AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Weidler Boundary Line Adjustment; 3361 County Rd 4

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement:

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

Summary:

adjust property line between two lots owned by the same party

Fiscal Impact:

Submitted by: Beth **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 db 1/11/19

Reveiwed by: GUNCOUNTY1\dBaumgarten Discharge Date: 1/11/2019 Certificate of Insurance Required

Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\emense Discharge Date: 1/11/2019

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

Agenda Date: 1/15/2019

Revised April 2015

MEMO

DATE: January 4, 2019
TO: BoCC
RE: Weidler Boundary Line Adjustment Plat (LUC-18-48)

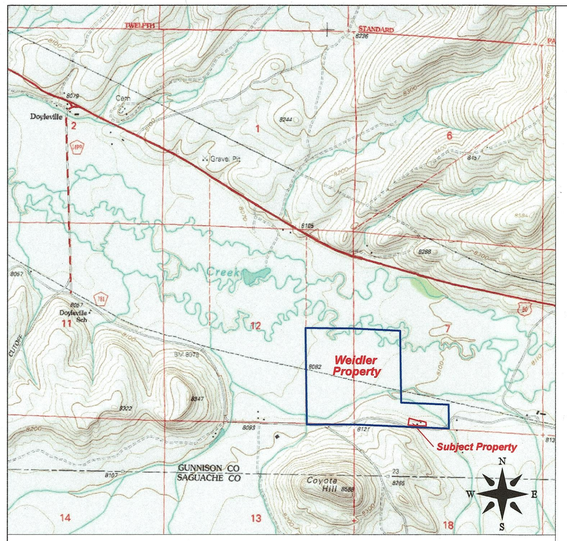
The applicant has applied to adjust the boundaries of the parcels of the property located at 3361 county Rd. 46, Doylelville, Co. The applicant owns both parcels. He is trying to include existing structures that are outside the current property boundaries. Both parcels will remain larger than one-acre in size.

The County attorney's office has reviewed and approved the proposed plat. The owner's lender has been contacted and signed the plat.

Thank you,
Beth Baker
Gunnison County Community and Economic Development

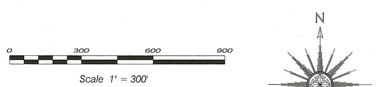
You may view the file using the link:
http://204.132.78.100/citizenaccess/
Click on- projects
Click on -Search by – Application number (use application number LUC-18-00048)
Click on- the application
Click on -Attachments
View any document

Plat of the Weidler Boundary Line Adjustment
Located within
SE1/4SW1/4 of Section 7, T48N, R4E, of the N.M.P.M.
Gunnison County, Colorado

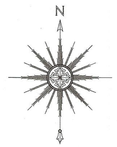


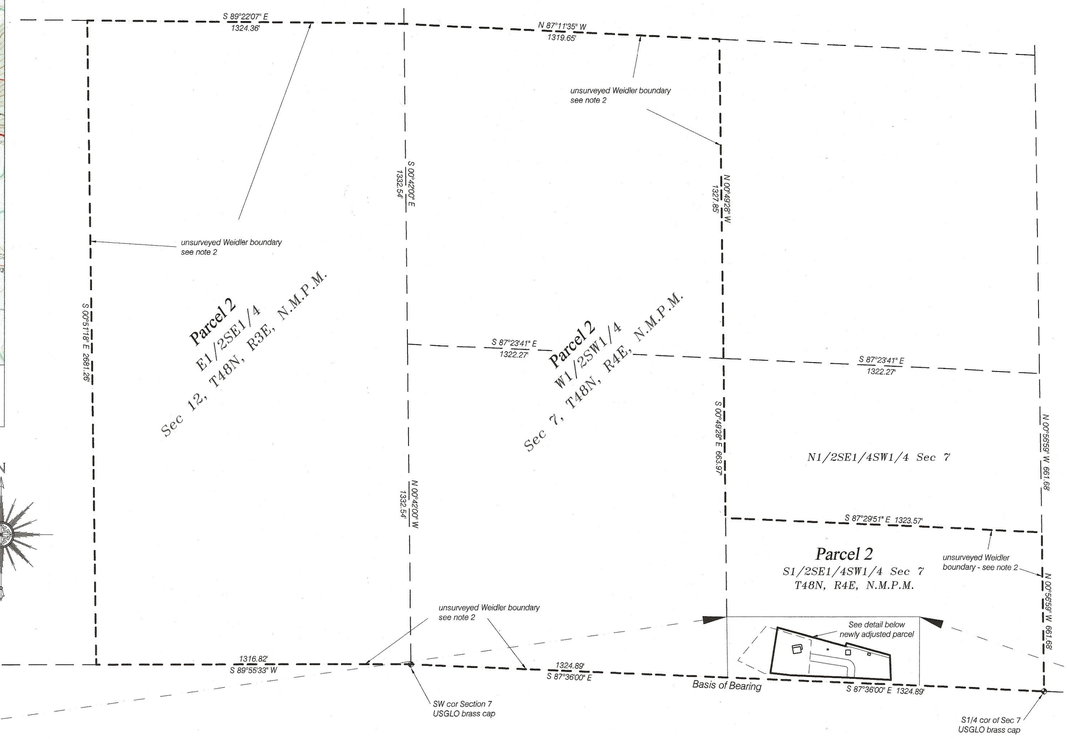
Vicinity Map

Scale 1" = 2000'



Scale 1" = 300'





General Notes:

1. This Boundary Line Adjustment is an expansion and relocation of the original 1.000 acre Home Tract parcel as described in book 582 at page 732 and book 703 at page 937. The basis of bearing is South 87° 36' East between USGLO brass caps at the southwest and south quarter corners of Section 7. Said basis duplicates the declared basis of bearing as referenced on the deed recorded at book 703 page 937.

2. No field survey of the boundaries of Parcel 2 as shown hereon was done by Alpine Surveying, Inc., other than the south line of Section 7. The location and boundary mathematics of said Parcel 2 were derived from the Plat of the USGLO Dependent Resurvey of Township 48 North, Range 4 East of the N.M.P.M., dated September 30, 1929.

ATTORNEY'S OPINION

I, Leila C. Behnampour, an attorney at law duly licensed to practice in the State of Colorado, hereby certify that I have examined title to all lands herein identified on this plat. Such title is vested in:

Parcel 1: Michael L. Weidler

Parcel 2: Michael L. Weidler (1/3) and Richard D. Weidler (2/3)

and is free and clear of all liens, defects, encumbrances, restrictions and reservations except as follows:

1. Any rights, claims, liens, defects, encumbrances, or easements not shown by the public records or first appearing in the public records or attaching subsequent to the effective date hereof.
2. Any and all unpaid taxes and assessments.
3. All Patent reservations as set forth in United States Patent(s) recorded January 11, 1910 in Book 101 at pages 446 and 447.
4. Easement in the instrument recorded August 9, 1982, in Book 582 at Page 738.
5. Deed of Trust recorded November 25, 2013 at Reception No. 623976.

Dated this 1st day of January A.D. 2019

Leila C. Behnampour, Attorney Reg. No. 42754

SURVEYOR'S CERTIFICATE

I, George Hewitt, a Registered Professional Land Surveyor in the State of Colorado, do hereby certify that this survey and Plat was made by me and under my direct supervision and checking and that both are true and correct to the best of my knowledge.

COLORADO REGISTERED GEORGE HEWITT 23502 PROFESSIONAL LAND SURVEYOR

George Hewitt, Colorado PLS # 23502
Alpine Surveying Inc.
PO Box 93
Gunnison, Colorado 81230
(970) 641-2937

Weidler Home Tract (as adjusted) 1.658 acre - Legal Description

Township 48 North, Range 4 East of the New Mexico Principal Meridian
Section 7: SE1/4SW1/4
A tract of land within said SE1/4SW1/4, being more particularly described as follows:

Beginning at a Point which is a railroad tie fence corner, said point bearing North 85° 56' 19" West 642.05 feet from the south quarter corner of said Section 7 as marked by a U.S.G.L.O. brass cap, thence the following courses;
Courses 1 through 6 being along a fence.

1.	North 86° 51' 48" West	153.26 feet;
2.	North 87° 07' 03" West	30.39 feet;
3.	North 87° 33' 50" West	233.95 feet;
4.	North 83° 48' 40" West	87.67 feet;
5.	North 8° 56' 38" East	191.09 feet;
6.	South 74° 39' 18" East	295.00 feet;
7.	North 15° 20' 42" East	14.33 feet;
8.	South 74° 21' 50" East	188.87 feet;
9.	South 2° 27' 49" East	11.57 feet to a railroad tie fence corner;
10.	South 2° 27' 49" East	91.44 feet along a fence to the Point of Beginning of the herein described Tract.

County of Gunnison,
State of Colorado.

This Tract contains 1.658 acres more or less

PARCEL DESCRIPTIONS

Parcel 1:
A tract of land in the SE¼SW¼ of Section 7, Township 48 North, Range 4 East, N.M.P.M. County of Gunnison, State of Colorado, more particularly described as follows:
Commencing at the South Quarter corner of said Section 7, as marked by a GLO brass cap monument;
thence North 77°45'09" West 996.07 feet to a fence corner which is the point of beginning for the tract herein described;
thence the following courses around said tract:
1. North 73°05'52" West 197.92 feet;
2. South 39°50'44" West 185.04 feet to the Northerly right of way fence of County Road No. 46;
3. South 64°10'41" East 125.01 feet along said fence;
4. South 87°38'29" East 184.68 feet along said fence to fence corner;
5. North 4°14'42" East 146.98 feet to the point of beginning.

Parcel 2:
The East Half of the Southeast Quarter (E½SE¼) of Section Twelve (12), Township Forty-eight (48) North, Range Three (3) East, N.M.P.M. and the West Half of the Southwest Quarter (W½SW¼) and the South Half of the Southeast Quarter of the Southwest Quarter (S½SE¼SW¼) of Section Seven (7) in Township Forty-eight (48) North, Range Four (4) East, N.M.P.M., LESS AND EXCEPT PARCEL 1,

County of Gunnison, State of Colorado.

CONSENT OF OWNERS AND CONVEYANCE

We, Michael L. Weidler and Richard D. Weidler, as the owners of Parcel 2, as described hereon, hereby consent to the adjustment of the lot lines as set forth on this plat, and hereby quitclaim and convey to Michael L. Weidler, all of our right, title, and interest in and to the Weidler Home Tract as shown on this plat.

Michael L. Weidler

The foregoing consent and conveyance was acknowledged before me in Jefferson County, State of Colorado this 18th day of December, 2018, by Michael L. Weidler. Witness my hand and official seal. My commission expires: 05/05/2020

Sherry Marie King
Notary Public

SHERRY MARIE KING
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19994006987
MY COMMISSION EXPIRES MAY 05, 2020

Richard D. Weidler

The foregoing consent and conveyance was acknowledged before me in Tarrant County, State of Texas, this 26TH day of December, 2018, by Richard D. Weidler. Witness my hand and official seal. My commission expires: 09/19/2022

Nhan T. Nguyen
Notary Public

NHAN T. NGUYEN
NOTARY PUBLIC
NOTARY ID 132...
COMM. EXP. 09/19/2022

Michael L. Weidler, as the owner of Parcel 1, as described hereon, hereby consents to the adjustment of the lot lines as set forth on this plat, and hereby quitclaims and conveys to Michael L. Weidler, a one-third interest, and Richard D. Weidler, a two-thirds interest, in all of his right, title, and interest in and to that portion of Parcel 1 that is outside of the Weidler Home Tract as shown on this plat.

Michael L. Weidler

The foregoing consent and conveyance was acknowledged before me in Jefferson, State of Colorado, this 18th day of December, 2018, by Michael L. Weidler. Witness my hand and official seal. My commission expires: 05/05/2020

Sherry Marie King
Notary Public

SHERRY MARIE KING
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19994006987
MY COMMISSION EXPIRES MAY 05, 2020

CONSENT OF LIENHOLDER

Solera National Bank hereby consents to the adjustment of the lot lines as set forth on this plat.

Solera National Bank

By: _____(sign)

Name: Martin P. May

Title: President & CEO

The foregoing consent and conveyance was acknowledged before me in Jefferson County, State of Colorado, this 18 day of December, 2018, by Martin P. May. Witness my hand and official seal. My commission expires: 05/05/20

Sherry Marie King
Notary Public

SHERRY MARIE KING
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19994006987
MY COMMISSION EXPIRES MAY 05, 2020

BOARD OF COUNTY COMMISSIONER'S APPROVAL

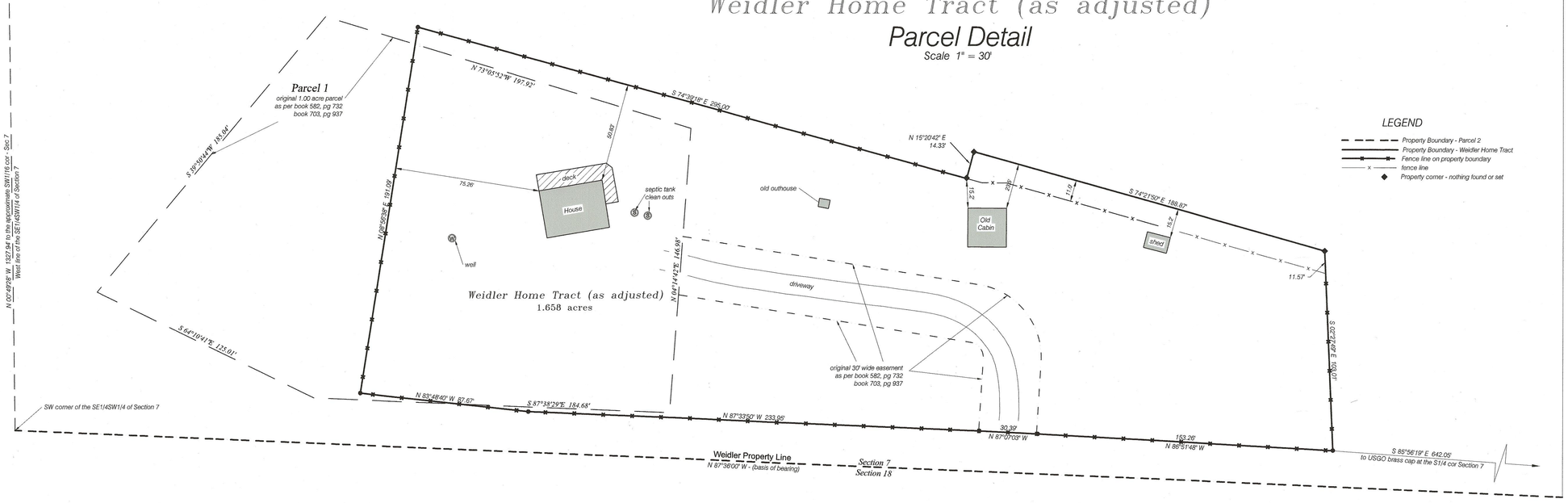
The within plat of the WEIDLER BOUNDARY LINE ADJUSTMENT is approved this ____ day of _____, A.D. _____.

_____
Chairperson, Board of Gunnison County Commissioners
Attest:
_____
Gunnison County Clerk and Recorder

GUNNISON COUNTY CLERK AND RECORDER'S ACCEPTANCE

This plat was accepted for recording in the office of the Clerk and Recorder of Gunnison County, Colorado, on this ___ day of _____, _____.

Reception Number _____ Time _____ Date _____

_____
Gunnison County Clerk and Recorder

Weidler Home Tract (as adjusted)
Parcel Detail
Scale 1" = 30'