

**CITY OF LEADVILLE, COLORADO  
RESOLUTION 10  
Series of 2017**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
LEADVILLE, COLORADO CONDITIONALLY APPROVING THE  
LEADVILLE RAILYARDS MINOR PLAT**

**WHEREAS**, the City of Leadville is authorized pursuant to Title 31, Article 23, C.R.S. and the City of Leadville Subdivision Regulations, codified at Chapter 16 of the Leadville Municipal Code, to regulate the subdivision of land; and

**WHEREAS**, Boundaries Unlimited, Inc. (the “Applicant”), on behalf of High Country Developers, LLC, as the property owner (the “Owner”), has submitted a minor plat application for approval by the City of Leadville for property legally described in Exhibit A, attached hereto and incorporated herein (the “Property”); and

**WHEREAS**, the Leadville Railyards Minor Plat application (“Minor Plat”), proposes a two (2) lot subdivision of the Property; and

**WHEREAS**, the Leadville Planning and Zoning Commission considered the Minor Plat during a duly noticed public hearing held and conducted on May 24, 2017, and following such hearing recommended conditional approval of the Minor Plat to City Council; and

**WHEREAS**, the City Council considered the Minor Plat during a duly noticed public hearing; and

**WHEREAS**, the administrative record for this case includes, but is not limited to, the City of Leadville Subdivision Regulations, the Leadville Municipal Code, City of Leadville Comprehensive Plan, all other applicable ordinances, resolutions and regulations, the staff files and reports of the Planning case managers for this case, including RG & Associates, any and all submittals by the Applicant and members of the public, and the tape recordings and minutes of both the Planning and Zoning Commission and City Council meetings at which this application was considered; and

**WHEREAS**, the Applicant and Owner have agreed to all conditions of approval as stated in this Resolution; and

**WHEREAS**, the City Council has determined that the Leadville Railyards Minor Plat meets all applicable requirements of the City of Leadville Subdivision Regulations and advances the public health, safety, convenience and general welfare of the residents of the City, subject to the conditions of approval as hereinafter delineated.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Leadville, Colorado as follows: \_

**Section 1.** That the Minor Plat designated as the Leadville Railyards Minor Plat, be approved subject to the following conditions of approval:

- a. The Applicant shall resolve and correct any technical issues as directed by City staff and City consultants prior to submitting the Minor Plat in mylar form to the City; and
- b. The Applicant shall pay all fees and costs incurred by the City and its consultants in reviewing and processing the Minor Plat application; and
- c. The Applicant and owner shall satisfy all additional specific conditions on approval of the Minor Plat, as specifically set forth in **Exhibit B**, attached hereto and incorporated herein.

**Section 2.** Subject to review and approval of the final Minor Plat mylar by the City, including the City's planning consultant and City Attorney, the Mayor is hereby authorized to sign said mylar pursuant to the terms contained herein.

**Section 3.** Approval of the Minor Plat shall be deemed effective upon signing by the Owner and Mayor in conformance herewith and recording of said Minor Plat with the Lake County Clerk and Recorders Office.

**Section 4. Effective Date.** This Resolution shall take effect upon its adoption by the City Council.

ADOPTED the 6<sup>th</sup> day of June, 2017, by a vote of 6 in favor, 0 against, and 1 absent.

CITY OF LEADVILLE, COLORADO

By: Greg Labbe  
Greg Labbe, Mayor

ATTEST:

[Signature]  
City Clerk

## Exhibit A

### Legal Description

SITUATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 13, THE SOUTHEAST ONE-QUARTER OF SECTION 14, THE NORTHEAST ONE-QUARTER OF SECTION 23 AND THE NORTHWEST ONE-QUARTER OF SECTION 24, TOWNSHIP 9 SOUTH, RANGE 80 WEST OF THE SIXTH PRINCIPAL MERIDIAN, LAKE COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF THE SIZER PLACER U.S. SURVEY NO. 388, SEARL PLACER U.S. SURVEY NO. 436 AND THE CAPITOL PLACER U.S. SURVEY NO. 977, LOCATED WITHIN SECTIONS 13, 14, 23 AND 24, TOWNSHIP 9 SOUTH, RANGE 80 WEST OF THE 6TH PRINCIPAL MERIDIAN, LAKE COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT CORNER NO. 4 OF SAID SEARL PLACER, U.S. SURVEY NO. 436, ALSO BEING CORNER NO. 2 OF THE JACOBSON PLACER, U.S. SURVEY NO. 380. A FOUND 2" BRASS CAP FROM WHICH CORNER NO. 1 OF SAID JACOBSON PLACER A FOUND 2" BRASS CAP BEARS N. 65° 00' 00" W., A DISTANCE OF 2,865.39 FEET AND THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 13, A FOUND STONE BEARS S. 61° 11' 22" E., A DISTANCE OF 1,265.53 FEET; THENCE S. 82° 31' 53" W., A DISTANCE OF 742.23 FEET TO CORNER NO. 2 OF A PARCEL OF LAND AS DESCRIBED IN BOOK 498 AT PAGE 6 OF LAKE COUNTY RECORDS, AND THE NORTHEASTERLY CORNER OF PARCEL HEREIN DESCRIBED, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING;

THENCE N. 68° 58' 22" W. ALONG THE SOUTH LINE OF SAID PARCEL DESCRIBED IN BOOK 498 AT PAGE 6, A DISTANCE OF 486.84 FEET TO THE EASTERLY LINE OF A PARCEL OF LAND AS DESCRIBED IN BOOK 319 AT PAGE 79 OF LAKE COUNTY RECORDS; THENCE S. 20° 26' 00" W. ALONG SAID EASTERLY LINE OF PARCEL DESCRIBED IN BOOK 319 AT PAGE 79, A DISTANCE OF 377.97 FEET TO THE SOUTHEASTERLY CORNER OF SAID PARCEL DESCRIBED IN BOOK 319 AT PAGE 79;

THENCE N. 69° 12' 00" W. ALONG THE SOUTHERLY LINE OF SAID PARCEL DESCRIBED IN BOOK 319 AT PAGE 79, A DISTANCE OF 162.23 FEET TO THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 24 AS DESCRIBED IN BOOK 261 AT PAGE 191 OF LAKE COUNTY RECORDS;

THENCE S. 20° 20' 05" W. ALONG SAID EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 24, A DISTANCE OF 59.89 FEET TO THE NORTH LINE OF A PARCEL OF LAND AS DESCRIBED IN BOOK 377 AT PAGE 264, LAKE COUNTY RECORDS;

THENCE S. 69° 12' 00" E. ALONG SAID NORTH LINE OF A PARCEL OF LAND DESCRIBED IN BOOK 377 AT PAGE 264, A DISTANCE OF 188.13 FEET TO THE NORTHEASTERLY CORNER OF SAID PARCEL DESCRIBED IN BOOK 377 AT PAGE 264;

THENCE S. 20° 26' 00" W. ALONG THE EASTERLY LINE OF SAID PARCEL AS DESCRIBED IN BOOK 377 AT PAGE 264, A DISTANCE OF 275.00 FEET TO THE SOUTHEASTERLY CORNER OF SAID PARCEL AS DESCRIBED IN BOOK 377 AT PAGE 264;

THENCE N. 69° 12' 00" W. ALONG THE SOUTHERLY LINE OF SAID PARCEL DESCRIBED IN BOOK 377 AT PAGE 264, A DISTANCE OF 187.65 FEET TO SAID EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 24 AS DESCRIBED IN BOOK 261 AT PAGE 191;

THENCE S. 20° 20' 05" W. ALONG SAID EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 24 AS DESCRIBED IN BOOK 261 AT PAGE 191, A DISTANCE OF 336.33 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 961.10 FEET, OF WHICH THE CHORD BEARS S. 06° 40' 17" W., A DISTANCE OF 454.06 FEET;

THENCE ALONG THE ARC OF SAID CURVE AND SAID EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 24 AS DESCRIBED IN BOOK 261 AT PAGE 191, A DISTANCE OF 458.39 FEET THROUGH A CENTRAL ANGLE OF 27° 19' 37" TO THE 1-2 LINE OF SAID SEARL PLACER;

THENCE N. 65° 00' 00" W. ALONG THE SAID SEARL PLACER, ALSO BEING THE NORTHERLY LINE OF SAID CAPITOL PLACER, A DISTANCE OF 27.42 FEET TO THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 24 AS SHOWN ON CONSTRUCTION DRAWINGS FOR TENNESSEE PASS DATED 1936, AND THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 971.18 FEET, THE CHORD OF WHICH BEARS S. 10°34' 42" E., A DISTANCE OF 145.81 FEET;

THENCE ALONG THE ARC OF SAID CURVE AND SAID EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 24 AS SHOWN ON CONSTRUCTION DRAWINGS FOR TENNESSEE PASS, A DISTANCE OF 145.94 FEET THROUGH A CENTRAL ANGLE OF 08° 36' 36";

THENCE S. 14° 53' 00" E., ALONG SAID EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 24 AS SHOWN ON CONSTRUCTION DRAWINGS FOR TENNESSEE PASS, A DISTANCE OF 1243.56 FEET TO THE SOUTHERLY LINE OF THE DEPOT GROUND AS SHOWN ON COOPER'S SUBDIVISION PLAT RECORDED JULY 26, 1881 AND THE NORTHERLY RIGHT-OF-WAY LINE OF 12TH STREET;

THENCE N. 75° 22' 00" E. ALONG SAID SOUTHERLY LINE OF THE DEPOT GROUND AS SHOWN ON COOPER'S SUBDIVISION PLAT AND SAID NORTHERLY RIGHT-OF-WAY OF 12TH STREET, A DISTANCE OF 660.97 FEET TO THE SOUTHEASTERLY CORNER OF SAID DEPOT GROUND AS SHOWN ON COOPER'S SUBDIVISION PLAT;

THENCE N. 16° 34' 00" W. ALONG THE EASTERLY LINE OF SAID DEPOT GROUND AS SHOWN ON COOPER'S SUBDIVISION PLAT, A DISTANCE OF 871.82 FEET TO THE NORTHEASTERLY LINE OF THE SIZER PLACER ALSO BEING THE SOUTHWESTERLY LINE OF THE SEARL PLACER, AND CORNER NO. 5 OF SAID PARCEL OF LAND AS DESCRIBED IN BOOK 51 AT PAGE 331, BOOK 66 AT PAGE 268, AND BOOK 375 AT PAGE 461, LAKE COUNTY RECORDS;

THENCE N. 05° 40' 33" E. ALONG THE EASTERLY LINE OF SAID PARCEL AS DESCRIBED IN BOOK 51 AT PAGE 331, BOOK 66 AT PAGE 268 AND BOOK 375 AT PAGE 461, A DISTANCE OF 863.32 FEET TO CORNER NO. 6 OF SAID PARCEL DESCRIBED IN BOOK 51 AT PAGE 331, BOOK 66 AT PAGE 268 AND BOOK 375 AT PAGE 461;

THENCE N. 18° 33' 43" E. ALONG SAID EASTERLY LINE OF PARCEL DESCRIBED IN BOOK 51 AT PAGE 331, BOOK 66 AT PAGE 268 AND BOOK 375 AT PAGE 461, A DISTANCE OF 711.15 FEET TO THE TRUE POINT OF BEGINNING.

## Exhibit B

### Additional conditions of approval

- 1) Subdivision Improvement Agreement (SIA) must be submitted to the City and considered by the City Council (as required by Section 16.36.010 of Leadville Municipal Code).
- 2) Provide drainage easements for drainage facilities (detention pond, conveyance swales, etc.) to be constructed and a 10' drainage and utility easement around the perimeter of Lot 2.
- 3) Submit an updated Drainage Report addressing the following:
  - a. The preliminary plans do not match the drainage report. The grading, layout and storm sewer systems do not match between the two documents. Please revise so the plan and the report are in agreement.
  - b. The minor storm event should be the 5-year or 10-year event. The 25-year minor storm allows the more frequent event to pass-thru un-detained.
  - c. Add flow arrows to the various drainage maps in the report.
  - d. Include a full-size drainage map of the existing and proposed conditions.
  - e. The site shows 1.5:1 and 2:1 slopes these may be difficult to maintain, 3:1 maximum would be preferred.
  - f. Include a discussion of the historic condition and justification for the curve numbers used.
  - g. Show the water quality, minor and major storm WSEL on the outlet structure detail.
  - h. Include hydraulic calculations for the storm sewer piping within and adjacent to the site.
  - i. Confirm the size and provide topography for the off-site south and O'Reilly basins as it appears that the basin could be larger than what is shown on the plans.
  - j. As referenced in the report, clarify the location of the center median and turnout on Hwy 24.
- 4) A note be added to the Plat stating: "Drainage and utility easements will be dedicated on Lot 1 at such time Lot 1 is developed."
- 5) Amend the two (2) radial lot lines on the west property boundary to match the legal description as described on sheet P1.

