AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Townhouse Plat Approval; Nash Townhouse; Lot 35, B

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement:

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

Summary:

Nash Townhouses Plat
Lot 35, Block 2, CB South - Filing #1

Fiscal Impact:

Submitted by: Neal Starkebaum **Submitter's Email Address:** nstarkebaum@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:
ok db 5/30/18

Reveiwed by: GUNCOUNTY1\dBaumgarten Discharge Date: 5/30/2018 Certificate of Insurance Required

Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 5/31/2018

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted:

Agenda Date: 6/5/2018

Revised April 2015

Gunnison County Community and
Economic Development Department
Offices of Planning, Building and Environmental Health
221 N. Wisconsin St., Ste. D
Gunnison, CO 81230
Phone: (970) 641-0360 Fax: (970)641-8585

May 29, 2018

TO: **Board of County Commissioners**
Matthew Birnie, County Manager
David Baumgarten, County Attorney

FROM: **Neal Starkebaum**
Assistant Director

SUBJECT: **Nash Townhouses**
Lot 35, Block 2, CB South – First Filing

Hunter Family Real Estate II, Ltd, is platting townhomes, known as the Nash Townhouses.

Attachments:
Townhouse Plat
CB South POA approval

CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION

61 TEOCALLI ROAD, CRESTED BUTTE, CO 81224
PHONE (970) 349-1162, WEBSITE: www.cbsouth.net, FAX (970) 349-1163

May 29, 2018

Hunter Trust
Ian Mason
PO Box 26
Crested Butte, CO 81224

Re: Lot 35, Block 2, Filing 1, a.k.a. 64 Endner Place

Dear Ian,

The **Crested Butte South Property Owners Association**, in accordance with the Special Area Regulations for Crested Butte South at a regular meeting on July 20, 2017 approved your plans for a **Duplex Residence.**

The Approval allows for conveyance of Condominium or Townhome status as stated in the CCR's.

And please remember the following:

- You must submit to the CB South POA a recorded plat for records at the POA office.
- Additionally, the declarations and covenants must be submitted and include all rules and regulations of the master association, Crested Butte South POA.

Sincerely,
Crested Butte South Property Owners Association

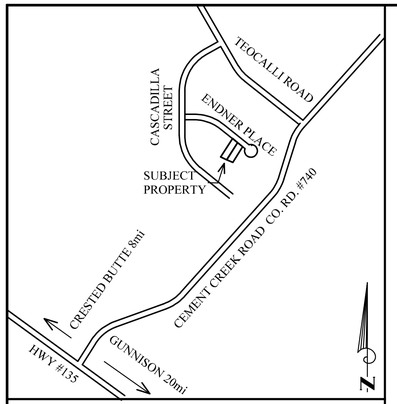
Dominic Eymere
Association Manager

Cc: Gunnison County Planning Department
Cc: Crested Butte South Metro District

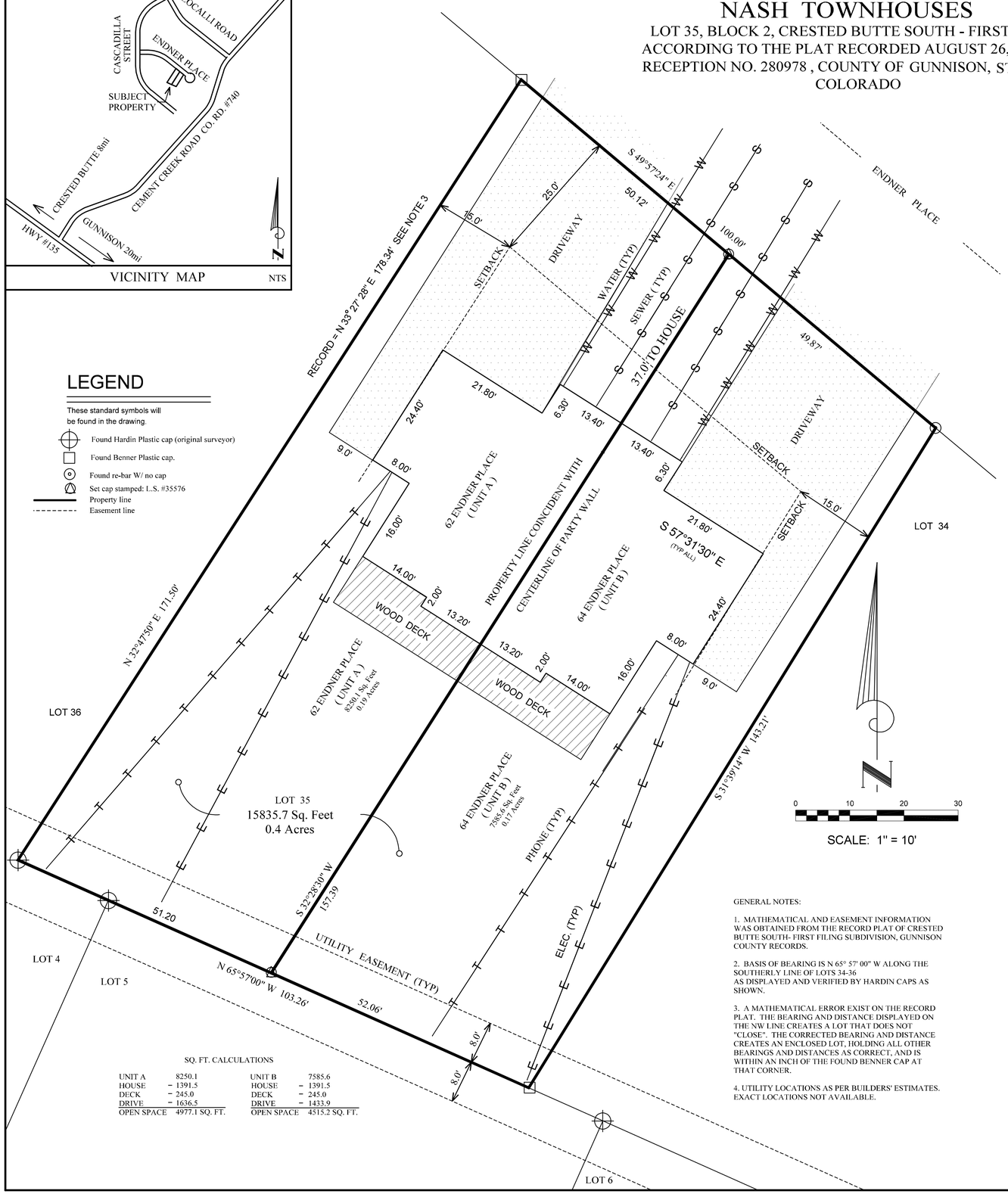
PLAT OF

NASH TOWNHOUSES

LOT 35, BLOCK 2, CRESTED BUTTE SOUTH - FIRST FILING
ACCORDING TO THE PLAT RECORDED AUGUST 26, 1970 AT
RECEPTION NO. 280978 , COUNTY OF GUNNISON, STATE OF
COLORADO



VICINITY MAP NTS



LEGEND

These standard symbols will be found in the drawing.

- Found Hardin Plastic cap (original surveyor)
- Found Benner Plastic cap.
- Found re-bar W/ no cap
- Set cap stamped: L.S. #35576
- Property line
- Easement line

SQ. FT. CALCULATIONS

UNIT A	8250.1	UNIT B	7585.6
HOUSE	− 1391.5	HOUSE	− 1391.5
DECK	− 245.0	DECK	− 245.0
DRIVE	− 1636.5	DRIVE	− 1433.9
OPEN SPACE	4977.1 SQ. FT.	OPEN SPACE	4515.2 SQ. FT.

GENERAL NOTES:

1. MATHEMATICAL AND EASEMENT INFORMATION WAS OBTAINED FROM THE RECORD PLAT OF CRESTED BUTTE SOUTH- FIRST FILING SUBDIVISION, GUNNISON COUNTY RECORDS.

2. BASIS OF BEARING IS N 65° 57' 00" W ALONG THE SOUTHERLY LINE OF LOTS 34-36 AS DISPLAYED AND VERIFIED BY HARDIN CAPS AS SHOWN.

3. A MATHEMATICAL ERROR EXIST ON THE RECORD PLAT. THE BEARING AND DISTANCE DISPLAYED ON THE NW LINE CREATES A LOT THAT DOES NOT "CLOSE". THE CORRECTED BEARING AND DISTANCE CREATES AN ENCLOSED LOT, HOLDING ALL OTHER BEARINGS AND DISTANCES AS CORRECT, AND IS WITHIN AN INCH OF THE FOUND BENNER CAP AT THAT CORNER.

4. UTILITY LOCATIONS AS PER BUILDERS' ESTIMATES. EXACT LOCATIONS NOT AVAILABLE.

DEDICATION:

The undersigned HUNTER FAMILY REAL ESTATE II, LTD., a Texas limited partnership, being the owner of Lot 35, Block 2, CRESTED BUTTE SOUTH - FIRST FILING, according to the Plat recorded August 26, 1970 at Reception No. 280978, County of Gunnison, State of Colorado, under the name of the PLAT OF NASH TOWNHOUSES, LOT 35, BLOCK 2, CRESTED BUTTE SOUTH - FIRST FILING, ACCORDING TO THE PLAT RECORDED AUGUST 26, 1970 AT RECEPTION NO. 280978, COUNTY OF GUNNISON, STATE OF COLORADO, has laid out, platted and subdivided the same as shown on this plat, all as further described in and subject to the DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND PARTY WALL AGREEMENT OF NASH TOWNHOUSES dated _____, 20__ and recorded on _____, 20__ at Reception No. _____, County of Gunnison, State of Colorado.

IN WITNESS WHEREOF, HUNTER FAMILY REAL ESTATE II, LTD. has subscribed its name hereto this ___ day of _____, 20__.

HUNTER FAMILY REAL ESTATE II, LTD.,
a Texas limited partnership

By: _____
Name: _____
Title: _____

STATE OF _____)
)ss.
COUNTY OF _____)

The foregoing Dedication of Nash Townhouses was acknowledged before me this ___ day of _____, 20__ by _____ _____ of HUNTER FAMILY REAL ESTATE II, LTD., a Texas limited partnership, on behalf of said entity.

My commission expires: _____

Witness my hand and official seal:

_____
Notary Public

ATTORNEY'S OPINION:

I, John D. Belkin, an attorney at law duly licensed to practice in the State of Colorado, hereby certify that I have examined the title to the lands herein described, dedicated and subdivided. Such title is vested in HUNTER FAMILY REAL ESTATE II, LTD., a Texas limited partnership, and is free and clear of all liens, defects, encumbrances, restrictions and reservations of record, except as follows:

1. Real property taxes for the year 2018 not yet due and payable.

2. All Patent reservations as reserved in United States Patent(s) recorded May 19, 1898 in Book 115 at page 303, August 12, 1901 in Book 101 at page 248, May 22, 1918 in Book 184 at page 136, and October 6, 1922 in Book 184 at page 353; including:

   a) Any vested and accrued water rights for mining, agriculture, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of courts;

   b) The right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted as provided by law;

   c) A right of way thereon for ditches or canals constructed by the authority of the United States.

3. Easement and right of way for cattle driveway reserved by Robert J. Oversteg and Berth a Oversteg in Warranty Deed recorded October 1, 1936 in Book 245 at page 364, in which the specific location of the easement is not defined.

4. Easements, exceptions, conditions, dedications, reservations, and notes on the Plat of Crested Butte South - First Filing recorded on August 26, 1970 at Reception No. 280978; including:

   a) All Utility and Walking easements along the lot lines as reserved on said Plat.

5. Covenants, conditions terms, and restrictions as set forth in Covenants and Restrictions of Crested Butte South recorded August 26, 1970 in Book 420 at page 404, Resolutions recorded January 21, 1983 in Book 589 at page 304, December 8, 1988 in Book 661 at page 284, April 27, 1990 in Book 677 at page 578, Book 677 at page 581, November 20, 1990 in Book 684 at page 901, October 22, 1993 in Book 733 at page 740, December 15, 1994 in Book 757 at page 223, in Amendments recorded May 1, 1996 in Book 782 at page 202, page 203, page 204, page 205, November 22, 1996 as Reception No. 472225, Resolutions recorded March 27, 1998 as Reception No. 482581, April 30, 1998 as Reception No. 483318, October 19, 1998 as Reception No. 487930, November 8, 1999 as Reception No. 497644, March 22, 2001 as Reception No. 509429, September 25, 2001 as Reception No. 514482, February 5, 2002 as Reception No. 517978, June 23, 2003 as Reception No. 531851, September 25, 2003 as Reception No. 535203, February 23, 2004 as Reception No. 539220 and July 20, 2004 as Reception No. 544256; together with any modifications or amendments thereto, but omitting, except to the extent that said covenant or restriction is controlled or permitted by any applicable federal or state law, any covenants or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, medical conditions, national origin, source of income or ancestry.

6. Terms and conditions as contained in Resolution of the Board of Directors of the Crested Butte South Metropolitan District governing the installation of individual well and sewage disposal systems within the boundaries of the district, recorded June 8, 1993 in Book 725 at page 218.

7. Terms and conditions as contained in Resolution of the Board of County Commissioners of the County of Gunnison, Colorado, designating Crested Butte South as a Special Area, recorded September 3, 2008 as Reception No. 586264.

8. Terms and conditions as set forth in Certificate approving land use change permit, recorded June 23, 2009 as Reception No. 591583, in Certificate recorded August 10, 2009 as Reception No. 592777, in Certificate recorded May 15, 2012 as Reception No. 612944, and in Certificate recorded September 20, 2012 as Reception No. 615590.

9. Terms and conditions as contained in Resolution of the Board of County Commissioners of the County of Gunnison, Colorado, completing the extension and installation of water and sewer mains to all filings in Crested Butte South subdivision except for the north half of Block 6, Filing #2, Crested Butte South, recorded January 7, 2015 as Reception No. 630782.

Dated this __ day of _____, 20__.

_____
John D. Belkin, Colo. Reg. No. 30063

SURVEYOR'S CERTIFICATE:

I, Kurt Olson, a registered land surveyor in the State of Colorado, do hereby certify that this PLAT OF NASH TOWNHOUSES, LOT 35, BLOCK 2, CRESTED BUTTE SOUTH - FIRST FILING, ACCORDING TO THE PLAT RECORDED AUGUST 26, 1970 AT RECEPTION NO. 280978, COUNTY OF GUNNISON, STATE OF COLORADO was made by me or under my direct supervision from an accurate survey of the subject real property, accurately depicts the layout of the real property and the townhouse unit designations thereon and that it is true and correct to the best of my knowledge. Monuments have been found as shown hereon.

Dated this _____ day of _____, 20__.

COLORADO REGISTERED KURT OLSON 35576 PROFESSIONAL LAND SURVEYOR

Meridian Design 970-349-5034

BOARD OF COUNTY COMMISSIONERS' APPROVAL:

The within PLAT OF NASH TOWNHOUSES, LOT 35, BLOCK 2, CRESTED BUTTE SOUTH - FIRST FILING, ACCORDING TO THE PLAT RECORDED AUGUST 26, 1970 AT RECEPTION NO. 280978, COUNTY OF GUNNISON, STATE OF COLORADO, is hereby approved by the Board of County Commissioners of the County of Gunnison, State of Colorado.

Dated this __ day of _____, 20__.

BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY

By: _____
_____, Chairperson

Attest: _____
Gunnison County Clerk and Recorder

GUNNISON COUNTY CLERK AND RECORDER'S ACCEPTANCE:

This PLAT OF NASH TOWNHOUSES, LOT 35, BLOCK 2, CRESTED BUTTE SOUTH - FIRST FILING, ACCORDING TO THE PLAT RECORDED AUGUST 26, 1970 AT RECEPTION NO. 280978, COUNTY OF GUNNISON, STATE OF COLORADO is accepted for filing in the official real property records of the Office of the Clerk and Recorder for Gunnison County, State of Colorado on this ___ day of _____, 20__ at Reception No. _____.

Time: _____; Date: _____.