

**RESOLUTION OF THE TOWN COUNCIL
OF MOUNTAIN VILLAGE, COLORADO APPROVING A MINOR
SUBDIVISION FOR LOT 601, KNOLL ESTATES**

RESOLUTION NO. 2020-0116-02

- A. Knoll Estates HOA (“Owner”) of record of real property described as Lot 601, the Knoll Estates Condominiums, in accordance with the condominium map recorded on September 26, 1989 in Plat Book 1, Pg. 934-935.
- B. The Owner has authorized Stephanie L Fanos, Attorney-at-Law to pursue the review of the Minor Subdivision application to vacate town owned earthwork easements on Lot 601.
- C. Earthwork Easements were imposed on to Lot 601 through a lot line adjustment in 1989.
- D. The proposed Minor Subdivision will vacate the earthwork easements from the plat.
- E. The applicant proposed the amended Lot 601, with no change to the zoning or zoning designations set forth on the Official Zoning Map and zoning designations on the Official Land use and Density Allocation List.
- F. The Town Council considered this application, along with evidence and testimony, at a public meeting held on January 16, 2020.
- G. The Owners have addressed, or agreed to address, all conditions of approval of the application imposed by Town Council.
- H. The Town Council finds that the Minor Subdivision meets the criteria for decision set forth in Section 17.4.13 of the Community Development Code as follows:
 - 1. The lots resulting from the adjustment or vacation are in compliance with Town Zoning and Land Use Regulations and Subdivision Regulations, because without limitations the lot configurations are already in compliance and are not being amended with the easement vacation;
 - 2. The proposed subdivision is in general conformance with the goals, policies and provisions of the Comprehensive Plan;
 - 3. Subdivision access is in compliance with Town standards and codes unless specific variances have been granted in accordance with the variance provisions of this CDC
 - 4. General Easements and setbacks 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, because without limitations the General Easements are not being affected by this minor subdivision; 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 Applicant will work with Staff to complete the required Resolution and legal instrument that will legally recognize removal of the earthwork easements.
2. The applicant will pay all necessary fees to record legal documents with the San Miguel County Clerk and Recorders office within six months of approval.
3. Staff and legal have the authority to provide ministerial and conforming comments on any legal instruments prior to recordation.”

Be It Further Resolved that Lot 601 may be amended to remove earthwork easements as submitted in accordance with Resolution NO. 2020-0116-02.

Approved by the Town Council at a public meeting January 16, 2020

Town of Mountain Village, Town Council

By: 
Laila Benitez, Mayor

Attest:

By: 
Susan Johnston, Deputy Town Clerk

Approved as to Form:


James Mahoney, Assistant Town Attorney