AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Lot Cluster; Howell

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement:

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

Summary:

Robert O. Howell requests a cluster of his two adjacent lots at 800 & 828 Cty Rd. 20

Fiscal Impact:

Submitted by: Beth Baker **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 4/1/20

Reveiwed by: GUNCOUNTY1\dBaumgarten Discharge Date: 4/1/2020 Certificate of Insurance Required

Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 4/3/2020

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

Agenda Date: 4/7/2020

Revised April 2015

Gunnison County
COLORADO

TO: BoCC
FROM: Beth Baker (Community Development Staff)
RE: Lot cluster for Robert O: Howell

Robert O. Howell has requested a lot cluster. The two properties are adjacent and are at 800 County Rd. 20 and 828 County Re. 20.

- The parcel will be approximately 1.8 acres
- The utility co. have consented to the lot cluster
- There is no HOA

The County Attorney had required an easement and that has been recorded.
The Community Development Director and County Attorney have both reviewed and approved the application.

You may view the file using the link: https://permitdb.gunnisoncounty.org/citizenaccess/

- Projects
- Application Number (LUC- 20-00011)
- Click on the project
- Click on attachments
- View any document

If you have questions – please call.

Thanks,
Beth Baker
Manager of Administrative Services
Community and Economic Development
970-641-0360
bbaker@gunnisoncounty.org

LOT CLUSTER AGREEMENT AND DECLARATION

Date of Meeting_____(filled in by staff)

THIS LOT CLUSTER AGREEMENT AND DECLARATION is made between the Board of County Commissioners of the County of Gunnison, Colorado (hereinafter "Gunnison County")

and Robert O Howell _____
(Owner) **(Owner)**

_____ _____
(Owner) **(Owner)**

RECITALS:

Legal Description: Complete – please attach if too long

See Attached

and any adjacent street or alley that is or may be vacated.,
County of Gunnison
State of Colorado

2. This *Lot Cluster Agreement and Declaration* is made for good, valuable and sufficient consideration, including the creation of a single parcel by the clustering of the above described properties.

NOW, THEREFORE, it is agreed that:

1. Gunnison County, Colorado and Owner, on behalf of themselves, their respective heirs, successors, personal representatives and assigns, hereby declare that the real property described above shall hereafter be and is combined into one parcel to be maintained as one new integrated parcel and single building lot and further declare that no portion of such new parcel constituting less than the entire new parcel may be conveyed, mortgaged or encumbered or otherwise transferred without prior compliance with applicable subdivision requirements including but not limited to the *Gunnison County Land Use Resolution*.

2. This *Lot Cluster Agreement and Declaration* does not independently change or amend any fee,

assessment or charge regarding any service to such real property.

3. This *Lot Cluster Agreement and Declaration* is made for the benefit of Gunnison County, Colorado, and shall run with the land in perpetuity. Nothing in this *Lot Cluster Agreement and Declaration* is or shall be construed to be a waiver of applicable County Building, Sewage Disposal System, Land Use Change or other permit requirements.

4. This *Lot Cluster Agreement and Declaration* shall not have effect until it is recorded, at the cost of the Applicant, with the Clerk and Recorder of Gunnison County, Colorado.

5. The lot cluster approved by recordation of this *Lot Cluster Agreement and Declaration* does not result in a guarantee of approval of an Individual Septic System Permit application or approval of a variance from the *Gunnison County Individual Sewage Disposal System Regulations*.

6. Approval of this lot cluster is subject to the terms of the utility companies potentially affected by this action. The companies' comments are attached to, and are hereby incorporated as part of this *Lot Cluster Agreement and Declaration.*

Date: 2-7-2020 _____ **Owner**

Date: _____ _____ **Owner**

Date: _____ _____ **Owner**

Date: _____ _____ **Mortgage or Lien Holder**

STATE OF COLORADO)
)ss
COUNTY OF ~~GUNNISON~~ Jefferson)

The foregoing instrument was acknowledged before me this 7 day of February 20 20 by Robert Howell **(Owner/s).**

Witness my hand and official seal.

My Commission expires: November 7, 2022

Deborah Velasquez-Noss
Notary Public

Address: 1858 S. Wadsworth Blvd
Lakewood Co 80232

DEBORAH D. VELASQUEZ-NOSS
Notary Public
State of Colorado
Notary ID: 19884000030
My Commission Expires Nov. 7, 2022

STATE OF COLORADO)
)ss
COUNTY OF GUNNISON)

The foregoing instrument was acknowledged before me this _____ day of _____20___ by _____ **(Mortgage/Lien Holder).**

Witness my hand and official seal.

My Commission expires: _____

_____
Notary Public

Address:

Date: _____

_____	_____	_____
Phil Chamberland Chairperson	Jonathan Houck Commissioner	John Messner Commissioner

Board of County Commissioners
Gunnison County, Colorado

Attest:

_____
Gunnison County Clerk and Recorder

Robert Howell Lot Cluster Agreement and Declaration Property Descriptions

800 County Road 20 Steuben Creek

Legal Description of Property
Tract in SE4SE4, SEC15 & NE4NE4, Sec 22 49N2W #505074 #627002

Parcel Number: 378522000012

Property Tax Number R072296

A tract of land in the Northeast quarter of the Northeast quarter (NE¼NE¼) of Section 22, Township 49 North, Range 2 West, N.M.P.M., described as follows: Beginning at Corner No. 1, an iron pipe pin, a point from whence the Northeast corner of Section 22 bears North 86°09'41" East 1169.06 feet; thence South 00°13' East 35 feet to an iron pin for Corner No. 2; thence North 89°47' East 39.8 feet to an iron pin witness corner; thence North 89°47' East 15.0 feet to Corner No. 3, said corner being on the centerline of Steuben Creek; thence in a Northeasterly direction along the centerline of Steuben Creek 43.0 feet, more or less to Corner No. 4; thence South 89°47' West 14.0 feet to an iron pin witness corner, thence South 89°47' West 58.9 feet to the point of beginning, containing 0.0513 acres, more or less;

828 County Road 20 Steuben Creek

Legal Description of Property
Howell Parcel No 1 of Howell Boundary Line Adjustment Plat #645750

Parcel Number: 378522000018
Property Tax Number: R072686

ADJUSTED HOWELL PARCEL NO. 1

COMMENCING AT THE SE CORNER SAID SECTION 15 (MONUMENTED WITH AN 3.25" ALUMINUM CAP, LS NO. 11250); THENCE S87°10'37"W ALONG THE SOUTH LINE OF SAID SECTION 15 A DISTANCE OF 881.37 FEET TO THE POINT OF BEGINNING;

THENCE ALONG THE ADJUSTED HOWELL PARCEL NO. 2 THE FOLLOWING 6 COURSES: 1) S02°49'01"E A DISTANCE OF 26.45 FEET; 2) S15°21'12"W A DISTANCE OF 187.83 FEET; 3) S89°47'05"W A DISTANCE OF 116.37 FEET; 4) N06°23'19"W A DISTANCE OF 127.36 FEET; 5) S90°00'00"W A DISTANCE OF 69.14 FEET; 6) N14°01'24"W A DISTANCE OF 70.44 FEET TO A POINT ON THE NORTH LINE OF SECTION 22; THENCE N87°10'37"E ALONG SAID NORTH LINE A DISTANCE OF 94.38 FEET TO A POINT THE TRACT OF LAND DESCRIBED AT RECEPTION NO. 501590; THENCE AROUND SAID TRACT THE FOLLOWING 6 COUSES: 1) S01°42'16"W A DISTANCE OF 20.14 FEET; 2) S74°38'19"E A DISTANCE OF 38.87 FEET; 3) N90°00'00"E A DISTANCE OF 22.00 FEET; 4) N11°00'00"E A DISTANCE OF 20.69 FEET; 5) N31°00'00"E A DISTANCE OF 24.52 FEET; 6) THENCE N88°39'02"W A DISTANCE OF 74.16 FEET; THENCE ALONG HOWELL PARCEL NO. THE FOLLOWING 4 COURSES: 1) N01°45'49"E A DISTANCE OF 111.23 FEET; 2) S88°06'38"E A DISTANCE OF 148.17 FEET; 3) S02°28'40"W A DISTANCE OF 111.75 FEET; 4) N87°10'37"E A DISTANCE OF 22.93 FEET TO THE POINT OF BEGINNING.

CONTAINING 51,536 SQUARE FEET OR 1.183 ACRES, MORE OR LESS.