

**CITY OF CORTEZ
RESOLUTION NO. 8, SERIES 2024**

**A RESOLUTION APPROVING AN AMENDED PLAT OF LOT 2 OF THE GRAY 2
LOT MINOR SUBDIVISION, IN THE COMMERCIAL HIGHWAY (C) AND
RESIDENTIAL SINGLE FAMILY (R-1) ZONING DISTRICT**

WHEREAS, the owner/applicant, Robert Grant Lindsay, Tamara Kay Lindsay, James Kent Lindsay, Sharon D. Lindsay, and J4G Holdings LLC (the “Owners/Applicants”), have applied for approval of an amended plat to adjust the lot line in order to cure an inadvertent encroachment. The properties are located at 1101 – 1103 Hartman Rd and 1201 – 1345 S Broadway, and more particularly described as follows (the “Properties”):

Lot 2 of the Gray 2 Lot Minor Subdivision

WHEREAS, the Owners/Applicants have requested to adjust property lines to address encroachment of improvements and pursuant to a stipulation and agreement entered in the District Court, Montezuma County, Colorado, Case Number 2023CV30020; and

WHEREAS, Cortez Land Use Code Section 6.09, Replats and plat amendments, indicates that the owner or developer of a property may request a plat amendment pursuant to all code requirements; and

WHEREAS, the City Council reviewed the application and proposed plat for a plat amendment for the Properties; and

WHEREAS, based on the evidence and testimony presented at the City Council’s April 23, 2024 meeting, Staff recommended certain conditions of approval to be considered by the City Council; and

WHEREAS, it appears that all applicable requirements of the City of Cortez Land Use Code for a plat amendment of the Properties have been or can be met.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF CORTEZ CITY COUNCIL:

THAT, this Resolution No. 8, Series 2024, contains the conditions of approval for the plat amendment of the Properties; and

THAT, the Amended Plat of Lot 2 of the Gray 2 Lot Minor Subdivision Boundary Agreement and Quit Claim Deed, and the full application for the Properties are hereby approved, subject to the following conditions to ensure compliance with the standards in the City of Cortez Land Use Code for an amended plat:

- a. All requirements of utility providers, City departments, CDOT and affected districts must be satisfied, as outlined in adopted City Codes and other regulatory documents.
- b. The plat shall be recorded at the Montezuma County Clerk and Records Office within six (6) months of City Council approval, in accordance with Land Use Code Section 6.05 (d)(2)a.
- c. If needed, the bank will become a signatory on the plat adjustment prior to recording the plat.

MOVED, SECONDED, AND ADOPTED THIS 23rd DAY OF APRIL 2024

CORTEZ CITY COUNCIL



Rachel B. Medina, Mayor

ATTEST:



Linda L. Smith, City Clerk

08-2024