

ORDINANCE NO. 357

AN ORDINANCE OF THE TOWN OF SILVER PLUME BOARD OF TRUSTEES APPROVING ACQUISITION OF THE PROPERTY LEGALLY DESCRIBED AS "STORMY LOT: 6 SVR PLM 559/889 719/411 720/266 774/655 774/653 809/118 848/638 848/640 848/310 877/964 877/967" IN THE TOWN OF SILVER PLUME, COLORADO OWNED BY LLOYD B. CULP AND JESSICA BALLARD.

WHEREAS the Town of Silver Plume, Colorado (the Town) is a home rule municipality duly and regularly organized and validly existing as a body corporate and politic under and by virtue of the constitution and laws of the State of Colorado; and

WHEREAS Lloyd B. Culp and Jessica Ballard are the current owners of the property legally described as "STORMY Lot: 6 SVR PLM 559/889 719/411 720/266 774/655 774/653 809/118 848/638 848/640 848/310 877/964 877/967", which borders the Town of Silver Plume's Dinger Park and provides access from Dinger Park to Clear Creek; and

WHEREAS the Board of Trustees has determined that it is in the best interest of the Town of Silver Plume to acquire said property to allow unrestricted access to Clear Creek from Dingers Park; and

WHEREAS, the Board of Trustees has determined that acquiring the property serves a public purpose in expanding Dinger Park and precluding the development thereof.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SILVER PLUME, THAT:

Section 1. The Board of Trustees hereby approves the acquisition of the property legally described as "STORMY Lot: 6 SVR PLM 559/889 719/411 720/266 774/655 774/653 809/118 848/638 848/640 848/310 877/964 877/967". The legal description and land survey map are accompanied hereto, known as Exhibit A.

Section 2. In return for a Quit Claim Deed (accompanied hereto, known as Exhibit B), quitclaiming Lot 6 to the Town of Silver Plume, Lloyd B. Culp and Jessica Ballard shall be granted, without charge, one water and sewer tap controlled by the Town of Silver Plume, to be used on Lot 4 of the Burleigh Millsite.

Section 3. The parties acknowledge that the water and sewer tap granted herein may only be used on Lot 4 of the Burleigh Millsite. Additionally, the parties acknowledge that only the System Investment Fee (Ord No. 319, Section 8.1) is waived. The grantees Lloyd B. Culp and Jessica Ballard, or their successors, shall be responsible for all monthly and ongoing costs associated with the granted water and sewer tap, as provided in Ordinance No. 319, Water System Structure.

Section 4. If any section, sentence, clause, phrase, word, or other provision of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining sections, sentences, clauses, phrases, words, or other provisions of this ordinance, or the validity of this ordinance shall stand notwithstanding the invalidity of any section, sentence, clause, phrase, word, or other provision.

Section 5. Except as amended hereby, the Land Use Code and additional ordinances adopted by the Town of Silver Plume shall remain valid and in full force and effect. Any provision of any ordinance previously adopted by the Board of Trustees that is specifically in conflict with this Ordinance is hereby repealed as of the enforcement date hereof.

INTRODUCED FOR FIRST READING BEFORE THE BOARD OF TRUSTEES THIS 8th DAY OF APRIL 2024.

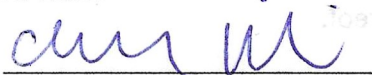
APPROVED AND ADOPTED BY THE BOARD OF TRUSTEES UPON SECOND AND FINAL READING AND PUBLIC HEARING THIS 22nd DAY OF APRIL 2024.

TOWN OF SILVER PLUME, COLORADO

By

Lee Berenato, Mayor

ATTEST:



Chelsea Nihiser, Town Clerk



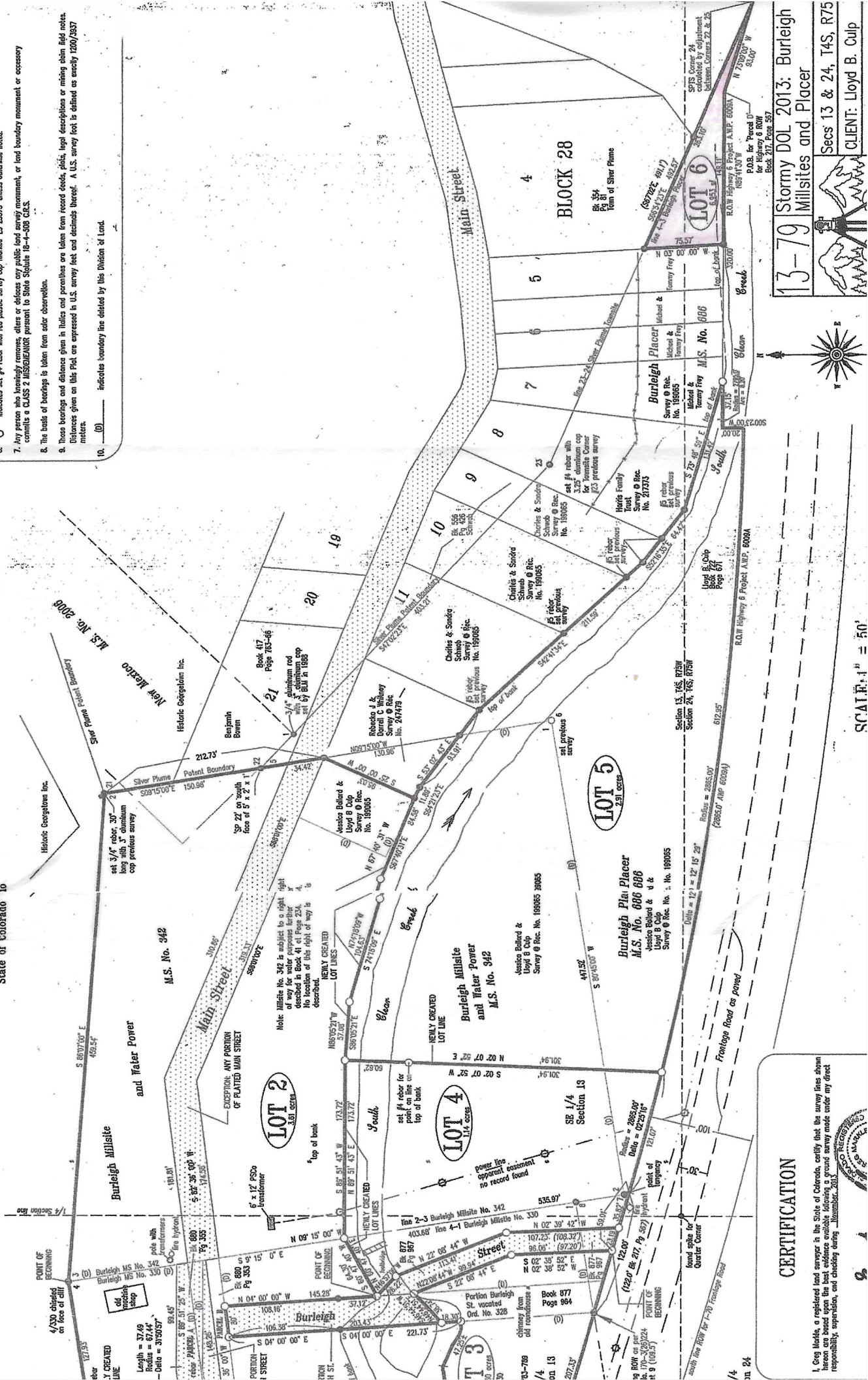
STORMY DIVISION OFF LAND 2013

Land Survey I Plat

Being Portions of the Burleigh Millsite
U.S. Mineral Survey No. No. 342
Portions of the Burleigh Pl. Placer
U.S. Mineral Survey No. No. 686
and Portions of the Burleigh Millsite
U.S. Mineral Survey No. No. 330
Town of Silver Plume
County of Clear Creek
State of Colorado

NOTES

1. This plat is in compliance with C.S. 38, Article 51 and all other applicable statutes.
2. No guarantee as to the accuracy of the information contained on this plat is other stated or implied unless this copy bears the original signature of the registered land surveyor herein named.
3. This survey does not constitute a title search by Clear Creek Surveying to determine title or easement of record. Research for title and easements is the responsibility of the client. The surveyor is not responsible for any errors or omissions in the field notes or in the plat, and the surveyor is not responsible for any errors or omissions in the field notes or in the plat, and the surveyor is not responsible for any errors or omissions in the field notes or in the plat.
4. NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of certification shown herein.
5. (S) indicates corner set previous survey or set by others as indicated.
6. (O) indicates set #4 rebar with red plastic survey cap marked '15 25373' unless otherwise noted.
7. Any person who knowingly removes, alters or defaces any public land survey monument, or lead boundary monument or necessary corner, commits a CLASS 2 MISDEMEANOR pursuant to State Statute 18-6-409 C.R.S.
8. The basis of bearings is taken from solar observation.
9. Those bearings and distances given in italics and parentheses are taken from record deeds, plats, legal descriptions or mining claim field notes. Distances given on this Plat are expressed in U.S. survey feet and decimals thereof. A U.S. survey foot is defined as exactly 1200/5280 meters.
10. (---) indicates boundary line deleted by this Division of Land.



CERTIFICATION

I, Greg Hinkle, a registered land surveyor in the State of Colorado, certify that the survey lines shown herein are based on the best available information and that I have exercised my professional responsibility, supervision, and checking during the survey.

13-79 Stormy DOL 2013: Burleigh
Placerville and Placer
Secs 13 & 24, T4S, R7S
CLIENT: Lloyd B. Culp

312491 05/14/2024 10:49 AM B: 1057 P: 333 QCD
Page 1 of 1 R \$13.00 D \$0.00 T \$13.00 Clear Creek

Recorded at _____
Reception No. _____



QUIT CLAIM DEED

THIS DEED, Made this 26th day of April, 2024,
between:

Lloyd B. Culp and Jessica Ballard

Whose legal address is:
Po Box 477 Silver Plume, CO 80476

Of the County of Clear Creek, and State of
Colorado, Grantors and

Town of Silver Plume

of the County of Clear Creek, State of Colorado, Grantee.


WITNESSETH, That the Grantors for and in consideration of the sum of Ten Dollar(s), the receipt and sufficiency of which is hereby acknowledged, has remised, released sold conveyed and QUIT CLAIMED and by these presents does remise release, sell convey and QUIT CLAIM unto the Grantee, its heirs, successors and assigns, forever, all the right, title, interest, claim and demand which the Grantors have in and to the real property, together with improvements, if any, situate, lying and being in the County of Clear Creek and the State of Colorado, described as follows:

SUBDIVISION: STORMY LOT: 6 SVR PLM 559/889 719/411 720/266 774/655 774/653 809/118 848/638 848/640 848/310
877/964 877/967

and 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 Grantors, either in law or equity to the only proper use benefit and behalf of the Grantee, its heirs and assigns forever.

IN WITNESS WHEREOF, The Grantors have executed this Deed on the date set forth above.


Lloyd B. Culp


Jessica Ballard

STATE OF COLORADO)
) ss.
Clear Creek County)

AISHA ANNA BARROWS
NOTARY PUBLIC - STATE OF COLORADO
Notary ID 20234014796
My Commission Expires 4/18/2027

The foregoing instrument was acknowledged before me this 26th day of April 2024.
by Lloyd B. Culp.

My commission expires 4/18/2027

Witness my hand and official seal.

STATE OF COLORADO)
) ss.
Clear Creek County)

AISHA ANNA BARROWS
NOTARY PUBLIC - STATE OF COLORADO
Notary ID 20234014796
My Commission Expires 4/18/2027

The foregoing instrument was acknowledged before me this 26th day of April 2024.
by Jessica Ballard.

My commission expires 4/18/2027

Witness my hand and official seal.

Colorado Community Media
750 W. Hampden Ave. Suite 225
Englewood, CO 80110

Town of Silver Plume Legals***
PO Drawer F
Silver Plume CO 80476-0000

AFFIDAVIT OF PUBLICATION

State of Colorado }
County of Clear Creek } ss

This Affidavit of Publication for the Clear Creek Courant, a weekly newspaper, printed and published for the County of Clear Creek, State of Colorado, hereby certifies that the attached legal notice was published in said newspaper once in each week, for 1 successive week(s), the last of which publication was made 5/30/2024, and that copies of each number of said paper in which said Public Notice was published were delivered by carriers or transmitted by mail to each of the subscribers of said paper, according to their accustomed mode of business in this office.



For the Clear Creek Courant

State of Colorado }
County of Arapahoe } ss

The above Affidavit and Certificate of Publication was subscribed and sworn to before me by the above named Linda Shapley, publisher of said newspaper, who is personally known to me to be the identical person in the above certificate on 5/30/2024. Linda Shapley has verified to me that she has adopted an electronic signature to function as her signature on this document.

20134029363-387213

Jean Schaffer
Notary Public
My commission ends January 16,
2028

JEAN SCHAFFER
NOTARY PUBLIC - STATE OF COLORADO
NOTARY ID 20134029363
MY COMMISSION EXPIRES JAN 16, 2028

Public Notice

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ATTEST:
CMA / CIA &
Chelsea Nihiser, Town Clerk

Legal Notice No. CCC892
First Publication: May 30, 2024
Last Publication: May 30, 2024
Publisher: Clear Creek Courant