AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Trampe Ranch Subdivision Exemption

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement: Trampe Ranch LLLP and Don and Bette Rundell

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

Summary:

A Resolution exempting a parcel of land from the Trampe Ranch Conservation Easement Project

Fiscal Impact:

Submitted by: Joseph Otsuka **Submitter's Email Address:** jotsuka@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:
ok db 9/29/16

Reveiwed by: Discharge Date: 9/30/2016 Certificate of Insurance Required Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 9/30/2016

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

Agenda Date: 10/4/2016

Revised April 2015

BOARD OF COUNTY COMMISSIONERS

OF

GUNNISON COUNTY RESOLUTION NO. 16-_____

A RESOLUTION GRANTING AN EXEMPTION FOR A DIVISION OF LAND FROM THE DEFINITION OF THE TERMS "SUBDIVISION" AND "SUBDIVIDED LAND" FOR A TRACT OF LAND WITHIN NW1/4 OF SECTION 7 AND WITHIN THE NE1/4 OF SECTION 8, ALL WITHIN T.50N., R.1E., N.M.P.M. GUNNISON COUNTY, COLORADO (KNOWN AS THE "RUNDELL PARCEL")

WHEREAS, pursuant to C.R.S. § 30-28-101(10)(d), the Board of County Commissioners of Gunnison County, Colorado ("Board"), has the authority to exempt a division of land from the statutory definitions of the terms "subdivision" and "subdivided land" if the Board determines that such division of land is not within the purposes of C.R.S. § 30-28-101 *et seq.*; and

WHEREAS, the Board, historically and currently exercises that authority sparingly; and

WHEREAS, the Board is informed of the following:

1. The Trampe Ranch Conservation Easement Project is nearing completion. The project will contribute greatly to protecting agriculture, the open character of the area and will temper residential and commercial growth, benefit wildlife, groundwater recharge, and various other environmental processes.
2. The home of Don and Bette Rundell, commonly known as 618 County Road 8 lays in the middle of the Trampe Ranch Conservation Easement. This land is further described in the survey titled the "Trampe Ranch Subdivision Exemption", dated September 22nd, 2016, attached hereto and incorporated herein as Appendix "A", and commonly known as the "Rundell Parcel".
3. Don and Bette Rundell own the building and garage on the Trampe Ranch Subdivision Exemption, however, the Trampe Ranches Partnership LLLP owns the land upon which those buildings exist.
4. The Trampe Ranches Partnership LLLP wishes to separately deed the Trampe Ranch Subdivision Exemption.
5. This Resolution is requested by, and supported by Don and Bette Rundell and Trampe Ranches Partnership LLLP.
6. An exemption of this division of land from the statutory definition of "subdivision" and "subdivided land", pursuant to C.R.S. § 30-28-101(10)(d) is an appropriate mechanism to foster the Trampe Ranch Conservation Easement Project, and to enable the separate deeding of the Trampe Ranch Subdivision Exemption.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado that the Board grants, pursuant to C.R.S. § 30-28-101(10)(d), an exemption from the definition of the terms “subdivision” and “subdivided land” for the division of a tract of land from the Trampe Ranch Conservation Easement Project as follows:

1. The Board of County Commissioners of Gunnison County, Colorado authorizes the division of the Trampe Ranch Subdivision Exemption from the Trampe Ranches Partnership LLLP parcel, as described in Appendix “A” as an exemption from the definition of the terms “subdivision” and “subdivided land”, pursuant to C.R.S. § 30-28-101(10)(d).
2. There shall be no subdivision of, or conveyance of, any portion of the Trampe Ranch Subdivision Exemption. There shall be no more than one single family residence on the Trampe Ranch Subdivision Exemption, and no commercial or industrial use shall be permitted on the Trampe Ranch Subdivision Exemption.
3. Any and all land uses, construction, or improvements on the Trampe Ranch Subdivision Exemption must fully comply with all applicable Gunnison County ordinances, resolutions, and requirements including, but not limited to, the Gunnison County Land Use Resolution and the waste water regulations that Gunnison County Community may adopt.
4. The Gunnison County Manager, in his capacity as the Gunnison County Commissioner of Deeds, is authorized to execute, on behalf of the Board of County Commissioners of Gunnison County, Colorado, all legal instruments necessary to implement the intent of this Resolution.

INTRODUCED by Commissioner _____, seconded by Commissioner _____, and adopted this ___ day of _____, 2016.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

_____
Paula Swenson, Chairperson

_____
Phil Chamberland, Vice Chairperson

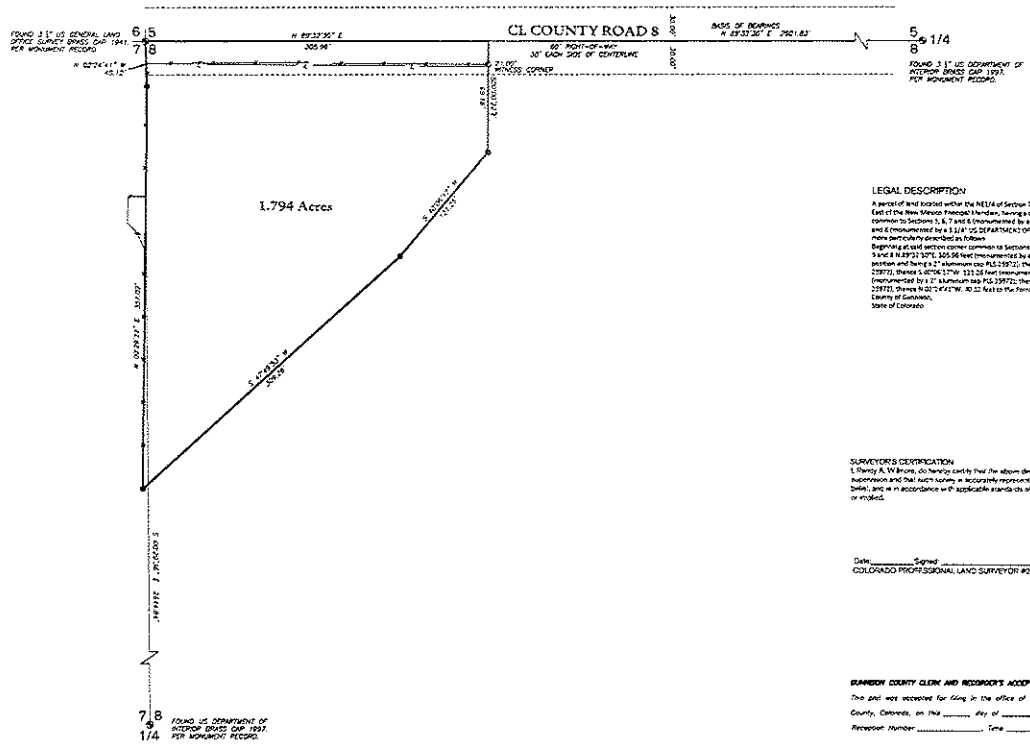
_____
Jonathan Houck, Commissioner

Attest:

_____
Deputy County Clerk

TRAMPE RANCH SUBDIVISION EXEMPTION

WITHIN NE1/4 OF SECTION 7 AND WITHIN THE NW1/4 OF SECTION 8
ALL WITHIN T.50N., R.1E., N.M.P.M.
GUNNISON COUNTY, COLORADO



LEGAL DESCRIPTION

A parcel of land located within the NE1/4 of Section 7 and within the NW1/4 of Section 8 all in Township 50 North, Range 1 East of the New Mexico Principal Meridian, having a description based upon a bearing of N 89°33'30"E, from the section corner common to Sections 5, 6, 7 and 8 (monumented by a 3 1/4" USGLO brass cap 1941) to the 1/4 corner common to Sections 5 and 8 (monumented by a 3 1/4" US DEPARTMENT OF INTERIOR BLM 1997) with all other bearings relative thereto and being more particularly described as follows:

Beginning at said section corner common to Sections 5, 6, 7 and 8 and running along the section line common to said Sections 5 and 8 N 89°33'30"E, 305.96 feet (monumented by a witness corner bearing S 00°00'00"E, 21.00 feet from the true corner position and being a 2" aluminum cap PLS 25972); thence S 00°00'00"E, 59.24 feet (monumented by a 2" aluminum cap PLS 25972), thence S 40°04'17"W, 121.26 feet (monumented by a 2" aluminum cap PLS 25972), thence S 47°49'50"W, 329.26 feet (monumented by a 2" aluminum cap PLS 25972); thence N 00°39'22"E, 337.02 feet (monumented by a 2" aluminum cap PLS 25972), thence N 02°24'41"W, 45.12 feet to the Point of Beginning, and parcel containing 1.794 acres, more or less
County of Gunnison,
State of Colorado

SURVEYOR'S CERTIFICATION

I, Randy A. Wilmore, do hereby certify that the above described parcel has been surveyed by me and under my direct supervision and that such survey is accurately represented hereon, and is based upon my knowledge, information and belief, and is in accordance with applicable standards of practice and is not a guaranty or warranty, either expressed or implied.

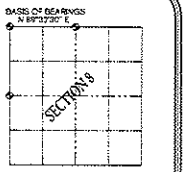
Date _____ Signed _____
COLORADO PROFESSIONAL LAND SURVEYOR #29972

GUNNISON COUNTY CLERK AND RECORDER'S ACCEPTANCE

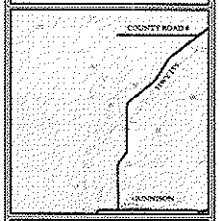
This plat was accepted for filing in the office of the Clerk and Recorder of Gunnison County, Colorado, on this _____ day of _____, A.D. 20_____,
Reception Number _____, Time _____, Date _____

_____
County Clerk

NOTE: According to Colorado law you must commence any legal action based upon a defect in this survey within three years after you discover such defect. In no event may any action based upon a defect in this survey be commenced more than ten years from the date shown on the certification hereon.



CONTROL MAP



AREA LOCATOR

TYPICAL LEGEND

- Set Mag Nail in Asphalt
- Set 5/8" rebar 30" long w/2" aluminum cap PLS25972
- Set 5/8" rebar /2" aluminum cap as Witness corner or Reper PLS25972
- Found government cap as noted, per monument record.
- Fence/line
- Electric (overhead)
- Electric (underground)
- Water line
- Easement
- Sanitary Sewer

BASIS OF BEARINGS:
N.89°33'30"W. FROM SECTION COR. SECTIONS 5, 6, 7 AND 8 TO THE 1/4 CORNER COMMON TO SECTIONS 5 AND 8. GEODETIC NORTH GPS OBSERVATION

SCALE 1"=50 U.S. SURVEY FEET
0 25 50 100

WILMORE & COMPANY
PROFESSIONAL LAND SURVEYING, INC.
426 Grand Avenue 970.527-4200 phone
P.O. Box 1662 970.527-4202 fax
Parma, Colorado 81428 www.wilmoreandcompany.com
EMAIL wilmoreandcompany@sbcl.net
Defining Boundaries

FIELD CREW	RAW, BLW
DRAFTER	RAW
CHECKED BY	KC

TRAMPE RANCH SUBDIVISION EXEMPTION
WITHIN NE1/4 OF SECTION 7 AND WITHIN THE NW1/4 OF SECTION 8
ALL WITHIN T.50N., R.1E., N.M.P.M.
GUNNISON COUNTY, COLORADO

J16160 | 22 SEPTEMBER 2016

APPENDIX A