                         | 7,500sf - 14,000sf                    | 14,500sf - 20,000sf                   | 20,000sf - 35,000sf                    | 50%   |

- Notes:
- 1) Only when garage door faces side yard.
  - 2) Variable front and rear yard setbacks when garage faces front lot line.
  - 3) Side yard on one side 10ft, side yard on opposite side 20ft.
  - 4) Side yard on one side 20ft, side yard on opposite side 30ft.
  - 5) Setbacks for attached units are to the property line of parcel.
  - 6) Two story allowed for 30% of building perimeter.
  - 7) An allowable range of coverage and impervious surface area is stated for various lot sizes. To determine the allowable area for a given lot size, interpolate between the applicable range; i.e. for a 0.25 acre lot, the allowable coverage would be 3,737 square feet and the allowable impervious surface would be 5,347 square feet.

**EXHIBIT II-G**

FOR OFFICIAL RECORD COPY OF  
MELODY RANCH  
PLANNED UNIT DEVELOPMENT  
FINAL DEVELOPMENT PLAN

MAY 1998



**SKETCH SHOWING  
VARIABLE SETBACKS**

**EXHIBIT II-H**

FOR OFFICIAL RECORD COPY OF  
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PLANNED UNIT DEVELOPMENT  
FINAL DEVELOPMENT PLAN

MAY 1998

Project No. 91085.41