

Table of Contents

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STAFF REPORT

Vacation of Public Right-of-Way
25-001 McKinley Elementary
PC Date: December 2nd, 2025
BOCC Date: January 27th, 2025

Applicant(s):

School District RE-1 – Scott Morton

Consultant(s):

3 Rocks Engineering and Surveying – Stewart L. Mapes, Jr. PLS

Purpose:

Requesting approval for a Vacation of Public Right-of-Way at 1240 McKinley Street in Cañon City.

Reasons for the proposed vacation:

This is a 16' .193 acres Right-of-Way platted for an alleyway, that crosses lots 19, 20, 21, 22, 25, 26, 27, & 28, of Macons Subdivision. It serves no transportation or utility function, the McKinley Elementary school has been developed on a portion of this alleyway on lots 21, 22, 25, and 26.

Improvements:

McKinley Elementary school is built on a portion of the right-of-way

WAIVERS:

1. Waiver of application fees.
 - Due to the public nature of this project.
2. Notification to utility companies. **This waiver is no longer requested due to the McKinley School sending notifications.**
 - Due to the utility usage of the lot(s) not changing, nor will any adjacent properties be affected by the vacation of the right-of-way

COMMENTS RECEIVED:

Fremont Conservation District

They feel the applicant should notify all relevant utility companies and the Lincoln Park Crooked Ditch Irrigation Company of the proposal.



Fremont County

Planning and Zoning Department
615 Macon Avenue, Room 210
Cañon City, CO 81212

Planning & Zoning Department Recommends Approval with the following:

1. Approval of:
 - a. Waiver Request #1 – Application Fees
 - Staff recommends a partial refund of the fees in the amount of \$560.00 and hold \$40.00 for the recording fees.
 - Receipt # 2025-09-03-KE-17644 in the amount of \$600.00.



Planning and Zoning Department

615 Macon Avenue Room 210, Canon City, Colorado

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

Email planning@fremontcountyco.gov

December 2, 2025

Scott Morton
101 14th Street
Canon City, CO. 81212

SUBJECT: VPR 25-001 McKinley Elementary School

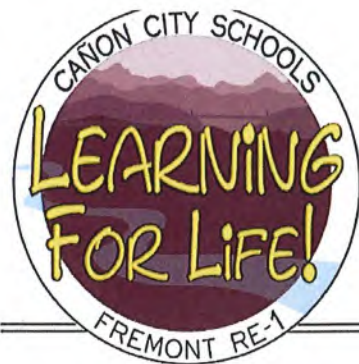
At the regular Planning Commission meeting on December 2, 2025, the **Fremont County Planning Commission** recommended **approval** of your request for a **Vacation of Public Right of Way** with the following waivers:

Waivers:

1. Notification to utility companies.
 - Due to the utility usage of the lot(s) not changing, nor will any adjacent properties be affected by the vacation of the right-of-way.
2. Waiver of application fees.
 - Due to the public nature of this project.

If you have any questions, please contact the Department of Planning and Zoning.
FREMONT COUNTY.

Dan Victoria,
Planning Director



CANON CITY SCHOOLS

SCHOOL DISTRICT FREMONT RE-1

101 North 14th Street
Cañon City, Colorado 81212

Phone (719) 276-5700
Fax (719) 276-5739

ADMINISTRATIVE STAFF

ADAM HARTMAN
Superintendent of Schools
DAN COPPA
Director of Technology
JAMIE DAVIS
Director of Human Resources
GLENN HAYES
Chief Financial Officer
SCOTT MORTON
Director of Operations
TIM RENN
Director of Special Services
BRIAN ZAMARRIPA
Director of Curriculum & Assessment

September 25, 2025
Department of Planning and Zoning
Fremont County
615 Macon Ave
Room 210
Cañon City, CO 81212

Re: Property Owner Letter of Authorization

McKinley Elementary School, Vacation of Public Right-of-Way

I, Scott Morton, as Director of Operations of Cañon City Schools hereby certify that I am the authorized representative of the land described in the attached Legal Description, and do hereby authorize myself to process this land use application on behalf of the subject property.

I understand that in the review of this project, by providing this authorization, I will allow County staff to enter the subject property for purposes of evaluating this land use request, as the specifics of this application may require.

I also understand that as part of the review of this project, the County may find it necessary to outsource certain aspects for review. Although it is anticipated that any fees associated with review of this project by outside referral agencies is to be paid by the applicant, as property owner, I understand that if unpaid by the applicant, it is the subject property itself which encumbers the ultimate responsibility for repayment of those fees.

Signature of Property Representative

Print Name: Scott Morton

Address: 1030 S. 4th Street, Cañon City, CO 81212

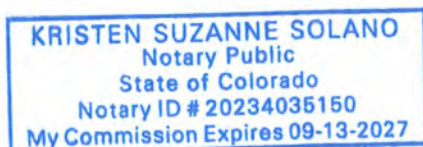
Phone Number: (719) 276-5812

STATE OF COLORADO)
)ss.
COUNTY OF Fremont)

The foregoing instrument was acknowledged before me this 25th day of September, 2025,
by Scott Morton (Representative), as Director of Operations (Title),
of Cañon City Schools (Owner).

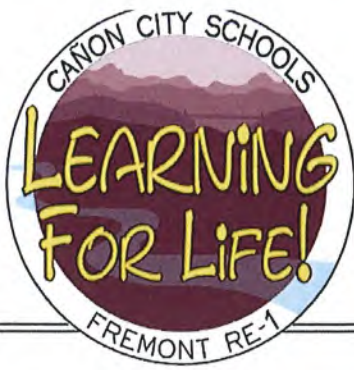
My Commission Expires: 9/13/2027

(SEAL)



Notary Public

[Table of Contents](#)



CANON CITY SCHOOLS

SCHOOL DISTRICT FREMONT RE-1

101 North 14th Street
Cañon City, Colorado 81212

Phone (719) 276-5700
Fax (719) 276-5739

ADMINISTRATIVE STAFF

ADAM HARTMAN
Superintendent of Schools
DAN COPPA
Director of Technology
JAMIE DAVIS
Director of Human Resources
GLENN HAYES
Chief Financial Officer
SCOTT MORTON
Director of Operations
TIM RENN
Director of Special Services
BRIAN ZAMARRIPA
Director of Curriculum & Assessment

September 25, 2025
Department of Planning and Zoning
Fremont County
615 Macon Ave
Room 210
Cañon City, CO 81212

Re: Detailed Statement
McKinley Elementary School, Vacation of Public Right-of-Way

The proposed vacation of the 16-foot unused alleyway at McKinley Elementary School consolidates the school lot for efficient use, as it serves no transportation or utility function and was developed as if nonexistent. The public will not be adversely affected, as the ROW does not provide access or utilities.

Thank you,

Scott Morton
Director of Operations
Cañon City Schools
1030 South 4th Street
Cañon City, CO 81212
(719) 276-5812
scott.morton@canoncityschools.org

[Table of Contents](#)



FREMONT COUNTY VACATION OF RECORDED PUBLIC RIGHT-OF-WAY (ROW) APPLICATION

1. Project Name: McKinley Elementary School Vacation of Public Right-of-Way
2. Applicant: School District RE-1 Address: 101 14th St
ATTN: Scott Morton
City: Cañon City State: CO Zip Code: 81212
Telephone #: 719.276.5812 Facsimile #: _____
3. Consultant: 3 Rocks Engineering & Survey Address: 430 Main St
City: Cañon City State: CO Zip Code: 81212
Telephone #: 719.430.5333 Facsimile #: _____

Please read prior to completion of this application

No Vacation of Recorded Public ROW (VPR) Application which has been denied by the Fremont County Board of County Commissioners (Board) within the past two (2) years can be resubmitted unless there is valid new evidence or a substantial change in circumstances of the original application.

As with all land use applications, payment of associated fees does not insure approval of the application.

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, five (5) copies, and an electronic copy (either CD or flash/thumb drive)** of the application and all of its attachments (*copies of deeds, contracts, leases etcetera are acceptable*) at the time of application submittal along with the application fee, set as per Resolution of the Board. Submittals shall be made to the Department no later than 3:00 pm on the submittal deadline date.

After an adequate submittal, the Department will review the application and all attachments and prepare a Department Submittal Deficiency and Comment Letter (D & C Letter), which will state the submittal deficiencies which must be addressed by the applicant, Department comments and / or questions about the application and 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 12 would be marked - Exhibit VPR-12.1, the fifth attached document supporting the narrative provided for application item 12 would be marked - Exhibit VPR-12.5*). Exhibit numbers should be placed in the lower right hand area of the exhibit.

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, the contingencies shall be provided to the Department within six (6) months of the approval date. If not, the approval shall be deemed rescinded and the

application expired. Re-submittal of the entire application, including fees, and procedural requirements, including public meetings and notices would be required.

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.

Note: If the application for vacation is approved, current regulations require a boundary or lot line adjustment, and the deed(s) of record for the lot(s) or parcel(s) shall include the vacated ROW.

For specific regulatory requirements the applicant should refer to the appropriate sections of the Fremont County Zoning Resolution (FCZR) and the Fremont County Subdivision Regulations. In addition, consideration shall be given to the Fremont County Master Plan, in the review of VPR applications.

For further reference the Fremont County Zoning Resolution (FCZR) 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>

and the Fremont County Master Plan may be viewed on the Internet at

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

4. Provide a detailed statement describing the reasons for the proposed vacation of recorded public ROW. Discuss why the public will not be adversely affected by the proposed vacation. The more information provided, the easier it will be for the Department, Commission, Board and Public to understand and review the request.

The proposed vacation of the 16-foot unused alleyway at McKinley Elementary

School consolidates the school lot for efficient use, as it serves no

transportation or utility function and was developed as if nonexistent. The

public will not be adversely affected, as the ROW does not provide access or

utilities.

5. What is the description of the ROW to be vacated? Provide ROW name, width, length from one known point to a second known point. See exhibit.

If the description is long, an attachment can be made marked as Exhibit VPR-5.1. ☒ An exhibit has been attached.

6. What is the general location of the ROW to be vacated? _____

The general location of the ROW is located south of lots 19-22 and north of lots 25-28 of Macon's Subdivision.

7. Does the ROW provide access to Federal or State land (BLM, DOW, etc.)? ☐ Yes --- ☒ No If yes, please explain. _____

8. Will the vacation of this ROW land-lock any parcel? ☐ Yes --- ☒ No If yes, please explain. _____

9. Is the ROW improved? ☐ Yes --- ☒ No If yes, please explain. _____

10. Is the ROW maintained by the County? ☐ Yes --- ☒ No

11. Does the ROW contain utility improvements? ☐ Yes --- ☒ No If yes, please list the improvements. _____

12. Does the ROW provide access to a State or Federal ROW? ☐ Yes --- ☒ No If yes, please list the State or Federal ROW(s). _____

13. A copy of the recorded document which dedicates the ROW to the public or to Fremont County shall accompany this application marked as Exhibit VPR-13.1. ☒ An exhibit has been attached.

14. What is the total acreage of the ROW to be vacated? 0.193 acres

15. What is the current zoning of the lots adjoining the ROW to be vacated? R1

16. Is the ROW located within the Urban Growth Boundaries or other areas of influence of any municipality? ☒ Yes --- ☐ No If yes, please identify the municipality and area(s) of influence.
Urban Growth Planning District

If yes, does the proposed vacation meet the requirements of the municipality influence area, Urban Growth Boundary policies and Master Plan document? ☒ Yes --- ☐ No Please explain
It supports efficient urban land use by consolidating the lot, and has no impact on utilities or transportation networks, aligning with the district's goals for compatibility and public safety.

17. Does the ROW lie within three (3) miles of any municipal boundary line and / or a county boundary line? ☒ Yes --- ☐ No If yes, please identify the entity(s). _____
Cañon City, Brookside and Williamsburg Municipal Boundaries

If yes, does the proposed vacation meet the requirements of the Three Mile Transportation Plan of the municipality? ☒ Yes --- ☐ No Please explain _____
The proposed vacation complies with Cañon City's Three Mile Transportation Plan as it serves no transportation or utility function.

18. The **purpose** of the Fremont County Zoning Resolution is to promote the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Fremont County, including lessening the congestion of the streets or roads, or reducing the waste of excessive amounts of roads; and protecting both urban and non-urban development. Please provide a statement explaining how the proposed vacation complies with this purpose. _____

The proposed vacation consolidates the school lot for efficient use. It eliminates an unnecessary right-of-way, aligning with the goal of reducing unneeded infrastructure. This supports orderly urban development, consistent with the Fremont County Zoning Resolution's purpose.

19. **Fremont County Master Plan Approval Criteria:** The proposed vacation should comply with the "Goals, Objectives and Implementation Strategies", in general, of the Transportation Category in Chapter Four of the Fremont County Master Plan. The applicant is familiar with said document and feels that the proposed vacation is in compliance with the document. ☒ Yes --- ☐ No Please explain. Specifically address Objective A6 which states "The County will not encourage vacating of existing roadways, especially if this action would inhibit public access." _____

The proposed vacation complies as it eliminates unneeded infrastructure without impacting public access or transportation functions. The vacation does not inhibit public access since the alleyway is unused, unconnected to any transportation network, and serves no public purpose.

20. **MASTER PLAN - PLANNING DISTRICTS** - The Fremont County Master Plan divides the County into six distinctive planning districts, with objectives and strategies for each planning district that will be used in review of VPR applications as a portion of the justification that the proposed project would meet the intent of the Master Plan. An attachment, marked as Exhibit VPR-20.1, that addresses how the proposed VPR will meet the objectives and strategies of the Planning District in which the subject property is located shall be provided. Specifically address the requirement that the proposed vacation will not place a burden on the existing transportation system or impact future development.

In which Planning District is the proposed project site located?

- ☒ District One - The Urban Growth District ☐ District Two - The Penrose/Beaver Park District
☐ District Three - The Mountain District ☐ District Four - The Royal Gorge Impact District
☐ District Five - The Arkansas Valley District ☐ District Six - The Plains District

☒ An exhibit has been attached.

21. Six (6) full size and six (6) reduced (8½"x11" or 11"x17") copies of a site plan drawing, drawn to professional standards, to include, at a minimum, the following (*the Department, Commission or Board can require additional information*) (*More than one sheet may be used if it is easier to express the required information, provided they are adequately labeled for identification*):

- Drawing size: twenty-four (24) inches by thirty-six (36) inches or eighteen (18) inches by twenty-four (24) inches;
- Drawing scale, unless a different scale is approved by the Department prior to submittal: minimum scale of 1"=100';

- c. In the case of multiple sheets, a key map showing the relationship of the individual sheets shall be provided on each sheet;
 - d. Appropriate title (A VACATION OF *[name of right-of-way and / or description]*);
 - e. The drawing subtitle shall include specific references to the original plat, location of the vacation and the extent of the vacation.
 - f. A note table with each note being individually labeled.
 - g. A legend table with each symbol and line pattern being identified.
 - h. Complete legal description and acreage of ROW to be vacated;
 - i. Written and graphic scale;
 - j. North Point;
 - k. Public ROW to be vacated shall be illustrated by cross hatching or other method approved by the Department. In addition, the ROW to be vacated should be noted on the drawing.
 - l. The ROW to be vacated shall include all dimensions, etcetera;
 - m. All lots, parcels, or tracts adjoining the ROW to be vacated, along with the zoning classification for each;
 - n. A vicinity map to locate the proposed vacation in relation to surrounding areas, streets, etc.;
 - o. The drawing shall indicate by statement or note how title to the vacated right-of-way will be vested upon vacation.
 - p. Date of preparation and dates of revision, if necessary.
22. At least fourteen (14) days prior to the Commission meeting, the Applicant or his representative shall be responsible for mailing notice of the meeting dates of the Commission and Board (*see FCSR XV.G.1*) to all adjoining property owners, by certified mail, postage prepaid, return receipt requested to the Department, on a form provided by the Department. The notice shall state that the property owner(s) may appear in person or by a designated representative, or if unable to attend, may submit a written statement expressing their comments on the submission. In addition, a vicinity map locating the ROW to be vacated shall be enclosed with the letter to adjoining property owners. A list of names, mailing addresses, and Assessor's Parcel Numbers for all adjoining property owners shall be attached to this application and marked as Exhibit VPR-22.1. ☒ An exhibit has been attached.
23. At least fourteen (14) days prior to the Commission meeting, the proposed vacation shall be posted. The sign shall be not less than three (3) feet by three (3) feet in size with letter size being no smaller than two (2) inches in height. The notice shall be legible and on durable material and shall be waterproof. The sign shall state the following: The date and place of the Commission meeting and the Board meeting, the type of hearing to be held, the public authority (Planning Commission and Board of County Commissioners) considering the vacation and the location and telephone number of the Department where additional information can be obtained. The notice shall be posted continuously for at least fourteen (14) days prior to the Commission meeting. If sign is destroyed, non-readable etc., re-posting will be required. The sign shall be posted in plain sight, no further than fifteen (15) feet from the public right-of-way providing access to the property, and on the subject property. The sign shall be readable from the public right-of-way. The Department shall be notified when the posting is completed.
24. In accordance with the Fremont County Subdivision Regulations (*XVI.H.2.*) proof shall be provided (*certified mail with return receipt*) that all individuals and entities having any rights of record easements and all applicable utility companies were notified of this application. The notification

shall include a form letter provided by the Department and a copy of the proposed plat provided by the applicant. The person(s) and / or entity(s) receiving such notice shall have ten days from the date of receipt to respond in writing to the Department with any comments regarding the proposed vacation. Please provide a copy of the certified mail receipts and letter mailed to each entity and mark as Exhibit VPR 24.1. ☒ An exhibit has been attached.

Water source _____	Mail date _____	Received date _____
Sanitation source _____	Mail date _____	Received date _____
Electric source _____	Mail date _____	Received date _____
Natural gas source _____	Mail date _____	Received date _____
Telephone source _____	Mail date _____	Received date _____
Cable Television source _____	Mail date _____	Received date _____
Irrigation source _____	Mail date _____	Received date _____
Right of easement _____	Mail date _____	Received date _____
Other required notice _____	Mail date _____	Received date _____

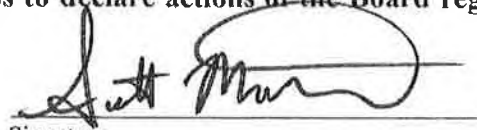
25. A submittal fee of \$ _____ is attached to this application (Check # _____ ☐ cash)

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.

Fremont County hereby advises Applicant that if the application for vacation is approved, current regulations require a boundary or lot line adjustment, and the deed(s) of record for the lot(s) or parcel(s) shall include the vacated ROW.

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.

Scott Morton
Property Owner Printed Name


Signature

7/17/25
Date

EXHIBIT A

Page 1 of 1

July 1, 2025

PROPERTY DESCRIPTION

A PORTION OF THE ALLEY BETWEEN LOTS 19, 20, 21, 22, & 25, 26, 27, 28, MACONS SUBDIVISION, RECORDED UNDER RECEPTION NUMBER 020927, LOCATED IN THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 19 SOUTH, RANGE 70 WEST OF THE 6TH/ PRINCIPAL MERIDIAN, COUNTY OF FREMONT, STATE OF COLORADO, WITH ALL THE BEARINGS CONTAINED HEREIN BASED UP ON A BEARING OF N89°50'34"E, AS MEASURED BETWEEN THE NORTHWEST CORNER OF SAID SECTION 3, BEING MARKED ON THE GROUND BY A FOUND NO. 6 REBAR, WITH A 3-1/4"; ALUMINUM CAP, STAMPED "2024 PLS 38534", MARKED ACCORDINGLY, IN A MONUMENT WELL, FOUND IN PLACE, AND AT THE NORTH QUARTER CORNER OF SAID SECTION 3, BEING MARKED ON THE GROUND BY A 3-1/4"; ALUMINUM CAP, STAMPED "2024 PLS 38534, MARKED ACCORDINGLY, IN A MONUMENT WELL, FOUND IN PLACE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 3; THENCE S72°50'17"E, A DISTANCE OF 1078.93 FEET, TO THE SOUTHWEST CORNER OF SAID LOT 22, BEING THE **POINT OF BEGINNING**;

THENCE ALONG THE SOUTH LINES OF SAID LOTS 22, 21, 20, & 19, N89°50'34"E, A DISTANCE OF 520.59 FEET;

THENCE LEAVING SAID SOUTH LINE, S39°40'13"E, A DISTANCE OF 20.74 FEET, TO A POINT ON THE NORTH LINE OF SAID LOT 28;

THENCE ALONG THE NORTH LINES OF SAID LOTS 28, 27, 26, & 25, S89°50'34"W, A DISTANCE OF 533.79 FEET, TO THE NORTHWEST CORNER OF SAID LOT 25;

THENCE LEAVING SAID NORTHWEST CORNER, N00°07'54"W, A DISTANCE OF 16.00 FEET, TO THE **POINT OF BEGINNING**.

CONTAINING 8,433 SQUARE FEET OR 0.193 ACRES, MORE OR LESS.

Stewart L. Mapes, Jr.

P.L.S. No. 38245

July 1st, 2025

Dan Victoria
Director
Fremont County
Room 210
615 Macon Avenue
Cañon City, CO 81212

Re: Exhibit VPR 20.1 - McKinley Elementary School Vacation of Recorded Public Right-of-Way

Dan Victoria,

The vacation supports efficient land use by consolidating the school lot and aligns with community facility goals without affecting utilities or access. It places no burden on the transportation system, as the alleyway is unconnected and unused. It facilitates future school improvements, supporting urban development without impacting adjacent properties.

Please let me know if you have any further questions, comments, or concerns.

Thank you,

Stewart L. Mapes, Jr., PLS
Survey Team Leader
719-430-5333
stewartm@3rocksenineering.com
3 Rocks Engineering & Surveying

July 1st, 2025

Dan Victoria
Director
Fremont County
Room 210
615 Macon Avenue
Cañon City, CO 81212

Re: Exhibit VPR 22.1 - McKinley Elementary School Vacation of Recorded Public Right-of-Way

Dan Victoria,

See next page for adjoining property owner information.

Thank you,

Stewart L. Mapes, Jr., PLS
Survey Team Leader
719-430-5333
stewartm@3rocksenengineering.com
3 Rocks Engineering & Surveying

Owner Name(s)	Mailing Address	Assessor's Parcel Number
ANDERSON KENNETH & VELDA LIVING TRUST	1509 COLORADO AVE CANON CITY, CO 81212-4510	3941032001016
MOORE BREANNE	1508 SHERMAN AVE CANON CITY, CO 81212-4381	3941032001012
HOLSAN JOHN E JR	P O BOX 920 CANON CITY, CO 81215-0920	3941032001013
PORTER DONITA RAE	1500 SHERMAN AVE CANON CITY, CO 81212-4381	3941032001014
TIPTON PHILIP R & MOLDALEEN M LIVING TRUST	1010 GARFIELD ST CANON CITY, CO 81212-4363	3821343000024
MILES DUANE JR & TANNA	1438 SHERMAN AVE CANON CITY, CO 81212	3941032000001
TOPONCE H CULLEN & MARY A	1221 MC KINLEY ST CANON CITY, CO 81212-4449	3941032000005
CUPP HARRY ROBERT	1261 MC KINLEY ST CANON CITY, CO 81212-4449	3941032002004
VALADEZ MARTIN	1301 MCKINLEY ST CANON CITY, CO 81212-4451	3941032002005
LEWIS CHRISTOPHER	1305 MCKINLEY ST CANON CITY, CO 81212-4451	3941032004011
JONES TAMMY LYNNE	1304 MC KINLEY ST CANON CITY, CO 81212-4452	3941032005007
ROYER ANTHONY J & SHELENE FAY	1502 COLORADO AVE CANON CITY, CO 81212-4511	3941032005006
PHILLIPS STEPHEN JOHNS	1506 COLORADO AVE CANON CITY, CO 81212-4511	3941032005027
MC GAHAN JERRY L & PAMALA K	1510 COLORADO AVE CANON CITY, CO 81212-4511	3941032005025
HENDRICKSON DANIEL L	1512 COLORADO AVE CANON CITY, CO 81212-4511	3941032005023

July 1st, 2025

Dan Victoria
Director
Fremont County
Room 210
615 Macon Avenue
Cañon City, CO 81212

Re: Exhibit VPR 24.1 - McKinley Elementary School Vacation of Recorded Public Right-of-Way

Dan Victoria,

We request a waiver from the requirement to notify utility companies and entities with rights of record easements for the proposed vacation of the 16-foot unused alleyway running east-west through the McKinley Elementary School lot as the utility usage of the lot(s) will not change, nor will any adjacent properties be affected by the vacation of the ROW.

Please let me know if you have any further questions, comments, or concerns.

Thank you,

Stewart L. Mapes, Jr., PLS
Survey Team Leader
719-430-5333
stewartm@3rocksenineering.com
3 Rocks Engineering & Surveying

July 1st, 2025

Dan Victoria
Director
Fremont County
Room 210
615 Macon Avenue
Cañon City, CO 81212

Re: Exhibit VPR 25.1 - McKinley Elementary School Vacation of Recorded Public Right-of-Way

Dan Victoria,

We request a waiver from the requirement to submit an application fee for the McKinley Elementary School Vacation of Public Right-of-Way Application due to the public nature of this project.

Please let me know if you have any further questions, comments, or concerns.

Thank you,

Stewart L. Mapes, Jr., PLS
Survey Team Leader
719-430-5333
stewartm@3rocksengineering.com
3 Rocks Engineering & Surveying



Fremont County Treasurer

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

Receipt: 2025-09-03-KE-17644

Product	Name	Extended	
3	Miscellaneous Receipts 0010-5317	\$600.00	
		Reference: SCHOOL DIST RE-1 - INV 233	
Journal Account	Name	Debits	Credits
0010-0001	CASH WITH TREASURER	\$606.00	
0010-7000	COMMISSIONS	\$6.00	
0010-2300	COMMISSIONS COLLECTED		(\$6.00)
0010-5317	ZONING & SUBDIVISION FEES		(\$600.00)
0010-0001	CASH WITH TREASURER		(\$6.00)
Total		\$600.00	
Tender (Check)		\$600.00	
Check #	6730		

Thank You

9/3/25 8:50 AM MST kelliott

FREMONT COUNTY ENVIRONMENTAL HEALTH DEPARTMENT



615 MACON AVENUE, ROOM 212
CAÑON CITY, COLORADO
(719) 276-7460 FAX (719) 276-7461
wyatt.sanders@fremontco.com

TO: Planning and Zoning

ATTN: Director, Dan Victoria,
Danielle Adamic

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

SUBJECT: VPR 25-001 School District RE-1

DATE: August 6, 2025

This department has received the application for VPR 25-001 after my review of the application, this department has no Jurisdiction over school related property or construction therefore has no commit on this vacation application.



Fremont County Department of Transportation

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

8.6.2025

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

RE: VPR 25-001 School District RE-1

Dear Mr. Victoria,

This letter is to inform you the Fremont County DOT has reviewed the above-referenced application and does not have any requirements at this time.

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

Sincerely,

Michael Whitt

Michael Whitt
FCDOT

Fremont Conservation District
248 Dozier Avenue
Canon City, CO 81212
719-315-3417
info@fremontcd.org



Board of Supervisors
John Daniels, President
Bart Adams, Vice President
Tim Morse, Secretary Treasurer
Kathleen Drenckhahn, Member
Trevor Aronson, Member

August 7th, 2025,

To whom it may concern,

The Fremont Conservation District Board of Supervisors has reviewed the application VPR 25-001 McKinley School and commented that the applicants should notify all relevant utility companies and the Lincoln Park Crooked Ditch Irrigation Company of the proposal. The application includes requests to waive these notifications.

On behalf of the Fremont Conservation District Board of Supervisors,

Daniel Morse
District Manager
Fremont Conservation District
719-315-3417
info@fremontcd.org



COLORADO
Division of Water Resources

Department of Natural Resources
Water Division 2 - Main Office

August 21, 2025

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

RE: VPR 25-001 School District RE-1

Dear Sir/Madam,

This 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 Vacation of Recorded Public Right-of-Way (VPR) located south of lots 19-22 and north of lots 25-28 of Macon's Subdivision, County of Fremont, State of Colorado, situated in the NW ¼ of Section 3, Township 19 South, Range 70 West of the 6th P.M., Fremont County, Colorado, also being designated and more particularly described as follows:

- Fremont County Parcel ID 3941032001015: 1240 McKinley Street, Canon City, Colorado 81212

The purpose of this VPR is to consolidate the school lot by eliminating the right-of-way and reducing unneeded infrastructure which will allow more efficient use.

History:

According to our records there are no registered groundwater wells on the subject parcels.

Compliance:

According to the submittal, this action does not involve expanded or changed use of ground or surface water. Therefore, the Division of Water Resources does not have applicable comments to provide to the county regarding the proposed action at this time.

Please reach out with questions or concerns by email to dnr_div2ground.water@state.co.us.

Sincerely,

Raquel Fuentes
Water Data Analyst, Division 2

CC: Christine Sednek, Water Resources Engineer
Dan Henrichs, West Regional Lead Water Commissioner





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 8/6/2025

Project Name: VPR 25-001 School District RE-1

Any Current Permits? ☐ Yes or ☒ No

Any Past Permits? ☐ Yes or ☒ No

Current Violation? ☐ Yes or ☒ No

Past Violations ☐ Yes or ☒ No

VISUAL OBSERVATIONS CHECKLIST

of buildings: 3

Types: Shed, School, Gazebo

SMM on site? Yes

Does the site plan match site conditions? Yes

Structures Code/Zoning Compliant : Yes

Land Use Compliant: No

Notes/Concerns

There were no concerns at the time of inspection.

Matt Tafoya

August 6, 2025

George Meffley

August 6, 2025

Kyle Yarberry

August 6, 2025

[Table of Contents](#)



08/06/2025



08/06/2025



08/06/2025



Reliable
Onsite Services
UnitedRentals.com/ROS

Reliable
Onsite Services
UnitedRentals.com/ROS

08/06/2025

[Table of Contents](#)



Onsite Services

08/06/2025



08/06/2025



08/06/2025



KcKinley School Vacation of Public Right-of-Way

VPR 25-001

[Table of Contents](#)

KcKinley School Vacation of Public Right-of-Way

LDR

LDR

LDR

LDR

LDR

APPLE LN

SHERMAN AVE SHERMAN AVE

R1

R1

R1

R1

R1

R1

R1

R1

R1

R1

R1

R1

R1

LDR

MCKINLEY ST

MCKINLEY ST

VPR 25-001

R1

R1

R1

R1

R1

R1

LDR

COLORADO AVE

COLORADO AVE

R1

R1

R1

R1

R1

R1

R1

R1

[Table of Contents](#)



VICINITY MAP

LEGAL DESCRIPTION:

(VACATION OF PUBLIC RIGHT OF WAY)

A PORTION OF THE ALLEY BETWEEN LOTS 19, 20, 21, 22, & 25, 26, 27, 28, MACONS SUBDIVISION, RECORDED UNDER RECEPTION NUMBER 020927, LOCATED IN THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 19 SOUTH, RANGE 70 WEST OF THE 6TH/ PRINCIPAL MERIDIAN, COUNTY OF FREMONT, STATE OF COLORADO, WITH ALL THE BEARINGS CONTAINED HEREIN BASED UP ON A BEARING OF N89°50'34"E, AS MEASURED BETWEEN THE NORTHWEST CORNER OF SAID SECTION 3, BEING MARKED ON THE GROUND BY A FOUND NO. 6 REBAR, WITH A 3-1/4", ALUMINUM CAP, STAMPED "2024 PLS 38534", MARKED ACCORDINGLY, IN A MONUMENT WELL, FOUND IN PLACE, AND AT THE NORTH QUARTER CORNER OF SAID SECTION 3, BEING MARKED ON THE GROUND BY A 3-1/4", ALUMINUM CAP, STAMPED "2024 PLS 38534, MARKED ACCORDINGLY, IN A MONUMENT WELL, FOUND IN PLACE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 3; THENCE S72°50'17"E, A DISTANCE OF 1078.93 FEET, TO THE SOUTHWEST CORNER OF SAID LOT 22, BEING THE POINT OF BEGINNING;

THENCE ALONG THE SOUTH LINES OF SAID LOTS 22, 21, 20, & 19, N89°50'34"E, A DISTANCE OF 520.59 FEET;

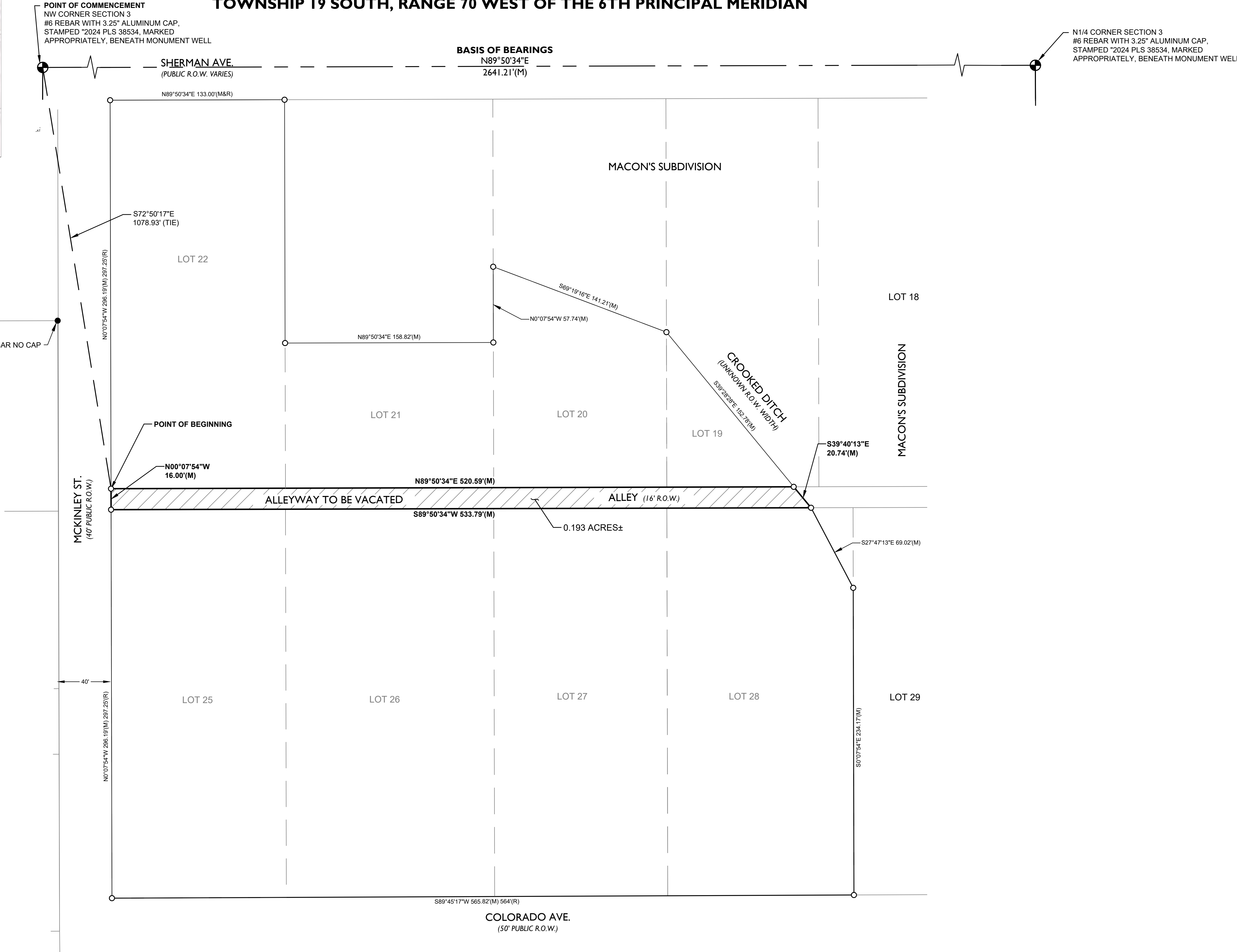
THENCE LEAVING SAID SOUTH LINE, S39°40'13"E, A DISTANCE OF 20.74 FEET, TO A POINT ON THE NORTH LINE OF SAID LOT 28;

THENCE ALONG THE NORTH LINES OF SAID LOTS 28, 27, 26, & 25, S89°50'34"W, A DISTANCE OF 533.79 FEET, TO THE NORTHWEST CORNER OF SAID LOT 25;

THENCE LEAVING SAID NORTHWEST CORNER, N00°07'54"W, A DISTANCE OF 16.00 FEET, TO THE POINT OF BEGINNING.

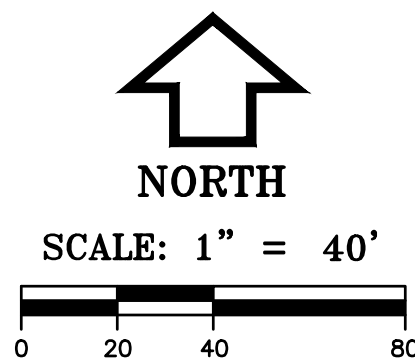
CONTAINING 8,433 SQUARE FEET OR 0.193 ACRES, MORE OR LESS.

VACATION OF PUBLIC RIGHT-OF-WAY
MCKINLEY ELEMENTARY SCHOOL
A PORTION OF THE ALLEY BETWEEN LOTS 19,20,21,22,25,26,27, & 28, MACONS SUBDIVISION
LOCATED IN THE NORTHWEST QUARTER OF SECTION 3,
TOWNSHIP 19 SOUTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN



LEGEND

- FOUND MONUMENT AS NOTED
- ⊙ FOUND ALIQUOT CORNER
- FOUND #5 REBAR AND 1.25" YELLOW PLASTIC CAP, MILES SMALL, PLS 38534
- (M) MEASURED DISTANCE
- (R) RECORDED DISTANCE
- ▨ AREA TO BE VACATED



SHEET:	1 OF 1
DATE:	8/28/2025
DRAWN BY:	AB
REVIEWED BY:	RP/SM
PROJECT:	24.004

**FREMONT COUNTY
PLANNING COMMISSION MEETING MINUTES
December 2, 2025, AT 3:00 P.M.**

MEMBERS PRESENT

Travis Payne
Dale McCullough
Rudl Mergelman
John Carper

STAFF PRESENT

Dan Victoria, Planning Director
Danielle Adamic, Senior Planning Coordinator

1. CALL TO ORDER

Vice-Chairman Payne Called the meeting to order at 3:00 pm.

2. PLEDGE OF ALLEGIANCE

Pledge of Allegiance was recited.

3. APPROVAL OF THE DECEMBER 2, 2025, PLANNING COMMISSION AGENDA

Vice-Chairman Payne asked if there were any changes, additions or corrections to the December 2, 2025, Fremont County Planning Commission Agenda.

MOTION

Mr. Carper motioned to accept the December 2, 2025, Fremont County Planning Commission Meeting agenda.

SECOND

Mr. Mergelman second the motion.

Vice-Chairman Payne called for a roll call vote, and the motion passed unanimously. (4 of 4)

4. APPROVAL OF THE OCTOBER 7, 2025, PLANNING COMMISSION MEETING MINUTES

Vice-Chairman Payne asked if there were any changes, additions or corrections to the October 7, 2025, Fremont County Planning Commission Meeting Minutes.

MOTION

Mr. Carper motioned for approval of the October 7, 2025, minutes.

SECOND

Mr. Mergelman second the motion.

Vice-Chairman Payne called for a roll call vote, and the motion passed unanimously. (4 of 4)

Vice- Chairman Payne asks staff to present the first item on the agenda.

5. NEW BUSINESS:

(1.) VPR 25-001 McKinley Elementary School

Director Victoria presents the staff report. He states that the Representative from School District RE-1 is Scott Morton

Consultant(s):

3 Rocks Engineering and Surveying – Stewart L. Mapes, Jr. PLS

Purpose:

Requesting approval for a Vacation of Public Right-of-Way at 1240 McKinley Street in Cañon City.

Reasons for the proposed vacation:

This is a 16' .193 acres Right-of-Way platted for an alleyway, that crosses lots 19, 20, 21, 22, 25, 26, 27, & 28, of Macons Subdivision. It serves no transportation or utility function, the McKinley Elementary school has been developed on a portion of this alleyway on lots 21, 22, 25, and 26.

Improvements:

McKinley Elementary school is built on a portion of the right-of-way

WAIVERS:

1. Notification to utility companies.
 - Due to the utility usage of the lot(s) not changing, nor will any adjacent properties be affected by the vacation of the right-of-way.
2. Waiver of application fees.
 - Due to the public nature of this project.

COMMENTS RECEIVED:

Fremont Conservation District:

They feel the applicant should notify all relevant utility companies and the Lincoln Park Crooked Ditch Irrigation Company of the proposal.

Planning & Zoning Department Recommends Approval with the following:

1. Approval of:
 - a. Waiver Request #1 – Notification to Utility Companies.
 - b. Waiver Request #2 – Application Fees
 - Staff recommends a partial refund of the fees in the amount of \$560.00 and hold \$40.00 for the recording fees.
 - Receipt # 2025-09-03-KE-17644 in the amount of \$600.00.

Vice-Chairman Payne asks the applicant to speak about this application.

Mr. Scott Morton states that he is the director of operations for Canon City Schools and they are requesting the Vacation of the right-of-way at McKinley. The building has been on site since the 60's when it was built and just recently in their construction process, the gym edition, they found out they had this right-of-way listed on the plat.

Vice- Chairman Payne asks if there are any comments or questions from the commissioners.

Mr. McCullough states that they indicated on the application that there aren't any utilities in this right of way at all, how about to the east from the school.

Mr. Morton states there is no traffic use there at all.

Mr. McCollough asks if anybody objected to the vacation.

Director Victoria states that people had come in to inquire what this application was about because they had been notified since they are 500 ft. from the project and had no opposition voiced to staff.

Vice-Chairman Payne states that to staff knowledge, there is no other ditch lateral that runs to the east correct, through this right-of-way that could be extended for any reason.

Director Victoria asks Brandon Hayes from 3 Rocks Engineering to speak about this.

Mr. Hayes states that as to the utility notifications, they did not notify a ditch company of any kind, they did notify the utility companies that were servicing the school. They will absolutely notify the ditch company if that is needed.

Vice- Chairman Payne states he is open for a motion.

MOTION

Mr. McCullough Motioned to Approve VPR 25-001 McKinley Elementary School Vacation of Public Right-of-Way with staff recommendations.

SECOND

Mr. Carper second the motion.

Vice- Chairman Payne called for a roll call vote, and the motion passed unanimously. (4 of 4)

6. ADJOURNMENT

Vice- Chairman Payne adjourned the meeting at 3:09 p.m.

CHAIRMAN, FREMONT COUNTY PLANNING COMMISSION

DATE