AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Lot Cluster Application; Robert and Betty Norton;

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement:

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

Summary:

Cluster lots 1-32 inclusive, Block 26 La Veta Addition to Town of Pitkin

Fiscal Impact:

Submitted by: Beth Baker **Submitter's Email Address:** bbaker@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:
ok - gs

Reveiwed by: GUNCOUNTY1\gstuhr Discharge Date: 7/28/2016 Certificate of Insurance Required

Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 7/28/2016

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

Agenda Date: 8/2/2016

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/planning.html
Email: planning@gunnisoncounty.org

To: **Board of County Commissioners: Paula, Phil and Jonathan**

From: Beth Baker

Date: July 26, 2016

Robert and Betty Norton have applied to cluster Lots 1 through 32, both inclusive, Block 26, according to the plat of the LaVeta Addition to the Town of Pitkin. This will be an over 2 acre site.

Using the link: ***http://10.0.0.55:8000/comdev/secure/index.jsp***
Public Access
Projects
Application Number – LUC-15-00030
Attachments- view each document in the online file

The Nortons had previously applied to cluster their lots in Block 31, but Public Works was not able to vacate 7th St., so that request has been withdrawn.

The remaining lots are the ones in Block 26 and Public Works has vacated the entire alley in Block 26.

There will be an amend Board Resolution to address the Lot Cluster

Gunnison County
COLORADO

APPLICATION TO COMBINE EXISTING PARCELS OF REAL PROPERTY IN GUNNISON COUNTY

Gunnison County Community Development Department - 221 N. Wisconsin St. Gunnison, CO
Telephone: 970-641-0360 FAX: 970-641-8585

Application Fee- $265.00

APPLICANT/ Owners : **Robert Norton and Betty Norton** **PRIMARY CONTACT: Same**		
MAILING ADDRESS: RR2 Box 123		
CITY: Buffalo	**STATE OK**	**ZIP: 73864**
PHONE (home): 580-216-4795	**(cell):**	
E-MAIL ADDRESS: rockyhill@pldi.net	**E-MAIL ADDRESS:**	

1. **OWNERS COMPLETE LEGAL DESCRIPTION:** - Please attach if too long

Lots 1 through 32, both inclusive, Block 26, according to the plat of the LaVeta Addition to the Town of Pitkin

and any adjacent street or alley that is or may be vacated.
County of Gunnison,
State of Colorado.

2. **REQUEST TO COMBINE LOTS AND VACATE BOUNDARY LINE(S).** The undersigned desire(s) to create a single undivided building lot from the adjacent parcels described above; the undersigned expressly desires to vacate the boundary line(s) between such adjacent parcels. (Signature blocks on last page of application)

Each undersigned applicant, for themselves, their heirs, successors, personal representatives and assigns, declares an intention to combine the parcels described in #1, above, into one lot to be maintained as one new integrated single building lot and further declares an intention that no portion of such new lot constituting less than the entire new lot may be conveyed, mortgaged, encumbered or otherwise transferred without prior compliance with applicable subdivision requirements including but not limited to those required by the *Gunnison County Land Use Resolution*. The above declaration is for the benefit of Gunnison County, Colorado and shall run with the land in perpetuity. Nothing in this Agreement is or shall be construed to be a waiver of applicable County building, sewage disposal, driveway and/or other permit requirements.

Date: _____ 6/20/16
Robert Norton

Date: _____ 6/20/16
Betty Norton

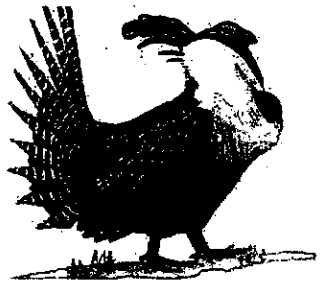
AUTHORIZATIONS

Date: 6/20/16

_____
Gunnison County Attorney

Date: 6·20·16

_____
Gunnison County Community Development Director



NOTICE REGARDING U.S. FISH AND WILDLIFE SERVICE DETERMINATION THAT GUNNISON SAGE-GROUSE IS A THREATENED SPECIES

- The U.S. Fish and Wildlife Service has determined, effective December 22, 2014, threatened species status under the Endangered Species Act of 1973, as amended, for the Gunnison Sage-grouse.
- Gunnison County approval of this County permit is not U.S. Fish and Wildlife Service approval of any activity described or authorized by this County permit.
- Gunnison County is not and does not act as your representative with regard to consultation with the U.S. Fish and Wildlife Service or performance of U.S. Fish and Wildlife Service requirements.

Gunnison County
COLORADO

LOT CLUSTER AGREEMENT AND DECLARATION

Date of Meeting_____(filled in by staff)

THIS LOT CLUSTER AGREEMENT AND DECLARATION is made between the Board of County Commissioners of the County of Gunnison, Colorado (hereinafter "Gunnison County")

and ___**Robert Norton**_____ _____
(Owner) **(Owner)**
Betty Norton
_____ _____
(Owner) **(Owner)**

RECITALS:
Legal Description: Complete – please attach if too long

This lot cluster agreement replaces Gunnison County Clerk and Recorder reception # 636222

Lot 1 through 32, both inclusive, Block 26, according to the plat of the LaVeta Addition to the Town of Pitkin.

and any adjacent street or alley that is or may be vacated.,
County of Gunnison
State of Colorado

2. This *Lot Cluster Agreement and Declaration* is made for good, valuable and sufficient consideration, including the creation of a single parcel by the clustering of the above described properties.

NOW, THEREFORE, it is agreed that:

1. Gunnison County, Colorado and Owner, on behalf of themselves, their respective heirs, successors, personal representatives and assigns, hereby declare that the real property described above shall hereafter be and is combined into one parcel to be maintained as one new integrated parcel and single building lot and further declare that no portion of such new parcel constituting less than the entire new parcel may be conveyed, mortgaged or encumbered or otherwise transferred without prior compliance with applicable subdivision requirements including but not limited to the *Gunnison County Land Use Resolution*.

2. This *Lot Cluster Agreement and Declaration* does not independently change or amend any fee, assessment or charge regarding any service to such real property.

3. This *Lot Cluster Agreement and Declaration* is made for the benefit of Gunnison County, Colorado, and shall run with the land in perpetuity. Nothing in this *Lot Cluster Agreement and Declaration* is or shall be construed to be a waiver of applicable County Building, Sewage Disposal System, Land Use Change or other permit requirements.

4. This *Lot Cluster Agreement and Declaration* shall not have effect until it is recorded, at the cost of the Applicant, with the Clerk and Recorder of Gunnison County, Colorado.

5. The lot cluster approved by recordation of this *Lot Cluster Agreement and Declaration* does not result in a guarantee of approval of an Individual Septic System Permit application or approval of a variance from the *Gunnison County Individual Sewage Disposal System Regulations*.

6. Approval of this lot cluster is subject to the terms of the utility companies potentially affected by this action. The companies' comments are attached to, and are hereby incorporated as part of this *Lot Cluster Agreement and Declaration*.

Date: 5-31-2016 Robert Norton
Robert Norton

Date: 5-31-2016 Betty Norton
Betty Norton

Date: _____ _____
Owner

Date: _____ _____
Mortgage or Lien Holder

STATE OF COLORADO)
)ss
COUNTY OF GUNNISON)

The foregoing instrument was acknowledged before me this 31 day of May 2016 by Robert Norton and Betty Norton.

Witness my hand and official seal.

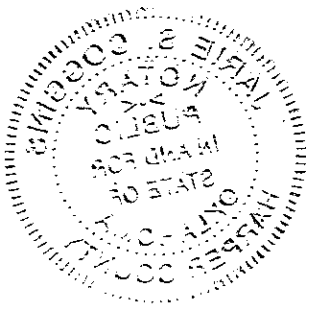
My Commission expires: 4-20-19

Janie S. Coggins
Notary Public

Address: 515 NW 2nd
Buffalo, OK 73834

STATE OF Okla)
)ss
COUNTY OF Harper)

JANIE S. COGGINS NOTARY PUBLIC IN AND FOR STATE OF OKLAHOMA HARPER COUNTY



Paula Swenson Chairperson	Phil Chamberland Commissioner	Jonathan Houck Commissioner

Board of County Commissioners
Gunnison County, Colorado

Attest:

Gunnison County Clerk and Recorder