BOARD OF ADJUSTMENTS
AND
PLANNING COMMISSION
MEETING AGENDA
501 Main Street, Fairplay
Tuesday, December 13, 2016 at 9:00 a.m.

BOARD OF ADJUSTMENT

.1. APPROVAL OF AGENDA

.2. APPROVAL OF MINUTES FROM NOVEMBER 8, 2016

.3. PUBLIC HEARINGS

.3.1. VARIANCE CASE #16SET-07:

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

Documents:

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

PLANNING COMMISSION

.1. APPROVAL OF AGENDA

.2. APPROVAL OF MINUTES FROM NOVEMBER 8, 2016

.3. PUBLIC HEARINGS

.3.1. COMMON PLAT AMENDMENT CASE #16AMN-04:

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

Documents:

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

.3.2. 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

Documents:

16PUD_02 PC Staff Report.pdf
16PUD_02_APPLICATION.pdf
Referral_responses.pdf

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

Sch# 38238
16SET-07

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

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

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

A. APPLICANT AND OWNERSHIP INFORMATION

Applicant's Name: ARTHUR C. & ROSE LOWITZER

Mailing Address: 915 CREST WAY, EMMAUS, PA 18049

City: EMMAUS State: PA Zip: 18049

Telephone

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

Owner's Name: ARTHUR C. & ROSE LOWITZER

Mailing Address: 915 CREST WAY, EMMAUS, PA 18049

Telephone No.: 215-290-1700

B. PROPERTY INFORMATION

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

INDIAN MOUNTAIN, FILING 25, UNIT 2, LOT 103

Street Address of Property: 144 RED CLOUD DRIVE

Property's Total Acreage: 5.66

Current Zone District of Property: R

Proposed Zone District of Property: R

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

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

C. APPLICATION REQUIREMENTS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Thank you for your consideration.

Park County Website | Treasurer Web Site

Colorado
PARK COUNTY
Treasurer: Michelle Miller

New Search | Return To Search Results | Print Bill

Real Estate TAX/NOTICE RECEIPT FOR PARK COUNTY

SCHEDULE # R 38238 2015

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

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

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

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

Select a payment option below.

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

Pay Full Amount

Paid

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

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

RE-RECORD TO CORRECT LEGAL DESCRIPTION

599817 05/18/2004 12:28P
1 of 1 R 6.00 D 22.50 DEBRA A GREEN PARK CO

WARRANTY DEED

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

STATE DOCUMENTARY FEE
DATE 5/18/04
$ 22.50

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

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

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

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

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

STATE DOC FEE $22.50

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

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

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

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

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

Peter F. Tedstrom

Nicole R. Tedstrom

STATE OF COLORADO }
COUNTY OF JEFFERSON } ss.

JEAN L. ALEXANDER NOTARY PUBLIC STATE OF COLORADO

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

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

Witness my hand and official seal.

Notary Public

WARRANTY DEED (to Joint Tenants) 5/18/2004 Filed NO12/2003

STATE DOCUMENTARY FEE
DATE 5-26-04
$ 0

NO REAL PROPERTY TRANSFER DECLARATION ACCOMPANIED THIS DOCUMENT

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

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

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

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

INDIAN MOUNTAIN
FILING 25 UNIT 2
PARK COUNTY

SURVEYOR'S CERTIFICATE

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

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

HOLDERS OF DEEDS OF TRUST

RICHARD H. BETZING & EVALYNN R. BETZING
WILLIAM F. VIGOR & GLORIA M. VIGOR
BILLY B. WYATT & VERA B. WYATT

BY: [signature]
BILLY B. WYATT, ATTORNEY IN FACT

SAUL N. DAVIDSON
BY [signature]
MILFORD S. PEPPER

JAMES H. PETERSEN
BY [signature]

PARK DEVELOPMENT COMPANY
BY [signature]
JAMES P. CAMPBELL

CURVE DATA

NO.	DELTA	TANGENT	RADIUS	LENGTH
1.	39°33'49"	50.00'	139.02'	95.99'
2.	45°30'14"	60.00'	143.07'	113.63'
3.	82°41'08"	60.00'	68.19'	98.41'
4.	47°18'21"	50.00'	114.16'	94.25'
5.	64°04'47"	43.59'	69.65'	77.89'
6.	63°47'45"	43.59'	70.03'	77.98'
7.	90°08'13"	80.00'	79.81'	125.55'
8.	11°58'03"	40.00'	381.62'	79.71'
9.	13°29'40"	40.00'	338.10'	79.63'
10.	11°18'39"	40.00'	403.93'	79.74'
11.	27°25'13"	50.88'	208.56'	99.81'
12.	21°40'33"	50.88'	265.77'	100.54'
13.	13°31'31"	40.00'	337.32'	79.63'
14.	73°20'30"	60.00'	80.58'	103.15'
15.	76°42'13"	75.04'	94.84'	126.96'
16.	41°26'49"	50.00'	132.16'	95.60'
17.	31°20'11"	60.00'	213.91'	116.99'
18.	26°11'45"	40.00'	171.92'	78.60'
19.	46°15'20"	60.00'	140.48'	113.41'
20.	09°48'34"	50.00'	582.66'	99.76'
21.	15°47'11"	40.00'	288.52'	79.49'
22.	53°28'55"	52.30'	103.81'	96.90'
23.	42°14'07"	36.16'	93.64'	69.02'
24.	25°42'53"	40.00'	175.25'	78.65'
25.	34°02'54"	50.00'	163.30'	97.04'
26.	50°58'24"	60.00'	125.87'	111.98'
27.	32°18'44"	50.00'	172.59'	97.34'
28.	26°47'48"	100.00'	419.81'	196.34'
29.	38°23'46"	50.00'	143.60'	96.23'
30.	17°18'15"	50.00'	328.59'	99.24'
31.	34°13'14"	60.00'	194.91'	116.41'
32.	68°02'14"	100.00'	148.15'	175.93'
33.	20°25'40"	50.00'	277.50'	98.94'
34.	19°10'20"	50.00'	296.05'	99.07'
35.	21°38'52"	40.00'	209.21'	79.05'
36.	11°55'30"	40.00'	382.99'	79.71'
37.	20°02'58"	40.00'	226.28'	79.18'
38.	86°52'26"	60.00'	63.37'	96.08'
39.	41°50'46"	50.00'	130.78'	95.51'
40.	82°40'56"	60.00'	68.20'	98.41'
41.	97°19'12"	70.00'	61.58'	104.60'
42.	41°58'34"	50.00'	130.34'	95.49'
43.	25°57'32"	50.00'	216.93'	98.28'
44.	08°35'20"	40.00'	532.67'	79.85'
45.	22°06'43"	50.00'	255.89'	98.76'
46.	29°46'19"	58.21'	218.97'	113.78'
47.	25°29'30"	58.21'	257.32'	114.48'
48.	15°45'05"	50.00'	361.46'	99.37'
49.	39°55'22"	90.00'	247.79'	172.66'
50.	73°34'44"	70.00'	93.61'	120.21'
51.	42°48'04"	50.00'	127.58'	95.31'
52.	40°05'51"	50.00'	137.01'	95.88'

NOTES

1. 5/8" REBAR WITH SURV CAP HAVE BEEN SET AT ALL CORNERS.
2. A 7.5' EASEMENT FOR UTILITIES SHALL BE GRANTED ALONG EACH SIDE AND REAT LOT LINE. A 15' EASEMENT FOR UTILITIES SHALL BE GRANTED ALONG ALL PLAT EXTERIOR BOUNDARY LINES.
3. INDIVIDUAL LOT OWNERS SHALL BE RESPONSIBLE FOR OBTAINING A BUILDING PERMIT FROM THE COUNTY.
4. INDIVIDUAL LOT OWNERS SHALL BE RESPONSIBLE FOR OBTAINING THEIR OWN SEPTIC TANK SITE APPROVAL FROM THE COUNTY OR STATE HEALTH DEPARTMENT.

*5. SUFFICIENT SOIL DEPTH TO PROVIDE 4' THICK ABSORPTION BEDS MAY NOT EXIST ON ALL LOTS, IN SUCH CASES THE SEWAGE TREATMENT SYSTEM SHALL BE DESIGNED BY A COLORADO REGISTERED ENGINEER.

6. ALL PROPERTY LINES INTERSECTION AT STREET CORNERS SHALL HAVE A 15' RADIUS, DIMENSIONS ARE TO THE POINT OF INTERSECTION.
7. ALL BUILDING PROHIBITED IN FLOOD PLAIN EASEMENTS.
8. ALL FLOOD PLAIN EASEMENTS ARE TO BE EQUALLY CENTERED ALONG THE CENTERLINE OF THE EXISTING STREAM CHANNEL.
9. ALL UTILITIES (ELEC., WATER, SEWER, GAS AND TELEPHONE) SHALL BE PROVIDED AT THE INDIVIDUAL LOT OWNERS EXPENSE.
10. INDIVIDUAL LOT OWNERS SHALL BE RESPONSIBLE FOR OBTAINING A DRIVEWAY PERMIT FROM THE COUNTY.
11. THIS SUBDIVISION IS LOCATED IN THE JEFFERSON-COMO FIRE DISTRICT.
12. ALL MINERAL RIGHTS WILL BE RETAINED BY INDIAN MOUNTAIN CORPORATION, IF ANY.
13. DEED RECORDED AT BOOK 251 PAGE 17.
14. THIS SUBDIVISION CONTAINS 56 LOTS.
15. THIS PROPERTY HAS R-1 COUNTY ZONING.
16. THIS PLAT CONTAINS 14,811.00' FEET OF DEDICATED ROAD.
17. COVENANTS RECORDED AT BOOK 218 PAGE 878 THRU 882.
18. OUTLOT A WILL BE DEEDED TO THE INDIAN MOUNTAIN PARKS AND RECREATION DISTRICT.
19. A MINIMUM DISTANCE OF 200' BETWEEN ALL WELLS AND LEACH FIELDS WILL BE REQUIRED.
20. LOTS ____ AND ____ ARE DEEDED TO PARK COUNTY.

DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE INDIAN MOUNTAIN
COLORADO CORPORATION, BEING THE OWNERS OF THAT PORTION OF
R.75 W., OF THE 6th P.M., COUNTY OF PARK, STATE OF COLORAD
BEGINNING AT THE SE CORNER OF SAID SECTION 25, THENCE N
THE SOUTH LINE OF SAID SECTION 25 FOR A DISTANCE OF 2362.5
N13°00'00"W LEAVING SAID SOUTH LINE SECTION 25 FOR A DISTA
THENCE N80°56'11"W FOR A DISTANCE OF 347.32' TO A POINT ON
RIGHT OF WAY OF LONG BOW DRIVE, THENCE N09°03'49"E ALONG S
FOR A DISTANCE OF 82.59', THENCE N80°56'11"W CROSSING SAID
DISTANCE OF 60.00', TO A POINT ON THE WESTERLY RIGHT OF WA
DRIVE, THENCE NORTHERLY ALONG SAID WESTERLY R.O.W. FOR THE
COURSES, TO THE RIGHT ALONG THE ARC OF A CURVE WHOSE DELTA
WHOSE RADIUS IS 169.02' FOR A DISTANCE OF 116.71', THENCE
DISTANCE OF 65.06', THENCE TO THE LEFT ALONG THE ARC OF A
IS 45°30'14" AND WHOSE RADIUS IS 113.07' FOR A DISTANCE OF
N03°07'23"E FOR A DISTANCE OF 127.94', THENCE N21°58'47"E
71.04', THENCE TO THE LEFT ALONG THE ARC OF A CURVE WHOSE
AND WHOSE RADIUS IS 351.62' FOR A DISTANCE OF 73.44', THEN
A DISTANCE OF 58.82', THENCE TO THE LEFT ALONG THE ARC OF
IS 13°29'40" AND WHOSE RADIUS IS 308.10' FOR A DISTANCE OF
N03°28'56"E FOR A DISTANCE OF 191.04', THENCE TO THE RIGHT
A CURVE WHOSE DELTA IS 11°18'39" AND WHOSE RADIUS IS 433.9
OF 85.66', THENCE N07°49'43"E FOR A DISTANCE OF 97.75', TH
ALONG THE ARC OF A CURVE WHOSE DELTA IS 27°25'13" AND WHOS
FOR A DISTANCE OF 85.45', THENCE TO THE RIGHT ALONG THE AR
DELTA IS 21°40'33" AND WHOSE RADIUS IS 295.77' FOR A DISTA
THENCE N02°05'03"E FOR A DISTANCE OF 163.93', THENCE S85°2
SAID R.O.W. FOR A DISTANCE OF 341.85', THENCE N04°30'00"E
533.99', THENCE N48°15'00"E FOR A DISTANCE OF 628.66', THE
FOR A DISTANCE OF 825.02', THENCE NORTH FOR A DISTANCE OF
N65°06'26"E FOR A DISTANCE OF 729.63' TO A POINT ON THE WE
LONG BOW DRIVE, THENCE S45°32'56"E CROSSING SAID R.O.W. FO
60.00', TO A POINT ON THE EASTERLY R.O.W. OF SAID LONG BOW
SOUTHERLY ALONG SAID EASTERLY R.O.W. FOR 4 COURSES, S44°2704
ALONG THE ARC OF A CURVE WHOSE DELTA IS 34°13'14" AND WHOS
FOR A DISTANCE OF 98.49', THENCE S10°13'50"W FOR A DISTANC
THENCE TO THE RIGHT ALONG THE ARC OF A CURVE WHOSE DELTA I
WHOSE RADIUS IS 358.59' FOR A DISTANCE OF 108.30', THENCE
SAID R.O.W. FOR A DISTANCE OF 456.34', THENCE N81°06'57"E
1294.00', TO A POINT ON THE EAST LINE OF SAID SECTION 25,
ALONG SAID EAST LINE FOR A DISTANCE OF 4182.31' TO THE SE
SECTION 25, THE POINT OF BEGINNING. CONTAINING 244.57 ACR
ALL BEARINGS ARE REFERENCED TO INDIAN MOUNTAIN, FILING NO.
SAID OWNERS HAVE BY THESE PRESENTS LAID OUT, PLATTED AND S
INTO LOTS AND BLOCKS, AS SHOWN ON THE PLAT, UNDER THE NAME
INDIAN MOUNTAIN, FILING NO. 25, UNIT 2 AND DOES HEREBY CON
TO THE COUNTY OF PARK, STATE OF COLORADO FOR THE USE OF TH
AVENUES, STREETS, DRIVES, COURTS, AND PLACES HEREON SHOWN,
AS SHOWN HEREON ARE RESERVED AND/OR DEDICATED FOR THE PURP

EXECUTED THIS 28th DAY OF APRIL

INDIAN MOUNTAIN CORP
A COLORADO CORPORATI
BY [signature]
JAMES P. CAMPBELL

NOTORIAL

STATE OF COLORADO
COUNTY OF PARK

THE FOREGOING STATEMENT AND DEDICATION WAS ACKNOWLEDGED BE
THIS 88th DAY OF April A.D. 1981.

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

[signature]
NOTARY PUBLIC

TITLE CERTIFICATE

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

4-22-1981 — [signature]
DATE — HARRY L. PAULSEN

APPROVED BY THE PARK COUNTY BOARD OF COMMISSIO

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

[signature] — BY: [signature]
CLERK

APPROVAL OF PLANNING COMMISSION

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

BY [signature]

RECORDER'S CERTIFICATE

THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE COU
CLERK AND RECORDER OF PARK COUNTY, AT 8:30 ON THE 5th
DAY OF May A.D. 19__, AND DULY FILED AT RECEPT
NO. 298564.

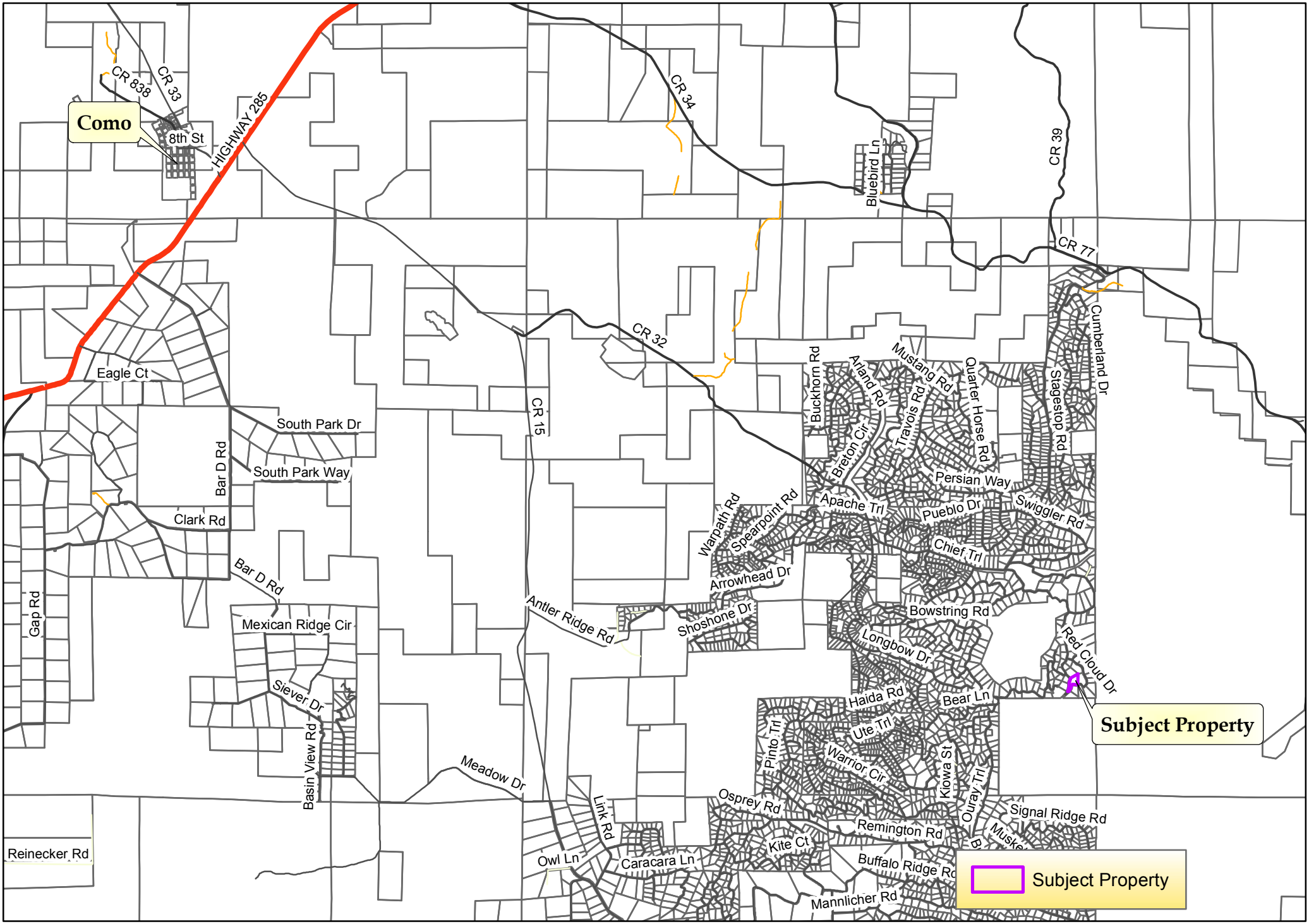
[signature]
COUNTY CLERK AND RECORD

OWNERS CERTIFICATE

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

4-28-81 — [signature] Pres.
DATE — OWNER

THIS SHEET CONTAINS 56 LOTS

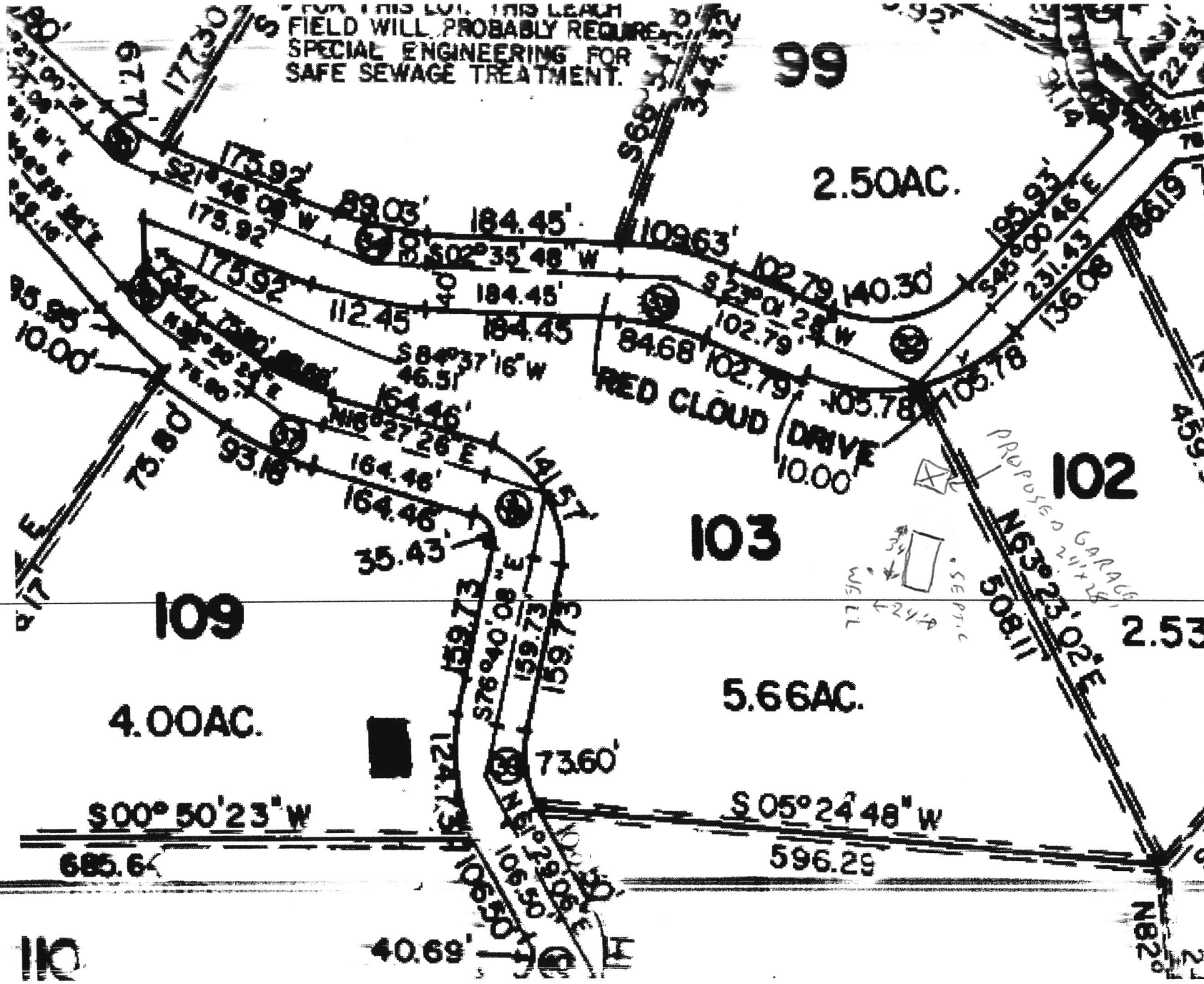


Date: 9/26/2016

VICINITY MAP

0 0.5 1 2 Miles

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


FOR THIS LOT, THIS LEACH FIELD WILL PROBABLY REQUIRE SPECIAL ENGINEERING FOR SAFE SEWAGE TREATMENT.
99
2.50AC.
102
103
109
4.00AC.
5.66AC.
2.53
110
RED CLOUD DRIVE
PROPOSED GARAGE
S00°50'23"W
685.64
S05°24'48"W
596.29
S76°40'08"E
S84°37'16"W
S21°46'08"W
S02°35'48"W
S23°01'28"W
S45°00'46"E
N63°23'02"E
N16°27'26"E
N82°
508.11
73.60'
40.69'
35.43'
93.18'
75.80'
10.00'
184.45'
109.63'
102.79
140.30'
105.78
84.68'
112.45'
89.03'
175.92'
164.46'
159.73
141.57'
106.50'
124.73'
231.43'
136.08'
195.93'
177.30'
67.71'
46.51'

Date: 9/26/2016

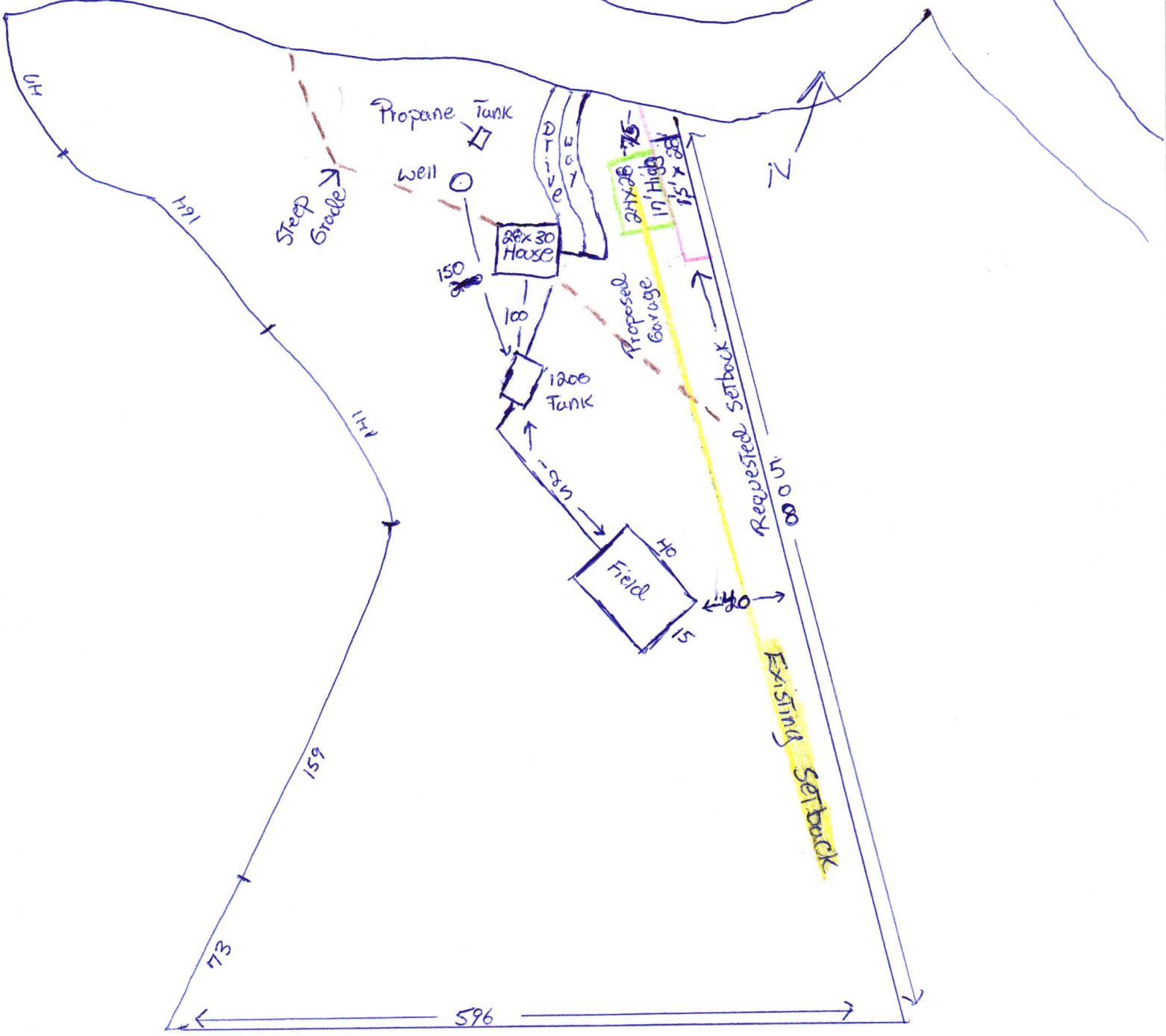
Aerial Map

1 in = 150 feet

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

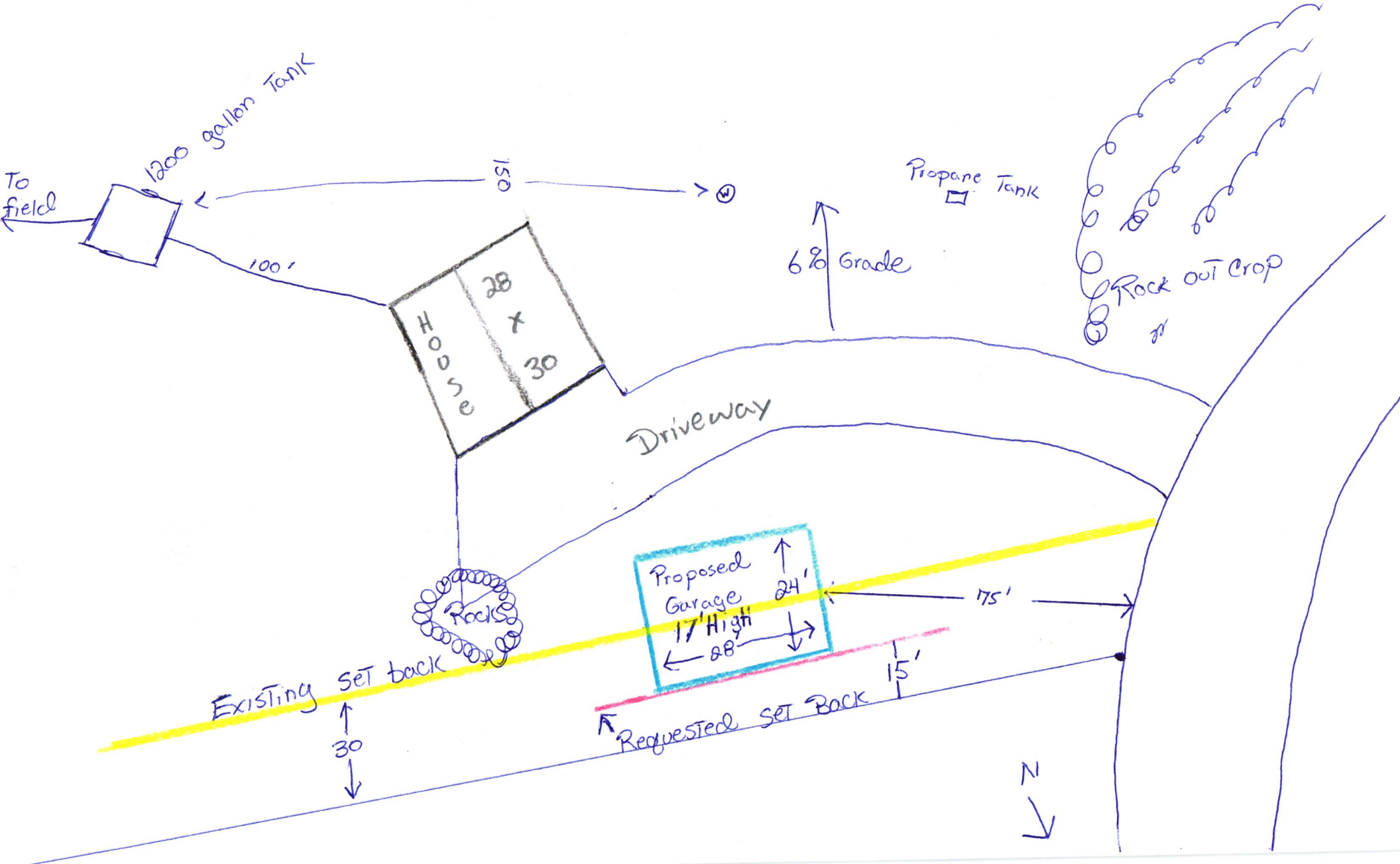
Site Plan 144 Red Cloud Lot 103 #1

Requesting Set Back variance at 15'x28'



Enlarged Example: 144 Red Cloud Lot 103 #2

Site plan: Requesting set back variance



power pole
144 Red Cloud Drive
proposed garage

PARK COUNTY BOARD OF ADJUSTMENTS
PLANNING DEPARTMENT STAFF REPORT

Board of Adjustments Hearing Date: November 8, 2016

To: Board of Adjustments Members

Date: October 26, 2016

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

Case Number: 16SET-07

Subject: Lowitzer Variance

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

Application Summary:

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

Background:

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

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

Land Use Regulations and Strategic Master Plan:

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

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

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

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

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

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

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

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

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

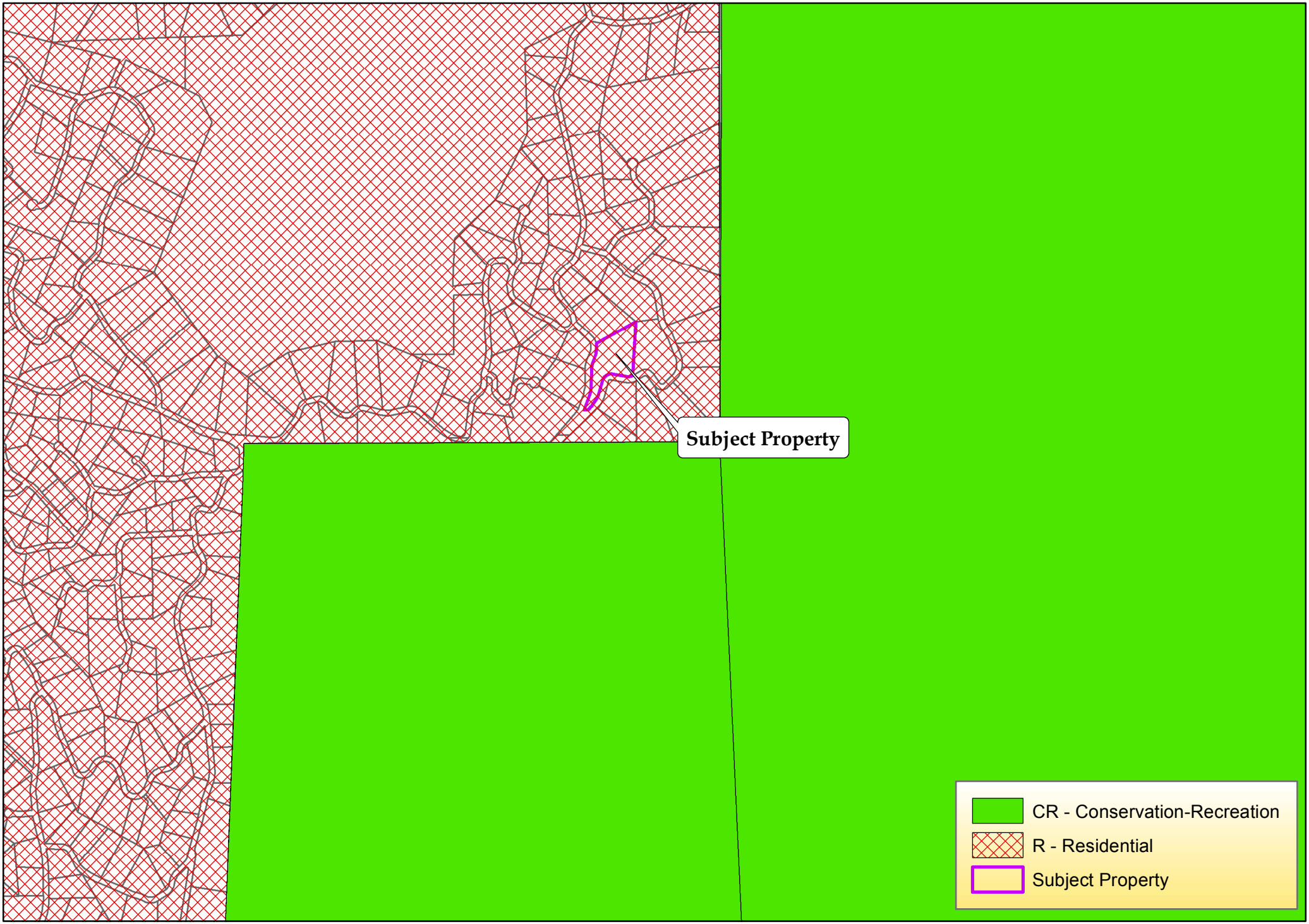
Staff does not find this variance request to be contrary to any of the Guiding Principles of the Strategic Master Plan.

Impact Analysis:
No physical or aesthetic impacts are anticipated.

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

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

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

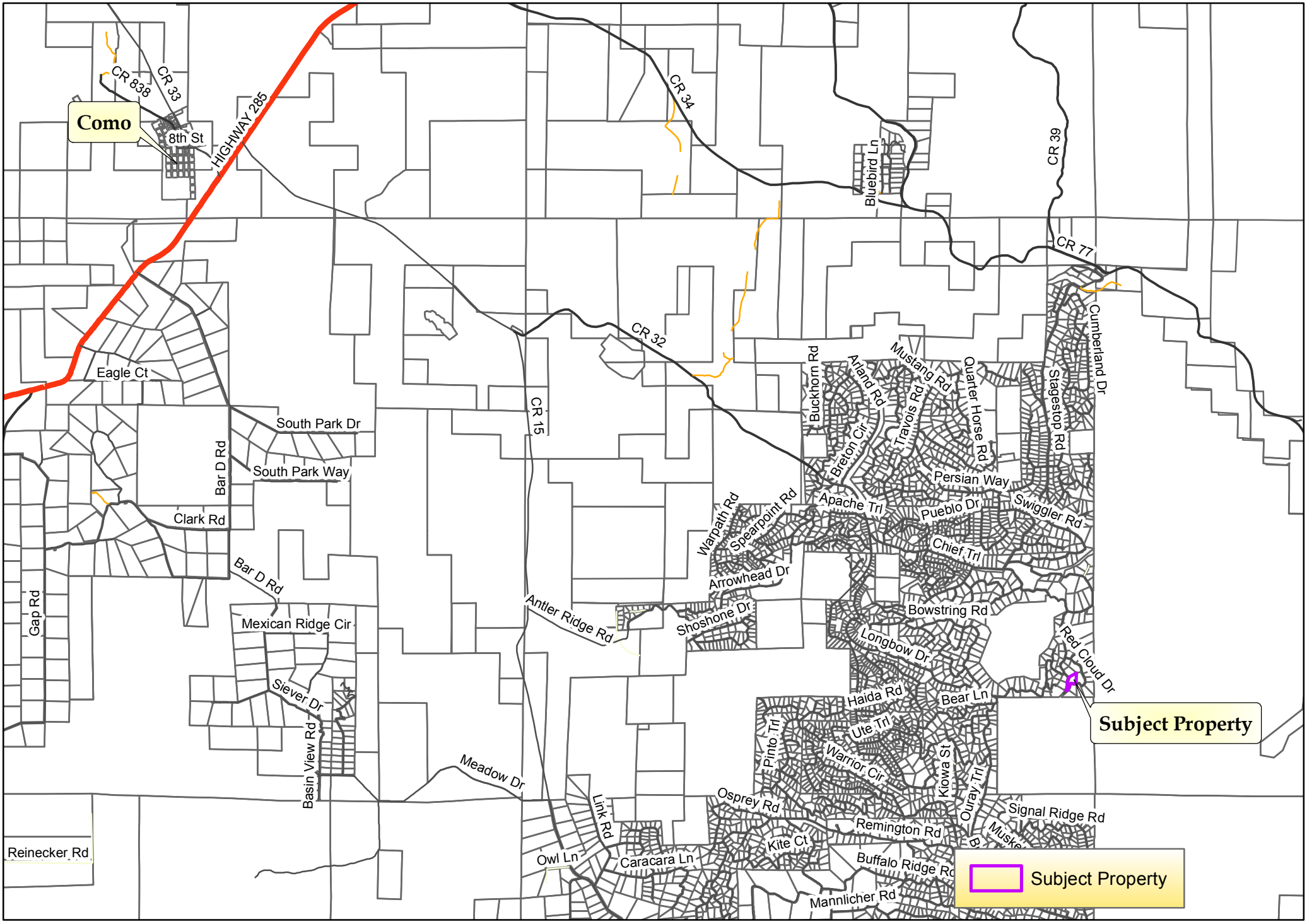


Date: 9/26/2016

Attachment 1: Zoning Map

0 0.125 0.25 0.5 Miles

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

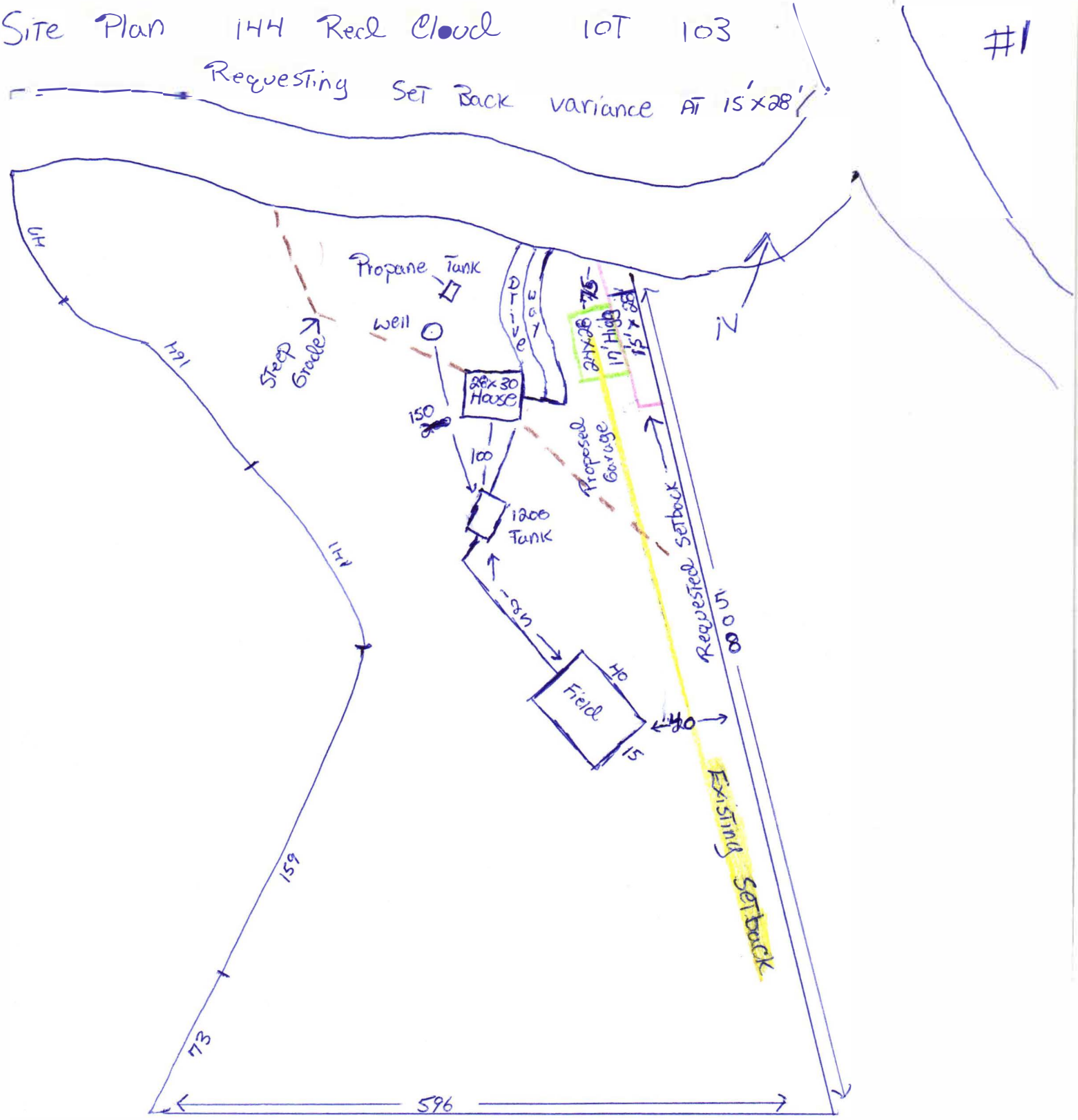


Date: 9/26/2016

0 0.5 1 2 Miles

Attachment 2: Vicinity Map

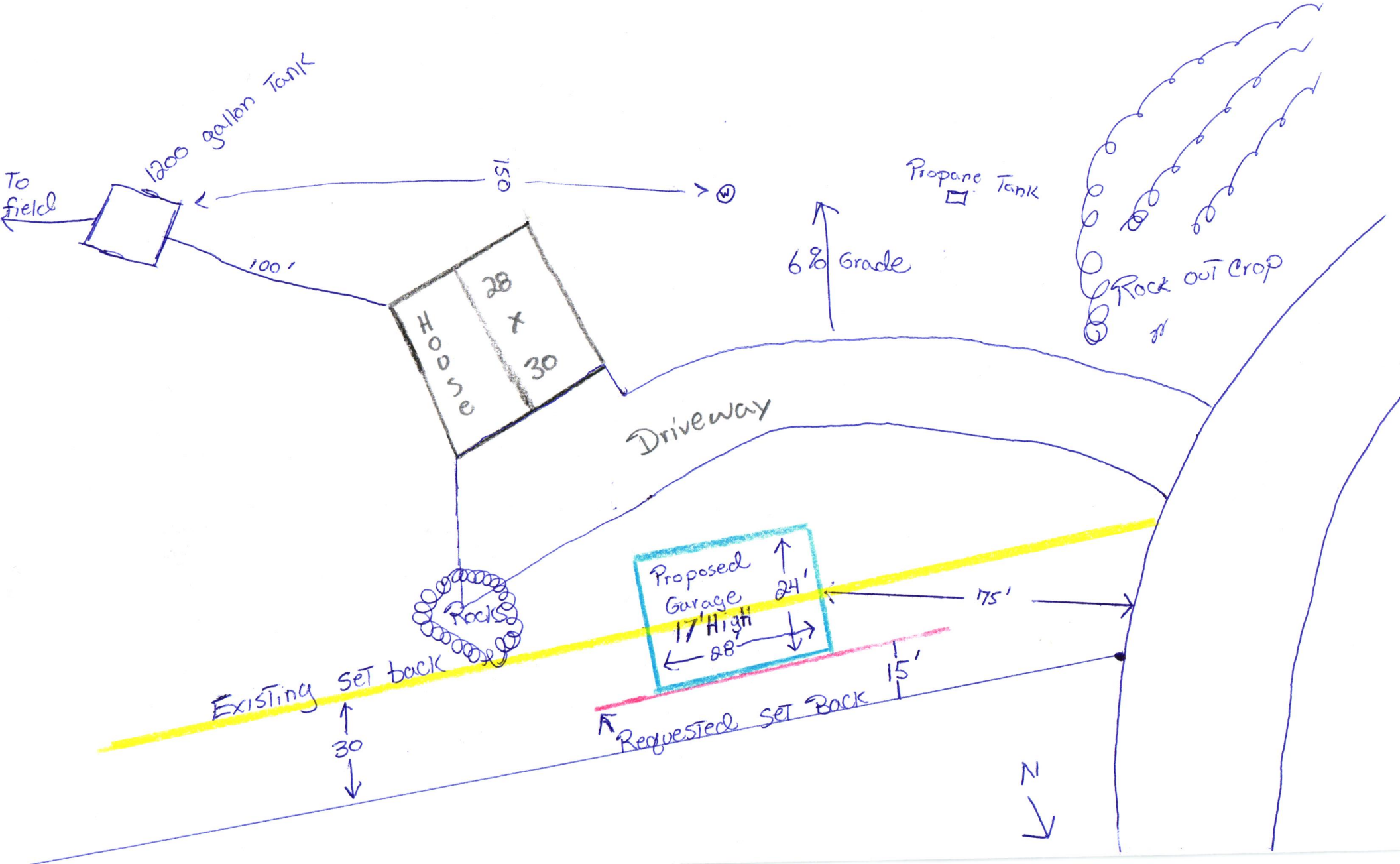
Parcel data should not be considered survey quality. Park County will not be held liable for misuse or misinterpretation of this data. © Park County GIS 2014



Attachment 3: Site Plan

Enlarged Example: 144 Red Cloud Lot 103 #2

Site plan: Requesting set back variance

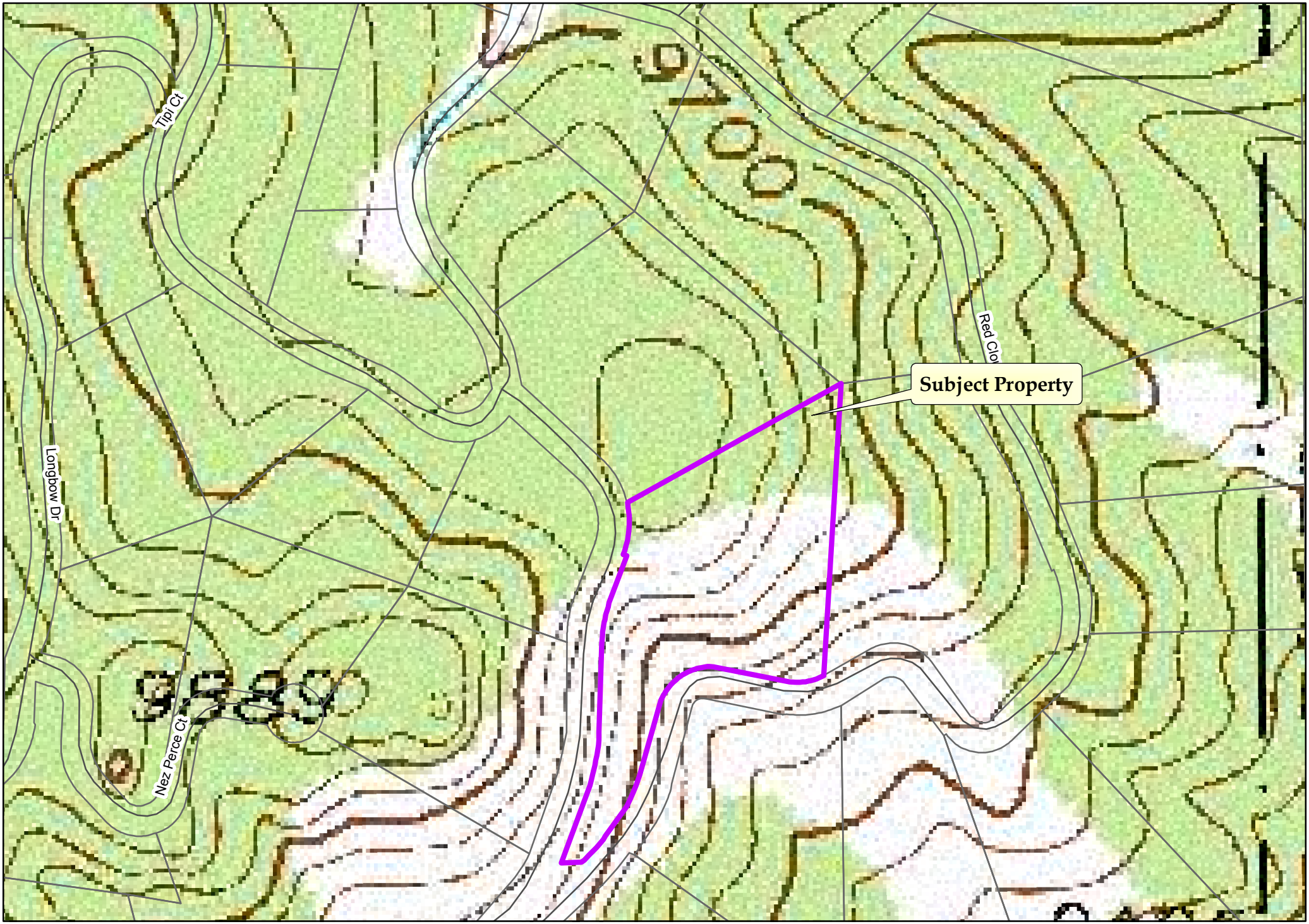


Date: 9/26/2016

Attachment 4: Aerial Map

1 in = 150 feet

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



Date: 9/26/2016

Attachment 5: Topo Map

1 in = 250 feet

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

Assessor

Park County Planning Department

P.O. Box 1598
Fairplay, Colorado 80440

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

Referral Response

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

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

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

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

Date of BOA Hearing: October 11, 2016

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

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

_____

_____

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

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

_____ Please refer to the enclosed letter.

_____ We offer the following comments regarding this referral:

_____

_____

_____

_____

Signed: Arlene Samuels Date: 9/26/16

Title: Admin. Supervisor

Public Works

Park County Planning Department

P.O. Box 1598
Fairplay, Colorado 80440

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

Referral Response

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

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

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

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

Date of BOA Hearing: October 11, 2016

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

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

_____

_____

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

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

_____ Please refer to the enclosed letter.

_____ We offer the following comments regarding this referral:

_____

_____

_____

_____

Signed: _____ Date: 9-27-16

Title: ROW Manager Park County Public Works

Brooks Kaufman
Lands and Rights of Way Director

October 3, 2016

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

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

Dear Ms Gannon:

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

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

Sincerely,

Brooks Kaufman
Lands and Rights-of-Way Director

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

PARK COUNTY PLANNING COMMISSION
PLANNING DEPARTMENT STAFF REPORT

Planning Commission Hearing Date: December 13, 2016

To: Planning Commissioners

Date: December 1, 2016

Prepared by: John Deagan, AICP; Planner

Case Number: 16AMN-04

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

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

Application Summary:

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

Background:

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

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

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

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

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

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

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

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

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

Impact Analysis:

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

Recommendation:

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

Vicinity Map

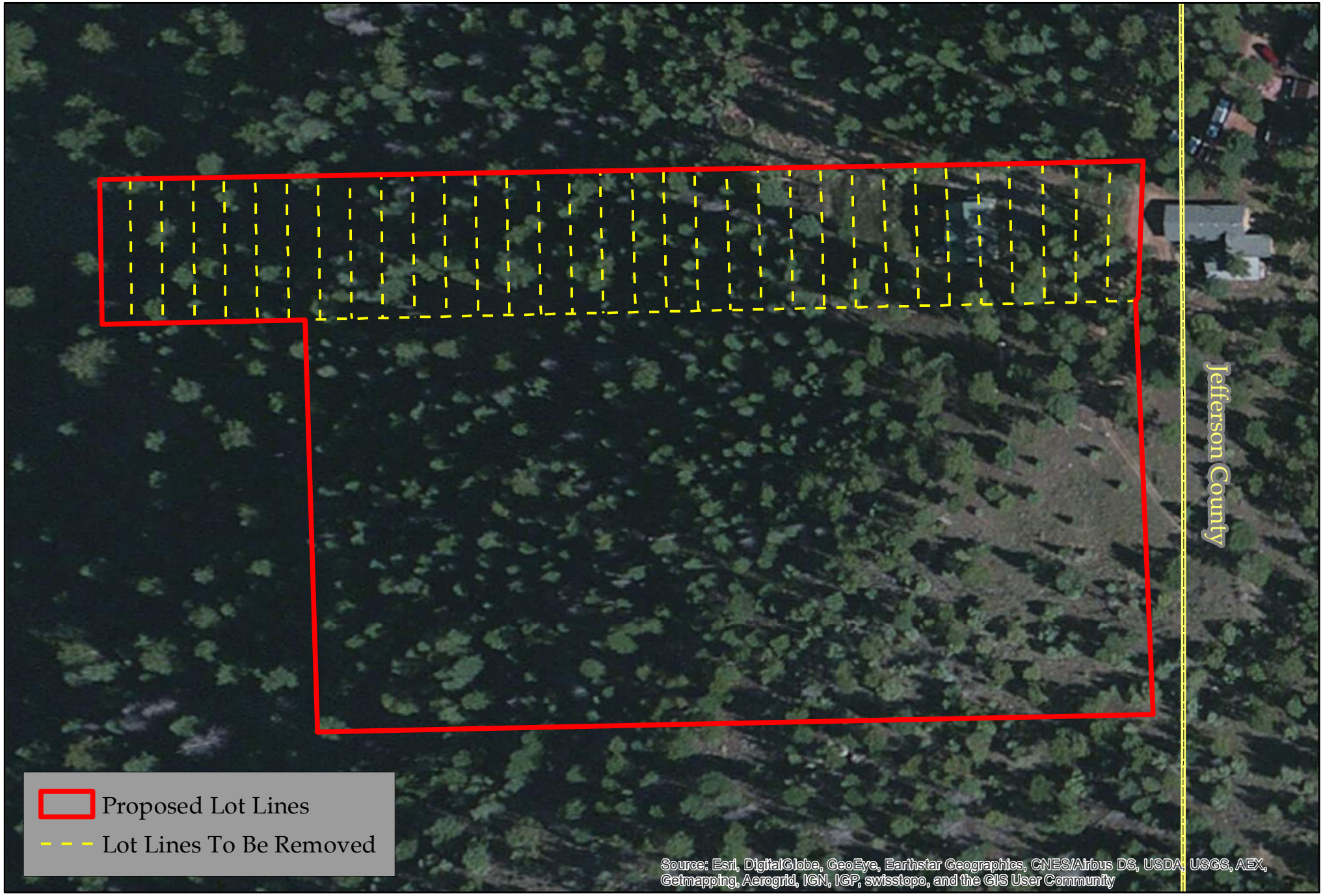
Attachment 1

0 0.25 0.5 1 Miles

N

Park County Planning Department

This map is not a survey.



N

Attachment 2

Aerially Photographed in 2013

0 100 200 400 Feet

Park County Planning Department

This map is not a survey.

Assessor

Park County Planning Department

P.O. Box 1598
Fairplay, Colorado 80440

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

Referral Response

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

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

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

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

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

Date of BOCC Hearing: To be determined.

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

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

_____

_____

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

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

_____ Please refer to the enclosed letter.

_____ We offer the following comments regarding this referral:

_____

_____

_____

_____

Signed: Arlene Samuels Date: 11/28/16

Title: Admin. Supervisor

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

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

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

A. APPLICANT AND OWNERSHIP INFORMATION

Applicant's Name: ROCKY GUERRERO

Mailing Address: 15674 SOUTH PITKIN LANE

City: PINE State: CO Zip: 80470

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

Owner's Name: SAME

Mailing Address:_____

Telephone No. and Email Address: 818 441 4264

B. PROPERTY INFORMATION

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

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

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

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

C. APPLICATION REQUIREMENTS

For County Use Only: Initial Receipt of the Required Information	
1. Application Fee. An application fee in the amount of $1060 must be paid at the time of submission of the application. Make the check or money order payable to: Park County Planning Department. The fee pays for the typical cost to the County to process the application. Any additional costs that may occur are the applicant's responsibility.	(1.) JCD
2. Tax receipt-showing payment of current taxes. This can be obtained at the Park County Treasurer's office.	(2.) JCD
3. Proof of ownership in the form of a recorded Warranty Deed. This can be obtained at the Park County Clerk and Recorders office.	(3.) JCD
4. A legal description of the property proposed for the plat amendment prepared by a licensed Colorado land surveyor.	(4.) JCD
5. A list of names and mailing addresses of all owners of adjacent property to the property subject to the proposed plat amendment, this information is at the Park County Assessor's Office.	(5.) JCD
6. *For a Common Plat Amendment that relocates or reconfigures one or more lot lines within the subdivision*, a Plat illustrating the amendment. The Plat shall be drafted at a commonly used engineering scale by the use of permanent ink on a stable reproducible drafting medium with outer dimensions of twenty-four inches by thirty-six inch (24" x 36"). Where the required data cannot be clearly shown on one plan sheet, additional plan sheets of the same size may be used with easily identifiable match lines. The Plat shall contain:	(6.)
a. A title that prominently identifies the name of the recorded subdivision, together with the phrase "Plat Amendment." If the property described in the recorded plat is zoned as a Planned Unit Development (PUD), the title shall include the phrase "Planned Unit Development";	(6a.) JCD
b. Date of preparation, map scale, and north arrow;	(6b.) JCD
c. Name, address and telephone number of the Applicant, land owner(s), planner, engineer, and surveyor;	(6c.) JCD
d. A general vicinity map illustrating the location of the property subject to the proposed amendment;	(6d.) JCD
e. Total acreage and surveyed description of the lots and area subject to the proposed amendment;	(6e.) JCD
f. A clear illustration or description of the amendment proposed, using shading, crosshatching, highlighting, or other techniques to accurately illustrate the proposed amendment;	(6f.) JCD

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

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

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

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

Park County Website | Treasurer Web Site

Colorado
PARK COUNTY
Treasurer: Michelle Miller

New Search | Return To Search Results | Print Bill

Real Estate TAX/NOTICE RECEIPT FOR PARK COUNTY

SCHEDULE # R 15616 2015

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

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

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

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

Select a payment option below.

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

Pay Full Amount

Paid

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

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Park County Website | Treasurer Web Site

Colorado
PARK COUNTY
Treasurer: Michelle Miller

New Search | Return To Search Results | Print Bill

Real Estate TAX/NOTICE RECEIPT FOR PARK COUNTY

SCHEDULE # R 16015 2015

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

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

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

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

Select a payment option below.

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

Pay Full Amount

Paid

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

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Park County Website | Treasurer Web Site

Colorado
PARK COUNTY
Treasurer: Michelle Miller

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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

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

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

Select a payment option below.

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

Pay Full Amount

Paid

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Park County Website | Treasurer Web Site

Colorado
PARK COUNTY
Treasurer: Michelle Miller

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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

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

Select a payment option below.

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

Pay Full Amount

Paid

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

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

STATE DOCUMENTARY FEE
DATE 2-3-06
$ 33.00

WARRANTY DEED

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

Staci Heyden also known as Staci J. Heyden

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

Rocky Nicholas Guerrero

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

See Exhibit A attached hereto and made a part hereof.

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

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

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

SELLER:

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

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

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

Jan Lee
Notary Public

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

WDPHOTO
Warranty Deed (For Photographic Record)

Security Title
File No. **S0097727**

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

716676 7/6/2015 3:16 PM Debra A Green
1 of 2 WD R$16.00 D$10.00 Park County Clerk

WARRANTY DEED

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

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

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

Rocky Nicholas Guerrero

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

See Exhibit A attached hereto and made a part hereof.

Doc Fee
$ 10.00

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

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

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

SELLER:

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

Mark McCarthy
Mark McCarthy as to Parcel II

STATE OF NEW HAMPSHIRE }ss:
COUNTY OF Meredith

24 June 2015

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

AMY M. BROWN
Notary Public - 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 ¼ of NE ¼ of
Section 24, Township 7 South, Range 72 West,
Thence West 490 feet to the Point of Beginning;
Thence South 330 feet;
Thence West 660 feet;
Thence North 330 feet;
Thence East 660 feet to the Point of Beginning;
In Section 24, Township 7 South, Range 72 West,

County of Park,
State of Colorado

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

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

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

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

PANDA ASSOCIATES LLC
3867 E EASTER DR
LITTLETON, CO 80122

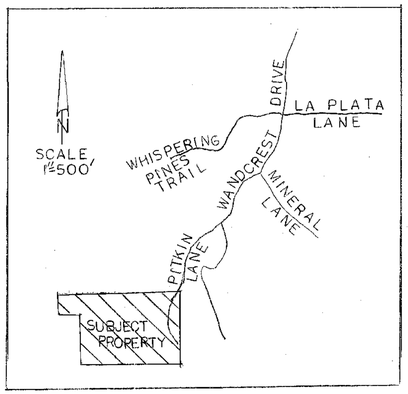
ANDERSON JILL L
15574 S PITKIN LN
PINE, CO 80470

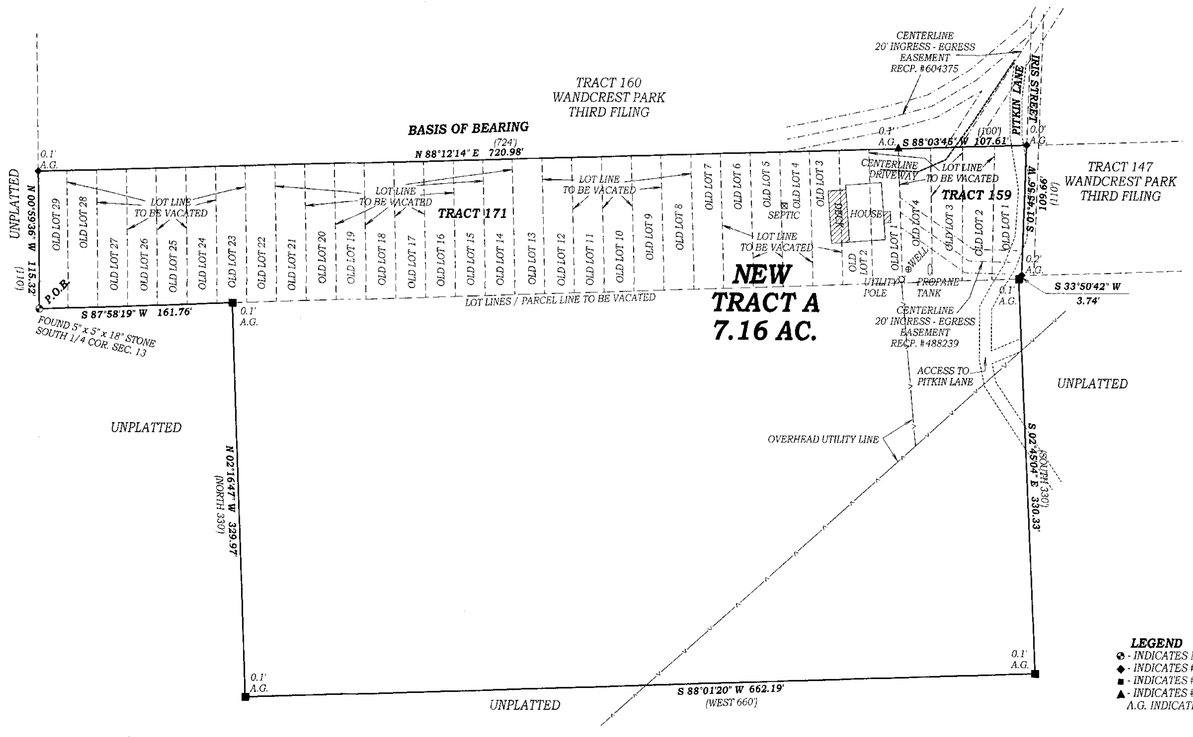
WHITE JOEL
15574 S PITKIN LN
PINE, CO 80470

LOT CONSOLIDATION AND COMMON PLAT AMENDMENT PLAT

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

VICINITY MAP





SURVEYOR'S CERTIFICATE

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

_____
BENJAMIN A. PITSKER
LICENSE NUMBER 19618

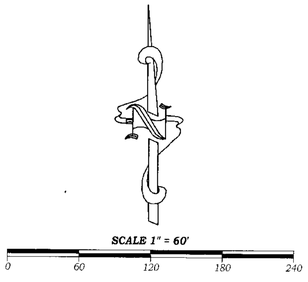
NOTES:

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

LEGAL DESCRIPTION

NEW TRACT A

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



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

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

APPROVAL OF BOARD OF COUNTY COMMISSIONERS

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

_____ *ATTEST:* _____
BOCC CHAIRPERSON *PARK COUNTY CLERK AND RECORDER*

PARK COUNTY ADMINISTRATIVE APPROVAL:

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

_____
PLANNING DIRECTOR / COUNTY DESIGNEE

ATTEST: _____
CLERK AND RECORDER OR DEPUTY CLERK

LEGAL DESCRIPTION AND CERTIFICATE OF OWNERSHIP

LEGAL DESCRIPTION:

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

PARCEL I:

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

PARCEL II:

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

COUNTY OF PARK,
STATE OF COLORADO.

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

_____
ROCKY NICHOLAS GUERRERO

STATE OF COLORADO)
) SS
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: _____ _____
AUTHORIZIED AGENT

RECORDER'S CERTIFICATE:

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

_____
PARK COUNTY CLERK AND RECORDER

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

MAP PREPARED: 22 MARCH, 2016

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

FILE NO. 16-147

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.

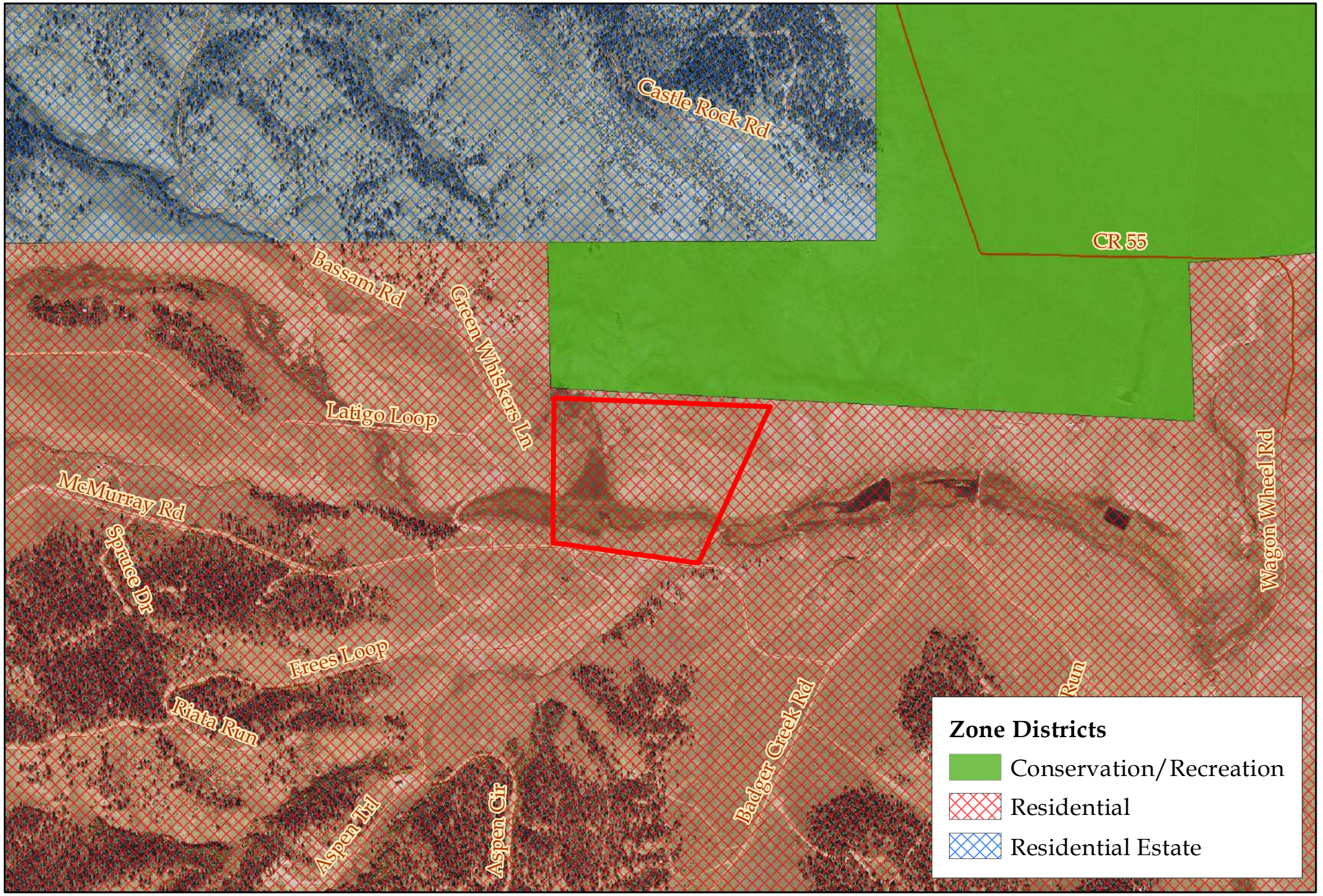
c. The rezoning, as proposed, is to a Planned Unit Development
Not Applicable.

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

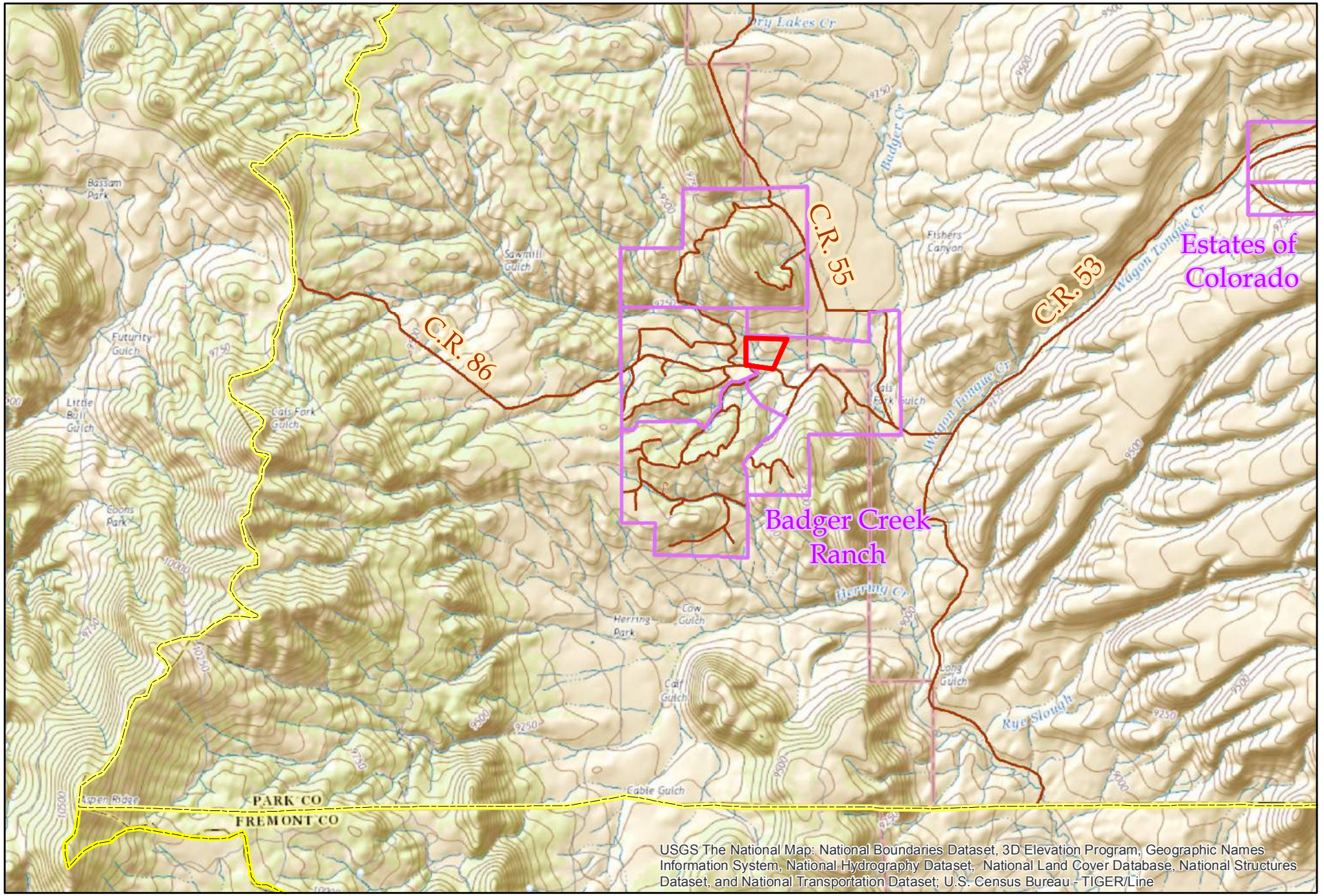
N

0 1,000 2,000 4,000 Feet

Park County Planning Department

Aerially Photographed in 2013

This map is not a survey.



N

Attachment 2 - Vicinity

Contour Interval is Fifty Feet

0 1 2 4 Miles

Park County Planning Department

This map is not a survey.

Assessor

Park County Planning Department

P.O. Box 1598
Fairplay, Colorado 80440

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

Referral Response

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

Case #: 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

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

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

C. APPLICATION REQUIREMENTS

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

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 Recorders 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	

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; (8c.) N/A

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%); (8d.) JC

e. Utility systems including existing and proposed water wells, sewer systems, electric services, and natural gas. (8e.) JC

(8b.) JC

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. (9.) JC

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

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. (1.) N/A

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. (2a.) N/A

   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. (2b.) N/A

   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 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 Degnan

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

Colorado
PARK COUNTY
Treasurer: Michelle Miller

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**

Last Payment: 06/27/2016 **Amount :** $944.02

Select a payment option below.

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

Pay Full Amount

Paid

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#3

712905

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

TRANSFER DECLARATION ACCOMPANIED THIS DOCUMENT

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

Grantor Signatures:

DATED: 2-2-15 ~~DATED:~~ ~~ew~~

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 ~~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.

Notary Public

STEPHANIE MARIE DWYER
Notary Public
State of Colorado
Notary ID 20134032552
My Commission Expires May 23, 2017

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.

Notary Public

STEPHANIE MARIE DWYER
Notary Public
State of Colorado
Notary ID 20134032552
My Commission Expires May 23, 2017

Title (and Rank)

My commission expires 5/23/2017

701777

701777 9/16/2013 3:30 PM Debra A Green
1 of 2 QCD R$16.00 D$0.00 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

NO REAL PROPERTY TRANSFER DECLARATION ACCOMPANIES THIS DOCUMENT

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. 1which 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.

701777

701777 9/16/2013 3:30 PM Debra A Green
2 of 2 QCD R$16.00 D$0.00 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, 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

COLLEEN SIKES NOTARY PUBLIC STATE OF COLORADO

IN WITNESS WHEREOF the Grantees have executed this deed on the 12 day of September, 2013.

9/13/13
Date

Michele C. Wayland, Grantee

9/13/13
Date

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

COLLEEN SIKES NOTARY PUBLIC STATE OF COLORADO

665472 9/23/2009 11:17 AM Debra A Green
1 of 2 QCD R$11.00 D$0.00 Park County Clerk

STATE DOCUMENTARY FEE
DATE 9-23-09
$ 0

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.

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This product does not constitute the rendering of legal advice or services. This product is intended for informational use only and is not a substitute for legal advice. State laws vary, so consult an attorney on all legal matters. This product was not necessarily prepared by a person licensed to practice law in your state.

665472 9/23/2009 11:17 AM Debra A Green
2 of 2 QCD R$11.00 D$0.00 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:

Judith K. Wayland

Signature of Witness

Signature of First Party

Judith K. Wayland

Print name of Witness

Print name of First Party

Signature of Witness

Signature of First Party

Print name of Witness

Print name of First Party

State of Park
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

JENNIFER GANNON NOTARY PUBLIC STATE OF COLORADO

My Commission Expires 02/28/2010

Affiant ____ Known ____ Produced ID
Type of ID CO 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

WAYLAND ERIK 665472
PO BOX 4508
Buena Vista, CO 81211

6

515939 10/29/1999 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

$2.00

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

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

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee, his heirs and assigns forever. And the grantor, for himself, his heirs and personal representatives, does covenant, grant, bargain and agree to and with the grantee, his heirs and assigns, that at the time of the ensealing and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except 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

STATE OF COLORADO)
) ss.
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.

Notary Public

NOTARY PUBLIC STATE OF COLORADO

WARRANTY DEED (for Photographic Record) (ASSUMPWD) File # XO5R913A99

701778

701778 9/16/2013 3:30 PM Debra A Green
1 of 2 QCD R$16.00 D$0.00 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

NO REAL PROPERTY TRANSFER DECLARATION ACCOMPANIED THIS DOCUMENT

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. 1County 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

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, 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

COLLEEN SIKES NOTARY PUBLIC STATE OF COLORADO

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, 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

COLLEEN SIKES NOTARY PUBLIC STATE OF COLORADO

Recorded at _____ o'clock _____
Reception No. _____

474871 05/21/1997 01:04P
1 of 1 R 6.00 D 2.50 BARBARA J PASCO PARK CO

WARRANTY DEED

STATE DOCUMENTARY FEE
DATE 5-21-97
$ 2.50

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

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 street and number as

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

#4

NEW LOT 19 LEGAL DESCRIPTION

LEGAL DESCRIPTION:

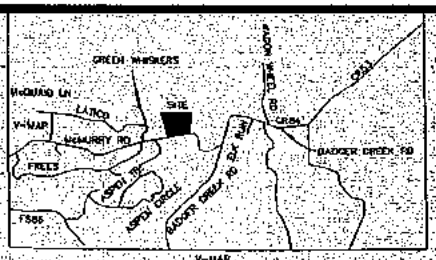
Erik D. Wayland and Michele C. Wayland, ("Owner/s") being the owner(s) of the real property of 39.9 acres located in Park County, Colorado, described as follows:

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:

N01°44'41"W FOR A DISTANCE OF 1140.11 FEET TO A POINT;
N89°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;
N84°22'16"W FOR A DISTANCE OF 1159.12 FEET TO THE POINT OF BEGINNING.
CONTAING 39.9 ACRES MORE OR LESS.



UNO 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:

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

N01°44'41"W FOR A DISTANCE OF 1140.11 FEET TO A POINT;
N89°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;
N84°22'16"W FOR A DISTANCE OF 1159.12 FEET TO THE POINT OF BEGINNING.
CONTAING 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 platted under the name of LOT CONSOLIDATION PLAT, and do hereby dedicate, grant, and convey to the public forever and in fee simple: all streets, alleys, roadways, thoroughfares, fire lanes, utility and drainage easements, park land, and open spaces as indicated or illustrated in this plat in compliance with the Park Land Use Regulations and the landowners shall bear all expenses involved in planning, design, and construction of all public improvements except to the extent normally platted by any county-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 limitation or restriction upon the purpose or public use of property dedicated by this plat.

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

Erik D. Wayland
ERIK D. WAYLAND

Michele C. Wayland
MICHELE C. WAYLAND

(If by corporation, president signs, secretary attests and corporate seal is affixed)

STATE OF Colorado)
) ss.
COUNTY OF Park)

Acknowledged before me this 15 day of October, 2013, by Michel C. Wayland

Witness my hand and official seal.

My commission expires: March 4, 2017

CAROLY BURTON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20074012304
MY COMMISSION EXPIRES MARCH 04, 2017

Carol Y Burton
Notary Public

RECORDER'S CERTIFICATE:

This plat was filed for record in the office of the County Clerk and Recorder of Park County, at 3:58 P.M. on the 22 day of October, 13 and duly filed at Reception No. 702716

Park County Clerk and Recorder

SURVEYOR'S CERTIFICATE:

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

COLORADO REGISTERED ROY H. GERDES LS 33192 PROFESSIONAL LAND SURVEYOR

LS 33192
COLORADO LICENSE NO.

Roy H. Gerdes
ROY H. GERDES
(PRINT AS REGISTERED)

DATE 9-7-13

NOTES:

1) BASIS OF BEARING IS THE LINE BETWEEN THE SOUTHEAST CORNER OF NEW LOT 19 AS MONUMENTED BY A REBAR 1.5" 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°22'16"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 NAMING SAID PERSON OR ENTITY.
5) M=MEASURED COURSE AND DISTANCE.
6) P=PLATTED COURSE AND DISTANCE.
7) SUBDIVISION 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 FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BE BE COMMENCED MORE

TITLE CERTIFICATE:

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

Date Oct. 17, 2013

(Signature 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 this 22 day of October, 20 13

ATTEST: Jamie L. Jamison
Clerk and Recorder or Deputy Clerk

Planning Director or 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
LAKEWOOD, 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

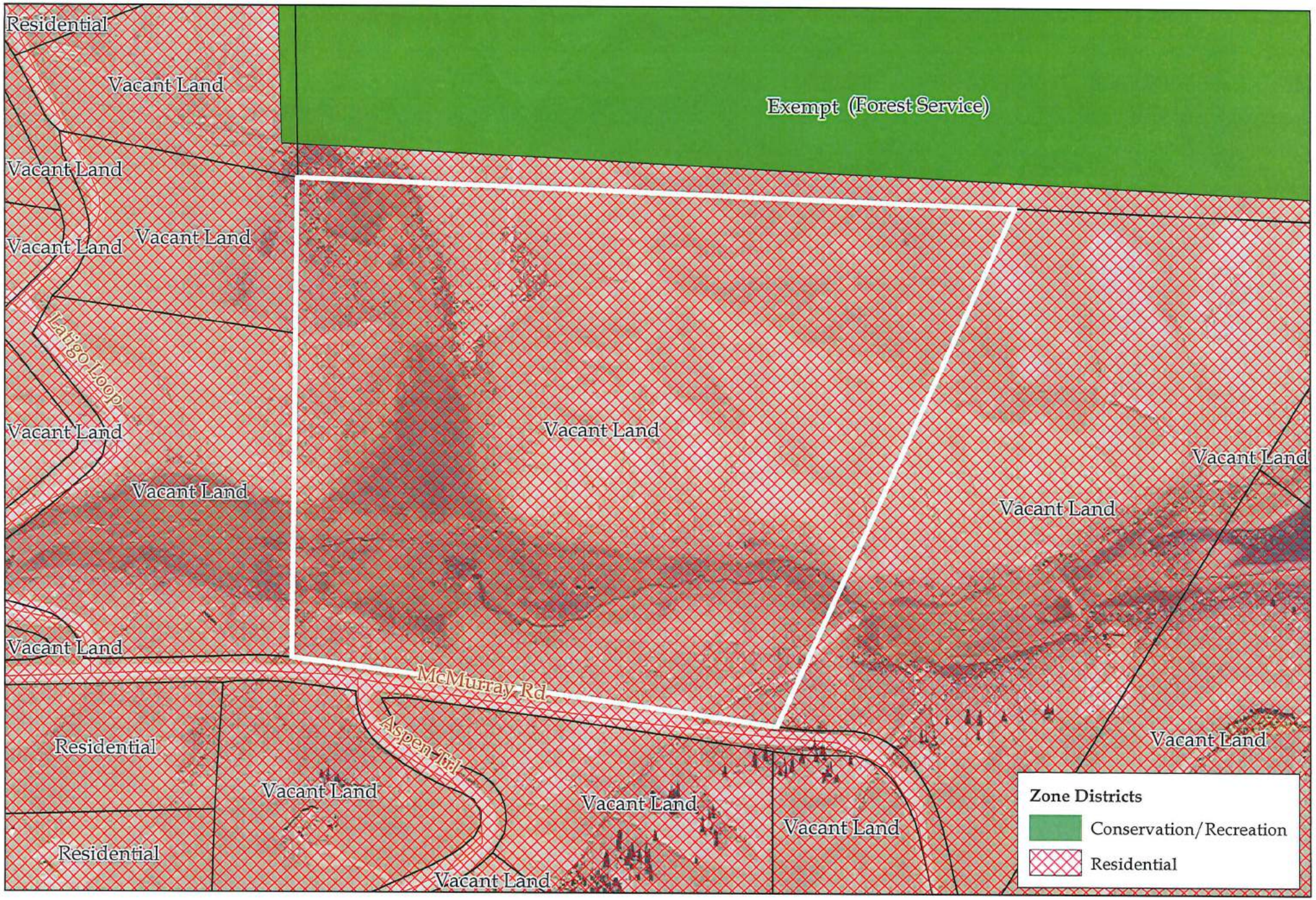
BOOTH DUSTIN
568 HOLIDAY HILLS DR
HOWARD, CO 81233

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



Zone Districts and Land Uses

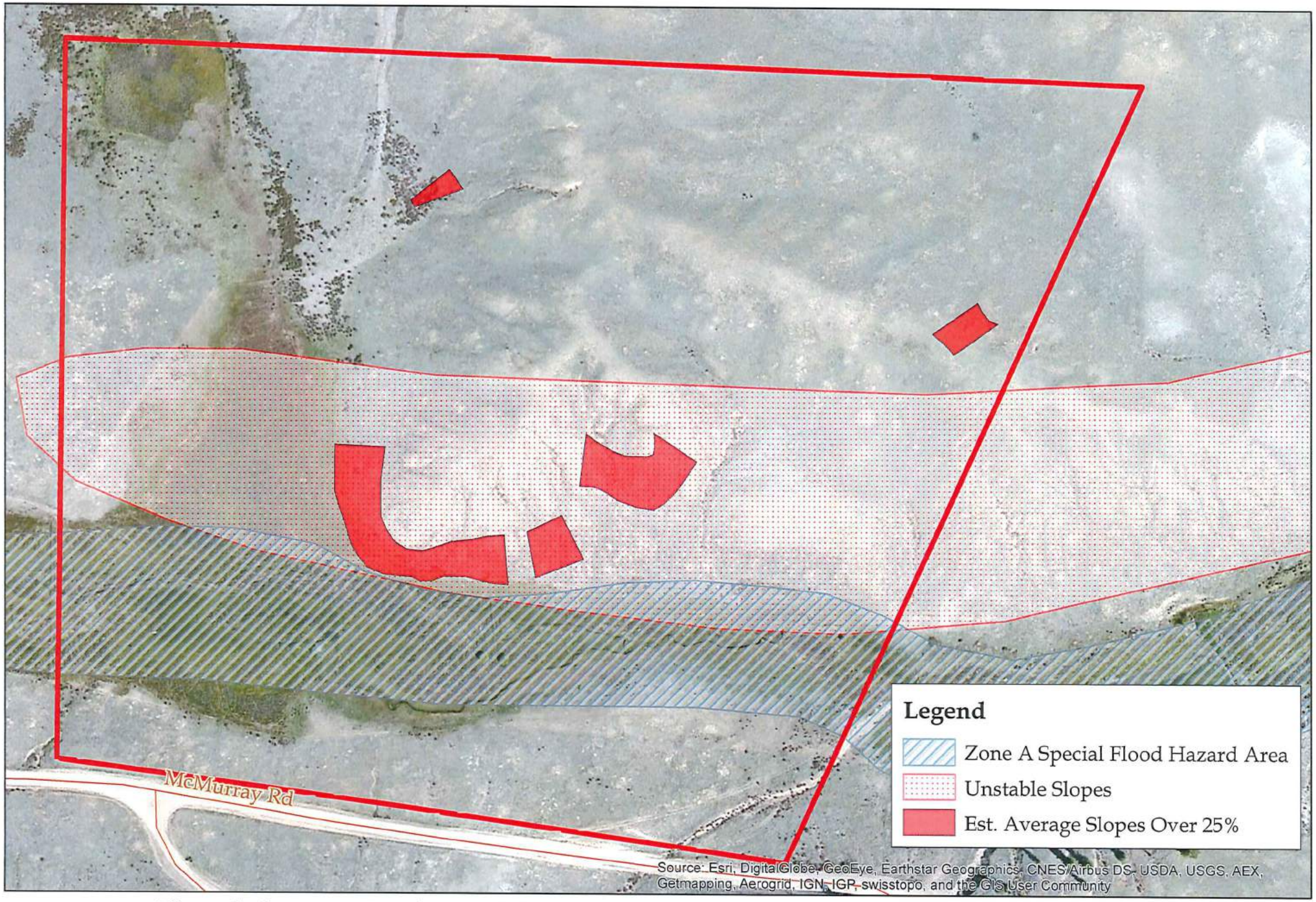
Aerially Photographed in 2013

N

0 100 200 400 Yards

Park County Planning Department

This map is not a survey.



N

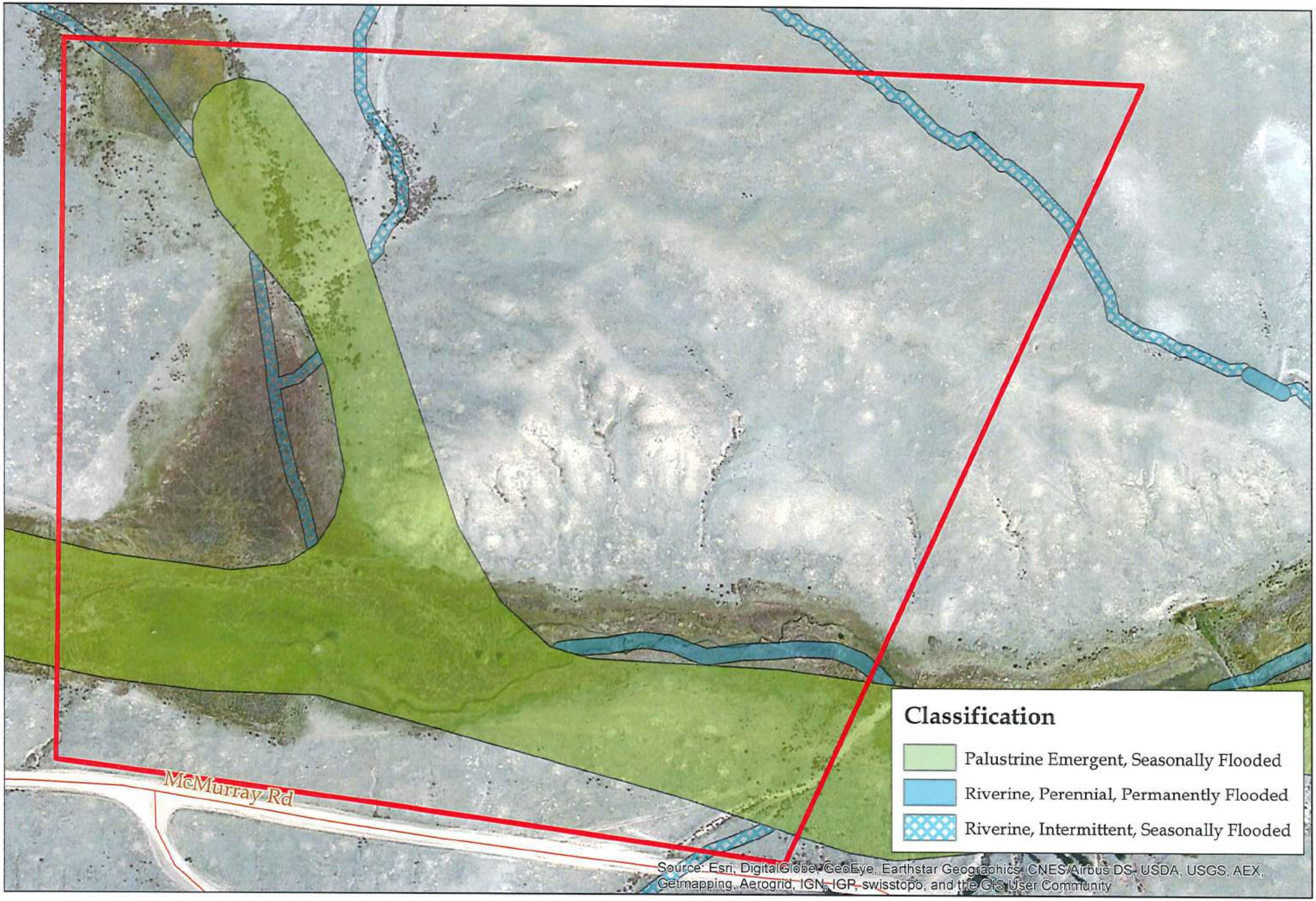
Floodplains, Geologic Hazards, and Steep Slopes

Aerially Photographed in 2013

0 200 400 800 Feet

Park County Planning Department

This map is not a survey.



N

Wetlands According To USFWS

Aerially Photographed in 2013

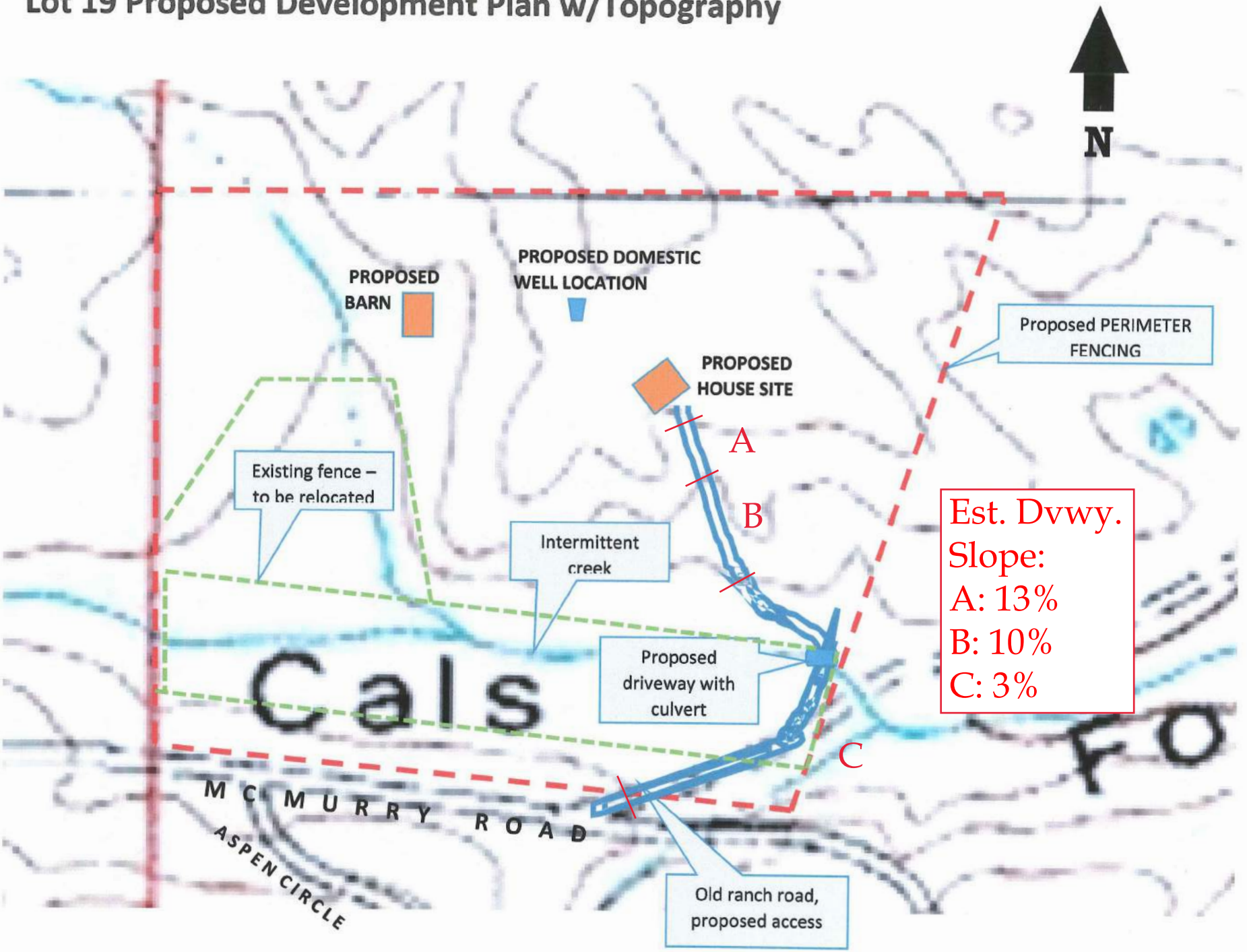
0 200 400 800 Feet

Park County Planning Department

This map is not a survey.

20' Contour Intervals

Lot 19 Proposed Development Plan w/Topography



#6 #8

3
5
3

PARK COUNTY PLANNING COMMISSION
PLANNING DEPARTMENT STAFF REPORT

Planning Commission Hearing Date: December 13, 2016

To: Planning Commissioners

Date: November 28, 2016

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

Case Number: 16PUD-02

Subject: Moore Dale Ranch Resort PUD Plat & Plan Amendment

Request: Applicant is requesting that the GCE Club House within Moore Dale Ranch Resort be converted to a residential condominium unit.

Application Summary:

Applicant:	Moore Dale Ranch Resort HOA C/O Grant Peck
Owner:	Moore Dale Ranch Resort
Location:	A portion of the North ½ of Section 26, Township 7 South, Range 73 West of the 6th P.M., addressed as 57920 Hwy 285. See Attachment 1 Vicinity Map.
Current Zone District:	Planned Unit Development (PUD), See Attachment 2 Zoning Map
Surrounding Zoning:	Residential (R), Agricultural Small Lot (A-35), Commercial (C)
Lot Size:	10.89 acres
Existing Use:	Common Event Center/Club House
Proposed Use:	Residential Condominium Unit
Public Comment	No public comment has been received.

Background:

The Moore Dale Ranch Resort PUD Plat and Plan was approved by the Board of County Commissioners on December 10, 1985. The subject development is located approximately three miles northwest of Bailey proper on State Highway 285. Moore Dale Ranch resort is comprised of condominiums, general common elements (GCE) including a pool, tennis court, club house, and central water and sewer, See Attachment 3 Aerial Map. To generate revenue for general improvements, the Moore Dale HOA is requesting an amendment to

the PUD Plat and Plan to change the GCE club house to a residence, which can then be sold for profit, see Attachment 4 Moore Dale Ranch Resort PUD Plat and Plan Amendment.

Land Use Regulations and Strategic Master Plan:

The Land Use Regulations (LURs) specify that major PUD amendments, which this application represents, are 1) consistent with the standards of approval for a Final Plan and Plat, and 2) are consistent with the efficient development and preservation of the entire PUD (LUR Section 5-313, F.7. and G.1, pages 42 and 43). Each of the applicable approval criteria is addressed below.

Final PUD and Plat and Rezoning applications shall be approved by the Board of County Commissioners only if they determine that the Final PUD Plan/Plat and Rezoning:

A. Is consistent with the approved Preliminary PUD Plan and Plat;
The requested amendment is consistent with the general intent of the original PUD. Funding for upkeep of other improvements is presumably a higher priority than maintaining ownership of the common clubhouse.

B. Substantially conforms to the goals and policies of the Park County Strategic Master Plan;
The existing Club House is connected to Moore Dale's sewer and sanitation systems and the existing structure will be converted and utilized as a residential condominium unit. An additional condominium unit will increase Moore Dale's density, will not perpetuate residential sprawl, and is therefore consistent with Park County's Strategic Master Plan.

C. Includes all revisions and conditions imposed by the Board of County Commissioners during their approval of the Preliminary PUD Plan and Plat;
The Moore Dale PUD Plat & Plan Amendment is consistent with the original Moore Dale Ranch Resort Condominium Map, Book 399 Page 492, which acts as the PUD's original plat and plan.

D. Has addressed all professionally identified concerns regarding potential wildlife impact, water quantity and quality, wastewater treatment, traffic, utilities, drainage, and geology;
Depending on the past and future use of the Clubhouse/Event Center, changing its use from a general common element to a condominium unit may reduce the impact on the central water and sewer, traffic and wildlife. No impact on drainage and geology is anticipated.

E. Where public improvements are proposed, has had a subdivision improvement agreement approved to form and legality by the County Attorney and executed by the applicant in order to secure the timely and complete construction of the public improvements;
There are no new proposed public improvements associated with this plat amendment.

F. Will result in a substantial benefit to the County, compared to what could have been accomplished through strict application of otherwise applicable base zoning district standards;

Contingent on the approval of the requested PUD Plat and Plan Amendment, the revenue from the sale of the newly designated Unit 49 residence will go to the Moore Dale HOA's general fund. This revenue will fund improvements included in the four-year Moore Dale Improvement Plan, see Attachment 5. The most immediate improvements include new siding, gutters, and trim as needed; and fresh paint for all structures within the PUD.

G. Complies with the intent of the PUD zoning district as described in Section 5-313; and

This amendment complies with the intent of the PUD zone district.

H. Is in the best interest of the health, safety and welfare of County residents.

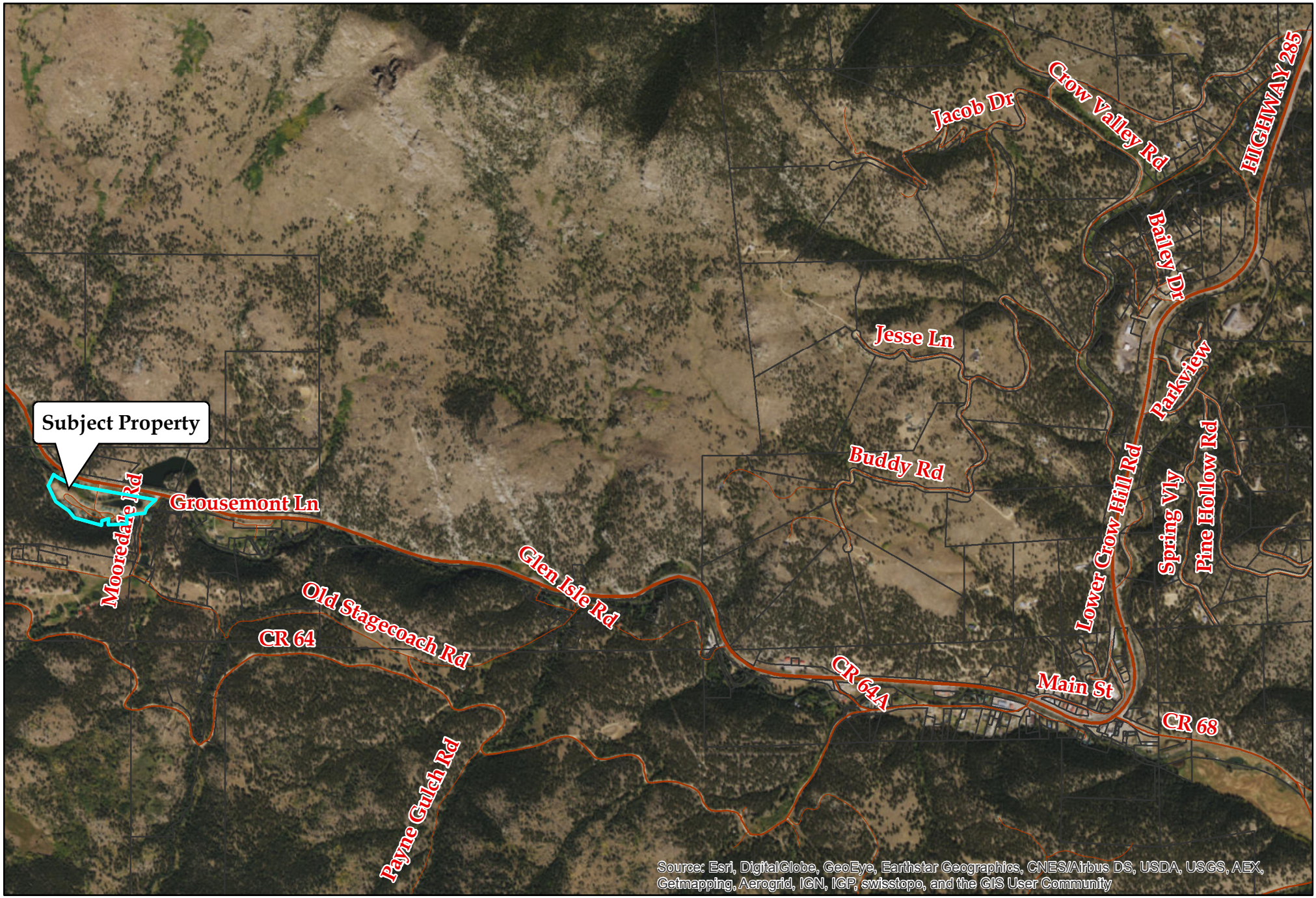
The residual proceeds from this proposed amendment could increase property values as well as improve the aesthetics of the neighborhood, and is in the best interest of the health, safety, and welfare of County residents.

Impact Analysis:

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

Recommendation:

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



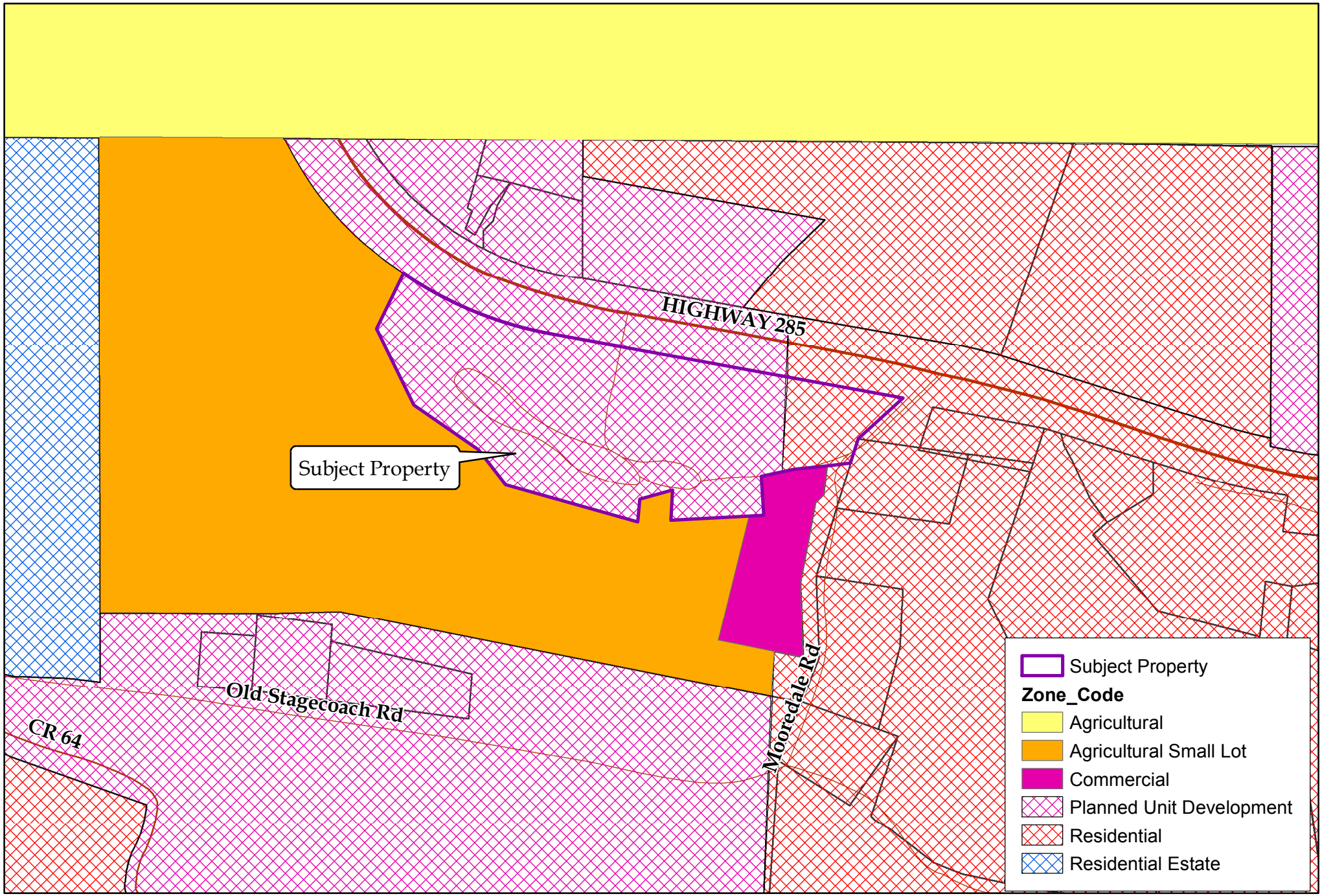
N

Vicinity Map: Attachment 1

Aerially Photographed in 2013

0 0.25 0.5 1 Miles

Park County Planning Department



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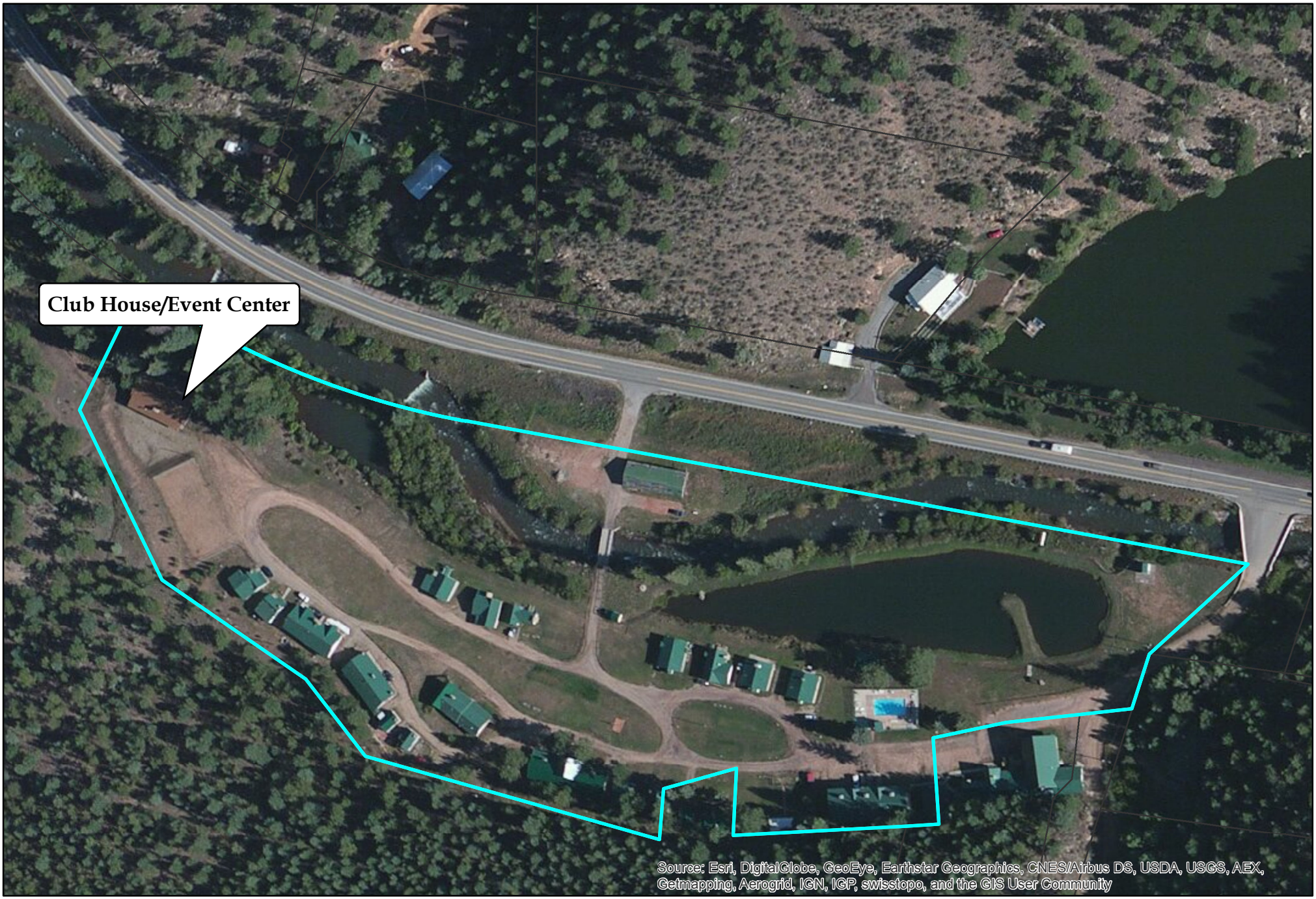
Zone Districts

Aerially Photographed in 2013

Attachment 2

0 250 500 1,000 Feet

Park County Planning Department



N

Aerial Map

Aerially Photographed in 2013

Attachment 3

0 155 310 620 Feet

Park County Planning Department

Attachment 4

PLANNED UNIT DEVELOPMENT FINAL PLAT & PLAN AMENDMENT

MOORE DALE RANCH RESORT CONDOMINIUM MAP
UNIT 49
PART OF THE N 1/2, SEC 26, T7S, R73W OF THE 6TH P.M.
COUNTY OF PARK, STATE OF COLORADO
PAGE 1 OF 2

LEGAL DESCRIPTION:

WE, BEING THE OWNER(S) OF THE REAL PROPERTY OF 13.41 ACRES LOCATED IN PARK COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

A PORTION OF THE NORTH ½ OF SECTION 26, TOWNSHIP 7 SOUTH, RANGE 73 WEST OF THE 6TH P.M., COUNTY OF PARK, STATE OF COLORADO:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 26; THENCE S 76°02'34" E FOR A DISTANCE OF 1547.33' TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF U.S. HIGHWAY NO. 285, THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID R.O.W. AND TO THE LEFT ALONG THE ARC OF A CURVE WHOSE DELTA IS 24°00'23" AND WHOSE RADIUS IS 1055.00' FOR A DISTANCE OF 442.04' AND SHOESE CHORD BEARS S 67°37'29" E FOR A DISTANCE OF 438.81', THENCE S 79°37'41" E CONTINUING ALONG SAID R.O.W. FOR A DISTANCE OF 990.04', THENCE S 47°41'18" W LEAVING SAID R.O.W. FOR A DISTANCE OF 166.50', THENCE S 17°35'18" W FOR A DISTANCE OF 71.12', THENCE S 83°46'25" W FOR A DISTANCE OF 157.84', THENCE S 78°10'06" W FOR A DISTANCE OF 165.60', THENCE S 82°26'49" W FOR A DISTANCE OF 174.71', THENCE S 74°12'32" W FOR A DISTANCE OF 94.03', THENCE S 04°48'44" W FOR A DISTANCE OF 63.14', THENCE N 74°13'05" W FOR A DISTANCE OF 380.24', THENCE N 37°44'18" W FOR A DISTANCE OF 121.39', THENCE N 55°19'18" W FOR A DISTANCE OF 217.06', THENCE N 25°57'58" W FOR A DISTANCE OF 235.25', TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF U.S. HIGHWAY 285, THE TRUE POINT OF BEGINNING, CONTAINING 10.89 ACRES, MORE OR LESS.

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

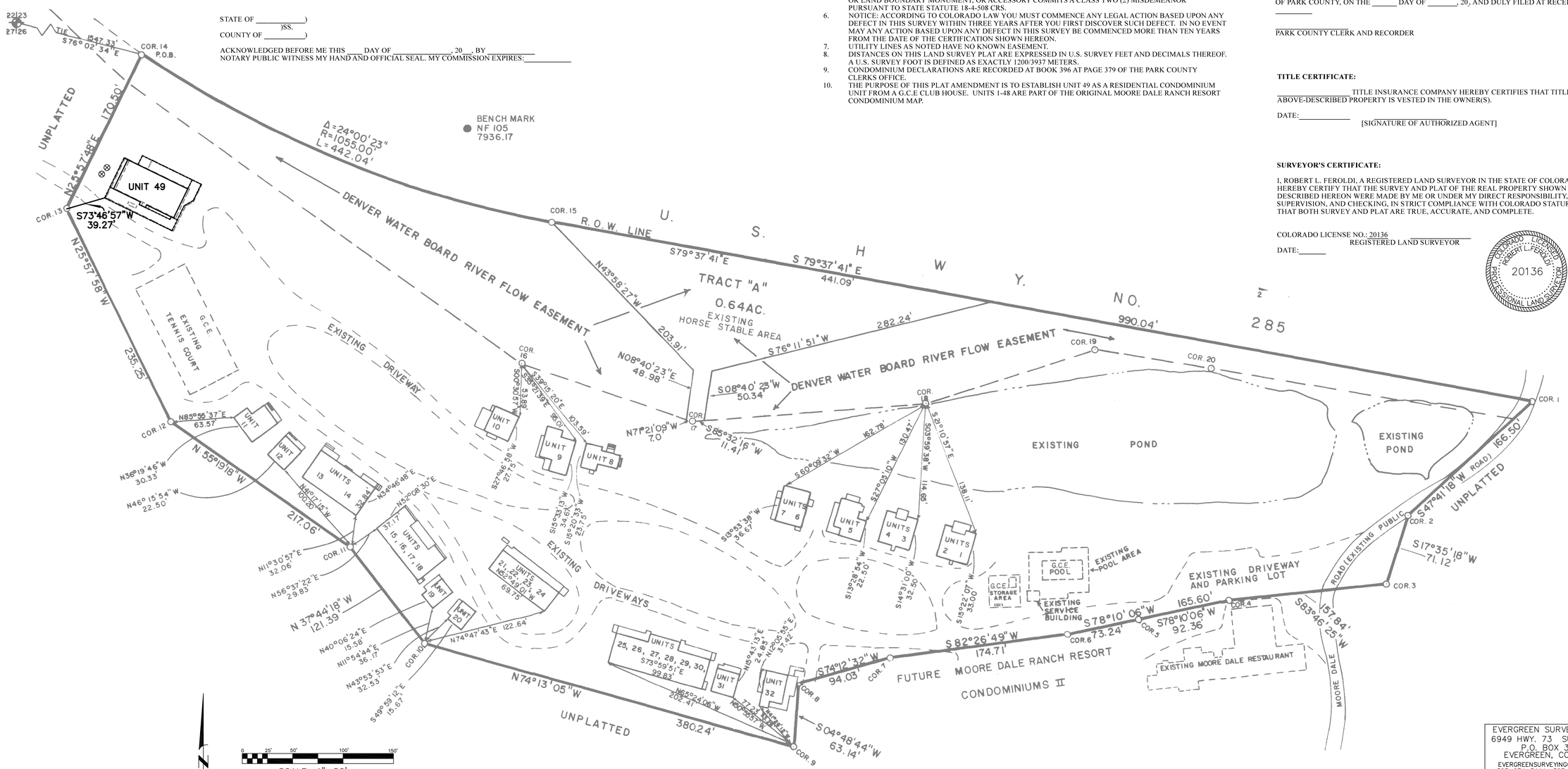
_____
NAME

STATE OF _____)
)SS.
COUNTY OF _____)

ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20___ BY _____
NOTARY PUBLIC WITNESS MY HAND AND OFFICIAL SEAL. MY COMMISSION EXPIRES:_____

NOTES

1. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY EVERGREEN SURVEYING TO DETERMINE TITLE OR EASEMENTS OF RECORD. RESEARCH FOR THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH CRS 38-51-106 AND THE RULES OF PROCEDURE AND BOARD POLICY STATEMENTS OF THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS, SPECIFICALLY THOSE BOARD RULES AND POLICY STATEMENTS RELATING TO THE DEPICTION OF EASEMENTS AND RIGHTS OF WAY ON SUBDIVISION PLATS. TITLE COMMITMENT NUMBER 17191 DATED MARCH 20, 2014, PREPARED BY TITLEONE OF COLORADO, INC. WAS RELIED UPON FOR ALL INFORMATION REGARDING EASEMENTS OF RECORD, RIGHTS OF WAY, TITLE OF RECORD AND CIVIL COURT ACTIONS OF RECORD. IN ADDITION, RECORDS AVAILABLE AT THE PARK COUNTY ASSESSORS OFFICE WERE INCLUDED IF APPLICABLE AND ARE NOTED ON THIS PLAT.
2. BASIS OF BEARING – THE NORTHWESTERLY LINE OF SUBJECT PROPERTY BEING N 25°57'48" E (ASSUMED) WITH FOUND MONUMENTS AS SHOWN HEREON.
3. THE LEGAL DESCRIPTIONS ON THIS PLAT WERE PROVIDED PER THE PLAT OF RECORD OF MOORE DALE RANCH RESORT CONDOMINIUM MAP AS RECORDED IN BOOK 399 AT PAGE 492.
4. DATE OF FIELD WORK – OCTOBER 2016.
5. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT, OR ACCESSORY COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508 CRS.
6. NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
7. UTILITY LINES AS NOTED HAVE NO KNOWN EASEMENT.
8. DISTANCES ON THIS LAND SURVEY PLAT ARE EXPRESSED IN U.S. SURVEY FEET AND DECIMALS THEREOF. A U.S. SURVEY FOOT IS DEFINED AS EXACTLY 1200/3937 METERS.
9. CONDOMINIUM DECLARATIONS ARE RECORDED AT BOOK 396 AT PAGE 379 OF THE PARK COUNTY CLERKS OFFICE.
10. THE PURPOSE OF THIS PLAT AMENDMENT IS TO ESTABLISH UNIT 49 AS A RESIDENTIAL CONDOMINIUM UNIT FROM A G.C.E CLUB HOUSE. UNITS 1-48 ARE PART OF THE ORIGINAL MOORE DALE RANCH RESORT CONDOMINIUM MAP.



SCALE: 1"=50'

APPROVAL BY BOARD OF COUNTY COMMISSIONERS

APPROVED BY THE PARK COUNTY BOARD OF COUNTY COMMISSIONERS, THIS _____ DAY OF _____, 20____.

ATTEST:

_____ _____
PARK COUNTY CLERK AND RECORDER CHAIRPERSON

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

TITLE CERTIFICATE:

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

DATE:_____ _____
[SIGNATURE OF AUTHORIZED AGENT]

SURVEYOR'S CERTIFICATE:

I, ROBERT L. FEROLDI, A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY AND PLAT OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON WERE MADE BY ME OR UNDER MY DIRECT RESPONSIBILITY, SUPERVISION, AND CHECKING, IN STRICT COMPLIANCE WITH COLORADO STATURES, AND THAT BOTH SURVEY AND PLAT ARE TRUE, ACCURATE, AND COMPLETE.

COLORADO LICENSE NO.: 20136 _____
REGISTERED LAND SURVEYOR
DATE:_____

COLORADO LICENSED ROBERT L. FEROLDI 20136 PROFESSIONAL LAND SURVEYOR

EVERGREEN SURVEYING, INC.
6949 HWY. 73 SUITE MW-3
P.O. BOX 3514
EVERGREEN, CO 80439
EVERGREENSURVEYING@MSN.COM
303-674-3444 303-674-1318

REVISIONS: 11-2-16
DATE:10-11-16 JOB NO.B11614
DWG LOCATION: SURVEY JOBS
F/B 120/27 DRAWN BY/ CHECKED BY: LA/BF

MooreDale Improvement Plan
2015 - 2016

Listed by General Priority

SAFETY	2015-2016 Projects	Estimated Expense	Current Status
Chimney caps	Chimney caps	$ 1,500	Done
Stair Rebuild	Stair Rebuild	$ 500	Partial
Railings rebuild and repair			
Snow/Ice guards	Snow/Ice guards	$ -	Next Year
Foundation/Drainage/Skirts	Foundation/Drainage/Skirts	?	Done
Secondary Chlorination System	Secondary Chlorination System	$ 500	Done
Tree Removal (7)	Tree Removal (7)	$ 2,200	Done
Gutter Repair/Installation	Gutter work		Next Year
Exterior Water Spigots			
Remove Barn	Remove Barn	$ 5,000	Done
COST CONTAINMENT			
Water Leak	Leak Detection		Done
Double Pane Windows HOA Rentals	Double Pane Windows HOA Rentals	$ 4,000	Done
Event Center Winterization	Event Center Winterization	$ 500	Done
Individual Unit water meters			
Water System Valves	Water System Valves	$ 10,000	Done
STRUCTURAL/FUNCTION			
Stone facia repair			
Winterization Plan	Winterization Plan (exterior add-ons)	$ 2,000	Done
Rebuild Crawlspace Covers	Crawlspace covers/hot water heater room	$ 3,000	Done
Roof leaks	Roof leaks	$ 500	Done
Double Pane Window Project	Double Pane Window Project	$ 3,000	Done
Gutters			
Potholes	Potholes	$ 200	Done
Road Drainage			
Recycling Center			
Parking			
Road Widening/Surface treatment			
Trim repair/replacement	Trim repair/replacement	?	Next year
Siding repair/replacement			
Painting			
AESTHETICS/APPEARANCE			
Remove old satellite dishes	Remove old satellite dishes	$ 100	Done
Removal old cables/wires	Removal old cables/wires		Done
Remove Trash/old junk	Remove Trash/old junk	$ 200	Done
New Full Rail log fencing			
Railroad tie removal	Railroad tie removal	$ 800	Done
Exterior Lighting			
Tree and Shrub planting			
Irrigation watering			
Entrance Gates			
[illegible]			
Pool rebuild/fence or Water Feature			
HOA Utility Storage/Shop			
Identity/Website			
	Projected Total	**$ 34,000**	

MooreDale Improvement Plan

Listed by General Priority 2017

SAFETY	2017 Projects	Estimated Expense	Current Status
Chimney caps			
Stair Rebuild	Stair Rebuild	$ 2,000	
Railings rebuild and repair	Railing Rebuild	$ 1,000	
Snow/Ice guards	Snow Ice Guards	$ 4,000	
Foundation/Drainage/Skirts	Foundation/Drainage/Skirts	$ -	
Water System Upgrade			
Tree Removal (7)			
Gutter Repair/Installation	Gutter Repair/Installation	$ 4,000	
Exterior Water Spigots		$ 2,000	
Fire Extinguishers		$ 1,500	
COST CONTAINMENT			
Water Leak	Leak Detection	$ -	
Double Pane Windows HOA Rentals			
Event Center Winterization			
Individual Unit water meters			
Water System Valves			
STRUCTURAL/FUNCTION			
Stone facia repair	Stone Facia Repair	$ 5,000	
Winterization Plan	Winterization Plan	$ 1,000	
Rebuild Crawlspace Covers			
Roof leaks			
Double Pane Window Project			
Potholes	Potholes	$ 1,000	
Road Drainage			
Recycling Center	Recycling Center	.	
Parking			
Road Widening/Surface treatment			
Trim repair/replacement	Trim/Repair Replacement	$ 8,000	
Siding repair/replacement	Siding Repair/Replacement	$ 8,000	
Painting	Painting (all units)	$ 48,000	
AESTHETICS/APPEARANCE			
Remove old satellite dishes			
Removal old cables/wires			
Remove Trash/old junk			
New Full Rail log fencing			
Railroad tie removal			
Exterior Lighting			
Tree and Shrub planting	Tree and Shrub Planting (manual watering)	$ 6,000	
Irrigation watering			
Entrance Gates			
[illegible]			
Pool rebuild/fence or Water Feature			
HOA Utility Storage/Shop	Maintenance Storage Shed	$ 5,000	
Identity/Website			
	Projected Total	**$ 96,500**	

MooreDale Improvement Plan

2018

Listed by General Priority

SAFETY	2018 Projects	Estimated Expense	Current Status
Chimney caps			
Stair Rebuild			
Railings rebuild and repair			
Snow/Ice guards			
Foundation/Drainage/Skirts			
Secondary Chlorination System			
Tree Removal (7)			
Gutter Repair/Installation			
Exterior Water Spigots			
Fire Extinguishers			
COST CONTAINMENT			
Water Leak			
Double Pane Windows HOA Rentals			
Event Center Winterization			
Individual Unit water meters	Water meters per unit	$ 8,700	
Water System Valves			
STRUCTURAL/FUNCTION			
Stone facia repair			
Winterization Plan			
Rebuild Crawlspace Covers			
Roof leaks			
Double Pane Window Project			
Gutters			
Potholes			
Road Drainage	Road Drainage/Resurface	$ 8,000	
Recycling Center			
Parking	Parking	$ 4,000	
Road Widening/Surface treatment	Road Widening/Surface Treatment	$ 26,000	
Trim repair/replacement			
Siding repair/replacement			
Painting			
Storage Units	Rentable storage facilities	$ 26,000	
Remove old satellite dishes			
Removal old cables/wires			
Remove Trash/old junk			
New Full Rail log fencing	New Rail Fencing	$ 12,000	
Railroad tie removal			
Exterior Lighting	Exterior Lighting	$ 5,000	
Tree and Shrub planting	Tree/Shrub Planting	$ 10,000	
Irrigation watering			
Entrance Gates	Entrance Gates	$ 20,000	
[illegible]			
Pool rebuild/fence or Water Feature	Rebuild Pool/Water feature	$ 20,000	
HOA Utility Storage/Shop			
Identity/Website	Identity/Website	$ 1,000	
	Projected Total	**$ 140,700**	

16PUD - 02

EXECUTED APPLICATION

PARK COUNTY APPLICATION FOR
PUD → **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: MOOREDALE RANCH RESORT c/o GRANT PECK
Mailing Address: ~~PO BOX~~ 765 ELDORADO BLVD #2211
City: BROOMFIELD State: CO Zip: 80021
Telephone (work) 303-589-0232 (home) 3-530-335 (fax) _____
Owner's Name: MOOREDALE RANCH RESORT
Mailing Address: PO BOX 1676
Telephone No. and Email Address: GPECKGOLF@COMCAST.NET.

OFFICE OF HOA PRESIDENT

B. PROPERTY INFORMATION

Complete Legal Description of Property Proposed for the Common Plat Amendment (attach additional page, if necessary):
PER MYLAR AND ATTACHED

Street Address of Property: 57920 HWY 285, BAILEY CO. 80421
Property's Total Acreage: 13.41
Current Zone District of Property: PUD

For County Use Only
Planning Department Confirmation of Current Zone District:
District: PUD
Jill Falchi
Print Full Name

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

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

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.

N/A 2. Tax receipt-showing payment of current taxes. This can be obtained at the Park County Treasurer's office.

N/A 3. Proof of ownership in the form of a recorded Warranty Deed. This can be obtained at the Park County Clerk and Recorders 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

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

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

N/A

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

PENDING INSTALLATION

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

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

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: Grant Peck

Print name: GRANT PECK

If company, state Title/Position: PRESIDENT MOORDALE RANCH RESORT

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 7, 2016
Month Day Year

For County Use Only:
Verification of Date of Delivery and County Receipt of Application
Date: 11/22/16
Print Name: Jill Falchi

Payment of the Applicant Fee was made by:

X	Personal Check # 1130	Amount $ 1060
	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.

LEGAL DESCRIPTION

A PORTION OF THE NORTH ½ OF SECTION 26, TOWNSHIP 7 SOUTH, RANGE 73 WEST OF THE 6TH P.M., COUNTY OF PARK, STATE OF COLORADO:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 26; THENCE S 76°02'34" E FOR A DISTANCE OF 1547.33' TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF U.S. HIGHWAY NO. 285, THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID R.O.W. AND TO THE LEFT ALONG THE ARC OF A CURVE WHOSE DELTA IS 24°00'23" AND WHOSE RADIUS IS 1055.00' FOR A DISTANCE OF 442.04' AND SHOESE CHORD BEARS S 67°37'29" E FOR A DISTANCE OF 438.81', THENCE S 79°37'41" E CONTINUING ALONG SAID R.O.W. FOR A DISTANCE OF 990.04', THENCE S 47°41'18" W LEAVING SAID R.O.W. FOR A DISTANCE OF 166.50', THENCE S 17°35'18" W FOR A DISTANCE OF 71.12', THENCE S 83°46'25" W FOR A DISTANCE OF 157.84', THENCE S 78°10'06" W FOR A DISTANCE OF 165.60', THENCE S 82°26'49" W FOR A DISTANCE OF 174.71', THENCE S 74°12'32" W FOR A DISTANCE OF 94.03', THENCE S 04°48'44" W FOR A DISTANCE OF 63.14', THENCE N 74°13'05" W FOR A DISTANCE OF 380.24', THENCE N 37°44'18" W FOR A DISTANCE OF 121.39', THENCE N 55°19'18" W FOR A DISTANCE OF 217.06', THENCE N 25°57'58" W FOR A DISTANCE OF 235.25', THENCE N 25°57'48" E FOR A DISTANCE OF 170.50', TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF U.S. HIGHWAY 285, THE TRUE POINT OF BEGINNING, CONTAINING 10.89 ACRES, MORE OR LESS.

THE BASIS OF BEARING IS THE NORTHWESTERLYLINE OF SUBJECT PROPERTY BEING N 25°57'48" E (ASSUMED) WITH MONUMENTS AS SHOWN HEREON.

THIS LEGAL DESCRIPTION WAS PREPARED BY ROBERT L. FEROLDI, PLS 20136 OF THE FIRM EVERGREEN SURVEYING, INC., P.O. BOX 3514, EVERGREEN, CO 80439, PHONE (303) 674-3444, JOB# B11614, LA, 11-2-16, B11614.LEGAL

MooreDale Homeowners Association Neighbor List

Schedule #:

16263 MCCALLUM, ERICK
PO BOX 171953
ARLINGTON, TX 76003

35975 SAVOY, RICHARD W
70 MOOREDALE RD
BAILEY, CO 80421

45276 DEAN, DONALD L
PO BOX 971
BAILEY, CO 80421-0971

18656 DEAN, DONALD L
PO BOX 971
BAILEY, CO 80421-0971

15979 R5 PROPERTIES, LLC
57837 HWY 285
BAILEY, CO 80421

15949 HEBB, JAMES
57831 HWY 285
BAILEY, CO 80421

18527 JALANIVICH, DEBORAH
PO BOX 655
BAILEY, CO 80421-0655

16263 MCCALLUM, ERICK
PO BOX 171953
ARLINGTON, TX 76003

17605 Millennium Rsnts LLC
PO Box 845
Bailey, CO 80421

18153 Roy E Jr & Anretta C Schwalm
1145 W Hinsdale Dr
Littleton, CO 80120

Count		Homeowner Name and Address		Verify Information and Sign In Please	Do you have Anyone's Proxy?
☐	#1	**Lisa Lien-Hughes** PO Box 861 Bailey CO 80421	Tacomatruck96@Yahoo.com 303 838 4036		Name and Unit
☐	#2	**Dennis Duke** 1237 S. Eaton Ct. Lakewood, CO 80232	dduke76@yahoo.com 303 922 7628 720 448 4874		Name and Unit
☐	#3 + #4	**Frank Sevigny** PO Box 992 Georgetown, CO 80444			Name and Unit
☐	#5	**Jon Rice** PO Box 352 Bailey, CO 80421	iwproducts@earthlink.net		Name and Unit
☐	#6 + #7	**Joel and Sarah Nelson** 65 Prairie Ridge Road Littleton, CO 80126	joelvnelson@aol.com Sarahchuckie@aol.com 720 470 9072		Name and Unit
☐	#8	**Daniel Dinse** 7385 W. 97th Place Westminster, CO 80021	ddinse001@centurylink.net		Name and Unit
☐	#9	**Matthew Beresky** 16 N. 18th Street Colorado Springs, CO 80904	kinberlylhazard@yahoo.com 303 986 0992		Name and Unit
☐	#10	**John Lamphear** 14130 N. Cabana St # 107 Corpus Christi, TX 78418	jclamphear@hotmail.com 361-445-1073		Name and Unit

Count		Homeowner Name and Address		Verify Information and Sign In Please	Do you have Anyone's Proxy?
	#11	**Steven Canale** 3601 Albion St. Englewood, CO 80113	canale928@yahoo.com 303 882 9179		Name and Unit
	#12	**Jane Firestone** 18630 E. Wagon Trail Aurora, CO 80015	mpsco@aol.com		Name and Unit
	#13	**Scott Peck** PO Box 963 Bailey, CO 80421	macpeck@exceed.com		Name and Unit
	14, 34 -45	**Grant Peck** PO Box 1676 Bailey, CO 80421	gpeckgolf@comcast.net		Name and Unit
	#15 + #16	**Doug Wilner** Pinecone Investments PO Box 147 Fairmont, MN 56031	dawillner@hotmail.com		Name and Unit
	#17 + #18	**Barbara & Larry Behl** PO Box 193 Shawnee, CO 80475	baronbehl@aol.com		Name and Unit
	#19	**Carol Hancey** PO Box 62 Bailey, CO 80421	carolkiv@yahoo.com 303 330 5761		Name and Unit
	#20 + #22	**Diane Watts** 1985 Yank Court Golden, CO 80401	wattsreal@aol.com 303 564 9288		Name and Unit

Count		Homeowner Name and Address		Verify Information and Sign In Please	Do you have Anyone's Proxy?
	#21	**Kevin Dismuke** 1234 Reed Street Lakewood CO 80214-4728	kevin.dismuke@ams.usda.gov 303 902 6251		Name and Unit
	#23 + #24	**Ginger Dyer** 13055 US Hwy 285 Pine, CO 80470	gdyere@fnf.com 303 838 2489		Name and Unit
	#28 + #29	**John and Judy Hadley** 4014 Harbor Pointe Dr. Missouri City, TX 77459	jkramerhadley@yahoo.com		Name and Unit
	#31	**Jim and Rachel Ellison** 5945 S. Yank Ct. Littleton, CO 80127	jr3star@comcast.net		Name and Unit
	#32	**Debbie Kind** P.O. Box 83 Bailey, CO. 80421	debbietkind@gmail.com		Name and Unit
	#33	**Louie & Marie Olona** PO Box 12 Hudson, CO 80624	No Email		Name and Unit
	#46 + #47	**Karen and Andy Smart** PO Box 845 Bailey, CO 80421	ankaraj@qwestoffice.net 303 816 9433		Name and Unit

Park County Planning Department
1246 CR 16
P.O. Box 1598
Fairplay, CO. 80440

November 7th, 2016

Pertaining to Application to change use of a building at MooreDale Ranch Resort

Dear Planning Department,

On October 18th, the Annual Meeting for the MooreDale Ranch Resort was held. The meeting was called subject to notification requirements dictated in the association's Bylaws and Declarations.

A copy of the agenda is attached.

The purpose of the meeting, among other things, was to discuss and vote on the Board of Directors plan to change the legal description of the Event Center (Club House) such that the unit would become a deedable, sellable and become a separate dues paying unit.

A quorum was established at the meeting and as dictated by CCIOA it was understood that 67% of the voting owners would be necessary to approve the measure.

The measure as presented to the ownership was as follows:

"Should the Board of Directors be authorized to amend the PUD sufficient to allow for deeding the Event Center as a single family home for the purpose of selling the home in the open market. Funds from the sales would be used 100% for the improvement of the Mooredale Community. The home would become a dues paying unit, subject to the terms and conditions established by the Board of Directors."

The measure was discussed and subsequently called for a vote by the President of the HOA, Grant Peck. The measure was seconded and by written, anonymous ballot, voted upon. The measure passed with 37 votes for and none against. There are 43 voting members of the Association. Accordingly, the measure passed with 86% of the memberships approval, well beyond the 67% required by CCIOA and the HOA's Declarations.

Ballots cast by the owners at the meeting are available if there is any need to verify the outcome of the voting.

I hope this detail will be sufficient to satisfy any questions about the will of the ownership at MooreDale Ranch Resort and the legal qualifications associated with this change of use application.

On behalf of the Board of Directors,

Grant Peck
President, MooreDale HOA

MOORE DALE RANCH RESORT
DBA
PLATTE CANYON VILLAGE

NOTICE OF ANNUAL MEETING

Tuesday October 18th, 2016
6:30 P.M.
MEETING LOCATION: Moore Dale Ranch Resort Event Center
Sitting Board: Grant Peck, Karen Smart, Jon Rice, Scott Peck and Kevin Dismuke

MEETING AGENDA

Call to order by President, Grant Peck
Owners introductions
Distribution and approval of 2015 Minutes
The Year in Review & looking forward (Grant)
Presentation of 2016 - 2017 budget
Moore Dale Improvement Plan – Survey (MIP) discussion
Event Center Sale decision/vote
Nominations for 2 Director positions for two-year term
(Terms expire for Scott Peck and Jon Rice)
Election of Directors
Newly-elected and incumbent Directors will have a brief Executive Session
Adjourn

CAN'T MAKE THE MEETING?

This year's meeting is very important. We will be discussing and voting on the possible sale of the Event Center. To sell an asset, 67% of the ownership must vote in favor of the sale. Attendance or a Proxy is critical to conduct this important business.

A stamped, addressed envelope is enclosed for your convenience.

Please mail in your proxy if you are unable to attend! We must have proxies prior to or on Monday October 17th!

PLANNED UNIT DEVELOPMENT FINAL PLAT & PLAN AMENDMENT

MOORE DALE RANCH RESORT CONDOMINIUM MAP

UNIT 49

PART OF THE N 1/2, SEC 26, T7S, R73W OF THE 6TH P.M.

COUNTY OF PARK, STATE OF COLORADO

PAGE 1 OF 2

LEGAL DESCRIPTION:

WE, BEING THE OWNER(S) OF THE REAL PROPERTY OF 13.41 ACRES LOCATED IN PARK COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

A PORTION OF THE NORTH ½ OF SECTION 26, TOWNSHIP 7 SOUTH, RANGE 73 WEST OF THE 6TH P.M., COUNTY OF PARK, STATE OF COLORADO:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 26; THENCE S 76°02'31" E FOR A DISTANCE OF 1547.33' TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF U.S. HIGHWAY NO. 285, THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID R.O.W. AND TO THE LEFT ALONG THE ARC OF A CURVE WHOSE DELTA IS 24°00'23" AND WHOSE RADIUS IS 1055.00' FOR A DISTANCE OF 442.04' AND WHOSE CHORD BEARS S 67°37'29" E FOR A DISTANCE OF 438.81', THENCE S 79°37'41" E CONTINUING ALONG SAID R.O.W. FOR A DISTANCE OF 990.04', THENCE S 47°41'18" W LEAVING SAID R.O.W. FOR A DISTANCE OF 166.50', THENCE S 17°35'18" W FOR A DISTANCE OF 71.12', THENCE S 83°46'25" W FOR A DISTANCE OF 157.84', THENCE S 78°10'06" W FOR A DISTANCE OF 165.60', THENCE S 82°26'49" W FOR A DISTANCE OF 174.71', THENCE S 74°12'32" W FOR A DISTANCE OF 94.03', THENCE S 04°48'44" W FOR A DISTANCE OF 63.14', THENCE N 74°13'05" W FOR A DISTANCE OF 380.24', THENCE N 37°44'16" W FOR A DISTANCE OF 121.39', THENCE N 55°19'18" W FOR A DISTANCE OF 217.06', THENCE N 25°57'58" W FOR A DISTANCE OF 235.25', THENCE N 25°57'48" E FOR A DISTANCE OF 170.50', TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF U.S. HIGHWAY 285, THE TRUE POINT OF BEGINNING, CONTAINING 10.39 ACRES, MORE OR LESS.

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

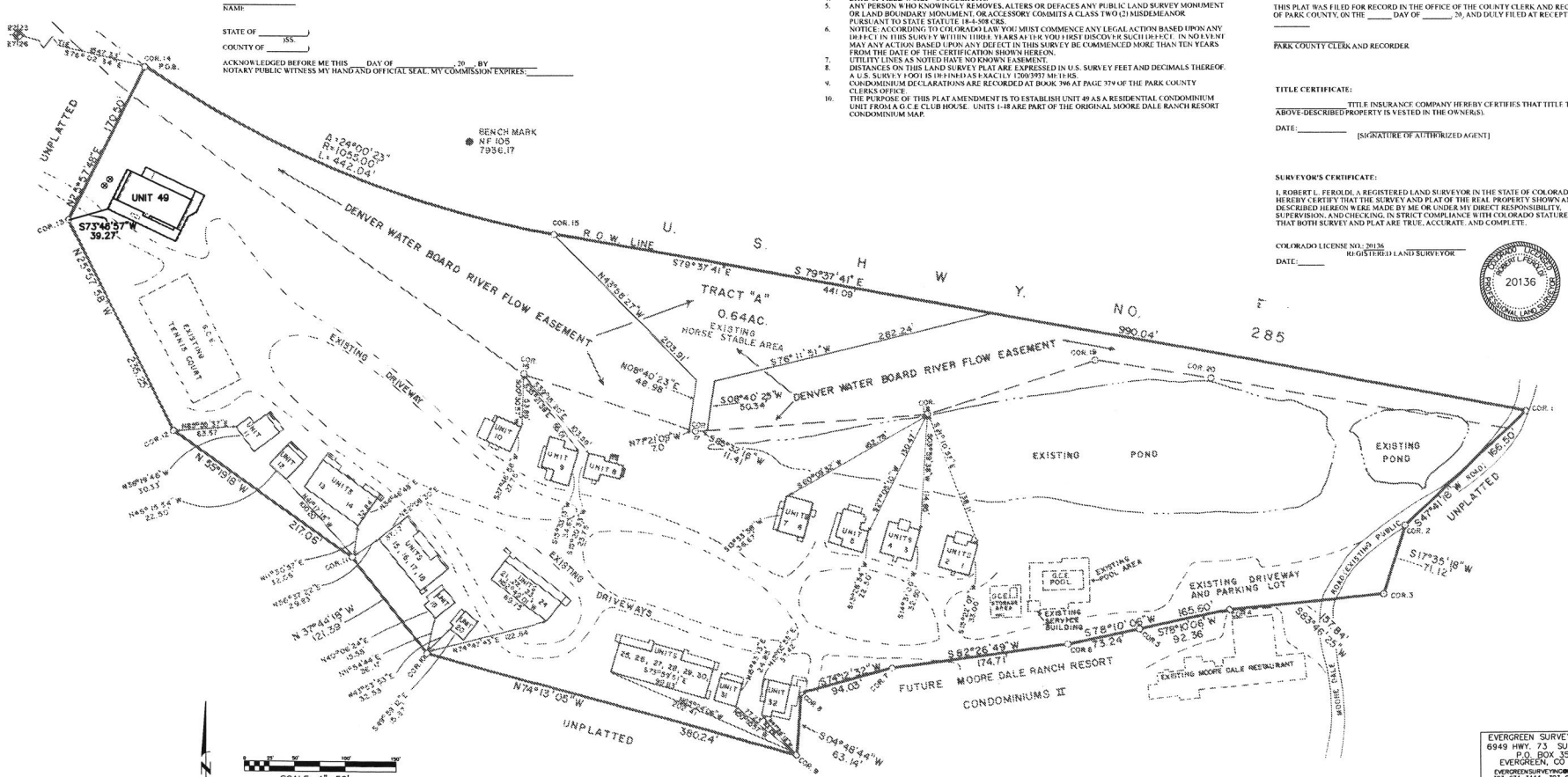
_____
NAME:

STATE OF _____)
) SS.
COUNTY OF _____)

ACKNOWLEDGED BEFORE ME THIS ___ DAY OF _____, 20__, BY _____
NOTARY PUBLIC WITNESS MY HAND AND OFFICIAL SEAL. MY COMMISSION EXPIRES: _____

NOTES

1. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY EVERGREEN SURVEYING TO DETERMINE TITLE OR EASEMENTS OF RECORD. RESEARCH FOR THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH CRS 38-51-106 AND THE RULES OF PROCEDURE AND BOARD POLICY STATEMENTS OF THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS, SPECIFICALLY THOSE BOARD RULES AND POLICY STATEMENTS RELATING TO THE DEPICTION OF EASEMENTS AND RIGHTS OF WAY ON SUBDIVISION PLATS. TITLE COMMITMENT NUMBER 17191 DATED MARCH 20, 2014, PREPARED BY TITLEONE OF COLORADO, INC. WAS RELIED UPON FOR ALL INFORMATION REGARDING EASEMENTS OF RECORD, RIGHTS OF WAY, TITLE OF RECORD AND CIVIL COURT ACTIONS OF RECORD. IN ADDITION, RECORDS AVAILABLE AT THE PARK COUNTY ASSESSORS OFFICE WERE INCLUDED IF APPLICABLE AND ARE NOTED ON THIS PLAT.
2. BASIS OF BEARING – THE NORTHWESTERLY LINE OF SUBJECT PROPERTY BEING N 25°57'48" E (ASSUMED) WITH FOUND MONUMENTS AS SHOWN HEREON.
3. THE LEGAL DESCRIPTIONS ON THIS PLAT WERE PROVIDED PER THE PLAT OF RECORD OF MOORE DALE RANCH RESORT CONDOMINIUM MAP AS RECORDED IN BOOK 399 AT PAGE 492.
4. DATE OF FIELD WORK – OCTOBER 2016.
5. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT, OR ACCESSORY COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508 CRS.
6. NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
7. UTILITY LINES AS NOTED HAVE NO KNOWN EASEMENT.
8. DISTANCES ON THIS LAND SURVEY PLAT ARE EXPRESSED IN U.S. SURVEY FEET AND DECIMALS THEREOF. A U.S. SURVEY FOOT IS 1200/3937 METERS EXACTLY (.3048006096 METERS).
9. CONDOMINIUM DECLARATIONS ARE RECORDED AT BOOK 396 AT PAGE 379 OF THE PARK COUNTY CLERKS OFFICE.
10. THE PURPOSE OF THIS PLAT AMENDMENT IS TO ESTABLISH UNIT 49 AS A RESIDENTIAL CONDOMINIUM UNIT FROM A G.C.E CLUB HOUSE. UNITS 1-18 ARE PART OF THE ORIGINAL MOORE DALE RANCH RESORT CONDOMINIUM MAP.



APPROVAL BY BOARD OF COUNTY COMMISSIONERS

APPROVED BY THE PARK COUNTY BOARD OF COUNTY COMMISSIONERS, THIS ____ DAY OF _____, 20__.

ATTEST:

PARK COUNTY CLERK AND RECORDER CHAIRPERSON

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

TITLE CERTIFICATE:

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

DATE: _____
[SIGNATURE OF AUTHORIZED AGENT]

SURVEYOR'S CERTIFICATE:

I, ROBERT L. FERoldi, A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY AND PLAT OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON WERE MADE BY ME OR UNDER MY DIRECT RESPONSIBILITY, SUPERVISION, AND CHECKING, IN STRICT COMPLIANCE WITH COLORADO STATURES, AND THAT BOTH SURVEY AND PLAT ARE TRUE, ACCURATE, AND COMPLETE.

COLORADO LICENSE NO.: 20136
REGISTERED LAND SURVEYOR

DATE: _____

COLORADO LICENSED
ROBERT L. FERoldi
20136
PROFESSIONAL LAND SURVEYOR

EVERGREEN SURVEYING, INC.
6949 HWY. 73 SUITE MW-3
P.O. BOX 3514
EVERGREEN, CO 80439
EVERGREENSURVEYING@MSN.COM
303-674-3444 303-674-1318

REVISIONS: 11-2-16
DATE: 10-11-16 JOB NO. B11614
DWG LOCATION: SURVEY JOBS
F/B 120/27 DRAWN BY/ CHECKED BY: LA/BF

RECEIVED 11/28/2016 09:30AM 7198364268 BUILDING

Assessor

Park County Planning Department

P.O. Box 1598
Fairplay, Colorado 80440

Phone: (719) 836-4293 • *Fax*: 719-836-4268 • *E-mail address*: jfalchi@parkco.us

Referral Response

Comment Deadline Date: December 7, 2016 **Submitted Date:** November 23, 2016

Case #: 16PUD-02 Case Name: Mooredale Ranch Resort PUD Plat & Plan Amendment

Request: Applicant is requesting an amendment changing a GCE Club House into a condominium unit.

Location/Legal Description: Property is Mooredale Ranch Resort, addressed as 57920 Hwy 285, Bailey.

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

Date of BOCC Hearing: Thursday December 22, 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: 11/28/16

Title: Admin Supervisor

From: Patrick Parker
To: Jill Falchi
Subject: Re: Moore Dale Ranch Resort PUD Plat & Plan Amendment
Date: Wednesday, November 30, 2016 9:01:26 AM

Hi Jill,

I don't see any issues with the amendment on our end with regard to water supply, production and or consumption. The building is still well within our augmentation rights and number of allotted taps in the community, and allowed usage even with converting it to a single family dwelling, we'll be fine with it.

Hope that helps, let me know if you have any more questions. Feel free to contact me directly..

Patrick Parker, CWP
Independent Water Works LLC
303.838.7428 Phone
720.412.6601 Mobile
pat.independentww@gmail.com

On Tue, Nov 29, 2016 at 8:09 AM, Jill Falchi <JFalchi@parkco.us> wrote:

> Hi Pat
>
> I'm working with Grant Peck to complete a PUD Plat and Plan Amendment. Moore Dale HOA is requesting to turn their Club House into a single family dwelling. I've attached the application as well as a referral response form. So the question is, from a water management standpoint, will this amendment be an issue?
>
> Thank you
>
> ***Jill Falchi***
>
> Planning Technician
>
> PH: 719.836.4293
>
> Park County Colorado
>
> Open Monday –Thursday 7am-6pm