

## Conditions of Approval

1. If approved, any vegetation in the new right-of-way may be trimmed or removed by the Town to assure adequate street width and safe view is maintained.
2. If during the acceptance processing, any unique situation arises, the Town Engineer reserves the right to address the situation and require the Nueva Espana to provide necessary mitigation measures needed to render the street acceptable for Town ownership.

The Nueva Espana HOA shall provide:

3. The current common area representing the land parcel containing Calle Cordobesa shall be subdivided. The subdivision shall remove the pool area and that portion of Calle Cordobesa that is less than 20' wide.

This subdivision shall be properly applied and filed through the Town's development review platting process. The resulting parcel shall contain data necessary for land ownership transfer.

4. A public access easement for use by the general public shall be recorded for the portion of Calle Cordobesa that shall remain private. This is to assure that public vehicular traffic will be able to turn around and exit the subdivision.
5. Where easement, liens, other property rights, rights to any person, utility or corporation have been previously dedicated, granted or otherwise conveyed, within the proposed right-of-way, a release must be obtained from each person, utility or corporation agreeing to the change in ownership. A comprehensive title report showing all property interests in the property sought to be considered for acceptance shall be furnished.
6. A marketable title subject only to necessary public utility easements, must be deeded to the Town. Proof that no liens or taxes are due on the property to be deeded must be provided to the Town. Further, a warranty deed subject only to necessary public utility easements shall be provided. Upon acceptance by the Town, a title insurance policy shall be furnished by the applicant showing the title is vested in the Town, subject only to necessary public utility easements.
7. An environmental audit shall be prepared by a qualified environmental professional certifying that no known or potential environmental hazards exist with respect to the property being considered for acceptance as public domain.
8. A complete legal description of the area being proposed for acceptance must also be submitted with the map or plat.
9. The date of the construction of the street was completed and a history of maintenance including types of maintenance treatment and dates must be furnished.

10. A license agreement must be filed along with this dedication for the entry monument to remain and be maintained by the HOA.

11. All existing private street signage must be removed from the entry monument.