



Cluster Declaration and Application Crested Butte South Property Owners Association

General Information

Requests to combine, i.e.: cluster, any two or more lots within Crested Butte South, requires an approval process through the Crested Butte South Board of Directors. The Board's approval is required in order for the property owner to record the Cluster Declaration with Gunnison County. Clustering of lots removes lot lines and easement requirements between the lots. A Crested Butte South Cluster Declaration Application and fee are to be submitted to the Crested Butte South POA. If approved, you will be notified of the approval, provided a Cluster Declaration form that is signed by the Association and requires notarized lot owner signatures prior to recording. The last step is to record the signed Cluster Declaration with Gunnison County and provide the POA with a recorded copy. Please see the Approval Process steps below for more specifics.

PLEASE NOTE: Clustering of lot(s) may not be reversed or un-clustered. The cluster will remain in effect through transfer of ownership and may not be re-subdivided for purposes of separate real estate transactions.

Approval Process

- 1) All owners are required to contact any other entities that may be affected by the lot clustering such as utility providers (ie: water, electric, sewer). Owners must notify these providers for approvals to vacate the utility easement between clustered lots. An Improvement Location Certificate (ILC) or similar may be required from a certified surveyor if utilities exist between lots.
- 2) Submit a Crested Butte South POA Cluster Declaration application, along with the fee and ILC survey, to the Association, no less than two weeks prior to the next regular meeting of the Board of Directors (typically the second Wednesday of each month). Checks may be made payable to the "Crested Butte South POA". The application form may be submitted electronically or by USPS mail or hand delivered and must be signed with an original signature (electronic signatures are not allowed) by every owner with interest in the property. The Declaration request will then be reviewed at the next regularly scheduled Board meeting.
- 3) After the Board of Directors meeting, the owner will receive notification of the Board's approval or rejection of the request. If approved, the owner will then be provided a Cluster Declaration Resolution that has been signed by a Board Member of the Association. The form requires notarized signatures by every owner with interest in the property. A notary is available for your convenience with a scheduled appointment at the POA at no cost. Should multiple signatures be necessary, or owners require out of area deliveries, owners are responsible for the notary fees, postage and other costs associated with gathering the required signatures.
- 4) Once the Cluster Declaration has all signatures, owner(s) must replat (legal document required) and record the document with Gunnison County and a copy of the recorded document must be delivered to the POA. You may contact the Gunnison County Clerk and Records office at (970) 641- 1516 for recording instructions. After this is completed, the POA will adjust the next upcoming dues assessment to reflect the legal property changes; dues will not be pro-rated from the time of recording.

CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION

61 TEOCALLI ROAD, CRESTED BUTTE, CO 81224
PHONE (970) 349-1162, WEBSITE: www.cbsouth.net, FAX (970) 349-1163

CLUSTER DECLARATION

The undersigned, for myself and for my heirs, successors, personal representatives and assigns, do hereby declare my election to group Lots _____, inclusive, Block _____, Crested Butte South, _____ Filing, into one plot, to be henceforth maintained as one parcel, in order that I may build thereon one structure containing a maximum number of residential units totaling the number permitted on each separate lot in the absence of this declaration, multiplied by the number of lots bound hereby. I hereby forever waive and disclaim any right to construct any other residential units on said parcel or to separate the same, binding my heirs, personal representatives, successors and assigns hereby; and agree that all other restrictive covenants applicable to the land involved shall continue in full force and effect.

By: _____
Name *Signature*

By: _____
Name *Signature*

STATE OF COLORADO)

County of _____) ss.

The foregoing was acknowledged before me this _____ day of _____, 20____.

Notary Public
My Commission Expires:

CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION, INC.
A Colorado non-profit corporation

Dated this _____ day of _____, 20____.

I certify that the foregoing Resolution duly reflects the action taken by the Crested Butte South Property Owners Association upon a vote of the directors thereof, at the Board meeting held on this _____ day of _____, 20____.

By: _____
Name *Title*