AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Boundary Line Adjustment; Rutland, Bogle & Waters;

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement:

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

Summary:

Lots 100,101,102 & 104 Marble Ski Area Filing 3 Boundary Line Adj.

Fiscal Impact:

Submitted by: Beth Baker **Submitter's Email Address:** rsabbato@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:
ok db 5/29/20

Reveiwed by: GUNCOUNTY1\dBaumgarten Discharge Date: 5/29/2020 Certificate of Insurance Required Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 5/29/2020

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

Agenda Date: 6/2/2020

Revised April 2015

TO: BOCC
FROM: Beth Baker (Community Development Staff)
RE: Boundary Line Adjustment

Attorney Jacob With on behalf of John Rutland, Frances Bogle and Michael Waters -owners of Lots 100,101,102,& 104 Marble Ski Area Filing 3, have applied for a boundary line adjustment. The resulting lots will each be over one acre in size.

- The taxes are current on the lots
- There is no HOA
- The application and plat have been reviewed and approved by the County Attorney

You may view the Department File using the link:

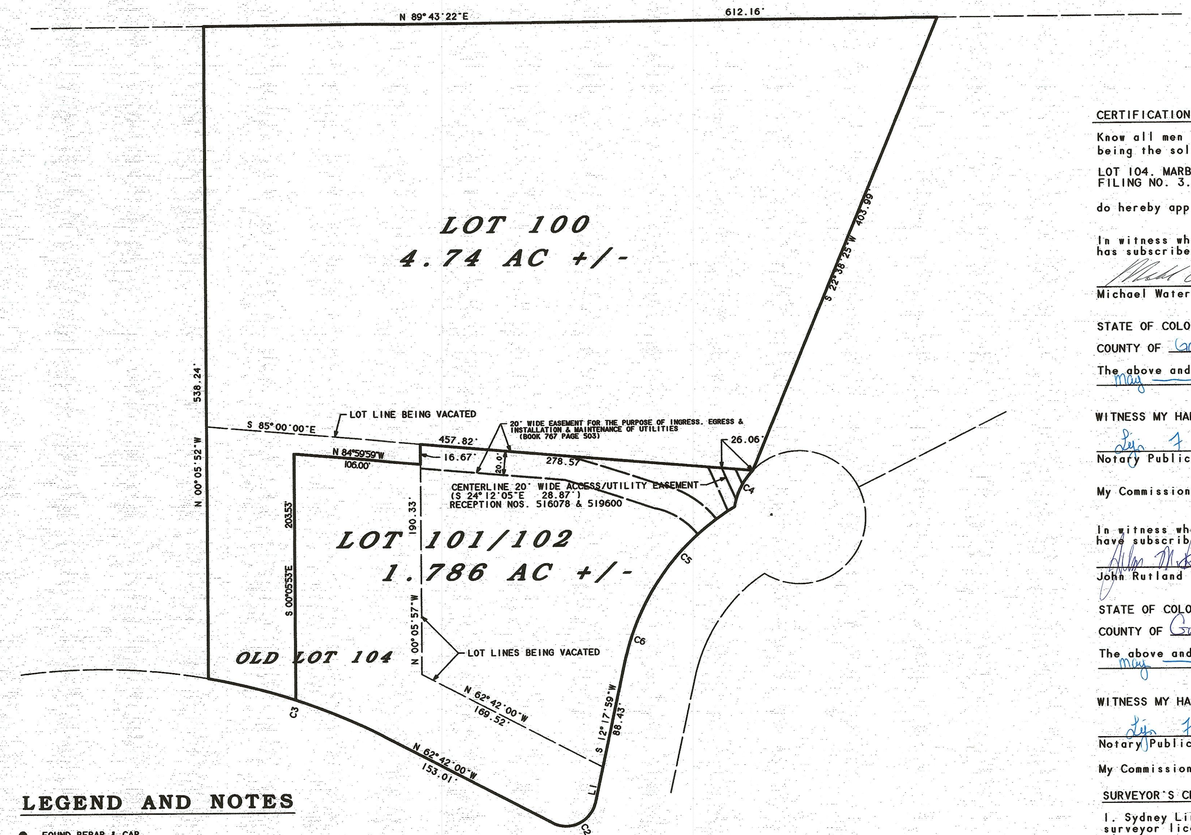
- http://204.132.78.100/citizenaccess/
- Click on Projects
- Search by Application Number- LUC-20-00010
- Click on the file
- Click on Attachment
- Click on View – any document.

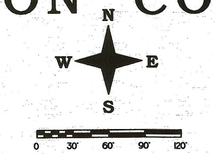
Please call with any questions.

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

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 ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

WATERS/RUTLAND/BOGLE LOT LINE ADJUSTMENT PLAT
LOTS 100, 101, 102 & 104, MARBLE SKI AREA FILING #3
TOWN OF MARBLE, GUNNISON COUNTY, COLORADO





SCALE: 1"=60'

LEGEND AND NOTES

● FOUND REBAR & CAP

EDGE OF ROAD

EASEMENT NOTE: ALL BACK LOT LINES SHALL HAVE A UTILITY EASEMENT TEN (10) FEET IN WIDTH. ALL SIDE LOT LINES SHALL HAVE A UTILITY EASEMENT FIVE (5) FEET IN WIDTH.

THIS SURVEY DOES NOT REPRESENT A TITLE SEARCH BY LINES IN SPACE OR SYDNEY LINCICOME TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. ALL INFORMATION SHOWN HEREON REGARDING EASEMENTS AND OTHER ENCUMBRANCES OF RECORD WAS OBTAINED FROM, AND SUBJECT TO A TITLE INSURANCE COMMITMENTS PROVIDED BY GUNNISON COUNTY ABSTRACT COMPANY . ORDER NO. 99002286 . DATED DECEMBER 13, 1999 (LOT 100) ORDER NO.J2327563 . DATED OCTOBER 5, 2009 (LOTS 101 & 102) AND ORDER NO. G19-432 . DATED SEPTEMBER 13, 2019 (LOT 104).

CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C 2	105°01'05"	25.00'	45.82'	32.59'	39.67'	S 64°47'59"W
C 3	17°15'23"	531.29'	160.01'	80.62'	159.41'	N 71°19'41"W
C 4	35°33'45"	55.00'	34.14'	17.64'	33.59'	S 27°19'29"W
C 5	35°54'09"	196.72'	123.27'	63.73'	121.26'	S 41°31'21"W
C 6	11°16'28"	196.71'	38.71'	19.42'	38.65'	S 17°56'20"W

LINE	BEARING	DISTANCE
L 1	S 12°18'00"W	29.54'

LINES IN SPACE + LAND SURVEYS

CERTIFICATION OF OWNERSHIP

Know all men by these presents, that Michael Waters, John Rutland and Frances Bogle, being the sole owners of the following described parcel of land:

LOT 104, MARBLE SKI AREA,
FILING NO. 3, GUNNISON COUNTY, COLORADO

do hereby approve this LOT LINE ADJUSTMENT PLAT.

In witness whereof Michael Waters has subscribed his name this 7th day of May, A.D. 2020.

Michael Waters

STATE OF COLORADO)
COUNTY OF Gunnison) ss.

The above and foregoing dedication was acknowledged before me this 7th day of May, A.D., 2020 by Michael Waters.

WITNESS MY HAND AND OFFICIAL SEAL:

LIYIN F MCBRAYER
NOTARY PUBLIC - STATE OF COLORADO
NOTARY ID 20074025496
MY COMMISSION EXPIRES JUL 2, 2023

Notary Public

My Commission Expires: July 2, 2023

In witness whereof John Rutland and Frances Bogle have subscribed their names this 7th day of May, A.D. 2020.

John Rutland Frances Bogle

STATE OF COLORADO)
COUNTY OF Gunnison) ss.

The above and foregoing dedication was acknowledged before me this 7th day of May, A.D., 2020 by John Rutland and Frances Bogle

WITNESS MY HAND AND OFFICIAL SEAL:

LIYIN F MCBRAYER
NOTARY PUBLIC - STATE OF COLORADO
NOTARY ID 20074025496
MY COMMISSION EXPIRES JUL 2, 2023

Notary Public

My Commission Expires: July 2, 2023

SURVEYOR'S CERTIFICATE

I, Sydney Lincicome, do hereby certify that I am a registered land surveyor licensed under the laws of the State of Colorado that this plat is a true, correct and complete plat of the WATERS/RUTLAND/BOGLE LOT LINE ADJUSTMENT PLAT, as laid out, platted, dedicated and shown hereon, that such plat was made from an accurate survey of said property by me and correctly shows the location and dimensions of the parcels of said consolidated plat.

In witness whereof I have set my hand and seal this 4th day of MAY, A.D., 2020.

COLORADO LICENSED LAND SURVEYOR SYDNEY LINCICOME 14111 PROFESSIONAL LAND SURVEYOR

Sydney Lincicome P.L.S. 14111

ATTORNEY'S OPINION

I, Jacob A. Wirth, an attorney at law duly licensed to practice in the State of Colorado, hereby certify that I have examined title to all lands herein dedicated and subdivided. Such title is vested in the names of Michael E. Waters, John McCord Rutland and Frances Lindner Bogle and are free and clear of all liens, defects, encumbrances, restrictions and reservations except for the following:

a. All reservations and exceptions as set forth in United States Patent(s) recorded June 15, 1966 in Book 389 at Page 262 and January 30, 1893 in Book 101 at Page 10.
b. All easements, exceptions, dedications, reservations, restrictions, roads, ditches, building envelopes, setbacks and notes as set forth on the Plat of Marble Ski Area Filing No. 3 recorded January 25, 1971 as Reception NO. 283029.
c. Covenants, conditions and restrictions as set forth in Master Declaration, Protective and Design Covenants for Marble Ski Area, Inc. recorded June 21, 1971 in Book 429 at Page 32; together with any modifications or amendments thereto.
d. Easements and rights of way for the construction, operations and maintenance of such roads and bridges as shall be reasonably necessary in connection with mining operations as set forth in instrument recorded March 16, 1953 in Book 269 at Page 474; and any and all assignments thereof or interests therein.
e. Undivided 1/16 interest in all of the oil, gas and other hydrocarbons and all associated substances and other minerals of every kind and character in, on and under subject property with the right of ingress and egress and possession at all times for the purpose of exploring, mining and removing the same, but subject, however, to the payment of all surface damages occasioned thereby, as reserved by Barney Cockburn in Deed to Crystal River Enterprises, Inc., a Colorado corporation, recorded March 26, 1956 in Book 294 at Page 468,and any and all assignments thereof or interests therein.
f. Covenants, conditions and restrictions as set forth in Declaration of Covenants, Conditions Restrictions and Easements recorded August 8, 2000 as Reception No. 503961; together with any modifications or amendements thereto.
g. All matters shown on this plat and all matters not of record.

Dated this 4th day of MAY, A.D. 2020.

By
JACOB A. WIRTH

CERTIFICATION OF OWNERSHIP

Know all men by these presents, that Michel E. Waters being the sole owner of the following described parcel of land:

WESTERLY 2/3 OF LOT 100, MARBLE SKI AREA,
FILING NO. 3, GUNNISON COUNTY, COLORADO,
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY BOUNDARY OF SAID LOT 100 WHENCE THE NORTHEASTERLY CORNER OF SAID LOT 100 BEARS N 89°43'22E 327.34 FEET; THENCE S 22°38'25"W 403.99 FEET TO THE COMMON CORNER OF SAID LOT 100 AND THE NORTHEASTERLY CORNER OF LOT 101; THENCE N 85°00'00"W 457.82 FEET;TO THE SOUTHWESTERLY CORNER OF SAID LOT 100; THENCE N 00°05'52"W 330.00 FEET TO THE NORTHWESTERLY CORNER OF SAID LOT 100; THENCE N 89°43'22"E 612.16 FEET TO THE POINT OF BEGINNING.

do hereby approve this lot LINE ADJUSTMENT PLAT.

In witness whereof Michel E. Waters has subscribed his name this 7th day of May, A.D. 2020.

Michael E. Waters

STATE OF COLORADO)
COUNTY OF Gunnison) ss.

The above and foregoing dedication was acknowledged before me this 7th day of May, A.D., 2020 by Michael E. Waters.

WITNESS MY HAND AND OFFICIAL SEAL:

LIYIN F MCBRAYER
NOTARY PUBLIC - STATE OF COLORADO
NOTARY ID 20074025496
MY COMMISSION EXPIRES JUL 2, 2023

Notary Public

My Commission Expires: July 2, 2023

CERTIFICATION OF OWNERSHIP

Know all men by these presents, that John McCord Rutland and Frances Lindner Bogle, being the sole owners of the following described parcel of land:

LOTS 101 AND 102, MARBLE SKI AREA,
FILING NO. 3, GUNNISON COUNTY, COLORADO

do hereby approve this LOT LINE ADJUSTMENT PLAT.

In witness whereof John McCord Rutland and Frances Lindner Bogle have subscribed their names this 7th day of May, A.D. 2020.

John McCord Rutland Frances Lindner Bogle

STATE OF COLORADO)
COUNTY OF Gunnison) ss.

The above and foregoing dedication was acknowledged before me this 7th day of May, A.D., 2020 by John McCord Rutland and Frances Lindner Bogle

WITNESS MY HAND AND OFFICIAL SEAL:

LIYIN F MCBRAYER
NOTARY PUBLIC - STATE OF COLORADO
NOTARY ID 20074025496
MY COMMISSION EXPIRES JUL 2, 2023

Notary Public

My Commission Expires: July 2, 2023

BOARD OF COUNTY COMMISSIONERS' APPROVAL

The within plat of the WATERS/RUTLAND/BOGLR LOT LINE ADJUSTMENT is approved this _____ day of _____, 20____.

Chairman, Gunnison County Board of Commissioners

Attest: Gunnison County Clerk and Recorder

GUNNISON COUNTY CLERK AND RECORDER'S ACCEPTANCE

This plat was accepted for deposit in the office of the Clerk and Recorder of Gunnison County, Colorado, on this _____ day of _____, A.D., 20____. Deposit Number _____.
Time _____ Date _____

County Clerk

LOT LINE ADJUSTMENT PLAT
LOTS 100-104, MARBLE SKI AREA #3
GUNNISON COUNTY, COLORADP
BY: LINES IN SPACE
SYDNEY LINCICOME (L.S. 14111)
67 GLENWOOD AVE. CARBONDALE, CO. 970-963-3852
DATE: 05/04/2020 SCALE: 1" = 60' JOB NO.: 19-12

MWATERS