

Re-recorded to insert town clerk's signature + seal

TOWN OF HOT SULPHUR SPRINGS,
COLORADO

RESOLUTION NO. 2011-11-1

A RESOLUTION APPROVING AMENDED LOT 1, BEING A REPLAT OF
LOTS 1, 2, 3 & 4, BLOCK 3, TOWN OF HOT SULPHUR SPRINGS AND A
0.06 ACRE PORTION OF VACATED SPRUCE STREET, TOWN OF HOT
SULPHUR SPRINGS, COUNTY OF GRAND, STATE OF COLORADO

WHEREAS, The Rosella S. Doughty Trust, under Trust Agreement dated October 30, 2008 (the "Applicant") is the current owner of Lots 1, 2, 3 and 4, Block 3, Town of Hot Sulphur Springs (approximately .69 acres) pursuant to the deed recorded at Reception No. 2010-003284 of the Grand County Records; and

WHEREAS, The Rosella S. Doughty Trust, (the "Applicant") is the current owner a 0.06 acre portion of vacated Spruce Street pursuant to the deed recorded at Reception No. 2010-004410 of the Grand County Records; and

WHEREAS, the Applicant has submitted a complete application as required by Section 10-9 of the Town Code and has requested approval to re-plat Lots 1, 2, 3 & 4 and combine said vacated portion of Spruce Street into one (1) lot ("Amended Lot 1"); and

WHEREAS, proposed Amended Lot 1 totals approximately .75 acres; and

WHEREAS, proper public notice of the re-plat was provided by publication on October 20, 2011, in *Sky-Hi Daily News*, a newspaper of general circulation within the Town of Hot Sulphur Springs and by mail notification of adjacent property owners in accordance with the Town of Hot Sulphur Springs Town Code; and

WHEREAS, following proper public notice, Amended Lot 1 was approved by the Town of Hot Sulphur Springs Planning Commission on November 2, 2011; and

WHEREAS, pursuant to Section 10-9 of the Town of Hot Sulphur Springs Town Code, a public hearing was scheduled before the Town of Hot Sulphur Springs Board of Trustees at 513 Aspen Street, Hot Sulphur Springs, CO 80451, on the 17th day of November, 2011, at 6:30 p.m., at which time evidence and testimony were presented to the Board of Trustees concerning said subdivision request; and

WHEREAS, the record for this case includes, but is not limited to, the application, the Town of Hot Sulphur Springs Town Code, Town of Hot Sulphur Springs Master Plan, and all other applicable ordinances, resolutions and regulations, together with all Town of Hot Sulphur Springs land use application processing policies that relate to the subject matter of the public hearing, and accompanying maps, reports, studies and all other submittals of the Applicant, any evidence or correspondence submitted by members of the public at the public hearing, and the files and reports of the Town's planning consultant pertaining to this application; and

WHEREAS, the Town Board of Trustees has determined that Amended Lot 1, subject to the conditions set forth herein, will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of the Town; will not change the predominant character of the neighborhood and will be compatible with the surrounding area; and otherwise meets the applicable criteria set forth in Title 10 of the Town of Hot Sulphur Town Code.
NOW, THEREFORE, BE IT RESOLVED by the Town of Hot Sulphur Springs Board of Trustees as follows:

Section 1. The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the Town Board of Trustees.

Section 2. The Town of Hot Sulphur Springs Board of Trustees hereby approves Amended Lot 1 subject to the following terms and conditions of approval that must be satisfied prior to recordation of this Resolution and subdivision plat:

- 1- That any new driveway access from Maple Street and any new parking be constructed and operated and maintained in compliance with the Town Code.
- 2- That since there are technically two (2) separate ownership names of the Applicant's properties, the Applicant can either:

RECEPTION#: 2012003089, 04/25/2012 at
12:13:40 PM,
1 OF 2, R \$16.00, Additional Names Fee:
Doc Code:RESOLUTION
Sara L. Rosene, Grand County Clerk,
Colorado

RECEPTION#: 2012000086, 01/04/2012 at
12:10:49 PM,
1 OF 5, R \$31.00, Additional Names Fee:
Doc Code:RESOLUTION
Sara L. Rosene, Grand County Clerk,
Colorado

and correct the owner signature blocks on the plat (to only have one); OR

b- Execute the two (2) owner signature blocks currently on the plat.

3- That the Applicants Quiclaam Deed themselves: Amended Lot 1, according to the plat recorded at Reception No. 2012-~~000015~~ of the Grand County Records. Said deed shall be subsequently recorded with the plat.

4- That the Applicant be responsible for any Plat Amendment costs exceeding \$2,500 and any said costs shall be paid in full prior to any plat recordation.

5- That all applicable recording fees be provided prior to recording of the Resolution and Plat.

Section 3. The Applicant's compliance with any additional conditions of approval stated in the motion of the Town Board of Trustees for approval of this Resolution.

Section 4. This Resolution shall be effective immediately upon approval of the Board of Trustees for the Town of Hot Sulphur Springs.

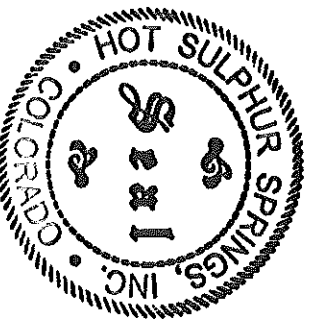
ADOPTED BY A VOTE OF 6 IN FAVOR, 0 AGAINST, and 1 ABSTAINING THIS 17TH DAY OF NOVEMBER, 2011.

TOWN OF HOT SULPHUR SPRINGS

By: Lucy Meirose
Lucy Meirose, Mayor Pro Tem

ATTEST:
By: Sandy White
Sandy White, Town Clerk

SEAL



Record as stand alone document

STATEMENT OF AUTHORITY

1. This Statement of Authority relates to an entity named THE ROSELLA S. DOUGHTY TRUST, under Trust Agreement dated October 30, 2008, and is executed on behalf of the entity pursuant to the provisions of §38-50-172, C.R.S.
2. THE ROSELLA S. DOUGHTY TRUST, under Trust Agreement dated October 30, 2008, is also known as, and has been referred to as THE ROSELLA S. DOUGHTY TRUST.
3. The type of entity is a trust.
4. The mailing address of the entity is c/o Rosella S. Doughty, Trustee, 18806 N. 95th Ave., Peoria, Arizona 85382.
5. The entity is formed under the laws of the State of Arizona.
6. The name and position of the person authorized to execute instruments conveying, encumbering or otherwise affecting title to real property on behalf of the entity is Rosella S. Doughty, Trustee
7. The limitations upon the authority of the person named above or holding the position described above to bind the entity is as follows: NOT APPLICABLE.
8. Other matters concerning the manner in which the entity deals with interests in real property: THE ROSELLA S. DOUGHTY TRUST, under Trust Agreement dated October 30, 2008, is also known as THE ROSELLA S. DOUGHTY TRUST, and was referred to as such in the Bargain and Sale Deed recorded June 7, 2010 at Reception No. 2010004410, in the real property records of the Grand County Clerk and Recorder's office. The person named above or holding the position described above has authority to bind THE ROSELLA S. DOUGHTY TRUST, under Trust Agreement dated October 30, 2008, also known as THE ROSELLA S. DOUGHTY TRUST.

THIS STATEMENT OF AUTHORITY is executed this 12th day of December, 2011 on behalf of the entity.

ENTITY:

THE ROSELLA S. DOUGHTY TRUST, under Trust Agreement dated October 30, 2008

By: *Rosella S. Doughty*
Rosella S. Doughty, Trustee

RECEPTION#: 2012003091, 04/25/2012 at
12:13:42 PM,
1 OF 2, R \$16.00 , Additional Names Fee:
Doc Code:STMTAUTH
Sara L. Rosene, Grand County Clerk,
Colorado

Re-recorded to insert recording information in
legal description

QUITCLAIM DEED

THIS DEED is dated 12th day of December 2011, and is made between THE ROSELLA S. DOUGHTY TRUST, under Trust Agreement dated October 30, 2008 (the "Grantor"), whose legal address is c/o Rosella S. Doughy, Trustee, 18806 N. 95th Ave., Peoria, Arizona 85382, and THE ROSELLA S. DOUGHTY TRUST, under Trust Agreement dated October 30, 2008 (the "Grantee"), whose legal address is c/o Rosella S. Doughy, Trustee, 18806 N. 95th Ave., Peoria, Arizona 85382.

WITNESS, that the Grantor, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby remise, release, sell and QUITCLAIM unto the Grantee, its successors and assigns, forever, all the right, title, interest, claim and demand which the Grantor has in and to the real property, together with any improvements thereon, described as:

Amended Lot 1, according to the plat recorded at Reception No. 2012-000085,
of the Grand County Records, and re-recorded @ reception no. 2012003090

With all its appurtenances.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging, or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the Grantor, either in law or equity, to the only proper use, benefit and behoof of the Grantee, and its successors and assigns, forever.

IN WITNESS WHEREOF, the Grantor has executed this deed on the date set forth above.

GRANTOR:
Rosella S. Doughy THE
THE ROSELLA S. DOUGHTY TRUST, under Trust Agreement dated October 30, 2008
By Rosella S. Doughy, Trustee

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

The foregoing instrument was acknowledged before me this 12th day of December, 2011 by Rosella S. Doughy, as Trustee of THE ROSELLA S. DOUGHTY TRUST, under Trust Agreement dated October 30, 2008.

WITNESS my hand and official seal.

[Signature]
Notary Public

My commission expires: 9/21/15

RECEPTION#: 2012003092, 04/25/2012 at
12:16:58 PM,
1 OF 1. R \$11.00 , Additional Names Fee:
Doc Code:GCD
Sara L. Rosene, Grand County Clerk,
Colorado

