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Submittal Review/Staff Report -Minor Subdivision

Project Name: MS 24-003 Fossil Trail Minor Subdivision

Applicant(s): Steven T. Linder & Charlene F. Linder
Consultant: Goerge Hall - Crown Point Land Services

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

Lot 1: 1.25 Acres 54345.58 square feet
Lot 2: 26.63 Acres 1159988.84 square feet

The subject property is located in the Agricultural Suburban Zone District, at 1402 South St Canon City

Utility Companies that will service this minor subdivision:

Lot 1

Water – City of Canon City
Sanitation – Fremont Sanitation District
Electric – Black Hills
Natural Gas – Atmos
Telephone – Century Link
Cable – Bresnan
Irrigation Water – Fruitland Ditch Company

Lot 2

Irrigation Water -Fruitland Ditch Company

Improvements:

Lot 1 - Dwelling

Lot 2 – Vacant

Zoning District Development Requirements:

<u>4.6.5 DEVELOPMENT REQUIREMENTS:</u>	<u>LOT 1</u>	<u>LOT 2</u>
4.6.5.1 Minimum lot Area: Fifteen thousand (15,000) Square feet	<i>Meets Requirement</i>	<i>Meets Requirement</i>

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4.6.5.2 Maximum lot coverage: Twenty-five (25) percent.	<i>8.9%</i>	<i>0%</i>
4.6.5.4 Maximum building height: Thirty-five (35) feet.	<i>Less Than</i>	<i>N/A</i>
4.6.5.3.1 Minimum lot width: Three hundred (100) feet.	<i>293.85'</i>	<i>210.10'</i>
4.6.5.5 Minimum setback requirements:	<i>Dwelling</i>	<i>Vacant Lot</i>
4.6.5.5.1 Front yard: Twenty-five (25) feet.	<i>58.7</i>	<i>0</i>
4.6.5.5.2 Side yards: Twenty-five (10) feet	<i>35</i>	<i>0</i>
4.6.5.5.3 Rear yard: Twenty (20) feet.	<i>Meets requirement</i>	<i>0</i>

Subdivision Regulations Appendix 1:

Lot Standards	Lot 1	Lot 2
Front on public street	Deeded access to South St.	15 th Street
Corner Lots		
Access Standards	Lot 1	Lot 2
Public Right-Of-Way Dedication	15ft wide flag lot to South St. Does not meet standards.	15 th Street
Street Improvements	Small section of South St. is County Maintained	Currently County Maintained

Waivers:

1. The applicant has submitted a waiver for the Drainage Plan
2. The applicant has also requested a waiver for width of the flag lot 1.

Comments Received:

County Engineer:

After speaking with Mr. George Hall and visiting the property, I can give my recommendation for approval of the requested drainage plan waiver.

Fremont County Department of Transportation:

The applicant will be required to submit a driveway access permit when applying for an address permit for lot 2.

Planning & Zoning Department Recommends Denial due to the following:

1. Per Appendix 1 Design Standards Sec B. #12 Flag Lot sub sec. b.
 - Minimum width for a flag lot stem shall be twenty-five (25) feet.

The Planning and Zoning department recommends reconfiguring lot 1 to meet design standards per appendix 1.

If approved by the Commission and/or Board, Planning and Zoning recommends

Contingency items:

1. None

Conditions:

1. Drainage Plan & Report done at time of development noted on the plat for Lot 1 & 2.
2. Applicant submit an access permit at the time of development for lot 2.

Planning Commission recommended Approval with the requested waivers and conditions.



FREMONT COUNTY MINOR SUBDIVISION APPLICATION

1. Project Name: Fossil Trail Minor Subdivision
2. Name: Steven T. Lindner and Charlene F. Lindner
Mailing Address: 1402 South Street Canon City, Colorado 81212
Telephone Number: 719-429-4445 Facsimile Number: _____
Email Address: CLINDNER@Bresman.net
3. Name: _____
Mailing Address: _____
Telephone Number: _____ Facsimile Number: _____
Email Address: _____
4. Name: Crown Point Land Services
Mailing Address: PO Box 749 Canon City, CO 81215
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. Approved BLA- Lot 1, Oliver/Lindner Boundary/Lot Line Adjustment
6. The total number of properties involved in the subject property prior to this application for minor subdivision are One
7. The total number of lots as a result of this minor subdivision are Two
8. What is the existing size of the subject property prior to this application?
Acreage 27.88 Acres Square Footage 1214334.42 SQFT
9. What is the proposed size of each lot after platting?
a. Acreage 26.63 ACRES Square Footage 1159988.84 SQFT
b. Acreage 1.25 ACRES Square Footage 54345.58 SQFT
c. Acreage _____ Square Footage _____
10. What is the current Zone District for the subject property?
The subject property is currently located in the AGRICULTURAL SUBURBAN 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: _____
Property is used as a residence and agricultural which conforms with the Agricultural Suburban zoning.
- 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? RESIDENCE
This proposed land use of the subject property will be conforming non-conforming with the current or proposed zone district requirements. Please explain: _____
Client is subdividing property for estate planning purposes. Lot 1 with residence will conform by staying a residence. Lot 2 without the residence will continue to be used as irrigated agricultural land.
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: _____

Newly constructed house- 105.5' to North, 58.7' to East, 35.0' to South, and 45.9' to West. Total Lot 1 coverage is 7.40%. Lot 2 is vacant.

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. SIZE MEETS ZONE DISTRICT, FRONTS ON PUBLIC ROAD, FLAG LOT IS LESS THAN THE 20' IN WIDTH WE ASKE THAT THE FLAG LOT WIDTH BE A WAIVER DUE TO EXISTING CERCUMSTANCES FROM PREVIOUS APPROVED PLAT OF OLIVER/LINDNER BLA PLAT RECORDED MARCH 30, 1995 RECEPTION NO. 630804

17. What is the name and or number of the public right-of-way(s) that will provide access to each proposed lot? South Street and North 15th Street will provide the access to the proposed lots.

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 1023198

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 FWAT-00165-A Effective Date of Document 03/23/2024

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. _____
Irrigation ditch and utility easements as shown on Oliver/Lindner Boundary/Lot
Line Adjustment.

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. _____
Irrigation ditch easement on both properties. Utilities only exist on Lot 1. No
affect for this subdivision application.

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. _____

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

ditch, sewer, water and power all exist in flag lot portion of Lot 1.

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 _____

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: The property does not lie within said 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>N/A</u> | Effect | <u>N/A</u> |
| b. Natural water courses | <u>N/A</u> | Effect | <u>N/A</u> |
| c. Dry gulches or drainage ways | <u>N/A</u> | Effect | <u>N/A</u> |
| d. Bluffs or cliffs | <u>N/A</u> | Effect | <u>N/A</u> |
| e. Fault lines or other geologic hazards | <u>N/A</u> | Effect | <u>N/A</u> |
| f. FEMA flood hazard area | <u>Yes</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. _____

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: Soil Conservation Service

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.
30. What is the potable water source for each proposed lot? --- Public Water Supply; Name of supplier City of Canon City
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 Fremont Sanitation District
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 Fruitland Ditch 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 Fruitland Ditch 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 Canon City Fire Protection District
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 Canon City Area Recreation and Park District
Does the subject property lie within one (1) mile of a recreation district? Yes --- No If yes, Name of District Canon City Area Recreation and Park 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 _____

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 Fruitland Ditch Company & Utility Companies

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.

Water source City of Canon City Mail date _____ Received date _____

Sanitation source Fremont Sanitation District Mail date _____ Received date _____

Electrical source Black Hills Energy Mail date _____ Received date _____

Natural Gas source Atmos Energy Mail date _____ Received date _____

Telephone source Century Link Mail date _____ Received date _____

Cable Television source Bresnan Mail date _____ Received date _____

Other required notice Fruitland Ditch Company Mail date _____ Received date _____

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. _____

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 # 5717 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>STEVEN T. LINDNER</u>	<u>Steven T. Lindner</u>	<u>4/9/2024</u>
Applicant Printed Name	Signature	Date
<u>Charlene F. Lindner</u>	<u>Charlene F. Lindner</u>	<u>4/9/24</u>
Owner Printed Name	Signature	Date

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PERSONAL REPRESENTATIVE'S DEED OF DISTRIBUTION

THIS DEED is dated December 22, 2022, and is made between Steven T. Lindner, the "Grantor," as Personal Representative of the estate of Vernon L. Lindner, a/k/a Vernon Lee Lindner, a/k/a Vernon Lindner, deceased, and Steven T. Lindner, the "Grantee," whose legal address is 759 Apache Drive of the City of Canon City, County of Fremont, State of Colorado.

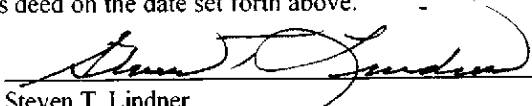
WHEREAS, the decedent died on the date of March 4, 2022 and the Grantor was duly appointed Personal Representative of said estate by the District Court in and for the County of Fremont, and State of Colorado, Probate No. 2022PR030048, on the date of April 20, 2022, and is now qualified and acting in said capacity.

NOW THEREFORE, pursuant to the powers conferred upon the Grantor by the Colorado Probate Code, Grantor does hereby convey, assign, transfer and release unto Grantee, as the person entitled to distribution, the following described real property situate in the County of Fremont, State of Colorado:

Lot 1, Oliver/Lindner Boundary/Lot Line Adjustment as filed for record in the office of the County Clerk and Recorder of Fremont County, Colorado, on March 30, 1995, In Book 1213, at Page 173, under Reception Number 630804

With all appurtenances.

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




Steven T. Lindner,
Personal Representative of the estate of Vernon L. Lindner,
a/k/a Vernon Lee Lindner, a/k/a Vernon Lindner, Deceased

STATE OF COLORADO)
) ss.
County of Fremont)

The foregoing instrument was acknowledged before me this 22nd day of December, 2022, by Steven T. Lindner as Personal Representative of the estate of Vernon L. Lindner, a/k/a Vernon Lee Lindner, a/k/a Vernon Lindner, Deceased.

Witness my hand and official seal.
My commission expires: November 12, 2025.



Notary Public

SEAN T. WOLFF
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20214044609
MY COMMISSION EXPIRES NOVEMBER 12, 2025

*Strike as required

Steven T. Lindner, 759 Apache Drive, Canon City, CO 81212
Name and Address of Person Creating Newly Created Legal Description (§ 38-35-106.5, C.R.S.)

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**ALTA COMMITMENT FOR TITLE INSURANCE
issued by**

ATTORNEYS TITLE GUARANTY FUND, INC.

NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, ATTORNEYS TITLE GUARANTY FUND, INC., a Colorado company (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Amount of Insurance and the name of the Proposed Insured.

If all of the Schedule B, Part I—Requirements have not been met within 180 days after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

Pursuant to Colorado Division of Insurance Regulation 8-1-3, notice is hereby given that an ALTA Closing Protection Letter is available to the consumers identified in this commitment and will be provided to said consumer upon request and payment of any applicable fee.

IN WITNESS WHEREOF, Attorneys Title Guaranty Fund, Inc. has caused its corporate name to be affixed by its duly authorized officers on the date shown in Schedule A.

ATTORNEYS TITLE GUARANTY FUND, INC.

ERIC R. MORGAN
PRESIDENT

JEAN WARD
SECRETARY

FOR INFORMATION OR SERVICES IN CONNECTION WITH THIS COMMITMENT, CONTACT:

Andrea Webb, 831 Royal Gorge Blvd #329 , Cañon City CO 81212, Phone: (719) 285-0324, Fax: (719) 454-2564

PCCO202402001864N

This page is only part of a 2021 ALTA Commitment for Title Insurance ATTORNEYS TITLE GUARANTY FUND, INC. 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 counter-signature by the Company or its issuing agent that may be in electronic form.

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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; and
- f. Schedule B, Part II—Exceptions; and
- g. a counter-signature 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 anytime. 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.

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.

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6. **LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT; CHOICE OF LAW AND CHOICE OF FORUM**
- Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
 - 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.
 - 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.
 - 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.
 - Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
 - 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.
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>.

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

Issuing Agent: Fredrickson Webb Attorneys Title, LLC
Issuing Office: 831 Royal Gorge Blvd #329 , Cañon City CO 81212
Issuing Office's ALTA® Registry ID: 1224456

Commitment Number: PCCO202402001864N
Issuing Office File Number: FWAT-00165-A
Property Address:1402 South Street, Canon City, Colorado 81212

Revision Number: 1

SCHEDULE A

1. Commitment Date: March 21, 2024 @ 7:45 a.m.
2. Policy to be issued: Premium
 - A. 2021 ALTA Owner's Policy, Amount TBD TBD
Proposed Insured: TBD
 - Certificate of Taxes Due \$10.00
 - Endorsements: \$0.00
 - Additional Charges: \$
 - Total \$ TBD
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: Steven T. Lindner and Charlene F. Lindner
[Vesting Deed](#)
5. The Land is described as follows:
See Schedule C attached hereto.

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ISSUED BY

ATTORNEYS TITLE GUARANTY FUND, INC.

FREDRICKSON WEBB ATTORNEYS TITLE, LLC
831 Royal Gorge Blvd #329
Cañon City CO 81212
PH: (719) 285-0324

BY:

Eric R. Morgan
President

3010
(member no.)

By: Andrea Webb

Authorized Signatory

FOR INFORMATION OR SERVICES IN CONNECTION WITH THIS TRANSACTION, CONTACT:

Andrea Webb, 831 Royal Gorge Blvd #329 , Cañon City CO 81212, Phone: (719) 285-0324, Fax: (719) 454-2564

Commitment Number: PCCO202402001864N

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SCHEDULE B, PART I—Requirements

All the following are the Requirements that 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. A Certification of Taxes due listing each taxing jurisdiction shall be obtained from the County Treasurer or an authorized agent (pursuant to Senate Bill 92-143, CRS 10-11-122).
6. Note: If the sales price of the subject property exceeds \$100,000.00, the seller shall be required to comply with the disclosure or withholding provisions of C.R.S. §39-22.604.5 (non-resident withholding).
7. Note: Effective September 1, 1997, C.R.S. §30-10-406 requires that all documents received for recording or filing in the clerk and recorder's office shall contain a top margin of at least one inch and a left, right and bottom margin of at least one-half inch. The clerk and recorder may refuse to record or file any document that does not conform.
8. Note: All conveyances (deeds) subject to the documentary fee submitted to the county clerk and recorder for recordation must be accompanied by a Real Property Transfer Declaration. This Declaration must be completed and signed by the grantor (seller) or grantee (buyer).
9. This transaction may be subject to a Geographic Targeting Order ('GTO') issued pursuant to the Bank Secrecy Act. Information necessary to comply with the GTO must be provided prior to the closing. This transaction will not be insured until this information is submitted, reviewed and found to be complete.
10. Please be advised that our search did not disclose any open Deeds of Trust of record. If you have knowledge of an outstanding obligation, please contact us immediately for further review prior to closing.
11. This Commitment is subject to such further Exceptions and/or Requirements as may appear necessary when the name of the Proposed Insured, Schedule A, Item 2A has been disclosed.

NOTE: The following is provided for informational purposes, only. The 24 Month Chain of Title reports these conveyances forming said Chain of Title:

1. Steven T. Lindner to Steven T. Lindner and Charlene F. Lindner by Statutory Quit Claim Deed dated 8/14/2023 and recorded 5/15/2023 as Document Number 1029723 in the Official Records of FREMONT County.
2. Steven T. Lindner, Personal Representative of the Estate of Vernon L. Lindner to Steven T. Lindner by Personal Representative's Deed dated 12/22/2022 and recorded 12/22/2022 as Document Number 1023198 in the Official Records of FREMONT County.

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SCHEDULE B, PART II—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 provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Rights or claims of parties in possession not shown by the public records.
2. Easements, or claims of easements, not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct survey and inspection of the premises would disclose and which are not shown by the public records.
4. 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.
5. 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.
6. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
7. Any and all notes, easements and recitals as disclosed on the plat of Oliver/Lindner Boundary/Lot Line Adjustment recorded on March 30, 1995 at reception number 630804.
[Boundary/Lot Line Adjustment](#)
8. Any right or asserted right pursuant to CR.S. §15-12-909, to set aside the personal representative's deed recorded on December 22, 2022 at reception number 1023198 or to require return of subject property.
[Personal Representative's Deed](#)

This exception can be deleted on March 4, 2025.

9. An easement for ingress and egress, utility lines, and incidental purposes granted to U-STORE-EM CORPORATION by the instrument recorded on October 17, 1994 in Book 1199 at page 57, at Reception Number 624419..
[Easement](#)
10. Terms, conditions, provisions, agreements and obligations specified under the Petition for the Addition of Lands to the Fremont Soil Conservation District by Consent of the Board of Supervisors by and between Grace L. Lindner and the Board of Supervisors of the Fremont Soil Conservation District recorded on May 16, 1994 at Reception Number 617858.
[Petition for Addition of Lands](#)
11. Terms, conditions, provisions, agreements and obligations specified under the Water Service Contract and Agreement to Annex into the City of Canon City by and between Steve Lindner and Canon City Water Department recorded on December 20, 2022 at Reception Number 1023123.
[Water Service Contract](#)
12. Taxes for the year 2023, now due and payable but not yet delinquent, and taxes for the subsequent year, not yet due and payable.

NOTE: Upon compliance with underwriting requirements, exceptions numbered will be omitted from the Final Policy to be
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issued hereunder.

The Owner's policy to be issued hereunder will contain, in addition to the items set forth in Schedule B - Section 2, the following items: (1) the mortgage, if any, required under Schedule B - Section 1, Item (c); (2) unpatented mining claims, reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water; (3) any and all unpaid taxes, assessments and unredeemed tax sales.

Note: Colorado Division of Insurance Regulation 8-1-2, Section 5, Paragraph H requires that every title insurance company shall be responsible to the proposed insured(s) subject to the terms and conditions of the title insurance commitment, other than the effective date of the title insurance commitment, for all matters which appear of record prior to the time of recording whenever the title insurance company, or its agent, conducts the closing and settlement service that is in conjunction with its issuance of an owners policy of title insurance and is responsible for the recording and filing of legal documents resulting from the transaction which was closed.

Note: Exception 4 of Schedule B, Section 2 of this Commitment may be deleted from the policy(s) to be issued hereunder 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 may have been furnished by mechanics or materialmen for purposes of construction on the land described in Schedule A of this Commitment within the past 13 months.
- C. The company must receive payment of premium and the appropriate affidavit(s) indemnifying the company against mechanic's and materialmen's liens not filed.
- D. Any deviations from conditions A through C above is subject to such additional requirements or information as the company may deem necessary, or, at its option, the company may refuse to delete the exception.

Note: The following disclosures are hereby made pursuant to §C.R.S. 10-11-122

- i. The subject property may be located in a special taxing district
- ii. A Certificate of Taxes Due listing each tax jurisdiction shall be obtained from the county treasurer of the county treasurer's authorized agent
- iii. 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: If there is recorded evidence that one or more mineral estates has been severed, leased or otherwise conveyed from the surface estate of the subject property described in Schedule A of this Commitment, there is a substantial likelihood that a third party holds some or all of the ownership interest in oil, gas or other minerals or geothermal energy in the subject property. Such mineral estate may include the right to enter and use the surface of the subject property without the surface owner's permission.

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Attorneys
Title Guaranty
Fund, Inc.

Privacy Policy

ATGF's Commitment to Privacy

Protecting your privacy and the confidentiality of your personal information is an important aspect of ATGF's operations. As a provider of title insurance and related services, the collection of customer's personal information is fundamental to our day-to-day business operations. We strive to provide you with the best customer service. To us, that includes treating your personal information fairly and with respect. Each ATGF employee and representative must abide by our commitment to privacy in the handling of personal information. We understand that you may be concerned about what we will do with such information. You have a right to know how we will utilize the personal information you provide to us. Therefore, ATGF has adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information that you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity.

Types of Information

Depending upon which of our services you are utilizing, we may collect personal information about you from the following sources:

- Information we receive from you on applications, forms and in other communications to us
- Information we receive from you through our Internet website
- Information about your transactions with or services performed by us, our agents, or other persons; and
- Information we receive from consumer or other reporting agencies and publicly recorded documents.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any non-affiliated party. Therefore, we will not release your information to non-affiliated parties except:

- as necessary for us to provide the product or service you have requested of us; or
- as permitted by law

We may also disclose your personal information to others when we believe, in good faith, that such disclosure is reasonably necessary to comply with the law or to protect the safety of our customers, employees, or property and/or to comply with a judicial proceeding, court order or legal process.

We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis.

We are permitted by law to share your name, address and facts about your transaction with one or more of our agents, affiliated companies, insurers and reinsurers, to provide you with services you have requested, for marketing or product development research, or to market products or services to you. We do not, however, disclose information we collect from consumer or credit reporting agencies with our affiliates or others without your consent, in conformity with applicable law, unless such disclosure is otherwise permitted by law.

We do not disclose personal information about our customers or former customers to non-affiliated third parties, except as outlined herein or as otherwise permitted by law.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to non-public personal information about you to those individuals and entities who need to know that information to provide

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products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy. We currently maintain physical, electronic and procedural safeguards that comply with federal regulations to guard your non-public information.

If you send an electronic mail (email) message that includes personally identifiable information, we will use that information to respond to your inquiry. Remember that email is not necessarily secure against interception or other disclosure. If your communication is very sensitive, or includes information such as your bank account, charge card or social security number, you should not send it in an email.

Changes to this Privacy Policy

This Privacy Policy may be amended from time to time consistent with applicable privacy laws. When we amend this Privacy Policy, we will post a notice of such changes on our website.

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SCHEDULE C

File #: FWAT-00165-A

Lot 1, Oliver/Lindner Boundary/Lot Line Adjustment as filed for record in the office of the County Clerk and Recorder of Fremont County, Colorado, on March 30, 1995, in Book 1213, at Page 173, under Reception Number 630804.

Tax Parcel No. R033925

[Table of Contents](#)

**WATER SERVICE CONTRACT
AND AGREEMENT TO ANNEX INTO THE CITY OF CAÑON CITY
(SINGLE PARCEL)
1402 South St**

WHEREAS, Steve Lindner, whose current address is 1402 South St., Canon City, CO 81212, ("Applicant"), has submitted an application to the Cañon City Water Department, a water activity enterprise of the City of Cañon City ("Water Department"), for water service to certain real property legally described in the attached **Exhibit A** (the "Property"), which is located outside the corporate limits of the City of Cañon City (the "City"); and

WHEREAS, the Water Department is only able to provide water service to the Property upon the Applicant executing this Water Service Contract (the "Contract").

NOW THEREFORE, in consideration of the promises set forth herein, the receipt and sufficiency of which are hereby acknowledged, it is agreed by the parties as follows:

1. Subject to the Applicant's full and complete performance of all obligations and promises hereunder, the Water Department hereby promises that it will provide water service to the Property.
2. Applicant shall file a petition for annexation of the Property into the City pursuant to C.R.S., Section 31-12-101, *et seq.*, as amended, (the "Colorado Annexation Law") when the Property becomes eligible for annexation pursuant to the Colorado Annexation Law and the City municipal code. Applicant shall not oppose any annexation of the Property (or any portion of it). If the Property is subdivided following execution of this Contract, all such lots or parcels existing after the subdivision shall be bound by the consent to annexation contained in this paragraph 2, as will any lots or parcels created by or through any and all subsequent subdivisions of any portion of the Property.
3. Applicant irrevocably appoints the City Clerk of the City as the Applicant's representative for the purpose of submitting an application for annexation, upon eligibility thereof, with full power and authority to perform any and all acts necessary to cause the Property (or any portion thereof) to become annexed to the City to the fullest extent permitted by law.
4. Applicant represents that the Property to be served with water by the Water Department is at an elevation of less than 5,470 feet and does not lie easterly of the east line of Section 29 and 32, Township 18 South, Range 69 West of the 6th P.M., or such line extended southerly.
5. Applicant further specifically agrees to comply with all ordinances, resolutions, rules, regulations and policies of the City and the Water Department, including but not limited to those pertaining to the size and cost of water mains, water main improvements and extensions, meters, back flow prevention devices, valves, service lines, and other appurtenances and the installation thereof. Applicant agrees to pay all charges required by the Water Department for the furnishing of water service, including but not limited to raw water and plant investment charges (sometimes called "tap fees"), and

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other connection charges, if any. The Water Department shall have no obligation hereunder to authorize any water service connection otherwise contemplated hereunder at any time following that date which is three years from the date of execution hereof. As to any request for a new water service connection made after that date, the Water Department may refuse to allow the connection or may require the execution of a new Water Service Contract prior to authorizing the requested connection. In addition, if any such request for water service is granted and the requested connection is made, the provision of water service to the property in question shall be limited to whatever surplus water the Water Department may then have available and, until the property is annexed into the City, the rights of the Applicant to receive service of water shall be subject to the prior rights of water users located within the corporate limits of the City.

6. Once connected to the Water Department's system, the Applicant further agrees to pay, when due, all Water Department charges for the water sold and delivered to Applicant in accordance with the applicable requirements of the ordinances, resolutions, rules, regulations and policies of the City and the Water Department.

7. Applicant further agrees to provide the water system infrastructure improvements listed in **Exhibit B** and, if the Property is subdivided into more than two lots, to also provide those certain water rights listed in **Exhibit C**. All infrastructure improvements under **Exhibit B** shall be designed, constructed, installed, tested, inspected and guaranteed in accordance with Water Department specifications and requirements at Applicant's sole cost within three years following the effective date of this Contract. Applicant understands and agrees that no new water tap connecting any portion of the Property to the Water Department system shall be authorized or used on the Property until all requirements set forth in this paragraph 7 have been satisfactorily completed in the sole discretion of the City.

8. Applicant's failure to comply with any of the terms of this Contract shall constitute a breach of this Contract and entitle the Water Department to rescind this Contract and to withhold or discontinue water service to the Property following a 30-day written notice from the Water Department of any such violation. The City shall also have the right to specific performance of this Contract to ensure annexation of the Property. All rights enumerated in this paragraph 8 shall be in addition to all other remedies available under law.

9. If suit is filed to enforce this Contract or to prevent the enforcement of this Contract, the prevailing party in such action shall be entitled to judgment for its legal fees and costs reasonably incurred in such action.

10. In executing this Contract, Applicant waives all objections it may have concerning defects, if any, in the formalities whereby it is executed, or concerning the power of the City to impose conditions on Applicant as set forth herein, and concerning the procedure, substance and form of the resolution adopting this Contract. Applicant expressly agrees that the City cannot be legally bound by the representations of any of its officers or agents or their designees, except in accordance with the Cañon City Municipal Code and the laws of the State of Colorado.

11. This Contract shall not be modified, except by subsequent written agreement of the parties hereto.

12. This Contract and any attached exhibits constitute the entire agreement between Applicant and the City.

13. This Contract shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, successors and assigns.

14. If any provision of this Contract is determined to be void by any court of competent jurisdiction, such determination shall not affect any other provision hereof, and all of the other provisions shall remain in full force and effect. It is the intention of the parties hereto that if any provision of this Contract is capable of two constructions, one of which would render the provision void, and the other which would render the provision valid, then the provision shall have the meaning which renders it valid.

15. This Contract shall be governed by the laws of the State of Colorado, and any legal action concerning the provisions hereof shall be brought in Fremont County, Colorado.

16. This Contract shall be recorded by Applicant in the real estate records of Fremont County and shall be a covenant running with the Property.

17. Applicant expressly warrants and represents to the City that, together with the undersigned individuals, that the undersigned individuals have full power and authority to enter into this Contract. Applicant and the undersigned individuals understand that the City is relying on such representations and warranties in entering into this Contract.

18. There are no intended third-party beneficiaries to this Contract.

IN WITNESS WHEREOF, the parties have executed this Contract on Dec 7th
2022.

CITY OF CAÑON CITY, a Colorado
municipal corporation

APPLICANT

By: *Ashley Smith*
Ashley Smith, Mayor

Steve Lindner
Steve Lindner

ATTEST:

APPLICANT

Cindy Foster Owens
Cindy Foster Owens City Clerk



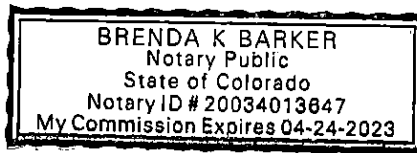
STATE OF COLORADO)
) ss.
COUNTY OF FREMONT)

The foregoing Contract for water service was acknowledged before me on Dec 7th
2022, by Steve Lindner.

Witness my hand and official seal.

My commission expires: 4/24/2023

Brenda K Barker
Notary Public



20⁰⁰
481

PETITION FOR THE ADDITION OF LANDS TO THE
FREMONT SOIL CONSERVATION DISTRICT
BY CONSENT OF THE BOARD OF SUPERVISORS

To the Board of Supervisors of the FREMONT Soil Conservation District:

The undersigned, being owner of all of the lands described in this petition and shown in the accompanying maps, do hereby petition your Board for the addition of such lands to the Fremont Soil Conservation District, in accordance with the provisions of 35-70-115 and in behalf of this petition make the following statements:

1. The legal description of the lands desired to be added to said FREMONT Soil Conservation District, all of which adjoin or are in the immediate vicinity of the boundaries of such District, is as follows:

See attached description.

617858 B-1185 P-502 05/16/94 01:12P PG 1 OF 4
MCDMA HATHFIELD FREMONT COUNTY, COLORADO

REC DOC
20.00

2. That two maps showing in duplicate the description and location of these lands with reference to said District are attached to this petition and made a part thereof.

3. That the reasons why it is desired to have such lands included within said District are as follows: I wish to be in position to take advantage of the services offered by the Fremont Soil Conservation District, which will assist me in solving the soil and water conservation problems on my land. (Include any other reasons you may have).

4. That the undersigned will pay to your Board the cost of filing with the County Clerk and Recorder the certificate of such addition, as provided in said 35-70-115.

MTB

Dated this 23 day of April, A.D., 1994.

Grace L. Lindner
Landowner

Landowner

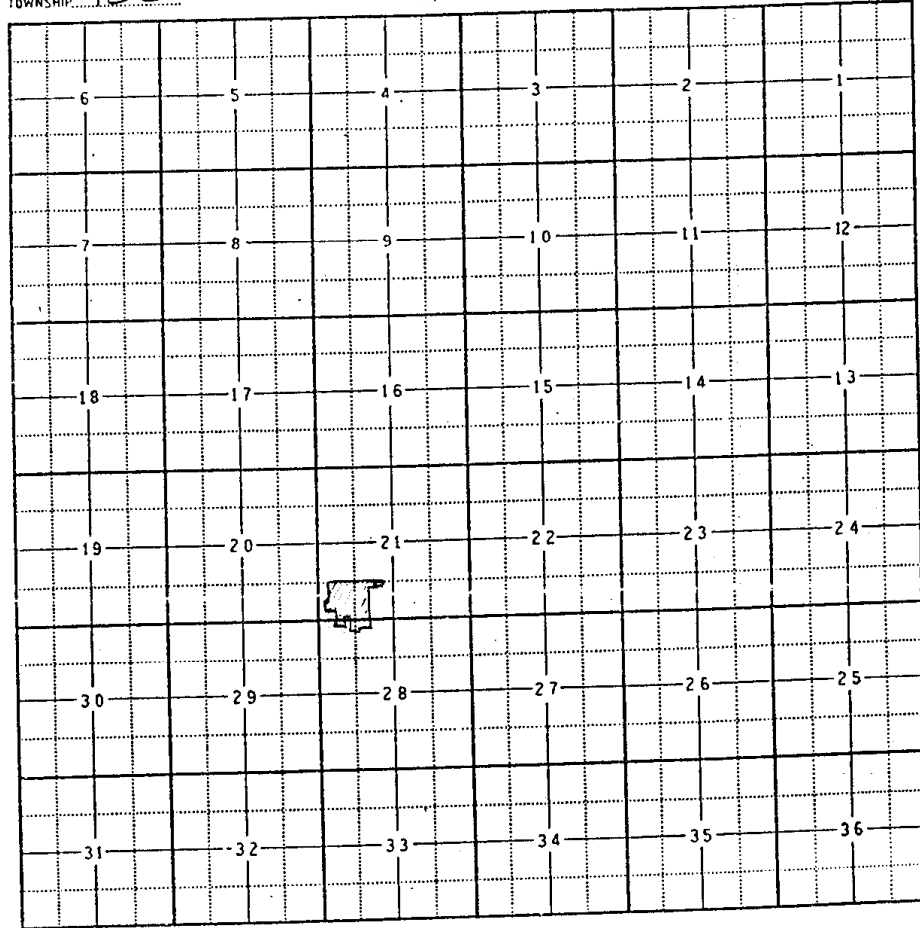
file code:9dincfrm

TOWNSHIP PLAT

TOWNSHIP 18S

RANGE R70W

MERIDIAN 6th PM



<input type="text"/>	_____	<input type="text"/>	_____
<input type="text"/>	_____	<input type="text"/>	_____
<input type="text"/>	_____	<input type="text"/>	_____
<input type="text"/>	_____	<input type="text"/>	_____

Scale - One inch = 1 Mile

Land owned by Vern Lindner to be added to the Fremont Soil Conservation District

LEGAL DESCRIPTION:

A tract of land located within the South 1/2 Southwest 1/4 Section 21, and the North 1/2 Northwest 1/4 Section 28, all in Township 18 South, Range 70 West of the 6th P.M., Fremont County Colorado, more particularly described as follows:

Beginning at the Northwest corner of the Southeast 1/4 Southwest 1/4 of said Section 21; thence South 89 degrees 55' 39" East along the northerly line of said Southeast 1/4 Southwest 1/4 for 1032.33 feet; thence due South for 15 feet; thence North 89 degrees 55' 39" West for 259.83 feet; thence South 0 degrees 06' 34" East for 229 feet; thence North 89 degrees 55' 39" West for 170 feet; thence South 0 degrees 06' 34" East for 1391.30 feet; thence North 89 degrees 57' 10" West for 432.28 feet; thence due South for 16.56 feet; thence due West for 292 feet; thence due North along the East line of that parcel described in Book 414 at Page 299, for 350 feet, to the Northeast corner thereof; thence due West along the northerly line of said Book 414 at Page 299 and its extension, for approximately 130 feet to the centerline of 13th Street as platted in Skyline Meadows Subdivision, Canon City, Colorado; thence southerly along the centerline of said 13th Street to its intersection with the centerline of Meadows Avenue as platted in said Skyline Meadows Subdivision; thence westerly along the centerline of said Meadows Avenue to its intersection with the centerline of 12th Street; thence northerly along the centerline of 12th Street to its intersection with the northerly right-of-way of Trail Avenue; thence westerly along the northerly line of Trail Avenue to the Southeast corner of that parcel as described in Book 416 at Page 398; thence due North for 322.47 feet to a point on the southerly line of that parcel described in Book 813 at Page 184; thence Northeasterly along said southerly line for 199.95 feet to the Southeast corner thereof; thence northerly for 548.02 feet to the Northeast corner of that parcel described in Book 617 at Page 685, said point being on the northerly line of the Southwest 1/4 Southwest 1/4 of said Section 21; thence South 89 degrees 55' 39" East along said northerly line for 897.87 feet to the point of beginning and containing 53.5 acres more or less.

Legal Description prepared by
Great Divide Engineering & Surveying
April, 1994

CERTIFICATE OF ADDITION TO THE FREMONT SOIL CONSERVATION DISTRICT

The Board of Supervisors of the Fremont Soil Conservation District does hereby certify that, in accordance with the provisions of 35-70-115 the following described lands, all situated within the County of Fremont, Colorado, have been added to and made a part of said Fremont Soil Conservation District:

Vern Lindner Property

Dated this 12th day of May A.D., 1994

FREMONT SOIL CONSERVATION DISTRICT

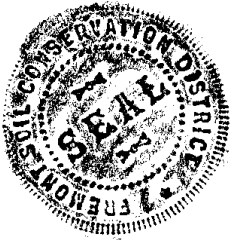
By A. W. Dilley
A. W. Dilley, President of Board

Attest:

Ramona Stevedal
Secretary, District Board of Supervisors

file code:9dortadd

617858 B-1185 P-505 05/16/94 01:12P PG 4 OF 4



*Vern Lindner Property. See attached
Legal Description*

EXHIBIT A

Full Property Description

Steve Lindner

1402 South st.

OLIVER/LINDNER BLLA LOT 1 OLIVER/LINDNER BLLA REF FROM 190-06-710/992-
04- 422

1402 South St., Cañon City, Fremont County, Colorado 81212.

EXHIBIT B

Infrastructure Improvements

Steve Lindner

1402 South St.

There is an existing six-inch water main 270 feet away on South St. The Property Owner will be required to install at least a six-inch water main dead ending at or near the property line. The Fire Department must be consulted whether they will require a fire hydrant at the end of the new water main.

The Water Department must approve a proposed main construction drawing prior to actual construction of the new water main.

The new water main must adhere to all existing water code and specifications.

EXHIBIT C

Water Rights Requirements

Steve Lindner

1402 South St.

No water rights are required to be transferred to the City for this approval of this single water tap. However, if, in the future, the combined water demand for this property exceeds the maximum daily usage of 1,750 gallons, 0.02743 cubic feet per second of time acceptable water rights must be provided to the City to assure continued water service.

7-14P
100
173

EASEMENT

For Value Received, GRACE L. LINDNER hereby sells, grants and conveys to U-STORE-EM CORPORATION, a Colorado corporation, whose address is Canon City, Colorado 81212, and its successors and assigns, a non-exclusive perpetual easement and right of way for purposes of ingress and egress, and utility lines, to adjoining property of Grantee, over, under and across the following described property of Grantor situate in the County of Fremont, State of Colorado, to-wit:

A tract of land lying within the Southeast 1/4 Southwest 1/4, Section 21, Township 18 South, Range 70 West, of the 6th P.M., Fremont County, Colorado, being more particularly described as follows:

Commencing at the Northeast corner of said Southeast 1/4 Southwest 1/4 Section 21, (being marked by 2" aluminum cap, L.S. #13746) from whence the Southeast corner of said Southeast 1/4 Southwest 1/4 Section 21, (being marked by a found railroad spike) bears South 0°06'34" East a distance of 1327.25 feet, said line being the basis of bearings of this legal description; thence North 89°55'39" West along the North line of said Southeast 1/4 Southwest 1/4 Section 21 for 489 feet more or less to the center of the Fruitland Ditch; thence South 0°00'00" West for 15.00 feet; thence South 89°55'39" East parallel to and 15.00 feet southerly of said North line Southeast 1/4 Southwest 1/4 for 489 feet, more or less, to the East line of said Southeast 1/4 Southwest 1/4; thence North 0°00'00" East along said East line for 15.00 feet to the point of beginning.

Provided, however, Grantor makes no warranty of title to the easterly 290 feet of said tract.

Grace L. Lindner

GRACE L. LINDNER

STATE OF COLORADO)
) ss.
County of Fremont)

The foregoing instrument was acknowledged before me this 28th day of July, 1994, by GRACE L. LINDNER.

WITNESS my hand and official seal.

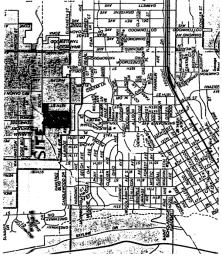
My commission expires: _____

Dennis K. [Signature]

Notary Public

OLIVER/LINDNER BOUNDARY/LOT LINE ADJUSTMENT

LOCATED IN
 PORTIONS OF THE SW 1/4 SEC. 21 & NW 1/4 SEC. 28, T. 18 S., R. 70 W., 6TH P.M.
 FREMONT COUNTY, COLORADO



VICINITY MAP
 NOT TO SCALE

KNOW ALL MEN BY THESE PRESENTS:

THAT GRACE L. LINDNER IS THE OWNER OF TRACTS OF LAND DESCRIBED BELOW.

KNOW ALL MEN BY THESE PRESENTS:

THAT JOHN E. OLIVER, A COLORADO CORPORATION, IS THE OWNER OF TRACTS OF LAND DESCRIBED BELOW.

DEDICATION:

THE UNDERSIGNED, OLIVER AND OLIVER, DO HEREBY DEDICATE TO THE PUBLIC THE ABOVE DESCRIBED LAND BEING PLATTED AND/OR SUBDIVIDED IN FREMONT COUNTY, COLORADO, IN ACCORDANCE WITH CHAPTER 38 OF THE COLORADO REVISED STATUTES AS AMENDED JULY 1, 1979, AND THAT SAID PLAT DOES ACCURATELY SHOW THE DESCRIBED TRACT OF LAND AND THE SUBDIVISION THEREOF TO THE BEST OF OUR KNOWLEDGE AND BELIEF, AND THAT SAID PLAT DOES ACCURATELY SHOW THE LOCATION OF ALL PUBLIC UTILITIES AS SHOWN HEREON, AND HEREBY DEDICATE THESE UTILITIES TO THE PUBLIC AS SHOWN HEREON. THE SALE IS SUBJECT TO ASSIGNMENT OF PUBLIC UTILITIES AS SHOWN HEREON. THE SALE IS SUBJECT TO ASSIGNMENT OF PUBLIC UTILITIES AS SHOWN HEREON. THE SALE IS SUBJECT TO ASSIGNMENT OF PUBLIC UTILITIES AS SHOWN HEREON.

IN WITNESS WHEREOF:

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME, NOTARY PUBLIC, ON THIS 15th DAY OF March, 1995, BY GRACE L. LINDNER, a single woman, who is the owner of the above described land.

STATE OF COLORADO
 COUNTY OF FREMONT

DEBORAH K. DIORIO
 NOTARY PUBLIC
 STATE OF COLORADO

IN WITNESS WHEREOF:

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME, NOTARY PUBLIC, ON THIS 15th DAY OF March, 1995, BY JOHN E. OLIVER, a Colorado Corporation, who is the owner of the above described land.

STATE OF COLORADO
 COUNTY OF FREMONT

DEBORAH K. DIORIO
 NOTARY PUBLIC
 STATE OF COLORADO

IN WITNESS WHEREOF:

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME, NOTARY PUBLIC, ON THIS 15th DAY OF March, 1995, BY GRACE L. LINDNER, a single woman, who is the owner of the above described land.

STATE OF COLORADO
 COUNTY OF FREMONT

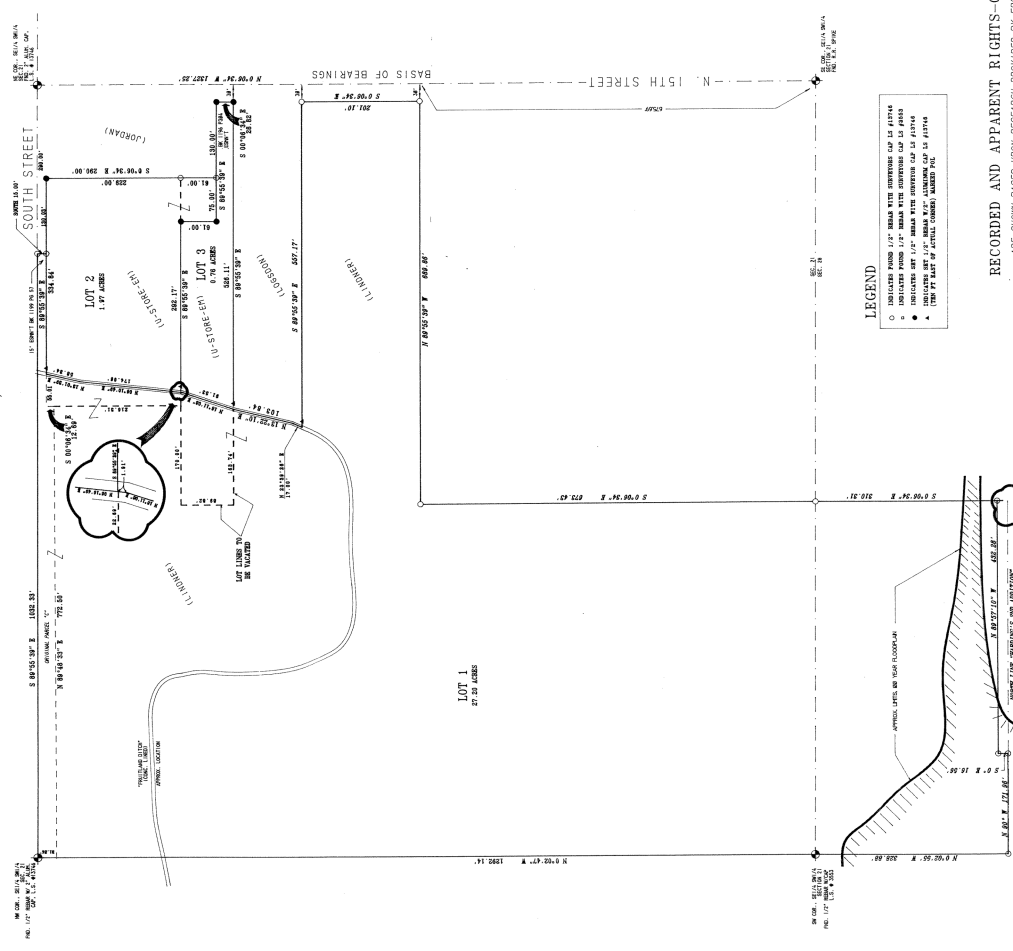
DEBORAH K. DIORIO
 NOTARY PUBLIC
 STATE OF COLORADO

IN WITNESS WHEREOF:

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME, NOTARY PUBLIC, ON THIS 15th DAY OF March, 1995, BY JOHN E. OLIVER, a Colorado Corporation, who is the owner of the above described land.

STATE OF COLORADO
 COUNTY OF FREMONT

DEBORAH K. DIORIO
 NOTARY PUBLIC
 STATE OF COLORADO



LEGEND
 1. INDICATED POINT 1/4" MARK WITH DISTANCE CAP IS STAKE
 2. INDICATED POINT 1/4" MARK WITH DISTANCE CAP IS STAKE
 3. INDICATED POINT 1/4" MARK WITH DISTANCE CAP IS STAKE
 4. POINT MARK BY SURVEY COMPANY, MARKED 104

RECORDED AND APPARENT RIGHTS-OF-WAY
 ARE SHOWN BASED UPON RESEARCH PROVIDED BY FREMONT COUNTY ABSTRACT CO. IN TITLE POLICY NO. 948679 & 898655 AND BY FIELD OBSERVATION OF THE SITE.

BASIS OF BEARINGS
 BEARINGS SHOWN HEREON ARE BASED UPON THE EAST LINE OF THE SW 1/4 SEC. 21, T. 18 S., R. 70 W., 6TH P.M., ASSUMED TO BEAR N 8° 26' 34" W. BETWEEN FOUND MONUMENTS AS SHOWN HEREON.

CERTIFICATES OF APPROVAL:
 THIS IS TO CERTIFY THAT THIS PLAT IS APPROVED AND ACCEPTED AS PER REVIEW BY THE PLANNING DIRECTOR, OF FREMONT COUNTY, COLORADO.
 DATED THIS 30th DAY OF March, 1995.

[Signature]
 BOARD OF COMMISSIONERS CHAIRMAN

3-30-95
 DATE

EASEMENTS:
 EASEMENTS FOR PUBLIC PURPOSES, INCLUDING UTILITIES ARE AS INDICATED ON THIS PLAT. THE LOCATION OF ALL UTILITIES SHOWN ON THIS PLAT IS SUBJECT TO THE LOCATION OF ADJACENT PROPERTY OWNERS, EXCEPT AS OTHERWISE NOTED. ALL INTERIOR LOT LINES ARE SUBJECT TO A 5 FOOT FOOT UTILITY EASEMENT ON BOTH SIDES OF LOT LINE. EXCEPT SUBDIVISION BOUNDARY NOT FRONTING PUBLIC RIGHT OF WAY IS SUBJECT TO A 1/2 FEET FOOT UTILITY EASEMENT.

REGISTERED LAND SURVEYOR'S CERTIFICATION:
 I, JOHN E. OLIVER, A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, HAVE SURVEYED AND PLATTED THE ABOVE DESCRIBED TRACT OF LAND AND THE SUBDIVISION THEREOF TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT SAID PLAT DOES ACCURATELY SHOW THE DESCRIBED TRACT OF LAND AND THE SUBDIVISION THEREOF TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT SAID PLAT DOES ACCURATELY SHOW THE LOCATION OF ALL PUBLIC UTILITIES AS SHOWN HEREON, AND HEREBY DEDICATE THESE UTILITIES TO THE PUBLIC AS SHOWN HEREON. THE SALE IS SUBJECT TO ASSIGNMENT OF PUBLIC UTILITIES AS SHOWN HEREON. THE SALE IS SUBJECT TO ASSIGNMENT OF PUBLIC UTILITIES AS SHOWN HEREON.

DATED THIS 27th DAY OF March, 1995.

[Signature]
 JOHN E. OLIVER, III
 L.S. NO. 13746

STATE OF COLORADO
 COUNTY OF FREMONT

THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK AND NOTARY PUBLIC, FREMONT COUNTY, COLORADO, ON THIS 15th DAY OF March, 1995, A.D. IN BOOK 1613, AT PAGE 173.

[Signature]
 COUNTY CLERK & RECORDER
 NORTH HATFIELD

1092

GREAT DIVIDE
 PLATTING
 1148 MAIN ST., SUITE 100
 FORT COLLINS, CO. 80526
 (970) 225-1148



Fremont County Treasurer

Statement of Taxes Due

Account Number R033925

Parcel 99504354

Legal Description

LOT 1 OLIVER/LINDNER BLLA
REF FROM 190-06-710/992-04- 422

Situs Address

1402 SOUTH ST

Account: R033925
LINDNER STEVEN T
759 APACHE DR
CANON CITY, CO 81212-2214

Year	Tax	Interest	Fees	Payments	Balance
Tax Charge					
2023	\$54.52	\$0.00	\$0.00	\$0.00	\$54.52
Total Tax Charge					\$54.52
Grand Total Due as of 04/10/2024					\$54.52

Tax Billed at 2023 Rates for Tax Area 19M - 19M

Authority	Tax Rate	Amount	Values	Actual	Assessed
SCHOOL DISTRICT RE-1	0.0429800000	\$28.19	IRRIGATED LAND	\$2,483	\$656
CANON CITY RECREATION DISTR	0.0035140000	\$2.31	Total	\$2,483	\$656
S E. COLO WATER CONS DISTRI	0.0008880000*	\$0.58			
UPPER ARKANSAS WATER CONS D	0.0003810000*	\$0.25			
FREMONT COUNTY	0.0118130000*	\$7.75			
FREMONT CONSERVATION DISTRI	0.0005000000	\$0.33			
CANON CITY FIRE PROTECTION	0.0230350000*	\$15.11			
Taxes Billed 2023	0.0831110000	\$54.52			

* Credit Levy

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December 20, 2022



ENTECH
ENGINEERING, INC.

505 ELKTON DRIVE
COLORADO SPRINGS, CO 80907
PHONE (719) 531-5599
FAX (719) 531-5238

Leck Construction
316 Greenhorn Drive
Canon City, CO 81212

Attn: Bob Leck

Re: Subsurface Soil Investigation
1402 South Street
Canon City, Colorado
Entech Job No. 222294

Dear Mr. Leck:

Personnel of Entech Engineering, Inc. have drilled two shallow test borings at the site referenced above. Specific findings for the site are presented in this letter.

Soil Classification:

Soil types observed in the test borings drilled on this site were found to consist of sandy clay overlying sandy claystone.

Allowable Bearing Capacity:

An allowable bearing pressure of 2400 psf is anticipated for the imported structural fill to be placed on this site. An equivalent hydrostatic fluid pressure (in the active state) of 50 pcf is recommended for the imported soils placed on this site.

Soil Moisture Conditions :

Moist.

Expansion Potential :

Swell/Consolidation tests performed on a sample of sandy claystone from Test Boring No. 1 at a depth of 10 feet resulted in a volume change of 6.4 percent, which indicates a very high expansion potential.

Swell/Consolidation tests performed on a sample of sandy clay from Test Boring No. 2 at a depth of 2 to 3 feet resulted in a volume change of 4.0 percent, which indicates a high expansion potential.

An expansion pressure of 730 psf with 0.24 percent volume change and 13.4 percent moisture increase was determined by laboratory tests on a sample of sandy clay from Test Boring No. 1 at a depth of 2 to 3 feet. This magnitude of expansion is in the low expansion range.

Fill:

None.

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Special Considerations:

Due to the expansive soil and bedrock a shallow foundation system would not be expected to perform adequately if it was to rest on the soils in their in-situ condition. The clay soils should be removed and be replaced with suitable backfill as recommended. We recommend a minimum of 7 feet of the expansive soils be removed from beneath all foundation components and be replaced with a suitable non-expansive, granular backfill, or be moisture conditioned and recompacted. If onsite soils are to be utilized, additional testing will be required to properly identify the suitability of the reworked clay. The zone of overexcavation should include areas with expansive soils and extend at least 7 feet beyond the foundation members. The backfill should be compacted in lifts not to exceed 6 inches after compaction, while maintaining a minimum of 95% of its maximum Modified Proctor Dry Density, ASTM D-1557. The soils should be placed at a moisture content conducive to adequate compaction (usually about 0 to +3 percent for onsite clay and ± 2 percent for imported granular backfill of Proctor optimum moisture content). To ensure the quality of the compacted soil, frequent density tests should be taken. The overexcavated site should be observed by a representative of Entech Engineering, Inc. prior to fill placement and the first density test should be conducted when 12 to 18 inches of fill have been placed. The structural fill should be approved prior to hauling it to the site. The use of a subsurface perimeter drain at the overexcavation level may be required depending on the structural fill material used. A typical overexcavation drain detail is included with this letter.

Excavation of the sandy clay should be moderate, utilizing rubber-tired equipment. The claystone bedrock may be somewhat more difficult to excavate, and may require track mounted equipment. Additional testing is required to determine if site soils can be used. Site soils are not acceptable as structural fill, unless mitigated with moisture conditioning.

Foundation Type:

A spread footing (16")/stemwall foundation system, in conjunction with overexcavation, is recommended for this site. Point load bearing pads should be sized for the allowable bearing capacity given. **This does not constitute a foundation design.** Qualified personnel should verify that building loads do not exceed the bearing value given in this letter. The bottoms of exterior foundations should be located at least 36 inches below finished grade for frost protection.

Foundation Configuration Remarks:

The configuration of the foundation system is critical to its performance. The position of foundation windows, jogs, steps and the relative elevation of adjacent and opposite walls determine foundation performance. Improper placement of the above can result in differential and lateral foundation movement. In addition, foundation walls over 4 feet in height should not span over 30 feet in length without specific design.

Reinforcing:

Reinforcing should be designed to permit foundation walls to span a minimum of 10 feet under the design load. Foundation walls should be designed to resist an equivalent fluid pressure (in the active state) of 50 pcf for imported structural fill. Highly expansive soils should not be used as backfill material.

Floor Slabs:

Floor slabs placed on expansive clays should be expected to experience movement. Removal and replacement of clay soils, (7 feet minimum), is recommended to minimize slab movement. Floor slabs on grade, if any should be separated from structural portions of the building and allowed to float freely. Interior partitions must be constructed in such a manner that they do not transmit floor slab movement to the roof or overlying floor. Backfill placed below floor slabs should be compacted to a minimum of 95% of its maximum Modified Proctor Dry Density, ASTM D- 1557. **Structural floors should be used if slab movement cannot be tolerated.**

Drainage and Grading:

The ground surface must be sloped away from the building to provide positive drainage away from the foundation. We recommend an equivalent slope of 6 inches in the first 10 feet (5%) surrounding the structure, where possible, or as required to quickly remove surface water. Where a 5% slope cannot be achieved practically, such as around patios, at inside foundation corners, and between a house and nearby sidewalk, we believe it is desirable to establish as much slope as possible and to avoid irrigation in the area. Roof downspouts should discharge beyond the limits of backfill. We recommend providing splash blocks and downspout extensions to discharge runoff beyond the limits of backfill.

Homebuyers should maintain the surface grading and drainage installed by the builder to assure water is not directed toward the foundations and does not pond near the house. Landscaping should be carefully designed to minimize irrigation adjacent to the foundation. We do not recommend use of impervious plastic membranes below landscaped areas near foundations; geotextile fabrics can control weed growth while allowing evaporation. Plants used close to foundation walls should be limited to those with low moisture requirements; irrigated grass should not be located within 5 feet of the foundation. Sprinklers should not discharge water within 5 feet of foundations. Irrigation should be limited to the minimum amount sufficient to maintain vegetation. Application of more water will increase the potential for slab and foundation movements.

Subdrain:

A subsurface perimeter drain should be placed around the entire structure. This includes foundation walls between a crawlspace and garage. A typical drain detail is included with this letter. **An additional drain at the clay/structural fill interface may also be recommended, depending on the type of structural fill used.**

Backfill:

Backfill should be compacted to 95% of its maximum Modified Proctor Dry Density, ASTM D-1557. Backfill must be compacted by mechanical means. No water flooding techniques of any type should be used in the compaction of backfill on this site. Expansive soils are not to be used as foundation backfill.

Concrete:

Type II cement is recommended for all concrete on this site. Concrete should not be placed on frozen or wet ground. Care should be taken to prevent the accumulation and ponding of water

in the footing excavation prior to the placement of concrete. If standing water is present in the excavation, it should be removed by installing sumps and pumping the water away from the building area. If concrete is placed during periods of cold temperatures, the concrete must be kept from freezing. This may require covering the concrete with insulated blankets and heating to prohibit freezing.

Open Foundation Excavation Observation:

The open foundation excavation should be observed prior to construction of the foundation in order to verify that no anomalies are present, that materials at the proper design bearing capacity have been encountered, and that no soft spots or debris are present in the foundation area. Additional swell testing is recommended at the time of the excavation observation, in order to finalize overexcavation depth.

Remarks:

The recommendations provided in this letter are based upon the observed soil parameters, anticipated foundation loads, and accepted engineering procedures. The recommendations are intended to minimize differential movement resulting from the heaving of expansive soils or resulting from settlement induced by the application of building loads. It must be recognized that the foundation may undergo movement. In addition, concrete floor slabs may experience movement; therefore, adherence to those recommendations which would isolate floor slabs from columns, walls, partitions or other structural components is extremely important, if damage to the superstructure is to be minimized. Any subsequent owners should be apprised of the soil conditions and advised to maintain good practice in the future with regard to surface and subsurface drainage, framing of partitions above floor slabs, drywall and finish work above floor slabs, etc.

We trust this has provided you with the information you required. If you have any questions or need additional information, please do not hesitate to contact us.

Respectfully Submitted,

ENTECH ENGINEERING, INC.




Stuart Wood
Geologist

SW/rs

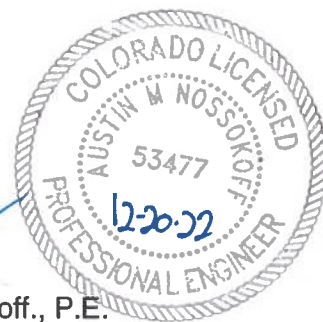
Encl.

AAprojects\2022\222294\222294 ssi

Reviewed by:



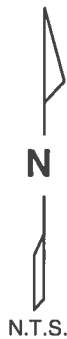
Austin M. Nossokoff., P.E.
Senior Engineer



TEST BORING NO. 1
 DATE DRILLED 12/7/2022
 Job # 222294

TEST BORING NO. 2
 DATE DRILLED 12/7/2022
 CLIENT LECK CONSTRUCTION
 LOCATION 1402 SOUTH STREET

REMARKS	Depth (ft)	Symbol	Samples	Blows per foot	Watercontent %	Soil Type	REMARKS	Depth (ft)	Symbol	Samples	Blows per foot	Watercontent %	Soil Type
DRY TO 20', 12/7/22 CLAY, SANDY, BROWN, VERY STIFF, MOIST				32	15.8		DRY TO 20', 12/7/22 CLAY, SANDY, BROWN, VERY STIFF, MOIST				31	15.1	
CLAYSTONE, SANDY, BROWN TO GRAY BROWN, HARD, MOIST	5			50 11"	16.8		CLAYSTONE, SANDY, BROWN TO GRAY BROWN, HARD, MOIST	5			50 11"	14.9	
	10			50	15.6			10			50 10"	15.0	
	15			50 8"	9.4			15			50 5"	15.8	
	20			50 6"	13.3			20			50 9"	15.1	



LOCATIONS OF TEST BORINGS ARE APPROXIMATE



ENTECH
 ENGINEERING, INC.
 505 ELKTON DRIVE
 COLORADO SPRINGS, COLORADO 80907

TEST BORING LOG

DRAWN:

DATE:

CHECKED:

DATE:

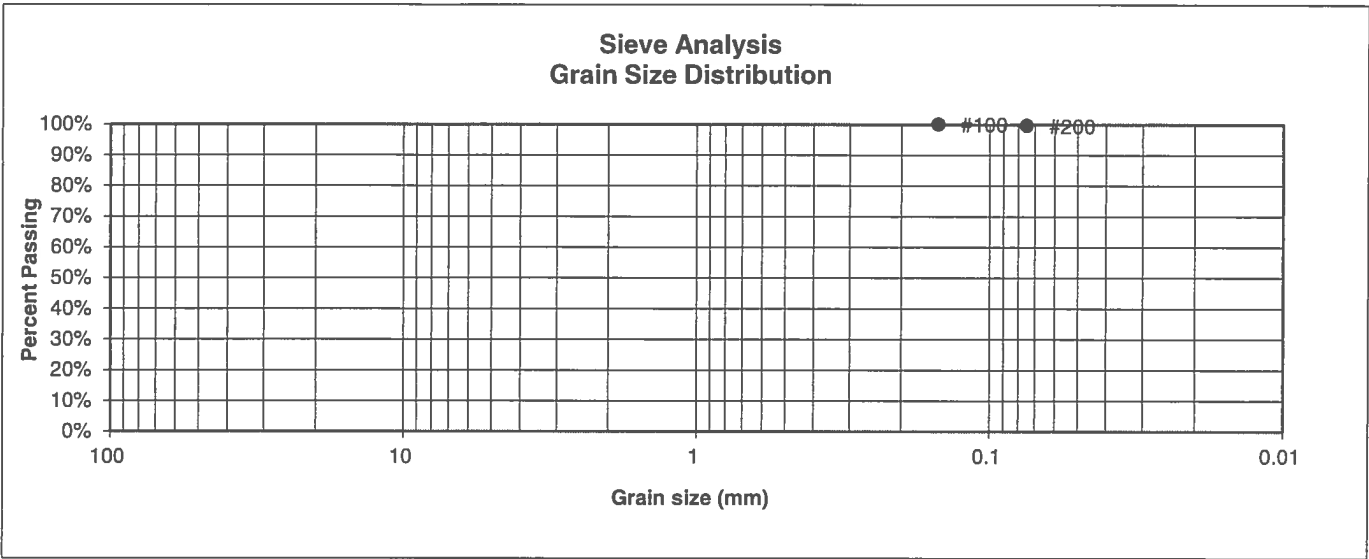
SW Table of Contents

JOB NO.:
222294

FIG NO.:

1

BORING NO.	1	<u>UNIFIED CLASSIFICATION</u>	CL	<u>TEST BY</u>	BL
DEPTH(ft)	2-3	<u>AASHTO CLASSIFICATION</u>		<u>JOB NO.</u>	222294
CLIENT	LECK CONSTRUCTION				
PROJECT	1402 SOUTH STREET				



U.S. Sieve #	Percent Finer
3"	
1 1/2"	
3/4"	
1/2"	
3/8"	
4	
10	
20	
40	
100	100.0%
200	99.5%

Atterberg Limits
 Plastic Limit
 Liquid Limit
 Plastic Index

Swell

Moisture at start	17.8%
Moisture at finish	31.1%
Moisture increase	13.4%
Initial dry density (pcf)	90
Swell (psf)	730



**ENTECH
ENGINEERING, INC.**

505 ELKTON DRIVE
 COLORADO SPRINGS, COLORADO 80907

**LABORATORY TEST
RESULTS**

DRAWN:	DATE:	CHECKED:	DATE:
		SW	12-14-22

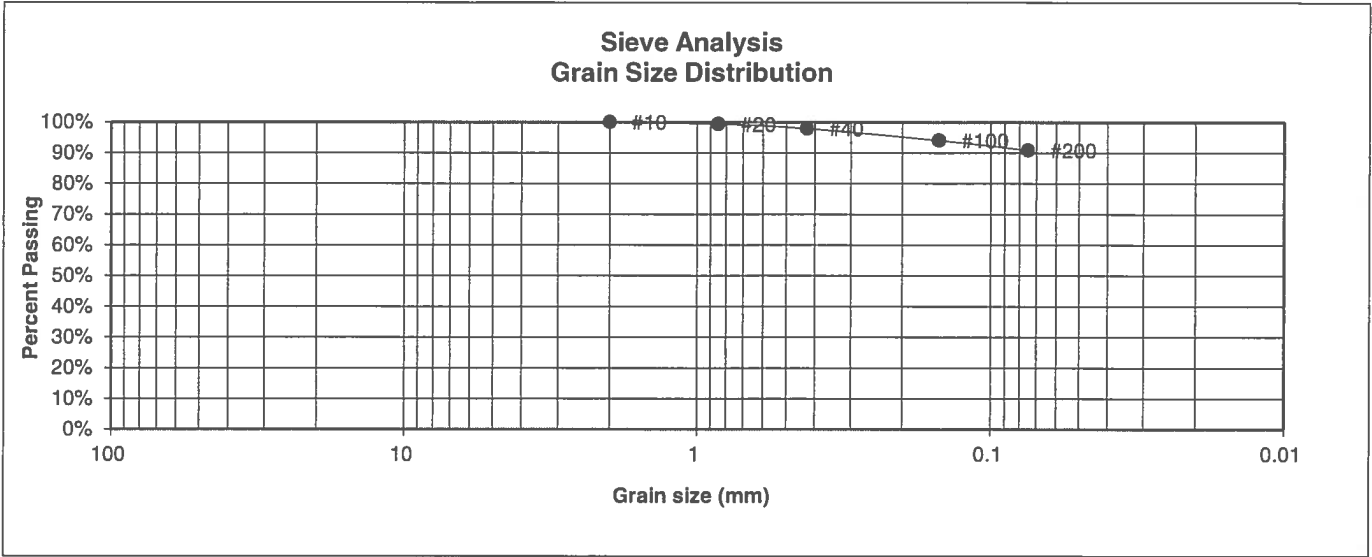
JOB NO.:
222294

FIG NO.:

2

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BORING NO.	1	<u>UNIFIED CLASSIFICATION</u>	CL	<u>TEST BY</u>	BL
DEPTH(ft)	10	<u>AASHTO CLASSIFICATION</u>		<u>JOB NO.</u>	222294
CLIENT	LECK CONSTRUCTION				
PROJECT	1402 SOUTH STREET				



U.S. Sieve #	Percent Finer
3"	
1 1/2"	
3/4"	
1/2"	
3/8"	
4	
10	100.0%
20	99.3%
40	97.9%
100	94.1%
200	90.9%

Atterberg Limits
 Plastic Limit
 Liquid Limit
 Plastic Index

Swell
 Moisture at start
 Moisture at finish
 Moisture increase
 Initial dry density (pcf)
 Swell (psf)



ENTECH
ENGINEERING, INC.

505 ELKTON DRIVE
 COLORADO SPRINGS, COLORADO 80907

**LABORATORY TEST
 RESULTS**

DRAWN:

DATE:

CHECKED:

DATE:

SW 12-14-22

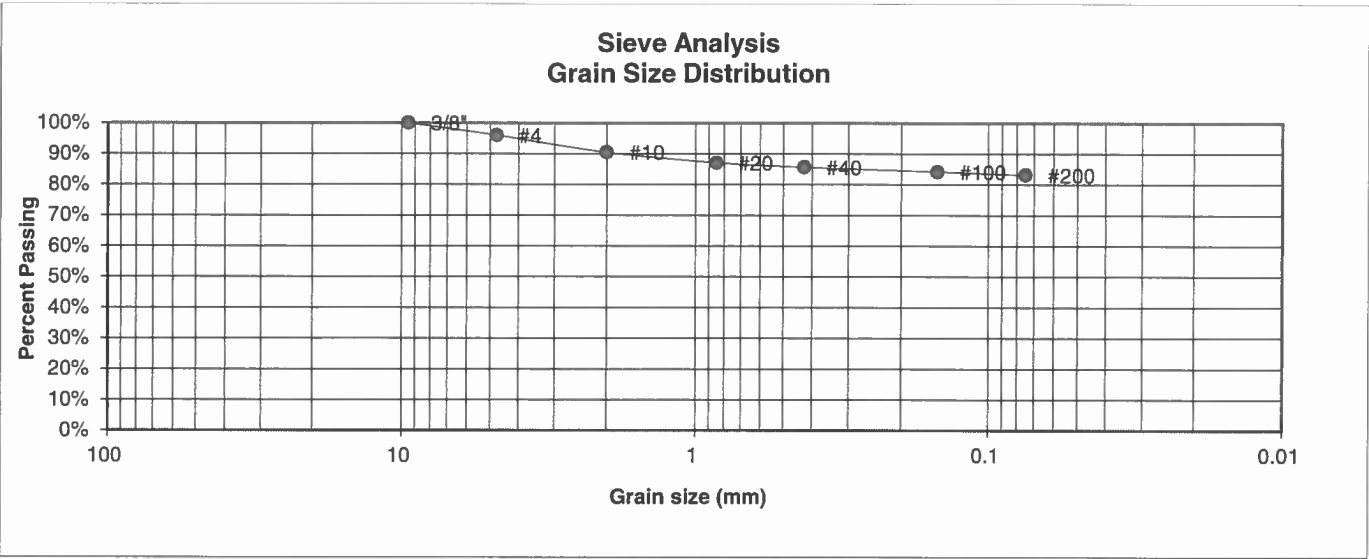
JOB NO.:
 222294

FIG NO.:

3

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BORING NO.	2	<u>UNIFIED CLASSIFICATION</u>	CL	<u>TEST BY</u>	BL
DEPTH(ft)	2-3	<u>AASHTO CLASSIFICATION</u>		<u>JOB NO.</u>	222294
CLIENT	LECK CONSTRUCTION				
PROJECT	1402 SOUTH STREET				



U.S. Sieve #	Percent Finer
3"	
1 1/2"	
3/4"	
1/2"	
3/8"	100.0%
4	96.0%
10	90.5%
20	87.1%
40	85.6%
100	84.1%
200	83.2%

- Atterberg Limits
- Plastic Limit
- Liquid Limit
- Plastic Index

- Swell
- Moisture at start
- Moisture at finish
- Moisture increase
- Initial dry density (pcf)
- Swell (psf)



ENTECH
ENGINEERING, INC.

505 ELKTON DRIVE
COLORADO SPRINGS, COLORADO 80907

**LABORATORY TEST
RESULTS**

DRAWN:

DATE:

CHECKED:

DATE:

SW 12-14-22

JOB NO.:
222294

FIG NO.:

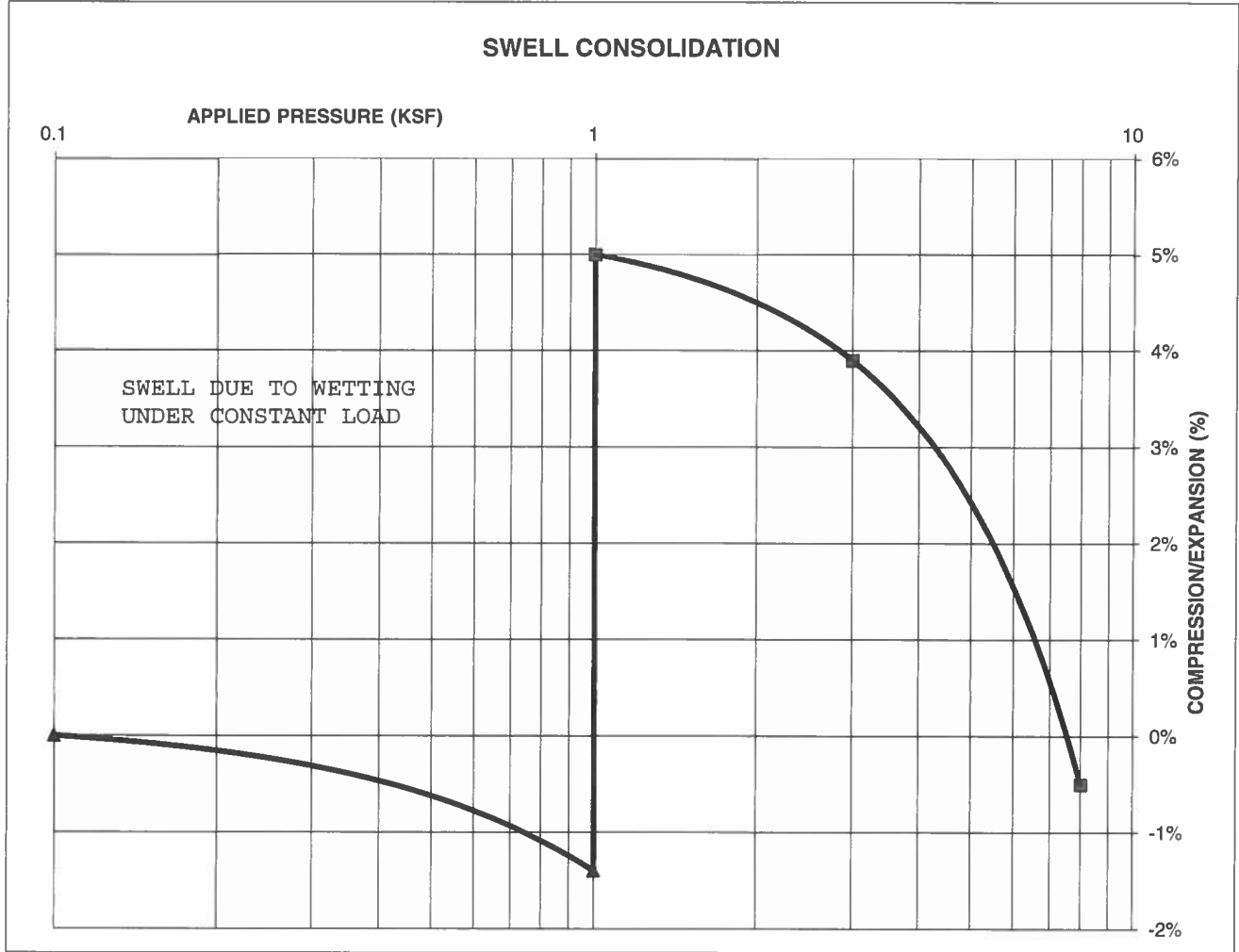
4

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CONSOLIDATION TEST RESULTS

SAMPLE FROM:	1	DEPTH(ft)	10
DESCRIPTION	CLAYSTONE, SANDY		
NATURAL UNIT DRY WEIGHT (PCF)	113		
NATURAL MOISTURE CONTENT	16.7%		
SWELL/CONSOLIDATION (%)	6.4%		

JOB NO. 222294
 CLIENT LECK CONSTRUCTION
 PROJECT 1402 SOUTH STREET



ENTECH
ENGINEERING, INC.

505 ELKTON DRIVE
 COLORADO SPRINGS, COLORADO 80907

SWELL CONSOLIDATION TEST RESULTS

DRAWN:

DATE:

CHECKED:

DATE:

Sw Table of Contents

JOB NO.:
 222294

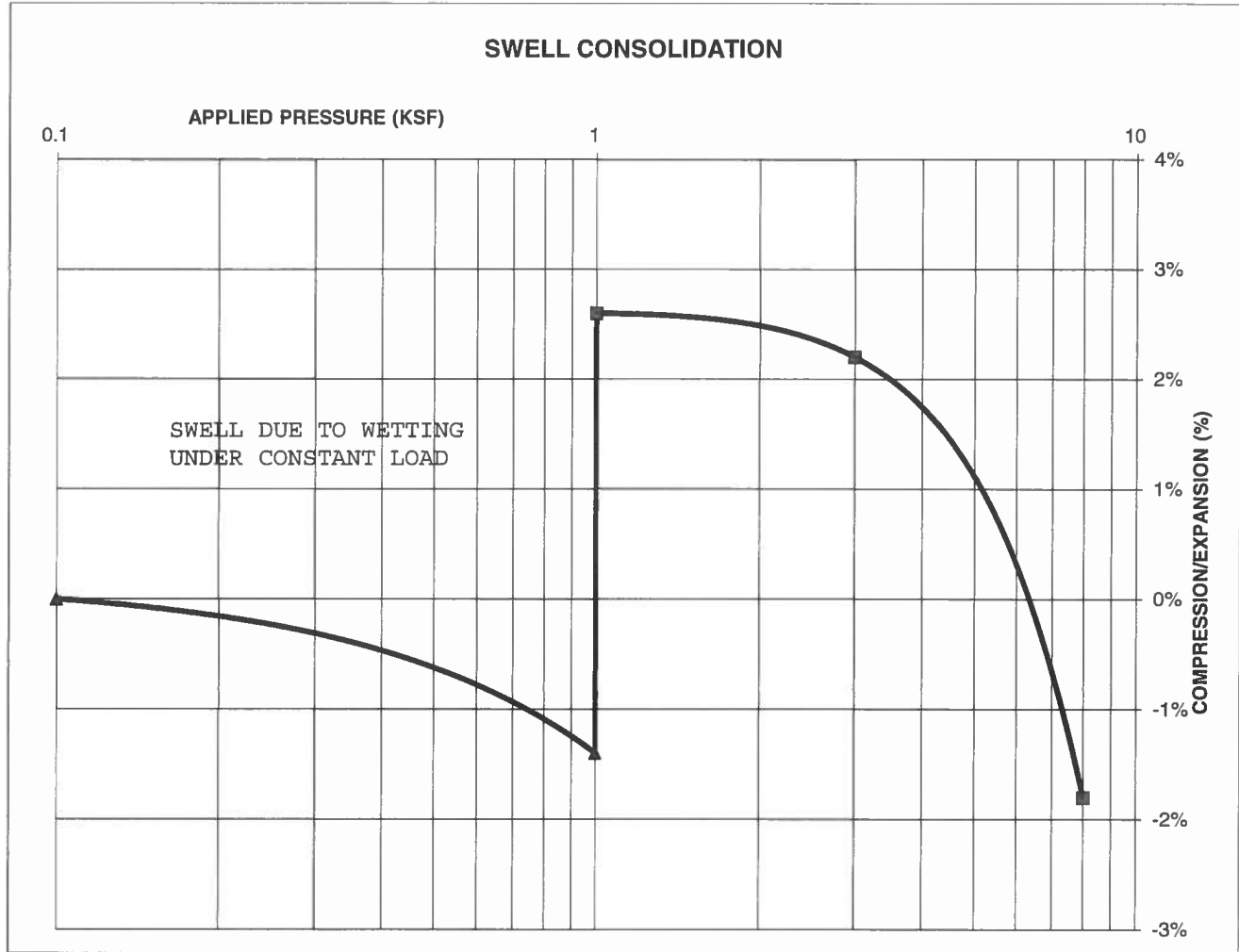
FIG NO.:

S

CONSOLIDATION TEST RESULTS

SAMPLE FROM:	2	DEPTH(ft)	2-3
DESCRIPTION	CLAY, SANDY		
NATURAL UNIT DRY WEIGHT (PCF)	112		
NATURAL MOISTURE CONTENT	16.1%		
SWELL/CONSOLIDATION (%)	4.0%		

JOB NO. 222294
 CLIENT LECK CONSTRUCTION
 PROJECT 1402 SOUTH STREET



ENTECH
ENGINEERING, INC.

505 ELKTON DRIVE
 COLORADO SPRINGS, COLORADO 80907

**SWELL CONSOLIDATION
 TEST RESULTS**

JOB NO.:
 222294

FIG NO.:

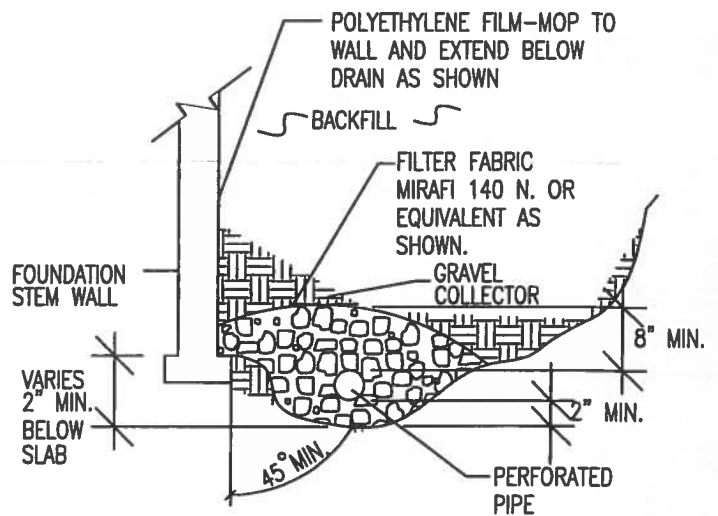
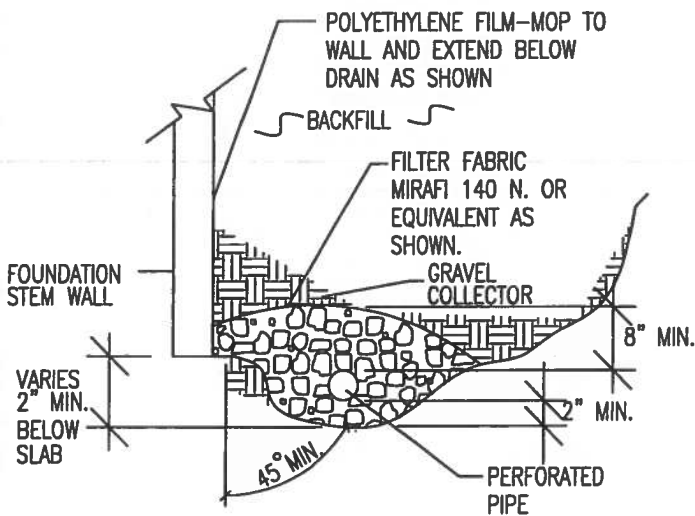
DRAWN:

DATE:

CHECKED:

DATE:

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NOTES:

-GRAVEL SIZE IS RELATED TO DIAMETER OF PIPE PERFORATIONS-85% GRAVEL GREATER THAN 2x PERFORATION DIAMETER.

-PIPE DIAMETER DEPENDS UPON EXPECTED SEEPAGE. 4-INCH DIAMETER IS MOST OFTEN USED.

-ALL PIPE SHALL BE PERFORATED PLASTIC. THE DISCHARGE PORTION OF THE PIPE SHOULD BE NON-PERFORATED PIPE.

-FLEXIBLE PIPE MAY BE USED UP TO 8 FEET IN DEPTH, IF SUCH PIPE IS DESIGNED TO WITHSTAND THE PRESSURES. RIGID PLASTIC PIPE WOULD OTHERWISE BE REQUIRED.

-MINIMUM GRADE FOR DRAIN PIPE TO BE 1% OR 3 INCHES OF FALL IN 25 FEET.

-DRAIN TO BE PROVIDED WITH A FREE GRAVITY OUTFALL, IF POSSIBLE. A SUMP AND PUMP MAY BE USED IF GRAVITY OUT FALL IS NOT AVAILABLE.



ENTECH
ENGINEERING, INC.
505 ELKTON DRIVE
COLORADO SPRINGS, CO. 80907 (719) 531-5599

PERIMETER DRAIN DETAIL

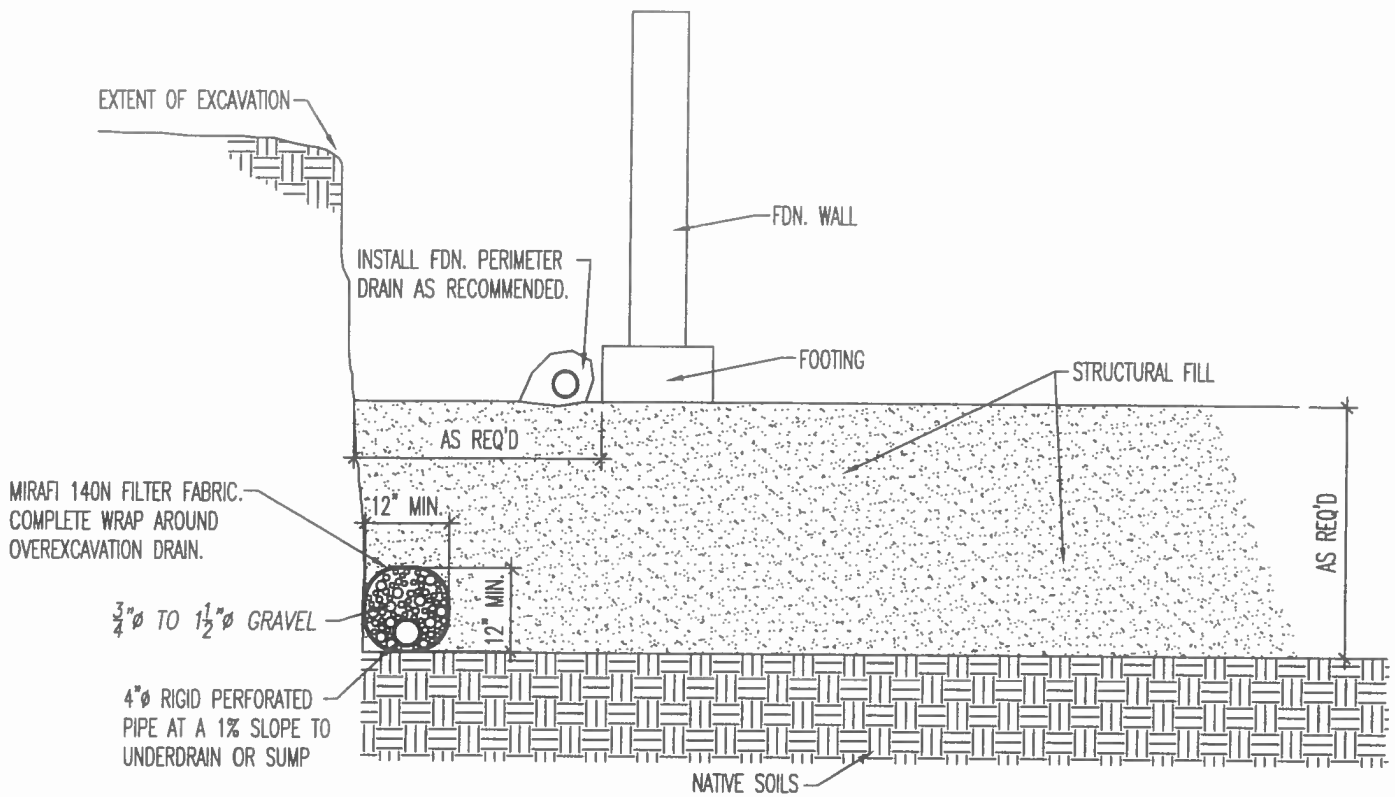
DRAWN:	DATE:	DESIGNED:	CHECKED: SW
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JOB NO.:
222294

FIG NO.:

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OVEREXCAVATION DRAIN DETAIL

N.T.S.

NOTE:
EXTEND DRAIN TO SUMP AS REQ'D.



ENTECH
ENGINEERING, INC.
505 ELKTON DRIVE
COLORADO SPRINGS, CO. 80907 (719) 531-5599

OVEREXCAVATION DRAIN DETAIL

DRAWN:

DATE:

DESIGNED BY:
D. STEGMAN

CHECKED:
SW

JOB NO.:

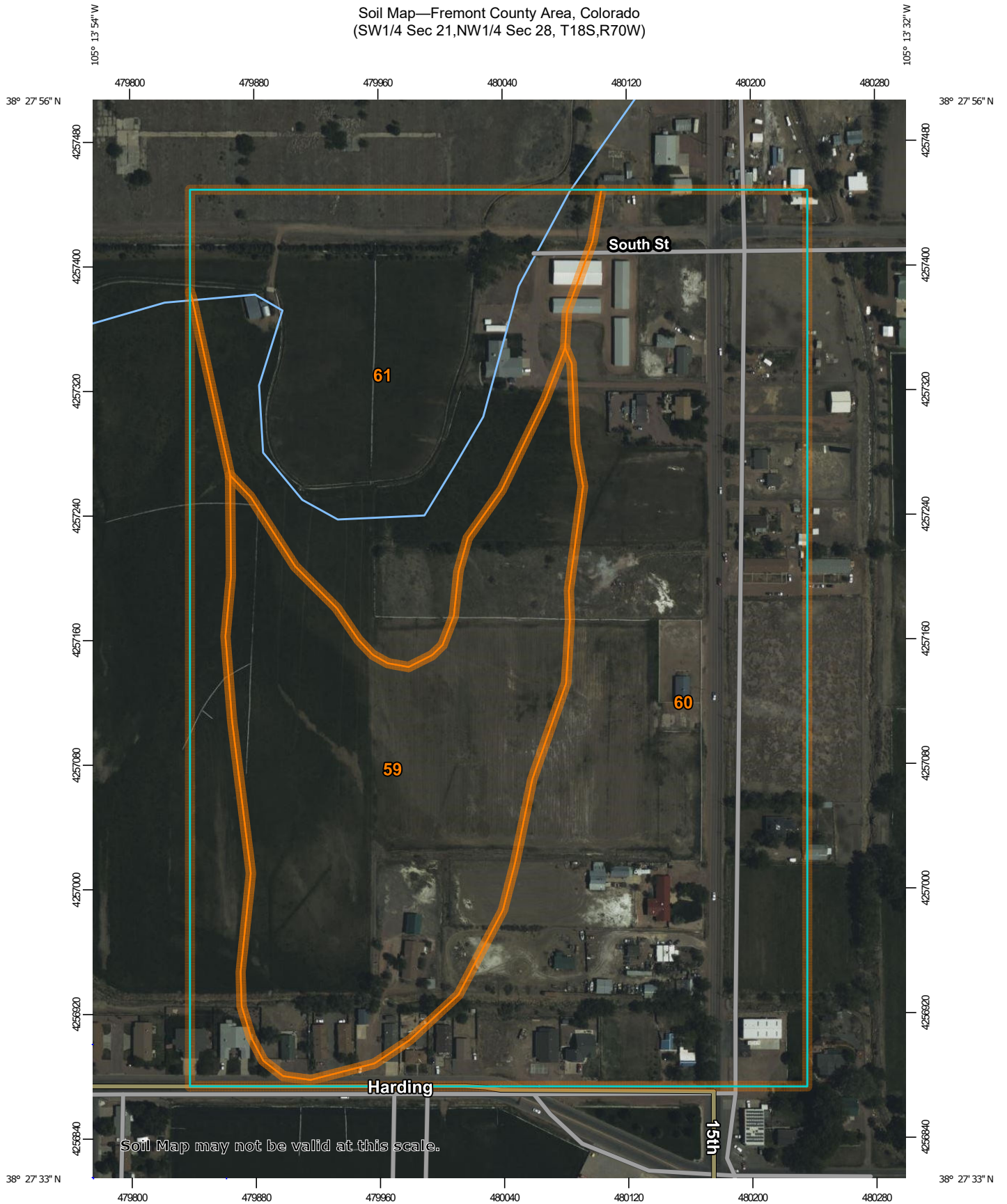
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FIG. NO.:

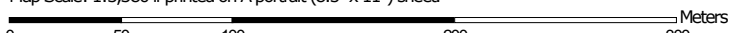
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Soil Map—Fremont County Area, Colorado
(SW1/4 Sec 21, NW1/4 Sec 28, T18S, R70W)



Map Scale: 1:3,380 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 13N WGS84







































Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

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1/1/2024
Page 1 of 3

MAP LEGEND

- Area of Interest (AOI)**
 -  Area of Interest (AOI)
- Soils**
 -  Soil Map Unit Polygons
 -  Soil Map Unit Lines
 -  Soil Map Unit Points
- Special Point Features**
 -  Blowout
 -  Borrow Pit
 -  Clay Spot
 -  Closed Depression
 -  Gravel Pit
 -  Gravelly Spot
 -  Landfill
 -  Lava Flow
 -  Marsh or swamp
 -  Mine or Quarry
 -  Miscellaneous Water
 -  Perennial Water
 -  Rock Outcrop
 -  Saline Spot
 -  Sandy Spot
 -  Severely Eroded Spot
 -  Sinkhole
 -  Slide or Slip
 -  Sodic Spot
- Water Features**
 -  Streams and Canals
- Transportation**
 -  Rails
 -  Interstate Highways
 -  US Routes
 -  Major Roads
 -  Local Roads
- Background**
 -  Aerial Photography
- Soil Area**
 -  Spoil Area
 -  Stony Spot
 -  Very Stony Spot
 -  Wet Spot
 -  Other
 -  Special Line Features

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale. Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Fremont County Area, Colorado
Survey Area Data: Version 21, Aug 24, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: May 18, 2020—May 21, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
59	Limon silty clay loam, moderately wet, 0 to 2 percent slopes	14.8	26.1%
60	Limon silty clay loam, moderately wet, rarely flooded, 0 to 1 percent slopes	28.4	49.9%
61	Limon-Gaynor silty clay loams, 0 to 3 percent slopes	13.7	24.0%
Totals for Area of Interest		56.9	100.0%



City of Cañon City - Utilities
 PO Box 17047
 Denver, CO 80217-0047



AUTOSCH 5-DIGIT 81212 1 PSS 143776AA26-A-1
 27 1 AV 0.504

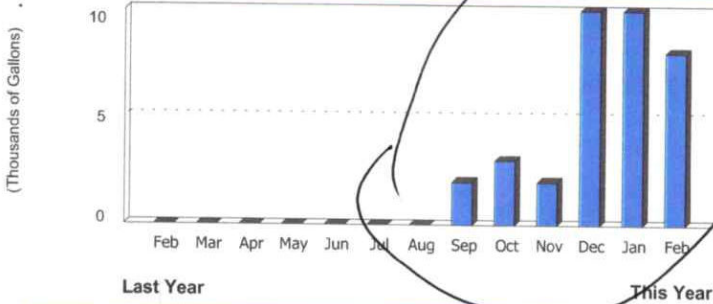


STEVE & CHARLENE LINDNER
 1402 SOUTH ST
 CANON CITY CO 81212-8513



FOR BILLING INFORMATION:
 (719) 269 - 9015
 MONDAY-FRIDAY 8 AM TO 5 PM

YOUR MONTHLY USAGE



SPECIAL MESSAGE

Bills are due the 25th of each month by 5:00pm. A late fee of \$5.00 or 1.5%, whichever is greater, will be applied 5 days after the due date and monthly thereafter until account balance, including fees, has been paid in full. Additional fees may apply if balance remains unpaid. See back of bill for more details.

ACCOUNT INFORMATION

ACCOUNT NUMBER: 9232
 SERVICE ADDRESS: 1402 SOUTH ST
 PAYMENTS RECEIVED: \$0.00
 USAGE FROM: 12/31/23 TO: 02/01/24
 BILL DATE: 02/25/24

DUE DATE: 03/25/24

ACCOUNT ACTIVITY (IN THOUSAND GALLONS)

METER	PREVIOUS	CURRENT	USAGE
13319274	27	35	8

CURRENT CHARGES

DESCRIPTION	AMOUNT
METER CHARGE	25.58
USAGE COST ON 4 X 3.04	12.16
USAGE COST ON 4 X 6.07	24.28

TOTAL CURRENT CHARGES BY 03/25/24 \$62.02

AMOUNT DUE

TOTAL CURRENT CHARGES BY 03/25/24	\$62.02
OUTSTANDING BALANCE	-\$179.60
OUTSTANDING PENALTIES	\$0.00

TOTAL AMOUNT DUE -\$117.58

CREDIT BALANCE - DO NOT PAY

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CITY OF CAÑON CITY

Public Works

P.O. Box 1460 • 128 Main Street
Cañon City, CO 81215-1460
(719) 276-5291 • www.canoncity.org

March 6th, 2024

George Hall
Crown Point Land Services
Crown.Land@outlook.com
719-429-0256

RE: Water Service – 1402 South Street

Dear Mr. Hall;

This letter is to confirm that there is existing City water service at several locations adjacent to 1402 South Street. Approximate locations are shown on the attached GIS Map.

Water service could be made available to the lot via several options that would need to be reviewed and evaluated at the time of a formal proposal when details of the specific need and demand are available.

A water service agreement would have to be created between the owner and the City Council before service could be made to this property.

Sincerely,

Leo Evans

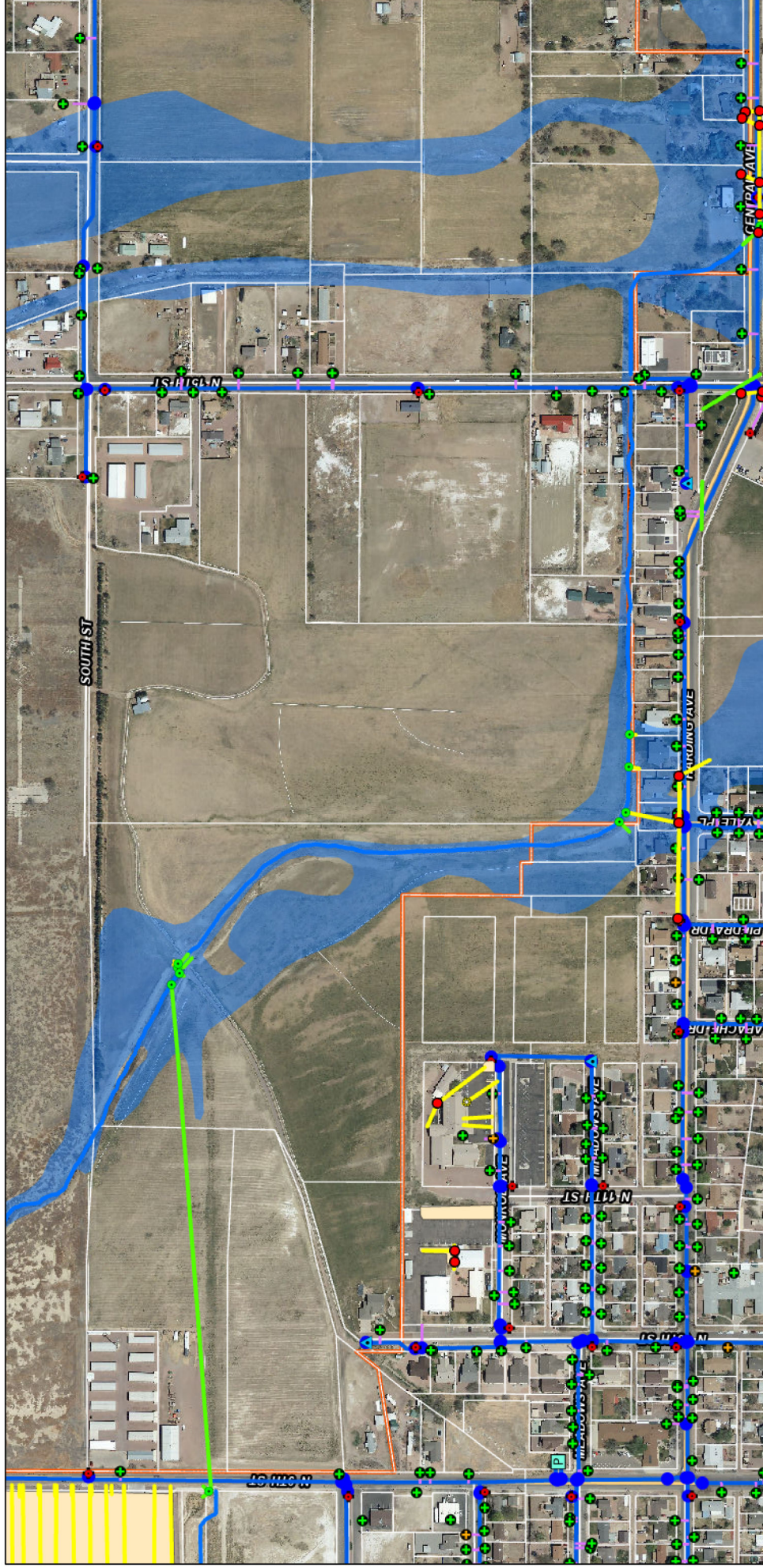
Leo Evans, P.E.
DPW Director
City of Cañon City

Enclosures; GIS Map, Preliminary Plat

CC; T. Payne – Water; T. Dell - Engineering

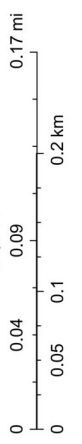
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ArcGIS Web Map



3/6/2024, 7:11:44 AM

1:4,514



- BMP
- Channels
- Pipes
- Culverts
- Manholes
- Outlets
- Inlets
- Water Main
- Water Laterals
- Water Facilities
- Water Valves
- Blow Offs
- Water Meter Pits
- Curb Stop
- Water Meter Pits
- Fire Hydrants
- Road Names
- Roads
- Minor Arterial
- Collector
- Local Road
- Parcels
- County Boundary
- City Limits
- 100 year Flood (April 14, 2016)

ArcGIS Web App Builder
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Fremont Sanitation District

107 Berry Parkway Cañon City, CO 81212-3900

(719) 269-9050

E-Mail: info@fsd.co

Website: www.fsd.co

George R. Hall
Crown Point Land Services
P.O. Box 0749
Cañon City, CO 81215-0749

March 5, 2024

Re: Will-Serve Letter Request – Proposed Lindner Property Replat, Fremont County, CO

Dear Mr. Hall,

Thank you for inquiring about the availability of sanitary sewer service for a proposed re-platting of Lot 1, Oliver/Lindner BLLA located in Fremont County, Colorado. At present, the new residence located at 1402 South Street has been permitted and is connected to public sewer. Fremont Sanitation District (the District) has adequate wastewater collection facilities located in North 15th Street, as well as the treatment plant capacity to serve the proposed parcel to be created by this action, as presented.

According to our records, the parcel involved is outside the boundaries of the District. Sanitary sewer service requires the property owner(s) to petition the Board of Directors to have the property included in the District. An application for this process has been initiated.

All sanitary sewer service installations shall be in compliance with the District's Rules and Regulations, and must be performed by persons certified by the District. Applicable permit fees shall be paid prior to the connection of any new residential use.

This Will-Serve Letter shall not be considered a contractual commitment to serve the proposed development, nor shall it indicate an approval or acceptance of any improvement plans of the owner/developer. Please do not hesitate to contact me should you require additional information.

Sincerely,

Brian P. Rupp, P.E.
District Manager/Engineer

COPY FREMONT SANITATION DISTRICT PERMIT FOR SANITARY SEWER SERVICES

I/We hereby apply for wastewater service upon the facilities of Fremont Sanitation District to serve the following described premises located within the said District:

13XX South St Canon City, CO 81212

It is understood and agreed that issuance of said service is expressly conditioned on continued compliance with the terms of the service agreement set out on the reverse side of this form and the rules and regulations of the District, and the continued use of the services as follows:

Single family residence with a 3/4" water meter

Additional comments/conditions: This permit is being issued with a temporary address due to our price increase beginning 10/01/22 and the county not having assigned an address. When an official address is issued, we will need to adjust the permit and the account in our system to reflect the correct address.

In witness whereof, this agreement is executed this 27th day of September, 2022.

\$ 2,500.00	09/27/2022	\$ 150.00	09/27/2022	\$ 0.00	n/a	\$ 125.00	09/27/2022
System Development Fee	Date paid	Application Fee	Date paid	Main Tapping Fee	Date paid	Inclusion Fee	Date paid

It is agreed between the parties that this permit shall expire on the 27th day of September, 2023.

Steven Lindner

Charlene Lindner

Print Name

Charlene Lindner

Signature of owner/representative

759 Apache Dr.

Billing address

Canon City, CO 81212

City, State, Zip Code

Authorization for Sewer Service:

Jeffrey A Blue
(Signature of District Manager or District Engineer)

For District Use Only

Permit prepared by: *SAU*

An account was opened on the referenced property and billing commenced on _____

(Date)

Account Number: _____

Customer Number: _____

Billing Cycle: _____

(Signature of Account Technician)

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FREMONT COUNTY FIRE PROTECTION PLAN AND DISTRICT COMMENT FORM

The Fremont County Subdivision Regulations and Fremont County Zoning Resolution require a fire protection plan be submitted with many different types of applications, at the time of application submittal. In order to provide consistency in the information received, it shall be required that these plans be submitted on this form.

The Fremont County Department of Planning and Zoning (Department), Fremont County Planning Commission (Commission) and Fremont County Board of County Commissioners (Board) take into consideration the responses of the Applicant and the District during their respective review process.

Attachments can be made to this form to provide expanded narrative for any application item including supportive documentation or evidence for provided form item answers. Please indicate at the form 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 4 would be marked - Exhibit 4.1, the fifth attached document supporting the narrative provided for application item 4 would be marked - Exhibit 4.5*). Exhibit numbers should be placed in either the lower right hand area or the upper right hand area of the exhibit.

If the subject property is not in a fire protection district, only applicants' information and map are required. A copy of the Colorado State Forest Service Wildfire Hazard Area Map with the subject property clearly and accurately located, shall be attached and marked as Exhibit A.

APPLICANT INFORMATION

1. Project Name FOSSIL TRAIL MINOR SUBDIVISION

2. Type of application:

- | | |
|--|---|
| <input type="checkbox"/> Zone Change #1 | <input type="checkbox"/> Special Review Use Permit |
| <input type="checkbox"/> Zone Change #2 – Use Designation Plan | <input type="checkbox"/> Conditional Use Permit |
| <input type="checkbox"/> Zone Change #2 – Final Development Plan | <input type="checkbox"/> Temporary Use Permit |
| <input type="checkbox"/> Commercial Development Plan | <input type="checkbox"/> Change of Use of Property |
| <input type="checkbox"/> Commercial Development Modification | <input type="checkbox"/> Subdivision Preliminary Plan |
| <input type="checkbox"/> Expansion of an existing Business or Industrial Use | <input checked="" type="checkbox"/> Minor Subdivision |

3. The subject property is located at:

1402 SOUTH STREET

Address and or General Location (*If general location only is used, it will be required that a legal description of the subject property be attached Marked as Exhibit 3.1*) An exhibit is attached.

4. Fire protection will be provided in what manner and with what resources?

CANON CITY FIRE PROTECTION DISTRICT 0.3 MILES FROM FIRE DEPARTMENT

5. The source of water for fire protection is:

--- Water District – Name of District: CANON CITY WATER DISTRICT

--- Well – Colorado Division of Water Resources Well Permit Number: N/A
Is the well approved for fire protection? Yes --- No Please explain: _____

---Cistern – What is the cistern capacity? N/A Gallons – What is the water source for filling the cistern? _____

6. What is the distance from the subject property to the nearest fire hydrant? _____
10 feet

7. What public roadways provide access to the subject property? _____
FIFTEENTH STREET AND SOUTH STREET

8. How many accesses to public roadways will the subject property have? _____
THE 20' IN WIDTH WE ASKE THAT THE FLAG LOT WIDTH BE A WAIVER DUE TO EXISTING CERCUMSTANCES FROM PREVIOUS APPROVED PLAT OF OLIVER/LINDNER BLA PLAT RECORDED MARCH 30, 1995 RECEPTION NO. 630804

9. Are the interior roadways existing and or proposed for the subject property adequate for fire vehicle access? Yes --- No Please explain by providing right-of-way and surface widths, length of roadway, surface types for all interior existing and proposed roadways and turning radii for cul-de-sacs. NO INTERNAL ROADWAYS ARE PLANNED FOR THIS MINOR SUBDIVISION

10. What are the existing and or proposed interior roadway names? _____
N/A

11. Is the subject property located within a fire protection district? Yes --- No
If yes, please provide the district name: CANON CITY FIRE PROTECTION

If the subject property is not located within a fire protection district please answer the following questions and the form will be considered completed for submittal. If the subject property is located within a fire protection district then answers to the following will not be required, however the remainder of the form shall be addressed by a representative of the fire protection district in which the subject property is located.

a. What is the name of the fire protection district closest to the subject property? _____

b. What is the distance from the subject property to the nearest fire protection district boundary? _____

c. Is it logical and feasible to annex the subject property to a fire protection district?
 Yes ----- No Please explain: _____

d. What types of fire protection improvements are proposed for the subject property and or structures to be housed on the property? Please explain: _____

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.

STEVEN T LINDNER
Applicant Printed Name
Charlene F. Lindner
Owner Printed Name

Steven T Lindner
Signature
Charlene F. Lindner
Signature

4/9/2024
Date
4/9/2024
Date

FIRE PROTECTION AUTHORITY INFORMATION

1. The name of the fire protection authority is: Canon City Area Fire Protection District
2. Name of contact person: Austin Breuninger
Title: Life Safety Telephone: 719.275.8066
3. The name and address of the responding fire station is: 1475 N 15th St
Station 1
4. The distance from the subject property, by public roadway, to the responding fire station is: .5 mile
5. The estimated response time to the subject property is: 1 minute
6. The location of the closest fire hydrant to the subject property is: 315 feet
7. Is the existing hydrant size and location adequate for the existing neighborhood and the proposed development? Yes --- No Please explain: No new structures, access, or operations proposed
8. Are the existing public roadways accessing the subject property adequate for fire vehicle access? Yes --- No Please explain: No change
9. Are the interior roadways existing and or proposed for the subject property adequate for fire vehicle access? Yes --- No Please explain: No change
10. Are the proposed fire protection measures adequate for any existing or proposed structures to be housed on the subject property? Yes --- No Please explain: No change
11. What are the wildfire hazard classifications for the subject property, as prepared by the Colorado State Forest Service? Lowest

-
-
12. Recommendations concerning fire protection in general, fire protection improvements, suggested road names, for this project are as follows: **NOTE:** Be sure to list type, size and location of improvements recommended (i.e.; hydrants, water lines, cisterns, dry hydrants, roadway improvements, etc.). **Please indicate whether recommendations or requirements are the result of codes or regulations, and provide supporting information which will assist the Planning Commission and the Board of County Commissioners to determine whether to adopt any or all of the recommendations as requirements of the permit.**

On 11 April 2024, we spoke with owner representative, George Hill, and understood that there will be no new structures or operations at this property. This process is simply adjusting a property line.

AS

Life Safety

Signature and title of Authorized Fire Protection Representative

11 Apr 24

Date



FREMONT COUNTY SUBDIVISION RECREATION PLAN AND DISTRICT COMMENT FORM

The Fremont County Subdivision Regulations require notification, of any recreation district when an application for Minor Subdivision or Preliminary Plan is made and any portion of the subject property is within a one (1) mile radius of a recreation district boundary. Evidence of notification is required at the time of submittal for said applications. In order to provide consistency, it shall be required to be submitted using this form.

The Fremont County Department of Planning and Zoning (Department), Fremont County Planning Commission (Commission) and Fremont County Board of County Commissioners (Board) take into consideration the responses of the Applicant and the District during their respective review process.

Attachments can be made to this form to provide expanded narrative for any application item including supportive documentation or evidence for provided form item answers. Please indicate at the form 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 4 would be marked - Exhibit 4.1, the fifth attached document supporting the narrative provided for application item 4 would be marked - Exhibit 4.5*).

In addition, if any portion of the subject property is located within a Recreation District or within one (1) mile of a Recreation District Boundary, a map of the Recreation District Boundary in the area of the subject property shall be provided which locates the proposed subdivision marked at Exhibit A. Recreation District Boundaries shall be obtained from the appropriate district.

APPLICANT INFORMATION

1. Proposed Subdivision Name: Fossil Trail Minor Subdivision
2. Type of Application: Minor Subdivision Preliminary Plan
3. The subject property is located at: 1402 South Street Canon City, Colorado 81212

Address and or General Location (*If general location only is used, it will be required that a legal description of the subject property be attached Marked as Exhibit 3.1*) An exhibit is attached.

4. Has the applicant designated any portion of the proposed subdivision for public recreational purposes?
 Yes --- No If yes, please explain. _____
5. Has the applicant designated any portion of the proposed subdivision for recreational use of the residents of the proposed subdivision? Yes --- No If yes, please explain. _____
6. Has the applicant designated any portion of the proposed subdivision for public open space purposes?
 Yes --- No If yes, please explain. _____

7. Has the applicant designated any portion of the proposed subdivision for open space for the sole benefit of the residents of the proposed subdivision? Yes --- No If yes, please explain. _____

8. Is any portion of the subject property within a recreation district? Yes --- No If yes, provide the name of the Recreation District: Canon City Area Recreation and Park District

9. Is any portion of the subject property within one (1) mile of a recreation district boundary?

Yes --- No If yes, provide the name of the Recreation District? _____
Canon City Area Recreation and Park District

If no, what is the name of the closest Recreation District to the subject property? _____

What is the distance from the closest Recreation District boundary to the any portion of the subject property? 0.5 miles

10. Is the applicant considering annexation of any portion of the subject property into a recreation district? Yes --- No Please explain: _____

STEVEN T. LINDNER
Applicant / Owner Printed Name

Steven T. Lindner
Signature

4/9/2024
Date

RECREATION DISTRICT INFORMATION

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 will result in the Department, Commission and Board assuming that the Recreation District, has no comments with regard to the proposed subdivision.

1. The name of the Recreation District is: CAYON CITY AREA RECREATION & PARK DISTRICT

2. Name of contact person: KYLE HOWE

Title: EXECUTIVE DIRECTOR

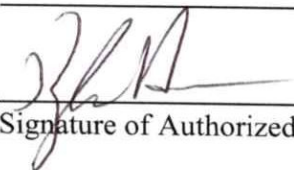
Telephone: (719) 275-1578

3. Is any portion of the subject property located within the Recreation District? Yes --- No If no, is annexation of the subject property to the Recreation District logical and feasible? Yes --- No

Please explain. _____

4. District recommendations concerning recreational needs for this proposed subdivision are as follows:

None AT THIS TIME



Signature of Authorized Recreation District Representative

4/10/24

Date

Parcel Map Check Report

Client:

Steven T. Lindner and Charlene F. Lindner
1402 South Street
Canon City, Colorado 81212

Prepared by:

George R. Hall
Crown Point Land Services
P.O. Box 749, canon City, CO 81215

Date: 4/9/2024 1:35:58 PM

Parcel Name: Site 1 - Property : 1

Segment# 1: Line

Course: N66° 09' 00"W Length: 194.28'

Segment# 2: Line

Course: N0° 03' 57"E Length: 210.88'

Segment# 3: Line

Course: N89° 55' 39"E Length: 430.10'

Segment# 4: Line

Course: S0° 08' 42"E Length: 15.00'

Segment# 5: Line

Course: S89° 55' 39"W Length: 208.66'

Segment# 6: Line

Course: S13° 01' 39"W Length: 59.01'

Segment# 7: Line

Course: S6° 10' 49"W Length: 174.08'

Segment# 8: Line

Course: S15° 11' 05"W Length: 45.76'

Perimeter: 1,337.78' Area: 54,345.58Sq.Ft.

Error Closure: 0.0060 Course: S12° 30' 34"E

Error North : -0.00583 East: 0.00129

Precision 1: 222,961.67

Parcel Name: Site 1 - Property : 2

Segment# 1: Line

Course: S15° 11' 05"W Length: 45.76'

Segment# 2: Line

Course: S13° 13' 28"W Length: 103.84'

Segment# 3: Line

Course: S23° 30' 46"W Length: 17.00'

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Segment# 4: Line	
Course: N89° 55' 39"E	Length: 557.17'
Segment# 5: Line	
Course: S0° 15' 16"E	Length: 201.10'
Segment# 6: Line	
Course: S89° 55' 39"W	Length: 689.86'
Segment# 7: Line	
Course: S0° 15' 16"E	Length: 673.43'
Segment# 8: Line	
Course: S0° 15' 16"E	Length: 310.31'
Segment# 9: Line	
Course: S89° 54' 08"W	Length: 432.28'
Segment# 10: Line	
Course: S0° 08' 42"E	Length: 16.56'
Segment# 11: Line	
Course: S89° 51' 18"W	Length: 171.96'
Segment# 12: Line	
Course: N0° 11' 37"W	Length: 328.88'
Segment# 13: Line	
Course: N0° 11' 28"W	Length: 1,292.14'
Segment# 14: Line	
Course: N0° 11' 29"W	Length: 31.24'
Segment# 15: Line	
Course: N89° 55' 39"E	Length: 602.23'
Segment# 16: Line	
Course: S0° 03' 57"W	Length: 210.88'
Segment# 17: Line	
Course: S66° 09' 00"E	Length: 194.28'
Perimeter: 5,878.93'	Area: 1,159,988.84Sq.Ft.
Error Closure: 0.0113	Course: N15° 54' 14"E
Error North : 0.01084	East: 0.00309
Precision 1: 520,258.41	