CORTEZ CITY COUNCIL
RESOLUTION NO. 2, SERIES 2023

A Resolution Approving a Right of Way Dedication for Montezuma Ave. between Mildred Road and Roger Smith Ave.

WHEREAS, the City of Cortez, as the owner on record (hereinafter the "Owner") has applied for a Right of Way Dedication for Montezuma Avenue, between Mildred Road and Roger Smith Avenue, Cortez, Colorado 81321 and more particularly described as:

> A tract of land contained in the NW/4 of Section 25, T36N, R16W, NMPM, Montezuma County, Colorado more particularly described as follows:
> Beginning at a point on the east ROW line of Mildred Road, from which point the W ¼ Corner of said section 25 bears S 02°40'05" W a distance of 664.79 feet;
> Thence, N 00°03'37" E a distance of 148.01 feet along said East ROW line of Mildred Road;
> Thence, N 89°18'59" E a distance of 946.88 feet to the West ROW line of Roger Smith Avenue;
> Thence, S 00°02'06" E a distance of 148.01 feet along said West ROW line;
> Thence, S 89°18'29" W a distance of 648.75 feet;
> Thence S 89°20'05" W a distance of 298.37 feet back to the point of beginning. Containing 3.22 acres, more or less.

WHEREAS, the Owner has applied to the City for review of a ROW dedication plat; and

WHEREAS, the Owner presented the necessary submittal items for review by the Cortez City Council at a regular meeting held on January 10, 2023; and

WHEREAS, pursuant to Land Use Code Section 6.09, Replats and plat amendments, it is a requirement of the Land Use Code that this plat go through a review by City Staff and the City Council prior to approval of the desired plat being recorded; and

WHEREAS, the City 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, the City Council reviewed the proposal and heard testimony concerning the application for a dedication plat of Montezuma Ave between Mildred Road and Roger Smith Avenue, at its regular meeting held on January 10, 2023; and

WHEREAS, based on the evidence and testimony presented at said meeting, City Council approved, with conditions, the proposed dedication plat as evidenced in the approved minutes of its meeting on January 10, 2023, and the adoption of Council Resolution No. 2, Series 2023; and

WHEREAS, it appears that all requirements of Chapters 5.00 and 6.00 of the City's Land Use Code for development of this site have been or can be met.

NOW, THERFORE, BE IT RESOLVED BY THE CORTEZ CITY COUNCIL:

THAT, the Dedication Plat of Montezuma Avenue between Mildred Road and Roger Smith Avenue, is hereby approved, subject to the following conditions:

1. All requirements of utility providers, City departments, CDOT and affected districts must be satisfied, as outlined in adopted City Codes and other regulatory documents.
2. The plat shall be recorded at the Montezuma County Clerk and Recorders Office within six (6) months of City Council approval, in accordance with Land Use Code Section 6.05 (d)(2)a.

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

MOVED, SECONDED, AND ADOPTED THIS 10th DAY OF JANUARY 2023

Rachel Medina

Rachel B. Medina, Mayor

ATTEST:

Linda L. Smith

Linda L. Smith, City Clerk