



**BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO
RESOLUTION NO: 20- 25**

**A RESOLUTION VACATING A PORTION OF 12TH STREET WITHIN
BLOCK 6, TOWNSITE OF IRWIN AND CLUSTERING LOTS,
AN ALLEY AND A PORTION OF 12TH STREET**

WHEREAS, the Board of County Commissioners of the County of Gunnison, Colorado (herein the "Board"), by virtue of Colorado law, has become the owner of certain platted streets and alleys within the previously incorporated Townsite of Irwin; and

WHEREAS, the Board has determined that not all of said streets and alleys are necessary for public access to the privately-owned property within the Townsite of Irwin; and

WHEREAS, it has been the intent of the Board to:

1. Vacate the alley within Block 6, Townsite of Irwin, adjacent to Lots 3 through 5 and 14 through 16; and that portion of 12th Street within Block 6, Townsite of Irwin, Adjacent to Lots 3 through 5 pursuant to Resolution 96-42, Resolution 07-44 and Resolution 20-23; and
2. To cluster aforesaid lots, portion of the street, and alley.

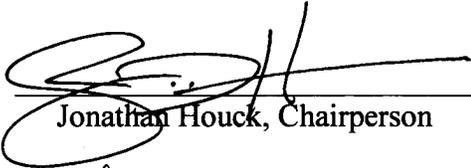
NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado, to avoid any doubt, are ordering the alley and portion of 12th Street described above vacated per Resolution 96-42, 07-44 and 20-23; and said lots, alley and street clustered per the Lot Cluster Agreement dated this day, July 21, 2020.

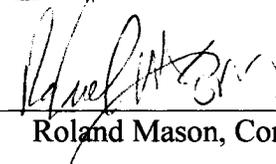
1. This resolution shall not become effective until such time as it is recorded in the office of the Clerk and Recorder of Gunnison County, Colorado at the expense of the owners of lots described above, and pursuant to the conditions identified herein.

INTRODUCED by Commissioner HOUCK, seconded by Commissioner MASON and adopted this 21ST day of July, 2020



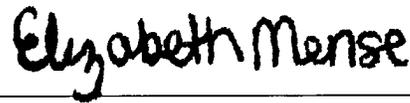
**BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO**

By: 
Jonathan Houck, Chairperson

By: 
Roland Mason, Commissioner

By: **UNAVAILABLE FOR SIGNATURE**
Elizabeth Smith, Commissioner

ATTEST:


Deputy County Clerk





LOT CLUSTER AGREEMENT AND DECLARATION

Date of Meeting JULY 21, 2020 (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 Sinclair Buckstaff Jr.
(Owner)

Dee Ann Buckstaff
(Owner)

(Owner)

(Owner)

RECITALS:

Legal Description: Complete – please attach if too long

Lots 3-5 and 14-16, Block6, Townsite of Irwin
and

The alley within Block 6, Townsite of Irwin, adjacent to lots 3 through 5 and 14 through 16; and that portion of 12th Street within Block 6, Townsite of Irwin, adjacent to Lots 3 through 5 pursuant to Resolution 96-42, Resolution 07-44 or Resolution 20-23

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: 7.17.20 _____
 Date: 7.17.2020 _____
 Date: _____
 Date: _____



 Owner


 Owner

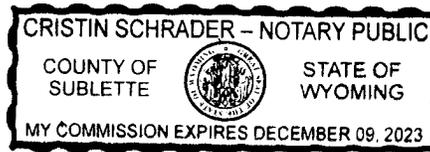
 Owner

 Mortgage or Lien Holder

Wyoming
 STATE OF ~~COLORADO~~)
 Teton)ss
 COUNTY OF GUNNISON)

The foregoing instrument was acknowledged before me this 17th day of July 2020
 by Smclair Buckstaff Jr. & Dee Ann Buckstaff (Owner/s).

Witness my hand and official seal.
 My Commission expires: 09 Dec. 2023




 Notary Public

Address: 990 W. Broadway
Jackson, WY 83001

STATE OF COLORADO)
)ss
 COUNTY OF GUNNISON)



STATE OF COLORADO)
)ss
COUNTY OF GUNNISON)

The foregoing instrument was acknowledged before me this 21ST day of July 2020 by GUNNISON COUNTY (Mortgage/Lien Holder).

Witness my hand and official seal.

My Commission expires: 6/14/2023
Lauren Hibbard
Notary Public

LAUREN HIBBARD
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #20194022379
My Commission Expires June 14, 2023

Address:

Date: 7/21/2020

Jonathan Houck
Chairperson

Roland Mason
Vice-Chairperson

Elizabeth Smith
Commissioner

Board of County Commissioners
Gunnison County, Colorado

Attest:
Elizabeth Mense
Gunnison County Clerk and Recorder, DEPUTY