BOARD OF ADJUSTMENTS
AND
PLANNING COMMISSION
MEETING AGENDA
501 Main Street, Fairplay

BOARD OF ADJUSTMENT

.1. APPROVAL OF AGENDA

.2. APPROVAL OF MINUTES FROM NOVEMBER 8, 2016

.3. PUBLIC HEARINGS

.3.1. VARIANCE CASE #16SET-07:

VARIANCE CASE #16SET-07: Property is Indian Mountain Lot 103 Filing 25 Unit 2 addressed as 144 Red Cloud Drive, Como. Applicant is requesting a 15 foot variance from the side setback requirement in order to construct a garage.
APPLICANT: Arthur & Rose Lowitzer
CONTINUED FROM NOVEMBER 8, 2016

Documents:

16SET_07_APP.pdf
16SET_07_Lowitzer_BOAStaffReport2.pdf
Referral Responses.pdf

PLANNING COMMISSION

.1. APPROVAL OF AGENDA

.2. APPROVAL OF MINUTES FROM NOVEMBER 8, 2016

.3. PUBLIC HEARINGS

.3.1. COMMON PLAT AMENDMENT CASE #16AMN-04:
Property is lots 1-29, tract 171, lots 1-4, tract 159, Wandcrest Park 3rd Filing, and an adjacent 5 acre metes-and-bounds parcel, addressed as 15674 South Pitkin Lane, Pine. Applicant is requesting to remove the platted lots from the Wandcrest Park subdivision and to consolidate them with the metes-and-bounds parcel.
APPLICANT: Rocky Guerrero

Documents:

16AMN-04 PC Staff Report and Atts..pdf
Referral Response.pdf
Application.pdf

.3.2. PUD AMENDMENT CASE #16PUD-02:

Property is known as Unit 49 Moore Dale Ranch Resort, addressed as 57920 Highway 285. Applicant is requesting an amendment to the PUD changing the use of the existing Event Center/Club House to single family residence.
APPLICANT: Moore Dale Ranch Resort Homeowners Association

Any further information can be obtained at:
Park County Planning Department, 1246 Co Rd 16
P.O. Box 1598 Fairplay, CO. 80440
(719) 836-4254
pcpd@parkco.us

Sch# 38238
16SET-07

PARK COUNTY APPLICATION FOR
VARIANCE
NON-REFUNDABLE APPLICATION FEE: $1060

All applicants must submit one complete application and attend a pre-application conference with the Park County Planning Department Staff seven (7) to ten (10) working days prior to the application submittal deadline. Following the acceptance of the complete application the applicant must submit **twenty-five (25) collated copies, or CD media as requested** to the Park County Planning Department on or before the application submittal date.

If you have questions regarding this form please contact the Planning Department by phone at (719) 836-4254, or e-mail pcpd@parkco.us, fax (719) 836-4351, or write to us at P.O. Box 1598 Fairplay, CO 80440.

A. APPLICANT AND OWNERSHIP INFORMATION

Applicant's Name: ARTHUR C. + ROSE LOWITZER

Mailing Address: 915 CREST WAY, EMMAUS, PA 18049

City: EMMAUS State: PA Zip: 18049

Telephone

(work) 215.290.1700 (home) 215-290-1700 (fax) _____

Owner's Name: ARTHUR C. + ROSE LOWITZER

Mailing Address: 915 CREST WAY, EMMAUS, PA 18049

Telephone No.: 215-290-1700

B. PROPERTY INFORMATION

Complete Legal Description of Property Proposed for the Variance (attach additional page, if necessary):

INDIAN MOUNTAIN, FILING 25, UNIT 2, LOT 103

Street Address of Property: 144 RED CLOUD DRIVE

Property's Total Acreage: 5.66

Current Zone District of Property: R

Proposed Zone District of Property: R

For County Use Only
Planning Department Confirmation of Current Zone District:
District: Residential (R)
Jillian Falchi
Print Full Name

Requirements for a Variance
Article III, Division 1, Section 3-100

C. APPLICATION REQUIREMENTS

	For County Use Only: Initial Receipt of the Required Information
1. Application Fee. An application fee in the amount of $1060 must be paid at the time of submission of the application. Make the check or money order to the Park County Planning Department. The fee pays for the typical cost to the County to process the application. Any additional costs that may occur are the applicant's responsibility.	(1.) JF
2. Tax receipt-showing payment of current taxes. This can be obtained at the Park County Treasurer's office.	(2.) JF
3. Proof of ownership in the form of a recorded Warranty Deed. This can be obtained at the Park County Clerk and Recorders office.	(3.) JF
4. A legal description of the property proposed for the Variance prepared by a licensed Colorado land surveyor.	(4.) JF
5. A list of names and mailing addresses of all owners of adjacent property to the property subject to the proposed Variance, this information is at Park County Assessor's Office.	(5.) JF
6. A vicinity map of where the proposed property is located within Park County.	(6.) JF
7. A site plan drafted at a commonly used engineering scale with clear indication how the variance relates to the affected land with the following information:	(7.) JF
a. Name and address of the owner;	(7a.) JF
b. Date of preparation, map scale, and north arrow;	(7b.) JF
c. Lot dimensions, total acreage, and points of access to the property, internal roads and trails. The map must illustrate how access is obtained from the property subject to variance to the nearest county road or highway;	(7c.) JF
d. Natural features of the property subject to variance including, wetlands, floodplain, riparian areas, water bodies, rock outcroppings, significant vegetation, geological or other hazards, and slopes greater than twenty-five percent (25%);	(7d.) JF
e. Utility systems including existing and proposed water wells, sewer systems, electric services, and natural gas;	(7e.) JF
f. The dimensions, height and setbacks of all existing and proposed structures.	(7f.) JF
g. A clear illustration or description of the proposed variance, using shading, crosshatching, or highlighting, to accurately illustrate the proposal.	(7g.) JF
8. The property must be clearly identified with the address and posted according to the Park County address requirements (attached).	(8.) JF

For County Use Only: Initial Receipt of the Required Information
(9.) JF
(10.) JF
(11.) JF
(12.) JF

9. Letters of consent to alter or vacate utility easements from all public utilities serving the site, if applicable

10. A written description identifying the specific provision of the Land Use regulations that the owner seeks to vary and the extent to which the provision is proposed to be varied or modified.

11. A written description of the reasons justifying the variance detailing how the standards for approval of the variance provided by Section 3-100(B) are met or satisfied.

12. Any other information that are judged necessary by the Planning staff to ensure compliance with the Standards for Approval.

Note: Refer to Park County Land Use Regulations Article III, Standards for Approval of Variance.

Variance Application - Lowitzer, 144 Red Cloud Drive, Jefferson, CO 80456

We are asking to forego the 30 foot distance to property line on lot 102 owned by Jim and Rose Linn , PO Box 1351, Fairplay, CO, ph # 719-836-0955.

We are hoping to have a garage built in the area shown on the diagram. This site is on the same side as the electricity, and away from the propane gas tank so the propane company or any emergence vehicle can easily get to house and propane tank. The pathway from the garage door to the front door of our house will be easier. There is a strong slope on the other side other of the property that would make it difficult to try and build a garage. We believe our request meets the County's criteria for a variance as follows:

Criterion 1: The proposed site for location of our garage is best because of the slope of our lot. The North side of the drive, where we propose to build, is much more level than that to the South. Additionally, the North side is closer to the electrical supply point (which is on the North) and further from the propane tank (on the South. To build on the South side may in fact impede access to the propane tank for both the propane company and for emergency purposes.

Criterion 2: As noted above, our propane tank is located on the South side of the drive, and putting a garage on that side may place an obstacle for the propane company and for emergency vehicles/personnel who may need access to the tank. The propane tank was placed by builder and original owners of the cabin in 1996. We purchased the property in March, 2004.

Criterion 3: We have spoken with Mr. Jim Linn, our neighbor, about our desired placement, and he has assured us that he has no objection. Further, it is our belief that our location presents the lease obstruction to viewing the beauty of the area and its surroundings. Placing it on the South side of the drive, would, in our opinion, present such an obstacle.

Criterion 4: We believe that the intent and purpose of the regulation is in fact better served by building in the proposed location. A structure there poses no barrier to our neighbors to the North, and it allows good viewing from the drive to the South.

Thank you for your consideration.

Park County Website | Treasurer Web Site

Colorado
PARK COUNTY
Treasurer: Michelle Miller

New Search | Return To Search Results | Print Bill

Real Estate TAX/NOTICE RECEIPT FOR PARK COUNTY

SCHEDULE # R 38238 2015

PROPERTY ADDRESS: RED CLOUD DR 144 COMO
TAXABLE VALUE: $20,760.00 **ACTUAL VALUE:** $260,810.00 **TAX DISTRICT:** 010

Owners Name
LOWITZER ARTHUR CHARLES
LOWITZER ROSE
915 CREST WY
EMMAUS PA 18049

Legal Description
T09 R75 S25 SE4 INDIAN MOUNTAIN
FILING 25 UNIT 2 LOT 103

TAX:	$1,345.38
INTEREST:	$0.00
FEE:	$0.00
TOTAL TAX & ASMTS.:	$1,345.38
UNPAID BALANCE:	**$0.00**

Select a payment option below.

First Half: Feb 28th
Second Half: June 15th
OR
Full Payment: April 30th

Pay Full Amount

Paid

Last Payment: 02/17/2016 **Amount :** $1,345.38

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599841 05/26/2004 01:05P
1 of 1 R 6.00 D 0.00 DEBRA A GREEN PARK CO

RE-RECORD TO CORRECT LEGAL DESCRIPTION

599817 03/18/2004 12:28P
1 of 1 R 6.00 D 22.50 DEBRA A GREEN PARK CO

WARRANTY DEED

THIS DEED, Made this 5th day of March, 2004, between Peter F. Tedstrom and Nicole R. Tedstrom

STATE DOCUMENTARY FEE
DATE 3-18-04
$ 22.50

of the County of Park and State of Colorado, grantor, and Arthur Charles Lowitzer and Robe Lowitzer

whose legal address is 1681 West Canal Circle #1-1, Littleton, CO 80120

of the County of Park and State of Colorado, grantee:

WITNESS, That the grantor, for and in consideration of the sum of TWO HUNDRED TWENTY FIVE THOUSAND AND NO/100----------DOLLARS ($225,000.00), the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee, their heirs and assigns forever, not in tenancy in common but in joint tenancy, all the real property together with improvements, if any, situate, lying and being in the County of Park and State of Colorado, described as follows:

Lot 103, INDIAN MOUNTAIN FILING NO. 25, UNIT 2, County of Park, State of Colorado.

STATE DOC FEE
$22.50

also known by street and number as 144 Red Cloud Drive, Fairplay, Colorado 80456

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee, their heirs and assigns forever. And the grantor, for himself, his heirs and personal representatives, does covenant, grant, bargain and agree to and with the grantees, their heirs and assigns, that at the time of the ensealing and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except for taxes for the current year, a lien but not yet due and payable, and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Buyer in accordance with section 8a (Title Review), of the contract dated _____, between the parties.

The grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantees, their heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

Peter F. Tedstrom
Peter F. Tedstrom

Nicole R. Tedstrom
Nicole R. Tedstrom

STATE OF COLORADO
COUNTY OF JEFFERSON } ss.

JEAN L. ALEXANDER NOTARY STATE OF COLORADO

The foregoing instrument was acknowledged before me this 5th day of March, 2004, by Peter F. Tedstrom and Nicole R. Tedstrom.

My Commission expires: My Commission Expires 7/20/2004

Witness my hand and official seal.

Jean L. Alexander
Notary Public

WARRANTY DEED to Joint Tenants (04/07/03) File NO13462

STATE DOCUMENTARY FEE
DATE 5-26-04
$ 0

NO RECORDABLE DOCUMENT ACCOMPANIED THIS DOCUMENT

I hereby certify this to be a full, true and correct copy of the original document.
TITLE AMERICA
BY: Heather Pace

Names & Mailing Addresses of property owners adjacent to Indian Mountain Filing 25, Unit 2, Lot 103:

Lot 102: James H. Linn & Rose E. Linn, P.O. Bos 1351, Fairplay, CO 80440

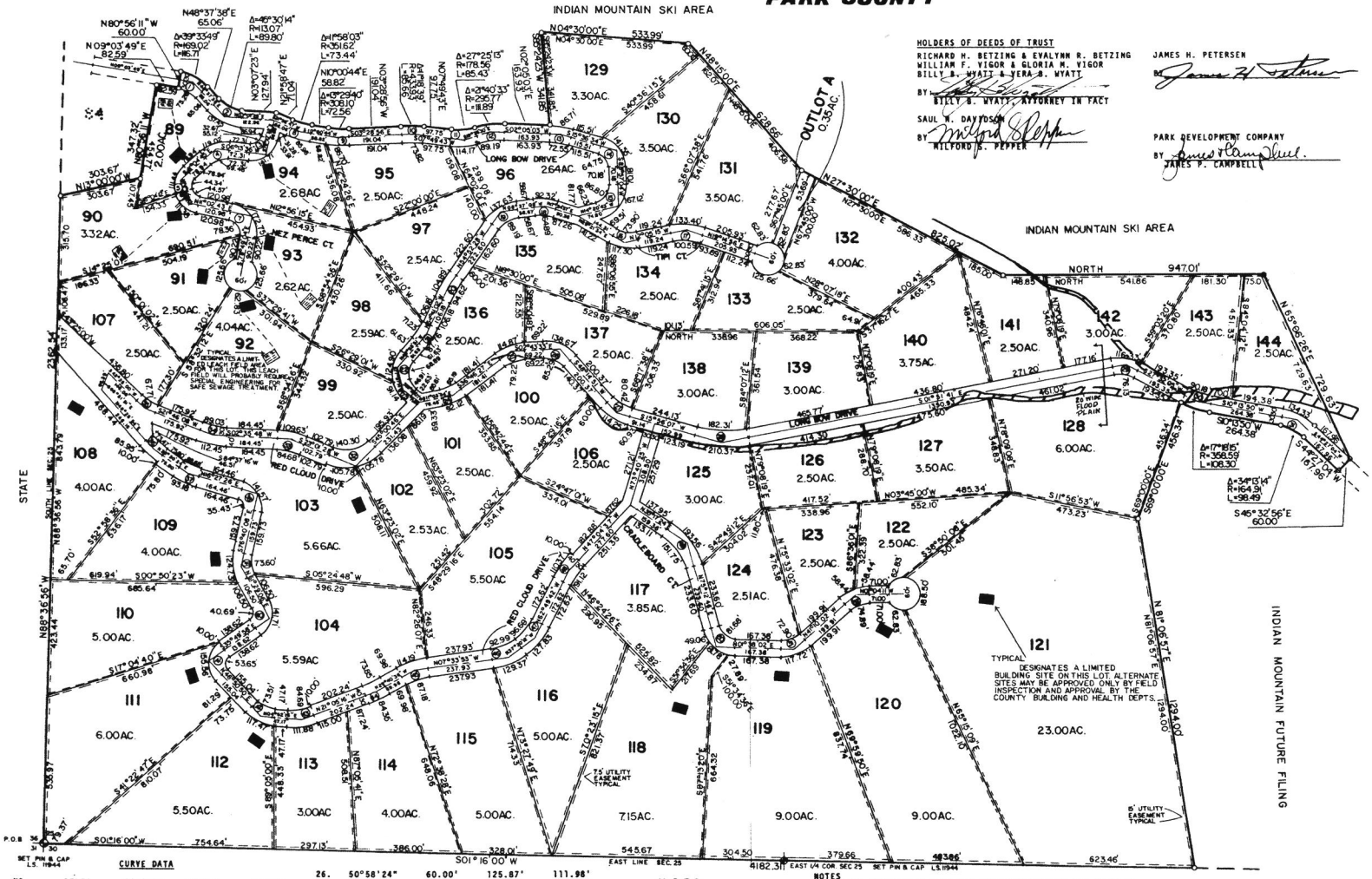
Lot 104: Gerald J. Maly & Carolyn A. Maly, 7750 County Line Rd., Meadowlands, MN55765

INDIAN MOUNTAIN
FILING 25 UNIT 2
PARK COUNTY

SURVEYOR'S CERTIFICATE

I, THOMAS L. BURNETT, HEREBY CERTIFY THAT THE SURVEY AND PLAT OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON WERE MADE BY ME OR UNDER MY DIRECT RESPONSIBILITY, SUPERVISION AND CHECKING, IN STRICT COMPLIANCE WITH COLORADO STATUTES, AND THAT BOTH SURVEY AND PLAT ARE TRUE, ACCURATE AND COMPLETE.

April 28, 1981 — Thomas L. Burnett
DATE — THOMAS L. BURNETT L.S. #11944



HOLDERS OF DEEDS OF TRUST

RICHARD H. BETZING & EVALYNN R. BETZING
WILLIAM F. VIGOR & GLORIA M. VIGOR
BILLY B. WYATT & VERA B. WYATT
BY BILLY B. WYATT, ATTORNEY IN FACT

SAUL W. DAVIDSON
BY WILFORD S. PEPPER

JAMES H. PETERSEN
BY James H. Petersen

PARK DEVELOPMENT COMPANY
BY JAMES P. CAMPBELL

CURVE DATA

NO.	DELTA	TANGENT	RADIUS	LENGTH
1.	39°33'49"	50.00'	139.02'	95.99'
2.	45°30'14"	60.00'	143.07'	113.63'
3.	82°41'06"	60.00'	68.19'	98.41'
4.	47°18'21"	50.00'	114.16'	94.25'
5.	64°04'47"	43.59'	77.89'	87.12'
6.	63°47'45"	43.59'	70.03'	77.98'
7.	90°08'13"	80.00'	79.81'	125.55'
8.	11°58'03"	40.00'	381.62'	79.71'
9.	13°29'40"	40.00'	338.10'	79.63'
10.	11°18'39"	40.00'	403.93'	79.74'
11.	27°25'13"	50.88'	208.56'	99.81'
12.	21°40'33"	50.88'	265.77'	100.54'
13.	13°31'31"	40.00'	337.32'	79.69'
14.	73°20'30"	60.00'	80.58'	103.15'
15.	76°42'13"	75.04'	94.84'	126.96'
16.	41°26'49"	50.00'	132.16'	95.60'
17.	31°20'11"	60.00'	213.91'	116.99'
18.	26°11'45"	40.00'	171.92'	78.60'
19.	46°15'20"	60.00'	140.48'	113.41'
20.	09°48'34"	50.00'	582.66'	99.76'
21.	15°47'11"	40.00'	288.52'	79.49'
22.	53°28'55"	52.30'	103.81'	96.90'
23.	42°14'07"	36.16'	93.64'	69.02'
24.	25°42'53"	40.00'	175.25'	78.65'
25.	34°02'54"	50.00'	163.30'	97.04'
26.	50°58'24"	60.00'	125.87'	111.98'
27.	32°18'44"	50.00'	172.59'	97.34'
28.	26°47'48"	100.00'	419.81'	196.34'
29.	38°23'46"	50.00'	143.60'	96.23'
30.	17°18'15"	50.00'	328.59'	99.24'
31.	34°13'14"	60.00'	194.91'	116.41'
32.	68°02'14"	100.00'	148.15'	175.93'
33.	20°25'40"	50.00'	277.50'	98.94'
34.	19°10'20"	50.00'	296.05'	99.07'
35.	21°38'52"	40.00'	209.21'	79.05'
36.	11°55'30"	40.00'	382.99'	79.71'
37.	20°02'58"	40.00'	226.26'	79.18'
38.	86°52'26"	60.00'	63.37'	96.08'
39.	41°50'46"	50.00'	130.78'	95.51'
40.	82°40'56"	60.00'	68.20'	98.41'
41.	97°19'12"	70.00'	61.58'	104.60'
42.	41°58'34"	50.00'	130.34'	95.49'
43.	25°57'32"	50.00'	216.93'	98.28'
44.	08°35'20"	40.00'	532.67'	79.85'
45.	22°06'43"	50.00'	255.89'	98.76'
46.	29°46'19"	58.21'	218.97'	113.78'
47.	25°29'30"	58.21'	257.32'	114.48'
48.	15°45'05"	50.00'	361.46'	99.37'
49.	39°55'22"	90.00'	247.79'	172.66'
50.	73°34'44"	70.00'	93.61'	120.21'
51.	42°48'04"	50.00'	127.58'	95.31'
52.	40°05'51"	50.00'	137.01'	95.88'

NOTES

1. 5/8" REBAR WITH SURV CAP HAVE BEEN SET AT ALL CORNERS.
2. A 7.5' EASEMENT FOR UTILITIES SHALL BE GRANTED ALONG EACH SIDE AND REAT LOT LINE. A 15' EASEMENT FOR UTILITIES SHALL BE GRANTED ALONG ALL PLAT EXTERIOR BOUNDARY LINES.
3. INDIVIDUAL LOT OWNERS SHALL BE RESPONSIBLE FOR OBTAINING A BUILDING PERMIT FROM THE COUNTY.
4. INDIVIDUAL LOT OWNERS SHALL BE RESPONSIBLE FOR OBTAINING THEIR OWN SEPTIC TANK SITE APPROVAL FROM THE COUNTY OR STATE HEALTH DEPARTMENT.
5. SUFFICIENT SOIL DEPTH TO PROVIDE 4' THICK ABSORPTION BEDS MAY NOT EXIST ON ALL LOTS, IN SUCH CASES THE SEWAGE TREATMENT SYSTEM SHALL BE DESIGNED BY A COLORADO REGISTERED ENGINEER.
6. ALL PROPERTY LINES INTERSECTION AT STREET CORNERS SHALL HAVE A 15' RADIUS, DIMENSIONS ARE TO THE POINT OF INTERSECTION.
7. ALL BUILDING PROHIBITED IN FLOOD PLAIN EASEMENTS.
8. ALL FLOOD PLAIN EASEMENTS ARE TO BE EQUALLY CENTERED ALONG THE CENTERLINE OF THE EXISTING STREAM CHANNEL.
9. ALL UTILITIES (ELEC., WATER, SEWER, GAS AND TELEPHONE) SHALL BE PROVIDED AT THE INDIVIDUAL LOT OWNERS EXPENSE.
10. INDIVIDUAL LOT OWNERS SHALL BE RESPONSIBLE FOR OBTAINING A DRIVEWAY PERMIT FROM THE COUNTY.
11. THIS SUBDIVISION IS LOCATED IN THE JEFFERSON-COMO FIRE DISTRICT.
12. ALL MINERAL RIGHTS WILL BE RETAINED BY INDIAN MOUNTAIN CORPORATION, IF ANY.
13. DEED RECORDED AT BOOK 251 PAGE 17.
14. THIS SUBDIVISION CONTAINS 56 LOTS.
15. THIS PROPERTY HAS R-1 COUNTY ZONING.
16. THIS PLAT CONTAINS 14,811.00' FEET OF DEDICATED ROAD.
17. COVENANTS RECORDED AT BOOK 218 PAGE 878 THRU 882.
18. OUTLOT A WILL BE DEEDED TO THE INDIAN MOUNTAIN PARKS AND RECREATION DISTRICT.
19. A MINIMUM DISTANCE OF 200' BETWEEN ALL WELLS AND LEACH FIELDS WILL BE REQUIRED.
20. LOTS ____ AND ____ ARE DEEDED TO PARK COUNTY.

DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE INDIAN MOUNTAIN COLORADO CORPORATION, BEING THE OWNERS OF THAT PORTION OF R.75 W., OF THE 6th P.M., COUNTY OF PARK, STATE OF COLORADO BEGINNING AT THE SE CORNER OF SAID SECTION 25, THENCE N THE SOUTH LINE OF SAID SECTION 25 FOR A DISTANCE OF 2362.5 N13°00'00"W LEAVING SAID SOUTH LINE SECTION 25 FOR A DISTA THENCE N80°56'11"W FOR A DISTANCE OF 347.32' TO A POINT ON RIGHT OF WAY OF LONG BOW DRIVE, THENCE N09°03'49"E ALONG S FOR A DISTANCE OF 82.59', THENCE N80°56'11"W CROSSING SAID DISTANCE OF 60.00', TO A POINT ON THE WESTERLY RIGHT OF WA DRIVE, THENCE NORTHERLY ALONG SAID WESTERLY R.O.W. FOR THE COURSES, TO THE RIGHT ALONG THE ARC OF A CURVE WHOSE DELTA WHOSE RADIUS IS 169.02' FOR A DISTANCE OF 116.71', THENCE DISTANCE OF 65.06', THENCE TO THE LEFT ALONG THE ARC OF A IS 45°30'14" AND WHOSE RADIUS IS 113.07' FOR A DISTANCE OF N03°07'23"E FOR A DISTANCE OF 127.94', THENCE N21°58'42"E 71.04', THENCE TO THE LEFT ALONG THE ARC OF A CURVE WHOSE AND WHOSE RADIUS IS 381.62' FOR A DISTANCE OF 73.44', THEN A DISTANCE OF 58.82', THENCE TO THE LEFT ALONG THE ARC OF IS 13°29'40" AND WHOSE RADIUS IS 308.10' FOR A DISTANCE OF N03°28'56"E FOR A DISTANCE OF 191.94', THENCE TO THE RIGHT A CURVE WHOSE DELTA IS 11°18'39" AND WHOSE RADIUS IS 433.9 OF 85.66', THENCE N07°49'43"E FOR A DISTANCE OF 97.75', THE ALONG THE ARC OF A CURVE WHOSE DELTA IS 27°25'13" AND WHOSE FOR A DISTANCE OF 86.45', THENCE TO THE RIGHT ALONG THE ARC DELTA IS 21°40'33" AND WHOSE RADIUS IS 295.77' FOR A DISTA THENCE N02°05'03"E FOR A DISTANCE OF 163.93', THENCE S85°2 SAID R.O.W. FOR A DISTANCE OF 341.85', THENCE N04°30'00"E 533.99', THENCE N48°15'00"E FOR A DISTANCE OF 628.66', THE FOR A DISTANCE OF 825.02', THENCE NORTH FOR A DISTANCE OF N65°06'26"E FOR A DISTANCE OF 729.63' TO A POINT ON THE WE LONG BOW DRIVE, THENCE S85°32'56"E CROSSING SAID R.O.W. FO 60.00', TO A POINT ON THE EASTERLY R.O.W. OF SAID LONG BOW SOUTHERLY ALONG SAID EASTERLY R.O.W. FOR 4 COURSES, S44°27'04 ALONG THE ARC OF A CURVE WHOSE DELTA IS 34°13'14" AND WHOSE FOR A DISTANCE OF 98.49', THENCE S10°13'50"W FOR A DISTANCE THENCE TO THE RIGHT ALONG THE ARC OF A CURVE WHOSE DELTA I WHOSE RADIUS IS 358.59' FOR A DISTANCE OF 108.30', THENCE SAID R.O.W. FOR A DISTANCE OF 456.34', THENCE N81°06'57"E 1294.00', TO A POINT ON THE EAST LINE OF SAID SECTION 25, ALONG SAID EAST LINE FOR A DISTANCE OF 4182.31' TO THE SE SECTION 25, THE POINT OF BEGINNING. CONTAINING 244.57 ACRE ALL BEARINGS ARE REFERENCED TO INDIAN MOUNTAIN, FILING NO. SAID OWNERS HAVE BY THESE PRESENTS LAID OUT, PLATTED AND SU INTO LOTS AND BLOCKS, AS SHOWN ON THE PLAT, UNDER THE NAME INDIAN MOUNTAIN, FILING NO. 25, UNIT 2 AND DOES HEREBY CON TO THE COUNTY OF PARK, STATE OF COLORADO FOR THE USE OF THI AVENUES, STREETS, DRIVES, COURTS, AND PLACES HEREON SHOWN, AS SHOWN HEREON ARE RESERVED AND/OR DEDICATED FOR THE PURP

EXECUTED THIS 23rd DAY OF APRIL

INDIAN MOUNTAIN CORPO
A COLORADO CORPORATI
BY JAMES P. CAMPBELL

NOTORIAL

STATE OF COLORADO
COUNTY OF PARK

THE FOREGOING STATEMENT AND DEDICATION WAS ACKNOWLEDGED BE THIS 28 DAY OF April A.D. 1981.

MY COMMISSION EXPIRES 4-1-84
WITNESS MY HAND AND SEAL
NOTARY PUBLIC

TITLE CERTIFICATE

FIRST AMERICAN TITLE INSURANCE COMPANY HEREBY CERTIFIES THAT TITLE TO THE ABOVE DESCRIBED PROPERTY IS VESTED IN THE DEDICATORS.

4-22-1981 — HARRY L. PAULSEN
DATE

APPROVED BY THE PARK COUNTY BOARD OF COMMISSIO

APPROVED BY THE PARK COUNTY BOARD OF COMMISSIONERS, THIS DAY OF May A.D. 1981, SUBJECT TO THE PROVI THE COUNTY SHALL NOT UNDERTAKE THE MAINTENANCE OF SAID ROAD SATISFACTORY CONSTRUCTION THEREOF BY THE SUBDIVIDER. SAID WILL BE ACCEPTED BY RESOLUTION AT A REGULAR COUNTY COMMISS MEETING AFTER COMPLETION AND INSPECTION.

BY: Jay C. Cos
CLERK

APPROVAL OF PLANNING COMMISSION

APPROVED BY THE PARK COUNTY PLANNING COMMISSION, THIS DAY OF April A.D. 1981.

BY: John C. S

RECORDER'S CERTIFICATE

THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE COUN CLERK AND RECORDER OF PARK COUNTY, AT 8:30 ON THE 5 DAY OF May A.D. 1981, AND DULY FILED AT RECEPTI NO. 258564.

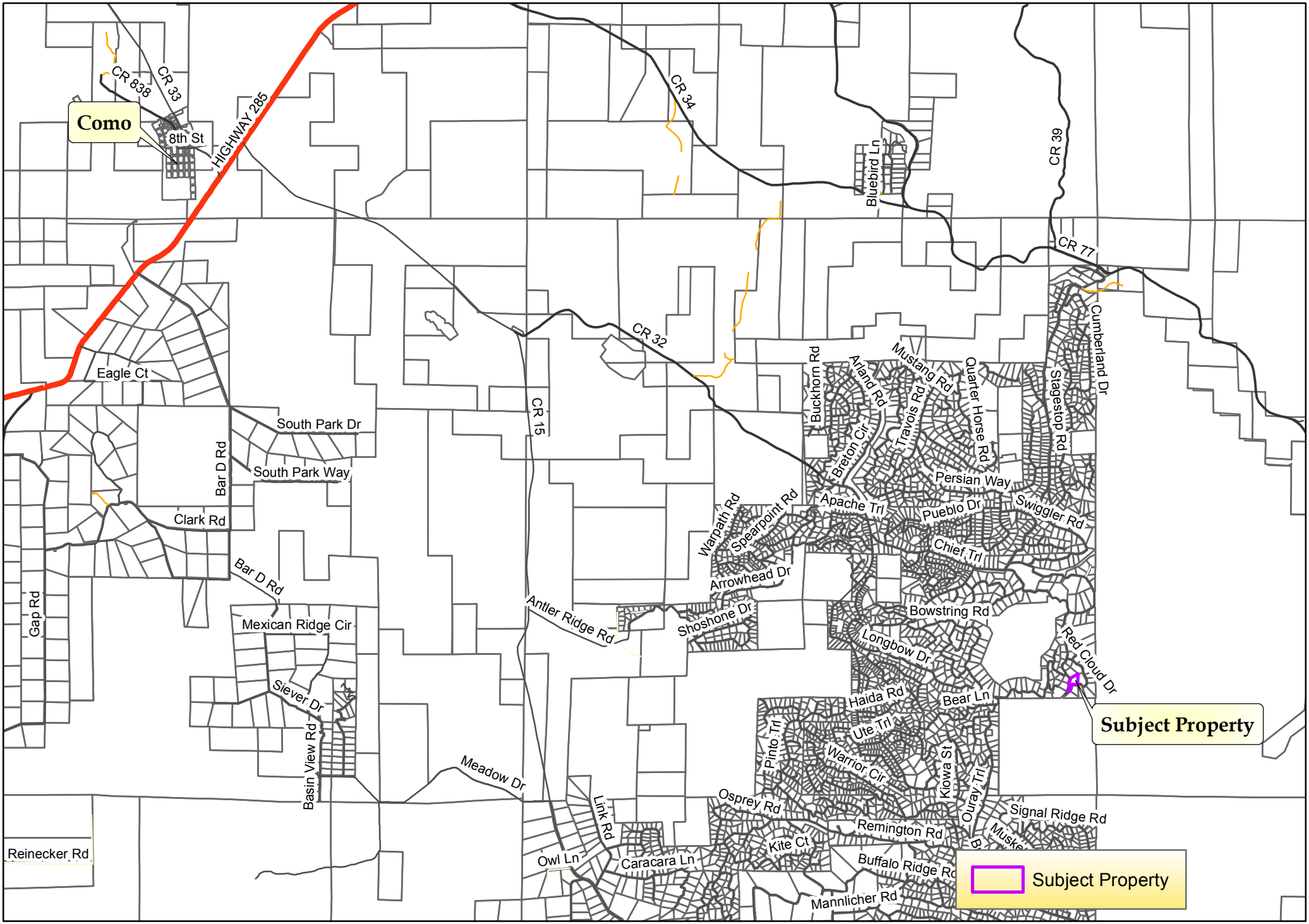
COUNTY CLERK AND RECORD

OWNERS CERTIFICATE

I, INDIAN MOUNTAIN CORP. OWNER OF THE ABOVE PLATTED LAND, DO HEREBY STATE THAT TITLE TO SAID LAND IS HELD IN THE NAME OF INDIAN MOUNTAIN CORP. AS SHOWN ON THE COMMITMENT TO INSURE SAID LAND, AND THAT THE LIENS AND ENCUMBRANCES SHOWN ON THE COMMITMENT TO INSURE FROM, FIRST AMERICAN TITLE INSURANCE CO. ARE THE ONLY LIENS AFFECTING SAID PROPERTY AT THE TIME OF THE FILING OF SAID PLAT.

4-28-81 — OWNER James P. Campbell. Pres.
DATE

THIS SHEET CONTAINS 56 LOTS

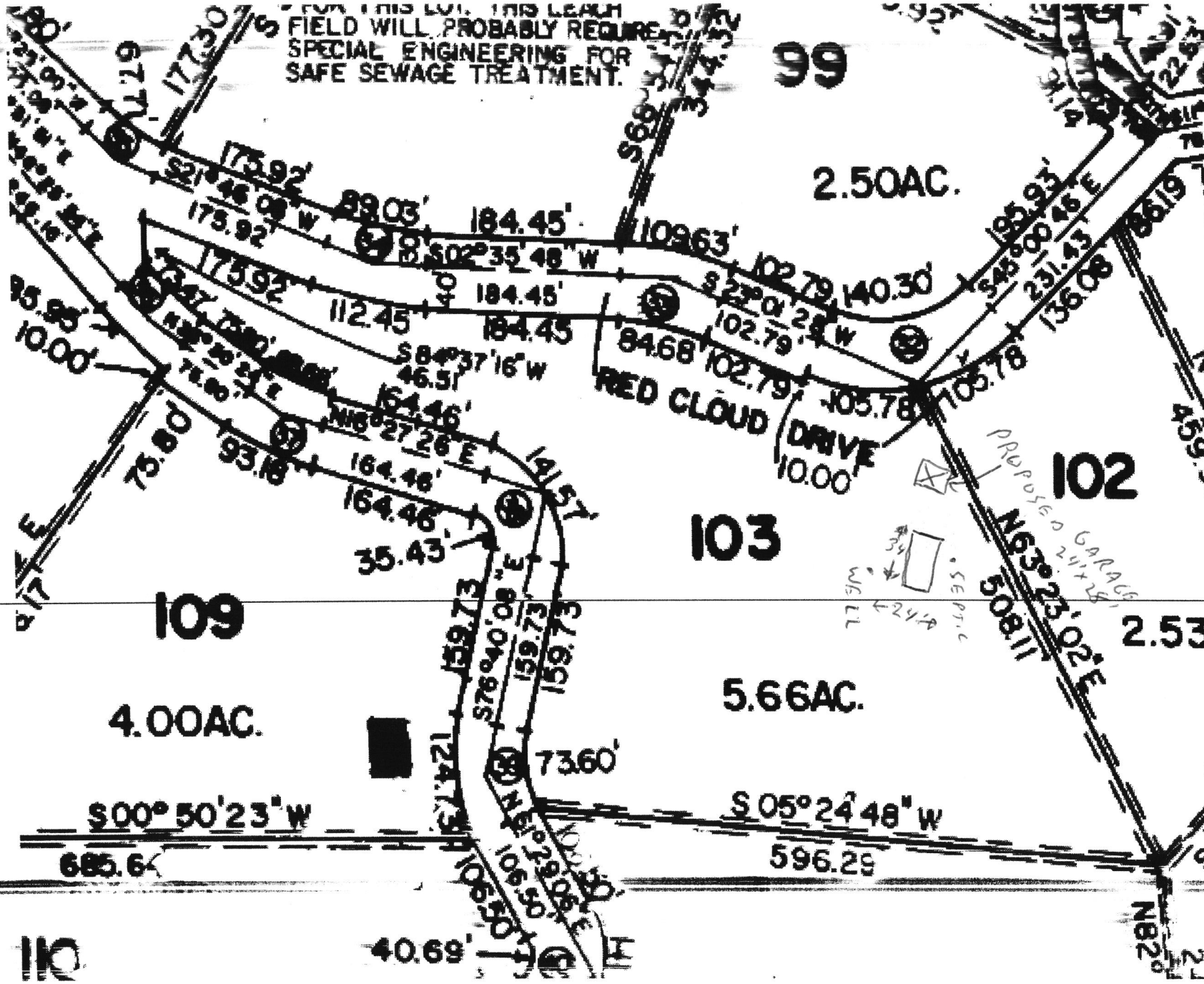


Date: 9/26/2016

VICINITY MAP

0 0.5 1 2 Miles

Parcel data should not be considered survey quality. Park County will not be held liable for misuse or misinterpretation of this data. © Park County GIS 2014


FOR THIS LOT, THIS LEACH FIELD WILL PROBABLY REQUIRE SPECIAL ENGINEERING FOR SAFE SEWAGE TREATMENT.
99
2.50AC.
102
103
109
4.00AC.
5.66AC.
2.53
110
RED CLOUD DRIVE
PROPOSED GARAGE
S00°50'23"W
685.64
S05°24'48"W
596.29
S76°40'08"E
S84°37'16"W
S21°46'08"W
S02°35'48"W
S23°01'28"W
S45°00'46"E
N63°23'02"E
N16°27'26"E
N82°
508.11
73.60'
40.69'
35.43'
93.18'
75.80'
10.00'
184.45'
109.63'
102.79
140.30'
105.78
84.68
112.45
89.03'
175.92'
164.46'
141.57'
159.73
106.50'
124.73'
231.43'
136.08'
195.93'
177.30'
67.71'
459.9'

Date: 9/26/2016

Aerial Map

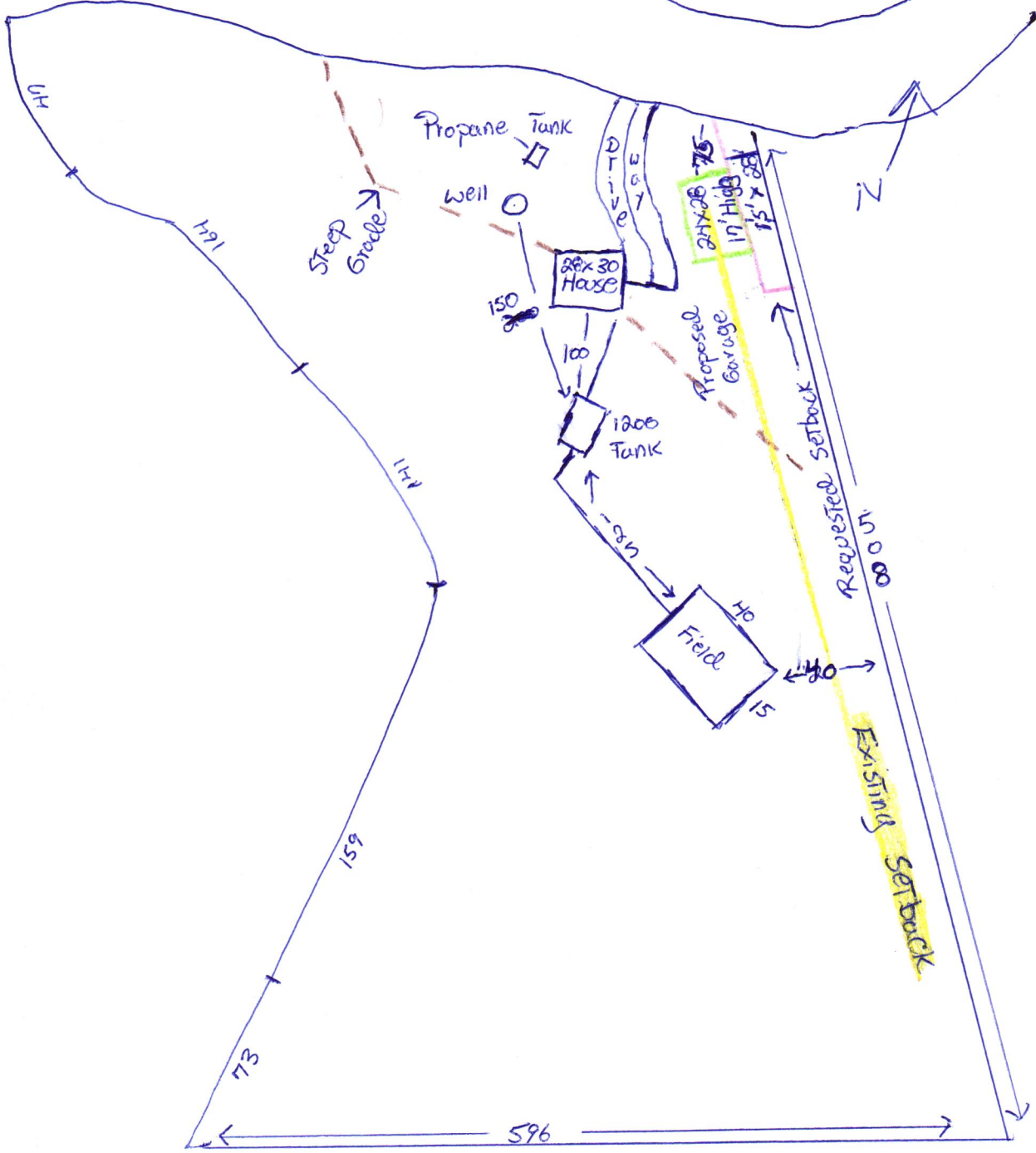
1 in = 150 feet

Parcel data should not be considered survey quality. Park County will not be held liable for misuse or misinterpretation of this data. © Park County GIS 2014

Site Plan 144 Red Cloud LOT 103

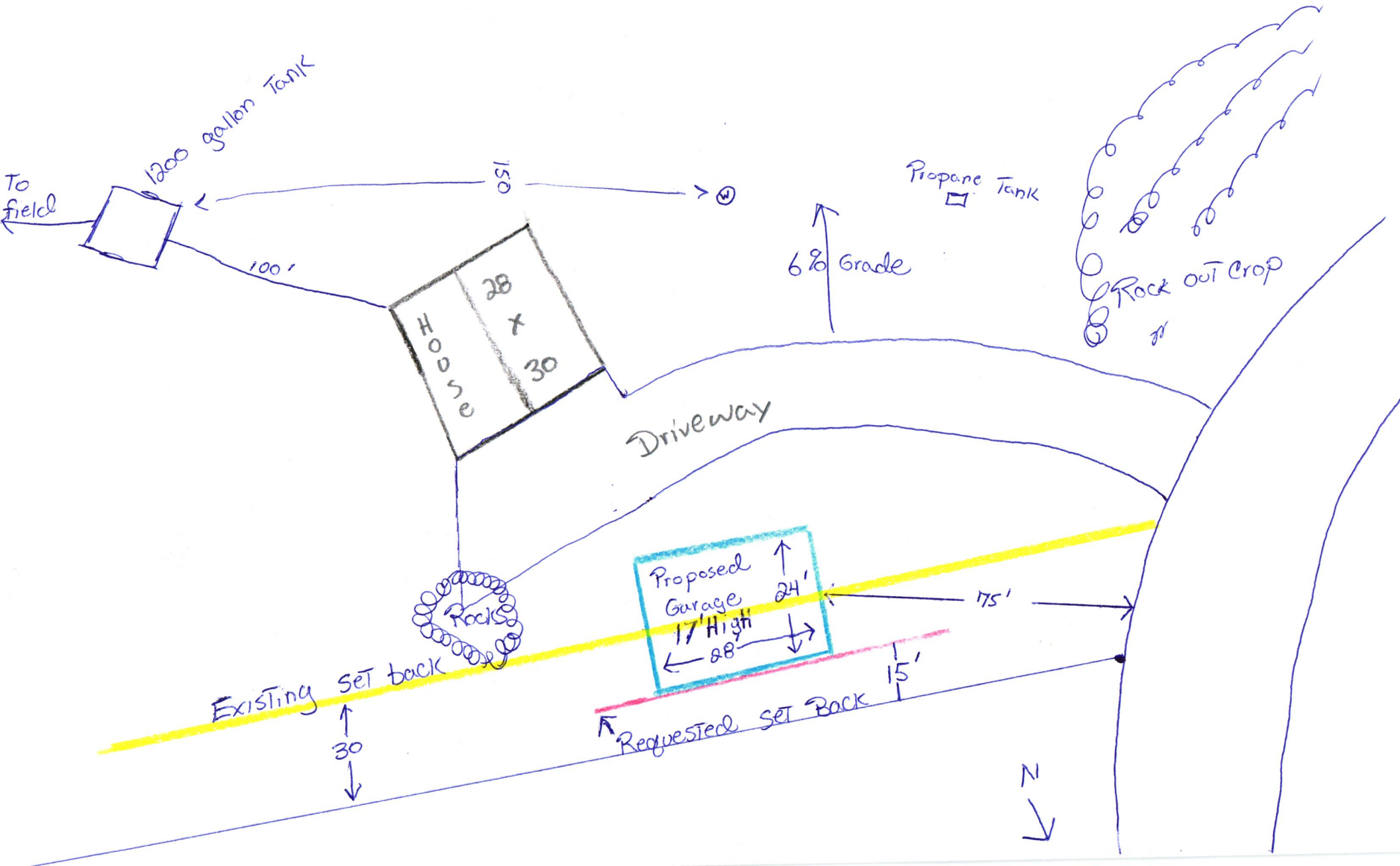
#1

Requesting Set Back variance AT 15'x28'



Enlarged Example: 144 Red Cloud Lot 103 #2

Site plan: Requesting set back variance



power pole
144 Red Cloud Drive
proposed garage

PARK COUNTY BOARD OF ADJUSTMENTS
PLANNING DEPARTMENT STAFF REPORT

Board of Adjustments Hearing Date: November 8, 2016

To: Board of Adjustments Members

Date: October 26, 2016

Prepared by: Sheila Cross, Director of Development Services
Jill Falchi, Planning Technician

Case Number: 16SET-07

Subject: Lowitzer Variance

Request: The applicant is requesting a 15-foot variance from the north side property line setback requirement to accommodate a proposed garage.

Application Summary:

Applicant/Owner:	Arthur & Rose Lowitzer
Location:	Indian Mountain, Filing 25, Unit 2, Lot 103 addressed as 144 Red Cloud Drive
Current Zone District:	Residential (R)
Surrounding Zoning:	Residential (R) and Conservation Recreation (C/R). See Attachment 1.
Lot Size:	5.66 Acres
Existing Use:	Single Family Residential

Background:

The subject property is located in the western-most portion of the Indian Mountain Subdivision, approximately 1,000 feet from public land. See Attachment 2, Vicinity Map. The applicant is requesting a 15-foot variance from the north side property line setback requirement to accommodate a proposed garage. See applicant's site plan, Attachment 3. Because of the lot's considerable slope, location of propane tank and well head, and desire to protect scenic vistas, the applicant is requesting this variance. See Aerial and Topo Maps, Attachments 4 and 5, respectively. The neighbors to the north have consented to this variance request.

Staff received referral responses from the Assessor and Public Works who had no conflicts and no comments. IREA responded suggesting a condition that the applicant provides a minimum 15' clearance to the proposed garage location and the existing overhead electrical facilities. The applicant's representative and contractor noted that the proposed location of the garage will provide, at a minimum, 20' of clearance.

Land Use Regulations and Strategic Master Plan:

Each of the standards for approval of a variance (Land Use Regulation (LUR) Article III, Division 1, Section 3-100, page 2) is addressed below.

1. **A strict application of the Resolution causes peculiar and exceptional practical difficulties or exceptional and undue hardship by reason of exceptional narrowness, shallowness, or shape of a specific piece of land or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the land:**

   The parcel in question has limited building sites because of the slope of the lot. The only other location for the proposed garage, on the south side of the house, was discounted because of the location of a propane tank and well head. Building a garage in that location would block access to both. In addition, the southern location would require considerable expense to bring power to.

2. **The applicant provided reasonable and adequate evidence that the variance request is not a self-imposed hardship that can be rectified by means other than relief through a variance:**

   The hardship was caused by the previous owners who located the well and propane tank in the only other building site on the lot.

3. **There exists no substantial detriment to any neighbor or to the public by the granting of the variance:**

   Staff discerns no substantial detriment to any neighbor or the public that would be caused by granting the variance. According to the applicant, the property owners to the north support this variance.

4. **The intent and purpose of the regulation being varied is not substantially impaired or defeated by the granting of the variance.**

   Setback regulations exist to provide privacy, light access, and air movement between dwellings. Given that the house immediately to the north is approximately 300 feet away from the proposed building site, the purpose of the regulation would not be substantially impaired by granting the request.

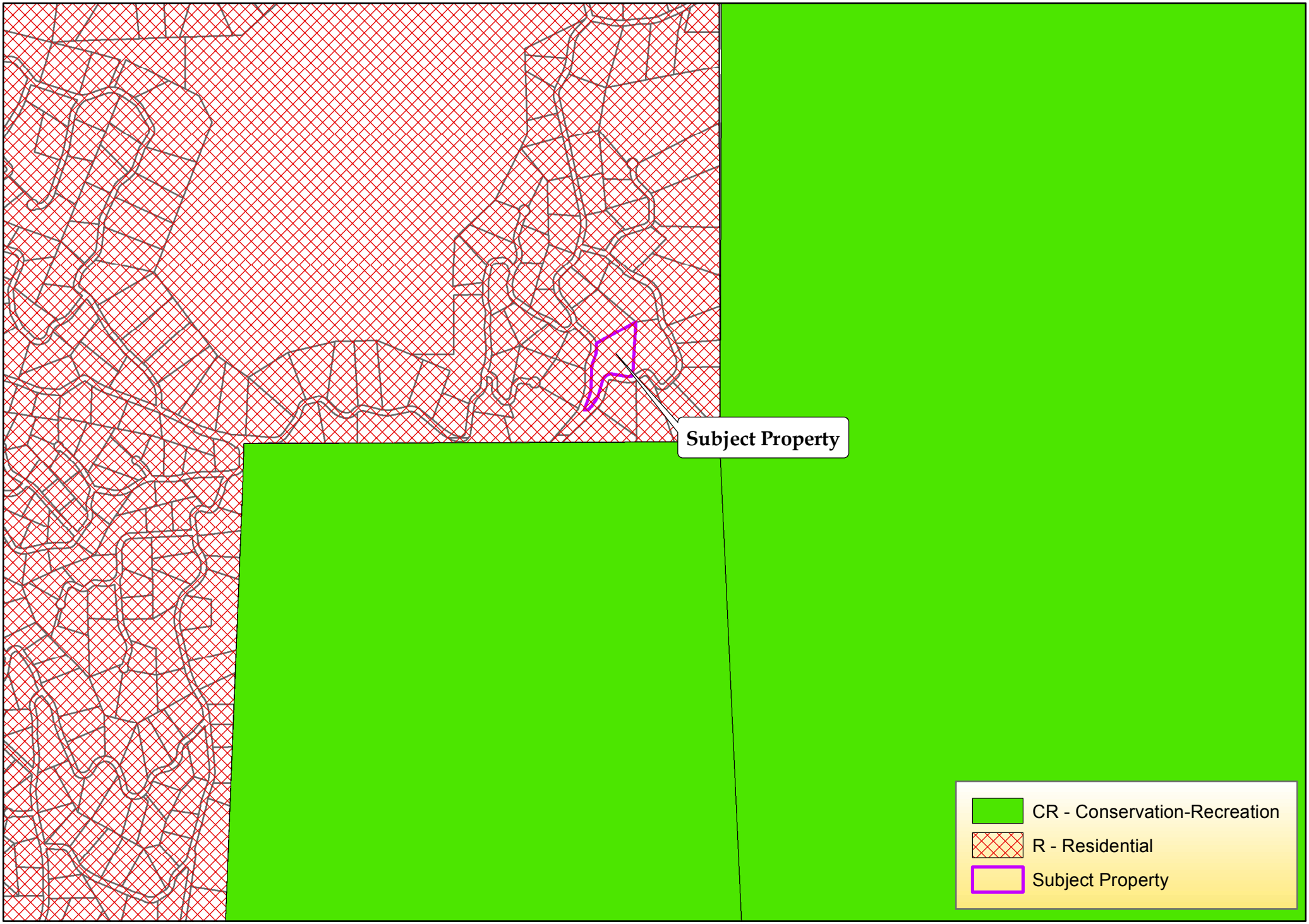
Staff does not find this variance request to be contrary to any of the Guiding Principles of the Strategic Master Plan.

Impact Analysis:
No physical or aesthetic impacts are anticipated.

Public Comment:
No public comments on this variance request had been received at the time this report was prepared.

Recommendation:
Staff recommends approval of the application with the following condition:

1. The applicant provides a minimum 15’ clearance to the proposed garage location and the existing overhead electrical facilities.

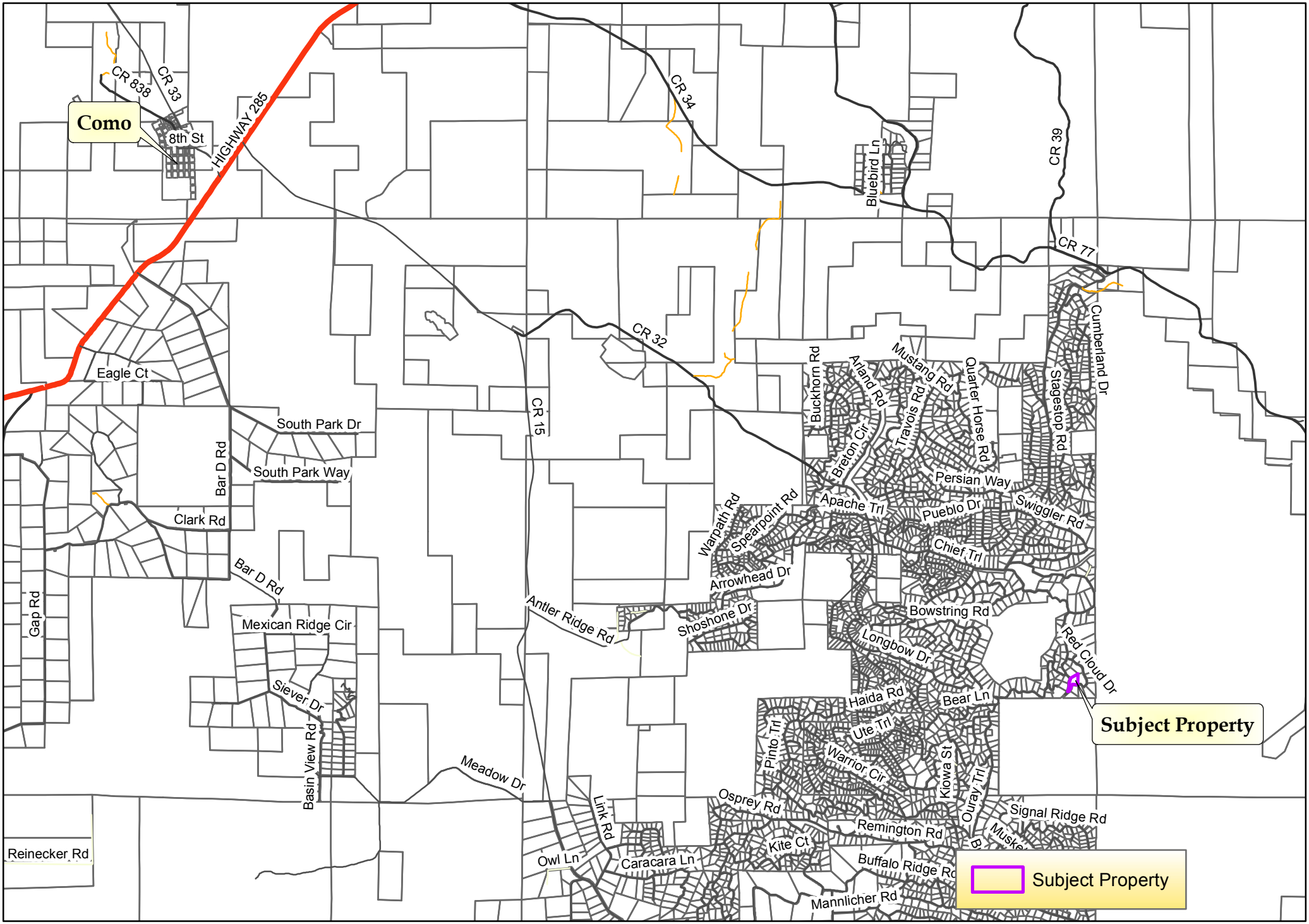


Date: 9/26/2016

Attachment 1: Zoning Map

0 0.125 0.25 0.5 Miles

Parcel data should not be considered survey quality. Park County will not be held liable for misuse or misinterpretation of this data. © Park County GIS 2014

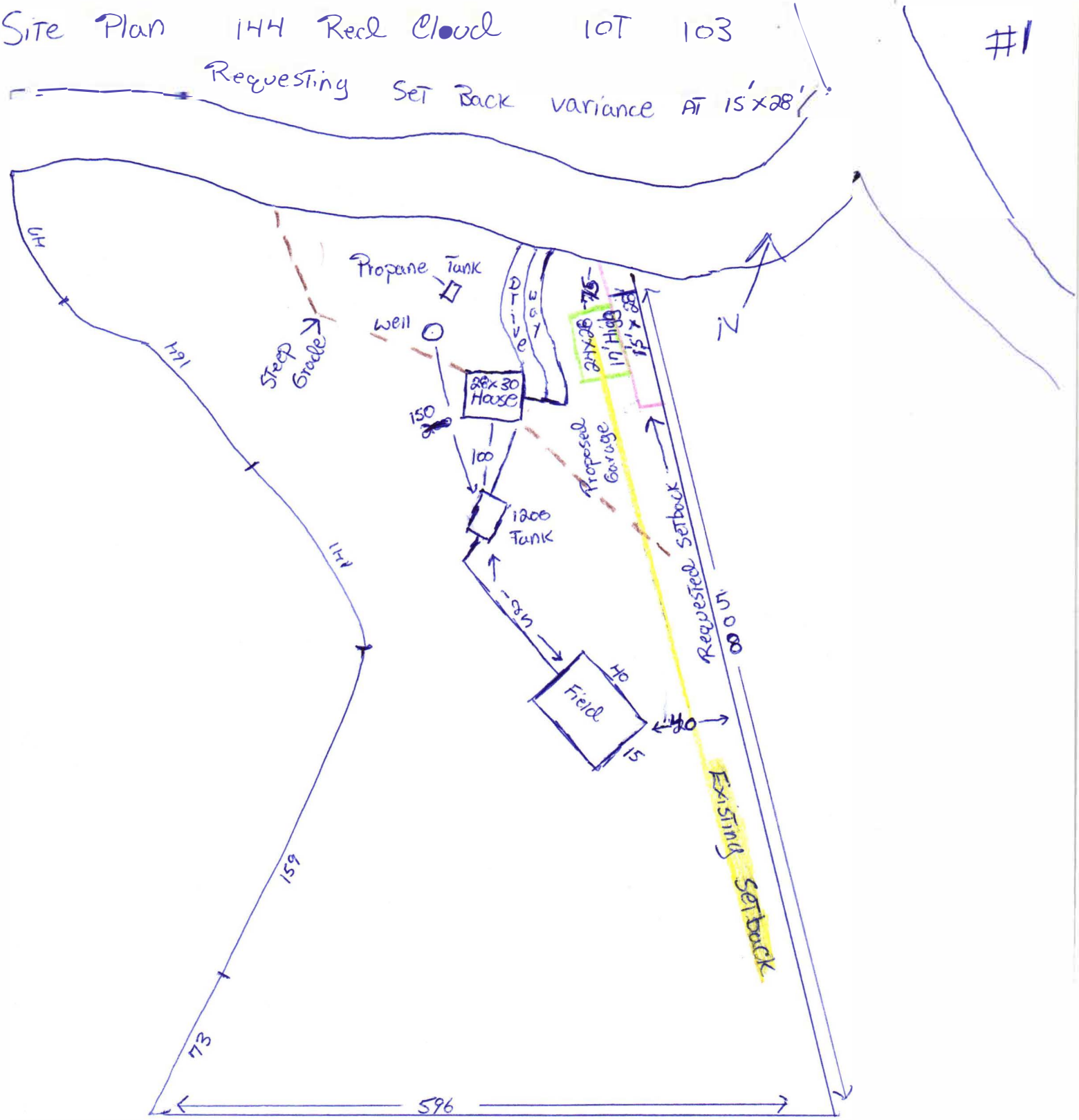


Date: 9/26/2016

0 0.5 1 2 Miles

Parcel data should not be considered survey quality. Park County will not be held liable for misuse or misinterpretation of this data. © Park County GIS 2014

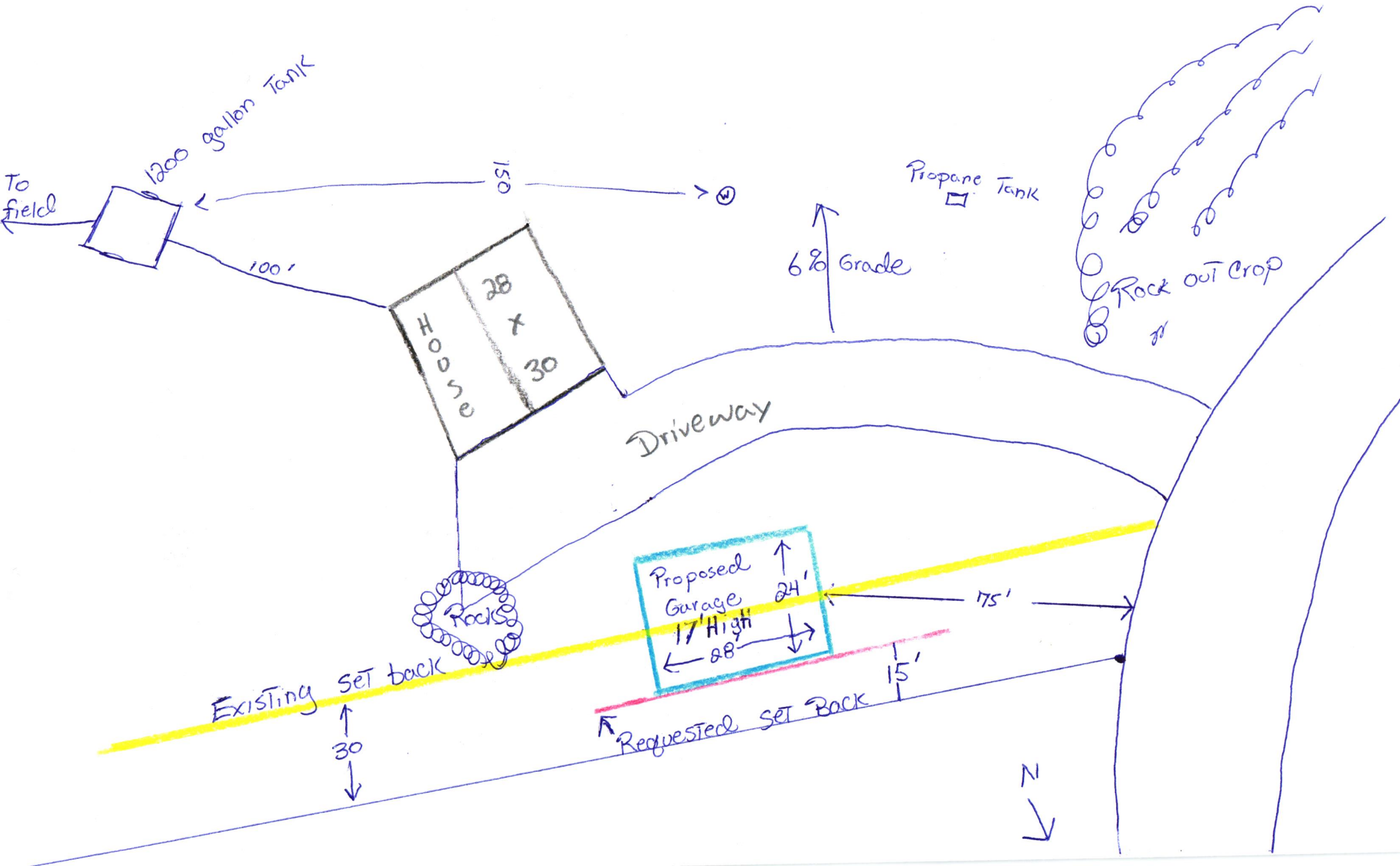
Attachment 2: Vicinity Map



Attachment 3: Site Plan

Enlarged Example: 144 Red Cloud Lot 103 #2

Site plan: Requesting set back variance

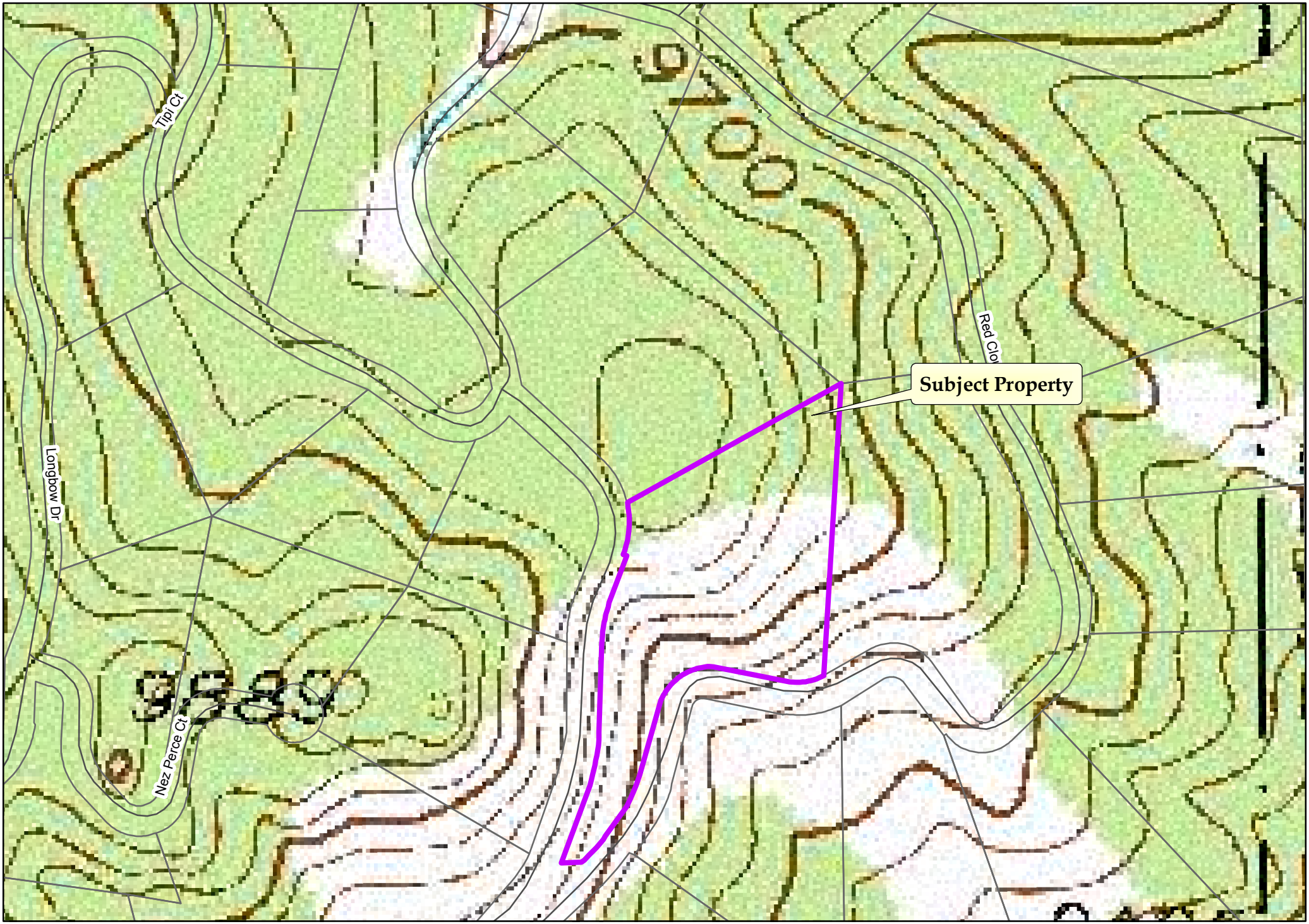


Date: 9/26/2016

Attachment 4: Aerial Map

1 in = 150 feet

Parcel data should not be considered survey quality. Park County will not be held liable for misuse or misinterpretation of this data. © Park County GIS 2014



Date: 9/26/2016

Attachment 5: Topo Map

1 in = 250 feet

Parcel data should not be considered survey quality. Park County will not be held liable for misuse or misinterpretation of this data. © Park County GIS 2014

RECEIVED 09/26/2016 01:04PM 7198364268 BUILDING

Assessor

Park County Planning Department

P.O. Box 1598
Fairplay, Colorado 80440

Phone: (719) 836-4258 • *Fax*: 719-836-4351 • *E-mail address*: jgannon@parkco.us

Referral Response

Comment Deadline Date: October 6, 2016 Submitted Date: September 26, 2016

Case #: 16SET-07 Case Name: Lowitzer Variance

Request: Applicant is requesting a 15 ft. variance from the normally required 30 ft. setback from a proposed garage to a side lot line.

Location/Legal Description: Property is Indian Mountain Lot 103 Filing 25 Unit 2 addressed as 144 Red Cloud Drive, Como.

Date of BOA Hearing: October 11, 2016

____ We have reviewed this referral and find that it **does** comply with our Strategic Master Plan.

____ We have reviewed this referral and find that it **does not** comply with our Strategic Master Plan for the following reasons:

✓ We have reviewed this referral and find no conflicts with our interests.

____ A formal recommendation is under consideration and will be submitted to you prior to _____.

____ Please refer to the enclosed letter.

____ We offer the following comments regarding this referral:

Signed: Arlene Samuels Date: 9/26/16

Title: Admin. Supervisor

Public Works

Park County Planning Department

P.O. Box 1598
Fairplay, Colorado 80440

Phone: (719) 836-4258 • *Fax*: 719-836-4351 • *E-mail address*: jgannon@parkco.us

Referral Response

Comment Deadline Date: October 6, 2016 Submitted Date: September 26, 2016

Case #: 16SET-07 Case Name: Lowitzer Variance

Request: Applicant is requesting a 15 ft. variance from the normally required 30 ft. setback from a proposed garage to a side lot line.

Location/Legal Description: Property is Indian Mountain Lot 103 Filing 25 Unit 2 addressed as 144 Red Cloud Drive, Como.

Date of BOA Hearing: October 11, 2016

_____ We have reviewed this referral and find that it **does** comply with our Strategic Master Plan.

_____ We have reviewed this referral and find that it **does not** comply with our Strategic Master Plan for the following reasons:

_____

_____

X We have reviewed this referral and find no conflicts with our interests.

_____ A formal recommendation is under consideration and will be submitted to you prior to _____.

_____ Please refer to the enclosed letter.

_____ We offer the following comments regarding this referral:

_____

_____

_____

_____

Signed: _____ Date: 9-27-16

Title: ROW Manager Park County Public Works

Brooks Kaufman
Lands and Rights of Way Director

October 3, 2016

Jennifer Gannon
Park County
Planning Department
P.O. Box 1598
Fairplay, Colorado 80440

Re: LOWITZER VARIANCE
Case No.: 16SET-07

Dear Ms Gannon:

The Association has reviewed the contents in the above-referenced referral response packet. We reviewed the project for maintaining our existing facilities, utility easements, electric loading, and service requirements. We are advising you of the following concerns and comments:

The Association has existing overhead electric facilities on the subject property. The Association will maintain these existing utility easements and facilities unless otherwise requested by the applicant to modify them under the Association's current extension policies. The applicant didn't provide the location of the existing overhead electric facilities, therefore the Associations will require as condition for approval, provide a minimum fifteen (15') foot clearance to the proposed garage location and the existing overhead electrical facilities.

Sincerely,

Brooks Kaufman
Lands and Rights-of-Way Director

INTERMOUNTAIN RURAL ELECTRIC ASSOCIATION
5496 N. U.S. Highway 85, P.O. Drawer A / Sedalia, Colorado 80135
Telephone (720)733-5493
bkaufman@irea.coop

PARK COUNTY PLANNING COMMISSION
PLANNING DEPARTMENT STAFF REPORT

Planning Commission Hearing Date: December 13, 2016

To: Planning Commissioners

Date: December 1, 2016

Prepared by: John Deagan, AICP; Planner

Case Number: 16AMN-04

Subject: Guerrero Common Plat Amendment (Lot Consolidation to be Reviewed Administratively)

Request: The removal of 33 lots from Wandcrest Park, 3rd Filing, so they can be combined with an adjacent metes-and-bounds parcel.

Application Summary:

Applicant:	Rocky Guerrero
Owner:	Same
Location:	Part of the North ½ of Section 24, Township 7 Range 72 addressed as15674 South Pitkin Lane, Pine. See Attachment 1 for a vicinity map.
Current Zone District:	Residential
Surrounding Zoning:	Residential in all directions
Lot Size:	0.35 and 9.6 acres
Existing Use:	Single Family Residential
Proposed Use:	Same, with Detached Garage
Public Comment	None received at this time

Background:

Rocky Guerrero owns 33 small lots in Wandcrest Park, 3rd Filing and an adjacent 5-acre metes-and-bounds parcel south of them. He wants to build a garage on the latter parcel. This requires a lot consolidation and plat amendment to remove the first-mentioned land from the Wandcrest Park subdivision. A depiction of the existing and proposed lot configuration can be seen as Attachment 2. Staff has determined that the application meets the requirements for approval of a lot consolidation, and the plat amendment requires Planning Commission and Board of County Commissioners review.

Land Use Regulations and Strategic Master Plan: Each of the standards for approval of a Common Plat Amendment (LUR Section 6-504, page 38) is addressed below.

Land Use Regulations and Strategic Master Plan: Each of the standards for approval of a Common Plat Amendment (LUR Section 6-504, page 38) is addressed below.

A. **The Common Plat Amendment amends a County-approved and recorded Minor Plat, Final Plat, or Exemption Plat.**
   This requirement is not applicable to the situation. The plat for Wandcrest Park 3rd Filing was recorded in 1927 and Park County did not adopt subdivision regulations until 1960.

B. **The Common Plat Amendment, as approved, either conforms to all applicable zoning or other standards or does not increase any nonconformity of an already legally nonconforming lot.**
   The amendment will eliminate 33 nonconforming lots by combining them with the larger metes-and-bounds parcel.

C. **The Common Plat Amendment, as approved, meets or satisfies all applicable requirements of these Land Use Regulations.**
   The amendment meets all applicable requirements of the Park County Land Use Regulations.

D. **The Common Plat Amendment, as approved, substantially conforms to the goals and policies of the Strategic Master Plan to the extent that such advisory provisions do not conflict with provisions or requirements of the Land Use Regulations and to the extent that such goals and policies set forth requirements which are sufficiently specific to permit the Planning Commission or the Board of County Commissioners to decide that such application or subdivision meets or fails to meet such goal or policy.**
   This plat amendment does not conflict with any goals or guiding principles of the Strategic Master Plan.

E. **The proposed amendment would not cause significant hardship or inconvenience for adjacent or neighboring landowners.**
   This amendment would not cause any hardship or inconvenience to any neighbors.

F. **The proposed amendment does not create or result in an illogical or inefficient lot layout or subdivision.**
   The proposed amendment will eliminate 33 inefficient lots.

Impact Analysis:

No significant impact is anticipated to schools, parks, storm drainage or utilities.

Recommendation:

Based on the foregoing, staff recommends that the Common Plat Amendment be approved with no conditions.

Vicinity Map

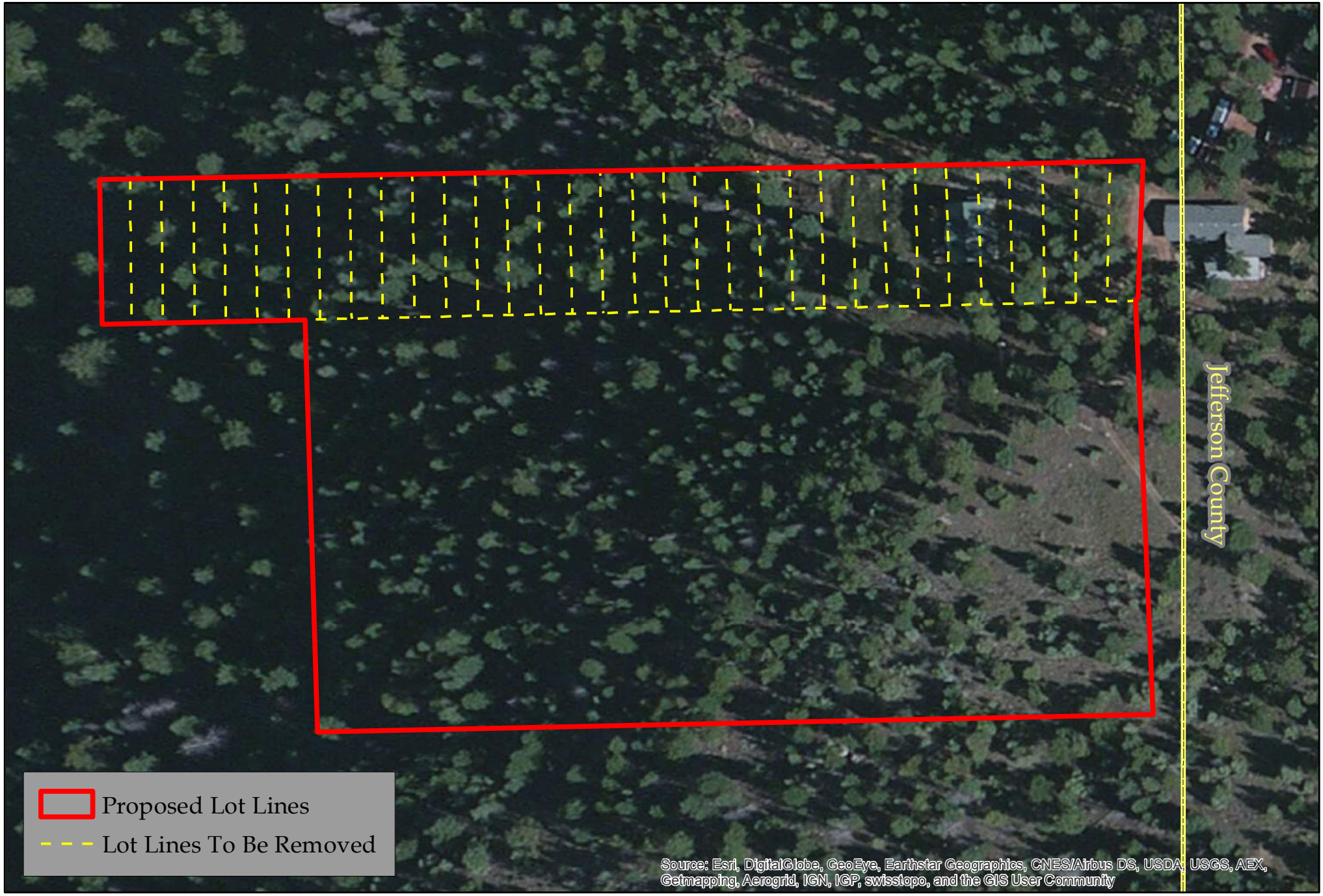
Attachment 1

0 0.25 0.5 1 Miles

N

Park County Planning Department

This map is not a survey.



N

Attachment 2

Aerially Photographed in 2013

0 100 200 400 Feet

Park County Planning Department

This map is not a survey.

RECEIVED 11/28/2016 02:35PM 7198364268 BUILDING

Assessor

Park County Planning Department

P.O. Box 1598
Fairplay, Colorado 80440

Phone: (719) 836-4254 • *Fax*: 719-836-4268 • *E-mail address*: jdeagan@parkco.us

Referral Response

Comment Deadline Date: December 12th, 2016 **Submitted Date:** October 31st, 2016

Case #: 16AMN-01 Case Name: Guerrero Plat Amendment

Request: Applicant is requesting to remove 33 platted lots (totaling roughly 1.8 acres) from the Wandcrest Park subdivision and to consolidate them with the metes-and-bounds parcel.

Location/Legal Description: Lots 1-29, tract 171, lots 1-4, tract 159, Wandcrest Park 3rd Filing, and an adjacent 5 acre metes-and-bounds parcel, addressed as 15674 South Pitkin Lane, Pine.

Date of Planning Commission Hearing: Tuesday, December 13th, 2016

Date of BOCC Hearing: To be determined.

_____ We have reviewed this referral and find that it **does** comply with our Strategic Master Plan.

_____ We have reviewed this referral and find that it **does not** comply with our Strategic Master Plan for the following reasons:

_____

_____

✓ We have reviewed this referral and find no conflicts with our interests.

_____ A formal recommendation is under consideration and will be submitted to you prior to _____.

_____ Please refer to the enclosed letter.

_____ We offer the following comments regarding this referral:

_____

_____

_____

_____

Signed: Arlene Samuels Date: 11/28/16

Title: Admin. Supervisor

PARK COUNTY APPLICATION FOR
COMMON PLAT AMENDMENT
NON-REFUNDABLE APPLICATION FEE: $1060

All applicants must submit one complete application and attend a pre-application conference with the Park County Planning Department Staff seven (7) to ten (10) working days prior to the application submittal deadline. Following the acceptance of the complete application the applicant must submit **twenty (20) collated paper copies or CD media as requested** to the Park County Planning Department on or before the application submittal date.

If you have questions regarding this form please contact the Planning Department by phone at (719) 836-4254 or e-mail pcpd@parkco.us, fax (719) 836-4351, or write to us at P.O. Box 1598 Fairplay, CO 80440.

A. APPLICANT AND OWNERSHIP INFORMATION

Applicant's Name: ROCKY GUERRERO

Mailing Address: 15674 SOUTH PITKIN LANE

City: PINE State: CO Zip: 80470

Telephone (work)_____ (home)_____ (fax)_____

Owner's Name: SAME

Mailing Address:_____

Telephone No. and Email Address: 818 441 4264

B. PROPERTY INFORMATION

Complete Legal Description of Property Proposed for the Common Plat Amendment (attach additional page, if necessary):
SEE DEEDS

Street Address of Property: 15674 SOUTH PITKIN LANE, PINE
Property's Total Acreage: 7.16 ACRES
Current Zone District of Property: RESIDENTIAL

For County Use Only
Planning Department Confirmation of Current Zone District:
District: RESIDENTIAL
JOHN DEAGAN
Print Full Name

Requirements for a Common Plat Amendment
Article VI, Division 5, Section 6-503

For County Use Only: Initial Receipt of the Required Information

C. APPLICATION REQUIREMENTS

1. Application Fee. An application fee in the amount of $1060 must be paid at the time of submission of the application. Make the check or money order payable to: Park County Planning Department. The fee pays for the typical cost to the County to process the application. Any additional costs that may occur are the applicant's responsibility. (1.) JCD

2. Tax receipt-showing payment of current taxes. This can be obtained at the Park County Treasurer's office. (2.) JCD

3. Proof of ownership in the form of a recorded Warranty Deed. This can be obtained at the Park County Clerk and Recorders office. (3.) JCD

4. A legal description of the property proposed for the plat amendment prepared by a licensed Colorado land surveyor. (4.) JCD

5. A list of names and mailing addresses of all owners of adjacent property to the property subject to the proposed plat amendment, this information is at the Park County Assessor's Office. (5.) JCD

6. *For a Common Plat Amendment that relocates or reconfigures one or more lot lines within the subdivision*, a Plat illustrating the amendment. The Plat shall be drafted at a commonly used engineering scale by the use of permanent ink on a stable reproducible drafting medium with outer dimensions of twenty-four inches by thirty-six inch (24" x 36"). Where the required data cannot be clearly shown on one plan sheet, additional plan sheets of the same size may be used with easily identifiable match lines. The Plat shall contain: (6.)
   a. A title that prominently identifies the name of the recorded subdivision, together with the phrase "Plat Amendment." If the property described in the recorded plat is zoned as a Planned Unit Development (PUD), the title shall include the phrase "Planned Unit Development"; (6a.) JCD
   b. Date of preparation, map scale, and north arrow; (6b.) JCD
   c. Name, address and telephone number of the Applicant, land owner(s), planner, engineer, and surveyor; (6c.) JCD
   d. A general vicinity map illustrating the location of the property subject to the proposed amendment; (6d.) JCD
   e. Total acreage and surveyed description of the lots and area subject to the proposed amendment; (6e.) JCD
   f. A clear illustration or description of the amendment proposed, using shading, crosshatching, highlighting, or other techniques to accurately illustrate the proposed amendment; (6f.) JCD

For County Use Only: Initial Receipt of the Required Information

g. Approval certification and plat language Forms A-1, A-2, A-3, A-4, and A-5, and A-6 if applicable as identified in Appendix A of the Land Use Regulations. The Board of County Commissioners may modify the form of certification and plat language upon the advice of the County Attorney. (6g.) JCD

7. *For a Common Plat Amendment that modifies, amends, adds, or deletes a restriction, limitation, condition, or other obligation, right, or duty stated on the recorded plat*, a written description clearly stating the proposed amendment in a form suitable for recordation with the office of the Park County Clerk and Recorder. The written description shall be subject to approval of the County Attorney and, at a minimum, the written amendment shall also include: (7.) N/A
   a. A title that prominently identifies the name of the recorded subdivision together with the phrase "Plat Amendment." If the property described in the recorded plat is zoned as a Planned Unit Development (PUD), the title shall include the phrase "Planned Unit Development"; (7a.) N/A
   b. Date of preparation, name, address, and telephone number of the Applicant, land owner(s), and any professionals (planners, engineers, surveyors) assisting in the plat amendment; (7b.) N/A
   c. As appropriate for the scope and extent of the proposed Common Plat Amendment, approval certification and plat language forms A-1, A-2, A-3, A-4, and A-5 as identified in Appendix A of the Land Use Regulations. The Board of County Commissioners may modify the form of certification and plat language. (7c.) N/A

8. Letters of consent to alter or vacate utility easements from all public utilities serving the site, if applicable. (8.) N/A

9. The property must be clearly identified with the address and posted according to the Park County address requirements (attached). (9.) JCD

10. An $11.00 check made out to the Park County Clerk and Recorder to record the surveyors Mylar. (10.) JCD

Note: A Mylar as described in #6 will be required after final approval for recording.
Note: Refer to Park County Land Use Regulations Article VI Standards for Approval of a Common Plat Amendment.

D. APPLICANT AND LANDOWNER SIGNATURES:

The undersigned applicant and landowner hereby verify and affirm that the information contained in this application is complete and accurate. The undersigned applicant and landowner understands and acknowledges that the submission of inaccurate and incorrect information may result in the denial or rejection of the application and/or result in the invalidation of any approvals issued by Park County, Colorado.

Applicant: Signed: Rocky N. Guerrero

Print name: ~~Print~~ Rocky N. Guerrero

If company, state Title/Position: _____

E. VERIFICATION OF DATE OF DELIVERY OF APPLICATION

This application was submitted to the Park County Planning Department on the following date and time:

November 1st, 2016
Month Day Year

For County Use Only:
Verification of Date of Delivery and County Receipt of Application
Date: November 1st, 2016
Print Name: John Deagan

Payment of the Applicant Fee was made by:

X	Personal Check # 251	Amount $ 1,060
	Cash	Amount $
	Other	Amount $

APPLICANT MUST ATTEND THE HEARING. IF A REPRESENTATIVE ATTENDS THE HEARING ON BEHALF OF THE APPLICANT, A NOTARIZED LETTER OF CONSENT MUST ACCOMPANY THE APPLICATION.

ALL PLANNING COMMISSION HEARINGS WILL BE SCHEDULED FOR THE SECOND TUESDAY OF EVERY MONTH. IF A QUORUM IS NOT AVAILABLE, THE HEARING WILL BE SCHEDULED THE NEXT AVAILABLE DATE.

Park County Website | Treasurer Web Site

Colorado
PARK COUNTY
Treasurer: Michelle Miller

New Search | Return To Search Results | Print Bill

Real Estate TAX/NOTICE RECEIPT FOR PARK COUNTY

SCHEDULE # R 15616 2015

PROPERTY ADDRESS: BAILEY
TAXABLE VALUE: $16,920.00 **ACTUAL VALUE:** $58,328.00 **TAX DISTRICT:** 005

Owners Name
GUERRERO ROCKY NICHOLAS
15674 S PITKIN LANE
PINE CO 80470

Legal Description
T07 R72 S24 NE4 W 660 FT OF E 1150 FT O
N 330 FT OF NW4NE4 24-7-72

TAX:	$1,108.08
INTEREST:	$55.40
FEE:	$0.00
TOTAL TAX & ASMTS.:	$1,108.08
UNPAID BALANCE:	**$0.00**

Select a payment option below.

First Half: Feb 28th
Second Half: June 15th
OR
Full Payment: April 30th

Pay Full Amount

Paid

Last Payment: 09/08/2016 **Amount :** $1,163.48

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Park County Website | Treasurer Web Site

Colorado
PARK COUNTY
Treasurer: Michelle Miller

New Search | Return To Search Results | Print Bill

Real Estate TAX/NOTICE RECEIPT FOR PARK COUNTY

SCHEDULE # R 16015 2015

PROPERTY ADDRESS: PITKIN LN 15674 PINE
TAXABLE VALUE: $18,820.00 **ACTUAL VALUE:** $236,513.00 **TAX DISTRICT:** 005

Owners Name
GUERRERO ROCKY NICHOLAS
15674 S PITKIN LANE
PINE CO 80470

Legal Description
T07 R72 S13 SE4 WANDCREST PARK
FILING 3 TRACT 171 LOT 1 THRU 12

TAX:	$1,232.48
INTEREST:	$0.00
FEE:	$0.00
TOTAL TAX & ASMTS.:	$1,232.48
UNPAID BALANCE:	**$0.00**

Select a payment option below.

First Half: Feb 28th
Second Half: June 15th
OR
Full Payment: April 30th

Pay Full Amount

Paid

Last Payment: 02/01/2016 **Amount :** $1,232.48

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Park County Website | Treasurer Web Site

Colorado
PARK COUNTY
Treasurer: Michelle Miller

New Search | Return To Search Results | Print Bill

Real Estate TAX/NOTICE RECEIPT FOR PARK COUNTY

SCHEDULE # R 44610 2015

PROPERTY ADDRESS: PINE
TAXABLE VALUE: $610.00 **ACTUAL VALUE:** $7,631.00 **TAX DISTRICT:** 005

Owners Name
GUERRERO ROCKY NICHOLAS
15674 S PITKIN LN
PINE CO 80470-9122

Legal Description
T07 R72 S13 SE4 WANDCREST PARK
FILING 3 TRACT 159 LOT 1 THRU 4

TAX:	$39.94
INTEREST:	$0.00
FEE:	$0.00
TOTAL TAX & ASMTS.:	$39.94
UNPAID BALANCE:	**$0.00**

Select a payment option below.

First Half: Feb 28th
Second Half: June 15th
OR
Full Payment: April 30th

Pay Full Amount

Paid

Last Payment: 02/01/2016 **Amount :** $39.94

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Park County Website | Treasurer Web Site

Colorado
PARK COUNTY
Treasurer: Michelle Miller

New Search | Return To Search Results | Print Bill

Real Estate TAX/NOTICE RECEIPT FOR PARK COUNTY

SCHEDULE # R 46696 2015

PROPERTY ADDRESS: PITKIN LN PINE
TAXABLE VALUE: $4,670.00 **ACTUAL VALUE:** $16,106.00 **TAX DISTRICT:** 005

Owners Name
GUERRERO ROCKY NICHOLAS
15674 S PITKIN LANE
PINE CO 80470

Legal Description
T07 R72 S13 SE4 WANDCREST PARK
FILING 3 TRACT 171 LOT 13 THRU 29

TAX:	$305.84
INTEREST:	$15.29
FEE:	$0.00
TOTAL TAX & ASMTS.:	$305.84
UNPAID BALANCE:	**$0.00**

Select a payment option below.

First Half: Feb 28th
Second Half: June 15th
OR
Full Payment: April 30th

Pay Full Amount

Paid

Last Payment: 09/08/2016 **Amount :** $321.13

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623637 02/03/2006 01:15P
1 of 2 R 11.00 D 33.00 DEBRA A GREEN PARK CO

STATE DOCUMENTARY FEE
DATE 2-3-06
$ 33.00

WARRANTY DEED

THIS DEED, Made this **27th** day of **January**, 2006 between

Staci Heyden also known as Staci J. Heyden

of the City and County of Park, State of Colorado, grantor and

Rocky Nicholas Guerrero

whose legal address is: 17808 Valerio Street, Reseda, Ca. 91335
of the City and County of **Park**, State of **Colorado**, grantee:
WITNESSETH, That the grantor for and in consideration of the sum of Three Hundred Thirty Thousand Dollars and NO/100's **($330,000.00)** the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee, his heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the City and County of Park, and State of COLORADO, described as follows:

See Exhibit A attached hereto and made a part hereof.

also known by street and number as **15674 S. Pitkin Lane, Pine, CO 80470**

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.
TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee, his heirs and assigns forever. And the grantor, for himself, his heirs, and personal representatives, does covenant, grant, bargain and agree to and with the grantee, his heirs and assigns, that at the time of the ensealing and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except all taxes and assessments for the current year, a lien but not yet due or payable, and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Buyer in accordance with section 8a "Title Review", of the contract dated **December 27, 2005**, between the parties.

The grantor shall and will **WARRANT AND FOREVER DEFEND** the above-bargained premises in the quiet and peaceable possession of the grantee his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.
IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

SELLER:

Staci Heyden

Staci McCarthy

Staci Heyden also known as Staci J. Heyden now known as Staci McCarthy

STATE OF **COLORADO**
COUNTY OF **Jefferson** } SS:

The foregoing instrument was acknowledged before me this **27th** day of **January, 2006** by **Staci Heyden also known as Staci J. Heyden, now known as Staci McCarthy**

Notary Public

Witness my hand and official seal.
My **Commission** expires: **02/12/06**

WDPHOTO
Warranty Deed (For Photographic Record)

Security Title
File No. S0097727

Exhibit A

Lots 1 to 12, inclusive, Tract 171,
WANDCREST PARK, THIRD FILING, and

Lots 1 to 4, inclusive, Tract 159
WANDCREST PARK, THIRD FILING,

County of Park,
State of Colorado

WARRANTY DEED

THIS DEED, Made this 2nd day of July, 2015 between

Staci Heyden, as to Parcel I and Staci Heyden and Mark McCarthy, as to Parcel II

of the County of Meredith, State of New Hampshire, grantor and

Rocky Nicholas Guerrero

whose legal address is: 15674 S. Pitkin Lane, Pine, CO 80470
of the County of Park, State of Colorado, grantee:
WITNESSETH, That the grantor for and in consideration of the sum of **One Hundred Thousand Dollars and No/100's ($100,000.00)** the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee, his heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the City and County of Park, and State of COLORADO, described as follows:

See Exhibit A attached hereto and made a part hereof.

Doc Fee
$ 10.00

also known by street and number as TBD Pitkin Lane, Pine, CO 80470

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.
TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee, his heirs and assigns forever. And the grantor, for himself, his heirs, and personal representatives, does covenant, grant, bargain and agree to and with the grantee, his heirs and assigns, that at the time of the ensealing and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except all taxes and assessments for the current year, a lien but not yet due or payable, and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Buyer in accordance with section 8.1 "Title Review", of the contract dated June 17, 2015, between the parties.

The grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.
IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

SELLER:

Staci Heyden
Staci Heyden, as to Parcel I and Parcel II

Mark McCarthy
Mark McCarthy as to Parcel II

STATE OF NEW HAMPSHIRE }ss:
COUNTY OF Meredith

24 June 2015

The foregoing instrument was acknowledged before me this 2nd day of July, 2015 by Staci Heyden, as to Parcel I and Staci Heyden and Mark McCarthy, as to Parcel II.

Amy M Brown
Notary Public
Witness my hand and official seal.
My Commission expires: May 8 2019

AMY M. BROWN
Notary Public - New Hampshire
My Commission Expires May 8, 2019

Exhibit A

Parcel I:

Lots 13 to 29, Inclusive, Tract 171,
Wandcrest Park, Third Filing,

County of Park,
State of Colorado

Parcel II:

Beginning at the Northeast corner of the NW ¼ of NE ¼ of
Section 24, Township 7 South, Range 72 West,
Thence West 490 feet to the Point of Beginning;
Thence South 330 feet;
Thence West 660 feet;
Thence North 330 feet;
Thence East 660 feet to the Point of Beginning;
In Section 24, Township 7 South, Range 72 West,

County of Park,
State of Colorado

Owners of Lots Adjacent to 15674 South Pitkin Lane, November 2nd 2016

MILLER WILLIAM P
901 BROOKSIDE DR
BAILEY, CO 80421-2230

MILLS NANCY LIBBEY
8031 E PHILLIPS CIR
CENTENNIAL, CO 80112-3209

KYTE THOMAS JEFFREY
720 16TH ST #208
DENVER, CO 80202

PANDA ASSOCIATES LLC
3867 E EASTER DR
LITTLETON, CO 80122

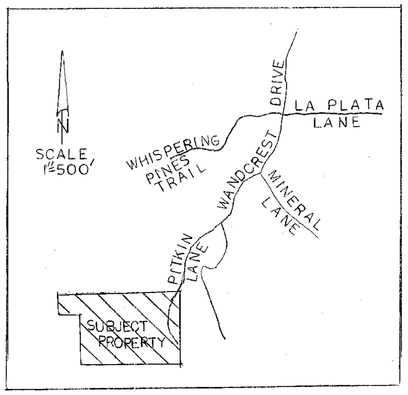
ANDERSON JILL L
15574 S PITKIN LN
PINE, CO 80470

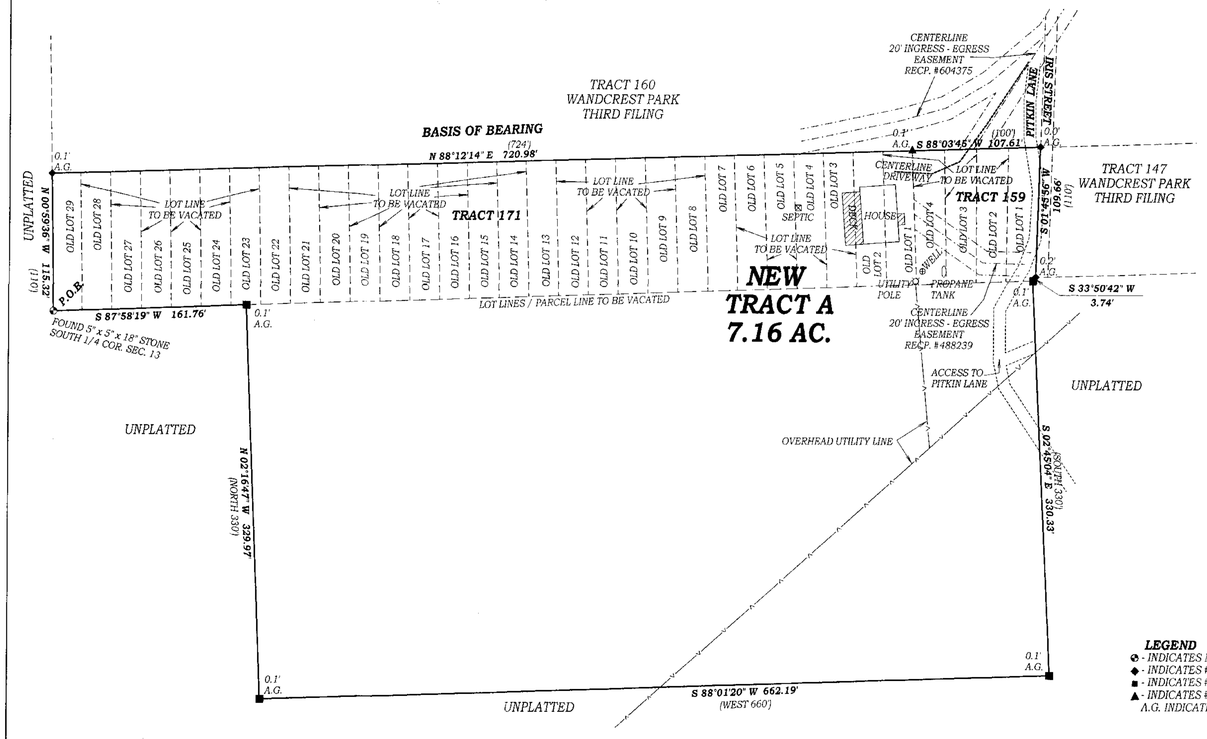
WHITE JOEL
15574 S PITKIN LN
PINE, CO 80470

LOT CONSOLIDATION AND COMMON PLAT AMENDMENT PLAT

A RECONFIGURATION OF LOTS 1 TO 29, INCLUSIVE, TRACT 171 AND LOTS 1 TO 4, INCLUSIVE, TRACT 159, WANDCREST PARK THIRD FILING, (RECEPTION NO. 27182813), LOCATED IN SEC. 13, T. 7 S., R. 72 W. OF THE 6TH. P.M., AND A PORTION OF NORTHEAST ONE-QUARTER OF SEC. 24, T. 7 S., R. 72 W. OF THE 6TH. P.M., COUNTY OF PARK, STATE OF COLORADO.

VICINITY MAP





SURVEYOR'S CERTIFICATE

I, BENJAMIN A. PITSKER, A PROFESSIONAL LAND SURVEYOR LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS LOT CONSOLIDATION PLAT AND SURVEY WAS MADE BY ME OR DIRECTLY UNDER MY SUPERVISION ON OR ABOUT THE 22ND. DAY OF MARCH, 2016, AND THAT THE SURVEY IS BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF, IT HAS BEEN PREPARED IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE, THE SURVEY IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED, AND THE ACCOMPANYING PLAT ACCURATELY AND PROPERLY SHOWS SAID LOT CONSOLIDATION PLAT AND THE SURVEY THEREOF.

_____
BENJAMIN A. PITSKER
LICENSE NUMBER 19618

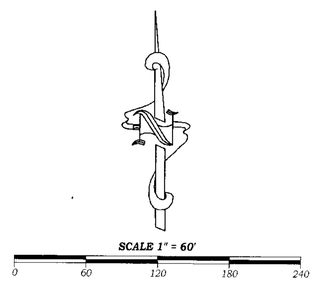
NOTES:

1. *DIMENSIONS IN PARENTHESIS ARE THOSE PER MAP OF WANDCREST PARK THIRD FILING OR DEEDS WHEN DIFFERENT FROM THOSE MEASURED IN THE FIELD.*
2. *A TITLE SEARCH WAS NOT PERFORMED BY THIS OFFICE. LEGAL DESCRIPTION (S) ARE PER DEED AND / OR TITLE COMMITMENT UNLESS OTHERWISE NOTED.*
3. *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 HEREON.*
4. *BASIS OF BEARING IS NORTH LINE OF TRACT 171, WANDCREST PARK THIRD FILING, BETWEEN THE #4 REBAR WITH 1" RED PLASTIC CAP (L.S. #19618) FOUND AT THE NORTHWEST CORNER OF LOT 29, SAID TRACT 171 AND THE #3 REBAR (NO CAP) FOUND AT THE NORTHEAST CORNER OF LOT 1, SAID TRACT 171, SAID BEARING ASSUMED TO BE NORTH 88°12'14" EAST, AS SHOWN HEREON.*
5. *RIGHTS-OF-WAY AND EASEMENTS WERE NOT RESEARCHED BY THIS OFFICE AT THE REQUEST OF THE CLIENT. EASEMENTS SHOWN HEREON ARE PER RECORDED PLATS AND/OR TITLE COMMITMENT PROVIDED AT THE DATE OF THE SURVEY, UNLESS OTHERWISE NOTED HEREON.*
6. *CERTIFICATION NOT VALID WITHOUT ORIGINAL SEAL AND SIGNATURE. THIS SURVEY AND ALL RELATED DOCUMENTS ARE FOR THE SOLE USE OF THE CLIENT AT THE DATE OF CERTIFICATION.*
7. *DISTANCES ON THIS SURVEY ARE EXPRESSED IN U.S. SURVEY FEET AND DECIMALS THEREOF. A U.S. SURVEY FOOT IS DEFINED AS EXACTLY 1200/3937 METERS. ALL BEARINGS SHOWN HEREON ARE IN DEGREES-MINUTES-SECONDS.*
8. *A CURRENT TITLE COMMITMENT WAS NOT RECEIVED AT THE TIME OF THIS SURVEY.*
9. *THIS SURVEY IS BASED UPON THE RECORDED MAP OF WANDCREST PARK THIRD FILING, AND THE MONUMENTATION FOUND IN THE FIELD. THE SUBDIVISION BOUNDARY WAS NOT FIELD DETERMINED, THEREFORE CANNOT BE GUARANTEED.*
10. *THE PURPOSE OF THIS PLAT IS TO CONSOLIDATE THE PROPERTIES DESCRIBED AND RECORDED UNDER RECEPTION NUMBER 716676 AND TO REMOVE THE PROPERTY DESCRIBED AS PARCEL I FROM THE WANDCREST PARK SUBDIVISION.*

LEGAL DESCRIPTION

NEW TRACT A

BEGINNING AT THE SOUTHWEST CORNER OF SAID TRACT 171;
THENCE NORTH 00°59'36" WEST, ALONG THE WEST LINE OF SAID TRACT 171, A DISTANCE OF 115.32 FEET;
THENCE NORTH 88°12'14" EAST, ALONG THE NORTH LINE OF SAID TRACT 171, A DISTANCE OF 720.98 FEET;
THENCE NORTH 88°03'45" EAST, ALONG THE NORTH LINE OF SAID TRACT 159, A DISTANCE OF 107.61 FEET;
THENCE SOUTH 01°45'56" WEST, ALONG THE EAST LINE OF SAID TRACT 159, A DISTANCE OF 109.66 FEET;
THENCE SOUTH 33°50'42" WEST, A DISTANCE OF 3.74 FEET;
THENCE SOUTH 02°45'04" EAST, ALONG THE EAST LINE OF A PARCEL OF LAND RECORDED AT RECEPTION NO. 716676, A DISTANCE OF 330.33 FEET;
THENCE SOUTH 88°01'20" WEST, ALONG THE SOUTH LINE OF SAID PARCEL OF LAND RECORDED AT RECEPTION NO. 716676, A DISTANCE OF 662.19 FEET;
THENCE NORTH 02°16'47" WEST, ALONG THE WEST LINE OF SAID PARCEL OF LAND RECORDED AT RECEPTION NO. 716676, A DISTANCE OF 329.97 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF SAID TRACT 171;
THENCE SOUTH 87°58'19" WEST, ALONG SAID SOUTH LINE OF TRACT 171, A DISTANCE OF 161.76 FEET, MORE OR LESS, TO THE POINT OF BEGINNING;
SAID DESCRIBED TRACT CONTAINING 7.16 ACRES, MORE OR LESS.



LEGEND

- ⊗ - *INDICATES MONUMENT DESCRIBED HEREON FOUND, THIS SURVEY.*
- ◆ - *INDICATES #4 REBAR WITH 1" RED PLASTIC CAP (L.S. #19618) FOUND, THIS SURVEY.*
- ■ - *INDICATES #4 REBAR WITH 1" RED PLASTIC CAP (L.S. #20136) FOUND, THIS SURVEY.*
- ▲ - *INDICATES #3 REBAR (NO CAP) FOUND, THIS SURVEY.*

A.G. INDICATES DISTANCE MONUMENT IS ABOVE GROUND SURFACE.

APPROVAL OF BOARD OF COUNTY COMMISSIONERS

APPROVED AS A COMMON PLAT AMENDMENT PLAT BY THE PARK COUNTY BOARD OF COMMISSIONERS, THIS _____ DAY OF _____, 20 ____, SUBJECT TO ALL APPLICABLE PROVISIONS OF THE 2011 PARK COUNTY LAND USE REGULATIONS, AS AMENDED.

_____ *BOCC CHAIRPERSON*

ATTEST: _____
PARK COUNTY CLERK AND RECORDER

PARK COUNTY ADMINISTRATIVE APPROVAL:

APPROVED AS AN ADMINISTRATIVE LOT CONSOLIDATION PLAT BY THE PLANNING DIRECTOR OF PARK COUNTY, COLORADO, AND APPROVED FOR RECORDATION WITH THE PARK COUNTY CLERK AND RECORDER'S OFFICE PURSUANT TO THE PARK COUNTY LAND USE REGULATIONS THIS _____ DAY OF _____, 20 _____.

_____
PLANNING DIRECTOR / COUNTY DESIGNEE

ATTEST: _____
CLERK AND RECORDER OR DEPUTY CLERK

LEGAL DESCRIPTION AND CERTIFICATE OF OWNERSHIP

LEGAL DESCRIPTION:

ROCKY NICHOLAS GUERRERO, BEING THE OWNER OF THE REAL PROPERTY OF 7.16 ACRES LOCATED IN PARK COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

PARCEL I:

LOTS 1 TO 29, INCLUSIVE, TRACT 171 AND LOTS 1 TO 4, INCLUSIVE, TRACT 159, WANDCREST PARK THIRD FILING, COUNTY OF PARK, STATE OF COLORADO

PARCEL II:

BEGINNING AT THE NORTHEAST CORNER OF THE NW ¼ OF THE NE ¼ OF SECTION 24, TOWNSHIP 7 SOUTH, RANGE 72 WEST;
THENCE WEST 490 FEET TO THE POINT OF BEGINNING;
THENCE SOUTH 330 FEET;
THENCE WEST 660 FEET;
THENCE NORTH 330 FEET;
THENCE EAST 660 FEET TO THE POINT OF BEGINNING;
IN SECTION 24, TOWNSHIP 7 SOUTH, RANGE 72 WEST,
COUNTY OF PARK,
STATE OF COLORADO

COUNTY OF PARK,
STATE OF COLORADO.

IN WITNESS WHEREOF, WE DO HEREUNTO SET OUR HANDS AND SEALS THIS _____ DAY OF _____, 20 ____.

_____
ROCKY NICHOLAS GUERRERO

STATE OF COLORADO }
COUNTY OF _____ } *SS*

ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20 _____

BY ROCKY NICHOLAS GUERRERO.

WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES: _____

_____
NOTARY PUBLIC

TITLE CERTIFICATE:

_____ *TITLE INSURANCE COMPANY HEREBY CERTIFIES THAT TITLE TO THE ABOVE-DESCRIBED PROPERTY IS VESTED IN THE OWNER(S).*

DATE: _____

_____
AUTHORIZIED AGENT

RECORDER'S CERTIFICATE:

THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF PARK COUNTY, ON THE _____ DAY OF _____, 20 _____, AND DULY FILED AT RECEPTION NO. _____.

_____
PARK COUNTY CLERK AND RECORDER

APPLICANT / LAND OWNER
ROCKY GUERRERO
15674 SOUTH PITKIN LANE
PINE, COLORADO 80470
PH. (818) 441 - 4264

MAP PREPARED: 22 MARCH, 2016

PREPARED BY:
PITSKER AND ASSOCIATES
26689 PLEASANT PARK ROAD
CONIFER, COLORADO 80433
PH. (303) 674-6018/FAX (303) 838-7174

FILE NO. 16-147