

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN
VILLAGE, COLORADO,
ACCEPTING ACCESS TRACT F22-1**

NO: 2016-0421-04

RECITALS:

- A. TSG Ski and Golf, LLC (“TSG”) currently owns Access Tract F22-1, Town of Mountain Village, CO (Town”).
- B. Access Tract F22-1 (the “Access Tract”) currently serves as the access to lots within The Boulders and Prospect Plaza subdivisions within the Town and serves more than three lots or condominium units.
- C. The Access Tract is currently only partially improved and does not meet the standards of the Community Development Code section 17.6.6(C)(1)
- D. The homeowner’s associations of The Boulders and Prospect Plaza subdivisions have asked the Town to accept the Access Tract from TSG.
- E. TSG has deeded the Access Tract from the Town.
- F. The Town may accept access tracts under the Community Development Code Section (“CDC”) 17.6.6 even if such access tracts are not constructed to Town standards if the Town Council finds that the access tract meets the criteria set forth in CDC Sections 17.6.6(C)(2)(a). The Town Council has determined that acceptance of the Access Tract meets the criteria set for the in CDC Sections 17.6.6(C)(2)(a) as set forth below.
- G. The Town finds it is in its best interest to accept Access Tract F22-1 from TSG as it serves as key access to The Boulders and Prospect Plaza subdivisions within the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE AS FOLLOWS:

- 1. The Town Council finds that the acceptance of Access Tract F22-1 complies with Section 17.6.6.C(2)(a) of the Community Development Code as it meets the following conditions:
 - a. The access tract was constructed prior to 2014.
 - b. Acceptance of the access tract not meeting the specifications would allow the Town to upgrade other Town owned infrastructure which upgrade would not be practical without the acceptance of the Access Tract as it allows the Town to improve a hub of a Town transportation route.
 - c. There is a public safety issue not directly related to the access tract being below the specifications set forth in Figure 6-5, which can be alleviated by the Town

accepting the Access Tract and making improvements to the access tract and surrounding area (acceptance of an access tract does not require or guarantee the Town will make such improvements) by improving an important hub of a Town transportation route.

- d. More than ninety percent (90%) of the lots or condominium land units are owned by parties other than the original or successor developer.
 - e. Acceptance of substandard access tract shall not set a precedent for future acceptance as every access tract is uniquely situated.
2. The Town Council approves accepting a deed from TSG for Access Tract F22-1. A quitclaim deed executed by TSG is attached hereto as Exhibit A.


ADOPTED AND APPROVED by the Town Council as a regular meeting held on the 21st day of April, 2016.



TOWN OF MOUNTAIN VILLAGE

By: 
Dan Jansen, Mayor

ATTEST:

By: 
Jackie Kennfick, Town Clerk

APPROVED AS TO FORM:


By: 
Jim Mahoney, Assistant Town Attorney

EXHIBIT A
QUITCLAIM DEED

QUIT CLAIM DEED

THIS DEED, Made this 6th day of April, 2016, between TSG SKI & GOLF, LLC, a Delaware limited liability company ("TSG"), GRANTOR, and the TOWN OF MOUNTAIN VILLAGE, COLORADO, a home rule municipality and political subdivision of the state of Colorado, whose legal address is 455 Mountain Village Blvd, Mountain Village, Colorado 81435, GRANTEE:

WITNESSETH, that the GRANTOR, for and in consideration of the sum of Ten Dollars (\$10.00), the receipt and sufficiency of which is hereby acknowledged, has remised, released, sold and QUIT CLAIMED, and by these presents does remise, release, sell and QUIT CLAIM unto the GRANTEE, its successors and assigns forever, in fee simple, all the right, title, interest, claim and demand which the GRANTOR has in and to the real property, together with improvements, if any, situate, lying and being in the County of San Miguel and State of Colorado, described as follows:

ACCESS TRACT F22-1, TOWN OF MOUNTAIN VILLAGE

County of San Miguel,
State of Colorado.

Also known as: Vacant Land, Mountain Village, CO 81435.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever, of the GRANTOR, either in law or equity, to the only proper use, benefit and behalf of the GRANTEE, its successors and assigns forever.

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the GRANTOR has executed this deed on the date set forth above.

*The rest of this page intentionally left blank.
Notary on next page.*



648AR

N00° 58' 32.00"W
13.594
L=3.947, R=188.026
Δ=001.2028

N51° 07' 02.87"E
30.000

S38° 52' 57.00"E
135.606

N38° 52' 57.00"W
138.885

N77° 26' 06.91"E
23.275
S56° 00' 00.21"E
30.000

D=027.4666
L=90.136, R=188.026
D=005.4373
R=188.026

L=112.423, R=143.025
D=045.0364

N04° 15' 00.11"W
107.042

S51° 21' 27.01"E
57.425

164.836
S04° 14' 59.96"E

647

OSP-22R1

N00° 00' 00.00"E
47.976

TRACT
F22-1
.365 acres

N88° 37' 37.07"W
16.860
L=101.082, R=281.734
D=020.5569

ADAMS RANCH ROAD



This information is for reference only. All information shall be surveyed and field verified.

Exhibit
A to QCD



Town of Mountain Village
Geographical Information System
& CAD Design Office

411 Mountain Village Blvd
Mountain Village, CO 81435
ph (970) 506-9201
Rcheroske@mtnvillage.org

1" = 40'
3-29-16