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

STAFF REPORT

Subdivision Exemption
25-004 Golden
Date: October 28th, 2025

Applicant(s):

Dawn White

Owners:

Harlie L. & Pauline I. Golden

Request: Subdivision Exemption

Existing lot size: 3.14 acres

The subject property is located in the Residential One (R1) Zone district at 13440 County Road 45 in Coaldale.

Zoning District Development Requirements:

4.01 Residential One (R1) Development Requirements:

Minimum Lot Area:

4.5 Acres – Individual well and individual sewage disposal system.

**Does not meet requirements*

Improvements:

Single Family Residence

Accessory Buildings

Planning & Zoning Department Recommendations:

Senate Bill 35 came into effect on June 1, 1972 which regulates subdivisions within the State of Colorado. It mandated Counties must adopt subdivision regulations no later than September 1, 1972.

The first deed for this parcel was created on May 19th, 1982, and recorded on June 4th, 1982.

This lot was found to have been illegally created after the applicant presented this property to a Title Insurance Company.



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The Department finds no reason why this property shouldn't be considered for a Subdivision Exemption based off of multiple factors such as creation date, different owner, and is already developed.

If this lot is granted an exemption, it would allow the owner to remediate any issues that currently exist for the Title Insurance Company.



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.org☐ SUBDIVISION EXEMPTION

\$250.00

PROPERTY INFORMATION: Provide information to identify property.

Property Address:

13440 County Road 45

Tax ID/Parcel Number:

98404171

Zone District:

Total Acreage and/or Square Footage:

3.14 Acres

PROPERTY OWNER(S) INFORMATION: Indicate the person(s) or organization(s) who own the property requesting an exemption. Attach additional sheets if there are multiple property owners.

Name(s):

Harlie L Golden

Mailing Address:

PO Box 1 Coalvale, CO 81222

Telephone:

719-942-4439 / 817-675-5870

Email Address:

NFWX@CO-ISP.COM

APPLICANT INFORMATION

Name:

Dawn White - Real Estate Agent

Mailing Address:

422 Kirk Dr Colorado Springs, CO 81223

Telephone:

719 371 8889

Email:

Homer@DawnWhite, Realtor

1. Please provide a brief description of the land use currently:

Single Family Home

2. Please provide in detail with the reason(s) for requesting this exemption:
(Attach additional sheets if necessary. Mark as Exhibit 1)

Apparently the Subdivision was not
formed properly in 1980.
Title Insurance Company is requiring
documentation that the Subdivision is
legal.

3. When was the first deed recorded, 1982 Reception # 487246

4. Attach the most current recorded deed. Marked as Exhibit 2.

5. Attach an aerial view of the property. Marked as Exhibit 3.

Signing this application is a declaration by the Applicant that all material information contained herein is true and correct. The applicant understands that any misrepresentation of facts in this application shall automatically withdraw all requested waivers.

If the application for a subdivision exemption is approved by the Board and all contingencies have been completed, approval documents shall be filed as a public land record with the County Clerk and Recorder.

Donna White [Signature] 10/14/25
Printed Name Applicant Signature Date

Harlie L Golden Harlie L Golden 10/07/2025
Printed Name Owner Signature Date

Exhibit 2

9.10
10.00
432

FREMONT COUNTY, CO 569645 05/07/90 09:10A
BK 957 PG 90 NORMA HATFIELD, RECORDER 1 OF 2

WARRANTY DEED TO JOINT TENANTS

THIS DEED made this 1st day of May, 1990, between VANCE WEBB and PAULINE WEBB, of the County of Fremont and State of Colorado, Grantors and HARLIE L. GOLDEN and PAULINE I. GOLDEN, whose legal address is 13630 County Road 45 B, Coal Dale, of the County of Fremont and State of Colorado, Grantees:

WITNESSETH that the Grantors, for and in consideration of the sum of Ten Dollars (\$10.00), the receipt and sufficiency of which is hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey and confirm unto the Grantees, their heirs and assigns forever, not in tenancy in common, but in joint tenancy, all the real property together with improvements, if any, situate, lying and being in the County of Fremont and State of Colorado, described as follows:

8.14

A tract of land located in the NW-1/4 SW-1/4 of Section 33, Township 48 North, Range 11 East, New Mexico Principal Meridian, described as follows: Beginning at a point located on the W'y boundary of a Fremont County Road (former U.S. Hwy. No. 50) from whence the W-1/4 corner of said Section 33 bears North 46 degrees 53 minutes 07 seconds West 1200.20 feet; thence proceeding around the tract herein described South 30 degrees 28 minutes 53 seconds West leaving said County Road boundary 379.29 feet; thence North 40 degrees 07 minutes 37 seconds West 366.73 feet; thence North 31 degrees 36 minutes 10 seconds East 381.89 feet to the above said Westerly County Road boundary as fenced; thence along said Westerly County Road boundary as fenced South 39 degrees 21 minutes 15 seconds East 360.55 feet to the Point of Beginning. EXCEPT a 60.0 foot wide roadway and utility easement which adjoins and parallels the entire SE'y tract boundary, Together with a well on the premises and the well permit therefor being permit no. 116730 issued by the Colorado Division of Water Resources, October 17, 1980, including all well and well rights connected with said domestic well.

MB

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

DECLARATION ATTACHED

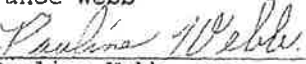
STATE DOCUMENTARY FEE
Date MAY 7 1990
Amount \$ 8.14

FREMONT COUNTY, CO 569645 05/07/90 09:10A
BK 957 PG 91 NORMA HATFIELD, RECORDER 2 OF 2

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the Grantees, their heirs and assigns forever. The Grantors for themselves, their heirs and personal representatives do covenant, grant, bargain and agree to and with the grantees, their heirs and assigns, that at the time of the ensembling and delivery of these presents they are well seized of the premises above conveyed, have good, sure, perfect, absolute and infeasible estate of inheritance, in law, in fee simple, and have good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except 1990 taxes, easements and restrictions of record, if any,

and the above bargained premises in the quiet and peaceable possession of the grantees, their heirs and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the grantor shall and will WARRANT AND FOREVER DEFEND.

IN WITNESS WHEREOF the Grantors have executed this deed on the date set forth above.


Vance Webb

Pauline Webb

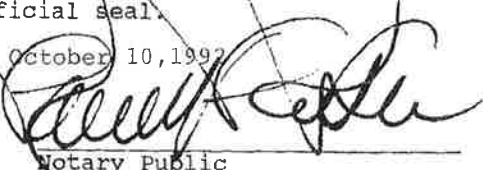
STATE OF COLORADO
COUNTY OF Chaffee

) ss
)

The foregoing instrument was acknowledged before me in the County of Chaffee, State of Colorado, this 1st day of May, 1990, by Vance Webb and Pauline Webb.

Witness my hand and official seal.

My commission expires: October 10, 1992


Notary Public

Address: 124 W. 2nd, Salida, Co. 81201

Mailing Address for Future Tax Notices: Harlie L. Golden and Pauline I Golden 13630 County Road 45-B, Coaldale, Co. 81222

Recorded at 10:45 o'clock A M., JUN - 4 1982

D677 P162

RECORDER'S STAMP

THIS DEED, Made this 19th day of May
19, 82, between

JAMES M. RICHARDS and SHARON K. RICHARDS,
husband and wife

of the _____ County of **Fremont** and State of
Colorado, of the first part, and

DON J. EMBRY and BARBARA E. EMBRY
whose legal address is **Box 37, Coaldale, CO 81222**

STATE DOCUMENTARY FEE
Date JUN - 4 1982
Amount \$ 12.00

of the _____ County of **Fremont** and State of Colorado, of the second part:

WITNESSETH, that the said parties of the first part, for and in consideration of the sum of **Other good**
and valuable considerations and Ten and no/100 ----- **DOLLARS,**

to the said parties of the first part in hand paid by the said parties of the second part, the receipt whereof is hereby
confessed and acknowledged, have granted, bargained, sold and conveyed, and by these presents do
grant, bargain, sell, convey and confirm unto the said parties of the second part, their heirs and assigns forever, not in
tenancy in common but in joint tenancy, all the following described lot or parcel of land, situate, lying and being in
the _____ County of **Fremont** and State of Colorado, to wit:

TRACT I and TRACT II, which tracts are located in the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section
32 and the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 33, all in Township 48 North, Range 11 East
of the New Mexico Principal Meridian, Fremont County, Colorado, as more
particularly described on Attachment "A" hereto.

Together with all water and water rights, ditch and ditch rights as more
particularly set forth with each tract, respectively, on Attachment "A"
hereto.

also known as street and number

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

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the
said parties of the second part, their heirs and assigns forever. And the said parties of the first part, for them-
selves, their heirs, executors, and administrators do covenant, grant, bargain and agree to and with the
said parties of the second part, their heirs and assigns, that at the time of the ensealing and delivery of these
presents they ^{are} well seized of the premises above conveyed, as of good, sure, perfect, absolute and infeasible
estate of inheritance, in law, in fee simple, and have good right, full power and lawful authority to grant, bargain,
sell and convey the same in manner and form aforesaid, and that the same are free and clear from all former and
other grants, bargains, sales, liens, taxes, assessment and encumbrances of whatever kind or nature soever. Subject
to taxes for the year 1982 and subsequent years, which grantees assume and agree to
pay, easements and rights-of-way of record; and mortgage dated April 4, 1979 re-
corded in Book 632 at Page 301 of the Fremont County records, which mortgage and
note secured thereby grantees assume and agree to pay according to the terms
thereof effective October 1, 1981, and patent reservations in Book 248 at Page 497;
and the above bargained premises in the quiet and peaceable possession of the said parties of the second part, their
heirs and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof,
the said parties of the first part shall and will **WARRANT AND FOREVER DEFEND**.

IN WITNESS WHEREOF the said parties of the first part have hereunto set their hands and
seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

James M. Richards and [SEAL]

Sharon K. Richards, his wife [SEAL]

[SEAL]

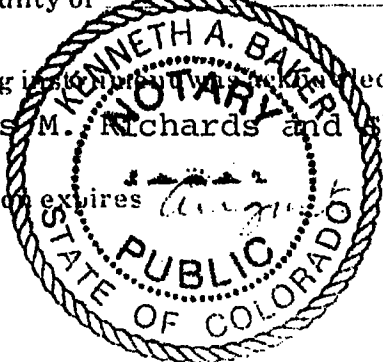
STATE OF COLORADO

ss.

County of **Chaffee**

The foregoing instrument was acknowledged before me this 19th day of May
1982 by **James M. Richards and Sharon K. Richards, husband and wife.**

My commission expires August 1, 1984, 1984. Witness my hand and official seal.



Notary Public.

Address

A T T A C H M E N T "A"

Between: JAMES M. RICHARDS and SHARON K. RICHARDS, Grantors
and
DON J. EMBRY and BARBARA E. EMBRY, Grantees

Dated: May 19th, 1982

TRACT I

A. LAND

A tract of land located in the East $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 32, and the West $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 33, all in Township 48 North, Range 11 East, New Mexico Principal Meridian, Fremont County, Colorado, described as follows:

- 1) Beginning at a point located on the westerly boundary of a Fremont County road (former U. S. Highway No. 50) from whence the West $\frac{1}{4}$ corner (marked stone) of said Section 33 bears North $46^{\circ} 53' 07''$ West 1200.20 feet;
- 2) Thence South $30^{\circ} 28' 53''$ West 537.93 feet;
- 3) Thence South $63^{\circ} 59'$ East 272.69 feet;
- 4) Thence South $27^{\circ} 37'$ West 369.2 feet;
- 5) Thence South $27^{\circ} 55'$ West 750.9 feet;
- 6) Thence westerly along the northerly boundary of that parcel of land described in Book 138 at Page 108 of the Fremont County records 1668 feet more or less to the West boundary of the said East $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 32;
- 7) Thence northerly along the above said West boundary 1259 feet;
- 8) Thence South $89^{\circ} 51' 21''$ East 459.49 feet;
- 9) Thence North $0^{\circ} 27' 06''$ West 1109.46 feet;
- 10) Thence South $89^{\circ} 46' 56''$ East 883.04 feet;
- 11) Thence South $89^{\circ} 59'$ East 227.85 feet to a point located on the westerly boundary of said Fremont County road.
- 12) Thence southeasterly along said westerly road boundary 1022 feet more or less to the point of beginning.

EXCEPTING THEREFROM a three acre tract of land described hereinafter as TRACT II.

B. WATER

a) 1.0 cu. ft. of water per second under Arkansas River priority #135 (Hayden Creek priority #7) and 0.4 cu. ft. of water per second under Arkansas River priority #369 (Hayden Creek priority #18) decree to Ditch No. 154, the Fickes Ditch, adjudicated in the general water adjudication in Water District No. 12 by the District Court of Fremont County, Colorado, on February 3, 1894, together with an interest and ownership in said The Fickes Ditch proportional to the water herein conveyed to the total water decreed to said ditch.

ATTACHMENT "A"

To: Warranty Deed (Richards/Embry)

Page Two

b) 1.40 cu. ft. of water per second under Arkansas River priority #338 (Hayden Creek priority #16) decreed to Ditch No. 347, the Lanoue Ditch, adjudicated in the same adjudication set forth in paragraph (a) above and a 1/2 interest and ownership in said The Lanoue Ditch.

c) 0.70 cu. ft. of water per second under Arkansas River priority (Hayden Creek priority #____) decreed to Ditch No. _____, The Lanoue Ditch No. 2, adjudicated under date of January 13, 1923, in Water District No. 12, by the District Court of Fremont County, Colorado, in cause numbered 4412, together with an interest and ownership in said The Lanoue Ditch No. 2 proportional to the water herein conveyed to the total water decreed to said ditch.

d) Together with well water, well and well permit no. 121587.

TRACT II

A. LAND

A tract of land located in the Northwest 1/4 of the Southwest 1/4 of Section 33, Township 48 North, Range 11 East, New Mexico Principal Meridian, Fremont County, Colorado, described as follows:

- 1) Beginning at a point located on the westerly boundary of a Fremont County road (former U. S. Highway No. 50) from whence the West 1/4 corner (marked stone) of said Section 33 bears North 46° 53' 07" West 1200.20 feet;
- 2) Thence proceeding around the tract herein described South 30° 28' 53" West leaving said county road boundary 379.29 feet;
- 3) Thence North 40° 07' 37" West 366.73 feet;
- 4) Thence North 31° 36' 10" East 381.89 feet to the above said westerly county road boundary as fenced;
- 5) Thence along said westerly county road boundary as fenced South 39° 21' 15" East 360.55 feet to the point of beginning; containing three acres, more or less.

Reserving therefrom a 60.0 foot wide roadway and utility easement which adjoins and parallels the entire southeasterly tract boundary (South 30° 28' 53" West) for ingress and egress to Tract II.

B. WATER

Together with well permit no. 116730.

MEADOW-DR

GOLDEN SUBDIVISION EXEMPTION



33

SE 25-004

PINE-EDGE-DR

PINE-EDGE-DR

HAYDEN-DR

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Exhibit 13

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