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Taryn Power – Summit County Recorder

3 Pages

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**RESOLUTION NO. 2023-85**

**BOARD OF COUNTY COMMISSIONERS  
OF THE  
COUNTY OF SUMMIT  
STATE OF COLORADO**

**A RESOLUTION APPROVING PLANNING CASE #PLN23-066**, A General Subdivision Exemption For A Lot Line and Easement Vacation between Lot 39 and Lot 40, Tordal Estates Subdivision, to create Lot 40R; 2.3137 Acres Total, Zoned R-1; and

**WHEREAS**, Cheryl Quartaro, on behalf of Q5 Concepts, LLC, has applied to the Board of County Commissioners for a General Subdivision Exemption to vacate the lot line and easements between Lots 39 & 40, Tordal Estates Subdivision, zoned R-1; and

**WHEREAS**, the Planning Department has reviewed the application and recommended that it be approved; and

**WHEREAS**, the Board of County Commissioners has reviewed the application at a public hearing held on November 14, 2023, with public notice as required by law and considered the evidence and testimony presented at the hearing; and

**WHEREAS**, the Board of County Commissioners finds as follows:

1. The vacation procedure has not been used to circumvent the intent of the Subdivision Regulations as no new lots are being created through this application.
2. The lot resulting from the vacation is in compliance with the County’s Zoning Regulations because, the newly created lot meets the minimum lot size requirement for the R-2 zone district and density is being reduced by one unit.
3. Easements necessary for the provision of utilities are not affected by the lot line and utility easement vacation.
4. The applicant has provided a restrictive covenant against the property that prohibits the vacated lot from being resubdivided or recreated by a subdivision approval, subdivision exemption approval or any other administrative or judicial process.
5. All ad valorem taxes have been paid in full for subject property.
6. The new lot name is one of the previous lot designations and the resolution of approval shall state the new lot name as Lot 40R, Tordal Estates Subdivision.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SUMMIT, STATE OF COLORADO, THAT** a General Subdivision Exemption to vacate the lot line and easements between Lots 39 & 40, Tordal Estates Subdivision, zoned R-1, is approved with the following condition:

1. The executed lot line vacation restrictive covenant shall be recorded concurrently with the resolution of approval.


ADOPTED THIS 14TH DAY OF NOVEMBER 2023.

COUNTY OF SUMMIT  
STATE OF COLORADO  
BY AND THROUGH ITS  
BOARD OF COUNTY COMMISSIONERS



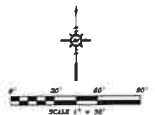
Elisabeth Lawrence, Chair

ATTEST:

  
Taryn Power, Clerk & Recorder

# Exhibit A

## AMENDED REPLAT LOTS 39 AND 40 TORDAL ESTATES LOCATED IN THE SEC. 1, T8S, R78W OF THE 6TH P.M. SUMMIT COUNTY, COLORADO



### GENERAL CERTIFICATE

THIS PLAN AND ALL RIGHTS THEREIN ARE THE PROPERTY OF THE REPLATING AGENT AND PROPERTY RIGHTS OF THE COUNTY OF SUMMIT, STATE OF COLORADO.  
 THIS PLAN IS A REPLAT OF PARTS OF THE FULLY ADJACENT REAL PROPERTY OWNED BY THE COUNTY OF SUMMIT, STATE OF COLORADO.  
 THIS PLAN IS THE PROPERTY OF THE COUNTY OF SUMMIT, STATE OF COLORADO, AND ALL RIGHTS THEREIN ARE RESERVED TO THE COUNTY OF SUMMIT, STATE OF COLORADO.  
 THE REPLATING AGENT AND ALL RIGHTS THEREIN ARE RESERVED TO THE COUNTY OF SUMMIT, STATE OF COLORADO.  
 THIS PLAN IS THE PROPERTY OF THE COUNTY OF SUMMIT, STATE OF COLORADO, AND ALL RIGHTS THEREIN ARE RESERVED TO THE COUNTY OF SUMMIT, STATE OF COLORADO.

DATE THIS PLAN IS OF \_\_\_\_\_ 2008

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### FILE NOTES

1. I AM ADVISED THAT A RECONSTRUCTION OF LOTS 39 AND 40 HAS TAKEN PLACE.

2. I AM ADVISED THAT THE BENCHMARK POINT IS A PLY LINE OF SECTION CORNER AND I.E.C. WAS SETTING THE POINT AT THE CORNER POINT OF THE SECTION CORNER. THE POINT IS A BENCH MARK OF SECTION CORNER.

3. I AM ADVISED THAT THE BENCHMARK POINT IS A PLY LINE OF SECTION CORNER AND I.E.C. WAS SETTING THE POINT AT THE CORNER POINT OF THE SECTION CORNER. THE POINT IS A BENCH MARK OF SECTION CORNER.

4. I AM ADVISED THAT THE BENCHMARK POINT IS A PLY LINE OF SECTION CORNER AND I.E.C. WAS SETTING THE POINT AT THE CORNER POINT OF THE SECTION CORNER. THE POINT IS A BENCH MARK OF SECTION CORNER.

### TITLE COMPANY CERTIFICATE

I AM THE REGISTERED AGENT OF THE COUNTY OF SUMMIT, STATE OF COLORADO, AND I AM ADVISING YOU THAT THIS PLAN IS A REPLAT OF PARTS OF THE FULLY ADJACENT REAL PROPERTY OWNED BY THE COUNTY OF SUMMIT, STATE OF COLORADO, AND ALL RIGHTS THEREIN ARE RESERVED TO THE COUNTY OF SUMMIT, STATE OF COLORADO.

DATE THIS PLAN IS OF \_\_\_\_\_ 2008

BY \_\_\_\_\_

### ACCEPTANCE BY CHIEF CLERK OF COUNTY COMMISSIONERS

I, \_\_\_\_\_, CHIEF CLERK OF THE COUNTY COMMISSIONERS, DO HEREBY ACCEPT FOR RECORDED THE FOREGOING REPLAT OF PARTS OF THE FULLY ADJACENT REAL PROPERTY OWNED BY THE COUNTY OF SUMMIT, STATE OF COLORADO, AND ALL RIGHTS THEREIN ARE RESERVED TO THE COUNTY OF SUMMIT, STATE OF COLORADO.

DATE THIS PLAN IS OF \_\_\_\_\_ 2008

BY \_\_\_\_\_

### EXAMINER'S CERTIFICATE

I THE EXAMINER DO HEREBY CERTIFY THAT THE ENTIRE CONTENTS OF THIS PLAN AND INSTRUMENTS AND ALL PARTS ARE IN FULL ACCORD WITH THE PUBLIC RECORDS OF THE COUNTY OF SUMMIT, STATE OF COLORADO.

DATE THIS PLAN IS OF \_\_\_\_\_ 2008

BY \_\_\_\_\_

### CLERK AND RECORDER CERTIFICATE

I AM THE CLERK AND RECORDER OF THE COUNTY OF SUMMIT, STATE OF COLORADO, AND I AM ADVISING YOU THAT THIS PLAN IS A REPLAT OF PARTS OF THE FULLY ADJACENT REAL PROPERTY OWNED BY THE COUNTY OF SUMMIT, STATE OF COLORADO, AND ALL RIGHTS THEREIN ARE RESERVED TO THE COUNTY OF SUMMIT, STATE OF COLORADO.

DATE THIS PLAN IS OF \_\_\_\_\_ 2008

BY \_\_\_\_\_

### REPLATER'S CERTIFICATE

I, \_\_\_\_\_, AM THE REPLATER OF THIS PLAN. I AM A LICENSED PROFESSIONAL SURVEYOR AND I AM ADVISING YOU THAT THIS PLAN IS A REPLAT OF PARTS OF THE FULLY ADJACENT REAL PROPERTY OWNED BY THE COUNTY OF SUMMIT, STATE OF COLORADO, AND ALL RIGHTS THEREIN ARE RESERVED TO THE COUNTY OF SUMMIT, STATE OF COLORADO.

DATE THIS PLAN IS OF \_\_\_\_\_ 2008

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### Baseline Surveys LLC

REGISTERED REPLAT  
LOTS 39 AND 40  
TORDAL ESTATES  
LOCATED IN THE SEC. 1, T8S, R78W OF THE 6TH P.M.  
SUMMIT COUNTY, COLORADO

Date	Prepared	Drawn	Checked	Scale	Notes

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