



GUNNISON COUNTY COMMUNITY DEVELOPMENT DEPARTMENT
221 N. Wisconsin St., Ste. D, Gunnison, CO 81230
Phone: (970) 641-0360 FAX: (970) 641-8585
Website: <http://www.gunnisoncounty.org/planning.html>
Email: planning@gunnisoncounty.org

Information Sheet: FINAL PLAT REQUIREMENTS FOR CONDOMINIUMS AND TOWNHOMES

The following information is to be included on plats for constructed condominium or townhome projects:

A. SPECIFICATIONS FOR CONDOMINIUM/TOWNHOME PLATS. For a constructed condominium or townhome project for which a Land Use Change Permit has been approved for the overall development, copies of the condominium declarations, and a plat or plats that meet(s) the applicable requirements of this Section, that is suitable for recording, and:

1. **IS SIGNED.** Is signed by the developer/owner.
2. **DEPICTS BOUNDARIES AND LEGAL DESCRIPTION.** Depicts the perimeter boundaries and sets forth the legal description of the parcel of land submitted to condominium ownership.
3. **SHOWS LOCATION OF IMPROVEMENTS.** Shows the location of all improvements situated on the parcel.
4. **IDENTIFIES AIR SPACE UNITS FOR CONDOMINIUMS.** If the plat is for a condominium development, sufficient vertical horizontal cross-section drawings of improvements to allow individual air spaces to be separately identified in three-dimensional space. Those individual spaces shall be identified by number or other appropriate designation.
5. **SHOWS FLOOR ELEVATIONS.** Shows the elevations of the floors of the residences in relation to a United States Geological Survey benchmark.
6. **IDENTIFIES GENERAL COMMON ELEMENTS.** Identifies the general common elements and limited common elements in reasonably sufficient detail and in a manner that does not conflict with the description or definition of those elements in the condominium declarations.
7. **REQUIRED PLAT LANGUAGE.** The following plat language:
 - a. **FLOODPLAIN WARNING AND DISCLAIMER.** If the subject property is located within an identified floodplain, language shall be included on the plat pursuant to Section 11-103: F. 1: *Warning and Disclaimer of Floodplain Hazards Affecting Use and Occupancy of This Property.*
 - b. **GEOLOGIC HAZARDS WARNING AND DISCLAIMER.** If the subject property is located within an identified geologic hazard area, language shall be included on the plat pursuant to Section 11-104: F. 5: *Warning and Disclaimer of Geologic Hazards Affecting Use and Occupancy of This Property.*
 - c. **WILDFIRE HAZARD AREA WARNING AND DISCLAIMER.** If the subject property is located within an area designated as a wildfire hazard area, language shall be included on the plat pursuant to Section 11-106: G: *Warning and Disclaimer of Wildfire Hazards Affecting Use and Occupancy of This Property.*
 - d. **COMPLIANCE WITH COUNTY APPROVAL DOCUMENTS.** A Final Plat presented for approval shall contain one of the following statements, as applicable:
 1. **COMPLIANCE WITH BOARD RESOLUTION.**

COMPLIANCE WITH BOARD OF COUNTY COMMISSIONERS' RESOLUTION

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 Records of the Clerk and Recorder of Gunnison County.

2. COMPLIANCE WITH APPLICABLE CERTIFICATE OF APPROVAL.

COMPLIANCE WITH CERTIFICATE OF APPROVAL

The property described on this plat is subject to all the requirements, terms and conditions of Certificate of Approval No. _____, recorded at Reception No. _____ of the Records of the Clerk and Recorder of Gunnison County.

-Page 1-03/31/06 Condominium and Townhome Final Plat Information Sheet 03/31/06 Condominium and Townhome Final Plat Information Sheet -Page 2-

e. **GENERAL NOTES.** Pursuant to Section 11-110: H: *Protective Covenants or Deed Restrictions and Plat Language*, the following paragraphs shall be included within a section of "General Notes" on a Final Plat:

1. **CONFINEMENT OF DOMESTIC ANIMALS.** Language directing that domestic animals must be controlled by kenneling, leashing, fencing other physical constraint and that any expense of enforcement of the domestic animal control restrictions by the County shall be at the expense of the responsible association or individual.
2. **AWARENESS OF COLORADO "FENCE-OUT" REQUIREMENTS.** Language referencing C.R.S. 35-46-101 *et seq*: clearly stating that a property owner is required to construct and maintain fencing in order to keep livestock off his/her property.
3. **IRRIGATORS' RIGHT TO MAINTAIN IRRIGATION DITCH.** Language notifying individual lot owners that an irrigation ditch owner has the right to enter the designated irrigation ditch maintenance easement, maintain the ditch, and may leave natural debris on the bank.

f. **ATTORNEY'S OPINION.** The following opinion by the applicant's attorney:

ATTORNEY'S OPINION

*I, (printed name of attorney), 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 _____ and is free and clear of all liens, defects, encumbrances, restrictions and reservations except as follows : _____ (list same or indicate none).
Dated this _____ day of _____, A.D. 20____.*

Attorney-at-Law

g. **DEDICATION.** A Final Plat presented for approval shall contain one of the following statements concerning dedication, which shall be followed by the Notary Statement set forth in (c.) below:

1. DEDICATION LANGUAGE.

DEDICATION

(I, We), _____(printed name of owner(s), mortgagee(s) and lien holder(s)) _____being the owner(s), mortgagee(s) and lien holder(s) of the land described as follows: (insert legal description of land being platted and/or subdivided and include area in acres to two (2) decimal places) in Gunnison County, Colorado, under the name of (complete name of development in capital letters), have laid out, platted and/or subdivided the same as shown on this plat and do hereby permanently dedicate to the public at large the streets, alleys, roads and other public 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.

In witness whereof (printed name of the owner) has (have) subscribed (his, her, their) name(s) this _____ day of _____, A.D. 20____.

By _____

Owner(s), Mortgagee(s) and Lien holder(s)

2. DEDICATION/ALTERNATIVE LANGUAGE.

DEDICATION

(I, We), _____(printed name of owner(s), mortgagee(s) and lien holder(s)) _____, being the owner(s), mortgagee(s) and lien holder(s) of the land described as follows: (insert legal description of land being platted and/or subdivided and include area in acres to two (2) decimal places) in Gunnison County, Colorado, under the name of (complete name of development in capital letters), have laid out, platted and/or subdivided the same as shown on

this plat and do hereby permanently dedicate and convey to the owners of lots, tracts or parcels within this subdivision and their guests, but not to the public at large, the common right to use streets, alleys, roads 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.

In witness whereof (printed name of the owner(s)) has (have) subscribed his, her, their name(s) this ____ day of _____, A.D. 20____.

By _____

Owner(s), Mortgagee(s) and Lien holder(s)

3. NOTARIAL.

State of Colorado)

) ss.

03/31/06 Condominium and Townhome Final Plat Information Sheet -Page 3-

County of Gunnison)

The foregoing instrument was acknowledged before me this ____ day of _____, A.D. 20____, by (printed name of owner(s): if by natural persons here, insert name; if by person acting in a representative official capacity, insert capacity; if by officers of a corporation, then insert the title of said officers and the name of the corporation).

My commission expires: _____

My address is: _____

Witness my hand and official seal:

_____ (seal)

Notary Public

h. BOARD OF COUNTY COMMISSIONERS' APPROVAL. As is consistent with the selected paragraph of dedication, any Final Plat submitted for approval shall contain one of the following statements of approval as appropriate:

1. BOARD APPROVAL LANGUAGE:

Board of County Commissioners' Approval

The within plat of (name of development in capital letters) is approved this ____ day of _____, A.D. 20____, and the roads and other public areas are hereby accepted provided, however, that such acceptance shall not in any way be considered as an acceptance for maintenance or snow removal purposes. Maintenance of, or snow removal from, the subject roads shall be only upon a separate Resolution of the Board of County Commissioners passed in accordance with such policies, resolutions or ordinances in effect at that time.

Chairperson, Gunnison County Board of Commissioners

Attest:

Gunnison County Clerk and Recorder

2. BOARD APPROVAL: FIRST ALTERNATIVE LANGUAGE:

BOARD OF COUNTY COMMISSIONERS' APPROVAL

The within plat of (name of development in capital letters) is approved this ____ day of _____, A.D. 20____, 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 lot owners and not by Gunnison County or any other public agency.

Chairperson, Gunnison County Board of Commissioners

Attest:

Gunnison County Clerk and Recorder

3. BOARD APPROVAL: SECOND ALTERNATIVE LANGUAGE:

BOARD OF COUNTY COMMISSIONERS' APPROVAL

The within plat of (name of development in capital letters) Is approved this ____ day of _____, A.D. 20____, as a seasonal use development only and not as a development served by a road opened or to be opened on a year-round basis. The roads and other public areas are hereby accepted provided, however, that

such acceptance shall not in any way be considered as an acceptance for maintenance purposes. Maintenance of, or snow removal from the subject roads shall be only upon a separate resolution of the Board of County Commissioners passed in accordance with such policies, resolutions or ordinances in effect at that time.

Chairperson, Gunnison County Board of Commissioners

Attest:

Gunnison County Clerk and Recorder

4. BOARD APPROVAL: THIRD ALTERNATIVE LANGUAGE:

BOARD OF COUNTY COMMISSIONERS' APPROVAL

The within plat of (name of development in capital letters) is approved this _____ day of _____, A.D. 20, _____ as a seasonal use development only and not as a development served by a road opened or to be opened on a year-round basis. The private dedication of roads and common areas is approved

03/31/06 Condominium and Townhome Final Plat Information Sheet -Page 4-

on the condition that such roads and common areas shall be maintained and snowplowed, by and at the expense of the lot owners and not by Gunnison County or any other public agency.

Chairperson, Gunnison County Board of Commissioners

Attest:

Gunnison County Clerk and Recorder

- 5. GUNNISON COUNTY CLERK AND RECORDER'S ACCEPTANCE.** (To be placed in the lower right-hand corner of cover sheet.)

GUNNISON COUNTY CLERK AND RECORDER'S ACCEPTANCE

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

Gunnison County Clerk and Recorder

- 6. SURVEYOR'S STATEMENT.** A statement, followed by the land surveyor's signature and seal, certifying that the survey was performed by him or under his direct responsibility and supervision and explaining how bearings, if used, were determined.