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 Jonathon

From: Community Development Department Services Manager Beth Baker

Date: June 13, 2013

Included in your packet for the Lot Cluster Request

Lot cluster agreement & declaration copy			
Lot cluster application- copy			
Copies of utility agreements			
Site map of lots 8 & 9 Chair Mountain			

Dan & Debra Cole have applied for an addition to their existing house. In order to get a building permit they have applied to cluster lots eight and nine, Chair Mountain subdivision. Lot eight currently contains the septic system, well and 500 sq. ft. home. The total acreage of the two lots is 1.10 acres.

If you have any questions please call.

Thanks,

Beth Baker
Community Development Department

Gunnison County
COLORADO

LOT CLUSTER AGREEMENT AND DECLARATION

THIS LOT CLUSTER AGREEMENT AND DECLARATION is made this 3rd day of June, 2013 by and between the Board of County Commissioners of the County of Gunnison, Colorado (hereinafter "Gunnison County") and Don E. Cole and Debra C. Cole (jointly and severally) (hereinafter "Owner").
(Owners)

RECITALS:

1. The undersigned (are) the owner of the following legally described properties;
   **** Please include or attach the complete legal description**
   Lots 8 and 9, Block 1, Chair Mountain Ranch Subdivision and that portion of Township 11 South, Range 88 West, 6th p.m. Section 7, lying east of the east boundary of Chair Mountain Ranch Subdivision.

   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: June 03, 2013 — Dan E. Cole, Owner

Date: 6/3/13 — Debra C. Cole, Owner

Date: _____ — _____, Owner

Date: _____ — _____, Mortgage or Lien Holder

STATE OF ~~COLORADO~~ Texas)
)ss
COUNTY OF ~~GUNNISON~~ Collin)

The foregoing instrument was acknowledged before me this 3rd day of June 2013 by Dan E. Cole + Debra C. Cole (Owner/s).

Witness my hand and official seal.

My Commission expires: 7/18/16

Jori S. Andrade
Notary Public

Address:

Jori S. Andrade
Commission Expires
07-18-2016

STATE OF COLORADO)
)ss
COUNTY OF GUNNISON)

Gunnison County
COLORADO

APPLICATION TO COMBINE EXITING 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- $150.00

APPLICANT : Dan E. Cole and Debra C. Cole		
MAILING ADDRESS: 5784 Robbie Road		
CITY: Plano	**STATE:** Texas	**ZIP:** 75024
PHONE (day): (972) 757-7062	**(evening):** (972) 801-9659	
FAX:	**E-MAIL ADDRESS:** dan.cole@denbury.com deecole55@gmail.com	

1. **LEGAL DESCRIPTION.** The undersigned (is) (are) the owner (s) of the following described adjacent parcels of real property in Gunnison County, Colorado **(include full legal description):**

   DESCRIPTION ATTACHED

   and any adjacent street or alley that is or may be vacated. NA
   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)

3. **LIEN OR MORTGAGE HOLDER ADDRESS(ES).** For each parcel described in #1, above, state the name, address and telephone number of each lien and or mortgage holder and briefly describe each lien and/or mortgage:
NA

4. **LIEN OR MORTGAGE HOLDER CONSENT.** For each lien and/or mortgage described in #3, above, as applicable, provide notarized letters of consent or a signed and notarized subordination to the lot cluster from lien or mortgage holders of the individual pre-clustered lots; the lien/mortgage holder is required to sign the attached "Lot Cluster Agreement and Declaration."
NA

5. **PROTECTIVE COVENANTS OR DEED RESTRICTIONS.** Attach a copy of the applicable Declaration of Protective Covenants, and /or deed restriction. NO COVENANTS, OR DEED RESTRICTIONS APPLICABLE FOR THE CHAIR MOUNTAIN RANCH SUBDIVISION

6. **NOTARIZED SIGNATURES.** Provide a notarized signature and affirmation that the application complies with applicable covenants or deed restrictions, by an authorized representative for the association that administers the protective covenants, or by the beneficiary of the deed restriction, as applicable. NO COVENANTS, OR DEED RESTRICTIONS APPLICABLE FOR THE CHAIR MOUNTAIN RANCH SUBDIVISION

7. **LOCATION WITHIN SPECIAL DISTRICT.** Identify each district or entity (such as a water and sanitation district) that provides service to each lot described in #1, above. Approval of this application to combine the described parcels or lots does NOT affect fees, assessments, or charges regarding any serve to those lots; changes to those fees, assessments or charges can only be made by such districts.
WATER IS PROVIDED BY AN ON SITE PRIVATE WELL.
WASTE IS AN ON SITE WASTE TREATMENT SYSTEM.

8. **CONSENT BY UTILITIES.** As applicable, notarized letters of consent to the lot cluster from utility companies whose facilities are located in legal easements on or adjacent to the proposed clustered lots, and a copy of the easement agreements, if such agreements exist.
ELECTRICITY – HOLY CROSS – ATTACHED.
PHONE – CENTURY LINK – ATTACHED.
GAS – PROPANE TANK – NA
CABLE – SATELLITE DISH - NA

9. **SITE PLAN.** All the listed information MUST be shown on the drawing, as applicable. The site plan must be legible, clearly marked, on 8.5 x 11 inch paper, with a scaled representation of the lots. ATTACHED

- ☐ Exterior lot lines for all parcels described in #1, above
- ☐ All existing and proposed structures
- ☐ Locations of driveways and parking areas/spaces
- ☐ Locations of utilities (septic tanks, leach fields, wells, electric, gas, telephone or cable lines)
- ☐ Distance of structures from property lines
- ☐ Easements (include width as well as locations)
- ☐ Irrigation and drainage ditches
- ☐ Boundary line(s) to be vacated between lots
- ☐ If the lots are located within a platted townsite or recorded subdivision, indicate on the site plan the date, book and page or receipt numbers as recorded in the Office of the Gunnison County Clerk and Recorder. CHAIR MOUNTAIN RANCH SUBDIVISION; *RECEPTION NO. 247638*
- ☐ The lots immediately adjacent to all boundaries of the lots that will be clustered.

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: June 02, 2013 — Dan E. Cole — Dan E. Cole — Applicant

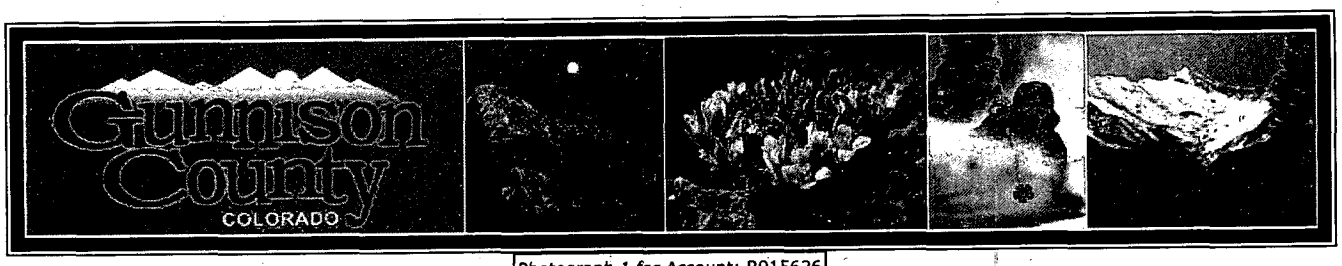
Date: 6/2/13 — Debra C. Cole — Debra C. Cole — Applicant

AUTHORIZATIONS

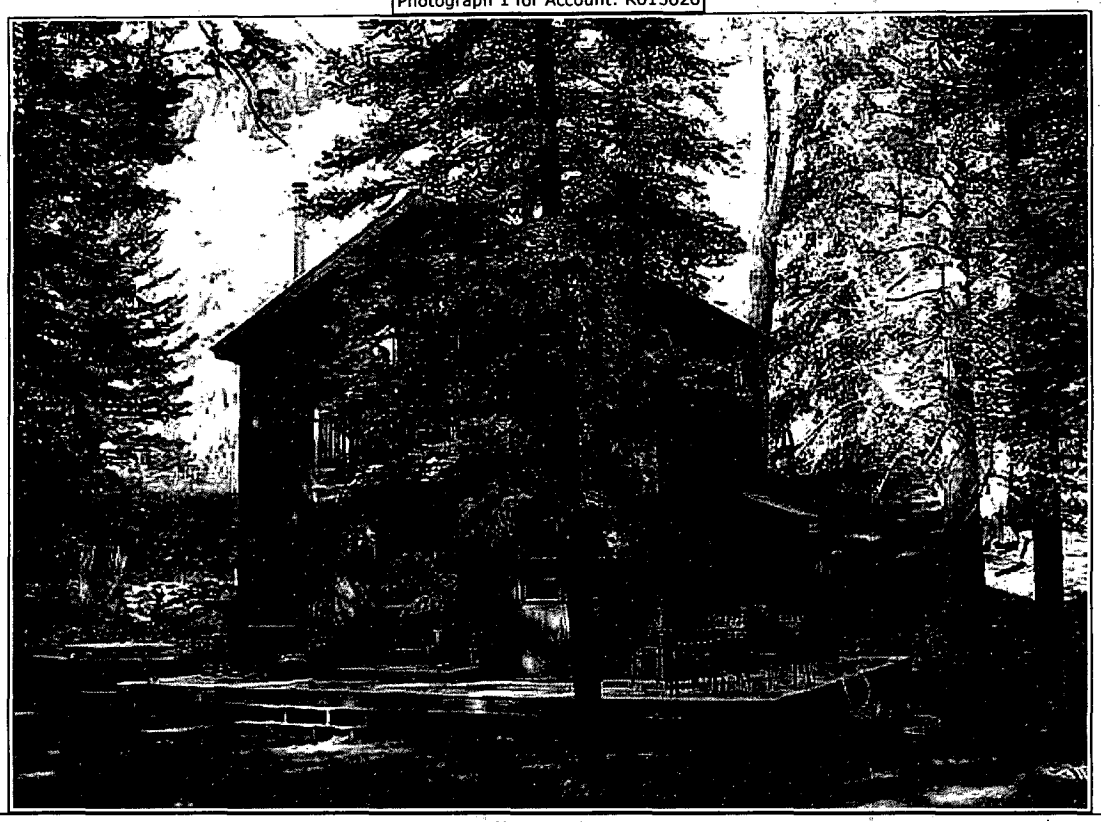
Date: _____ — _____ Gunnison County Attorney

Date: _____ — _____ Gunnison County Community Development Director

DATE RECEIVED
(Community Development Dept): _____
BY: _____



Photograph 1 for Account: R015626



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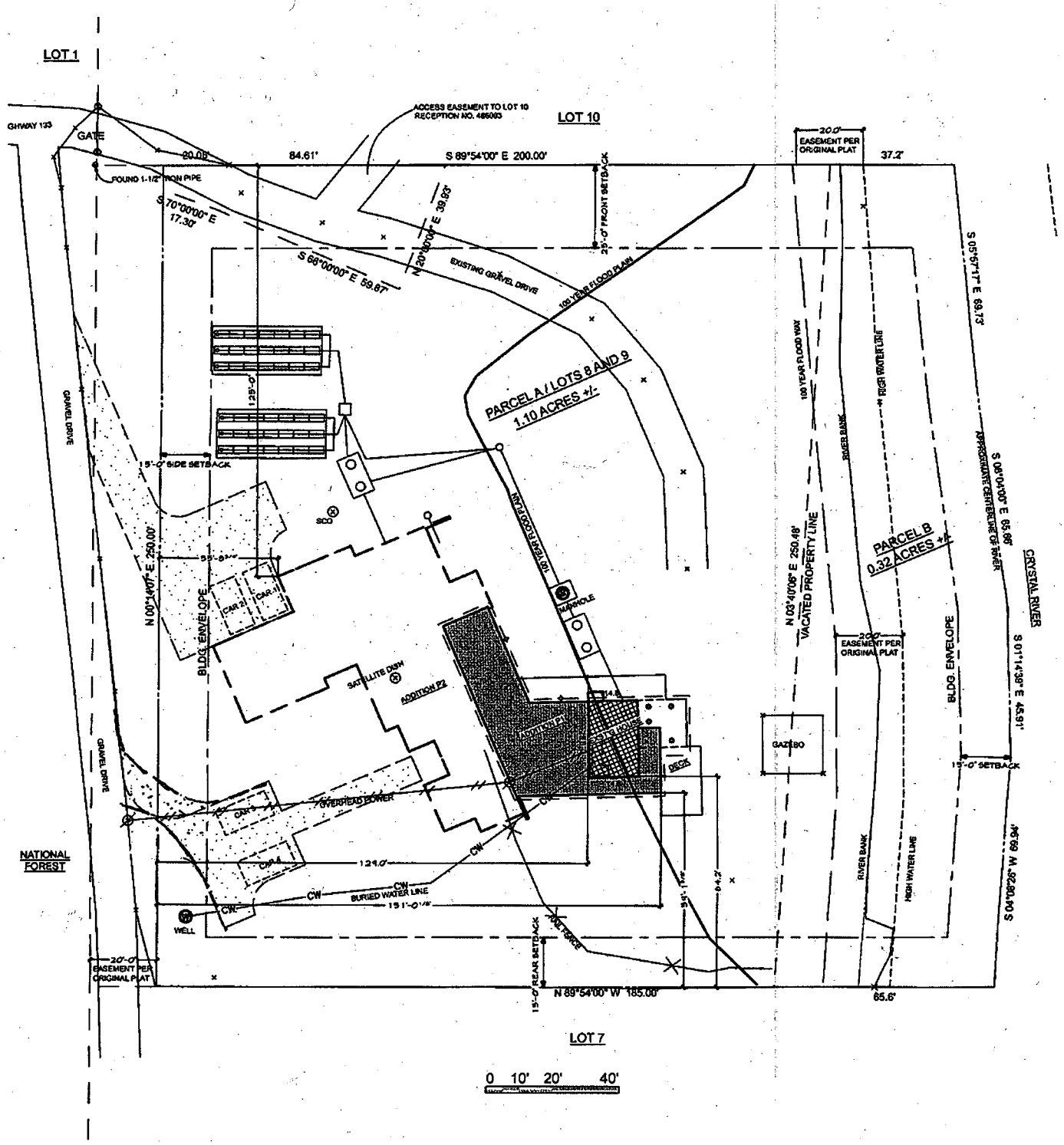

PARCEL A / LOT 8 & 9
CHAIR MOUNTAIN RANCH SUBDIV.
AS RECORDED MARCH 6, 1961;
RECEPTION # 247638

CenturyLink

222 West 1st Street
Pueblo, CO 81003
TEL 719-584-6484
FAX 719-584-6462

June 3, 2013

Scot Broughton Architects, LLC
23280 Two River Road; Unit 3
Basalt, CO 81621

Re: Lot Consolidation

Dear Mr. Broughton:

Please be advised that CenturyLink has no objection to the proposed consolidation of Parcel A, Lots 8 and 9 with Parcel B, Chair Mountain Ranch Subdivision, Gunnison County, Colorado nor the vacation of any utility easements that would be associated with the common property line to be vacated.

CenturyLink does, however, retain all rights associated with any other easements in the area that are not involved with this consolidation.

Yours truly,

Mark Mansell

Mark Mansell
Right of Way Manager

STATE OF COLORADO
COUNTY OF PUEBLO

The foregoing instrument was acknowledged before me this 3rd day of June, 2013, by Mark Mansell as Right of Way Manager for Qwest Corporation d/b/a CenturyLink QC.

(NOTARY SEAL) VALERIE RIVERA NOTARY PUBLIC STATE OF COLORADO MY COMMISSION EXPIRES 06/06/2015

Witness my hand and official seal:

Valerie Rivera
Notary Public

My commission expires: 6-6-2015

3799 HIGHWAY 82 • P.O. BOX 2150
GLENWOOD SPRINGS, COLORADO 81602
(970) 945-5491 • FAX (970) 945-4081

June 6, 2013

Scott Broughton Architects
PO Box 4096
Basalt, CO 81621

Re: 30022 Highway 133, Marble, Colorado

Dear Scott:

Holy Cross Energy has no facilities between Lots 8 and 9 of Chair Mountain Ranch, Block 1 Subdivision.

Sincerely,
HOLY CROSS ENERGY

Jeffrey A. Franke,
Engineering Department

jfranke@holycross.com
(970) 947-5416

JAF:vw

Franke\Broughton