

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_Lowitzner_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. REZONING CASE #16ZON-14:
Property is New Lot 19, Badger Creek Ranch No. 1, addressed as 353 McMurry Road, Hartsel. Applicant is requesting to rezone the lot from the Residential zone district to the Residential Estate zone district.
APPLICANT: Erik and Michele Wayland

Documents:

[16ZON-14 PC Staff Report and Atts..pdf](#)
[Referral Response.pdf](#)
[Application.pdf](#)

.3.3. 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

**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, EMMANUS, PA 18049

City: EMMANUS 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, EMMANUS, 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, PILING 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: <u>Residential (R)</u>
<u>Jillian Falchi</u>
Print Full Name

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

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 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.
2. Tax receipt-showing payment of current taxes. This can be obtained at the Park County Treasurer's office.
3. Proof of ownership in the form of a recorded Warranty Deed. This can be obtained at the Park County Clerk and Records office.
4. A legal description of the property proposed for the Variance prepared by a licensed Colorado land surveyor.
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.
6. A vicinity map of where the proposed property is located within Park County.
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:
 - a. Name and address of the owner;
 - b. Date of preparation, map scale, and north arrow;
 - 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;
 - 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%);
 - e. Utility systems including existing and proposed water wells, sewer systems, electric services, and natural gas;
 - f. The dimensions, height and setbacks of all existing and proposed structures.
 - g. A clear illustration or description of the proposed variance, using shading, crosshatching, or highlighting, to accurately illustrate the proposal.
8. The property must be clearly identified with the address and posted according to the Park County address requirements (attached).

For County Use Only:	
Initial Receipt of the Required Information	
(1.)	JF
(2.)	JF
(3.)	JF
(4.)	JF
(5.)	JF
(6.)	JF
(7.)	JF
(7a.)	JF
(7b.)	JF
(7c.)	JF
(7d.)	JF
(7e.)	JF
(7f.)	JF
(7g.)	JF
(8.)	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.

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

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



[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

Select a payment option below.

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

Pay Full Amount
Paid

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

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

[Help Center](#) | [Site Instructions](#) | [Report a problem](#)

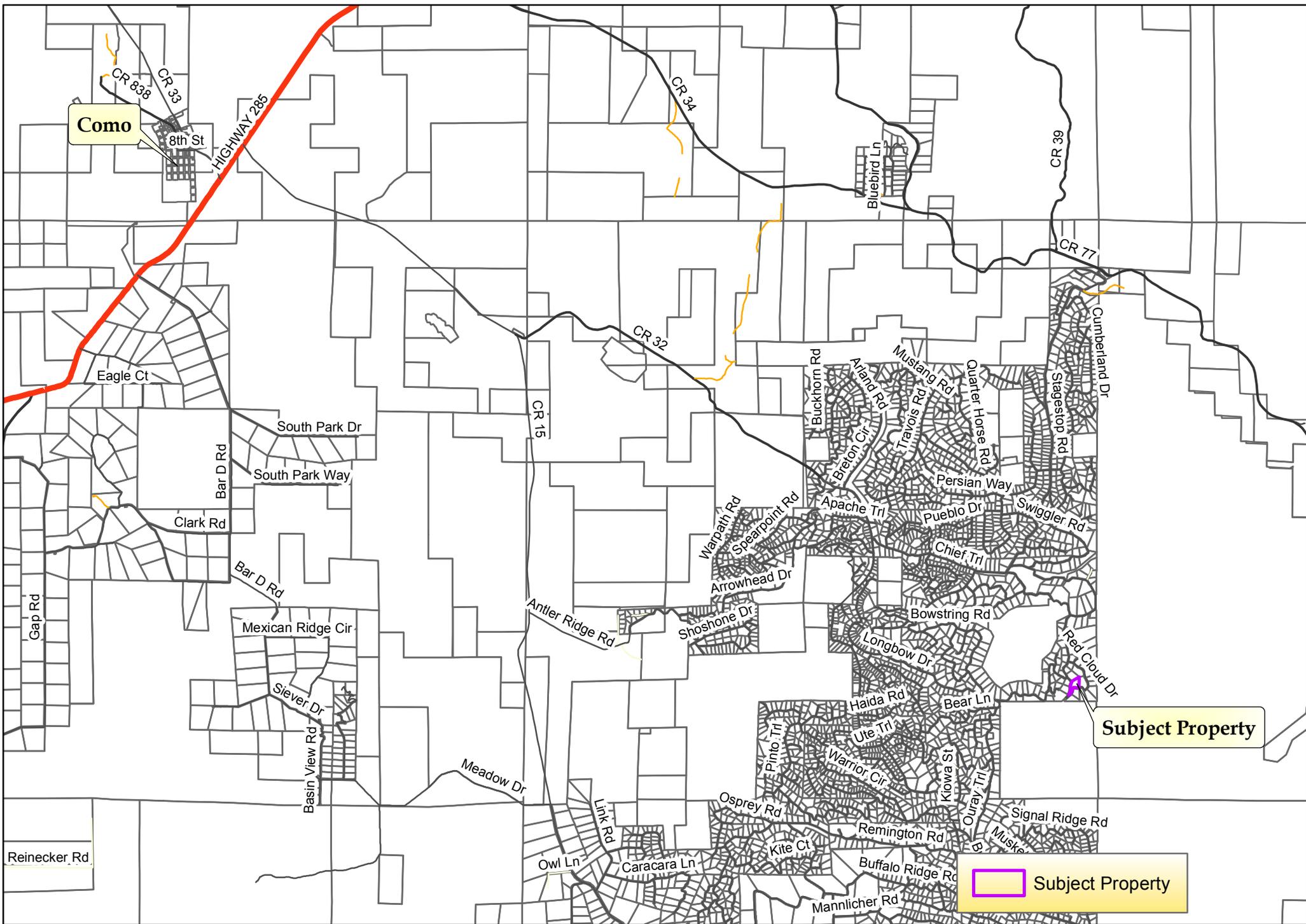


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Names & Mailing Addresses of property owners adjacent to Indian Mountain Filing 25, Unit 2, Lot 103:

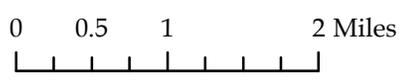
Lot 102: James H. Linn & Rose E. Linn, P.O. Bos 1351, Fairplay, CO 80440

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



Date: 9/26/2016

VICINITY MAP



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



Longbow Dr

Red Cloud Dr

Subject Property

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Date: 9/26/2016

Aerial Map

1 in = 150 feet



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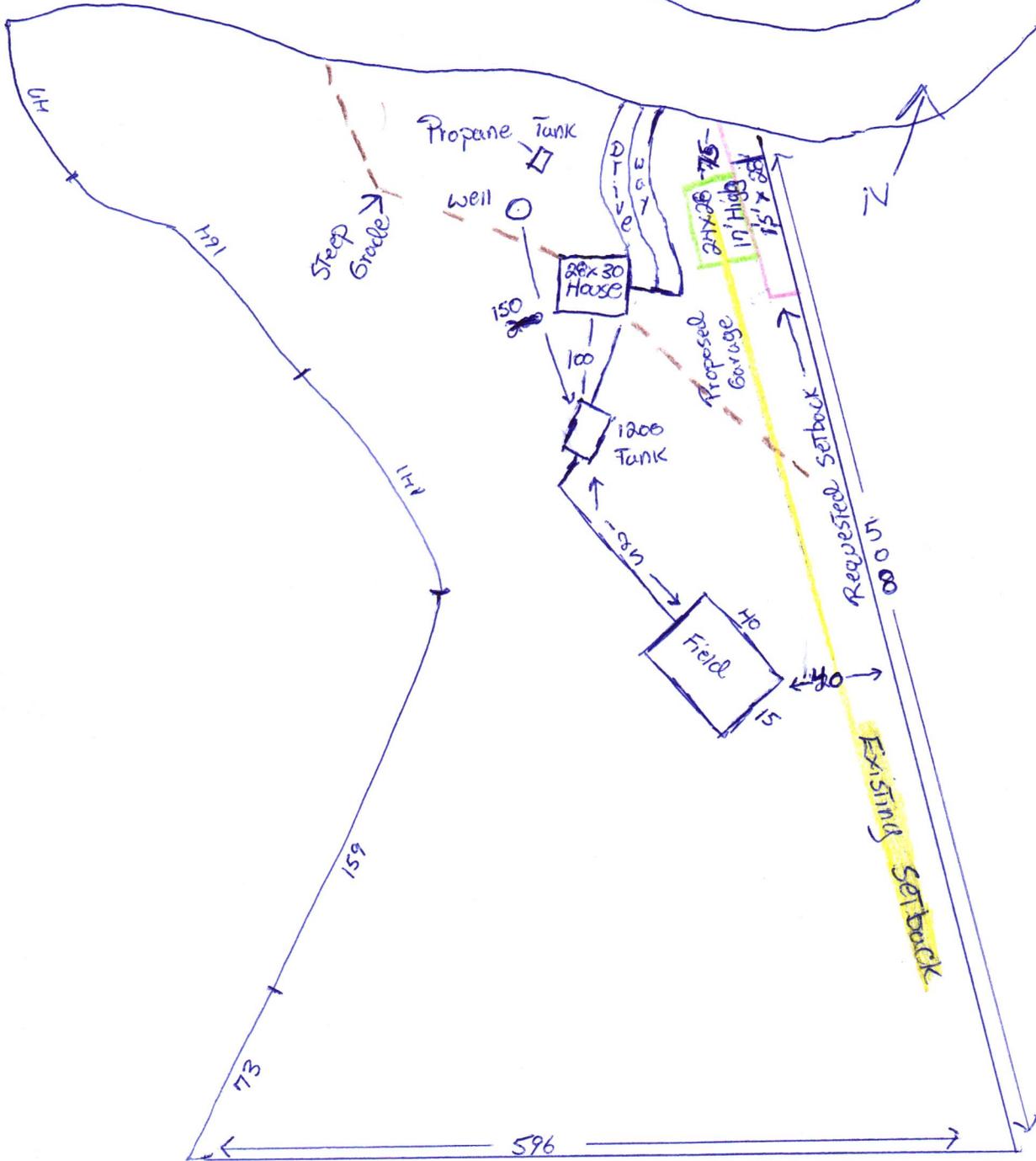
Site Plan

144 Red Cloud

10T 103

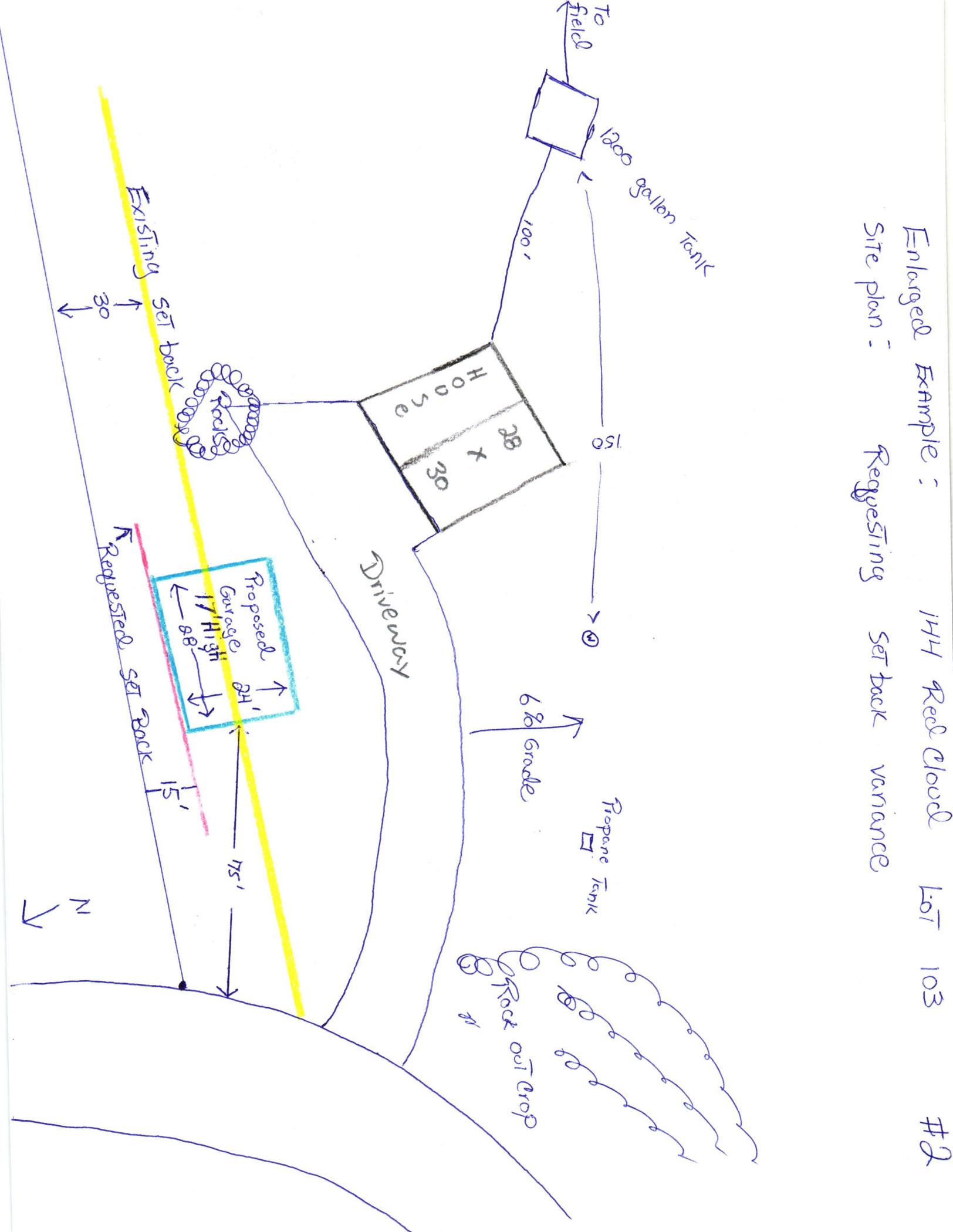
#1

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

11 Rd

**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.

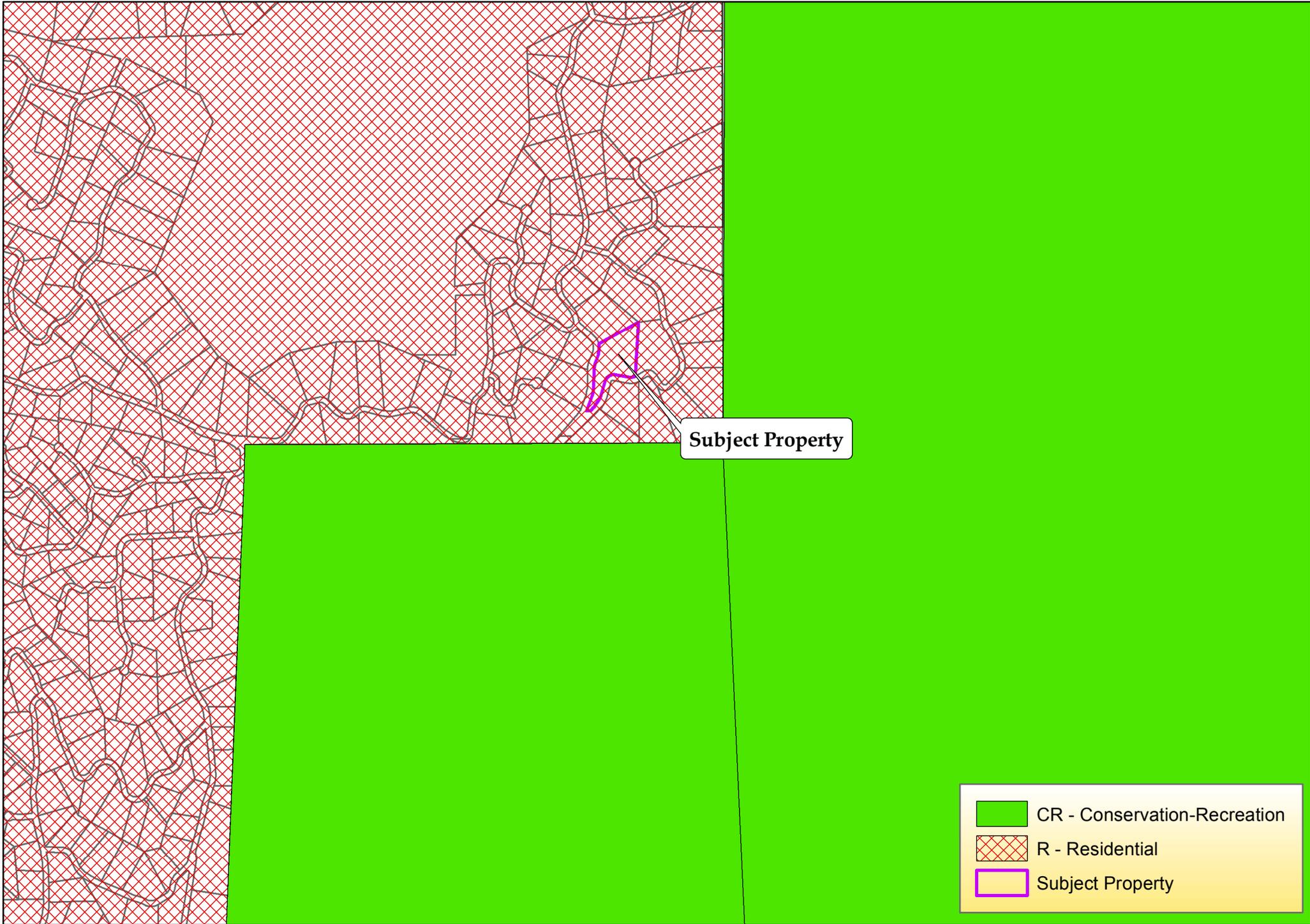
Public Comment:

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.



Subject Property

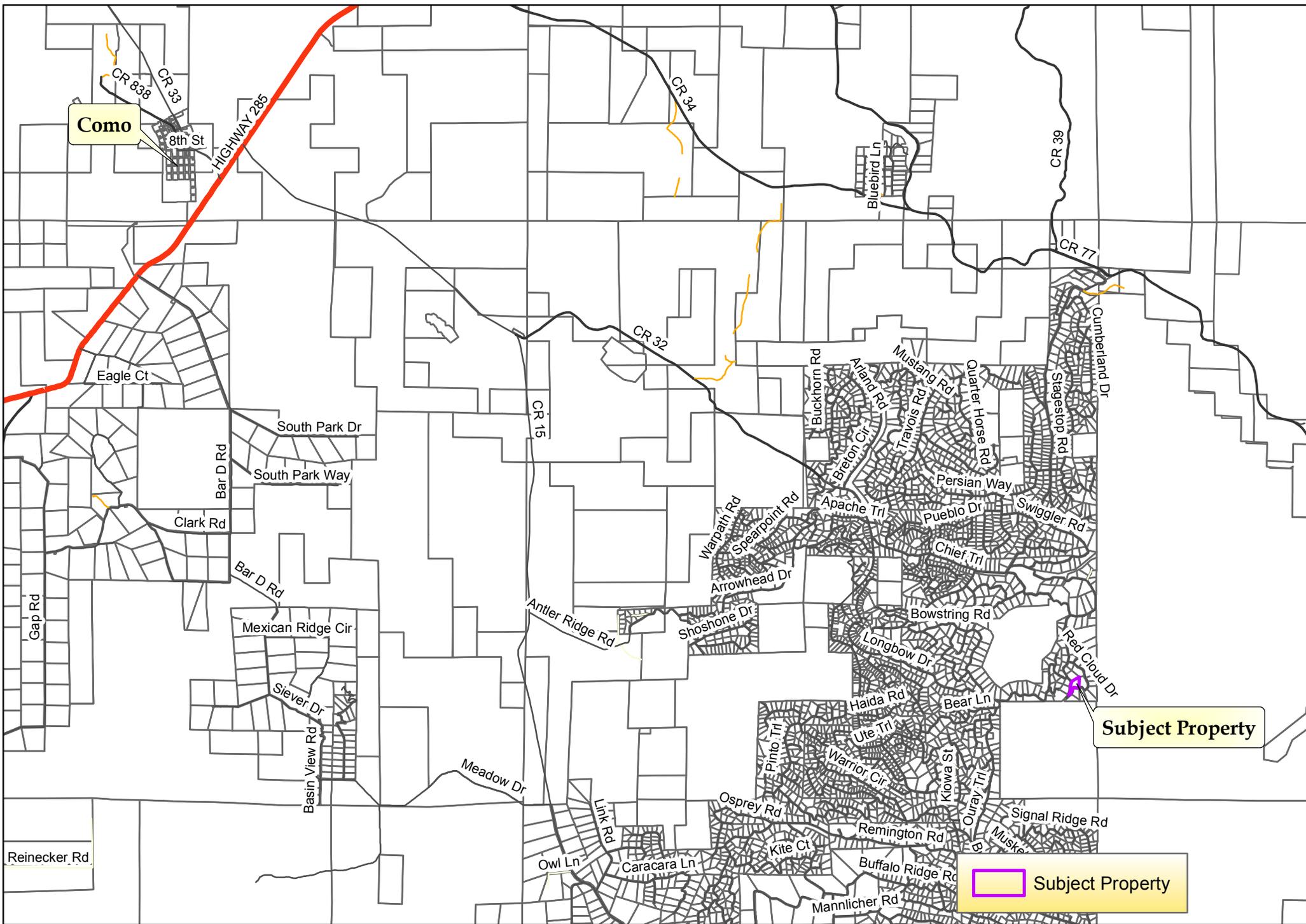
	CR - Conservation-Recreation
	R - Residential
	Subject Property

Date: 9/26/2016

Attachment 1: Zoning Map

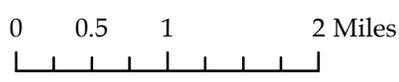


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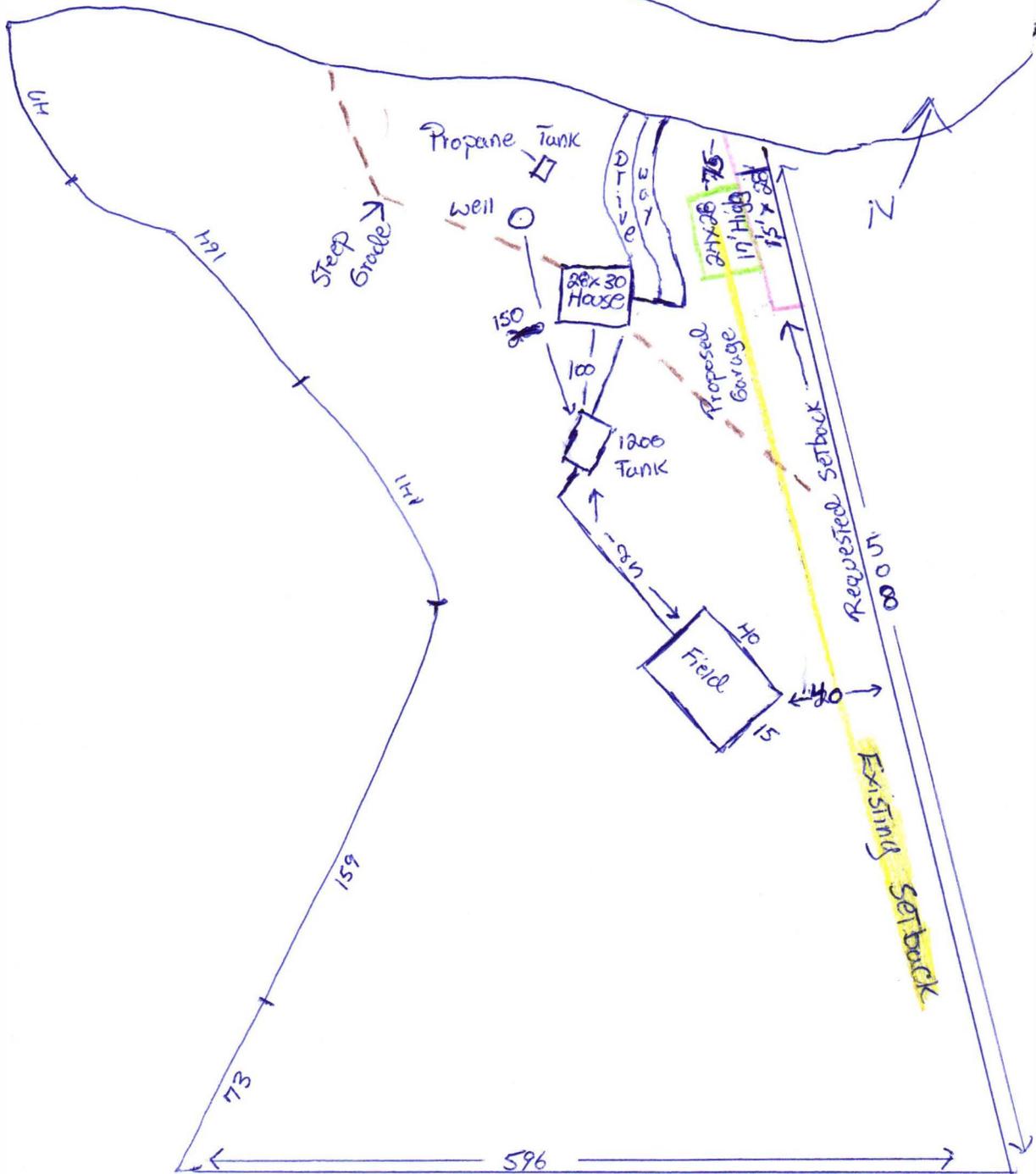
Date: 9/26/2016

Attachment 2: Vicinity Map



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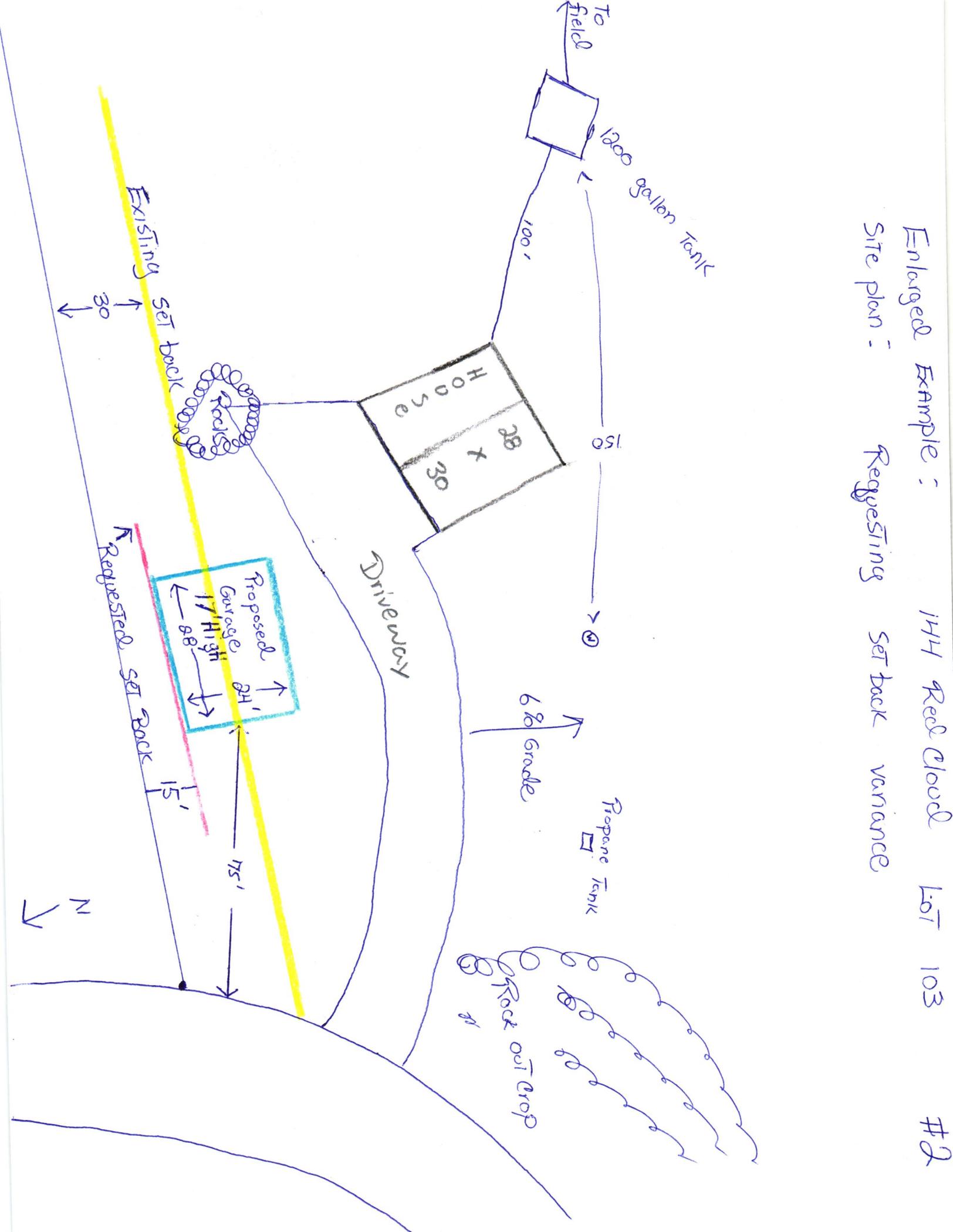
Requesting Set Back variance AT 15'x28'



Attachment 3: Site Plan

Enlarged Example: 144 Red Cloud Lot 103 #2

Site plan: Requesting Set back variance





Longbow Dr

Red Cloud Dr

Subject Property

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

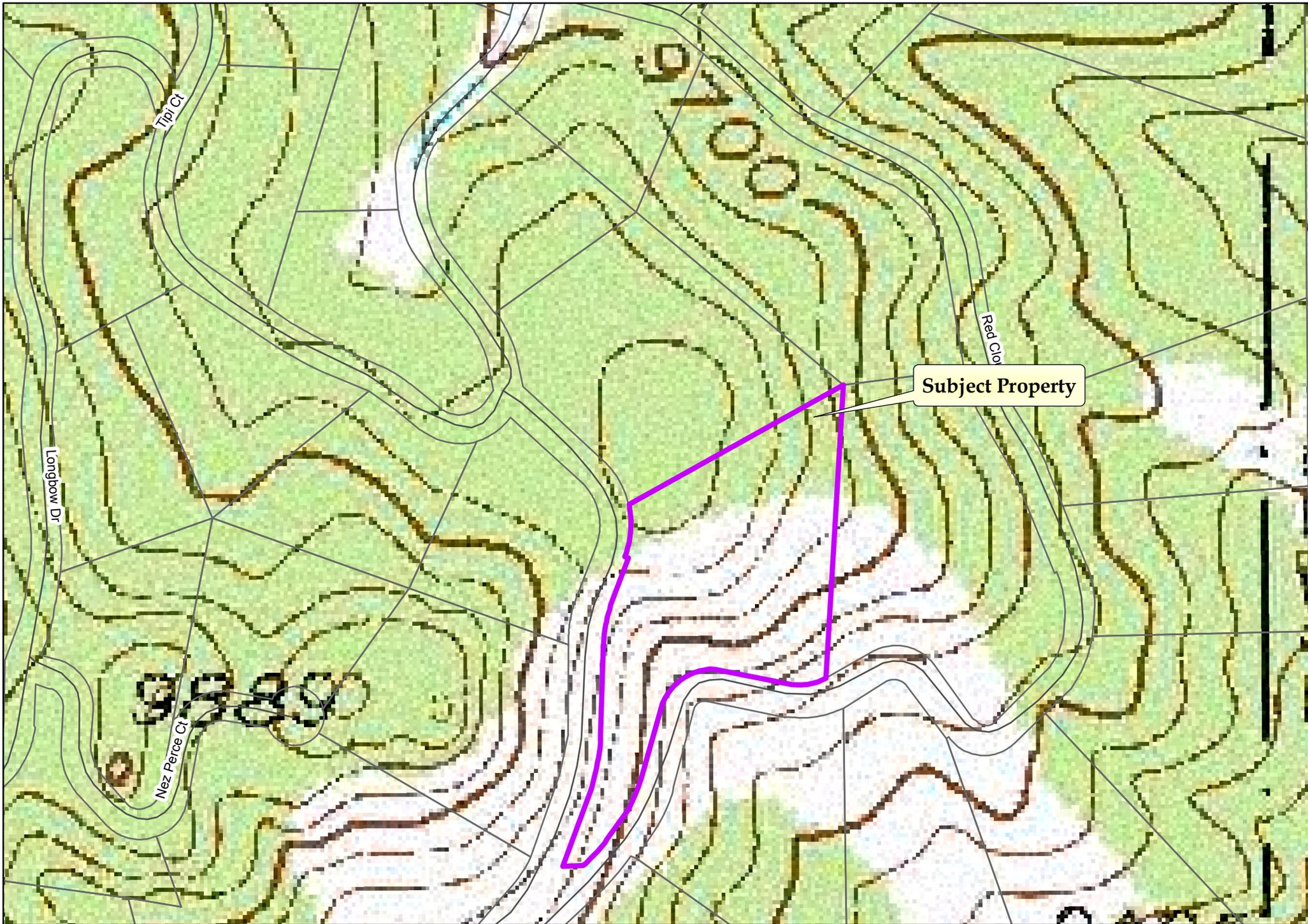
Date: 9/26/2016

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



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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

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,

A handwritten signature in black ink, appearing to read "Brooks Kaufman", with a long horizontal flourish extending to the right.

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 as 15674 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.

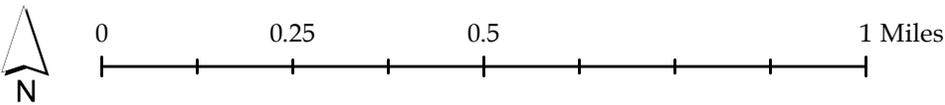
The proposed amendment will eliminate 33 inefficient lots.

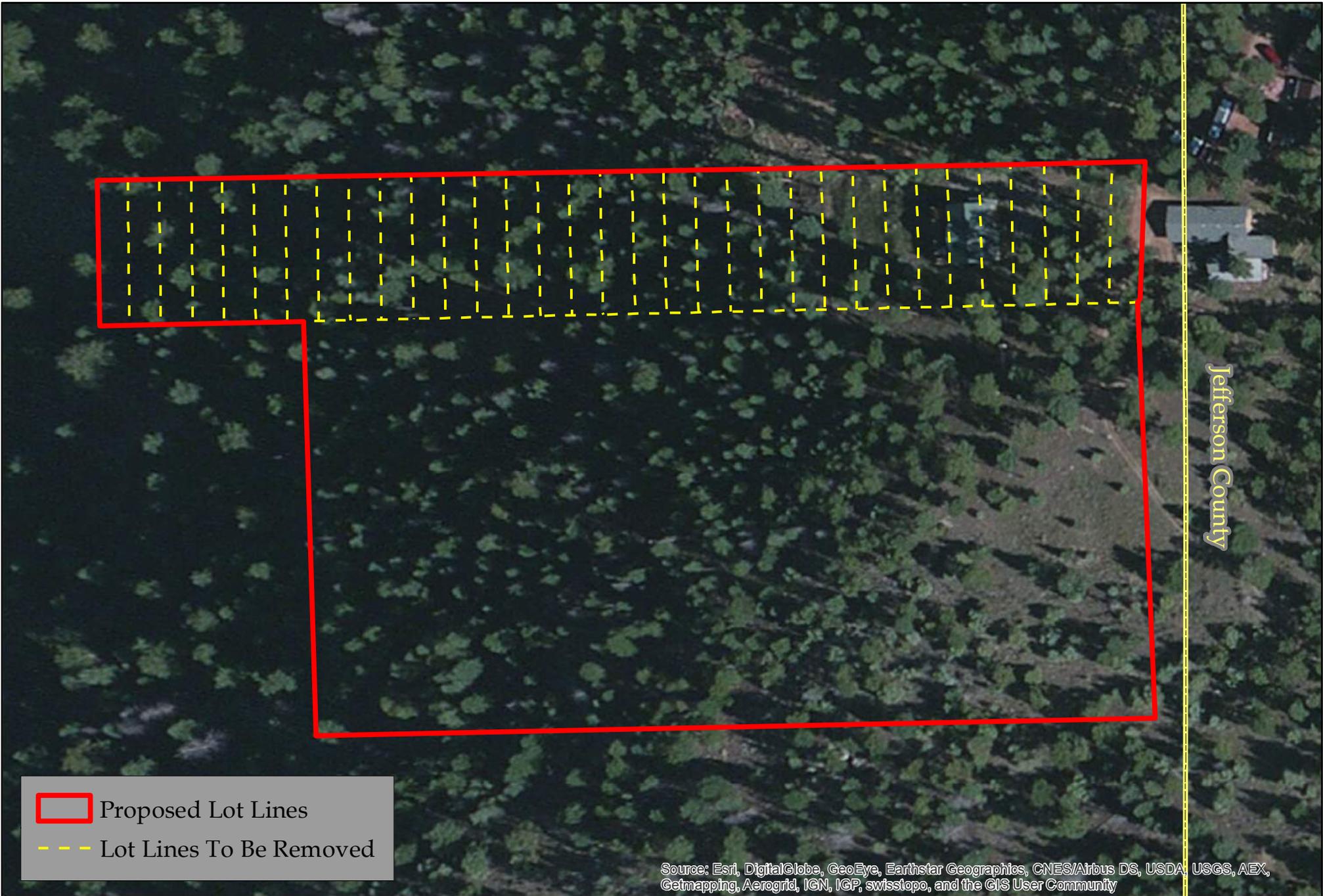
Impact Analysis:

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.





Jefferson County

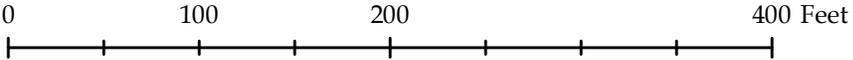
- Proposed Lot Lines
- Lot Lines To Be Removed

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



Attachment 2

Aerially Photographed in 2013



Park County Planning Department

This map is not a survey.

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: Adlene 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: <u>RESIDENTIAL</u> <u>JOHN DEAGAN</u> Print Full Name

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

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.
2. Tax receipt-showing payment of current taxes. This can be obtained at the Park County Treasurer's office.
3. Proof of ownership in the form of a recorded Warranty Deed. This can be obtained at the Park County Clerk and Records office.
4. A legal description of the property proposed for the plat amendment prepared by a licensed Colorado land surveyor.
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.
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:*
 - 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";
 - b. Date of preparation, map scale, and north arrow;
 - c. Name, address and telephone number of the Applicant, land owner(s), planner, engineer, and surveyor;
 - d. A general vicinity map illustrating the location of the property subject to the proposed amendment;
 - e. Total acreage and surveyed description of the lots and area subject to the proposed amendment;
 - f. A clear illustration or description of the amendment proposed, using shading, crosshatching, highlighting, or other techniques to accurately illustrate the proposed amendment;

**For County
Use
Only:
Initial Receipt of
the Required
Information**

(1.) JCD

(2.) JCD

(3.) JCD

(4.) JCD

(5.) JCD

(6.) _____

(6a.) JCD

(6b.) JCD

(6c.) JCD

(6d.) JCD

(6e.) JCD

(6f.) JCD

For County Use Only: Initial Receipt of the Required Information	
(6g.)	JCD
(7.)	N/A
(7a.)	N/A
(7b.)	N/A
(7c.)	N/A
(8.)	N/A
(9.)	JCD
(10.)	JCD

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.

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:

- 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";
- 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;
- 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.

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

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

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

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:

<u>X</u>	Personal Check # <u>251</u>	Amount \$ <u>1,060</u>
_____	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.

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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

Select a payment option below.

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

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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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

Select a payment option below.

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

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

Pay Full Amount
Paid

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

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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

Select a payment option below.

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

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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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

Select a payment option below.

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

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

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

WARRANTY DEED

STATE DOCUMENTARY FEE

DATE 2-3-06
\$ 33.00

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 ensembling 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 r

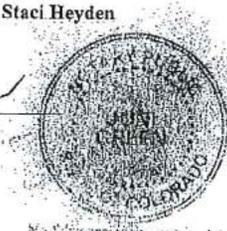
Staci McCarthy
Staci Heyden also known as Staci J. Heyden, now known as Staci McCarthy

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

Jaw Lee
Notary Public



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



623637 02/03/2006 01:15P

2 of 2 R 11.00 D 33.00 DEBRA A GREEN PARK CO

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 en sealing 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
COUNTY OF Meredith

) ss:

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 - New Hampshire
My Commission Expires May 8, 2019

Amy M Brown
Notary Public
Witness my hand and official seal.
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 $\frac{1}{4}$ of NE $\frac{1}{4}$ 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

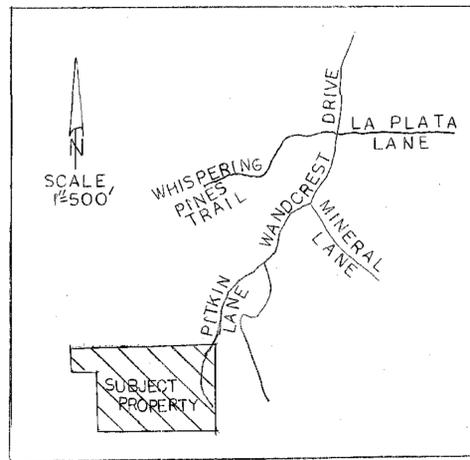
ANDERSON JILL L
15574 S PITKIN LN
PINE, CO 80470

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

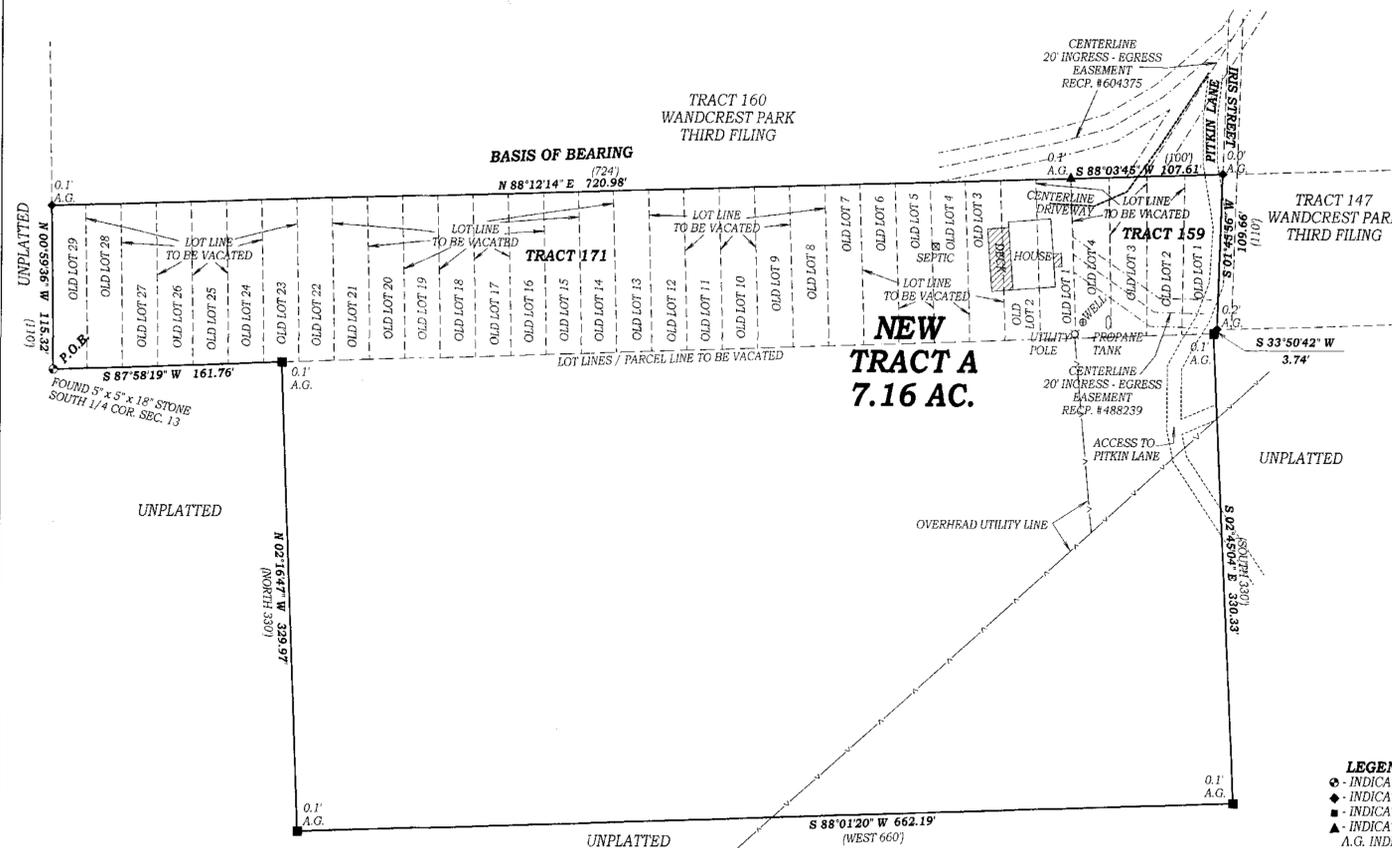
NOTES:

- DIMENSIONS IN PARENTHESIS ARE THOSE PER MAP OF WANDCREST PARK THIRD FILING OR DEEDS WHEN DIFFERENT FROM THOSE MEASURED IN THE FIELD.
- A TITLE SEARCH WAS NOT PERFORMED BY THIS OFFICE. LEGAL DESCRIPTION(S) ARE PER DEED AND / OR TITLE COMMITMENT UNLESS OTHERWISE NOTED.
- 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.
- 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.
- 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. 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.
- 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.
- A CURRENT TITLE COMMITMENT WAS NOT RECEIVED AT THE TIME OF THIS SURVEY.
- 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.
- 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 1 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____.

ATTEST: _____ PLANNING DIRECTOR / COUNTY DESIGNEE
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 1:

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 2:

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 HERETO SET OUR HANDS AND SEALS THIS _____ DAY OF _____, 20____.

ROCKY NICHOLAS GUERRERO

STATE OF COLORADO

COUNTY OF _____

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: _____

AUTHORIZED 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

**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: 16ZON-14

Subject: Wayland Rezoning

Request: Applicant is requesting a rezoning from Residential to Residential Estate.

Application Summary:

Applicant:	Erik and Michele Wayland
Owner:	Same
Location:	New Lot 19, Badger Mountain Ranch No. 1, addressed as 353 McMurry Road
Current Zone District:	Residential
Surrounding Zoning:	Residential, Conservation/Recreation, and Residential Estate - a zoning map is included as Attachment 1.
Lot Size:	39.9 acres
Proposed Zoning:	Residential Estate

Background:

The subject property is located in the Badger Creek Ranch subdivision in the southwest corner of the county, 28 road miles from Hartsel. A Vicinity Map is included as Attachment 2. It consists of one metes-and-bounds parcel zoned Residential. The applicant wishes to rezone the parcel to Residential Estate in order to have cattle on the lot. This is appropriate due to the large size of the lot (39.9 acres) and the existence of other land zoned Residential Estate in the vicinity.

Land Use Regulations and Strategic Master Plan:

Each of the standards for approval of a Zoning Map Amendment (LUR Section 5-202, page 9) is addressed below.

A. In considering any petition for amendment of the Official Zoning Map, the following standard shall govern. The applicant for the proposed amendment shall bear the burden of proof and the resolution approving the zoning map amendment shall be approved and adopted only if it is demonstrated by clear and convincing evidence presented during the public hearing that the following conditions or circumstances exist:

- 1. The property possesses the geological, physical, and other environmental conditions that are compatible with the potential uses permitted in the proposed zone district; and**

The property's geological, physical, and other environmental conditions are compatible with the potential permitted uses in the Residential Estate Zone District.

- 2. The property has a reasonably certain right of permanent legal access permitting vehicular ingress and egress from the property to the public thoroughfare; and**

The property has extensive frontage along McMurry Road.

- 3. Access to the property from the public thoroughfare reasonably meets County street, road, or driveway standards or, if the property is undeveloped, such access will be established prior to issuance of a building permit; and**

Access will have to meet relevant requirements prior to issuance of a building permit.

- 4. The potential uses of the property within the proposed zone district are compatible with other properties within the immediately surrounding area; and**

Permitted uses within the Residential Estate zone district that are not allowed in the Residential zone district are the keeping of Large Livestock, Duplex, Guest House, Private Riding Arena, and Private Stable. With the exception of the keeping of Large Livestock, none of these represent a radical change from uses allowed in the Residential zone district. The applicants intend to keep cattle on the lot and could have up to four cow/calf pairs. They intend to fence their lot to contain the cattle.

- 5. At least one of the following:**

- a. The rezoning, as proposed, is consistent with the advisory provisions of the Park County Strategic Master Plan; or**

The subject property's rezoning is consistent with the advisory provisions of the 2016 Park County Strategic Master Plan. Goal 3.2, Strategy D is to "encourage a transition to agricultural uses with more livestock than would be typically allowed in platted subdivisions...where lot sizes are large enough...Special consideration should be given to the compatibility of agricultural

uses on platted subdivisions with nearby residential development.”

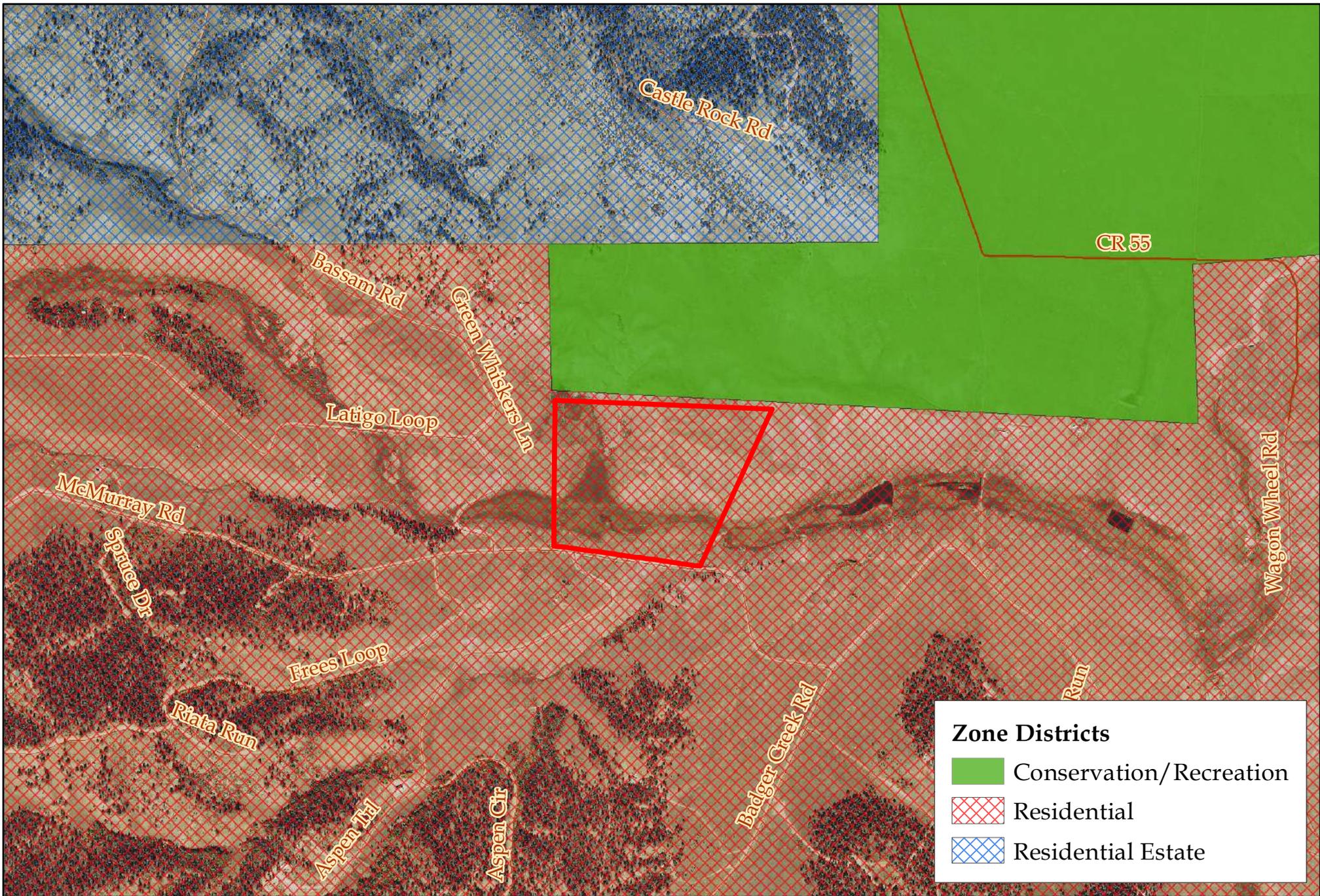
- b. The rezoning, as proposed, is supported by circumstances and conditions within the immediate area which have changed since the adoption of the Park County Strategic Master Plan; or**
Not Applicable.
- c. The rezoning, as proposed, is to a Planned Unit Development**
Not Applicable.

Impact Analysis:

If the lot is fenced to prevent livestock from leaving, no significant impacts resulting from the rezoning are anticipated.

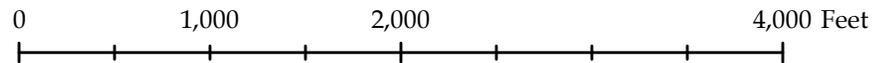
Recommendation:

Based on the foregoing, staff recommends that the Rezoning be approved with no conditions.



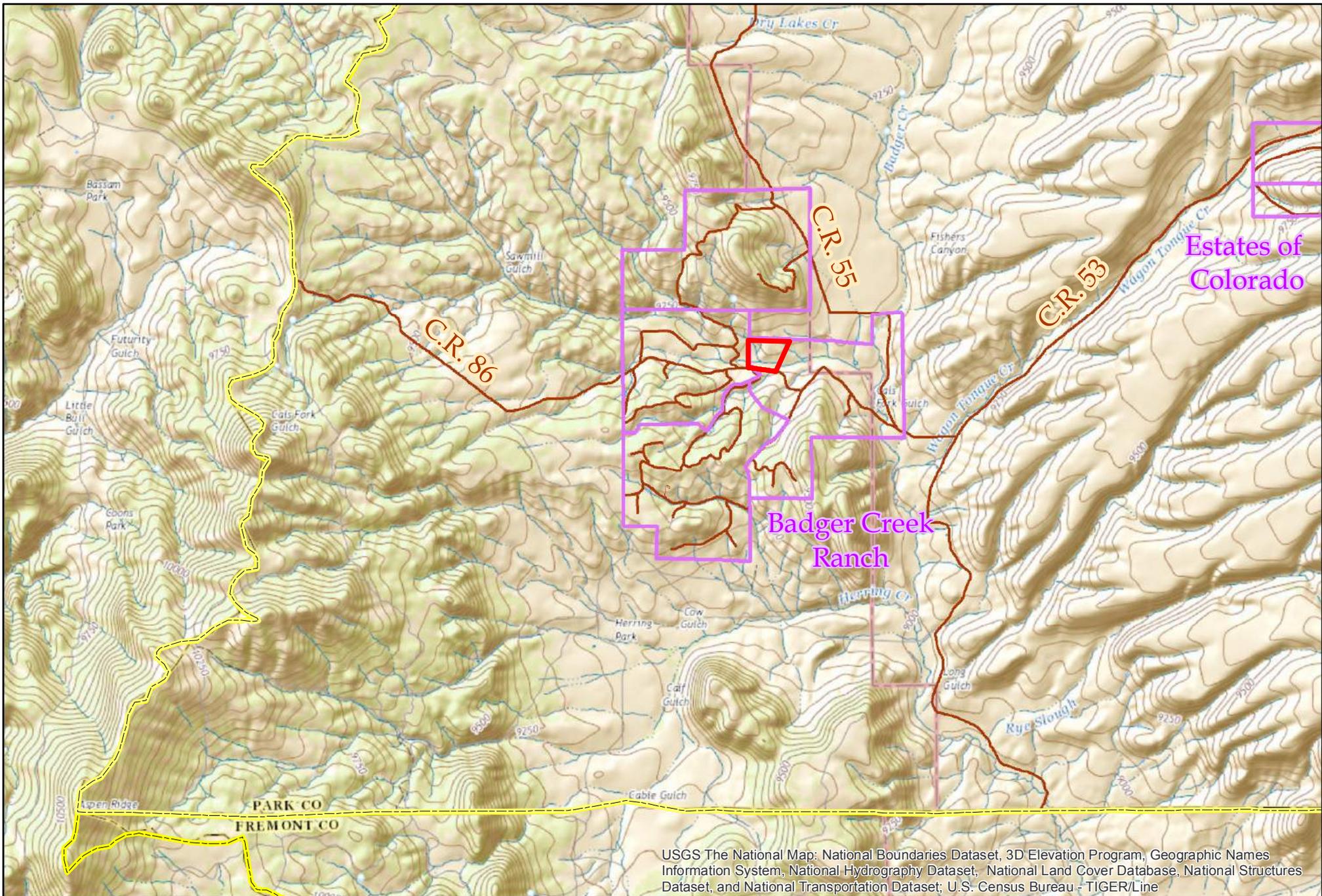
Attachment 1 - Zone Districts

Aerially Photographed in 2013



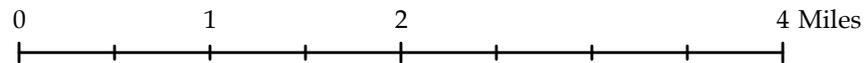
Park County Planning Department

This map is not a survey.



Attachment 2 - Vicinity

Contour Interval is Fifty Feet



Park County Planning Department

This map is not a survey.

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 #: 16ZON-14 **Case Name:** Wayland Rezoning

Request: Applicant is requesting to rezone a 39.9 acre lot from the Residential zone district to the Residential Estate zone district.

Location/Legal Description: New Lot 19, Badger Creek Ranch No. 1, addressed as 353 McMurry Road, Hartsel.

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
REZONING
NON-REFUNDABLE APPLICATION FEE: \$1680**

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 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: Erik D. Wayland & Michele C. Wayland

Mailing Address: P.O. Box 4508

City: Buena Vista State: CO Zip: 81211

Telephone

(work) 719-221-9616 (home) ⁽⁷¹⁹⁾ 837-2885 (fax) n/a

Owner's Name: Erik D. Wayland & Michele C. Wayland

Mailing Address: P.O. Box 4508, Buena Vista, CO 81211

Telephone No.: (719) 221-9616 / (719) 837-2885

B. PROPERTY INFORMATION

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

see attached (Item #4)

Street Address of Property: 353 McMurry Rd

Property's Total Acreage: 39.9

Current Zone District of Property: R

Proposed Zone District of Property: R-20

<p>For County Use Only Planning Department Confirmation of Current Zone District: District: <u>RESIDENTIAL</u> <u>John Deagan</u> Print Full Name</p>

**Requirements for a Rezoning
Article V, Division 2, Section 5-201**

C. APPLICATION REQUIREMENTS

1. Application Fee. An application fee in the amount of \$1680.00 must be paid at the time of submission of the application. Make the check or money order 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.
2. Tax receipt-showing payment of current taxes. This can be obtained at the Park County Treasurer's office.
3. Proof of ownership in the form of a recorded Warranty Deed. This can be obtained at the Park County Clerk and Records office.
4. A legal description of the property proposed for the Rezoning prepared by a licensed Colorado land surveyor.
5. A list of names and mailing addresses of all owners of adjacent property to the property subject to the proposed amendment to the Official Zoning Map, this information is at Park County Assessor's Office.
6. A Vicinity Map of where the proposed property is located within Park County.
7. A map or other description of the property proposed to be subject of the Rezoning including the following information:
 - a. The current zone district(s) of the property proposed to be subject of the Rezoning and of the adjacent properties;
 - b. A map showing the boundaries of the property proposed to be subject of the Rezoning;
 - c. Description of the existing uses on the property and on adjacent properties.
8. A map or other description of the Current Conditions of the property proposed to be subject of the Rezoning including the following information:
 - a. Topography of the property subject to rezoning, shown in elevation contours of not greater than twenty (20) or forty (40) foot increments. Applicants are encouraged to use the USGS topographic mapping or other form of commercially produced topographic map;
 - b. Points of access to the property, internal roads and trails including widths, and approximate grades. The Current Conditions Map must illustrate how access is

For County Use Only:	
Initial Receipt of the Required Information	
(1.)	<u>JW</u>
(2.)	<u>JW</u>
(3.)	<u>JW</u>
(4.)	<u>JW</u>
(5.)	<u>JW</u>
(6.)	<u>JW</u>
(7a.)	<u>JW</u>
(7b.)	<u>JW</u>
(7c.)	<u>JW</u>
(8a.)	<u>JW</u>

For County Use Only: Initial Receipt of the Required Information	
(8b.)	JW
(8c.)	N/A
(8d.)	JW
(8e.)	JW
(9.)	JW
(10.)	JW
(1.)	N/A
(2a.)	N/A
(2b.)	N/A

- obtained from the property subject to rezoning to the nearest county road or highway;
- c. Where any access to the property subject to rezoning is obtained from a road, trail, easement, driveway, or other private access other than an adjacent County-owned highway, street or road, the applicant shall provide evidence of permanent legal right of access. Such evidence may include, but not be limited to, deed, easement agreement, or attorney opinion that a permanent legal right of access exists to the property;
 - d. Natural features of the property subject to rezoning including wetlands, floodplain, riparian areas, water bodies (e.g., lakes, ponds, streams, whether continuous or seasonal), rock outcroppings, significant vegetation, geological or other hazards, and slopes greater than twenty-five percent (25%);
 - e. Utility systems including existing and proposed water wells, sewer systems, electric services, and natural gas.

9. Applicant must provide a Proposed Development Plan describing in mapped form and/or text the existing and proposed physical improvements of the property and the approximate locations of improvements.

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

For properties currently within a Mining Zone District, the following additional materials must be included in a complete application:

- 1. The building envelope must be at an elevation of not more than 11,500 feet.
- 2. The application must include a geo-technical report prepared by a qualified Geo-technical professional utilizing the information and guidelines contained in "Guidelines and Criteria for Identification of Land Use Controls of Geological Hazards and Mineral Resource Areas" Colorado Geological Survey Publication 6, or the updated version of this publication. The geo-technical report must be accompanied by a statement of the engineer's qualifications relative to geology, mine economics and geological hazards. At a minimum, this report must address the following information specific to the property in question, all of which shall be considered in evaluating the Rezoning application.
 - a. The presence and extent of any geological hazards, including but not limited to underground excavations on or adjacent to the subject property and the presence of radioactive or toxic materials and minerals.
 - b. The presence of surface and subsurface minerals, including but not limited to the types and amounts of minerals present and the viability of mineral extraction now and in the future.

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: Erik D. Wayland / Michele C. Wayland
Print name: Erik D. Wayland / Michele C. Wayland
If company, state Title/Position: n/a

E. VERIFICATION OF DATE OF DELIVERY OF APPLICATION

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

October 31, 2016
Month Day Year

For County Use Only:
Verification of Date of Delivery and
County Receipt of Application
Date: October 31st, 2016
Print Name: John Deegan

Payment of the Applicant Fee was made by:

X Personal Check # 4449 Amount \$ 1,680
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.

#2



[New Search](#) | [Return To Search Results](#) | [Print Bill](#)

Real Estate TAX/NOTICE RECEIPT FOR PARK COUNTY

SCHEDULE # R 4526 2015

PROPERTY ADDRESS: MCMURRY RD 353 HRT

TAXABLE VALUE: \$19,050.00 ACTUAL VALUE: \$65,692.00 TAX DISTRICT: 019

Owners Name

WAYLAND ERIK D
WAYLAND MICHELE C
PO BOX 4508
BUENA VISTA CO 81211-4508

Legal Description

T15 R76 S14 NW4 BADGER CREEK RANCH NO 1
 LOT 019 NEW

TAX:	\$944.02
INTEREST:	\$0.00
FEE:	\$0.00
TOTAL TAX & ASMTS.:	\$944.02
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: 06/27/2016 Amount : \$944.02

[Help Center](#) | [Site Instructions](#) | [Report a problem](#)



#3

712905

712905 2/4/2015 1:29 PM
1 of 2 QCD R\$16.00 D\$0.00

Debra A Green
Park County Clerk

Prepared By: |
Michele C. Wayland |
P.O. Box 4508 |
Buena Vista, Colorado 81211 |

STATE DOCUMENTARY FEE
DATE: 2/4/15
\$ 0

After Recording Return To: |
Erik D. Wayland |
P.O. Box 4508 |
Buena Vista, Colorado 81211 |

SPACE ABOVE THIS LINE FOR RECORDER'S USE

QUITCLAIM DEED

On February 02, 2015 THE GRANTOR(S),

- Erik D. Wayland and Michele C. Wayland, a married couple,
- Michele C. Wayland and Erik D. Wayland, a married couple,

for and in consideration of: One Dollar (\$1.00) and/or other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, conveys, releases and quitclaims to the GRANTEE(S):

- Erik D. Wayland and Michele C. Wayland, a married couple, residing at 2181 Badger Creek Road, Hartsel, Park County, Colorado 80449
- ~~Michele C. Wayland and Erik D. Wayland, a married couple, residing at 2181 Badger Creek Road, Hartsel, Park County, Colorado 80449~~

as joint tenants with rights of survivorship, the following described real estate, situated in Hartsel, in the County of Park, State of Colorado, described as follows:

Legal Description: T15 R76 S14 NW4 BADGER CREEK RANCH NO 1 LOT 019 NEW

Tax Parcel Number: Lot #19

Grantor does hereby convey, release and quitclaim all of the Grantor's rights, title, and interest in and to the above described property and premises to the Grantee(s), and to the Grantee(s) heirs and assigns forever, so that neither Grantor(s) nor Grantor's heirs, legal representatives or assigns shall have, claim or demand any right or title to the property, premises, or appurtenances, or any part thereof.

This is a corrective transfer that does not affect ownership of the property in question.

Mail Tax Statements To:
Erik D. Wayland

TRANSFER DECLARATION
ACCOMPANIED THIS DOCUMENT

Grantor Signatures:

DATED: 2-2-15 DATED: EW

Erik D. Wayland Michele C. Wayland

Erik D. Wayland ~~Michele C. Wayland~~
2181 Badger Creek Road 2181 Badger Creek Road
Hartsel, Colorado ~~Hartsel, Colorado~~ EW
80449 80449

Grantor Signatures:

DATED: 2/2/2015 DATED: MCW

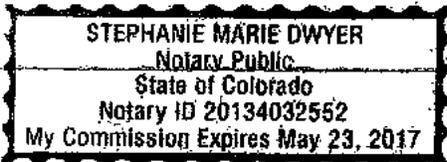
Michele C. Wayland

Michele C. Wayland ~~Erik D. Wayland~~
2181 Badger Creek Road 2181 Badger Creek Road
Hartsel, Colorado ~~Hartsel, Colorado~~ MCW
80449 80449

STATE OF COLORADO, COUNTY OF CHAFFEE, ss:

This instrument was acknowledged before me on this 2nd day of February,
2015 by Erik D. Wayland and Michele C. Wayland.

Stephanie Marie Dwyer
Notary Public



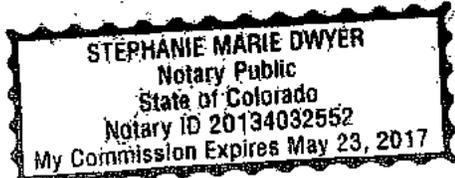
Title (and Rank)

My commission expires 5/23/2017

STATE OF COLORADO, COUNTY OF CHAFFEE, ss:

This instrument was acknowledged before me on this 2nd day of February,
2015 by Michele C. Wayland and Erik D. Wayland.

Stephanie Marie Dwyer
Notary Public



Title (and Rank)

My commission expires 5/23/2017

701777

701777
1 of 2

9/16/2013 3:30 PM
QCD R\$16.00 D\$0.00

Debra A Green
Park County Clerk

PREPARED BY:
Michele Wayland
P.O. Box 4508
Buena Vista, CO 81211

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO:
Michele C. Wayland
2181 Badger Creek Road
Hartsel, CO 80449

MAIL TAX STATEMENTS TO:
Michele Wayland
P.O. Box 4508
Buena Vista, CO 81211

STATE DOCUMENTARY FEE

DATE 9/16/13

\$ 0

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS THAT:

THIS QUITCLAIM DEED, made and entered into on the 13th day of September, 2013, between Erik Douglas Wayland, a married person, whose address is 2181 Badger Creek Road, Hartsel, Colorado 80449 ("Grantor"), and Michele C. Wayland, whose address is 2181 Badger Creek Road, Hartsel, Colorado 80449, and Erik D. Wayland, whose address is 2181 Badger Creek Road, Hartsel, Colorado 80449, a married couple ("Grantees").

For and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor hereby Remises, Releases, AND FOREVER Quitclaims to Grantees, as Tenants in Common, the property located in Park County, Colorado, described as:

Lot 19, Badger Creek Ranch NO. 1 which has the address of 353 McMurry Rd.

Prior instrument reference: General Warranty Deed, Volume/Book _____, Page _____, Document No. 665472, of the Recorder of Park, Colorado, recorded Wednesday, September 23, 2009.

SUBJECT TO all, if any, valid easements, rights of way, covenants, conditions, reservations and restrictions of record.

Grantor grants all of the Grantor's rights, title and interest in and to all of the above described property and premises to the Grantees, and to the Grantees' heirs and assigns forever in fee simple, so that neither Grantor nor Grantor's heirs legal representatives or assigns shall have, claim, or demand any right or title to the property, premises, or appurtenances, or any part thereof.

NO REAL PROPERTY
TRANSFER DECLARATION
ACCOMPANIED THIS DOCUMENT

701777

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2 of 2

9/16/2013 3:30 PM
QCD RS16.00 D\$0.00

Debra A Green
Park County Clerk

Tax/Parcel ID Number: 4526 R 001

IN WITNESS WHEREOF the Grantor has executed this deed on the 13 day of September, 2013.

9/13/13
Date

Erik Douglas Wayland
Erik Douglas Wayland, Grantor

State of Colorado
County of Chaffee

The foregoing instrument was acknowledged before me this the 13 day of September, 2013 by Erik Douglas Wayland

Colleen Sikes Notary's official signature

2-21-2014 Commission expiration date



IN WITNESS WHEREOF the Grantees have executed this deed on the 13 day of September, 2013.

9/13/13
Date

Michele C. Wayland
Michele C. Wayland, Grantee

9/13/13
Date

Erik D. Wayland
Erik D. Wayland, Grantee

State of Colorado
County of Chaffee

The foregoing instrument was acknowledged before me this the 13 day of September, 2013 by Michele C. Wayland & Erik D. Wayland

Colleen Sikes Notary's official signature

2-21-2014 Commission expiration date





665472
1 of 2

QCD

9/23/2009 11:17 AM
R\$11.00 D\$0.00

Debra A Green
Park County Clerk

STATE DOCUMENTARY FEE

DATE 9-23-09

\$ 11.00

RECORDED BY: [unclear]
INDEXED BY: [unclear]
FILED BY: [unclear]
ALBANY, NEVADA

LF298-04
R298-04

QUITCLAIM DEED

THIS QUITCLAIM DEED, executed this 23rd day of September, 2009, by first party, Grantor, Judith K. Wayland, whose post office address is 5632 Styron Dr. Oriental, NC 28571 to second party, Grantee, Erik Douglas Wayland, whose post office address is P.O. Box 4508 Buena Vista, CO 81211

WITNESSETH, That the said first party, for good consideration and for the sum of TEN AND 00/100 Dollars (\$ 10.00) paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim unto the said second party forever, all the right, title, interest and claim which the said first party has in and to the following described parcel of land, and improvements and appurtenances thereto in the County of Park State of Colorado to wit:

Lot 19,
BADGER CREEK RANCH NO. 1

which has the address of 353 McMurry rd.



665472
2 of 2

9/23/2009 11:17 AM
QCD R\$11.00 D\$0.00

Debra A Green
Park County Clerk

IN WITNESS WHEREOF, The said first party has signed and sealed these presents the day and year first above written. Signed, sealed and delivered in presence of:

Signature of Witness

Judith K. Wayland
Signature of First Party

Print name of Witness

Judith K. Wayland
Print name of First Party

Signature of Witness

Signature of First Party

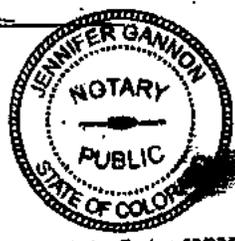
Print name of Witness

Print name of First Party

State of Pack
County of Colorado }
On Sept. 23, 2009 before me,
appeared Judith K. Wayland

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
WITNESS my hand and official seal.

Jennifer Gannon
Signature of Notary



Affiant Known Produced ID
Type of ID DL NC (Seal)

State of _____ }
County of _____ }
On _____ before me,
appeared _____

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
WITNESS my hand and official seal.

Signature of Notary

Affiant Known Produced ID
Type of ID _____ (Seal)

Signature of Preparer

Print Name of Preparer

Address of Preparer

515939 10/28/1999 01:25P
1 of 1 R 5.00 D 2.00 BARBARA J PASCO PARK CO

WARRANTY DEED

THIS DEED, Made this 28th day of October, 1999,
between Douglas B. Pikul

STATE DOCUMENTARY FEE

DATE 10-29-99

\$ 2.00

of the County of _____ and State of Colorado
grantor, and Judith K. Wayland

whose legal address is 3300 Leland Street, Chevy Chase, MD 20815

of the County of _____ and State of Maryland, grantee:

WITNESSETH, That the grantor, for and in consideration of the sum of TWENTY THOUSAND AND NO/100-----

-----DOLLARS, (\$20,000.00)

), 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 County of Park, and State of Colorado, described as follows:

Lot 19,
BADGER CREEK RANCH NO. 1,

County of Park, State of Colorado

also known by street and number as vacant land, Hartsel, CO 80449

TOGETHER with all and singular the hereditaments and appurtenances thereto 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 enacting 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 or payable, easements, restrictions, reservations, covenants and rights-of-way of record, if any.

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.

Douglas B. Pikul

Douglas B. Pikul

STATE OF COLORADO
COUNTY OF *Chaffee*

The foregoing instrument was acknowledged before me this *28th* day of *October*, 1999 by
Douglas B. Pikul

My Commission expires: *12-11-2001*



Witness my hand and official seal
Douglas M. Bunkley

Notary Public

200

701778

701778
1 of 2

9/16/2013 3:30 PM
QCD R\$16.00 DS0.00

Debra A Green
Park County Clerk

PREPARED BY:
Michele Wayland
P.O. Box 4508
Buena Vista, CO 81211

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO:
Michele C. Wayland
2181 Badger Creek Road
Hartsel, CO 80449

MAIL TAX STATEMENTS TO:
Michele Wayland
P.O. Box 4508
Buena Vista, CO 81211

STATE DOCUMENTARY FEE

DATE 9/16/13

\$ 0

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS THAT:

THIS QUITCLAIM DEED, made and entered into on the 13th day of September, 2013, between Michele Chwan, whose address is 2181 Badger Creek Road, Hartsel, Colorado 80449, and Erik Wayland, whose address is 2181 Badger Creek Road, Hartsel, Colorado 80449, a married couple ("Grantors"), and Michele C. Wayland, whose address is 2181 Badger Creek Road, Hartsel, Colorado 80449, and Erik D. Wayland, whose address is 2181 Badger Creek Road, Hartsel, Colorado 80449, a married couple ("Grantees").

For and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantors hereby Remise, Release, AND FOREVER Quitclaim to Grantees, as Tenants in Common, the property located in Park County, Colorado, described as:

Lot 20, Badger Creek Ranch NO. 1 County of Park, State of, Colorado

Prior instrument reference: General Warranty Deed, Volume/Book _____, Page _____, Document No. 474672, of the Recorder of Park, Colorado, recorded Wednesday, May 21, 1997.

SUBJECT TO all, if any, valid easements, rights of way, covenants, conditions, reservations and restrictions of record.

Grantors grant all of the Grantors' rights, title and interest in and to all of the above described property and premises to the Grantees, and to the Grantees' heirs and assigns forever in fee simple, so that neither Grantors nor Grantors' heirs legal representatives or

NO REAL PROPERTY
TRANSFER DECLARATION
ACCOMPANIED THIS DOCUMENT

701778

701778
2 of 2

9/16/2013 3:30 PM
QCD R\$16.00 D\$0.00

Debra A Green
Park County Clerk

assigns shall have, claim, or demand any right or title to the property, premises, or appurtenances, or any part thereof.

Tax/Parcel ID Number: 4764 R 001

IN WITNESS WHEREOF the Grantors have executed this deed on the 13 day of September, 2013.

9/13/13
Date

Michele Chwan
Michele Chwan, Grantor

9/13/13
Date

Erik Wayland
Erik Wayland, Grantor

State of Colorado
County of Chaffee

The foregoing instrument was acknowledged before me this the 13 day of September, 2013 by Michele Chwan + Erik Wayland

Colleen Sikes Notary's official signature

2-21-2014 Commission expiration date



IN WITNESS WHEREOF the Grantees have executed this deed on the 13 day of Sept, 2013.

9/13/13
Date

Michele C Wayland
Michele C. Wayland, Grantee

9/13/13
Date

Erik D Wayland
Erik D. Wayland, Grantee

State of Colorado
County of Chaffee

The foregoing instrument was acknowledged before me this the 13 day of September, 2013 by Michele C Wayland, Grantee + Erik D Wayland, Grantee

Colleen Sikes Notary's official signature

2-21-2014 Commission expiration date



Recorded at _____ o'clock _____

Reception No. _____



474671 05/21/1997 01:04P

1 of 1 R 6.00 D 2.50 BARBARA J PASCO PARK CO

WARRANTY DEED

THIS DEED, Made this 15th day of May, 19 97, between

William R. Luellen and Gloria Luellen, as to an undivided one-half interest and Stan Trueblood and Ann Trueblood, as to an undivided one-half

of the County of _____ and State of Colorado grantor, and Erik Wayland and Michele Chwan

STATE DOCUMENTARY FEE

DATE 5-21-97

\$ 2.50

whose legal address is PO Box 4508, Buena Vista, CO 81211

of the County of _____ and State of Colorado grantees:

WITNESS, That the grantor, for and in consideration of the sum of TWENTY FIVE THOUSAND AND NO/100--

----- DOLLARS, (\$25,000.00), 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 grantees, 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 20,
BADGER CREEK RANCH NO. 1,

County of Park, State of _____, Colorado

also known by tax parcel number as

TOGETHER with all and singular the hereditaments and appurtenances thereto 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

NEW LOT 19 LEGAL DESCRIPTION

LEGAL DESCRIPTION:

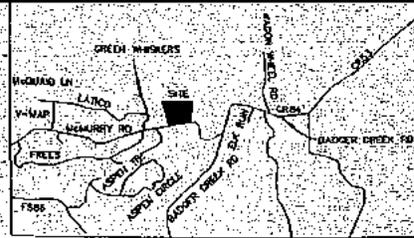
Erik D. Wayland and Michele C. Wayland, ("Owner/s") being the owner(s) of the real property of 39.9 acres located in Park County, Colorado, described as follows:

LOTS 19 & 20, BADGER CREEK RANCH NO. 1, BEING IN SECTION 14, TOWNSHIP 15 SOUTH, RANGE 76 WEST OF THE 6TH P.M.

A TRACT OF LAND COMBINING SAID LOT 19 & 20 BEING IN SECTION 14, TOWNSHIP 15 SOUTH, RANGE 76 WEST OF THE 6TH P.M. DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF NEW LOT 19 THE FOLLOWING 4 COURSES AND DISTANCES:

- NO1°44'41"W FOR A DISTANCE OF 1140.11 FEET TO A POINT;
 - NB9°33'45"E FOR A DISTANCE OF 1712.16 FEET TO A POINT;
 - S22°28'27"W FOR A DISTANCE OF 1370.42 FEET TO A POINT;
 - NB4°22'16"W FOR A DISTANCE OF 1159.12 FEET TO THE POINT OF BEGINNING.
- CONTAINING 39.9 ACRES MORE OR LESS.



UND 5/8" REBAR

LEGAL DESCRIPTION:

Erik D. Wayland and Michele C. Wayland, ("Owner/s") being the owner(s) of the real property of 39.9 acres located in Park County, Colorado, described as follows:

LOTS 19 & 20, BADGER CREEK RANCH NO. 1, BEING IN SECTION 14, TOWNSHIP 15 SOUTH, RANGE 76 WEST OF THE 6TH P.M.

A TRACT OF LAND COMBINING SAID LOT 19 & 20 BEING IN SECTION 14, TOWNSHIP 15 SOUTH, RANGE 76 WEST OF THE 6TH P.M. DESCRIBED AS FOLLOWS:

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 - S22°28'27"W FOR A DISTANCE OF 1370.42 FEET TO A POINT;
 - NB4°22'16"W FOR A DISTANCE OF 1159.12 FEET TO THE POINT OF BEGINNING.
- CONTAINING 39.9 ACRES MORE OR LESS.

DEDICATION:

KNOW ALL MEN BY THESE PRESENTS, THAT the owner(s) of the land described above have caused the land to be laid out and divided under the terms of LOT CONSOLIDATION PLAN, and do hereby dedicate, grant and convey to the public forever and in fee simple all streets, alleys, easements, improvements, fixtures, utility and drainage easements, park, lawn, and open space as indicated by lines on this plat in compliance with the Park Land Use Regulations and controlled in this plat in compliance with the Park Land Use Regulations and the landowners shall bear all expense involved in planning, design, and construction of all public improvements except to the extent otherwise stated in any duly approved and recorded Subdivision Improvement Agreement. Dedication shall be final upon adoption of a resolution by the Board of County Commissioners accepting the property dedicated by this plat. Except as otherwise stated on this plat, there shall be no restriction or restriction upon the purpose or public use of property dedicated by this plat.

RECORDER'S CERTIFICATE:

This plat was filed for record in the office of the County Clerk and Recorder of Park County of

3:58 P.M. on the 22 day of October, 2013 and duly filed at

Reception No. 702716

[Signature]
Park County Clerk and Recorder



SURVEYOR'S CERTIFICATE:

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



[Signature]
ROY R. GERDEL
(PRINT AS REGISTERED)

DATE 9-7-13

NOTES:

- 1) BASIS OF BEARING IS THE LINE BETWEEN THE SOUTHWEST CORNER OF NEW LOT 19 AS MONUMENTED BY A REBAR 1 1/2" ALUMINUM CAP-LS4440 AND THE SOUTHWEST CORNER OF NEW LOT 19 AS MONUMENTED BY A REBAR AND BLUE PLASTIC CAP LS4440. THIS LINE BEARS N84°22'40"W.
 - 2) NO TITLE REPORT PROVIDED.
 - 3) THE PURPOSE OF THIS SURVEY IS TO DO A LOT CONSOLIDATION OF LOT 19 AND 20 INTO ONE NEW LOT 19.
 - 4) 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 AND DOES NOT EXTEND TO ANY UNNAMED PERSON OR ENTITY WITHOUT AN EXPRESSED RESTATEMENT BY THE SURVEYOR MAKING SAID PERSON OR ENTITY.
 - 5) UNMEASURED COURSE AND DISTANCE.
 - 6) UNPLATTED COURSE AND DISTANCE.
 - 7) SUBMISSION PLAT RECORDED AT THE PARK COUNTY CLERK AND RECORDERS OFFICE AT RECEPTION NO. 186619.
- NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU POST YOUR OWN DEFECT. IF NO DEFECT, MAY ANY ACTION BE COMMENCED MORE THAN THREE YEARS AFTER YOU POST YOUR OWN DEFECT.

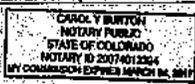
In Witness Whereof, we do hereunto set our hands and seals this 15 day of October, 2013.

[Signature] Erik D. Wayland
[Signature] Michele C. Wayland

STATE OF Colorado)
COUNTY of Park)
Acknowledged before me this 15 day of October, 2013 by *[Signature]* Michael C. Wayland

Witness my hand and official seal.

My commission expires March 4, 2017



FILE CERTIFICATE:
Facility National Title Insurance Company hereby certifies that title to the above-described property is vested in the Owner(s).

Oct 17, 2013
Date *[Signature]*
(Signatures of Authorized Agent)

PARK COUNTY ADMINISTRATIVE APPROVAL:
APPROVED as an administrative LOT CONSOLIDATION 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 effective July 1, 2010.

ATTEST: *[Signature]*
Planning Director of Title of Agency/Board

Owners of Lots Adjacent to Tax Parcel 4526, November 16th 2016

UNITED STATES OF AMERICA U S D A

6655 W JEWELL AVE

LAKWOOD, CO 80226

ANDREWS PHYLLIS

PO BOX 1595

FAIRPLAY, CO 80440-1595

VASOLD KRISTINA JO

142 BONITA PL

NORTHGLENN, CO 80234

COPPOCK DENNIS C

2758 MIRAGE DR

COLORADO SPRINGS, CO 80920-4306

BOOTH DUSTIN

568 HOLIDAY HILLS DR

HOWARD, CO 81233

STONE PAUL EDWARD

6930 OLD SYCAMORE DR

MINT HILL, NC 28227

GOTWALD WILLIAM A

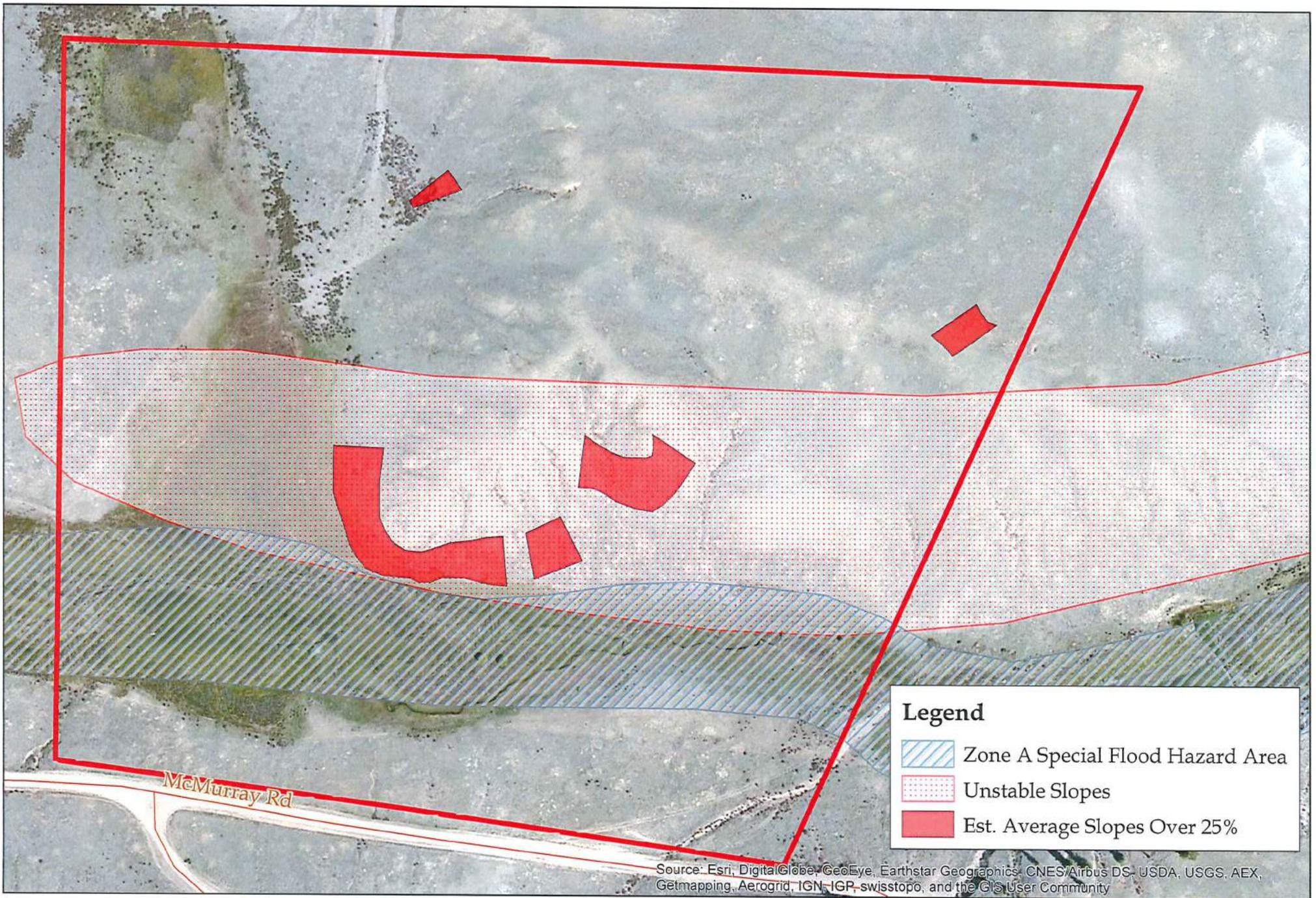
10984 BELLAIRE WY

THORNTON, CO 80233

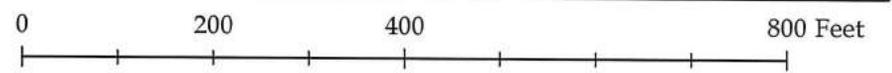
#6

Location of Subject Property in Park County





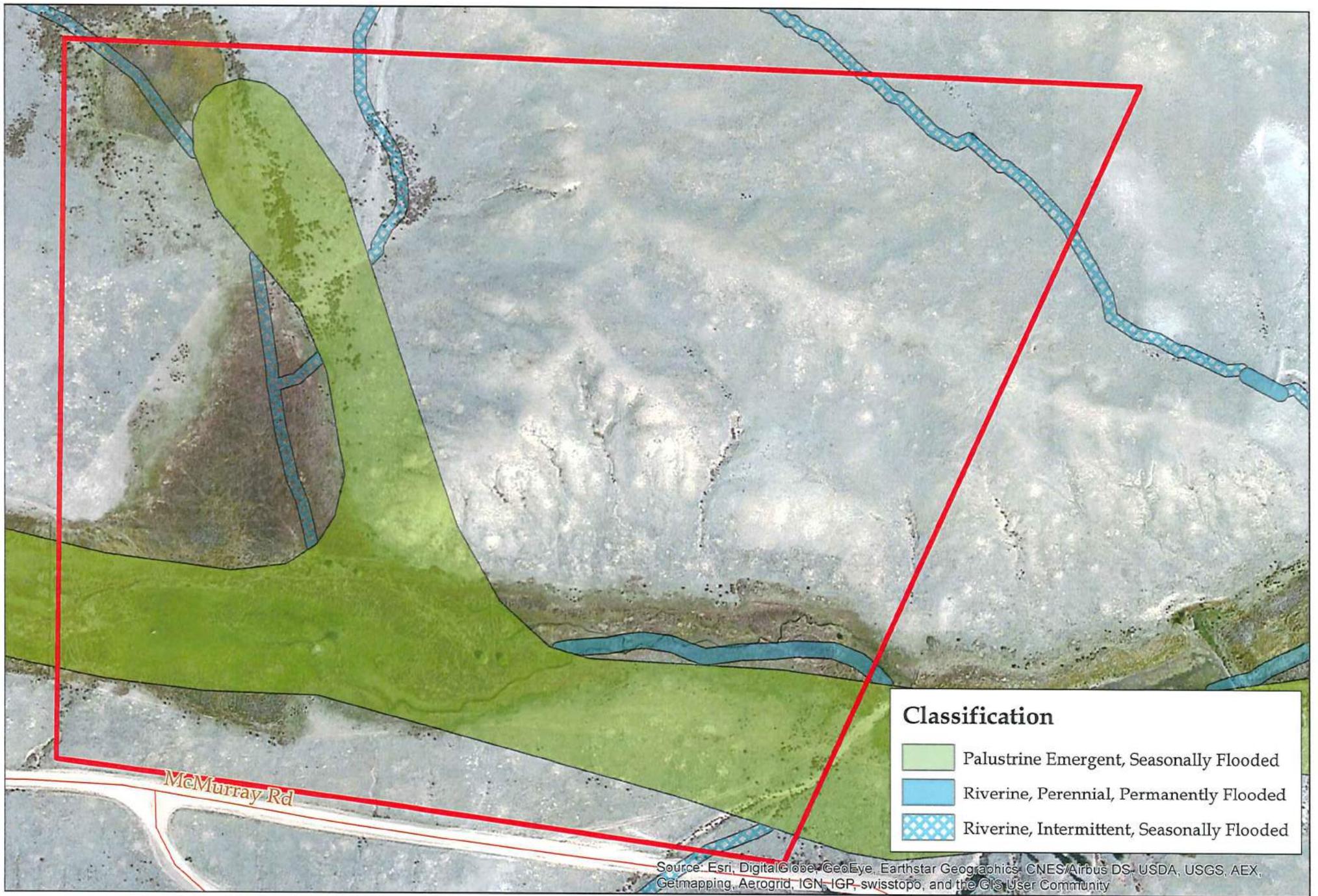
**Floodplains, Geologic Hazards,
and Steep Slopes**
Aerially Photographed in 2013



Park County Planning Department

This map is not a survey.





Classification

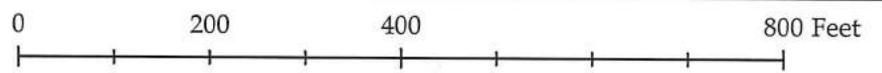
- Palustrine Emergent, Seasonally Flooded
- Riverine, Perennial, Permanently Flooded
- Riverine, Intermittent, Seasonally Flooded

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



Wetlands According To USFWS

Aerially Photographed in 2013

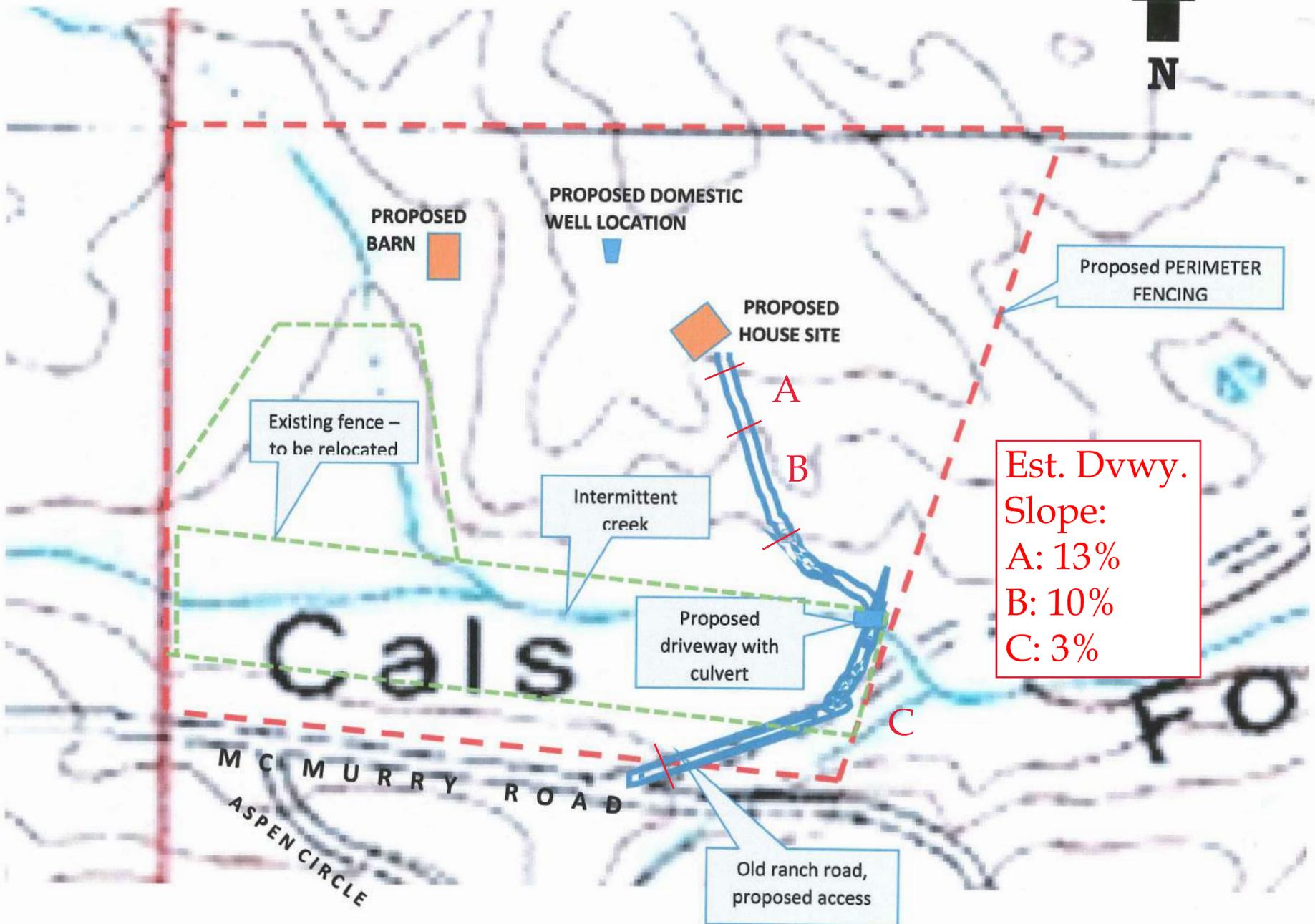


Park County Planning Department

This map is not a survey.

20' Contour Intervals

Lot 19 Proposed Development Plan w/Topography



#85#9



3

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