AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Lot Cluster Application; Sandra J. and John L. Cos

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement:

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

Summary:

Resign because Assessors office wanted the title to the property's all the same.

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: 12/16/2016 Certificate of Insurance Required

Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 12/16/2016

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

Agenda Date: 12/20/2016

Revised April 2015

Community Development Department

MEMO:

To: BOCC
From: Beth Baker

RE: Sandra and John Cosentino lot clusters in Irwin Townsite

The Cosentino's lot clusters had been approved, but the Assessor's office did not approve the differing ways they held title. The Cosentino's have since recorded one deed that addresses all the lots they own in Irwin Townsite and they now are titled Sandra J. Cosentino and John L. Cosentino. In order for the Assessor's office to cluster the lots in their records they require the agreements be resigned and recorded.

If you have any questions please call.

Thanks,

Beth Baker
Community Development Department
bbaker@gunnisoncounty.org
641-7392

Community Development Department
221 N Wisconsin #D
Gunnison, Co. 81230
970-641-0360

RE: Lot Clusters
Resign and notarize

November 18, 2016

Dear Sandra and John,

The lot clusters that were approved by the Board of County Commissioners were denied by the Assessor's office, because of the varied ways that title was held.

They will accept them if we have them resigned by the BOCC, since you have filed your most recent quit claim deed, clearing up the title issues.

I have enclosed the documents that will need to be signed and notarized and returned to our office. We will then get a time on the BOCC agenda and have them signed. When they have been signed you can have them recorded in the Clerk and Recorders office.

Sorry for any confusion, the varied ways that title was held became an issue.

Thanks,

Beth Baker
Gunnison County Community Development
641-7932

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 Sandra J. Cosentino **(Owner)**

John L. Cosentino **(Owner)**

_____ **(Owner)**

_____ **(Owner)**

RECITALS:

Legal Description: Complete – please attach if too long

This document when recorded will amend/ replace Reception # 638024

- **See attached legal description**

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

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 On-Site Wastewater Treatment 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: _____ _____
Sandra J. Cosentino **Owner**

Date: _____ _____
John L. Cosentino **Owner**

Date: _____ _____
Owner

Date: _____ _____

STATE OF COLORADO)
)ss
COUNTY OF GUNNISON)

The foregoing instrument was acknowledged before me this 6th day of December 20 16 by Sandra J. Cosentino and John L. Cosentino **(Owner/s).**

Witness my hand and official seal.

My Commission expires: 11-22-18

NOTARY PUBLIC
MIGUEL MARQUEZ
STATE OF COLORADO

_____
Notary Public

Address: 212 W. Hwy 50
Gunnison, CO 81230

STATE OF COLORADO)
)ss
COUNTY OF GUNNISON)

Witness my hand and official seal.

My Commission expires: _____

_____
Notary Public

Address:

STATE OF COLORADO)
)ss
COUNTY OF GUNNISON)

Date: _____

_____	_____	_____
Paula Swenson Chairperson	Phil Chamberland Commissioner	Jonathan Houck Commissioner

Board of County Commissioners
Gunnison County, Colorado

Attest:

_____
Gunnison County Clerk and Recorder

ATTACHMENT NO. 1

Legal Description of PARCEL NO. 40

being Lot No. 4 thru 9 inclusive, and the East one half (½) of Lot No. 3, in Block 22,

Town of Irwin according to the Plat thereof recorded September 6, 1894 at Reception No. 70551, records of Gunnison County, State of Colorado.

together with all of the Alley lying adjacent to Lot No. 4 thru 9 inclusive and all of the Alley adjacent to the East one half (½) of Lot No. 3.

Containing 1.18 Acres.

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 Sandra J. Cosentino **(Owner)**

John L. Cosentino **(Owner)**

(Owner)

(Owner)

RECITALS:

Legal Description: Complete – please attach if too long

This document when recorded will amend/ replace Reception # 638029

- **See attached legal description**

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

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 On-Site Wastewater Treatment 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: _____ _____
Sandra J. Cosentino **Owner**

Date: _____ _____
John L. Cosentino **Owner**

Date: _____ _____
Owner

Date: _____ _____

STATE OF COLORADO)
)ss
COUNTY OF GUNNISON)

The foregoing instrument was acknowledged before me this 6th day of December 2016 by Sandra J. Cosentino and John L. Cosentino **(Owner/s).**

Witness my hand and official seal.

My Commission expires: 11-22-2018

_____
Notary Public

NOTARY PUBLIC
MIGUEL MARQUEZ
STATE OF COLORADO

Address: 212 Wilson SD
Gunnison, Co 81230

STATE OF COLORADO)
)ss
COUNTY OF GUNNISON)

Witness my hand and official seal.

My Commission expires: _____

_____
Notary Public

Address:

STATE OF COLORADO)
)ss
COUNTY OF GUNNISON)

Date: _____

_____	_____	_____
Paula Swenson Chairperson	Phil Chamberland Commissioner	Jonathan Houck Commissioner

Board of County Commissioners
Gunnison County, Colorado

Attest:

_____
Gunnison County Clerk and Recorder

ATTACHMENT NO. 1

Legal Description of PARCEL NO. 36

being Lot 7 thru 12 inclusive in Block 23,
Town of Irwin according to the Plat thereof recorded September 6, 1894
at Reception No. 70551, records of Gunnison County, State of Colorado.
together with the Alley lying between Lot No. 9 and 10, 8 and 11, and
7 and 12, in said Block 23.

Containing 1.00 Acres.

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 Sandra J. Cosentino **(Owner)**

John L. Cosentino **(Owner)**

(Owner)

(Owner)

RECITALS:

Legal Description: Complete – please attach if too long

This document when recorded will amend/ replace Reception # 638026

- **See attached legal description**

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

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 On-Site Wastewater Treatment 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: _____ _____
Sandra J. Cosentino **Owner**

Date: _____ _____
John L. Cosentino **Owner**

Date: _____ _____
Owner

Date: _____ _____

STATE OF COLORADO)
)ss
COUNTY OF GUNNISON)

The foregoing instrument was acknowledged before me this 6th day of December 2016 by Sandra J. Cosentino and John L. Cosentino **(Owner/s).**

Witness my hand and official seal.

My Commission expires: 11-22-18

_____
Notary Public

NOTARY PUBLIC
MIGUEL MARQUEZ
STATE OF COLORADO

Address: 212 W. King St
Gunnison, Co 81230

STATE OF COLORADO)
)ss
COUNTY OF GUNNISON)

Witness my hand and official seal.

My Commission expires: _____

_____
Notary Public

Address:

STATE OF COLORADO)
)ss
COUNTY OF GUNNISON)

Date: _____

_____	_____	_____
Paula Swenson Chairperson	Phil Chamberland Commissioner	Jonathan Houck Commissioner

Board of County Commissioners
Gunnison County, Colorado

Attest:

_____
Gunnison County Clerk and Recorder

Legal Description of PARCEL NO. 41

being Lot No. 1 thru 11 inclusive, in Block 15,
Town of Irwin according to the Plat thereof recorded September 6, 1894
at Reception No. 70551, records of Gunnison County, State of Colorado.
together with the one half (½) of 8th Street lying adjacent to Lot No.
10 and 11, and all of the Alley in said Block 15.

Containing 1,94 Acres.

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 Sandra J. Cosentino
(Owner)

John L. Cosentino
(Owner)

(Owner)

(Owner)

RECITALS:

Legal Description: Complete – please attach if too long

This document when recorded will amend/ replace Reception # 638030

- **See attached legal description**

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

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 On-Site Wastewater Treatment 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: _____ _____
Sandra J. Cosentino **Owner**

Date: _____ _____
John L. Cosentino **Owner**

Date: _____ _____
Owner

Date: _____ _____

STATE OF COLORADO)
)ss
COUNTY OF GUNNISON)

The foregoing instrument was acknowledged before me this 6th day of December 20 16 by Sandra J. Cosentino and John L. Cosentino **(Owner/s).**

Witness my hand and official seal.

My Commission expires: 11-22-18

_____
Notary Public

NOTARY PUBLIC
MIGUEL MARQUEZ
STATE OF COLORADO

Address: 212 W. Hwy 50
Gunnison, Co 81230

STATE OF COLORADO)
)ss
COUNTY OF GUNNISON)

Witness my hand and official seal.

My Commission expires: _____

_____
Notary Public

Address:

STATE OF COLORADO)
)ss
COUNTY OF GUNNISON)

Date: _____

_____	_____	_____
Paula Swenson Chairperson	Phil Chamberland Commissioner	Jonathan Houck Commissioner

Board of County Commissioners
Gunnison County, Colorado

Attest:

_____
Gunnison County Clerk and Recorder

ATTACHMENT NO. 1

Legal Description of PARCEL NO. 39

being Lot No. 1, 2, the West one half (½) of Lot No. 3, and
Lot No. 10 thru 18 inclusive, in Block 22,
Town of Irwin according to the Plat thereof recorded September 6, 1894
at Reception No. 70551, records of Gunnison County, State of Colorado.
together with the Alley lying between Lot No. 1 and 18, 2 and 17, and
all of the Alley adjacent to the West one half (½) of Lot No. 3.

Containing 1.81 Acres.

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 Sandra J. Cosentino **(Owner)**

John L. Cosentino **(Owner)**

(Owner)

(Owner)

RECITALS:

Legal Description: Complete – please attach if too long

This document when recorded will amend/ replace Reception # 638027

- **See attached legal description**

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

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 On-Site Wastewater Treatment 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: _____ _____
Sandra J. Cosentino **Owner**

Date: _____ _____
John L. Cosentino **Owner**

Date: _____ _____
Owner

Date: _____ _____

STATE OF COLORADO)
)ss
COUNTY OF GUNNISON)

The foregoing instrument was acknowledged before me this 6th day of December 2016 by Sandra J. Cosentino and John L. Cosentino **(Owner/s).**

Witness my hand and official seal.

My Commission expires: 11-22-18

_____
Notary Public

Address: 212 W 1st Ary SD
Gunnison, Co 81230

NOTARY PUBLIC
MIGUEL MARQUEZ
STATE OF COLORADO

STATE OF COLORADO)
)ss
COUNTY OF GUNNISON)

Witness my hand and official seal.

My Commission expires: _____

_____
Notary Public

Address:

STATE OF COLORADO)
)ss
COUNTY OF GUNNISON)

Date: _____

_____	_____	_____
Paula Swenson Chairperson	Phil Chamberland Commissioner	Jonathan Houck Commissioner

Board of County Commissioners
Gunnison County, Colorado

Attest:

_____
Gunnison County Clerk and Recorder

ATTACHMENT NO. 1

Legal Description of PARCEL NO. 34

being Lot No. 4, 15, and 16 in Block 14, and Lots 12 thru 18 inclusive

in Block 15.

Town of Irwin according to the Plat thereof recorded September 6, 1894 at Reception No. 70551, records of Gunnison County, State of Colorado together with all of the Alley lying between Lot No. 3 and 16 and Lot No. 4 and 15, and all of 8th Street lying between Lot. No. 4, Block 14 and Lot 15, Block 15 and one-half (1/2) of 8th Street lying adjacent to Lot Nos. 12, 13 and 14 in Block 15.

Containing 1.82 Acres.

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 Sandra J. Cosentino
(Owner)

John L. Cosentino
(Owner)

(Owner)

(Owner)

RECITALS:

Legal Description: Complete – please attach if too long

This document when recorded will amend/ replace Reception # 638023

- **See attached legal description**

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

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 On-Site Wastewater Treatment 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: _____ _____
Sandra J. Cosentino **Owner**

Date: _____ _____
John L. Cosentino **Owner**

Date: _____ _____
Owner

Date: _____ _____

STATE OF COLORADO)
)ss
COUNTY OF GUNNISON)

The foregoing instrument was acknowledged before me this 6th day of December 20 16 by Sandra J. Cosentino and John L. Cosentino **(Owner/s).**

Witness my hand and official seal.

My Commission expires: 11-22-18

_____
Notary Public

Address: 212 W. Hwy 50
Gunnison, Co 81230

NOTARY PUBLIC
MIGUEL MARQUEZ
STATE OF COLORADO

STATE OF COLORADO)
)ss
COUNTY OF GUNNISON)

Witness my hand and official seal.

My Commission expires: _____

_____
Notary Public

Address:

STATE OF COLORADO)
)ss
COUNTY OF GUNNISON)

Date: _____

_____	_____	_____
Paula Swenson Chairperson	Phil Chamberland Commissioner	Jonathan Houck Commissioner

Board of County Commissioners
Gunnison County, Colorado

Attest:

_____
Gunnison County Clerk and Recorder

ATTACHMENT NO. 1

Legal Description of PARCEL NO. 42

being Lot No. 5 thru 8 inclusive, and Lot No. 12, 13 and 14,
in Block 9,
Town of Irwin according to the Plat thereof recorded September 6, 1894
at Reception No. 70551, records of Gunnison County, State of Colorado,
together with the Alley between Lot No. 5 and 14, 6 and 13, 7 and 12, and
the one half (½) of the Alley adjacent to Lot No. 8 in said Block 9.

Containing 1.16 Acres.

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 Sandra J. Cosentino **(Owner)**

John L. Cosentino **(Owner)**

(Owner)

(Owner)

RECITALS:

Legal Description: Complete – please attach if too long

This document when recorded will amend/ replace Reception # 638028

- **See attached legal description**

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

The foregoing instrument was acknowledged before me this 6th day of December 2016 by Sandra and John Cosentino **(Mortgage/Lien Holder).**

Witness my hand and official seal.

My Commission expires: 11-22-18

Notary Public

Address: 212 W. Hwy 50
Gunnison, Co 81230

NOTARY PUBLIC
MIGUEL MARQUEZ
STATE OF COLORADO

STATE OF COLORADO)
)ss
COUNTY OF GUNNISON)

Date: _____

Paula Swenson Chairperson	Phil Chamberland Commissioner	Jonathan Houck Commissioner

Board of County Commissioners
Gunnison County, Colorado

Attest:

Gunnison County Clerk and Recorder

ATTACHMENT NO. 1

Legal Description of PARCEL NO. 35

being Lot No. 1, 2, 3, 17 and 18 Block 14,

Town of Irwin according to the Plat thereof recorded September 6, 1894 at Reception No. 70551, records of Gunnison County, State of Colorado Together with all of the Alley between Lot No. 1 and 18 and Lot No. 2 and 17, Block 14, and all of 8th Street lying adjacent to Lot No. 1, 2 and 3, Block 14.

Containing 1.12 Acres.

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 Sandra J. Cosentino
(Owner)

John L. Cosentino
(Owner)

(Owner)

(Owner)

RECITALS:

Legal Description: Complete – please attach if too long

This document when recorded will amend/ replace Reception # 638025

- **See attached legal description**

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

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 On-Site Wastewater Treatment 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: _____ _____
Sandra J. Cosentino **Owner**

Date: _____ _____
John L. Cosentino **Owner**

Date: _____ _____
Owner

Date: _____ _____

STATE OF COLORADO)
)ss
COUNTY OF GUNNISON)

The foregoing instrument was acknowledged before me this 6th day of December 2016 by Sandra J. Cosentino and John L. Cosentino **(Owner/s).**

Witness my hand and official seal.

My Commission expires: 11-22-18

_____
Notary Public

NOTARY PUBLIC
MIGUEL MARQUEZ
STATE OF COLORADO

Address: 212 W. Hwy 50
Gunnison, Co 81230

STATE OF COLORADO)
)ss
COUNTY OF GUNNISON)

Witness my hand and official seal.

My Commission expires: _____

_____
Notary Public

Address:

STATE OF COLORADO)
)ss
COUNTY OF GUNNISON)

Date: _____

_____	_____	_____
Paula Swenson Chairperson	Phil Chamberland Commissioner	Jonathan Houck Commissioner

Board of County Commissioners
Gunnison County, Colorado

Attest:

_____
Gunnison County Clerk and Recorder

Legal Description on PARCEL No. 37

Being Lot No. 3 THRU 6 inclusive, and Lot 13 and 14 in Block 23,

Town of Irwin according to the Plat thereof recorded September 6, 1894 at Reception No. 70551, records of Gunnison County, State of Colorado,

Together with the Alley lying between Lot 5 and 14, and 6 and 13 and the half of the alley lying adjacent to Lots 3 and 4 all in said Block 23.

Containing 1.00 Acres.