COUNTY OF ELBERT

COMMUNITY & DEVELOPMENT SERVICES OFFICE
P.O. BOX 7
215 COMANCHE STREET
KIOWA, COLORADO 80117
303-621-3136 FAX: 303-621-3165

Atkinson
AR Rezone RZ-17-0047
Minor Residential Development MD-17-0048

PLANNING COMMISSION HEARING
August 7, 2018

Table of Contents

Section 1: Staff Report
Section 2: Application Materials
Section 3: Rezone Exhibit
Section 4: Minor Residential Development Exhibit
Section 5: Referral Comments
Section 6: Administrative Variance to Minimum Lot Size

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SECTION 1:
STAFF REPORT

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SECTION 2:
Application Materials

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cds@elbertcounty-co.gov

FINAL PLAT CHECK LIST
SEE SUBDIVISION REGULATIONS SECTION IX

Date: 1-15-18

Project Name: Atkinson Minor Development

Owner(s) Name(s): DALE L. AND Julie N. Atkinson

Address: 4702 CR 20 106, Elizabeth Co 80107

Phone Number: 303 638 8390

Application must contain the following information:

1. Completed application form ✓
   A. Disclosure form ✓
   B. Agreement form ✓
2. Application fees paid $ 7440.- (amount)
3. Completed Final Plat Map 1 (copies) ✓
   (See Subdivision Regulations, Section IX D)
4. Completed Narrative 1 (copies) ✓
   (See Subdivision Regulations,
5. Two copies of street and road plans with profiles NA
6. Approved covenants to be recorded NA
7. Estimated construction costs and proposed financing for public facilities NA
8. Completed subdivision summary form ✓
9. Subdivision improvement agreement ✓
10. Development Guide NA
11. Erosion control and drainage from SCS NA
12. Valuation and appraisal of project area ✓
13. Statement of Taxes (From EC Treasurers Office) ✓
14. Road access permit NA
15. Other information requested by the CDS Dept.
    A. Description of request

Not more than 30 days after approval by BOCC, the applicant shall record the plat in the office of the Elbert County Clerk and Recorder.

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REZONING CHECK LIST

Date: 1-15-18

Project Name: ATKinson Rezone

Owner(s) Name(s): Julie N. & Dale L. ATKinson

Address: 4702 cty Rd 106, El.2 Co 80107

Phone Number: 303 638 8390

The application must include the following information:	Date Completed
1. Completed Application Form	~~10~~ 1-15-18
Completed Disclosure Form	1-15-18
Completed Agreement Form	1-15-18
Statement of Taxes (from the Assessor's Office)	1-15-18
2. Application Fees Paid $ 6700.— (Amount)	1-17-18
3. Completed Narrative 1 (Copies)	1-15-18
4. Completed Site Plan Exhibit 1 (Copies) (Prepared by an Engineer, Surveyor, Registered Architect or Landscape Architect)	1-15-18
5. Proof of Ownership (Title Report or Property Deed)	✓

Public Hearing Date Set For Planning Commission — Date: _____ Time: _____

Public Hearing Date Set For Board of County Commissioners — Date: _____ Time: _____

35 Day Review Period:

6. Referral Agencies Notified. Due on _____ (See Referral Agency Check List) — _____

30 Days Prior to the Public Hearing:

7. Notice of Public Hearing in the Newspaper — _____

24 Days Prior:

8. Map of Adjacent Land Owners _____
   Copy of the Notice Mailed to Property Owners _____
   Alphabetical List of Adjacent Property Owners _____
   White Postal Receipts for Certified Mailing _____
9. Notarized Affidavit Verifying Sign Posting _____
   Photograph of the Sign Posting _____

5 Business Days Prior:

10. Publishers Affidavit _____
    Green Postal Return Receipts _____

ATKINSON MINOR

APPLICATION

DISCLOSURE FORM

AGREEMENT FORM

COUNTY OF ELBERT

COMMUNITY & DEVELOPMENT SERVICES

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KIOWA, COLORADO 80117
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ELBERT COUNTY LAND USE APPLICATION

PROJECT NAME: ATKinson Minor Development And Rezone

PROJECT ADDRESS: 25676 CR 21, Elbert Co 80106

LOCATION: 25676 CR 21, Elbert Co 80106

LEGAL OWNER'S NAME(S): DALE L. AND Julie N. ATKinson

ADDRESS: 4702 Co RD 106 Elizabeth Co 80107

TELEPHONE #: 303 638 8390

ATTACH PROOF OF OWNERSHIP

Water Rights Owner(s): Applicant.

Mineral Rights Owner(s):

Special Districts: NA.

Proposal/Request: Minor Development & Rezone FROM A To AR

Authorized Representative: Tom MAHoney

Name/Address: Po Box 902 Eliz Co 80107

Telephone #: 720-556-5666 Tom@10loescrow.com

Legal Description of Property: Township 9 Range 64.
Section(s) SE1/4 SE1/4 20 Subdivision
Lot Block

Property Tax Parcel Number: R116590

COMPLETE ALL APPLICABLE SECTIONS

Present Zoning: A
Proposed Zoning: AR
Gross Site Acreage: 40
Net Site Acreage: 40
Gross Site Density/acres: 10
Lots/Dwelling Units: 4

Sources of Utilities:
Water: well
Electricity: IREA
Sanitation: SEPTIC
Natural Gas:
Other:

Elbert County School Attendance (K-12): Elbert
Fire District: Elbert
Proposed Public Roadway Access: CO RD 106 CO RD 17
TOTAL APPLICATION FEE $ 7440
AMOUNT RECEIVED $ 7440

DOCUMENTS SUBMITTED:

- ___ Access Requests
- ✓ Authorization for Representative
- ___ Cost estimates
- ___ Drainage Report
- ___ Final Construction Plans
- ___ Landscape Plans
- ✓ Narrative
- ___ Pavement Design Report
- ✓ Statement of Taxes (available from Assessors Office)
- ___ Grading, Drainage & Erosion Control Plan (required if adding, moving, or removing more than 300 cubic yards of dirt)
- ✓ Plat Map
- ___ Preliminary Construction Plans
- ✓ Proof of Ownership
- ___ Soils Report
- ___ Traffic Control Plan
- ___ Traffic Report
- ✓ Subdivision Summary Form
- ___ Other

Review of this application and supportive documentation will not begin until the Community & Development Services Department deems the application complete. Applicant acknowledges that there is no mutually agreed upon time between the County and the applicant during which this application will be approved, conditionally approved or denied.

In addition to the standard Land Use Fees, the applicant is responsible for all Public Notice Costs (signs, legal notices, certified mail, etc.), as well as large envelopes and postage for Referral Agencies, Planning Commissioners and the Board of County Commissioners, etc.

Applicant's Signature(s): [signature]
[signature]

Date: 1-17-18

State of) COLORADO
) ss:
County) Douglas

The above and foregoing instrument was subscribed and sworn to before me, in my presence, a Notary Public in and for the County of Douglas, State of COLORADO, this 17 day of JAN, 2018.

(SEAL)

[signature]

COUNTY OF ELBERT

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303-621-3136 FAX: 303-621-3165
cds@elbertcounty-co.gov

DISCLOSURE LETTER

PROJECT NAME: Atkinson Minor Development and Rezone

PROJECT LOCATION: 25676 Cty Rd 17-21 Elbert Co 80106

I/We, Dale L. And Julie W. Atkinson.

do hereby acknowledge my/our full awareness of the application/request being presented to Elbert County by Tom Maroney

for the parcel of land indicated, and for ~~the~~ reason(s) noted on the completed application/request submittal.

I/We hereby acknowledge the person(s) noted is/are my/our authorized representative(s) in the matter.

I/We hereby grant permission for the Elbert County Community & Development Services Department, or any referral agency they require, to access the parcel of land indicated for reasons of reviewing and evaluating the land use application.

Signature(s):

Julie Atkinson Dale Atkinson

PRINT NAME AND COMPLETE ADDRESS OF PROPERTY OWNER(S) BELOW:

Name: Dale & Julie Atkinson. **Date:** 1-17-18

Address: ~~25676 Cty~~ 4702 Co Rd 106
Elbert Co 80107

State of) Colorado
) ss:
County) Douglas

The above and foregoing instrument was subscribed and sworn to before me, in my presence, a Notary Public in and for the County of Douglas, State of Colorado, this 17 day of Jan, 2018.

(SEAL)

THOMAS MARONEY
Notary Public
State of Colorado
Notary ID 20104006240
My Commission Expires Feb. 28, 2018

COUNTY OF ELBERT

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APPLICATION AGREEMENT FORM

The applicant agrees to pay for reasonable additional engineering and/or consultation when requested by the Community & Development Services Department, Planning Commission or Board of County Commissioners when, in their opinion, additional information, studies, or investigations are needed to help clarify the proposal made.

_____
Applicant or Authorized Representative

1-16-18
Date

COUNTY OF ELBERT

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AGREEMENT TO REMOVE PUBLIC NOTICE

I/We hereby agree to remove the Public Notice Sign posted for hearing notification within 7 days after the Board of County Commissioner's final hearing. I/We understand this must be completed as a condition of approval prior to the recording of the Mylars or Final Plats.

NAME: DALE L. ATKINSON

SIGNATURE: Dale Atkinson

DATE: 1-17-18

NAME: JULIE N. ATKINSON

SIGNATURE: Julie Atkinson

DATE: 1-17-18

ATKINSON MINOR DEVELOPMENT AND REZONE

NARRATIVE

The applicant's are Dale L. Atkinson and Julie N. Atkinson, 4702 County Road 106, Elizabeth, CO 80107.

The applicant's representative is Tom Maroney, PO Box 902, Elizabeth, CO 80107.

The request is to rezone 40 acres from A to AR and to subdivide by the Minor Development process the same into 4 ten plus acre lots.

Access to the lots will be by individual driveways from County Road 17-21 and County Road 106.

Water will be provided by individual wells, a water supply letter is part of this application that shows a 2300 year water supply is available to each lot. Wastewater shall be by individual septic systems.

The property is located in the Elbert Fire Protection District.

The property is located in the Elbert School District.

The property is gently rolling, there are no areas of 20% or greater slope, there are no historic sites or geologic hazards located on the site.

The community has the necessary resources and infrastructure to support the application.

The application complies with the goals and policies of the Elbert County Master Plan.

The application is compatible with surrounding land uses.

The proposal will not adversely impact the provisions of public services.

The proposal will not adversely impact the environment.

The proposal will not create trtaffic congestion or burden the existing road system.

The proposal is not detrimental to the health safety or welfare of the present or future inhabitants of Elbert County.

A cash I lieu fee will be paid for Opens Space dedications.

The minerals are severed from the property, the mineral estate holders will be given notice via certified mail at the time the property is noticed for a public hearing..

.

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SUBDIVISION SUMMARY FORM

DATE: 1-15-18

TYPE OF SUBMISSION:
Request for Exemption _____
Preliminary Plan _____
Final Plat Minor

SUBDIVISION NAME: ATKinson Minor FILING: _____
LOCATION OF SUBDIVISION: SE¼ SE¼ TOWNSHIP: 9 RANGE: 64 SECTION: 20
OWNER(S) NAME(S) DALE L. And Julie W. ATKinson
AND ADDRESS: 4702 Co RD 106 Eliz Co 80107
Tom MARONey Po Box 902 Eliz Co 80107
APPLICANT(S) REPRESENTATIVE: _____ ADDRESS: _____

	TYPE OF HOUSING UNITS	NUMBER OF DWELLINGS UNITS	AREA (ACRES)	PERCENT OF TOTAL AREA
(X)	Single Family	4	10	100%
( )	Apartments			
( )	Condominiums			
( )	Mobile Homes			
( )	Commercial			
( )	Industrial			
( )	Other (Specify)			

	SUBDIVISION AMENITIES	TYPE	AREA (ACRES)	PERCENT OF TOTAL AREA
( )	Right of Ways (Streets)	Dedicated		NA
( )	Right of Ways (Streets)	Private		NA
( )	School Sites	Dedicated		NA
( )	School Sites	Reserved		NA
( )	Park Sites (Non Passive)	Dedicated		NA
( )	Park Sites (Non Passive)	Private		NA
( )	Trails	Public		NA
( )	Trails	Private		NA
( )	Open Space	Dedicated		NA
( )	Open Space	Private		NA

ESTIMATED WATER REQUIREMENTS: _____ GALLONS/DAY
PROPOSED WATER SOURCE: INDIVIDUAL wells - see Attached
ESTIMATED SEWAGE DISPOSAL REQUIREMENS: SEPTIC
PROPOSED MEANS OF SEWAGE DISPOSAL: SEPTIC

ACTION:

STAFF RECOMMENDATION:

APPROVAL ( ) DENIAL ( )

REMARKS:_____

_____

DATE:_____

PLANNING COMMISSION RECOMMENDATION:

APPROVAL ( ) DENIAL ( )

REMARKS:_____

_____

DATE:_____

BOARD OF COUNTY COMMISSIONERS:

APPROVAL ( ) DENIAL ( )

EXEMPTION UNDER C.R.S 30-28-101(d): _____

REMARKS (IF EXEMPTION, STATE REASON):_____

_____

DATE:_____

NOTE: THIS FORM IS REQUIRED BY COLORADO REVISED STATUTES.

SUBDIVISION IMPROVEMENT AGREEMENT

AND RESTRICTION ON CONVEYANCE RELATING TO THE SUBDIVISION AND DEVELOPMENT OF

Atkinson Minor
(Name of Subdivision)

THIS AGREEMENT dated this ____ (day) of _____ (month), 20 18, between the BOARD OF COUNTY COMMISSIONERS OF ELBERT COUNTY, COLORADO, (hereinafter sometimes called "County") and (Name of Applicant) Dale L. & Julie N. Atkinson (a Colorado Corporation, hereinafter sometimes called "Subdivider").

WITNESSETH:

WHEREAS, Subdivider has this date submitted to County for approval, execution and recordation a subdivision plat designated (Name of Subdivision) Atkinson Minor (hereinafter sometimes referred to as the "plat"); and

WHEREAS, County has fully considered said plat, the proposed development and improvement of the land therein and the requirements to be imposed upon other adjoining or neighboring properties by reason of the proposed development and improvement of the land included in the plat; and

WHEREAS, the County is willing to approve, execute, and accept for recordation said plat upon the agreement of Subdivider to the matters hereinafter described, and subject to all requirements, terms and conditions of the Elbert County Subdivision Regulations now in effect and other laws, rules, and regulations; and

WHEREAS, County and Subdivider mutually acknowledge and agree that the matters hereinafter set forth are reasonable conditions and requirements to be imposed by County in connection with its approval, execution, and acceptance for recordation of the plat, and that such matters are necessary to protect, promote and enhance the public welfare; and

WHEREAS, it is further mutually acknowledged that County is entitled to other assurance that the matters hereinafter agreed to will be performed as agreed by Subdivider, and in that regard the statutes of the State of Colorado pertaining to County Planning provide that the collateral used as security for the construction and improvement of public improvements as are required by County Subdivision Regulations may include "Restriction on the conveyance, sale, or transfer of any lot, lots, tract or tracts of land within the subdivision as set forth on the plat or as recorded by separate instrument"; and

WHEREAS, County agrees that it is appropriate to provide Subdivider with said alternate method of collaterally securing the construction and improvement of the public improvements as set forth in Exhibits ____ , and ___, attached hereto.

NOW, THEREFORE, in consideration of the premises, the mutual

covenants herein contained, and the approval, execution, and acceptance of the plat for recordation by County, it is agreed as follows:

IMPROVEMENTS TO BE COMPLETED

1. All streets, curb, gutter, sidewalk, pans, roads, drainage, water and sewer and other improvements within the plat and other conditions and stipulations for impacts or dedications as reflected in the Board of County Commissioner's approved Resolution _____, dated _____, 20___, a copy of which is attached hereto as Exhibit "A," and made a part hereof, shall be constructed and improved by Subdivider according to the applicable standards, rules, and regulations of County, and according to the approved road or street plans and profiles submitted by Subdivider.

TIME OF COMPLETION

2. Except where a lesser time period is prescribed, all improvements herein described and all matters herein agreed to be performed shall be installed, constructed, or performed by Subdivider **within eighteen (18) months from the date hereof**, provided however, that labor disputes, fire, unusual delay in transportation, unavoidable casualties, causes beyond the Subdivider's control by any cause which County may determine justifies the delay shall extend the said time period for performance of this agreement. All construction shall be performed in a good and professional manner and in accordance with applicable County standards, rules, and regulations governing such construction.

OWNERSHIP OF IMPROVEMENTS

3. Subject to the provisions of the Elbert County Subdivision Regulations relating to County's acceptance of streets and roads for maintenance purposes, upon completion of construction of the streets and roads herein described, all such streets and roads shall remain the sole property of the subdivider or individual lot owner. However, subdivider and lot owners shall grant an easement for road right-of-way and road purposes, as shown on the final plat, over all said streets and roads.

RESTRICTION ON BUILDING PERMITS

4. The Subdivider understands and agrees that no building permit will be issued by the Elbert County Building Department for any lot, lots, tract or tracts until the improvements required by Exhibits _____, and ___ have been approved, released or accepted on probation.

PARTIAL OR FULL RELEASE OF PLAT RESTRICTION

5. At any time Subdivider may offer substituted security or collateral which if sufficient in the judgement of the Board of County Commissioners to assure completion of all or any portion of the public improvements set forth in Exhibits _____, and ___, in compliance with the requirements of Exhibits _____, and ___, will release the plat restriction on that portion of the development covered by the substituted security or collateral, or release a portion of any cash bond which may have been posted.

UTILITY RESPONSIBLE FOR INSTALLATION

6. Subdivider agrees to be responsible for contracting for installation of any or all utilities where required, including, but not limited to water, sewer, natural gas, and electricity where applicable. It is agreed that electrical and telephone service for this subdivision shall be either installed or brought to the subdivision property line in accordance with the Elbert County Regulations. Subdivider understands that no building permits shall be issued prior to assurances to the Elbert County Planning Department that adequate

roadways and water availability are available or provided for each lot seeking a building permit and that water and utility service is available before a certificate of occupancy is granted.

COLLATERAL

7. These restrictions on the conveyance, sale or transfer of any lots, tract or tracts within (Name of Subdivision) _____ and on the issuance of building permits or certificates of occupancy with respect to improvements thereon shall be the collateral securing the performance of the public improvements set forth in Exhibits _____, and ___.

LEGAL ENCUMBRANCE

8. The restrictions, covenants and conditions as set forth above constitute both a formal restriction and a legal encumbrance on _____ (Name of Subdivision) and that the same shall run with such land and shall extend to and be binding upon the successors, legal representatives, and assigns of the Subdivider.

EXECUTION - NO GUARANTEE

9. The execution of this agreement by the Board of County Commissioners of Elbert County in no way represents that the County will accept the public improvements set forth in Exhibits _____, and ___. Agreement for title or maintenance purposes until said improvements have been completed in strict compliance with Elbert County standards, rules and regulations.

ENFORCEMENT

10. This agreement between the parties shall be enforceable pursuant to the provisions of Section 30-28-137(3), C.R.S. 1973, as amended. The restrictions on conveyance, sale or transfer of any lot, lots, tract or tracts and on the issuance of building permits or certificates of occupancy shall apply to all successors, legal representatives and assigns of the subdivider.

STANDARDS FOR ACCEPTANCE

11. County shall accept the streets and roads constructed under this agreement for full maintenance under the following terms and conditions:

    A. As soon as all the streets which are covered by the agreement are built in accordance with the terms of this agreement, Subdivider shall send a letter to County requesting inspection to be made of said streets and roads for county approval. The County will send a letter to Subdivider showing the results of the inspection of said streets for street and road approval, setting forth therein all matters required to be completed before County approval.

    B. The streets and roads constructed pursuant to this agreement will be inspected by County upon written request from the Subdivider two (2) years after approval and a list of any deficiencies will be sent to Subdivider for correction. Subdivider shall correct all of said deficiencies to County's satisfaction within six (6) months from the date of said deficiency list.

    C. After all deficiencies have been corrected by Subdivider then County may accept said streets and roads for full maintenance, but in no event will streets or roads be accepted for County

maintenance until two (2) years following completion.

PERFORMANCE SECURITY

12. Prior to the release of the entire plat restriction or prior to the final release on the remaining portion of the plat restriction, the County, shall require from the Subdivider, security or collateral in the amount of 100% of the total cost of improvements in a letter of credit or cashier's check, supported by a minimum of two (2) written construction bids, independent and acceptable to the County. This security or collateral shall be held until the improvements have been accepted by the County for full maintenance purposes.

PRESERVATION OF OTHER REMEDIES

13. The rights and remedies of the County provided in this agreement shall not be exclusive and are in addition to any other rights or remedies provided by law. The Subdivider in developing the property contained within the plat, and the other improvements herein described, shall fully comply with all applicable rules, regulations, standards, and laws of the County and other governmental agencies, and bodies having jurisdiction.

STIPULATIONS

14. This agreement in addition to the consideration of the premises, the mutual covenants herein contained, and the approval, execution, and acceptance of the plat for recordation by Elbert County shall be and is subject to the stipulation(s) contained in Exhibit "A" and Subdivider agrees to perform all of said stipulations.

SECTION HEADINGS

15. The section headings are inserted herein only for convenience of reference and in no way shall they define, limit or describe the scope or intent of any provisions of this agreement.

ATTEST:

THE BOARD OF COUNTY COMMISSIONERS OF ELBERT COUNTY, COLORADO

_____ _____

COUNTY CLERK CHAIRMAN OF THE BOARD

ATTEST:

_____ BY _____

TITLE _____

DEVELOPER _____

STATE OF COLORADO }
} ss
COUNTY OF ELBERT }

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ (DAY) OF __ _____(MONTH), 20_____, BY _____, CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS, ELBERT COUNTY, COLORADO.

Witness my hand and official seal.

_____

Notary Public

My Commission expires: _____

Petrock & Fendel, P.C.

Attorneys
James J. Petrock • Frederick A. Fendel, III • Matthew S. Poznanovic • Bradford R. Benning

Gary J. Crosby, Paralegal

November 27, 2017

Elbert County Planning
215 Comanche Street
Kiowa, CO 80117

Re: Revised Water Supply Plan/4 Residential Lots on 40 Acres

Dear Sir or Madam:

The following replaces our letter dated October 17, 2017, and provides revised information on the proposed water supply to serve four residential lots located in the SE1/4SE1/4 of Section 20, T9S, R64W of the 6th P.M. (Subject Property), based on a final decree entered in Case No. 17CW3090 (copy attached). This letter provides no opinion on the actual physical supply of groundwater available.

ANNUAL AMOUNTS

The following annual amounts of groundwater are decreed in Case No. 17CW3090 and are based on annual pumping over a 100 year period.

Aquifer	Annual Amount
Upper Dawson	9.0 acre-feet (NNT)
Lower Dawson	7.2 acre-feet (NT)
Denver	16.7 acre-feet (NT)
Arapahoe	14.6 acre-feet (NT)
Laramie-Fox Hills	11.7 acre-feet (NT)

WATER SUPPLY

Each of the four lots will be served by an individual Upper Dawson aquifer well pursuant to the augmentation plan decreed in Case No. 17CW3090. Said augmentation plan allows each well to use 0.75 acre-feet per year for 300 years for the following uses:

A. Inhouse Use: 0.4 acre-feet per year.

B. Irrigation Use: 0.3 acre-feet per year limited to irrigation of 5000 square feet of home lawn, garden and trees.

C. Stockwatering Use: 0.05 acre-feet per year for watering of 4 large domestic animals.

WATER SUPPLY SUFFICIENCY

Use of Upper Dawson aquifer wells pursuant to the final decree in Case No. 17CW3090 as described above, is sufficient to supply each of the four lots for 300 years.

If you have any questions or comments, please feel free to call.

Sincerely,
PETROCK & FENDEL, P.C.

James J. Petrock

DISTRICT COURT, WATER DIVISION 1, COLORADO Court Address: P.O. Box 2038 Greeley, CO 80632	DATE FILED: November 27, 2017 9:26 AM CASE NUMBER: 2017CW3090
CONCERNING THE APPLICATION FOR WATER RIGHTS OF: DALE AND JULIE ATKINSON, IN ELBERT COUNTY.	σ **COURT USE ONLY** σ Case Number: 2017CW3090

FINDINGS OF FACT, CONCLUSIONS OF LAW, RULING OF THE REFEREE, AND JUDGMENT AND DECREE OF THE WATER COURT

A claim for nontributary and not nontributary groundwater and approval of plan for augmentation was filed in this case on June 29, 2017. All matters contained in the application having been reviewed, testimony having been taken where such testimony is necessary, and such corrections made as are indicated by the evidence presented herein, the following is hereby the Ruling of the Referee:

FINDINGS OF FACT

1. Name, address and telephone number of Applicants:

   Dale and Julie Atkinson
   4702 County Road 106
   Elizabeth, CO 80107
   c/o (303) 638-8390

2. Objection: No statements of opposition were filed and the time for filing such statements has expired.

3. Subject matter jurisdiction: Timely and adequate notice of the application was published as required by statute, and the Court has jurisdiction over the subject matter of this proceeding and over the parties affected hereby, whether they have appeared or not.

GROUNDWATER RIGHTS

4. Aquifers and location of groundwater: Applicants seek a decree for rights to all groundwater in the not nontributary Upper Dawson and nontributary Lower Dawson, Denver, Arapahoe and Laramie-Fox Hills aquifers underlying 40 acres being the SE1/4SE1/4 of Section 20, T9S, R64W of the 6th P.M., Elbert County, as shown on Attachment A hereto ("Subject Property"). Applicants are the owners of the Subject Property.

5. Well locations, pumping rates and annual amounts: The groundwater may be withdrawn at rates of flow necessary to withdraw the annual amounts decreed herein. The groundwater will be withdrawn through any number of wells necessary, to be located at any location on the Subject Property. Applicants waive any 600 foot spacing rule for wells located on the Subject Property, but must satisfy Section 37-90-137(4), C.R.S. for wells owned by others on adjacent properties. The following average annual amounts are available for withdrawal subject to the Court's retained jurisdiction in this matter:

Aquifer	Saturated Thickness	Annual Amount
Upper Dawson	155 feet	9.0 acre-feet (NNT)*
Lower Dawson	90 feet	7.2 acre-feet (NT)
Denver	245 feet	16.7 acre-feet (NT)
Arapahoe	215 feet	14.6 acre-feet (NT)
Laramie-Fox Hills	195 feet	11.7 acre-feet (NT)

*Annual amount reduced by 3.4 acre-feet annually from the amount available as referenced in the Determination of Facts for the Upper Dawson aquifer issued in this case which water will be available for any uses which are legally available at the time well permit applications are filed. Said 3.4 acre-feet per year (340 acre-feet total) may also be available to be withdrawn through 1 exempt well on the Subject Property for exempt uses pursuant to Section 37-92-602, C.R.S. (8.5 acre-feet per surface acre).

The amounts conform to the values and amounts referenced in the State Engineer's Determination of Facts dated August 2, 2017.

6. Decreed Uses: The water will be used, reused, and successively used for domestic, commercial, irrigation, livestock watering, fire protection, and augmentation purposes, including storage, both on and off the Subject Property.

7. Final average annual amounts of withdrawal:

A. Final determination of the applicable average saturated sand thicknesses and resulting average annual amounts available to Applicants will be made pursuant to the retained jurisdiction of this Court, as described in paragraph 24 below. The Court shall use the acre-foot amounts in paragraph 5 herein in the interim period, until a final determination of water rights is made.

B. The allowed annual amount of groundwater which may be withdrawn through the wells specified above and any additional wells, pursuant to Section 37-90-137(10), C.R.S., may exceed the average annual amount of withdrawal, as long as the total volume of water withdrawn through such wells and any additional wells therefor subsequent to the date of this decree does not exceed the product of the number of years since the date of the issuance of any well permits or the date of this decree, whichever is earliest in time, multiplied by the average annual amount of withdrawal, as specified above or as determined pursuant to the retained jurisdiction of the Court. However, amounts set forth in well permits will not be exceeded.

8. Source of groundwater and limitations on consumption:

A. The groundwater to be withdrawn from the Lower Dawson, Denver, Arapahoe and Laramie-Fox Hills aquifers is "nontributary groundwater" as defined in Section 37-90-103(10.5), C.R.S., and in the Denver Basin Rules, the withdrawal of which will not, within 100 years of continuous withdrawal, deplete the flow of a natural stream, including a natural stream as defined in Section 37-82-101(2) and Section 37-92-102(1)(b), C.R.S., at an annual rate greater than 1/10 of 1% of the annual rate of withdrawal. The groundwater to be withdrawn from the Upper Dawson aquifer is "not nontributary" as defined in Sections 37-90-103(10.7) and 37-90-137(9)(c.5), C.R.S., and the Upper Dawson aquifer groundwater decreed herein may be withdrawn pursuant to the augmentation plan decreed herein.

B. Applicants may not consume more than 98% of the annual quantity of water withdrawn from the nontributary aquifers. The relinquishment of 2% of the annual amount of water withdrawn to the stream system, as required by the Denver Basin Rules effective January 1, 1986, may be satisfied by any method selected by the Applicants and satisfactory to the State Engineer, so long as Applicants can demonstrate that an amount equal to 2% of such withdrawals (by volume) has been relinquished to the stream system.

C. There is unappropriated groundwater available for withdrawal from the subject aquifers beneath the Subject Property, and the vested water rights of others will not be materially injured by such withdrawals as described herein. Withdrawals hereunder are allowed on the basis of an aquifer life of 100 years, assuming no substantial artificial recharge within 100 years. No material injury to vested water rights of others will result from the issuance of permits for wells which will withdraw not nontributary and nontributary groundwater or the exercise of the rights and limitations specified in this decree.

9. Additional wells and well fields:

A. Applicants may construct additional and replacement wells in order to maintain levels of production, to meet water supply demands or to recover the entire amount of groundwater in the subject aquifers underlying the Subject Property. As additional wells are planned, applications shall be filed in accordance with Section 37-90-137(10), C.R.S.

B. Two or more wells constructed into a given aquifer shall be considered a well field. In effecting production of water from such well field, Applicants may produce the entire

amount which may be produced from any given aquifer through any combination of wells within the well field.

C. In considering applications for permits for wells or additional wells to withdraw the groundwater which is the subject of this decree, the State Engineer shall be bound by this decree and shall issue said permits in accordance with provisions of Section 37-90-137(10), C.R.S.

D. In the event that the allowed average annual amounts decreed herein are adjusted pursuant to the retained jurisdiction of the Court, Applicants shall obtain permits to reflect such adjusted average annual amounts. Subsequent permits for any wells herein shall likewise reflect any such adjustment of the average annual amounts decreed herein.

10. Conditions:

For each well constructed pursuant to this decree, Applicants shall comply with the following conditions:

A. A totalizing flow meter shall be installed on the well discharge pipe prior to withdrawing any water therefrom, and shall be maintained and operational at all times for the life of the well. Applicants shall keep accurate records of all withdrawals by the well, make any calculations necessary, and submit such records to the Water Division 1 Engineer upon request.

B. The entire length of the open bore hole shall be geophysically surveyed prior to casing and copies of the geophysical log submitted to the Division of Water Resources. Applicants may provide a geophysical log from an adjacent well or test hole, pursuant to Rule 9A of the Statewide Rules and acceptable to the State Engineer, which fully penetrates the aquifer, in satisfaction of the above requirement.

C. Groundwater production shall be limited to the subject aquifers. Plain, unperforated casing must be installed and properly grouted to prevent withdrawal from or intermingling of water from zones other than those for which the well was designed.

D. Each well shall be permanently identified by its permit number, this Water Court Case Number, and the name of the producing aquifer on the above-ground portion of the well casing or on the pump house.

PLAN FOR AUGMENTATION

11. Plan for augmentation:

A. Water to be augmented: 3 acre-feet per year for 300 years of not nontributary Upper Dawson aquifer groundwater decreed herein.

B. Water to be used for augmentation: Return flows associated with use of the not

nontributary Upper Dawson aquifer and return flows or direct discharge of nontributary groundwater decreed herein.

C. The Upper Dawson aquifer water will be used for 300 years to serve four residential lots through individual wells. Each well will use 0.75 acre-feet per year for in house use (0.4 acre-feet), irrigation of 5000 square feet of lawn, garden, and trees (0.3 acre-feet), and stock watering of up to 4 large domestic animals (0.05 acre-feet). Conservatively, water use in single family dwellings will equal at least 0.2 acre-feet of water annually for in house uses, and that use of non-evaporative septic systems typically results in consumption of approximately 10% of such use, resulting in return flows of at least 0.18 acre-feet annually from in house use. Various components of this plan for augmentation are predicated on these estimations, and Applicants shall be required to use a non-evaporative septic system to treat and dispose of water used for in house use.

D. Replacement during pumping: During pumping of the Upper Dawson aquifer groundwater, Applicants will replace actual depletions to the affected stream system pursuant to Section 37-90-137(9)(c.5), C.R.S. In the 300th year, the total depletion is approximately 22.6% of the amount withdrawn or 0.169 acre-feet for each well. Return flow associated with in house use on each lot (0.18 acre-feet per year) is sufficient to replace actual depletions associated with pumping of 0.75 acre-feet per year per well for 300 years. Such return flows accrue to the South Platte River system via Running Creek. Because return flows from all uses are estimated rather than measured, Applicants agree that such return flows shall be used only to replace depletions under this plan for augmentation and will not be sold, leased, traded, or assigned in whole or in part for any other purpose.

E. Post-pumping Depletion Augmentation: Assuming maximum pumping of 3 acre-feet per year for 300 years from the Upper Dawson aquifer, the maximum total depletion to the affected stream systems is 23% of the annual amount withdrawn or 0.69 acre-feet in the 315th year. Applicants will reserve 9 acre-feet per year and 900 acre-feet total of the nontributary Laramie-Fox Hills aquifer groundwater decreed herein for use in this plan, but reserves the right to substitute the use of other nontributary groundwater, including return flows, either underlying the Subject Property, or from another location which is legally available for such purpose, for replacement of post-pumping depletions at such time that post-pumping depletions may begin. The Court retains continuing jurisdiction in this matter to determine if the supply is adequate.

F. Applicants will begin making post pumping replacements when: the total amount of Upper Dawson aquifer groundwater allowed to be withdrawn (900 acre-feet total) has been withdrawn from the wells; the Applicants or successors in interest have acknowledged in writing that all withdrawals for beneficial use of the groundwater has permanently ceased; or for a period of 10 consecutive years that no groundwater has been withdrawn.

G. Applicants will replace post-pumping depletions for the shortest of the following periods: the period provided by Section 37-90-137(9)(c.5), C.R.S.; the expressed period specified by the Colorado Legislature, should it specify one and providing the Applicants obtain Water Court approval for such modification; the period determined by the State Engineer, should he or she choose to set such a period and have jurisdiction to do so; the period established

through rulings of the Colorado Supreme Court on relevant cases, or until Applicants petition the Water Court and the State Engineer's Office and proves that they have complied with any statutory requirement.

12. Failure of Applicants or successors in interest to comply with the terms of the decree may result in an order of the Division Engineer's office to curtail or eliminate pumping of the wells. This decree shall be recorded in the real property records of Elbert County so that a title examination of the property, or any part thereof, shall reveal to all future purchasers the existence of this decree.

13. Administration of plan for augmentation:

A. Applicants shall report to the Division Engineer for Water Division 1 upon request, a summary of the annual withdrawals on an accounting form acceptable to the Division Engineer.

B. All withdrawals which are the subject of this decree will be metered.

C. Pursuant to Section 37-92-305(8), C.R.S., the State Engineer shall curtail all out-of-priority diversions, the depletions from which are not so replaced as to prevent injury to vested water rights.

D. The Applicants or successors in interest at the direction of the Division Engineer shall make post-pumping replacements to the South Platte River stream system via Running Creek pursuant to the amounts to be calculated using the percentage referenced on the depletion curve attached hereto on Attachment B.

14. Retained jurisdiction for plan for augmentation:

A. Pursuant to Section 37-92-304(6), C.R.S., the Court retains continuing jurisdiction over the plan for augmentation decreed herein for reconsideration of the question whether the provisions of this decree are necessary and/or sufficient to prevent injury to vested water rights of others. The Court also has jurisdiction for the purposes of determining compliance with the terms of the augmentation plan.

B. Any person seeking to invoke the retained jurisdiction of the Court shall file a verified petition with the Court. The petition to invoke retained jurisdiction or to modify the Decree shall set forth with particularity the factual basis and the requested decretal language to effect the petition. The party lodging the petition shall have the burden of going forward to establish prima facie facts alleged in the petition. If the Court finds those facts to be established, Applicants shall thereupon have the burden of proof to show: (1) that any modification sought by Applicants will avoid injury to other appropriators, or (2) that any modification sought by Objector is not required to avoid injury to other appropriators, or (3) that any term or condition proposed by Applicants in response to the Objector's petition does avoid injury to other appropriators.

C. The Court retains jurisdiction for the purpose of determining whether the continued reservation of the nontributary water for use on the Subject Property is required. After notice to the State Engineer's Office, if Applicants can demonstrate to the Court that post-pumping depletions need no longer be replaced, the Court may remove the requirement that the nontributary water must be reserved.

CONCLUSIONS OF LAW

15. The Water Court has jurisdiction over this proceeding pursuant to Section 37-90-137(6), C.R.S. This Court concludes as a matter of law that the application herein is one contemplated by law pursuant to Section 37-90-137(4), C.R.S. The application for a decree confirming Applicants' right to withdraw and use all unappropriated groundwater from the nontributary aquifers beneath the Subject Property as described herein pursuant to Section 37-90-137(4), C.R.S., should be granted, subject to the provisions of this decree. The application for a decree confirming Applicants' right to withdraw and use groundwater decreed herein from the Upper Dawson aquifer should be granted pursuant to Section 37-90-137(4) and (9)(c.5), C.R.S., subject to the provisions of this decree. The withdrawal of up to 3 acre-feet per year for 300 years and no more than 900 acre-feet total of the Upper Dawson aquifer groundwater and in accordance with the terms of this decree will not result in material injury to vested water rights of others.

16. This plan for augmentation satisfies the requirements of Section 37-90-137(9)(c.5), C.R.S., for replacement of required depletions to the affected stream systems for withdrawals of the Upper Dawson aquifer groundwater.

17. Full and adequate notice of the application was given, and the Court has jurisdiction over the subject matter and over the parties whether they have appeared or not.

18. Applicants have complied with all requirements and met all standards and burdens of proof, including but not limited to Sections 37-90-137(9)(c.5), 37-92-103(9), 37-92-302, 37-92-304(6), 37-92-305(1), (2), (3), (4), (6), (8), (9), C.R.S., to adjudicate the plan for augmentation and is entitled to a decree confirming and approving the plan for augmentation as described in the findings of fact.

JUDGMENT AND DECREE

The Findings of Fact and Conclusions of Law set forth above are hereby incorporated into the terms of this Ruling and Decree as if the same were fully set forth herein.

19. Applicants may withdraw the subject groundwater herein through wells to be located anywhere on the Subject Property in the average annual amounts and at the estimated average rates of flow specified herein, subject to the limitations herein and the retained jurisdiction by this Court.

20. Applicants may withdraw up to 3 acre-feet per year for 300 years and no more than 900 acre-feet total of the Upper Dawson aquifer groundwater under the plan for augmentation decreed herein pursuant to Section 37-90-137(9)(c.5), C.R.S.

21. Pursuant to Section 37-92-305(5), C.R.S., the replacement water herein shall be of a quality so as to meet the requirements for which the water of the senior appropriator has normally used.

22. The plan for augmentation as described in the findings of fact is hereby approved, confirmed, and adjudicated, including and subject to the terms and conditions specified herein.

23. No owners of or person entitled to use water under a vested water right or decreed conditional water right will be injured or injuriously affected by the operation of the plan for augmentation as decreed herein.

24. Retained Jurisdiction:

A. The Court retains jurisdiction as necessary to adjust the average annual amounts of groundwater available under the Subject Property to conform to actual local aquifer characteristics as determined from adequate information obtained from wells, pursuant to Section 37-92-305(11), C.R.S. Within 60 days after completion of any well decreed herein or any test hole(s), Applicants or any successor in interest to these water rights shall serve copies of such log(s) upon the State Engineer.

B. At such time as adequate data is available, any person, including the State Engineer, may invoke the Court's retained jurisdiction to make a Final Determination of Water Right. Within four months of notice that the retained jurisdiction for such purpose has been invoked, the State Engineer shall use the information available to him to make a final determination of water rights findings. The State Engineer shall submit such finding to the Water Court and the Applicants.

C. If no protest to such finding is made within 60 days, the Final Determination of Water Rights shall be incorporated into the decree by the Water Court. In the event of a protest, or in the event the State Engineer makes no determination within four months, such final determination shall be made by the Water Court after notice and hearing.

D. In the interim, the Court retains jurisdiction pursuant to § 37-92-305(11), C.R.S.

25. Continuing Jurisdiction:

Pursuant to Section 37-92-304(6), C.R.S., the Court retains continuing jurisdiction over the plan for augmentation decreed herein for reconsideration of the question of whether the provisions of this decree are necessary and/or sufficient to prevent injury to vested water rights of others. The Court also retains continuing jurisdiction for the purpose of determining compliance with the terms of the augmentation plan.

26. The groundwater rights decreed herein are vested property rights decreed to the Applicants and shall be owned by the Applicants until such time as the Applicants expressly conveys all the groundwater underlying the Subject Property, or a portion of the groundwater to another entity through a deed that identifies this case number, the specific aquifer, and the annual volume (based on a 100 year aquifer life) or a total volume of groundwater being conveyed. If any deed for the Subject Property is silent to the conveyance of the water rights decreed herein, it is assumed that the water rights have been conveyed with the Subject Property, unless all or part of the water rights have been specifically reserved by the Grantor in that deed.

27. After the referee ruling was entered on November 1, 2017, the reference in paragraph 1 to DJC Enterprises, Inc. was removed. The referee finds that this amendment does not require an extension of the protest period.

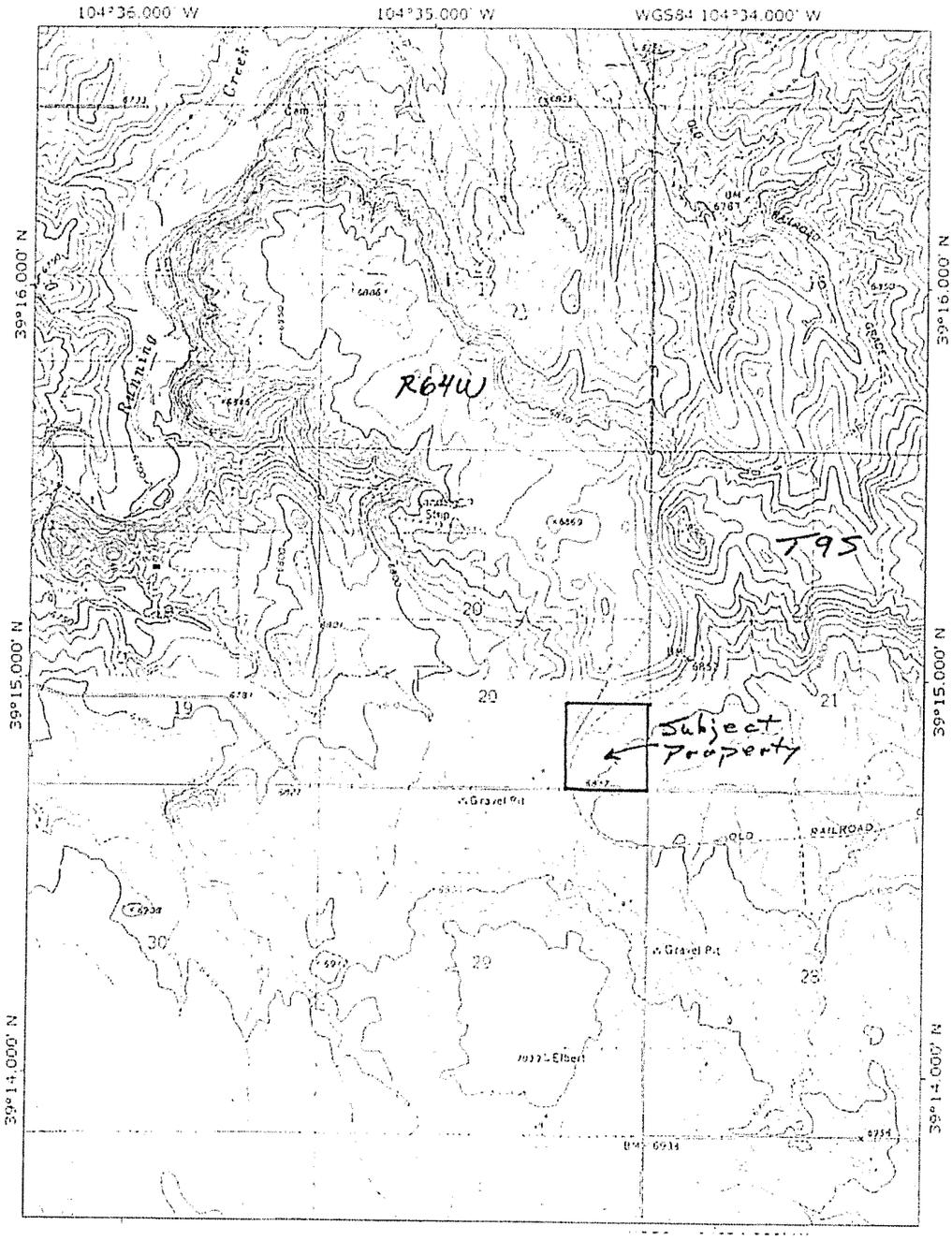
Date: November 6, 2017

John S. Cowan
Water Referee
Water Division 1

The court finds that no protest was filed in this matter. The foregoing ruling is confirmed and approved, and is made the judgment and decree of this Court.

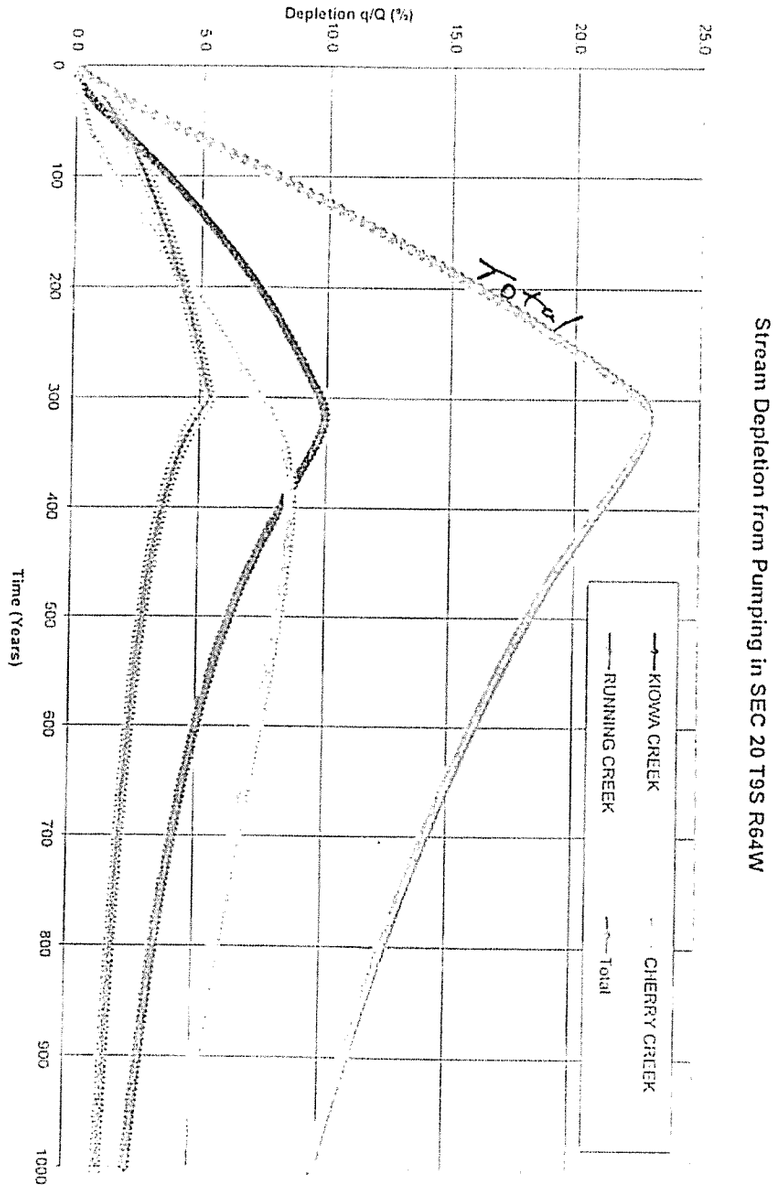
Date: November 27, 2017

Todd L. Taylor
Alternate Water Judge
Water Division 1



Dale and Julie Atkinson
2017CW3090

ATTACHMENT A



Dale and Julie Atkinson
2017CW3090

ATTACHMENT B

Account: R112570

Location

Zoning

Situs Address

City ELBERT

Tax Area 0018 - - 0018

Parcel Number 4094112570

Legal Summary Section: 20 Township: 9 Range: 64 Section: 21 Township: 9 Range: 64Subdivision: SEVERED MINERALS E2:NE4SW4: 21 9 64 360 ACRES NE4SE4: 20 9 64 40 ACRES 1/12 INTEREST 33.34 NET ACRES MINERAL RIGHTS

Owner Information

Owner Name CARRIGAN CATHERYN JANE

Owner Address 00269 S 22ND AVE BRIGHTON, CO 80601

Assessment History

Actual (2017)	$240
Assessed	$70

Tax Area: 0018 **Mill Levy:** 69.059

Type	Actual	Assessed	Acres	SQFT
Land	$240	$70	33.340	1452290.000

Transfers

Sale Date	Sale Price	Doc Description
07/24/2000	$0	Personal Reps Deed

Tax History

Tax Year	Taxes
*2018	$4.84
2017	$4.84

* Estimated

Images

Account: R103118

Location

Zoning

Situs Address

City ELBERT

Tax Area 0018 - - 0018

Parcel Number 4094207550

Legal Summary Section: 20 Township: 9 Range: 64 SE4SE4 1/2 INTEREST 20.00 NET ACRES Section: 21 Township: 9 Range: 64 S2SW4 1/2 INTEREST 40.00 NET ACRES Section: 29 Township: 9 Range: 64 NE4-NE4SE4 1/2 INTEREST 100.00 NET ACRES MINERAL RIGHTS Subdivision: SEVERED MINERALS

Owner Information

Owner Name DENNING BETTE

Owner Address 00145 COVENTRY DR CARSON CITY, NV 89703

Assessment History

Actual (2017)	$1,100
Assessed	$320

Tax Area: 0018 **Mill Levy:** 69.059

Type	Actual	Assessed	Acres	SQFT
Land	$1,100	$320	160.000	6969600.000

Transfers

Sale Date	Sale Price	Doc Description
08/14/1995	$0	QUIT CLAIM DEED

Tax History

Tax Year	Taxes
*2018	$22.08
2017	$22.08

* Estimated

Images

August 3, 1961

Recorded at 2:30 o'clock P. M., Book 246 95

Reception No. 171254 John C. Zygal Jr. Recorder. M. Chapin Deputy

RECORDER'S STAMP

THIS DEED, Made this 30th day of June in the year of our Lord one thousand nine hundred and 61 between

FRANCIS CRAWLEY

of the County of Elbert and State of Colorado, of the first part, and

L. HARRY MORGAN and ELIENE L. MORGAN

of the County of Elbert and State of Colorado, of the second part:

WITNESSETH, that the said part of the first part, for and in consideration of the sum of Ten and other DOLLARS,

to the said part y 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 es grant, bargain, sell, convey and confirm unto the said parties of the second part, their heirs and assigns forever, not in tenancy in common but in joint tenancy, all the following described lot or parcel of land, situate, lying and being in the County of Elbert and State of Colorado, to-wit:

15-25-R.5.

SE¼SE¼ of Section 20, S½SW¼ of Section 21, NE¼, NE¼SE¼ of Section 29, in Township 9 South, Range 64 West 6th P. M., with Grantor reserving and retaining an undivided one-fourth interest in and to all of the minerals in, on and under the above described lands

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 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, their heirs and assigns forever. And the said part y of the first part, for him self, his heirs, executors, and administrators do es covenant, grant, bargain and agree to and with the said parties of the second part, their heirs and assigns, that at the time of the ensealing and delivery of these presents 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, Subject to rights of way and easements for roads, telephone and electric lines; Subject to 1st Mortgage to the Federal Land Bank, and a 2nd Mortgage to Mary Dietrich, and other lien as now of record to the Telephone Company

and the above bargained premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said 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

Francis Crawley [SEAL]

[SEAL]

[SEAL]

STATE OF COLORADO, }
County Elbert } ss.

The foregoing instrument was acknowledged before me this 30th day of June 1961, by* FRANCIS CRAWLEY

My commission expires 20 February 1964. Witness my hand and official seal.

Book 290
Page 330

Filed for record the 14 day of Feb. A. D. 19 74 at 11:10 o'clock A.M.
No. 201930 Evelyn Pugsley, Deputy RECORDER

This Deed, Made this 12th day of February in the year of our Lord one thousand nine hundred and Seventy-four between

EUGENE D. CRAWLEY a/k/a EUGENE CRAWLEY

of the County of Morgan and State of Colorado, of the first part, and

WARREN CRAWLEY a/k/a WARREN A. CRAWLEY

of the County of Morgan and State of Colorado, of the second part,

STATE DOCUMENTARY FEE
DATE FEB 14 1974

Witnesseth, That the said party of the first part, for and in consideration of the sum of

Ten ($10.00) and 00/100---------- DOLLARS,

to the said party of the first part in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, has remised, released, sold, conveyed and Quit-Claimed, and by these presents does remise, release, sell, convey and Quit-Claim unto the said party of the second part, his heirs and assigns, forever, all the right, title, interest, claim and demand which the said party of the first part has in and to the following described property situate, lying and being in the County of Elbert and State of Colorado, to-wit:

It is the intent of the Grantor to convey unto Grantee, all of his interest in and to all of the oil, gas and minerals in, to and under:

Township 9 South, Range 64 West of the 6th P.M.

Section 20: SE¼SE¼
Section 21: S½SW¼
Section 29: NE¼; NE¼SE¼

To Have and to Hold the Same, Together with all and singular the appurtenances and privileges thereunto belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the said party of the first part, either in law or equity, to the only proper use, benefit and behoof of the said party of the second part, his heirs and assigns, forever.

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 Presence of

Eugene D. Crawley (Seal)
Eugene D. Crawley a/k/a Eugene Crawley (Seal)
Eugene D. Crawley (Seal)
(Seal)

STATE OF COLORADO, } ss.
County of Morgan

The foregoing instrument was acknowledged before me this 12th day of February, 19 74 by* Eugene D. Crawley a/k/a Eugene Crawley

Witness my hand and official seal.
My commission expires: June 1, 1976

E. Q. Speer
NOTARY PUBLIC

*If acting in official or representative capacity, insert name and also office or capacity and for whom acting.

E. URQUHART SPEER NOTARY PUBLIC STATE OF COLORADO

QUIT-CLAIM DEED—Out West Printing and Stationery Co., Colorado Springs, Colo.

Recorded at 12:45 o'clock P.M. FEB 28 1975 BOOK 295 PAGE 433
Reception No. 205701 Evelyn Pepper, Deputy Recorder.

STATE DOCUMENTARY FEE
Date FEB 28 1975
$ .12

THIS DEED, Made this 12th day of February, 1975,

between WARREN CRAWLEY a/k/a WARREN A. CRAWLEY, a single person

of the County of Morgan and state of Colorado, of the first part, and

ELLENE MORGAN

of the County of Elbert 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 dollars and other valuable consideration ~~DOLLARS~~, to the said party of the first part in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, has remised, released, sold, conveyed and QUIT CLAIMED, and by these presents does remise, release, sell, convey and QUIT CLAIM unto the said party of the second part, her heirs, successors and assigns, forever, all the right, title, interest, claim and demand which the said party of the first part has in and to the following described lot or parcel of land situate, lying and being in the County of Elbert and State of Colorado, to wit:

Township 9 South, Range 64 West of the 6th P.M.
Section 20: SE¼SE¼
Section 21: S½SW¼
Section 29: NE¼; NE¼SE¼

It is the intent of Grantor to convey to Grantee all of his mineral interest to previously described property.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever, of the said party of the first part, either in law or equity, to the only proper use, benefit and behoof of the said party of the second part, her heirs and assigns forever.

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

Warren Crawley [SEAL]
Warren Crawley a/k/a
Warran A. Crawley [SEAL]
Warren A. Crawley [SEAL]
[SEAL]

STATE OF COLORADO, } ss.
County of Morgan

The foregoing instrument was acknowledged before me this 12th day of February 19 75 by* Warren Crawley a/k/a Warren A. Crawley, a single person

My commission expires June 1, 19 76. Witness my hand and official seal.

E. Ann Hells
Notary Public.

*If by natural person or persons here insert name or names; if by person acting in representative or official capacity or as attorney-in-fact, then insert name of person as executor, attorney-in-fact of other capacity or description; if by officer of corporation, then insert name of such officer or officers, as the president or other officers of such corporation, naming it.—*Statutory Acknowledgment*, Sec. 118-6-1 Colorado Revised Statutes 1963.

No. 933. QUIT CLAIM DEED.—Bradford Publishing Co., 1824-46 Stout Street, Denver, Colorado—7-73

QUIT CLAIM DEED

MARY V. DIETRICH

whose address is 214 Tacoma, Carson City, NV. 89703

County of Carson City, and State of NEVADA, for the consideration of

Title Purposes Dollars, in hand paid,

STATE DOCUMENTARY FEE
AUG 14 1995
Date
$ EX.

hereby sell(s) and quit claim(s) to BETTE DENNING

whose address is 909 KINGSLEY, CARSON CITY, NV. 89701

County of Carson City, and State of Nevada, the following real property, in the County of Elbert, and State of Colorado, to wit:

All of my interest in the Minerals, mineral Rights, Oil, Gas and other minerals that are in, on and under the following lands:
TOWNSHIP 9 SOUTH, RANGE 64 W. 6th P.M.
Section 20- SE¼SE¼;
Section 21- S½SW¼;
Section 29- NE¼, NE¼SE¼.

also known as street and number

with all its appurtenances

Signed this 14th day of August, 19 95

Mary V. Dietrich
MARY V. DIETRICH

EARL G. KRUSE NOTARY PUBLIC STATE OF COLORADO

STATE OF COLORADO, } ss.
County of ELBERT

The foregoing instrument was acknowledged before me this 14th day of August 19 95, by MARY V. DIETRICH
My commission expires 19th February, 1996

WITNESS my hand and official seal.

Earl G. Kruse
Notary Public

Name and Address of Person Creating Newly Created Legal Description (§ 38-35-106.5, C.R.S.)

EARL G. KRUSE
NOTARY PUBLIC STATE OF COLORADO
My Commission Expires February 19, ~~1994~~ 1996
408 Ute Ave. Kiowa, CO 80117

No. 898. Rev. 6-92. QUIT CLAIM DEED (Short form)

Bradford Publishing, 1743 Wazee St., Denver, CO 80202 — (303) 292-2500 — 12-92

394528 08/10/2000 10:39A B605 P108 PRD
1 of 2 R 10.00 D 0.00 Elbert County CO

PERSONAL REPRESENTATIVE'S DEED

THIS DEED is made by CATHERYN JANE CARRIGAN, as Co-Personal Representative of the Estate of ALICE E. PURSLEY a/k/a ALICE PURSLEY, deceased, Grantor, to CATHERYN JANE CARRIGAN, whose address is 840 Dean Drive, Northglen, CO 80233, of the County of Denver, State of Colorado.

WHEREAS, the Last Will and Testament of the above-named decedent was made and executed in the lifetime of the decedent, and is dated December 16, 1998; which Will was duly admitted to informal probate on April 7, 1999, by the District Court in and for the County of Cheyenne, State of Colorado, Probate No. 99 PR 9;

WHEREAS, Grantor was duly appointed Co-Personal Representative of said Estate on April 7, 1999, and is now qualified and acting in said capacity.

NOW, THEREFORE, pursuant to the powers conferred upon Grantor by the Colorado Probate Code, Grantor does hereby sell, convey, assign, transfer and set over unto said Grantee as the person entitled to distribution of the property in the above-captioned Will, the following described real property situate in the County of ELBERT, State of Colorado.

All of decedent's right, title and interest in and to all coal, oil, gas and other minerals lying in, under or that may be produced from:

SW1/4 of Section 21, Township 9 South, Range 64 West of the 6th P.M.
SE1/4 of Section 21, Township 9 South, Range 64 West of the 6th P.M.
SE1/4 of Section 20, Township 9 South, Range 64 West of the 6th P.M.
E1/2, NE1/4SW1/4 of Section 21, Township 9 South, Range 64 West of the 6th P.M.

With all appurtenances, subject to covenants, easements and restrictions of record, and subject to general property taxes for the year 2000, and subject to mineral reservations and conveyances of record, if any, and the exigencies of being located in special districts.

As used herein, the singular includes the plural and the plural the singular.

Executed this 24 day of July, 2000.

Catheryn J. Carrigan
CATHERYN JANE CARRIGAN
CO-PERSONAL REPRESENTATIVE OF
THE ESTATE OF ALICE E. PURSLEY
A/K/A ALICE PURSLEY, DECEASED

394528 08/10/2000 10:39A B605 P108 PRD
2 of 2 R 10.00 D 0.00 Elbert County CO

PERSONAL REPRESENTATIVE'S DEED
DATED JULY 24, 2000
PAGE TWO OF TWO

STATE OF COLORADO)
) ss.
COUNTY OF Denver)

The foregoing instrument was acknowledged before me this 24 day of July, 2000, by Catheryn Jane Carrigan, as Personal Representative of the Estate of Alice E. Pursley a/k/a Alice Pursley, deceased.

Witness my hand and official seal.

My commission expires:

Lauren Calkins
Notary Public

LAUREN CALKINS
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires June 27, 2004

NOTARY PUBLIC

Tax Account

Account Number R116590

Tax Billed at 2017 Rates

Tax Area 0018 - - 0018

Authority	Authority Id	Mill Levy	Amount
ELBERT COUNTY GENERAL FUND	0001	16.3300000	$22.86
ELBERT COUNTY ROAD & BRIDGE	0002	9.5000000	$13.30
ELBERT COUNTY SOCIAL SERVIC	0004	1.5000000	$2.10
ELBERT COUNTY RETIREMENT	0006	0.7030000	$0.98
ELBERT 200 GENERAL FUND	2080	20.6400000	$28.90
ELBERT 200 BOND FUND	2081	9.3700000	$13.12
ELBERT FIRE GENERAL FUND	4020	8.5000000	$11.90
ELBERT COUNTY LIBRARY	4330	2.5160000	$3.52
Taxes Billed 2017		69.0590000	$96.68

Property Code	Value Type	Actual	Assessed
AG-DRY FARM LAND	Standard	$4,820.00	$1,400.00
Total	Standard	$4,820.00	$1,400.00

The amounts of taxes due on this page are based on **last year's** property value assesments.
For current year values visit the Elbert Assessor's site.

Account: R116590

Location

Zoning NZ
Situs Address
City ELBERT
Tax Area 0018 - - 0018
Parcel Number 9420400339
Legal Summary Section: 20 Township: 9 Range: 64 SE4SE4

Owner Information

Owner Name ATKINSON DALE L & JULIE N
Owner Address 4702 CO RD 106 ELIZABETH, CO 80107

Assessment History

Actual (2017)	$4,820
Assessed	$1,400

Tax Area: 0018 **Mill Levy:** 69.784

Type	Actual	Assessed	Acres	SQFT	Units
Land	$4,820	$1,400	40.000	0.000	0.000

Transfers

Sale Date	Sale Price	Doc Description
06/27/2017	$180,000	WARRANTY DEED
06/27/2017	$0	SPECIAL WARRANTY DEED
06/25/2002	$88,000	JT WARRANTY DEED
10/18/1986	$0	QUIT CLAIM DEED

Tax History

Tax Year	Taxes
*2017	$97.68
2016	$88.64

* Estimated

Images

- GIS

Tax Account

Summary

Account Id	R116590
Parcel Number	9420400339
Owners	LAIRD DAN L LAIRD STEPHANIE D
Address	26493 CO RD 021 ELBERT, CO 80106
Situs Address	
Legal	Section: 20 Township: 9 Range: 64Subdivision: RURALA SE4SE4: 20 9 64 40 ACRES

Inquiry

As Of 10/12/2017

Payment Type
- ○ First
- ◉ Full

Total Due $0.00

Value

Area Id		Mill Levy
0018 - - 0018		69.7840000
	Actual	**Assessed**
AG-DRY FARM LAND - 4127	4,365	1,270
Taxes		$88.64

The amounts of taxes due on this page are based on **last year's** property value assesments.
For current year values visit the Elbert Assessor's site.

570447 B: 779 P: 206 WD
07/10/2017 10:42:32 AM Page 1 of 1 R: $13.00 D: $18.00
Dallas Schroeder Clerk/Recorder, Elbert County, CO

Dale L. Atkinson and Julie N. Atkinson

WARRANTY DEED

DOC FEE: 18.00

THIS DEED, made this 27 day of JUNE 2017, between **Dan L. Laird and Stephanie D. Laird** of the County of **Elbert** and State of **Colorado**, grantor(s), and **Dale L. Atkinson and Julie N. Atkinson**

whose legal address is 4702 COUNTY ROAD 106 ELIZABETH CO 80107 of the County of **Elbert** and State of **Colorado**, grantees:

WITNESS, that the grantor(s), for and in consideration of the sum of **ONE HUNDRED EIGHTY THOUSAND AND 00/100 DOLLARS ($180,000.00)**, 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, **Joint Tenants**, all the real property, together with improvements, if any, situate, lying and being in the County of **Elbert** and State of **Colorado**, described as follows:

The SE 1/4 of the SE 1/4 of Section 20, Township 9 South, Range 64 West of the 6th P.M., County of Elbert, State of Colorado.

also known by street and number as: **25676 County Road 21, Elbert, CO 80106**

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(s), 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. The grantor(s), for himself, his 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, he is 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 **general taxes for the current year and subsequent years, and except easements, covenants, conditions, restrictions, reservations, and rights of way of record, if any.**

The grantor(s) 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.

Dan L. Laird

Dan L. Laird

Stephanie D. Laird

Stephanie D. Laird

State of ALASKA

County Of FAIRBANKS NORTH STAR } ss.

The foregoing instrument was acknowledged before me this JUNE 27, 2017, by **Dan L. Laird and Stephanie D. Laird.**

My Commission expires: JULY 28 2020

Witness my hand and official seal

CHRISTOPHER SEAN CECIL WESSON

Notary Public

CHRISTOPHER SEAN CECIL WESSON
NOTARY PUBLIC
MY COMMISSION EXPIRES JULY 28, 2020
STATE OF ALASKA

WARRANTY DEED

File # 20374CEW

File No: **22323CEW**

Colorado Escrow and Title Services, LLC

As agent for

Stewart Title Guaranty Company

COMMITMENT FOR TITLE INSURANCE
SCHEDULE A

1. Effective Date: **January 09, 2018 at 07:30 am**

2. Policy or Policies to be issued:

   A. ALTA 2006 OWNER'S POLICY

   Proposed Insured:

   B. ALTA 2006 LOAN POLICY

   Proposed Insured:

Informational	***$***	**250.00**
Total:	***$***	***250.00***

3. The estate or interest in the land described in this Commitment and covered herein is **Fee Simple** and title thereto is at the effective date hereof vested in:
Dale L. Atkinson and Julie N. Atkinson

4. The land referred to in the Commitment is situate in the county of **Elbert**, State of **Colorado** and is described as follows:

The SE 1/4 of the SE 1/4 of Section 20, Township 9 South, Range 64 West of the 6th P.M., County of Elbert, State of Colorado.

For Informational Purposes Only: **25676 County Road 21, Elbert, CO 80107**

Countersigned
Colorado Escrow and Title Services, LLC

By: B Pettitt

Barbara Pettitt

Stewart Title Guaranty Company

COMMITMENT FOR TITLE INSURANCE
SCHEDULE B - SECTION I
REQUIREMENTS

Effective Date: January 09, 2018 at 07:30am

The following are the requirements to be complied with prior to the issuance of said policy or policies. Any other instrument recorded subsequent to the effective date hereof may appear as an exception under Schedule B of the policy to be issued. Unless otherwise noted, all documents must be recorded in the office of the clerk and recorded of the county in which said property is located.

The following requirements must be met:

(a) Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.

(b) Pay us the premium, fees and charges for the policy.

(c) Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded:

(d) You must tell us in writing the name of anyone not referred to in this document who will get an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions relating to the interest or the loan.

NOTE: This commitment has been issued for information purposes only and there are no requirements. The liability of the Company in terms of this Commitment is limited to the charges paid for the Commitment.

Stewart Title Guaranty Company

COMMITMENT FOR TITLE INSURANCE

SCHEDULE B - SECTION II
EXCEPTIONS

Effective Date: January 09, 2018 at 07:30am

The Policy or Policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Rights or claims of parties in possession not shown by the Public Records.

2. Easements or claims of easements not shown in 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. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.

6. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof.

7. Any water rights or claims or title to water, in or under the land, whether or not shown by the public records.

8. Taxes due and payable; and any tax, special assessments, charge or lien imposed for water or sewer service, or for any other special taxing district. Note: Upon verification of payment of all taxes the above exception will be amended to read, "Taxes and assessments for the current year, and subsequent years, a lien not yet due and payable."

9. **Any loss or damage arising from the fact that the fence lines on or near the perimeter of subject property do not necessarily coincide with the exact property lines.**

10. **An undivided 1/4 interest in all oil, gas and other minerals conveyed to L. Harry Morgan and Ellene L. Morgan by Warranty Deed recorded August 3, 1961 in Book 246 at Page 95 and any and all assignments thereof or interests therein.**

11. **An undivided 100% interest in all oil, gas and other minerals conveyed to Warren Crawley a/k/a Warren A**

Crawley by Quit Claim Deed recorded February 14, 1974 in Book 290 at Page 330 and any and all assignments thereof or interests therein.

12. **An undivided 100% interest in all oil, gas and other minerals conveyed to Ellene Morgan by Quit Claim Deed recorded February 28, 1975 in Book 295 at Page 433 and any and all assignments thereof or interests therein.**

13. **An undivided 100% interest in all oil, gas and other minerals conveyed to Bette Denning by Quit Claim Deed recorded August 14, 1995 in Book 524 at Page 686 and any and all assignments thereof or interests therein.**

14. **An undivided 100% interest in all oil, gas and other minerals conveyed to Catheryn Jane Carrigan by Personal Representative's Deed recorded August 10, 2000 in Book 605 at Page 108 and any and all assignments thereof or interests therein.**

15. **Terms, agreements, provisions, conditions and obligations as contained in Resolution recorded February 19, 1986 in Book 389 at Page 878.**

16. **Terms, agreements, provisions, conditions and obligations as contained in Right of Way Easement recorded May 29, 1990 in Book 436 at Page 890.**

17. **Terms, agreements, provisions, conditions and obligations as contained in Right of Way Easement recorded August 16, 1993 in Book 476 at Page 482.**

18. **Terms, agreements, provisions, conditions and obligations as contained in Right of Way Easement recorded August 16, 1993 in Book 476 at Page 483.**

NOTE: The policy(s) of insurance may contain a clause permitting arbitration of claims at the request of either the Insured or the Company. Upon request, the Company will provide a copy of this clause and the accompanying arbitration rules prior to the closing of the transaction.

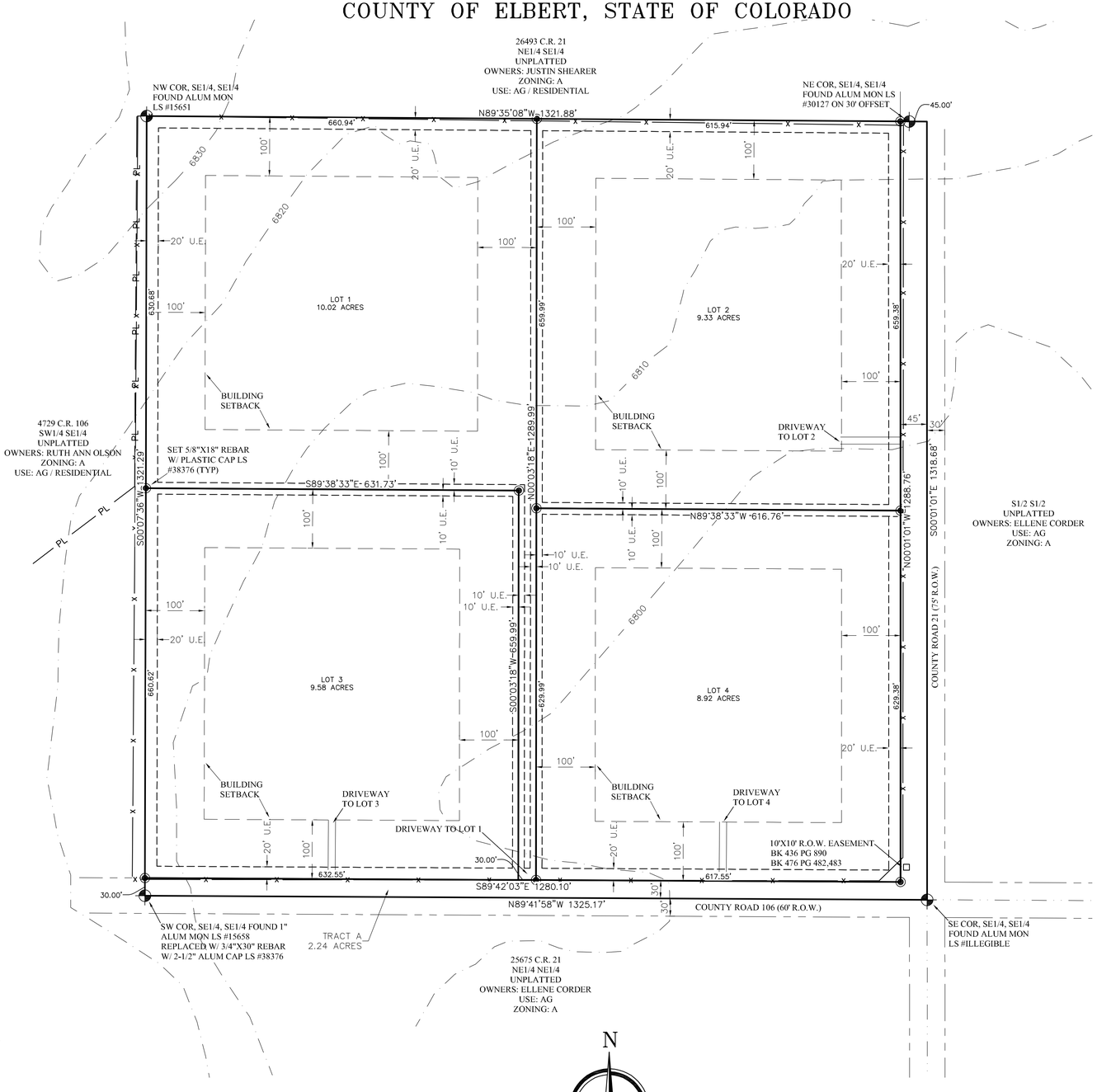
CASE NO: RZ-17-0045

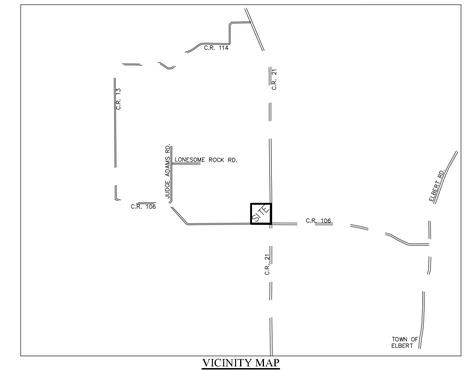
ATKINSON REZONE EXHIBIT

PART OF SECTION 20, T. 9 S, R. 64 W, 6TH P.M.
COUNTY OF ELBERT, STATE OF COLORADO

LEGEND

- PARCEL BOUNDARY
- BUILDING SETBACKS
- RIGHT-OF-WAY
- UTILITY EASEMENT
- PL — OVERHEAD POWER LINE
- x — FENCE LINE
- SET 5/8"x18"REBAR W/ PLASTIC CAP LS# 38376
- FOUND ALUM MONUMENT





VICINITY MAP
N.T.S.

PROPERTY DESCRIPTION

THE SE 1/4 OF THE SE 1/4 OF SECTION 20, TOWNSHIP 9 SOUTH, RANGE 64 WEST OF THE 6TH P.M., ELBERT COUNTY, COLORADO.

OWNERS

DALE AND JULIE ATKINSON
4702 C.R. 106
ELIZABETH, CO 80107
303-638-8390

ZONING:

EXISTING: A
PROPOSED: AR

UTILITY EASEMENT DEDICATION

THOSE PORTIONS OF REAL PROPERTY, WHICH ARE LABELED AS UTILITY EASEMENTS ON THIS PLAT, WHETHER PRIVATE OR PUBLIC, ARE HEREBY DEDICATED, FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES, INCLUDING, BUT NOT LIMITED TO ELECTRIC LINES, GAS LINES, TELEPHONE LINES, CABLE TELEVISION; TOGETHER WITH THE RIGHT TO TRIM INTERFERING TREES AND BRUSH, TOGETHER WITH A PERPETUAL RIGHT OF INGRESS AND EGRESS FOR INSTALLATION, MAINTENANCE, AND REPLACEMENT OF SUCH LINES; SAID EASEMENTS AND RIGHT TO BE UTILIZED IN A RESPONSIBLE AND PRUDENT MANNER, SUBJECT TO UTILITY PLACEMENT PERMITTING PROCEDURES FROM ELBERT COUNTY.
.

APPLICABILITY STATEMENT

EXCEPT AS EXPRESSLY PROVIDED OTHERWISE ON THIS REZONE EXHIBIT, DEVELOPMENT OF THE PROPERTY SHALL CONFORM TO THE ELBERT COUNTY ZONING REGULATIONS IN EFFECT AT THE TIME OF THE FINAL PLAT RECORDATION.

NOTES

1. BASIS OF BEARINGS: THE SOUTH LINE OF THE SE1/4 SE1/4 OF SEC 20 TO HAVE AN ASSUMED BEARING OF N89°41'58"W MONUMENTED AT THE SOUTHWEST CORNER BY A 2 1/2" ALUMINUM MONUMENT, PLS #15658 AND ON THE SOUTHEAST CORNER BY A 2 1/2" ALUMINUM MONUMENT, PLS #ILLEGIBLE.
1. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY FRANE SURVEYING TO DETERMINE OWNERSHIP OR EASEMENT OF RECORD, RIGHT OF WAY, AND TITLE OF RECORD. THIS MAP WAS PREPARED WITH THE BENEFIT OF A TITLE POLICY. COMMITMENT PREPARED BY COLORADO ESCROW AND TITLE SERVICES, LLC, DATED JANUARY 09, 2018, FILE NO. 22323CEW.
2. CONTOURS WERE DIGITIZED FROM A USGS QUAD. MAP

"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 CERTIFICATION SHOWN HEREON."

STANDARD FLEXIBILITY STATEMENT

THE GRAPHIC DRAWINGS CONTAINED WITHIN THIS REZONE EXHIBIT ARE INTENDED TO DEPICT GENERAL LOCATION AND ILLUSTRATE CONCEPTS OF THE TEXTUAL PROVISIONS OF THIS REZONE DURING THE PLATTING PROCESS THE COMMUNITY & DEVELOPMENT SERVICES DIRECTOR MAY ALLOW MINOR VARIATIONS FOR THE PURPOSE OF ESTABLISHING:

1. FINAL ROAD ALIGNMENTS
2. FINAL CONFIGURATIONS OF LOT AND TRACT SIZES AND SHAPES
3. FINAL BUILDING ENVELOPES
4. FINAL ACCESS AND PARKING LOCATIONS
5. LANDSCAPE ADJUSTMENTS

COMMUNITY AND DEVELOPMENT SERVICES

THIS REZONE EXHIBIT WAS REVIEWED AND APPROVED BY COMMUNITY AND DEVELOPMENT SERVICES ON THE _____ DAY OF _____, 20 _____, A.D.

_____
COMMUNITY AND DEVELOPMENT SERVICES DIRECTOR

PLANNING COMMISSION

THIS REZONE WAS REVIEWED BY AND RECOMMENDED FOR APPROVAL BY THE ELBERT COUNTY PLANNING COMMISSION ON THE _____ DAY OF _____, 20 _____, A.D.

_____
CHAIRMAN, PLANNING COMMISSION

BOARD OF COUNTY COMMISSIONERS

THIS REZONE WAS REVIEWED AND APPROVED BY THE ELBERT COUNTY BOARD OF COUNTY COMMISSIONERS ON THE _____ DAY OF _____, 20 _____, A.D.

_____
CHAIRMAN, BOARD OF COUNTY COMMISSIONERS

CLERK AND RECORDER'S CERTIFICATE

I HEREBY CERTIFY THAT THIS REZONE EXHIBIT WAS FILED IN MY OFFICE THIS _____ DAY OF _____, 20____, A.D., AT _____ A.M. / P.M., AND WAS RECORDED PER RECEPTION NO. _____.

_____
COUNTY CLERK AND RECORDER

OWNERS CERTIFICATE

WE, _____ AND _____, AS OWNERS OF THE LAND AFFECTED BY THIS REZONING, ACCEPT AND APPROVE ALL CONDITIONS SET FORTH HEREIN.

OWNERS_____ DATE:_____
(SIGNATURE)

_____
(NAME PRINTED)

_____ DATE:_____
(SIGNATURE)

_____
(NAME PRINTED)

NOTARY PUBLIC:

COUNTY OF _____
STATE OF _____
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20___, BY _____
BY:_____ (SIGNATURE)
_____ (NAME PRINTED)
WITNESS MY HAND AND OFFICIAL SEAL
MY COMMISSION EXPIRES: _____

DATE:	REVISIONS:
03/13/18	1ST COMMENTS
04/05/18	2ND COMMENTS
04/30/18	3RD COMMENTS

FRANE SURVEYING INC.
303-243-0037
P.O. BOX 2372
ELIZABETH COLORADO 80107

SCALE	DATE	DRAWN BY
1"=100'	01/06/18	ERF

TITLE: ATKINSON REZONE EXHIBIT
PART OF SEC. 20, T9S, R64W, 6TH P.M.
ELBERT COUNTY, STATE OF COLORADO

CLIENT: DALE AND JULIE ATKINSON

SHEET 1 OF 1

JOB NUMBER: 17-165-RZ

CASE NO. MD-17-0048

ATKINSON MINOR RESIDENTIAL DEVELOPMENT

PART OF SECTION 20, T. 9 S, R. 64 W, 6TH P.M.
COUNTY OF ELBERT, STATE OF COLORADO

OWNERSHIP AND DEDICATION STATEMENT

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, BEING THE OWNER OF THE LAND DESCRIBED BELOW, HAVING LAID OUT AND PLATTED THE SAME INTO LOTS, STREETS, AND EASEMENTS AS SHOWN HEREON UNDER THE NAME AND STYLE OF "ATKINSON MINOR RESIDENTIAL DEVELOPMENT" AND DO BY THESE PRESENTS, OF OUR OWN FREE WILL AND VOLUNTARILY WITHOUT COERCION, THREAT OR BUSINESS COMPULSION, DO HEREBY AND CONVEY RIGHTS AS INDICATED TO ALL EASEMENTS FOR THE PURPOSES SHOWN HEREON AND DO HEREBY DEDICATE AND CONVEY TO ELBERT COUNTY TRACT A FOR STREET AND ROADWAY PURPOSES.

PROPERTY DESCRIPTION

THE SE 1/4 OF THE SE 1/4 OF SECTION 20, TOWNSHIP 9 SOUTH, RANGE 64 WEST OF THE 6TH P.M., ELBERT COUNTY, COLORADO.

OWNERS

OWNER, DALE ATKINSON

COUNTY OF _____)
)
STATE OF COLORADO)

THIS INSTRUMENT WAS ACKNOWLEDGED AND SWORN BEFORE ME THIS _____ DAY OF _____, 20_____.

BY_____

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

OWNER, JULIE ATKINSON

COUNTY OF _____)
)
STATE OF COLORADO)

THIS INSTRUMENT WAS ACKNOWLEDGED AND SWORN BEFORE ME THIS _____ DAY OF _____, 20_____.

BY_____

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

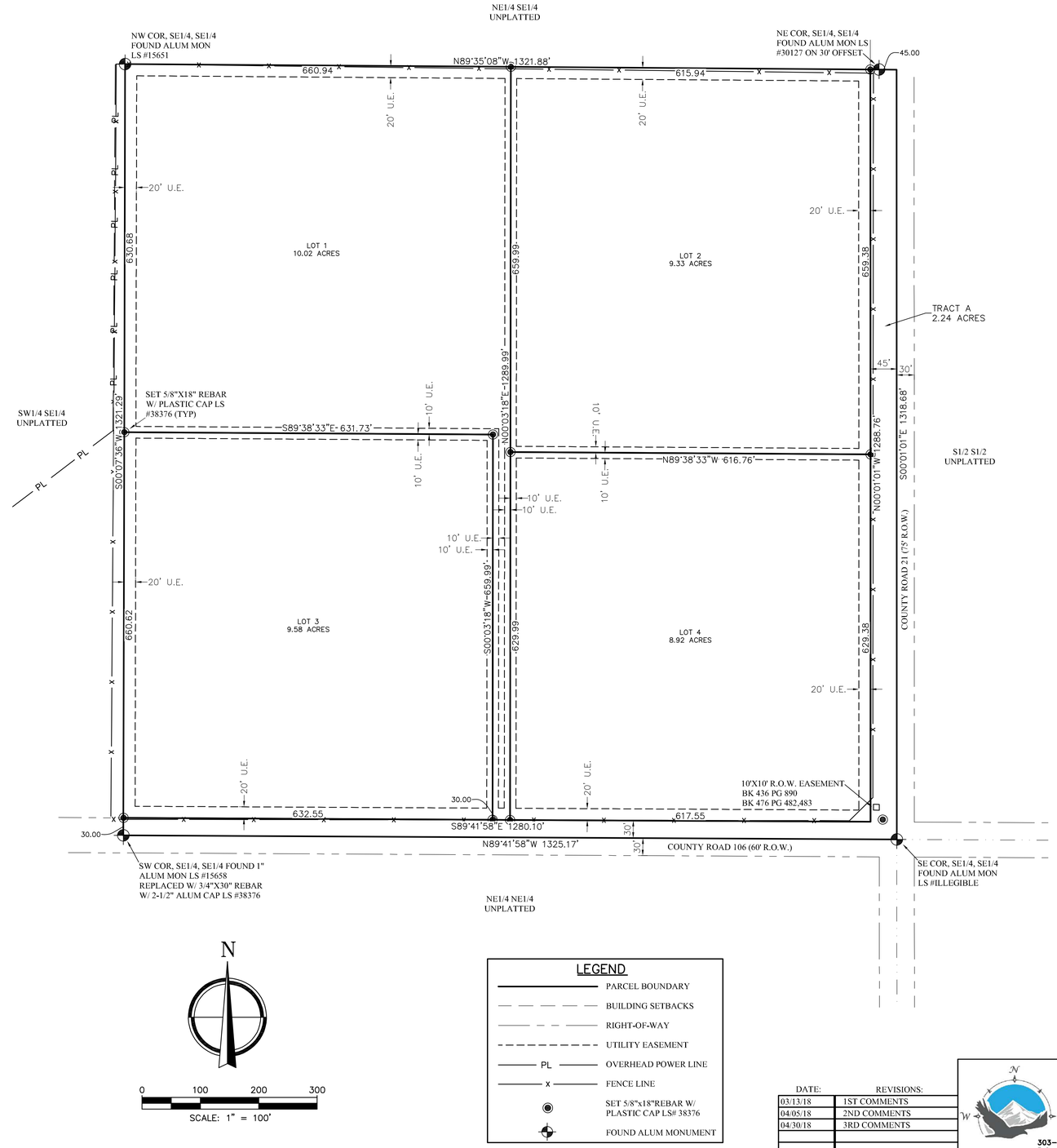
UTILITY EASEMENT ACKNOWLEDGMENT

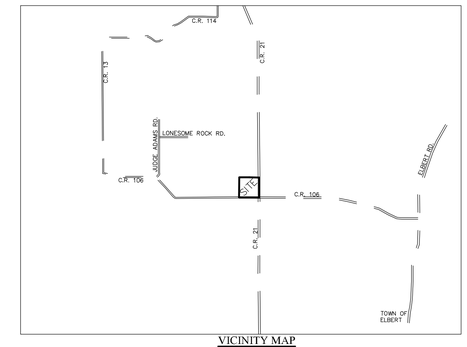
THOSE PORTIONS OF REAL PROPERTY, WHICH ARE LABELED AS UTILITY EASEMENTS ON THIS PLAT, WHETHER PRIVATE OR PUBLIC, ARE HEREBY DEDICATED, FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES, INCLUDING, BUT NOT LIMITED TO ELECTRIC LINES, GAS LINES, TELEPHONE LINES, CABLE TELEVISION; TOGETHER WITH THE RIGHT TO TRIM INTERFERING TREES AND BRUSH, TOGETHER WITH A PERPETUAL RIGHT OF INGRESS AND EGRESS FOR INSTALLATION, MAINTENANCE, AND REPLACEMENT OF SUCH LINES; SAID EASEMENTS AND RIGHT TO BE UTILIZED IN A RESPONSIBLE AND PRUDENT MANNER, SUBJECT TO UTILITY PLACEMENT PERMITTING PROCEDURES FROM ELBERT COUNTY.

NOTES

1. BASIS OF BEARINGS: THE SOUTH LINE OF THE SE1/4 SE1/4 OF SEC 20 TO HAVE AN ASSUMED BEARING OF N89°41'58"W MONUMENTED AT THE SOUTHWEST CORNER BY A 2 1/2" ALUMINUM MONUMENT, PLS #15658 AND ON THE SOUTHEAST CORNER BY A 2 1/2" ALUMINUM MONUMENT, PLS #ILLEGIBLE.
2. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY FRANE SURVEYING TO DETERMINE OWNERSHIP OR EASEMENT OF RECORD, RIGHT OF WAY, AND TITLE OF RECORD. THIS MAP WAS PREPARED WITH THE BENEFIT OF A TITLE POLICY. COMMITMENT PREPARED BY COLORADO ESCROW AND TITLE SERVICES, LLC, DATED JANUARY 09, 2018, FILE NO. 22323CEW.
3. DRAINAGE: THE HISTORICAL FLOW PATTERNS AND RUNOFF AMOUNTS WILL BE MAINTAINED ON THE SITE. ELBERT COUNT IS NOT RESPONSIBLE FOR THE MAINTENANCE OF ANY ONSITE DRAINAGE RELATED FEATURES.
4. THE LOTS SHOWN ON THIS PLAT GENERALLY FOLLOW NATURAL TERRAIN AND CONTAIN NATURAL DRAINAGE WAYS AND FLOW PATHS THAT CONVEY UPSTREAM STORM WATER RUNOFF ACROSS LOT BOUNDARIES. THEREFORE, THE OWNER OF THE UPPER LANDS HAS AN EASEMENT OVER THE LOWER LANDS FOR DRAINAGE OF SURFACE WATERS AND NATURAL DRAINAGE THROUGH THE DOWNSTREAM LOT. EXISTING DRAINAGE PATHS MAY BE ALTERED BUT SHALL PROVIDE FOR THE QUANTITY OF WATER TO PASS FROM THE UPSTREAM DRAINAGE AND NOT NEGATIVELY AFFECT DOWNSTREAM PROPERTIES.
5. TRACT A: AS SHOWN ON THIS PLAT IS HEREBY DEDICATED AS RIGHT-OF-WAY TO ELBERT COUNTY.

"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 CERTIFICATION SHOWN HEREON."





VICINITY MAP
N.T.S.

ELBERT COUNTY ENGINEERING

THIS PLAT WAS REVIEWED AND APPROVED BY THE ELBERT COUNTY ENGINEER ON THE _____ DAY OF _____, 20 _____, A.D.

ELBERT COUNTY ENGINEER

APPROVAL OF COUNTY COMMISSIONERS

THIS PLAT WAS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF ELBERT COUNTY, COLORADO, ON THE _____ DAY OF _____, 20 _____, A.D.

CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

TITLE VERIFICATION

WE, _____, A QUALIFIED TITLE INSURANCE COMPANY, DO HEREBY CERTIFY THAT WE HAVE EXAMINED THE TITLE OF ALL LANDS PLATTED HEREON AND THAT TITLE TO SUCH LANDS IS IN THE DEDICATOR FREE AND CLEAR OF ALL LIENS, TAXES AND ENCUMBRANCES.

_____ (BY)_____, AS _____.
(DATE) (OF) _____

COMMUNITY & DEVELOPMENT SERVICES

THIS PLAT IS APPROVED BY THE ELBERT COUNTY COMMUNITY & DEVELOPMENT SERVICES THIS _____ DAY OF _____, 20 _____, A.D.

DIRECTOR COMMUNITY & DEVELOPMENT SERVICES

CERTIFICATE OF SURVEY

I, ELIJAH FRANE, REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY OF "ATKINSON MINOR RESIDENTIAL DEVELOPMENT" WAS MADE UNDER MY DIRECT SUPERVISION AND THE ACCOMPANYING PLAT ACCURATELY AND PROPERLY SHOWS SAID SUBDIVISION

ELIJAH FRANE, COLORADO
PLS #38376
FOR AND ON BEHALF OF
FRANE SURVEYING INC.

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO)
)SS
COUNTY OF ELBERT)

I HEREBY CERTIFY THAT THIS PLAT WAS FILED IN MY OFFICE THIS ____ DAY OF _____, 20____, A.D., AT _____ O'CLOCK __.M., AND WAS RECORDED PER RECEPTION NO. _____, BOOK _____, PAGE _____.

DALLAS SCHROEDER
COUNTY CLERK AND RECORDER

N

0 100 200 300
SCALE: 1" = 100'

LEGEND

- PARCEL BOUNDARY
- BUILDING SETBACKS
- RIGHT-OF-WAY
- UTILITY EASEMENT
- PL — OVERHEAD POWER LINE
- x — FENCE LINE
- SET 5/8"x18"REBAR W/ PLASTIC CAP LS# 38376
- FOUND ALUM MONUMENT

DATE:	REVISIONS:
03/13/18	1ST COMMENTS
04/05/18	2ND COMMENTS
04/30/18	3RD COMMENTS

FRANE SURVEYING INC.
303-243-0037
P.O. BOX 2372
ELIZABETH COLORADO 80107

SCALE	DATE	DRAWN BY
1"=100'	01/06/18	ERF

TITLE: ATKINSON MINOR RESIDENTIAL DEV.
PART OF SEC. 20, T9S, R64W, 6TH P.M.
ELBERT COUNTY, STATE OF COLORADO

CLIENT: DALE AND JULIE ATKINSON

SHEET 1 OF 1

JOB NUMBER 17-165-MD

COUNTY OF ELBERT

COMMUNITY & DEVELOPMENT SERVICES OFFICE
P.O. BOX 7
215 COMANCHE STREET
KIOWA, COLORADO 80117
303-621-3136 FAX: 303-621-3165

SECTION 3:
Rezone Exhibit

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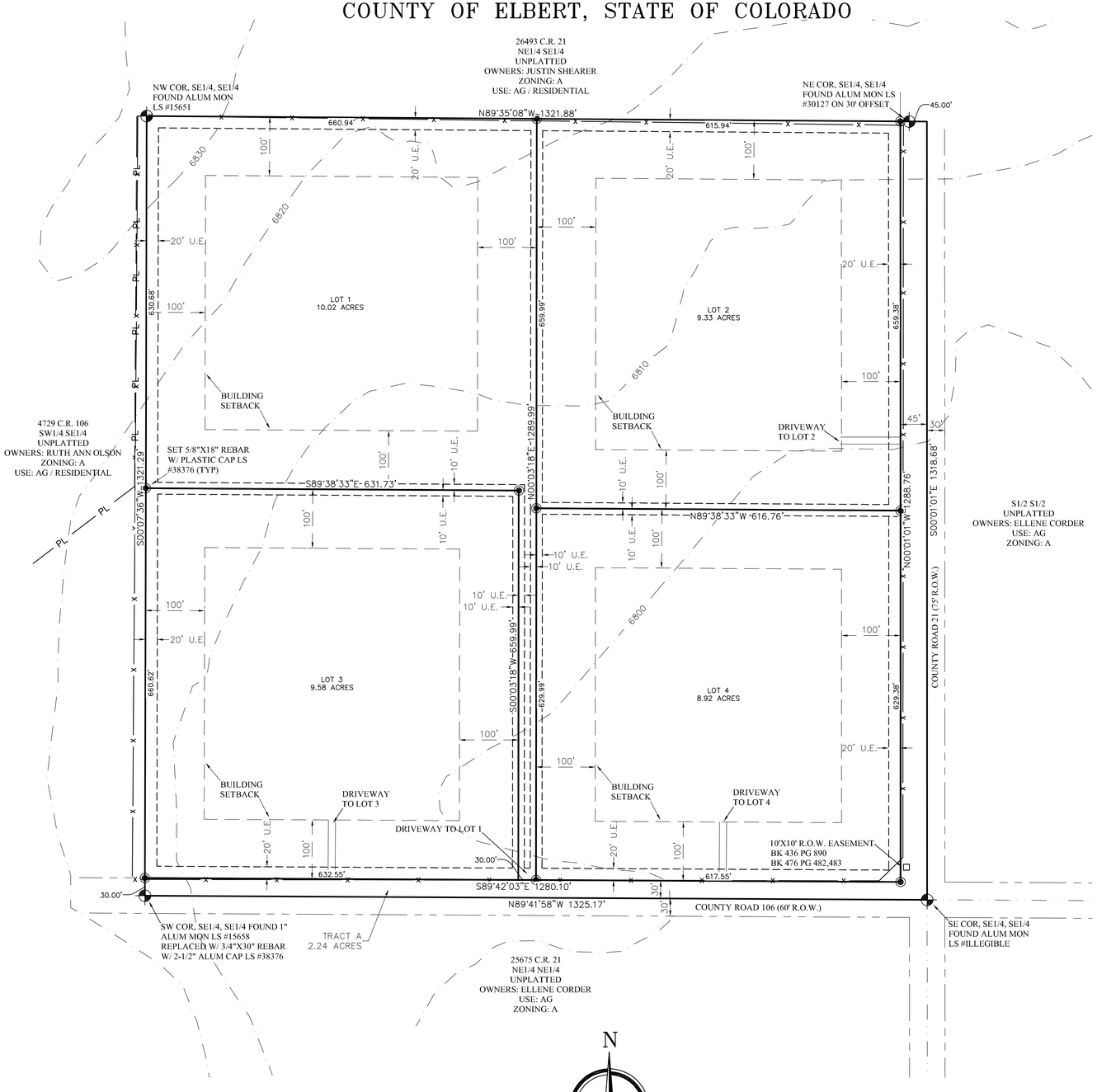
CASE NO: RZ-17-0045

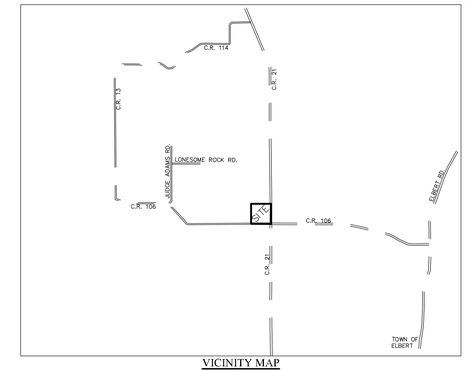
ATKINSON REZONE EXHIBIT

PART OF SECTION 20, T. 9 S, R. 64 W, 6TH P.M.
COUNTY OF ELBERT, STATE OF COLORADO

LEGEND

- PARCEL BOUNDARY
- BUILDING SETBACKS
- RIGHT-OF-WAY
- UTILITY EASEMENT
- PL — OVERHEAD POWER LINE
- x — FENCE LINE
- SET 5/8"x18"REBAR W/ PLASTIC CAP LS# 38376
- FOUND ALUM MONUMENT





VICINITY MAP
N.T.S.

PROPERTY DESCRIPTION

THE SE 1/4 OF THE SE 1/4 OF SECTION 20, TOWNSHIP 9 SOUTH, RANGE 64 WEST OF THE 6TH P.M., ELBERT COUNTY, COLORADO.

OWNERS

DALE AND JULIE ATKINSON
4702 C.R. 106
ELIZABETH, CO 80107
303-638-8390

ZONING:

EXISTING: A
PROPOSED: AR

UTILITY EASEMENT DEDICATION

THOSE PORTIONS OF REAL PROPERTY, WHICH ARE LABELED AS UTILITY EASEMENTS ON THIS PLAT, WHETHER PRIVATE OR PUBLIC, ARE HEREBY DEDICATED, FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES, INCLUDING, BUT NOT LIMITED TO ELECTRIC LINES, GAS LINES, TELEPHONE LINES, CABLE TELEVISION; TOGETHER WITH THE RIGHT TO TRIM INTERFERING TREES AND BRUSH, TOGETHER WITH A PERPETUAL RIGHT OF INGRESS AND EGRESS FOR INSTALLATION, MAINTENANCE, AND REPLACEMENT OF SUCH LINES; SAID EASEMENTS AND RIGHT TO BE UTILIZED IN A RESPONSIBLE AND PRUDENT MANNER, SUBJECT TO UTILITY PLACEMENT PERMITTING PROCEDURES FROM ELBERT COUNTY.
.

APPLICABILITY STATEMENT

EXCEPT AS EXPRESSLY PROVIDED OTHERWISE ON THIS REZONE EXHIBIT, DEVELOPMENT OF THE PROPERTY SHALL CONFORM TO THE ELBERT COUNTY ZONING REGULATIONS IN EFFECT AT THE TIME OF THE FINAL PLAT RECORDATION.

NOTES

1. BASIS OF BEARINGS: THE SOUTH LINE OF THE SE1/4 SE1/4 OF SEC 20 TO HAVE AN ASSUMED BEARING OF N89°41'58"W MONUMENTED AT THE SOUTHWEST CORNER BY A 2 1/2" ALUMINUM MONUMENT, PLS #15658 AND ON THE SOUTHEAST CORNER BY A 2 1/2" ALUMINUM MONUMENT, PLS #ILLEGIBLE.
1. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY FRANE SURVEYING TO DETERMINE OWNERSHIP OR EASEMENT OF RECORD, RIGHT OF WAY, AND TITLE OF RECORD. THIS MAP WAS PREPARED WITH THE BENEFIT OF A TITLE POLICY. COMMITMENT PREPARED BY COLORADO ESCROW AND TITLE SERVICES, LLC, DATED JANUARY 09, 2018, FILE NO. 22323CEW.
2. CONTOURS WERE DIGITIZED FROM A USGS QUAD. MAP

"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 CERTIFICATION SHOWN HEREON."

STANDARD FLEXIBILITY STATEMENT

THE GRAPHIC DRAWINGS CONTAINED WITHIN THIS REZONE EXHIBIT ARE INTENDED TO DEPICT GENERAL LOCATION AND ILLUSTRATE CONCEPTS OF THE TEXTUAL PROVISIONS OF THIS REZONE DURING THE PLATTING PROCESS THE COMMUNITY & DEVELOPMENT SERVICES DIRECTOR MAY ALLOW MINOR VARIATIONS FOR THE PURPOSE OF ESTABLISHING:

1. FINAL ROAD ALIGNMENTS
2. FINAL CONFIGURATIONS OF LOT AND TRACT SIZES AND SHAPES
3. FINAL BUILDING ENVELOPES
4. FINAL ACCESS AND PARKING LOCATIONS
5. LANDSCAPE ADJUSTMENTS

COMMUNITY AND DEVELOPMENT SERVICES

THIS REZONE EXHIBIT WAS REVIEWED AND APPROVED BY COMMUNITY AND DEVELOPMENT SERVICES ON THE _____ DAY OF _____, 20 _____, A.D.

_____
COMMUNITY AND DEVELOPMENT SERVICES DIRECTOR

PLANNING COMMISSION

THIS REZONE WAS REVIEWED BY AND RECOMMENDED FOR APPROVAL BY THE ELBERT COUNTY PLANNING COMMISSION ON THE _____ DAY OF _____, 20 _____, A.D.

_____
CHAIRMAN, PLANNING COMMISSION

BOARD OF COUNTY COMMISSIONERS

THIS REZONE WAS REVIEWED AND APPROVED BY THE ELBERT COUNTY BOARD OF COUNTY COMMISSIONERS ON THE _____ DAY OF _____, 20 _____, A.D.

_____
CHAIRMAN, BOARD OF COUNTY COMMISSIONERS

CLERK AND RECORDER'S CERTIFICATE

I HEREBY CERTIFY THAT THIS REZONE EXHIBIT WAS FILED IN MY OFFICE THIS _____ DAY OF _____, 20____, A.D., AT _____ A.M. / P.M., AND WAS RECORDED PER RECEPTION NO. _____.

_____
COUNTY CLERK AND RECORDER

OWNERS CERTIFICATE

WE, _____ AND _____, AS OWNERS OF THE LAND AFFECTED BY THIS REZONING, ACCEPT AND APPROVE ALL CONDITIONS SET FORTH HEREIN.

OWNERS_____ DATE:_____
(SIGNATURE)

_____
(NAME PRINTED)

_____ DATE:_____
(SIGNATURE)

_____
(NAME PRINTED)

NOTARY PUBLIC:

COUNTY OF _____
STATE OF _____
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20___, BY _____
BY:_____ (SIGNATURE)
_____ (NAME PRINTED)
WITNESS MY HAND AND OFFICIAL SEAL
MY COMMISSION EXPIRES: _____

DATE:	REVISIONS:
03/13/18	1ST COMMENTS
04/05/18	2ND COMMENTS
04/30/18	3RD COMMENTS

FRANE SURVEYING INC.
303-243-0037
P.O. BOX 2372
ELIZABETH COLORADO 80107

SCALE	DATE	DRAWN BY
1"=100'	01/06/18	ERF

TITLE: ATKINSON REZONE EXHIBIT
PART OF SEC. 20, T9S, R64W, 6TH P.M.
ELBERT COUNTY, STATE OF COLORADO

CLIENT: DALE AND JULIE ATKINSON

SHEET 1 OF 1

JOB NUMBER: 17-165-RZ

COUNTY OF ELBERT

COMMUNITY & DEVELOPMENT SERVICES OFFICE
P.O. BOX 7
215 COMANCHE STREET
KIOWA, COLORADO 80117
303-621-3136 FAX: 303-621-3165

SECTION 4:
Minor Residential Development Exhibit

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CASE NO. MD-17-0048

ATKINSON MINOR RESIDENTIAL DEVELOPMENT

PART OF SECTION 20, T. 9 S, R. 64 W, 6TH P.M.
COUNTY OF ELBERT, STATE OF COLORADO

OWNERSHIP AND DEDICATION STATEMENT

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, BEING THE OWNER OF THE LAND DESCRIBED BELOW, HAVING LAID OUT AND PLATTED THE SAME INTO LOTS, STREETS, AND EASEMENTS AS SHOWN HEREON UNDER THE NAME AND STYLE OF "ATKINSON MINOR RESIDENTIAL DEVELOPMENT" AND DO BY THESE PRESENTS, OF OUR OWN FREE WILL AND VOLUNTARILY WITHOUT COERCION, THREAT OR BUSINESS COMPULSION, DO HEREBY AND CONVEY RIGHTS AS INDICATED TO ALL EASEMENTS FOR THE PURPOSES SHOWN HEREON AND DO HEREBY DEDICATE AND CONVEY TO ELBERT COUNTY TRACT A FOR STREET AND ROADWAY PURPOSES.

PROPERTY DESCRIPTION

THE SE 1/4 OF THE SE 1/4 OF SECTION 20, TOWNSHIP 9 SOUTH, RANGE 64 WEST OF THE 6TH P.M., ELBERT COUNTY, COLORADO.

OWNERS

OWNER, DALE ATKINSON

COUNTY OF _____)
)
STATE OF COLORADO)

THIS INSTRUMENT WAS ACKNOWLEDGED AND SWORN BEFORE ME THIS _____ DAY OF _____, 20_____.

BY_____

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

OWNER, JULIE ATKINSON

COUNTY OF _____)
)
STATE OF COLORADO)

THIS INSTRUMENT WAS ACKNOWLEDGED AND SWORN BEFORE ME THIS _____ DAY OF _____, 20_____.

BY_____

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

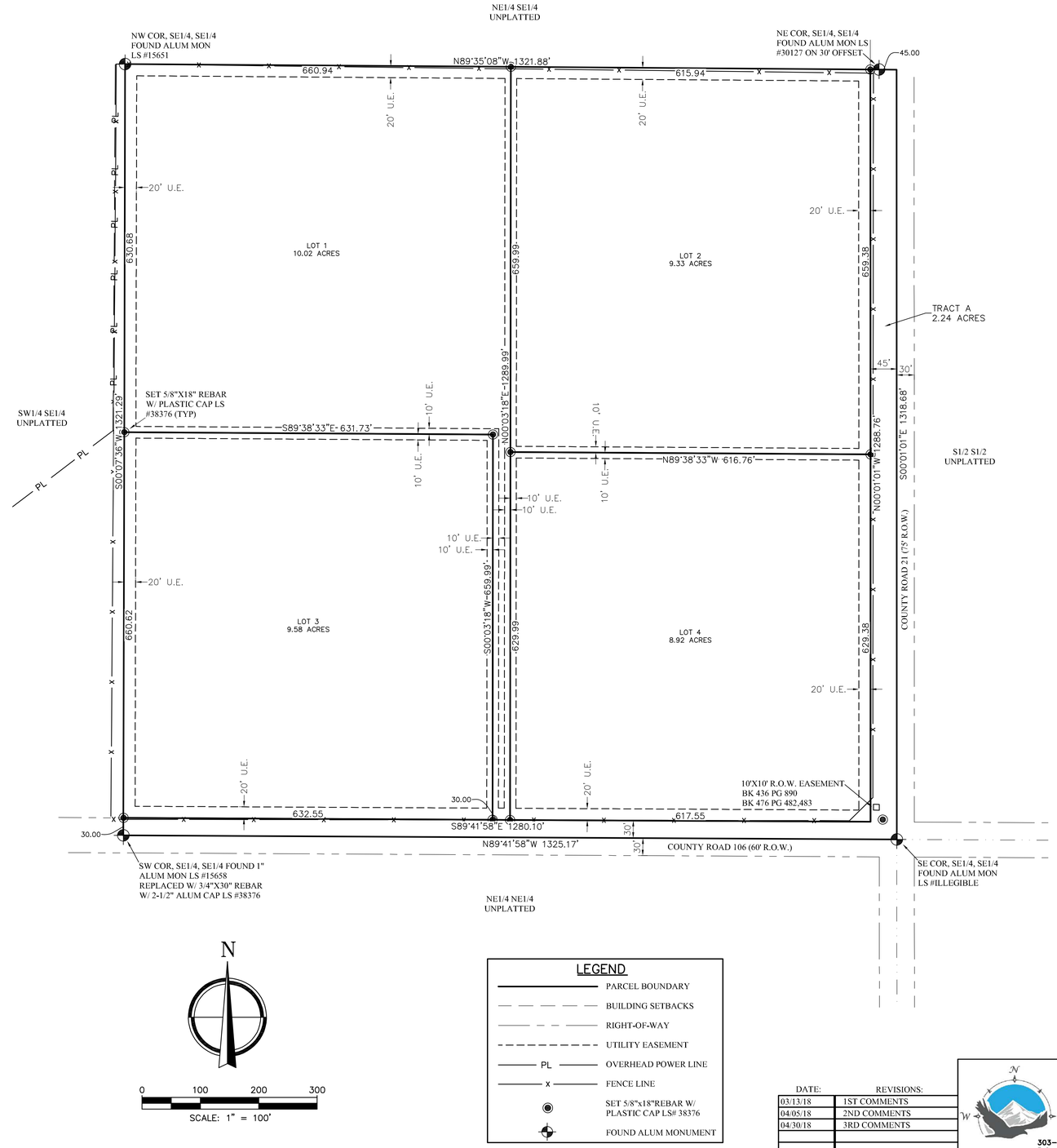
UTILITY EASEMENT ACKNOWLEDGMENT

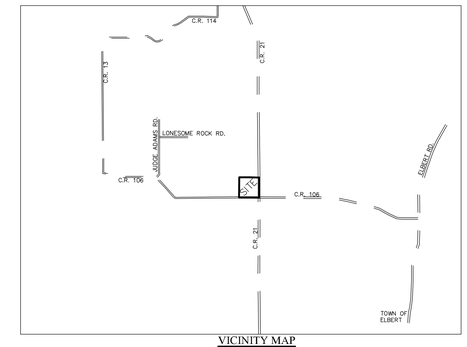
THOSE PORTIONS OF REAL PROPERTY, WHICH ARE LABELED AS UTILITY EASEMENTS ON THIS PLAT, WHETHER PRIVATE OR PUBLIC, ARE HEREBY DEDICATED, FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES, INCLUDING, BUT NOT LIMITED TO ELECTRIC LINES, GAS LINES, TELEPHONE LINES, CABLE TELEVISION; TOGETHER WITH THE RIGHT TO TRIM INTERFERING TREES AND BRUSH, TOGETHER WITH A PERPETUAL RIGHT OF INGRESS AND EGRESS FOR INSTALLATION, MAINTENANCE, AND REPLACEMENT OF SUCH LINES; SAID EASEMENTS AND RIGHT TO BE UTILIZED IN A RESPONSIBLE AND PRUDENT MANNER, SUBJECT TO UTILITY PLACEMENT PERMITTING PROCEDURES FROM ELBERT COUNTY.

NOTES

1. BASIS OF BEARINGS: THE SOUTH LINE OF THE SE1/4 SE1/4 OF SEC 20 TO HAVE AN ASSUMED BEARING OF N89°41'58"W MONUMENTED AT THE SOUTHWEST CORNER BY A 2 1/2" ALUMINUM MONUMENT, PLS #15658 AND ON THE SOUTHEAST CORNER BY A 2 1/2" ALUMINUM MONUMENT, PLS #ILLEGIBLE.
2. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY FRANE SURVEYING TO DETERMINE OWNERSHIP OR EASEMENT OF RECORD, RIGHT OF WAY, AND TITLE OF RECORD. THIS MAP WAS PREPARED WITH THE BENEFIT OF A TITLE POLICY. COMMITMENT PREPARED BY COLORADO ESCROW AND TITLE SERVICES, LLC, DATED JANUARY 09, 2018, FILE NO. 22323CEW.
3. DRAINAGE: THE HISTORICAL FLOW PATTERNS AND RUNOFF AMOUNTS WILL BE MAINTAINED ON THE SITE. ELBERT COUNT IS NOT RESPONSIBLE FOR THE MAINTENANCE OF ANY ONSITE DRAINAGE RELATED FEATURES.
4. THE LOTS SHOWN ON THIS PLAT GENERALLY FOLLOW NATURAL TERRAIN AND CONTAIN NATURAL DRAINAGE WAYS AND FLOW PATHS THAT CONVEY UPSTREAM STORM WATER RUNOFF ACROSS LOT BOUNDARIES. THEREFORE, THE OWNER OF THE UPPER LANDS HAS AN EASEMENT OVER THE LOWER LANDS FOR DRAINAGE OF SURFACE WATERS AND NATURAL DRAINAGE THROUGH THE DOWNSTREAM LOT. EXISTING DRAINAGE PATHS MAY BE ALTERED BUT SHALL PROVIDE FOR THE QUANTITY OF WATER TO PASS FROM THE UPSTREAM DRAINAGE AND NOT NEGATIVELY AFFECT DOWNSTREAM PROPERTIES.
5. TRACT A: AS SHOWN ON THIS PLAT IS HEREBY DEDICATED AS RIGHT-OF-WAY TO ELBERT COUNTY.

"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 CERTIFICATION SHOWN HEREON."





VICINITY MAP
N.T.S.

ELBERT COUNTY ENGINEERING

THIS PLAT WAS REVIEWED AND APPROVED BY THE ELBERT COUNTY ENGINEER ON THE _____ DAY OF _____, 20 _____, A.D.

ELBERT COUNTY ENGINEER

APPROVAL OF COUNTY COMMISSIONERS

THIS PLAT WAS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF ELBERT COUNTY, COLORADO, ON THE _____ DAY OF _____, 20 _____, A.D.

CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

TITLE VERIFICATION

WE, _____, A QUALIFIED TITLE INSURANCE COMPANY, DO HEREBY CERTIFY THAT WE HAVE EXAMINED THE TITLE OF ALL LANDS PLATTED HEREON AND THAT TITLE TO SUCH LANDS IS IN THE DEDICATOR FREE AND CLEAR OF ALL LIENS, TAXES AND ENCUMBRANCES.

_____ (BY)_____, AS _____.
(DATE) (OF) _____

COMMUNITY & DEVELOPMENT SERVICES

THIS PLAT IS APPROVED BY THE ELBERT COUNTY COMMUNITY & DEVELOPMENT SERVICES THIS _____ DAY OF _____, 20 _____, A.D.

DIRECTOR COMMUNITY & DEVELOPMENT SERVICES

CERTIFICATE OF SURVEY

I, ELIJAH FRANE, REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY OF "ATKINSON MINOR RESIDENTIAL DEVELOPMENT" WAS MADE UNDER MY DIRECT SUPERVISION AND THE ACCOMPANYING PLAT ACCURATELY AND PROPERLY SHOWS SAID SUBDIVISION

ELIJAH FRANE, COLORADO
PLS #38376
FOR AND ON BEHALF OF
FRANE SURVEYING INC.

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO)
)SS
COUNTY OF ELBERT)

I HEREBY CERTIFY THAT THIS PLAT WAS FILED IN MY OFFICE THIS ____ DAY OF _____, 20____, A.D., AT _____ O'CLOCK __.M., AND WAS RECORDED PER RECEPTION NO. _____, BOOK _____, PAGE _____.

DALLAS SCHROEDER
COUNTY CLERK AND RECORDER

N

0 100 200 300
SCALE: 1" = 100'

LEGEND

- PARCEL BOUNDARY
- BUILDING SETBACKS
- RIGHT-OF-WAY
- UTILITY EASEMENT
- PL — OVERHEAD POWER LINE
- x — FENCE LINE
- SET 5/8"x18"REBAR W/ PLASTIC CAP LS# 38376
- FOUND ALUM MONUMENT

DATE:	REVISIONS:
03/13/18	1ST COMMENTS
04/05/18	2ND COMMENTS
04/30/18	3RD COMMENTS

FRANE SURVEYING INC.
303-243-0037
P.O. BOX 2372
ELIZABETH COLORADO 80107

SCALE	DATE	DRAWN BY
1"=100'	01/06/18	ERF

TITLE: ATKINSON MINOR RESIDENTIAL DEV.
PART OF SEC. 20, T9S, R64W, 6TH P.M.
ELBERT COUNTY, STATE OF COLORADO

CLIENT: DALE AND JULIE ATKINSON

SHEET 1 OF 1

JOB NUMBER 17-165-MD

COUNTY OF ELBERT

COMMUNITY & DEVELOPMENT SERVICES OFFICE
P.O. BOX 7
215 COMANCHE STREET
KIOWA, COLORADO 80117
303-621-3136 FAX: 303-621-3165

SECTION 5:
Referral Comments

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COUNTY OF ELBERT

COMMUNITY AND DEVELOPMENT SERVICES DEPARTMENT
P.O. BOX 7
215 COMANCHE STREET
KIOWA, COLORADO 80117
303-621-3136 FAX: 303-621-3165

APPLICATION COMMENTS

Review Date: Feb 14, 2018
CDS Review Staff: Jaxon Fagan, Cory Miller
Name of Application: Atkinson Rezoning and Minor Development
Applicant: Julie Atkinson & Dale Atkinson
Applicant's Representative: Thomas Maroney
Address of proposal: 25676 CR 106

On January 30, 2018, Thomas Maroney submitted rezoning and minor residential development applications. The rezoning would change the zoning from the Agriculture (A) Zone District to the Agricultural Residential (AR) Zone District. The minor development would plat 4 approximately 10 acre lots. The application was reviewed for completeness and sent to internal and external referral agencies for review. The following comment letters are attached.

- Mountain View Electric Association
- Elbert Fire Protection District
- CenturyLink
- Elbert School District
- Elbert County Public Works
- Elbert County Health & Human Services
- Elbert County Building
- Elbert County Community and Development Services

NEXT STEPS
Please consider the attached comments and resubmit revised documents addressing all comments, including a cover letter describing the revisions.

Sincerely,

Jaxon Fagan
Baseline Corporation
o/b/o Elbert County Community Development Services

CC: Vince Harris, Baseline

A Member Owned Utility

MOUNTAIN VIEW ELECTRIC ASSOCIATION, INC.

Your Touchstone Energy® Cooperative

February 6, 2018

County of Elbert, Planning Dept.
P.O. Box 7
Kiowa, CO 80117

To Whom It May Concern:

Mountain View Electric Association, Inc. (MVEA) has these comments about the following:

> **Project Name: Atkinson Minor Development**
> **Description:** Dale and Julie Atkinson are requesting approval to rezone of 40 acre parcel from A to AR. The request is also to subdivide the 40 acres into four (4) residential lots. This parcel is located north of County Road 106 and west of County Road 21 in Section 20, Township 9 South, Range 64 West.

This area is within MVEA certificated service area. MVEA will serve this area according to our extension policy. Information concerning connection requirements, fees and upgrades under MVEA line extension policy can be obtained by contacting the Engineering Department of MVEA.

MVEA requests a ten (10) foot interior lot line utility easement along with a twenty (20) foot exterior development easement on the plat. If open space or tracts are designed in this development MVEA requests these areas be listed to include utilities. Additional easements may be required once a review of civil drawings with grading and erosion plan is provided to MVEA in order to serve

MVEA has existing facilities near this parcel of land. If there is any removal or relocation of facilities it will be at the expense of the applicant.

If additional information is required, please contact our office at (719) 495-2283.

Sincerely,

Cathy Hansen-Lee

Cathy Hansen-Lee
Engineering Administrative Assistant

This association is an equal opportunity provider and employer.

Limon 719-775-2861 • Falcon 719-495-2283 • 1-800-388-9881 • www.mvea.coop

P.O. Box 1600 • Limon, Colorado 80828-1600 • 11140 E. Woodmen Road • Falcon, Colorado 80831

Jaxon Fagan

From: Brooks Kaufman <BKaufman@Irea.Coop>
Sent: Thursday, February 01, 2018 10:07 AM
To: Jaxon Fagan
Subject: RE: Elbert County Land Use Referral: Atkinson Rezone and Minor Residential Development - Referral Period Ends February 13

We have received the above-referenced referral request. We have reviewed our records, and find that this property is not in our service territory.

Brooks Kaufman
Lands and Rights of Way Director
5496 N. US Hwy 85
Sedalia, CO 80123
Direct : 720.733.5493
Cell : 303.912.0765
bkaufman@irea.coop

From: Jaxon Fagan [mailto:jaxon.fagan@baselinecorp.com]
Sent: Tuesday, January 30, 2018 5:04 PM
To: Vince Harris
Subject: Elbert County Land Use Referral: Atkinson Rezone and Minor Residential Development - Referral Period Ends February 13

CAUTION:

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

On behalf of the Elbert County Community & Development Services Department, I am sending you a revised application for a 4 lot single family residential subdivision for your review and comment. The referral period is open until 5 pm on February 13, 2018. Please respond using the attached referral comment form if you wish to comment on the project. You can download the referral packet at this Dropbox link: ***https://www.dropbox.com/sh/jakunwsuahg2lv6/AABO_CnvPZnoD77ViS0Vs9IQa?dl=0***

Thank you,

JAXON FAGAN | Associate Planner | Baseline Engineering, Planning, & Surveying | 1950 Ford Street | Golden, CO 80401 | Phone: 303.202.5010x219 | Fax: 303.940.9959 | | www.baselinecorp.com | blog.baselinecorp.com

COUNTY OF ELBERT

COMMUNITY & DEVELOPMENT SERVICE DEPARTMENT
P.O. BOX 7
215 COMANCHE STREET
KIOWA, COLORADO 80117
303-621-3136 FAX: 303-621-3165

REFERRAL REQUEST

DATE: 1/30/2018 **COMMENTS DUE BY:** 2/13/2018

RE: PROJECT NAME: Atkinson RZ & MRD

PROJECT NUMBER: RZ-17-0047 & MD-17-0048

PROJECT TYPE: Rezone and Minor Residential Development

Dear Referral Organization:

Information on the proposal in Elbert County referenced above is enclosed for your review and comments. Please check one of the following:

☐ We have no objections to this proposal.

☐ Please note the following concerns this organization has with this proposal:

☒ See the attached letter for detailed comments regarding this proposal.

Date: 2/9/2018

Agency Name: Elbert School Dist #200

Your name (**Please Print Clearly**): Bev McGuire

Signature: Bev McGuire

We invite you to attend the meeting/hearing, if you wish, to express your specific comments/concerns regarding this project. Hearing dates may be obtained by calling the Elbert County Planning Department at 303-621-3136. If you are unable to submit written comments by the above date or need additional materials of information, please contact this office as soon as possible.

Please note that the Planning Department considers failure to respond as approval of the proposal by all identified agencies. This consideration is based upon the language in the Colorado Revised Statues 30-28-136(2).

Sincerely,

Project Planner

ELBERT SCHOOL DISTRICT 200

February 9, 2018

To: Elbert County Planning Department
FROM: Bev McGuire, Elbert School District 200 Bev McGuire

This is an attachment expressing the School District concerns of the proposed Atkinson RZ & MRD.

1) The plan indicates that each lot will access County Road's 106 and 17-21 with individual driveways. We request one access should serve all four lots (possibly a road up the middle with a cul-de-sac in the interior center and road to serve all four lots running south off the cul-de-sac to CO RD 106. The intersection of County Road 106 and 17-21 is becoming too busy to have two new driveways on each road, especially as close together as these driveways could be to the intersection of 106 and 17-21 (which is a road with a speed limit of 55 miles an hour). Our school buses will serve potential new students within this development and one access point off of Co Rd 106 make sense and is the safest alternative for all individuals, school buses, students and regular everyday traffic traveling in the area.
2) The School District will ask that the cash in lieu of $1040.00 per newly created lot be a condition of approval which would be a total of $3120.00 paid to the school district for the impact of the three new lots upon any approvals granted by the county. I called to see if the $1040.00 is still the amount now days. Looking at our records we have not had a development in a while and $1040.00 per lot is what the district received on the last development with our school district.
3) Is there like-size development in the area at this time? It appears all surrounding zoning is still agriculture. Hopefully whatever the Master Plan recommends will be considered.

P.O. BOX 38 • ELBERT, COLORADO 80106 • (303) 648-3030 • FAX (303) 648-3652

COUNTY OF ELBERT

COMMUNITY & DEVELOPMENT SERVICE DEPARTMENT
P.O. BOX 7
215 COMANCHE STREET
KIOWA, COLORADO 80117
303-621-3136 FAX: 303-621-3165

REFERRAL REQUEST

DATE: 1/30/2018 **COMMENTS DUE BY:** 2/13/2018

RE: PROJECT NAME: Atkinson RZ & MRD

PROJECT NUMBER: RZ-17-0047 & MD-17-0048

PROJECT TYPE: Rezone and Minor Residential Development

Dear Referral Organization:

Information on the proposal in Elbert County referenced above is enclosed for your review and comments. Please check one of the following:

[X] We have no objections to this proposal.

[ ] Please note the following concerns this organization has with this proposal:

[ ] See the attached letter for detailed comments regarding this proposal.

Date: 2/12/2018

Agency Name: Elbert Fire Protection District

Your name (**Please Print Clearly**): Alexyss Papi Fire Marshal

Signature: Alexyss Papi

We invite you to attend the meeting/hearing, if you wish, to express your specific comments/concerns regarding this project. Hearing dates may be obtained by calling the Elbert County Planning Department at 303-621-3136. If you are unable to submit written comments by the above date or need additional materials of information, please contact this office as soon as possible.

Please note that the Planning Department considers failure to respond as approval of the proposal by all identified agencies. This consideration is based upon the language in the Colorado Revised Statues 30-28-136(2).

Sincerely,

Project Planner

COUNTY OF ELBERT

COMMUNITY & DEVELOPMENT SERVICE DEPARTMENT
P.O. BOX 7
215 COMANCHE STREET
KIOWA, COLORADO 80117
303-621-3136 FAX: 303-621-3165

REFERRAL REQUEST

DATE: 1/30/2018 **COMMENTS DUE BY:** 2/13/2018

RE: PROJECT NAME: Atkinson RZ & MRD

PROJECT NUMBER: RZ-17-0047 & MD-17-0048

PROJECT TYPE: Rezone and Minor Residential Development

Dear Referral Organization:

Information on the proposal in Elbert County referenced above is enclosed for your review and comments. Please check one of the following:

- [✓] We have no objections to this proposal.
- [ ] Please note the following concerns this organization has with this proposal:
  No problems as the lots are minimum 10 acres
  Elbert County Dept of Health and Human Services approved.
- [ ] See the attached letter for detailed comments regarding this proposal.

Date: February 6, 2018

Agency Name: ECHHS

Your name (**Please Print Clearly**): Gary L. Hartzell

Signature:

We invite you to attend the meeting/hearing, if you wish, to express your specific comments/concerns regarding this project. Hearing dates may be obtained by calling the Elbert County Planning Department at 303-621-3136. If you are unable to submit written comments by the above date or need additional materials of information, please contact this office as soon as possible.

Please note that the Planning Department considers failure to respond as approval of the proposal by all identified agencies. This consideration is based upon the language in the Colorado Revised Statues 30-28-136(2).

Sincerely,

Project Planner

1529 Market Street, Suite 200
Denver, CO 80202
720•473•3131
sean.ohearn@enertiacg.com

February 6, 2018

Mr. Rory Hale, Director
Elbert County Department of Public Works
215 Comanche Street
Kiowa, Co 80117

RE: Elbert County DPW and Engineering Comments
Atkinson Rezone and Minor Residential Development Application

Dear Mr. Hale:

On behalf of the Elbert County Department of Public Works (DPW), Enertia Consulting Group has reviewed the Atkinson rezone and minor subdivision application. Specifically, the following documents included in the application were reviewed:

- Narrative
- Title Commitment dated Jan 9, 2018
- Rezone Exhibit dated Jan 6, 2018
- Final Plat dated Jan 6, 2018
- Revised Water Supply Letter dated Nov 27, 2017.

Our comments on each of the above-listed documents as well as our general comments are as follows:

Narrative – No Comment

Title Commitment

1. There are several mineral rights owners identified in the B-2 exceptions. Has notice of the rezone and subdivision application been provided to mineral rights owners (or successors/assigns)?

Rezone Exhibit

1. Are the "terms, agreements, provisions, conditions and obligations" referred to in numbers 15-18 of the B-2 exceptions relevant to the rezone exhibit? If so, please include the locations of the right-of way easements identified in B-2 exception No. 15-18 on the exhibit.

2. The eastern and southern boundaries of the property to be subdivided are along section lines. CR 17-21 and CR 106 are within prescriptive easements and not dedicated right-of-way. In order to subdivide the property, 45' of right-of-way along CR 17-21 (to accommodate a 2-lane collector, per the West Elbert County Transportation Master Plan) and 30' of right-of-way along CR 106 need to be dedicated as part of the rezone and platting process. Revise the rezone exhibit to reflect this requirement.

Plat

1. Modify plat to reflect rezone exhibit comments.

Revised Water Supply Letter – No Comment.

General Comments

1. Driveway locations along CR 17-21 and CR 106 will have to meet Elbert County separation criteria.

We trust that our comments on the Atkinson rezone and minor subdivision application are acceptable and complete. Please contact me should you have any questions.

Sincerely,
ENERTIA CONSULTING GROUP

J. Sean O'Hearn, PE
Managing Partner

ATKINSON MINOR RESIDENTIAL DEVELOPMENT

PART OF SECTION 20, T. 9 S, R. 64 W, 6TH P.M.
COUNTY OF ELBERT, STATE OF COLORADO

OWNERSHIP AND DEDICATION STATEMENT:

~~DEDICATION STATEMENT~~

KNOWN ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, BEING THE OWNER OF THE LAND DESCRIBED BELOW, HAVING LAID OUT AND PLATTED THE SAME INTO LOTS, STREETS, AND EASEMENTS AS SHOWN HEREON UNDER THE NAME AND STYLE OF "ATKINSON MINOR RESIDENTIAL DEVELOPMENT" AND DO BY THESE PRESENTS, OF OUR OWN FREE WILL AND VOLUNTARILY WITHOUT COERCION, THREAT OR BUSINESS COMPULSION, DO HEREBY AND CONVEY RIGHTS AS INDICATED TO ALL EASEMENTS FOR THE PURPOSES SHOWN HEREON.

PLEASE PROVIDE OVERALL BOUNDARY AND LOT CLOSURE SHEETS

PROPERTY DESCRIPTION

THE SE 1/4 OF THE SE 1/4 OF SECTION 20, TOWNSHIP 9 SOUTH, RANGE 64 WEST OF THE 6TH P.M., ELBERT
COUNTY, COLORADO,

EXCEPT OUT RIGHT-OF-WAY

OWNERS

OWNER, DALE ATKINSON

COUNTY OF _____)
)
STATE OF COLORADO)

THIS INSTRUMENT WAS ACKNOWLEDGED AND SWORN BEFORE ME THIS _____
DAY OF _____, 20_____.

BY_____

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

OWNER, JULIE ATKINSON

COUNTY OF _____)
)
STATE OF COLORADO)

THIS INSTRUMENT WAS ACKNOWLEDGED AND SWORN BEFORE ME THIS _____
DAY OF _____, 20_____.

BY_____

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

DEED OF TRUST HOLDER, (BANK NAME)
COUNTY OF _____)
)
STATE OF COLORADO)

THIS INSTRUMENT WAS ACKNOWLEDGED AND SWORN BEFORE ME THIS _____
DAY OF _____, 20_____.

BY_____

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

UTILITY EASEMENT ACKNOWLEDGMENT
THOSE PORTIONS OF REAL PROPERTY, WHICH ARE LABELED AS UTILITY EASEMENTS ON THIS PLAT, WHETHER PRIVATE OR PUBLIC, ARE HEREBY DEDICATED, FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES, INCLUDING, BUT NOT LINTITED TO ELECTRIC LINES, GAS LINES, TELEPHONE LINES, CABLE TELEVISION; TOGETHER WITH THE RIGHT TO TRIM INTERFERING TREES AND BRUSH, TOGETHER WITH A PERPETUAL RIGHT OF INGRESS AND EGRESS FOR INSTALLATION, MAINTENANCE, AND REPLACEMENT OF SUCH LINES; SAID EASEMENTS AND RIGHT TO BE UTILIZED IN A RESPONSIBLE AND PRUDENT MANNER, SUBJECT TO UTILITY PLACEMENT PERMITTING PROCEDURES FROM ELBERT COUNTY.

UTILITY EASEMENT ACKNOWLEDGMENT

THOSE PORTIONS OF REAL PROPERTY, WHICH ARE LABELED AS UTILITY EASEMENTS ON THIS PLAT, WHETHER PRIVATE OF PUBLIC, ARE HEREBY DEDICATED, FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES, INCLUDING BUT NOT LIMITED TO ELECTRIC LINES, GAS LINES, TELEPHONE LINES, CABLE TELEVISION; TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF SUCH LINES; SAID EASEMENTS AND RIGHT TO BE UTILIZED IN A RESPONSIBLE MANNER, SUBJECT TO UTILITY PLACEMENT PERMITTING PROCEDURES FROM ELBERT COUNTY

REPLACE

NOTES

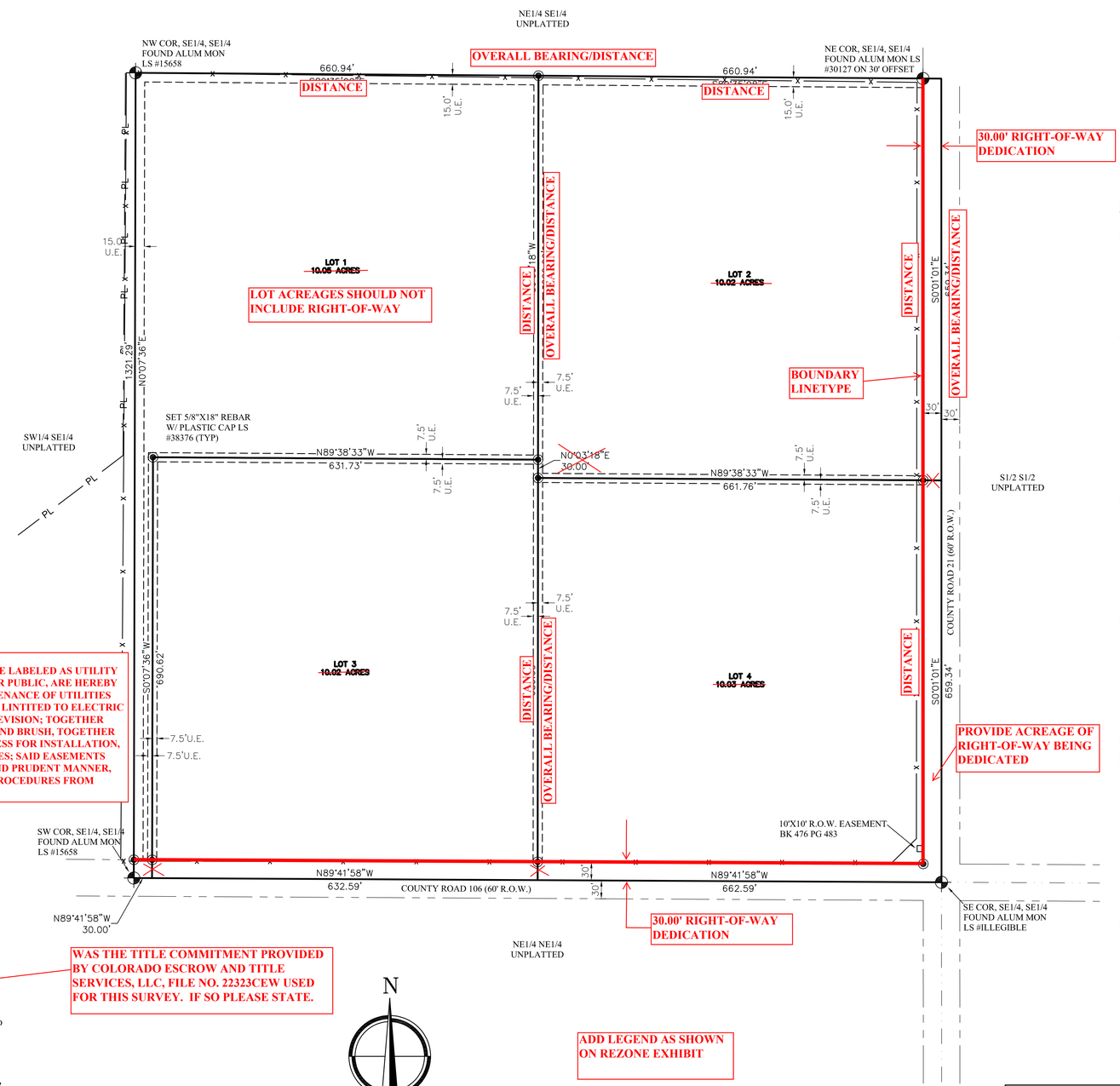
1. BASIS OF BEARINGS: THE SOUTH LINE OF THE SE1/4 SE1/4 OF SEC 20 TO HAVE AN ASSUMED BEARING OF N89°41'58"W AND MONUMENTED AS SHOWN HEREON.
2. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY FRANE SURVEYING TO DETERMINE OWNERSHIP OR EASEMENT OF RECORD, RIGHT OF WAY, AND TITLE OF RECORD. THIS MAP WAS PREPARED WITHOUT THE BENEFIT OF A TITLE POLICY.
3. DRAINAGE: THE HISTORICAL FLOW PATTERNS AND RUNOFF AMOUNTS WILL BE MAINTAINED ON THE SITE. ELBERT COUNT IS NOT RESPONSIBLE FOR THE MAINTENANCE OF ANY ONSITE DRAINAGE RELATED FEATURES.
4. THE LOTS SHOWN ON THIS PLAT GENERALLY FOLLOW NATURAL TERRAIN AND CONTAIN NATURAL DRAINAGE WAYS AND FLOW PATHS THAT CONVEY UPSTREAM STORM WATER RUNOFF ACROSS LOT BOUNDARIES. THEREFORE, THE OWNER OF THE UPPER LANDS HAS AN EASEMENT OVER THE LOWER LANDS FOR DRAINAGE OF SURFACE WATERS AND NATURAL DRAINAGE THROUGH THE DOWNSTREAM LOT. EXISTING DRAINAGE PATHS MAY BE ALTERED BUT SHALL PROVIDE FOR THE QUANTITY OF WATER TO PASS FROM THE UPSTREAM DRAINAGE AND NOT NEGATIVELY AFFECT DOWNSTREAM PROPERTIES.

DESCRIBE MONUMENTS

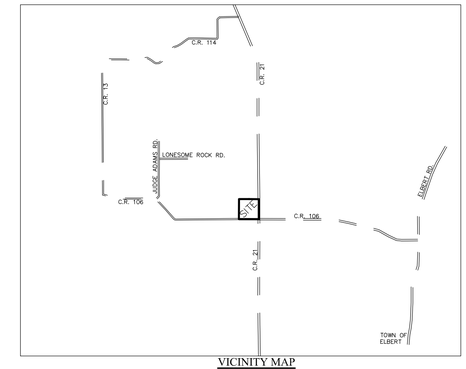
WAS THE TITLE COMMITMENT PROVIDED BY COLORADO ESCROW AND TITLE SERVICES, LLC, FILE NO. 22323CEW USED FOR THIS SURVEY. IF SO PLEASE STATE.

5. ADD RIGHT-OF-WAY DEDICATION STATEMENT

"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 CERTIFICATION SHOWN HEREON."



ADD LEGEND AS SHOWN ON REZONE EXHIBIT



VICINITY MAP
N.T.S.

ELBERT COUNTY ENGINEERING

THIS PLAT WAS REVIEWED AND APPROVED BY THE ELBERT COUNTY ENGINEER ON THE _____
DAY OF _____, 20 _____, A.D.

ELBERT COUNTY ENGINEER

APPROVAL OF COUNTY COMMISSIONERS

THIS PLAT WAS ~~REVIEWED AND~~ APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF ELBERT COUNTY, COLORADO, ON THE _____ DAY OF _____, 20 _____, A.D.

CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

TITLE VERIFICATION

WE, _____, A QUALIFIED TITLE INSURANCE COMPANY, DO HEREBY CERTIFY THAT WE HAVE EXAMINED THE TITLE OF ALL LANDS PLATTED HEREON AND THAT TITLE TO SUCH LANDS IS IN THE DEDICATOR FREE AND CLEAR OF ALL LIENS, TAXES AND ENCUMBRANCES.

_____ (BY)_____, AS _____.
(DATE) (OF) _____

COMMUNITY & DEVELOPMENT SERVICES

THIS PLAT IS APPROVED BY THE ELBERT COUNTY COMMUNITY & DEVELOPMENT SERVICES THIS _____ DAY OF _____, 20 _____, A.D.

_____ DIRECTOR COMMUNITY & DEVELOPMENT SERVICES

CERTIFICATE OF SURVEY

I, ELIJAH FRANE, REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY OF "ATKINSON MINOR RESIDENTIAL DEVELOPMENT" WAS MADE UNDER MY DIRECT SUPERVISION AND THE ACCOMPANYING PLAT ACCURATELY AND PROPERLY SHOWS SAID SUBDIVISION

ELIJAH FRANE, COLORADO
PLS #38376
FOR AND ON BEHALF OF
FRANE SURVEYING INC.

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO)
)SS
COUNTY OF ELBERT)

I HEREBY CERTIFY THAT THIS PLAT WAS FILED IN MY OFFICE THIS _____ DAY OF _____, 20____, A.D., AT _____ O'CLOCK ___M., AND WAS RECORDED PER RECEPTION NO. _____, BOOK _____, PAGE _____.

DALLAS SCHROEDER _____
COUNTY CLERK AND RECORDER

DATE:	REVISIONS:

FRANE SURVEYING INC.
303-243-0037
P.O. BOX 2372
ELIZABETH COLORADO 80107

SCALE	DATE	DRAWN BY
1"=100'	01/06/18	ERF

TITLE
ATKINSON MINOR RESIDENTIAL DEV.
PART OF SEC. 20, T9S, R64W, 6TH P.M.
ELBERT COUNTY, STATE OF COLORADO

CLIENT
DALE AND JULIE ATKINSON

SHEET 1 OF 1

JOB NUMBER
17-165-MD

CASE NO:

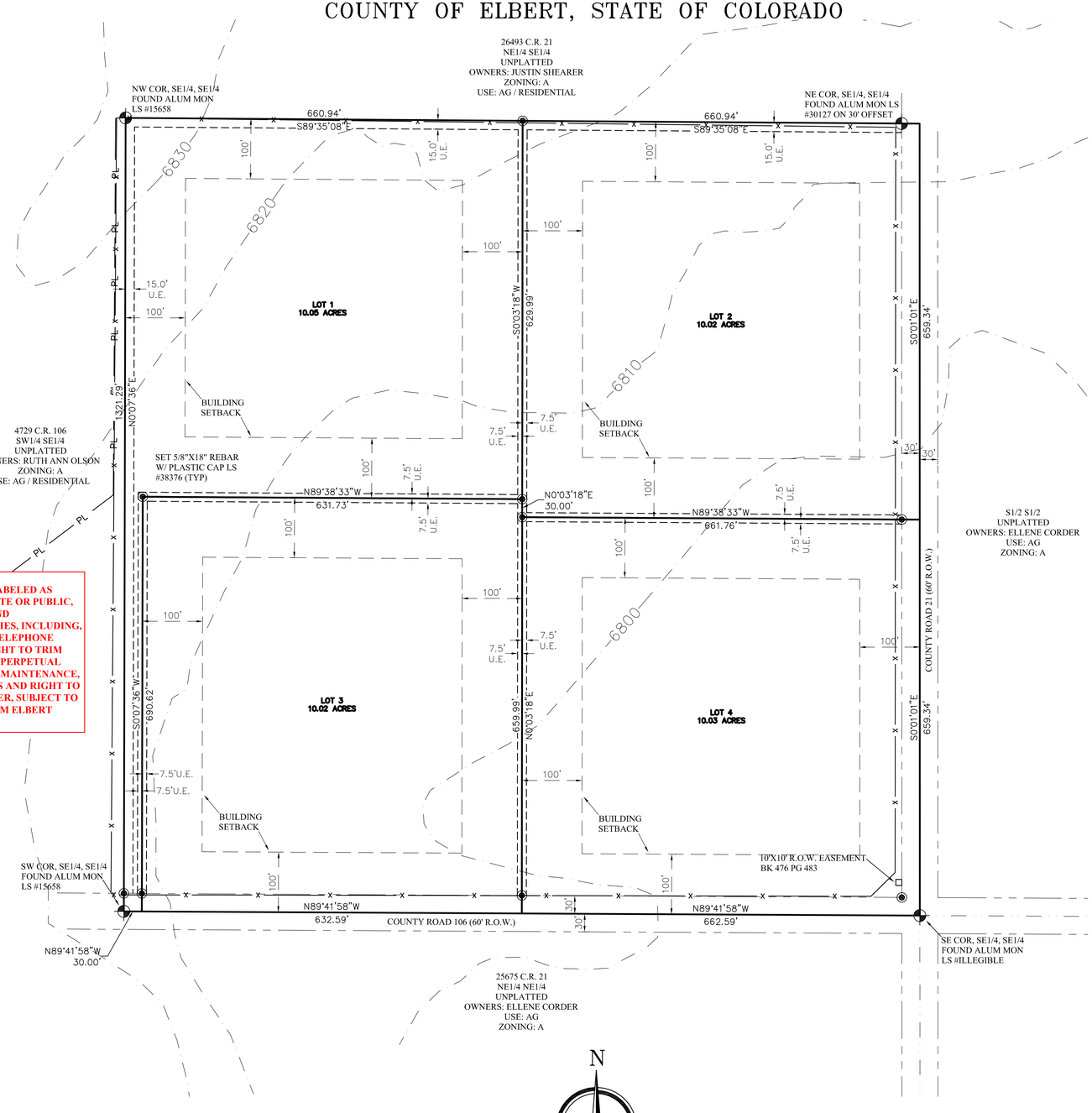
ATKINSON REZONE EXHIBIT

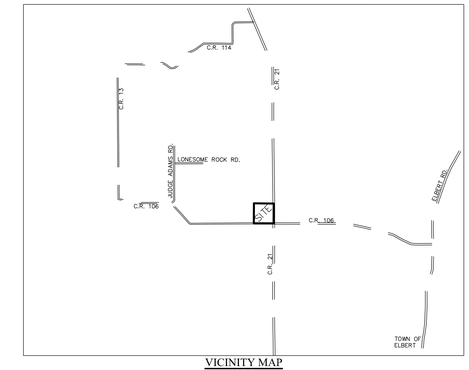
PART OF SECTION 20, T. 9 S, R. 64 W, 6TH P.M.
COUNTY OF ELBERT, STATE OF COLORADO

PLEASE REVISE WITH ALL APPLICABLE PLAT COMMENTS

LEGEND

- PARCEL BOUNDARY
- BUILDING SETBACKS
- RIGHT-OF-WAY
- UTILITY EASEMENT
- PL — OVERHEAD POWER LINE
- SET 5/8"x18"REBAR W/ PLASTIC CAP LS# 38376
- FOUND ALUM MONUMENT





VICINITY MAP
N.T.S.

PROPERTY DESCRIPTION

THE SE 1/4 OF THE SE 1/4 OF SECTION 20, TOWNSHIP 9 SOUTH, RANGE 64 WEST OF THE 6TH P.M., ELBERT COUNTY, COLORADO.

OWNERS

DALE AND JULIE ATKINSON
4702 C.R. 106
ELIZABETH, CO 80107

ZONING:

EXISTING: A
PROPOSED: A-2

UTILITY EASEMENT ACKNOWLEDGMENT
THOSE PORTIONS OF REAL PROPERTY, WHICH ARE LABELED AS UTILITY EASEMENTS ON THIS PLAT, WHETHER PRIVATE OR PUBLIC, ARE HEREBY DEDICATED, FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES, INCLUDING, BUT NOT LINTITED TO ELECTRIC LINES, GAS LINES, TELEPHONE LINES, CABLE TELEVISION; TOGETHER WITH THE RIGHT TO TRIM INTERFERING TREES AND BRUSH, TOGETHER WITH A PERPETUAL RIGHT OF INGRESS AND EGRESS FOR INSTALLATION, MAINTENANCE, AND REPLACEMENT OF SUCH LINES; SAID EASEMENTS AND RIGHT TO BE UTILIZED IN A RESPONSIBLE AND PRUDENT MANNER, SUBJECT TO UTILITY PLACEMENT PERMITTING PROCEDURES FROM ELBERT COUNTY.

UTILITY EASEMENT DEDICATION

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REPLACE

APPLICABILITY STATEMENT

EXCEPT AS EXPRESSLY PROVIDED OTHERWISE ON THIS REZONE EXHIBIT, DEVELOPMENT OF THE PROPERTY SHALL CONFORM TO THE ELBERT COUNTY ZONING REGULATIONS IN EFFECT AT THE TIME OF THE FINAL PLAT RECORDATION.

NOTES

1. BASIS OF BEARINGS: THE SOUTH LINE OF THE SE1/4 SE1/4 OF SEC 20 TO HAVE AN ASSUMED BEARING OF N89°41'58"W AND MONUMENTED AS SHOWN HEREON.
2. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY FRANE SURVEYING TO DETERMINE OWNERSHIP OR EASEMENT OF RECORD, RIGHT OF WAY, AND TITLE OF RECORD. THIS MAP WAS PREPARED WITHOUT THE BENEFIT OF A TITLE POLICY.
3. CONTOURS WERE DIGITIZED FROM A USGS QUAD. MAP

"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 CERTIFICATION SHOWN HEREON."

STANDARD FLEXIBILITY STATEMENT

THE GRAPHIC DRAWINGS CONTAINED WITHIN THIS REZONE EXHIBIT ARE INTENDED TO DEPICT GENERAL LOCATION AND ILLUSTRATE CONCEPTS OF THE TEXTUAL PROVISIONS ~~OF THIS PLANNED UNIT DEVELOPMENT~~ DURING THE PLATTING PROCESS THE COMMUNITY & DEVELOPMENT SERVICES DIRECTOR MAY ALLOW MINOR VARIATIONS FOR THE PURPOSE OF ESTABLISHING:

1. FINAL ROAD ALIGNMENTS
2. FINAL CONFIGURATIONS OF LOT AND TRACT SIZES AND SHAPES
3. FINAL BUILDING ENVELOPES
4. FINAL ACCESS AND PARKING LOCATIONS
5. LANDSCAPE ADJUSTMENTS

N

0 100 200 300
SCALE: 1" = 100'

COMMUNITY AND DEVELOPMENT SERVICES

THIS REZONE EXHIBIT WAS REVIEWED AND APPROVED BY COMMUNITY AND DEVELOPMENT SERVICES ON THE _____ DAY OF _____, 20 _____, A.D.

_____
COMMUNITY AND DEVELOPMENT SERVICES DIRECTOR

PLANNING COMMISSION

THIS REZONE WAS REVIEWED BY AND RECOMMENDED FOR APPROVAL BY THE ELBERT COUNTY PLANNING COMMISSION ON THE _____ DAY OF _____, 20 _____, A.D.

_____
CHAIRMAN, PLANNING COMMISSION

BOARD OF COUNTY COMMISSIONERS

THIS REZONE WAS REVIEWED AND APPROVED BY THE ELBERT COUNTY BOARD OF COUNTY COMMISSIONERS ON THE _____ DAY OF _____, 20 _____, A.D.

_____
CHAIRMAN, BOARD OF COUNTY COMMISSIONERS

CLERK AND RECORDER'S CERTIFICATE

I HEREBY CERTIFY THAT THIS REZONE EXHIBIT WAS FILED IN MY OFFICE THIS _____ DAY OF _____, 20____, A.D., AT _____ A.M. / P.M., AND WAS RECORDED PER RECEPTION NO. _____.

_____
COUNTY CLERK AND RECORDER

OWNERS CERTIFICATE

WE, _____ AND _____, AS OWNERS OF THE LAND AFFECTED BY THIS REZONING, ACCEPT AND APPROVE ALL CONDITIONS SET FORTH HEREIN.

OWNERS_____ DATE:_____
(SIGNATURE)

_____
(NAME PRINTED)

_____ DATE:_____
(SIGNATURE)

_____
(NAME PRINTED)

DATE:	REVISIONS:

FRANE SURVEYING INC.
303-243-0037
P.O. BOX 2372
ELIZABETH COLORADO 80107

SCALE	DATE	DRAWN BY
1"=100'	01/06/18	ERF

TITLE: ATKINSON REZONE EXHIBIT
PART OF SEC. 20, T9S, R64W, 6TH P.M.
ELBERT COUNTY, STATE OF COLORADO

CLIENT: DALE AND JULIE ATKINSON

SHEET 1 OF 1

JOB NUMBER: 17-165-RZ

COUNTY OF ELBERT

COMMUNITY & DEVELOPMENT SERVICE DEPARTMENT
P.O. BOX 7
215 COMANCHE STREET
KIOWA, COLORADO 80117
303-621-3136 FAX: 303-621-3165

REFERRAL REQUEST

DATE: 1/30/2018 **COMMENTS DUE BY:** 2/13/2018

RE: PROJECT NAME: Atkinson RZ & MRD

PROJECT NUMBER: RZ-17-0047 & MD-17-0048

PROJECT TYPE: Rezone and Minor Residential Development

Dear Referral Organization:

Information on the proposal in Elbert County referenced above is enclosed for your review and comments. Please check one of the following:

- [x] We have no objections to this proposal.
- [ ] Please note the following concerns this organization has with this proposal:

  _____

  _____

- [ ] See the attached letter for detailed comments regarding this proposal.

Date: 1-29-18

Agency Name: Elbert County Building Department

Your name (**Please Print Clearly**): Faith Mehrer

Signature: Faith Mehrer

We invite you to attend the meeting/hearing, if you wish, to express your specific comments/concerns regarding this project. Hearing dates may be obtained by calling the Elbert County Planning Department at 303-621-3136. If you are unable to submit written comments by the above date or need additional materials of information, please contact this office as soon as possible.

Please note that the Planning Department considers failure to respond as approval of the proposal by all identified agencies. This consideration is based upon the language in the Colorado Revised Statues 30-28-136(2).

Sincerely,

Project Planner

COUNTY OF ELBERT

COMMUNITY & DEVELOPMENT SERVICE DEPARTMENT
P.O. BOX 7
215 COMANCHE STREET
KIOWA, COLORADO 80117
303-621-3136 FAX: 303-621-3165

REFERRAL REQUEST

DATE: January 24, 2018 **COMMENTS DUE BY:** February 7, 2018

RE: PROJECT NAME: Bijou Hills (Hertnecky Meteorological Tower) SUR

PROJECT NUMBER: SU-17-0055

PROJECT TYPE: Use by Special Review

Dear Referral Organization:

Information on the proposal in Elbert County referenced above is enclosed for your review and comments. Please check one of the following:

- [x] We have no objections to this proposal.
- [ ] Please note the following concerns this organization has with this proposal:

  _____

  _____

- [ ] See the attached letter for detailed comments regarding this proposal.

Date: 1-29-18

Agency Name: Elbert County Building Department

Your name (**Please Print Clearly**): Faith Mehrer

Signature: Faith Mehrer

We invite you to attend the meeting/hearing, if you wish, to express your specific comments/concerns regarding this project. Hearing dates may be obtained by calling the Elbert County Planning Department at 303-621-3136. If you are unable to submit written comments by the above date or need additional materials of information, please contact this office as soon as possible.

Please note that the Planning Department considers failure to respond as approval of the proposal by all identified agencies. This consideration is based upon the language in the Colorado Revised Statues 30-28-136(2).

Sincerely,

Project Planner

COUNTY OF ELBERT

COMMUNITY & DEVELOPMENT SERVICE DEPARTMENT
P.O. BOX 7
215 COMANCHE STREET
KIOWA, COLORADO 80117
303-621-3136 FAX: 303-621-3165

REFERRAL REQUEST

DATE: January 24, 2018 **COMMENTS DUE BY:** February 7, 2018

RE: PROJECT NAME: Bijou Hills (Mitchell Meteorological Tower) SUR

PROJECT NUMBER: SU-17-0056

PROJECT TYPE: Use by Special Review

Dear Referral Organization:

Information on the proposal in Elbert County referenced above is enclosed for your review and comments. Please check one of the following:

- [x] We have no objections to this proposal.
- [ ] Please note the following concerns this organization has with this proposal:

  _____

  _____

- [ ] See the attached letter for detailed comments regarding this proposal.

Date: 1-29-18

Agency Name: Elbert County Building Department

Your name (**Please Print Clearly**): Faith Mehrer

Signature: Faith Mehrer

We invite you to attend the meeting/hearing, if you wish, to express your specific comments/concerns regarding this project. Hearing dates may be obtained by calling the Elbert County Planning Department at 303-621-3136. If you are unable to submit written comments by the above date or need additional materials of information, please contact this office as soon as possible.

Please note that the Planning Department considers failure to respond as approval of the proposal by all identified agencies. This consideration is based upon the language in the Colorado Revised Statues 30-28-136(2).

Sincerely,

Project Planner

COUNTY OF ELBERT

COMMUNITY & DEVELOPMENT SERVICE DEPARTMENT
P.O. BOX 7
215 COMANCHE STREET
KIOWA, COLORADO 80117
303-621-3136 FAX: 303-621-3165

REFERRAL REQUEST

DATE: January 24, 2018 **COMMENTS DUE BY:** February 7, 2018

RE: PROJECT NAME: Bijou Hills (Cedar Ridge Meteorological Tower) SUR

PROJECT NUMBER: SU-17-0058

PROJECT TYPE: Use by Special Review

Dear Referral Organization:

Information on the proposal in Elbert County referenced above is enclosed for your review and comments. Please check one of the following:

- [x] We have no objections to this proposal.
- [ ] Please note the following concerns this organization has with this proposal:

  _____

  _____

- [ ] See the attached letter for detailed comments regarding this proposal.

Date: 1-29-18

Agency Name: Elbert County Building Department

Your name (Please Print Clearly): Faith Mehrer

Signature: Faith Mehrer

We invite you to attend the meeting/hearing, if you wish, to express your specific comments/concerns regarding this project. Hearing dates may be obtained by calling the Elbert County Planning Department at 303-621-3136. If you are unable to submit written comments by the above date or need additional materials of information, please contact this office as soon as possible.

Please note that the Planning Department considers failure to respond as approval of the proposal by all identified agencies. This consideration is based upon the language in the Colorado Revised Statues 30-28-136(2).

Sincerely,

Project Planner

COUNTY OF ELBERT

COMMUNITY & DEVELOPMENT SERVICE DEPARTMENT
P.O. BOX 7
215 COMANCHE STREET
KIOWA, COLORADO 80117
303-621-3136 FAX: 303-621-3165

REFERRAL REQUEST

DATE: 1/30/2018 **COMMENTS DUE BY:** 2/13/2018

RE: PROJECT NAME: Atkinson RZ & MRD

PROJECT NUMBER: RZ-17-0047 & MD-17-0048

PROJECT TYPE: Rezone and Minor Residential Development

Dear Referral Organization:

Information on the proposal in Elbert County referenced above is enclosed for your review and comments. Please check one of the following:

[✔] We have no objections to this proposal.

[ ] Please note the following concerns this organization has with this proposal:

[ ] See the attached letter for detailed comments regarding this proposal.

Date: 2/13/18

Agency Name: CenturyLink

Your name (**Please Print Clearly**): Dustin Pulciani, ROW Agent

Signature: _____

We invite you to attend the meeting/hearing, if you wish, to express your specific comments/concerns regarding this project. Hearing dates may be obtained by calling the Elbert County Planning Department at 303-621-3136. If you are unable to submit written comments by the above date or need additional materials of information, please contact this office as soon as possible.

Please note that the Planning Department considers failure to respond as approval of the proposal by all identified agencies. This consideration is based upon the language in the Colorado Revised Statues 30-28-136(2).

Sincerely,

Project Planner

1.52 in

Minimum 2" margin on left side.

Case No: RZ-17-0045

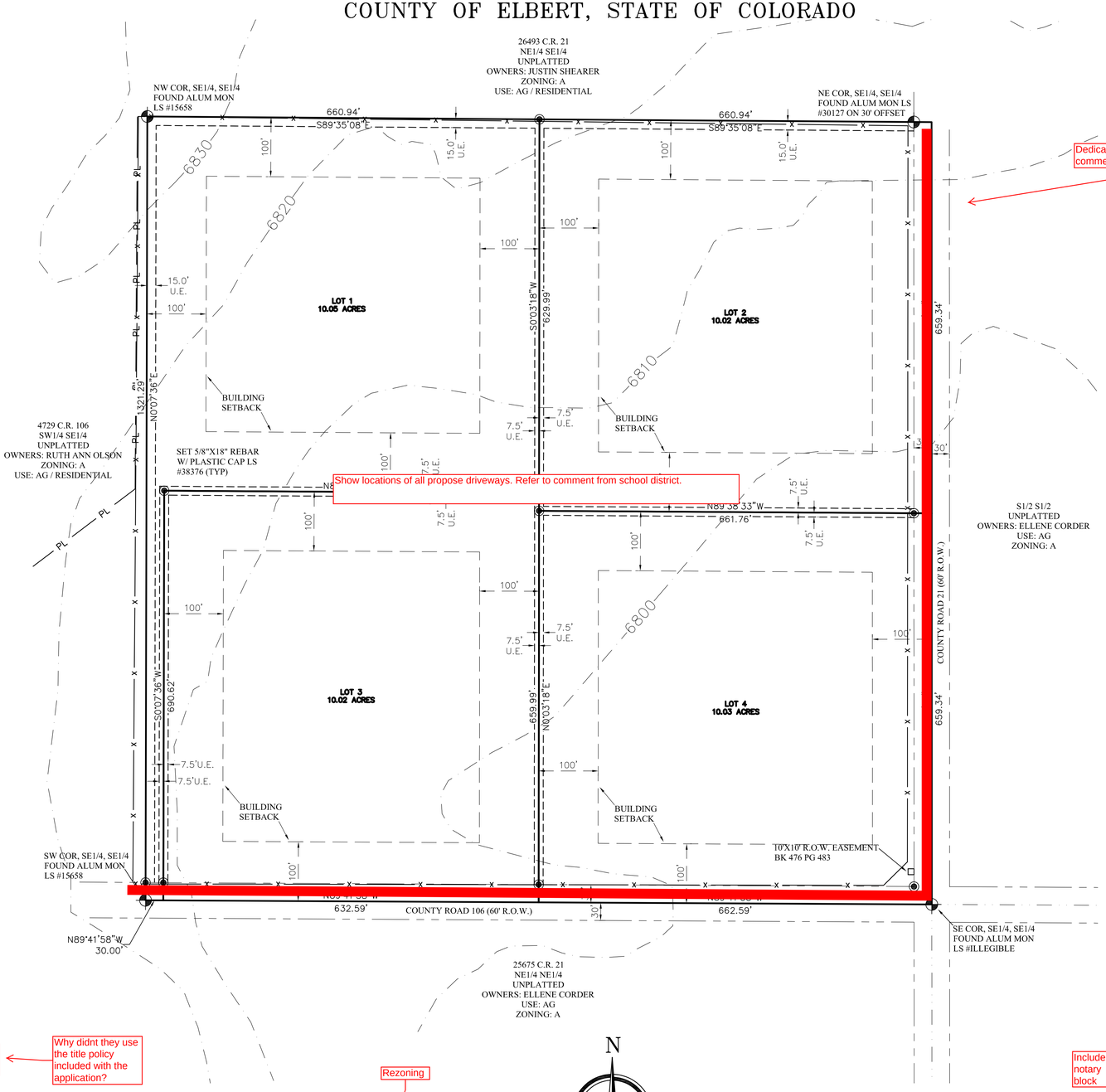
CASE NO: _____

ATKINSON REZONE EXHIBIT

PART OF SECTION 20, T. 9 S, R. 64 W, 6TH P.M.
COUNTY OF ELBERT, STATE OF COLORADO

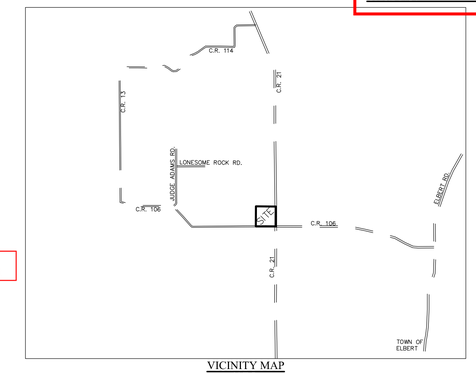
LEGEND

- PARCEL BOUNDARY
- BUILDING SETBACKS
- RIGHT-OF-WAY
- UTILITY EASEMENT
- PL — OVERHEAD POWER LINE
- SET 5/8"x18"REBAR W/ PLASTIC CAP LS# 38376
- FOUND ALUM MONUMENT



Show locations of all propose driveways. Refer to comment from school district.

Dedicate per comment on plat



VICINITY MAP
N.T.S.

PROPERTY DESCRIPTION

THE SE 1/4 OF THE SE 1/4 OF SECTION 20, TOWNSHIP 9 SOUTH, RANGE 64 WEST OF THE 6TH P.M., ELBERT COUNTY, COLORADO.

OWNERS

DALE AND JULIE ATKINSON
4702 C.R. 106
ELIZABETH, CO 80107

Add phone number

ZONING:

EXISTING: A
PROPOSED: ~~A2~~

AR

UTILITY EASEMENT DEDICATION

THOSE PORTIONS OF REAL PROPERTY, WHICH ARE LABELED AS UTILITY EASEMENTS ON THIS PLAT, WHETHER PRIVATE OR PUBLIC, ARE HEREBY DEDICATED, FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES, INCLUDING BUT NOT LIMITED TO ELECTRIC LINES, GAS LINES, TELEPHONE LINES, CABLE TELEVISION; TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF SUCH LINES.

APPLICABILITY STATEMENT

EXCEPT AS EXPRESSLY PROVIDED OTHERWISE ON THIS REZONE EXHIBIT, DEVELOPMENT OF THE PROPERTY SHALL CONFORM TO THE ELBERT COUNTY ZONING REGULATIONS IN EFFECT AT THE TIME OF THE FINAL PLAT RECORDATION.

NOTES

1. BASIS OF BEARINGS: THE SOUTH LINE OF THE SE1/4 SE1/4 OF SEC 20 TO HAVE AN ASSUMED BEARING OF N89°41'58"W AND MONUMENTED AS SHOWN HEREON.
2. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY FRANE SURVEYING TO DETERMINE OWNERSHIP OR EASEMENT OF RECORD, RIGHT OF WAY, AND TITLE OF RECORD. THIS MAP WAS PREPARED WITHOUT THE BENEFIT OF A TITLE POLICY.
3. CONTOURS WERE DIGITIZED FROM A USGS QUAD. MAP

Why didnt they use the title policy included with the application?

"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 CERTIFICATION SHOWN HEREON."

STANDARD FLEXIBILITY STATEMENT

THE GRAPHIC DRAWINGS CONTAINED WITHIN THIS REZONE EXHIBIT ARE INTENDED TO DEPICT GENERAL LOCATION AND ILLUSTRATE CONCEPTS OF THE TEXTUAL PROVISIONS OF THIS ~~PLANNED UNIT DEVELOPMENT~~ DURING THE PLATTING PROCESS THE COMMUNITY & DEVELOPMENT SERVICES DIRECTOR MAY ALLOW MINOR VARIATIONS FOR THE PURPOSE OF ESTABLISHING:

1. FINAL ROAD ALIGNMENTS
2. FINAL CONFIGURATIONS OF LOT AND TRACT SIZES AND SHAPES
3. FINAL BUILDING ENVELOPES
4. FINAL ACCESS AND PARKING LOCATIONS
5. LANDSCAPE ADJUSTMENTS

Rezoning

COMMUNITY AND DEVELOPMENT SERVICES

THIS REZONE EXHIBIT WAS REVIEWED AND APPROVED BY COMMUNITY AND DEVELOPMENT SERVICES ON THE _____ DAY OF _____, 20 _____, A.D.

_____
COMMUNITY AND DEVELOPMENT SERVICES DIRECTOR

PLANNING COMMISSION

THIS REZONE WAS REVIEWED BY AND RECOMMENDED FOR APPROVAL BY THE ELBERT COUNTY PLANNING COMMISSION ON THE _____ DAY OF _____, 20 _____, A.D.

_____
CHAIRMAN, PLANNING COMMISSION

BOARD OF COUNTY COMMISSIONERS

THIS REZONE WAS REVIEWED AND APPROVED BY THE ELBERT COUNTY BOARD OF COUNTY COMMISSIONERS ON THE _____ DAY OF _____, 20 _____, A.D.

_____
CHAIRMAN, BOARD OF COUNTY COMMISSIONERS

CLERK AND RECORDER'S CERTIFICATE

I HEREBY CERTIFY THAT THIS REZONE EXHIBIT WAS FILED IN MY OFFICE THIS _____ DAY OF _____, 20____, A.D., AT _____ A.M. / P.M., AND WAS RECORDED PER RECEPTION NO. _____.

_____
COUNTY CLERK AND RECORDER

OWNERS CERTIFICATE

WE, _____ AND _____, AS OWNERS OF THE LAND AFFECTED BY THIS REZONING, ACCEPT AND APPROVE ALL CONDITIONS SET FORTH HEREIN.

OWNERS _____ DATE: _____
(SIGNATURE)

_____
(NAME PRINTED)

_____ DATE: _____
(SIGNATURE)

_____
(NAME PRINTED)

NOTARY PUBLIC:
County of _____
State of _____
The foregoing instrument was acknowledged before me this ____day of _____20____, by (owner name)
By: _____ (Signature)
_____ (Name Printed)
WITNESS my hand and official seal
My commission expires: _____

Include notary block

DATE:	REVISIONS:

FRANE SURVEYING INC.
303-243-0037
P.O. BOX 2372
ELIZABETH COLORADO 80107

TITLE			
ATKINSON REZONE EXHIBIT PART OF SEC. 20, T9S, R64W, 6TH P.M. ELBERT COUNTY, STATE OF COLORADO			
CLIENT: DALE AND JULIE ATKINSON			
SCALE: 1"=100'	DATE: 01/06/18	DRAWN BY: ERF	JOB NUMBER: 17-165-RZ
SHEET 1 OF 1			

Case No: MD-17-0048

ATKINSON MINOR RESIDENTIAL DEVELOPMENT

PART OF SECTION 20, T. 9 S, R. 64 W, 6TH P.M.
COUNTY OF ELBERT, STATE OF COLORADO

Ownership and Dedication Statement

DEDICATION STATEMENT

KNOWN ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, BEING THE OWNER OF THE LAND DESCRIBED BELOW, HAVING LAID OUT AND PLATTED THE SAME INTO LOTS, STREETS, AND EASEMENTS AS SHOWN HEREON UNDER THE NAME AND STYLE OF "ATKINSON MINOR RESIDENTIAL DEVELOPMENT" AND DO BY THESE PRESENTS, OF OUR OWN FREE WILL AND VOLUNTARILY WITHOUT COERCION, THREAT OR BUSINESS COMPULSION, DO HEREBY AND CONVEY RIGHTS AS INDICATED TO ALL EASEMENTS FOR THE PURPOSES SHOWN HEREON.

PROPERTY DESCRIPTION

THE SE 1/4 OF THE SE 1/4 OF SECTION 20, TOWNSHIP 9 SOUTH, RANGE 64 WEST OF THE 6TH P.M.,
ELBERT
COUNTY, COLORADO,

OWNERS

_____
OWNER, DALE ATKINSON

COUNTY OF _____)
)
STATE OF COLORADO)

THIS INSTRUMENT WAS ACKNOWLEDGED AND SWORN BEFORE ME THIS _____
DAY OF _____, 20_____.

BY_____

MY COMMISSION EXPIRES _____

_____
NOTARY PUBLIC

_____
OWNER, JULIE ATKINSON

COUNTY OF _____)
)
STATE OF COLORADO)

THIS INSTRUMENT WAS ACKNOWLEDGED AND SWORN BEFORE ME THIS _____
DAY OF _____, 20_____.

BY_____

MY COMMISSION EXPIRES _____

_____
NOTARY PUBLIC

_____
DEED OF TRUST HOLDER, (BANK NAME)
COUNTY OF _____)
)
STATE OF COLORADO)

THIS INSTRUMENT WAS ACKNOWLEDGED AND SWORN BEFORE ME THIS _____
DAY OF _____, 20_____.

BY_____

MY COMMISSION EXPIRES _____

_____
NOTARY PUBLIC

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Why didnt they use the title policy included with the application?

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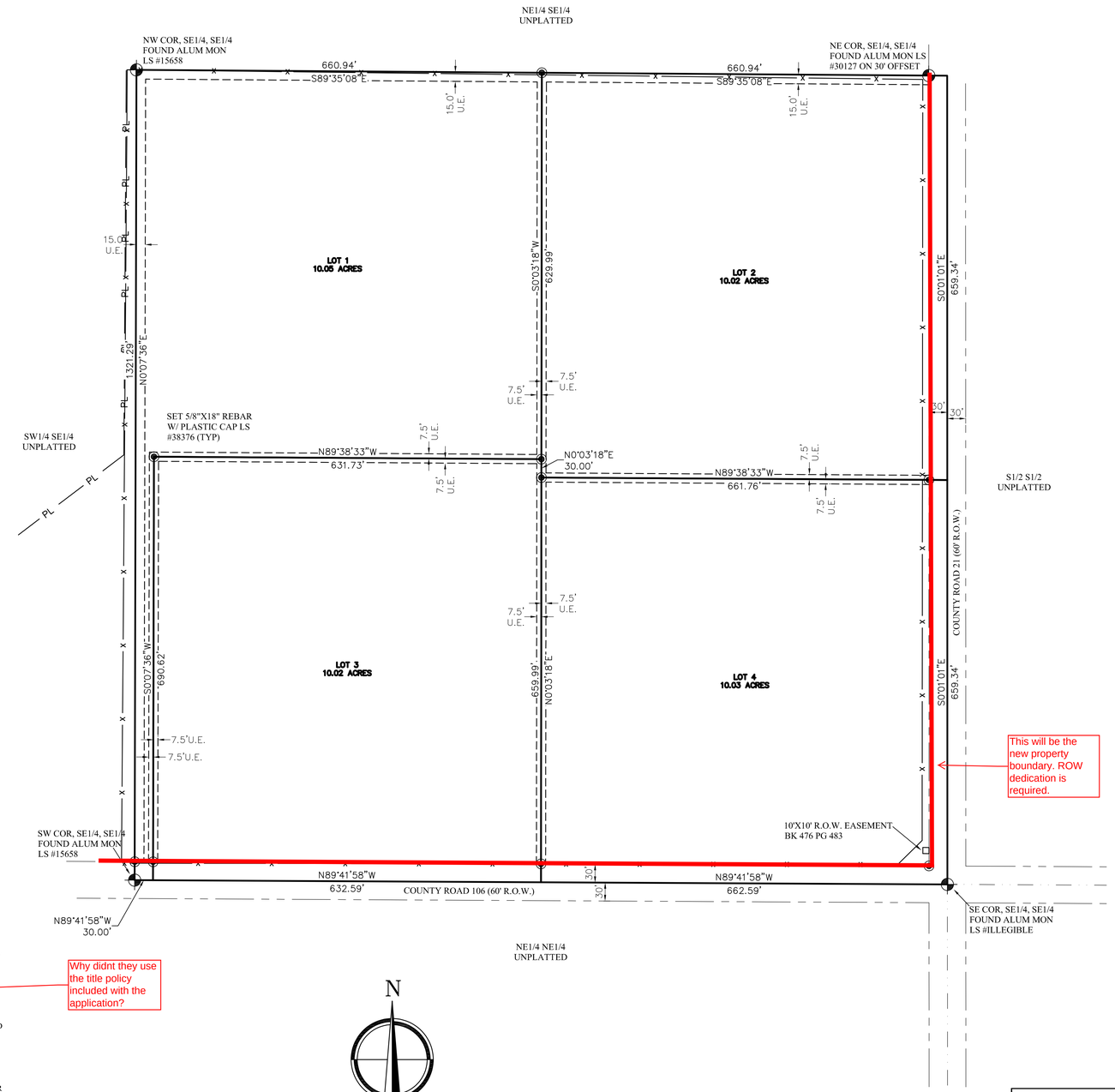

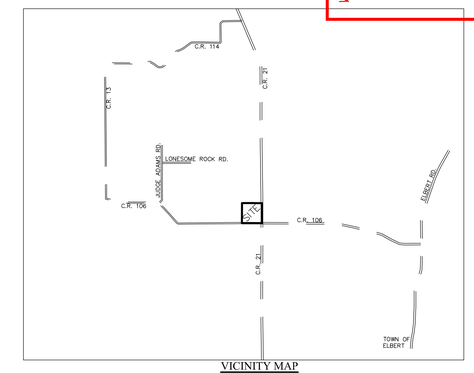

VICINITY MAP
N.T.S.

ELBERT COUNTY ENGINEERING

THIS PLAT WAS REVIEWED AND APPROVED BY THE ELBERT COUNTY ENGINEER ON THE _____
DAY OF _____, 20 _____, A.D.

_____
ELBERT COUNTY ENGINEER

APPROVAL OF COUNTY COMMISSIONERS

THIS PLAT WAS REVIEWED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF ELBERT COUNTY, COLORADO, ON THE _____ DAY OF _____, 20 _____, A.D.

_____
CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

TITLE VERIFICATION

WE, _____, A QUALIFIED TITLE INSURANCE COMPANY, DO HEREBY CERTIFY THAT WE HAVE EXAMINED THE TITLE OF ALL LANDS PLATTED HEREON AND THAT TITLE TO SUCH LANDS IS IN THE DEDICATOR FREE AND CLEAR OF ALL LIENS, TAXES AND ENCUMBRANCES.

_____ (BY)_____, AS _____.
(DATE) (OF) _____

COMMUNITY & DEVELOPMENT SERVICES

THIS PLAT IS APPROVED BY THE ELBERT COUNTY COMMUNITY & DEVELOPMENT SERVICES THIS _____ DAY OF _____, 20 _____, A.D.

_____ _____
DIRECTOR COMMUNITY & DEVELOPMENT SERVICES

CERTIFICATE OF SURVEY

I, ELIJAH FRANE, REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY OF "ATKINSON MINOR RESIDENTIAL DEVELOPMENT" WAS MADE UNDER MY DIRECT SUPERVISION AND THE ACCOMPANYING PLAT ACCURATELY AND PROPERLY SHOWS SAID SUBDIVISION

_____
ELIJAH FRANE, COLORADO
PLS #38376
FOR AND ON BEHALF OF
FRANE SURVEYING INC.

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO)
)SS
COUNTY OF ELBERT)

I HEREBY CERTIFY THAT THIS PLAT WAS FILED IN MY OFFICE THIS _____ DAY OF _____, 20____, A.D., AT _____ O'CLOCK __.M., AND WAS RECORDED PER RECEPTION NO. _____, BOOK _____, PAGE _____.

DALLAS SCHROEDER _____
COUNTY CLERK AND RECORDER

DATE:	REVISIONS:

FRANE SURVEYING INC.
303-243-0037
P.O. BOX 2372
ELIZABETH COLORADO 80107

SCALE	DATE	DRAWN BY
1"=100'	01/06/18	ERF

TITLE
ATKINSON MINOR RESIDENTIAL DEV.
PART OF SEC. 20, T9S, R64W, 6TH P.M.
ELBERT COUNTY, STATE OF COLORADO

CLIENT
DALE AND JULIE ATKINSON

SHEET 1 OF 1

JOB NUMBER
17-165-MD

COUNTY OF ELBERT

COMMUNITY AND DEVELOPMENT SERVICES DEPARTMENT
P.O. BOX 7
215 COMANCHE STREET
KIOWA, COLORADO 80117
303-621-3136 FAX: 303-621-3165

APPLICATION COMMENTS

Review Date: April 4, 2018
CDS Review Staff: Jaxon Fagan, Cory Miller
Name of Application: Atkinson Rezoning and Minor Development
Applicant: Julie Atkinson & Dale Atkinson
Applicant's Representative: Thomas Maroney
Address of proposal: 25676 CR 106

On March 20, 2018, Thomas Maroney submitted rezoning and minor residential development applications. The rezoning would change the zoning from the Agriculture (A) Zone District to the Agricultural Residential (AR) Zone District. The minor development would plat 4 approximately 10 acre lots. The application was reviewed for completeness and sent to internal and external referral agencies for review. The following comment letters are attached.

- Mountain View Electric Association (no objection)
- Elbert School District (no objection)
- Elbert County Health & Human Services (no objection)
- Elbert County Community and Development Services (minor formatting revisions)

NEXT STEPS
Please contact CDS to discuss next steps. CDS is comfortable setting hearing dates if the owners are willing to make the requested revisions, and once the associated minimum lot size variance is approved.

Sincerely,

Jaxon Fagan
Baseline Corporation
o/b/o Elbert County Community Development Services

CC: Vince Harris, Baseline

Case No: MD-17-0048

ATKINSON MINOR RESIDENTIAL DEVELOPMENT

PART OF SECTION 20, T. 9 S, R. 64 W, 6TH P.M.
COUNTY OF ELBERT, STATE OF COLORADO

know

OWNERSHIP AND DEDICATION STATEMENT

KNOWN ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, BEING THE OWNER OF THE LAND DESCRIBED BELOW, HAVING LAID OUT AND PLATTED THE SAME INTO LOTS, STREETS, AND EASEMENTS AS SHOWN HEREON UNDER THE NAME AND STYLE OF "ATKINSON MINOR RESIDENTIAL DEVELOPMENT" AND DO BY THESE PRESENTS, OF OUR OWN FREE WILL AND VOLUNTARILY WITHOUT COERCION, THREAT OR BUSINESS COMPULSION, DO HEREBY AND CONVEY RIGHTS AS INDICATED TO ALL EASEMENTS FOR THE PURPOSES SHOWN HEREON.

AND DO HEREBY DEDICATE AND CONVEY TO ELBERT COUNTY [either]

TRACT A FOR STREET AND ROADWAY PURPOSES

[or]

RIGHT-OF-WAY FOR STREET AND ROADWAY PURPOSES AS SHOWN HEREON.

PROPERTY DESCRIPTION

THE SE 1/4 OF THE SE 1/4 OF SECTION 20, TOWNSHIP 9 SOUTH, RANGE 64 WEST OF THE 6TH P.M., ELBERT COUNTY, COLORADO.

~~EXCEPT THE SOUTH 30.00 FEET OF THE SE 1/4 OF THE SE 1/4 OF SAID SECTION 20, AND THE EAST 30.00 FEET OF THE SE 1/4 OF THE SE 1/4 OF SAID SECTION 20, ELBERT COUNTY, COLORADO.~~

remove these exceptions. Atkinsons own them until the plat is recorded

OWNERS

OWNER, DALE ATKINSON

COUNTY OF _____)
)
STATE OF COLORADO)

THIS INSTRUMENT WAS ACKNOWLEDGED AND SWORN BEFORE ME THIS _____ DAY OF _____, 20_____.

BY_____

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

OWNER, JULIE ATKINSON

COUNTY OF _____)
)
STATE OF COLORADO)

THIS INSTRUMENT WAS ACKNOWLEDGED AND SWORN BEFORE ME THIS _____ DAY OF _____, 20_____.

BY_____

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

DEED OF TRUST HOLDER, (BANK NAME)
COUNTY OF _____)
)
STATE OF COLORADO)

THIS INSTRUMENT WAS ACKNOWLEDGED AND SWORN BEFORE ME THIS _____ DAY OF _____, 20_____.

BY_____

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

title commitment did not indicate a deed of trust/ mortgage. if there is none, remove this certification block

UTILITY EASEMENT ACKNOWLEDGMENT

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NOTES

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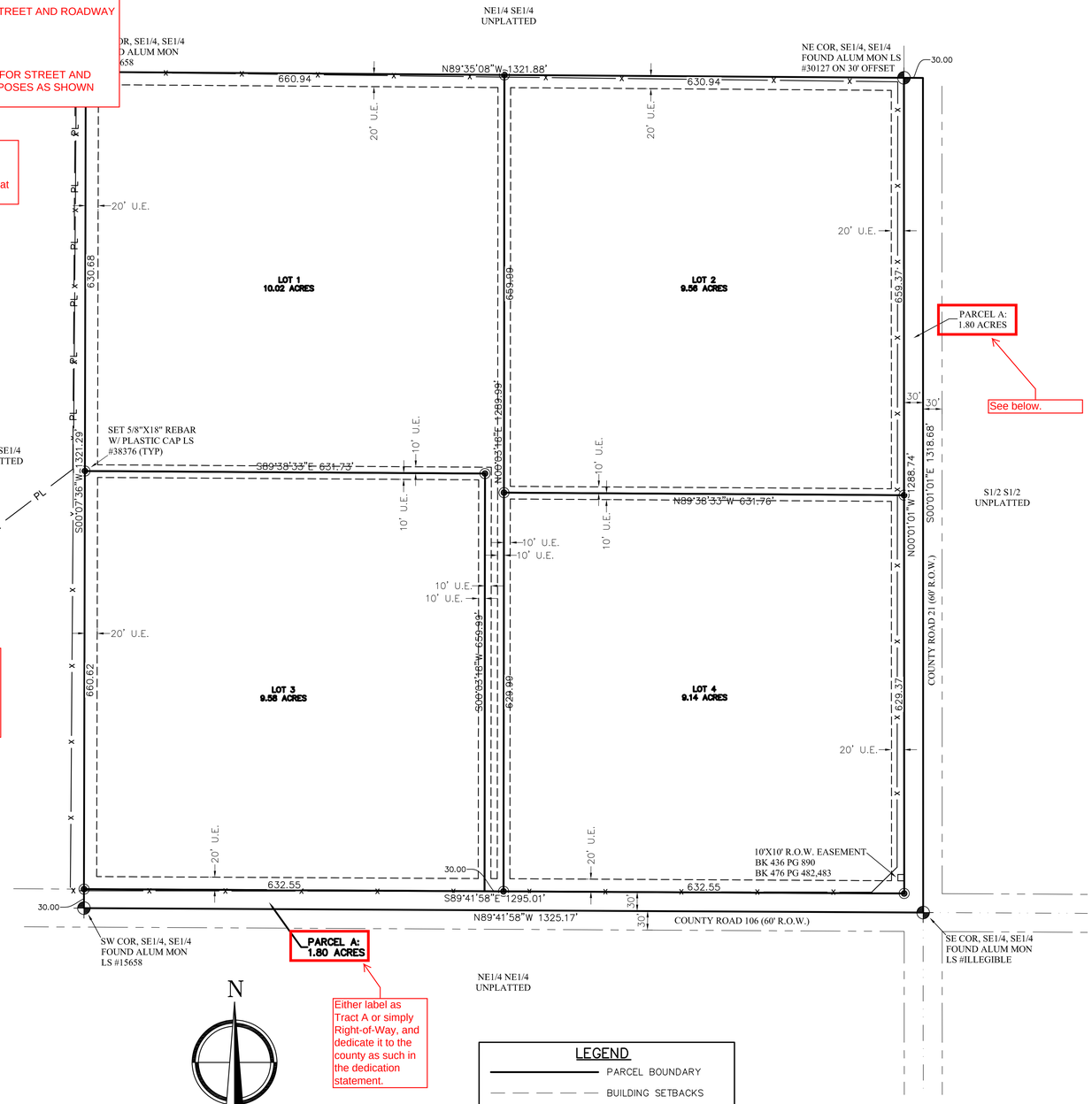
5. PARCEL A: AS SHOWN ON THIS PLAT IS HEREBY DEDICATED AS RIGHT-OF-WAY TO ELBERT COUNTY.

"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 CERTIFICATION SHOWN HEREON."



PARCEL A:
1.80 ACRES

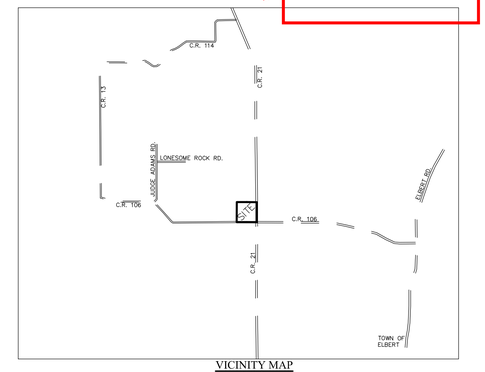
Either label as Tract A or simply Right-of-Way, and dedicate it to the county as such in the dedication statement.

N

0 100 200 300
SCALE: 1" = 100'

LEGEND

- PARCEL BOUNDARY
- BUILDING SETBACKS
- RIGHT-OF-WAY
- UTILITY EASEMENT
- PL — OVERHEAD POWER LINE
- SET 5/8"x18"REBAR W/ PLASTIC CAP LS# 38376
- FOUND ALUM MONUMENT



VICINITY MAP
N.T.S.

ELBERT COUNTY ENGINEERING

THIS PLAT WAS REVIEWED AND APPROVED BY THE ELBERT COUNTY ENGINEER ON THE _____ DAY OF _____, 20 _____, A.D.

ELBERT COUNTY ENGINEER

APPROVAL OF COUNTY COMMISSIONERS

THIS PLAT WAS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF ELBERT COUNTY, COLORADO, ON THE _____ DAY OF _____, 20 _____, A.D.

CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

TITLE VERIFICATION

WE, _____, A QUALIFIED TITLE INSURANCE COMPANY, DO HEREBY CERTIFY THAT WE HAVE EXAMINED THE TITLE OF ALL LANDS PLATTED HEREON AND THAT TITLE TO SUCH LANDS IS IN THE DEDICATOR FREE AND CLEAR OF ALL LIENS, TAXES AND ENCUMBRANCES.

_____ (BY)_____, AS _____.
(DATE) (OF) _____

COMMUNITY & DEVELOPMENT SERVICES

THIS PLAT IS APPROVED BY THE ELBERT COUNTY COMMUNITY & DEVELOPMENT SERVICES THIS _____ DAY OF _____, 20 _____, A.D.

DIRECTOR COMMUNITY & DEVELOPMENT SERVICES

CERTIFICATE OF SURVEY

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ELIJAH FRANE, COLORADO
PLS #38376
FOR AND ON BEHALF OF
FRANE SURVEYING INC.

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO)
)SS
COUNTY OF ELBERT)

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DALLAS SCHROEDER
COUNTY CLERK AND RECORDER

DATE:	REVISIONS:
03/13/18	1ST COMMENTS

FRANE SURVEYING INC.
303-243-0037
P.O. BOX 2372
ELIZABETH COLORADO 80107

SCALE	DATE	DRAWN BY
1"=100'	01/06/18	ERF

TITLE: ATKINSON MINOR RESIDENTIAL DEV. PART OF SEC. 20, T9S, R64W, 6TH P.M. ELBERT COUNTY, STATE OF COLORADO

CLIENT: DALE AND JULIE ATKINSON

SHEET 1 OF 1

JOB NUMBER: 17-165-MD

CASE NO: RZ-17-0045

ATKINSON REZONE EXHIBIT

PART OF SECTION 20, T. 9 S, R. 64 W, 6TH P.M.
COUNTY OF ELBERT, STATE OF COLORADO

LEGEND

- PARCEL BOUNDARY
- BUILDING SETBACKS
- RIGHT-OF-WAY
- UTILITY EASEMENT
- PL — OVERHEAD POWER LINE
- SET 5/8"x18"REBAR W/ PLASTIC CAP LS# 38376
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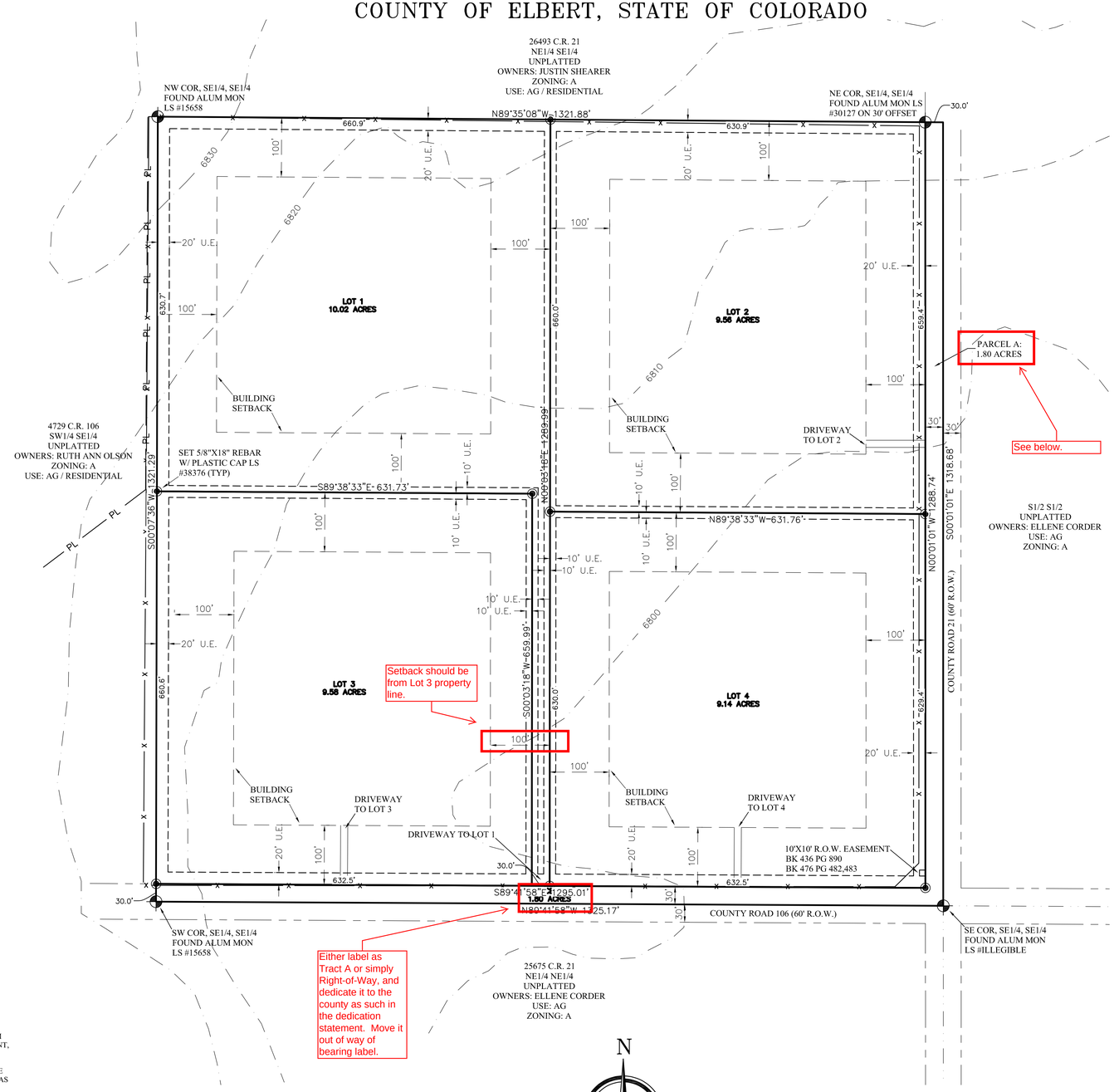

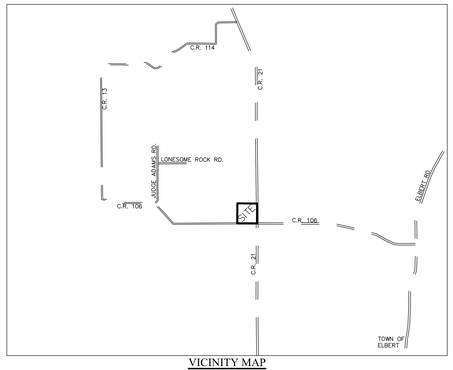

VICINITY MAP
N.T.S.

PROPERTY DESCRIPTION

THE SE 1/4 OF THE SE 1/4 OF SECTION 20, TOWNSHIP 9 SOUTH, RANGE 64 WEST OF THE 6TH P.M., ELBERT COUNTY, COLORADO.

OWNERS

DALE AND JULIE ATKINSON
4702 C.R. 106
ELIZABETH, CO 80107
303-638-8390

ZONING:

EXISTING: A
PROPOSED: A-R

AR, not A-R

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COMMUNITY AND DEVELOPMENT SERVICES

THIS REZONE EXHIBIT WAS REVIEWED AND APPROVED BY COMMUNITY AND DEVELOPMENT SERVICES ON THE _____ DAY OF _____, 20 _____, A.D.

_____
COMMUNITY AND DEVELOPMENT SERVICES DIRECTOR

PLANNING COMMISSION

THIS REZONE WAS REVIEWED BY AND RECOMMENDED FOR APPROVAL BY THE ELBERT COUNTY PLANNING COMMISSION ON THE _____ DAY OF _____, 20 _____, A.D.

_____
CHAIRMAN, PLANNING COMMISSION

BOARD OF COUNTY COMMISSIONERS

THIS REZONE WAS REVIEWED AND APPROVED BY THE ELBERT COUNTY BOARD OF COUNTY COMMISSIONERS ON THE _____ DAY OF _____, 20 _____, A.D.

_____
CHAIRMAN, BOARD OF COUNTY COMMISSIONERS

CLERK AND RECORDER'S CERTIFICATE

I HEREBY CERTIFY THAT THIS REZONE EXHIBIT WAS FILED IN MY OFFICE THIS _____ DAY OF _____, 20____, A.D., AT _____ A.M. / P.M., AND WAS RECORDED PER RECEPTION NO. _____.

_____
COUNTY CLERK AND RECORDER

OWNERS CERTIFICATE

WE, _____ AND _____, AS OWNERS OF THE LAND AFFECTED BY THIS REZONING, ACCEPT AND APPROVE ALL CONDITIONS SET FORTH HEREIN.

OWNERS_____ DATE:_____
(SIGNATURE)

_____
(NAME PRINTED)

_____ DATE:_____
(SIGNATURE)

_____
(NAME PRINTED)

NOTARY PUBLIC:

COUNTY OF _____
STATE OF _____
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20___, BY _____
BY:_____(SIGNATURE)
(NAME PRINTED)
WITNESS MY HAND AND OFFICIAL SEAL
MY COMMISSION EXPIRES: _____

DATE:	REVISIONS:
03/13/18	1ST COMMENTS

FRANE SURVEYING INC.
303-243-0037
P.O. BOX 2372
ELIZABETH COLORADO 80107

SCALE	DATE	DRAWN BY
1"=100'	01/06/18	ERF

TITLE: ATKINSON REZONE EXHIBIT
PART OF SEC. 20, T9S, R64W, 6TH P.M.
ELBERT COUNTY, STATE OF COLORADO

CLIENT: DALE AND JULIE ATKINSON

SHEET 1 OF 1

JOB NUMBER: 17-165-RZ

March 28, 2018

Jaxon Fagan
Baseline Corporation

Re: Atkinson – Minor Residential Development Plat and Rezone Exhibit
Review comments

Jaxon,
Included are the redmark sheets in PDF, with comments below.

Plat Sheet (see redlines)

1. Please provide copies of the current monument records for the four aliquot corners or copies of the updated records to be sent to the state.
2. Please mask all text covered by easement lines for legibility/clarity.
3. Please consider using a different line type, font or pen weight for the lot and acreage text. The current text when plotted is difficult to read.
4. Please remove Parcel A text and acreage label shown south of Lot 3. It already exists east of Lot 2.
5. Please add the fence line type to the legend.

Rezone Exhibit (see redlines)

1. Please use the property description as shown on the Atkinson Minor Residential Development Plat.
2. The west setback line for Lot 3 is not dimensioned correctly, please revise accordingly.
3. Please mask all text covered by easement lines for legibility/clarity.
4. Please consider using a different line type, font or pen weight for the lot and acreage text. The current text when plotted is difficult to read.
5. Please remove Parcel A text and acreage label shown south of Lots 3 and 4. It already exists east of Lot 2.
6. Please add the fence line type to the legend.
7. Please match all lot dimensions as shown on the Atkinson Minor Residential Development Plat.

If you have any questions concerning these comments, please call.

Sincerely,

Baseline Corporation
Douglas K. Lancaster, Survey Project Manager

ATKINSON MINOR RESIDENTIAL DEVELOPMENT

PART OF SECTION 20, T. 9 S, R. 64 W, 6TH P.M.
COUNTY OF ELBERT, STATE OF COLORADO

PLEASE PROVIDE COPIES OF THE CURRENT OR UPDATED MONUMENT RECORDS FOR THE FOUR ALIQUOT CORNERS.

OWNERSHIP AND DEDICATION STATEMENT

KNOWN ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, BEING THE OWNER OF THE LAND DESCRIBED BELOW, HAVING LAID OUT AND PLATTED THE SAME INTO LOTS, STREETS, AND EASEMENTS AS SHOWN HEREON UNDER THE NAME AND STYLE OF "ATKINSON MINOR RESIDENTIAL DEVELOPMENT" AND DO BY THESE PRESENTS, OF OUR OWN FREE WILL AND VOLUNTARILY WITHOUT COERCION, THREAT OR BUSINESS COMPULSION, DO HEREBY AND CONVEY RIGHTS AS INDICATED TO ALL EASEMENTS FOR THE PURPOSES SHOWN HEREON.

PROPERTY DESCRIPTION

THE SE 1/4 OF THE SE 1/4 OF SECTION 20, TOWNSHIP 9 SOUTH, RANGE 64 WEST OF THE 6TH P.M., ELBERT COUNTY, COLORADO.

EXCEPT THE SOUTH 30.00 FEET OF THE SE 1/4 OF THE SE 1/4 OF SAID SECTION 20, AND THE EAST 30.00 FEET OF THE SE 1/4 OF THE SE 1/4 OF SAID SECTION 20, ELBERT COUNTY, COLORADO.

OWNERS

OWNER, DALE ATKINSON

COUNTY OF _____)
)
STATE OF COLORADO)

THIS INSTRUMENT WAS ACKNOWLEDGED AND SWORN BEFORE ME THIS _____
DAY OF _____, 20_____.

BY_____

MY COMMISSION EXPIRES _____

_____
NOTARY PUBLIC

_____
OWNER, JULIE ATKINSON

COUNTY OF _____)
)
STATE OF COLORADO)

THIS INSTRUMENT WAS ACKNOWLEDGED AND SWORN BEFORE ME THIS _____
DAY OF _____, 20_____.

BY_____

MY COMMISSION EXPIRES _____

_____
NOTARY PUBLIC

_____
DEED OF TRUST HOLDER, (BANK NAME)
COUNTY OF _____)
)
STATE OF COLORADO)

THIS INSTRUMENT WAS ACKNOWLEDGED AND SWORN BEFORE ME THIS _____
DAY OF _____, 20_____.

BY_____

MY COMMISSION EXPIRES _____

_____
NOTARY PUBLIC

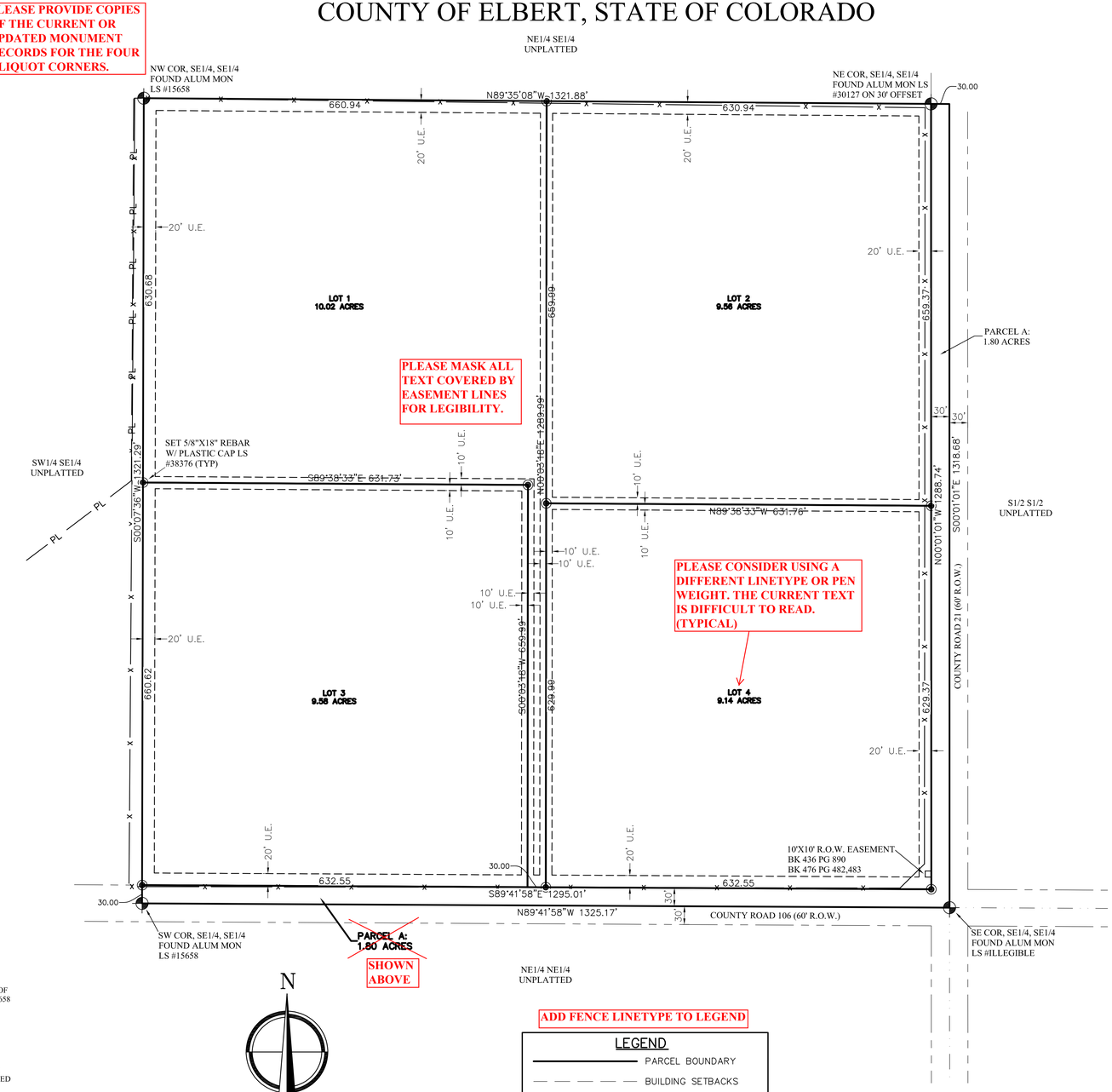
UTILITY EASEMENT ACKNOWLEDGMENT

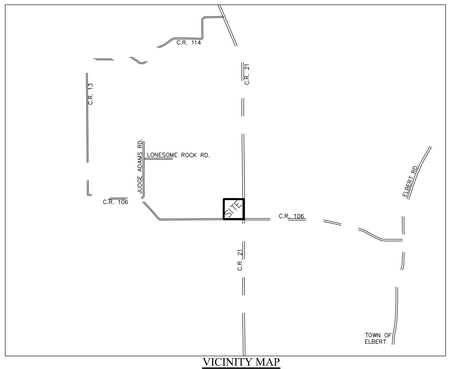
THOSE PORTIONS OF REAL PROPERTY, WHICH ARE LABELED AS UTILITY EASEMENTS ON THIS PLAT, WHETHER PRIVATE OR PUBLIC, ARE HEREBY DEDICATED, FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES, INCLUDING, BUT NOT LIMITED TO ELECTRIC LINES, GAS LINES, TELEPHONE LINES, CABLE TELEVISION; TOGETHER WITH THE RIGHT TO TRIM INTERFERING TREES AND BRUSH, TOGETHER WITH A PERPETUAL RIGHT OF INGRESS AND EGRESS FOR INSTALLATION, MAINTENANCE, AND REPLACEMENT OF SUCH LINES; SAID EASEMENTS AND RIGHT TO BE UTILIZED IN A RESPONSIBLE AND PRUDENT MANNER, SUBJECT TO UTILITY PLACEMENT PERMITTING PROCEDURES FROM ELBERT COUNTY.

NOTES

1. BASIS OF BEARINGS: THE SOUTH LINE OF THE SE1/4 SE1/4 OF SEC 20 TO HAVE AN ASSUMED BEARING OF N89°41'58"W MONUMENTED AT THE SOUTHWEST CORNER BY A 2 1/2" ALUMINUM MONUMENT, PLS #15658 AND ON THE SOUTHEAST CORNER BY A 2 1/2" ALUMINUM MONUMENT, PLS #ILLEGIBLE.
2. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY FRANE SURVEYING TO DETERMINE OWNERSHIP OR EASEMENT OF RECORD, RIGHT OF WAY, AND TITLE OF RECORD. THIS MAP WAS PREPARED WITH THE BENEFIT OF A TITLE POLICY. COMMITMENT PREPARED BY COLORADO ESCROW AND TITLE SERVICES, LLC, DATED JANUARY 09, 2018, FILE NO. 22323CEW.
3. DRAINAGE: THE HISTORICAL FLOW PATTERNS AND RUNOFF AMOUNTS WILL BE MAINTAINED ON THE SITE. ELBERT COUNT IS NOT RESPONSIBLE FOR THE MAINTENANCE OF ANY ONSITE DRAINAGE RELATED FEATURES.
4. THE LOTS SHOWN ON THIS PLAT GENERALLY FOLLOW NATURAL TERRAIN AND CONTAIN NATURAL DRAINAGE WAYS AND FLOW PATHS THAT CONVEY UPSTREAM STORM WATER RUNOFF ACROSS LOT BOUNDARIES. THEREFORE, THE OWNER OF THE UPPER LANDS HAS AN EASEMENT OVER THE LOWER LANDS FOR DRAINAGE OF SURFACE WATERS AND NATURAL DRAINAGE THROUGH THE DOWNSTREAM LOT. EXISTING DRAINAGE PATHS MAY BE ALTERED BUT SHALL PROVIDE FOR THE QUANTITY OF WATER TO PASS FROM THE UPSTREAM DRAINAGE AND NOT NEGATIVELY AFFECT DOWNSTREAM PROPERTIES.
5. PARCEL A: AS SHOWN ON THIS PLAT IS HEREBY DEDICATED AS RIGHT-OF-WAY TO ELBERT COUNTY.

"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 CERTIFICATION SHOWN HEREON."





VICINITY MAP
N.T.S.

N

0 100 200 300
SCALE: 1" = 100'

ADD FENCE LINETYPE TO LEGEND

LEGEND

- PARCEL BOUNDARY
- BUILDING SETBACKS
- RIGHT-OF-WAY
- UTILITY EASEMENT
- PL — OVERHEAD POWER LINE
- SET 5/8"x18"REBAR W/ PLASTIC CAP LS# 38376
- FOUND ALUM MONUMENT

ELBERT COUNTY ENGINEERING

THIS PLAT WAS REVIEWED AND APPROVED BY THE ELBERT COUNTY ENGINEER ON THE _____ DAY OF _____, 20 _____, A.D.

_____
ELBERT COUNTY ENGINEER

APPROVAL OF COUNTY COMMISSIONERS

THIS PLAT WAS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF ELBERT COUNTY, COLORADO, ON THE _____ DAY OF _____, 20 _____, A.D.

_____
CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

TITLE VERIFICATION

WE, _____, A QUALIFIED TITLE INSURANCE COMPANY, DO HEREBY CERTIFY THAT WE HAVE EXAMINED THE TITLE OF ALL LANDS PLATTED HEREON AND THAT TITLE TO SUCH LANDS IS IN THE DEDICATOR FREE AND CLEAR OF ALL LIENS, TAXES AND ENCUMBRANCES.

_____ (BY)_____, AS _____.
(DATE) (OF) _____

COMMUNITY & DEVELOPMENT SERVICES

THIS PLAT IS APPROVED BY THE ELBERT COUNTY COMMUNITY & DEVELOPMENT SERVICES THIS _____ DAY OF _____, 20 _____, A.D.

_____ _____
DIRECTOR COMMUNITY & DEVELOPMENT SERVICES

CERTIFICATE OF SURVEY

I, ELIJAH FRANE, REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY OF "ATKINSON MINOR RESIDENTIAL DEVELOPMENT" WAS MADE UNDER MY DIRECT SUPERVISION AND THE ACCOMPANYING PLAT ACCURATELY AND PROPERLY SHOWS SAID SUBDIVISION

_____
ELIJAH FRANE, COLORADO
PLS #38376
FOR AND ON BEHALF OF
FRANE SURVEYING INC.

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO)
)SS
COUNTY OF ELBERT)

I HEREBY CERTIFY THAT THIS PLAT WAS FILED IN MY OFFICE THIS _____ DAY OF _____, 20____, A.D., AT _____ O'CLOCK __.M., AND WAS RECORDED PER RECEPTION NO. _____, BOOK _____, PAGE _____.

DALLAS SCHROEDER _____
COUNTY CLERK AND RECORDER

DATE:	REVISIONS:
03/13/18	1ST COMMENTS

FRANE SURVEYING INC.
303-243-0037
P.O. BOX 2372
ELIZABETH COLORADO 80107

SCALE	DATE	DRAWN BY
1"=100'	01/06/18	ERF

TITLE: ATKINSON MINOR RESIDENTIAL DEV. PART OF SEC. 20, T9S, R64W, 6TH P.M. ELBERT COUNTY, STATE OF COLORADO

CLIENT: DALE AND JULIE ATKINSON

SHEET 1 OF 1

JOB NUMBER: 17-165-MD

CASE NO: RZ-17-0045

ATKINSON REZONE EXHIBIT

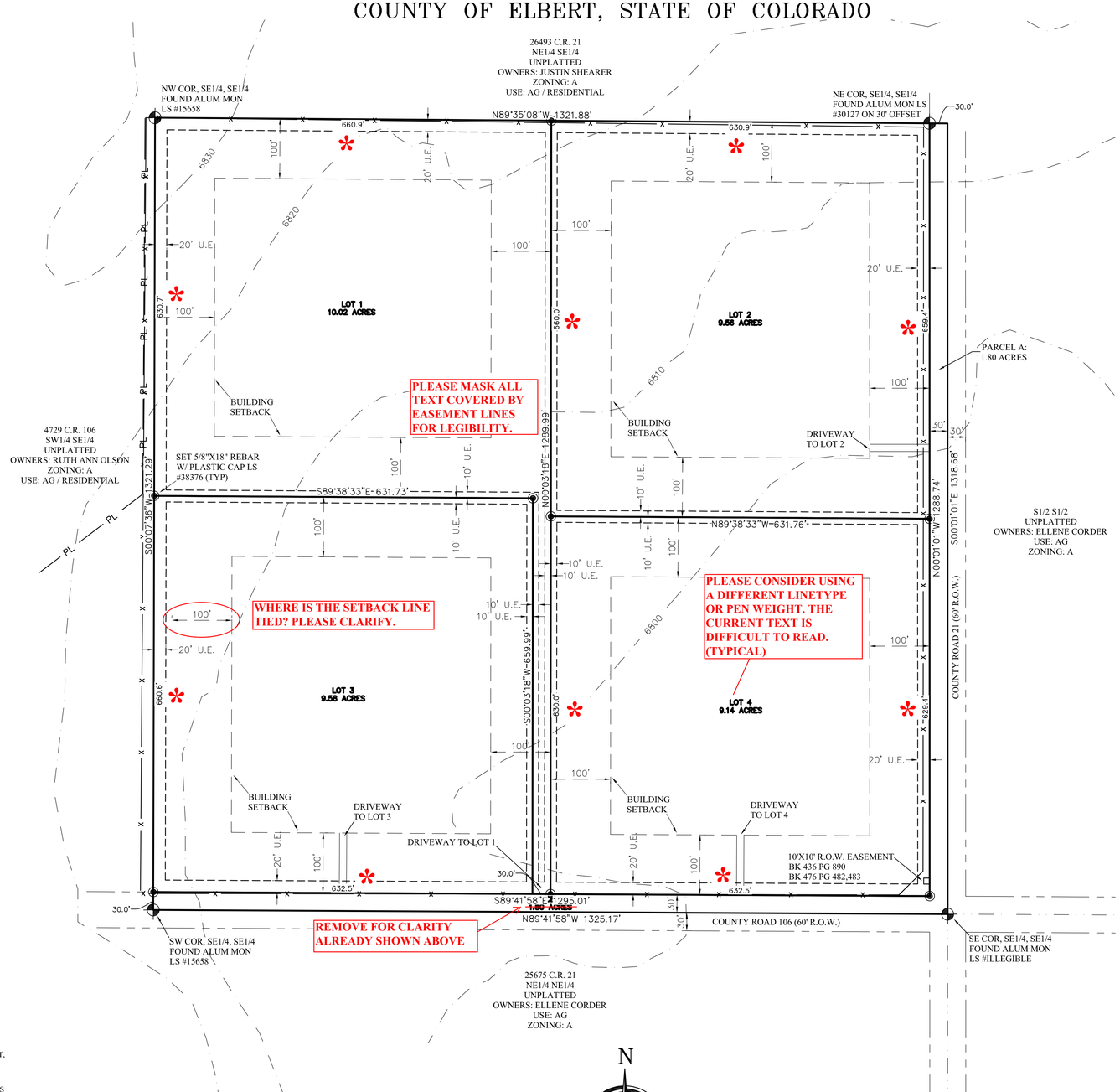
PART OF SECTION 20, T. 9 S, R. 64 W, 6TH P.M.
COUNTY OF ELBERT, STATE OF COLORADO

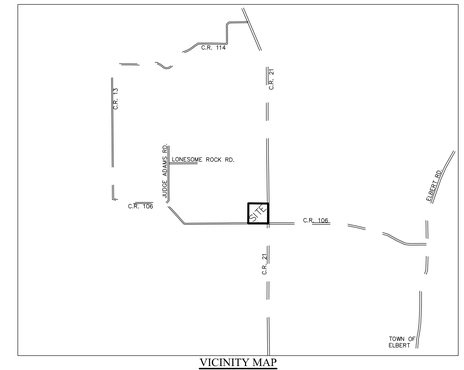
✱ = MATCH PLAT DISTANCES

ADD FENCE LINETYPE TO LEGEND

LEGEND

- PARCEL BOUNDARY
- BUILDING SETBACKS
- RIGHT-OF-WAY
- UTILITY EASEMENT
- PL — OVERHEAD POWER LINE
- SET 5/8"x18"REBAR W/ PLASTIC CAP LS# 38376
- FOUND ALUM MONUMENT





VICINITY MAP
N.T.S.

USE PLAT PROPERTY DESCRIPTION

PROPERTY DESCRIPTION

THE SE 1/4 OF THE SE 1/4 OF SECTION 20, TOWNSHIP 9 SOUTH, RANGE 64 WEST OF THE 6TH P.M., ELBERT COUNTY, COLORADO.

OWNERS

DALE AND JULIE ATKINSON
4702 C.R. 106
ELIZABETH, CO 80107
303-638-8390

ZONING:

EXISTING: A
PROPOSED: A-R

UTILITY EASEMENT DEDICATION

THOSE PORTIONS OF REAL PROPERTY, WHICH ARE LABELED AS UTILITY EASEMENTS ON THIS PLAT, WHETHER PRIVATE OR PUBLIC, ARE HEREBY DEDICATED, FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES, INCLUDING, BUT NOT LIMITED TO ELECTRIC LINES, GAS LINES, TELEPHONE LINES, CABLE TELEVISION; TOGETHER WITH THE RIGHT TO TRIM INTERFERING TREES AND BRUSH, TOGETHER WITH A PERPETUAL RIGHT OF INGRESS AND EGRESS FOR INSTALLATION, MAINTENANCE, AND REPLACEMENT OF SUCH LINES; SAID EASEMENTS AND RIGHT TO BE UTILIZED IN A RESPONSIBLE AND PRUDENT MANNER, SUBJECT TO UTILITY PLACEMENT PERMITTING PROCEDURES FROM ELBERT COUNTY.

APPLICABILITY STATEMENT

EXCEPT AS EXPRESSLY PROVIDED OTHERWISE ON THIS REZONE EXHIBIT, DEVELOPMENT OF THE PROPERTY SHALL CONFORM TO THE ELBERT COUNTY ZONING REGULATIONS IN EFFECT AT THE TIME OF THE FINAL PLAT RECORDATION.

NOTES

1. BASIS OF BEARINGS: THE SOUTH LINE OF THE SE1/4 SE1/4 OF SEC 20 TO HAVE AN ASSUMED BEARING OF N89°41'58"W MONUMENTED AT THE SOUTHWEST CORNER BY A 2 1/2" ALUMINUM MONUMENT, PLS #15658 AND ON THE SOUTHEAST CORNER BY A 2 1/2" ALUMINUM MONUMENT, PLS #ILLEGIBLE.
1. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY FRANE SURVEYING TO DETERMINE OWNERSHIP OR EASEMENT OF RECORD, RIGHT OF WAY, AND TITLE OF RECORD. THIS MAP WAS PREPARED WITH THE BENEFIT OF A TITLE POLICY. COMMITMENT PREPARED BY COLORADO ESCROW AND TITLE SERVICES, LLC, DATED JANUARY 09, 2018, FILE NO. 22323CEW.
2. CONTOURS WERE DIGITIZED FROM A USGS QUAD. MAP

"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 CERTIFICATION SHOWN HEREON."

STANDARD FLEXIBILITY STATEMENT

THE GRAPHIC DRAWINGS CONTAINED WITHIN THIS REZONE EXHIBIT ARE INTENDED TO DEPICT GENERAL LOCATION AND ILLUSTRATE CONCEPTS OF THE TEXTUAL PROVISIONS OF THIS REZONE DURING THE PLATTING PROCESS THE COMMUNITY & DEVELOPMENT SERVICES DIRECTOR MAY ALLOW MINOR VARIATIONS FOR THE PURPOSE OF ESTABLISHING:

1. FINAL ROAD ALIGNMENTS
2. FINAL CONFIGURATIONS OF LOT AND TRACT SIZES AND SHAPES
3. FINAL BUILDING ENVELOPES
4. FINAL ACCESS AND PARKING LOCATIONS
5. LANDSCAPE ADJUSTMENTS

COMMUNITY AND DEVELOPMENT SERVICES

THIS REZONE EXHIBIT WAS REVIEWED AND APPROVED BY COMMUNITY AND DEVELOPMENT SERVICES ON THE _____ DAY OF _____, 20 _____, A.D.

_____
COMMUNITY AND DEVELOPMENT SERVICES DIRECTOR

PLANNING COMMISSION

THIS REZONE WAS REVIEWED BY AND RECOMMENDED FOR APPROVAL BY THE ELBERT COUNTY PLANNING COMMISSION ON THE _____ DAY OF _____, 20 _____, A.D.

_____
CHAIRMAN, PLANNING COMMISSION

BOARD OF COUNTY COMMISSIONERS

THIS REZONE WAS REVIEWED AND APPROVED BY THE ELBERT COUNTY BOARD OF COUNTY COMMISSIONERS ON THE _____ DAY OF _____, 20 _____, A.D.

_____
CHAIRMAN, BOARD OF COUNTY COMMISSIONERS

CLERK AND RECORDER'S CERTIFICATE

I HEREBY CERTIFY THAT THIS REZONE EXHIBIT WAS FILED IN MY OFFICE THIS _____ DAY OF _____, 20____, A.D., AT _____ A.M. / P.M., AND WAS RECORDED PER RECEPTION NO. _____.

_____
COUNTY CLERK AND RECORDER

OWNERS CERTIFICATE

WE, _____ AND _____, AS OWNERS OF THE LAND AFFECTED BY THIS REZONING, ACCEPT AND APPROVE ALL CONDITIONS SET FORTH HEREIN.

OWNERS_____ DATE:_____
(SIGNATURE)

_____
(NAME PRINTED)

_____ DATE:_____
(SIGNATURE)

_____
(NAME PRINTED)

NOTARY PUBLIC:

COUNTY OF _____
STATE OF _____
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20___, BY _____
BY:_____(SIGNATURE)
(NAME PRINTED)
WITNESS MY HAND AND OFFICIAL SEAL
MY COMMISSION EXPIRES: _____

DATE:	REVISIONS:
03/13/18	1ST COMMENTS

FRANE SURVEYING INC.
303-243-0037
P.O. BOX 2372
ELIZABETH COLORADO 80107

SCALE	DATE	DRAWN BY
1"=100'	01/06/18	ERF

TITLE: ATKINSON REZONE EXHIBIT
PART OF SEC. 20, T9S, R64W, 6TH P.M.
ELBERT COUNTY, STATE OF COLORADO

CLIENT: DALE AND JULIE ATKINSON

SHEET 1 OF 1

JOB NUMBER: 17-165-RZ

COUNTY OF ELBERT

COMMUNITY & DEVELOPMENT SERVICE DEPARTMENT
P.O. BOX 7
215 COMANCHE STREET
KIOWA, COLORADO 80117
303-621-3136 FAX: 303-621-3165

REFERRAL REQUEST

DATE: 3/21/2018 **COMMENTS DUE BY:** 4/4/2018

RE: PROJECT NAME: Atkinson RZ & MRD

PROJECT NUMBER: RZ-17-0047 & MD-17-0048

PROJECT TYPE: Rezone and Minor Residential Development

Dear Referral Organization:

Information on the proposal in Elbert County referenced above is enclosed for your review and comments. Please check one of the following:

☐ We have no objections to this proposal.

☑ Please note the following concerns this organization has with this proposal:
Thank you for the opportunity to review Atkinson Minor and for the requested utility easements. Contact MVEA for additional info on cost, system improvements or relocation

☐ See the attached letter for detailed comments regarding this proposal.

Date: _____

Agency Name: Mountain View Electric Association

Your name (**Please Print Clearly**): Cathy Hansen-Lee

Signature: Cathy Hansen-Lee

We invite you to attend the meeting/hearing, if you wish, to express your specific comments/concerns regarding this project. Hearing dates may be obtained by calling the Elbert County Planning Department at 303-621-3136. If you are unable to submit written comments by the above date or need additional materials of information, please contact this office as soon as possible.

Please note that the Planning Department considers failure to respond as approval of the proposal by all identified agencies. This consideration is based upon the language in the Colorado Revised Statues 30-28-136(2).

Sincerely,

Project Planner

COUNTY OF ELBERT

COMMUNITY & DEVELOPMENT SERVICE DEPARTMENT
P.O. BOX 7
215 COMANCHE STREET
KIOWA, COLORADO 80117
303-621-3136 FAX: 303-621-3165

REFERRAL REQUEST

DATE: 1/30/2018 **COMMENTS DUE BY:** 2/13/2018

RE: PROJECT NAME: Atkinson RZ & MRD

PROJECT NUMBER: RZ-17-0047 & MD-17-0048

PROJECT TYPE: Rezone and Minor Residential Development

Dear Referral Organization:

Information on the proposal in Elbert County referenced above is enclosed for your review and comments. Please check one of the following:

[✔] We have no objections to this proposal.

[ ] Please note the following concerns this organization has with this proposal:

[ ] See the attached letter for detailed comments regarding this proposal.

Date: 2/13/18

Agency Name: CenturyLink

Your name (**Please Print Clearly**): Dustin Pulciani, ROW Agent

Signature: _____

We invite you to attend the meeting/hearing, if you wish, to express your specific comments/concerns regarding this project. Hearing dates may be obtained by calling the Elbert County Planning Department at 303-621-3136. If you are unable to submit written comments by the above date or need additional materials of information, please contact this office as soon as possible.

Please note that the Planning Department considers failure to respond as approval of the proposal by all identified agencies. This consideration is based upon the language in the Colorado Revised Statues 30-28-136(2).

Sincerely,

Project Planner

COUNTY OF ELBERT

COMMUNITY & DEVELOPMENT SERVICE DEPARTMENT
P.O. BOX 7
215 COMANCHE STREET
KIOWA, COLORADO 80117
303-621-3136 FAX: 303-621-3165

REFERRAL REQUEST

DATE: 3/21/2018 **COMMENTS DUE BY:** 4/4/2018

RE: PROJECT NAME: Atkinson RZ & MRD

PROJECT NUMBER: RZ-17-0047 & MD-17-0048

PROJECT TYPE: Rezone and Minor Residential Development

Dear Referral Organization:

Information on the proposal in Elbert County referenced above is enclosed for your review and comments. Please check one of the following:

- [x] We have no objections to this proposal.
- [ ] Please note the following concerns this organization has with this proposal:

  _____

  _____

- [ ] See the attached letter for detailed comments regarding this proposal.

Date: 3/21/2018

Agency Name: Elbert School Dist 200

Your name (**Please Print Clearly**): Dev McGuire

Signature: Dev McGuire

We invite you to attend the meeting/hearing, if you wish, to express your specific comments/concerns regarding this project. Hearing dates may be obtained by calling the Elbert County Planning Department at 303-621-3136. If you are unable to submit written comments by the above date or need additional materials of information, please contact this office as soon as possible.

Please note that the Planning Department considers failure to respond as approval of the proposal by all identified agencies. This consideration is based upon the language in the Colorado Revised Statues 30-28-136(2).

Sincerely,

Project Planner

May 9, 2018

Jaxon Fagan
Baseline Corporation

Re: Atkinson Rezone and Minor Residential Development

Jaxon,

Included is the redmark sheet in PDF format, with comments below.

Plat Sheet

1. The set corner symbol at the southeast corner of Lot 4 is not shown at the actual corner. Please adjust accordingly.
2. All found or set monuments should include cap and monument size and type. Please add required information where applicable.

Rezone Exhibit

1. Please reflect any revisions to the plat on the Rezone Exhibit.

If you have any questions concerning these comments, please call.

Sincerely,

Douglas K. Lancaster, Survey Project Manager

COUNTY OF ELBERT

COMMUNITY & DEVELOPMENT SERVICES OFFICE
P.O. BOX 7
215 COMANCHE STREET
KIOWA, COLORADO 80117
303-621-3136 FAX: 303-621-3165

SECTION 6:

Administrative Variance to Minimum Lot Size

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COUNTY OF ELBERT

COMMUNITY & DEVELOPMENT SERVICES
P.O. BOX 7
215 COMANCHE STREET
KIOWA, COLORADO 80117
303-621-3185 FAX: 303-621-3165
tracey.aaron@elbertcounty-co.gov

STAFF REPORT DATE: April 30, 2018
ADMINISTRATIVE HEARING DATE: May 17, 2018 – 9:00am

TO: Vince Harris, AICP, Interim Community & Development Services Director (Hearing Officer for this case)
FROM: Jaxon Fagan, Associate Planner
RE: Atkinson Administrative Lot Size Variance. (Case No. AV-18-0020)

APPLICANT: Julie and Dale Atkinson

REQUEST: The Atkinsons request approval of an administrative variance from the 10 acre minimum lot size standard of the Agriculture Residential (AR) Zone District. The variance is associated with the Atkinson's proposal to rezone their 40 acre property from Agriculture (A) to Agriculture Residential (AR), and to subdivide it into 4 lots. Due to the County's requirement that the Atkinsons dedicate right of way to Elbert County along the adjacent County Roads, the size of 3 proposed lots bordering County Roads 17/21 and 106 are smaller than the 10 acre minimum lot size standard. Lot 2 is proposed at 9.33 acres (7% reduction), Lot 3 at 9.58 acres (4% reduction), and Lot 4 at 8.92 acres (11% reduction).

BACKGROUND: The application was received on March 21, 2018, reviewed for completeness, and sent to applicable referral agencies. No agencies object to the proposal. An administrative hearing was set for May 17, 2018. Per Elbert County regulations, the applicant mailed notice of the hearing to property owners within 500 feet of the subject property. At the time of preparation of this report, staff has received no comments from neighbors or other residents.

EVALUATION

Elbert County Zoning Regulations Part I. Section 3, E.1: The Community and Development Services director may grant an Administrative Variance, upon prior approval by the Board of County Commissioners, for those items listed in Part 1, Section 3.B.1., where the total encroachment/adjustment does not exceed 15%.

Elbert County Zoning Regulations Part I. Section 3.B.1.A allows variances from the 'minimum area of a lot'.

Staff Comment: The proposal is a variance from a minimum area of a lot and is allowed to be considered for a variance. Because the adjustment does not exceed 15%, the variance is allowed to be considered administratively by the CDS Director.

Elbert County Zoning Regulations Part I. Section 3.E.1.b requires the following items as part of an administrative variance application.

1. Completed application form
2. Proof of ownership
3. Application fee
4. Site plan

Staff Comment: All submittal requirements have been fulfilled.

FINDINGS: The applicant has met all of the requirements of the Elbert County Zoning Regulations. The variance is proposed due to the county requirement of dedication of right of way for the two adjacent county roads, is not a self-imposed hardship, will not endanger the health, safety or welfare of Elbert County residents, meets the spirit of the minimum lot size in the Agriculture Residential (AR) Zone District, and is the minimum variance necessary to address the hardship.

RECOMMENDATION: Neither a Planning Commission Hearing or a Board of County Commissioners hearing is a requirement for an Administrative Variance request. Community and Development Services have the following recommendations:

Approve Atkinson Administrative Variance - Case# AV-18-0020, subject to the following:

1. Adopt the Findings as enumerated herein.

Respectfully submitted to and on behalf of Elbert County,

Jaxon Fagan
Associate Planner
Baseline Corporation,
On behalf of Elbert County

☐ ☐ Decision of Hearing Officer

Vincent Harris, Hearing Officer
Interim CDS Director

Request is (APPROVED) / ~~DENIED~~

May 17, 2018
Date