

**TOWN OF MINTURN, COLORADO
RESOLUTION NO. 4 – SERIES 2011**

**A RESOLUTION APPROVING A SUBDIVISION EXEMPTION PLAT FOR THE
MALOIT PARK AREA**

WHEREAS, the Town of Minturn, Colorado is a Home Rule Municipality under the Colorado Constitution; and

WHEREAS, section 17-3-30 of the Minturn Municipal Code grants the Town Council the power to exempt from the provisions of the subdivision regulations any division of land if the Town determines that such division is not within the purposes of the subdivision regulations and, in addition, the method of disposition adopted is not for the purposes of evading the provisions of the subdivision regulations; and

WHEREAS, the Minturn Town Council passed Ordinance No. 1 and 2 Series 2011 on May 18, 2011 that annexed into the Town a 104.5 acre parcel of land commonly referred to as Maloit Park; and

WHEREAS, in accordance with the Maloit Park Annexation, the Town of Minturn and the Eagle County School District RE 50J entered into an Annexation Agreement that stipulates that the Eagle County School District RE 50J will convey an 18.156 acre parcel of land to the Town of Minturn by general warranty deed, title to the parcel upon which the Town currently has located and operates its municipal potable water treatment plant and related facilities; and

WHEREAS, the exemption plat creates the 18.156 acre parcel of land that the Eagle County School District RE 50J will convey to the Town of Minturn pursuant to section 4.5 of the Annexation Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO THAT:

The Town Council hereby approves the Maloit Park Subdivision Exemption Plat.

INTRODUCED, READ, APPROVED AND ADOPTED AND RESOLVED this 16th day of November, 2011.

TOWN OF MINTURN

By: *Hawkeye Flaherty*
Gordon "Hawkeye" Flaherty - Mayor

ATTEST:

J. Brunvand
Jay Brunvand - Town Clerk

