

RESOLUTION NO. 6

SERIES 2017

**RESOLUTIONS OF THE CRESTED BUTTE
TOWN COUNCIL APPROVING THE PLAT
AND DECLARATION AND PARTY WALL
AGREEMENT FOR PONDEROSA
TOWNHOUSES, LOTS 23 AND 24, BLOCK 64,
TOWN OF CRESTED BUTTE, COLORADO**

WHEREAS, the Town of Crested Butte, Colorado (the "**Town**") is a home rule municipality, duly and regularly organized and now validly existing as a body corporate and politic under and by virtue of the Constitution and laws of the State of Colorado;

WHEREAS, Section 4.7 of the Crested Butte Town Charter provides that the Council may act, other than legislatively, by resolution;

WHEREAS, Chapter 16, Article 12 of the Crested Butte Municipal Code (the "**Code**") contains requirements for the creation of townhouses;

WHEREAS, the Town Staff and the Town Attorney have recommended to the Town Council that the Town Council approve the creation of the Ponderosa Townhouses, the applicant therefor having complied with the townhouse requirements of the Code; and

WHEREAS, based on the Town Staff and Town Attorney's recommendation, the Town Council hereby finds that it is in the best interest of the Town and the general welfare of the public that the Town Council to approve the creation of the Ponderosa Townhouses.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CRESTED BUTTE, COLORADO, THAT:

1. **Approval of Plat and Declaration; Approval of Mayor to Execute.** The Town Council hereby approves the creation of the Ponderosa Townhouses, Lots 23 and 24, Block 64, Town of Crested Butte, Colorado, and in furtherance thereto, hereby approves the plat (the "**Plat**") and declaration and party wall agreement thereof, such creation being in the best interest of the health, safety and welfare of the Town, its residents and visitors. The Mayor is hereby authorized to countersign the Plat in the form attached hereto as **Exhibit "A"** in the space provided thereon as approved by the Town Attorney.

INTRODUCED, READ AND ADOPTED BEFORE THE TOWN COUNCIL OF THE TOWN OF CRESTED BUTTE, COLORADO THIS 21st DAY OF February 2017.

TOWN OF CRESTED BUTTE, COLORADO

By: *Glenn Michel*
Glenn Michel, Mayor

ATTEST:
Lynelle Stanford
Lynelle Stanford, Town Clerk

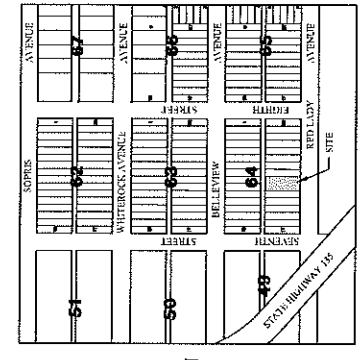
(SEAL)



EXHIBIT "A"
(Ponderosa Plat)

[attach Plat here]

PLAT OF
PONDEROSA TOWNHOUSES
 LOTS 23 AND 24, BLOCK 64, TOWN OF CRESTED BUTTE
 GUNNISON COUNTY, COLORADO
 LOCATED WITHIN THE
 SW 1/4 NW 1/4 SECTION 2, T. 4S, R. 86W, 6th P.M.



PLAT MAP
 SCALE: 1" = 200'

ATTORNEY'S OPINION

1. I, T. Scott, Attorney at Law, do hereby certify that the above plat of Ponderosa Townhouses, Lots 23 and 24, Block 64, Town of Crested Butte, Gunnison County, Colorado, is in conformity with the provisions of the Colorado Revised Statutes, and that the same is a correct and true copy of the original plat as the same appears on file in the office of the County Clerk of Gunnison County, Colorado, as follows:

2. The plat of Ponderosa Townhouses, Lots 23 and 24, Block 64, Town of Crested Butte, Gunnison County, Colorado, is in conformity with the provisions of the Colorado Revised Statutes, and that the same is a correct and true copy of the original plat as the same appears on file in the office of the County Clerk of Gunnison County, Colorado, as follows:

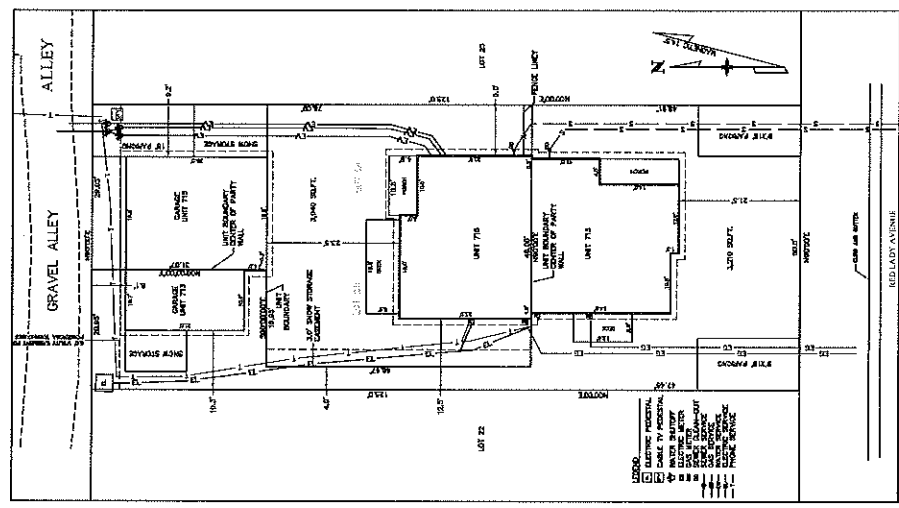
3. All persons who are shown on the plat of Ponderosa Townhouses, Lots 23 and 24, Block 64, Town of Crested Butte, Gunnison County, Colorado, as owners of the same, are the owners of the same, and their names are correct and true as the same appears on file in the office of the County Clerk of Gunnison County, Colorado, as follows:

4. The plat of Ponderosa Townhouses, Lots 23 and 24, Block 64, Town of Crested Butte, Gunnison County, Colorado, is in conformity with the provisions of the Colorado Revised Statutes, and that the same is a correct and true copy of the original plat as the same appears on file in the office of the County Clerk of Gunnison County, Colorado, as follows:

5. The plat of Ponderosa Townhouses, Lots 23 and 24, Block 64, Town of Crested Butte, Gunnison County, Colorado, is in conformity with the provisions of the Colorado Revised Statutes, and that the same is a correct and true copy of the original plat as the same appears on file in the office of the County Clerk of Gunnison County, Colorado, as follows:

Dated this _____ day of _____, 2016.

T. Scott, Attorney at Law
 Gunnison County, Colorado



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LAND SURVEYOR'S CERTIFICATE

I, Norman C. Wainwright, Surveyor, do hereby certify that the above plat of Ponderosa Townhouses, Lots 23 and 24, Block 64, Town of Crested Butte, Gunnison County, Colorado, is in conformity with the provisions of the Colorado Revised Statutes, and that the same is a correct and true copy of the original plat as the same appears on file in the office of the County Clerk of Gunnison County, Colorado, as follows:

Dated this _____ day of _____, 2016.

Norman C. Wainwright, Surveyor
 Gunnison County, Colorado

DEDICATION

WHEREAS, the City of Crested Butte, Colorado, has caused to be prepared and filed in the office of the County Clerk of Gunnison County, Colorado, a plat of Ponderosa Townhouses, Lots 23 and 24, Block 64, Town of Crested Butte, Gunnison County, Colorado, and

4. BECAUSE, the City of Crested Butte, Colorado, has caused to be prepared and filed in the office of the County Clerk of Gunnison County, Colorado, a plat of Ponderosa Townhouses, Lots 23 and 24, Block 64, Town of Crested Butte, Gunnison County, Colorado, and

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CRESTED BUTTE TOWN COUNCIL APPROVAL

The undersigned, the members of the Town Council of Crested Butte, Colorado, do hereby approve and accept the above plat of Ponderosa Townhouses, Lots 23 and 24, Block 64, Town of Crested Butte, Gunnison County, Colorado, and

Dated this _____ day of _____, 2016.

_____ Mayor
 _____ Town Clerk

GUNNISON COUNTY CLERK AND RECORDERS ACCEPTANCE

The above plat of Ponderosa Townhouses, Lots 23 and 24, Block 64, Town of Crested Butte, Gunnison County, Colorado, is in conformity with the provisions of the Colorado Revised Statutes, and that the same is a correct and true copy of the original plat as the same appears on file in the office of the County Clerk of Gunnison County, Colorado, as follows:

Dated this _____ day of _____, 2016.

_____ County Clerk

PLAT OF
PONDEROSA TOWNHOUSES
 LOTS 23 AND 24, BLOCK 64
 TOWN OF CRESTED BUTTE
 GUNNISON COUNTY, COLORADO

Prepared By: **NCW & ASSOCIATES, LLC**
 P.O. Box 3686
 Crested Butte, Colorado 81224
 (970) 346-4354
 PROJECT: 1016100
 DATE: 1/24/17
 SHEET 1 OF 1