

**CITY OF CORTEZ**  
**COUNCIL RESOLUTION NO. 27, SERIES 2021**

**A Resolution Approving the Gray 2 Lot Minor Subdivision, as Submitted by Owners  
Harvey Hackett and Ted Gray, at 1213 South Broadway,  
through Council Resolution No. 27, Series 2021**

WHEREAS owners Harvey Hackett and Ted Gray, 24945 Road F, Cortez, CO, 81321 (hereinafter "owners"), have applied to the City for a Minor Subdivision of property located at 1213 South Broadway, being more particularly described as follows:

*A tract of land in the SE1/4NW1/4 of Section 34, Township 36 North, Range 16 West, N.M.P.M., being more particularly described as follows:*

*BEGINNING at a point on the Westerly right of way line of Highway 491, from which point the C1/4 Corner of said Section 34 bears South 15 ° 51' 10" East a distance of 1346.83 feet; Thence South 29° 38' 35" West a distance of 1509.60 feet along said Westerly right of way line to the South line of the SE1/4NW1/4 of said Section 34;*

- " South 89 ° 09' 21" West a distance of 205.47 feet along said South line to the Southwest Corner of said SE1/4NW1/4;*
- " North 00 ° 30' 00" East a distance of 385.94 feet along the West line of said SE1/4NW1/4 to the Southerly line of that tract described in Reception No. 465525;*
- " East a distance of 168.67 feet along the Southerly line of said Reception No. 465525 to the Easterly line of said tract;*
- " North 08 ° 23' 38" East a distance of 97.72 feet along said Easterly line;*
- " North 06 ° 59' 02" East a distance of 68.06 feet along said Easterly line to the Northerly line of said tract;*
- " North 73 ° 34' 30" West a distance of 38.12 feet along said Northerly line to the Easterly line of the tract described in Book 483 at Page 454;*
- " North 19 ° 26' 11" East a distance of 479.87 feet along said Easterly line to the Southerly line of that tract described in Book 340 at Page 296;*
- " North 12° 16' 42" East a distance of 370.41 feet along the Easterly line of said Book 340 at Page 296;*
- " South 86° 42' 25" East a distance of 627.99 feet to the Westerly right of way line of Highway 491;*
- " South 29° 38' 35" West a distance of 31.19 feet along said Westerly right of way line;*
- " North 87° 05' 00" West a distance of 55.98 feet along said Westerly right of way line to the point of beginning.*

WHEREAS, the Cortez City Council (Council) reviewed the proposed minor subdivision at a regular meeting held on October 26, 2021; and

WHEREAS, Land Use Code Section 6.11 allows that a minor subdivision plat may be approved by the City Council without notice or hearing where "no new streets, roads, extensions or access easements need to be widened, dedicated or developed," and,

WHEREAS, Council reviewed the application and heard testimony concerning the Gray 2 Lot Minor Subdivision of the above-described property at a regular meeting held on October 26,

2021 and conditionally approved the Gray 2 Lot Minor Subdivision through the adoption of Council Resolution No. 27, Series 2021; and,

WHEREAS, the Owners have held legal ownership to the property subsequent to the Council meeting of October 26, 2021, and is interested in further development of the property; and,

WHEREAS, having considered the testimony and having reviewed the technical aspects of the plat, Council does hereby find, determine, and declare that all applicable provisions of the Land Use Code have been or can be met.

NOW THEREFORE BE IT RESOLVED BY THE CORTEZ CITY COUNCIL:

THAT, the concept and full application for the Gray 2 Lot Minor Subdivision of the above-described property are hereby approved by the Cortez City Council through the adoption of Council Resolution No. 27, Series 2021, with the following conditions:

1. All requirements of utility providers, City departments, and affected districts must be satisfied, as outlined in adopted City Codes and other regulatory documents.
2. In accordance with Land Use Code Section 6.11(e)(2)a., the minor subdivision plat must be recorded within six (6) months of City Council approval, or the approving actions shall be deemed void.
3. Lots 1 and 2 must be correctly labeled prior to final recording of the plat at the Montezuma County Recorder's Office. In addition, the vicinity map must be corrected and the fiber optic line shown on the plat prior to recording of the plat.

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

MOVED, SECONDED, AND ADOPTED THIS 26<sup>TH</sup> DAY OF OCTOBER 2021.

  
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Michael J. Lavey, Mayor

ATTEST:

  
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Linda L. Smith, City Clerk