AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Plat; Cornerstone Townhomes

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement:

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

Summary:

Plat establishing the Cornerstone Townhomes in Buckhorn Ranch

Fiscal Impact:

Submitted by: Hillary Seminick **Submitter's Email Address:** hseminick@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:
ok db 12/12/19

Reveiwed by: GUNCOUNTY1\dBaumgarten Discharge Date: 12/12/2019 Certificate of Insurance Required

Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\emense Discharge Date: 12/12/2019

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

Agenda Date: 12/17/2019

Revised April 2015

Gunnison County, CO
Community Development Department
221 N. Wisconsin St. Ste. D, Gunnison, CO 81230
Phone: (970) 641-0360
Website: www.gunnisoncounty.org
Email: planning@gunnisoncounty.org

To: Gunnison County Board of County Commissioners

From: Hillary Seminick, AICP, Senior Planner, Community Development Department

Date: December 17, 2019

Re: **LUC-19-00045, Cornerstone Townhomes Plat**

The Applicant, Chief Cornerstone Investments, LLC, represented by David Leinsdorf, PC, has submitted a request for a plat approval of Cornerstone Townhomes, as depicted in Exhibit A. The two-unit building is located at 48 and 54 Elk Valley Road, Crested Butte, legally described as Lot M1-2, Buckhorn Ranch Filing No. 2B, according to the Plat thereof recorded April 26, 2004 under reception no. 541322, County of Gunnison, State of Colorado. The plat has been reviewed and approved by the County Attorney.

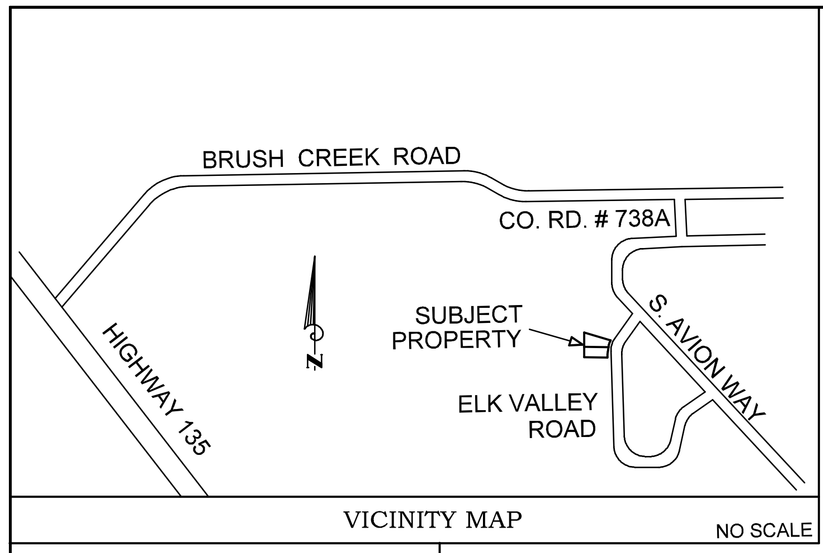
The plat has been approved by the master HOA, the Buckhorn Ranch Association, Inc. Chief Cornerstone Investments, LLC, will record a party wall agreement for the structure. The County is not a party to this agreement.

The full application can be viewed on Citizen Access at *https://www.gunnisoncounty.org/436/Permit-Database*. Exhibit B provides instructions for access.

/S/ Hillary Iza Seminick, AICP

Figure 1. Location Map

Exhibits
A. Cornerstone Townhome Plat
B. Project Access Instructions



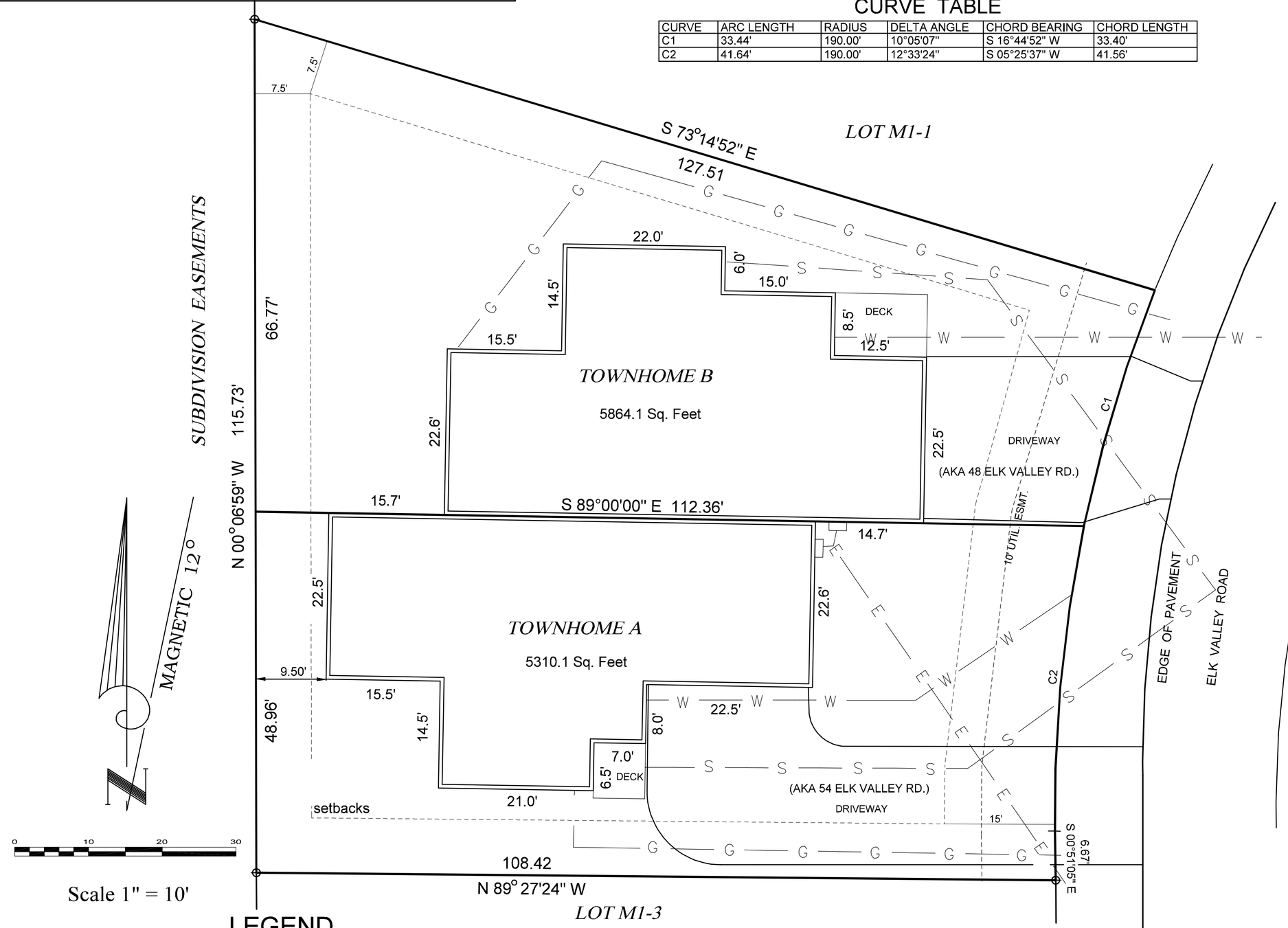
PLAT OF

CORNERSTONE TOWNHOMES

LOCATED WITHIN
LOT M1-2, BUCKHORN RANCH FILING 2B SUBDIVISION
GUNNISON COUNTY, COLORADO

CURVE TABLE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	33.44'	190.00'	10°05'07"	S 16°44'52" W	33.40'
C2	41.64'	190.00'	12°33'24"	S 05°25'37" W	41.56'



LEGEND

These standard symbols will be found in the drawing.

- Found 1 1/2" dia. aluminum cap
- Property line
- Setback line
- S — Sewer line
- G — Gas line
- E — Electric line
- W — Water line

SURVEY NOTES:
1. Mathematical and easement information was obtained from the record plat of BUCKHORN RANCH FILING 2B Subdivision at reception number 541322 Gunnison County Records.

2. Underground utility locations provided by builder.

I, Kurt Olson, being a registered Land Surveyor in the State of Colorado do hereby certify that this plat and survey of CORNERSTONE TOWNHOMES was made by me and under my supervision and is accurate to the best of my knowledge, that the improvements as constructed conform substantially to this map.

dated this _____ day of ____ ,2019

_____
Land Surveyor
Colorado registration number

COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR KURT OLSON 35576

Meridian Design 970-349-5034

ATTORNEY'S OPINION

I, David Leinsdorf, 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 Chief Cornerstone Investments, LLC, a Colorado limited liability company, and is free and clear of all liens, defects, encumbrances, restrictions and reservations, except as follows:

1. 2019 taxes and assessments not yet due or payable.

2. United States Patents recorded in Book 235 at Page 375 and in Book 278 at Page 539.

3. Agreement recorded in Book 439 at Page 973.

4. Ditch Easement contained in Quit Claim Deeds recorded in Book 514 at Page 794 and in Book 514 at Page 799.

5. Order and Decree in the Matter of the Organization of the Proposed East River Regional Sanitation District recorded in Book 604 at Page 934; Tap Purchase Agreement recorded in Book 610 at Page 357.

6. Agreement between Brush Creek Airport Limited Liability Company and William J. Lacy, Jr., recorded in Book 775 at Page 95; Letter recorded in Book 743 at Page 235.

7. Cooperative Development Agreement recorded under Reception No. 479882.

8. Gunnison County Resolution #22, Series 2004 recorded under Reception No. 541321 and Amendment recorded under Reception No. 608847.

9. Plat of Buckhorn Ranch Filing No. 2B, recorded under Reception No. 541322.

10. Notice recorded under Reception No. 541325.

11. Easement and Right of Way recorded under Reception No. 555067 and by Instrument recorded under Reception No. 558288 and by Instrument recorded under Reception No. 569618.

12. Easement Agreement recorded under Reception No. 586338.

13. Water Provider and Easement Agreement recorded under Reception No. 594872.

14. Amended Design Review Guidelines and Construction Rules and Regulations recorded under Reception No. 639119.

15. Amended and Restated Declaration of Protective Covenants for Buckhorn Ranch recorded under Reception No. 649955.

16. Amended Design Review Guidelines recorded under Reception No. 651956.

17. ALTA/NSPS Land Title Survey Certified November 29, 2017 prepared by Clark Land Surveying, Inc., Job #170897.

Dated this ____ day of _____, 2019.

_____
David Leinsdorf, Attorney Reg #2740
215 Elk Ave., 3rd Floor
P.O. Box 187
Crested Butte, CO 81224
Phone: (970) 349-6111
Fax: (970) 349-6243
david81224@gmail.com

NOTES

1. Any person who acquires any interest in any of the real property platted on this plat shall be deemed to have accepted the terms, conditions, exceptions, restrictions, limitations and definitions set forth herein and in the Party Wall Agreement for CORNERSTONE TOWNHOMES recorded as Reception No. _____.

2. According to Colorado law you must commence 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 on any defect in this survey be commenced more than ten years from the date of the surveyor's certificate shown hereon.

3. Upon completion of the installation or maintenance of any utilities, the property disturbed or damaged by such installation or maintenance shall be restored as near as reasonably possible to its original condition.

4. Animals must be controlled by kenneling, leashing or other physical restraint. Any expense of enforcing domestic animal control restrictions by Gunnison County shall be at the expense of the CORNERSTONE TOWNHOMES unit owner.

5. C.R.S. Section 35-46-101 et.seq requires the Cornerstone Townhomes Association to construct and maintain the fencing to keep livestock off the CORNERSTONE TOWNHOMES property.

6. An irrigation ditch owner has the right to enter the designated irrigation ditch maintenance easement, maintain the ditch and leave natural debris on the bank of the ditch.

DEDICATION

CHIEF CORNERSTONE INVESTMENTS, LLC, A COLORADO LIMITED LIABILITY COMPANY, being the owner of the land described as follows:

Lot M1-2, BUCKHORN RANCH FILING 2B, according the plat thereof recorded April 26, 2004 under Reception No. 541322, County of Gunnison, State of Colorado, consisting of 0.26 acres ("Property"),

under the name of CORNERSTONE TOWNHOMES, has laid out, platted and/or subdivided the Property and hereby permanently dedicates those portions of land labeled as easement for the installation and maintenance of public utilities as shown hereon.

In Witness Whereof, Chief Cornerstone Investments, LLC, a Colorado limited liability company, has executed this Dedication this ___ day of _____ A.D., 2019.

Chief Cornerstone Investments, LLC,
a Colorado limited liability company

By: _____
James R. Kunes, Member

_____
Abby T. Kunes, Member

STATE OF COLORADO)
) ss.
COUNTY OF GUNNISON)

The foregoing Dedication was acknowledged before me this _____ day of _____, 2019 by James R. Kunes and Abby T. Kunes, Members of Chief Cornerstone Investments, LLC, a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: _____.

_____
Notary Public

BOARD OF COUNTY COMMISSIONERS' APPROVAL

The within plat of CORNERSTONE TOWNHOMES, is approved this ____ day of _____ A.D., 2019.

Gunnison County Board of County Commissioners

By: _____
_____Chairperson,

Attest:

_____
Gunnison County Clerk and Recorder

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. 2019, Reception No. _____, Time_____, Date_____.

_____
Gunnison County Clerk and Recorder

GUNNISON COUNTY COMMUNITY & ECONOMIC DEVELOPMENT
Permit Database Instructions
970-641-0360

- **Enter – permitdb.gunnisoncounty.org**
- **Click on**- Permits for Septic (OWTS & ISDS Permits)
- **Click on** – Permits for Building Permits
- **Click on** –Projects for Land Use Change Permits
- **Click into** –Application Number and fill in

When Found

- **Click on**- Attachments
- **Click on** -View

You may view any document that is in the Community & Economic Development database. If you are having problems with the database or need the application number, please call us @ 970-641-0360.