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Submittal Review/Staff Report -Minor Subdivision

Project Name: MS 23-005 T&L Minor Subdivision

Applicant(s): Travis & Rebecca Jenkins

Consultant: George Hall- Crown Point Land Services

Request: Requesting approval for minor subdivision that will create a total of 2 lots.

Lot 1: 4.68 acres 203,860.8 square feet

Lot 2: 4.68 acres 203,860.8 square feet

The subject property is located in the Agricultural Rural Zone District, at the intersection of P Street and 11th Street in Penrose.

Utility Companies that will service this minor subdivision:

Black Hills Energy
Century Link Telephone
Spectrum Cable Television
Florence Fire District
Atmos Energy Corporation
Beaver Park Water INC
Penrose Water District

Zoning District Development Requirements:

4.7.5 DEVELOPMENT REQUIREMENTS:

4.7.5.1 Minimum lot area:

4 ½ Acres – Individual well and individual sewage disposal system.

*Meets requirements

Improvements:

P Street will be brought to County Road standards along the property frontage. The applicant is bidding the cost of upgrades and waiting for a sample improvement agreement to be provided by the County.

Applicants Deferment Request:

Drainage Plan & Report

Comments Received:

Fremont County Building Department: Please see attached letter from the Building Department. The Consultant was made aware of these concerns but felt he had complied with regulations.

Fremont County Department of Transportation: Application indicates applicant will be submitting drainage and utility plans before building, we will need a copy of those plans when available.

Applicant contingency Requests:

- 1) Upgrading P Street along the entire portion of the property to County Road standards.
- 2) Applying for access permits for each lot.
- 3) Properly executed ratification, consent and release forms if a mortgage is required due to the improvement agreement.

Planning & Zoning Department Recommendations:

The Planning and Zoning Department recommends approval with the following **contingency**:

- P street be upgraded to Rural Local Street standards along the frontage of the proposed lots.

The Planning and Zoning Department recommends approval with the following **conditions**:
Per Subdivision Regulations of Fremont County, Colorado Section XIII D General Information #8.

- DRAINAGE PLAN AND REPORT. Department recommends that a note be on the plat stating “at time of development, drainage plan and report is required.”

Per FCDOT letter:

- Drainage and utility plans be submitted to FCDOT prior to building.

Per Subdivision Regulations of Fremont County, Colorado Section XIII E ADDITIONAL REQUIREMENTS #1.

- Address Issuance application applied for at time of development on each lot.

Per Subdivision Regulations of Fremont County, Colorado Section XIII E ADDITIONAL REQUIREMENTS #3.

- Driveway access applied for and approved at time of development of each lot.

Per Subdivision Regulations of Fremont County, Colorado Appendix 1, #3 Street Improvements, B.

- Plat note indicating lot #2 shall take access from P Street.

Planning Commission Recommended Approval with the following:

Contingency Item:

- P street be upgraded to Rural Local Street standards along the frontage of the proposed lots.

Conditions:

- DRAINAGE PLAN AND REPORT. Department recommends that a note be on the plat stating “at time of development, drainage plan and report is required.”
- Drainage and utility plans be submitted to FCDOT prior to building.
- Address Issuance application applied for at time of development on each lot.
- Driveway access applied for and approved at time of development of each lot.
- Plat note indicating lot #2 shall take access from P Street.





Planning and Zoning Department

615 Macon Avenue Room 210, Canon City, Colorado

Telephone (719) 276-7360 / Facsimile (719) 276-7374

Email planning@fremontco.com

Crown Point Land Services
P.O. Box
Canon City, CO. 81212
Owner- Travis and Rebecca Jenkins

Reference: Project History - MS 23-005 T & L Subdivision

Application Submittal Date: 10/24/2023

1st Deficiencies and Comments letter date: 11/16/2023

1st Addendum Letter Received: 11/29/2023.

- In the Addendum the Consultant was telling staff to modify his application for him. Staff cannot modify an application.
- Consultant was informed submission of a hardcopy and electronic copy of the revised application are a requirement of resubmittal. I explained these requirements when he was at the front counter.
- The consultant also informed staff in his Addendum that he would correct the violation on the property (SMM) prior to recording the final plat. Projects cannot move forward if a violation exists on the property. This was explained to the Consultant.

Revised Application Resubmittal (electronic only): 12/06/2023.

- Consultant sent first email contain synopsis of our conversation, requests clarification of synopsis if he was incorrect. Request is not standard practice of this department and presents possible significant time obligations. Email was not answered.
- Consultant was informed a hardcopy and electronic copy of the revised application is a requirement of resubmittal as they only provided an electronic copy.

2nd Deficiencies and Comment letter date: 12/7/2023

- D&C letter was created using electronic copy and addendum.

Phone call received, date 12/07/2023: Consultant called me and left a voice message swearing.

Email received from Owner 12/07/2023: Inquiring about re-application fee.

Email Received from Consultant 12/10/2023: Consultant emailed regarding getting an understanding of what I'm looking for. Consultant listed two times and stated lack of a response from me with confirm the appointment time. Email was sent on a Sunday at 9:33pm.

Consultant came into office 12/11/2023: Consultant came into office and told the office manager he was here for an appointment with me. When he was told I was out sick he commented “real convenient”. He met with the Planning Coordinator at the front counter. The consultant had a raised voice and was banging on the counter while the Coordinator was trying to help him. The Coordinator told the consultant if he wanted her help, he would have to be respectful, the Consultant then stormed out of office.

Response email sent to Owner 12/12/2023

2nd Addendum Letter Received 12/12/2023:

- Applicant never submitted a reapplication fee or a hard copy of the application. One answer is still incorrect (44A).

Email from Consultant 12/12/2023: THIS SHOULD BE ON THE AGENDA FOR JANUARY

Red Lined Plat:

On both submissions of the red line plat, the Fremont County Land Use Technician noted he would prefer a direct tie to a section monument on the Southwest corner. The Consultant refused to modify stating he was in compliance with regulations by having a direct tie to a section monument on the Northeast corner on the interior of lot 1. While this is in compliance of the regulations, it adds additional steps for surveyors in the future.

Code enforcement Site Inspection date 12/14/2023:

- The SMM equipment was removed from the site. The Planning and Zoning Department was never notified that the violation was corrected.

On both D&C's letter I referenced the Building Departments concerns regarding OWTS for lot 1. The Building Department has concerns about the suitability of this area and feels the Consultant did not adequately address during this with the application. The Building Department also recommended the location of these lots that can accommodate an OWTS be designated. The only way to designate these locations would be by 1) identifying them, 2) noting these locations on the plat.

I would encourage the Commission to review the submitted addendum dated 11/29/2023 to see the responses that were provided from the Consultant to multiple County offices.

Daniel Victoria,
Planning and Zoning Coordinator



Planning and Zoning Department

615 Macon Avenue Room 210, Canon City, Colorado

Telephone (719) 276-7360 / Facsimile (719) 276-7374

Email planning@fremontco.com

November 16, 2023

Crown Point Land Services
P.O. Box
Canon City, CO. 81212

Reference: Department Comments and Submittal Deficiencies - MS 23-005 T & L Subdivision

In review of your application, MS 23-005 T & L Subdivision, requesting approval of a Minor Subdivision by Fremont County, the following items will need further explanation, corrections, changes or additional information submitted to the Department prior to scheduling this item on the agenda of a Fremont County Planning Commission meeting:

1. **Application Item #10** Incorrect zone district
2. **Application Item #23A** Please explain how this easement affects the property. Reception #439371 (#13 on schedule B)
3. **Application Item #24** Please provide tax certificate. (property record card was provided, wrong document)
4. **Application Item #31** Soils report only provided for lot 2.
5. **Application Item #38** See redlines.
6. **Application Item #43** Please review Appendix 1, section 3, roadway standards and Appendix 1 section 5. Please revise answer.
7. **Application Item #44A** Provide driveway locations or request as contingency.
8. **Application Item #44E** Provide verbiage to require this at time of development if a drainage plan is deferred.
9. **Application Item #44F** Please check answer. Lot appears to not have a mortgage so this item may not be required based off submitted paperwork.

Received Comments

1. Please see the Building Department's concerns.
2. Code Enforcement has observed equipment on the property that does not have current SMM. Please provide current SMM for equipment or detail how the equipment is exempt from this requirement.
3. Please see FCDOT's comments.

[Home](#)

Please submit the above listed items, cover sheet, one hard copy and electronic version of the application and exhibits to the Fremont County Department of Planning and Zoning in a timeframe not to exceed 6 months from the date of this letter. Once the response to the deficiencies are received, reviewed and determined to be complete this application will be scheduled for a meeting with the Planning Commission. Failure to submit a response to this letter within the six (6) month timeframe will result in this application being withdrawn.

When items are submitted to the Department to meet the requirements of the Department Comments & Submittal Deficiencies Letter, they shall be accompanied by a cover letter explaining how the items submitted will meet the requirements of the Department Letter. Deficiencies will not be accepted, if not accompanied by a cover letter.

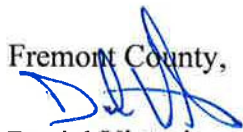
A full application fee will be charged to the applicant, if all deficiencies as per the initial application review letter are not adequately addressed or provided. Each subsequent deficiency review letter will result in another full application fee. All such fees shall be paid along with the deficiency submittal, prior to any further review of the application.

This item will be considered, as a complete application upon submittal of the aforementioned items unless, upon submittal of these items the Department of Planning and Zoning determines that additional information or documentation will be necessary for review of the application.

Upon determination by this Department of a complete application, the applicant will receive a staff report detailing the date/time of the Planning Commission meeting along with the department's recommendation of this application. A representative will be required to present this application to the Commission.

If you have questions, feel free to contact the Department.

Fremont County,



Daniel Victoria,
Planning and Zoning Coordinator



Planning and Zoning Department

615 Macon Avenue Room 210, Canon City, Colorado 81212

Telephone (719) 276-7360 / Facsimile (719) 276-7374

Email planning@fremontco.com

Inspection Checklist

Date 11/7/2023

Project Name: MS 23-005 T&L Minor Subdivision

Any Current Permits? ☐ Yes or ☒ No

Any Past Permits? ☐ Yes or ☒ No

Current Violation? ☐ Yes or ☒ No

Past Violations ☐ Yes or ☒ No

VISUAL OBSERVATIONS CHECK LIST

of buildings: 0

Types: N/A

SMM on site? Yes

Does the site plan match site conditions? Yes

Structures Code/Zoning Compliant: No

Land Use Compliant: No

Notes/Concerns

At the time of this inspection there are no issues with this property, except for an expired SMM on the property.

Kyle Yarberry

11/7/23

Allen Zadroga

11/7/23

[Home](#)

OCT 31 2023



Fremont County Planning & Zoning
Department of Transportation

1170 Red Canyon Road • Cañon City, Colorado 81212
Phone: 719-276-7430 • Fax: 719-275-2120

10.30.2023

Fremont County Planning & Zoning
615 Macon Ave., Room 210
Cañon City, CO 81212

RE: MS 23-005 T&L Subdivision

Dear Mr. Victoria,

The FCDOT has reviewed the application and have the following comments:

- Application indicates applicant will be submitting drainage and utility plans before building, we will need a copy of those plans when available.

Should you have any questions or need further assistance, feel free to contact us.

Sincerely,

Michael Whitt

Michael Whitt
FCDOT Director



FREMONT COUNTY
Project Engineer
615 Macon Avenue, Room 203b
Canon City, Colorado 81212
Office (719) 276-7367 Cell (719) 792-9372
Email: j.bunderson@fremontco.com

November 6, 2023

Daniel Victoria, Director
Fremont County Department of Planning and Zoning
615 Macon Avenue, Room 210
Canon City, CO 81212

Subject: T&L Minor Subdivision MS 23-005

I have reviewed the subject application have one comment: The applicant's response to Item 29 of the Minor Subdivision Application is, "A letter asking to be waived or deferred until building time." with no exhibit attached.

I would recommend that the drainage plan be deferred until building permit application, contingent on an exhibit actually requesting the deferral. Any future drainage plan requirement should be noted on the plat as well.

If you have questions or need further assistance, please don't hesitate to contact me.

Thank you.

J Bunderson

J K Bunderson
Fremont County Engineer

ALTA COMMITMENT FOR TITLE INSURANCE (07-01-2021) SCHEDULE B PART II

ISSUED BY
STEWART TITLE GUARANTY COMPANY

No Effect intersect the premises as reserved in United States Patent recorded March 12, 1886 in Book 28 at Page 48. and March 12, 1886 in Book 28 at Page 44. *140412*

No Effect 12. Terms and conditions of water contract recorded July 29, 1886 in Book 28 at Page 284. *14657*

? 13. Reservation of a non-exclusive 30 ft wide easement for ingress and egress over, along and across on either side of all quarter section lines and property boundary lines as reserved in deed recorded March 8, 1978 in Book 611 at Page 914. *439371*

No Effect 14. All matters shown on the plat of THE BEAVER LAND AND IRRIGATION CO. PLAT NO. 3 recorded August 12, 1908 in Book 2 at Page 45.

No Effect 15. Deed to Department of Highways, State of Colorado recorded December 31, 1970 in Book 530 at Page 410 as Reception No. 384702.

79509 BK 139 PS 550
SEC 2
W/1/2 SEC 14 SEC 15 SEC 16

This page is only a part of a 2021 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a countersignature by the Company or its issuing agent that may be in electronic form.

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File No.: 2087499-IO

ALTA Commitment for Title Insurance Schedule BII (07-01-2021)

Page 5 of 5

Crown Point Land Services

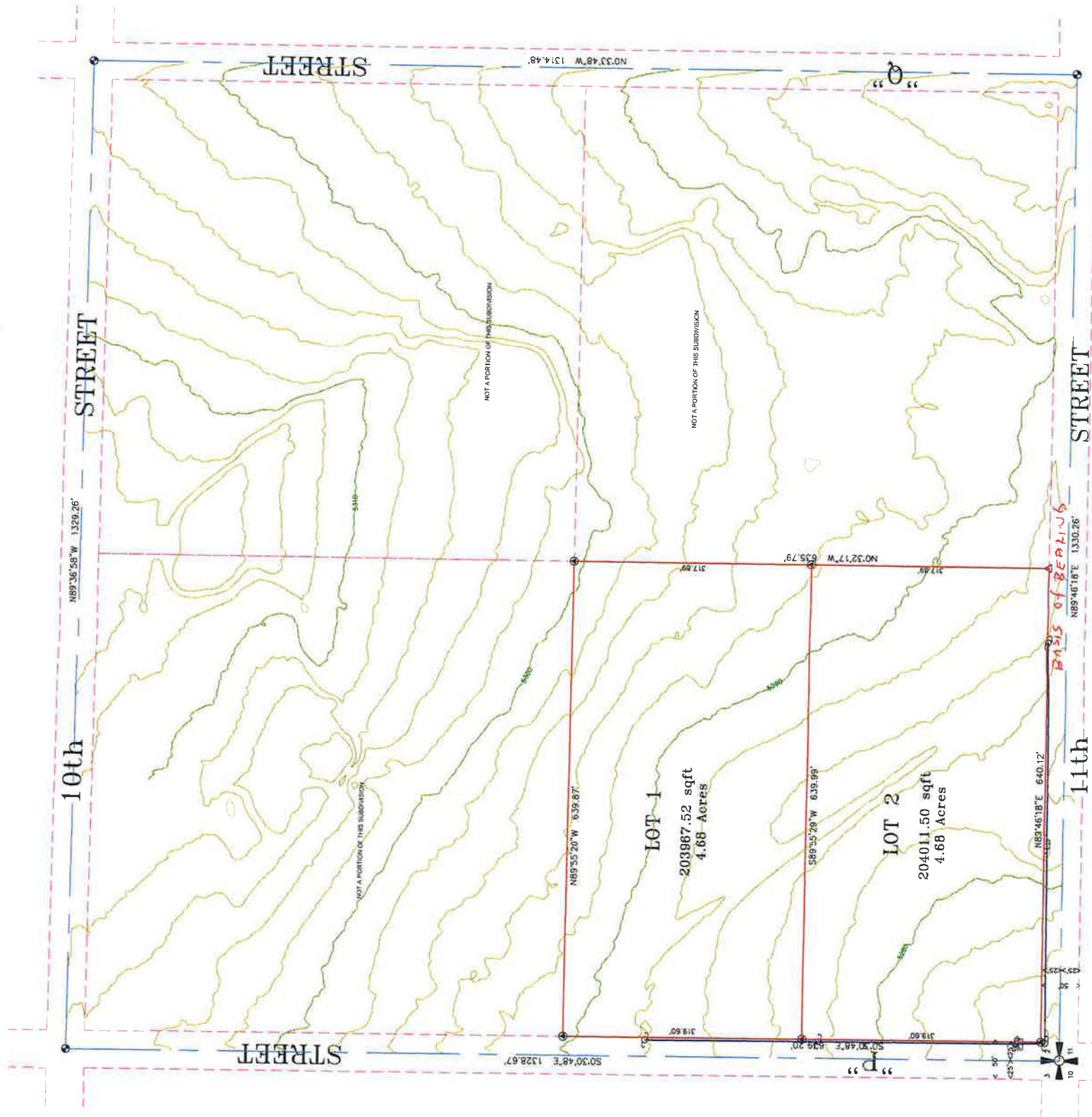
2023-208

T. & L. Minor Subdivision

AMERICAN
LAND TITLE
ASSOCIATION



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FREMONT COUNTY BUILDING DEPARTMENT

615 MACON AVENUE, ROOM 212
CAÑON CITY, COLORADO 81212
OFFICE (719) 276-7460
FAX (719) 276-7461



TO: Planning and Zoning

ATTN: Dan Victoria, Director
Danielle Adamic, Planning Coordinator

FROM: Wyatt Sanders, Fremont County Building Official
Fremont County Environmental Health

SUBJECT: MS 23-005, T&L Minor Subdivision

DATE: October 31, 2023

This department has received an application MS 23-005, T&L Minor Subdivision located at the corner of 11th Street and P Street in the Penrose area of Fremont County. There are no violations against this property by this department.

Below is what was found that needs to be addressed.

Question #31 on page 7 of the application. What is the sewage disposal source for each proposed lot? This question was not answered. An On-site Wastewater Treatment System (OWTS) is the only logical answer for this question.

A soil classification test report was submitted with this application as evidence that an OWTS can be installed. This test was performed approximately 60 feet in from P Street and 100 feet in from 11th Street. After reviewing this site map provided, this test was performed on lot 2 only. Because of the drastically changing soil conditions in the Penrose area, it is recommended that another test be performed on lot 1 to determine if it can also accommodate an OWTS. If the test shows that lot 1 can accommodate an OWTS, then these locations should be designated for sanitation purposes (OWTS) only, not a building site.

DATE: December 13, 2023

Question #31 on page 7 of the application. What is the sewage disposal source for each proposed lot? *This question has still not been answered.*

CROWN POINT LAND SERVICES

P. O. BOX 749
CANON CITY, CO 81215-0749
crown.land@outlook.com
(719) 275 – 5005
(719) 429 – 0256



Planning and Zoning Department
615 Macon Avenue Room 210,
Canon City, Colorado
Telephone (719) 276-7360 /
Facsimile (719) 276-7374
Email planning@fremontco.com

ADDENDUM

Reference: Department Comments and Submittal Deficiencies - MS 23-005 T & L Subdivision

In review of your application, MS 23-005 T & L Subdivision, requesting approval of a Minor Subdivision by Fremont County, the following items will need further explanation, corrections, changes, or additional information submitted to the Department prior to scheduling this item on the agenda of a Fremont County Planning Commission meeting:

1. Application Item #10 Incorrect zone district

PLEASE CHANGE TO AGRICULTURAL RURAL

2. Application Item #23A Please explain how this easement affects the property. Reception #439371 (#13 on schedule B) **AS YOU HAVE NOTED MOST DO NOT AFFECT #13 OF SCHEDULE B PART II. THIS IS THE ADDITIONAL RIGHT OF WAY OF COUNTY ROADS TO 30' EITHER SIDE OF THE ALIQUOT SECTION LINES. THE PLAT HAS BEEN REVISED TO ACCOMODATE THIS EASEMENT AS WELL AS CORRECTED ACREAGES AND CLOSURE SHEETS.**

3. Application Item #24 Please provide tax certificate. (property record card was provided, wrong document) **PLEASE SEE REVISED AND ATTACHED HERETO**

[Home](#)



Fremont County Treasurer

615 Macon Ave. #104
Canon City, CO, 81212
PH: (719)276-7380

Receipt2023-11-29-KE-20264

Product	Name	Extended
2	Certificate of Taxes Due R027669	\$10.00
		Account #: R027669
		Effective Date: 11/29/23
		Certificate Number: 27807
		Item ID: R027669/
Certificate of Taxes Due		\$10.00
Certificate of Taxes Due		(\$10.00)
Certificate of Taxes Due		\$10.00
Total		\$10.00
Tender (Cash)		\$10.00

Thank You



FREMONT COUNTY TREASURER

Certificate of Taxes Due

Account Number R027669
Parcel 98102008
Assessed To
JENKINS TRAVIS L
1195 TOP NOTCH TRL
PENROSE, CO 81240-9297

Certificate Number 27807
Order Number
Vendor ID Counter

Legal Description
BEAVER PARK 02-19-68 TR 57
REF FROM 690-80-022
NOTE: CONTIGIOUS WITH 690- 80-021

Situs Address
11TH ST

Year	Tax	Interest	Fees	Payments	Balance
Tax Charge					
2022	\$253.36	\$0.00	\$0.00	(\$253.36)	\$0.00
Total Tax Charge					\$0.00
Grand Total Due as of 11/29/2023					\$0.00

Tax Billed at 2022 Rates for Tax Area 29B - 29B

Authority	Tax Rate	Amount	Values	Actual	Assessed
PENROSE WATER	0.0056270000	\$19.55	SINGLE FAMILY RESID	\$50,000	\$3,475
S.E. COLO WATER CONS DISTRI	0.0008870000*	\$3.08			
UPPER ARKANSAS WATER CONS D	0.0004380000*	\$1.52	Total	\$50,000	\$3,475
SCHOOL DISTRICT RE-2	0.0303820000	\$105.57			
PENROSE PARK & RECREATION D	0.0022670000*	\$7.88			
FREMONT COUNTY	0.0123120000	\$42.78			
FREMONT CONSERVATION DISTRI	0.0005000000	\$1.74			
PENROSE COMMUNITY LIBRARY D	0.0055080000	\$19.14			
FLORENCE FIRE	0.0149940000	\$52.10			
Taxes Billed 2022	0.0729150000	\$253.36			

* Credit Levy

All Tax Lien Sale amounts are subject to change due to endorsement of current taxes by the lienholder or to advertising and distraint warrant fees. Changes may occur and the Treasurer's Office will need to be contacted prior to remittance.

Special taxing districts and the boundaries of such districts may be on file with the Board of County Commissioners, the County Clerk, or the County Assessor.

This certificate does not include land or improvements assessed under a separate account number, personal property taxes, transfer tax or misc. tax collected on behalf of other entities, special or local improvement district assessments or mobile homes, unless specifically mentioned.

I, the undersigned, do hereby certify that the entire amount of taxes due upon the above described parcels of real property and all outstanding sales for unpaid taxes as shown by the records in my office from which the same may still be redeemed with the amount required for redemption are as noted herein. In witness whereof, I have hereunto set my hand and seal.

FREMONT COUNTY TREASURER

4. Application Item #31 Soils report only provided for lot 2. **PLEASE REVIEW YOUR REGULATIONS AS SHOWN UNDER ONSITE WASTEWATER TREATMENT MAP & REPORT D.2.f.1**

5. Application Item #38 See redlines.

Title has been modified

Legend has been placed

Vicinity map has been labeled

Basis of bearings has been added

Revision date added

Note as to the drainage is added

Book 611 page 914 is added

Acreages and square footage are revised

REVISED CLOSURE SHEETS

6. Application Item #43 Please review Appendix 1, section 3, roadway standards and Appendix 1 section 5. Please revise answer.

WE HAVE REVIEWED APP1.3 AND DISAGREE THAT THIS IS NOT A MINOR ARTERIAL STREET AS SECTION 3 WOULD INDICATE. WE WOULD AGREE THAT IT WOULD FALL UNDER 5 STANDARD LOCAL STREET (AS SHOWN ON THE COUNTY MAPPING SYSTEM). RIGHT OF WAY WOULD FIT. HOWEVER, SINCE IT WOULD NOT BE TOUCHING OR ADJACENT TO A PAVED STREET WOULD ASK THAT IT BE A GRAVEL SURFACE OF 24' SURFACE WITH BARROW DITCHES. THIS WOULD BE AN UPGRADE TO THE EXISTING ROADWAYS IN THIS AREA, REMEMBERING THIS IS A RURAL AGRICULTURAL AREA OF THE COUNTY. CURRENTLY WE ARE GETTING PROPOSALS FROM CONTRACTORS FOR THE COST OF THESE IMPROVEMENTS.

WE WOULD ASK THAT YOU PROVIDE A SAMPLE IMPROVEMENT AGREEMENT FOR REVIEW BY THE CLIENT AND THEIR LEGAL TEAM. SECTION XI.A.1&2

AS SOON AS THE COSTS OF FOR THIS IS RECEIVED, WE SHALL PROVIDE THEM.

ADDITIONALLY ON THE ENCLOSED ADDRESS MAP FROM THE AVAILABLE COUNTY MAPPING SYSTEM IT IDENTIFIES THESE ROADS ARE ALREADY LOCAL STREETS AS PER THE LEGEND ON YOUR MAPPING. IF THIS IS NOT WHAT IS TO BE UTILIZED FOR THIS CLASSIFICATION THEN PLEASE MAKE AVAILABLE TO THE PUBLIC THIS INFORMATION.

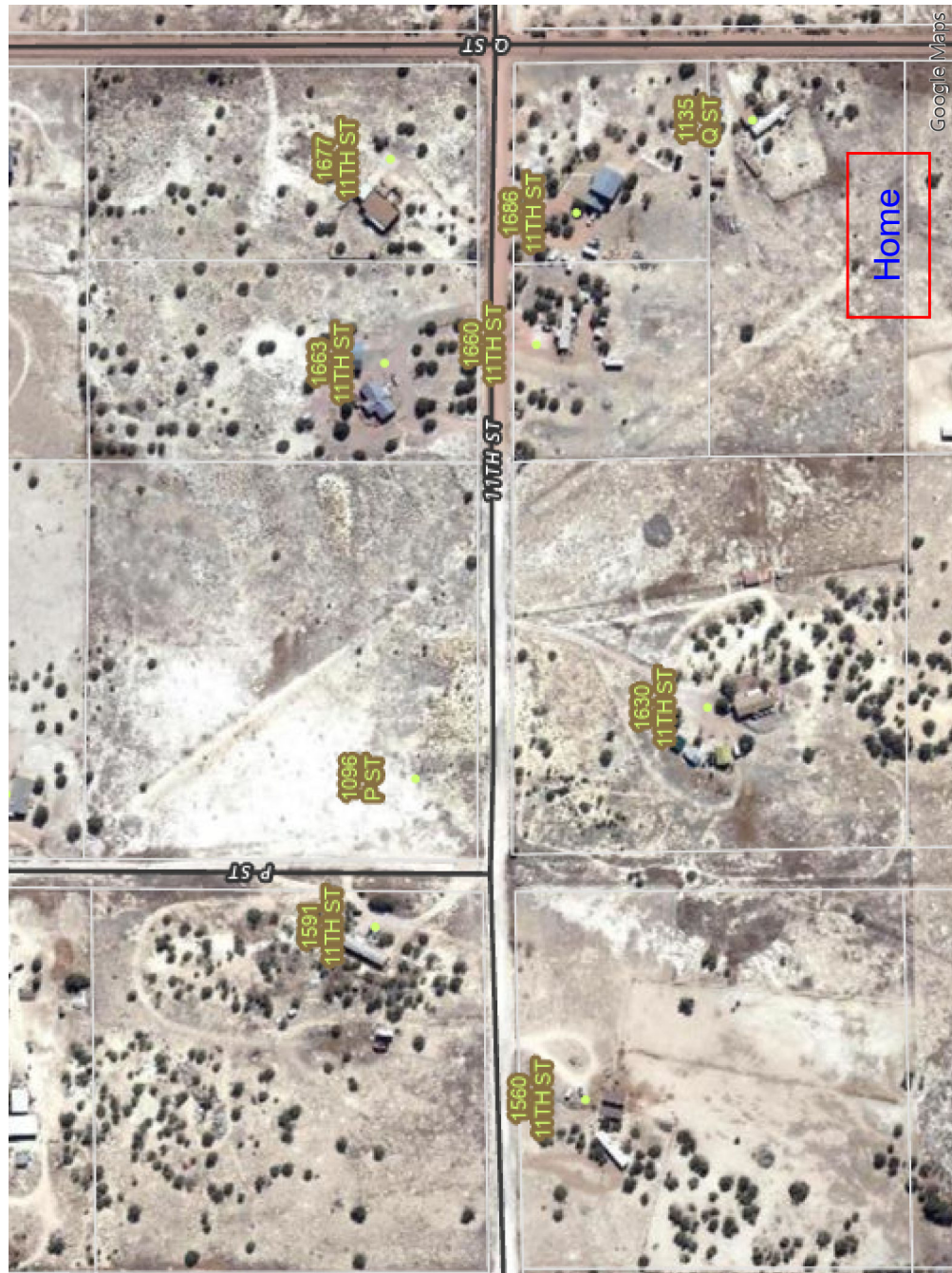
7. **Application Item #44A** Provide driveway locations or request as contingency.
THE EXISTING ADDRESSES OF THE AREA ARE PROVIDED FOR YOUR REVIEW. AS TO EXACT LOCATION OF ACCESS POINTS THAT WOULD BE DONE AT THE TIME OF THE BUILDING PERMIT. PLEASE ATTACH THIS TO THE BUILDING PERMIT AND DRAINAGE PLAN WHICH IS BEING REQUESTED TO BE DEFERRED

8. **Application Item #44E** Provide verbiage to require this at time of development if a drainage plan is deferred.

PLEASE REFER TO THE NOTE ON THE REVISED PLAT "DRAINAGE PLAN FOR THIS SUBDIVISION WAS DEFERRED TO THE TIME OF DEVELOPMENT. THEREFORE PRIOR TO BUILDING. A SITE-SPECIFIC DRAINAGE PLAN WILL BE REQUIRED ALONG WITH SPECIFIC SEPTIC DESIGN AND ADDRESS."

9. **Application Item #44F** Please check answer. Lot appears to not have a mortgage so this item may not be required based off submitted paperwork.

THERE IS NO BOX PROVIDED TO CHECK ON THE FORM DUE TO THE FACT THAT THERE IS NO MORTGAGE ON THIS PROPERTY. THIS QUESTION IS A NON-APPLICABLE FOR THIS PROJECT.



Received Comments

1. Please see the Building Department's concerns.

WE HAVE MET THE REQUIREMENTS FOR THE SUBMITTAL OF THIS ISSUE PER THE FREMONT COUNTY REGULATIONS PLEASE REVIEW YOUR REGULATIONS WHICH STATES "THE PERCOLATION TESTS AND SOIL CORE ANALYSIS MUST BE MADE RANDOMLY OVER TWENTY-FIVE (25) PERCENT OF THE PROPOSED LOTS." YOU SHOULD BE KNOWLEDGABLE OF THE REGULATIONS IF YOU ARE REVIEWING THESE AT THIS TIME. ALSO, YOU SHOULD CHECK YOUR STATEMENT THAT NO CHECK MARK WAS FOUND IN THE ORIGINAL APPLICATION FOR IT WAS APPROPRIATELY FILLED OUT CORRECTLY.

2. Code Enforcement has observed equipment on the property that does not have current SMM. Please provide current SMM for equipment or detail how the equipment is exempt from this requirement.

NOT SURE WHAT IS SMM EQUIPMENT?? WHEN ON SITE I OBSERVED NOTHING ON THE PROPERTY, THE OWNER DOES HAVE SOME FARM EQUIPMENT THAT IS BEING STORED ON SITE. PRIOR TO FILING THE FINAL PLAT THEY WILL BE REMOVED.

3. Please see FCDOT's comments.

WITH THE WAIVER BEING REQUESTED FOR THE DEFERMENT OF THE DRAINAGE PLAN UNTIL THE BUILDING PERMIT PROCESS IT WOULD BE OUR UNDERSTANDING THAT THESE PLANES WOULD BE PROVIDED BEFORE BUILDING AS STATES.

Sin Inspection Checklist

Date 11/7/2023

Project Name: MS 23-005 T&L Minor Subdivision

Any Current Permits? 0 Yes or EI No

Any Past Permits? 0 Yes or EI No

Current Violation? I=1 Yes or E] No

Past Violations 0 Yes or EI No

VISUAL OBSERVATIONS CHECK LIST

of buildings: 0

Types: N/A

SMM on site? Yes

Does the site plan match site conditions? Yes

Structures Code/Zoning Compliant: No

Land Use Compliant: No

Notes/Concerns

At the time of this inspection there are no issues with this property, except for an expired SMM on the property.

NOT SURE WHAT IS SMM EQUIPMENT?? WHEN ON SITE I OBSERVED NOTHING ON THE PROPERTY, THE OWNER DOES HAVE SOME FARM EQUIPMENT THAT IS BEING STORED ON SITE. PRIOR TO FILING THE FINAL PLAT THEY WILL BE REMOVED.

[Home](#)

Fremont County Planning & **Department of Transportation**

The FCDOT has reviewed the application and have the following comments:

- Application indicates applicant will be submitting drainage and utility plans before building, we will need a copy of those plans when available.

Should you have any questions or need further assistance, feel free to contact us.

WITH THE WAIVER BEING REQUESTED FOR THE DEFERMENT OF THE DRAINAGE PLAN UNTIL THE BUILDING PERMIT PROCESS IT WOULD BE OUR UNDERSTANDING THAT THESE PLANES WOULD BE PROVIDED BEFORE BUILDING AS STATES.

Sincerely,

Michael Whitt

Michael Whitt
FCDOT Director

FREMONT COUNTY

Project Engineer

I have reviewed the subject application have one comment: The applicant's response to Item 29 of the Minor Subdivision Application is, "A letter asking to be waived or deferred until building time." with no exhibit attached.

I would recommend that the drainage plan be deferred until building permit application, contingent on an exhibit actually requesting the deferral. Any future drainage plan requirement should be noted on the plat as well.

J K Bunderson
Fremont County Engineer

IF YOU WOULD HAVE REVIEWED THE ORIGINAL SUBMITTAL ON PAGE 114 OF THE SUBMITTAL YOU WILL AND SHOULD HAVE FOUND THE WAIVER LETTER REQUESTING THE WAIVER OR DEFERMENT OF THE DRAINAGE PLAN AS STATED IN ITEM 29 OF THE APPLICATION.

CROWN POINT LAND SERVICES

P. O. BOX 749

CANON CITY, CO 81215-0749

crown.land@outlook.com

(719) 275 – 5005

(719) 429 – 0256



Exhibit 29.1 _ 40.1

FREMONT COUNTY PLANNING AND ZONING

615 MACON AVENUE, ROOM 210

CANON CITY, CO 81212

719-276-7360

To whom it may concern:

I am working with Travis L. Jenkins and Rebecca S. Jenkins developer of

T & L MINOR SUBDIVISION. Here is the items we are asking for to be waived:

APPLICATION ITEM NO. 29

1. The drainage plan is being requested to be waived or deferred due to the size of the parcels. If not waived then can we make it to be site specific at the time that a building plan for the vacant lot is submitted for building.

Please accept these items for your consideration.

George R. Hall

George R. Hall, CPLS 38118

Owner Crown Point Land Services

[Home](#)

FREMONT COUNTY BUILDING DEPARTMENT

Wyatt Sanders, Fremont County Building Official
Fremont County Environmental Health

There are no violations against this property by this department.
Below is what was found that needs to be addressed.

Question #31 on page 7 of the application. What is the sewage disposal source for each proposed lot?
This question was not answered. An On-site Wastewater Treatment System (OWTS) is the only logical answer for this question.

A soil classification test report was submitted with this application as evidence that an OWTS can be installed. This test was performed approximately 60 feet in from P Street and 100 feet in from 11th Street. After reviewing this site map provided, this test was performed on lot 2 only. Because of the drastically changing soil conditions in the Penrose area, it is recommended that another test be performed on lot 1 to determine if it can also accommodate an OWTS. If the test shows that lot 1 can accommodate an OWTS, then these locations should be designated for sanitation purposes (OWTS) only, not a building site.

WE HAVE MET THE REQUIREMENTS FOR THE SUBMITTAL OF THIS ISSUE PER THE FREMONT COUNTY REGULATIONS PLEASE REVIEW YOUR REGULATIONS WHICH STATES "THE PERCOLATION TESTS AND SOIL CORE ANALYSIS MUST BE MADE RANDOMLY OVER TWENTY-FIVE (25) PERCENT OF THE PROPOSED LOTS." YOU SHOULD BE KNOWLEDGABLE OF THE REGULATIONS IF YOU ARE REVIEWING THESE AT THIS TIME. ALSO, YOU SHOULD CHECK YOUR STATEMENT THAT NO CHECK MARK WAS FOUND IN THE ORIGINAL APPLICATION FOR IT WAS APPROPRIATELY FILLED OUT CORRECTLY.

ALTA COMMITMENT FOR TITLE INSURANCE (07-01-2021)
SCHEDULE B PART II

ISSUED BY
STEWART TITLE GUARANTY COMPANY

intersect the premises as reserved in United States Patent recorded March 12, 1886 [in Book 28 at Page 48](#), and March 12, 1886 in Book 28 at Page 44. **NO EFFECT BY P&Z**

12. Terms and conditions of water contract recorded July 29, 1886 [in Book 28 at Page 284](#).

NO EFFECT BY P&Z

13. Reservation of a non-exclusive 30 ft wide easement for ingress and egress over, along and across on either side of all quarter section lines and property boundary lines as reserved in deed recorded March 8, 1978 [in Book 611 at Page 914](#). **HAS BEEN PLACED UPON THE PLAT IT MAKES P STREET AND 11TH STREET INTO 60' EASEMENTS 30 FEET EITHER SIDE OF THE ALIQUOT SECTION LINES. SEE REVISED PLAT WITH REVISED CLOSURE SHEETS**

14. All matters shown on the plat of THE BEAVER LAND AND IRRIGATION CO. PLAT NO. 3 recorded August 12, 1908 [in Book 2 at Page 45](#). **NO EFFECT BY P&Z**

15. Deed to Department of Highways, State of Colorado recorded December 31, 1970 [in Book 530 at Page 410 as Reception No. 384702](#). **NO EFFECT BY P&Z**

Plat revisions

Title has been modified

Legend has been placed

Vicinity map has been labeled

Basis of bearings has been added

Revision date added

Note as to the drainage is added

Book 611 page 914 is added

Acreages and square footage is revised

REVISED CLOSURE SHEETS

Parcel Map Check Report

Parcel Name: revised – LOT 1

Description:

Process segment order counterclockwise: False

Enable mapcheck across chord: False

Segment# 1: Line

Course: S0° 32' 17"E Length: 315.39'

Segment# 2: Line

Course: S89° 55' 29"W Length: 634.99'

Segment# 3: Line

Course: N0° 30' 48"W Length: 317.09'

Segment# 4: Line

Course: S89° 55' 20"E Length: 634.87'

Perimeter: 1,902.34' Area: 200,782.09Sq.Ft.

Error Closure: 0.0051 Course: N9° 05' 11"E

Error North : 0.00508 East: 0.00081

Precision 1: 373,007.84

Parcel Name: revised – LOT 2

Segment# 1: Line

Course: S89° 46' 18"W Length: 635.12'

[Home](#)

Segment# 2: Line	
Course: N0° 30' 48"W	Length: 317.09'
Segment# 3: Line	
Course: N89° 55' 29"E	Length: 634.99'
Segment# 4: Line	
Course: S0° 32' 17"E	Length: 315.39'
Perimeter: 1,902.59'	Area: 200,825.39Sq.Ft.
Error Closure: 0.0064	Course: N46° 34' 55"W
Error North : 0.00441	East: -0.00466
Precision 1: 297,279.69	

Parcel Name: revised – EXTERIOR

Segment# 1: Line	
Course: S89° 46' 18"W	Length: 635.12'
Segment# 2: Line	
Course: N0° 30' 48"W	Length: 634.17'
Segment# 3: Line	
Course: S89° 55' 20"E	Length: 634.87'
Segment# 4: Line	
Course: S0° 32' 17"E	Length: 630.79'
Perimeter: 2,534.95'	Area: 401,607.48Sq.Ft.
Error Closure: 0.0111	Course: S19° 11' 26"W
Error North : -0.01051	East: -0.00366
Precision 1: 228,373.87	

George R Hall

George R Hall
Crown Point Land Services

[Home](#)

of The Beaver Land and Irrigation Company, Plát No. 3,
County of Fremont, State of Colorado.

KNOW ALL
That
are the owners

TO WIT

*Tract 57, Sec
The Border &
County of N
Containing A*

DEDICATION

David L. Jones

have laid out, and do hereby other public and the land labels public utilities vested with the

In witness

By *David L. Jordan*
have subscribe

REFERENCES

Roberta S. M.

NOTARY

The foregoing:

1

Page 1 of 1

My commission

My address is _____

ACKNOWLEDGMENTS

The undersigned
Fremont County
and all roads
however, that
acceptance from
said road

Chairman, Federal Reserve

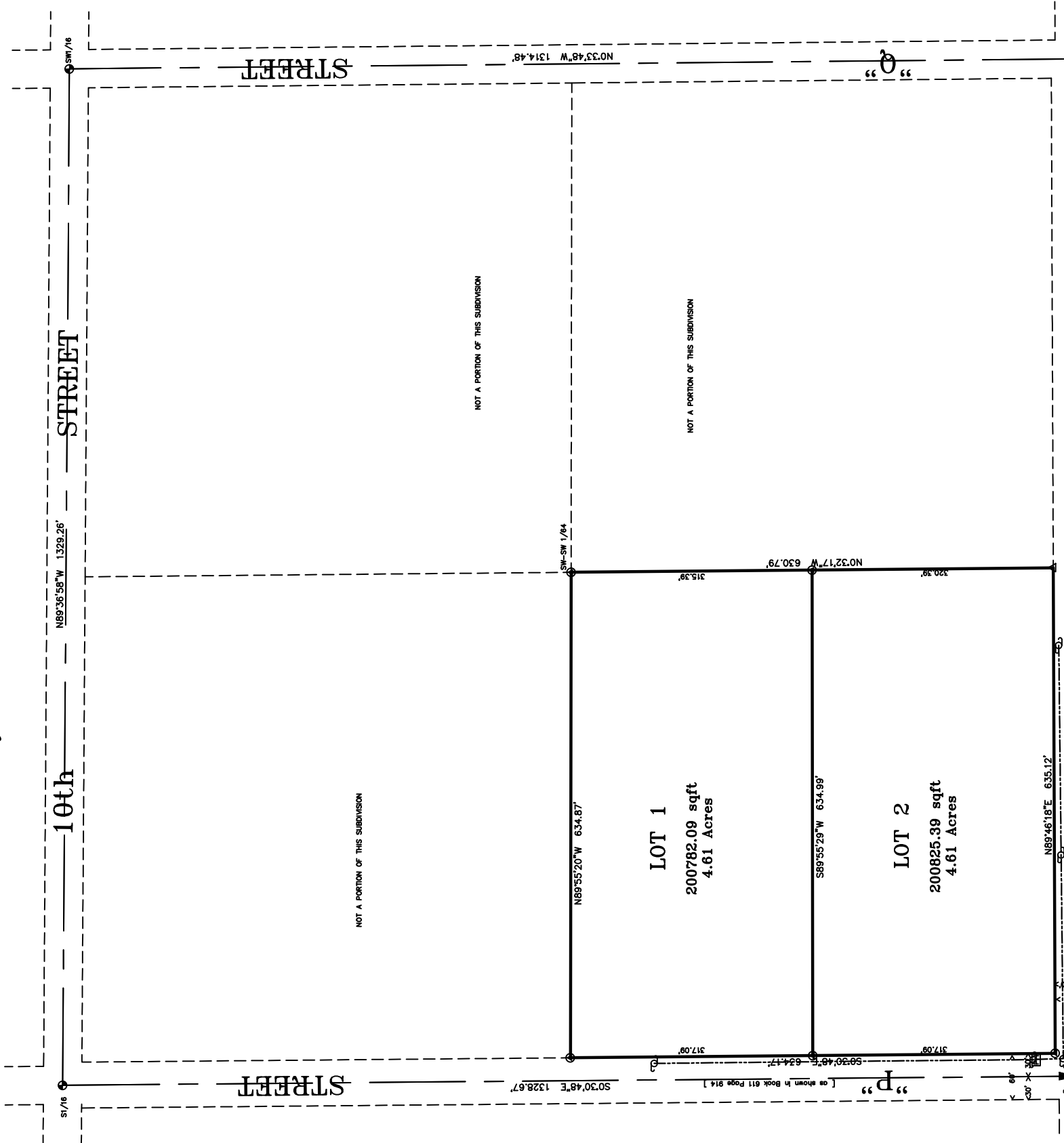
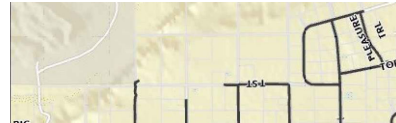
FACTS

Easements for plat, with the adjacent property are subject to subdivision board

REGISTER

I, George R. H. do hereby certify in accordance with this plat does subdivision the certify that a

**THE TIME OF DEVELOPMENT.
PLAN WILL BE REQUIRED.**



NOT A PORTION OF THIS SUBDIVISION

NOT A PORTION OF THIS SUBDIVISION

SW-SW 1/64

N89°55'20"W 634.87'

LOT 1

200782.09 sqft
4.61 Acres

315.39'

30.79'

NOT A PORTION OF THIS SUBDIVISION

From: [George Hall](#)
Sent: Wednesday, December 6, 2023 11:48 AM
To: [Dan Victoria](#); 'travisjenkinskw@gmail.com'
Subject: ms 23-005 T&L Subdivision

CAUTION: This sender is located outside of your organization.

on December 06, 2023 around 9:50 am
I was in the your office and we discussed this item
you said you would have a letter out later with a couple of things to address.
You said you did not have the improvement agreement in you office that the regulations say
that you do. please provide for review from the clients legal council.
as to needing the corrected application instead of the addendum taking care of it i will be
providing that soon to you.

if this was not the correct understanding please correct my understanding.

George R Hall
Crown Point Land Services

This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to report this email as spam.



Planning and Zoning Department

615 Macon Avenue Room 210, Canon City, Colorado

Telephone (719) 276-7360 / Facsimile (719) 276-7374

Email planning@fremontco.com

December 7, 2023

Crown Point Land Services

P.O. Box

Canon City, CO. 81212

Reference: Department Comments and Submittal Deficiencies **#2**- MS 23-005 T & L Subdivision

In review of your application, MS 23-005 T & L Subdivision, requesting approval of a Minor Subdivision by Fremont County, the following items will need further explanation, corrections, changes or additional information submitted to the Department prior to scheduling this item on the agenda of a Fremont County Planning Commission meeting:

1. **Application Item #31** Soils report only provided for lot 2.
Addendum Letter response “PLEASE REVIEW YOUR REGULATIONS AS SHOWN UNDER ONSITE WASTEWATER TREATMENT MAP & REPORT D.2.f.1”
 - Per Fremont County On-Site Wastewater Treatment System Regulation Section:
V. Site and Soil Evaluation
 - A. Site and Soil Evaluation Requirement: A site and soil evaluation must be conducted for **each property** on which an OWTS is proposed, to determine the suitability of a location to support an OWTS, and to provide the designer a sound basis to select the most appropriate OWTS design for the location and application.
 1. Each site evaluation must consist of:
 - a. Preliminary investigation;
 - b. Reconnaissance;
 - c. Detailed soil investigation; and
 - d. Report and site plan.
2. **Application Item #38** See redlines.
 - Need a direct tie to section monument.
3. **Application Item #43** Please review Appendix 1, section C, #3, roadway standards and Appendix 1 section 5. Please revise answer.
Addendum letter response “WE HAVE REVIEWED APP1.3 AND DISAGREE THAT THIS IS NOT A MINOR ARTERIAL STREET AS SECTION 3 WOULD INDICATE. WE WOULD AGREE THAT IT WOULD FALL UNDER 5 STANDARD LOCAL

[Home](#)

STREET (AS SHOWN ON THE COUNTY MAPPING SYSTEM). RIGHT OF WAY WOULD FIT. HOWEVER, SINCE IT WOULD NOT BE TOUCHING OR ADJACENT TO A PAVED STREET WOULD ASK THAT IT BE A GRAVEL SURFACE OF 24' SURFACE WITH BARROW DITCHES. THIS WOULD BE AN UPGRADE TO THE EXISTING ROADWAYS IN THIS AREA, REMEMBERING THIS IS A RURAL AGRICULTURAL AREA OF THE COUNTY. CURRENTLY WE ARE GETTING PROPOSALS FROM CONTRACTORS FOR THE COST OF THESE IMPROVEMENTS.

WE WOULD ASK THAT YOU PROVIDE A SAMPLE IMPROVEMENT AGREEMENT FOR REVIEW BY THE CLIENT AND THEIR LEGAL TEAM. SECTION XI.A.1&2

AS SOON AS THE COSTS OF FOR THIS IS RECEIVED, WE SHALL PROVIDE THEM

- Per Fremont County Subdivision Regulations Appendix 1, section C:
 3. **Street Improvements:**
 - a. The type of improvements required, i.e. curb, gutter, sidewalks, paved streets or graveled streets, shall be determined by the Board.
 - b. Any lots, parcels, tracts, etc. which are created by subdivision in accordance with Fremont County Regulations, which are accessed from a previously platted right-of-way or a proposed platted right-of-way, shall be required to have a roadway located in such right-of-way built to current Fremont County specifications unless access is to be gained from an existing County maintained roadway. If construction is required it shall be along the entire frontage from which the property is accessed. If a proposed lot, tract or parcel is to be accessed by a stem, but the bulk of the lot is adjacent to an undeveloped right-of-way and the frontage along the undeveloped right-of-way is longer than the proposed stem is wide, then the adjacent right-of-way shall also be developed to current County roadway construction specifications.
- Attached is the design criteria.

The Planning and Zoning Department needs clarification on the proposed upgrades to the roadway. Your Addendum and revised application differ. A Sample Improvement Agreement will be provided when available.

Upon review of your Addendum, the Department recognizes the first D&C had a typo and the section (C) was left out. With the clarification stated, even with the typo the Department never classified the roadway as a minor arterial. It seems we agree this roadway is a Local Street.

4. **Application Item #44A** Provide driveway locations or request as contingency.
Addendum letter response **“THE EXISTING ADDRESSES OF THE AREA ARE PROVIDED FOR YOUR REVIEW. AS TO EXACT LOCATION OF ACCESS POINTS THAT WOULD BE DONE AT THE TIME OF THE BUILDING PERMIT. PLEASE ATTACH THIS TO THE BUILDING PERMIT AND DRAINAGE PLAN WHICH IS BEING REQUESTED TO BE DEFERRED”**

- Application Item #44a was checked on the original application as “provided”. However Code Enforcement cannot issue addresses without the exact location of driveway. Please correct this box to “Requested contingency item” and revise application, or please provide all adequate information for addressing.
5. **Application Item #44F** Please check answer. Lot appears to not have a mortgage so this item may not be required based off submitted paperwork.
Addendum letter response “THERE IS NO BOX PROVIDED TO CHECK ON THE FORM DUE TO THE FACT THAT THERE IS NO MORTGAGE ON THIS PROPERTY. THIS QUESTION IS A NONAPPLICABLE FOR THIS PROJECT.”
- On the original application you have checked “Requested contingency item” if this does not apply, please revise the application and uncheck the box.
6. Per Fremont County Subdivision Regulations XII Minor Subdivision Application, Section B. Review of Minor Subdivision Application:
4. If the deficiencies are not addressed or acceptable reasoning is not provided to justify scheduling on the Commission agenda without addressing the deficiencies, the Department will not place the application on the Commission agenda for review.
 - a. In accordance with Board Resolution No. 68, Series of 2006: A full application fee will be charged to the applicant, if all deficiencies in the initial application review letter are not adequately addressed.
 - b. Each subsequent deficiency review letter will result in another full application fee.
 - c. All such fees shall be paid along with the deficiency submittal, prior to any further review of the application.
- Please submit payment of \$1,625.00, along with deficiency submittal.

Received Comments

1. Please see the Building Department’s concerns. (Please contact the Building Department if you have questions regarding their comments).
2. Code Enforcement has observed equipment on the property that does not have current SMM. Please provide current SMM for equipment or detail how the equipment is exempt from this requirement.

Addendum letter response “NOT SURE WHAT IS SMM EQUIPMENT?? WHEN ON SITE I OBSERVED NOTHING ON THE PROPERTY, THE OWNER DOES HAVE SOME FARM EQUIPMENT THAT IS BEING STORED ON SITE. PRIOR TO FILING THE FINAL PLAT THEY WILL BE REMOVED.”

- **SMM - Special Mobile Machinery** means machinery that is pulled, hauled, or driven over a highway and is either: a vehicle or equipment that is not designed primarily for the transportation of persons or cargo over the public highways; or a motor vehicle that may have been originally designed for the transportation of persons or cargo over the public highways, and has been redesigned or modified by the addition of mounted equipment or machinery, and is only incidentally operated or moved over the public

highways. Special Mobile Machinery includes vehicles commonly used in the construction, maintenance, and repairs of roadways, the drilling of wells, and the digging of ditches. (C.R.S. 42-1-102(93.5))

- Please see the attached photos.
- Per Colorado Department of Revenue, the SMM shall be current on registration.

Please submit the above listed items, cover sheet, one hard copy and electronic version of the application and exhibits to the Fremont County Department of Planning and Zoning in a timeframe not to exceed 6 months from the date of this letter. Once the response to the deficiencies are received, reviewed and determined to be complete this application will be scheduled for a meeting with the Planning Commission. Failure to submit a response to this letter within the six (6) month timeframe will result in this application being withdrawn.

When items are submitted to the Department to meet the requirements of the Department Comments & Submittal Deficiencies Letter, they shall be accompanied by a cover letter explaining how the items submitted will meet the requirements of the Department Letter. Deficiencies will not be accepted, if not accompanied by a cover letter.

This item will be considered, as a complete application upon submittal of the aforementioned items unless, upon submittal of these items the Department of Planning and Zoning determines that additional information or documentation will be necessary for review of the application.

Upon determination by this Department of a complete application, the applicant will receive a staff report detailing the date/time of the Planning Commission meeting along with the department's recommendation of this application. A representative will be required to present this application to the Commission.

If you have questions, feel free to contact the Department.

Fremont County,

Daniel Victoria,
Planning and Zoning Coordinator



FREMONT COUNTY BUILDING DEPARTMENT

615 MACON AVENUE, ROOM 212
CAÑON CITY, COLORADO 81212
OFFICE (719) 276-7460
FAX (719) 276-7461



TO: Planning and Zoning

ATTN: Dan Victoria, Director
Danielle Adamic, Planning Coordinator

FROM: Wyatt Sanders, Fremont County Building Official
Fremont County Environmental Health

SUBJECT: MS 23-005, T&L Minor Subdivision

DATE: 31 October 31, 2023

This department has received an application MS 23-005, T&L Minor Subdivision located at the corner of 11th Street and P Street in the Penrose area of Fremont County. There are no violations against this property by this department.

Below is what was found that needs to be addressed.

Question #31 on page 7 of the application. What is the sewage disposal source for each proposed lot? This question was not answered. An On-site Wastewater Treatment System (OWTS) is the only logical answer for this question.

A soil classification test report was submitted with this application as evidence that an OWTS can be installed. This test was performed approximately 60 feet in from P Street and 100 feet in from 11th Street. After reviewing this site map provided, this test was performed on lot 2 only. Because of the drastically changing soil conditions in the Penrose area, it is recommended that another test be performed on lot 1 to determine if it can also accommodate an OWTS. If the test shows that lot 1 can accommodate an OWTS, then these locations should be designated for sanitation purposes (OWTS) only, not a building site.

31. What is the sewage disposal source for each proposed lot? --- Public Sanitary Sewer System; Name of provider If the proposed source is a public sanitary sewer system, then documentation evidencing that the provider has committed to provide service for the appropriate number of lots and uses shall be attached to this application, marked as Exhibit 31.1. --- Onsite Wastewater Treatment Systems; If the proposed sources are onsite wastewater treatment systems for each lot, then an Individual Wastewater Treatment System Report, as required by The FCSR Section XIII., D., 5b., shall be attached to this application, marked as Exhibit 31.1. An exhibit has been attached.

A soil analysis has not been submitted for the proposed lot 1. I have only received information for the proposed lot 2 on the corner of P and 11th Street. Please provide the requested information to ensure that this lot can accommodate an OWTS.



Planning and Zoning Department

615 Macon Avenue Room 210, Canon City, Colorado 81212

Telephone (719) 276-7360 / Facsimile (719) 276-7374

Email planning@fremontco.com

Inspection Checklist

Date 12/14/2023

Project Name: MS 23-005 T&L Minor Subdivision

Any Current Permits? ☐ Yes or ☒ No

Any Past Permits? ☐ Yes or ☒ No

Current Violation? ☐ Yes or ☒ No

Past Violations ☐ Yes or ☒ No

VISUAL OBSERVATIONS CHECK LIST

of buildings: 0

Types: N/A

SMM on site? No

Does the site plan match site conditions? Yes

Structures Code/Zoning Compliant: No

Land Use Compliant: Yes

Notes/Concerns

At the time of this inspection, there are no issues with this property, the SMM previously located there has been moved.

Kyle Yarberry

12/14/2023

Allen Zadroga

12/14/2023

[Home](#)

Joanne Kohl

From: Mitchell, Deborah - FPAC-NRCS, CO <deborah.mitchell@co.nacdnet.net>
Sent: Thursday, November 2, 2023 9:35 AM
To: Joanne Kohl
Subject: RE: [External Email]MS 23-005 T&L Minor Subdivision

CAUTION: This sender is located outside of your organization.

Good morning Joanne

The Fremont Conservation District Board of Supervisors have no comment on this project.

Thanks!!

Debbie Mitchell

Fremont Conservation District
District Manager
248 Dozier Avenue
Canon City, CO 81212
719-315-3417
info@fremontcd.org OR
Deborah.mitchell@co.nacdnet.net

Fremont County

NOV 02 2023

Planning & Zoning

From: Joanne Kohl <joanne.kohl@fremontco.com>
Sent: Tuesday, October 24, 2023 2:35 PM
To: Minor/Major Subdivision <MinorSubdivision@fremontco.com>
Cc: Dan Victoria <dan.victoria@fremontco.com>; Danielle Adamic <danielle.adamic@fremontco.com>; Ernie Martinez <ernie.martinez@fremontco.com>
Subject: [External Email]MS 23-005 T&L Minor Subdivision

[External Email]

If this message comes from an **unexpected sender** or references a **vague/unexpected topic**;
Use caution before clicking links or opening attachments.
Please send any concerns or suspicious messages to: Spam.Abuse@usda.gov

Good Afternoon,

Attached is the application for MS 23-005 T&L Minor Subdivision for your review. Please provide any comments by November 8th, 2023. Please contact our office if you have any questions or if we can be of further assistance.

Thank You,
Joanne



FREMONT COUNTY
DEPARTMENT OF PUBLIC HEALTH & ENVIRONMENT
201 N 6TH STREET
CANON CITY, CO 81212
(719) 276-7450 FAX NUMBER (719) 276-7451
amy.jamison@fremontco.com

TO: Fremont County Planning & Zoning

FROM: Amy Jamison, Fremont County Environmental Health Officer

SUBJECT: MS 23-005 T&L Minor Subdivision

DATE: November 2, 2023

Comments:

Contact Fremont County Building Department for septic system requirements. If this minor subdivision has no commercial applications, there are no requirements from the FCDPHE at this time.



Fremont County

Department of Transportation

1170 Red Canyon Road • Cañon City, Colorado 81212
Phone: 719-276-7430 • Fax: 719-275-2120

10.30.2023

Fremont County Planning & Zoning
615 Macon Ave., Room 210
Cañon City, CO 81212

RE: MS 23-005 T&L Subdivision

Dear Mr. Victoria,

The FCDOT has reviewed the application and have the following comments:

- Application indicates applicant will be submitting drainage and utility plans before building, we will need a copy of those plans when available.

Should you have any questions or need further assistance, feel free to contact us.

Sincerely,

Michael Whitt

Michael Whitt
FCDOT Director



COLORADO
Division of Water Resources
Department of Natural Resources
Water Division 2 - Main Office

October 31, 2023

Planning Director
Fremont County Planning and Zoning
615 Macon Ave. Room 210
Canon City, Colorado 81212

Re: Minor Subdivision Application - MS 23-005 T&L Minor Subdivision

Dear Sir/ Madam,

This letter is provided as a courtesy comment as this proposal does not involve a subdivision requiring comment by the State Engineer's Office pursuant to C.R.S. 30-28-101(10)(a). Therefore, pursuant to the State Engineer's March 4, 2005 memorandum to county planning directors, this office will only perform a cursory review of the referral information and provide comments. The comments provided herein cannot be used to guarantee a viable water supply plan or infrastructure, the issuance of a well permit, or physical availability of water.

The submittal indicates the above-proposed Minor Subdivision Application on behalf of Travis and Rebecca Jenkins for the property stated below, located on Tract 57 in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 2, Township 19 South, Range 68 West of the Sixth P.M, Fremont County, State of Colorado, being designated and more particularly described as Plat No. 3 of the Beaver Land and Irrigation Company. Fremont County Parcel Number 98102008.

The purpose of this Minor Subdivision Application is to conform to current Fremont County land use regulations whereas it has been indicated on the Minor Subdivision Application that there are two proposed residences on one parcel.

History:

According to our records, there are no registered groundwater wells on the parcel. The parcel falls within the Penrose Water District boundaries. We have received a board approved letter for the use of Penrose water on this parcel.

Compliance:

The source of water for this adjustment will be municipal water provided by the Penrose Water District upon completion of this application. According to the submittal, this action does not involve expanded or changed use of groundwater. Therefore, the Division of Water Resources does not have applicable comments to provide to the county regarding the proposed action at this time.

[Home](#)

Please contact me with any questions or concerns by email at elizabeth.nosker@state.co.us

Sincerely,

Elizabeth Nosker
Data Analyst - Water Division 2

ECC: Christine Sednek, P.E., Water Resources Engineer - Division 2
Dan Henrichs, West Regional Lead Water Commissioner, Division 2
Groundwater Information Team, Division 2

Joanne Kohl

From: Lancaster - CDOT, Adam <adam.lancaster@state.co.us>
Sent: Tuesday, October 24, 2023 3:30 PM
To: Joanne Kohl
Subject: Re: MS 23-005 T&L Minor Subdivision

CAUTION: This sender is located outside of your organization.

Joanne

We are in receipt of the above-referenced development submittal. After review of the provided documents, CDOT Staff currently has NO COMMENT pertaining to this submittal.

Thank you

On Tue, Oct 24, 2023 at 2:37 PM Joanne Kohl <joanne.kohl@fremontco.com> wrote:

Good Afternoon,

Attached is the application for MS 23-005 T&L Minor Subdivision for your review. Please provide any comments by November 8th, 2023. Please contact our office if you have any questions or if we can be of further assistance.

Thank You,

Joanne



Joanne Kohl

Planning and Zoning Department

615 Macon Avenue Room 210

Canon City, CO 81212

Telephone (719) 276-7360

Email joanne.kohl@fremontco.com

**PUBLIC UTILITY, IRRIGATION COMPANY, IMPROVEMENT DISTRICT & EASEMENT
OF RECORD NOTIFICATION LETTER**

TO: Black Hills Energy, 3110 Utility Lane, Cañon City, CO 81212

FROM: Travis and Rebecca Jenkins, 1195 Top Notch TRL, Penrose, CO 81240

Name of Subject Property Owner / Applicant

DATE: 10/21/2023

Reference: T. & L. Minor Subdivision

Project Name

This is to inform you that the Subject Property Owner, listed above, has made an application for the action as marked below with the Fremont County Department of Planning and Zoning (Department):

- ☒ -- **Minor Subdivision** ☐ -- **Preliminary Plan** ☐ -- **Vacation of a Public R-O-W**
☐ -- **Vacation of Interior Lot Line & Utility / Drainage Easement**
☐ -- **Lot Line Adjustment** ☐ -- **Boundary Line Adjustment**

The subject property, as referenced above is located at NE Corner of 11th Street & P Street, Penrose,

General Location or Address (Vicinity Map Exhibit A)

The subject property is legally described as:

Tract 57, T19S, R68W The Beaver Land & Irrigation Company Plat No. 3

☒ Check here if legal description is attached as Exhibit B.

☒ A copy of the proposed subdivision and or re-plat drawing has been enclosed with this mailing.

Minor Subdivision, Preliminary Plan and Vacation of Public R-O-W applications are always first heard by the Fremont County Planning Commission (Commission) and then the Fremont County Board of County Commissioners (Board). Normally Vacation of Interior Lot Line, Lot Line Adjustment and Boundary Line Adjustment applications are administrative reviews and only reviewed by the Department.

If you would like to attend either the Commission or Board meeting, please contact the Department of Planning and Zoning for the date and time of meetings:

Telephone 719-276-7360 Email: planning@fremontco.com

These meetings are held in room LL3 (*lower level Board Meeting Room*) of the Fremont County Administration Building, 615 Macon Avenue, Cañon City, Colorado. You and or your representative (*representative documentation may be required*) may attend the meeting to present your oral comments or written comments will be accepted at the meeting or prior to the meeting at the Department of Planning and Zoning (Department) in Room 210 of the Administration Building. Oral comments cannot be accepted except at the meeting at which the application is to be heard.

If you would like further information regarding the application you can contact the Department by telephone at (719) 276-7360, facsimile (719) 276-7374 or by email at planning@fremontco.com to schedule an appointment to review the application. For further reference regarding the governing regulations:

the Fremont County Zoning Resolution may be viewed on the Internet at

<http://www.fremontco.com/planningandzoning/zoningresolution.shtml>

and the Fremont County Subdivision Regulations may be viewed on the Internet at

<http://www.fremontco.com/planningandzoning/subdivisionregulations.shtml>

The Department, Commission and Board would welcome your comments regarding this application and will include written comment, on or accompanied by this form, in the Commission or Board's review packet if received by the Department with enough time to include prior to finalization of the review packets. Please complete the following information with any written comments or can be used as the "sign in" sheet at a meeting that you intend to attend and provide oral comments. Only written comments can be accepted by the Department for administrative reviews and must be received by the Department within ten (10) days of your acknowledged receipt of this notification.

Failure to provide written comment prior to the meeting, written comment at the meeting or oral comment at the meeting at which the application is to be heard or written comment on administratively reviewed applications will result in the Department, Commission and Board assuming that you have no comments with regard to the submitted application.

Entity Name: Black Hills Energy Name of contact person: Cody Smith
Title: Planner Telephone: 719-377-8059 Email: Cody.Smith@blackhillscorp.com
Mailing Address: 3110 Utility Ln Canon City CO 81212
Street Address City State Zip

Does your entity currently service the subject property? ☒ Yes --- ☐ No

Will your entity be able to service the subject property as proposed by the subdivision or re-plat?

☒ Yes --- ☐ No Please explain _____

Our entity has the following comments and or recommendations regarding the proposed action: _____

Cody Smith
Signature of Authorized Entity Representative

11-1-23
Date

Applicant: _____
_____, P. O. Box 286, Penrose, CO, 81240
Jenkins, 1575 7th Street, Penrose, CO 81240

Division _____

Subject Property Owner, listed above, has made an application for the
Fremont County Department of Planning and Zoning (Department):

☐ -- Preliminary Plan ☐ -- Vacation of a Public R-O-W

for Lot Line & Utility / Drainage Easement

and ☐ -- Boundary Line Adjustment

The above is located at NE Corner of 11th Street & P Street, Penrose,

General Location or Address (Vicinity Map Exhibit A)

described as:

Land & Irrigation Company Plat No. 3

☒ Check here if legal description is attached as Exhibit B.

A division and or re-plat drawing has been enclosed with this mailing.

Plan and Vacation of Public R-O-W applications are always first heard
by the Planning Commission (Commission) and then the Fremont County Board of
County Commissioners. Normally Vacation of Interior Lot Line, Lot Line Adjustment and
other applications are administrative reviews and only reviewed by the

If the Commission or Board meeting, please contact the Department of
Planning and Zoning at the following times and locations:

Email: planning@fremontco.com

Room LL3 (lower level Board Meeting Room) of the Fremont County
Administration Building, Cañon City, Colorado. You and your representative
may be required to attend the meeting to present your oral comments
accepted at the meeting or prior to the meeting at the Department of
Planning and Zoning (Room 210 of the Administration Building. Oral comments cannot
be accepted at which the application is to be heard.

Information regarding the application you can contact the Department by
phone at (719) 276-7374 or by email at planning@fremontco.com to
view the application. For further reference regarding the governing

County Zoning Resolution may be viewed on the Internet at
fremontco.com/planningandzoning/zoningresolution.shtml

ment with enough time to include prior to finalization of the review following information with any written comments or can be used as the that you intend to attend and provide oral comments. Only written the Department for administrative reviews and must be received by the of your acknowledged receipt of this notification.

ment prior to the meeting, written comment at the meeting or oral in the application is to be heard or written comment on administratively in the Department, Commission and Board assuming that you have no nitted application.

ater Inc. Name of contact person: Connie Johnson
Telephone: 719-371-4312 Email: cjohnson@beaverparkwater.net
Penrose Co 81240
City State Zip

the subject property? ☐ Yes --- ☒ No

the subject property as proposed by the subdivision or re-plat?

N/A

ments and or recommendations regarding the proposed action:

representative

Date

10/26/23



FREMONT COUNTY MINOR SUBDIVISION APPLICATION

1. Project Name: T & L Minor Subdivision
2. Name: Travis and Rebecca Jenkins
Mailing Address: 1195 TOP NOTCH TRL PENROSE, CO 81240-9297
Telephone Number: (719) 240-2736 Facsimile Number: _____
Email Address: travisjenkinskw@gmail.com
3. Name: _____
Mailing Address: _____
Telephone Number: _____ Facsimile Number: _____
Email Address: _____
4. Name: Crown Point Land Services, P. O. Box 749, Cañon City, CO 81215-0749
Mailing Address: P. O. Box 749, Cañon City, CO 81215-0749
Telephone Number: 719-275-5005 Facsimile Number: _____
Email Address: Crown.land@outlook.com

Please read prior to completion of this application

The Minor Subdivision Application is a one (1) time exemption from the Sketch Plan, Preliminary Plan and Major Subdivision (*Final Plat*) procedures. The Minor Subdivision Application allows for the creation of two (2) or three (3) lots from a parent parcel. One (1) Minor Subdivision may be allowed for a lot, tract or parcel that has not been previously platted as a Minor or a Major Subdivision or any portion thereof. If the parent parcel has been previously platted or subdivided in whole or in part as a Minor Subdivision or a Major Subdivision, then all appropriate Sketch Plan, Preliminary Plan and Major Subdivision requirements shall be met rather than Minor Subdivision. In processing a Minor Subdivision all lot size and width requirements as per the Fremont County Zoning Resolution (FCZR), Zoning Maps and Appendix 1 and 2 of the Fremont County Subdivision Regulations (FCSR) regarding lot and street design shall be met.

Any application which is not complete or does not include all minimum submittal requirements will not be accepted by the Fremont County Department of Planning and Zoning (Department). Further, any application that is inadequately prepared, or is incomplete, may be subject to postponement (*until an adequate submittal is provided*) of placement on an agenda of the Fremont County Planning Commission (Commission).

The applicant shall provide **one (1) original document, four (4) copies, and an electronic copy (either CD or flash/thumb drive)** of the application and all of its attachments. After submittal, the Department will review the application and all attachments and prepare a Department Submittal Deficiency and Comment Letter (D & C Letter). The letter will state the submittal

deficiencies, Department comments and or questions about the application, which must be addressed by the applicant. In addition the letter will note the number of revised application packets that must be supplied to the Department in order to place the application on an agenda of the Commission.

Attachments can be made to this application to provide expanded narrative for any application item including supportive documentation or evidence for provided application item answers. Please indicate at the application item that there is an attachment and label it as an exhibit with the application item number, a period and the number of the attachment for that item (*as an example, the first attached document providing evidence in support of the answer given at application item number 22 would be marked - Exhibit 22.1, the fifth attached document supporting the narrative provided for application item 22 would be marked - Exhibit 22.5*).

An application fee set by the Board of County Commissioners (Board) shall accompany this application.

An additional full application fee will be charged to the applicant, as per resolution approved by the Board, if all deficiencies, as per the initial D & C Letter, are not adequately addressed or provided. Each subsequent D & C Letter, based on resubmitted items, will result in another full application fee. All such fees shall be paid along with the deficiency submittal, prior to any further review of the application.

If the application is approved by the Board with contingencies and the contingencies cannot be met within the specified time frame (*normally 6 months*), an additional fee will be charged, as per resolution approved by the Board, to the applicant for each request for extension of the contingency deadline. All such fees shall be paid along with a written request, explaining the need for extension, prior to being placed on a Board meeting agenda for consideration of the request. Extensions must be requested prior to the expiration of the specified time frame.

The Department, The Commission and/or The Board may require additional information at any time during the application process as may be deemed necessary in order to review the application adequately, to determine if the application is in compliance with all applicable regulations and make an informed decision with regard to recommendations, approval or disapproval of the application.

For specific regulatory requirements the applicant should refer to the appropriate sections of the Fremont County Subdivision Regulations (FCSR) and the Fremont County Zoning Resolution (FCZR). In addition, consideration shall be given to the Fremont County Master Plan (FCMP), as the Department will consider it in the review of Minor Subdivision applications which could result in the need for additional information from the applicant.

For further reference the Fremont County Zoning Resolution may be viewed on the Internet at

<http://www.fremontco.com/planningandzoning/zoningresolution.pdf>

and the Fremont County Subdivision Regulations may be viewed on the Internet at

<http://www.fremontco.com/planningandzoning/forms/subdivisionregulations.pdf>

5. Has the subject property been previously platted? ☒ Yes --- ☐ No If yes, please explain the circumstances. Tract 57, Section 2,
Township 19 South, Range 68 West of The 6th Principal Meridian,
The Beaver Land and Irrigation Company, Plat No. 3, County of Fremont, State of Colorado.
6. The total number of properties involved in the subject property prior to this application for minor subdivision are One (1)
7. The total number of lots as a result of this minor subdivision are Two (2)
8. What is the existing size of the subject property prior to this application?
Acreage 9.37 Square Footage 407979.02
9. What is the proposed size of each lot after platting?
- a. Acreage 4.68 Square Footage 203967.52
- b. Acreage 4.68 Square Footage 204011.50
- c. Acreage _____ Square Footage _____
10. What is the current Zone District for the subject property?
The subject property is currently located in the Agricultural Rural Zone District.
11. Is there a proposal to change the current zoning classification for any portion of the subject property? Yes ☐ --- No ☒ If yes, please state what change is proposed. _____

12. What is the current land use of the subject property?
This current land use of the subject property is ☒ conforming ☐ non-conforming with the current zone district requirements. Please explain: Single family residence 4.6.2.3

- If the current use is a non-conforming use and proposed to remain on the subject property, an application for "non-conforming use status" shall be filed with the Department and copy shall be attached to this application as Exhibit 12.1. ☐ An exhibit has been attached. *It should be noted that if this use is determined not to be a non-conforming use, said use shall be removed from the subject property.*
13. What is the proposed land use of the subject property? Single family residence
This proposed land use of the subject property will be ☒ conforming ☐ non-conforming with the current or proposed zone district requirements. Please explain: 4.6.2.3

14. Does the subject property contain any existing structures that will remain on the property after subdivision? ☐ Yes --- ☒ No. If yes, the proposed lot(s) housing the existing structures must comply with the development requirements of the proposed zone district

regarding the structures; please provide all setback dimensions for each structure from the proposed lot lines and the percentage of the lot coverage for each lot which will continue to house an existing structure: _____

VACANT LAND.

15. Does each proposed lot have an adequate building site, taking into consideration setback and lot coverage requirements for the proposed zone district, building restriction lines, flood plains and other natural features, and existing and proposed easements? ☒ Yes --- ☐ No If no, how is the lot to be used? _____

16. Have all General, Lot, Access, Street Design, Engineering, Sewage Disposal, Easement and Open Space Standards and or Specifications of the FCSR Appendix 1 been met by this proposal? ☒ Yes --- ☐ No If no, please list each standard or specification and provide a regulation citing which will not be met and provide an explanation as to why it will not be met. _____

17. What is the name and or number of the public right-of-way(s) that will provide access to each proposed lot? Eleventh (11th) and "P" Street

18. Is the public right-of-way(s) proposed to provide access to the subject property a ☒ County, ☐ State or ☐ Federal right-of-way? Documentation evidencing a "right of access" shall be attached to this application for each proposed lot or for the subdivision as a whole, as may be appropriate, marked as Exhibit 18.1. ☐ An exhibit has been attached.

19. Will each proposed lot have adequate frontage on the public right-of-way? ☒ Yes --- ☐ No If no, please provide a copy of an executed deed for ingress and egress, which shall be attached to this application and shall be marked as Exhibit 19.1. ☐ An exhibit has been attached.

20. A copy of the most current deed of record of the subject property must be attached to this application, marked as Exhibit 20.1 (☒ *An exhibit has been attached.*) and can be found recorded in the Fremont County Clerk and Recorder's Office as follows:

In Book _____ at Page _____ and under Reception Number 1026320

21. A title insurance commitment or policy with an effective date within thirty (30) days of the application submittal date, for each property involved in this application shall be attached to this application, marked as Exhibit 21.1. ☒ An exhibit has been attached. (*an updated title insurance commitment or policy shall be provided prior to recording of the subdivision plat for any application that was granted an extension of approval or as applicable by regulation, this could result in further requirement of the applicant, by the Department, prior to recording of the plat*):

Document Number 2087499-IO Effective Date of Document 08/18/2023

22. As per the FCSR Section XIII., D., 1b., an executed Ratification, Consent and Release Form (*forms are provided by the Department for execution with the initial D & C Letter*) shall be provided for each outstanding mortgage, deed of trust, lien, judgment or the like for each property involved in a minor subdivision application prior to recording of the plat. Will any property involved in this application require a form to be executed and submitted? ☐ Yes --
- ☒ No If answered yes please list and identify the documents that will require RCR forms.
-
-

23. All easements of record on involved properties must be vacated prior to application submittal or shown on the proposed plat and labeled or noted as to use, recording information, location and size through appropriate survey information. Please answer the following questions and provide a brief description of each easement noted.

- a. Do the properties involved in this application have easements of record as per the submitted title commitment? ☒ Yes --- ☐ No If answered yes, please identify each easement along with recording information and describe which properties it affects and how they are affected.

Standard Roadway and utility easements along exterior and interior lines.

No changes shall take place- not to be vacated. Reception No. 439371 makes the roadway easements next to this property to be 60' wide 30' either side of the aliquot section lines.

- b. Do the properties involved in this application have easements not of record? ☐ Yes --- ☒ No If answered yes, please identify each easement along with identification of which properties are affected and how they are affected.
-
-

- c. Are any easements proposed to be vacated by this application? ☐ Yes --- ☒ No If answered yes, please identify the easement and provide a statement as to why a vacation of the easement is necessary. Also provide a statement as to whether or not the easement currently contains improvements.
-
-

- d. Are any easements proposed to be relocated by this application? ☐ Yes --- ☒ No If answered yes, please identify the easement and provide an explanation as to why relocation is necessary.
-
-

- e. Are any new easements proposed by this application? ☒ Yes --- ☐ No If answered yes, please identify the easement and provide a description of the easement.
- Standard ten (10') foot utility easement - five (5') foot of either side of new lot line.
-
-

- f. Do any existing easements contain improvements? ☒ Yes --- ☐ No If answered yes, please identify the easement and describe the improvements.

roadway and utility easements. no irrigation easements or ditches exist

24. As per the FCSR Section XIII., D., 2., a tax certificate issued by the Fremont County Treasurer shall be provided indicating that all ad valorem taxes for the subject property for all years prior to the year in which the plat is to be recorded have been paid. Said Certificate shall be attached and marked as Exhibit 24.1. ☒ An exhibit has been attached.

Date of Tax Certificate November 29, 2023

25. Does the subject property lie within an area that has been under mined as depicted by the Colorado Department of Natural Resources, Colorado Geological Survey "Mining and Surface Features Maps" or any known active or inactive under ground mine? ☐ Yes --- ☒ No Please explain: no mining in the area

26. Does the subject property contain any of the following natural features and how may they be affected (*explain*) by this proposal?

- | | | |
|--|-----------------------|--------------------|
| a. Bodies of water | <u>Not applicable</u> | Effect <u>None</u> |
| b. Natural water courses | <u>Not applicable</u> | Effect <u>None</u> |
| c. Dry gulches or drainage ways | <u>Not applicable</u> | Effect <u>None</u> |
| d. Bluffs or cliffs | <u>Not applicable</u> | Effect <u>None</u> |
| e. Fault lines or other geologic hazards | <u>Not applicable</u> | Effect <u>None</u> |
| f. FEMA flood hazard area | <u>Not applicable</u> | Effect <u>None</u> |

27. In accordance with the FCSR Section XIII., D., 3., a copy of the proposed plat shall be provided that locates, by providing dimensions from property lines and size by dimension, all improvements (*i.e. roads, driveways, sewer and water lines, other utility lines, septic systems, wells, structures, buildings, irrigation ditches, drainage structures etc.*), natural physical features (*i.e. soil type boundaries, bluffs, cliffs, debris fans, water courses, live streams, dry gulches, drainages etc.*), and easements and rights-of-way described in the title commitment or policy or any of the same known to exist without being of record, which effect or traverse the property. More than one drawing may be used, if more understandable. ☒ A copy of the plat as required has been attached and marked as Exhibit 27.1.

If no such items exist then a written statement to that effect regarding each category shall be provided by the project surveyor. none exist

Project Surveyor Signature _____ Date _____

28. Topographic and soils information, sufficient to show the usability of the proposed lots for the purpose intended, with the source of information identified, shall be attached to this application, marked as Exhibit 28.1. ☒ An exhibit has been attached. Identify the source of information and provide a general synopsis of the information: _____

29. As per the FCSR Section XIII., D., 8. a Drainage Plan Map and Report for the subject property after subdivision, prepared, signed and sealed by a Colorado Registered Professional Engineer shall be attached to this application, marked as Exhibit 29.1. ☐ An exhibit has been attached. A letter asking to be waived or deferred until building time.

30. What is the potable water source for each proposed lot? ☒ --- Public Water Supply;
Name of supplier Penrose Water District

If the potable water source is a water company or district, then documentation evidencing that the supplier has committed to supply water for the appropriate number of lots and uses shall be attached to this application, marked as Exhibit 30.1. ☐ --- Private Well or Spring? If the potable water source is a private well or spring then documentation from the Colorado Division of Water Resources evidencing that the proposed subdivision will comply with the rules and regulations of the Division shall be attached to this application, marked as Exhibit 30.1. ☒ An exhibit has been attached. Fremont County's Division of Water Resources Information Form for Subdivision Exemption has been completed and attached to this application. ☒ An exhibit has been attached.

31. What is the sewage disposal source for each proposed lot? ☐ --- Public Sanitary Sewer System; Name of provider _____

If the proposed source is a public sanitary sewer system, then documentation evidencing that the provider has committed to provide service for the appropriate number of lots and uses shall be attached to this application, marked as Exhibit 31.1. ☒ --- Onsite Wastewater Treatment Systems; If the proposed sources are onsite wastewater treatment systems for each lot then an Individual Wastewater Treatment System Report, as required by The FCSR Section XIII., D., 5b., shall be attached to this application, marked as Exhibit 31.1. ☒ An exhibit has been attached.

32. Does the subject property currently have irrigation rights? ☐ Yes --- ☒ No If yes, Name of Irrigation Company _____

Is the subject property encumbered by right of easement or right of use by any irrigation company? ☐ Yes --- ☒ No If yes, Name of Irrigation Company _____

As per the FCSR Section XIII., D., 10. If any property involved in a minor subdivision has irrigation rights, and is subject to easement or is physically traversed by an irrigation ditch, the irrigation company shall be sent notice of the proposed subdivision, by certified mail (*return receipt requested*) and a copy of said notice and mailing receipts shall be attached to this application, marked as Exhibit 32.1. ☐ An exhibit has been attached.

33. Does the subject property lie within a Fire Protection District? ☒ Yes --- ☐ No If yes, Name of District Florence Fire District/Penrose Volunteer

As per the FCSR Section XIII., D., 9., attach an executed copy of the Fremont County Fire Protection Plan Form from the appropriate Fire Protection District marked as Exhibit 33.1. ☒ An exhibit has been attached.

34. Does the subject property lie within a recreation district? ☐ Yes --- ☒ No If yes, Name of District Penrose Park and Recreation District

Does the subject property lie within one (1) mile of a recreation district? ☐ Yes --- ☒ No
If yes, Name of District Penrose Park and Recreation District

As per the FCSR Section XIII., D., 11., a copy of the Fremont County Recreation District Comment Form shall be sent (*certified mail, return receipt requested*) to the appropriate recreation district, when the subject property is located within a recreation district or is located within one (1) mile of a recreation district. Evidence of said notice and mailing receipt shall be attached to this application, marked as Exhibit 34.1. ☒ An exhibit has been attached.

35. Based on the real estate records of the county, which include the records of the County assessor, and “requests for notification” filed by a mineral estate owner in the records of the County Clerk and Recorder, have the mineral interests of the subject property been severed? ☐ Yes --- ☒ No If yes, name of mineral interest owner Mineral interest are not severed

As per the FCSR Section XIII., D., 13., a notice of the proposed subdivision shall be sent (*certified mail return receipt requested*) to the severed mineral interest owner(s) not less than thirty (30) days before the date of the Commission meeting at which the application is anticipated to be heard. See Subdivision – Mineral Interest Owner Notification Form. Evidence of said notice and mail receipt shall be attached to this application, marked as Exhibit 35.1. ☐ An exhibit has been attached.

36. Do any persons or entities have any right of easement on or across the subject property? ☐ Yes --- ☒ No If yes, Name of Person(s) or Entity _____

As per the FCSR Section XIII., D., 14., a notice of the proposed subdivision shall be sent (*certified mail return receipt requested*) to the easement beneficiary. Evidence of said notice and receipt shall be attached to this application, marked as Exhibit 36.1. ☐ An exhibit has been attached.

37. In accordance with the FCSR Section XIII., D., 14., proof (*certified mail with return receipt*) that all applicable utility companies (*companies that service the property currently or that will be required to service the property after subdivision*) were notified of this application. The notification shall include a copy of the Department form letter and a copy of the proposed plat provided by the applicant. Evidence of said notice and mailing receipts to all of the following, as applicable, shall be attached to this application and shall be marked as Exhibit 37.1. ☒ An exhibit has been attached. See Attached page for addition Other required Notice

Water source Penrose Water District Mail date 10/21/2023 Received date _____
Certified Mailing 7020 2450 0002 1852 9292

Sanitation source Not Applicable Mail date _____ Received date _____

Electrical source Black Hills Energy Mail date 10/21/2023 Received date _____
Certified Mailing 7020 2450 0002 1852 9278

Natural Gas source Atmos Energy Corporation Mail date 10/21/2023 Received date _____
Certified Mailing 7020 2450 0002 1852 9247

Telephone source CenturyLink Mail date 10/21/2023 Received date _____
Certified Mailing 7020 2450 0002 1852 9261

Cable Television source Spectrum Mail date 10/21/2023 Received date _____
Certified Mailing 7020 2450 0002 1852 9254

Other required notice Beaver Park Water, INC Mail date 10/21/2023 Received date _____
Certified Mailing 7020 2450 0002 1852 9285

38. Have at a minimum, six (6) copies of a plat drawing (24 x 36 inches) and six (6) reduced copies, (8½ x 11 inches or 11 x 17 inches) , professionally drawn, as stipulated by the Fremont County Subdivision Regulations, Section XIII., A. and B., been submitted with this application? ☒ Yes --- ☐ No If all such requirements are not proposed to be met then, a

list of requested waivers, specifically citing the regulations for which waivers are being requested and justification for each requested waiver shall be attached hereto and marked as Exhibit 38.1. ☒ An exhibit has been attached. At a minimum, the following (*the Department, Commission or Board can require additional information*) shall be provided:

- a. Drawing scale, unless a different scale is approved by the Department prior to submittal, shall not be less than one (1) inch to one hundred (100) feet.
- b. Multiple sheets shall contain a key map showing the relationship of the individual sheets to each other. (*More than one sheet may be used if it is easier to express the required information, provided they are adequately labeled for identification*).
- c. Appropriate title-proposed subdivision name. *No subdivision, street or road in the County shall bear the same name or substantially similar name as another subdivision, street or road unless adjoining and using consecutive filing numbers or if the street or road is a continuation of an existing street or road or cul-de-sac street accessed from the primary roadway, (i.e. Court, Place, etc.). The Department shall have the authority to require applicant to change the proposed name if such name is substantially similar to the name of an existing subdivision, street or road in the County.*
- d. The sub-title of the Plat shall read: A portion of the (*aliquot description*) Section, Township, Range, Fremont County, Colorado or A Vacation and Re-plat of (*Lot(s), Block(s) of [Name of Subdivision]*), Fremont County, Colorado, as appropriate, dependent on whether or not the property being subdivided is un-platted or platted property.
- e. A note table with each note being individually labeled.
- f. A legend table with each symbol and line pattern being identified.
- g. The total acreage and the total number of lots contained within the subdivision being platted.
- h. The acreage and/or square footage for each proposed lot.
- i. The proposed lot and block layout, including lot and block numbers which shall be consecutively numbered.
- j. Name and address of the person, firm or organization preparing the drawing.
- k. The date of preparation of the plat and all revision dates to the submitted plat.
- l. A north arrow.
- m. A written and graphic scale.
- n. A vicinity map locating the proposed subdivision in relation to the surrounding area, streets and major natural features (*such as rivers, mountain peaks, and cliffs, etcetera*).
- o. All appropriate survey information on the plat shall show lengths to hundredths of a foot, and angles and bearings shall be shown to seconds of a degree.
- p. A survey tie from the proposed subdivision boundary to an aliquot survey monument.

- q. A statement identifying the basis of bearing for the proposed subdivision survey.
- r. The length and bearings for the exterior boundary lines of the proposed subdivision. For bearings and lengths for interior lot lines where the bearings and lengths are the same as the exterior lot lines, labeling is not required.
- s. All bearings and dimensions for irregularly shaped lots shall be provided for each lot.
- t. For proposed curved boundaries and all curves on the plat, sufficient data shall be given to enable the re-establishment of the curves on the ground. This curve data shall be shown in a table and shall include the following:
 - 1. Radius of curve.
 - 2. Central angle.
 - 3. Tangent.
 - 4. Arc length.
 - 5. Notation of non-tangent curves.
- u. Any non-radial lot lines or boundary lines shall be labeled.
- v. All survey monuments set and found, in preparation of the plat, shall be indicated on the plat as to location and type of monument, in a legend table.
- w. Any "Reference Monument" and or "Witness Corner" shall be appropriately labeled on the plat.
- x. At a minimum, the name, centerline bearing, distance and curve information along with width information shall be provided for all proposed and existing roadway rights-of-way that traverse or adjoin the subject property.
- y. The acreage and lineal footage proposed to be devoted to roadways.
- z. The location, width, length and identification label for all other public ways, easements and rights-of-way that traverse or adjoin the subject property.
- aa. All proposed easements shall be designated as to use, bearings and dimensions, or indicated by appropriate statements.
- bb. All legally described easements in the title insurance commitment or policy shall be located or if not applicable, a written statement to that effect.
- cc. Excepted parcels shown on the plat shall be shall be marked "Not included in this subdivision" or "Not included in this plat" as appropriate.
- dd. All existing easements shall be shown on the plat, labeled or noted as to use, size and location. In addition, all survey information and any recording information shall be provided. Any existing easement or right-of-way to be vacated, which is within the County's authority or ownership may be vacated by a note on the plat. Any existing easement not within the county's authority or ownership, shall be vacated or released by the appropriate authority or owner(s), and documentation shall be provided noting such.
- ee. The 100 year floodplain line shall be shown as per the FEMA FIRM map.

ff. The Plat shall show building setback lines for all stem or flag lots or irregularly shaped lots that do not have the minimum lot width, as required by the Zone District of the property at the property frontage. Said building setback line shall be shown by a thin dashed line and shall be labeled as such. In addition, dimensions shall be provided along the side lot lines, which are adequate to locate the building setback lines.

gg. Sites to be reserved or dedicated for open space, parks, playgrounds, schools or other public uses, other than easements shall be shown as outlots and shall be labeled with a statement as to the designated use.

hh. Has all required Subdivision Plat Language (FCSR Section XIII., B., 34.) been provided?

☒ Yes --- ☐ No

39. Is this application for a condominium or townhouse plat? ☐ Yes --- ☒ No If yes, then the condominium or townhouse application addendum, in accordance with the FCSR Section XIII., C., shall be attached hereto and marked as Exhibit 39.1. ☐ An exhibit has been attached.

40. Any waiver(s) that is requested from the FCSR regarding this application shall be stated in written form, with the citing of the regulation for which the waiver is being requested along with an explanation as to why the waiver is necessary and attached to this application, marked as Exhibit 40.1. ☒ An exhibit has been attached.

41. Are there any existing deed restrictions on the property which might affect the subdivision of the subject property? ☐ Yes --- ☒ No If yes, provide copies of such documents marked as Exhibit 41.1. ☐ An exhibit has been attached.

42. Are there any proposed deed restrictions on the subject property that would be implemented as a portion of the County approval of the Minor Subdivision Application? ☐ Yes --- ☒ No If yes, provide copies of such documents marked as Exhibit 42.1. ☐ An exhibit has been attached.

43. Are there any proposed improvements regarding such items as streets, public water and sewer systems, stormwater drainage facilities and the like? ☒ Yes --- ☐ No Please explain. _____
p street shall be brought to county standards for the entire frontage of the property adjoining the property

this shall be done through the improvement agreement that you have to provide so our legal council can review

If yes, then the FCSR Sections X. (Utilities & Improvements – General Requirements) and XI. (Guarantee of Public Improvements) would apply to this application.

44. **PLEASE NOTE:** The following items (*but not limited to these items*), if not provided at the time of application, may be required to be provided to the Department after approval by the Board as contingency of approval items, if so required the items shall be provided prior to recording of the plat:

a. Information adequate to enable the Department to compute addresses for the lots being platted. ☒ Provided (marked as Exhibit 44.a.1) --- ☐ Requested contingency item

b. Closure sheets for each lot and the subdivision boundary. ☒ Provided (marked as Exhibit 44.b.1) --- ☐ Requested contingency item

- c. An approved County or Colorado Department of Transportation Access Permit(s) as may be appropriate. ☐ Provided (marked as Exhibit 44.c.1) --- ☒ Requested contingency item
- d. A detailed utility plan showing the proposed location of all utility and irrigation improvement locations, horizontal and vertical, as proposed by the developer, for all subdivisions where a new road, street or rights-of-way is proposed. The plan shall include the signatures of all utility providers, indicating their approval of such plan. ☐ Provided (marked as Exhibit 44.d.1) --- ☒ Requested contingency item
- e. An executed quit-claim deed with a deed restriction addressing the maintenance of any drainage facilities, drainage easements, rights-of-way etc., may be required, if applicable. Such deed is to be recorded at the time of recording of the plat, with all recording fees being at the expense of the applicant. ☐ Provided (marked as Exhibit 44.e.1) --- ☒ Requested contingency item
- f. Properly executed Ratification, Consent and Release Forms will be required for any outstanding mortgages, deeds of trust, liens, judgments or the like. ☐ Provided (marked as Exhibit 44.f.1) --- ☒ Requested contingency item
45. A submittal fee of \$ 1625.00 is attached to this application (Check # _____ ☐ cash).

By signing this Application, the Applicant, or the agent/representative acting with due authorization on behalf of the Applicant, hereby certifies that all information contained in the application and any attachments to the Application, is true and correct to the best of Applicant's knowledge and belief.

Applicant understands that any required private or public improvements imposed as a contingency for approval of the application may be required as a part of the approval process.

Fremont County hereby advises Applicant that if any material information contained herein is determined to be misleading, inaccurate or false, the Board of Commissioners may take any and all reasonable and appropriate steps to declare actions of the Board regarding the Application to be null and void.

Signing this Application is a declaration by the Applicant to conform to all plans, drawings, and commitments submitted with or contained within this Application, provided that the same is in conformance with the Fremont County Zoning Resolution.

<u>Travis Jenkins</u>	<u></u>	<u>10-4-23</u>
Applicant Printed Name	Signature	Date
<u>Travis Jenkins</u>	<u></u>	<u>10-4-23</u>
Owner Printed Name	Signature	Date



FNTC
Doc Fee: \$9.70

Order No.: 330-F03777-23

Rerecord to correct recorded
date with document date.

SPECIAL WARRANTY DEED

THIS DEED, Made this 12th day of April, 2023, between

Patrica A. See

grantor(s), and

Travis L. Jenkins and Rebecca S. Jenkins, as joint tenants

whose legal address is 1195 Top Notch Trail, Penrose, CO 81240

grantee(s);

WITNESS, That the grantor(s), for and in consideration of the sum of **Ninety-Seven Thousand And No/100 Dollars (\$97,000.00)**, 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(s), their heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of Fremont, State of COLORADO, described as follows:

Tract 57, Section 2, Township 19 South, Range 68 West of The 6th P.M., The Beaver Land and Irrigation Company, Plat No. 3,
County of Fremont, State of Colorado.

also known by street and number as **11th Street Vacant Lot, Penrose, CO 81240**

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(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances except for taxes for the current year, a lien but not yet due and payable, subject to statutory exceptions as defined in CRS 38-30-113, revised.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee(s), their heirs, and assigns forever. The grantor(s), for themselves, their heirs and personal representatives or successors, does covenant and agree that they shall and will **WARRANT AND FOREVER DEFEND** the above bargained premises in the quiet and peaceable possession of the grantee(s), their heirs and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the grantor(s).

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(s) has executed this deed on the date set forth above.

GRANTOR:

Patrica A. See

STATE OF

CO CA

COUNTY OF

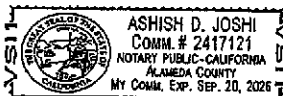
FREMONT SANTA CRUZ

The foregoing instrument was acknowledged before me this 5th day of April, 2023, by Patrica A. See.

Notary Public

My Commission Expires: 09/20/2026

(SEAL)





FNTC
Doc Fee: \$9.70

Order No.: 330-F03777-23

SPECIAL WARRANTY DEED

THIS DEED, Made this 12th day of April, 2023, between

Patrica A. See

grantor(s), and

Travis L. Jenkins and Rebecca S. Jenkins, as joint tenants

whose legal address is **1195 Top Notch Trail, Penrose, CO 81240**

grantee(s);

WITNESS, That the grantor(s), for and in consideration of the sum of **Ninety-Seven Thousand And No/100 Dollars (\$97,000.00)**, 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(s), their heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of Fremont, State of COLORADO, described as follows:

Tract 57, Section 2, Township 19 South, Range 68 West of The 6th P.M., The Beaver Land and
Irrigation Company, Plat No. 3,
County of Fremont, State of Colorado.

also known by street and number as **11th Street Vacant Lot, Penrose, CO 81240**

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(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances except for taxes for the current year, a lien but not yet due and payable, subject to statutory exceptions as defined in CRS 38-30-113, revised.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee(s), their heirs, and assigns forever. The grantor(s), for themselves, their heirs and personal representatives or successors, does covenant and agree that they shall and will **WARRANT AND FOREVER DEFEND** the above bargained premises in the quiet and peaceable possession of the grantee(s), their heirs and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the grantor(s).

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(s) has executed this deed on the date set forth above.

GRANTOR:

Patrica A. See

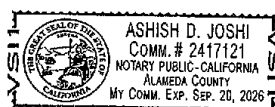
STATE OF CO CA
COUNTY OF FREMONT SANTA CRUZ

The foregoing instrument was acknowledged before me this 5th day of April, 2023, by Patrica A. See.

Notary Public

My Commission Expires: 09/20/2026

(SEAL)



600
432

WARRANTY DEED

\$5.50

THIS DEED, Made this 22nd day of November, 2002, between
RONALD J. KLENNERT AND EVELYN K. KLENNERT

STATE DOCUMENTARY FEE
Date NOV 26 2002
Amount \$ 5.50

of the said County of Fremont and State of Colorado, grantor, and
PATRICA A. SEE

whose legal address is 1564 HUSTED AVENUE
SAN JOSE, CA 95125

DECLARATION ATTACHED

of the said County of and State of CALIFORNIA, grantee:

WITNESSETH, That the grantor for and in consideration of the sum of Ten dollars and other good and valuable consideration DOLLARS, 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 said County of FREMONT and State of Colorado described as follows:

TRACT 57, SECTION 2, TOWNSHIP 19 SOUTH, RANGE 68 WEST OF THE 6TH P.M.,
THE BEAVER LAND AND IRRIGATION COMPANY, PLAT NO. 3, FREMONT COUNTY, COLORADO.

also known by street and number as: 11TH STREET, PENROSE, CO 81240

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

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee, his heirs and assigns forever. And the grantor, for himself, his heirs, and personal representatives, does covenant, grant, bargain, and agree to and with the grantee, his heirs and assigns, that at the time of the 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 2002 taxes and all subsequent years, restrictions, reservations, covenants, easements and rights-of-way of record, if any.

The grantor shall and will WARRANTY 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.

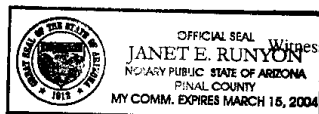

RONALD J. KLENNERT


EVELYN K. KLENNERT

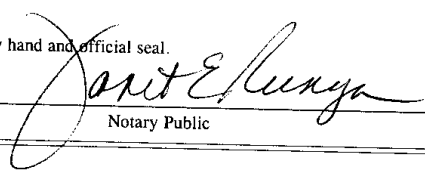
State of ARIZONA)
County of Pinal) ss.

The foregoing instrument was acknowledged before me this 22nd day of November, 2002, by RONALD J. KLENNERT AND EVELYN K. KLENNERT

My commission expires
3/15/07



Witness my hand and official seal.


Notary Public



Stewart Title Company dba Unified Title, A
Division of Stewart
120 N. 9th St, Ste A
Canon City, CO 81212
(719) 275-2435
Fax:

Date: October 17, 2023
File Number: 2087499-IO
Property Address: TBD 11th Street, Canon City, CO 81212
Buyer/Borrower: Information only title commitment

Please direct all Title inquiries to:

Lori Plank

Phone:

Fax:

Email Address: LPlank@unifiedtitle.com

Information only title commitment

Delivery Method: Emailed

Travis L. Jenkins

Rebecca S. Jenkins

Delivery Method: Emailed

WIRED FUNDS ARE REQUIRED ON ALL CASH PURCHASE TRANSACTIONS. PLEASE FEEL FREE TO CONTACT THE ESCROW OFFICE AS NOTED ABOVE.

We Appreciate Your Business and Look Forward to Serving You in the Future.



COMMITMENT CONDITIONS

1. DEFINITIONS

- a. "Discriminatory Covenant": Any covenant, condition, restriction, or limitation that is unenforceable under applicable law because it illegally discriminates against a class of individuals based on personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or other legally protected class.
- b. "Knowledge" or "Known": Actual knowledge or actual notice, but not constructive notice imparted by the Public Records.
- c. "Land": The land described in Item 5 of Schedule A and improvements located on that land that by State law constitute real property. The term "Land" does not include any property beyond that described in Schedule A, nor any right, title, interest, estate, or easement in any abutting street, road, avenue, alley, lane, right-of-way, body of water, or waterway, but does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- d. "Mortgage": A mortgage, deed of trust, trust deed, security deed, or other real property security instrument, including one evidenced by electronic means authorized by law.
- e. "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- f. "Proposed Amount of Insurance": Each dollar amount specified in Schedule A as the Proposed Amount of Insurance of each Policy to be issued pursuant to this Commitment.
- g. "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- h. "Public Records": The recording or filing system established under State statutes in effect at the Commitment Date under which a document must be recorded or filed to impart constructive notice of matters relating to the Title to a purchaser for value without Knowledge. The term "Public Records" does not include any other recording or filing system, including any pertaining to environmental remediation or protection, planning, permitting, zoning, licensing, building, health, public safety, or national security matters.
- i. "State": The state or commonwealth of the United States within whose exterior boundaries the Land is located. The term "State" also includes the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, and Guam.
- j. "Title": The estate or interest in the Land identified in Item 3 of Schedule A.

2. If all of the Schedule B, Part I - Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- a. the Notice;
- b. the Commitment to Issue Policy;
- c. the Commitment Conditions;
- d. Schedule A;
- e. Schedule B, Part I - Requirements;
- f. Schedule B, Part II - Exceptions; and
- g. a countersignature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company is not liable for any other amendment to this Commitment.

This page is only a part of a 2021 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a countersignature by the Company or its issuing agent that may be in electronic form.

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File No.: 2087499-IO

ALTA Commitment for Title Insurance (07-01-2021)

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T. & L. Minor Subdivision



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5. LIMITATIONS OF LIABILITY

- a. The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - i. comply with the Schedule B, Part I - Requirements;
 - ii. eliminate, with the Company's written consent, any Schedule B, Part II - Exceptions; or
 - iii. acquire the Title or create the Mortgage covered by this Commitment.
- b. The Company is not liable under Commitment Condition 5.a. if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- c. The Company is only liable under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- d. The Company's liability does not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Condition 5.a. or the Proposed Amount of Insurance.
- e. The Company is not liable for the content of the Transaction Identification Data, if any.
- f. The Company is not obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I - Requirements have been met to the satisfaction of the Company.
- g. The Company's liability is further limited by the terms and provisions of the Policy to be issued to the Proposed Insured.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT; CHOICE OF LAW AND CHOICE OF FORUM

- a. Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- b. Any claim must be based in contract under the State law of the State where the Land is located and is restricted to the terms and provisions of this Commitment. Any litigation or other proceeding brought by the Proposed Insured against the Company must be filed only in a State or federal court having jurisdiction.
- c. This Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- d. The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- e. Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- f. When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT IS ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for closing, settlement, escrow, or any other purpose.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. CLAIMS PROCEDURES

This Commitment incorporates by reference all Conditions for making a claim in the Policy to be issued to the Proposed Insured. Commitment Condition 9 does not modify the limitations of liability in Commitment Conditions 5 and 6.

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ALTA Commitment for Title Insurance (07-01-2021)

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10. CLASS ACTION

ALL CLAIMS AND DISPUTES ARISING OUT OF OR RELATING TO THIS COMMITMENT, INCLUDING ANY SERVICE OR OTHER MATTER IN CONNECTION WITH ISSUING THIS COMMITMENT, ANY BREACH OF A COMMITMENT PROVISION, OR ANY OTHER CLAIM OR DISPUTE ARISING OUT OF OR RELATING TO THE TRANSACTION GIVING RISE TO THIS COMMITMENT, MUST BE BROUGHT IN AN INDIVIDUAL CAPACITY. NO PARTY MAY SERVE AS PLAINTIFF, CLASS MEMBER, OR PARTICIPANT IN ANY CLASS OR REPRESENTATIVE PROCEEDING. ANY POLICY ISSUED PURSUANT TO THIS COMMITMENT WILL CONTAIN A CLASS ACTION CONDITION.

11. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Amount of Insurance is \$2,000,000 or less may be arbitrated at the election of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

STEWART TITLE GUARANTY COMPANY

All notices required to be given the Company and any statement in writing required to be furnished the Company shall be addressed to it at: Stewart Title Guaranty Company, P.O. Box 2029, Houston, Texas 77252-2029.

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ALTA Commitment for Title Insurance (07-01-2021)

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T. & L. Minor Subdivision



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UNDERSTANDING YOUR TITLE COMMITMENT

SCHEDULE A:

No. 1: Effective date: This is the date our title plant is certified through. There will typically be a 1-2 week gap between the certification date and the date the commitment is issued.

No. 2A : Owner's Policy Proposed Insured: This is how the buyer's name(s) appear(s) on the Contract, all Closing documents and your Final Title Policy. If your name is appearing incorrectly, please advise your Realtor, Builder and/or Lender.

No. 2B : Loan Policy Proposed Insured: This is how your lender has requested their name appear. If you are working with a Mortgage Broker, then this name may be unfamiliar to you. If a determination has not yet been made on what lender will be providing your loan, then this may appear as 'TBD' (To Be Determined). If you are paying cash for this purchase, this item will be left blank.

Charges: Title Premiums, Endorsements and Tax Certificates: These are fees for the items that the Company has determined may be required by your Lender and/or to meet the terms of your contract. Your lender may request additional items. This does not include any closing fees.

No. 3: The estate or interest in the land....: This shows the type of ownership that is going to be insured.

No. 4: The Title is, at the Commitment Date....: This shows the name(s) of the current owner(s).

No. 5: The land referred to in the Commitment....: This is the 'legal' property description for the real estate you are buying or selling.

SCHEDULE B-SECTION 1:

These are Requirements that must be satisfied in order to provide clear title to the Buyer and/or Lender. The closer and/or processor for the Title Company, will generally take care of satisfying these requirements, however there may be times when your help will be needed as well. Some requirements will be met prior to closing, and others will be met at the time of closing.

SCHEDULE B-SECTION 2:

These items are Exceptions to your coverage. We are telling you these items exist (whether by recordation in the County Clerk and Recorder's office or because we have knowledge of them through other means). Since these items have been disclosed to you, you will not be provided any coverage for same. Owner's Extended Coverage will delete Items 1-5 of the pre-printed items on Residential Sale Commitments, provided that the coverage was requested by contract and collected at closing. Copies of the plat and covenants will be automatically sent to the buyer and/or Selling Agent. We are happy to also provide you with copies of any other exceptions as well.



WIRE FRAUD

ALERT

NOTIFICATION:

READ THIS BEFORE YOU WIRE FUNDS

WIRE FRAUD: THE THREAT IS REAL

Buying a home is an exciting time. You've saved, found the perfect home and planned the move. Now, the closing day for your home is just around the corner.

We want to make sure your home purchase doesn't get derailed by a dangerous threat that could keep you from getting the keys, painting walls and decorating. Criminals have stolen money meant for the purchase of homes through malicious wire fraud schemes targeting consumers across the country.

Criminals begin the wire fraud process way before the attempted theft occurs. Most often, they begin with a common social engineering technique called phishing. This can take the form of email messages, website forms or phone calls to fraudulently obtain private information. Through seemingly harmless communication, criminals trick users into inputting their information or clicking a link that allows hackers to steal login and password information.

Once hackers gain access to an email account, they will monitor messages to find someone in the process of buying a home. Hacks can come from various parties involved in a transaction, including real estate agents, attorneys or consumers. Criminals then use the stolen information to email fraudulent wire transfer instructions disguised to appear as if they came from a professional you're working with to purchase a home. If you receive an email with wiring instructions, don't respond. Email is not a secure way to send financial information. If you take the bait, your money could be gone in minutes.

What can I do to protect myself?

Despite efforts by the title industry and others to educate consumers about the risk, homebuyers continue to be targeted. Here are some tips on what you can do to protect yourself and/or your clients:

1. **If requested**, wiring instructions will be provided via an encrypted email.
2. **Call, don't email**: Confirm all wiring instructions by phone before transferring funds. Use the phone number from the title company's website or a business card.
3. **Be suspicious**: It's not common for title companies to change wiring instructions and payment info
4. **Confirm it all**: Ask your bank to confirm not just the account number but also the name on the account before sending a wire. The name on the account should state Stewart Title Company dba Unified Title, A Division of Stewart Escrow Account.
5. **Verify immediately**: You should call the title company or real estate agent to validate that the funds were received. Detecting that you sent the money to the wrong account within 24 hours gives you the best chance of recovering your money from the hackers.
6. **Forward, don't reply**: When responding to an email, hit the "forward" button instead of clicking the "reply" button, and then start typing the person's email address. Criminals use email addresses that are very similar to the real one for a company. By typing in email addresses, you will make it easier to discover if a fraudster is after you.

ALTA COMMITMENT FOR TITLE INSURANCE (07-01-2021)

SCHEDULE A

ISSUED BY
STEWART TITLE GUARANTY COMPANY

Transaction Identification Data, for which the Company assumes no liability as set forth in Commitment Condition 5.e.:

Issuing Agent: Stewart Title Company dba Unified Title, A Division of Stewart
Issuing Office: 120 N. 9th St, Ste A, Canon City, CO 81212
Issuing Office's ALTA® Registry ID:
Loan ID Number:
Commitment Number: 2087499-IO
Issuing Office File Number: 2087499-IO
Property Address: TBD 11th Street, Canon City, CO 81212
Revision Number:

1. **Commitment Date:** October 15, 2023 at 8:00AM

2. **Policy to be issued:** **Proposed Amount of Insurance**

(a) 2021 ALTA® Owner's Policy
Proposed Insured: Information only title commitment

(b) ALTA® Loan Policy
Proposed Insured:

3. **The estate or interest in the Land at the Commitment Date is:**

FEE SIMPLE

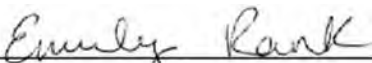
4. **The Title is, at the Commitment Date, vested in:**

Travis L Jenkins and Rebecca S. Jenkins

5. **The Land is described as follows:**

See Exhibit "A" Attached Hereto

STEWART TITLE GUARANTY COMPANY



Authorized Countersignature

STATEMENT OF CHARGES

These charges are due and payable before a policy can be issued:

Informational Commitment

\$750.00

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File No.: 2087499-IO

ALTA Commitment for Title Insurance Schedule A (07-01-2021)

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AMERICAN
LAND TITLE
ASSOCIATION



T. & L. Minor Subdivision

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ALTA COMMITMENT FOR TITLE INSURANCE (07-01-2021)

EXHIBIT "A"

LEGAL DESCRIPTION

ISSUED BY

STEWART TITLE GUARANTY COMPANY

File No.: 2087499-IO

Tract 57, Section 2, Township 19 South, Range 68 West of The 6th Principal Meridian,

The Beaver Land and Irrigation Company, Plat No. 3, County of Fremont, State of Colorado.

For Informational Purposes Only: TBD 11th Street, Canon City, CO 81212

APN: 98102008, R027669

This page is only a part of a 2021 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a countersignature by the Company or its issuing agent that may be in electronic form.

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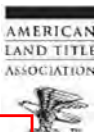
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File No.: 2087499-IO

ALTA Commitment for Title Insurance Schedule A (07-01-2021)

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ALTA COMMITMENT FOR TITLE INSURANCE (07-01-2021)

SCHEDULE B PART I

ISSUED BY
STEWART TITLE GUARANTY COMPANY

File No.: 2087499-IO

Requirements

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. NONE.
NOTE: This product is for informational purposes only. It is not a title insurance product and does not provide any form of coverage. This product is not a guarantee or assurance and does not warrant, or otherwise insure any condition, fact or circumstance. This product does not obligate this Company to issue any policies of title insurance for any subsequent transaction based on the information provided or involving the property described herein. This Company's sole liability for any error(s) relating to this product is limited to the amount that was paid for this product.
6. FOR INFORMATIONAL PURPOSES ONLY:

Warranty Deed recorded April 13, 2023, [as Reception No. 1026320](#). Warranty Deed recorded April 10, 2023, [as Reception No. 1026133](#). Warranty Deed recorded November 26, 2002, [as Reception No. 758563](#).

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ASSOCIATION



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ALTA COMMITMENT FOR TITLE INSURANCE (07-01-2021)

SCHEDULE B PART II

ISSUED BY
STEWART TITLE GUARANTY COMPANY

File No.: 2087499-IO

Exceptions

Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This Commitment and the Policy treat any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document will be excepted from coverage.

The Policy will not insure against loss or damage resulting from the terms and conditions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I - Requirements are met.
2. Rights or claims of parties in possession, not shown by the public records.
3. Easements, or claims of easements, not shown by the public records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the Land and not shown by the public records.
5. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
(a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) Minerals of whatsoever kind, subsurface and surface substances, in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not the matters excepted under (a), (b) or (c) are shown by the Public Records or listed in Schedule B.
6. Water rights, claims or title to water.
7. Any and all unpaid taxes and assessments and any unredeemed tax sales.
8. The effect of inclusions in any general or specific water conservancy, fire protection, soil conservation or other district or homeowners association or inclusion in any water service or street improvement area.
9. Rights of way for ditches, canals and laterals, and any appurtenances thereto.
10. Rights of way for irrigating ditches and laterals, all public highways as located and the right of way of the Florence and Cripple Creek Railroad Company and all oils and gases with the right to use so much of the surface as is necessary to remove the same as reserved in deed recorded June 10, 1907 in [Book 139 at Page 550](#). The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
11. Reservations and exceptions in Patents, or Acts authorizing the issuance thereof, including the reservation of the right of proprietor of a vein or lode to extract and remove his ore therefrom should the same be found to penetrate or

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File No.: 2087499-IO

ALTA Commitment for Title Insurance Schedule BII (07-01-2021)

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AMERICAN
LAND TITLE
ASSOCIATION



T. & L. Minor Subdivision

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ALTA COMMITMENT FOR TITLE INSURANCE (07-01-2021)

SCHEDULE B PART II

ISSUED BY
STEWART TITLE GUARANTY COMPANY

intersect the premises as reserved in United States Patent recorded March 12, 1886 [in Book 28 at Page 48.](#) and March 12, 1886 in Book 28 at Page 44.

12. Terms and conditions of water contract recorded July 29, 1886 [in Book 28 at Page 284.](#)
13. Reservation of a non-exclusive 30 ft wide easement for ingress and egress over, along and across on either side of all quarter section lines and property boundary lines as reserved in deed recorded March 8, 1978 [in Book 611 at Page 914.](#)
14. All matters shown on the plat of THE BEAVER LAND AND IRRIGATION CO. PLAT NO. 3 recorded August 12, 1908 [in Book 2 at Page 45.](#)
15. Deed to Department of Highways, State of Colorado recorded December 31, 1970 [in Book 530 at Page 410 as Reception No. 384702.](#)

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ALTA Commitment for Title Insurance Schedule BII (07-01-2021)

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T. & L. Minor Subdivision

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SELLERS: Travis L. Jenkins and Rebecca S. Jenkins

BUYERS: Information only title commitment

PROPERTY: TBD 11th Street, Canon City, CO 81212

DATE: _____, 2023

DISCLOSURE REGARDING FUNDS FOR CLOSING

Escrow Agent may receive other benefits from the financial institution where the funds are deposited. Based upon the deposit of escrow funds in demand deposit accounts and other relationships with the financial institution, Escrow Agent is eligible to participate in a program whereby it may (i) receive favorable loan terms and earn income from the investment of loan proceeds and (ii) receive other benefits offered by the financial institution.

AFFILIATED BUSINESS DISCLOSURE

This is to give you notice that Rocky Mountain Recording Services has a business relationship with Stewart Title Company and its affiliated and subsidiary companies. Stewart Title Company and Rocky Mountain Recording Services share common ownership. Stewart Title Company is wholly owned by Stewart Title Guaranty Company which shares the same parent company as Rocky Mountain Recording Services. Because of this relationship, this referral may provide Rocky Mountain Recording Services and Stewart a financial or other benefit.

Set forth below is the estimated charge or range of charges for the settlement services listed. You are NOT required to use the above provider as a condition for settlement of this transaction on the above referenced property. THERE ARE FREQUENTLY OTHER SETTLEMENT SERVICE PROVIDERS AVAILABLE WITH SIMILAR SERVICES. YOU ARE FREE TO SHOP AROUND TO DETERMINE THAT YOU ARE RECEIVING THE BEST SERVICES AND THE BEST RATE FOR THESE SERVICES.

Colorado Recording Fee Schedule

Processing/Verification Fee:

Per Escrow File \$30.00

E-Recording Fee:

Per Document \$5.00

Government Recording Fees:

Per Document Fees

1st Page \$13.00

Each Additional Page..... \$ 5.00

DISCLOSURES

File No.: 2087499-IO

Pursuant to C.R.S. 10-11-122, notice is hereby given that:

- A. THE SUBJECT REAL PROPERTY MAY BE LOCATED IN A SPECIAL TAXING DISTRICT;
- B. A CERTIFICATE OF TAXES DUE LISTING EACH TAXING JURISDICTION SHALL BE OBTAINED FROM THE COUNTY TREASURER OR THE COUNTY TREASURER'S AUTHORIZED AGENT;
- C. INFORMATION REGARDING SPECIAL DISTRICTS AND THE BOUNDARIES OF SUCH DISTRICTS MAY BE OBTAINED FROM THE BOARD OF COUNTY COMMISSIONERS, THE COUNTY CLERK AND RECORDER, OR THE COUNTY ASSESSOR

Note: Colorado Division of Insurance Regulations 8-1-2, Section 5, Paragraph G requires that "Every title entity shall be responsible for all matters which appear of record prior to the time of recording whenever the title entity conducts the closing and is responsible for recording or filing of legal documents resulting from the transaction which was closed." Provided that Stewart Title Company dba Unified Title, A Division of Stewart conducts the closing of the insured transaction and is responsible for recording the legal documents from the transaction, exception number 1 will not appear on the Owner's Title Policy and the Lender's Title Policy when issued.

Note: Colorado Division of Insurance Regulations 8-1-2, Section 5, Paragraph M requires that every title entity shall notify in writing that

Affirmative Mechanic's Lien Protection for the Owner may be available (typically by deletion of Exception No. 5 of Schedule B, Section 2 of the Commitment from the Owner's Policy to be issued) upon compliance with the following conditions:

- A. The land described in Schedule A of this commitment must be a single-family residence, which includes a condominium or townhouse unit.
- B. No labor or materials have been furnished by mechanics or materialmen for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months.
- C. The Company must receive an appropriate affidavit indemnifying the Company against unfilled Mechanic's and Materialmen's Liens.
- D. The Company must receive payment of the appropriate premium.
- E. If there has been construction, improvements or major repairs undertaken on the property to be purchased, within six months prior to the Date of the Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and/or the contractor; payment of the appropriate premium; fully executed Indemnity agreements satisfactory to the company; and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.

No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay.

To comply with the provisions of C.R.S. 10-11-123, the Company makes the following disclosure:

- a. That there is recorded evidence that a mineral estate has been severed, leased or otherwise conveyed from the surface estate and that there is a substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property; and
- b. That such mineral estate may include the right to enter and use the property without the surface owner's permission.

NOTE: THIS DISCLOSURE APPLIES ONLY IF SCHEDULE B, SECTION 2 OF THE TITLE COMMITMENT HEREIN INCLUDES AN EXCEPTION FOR SEVERED MINERALS.

Notice of Availability of a Closing Protection Letter: Pursuant to Colorado Division of Insurance Regulation 8-1-3, Section 5, Paragraph C (11)(f), a closing protection letter is available to the consumer.

NOTHING HEREIN CONTAINED WILL BE DEEMED TO OBLIGATE THE COMPANY TO PROVIDE ANY OF THE COVERAGES REFERRED TO HEREIN, UNLESS THE ABOVE CONDITIONS ARE FULLY SATISFIED.

STEWART TITLE GUARANTY COMPANY PRIVACY NOTICE

This Stewart Title Guaranty Company Privacy Notice ("Notice") explains how Stewart Title Guaranty Company and its subsidiary title insurance companies (collectively, "Stewart") collect, use, and protect personal information, when and to whom we disclose such information, and the choices you have about the use and disclosure of your information. Pursuant to Title V of the Gramm-Leach Bliley Act ("GLBA") and other Federal and state laws and regulations applicable to financial institutions, consumers have the right to limit some, but not all sharing of their personal information. Please read this Notice carefully to understand how Stewart uses your personal information.

The types of personal information Stewart collects, and shares depends on the product or service you have requested.

Stewart may collect the following categories of personal and financial information from you throughout your transaction:

1. Identifiers: Real name, alias, online IP address if accessing company websites, email address, account name, unique online identifier, social security number, driver's license number, passport number, or other similar identifiers;
2. Demographic Information: Marital status, gender, date of birth.
3. Personal Information and Personal Financial Information: Name, signature, social security number, physical characteristics or description, address, telephone number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, credit reports, or any other information necessary to complete the transaction.

Stewart may collect personal information about you from:

1. Publicly available information from government records.
2. Information we receive directly from you or your agent(s), such as your lender or real estate broker;
3. Information about your transactions with Stewart, our affiliates, or others; and
4. Information we receive from consumer reporting agencies and/or governmental entities, either directly from these entities or through others.

Stewart may use your personal information for the following purposes:

1. To provide products and services to you or in connection with a transaction.
2. To improve our products and services.
3. To communicate with you about our, our affiliates', and others' products and services, jointly or independently.

Stewart may use or disclose the personal information we collect for one or more of the following purposes:

- To fulfill or meet the reason for which the information is provided.
- To provide, support, personalize, and develop our website, products, and services.
- To create, maintain, customize, and secure your account with Stewart.
- To process your requests, purchases, transactions, and payments and prevent transactional fraud.
- To prevent and/or process claims.
- To assist third party vendors/service providers who complete transactions or perform services on Stewart's behalf pursuant to valid service provider agreements.
- As necessary or appropriate to protect the rights, property or safety of Stewart, our customers or others.
- To provide you with support and to respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses.
- To help maintain the safety, security, and integrity of our website, products and services, databases and other technology-based assets, and business.
- To respond to law enforcement or regulator requests as required by applicable law, court order, or governmental regulations.
- Auditing for compliance with federal and state laws, rules and regulations.

- Performing services including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by us is among the assets transferred.

Stewart will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

Disclosure of Personal Information to Affiliated Companies and Nonaffiliated Third Parties

Stewart does not sell your personal information to nonaffiliated third parties. Stewart may share your information with those you have designated as your agent throughout the course of your transaction (for example, a realtor, broker, or a lender). Stewart may disclose your personal information to a non-affiliated third party for a business purpose. Typically, when we disclose personal information for a business purpose, we enter in a contract that describes the purpose and requires the recipient to both keep that personal information confidential and not use it for any purpose except performing the contract.

We share your personal information with the following categories of third parties:

- Non-affiliated service providers and vendors we contract with to render specific services (For example, search companies, mobile notaries, and companies providing credit/debit card processing, billing, shipping, repair, customer service, auditing, marketing, etc.)
- To enable Stewart to prevent criminal activity, fraud, material misrepresentation, or nondisclosure.
- Stewart's affiliated and subsidiary companies.
- Non-affiliated third-party service providers with whom we perform joint marketing, pursuant to an agreement with them to jointly market financial products or services to you.
- Parties involved in litigation and attorneys, as required by law.
- Financial rating organizations, rating bureaus and trade associations.
- Federal and State Regulators, law enforcement and other government entities to law enforcement or authorities in connection with an investigation, or in response to a subpoena or court order.

The law does not require your prior authorization or consent and does not allow you to restrict the disclosures described above. Additionally, we may disclose your information to third parties for whom you have given us authorization or consent to make such disclosure. We do not otherwise share your Personal Information or Browsing Information with non-affiliated third parties, except as required or permitted by law.

Right to Limit Use of Your Personal Information

You have the right to opt-out of sharing of your personal information among our affiliates to directly market to you. To opt-out of sharing to our affiliates for direct marketing, you may send an "opt out" request to Privacyrequest@stewart.com, or contact us through other available methods provided under "Contact Information" in this Notice. We do not share your Personal Information with nonaffiliates for their use to direct market to you without your consent.

How Stewart Protects Your Personal Information

Stewart maintains physical, technical and administrative safeguards and policies to protect your personal information.

Contact Information

If you have questions or comments about this Notice, the ways in which Stewart collects and uses your information described herein, your choices and rights regarding such use, or wish to exercise your rights under law, please do not hesitate to contact us at:

Phone: Toll Free at 1-866-571-9270

Email: Privacyrequest@stewart.com

Postal Address: Stewart Information Services Corporation
Attn: Mary Thomas, Chief Compliance and Regulatory Officer
1360 Post Oak Blvd., Ste. 100, MC #14-1
Houston, TX 77056

Privacy Notice at Collection for California Residents

Pursuant to the California Consumer Privacy Act of 2018 ("CCPA") and the California Privacy Rights Act of 2020, effective January 1, 2023 ("CPRA"), Stewart Information Services Corporation and its subsidiary companies (collectively, "Stewart") are providing this **Privacy Notice at Collection for California Residents** ("CCPA & CPRA Notice"). This CCPA & CPRA Notice supplements the information contained in Stewart's existing privacy notice and applies solely to all visitors, users, and consumers and others who reside in the State of California or are considered California Residents as defined in the CCPA & CPRA ("consumers" or "you"). All terms defined in the CCPA & CPRA have the same meaning when used in this Notice.

Personal and Sensitive Personal Information Stewart Collects

- Publicly available information from government records.
- Deidentified or aggregated consumer information.
- Certain personal information protected by other sector-specific federal or California laws, including but not limited to the Fair Credit Reporting Act (FCRA), Gramm Leach Bliley Act (GLBA) and California Financial Information Privacy Act (FIPA).

Specifically, Stewart has collected the following categories of **personal and sensitive personal information** from consumers within the last twelve (12) months:

Category	Examples	Collected
A. Identifiers.	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver's license number, passport number, or other similar identifiers.	YES
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. Some personal information included in this category may overlap with other categories.	YES
C. Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).	YES
D. Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	YES
E. Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	YES
F. Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	YES
G. Geolocation data.	Physical location or movements.	YES

H. Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	YES
I. Professional or employment-related information.	Current or past job history or performance evaluations.	YES
J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	YES
K. Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	YES

Stewart obtains the categories of personal and sensitive information listed above from the following categories of sources:

- Directly and indirectly from customers, their designees, or their agents (For example, realtors, lenders, attorneys, brokers, etc.)
- Directly and indirectly from activity on Stewart's website or other applications.
- From third-parties that interact with Stewart in connection with the services we provide.

Use of Personal and Sensitive Personal Information

Stewart may use or disclose the personal or sensitive information we collect for one or more of the following purposes:

- To fulfill or meet the reason for which the information is provided.
- To provide, support, personalize, and develop our website, products, and services.
- To create, maintain, customize, and secure your account with Stewart.
- To process your requests, purchases, transactions, and payments and prevent transactional fraud.
- To prevent and/or process claims.
- To assist third party vendors/service providers who complete transactions or perform services on Stewart's behalf pursuant to valid service provider agreements.
- As necessary or appropriate to protect the rights, property or safety of Stewart, our customers or others.
- To provide you with support and to respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses.
- To personalize your website experience and to deliver content and product and service offerings relevant to your interests, including targeted offers and ads through our website, third-party sites, and via email or text message (with your consent, where required by law).
- To help maintain the safety, security, and integrity of our website, products and services, databases and other technology-based assets, and business.
- To respond to law enforcement or regulator requests as required by applicable law, court order, or governmental regulations.
- Auditing for compliance with federal and state laws, rules and regulations.
- Performing services including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, providing advertising or marketing services or other similar services.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by us is among the assets transferred.

Stewart will not collect additional categories of personal or sensitive information or use the personal or sensitive information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

Disclosure of Personal Information to Affiliated Companies and Nonaffiliated Third Parties

Stewart does not sell your personal information to nonaffiliated third parties. Stewart may share your information with those you have designated as your agent throughout the course of your transaction (for example, a realtor, broker, or a lender). Stewart may disclose your personal information to a third party for a business purpose.

Typically, when we disclose personal information for a business purpose, we enter into a contract that describes the purpose and requires the recipient to both keep that personal information confidential and not use it for any purpose except performing the contract.

We share your personal information with the following categories of third parties:

- a. Service providers and vendors we contract with to render specific services (For example, search companies, mobile notaries, and companies providing credit/debit card processing, billing, shipping, repair, customer service, auditing, marketing, etc.)
- b. Affiliated Companies.
- c. Parties involved in litigation and attorneys, as required by law.
- d. Financial rating organizations, rating bureaus and trade associations.
- e. Federal and State Regulators, law enforcement and other government entities

In the preceding twelve (12) months, Stewart has disclosed the following categories of personal information for a business purpose:

Category A: Identifiers

Category B: California Customer Records personal information categories

Category C: Protected classification characteristics under California or federal law

Category D: Commercial Information

Category E: Biometric Information

Category F: Internet or other similar network activity

Category G: Geolocation data

Category H: Sensory data

Category I: Professional or employment-related information

Category J: Non-public education information

Category K: Inferences

Your Consumer Rights and Choices Under CCPA and CPRA

Your Rights Under CCPA

The CCPA provides consumers (California residents as defined in the CCPA) with specific rights regarding their personal information. This section describes your CCPA rights and explains how to exercise those rights.

Access to Specific Information and Data Portability Rights

You have the right to request that Stewart disclose certain information to you about our collection and use of your personal information over the past 12 months. Once we receive and confirm your verifiable consumer request, Stewart will disclose to you:

- The categories of personal information Stewart collected about you.
- The categories of sources for the personal information Stewart collected about you.
- Stewart's business or commercial purpose for collecting that personal information.
- The categories of third parties with whom Stewart shares that personal information.
- The specific pieces of personal information Stewart collected about you (also called a data portability request).
- If Stewart disclosed your personal data for a business purpose, a listing identifying the personal information categories that each category of recipient obtained.

Deletion Request Rights

You have the right to request that Stewart delete any of your personal information we collected from you and retained, subject to certain exceptions. Once we receive and confirm your verifiable consumer request, Stewart will delete (and direct our service providers to delete) your personal information from our records, unless an exception applies.

Stewart may deny your deletion request if retaining the information is necessary for us or our service providers to:

1. Complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you.
2. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
3. Debug products to identify and repair errors that impair existing intended functionality.
4. Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
5. Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 *seq.*).
6. Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
7. Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
8. Comply with a legal obligation.
9. Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

Your Rights Under CPRA

CPRA expands upon your consumer rights and protections offered by the CCPA. This section describes your CPRA rights and explains how to exercise those rights.

Opt-Out of Information Sharing and Selling

Stewart does not share or sell information to third parties, as the terms are defined under the CCPA and CPRA. Stewart only shares your personal information as commercially necessary and in accordance with this CCPA & CPRA Notice.

Correction of Inaccurate Information

You have the right to request that Stewart correct any inaccurate information maintained about.

Limit the Use of Sensitive Personal Information

You have the right to limit how your sensitive personal information, as defined in the CCPA and CPRA is disclosed or shared with third parties.

Exercising Your Rights Under CCPA and CPRA

To exercise the access, data portability, deletion, opt-out, correction, or limitation rights described above, please submit a verifiable consumer request to us by the available means provided below:

1. Calling us Toll Free at 1-866-571-9270; or
2. Emailing us at Privacyrequest@stewart.com; or
3. Visiting <http://stewart.com/ccpa>.

Only you, or someone legally authorized to act on your behalf, may make a verifiable consumer request related to your personal information. You may also make a verifiable consumer request on behalf of your minor child, if applicable.

To designate an authorized agent, please contact Stewart through one of the methods mentioned above.

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

Stewart cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you.

Making a verifiable consumer request does not require you to create an account with

Stewart. **Response Timing and Format**

We endeavor to respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require more time (up to an additional 45 days), we will inform you of the reason and extension period in writing.

A written response will be delivered by mail or electronically, at your option.

Any disclosures we provide will only cover the 12-month period preceding the verifiable consumer request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your personal information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

Stewart does not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

Non-Discrimination

Stewart will not discriminate against you for exercising any of your CCPA and CPRA rights. Unless permitted by the CCPA or CPRA, we will not:

- Deny you goods or services.
- Charge you a different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

Record Retention

Your personal information will not be kept for longer than is necessary for the business purpose for which it is collected and processed. We will retain your personal information and records based on established record retention policies pursuant to California law and in compliance with all federal and state retention obligations. Additionally, we will retain your personal information to comply with applicable laws, regulations, and legal processes (such as responding to subpoenas or court orders), and to respond to legal claims, resolve disputes, and comply with legal or regulatory recordkeeping requirements

Changes to This CCPRA & CPRA Notice

Stewart reserves the right to amend this CCPA & CPRA Notice at our discretion and at any time. When we make changes to this CCPA & CPRA Notice, we will post the updated Notice on Stewart's website and update the Notice's effective date.

Link to Privacy Notice

Stewarts Privacy Notice can be found on our website at <https://www.stewart.com/en/privacy.html>.

Contact Information

If you have questions or comments about this notice, the ways in which Stewart collects and uses your information described herein, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

Phone: Toll Free at 1-866-571-9270

Website: <http://stewart.com/ccpa>

Email: Privacyrequest@stewart.com

Postal Address: Stewart Information Services Corporation
Attn: Mary Thomas, Chief Compliance and Regulatory Officer
1360 Post Oak Blvd., Ste. 100, MC #14-1
Houston, TX 77056



URGENT WARNING ABOUT WIRE FRAUD AND WIRING INSTRUCTIONS - PROTECT YOURSELF

Think of the large amounts of money changing hands as part of your real estate transaction. This makes you a target for criminals who send emails to home buyers and sellers and their real estate or mortgage brokers with false wiring instructions. Instead of your money being sent to the proper account, it ends up in the fraudster's account.

If a third party sends you false information and you wire your money to the account they provide, it is likely you may never recover the money. The money is just gone.

How do you avoid being scammed?

▶ To ensure receiving or sending wiring instructions in the safest manner possible, they should be obtained or delivered in person or from an initial order package you received or in the mail from your Stewart Title Company dba Unified Title, A Division of Stewart representative.

▶ Before wiring funds, always call and speak with your Stewart Title Company dba Unified Title, A Division of Stewart representative to verify instructions using the contact information you received in your initial order package or in person.

▶ Never rely on email for wiring instructions as accounts can be faked or hacked and messages can be intercepted.

If at any point during a transaction you receive changes to the wiring instructions you have been provided, this is a huge red flag. Immediately call your Stewart Title Company dba Unified Title, A Division of Stewart representative for verification. Always use a verified telephone number - never the number in the email with the wiring instructions.

Recorded at 8:00 o'clock A.M. December 31 1970 \$6.00
Reception No. 384702 Book 530 Page 410
Thelma H. Miller Recorder
Mayme Morrison, Deputy

Know All Men By These Presents

That I, or We,

BEAVER PARK COMPANY

the Grantor or Grantors,

of the and County of Fremont, and State of Colorado,
for and in consideration of the sum of TEN DOLLARS and other good and valuable considerations to the said Grantor or Grantors
in hand paid, the receipt whereof is hereby confessed and acknowledged, have granted, bargained, sold and conveyed, and by these
presents do hereby GRANT, BARGAIN, SELL AND CONVEY unto

The Department of Highways, State of Colorado,

Grantee, its successors and assigns forever, the following real property situate in the and County of Fremont
and State of Colorado, to-wit:

A tract or parcel of land, No. 3 of Grantee's Project No. F 050-3(1) containing 11.50 acres,
more or less, in the W $\frac{1}{2}$ and the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 33, Township 18 South, Range 69 West,
of the Sixth Principal Meridian, in Fremont County, Colorado, said tract or parcel being
more particularly described as follows:

Beginning at a point on the west line of the NW $\frac{1}{4}$ of Sec. 33, T. 18 S., R. 69 W.,
6th P.M., from which the SW corner of said NW $\frac{1}{4}$ bears S. 0° 05' E., a distance of 192.0
feet;

1. Thence S. 71° 53' E. a distance of 4,839.5 feet to a point on the south line
of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of said Sec. 33;
2. Thence along said south line, N. 89° 56' E., a distance of 320.5 feet to a
point on the southerly right of way line of S.H. 50 (May 1970) as recorded
in Book 316, Page 138, Fremont County records;
3. Thence along the southerly right of way line, N. 71° 53' W., a distance of
5,176.9 feet to a point on the west line of the NW $\frac{1}{4}$ of said Sec. 33;
4. Thence along said west line, S. 0° 05' E., a distance of 105.3 feet, more or
less, to the point of beginning.

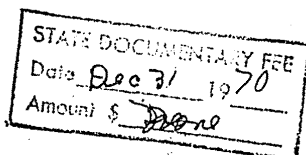
The above described parcel contains 11.50 acres, more or less, of which 0.15 acre
is in the right of way of the present road.

ALSO PARCEL NO. 5

A tract or parcel of land No. 5 of the State Department of Highways, Division of
Highways, State of Colorado, Project No. F 050-3(1) containing 25.80 acres, more or less,
in the SE $\frac{1}{4}$ of Section 34, Township 18 South, Range 69 West and the N $\frac{1}{2}$ of Section 2, and
the NE $\frac{1}{4}$ of Section 3 and the W $\frac{1}{2}$ of Section 1, Township 19 South, Range 69 West, of the
Sixth Principal Meridian, in Fremont County, Colorado, said tract or parcel being more
particularly described as follows:

Beginning at a point on the south line of the SE $\frac{1}{4}$ of Sec. 34, T. 18 S., R. 69 W.,
6th P.M., from which the SW corner of said Sec. 34 bears N. 89° 46' 30" W., a distance
of 3,394.2 feet;

(Continued)



AFTER RECORDING PLEASE MAIL TO:

The Department of Highways of the State of Colorado
Highway Office Building
4401 East Arkansas Avenue
Denver, Colorado 80222

T. & L. Minor Subdivision

ATTENTION: Right of Way Section

Home

411

1. Thence along the south line of said SE $\frac{1}{4}$, S. 89° 46' 30" E., a distance of 325.5 feet to a point on the southerly right of way line of S.H. 50 (May 1970) as recorded in Book 316, Page 141 of the Fremont County records;
2. Thence along said southerly right of way line, N. 71° 53' W., a distance of 1,167.8 feet to a point on the west line of the SE $\frac{1}{4}$ of said Sec. 34;
3. Thence along said west line, S. 0° 22' W., a distance of 105.0 feet;
4. Thence S. 71° 53' E. a distance of 826.1 feet, more or less, to the point of beginning.

The above described portion of this parcel contains 2.29 acres, more or less.

ALSO

Beginning at a point on the north line of the NE $\frac{1}{4}$ of Sec. 3, T. 19 S., R. 69 W., 6th P.M., from which the NW corner of said Sec. 3 bears N. 89° 46' 30" W., a distance of 3,394.2 feet;

1. Thence S. 71° 53' E. a distance of 2,007.9 feet to a point on the east line of said Sec. 3;
2. Thence along said east line, N. 0° 13' W., a distance of 105.3 feet to a point on the southerly right of way line of S.H. 50 (May 1970) as recorded in Book 316, Page 142, Fremont County records;
3. Thence along said southerly right of way line, N. 71° 53' W., a distance of 1,665.0 feet to a point on the north line of said Sec. 3;
4. Thence along said north line, N. 89° 46' 30" W., a distance of 325.5 feet, more or less, to the point of beginning.

The above described portion of this parcel contains 4.21 acres, more or less.

ALSO

Beginning at a point on the east line of Sec. 2, T. 19 S., R. 69 W., 6th P.M., from which the E $\frac{1}{4}$ corner of said Sec. 2 bears S. 0° 07' W., a distance of 254.8 feet;

1. Thence along said east line, N. 0° 07' E., a distance of 105.4 feet to a point on the southerly right of way line of S.H. 50 (May 1970) as recorded in Book 316, Page 143, Fremont County records;
2. Thence along said southerly right of way line, N. 71° 23' W., a distance of 2,316.8 feet;
3. Thence continuing along said southerly right of way line, on the arc of a curve to the left, having a radius of 34,280.0 feet, a distance of 299.1 feet (the chord of this arc bears N. 71° 38' W. a distance of 299.1 feet);
4. Thence continuing along said southerly right of way line, N. 71° 53' W., a distance of 3,011.1 feet to a point on the west line of said Sec. 2;
5. Thence along said west line, S. 0° 13' E., a distance of 105.3 feet;
6. Thence S. 71° 53' E. a distance of 2,977.9 feet;

(Continued)

AFTER RECORDING PLEASE MAIL TO:

The Department of Highways of the State of Colorado
Highway Office Building
4201 East Lawrence Avenue
Denver, Colorado 80222

ATTENTION: Right of Way Section

F 050-3(1)
Canon City - East
Par. 3 & 5
Page 3

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7. Thence along the arc of a curve to the right, having a radius of 34,180.0 feet, a distance of 298.3 feet (the chord of this arc bears S. 71° 38' E. a distance of 298.3 feet);
8. Thence S. 71° 23' E. a distance of 2,350.2 feet, more or less, to the point of beginning.

The above described portion of this parcel contains 12.92 acres, more or less.

ALSO

Beginning at a point on the west line of the NW $\frac{1}{4}$ of Sec. 1, T. 19 S., R. 69 W., 6th P.M., from which the SW corner of said NW $\frac{1}{4}$ bears S. 0° 07' W., a distance of 254.8 feet;

1. Thence S. 71° 23' E. a distance of 2,780.4 feet to a point on the east line of the SW $\frac{1}{4}$ of said Sec. 1;
2. Thence along said east line, N. 0° 24' W., a distance of 105.8 feet to a point on the southerly right of way line of S.H. 50 (May 1970) as recorded in Book 316, page 144, Fremont County records;
3. Thence along said southerly right of way line, N. 71° 23' W., a distance of 2,779.4 feet to a point on the west line of the NW $\frac{1}{4}$ of said Sec. 1;
4. Thence along said west line, S. 0° 07' W., a distance of 105.4 feet, more or less, to the point of beginning.

The above described portion of this parcel contains 6.38 acres, more or less.

The above described parcel contains a total of 25.80 acres, more or less.

AFTER RECORDING PLEASE MAIL TO:
The Department of Highways of the State of Colorado
Highway Office Building
4701 East Arkansas Avenue
Denver, Colorado 80222
Attn: Right of Way Section

Reserving unto the grantor all coal, oil, gas and other hydrocarbons, and all clay and other valuable minerals in and under said premises; provided, however, and the grantor hereby covenants and agrees that the grantee shall forever have the right to take and use, without payment of further compensation to the grantor, any and all sand, gravel, earth, rock, and other road building materials found in or upon said Parcel No. 3 & 5.

The grantor further covenants and agrees that no exploration for, or development of any of the products hereby reserved will ever be conducted on or from the surface of the premises hereinabove described, and that in the event any of such operations may hereafter be carried on beneath the surface of said premises, the grantor shall perform no act which may impair the subsurface or lateral support of said premises. This reservation and the covenants and agreements hereunder, shall inure to and be binding upon the grantor and its heirs, personal and legal representatives, successors and assigns forever.

Home

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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 said Grantor or Grantors, either in law or equity, of, in and to the above bargained premises, with the hereditaments and the appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the said Grantee and its successors and assigns forever. And the said Grantor or Grantors, for themselves, their heirs, executors and administrators, do covenant, grant, bargain and agree to and with the said Grantee and its successors and assigns, that at the time of the execution and delivery of these presents, they were well seized of the premises above conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in Fee Simple, and had good right, full power and lawful authority to grant, bargain, sell and convey the same in the manner and form aforesaid; that the same are free and clear from all other grants, bargains, sales, liens, taxes, assessments and encumbrances of whatever kind or nature soever, by, through or under the Grantor or Grantors; that the said Grantor or Grantors will **WARRANT AND FOREVER DEFEND** the above bargained premises in the quiet and peaceable possession of the said Grantee, and its successors and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, by, through or under the said Grantor or Grantors.

IN WITNESS WHEREOF, the said Grantor or Grantors have hereunto set their hands this 15th day of December, A.D., 19 70.

Signed in the presence of:

Attest:

BEAVER PARK COMPANY

By

Secretary

president

STATE OF

Colorado

and County of

El Paso

ss.

The foregoing instrument was acknowledged before me this 15th day of December, 19 70,

by

for BEAVER PARK COMPANY

WITNESS my hand and Official Seal,

My Commission Expires February 1, 1971

My Commission Expires:

Notary Public

STATE OF

and County of

ss.

The foregoing instrument was acknowledged before me this _____ day of _____, 19 _____,

by

WITNESS my hand and Official Seal,

My Commission Expires:

Notary Public

384702

PROJECT F 050-3(1)

LOCATION Canon City - East

PARCEL 3 & 5

SPECIAL

Warranty Deed

FROM

BEAVER PARK COMPANY

TO

The Department of Highways
State of Colorado

STATE OF COLORADO

and County of Fremont

I, the County Clerk and Recorder of the County aforesaid, do hereby certify that the within document was filed for record in my office on the 31 day of December, A.D., 1970, at the hour of 8:00 AM, and was thereafter by me duly recorded in Book 530, Page 410 of the records of my office.

Theima H. Miller

Clerk and Recorder

Deputy

Maryne Morrison

\$6.00

AFTER RECORDING PLEASE MAIL TO:

The Department of Highways of the State of Colorado
Highway Office Building
4201 East Arkansas Avenue
Denver, 22, Colorado

ATTENTION: Right of Way Section

Home

THE BEAVER LAND & IRRIGATION CO.

PLAT NO. 3

FILED WITH FREMONT COUNTY CLERK AND RECORDER CANON CITY COLORADO
AUGUST 12, 1908

Showing

Subdivisions of Land owned by The Beaver Land & Irrigation Co.
In Sections 2-11-12-13-14 and 15, T. 19 S., R. 68 W. of the 6th P.M.
Scale: 1 in = 600 ft.

KNOW ALL MEN BY THESE PRESENTS, THE BEAVER LAND AND IRRIGATION COMPANY, being the owners of the lands embraced in this Plat, being Plat No. 3 of the Beaver Park Subdivision herein contained, have duly and lawfully caused this Plat and the same to be filed in accordance with the Statute in such case made and provided. The lands embraced in this Plat are in Fremont County Colorado.

Each forty acre tract, according to the United States Government Survey, is subdivided into four equal lots or parts, each containing one-half acre, and each lot is bounded on each side of the boundary line of each forty acre tract.

Reservations also made for right of way for all necessary irrigation ditches, laterals, storm drains and necessary structures in connection therewith.

IN TESTIMONY WHEREOF, THE BEAVER LAND AND IRRIGATION COMPANY, by its duly authorized officers, have signed and sealed these presents this 12th day of August, A.D. 1908 and have caused the same to be filed with the County Clerk and Recorder, in Fremont County, Colorado.



The Beaver Land & Irrigation Co.
By C. C. Hamlin, President
Attest: Notary Public

STATE OF COLORADO) ss.
COUNTY OF FREMONT)

I, E. B. CRIDDLE, a Notary Public and for said County of Fremont and State of Colorado, do hereby certify that C. C. Hamlin, President of the Beaver Land and Irrigation Company, which is a corporation organized and existing under and by virtue of the laws of the State of Colorado, and J. M. Nelson, Secretary of said corporation, who are personally known to me to be the persons whose names are subscribed to the above instrument and who executed the same, appeared before me this day in person and acknowledged to me that they signed and delivered said instrument as their act and deed, and that the corporate seal of said The Beaver Land and Irrigation Company, and that the corporate seal attached is the corporate seal of said corporation.

My commission expires Dec 31, A.D. 1910.

Given under my hand and notarial seal this 8 day of Aug. A.D. 1908
Eugene B. Criddle, Notary



83535

STATE OF COLORADO) ss.
COUNTY OF FREMONT)

I hereby certify that this instrument was filed in my office Aug 12 1908 at 2nd o'clock P.M. and duly recorded in Book 2 Page 435.
Geo. P. Nix, Recorder

Fees \$ 7.50

8	7	6	5	4	3	2	1	8	7	6	5	4
9	10	11	12	13	14	15	16	9	10	11	12	13
24	23	22	21	20	19	18	17	24	23	22	21	20
25	26	27	28	29	30	31	32	25	26	27	28	29
40	39	38	37	36	35	34	33	40	39	38	37	36
41	42	43	44	45	46	47	48	41	42	43	44	45
56	55	54	53	52	51	50	49	56	55	54	53	52
57	58	59	60	61	62	63	64	57	58	59	60	61

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56	55	54	53	52
57	58	59	60	61
8	7	6	5	4
9	10	11	12	13
24	23	22	21	20
25	26	27	28	29
40	39	38	37	36
41	42	43	44	45
56	55	54	53	52
57	58	59	60	61

THE BEAVER LAND & IRRIGATION CO.

PLAT NO. 3

FILED WITH FREMONT COUNTY CLERK AND RECORDER CANON CITY COLORADO
AUGUST 12, 1908

Showing

Subdivisions of Land owned by The Beaver Land & Irrigation Co
In Sections 2-11-12-13-14 and 15. T. 19 S., R. 68 W. of the 6th P.M.
Scale: 1 in = 600 ft

KNOW ALL MEN BY THESE PRESENTS, THE BEAVER LAND AND IRRIGATION COMPANY, being the owners of the lands embraced in this Plat, being Plat No. 3 of the Beaver Park Subdivision herein contained, have laid out the said lands as shown upon said Plat and hereby authorize the same to be filed in accordance with the Statute in such case made and provided. The lands embraced in this Plat are in Fremont County, Colorado.

Each forty acre tract, according to the United States Government Survey, is subdivided into four equal lots or tracts, first reserving homestead roadway fifty feet in width around each forty acres, if being the understanding that 25 feet of said roadway is on each side of the boundary line of each forty acre tract.

Preservation is also made for right of way for all necessary irrigation ditches, laterals, storm drains and necessary structures in connection therewith.

IN TESTIMONY WHEREOF THE BEAVER LAND AND IRRIGATION COMPANY, by its duly authorized officers, have signed and sealed these presents this day of August A.D. 1908 and have caused the same to be filed with the County Clerk and Recorder, in Fremont County, Colorado.



The Beaver Land & Irrigation Co
By C. C. Hamilton
Att'y at Law, Water Secretary

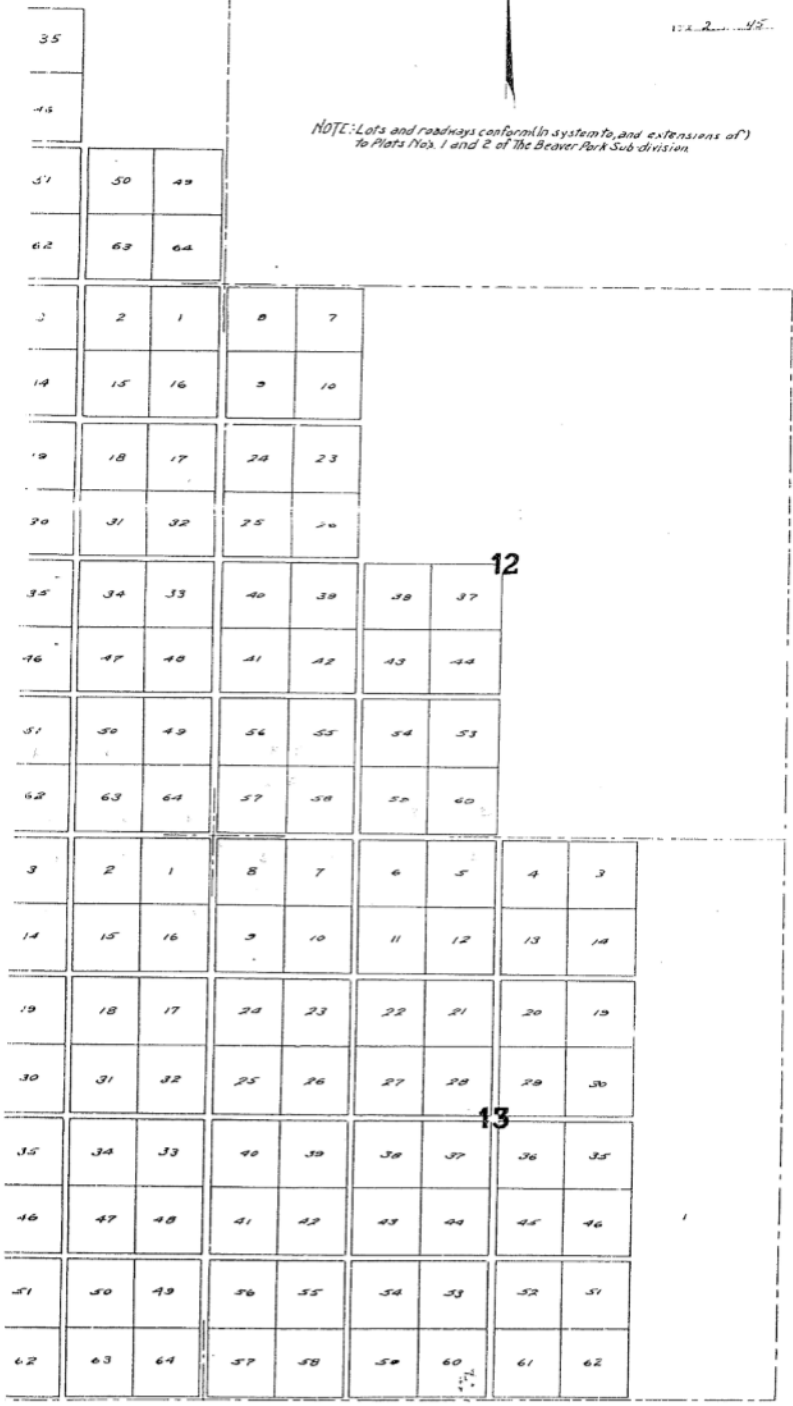
STATE OF COLORADO) ss
COUNTY OF FREMONT)
I, E. B. CRIDDLE, a Notary Public, do hereby certify that C. C. Hamilton, President of the Beaver Land and Irrigation Company, which is a corporation organized and existing under and by virtue of the laws of the State of Colorado, and J. H. Waters, Secretary of said Corporation, who are personally known to me to be the persons whose names are subscribed to the above statement and plat, and who executed the same, appeared before me this day in being and acknowledged that they signed, sealed and delivered said statement

9	10	11	12		
24	23	22	21		
25	26	27	28		
40	39	38	37	36	35
41	42	43	44	45	46
56	55	54	53	52	51
57	58	59	60	61	62
6	7	6	5	4	3
9	10	11	12	13	14
24	23	22	21	20	19



172-2-45

NOTE: Lots and roadways conform in system to, and extensions of,
to Plats Nos. 1 and 2 of The Beaver Park Sub-division.



Patent
United States
to
Charles L. M^{rs}. Intest
Filed for record at 9⁰²
clock A. M. March
12th 1886
J. A. Cleary
Recorder

The United States of America,
@1886 Mar 12 To all to whom these presents
71-36361 shall come, Greeting:
Whereas Charles L. M^{rs}. Intest of Crock-
shaw County Colorado has deposited in the General
Land Office of the United States a Certificate
of the Register of the Land Office at Pueblo
Colorado whereby it appears that full payment
has been made by the said Charles L. M^{rs}.
Intest according to the provisions of the Act of Congress of the 24th of
April, 1820, entitled "An Act making further provision for the sale of
the Public Lands," and the acts supplemental thereto, for all of section
fourteen, the East half, the North West quarter and the East half of the
South West quarter of section fifteen in township nineteen North of
Range sixty eight West of the Third Principal Meridian in Colorado,
containing twelve hundred acres, according to the Official Plat of
the Survey of the said Lands, returned to the General Land Office
by the Surveyor General, which said tract has been purchased by
the said Charles L. M^{rs}. Intest. Now know ye, That the United
States of America, in consideration of the premises, and in conform-
ity with the several Acts of Congress in such case made and pro-
vided, have given and granted, and by these presents do give and
grant, unto the said Charles L. M^{rs}. Intest and to his heirs, the said
tract above described; To Have and to Hold the same, together with
all the rights, privileges, immunities, and appurtenances, of what-
soever nature elements belonging, unto the said Charles L. M^{rs}.
Intest and to his heirs and assigns forever; subject to any water
and several water rights for mining, agricultural, manufacturing
or other purposes, and rights to ditches and reservoirs used in
connection with such water rights, as may be recognized and ac-
nowledged by the local customs, laws and decisions of courts, and also
subject to the rights of the proprietors of a mine or lode to extract and
remove the ore therefrom, should the same be found to contain
or interest the premises hereby granted, as provided by law.

In Testimony Whereof, I, Grover Cleveland
President of the United States of America, have
caused these letters to be made, Signed, and the Seal
of the General Land Office to be hereunto affixed.

Grover Cleveland
the fifth day of November, in the year of our Lord one thousand
eight hundred and eighty six, and of the Independence of the United
States the one hundred and tenth.

By the President: Grover Cleveland.
By M. M^{rs}. McLean, Secretary.

Recorded, Vol. 6. S. W. Clark
Page 324.
Recorder of the General Land Office.

Recorded the 8th day of March 1978, 1:27 P.M. EDNA HATFIELD, Recorder
Book No. 439371 Book 611 Page 914 Deputy 8.00

Warranty Deed

(STATUTORY FORM)

Know all Men by these Presents, that GOLDEN CYCLE LAND CORPORATION, a corporation of the County of EL PASO and State of COLORADO, for the consideration of One Dollar and other good and valuable considerations, in hand paid, hereby sell and convey to ROYAL GORGE ENTERPRISES, INC., a corporation of the County of Fremont and State of Colorado, and State of Colorado, to-wit:

All properties listed on attached Exhibit "A", except reserving unto Grantor a non-exclusive 30-ft. wide easement for ingress and egress, over, along and across on either side of all quarter-section lines and property boundary lines for the real property described in Exhibit "A"

STATE DOCUMENTARY FEE
Date May 8, 1978
Amount \$ 5.75

with all its appurtenances and warrant the title to the same, except taxes and assessments for the year 1978, and subsequent years, and subject to reservations, restrictions, easements, covenants of record, and except all mineral rights

Signed and delivered this 30th day of December, 1977
GOLDEN CYCLE LAND CORPORATION
By: D. E. Riley, Vice President
O. W. Broomhead, Treasurer

STATE OF _____
County of _____
The foregoing instrument was acknowledged before me this _____ day of _____, 19____, by _____
Witness my hand and official seal
My commission expires _____
NOTARY PUBLIC

STATE OF COLORADO
County of EL PASO
The foregoing instrument was acknowledged before me this 30th day of December, 1977, by D. E. Riley, Vice President and Oliver W. Broomhead, Treasurer, both of Golden Cycle Land Corporation, a corporation.
Witness my hand and official seal
My commission expires May 23, 1981
NOTARY PUBLIC

EXHIBIT "A" 915

TOWNSHIP 18 SOUTH, RANGE 68 WEST OF THE 6th P.M.:

- SECTION 4: Lot 1, Lot 2, Lot 3, Lot 4, SENEK, WISEK, SEANW, SEASEK, except a strip of land 20 feet in width through the SEASEK, as described in deed recorded in Book 52, Page 17, Fremont County Records,
- SECTION 9: ENEK, NESEK,
- SECTION 21: NWANEK, NEANW, SEANW, SENEK,
- SECTION 27: Tracts 51, 52 and 62, Section 27, Township 18 South, Range 68 West of the 6th P.M., Beaver Park Plat No. 2,
- SECTION 29: Tracts 37, 38, and that part of Tract 44 lying North of the North line of Brush Hollow Canal, Section 29, Township 18 South, Range 68 West of the 6th P.M., Beaver Park Plat No. 1, except that portion conveyed to the Department of Highways, State of Colorado as described in deed recorded August 8, 1967, in Book 493 at Page 537,

- SECTION 31: Tracts 8, 15, 26, 28, Section 31, Township 18 South, Range 68 West of the 6th P.M., Beaver Park Plat No. 1,
- SECTION 33: West 1/4 Tract 40, Section 33, Township 18 South, Range 68 West of the 6th P.M., Beaver Park Plat No. 1,
- Section 34: Tracts 3, 14, 17, 18, 19, 30, 31 and 32, Section 34, Township 18 South, Range 68 West of the 6th P.M., Beaver Park Plat No. 2,
- SECTION 35: Tract 56, Section 35, Township 18 South, Range 68 West of the 6th P.M., Beaver Park Plat No. 2,

TOWNSHIP 19 SOUTH, RANGE 68 WEST OF THE 6th P.M.

- SECTION 2: Tracts 7, 9, 10, 24, 41, 42, 43, 44, 45, 53, 54, 55, 56, 57, 58, 59, 60 and the West half (W1/2) Tract 36, Section 2, Township 19 South, Range 68 West of the 6th P.M., Beaver Park Plat No. 3, except that portion described in deed recorded December 31, 1970 in Book 530 at Page 410,
- SECTION 3: Tracts 17, 47, 48, 49, 50, 63 and 64, Section 3, Township 19 South, Range 68 West of the 6th P.M., Beaver Park Plat No. 1.

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- SECTIONS 4 & 5: Tracts 17, 18, 36, 37, 49, 50, 58, 59, 64, 65, 66, 67, 68, 69, 70, 71, 73, 74, Sections 4 and 5, Township 19 South, Range 68 West of the 6th P.M., Beaver Park Plat No. 4, except that portion of Tracts 17 and 18 deeded to Penrose Sanitation Association, a Non-Profit Colorado Corporation, as recorded in Book 543, Page 656, and also, except that portion of Tract 36 deeded to J. R. or Martha Jane McBeth by deed recorded July 14, 1944, in Book 194 at Page 538,
- Section 10: Tracts 20, 28, 29, 36, 37 and 45, Section 10, Township 19 South, Range 68 West of the 6th P.M., Beaver Park Plat No. 1, except right of way for highway,
- SECTION 11: Tracts 5, 6, 9, 10, 11, 22, 23, 24, 25, 26, 39, 40, 42, 43, 54, 55, 58, 59, and 60, Section 11, Township 19 South, Range 68 West of the 6th P.M., Beaver Park Plat No. 3,
- SECTION 14: Tracts 5, 6, 7, 10, 11, 12, 21, 22, 23, 26, 59, 27, 38, 39, 40, 43, all that part of the West half (W $\frac{1}{2}$) of Tract 44 lying South of Highway 50, as reserved in Book 316 at Page 168, all in Section 14, Township 19 South, Range 68 West of the 6th P.M., Beaver Park Plat No. 3, and except that portion of Section 14 described in Deed recorded April 5, 1921, in Book 206 at Page 409,
- SECTION 14: That portion of the West half (W $\frac{1}{2}$) Tract 53 lying North of Highway 50, Section 14, Township 19 South, Range 68 West of the 6th P.M., Beaver Park Plat No. 3,
- SECTION 15: Tracts 12, 13, 14, 19, 20, 30, 31, 32, 33, 49, and 64, Section 15, Township 19 South, Range 68 West of the 6th P.M., Beaver Park Plat No. 3, except that portion of said Tract 32 deeded to State Highway Department, State of Colorado, recorded November 1, 1948, in Book 211 at Page 411, except 30 foot strip, deeded to Fremont County by deed recorded in Book 111, page 23.
- SECTION 23: Beginning at a point 8 rods West of the Southeast corner of the SW $\frac{1}{4}$ of Section 23, Township 19 South, Range 68 West of the 6th P.M.; thence West 8 rods; thence North 10 rods; thence East 8 rods; thence South 10 rods to the point of beginning
- SECTION 25: A tract of land lying West of Beaver Creek, situate and being in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, Township 19 South, Range 68 West of the 6th P.M.

TOWNSHIP 18 SOUTH, RANGE 69 WEST OF THE 6TH P.M.

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SECTION 25: NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$, except right of way to Fremont County, as recorded in Book 240, page 195.

SECTION 34: NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$.

SECTION 36: SE $\frac{1}{4}$, except right of way to Fremont County as recorded in Book 240, page 195.

TOWNSHIP 19 SOUTH, RANGE 69 WEST OF THE 6TH P.M.

SECTION 1: SW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$, and that portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ lying North of Highway 50, as recorded in Book 530 at Page 410.

SECTION 2: SE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ lying South of Highway 50, and NE $\frac{1}{4}$ NW $\frac{1}{4}$ lying South of Highway 50, as recorded in Book 530 at Page 410.

SECTION 11: NE $\frac{1}{4}$

SECTION 12: SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ NW $\frac{1}{4}$

PAGE 3 OF EXHIBIT "A"

Recorded the 8th day of March 1978, 1:27 P.M. EDNA HATFIELD, Recorder
Book No. 439371 Book 611 Page 914 Deputy 8.00

Warranty Deed

(STATUTORY FORM)

Know all Men by these Presents, that GOLDEN CYCLE LAND CORPORATION, a corporation of the County of EL PASO and State of COLORADO, for the consideration of One Dollar and other good and valuable considerations, in hand paid, hereby sell and convey to ROYAL GORGE ENTERPRISES, INC., a corporation of the County of Fremont and State of COLORADO and State of Colorado, to-wit:

All properties listed on attached Exhibit "A", except reserving unto Grantor a non-exclusive 30-ft. wide easement for ingress and egress, over, along and across on either side of all quarter-section lines and property boundary lines for the real property described in Exhibit "A"

STATE DOCUMENTARY FEE
Date May 8, 1978
Amount \$ 5.75

with all its appurtenances and warrant the title to the same, except taxes and assessments for the year 1978, and subsequent years, and subject to reservations, restrictions, easements, covenants of record, and except all mineral rights

Signed and delivered this 30th day of December, 1977
GOLDEN CYCLE LAND CORPORATION
By: D. E. Riley, Vice President
O. W. Broomhead, Treasurer

STATE OF _____
County of _____
The foregoing instrument was acknowledged before me this _____ day of _____, 19____, by _____
Witness my hand and official seal
My commission expires _____
NOTARY PUBLIC

STATE OF COLORADO
County of EL PASO
The foregoing instrument was acknowledged before me this 30th day of December, 1977, by D. E. Riley, Vice President and Oliver W. Broomhead, Treasurer, both of Golden Cycle Land Corporation, a corporation.
Witness my hand and official seal
My commission expires May 23, 1981
NOTARY PUBLIC

EXHIBIT "A" 915

TOWNSHIP 18 SOUTH, RANGE 68 WEST OF THE 6th P.M.:

- SECTION 4: Lot 1, Lot 2, Lot 3, Lot 4, SENEK, WISEK, SEANW, SEASEK, except a strip of land 20 feet in width through the SEASEK, as described in deed recorded in Book 52, Page 17, Fremont County Records,
- SECTION 9: ENEK, NESEK,
- SECTION 21: NWANEK, NEANW, SEANW, SENEK,
- SECTION 27: Tracts 51, 52 and 62, Section 27, Township 18 South, Range 68 West of the 6th P.M., Beaver Park Plat No. 2,
- SECTION 29: Tracts 37, 38, and that part of Tract 44 lying North of the North line of Brush Hollow Canal, Section 29, Township 18 South, Range 68 West of the 6th P.M., Beaver Park Plat No. 1, except that portion conveyed to the Department of Highways, State of Colorado as described in deed recorded August 8, 1967, in Book 493 at Page 537,

- SECTION 31: Tracts 8, 15, 26, 28, Section 31, Township 18 South, Range 68 West of the 6th P.M., Beaver Park Plat No. 1,
- SECTION 33: West 1/4 Tract 40, Section 33, Township 18 South, Range 68 West of the 6th P.M., Beaver Park Plat No. 1,
- Section 34: Tracts 3, 14, 17, 18, 19, 30, 31 and 32, Section 34, Township 18 South, Range 68 West of the 6th P.M., Beaver Park Plat No. 2,
- SECTION 35: Tract 56, Section 35, Township 18 South, Range 68 West of the 6th P.M., Beaver Park Plat No. 2,

TOWNSHIP 19 SOUTH, RANGE 68 WEST OF THE 6th P.M.

- SECTION 2: Tracts 7, 9, 10, 24, 41, 42, 43, 44, 45, 53, 54, 55, 56, 57, 58, 59, 60 and the West half (W1/2) Tract 36, Section 2, Township 19 South, Range 68 West of the 6th P.M., Beaver Park Plat No. 3, except that portion described in deed recorded December 31, 1970 in Book 530 at Page 410,
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916

- SECTIONS 4 & 5: Tracts 17, 18, 36, 37, 49, 50, 58, 59, 64, 65, 66, 67, 68, 69, 70, 71, 73, 74, Sections 4 and 5, Township 19 South, Range 68 West of the 6th P.M., Beaver Park Plat No. 4, except that portion of Tracts 17 and 18 deeded to Penrose Sanitation Association, a Non-Profit Colorado Corporation, as recorded in Book 543, Page 656, and also, except that portion of Tract 36 deeded to J. R. or Martha Jane McBeth by deed recorded July 14, 1944, in Book 194 at Page 538,
- Section 10: Tracts 20, 28, 29, 36, 37 and 45, Section 10, Township 19 South, Range 68 West of the 6th P.M., Beaver Park Plat No. 1, except right of way for highway,
- SECTION 11: Tracts 5, 6, 9, 10, 11, 22, 23, 24, 25, 26, 39, 40, 42, 43, 54, 55, 58, 59, and 60, Section 11, Township 19 South, Range 68 West of the 6th P.M., Beaver Park Plat No. 3,
- SECTION 14: Tracts 5, 6, 7, 10, 11, 12, 21, 22, 23, 26, 59, 27, 38, 39, 40, 43, all that part of the West half (W $\frac{1}{2}$) of Tract 44 lying South of Highway 50, as reserved in Book 316 at Page 168, all in Section 14, Township 19 South, Range 68 West of the 6th P.M., Beaver Park Plat No. 3, and except that portion of Section 14 described in Deed recorded April 5, 1921, in Book 206 at Page 409,
- SECTION 14: That portion of the West half (W $\frac{1}{2}$) Tract 53 lying North of Highway 50, Section 14, Township 19 South, Range 68 West of the 6th P.M., Beaver Park Plat No. 3,
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- SECTION 23: Beginning at a point 8 rods West of the Southeast corner of the SW $\frac{1}{4}$ of Section 23, Township 19 South, Range 68 West of the 6th P.M.; thence West 8 rods; thence North 10 rods; thence East 8 rods; thence South 10 rods to the point of beginning
- SECTION 25: A tract of land lying West of Beaver Creek, situate and being in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, Township 19 South, Range 68 West of the 6th P.M.