AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Request; EML & JBL Condominiums

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement:

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

Summary:

EML & JBL Condos - Jill Barr-Laggis, Lot 30 Riverland Industrial Park, F #2

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 11/15/18

Reveiwed by: GUNCOUNTY1\dBaumgarten Discharge Date: 11/15/2018 Certificate of Insurance Required

Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 11/15/2018

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

Agenda Date: 11/20/2018

Revised April 2015

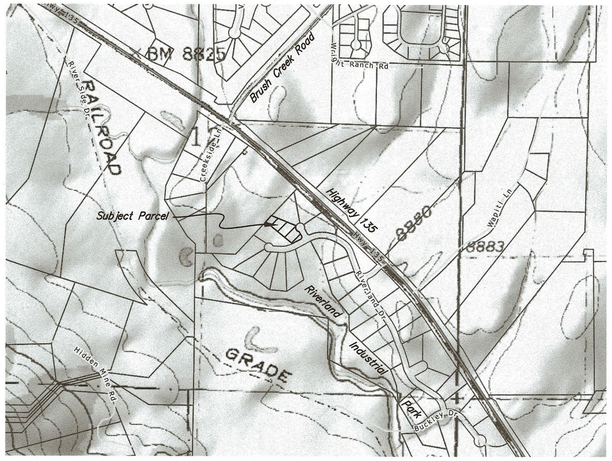
From: JENNIFER DAQUILA
To: Planning
Cc: Jill Laggis
Subject: Jill Barr-Laggis Lot 30 Riverland
Date: Friday, October 26, 2018 11:14:12 AM

Good Morning Planning,

The Riverland Board of Directors had a meeting on August 22, 2018 where Jill Barr-Laggis owner of Lot 30 presented a plan for condominiumization. The Board of Directors approved and signed off on Jill Barr-Laggis's plan. Please call if there are any questions.

Sincerely,
JENNIFER DAQUILA
jen.daquila@gmail.com
970-275-3150

VICINITY MAP (NOT TO SCALE)



PLAT NOTES

1. Any person who acquires any interest in any of the real property platted on this Map shall be deemed to have accepted the terms, conditions, exceptions, restrictions, limitations and definitions set forth herein and in the Declaration establishing EML & JBL CONDOMINIUMS recorded as Reception No. _____.
2. According to Colorado law you must commence legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based on any defect in this survey be commenced more than ten years from the date of the surveyor's certificate shown hereon.
3. Upon completion of the installation or maintenance of any utilities, the property disturbed or damaged by such installation or maintenance shall be restored as near as reasonably possible to its original condition.
4. Animals must be controlled by kenneling, leashing or other physical restraint. Any expense of enforcing domestic animal control restrictions by Gunnison County shall be at the expense of the EML & JBL Condominiums Association or the individual unit owner.
5. C.R.S. Section 35-46-101 *et. seq.* requires the EML & JBL Condominiums Association to construct and maintain fencing to keep livestock off of the EML & JBL CONDOMINIUMS property.
6. An irrigation ditch owner has the right to enter the designated irrigation ditch maintenance easement, maintain the ditch and leave natural debris on the bank of the ditch.
7. The property described on this plat is subject to all the requirements, terms and conditions of the Board of County Commissioners' Resolution No. _____, recorded at Reception No._____ of the Official Records of the Clerk and Recorder of Gunnison County.

SURVEY NOTES

1. Boundaries and typical utility easements are based on the Plat of Riverland - an Industrial Park Filing 2, recorded 24 May 1996 at Reception No. 467881 of the records of Gunnison County.
2. Bearings are based on a record bearing of S42°19'49"W between yellow plastic cap monuments stamped "LS 9476" found at the most northerly rear boundary corner of Lot 31 and the most westerly rear boundary corner of Lot 30, as shown hereon.
3. Distances and dimensions are in U.S. Survey Feet.
4. Setbacks are based upon the Gunnison County Land Use Resolution dated February 16, 2016, Section 13-104 "Setbacks from Property Lines and Road Rights Of Way". This parcel is considered "Light Industrial Use".
5. Land description, easements, and encumbrances are based on Land Title Guarantee Company's Title Commitment No. GUR88000389 dated July 28, 2017. This Map does not constitute a title search by this surveyor. Additional easements and encumbrances may exist.
6. The southerly portion of the subject parcel is located in FEMA "Flood Zone A - no base elevation determined". Flood zone is based upon FEMA Map No. 08051C0727D dated May 16, 2013.

ATTORNEY'S OPINION

I, David Leinsdorf, an attorney at law licensed to practice in the State of Colorado, do hereby certify that I have examined title to all lands herein dedicated and shown upon this Map. Such title is vested in Jill Barr-Laggis and is free and clear of all liens, defects, encumbrances, restrictions and reservations, except as follows:

1. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water.
2. United States Patents recorded in Book 184 at Page 164 and in Book 184 at Page 167.
3. Warranty Deed recorded in Book 574 at Page 352.
4. Quit Claim Deed recorded in Book 576 at Page 390.
5. Plat of Riverland – An Industrial Park, Filing 1 recorded under Reception No. 369534.
6. Declaration of Protective Covenants for Riverland Industrial Park recorded in Book 584 at Page 304 and the Addendum recorded in Book 588 at Page 581.
7. Plat of Riverland – An Industrial Park, Filing 2 recorded under Reception No. 467881 as modified by Plat Correction recorded in Book 784 at Page 190.
8. Declaration of Protective Covenants for Riverland Industrial Park, Filing 2 recorded in Book 783 at Page 529, as amended by instrument recorded under Reception No. 483726 and the consents thereto recorded at Reception Nos. 483727, 483728, 483729, 483730, 483731, 483732, 483733, 483734, 483735, 483736, 483737, 483738, 483739, 483740, 483741, 483742, and 483743.
9. Development Improvement Agreement recorded in Book 783 at Page 533 and recorded in Book 785 at Page 116.
10. No Impact Certification No. 11, Series 1996 recorded in Book 789 at Page 485.
11. Board of County Commissioners of the County of Gunnison, Colorado Resolution No. 2016-1 recorded under Reception No. 637409.
12. All matters disclosed on Existing Conditions Survey issued by Stephen L. Jessoe, P.L.S. 38048, on behalf of All County Survey, Inc. certified May 2, 2015.
13. Deed of Trust recorded under Reception No. 648705.
14. The lien for 2018 real property taxes and assessments.

Dated this 12 day of November, A.D. 2018.

David Leinsdorf, Attorney-at-Law
Supreme Court Registration No. 2740
P.O. Box 187, Crested Butte, CO 81224

DEDICATION

Jill Barr-Laggis, being the owner of the land described below, and Kris S. Pogoloff, being the mortgagee, hereby declare and execute this Map of EML & JBL CONDOMINIUMS, County of Gunnison, State of Colorado, as follows:

1. Dedication. We, Jill Barr-Laggis and Kris S. Pogoloff, being the owner and mortgagee, respectively, of the land described as follows:

Lot 30, RIVERLAND – AN INDUSTRIAL PARK, FILING 2, according to the plat thereof recorded May 24, 1996 under Reception No. 467881, and the Plat Correction recorded June 4, 1996 in Book 784 at page 190, County of Gunnison, State of Colorado,

under the name of EML & JBL CONDOMINIUMS, have laid out, platted and/or subdivided the same as shown on this Map and do hereby permanently dedicate and convey to the owners of condominium units within this condominium and their guests, but not to the public at large, the common right to use the streets, alleys and roads, if any, and other areas as shown hereon and hereby permanently dedicate those portions of land labeled as easements for the installation and maintenance of public utilities as shown hereon.

2. Condominium Declaration. The real property laid out as EML & JBL CONDOMINIUMS, County of Gunnison, State of Colorado, is platted and dedicated pursuant to the terms and conditions of the Declaration Establishing EML & JBL Condominiums dated _____, 2018 and recorded _____, 2018 as Reception No. _____ in the office of the Gunnison County Clerk and Recorder.

IN WITNESS WHEREOF, Jill Barr-Laggis and Kris S. Pogoloff have subscribed their names this 12th day of November, A.D. 2018.

Jill Barr-Laggis Kris S. Pogoloff

STATE OF COLORADO)
) ss.
COUNTY OF GUNNISON)

The foregoing Dedication was acknowledged before me this 12th day of November, 2018 by Jill Barr-Laggis.

Witness my hand and official seal. My commission expires: 12/9/18

Notary Public

JANIE M. KELLEY
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #19944018421
My Commission Expires December 9, 2018

STATE OF COLORADO)
) ss.
COUNTY OF GUNNISON)

The foregoing Dedication was acknowledged before me this 12th day of November, 2018 by Kris S. Pogoloff.

Witness my hand and official seal. My commission expires: 12/9/18

Notary Public

JANIE M. KELLEY
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #19944018421
My Commission Expires December 9, 2018

LAND SURVEYOR'S CERTIFICATE

I, STEPHEN L. JESSOE, for and on behalf of All County Survey, Inc., do hereby certify that I am a Licensed Professional Land Surveyor in the State of Colorado, that this Map is a true, correct, and complete MAP of EML & JBL CONDOMINIUMS as laid out, platted and dedicated and shown hereon, that such map was made by me from an accurate survey of said property by me and under my supervision and correctly shows the location and dimensions of the boundary and easements of said EML & JBL CONDOMINIUMS as the same are staked upon the ground in compliance with applicable regulations governing the subdivision of land. This Map contains all information required by C.R.S. Section 38-33.3-209.

Basis of Bearing is based on a record bearing of S42°19'49"W between yellow plastic cap monuments stamped "LS 9476" found at the most northerly rear boundary corner of Lot 31 and the most westerly rear boundary corner of Lot 30, as shown hereon.

Dated this 8th day of November, A.D. 2018.

COLORADO LICENSED PROFESSIONAL LAND SURVEYOR STEPHEN L. JESSOE 38048

(Seal)
Stephen L. Jessoe
Colorado Licensed Professional Land Surveyor No. 38048
For and on behalf of All County Survey, Inc.
P.O. Box 7164, Gunnison, CO 81230

BOARD OF COUNTY COMMISSIONERS APPROVAL

The within Map of EML & JBL CONDOMINIUMS is approved this ____ day of _____, 2018, and the private dedication of roads and common areas is approved on the condition that such roads and common areas shall be maintained and snowplowed, by and at the expense of the unit owners and not by Gunnison County or any other public agency.

By _____
Chairperson, Board of County Commissioners

ATTEST:

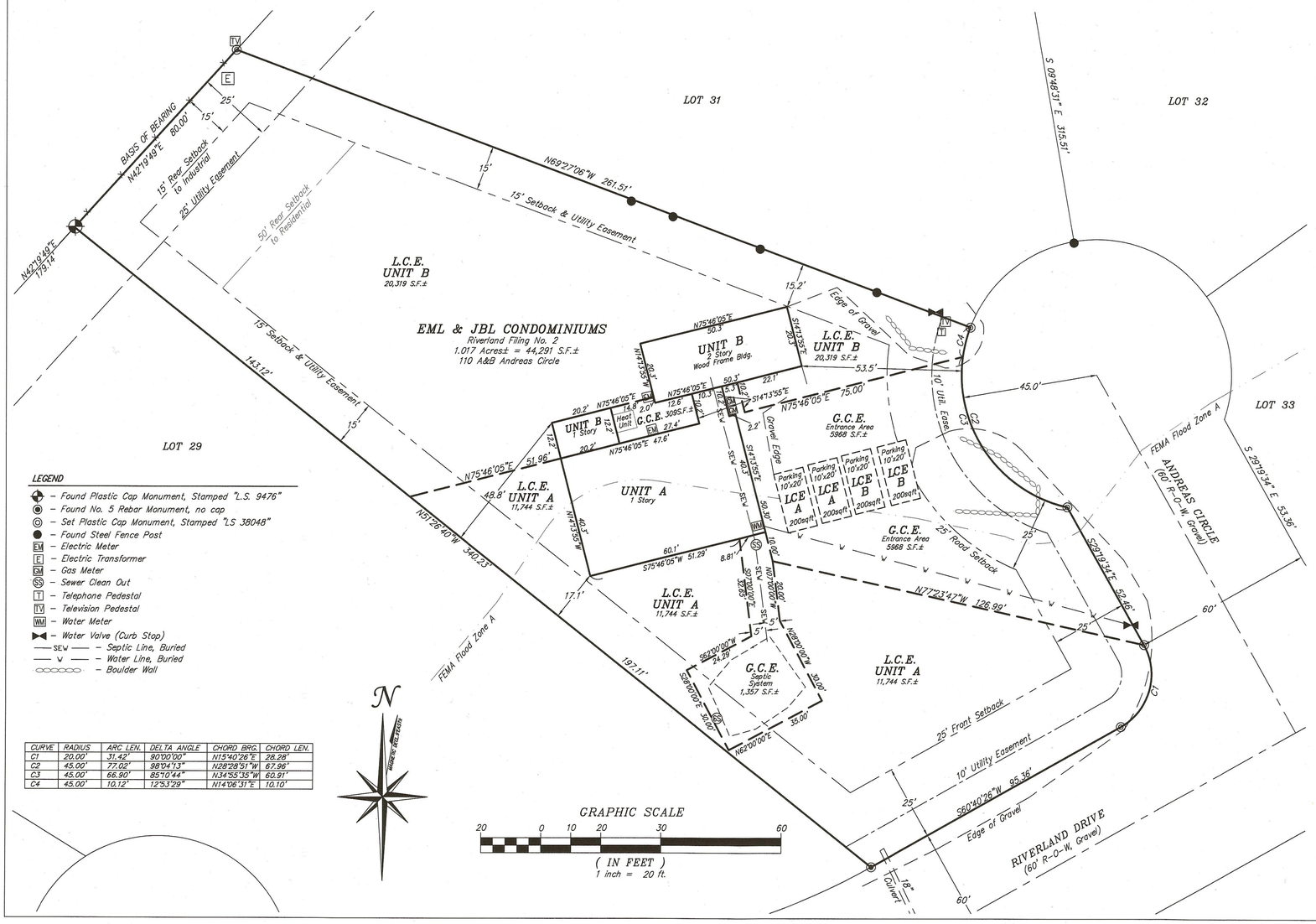
_____
Gunnison County Clerk and Recorder

GUNNISON COUNTY CLERK AND RECORDER'S ACCEPTANCE

This Map was accepted for filing in the office of the Clerk and Recorder of Gunnison County, Colorado, on this ____ day of _____, 2018.

Reception Number _____ Time _____ Date_____

_____
County Clerk



LEGEND

- Found Plastic Cap Monument, Stamped "L.S. 9476"
- Found No. 5 Rebar Monument, no cap
- Set Plastic Cap Monument, Stamped "LS 38048"
- Found Steel Fence Post
- Electric Meter
- Electric Transformer
- Gas Meter
- Sewer Clean Out
- Telephone Pedestal
- Television Pedestal
- Water Meter
- Water Valve (Curb Stop)
- SEW — Septic Line, Buried
- W — Water Line, Buried
- Boulder Wall

CURVE	RADIUS	ARC LEN.	DELTA ANGLE	CHORD BRG.	CHORD LEN.
C1	20.00'	31.42'	90°00'00"	N15°40'26"E	28.28'
C2	45.00'	77.02'	98°04'13"	N28°28'51"W	67.96'
C3	45.00'	66.90'	85°10'44"	N34°55'35"W	60.91'
C4	45.00'	10.12'	12°53'29"	N14°06'31"E	10.10'

ALL COUNTY SURVEY INC.
Stephen Jessoe, P.L.S.
P.O. Box 7164, Gunnison, CO 81230
970-349-9400 www.allcountysurvey.com

MAP OF EML & JBL CONDOMINIUMS
LOT 30, RIVERLAND – AN INDUSTRIAL PARK FILING 2
COUNTY of GUNNISON
STATE of COLORADO

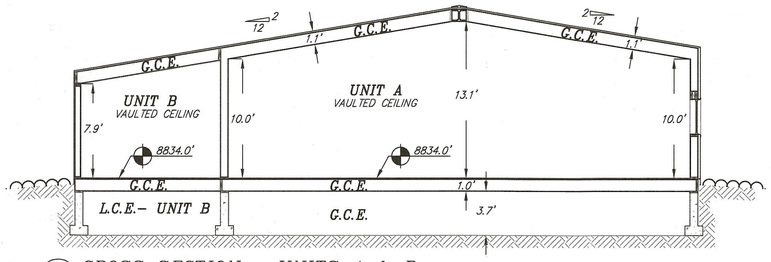
SCALE: 1" = 20'

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

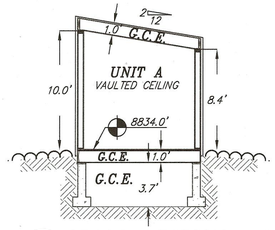
DATE: 8 Nov 2018
DRAWN BY: ADJ / SLJ
REVIEWED BY: SLJ

REVISIONS:

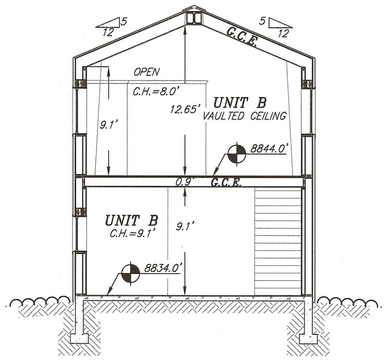
MAP of
EML & JBL CONDOMINIUMS
LOT 30, RIVERLAND
AN INDUSTRIAL PARK – FILING 2
COUNTY of GUNNISON
STATE of COLORADO



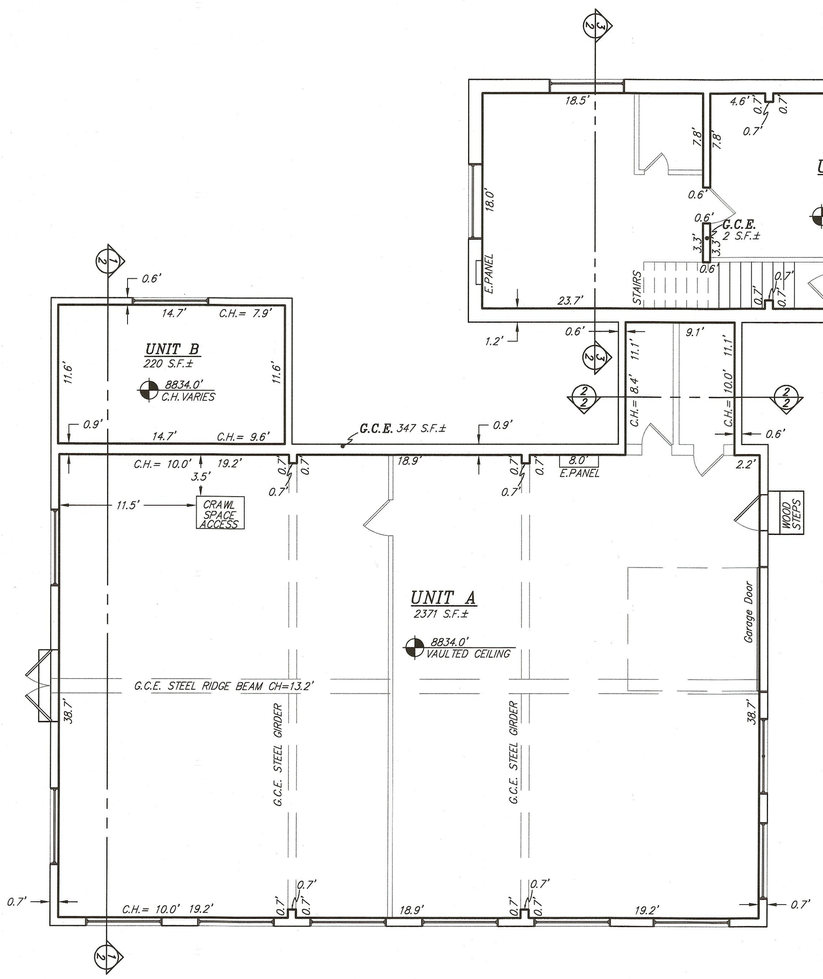
1/2 CROSS SECTION – UNITS A & B
SCALE: 1"= 8' (1/8"=1'-0")



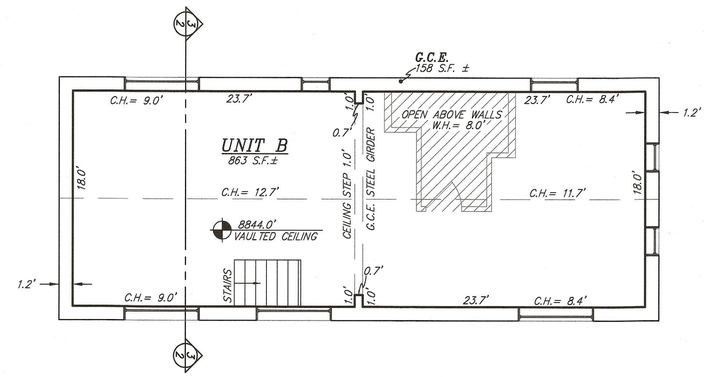
2/2 CROSS SECTION – UNIT A
SCALE: 1"= 8' (1/8"=1'-0")



3/2 CROSS SECTION – UNIT B
SCALE: 1"= 8' (1/8"=1'-0")



4/2 FIRST FLOOR MAP – UNITS A & B
SCALE: 1"= 6'



5/2 SECOND FLOOR MAP – UNIT B
SCALE: 1"= 8' (1/8" = 1'-0")

LEGEND

G.C.E. – General Common Element
L.C.E. – Limited Common Element
C.H. – Ceiling Height
W.H. – Wall Height
S.F. – Square Feet
8834.0' – Floor Elevation
— – Condo Unit Boundary

COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
STEPHEN L. JESSOE
38048
9 Nov 18

GRAPHIC SCALE
6 0 4 6 16 32
(IN FEET)
1 inch = 6 ft.

ALL COUNTY SURVEY INC.
Stephen Jessoe, P.L.S.
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MAP of EML & JBL CONDOMINIUMS
LOT 30, RIVERLAND – AN INDUSTRIAL PARK FILING 2
COUNTY of GUNNISON
STATE of COLORADO

SCALE: 1" = 6'

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