

December 11, 2024

Fremont Planning and Zoning Department
615 Macon
Cañon City, CO 81212

Re: Department Comments and Submittal Deficiencies – MS 24-005 Helmick

1. Application Item #8 & #9 – Square Footage does not equal Acreage.
 - a. Addressed Comment.
2. Application Item #9 – Remove Lot 2A and Lot 2B
 - a. Addressed Comment.
3. Application Item #12 – State what current land use is. (Residential)
 - a. Addressed Comment.
4. Application Item #14 – Must list setbacks on the application, as well with on the plat.
 - a. Addressed Comment.
5. Application Item #17 – Correct Reed Road to Reed Lane
 - a. Addressed Comment.
6. Application Item #18 – Exhibit has not been attached or the exhibit is not marked 18.1
 - a. Addressed Comment.
7. Application Item #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.
 - a. Title commitment is current within 30 days of initial submittal date.
8. Application Item #24 – Certificate of Taxes shows a total of \$967.12 due as of 2/3/2024. Please submit payment to the County Treasurer and submit an updated Certificate of Taxes.
 - a. Addressed Comment - taxes have been paid. See attachment.
9. Application Item #28 – Need to state you are requesting a waiver.
 - a. Addressed Comment.
10. Application Item #31 – 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.
 - a. Addressed comment.
11. Application Item #33 – Please attach an executed Fire Protection Plan and District comment form from the Canon City Fire Protection District.
 - a. Addressed Comment.
12. Application Item #35 – Not Answered.
 - a. Addressed Comment.
13. Application Item #36 – Not Answered.
 - a. Addressed Comment.

14. Application Item #40 – Left Blank
 - a. Addressed Comment.
15. Application Item #43 – Street Improvements are required
 - a. Has been addressed. See attached document. Permit #DOT 24-003
16. Application Item #44b
 - a. Addressed Comment.
17. Application item #44c
 - a. Addressed Comment.
18. Application Item #44d
 - a. Addressed Comment.
19. Application Item #44e
 - a. Addressed Comment.
20. Attached Redlines for PLAT
 - a. Addressed Comments.
21. Additional Items
 - a. Be advised of the DeWeese Dye Ditch & Reservoir Co. comments.
 - i. Addressed Comments. See attached document.
 - b. Be advised of FCDOT Comments.
 - i. Addressed Comment. See attached document. Permit #DOT 24-003
 - c. Code Violations
 - i. Addressed Comments. All items have been removed from the property.

Thank you for your time answering our questions. We look forward to discussing this project further with City staff.

Best regards,

Miles Small, PLS
Professional Land Surveyor
miless@3rocksengineering.com
719.507.3745



**FREMONT COUNTY
MINOR SUBDIVISION APPLICATION**

Fremont County

APR 22 2025

Planning & Zoning

1. Project Name: Helmick Minor Subdivision

2. Name: Nate Helmick

Mailing Address: 1226 S 12th Street, Cañon City, CO 81212

Telephone Number: (719) 369-7190 Facsimile Number: _____

Email Address: natehelmick@hotmail.com

3. Name: Miles Small, 3 Rocks Engineering and Surveying (Consultant)

Mailing Address: 430 Main Street Cañon City, CO 81212

Telephone Number: (719) 430-5333 Facsimile Number: _____

Email Address: miless@3rocksenineering.com

4. Name: _____

Mailing Address: _____

Telephone Number: _____ Facsimile Number: _____

Email Address: _____

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.

Existing Lot 2, Lenyi BLA is to be converted from one (1) existing lot into a total of two (2) new lots. (Lenyi BLA, Rec. NO. 860692)

6. The total number of properties involved in the subject property prior to this application for minor subdivision are one(1)

7. The total number of lots as a result of this minor subdivision are two(2)

8. What is the existing size of the subject property prior to this application?
Acreage 5.036 Square Footage 219,352

9. What is the proposed size of each lot after platting?
a. Acreage 2.000 (Lot 1) Square Footage 87,141
b. Acreage 3.035 (Lot 2) Square Footage 132,211
c. Acreage _____ Square Footage _____

10. What is the current Zone District for the subject property?
The subject property is currently located in the LDR 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? Residential
This current land use of the subject property is conforming non-conforming with the current zone district requirements. Please explain: _____

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? Residential
This proposed land use of the subject property will be conforming non-conforming with the current or proposed zone district requirements. Please explain: _____

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: Proposed Lot '1' has no existing or proposed structures.

Proposed Lot '2' has a 2.03% coverage of existing structures.

Single Family Residence: 25.4'South 14.5'East.

One Story Garage: 34.3'West 31.4'East. **Well House:**105.22'West 145.27'East

Shed "A":116.23'West **Shed "B":**25.3'South 45.83'West. **Shed "C":**6'West 24.89'South.

Shed "D": 26.8'West **Shed "E":**27.6'South 8.4'East.

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

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

17. What is the name and or number of the public right-of-way(s) that will provide access to each proposed lot? South 12th Street (40' R.O.W.) & Reed Lane (40' R.O.W.)

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.
See preliminary Minor Sub Plat for adjoining R.O.W.s

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 N/A at Page N/A and under Reception Number 1035305

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 330-F01512-24 Effective Date of Document 1/16/2025
Amendment No. #6

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.

SUBJECT PROPERTY CONTAINS A 10-FT WATER EASEMENT TO WELL, 5-FT INTERIOR UTILITY EASEMENTS AND 10-FT EXTERIOR UTILITY EASEMENTS AS SHOWN ON LENYI BLA PLAT.

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.

Deweese Ditch has no known recorded easement.

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.

Well house in water easement
Shed C & E in 10' utility easement

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 4/10/2025

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: _____

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 No Effect _____
- b. Natural water courses No Effect _____
- c. Dry gulches or drainage ways No Effect _____
- d. Bluffs or cliffs No Effect _____
- e. Fault lines or other geologic hazards No Effect _____
- f. FEMA flood hazard area No Effect _____

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: _____

We are requesting a waiver of this requirement at this time as there are no current plans for building. See letter dated October 2nd, 2024.

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 Cañon 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 Deweese Dye Ditch
Is the subject property encumbered by right of easement or right of use by any irrigation company? Yes --- No If yes, Name of Irrigation Company _____
As per the FCSR Section XIII., D., 10. If any property involved in a minor subdivision has irrigation rights, and is subject to easement or is physically traversed by an irrigation ditch, the irrigation company shall be sent notice of the proposed subdivision, by certified mail (*return receipt requested*) and a copy of said notice and mailing receipts shall be attached to this application, marked as Exhibit 32.1. An exhibit has been attached.

33. Does the subject property lie within a Fire Protection District? Yes --- No If yes, Name of District Cañon City Area 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 Cañon City Recreation & Park District
Does the subject property lie within one (1) mile of a recreation district? Yes --- No
If yes, Name of 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 _____

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 Cañon City Mail date 12/19/24 Received date 12/23/24

Sanitation source F.S.D. Mail date 12/19/24 Received date 12/27/24

Electrical source Black Hills Mail date 12/17/24 Received date 12/18/24

Natural Gas source Atmos Energy Mail date 12/17/24 Received date 01/02/25

Telephone source Spectrum Mail date 12/17/24 Received date _____

Cable Television source Spectrum Mail date 12/17/24 Received date _____

Other required notice _____ 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. _____
Street improvements are required. See Access Permit - Exhibit 43.1

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 \$_____ is attached to this application (Check # _____ cash).

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

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

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

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

Nate Helmick	_____	_____
Applicant Printed Name	Signature	Date
Nate Helmick	_____	_____
Owner Printed Name	Signature	Date

Exhibit 18.1: Access Permit





11/13/24

DRIVEWAY ACCESS and ADDRESS PERMIT
FREMONT COUNTY BUILDING DEPARTMENT
615 MACON AVE, ROOM 212
Phone: 719-276-7460 Fax: 719-276-7461

Colorado 811 must be notified prior to excavation

PERMIT # DOT 21-103

- (1.) APPLICANT SHALL SCHEDULE AN ON-SITE MEETING WITH DEPARTMENT OF TRANSPORTATION DESIGNEE TO DETERMINE ADEQUATE LOCATION REQUIREMENTS OF THE DRIVEWAY ACCESS, AND FOR FINAL ACCEPTANCE INSPECTION. IF APPLICANT FAILS TO APPEAR, THERE WILL BE A RESCHEDULE FEE OF \$45.00
- (2.) PLOT MAP OR SKETCH IS REQUIRED. DEPARTMENT OF TRANSPORTATION DESIGNEE WILL INDICATE DRIVEWAY LOCATION & INITIAL.

Department of Transportation Designee Gerry Busca Phone: 719-276-7430
 Name of Applicant: Nathan Helmick Phone: 719 369 7190 Alt. Phone: 719-491-5790
 Current address, City, State, Zip Code of Applicant: 421 Railroad St Rockvale CO 81244
 Name of Driveway Contractor installing: Self
 Address of proposed or existing driveway, please include address: To be determined Road: Lane

For County use: The following is to be completed by Department of Transportation Designee:
 Name of street being accessed: Local Lane Site distance both directions: 300 ft. _____ ft.

- Driveway access shall not interfere with location or functioning of any traffic regulation device.
- More than one driveway access shall not be allowed on any parcel less than 100' in width.
- Driveway access shall be constructed so as not to interfere with the street drainage system.
- No driveway access shall enter or exit on to street at less than 45 degrees.

The following information will be required prior to the final acceptance:
 Will drainage study be required: Yes _____ No X If yes, specify below:

Will improvements be required: Yes X No _____ Good material through easements to Road
 Culvert size: _____ Type of Culvert (Material) _____ Cover over top of Culvert _____
 Curb Cut _____ Drop Inlets _____ Downspouts _____ Energy Dissipaters _____
 Flared Ends _____ Headwalls _____ Rip Rap _____ Paving & Beveled Ends _____ Deflectors _____
 Racks _____ Cribs _____ Raisers _____ Basins _____ Spillways _____ Others _____

- A minimum of 12 inch diameter culvert, unless larger required due to historical drainage.
- Minimum cover over top of the culvert shall be ½ the diameter of the culvert. Minimum length of culvert 24'.
- Driveway shall not allow drainage onto County Right-of-Way.
- Culverts shall be set on a grade which will allow for proper drainage.
- Culverts shall be corrugated metal or material of equivalent strength & construction.

(3.) LOCATION AND SITE REQUIREMENTS APPROVED BY DEPARTMENT OF TRANSPORTATION

DESIGNEE: Gerry Busca DATE: 11/20/24

- (4.) A. APPLY FOR ADDRESS AT THE BUILDING DEPARTMENT, 615 MACON, ROOM 212
- B. PLOT MAP OR SKETCH AS APPROVED IN (2.) ABOVE, WILL BE REQUIRED WHEN APPLYING FOR AN ADDRESS.
- C. SUBMIT COPY OF ISSUANCE OF AN ADDRESS TO THE BUILDING DEPARTMENT WHEN APPLYING FOR A PERMIT

****Permit will expire one year from date of purchase.**

I certify that I understand and agree to the above requirements and conditions.
 Signature of Applicant: Nathan Helmick Date: 11/13/24 Fee Paid: _____
 FINAL ACCEPTANCE OF DRIVEWAY ACCESS BY DEPARTMENT OF TRANSPORTATION
 DESIGNEE: _____ DATE: _____

****Must submit proof of ownership & Plot Plan indicating location of driveway**

Copies required: 1 Road Supervisor, 2 DOT Office Manager, 3 Planning & Zoning, 4 Building Department, 5 Owner.

* between Sherman & Grant on Logan

Exhibit 20.1: Deed





Order No.: 330-F01512-24

*Correction to original deed
that was recorded 3/19/24
Rec. #1635179*

GENERAL WARRANTY DEED

THIS DEED, Made this 26 day of March, 2024, between

April Dawn Townsend and Joshua Levi Townsend

grantor, and

Joshua Levi Townsend and Nathan Helmick, In Joint tenancy

whose legal address is 1226 S 12Th St, Canon City, CO 81212-4230,

grantees:

WITNESS, That the grantor, for and in consideration of the sum of **One Hundred Sixty-Three Thousand Eight Hundred Twenty-Two And No/100 Dollars (\$163,822.00)**, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantees, their heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of Fremont, State of COLORADO, described as follows:

Lot 2, Lenyi Boundary Line Adjustment according to the recorded plat

County of Fremont
State of Colorado

also known by street and number as 1226 S 12Th St, Canon City, CO 81212-4230

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, 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 grantees, their heirs and assigns forever. And the grantor, for themselves, their heirs and personal representatives, does covenant, grant, bargain and agree to and with the grantees, 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, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except for taxes for the current year, a lien but not yet due and payable, subject to statutory exceptions as defined in CRS 38-30-113, revised.

The grantor shall and will **WARRANT AND FOREVER DEFEND** 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 the whole or any part thereof.

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

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

GRANTOR:

April Dawn Townsend

Joshua Levi Townsend

GENERAL WARRANTY DEED
(continued)

STATE OF CO

COUNTY OF Fremont

The foregoing instrument was acknowledged before me this 26 day of March, 2024, by April Dawn Townsend and Joshua Levi Townsend

CW
Notary Public

My Commission Expires: _____

(SEAL)

CLAUDINE WERNER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19934011785
MY COMMISSION EXPIRES AUGUST 27, 2025

Exhibit 21.1: Title Commitment



Issued By:

Attached to Policy Number:



330-F01512-24

The effective Date of Policy is hereby changed from March 26, 2024 to 01/16/2025.

The Company hereby insures:

- (1) That, except as otherwise expressly provided herein, there are no liens, encumbrances or other matters shown by the Public Records, affecting said estate or interest, other than those shown in said policy.
- (2) That, as shown by the Public Records, the Title to said estate or interest is vested in the vestees shown in Schedule A.

This endorsement is issued as part of the policy. Except as it expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsements, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance. To the extent a provision of the policy or a previous endorsement is inconsistent with an express provision of this endorsement, this endorsement controls. Otherwise, this endorsement is subject to all of the terms and provisions of the policy and of any prior endorsements.

Fidelity National Title Insurance Company

Dated: January 24, 2025

Countersigned By:

A handwritten signature in black ink that reads "Joseph A. Belongia".

Joseph A. Belongia
Authorized Officer or Agent



804 Main Street
Canon City, CO 81212
Phone: (719)275-3304 / Fax: (719)269-3353

Joshua Levi Townsend and Nathan Helmick
1226 S 12Th St
Canon City, CO 81212-4230

File No.: 330-F01512-24
Policy No.: 330-F01512-24
Property: 1226 S 12Th St
Canon City, CO 81212-4230

Dear New Property Owner:

Congratulations on your real estate purchase. Enclosed is your Policy of Title Insurance. This policy contains important information about your real estate transaction, and it insures you against certain risks to your ownership. Please read it and retain it with your other valuable papers.

A permanent record of your recorded title documents is accessible through our office. These records will enable prompt processing of future title orders and save valuable time should you wish to sell or obtain a loan on your property. Visit or call our office and simply give us your personal policy file number when you need assistance.

In the event you sell your property or borrow money from a mortgage lender you may be entitled to a discount rate if you order your title insurance through this company.

We appreciate the opportunity of serving you and will be happy to assist you in any way in regard to your future title service needs.

Sincerely,

Fidelity National Title Company

ALTA OWNER'S POLICY OF TITLE INSURANCE

issued by:

Policy Number:

330-F01512-24



Fidelity National Title
Insurance Company

This policy, when issued by the Company with a Policy Number and the Date of Policy, is valid even if this policy or any endorsement to this policy is issued electronically or lacks any signature.

Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at the address shown in Condition 17.

COVERED RISKS

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B, AND THE CONDITIONS, Fidelity National Title Insurance Company, a Florida corporation (the "Company"), insures as of the Date of Policy and, to the extent stated in Covered Risks 9 and 10, after the Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason of:

1. The Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. Covered Risk 2 includes, but is not limited to, insurance against loss from:
 - a. a defect in the Title caused by:
 - i. forgery, fraud, undue influence, duress, incompetency, incapacity, or impersonation;
 - ii. the failure of a person or Entity to have authorized a transfer or conveyance;
 - iii. a document affecting the Title not properly authorized, created, executed, witnessed, sealed, acknowledged, notarized (including by remote online notarization), or delivered;
 - iv. a failure to perform those acts necessary to create a document by electronic means authorized by law;
 - v. a document executed under a falsified, expired, or otherwise invalid power of attorney;
 - vi. a document not properly filed, recorded, or indexed in the Public Records, including the failure to have performed those acts by electronic means authorized by law;
 - vii. a defective judicial or administrative proceeding; or
 - viii. the repudiation of an electronic signature by a person that executed a document because the electronic signature on the document was not valid under applicable electronic transactions law.
 - b. the lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid.
 - c. the effect on the Title of an encumbrance, violation, variation, adverse circumstance, boundary line overlap, or encroachment (including an encroachment of an improvement across the boundary lines of the Land), but only if the encumbrance, violation, variation, adverse circumstance, boundary line overlap, or encroachment would have been disclosed by an accurate and complete land title survey of the Land.
3. Unmarketable Title.
4. No right of access to and from the Land.
5. A violation or enforcement of a law, ordinance, permit, or governmental regulation (including those relating to building and zoning), but only to the extent of the violation or enforcement described by the enforcing governmental authority in an Enforcement Notice that identifies a restriction, regulation, or prohibition relating to:
 - a. the occupancy, use, or enjoyment of the Land;
 - b. the character, dimensions, or location of an improvement on the Land;
 - c. the subdivision of the Land; or
 - d. environmental remediation or protection on the Land.

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- 6. An enforcement of a governmental forfeiture, police, regulatory, or national security power, but only to the extent of the enforcement described by the enforcing governmental authority in an Enforcement Notice.
- 7. An exercise of the power of eminent domain, but only to the extent:
 - a. of the exercise described in an Enforcement Notice; or
 - b. the taking occurred and is binding on a purchaser for value without Knowledge.
- 8. An enforcement of a PACA-PSA Trust, but only to the extent of the enforcement described in an Enforcement Notice.
- 9. The Title being vested other than as stated in Schedule A, the Title being defective, or the effect of a court order providing an alternative remedy:
 - a. resulting from the avoidance, in whole or in part, of any transfer of all or any part of the Title to the Land or any interest in the Land occurring prior to the transaction vesting the Title because that prior transfer constituted a:
 - i. fraudulent conveyance, fraudulent transfer, or preferential transfer under federal bankruptcy, state insolvency, or similar state or federal creditors' rights law; or
 - ii. voidable transfer under the Uniform Voidable Transactions Act; or
 - b. because the instrument vesting the Title constitutes a preferential transfer under federal bankruptcy, state insolvency, or similar state or federal creditors' rights law by reason of the failure:
 - i. to timely record the instrument vesting the Title in the Public Records after execution and delivery of the instrument to the Insured; or
 - ii. of the recording of the instrument vesting the Title in the Public Records to impart notice of its existence to a purchaser for value or to a judgment or lien creditor.
- 10. Any defect in or lien or encumbrance on the Title or other matter included in Covered Risks 1 through 9 that has been created or attached or has been filed or recorded in the Public Records subsequent to the Date of Policy and prior to the recording of the deed or other instrument vesting the Title in the Public Records.

DEFENSE OF COVERED CLAIMS

The Company will also pay the costs, attorneys' fees, and expenses incurred in defense of any matter insured against by this policy, but only to the extent provided in the Conditions.

Fidelity National Title Insurance Company

By:



Michael J. Nolan, President

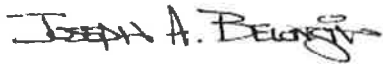
Attest:



Marjorie Nemzura, Secretary

Fidelity National Title Company
804 Main Street
Canon City, CO 81212

Countersigned By:



Joseph A. Belongia
Authorized Officer or Agent



EXCLUSIONS FROM COVERAGE

The following matters are excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. a. any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
 - i. the occupancy, use, or enjoyment of the Land;
 - ii. the character, dimensions, or location of any improvement on the Land;
 - iii. the subdivision of land; or
 - iv. environmental remediation or protection.
- b. any governmental forfeiture, police, regulatory, or national security power.
- c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.
Exclusion 1 does not modify or limit the coverage provided under Covered Risk 5 or 6.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
 - a. created, suffered, assumed, or agreed to by the Insured Claimant;
 - b. not Known to the Company, not recorded in the Public Records at the Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - c. resulting in no loss or damage to the Insured Claimant;
 - d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 9 or 10); or
 - e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser had been given for the Title at the Date of Policy.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights law, that the transaction vesting the Title as shown in Schedule A is a:
 - a. fraudulent conveyance or fraudulent transfer;
 - b. voidable transfer under the Uniform Voidable Transactions Act; or
 - c. preferential transfer:
 - i. to the extent the instrument of transfer vesting the Title as shown in Schedule A is not a transfer made as a contemporaneous exchange for new value; or
 - ii. for any other reason not stated in Covered Risk 9.b.
5. Any claim of a PACA-PSA Trust. Exclusion 5 does not modify or limit the coverage provided under Covered Risk 8.
6. Any lien on the Title for real estate taxes or assessments, imposed or collected by a governmental authority that becomes due and payable after the Date of Policy. Exclusion 6 does not modify or limit the coverage provided under Covered Risk 2.b.
7. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

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NOTICE CONCERNING FRAUDULENT INSURANCE ACTS

(This Notice is Permanently Affixed Hereto)

It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance, and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado Division of Insurance within the department of regulatory agencies.

C. R. S. A. § 10-1-128 (6)(a).

Transaction Identification Data, for which the Company assumes no liability as set forth in Condition 9.d.:

Property Address: 1226 S 12Th St, Canon City, CO 81212-4230

SCHEDULE A

Name and Address of Title Insurance Company: **Cindy Pebley**
Fidelity National Title Company
804 Main Street
Canon City, CO 81212

Policy Number: 330-F01512-24

Date of Policy	Amount of Insurance
March 26, 2024 at 01:43 PM	\$163,822.00

1. The Insured is:

Joshua Levi Townsend and and Nathan Helmick

2. The estate or interest in the Land insured by this policy is:

Fee Simple

3. The Title is vested in:

Joshua Levi Townsend and and Nathan Helmick

4. The Land is described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

THIS POLICY VALID ONLY IF SCHEDULE B IS ATTACHED

END OF SCHEDULE A



EXHIBIT "A"
Legal Description

Lot 2, Lenyi Boundary Line Adjustment according to the recorded plat

County of Fremont
State of Colorado

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**SCHEDULE B
EXCEPTIONS FROM COVERAGE**

Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This policy treats 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 are excepted from coverage.

This policy does not insure against loss or damage and the Company will not pay costs, attorneys' fees, or expenses resulting from the terms and conditions of any lease or easement identified in Schedule A, and the following matters:

1. Any facts, rights, interests or claims that are not shown by the Public Records but which could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
2. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
3. Any encroachment, encumbrance, violation, variation or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the land and not shown by the Public Records.
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. Water rights, claims of title to water, whether or not shown by the Public Records.
6. All taxes and assessments for the year 2024 and subsequent years, a lien but not yet due or payable.
7. Right of way for the DeWeese Dye Ditch as evidenced by document recorded February 9, 1965 in Book 462, Page 224 and any laterals.
8. Terms, conditions, restrictions, provisions, notes and easements but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth on the Plat(s) of said subdivision set forth below:

Recording Date: March 6, 2009
Recording No: 860692

END OF SCHEDULE B

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CONDITIONS

1. DEFINITION OF TERMS

In this policy, the following terms have the meanings given to them below. Any defined term includes both the singular and the plural, as the context requires:

- a. "Affiliate": An Entity:
 - i. that is wholly owned by the Insured;
 - ii. that wholly owns the Insured; or
 - iii. if that Entity and the Insured are both wholly owned by the same person or entity.
- b. "Amount of Insurance": The Amount of Insurance stated in Schedule A, as may be increased by Condition 8.d. or decreased by Condition 10 or 11; or increased or decreased by endorsements to this policy.
- c. "Date of Policy": The Date of Policy stated in Schedule A.
- d. "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.
- e. "Enforcement Notice": A document recorded in the Public Records that describes any part of the Land and:
 - i. is issued by a governmental agency that identifies a violation or enforcement of a law, ordinance, permit, or governmental regulation;
 - ii. is issued by a holder of the power of eminent domain or a governmental agency that identifies the exercise of a governmental power; or
 - iii. asserts a right to enforce a PACA-PSA Trust.
- f. "Entity": A corporation, partnership, trust, limited liability company, or other entity authorized by law to own title to real property in the State where the Land is located.
- g. "Insured":
 - i. (a). The Insured named in Item 1 of Schedule A;
 - (b). the successor to the Title of an Insured by operation of law as distinguished from purchase, including heirs, devisees, survivors, personal representatives, or next of kin;
 - (c). the successor to the Title of an Insured resulting from dissolution, merger, consolidation, distribution, or reorganization;
 - (d). the successor to the Title of an Insured resulting from its conversion to another kind of Entity; or
 - (e). the grantee of an Insured under a deed or other instrument transferring the Title, if the grantee is:
 - (1). an Affiliate;
 - (2). a trustee or beneficiary of a trust created by a written instrument established for estate planning purposes by an Insured;
 - (3). a spouse who receives the Title because of a dissolution of marriage;
 - (4). a transferee by a transfer effective on the death of an Insured as authorized by law; or
 - (5). another Insured named in Item 1 of Schedule A.
 - ii. The Company reserves all rights and defenses as to any successor or grantee that the Company would have had against any predecessor Insured.
- h. "Insured Claimant": An Insured claiming loss or damage arising under this policy.
- i. "Knowledge" or "Known": Actual knowledge or actual notice, but not constructive notice imparted by the Public Records.
- j. "Land": The land described in Item 4 of Schedule A and improvements located on that land at the Date of Policy 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 insured by this policy.
- k. "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.
- l. "PACA-PSA Trust": A trust under the federal Perishable Agricultural Commodities Act or the federal Packers and Stockyards Act or a similar State or federal law.
- m. "Public Records": The recording or filing system established under State statutes in effect at the Date of Policy 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.
- n. "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.
- o. "Title": The estate or interest in the Land identified in Item 2 of Schedule A.
- p. "Unmarketable Title": The Title affected by an alleged or apparent matter that would permit a prospective purchaser or lessee of the Title or a lender on the Title to be released from the obligation to purchase, lease, or lend if there is a contractual condition requiring the delivery of marketable title.

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(continued)

2. CONTINUATION OF COVERAGE

This policy continues as of the Date of Policy in favor of an Insured, so long as the Insured:

- a. retains an estate or interest in the Land;
- b. owns an obligation secured by a purchase money Mortgage given by a purchaser from the Insured; or
- c. has liability for warranties given by the Insured in any transfer or conveyance of the Insured's Title.

Except as provided in Condition 2, this policy terminates and ceases to have any further force or effect after the Insured conveys the Title. This policy does not continue in force or effect in favor of any person or entity that is not the Insured and acquires the Title or an obligation secured by a purchase money Mortgage given to the Insured.

3. NOTICE OF CLAIM TO BE GIVEN BY INSURED CLAIMANT

The Insured must notify the Company promptly in writing if the Insured has Knowledge of:

- a. any litigation or other matter for which the Company may be liable under this policy; or
- b. any rejection of the Title as Unmarketable Title.

If the Company is prejudiced by the failure of the Insured Claimant to provide prompt notice, the Company's liability to the Insured Claimant under this policy is reduced to the extent of the prejudice.

4. PROOF OF LOSS

The Company may, at its option, require as a condition of payment that the Insured Claimant furnish a signed proof of loss. The proof of loss must describe the defect, lien, encumbrance, adverse claim, or other matter insured against by this policy that constitutes the basis of loss or damage and must state, to the extent possible, the basis of calculating the amount of the loss or damage.

5. DEFENSE AND PROSECUTION OF ACTIONS

- a. Upon written request by the Insured and subject to the options contained in Condition 7, the Company, at its own cost and without unreasonable delay, will provide for the defense of an Insured in litigation in which any third party asserts a claim covered by this policy adverse to the Insured. This obligation is limited to only those stated causes of action alleging matters insured against by this policy. The Company has the right to select counsel of its choice (subject to the right of the Insured to object for reasonable cause) to represent the Insured as to those covered causes of action. The Company is not liable for and will not pay the fees of any other counsel. The Company will not pay any fees, costs, or expenses incurred by the Insured in the defense of any cause of action that alleges matters not insured against by this policy.
- b. The Company has the right, in addition to the options contained in Condition 7, at its own cost, to institute and prosecute any action or proceeding or to do any other act that, in its opinion, may be necessary or desirable to establish the Title, as insured, or to prevent or reduce loss or damage to the Insured. The Company may take any appropriate action under the terms of this policy, whether or not it is liable to the Insured. The Company's exercise of these rights is not an admission of liability or waiver of any provision of this policy. If the Company exercises its rights under Condition 5.b., it must do so diligently.
- c. When the Company brings an action or asserts a defense as required or permitted by this policy, the Company may pursue the litigation to a final determination by a court having jurisdiction. The Company reserves the right, in its sole discretion, to appeal any adverse judgment or order.

6. DUTY OF INSURED CLAIMANT TO COOPERATE

- a. When this policy permits or requires the Company to prosecute or provide for the defense of any action or proceeding and any appeals, the Insured will secure to the Company the right to prosecute or provide defense in the action or proceeding, including the right to use, at its option, the name of the Insured for this purpose.

When requested by the Company, the Insured, at the Company's expense, must give the Company all reasonable aid in:

- i. securing evidence, obtaining witnesses, prosecuting or defending the action or proceeding, or effecting settlement; and
- ii. any other lawful act that in the opinion of the Company may be necessary or desirable to establish the Title or any other matter, as insured.

If the Company is prejudiced by any failure of the Insured to furnish the required cooperation, the Company's liability and obligations to the Insured under this policy terminate, including any obligation to defend, prosecute, or continue any litigation, regarding the matter requiring such cooperation.

- b. The Company may reasonably require the Insured Claimant to submit to examination under oath by any authorized representative of the Company and to produce for examination, inspection, and copying, at such reasonable times and places as may be designated by the authorized representative of the Company, all records, in whatever medium maintained, including books, ledgers, checks, memoranda, correspondence, reports, e-mails, disks, tapes, and videos, whether bearing a date before or after the Date of Policy, that reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the Insured Claimant must grant its permission, in writing, for any authorized representative of the Company to examine, inspect, and copy all the records in the custody or control of a third party that reasonably pertain to the loss or damage. No information designated in writing as confidential by the Insured Claimant provided to the Company pursuant to Condition 6 will be later disclosed to others unless, in the reasonable judgment of the Company, disclosure is necessary in the administration of the claim or required by law. Any failure of the Insured Claimant to submit for examination under oath, produce any reasonably requested information, or grant permission to secure reasonably necessary information from third parties as required in Condition 6.b., unless prohibited by law, terminates any liability of the Company under this policy as to that claim.

7. OPTIONS TO PAY OR OTHERWISE SETTLE CLAIMS; TERMINATION OF LIABILITY

In case of a claim under this policy, the Company has the following additional options:

- a. *To Pay or Tender Payment of the Amount of Insurance*

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(continued)

To pay or tender payment of the Amount of Insurance under this policy. In addition, the Company will pay any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment or tender of payment and that the Company is obligated to pay.

Upon the exercise by the Company of this option provided for in Condition 7.a., the Company's liability and obligations to the Insured under this policy terminate, including any obligation to defend, prosecute, or continue any litigation.

b. *To Pay or Otherwise Settle with Parties other than the Insured or with the Insured Claimant*

- i. To pay or otherwise settle with parties other than the Insured for or in the name of the Insured Claimant. In addition, the Company will pay any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay; or
- ii. To pay or otherwise settle with the Insured Claimant the loss or damage provided for under this policy. In addition, the Company will pay any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay.

Upon the exercise by the Company of either option provided for in Condition 7.b., the Company's liability and obligations to the Insured under this policy for the claimed loss or damage terminate, including any obligation to defend, prosecute, or continue any litigation.

8. CONTRACT OF INDEMNITY; DETERMINATION AND EXTENT OF LIABILITY

This policy is a contract of indemnity against actual monetary loss or damage sustained or incurred by an Insured Claimant who has suffered loss or damage by reason of matters insured against by this policy. This policy is not an abstract of the Title, report of the condition of the Title, legal opinion, opinion of the Title, or other representation of the status of the Title. All claims asserted under this policy are based in contract and are restricted to the terms and provisions of this policy. The Company is not liable for any claim alleging negligence or negligent misrepresentation arising from or in connection with this policy or the determination of the insurability of the Title.

a. The extent of liability of the Company for loss or damage under this policy does not exceed the lesser of:

- i. the Amount of Insurance; or
- ii. the difference between the fair market value of the Title, as insured, and the fair market value of the Title subject to the matter insured against by this policy.

b. Except as provided in Condition 8.c. or 8.d., the fair market value of the Title in Condition 8.a.ii. is calculated using the date the Insured discovers the defect, lien, encumbrance, adverse claim, or other matter insured against by this policy.

c. If, at the Date of Policy, the Title to all of the Land is void by reason of a matter insured against by this policy, then the Insured Claimant may, by written notice given to the Company, elect to use the Date of Policy as the date for calculating the fair market value of the Title in Condition 8.a.ii.

d. If the Company pursues its rights under Condition 5.b. and is unsuccessful in establishing the Title, as insured:

- i. the Amount of Insurance will be increased by Fifteen Percent (15%); and
- ii. the Insured Claimant may, by written notice given to the Company, elect, as an alternative to the dates set forth in Condition 8.b. or, if it applies, 8.c., to use either the date the settlement, action, proceeding, or other act described in Condition 5.b. is concluded or the date the notice of claim required by Condition 3 is received by the Company as the date for calculating the fair market value of the Title in Condition 8.a.ii.

e. In addition to the extent of liability for loss or damage under Conditions 8.a. and 8.d., the Company will also pay the costs, attorneys' fees, and expenses incurred in accordance with Conditions 5 and 7.

9. LIMITATION OF LIABILITY

a. The Company fully performs its obligations and is not liable for any loss or damage caused to the Insured if the Company accomplishes any of the following in a reasonable manner:

- i. removes the alleged defect, lien, encumbrance, adverse claim, or other matter;
- ii. cures the lack of a right of access to and from the Land; or
- iii. cures the claim of Unmarketable Title,

all as insured. The Company may do so by any method, including litigation and the completion of any appeals.

b. The Company is not liable for loss or damage arising out of any litigation, including litigation by the Company or with the Company's consent, until a State or federal court having jurisdiction makes a final, non-appealable determination adverse to the Title.

c. The Company is not liable for loss or damage to the Insured for liability voluntarily assumed by the Insured in settling any claim or suit without the prior written consent of the Company.

d. The Company is not liable for the content of the Transaction Identification Data, if any.

10. REDUCTION OR TERMINATION OF INSURANCE

All payments under this policy, except payments made for costs, attorneys' fees, and expenses, reduce the Amount of Insurance by the amount of the payment.

11. LIABILITY NONCUMULATIVE

The Amount of Insurance will be reduced by any amount the Company pays under any policy insuring a Mortgage to which exception is taken in Schedule B or to which the Insured has agreed, assumed, or taken subject, or which is executed by an Insured after the Date of Policy and which is a charge or lien on the Title, and the amount so paid will be deemed a payment to the Insured under this policy.

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(continued)

12. PAYMENT OF LOSS

When liability and the extent of loss or damage are determined in accordance with the Conditions, the Company will pay the loss or damage within thirty (30) days.

13. COMPANY'S RECOVERY AND SUBROGATION RIGHTS UPON SETTLEMENT AND PAYMENT

- a. If the Company settles and pays a claim under this policy, it is subrogated and entitled to the rights and remedies of the Insured Claimant in the Title and all other rights and remedies in respect to the claim that the Insured Claimant has against any person, entity, or property to the fullest extent permitted by law, but limited to the amount of any loss, costs, attorneys' fees, and expenses paid by the Company. If requested by the Company, the Insured Claimant must execute documents to transfer these rights and remedies to the Company. The Insured Claimant permits the Company to sue, compromise, or settle in the name of the Insured Claimant and to use the name of the Insured Claimant in any transaction or litigation involving these rights and remedies.
- b. If a payment on account of a claim does not fully cover the loss of the Insured Claimant, the Company defers the exercise of its subrogation right until after the Insured Claimant fully recovers its loss.
- c. The Company's subrogation right includes the Insured's rights to indemnity, guaranty, warranty, insurance policy, or bond, despite any provision in those instruments that addresses recovery or subrogation rights.

14. POLICY ENTIRE CONTRACT

- a. This policy together with all endorsements, if any, issued by the Company is the entire policy and contract between the Insured and the Company. In interpreting any provision of this policy, this policy will be construed as a whole. This policy and any endorsement to this policy may be evidenced by electronic means authorized by law.
- b. Any amendment of this policy must be by a written endorsement issued by the Company. To the extent any term or provision of an endorsement is inconsistent with any term or provision of this policy, the term or provision of the endorsement controls. Unless the endorsement expressly states, it does not:
 - i. modify any prior endorsement,
 - ii. extend the Date of Policy,
 - iii. insure against loss or damage exceeding the Amount of Insurance, or
 - iv. increase the Amount of Insurance.

15. SEVERABILITY

In the event any provision of this policy, in whole or in part, is held invalid or unenforceable under applicable law, this policy will be deemed not to include that provision or the part held to be invalid, but all other provisions will remain in full force and effect.

16. CHOICE OF LAW AND CHOICE OF FORUM**a. Choice of Law**

The Company has underwritten the risks covered by this policy and determined the premium charged in reliance upon the State law affecting interests in real property and the State law applicable to the interpretation, rights, remedies, or enforcement of policies of title insurance of the State where the Land is located.

The State law of the State where the Land is located, or to the extent it controls, federal law, will determine the validity of claims against the Title and the interpretation and enforcement of the terms of this policy, without regard to conflicts of law principles to determine the applicable law.

b. Choice of Forum

Any litigation or other proceeding brought by the Insured against the Company must be filed only in a State or federal court having jurisdiction.

17. NOTICES

Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at:

Fidelity National Title Insurance Company
P.O. Box 45023
Jacksonville, FL 32232-5023
Attn: Claims Department

18. CLASS ACTION

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

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(continued)

19. ARBITRATION

- a. All claims and disputes arising out of or relating to this policy, including any service or other matter in connection with issuing this policy, any breach of a policy provision, or any other claim or dispute arising out of or relating to the transaction giving rise to this policy, may be resolved by arbitration. If the Amount of Insurance is Two Million and No/100 Dollars (\$2,000,000) or less, any claim or dispute may be submitted to binding arbitration at the election of either the Company or the Insured. If the Amount of Insurance is greater than Two Million and No/100 Dollars (\$2,000,000), any claim or dispute may be submitted to binding arbitration only when agreed to by both the Company and the Insured. Arbitration must be conducted pursuant to the Title Insurance Arbitration Rules of the American Land Title Association ("ALTA Rules"). The ALTA Rules are available online at www.alta.org/arbitration. The ALTA Rules incorporate, as appropriate to a particular dispute, the Consumer Arbitration Rules and Commercial Arbitration Rules of the American Arbitration Association ("AAA Rules"). The AAA Rules are available online at www.adr.org.
- b. ALL CLAIMS AND DISPUTES MUST BE BROUGHT IN AN INDIVIDUAL CAPACITY. NO PARTY MAY SERVE AS PLAINTIFF, CLASS MEMBER, OR PARTICIPANT IN ANY CLASS, REPRESENTATIVE, OR PRIVATE ATTORNEY GENERAL PROCEEDING IN ANY ARBITRATION GOVERNED BY CONDITION 19. The arbitrator does not have authority to conduct any class action arbitration, private attorney general arbitration, or arbitration involving joint or consolidated claims under any circumstance.
- c. *If there is a final judicial determination that a request for particular relief cannot be arbitrated in accordance with this Condition 19, then only that request for particular relief may be brought in court. All other requests for relief remain subject to this Condition 19.*
- d. Fees will be allocated in accordance with the applicable AAA Rules. The results of arbitration will be binding upon the parties. The arbitrator may consider, but is not bound by, rulings in prior arbitrations involving different parties. The arbitrator is bound by rulings in prior arbitrations involving the same parties to the extent required by law. The arbitrator must issue a written decision sufficient to explain the findings and conclusions on which the award is based. Judgment upon the award rendered by the arbitrator may be entered in any State or federal court having jurisdiction.

END OF CONDITIONS

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Issued By:

Attached to Policy Number:



330-F01512-24

The policy is hereby amended by deleting Exception(s) 1-4 of Schedule B.

This endorsement is issued as part of the policy. Except as it expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsements, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance. To the extent a provision of the policy or a previous endorsement is inconsistent with an express provision of this endorsement, this endorsement controls. Otherwise, this endorsement is subject to all of the terms and provisions of the policy and of any prior endorsements.

Fidelity National Title Insurance Company

Dated: March 26, 2024

Countersigned By:

A handwritten signature in black ink that reads "Joseph A. Belongia".

Joseph A. Belongia
Authorized Officer or Agent



Order No.: 330-F01512-24

*Correction to original deed
that was recorded 8/19/24
Rec. #1635179*

GENERAL WARRANTY DEED

THIS DEED, Made this 26 day of March, 2024, between

April Dawn Townsend and Joshua Levi Townsend

grantor, and

Joshua Levi Townsend and Nathan Helmick, in joint tenancy

whose legal address is 1226 S 12Th St, Canon City, CO 81212-4230,

grantees:

WITNESS, That the grantor, for and in consideration of the sum of **One Hundred Sixty-Three Thousand Eight Hundred Twenty-Two And No/100 Dollars (\$163,822.00)**, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantees, their heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of Fremont, State of COLORADO, described as follows:

Lot 2, Lenyi Boundary Line Adjustment according to the recorded plat

County of Fremont
State of Colorado

also known by street and number as 1226 S 12Th St, Canon City, CO 81212-4230

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

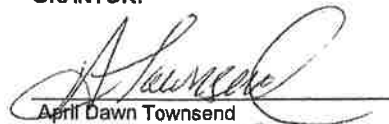
TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantees, their heirs and assigns forever. And the grantor, for themselves, their heirs and personal representatives, does covenant, grant, bargain and agree to and with the grantees, their heirs and assigns, that at the time of the ensembling and delivery of these presents, they are well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except for taxes for the current year, a lien but not yet due and payable, subject to statutory exceptions as defined in CRS 38-30-113, revised.


The grantor shall and will **WARRANT AND FOREVER DEFEND** 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 the whole or any part thereof.

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

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

GRANTOR:


April Dawn Townsend


Joshua Levi Townsend

GENERAL WARRANTY DEED
(continued)

STATE OF CO

COUNTY OF Premont

The foregoing instrument was acknowledged before me this 26 day of March, 2024, by April Dawn Townsend and Joshua Levi Townsend

CW
Notary Public

My Commission Expires: _____

(SEAL)

CLAUDINE WERNER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19934011785
MY COMMISSION EXPIRES AUGUST 27, 2025

Filed for record this 9 day of February 65 9:35 A.M. \$1.45
Exemption No. 355978 Book 462 Page 224 Recorder Mary J. McDonough
Deputy Mayme Morrison

This Deed, Made this 8th day of February in the year of our Lord
one thousand nine hundred and sixty-five between
-ROBERT G. FREDRICKSON-
of the County of Fremont and State of Colorado, of the first part, and
-LAWRENCE H. MARRS and GLADYS E. MARRS-
of the County of Fremont and State of Colorado, of the second part;

Witnesseth, That the said party of the first part, for and in consideration of the sum of
Ten (\$10.00) Dollars & other good and valuable consideration ~~known~~
to the said party of the first part in hand paid by the said parties of the second part, the receipt whereof is
hereby confessed and acknowledged, has granted, bargained, sold and conveyed, and by these presents does
grant, bargain, sell, convey and confirm unto the said parties of the second part, not in tenancy in common but in
joint tenancy, the survivor of them, their assigns and the heirs and assigns of such survivor forever, all the following
described lot - or parcel - of land, situate, lying and being in the County of Fremont and State
of Colorado, to-wit:

Beginning at a point 977.6 feet North of another point on
the South line of the Northwest Quarter of the Northeast Quarter
(NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 4, Township 19 South, Range 70 West of the
Sixth Principal Meridian, which last mentioned point is 354.16 feet
East of the Southwest corner of the said Northwest Quarter of the
Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of said Section 4, running thence East
965.84 feet; thence North 119.5 feet; thence West 965.84 feet;
thence South 119.5 feet to the place of beginning, excepting and
reserving the right of way for such ditch and ditches as shall be
necessary to convey water for the use upon lands lying below said
tract.

Together with 22 shares of the Capital Stock of The De-
Weese-Dye Ditch and Reservoir Company.

RS x²

Together with all and singular the hereditaments and appurtenances thereto belonging, or in anywise apper-
taining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the
estate, right, title, interest, claim and demand whatsoever of the said party 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, the survivor of them, their assigns and the heirs and assigns of such survivor forever.
And the said party of the first part, for him self, his heirs, executors, and administrators, do covenants
covenant, grant, bargain and agree to and with the said parties of the second part, the survivor of them, their assigns
and the heirs and assigns of such survivor, that at the time of the enrolling and delivery of these presents, he is
well seized of the premises above conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance,
in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey
the same in manner and form aforesaid, and that the same are free and clear from all former and other grants,
bargains, sales, liens, taxes, assessments and incumbrances of whatever kind or nature soever, EXCEPT
general property taxes for the year 1965, due January 1st, 1966,
which the grantee assumes and agrees to pay;

and the above bargained premises in the quiet and peaceable possession of the said parties of the second part, the
survivor of them, their assigns and the heirs and assigns of such survivor, against all and every person or persons
lawfully claiming or to claim the whole or any part thereof, the said party of the first part shall and will
WARRANT AND FOREVER DEFEND.

In Witness Whereof, The said party of the first part has hereunto set his hand -
and seal - the day and year first above written.

Signed, Sealed and Delivered in the Presence of
Robert G. Fredrickson



STATE OF COLORADO,
County of Fremont. } The foregoing instrument was acknowl-
edged before me this 8th day of February 19 65,
by ROBERT G. FREDRICKSON

Witness my hand and official seal.
My commission expires September 11, 1965
Nolan B. Spivey
Notary Public

Exhibit 24.1: Tax History



- [Searching](#)
 - [Account Search](#)
 - [Sale Search](#)
- [View Created Report\(s\)](#)
- [Help?](#)
- [Logout Public](#)

Account: R018836

Tax Summary

Tax Year	Tax Due	Interest Due	Penalty Due	Misc Due	Lien Due	Lien Interest Due	Total Due
2024	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

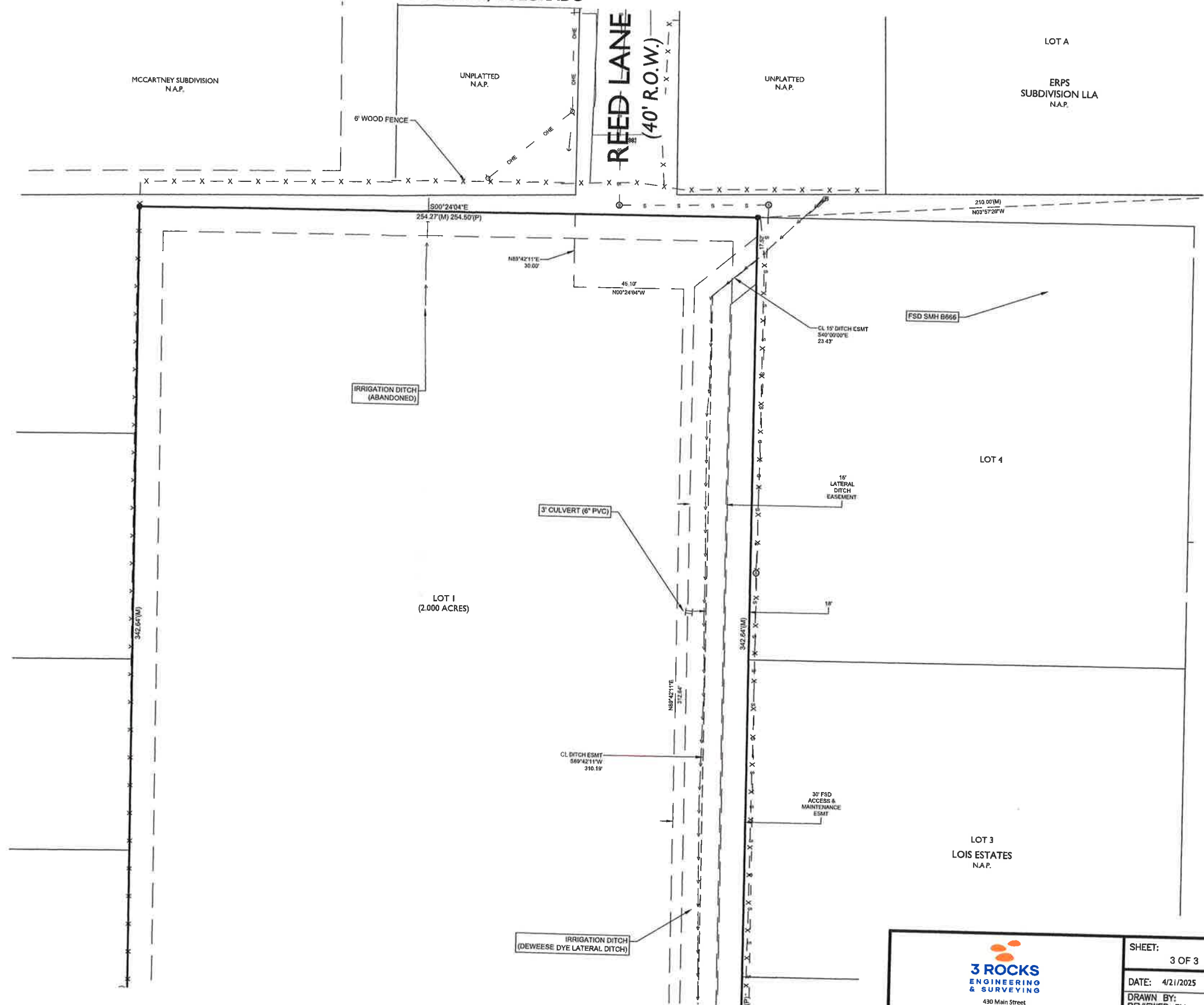
Tax Details

Tax Year	Type	Effective Date	Amount	Balance
2024	Tax Payment	04/10/2025	\$1,003.16	\$0.00
2024	Tax	12/23/2024	\$1,003.16	\$0.00
2023	Tax Payment	03/19/2024	\$967.12	\$0.00
2023	Tax	01/12/2024	\$967.12	\$0.00
2022	Tax Payment	04/30/2023	\$1,207.48	\$0.00
2022	Tax	12/28/2022	\$1,207.48	\$0.00
2021	Miscellaneous Payment	04/30/2023	\$4.00	\$0.00
2021	Miscellaneous Payment	04/30/2023	\$20.00	\$0.00
2021	Interest Payment	04/30/2023	\$3.26	\$0.00
2021	Tax Payment	04/30/2023	\$36.29	\$0.00
2021	Interest	04/30/2023	\$3.26	\$0.00
2021	CERTIFICATE FEE	10/04/2022	\$4.00	\$0.00
2021	TAX SALE ADVERTISING	10/04/2022	\$20.00	\$0.00
2021	Interest Payment	07/26/2022	\$36.29	\$0.00
2021	Tax Payment	07/26/2022	\$1,173.23	\$0.00
2021	Interest	07/26/2022	\$36.29	\$0.00
2021	Tax	12/27/2021	\$1,209.52	\$0.00
2020	Tax Payment	07/19/2021	\$1,072.56	\$0.00
2020	Interest Payment	07/19/2021	\$32.18	\$0.00
2020	Interest	07/19/2021	\$32.18	\$0.00
2020	Tax	12/21/2020	\$1,072.56	\$0.00
2019	Interest Payment	07/29/2020	\$5.51	\$0.00
2019	Tax Payment	07/29/2020	\$550.51	\$0.00
2019	Interest	07/29/2020	\$5.51	\$0.00
2019	Tax Payment	06/13/2020	\$508.17	\$0.00
2019	Interest Payment	06/13/2020	\$21.17	\$0.00
2019	Interest	06/13/2020	\$21.17	\$0.00
2019	Tax	12/23/2019	\$1,058.68	\$0.00
2018	Tax Payment	06/15/2019	\$512.14	\$0.00
2018	Tax Payment	02/28/2019	\$512.14	\$0.00
2018	Tax	12/20/2018	\$1,024.28	\$0.00
2017	Interest Payment	07/23/2018	\$9.51	\$0.00
2017	Tax Payment	07/23/2018	\$475.64	\$0.00
2017	Interest	07/23/2018	\$9.51	\$0.00
2017	Tax	12/26/2017	\$951.28	\$0.00
2017	Tax Payment	12/31/1969	\$475.64	\$0.00
2016	Miscellaneous Payment	11/06/2017	\$30.00	\$0.00
2016	Miscellaneous Payment	11/06/2017	\$4.00	\$0.00

Exhibit 27.1: Minor Sub Plat Improvements

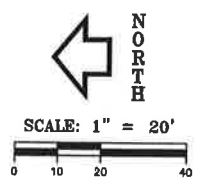


**HELMICK MINOR SUBDIVISION
DETAIL SHEET
A RE-PLAT OF LOT 2, LENYI BOUNDARY LINE ADJUSTMENT
FREMONT COUNTY, COLORADO**



LEGEND

- FOUND #4 REBAR WITH 1" YELLOW PLASTIC CAP, PLS 35580 - UNLESS NOTED OTHERWISE
- SET #5 REBAR AND 1.25" YELLOW PLASTIC CAP, MILES SMALL, PLS 38534
- ⊕ FOUND "+" SCRIBED IN CONCRETE
- (P) PLATTED DISTANCE
- (M) MEASURED DISTANCE
- X- FENCE
- ||| CULVERT
- POWER POLE
- E ELECTRIC PEDESTAL/PULL BOX
- S SANITARY MANHOLE
- ⊗ SEWER CLEANOUT
- ⊕ ELECTRIC METER
- ⊕ GAS METER
- ⊕ WATER METER
- DECIDUOUS TREE
- ⊕ MAIL BOX
- CONCRETE
- ▨ BUILDING
- ASPHALT
- BLA BOUNDARY LINE ADJUSTMENT
- SUBJECT PROPERTY LINE
- ADJACENT PROPERTY LINE
- - - EASEMENT LINE

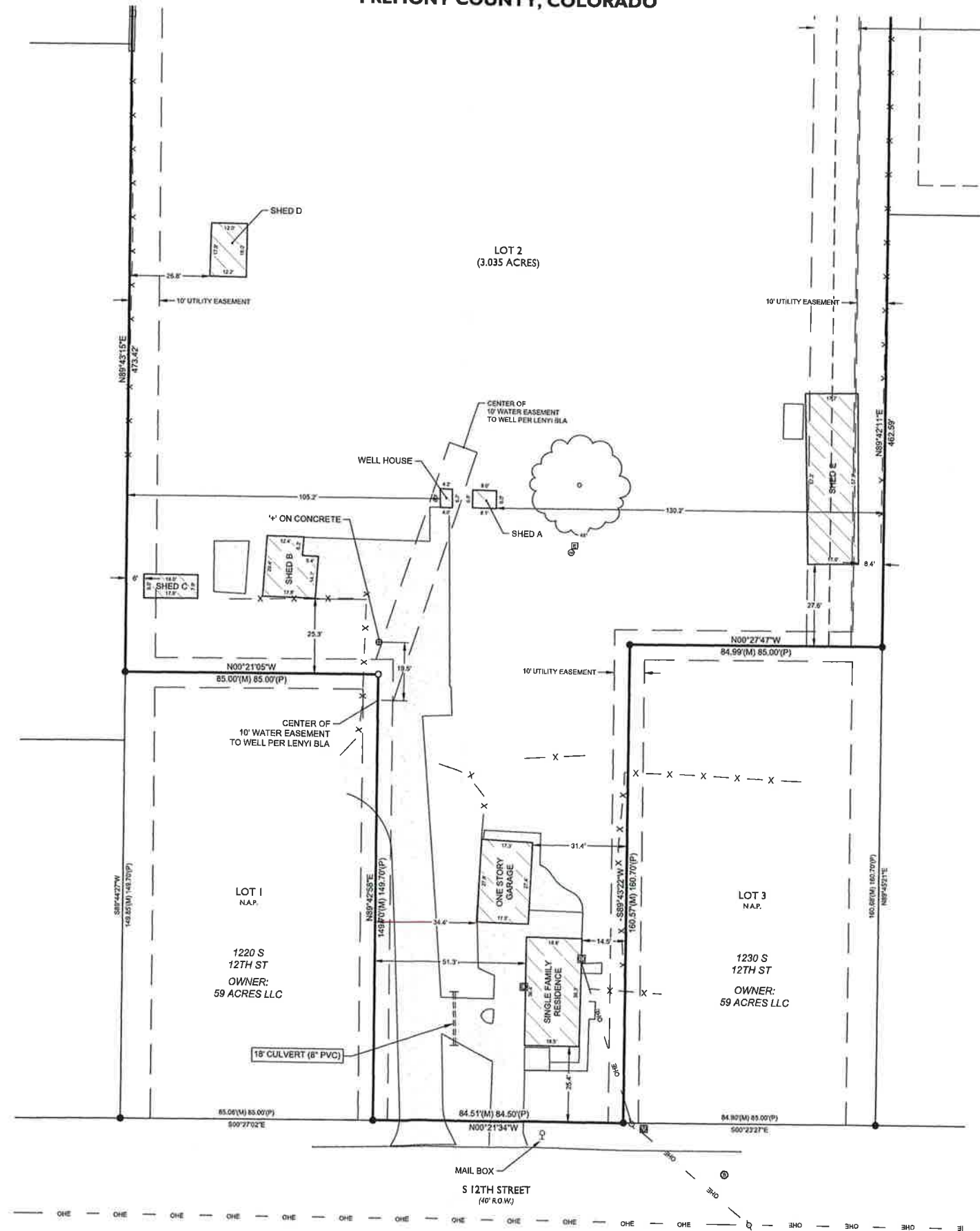
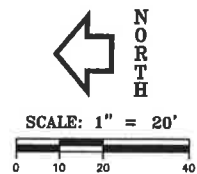


 3 ROCKS ENGINEERING & SURVEYING 430 Main Street Canon City, CO 81212 719.430.5333 www.3rockengineering.com	SHEET: 3 OF 3
	DATE: 4/21/2025
	DRAWN BY: KC REVIEWED BY: MS
	PROJECT: 24-138

**HELMICK MINOR SUBDIVISION
DETAIL SHEET
A RE-PLAT OF LOT 2, LENYI BOUNDARY LINE ADJUSTMENT
FREMONT COUNTY, COLORADO**

LEGEND

- FOUND #4 REBAR WITH 1" YELLOW PLASTIC CAP, PLS 35590 - UNLESS NOTED OTHERWISE
- SET #5 REBAR AND 1.25" YELLOW PLASTIC CAP, MILES SMALL, PLS 38534
- ⊕ FOUND "x" SCRIBED IN CONCRETE
- (P) PLATTED DISTANCE
- (M) MEASURED DISTANCE
- X- FENCE
- ▭ CULVERT
- ⊙ POWER POLE
- ⊞ ELECTRIC PEDESTAL/PULL BOX
- ⊙ SANITARY MANHOLE
- ⊙ SEWER CLEANOUT
- ⊙ ELECTRIC METER
- ⊙ GAS METER
- ⊙ WATER METER
- ⊙ DECIDUOUS TREE
- ⊙ MAIL BOX
- ▭ CONCRETE
- ▨ BUILDING
- ▭ ASPHALT
- BLA BOUNDARY LINE ADJUSTMENT
- SUBJECT PROPERTY LINE
- ADJACENT PROPERTY LINE
- - - EASEMENT LINE



 3 ROCKS ENGINEERING & SURVEYING <small>430 Main Street Cañon City, CO 81212 719.430.5333 www.3rocksendeering.com</small>	SHEET: 2 OF 3
	DATE: 4/21/2025
	DRAWN BY: KC REVIEWED BY: MS
	PROJECT: 24-138

Exhibit 28.1: Deferral Letter Regarding Topographic and Soils Information



October 2, 2024

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

Re: Helmick Minor Subdivision – 1226 S 12th Street
Application – Request for Deferment - Exhibit 28.1

CC: Nate Helmick, Property Owner and Minor Subdivision Applicant

Dan Victoria,

Thank you for taking the time to review our plans and documents for the Helmick Minor Subdivision Application and providing comments regarding the subject Minor Subdivision Application. We are, on behalf of our client, requesting to defer submittal of the following items until the time of development:

- Drainage Plan and Report
- Topographic and Grading Plan
- Geological & Soils Reports

We are requesting a deferment, as there are currently no proposed improvements to the subject property. The owner intends to build a single-family home at a later date. The property owner will inform the Fremont County Planning & Building Department once a plan to build is created.

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

Thank you,

Miles Small, PLS
Survey Team Leader
719-430-5333
miless@3rocksengineering.com
3 Rocks Engineering and Surveying



Exhibit 29.1: Deferral Letter Regarding a
Drainage Plan Map and Report



October 2, 2024

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

Re: Helmick Minor Subdivision – 1226 S 12th Street
Application – Request for Deferment - Exhibit 29.1

CC: Nate Helmick, Property Owner and Minor Subdivision Applicant

Dan Victoria,

Thank you for taking the time to review our plans and documents for the Helmick Minor Subdivision Application and providing comments regarding the subject Minor Subdivision Application. We are, on behalf of our client, requesting to defer submittal of the following items until the time of development:

- Drainage Plan and Report
- Topographic and Grading Plan
- Geological & Soils Reports

We are requesting a deferment, as there are currently no proposed improvements to the subject property. The owner intends to build a single-family home at a later date. The property owner will inform the Fremont County Planning & Building Department once a plan to build is created.

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

Thank you,

Miles Small, PLS
Survey Team Leader
719-430-5333
miless@3rockengineering.com
3 Rocks Engineering and Surveying



Exhibit 30.1: Public Water Supply





CITY OF CAÑON CITY

Water Department

1525 S. 9th Street
Cañon City, CO 81212
(719) 269-9022

January 28, 2025

Re: Water Service – 1226 S. 12th St.

Brandon Hayes

Via email: brandonh@3rockengineering.com

Mr. Hayes:

This letter is to confirm City will serve two potential lots on 1226 S. 12th St. via the 6" in S. 12th or the 6" in Reed Lane. Water tap approval will be dependent on the successful fulfillment of water tap applications.

Since this lot is outside of City Limits. A water service contract will need to be completed before a water tap application will be signed off on. The water service contract process can be started by submitting a water tap application.

As these lots are outside city limits, the outside city limits water tap and consumption rates will apply.

If you should have any questions, please don't hesitate to reach out to me.

Sincerely,

Travis Payne
Superintendent
Water Department
City of Cañon City

Exhibit 31.1: Public Sanitary Sewer System





Fremont Sanitation District

107 Berry Parkway Cañon City, CO 81212-3900
(719) 269-9050 Fax - (719)276-7001

Brandon Hayes, Project Coordinator
3 Rocks Engineering and Surveying
430 Main Street
Cañon City, CO 81212
sent via email: brandonh@3rocksengineering.com

April 9, 2025

Re: Will-Serve Letter – Proposed Helmick Minor Subdivision, Fremont County, CO
(MS 24-005)

Dear Mr. Hayes:

Thank you for inquiring about the availability of sanitary sewer service for a proposed re-platting of Lot 2, Lenyi Boundary Line Adjustment located in Fremont County, Colorado.

The subject property is located within the boundaries of the Fremont Sanitation District (FSD). Based upon available information within FSD records, the existing residence located on proposed Lot 2B (1226 South 12th Street) is connected to the public sanitary sewer within 12th Street public right-of-way and has a sanitary sewer service account on file.

FSD has adequate wastewater collection facilities at this site, as well as the treatment plant capacity to serve the additional single family residential lot (Lot 2A) proposed by this action. Service to proposed Lot 2A will require the sanitary service line to discharge to the existing sanitary main located in Reed Lane public right-of-way. The sanitary sewer service installation to the proposed lot shall be in compliance with the District's Rules and Regulations and performed by persons certified by the District. Applicable permit fees must also be paid prior to the connection of any new residential use.

There is an existing eight inch public sanitary sewer main and manholes located adjacent to proposed Lots 2A and 2B. This existing sanitary sewer infrastructure is located along a portion of the south and east subdivision boundary line. An easement to access and maintain the existing public sewer infrastructure shall be dedicated by the existing owner and shall be depicted on the proposed plat to the satisfaction of FSD prior to plat recordation.



9 April 2025
MS 24-005
Page 2 of 2

There is an existing locked gate to proposed Lot 2A that appears to be privately owned and located within the existing Reed Lane public right-of-way. If this gate is proposed to remain, FSD will require its own lock to be added to ensure continued access for the property owner as well as FSD.

If additional public or private infrastructure is permitted within Reed Lane right-of-way, FSD would like to have an opportunity to coordinate during design/permitting/construction to ensure that any improvements appropriately accommodate FSD.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Jennifer E. Irvine", is located below the "Sincerely," text.

Jennifer E. Irvine P.E., MPA
District Engineer

ec: Nathaniel Helmick

Exhibit 32.1: Ditch Shares Certificate



EXHIBIT 32.1



Exhibit 33.1: Fire Protection Plan





**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 HELMICK MINOR SUBDIVISION

2. Project Description SUBDIVISION OF LENYI BOUNDARY LINE ADJUSTMENT, Rec. NO. 860692
Lot will be divided into two lots: Lot '2A' and Lot '2B'

3. 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:
1226 South 12th Street, Cañon City, CO. 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. Fire protection will be provided in what manner and with what resources? _____

5. The source of water for fire protection is:

--- Water District - Name of District: City of Cañon City

--- Well - Colorado Division of Water Resources Well Permit Number: _____

Is the well approved for fire protection? Yes --- No Please explain: _____

--- Cistern - What is the cistern capacity? _____ Gallons - What is the water source for filling the cistern? _____

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

378 feet north to west access (S 12th Street and Sherman Ave)

644 feet west to east access (Reed Lane and Logan Street)

7. What public roadways provide access to the subject property? _____

SOUTH 12TH STREET AND REED LANE

8. How many accesses to public roadways will the subject property have? _____

ONE PER SUBDIVIDED LOT: S 12TH ST on the west / REED LANE on the east.

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. _____

S 12TH ST HAS A 40' R-O-W AND REED LANE HAS A 40' ROW

Interior roadway on west side is accessed by concrete driveway.

Interior roadway on east side is accessed by gate (Reed Lane).

Interior roadways are typically dirt and gravel.

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: Cañon City Fire Protection District

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: _____

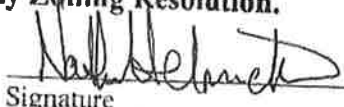
By signing this Application, the Applicant, or the agent/representative acting with due authorization on behalf of the Applicant, hereby certifies that all information contained in the application and any attachments to the Application, is true and correct to the best of Applicant's knowledge and belief.

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.

Nate Helmick
Applicant Printed Name


Signature

1/28/25
Date

Nate Helmick
Owner Printed Name


Signature

1/28/25
Date

Exhibit 34.1: Recreation Plan and District Comment Form





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: HELMICK MINOR SUBDIVISION

2. Type of Application: Minor Subdivision Preliminary Plan

3. The subject property is located at: 1226 S 12TH STREET, CAÑON CITY, CO 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: CAÑON CITY AREA RECREATION AND PARK DISTRICT

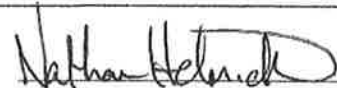
9. Is any portion of the subject property within one (1) mile of a recreation district boundary?
 Yes --- No If yes, provide the name of the Recreation District? _____

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? _____

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

NATHAN HEMLICK
Applicant / Owner Printed Name


Signature

09/23/2024
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: _____
2. Name of contact person: _____
Title: _____ Telephone: _____
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:

Signature of Authorized Recreation District Representative

Date

Exhibit 37.1: Utility Company Notifications



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Canon City Water Department
 P.O. Box 1460
 Canon City, CO 81215



9590 9402 8823 4005 9371 08

2. Article Number (Transfer from service label)

9589 0710 5270 2154 1926 90

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee
X [Signature]

B. Received by (Printed Name) C. Date of Delivery
Alison Appelman 12-23-24

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™
<input type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Signature Confirmation™
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Collect on Delivery Restricted Delivery	
<input type="checkbox"/> Mail Restricted Delivery	

Domestic Return Receipt

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

TO: CAÑON CITY WATER DEPARTMENT

FROM: NATE HELMICK

DATE: DECEMBER 16TH, 2024
Name of Subject Property Owner / Applicant

Reference: HELMICK MINOR SUBDIVISION
Project Name

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

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

1226 S 12TH ST

The subject property, as referenced above is located at Cañon City, CO. 81212
General Location or Address (Vicinity Map Exhibit A)

The subject property is legally described as: HELMICK MINOR SUBDIVISION

Check here if legal description is attached as Exhibit B.

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

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

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

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

These meetings are held in room 1L3 (*lower level Board Meeting Room*) of the Fremont County Administration Building, 615 Macon Avenue, Cañon City, Colorado. You and or your representative (*representative documentation may be required*) may attend the meeting to present your oral comments or written comments will be accepted at the meeting or prior to the meeting at the Department of Planning and Zoning (Department) in Room 210 of the Administration Building. Oral comments cannot be accepted except at the meeting at which the application is to be heard.

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

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

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

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

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

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

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

Entity Name: CAÑON CITY WATER DEPT. Name of contact person: TRAVIS PAYNE
Title: _____ Telephone: (719) 269-9022 Email: _____
Mailing Address: P.O. BOX 1460 128 MAIN ST, CAÑON CITY, CO 81212
Street Address City State Zip

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

Will your entity be able to service the subject property as proposed by the subdivision or re-plat?
 Yes --- No Please explain _____

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

Signature of Authorized Entity Representative

Date

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Fremont Sanitation District
 107 Berry Pkwy
 Canon City, CO 81212



9590 9402 8823 4005 9371 15

2. Article Number (Transfer from service label)

9589 0710 5270 2154 1927 06

COMPLETE THIS SECTION ON DELIVERY

A. Signature

[Handwritten Signature]

- Agent
- Addressee

B. Received by (Printed Name)

Liz Jordan

C. Date of Delivery

- D. Is delivery address different from item 1? Yes
- If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

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

TO: FREMONT SANITATION DISTRICT (FSD)

FROM: NATE HELMICK

Name of Subject Property Owner / Applicant
DATE: DECEMBER 16TH, 2024

Reference: HELMICK MINOR SUBDIVISION
Project Name

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

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

1226 S 12TH ST

The subject property, as referenced above is located at Cañon City, CO. 81212
General Location or Address (Vicinity Map Exhibit A)

The subject property is legally described as: HELMICK MINOR SUBDIVISION

Check here if legal description is attached as Exhibit B.

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

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

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

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

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

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

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

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

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

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

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

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

Entity Name: FREMONT SANITATION DISTRICT Name of contact person: _____

Title: _____ Telephone: (719) 269-9050 Email: _____

Mailing Address: 107 BERRY PKWY CANON CITY CO 81212
Street Address City State Zip

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

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

Yes --- No Please explain _____

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

Signature of Authorized Entity Representative

Date

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

TO: BLACK HILLS ENERGY

FROM: NATE HELMICK

Name of Subject Property Owner / Applicant

DATE: DECEMBER 16TH, 2024

Reference: HELMICK MINOR SUBDIVISION

Project Name

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

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

1226 S 12TH ST

The subject property, as referenced above is located at Cañon City, CO. 81212

General Location or Address (Vicinity Map Exhibit A)

The subject property is legally described as: HELMICK MINOR SUBDIVISION

Check here if legal description is attached as Exhibit B.

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

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

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

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

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

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

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

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

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

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

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

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

Entity Name: BLACK HILLS ENERGY Name of contact person: Troy Bedford
Title: Planner Telephone: (888) 890-5554 Email: Troy.Bedford@BlackHillsCorp.com
Mailing Address: 3110 UTILITY LN CAÑON CITY CO 81212
Street Address City State Zip

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

Will your entity be able to service the subject property as proposed by the subdivision or re-plat?
 Yes --- No Please explain _____

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

No issues.

Troy Bedford
Signature of Authorized Entity Representative

12/18/24
Date

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

TO: ATMOS ENERGY

FROM: NATE HELMICK

Name of Subject Property Owner / Applicant
DATE: DECEMBER 16TH, 2024

Reference: HELMICK MINOR SUBDIVISION
Project Name

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

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

The subject property, as referenced above is located at 1226 S 12TH ST
Cañon City, CO. 81212
General Location or Address (Vicinity Map Exhibit A)

The subject property is legally described as: HELMICK MINOR SUBDIVISION

Check here if legal description is attached as Exhibit B.

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

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

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

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

These meetings are held in room 113 (*lower level Board Meeting Room*) of the Fremont County Administration Building, 615 Macon Avenue, Cañon City, Colorado. You and or your representative (*representative documentation may be required*) may attend the meeting to present your oral comments or written comments will be accepted at the meeting or prior to the meeting at the Department of Planning and Zoning (Department) in Room 210 of the Administration Building. Oral comments cannot be accepted except at the meeting at which the application is to be heard.

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

the Fremont County Zoning Resolution may be viewed on the Internet at
<http://www.fremontco.com/planningandzoning/zoningresolution.shtml>
and the Fremont County Subdivision Regulations may be viewed on the Internet at
<http://www.fremontco.com/planningandzoning/subdivisionregulations.shtml>

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

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

Entity Name: ATMOS ENERGY Name of contact person: Juan Adolfo Prieto Arias
Title: Engineering Manager Telephone: (888) 286-6700 Email: Juan.PrietoArias@atmosenergy.com
Mailing Address: 105 McCormick Pkwy, Canon City CO 81212
Street Address City State Zip

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

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

Yes --- No Please explain _____

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

No comments.

DocuSigned by:



89E8EC3DE0864DD...

December 30, 2024 | 10:19 AM PST

Signature of Authorized Entity Representative

Date



January 27, 2025

Nate Helmick
Helmick Minor Subdivision
1226 S 12th St
Canon City, CO 81212

RE: Availability of Natural Gas or "Will Serve" notification regarding proposed project at [1226 S 12th St \(Helmick Minor Subdivision\)](#), in the Town of [Canon City](#), County of [Fremont](#), and State of Colorado.

Dear Nate Helmick:

Atmos Energy Corporation is willing and able to construct the necessary natural gas distribution infrastructure to serve the proposed/planned properties known as [1226 S 12th St \(Helmick Minor Subdivision\)](#), in the Town of [Canon City, CO](#). The cost to extend or construct the natural gas line infrastructure, including individual lot service lines, are borne by the developer/owner requesting the extension of the natural gas line infrastructure. The developer/owner requesting natural gas service, including requests for new developments, of such a size and magnitude as to effect the integrity and reliability of the natural gas distribution system without additional reinforcement shall be responsible for the reinforcement costs and said costs will be included as part of the overall Main Extension and Service Line cost.

The developer/owner will be responsible for providing utility easements necessary for the installation of the natural gas infrastructure if not already provided in the utility easement within the road right of way. At the time of installation, the utility easements for the natural gas main extension and/or service line(s) shall be to final grade with clear access to the easements and all property pins should be visible and clearly marked. If necessary all sleeves for road crossings shall be installed prior to the installation of the natural gas main extension as per specifications provided by Atmos Energy Corporation.

The construction and installation of all natural gas infrastructures will adhere to Atmos Energy Corporation specifications and Tariff on file with the Colorado Public Utility Commission and are subject to State and Federal Regulatory and Pipeline Safety oversight.

If you have any questions, please telephone Randy Butler at 719-581-0239 or email @ Randy.Butler@AtmosEnergy.com.

Sincerely,

Randy Butler

Randy Butler
Sales Representative
Atmos Energy Corporation

Atmos Energy Corporation
Customer Service
Toll free 1-888-286-6700
atmosenergy.com

January 24, 2025

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

Re: Helmick Minor Subdivision – 1226 S 12th Street
Statement of Utility Notification

CC: Nate Helmick, Property Owner and Minor Subdivision Applicant

Dan Victoria,

Thank you for taking the time to review our plans and documents for the Helmick Minor Subdivision Application and providing comments regarding the subject Minor Subdivision Application.

This statement is in place of a Public Utility Notification form in regards to the Cable Television and Telephone sources, as the form was delivered directly to the Spectrum office at 306 N 16th St in Cañon City and has not been returned with the ability to serve the property.

Although the form has not been returned, it is highly likely that Spectrum can provide Cable Television and Telephone services to the subject property.

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

Thank you,

Miles Small, PLS
Survey Team Leader
719-430-5333
miless@3rocksengineering.com
3 Rocks Engineering and Surveying



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

TO: CHARTER/SPECTRUM COMMUNICATIONS

FROM: NATE HELMICK

Name of Subject Property Owner / Applicant

DATE: DECEMBER 16TH, 2024

Reference: HELMICK MINOR SUBDIVISION

Project Name

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

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

1226 S 12TH ST

The subject property, as referenced above is located at Cañon City, CO. 81212

General Location or Address (Vicinity Map Exhibit A)

The subject property is legally described as: HELMICK MINOR SUBDIVISION

Check here if legal description is attached as Exhibit B.

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

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

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

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

These meetings are held in room 113 (*lower level Board Meeting Room*) of the Fremont County Administration Building, 615 Macon Avenue, Cañon City, Colorado. You and or your representative (*representative documentation may be required*) may attend the meeting to present your oral comments or written comments will be accepted at the meeting or prior to the meeting at the Department of Planning and Zoning (Department) in Room 210 of the Administration Building. Oral comments cannot be accepted except at the meeting at which the application is to be heard.

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

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

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

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

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

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

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

Entity Name: CHARTER/SPECTRUM COMM. Name of contact person: _____
Title: _____ Telephone: (866) 874-2389 Email: _____
Mailing Address: 306 N 16TH ST SUITES A-D, Cañon City CO 81212
Street Address City State Zip

Does your entity currently service the subject property? Yes --- No
Will your entity be able to service the subject property as proposed by the subdivision or re-plat?
 Yes --- No Please explain _____

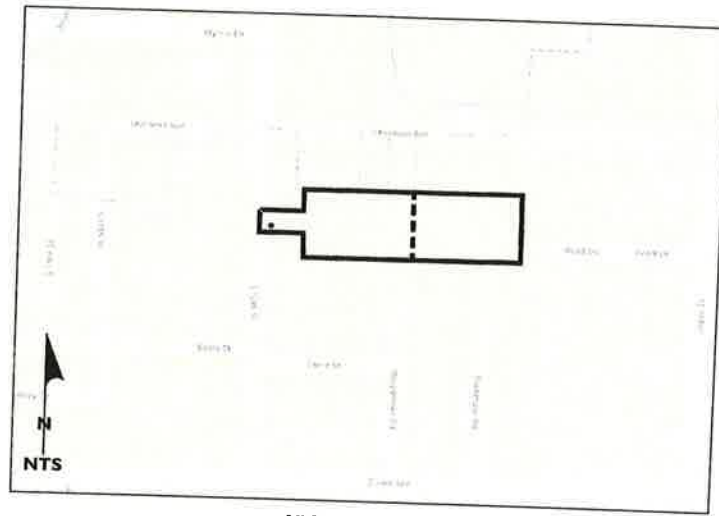
Our entity has the following comments and or recommendations regarding the proposed action: _____

Signature of Authorized Entity Representative Date

Exhibit 38.1: Plat Drawing



HELMICK MINOR SUBDIVISION A RE-PLAT OF LOT 2, LENYI BOUNDARY LINE ADJUSTMENT FREMONT COUNTY, COLORADO



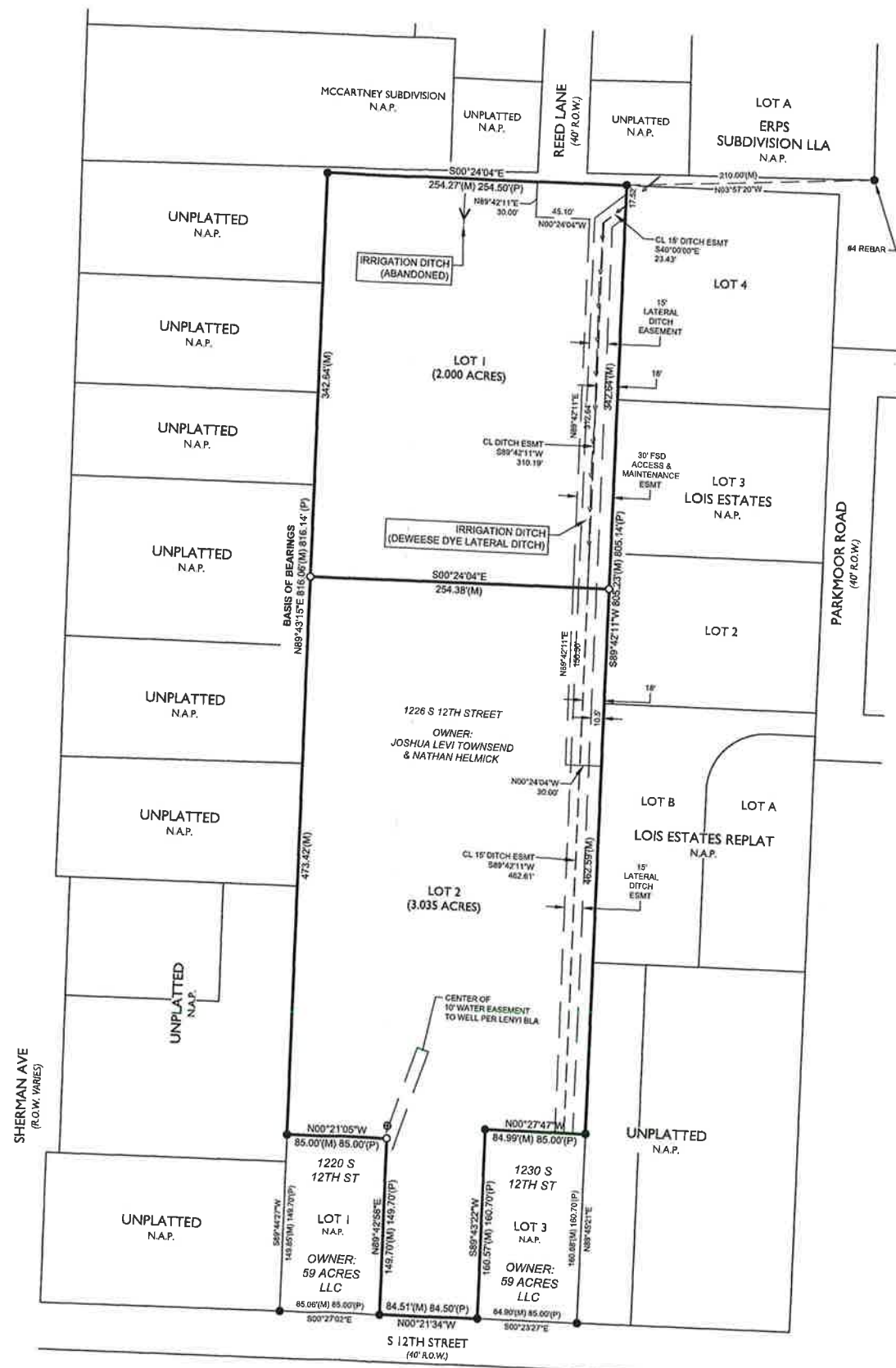
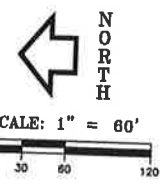
VICINITY MAP

SURVEYOR'S NOTES:

1. FIDELITY NATIONAL TITLE COMPANY, TITLE REPORT NUMBER 330-F01512-24, AMENDMENT NO. #6, DATED FEBRUARY 1, 2024, WAS ENTIRELY RELIED UPON FOR RECORDED INFORMATION REGARDING RIGHTS-OF-WAY, EASEMENTS AND ENCUMBRANCES IN THE PREPARATION OF THIS SURVEY. THE PROPERTY SHOWN AND DESCRIBED HEREON IS ALL OF THE PROPERTY DESCRIBED IN SAID TITLE REPORT.
2. THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF PERSONS NAMED IN THE STATEMENT HEREON. SAID STATEMENT DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS STATEMENT BY THE SURVEYOR NAMING SAID PERSON.
3. LINEAL UNITS USED ARE U.S. SURVEY FEET.
4. SUBJECT PROPERTY CONTAINS 219,352 SQ. FT. OR 5.035 ACRES, AS SURVEYED.
5. BASIS OF BEARINGS: THE NORTH LINE OF THE SUBJECT PROPERTY BEARING N89°43'15"W (ASSUMED), A DISTANCE OF 819.08 FEET, MONUMENTED AS SHOWN HEREON.
6. SUBJECT PROPERTY IS LOCATED IN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), PER FLOOD INSURANCE RATE MAP FOR FREMONT COUNTY, COLORADO AND INCORPORATED AREAS, MAP NUMBER 08043C0636F, REVISED JANUARY 05, 2012.
7. ALL RIGHT-OF-WAY, LOT AND BLOCK, AND EASEMENT INFORMATION WAS TAKEN FROM THE PLAT OF LENYI BOUNDARY LINE ADJUSTMENT AT REC. NO. 880692.
8. PROPERTY IS ZONED: LDR-LOW DENSITY RESIDENCE ZONE DISTRICT PER FREMONT COUNTY. ACCORDING TO FREMONT COUNTY, FRONT SET BACKS ARE 25 FEET, REAR SETBACKS ARE 20 FEET, AND SIDE YARD SETBACKS ARE 10 FEET AND PER SECTION 4.7.5.5, A MINIMUM OF 25 FEET SETBACK IS REQUIRED IF SUBJECT PROPERTY IS ADJACENT TO A STATE OR FEDERALLY DESIGNATED HIGHWAY, IN THE CASE OF THIS PROPERTY, THIS IS NOT APPLICABLE.
9. BOUNDARY AMBIGUITIES EXIST ON THE EAST SIDE OF THE SUBJECT PROPERTY. CURRENT LINES OF OCCUPATION DO NOT COINCIDE WITH THE MONUMENTED PROPERTY LINE. IT APPEARS THERE MAY BE DIFFERENT INTERPRETATIONS OF THE ALIQUOT LINE RUNNING NORTH SOUTH ALONG THE EAST PROPERTY LINE AND POSSIBLY A GAP IN OWNERSHIP LINES. THIS PLAT IS NOT MEANT TO RESOLVE ANY OFF PROPERTY ISSUES. THE PROPERTY BEING SUBDIVIDED IS BASED ON THE PREVIOUSLY ACCEPTED AND RECORDED LENYI BOUNDARY LINE ADJUSTMENT PLAT.
10. NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE SURVEYOR'S STATEMENT SHOWN HEREON.

LEGEND

- FOUND #4 REBAR WITH 1" YELLOW PLASTIC CAP, PLS 35580 - UNLESS NOTED OTHERWISE
- SET #5 REBAR AND 1.25" YELLOW PLASTIC CAP, MILES SMALL, PLS 38534
- ⊕ FOUND "+" SCRIBED IN CONCRETE
- (M) PLATTED DISTANCE
- (M) MEASURED DISTANCE
- IRRIGATION DITCH
- N.A.P. NOT A PART OF THIS PLAT
- BLA BOUNDARY LINE ADJUSTMENT
- ESMT EASEMENT
- CL CENTER LINE
- SUBJECT PROPERTY LINE
- ADJACENT PROPERTY LINE
- ESMT LINE



KNOW ALL PERSONS BY THESE PRESENTS THAT NATE HELMICK AND LEVI TOWNSEND ARE THE OWNERS OF THE FOLLOWING DESCRIBED LAND:

TO WIT:

LOT 2, LENYI BOUNDARY LINE ADJUSTMENT ACCORDING TO THE RECORDED PLAT COUNTY OF FREMONT STATE OF COLORADO

CONTAINING 219,352 SQ. FT. OR 5.035 ACRES, MORE OR LESS, AS SURVEYED.

DEDICATION:

WE, LEVI TOWNSEND AND NATHAN HELMICK, BEING THE OWNERS OF THE ABOVE DESCRIBED LAND BEING PLATTED AND/OR SUBDIVIDED IN FREMONT COUNTY, COLORADO, UNDER THE NAME OF HELMICK MINOR SUBDIVISION, HAVE PUBLIC AT LARGE THE STREETS, ALLEYS, ROADS AND DO HEREBY DEDICATE TO THE PUBLIC AT LARGE THE PORTIONS OF LAND LABELED AS SHOWN HEREON AND HEREBY PUBLIC UTILITIES AS SHOWN HEREON. THE SOLE RIGHT TO ASSIGN USE OR VACATE IS VESTED WITH THE BOARD OF COUNTY COMMISSIONERS.

IN WITNESS WHEREOF LEVI TOWNSEND AND NATHAN HELMICK HAVE SUBSCRIBED THEIR NAMES THIS ____ DAY OF _____, A.D. 20__.

BY _____ LEVI TOWNSEND
BY _____ NATHAN HELMICK

NOTARY STATEMENT:

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, A.D. 20__, BY NATE HELMICK AND JOSHUA TOWNSEND.
MY COMMISSION EXPIRES _____
MY ADDRESS IS _____
WITNESS MY HAND AND OFFICIAL SEAL _____ (SEAL)
NOTARY PUBLIC

ACKNOWLEDGEMENT AND ACCEPTANCE OF PLAT:

THE UNDERSIGNED CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF FREMONT COUNTY, COLORADO HEREBY CERTIFIES THAT THE PLAT WAS APPROVED AND ALL ROADS, STREETS AND EASEMENTS ARE HEREBY ACCEPTED PROVIDED, HOWEVER, THAT SUCH ACCEPTANCE SHALL NOT IN ANY WAY BE CONSIDERED AS AN ACCEPTANCE FOR MAINTENANCE PURPOSES. MAINTENANCE OF, OR SNOW REMOVAL FROM SAID ROAD OR STREETS SHALL BE ONLY UPON A SEPARATE RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS.

CHAIRMAN, FREMONT COUNTY BOARD OF COUNTY COMMISSIONERS _____ DATE _____

EASEMENT STATEMENT:

EASEMENTS FOR PUBLIC PURPOSES, INCLUDING UTILITIES, ARE AS INDICATED ON THE PLAT, WITH THE SOLE RESPONSIBILITY FOR MAINTENANCE BEING VESTED WITH THE ADJACENT PROPERTY OWNERS EXCEPT AS OTHERWISE NOTED. ALL INTERIOR LOT LINES ARE SUBJECT TO A FIVE (5) FOOT EASEMENT ON BOTH SIDES OF LOT LINES. EXTERIOR SUBDIVISION BOUNDARY IS SUBJECT TO A TEN (10) FOOT EASEMENT.

DEWEESE-DYE DITCH & RESERVOIR COMPANY EASEMENT STATEMENT:

EASEMENTS FOR ACCESS AND MAINTENANCE OF THE LATERAL/WATER DELIVERY SYSTEM BY DEWEESE-DYE DITCH & RESERVOIR COMPANY ARE AS INDICATED ON THE PLAT, WITH THE SOLE RESPONSIBILITY FOR MAINTENANCE BEING VESTED WITH THE ADJACENT PROPERTY OWNERS EXCEPT AS OTHERWISE NOTED. THE CENTERLINE OF THE LATERAL IS SUBJECT TO A SEVEN AND A HALF (7.5) FOOT EASEMENT ON BOTH SIDES OF THE CENTERLINE OF THE LATERAL.

FREMONT SANITATION DISTRICT EASEMENT STATEMENT:

FREMONT SANITATION DISTRICT SHALL HAVE THE RIGHT OF INGRESS AND EGRESS OVER AND ACROSS THE 30' UTILITY AND ACCESS EASEMENT DEPICTED HEREON AND TO ACCESS ADJACENT LANDS IN CONNECTION WITH FACILITIES. THE DEVELOPER OR HIS SUCCESSOR AND ASSIGNS SHALL BE RESPONSIBLE FOR THE INSTALLATION, MAINTENANCE, AND REPLACEMENT OF GATES FOR UTILITY ACCESS IF FENCING AND/OR BARRIER SYSTEM IS CONSTRUCTED ALONG THE SOUTHERLY AND EASTERLY SUBDIVISION BOUNDARY ENCUMBERED WITH THE 30 FOOT UTILITY SYSTEM SHALL INCLUDE A MINIMUM FOUR FOOT OPENING TO PROVIDE ACCESS TO SANITARY SEWER THE MANHOLES AND INFRASTRUCTURE. PRIOR TO CONSTRUCTION OF ANY FENCING AND/OR BARRIER SYSTEMS, THESE ACCESS SYSTEMS AND LOCATIONS SHALL BE APPROVED BY THE FREMONT SANITATION DISTRICT OR THEIR SUCCESSOR AND/OR ASSIGNS.

REGISTERED LAND SURVEYOR'S CERTIFICATE:

I, MILES SMALL, A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN PREPARED UNDER MY DIRECTION IN ACCORDANCE WITH THE COLORADO REVISED STATUTES, AS AMENDED, AND THAT THIS PLAT DOES ACCURATELY SHOW THE DESCRIBED TRACT OF LAND AND THE SUBDIVISION THEREOF, TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT ANY PORTION(S) OF THIS PROPERTY WHICH DO LIE WITHIN THE DESIGNATED FLOOD HAZARD AREA AS SHOWN ON THE F.E.M.A. F.I.R.M. MAPS ARE ACCURATELY SHOWN HEREON.



MILES SMALL
COLORADO P.L.S. #38534
3 ROCKS ENGINEERING, LLC
430 MAIN ST CANON CITY, CO
PHONE: 719-430-5333

COUNTY CLERK AND RECORDERS STATEMENT:

STATE OF COLORADO)
COUNTY OF FREMONT)
THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF FREMONT COUNTY, COLORADO, AT _____ M., ON THE _____ DAY OF _____, 20__ A.D. UNDER RECEPTION NUMBER _____

FREMONT COUNTY CLERK & RECORDER

 3 ROCKS ENGINEERING & SURVEYING 430 Main Street Canon City, CO 81212 719-430-5333 www.3rockssurveying.com	SHEET:	1 OF 3
	DATE:	4/21/2025
	DRAWN BY:	KC
	REVIEWED BY:	MS
PROJECT:		24-138

Exhibit 40.1: Deferral Letter Regarding
Items #28-29



October 2, 2024

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

Re: Helmick Minor Subdivision – 1226 S 12th Street
Application – Request for Deferment - Exhibit 40.1

CC: Nate Helmick, Property Owner and Minor Subdivision Applicant

Dan Victoria,

Thank you for taking the time to review our plans and documents for the Helmick Minor Subdivision Application and providing comments regarding the subject Minor Subdivision Application. We are, on behalf of our client, requesting to defer submittal of the following items until the time of development:

- Drainage Plan and Report
- Topographic and Grading Plan
- Geological & Soils Reports

We are requesting a deferment, as there are currently no proposed improvements to the subject property. The owner intends to build a single-family home at a later date. The property owner will inform the Fremont County Planning & Building Department once a plan to build is created.

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

Thank you,

Miles Small, PLS
Survey Team Leader
719-430-5333
miless@3rockengineering.com
3 Rocks Engineering and Surveying



Exhibit 43.1: Street Improvements





11-20-24

DRIVEWAY ACCESS and ADDRESS PERMIT
FREMONT COUNTY BUILDING DEPARTMENT
615 MACON AVE, ROOM 212
Phone: 719-276-7460 Fax: 719-276-7461

Colorado 811 must be notified prior to excavation

PERMIT # DOT 24-103

- (1.) APPLICANT SHALL SCHEDULE AN ON-SITE MEETING WITH DEPARTMENT OF TRANSPORTATION DESIGNEE TO DETERMINE ADEQUATE LOCATION REQUIREMENTS OF THE DRIVEWAY ACCESS, AND FOR FINAL ACCEPTANCE INSPECTION. IF APPLICANT FAILS TO APPEAR, THERE WILL BE A RESCHEDULE FEE OF \$45.00
- (2.) PLOT MAP OR SKETCH IS REQUIRED. DEPARTMENT OF TRANSPORTATION DESIGNEE WILL INDICATE DRIVEWAY LOCATION & INITIAL.

Department of Transportation Designee: Gerry Busen Phone: 719-276-7430
 Name of Applicant: Nathan Helmick Phone: 719-369-7190 Alt. Phone: 719-491-5790
 Current address, City, State, Zip Code of Applicant: 621 Railroad St Rockvale CO 81244
 Name of Driveway Contractor installing: Self
 Address of proposed or existing driveway, please include address: To be determined Road Line

For County use: The following is to be completed by Department of Transportation Designee:
 Name of street being accessed: Road Line Site distance both directions: 300 ft. _____ ft.

- Driveway access shall not interfere with location or functioning of any traffic regulation device.
- More than one driveway access shall not be allowed on any parcel less than 100' in width.
- Driveway access shall be constructed so as not to interfere with the street drainage system.
- No driveway access shall enter or exit on to street at less than 45 degrees.

The following information will be required prior to the final acceptance:
 Will drainage study be required: Yes _____ No X If yes, specify below:

Will improvements be required: Yes X No _____ Good material through easement to Road
 Culvert size: _____ Type of Culvert (Material) _____ Cover over top of Culvert _____
 Curb Cut _____ Drop Inlets _____ Downspouts _____ Energy Dissipaters _____
 Flared Ends _____ Headwalls _____ Rip Rap _____ Paving & Beveled Ends _____ Deflectors _____
 Racks _____ Cribs _____ Raisers _____ Basins _____ Spillways _____ Others _____

- A minimum of 12 inch diameter culvert, unless larger required due to historical drainage.
- Minimum cover over top of the culvert shall be 1/2 the diameter of the culvert. Minimum length of culvert 24'.
- Driveway shall not allow drainage onto County Right-of-Way.
- Culverts shall be set on a grade which will allow for proper drainage.
- Culverts shall be corrugated metal or material of equivalent strength & construction.

(3.) LOCATION AND SITE REQUIREMENTS APPROVED BY DEPARTMENT OF TRANSPORTATION:
 DESIGNEE: Gerry Busen DATE: 11-20-24

- (4.) A. APPLY FOR ADDRESS AT THE BUILDING DEPARTMENT, 615 MACON, ROOM 212
- B. PLOT MAP OR SKETCH AS APPROVED IN (2.) ABOVE, WILL BE REQUIRED WHEN APPLYING FOR AN ADDRESS.
- C. SUBMIT COPY OF ISSUANCE OF AN ADDRESS TO THE BUILDING DEPARTMENT WHEN APPLYING FOR A PERMIT

****Permit will expire one year from date of purchase.**

I certify that I understand and agree to the above requirements and conditions:
 Signature of Applicant: Nathan Helmick Date: 11/13/24 Fee Paid: _____
 FINAL ACCEPTANCE OF DRIVEWAY ACCESS BY DEPARTMENT OF TRANSPORTATION:
 DESIGNEE: _____ DATE: _____

****Must submit proof of ownership & Plot Plan indicating location of driveway**

Copies required: 1 Road Supervisor 2 DOT Office Manager 3 Planning & Zoning 4 Building Department 5 Owner
 * Between Sherman & Grand on Logan Revised 1/24/2024

Exhibit 44.a.1: Address Information



April 11, 2025

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

Re: Helmick Minor Subdivision – 1226 S 12th Street
Application – Application Item 44.a Address Information Statement

CC: Nate Helmick, Property Owner and Minor Subdivision Applicant

Dan Victoria,

Thank you for taking the time to review our plans and documents for the Helmick Minor Subdivision Application and providing comments regarding the subject Minor Subdivision Application.

We are, on behalf of our client, stating in regards to the application item #44.a that there is sufficient information provided to be able to compute an address for the new lot (Lot1) to be platted. It has been determined on the FCDOT access permit #DOT 24-003 that the name of the street being accessed is Reed Lane, and the new address shall coordinate with the numbering sequence of Reed Lane.

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

Thank you,

Brandon Hayes
Project Coordinator
719.430.5333
719.204.1311
brandonh@3rockengineering.com
3 Rocks Engineering & Surveying



Exhibit 44.b.1: Closure Reports



Parcel Map Check Report

Client:
Nate Helmick

PO Box 286, Rockvale, Colorado, 81244
Date: 12/4/2024 10:17:11 AM

Prepared by:
Miles Small
3 Rocks Engineering & Surveying
430 Main Street, Canon City, Colorado 81212

Parcel Name: 1226 S 12th St - LOT 1
Description:
Process segment order counterclockwise: False
Enable mapcheck across chord: False
North:1,219,873.022' East:3,079,339.320'

Segment# 1: Line
Course: N0°24'04.39"W Length: 254.38'
North: 1,220,127.396' East: 3,079,337.538'

Segment# 2: Line
Course: N89°43'15.38"E Length: 342.64'
North: 1,220,129.064' East: 3,079,680.174'

Segment# 3: Line
Course: S0°24'04.39"E Length: 254.27'
North: 1,219,874.801' East: 3,079,681.955'

Segment# 4: Line
Course: S89°42'11.37"W Length: 342.64'
North: 1,219,873.026' East: 3,079,339.320'

Perimeter: 1,193.93' Area: 2.000Acre
Error Closure: 0.004 Course: N3°40'48.91"W
Error North : 0.0037 East: -0.0002

Precision 1: 298,482.50

Parcel Name: 1226 S 12th St - LOT 2
Description:
Process segment order counterclockwise: False
Enable mapcheck across chord: False
North:1,219,868.523' East:3,079,239.950'

Segment# 1: Line
Course: S89°42'11.37"W Length: 462.59'
North: 1,219,866.127' East: 3,078,777.366'

Segment# 2: Line
Course: N0°27'47.32"W Length: 84.99'
North: 1,219,951.114' East: 3,078,776.679'

Segment# 3: Line
Course: S89°43'21.90"W Length: 160.57'
North: 1,219,950.337' East: 3,078,616.111'

Segment# 4: Line
Course: N0°21'33.53"W Length: 84.51'
North: 1,220,034.845' East: 3,078,615.581'

Segment# 5: Line
Course: N89°42'57.96"E Length: 149.70'

Segment# 6: Line
Course: N0°21'04.77"W Length: 85.00'
North: 1,220,120.585' East: 3,078,764.758'

Segment# 7: Line
Course: N89°43'15.38"E Length: 473.42'
North: 1,220,122.891' East: 3,079,238.172'

Segment# 8: Line
Course: S0°24'04.39"E Length: 254.38'
North: 1,219,868.517' East: 3,079,239.954'

Perimeter: 1,755.17' Area: 3.035Acre
Error Closure: 0.007 Course: S32°52'24.26"E
Error North : -0.0058 East: 0.0038

Precision 1: 250,737.14

Parcel Name: 1226 S 12th St - Parent Parcel

Description:

Process segment order counterclockwise: False

Enable mapcheck across chord: False

North:1,219,582.323' East:3,078,790.371'

Segment# 1: Line
Course: N89°43'15.38"E Length: 816.06'
North: 1,219,586.297' East: 3,079,606.421'

Segment# 2: Line
Course: S0°24'04.39"E Length: 254.27'
North: 1,219,332.034' East: 3,079,608.202'

Segment# 3: Line
Course: S89°42'11.37"W Length: 805.23'
North: 1,219,327.862' East: 3,078,802.982'

Segment# 4: Line
Course: N0°27'47.32"W Length: 84.99'
North: 1,219,412.849' East: 3,078,802.295'

Segment# 5: Line
Course: S89°43'21.90"W Length: 160.57'
North: 1,219,412.072' East: 3,078,641.727'

Segment# 6: Line
Course: N0°21'33.53"W Length: 84.51'
North: 1,219,496.580' East: 3,078,641.197'

Segment# 7: Line
Course: N89°42'57.96"E Length: 149.70'
North: 1,219,497.322' East: 3,078,790.895'

Segment# 8: Line
Course: N0°21'04.77"W Length: 85.00'
North: 1,219,582.321' East: 3,078,790.374'

Perimeter: 2,440.36' Area: 5.036Acre
Error Closure: 0.004 Course: S58°31'28.58"E

Exhibit 44.c.1: CDOT Access Permit





11/13/24

DRIVEWAY ACCESS and ADDRESS PERMIT
FREMONT COUNTY BUILDING DEPARTMENT
615 MACON AVE, ROOM 212
Phone: 719-276-7460 Fax: 719-276-7461

Colorado 811 must be notified prior to excavation

PERMIT # DOT 24-103

- (1.) APPLICANT SHALL SCHEDULE AN ON-SITE MEETING WITH DEPARTMENT OF TRANSPORTATION DESIGNEE TO DETERMINE ADEQUATE LOCATION REQUIREMENTS OF THE DRIVEWAY ACCESS, AND FOR FINAL ACCEPTANCE INSPECTION. IF APPLICANT FAILS TO APPEAR, THERE WILL BE A RESCHEDULE FEE OF \$45.00
- (2.) PLOT MAP OR SKETCH IS REQUIRED. DEPARTMENT OF TRANSPORTATION DESIGNEE WILL INDICATE DRIVEWAY LOCATION & INITIAL.

Department of Transportation Designee Gerry Busca Phone: 719-276-7430
 Name of Applicant: Nathan Helmick Phone: 719 369 7190 Alt. Phone 719-491-5790
 Current address, City, State, Zip Code of Applicant: 621 Railroad St Rockvale CO 81244
 Name of Driveway Contractor installing: Self
 Address of proposed or existing driveway, please include address: To be determined Road: Lane

For County use: The following is to be completed by Department of Transportation Designee:
 Name of street being accessed: Road Lane Site distance both directions: 300 ft. _____ ft.

- Driveway access shall not interfere with location or functioning of any traffic regulation device
- More than one driveway access shall not be allowed on any parcel less than 100' in width.
- Driveway access shall be constructed so as not to interfere with the street drainage system.
- No driveway access shall enter or exit on to street at less than 45 degrees.

The following information will be required prior to the final acceptance:
 Will drainage study be required: Yes _____ No X If yes, specify below:

Will improvements be required: Yes X No _____ Good material through easements to Road
 Culvert size: _____ Type of Culvert (Material) _____ Cover over top of Culvert _____
 Curb Cut _____ Drop Inlets _____ Downspouts _____ Energy Dissipaters _____
 Flared Ends _____ Headwalls _____ Rip Rap _____ Paving & Beveled Ends _____ Deflectors _____
 Racks _____ Cribs _____ Raisers _____ Basins _____ Spillways _____ Others _____

- A minimum of 12 inch diameter culvert, unless larger required due to historical drainage.
- Minimum cover over top of the culvert shall be 1/2 the diameter of the culvert. Minimum length of culvert 24'.
- Driveway shall not allow drainage onto County Right-of-Way.
- Culverts shall be set on a grade which will allow for proper drainage.
- Culverts shall be corrugated metal or material of equivalent strength & construction.

(3.) LOCATION AND SITE REQUIREMENTS APPROVED BY DEPARTMENT OF TRANSPORTATION
 DESIGNEE: Gerry Busca DATE: 11/20/24

- (4.) A. APPLY FOR ADDRESS AT THE BUILDING DEPARTMENT, 615 MACON, ROOM 212
- B. PLOT MAP OR SKETCH AS APPROVED IN (2.) ABOVE, WILL BE REQUIRED WHEN APPLYING FOR AN ADDRESS.
- C. SUBMIT COPY OF ISSUANCE OF AN ADDRESS TO THE BUILDING DEPARTMENT WHEN APPLYING FOR A PERMIT

****Permit will expire one year from date of purchase.**

I certify that I understand and agree to the above requirements and conditions:
 Signature of Applicant: Nathan Helmick Date: 11/13/24 Fee Paid: _____
 FINAL ACCEPTANCE OF DRIVEWAY ACCESS BY DEPARTMENT OF TRANSPORTATION:
 DESIGNEE: _____ DATE: _____

****Must submit proof of ownership & Plot Plan indicating location of driveway**

Copies required: 1 Road Supervisor 2 DOT Office Manager 3 Planning & Zoning 4 Building Department 5 Owner

* between Sherman & GRAND on Logan

Exhibit 44.e.1: Ditch Deed



Filed for record this 9 day of February 65 9:35 A \$1.45
Reception No. 355978 Book 462 Page 224
Mary J. McDonough Recorder
Mayme Harrison, Deputy

This Deed, Made this 8th day of February in the year of our Lord one thousand nine hundred and sixty-five between
-----ROBERT G. FREDRICKSON-----
of the County of Fremont and State of Colorado, of the first part, and
-----LAWRENCE H. MARRS and GLADYS E. MARRS-----
of the County of Fremont and State of Colorado, of the second part;

Witnesseth, That the said part y of the first part, for and in consideration of the sum of Ten (\$10.00) Dollars & other good and valuable consideration DOUBLEDAY, to the said party of the first part in hand paid by the said parties of the second part, the receipt whereof is hereby confessed and acknowledged, ha s granted, bargained, sold and conveyed, and by these presents do e s grant, bargain, sell, convey and confirm unto the said parties of the second part, not in tenancy in common but in joint tenancy, the survivor of them, their assigns and the heirs and assigns of such survivor forever, all the following described lot - or parcel - of land, situate, lying and being in the County of Fremont and State of Colorado, to-wit:

Beginning at a point 977.6 feet North of another point on the South line of the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) of Section 4, Township 19 South, Range 70 West of the Sixth Principal Meridian, which last mentioned point is 354.16 feet East of the Southwest corner of the said Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) of said Section 4, running thence East 965.84 feet; thence North 119.5 feet; thence West 965.84 feet; thence South 119.5 feet to the place of beginning, excepting and reserving the right of way for such ditch and ditches as shall be necessary to convey water for the use upon lands lying below said tract.

Together with 22 shares of the Capital Stock of The De-Weese-Dye Ditch and Reservoir Company.

IR's x 20

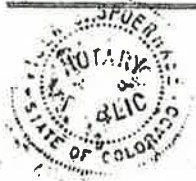
Together with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of the said part y of 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, the survivor of them, their assigns and the heirs and assigns of such survivor forever. And the said part y of the first part, for him sel f, his heirs, executors, and administrators, do e s covenant, grant, bargain and agree to and with the said parties of the second part, the survivor of them, their assigns and the heirs and assigns of such survivor, that at the time of the executing and delivery of these presents, he is well seized of the premises above conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and ha s 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 and incumbrances of whatever kind or nature soever, EXCEPT general property taxes for the year 1965, due January 1st, 1966, which the grantee assumes and agrees to pay;

and the above bargained premises in the quiet and peaceable possession of the said parties of the second part, the survivor of them, their assigns and the heirs and assigns of such survivor, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said part y of the first part shall and will WARRANT AND FOREVER DEFEND.

In Witness Whereof, The said part y of the first part ha s hereunto set his hand and seal - the day and year first above written.
Signed, Sealed and Delivered in the Presence of

Robert G. Fredrickson



STATE OF COLORADO,
County of Fremont, } The foregoing instrument was acknowledged before me this 8th day of February, 1965,
by ROBERT G. FREDRICKSON

Witness my hand and official seal.
My commission expires September 11, 1965.
Nida B. Spuchero
Notary Public

Additional Items – DeWeese Dye Ditch & Reservoir Co. Comments



April 11, 2025

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

Re: Helmick Minor Subdivision – 1226 S 12th Street
Application – DeWeese-Dye Ditch & Reservoir Company Statement

CC: Nate Helmick, Property Owner and Minor Subdivision Applicant

Dan Victoria,

Thank you for taking the time to review our plans and documents for the Helmick Minor Subdivision Application and providing comments regarding the subject Minor Subdivision Application.

We are, on behalf of our client, stating in regards to the DeWeese-Dye Ditch & Reservoir Company's comments that shares will be divided by square footage of each property; 12' easements will be provided aligned with the existing lateral on both properties for maintenance of the lateral; and with the letter from DeWeese-Dye Ditch & Reservoir Company recognizing that the lateral located on the east end of the property is abandoned, a culvert will no longer be required. Please see the attached document from DeWeese-Dye Ditch & Reservoir Company confirming that the lateral running perpendicular to Reed Lane is, in fact, abandoned.

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

Thank you,

Brandon Hayes
Project Coordinator
719.430.5333
719.204.1311
brandonh@3rockengineering.com
3 Rocks Engineering & Surveying





DeWeese-Dye Ditch & Reservoir Company

PO Box 759

Cañon City, CO 81215

Phone: 719-275-8495

Website: www.deweenseditch.com

Email: deweenseditch@hotmail.com

April 7, 2025

Joshua Levi Townsend
Nathan Helmick
1226 S 12th St
Canon City, CO 81212

Dear Shareholders Townsend & Helmick,

This letter is in response to the request to abandon the lateral located on the east end of 1226 S 12th Street, between that portion of the property and Reed Lane. After discussion and review, the Board of Directors have motioned to grant approval for abandonment of the lateral. As the lateral is silted in and does not feed any other properties around it, the Board feels confident in abandoning the lateral.

However, this does not mean that we have abandoned the easement, we have only abandoned the lateral. Should we ever need to access the easement, we are within our rights to do so.

Should you have any questions or concerns, feel free to call our office at: 719-275-8495.

Respectfully,

Arlin Bolkema
President

Additional Items – FCDOT Comments





Fremont County
Department of Transportation

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

10.14.2024

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

RE: MS 24-005 Helmick Minor Subdivision

Dear Mr. Victoria,

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

- The applicant will be required to submit a driveway access permit if taking access from any County road, including Reed Lane.

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

Sincerely,

Michael Whitt

Michael Whitt
FCDOT Director



11/13/24

DRIVEWAY ACCESS and ADDRESS PERMIT
FREMONT COUNTY BUILDING DEPARTMENT
615 MACON AVE, ROOM 212
Phone: 719-276-7460 Fax: 719-276-7461

Colorado 811 must be notified prior to excavation

PERMIT # DOT 24-103

- (1.) APPLICANT SHALL SCHEDULE AN ON-SITE MEETING WITH DEPARTMENT OF TRANSPORTATION DESIGNEE TO DETERMINE ADEQUATE LOCATION REQUIREMENTS OF THE DRIVEWAY ACCESS, AND FOR FINAL ACCEPTANCE INSPECTION. IF APPLICANT FAILS TO APPEAR, THERE WILL BE A RESCHEDULE FEE OF \$45.00
- (2.) PLOT MAP OR SKETCH IS REQUIRED. DEPARTMENT OF TRANSPORTATION DESIGNEE WILL INDICATE DRIVEWAY LOCATION & INITIAL.

Department of Transportation Designee: Gerry Busca Phone: 719-276-7430
 Name of Applicant: Nathan Helmick Phone: 719-369-7190 Alt. Phone: 719-491-5790
 Current address, City, State, Zip Code of Applicant: 621 Railroad St Rockvale CO 81244
 Name of Driveway Contractor installing: Self
 Address of proposed or existing driveway, please include address: To be determined Road: Mine

For County use: The following is to be completed by Department of Transportation Designee:
 Name of street being accessed: Road Mine Site distance both directions: 300 ft. _____ ft.

- Driveway access shall not interfere with location or functioning of any traffic regulation device
- More than one driveway access shall not be allowed on any parcel less than 100' in width.
- Driveway access shall be constructed so as not to interfere with the street drainage system.
- No driveway access shall enter or exit on to street at less than 45 degrees.

The following information will be required prior to the final acceptance:
 Will drainage study be required: Yes _____ No If yes, specify below:

Will improvements be required: Yes No _____ Good material through easement to Road
 Culvert size: _____ Type of Culvert (Material) _____ Cover over top of Culvert _____
 Curb Cut _____ Drop Inlets _____ Downspouts _____ Energy Dissipaters _____
 Flared Ends _____ Headwalls _____ Rip Rap _____ Paving & Beveled Ends _____ Deflectors _____
 Racks _____ Cribs _____ Raisers _____ Basins _____ Spillways _____ Others _____

- A minimum of 12 inch diameter culvert, unless larger required due to historical drainage.
- Minimum cover over top of the culvert shall be 1/2 the diameter of the culvert. Minimum length of culvert 24'.
- Driveway shall not allow drainage onto County Right-of-Way.
- Culverts shall be set on a grade which will allow for proper drainage.
- Culverts shall be corrugated metal or material of equivalent strength & construction.

(3.) LOCATION AND SITE REQUIREMENTS APPROVED BY DEPARTMENT OF TRANSPORTATION
 DESIGNEE: Gerry Busca DATE: 11/20/24

- (4.) A. APPLY FOR ADDRESS AT THE BUILDING DEPARTMENT, 615 MACON, ROOM 212
- B. PLOT MAP OR SKETCH AS APPROVED IN (2.) ABOVE, WILL BE REQUIRED WHEN APPLYING FOR AN ADDRESS.
- C. SUBMIT COPY OF ISSUANCE OF AN ADDRESS TO THE BUILDING DEPARTMENT WHEN APPLYING FOR A PERMIT

****Permit will expire one year from date of purchase.**

I certify that I understand and agree to the above requirements and conditions.
 Signature of Applicant: Nathan Helmick Date: 11/13/24 Fee Paid: _____
 FINAL ACCEPTANCE OF DRIVEWAY ACCESS BY DEPARTMENT OF TRANSPORTATION:
 DESIGNEE: _____ DATE: _____

****Must submit proof of ownership & Plot Plan indicating location of driveway**

Copies required: 1 Road Supervisor 2 DOT Office Manager 3 Planning & Zoning 4 Building Department 5 Owner

* Between Sherman, Garfield and Canyon

Revised 1/24/2024

Additional Items – Code Violations



April 11, 2025

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

Re: Helmick Minor Subdivision – 1226 S 12th Street
Application – Code Violations Statement

CC: Nate Helmick, Property Owner and Minor Subdivision Applicant

Dan Victoria,

Thank you for taking the time to review our plans and documents for the Helmick Minor Subdivision Application and providing comments regarding the subject Minor Subdivision Application.

We are, on behalf of our client, stating in regards to the Additional Items – Code Violations item on the deficiency notice that the property owner has confirmed that the office trailer, the commercial trucks, and all junk, trash and debris has been removed from the property.

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

Thank you,

Brandon Hayes
Project Coordinator
719.430.5333
719.204.1311
brandonh@3rocksengineering.com
3 Rocks Engineering & Surveying

