



BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY

RESOLUTION NO. 16- 40

**A RESOLUTION RELEASING BUTTE PASTURE, LOT 5, FROM A RESTRICTIVE COVENANT
RECORDED AT RECEPTION NO. 541161 OF THE RECORDS OF THE CLERK AND RECORDER OF
GUNNISON COUNTY, COLORADO**

WHEREAS, on April 20, 2004, the Board of County Commissioners of Gunnison County, Colorado ("Board") entered into a certain Restrictive Covenant ("Restrictive Covenant") by and with Butte Realty Co., which Restrictive Covenant is recorded at Reception No. 541161 of the records of the Clerk and Recorder of Gunnison County, Colorado; and

WHEREAS, the Restrictive Covenant creates and recognizes a certain restriction on Butte Pasture, Lot 5, that was a condition of approval by the Board of the subdivision Plat of the Butte Pasture recorded at Reception No. 541141 of the records of the Clerk and Recorder of Gunnison County, Colorado to wit:

"Lot 5 shall not be sold by Developer to a person unless such person has resided in Gunnison County for at least ten years immediately preceding their ownership and who earns 80% of his, her or their income from working in Gunnison County. After the owner has occupied a primary residence on Lot 5 for three years, this Restrictive Covenant shall be released by Gunnison County."

WHEREAS, the current owners of Butte Pasture, Lot 5, have occupied a primary residence on Lot 5 for more than three years, fulfilling the requisite to have the Restrictive Covenant released by the Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY, COLORADO that:

1. The Restrictive Covenant recorded at Reception No. 541161 of the records of the Clerk and Recorder of Gunnison County, Colorado be and hereby is released by the Board.
2. The Gunnison County Manager—in his capacity as Gunnison County Commissioner of Deeds—is authorized to execute, on behalf of the Board, all additional legal instruments necessary to implement the intent of this Resolution.

INTRODUCED by Commissioner Chamberland, seconded by
Commissioner Houck, and adopted this 4th day of
October, 2016.

**BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO**

Paula Swenson

Paula Swenson, Chairperson

Phil Chamberland

Phil Chamberland, Commissioner

Jonathan Houck

Jonathan Houck, Commissioner

Attest:

[Signature]

Deputy County Clerk



Gunnison County, CO
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