

**CORTEZ CITY COUNCIL
RESOLUTION NO. 19, SERIES 2021**

**A Resolution Approving the Amended Plat of the Empire Electric North Broadway
Subdivision**

WHEREAS, property owners Bed Roc, LLC and RC Southwest Development (hereinafter "Owners"), have submitted an application for an amended plat of Lot 2 of the Empire Electric North Broadway Subdivision, and more particularly described as:

*Empire Electric North Broadway Subdivision, Lot 2
City of Cortez
County of Montezuma
State of Colorado
As recorded under reception number 611254 on May 17th, 2017*

WHEREAS, the Owners presented the necessary submittal items for review by the Cortez City Council (Council) at their regular meeting on July 27, 2021 and,

WHEREAS, in accordance with Land Use Code Section 6.09, *Replats and plat amendments*, it is a requirement of the Land Use Code that this proposed amendment go through a review by Staff and Council prior to approval of the desired lot line changes being recorded; and

WHEREAS, Council is authorized to approve an amended plat without notice or public hearing when the application meets one or more of the criteria of Section 6.09(a) of the Land Use Code; and,

WHEREAS, Council reviewed the proposal and heard testimony concerning the application for an amended plat of the Empire Electric North Broadway Subdivision at their regular meeting held on July 27, 2021; and,

WHEREAS, based on the evidence and testimony presented at said meeting, Council approved, with conditions, the proposed amended plat as evidenced in the approved minutes of their meeting on July 27, 2021, and the adoption of Council Resolution No. 19, Series 2021; and,

WHEREAS, based on the evidence and testimony presented at said meeting, the City Council and the Owners have agreed to certain conditions of approval for the amended plat; and,

WHEREAS, it appears that all requirements of the City's Land Use Code have been or can be met.

NOW THEREFORE BE IT RESOLVED BY THE CORTEZ CITY COUNCIL:

THAT the concept, site plan, and application for the Amended Plat of the Empire Electric North Broadway Subdivision are hereby approved, subject to the following conditions:

- a. All requirements of utility providers, City departments, and affected districts must be satisfied as outlined in adopted City Codes and other regulatory documents.
- b. The plat and deeds shall be recorded at the Montezuma County Clerk and Recorder's Office within six (6) months of Council approval, in accordance with Land Use Code Section 6.05 (d)(2)a.
- c. The plat must show all utility, access, and maintenance easements and dimensions prior to recording at the Montezuma County Clerk and Recorder's Office.
- d. Prior to recordation, the plat shall meet all formatting requirements of the City of Cortez Land Use Code.

FURTHER THAT, the Owners are to coordinate with City staff to ensure that these conditions are fully met.

MOVED, SECONDED, AND ADOPTED THIS 27TH DAY OF JULY 2021.



Michael J. Lavey, Mayor

ATTEST:



Linda Smith, City Clerk