AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Plat Approval; Remainder Lot 22

Action Requested: Motion

Parties to the Agreement:

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

Summary:

Requesting approval and BOCC Chair signature on the Lot 22 Amended Plat.

Fiscal Impact:

Submitted by: Liz Mense **Submitter's Email Address:** EMense@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ○ Required ◉ Not Required

Comments:

Reveiwed by: Discharge Date: Certificate of Insurance Required

Yes ○ No ○

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\emense Discharge Date: 3/13/2020

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

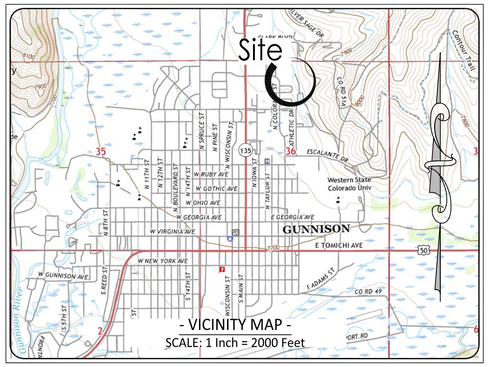
Agenda Date: 3/17/2020

Revised April 2015

Amended Plat, Remainder Lot 22, The Meadows Phase 2-R

Situated Within Section 36, Township 50 North, Range 1 West of the New Mexico Principal Meridian

Gunnison County, Colorado



Certificate of Dedication and Ownership

Know all men by these presents, that the undersigned, being the Owner of certain land in the City of Gunnison, Gunnison County, Colorado, described as follows: The Remainder Lot 22, The Meadows Phase 2–R as shown on the Plat of Rock Creek Commons, Phase 1–A recorded February 9, 2007 under Reception No. 572849, containing 5.013 acres, more or less, has by these presents laid out and platted the same as shown on this plat, under the name and style of Amended Plat, Remainder Lot 22, The Meadows Phase 2–R, and does hereby dedicate to the City of Gunnison as public roads, the streets shown on said plat, these being an extension of Colorado Street and Paintbrush Avenue.

The undersigned hereby further dedicates to the City of Gunnison a blanket easement across the property for the installation, operation, maintenance, repair, and replacement of underground utilities. Underground utilities shall be located in accordance with the utility plan submitted by the Owner and approved by the City. Installation of any additional utilities shall be subject to the Owner's approval, which shall not be unreasonably withheld. Upon the exercise of any rights by the easement holder, the easement holder shall restore the property and all improvements thereon to the condition that they existed prior to the commencement of such work.

The undersigned hereby further dedicates to the City of Gunnison for public use all water and water rights, both tributary and non–tributary, arising upon, flowing upon or lying under the property as described and as shown hereon.

The undersigned hereby further dedicates to the public utilities the right to install, maintain and operate mains, transmission lines, service lines and appurtenances to provide such utility services within this property or property contiguous thereto, under, along and across public roads as shown on this plat and also under, along and across utility easements as shown hereon.

The undersigned hereby further dedicates the Irrigation Ditch Easement, in the dimensions shown on this Plat and otherwise in accordance with C.R.S. 37–86–103, to the lawful owners of the Gunnison Town Ditch and the Gunnison and Tomichi Valley Ditch Association Ditch (aka the "Cemetery Ditch") as the same cross the land shown hereon.

The owner is to own and maintain any detention ponds constructed on the site.

Executed this _____ day of _____, 2020.

Owner: Board of County Commissioners of the County of Gunnison, Colorado.

By: _____
Chairperson

Attest: _____
Gunnison County Clerk and Recorder

Certificate of Street and Utility Maintenance

Public notice is hereby given that neither the dedicated public roads nor the public utilities shown on this plat will be maintained by the City of Gunnison until and unless the Owner constructs the streets and roads and utilities in accordance with the Development Improvements Agreement, and the applicable regulations in effect at the date of the recording of this plat and approval of the City has been issued to that effect. When the City approves a street or utility for maintenance, the street or utility shall become public in all senses of the word and the Owner has no further obligations in regards to that particular street or utility. The City of Gunnison is to own, operate, and maintain main utility lines, including all fixtures, valves, fire hydrants, manholes, and in line wyes to be located within the dedicated public right of way. The City of Gunnison shall be responsible for the actual physical connection at the point of service at the transformer. All installation and maintenance from the point of service at the transformer shall be the responsibility of the property owner. The Private property owners are to own and maintain all service line connection valves, wye fittings, and electrical boxes.

City Council Approval

This plat is approved for filing and the City hereby accepts the dedication of the streets shown hereon subject to the provisions in the Certificate of Street and Utility Maintenance set forth hereon, and further accepts the dedication of the easements shown hereon.

Signed this _____ day of _____, 2020.

CITY OF GUNNISON

By: _____
Jim Gelwicks, Mayor

Planning and Zoning Commission Approval

This plat is approved by the City of Gunnison Planning Commission this _____ day of _____, 2020.

_____
Chairman

Title Certificate

I, Kendall Burgemeister, an attorney at law duly licensed to practice before the Courts of Record in the State of Colorado, certify that I have examined title to all lands herein dedicated and shown upon this plat, and title to such lands is in the dedicator free and clear of all liens, taxes and encumbrances except as follows:

1. Easement Granted to the City of Gunnison, for Utilities, and Incidental Purposes, by Instrument recorded May 7, 1962, in Book 357 at Page 493.
2. Easement Granted to Gunnison County Electric Association, Inc., for Utilities, and Incidental Purposes, by Instrument recorded July 15, 1981, in Book 568 at Page 346.
3. The Gunnison Center/The Meadows PUD Conditions of Final Approval recorded October 10, 1995, in Book 771 at Page 930.
4. The Plat of the Meadows Subdivision recorded August 23, 1985 under Reception No. 389517; and the Plat of the Meadows Phase 2–R recorded June 28, 1995 under Reception No. 468719.
5. Declaration of Covenants, Conditions and Restrictions of the Meadows Phases 1–R And 2–R recorded January 17, 1997, under Reception No. 473412; and in the Amendment recorded July 11, 2001, under Reception No. 512315.
6. Map of Additional Utility Easements for The Gunnison Center Phase 1–C and The Meadows Phase 1–R & 2–R recorded February 19, 1997, under Reception No. 473981; and on the Map Recorded May 19, 1998, under Reception No. 483698.
7. Matters shown on the Plat of Rock Creek Village, a Condominium Common Interest Community recorded October 4, 2001, under Reception No. 514875; the Plat of Rock Creek Commons, Phase 1, a Common Interest Community, recorded September 30, 2003, under Reception No. 535360; and the Plat of Rock Creek Commons, Phase 1–A, a Common Interest Community, recorded February 9, 2007, at Reception No. 572849, all to the extent that the same may affect the property, and all as affected by the Amendment to Declaration of Grants, Covenants, Conditions and Restrictions for Rock Creek Village & Exclusion of Property recorded May 9, 2019, at Reception No. 659934.
8. 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.
9. Any and all unpaid taxes and assessments.
10. Matters shown on this plat.

Signed this _____ day of _____, 2020.

_____
Kendall Burgemeister, Atty. Reg. No. 41593

CURVE TABLE					
CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C12	43.10'	84.69'	29°09'34"	N63°04'46"W	42.64'
C13	35.27'	80.20'	25°11'57"	N30°09'32"W	34.99'
C14	80.97'	245.55'	18°53'32"	N04°49'07"W	80.60'
C17	174.76'	135.01'	74°09'44"	S87°44'00"W	162.81'
C18	39.20'	65.00'	34°32'59"	N72°27'30"W	38.60'
C19	84.15'	65.01'	74°09'44"	S87°43'57"W	78.39'
C20	81.41'	135.00'	34°32'59"	N72°27'30"W	80.18'

EASEMENT LINE TABLE		
LINE #	BEARING	DISTANCE
L10	N00°31'33"E	20.00'
L11	S89°28'27"E	88.00'
L12	S00°31'33"W	20.00'
L13	N89°28'27"W	88.00'
L14	N00°22'50"E	61.20'
L15	N30°20'36"W	8.80'
L16	S59°39'24"W	44.51'
L17	N30°25'51"W	31.79'
L18	S59°34'09"W	9.57'
L19	S89°47'36"E	48.77'
L20	N89°28'27"W	68.05'
L21	N22°34'36"W	62.20'
L22	N19°59'45"W	96.70'
L23	N00°12'24"E	304.66'
L24	N18°21'15"E	42.94'
L25	N18°43'55"E	52.38'
L26	N01°36'55"E	22.06'
L27	N22°37'12"W	32.09'
L28	S89°47'36"E	75.13'
L29	S12°09'26"W	293.49'
L30	S09°57'21"E	129.90'
L31	S21°03'22"E	193.41'

EASEMENT CURVE TABLE					
CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	218.16'	260.00'	48°04'33"	N31°45'48"W	211.82'
C21	45.30'	135.01'	19°13'31"	S60°15'54"W	45.09'
C22	71.22'	275.06'	14°50'09"	S14°42'32"E	71.02'

PROPERTY DESCRIPTION: The Remainder Lot 22, The Meadows Phase 2–R as shown on the Plat of Rock Creek Commons, Phase 1–A recorded February 9, 2007 under Reception No. 572849

NOTES:

1. Basis of Bearings: Bearings shown hereon are based on a bearing of N89°47'36"W, between the Southwest Property Corner, being monumented by a 5/8" Rebar and a 2" Aluminum Cap stamped LS 12766 and the Southeast Property Corner, being Monumented by a 5/8" Rebar and a 2" Aluminum Cap stamped LS 12766 as shown hereon.
2. Date of field survey: December 5th, 2019.
3. Units of linear measurements are displayed in US Survey Feet.
4. SGM will not be responsible for any changes made to this document after it leaves our possession. Any copy, facsimile, etc., of this document must be compared to the original signed, sealed and dated document to insure the accuracy of the information shown on any such copy, and to insure that no such changes have been made.
5. Property descriptions shown hereon are based on the Plat of Rock Creek Commons, Phase 1–A recorded February 9, 2007 under Reception No. 572849 in the records of Gunnison County, Colorado.
6. The property shown hereon is subject to all easements, rights–of–way, building setbacks or other restrictions of record, as such items may affect this property. This survey does not represent a title search by this surveyor to determine ownership or to discover easements or other encumbrances of record. All information pertaining to ownership, easement and other encumbrances of record has been taken from the Plat of Rock Creek Commons, Phase 1–A recorded February 9, 2007 under Reception No. 572849 in the records of Gunnison County, Colorado.
7. The Temporary Detention Pond Easement shown hereon is vacated and replaced with the Detention Pond Easement per this Plat.
8. The boundary of this Utility Easement, which is owned by the City of Gunnison, is amended to be coterminous with the edge of the Right of Way for Colorado Street and Paintbrush Avenue.

Surveyor's Certificate

I, Erik E. Bjornstad, a Registered Professional Land Surveyor in the State of Colorado, do hereby certify that the survey represented by this plat was made under my supervision and the monuments shown thereon actually exist and this plat accurately represents said survey.

Signed this _____ day of _____, 2020.

By: _____
Erik E. Bjornstad
Colorado PLS 38697
For, and on behalf of SGM

- PRELIMINARY -
FOR REVIEW ONLY

Recorder's Certificate

This plat was filed for record in the Office of the County Clerk and Recorder of Gunnison County at _____ on the _____ day of _____, 2020, at Reception No. _____.

_____
County Clerk and Recorder

SGM
118 West Sixth Street, Suite 200
Glenwood Springs, CO 81601
970.945.1004 www.sgm-inc.com

Amended Plat, Remainder Lot 22, The Meadows Phase 2-R
Gunnison, Colorado

#	Revision	Date	By
1			
2			
3			
4			
5			
6			
7			
8			
9			

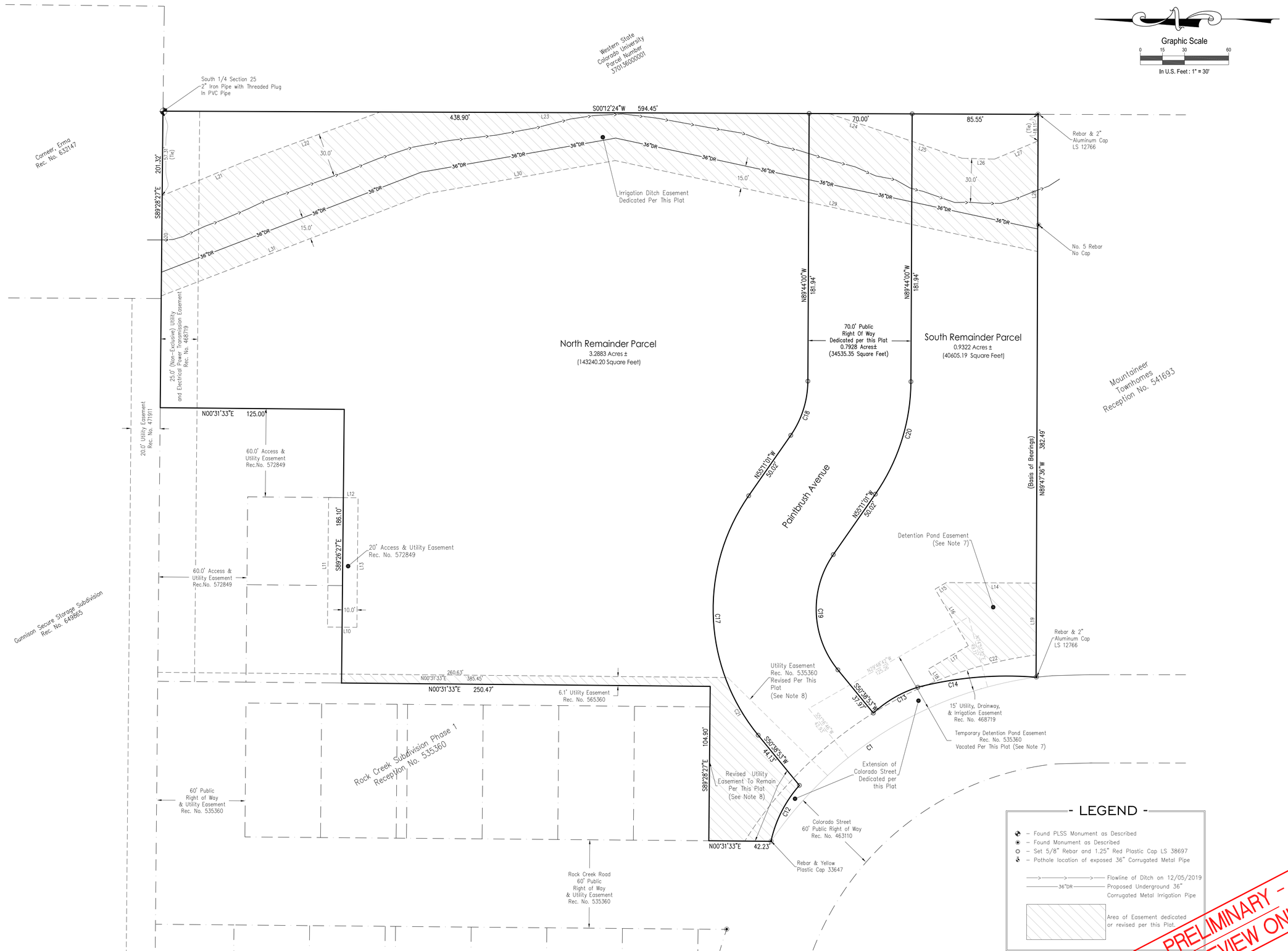
Notice: According to Colorado Law you must commence any legal action based upon any defect in this survey within three years after you discover such defect. In no event, may any legal action based upon any defect in this survey be commenced more than ten years from the date of the certification shown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

Job No.	2019-170.001
Drawn by:	EB
Date:	03/03/2020
Approved: REB	PLS: EB
File:	RockCreekPlat

Title: Plat

Sheet No. 1
Of: 2

A:\2019\2019-170-RockCreek\001-Lot22\H-Dwgs\Surv\Dwgs\BaseMaps\RockCreekPlat.dwg Plottedit: 3/3/2020 10:32 AM By: Erik Bjornstad



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Amended Plat, Remainder Lot 22, The Meadows Phase 2-R

Gunnison, Colorado

#	Revision	Date	By:
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Job No.	2019-170.001
Drawn by:	EB
Date:	03/03/2020
Approved:	REB PLS: EB
File:	RockCreekPlat

Title: Plat

Sheet No. 2

Of: 2

A:\2019\2019-170-RockCreek\001-Lot22\V4-Dwgs\Surv\Dwgs\BaseMaps\RockCreekPlat.dwg Plotted: 3/3/2020 10:15 AM By: Erik Bjornstad