



PLANNING COMMISSION AGENDA

January 12, 2023 at 1:30 PM

Commissioners Meeting Room - 401 Main Street, Suite 309, Walsenburg, CO 81089

Office: 719-738-3000 ex 200 | Fax: 719-738-3996

Join via Zoom: <https://us02web.zoom.us/j/82550511219> | Meeting ID: 825-5051-1219

1. ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. READING OF MINUTES
 - a. Minutes from 12-22-22
4. ACTION ITEMS
 - a. 22-59 Vacation Wetsel
 - b. 22-60 Plat Correction-Pavlick-affecting parcels 29779, 29773 and 67030
 - c. 23-01 Plat Amendment BH2 - Panadero #3, Tract 6
 - d. Roadway Design and Construction Standards
5. LGD UPDATES
6. DISCUSSIONS
7. ADJOURNMENT
8. UPCOMING MEETINGS



Huerfano County Planning Commission
semi-monthly Regular Meeting
Thursday, December 22, 2022; 1:30 P.M.

Minutes

Meeting started at 1:30 pm

1. **Roll Call:** Edmundson, White, Lyons, Tesitor. Brown
Falk – absent, excused.
2. **Pledge of Allegiance**
3. **Reading of Minutes from 12/08/2022:** Motion made by White to approve the minutes, second by Brown, Tesitor abstained, approved by rest of Planning Commission present.
4. **Action Items:**
 - a. 22-55 BH2 Map Amendment and Vacation of ROW in Cuchara Mountain Park. The information regarding the density study were provided by BH2 as well as Mr. Hotalling. A motion was made by White and second by Brown to send to a Joint Public Hearing at the next BOCC meeting [January 17, 2023] at 10:00am, passed unanimously.
 - b. 22-53 CUP Hamant: RV Park in Panadero Subdivision. POA representative Gerald Palomino, spoke on behalf of the POA. It was proven that the Hamant property is not part of the Panadero Subdivision POA. A motion was made by White and Second by Brown to send to a Joint Public Hearing at the next BOCC meeting [January 17, 2023] at 10:00am, passed unanimously.
 - c. 22-57 Atlas Tower 1; this is to put a cell tower on CR 123 to accommodate up to four cell providers. Presentation and questions answered by Michael Powers who was present representing the company. Motion made by White and second by Brown to send to the next available Joint Public Hearing [January 24, 2023] at 10:00am, passed unanimously.
5. **LGD Updates:**
6. **Old Business**
 - a. Monte Fiore: BOCC voted 2:1 to give Monte Fiore until January 31, 2023 to get into full compliance or the revocation of CUP 17-001 and Variance 20-011 will begin.

7. New Business:

- 8. Discussions:** Tallman and Chamberlain went with Edmundson to look at the Bradford Mesa Project and took several pictures in several areas around the mesa. Findings were two cores that were drilled, completely filled and a railway.

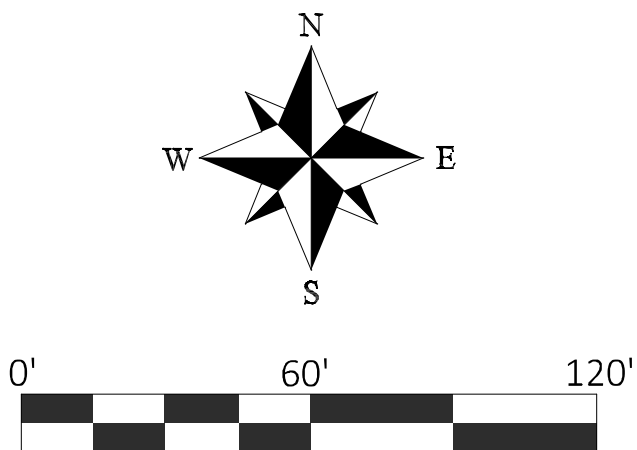
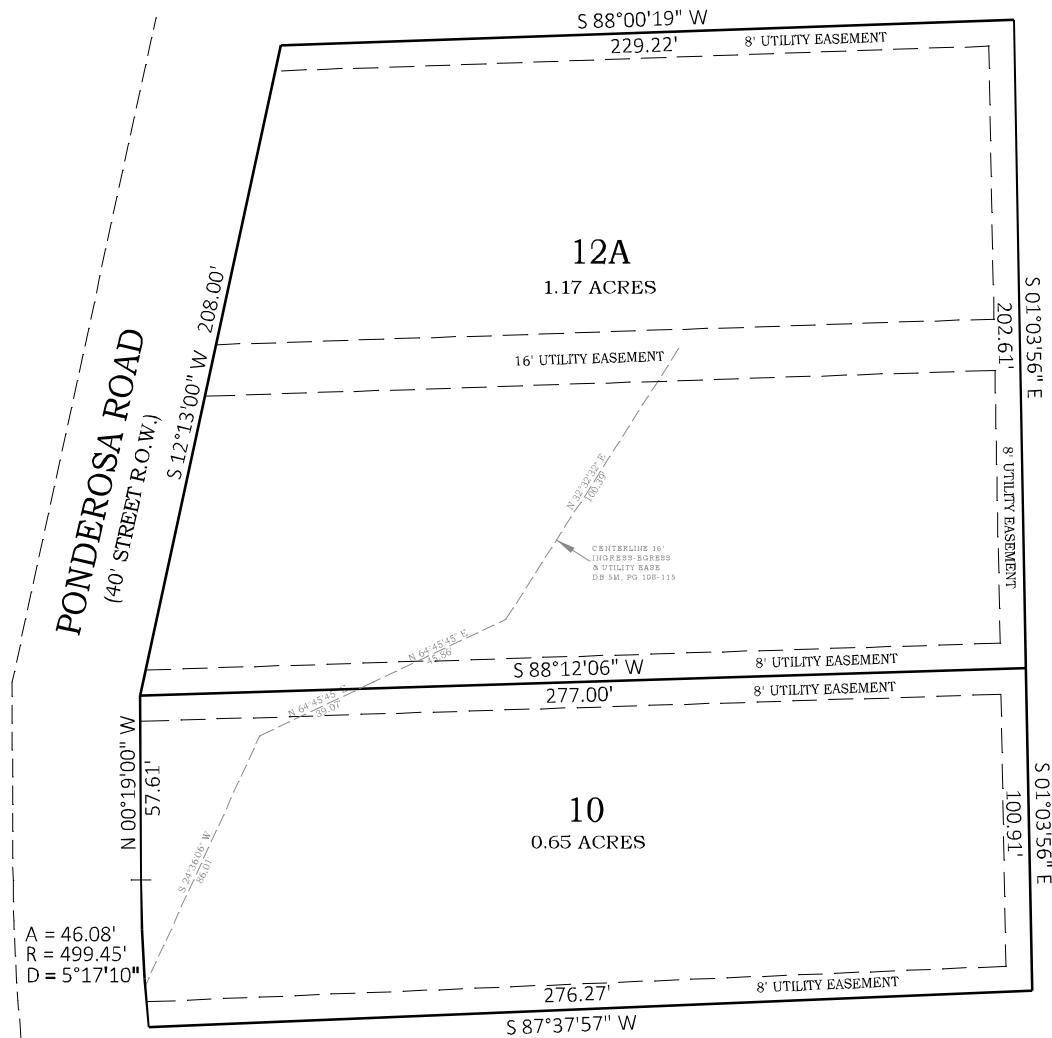
9. Commissioner Updates: None

10. Adjourn at 3:03 pm

LOT CONSOLIDATION PLAT
For JAMES R. WETSEL and TERRI A. WETSEL

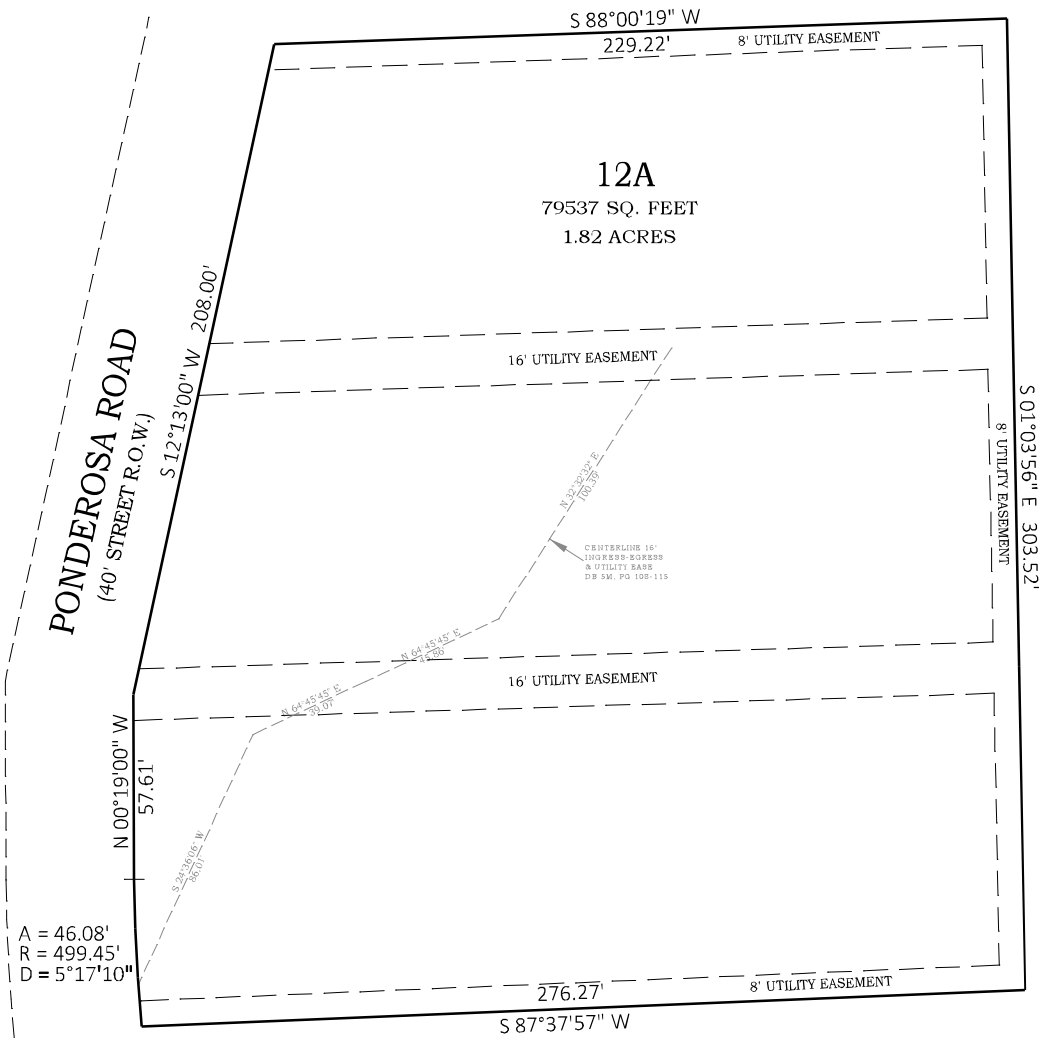
A VACATION AND REPLAT OF LOT 10, SPANISH PEAKS FILING NO. 4 AND LOT 12A, P&Z
APPLICATION 09-25, COUNTY OF HUERFANO, STATE OF COLORADO.

AS PLATTED:



SCALE 1" = 60'
(U.S. Survey Feet)

AS VACATED:



- NOTES**
- BUILDING SETBACK LINES ARE:
(a) 30 FEET DISTANCE FROM DWELLING TO REAR OF LOT LINE.
(b) 30 FEET DISTANCE FROM DWELLING TO FRONT OF LOT LINE.
(c) 15 FEET DISTANCE ON INTERIOR LOT LINE SIDES.
 - THERE ARE UTILITY EASEMENTS 8 FEET WIDE ALONG ALL SIDE AND REAR LOT LINES EXCEPT WHERE ARE SHOWN TO BE OTHERWISE.
 - LOT 12A IS RESTRICTED FROM FUTURE DIVISION

NOTICES

AT THE CLIENTS REQUEST, SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITH IN THREE YEARS AFTER YOU FIRST DISCOVER SUCH A DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

LEGAL DESCRIPTION

LOT 12A, FORMERLY KNOWN AS LOTS 10 AND 12A, SPANISH PEAKS FILING NO. 4, RECORDED AT PLAT MAP NO. 109, JUNE 9, 1972 AT RECEPTION NO. 246583. MAP AMENDMENT RECORDED SEPTEMBER 22, 2009 AT MAP NO. 499, ACCORDING TO THE RECORDS OF THE CLERK AND RECORDER FOR HUERFANO COUNTY, COLORADO.

ACCEPTANCE BY COUNTY PLANNING

THIS MAP AMENDMENT WAS ACCEPTED BY THE HUERFANO COUNTY BOARD OF COUNTY PLANNING COMMISSION ON THE _____ DAY OF _____, 2022, AD.

CHAIR, BOARD OF PLANNING COMMISSION

ACCEPTANCE BY COUNTY COMMISSIONERS

THIS MAP AMENDMENT WAS ACCEPTED BY THE HUERFANO COUNTY BOARD OF COUNTY COMMISSIONERS ON THE _____ DAY OF _____, 2022, AD.

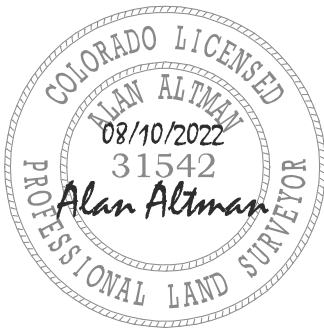
CHAIR, BOARD OF COUNTY COMMISSIONERS

SURVEYORS CERTIFICATION:

I, ALAN ALTMAN, A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF COLORADO, HEREBY CERTIFY TO JAMES R. WETSEL AND TERRI A. WETSEL, THAT THIS MAP AMENDMENT IS NOT BASED UPON AN ACTUAL FIELD SURVEY CONDUCTED BY ME OR UNDER MY RESPONSIBLE CHARGE, BUT WAS PREPARED USING INFORMATION SHOWN ON THE PLAT OF SPANISH PEAKS FILING 4, OF THE RECORDS OF THE HUERFANO COUNTY CLERK AND RECORDER. THE PROPERTY WITHIN THIS PLAT AMENDMENT MAY OR MAY NOT BE PRESENTLY MONUMENTED AND IF IS MONUMENTED I HAVE NOT CONFIRMED THAT THE PROPERTY PINS ARE ACCURATELY LOCATED.

BY: _____ DATE: _____

ALAN ALTMAN, PLS. 31542
SOUTHERN COLORADO SURVEYING AND MAPPING, INC.
COLORADO CITY, COLORADO



**Southern Colorado
Surveying and Mapping**

P.O. Box 19376
Colorado City, Colorado 81019

Scale: 1" = 60'	(719) 678-3665	Surveyors: AA
Date: = 08/10/2022	pls31542@att.net	Drawn By: SA
Job No. 2022-034	southerncoloradosurvey.com	Sheet 1/1

Jefferson County Land Use Department
401 Main Street, Suite 304
Walsenburg, Colorado 81089
(719) 738-3000 ext. 108



GENERAL LAND USE APPLICATION

Application File No.: 22-59
Chk 8200
12/22

1. ACTION(S) REQUESTED:

- ☐ Conditional Use Permit Application
☐ Conditional Use Application / Marijuana
☐ Conditional Use Application / Oil, Gas or Uranium Exploration and/or Development
☐ Rezoning
☐ Variance
☐ Subdivision Exemption
☐ Plat Amendment
☐ Plat Correction
☐ Road Right-of-Way or Easement Vacation
☒ Lot Consolidation
☐ Other Actions (specify): _____
- ☐ Sign Permit
☐ Temporary Use or Assembly Permit
☐ H.B. 1041 Text Amendment
☐ H.B. 1041 Development Permit
☐ H.B. 1041 Flood Plain Exemption
☐ Comprehensive Plan Text of Map Amendment
☐ PUD or non-PUD Subdivision Approval:
☐ Sketch Plan
☐ Preliminary Plan
☐ Final Plat / Subdivision Improvement Agreement
☐ Re-hearing of Denied Application

2. APPLICATION STATUS (for County use only):

Date Application Received: 12/22/22 Application Fees Required: \$2200.00
Received By: Sky Tallman Date Application Fees Paid: 12/22/22

3. APPLICATION AND OWNER INFORMATION:

Name of Applicant: James R and Terri A Whitset
Applicant's Mailing Address: 581 Padonosa Rd, Cuchara, Co. 81055
Applicant's Telephone and/or FAX: 719 214-3343 719 214-3385
Applicant's E-Mail Address: allseasonscuckara@gmail.com sta228@gmail.net
Name of Land Owner: James R and Terri A Whitset
Land Owner's Mailing Address: 581 Padonosa Rd, Cuchara Co. 81055
Land Owner's Telephone and/or FAX: 719 214-3343 719 214-3385

4. SUMMARY OF APPLICATION:

Land Area included within the scope of this Application: 1.82 ☐ Square Feet or 1529318 Acres
Parcel (Schedule) Number (Available from Assessor): _____
Legal description of land on which action is proposed (please attach the legal description to this Application)
Existing Zoning District(s): Urban Residential
Proposed New District(s): _____
Number of Existing Lots: 2
Number of Proposed Lots: 1
Number of Proposed Dwelling Units: _____

Huerfano County Land Use Department
401 Main Street, Suite 304
Walsenburg, Colorado 81089
(719) 738-3000 ext. 108



GENERAL LAND USE APPLICATION

Proposed Average Lot Size: 1.82 Acres

If a Variance Request, please state the reason for the Variance(s): _____

Is all or a portion of the subject land located in a potential flood plain area, or are there areas with slopes in excess of twenty percent (20%)? ☐ YES ☒ NO

If YES, which of these conditions exist? _____

Value of proposed new development: _____

Will the proposed project require any State or Federal permits? ☐ YES ☒ NO

If YES, please list all permits or approvals required: _____

If a H.B. 1041 permit is required, for what matters of local concern and state interest? _____

Please list any additional pertinent information: _____

5. CERTIFICATION BY THE APPLICANT:

I hereby certify that this Application is made with full knowledge of the design standards, all fees, procedures, public hearing and meeting requirements contained in the Huerfano County Land Use Regulations. Furthermore, I understand that all land use permits are non-transferable, unless specifically approved by the Huerfano County Board of County Commissioners. The Board of County Commissioners may impose permit transfer fees as it deems appropriate. I also understand that issuance of a permit does not relieve me of the requirement to comply with all federal, state, and local laws as well as all relevant subdivision regulations, declarations, and covenants. All documents submitted may be subject to internet publishing.

Signature of Applicant: *James R. Wetzel* Date: _____

Printed Name: James R. Wetzel

6. ACTION (by the authorized permitting authority):

☐ Final Approval ☐ Conditional Approval ☐ Denial

Name _____ Signature _____

Title _____ Date _____

424535

Page 1 of 1

Nancy C. Cruz, Clerk & Recorder
Huerfano County, CO

11-08-2021 12:01 PM Recording Fee \$13.00

WARRANTY DEEDTHIS DEED is dated the 30 day of November,
and is made betweenJOY WYATT REVOCABLE TRUST, JOY WYATT TRUSTEE
(whether one, or more than one), the "Grantor" of the County of _____
and State of _____ and

JAMES R. WETSEL and TERRI A. WETSEL

the "Grantees", whose legal address is 581 Ponderosa Rd
Cuchara 81055 of the County of Huerfano
and State of Colorado

WITNESS, that the Grantor, for and in consideration of the sum of (\$300,000.00) Three Hundred Thousand Dollars and No Cents, the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, conveys and confirms unto the Grantees and the Grantees' heirs and assigns forever, not in tenancy in common but in joint tenancy, all the real property together with any improvements thereon, located in the County of Huerfano and State of Colorado described as follows:

LOTS 10 AND 12A, SPANISH PEAKS FILING NO. 4, RECORDED AT PLAT MAP NO. 109, JUNE 9, 1972 AT
RECEPTION NO. 246553, MAP AMENDMENT RECORDED SEPTEMBER 22, 2009 AT MAP NO. 499, ACCORDING
TO THE RECORDS OF THE CLERK AND RECORDER FOR HUERFANO COUNTY, COLORADO.

also known by street and number as: 202 PONDEROSA, CUCHARA, CO 81055

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

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the Grantees, and the Grantees' heirs and assigns forever.
The Grantor, for the Grantor and the Grantor's heirs and assigns, does covenant, grant, bargain, and agree to and with the Grantees, and the Grantees' heirs and assigns: that at the time of the enrolling and delivery of these presents, the Grantor is well seized of the premises above described; has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, and 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 and subject to:

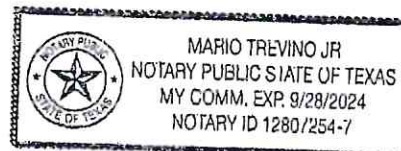
SEE ATTACHED EXHIBIT "A"

And the Grantor shall and will WARRANT AND FOREVER DEFEND the above described premises, in the quiet and peaceable possession of the Grantees, and the heirs and assigns of the Grantees, against all and every person or persons lawfully claiming the whole or any part thereof.

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

X Joy Wyatt - JTE
JOY WYATT REVOCABLE TRUST, JOY WYATT
TRUSTEEState of Texas
County of KendallThe foregoing instrument was acknowledged before me this 30 day of November, 2021 by JOY
WYATT REVOCABLE TRUST, JOY WYATT TRUSTEE.

Witness my hand and official seal.

X Mario Trevino Jr
Notary Public, Mario Trevino Jr
My commission expires: 9/25/2024

Huerfano County Land Use Department

401 Main Street, Suite 304
Walsenburg, Colorado 81089
719-738-1220, Ext. 506



Item 4a.

Huerfano County Planning Commission Staff Report – Vacation 22-59 Planning Commission

01/12/2023

Request

With this Application James and Terri Wetsel requests the following:

To vacate the property line that separates lot 10 and 12A pursuant to LUR Section §2.14 to take and remove the property line which separates lot 10 which is .65 acres and lot 12A which is 1.17 acres making the two lots into one lot becoming 1.82 acres. The site is located at 581 Ponderosa Rd. Parcel Number 42376

The subject property is zoned Urban Residential. Minimum lot size in this zone is .5 acres. Zoning standards for this district are set forth in LUR Section §1.03.02

Process for Vacation

(2.15.01): PC meeting: recommendation → Referral Agencies → Joint Public Hearing
County Clerk and Recorder within 5 days at applicant's expense.

Noticing: BOCC may require notification of review agencies or other interested parties.

Code References

The following Code Sections are pertinent to the evaluation of this request:

§ 2.15 – Vacating of Approved and Recorded Plats, Roads or Easements

Application Materials Required for a Vacation: Proof of ownership; approved and recorded final plat along with proposed amendments; narrative statement explaining why proposed changes should be approved by the Planning Commission and BOCC.

Application Materials: Land Use application, proof of ownership, and survey of current plat and amended plat along with a statement explaining why proposed changes should be approved by the Planning Commission and BOCC.

Background

This application, along with all required attachments were received on . Application Fees have been received by the County. Staff has determined the application to be complete.

Property History: The current owners purchased this property on November 3, 2021 from Joy Wyatt. Ms. Wyatt started the process to vacate the property, but never finished.

Legal Description:

References: See survey of current plats then survey of proposed vacation.

Proposal:

Eligibility for a Vacation: (2.15) Minor changes that do not include modifications which significantly alter the intended land uses, density, number of lots, circulation system, drainage easements, dedicated land or encompass more than 25% of land included within a recorded subdivision. Scope can include adjustment of lot lines, replatting of lots, reconfiguration of dedicated streets and easements and reserved sites.

2.14.03 Criteria for Action on a Plat Amendment Application

All actions by the Planning Commission in reviewing and making recommendations on an application to amend an approved and recorded plat and by the Board of County Commissioners in approving or disapproving such applications shall be based in general upon the provisions of these regulations and specifically on the following **criteria:**

- 1** That the proposed amendment meets the qualifications stated herein for a minor change to the approved and recorded plat.
- 2** That the proposed amendment would be consistent with all other provisions of these regulations and would not cause significant hardship or inconvenience for adjacent or neighboring land owners or tenants.
- 3** That the proposed amendment would be beneficial to the public health, safety or welfare of County residents.

Analysis

The Planning Commission shall decide whether the proposed changes qualify for a Vacation.

Referral Comments

No letters have yet been sent to the referral agencies/surrounding land owners.

Staff Comment

Review the application for completeness.
Recommendations for Review Agencies
Recommend go to a Joint Public Hearing

Note: Vacations require a Joint Public Hearing. Planning Commission should make a recommendation to BOCC for a Public Hearing at an upcoming BOCC public meeting.
Planning Commission/BOCC may require notification of review agencies or other interested parties.

Commission Action: Recommend one of the following to the BOCC:

Enclosures

- Application Materials



Huerfano County Planning Commission
Staff Report – Permit #22-60 Plat Correction Pavlick
Meeting Type – Recommendation
Plat Correction Affecting Parcels 29779, 29773, and 67030

January 12, 2023

Request

With this Application Gerald Pavlick, on behalf of Antonio G Martinez LLC (the Applicant) requests the following:

A correction to a plat pursuant to LUR Section §2.04.02(2) (Subdivision Exemptions) to re-draw the boundaries of Parcel Numbers 27793, owned by Gregory Scott Orr and 67030, owned by La Fraternidad Piadosa de Nuestro Padre Jesus de San Jose, which are surrounded by Parcel number 29779, owned by Antonio G Martinez LLC. The parcel was intended to contain two historic structures, which fall partially outside the platted area. This correction will amend the plat as it was originally intended. The site located west of County Road 331.

The subject property is zoned Agricultural. Zoning standards for this district are set forth in LUR Section §1.03.

Code References

The following Code Sections are applicable to this application and may be referenced by Planning Commission in their evaluation of the request:

§2.04.02(2)

2.04.02 Other Exemptions

Upon the recommendation of the Planning Commission, the Board of County Commissioners may, in its discretion and in accordance with the procedures described in Section 2.04.03, Exemption and Waiver Procedures, exempt from the definition of the terms "subdivision" and "subdivided land" any division of land which:

...

2. Is done for the purpose of correcting an engineering or survey error in a recorded plat, provided that the correction(s) continue to meet the applicable provisions of these regulations.

Background

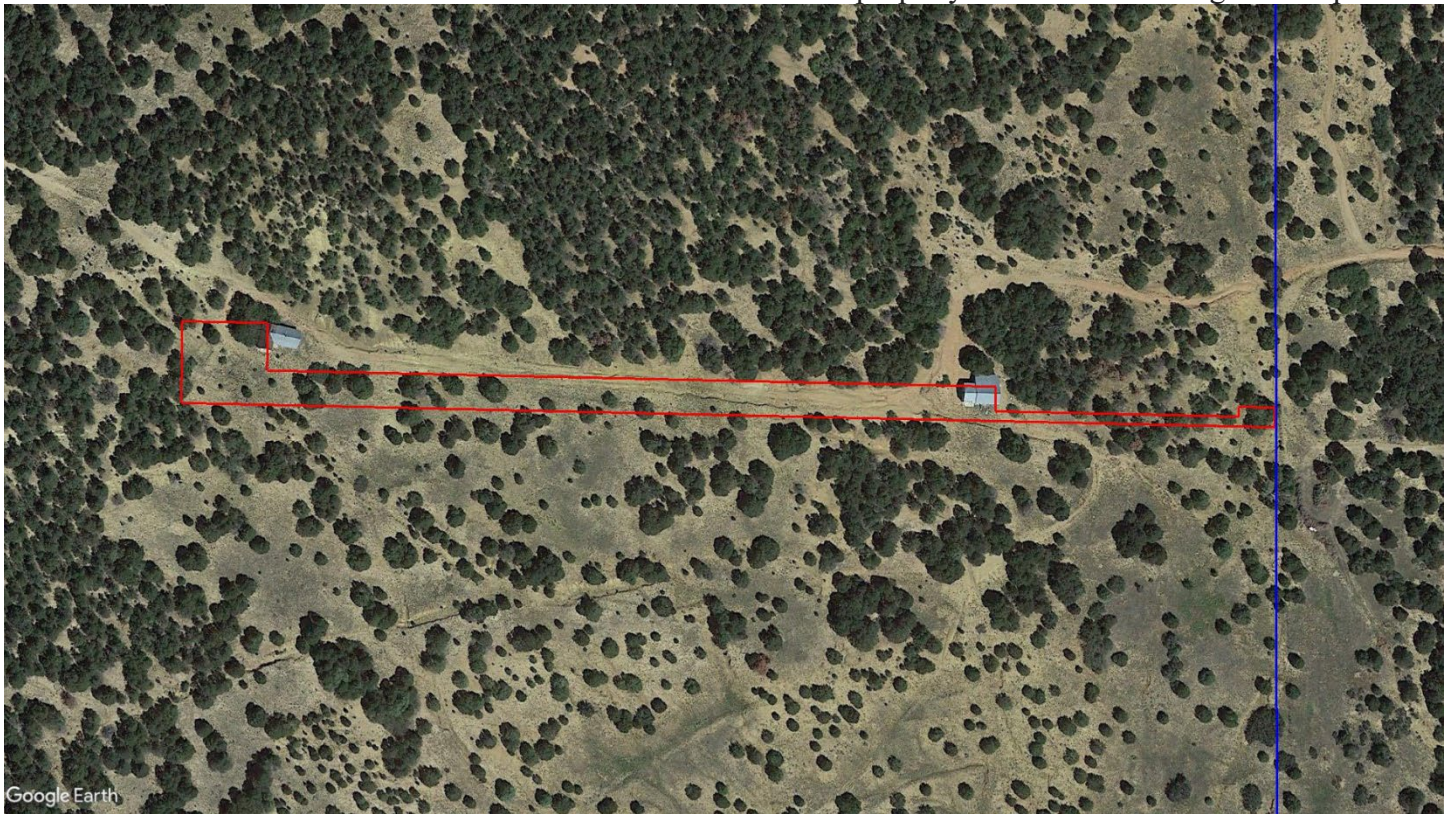
All required application materials were received by the County and the Application was determined to be complete on December 29, 2022.

This Plat Correction is to correct and replace deeds filed in Book 128, Page 360; Book 171, Page 208; Book 401 Page 219; Book 401, Page 717; and Book 406 Page 609.

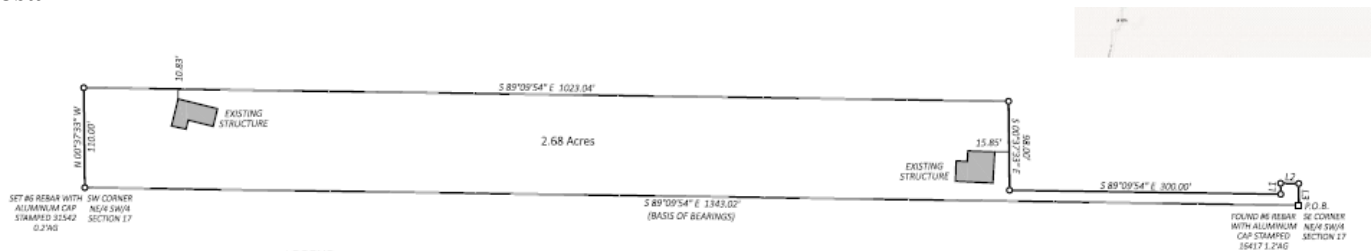
This correction will add approximately 1.2 acres to the Orr property, and it will combine the Orr property with the Fraternidad Piadosa de Nuestro Padre Jesus de San Jose. The Fraternidad no longer exists (see attached articles of dissolution), and the Applicant has paid taxes on this property since at least 1995. Both the Applicant and Orr have paid taxes on parcel 27793.

A portion of the legal description of the parcel number 67030, owned by the Fraternidad, is contained within parcel number 27793. It is unclear whether the entirety of 67030 was meant to be sold with the creation of 27793. Antonio G Martinez LLC has paid taxes on the entire west half of Section 17, including for properties 27793 and 67030. 67030 was exempt; Mr. Orr of 27793 appears to also have paid property taxes on his parcel.

Whether this plat correction combines 27793 or not is not of interest to the Applicant. The Applicant simply intends to fix the errors with 27793 in order to be able to sell their property with a corrected legal description.



Proposal



Application Materials Required for a Plat Amendment: Proof of ownership; approved and recorded final plat along with proposed amendments; narrative statement explaining why proposed changes should be approved by the Planning Commission and BOCC.

Analysis

The proposal as it has been submitted eliminates a parcel owned by the Fraternidad de Nuestro Padre Jesus de San Jose, which, although the entity no longer exists, may be problematic as it is not possible to ascertain that this portion of land that remains in their name was a mistake when the parcel 67030 was created. The applicant's purpose in submitting this application is to be able to clear up the ownership of land around the buildings on the Orr property to be able to sell their parcel. To this end, it may be advisable to leave the question of 27793 unresolved, amend the map of 67030 and update the legal descriptions for all parcels involved. What will likely happen with Parcel 27793 is that taxes will go unpaid and it will go up for tax auction.

Referral Agencies

No agencies have been contacted as referral agencies. If the Commission recommends referral agencies, this will be done before the BOCC meeting is scheduled.

Staff Comment

The existence of two parcels 27793 and 67030 is likely a platting error when the Fraternidad de Nuestro Padre Jesus de San Jose sold the property to La Fraternidad Piadosa de Nuestro Padre Jesus in 1931. In 1934, La Fraternidad de Nuestro Padre Jesus de San Jose bought parcel 67030 (Book 401 pg 219)

Parcel Descriptions showing overlap of 67030 and 27793

170-35: 1931 Parcel 67030

WHEREAS, on the 28th day of June, A. D., 1924, Rosa Tolmich de Cruz of the County of Huerfano and State of Colorado, of the first part, conveyed the following described property situate in Huerfano County, Colorado, to-wit:

Beginning at the Southwest corner (SW) of the Northeast quarter of the Southwest quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section seventeen (17) in Township twenty-nine (29) south of Range Sixty-six (66) West of the 6th P. M. Colorado: thence North sixty feet (60); thence East forty (40) feet; thence South Forty-eight (48) feet; thence East twelve hundred sixty feet (1260); thence North twelve (12) feet; thence East twenty (20) feet; thence south twenty-four (24) feet; thence West thirteen hundred twenty (1320) feet to the place of beginning containing one half ($\frac{1}{2}$) an acre more or less.

406-609: 1995 Abel Manzanares sells 27793 to Scott Orr

Township 29 South, Range 66 West of the 6th P.M.

STATE DOCUMENTARY FEE
Date 10-1-95
\$ 20

Section 17: Commencing at a point 319 feet West from the southeast corner of the northeast quarter of the southwest quarter; thence north 42 feet; west 896 feet; north 58 feet; west 105 feet; south 100 feet; east 1001 to the place of beginning, same being a part of the northeast quarter of the southwest quarter, Section, Township and Range above mentioned; containing one acre more or less.

2.14.03 Criteria for Action on a Plat Amendment Application

All actions by the Planning Commission in reviewing and making recommendations on an application to amend an approved and recorded plat and by the Board of County Commissioners in approving or disapproving such

applications shall be based in general upon the provisions of these regulations and specifically on the following **criteria:**

- 1** That the proposed amendment meets the qualifications stated herein for a minor change to the approved and recorded plat.
- 2** That the proposed amendment would be consistent with all other provisions of these regulations and would not cause significant hardship or inconvenience for adjacent or neighboring land owners or tenants.
- 3** That the proposed amendment would be beneficial to the public health, safety or welfare of County residents.

Note: Plat Corrections do not require a public hearing. Planning Commission should make a recommendation to BOCC for an upcoming BOCC public meeting.

BOCC may require notification of review agencies or other interested parties.

Commission Action Options:

- 1. Approval** without any special conditions.
- 2. Conditional** Approval with a description of the special conditions.
- 3. Denial**, indicating for the record the reason(s) for such action.
- 4. Continuation** until a future date to gather more information or obtain clarification or for any other relevant cause.

Enclosures

- Application Materials
- Completeness Checklist
- Process Schedule and Referral List

Huerfano County Land Use Department

401 Main Street, Suite 340, Attn: Land Use

Walsenburg, Colorado 81089

719-738-1220 ext. 103



Item 4b.

GENERAL LAND USE APPLICATION

Application File No.: 22-60

Date Received: 12-29-22

Received by: Tallman

Fees due: \$100 Date Paid 12-29-22

1. ACTION(S) REQUESTED:

- | | |
|--|---|
| ☐ Conditional Use Permit | ☐ Sign Permit |
| ☐ Conditional Use Permit / Marijuana | ☐ Temporary Use Permit |
| ☐ Conditional Use Permit/ Oil, Gas or Uranium
Exploration and/or Development | ☐ H.B. 1041 Text Amendment |
| ☐ Rezoning | ☐ H.B. 1041 Development Permit |
| ☐ Variance | ☐ H.B. 1041 Flood Plain Exemption |
| ☐ Subdivision Exemption | PUD and Subdivisions: |
| ☐ Plat Amendment | ☐ Sketch Plan |
| ☐ Lot Consolidation | ☐ Preliminary Plan |
| ☒ Plat Correction | ☐ Final Plat / Subdivision Improvement Agreement |
| ☐ Right-of-Way or Easement Vacation | ☐ Appeal of Denied Application |
| ☐ Other Actions (specify): _____ | |

2. APPLICANT AND OWNER INFORMATION:

Applicant Name: GERALD PAVLICK MANAGER AGM L.L.C.
Applicant's Mailing Address: 4002 SILVER CREEK TRL. BILLINGS MT. 59106
Applicant's Telephone: 406-671-7609 Email: GPAYLICK@BRESNAN.NET
Name of Land Owner: ANTONIO G. MARTINEZ LLC
Land Owner's Mailing Address: 2572 SKYLINE CT- ERIE CO. 80516
Land Owner's Telephone: 406-671-7609 Email: GPAYLICK@BRESNAN.NET

3. PERMIT DETAILS:

Detailed project description/Scope of Work: RELOCATE PROPERTY BOUNDARY TO CORRE
BUILDING ENCROACHMENT & CORRECT A COUNTY MAP PLOTTING
OF PARCELS

Parcel Area: 2.67 Acres; Zoning District(s): AGRICULTURE

Parcel/Schedule Number(s): 29779 & 27793

Parcel Address (optional): _____

Current/Proposed Land use (see §1.05 of the Land Use Code): AGRICULTURE

GENERAL LAND USE APPLICATION

If project is in an HOA, HOA name: NO

If a Variance Request, please state the reason for the Variance(s): N/A

Is all or a portion of the subject land located in a 100-year flood plain area (see FEMA floodplain map), or are there areas with slopes in excess of twenty percent (20%)? ☐ YES ☒ NO ☐ NOT SURE

If YES, describe existing conditions: _____

Value of proposed project: _____

Will the proposed project require any State or Federal permits? ☐ YES ☒ NO

If YES, please list all permits or approvals required: _____

Additional pertinent information: _____

If a H.B. 1041 permit is required, for what matters of local concern and state interest? _____

4. CERTIFICATION BY THE APPLICANT:

I hereby certify that this Application is made with full knowledge of the design standards, all fees, procedures, public hearing and meeting requirements contained in the Huerfano County Land Use Regulations. Furthermore, I understand that all conditional use permits are non-transferrable, unless specifically approved by the Huerfano County Board of County Commissioners. The Board of County Commissioners may impose permit transfer fees as it deems appropriate. All documents submitted may be subject to internet publishing.

Signature of Applicant: Gerald Pavlick Date: 12/28/2022

Printed name: GERALD PAVLICK MGR AGM LLC

5. ACTION (by the authorized permitting authority):

☐ Final Approval

☐ Conditional Approval

☐ Denial

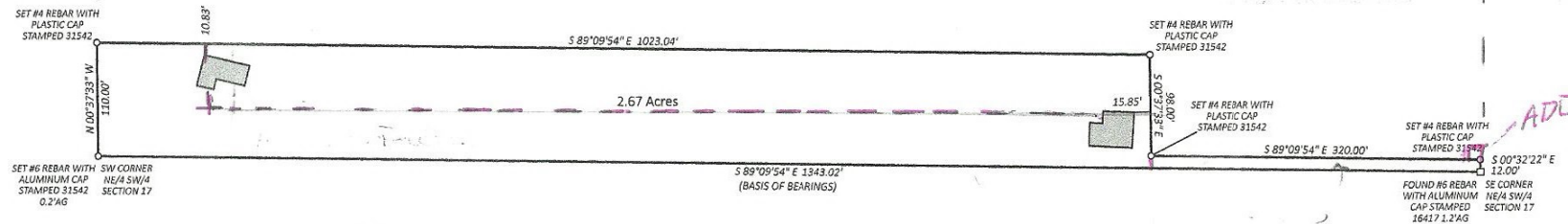
Name _____ Signature _____

Title _____ Date _____

Comments _____

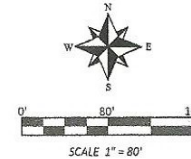
LAND SURVEY PLAT

A PARCEL OF LAND BEING A PORTION OF THE NE/4 OF THE SW/4 OF SECTION 17, T-29-S, R-66-W 6TH P.M., HUERFANO COUNTY, COLORADO



LEGEND

- BOUNDARY LINE
 ————— OTHER
 □ MONUMENTS FOUND
 ○ MONUMENTS SET
 [F] FIELD MEASUREMENT AT TIME OF SURVEY (IF DIFFERENT FROM RECORD)
 AG/BG DENOTES MONUMENT ABOVE GROUND OR BELOW GROUND. NO DISTANCE INDICATES GROUND LEVEL.



(I/WE), ANTONIO G. MARTINEZ, LLC AND MANAGERS: GERALD AND CATHERINE PAVLICK, AS OWNER(S) OF THE LAND AFFECTED BY THIS PARCEL LINE AGREEMENT ACCEPT AND APPROVE ALL CONDITIONS SET FORTH HEREIN.

IN WITNESS WHEREOF, THE GRANTOR HAS CAUSED ITS NAME TO BE HEREUNTO SUBSCRIBED ON THE DAY YEAR FIRST ABOVE WRITTEN.

GRANTOR:

ANTONIO G. MARTINEZ, LLC

BY: _____ BY: _____

NAME: _____ NAME: _____

TITLE: _____ TITLE: _____

STATE OF MONTANA)) SS.

COUNTY OF _____)

THE FOREGOING CERTIFICATE WAS ACKNOWLEDGED BEFORE ME THIS

_____ DAY OF _____, 2022, BY _____,

AND _____, AS THE _____

OF _____

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

MISTAKE OK AS IS
(I/WE), GREGORY SCOTT ORR, AS OWNER(S) OF THE LAND AFFECTED BY THIS PARCEL LINE AGREEMENT ACCEPT AND APPROVE ALL CONDITIONS SET FORTH HEREIN.

(SIGNATURE) _____ DATE: _____

(NAME PRINTED) _____

STATE OF COLORADO)

) SS

COUNTY OF JEFFERSON)

THE FOREGOING CERTIFICATE WAS ACKNOWLEDGED BEFORE ME THIS

_____ DAY OF _____, 23, BY _____

WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

ACCEPTANCE BY COUNTY COMMISSIONERS

THIS VACATION AND REPLAT WAS ACCEPTED BY THE HUERFANO

COUNTY BOARD OF COUNTY COMMISSIONERS ON THE _____

DAY OF _____, 2022, AD.

CHAIR, BOARD OF COUNTY COMMISSIONERS"

LEGAL DESCRIPTION

A parcel of land being a portion of the Northeast Quarter (NE/4) of the Southwest Quarter (SW/4) of Section 17, T-29-S, R-66-W, 6th P.M., Huerfano County, State of Colorado. Being more particularly described as follows:

Commencing at the Southeast corner (a found #6 rebar with an aluminum cap stamped PLS 16417) of the NE/4 of the SW/4 of said Section 17; thence N 89°09'54" W for a distance of 1343.02 feet to the Southwest corner (a set #6 rebar the an aluminum cap stamped PLS 31542) of said NE/4 of the SW/4; thence N 00°37'33" W along the West line of said NE/4 of the SW/4 for a distance of 110.00 feet; thence S 89°09'54" E for a distance of 1023.04 feet; thence S 00°37'33" E for a distance of 98.00 feet; thence S 89°09'54" E for a distance of 320.00 feet to a point on the East line as said NE/4 of the SW/4; thence S 00°32'22" E for a distance of 12.00 feet to the true point of beginning. Containing 2.67 Acres more or less.

NOTES

CHANGE SEE NOTE
THIS SURVEY IS TO CORRECT AND REPLACE DEEDS FILED OF RECORD IN BOOK 128, PAGE 360 AND BOOK 171, PAGE 208 AND BOOK 401, PAGE 219 AND BOOK 401, PAGE 717 AND BOOK 406, PAGE 609.

CERTIFICATION DEFINED: THE USE OF THE WORDS "CERTIFY" OR "CERTIFICATION" BY A LICENSED PROFESSIONAL LAND SURVEYOR CONSTITUTES AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS AND FINDINGS WHICH ARE THE SUBJECT OF THE CERTIFICATION, AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTY, EITHER EXPRESSED OR IMPLIED. (PER COLORADO STATE BOARD RULE NO. 6.2.2)

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 A DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

THIS SURVEY IS VALID ONLY IF THE PRINT HAS THE ORIGINAL SEAL AND SIGNATURE OF THE SURVEYOR.

DATE OF FIELDWORK: DECEMBER 11, 2022.

BASIS OF BEARINGS: THE PLATTED BEARING (S 89°09'54" E) ON THE SOUTH LINE OF THE SUBJECT PARCEL AS SHOWN HEREON.

DISTANCES SHOWN HEREON ARE IN U.S. SURVEY FEET.

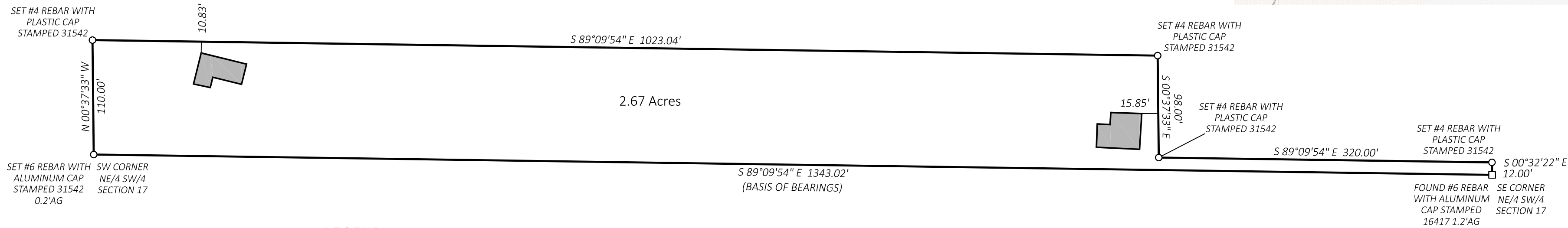
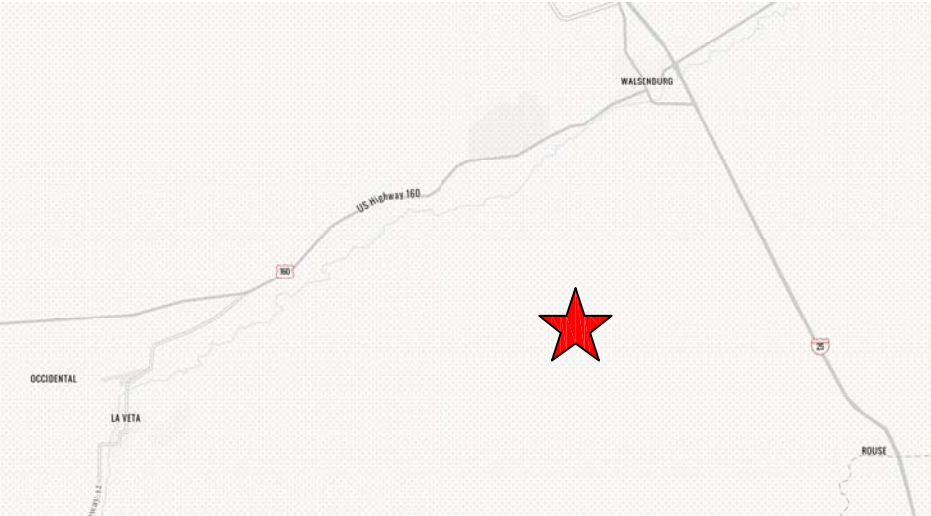
SURVEYORS CERTIFICATION:
AS DEFINED BY THE COLORADO DEPARTMENT OF REGULATORY AGENCIES.
I HEREBY CERTIFY TO: ANTONIO G. MARTINEZ LLC.
THIS SURVEY HAS BEEN SIGNED AND SEALED BY A PROFESSIONAL LAND SURVEYOR REPRESENTING THE SURVEYING SERVICE ADDRESSED THEREIN AND HAS BEEN PERFORMED BY THE PROFESSIONAL LAND SURVEYOR OR UNDER THE PROFESSIONAL LAND SURVEYORS RESPONSIBLE CHARGE. IS BASED UPON THE PROFESSIONAL LAND SURVEYORS KNOWLEDGE, INFORMATION AND BELIEF. IS IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE. IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.



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Surveying and Mapping
P.O. Box 19376
Colorado City, Colorado 81019

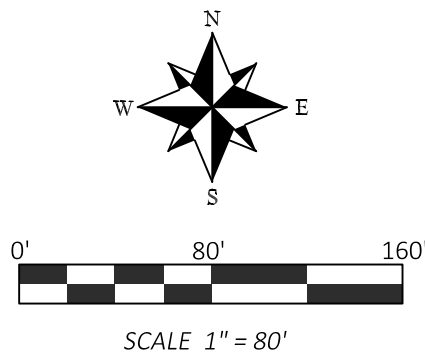
Scale: 1" = 80'	(719) 676-3666	Surveyors: AA
Date: = 12/22/2022	pls31542@aiff.net	Drawn By: AA
Job No. 2022-087	southerncoloradosurveyors.com	

LAND SURVEY PLAT
A PARCEL OF LAND BEING A PORTION OF THE NE/4 OF THE SW/4 OF
SECTION 17, T-29-S, R-66-W 6TH P.M., HUERFANO COUNTY, COLORADO



LEGEND

- BOUNDARY LINE
———— OTHER
□ MONUMENTS FOUND
○ MONUMENTS SET
[F] FIELD MEASUREMENT AT TIME OF SURVEY
(IF DIFFERENT FROM RECORD)
AG/BG DENOTES MONUMENT ABOVE GROUND
OR BELOW GROUND. NO DISTANCE
INDICATES GROUND LEVEL.



(I/WE), ANTONIO G. MARTINEZ, LLC AND MANAGERS: GERALD AND CATHERINE PAVLICK, AS
OWNER(S) OF THE LAND AFFECTED BY THIS PARCEL LINE AGREEMENT ACCEPT AND APPROVE ALL
CONDITIONS SET FORTH HEREIN.

IN WITNESS WHEREOF, THE GRANTOR HAS CAUSED ITS NAME TO BE HEREUNTO SUBSCRIBED ON
THE DAY YEAR FIRST ABOVE WRITTEN.

GRANTOR:

ANTONIO G. MARTINEZ, LLC

BY: _____ BY: _____
NAME: _____ NAME: _____
TITLE: _____ TITLE: _____

STATE OF MONTANA)
) SS.
COUNTY OF _____)

THE FOREGOING CERTIFICATE WAS ACKNOWLEDGED BEFORE ME THIS
_____ DAY OF _____, 2022, BY _____,
AND _____, AS THE _____
OF _____
WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

(I/WE), GREGORY SCOTT ORR , AS OWNER(S) OF THE LAND AFFECTED BY
THIS PARCEL LINE AGREEMENT ACCEPT AND APPROVE ALL CONDITIONS SET
FORTH HEREIN.

_____, DATE: _____
(SIGNATURE)

(NAME PRINTED)

STATE OF COLORADO)

) SS

COUNTY OF JEFFERSON)

THE FOREGOING CERTIFICATE WAS ACKNOWLEDGED BEFORE ME THIS
_____ DAY OF _____, 23_____, BY
_____.

WITNESS MY HAND AND OFFICIAL SEAL.
SEAL

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

ACCEPTANCE BY COUNTY COMMISSIONERS

THIS VACATION AND REPLAT WAS ACCEPTED BY THE HUERFANO
COUNTY BOARD OF COUNTY COMMISSIONERS ON THE _____
DAY OF _____, 2022, AD.

CHAIR, BOARD OF COUNTY COMMISSIONERS"

LEGAL DESCRIPTION

A parcel of land being a portion of the Northeast Quarter (NE/4) of the Southwest
Quarter (SW/4) of Section 17, T-29-S., R-66-W., 6th P.M., Huerfano County, State
of Colorado. Being more particularly described as follows:
Commencing at the Southeast corner (a found #6 rebar with an aluminum cap
stamped PLS 16417) of the NE/4 of the SW/4 of said Section 17; thence N
89°09'54" W for a distance of 1343.02 feet to the Southwest corner (a set #6
rebar the an aluminum cap stamped PLS 31542) of said NE/4 of the SW/4; thence
N 00°37'33" W along the West line of said NE/4 of the SW/4 for a distance of
110.00 feet; thence S 89°09'54" E for a distance of 1023.04 feet; thence S
00°37'33" E for a distance of 98.00 feet; thence S 89°09'54" E for a distance of
320.00 feet to a point on the East line os said NE/4 of the SW/4 ; thence S
00°32'22" E for a distance of 12.00 feet to the true point of beginning. Containing
2.67 Acres more or less.

NOTES

THIS SURVEY IS TO CORRECT AND REPLACE DEEDS FILED OF RECORD
IN BOOK 128, PAGE 360 AND BOOK 171, PAGE 208 AND BOOK 401,
PAGE 219 AND BOOK 401, PAGE 717 AND BOOK 406, PAGE 609.

CERTIFICATION DEFINED: THE USE OF THE WORDS "CERTIFY" OR
"CERTIFICATION" BY A LICENSED PROFESSIONAL LAND SURVEYOR
CONSTITUTES AN EXPRESSION OF PROFESSIONAL OPINION
REGARDING THE FACTS AND FINDINGS WHICH ARE THE SUBJECT OF
THE CERTIFICATION, AND DOES NOT CONSTITUTE A WARRANTY OR
GUARANTY, EITHER EXPRESSED OR IMPLIED. (PER COLORADO STATE
BOARD RULE NO. 6.2.2)

ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY
LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITH IN
THREE YEARS AFTER YOU FIRST DISCOVER SUCH A DEFECT. IN NO
EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY
BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF
CERTIFICATION SHOWN HEREON.

THIS SURVEY IS VALID ONLY IF THE PRINT HAS THE ORIGINAL SEAL
AND SIGNATURE OF THE SURVEYOR.

DATE OF FIELDWORK: DECEMBER 11, 2022.

BASIS OF BEARINGS: THE PLATTED BEARING (S 89°09'54" E) ON THE
SOUTH LINE OF THE SUBJECT PARCEL AS SHOWN HEREON.

DISTANCES SHOWN HEREON ARE IN U.S. SURVEY FEET.



SURVEYORS CERTIFICATION:
AS DEFINED BY THE COLORADO DEPARTMENT OF REGULATORY AGENCIES.
I HERE BY CERTIFY TO: ANTONIO G. MARTINEZ LLC.

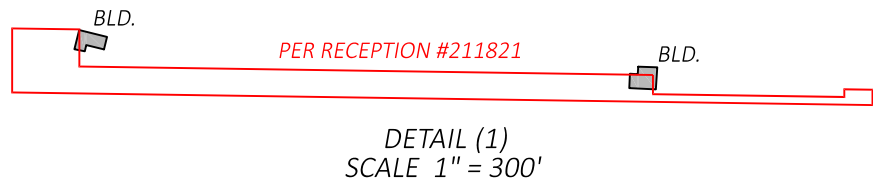
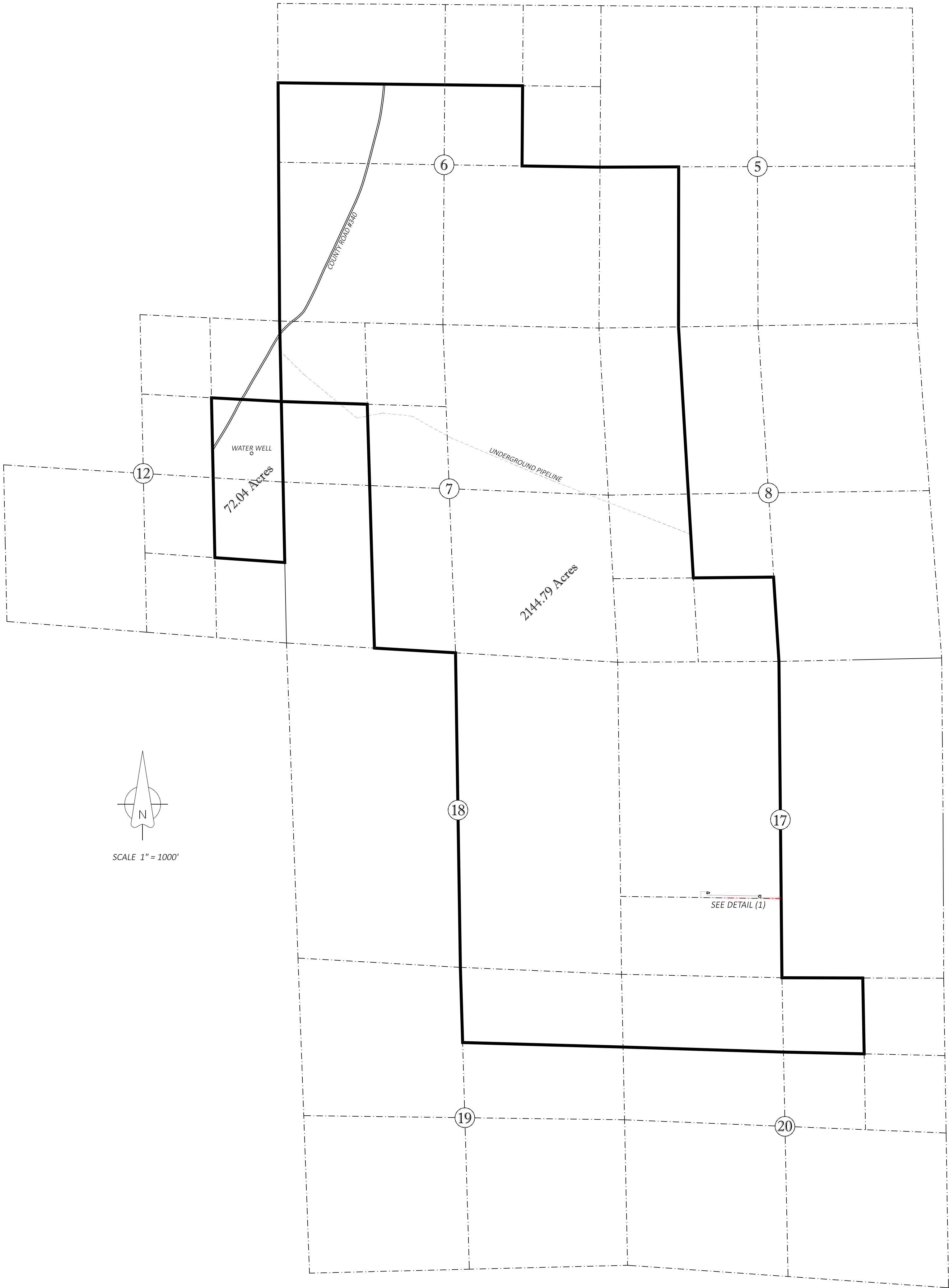
THIS SURVEY HAS BEEN SIGNED AND SEALED BY A PROFESSIONAL LAND
SURVEYOR REPRESENTING THE SURVEYING SERVICE ADDRESSED THEREIN
AND HAS BEEN PREFORMED BY THE PROFESSIONAL LAND SURVEYOR OR
UNDER THE PROFESSIONAL LAND SURVEYORS RESPONSIBLE CHARGE. IS
BASED UPON THE PROFESSIONAL LAND SURVEYORS KNOWLEDGE,
INFORMATION AND BELIEF. IS IN ACCORDANCE WITH APPLICABLE
STANDARDS OF PRACTICE. IS NOT A GUARANTY OR WARRANTY, EITHER
EXPRESSED OR IMPLIED.

**Southern Colorado
Surveying and Mapping**

P.O. Box 19376
Colorado City, Colorado 81019

Scale: 1" = 80'	(719) 676-3665	Surveyors: AA
Date: = 12/22/2022	pls31542@att.net	Drawn By: AA
Job No. 2022-057	southerncoloradosurveys.com	Sheet 1/1

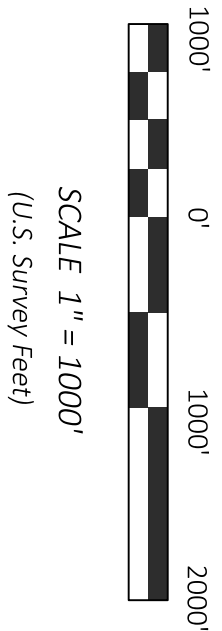
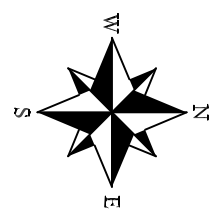
BEAR CREEK RANCH BOUNDARY SURVEY
IN SECTION 5, 6, 7, 8, 17, 18, 19 AND 20, TOWNSHIP 29 SOUTH , RANGE 66 WEST AND SECTION 12,
TOWNSHIP 29 SOUTH , RANGE 67 WEST OF THE 6th P.M. , HUERFANO COUNTY , COLORADO.



Vicinity Map



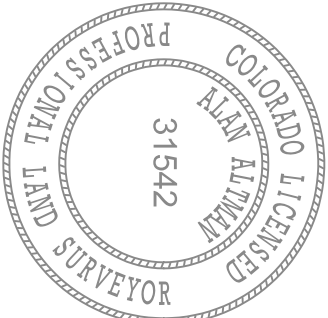
NOT TO SCALE



SURVEYORS CERTIFICATION:
AS DEFINED BY THE COLORADO DEPARTMENT OF
REGULATORY AGENCIES.

I HEREBY CERTIFY TO: X

THIS SURVEY HAS BEEN SIGNED AND SEALED
BY A PROFESSIONAL LAND SURVEYOR
REPRESENTING THE SURVEYING SERVICE
AND HAS BEEN PREPARED AND CHECKED
PREPARED BY THE PROFESSIONAL
LAND SURVEYOR OR UNDER THE
PROFESSIONAL LAND SURVEYORS
RESPONSIBLE CHANGE IS BASED
UPON THE PROFESSIONAL LAND
SURVEYORS KNOWLEDGE.
INFORMATION AND BELIEF IS IN
ACCORDANCE WITH APPLICABLE
STANDARDS OF PRACTICE, NOT A
GUARANTEE OF ACCURACY, EITHER
EXPRESSED OR IMPLIED.



**Southern Colorado
Surveying and Mapping**
#1 North Parkway (P.O. Box 19376)
Colorado City, Colorado 81019

Scale: 1" = 1000'	(719) 676-3865	Surveyors: AA
Date: = X	pl3@scsm.net	Drawn By: AA
Job No. 2022-035	southerncoloradosurveying.com	Sheet 1/1

Item 4b.

#1

This Deed, Made this 28th day of June in the year of our Lord one thousand nine hundred and twenty-four between Rosa Tolmich de Cruz of the County of Huerfano and State of Colorado, of the first part, and La Fraternidad de Nuestro Padre Jesus, de San Jose, of the County of Huerfano, 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 Dollars, to the said party of the first part in hand paid by the said part of the second part, the receipt whereof is hereby confessed and acknowledged, has granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey and confirm unto the said part of the second part, its heirs and assigns forever, all the following described lot or parcel of land, situate, lying and being in the County of Huerfano and State of Colorado, to-wit:

Beginning at the Southwest Corner (SW) of the Northeast quarter of the Southwest quarter (NE-SW) of Section Seventeen (17) in Township twenty-nine (29) south of Range Sixty-Six (66) West of the 6th P.M. Colorado; thence North sixty feet (60); thence East forty (40) feet; thence south forty-eight (48) feet; thence East twelve hundred Sixty feet (1260); thence north twelve (12) feet; thence East twenty (20) feet; thence south twenty four (24) feet; thence West thirteen hundred twenty (1320) feet to the place of beginning containing one half (1/2) an acre more or less.

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 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 part of the second part, its heirs and assigns forever. And the said Rosa Tolmich de Cruz of the first part, for herself and for her heirs, executors and administrators, do covenant, grant, bargain and agree to and with the said part of the second part, its heirs and assigns, that at the time of the ensembling and delivery of these presents she is well seized of the premises above conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same, in manner and form aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments and incumbrances of whatever kind or nature soever.

and the above bargained premises, in the quiet and peaceable possession of the said part of the second part, its heirs and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said part of the first part shall and will Warrant and Forever Defend. In Witness Whereof, The said part of the first part has hereunto set her hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF Witness to mark, Moses O. Romero A. M. Guerrero, Rosa Tolmich de Cruz X mark Seal Seal Seal Seal

STATE OF COLORADO, ss. I, Alejo M. Guerrero, a Notary Public, in and for said County of Huerfano, do hereby certify that Rosa Tolmich de Cruz who is personally known to me to be the person whose name is subscribed to the annexed Deed, appeared before me this day in person, and acknowledged that she signed, sealed and delivered the said instrument of writing as her free and voluntary act for the uses and purposes therein set forth. Given under my hand and notarial seal, this 28th day of June A. D. 1924. My commission expires February 21st, 1926. Alejo M. Guerrero Notary Public Seal

Filed for record the 28th day of June A. D. 1924, at 10:10 o'clock A. M. By Y. Yafaya RECORDER. DEPUTY.

#2

This Deed, Made this. 5th. day of May, in the year of our Lord one thousand nine hundred and thirtyfour, between Rosa Tolmich de Cruz

of the County of Huerfano and State of Colorado, of the first part, and La Fraternidad de Nuestro Padre Jesus de San Jose

of the County of Huerfano and State of Colorado, of the second part;

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

Ten- - - - - DOLLARS,

to the said part Y of the first part in hand paid by the said part Y of the second part, the receipt whereof is hereby confessed and acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the said part Y of the second part, its heirs and assigns forever, all the following described lot or parcel of land, situate, lying and being in the County of Huerfano and State of Colorado, to-wit:

Commencing at a point 319 feet from the southeast corner of the northeast quarter of the southwest quarter of Section 17 in Township 29 Range 66; thence north 42 feet; west 896 feet; north 58 feet; west 105 feet; south 100 feet; east 1001 to the place of beginning, same being a part of the northeast quarter of the southwest quarter, Section, Township and Range above mentioned; containing one acre more or less.

Together With all and singular the hereditaments and appurtenances therunto 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 part Y of the second part, its heirs and assigns forever. And the said Rosa Tolmich de Cruz

part Y of the first part, for herself & her heirs, executors and administrators, does covenant, grant, bargain and agree to and with the said part Y of the second part, its heirs and assigns, that at the time of the encasing and delivery of these presents she is well seized of the premises above conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same, in manner and form aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments and incumbrances, of whatever kind or nature soever;

and the above bargained premises, in the quiet and peaceable possession of the said part Y of the second part, its 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 has hereunto set her hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF
Witness to mark

Alejo M. Guerrero

Victoriano Herrera

Rosa Tolmich de X Cruz
mark

Seal

Seal

Seal

Seal

STATE OF COLORADO, ss. I, Alejo M. Guerrero, a Notary Public, in and for said County, County of Huerfano, in the State aforesaid, do hereby certify that Rosa Tolmich de Cruz

personally known to me to be the person whose name is subscribed to the annexed Deed, appeared before me this day in person, and acknowledged that she signed, sealed and delivered the said instrument of writing as her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and Notarial seal, this 5th day of May, A. D. 1934

My commission expires February, 14th, 1938

Alejo M. Guerrero
Notary Public

SEAL

Filed for record the 5 day of May, A. D. 1934, at 10:50 o'clock A.M.

Damacio Vigil RECORDER.

By J.F. Cordova DEPUTY.

State of Colorado Filed for record the 23 day of Feb A.D. 1995 at 2:30 o'clock by Judy Benner
 County of Huerfano Rec # 318530 Book 401 & Page No. 219 By AP Deputy Initials

#3

WARRANTY DEED

La Fraternidad de Nuestro Padre Jesus de San Jose, for the consideration of Ten Dollars and other good and valuable consideration in hand paid, hereby sells and conveys to **Albert E. Manzanares**, whose address is 2308 7th Ave., Pueblo, CO 81003, his heirs and assigns, the following real property in the County of Huerfano, State of Colorado to-wit:

Township 29 South, Range 66 West of the 6th P.M.

Section 17: Commencing at a point 319 feet West from the southeast corner of the northeast quarter of the southwest quarter; thence north 42 feet; west 896 feet; north 58 feet; west 105 feet; south 100 feet; east 1001 to the place of beginning, same being a part of the northeast quarter of the southwest quarter, Section, Township and Range above mentioned; containing one acre more or less.

with all its appurtenances and warrants title to the same.

SIGNED this 23rd day of February, 1995.

John B. Manzanares
Member

Manuel Manzanares
Manuel Manzanares, as President/
Director

Eladio Valdez
Member

Alvino Manzanares
Alvino Manzanares, as Secretary/
Director

Max Casias
Member

Telos Sina
Telos Sina, as Treasurer/Director

STATE OF COLORADO)
) ss.
COUNTY OF)

The foregoing Warranty Deed was acknowledged before me this 23rd day of February, 1995, by Manuel Manzanares, Alvino Manzanares, Telos Sina, and

John B. Manzanares, Eladio Valdez & Max Casias, Members

WITNESS MY HAND AND OFFICIAL SEAL

Deborah L. Vezzani
Notary Public



My Commission Expires: May 6, 1995

#4

WARRANTY DEED
(CORRECTION DEED)

La Fraternidad de Nuestro Padre Jesus de San Jose, for the consideration of Ten Dollars and other good and valuable consideration in hand paid, hereby sells and conveys to **Abel E. Manzanares**, whose address is 2308 7th Ave., Pueblo, CO 81003, his heirs and assigns, the following real property in the County of Huerfano, State of Colorado to-wit:

Township 29 South, Range 66 West of the 6th P.M.

Section 17: Commencing at a point 319 feet West from the southeast corner of the northeast quarter of the southwest quarter; thence north 42 feet; west 896 feet; north 58 feet; west 105 feet; south 100 feet; east 1001 to the place of beginning, same being a part of the northeast quarter of the southwest quarter, Section, Township and Range above mentioned; containing one acre more or less.

with all its appurtenances and warrants title to the same.

SIGNED this 17th day of March, 1995.

John B. Manzanares
Member

Manuel D. Manzanares
Manuel Manzanares, as President/
Director

Ray Bobian
Member

Alvino Manzanares
Alvino Manzanares, as Secretary/
Director

Joseph M. Pineda
Member

Tobias Sena
Tobias Sena, as Treasurer/Director

STATE OF COLORADO)
) ss.
COUNTY OF)

The foregoing Warranty Deed was acknowledged before me this 17th day of March, 1995, by Manuel Manzanares, Alvino Manzanares, Tobias Sena, and John B. Manzanares, Ray Bobian, & Joseph M. Pineda

WITNESS MY HAND AND OFFICIAL SEAL

Deborah L. Vezzani
Notary Public



My Commission Expires: May 6, 1995

#5

WARRANTY DEED

Abel E. Manzanares, for the consideration of Ten Dollars and other good and valuable consideration in hand paid, hereby sells and conveys to Gregory Scott Orr, whose address is 4685 Webster St., Wheat Ridge, CO 80033, his heirs and assigns, the following real property in the County of Huerfano, State of Colorado to-wit:

Township 29 South, Range 66 West of the 6th P.M.

STATE DOCUMENTARY FEE
Date 10-4-95
\$ 20

Section 17: Commencing at a point 319 feet West from the southeast corner of the northeast quarter of the southwest quarter; thence north 42 feet; west 896 feet; north 58 feet; west 105 feet; south 100 feet; east 1001 to the place of beginning, same being a part of the northeast quarter of the southwest quarter, Section, Township and Range above mentioned; containing one acre more or less.

with all its appurtenances and warrants title to the same, subject to 1995 general real estate taxes due and payable January 1, 1996.

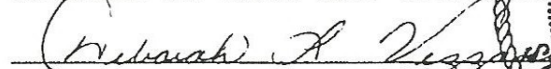
SIGNED this 4th day of October, 1995.


Abel E. Manzanares

STATE OF COLORADO)
COUNTY OF HUERFANO) ss.

The foregoing Warranty Deed was acknowledged before me 4th day of October, 1995, by Abel E. Manzanares.

WITNESS MY HAND AND OFFICIAL SEAL


Notary Public



My Commission Expires: May 9, 1999.

S17T29S R66W

NE 1/4 SW 1/4

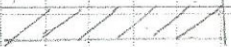


LEGEND:

SCALE 1" = 200'



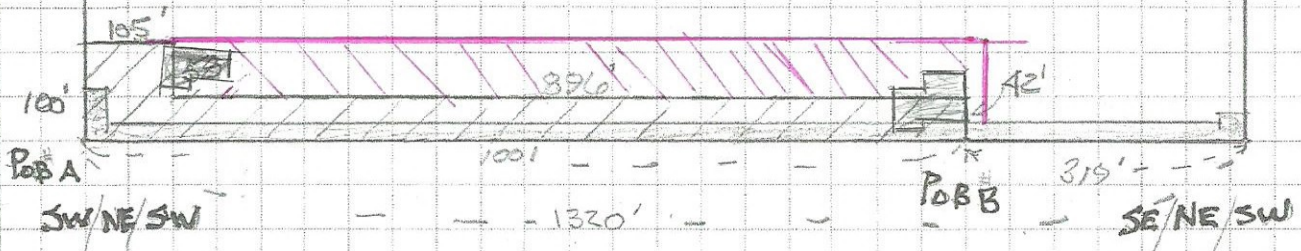
PARCEL 67030 A

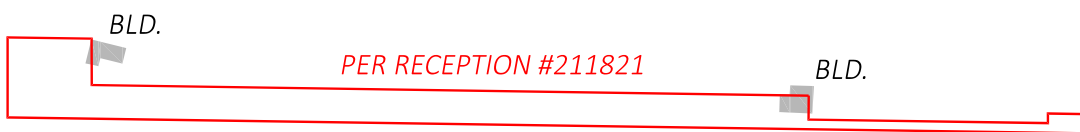
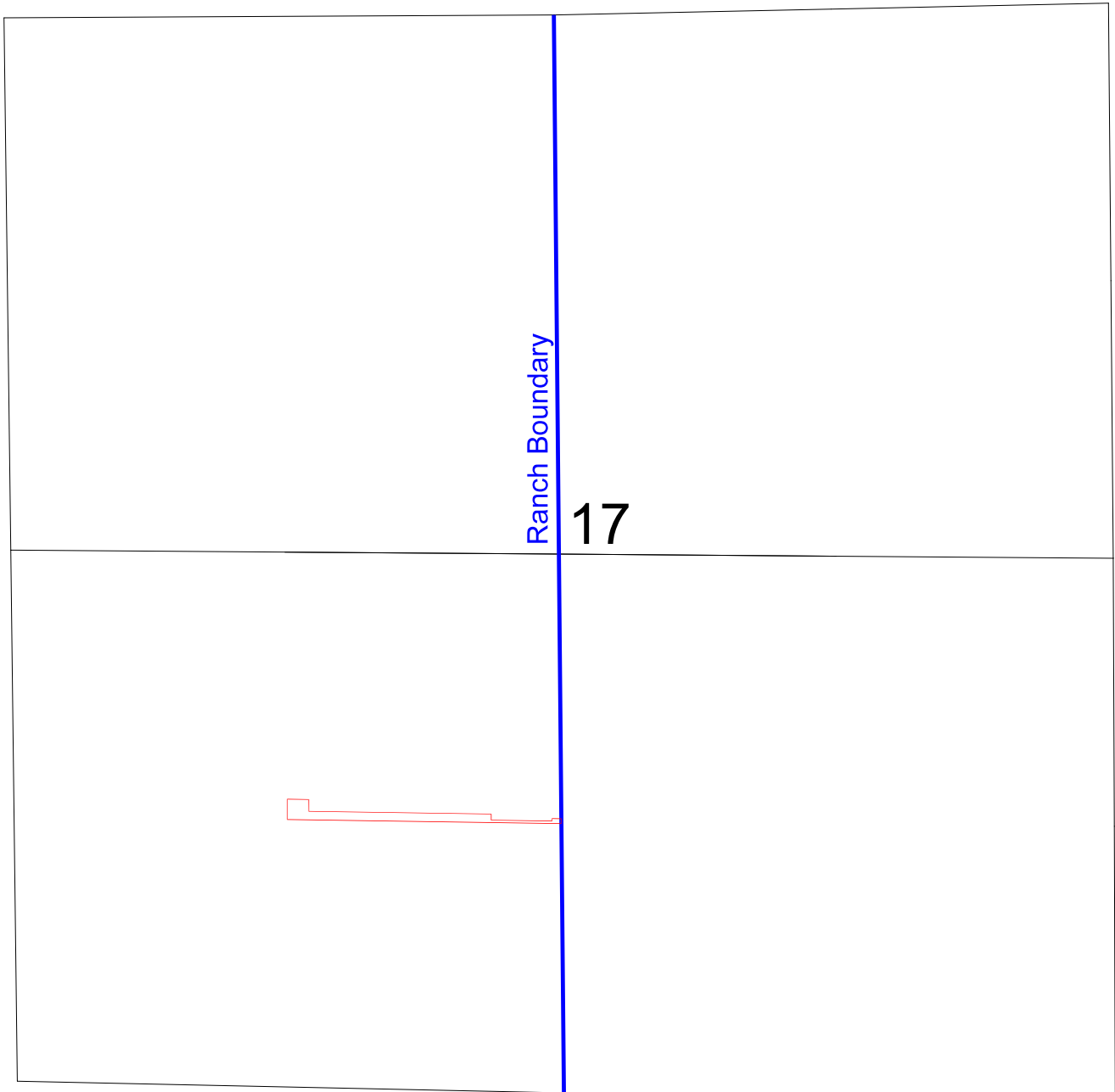


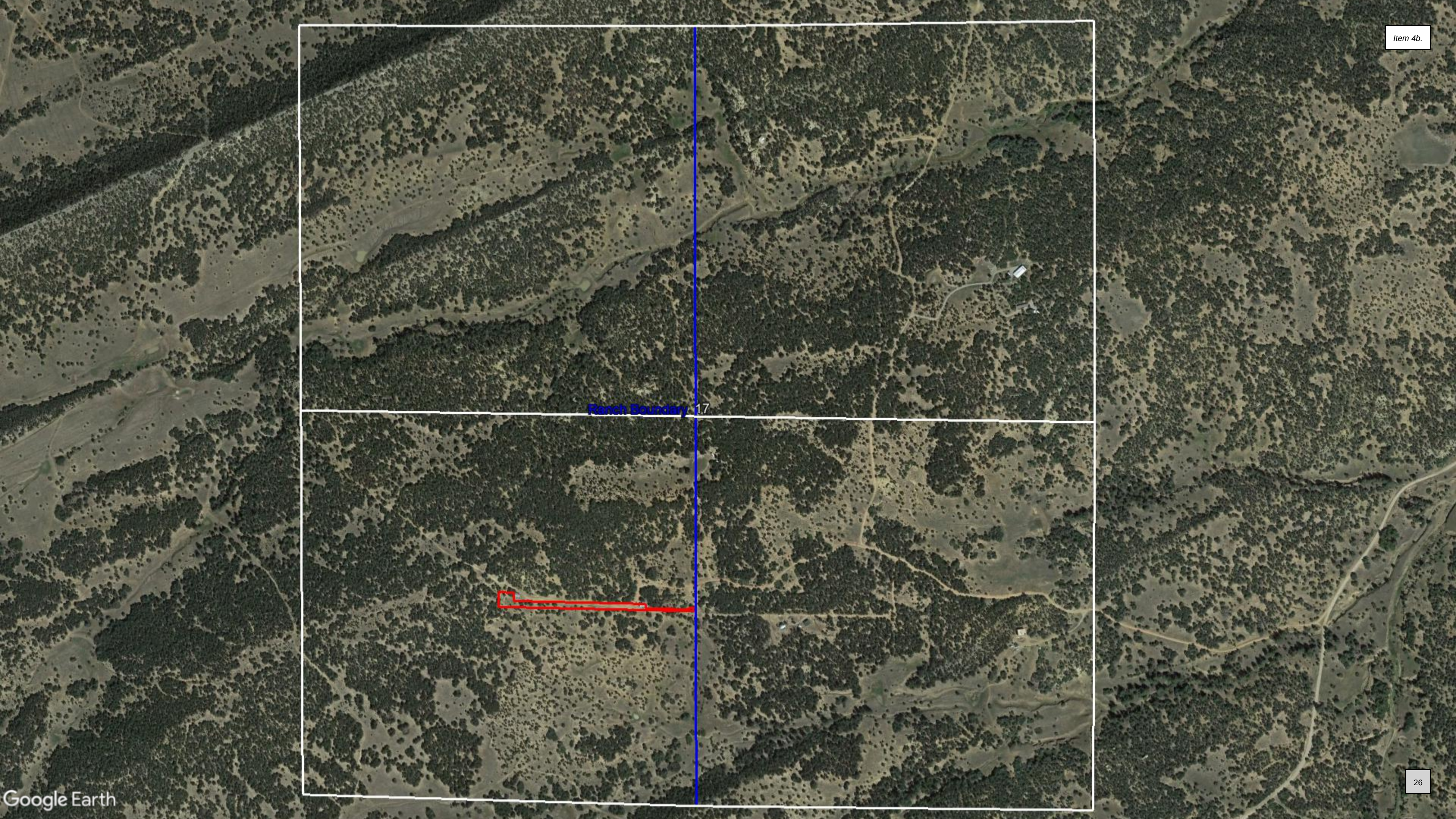
PARCEL 27793 B

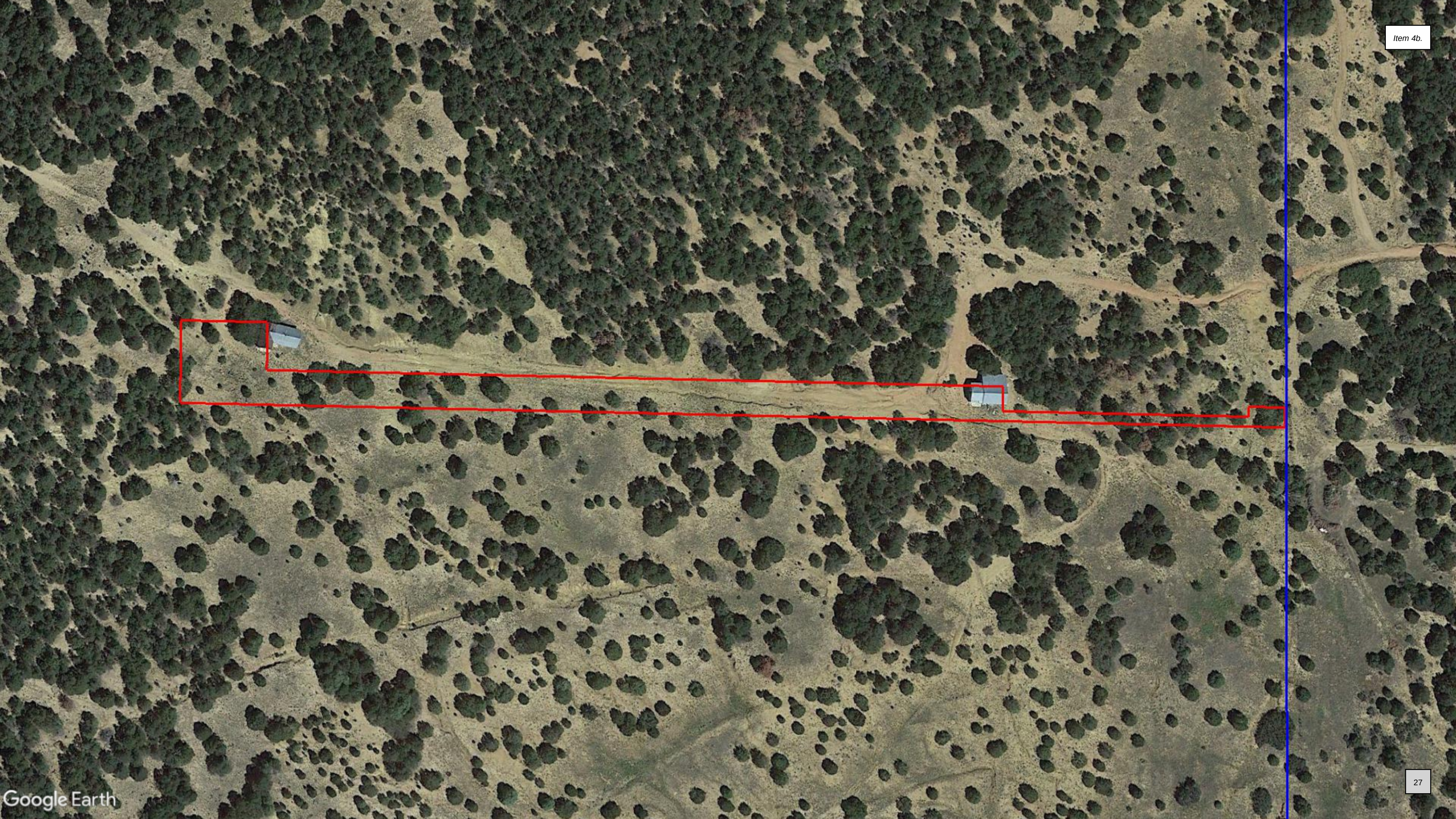
NE 1/4 SW 1/4
S17 T29S R66W

1.20 ACRES ADDED TO ORR
PROPERTY.









Adjoining owners:

Antonio G Martinez LLC

Managers: Gerald and Catherine Pavlick

4602 silver Creek Trl.

Billings MT. 59106-1616

W1/2 Sec 17 T29S R66W

HUERFANO COUNTY GOVERNMENT

Item 4b.

Huerfano County, Colorado
SPANISH PEAKS COUNTRY

Step 1: Select Payments

Step 2: Review and Submit

Step 3: Confirmation and Receipt

Step 3: Confirmation and Receipt

Result: Payment Authorized Confirmation Number: 126770193

Your payment has been authorized successfully and payment will be processed.

Huerfano County Treasurer Thanks You For Your Business. Credit Card Services provided by Huerfano County Treasurer in connection with POINT & PAY.
Signature: _____ Thank you for using our bill payment services.

Please save or print a copy of this receipt for record keeping purposes.

My Bills

Description	Amount Due
Maps payment of \$100.00 on Last Name Pavlick	\$100.00

Customer Information

First Name: Gerald
Last Name: Pavlick
Address Line 1: 4602 Silver Creek Trl.
Address Line 2:
City: Billings
State: Montana
Zip Code: 59106
Phone Number: (406) 671-7609
Email Address:

Subtotal:	\$100.00
Convenience Fee:	\$2.50
Total Payment:	\$102.50

Payment Information

Payment Date: 12/28/2022
Card Type: Visa
Card Number: *****7956

GENERAL LAND USE APPLICATION

Print

Finished

MARTINEZ, ANTONIO G LLC

SCHEDULE NUMBER

29775 R

/O MARTHA DURAN POA

TAX DISTRICT

100

572 SKYLINE CT

ROLL PAGE

2485

ERIE CO 80516-2514

* THIS IS VACANT LAND *

Ordered by: DOTTERS ABSTRACT CO

===== N O T I C E =====

I, the undersigned, County Treasurer in and for said County, do hereby certify that there are no unpaid taxes or unredeemed tax lien sale certificates, except as shown below, as appears of record in this office, on the following described property, to-wit:

TAXING ENTITIES	\$/THOUS	TAX	Acres:	511.33		
SCHOOL DISTRICT R-1	39.584*	48.97				
HUERFANO COUNTY	20.691	25.59			2021 TAX AMT	97.12
HUERFANO COUNTY WATE	2.128	2.63			2021 TAX PD	97.12-
HUERFANO COUNTY HOSP	7.000	8.66				
HUERFANO COUNTY FIRE	5.000	6.19				
SPANISH PEAKS LIBRAR	4.108	5.08				
TOTALS	78.511*	97.12				

* REFLECTS TEMPORARY CREDIT

LEGAL DESCRIPTION OF PROPERTY

TWP 29 RNG 67 SEC 12 SE4NE4, NE4SE4, 80A
 TWP 29 RNG 66 SEC 20: N2NW4, NW4NE4 111.33 AC
 SEC 17: W2 320 AC TOTAL 511.33
 APRES 285-234 279-33 281-204 326-248 171-6-221
 669-670 373400

TAXES HAVE BEEN PAID IN FULL

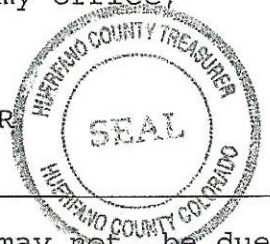
Total Now Due

\$.00

IN WITNESS WHEREOF; I have hereunto set my hand and the seal of my office,
 this 14TH day of JULY A.D. 2022



DEBRA J REYNOLDS
 HUERFANO COUNTY TREASURER

BY: Blanca Moral

This Certificate does not certify as to any taxes which may, or may not, be due on any Mobile Home, Improvement, Personal Property, Oil, Gas, Mineral Rights, Special Assessments which may, or may not, be located on the Property described above, unless specifically listed and described. Information regarding special taxing districts and the boundaries of such districts may be on file or deposit with the board of county commissioners, the county clerk and recorder, or the county assessor.

ASSESSOR PARCELS 67030 & 27793

BOOK PAGE

128 / 360

JUNE 28 1924

ROSA TOLMICH DE CRUZ

TO LA FRATERNIDAD DE NUESTRO PADRE
JESUS DE SAN JOSE

THE BROTHERHOOD OF OUR FATHER JESUS OF SAN JOSE

170 / 35

NOVEMBER 4 1931

LA FRATERNIDAD DE NUESTRO PADRE

JESUS DE SAN JOSE

TO LA FRATERNIDAD ^{PIOUS} PIADOSA DE
^{OUR} NUESTRO PADRE JESUS

THE PIOUS BROTHERHOOD OF OUR FATHER JESUS

171 / 208

MAY 5 1934

ROSA TOMICH DE CRUZ

TO LA FRATERNIDAD DE NUESTRO PADRE
JESUS DE SAN JOSE

401 / 219

FEB 23 1995

LA FRATERNIDAD DE NUESTRO PADRE

JESUS DE SAN JOSE

TO ALBERT E. MANZANARES

401 / 717

MARCH 17 1995

LA FRATERNIDAD DE NUESTRO PADRE

JESUS DE SAN JOSE

CORRECTION
DEED

TO ABEL E. MANZANARES

406 / 609

OCT, 4, 1995

ABEL E. MANZANARES

TO GREGORY SCOTT ORR.

THIS DEED, Made this 8th day of May
in the year of our Lord one thousand nine hundred and fifty-nine (1959)
between

Adolph Cordova, also known as Adolfo Cordova
and Adolpho Cordova

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

Juan A. Martinez and Anthony G. Martinez

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

WITNESSETH, That the said part Y of the first part, for and in consideration of the sum of

Other good and valuable consideration and Ten and 00/100 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 doES grant, bargain, sell, convey and confirm unto the said parties of the second part, not in tenancy in common but in joint tenancy, the survivor of them, their assigns and the heirs and assigns of such survivor forever, all the following described lot S or parcel S of land, situate, lying and being in the County of Huerfano and State of Colorado, to-wit:

Township 29 South, Range 66 West of the 6th P.M.:

Section 17:

NE $\frac{1}{4}$ SW $\frac{1}{4}$, excepting a tract of land described as follows: beginning at the Southwest corner said NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17, Twp. 29 South, Range 66 West, North 100 feet to a point, thence East 105 feet to a point, thence South 58 feet to a point, thence East 896 feet to a point, thence South 30 feet to a point, thence East 299 feet to a point, thence North 12 feet to a point, thence East 20 feet to a point on the East boundary, said NE $\frac{1}{4}$ SW $\frac{1}{4}$, thence South 24 feet to Southeast corner said NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17, thence West 1320 feet along South boundary of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ to place of beginning, and reserving unto grantor an undivided one-half ($\frac{1}{2}$) interest in and to all oil, gas and other minerals.

SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, excepting all oil and minerals of whatsoever nature, together with the right of entry to search for, work, get and carry away said oil and other minerals reserved by Alma P. Klein in Quit Claim Deed recorded Book 212, Page 72, Huerfano County records.

The surface and surface rights of NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$.

Section 20:

N $\frac{1}{2}$ NE $\frac{1}{4}$, and part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ described as follows: beginning at the North quarter corner of Section 20, Township 29 South, Range 66 West of 6th P.M., thence East along the section line 1130.5 feet to a point, thence South parallel with the section line 1342 feet, there intersection the South boundary line of NE $\frac{1}{4}$ NE $\frac{1}{4}$ said Section 20, thence West on the South boundary line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ to Southwest corner NE $\frac{1}{4}$ NE $\frac{1}{4}$ said Section 20 thence North along the north and south center line of said Section 20, 1342 feet to the place of beginning, and, Reserving unto grantor an undivided one-half interest in and to all oil, gas and other minerals.



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



Huerfano County Planning Commission
Staff Report – Permit #23-01 Plat Amendment BH2
Meeting Type – Recommendation
Plat Amendment on Tract 6, Panadero Filing #3 (1218703)

Meeting Date: January 10, 2023

Request

With this Application BH2 Land Surveying LLC., on behalf of Todd D. and Sandra R. Houseman, (the Applicant) requests the following:

Plat Amendment pursuant to LUR Section §2.14 to split Tract 6 in Panadero Filing #3 into two parcels. Tract 6 is currently 9.17 acres, and the proposed amendment would create one 6.5 acre parcel and one 2.67 acre parcel. The site is located on Tract 6, Panadero Filing #3 (Parcel Number 1218703).

The subject property is zoned Urbanizing Residential (UR). Minimum lot size in this zone is ½ - acre. Zoning standards for this district are set forth in LUR Section §1.03.

Site Map

See attached.

Code References

The following Code Sections are pertinent to this request:

§ 2.14 – Plat Amendment

Application Materials Required for a Plat Amendment: Proof of ownership; approved and recorded final plat along with proposed amendments; narrative statement explaining why proposed changes should be approved by the Planning Commission and BOCC.

Application Materials: Staff finds materials provided to be complete.

Background

This application, along with all required attachments were received on January 3, 2023. Application Fees have been received by the County. Staff has determined the application to be complete.

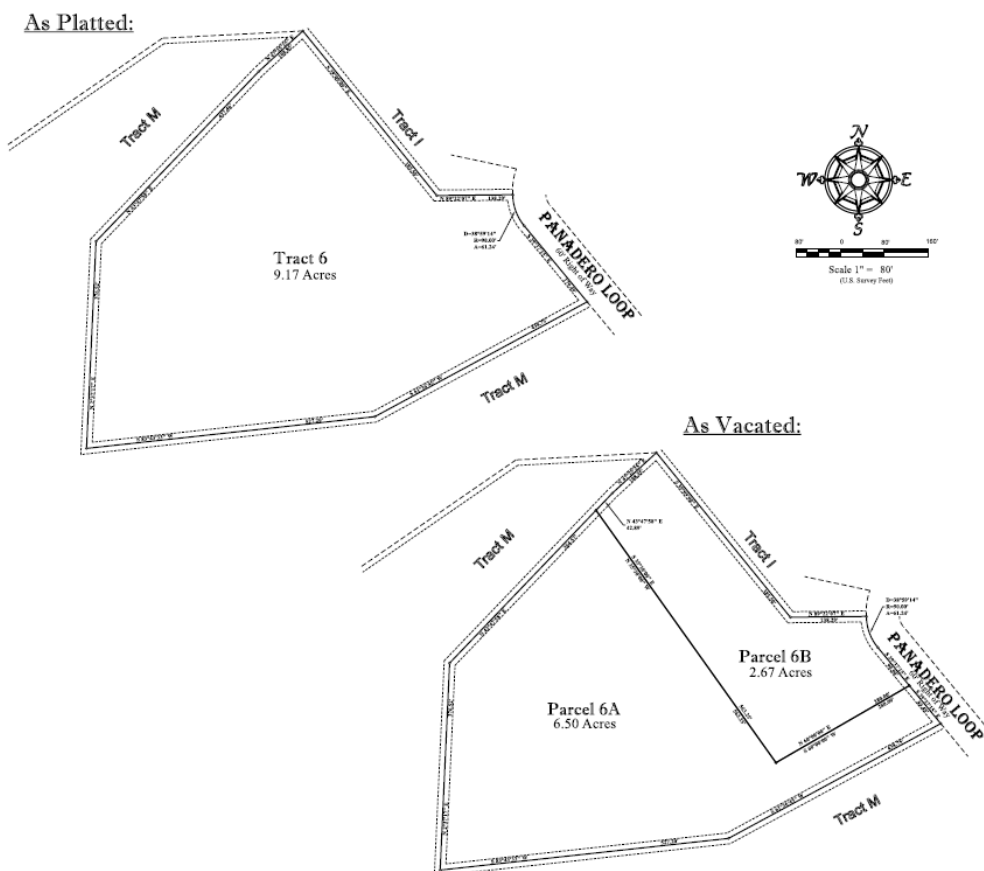
Property History: The property is currently vacant. Tract 6 was part of the 1983 Panadero #3 filing. In the 1996 Master Plan for Panadero, Tract 6 was platted as lots 139 – 164. In 1996, there was a settlement agreement reached between the property owner and the Panadero POA which restricted Tract 6 to single family lots not less

than 1/3 acre with a minimum house size of 2,000 sf and a rear yard setback of 60 ft (Reception #336085: Case no. 96 CV 46, Patricia J. Concannon vs. Panadero Property Owners Association, Ski Cuchara L.P., and Cuchara, L.C., filed December 2, 1996). The Settlement Agreement was amended in 2005 (Reception #368026) with regard to water the reconveyance of water storage tank property and water line easement.

Legal Description: TRACT 6 PANADERO DEV FIL #3

References: 371-619 379-778-TO-783, 394-288-TO-313 394-703-713 398-429-432 406-679-TO-683, 406-713-714-715-716-717 329792 388699 389279 389280, 399668 405145 405153

Proposal: Applicant proposes to split off a portion of Tract 6 to form a parcel approximately 2.67 acres, more or less, to create two parcels, one for owners to keep and the other to be sold.



Eligibility for a Plat Amendment: (2.14) Minor changes that do not include modifications which significantly alter the intended land uses, density, number of lots, circulation system, drainage easements, dedicated land or encompass more than 25% of land included within a recorded subdivision. Scope can include adjustment of lot lines, replatting of lots, reconfiguration of dedicated streets and easements and reserved sites.

2.14.03 Criteria for Action on a Plat Amendment Application

All actions by the Planning Commission in reviewing and making recommendations on an application to amend an approved and recorded plat and by the Board of County Commissioners in approving or disapproving such applications shall be based in general upon the provisions of these regulations and specifically on the following

criteria:

- 1** That the proposed amendment meets the qualifications stated herein for a minor change to the approved and recorded plat.
- 2** That the proposed amendment would be consistent with all other provisions of these regulations and would not cause significant hardship or inconvenience for adjacent or neighboring land owners or tenants.
- 3** That the proposed amendment would be beneficial to the public health, safety or welfare of County residents.

Analysis

The Planning Commission shall decide whether the proposed changes qualify for a Plat Amendment or if the Applicant should be required to apply for a Subdivision (see eligibility above).

The applicant did not discuss intended future development plans for the two proposed lots. Commissioners should consider how the terms for Tract 6 set out in the settlement agreement transfer to newly created parcels.

Survey states As Platted and As Vacated. This is a typo, and should read As Amended.

Referral Comments

Referral Agencies have not yet been contacted. Potential agencies to contact:
Panadero POA, Cuchara Sanitation and Water, La Veta Fire Protection District, La Veta RE2 School District. San Isabel Electric,

Staff Comment

Staff sees no potential problems or conflicts arising from this proposal. It may be helpful if survey were to include notes that reference any restrictions or permissions that run with these parcels.

Note: Plat Amendments do not require a public hearing. The Commission should make a recommendation to send to the BOCC.

Commission Action Options:

- 1. Approval** without any special conditions.
- 2. Conditional** Approval with a description of the special conditions.
- 3. Denial**, indicating for the record the reason(s) for such action.
- 4. Continuation** until a future date to gather more information or obtain clarification or for any other relevant cause.

Enclosures

- Application Materials

Huerfano County Land Use Department

401 Main Street, Suite 340, Attn: Land Use

Walsenburg, Colorado 81089

719-738-1220 ext. 103

**GENERAL LAND USE APPLICATION**Application File No.: 23-01Date Received: 01/03/23Received by: TallmanFees due: \$159 Date Paid **1. ACTION(S) REQUESTED:**

- | | |
|--|---|
| ☐ Conditional Use Permit
☐ Conditional Use Permit / Marijuana
☐ Conditional Use Permit/ Oil, Gas or Uranium Exploration and/or Development
☐ Rezoning
☐ Variance
☐ Subdivision Exemption
☒ Plat Amendment
☐ Lot Consolidation
☐ Plat Correction
☐ Right-of-Way or Easement Vacation
☐ Other Actions (specify): _____ | ☐ Sign Permit
☐ Temporary Use Permit
☐ H.B. 1041 Text Amendment
☐ H.B. 1041 Development Permit
☐ H.B. 1041 Flood Plain Exemption

PUD and Subdivisions:
☐ Sketch Plan
☐ Preliminary Plan
☐ Final Plat / Subdivision Improvement Agreement
☐ Appeal of Denied Application |
|--|---|

2. APPLICANT AND OWNER INFORMATION:

Applicant Name: BH² Land Surveying, LLC., William Bechaver
 Applicant's Mailing Address: PO Box 20399, Colorado City CO 81019
 Applicant's Telephone: 719-676-2072 Email: bh2@gmail.com
 Name of Land Owner: Todd and Sandra Houseman
 Land Owner's Mailing Address: 2000 Burr Parkway, Dodge City, KS 67801
 Land Owner's Telephone: _____ Email: toddh@unitedtelcom.com

3. PERMIT DETAILS:

Detailed project description/Scope of Work: Split off a parcel to create two parcels within Tract 1, Panadero Development, Filing No 3.

Parcel Area: 9.17[±] Acres; Zoning District(s): URParcel/Schedule Number(s): 1218703

Parcel Address (optional): _____

Current/Proposed Land use (see §1.05 of the Land Use Code): _____

GENERAL LAND USE APPLICATION

If project is in an HOA, HOA name: Panadero Development, Filing No. 3

If a Variance Request, please state the reason for the Variance(s): _____

Is all or a portion of the subject land located in a 100-year flood plain area (see FEMA floodplain map), or are there areas with slopes in excess of twenty percent (20%)? ☐ YES ☒ NO ☐ NOT SURE

If YES, describe existing conditions: _____

Value of proposed project: _____

Will the proposed project require any State or Federal permits? ☐ YES ☐ NO

If YES, please list all permits or approvals required: _____

Additional pertinent information: _____

If a H.B. 1041 permit is required, for what matters of local concern and state interest? _____

4. CERTIFICATION BY THE APPLICANT:

I hereby certify that this Application is made with full knowledge of the design standards, all fees, procedures, public hearing and meeting requirements contained in the Huerfano County Land Use Regulations. Furthermore, I understand that all conditional use permits are non-transferrable, unless specifically approved by the Huerfano County Board of County Commissioners. The Board of County Commissioners may impose permit transfer fees as it deems appropriate. All documents submitted may be subject to internet publishing.

Signature of Applicant: _____ Date: _____

Printed name: _____

5. ACTION (by the authorized permitting authority):

☐ Final Approval

☐ Conditional Approval

☐ Denial

Name _____ Signature _____

Title _____ Date _____

Comments _____



BH² LAND SURVEYING, LLC

P.O. Box 20399
Colorado City, CO 81019
Phone: 719-676-2072
Email: bh2@ghvalley.net

LETTER OF REQUEST

Map Amendment

Tract 6, Panadero Development Filing No. 3

January 2, 2023

Owner/Owners: Todd D. Houseman and Sandra R. Houseman

Owners Representative: BH2 Land Surveying, LLC.,
P.O. Box 20399, Colorado City, CO,
719-676-2072

Current Zoning: Urban Residential

Proposed Zoning: No Change.

Request and reason for the Plat Amendment: To split off a portion of Tract 6 to form a parcel approximately 2.67 acres more or less. To create two parcels one for owners to keep and the other to be sold.

Legal Description: Tract 6, Panadero Development Filing No. 3, County of Huerfano, State of Colorado
Parcel No. 1218703

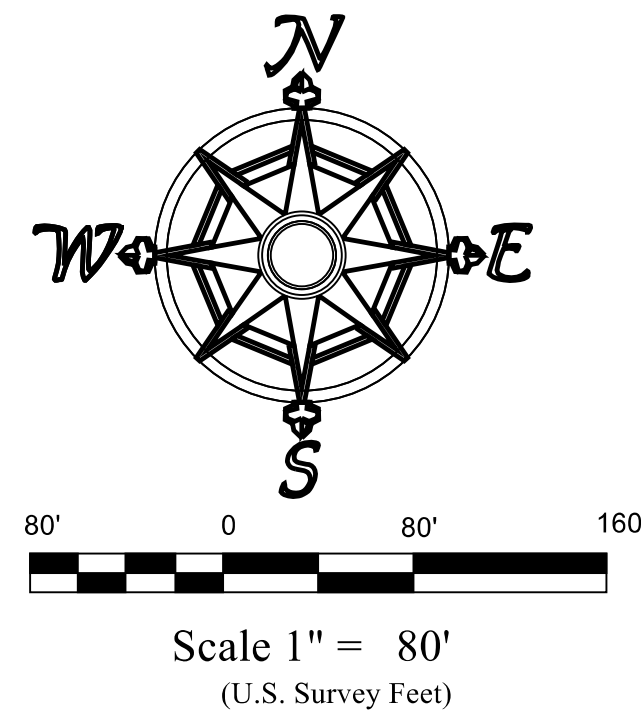
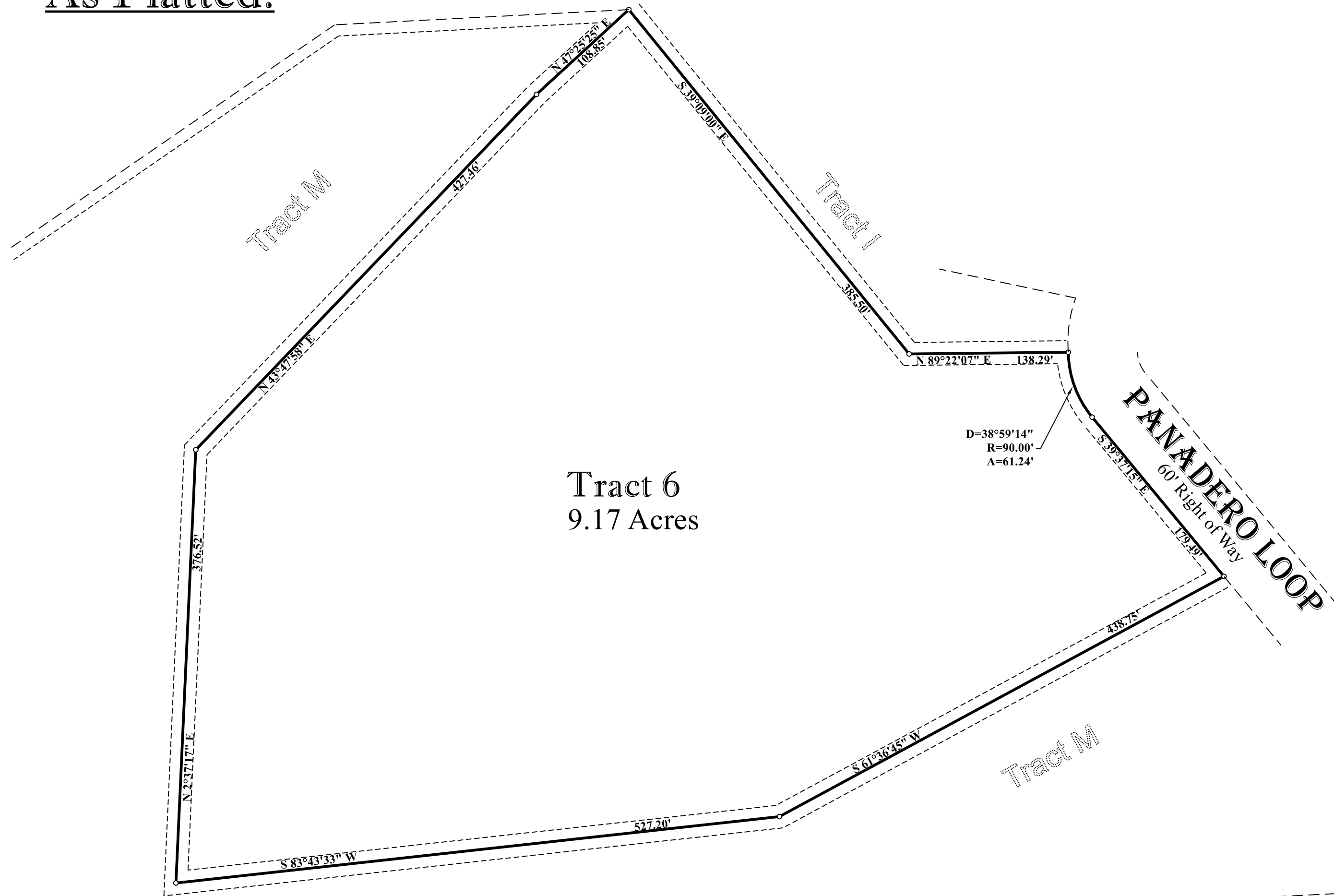
Existing Facilities: Cuchara Sanitation and Water District, and San Isabel Electric

Existing Structures: None.

Sincerely,

William S. Bechaver
BH2 Land Surveying, LLC

As Platted:



MAP AMENDMENT

TRACT 6, PANADERO DEVELOPMENT NO. 3
COUNTY OF HUERFANO, STATE OF COLORADO

LEGAL DESCRIPTION PARCEL 6A:

A Parcel of land located in a portion of Tract 6, Panadero Development Filing No. 3, County of Huerfano, State of Colorado, being more particularly described as follows:

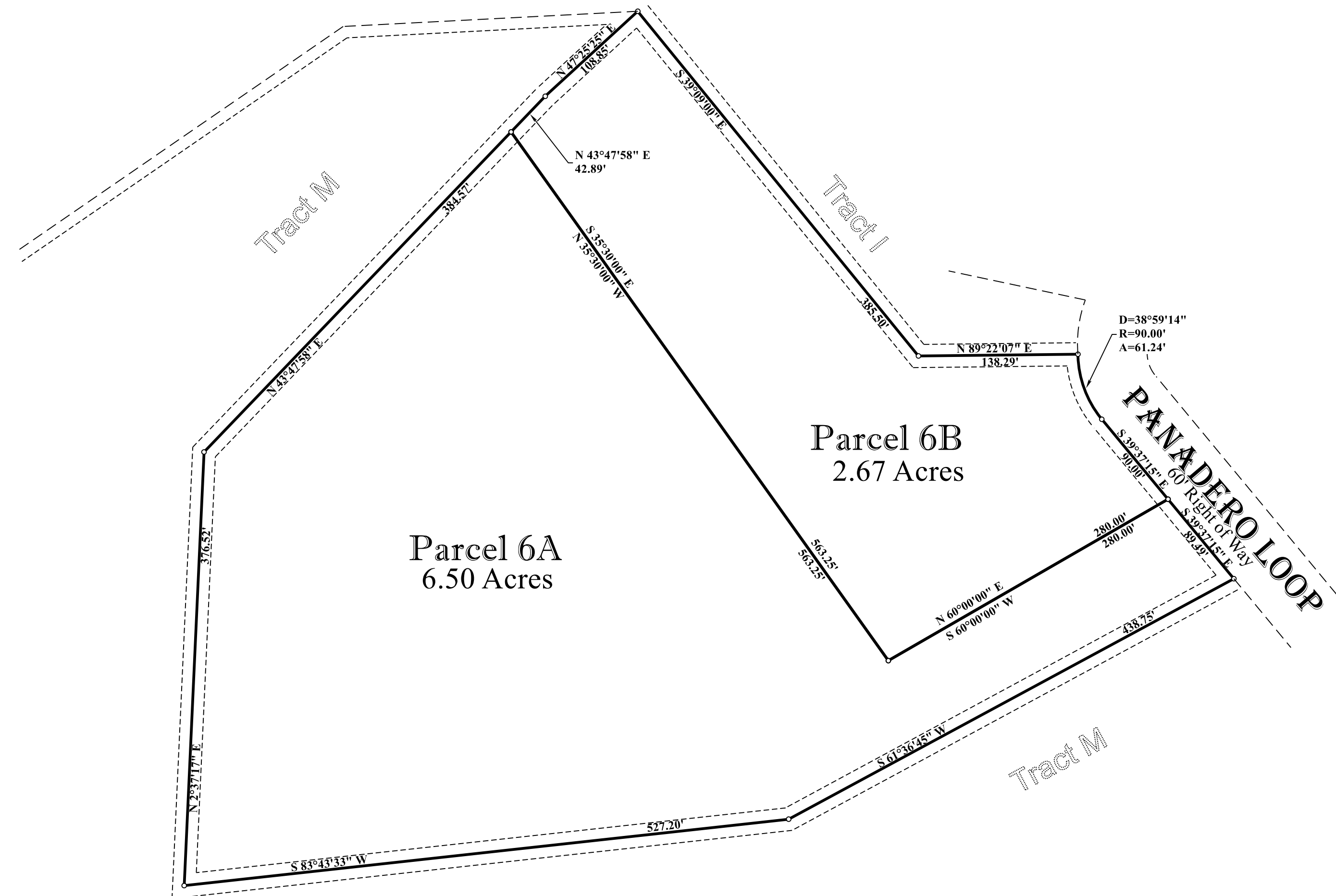
Beginning at the Southeast corner of Tract 6, Thence S 61° 36' 45\" W along the South line of said Tract 6, a distance of 438.75 feet; Thence S 83° 43' 33\" W along the South line of said Tract 6, for a distance of 527.20 feet; Thence N 2° 37' 17\" E along the East line of said Tract 6, for a distance of 376.52 feet; Thence N 43° 47' 58\" E along the Northerly line of said Tract 6, for a distance of 384.57 feet; Thence S 35° 30' 00\" E, for a distance of 563.25 feet; Thence N 60° 00' 00\" E, for a distance of 280.00 feet to the Westerly right of way line of Pandero Loop; Thence S 39° 37' 15\" E along the Westerly right of way line of Panadero Loop, for a distance of 89.49 feet to the Point of Beginning. Being 6.50 Acres more or less.

LEGAL DESCRIPTION PARCEL 6B:

A Parcel of land located in a portion of Tract 6, Panadero Development Filing No. 3, County of Huerfano, State of Colorado, being more particularly described as follows:

Beginning at the furthest North corner of Tract 6; Thence S 39° 09' 00\" E along the East line of said Tract 6, a distance of 385.50 feet; Thence N 89° 22' 07\" E, for a distance of 138.29 feet to the Westerly right of way of Panadero Loop, Thence on an arc of the curve to the left through a central angle of 38° 59' 14\", whose radius is 90.00 feet and an arc length of 61.24 feet; Thence S 39° 37' 15\" W along said right of way line, a distance of 90.00 feet; Thence S 60° 00' 00\" W, a distance of 280.00 feet; Thence N 35° 30' 00\" W, a distance of 132.77 feet to the North line of said Tract 6; Thence N 43° 47' 58\" E along said North line, a distance of 42.89 feet, Thence N 47° 25' 25\" E along said North line, for a distance of 108.85 feet to the Point of Beginning. Being 2.67 Acres more or less.

As Vacated:



This is to Certify that this Map Amendment Plat, is hereby approved this _____ day of _____, 2023, by the Board of County Commissioners, County of Huerfano, State of Colorado.

By: _____ Date: _____
Chairperson of the Board

By: _____ Date: _____
Attest: Clerk of the Board

SURVEYORS CERTIFICATION: I, William S. Bechaver, a Professional Land Surveyor registered in the State of Colorado, hereby certify to Todd D. Houseman and Sandra R. Houseman , that this Map Amendment is not based upon an actual field survey conducted by me or under my responsible charge, but was prepared using information shown on the Plat of Panadero Development Filing No. 3, filed for record at the Huerfano County Clerk and Recorder. The property within this Map Amendment may or may not be presently monumented and if it is monumented I have not confirmed that the property pins are accurately located.

By: William S. Bechaver, PLS. 38103
BH² Land Surveying, LLC
Colorado City, Colorado

Date: _____

Note: All Lot Line 10 feet each side to serve as Utility and Drainage Easement, except as noted.



BH² LAND SURVEYING
P.O. Box 20399, Colorado City, CO 81019
Phone: 719-676-2072
Email: bh2@ghvalley.net

Scale 1" = 80'	Date: 1-2-2023	Drawn By: WSB
	Sheet 1/1	Job No. 2022-299

405143

Page 1 of 1

Nancy C. Cruz, Clerk & Recorder

Huerfano County, CO

RP \$0.00

01-21-2016 01:51 PM Recording Fee \$11.00

*Re-Record to Add legal***WARRANTY DEED**THIS DEED is dated the 19 day of Jan 2016
and is made betweenCALVIN W. SANDBECK and KAREN M. SANDBECK
(whether one, or more than one), the "Grantor" of the County of
HUERFANO and State of CO and

TODD D. HOUSEMAN and SANDY R. HOUSEMAN

the "Grantees", whose legal address is 518 BRECKENRIDGE RD,
DODGE CITY, KS 67801 of the County of _____ and State of KS

405153

Page 1 of 2

Nancy C. Cruz, Clerk & Recorder

Huerfano County, CO

RP \$0.00

01-22-2016 08:50 AM Recording Fee \$16.00

WITNESS, that the Grantor, for and in consideration of the sum of (\$158,000.00) One Hundred Fifty Eight Thousand Dollars and No Cents, the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, conveys and confirms unto the Grantees and the Grantees' heirs and assigns forever, not in tenancy in common but in joint tenancy, all the real property together with any improvements thereon, located in the County of Huerfano and State of Colorado described as follows:

SEE EXHIBIT "A" ATTACHED HERETO

also known by street and number as: TBD PANADERO Avenue, CUCHARA, CO 81055

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

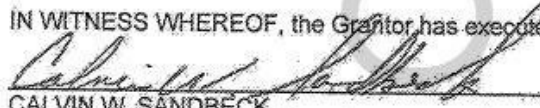
TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the Grantees, and the Grantees' heirs and assigns forever.

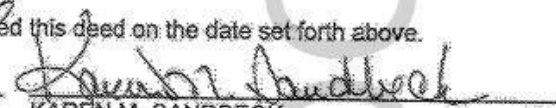
The Grantor, for the Grantor and the Grantor's heirs and assigns, does covenant, grant, bargain, and agree to and with the Grantees, and the Grantees' heirs and assigns; that at the time of the ensembling and delivery of these presents, the Grantor is well seized of the premises above described; has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, and 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 and subject to:

RESERVATIONS, RESTRICTIONS AND EASEMENTS RECORDED AT MAP 264, BOOK 333, PAGE 842, BOOK 362, PAGE 1111, RECEPTION NO. 379076, 388092, 402111, BOOK 364, PAGE 380, RECEPTION 389209, 398757, BOOK 373, PAGE 319, BOOK 373, PAGE 318, BOOK 379, PAGE 485, RECEPTION NO. 331940, 336085, 337888, 334227 AND 368026

And the Grantor shall and will WARRANT AND FOREVER DEFEND the above described premises, in the quiet and peaceable possession of the Grantees, and the heirs and assigns of the Grantees, against all and every person or persons lawfully claiming the whole or any part thereof.

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

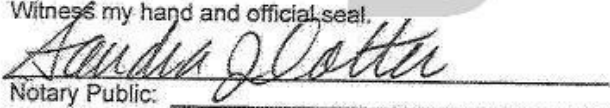

 CALVIN W. SANDBECK


 KAREN M. SANDBECK

 State of Colorado
 County of Huerfano

 The foregoing instrument was acknowledged before me this 19 day of Jan 2016 by
 CALVIN W. SANDBECK and KAREN M. SANDBECK

Witness my hand and official seal.


 Notary Public:

My commission expires: _____

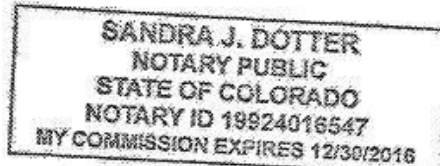


EXHIBIT "A"

FILE NO. 32821

Parcel A: Tract M 1, Panadero Filing No. 3, more particularly described as follows: Township 31 South, Range 68 West of the 6th P.M.:

A parcel of land located in Sections 16 and 17; Beginning at the Southerly most Corner of Tract M; the True Point of Beginning; Thence on the arc of a curve to the right, through a central angle of 09-41-15, whose radius is 180.00 feet, a distance of 30.43 feet; Thence N 78-19-45 E a distance of 219.65 feet; Thence on the arc of a curve to the right, through a central angle of 09-37-15, whose radius is 120.00 feet, a distance of 12.05 feet; Thence N 83-07-15 E a distance of 665.59 feet; Thence on the arc of a curve to the left, through a central angle of 21-30-30, whose radius is 120.00 feet, a distance of 45.05 feet; Thence N 81-36-45 E a distance of 430.45 feet; Thence on the arc of a curve to the left, through a central angle of 101-14-00, whose radius is 20.00 feet, a distance of 35.34 feet; Thence N 39-37-14 W, a distance of 77.58 feet; Thence S 61-36-45 W, a distance of 438.75 feet; Thence S 83-43-33 W, a distance of 527.20 feet; Thence N 02-37-17 E, a distance of 376.52 feet; Thence S 43-47-58 W a distance of 149.98 feet; Thence S 08-52-45 E, a distance of 157.58 feet; Thence S 83-07-15 W a distance of 97.16 feet; Thence on the arc of a curve to the left, through a central angle of 09-37-15, whose radius is 120.00 feet, a distance of 20.15 feet; Thence S 73-30-00 W a distance of 270.63 feet; Thence on the arc of a curve to the left, through a central angle of 12-52-59, whose radius is 120.76 feet, a distance of 26.22 feet; to the true point of beginning, County of Huerfano, State of Colorado

Parcel B: Tract 6, Panadero Filing No. 3, County of Huerfano, State of Colorado

ACCORDING TO THE RECORDS OF THE CLERK AND RECORDER FOR HUERFANO COUNTY, COLORADO.

UNOFFICIAL DOCUMENT

To whom it may concern:

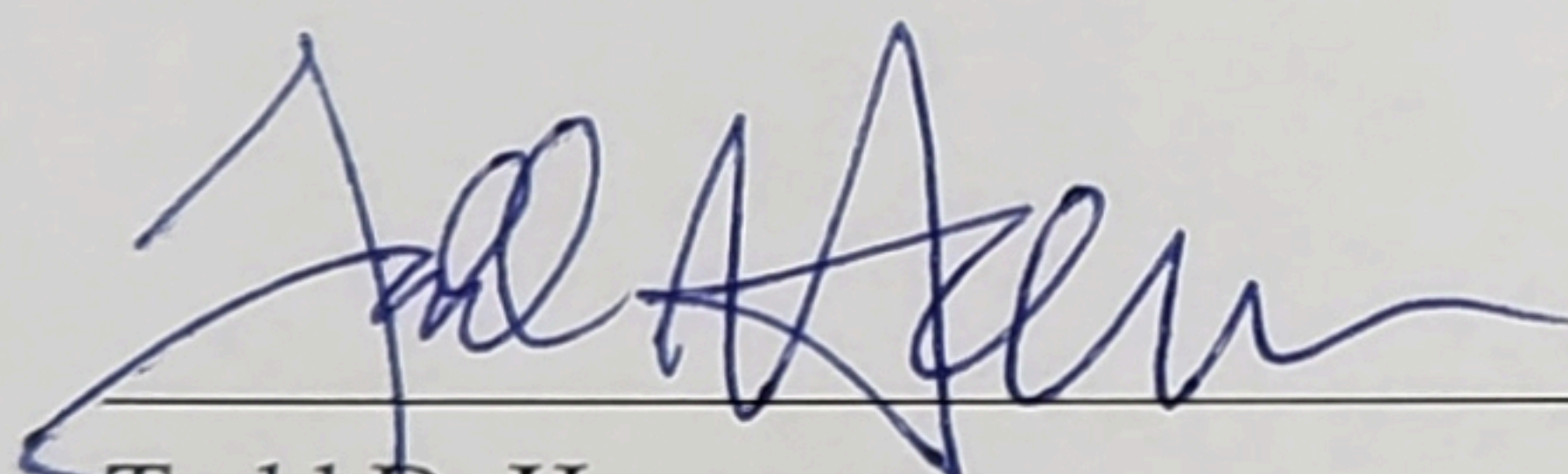
I/We, Todd D. Houseman and Sandra R. Houseman, hereby authorize BH² Land Surveying, LLC to act on our behalf in the process of a Map Amendment, in the County of Huerfano, State of Colorado. If you have any questions related to this matter, please use the information below to contact us.

Todd D. Houseman and Sandra R. Houseman

2000 Burr Parkway, Dodge City, KS 67801

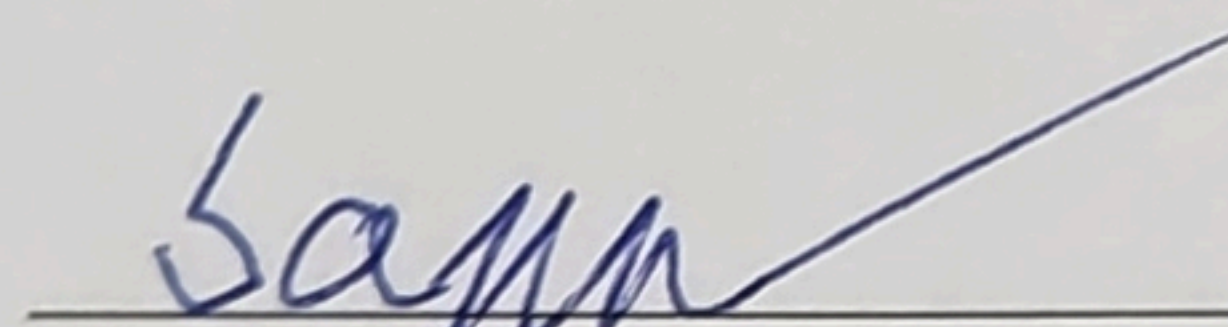
toddh@unitedtelcom.net

Thank you for your cooperation.



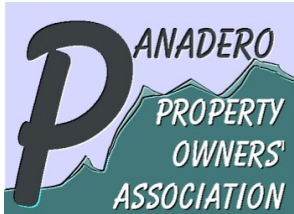
Todd D. Houseman

Date: 11/10/22



Sandra R. Houseman

Date: 10 nov 22



P.O. BOX 1097
LA VETA, CO. 81055

BH2 Land Surveying
4301 Valverde Way #2
Colorado City, CO 81019

To Whom It May Concern;

I would like to apologize for the delayed response to your request on December 5, 2022. The Panadero Property Owners Association (PPOA) was involved in research to determine the original intent of Panadero Development No. 3.

After review of all documents and maps available of Panadero Development No. 3 we are reasonable certain that Tract 6 within Panadero Development No.3 (Parcel No. 1218703) currently owned by Todd Houseman, is not and was never intended to be part of the Panadero Property Owners Association.

It was determined and confirmed that Tract 6 (Parcel No. 1218703) is surrounded on three sides with PPOA common property. On the west side Parcel No. 347054, on the north side Parcel No. 121876, and on the east side Parcel No. 347053.

I want to thank you for your patience, as the PPOA research into your request.

Thank You,

A handwritten signature in black ink that reads 'Gerald J. Palomino'. The signature is written in a cursive, flowing style.

Gerald J. Palomino
President,
Panadero Property Owners Association
geraldpalomino@icloud.com
719-313-6783



MEMORANDUM

MEETING TYPE: Planning Commission
MEETING DATE: January 12, 2023
ITEM NAME: Roadway Design and Construction Standards
SUBMITTED BY: Sky Tallman

SUMMARY:

Proposal to incorporate the County's Roadway Design and Construction Standards, adopted as Resolution 15-07 into the County Land Use Code. The resolution can be found on the Huerfano County website by clicking on the Huerfano County Roadway Standards here:

<https://huerfano.us/departments/road-bridge/>

This change will assist the County in improving oversight and compliance with the standards. The Land Use Department will be able to process applications such as access permits and conduct inspections of work on roads.

County Staff would like to suggest two modifications to the existing standards:

1. To improve clarity on responsibility for repairs when a gravel road is cut for utilities or another purpose.
 - a. Section 10.11(B) add:
 After a disturbance in the surface of the road, the road must be restored to have 4"-6" inches of gravel across the whole width of the road and to be inspected by Road and Bridge Department.
 Repair to roads in poor condition or roads lacking road base at the time of disturbance is to be negotiated with Road and Bridge prior to any disturbance. See 10.11.1.
2. Add a section 10.16 to address nuisances such as blocking or damaging roads.
 - a. Intentionally or unintentionally causing a County Road to become blocked, partially blocked, or damaged shall be considered a nuisance and the responsible party may be fined.
 - i. Causing a road to be blocked or partially blocked without a permit shall make responsible party subject to a fine of up to \$500/day for each 24-hour period in which a road was blocked for any amount of time over 30 minutes, to be determined by the Board of County Commissioners.
 1. Livestock Exception: Moving, herding or driving livestock along County roads is allowed and shall not be considered a violation of this section.

2. Livestock blocking a road due to improperly kept fences shall be subject to a fine if the owner of the livestock has been made aware of an issue with a fence, or if fence was improperly closed or constructed.
- ii. Causing a County road to be damaged or flooded will make responsible party subject to a fine of \$500 plus the costs associated with repair.
- iii. Creating obstructions or hazards in the right-of-way may be subject to prosecution under CRS 43-5-301.