AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Lot Cluster; Whetstone Ind. Park

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement:

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

Summary:

Mountain Express and GVTA clustering lots 10,11,12 in Whetstone Ind. Park

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 6/10/20

Reveiwed by: GUNCOUNTY1\dBaumgarten Discharge Date: 6/10/2020 Certificate of Insurance Required

Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 6/10/2020

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

Agenda Date: 6/16/2020

Revised April 2015

TO: BOCC
FROM: Beth Baker (Community Development Staff)
RE: Lot Cluster Application

Mountain Express and Gunnison Valley Transportation Authority have applied to cluster their lots in the Whetstone Industrial Park- Lots 10,11 and 12.

- The taxes are current on the lots
- The utility companies have agreed to the cluster
- The application has been reviewed and approved by both the Director of Community and Economic Development and the County Attorney
- The HOA has approved the lot cluster

You may view the Department file using the link:

- http://204.132.78.100/citizenaccess/
- Click on Projects
- Search by Application Number- LUC-20-00027
- Click on File
- Click on Attachment
- Click on View- any attachment

Please call with any questions.

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 Mountain Express and Gunnison Valley Transportation Authority (Owners)

Legal Description: Complete – please attach if too long

Lots 10, 11 and 12 WHETSTONE INDUSTRIAL PARK, according to the Plat recorded June 27, 2018, at Reception No. 654063
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: 5-27-2020

Mountain Express
by: Chris Larsen, Managing Director

Date: 5-27-2020

Gunnison Valley Transportation Authority
by: Scott Truex, Executive Director

Date:

Mortgage or Lien Holder

STATE OF COLORADO)
)ss
COUNTY OF GUNNISON)

The foregoing instrument was acknowledged before me this 27 day of May 2020 by Chris Larsen and Scott Truex **(Owner/s).**

Witness my hand and official seal.

My Commission expires: March 22nd, 2023

KATHERINE CARPENTER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #20194011510
My Commission Expires March 22, 2023

Notary Public

Address: PO Box 4385
Crested Butte, CO 81224

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: _____

_____	_____	_____
Jonathan Houck Chairperson	Roland Mason Commissioner	John Messner Commissioner

Board of County Commissioners
Gunnison County, Colorado

Attest:

_____
Gunnison County Clerk and Recorder