AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Acknowledgement & Ratification of County Manager's

Action Requested:

Parties to the Agreement:

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

Summary:

Please see attached for acknowledgement of County Manager's signature

Fiscal Impact:

Submitted by: Josh Ost **Submitter's Email Address:** jost@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:
ok db 8/30/17

Reveiwed by: GUNCOUNTY1\dBaumgarten Discharge Date: 9/1/2017 Certificate of Insurance Required

Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 9/1/2017

◉ Consent Agenda ○ Regular Agenda ○ Worksession Time Allotted: 0

Agenda Date: 9/5/2017

Revised April 2015

CONSENT TO LAND USE CHANGE APPLICATION SUBMITTAL

Whereas:

A. The Board of County Commissioners of Gunnison County, Colorado (the "Board") owns the real property located in Gunnison County, Colorado, more particularly described on **Exhibit A** (the "Property").

B. Gatesco, Inc. was selected through an RFQ and RFP process to develop a workforce housing project on the Property (the "Project").

C. APT Brush Creek, LLC, a Colorado limited liability company ("APT"), is an affiliate of Gatesco, Inc. formed for the purpose of holding title to and developing the Property.

D. To develop the Project, APT will be required to obtain a major impact land use change approval from Gunnison County.

E. The Board anticipates conveying title to the Property to APT, and prior to closing on that transfer, desires to authorize APT to submit a major impact land use change for the Project.

Now, therefore:

1. The Board hereby consents to the submittal of, and authorizes APT (by itself and through its own authorized representatives) to prosecute a land use change application for the Project.

2. Nothing in this consent shall be deemed to constitute approval of the land use change application itself, nor shall this consent be deemed a waiver of any of Gunnison County's discretion and rights under Gunnison County's Land Use Change Resolution.

3. The Board reserves the right to revoke this consent.

Done this 23rd day of August, 2017.

Board of County Commissioners of Gunnison County, Colorado

By: _____
Matthew Birnie, County Manager

STATE OF COLORADO)
) ss
COUNTY OF GUNNISON)

The foregoing instrument was acknowledged before me this 23rd day of August, 2017.
Witness my hand and official seal. My commission expires: 7/8/2020

JOSHUA OST
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #20164025963
My Commission Expires July 8, 2020

Notary Public: _____

EXHIBIT A

All of the land in Section 12, Township 14 South, Range 86 West, 6th PM, lying south and east of Brush Creek Road, and west of Larkspur Subdivision and Red Feather Ranch subdivision, excepting any portion that may lie south and west of the southwest boundary of Colorado State Highway 135.

On information and belief, this includes that property conveyed to the Board of County Commissioners of Gunnison County, Colorado by Quitclaim Deed recorded December 16, 1996 under Reception No. 472661, and that property conveyed to the Board of County Commissioners of Gunnison County, Colorado by General Warranty Deed recorded September 11, 1998, at Reception No. 486887 (including the property quitclaimed to the Board of County Commissioners of Gunnison County, Colorado, by Quitclaim Deeds recorded at Reception Nos. 568255 and 568256).

COUNTY OF GUNNISON, STATE OF COLORADO.