

**TOWN OF SUPERIOR
RESOLUTION NO. R-10
SERIES 2019**

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF SUPERIOR APPROVING A LOT LINE ADJUSTMENT REPLAT AND AN EASEMENT VACATION AND DEDICATION FOR LOT 3A, BLOCK 1 & TRACT B (PARK 2), SUPERIOR TOWN CENTER (NO. FP-2019-01)

WHEREAS, Glacier House Hotels and the Town (collectively "Applicants") own the real property described as Lot 3A, Block 1, Superior Town Center, and Tract B, Superior Town Center;

WHEREAS, Applicants have filed an application seeking a lot line adjustment replat between Lot 3A, Block 1 and Tract B to accommodate public drainage needs, which includes the dedication of an access easement on Lot 3A and the vacation of an existing utility easement on Tract B (collectively the "Application");

WHEREAS, Section 16-8-60(a) of the Superior Municipal Code (the "Code") provides that a resubdivision of land, or replat, is considered a new subdivision and that lot line adjustments may be adjusted administratively, if certain conditions exist;

WHEREAS, the Planning Commission reviews easement vacation requests and makes a recommendation to the Board of Trustees pursuant to Section 16-9-10 of the Code;

WHEREAS, Chapter 16, Article XIII of the Code generally provides that the Town may require dedications of land for necessary public purposes;

WHEREAS, on February 5, 2019, the Planning Commission held a properly-noticed public hearing on the Application and recommended that the Board of Trustees approve the Application;

WHEREAS, pursuant to Section 16-9-10 of the Code, the Board of Trustees is required to hold a public hearing on an application for an easement vacation;

WHEREAS, on February 11, 2019, the Board of Trustees held a properly-noticed public hearing on the Application; and

WHEREAS, the Board of Trustees, upon reviewing the recommendation of the Planning Commission, hearing the statements of staff and the public, and giving due consideration to the matter, finds and determines as provided below.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF SUPERIOR, COLORADO, as follows:

Section 1. The Board of Trustees hereby finds and determines that the Application meets all of the applicable criteria set forth in the Code and is consistent with the Town of Superior Comprehensive Plan.

Section 2. The Board of Trustees hereby vacates the public utility easement over Lot 3A, as more particularly described in **Exhibit A**, attached hereto and incorporated by this reference.

Section 3. The Board of Trustees hereby approves the Application, including the lot line adjustment, as set forth in the Application.

ADOPTED this 11th day of February, 2019.



Clint Folsom, Mayor

ATTEST




Phyllis L. Hardin, Town Clerk

EXHIBIT A

PROPERTY DESCRIPTION

A parcel of land being a portion of Tract B of Superior Town Center Filing No. 1B Replat No.3 recorded on December 1, 2016 as Reception #3560623 in Section Nineteen (19), Township One South (T.1S.), Range Sixty-Nine West (R.69W.) of the Sixth Principal Meridian (6th P.M.), Town of Superior, County of Boulder, State of Colorado and being more particularly described as follows:

COMMENCING at the Northwest corner of Lot 3A in Block 1 of the Superior Town Center Filing No. 1B Replat No.3 and assuming the West line of said Lot 3A as bearing South 01°17'10" East a distance of 182.36 feet and with all bearings contained herein relative thereto;

THENCE South 01°17'10" East along the west line of Lot 3A a distance of 182.36 feet to the North right-of-way of Marshall Road as recorded in Superior Town Center Filing No. 1B as Reception #3367475;

THENCE along the North right right-of-way of Marshall Road being a non-tangent curve concave to the southwest having a delta of 51°29'22" with a radius of 395.50 feet, an arc length of 355.42 feet and a chord of which bears South 46°49'57" East a distance of 343.58 feet;

THENCE North 59°24'46" East a distance of 44.01 feet along the North line of Tract B of Superior Town Center Filing No. 1B Replat No.3 to the **POINT OF BEGINNING**;

THENCE continuing along the North line of Tract B North 59°24'46" East a distance of 24.53 feet;

THENCE South 65°57'09" East a distance of 115.24 feet;

THENCE South 24°02'51" West a distance of 20.00 feet;

THENCE North 65°57'09" West a distance of 129.43 feet to the **POINT OF BEGINNING**;

Said described parcel of land contains a total of 2447 sq. ft. or 0.056 acres, more or less and is subject to any existing easements and rights of ways of record or as now existing on said described parcel of land.

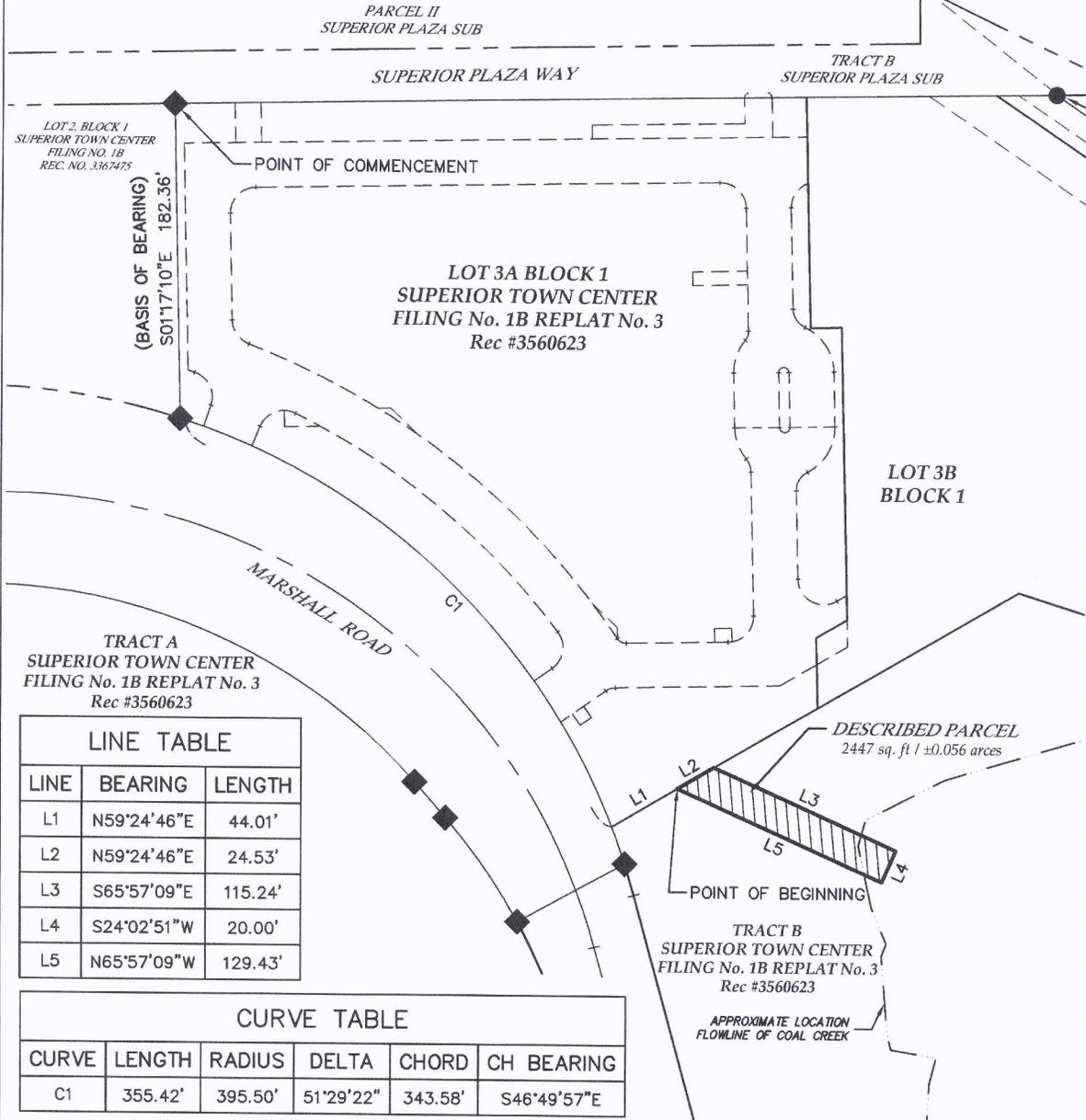
SURVEYORS STATEMENT

I, Michael G. Stratton, a Colorado Registered Professional Land Surveyor do hereby state that this Property Description was prepared under my personal supervision and checking, and that it is true and correct to the best of my knowledge and belief.



Michael G. Stratton - on behalf of King Surveyors, Inc.
Colorado Registered Professional
Land Surveyor #38621

KING SURVEYORS, INC.
650 East Garden Drive
Windsor, Colorado 80550
(970) 686-5011



LINE TABLE

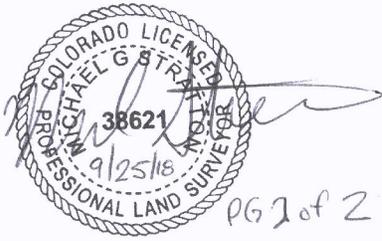
LINE	BEARING	LENGTH
L1	N59°24'46"E	44.01'
L2	N59°24'46"E	24.53'
L3	S65°57'09"E	115.24'
L4	S24°02'51"W	20.00'
L5	N65°57'09"W	129.43'

CURVE TABLE

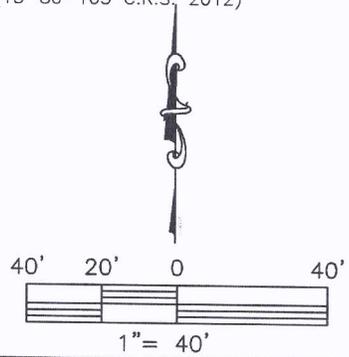
CURVE	LENGTH	RADIUS	DELTA	CHORD	CH BEARING
C1	355.42'	395.50'	51°29'22"	343.58'	S46°49'57"E

NOTE: This exhibit drawing is not intended to be a monumented land survey. It's sole purpose is as a graphic representation to aid in the visualization of the written property description which it accompanies. The written property description supersedes the exhibit drawing.

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. (13-80-105 C.R.S., 2012)



Michael G. Stratton - On Behalf Of King Surveyors
Colorado Registered Professional
Land Surveyor #38621



KING SURVEYORS
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PROJECT NO: 20180545
DATE: 09/25/2018
CLIENT: CIVIL RESOURCES
DWG: 20180545_EXH-01_Vacation.dwg
DRAWN: MGS **CHECKED:** PG