

1
2 COUNCIL BILL NO. 31

3
4 Series 2023

5
6 **AN ORDINANCE DESIGNATING CERTAIN REAL PROPERTY AS A**
7 **LANDMARK UNDER CHAPTER 11 OF TITLE 9 OF THE BRECKENRIDGE**
8 **TOWN CODE**

9 (Casey Residence, 112 North French Street, Lots 3 & 4, Block 3, Abbett Addition)

10
11 BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE,
12 COLORADO:

13
14 **Section 1.** Findings. The Town Council of the Town of Breckenridge finds and
15 determines as follows:

16 A. Diane Monaghan owns the hereinafter described real property. Such real
17 property is located within the corporate limits of the Town of Breckenridge, County of
18 Summit and State of Colorado.

19 B. Diane Monaghan filed an application pursuant to Chapter 11 of Title 9 of the
20 Breckenridge Town Code seeking to have the hereinafter described real property
21 designated as a landmark ("**Application**").

22 C. The Town followed all of procedural requirements of Chapter 11 of Title 9 of
23 the Breckenridge Town Code in connection with the processing of the Application.

24 D. The improvements located on hereinafter described real property are more
25 than fifty (50) years old.

26 E. The hereinafter described real property meets the "Architectural" designation
27 criteria for a landmark as set forth in Section 9-11-4(A)(1)(b)(2) of the Breckenridge
28 Town Code because the property is of a style particularly associated with the
29 Breckenridge area.

30 F. The hereinafter described real property meets the "Physical Integrity" criteria
31 for a landmark as set forth in Section 9-11-4(A)(3) of the Breckenridge Town Code
32 because the property retains original design features, materials and character.

33 G. In accordance with the requirements of Section 9-11-3(B)(3) of the
34 Breckenridge Town Code, on November 6, 2018 the Application was reviewed by the
35 Breckenridge Planning Commission. On such date the Planning Commission
36 recommended to the Town Council that the Application be granted.

1 H. The Application meets the applicable requirements of Chapter 11 of Title 9 of
2 the Breckenridge Town Code, and should be granted without conditions.

3 I. Section 9-11-3(B)(4) of the Breckenridge Town Code requires that final
4 approval of an application for landmark designation under Chapter 11 of Title 9 of the
5 Breckenridge Town Code be made by ordinance duly adopted by the Town Council.

6 **Section 2.** Designation of Property as Landmark. The real property described in
7 Exhibit "A" which is incorporated into this ordinance by reference is designated as a
8 landmark pursuant to Chapter 11 of Title 9 of the Breckenridge Town Code.

9 **Section 3.** Police Power Finding. The Town Council finds, determines and declares that
10 this ordinance is necessary and proper to provide for the safety, preserve the health, promote
11 the prosperity, and improve the order, comfort and convenience of the Town of Breckenridge
12 and the inhabitants thereof.

13 **Section 4.** Town Authority. The Town Council finds, determines and declares that it has
14 the power to adopt this ordinance pursuant to the authority granted to home rule municipalities
15 by Article XX of the Colorado Constitution and the powers contained in the Breckenridge Town
16 Charter.

17 **Section 5.** Effective Date. This ordinance shall be published and become effective as
18 provided by Section 5.9 of the Breckenridge Town Charter.

19
20 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
21 PUBLISHED IN FULL this 22nd day of August, 2023. A Public Hearing shall be held at the
22 regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 11th day of
23 September, 2023, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the
24 Town.

25
26 TOWN OF BRECKENRIDGE, a Colorado
27 municipal corporation

28
29
30
31 By _____

32 Eric S. Mamula, Mayor

33
34 ATTEST:

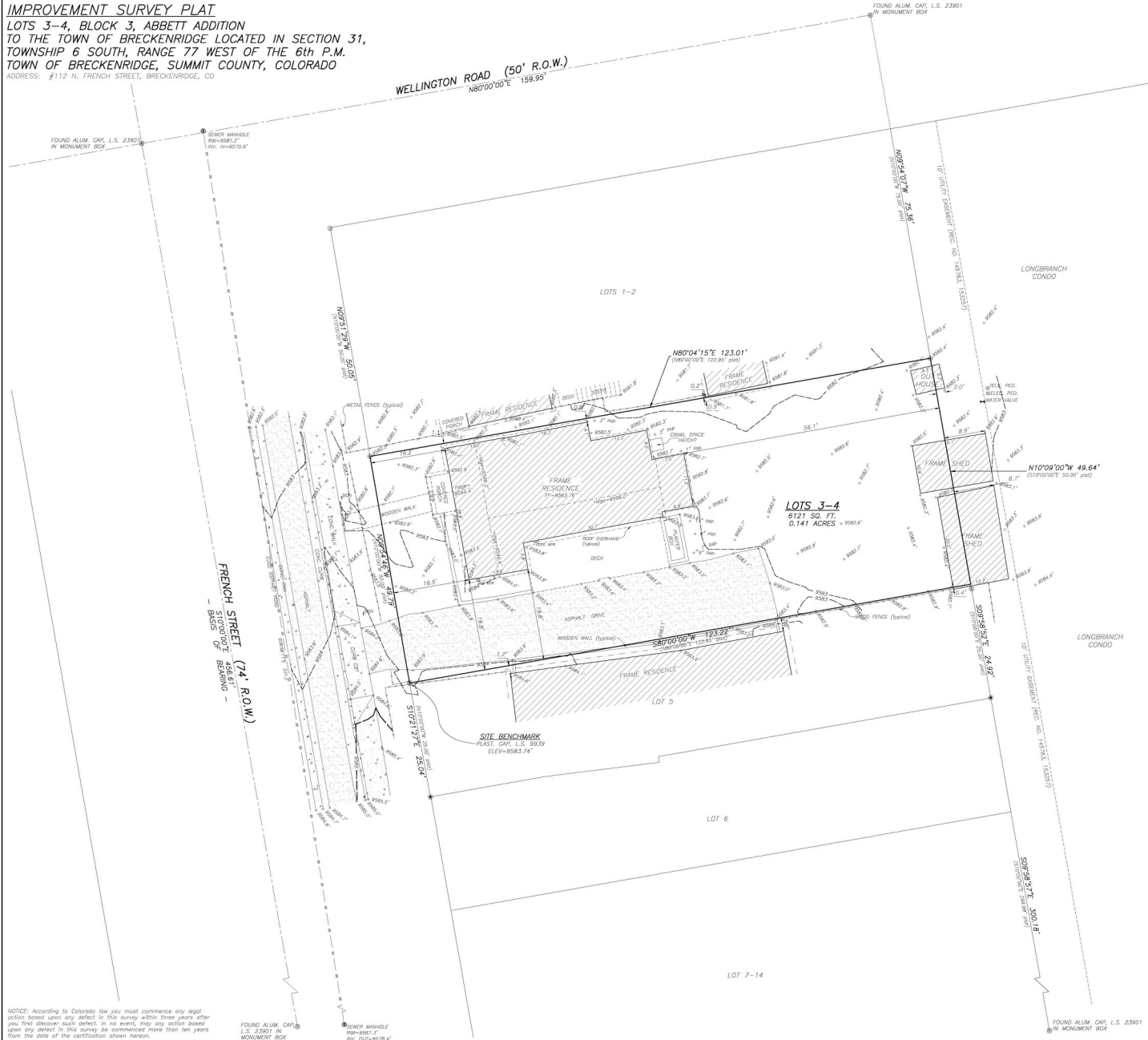
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Helen Cospolich, CMC,
Town Clerk

Exhibit "A"

IMPROVEMENT SURVEY PLAT

LOTS 3-4, BLOCK 3, ABBETT ADDITION
TO THE TOWN OF BRECKENRIDGE LOCATED IN SECTION 31,
TOWNSHIP 6 SOUTH, RANGE 77 WEST OF THE 6th P.M.
TOWN OF BRECKENRIDGE, SUMMIT COUNTY, COLORADO
ADDRESS: #112 N. FRENCH STREET, BRECKENRIDGE, CO



SURVEYOR'S CERTIFICATE

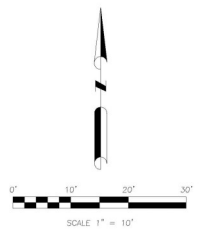
I, MATTHEW J. WENZEL, A COLORADO REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY TO DAVID MONAGHAN, THAT THIS IMPROVEMENT SURVEY PLAT WAS PREPARED BY ME FROM A SURVEY MADE BY ME AND UNDER MY SUPERVISION, THAT BOTH THIS PLAT AND SURVEY ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE MONUMENTS WERE SET IN ACCORDANCE WITH C.R.S. 38-51-105.
THIS IMPROVEMENT SURVEY PLAT DOES NOT CONSTITUTE A TITLE SEARCH BY SUMMIT LAND SURVEYING INC. TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING OWNERSHIP AND EASEMENTS OF RECORD, SUMMIT LAND SURVEYING INC., RELIED UPON TITLE COMMITMENT ORDER NO. 1013872-C ISSUED BY TITLE CO. OF THE ROCKIES AS AN AGENT FOR WESTCOAST LAND TITLE INSURANCE COMPANY.



MATTHEW J. WENZEL
REGISTERED LAND SURVEYOR

NOTE:
-BEARINGS ARE BASED ON THE FOUND B.O.M. MONUMENTS (ALUMINUM CAPS IN MONUMENT BOXES) BASED ON THE RIGHT OF WAY MAP FOR THE ABBETT ADDITION BY BASELINE SURVEYS FILED AT THE CLERK AND RECORDERS OFFICE UNDER REC. NO. 1231-743.

BASIS OF ELEVATION
-ELEVATIONS BASED ON THE FINISHED FLOOR OF WELLINGTON PLACE CONDOS IN ACCORDANCE WITH THE PLAT FILED AT THE CLERK AND RECORDERS OFFICE UNDER REC. NO. 2338-11. (U.S.G.S. BENCHMARK IN THE WEST SIDE OF THE SCI BUILDING, ELEV=9577.0')



LEGEND

- ⊕ FOUND REBAR W/ PLAST. CAP, I.S. 26392
- ⊙ FOUND REBAR W/ PLAST. CAP, I.S. 9839
- ⊛ FOUND REBAR W/ PLAST. CAP, I.S. 27942
- ⊗ FOUND REBAR W/ ALUM. CAP, I.S. 37719
- STAMPED: W.C. 1.0'

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 herein.

FOUND ALUM. CAP, I.S. 23901 IN MONUMENT BOX

SEWER MANHOLE IRI=5087.2' IRI=5087.2' IRI=5087.2'

FOUND ALUM. CAP, I.S. 23901 IN MONUMENT BOX

SUMMIT LAND SURVEYING, INC. P.O. BOX 2336 BRECKENRIDGE, CO 80424 970-513-0156

IMPROVEMENT SURVEY PLAT

SCALE: 1" = 10' DATE: 12/07/17 DOW NO.: 171673
DRAWN BY: MLW CHECKED BY: MLW DRAWING NO.: 171673