PARK COUNTY BOARD OF COMMISSIONERS
AGENDA
501 Main Street
FAIRPLAY, COLORADO
Thursday, December 22, 2016

9:30 AM CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

APPROVAL OF MINUTES

APPROVAL OF VOUCHERS

CONSIDERATION AND/OR DECISION ON THE FOLLOWING ITEMS:

.I. APPROVE/DENY NEW LIQUOR LICENSE FOR THE SHAGGY SHEEP, INC.
Address: 50455 US Hwy 285, Grant, CO
APPLICANT: Sarah Bennett
POSTPONED FROM OCTOBER 20, 2016

.II. APPROVE/DENY THE 2017 PARK COUNTY COOP PLAN

.III. CONSIDERATION OF RESOLUTIONS APPROVING 2017 FINAL BUDGET

- Resolution of County Mill Levy
- Budget Resolution
- Resolution of Appropriations
- Resolution Levying General Property Taxes

.IV. CONSIDERATION OF RESOLUTION FOR SUPPLEMENTAL APPROPRIATIONS TO 2016 BUDGET

PUBLIC HEARING(S)

.I. 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 BOCC Staff Report and Atts..pdf
PC Resolution 12-2016-02.pdf
Referral Responses.pdf
Application.pdf

.II. 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

.III. 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

PUBLIC COMMENTS

EXECUTIVE SESSION IN REGARD TO LEGAL & PERSONNEL MATTERS (CLOSED SESSION)

ADMINISTRATIVE SESSION (OPEN)

12:00 PM LUNCH

TIMES ARE APPROXIMATE. ITEMS MAY BE HEARD EARLIER OR LATER THAN SHOWN ABOVE.
NOTE: Items May Be Added To These Agendas Up To 48 Hours Before The Scheduled Time. Items May Be Deleted Or Cancelled At Any Time. Please Check Website www.parkco.us for most Updated Agendas. If You Need Further Information, please contact the BOCC Office At (719) 836-4201.

PARK COUNTY BOARD OF COUNTY COMMISSIONERS
PLANNING DEPARTMENT STAFF REPORT

Commission Hearing Date: December 22, 2016

To: Board of County Commissioners

Date: December 13, 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.

Planning Commission and Public Comment:

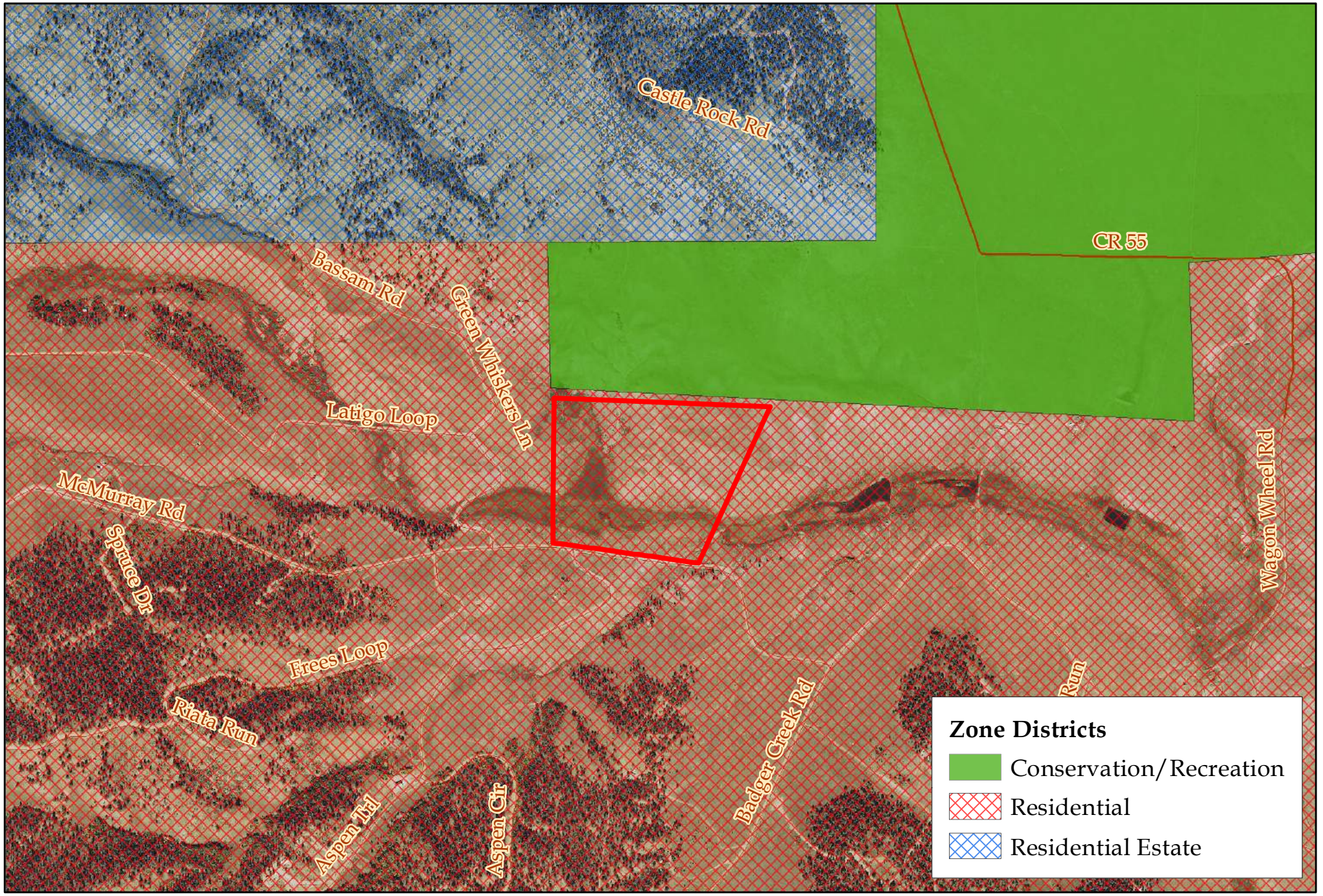
The Planning Commission reviewed this application at their November 8, 2016 meeting and unanimously recommended approval of the application with no conditions. No public comment was received.

Recommendation:

Staff recommends that the Right-of-Way Vacation application be approved with no conditions. The BOCC's options are to authorize the County Attorney to prepare a resolution to:

• Approve the application with no conditions;
• Approve the application with newly identified conditions;
• Deny the application;

Or to continue the application so that the applicant or staff can provide additional information.



Attachment 1 - Zone Districts

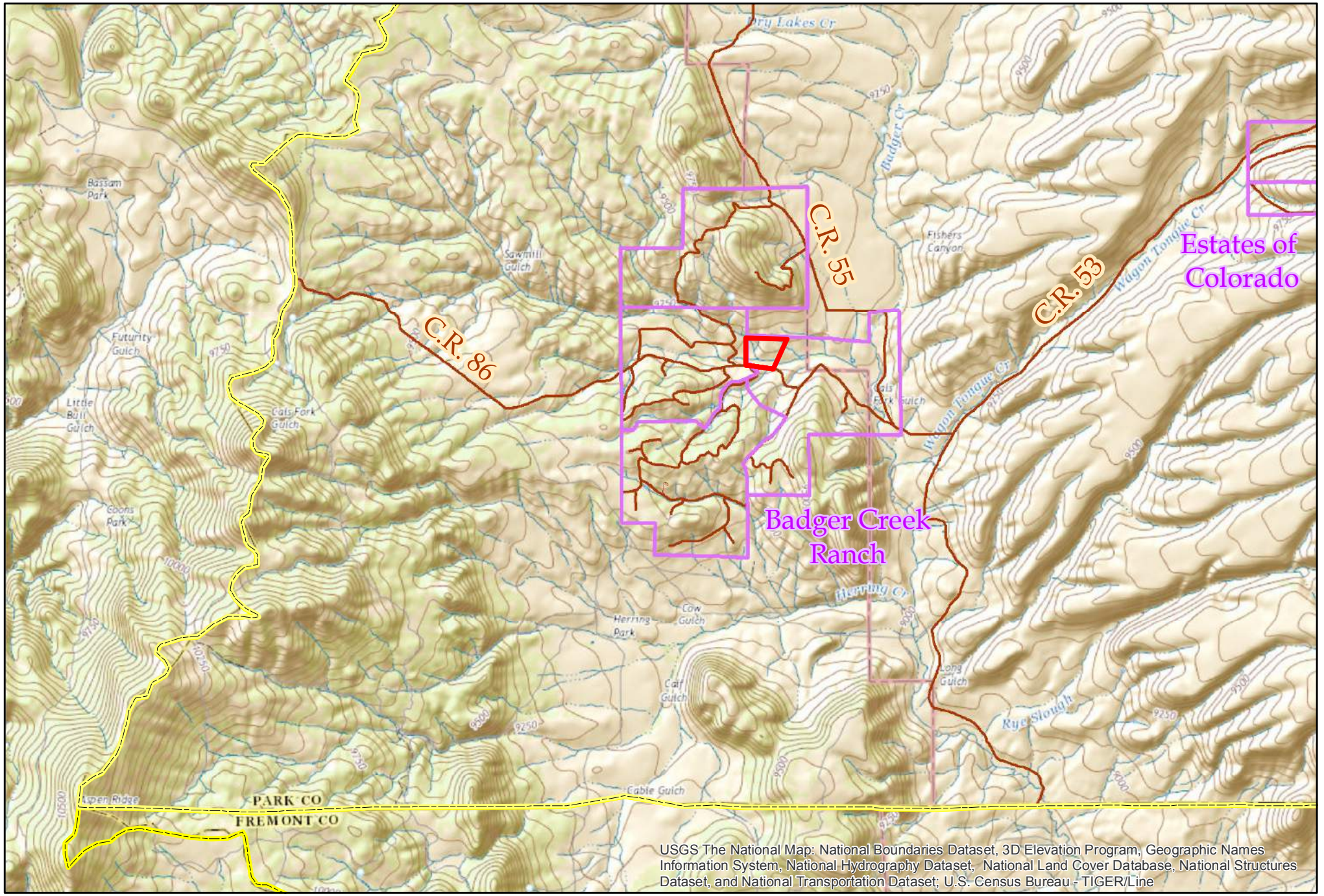
N

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.

PARK COUNTY
PLANNING COMMISSION
RESOLUTION # 12-2016-02

A RESOLUTION RECOMMENDING APPROVAL OF AN APPLICATION FOR REZONING FROM RESIDENTIAL TO RESIDENTIAL ESTATE OFNEW LOT 19, BADGER CREEK RANCH NUMBER ONE, ADDRESSED AS 353 MCMURRY ROAD.

WHEREAS, the Planning Commission held an open public meeting, notice duly given thereof, on December 13th, 2016, at the Commissioner's Meeting Room in Fairplay, Colorado; and

WHEREAS, Erik and Michele Wayland have applied for Rezoning from Residential to Residential Estate of the abovementioned legal description; and

WHEREAS, the Park County Planning Commission has reviewed the application and the recommendations of the Planning Department;

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION FOR PARK COUNTY, COLORADO, THAT:

Section 1. The application for Rezoning of the abovementioned legal description, County of Park, State of Colorado is hereby recommended to the Board of County Commissioners for:

✓ Approval _____ Denial

With no conditions.

Section 2. The basis and grounds supporting such recommendation are documented by the recorded testimony and other evidence presented before the Planning Commission. In particular, the Planning Commission finds that the application for a Rezoning:

✓ Meets _____ Does not meet the requirements for a Rezoning as provided by the current Park County Land Use Regulations.

MOVED, SECONDED, AND PASSED THIS 13TH DAY OF DECEMBER, 2016.

J. Chuck Scheetz
Chairperson

ATTEST:

Jillian Falchi
Secretary

A.B.E.

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.

___X_ We offer the following comments regarding this referral:

The board understands that the current application is for rezoning from R to R-20, and as such we have no environmental concerns.

However, mapping in the application provided indicates a proposed driveway through existing wetland. To our knowledge, there has been no wetland delineation or Wetland Restoration and Replacement plan provided. As the Applicant proceeds with the proposed project, the Board believes that a Wetland Restoration and Replacement Plan will be required in accordance with Park County Land Use Regulations, Article VII, Division 9 - Wetland Regulations to disturb the wetlands for the driveway creation.

_____

Signed: Terrance O'Neill for the Advisory Board on the Environment Date: 12.07.16

Title: Chairman

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

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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.

© 1992-2001 Made E-Z Products, Inc.
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:

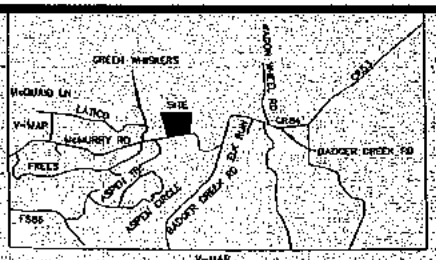
Erik D. Wayland and Michele C. Wayland, ("Owner/s") being the owner(s) of the real property of 39.9 acres located in Park County, Colorado, described as follows:

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

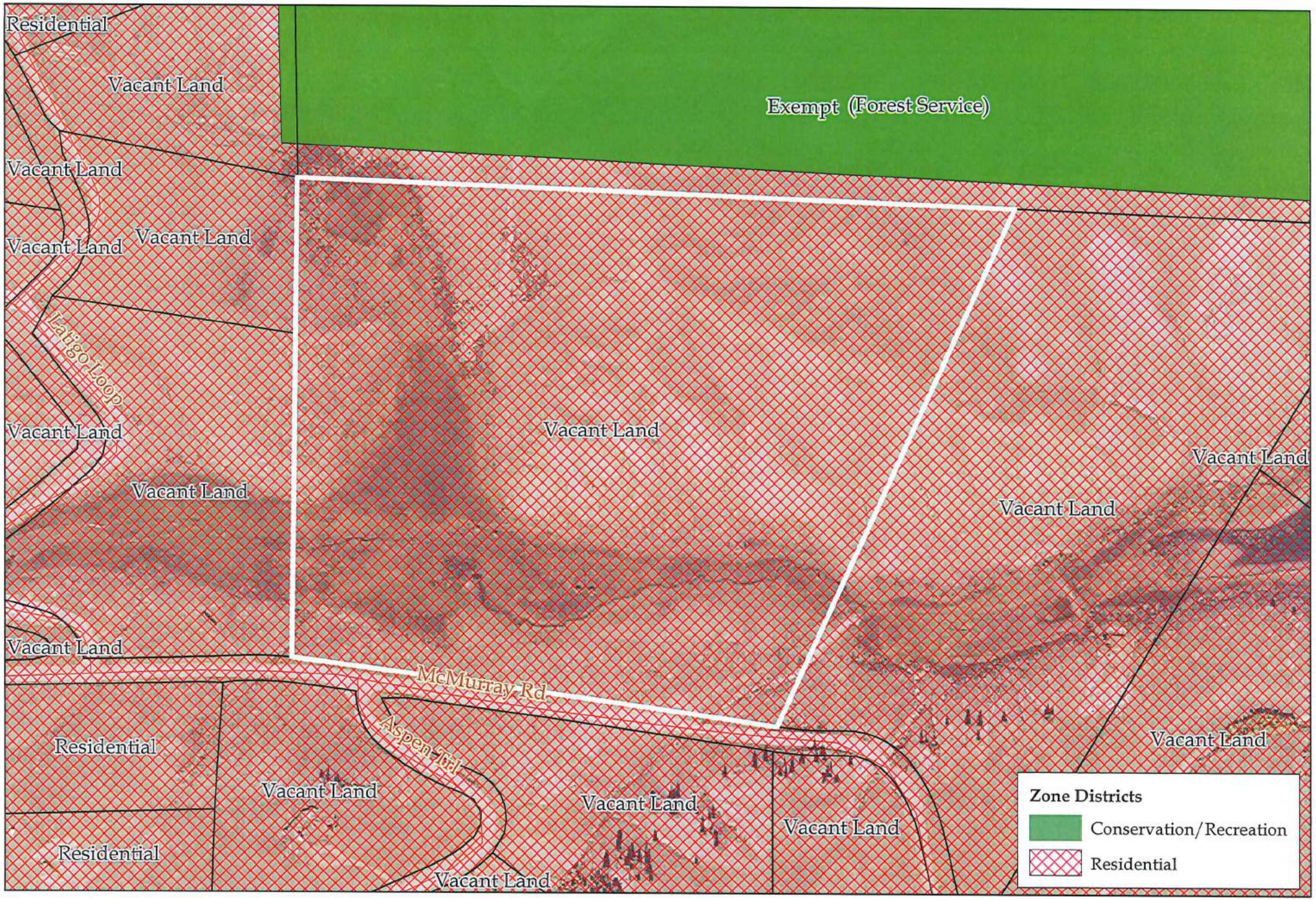
BOOTH DUSTIN
568 HOLIDAY HILLS DR
HOWARD, CO 81233

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

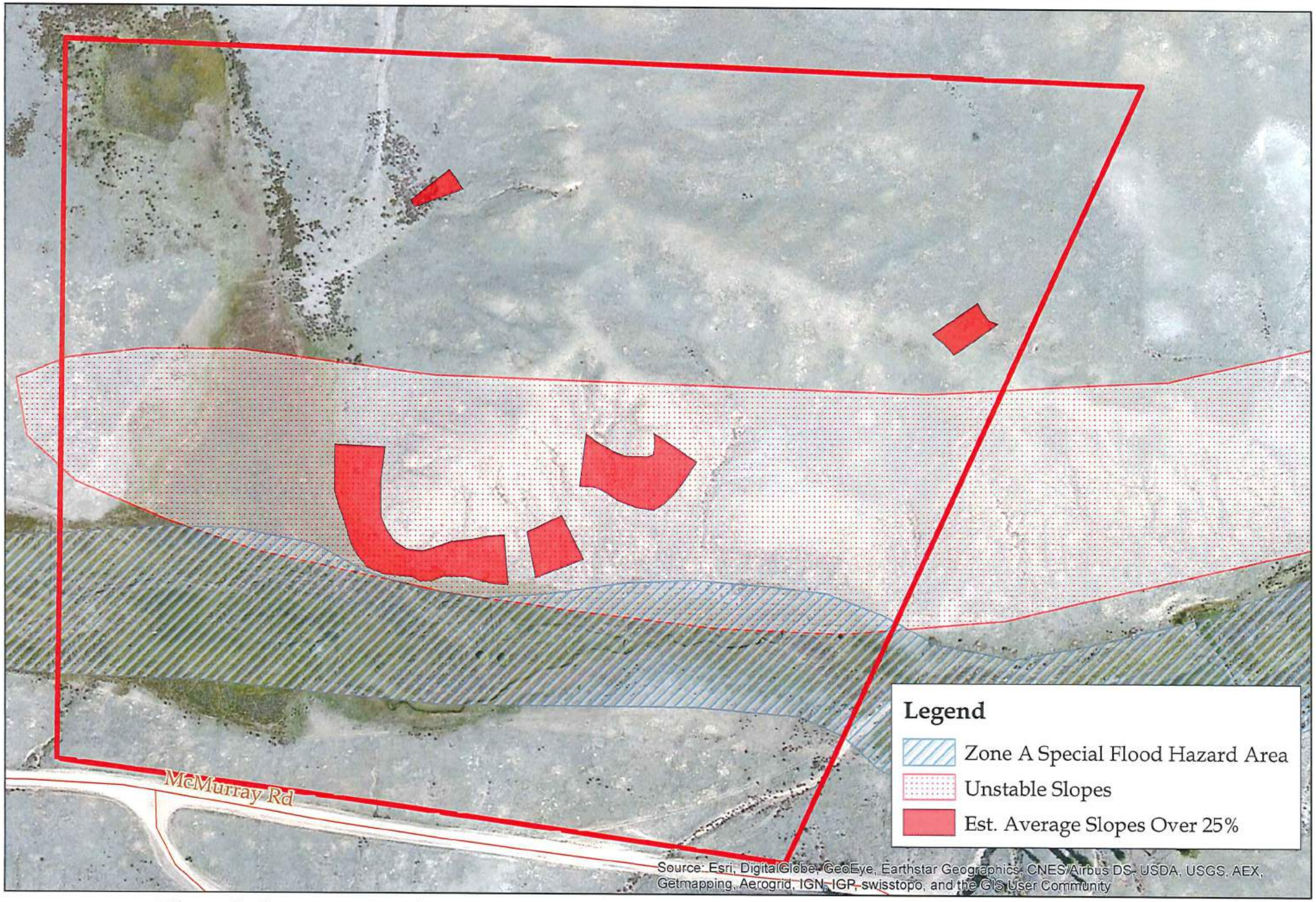
Aerially Photographed in 2013

N

0 100 200 400 Yards

Park County Planning Department

This map is not a survey.



N

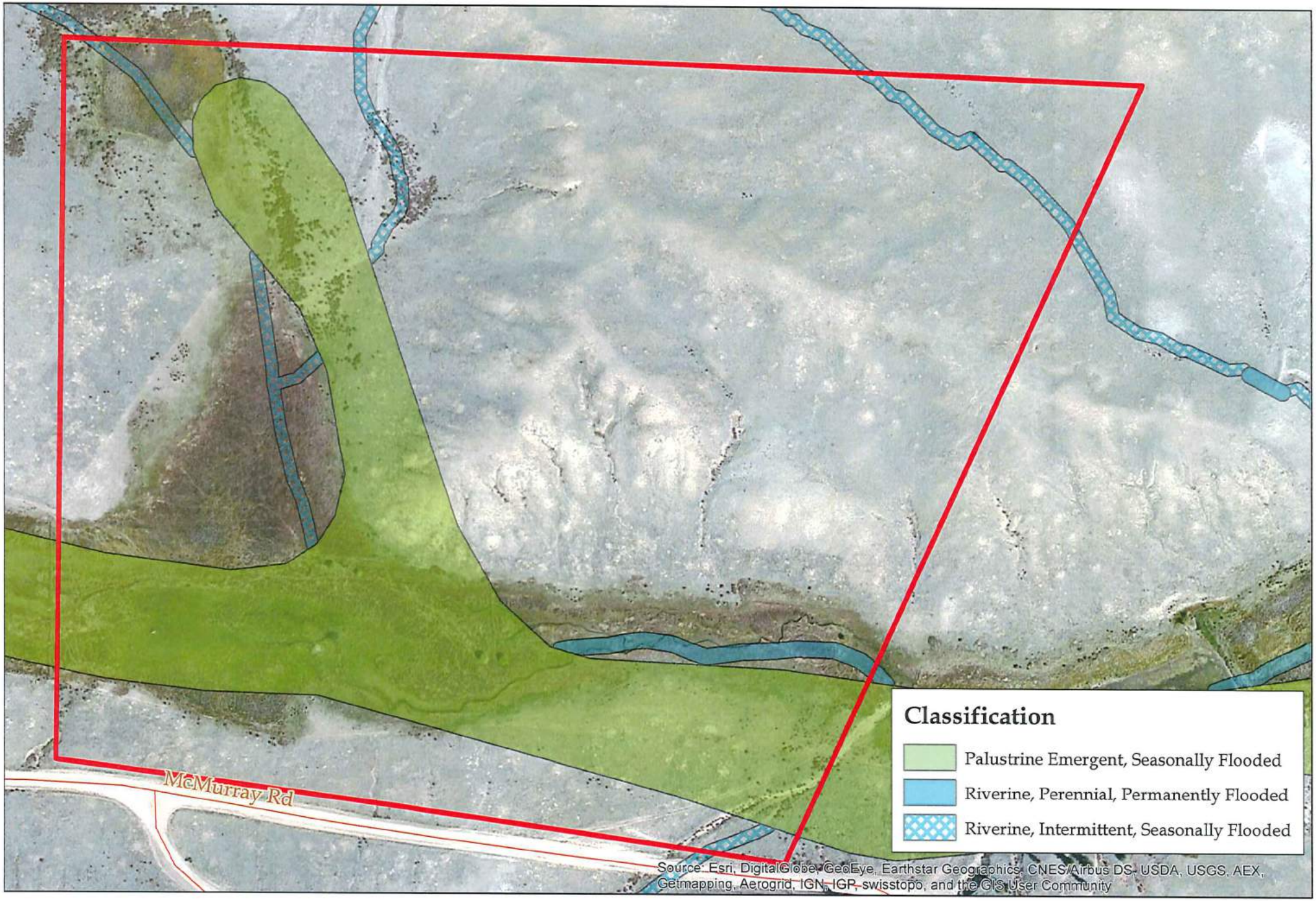
Floodplains, Geologic Hazards, and Steep Slopes

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

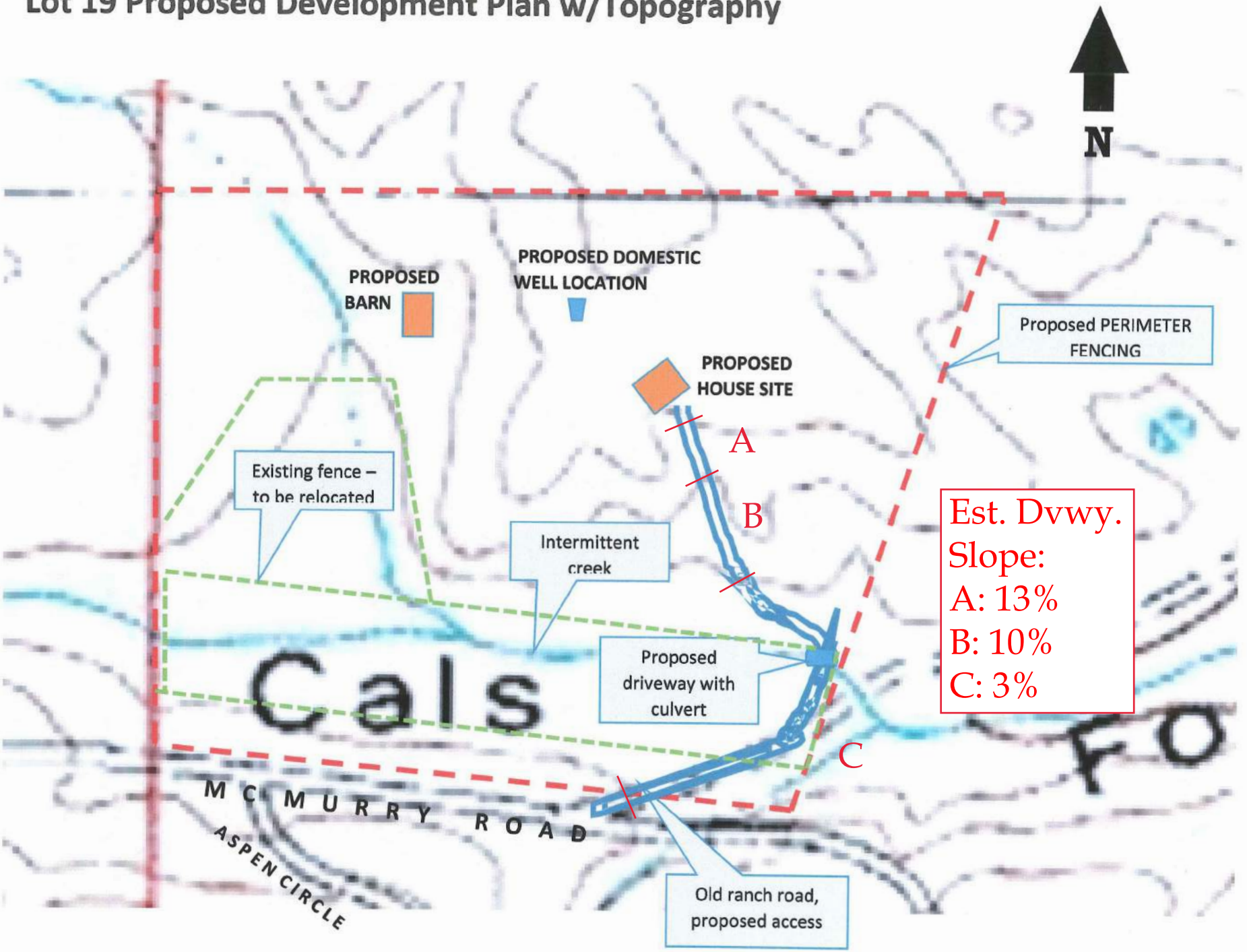
0 200 400 800 Feet

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