



Resolution No. 2014-06

THE RE-PLAT OF TRACT 21R, BLOCK 39, NORTH CREEDE

WHEREAS, the City of Creede is a municipality in the State of Colorado and has the statutory and legal authority to enact, enforce, and amend or suspend, ordinances, resolutions and regulations; and

WHEREAS, D. Tom Headlee and Connie K. Popovich are the owners of a tract of land being fractions of Lots 20, 21, 22, and 23 in Block 39, North Creede, City of Creede, being more particularly described by metes and bounds as follows:

A tract of land located in a portion of lots 20 - 23, Block 39, Town of Creede A.K.A. North Creede, situated in the NE¼ Section 25, Township 42 North, Range 1 West, N.M.P.M., Mineral County, Colorado being more particularly described by metes and bounds as follows:

Beginning at the northwesterly corner of the tract herein described, being a point on the north line of said Lot 23, from whence Corner 10, Creede Townsite bears N 55°06'19" W a distance of 703.22 feet;

Thence N 49°38'40" E along the north lines of said Lots 23, 22, 21, and 20 a distance of 75.06 feet;

Thence S 40°21'20" E a distance of 53.13 feet;

Thence S 50°15'54" W a distance of 75.07 feet;

Thence N 40°21'20" W a distance of 52.32 feet to the point of beginning.

The above described tract contains 0.09 acres (3,920 square feet) more or less.

This tract is subject to any and all existing easements and or rights of way of whatsoever nature; and

WHEREAS, D. Tom Headlee and Connie K. Popovich have surveyed and replatted this property and desire it to be designated as "Tract 21R, Block 39", North Creede.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE CITY OF CREEDE, A COLORADO TOWN, THAT:

SECTION 1: The Board of Trustees have determined that it is in the best interest of the citizens of the City to authorize the requested replat.

SECTION 2: The Board has determined that all requirements for submitting the replat have been met by the applicants.

SECTION 3: The above-described property has been replatted and will be recorded as "Tract 21R, Block 39", North Creede", City of Creede, and Mineral County, Colorado.

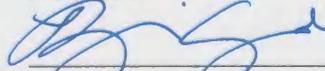
APPROVED AND ADOPTED by the Board of Trustees this 8th day of April 2014.

CITY OF CREEDE:



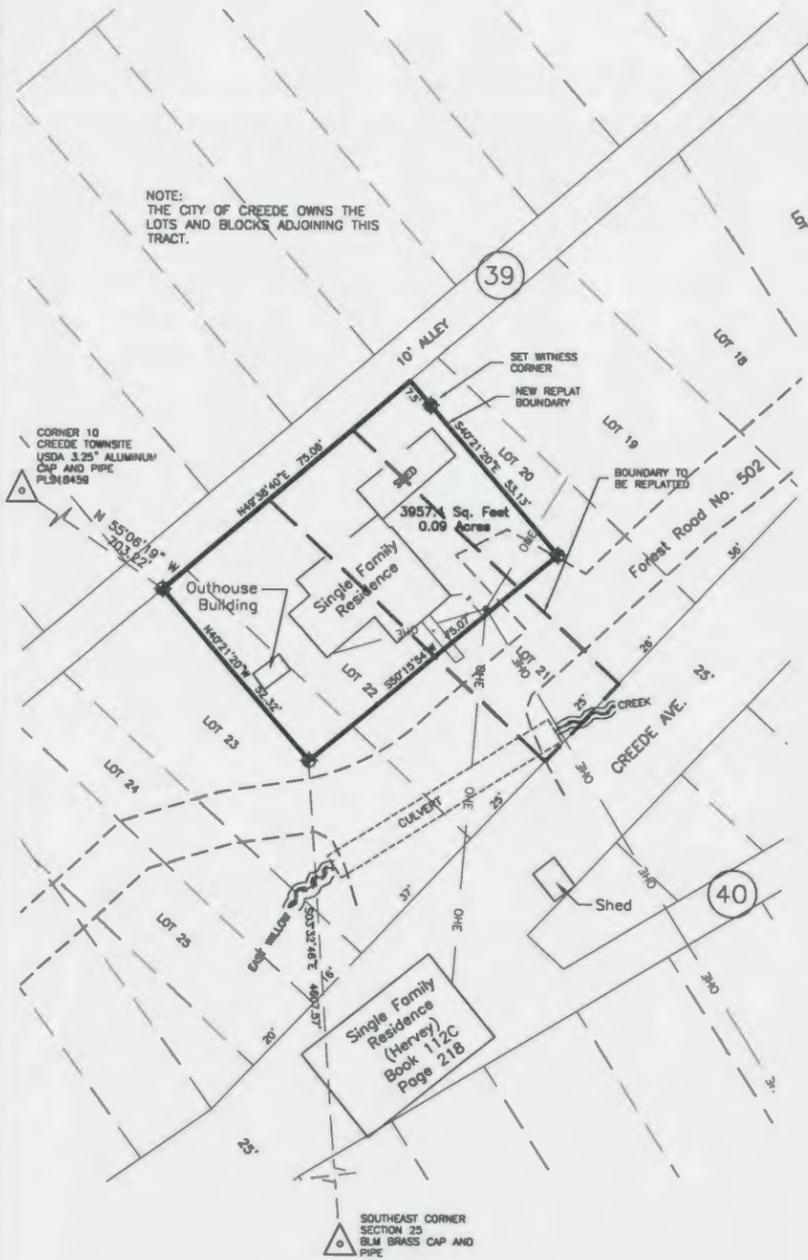
Mayor
Eric Grossman
Date 5/1/14

ATTEST:



Attest, City Clerk
Randi Snead
Date 5/1/14

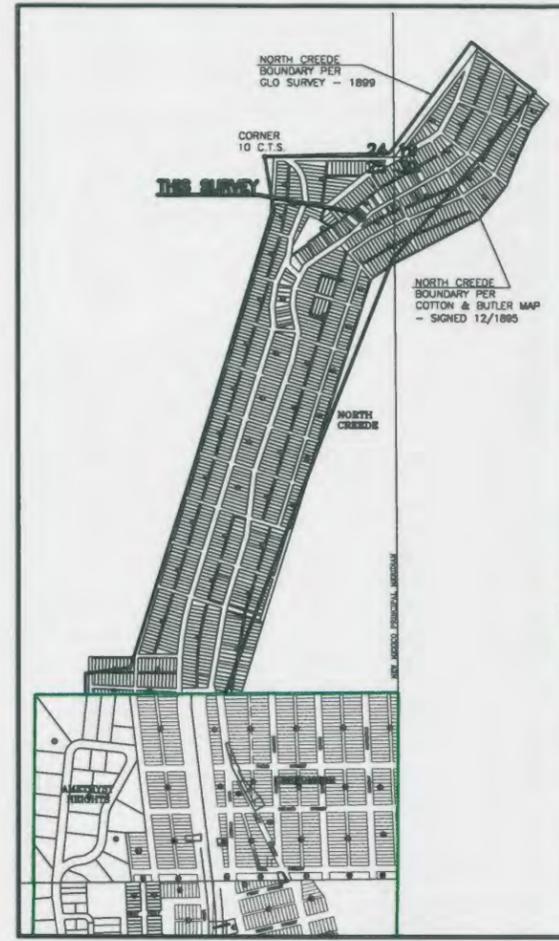
LEGEND
 ◆ - 1.5 INCH ALUMINUM CAP AFFIXED TO # 5 REBAR FIRMLY SET



NOTE: THE CITY OF CREEDE OWNS THE LOTS AND BLOCKS ADJOINING THIS TRACT.

CORNER 10 CREEDE TOWNSITE U.S.D.A. 3.25" ALUMINUM CAP AND PIPE PLS 18459

SOUTHEAST CORNER SECTION 25 BLM BRASS CAP AND PIPE



NORTH CREEDE BOUNDARY PER OLD SURVEY - 1899
 CORNER 10 C.T.S.
 NORTH CREEDE BOUNDARY PER COTTON & BUTLER MAP - SIGNED 12/1895

VICINITY MAP SCALE: 1" = 600'

PROPERTY DESCRIPTION - CITY TO HEADLEE

A tract of land located in a portion of Lot 20, Block 39, Town of Creede, A.K.A. North Creede, situated in the NE1/4 Section 25, Township 42 North, Range 1 West, N.M.P.M., Mineral County, Colorado, being more particularly described by metes and bounds as follows:
 Beginning at the Northeast corner of the tract herein described, which corner is a point on the northerly line of said Lot 20, from whence Corner 10 of the Creede Townsite, a U.S.D.A. 3.25" aluminum cap and pipe PLS 18459, bears N 60°50'37" W a distance of 725.97 feet; Thence S 40°21'20" E a distance of 53.13 feet; Thence S 50°15'54" W a distance of 11.92 feet to a point on the west line of said Lot 20; Thence N 46°33'43" W along said west line a distance of 53.31 feet to the Northwest corner of said Lot 20; Thence N 49°38'40" E along the north line of said Lot 20 a distance of 17.68 feet to the point of beginning.
 The tract herein described contains 785.3 square feet (0.018 acres), more or less

TOGETHER WITH

A tract of land located in a portion of Lots 22 & 23, Block 39, Town of Creede, A.K.A. North Creede, situated in the NE1/4 Section 25, Township 42 North, Range 1 West, N.M.P.M., Mineral County, Colorado, being more particularly described by metes and bounds as follows:
 Beginning at the Northeast corner of the tract herein described, which corner is a point on the Northeast corner of said Lot 22, from whence corner 10 of the Creede Townsite, a U.S.D.A. 3.25" aluminum cap and pipe PLS 18459, bears N 57°36'50" W a distance of 712.11 feet; to the point of beginning. Thence S 46°33'43" E along the east line of said Lot 22 a distance of 53.04 feet; Thence S 50°15'54" W a distance of 37.97 feet; Thence N 40°21'20" W a distance of 52.32 feet to a point on the north line of said Lot 23; Thence N 49°38'40" E along the north line of said Lots 23 and 22 a distance of 32.23 feet to the point of beginning;

The tract herein described contains 1842.8 square feet (0.042 Acres), more or less.

PROPERTY DESCRIPTION - HEADLEE TO CITY

A tract of land located in a portion of Lot 21, Block 39, Town of Creede, A.K.A. North Creede, situated in the NE1/4 Section 25, Township 42 North, Range 1 West, N.M.P.M., Mineral County, Colorado, being more particularly described by metes and bounds as follows:
 Beginning at the Northeast corner of the tract herein described, which corner is a point on the east line of said Lot 21, from whence Corner 10 of the Creede Townsite, a U.S.D.A. 3.25" aluminum cap and pipe PLS 18459, bears N 58°38'18" W a distance of 772.02 feet; Thence S 46°33'43" E a distance of 32.22 feet to the Southeast corner of said Lot 21; Thence S 43°26'17" W along the south line of said Lot 21 a distance of 25.18 feet to the Southwest corner of said Lot 21; Thence N 46°33'43" W along the west line of said Lot 21 a distance of 35.21 feet; Thence N 50°15'54" E a distance of 25.00 feet to the point of beginning.

The tract herein described contains 843.00 square feet (0.019 acres), more or less.

DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT D. TOM HEADLEE and CONNIE K. POPOVICH are the owners of that real Property described in deed recorded at reception No. 47877 AT BOOK 112F AT PAGE 213, located within the limits of North Creede, Mineral County, Colorado,
 THAT they have caused said Property to be replatted and designated as "Tract 21R, Block 39, North Creede", which tract is more particularly described by metes and bounds as follows, to-wit:
 The following bearings are based upon the south line of Section 25 from the southeast corner of Section 25 to the south 1/4 corner of Section 25 having a bearing of S89°14'00"W, monumented on both ends with 3.25 inch BLM brass caps:
 A tract of land located in a portion of Lots 20-23, Block 39, Town of Creede, A.K.A. North Creede, situated in the NE1/4 Section 25, Township 42 North, Range 1 West, N.M.P.M., Mineral County, Colorado being more particularly described by metes and bounds as follows:
 Beginning at the northwesterly corner of the tract herein described, being a point on the north line of said Lot 23, from whence Corner 10, Creede Townsite bears N 55°06'19" W a distance of 703.22 feet; Thence N 49°38'40" E along the north lines of said Lots 23, 22, 21, and 20 a distance of 75.06 feet; Thence S 40°21'20" E a distance of 53.13 feet; Thence S 50°15'54" W a distance of 75.07 feet; Thence N 40°21'20" W a distance of 52.32 feet to the point of beginning.
 The above described tract contains 0.09 acres more or less.

Subject to any and all easements of whatsoever nature.

IN WITNESS WHEREOF, this instrument is executed this 12 day of May 2014 A.D. by

D. Tom Headlee AND
 D. Tom Headlee

IN WITNESS WHEREOF, this instrument is executed this 12th day of May 2014 A.D. by

Connie K. Popovich
 Connie K. Popovich

ACKNOWLEDGEMENT

STATE OF New Mexico
 COUNTY OF Mora } SS

The foregoing instrument was acknowledged before me this 12 day of May 2014 A.D., by D. Tom Headlee.

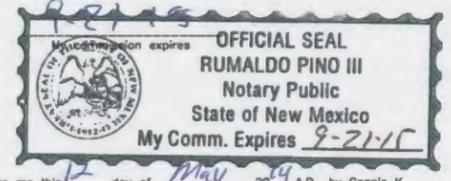
[Signature]
 Notary Public

ACKNOWLEDGEMENT

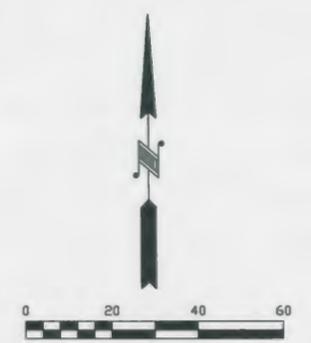
STATE OF New Mexico
 COUNTY OF Mora } SS

The foregoing instrument was acknowledged before me this 12 day of May 2014 A.D., by Connie K. Popovich.

[Signature]
 Notary Public



REPLAT OF TRACT 21R, BLOCK 39, NORTH CREEDE
 LOCATED IN WITHIN THE LIMITS OF THE TOWNSHIP OF CREEDE (a.k.a. NORTH CREEDE) IN THE NORTHEAST 1/4 SECTION 25, TOWNSHIP 42 NORTH, RANGE 1 WEST, (SUSPENDED) N.M.P.M. MINERAL COUNTY, COLORADO



SCALE: 1"=20' US SURVEY FEET
BASIS OF BEARINGS
 BEARINGS ARE BASED UPON THE SOUTH LINE OF SECTION 25 FROM THE SOUTHEAST CORNER OF SECTION 25 TO THE SOUTH 1/4 CORNER OF SECTION 25 HAVING A BEARING OF S89°14'00"W, MONUMENTED ON BOTH ENDS WITH 3.25 INCH BLM BRASS CAPS

SURVEY NOTES:

- LOTS AND BLOCKS SHOWN HEREIN IS AN INTERPOLATION OF THE C.Y. BUTLER MAP DATED JULY 1903 FOUND IN BOOK 1 PAGES 25-27 AS THE BEST AVAILABLE RECORDED EVIDENCE OF NORTH CREEDE AND BEING RECOGNIZED BY THE CITY OF CREEDE DECLARING IT THE OFFICIAL MAP OF "CREEDE". THE MAP IS DRAWN PER THE COTTON & BUTLER MAP DRAWN DECEMBER 1892 AND COMPARING THE DESCRIPTION OF THE TOWN INCORPORATION PETITION FILED MAY, 1892 RIO GRANDE COUNTY.
- THIS SURVEY RELIED ON THE FOLLOWING PLAT/MAPS TO BEST REPRESENT THE INTENT OF THE LOTTING IN NORTH CREEDE:
 - COTTON & BUTLER ANNEXATION MAP DRAWN DECEMBER, 1892, SIGNED DECEMBER 1895 AND RECORDED IN HINSDALE COUNTY.
 - OLD SURVEY COMPLETED JUNE 12, 1899, ACCEPTED AUGUST 31, 1901
 - C.Y. BUTLER PLAT OF THE TOWN OF CREEDE DRAWN JULY, 1903, DECLARED THE OFFICIAL MAP OF THE TOWN OF CREEDE NOVEMBER 14, 1903 AND RECORDED IN MINERAL COUNTY NOVEMBER 27, 1903 IN PLAT BOOK 1 AT PAGES 25-26-27.
- A PATENT TO THE TOWN OF CREEDE WAS NOT ISSUED TO THE OFFICIALS OF THE TOWN UNTIL JULY 31, 1903 AND FINALLY RECORDED AUGUST 6, 1937. CONVEYANCES TO PRIVATE PARTIES BEGAN SHORTLY AFTER THE JULY, 1903 PATENT GRANT. LOTS BEING CONVEYED WERE BASED ON THE COTTON & BUTLER MAP AS WELL AS THE C.Y. BUTLER MAP OF 1903.

SURVEYOR'S NOTES:

- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT OR TITLE OPINION AND IN NO WAY SHALL IT BE CONSTRUED AS A TITLE OPINION BY THIS SURVEYOR OR DAVIS ENGINEERING, INC. EXCEPT AS SHOWN, CLIENT DID NOT WISH TO HAVE DAVIS ENGINEERING SERVICE, INC. RESEARCH AND SHOW RECORD OR APPARENT EASEMENTS THAT MAY AFFECT THIS PROPERTY. THIS SURVEY REFERRED THOSE RECORD DOCUMENTS REFERENCED HEREON FOR THE DETERMINATION OF ALL BOUNDARIES DEPICTED.
- CERTIFICATION DEFINED: THE USE OF THE WORDS "CERTIFY" OR "CERTIFICATION" BY A LICENSED PROFESSIONAL LAND SURVEYOR CONSTITUTES AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS AND FINDINGS WHICH ARE THE SUBJECT OF THE CERTIFICATION, AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTY, EITHER EXPRESSED OR IMPLIED. (PER COLORADO STATE BOARD RULE NO. 6.2.2).

SURVEYORS CERTIFICATE

I, KEITH E. LUTTRELL, A DULY LICENSED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT OR MAP WAS PREPARED FROM NOTES OF AN ACTUAL FIELD SURVEY PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION AND IS BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF, AND IT IS IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE.

FOR AND ON BEHALF OF
 DAVIS ENGINEERING SERVICE, INC.

BOARD OF TRUSTEES CERTIFICATE

Approved this 8th day of April 2014 A.D., Board of Trustees for the City of Creede, Mineral County, Colorado.

[Signature] Mayor - City of Creede
[Signature] Attest: City Clerk

CLERK AND RECORDERS CERTIFICATE

STATE OF COLORADO



68676 5/21/2014 1:33 PM
 1 of 1 MAP R\$10.00 D\$0.00

Eryn K Wintz
 Mineral County Clerk

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 the certification shown hereon.

REVISIONS		REPLAT OF TRACT 21R, BLOCK 39, NORTH CREEDE	
SCALE	1"=20'	DAVIS ENGINEERING SERVICE, INC.	SURVEYED BY KL/TC
DATE	10/10/2013	P.O. BOX 1840 ALAMOGOSA, COLORADO 81101	DRAWN BY TC
CLIENT	TOM HEADLEE	PHONE: (719) 889-3004 FAX: (719) 889-3712	FILED AP0730