

**TOWN OF MINTURN, COLORADO  
ORDINANCE NO. 03 – SERIES OF 2017**

**AN ORDINANCE OF THE TOWN OF MINTURN,  
COLORADO AUTHORIZING A SITE SPECIFIC MINOR  
SUBDIVISION DEVELOPMENT PLAN FOR THE RBLA  
MINTURN SUBDIVISION**

THIS AGREEMENT made this \_\_\_\_ day of \_\_\_\_\_, 2017, by and between the TOWN OF MINTURN, COLORADO, a home rule municipality whose address is 302 Pine Street, P.O. Box 309, Minturn, CO 81645 (the "Town") and Minturn, LLC a Colorado limited liability company and Marsha H. Moritz Revocable Trust;

WHEREAS, the Developer is the owner of certain real property located in the Town of Minturn, Colorado known as RBLA Subdivision, 721 Main Street, Minturn, CO,

WHEREAS, on about February 22, 2017 after a duly-noticed public hearing and pursuant to Minturn Municipal Code §17-5-40, the Town of Minturn Planning Commission approved a Preliminary Subdivision Plat for the Property; and

WHEREAS, on about \_\_\_\_\_, 20\_\_ and \_\_\_\_\_, 20\_\_, the Town Council of the Town of Minturn, after holding all necessary public hearings, approved by appropriate ordinance a Final Subdivision Plat for the Property creating three duplex lots, which Ordinance No. \_\_, Series of 20\_\_ is recorded as Reception No. \_\_\_\_\_ with the Eagle County Clerk and Recorder; and

WHEREAS, the Town's approval of the Final Subdivision Plat for the Property (Exhibit A) cited above is contingent upon the express condition that all obligations and duties created by this Agreement are faithfully performed by the Developer.

NOW, THEREFORE, for and in consideration of the following conditions hereto agree as follows:

1. The Subdivision Plat for the Property attached as Exhibit A is approved subject to the following conditions.
2. The subdivision plat will be amended to depict an easement dedicated to the Town of Minturn on through the rear, west portion of lot 3, and amended Lot 1 of the McFarlane Minor Subdivision and through the middle of the side yard setbacks of Lot 3 & 2 and the front of lot 2 connecting to Boulder Street as depicted on Exhibit B. The easement will be 15 feet in width for the construction, operation, maintenance and replacement of a water line. This easement is required to allow Minturn to loop water lines in this area which is needed to provide adequate supply and pressure through town and in the event water needs to be temporarily turned off in an adjoining town zone.

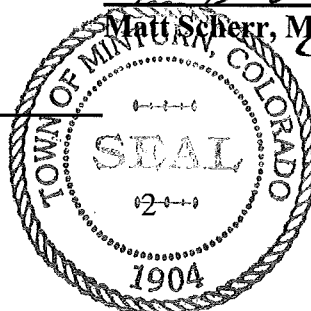
3. The subdivision plat contains drainage and utility easements along common lot lines for the benefit of each lot depicted on the plat. The plat will be amended to contain a plat note stating "It is anticipated that sidewalks will be constructed along Highway 24 and the Highway 24 roadway will be resurfaced in 2019. In order to prevent damaging cuts into the new sidewalk and roadway, utility service extensions from Highway 24 will be constructed onto each Lot prior to the sidewalk/resurfacing work. In the event that any utility is not extended from Highway 24 onto the Lot prior to the sidewalk/resurfacing work, the owner of said Lot will be required to obtain access to such utility from Boulder Street by way of the utility and drainage easements depicted on the plat." The individual lots will not be granted street cut permits to attach to water, sewer and other utilities on Highway 24 after the new paving and sidewalks are installed with the CDOT - Minturn South Sidewalk & Road Reconstruction Project.
4. The subdivision plat will be amended to depict an easement dedicated to the Town of Minturn for access and snow storage on Lot 2 & lot 3 at the end of Boulder Street. The easement will be 20 feet wide and 25 feet long between Lot 2 & 3 and in a straight line with 25' easement off Boulder Street. Temporary snow storage to be an area of 20' x 25' depth of property straight across from street width and driveway cut. The town will remove snow on this driveway as part of snow storage/removal on town right of way. Traditional lots at the end of streets have a cul-de-sac and standard 50' wide curb front which permits effective snow removal and snow storage at a dead end. Minturn's historic character and layout has made this a dead end street into Lot 2 with only 25' of frontage. The NE corner of the lot will remain landscaping for temporary snow storage with the plowing of snow on Boulder Street.
5. The subdivision plat will be modified consistent with comments of the Town Attorney and the Town Engineer.

**INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THE 5<sup>th</sup> DAY OF FEBRUARY 2017. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 15<sup>th</sup> DAY OF MARCH, 2017 AT 6:30P.M. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.**

**TOWN OF MINTURN, COLORADO**

ATTEST:


By:   
Jay Brünvand, Town Clerk



  
Matt Scherr, Mayor

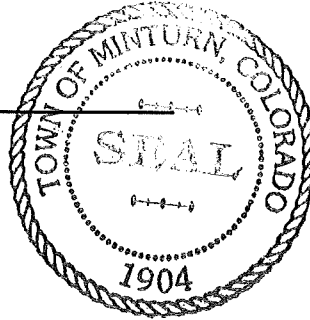
THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 15<sup>TH</sup> DAY OF MARCH, 2017.

TOWN OF MINTURN, COLORADO

  
\_\_\_\_\_  
Matt Scherr, Mayor

ATTEST:

By:   
\_\_\_\_\_  
Jay Brunvand, Town



# Easement: Snow Storage & Utility - Water Line

15' wide water line easement

Snow Storage Easement 20' x 25'

20' x 25' temporary snow storage with 25' wide access  
 \*snow will be removed throughout the winter season and the town will remove snow on the driveway of property

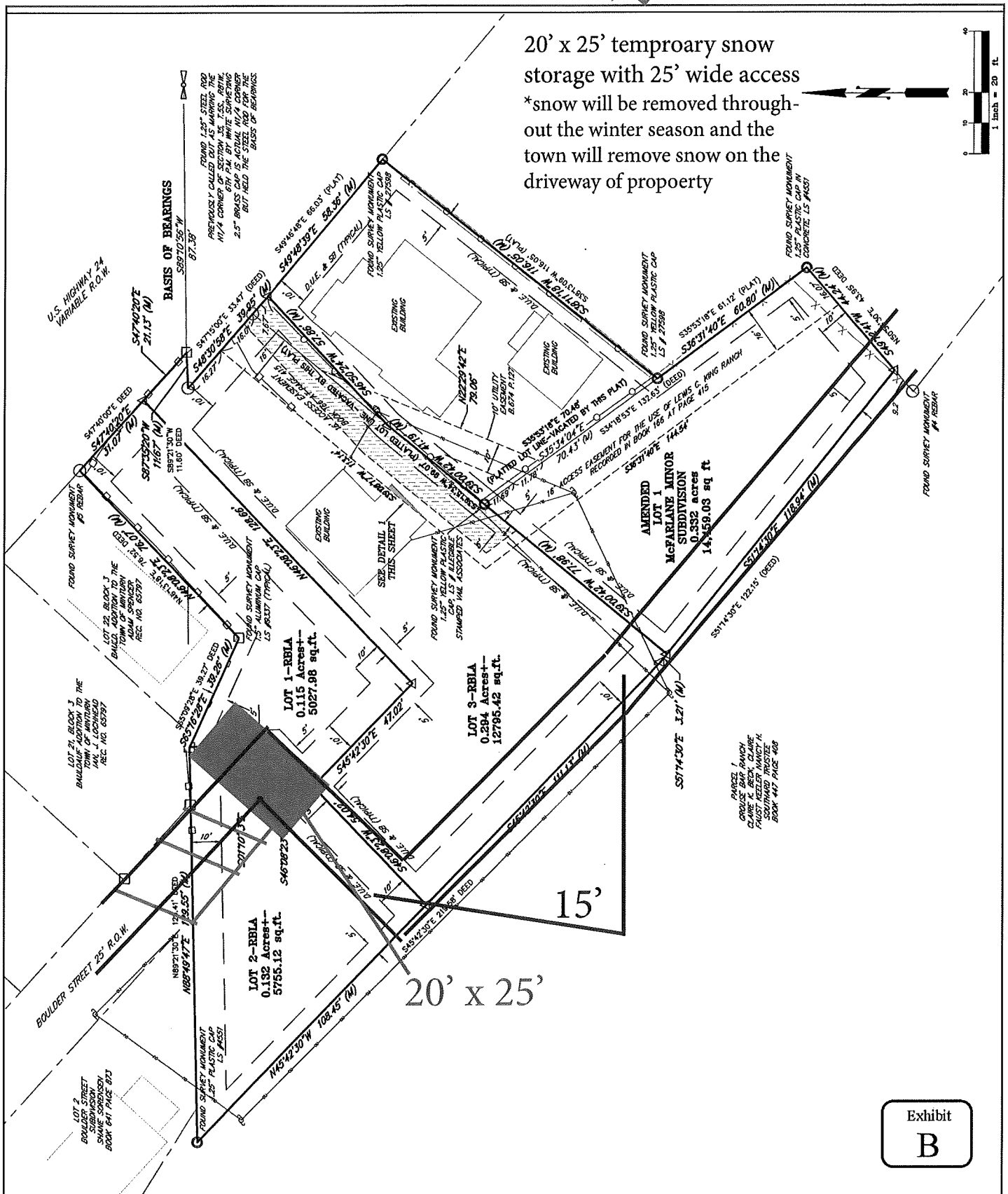
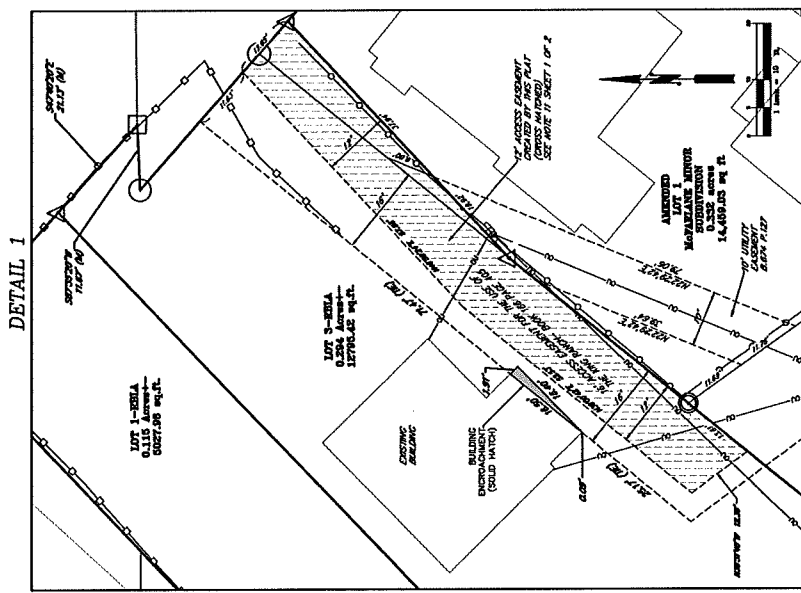
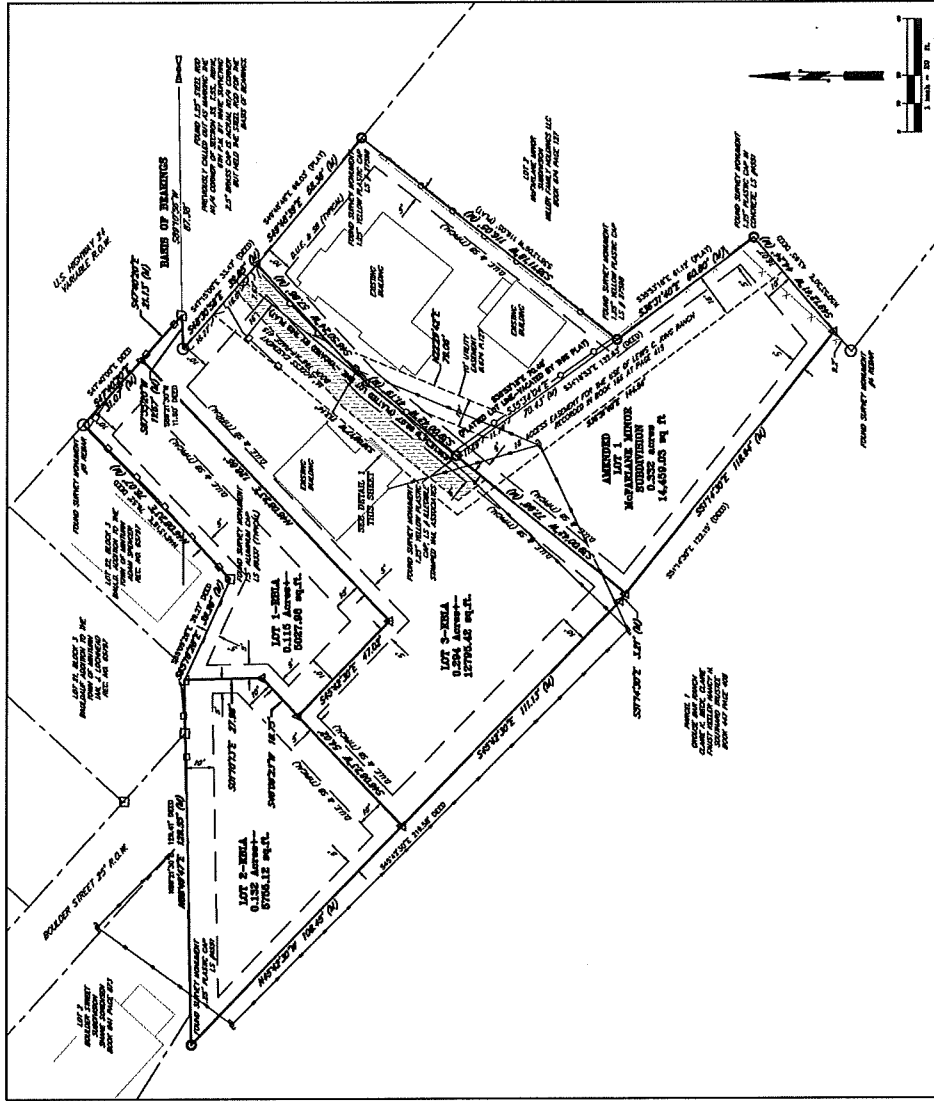


Exhibit  
**B**



**FINAL PLAT**  
**RBLA MINTURN SUBDIVISION**  
 Part of Lot 23, Block 3, Baldauf Addition To The Town of Minturn  
 Part of the NE1/4NW1/4 Section 35, T.5S., R.81W., of the 6th P.M. &  
**AMENDED LOT 1, MCFARLANE MINOR SUBDIVISION**  
 Town of Minturn, County of Eagle, State of Colorado

- LEGEND:**
- MEASURED BOUNDARY LINE
  - - - - - DONOTES ACCESS & UTILITY EASEMENT LINE
  - - - - - DONOTES BRANAGE/UTILITY EASEMENT AND SETBACK LINE (D.U.E. & S)
  - ○ ○ ○ ○ DONOTES FOUND SURVEY MONUMENTS
  - △ DONOTES SET SURVEY MONUMENT - 1.5" ALUMINUM CAP ON #1 REBAR, 15 POUNDS
  - DONOTES OVERHEAD WIRES
  - DONOTES ADJOINING PROPERTY LINES
  - DONOTES PROPERTY FENCE
  - DONOTES POST AND RAIL FENCE
  - DONOTES WIRE FENCE



**KIPP LAND SURVEYING**  
 RANDY KIPP S.A.S.  
 P.O. Box 3154  
 Eagle, CO 81631  
 (970) 390-9540  
 email: randy@kippandsurveying.com  
 web: kippandsurveying.com

Final Plat- RBLA Subdivision  
 Part of Lot 23, Block 3, Baldauf Add & Amended  
 Lot 1, McFarlane Minor Subdivision  
 Town of Minturn, County of Eagle, Colorado  
 JOB NO.: 15048    DATE: 1-10-2017  
 SHEET 2 OF 2    DWG NAME: 052048-RBLA-FP.DWG

NOTICE: Any person who copies or reproduces this plat without the written consent of Kipp Land Surveying, Inc. is liable for all damages and costs. This plat is a true and correct copy of the original as recorded in the public records of the State of Colorado. The date of publication herein is 1/10/2017.

Thu, Mar 02, 2017

15:46:28

12692630

Ad Ticket #5

**Acct:** 1032852  
**Phone:** (970)827-5645  
**E-Mail:** MANAGER@MINTURN.OR  
**Client:**  
**Caller:** Jay Brunvand

**Name:** Town of Minturn  
**Address:** P.O. Box 309

**City:** MINTURN  
**State:** CO

**Zip:** 81645

**Receipt**

**Ad Name:** 12692630A

**Original Id:** 0

**Editions:** 8VD/8VDI/

**Class:** 0990

**Start:** 03/06/17

**Stop:** 03/06/17

**Color:**

**Issue** 1

**Copyline:** vd Ordinance 3-2017 RBLA MINTU

**Rep:** Pam Schultz

TOWN OF MINTURN, COLORADO  
ORDINANCE 03 - SERIES 2017

Lines:	27
Depth:	2.26
Columns:	1
Discount:	0.00
Commission:	0.00
Net:	0.00
Tax:	0.00
<b>Total</b>	<b>12.96</b>
Payment	0.00

SITE SPECIFIC MINOR SUBDIVISION DEVELOPMENT PLAN  
FOR RBLA MINTURN SUBDIVISION

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TOWN OF MINTURN, COLORADO  
Matt Scherr, Mayor

ATTEST:  
By: Jay Brunvand, Town Clerk

Published in the Vail Daily March 6, 2017  
(12692630)

Ad shown is not actual print size