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FREMONT COUNTY – COLORADO DEPARTMENT OF PLANNING AND ZONING

615 MACON AVE., CANON CITY, COLORADO

719-276-7360 PH / 719-276-7374 FAX

Email: Planning@fremontco.com

SUBMITTAL REVIEW / STAFF REPORT

September 8th , 2026

Project Name: Amendment #1 CUP 11-001 Cañon Dolomite Quarry

Site Address: 50814 US Highway 50, Canon City, CO 81212

Name(s) Amrize West Central, Inc (f/k/a Holcim-WCR, Inc.)

Authorized Representative / Consultant / Applicant

Name(s) Kurt Thurmman, Land Manager, Amrize

Request:

Requesting to amend a condition of Conditional Use Permit (CUP) 11-001 Cañon Dolomite Quarry, Resolution 12, Series of 2012, Section K, Recording #894566. Amrize is requesting that the current truck traffic condition (Section K) be amended to include the “Annual Average Daily Traffic” verbiage as stated in the original CDOT approval.

Resolution 12, Series of 2012 states:

“Section K. The number of haul truck trips shall not exceed forty-eight (48) trips per day and ten (10) employee trips. (A trip is considered as a single or one direction vehicle movement with either the origin or the destination (exiting or entering) inside the subject property.)”

Colorado State Highway Access Permit #211052 states:

“13. The Annual Average Daily Traffic (AADT) volumes associated with the gravel quarry use shall not exceed 10 trips for Employees and 48 trips for Hauling Operations. These figures do not include the trips made by the one-single family residence.”

This amendment to the existing conditions will provide Amrize with more operational flexibility as market conditions continue to change, and the material from the Cañon Dolomite Quarry becomes more desirable across Fremont County.

SUBMITTAL REQUIREMENTS:

Detailed proposal of the amendment.

CUP 11-001. Original Resolution. Resolution 12, Series of 2012. Recording #894566.

Fremont County Conditional Use Permit CUP 11-001 Cañon Dolomite Quarry

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Fremont County Conditional Use Permit Transfer of Ownership

Department Recommendations:

The department recommends the approval of the amendment to Resolution 12, Series of 2012. Recording #894566. To amend Section K, to match the same verbiage as stated in the original CDOT permit #211052, 13. The Annual Average Daily Traffic (AADT) volumes associated with the gravel quarry use shall not exceed 10 trips for Employees and 48 trips for Hauling Operations. These figures do not include the trips made by the one-single family residence.

8/12/2026

Danielle Adamic
Senior Planning Coordinator
Fremont County Department of Planning & Zoning
615 Macon Ave. Room #210
Cañon City, CO 81212

RE: Application for Amendment to Conditions, Fremont County Conditional Use Permit ("CUP") 11-001, Cañon Dolomite Quarry

Danielle,

Amrize West Central Inc. ("Amrize") is submitting the following information to serve as our application for an amendment to an existing PUD condition regarding haul truck trips at the Canon Dolomite Quarry. The Canon Dolomite Quarry is located in Fremont County at the approximate coordinates of 38.458217, -105.271451, with facility access utilizing US Hwy 50.

The current condition that Amrize is requesting an amendment to is Section K in the recorded resolution No.12 (reception # 894566):

"K. The number of haul truck trips shall not exceed forty-eight (48) trips per day and ten (10) employee trips. (A trip is considered as a single or one direction vehicle movement with either the origin or the destination (exit or entering) inside the subject property.)"

The Colorado Department of Transportation ("CDOT") State Highway Access Permit for the facility (approved 1/25/2012), states in section 13:

"The Annual Average Daily Traffic (AADT) volumes associated with the gravel quarry use shall not exceed 10 trips for Employees and 48 trips for Hauling Operations. These figures do not include the trips made by the on-single family residence"

Therefore, Amrize is requesting that the current truck traffic condition (Section K) be amended to include the "Annual Average Daily Traffic" verbiage as stated in the original CDOT approval.

This modification to the existing condition will provide Amrize with more operational flexibility as market conditions continue to change, and the material from the Canon Dolomite Quarry becomes more and more desirable across Fremont County.

Thank you and please let me know if you would like to discuss or require any additional information to begin processing this amendment.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kurt', followed by a horizontal line.

Kurt Thurmann
720-329-8851
Regional Land Manager
Amrize West Central Inc.

cc: Peter Sanguineti, Regional President, Amrize West Central Inc.
Dan Victoria, Director, Fremont County Planning & Zoning

Attachments:

1. Fremont County Conditional Use Permit CUP 11-001
2. Fremont County Resolution No.12 (2012) for CUP 11-001
3. Colorado Department of Transportation (CDOT) State Highway Access Permit 211052



FREMONT COUNTY
DEPARTMENT OF PLANNING AND ZONING
615 MACON AVENUE, ROOM 210, CAÑON CITY, COLORADO, 81212
Telephone 719-276-7360 / Facsimile 719-276-7374
Email: Planning@fremontco.com

Amendment to Contingencies or Conditions

Application Packet

Note: All applications prior to submittal must have gone through a pre-application meeting.

FREMONT COUNTY PLANNING & ZONING

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Process & Requirements Overview

No changes to contingencies or conditions of approval may be granted unless an application, provided by the Department, is submitted detailing the reasons and justification for change, and required fee is submitted to the Department.

The Department shall schedule the request for change for the next regular Board meeting at which the Board could consider the request.

The Board may, at its discretion, require the request to be reviewed by the Commission at its next regularly scheduled meeting.

The Board may, at its discretion, require a public hearing, with notice requirements, at the applicant's expense, to review the request for change.

Applicants shall pay all application fees to the Fremont County Treasurer's Office. Upon receipt of a complete application, a Department representative will provide the applicant with a payment check list to present to the Treasurer's Office with payment.



FREMONT COUNTY

DEPARTMENT OF PLANNING AND ZONING

615 MACON AVENUE, ROOM 210, CAÑON CITY, COLORADO, 81212

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

Email: Planning@fremontco.com

Amendment to Contingencies or Conditions \$250.00

PROPERTY INFORMATION: Provide information to identify the permit.

Property Address:

38.458217, -105.271451, Canon Dolomite Quarry

Permit Type & Number:

Conditional Use, CUP 11-001

Resolution Number & Recording Number (if applicable):

Resolution NO. 12, Series of 2012. Reception #894566

PROPERTY OWNER(S) INFORMATION: Indicate the person(s) or organization(s) who own the property.

Name(s) (Individual or Organization):

Amrize West Central, Inc (f/k/a Holcim-WCR, Inc.)

Mailing Address:

Attn: Kurt Thurmann 1687 Cole Blvd, Suite 300, Golden, CO 80401

Telephone:

720-329-8851

Email Address:

kurt.thurmann@amrize.com

AUTHORIZATION REPRESENTATIVE / AGENT / CONSULTANT: Indicate person(s) submitting the application if different than the property owner(s). Attach additional sheets if necessary.

Name(s) (Individual or Organization): Amrize West Central, Inc (f/k/a Holcim-WCR, Inc.)
Mailing Address: Attn: Kurt Thurmann 1687 Cole Blvd, Suite 300, Golden, CO 80401
Telephone: 720-329-8851
Email Address: kurt.thurmann@amrize.com

REQUIRED ATTACHMENTS

☒	Describe in detail the proposed amendment to the contingencies or conditions. Attach all supporting documentation for the request.
☒	Attach the Board of County Commissioners approval letter from the original hearing/meeting.
☒	Attach resolutions, permits, & site plans (if applicable)

By signing this Application, the Applicant, or the agent / representative / consultant 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 the Applicant’s knowledge and belief.

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

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

Signing this Application is a declaration by the applicant that all plans, drawings and commitments submitted with or contained within this Application are or will be in conformance with the requirements of the Fremont County Zoning Resolution.

<u>Kurt Thurmann, Land Manager, Amrize</u>		<u>8/13/26</u>
Printed Name	Applicant Signature	Date
<u>Peter Sanguineti, Regional President, Amrize</u>		<u>8/13/26</u>
Printed Name	Owner Signature	Date

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FREMONT COUNTY CONDITIONAL USE PERMIT TRANSFER OF OWNERSHIP

Permit Number CUP 11-001 Cañon Dolomite Quarry

Upon application, incorporated herein as set forth in full, and subject to the terms and conditions set forth in Fremont County Board of County Commissioners Resolution 12, Series of 2012, recording #894566 & CUP Permit recording #894567, the Board of County Commissioners have reviewed and approved another Transfer of Ownership, from **Castle Concrete Company, LLC. TO HOLCIM – WCR, INC., MICHAEL LEMONDS**. The subject property is located in the Agricultural Forestry Zone District.

The location for which said issued permit is as follows:

LEGAL DESCRIPTION

Township 18 South, Range 70 West, Fremont County, Colorado.

Section 19: Southwest Quarter of the Southeast Quarter, and the Southeast Quarter of the Southwest Quarter of the Southwest Quarter;

Canon Placer #3 Mining Claim over Lot #7 in the North half of the Southwest Quarter of the Southwest Quarter;

Canon Placer #4 Mining Claim over Lot #6 in the South half of the Northwest Quarter of the Southwest Quarter;

Canon Placer #5 Mining Claim in the North half of the Northwest Quarter of the Southwest Quarter;

Canon Placer #6 Mining Claim in the North half of the Southeast Quarter of the Southwest Quarter;

Dolomite #7 Mining Claim in the South half of the Southwest Quarter of the Southwest Quarter.

Section 19 & 30: Dolomite #6 Mining Claim in the Southwest Quarter of the Southeast Quarter of the Southwest Quarter of Section 19, and the Northwest Quarter of the Northeast Quarter of the Northwest Quarter of Section 30.

Section 29: Surface only of 30 foot strip for road right of way over South half of the Southwest Quarter described as follows:

Beginning at a point whence the Southwest Corner of said Section 29 bears S 34°28' W, 1080.7 feet;

Thence N 37°36' W, 773 feet to a point;

Thence N 25°26' W, 227 feet to a point;

Thence N 72°52' W, 43.5 feet, more or less, to an intersection with the West boundary line of said Section 29.

Section 30: Canon Placer Claim #1 over the South half of the Northeast Quarter of the Southwest Quarter;

Dolomite #1 Mining Claim over the Northwest Quarter of the Northwest Quarter of the Southeast Quarter, and the Northeast Quarter of the Northeast Quarter of the Southwest Quarter;

Dolomite #2 Mining Claim over the Southwest Quarter of the Southwest Quarter of the Northeast Quarter, and the Southeast Quarter of the Southeast Quarter of the Northwest Quarter;

Dolomite #3 Mining Claim over the Southwest Quarter of the Southeast Quarter of the Northwest Quarter, and the Northwest Quarter of the Northeast Quarter of the Southwest Quarter;

Dolomite #4 Mining Claim over the North half of the Southeast Quarter of the Northwest Quarter;

Dolomite #5 Mining Claim over the South half of the Northeast Quarter of the Northwest Quarter;

Dolomite #8 Mining Claim over the North half of the Northwest Quarter of the Northwest Quarter;

Dolomite #9 Mining Claim over the South half of the Northwest Quarter of the Northwest Quarter;

Dolomite #10 Mining Claim over the North half of the Southwest Quarter of the Northwest Quarter;

Dolomite #11 Mining Claim over the South half of the Southwest Quarter of the Northwest Quarter;

Northeast Quarter of the Northeast Quarter of the Northwest Quarter, and the North half of the Southwest Quarter of the Northeast Quarter, and the Southeast Quarter of the Southwest Quarter of the Northeast Quarter, and the Northeast Quarter of the Northwest Quarter of the Southeast Quarter, and the Northwest Quarter of the Northeast Quarter.

South Part of the Northeast Quarter of the Southeast Quarter described as follows:

Beginning at the Southeast corner of the Northeast Quarter of the Southeast Quarter of Section 30;

Thence North along the East boundary of said Section 417.5 feet;

Thence N 72°52' W, 1381.3 feet;

Thence S 824.4 feet to the Northwest corner of the Southeast Quarter of the Southeast Quarter of said Section;

Thence East 1320 feet, more or less, to the place of beginning.

Date of Conditional Use Approval: ----- February 14, 2012

Date of Conditional Use Issuance: -----March 22, 2012

Date of 1st Transfer of Ownership ----- June 27, 2023

Date of Conditional Use Permit Expiration: ----- Life of Use

Authorized Representative Signature: _____



Dan Victoria, Planning Director

FREMONT COUNTY CONDITIONAL USE PERMIT

Permit Number CUP 11-001 CAÑON DOLOMITE QUARRY

Upon application, incorporated herein as set forth in full, and subject to the terms and conditions set forth in Fremont County Board of County Commissioners Resolution Number 12, Series of 2012, the Board of County Commissioners have reviewed and approved the issuance of a Conditional Use Permit to allow for MINING OF DOLOMITE AND ROCK AND GRAVEL, which may include drilling, blasting, on-site crushing and screening and hauling rock from the site, for Rocky Mountain Landscape Materials on property owned by Castle Concrete Company (lessor). The location for which said issued permit is as follows:

LEGAL DESCRIPTION

Township 18 South, Range 70 West, Fremont County, Colorado.

Section 19: Southwest Quarter of the Southeast Quarter, and the Southeast Quarter of the Southeast Quarter of the Southwest Quarter;

Canon Placer #3 Mining Claim over Lot #7 in the North half of the Southwest Quarter of the Southwest Quarter;

Canon Placer #4 Mining Claim over Lot #6 in the South half of the Northwest Quarter of the Southwest Quarter;

Canon Placer #5 Mining Claim in the North half of the Northwest Quarter of the Southwest Quarter;

Canon Placer #6 Mining Claim in the North half of the Southeast Quarter of the Southwest Quarter;

Dolomite #7 Mining Claim in the South half of the Southwest Quarter of the Southwest Quarter.

Section 19 & 30: Dolomite #6 Mining Claim in the Southwest Quarter of the Southeast Quarter of the Southwest Quarter of Section 19, and the Northwest Quarter of the Northeast Quarter of the Northwest Quarter of Section 30.

Section 29: Surface only of 30 foot strip for road right of way over South half of the Southwest Quarter described as follows:

Beginning at a point whence the Southwest Corner of said Section 29 bears S 34°28' W, 1080.7 feet;

Thence N 37°36' W, 773 feet to a point;
Thence N 25°26' W, 227 feet to a point;
Thence N 72°52' W, 43.5 feet, more or less, to an intersection with the West boundary line of said Section 29.

Section 30: Canon Placer Claim #1 over the South half of the Northeast Quarter of the Southwest Quarter;

Dolomite #1 Mining Claim over the Northwest Quarter of the Northwest Quarter of the Southeast Quarter, and the Northeast Quarter of the Northeast Quarter of the Southwest Quarter;

Dolomite #2 Mining Claim over the Southwest Quarter of the Southwest Quarter of the Northeast Quarter, and the Southeast Quarter of the Southeast Quarter of the Northwest Quarter;

Dolomite #3 Mining Claim over the Southwest Quarter of the Southeast Quarter of the Northwest Quarter, and the Northwest Quarter of the Northeast Quarter of the Southwest Quarter;

Dolomite #4 Mining Claim over the North half of the Southeast Quarter of the Northwest Quarter;

Dolomite #5 Mining Claim over the South half of the Northeast Quarter of the Northwest Quarter;

Dolomite #8 Mining Claim over the North half of the Northwest Quarter of the Northwest Quarter;

Dolomite #9 Mining Claim over the South half of the Northwest Quarter of the Northwest Quarter;

Dolomite #10 Mining Claim over the North half of the Southwest Quarter of the Northwest Quarter;

Dolomite #11 Mining Claim over the South half of the Southwest Quarter of the Northwest Quarter;

Northeast Quarter of the Northeast Quarter of the Northwest Quarter, and the North half of the Southwest Quarter of the Northeast Quarter, and the Southeast Quarter of the Southwest Quarter of the Northeast Quarter, and the Northeast Quarter of the Northwest Quarter of the Southeast Quarter, and the Northwest Quarter of the Northeast Quarter.

South Part of the Northeast Quarter of the Southeast Quarter described as follows:

Beginning at the Southeast corner of the Northeast Quarter of the Southeast Quarter of Section 30;

Thence North along the East boundary of said Section 417.5 feet;

Thence N 72°52' W, 1381.3 feet;

Thence S 824.4 feet to the Northwest corner of the Southeast Quarter of the Southeast Quarter of said Section;

Thence East 1320 feet, more or less, to the place of beginning.

The subject property is located in the Agricultural Forestry Zone District and the Agricultural Farming & Ranching Zone District. Said activity is pursuant to the Fremont County Zoning Resolution Section 8.2.

Date of Conditional Use Permit Approval: ----- February 14, 2012

Date of Conditional Use Permit Issuance: ----- March 22, 2012

Date of Conditional Use Permit Expiration: ----- Life of the Mine

Authorized Representative Signature: Bill Giordano
Bill Giordano, Planning Director

Mr. Commissioner Norden moved the adoption of the following Resolution:

RESOLUTION NO.12
Series of 2012

RESOLUTION FOR CONDITIONAL USE PERMIT
FILE NUMBER CUP 11-001 CAÑON DOLOMITE QUARRY

BE IT RESOLVED by the Fremont County Board of County Commissioners (hereafter "Board")

THAT WHEREAS, Rocky Mountain Landscape Materials, (hereafter "Applicant") has made application for issuance of a Conditional Use Permit pursuant to Section 8.2 of the Zoning Resolution of Fremont County to allow for mining of dolomite and rock and gravel, which may include drilling, blasting, on-site crushing and screening and hauling rock from the site. Said application has been designated as file **#CUP 11-001 CAÑON DOLOMITE QUARRY**; and

WHEREAS, pursuant to the Fremont County Zoning Resolution previously adopted; the Planning Commission of Fremont County reviewed the application at its **January 4, 2012** regular meeting and the Planning Commission recommended **APPROVAL**; and

WHEREAS, a notice containing the specific request, proposed use, date, time, location of the public hearing, telephone number of the Department of Planning and Zoning (hereafter "Department") and a site plan and vicinity map were mailed fourteen (14) days prior to the public hearing, by certified mail, return receipt to the Department, to all property owners within five-hundred (500) feet of the boundaries of the subject parcel; and to appropriate agencies, in accordance with regulations; and

WHEREAS, a notice containing the specific request, proposed use, date, time, location of the public hearing, and telephone number of the Department where additional information may be obtained, was posted on the property fourteen (14) days prior to the public hearing; and

WHEREAS, a notice of the public hearing was published by the Department, in a newspaper of general circulation in Fremont County, fourteen (14) days prior to the public hearing, and which contained the specific request, time and place of the public hearing, and an explanation of the proposed use and its location; and

WHEREAS, the Board held a public hearing concerning said application on **February 14, 2012**, at which time comments and evidence were considered, including all materials contained as part of the application and which were in the County's file concerning the application; and

WHEREAS, it appears that the issuance of a Conditional Use Permit is appropriate;
NOW THEREFORE, BE IT RESOLVED by the Board that:

1. The Board did make the following findings with respect to the application for a Conditional Use Permit as follows:
 - a) The procedural requirements of Section 8.2 of the Fremont County Zoning Resolution have been met.
 - b) The location of the proposed use is compatible and harmonious with the surrounding neighborhood.
 - c) The proposed use will not have detrimental effect on property values.
 - d) The proposed site and use will not impair public health, welfare, prosperity and safety by creating undesirable sanitary conditions, overburdening of utilities or adverse environmental influences.
 - e) The site will be served by streets and roads of sufficient capacity to carry the traffic generated by the proposed use, and the proposed use will not result in undue traffic congestion or traffic hazards.
 - f) The site is of sufficient size to accommodate the proposed use together with all yards, open spaces, walls and fences, parking and loading facilities, landscaping and such other provisions required by this resolution.
 - g) The proposed use, if it complies with all conditions on which this approval is made contingent, will not adversely affect other property in the vicinity or the general health, safety and welfare of the inhabitants of the county, and will not cause significant air, water, noise or other pollution.
2. A Conditional Use Permit shall be issued contingent on the acceptance and observance by the Applicant of the following specified conditions:
 - A. The term of the Conditional Use Permit shall be for life of the mine (*estimated as 70 years*).
 - B. The Department shall review the permit annually to determine compliance with the conditions of the permit and forward it to the Board for their review as required by regulations. It shall be the responsibility of the permit holder to provide the Department with copies of other permits, licenses, or other documentation showing compliance with the requirements of any other governmental agency (*to include items such as changes to the documents, updates, renewals, revisions, annual reports*). Further it shall be the responsibility of the permit holder to provide the Department with copies of any documents that would affect the use of the subject property, such as but not limited to updated or renewed leases for use of or access to the subject property. Copies of these documents shall be submitted to the Department prior to the anniversary date of the approval of the use permit each year. If the

Department has to notify the permit holder that the anniversary date has passed and/or request said documentation, then a penalty fee shall be charged to the permit holder. If the required documentation and penalty fee are not submitted to the Department within twenty (20) days following notification to the permit holder, then violation procedures may be commenced, which could result in termination, revocation, rescission or suspension of the use permit.

- C. The Applicant shall conform to all plans, drawings and representations submitted with or contained within the application except as may be inconsistent with the other provisions of the permit.
- D. The Applicant shall comply with all laws and regulations of the County of Fremont, its agencies or departments, the State of Colorado, its agencies or departments and the United States of America, its agencies or departments, as now in force and effect or as the same may be hereafter amended.
- E. Applicants shall obtain, prior to operation, and keep in effect, throughout operation, all other permits, licenses or the like, including renewals, required by any other governmental agency and as otherwise may be required by Fremont County and shall provide copies of such to the Department. Revocation, suspension or expiration of any such other permits shall revoke, suspend or terminate the permit authorized hereunder, as the case may be.
- F. If a Conditional Use is abandoned, discontinued or terminated for a period of six (6) months, the approval thereof shall be deemed withdrawn, and the use may not be resumed without approval of a new application. Provided, however, if the holder of the permit intends to or does temporarily cease the special review use for six (6) months or more without intending to abandon, discontinue or terminate the use, the holder shall file a notice thereof with the Department prior to the expiration of the six-month period stating the reasons thereof and the plan for the resumption of the use. The requirement of a notice of temporary cessation shall not apply to applicants who have included in their permit applications a statement that the use would continue for less than six (6) months in each year and such fact is noted on the permit. In no case, however, shall temporary cessation of use be continued for more than two (2) years without approval by the Board.
- G. If a Conditional Use Permit is to be transferred it shall comply with all applicable Federal, State and County regulations regarding such transfer.
- H. All loads of material transported from the site shall comply with applicable Colorado Revised Statutes.
- I. The applicant shall provide the Department with a copy of the updated lease when renewed.

- J. Days of operation will be limited to Monday through Friday from 7a.m. to 7p.m.
- K. The number of haul truck trips shall not exceed forty-eight (48) trips per day and ten (10) employee trips. **(A trip is considered as a single or one direction vehicle movement with either the origin or the destination (exiting or entering) inside the subject property.)**
- L. Prior to operation the applicant shall provide to the Department, documentation from the Fremont County Weed Coordinator that the applicant has in place an acceptable weed control plan, further the applicant shall implement and maintain the plan.
- M. Provide a copy of the following approved permits, licenses or the like, prior to mining and any approved future changes to such: *(If not required provide documentation from the listed entity that the following is not required, prior to mining.)*
1. Approved copy of the Colorado Department of Public Health and Environment, Air Quality Control Division, Fugitive Dust Permit and Plan and APEN permit(s).
 2. Approved copy of the Colorado Department of Public Health and Environment, Water Quality Control Division, Storm Water Management Plan and Discharge Permit.
 3. Approved copy of the Colorado Department of Transportation Access permit for the proposed use.
 4. A copy of the approved Colorado Department of Natural Resources, Division of Reclamation, Mining and Safety Reclamation Permit.
 5. United States Department of Labor, Mine Safety and Health Administration MSHA number.
 6. Valid license to store and use explosives and a copy of any inspections from the State Office of Labor.
- N. Dust suppressant may be required, by Fremont County, on any portion of the operation in the future if determined to be needed.
- O. The County shall retain the right to modify any condition of the permit, if the actual use demonstrates that a condition of the permit is inadequate to serve the intended purpose of the condition. Such modification shall not be imposed without notice and a public hearing being provided to the Applicant at which time applicant and members of the public may appear and provide input concerning the proposed modifications to the conditions of the permit.
- P. Only the named party on the permit shall be allowed to operate this Conditional Use Permit.

Board approval shall be required prior to allowing any other person or entity to operate at the site under the conditions of this permit. All persons, entities or others requesting Board approval to operate under this Conditional Use Permit must agree to abide by all terms and conditions of this Permit and shall be required to be named on this Permit as additional parties who are bound by the terms and conditions of this Conditional Review Use Permit.

Q. A Conditional Use Permit shall not be modified in any way without Department approval for Minor Modifications or approval of Major Modifications by the Board in accordance with Section 8.2 of the Fremont County Zoning Resolution (*complete reapplication*).

Mr. Commissioner Stiehl seconded the adoption of the foregoing Resolution and upon a vote of the Board as follows:

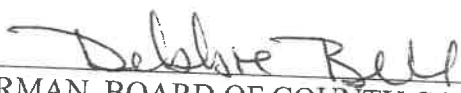
Mrs. Commissioner Bell: ☒ Aye / Nay / Abstain / Absent

Mr. Commissioner Norden: ☒ Aye / Nay / Abstain / Absent

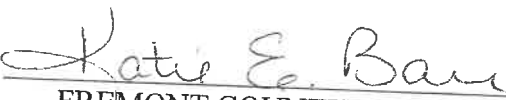
Mr. Commissioner Stiehl: ☒ Aye / Nay / Abstain / Absent

The Resolution was declared to be duly adopted.

DATE: February 14, 2012



CHAIRMAN, BOARD OF COUNTY COMMISSIONERS

ATTEST: 

FREMONT COUNTY CLERK AND RECORDER

STATE HIGHWAY ACCESS PERMIT

CDOT Permit No.

211052

Permit fee

\$100.00

Date of transmittal

12/14/2011

Region/Section/Patrol

2 / 04 / Chuck Bennett

State Highway No/Mp/Side

50 A / 276.725 / R

Local Jurisdiction

Fremont County

The Permittee(s);

Castle Concrete Company
M.L. Shafer
PO Box 2379
Colorado Springs, CO 80901
719-598-0215

Applicant:

Rocky Mountain Landscape Materials LLC
Kenneth S. Kilo
PO Box 860
Canon City, CO 81215
719-549-0363

Ref No.: 3590

is hereby granted permission to have an access to the state highway at the location noted below. The access shall be constructed, maintained and used in accordance with this permit, including the State Highway Access Code and any attachments, terms, conditions and exhibits. This permit may be revoked by the issuing authority if at any time the permitted access and its use violate any parts of this permit. The issuing authority, the Department and their duly appointed agents and employees shall be held harmless against any action for personal injury or property damage sustained by reason of the exercise of the permit.

Location: 1,450 feet north from mm 277/4,300 feet north from Tunnel Drive AKA: (Atwood Drive)

Access to Provide Service to:

(Land Use Code:)

Gravel Pit (Quarry)
210 - Single-Family Detached Housing

(Size or Count)

(Units)

480 ACRES
1 EACH

Additional Information:

SEE ATTACHED TERMS AND CONDITIONS.



PAID
\$100.00
CK# 3035
CB

MUNICIPALITY OR COUNTY APPROVAL

Required only when the appropriate local authority retains issuing authority.

Signature

Print Name

Title

Date

Upon the signing of this permit the permittee agrees to the terms and conditions and referenced attachments contained herein. All construction shall be completed in an expeditious and safe manner and shall be finished within 45 days from Initiation. The permitted access shall be completed in accordance with the terms and conditions of the permit prior to being used.

The permittee shall notify Carl Buford with the Colorado Department of Transportation in Pueblo, Colorado at (719) 562-5537, at least 48 hours prior to commencing construction within the State Highway right-of-way.

The person signing as the permittee must be the owner or legal representative of the property served by the permitted access and have full authority to accept the permit and its terms and conditions.

Permittee Signature

Print Name

Date

M.L. Shafer *MARTIN L. SHAFER* 1/19/12

This permit is not valid until signed by a duly authorized representative of the Department.
COLORADO DEPARTMENT OF TRANSPORTATION

Signature

Print Name

Title

Date (of issue)

Valerie Sword *Valerie Sword* *Access Mgr* 1/25/12

Copy Distribution:

Required:
1.Region
2.Applicant

3.Staff Access Section
4.Central Files

Make copies as necessary for:
Local Authority
MTCE Patrol
Inspector
Traffic Engineer

Previous editions are obsolete and may not be used
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The following paragraphs are excerpts of the State Highway Access Code. These are provided for your convenience but do not alleviate compliance with all sections of the Access Code. A copy of the State Highway Access Code is available from your local issuing authority (local government) or the Colorado Department of Transportation (Department). When this permit was issued, the issuing authority made its decision based in part on information submitted by the applicant, on the access category which is assigned to the highway, what alternative access to other public roads and streets is available, and safety and design standards. Changes in use or design not approved by the permit or the issuing authority may cause the revocation or suspension of the permit.

APPEALS

1. Should the permittee or applicant object to the denial of a permit application by the Department or object to any of the terms or conditions of a permit placed there by the Department, the applicant and permittee (appellant) have a right to appeal the decision to the [Transportation] Commission [of Colorado]. To appeal a decision, submit a request for administrative hearing to the Transportation Commission of Colorado within 60 days of transmittal of notice of denial or transmittal of the permit for signature. Submit the request to the Transportation Commission of Colorado, 4201 East Arkansas Avenue, Denver, Colorado 80222-3400. The request shall include reasons for the appeal and may include changes, revisions, or conditions that would be acceptable to the permittee or applicant.

2. Any appeal by the applicant or permittee of action by a local issuing authority shall be filed with the local authority and be consistent with the appeal procedures of the local authority.

3. In submitting the request for administrative hearing, the appellant has the option of including within the appeal a request for a review by the Department's internal administrative review committee pursuant to [Code] subsection 2.10. When such committee review is requested, processing of the appeal for formal administrative hearing, 2.9(5) and (6), shall be suspended until the appellant notifies the Commission to proceed with the administrative hearing, or the appellant submits a request to the Commission or the administrative law judge to withdraw the appeal. The two administrative processes, the internal administrative review committee, and the administrative hearing, may not run concurrently.

4. Regardless of any communications, meetings, administrative reviews or negotiations with the Department or the internal administrative review Committee regarding revisions or objections to the permit or a denial, if the permittee or applicant wishes to appeal the Department's decision to the Commission for a hearing, the appeal must be brought to the Commission within 60 days of transmittal of notice of denial or transmittal of the permit.

PERMIT EXPIRATION

1. A permit shall be considered expired if the access is not under construction within one year of the permit issue date or before the expiration of any authorized extension. When the permittee is unable to commence construction within one year after the permit issue date, the permittee may request a one year extension from the issuing authority. No more than two one-year extensions may be granted under any circumstances. If the access is not under construction within three years from date of issue the permit will be considered expired. Any request for an extension must be in writing and submitted to the issuing authority before the permit expires. The request should state the reasons why the extension is necessary, when construction is anticipated, and include a copy of page 1 (face of permit) of the access permit. Extension approvals shall be in writing. The local issuing authority shall obtain the concurrence of the Department prior to the approval of an extension, and shall notify the Department of all denied extensions within ten days. Any person wishing to reestablish an access permit that has expired may begin again with the application procedures. An approved Notice to Proceed automatically renews the access permit for the period of the Notice to Proceed.

CONSTRUCTION

1. Construction may not begin until a Notice to Proceed is approved. (Code subsection 2.4)

2. The construction of the access and its appurtenances as required by the terms and conditions of the permit shall be completed at the expense of the permittee except as provided in subsection 2.14. All materials used in the construction of the access within the highway right-of-way or on permanent easements, become public property. Any materials removed from the highway right-of-way will be disposed of only as directed by the Department. All fencing, guard rail, traffic control devices and other equipment and materials removed in the course of access construction shall be given to the Department unless otherwise instructed by the permit or the Department inspector.

3. The permittee shall notify the individual or the office specified on the permit or Notice to Proceed at least two working days prior to any construction within state highway right-of-way. Construction of the access shall not proceed until both the access permit and the Notice to Proceed are issued. The access shall be completed in an expeditious and safe manner and shall be finished within 45 days from initiation of construction within the highway right-of-way. A construction time extension not to exceed 30 working days may be requested from the individual or office specified on the permit.

4. The issuing authority and the Department may inspect the access during construction and upon completion of the access to ensure that all terms and conditions of the permit are met. Inspectors are authorized to enforce the conditions of the permit during construction and to halt any activities within state right-of-way that do not comply with the provisions of the permit, that conflict with concurrent highway construction or maintenance work, that endanger

highway property, natural or cultural resources protected by law, or the health and safety of workers or the public.

5. Prior to using the access, the permittee is required to complete the construction according to the terms and conditions of the permit. Failure by the permittee to abide by all permit terms and conditions shall be sufficient cause for the Department or issuing authority to initiate action to suspend or revoke the permit and close the access. If in the determination of the Department or issuing authority the failure to comply with or complete the construction requirements of the permit create a highway safety hazard, such shall be sufficient cause for the summary suspension of the permit. If the permittee wishes to use the access prior to completion, arrangements must be approved by the issuing authority and Department and included in the permit. The Department or issuing authority may order a halt to any unauthorized use of the access pursuant to statutory and regulatory powers. Reconstruction or improvement of the access may be required when the permittee has failed to meet required specifications of design or materials. If any construction element fails within two years due to improper construction or material specifications, the permittee shall be responsible for all repairs. Failure to make such repairs may result in suspension of the permit and closure of the access.

6. The permittee shall provide construction traffic control devices at all times during access construction, in conformance with the M.U.T.C.D. as required by section 42-4-104, C.R.S., as amended.

7. A utility permit shall be obtained for any utility work within highway right-of-way. Where necessary to remove, relocate, or repair a traffic control device or public or private utilities for the construction of a permitted access, the relocation, removal or repair shall be accomplished by the permittee without cost to the Department or issuing authority, and at the direction of the Department or utility company. Any damage to the state highway or other public right-of-way beyond that which is allowed in the permit shall be repaired immediately. The permittee is responsible for the repair of any utility damaged in the course of access construction, reconstruction or repair.

8. In the event it becomes necessary to remove any right-of-way fence, the posts on either side of the access shall be securely braced with an approved end post before the fence is cut to prevent any slacking of the remaining fence. All posts and wire removed are Department property and shall be turned over to a representative of the Department.

9. The permittee shall ensure that a copy of the permit is available for review at the construction site at all times. The permit may require the contractor to notify the individual or office specified on the permit at any specified phases in construction to allow the field inspector to inspect various aspects of construction such as concrete forms, subbase, base course compaction, and materials specifications. Minor changes and additions may be ordered by the Department or local authority field inspector to meet unanticipated site conditions.

10. Each access shall be constructed in a manner that shall not cause water to enter onto the roadway or shoulder, and shall not interfere with the existing drainage system on the

right-of-way or any adopted municipal system and drainage plan.

11. By accepting the permit, permittee agrees to save, indemnify, and hold harmless to the extent allowed by law, the issuing authority, the Department, its officers, and employees from suits, actions, claims of any type or character brought because of injuries or damage sustained by any person resulting from the permittee's use of the access permit during the construction of the access.

CHANGES IN ACCESS USE AND PERMIT VIOLATIONS

1. It is the responsibility of the property owner and permittee to ensure that the use of the access to the property is not in violation of the Code, permit terms and conditions or the Act. The terms and conditions of any permit are binding upon all assigns, successors-in-interest, heirs and occupants. If any significant changes are made or will be made in the use of the property which will affect access operation, traffic volume and or vehicle type, the permittee or property owner shall contact the local issuing authority or the Department to determine if a new access permit and modifications to the access are required.

2. When an access is constructed or used in violation of the Code, section 43-2-147(5)(c), C.R.S., of the Act applies. The Department or issuing authority may summarily suspend an access permit and immediately order closure of the access when its continued use presents an immediate threat to public health, welfare or safety. Summary suspension shall comply with article 4 of title 24, C.R.S.

MAINTENANCE

1. The permittee, his or her heirs, successors-in-interest, assigns, and occupants of the property serviced by the access shall be responsible for meeting the terms and conditions of the permit, the repair and maintenance of the access beyond the edge of the roadway including any cattle guard and gate, and the removal or clearance of snow or ice upon the access even though deposited on the access in the course of Department snow removal operations. Within unincorporated areas the Department will keep access culverts clean as part of maintenance of the highway drainage system. However, the permittee is responsible for the repair and replacement of any access-related culverts within the right-of-way. Within incorporated areas, drainage responsibilities for municipalities are determined by statute and local ordinance. The Department will maintain the roadway including auxiliary lanes and shoulders, except in those cases where the access installation has failed due to improper access construction and/or failure to follow permit requirements and specifications in which case the permittee shall be responsible for such repair. Any significant repairs such as culvert replacement, resurfacing, or changes in design or specifications, requires authorization from the Department.

1. A NOTICE TO PROCEED TO CONSTRUCTION ALONG WITH THE PERMIT SIGNED BY BOTH CDOT AND THE PERMITTEE, is required before beginning any work in the right of way, both documents will be issued upon receipt of this signed permit with appropriate fee.
2. The access is located on the west side of State Highway 50A, (Atwood Drive) or approximately milepost 276.725.
3. This section of highway is a Category R-A highway.
4. This Access Permit is issued for an existing access (Atwood Drive) to State Highway 50A. The access will serve Atwood Drive with one single-family residence and 480-acre gravel quarry (Dolomite Quarry).
5. The Installation of an Advanced Warning Sign is Required with the issuance of this Permit. Due to topographical reasons a Design Waiver (CDOT Form #112) was submitted and received 10-27-11, approved by CDOT on 10-28-2011. The Design Waiver was submitted for the existing sub-standard Left Turn lane.
6. The Permittee shall refer to all additional standard requirements attached to this permit. This includes CDOT Form 101b, enclosed additional terms, conditions, exhibits, and noted attachments.
7. The following criteria were used to establish this Access Permit:
 - a. The Application for Access Permit (CDOT Form #137) dated 10/24/2011 and received in the regional office on 10/26/2011.
 - b. State Highway Access Code, Volume 2, CCR-601-1; Effective date August 31, 1998
 - c. The State Highway Access Category Assignment Schedule, as revised.
 - d. The Colorado Department of Transportation (CDOT) M&S Standard Plans
 - e. Vicinity Map
 - f. Design Waiver
 - g. Trip Generation and Access Analysis Letter
8. Permittee shall comply with the requirements of Title II of the ADA, applicable federal regulations and the ADAAG (ADA Access Guidelines).
9. This Access Permit is issued in accordance with the 1998 State Highway Access Code (2CCR 601-1), and is based in part upon the information submitted by the Permittee. This Access Permit is only for the use and purpose stated in the Application and on the Permit. Any changes, based upon existing and/or anticipated future conditions in traffic volumes, drainage, types of traffic, or other operational aspects may render this permit void, requiring a new Application for Access Permit to be submitted for review by the Department and/or Issuing Authority.
10. Backing maneuvers within and into the State Highway right-of-way are strictly prohibited. All vehicles shall enter and exit the highway right-of-way in a forward movement. Backing into the right-of-way shall be considered a violation of the Terms and Conditions of the Access Permit and may result in the revocation of the Permit by the Department and/or Issuing Authority.
11. This access will be allowed a full movement. However, left turn movements in and out of this access may be prohibited at some future date.

12. Any additional permits and clearances required by other Federal, State, Local Government Agencies or Ditch Companies is the responsibility of the Permittee and/or Applicant.

13. The Annual Average Daily Traffic (AADT) volumes associated with the gravel quarry use shall not exceed 10 trips for Employees and 48 trips for Hauling Operations. These figures do not include the trips made by the one single family residence.

14. The Permittee shall maintain adequate, unobstructed sight distance in both directions from the access.

15. Any landscaping or potentially obstructing objects such as but not limited to advertising signs, structures, trees, and bushes, shall be designed, placed, and maintained at a height not to interfere with the sight distance needed by any vehicle using the access. The Department will require any object or landscaping that becomes unsightly or is considered to be a traffic hazard to be removed by the Permittee at no cost to the Department.

16. The surface width of the access shall remain the same at approximately 24 feet at the ROW line.

17. The highway drainage system is for the protection of the state highway right-of-way, structures, and appurtenances. It is not designed nor intended to serve the drainage requirement of abutting or other properties beyond undeveloped historical flow. Drainage to the state highway right-of-way shall not exceed the undeveloped historical rate of flow.

18. This Permit hereby replaces all previous access permit(s) for this ownership, which now become null and void.

19. CDOT retains the right to perform any necessary maintenance work in this area.

20. You are required to install (500 feet north of the existing access) along the south bound (same side as the existing access) an Advanced Warning Sign as per the M.U.T.D.C. S-614-1 (warning sign placement).
The sign shall depict the following:

TRUCK CROSSING 500 FEET AHEAD.

- On a Single Metal Post shall be placed a Class II sign 36" X 36", (TRUCK CROSSING) as per MUTCD S-614-8. Below this sign a Supplemental Plaque with 500 FT. depicted as Per MUTCD S-614-8 and below this sign another Supplemental Plaque with AHEAD depicted as per MUTCD S-614-8.

State Highway Access Permit
Attachment to Permit No. 211052 - Additional Terms and Conditions

- The supplemental Plaques shall have the same color legend, border and background as the warning sign. Supplemental Signs shall be square or rectangular.

- TRUCK CROSSING is MUTCD W8-6
- 500 FT is MUTCD W16-2a
- AHEAD is MUTCD W16-9p

20. Whenever there is work within the highway right of way, the Permittee shall develop and implement a traffic control plan. This plan shall utilize traffic control devices as necessary to ensure the safe and expeditious movement of traffic around and through the work site as well as ensure the safety of the work force. A certified Traffic Control Supervisor or a Professional Traffic Engineer shall prepare the traffic control plan. The plan shall be in conformance with the latest Manual on Uniform Traffic Control Devices (MUTCD) and other applicable standards. The plan must be submitted and approved by the State Access Inspector listed below five working days prior to beginning construction within the highway right of way. The approved traffic control plan will be attached to the Permit and the NOTICE TO PROCEED TO CONSTRUCTION and must be available on site throughout the duration of the construction. All work that requires traffic control shall be supervised by a registered professional traffic engineer or by a certified traffic control supervisor. The contractor in accordance with the Department Standards shall certify flagging personnel, when required.

21. Five working days prior to beginning construction, the Permittee/Contractor must contact Mr. Chuck Bennett Senior Maintenance Supervisor, to coordinate the construction with any scheduled maintenance activity. Mr. Chuck Bennett can be contacted in Colorado Springs at (719) 546-5765. Failure to comply with this requirement may result in the revocation of this permit.

22. Work shall BEGIN AFTER 8:30 a.m. and all equipment shall be off the right-of-way BEFORE 3:30 p.m. No work is allowed within the highway right-of-way on weekends or State/Federal holidays. No construction vehicles shall be parked, or construction materials stockpiled on the highway right-of-way overnight. No private vehicles may be parked on the highway right-of-way at any time during construction.

23. Two-way traffic shall be maintained throughout the work area at all times.

24. All costs associated with the installation of the Advanced Warning Sign are the responsibility of the Permittee.

25. All workers within the State Highway right of way shall comply with their employer's safety and health policies/procedures and all applicable US Occupational Safety and Health Administration (OSHA) regulations- including but not limited to the applicable sections of 29 CFR Part 1910 – Occupational Safety and Health Standards and 29 CFR Part 1926 – Safety and Health Regulations for Construction.

- Personal protective equipment (e.g. head protection, footwear, high visibility apparel, safety glasses, hearing protection, respirators, gloves, etc.) shall be worn as appropriate for the work being

performed and as specified in regulation. At a minimum, all workers in the State Highway right of way, except when in their vehicles, shall wear the following personal protective equipment:

- Head protection that complies with the ANSI Z89.1-1997 standard;
- At all construction sites or whenever there is danger of injury to feet, workers shall comply with OSHA's PPE requirements for foot protection per 29 CFR 1910.136, 1926.95, and 1926.96. If required, such footwear shall meet the requirements of ANSI Z41-1999;
- High visibility apparel as specified in the Traffic Control provisions of this permit (at a minimum, ANSI/ISEA 107-1999, Class 2).
- Where any of the above-referenced ANSI standards have been revised, the most recent version of the standard shall apply.

26. Installation of any traffic control device necessary for the safe and proper operation and control of the access shall be required by the permit at the cost of the Permittee.

- All traffic control devices within the highway or other public right-of-way or access that serve the general public shall conform to the M.U.T.C.D.

27. NOTIFY THE DEPARTMENT OF TRANSPORTATION INSPECTOR MR. CARL BUFORD IN PUEBLO AT 719-562-5537, FIVE WORKING DAYS BEFORE STARTING THE WORK.

COLORADO DEPARTMENT OF TRANSPORTATION

STATE HIGHWAY ACCESS CODE

NOTICE TO PROCEED

FREMONT COUNTY

CDOT Permit No.

211052

SH/S/MP

50 A / 276.725 / R

Local Jurisdiction

Fremont County

Permittee(s):

Castle Concrete Company

M.L. Shafer

PO Box 2379

Colorado Springs, CO 80901

Applicant:

Rocky Mountain Landscape Materials LLC

Kenneth S. Killo

PO Box 860

Canon City, CO 81215

APR 17 2012

PLANNING & ZONING

The permittee is hereby authorized to proceed with access construction within state highway right-of-way in accordance with the above referenced State Highway Access Permit and this Notice to Proceed.

This Notice to Proceed is valid only if the referenced Access Permit has not expired. Access Permits expire one year from date of issue if not under construction, or completed. Access Permits may be extended in accordance with Section 2.3(11)(d), of the Access Code.

Adequate advance warning is required at all times during access construction, in conformance with the Manual on Uniform Traffic Control Devices for Streets and Highways.

All construction shall be completed in an expeditious and safe manner and shall be finished within 45 days from initiation. The permittee or applicant shall notify the Department prior to commencing construction as indicated on the Access Permit.

Both the Access Permit and this Notice To Proceed shall be available for review at the construction site.

This Notice to Proceed is conditional. The following items shall be addressed prior to or during construction as appropriate.

1. All conditions and terms apply as described in the Access Permit.
2. A traffic control plan must be submitted to Mr. Todd Ausbun in Pueblo at fax (719) 546-5758 five working days prior to beginning work in the highway right-of-way for CDOT approval.
3. Five working days prior to beginning construction within the highway right-of-way, please contact Mr. Todd Ausbun in Pueblo at (719) 546-5758 or 719-248-7235. Upon completion of the construction of the access, please contact Mr. Ausbun in writing by email todd.ausbun@dot.state.co.us or fax (719) 546-5758
5. The Notice to Proceed to construction and the Access Permit will expire on January 23, 2013 unless the construction of the access has been completed and accepted by the Department or a request for extension has been approved.

Municipality or County Approval (When the appropriate local authority retains issuing authority)

By (X)	Title	Date
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This Notice is not valid until signed by a duly authorized representative of the Department

Colorado Department of Transportation

By (X) <i>Valerie Inwood</i>	Title <i>Access Manager</i>	Date <i>01-23-2012</i>
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Copy distribution: Required:
Region (original)
Applicant
Staff Access Section

Make copies as necessary for:
Local Authority
MTCE Patrol
Inspector
Traffic Engineer

Form 1265 8/98, 6/99

1/24/2012

Table of Contents

COLORADO DEPARTMENT OF TRANSPORTATION STATE HIGHWAY ACCESS PERMIT APPLICATION

Issuing authority application
acceptance date:

Instructions:

**Please print
or type**

- Contact the Colorado Department of Transportation (CDOT) or your local government to determine your issuing authority.
- Contact the issuing authority to determine what plans and other documents are required to be submitted with your application.
- Complete this form (some questions may not apply to you) and attach all necessary documents and Submit it to the issuing authority.
- Submit an application for each access affected.
- If you have any questions contact the issuing authority.
- For additional information see CDOT's Access Management website at <http://www.dot.state.co.us/AccessPermits/index.htm>

1) Property owner (Permittee)

Castle Concrete Company

Street address

PO Box 2379

City, state & zip

Colo. Springs, CO 80901

Phone

719.598-0215

2) Applicant or Agent for permittee (if different from property owner)

Rocky Mountain Landscape Materials LLC

Mailing address

PO Box 860

City, state & zip

Canon City, CO 81215

Phone # (required)

&19.547.0363

E-mail address

Mac_Shafer@Transitmix.com

E-mail address if available

tracy@rmtlandscape.com

3) Address of property to be served by permit (required)

50814 West Highway 50, app. 2 miles west of Canon City.

4) Legal description of property: If within jurisdictional limits of Municipality, city and/or County, which one?

county	subdivision	block	lot	section	township	range
Fremont	na	na	na	19, 29, 30	T18S	R70W

5) What State Highway are you requesting access from?

US 50

6) What side of the highway?

☐ N ☐ S ☐ E ☒ W

7) How many feet is the proposed access from the nearest mile post?

1,450 feet ☒ N ☐ S ☐ E ☐ W from: 277

How many feet is the proposed access from the nearest cross street?

4,300 feet ☒ N ☐ S ☐ E ☐ W from: Tunnel Drive

8) What is the approximate date you intend to begin construction?

12/1/2011

9) Check here if you are requesting a:

☐ new access ☐ temporary access (duration anticipated:) ☒ improvement to existing access
☒ change in access use ☐ removal of access ☐ relocation of an existing access (provide detail)

10) Provide existing property use

1 SF residential unit + existing access to previous mining operating

11) Do you have knowledge of any State Highway access permits serving this property, or adjacent properties in which you have a property interest? and/or, permit date:

☒ no

☐ yes, if yes - what are the permit number(s) and provide copies:

12) Does the property owner own or have any interests in any adjacent property?

☒ no

☐ yes, if yes - please describe:

13) Are there other existing or dedicated public streets, roads, highways or access easements bordering or within the property?

☒ no

☐ yes, if yes - list them on your plans and indicate the proposed and existing access points.

14) If you are requesting agricultural field access - how many acres will the access serve?

n/a

15) If you are requesting commercial or industrial access please indicate the types and number of businesses and provide the floor area square footage of each.

business/land use	square footage	business	square footage
Dolomite Mine	n/a		

n/a

16) If you are requesting residential development access, what is the type (single family, apartment, townhouse) and number of units?

type	number of units	type	number of units
Existing SF detached residential	1 D.U.		

1 D.U.

17) Provide the following vehicle count estimates for vehicles that will use the access. Leaving the property then returning is two counts.

Indicate if your counts are

☒ peak hour volumes or ☐ average daily volumes.

of single unit vehicles in excess of 30 ft.

0

of passenger cars and light trucks at peak hour volumes

6

of multi unit trucks at peak hour volumes

4

of farm vehicles (field equipment)

0

Total count of all vehicles

10

Previous editions are obsolete and may not be used

18) Check with the issuing authority to determine which of the following documents are required to complete the review of your application.

- a) Property map indicating other access, bordering roads and streets.
- b) Highway and driveway plan profile.
- c) Drainage plan showing impact to the highway right-of-way.
- d) Map and letters detailing utility locations before and after development in and along the right-of-way.
- e) Subdivision, zoning, or development plan.
- f) Proposed access design.
- g) Parcel and ownership maps including easements.
- h) Traffic studies.
- i) Proof of ownership.

1- It is the applicant's responsibility to contact appropriate agencies and obtain all environmental clearances that apply to their activities. Such clearances may include Corps of Engineers 404 Permits or Colorado Discharge Permit System permits, or ecological, archeological, historical or cultural resource clearances. The CDOT Environmental Clearances Information Summary presents contact information for agencies administering certain clearances, information about prohibited discharges, and may be obtained from Regional CDOT Utility/Special Use Permit offices or accessed via the CDOT Planning/Construction-Environmental-Guidance webpage <http://www.dot.state.co.us/environmental/Forms.asp>.

2- All workers within the State Highway right of way shall comply with their employer's safety and health policies/procedures, and all applicable U.S. Occupational Safety and Health Administration (OSHA) regulations - including, but not limited to the applicable sections of 29 CFR Part 1910 - Occupational Safety and Health Standards and 29 CFR Part 1926 - Safety and Health Regulations for Construction.

Personal protective equipment (e.g. head protection, footwear, high visibility apparel, safety glasses, hearing protection, respirators, gloves, etc.) shall be worn as appropriate for the work being performed, and as specified in regulation. At a minimum, all workers in the State Highway right of way, except when in their vehicles, shall wear the following personal protective equipment: High visibility apparel as specified in the Traffic Control provisions of the documentation accompanying the Notice to Proceed related to this permit (at a minimum, ANSI/ISEA 107-1999, class 2); head protection that complies with the ANSI Z89.1-1997 standard; and at all construction sites or whenever there is danger of injury to feet, workers shall comply with OSHA's PPE requirements for foot protection per 29 CFR 1910.136, 1926.95, and 1926.96. If required, such footwear shall meet the requirements of ANSI Z41-1999.

Where any of the above-referenced ANSI standards have been revised, the most recent version of the standard shall apply.

3- The Permittee is responsible for complying with the Revised Guidelines that have been adopted by the Access Board under the American Disabilities Act (ADA). These guidelines define traversable slope requirements and prescribe the use of a defined pattern of truncated domes as detectable warnings at street crossings. The new Standards Plans and can be found on the Design and Construction Project Support web page at: <http://www.dot.state.co.us/DesignSupport/>, then click on *Design Bulletins*.

If an access permit is issued to you, it will state the terms and conditions for its use. Any changes in the use of the permitted access not consistent with the terms and conditions listed on the permit may be considered a violation of the permit.

The applicant declares under penalty of perjury in the second degree, and any other applicable state or federal laws, that all information provided on this form and submitted attachments are to the best of their knowledge true and complete.

I understand receipt of an access permit does not constitute permission to start access construction work.

Applicant or Agent for Permittee signature

Print name

Date

Kenneth S. Kato
Agent for Permittee

KENNETH S. KATO

10/24/2011

If the applicant is not the owner of the property, we require this application also to be signed by the property owner or their legally authorized representative (or other acceptable written evidence). This signature shall constitute agreement with this application by all owners-of-interest unless stated in writing. If a permit is issued, the property owner, in most cases, will be listed as the permittee.

Property owner signature

Print name

Date

M. L. Shafer

M. L. SHAFER

10/24/2011