

**RESOLUTION OF THE TOWN COUNCIL
OF MOUNTAIN VILLAGE, RESOLUTION APPROVING A MINOR SUBDIVISION, A LOT
LINE ADJUSTMENT TO LOT 1003R2 & TRACT OS-1-E, RENAMED LOT 1003R-2A &
TRACT OS-1-EA**

RESOLUTION NO. 2019-1017-18

- A. Telluride Mountain Village Homeowners Association and the Town of Mountain Village ("Owners") are the owners of record of real property described as Lot 1003-R2 and Tract OS-1-E, Town of Mountain Village, County Of San Miguel, State Of Colorado, respectively.
- B. The Owners have requested approval of the minor subdivision application to adjust the lot line between Lot 1003R-2 and Tract OS-1-E ("Application").
- C. The Owners have addressed, or agreed to address, all conditions of approval of the Application imposed by Town Council.
- D. The Town Council finds that the minor subdivision meets the criteria for decision set forth in Section 17.4.13 of the CDC as follows:
 - 1. The lots resulting from the replat are in compliance with Town Zoning and Land Use Regulations and Subdivision Regulations;
 - 2. The proposed subdivision is in general conformance with the goals, policies and provisions of the Comprehensive Plan because the Comprehensive Plan envisioned a Town Hall façade improvement. The lot line adjustment facilitates this portion of the Comprehensive Plan;
 - 3. Subdivision access complies with Town standards and codes.
 - 4. Easements are not affected, or have been relocated to the satisfaction of the utility companies and/or the benefited party under the easement or, in the case of vacated easements, the easement is no longer necessary due to changed conditions, and the easement vacation has been consented to by the benefited party under the easement; and
 - 5. The proposed subdivision meets all applicable Town regulations and standards.

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN COUNCIL HEREBY APPROVES THE MINOR SUBDIVISION AND AUTHORIZES THE MAYOR TO SIGN THE RESOLUTION SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. The plat and associated easement documents, will be recorded after the construction commences and prior to a final Certificate of Completion in order the accurately measure the increase footprint area of Lot 1003R2 and capture the constructed building overhang.
- 2. The Applicant will submit appropriate fees to staff for recordation with the San Miguel County Assessor's office within six months of approval.
- 3. Staff will review the final proposed plat document to verify consistency with CDC Sections 17.4.13.N. Plat Standards, and CDC Section 3. Plat Notes and Certifications and provide redline comments to the applicant prior to the execution of the final mylar.
- 4. Staff has the authority to provide ministerial and conforming comments on the mylar prior to recordation.
- 5. As determined by the Town Attorney, the Town and the TMVOA may modify the Existing Perimeter Easement concurrent with recordation of the lot line adjustment plat.

Section 1. Resolution Effect

- A. This Resolution shall have no effect on pending litigation, if any, and shall not operate as an abatement of any action or proceeding now pending under or by virtue of the resolutions repealed or amended as herein provided and the same shall be construed and concluded under such prior Resolutions.
- B. All Resolutions, of the Town, or parts thereof, inconsistent or in conflict with this Resolution, are hereby repealed, replaced and superseded to the extent only of such inconsistency or conflict.

Section 2. Severability

The provisions of this Resolution are severable and the invalidity of any section, phrase, clause or portion of this Resolution as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of this Resolution.

Section 3. Effective Date

This Resolution shall become effective on October 17, 2019 (the "Effective Date") as herein referenced throughout this Resolution.

Section 4. Public Meeting

A public meeting on this Resolution was held on the 17th day of October 2019 in the Town Council Chambers, Town Hall, 455 Mountain Village Blvd, Mountain Village, Colorado 81435.

Approved by the Town Council at a public meeting held on October 17, 2019.

Town of Mountain Village, Town Council

By: 
Laila Benitez, Mayor

Attest:

By: 
Jackie Kennefick, Town Clerk

Approved as to Form:


James Mahoney, Assistant Town Attorney