BEFORE THE BOARD OF COUNTY COMMISSIONERS
COUNTY OF GILPIN

RESOLUTION SBE 10-01

Lone Pine Real Estate LLC (applicant)

RESOLUTION APPROVING ROOSEVELT RIDGE PARCEL E SUBDIVISION EXEMPTION FINAL PLAT CREATING LOT 23 AND PARCEL F, ALL IN SECTION 18, T2S, R72W

WHEREAS, Gilpin County is a rural county that encourages large-lot development and open space preservation as a strategy to develop in a manner consistent with Master Plan and Open Space Plan goals; and,

WHEREAS, incentives for such development include exemptions from subdivision as defined in C.R.S. 30-28-101(10); and,

WHEREAS, the Board of County Commissioners may, pursuant to rules and regulations or resolution, exempt from this definition of the terms "subdivision" and "subdivided land" any division of land if the Board of County Commissioners determines that such division is not within the purposes of C.R.S. 30-28-101, Part 1; and,

WHEREAS, the Board of County Commissioners has determined that the above-referenced land division is consistent with Gilpin County Rural Development Exemption regulations and therefore not within the purpose of C.R.S. 30-28-101; and,

WHEREAS, Roosevelt Ridge Preliminary Plat was approved via Resolution SBE 05-01;

NOW THEREFORE, be it resolved by the Board of County Commissioners of the County of Gilpin that "Roosevelt Ridge Exemption Plat creating Lot 23 and Parcel F is hereby approved and recorded with the Gilpin County Clerk and Recorder, Reception Number 142641. Approval is conditioned upon the following:

1. Roosevelt Ridge Phase I, Lot 2; and Phase III, Parcel F shall not be eligible for further division, adjustment or residential development, in part or in whole, until such time as existing development rights are transferred from any of the California or Iron Cross mining claim parcels or as the County may otherwise approve at the County's sole discretion."

142643
10/28/2010 05:16 PM
JESSICA KATS GILPIN COUNTY, CO
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447 RESOLUTION Total Fee: 0.00 Doc Fee:

Adopted this 19th day of October, 2010

BOARD OF COUNTY COMMISSIONERS

COUNTY OF GILPIN

Attest: Sharon E. Cate
Deputy Clerk to the Board

x Buddy Schmalz
Buddy Schmalz, Chair

ACKNOWLEDGEMENT

STATE OF COLORADO)
) ss.
COUNTY OF GILPIN)

The foregoing resolution was acknowledged before me this 19th day of October 2010, by Buddy Schmalz, Chair; and, Sharon Cate, Deputy Clerk, County of Gilpin.

RAY W. REARS NOTARY PUBLIC STATE OF COLORADO

Witness my hand and official seal.

Notary Public

Exp. 10/03/2012

ORIGINAL

ROOSEVELT RIDGE, EXEMPTION PLAT

FINAL PLAT

A MINOR SUBDIVISION OF PARCEL "E", ROOSEVELT RIDGE, EXEMPTION PLAT
SITUATED IN SECTION 18,
TOWNSHIP 2 SOUTH, RANGE 72 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF GILPIN, STATE OF COLORADO
SHEET 1 OF 2

LEGAL DESCRIPTION (ROOSEVELT RIDGE EXEMPTION PLAT, RECORD)

A PARCEL OF LAND SITUATE IN SECTION 18, TOWNSHIP 2 SOUTH, RANGE 72 WEST OF THE SIXTH P.M. IN THE COUNTY OF GILPIN IN THE STATE OF COLORADO, BEING MORE

GOVERNMENT LOT 4, E 1/2, E 1/2;
THE EAST HALF NORTHWEST QUARTER (E1/2 NW 1/4);
THE SOUTHEAST QUARTER SOUTHWEST QUARTER (SE1/4 SW1/4);
THE NORTHWEST QUARTER SOUTHEAST QUARTER (NW1/4 SE1/4);
THE SOUTH HALF SOUTHEAST QUARTER (S1/2 SE1/4); AND
THE NORTHEAST QUARTER (NE 1/4) EXCEPT THAT PORTION CONVEYED TO COUNTY BY DEED RECORDED APRIL 18, 1994 IN BOOK 287 AT PAGE 409 AND 313 AT PAGE 242, AND GOVERNMENT LOT 8, SECTION 18, TOWNSHIP 2 SOUTH, RANGE 72 WEST OF THE 6TH P.M., COUNTY OF GILPIN, STATE OF COLORADO.

ALL IN SECTION 18, TOWNSHIP 2 SOUTH, RANGE 72 WEST OF THE 6TH P.M., COUNTY OF GILPIN, STATE OF COLORADO, TOGETHER WITH AND INCLUDING A PORTION OF THE ABOVE DESCRIBED LAND WHICH IS KNOWN AND DESCRIBED AS LOTS 1 THROUGH 19, SECOND AMENDED PLAT OF HOWARD-DIXON ESTATES SUBDIVISION IN SECTION 18, TOWNSHIP 2 SOUTH, RANGE 72 WEST OF THE 6TH P.M., RECORDED OCTOBER 15, 1993, RECEPTION NO 77284, MAP FILE #F-23, COUNTY OF GILPIN, STATE OF COLORADO.

EXCEPTING THEREFROM THE JOHN SOUTH PLACER, U.S. SURVEY NO 12825, THE CALIFORNIA LODE #2 U.S. SURVEY NO 18160, THE CALIFORNIA LODE U.S. SURVEY NO. 183 AND THE IRON CROSS LODE U.S. SURVEY NO 3977.

GENERAL NOTES

1) NOTICE, ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

2) THE BASIS OF BEARINGS FOR THIS SURVEY IS THE RECORD BEARING OF SOUTH 0°E ALONG THE EAST LINE OF THE NE ONE-QUARTER OF SECTION 18 PER THE MONUMENTED LINE OF HOWARD-DIXON ESTATES SUBDIVISION, BETWEEN THE FOUND MONUMENTS SHOWN HEREON.

3) THIS PLAT OF ROOSEVELT RIDGE EXEMPTION PLAT, PHASE III, REPRESENTS THE SUBDIVISION OF PARCEL "E" IN 3 FOUR (2) INDIVIDUAL LOTS, LOTS 23 AND PARCEL F

4) THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY STARR PEAK SURVEYING. FIDELITY NATIONAL TITLE COMMITMENT NO. 1053270, DATED MARCH 7, 2005 AT 5:00 P.M. WAS SOLELY RELIED UPON FOR ALL INFORMATION REGARDING TITLE OF RECORD, EASEMENTS, RIGHTS-OF-WAY AND ENCUMBRANCES AFFECTING THE SUBJECT PROPERTY.

5) THIS PLAT SUPERSEDES AND REPLACES THE PLAT OF THE HOWARD-DIXON ESTATES SUBDIVISION RECORDED IN THE OFFICE OF THE GILPIN COUNTY CLERK AND RECORDER ON OCTOBER 15, 1993 AT RECEPTION NO. 77284, MAP FILE #F-23, AND ALL LOT LINES, EASEMENTS AND OTHER MATTERS SHOWN ON SUCH ORIGINAL PLAT ARE HEREBY VACATED.

6) THE LOTS SHOWN HEREON ARE SUBJECT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR ROOSEVELT RIDGE RECORDED BY SEPARATE INSTRUMENT AT RECEPTION NO. 127211 OF THE RECORDS OF GILPIN COUNTY, COLORADO.

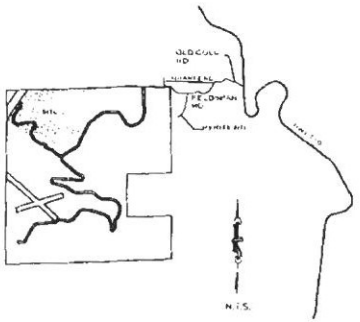
7) PARCEL "D" IS AN EXISTING PRIVATE ROAD TO BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION, FOR WHICH AN INGRESS AND EGRESS EASEMENT WAS DEDICATED TO GILPIN COUNTY WITH THE RECORDED PLAT OF ROOSEVELT RIDGE, EXEMPTION PLAT.

8) INDIVIDUAL LOT BUILDING SITES AND ROADS AS DELINEATED HEREON BY THE 87 FOOT RADIUS ENVELOPES AND MARKED ON SITE WITH A 3/8" REBAR, ACCESS TO THE BUILDING ENVELOPES SHALL BE PRIVATE EASEMENTS OVER THE EXISTING MINING ROADS TO BE IMPROVED TO COUNTY DRIVEWAY STANDARDS AT THE TIME OF CONSTRUCTION.

9) EGRESS, LIMITATIONS AND RESTRICTIONS PER COMMUNITY DECLARATION FOR HOWARD-DIXON ESTATES SUBDIVISION RECORDED DECEMBER 27, 1989 IN BOOK 316 AT PAGE 480 ARE TO BE REPLACED BY THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR ROOSEVELT RIDGE RECORDED BY SEPARATE INSTRUMENT AT RECEPTION NO. 127211 on Aug 26, 2005 OF THE RECORDS OF GILPIN COUNTY, COLORADO.

10) LOTS 1-22 AND PARCEL "F" SHOWN HEREON ARE PER THE RECORDED PLATS OF ROOSEVELT RIDGE EXEMPTION PLAT, FILINGS 1 & 2 FILED WITH THE GILPIN COUNTY CLERK AND RECORDERS OFFICE.

11) PARCELS C, D AND F SHALL NOT BE ELIGIBLE FOR FURTHER BOUNDARY ADJUSTMENT OR RESIDENTIAL DEVELOPMENT IN PART OR IN WHOLE, UNTIL SUCH TIME AS EXISTING DEVELOPMENT RIGHTS ARE TRANSFERRED FROM THE CALIFORNIA AND/OR IRON CROSS LODES, OR OTHER EXISTING RIGHTS WITHIN ROOSEVELT RIDGE EXEMPTION FILINGS 1 & 2.



VICINITY MAP

DEDICATION

KNOW ALL MEN BY THESE PRESENTS: THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST AND HOLDERS OF OTHER INTERESTS OF THE LANDS DESCRIBED HEREIN, HAVE LAID OUT, SUBDIVIDED, AND PLATTED SAID LANDS INTO A LOTS, TRACTS, STREETS AND EASEMENTS AS SHOWN HEREON UNDER THE NAME AND SUBDIVISION OF ROOSEVELT RIDGE EXEMPTION PLAT. PUBLIC UTILITY COMPANIES ARE HEREBY GRANTED AN EASEMENT UPON PARCEL B AND ROADWAY EASEMENTS SHOWN ON THE PLAT FOR THE INSTALLATION AND MAINTENANCE OF UTILITY LINES AND FACILITIES.

OWNER:

LUNA PINE REAL ESTATE, LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY: _____

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 200__, BY _____ AS _____

STATE OF _____)
) SS
COUNTY OF _____)

LUNA PINE REAL ESTATE, LLC, A DELAWARE LIMITED LIABILITY COMPANY

WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES _____ _____
NOTARY PUBLIC

_____
ADDRESS

HOLDER OF DEED OF TRUST

FIRST NATIONAL BANK OF COLORADO, NA

BY: _____ _____

ATTEST: _____ _____

STATE OF _____)
) SS
COUNTY OF _____)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 200__, BY _____ AS _____ OF FIRST NATIONAL BANK OF COLORADO, NA

WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES _____ _____
NOTARY PUBLIC

_____
ADDRESS

SURVEYOR'S CERTIFICATE

I, CHRISTOPHER B. HARTMAN, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT SURVEY REPRESENTED BY THIS PLAT WAS MADE UNDER MY SUPERVISION AND THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AND THIS PLAT ACCURATELY REPRESENTS SAID SURVEY.

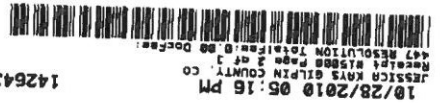
CHRISTOPHER B. HARTMAN, P.L.S. 37768
FOR AND ON BEHALF OF
STARR PEAK SURVEYING

BOARD OF COUNTY COMMISSIONERS APPROVAL

THIS EXEMPTION PLAT APPROVED BY THE GILPIN COUNTY BOARD OF COUNTY COMMISSIONERS THIS _____ DAY OF _____, 200__.

CHAIRPERSON _____

ATTEST _____



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JESSICA KRYS GILPIN COUNTY, CO
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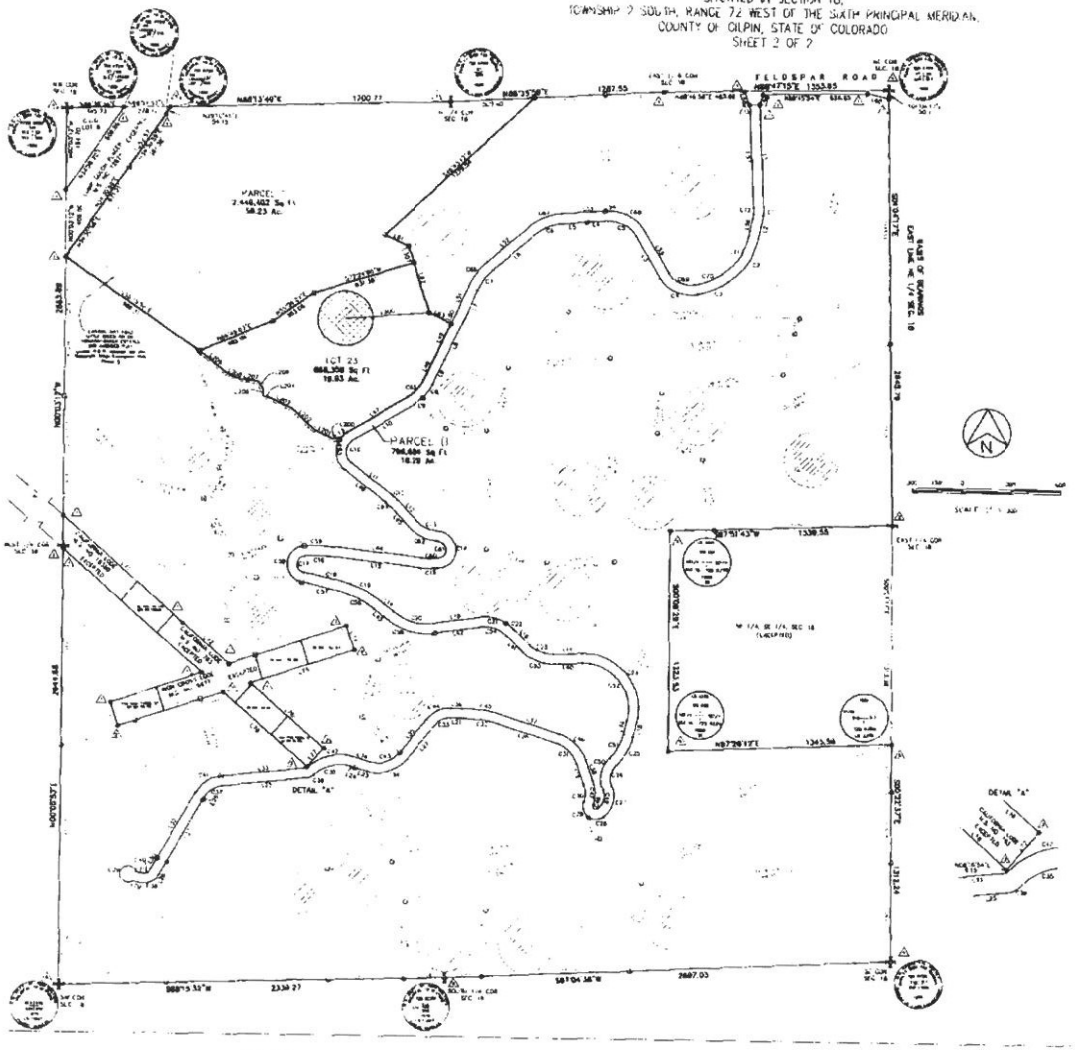

SYMBOL LEGEND

MONUMENT LEGEND

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JESSICA KRYS GILPIN COUNTY, CO
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