

**PARK COUNTY
PLANNING COMMISSION
RESOLUTION # 12-2016-01**

**A RESOLUTION RECOMMENDING APPROVAL OF AN APPLICATION FOR A
COMMON PLAT AMENDMENT TO REMOVE LOTS 1 THROUGH 29, TRACT 171
AND LOTS THROUGH 4, TRACT 159 (ADDRESSED AS 15674 SOUTH PITKIN
LANE) FROM WANDCREST PARK, THIRD FILING.**

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, Rocky Guerrero has applied for a Common Plat Amendment of the abovementioned legal description; such amendment removing lots 1 through 29, tract 171 and lots through 4, tract 159 from Wandcrest Park, Third Filing; 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 a Common Plat Amendment of the abovementioned legal description, County of Park, State of Colorado is hereby recommended to the Board of County Commissioners for:

Approval

Denial

With the following condition:

1. Prior to hearing of the application by the Board of County Commissioners, utility easements as described in the letter from IREA attached as **Exhibit A** are added to the plat.

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 Common Plat Amendment:

Meets Does not meet the requirements for a Common Plat Amendment as provided by the current Park County Land Use Regulations.

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


Chairperson

ATTEST:


Secretary



Exhibit A p. 1

*Brooks Kaufman
Lands and Rights of Way Director*

December 8, 2016

John Deagan
Park County
Planning Department
P.O. Box 1598
Fairplay, Colorado 80440

Re: GUERRERO PLAT AMENDMENT
Case No.: 16AMN-01

Dear Mr. Deagan:

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.

As part of consolidating the lots and encumbrances; the Association existing overhead electric facilities are installed on those lots being requested to be consolidated. The existing overhead electric facilities were installed in 1939 and the Association has on hand an unrecorded blanket easement granted by the Nickel's on November 9, 1939.

The Association is requesting that as part of the Plat Amendment process that the applicant defines the existing overhead electric facilities. The Association is requesting a fifteen-foot (15') wide easement and a thirty-foot (30') wide easement as shown on the markup of the plat. In return, the Association will release the unrecorded blanket easement granted by the Nickel's.

Sincerely,

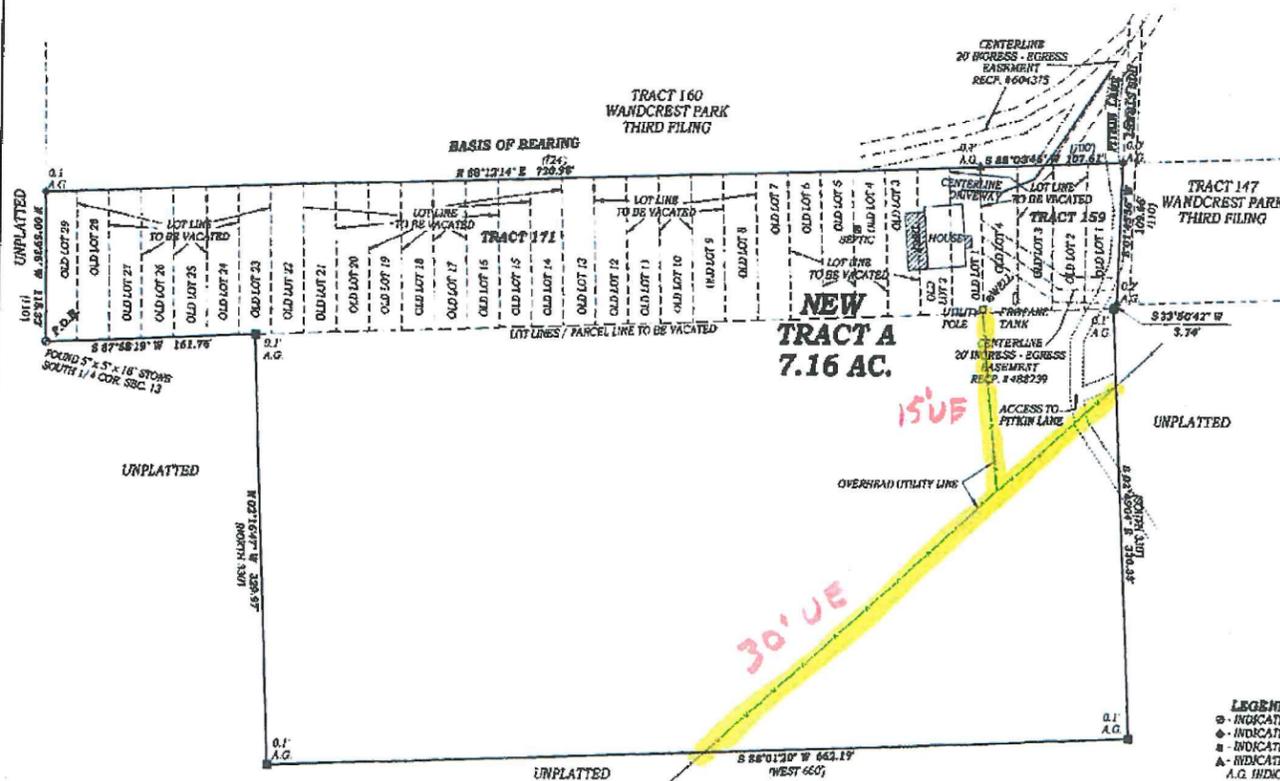
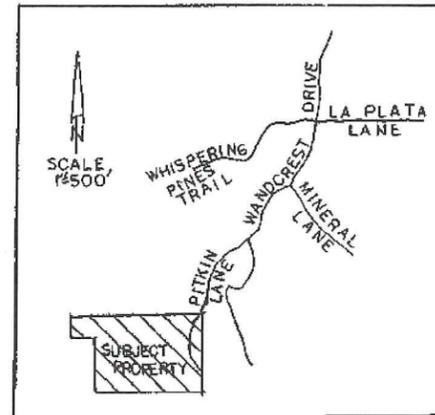
A handwritten signature in black ink, appearing to read "Brooks Kaufman", with a long, sweeping horizontal line extending to the right.

Brooks Kaufman
Lands and Rights-of-Way Director

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 GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED, AND THE ACCOMPANYING PLAT ACCURATELY AND PROPERLY SHOWS SAID LOT CONSOLIDATION PLAT AND THE SURVEY THEREOF.

BENJAMIN A. PITSKER
LICENSE NUMBER 19618

NOTES:

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

LEGAL DESCRIPTION

NEW TRACT A

BEGINNING AT THE SOUTHWEST CORNER OF SAID TRACT 171; THENCE NORTH 00°59'36" WEST, ALONG THE WEST LINE OF SAID TRACT 171, A DISTANCE OF 115.32 FEET; THENCE NORTH 88°12'14" EAST, ALONG THE NORTH LINE OF SAID TRACT 171, A DISTANCE OF 720.96 FEET; THENCE NORTH 88°03'45" EAST, ALONG THE NORTH LINE OF SAID TRACT 159, A DISTANCE OF 107.61 FEET; THENCE SOUTH 01°46'55" 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 RECEIPTION NO. 716676, A DISTANCE OF 330.33 FEET; THENCE SOUTH 89°01'20" WEST, ALONG THE SOUTH LINE OF SAID PARCEL OF LAND RECORDED AT RECEIPTION NO. 716676, A DISTANCE OF 652.19 FEET; THENCE NORTH 02°16'47" WEST, ALONG THE WEST LINE OF SAID PARCEL OF LAND RECORDED AT RECEIPTION NO. 716676, A DISTANCE OF 325.97 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.

APPROVAL OF BOARD OF COUNTY COMMISSIONERS

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

BOCC CHAIRPERSON _____ ATTEST: _____ PARK COUNTY CLERK AND RECORDER

PARK COUNTY ADMINISTRATIVE APPROVAL:

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

ATTEST: _____ PLANNING DIRECTOR / COUNTY DESIGNEE
CLERK AND RECORDER OR DEPUTY CLERK

LEGAL DESCRIPTION AND CERTIFICATE OF OWNERSHIP

LEGAL DESCRIPTION:
ROCKY NICHOLAS GUERRERO, BEING THE OWNER OF THE REAL PROPERTY OF 7.16 ACRES LOCATED IN PARK COUNTY, COLORADO, DESCRIBED AS FOLLOWS:
PARCEL 1:
LOTS 1 TO 29, INCLUSIVE, TRACT 171 AND LOTS 1 TO 4, INCLUSIVE, TRACT 159, WANDCREST PARK THIRD FILING, COUNTY OF PARK, STATE OF COLORADO
PARCEL 2:
BEGINNING AT THE NORTHEAST CORNER OF THE NW ¼ OF THE NE ¼ OF SECTION 24, TOWNSHIP 7 SOUTH, RANGE 72 WEST, THENCE WEST 490 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 330 FEET; THENCE WEST 660 FEET; THENCE NORTH 330 FEET; THENCE EAST 660 FEET TO THE POINT OF BEGINNING; IN SECTION 24, TOWNSHIP 7 SOUTH, RANGE 72 WEST, COUNTY OF PARK, STATE OF COLORADO

COUNTY OF PARK, STATE OF COLORADO.
IN WITNESS WHEREOF, WE DO HEREBY SET OUR HANDS AND SEALS THIS _____ DAY OF _____, 20____.

ROCKY NICHOLAS GUERRERO
STATE OF COLORADO
COUNTY OF _____
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____
BY ROCKY NICHOLAS GUERRERO,
WITNESS MY HAND AND OFFICIAL SEAL
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

TITLE CERTIFICATE:

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

DATE: _____ AUTHORIZED AGENT

RECORDER'S CERTIFICATE:

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

PARK COUNTY CLERK AND RECORDER

APPLICANT / LAND OWNER

ROCKY GUERRERO
15674 SOUTH PITKIN LANE
PINE, COLORADO 80470
PH: (818) 491-4264

MAP PREPARED: 23 MARCH, 2016

PREPARED BY:
PITSKER AND ASSOCIATES
2655 PLEASANT PARK ROAD
CONIFER, COLORADO 80433
PH: (303) 674-6018 / FAX: (303) 638-7174

LEGEND

- INDICATES MONUMENT DESCRIBED HEREON FOUND, THIS SURVEY.
- INDICATES #4 REBAR WITH 1" RED PLASTIC CAP (I.S. #19618) FOUND, THIS SURVEY.
- INDICATES #4 REBAR WITH 1" RED PLASTIC CAP (I.S. #20106) FOUND, THIS SURVEY.
- ▲ INDICATES #3 REBAR (NO CAP) FOUND, THIS SURVEY.
- A.G. INDICATES DISTANCE MONUMENT IS ABOVE GROUND SURFACE.