AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Plat Correction; Lot 15, Riverwalk Estates

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement:

Term Begins: **Term Ends:** **Grant Contract #:**

Summary:

Plat Correction for With, Lot 15, Riverwalk Estates

Fiscal Impact:

Submitted by: Cathie Pagano **Submitter's Email Address:** cpagano@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:
ok db 8/14/15

Reveiwed by: Discharge Date: 8/17/2015 Certificate of Insurance Required Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 8/17/2015

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted: 5

Agenda Date: 9/1/2015

Revised April 2015

Gunnison County, CO
Community Development Department
221 N. Wisconsin St. Ste. D, Gunnison, CO 81230
Phone: (970) 641-0360 FAX: (970) 641-8585
Website: www.gunnisoncounty.org
Email: planning@gunnisoncounty.org

To: BOCC

From: Cathie Pagano

Date: August 7, 2015

Re: With Plat Correction

Please find the corrected plat for Lot 15, Riverwalk Estates attached for your review. The applicant is seeking to correct the plat because the legal description on the plat did not mathematically close by 0.71 feet. This plat corrects that error.

Staff and County Attorney Baumgarten have reviewed the plat and find that it is compliance with the Gunnison County *Land Use Resolution* and recommend approval. Please let me know if you have any questions. Thanks.

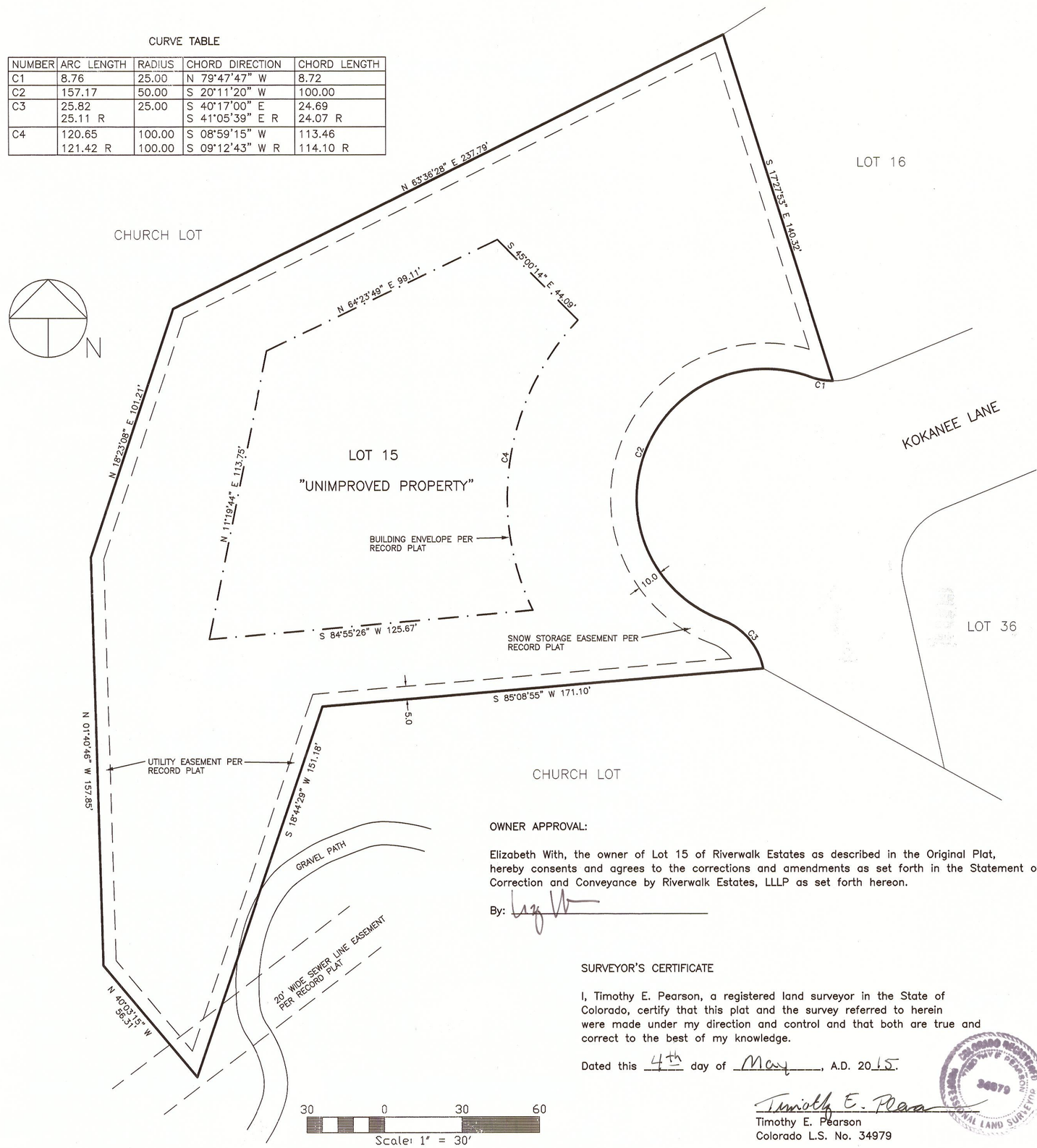
CORRECTED PLAT OF LOT 15, RIVERWALK ESTATES GUNNISON COUNTY, COLORADO

NOTES:

1.. Lot 15 as platted on the Original Plat of this subdivision does not mathematically close by 0.71 feet. For purposes of this plat, the closure error was placed in curve no. 3, and the record curve information is shown in the curve table denoted by an "R".

CURVE TABLE

NUMBER	ARC LENGTH	RADIUS	CHORD DIRECTION	CHORD LENGTH
C1	8.76	25.00	N 79°47'47" W	8.72
C2	157.17	50.00	S 20°11'20" W	100.00
C3	25.82 25.11 R	25.00	S 40°17'00" E S 41°05'39" E R	24.69 24.07 R
C4	120.65 121.42 R	100.00 100.00	S 08°59'15" W S 09°12'43" W R	113.46 114.10 R



OWNER APPROVAL:

Elizabeth With, the owner of Lot 15 of Riverwalk Estates as described in the Original Plat, hereby consents and agrees to the corrections and amendments as set forth in the Statement of Correction and Conveyance by Riverwalk Estates, LLLP as set forth hereon.

By: _____

SURVEYOR'S CERTIFICATE

I, Timothy E. Pearson, a registered land surveyor in the State of Colorado, certify that this plat and the survey referred to herein were made under my direction and control and that both are true and correct to the best of my knowledge.

Dated this 4th day of May, A.D. 2015.

Timothy E. Pearson
Timothy E. Pearson
Colorado L.S. No. 34979

STATEMENT OF CORRECTION AND CONVEYANCE BY RIVERWALK ESTATES, LLLP

WHEREAS that certain plat of Riverwalk Estates as recorded in the real property records of Gunnison County, Colorado at Reception No. 555976 (the "Original Plat") properly depicts the location of Lot 15 of Riverwalk Estates, but provides incorrect measurements for Lot 15 of Riverwalk Estates; and

WHEREAS this Corrected Plat of Lot 15 Riverwalk Estates provides the correct measurements for Lot 15 of Riverwalk Estates as stated hereon and depicts the correct location for the Lot 15 of Riverwalk Estates;

WHEREAS C.R.S. § 38–33.3–205(4) provides that, "A declarant may amend the declaration, a plat, or a map to correct clerical, typographical, or technical errors";

WHEREAS Riverwalk Estates, LLLP is the declarant within the meaning of C.R.S. § 38–33.3–205(4); and

WHEREAS as identified hereon the error in the description of Lot 15 on the Original Plat is a technical error;

NOW THEREFORE, the Original Plat is hereby amended and corrected to depict the location of Lot 15 of Riverwalk Estates as shown hereon and to otherwise identify and correct the measurements of Lot 15 of Riverwalk Estates to those shown hereon; and

FURTHER, to the extent not already owned by Elizabeth With, Riverwalk Estates, LLLP hereby quitclaims and conveys, without any warranty of title or ownership, Lot 15 as shown hereon to Elizabeth With.

Riverwalk Estates, LLLP

By: _____
John E. Amos, General Partner

STATE OF ILLINOIS)
) ss.
COUNTY OF LAKE)

The foregoing instrument was acknowledged before me this 9 day of July, 2015 by John E. Amos, General Partner of Riverwalk Estates, LLLP.

Witness my hand and official seal.

My commission expires: 08/05/18

Notary Public

"OFFICIAL SEAL"
MICHAEL FORMAN
NOTARY PUBLIC, STATE OF ILLINOIS
My Commission Expires 08/05/2018

BOARD OF COUNTY COMISSIONERS' APPROVAL

The within corrected plat of LOT 15, RIVERWALK ESTATES is approved this ____ day of _____ A.D.2015.

_____
Chairperson, Board of County Commissioners

Attest:

_____
Gunnison County Clerk and Recorder

GUNNISON COUNTY CLERK AND RECORDER'S ACCEPTANCE

This plat was accepted for deposit in the office of the Clerk and Recorder of Gunnison County, Colorado, on this ____ day of _____ 2015, Deposit Number _____

Time _____, Date _____

CORRECTED PLAT OF
LOT 15, RIVERWALK ESTATES
GUNNISON COUNTY, COLORADO

PEARSON SURVEYING P.O. BOX 652 GUNNISON, CO 81230 970–641–2910 PROJECT # 14–2–21	DATE 3/9/15 LATEST REVISION DATE : 3/17/15 SHEET 1 OF 1