AGENDA
Planning Commission Meeting

Wednesday, December 11, 2024

Town Hall / Council Chambers - 302 Pine St Minturn, CO

The agenda is subject to change, including the addition of items 24 hours in advance or the deletion of items at any time. The order of agenda items listed are approximate.
This agenda and meetings can be viewed at www.minturn.org.

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION:

This will be an in-person meeting with access for the public to attend in person or via the Zoom link included. Zoom Link: https://us02web.zoom.us/j/85057530701

Zoom Call-In Information: 1 651 372 8299 or 1 301 715 8592 **Webinar ID:** 850 5753 0701

Please note: All virtual participants are muted. In order to be called upon an unmuted, you will need to use the "raise hand" feature in the Zoom platform. When it's your turn to speak, the moderator will unmute your line and you will have five (5) minutes for public comment.

Public Comments: If you are unable to attend, public comments regarding any items on the agenda can be submitted to Madison Harris, Planner 1, prior to the meeting and will be included as part of the record.

1. **CALL TO ORDER - 5:30 PM**

2. **ROLL CALL AND PLEDGE OF ALLEGIANCE**

3. **APPROVAL OF REGULAR AGENDA**

   Opportunity for amendment or deletions to the agenda.

4. **APPROVAL OF MINUTES**

   A. November 27, 2024

5. **DECLARATION OF CONFLICTS OF INTEREST**

6. **PUBLIC COMMENT**

   Citizens are invited to comment on any item not on the regular Agenda subject to a public hearing. Please limit your comments to five (5) minutes per person unless arrangements have been made

for a presentation with the Town Planner. Those who are speaking are requested to state their name and address for the record.

7. SPECIAL PRESENTATIONS

Presentations are limited to 5 minutes unless prior arrangements are made with the Town Planner.

8. DESIGN REVIEW AND LAND USE PUBLIC HEARINGS

A. Midtown Village PUD - Planned Unit Development Review for Preliminary Plan

B. Midtown Village PUD - Planned Unit Development Review for Preliminary Plat

C. Midtown Village PUD - Planned Unit Development Review for Amendment to the Character Area and Zone District Map

9. DISCUSSION / DIRECTION ITEMS

A. Minturn Forward: Land Use Code Update - Draft Article 8 - Subdivision Application Requirements & Procedures

10. STAFF REPORTS

A. Manager's Report

11. PLANNING COMMISSION COMMENTS

12. FUTURE MEETINGS

A. December 25, 2024 - Meeting Cancelled

B. January 8, 2025

13. ADJOURN

OFFICIAL MINUTES
Planning Commission Meeting

Wednesday, November 27, 2024

Town Hall / Council Chambers - 302 Pine St Minturn, CO

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MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION:

This will be an in-person meeting with access for the public to attend in person or via the Zoom link included. Zoom Link: https://us02web.zoom.us/j/81217963842

Zoom Call-In Information: 1 651 372 8299 or 1 301 715 8592 **Webinar ID:** 812 1796 3842

Please note: All virtual participants are muted. In order to be called upon an unmuted, you will need to use the "raise hand" feature in the Zoom platform. When it's your turn to speak, the moderator will unmute your line and you will have five (5) minutes for public comment.

Public Comments: If you are unable to attend, public comments regarding any items on the agenda can be submitted to Madison Harris, Planner 1, prior to the meeting and will be included as part of the record.

1. **CALL TO ORDER - 5:30 PM**
   Lynn Teach called the meeting to order at 5:31 p.m.

2. **ROLL CALL AND PLEDGE OF ALLEGIANCE**
   Those present at roll call: Planning Commission Chair Lynn Teach, and Planning Commission Members Jeff Armistead, Michael Boyd, Amanda Mire, and Eric Rippeth.
   Staff members present: Planning Director Scot Hunn and Planner I Madison Harris.
   Note: Darell Wegert is excused absent.

3. **APPROVAL OF REGULAR AGENDA**
   Opportunity for amendment or deletions to the agenda.
   Motion by Michael B., second by Jeff A., to approve the agenda as presented. Motion passed 5-0.
   Note: Darell W. is excused absent.

4. **APPROVAL OF MINUTES**
   A. November 13, 2024
   Motion by Michael B., second by Eric R., to approve the minutes of November 13, 2024 as presented. Motion passed 5-0.

Note: Darell W. is excused absent.

5. DECLARATION OF CONFLICTS OF INTEREST

No conflicts of interest.

6. PUBLIC COMMENT

Citizens are invited to comment on any item not on the regular Agenda subject to a public hearing. Please limit your comments to five (5) minutes per person unless arrangements have been made for a presentation with the Town Planner. Those who are speaking are requested to state their name and address for the record.
No public comment.

7. SPECIAL PRESENTATIONS

Presentations are limited to 5 minutes unless prior arrangements are made with the Town Planner.

8. DESIGN REVIEW AND LAND USE PUBLIC HEARINGS

9. DISCUSSION / DIRECTION ITEMS

A. Minturn Forward: Land Use Code Update - Draft Article 5 Land Use Application Requirements & Procedures
Scot H. introduced the updated draft of Article 5. Discussion ensued.

Amanda M. would like to understand staff recommendations to the consolidation of 16-5-40. Asked for clarification regarding duration of approvals.

Eric R. said that fires could be added to surveys. Asked for clarification on the determination of completion time frame for 16-5-70.

Lynn T. asked for clarification on the Location and Extent process. Asked for clarification on what changed in regards to the variance criteria. Asked for examples in regards to changes for Minor PUD Amendments. Doesn't have a problem if a street needs to move a little, but doesn't want impervious/building coverage changes to be administrative.

- Jeff A. said that it should be without going over the maximum allowed via the PUD Guide.
- Lynn T. pointed out on pg 14 that it says "ten (5)". On pg 20 e. "with" should be removed. On pg 27 asked for clarification on what "speculative use" means. Pointed out a typo at the end of pg 34. Asked that the time frame for public notice be looked into. Asked for clarification on the differences between a Final Development Plan for PUD and a Final Plat.

Jeff A. thinks his comments have been addressed.

Michael B. 16-5-60,70,100 (and anywhere it mentions site plans) thinks we should have the 15 foot clear vision line added to the site plan for corner lots for safety reasons. Would like to talk about building height calculations at some point. For Minor PUD Amendments doesn't have a problem with moving streets, but something more entailed should come to the Planning Commission.

Amanda M. asked how location and extent process works with the 1041 process.

10. STAFF REPORTS

A. Manager's Report

Eagle River Water Quality / EPA 5-Year Superfund Site Review

The Eagle River Stakeholders, of which Minturn is a partner, is looking to support the request (letter included as an attachment to this Manager Report) that as part of the EPA/CDPHE regular 5-year review cycle of the Eagle Mine Superfund Site, valuable Eagle River water data collected by ERWSD/UERWA be included in the formal review. This request is valuable toward ensuring the ongoing Superfund Site remediation is as thorough as possible. Unless there are four council members to direct otherwise, Minturn will support this effort.

Ghost Car Request

During the community bulb out discussion, residents requested the use of a “ghost car” to help facilitate speed enforcement. I made that request to the Eagle County Sheriff’s Office however due to their constant use throughout the county and for regular patrol functions, ECSD is unable to dedicate a car to Minturn’s enforcement needs.

Main Street Bulb Outs

We conducted a meeting with CDOT Region 3 representatives and determined Minturn can apply for a crosswalk with rapid flashing signs at the intersection of HWY 24 and Little Beach Park. This is encouraging news as when the Phase I sidewalks were installed this amenity was not allowed. CDOT is also taking a look at the ability to install smaller temporary bulb outs as Minturn has initially requested. These smaller bulb outs would be the same length as the current yellow no-parking areas in place. This concept is not to CDOT “standards” and so they are reviewing this request internally (but their review and willingness to consider this option is an improvement from the denial we received the first time around).

Public Utilities Commission (PUC) Approval – Railroad Ave Pedestrian Safety Improvements

I am excited to announce that after significant effort to complete and submit the PUC application for the installation of sidewalks along Railroad Ave, the request has been approved (see attached approval notice). Minturn plans to conduct the Railroad Ave Pedestrian Improvement Plan starting in the Spring of 2025 and possibly in coordination with other construction work in the Taylor St area if combined cost savings can be achieved.

Battle North Potential Water Service Review

I have been meeting weekly with Battle North representatives to find out if any opportunity exists for cost-sharing of a new membrane water treatment plant. My current efforts include review of the potential surface diversion feature at the confluence of the Eagle River and Cross Creek, determining project cost increases for expanding the size of the WTP facility to house future pre-treatment infrastructure, timing of future financial development contributions, regulatory requirements associated with a System Revolving Fund (SRF) loan, EPA NEPA application timing as this effects the Town’s $3M Congressionally Directed Spending funds and submittal of a $1M request to the EPA for consideration to cover the remainder of the design and engineering work.

B. Planning Director Report

Minturn Forward Code Update Project:

The Planning Commission will be reviewing an updated, clean draft of Article 5 – Land Use Application Requirements and Procedures, at the November 27th meeting. Staff will look for any final questions, comments or suggestions from the Commission on Article 5 with the goal of deeming this article complete before moving on to a review of Article 8 – Subdivision Application Requirements and Procedures starting in December.

Article 5 will be reviewed with the Town Council at a joint work session on December 4th. The goals of the work session with Council will be to ensure that the Commission and Council are in general agreement and alignment regarding the format / layout of the new code and that Staff and our consultant, Western Slope Consulting, are achieving the project goals (to create a more consistent, easier to use, and efficient code) before we continue with drafting additional articles.

Active Land Use Applications:

- **Midtown Village Planned Unit Development Preliminary Plan Review**
  The Planning Commission held its first public hearing to review the Midtown Village Preliminary Plan for PUD on November 13, 2024. The staff and the Applicant presented the project and the Planning Commission asked questions of staff and the Applicant before tabling the review – to be continued at the regular meeting of December 11, 2024.

- **Eagle County School District – Maloit Park Preliminary Subdivision Plat Review**
  Staff continues to review the Eagle County School District Maloit Park Preliminary Plat for Subdivision application. The Applicant has been provided referral agency comments and is in the process of meeting with Town staff, Town consultants, and referral agencies to address, resolve and/or respond to referral comments. Staff is unable to estimate when referral comments will be fully addressed and, therefore, cannot predict how soon this application will be scheduled for its first public hearing.

Other Planning Department Activities:

- **Eagle County Regional Housing Action Plan Partnership**
  The planning director has been participating alongside representatives from Eagle County, Avon, Eagle, Gypsum, Red Cliff, and Vail in a regional housing action plan task force spearheaded by Eagle County and the Town of Avon. The purpose of this effort is to create a regional housing action plan – looking at alignment between land use policies and community housing goals within and across jurisdictions, as well as identifying potential funding sources to implement priorities and projects - and is based on a housing needs assessment being finalized by Economic Planning Systems (EPS). The assessment is based on community survey work and an extensive process by EPS to work with each partner jurisdiction to compile data on existing land use and development, existing housing policies and housing units/supply in each jurisdiction, as well as demographics and market trends. The partnership presented the results of the assessment to each of the partner jurisdictions in October and November; the partnership presented its findings to the Minturn Town Council at the November 6, 2024, Council Meeting (attached presentation).

- **Eagle County Wildland Urban Interface (WUI) Code Working Group**
  The planning director and the code enforcement officer have been participating in a regional effort spearheaded by the Eagle County Wildfire Collaborative group to understand and discuss alternatives, pros, and cons related to the potential adoption of Wildland Urban Interface (WUI) code requirements in member jurisdictions (towns, special districts, and the fire districts). This group has been meeting since the start of 2024 and work completed to date includes sharing and analysis of each jurisdictions' existing land use, zoning, and building code regulations and policies to better understand where, if at all, there are commonalities across or among jurisdictions by way of fire or wildfire related terms, regulations, or design requirements for things like home construction, landscape design and materials, and access to private property.

  At their meeting of November 21st, the group discussed landscaping regulations and the review of landscape plans in each jurisdiction; what is allowed and who is looking

at the plans for pre – construction and who will do site visits to ensure landscape matches the approved plans. The group also discussed how space - the first five feet from the foundation – around a structure is addressed in each of the partner jurisdictions' codes with regard to allowable landscaping and other materials (mulch, rocks, etc. The goal is to start working with each jurisdiction to see if there could be consistency in how landscaping and defensible space around structures are addressed in codes.

- **Exterior Lighting Regulations – Holiday Lighting**
  Recently, the Town reviewed and adopted minor revisions to Section 16-17-180 - Exterior illumination standards, to allow for seasonal uplighting of the water tank for Town purposes. During their deliberations to approve Ordinance No. 19, Series 2024, the Council discussed the Town's dark or "night" sky lighting restrictions as well as exemptions within the Code that allow for holiday or ornamental lighting. The Council was most interested in understanding how the town regulates or enforces exterior lighting and whether there should or could be limits placed on the time of day when non-permanent holiday lighting can be displayed. Staff were then directed to facilitate a follow-up discussion related to holiday lighting.

  At the regular Council meeting of November 20th, staff presented existing lighting regulations and definitions for "Exterior lighting" and "Holiday/ornamental lighting" and highlighted some issues with the current regulations and definitions. Namely, the current definition of holiday/ornamental lighting is problematic because it states that holiday or ornamental lighting means "festoon lighting." Staff disagrees with this and, ultimately, the Council gave direction to staff to present an ordinance amending Section 16-17-180 specifically to update the definition of "Holiday lighting" and to add a separate definition for "Festoon lighting" – to differentiate between the two forms of lighting and, therefore, to allow for better regulation of both. The goal will be to add a time limit (dawn to 10pm) when holiday lighting can be turned on, while allowing festoon lighting – typically considered "café" style lights that people use in their back yards year round or which are used for commercial outdoor seating year round – to be considered as permanent (and therefore not limited to time limits that will apply to holiday lighting.

  Staff will create this ordinance and likely present it to the Planning Commission in December.

11. PLANNING COMMISSION COMMENTS

Amanda M. and Lynn T. said Happy Thanksgiving.

Jeff A. thanked Public Works for their work.

Michael B. thanked the Planning Department for their work.

12. FUTURE MEETINGS

A. December 4, 2024 - Joint Work Session with Town Council
B. December 11, 2024
C. December 25, 2024 - Meeting Cancelled

13. ADJOURN

Motion by Jeff A., second by Michael B., to adjourn the regular meeting of November 27, 2024 at 6:57 p.m. Motion passed 5-0.
Note: Darell W. is excused absent.

_____

Lynn Teach, Commission Chair

ATTEST:

_____

Scot Hunn, Planning Director

To: Planning Commission
From: Madison Harris
Date: December 6, 2024
Agenda Item: Midtown Village PUD - Preliminary Plan, Preliminary Plat, and Amendment to the Zone District Map - Update

REQUEST:
Review and forward a recommendation to the Town Council to approve, approve with conditions, or deny the applications for Midtown Village PUD - Preliminary Plan, Preliminary Plat, and Amendment to the Zone District Map.

INTRODUCTION:
Planning Commission initially took these applications up at their November 13, 2024 regular meeting. They continued the public hearing to December 11, 2024, to give the Applicant time to address comments made during the meeting.

ANALYSIS:
At the November 13, 2024 meeting Planning Commission discussed landscaping, parking, snow removal and storage, open space, consideration of lowering the AMI level, and cleaning up the PUD Guide and Narrative. To give the Applicant and staff time to accomplish this, the Planning Commission continued the hearing to December 11, 2024.

In the interim period the Applicant has provided exhibits and plans for landscaping showing the location and number of trees and shrubs that can be placed on the lot. Staff has some concerns with how close some of the trees are to proposed structures as well as the tree species chosen (i.e., white and blue spruce; juniper) from a wildfire hazard standpoint, but staff believes with some tweaking that the Applicant has demonstrated that a number of trees can be placed on the lot. Also of note, the updated landscape plan shows a significant number of shrubs throughout the PUD. This also demonstrates that the planting plan is in general conformance with the intent of the Town's landscape standards.

The Applicant provided an updated snow storage and removal plan adding hatching to show where snowmelt will be placed. An updated open space plan was provided showing that 28% of the property can be counted as open space and thus no variation is needed. This is a slight change from previous application materials; the additional analysis by the Applicant and his design team resulted in essentially more space within the PUD as being counted as open space. The Applicant provided a color-coded map of the parking spaces which illustrates how the project conforms to the parking requirements.

Also updated are the PUD Guide and Narrative by the Town Attorney. As noted by Mr. Peterson-Cremer, "There may be additional changes requested by staff to these documents

between preliminary and final plan but they are in sufficient form now to proceed with a recommendation of approval."

As part of this process the Town has also received written public comment. That is attached to this agenda item.

ATTACHMENTS:

- Updated Documents Submitted
- Public comment received
- Original staff report dated November 7, 2024
- Original Application

Madison Harris

From: Bob stephanoff <bob@bpcvail.com>
Sent: Wednesday, November 13, 2024 7:28 PM
To: Madison Harris
Cc: hbaskerville@fortislawpartners.com; Craig Yarde; Rhonda DeSantis
Subject: Minturn Village PUD

Hello Madison,

Regarding this evening's Planning Commission meeting on the Minturn Village PUD. We have a few concerns.

The request for set back variance: As a home owner at 962 Main Street and having recently completed a house renovation we are adamantly opposed to granting a setback variance. We were restricted significantly in design and siting options due to our strict setbacks and utility easement. The owner/ developer of Minturn Village should be held to same standard. We were held to stringent set backs on the river, side and front setbacks. These developers should not get the variance for setbacks even if abuts open space similar to being restricted against the river.

In addition to variances for setbacks are the SIGNIFICANT concerns regarding traffic flow out of a single entrance to the entire development. With 42 units with at least 2 bedrooms, it's potentially 4 cars per dwelling unit which equates to 168 cars for the residential units total plus the cars for the 2 commercial spaces which will have constant traffic to them.

The placement of the proposed commercial/fire station being on the opposite side of the development from the other commercial space. Both commercial spaces should be placed on the south side of the PUD closer to existing light commercial in this area. Moving the proposed commercial/fire dept building to the south allows for a separate/2nd or 3rd entrance for the development which provides a safer and more dedicated access for service.

This PUD is proposing a SINGLE entrance to the entire development. That has significant impact to traffic flow not only for Minturn residents but for all of those traveling from Leadville through Minturn. Has CDOT done a full traffic impact study for this PUD? At minimum the development with this density of residential and added commercial space should be required to have two if not three points of egress for the development.

Regards

Bob Stephanoff
970.390.4529 c
Bob@bpcvail.com

JEFF ARMISTEAD
10TH MOUNTAIN BUILDERS, LLC
PO BOX 955

970-471-0618
jafamilyman@gmail.com

11/4/24

Planning Director

Town of Minturn Planning Department
Minturn Town Center
302 Pine Street Minturn, CO 81645

Scot / Madison,

Although I was not provided with a specific list of reasons that the Preliminary PUD hearing was continued until December 11th, this letter gives a detailed description of my interpretation of the additional information that the commission would like to review at the next meeting.

- **Updated Open Space Plan** showing a table of revised square footages and percentages of color-coded Active and Passive open space. The Open Space Plan that was previously submitted was created with more general calculations relative to the actual Active and Passive spaces and not as exact as the plan that has been provided for this meeting. The reason for that was because the Applicant generally believed that the tradeoff for the increased dedication of deed restricted local housing was more significant than the recommendation of open space dedication. This plan took a more micro focused look at the Open Space calculations and the resulting calculations demonstrate that the PUD is providing almost 28%. This exceeds the "recommended" 25% dedication listed in the MMC and does not require a variation form existing code.

- **Revised Preliminary Landscape Plan** and **Perspective Plan Looking Northwest** *(*79 Trees and 47 Shrubs, tables showing existing code requirements, *species, quantities of plantings, restoration seed mix)*
  The existing code for this zone requires 1 tree per 1,000 sq ft of land. Commercial parcels are exempt. It does not have any provision for any substitution of shrubs in lieu of trees. This revised Preliminary Landscape Plan demonstrates the Applicant's intention to meet existing zoning and landscape standards for this zone district. This plan illustrates that the PUD will provide 79 Trees and 47 shrubs of various native and drought tolerant species at full buildout. Per the Table shown on the plan, the pertinent square footage is 68,063 sf. This would require 68 Trees to be provided. Depending on how the Planning Commission and Town Council interprets the code, the PUD may still be require additional language for a variation. The applicant has no problem including variation language in the SIA and PUD Guide based on the outcome of the public hearings. Further, some of the species that are specified may need to be revisited at public hearings for future development parcels to possibly assess relative to the proposed uses at the time. If the P&Z and Council determine that the revised plan meets the requirements, no variation will be needed.

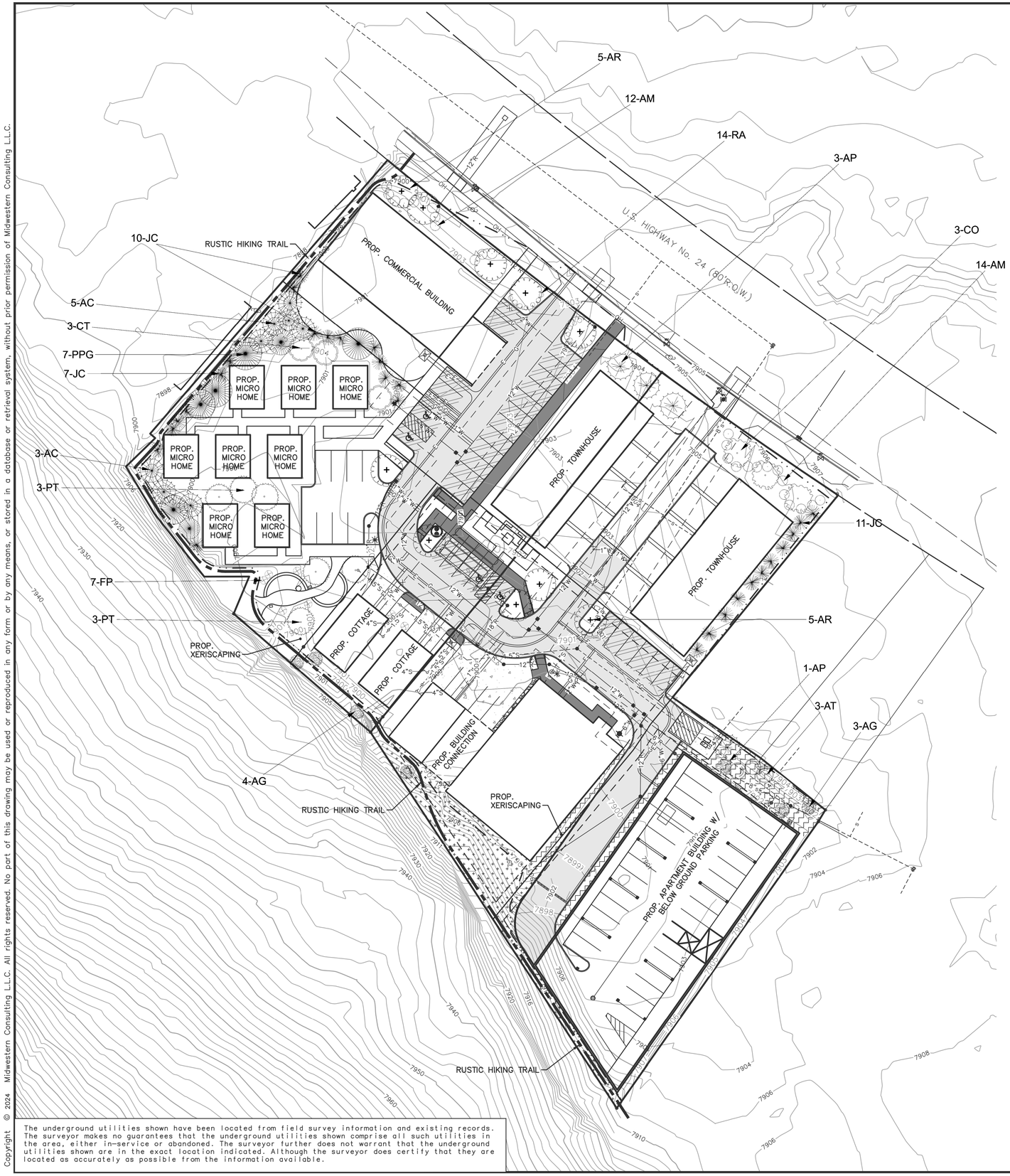
- **Color Coded Parking Plan** (*showing numbers of spaces dedicated per Tract and Use) The parking plan demonstrates code compliance and Applicant is not requesting a variation from existing code.*
- **More detailed snow storage** (*Revised plan shows snow melted approach to the parking garage) Demonstrates code compliance Future Development parcels will also very likely include areas of snow melted driveways, parking lots and approaches to alleviate the need to store snow onsite.*

This was intended to be a comprehensive list of the information that the Commissioners requested and further explanation of what will be included in this next packet for consideration.

Please contact me with any questions or concerns prior to the Dec. 11th meeting

Sincerely,

JEFF ARMISTEAD
10TH MOUNTAIN BUILDERS, LLC



LANDSCAPE LEGEND

- PROPOSED XERISCAPING
- PROPOSED RIVERSTONE
- PROPOSED RESTORATION SEED MIX
- PROPOSED SEEDED AREA
- PROPOSED CONCRETE WALK
- PROPOSED BITUMINOUS PAVEMENT
- PROPOSED CONCRETE PAVEMENT

SCALE: 1" = 30'

0 30 60 90

811 Know what's below. Call before you dig.

LANDSCAPE REQUIREMENTS BY TRACT

(1 TREE PER 1,000 SQ FT OF OPEN SPACE)

TRACT	SQ FOOTAGE	TREES OR EVERGREENS REQUIRED	PROVIDED
A	21,912	22	7
B	3,509	4	4
C	21,484	22	41
D	21,158	22	23
E	0	0	4
	68,063	TOTAL	79

PLANT SCHEDULE						
Symbol	Qty	Key	Common	Botanical	Root	Size	Notes
Evergreen Trees	43						
	28	JC	Spartan Juniper	Juniperus chinensis 'Spartan'			
	8	AC	White Fir	Abies concolor 'Rochester'			
	7	PPG	Blue Colorado Spruce	Picea Pungens Glauca			
Deciduous Canopy Tree	36						
	3	CO	Common Hackberry	Celtis Occidentalis	B&B	2.5" Ca	
	3	AT	Hot Wings Tatarian Maple	Acer tataricum GarAnn			
	3	CT	Northern Catalpa	Catalpa speciosa			
	4	AP	Norway Maple - Royal Red	Acer Platanoides 'Royal Red'	B&B	2.5" Ca	
	6	PT	Quaking Aspen	Populus tremuloides			
	7	AG	Rocky Mountain Maple	Acer glabrum			
	10	AR	Red Maple	Acer rubrum 'Red Sunset'	B&B	2.5" Ca	Male only
Shrubs for Xeriscape							
	7	FP	Apache Plume	Fallugia paradoxa	#3 Cont	30-36" ht	
	26	AM	Black Chokeberry	Aronia melanocarpa			
	14	RA	Golden Currant	Ribes aureum			
Other Possible Shrubs for Xeriscape							
		AC	Arctostaphylos x coloradoensis 'Panchito'	Panchito Manzanita	#3 Cont		
		CM	Chamaebatiaria millefolium	Fernbush	#3 Cont		
		CP	Cytisus purgans 'Spanish Gold'	Spanish Gold Broom	#3 Cont		
		BT	Berberis thunbergii 'Crimson Pygmy'	Crimson Pygmy Barberry	#3 Cont	30-36" ht	
		PB	Prunus besseyi 'Pawnee Buttes'	Creeping Western Sand Cherry	#3 Cont	30-36" ht	
Perennials and Grasses for Xeriscape							
		AS	Achillea ssp.	Yarrow			
		AG	Agastache ssp.	Agastache			
		CO	Callirhoe onvolucrata	Prairie Winecups			
		DS	Delosperma ssp.	Iceplant			
		HS	Helictrotrichon sempervirens	Blue Avena Grass			
		KS	Kniphofia spp.	Torch Lily			
		NT	Nassella tenuissima	Mexican Feather Grass			
		Sp	Salvia pachyphylla	Mojave Sage			

RESTORATION SEED MIX

Lower Montane Mix: 7,501 - 8,500 feet a.s.l.					
Scientific Name (USDA)	Common Name (USDA) Cultivar or Ecotype	Cultivar or Ecotype	Life History	% Mix	Pounds PLS Needed
Adenolinum lewisii	Lewis flax	CO ecotype or Maple Grove	NPF	2	0.32
Bouteloua gracilis	Blue Grama	Fremont CO ecotype	NPG-L	8	0.52
Cleome serrulata	Rocky Mountain Beeplant	CO Ecotype (or VNS)	NAF	2	0.84
Elymus elymoides	Squirreltail	Pueblo or Wapiti	NPG-L	10	2.5
Elymus trachycaulus	Slender Wheatgrass	Pryor or Frist Strike or San Luis	NPG-L	14	4.63
Festuca arizonica	Arizona Fescue	Redondo	NPG-L	10	1
Gaillardia aristata	Blanketflower	CO Ecotype (or VNS)	NPF	3	0.77
Pascopyrum smithii	Western Wheatgrass	Arriba	NPG-L	14	5.89
Poa secunda	Sandberg Bluegrass	Sims Mesa or high Plains	NPG-L	12	0.55
Pseudoroegneria spicata	Bluebunch Wheatgrass	Anatone	NPG-L	8	3.28
Quickguard	Quickguard	Quickguard	Cover Crop	1	3.42
Rudbeckia hirta	Black-eyed Susan	CO Ecotype (or VNS)	NBF	3	0.09
Bromus marginatus	Mountain Brome	Cold Springs or Eco type	NPG-L	12	6.85
Penstemon strictus	Rocky Mountain Penstemon	Bandera	NPF	1	0.11

The underground utilities shown have been located from field survey information and existing records. The surveyor makes no guarantees that the underground utilities shown comprise all such utilities in the area, either in-service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated. Although the surveyor does certify that they are located as accurately as possible from the information available.

COLORADO LICENSED ROBERT C. WAGNER 60475 PROFESSIONAL ENGINEER

MIDWESTERN CONSULTING
3815 Plaza Drive Ann Arbor, Michigan 48108
(734) 995-0200 • www.midwesternconsulting.com
Land Development • Land Survey • Institutional • Municipal
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10TH MOUNTAIN BUILDERS
1632 MAIN STREET
MINTURN, CO 81645
JEFFREY D. ARMISTEAD
970-471-0618

MIDTOWN VILLAGE PUD

LANDSCAPE PLAN

10

DATE: 11/22/24
SHEET 10 OF 38
CADD:
ENG: CWW
PM: RCW
TECH:
20067LP1

JOB No. 20067

REVISIONS:	REV. DATE
PER ERWSD & IME REVIEW	02/23/24
PER ERWSD & IME REVIEW	08/19/24
PER PLANNING COMMISSION (11/13/24)	11/27/24

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PROP. MICRO HOME
PROP. MICRO HOME
PROP. MICRO HOME
PROP. MICRO HOME
PROP. MICRO HOME
PROP. COMMERCIAL BUILDING
PROP. TOWNHOUSE
PROP. TOWNHOUSE
PROP. COTTAGE
PROP. COTTAGE
PROP. BUILDING CONNECTION
PROP. XERISCAPING
PROP. XERISCAPING
PROP. APARTMENT BUILDING W/ BELOW GROUND PARKING
RUSTIC HIKING TRAIL
7900
7901
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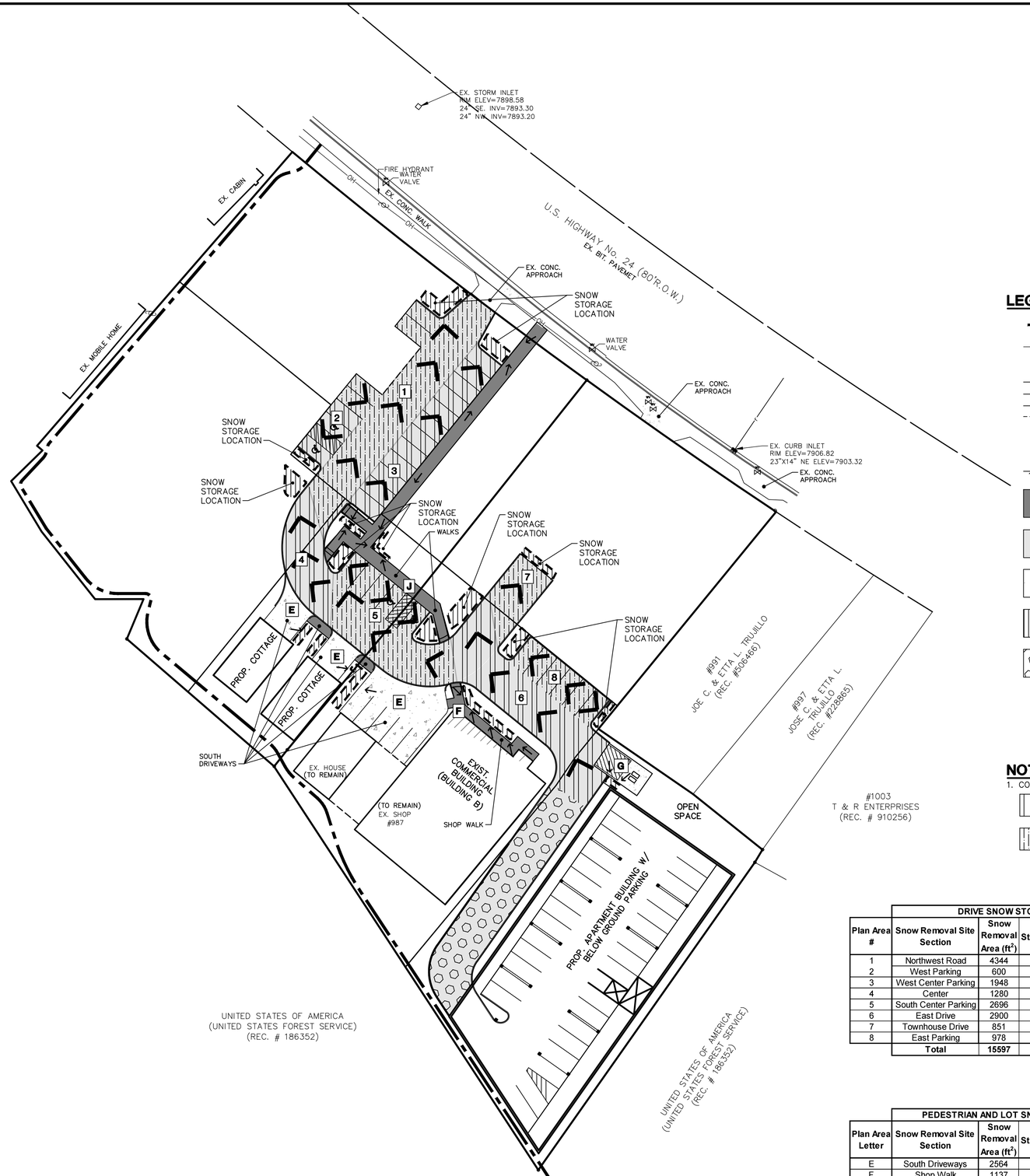

SCALE: 1" = 30'

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811 Know what's below. Call before you dig.

LEGEND

- PROPOSED DRIVE SNOW STORAGE
- EXISTING UTILITY POLE
- EXISTING OVERHEAD UTILITY LINE
- EXISTING HYDRANT
- EXISTING WATER VALVE
- EXISTING STORM SEWER
- EXISTING CATCH BASIN OR INLET
- EXISTING SANITARY SEWER
- SIGN
- POST
- EXISTING GAS VALVE
- FENCE
- PROPOSED CONCRETE WALK
- PROPOSED BITUMINOUS PAVEMENT
- PROPOSED CONCRETE PAVEMENT
- PROPOSED SNOW STORAGE
- PROPOSED HEATED DRIVE
- PROPOSED SNOW REMOVAL ROUTE
- PROPOSED HAND SHOVEL LOCATION

NOTE

1. CONTRASTING DRIVE HATCHING SIGNIFY DRIVE SNOW REMOVAL SECTIONS

DRIVE SNOW STORAGE TABLE

Plan Area #	Snow Removal Site Section	Snow Removal Area (ft^2)	Required Storage Area (ft^2) 5%	Storage Area Provided (ft^2)
1	Northwest Road	4344	217	222
2	West Parking	600	30	45
3	West Center Parking	1948	97	104
4	Center	1280	64	120
5	South Center Parking	2696	135	174
6	East Drive	2900	145	180
7	Townhouse Drive	851	43	75
8	East Parking	978	49	124
	Total	**15597**	**780**	**1044**

PEDESTRIAN AND LOT SNOW STORAGE TABLE

Plan Area Letter	Snow Removal Site Section	Snow Removal Area (ft^2)	Required Storage Area (ft^2) 5%	Storage Area Provided (ft^2)
E	South Driveways	2564	128	160
F	Shop Walk	1137	57	130
G	Dumpster Walk	114	6	22
J	S Center Pkg Walk	622	31	70
	Total	**3815**	**191**	**382**

COLORADO LICENSED ROBERT C. WAGNER 60475 PROFESSIONAL ENGINEER

The underground utilities shown have been located from field survey information and existing records. The surveyor makes no guarantees that the underground utilities shown comprise all such utilities in the area, either in-service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated. Although the surveyor does certify that they are located as accurately as possible from the information available.

M:\Civil3d_Proj\20067\Site Plan\20067SP1.dwg, 11/27/2024 1:38 PM, Colton M. Wallace, 08 SNOW REMOVAL PLAN, MCLLC PDF.pc3
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3815 Plaza Drive, Ann Arbor, Michigan 48108
(734) 995-0200 • www.midwesternconsulting.com
Land Development • Land Survey • Institutional • Municipal
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10TH MOUNTAIN BUILDERS
1632 MAIN STREET
MINTURN, CO 81645
JEFFREY D. ARMISTEAD
970-471-0618

MIDTOWN VILLAGE PUD

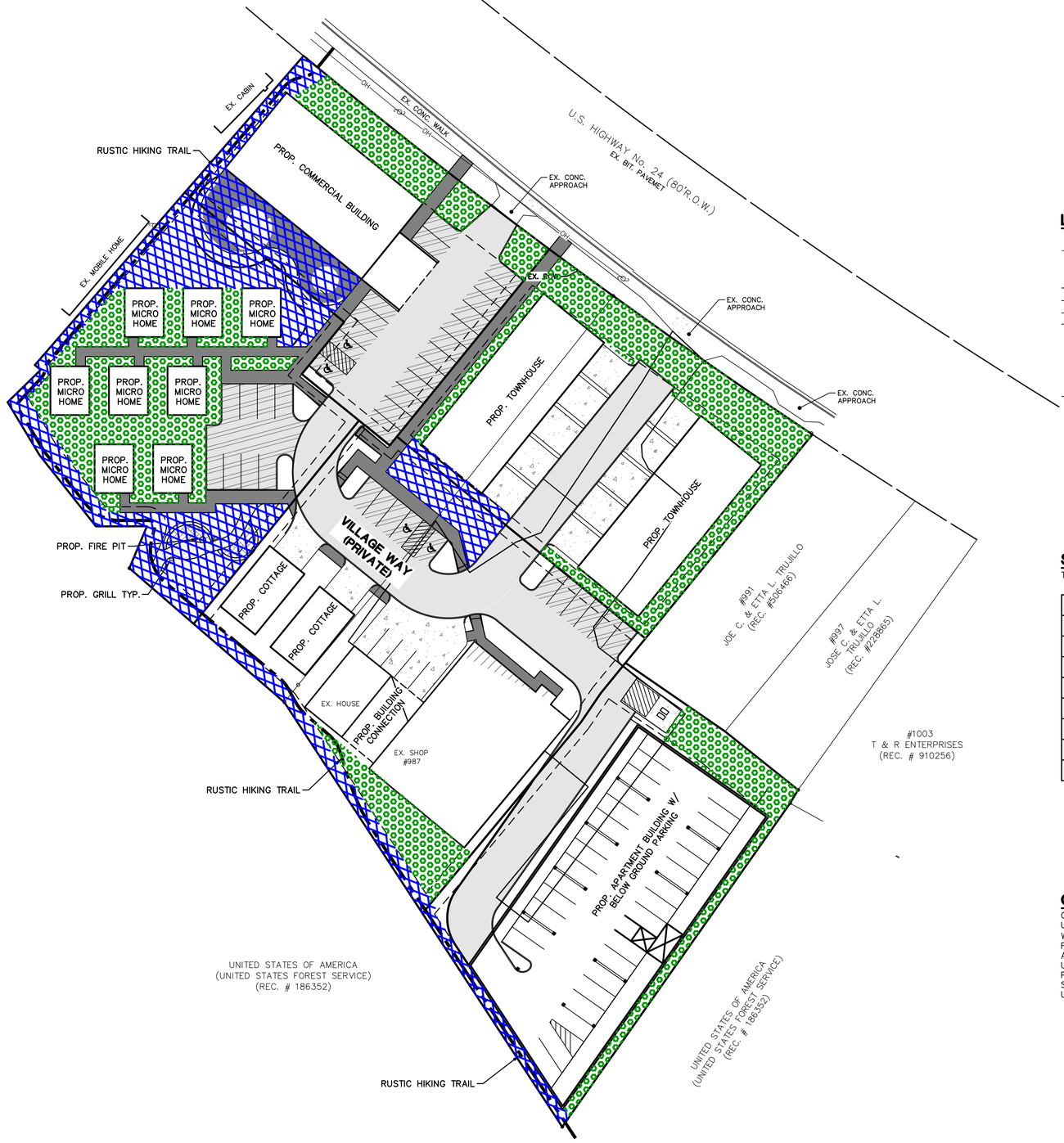
SNOW REMOVAL PLAN

08

DATE: 11/27/24
SHEET 08 OF 38
CADD:
ENG: CMW
PM: RCW
TECH:
/20067SP1

REVISIONS:	REV. DATE
PER ERWSD & ME REVIEW	05/17/24
PER ERWSD & ME REVIEW	08/19/24

JOB No. 20067



SCALE: 1" = 30'

0 30 60 90

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LEGEND

- EXISTING UTILITY POLE
- OH — EXISTING OVERHEAD UTILITY LINE
- EXISTING HYDRANT
- EXISTING WATER VALVE
- EXISTING STORM SEWER
- EXISTING CATCH BASIN OR INLET
- EXISTING SANITARY SEWER
- SIGN
- POST
- EXISTING GAS VALVE
- WELL
- FENCE
- PROPOSED LIGHT POLE
- PASSIVE PUBLIC OPEN SPACE
- ACTIVE PUBLIC OPEN SPACE

SITE OPEN SPACE DATA

TOTAL OPEN SPACE REQUIRED: 25% OR 27,552 SF

PHASE I/TRACT A	21,912 SF	
PHASE I/TRACT B	28,525 SF	
PHASE II/TRACT C	21,484 SF	
PHASE III/TRACT D	21,158 SF	
PHASE IIII/TRACT E	17,067 SF	
TOTAL	110,146 SF	%
ACTIVE PUBLIC OPEN SPACE	13,555.07 SF	12.3%
PASSIVE PUBLIC OPEN SPACE	16,989.4 SF	15.4%
TOTAL	30,544.47 SF	28%

OPEN SPACE NARRATIVE

OPEN SPACE FOR THE PUD IS COMPRISED OF AREAS THAT CAN BE UTILIZED BY RESIDENTS WITHIN THE DEVELOPMENT; CONNECTING WALKWAYS. PATIOS WITH SEATING/GRILLS/FIRE PITS, OPEN SPACES FOR COMMUNITY GARDENING, PLAZAS, AREAS AROUND THE COTTAGES AND MICRO HOMES IS INCLUDED AS OPEN SPACE CONSIDERED AS USEABLE YARD SPACE. OTHER OPEN SPACES ARE AVAILABLE FOR PLAY STRUCTURES OR SIMILAR USES. OPEN SPACE ALONG THE NORTH, SOUTH AND WEST IS PROVIDED FOR A RUSTIC HIKING TRAIL TO BE USED AS A CONNECTOR TO THE OTHER HIKING TRAILS IN THE VILLAGE.

COLORADO LICENSED
ROBERT C. MAGNER
60475
PROFESSIONAL ENGINEER

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10TH MOUNTAIN BUILDERS
1632 MAIN STREET
MINTURN, CO 81645
JEFFREY D. ARMISTEAD
970-471-0618

MIDTOWN VILLAGE PUD

OPEN SPACE PLAN

09

DATE: 11/22/24
SHEET 09 OF 38
CADD:
ENG: CMW
PM: RCW
TECH:
/20067SP2

JOB No. 20067

REVISIONS:	REV. DATE
PER MUNICIPAL REVIEW	03/31/23
PER ERWSD & IME REVIEW	07/27/23
PER ERWSD & IME REVIEW	02/23/24
PER ERWSD & IME REVIEW	08/19/24
PER PLANNING COMMISSION	11/13/24



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10TH MOUNTAIN BUILDERS
1632 MAIN STREET
MINTURN, CO 81645
JEFFREY D. ARMISTEAD
970-471-0618

MIDTOWN VILLAGE PUD
PARKING DETAILS

DATE: 11/22/24
SHEET 09 OF 38
CADD:
ENG: CMW
PM: RCW
TECH: /20067SP2

JOB No. 20067

REVISIONS:	REV. DATE
PER MUNICIPAL REVIEW 03/31/23	04/06/23
PER ERWSD & IME REVIEW	02/23/24
PER ERWSD & IME REVIEW	08/19/24
PER PLANNING COMMISSION	11/13/24

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Karp Neu Hanlon PC
ATTORNEYS AT LAW
www.mountainlawfirm.com

Glenwood Springs – Main Office
201 14th Street, Suite 200
P. O. Drawer 2030
Glenwood Springs, CO 81602

Aspen
0133 Prospector Rd.
Suite 4102J
Aspen, CO 81611

Ridgway
565 Sherman Street
Suite 6
Ridgway, CO 81432

Office: 970.945.2261
Fax: 970.945.7336
Direct Mail to Glenwood Springs

DATE: December 6, 2024

TO: Minturn Planning Commission

FROM: Karp Neu Hanlon, P.C.

RE: Midtown Village PUD Guide and Narrative

Pursuant to direction from the Planning Commission, we have revised the Midtown Village PUD Guide and Narrative to reflect the purposes of those respective documents. The PUD Guide is the land use and zoning document and should be a durable guide and makes sense decades from now. In contrast, the PUD Narrative is a component of the PUD Application that describes compliance with the code and general prosecution of the development. The most important revisions to these documents are removing references to phasing from the PUD Guide and placing them in the appropriate location in the Narrative. Or, in some cases simply referring to the phases as tracts since after full buildout, the tracts will be the identifying reference for zoning controls.

There may be additional changes requested by staff to these documents between preliminary and final plan but they are in sufficient form now to proceed with a recommendation of approval.

MIDTOWN VILLAGE

PUD PRELIMINARY PLAN NARRATIVE



TABLE OF CONTENTS

01 GENERAL INFORMATION

02 PROJECT NARRATIVE

03 CODE COMPLIANCE

SECTION 1

GENERAL INFORMATION :

Property Owner	Midtown Lofts, LLC
Applicant	10TH Mountain Builders, LLC
Owners Representative	Jeff Armistead – 10th Mountain Builders PO Box 955 Minturn, CO 81645 jafamilyman@gmail.com 970-471-0618
Civil Engineering	Kate Bond – Midwestern Consulting 318 Plaza Drive Ann Arbor, MI 48108 734-995-0200
Architect	Todd Hallet – TK Designs 26030 Pontiac Trail, South Lyon, MI 48178 248-446-1960
Surveyor	Sam Ecker - Gore Range Surveying 5129 Longsun Lane Avon, CO 81620 970-479-8698
Traffic Engineer	Kari McDowell / Greg Schroeder – McDowell Engineering PO Box 4259 Eagle, CO 81631
Environmental Engineer	Kumar and Associates 240 Annie Road PO Drawer 1887 Silverthorne, CO 80498 970-468-1989

1

SECTION 02

PROJECT NARRATIVE

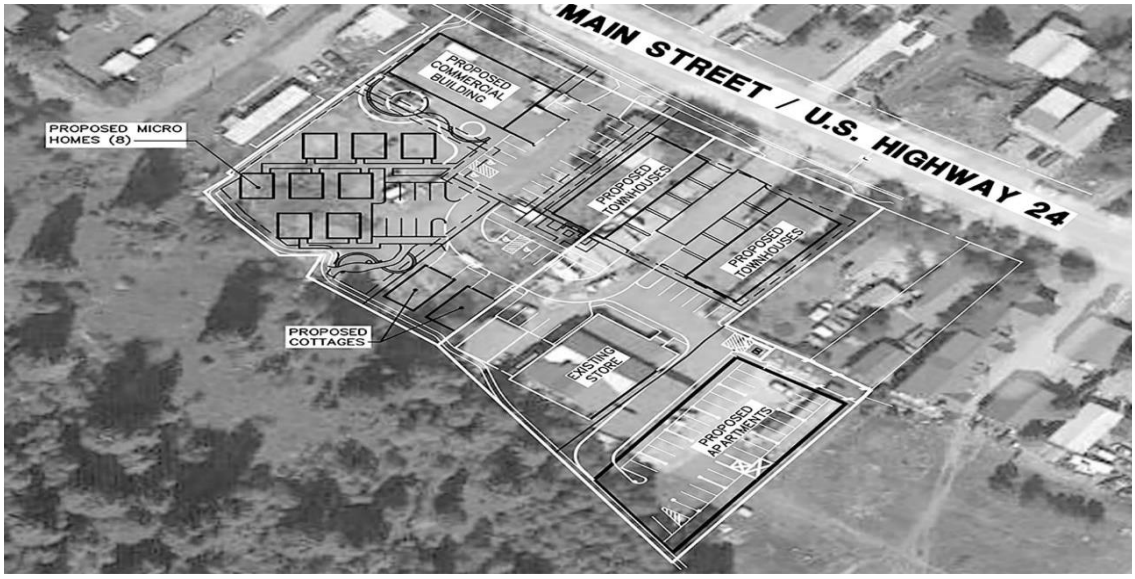
2

GENERAL INFORMATION

Midtown Village PUD is a re-development, not green field development and aims to compliment the other residential properties and businesses in the South Town Commercial Zone by investing in more commercial space while maintaining a diverse and affordable residential component.

The PUD contains 110,207 Square Feet / (2.53 AC) acres of land situated south of downtown off Hwy 24 in the 900 Block of Minturn, Colorado.

The existing conditions of the site include a fully occupied 11,000 sf commercial building with 3 apartments above, 4 single family homes, 2 mobile homes, 1 light industrial garage/shop and a large portion of vacant land that housed 9 mobile homes (removed in 2019).



INTENTION STATEMENT – Midtown Village aims to compliment the other residential properties and businesses in the South Town Commercial Zone by investing in affordable, deed restricted local housing solutions along with new commercial, civic and governmental spaces while respecting the historical uses of the South Town Commercial Zone.

Located in the 900 Block of the South Town Commercial Zone, t
is one of the last "infill" areas within the town that is appropriate for higher density redevelopment due to the established historical mixed uses. Although the existing Zoning allows for all of the proposed uses, this PUD proposes higher densities of smaller single-family homes than the existing code provides mixed with multi-family units and commercial space. This PUD provides the flexibility to offer these diverse housing types and mixed uses while maintaining the general intentions of the existing municipal code elements.

Midtown Village proposes to utilize the PUD Overlay zoning provision per Section 16-15-10 to combine a group of contiguous properties/addresses *(947, 961, 981, 985 & 987 Main Street*) into 5 new Tracts (A – E) and revive this section of town into a thriving micro community. The project exceeds the goals of the 2019 Housing Action Plan by providing over 50% of the proposed (42) units to be Deed Restricted for the local workforce. The Subject properties are located in a part of town that was historically an extension of the commercial core of downtown with more of an emphasis on light industrial uses and coexisted alongside a wide mixture of residential housing types including single family, mobile homes, apartments above commercial spaces and smaller homes, which would be considered "tiny homes" by today's standards. This Zone was home to the Lucero's Gas Station, Alpine Glass headquarters, Johnnie's Gardens, Quintana Excavating Company, the Battle Mountain Trading Post and is still home to RMR Adventure Rentals and the adjacent commercial strip of businesses that includes Sibley Plumbing, Mountain Woodworking, Eagle Valley Electric, Weston Snowboards and Holt Hammer Cycles the Barbershop, and a new Aerial Yoga Barn performance studio.

CURRENT USES - The existing site contains a fully occupied 3000 sf commercial building with 3 apartments above, 4 single family homes, 2 mobile homes, 1 light industrial garage/shop and a large portion of vacant land that housed 9 mobile homes (*removed in 2019*).

PROPOSED USES - It is the intention of the Midtown Village development team to build 100% of the PUD with no involvement of outside builders or General Contractors. All construction financing will be provided by Midtown Lofts LLC and construction administration provided by 10th Mountain Builders, LLC. The PUD Guide for Midtown Village will use existing municipal code to address bulk, mass, form, scale and densities while also focusing on providing over 50% of the project to be Deed Restricted housing for our local workforce. This is a significant investment in local housing opportunities, paths to first time ownership and more up valley rental units that are close to the job market.

OWNERSHIP

A Homeowners Association is proposed to manage the entire P govern their respective public and private elements. The developer proposes to maintain ownership of the existing commercial building and the 16 Unit apartment building. The (10) Single Family Homes and (10) Townhomes are "For Sale" units.

ECONOMIC DATA FOR COMMERCIAL / INDUSTRIAL ELEMENTS

There are (2) Commercial components to this PUD: #1 is an existing commercial building that is being completely remodeled on the interior and exterior. #2 is a new commercial building that is proposed to be either a new Fire Station or main level commercial use with 2nd level residential use. The existing commercial space carries a long-term lease with SteamMaster, who is a "service based" local business and does not generate any sales tax for the Town of Minturn. Both uses are consistent with historical uses in this zone district.

PRELIMINARY ENVIRONMENTAL ASSESSMENT

A Phase 1 Environmental Site Assessment (ESA) was conducted in 2015 in conformance with the scope and limitations of ASTM Practice E1527-13 by Braun Environmental, Inc. 355 S Teller St STE 200, Lakewood, CO 80226 *(Paper copy available upon request)* No negative environmental impacts were found on the subject property

FIRE / EMERGENCY SERVICES

Ability To Serve Letters are provided from Eagle River Fire, Eagle County Paramedic Services and Eagle County Sheriff

PHASING PLAN

Due to water availability and Town of Minturn water system capacity, the Midtown Village PUD has been divided into (5) Development Parcels and includes Right-of-Way (ROW) / Public Open Space Parcels, as identified on Sheets 11 and 12 (Tract Plans) and Sheet 8 (Open Space Plan) of the civil drawings provided by Midwestern Consulting (Exhibit A).

The intent of the Midtown Village PUD (*shown on site plan and overlay below*) is to provide a phased development over a 3–5-year period with ultimate buildout of the 5 Tracts of land to consist of the following: **SEE Exhibit below**



PHASE 1 – *Upgrade Infrastructure and 16 Unit Apartment Building / Parking Garage and (2) Cottages*

(a) Upgrade the existing Infrastructure within the entire site. This would include removal of overhead Xcel Power lines and provide direct buried power services, new water and sewer main and service lines, new gas service lines, curb, gutter and sidewalk amenities within the site and integrated with existing sidewalk and curb at US HWY 24 / Main Street along with a mix of snow melted asphalt and concrete paving sections throughout. CDOT Access points are proposed to be reduced from 2 to 1 with an Emergency Services, break-away access gate at the south side of the property.

(b) Construction of a 2.5 Story (16) unit Apartment building adjacent to the existing commercial building. The pre-existing commercial building is currently undergoing a major interior and exterior renovation. A garden level parking garage is proposed under the (16) unit apartment building.

(c) Construction of (2) small cottages

PHASE 2 – (8) *Micro Homes*

(8) Single Family Residential, Deed Restricted Micro Homes

PHASE 3 – *(10 Units)Townhomes & ERFPD Fire Station or New Commercial Building*

Construction of (2) Residential Townhome Buildings consisting of (5) Residential Units per building

Construction of approximately 3000 sf Commercial Building that would be situated parallel to US HWY 24 with "build to suit" commercial space on grade level and (3) units of residential above on 2nd floor. Initial use is proposed to be a new fire station for Eagle River Fire Protection District. The Lofts are proposed to be rental units.

Additional Tracts *(TBD)* Possible Tracts dedicated to public Rights of Way, Easements, Parking areas and Open Space for Public and/or Private uses may be added to and amended to Final Plat.

SECTION 03

CODE COMPLIANCE

RELATION TO THE SURROUNDING CHARACTER AREA AND COMMUNITY PLAN

MIDTOWN VILLAGE aims to continue to utilize the property in the same manner as it has been used for generations but also, to use forward thinking planning and design principles, architecture and creative engineering to achieve the community goals set out below.

SEC. 16-15-10. - PURPOSE & GENERAL PROVISIONS

The purpose of the Planned Unit Development (PUD) Overlay Zone District is to allow flexibility for landowners to creatively plan for the overall development of their land and to achieve the purpose and objectives of this Code and the Community Plan. An applicant for a PUD must demonstrate that departure from existing ordinances is warranted and that the proposed PUD significantly contributes to the following:

1. Provides for new technology and promotes innovative and efficient land use patterns;

MIDTOWN VILLAGE introduces a much smaller than average housing type that is referred to as the Micro Home. The idea was borrowed from the small cluster of homes south of town that were constructed in the mid-1960's for Eagle County School Teacher Housing. These units range in size from 600-750 Square Feet. This concept allows a pathway to homeownership in Minturn for under $600,000

The16 Unit Apartment Building is designed to accomplish a 100% energy offset by employing a 185 KvA rooftop solar array. This array will power all of the general site lighting, heating sources (Mini-Split Heat pumps) and all cooking/laundry are also electric.

2. Permits the integration of land uses and contributes to trails a
pedestrian circulation; The historical nature of this property is an integration of many diverse land uses. The project expands on the existing use by providing (7) different types of housing units as well as warehouse and commercial / civic space. The property will also provide an internal network of new sidewalks and trails that will connect not only directly to the new HWY24 Sidewalk project, but it will extend the existing sidewalk, which ends at 997 Main Street, all the way to 1041 Main Street. The proposed internal trail system will safely provide direct access for kids and families to Martin Creek / National Forest open space without going near HWY 24.

3. Preserves valued environments and natural resources and achieves a more desirable environment; The property backs up directly to National Forest land and Martin Creek open space and MIDTOWN VILLAGE makes access to these spaces safer and easier to navigate than the existing condition of the property. Many of the mobile homes, abandoned vehicles and commercial equipment storage that spanned this property were a nuisance and this project aims to provide a cleaner, safer and more beautiful complement to the natural surroundings.

4. Maintains or improves air and water quality; This site was used for heavy industrial purposes over the last 60 years with practically zero grass or green spaces on any portion of the land. The proposed redevelopment of this property would add almost 40,000 square feet of green space which would provide better stormwater filtration, reduce CO2 and increase O2.

5. Provides for a wide range of housing opportunities; This PUD offers (7) different housing types. The units range from 650 sf to 1500 sf. (20) units will be offered as "For Sale" housing and (22) of the units will be offered as "For Rent". (31) of the units (74% of Total) are offered as RO Deed Restricted to Local Workforce. This exceeds the current goals of the Community Plan and the pertinent Housing ordinance. (4) of the future "For Sale" units *(10% of Total)* will also meet or exceed the 200% AMI Price Cap Deed Restriction requirement.

6. Improves the overall design character and quality of new development; All aspects of Architecture, Design Details and Landscaping is controlled by the MIDTOWN VILLAGE team. Therefore, there will not be any aspects of design character or quality that will be left to any outside party and everything will be shown and discussed during the PUD approval process.

7. Permits the integration rather than separation of uses, so that necessary facilities are conveniently located in relation to each other; The proposed commercial building is situated at the entrance to the project and conveniently located on HWY24 to invite local traffic. The rental units are

situated on the far, south side of the existing commercial buildin[illegible] acts as a buffer between the single family home cluster to the North. Uses are deliberately "clustered" into areas that are unique and complimentary to each other.

8. Establishes land use patterns that promote and expand opportunities for public transportation and trails and for safe, efficient, compact street and utility networks that lower development and maintenance costs and conserve energy; There is an existing ECO Transit Bus Stop at the entrance to the project and a new covered shelter is proposed to be constructed by the developer as a community amenity. A new rustic pedestrian walking trail is also proposed to safely connect Martin Creek open space to HWY 24 sidewalk.

9. Preserves valued environmental, historic or mineral resource lands and avoids development in natural hazard areas; The site does not contain any historic or natural hazard areas. It is comprised mostly of noxious weeds and impervious surfaces. The addition of significant green vegetation, shrubs, trees etc. throughout the site preserves and enhances the natural environment.

10. Maintains and enhances surface and ground water quality and quantity; The addition of a system of curb and gutter along with the engineered stormwater plan ensures that the quality and quantity of surface and groundwater will be greatly improved from the existing condition. Employment of Drought Tolerant plants and Xeriscaped common areas also preserve and promote "waterwise" practices.

11. Provides applicants the opportunity to contribute to the Town's multi-use trail system; to provide and maintain access to public lands and rivers; As mentioned above, the rustic walking trail will connect residents and the community directly to Martin Creek open space and, in turn, direct access to the National Forest. The project is also only .2 miles from the Boneyard Open Space and access to the Eagle River.

12. Establishes incentives for applicants to encourage the provision of long-term affordable housing; This PUD proposes that (31) or 74% of the 42 units to be Deed Restricted to local workforce. This includes (4) of the "For Sale" units to be Price Capped at 200% of AMI or below. This exceeds any current zoning requirements and is an example of the developer's voluntary commitment to help offset the current housing shortage in the valley.

13. Is consistent with the purposes and goals of the Community Plan and these Land Use Regulations. Midtown Village realizes not only the current goals of the plan, but it also provides for future goals by offering

affordable housing opportunities while preserving the Commer
integrity of this Zone district.

SEC. 16-15-70. - GENERAL STANDARDS.

The following standards and requirements shall govern the acceptability of a PUD application:

1. **The PUD shall be consistent with the intent of the Community Plan and the policies therein, shall be compatible with the Character Area and with the surrounding land uses and shall not detrimentally affect adjacent or nearby properties.**

Midtown Village not only meets the intentions of the 2009 Master Community Plan for Minturn, but exceeds many of the goals described. The diverse housing types specifically address:
-Allow a variety of lot sizes *(small and large lot) as appropriate to specific*
-Green and Sustainable Practices *are also addressed through the large PV Solar array that is designed for the rooftop of the multifamily apartment building.*
-Green building guidelines that address energy and resource efficiency, indoor air quality and on-site energy generation *The best example of which is addressed through the Mechanical / Electrical engineering of the 16 Unit Apartment Building which results in a 100% energy offset. The building proposes 100% Electric powered appliances and heating/cooling systems, 100% LED fixtures for the interiors of the residential apartments as well as the common areas, hallways and exterior site lighting.*

-Enhance the Town's Status as a Walkable and Bikeable Community *The internal rustic walking trail provides the safe transit from US HWY 24 and the Martin Creek USFS public lands and trailhead. Also, the ECOBUS stop is adjacent to the site which provides a greater opportunity for the larger public community to safely access Martin Creek open space. This supports and promotes* ***the expansion of public transit service to outlying communities***
Promote redevelopment areas as mixed-use centers

-Promote Affordable Housing *Promote the development of housing opportunities for all income levels throughout all areas of town. Allow a variety of lot sizes (small and large lot) as appropriate to specific areas. Develop an affordable housing program, to include*

housing assistance for town employees, qualified town re and other eligible Eagle County employees.

-Implement streetscape improvements with pedestrian-scale site elements including sidewalks, paving, signage, lighting and site furnishings

-Encourage the development of flexible space in commercial areas

-Protect and Promote USFS lands as a Community Asset (NRS 2.1)

Maintain and improve access to public lands

2. The PUD shall provide for the appropriate treatment of the Eagle River corridor as a community recreational amenity and focal point.

The site is adjacent to a crosswalk that allows safe pedestrian passage to the river side of HWY24 and the ECOBUS stop.

3. The design and construction of the PUD shall include adequate, safe and convenient arrangements for pedestrian and vehicular circulation, off-street parking and loading space with access adequate to support the anticipated traffic, on- and off-site, including emergency and utility vehicles. Trails and sidewalks shall be provided to form a logical, safe and convenient system for pedestrian access to dwelling units and common areas, with appropriate connections off-site.

All onsite parking spaces are provided per existing town code for all proposed uses. No variations requested

4. The PUD shall be subject to such setbacks, lot widths and space between buildings as necessary to provide adequate access and fire protection, to ensure proper ventilation, sunlight, air and snow melt between buildings, and to ensure that the PUD is compatible with other developments in the area.

All buildings, building envelopes proposed are in compliance with current IBC, IRC and IFC codes. The 5' rear setback proposed for the 16 unit apartment building is a variation but that setback is adjacent to the USFS open space which has no buildings nor is it likely to ever have developed structures that would impact the variation.

5. The applicant shall demonstrate that the development proposed will be provided with adequate facilities for water supply (domestic and irrigation), sewage disposal, solid waste disposal, electrical supply and roads, and will be conveniently located in relation to schools, police, fire and emergency medical services or make payment in lieu of such facilities.

WATER

MIDTOWN VILLAGE anticipates that 100% of the domestic water will be supplied by the Town's system and 100% of the sanitary sewer service

would be provided by Eagle River Water and Sanitation Depart site will provide a new "looped" water main that will service all phases of the PUD. It is anticipated that the 1st Phase of the development can be fully supported by the number of "historic" SFE's that exist with the property (22.5). Future phases of the project, when additional water resources become available, will require that the developer purchase an additional 20+ water taps plus another commercial tap for the Fire Station / Commercial building (size TBD, but anticipated to be 3-6")

SEWER

A section of the sanitary sewer main is proposed to be upgraded and realigned into a new easement that meets Eagle River Water and Sanitation District current rules and regulations. The Midtown Village team has worked extensively with ERWSD staff engineers to collaborate on the civil design details related to the proposed sewer plans and has provided an Ability to Serve letter anticipating full buildout of all phases.

UTILITY INFRASTRUCTURE

100% of the overhead electric power lines (Xcel Energy) are proposed to be buried as part of a new underground distribution design which will dramatically improve the look of this property from its current and historic use. The developer has already removed many of the old overhead distribution poles that serviced the mobile home trailers that previously littered the property. A 1.25" Natural Gas Main already exists inside the property boundary and Xcel engineers have deemed that line to be sufficient to serve any future needs for the full buildout of all phases.

6. The PUD will be evaluated in terms of its proximity to commercial, recreational and educational facilities conveniently located to residential housing

Midtown Village is already in a historically "Mixed Use" zone with a diverse mix of residential homes, mobile homes and businesses coexisting side by side for many decades.

7. The PUD should provide a wide range of housing opportunities and other buildings that promote design continuity with the existing community and design continuity in type, size and layout of buildings.

Midtown Village provides a diverse array of housing types (Deed Restricted apartments, Micro-Homes, Cottages, Townhomes and

Commercial Buildings) As mentioned above, homes and have coexisted side-by-side for many decades in this part of town. Midtown Village is merely an extension of this historic use.

8. Maximum height of structures shall be established by the approved PUD plan

Midtown Village does not propose any variation from current town code related to building height. All proposed buildings, structures are 28' Maximum as specified in the Midtown Village PUD Guide

9. The PUD should provide storage for snow removed from the internal street network, from sidewalks and from off-street parking areas.

Streets, snow storage areas and proposed snow melt areas are provided to town standards and will be maintained by the Master Association.

10. Open space for the PUD shall be planned to produce maximum usefulness to the residents of the development for purposes of recreation and scenery and to produce a feeling of openness

Midtown Village is unique due to the fact that is shares it's southern property boundary with USFS Martin Creek open Space. The site also offers public community gathering spaces and opportunities for play areas with playground equipment.

11. The mass and scale of individual buildings and the overall density of the PUD shall be consistent in scale and character to avoid abrupt and/or severe differences

All of the proposed buildings are appropriate and similar to historical uses in this zone district.

12. Any increase in density proposed above that which is permitted in the underlying zone shall be mitigated by increasing the land dedications to open space and/or recreational amenities and subsequent impact on public facilities.

Per the 2030 Future Land Use Map (2009), the proposed density of Midtown Village at full buildout is defined as Medium Density Residential (MDR -10-20 Dwelling units per acre) This MDR designation seems to fit the historical uses of this property given the

fact that this Zone district was home to many trailer / mob per lot and shared driveways between 25' wide lots. The proposed densities are appropriate for this zone and should not be subject to further land dedications than are provided within the Preliminary PUD plans submitted.

13. Residential density and intensity of other uses shall be limited as required by the Town Council, upon consideration of the Community Plan, the Official Zone District Map and the Character Area and specific characteristics of the subject land.

Proposed density and intensity is in line with historical uses and appropriate with the Zone District and Character Area

14. Architecture and design fit in the PUD shall reflect the character of the Town.

Midtown Village's architectural style exhibited by the renovation of the 100 year old warehouse that will be completed in the spring of 2024 shows the commitment to preservation of the Town's historical, eclectic character and style. The design and materials proposed for the apartment building are provided and utilize natural materials native to Colorado and other historical structures found throughout the valley.

15. A PUD may include any uses permitted by right or as a conditional or special use in any other zone, except that any use that has been declared a nuisance by statute, ordinance or any court of competent jurisdiction shall not be permitted

Primary and Secondary uses are described within the Midtown Village PUD Guide. They describe the original intentions for each Tract.

16. A PUD may be applied to annexed land or other land not zoned by the Town without the requirement for underlying zoning

All parcels of the Midtown Village PUD have been annexed and are a part of the Town.

SEC. 16-15-140. - PRELIMINARY DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

1. ***A Community Plan and Development Guidelines that illustrates the proposed land uses, building locations and housing unit densities.***
   Refer to Civil Drawings by Midwestern Consulting and Midtown Village PUD Guide
2. ***An open space, park and recreation plan that identifies the areas of common open space, parks and recreation lands and describes any agreement proposed to preserve the open space, parks and recreation lands and how this will be implemented by deed or other agreement. This plan shall also describe the source of funds for long-term maintenance.***
   Refer to Open Space Plan as part of the Civil Drawings. Maintenance of all greenspaces, common areas will be maintained by the Master Association and in accordance with the Declarations and Covenants

3. ***A traffic study***
   Provided by McDowell Engineering attached

4. ***Proposed trails, sidewalks and traffic circulation patterns, including snow removal patterns and snow storage areas, and the proposed status of street ownership.***
   Refer to Civil Drawings by Midwestern Consulting

5. ***Proposed grading and drainage plans.***
   Refer to Civil Drawings by Midwestern Consulting

6. ***Detailed descriptions and commitments for the proposed source of legal and physical water supply and engineering plans for the proposed storage and distribution system for water supply (domestic and irrigation) and sewage disposal.***

Described above. Midtown Village has "historical use water, which = 22.5 SFE's Refer to Civil Drawings by Midwestern Consulting for distribution details related to water and sewer. Ability to Serve letter for ERWSD included.
See "Water Exhibit" included in Applicant Response to Holland & Hart letter dated 3/4/24

7. ***Economic data and supporting market analysis to justify any proposed commercial and industrial elements. While no commercial or industrial uses are proposed,***
   Refer to Fiscal Impact Study has been provided by Stan Bernstein and Associates

- *The positive financial impacts to the Town of Minturn are also significant. Future Development Parcels (Tracts C, D, E) will require purchasing an additional Commercial Water Tap and an additional 20 SFE Residential Taps when additional water resources become available.*
- *The Town will receive significant revenue streams from not only these Tap Fees, but also Cash In Lieu, Real Estate Transfer, Construction Use, Sales and Property Taxes.*
- *Impacts to the Town of Minturn Public Works department are anticipated to be minimal due to the fact that the roads and driveways within the development are private and maintained by the Master Association.*

8. ***Proposed development covenants, deed restrictions or other applicable codes.***
   Refer to Midtown Village Master Declarations and Covenants document provided and Midtown Village PUD Guide
9. ***An environment assessment or environmental impact report, unless waived by the Town Planner***
   Refer to EIR provided by Birch Ecology and letter form Devin Duvall related to Wildlife inpacts
10. ***An impact analysis that describes the impact of the proposed PUD upon the school district***
    Refer to letter from Sandra Farrell, COO Eagle County Schools
11. ***A fiscal impact analysis of the estimated demands for Town services and a statement of projected Town tax revenue based***

upon the historic Town tax levy and a schedule of proje revenue

Refer to Fiscal Impact Study has been provided by Stan Bernstein and Associates

12. ***Final site plans and architectural forms planned for the first phase of the proposed development***

100% Construction Drawings, including site plans, have been provided.

13. ***Detailed plans for fire protection and emergency medical services.***

Refer to Civil Drawings by Midwestern Consulting showing turning radii for Fire apparatus etc. Also refer to Ability to Serve letter from Mick Woodworth ERFPD and Eagle River Emergency Services

14. ***The PUD shall include a phasing plan that demonstrates that the PUD can be completed within a reasonable period of time, which shall be determined prior to final approval of the PUD.***

Refer to Civil Drawings by Midwestern Consulting and Midtown Village PUD Guide which describes and illustrates all proposed Phases and Future Development Parcels on Tracts A-E

15. ***If development is proposed to occur in phases, then financial guarantees shall be proposed to ensure that project improvements and amenities are constructed as presented and approved***

Acknowledged

CHARACTER AREA AND ZONE DISTRICT MAP AMENDMENT

Character Area and Zone District Map amendment. The preliminary plan application shall be accompanied by an application for an amendment to the Character Area zoning map.

1. ***Subdivision. Where the PUD proposes activities that constitute a subdivision, the application for a preliminary plan for PUD shall also be required to meet the requirements of Chapter 17 of this Code regarding procedures for preliminary plat for subdivision.***
   - *Midtown Village acknowledges above*

2. ***Phasing. The preliminary plan for PUD shall include a phasing plan for the development. If development of the PUD is proposed to occur in phases, then guarantees shall be provided for public improvements and amenities that are necessary and desirable for residents of the project, or that are***

of benefit to the entire Town. Such public improvem
be constructed with the first phase of the project or, if this is not possible, then as early in the project as is reasonable.

- *Midtown Village acknowledges above and Phase Plan is included*

STANDARDS

Common recreation and open space. The PUD shall comply with the following common recreation and open space standards:

1. Minimum area. It is recommended that a minimum of twenty-five percent (25%) of the total PUD area shall be devoted to open air recreation or other usable open space, public or quasi-public. *As described above, due to the unique circumstances of the property and proximity to the Martin Creek USFS open space and the county-wide affordable housing needs, the property proposes less than the recommended percentage of public space dedication in lieu of more deed restricted/affordable housing options.*

2. ***Improvements required. All common open space and recreational facilities shall be shown on the preliminary plan for PUD and shall be constructed and fully improved according to the development schedule established for each development phase of the PUD*** *Refer to Civil Drawings provided by Midwestern Consulting Specifically - Phase and Open Space Plans*

3. ***Continuing use and maintenance. All privately owned common open space shall continue to conform to its intended use, as specified on the preliminary plan for PUD. To ensure that all the common open space identified in the PUD will be used as common open space, restrictions and/or covenants shall be placed in each deed to ensure their maintenance and to prohibit the division of any common open space***
Midtown Village acknowledges above

4. ***Organization. If common open space is proposed to be maintained through an association or nonprofit corporation, such organization shall manage all common open space and recreational and cultural facilities that are not dedicated to the public, shall provide for the maintenance, administration and operation of such land and any other land within the PUD not publicly owned and shall secure adequate liability insurance on the land. The association or nonprofit corporation shall be established prior to the sale of any lots or units within the PUD.***

Membership in the association or nonprofit corporatio mandatory for all landowners within the PUD
Acknowledged - Refer to Midtown Village Declarations and Covenants

VARIATIONS

Variations authorized. The Town Council shall be authorized to grant the following variations as part of its approval of the preliminary plan for PUD. Each variation that is granted shall be shown on the PUD Guide *Acknowledged*

1. ***Density and intensity***
   The density of residential and intensity of commercial development may be varied. *Midtown Village proposes a slight increase of density at full buildout from approximately 12 residential units/acre to approximately 15 residential units per acre. This is primarily a function of the multi-family deed restricted apartment building that drives the extra 3 units per acre.*

2. ***Dimensional limitations***
   The minimum lot area, minimum lot area per use, maximum building lot coverage, maximum floor area, minimum yard setbacks and maximum height may be varied. Midtown Village proposes a variation to a 5' Rear Setback on Tract A behind the apartment building. This variation is necessary to allow for safer traffic patterns inside the parking garage. It is also the opinion of the developer that the perceived visual of the variation will not be apparent due to shared property line and the USFS open space immediately behind the building.

3. ***Open Space***
   As described above, the project proposes less open space than the recommended 25% in lieu of increased density to provide more deed restricted housing solutions to local residents who live and work in the county. This has been an expressed goal of the Mayor, the Town Council and Community Plan.

4. ***Water SFE Allocation versus Actual Usage***
   SEE MIDTOWN VILLAGE – WATER EXHIBIT – 3/11/24 attached on pages 26-30

Basis for granting variations. These variations may be granted when the Town Council finds that the preliminary plan for PUD achieves one (1) or more of the following purposes and that the granting of the variation is necessary for that purpose to be achieved

Standards used in the designation of the land use categories on the Character Area Zoning Map, found in Chapter 16, Article III of the Community Plan, "Criteria Used in the Land Designation Process," shall also be considered when determining the maximum density and allowed uses of the PUD.

1. ***Obtain desired design qualities. A variation may be allowed that permits the integration of mixed uses or allows for greater variety in the type, design and layout of buildings. Structures shall be designed to be compatible, in terms of height, mass, scale, orientation and configuration, with other units in the PUD and the surrounding area, yet shall avoid uniformity of design. Residential and nonresidential uses may be mixed together. Various types of residential uses may also be combined within the PUD to promote more efficient land use patterns and increased open space.***
   The code specifically provides for this kind of interpretation when it comes to allowing certain variations that result in positive and predictable outcomes.
2. ***The Town Council may require minimum yard setbacks, lot widths and space between buildings of such dimensions as they are determined to be necessary to provide adequate access, wildfire prevention and fire protection; to ensure proper ventilation, light, air and snowmelt between buildings; and to minimize the effects of transmission of noise between units and between buildings. As a general guide, twenty (20) feet between buildings shall be considered the minimum appropriate spacing.***
   The civil drawings have been reviewed by town engineers and have been deemed to be safe and meeting existing codes.
3. ***Avoid environmental resources and natural hazards. A variation may be allowed that provides necessary site planning flexibility to enable the development to avoid valued environmental resource and natural hazard lands, as these have been identified in Article 20 of this Chapter.***
   Does not apply

20

4. ***This shall be accomplished in such a way as to maintain these lands as large, contiguous areas. Such lands shall not be fragmented into small, unconnected areas by development, unless the applicant demonstrates that this arrangement is necessary to maintain the underlying density on the property, and the lands providing environmental resource values have been protected and lands subject to natural hazards have been avoided. Where applicable, connections of such lands on the site to such lands on adjacent properties shall be accomplished***.
   Midtown Village is the result of combining multiple properties into (1) contiguous PUD and the (5) Tracts are in conformance with this provision of the code
5. ***Water augmentation. A variation may be allowed that creates incentives for applicants to commit to a water augmentation plan for their development that makes available "wet" water into the Cross Creek or Upper Eagle River Basin***.
   Due to constraints of current Water Moratorium, this does not apply
6. ***Trails. A variation may be allowed that provides incentives for applicants to make contributions to the County's and Town's multi-use trail system, in accordance with the recommendations of the latest version of the Town Trails Plan and the County Trails Plan, or to provide appropriate forms of access to public lands (including summer and winter parking areas and trailheads) and to river and creek drainages in and surrounding the Town. Proposed access shall be consistent with public land management objectives and resource protection needs for the areas to be accessed***.
   Midtown Village provides an additional trail resource for public use connecting HWY24 Sidewalk to Martin Creek
7. ***Affordable housing. A variation may be allowed that extends an incentive to applicants to provide long-term affordable housing***.
   Midtown Village provides for 74%% deed restricted, resident occupied housing opportunities. Midtown Village also complies with the Town of Minturn Ordinance No.7 -Series 2020 commonly known as the Housing Ordinance.

8. ***Public facilities. A variation may be allowed that provides incentives for applicants to develop public facilities, including but not limited to public transportation facilities, public recreation facilities and similar facilities. The facilities may be located on or***

off of the PUD site and shall be facilities that meet the c not only of project residents, but also of other residents of and visitors to the Town

Midtown Village proposes to provide a covered ECOBUS Shelter for the adjacent bus stop that would require to be built closer to HWY24 for obvious reasons. This variation would allow the shelter to sit on the front property line of Tract D within the front setback. Maintenance of the shelter would be the responsibility of the Master Association.

SEC. 16-15-160. - PUD/PRELIMINARY DEVELOPMENT PLAN REVIEW CRITERIA:

1. ***The resulting development will be consistent with the Community Plan and the proposed PUD reflects the character of the Town***

   The intention of the developer is for Midtown Village to be a direct reflection of the diverse character of the Town. Many different types of housing units and business coexisting side by side. The project also promotes equity in terms of affordable options for many different demographics of the community.

2. ***The area around the development can be planned to be in substantial harmony with the proposed PUD.***

   Midtown Village reflects the same character as the historic uses and provides a substantial investment into the future of this zone district in terms of continuing commercial and residential uses.

3. ***The adjacent and nearby neighborhoods will not be detrimentally affected by the proposed PUD.***

   The proposed uses of Midtown Village do not present any significant impact from current and historic uses of the property. Furthermore, the phased development of this project will minimize the impact of day to day construction processes and spread them out over a longer period of time.

4. ***The mass and scale of individual buildings and the overall density of the PUD shall be consistent in scale and character to avoid abrupt and/or severe differences with the surrounding area.***

   The larger buildings proposed are consistent with other areas of this zone district. The Micro Homes proposed are more similar to the scale of older residential units

that existed in this zone district in previous de
They are not only a nod to the past but also an example of affordable and sustainable practice for future generations to be able to enjoy entry level homeownership in Minturn. The requested density is also consistent with other surrounding areas in town that have been redeveloped in recent years.

5. ***The PUD can be completed within a reasonable period of time, which shall be determined prior to final approval of the PUD.***

   APPLICANT RESPONSE: This project is slated to be completed in three (3) phases, post entitlement processing. Due to the excavation that is needed, it is anticipated that the multi-family buildings at the rear of the development will be first as they have underground parking. This phase will also use the existing water taps we have already. Phase 2 will be more random depending on sales of lots/units and the availability of additional water taps. The final phase will include the completion of landscaping and open space amenities.

6. ***The PUD provides for the appropriate treatment of the Eagle River corridor as a community recreational amenity and focal point.***

   APPLICANT RESPONSE: We are so fortunate to have a project located in proximity to the river. While we are not proposing any major recreational aspects, we are excited to have a project that incorporates increased access to adjacent open space well as equipment and amenities for young children and adults alike.

7. ***The residents of the PUD have easy access to recreational amenities****.*

   Addressed in previous comments

8. ***Any increase in density proposed above what is permitted in the underlying zone shall be mitigated by increasing the land dedications to open space, recreational amenities or other public facilities and services.***

   Addressed in previous comments

9. ***Any proposed commercial or industrial development can be justified.***

   The investment into the rehabilitation of the existing commercial building is significant and will guarantee that future commercial uses will continue in this zone

district, which has been expressed as a goal and 2022 Community Plans and the current Town Council / Mayor. The inclusion of an additional commercial building / future ERFPD Fire Station also satisfies this provision of the code.

10. The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area.

Per the attached Traffic Study, there are no turn lanes or changes to HWY24 that are required. The impact to the streets outside the planned area are proposed to be of minimal impact.

11. Proposed utility and drainage facilities are adequate for the population densities and type of development proposed.

All utilities, grading plans and drainage facilities have been designed by licensed professional engineers and reviewed by Town Engineering staff to ensure that they meet or exceed town standards. See referral comments by Jeff Spanel, Intermountain Engineering

12. Residential density and intensity of other uses shall be limited as required by the Town Council, upon consideration of the Community Plan, the Official Zone District Map and the specific characteristics of the subject land.

APPLICANT RESPONSE: Please see previous comments.

13. A favorable finding is made on the environmental assessment or environmental impact report.

Phase 1, Phase 2 Studies have been included as well as Environmental Impact Study (Birch Ecology) No significant impacts were identified.

14. The preliminary plan for PUD shall comply with the following open space and recreation standards:

(1) A minimum of twenty-five percent (25%) of the gross land area shall be reserved for common recreation and usable open space. Parking areas, street rightsof-way and minimum yard setbacks shall not be counted when determining usable open space. Water bodies, lands within critical wildlife habitat, riparian ecosystems and one-hundred-year

floodplains that are preserved as open sp… count towards this minimum standard, even when they are not usable by or accessible to the residents of the PUD.

While this project is not proposing to dedicate the "recommended" 25% of open space, the developer believes that the tradeoff for the affordable housing component outweighs the public use of the square footage. The immediate proximity of the site to the USFS Martin Creek open space and the current economic cycles also impacted the decision to offer less than recommended open space dedications.

(2) *All common open space and recreational facilities shall be shown on the preliminary plan for PUD and shall be constructed and fully improved according to the development schedule established for each development phase.*

Acknowledged. Refer to Open Space Plan included in Civil Engineered Drawings

(3) *All privately owned common open space shall continue to conform to its intended use, as approved in the preliminary plan. To ensure that all the common open space identified in the preliminary plan will be used as common open space, restrictions and/or covenants shall be placed in each deed to ensure their maintenance and to prohibit the division of any common open space.*

Open Space / Easements etc. will be included on Final Plat and governed according to the Midtown Village PUD Guide, Subdivision Improvement and Master Declarations and Covenants documents.

ZONING/MAP AMENDMENT SEC. 16-21-450

STANDARDS

The wisdom of amending the text of these Land Use Regulations, the Character Area Zoning Map or any other map incorporated in these Land Use Regulations is a matter committed to the legislative discretion of the Town Council and is not controlled by any one (1) factor. In determining whether to adopt, adopt with modifications or disapprove the proposed amendment, the Town Council shall consider the following:

1. ***Consistency with Master Plan. Whether and the extent to which the proposed amendment is consistent with the purposes, goals, policies and Character Area Zoning Map of the Master Plan;***
   As stated previously, The Midtown Village PUD is consistent with and meets many of the intended goals
2. ***Compatible with surrounding uses. Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate Character Area and zone district for the land, considering its consistency with the purpose and standards of the proposed zone district;***
   Addressed above

3. ***Changed conditions. Whether and the extent to which there are changed conditions that require an amendment to modify the use, density or intensity.***
   Midtown Village does not propose any amendment to modify the historic use of the subject property. As stated above, the proposed increase to density has been discussed and identified by the Planning and Zoning Board and Town Council as a necessary derivative of affordable housing solutions.?

4. ***Effect on natural environment. Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, stormwater management, wildlife habitat, vegetation and wetlands.***
   Refer to Environmental Impact Study and letter from US Fish and Wildlife which did not identify any significant impacts.

5. ***Community need. Whether and the extent to which the proposed amendment addresses a demonstrated community need.***

   The fact that Midtown Village proposes over 50% Deed restricted housing as well a truly affordable entry to homeownership is a clear example of providing a solution to a community need.

6. ***Development patterns. Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern and not constitute spot zoning, and whether the resulting development can logically be provided with necessary public facilities and services.***

   APPLICANT RESPONSE: This project is located in an area suitable for development, in an already developed, residential area. We are simply requesting a (residential) PUD zoning overlay, and this will not cause spot zoning as the underlying properties are already zoned residential and were previously built using medium density. Public services have already been utilized at this location; this is a redevelopment project.

7. ***Public interest. Whether and the extent to which the area to which the proposed amendment would apply has changed or is changing to such a degree that it is in the public interest to encourage a new use or density in the area***

   This zone district has been identified as important to continue to be a mixed use area. Significant investment by other local business and property owners continue to support this community goal.. (Yoga Barn, SteamMaster, Lucero's gas station redevelopment)

MIDTOWN VILLAGE - WATER EXHIBIT - 3/11/24 - Variati

Considering the Town Council's recent vote to approve Resolution NO. 32 – Series 2023, which allowed the Belden Place PUD to make a new distinction between "allocation versus actual usage", Midtown Village is requesting a variance related to the allocation of the 22.5 SFEs that are available for the first and second phases of this project. Moratoriums are typically emergency measures that do not persist for multiple years. This Moratorium has been in place for 4 years with no solutions in sight for residents, investors, or developers. Some Council members, including the Mayor, have recently shown interest in doing a deeper dive into how Minturn defines and allocates SFEs. The PUD Overlay Zoning provision of the Minturn Municipal Code allows for the Town to consider variations to the existing code. This allows the Town and the applicant to work together to consider and create unique sets of rules and regulations specific to the development while maintaining the harmony and characteristics of the given neighborhood zone district. This variation is proposed with the realistic goal of creating more homes for permanent Minturn residents by allocating their (historic use +3) of 22.5 SFEs in a more responsible, equitable and sustainable manner than the existing code allows.

The tables below are based upon Minturn's definition that 1 SFE serves up to 3,000 square feet of indoor use and 2000 square feet of outdoor, irrigated use. The tables illustrate proposed maximum Indoor and Outdoor uses and the resulting number of SFE's proposed as part of the variation.

28

TRACT A – 21,910 SF - (16) Unit Apartment Building

Existing Code would require **16** SFE **- VARIANCE = 8 SFE (net 8 SFE)**

UNIT #	INDOOR	OUTDOOR	MAXIMUM	UNUSED	PROPOSED SFE
1	1272	0	5000	3728	.5
2	1272	0	5000	3728	.5
3	1272	0	5000	3728	.5
4	1272	0	5000	3728	.5
5	1420	0	5000	3580	.5
6	1420	0	5000	3580	.5
7	1420	0	5000	3580	.5
8	1420	0	5000	3580	.5
9	1420	0	5000	3580	.5
10	1420	0	5000	3580	.5
11	1420	0	5000	3580	.5
12	1420	0	5000	3580	.5
13	1420	0	5000	3580	.5
14	1420	0	5000	3580	.5
15	1420	0	5000	3580	.5
16	850	0	5000	4150	.5
TOTALS	**21,558**	**0**	**80,000**	**58,442**	**8**

The Proposed **Indoor** use is **21,558** - **45%** of the total allowable under current code.
The Maximum allowable **Outdoor** square footage would be **32,000 sf**.
The Proposed **Outdoor** square footage and use is **0**.

The **net** result of this sustainable design is that the entire 16 unit building will use **73% less** water than 16 SFE's would normally provide for. The developer proposes a Variance to allocate 8 SFE's to TRACT A instead of the full 16 SFEs that the code would normally require.

TRACT B – 28,527 SF – WAREHOUSE / (3) APTS and (2) Cottage Lots

Existing Code would require **6.5** SFE **- VARIANCE = 4.5 SFE - (net 2 SFE)**

UNIT #	INDOOR	OUTDOOR	MAXIMUM	UNUSED	PROPOSED SFE
APARTMENT A	1459	0	5,000	3,541	.5
APARTMENT B	1232	0	5,000	3,768	.5
APARTMENT C	916	0	5,000	4,084	.5
WAREHOUSE	3000	0	7,500	7,425	1
COTTAGE 1	3,000	2000	5,000	0	1
COTTAGE 2	3,000	2000	5,000	0	1
TOTALS	**12,607**	**4,000**	**32,500**	**15,893**	**4.5**

The Proposed **Indoor** use is **12,607 sf** - **65%** of the total allowable under current code. The Maximum allowable **Outdoor** square footage would be **13,000 sf**. The Proposed **Outdoor** use is **4,000 sf - 31%** of the total allowable under current code

The **net** result of this sustainable design is that the entire Tract B, at full build-out, will use **49%** less water than 6.5 SFE's would normally provide for. The developer proposes a Variance to allocate **4.5 SFE's** to **TRACT B** instead of the 6.5 SFEs that the code would normally require.

TRACT C – 21,501 SF – (8) MICRO HOMES @ 650 SF EACH

Existing Code would require 8 SFE - VARIANCE = 4 SFE

UNIT #	INDOOR	OUTDOOR	MAXIMUM	UNUSED	PROPOSED SFE
1	750	0	5,000	4,350	.5
2	750	0	5,000	4,350	.5
3	750	0	5,000	4,350	.5
4	750	0	5,000	4,350	.5
5	750	0	5,000	4,350	.5
6	750	0	5,000	4,350	.5
7	750	0	5,000	4,350	.5
8	750	0	5,000	4,350	.5
TOTALS	**6.000**	**0**	**40,000**	**34,000**	**4**

The Proposed **Indoor** use is **6,000 sf** - **25%** of the total allowable under current code. The Maximum allowable **Outdoor** square footage would be **16,000 sf**. The Proposed **Outdoor** square footage and use is **0**.

The **net** result of this sustainable design is that the entire Tract C, at full build-out, will use less than **85%** less water than 8 SFE's would normally provide for. The developer proposes a Variance to allocate **4 SFE's** to **TRACT C** instead of the 8 SFEs that the code would normally require.

HOW AND WHY DOES THE DEVELOPER PROPOSE TO HAVE ZERO O USE?

HOW –100% drought tolerant plantings, Xeriscape rock gardens and native grasses that can withstand natural rain/snowfall. Passive rain/snow collectors from roof drains will allow for gravity drip watering to planting areas when mother nature provides. Common "greenspace" areas that would traditionally be natural sod requiring irrigation systems would be replaced with small areas of artificial turf that require zero water. All the Open Space areas outside of the architected landscape areas would be left to return to native grasses subject to natural moisture conditions.

WHY – Midtown Village is unique regarding the actual water used versus what will be allocated to it, especially considering outdoor use/irrigation. Under Minturn's Town Code, 1 SFE allows for 2,000 square feet of outdoor irrigation. That means Minturn Village's 22.5 SFEs can be used to irrigate 45,000 square feet of outdoor space.

However, because Phase 1 and Phase 2 of the Midtown Village Preliminary PUD was designed in such a sustainable manner, the maximum outdoor irrigation potential it has available to it is only 4,000 square feet. Therefore, Midtown Village has 41,000 square feet of outdoor irrigation water allocated to it, which it will never use. The practical result is that 41,000 square feet of outdoor water use stays in Minturn's system and Midtown Village never touches it.

MIDTOWN VILLAGE

PUD GUIDE

Revision date - JULY 30, 2024



MIDTOWN VILLAGE PUD GUIDE

I. TITLE AND OWNERSHIP

This PUD shall be known as the Midtown Village PUD.

Owner is Midtown Lofts, LLC

II. INTENTION

The intent of the Midtown Village PUD Guide is to provide land use and zoning regulations for the residential neighborhood with a diverse mix of affordable housing types spread across (5) separate Development Parcels (Tracts A-E) as well as civic and commercial uses.

II. DEFINITIONS

Accessory Use - a use of land, or of a building or portion thereof, customarily incidental to and subordinate to the principal use of the land or building and located on the same lot with the principal use.

Association – the body of appointed members that govern the entire Midtown Village community either in the form of the Midtown Village Master Owners Association or sub-classes of membership based on ownership, square footage or by vote.

Building Envelope – the area within the specified Building Setback wherein the entire structure of the building must not encroach beyond.

Building Height – Midtown Village uses the same criteria as the Minturn Municipal Code

Building Lot Coverage – the percentage of square footage that the structure covers relative to the total Tract square footage. *(IE. A 100 sf home on a 1000 sf lot = 10% Building Lot Coverage)*

Building Setbacks – the measurement (in lineal feet) from a front, side or rear property line that establishes a Building Envelope

Common Area / Greenspace - public spaces, trails and amenities that are owned and maintained by the Association

Grade (Finished) – the final elevation of the ground surface of a site after human-made alterations, such as grading, grubbing, cutting, filling, or

excavating, have been made on the ground surface; the grade of a site after reconfiguring grades according to an approved site plan.

Grade, (Natural) – the elevation of the surface of the ground which has been created through the action of natural forces and has not resulted from humanmade cuts, fills, excavation grading or similar earthmoving processes, or, the ground surface elevation in existence prior to the initiation of development on a parcel of land.

Impervious Surface - any material that prevents absorption of water into the ground. The area of the lot covered by the following shall be considered as impervious surface in all Tracts:

a. The principal building, excluding roof overhangs.
b. Porches, stairways, decks, elevated walkways, paved areas or areas otherwise covered with materials impervious to water.
c. Parking areas, sidewalks and driveways regardless of surface materials.

Parking Space – spaces designated either inside garages, in driveways or surface parking spaces painted and delineated by signage for specific buildings, units, homes, apartments or ADA

Permitted Use - the original intention of the Midtown Village Developer for the type of unit / building to be constructed on the specific Tract of land as it is described within this inaugural edition of the Midtown Village PUD Guide

Pervious Surface - any material that allows for the absorption of water into the ground.

Primary Use - the description of the intended use of a specific Tract for either commercial or residential

Prohibited Uses – uses of the property that are not allowed by the Association or by the Town of Minturn Municipal Code

III. TRACT PLAN

Tract A is 0.5030 ACRES and consists of the 16 Unit apartment building with ingress/egress driveway to the grade level parking garage and direct access to the Martin Creek US Forest Service open space.

Tract B is 0.6549 ACRES and consists of the existing commercial warehouse with three (3) existing residential apartments above and the proposed two (2) zero-lot line, single family cottage homesites.

Tract C is 0.4936 ACRES and consists of eight (8) RO Deed Restricted, zero-lot line Microhomes (Minimum 650 sf Single Family Homes for sale

Tract D is 0.4855 ACRES and consists of two (2) five-plex style buildings containing ten (10) Townhomes (2,000 sf Townhomes market value for sale).

Tract E is 0.3918 ACRES and consists of a new commercial building on Tract E with two possible scenarios:

Scenario #1 includes commercial uses on the first floor and second floor residential with up to 3 units of deed restricted units.

Scenario #2 includes a new Fire Station for the Eagle River Fire Protection District with up to 3 units of residential living quarters above for firefighters.

IV. OPEN SPACE PLAN – Phase 1 of the PUD provides over 9,311 Square Feet of open space (Listed as Open Space Area C, D and E on Page 8 of the Civil Plans. The remaining Future Development Parcels in Phase 2 and 3 also include an additional 10,000 Square Feet of plaza, xeriscape passive open space and a rustic connector trail providing connectivity from Hwy 24 to United States Forest Service / Martin Creek open space. Amenities of these public spaces include barbeque grills, picnic tables, public garden spaces, playground equipment and a sound garden. Possible temporary public uses of vacant land on Tracts C, D and E include community garden and pump track for kids BMX.

V. HOUSING PLAN

The PUD provides (31 of 42 Units) 74% of the total Units as Resident Occupied ("RO") Deed Restricted. (4) of the For Sale units also meet or exceed the required 200% AMI Price Cap Deed Restriction.

The intended breakdown of deed restricted housing units per Phase is as follows:

TRACTS A & B – 90% of proposed units are to be RO Deed Restricted – 19 of the 21 Total Units

2 Cottages – For Sale Units

TRACT C – 8 RO Deed Restricted Single Family Microhomes

TRACTS D & E – (4) Units to be Price Capped @ 200% AMI or less

Tract D contains (2) 5 unit buildings consisting of 10 units of For Sale Townhomes

Tract E has two (2) possible scenarios: one is commercial use on the first floor with 3 residential units above. The other scenario is the new Fire Station with living quarters for firefighters to live during their shifts.

Resident Occupancy restrictions may apply to rental or for sale housing and apply to sixteen (16) apartment units in Phase 1 of the PUD, three (3) units above the commercial building and eight (8) microhomes in Phase 2. Any designated Resident Occupied unit, if sold to a non- qualifying occupant, will require the collection of a 2% transfer fee payable to Town of Minturn (*to be used as a source for local workforce housing*) or the Eagle County Housing and Development Authority for each and every ownership transfer to a non-qualifying occupant. No RO unit shall be available for short term rental which is defined as a rental for less than a 30- day period.

RESIDENT OCCUPANCY HOUSING GUIDELINES:

Rental or for sale units where households where at least one member of the household meets at least one of the following criteria: Has earned a living primarily in Eagle County by having worked an average of at least thirty (30) hours per week on an annual basis at a business with an office or job site physically located in Eagle County (multiple jobs in Eagle County may be combined to reach 30 hours per week); or Has been hired for a job in Eagle County on a permanent basis to work at least thirty (30) hours per week; or Employees that make their home in Eagle County but work for employers that are located outside of Eagle County (i.e. telecommuters) may be considered eligible if all other eligibility requirements are met and the Household can prove Eagle County residency for at least 1 year before application submission; or Is over the age of sixty (60) and had earned a living primarily in Eagle County prior to his or her retirement; or Is a disabled person who had been a full-time employee in Eagle County for a minimum of two years immediately prior to his or her disability or has been granted an exception to the minimum of 30 hours per week in order to continue with a federal or state benefit program, if the person works the maximum number of hours per week the disabled person will have

met the intent of the programs criteria; or The household cumulatively earns at least 75% of the Household' s Gross Household Income in Eagle County.

The applicant will agree to and sign a Resident Occupied deed restriction acceptable to the Town of Minturn for the sixteen (19) apartment units in Phase 1, eight (8) units in Phase 2 and three (3) units above the fire station / commercial in Phase 3 prior to approval of final plat and will record the deed restriction prior to issuance of the first temporary certificate of occupancy for any structure on site.

VI. DEVELOPMENT STANDARDS:

The following development standards apply to the entirety or perimeter of the Midtown Village PUD and aim to conform to the Community Comprehensive Plan. The development standards for each of the 5 Tracts (A - E) are described below and are included to prescribe the intentions for the entire Midtown Village community. These standards shall be used for the Future Development Parcels when more water is available to allow the next phases of the PUD to be implemented.

BUIDLING ENVELOPES AND SETBACKS

Setbacks for all parcels are measured the same way: from exterior wall of building to property line. See diagram below for example:

- Building envelopes shall be created via ILC and platted with the Final Plat in accordance with the setback requirements referenced in the table diagram below.

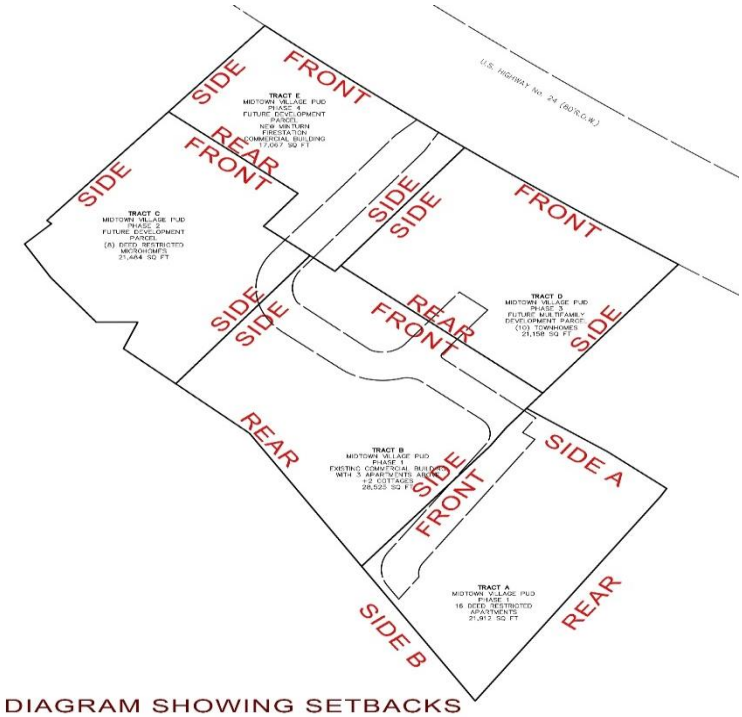


DIAGRAM SHOWING SETBACKS

i. Side A Setback: 25 ft. includes ERWSD Sewer easement

ii. Side B Setback: 5 ft.

iii. Rear Setback: 5 ft.

iv. Front Setback: 25 ft.

NOTE: Upon construction of parking garage foundation on Tract A apartment building, an ILC will be performed and provided to the Town. An amendment to the Plat will be required to establish "building envelope" and to convey title to the apartment building. All structures other than permissible encroachments (of things like: at grade decks and patios, up to 18" overhangs, sidewalks) are to be contained or maintained within the platted building envelopes.

v. Additional Building Envelope Standards: Building envelopes for all tracts will follow setback guidelines for each Tract included herein. Roof overhangs may extend beyond the building envelope up to 18 inches. Driveways, retaining walls, landscaping, landscape berms, walkways, sidewalks, paths may occur outside of building envelopes provided that a minimum of 5 feet is clear of impediments to allow for proper access, drainage, and snow storage around structures.

A. TRACT A: MINIMUM LOT SIZE OF 20,000 SF PARCEL

Sixteen (16) multi-family apartment dwelling units

1. **Description**: Apartment Building above grade level parking garage, Rooftop Solar Array
2. **Permitted Uses**: (16) Resident Occupied deed restricted rental apartments

2a. **Prohibited Uses**: Short Term Rental

3. **Primary Uses**: Residential
4. **Accessory Uses**

   a. Home Occupation

   b. Access, public driveway ingress/egress and parking areas for use by the tenants within the building

   c. Roof- mounted solar panels

TRACT A DESIGN GUIDELINES

a. Maximum Building Height: 28 ft.

b. Building lot coverage shall not exceed 80% of lot. Proposed lot coverage for apartment building = 63%

c. Total impervious area shall not exceed 90% of lot. Proposed impervious coverage = 19%

d. Open Space / Common Area – 18%

e. Building Envelopes and Setbacks:

(See Above: Diagram Showing Setbacks on Page 9)

Rear Setbacks: 5 ft (*variation*)

Front Setback: 20 ft

Side Setback: 5 ft

NOTE: The 5' Rear Setback shown on the diagram above is a <u>variation</u> from existing commercial code. This variation is necessary to accommodate the additional depth needed for the parking garage and adequate spacing for safest traffic patterns.

f. Parking: 31 spaces of structured parking 2 spaces / Dwelling Unit provided. Guest spaces provided at 1 space per on Tracts B and E (Future Development)

g. Trash / Dumpster Area: Tenants will place trash in provided bear-resistant dumpster enclosure. Fenced / Locked dumpster area. Maintenance of these amenities will be managed by the Midtown Lofts Owners Association.

h. Nature Trail: A rustic single-track, rustic dirt trail is proposed to run from Hwy 24 Right of Way along the West property line of Tract E and Tract C and connects with Tract B and ultimately to Tract A and the USFS Martin Creek Open Space.

B. TRACT B: MINIMUM LOT SIZE OF 27,000 SF PARCEL

1. **Description**: Existing Commercial Warehouse with 3 Apartments above and (2) single family cottage homesites

2. **Permitted Uses**: Commercial, light industrial, warehouse, non-hazardous materials storage, office, professional activities, professional offices, home occupation, residential. All other uses not listed by this PUD Guide must be approved by the MVMOA and may require Conditional Use Permit from Town of Minturn

3. **Primary Use**: Mail level Commercial Warehouse, mini storage spaces with 3 upper level employee residence units above

3a. **Prohibited Uses**: Short Term Residential Rental, VRBO

4. **Accessory Uses**

a. Access, private and public driveway ingress/egress, parking areas for use by the tenants of commercial building

b. Roof- mounted solar panels, HVAC Equipment

TRACT B DESIGN GUIDELINES

a. Maximum Building Height: 28 ft.

b. Building lot coverage shall not exceed 80% of lot. Proposed lot coverage for renovated commercial building and 2 cottages= 32%

c. Total impervious area shall not exceed 90% of lot. Proposed impervious coverage for renovated commercial building and 2 cottages = 40%

d. Building Envelopes and Setbacks: Building envelopes shall be platted with the Final Plat consistent with the Town of Minturn Subdivision Regulations and in accordance with the following setback requirements: *(See Above: Diagram Showing Setbacks on Page 9)*

Rear Setbacks: 10 ft

Front Setback: 20 ft

Side Setback: 5 ft

NOTE: Upon construction of one or both of the (2) cottage foundations, an ILC will be performed and provided to the Town. An amendment to the Plat will be required to establish "building envelopes" and to convey title to cottages. All structures other than permissible encroachments (of things like: at grade decks and patios, up to 18" overhangs, sidewalks) are to be contained or maintained within the platted building envelopes.

iv. Additional Building Envelope Standards: Roof overhangs may extend beyond the building envelope up to 18 inches. Driveways, retaining walls, landscaping, landscape berms, walkways, sidewalks, paths may occur outside of building envelopes provided that a minimum of 5 feet is clear of impediments to allow for proper access, drainage, and snow storage around structures.

f. Parking: Parking for commercial building and residential tenants provided in conformance with Minturn Municipal Code via marked surface parking and signage delineating specific spaces for specific Units. Additional overflow and guest parking is provided on Tract B and Tract E

g. Nature Trail: : A rustic singletrack dirt trail is proposed to run from Hwy 24 ROW along the West property line of Tract E and Tract C and connects with Tract B and ultimately to Tract A and the USFS Martin Creek Open Space.

C. TRACT C: MINIMUM LOT SIZE OF 20,000 SF PARCEL

1. **Description:** Future Development Parcel

2. **Permitted Uses**: Eight (8) "RO" Deed Restricted Single Family Homes / Micro Homes

2a. **Prohibited Use**: Short Term Rental

3. **Primary Use**: Single-family Residential

4. **Accessory Uses**

a. Access, private and public driveway ingress/egress, parking areas for use by the tenants of commercial building

b. Roof- mounted solar panels

TRACT C DESIGN GUIDELINES

a. Maximum Building Height: 28 ft.

b. Building lot coverage shall not exceed 45% of lot

Proposed lot coverage for 8 future Micro Homes = 28%

c. Impervious surface coverage shall not exceed 55% of lot

Proposed impervious surfaces coverage for parking, sidewalks, ingress/egress = 32%

NOTE: Upon construction of any, one or all of the (8) microhome foundations, an ILC will be performed and provided to the Town. An amendment to the Plat will be required to establish "building envelopes" and to convey title to homes. All structures other than permissible encroachments (of things like: at grade decks and patios, up to 18" overhangs, sidewalks) are to be contained or maintained within the platted building envelopes.

(See Above: Diagram Showing Setbacks on Page 9)

Rear Setbacks: 10 ft

Front Setback: 20 ft

Side Setback: 5 ft

iv. Additional Building Envelope Standards: Roof overhangs may extend beyond the building envelope up to 18 inches. Driveways, retaining walls, landscaping, landscape berms, walkways, sidewalks, paths may occur outside of building envelopes provided that a minimum of 5 feet is clear of impediments to allow for proper access, drainage, and snow storage around structures.

f. Parking: Parking for future Micro Homes is provided in conformance with MMC via marked surface parking and signage delineating specific spaces for specific Units / Homeowners. Additional overflow and guest parking is provided on Tract B and Tract E

g. Nature Trail: A rustic singletrack dirt trail is proposed to run from Hwy 24 ROW along the West property line of Tract E and Tract C and connects with Tract B and ultimately to Tract A and the USFS Martin Creek Open Space.

D. TRACT D: MINIMUM LOT SIZE OF 20,000 SF PARCEL

1. **Description:** Future Development Parcel

2. **Permitted Uses**: Multi-Family Residential, specifically 10 Units attached Townhomes

2a. **Prohibited Use**: Short Term Rental, VRBO

3. **Primary Use**: Multi-family Residential (4) Units to be Price Capped @ 200% AMI or less

4. **Accessory Uses**

a. Access, private and public driveway ingress/egress

b. Roof- mounted solar panels

TRACT D DESIGN GUIDELINES

a. Maximum Building Height: 28 ft.

b. Building lot coverage shall not exceed 45% of lot. Proposed lot coverage for 2 buildings of (5) Units each of attached Townhomes = 36%

c. Impervious surface coverage shall not exceed 55% of lot. Proposed impervious surfaces coverage for parking, sidewalks, ingress/egress = 29%

(See Above: Diagram Showing Setbacks on Page 9)

i. Rear Setbacks: 10 ft. (Opposite end of Tract from Hwy 24 adjacent to

Parking Lot)

ii. Front Setback: 20 ft (Along Hwy 24 ROW)

iii. Side Setbacks: 5 ft (Along Property Line shared with USFS Martin

Creek and opposite side)

iv. Additional Building Envelope Standards: Roof overhangs may extend beyond the building envelope up to 18 inches. Driveways, retaining walls, landscaping, landscape berms, walkways, sidewalks, paths may occur outside of building envelopes provided that a minimum of 5 feet is clear of impediments to allow for proper access, drainage and snow storage around structures.

f. Parking: Parking for future Townhomes is provided in conformance with the Minturn Municipal Code via interior garages for each unit. Additional overflow and guest parking is provided on each unit's driveway.

E. TRACT E: MINIMUM LOT SIZE OF 15,000 SF PARCEL

1. **Description**: Future Development Parcel

2. **Permitted Uses**: Commercial, residential and/or civic (future Fire Station)

2a. **Prohibited Use**: Short Term Rental , VRBO

3. **Primary Use**: Commercial / Residences / Fire Station

4. **Accessory Uses**

   a. Access, private and public driveway ingress/egress

   b. Signage to identify the commercial businesses, residential community, Fire Station

   c. Roof- mounted solar panels

TRACT E DESIGN GUIDELINES

a. Maximum Building Height: up to 28 *ft*

b. Building lot coverage shall not exceed 80% of lot

Proposed lot coverage for Commercial Building / Fire Station = 28%

c. Impervious surface coverage shall not exceed 90% of lot

Proposed impervious surfaces coverage for parking, sidewalks, ingress/egress = 48%

(See Above: Diagram Showing Setbacks on Page 8)

i. Rear Setbacks: 10 ft

ii. Front Setback: 20 ft

iii. Side Setbacks: 5 ft

iv. Additional Building Envelope Standards: Roof overhangs may extend beyond the building envelope up to 18 inches. Driveways, retaining walls, landscaping, landscape berms, walkways, sidewalks, paths may occur outside of building envelopes provided that a minimum of 5 feet is clear of impediments to allow for proper access, drainage, and snow storage around structures.

d. Parking: Parking for future commercial building and tenants is provided in conformance with Minturn Municipal Code via marked surface parking spaces. Additional review of proposed uses for future commercial building may be required by Town of Minturn Planning Dept. to assess and verify sufficient parking within Tract E.

F. ACCESS AND SEMI-PUBLIC AREAS

1. **Description**: Private Driveways and sidewalks for Ingress / Egress and Common Areas
2. **Permitted Uses**: Ingress/Egress and circulation of residents and guests. Public spaces to be enjoyed by the residents and guests intended to create a closer sense of community.

G. OPEN SPACE TRACTS

Common area open space tracts are intended for public use by all Minturn community members and may have improvements such as playground equipment, barbeque grilles, firepits, community gardens, and picnic tables. Open Space Areas C, D and E listed on the Open Space Plan of the Civil Drawings show green spaces that can be used for dog walking and trail connectivity from HWY24 to USFS Martin Creek Trailhead. Additional Open Space Areas have been included on Future Development Parcels C and E.

VII. ARCHITECTURAL GUIDELINES

The intent of the architectural guidelines are to ensure that all proposed residential and commercial buildings blend as much as possible with the

surrounding natural landscape and to insure building materials and colors that are compatible with the surrounding Character Area / Zone.

Roofs:

Roof materials may be asphalt shingle or composite shakes, metal (standing seam, pro-panel, Cor-Ten, corrugated or copper) or a combination of those materials. All metal roofing materials shall be non- reflective. Colors should be natural, earthtones such as brown, grey, green, rusted or patina. Cedar shakes are not permitted.

Exterior Siding:

Siding may be metal, masonry, cementitious board or panel, wood, stucco, or natural or cultured stone with color palette of natural earth tones. (Applications include vertical or horizontal, standing seam, board and batten or panels)

Lighting:

All exterior light fixtures shall be downcast in nature and Dark Sky Compliant.

Lighting must also comply with the applicable lighting standards of the Minturn Municipal Code.

Common Areas, sidewalks, parking areas may also be illuminated with code compliant site lighting.

Motion Sensor Flood type lighting is prohibited.

Fire Suppression Requirements:

All Commercial Buildings and Multi-Family residences are required to have a monitored residential fire sprinkler system pursuant to the requirements of (ERFPD) Eagle River Fire Protection District.

Sustainability:

Each unit is required to include solar readiness rough- in for future solar incorporation. In addition, each unit is required to include a dedicated circuit and/ or panel capacity to support Level II electric vehicle charging. Other opportunities for incorporating sustainable practices are encouraged, including but not limited to:
Installation of roof- mounted solar panels

All landscaping within the PUD will comply with the Town's waterwise landscaping standards including but not limited to:

· Waterwise design principles and hydrozones.

· Waterwise / drought tolerant plant selection for all trees, shrubs, grasses and ground covers.

· Waterwise irrigation design and maintenance.

· Incorporation of xeriscape design and materials such as rock and other non-living ground cover such as artificial turf.

Storage / Trash:

No Storage of personal property, materials etc. other than those required by the HOA or Developer shall be permitted. All trash shall be stored within garages or trash structures and within wildlife proof containers. The fenced Dumpster enclosure next to the apartment building on Tract A is considered a "temporary" wildlife proof enclosure that could be disassembled at any time to accommodate any work related to the ERWSD Sewer easement. The enclosure will provide an aesthetic fenced area around a wildlife proof dumpster.

Fencing:

All fencing related to the property will be implemented, where necessary, by the developer and/or the Master Association per Town of Minturn Municipal Code requirements. Additional fencing is not permitted by any Homeowner or renter nor between units to allow adequate area between buildings for ladder staging in case of fire.

Additional Architectural Design Guidelines may be adopted by the developer or one of the Home Owners Associations, but in no case shall be less restrictive than what is proposed within these Guidelines.

Snow Storage and Management and Maintenance:

The Midtown Village Master Owners Association (MVMOA) shall be responsible for all common area maintenance in accordance with the Declarations. The project provides areas for snow storage as well as proposed areas of snow melt. All Tracts Midtown Village shall meet the minimum snow storage area required by Minturn Municipal Code, as may be amended from time to time, and /or may me snow melted. Snow removal and management of all common areas, driveways and sidewalks, including the sidewalk located in the Colorado Department Of Transportation (CDOT) right-of-way, shall be performed under the direction of the Midtown Village Master Owners Association (MVMOA).

VIII. WILDLIFE MEASURES AND LANDSCAPE GUIDELINES

Wildlife Mitigation Measures:

The following wildlife mitigation measures shall be adhered to:

1. Utilize bear- proof dumpsters for any garbage that is generated at this location. Furthermore, use bear-proof containers for trash during the construction period and prohibit workers from leaving food or other bear attractants onsite;
2. Prohibit construction workers and contractors from bringing pets on the work site;
3. Shield and direct all lighting fixtures downward to minimize light pollution on adjacent wildlife habitats. Only Dark-Sky compliant fixtures are approved for use.
4. Construction of any fences shall be in a wildlife- friendly manner that eliminates the chance of entanglement and impalement of wildlife attempting to jump fences. Sharp protrusions and pointed pickets or strands of wire are prohibited.
5. Prohibit fruit, nut, and berry producing trees and shrubs in landscape designs.

Landscape Guidelines:

Other than the (2) Cottage lots on Tract B, which allows for 2000 sq ft of irrigated space per lot, there are no other spaces that are allowed to be irrigated until such a time that the Town can provide additional SFE's to their system. Any future irrigation systems for Future Development on Tracts D and E are also subject to availability of additional SFE's provided by the Town. All disturbed areas shall be restored to a native condition and/or landscaped using Xeriscape or Waterwise practices.

The minimum tree and drought-tolerant plant size and type shall be in accordance with the Minturn Municipal Code, as amended from time to time, including but not limited to the Town of Minturn Waterwise landscaping and irrigation design standards and principles.

Homeowners and/or renters may not plant anything within common areas without prior consent of the governing HOA.

IX. SIGNS

All signs proposed within the PUD shall comply with the standards and limitations set forth in the Minturn Municipal Code for both residential and commercial uses. Unless exempt by the Minturn Municipal Code sign regulations, all residential and commercial signs shall require approval by the Town of Minturn.

X. AMENDMENTS, MODIFICATIONS, AND DEVIATIONS

Minor deviations to the PUD may be approved by the Planning Director in accordance with Town of Minturn Municipal Code. Amendments or major modifications to the PUD Preliminary Plan or PUD Guide shall be processed in accordance with the Minturn Municipal Code.

Minturn Planning Department
Minturn Town Center
301 Boulder Street
Minturn, Colorado 81645

Minturn Planning Commission
Chair – Lynn Teach
Jeff Armistead
Michael Boyd
Amanda Mire
Eric Rippeth
Darell Wegert

Town of Minturn Planning Commission Public Hearing

Midtown Village Planned Unit Development

Preliminary Development Plan for PUD
Preliminary Subdivision Plat
Zone District Amendment

Meeting Date:	November 13, 2024
File Name/Process:	Midtown Village Planned Unit Development (PUD) - Preliminary Plan
Owner/Applicant:	Midtown Lofts, LLC
Representative:	Jeff Armistead
Legal Description:	Section: 35 Township: 5 Range: 81 PCLIN SE1/4 NE1/4 Subdivision: South Minturn Estates PT of PT of Parcel B Section: 35 Township: 5 Range: 81 PCLIN SE1/4NE1/4 Subdivision: South Minturn Addition Lot: 12 Subdivision: South Minturn Addition Lot: 11 Subdivision: South Minturn Addition Lot: 13
Existing Zoning:	South Town Character Area – Commercial Zone District
Proposed Zoning:	Midtown Village PUD Overlay Zone District
Staff Member:	Scot Hunn, Planning Director Madison Harris, Planner I Jeffery Spanel, Town Engineer Mike Sawyer, Town Attorney Richard Peterson-Cremer, Assistant Town Attorney
Staff Recommendation:	**Approval, with Conditions**

I. Executive Summary:

The following report has been prepared for the benefit of the Minturn Planning Commission, the Applicant, and the general public as the Town of Minturn conducts its public review of the **Midtown Village Preliminary Plan for Planned Unit Development (PUD)**.

Summary of Request
The Applicant, Midtown Lofts, LLC, requests review by the Commission of the Midtown Village Preliminary Plan for PUD as well as companion applications for a Preliminary Subdivision Plat (To legally subdivide and create underlying tracts associated with the proposed PUD), and an application for Amendment to the Official Zone District Map (to change the underlying/existing zoning from South Town Character Area "Commercial Zone" to the "Midtown Village PUD Overlay Zone") collectively referred to in this report as the *Preliminary Development Plan.*

Process Overview
The Preliminary Development Plan for PUD review before the Town of Minturn Planning Commission and Town Council is the second of a three-stage required public review and approval process necessary for the creation of a Planned Unit Development within the Town of Minturn. The following outlines the steps involved in the Town of Minturn PUD approval process:

1. Concept Development Plan Review (*Completed in summer 2021*)
2. ***NOW* – PUD Preliminary Development Plan Review (including companion applications for a Preliminary Subdivision Plat and Amendment to the Zone District Map)**
3. Final Plan and Final Subdivision Plat for PUD (inclusive of Subdivision Improvements Agreement)

The Preliminary Plan for PUD application and review process is detailed in nature and is intended to demonstrate the feasibility of the project from financial, technical/design, regulatory, and community need standpoints. If Conceptual Development Plan for PUD review establishes on a basic level that the proposed concept for development generally conforms to the community plan and the Town's zoning and subdivision regulations, the Preliminary Plan and Preliminary Subdivision Plat review are substantially more detailed in nature.

The numerous plans, reports, legal documents and other graphic materials required by the Town of Minturn Municipal Code (MMC) are intended to give staff, decision makers, partner referral agencies, and the general public detailed information and understanding of:

- How the proposal aligns with the Town's Strategic and Community Plan goals, policies and priorities;
- How and over what time period the property will be developed and how will the project be served by public and private improvements such as utilities, sewer and water;
- How development and ongoing maintenance of public and private property within the PUD will be managed;

- What costs, revenues and other benefits are expected over time; what impacts – positive and negative – will there be on the Town of other districts or service providers;
- What areas of non-compliance, if any, there are with regard to Town requirements and what potential solutions or mitigation might look like;
- What issues may need to be addressed as conditions of Preliminary Plan approval prior to any Final Plan/Final Subdivision Plat application being filed with the Town.

As a reminder, the Midtown Village Preliminary Plan for PUD application was originally received by the Town in October of 2022, prior to the adoption of the recently adopted 2023 Minturn Community Plan. Therefore, this proposal is being considered relative to the 2009 Town of Minturn Community Plan and future land use map.

Following review by the Planning Commission of the Preliminary Development Plan, the Planning Commission will send the three applications along with three separate recommendations - for approval, approval with conditions, or denial - to the Town Council for review. The Town Council's review will result in action by the Council to approve, approve with conditions, or deny one or more of the applications.

All public hearings will be advertised and the general public is encouraged to participate in the public review process by reviewing the Midtown Village Preliminary Plan for PUD application and associated materials at the Town's website (https://www.minturn.org/planning-zoning/pages/active-planning-applications), by submitting any written comments to the Town by emailing "Planner I" (planner1@minturn.org), or by attending the public hearings and giving public comment.

Staff Observations and Findings

Staff finds that the Preliminary Development Plan is compliant with the purposes and intents of the "PUD Overlay District" (Chapter 16, Article 15 of the Minturn Municipal Code) as well as several guiding policies and strategies outlined in the 2009 Minturn Community Plan.

Staff further suggests that while some outstanding issues must be discussed during the Planning Commission's review of the Preliminary Development Plan, most items are of a technical nature and are expected to be resolved following Preliminary Plan review and prior to any Final Plan/Final Plat and Subdivision Improvement Agreement (SIA) submission by the Applicant.

Staff believes that these issues also can be addressed by the Applicant prior to any Final Plan/Plat applications and that, ultimately, the project can be designed to meet all town requirements and standards. **Outstanding Issues and discussion topics are outlined in Section VIII (starting on pg. 29 of this report).**

Overall, staff and the Town's consultant team have determined that the proposal, if properly conditioned, meets or can meet a preponderance of 1) the Town of Minturn Preliminary Development Plan for PUD standards and findings, and 2) the goals and policies of the 2009 Minturn Community Plan.

Recommendation

Based on overall findings of conformance with the applicable standards and approval criteria of the Minturn Municipal Code (MMC) as well as with the 2009 Minturn Community Plan, staff is recommending:

1. Approval of the Preliminary Development Plan, with conditions.
2. Approval of the Preliminary Subdivision Plat, with conditions.
3. Approval of the Amendment to the Zone District Map, without conditions.

Report Organization
The remainder of this report briefly summarizes and addresses:

Section II:	Property and Project Description
Section III:	History of Property and Overview of Public Review Process
Section IV:	Summary of Process and Code Requirements
Section V:	Zoning and Compatibility Analysis
Section VI:	Community Plan Conformance
Section VII:	Staff Analysis and Findings
Section VIII:	Outstanding Issues
Section IX:	Staff Recommendations and Suggested Conditions

This report contains "Staff Response" or "Staff Comment" sections throughout the document responding to PUD standards and recommending specific aspects of the project that the Applicant will be required or, in certain instances, *encouraged* to address prior to, or concurrent with, any Final Plan and Final Plat application (the next stage of review). **These recommendations and requirements correlate to suggested "conditions of approval" found at the end of this document under Section IX (starting on pg. 32)**

II. Property and Project Description:

Property History
The Midtown Village PUD is situated on five separate parcels – 947, 961, 981, 987, and 989 Main Street (U.S. Highway 24). These parcels were historically used for mostly residential purposes, except for 987 Main Street which holds the old Alpine Glass building which has recently been renovated and is currently being utilized by SteamMaster as a storage facility. The parcels have been previously developed with residential structures such as single-family and mobile home residences. Most historic residential structures and mobile units have been removed from the subject property.

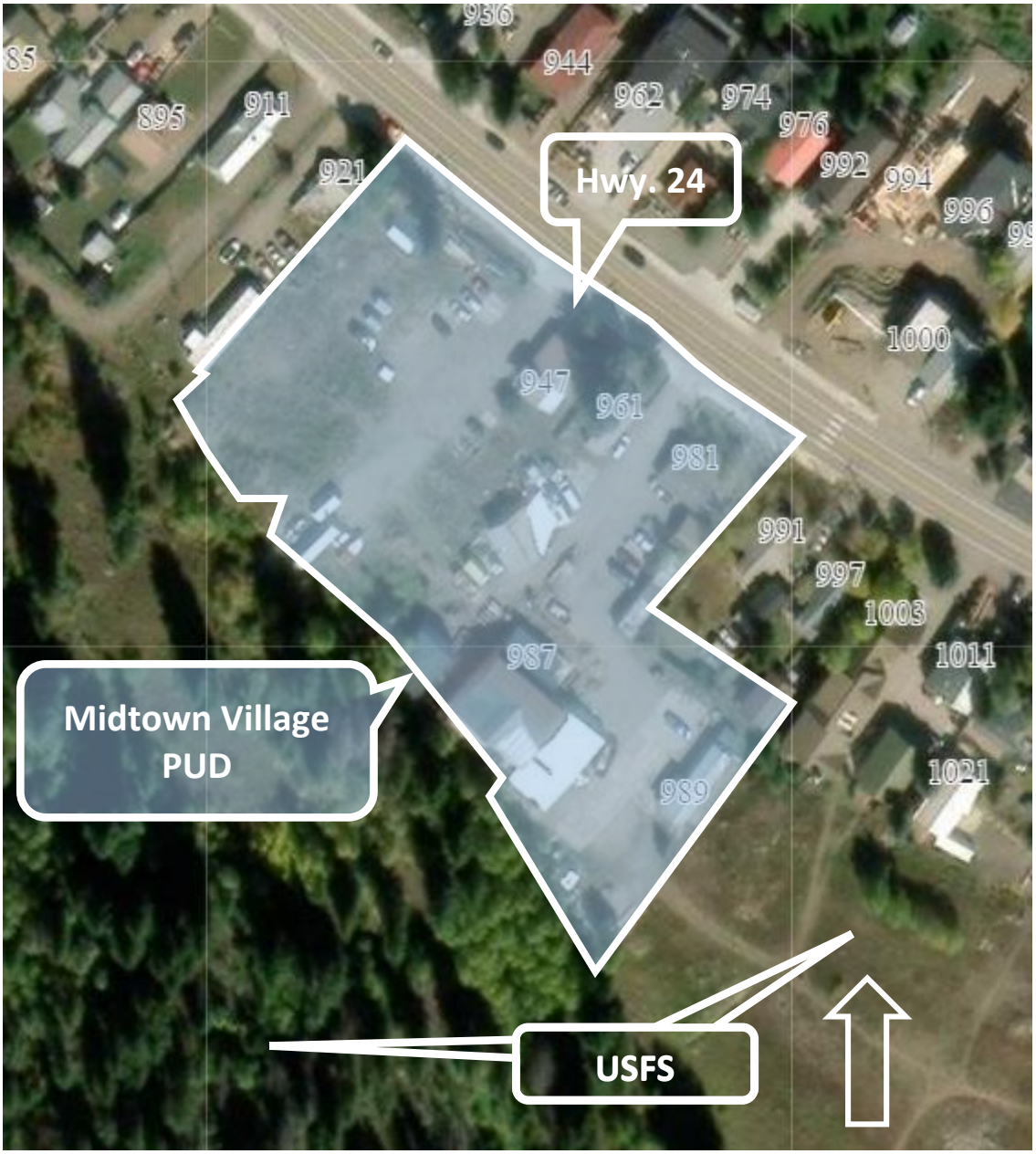


Figure 1: Midtown Village PUD Vicinity Map

Property and Project Overview

Midtown Village PUD is a mixed-use infill project proposing the development of 42 single-family, multi-family (townhome, apartments), and commercial units on 2.53 acres in the 900 Block of the South Town Character Area Commercial Zone District.

The Midtown Village PUD property has approximately 330’ of frontage along U.S. Highway 24 right-of-way and is surrounded by the following uses:

North	Private Residential and Home Business Uses
South	U.S Forest Service/Vacant Land
East	Private Residential and Home Business Uses; Public Open Space
West	U.S. Forest Service/Vacant

The project is considered "infill" due, in part, to the historic zoning and use of the properties that make up the 2.53 acres of the PUD and in relation to surrounding development patterns and land uses, available utilities and public services, and zoning.

According to the application, the Midtown Village PUD is envisioned as a mixed-use neighborhood geared toward the provision of "attainable," local's housing. The project consists of a mix of forty-two (42) single-family, "micro-homes," cottage units, townhomes, apartments, and a commercial/civic space (commercial or fire station depending on market conditions), along with vehicular access and sidewalks, parking areas, utilities and common, usable open spaces.

The PUD is accompanied by a Preliminary Plat for Subdivision which would create five (5) tracts of varying sizes to be developed in three (3) phases dependent on water availability.

The Applicant/Developer, Midtown Lofts, LLC, proposes to develop the project infrastructure in the first phase, allowing for development of residential structures (a 16-unit apartment building along with two cottages) in the first phase, while micro-homes, townhomes and future commercial/civic development will occur based on market demand and absorption as well as the availability of water. The developer intends to be involved in the project - from entitlement (the PUD approval process resulting in vested property and development rights), through all stages of construction.

The Applicant proposes to create a Homeowners Association to manage development and ongoing maintenance of the project.

The Midtown Village Preliminary Development Plan for PUD application has been deemed complete by Town staff, meaning the Applicant has provided the required information, materials, plans, and analyses necessary for the proper review of the Preliminary Development Plan.

However, as with most large and complex land use applications, staff has identified several outstanding issues or discussion topics that should be addressed prior to any Preliminary Plan approval. Issues and discussion topics are outlined in Section VIII (pg. 29).

Purpose and Intent of Preliminary Plan for PUD Review

The Preliminary Plan application is the second in a three stage PUD approval process, starting with Conceptual Development Plan review - a high level "schematic" review meant to present concepts and ensure that proposed developments generally meet the Town's PUD standards and Community Plan goals and policies - and ending in the Final Plan and Final (subdivision) Plat stage - a very technical and detailed review of the final details of a proposed subdivision and associated development agreements setting forth how and when public infrastructure will be constructed and financed.

Following review of the Midtown Village Conceptual Development Plan for PUD before the Town of Minturn Planning Commission in September 2021, the Applicant submitted a Preliminary Plan application in October 2022. Since that time, the Applicant has addressed worked to address comments and issues raised by Town staff, consultants, and public referral agencies who have reviewed the application, and to revise and refine the application prior to review by the Commission.

The purpose and intent of the Preliminary Plan stage of review is to present detailed plans and technical design solutions, intended architectural character, as well as analyses to demonstrate financial feasibility and fiscal impacts of the proposal on the Town.

The following report is intended as a summary of how the proposal conforms to Town standards and policies, as a guide to the Planning Commission's review of the application, and as an introduction to the PUD review and approval process.

Report Organization
The remainder of this report briefly summarizes and addresses:

1. The history of the property and overview of public review process;
2. A brief discussion and analysis of the PUD approval process and standards;
3. A detailed analysis of the appropriateness and conformance of the Preliminary Plan, Preliminary Plat, and Amendment to the Zone District Map relative to Town master plan documents and PUD Standards; and,
4. Analyses of outstanding issues and recommendations for revisions prior to any Final Plan for PUD application.

Recommendation and Next Steps
As this is a Preliminary Development Plan for PUD Review, the Commission is charged with taking formal action to recommend approval, approval with conditions, or denial of the proposal to the Town of Minturn Town Council.

Staff is recommending **approval of the Midtown Village Preliminary Plan for PUD, with conditions**.

This report contains "Staff Response" sections throughout the document responding to PUD Preliminary Development Plan, Preliminary Subdivision Plat, and Zone District Amendment standards, and recommending specific aspects of the project that the Applicant will be required or, in certain instances, *encouraged* to address prior to or concurrent with any Final Plan application (the next stage of review). These recommendations and requirements correlate to suggested "conditions of approval" found at the end of this document under Section IX (pg. 32).

Overall, staff's assessment of the Midtown Village PUD indicates that the proposal supports, and is supported by, the goals and strategies of the 2009 Town of Minturn Community Plan, and that the project appears to meet or exceed most standards as well as the intents of the Town of Minturn Municipal Code.

III. History of Property and Overview of Public Review Process:

Property History
The project is proposed on five lots located in the 900 block of the South Town Character Area. Historically, these properties have been used for residential and commercial purposes, with both stick-built and manufactured (mobile) homes serving the local population. The properties were acquired by the Applicant, Midtown Lofts, LLC, with the goal to assemble enough contiguous parcels to properly plan and design a mixed-use neighborhood serving locals.

Overview of Public Review Process
The Preliminary Development Plan submittal is detailed in nature and is intended to demonstrate the feasibility of the project from financial, design and community need standpoints. The numerous plans, reports, legal documents and other graphic materials required by the Town of Minturn Municipal Code and provided by the Applicant give staff knowledge of how the property will be developed and what issues may need to be addressed prior to any Final Plan for PUD application.

IV. Summary of Process and Code Requirements:

Planned Unit Development (PUD) Approval Process
As noted above, the Applicant is requesting review of a "Preliminary Development Plan" for a new Planned Unit Development (PUD) pursuant to Section 16-15-130 – *PUD preliminary development plan application* and Section 16-15-140 - *Preliminary development plan submittal requirements* of the Town Code.

Additionally, the Applicant is proposing to rezone the subject property from South Town Character Area "Commercial Zone District" to the "Midtown Village PUD Overlay Zone District", requiring an amendment to the Town's official zoning map pursuant to Section 16-21-410 – *Amendments to Text of Land Use Regulations or Character Area or Zone District Maps*, MMC, which is being evaluated during the Preliminary Plan for PUD stage of review.

Preliminary Development Plan Review Purpose and Criteria
The Preliminary Development Plan review is the second step in the review of the proposed PUD. The Town Code, Section 16-15-130 – PUD preliminary development plan application, provides the following description of the Preliminary Development Plan review purpose and process:

> *"(a) The purpose of the preliminary plan review is for the applicant to specifically respond to the issues and concerns identified during concept plan review and to propose detailed, properly engineered solutions to those problems that conform in all respects to the approved concept plan. The burden at the preliminary plan stage is on the applicant to provide detailed information and mitigation proposals to be evaluated by the Town. The preliminary plan shall include a Community Plan and Development Guidelines to the development of the PUD (hereinafter the "PUD Community Plan and Development Guidelines"), specifying the standards and limitations that will guide the future development of the property."*

Section 16-15-140 – *Preliminary development plan submittal requirements.*
The Preliminary Plan submission is intended for the applicant to respond to the issues and concerns identified during concept plan review and to formulate detailed, properly engineered solutions to those issues and concerns that conform to the approved sketch plan. The Preliminary Plan stage is when the applicant is to provide more detailed information and mitigation proposals to be evaluated by the Town. Preliminary Plan submittal requirements are listed below along with staff commentary regarding whether the Applicant's submittal meets the Town's requirements.

Item:	Requirement:	Provided?
(1)	***PUD Guide specifying the limitations that will guide the future development of the property.*** **Staff comment:** A PUD Guide was provided. Staff have worked with the applicant for several months to address and refine various elements, text, and formatting of this document which will regulate development and use within the PUD. Most comments provided by the Town staff or consultant team have been addressed by the Applicant. Conditions found in Section IX pertain to the PUD Guide. Staff will continue to work with the applicant to resolve these outstanding issues.	Yes
(2)	***A Community Plan and Development Guidelines that illustrates the proposed land uses, building locations, and housing unit densities.*** **Staff comment:** Design Guidelines are included within the PUD Guide document. The design guidelines are general in nature and development within the PUD will largely need to adhere to the Town's design standards and guidelines.	Yes
(3)	***An open space, park and recreation plan that identifies the areas of common open space, parks and recreation lands and describes any agreement proposed to preserve the open space, parks and recreation lands and how this will be implemented by deed or other agreement. This plan shall also describe the source of funds for long-term maintenance.*** **Staff comment:** An open space, park and recreation plan that identifies the areas and proposed ownership of open space, park and/or recreation lands has been submitted. Final level details concerning common open space, open space related improvements, and associated ownership and/or maintenance	Yes

	responsibilities will be finalized as part of the Subdivision Improvements Agreement process during any Final Plan review.	
(4)	***A traffic study.*** **Staff comment:** A traffic study has been submitted and found sufficient for review by the Town Engineer. The application also includes an approved access permit.	Yes
(5)	***Proposed trails, sidewalks and traffic circulation patterns, including snow removal patterns and snow storage areas, and the proposed status of street ownership.*** **Staff comment:** The plans detail traffic circulation and internal pedestrian circulation (sidewalks). Likewise, the plans show snow storage areas throughout the development along with details regarding snow removal and management. Streets are proposed to be privately owned and maintained.	Yes
(6)	***Proposed grading and drainage plans.*** **Staff comment:** Grading and Drainage plans have been submitted and have been deemed sufficient for this level of preliminary plan review. Comments from the Town Engineer regarding this topic have been received and included as an addendum to this staff report.	Yes
(7)	***Detailed descriptions and commitments for the proposed source of legal and physical water supply and engineering plans for the proposed storage and distribution system for water supply (domestic and irrigation) and sewage disposal.*** **Staff comment:** The Applicant holds 18 existing water taps, will have the ability to purchase an additional 3 through Ord. 02 - Series 2023 allowing for projects that have received PUD Concept Development Plan approval to receive up to three new taps, and will require a minimum of 21 additional taps to serve all proposed units in the project. ERWSD has issued an Ability to Serve Letter and are currently finalizing infrastructure design details.	Yes

(8)	***Economic data and supporting market analysis to justify any proposed commercial and industrial elements.*** **Staff comment:** Fiscal impact reports were submitted, one for just Phase 1 consisting of the 21 units within that phase, and one for the whole project.	Yes
(9)	***Proposed development covenants, deed restrictions or other applicable codes***. **Staff comment:** HOA covenants and a deed restriction document have been submitted and reviewed by the Town Attorney. The Town, the Eagle County Housing and Development Authority and the Applicant are working to finalize the community housing deed restriction documents that will govern the terms and eligibility of locals housing with the PUD.	Yes
(10)	***An environment assessment or environmental impact report, unless waived by the Town Planner.*** **Staff comment:** An environmental impact report was provided in the application and reviewed by the Town Engineer.	Yes
(11)	***An impact analysis that describes the impact of the proposed PUD upon the school district.*** **Staff comment:** The applicant submitted an Ability to Serve letter from Eagle County School District which detailed the impacts of the proposed project on the District. Comments from the School District including confirmation of school land dedication 'fee-in-lieu' amounts that the District requests that the Applicant pay prior to or concurrent with any Final Plan and Final Plat application. The Town does not have school land dedication requirements or fee amounts set for 'in-lieu' payments at this time; any fees paid will be voluntary and/or negotiated.	Yes
(12)	***A fiscal impact analysis of the estimated demands for Town services and a statement of projected Town tax revenue based upon the historic Town tax levy and a schedule of projected revenue.*** **Staff comment:** A Fiscal Impact Analysis and a statement of projected Town tax revenue has been provided.	Yes

(13)	***Final site plans and architectural forms planned for the first phase of the proposed development.*** **Staff comment:** Site plans have been submitted and have generally been deemed sufficient for review and in compliance with applicable design standards. Architectural renderings have also been provided for Phase 1 and architectural design standards (outlined in the Midtown Village PUD Guide document) have been provided for review.	Yes
(14)	***Detailed plans for fire protection and emergency medical services.*** **Staff comment:** Ability to serve letters from Eagle County Paramedic Services and Eagle River Fire Protection District were submitted with the application.	Yes
(15)	***The PUD shall include a phasing plan that demonstrates that the PUD can be completed within a reasonable period of time, which shall be determined prior to final approval of the PUD.*** **Staff comment:** The application states that the infrastructure is proposed to occur in one phase. Yet, based on the current availability of water needed to serve all units in the development, the total buildout of all 42 units will likely occur over time given market conditions as well as availability of water. A phasing plan has been provided and Subdivision Improvement Agreement reviewed and approved with any Final Plat application will specify guarantees on the construction of all infrastructure necessary to serve the development and staff suggests that any vested rights conferred to the developer be conditioned on the availability of water.	Yes
(16)	***If development is proposed to occur in phases, then financial guarantees shall be proposed to ensure that project improvements and amenities are constructed as presented and approved.*** **Staff comment:** This has not been provided at this time. Detailed infrastructure plans, cost estimates, details on the timing of improvements and corresponding financial guarantees will be reviewed and approved at the time of Final Plan/Plat.	No
(17)	***The preliminary plan application shall be accompanied by an application for an amendment to the Character Area zoning map.***	Yes

	Staff comment: This was provided. Zoning is proposed to change from South Town Commercial Zone District to Midtown Village PUD Overlay District.	
(18)	***The PUD shall consider the recommendations made by the applicable analysis documents, as well as the recommendations of referral agencies.*** **Staff comment:** The Applicant revised the PUD - the design, layout and governing documents - based on their own technical reports as well as the recommendations of staff and referral agencies. However, several issues raised by staff and/or referral agencies remain outstanding and/or up for discussion during the Planning Commission hearings.	Yes

As noted above, most required elements of the Preliminary Development Plan for PUD application were provided in enough detail to allow staff and the Planning Commission to determine conformance with the overall intents and purposes of the PUD Overlay district; with applicable Minturn Municipal Code standards; and, the goals and policies of the 2009 Town of Minturn Community Plan.

Formal action is required by the Planning Commission to give the Applicant and the Planning Director feedback on whether the proposal meets the applicable criteria and standards of the Minturn Municipal Code *and* to make a recommendation to the Town Council of approval, approval with conditions, or denial of the application.

PUD Overlay Zone District Purpose and Intent

PUDs have been used extensively in Eagle County to create master planned communities and to allow communities to evaluate and to encourage proposals that achieve better design and/or phasing of development to avoid hazards, to respond to market conditions, to increase open space and environmental protection through clustering and avoidance of hazards, and to otherwise avoid rigid standards prescribed by typical zoning, development and subdivision controls.

Section 16-15-10 - *Purpose and General Provisions,* from the Minturn Municipal Code sets forth the purpose and intent of the PUD Overlay Zone District:

> *"The purpose of the Planned Unit Development (PUD) Overlay Zone District is* ***to allow flexibility for landowners to creatively plan for the overall development of their land and to achieve the purpose and objectives of this Code and the Community Plan****. An applicant for a PUD must demonstrate that departure from existing ordinances is warranted and that the proposed PUD significantly contributes to the following:*
>
> *"The proposed PUD is consistent with the Community Plan and the character of the Town and:*
> - *Provides for new technology and promotes innovative and efficient land use patterns;*
> - *Permits the integration of land uses and contributes to trails and pedestrian circulation;*
> - *Preserves valued environments and natural resources and achieves a more desirable environment;*

- *Maintains or improves air and water quality;*
- *Provides for a wide range of housing opportunities;*
- *Improves the overall design character and quality of new development;*
- *Permits the integration rather than separation of uses, so that necessary facilities are conveniently located in relation to each other;*
- *Establishes land use patterns that promote and expand opportunities for public transportation and trails and for safe, efficient, compact street and utility networks that lower development and maintenance costs and conserve energy;*
- *Preserves valued environmental, historic or mineral resource lands and avoids development in natural hazard areas;*
- *Maintains and enhances surface and ground water quality and quantity;*
- *Provides applicants the opportunity to contribute to the Town's multi-use trail system; to provide and maintain access to public lands and rivers;*
- *Establishes incentives for applicants to encourage the provision of long-term affordable housing; and*
- *Is consistent with the purposes and goals of the Community Plan and these Land Use Regulations."*

During the Applicant's Conceptual Development Plan for PUD review in fall 2021, general conformance with the above purposes and intents of the Town's PUD overlay zone district was determined and the Applicant was given direction by the Planning Commission to submit a Preliminary Plan application. The Planning Commission provided the following recommendations for the Applicant's consideration when preparing the Preliminary Plan for PUD application:

1. *Given the requested increase in density over historic densities on the subject property and the surrounding area, the Applicant is strongly encouraged to review the overall layout and design of the project to ensure that adequate open space is provided for residents of the PUD. Specifically, Planning Commission comments focused on increasing the amount of open areas within the PUD and decreasing where possible the amount of proposed building and/or impervious coverage.*

   Staff Comment: The proposal has been updated to address the amount of open space and impervious surface coverage. The plans are not in conformance with the recommended 25% and are instead requesting a variance to allow for 18%. The Planning Commission and the Applicant should anticipate discussion regarding this issue during the hearings.

2. *Overall, conceptual aspects of bulk, massing and architectural style were received positively. Comments were provided with regard to the overall layout of building locations, internal circulation, parking and potential conflict points between parking and drive lanes. The Applicant is strongly encouraged to critically evaluate the internal circulation design as it relates to parking areas, maneuverability, backing motions and safety for pedestrians.*

   Staff Comment: The Applicant has provided additional site plans and analyses (turning radii diagrams for large vehicles) in order to demonstrate maneuverability throughout the site. The site plans have been reviewed by the Town Engineer as well as the Eagle River Fire Protection District to specifically evaluate access, maneuverability, and circulation patterns.

3. *It appears that the affordable or community-oriented housing conceptually proposed for the PUD supports and potentially exceeds the goals and policies of the Town of Minturn and is in-line with the recently adopted Community Housing Guidelines and Administrative Procedures of the Town of Minturn. The Planning Commission members discussed the relationship between the requested project density and the attainable housing component of the PUD. The Planning Commission strongly recommended that project density is commensurate with the delivery of community housing at price points established in the Guidelines and reserved for eligible local residents.*

   Staff Comment: The Applicant has provided an updated Housing Plan as an addendum to the PUD Guide document; the Housing Plan meets and in certain aspects (resident occupied or "locals only" deed restrictions) exceeds the requirements of the Town of Minturn Housing Ordinance.

4. *Snow storage and management (plowing, removal and snowmelt) were discussed with the Planning Commission encouraging the Applicant to develop concepts for snow melt systems, design and management and to provide a detailed snow management plan (snow plowing routes, snow storage areas, HOA covenants and bylaws specific to snow removal) with the Preliminary Plan for PUD application to ensure that internal circulation, parking and open space plans are compatible with proposed snow storage and management plans.*

   Staff Comment: Additional information and details have been provided on Preliminary Plan drawings and regulating documents (PUD Guide and HOA covenants/bylaws) addressing snow storage and management. Sheet 08 has been added to the civil engineering drawing package detailing snow storage areas, snow plowing routes, and "hand shoveling" areas. Staff provides further commentary on these updated plans and details later in the report. Importantly, the Applicant proposes to snow melt areas of the PUD.

5. *Address any outstanding comments and submittal requirements outlined in a letter from Jeff Spanel, Town Engineer, dated August 27, 2021 (attached for reference) prior to or concurrent with the Preliminary Plan for PUD application submission.*

   Staff Comment: The Applicant did, as a function of the increased level of detail and analysis required for Preliminary Plan, address several engineering related issues following Mr. Spanel's review of the Conceptual Development Plan for PUD in fall 2021. That said, there are additional comments, recommendations and outstanding issues related to the Preliminary Plan that will be addressed during the Planning Commission's hearings and/or made into suggested conditions of approval - to be addressed prior to or concurrent with any Final Plan/Plat application.

V. Zoning and Compatibility Analysis:

Existing Zoning

The Midtown Village Planned Unit Development (PUD) property is located within the South Town Character Area Commercial Zone District.

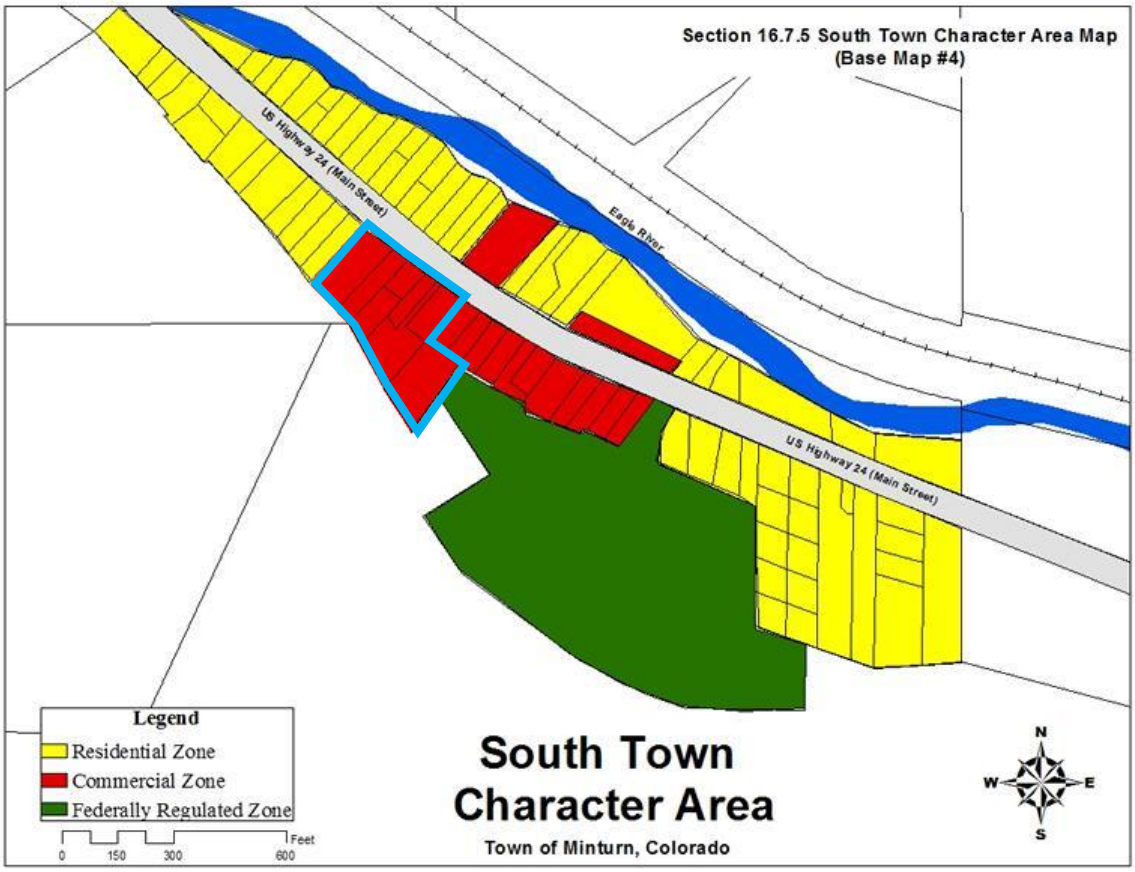


Figure 2: South Town Character Area Zoning Map

Section 16-7-10 – *Character Area Characteristics*, Minturn Municipal Code (MMC), provides the following general description of the South Town area:

> *"South Town is characterized by larger and deeper lots than other urban areas found in the Town. South Town is primarily residential with a few pockets of preexisting commercial. South Town also includes federally regulated areas of the Holy Cross Ranger District. South Town U.S.F.S. property is in close proximity to town services, has good access and all utilities are available. The intent of the Community Plan is that the South Town Character Area maintain the existing pocket of commercial use along Main Street; however, high impact commercial uses are discouraged. The commercial areas should provide for low-impact commercial services and limited retail businesses that complement each other as to character, mass and scale, while minimizing impacts on nearby residential uses."*
>
> *- Town of Minturn Town Code Section 16-7-20*

Section 16-7-30 – *Commercial Zone District* further describes the existing conditions and character of the area, as well as the intent for future use and development within the neighborhood:

> *"(a) The South Town Commercial Zone is bisected by Main Street or Highway 24 and is characterized by a* ***mix of retail, service businesses and residential areas****. The South Town*

Commercial Zone provides services to both residents and the passing motorist. The commercial development can grow but should not significantly impact the residential areas.

"(b) ***The purpose of this area is to provide convenient commercial services to residents and motorists while minimizing the impact on nearby residential uses****. South Town provides an area for commercial activities that are not easily accommodated in Old Town while maintaining the visual character and scale. An objective is to facilitate small business development and economic vitality with land uses that are compatible and supportive, such as retail, office, services and institutional uses."*

- Town of Minturn Town Code Section 16-7-30

Proposed Zoning and Compatibility

Proposed PUD zoning calls for one zone district to be created, or overlaid upon existing commercial zoning, to allow for residential, commercial/civic, and recreation/open space uses. The PUD zone district is being proposed, in part, to allow for an increase in density on the parcels (from 11.33 units per acre, at full build out, to 16.6 units per acre; a 46.5% increase) and, importantly, to allow for and encourage a certain amount of flexibility and creativity in the layout and design of the neighborhood as a means to achieve several of the Town's stated Community Plan goals and policies concerning land use, growth management, affordable/locals housing, and sustainability.

Surrounding land uses include primarily single-family residential with similar densities as are being proposed within the Midtown Village PUD. Adjacent and nearby residential development is dominated by one and two-story structures, and similar configurations (lengthwise, from east to west) due to similarly shaped properties and neighborhood layouts.

Staff believes the proposed uses, specifically the types, number and sizes of residential lots and dwelling units, as well as the design of streets, sidewalks and public open space and/or recreational areas within the PUD generally respond to and complement the Town's goals and policies (outlined below under "Community Plan Conformance") and are generally designed to be compatible and in-scale with surrounding existing and future land uses.

Discussions regarding compatibility of the proposed PUD with the overall character of the South Town area and the immediate surrounding land uses might include topics such as:

1. Potential impacts on existing conditions and existing residents in the area and, importantly, the effectiveness of proposed mitigation and/or controls (PUD Guide and HOA documents);
2. The general character of the surround area relative to the character (land use patterns, infrastructure design and functionality, massing and architecture) of the proposed PUD;
3. The ability to develop and finance the project properly and the Town's ability to serve the development without injury or degraded service to existing areas of the Town; and,
4. Whether the proposed development is designed to minimize negative impacts while reinforcing the vision, values and design characteristics that define the Town of Minturn.

From a character standpoint, the PUD proposes fairly standard setbacks between residential structures. Further, the PUD will limit structures to a building height of 28' – in-line with the Town's 28' height limit for other structures in the surrounding zone districts.

VI. Community Plan Conformance:

Community Plan Purpose and Vision
The 2009 Town of Minturn Community Plan is the guiding document setting forth community-generated vision, values and goals for future growth, the character of the town, and fiscal decision-making to ensure the vibrancy of the Town is preserved and enhanced:

> *"Many of the activities and responsibilities of local government such as development plan approval, capital improvements, infrastructure and facility planning and zoning recommendations require conformance to a community's master plan. The Town of Minturn 2009 Community Plan will serve as a guide for these and other decision-making processes in the future. In short, this Community Plan will help establish the compass bearing for the Town of Minturn, and like any good navigation aid, should be periodically adjusted as changing conditions warrant."*
>
> *Town of Minturn Community Plan (p. 6)*

The Community Plan provides the following background regarding the Town's vision and values relative to growth and development:

> *"Throughout the recent past, Minturn has strived to maintain its own identity separate from the other communities in the Eagle Valley. In 2008, residents voted to approve the annexation of approximately 4,300 acres on Battle Mountain to be used as a private ski and golf resort community. The prevailing sentiment of the residents was the desire to guide their own future by controlling the development on Battle Mountain, while maintaining the authentic "small mountain town character" of the original town site. Any potential growth will require effective master planning to serve the newly developed areas, as well as to mitigate any potential impact upon services of the current Town. This in mind, the Town set out in late 2008 to begin a comprehensive update of its Community Plan, the specific name the Town of Minturn has chosen to give to its Master Plan."*
>
> *Town of Minturn Community Plan (p. 5)*

Last, the Town's vision statement is clearly articulated on page 9 of the 2009 Community Plan:

> *"The Town of Minturn values:*
>
> - *Its natural environment*
> - *Its people living in community*
> - *Its history*
> - *Its funky, eclectic style**

"From our roots as a mining and railroad town, Minturn has evolved into a one-of-a- kind Rocky Mountain town with a vibrant sense of community. We have built and continue to foster a unique environment which is sensitive to its natural setting, with a wide variety of housing opportunities. We possess a diverse economy based on the support of local business and complementary land development."

Town of Minturn Community Plan (p. 9)

Community Plan Organization – Goals and Strategies
The Community Plan is organized around the following topics or sections:

- Community Character /Urban Design
- Sustainability and Green Building Practices
- Land Use/Transportation
- Affordable Housing
- Public Services and Facilities
- Economic Development
- Natural Resources
- Parks and Recreation

The following is a brief listing of applicable goals, objectives and strategies outlined in the plan for each policy area:

Community Character and Urban Design:

Goal (CCG1): Maintain, Build Upon and Promote the Town's Image as a Unique, Eclectic Non-Resort Town with a Strong Sense of Community

(CCS 1.1) *Encourage and promote the use of public venues for a wide range of community events*
(CCS 1.2) ***Consider size limits for residential structures***
(CCS 1.3) *Develop town signage including information kiosks, gateway signs and way-finding system*
(CCS 1.4) *Develop and implement methods to maintain the town's eclectic architecture, scale and vibrant color palette*
(CCS 1.5) *Investigate methods to preserve and protect historic structures*
(CCS 1.6) *Incorporate local public art into new development and public improvements*
(CCS 1.7) - *Support and enhance the Minturn Market as an integral part of downtown*
(CCS 1.8) *Enforce ordinances aimed at maintaining the health, safety, welfare and aesthetic of the town – snow, trash, nuisance abatement and zoning/land use*
(CCS 1.9) *Encourage development to utilize non-intrusive lighting systems*
(CCS 1.10) *Examine existing hillside development regulations for improvement*
(CCS 1.11) ***Allow a variety of lot sizes (small and large lot) as appropriate to specific areas***

Staff Response:
The proposed PUD is oriented toward the provision of a range of housing types, sizes, and (presumably) price points – aimed in large part to address local's housing needs. Architectural

renderings provided for the sixteen-unit apartment building that comprises a majority of Phase 1 show a character and intent designed to complement existing development and architectural character apparent throughout the Town.

The Preliminary Development Plan – the layout, scale, and density, as well as the draft development standards and architectural renderings provided in the application – appears to promote adherence to the Town's stated goal of maintaining a "unique, eclectic, non-resort town with a strong sense of community." The PUD Guide, Design Guidelines and HOA covenants and bylaws specifically regulate exterior lighting, signage, snow and trash removal, nuisance abatement/mitigation, as well as zoning (within the project) and allowable land uses.

Sustainability and Green Building Practices

Goal (SGG 1): Encourage Green and Sustainable Practices Throughout the Community

(SGS 1.1) ***Develop and incorporate green building guidelines that address energy and resource efficiency, indoor air quality and on-site energy generation***
(SGS 1.2) *Incorporate low impact development (LID) standards for site design into development requirements*
(SGS 1.3) *Promote and encourage increased opportunities for businesses, residents and town government to reduce waste*
(SGS 1.4) *Incorporate "Firewise" guidelines in building and site-planning practices*

Goal (SGG 2): Develop and Practice Green and Sustainable Processes

(SGS 2.1) *Incorporate the concept of green infrastructure into the planning and design of improvements to town systems*
(SGS 2.2) *Develop and ensure the integrity of a comprehensive recycling program for town facilities*
(SGS 2.3) *Ban the use of plastic bags in the town*

Staff Response:
The Preliminary Development Plan application includes a PUD Guide as well as standards that address energy offset (solar) and low water usage.

Other areas where the PUD sustainability plans could be bolstered include:

- More information related to the provision and management of an onsite recycling program;
- Incorporating Firewise guidelines in building and site planning standards;
- Incorporating low impact development standards and best practices in the final civil engineering plans.

Land Use/Transportation

Goal (LUG 1): Enhance the Town's Status as a Walkable and Bikeable Community

(LUS 1.1) *Develop and comply with a future land use plan for the entire town (land use element of this Community Plan)* ***which encourages a compatible mix of land uses promoting mass transit, the use of bicycles and increased walkability/accessibility***

(LUS 1.2) *Develop comprehensive parking plan for the town which offers alternative parking strategies/standards specific to Minturn - aimed at increasing parking efficiency and ease of development/redevelopment*

(LUS 1.3) *Promote the development of a cohesive downtown*

(LUS 1.4) ***Support and promote the expansion of public transit service to outlying communities***

(LUS 1.5) ***Promote redevelopment areas as mixed-use centers***

(LUS 1.6) *Partner with owners of large land holdings on mutually beneficial redevelopment projects*

Staff Response:

The Preliminary Development Plan – a mixed-use neighborhood - shows a street and sidewalk network that will benefit the residents of the PUD, which will also add to or support the Town's overall connectivity and walkability. Importantly, the PUD is proposed in close proximity a regional bus stop. In these ways, the proposal appears to support transportation, mobility and mass transit goals of the Town and of regional transit and multi-modal providers (ECO Transit and ECO Trails).

Affordable Housing

Goal (AHG 1): Promote Affordable Housing

(AHS 1.1) ***Promote the development of housing opportunities for all income levels throughout all areas of town***

(AHS 1.2) ***Allow a variety of lot sizes (small and large lot) as appropriate to specific areas***

(AHS 1.3) *Develop an affordable housing program, to include housing assistance for town employees, qualified town residents and other eligible Eagle County employees*

(AHS 1.4) *Leverage town-owned property for the development of affordable housing*

Staff Response:

The Town of Minturn Town Council adopted the 2019 Housing Action Plan aimed at achieving the above goals and strategies. More recently in 2020, the Town Council approved Community Housing requirements for all new residential projects proposing five (5) or more dwelling units. As such, Midtown Village Preliminary Plan for PUD is subject to the Town's Community Housing requirements and guidelines.

Accordingly, the Applicant is proposing a housing plan. The application (p. 7 of the Midtown Village PUD Guide) states:

> *"*The PUD, at full build-out, proposes to provide (31 of 42 Units) 74% of the total Units as Resident Occupied ("RO") Deed Restricted. (4) of the For Sale units also meet or exceed the required 200% AMI Price Cap Deed Restriction.*"*

Importantly, the proposed Preliminary Development Plan for PUD includes a range and mix of unit types and sizes, and (presumably) price points that should serve to provide increased opportunities for home buyers (or renters) of different income levels. The Preliminary Plan has been evaluated in context to the Town's affordable housing goals and policies (2019 Town of Minturn Housing Action Plan and Ordinance No. 7 Series 2020). The Midtown Village Housing Plan exceeds the Town's requirements for mitigation of housing obligations, yet staff believes that there may be opportunities between preliminary and final plan review to bolster the housing plan – specifically to lower the AMI level for "for-sale" units and, possibly, to work with the Applicant to increase the number of price-capped for sale units.

Public Services and Facilities

Goal (PFG 1): Ensure that Public Facilities are Planned and Implemented to Support New Growth and Existing Population Centers

(PFS 1.1) ***Implement streetscape improvements with pedestrian-scale site elements including sidewalks, paving, signage, lighting and site furnishings***

(PFS 1.2) *Develop a Capital Improvement Plan prioritizing upgrades to existing infrastructure including roads, water and storm water drainage and pedestrian/bicycle amenities*

(PFS 1.3) ***Ensure that impacts from new development on existing infrastructure are mitigated***

(PFS 1.4) ***Incorporate the concept of green infrastructure into the planning and design of improvements to town systems***

(PFS 1.5) *Develop and implement a comprehensive sidewalk and trails plan addressing both accessibility and bicycles*

(PFS 1.6 *Develop and implement a plan to bury utilities throughout the community*

(PFS 1.7) *Support and promote infrastructure which is attractive to small business – snow removal, loading zones, sidewalks*

(PFS 1.8) ***Incorporate the future use of alternative energies into planning processes***

(PFS 1.9) *Develop a comprehensive parking plan that addresses the needs of both the business community and residents*

Staff Response:

The proposed PUD will have significant positive and negative benefits, impacts and effects on the Town and its infrastructure, public facilities, and services. Impacts from increased residential development – *on transportation, sewer, water and drainage infrastructure; police and emergency service providers; and the general enjoyment of existing town amenities* – has been evaluated using fiscal and financial impact studies and analyses prepared by Stan Bernstein and Associates, Inc., as part of the Preliminary Plan for PUD application process.

The Applicant has provided preliminary "ability to serve" letters from utility providers and emergency response agencies.

Economic Development

Goal (EDG 1): Diversify the Town's Economy

(EDS 1.1) *Encourage and provide incentives for business to locate in the downtown area*
(EDS 1.2) ***Encourage the development of flexible space in commercial areas – space which can be easily adjusted as market conditions permit (office to retail to restaurant)***
(EDS 1.3) *Attract essential services necessary to form a "complete" community – grocery, pharmacy, hardware store, movie theatre*
(EDS 1.4) *Develop a comprehensive marketing strategy promoting the town*
(EDS 1.5) ***Utilize redevelopment opportunities to help expand and diversify the town's economic/employment base***
(EDS 1.6) *Support and promote practices which are attractive to small business infrastructure, taxes, city services*
(EDS 1.7) *Investigate opportunities for future annexations*
(EDS 1.8) *Develop a web-portal which promotes the town*
(EDS 1.9) *Promote the town's unique history to capitalize on the heritage tourism market*

Staff Response:
The Preliminary Development Plan proposes a mix of residential housing products with two commercial spaces. To the extent that the design of the PUD, as well as the architectural standards that will be developed for the project "promote the town's unique history", the project can be seen as complementing the Town's image. Likewise, the addition of the specific types and sizes of residential lots and structures geared toward housing the local population contemplated within the PUD should serve to "expand and diversify the town's economic and employment base."

Natural Resources

Goal (NRG 1): Protect and Promote the Eagle River as a Community Asset

(NRS 1.1) *Support and fund ongoing river restoration efforts*
(NRS 1.2) *Improve and enhance public access to the Eagle River*
(NRS 1.3) *Strengthen development standards supporting habitat restoration and protection of the river*
(NRS 1.4) *Promote the Eagle River as a focal point of the community/gathering space*

Goal (NRG 2): Protect and Promote USFS lands as a Community Asset

(NRS 2.1) ***Maintain and improve access to public lands***
(NRS 2.2) *Promote development of USFS lands where appropriate*

Goal (NRG 3): Preserve, Protect and Enhance Environmentally Sensitive Lands

(NRS 3.1) *Examine existing hillside development regulations for improvement*
(NRS 3.2) *Maintain historic wildlife migration corridors*
(NRS 3.3) *Support efforts to mitigate the impact of the mountain pine beetle infestation*
(NRS 3.4) *Incorporate "Firewise" guidelines in building and site planning practices*

Goal (NRG 4): Preserve, Protect and Enhance Ridgelines and View Corridors

(NRS 4.1) Develop methods to regulate development on ridgelines and preserve specific view corridors

Staff Response:
The proposed PUD will have direct and lasting impacts on the achievement of the above goals and strategies aimed at protection and use of community amenities and treasured natural resources such as the Eagle River, as well as the provision access to public lands by directing development away from sensitive and valued natural areas, and hazard areas such as hillsides and ridgelines; and, by directing development towards an area of town that has been highly impacted by existing residential and commercial uses, where public infrastructure and services already exist and where density *should* be directed as a matter of the Town's growth management strategy. Additionally, while the reintroduction of dwelling units on the subject property will likely result in increased access to and use of nearby U.S.F.S. lands, it is plausible that development of the Midtown Village PUD property could influence development of adjacent U.S.F.S. lands as well.

Parks and Recreation

Goal (PRG 1): Enhance Recreational Opportunities for all Town Residents and Visitors

(PRS 1.1) Support and promote the development of a regional trail system
(PRS 1.2) Support and promote the development of a centralized gathering space in the downtown area
(PRS 1.3) Investigate opportunities for the development of playgrounds and parks
(PRS 1.4) Promote, maintain and improve access to open space
(PRS 1.5) Promote, maintain and improve access to the Eagle River
(PRS 1.6) Support and promote the development of recreational facilities and programs for multiple user groups
(PRS 1.7) Promote existing recreational opportunities/facilities

Staff Response:
The proposed Preliminary Development Plan generally indicates that areas within the PUD will be provided with internal sidewalks, open spaces and usable park areas.

Development of this site is in close proximity to public lands (U.S. Forest Service lands to the south, west, and east) which will promote access to open space and promote access to the Eagle River.

VII. Staff Analysis and Findings:

The following section outlines the evaluation criteria that the Planning Commission must consider in any action to approve, approve with conditions, deny or continue the Midtown Village Preliminary Development Plan for PUD.

Preliminary Development Plan for PUD:

1. *Preliminary development plan evaluation criteria:*

a. *The resulting development will be consistent with the Community Plan and the proposed PUD reflects the character of the Town.*

Staff Response/Finding:
The Preliminary Plan appears to address the majority of the Community Plan goals. Please refer to Section VI of this staff report.

b. *The area around the development can be planned to be in substantial harmony with the proposed PUD.*

Staff Response/Finding:
The Preliminary Plan appears to be planned to be harmonious with the surrounding neighborhood and the applicant has worked with the Town and Service Providers to address needed improvements to public infrastructure.

c. *The adjacent and nearby neighborhoods will not be detrimentally affected by the proposed PUD.*

Staff Response/Finding:
The Preliminary Plan is an infill development that meshes well with the existing neighborhood, and should not be adversely impactful.

d. *The mass and scale of individual buildings and the overall density of the PUD shall be consistent in scale and character to avoid abrupt and/or severe differences with the surrounding area.*

Staff Response/Finding:
The Preliminary Plan proposes for the most part lot standards and height restriction exceedingly similar to the Town's existing requirements.

e. *The PUD can be completed within a reasonable period of time, which shall be determined prior to final approval of the PUD.*

Staff Response/Finding:
The Applicant proposes to complete the backbone infrastructure needed to serve the entire PUD in the first phase; staff is of the opinion that the first phase of the development can be completed in a reasonable period following any final plan and final plat approval.

f. *The PUD provides for the appropriate treatment of the Eagle River corridor as a community recreational amenity and focal point.*

Staff Response/Finding:
The PUD does not border the Eagle River.

g. *The residents of the PUD have easy access to recreational amenities.*

Staff Response/Finding:
The PUD is situated adjacent to USFS land and is within 100 feet of a bus stop that is serviced by ECO transit. This is within walking distance (within the typical quarter mile acceptable walking distance used in planning transit) and will be facilitated by new sidewalks along Hwy. 24.

h. *Any increase in density proposed above what is permitted in the underlying zone shall be mitigated by increasing the land dedications to open space, recreational amenities or other public facilities and services.*

Staff Response/Finding:
The Applicant is proposing to increase the density in this PUD from 11.33 units per acre to 16.6 units per acre, a 46.5% increase. While there is no increase in the land dedications to open space, the Applicant is proposing attainable local's housing, exceeding the Town's housing requirements while providing useable open space within the PUD for use by the PUD residents.

i. *Any proposed commercial or industrial development can be justified.*

Staff Response/Finding:
There is an existing commercial space in Phase 1 and a future 5,000 square foot commercial space in Phase 3.

j. *The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area.*

Staff Response/Finding:
The PUD is proposing streets that are adequate to support the anticipated traffic, and CDOT has not raised concerns about an increase in traffic detrimentally affecting Hwy. 24 or other local streets.

k. *Proposed utility and drainage facilities are adequate for the population densities and type of development proposed.*

Staff Response/Finding:
The Applicant has provided grading and drainage plans demonstrating that stormwater from within the PUD can be managed (routed, stored, dissipated) on-site.

l. *Residential density and intensity of other uses shall be limited as required by the Town Council, upon consideration of the Community Plan, the Official Zone District Map and the specific characteristics of the subject land.*

Staff Response/Finding:
Staff believes that the proposed density and intensity of use conforms to the Community Plan; is similar to the surrounding uses as shown on the Official Zone

District Map; and is appropriate for this location as an infill project served by existing infrastructure and transit.

m. *A favorable finding is made on the environmental assessment or environmental impact report.*

Staff Response/Finding:
An environmental assessment was provided and reviewed with this Preliminary Plan application; the assessment was reviewed by the Town Engineer and was found to be in conformance with the Town's standards.

n. *The preliminary plan for PUD shall comply with the following open space and recreation standards:*
   i. *A minimum of twenty-five percent (25%) of the gross land area shall be reserved for common recreation and usable open space. Parking areas, street rights-of-way and minimum yard setbacks shall not be counted when determining usable open space. Water bodies, lands within critical wildlife habitat, riparian ecosystems and one-hundred-year floodplains that are preserved as open space shall count towards this minimum standard, even when they are not usable by or accessible to the residents of the PUD.*
   ii. *All common open space and recreational facilities shall be shown on the preliminary plan for PUD and shall be constructed and fully improved according to the development schedule established for each development phase.*
   iii. *All privately owned common open space shall continue to conform to its intended use, as approved in the preliminary plan. To ensure that all the common open space identified in the preliminary plan will be used as common open space, restrictions and/or covenants shall be placed in each deed to ensure their maintenance and to prohibit the division of any common open space.*

Staff Response/Finding:
The Preliminary Plan generally indicates that areas within the PUD will be provided with internal sidewalks, open spaces and usable park areas.

Preliminary Plat:
Section 17-5-80 - *Preliminary plat review*, of the Minturn Municipal Code outlines the following standards or criteria for the Planning Commission's review of the Preliminary Plat:

"The Town shall consider the following in its review of the preliminary plat:

1. *Information requested or required by the Town.*
2. *Whether the proposed subdivision conforms to these and other applicable regulations, policies and guidelines of the Town.*
3. *Review of reports on file, and others as available, pertaining to geologic, soils, wildfire, flood, pollution and other hazards, mineral resource areas and significant wildlife areas. The review shall consider the guidelines and recommendations, as prepared by the appropriate agency, to mitigate hazards and to protect resources."*

Staff Response:

Staff suggests that, overall, the Preliminary Plat provided for review does conform to the purpose and intent of Chapter 17, Subdivisions, as well as the guidelines and policies of the Town. The Applicant has provided information specific to geologic conditions, soils, wildfire, flood, pollution and other hazards as well as mineral resources and wildlife areas for review by the Town and its consultants. Review of the plat has gone hand in hand with review of the Preliminary Development Plan for PUD wherein the Town, it's consultants and external referral agencies have provided comments and recommendations that in many cases have been or will be incorporated into the final plans for the development.

Amendment to the Zone District Map:

Section 16-21-450 - *Standards*, of the Minturn Municipal Code outlines the following standards or criteria for the Planning Commission's review of the Amendment of the Zone District Map:

The wisdom of amending the text of these Land Use Regulations, the Character Area Zoning Map or any other map incorporated in these Land Use Regulations is a matter committed to the legislative discretion of the Town Council and is not controlled by any one (1) factor. In determining whether to adopt, adopt with modifications or disapprove the proposed amendment, the Town Council shall consider the following:

1. *Consistency with Master Plan. Whether and the extent to which the proposed amendment is consistent with the purposes, goals, policies and Character Area Zoning Map of the Master Plan.*
2. *Compatible with surrounding uses. Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate Character Area and zone district for the land, considering its consistency with the purpose and standards of the proposed zone district.*
3. *Changed conditions. Whether and the extent to which there are changed conditions that require an amendment to modify the use, density or intensity.*
4. *Effect on natural environment. Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, stormwater management, wildlife habitat, vegetation and wetlands*
5. *Community need. Whether and the extent to which the proposed amendment addresses a demonstrated community need.*
6. *Development patterns. Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern and not constitute spot zoning, and whether the resulting development can logically be provided with necessary public facilities and services.*
7. *Public interest. Whether and the extent to which the area to which the proposed amendment would apply has changed or is changing to such a degree that it is in the public interest to encourage a new use or density in the area.*

Staff Response:

The proposed rezoning from South Town Commercial Zone District to Midtown Village PUD Overlay District for a residential Planned Unit Development conforms with the goals and policies of the 2009 Community Plan; is compatible with surrounding residential and open

space uses; responds to changing market, land cost and community needs conditions; presents a land development pattern in keeping with logical and orderly growth and use of existing infrastructure; and, considers impacts to the environment and the public's interest.

VIII. Outstanding Issues:

As referenced elsewhere in this report, the Applicant has been working through the Preliminary Development Plan review process since late 2022. The review of the Preliminary Plan application - from completeness review to the official "referral" period - has produced numerous iterations of issues identified by the Town and referral agencies, as well as responses and revisions offered by the Applicant.

Although a large number of issues and recommended revisions have been addressed or made, the following section outlines and summarizes the type and extent of issues needing further discussion and resolution, as well as those aspects of the proposal that must be reviewed as variations to applicable standards (a variance) through the review of the Preliminary Plan. Also attached to this staff report are letters from the Town Attorney and Town Engineer with additional issues from a legal or engineering perspective.

As a majority of outstanding issues are minor and/or technical in nature - having to do with suggested language changes within the PUD Guide and/or Covenants documents, or in relation to details shown on plans - staff has chosen not to enumerate each item here. Nevertheless, these issues or details need to be resolved as a function of any Preliminary Plan approval and, at a minimum, prior to any Final Plan/Plat application being received by the Town.

For that reason, suggested conditions of approval listed at the end of this report are intended to require the Applicant to work with the Town to resolve all outstanding issues of a technical and/or substantive nature prior to or as part of any Final Plan and Final Plat application.

Narrative:

- It should be made clear concerning future phases how 100% energy offset will be achieved.
- The rustic trail is referenced throughout the narrative as a safe trail, however it is not designed or located in a manner that demonstrates conformance with sidewalk standards in the Town. It may form an informal rustic trail for the benefit of the residents, but should not be viewed as a public improvement.

PUD Guide:

There remain numerous outstanding issues and/or recommendations identified by the Town Planning Director and Attorney related to the Planned Unit Development (PUD) Guide document which will regulate uses and development within the PUD. The following summarize the majority of comments that remain unresolved and which can be resolved prior to any Final Plan application to ensure that the PUD zoning and dimensional limitations can be effectively, efficiently interpreted and enforced:

- Sustainability: The Application states they are doing solar readiness in each unit, 100% offset for the apartment building in the narrative, however, more information should be provided in the PUD Guide on whether other development in Phases 2 and 3 will be 100% offset. For the

EV charging stations, final details should be provided regarding location and utilities prior to or concurrent with the application for Final Plan.

- Sidewalks and Trail Connections: The Applicant is providing a rustic trail to connect Main Street/Hwy 24 and the bus stop to public lands, however, due to it not being constructed to any sidewalk standard, the Town is not of the opinion that this should be deemed a public amenity.
- Phasing and Development Tracts: The Town is reviewing the entirety of the PUD, but focusing on Phase 1 due to available water. The action requested by the applicant is to approve the entire PUD. This is typical of most multi-phase PUD proposals: the overall development is reviewed in relation to current code and community plan standards; and zoning and vested rights are granted for the entirety of the PUD, while final details (and subdivision final plats) are focused on the first phase. The PUD Guide describes Tracts C, D, and E as Future Development. Staff recommends that this be revised in the PUD Guide to describe the tracts not as future development, but what their use will be (i.e. single-family, multi-family, or commercial/civic uses) to avoid the need for a PUD Amendment in the future. The Applicant will be required to complete a Final Plat for Subdivision for each of the subsequent phases where site specific development plans will be reviewed to ensure conformance with parking, landscape, and other standards.
- Landscape Standards: The PUD Guide states that the plan is to follow the Town of Minturn's landscape requirements in regards to number and size of trees. Based on the current regulations and the lot area, 110 trees are required. Staff questions the ability of the applicant to meet the standard given the limited open space.
- Parking: Design guidelines for each Tract within the PUD Guide state that parking will be provided via the Minturn Municipal Code standards. Additionally, multiple tracts are reliant on the same "overflow" or guest parking shown within Tracts B and E – for residential and commercial uses. Staff questions the feasibility of this and so the Applicant should demonstrate the placement and count of all proposed parking spaces to ensure that, as per the PUD Guide, the parking standards laid out in Chapter 16 can be met.
- Variations: Variations must be shown in the PUD Guide per MMC 16-15-140(d). Need to show baseline requirements of the underlying zoning and proposed variation in the PUD.
- Definitions: The Applicant should work with staff to finalize definitions for allowed uses and associated zoning.

Preliminary Plat:

Town staff (Engineer, Attorney, Planner) reviewed the Preliminary Plat (the preliminary subdivision plat that accompanies the Preliminary Development Plan) and provided technical, legal and practical recommendations and required revisions to the Applicant. The following items highlight those issues and requested revisions needing to be completed prior to any Final Plan application:

- The Final Plat should demonstrate full ability to conform to the ERFPD's conditional ability to serve letter, including demonstration of adequate fire flow and ability to maneuver emergency vehicles
- The Town Attorney has noted that the plat and civil drawings are missing some necessary easement dedications to ensure that adequate legal access exists for all contemplated uses and utilities. The Certificate of Dedication and Ownership also needs to address these matters and to whom easements are dedicated. This can be addressed prior to final plat as the applicant's engineering progresses towards a final product.

- A phasing plan needs to be depicted and noted on the plat so that these subdivided tracts are tied to the land uses envisioned in the PUD Guide. The phasing will also be discussed in the PUD Narrative and SIA.

Civil Engineering Sheets:

This section of comments addresses issues related to the layout, design and labeling of site, grading, drainage and utilities plans for Midtown Village PUD.

- Sheet 07 – Site Plan Phase 1 The Applicant should provide details of fire and emergency services access to all sides of the 16-Unit Apartment Building.
- Sheet 08 – Snow Removal Plan provides technically enough space for snow storage to meet the letter of the code, however staff does not believe that it is feasible or realistic and requests the applicant to work prior to Final Plan to refine and expand the snow storage and removal plan.
- Sheet 10 – Landscape Plan provides minimum detail, and so the applicant should work with Town staff prior to Final Plan approval to refine and provide sufficient detail such as number, size, and type of plantings proposed.
- The Utility Plan provides in some places insufficient detail, and so the applicant should work with Town Staff and Eagle River Water & Sanitation District to resolve all issues with the sewer design.
- The Final Plan should provide a sheet detailing traffic and fire lane signage.
- The Final Plan should include a Construction Management Plan.
- A more detailed grading plan will be required.
- Per the Town Engineer various easements and permits will need to be updated.
- Sewer and Water infrastructure plans should be finalized.

Water:

- As expressed earlier in this staff report, the development does not have enough water to serve the whole project at this time. There is enough water to serve the first phase of the project (sixteen-unit apartment building, commercial SteamMaster building with two apartments, and two cottage units), however anything beyond that is subject to the Town's water moratorium.
- As noted by the Town Attorney there has been discussion regarding changing the definition of "Single Family Equivalent" (SFE) in Town Code Section 13-1-10. The Town remains steadfast that this definition will not change and that no variance can be requested for site-specific variations. The Town's water rights cases place certain legal constraints on how SFE is defined that cannot be altered at this time.

Open Space – Variations

The Applicant is proposing approximately 18% open space rather than the 25% recommended in the Minturn Municipal Code. This constitutes a variation from the Town's standards. Staff is generally in favor of this variation as a tradeoff between open space provision, and the provision of locals' housing as part of a Housing Plan that exceeds the Town's community housing ordinance. The Applicant should be required to provide a list of all variations along with rationale to support the request(s).

Dimensional Limitations – Variations

The PUD is designed on the basis of flexibility in the use of dimensional limitations - setbacks, building coverage, and impervious coverage - in order to achieve a more compact, efficient and cost effective use of land. These principles are identified in the Town's Planned Unit Development Overlay District regulations as benefits of proposing a PUD rather than developing land using standard zoning and dimensional limitations. The Applicant is currently requesting a variation to the rear setback in Phase 1 for the sixteen-unit apartment building from 10 feet in the underlying zone district to 5 feet.

Landscaping Requirements - Variations
The Applicant is not currently proposing a variation to the landscaping requirements, however staff advises him to do so. If the project abided by the Minturn Municipal Code's standards for the number of trees, 110 would need to be provided. Unless the Applicant can adequately demonstrate realistic placement for all required trees and shrubs, staff advises that a variation be requested in the PUD Guide.

External Referral Agency Comments and Concerns:
The Town sent the Preliminary Plan application to 13 external agencies and stakeholder groups and received comments from 4 of them.

1. **Eagle County School District**
   ECSD has estimated that this development will add roughly 7 children to the K-12 school system. The Town has not formally adopted any cash-in-lieu fee, and so cannot make the developer address the request, however, other developers in the past have paid at least a portion of the requested fee.

2. **Colorado Parks and Wildlife**
   CPW submitted comments that encouraged the Town to look at Real Estate Transfer Tax partnership opportunities, but did not anticipate direct impacts from this development.

3. **Eagle River Water and Sanitation District**
   ERWSD submitted comments stating that would continue working with the Applicant to finalize sewer design at construction ready levels.

4. **Xcel Energy**
   Xcel Energy submitted comments concerning easements for the trenches, meter locations, and distribution.

IX. Staff Recommendations and Suggested Conditions:

The following sections outline staff's recommendations for three separate, but related applications required for preliminary plan approval:

- Preliminary Development Plan for PUD Application
- Preliminary Plat Application
- Zone District Amendment Application

Preliminary Development Plan for PUD:
Staff believes the Midtown Village Preliminary Development Plan for PUD application **generally conforms** to a majority of Town goals and policies and is specifically designed to enhance and complement the existing character, development patterns, architecture and density found in the adjacent neighborhood. Staff is **recommending approval with conditions** of the Preliminary Development Plan.

The following suggested conditions of approval are provided as an initial list (to be added to during the hearing process if necessary and appropriate) in the event the Planning Commission takes action to recommend approval of the Preliminary Plan for PUD with conditions.

1. Work with the Town Attorney and Town Engineer to ensure that all sheets, easements, and other matters on the Final Pat and 100% civil engineering drawings are accurately and clearly labeled.
2. Work with the Town Attorney and Planning Director to ensure that the PUD Guide contains only matters relating to land use, development standards, and zoning, and the PUD Narrative contains other matters relating to the prosecution of the development, including phasing, future subdivisions, allocation of water, and temporary uses. Many of these matters will also be reflected in the SIA.
3. Work with the Town Attorney and Town Engineer on SIA to include final Engineer's Estimate of Probable Costs (EEOPC) for public improvements, security, matters relating to the water moratorium, phasing of development, landscaping, additional permits, and other construction related matters.
4. Work with the Town Attorney on any recommended revisions to the Master Declaration of Covenants, Conditions, and Restrictions for the Midtown Village Homeowners Association.
5. Work with the Town Attorney on inclusionary housing policy, transfer covenants, and deed restrictions to ensure that these covenants and deed restrictions have appropriate priority and enforcement mechanisms.
6. Work with the Town Attorney and Planning Director to resolve any of the outstanding matters from previous referral letters and applicant responses.
7. Work with the Town Attorney and Planning Director to review and revise the Midtown Village PUD Housing Plan to identify opportunities to increase the number of price-capped, for-sale units; to lower the initial sales price for deed restricted, price-capped units from 200% AMI to a range between 120-140% AMI; and to include price appreciation caps for any deed restricted, price-capped for-sale unit resales.

Preliminary Plat:
Staff believes the Preliminary Plat application **generally conforms** to the requirements of the Minturn Municipal Code but that several revisions must be completed prior to the Applicant submitting a final plat for consideration by the Town. Staff are **recommending approval of the Preliminary Plat** with one condition designed to require the Applicant to resolve all outstanding issues and technical revisions already identified by the Town staff.

The following suggested condition of approval is provided in the event the Planning Commission takes action to recommend approval of the Preliminary Plat with conditions.

1. Work with the Town Attorney on language included on the plat (note 16) and the Subdivision Improvement Agreement (SIA) restricting development of future phases unless and until the Water Moratorium enacted by Ordinance No. 2, Series 2023 has been lifted.
2. Work with the Town Attorney and Town Engineer on the Certificate of Dedication and Ownership on the plat to accurately reflect all existing easements and those being dedicated to whom and for what purposes.
3. Work with the Town Attorney and Town Engineer to ensure that all sheets, easements, and other matters on plat and civil plan drawings are accurately and clearly labeled.

Zone District Amendment:
Staff believes the application for zone district amendment from the South Town Commercial Zone District to the PUD Overlay Zone District **complies** with the applicable standards and criteria of the Minturn Municipal Code. Staff is **recommending approval of the Zone District Amendment** and staff does not believe conditions of approval are necessary in the event the Planning Commission acts to approve the zone district amendment.

Suggested Motions - Alternatives:
The Planning Commission will have the following options available when taking action on each of the applications - Preliminary Development Plan for PUD application, Preliminary Plat, and Zone District Amendment:

1. Approval
2. Approval with conditions
3. Denial
4. Continuance

The following suggested motion language is offered to assist the Planning Commission:

Preliminary Development Plan:

Approval:
"I move the Minturn Planning Commission Approve the Midtown Village Preliminary Development Plan for PUD because the application conforms to the applicable criteria and standards of the Minturn Municipal Code and the Minturn Community Plan."

Approval with Conditions:
"I move the Minturn Planning Commission Approve, with conditions the Midtown Village Preliminary Development Plan for PUD because the application conforms, as conditioned, to the applicable criteria and standards of the Minturn Municipal Code and the Minturn Community Plan."

Denial:
"I move the Minturn Planning Commission deny the Midtown Village Preliminary Development Plan for PUD, because the application does not conform to the applicable criteria and standards of the Minturn Municipal Code and the Minturn Community Plan."

Continuance:
"I move the Minturn Planning Commission continue the Midtown Village Preliminary Plan to a date certain."

Preliminary Plat:

Approval:
"I move the Minturn Planning Commission Approve the Midtown Village Preliminary Plat because the application conforms to the applicable criteria and standards of the Minturn Municipal Code and the Minturn Community Plan."

Approval with Conditions:
"I move the Minturn Planning Commission Approve, with conditions, the Midtown Village PUD Preliminary Plat, because the application conforms, as conditioned, to the applicable criteria and standards of the Minturn Municipal Code and the Minturn Community Plan."

Denial:
"I move the Minturn Planning Commission deny the Midtown Village PUD Preliminary Plat, because the application does not conform to the applicable criteria and standards of the Minturn Municipal Code and the Minturn Community Plan."

Continuance:
"I move the Minturn Planning Commission continue the Midtown Village PUD Preliminary Plat to a date certain."

Zone District Amendment:
Approval:
"I move the Minturn Planning Commission Approve the Zone District Amendment from South Commercial Zone District to the PUD Overlay Zone District because the application conforms to the applicable criteria and standards of the Minturn Municipal Code and the Minturn Community Plan."

Approval with Conditions:
"I move the Minturn Planning Commission Approve, with conditions, the Zone District Amendment from South Town Commercial Zone District to the PUD Overlay Zone District, because the application conforms, as conditioned, to the applicable criteria and standards of the Minturn Municipal Code and the Minturn Community Plan."

Denial:
"I move the Minturn Planning Commission deny the Zone District Amendment from South Town Commercial Zone District to the PUD Overlay Zone District, because the application does not conform to the applicable criteria and standards of the Minturn Municipal Code and the Minturn Community Plan."

Continuance:
"I move the Minturn Planning Commission continue the Zone District Amendment from South Town Commercial Zone District to the PUD Overlay Zone District to a date certain."

Inter-Mountain ENGINEERING
Civil Engineers & Surveyors

October 28, 2024

Ms. Madison Harris
Town of Minturn
PO Box 309
Minturn CO 81645
Via email: planner1@minturn.org
RE: Midtown Village
Preliminary Plan Review – September 6, 2024 Resubmittal
Project No. 21-0079

Dear Madison:

We reviewed the Preliminary Plan re-submittal for Midtown Village provided to this office on September 6, 2024. The primary documents reviewed in the resubmittal included August 19, 2024 "*Midtown Village PUD*" engineering plans, the Engineers response letter, and an Engineers Opinion of Probable Cost prepared by Midwestern Consulting. "*Armistead Preliminary Plat; Midtown Village PUD"* prepared August 15, 2024, by Gore Range Surveying was also included in the submittal. Additional documents reviewed are identified in the body of this report. Review by Inter-Mountain compares the submittal with engineering requirements of Section 16-15-140 and Section 17-5-70 of the Minturn Municipal Code (MMC).

The engineering documents have been completed to a level to confirm constructability and demonstrate Final Plans can be prepared in accordance with MMC requirements without significant changes to the design presented in the Preliminary Plan. The following comments are items that need to be included with the Final Plan submittal.

Subsection (a) General Requirements:
General:

1. The application and other documents reviewed were provided in electronic format only.

2. The application lists Kate Bond as the contact for Midwest Consulting. This should be verified as we understand she is no longer the correct contact.

3. Final Plans should include:
    a. Detailed construction specifications and requirements.
    b. Construction Management Plan including
        i. Requirement for a preconstruction meeting.
        ii. Testing & observation requirements.
        iii. Outline construction schedule.

iv. Hours of work.
v. Noise requirements.
vi. Dust control requirements.
vii. Erosion control requirements – Reference SWMP permit and requirements.
viii. Source of adequate construction water.
ix. Requirements for continuous emergency vehicle access
x. Construction traffic control requirements
xi. Water main and service line construction shall conform to the requirements of the Eagle River Water and Sanitation District (ERWSD).
xii. Identify utility outages necessary for construction and define requirements for "Notice" to the Town and affected properties.

(3). Traffic Study: McDowell Engineering LLC prepared the April 12, 2021 (revised October 23, 2023) "*Auxiliary Turn Lane Assessment Transportation Impact Study for Midtown Village"* included in the submittal. There are currently three access points for the Midtown Village property. The proposed development will continue to use the existing northerly access to the property (MM 145.16). The other two access points will be closed.

a. CDOT ACCESS PERMIT NO. 324094 is included in the revised submittal.
    i. The Permit allows a Warehouse and Apartment building. Additional uses will require a new CDOT Access Permit.
    ii. The Permit requires the closure of all other accesses to the property including the removal of existing paving, culverts, and reestablishment of the roadside ditch.

b. The design for the access must be approved by CDOT and a "CDOT Notice to Proceed" issued prior to any work within the US 24 Right of Way.

c. The final design for the access needs to be included in the Final Plan submittal and a copy of the "Notice to Proceed" provided before any work commences in the US 24 right of way.

(4). Proposed trails, sidewalks and traffic circulation patterns including snow removal patterns and snow storage area, and the proposed status of street ownership:

a. The ERWSD referral dated September 11, 2023, requests access be maintained for maintenance equipment.
    i. Confirmation of ERWSD approval needs to be provided at Final Plan.

b. Construction details for the primitive trail connection to US Forest Service property have been included on Sheet 30 of the "*Midtown Village PUD*" engineering plans .
    i. General guidance notes for erosion control are provided on the Preliminary Plan. This work should not be left to the contractor's discretion and detailed construction and erosion control requirements should be included in the Final Plan.

c. Snow Storage calculations are provided on Sheet 08 and proposed snow storage easements on Sheet 14 of the "*Midtown Village PUD*" engineering plans.
    i. Snow storage calculations show adequate storage.

ii. The easements for snow storage do not appear to match those on the Preliminary Plat. For example, there is a snow storage area in Tract D that is missing from the Plat and there appears to be a gap in the easement between Tracts C and E. Easement dimensions need to be shown on the Final Engineering Plans to assure easement dedication is coordinated with the Final Plat.

(5). Proposed grading & drainage plans:

a. Detailed grading plans including grading around the buildings is required prior to permit.
   i. Slopes on the south side of both proposed and existing buildings extend to the west wall of the building. Sections A and B on Sheet 42 of the *"Midtown Village PUD"* engineering plans show a swale next to the buildings, however additional detail will be required on the Final Plan to show both slope away from the building and drainage routes around the building.
      a. The IBC (International Building Code) requires the ground next to a building's foundation slope away from it at a minimum of 5% for a distance of at least 10 feet measured perpendicular to the wall's face.

      b. The *"Subsoil Study for Foundation Design for Midtown Village"* prepared July 26, 2023, by Kumar & Associates included in the submittal recommends: "*The ground surface surrounding the exterior of the building should be sloped to drain away from the foundation in all directions. We recommend a minimum slope of 6 inches in the first 10 feet in unpaved areas. Site drainage beyond the 10-foot zone should be designed to promote runoff and reduce infiltration. A minimum slope of 2 inches in the first 10 feet is recommended in the paved areas. These slopes may be changed as required for handicap access points in accordance with the Americans with Disabilities Act."*

b. Plan & profile drawings of the roadways with cross sections are required.
   i. The profile shows the access road from the entry to where it loops back to Tract D.
   ii. MMC requires profiles of all roads and drives. The Final Plan submittal needs to include a profile of all roadways and show breakover angles on the ramp to the lower level of the apartment building.
   iii. Additional details, including road width, pavement section, walks, curbs, radius, etc. need to be included in the Final Plan submittal.

c. The "Typical Road Cross Section" on Sheet 34 shows 8.5 foot travel lanes. The site plans and truck turning templates show 22 foot wide roadways (11 foot travel lanes). The 22 foot section is required to accommodate truck movements.
   i. The "Typical Road Cross Section" showing 8.5' travel lanes is included on Sheet 13 of the engineering plans. If this section is proposed, please identify where, and if not used, it should be removed from the Final Plans.

ii. The 22’ width cross section is shown on Sheet 36 and the width of roads is shown on the Site Plan (Sheet 7).
iii. Road width and additional construction detail needs to be added to the Driveway Profiles on the Final Plan submittal.

d. Driveway easements need to be shown and dedicated on the Plat.
    i. Extensive, complicated easements for access, parking, utilities, and snow storage are called for on the engineering plans. Easement dimensions need to be shown on the Final Engineering Plans to assure easement dedication is coordinated with the Final Plat.

e. Pavement design must follow the recommendation in the July 25, 2022, Kumar & Associates, Inc report.
    i. Pavement section requirements and additional construction detail needs to be added to the Driveway Profile sheets (Sheet 41) with the Final Plan submittal.

f. A Colorado Department of Public Health and Environment (CDPHE) Storm Water Discharge Permit (SWDP) will be required for this project. The CDPHE permit needs to be included in the Construction plans.
    i. Plan note “PS” denotes areas where “Seeding with Mulch and/or Matting” is required. Please specify slopes and matting requirements on the Final Plan.

g. Storm Sewer plans.
    i. Inlet “r-7” is the tie in point for the storm sewer system. The location & invert elevations are critical to the design and need to be field verified as a part of the Final Plan.
        a. Please provide the following with the Final Plan:
            i. As-built location of existing storm sewer.
            ii. Detailed drawing of modifications to existing inlet
            iii. CDOT Utility Permit for the crossing and connection.

    ii. Provide details and sizing for permanent storm water quality control devices.
        a. Complete construction details including the layout and details for the detention chambers and hydrodynamic separator need to be shown on the Final Plan.

(6). Domestic water & sanitary sewer plans:

a. Final Plans for water distribution should include:
    i. Detailed construction requirements and specifications.
        a. Plans and specifications as well as construction shall conform to Eagle River Water & Sanitation District (ERWSD) design and construction requirements.
        b. Poly wrapped ductile iron pipe is required for mainlines.
        c. Type K copper service lines are required.

ii. The Water & Sewer Easements plan (Sheet 14) needs to show the proposed utilities with dimensions locating the utility within the easement. Easement dimensions need to be shown on the Final Engineering Plan to assure easement dedication is coordinated with the Final Plat.

iii. The Overall Utility Plan (Sheet 15) labels the Water Main as "Private". The developer has previously indicated the water mains will be dedicated to the Town. Please confirm and revise the Final Plan as necessary.

iv. Plans show water taps to future unapproved buildings. We understand these taps will not be installed as part of this construction. Please remove unnecessary water service lines from the Final Plan.

b. Water Main Connections**:**

i. Two connections requiring shutdowns of the water main in US 24 are shown on the Preliminary Plans. Please note these requirements in the Final Plan.

1. The Town, Fire Department, and any affected properties shall be provided with a "heads up" notice two weeks in advance of a scheduled water shutdown.
2. The Town, Fire Department and affected properties shall be provided with direct 48 hour Notice in advance of a shutdown.
3. Connections to the existing water main are limited to one single connection at any one time.
4. There shall be a minimum of one week between scheduled shutdowns.
5. The maximum time allowed for any shutdown of service is 6 hours.
6. Shutdowns are not allowed on Friday.
7. Prior to scheduling a connection to the existing water main, the Contractor shall confirm with the Town that Tank 2 is in service. If Tank 2 is not in service, Contractor shall coordinate any necessary fire protection requirements with the Fire Department.
8. Minturn Public Works ***must*** be onsite to inspect each tie-in to the existing main.
9. The Town suggests that the main be exposed the day before the tie-in to minimize the time required for an outage.
10. CDOT Utility Permits will be required for work in the US 24 right of way. Permits shall be provided at Final Plan.

c. **Sanitary Sewer:**

Sanitary Sewer construction plans must be approved by the ERWSD as a part of the Preliminary Plan.

i. The Midwestern Consulting response letter includes responses to ERWSD comments. ERWSD approval should be provided as a part of the Final Plan submittal.

(9). Environmental Assessment:

i. Complete.

(12). Final Site Plans: *"Armistead Midtown Village PUD; 16 Unit Apartment*" prepared by TK Design, dated January 6, 2023, is included in the submittal. The plans do not include a site plan and refer to plans prepared by others.

i. The DRB application for the Apartment Building needs to conform to the requirements of MMC 16-21-615 and MMC 17-5-70 which require a site plan detailing building location, setbacks, easements, utility services and grading requirements.

(13). Emergency Services Plan: "Ability to Serve" letters have been provided from Xcel Energy, Eagle River Water and Sanitation District, Eagle County School District. Eagle County Paramedic Services, the Eagle River Fire Protection District (ERFPD). Previous applications included a letter from the Eagle County Sheriff's Office. The ERFPD letter is conditioned on further analysis.

Subsection (b) Character Area & Zone District Requirements:

(1). Subdivision: "*Preliminary Plat; Midtown Village PUD*" prepared by Gore Range Surveying, LLC, dated August 15, 2024, was included in the submittal.:

a. The property is included within the "Annexation Plat; South Minturn Addition to the Town of Minturn" recorded as Reception No. 163774 in the records of Eagle County, Colorado. While this map is often referred to as a subdivision plat, it is an annexation map and not a final plat.

b. Land Title Commitment No. RND50070589-3 dated March 4, 2024, is included in the submittal. The Commitment describes the property by 8 separate metes and bounds descriptions**.**

i. The Preliminary Plat references a February 23, 2024, Title Commitment and the Final Plat should reflect the current commitment.

c. A legend for all line types, abbreviations and symbols is required on the Final Plat.

d. Access & utility easements must be shown.

i. Extensive, complicated easements for access, parking, utilities, and snow storage are called for on the Preliminary Plat and Preliminary Engineering Plans. Easement dimensions need to be shown on the Final Engineering Plans to assure easement dedication is coordinated with the Final Plat.

(2). Phasing: Phasing will be necessary due to water tap availability:

a. Phasing is indicated by notation of land use on the *"Preliminary Plat; Midtown Village PUD."*

b. An Engineers Opinion of Probable Cost (EOPC) for required improvements prepared August 19, 2024, by Midwestern Consultants has been included in the submittal The estimate is separated into Phase 1 and Future Phase Improvements.

i. Costs for construction survey, construction observation, materials testing, and as-built drawings have not been included.

ii. We spot checked some unit costs in the estimate to Minturn North PUD costs and found some costs do not appear to reflect the current construction market.

Description	Unit	Midtown	Minturn North
Stone Tracking Mat	Each	$3500	$6,000
Strip topsoil	CY	$10	$23
Mass Grading	CY	$15	$22
Aggregate Base	SY	$9	$17
Curb and gutter	LF	$22	$40
Asphalt	Ton	$140	$180

iii. An updated final EOPC sealed by the Engineer needs to be provided with the Final Plan.

MMC Section 17-5-70:

(b) Preliminary Plat: *Please refer to "Subsection (b) Character Area & Zone District Requirements" comments above.:*
(c) Scale*: Complete. Maps are drafted to an appropriate scale.*
(d) Required maps & reports: *Please refer to MMC Section 16-15-140 comments above.*
(e) Grading & Drainage Plan: *Please refer to MMC Section 16-15-140 comments above.*
(f) Utility plans: *Please refer to MMC Section 16-15-140 comments above.*
(g) Erosion Control Plans: *Please refer to MMC Section 16-15-140 comments above.*
(h) Professional qualifications: *Complete. Plans & surveys have been prepared by registered professionals.*

Review by Inter-Mountain Engineering is for general conformance with Minturn Municipal Code requirements and is not a peer review. Review by Inter-Mountain Engineering in no way relieves any responsibilities of design professionals associated with the project.
Please feel free to contact us if you have additional questions.

Sincerely,
Inter-Mountain Engineering (Town Engineer)



Jeffery M. Spanel PE

CC: Michelle Metteer; Michael Sawyer, Scot Hunn, Ivan Martin PLS, Arnold Martinez, John Volk

Karp.Neu.Hanlon PC
ATTORNEYS AT LAW
www.mountainlawfirm.com

Glenwood Springs – Main Office
201 14th Street, Suite 200
P. O. Drawer 2030
Glenwood Springs, CO 81602

Aspen
0133 Prospector Rd.
Suite 4102J
Aspen, CO 81611

Montrose
1544 Oxbow Drive
Suite 224
Montrose, CO 81402

Richard Peterson-Cremer
Partner/Shareholder

rjp@mountainlawfirm.com
Office: (970) 945-2261
Fax: (970) 945-7336
Direct Mail to Glenwood Springs

November 1, 2024

Scot Hunn
Planning Director
Town of Minturn
301 Boulder St.
P.O. Box #309
Minturn, CO 81645
scot@hunnplanning.com

Re: Town Attorney Recommended Conditions of Approval for Midtown Village

Dear Scot:

After several referral iterations of the Midtown Village Planned Unit Development Preliminary Plan, we are satisfied that this application is ready for review by the Town of Minturn Planning Commission and Town Council. If approved, we recommend including the conditions of approval at the end of the letter to ensure that the applicant diligently works toward full compliance with the Minturn Municipal Code and other legal requirements.

Outstanding Issues

Below is a summary of issues that remain to be addressed for this application to receive final plat approval

Water Matters

The development has adequate water to develop phases 1 and 2 but due to the existing water moratorium will not be able to develop the remaining phases 3, 4, and 5. The applicant has agreed that the development will be subject to the Town's existing water moratorium as noted on a plat note and will be noted in a Subdivision Improvements Agreement (SIA).

There has been discussion regarding changing the definition of "Single Family Equivalent" (SFE) in Town Code Section 13-1-10. The Town remains steadfast that this definition will not change and that no variance can be requested for site-specific variations. The Town's water rights cases place certain legal constraints on how SFE is defined that cannot be altered at this time.

Plat and Civil Drawings

The plat and civil drawings are missing some necessary easement dedications to ensure that adequate legal access exists for all contemplated uses and utilities. The Certificate of Dedication and Ownership also needs to address these matters and to whom easements are dedicated. This can be addressed prior to final plat as the applicant's engineering progresses towards a final product.

A phasing plan needs to be depicted and noted on the plat so that these subdivided tracts are tied to the land uses envisioned in the PUD Guide. The phasing will also be discussed in the PUD Narrative and SIA.

PUD Guide and Narrative

There has been some confusion around what is included in the PUD Guide and Narrative. As a general matter, the PUD Guide is the zoning approval and should include, but is not limited to discussion of uses, dimensional standards, housing plan, sustainability, and requests for variations from underlying zoning. On the other hand, the PUD Narrative should discuss the prosecution of the development, construction planning, phasing, and other more immediate matters. The PUD Narrative will feed into some of the contents of the SIA. One way to determine whether something should be in the PUD Guide or Narrative is to ask "will anyone care about this statement in 15 years when the development is completed?" If yes, then that should go into the PUD Guide, if not then it should be in the PUD Narrative.

One topic of discussion unique to this PUD that has arisen in the context of the PUD Guide is the interplay of zero-setback patio home concept and surrounding public dedicated open space. This will result in some single-family tiny homes having no yards, and the areas directly outside the walls being common open space. While this can be familiar concept with townhouses, it does not exist in the freestanding single-family context. The applicant has been receptive to the feedback and requests for changes to ensure that structures are not encroaching beyond property boundaries and that open space calculations are accurate.

Subdivision Improvements Agreement

The applicant and the Town Attorney have agreed to work on completing the Town's form SIA at a later date. The form contains standard provisions that all other major subdivisions and PUDs in the Town have agreed to. Additionally, the SIA will include discussion of water allocation, phasing and future subdivisions within the PUD, vested rights being conditioned on water availability, and will include a cost estimate of any public improvements that will be secured with cash or a letter of credit drawable by the Town.

Recommended Conditions of Approval

1. Work with the Town Attorney on language included on the plat (note 16) and the Subdivision Improvement Agreement (SIA) restricting development of future phases

unless and until the Water Moratorium enacted by Ordinance No. 2, Series 2023 has been lifted.

2. Work with the Town Attorney and Town Engineer on the Certificate of Dedication and Ownership on the plat to accurately reflect all existing easements and those being dedicated to whom and for what purposes.
3. Work with the Town Attorney and Town Engineer to ensure that all sheets, easements, and other matters on plat and civil plan drawings are accurately and clearly labeled.
4. Work with the Town Attorney and Planning Director to ensure that the PUD Guide contains only matters relating to land use and zoning, and the PUD Narrative contains other matters relating to the prosecution of the development, including phasing, future subdivisions, allocation of water, and temporary uses. Many of these matters will also be reflected in the SIA.
5. Work with the Town Attorney and Town Engineer on SIA to include final Engineer's Estimate of Probable Costs (EEOPC) for public improvements, security, matters relating to the water moratorium, phasing of development, landscaping, additional permits, and other construction related matters.
6. Work with the Town Attorney on any recommended revisions to the Master Declaration of Covenants, Conditions, and Restrictions for the Midtown Village Homeowners Association.
7. Work with the Town Attorney on inclusionary housing policy, transfer covenants, and deed restrictions to ensure that these covenants have appropriate priority and enforcement mechanisms.
8. Work with the Town Attorney and Planning Director to resolve any of the outstanding matters from the most recent July 3, 2024 rereferral letter and applicant response.

Very truly yours,

KARP NEU HANLON, P.C.



Richard Peterson-Cremer

Holland & Hart

M E M O R A N D U M

April 17, 2024

TO: Madison Harris, Planner I
Scot Hunn, Planning Director

FROM: Susan M. Ryan, Esq. (Holland & Hart LLP)
Cristy Radabaugh, P.E. (Martin and Wood Water Consultants, Inc.)

RE: Midtown Village PUD
Preliminary PUD Plan Application: Referral Comments

This memorandum sets forth the combined referral comments of Holland & Hart LLP and Martin and Wood Water Consultants, Inc. regarding the Midtown Village PUD (the "Project") Preliminary PUD Plan Application submitted on March 20, 2024 (the "Application") by Midtown Lofts, LLC (the "Applicant") and in particular the Midtown Village – Water Exhibit, dated March 11, 2024. The Application was resubmitted to address the completeness comments we provided on September 11, 2023. We have reviewed the Applicant's response to our completeness comments and have the following referral comments.

Our comments are based on the requirements in Sections 16-15-140 and 17-5-70 of the Town's Municipal Code. Those provisions require the Applicant to provide, among other information: detailed descriptions and commitments for the proposed source of legal and physical water supply for the project; evidence that the water supply is sufficient; evidence regarding the Town's ability to serve the project; and information regarding water rights owned by the applicant and potential for the transfer of such water rights to the Town.

In its Application resubmittal, the Applicant requests that Town Council grant it a variance related to the 22.5 SFEs of municipal water service available from the Town for Phase I and Phase II of the Project. Midtown Village's requested variance is based on "allocation versus actual usage" and proposes to reduce the overall number of SFEs needed for Phase I and Phase II. It is not clear whether the Applicant is requesting that the remaining SFEs be reallocated to future Phases of the Project.

The Applicant's requested variance is not consistent with the Town's current Municipal Code provisions. The Town's Municipal Code defines one SFE as serving up to 3,000 square feet of indoor use and 2,000 square feet of outdoor, irrigated use. *See* Section 13-1-10. The Town's Municipal Code does not provide any mechanism for reducing or taking partial credit for SFEs.

To support its requested variance, the Applicant references the Belden Place PUD and Town Council's Resolution No. 32-Series 2023. However, the Town did not approve Belden Place's request to modify the current SFE definition in the Municipal Code. Any modification to the current SFE definition in the Municipal Code requires a change to the Municipal Code and

cannot be done on a case-by-case basis. Accordingly, the Applicant must resubmit the portion of the Application evaluating the proposed water supply for Phase I and Phase II based on the current definition of a SFE in the Town's Municipal Code.

The Applicant also states that its existing 22.5 SFEs can be used to irrigate a maximum 45,000 square feet of outdoor space and that its maximum outdoor irrigation potential for the Project is 4,000 square feet. As long as the proposed irrigation area is less than the maximum allowed, this is acceptable. However, the Town needs further information on the outdoor irrigation associated with the Project as the current Application proposes to use zero water for landscaping certain areas. The Applicant should clarify whether and how much water is needed for establishment and maintenance of xeriscaping and other proposed landscaping, including native grasses.

We reserve the right to provide additional comments based on our review of the Applicant's response to this memorandum.

31864324_v2

Madison Harris

From: Micah Schuette, P.E. <mschuette@erwsd.org>
Sent: Wednesday, April 17, 2024 5:12 PM
To: Madison Harris
Cc: Tim Friday, P.E.; Ivy Todd
Subject: RE: Midtown Village Resubmission

Good Afternoon, Madison,

On August 9, 2023 the District issued an Ability to Serve Letter for the project outlining the District's wastewater service commitment to the project. Comments regarding the District's Infrastructure Acceptance Process (IAP) are still applicable for this referral. We are currently finalizing infrastructure design details with the developer including, but not limited to, the need for field verification and survey of critical sewer main elevations within the project area. Construction Plan Approval can be issued once the development team addresses the comments issued by the District's Construction Review Team. The District is currently awaiting resubmittal of the plan set after an April 16, 2024 meeting with the developer. Once Construction Plan Approval is issued, District Staff is comfortable proceeding with the IAP Process and eventual connection to the system. While this Construction Plan Approval is necessary for connection to the collection system, district staff is not requesting the Town of Minturn withhold land use approvals for this step of the IAP. Additionally, the preliminary plat supplied in the referral packet does not match the indicated easements in the sewer infrastructure plan sets we've been reviewing. The final plat of the project will require new easements to reflect the new, realigned sewer mains and the vacation of easements in which sewer mains have been removed.

Please let us know if you have any questions.

Respectfully,

Micah Schuette, P.E.
Planning and Water Resources Project Manager II
Eagle River Water & Sanitation District
Direct: 970-477-5496 Cell: 970-401-2547
846 Forest Road, Vail, CO 81657
http://www.erwsd.org
Clean Water. Quality Life.™

From: Madison Harris <planner1@minturn.org>
Sent: Thursday, March 21, 2024 10:22 AM
Subject: Midtown Village Resubmission

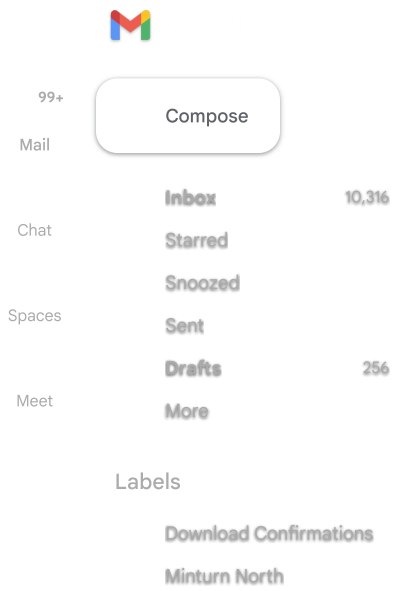
Hello,

Below is the link to Midtown Village's resubmittal. As you provided comments the last round on Midtown Village PUD's application, the resubmittal is being sent back out to you to ensure your comments were addressed. This is a re-referral, so I need comments back by April 17th. Please let me know if you have any questions.

MIDTOWN VILLAGE PRELIMINARY PUD_3_6_24

Thanks,
Madison

Madison Harris
Planner I
Town of Minturn
Planner1@minturn.org
970-827-5645 Ext. 2



Midtown Village Preliminary Plan for PUD - Public Referral

External Inbox ×

Scot Hunn
Devin: Thank you again for all you do and for your support of the Town of Minturn. You are receiving this referral from the Tov

Duval - DNR, Devin
Thanks Scot. I took a brief look at the application, but will provide written comments to you soon. Thanks for reaching out.

Duval - DNR, Devin
to me

Scot,

Please allow this correspondence to serve as CPW referral comments:

Given the nature of infill and redevelopment of an existing footprint, CPW does not anticipate significant direct impacts to wilc Indirect impacts are likely to be far greater. I continue to recommend that the Town of Minturn and P&Z explore RETT opportu partnerships to pursue habitat improvement projects. Please let me know if you have any questions or concerns.

Thank you.

Meter locations:

I did not see meter locations depicted on the elevation plans. Pg 257 of the Land development application.

The meters must be in a location that meets XCEL standards. Meters can not be under a drip edge of the roof line. Snow and Ice can not shed onto or in front of the meters. The meters need to be in a safe accessible location on the front third of the building.

Easements:

A 15’ easement is requested for joint distribution trenches.

A 15’ X 15’ easement is required for transformers.

Distribution:

Electric and gas running line appear to be 3.5’ from sewer line – 10’ is preferred. 5’ is acceptable if sewer and water provider agrees.

Point of distribution (Transformer / pedestal) needs to be on same lot as building it serves.

Commercial buildings are required to have a dedicated transformer.

For clearance standards please refer to the blue book.

TRACER WIRE PLAN

GENERAL
TRACER WIRE SHALL BE INSTALLED WITH ALL BURIED MAIN AND SERVICE PIPELINES IN THE WATER AND WASTEWATER SYSTEM. ALL TRACER WIRE SHALL HAVE HDPE INSULATION INTENDED FOR DIRECT BURY, COLOR CODED PER AMERICAN PUBLIC WORKS ASSOCIATION (APWA) STANDARD FOR THE SPECIFIC UTILITY BEING MARKED. WIRE INSULATION FOR POTABLE WATER WILL BE COLORED BLUE AND WIRE INSULATION FOR WASTEWATER WILL BE COLORED GREEN. WIRE INSULATION FOR THE LEAD FROM THE GROUNDING ANODE WILL BE COLORED RED.
OPEN TRENCH - TRACER WIRE SHALL BE #12 AWG COPPER CLAD STEEL, OR SOLID COPPER, HIGH STRENGTH WITH MINIMUM 300 LB. BREAK LOAD, WITH MINIMUM 30 MIL HDPE INSULATION THICKNESS. APPROVED MANUFACTURER: COPPERHEAD INDUSTRIES, PRO LINE SAFETY PRODUCTS, OR APPROVED EQUAL.

CONNECTORS
ALL MAINLINE TRACER WIRE MUST BE INTERCONNECTED IN INTERSECTIONS, AT MAINLINE TEES AND MAINLINE CROSSES. AT TEES, THE THREE WIRES SHALL BE JOINED USING A SINGLE 3-WAY LOCKABLE CONNECTOR. AT CROSSES, THE FOUR WIRES SHALL BE JOINED USING A 4-WAY CONNECTOR. USE OF TWO 3-WAY CONNECTORS WITH A SHORT JUMPER WIRE BETWEEN THEM IS AN ACCEPTABLE ALTERNATIVE. DIRECT BURY WIRE CONNECTORS – SHALL INCLUDE 3-WAY LOCKABLE CONNECTORS AND MAINLINE TO LATERAL LUG CONNECTORS SPECIFICALLY MANUFACTURED FOR USE IN UNDERGROUND TRACER WIRE INSTALLATION. CONNECTORS SHALL BE DIELECTRIC SILICONE FILLED TO SEAL OUT MOISTURE AND CORROSION, AND SHALL BE INSTALLED IN A MANNER SO AS TO PREVENT ANY UNINSULATED WIRE EXPOSURE. NON LOCKING FRICTION FIT, TWIST ON OR TAPED CONNECTORS ARE PROHIBITED. APPROVED MANUFACTURERS: BURNDY SPLIT BOLD CONNECTOR, COPPER TO COPPER, SQUARE HEAD WITH KING INNOVATION SPLIT BOLT AQUA HOUSING 69105 OR COPPERHEAD INDUSTRIES SNAKEBITE CONNECTOR, OR APPROVED EQUALS.

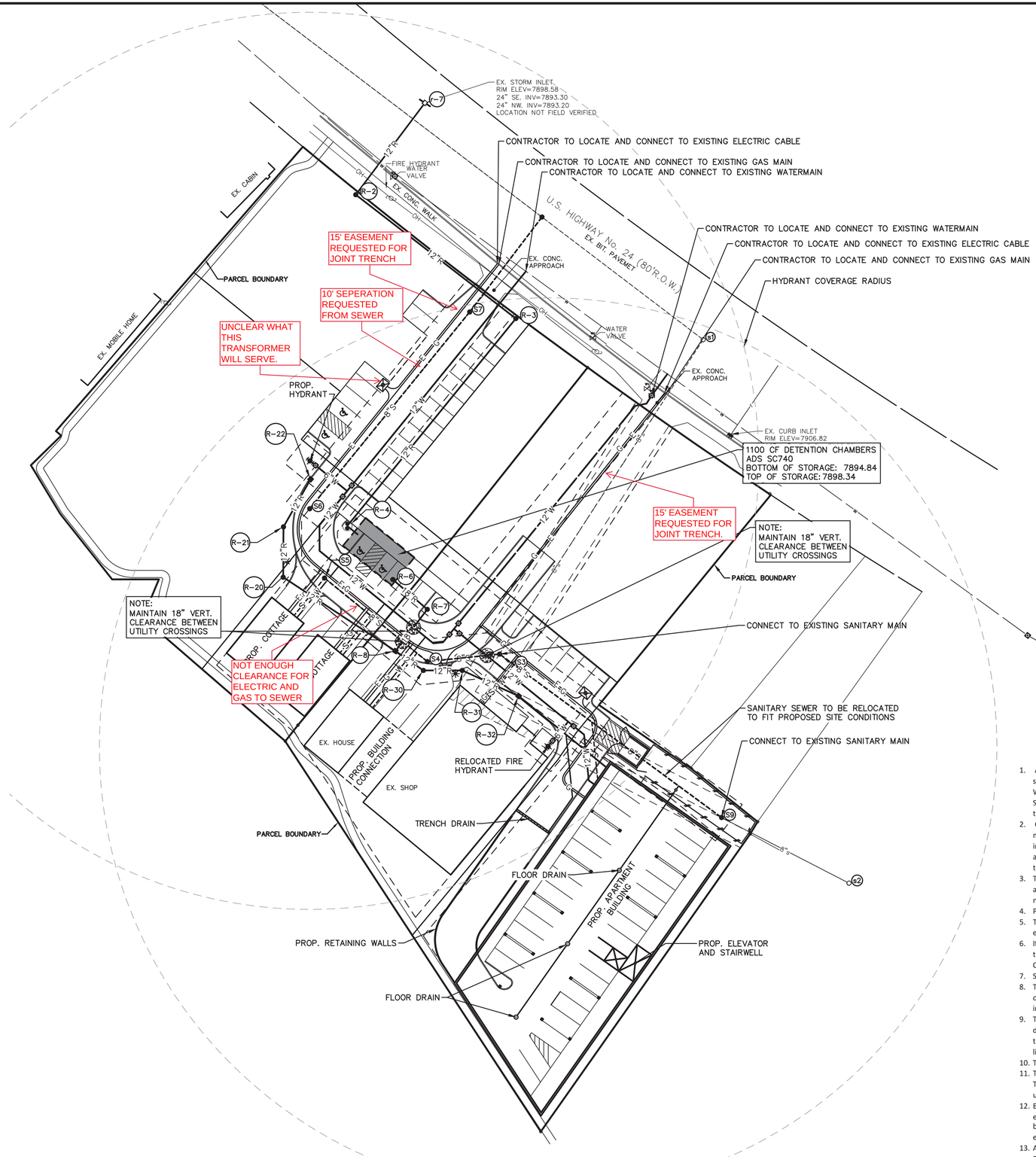
TERMINATION/ ACCESS
ALL TRACER WIRE TERMINATION POINTS AT WATER SERVICE CURB STOPS AND SEWER SERVICE CLEANOUTS MUST UTILIZE AN APPROVED TRACER WIRE ACCESS BOX (ABOVE GROUND ACCESS BOX OR GRADE LEVEL/IN-GROUND ACCESS BOX AS APPLICABLE), SPECIFICALLY MANUFACTURED FOR THIS PURPOSE AS SPECIFIED BELOW FOR THE TYPE OF PIPELINE. ALL GRADE LEVEL/IN-GROUND ACCESS BOXES SHALL BE APPROPRIATELY IDENTIFIED WITH "SEWER" OR "WATER" CAST INTO THE CAP AND BE COLOR CODED. A MINIMUM OF TWO (2) FEET OF SERVICE LOOP WIRE IS REQUIRED IN ALL TRACER WIRE ACCESS BOXES. AFTER MEETING FINAL ELEVATION. ALL TRACER WIRE ACCESS BOXES MUST INCLUDE A MANUALLY INTERRUPTIBLE CONDUCTIVE/CONNECTIVE LINK BETWEEN THE TERMINAL(S) FOR THE TRACER WIRE CONNECTION AND THE TERMINAL FOR THE GROUNDING ANODE WIRE CONNECTION. GROUNDING ANODE WIRE SHALL BE CONNECTED TO THE IDENTIFIED (OR BOTTOM) TERMINAL ON ALL ACCESS BOXES.

GROUNDING
TRACER WIRE MUST BE PROPERLY GROUNDED AT ALL DEAD ENDS/STUBS AND AT ALL CONNECTION POINTS TO EXISTING SYSTEMS WITHOUT TRACER WIRE. GROUNDING OF TRACER WIRE SHALL BE ACHIEVED BY USE OF A DRIVE-IN MAGNESIUM GROUNDING ANODE ROD WITH A MINIMUM OF 20 FEET OF #12 RED HDPE INSULATED COPPER CLAD STEEL OR SOLID COPPER WIRE CONNECTED TO ANODE (MINIMUM 1 LB.) SPECIFICALLY MANUFACTURED FOR THIS PURPOSE, AND BURIED AT THE SAME ELEVATION AS THE UTILITY. WHEN GROUNDING THE TRACER WIRE AT DEAD ENDS/STUBS, THE GROUNDING ANODE SHALL BE INSTALLED IN A DIRECTION 180 DEGREES OPPOSITE OF THE TRACER WIRE, AT THE MAXIMUM POSSIBLE DISTANCE. WHERE THE ANODE WIRE WILL BE CONNECTED TO A TRACER WIRE ACCESS BOX, A MINIMUM OF TWO (2) FEET OF SERVICE LOOP IS REQUIRED AFTER MEETING FINAL ELEVATION.

TRACER WIRE INSTALLATION SHALL BE PERFORMED IN SUCH A MANNER THAT ALLOWS PROPER ACCESS FOR CONNECTION OF LINE TRACING EQUIPMENT, PROPER LOCATING OF WIRE WITHOUT LOSS OR DETERIORATION OF LOW FREQUENCY (512HZ) SIGNAL FOR DISTANCES IN EXCESS OF 1,000 LINEAR FEET, AND WITHOUT DISTORTION OF SIGNAL CAUSED BY MULTIPLE WIRES BEING INSTALLED IN CLOSE PROXIMITY TO ONE ANOTHER. TRACER WIRE SYSTEMS MUST BE INSTALLED AS A SINGLE CONTINUOUS WIRE, EXCEPT WHERE USING APPROVED CONNECTORS. NO LOOPING OR COILING OF WIRE IS ALLOWED. ANY DAMAGE OCCURRING DURING INSTALLATION OF THE TRACER WIRE MUST BE IMMEDIATELY REPAIRED BY REMOVING THE DAMAGED WIRE, AND INSTALLING A NEW SECTION OF WIRE WITH APPROVED CONNECTORS. TAPING AND/OR SPRAY COATING ARE PROHIBITED. TRACER WIRE SHALL BE INSTALLED AT THE TOP HALF OF THE PIPE AND SECURED (TAPED/TIED) AT FIVE (5) FEET INTERVALS. TRACER WIRE MUST BE PROPERLY GROUNDED AS SPECIFIED.

AT ALL WATER AND WASTEWATER MAINLINE DEAD-ENDS, AND AT WATER SERVICE LINE CURB STOPS AND WASTEWATER SERVICE LINE CLEANOUTS CLOSEST TO THE PROPERTY BEING SERVED, TRACER WIRE SHALL GO TO GROUND USING AN APPROVED CONNECTION TO A DRIVE-IN MAGNESIUM GROUNDING ANODE ROD, BURIED AT THE SAME DEPTH AS THE SERVICE. (SEE GROUNDING) IF NO MAINLINE TRACER WIRE EXISTS AT A CONNECTION POINT, MAINLINE TRACE WIRE SHALL NOT BE CONNECTED TO EXISTING CONDUCTIVE PIPES. TREAT AS A MAINLINE DEAD END, GROUND USING AN APPROVED WATERPROOF CONNECTION TO A GROUNDING ANODE BURIED AT THE SAME DEPTH AS THE MAIN. ALL SERVICE LATERAL TRACER WIRE SHALL BE A SINGLE WIRE, CONNECTED TO THE MAINLINE TRACER WIRE USING A MAINLINE TO LATERAL LUG CONNECTOR, INSTALLED WITHOUT CUTTING/SPLICING THE MAINLINE TRACER WIRE. IN OCCURRENCES WHERE AN EXISTING TRACER WIRE IS ENCOUNTERED ON AN EXISTING UTILITY THAT IS BEING EXTENDED OR TIED INTO, THE NEW TRACER WIRE AND EXISTING TRACER WIRE SHALL BE CONNECTED USING APPROVED SPLICE CONNECTORS.

SANITARY SEWER SYSTEM
A MAINLINE TRACER WIRE MUST BE INSTALLED, WITH ALL SERVICE LATERAL TRACER WIRE PROPERLY CONNECTED TO THE MAINLINE TRACER WIRE, TO ENSURE FULL TRACING/LOCATING CAPABILITIES FROM A SINGLE CONNECTION POINT. TRACER WIRE ON ALL SEWER SERVICE LATERALS MUST TERMINATE AT AN APPROVED TRACER WIRE ACCESS BOX COLOR CODED GREEN AND LOCATED DIRECTLY ADJACENT TO THE SEWER SERVICE CLEANOUT CLOSEST TO THE STRUCTURE BEING SERVED. A GROUNDING ANODE SHALL BE INSTALLED BENEATH THE CLEANOUT AT THE DEPTH OF THE SERVICE. ACCESS BOX APPROVED MANUFACTURER: COPPERHEAD INDUSTRIES SNAKE-PIT OR APPROVED EQUAL.



SCALE: 1" = 30'
0 30 60 90

811 Know what's below. Call before you dig.

LEGEND

- EXIST. UTILITY POLE
- EXIST. OVERHEAD UTILITY LINE
- EXIST. WATER VALVE
- EXIST. HYDRANT
- PROP. WATER MAIN
- PROP. HYDRANT
- PROP. GATE VALVE IN BOX
- EXIST. STORM SEWER
- EXIST. CATCH BASIN OR INLET
- PROP. STORM SEWER
- PROP. CATCH BASIN OR INLET
- PROP. UNDERGROUND STORM SEWER STORAGE
- EXIST. SANITARY SEWER
- PROP. SANITARY SEWER
- SIGN
- POST
- EXIST. GAS VALVE
- WELL
- FENCE
- PROP. ELEC. TRANSFORMER
- PROP. ELECTRIC LINE
- PROP. GAS LINE

ERWSD Standard Plan Notes

1. All materials, workmanship, and construction shall meet or exceed the standards and specifications set forth in the Eagle River Water and Sanitation District Rules and Regulations. Where there is conflict between these Plans and the Rules and Regulations or any applicable Standards, the more stringent Standard shall apply. All Work shall be inspected and approved by the ERWSD Construction Inspector.
2. Contractor shall schedule a mandatory pre-construction meeting at the construction site a minimum of three (3) business days after the plans have been submitted. Participants shall include, but are not limited to: the Applicant; Applicant's contractor, excavator and engineer; and the District representative. Construction may begin once the meeting has concluded and the District Inspector has signed off.
3. The Contractor shall have one (1) signed copy of the approved Plans, one (1) copy of the appropriate criteria and specifications, and a copy of any permits and extension agreements needed for the job onsite at all times.
4. Provide a complete Bill of Materials for all proposed water and wastewater infrastructure
5. The Contractor shall be responsible for all aspects of safety including, but not limited to, excavation, trenching, shoring, traffic control, and security.
6. If during the construction process conditions are encountered which could indicate a situation that is not identified in the Plans or specifications, the Contractor shall contact the ERWSD Construction Inspector immediately
7. Submit traffic control plans as approved by the appropriate governing agency
8. The Contractor is responsible for providing all labor and materials necessary for the completion of the intended improvements shown on these drawings or as designated to be provided, installed, or constructed unless specifically noted otherwise.
9. The Contractor shall be responsible for recording As-Built information on a set of record drawings kept on the construction site and available to the ERWSD Construction Inspector at all times. All as-built information shall be field surveyed under the direct care and supervision of a licensed Professional Land Surveyor.
10. The contractor shall obtain locates prior to any excavation
11. The contractor is responsible for any damage to any utility facilities as a result of their actions. The contractor shall make the required repairs immediately to the satisfaction of the affected utility.
12. Eagle River Water and Sanitation District does not guarantee the accuracy of the locations of existing pipelines, manholes, hydrants, valves and service lines. If field conditions are found to be different than shown on the plans, the contractor shall notify the inspector and design engineer immediately.
13. All trenching and backfill shall be in accordance with Appendix E of the ERWSD Rules and Regulations.

The underground utilities shown have been located from field survey information and existing records. The surveyor makes no guarantees that the underground utilities shown comprise all such utilities in the area, either in-service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated. Although the surveyor does certify that they are located as accurately as possible from the information available.

M:\Civil3d_Pro\20067\Site Plan\20067UT1.dwg, 5/31/2023 8:23 AM, Sajib Amir, 15 OVERALL UTILITY PLAN, MCLLC PDF.pc3
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MIDWESTERN CONSULTING
3815 Plaza Drive Ann Arbor, Michigan 48108
(734) 995-0200 • www.midwesternconsulting.com
Land Development • Land Survey • Institutional • Municipal
Wireless Communications • Transportation • Landfill Services

CLIENT
10TH MOUNTAIN BUILDERS
1632 MAIN STREET
MINTURN, CO 81645
JEFFREY D. ARMISTEAD
970-471-0618

MIDTOWN VILLAGE PUD

OVERALL UTILITY PLAN

15

DATE: 5/25/23
SHEET 15 OF 29
CADD:
ENG: ROW
PM: KEB
TECH:
/20067UT1

JOB No. 20067
REVISIONS:
REV. DATE

Sandra Farrell, C.P.A.
Chief Financial Officer
sandra.farrell@eagleschools.net

EAGLE COUNTY SCHOOLS

September 11, 2023

RE: Midtown Village

Thank you for the opportunity to comment on the proposed Midtown Village project. At Jeff Armistead's request, we provided comments on his Sketch Plan application in 2022. Based on our review of the Preliminary Plan submittal the proposed number and type of units has remain unchanged. The purpose of this review is to provide comments on the estimated student generation from the project and the ability of schools that will serve the project to accommodate these students.

This review focused on the net new units to be constructed. Student generation from the existing units was determined by applying actual student generation rates from comparable housing types in Minturn to the existing housing types. The same student generation rates were then applied to the unit types proposed by this development. Note that no student generation was applied to one-bedroom units because ECSD data indicates very few students are generated by one-bedroom units. Based on this evaluation, it is estimated that the proposed development will generate 6.68 net new K-12 students. The site is served by Red Sandstone Elementary, Homestake Peak Middle School and Battle Mountain High School. These schools have the capacity to accommodate these students.

ECSD has been working with the Town of Minturn regarding the adoption of a school land dedication ordinance. ECSD would ask that the Town request the applicant to agree to comply with a school land (or cash in lieu) dedication ordinance if such an ordinance is adopted by the Town prior to this project receiving final plat approvals.

Thank you again for providing the opportunity to comment on this project.

Regards,

Sandra Farrell

Sandra Farrell
Chief Operations Officer
Eagle County School District RE50J
948 Chambers Ave;
PO Box 740
Eagle, CO 81631

LAND DEVELOPMENT APPLICATION

TOWN OF MINTURN PLANNING AND ZONING DEPARTMENT
P.O. Box 309 302 Pine Street
Minturn, Colorado 81645-0309
Phone: 970-827-5645 Ext. 2 Email: planner1@minturn.org

APPLICANT:	ADDRESS:	SIGNATURE:
MIDTOWN LOFTS LLC	PO Box 955	
	Minturn, CO 81645-0955	NAME:
	PHONE: 970-471-0618 FAX:	
	EMAIL: jafamilyman@gmail.com	TITLE:
OWNER(S) OF RECORD:	**ADDRESS:**	**SIGNATURE:**
MIDTOWN LOFTS LLC	PO Box 955	
	Minturn, CO 81645-0955	NAME: Joe Bianchi
	PHONE: 970-390-4420 FAX:	
	EMAIL: jprave@comcast.net	TITLE:
DEVELOPER:	**ADDRESS:**	**CONTACT PERSON:**
MIDTOWN LOFTS LLC	PO Box 955	
	Minturn, CO 81645-0955	Jeff Armistead
	PHONE: 970-471-0618 FAX:	
	EMAIL: jafamilyman@gmail.com	
ENGINEERING FIRM:	**ADDRESS:**	**CONTACT PERSON:**
Midwestern Consulting	3815 Plaza Drive	**Kate Bond**
	Ann Arbor, MI 48108	
	PHONE: (734) 995-0200 FAX:	
	EMAIL: info@midwesternconsulting.com	

Presubmittal Date		**Presubmittal Planner:**
Parcel ID Number	2103-351-01-096	*(Example: 210326325001) from your full card printout*
Address or Intersection	947, 961, 981, 985, 987 Main Street	
Brief Legal Description	SEE MIDTOWN VILLAGE PUD AMMEDNDED PLAT INFO FOR TITLE	
Subdivision Name & Filing #	COMMITMENTS FOR ALL PARCEL NUMBERS	
Project Description	REFERENCE PUD GUIDE	

	Existing	Proposed:
Zoning:	South Minturn Character Area (Commercial)	PUD
Land Use:	Mixed Use Commercial & Residential	
Total Acres:	2.53	
F.A.R./Density:	12 DU/AC	16.99 DU/AC
Project Name:	MIDTOWN VILLAGE	
Related Case #'s:		

CASE TYPE

	PUD CDP: Concept Dev. Plan		PP: Prelim. Subdivision Plat		DRB – P: Des. Rev. Bd. Prelim		A-FP: Fence Permit
X	PUD PDP: Prelim. Dev. Plan		FP: Final Subdivision Plat		DRB – F: Des. Rev. Bd. Final		A-MOD: Modification/Add
	PUD FDP: Final Dev. Plan		MS: Minor Subdivision		ADM: Admin. Des. Review		A-MIN: Minor Ext. Mod.
	PUD ASP: Admin. Site Plan		ASR: Admin. Subdivision Replat		A-SIGN: Admin. Sign Review		ANNEX: Annexation
	PUD FDP A: Amendment		V: Vacation of Easement		A-DIG: Admin. Dig Permit		TU: Temporary Use
	LU-V: Land Use – Variance		R.O.W. Vacation		A-DEMO: Admin. Demo Per.		CU: Conditional Use
	NU –V: Non Use – Variance		REZ -Rezoning –Straight Zoned		A-LTD: Admin. Limited Use		APPLS: Appeals

This section for OFFICE USE ONLY

Case No:		**Case Mgr.**		**Case Eng.**	
Fees Paid	**Y** **N** **$**		**Dates Referred Out**		
Dates to be Returned			**Planning Comm Date:**		

This development application shall be accompanied with the applicable fee and shall not be considered valid until the total application fee is received. If the application type requires a deposit, minimum deposit balances must be maintained or replenished upon notice by the Town. Submittal of this application does not mean you will receive automatic approval, nor does it establish a vested property right in accordance with C.R.S. 24-68-105(1). Further processing and review of this application may require additional information, and/or meetings, as outlined in the Town of Minturn Zoning and Development Code

LAND DEVELOPMENT APPLICATION

TOWN OF MINTURN PLANNING AND ZONING DEPARTMENT
P.O. Box 309 302 Pine Street
Minturn, Colorado 81645-0309
Phone: 970-827-5645 Ext. 2 Email: planner1@minturn.org

APPLICANT:	**ADDRESS:**	**SIGNATURE:**
MIDTOWN LOFTS LLC	PO Box 955	
	Minturn, CO 81645-0955	**NAME:**
	PHONE: 970-471-0618 **FAX:**	
	EMAIL: jafamilyman@gmail.com	**TITLE:**
OWNER(S) OF RECORD:	**ADDRESS:**	**SIGNATURE:**
MIDTOWN LOFTS LLC	PO Box 955	
	Minturn, CO 81645-0955	**NAME:** Joe Bianchi
	PHONE: 970-390-4420 **FAX:**	
	EMAIL: jprave@comcast.net	**TITLE:**
DEVELOPER:	**ADDRESS:**	**CONTACT PERSON:**
MIDTOWN LOFTS LLC	PO Box 955	
	Minturn, CO 81645-0955	Jeff Armistead
	PHONE: 970-471-0618 **FAX:**	
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ENGINEERING FIRM:	**ADDRESS:**	**CONTACT PERSON:**
Midwestern Consulting	3815 Plaza Drive	**Kate Bond**
	Ann Arbor, MI 48108	
	PHONE: (734) 995-0200 **FAX:**	
	EMAIL: info@midwesternconsulting.com	

Presubmittal Date		**Presubmittal Planner:**	
Parcel ID Number	2103-351-01-096	*(Example: 210326325001) from your full card printout*	
Address or Intersection	947, 961, 981, 985, 987 Main Street		
Brief Legal Description			
Subdivision Name & Filing #			
Project Description	REFERENCE PUD GUIDE		

	Existing	**Proposed:**
Zoning:	South Minturn Character Area (Commercial)	Character Area and Zone District Map amendment pursuant to
Land Use:	Mixed Use Commercial & Residential	Article 21, Division 3 of Chapter 16
Total Acres:	2.53	
F.A.R./Density:	12 DU/AC	
Project Name:	MIDTOWN VILLAGE	
Related Case #'s:		

CASE TYPE

	PUD CDP: Concept Dev. Plan		**PP: Prelim. Subdivision Plat**		**DRB – P: Des. Rev. Bd. Prelim**		**A-FP: Fence Permit**
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	LU-V: Land Use – Variance		**R.O.W. Vacation**		**A-DEMO: Admin. Demo Per.**		**CU: Conditional Use**
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MIDTOWN VILLAGE PUD AMMEDNDED PLAT INFO FOR TITLE COMMITMENTS

CURRENT 2023 ADDRESSES AND PARCEL NUMBERS BEFORE PLAT REVISION

(Old Quintana Property)
947 Main Street is split between these (2) Parcel numbers below:
R066168 Parcel #**210335101096**
R067962 Parcel #**210335101107**

R003930 (961 Main) Parcel #**210335101060**
R006590 (981 Main) Parcel #**210335101017**
R005305 (987 Main) Parcel #**210335101016**
R003830 (989 Main) Parcel #**210335101018**

MIDTOWN VILLAGE

PUD PRELIMINARY PLAN NARRATIVE



TABLE OF CONTENTS

01 GENERAL INFORMATION

02 PROJECT NARRATIVE

03 CODE COMPLIANCE

SECTION 1

GENERAL INFORMATION :

Property Owner	Midtown Lofts, LLC
Applicant	10TH Mountain Builders, LLC
Owners Representative	Jeff Armistead – 10th Mountain Builders PO Box 955 Minturn, CO 81645 jafamilyman@gmail.com 970-471-0618
Civil Engineering	Kate Bond – Midwestern Consulting 318 Plaza Drive Ann Arbor, MI 48108 734-995-0200
Architect	Todd Hallet – TK Designs 26030 Pontiac Trail, South Lyon, MI 48178 248-446-1960
Surveyor	Sam Ecker - Gore Range Surveying 5129 Longsun Lane Avon, CO 81620 970-479-8698
Traffic Engineer	Kari McDowell / Greg Schroeder – McDowell Engineering PO Box 4259 Eagle, CO 81631
Environmental Engineer	Kumar and Associates 240 Annie Road PO Drawer 1887 Silverthorne, CO 80498 970-468-1989

SECTION 02

PROJECT NARRATIVE

INTENTION STATEMENT – Midtown Village aims to compliment the other residential properties and businesses in the South Town Commercial Zone by investing in affordable, deed restricted local housing solutions along with new commercial, civic and governmental spaces while respecting the historical uses of the South Town Commercial Zone.

Located in the 900 Block of the South Town Commercial Zone, this parcel is one of the last "infill" areas within the town that is appropriate for higher density redevelopment due to the established historical mixed uses. Although the existing Zoning allows for all of the proposed uses, this PUD proposes higher densities of smaller single-family homes than the existing code provides mixed with multi-family units and commercial space. This PUD provides the flexibility to offer these diverse housing types and mixed uses while maintaining the general intentions of the existing municipal code elements.

Midtown Village proposes to utilize the PUD Overlay zoning provision per Section 16-15-10 to combine a group of contiguous properties/addresses *(947, 961, 981, 985 & 987 Main Street*) into 5 new Tracts (A – E) and revive this section of town into a thriving micro community. The project exceeds the goals of the 2019 Housing Action Plan by providing over 50% of the proposed (42) units to be Deed Restricted for the local workforce. The Subject properties are located in a part of town that was historically an extension of the commercial core of downtown with more of an emphasis on light industrial uses and coexisted alongside a wide mixture of residential housing types including single family, mobile homes, apartments above commercial spaces and smaller homes, which would be considered "tiny homes" by today's standards. This Zone was home to the Lucero's Gas Station, Alpine Glass headquarters, Johnnie's Gardens, Quintana Excavating Company, the Battle Mountain Trading Post and is still home to RMR Adventure Rentals and the adjacent commercial strip of businesses that includes Sibley Plumbing, Mountain Woodworking, Eagle Valley Electric, Weston Snowboards and Holt Hammer Cycles the Barbershop, and a new Aerial Yoga Barn performance studio.

CURRENT USES - The existing site contains a fully occupied 3000 s commercial building with 3 apartments above, 4 single family homes, 2 mobile homes, 1 light industrial garage/shop and a large portion of vacant land that housed 9 mobile homes (*removed in 2019*).

PROPOSED USES - It is the intention of the Midtown Village development team to build 100% of the PUD with no involvement of outside builders or General Contractors. All construction financing will be provided by Midtown Lofts LLC and construction administration provided by 10th Mountain Builders, LLC. The PUD Guide for Midtown Village will use existing municipal code to address bulk, mass, form, scale and densities while also focusing on providing over 50% of the project to be Deed Restricted housing for our local workforce. This is a significant investment in local housing opportunities, paths to first time ownership and more up valley rental units that are close to the job market.

OWNERSHIP

A Homeowners Association is proposed to manage the entire PUD to govern their respective public and private elements. The developer proposes to maintain ownership of the existing commercial building and the 16 Unit apartment building. The (10) Single Family Homes and (10) Townhomes are "For Sale" units.

ECONOMIC DATA FOR COMMERCIAL / INDUSTRIAL ELEMENTS

There are (2) Commercial components to this PUD: #1 is an existing commercial building that is being completely remodeled on the interior and exterior. #2 is a new commercial building that is proposed to be either a new Fire Station or main level commercial use with 2nd level residential use. The existing commercial space carries a long-term lease with SteamMaster, who is a "service based" local business and does not generate any sales tax for the Town of Minturn. Both uses are consistent with historical uses in this zone district.

PRELIMINARY ENVIRONMENTAL ASSESSMENT

A Phase 1 Environmental Site Assessment (ESA) was conducted in 2015 in conformance with the scope and limitations of ASTM Practice E1527-13 by Braun Environmental, Inc. 355 S Teller St STE 200, Lakewood, CO 80226 *(Paper copy available upon request)* No negative environmental impacts were found on the subject property

FIRE / EMERGENCY SERVICES

Ability To Serve Letters are provided from Eagle River Fire, Eagle County Paramedic Services and Eagle County Sheriff

PHASING PLAN

PHASE 1 – *Upgrade Infrastructure and 16 Unit Apartment Building / Parking Garage and (2) Cottages*

(a) Upgrade the existing Infrastructure within the entire site. This would include removal of overhead Xcel Power lines and provide direct buried power services, new water and sewer main and service lines, new gas service lines, curb, gutter and sidewalk amenities within the site and integrated with existing sidewalk and curb at US HWY 24 / Main Street along with a mix of snow melted asphalt and concrete paving sections throughout. CDOT Access points are proposed to be reduced from 2 to 1 with an Emergency Services, break-away access gate at the south side of the property.

(b) Construction of a 2.5 Story (16) unit Apartment building adjacent to the existing commercial building. The pre-existing commercial building is currently undergoing a major interior and exterior renovation. A garden level parking garage is proposed under the (16) unit apartment building.

(c) Construction of (2) small cottages

PHASE 2 – (8) *Micro Homes*

(8) Single Family Residential, Deed Restricted Micro Homes

PHASE 3 – *(10 Units)Townhomes & ERFPD Fire Station or New Commercial Building*

Construction of (2) Residential Townhome Buildings consisting of (5) Residential Units per building

Construction of approximately 3000 sf Commercial Building that would be situated parallel to US HWY 24 with "build to suit" commercial space on grade level and (3) units of residential above on 2nd floor. Initial use is proposed to be a new fire station for Eagle River Fire Protection District. The Lofts are proposed to be rental units.

SECTION 03

CODE COMPLIANCE

RELATION TO THE SURROUNDING CHARACTER AREA AND COMMUNITY PLAN

MIDTOWN VILLAGE aims to continue to utilize the property in the same manner as it has been used for generations but also, to use forward thinking planning and design principles, architecture and creative engineering to achieve the community goals set out below.

SEC. 16-15-10. - PURPOSE & GENERAL PROVISIONS

The purpose of the Planned Unit Development (PUD) Overlay Zone District is to allow flexibility for landowners to creatively plan for the overall development of their land and to achieve the purpose and objectives of this Code and the Community Plan. An applicant for a PUD must demonstrate that departure from existing ordinances is warranted and that the proposed PUD significantly contributes to the following:

1. Provides for new technology and promotes innovative and efficient land use patterns;

MIDTOWN VILLAGE introduces a much smaller than average housing type that is referred to as the Micro Home. The idea was borrowed from the small cluster of homes south of town that were constructed in the mid-1960's for Eagle County School Teacher Housing. These units range in size from 600-750 Square Feet. This concept allows a pathway to homeownership in Minturn for under $600,000

The16 Unit Apartment Building is designed to accomplish a 100% energy offset by employing a 185 KvA rooftop solar array. This array will power all of the general site lighting, heating sources (Mini-Split Heat pumps) and all cooking/laundry are also electric.

2. Permits the integration of land uses and contributes to trails a
pedestrian circulation; The historical nature of this property is an integration of many diverse land uses. The project expands on the existing use by providing (7) different types of housing units as well as warehouse and commercial / civic space. The property will also provide an internal network of new sidewalks and trails that will connect not only directly to the new HWY24 Sidewalk project, but it will extend the existing sidewalk, which ends at 997 Main Street, all the way to 1041 Main Street. The proposed internal trail system will safely provide direct access for kids and families to Martin Creek / National Forest open space without going near HWY 24.

3. Preserves valued environments and natural resources and achieves a more desirable environment; The property backs up directly to National Forest land and Martin Creek open space and MIDTOWN VILLAGE makes access to these spaces safer and easier to navigate than the existing condition of the property. Many of the mobile homes, abandoned vehicles and commercial equipment storage that spanned this property were a nuisance and this project aims to provide a cleaner, safer and more beautiful complement to the natural surroundings.

4. Maintains or improves air and water quality; This site was used for heavy industrial purposes over the last 60 years with practically zero grass or green spaces on any portion of the land. The proposed redevelopment of this property would add almost 40,000 square feet of green space which would provide better stormwater filtration, reduce CO2 and increase O2.

5. Provides for a wide range of housing opportunities; This PUD offers (7) different housing types. The units range from 650 sf to 1500 sf. (20) units will be offered as "For Sale" housing and (22) of the units will be offered as "For Rent". (31) of the units (74% of Total) are offered as RO Deed Restricted to Local Workforce. This exceeds the current goals of the Community Plan and the pertinent Housing ordinance. (4) of the future "For Sale" units *(10% of Total)* will also meet or exceed the 200% AMI Price Cap Deed Restriction requirement.

6. Improves the overall design character and quality of new development; All aspects of Architecture, Design Details and Landscaping is controlled by the MIDTOWN VILLAGE team. Therefore, there will not be any aspects of design character or quality that will be left to any outside party and everything will be shown and discussed during the PUD approval process.

7. Permits the integration rather than separation of uses, so that necessary facilities are conveniently located in relation to each other; The proposed commercial building is situated at the entrance to the project and conveniently located on HWY24 to invite local traffic. The rental units are

situated on the far, south side of the existing commercial buildin[illegible] acts as a buffer between the single family home cluster to the North. Uses are deliberately "clustered" into areas that are unique and complimentary to each other.

8. Establishes land use patterns that promote and expand opportunities for public transportation and trails and for safe, efficient, compact street and utility networks that lower development and maintenance costs and conserve energy; There is an existing ECO Transit Bus Stop at the entrance to the project and a new covered shelter is proposed to be constructed by the developer as a community amenity. A new rustic pedestrian walking trail is also proposed to safely connect Martin Creek open space to HWY 24 sidewalk.

9. Preserves valued environmental, historic or mineral resource lands and avoids development in natural hazard areas; The site does not contain any historic or natural hazard areas. It is comprised mostly of noxious weeds and impervious surfaces. The addition of significant green vegetation, shrubs, trees etc. throughout the site preserves and enhances the natural environment.

10. Maintains and enhances surface and ground water quality and quantity; The addition of a system of curb and gutter along with the engineered stormwater plan ensures that the quality and quantity of surface and groundwater will be greatly improved from the existing condition. Employment of Drought Tolerant plants and Xeriscaped common areas also preserve and promote "waterwise" practices.

11. Provides applicants the opportunity to contribute to the Town's multi-use trail system; to provide and maintain access to public lands and rivers; As mentioned above, the rustic walking trail will connect residents and the community directly to Martin Creek open space and, in turn, direct access to the National Forest. The project is also only .2 miles from the Boneyard Open Space and access to the Eagle River.

12. Establishes incentives for applicants to encourage the provision of long-term affordable housing; This PUD proposes that (31) or 74% of the 42 units to be Deed Restricted to local workforce. This includes (4) of the "For Sale" units to be Price Capped at 200% of AMI or below. This exceeds any current zoning requirements and is an example of the developer's voluntary commitment to help offset the current housing shortage in the valley.

13. Is consistent with the purposes and goals of the Community Plan and these Land Use Regulations. Midtown Village realizes not only the current goals of the plan, but it also provides for future goals by offering

affordable housing opportunities while preserving the Commer
integrity of this Zone district.

SEC. 16-15-70. - GENERAL STANDARDS.

The following standards and requirements shall govern the acceptability of a PUD application:

1. **The PUD shall be consistent with the intent of the Community Plan and the policies therein, shall be compatible with the Character Area and with the surrounding land uses and shall not detrimentally affect adjacent or nearby properties.**

Midtown Village not only meets the intentions of the 2009 Master Community Plan for Minturn, but exceeds many of the goals described. The diverse housing types specifically address:
-Allow a variety of lot sizes *(small and large lot) as appropriate to specific*
-Green and Sustainable Practices *are also addressed through the large PV Solar array that is designed for the rooftop of the multifamily apartment building.*
-Green building guidelines that address energy and resource efficiency, indoor air quality and on-site energy generation *The best example of which is addressed through the Mechanical / Electrical engineering of the 16 Unit Apartment Building which results in a 100% energy offset. The building proposes 100% Electric powered appliances and heating/cooling systems, 100% LED fixtures for the interiors of the residential apartments as well as the common areas, hallways and exterior site lighting.*

-Enhance the Town's Status as a Walkable and Bikeable Community *The internal rustic walking trail provides the safe transit from US HWY 24 and the Martin Creek USFS public lands and trailhead. Also, the ECOBUS stop is adjacent to the site which provides a greater opportunity for the larger public community to safely access Martin Creek open space. This supports and promotes* ***the expansion of public transit service to outlying communities***
Promote redevelopment areas as mixed-use centers

-Promote Affordable Housing *Promote the development of housing opportunities for all income levels throughout all areas of town. Allow a variety of lot sizes (small and large lot) as appropriate to specific areas. Develop an affordable housing program, to include*

housing assistance for town employees, qualified town re and other eligible Eagle County employees.
-Implement streetscape improvements with pedestrian-scale site elements including sidewalks, paving, signage, lighting and site furnishings
-Encourage the development of flexible space in commercial areas
-Protect and Promote USFS lands as a Community Asset (NRS 2.1)
Maintain and improve access to public lands

2. The PUD shall provide for the appropriate treatment of the Eagle River corridor as a community recreational amenity and focal point.

The site is adjacent to a crosswalk that allows safe pedestrian passage to the river side of HWY24 and the ECOBUS stop.

3. The design and construction of the PUD shall include adequate, safe and convenient arrangements for pedestrian and vehicular circulation, off-street parking and loading space with access adequate to support the anticipated traffic, on- and off-site, including emergency and utility vehicles. Trails and sidewalks shall be provided to form a logical, safe and convenient system for pedestrian access to dwelling units and common areas, with appropriate connections off-site.

All onsite parking spaces are provided per existing town code for all proposed uses. No variations requested

4. The PUD shall be subject to such setbacks, lot widths and space between buildings as necessary to provide adequate access and fire protection, to ensure proper ventilation, sunlight, air and snow melt between buildings, and to ensure that the PUD is compatible with other developments in the area.

All buildings, building envelopes proposed are in compliance with current IBC, IRC and IFC codes. The 5' rear setback proposed for the 16 unit apartment building is a variation but that setback is adjacent to the USFS open space which has no buildings nor is it likely to ever have developed structures that would impact the variation.

5. The applicant shall demonstrate that the development proposed will be provided with adequate facilities for water supply (domestic and irrigation), sewage disposal, solid waste disposal, electrical supply and roads, and will be conveniently located in relation to schools, police, fire and emergency medical services or make payment in lieu of such facilities.

WATER

MIDTOWN VILLAGE anticipates that 100% of the domestic water will be supplied by the Town's system and 100% of the sanitary sewer service

would be provided by Eagle River Water and Sanitation Depart site will provide a new "looped" water main that will service all phases of the PUD. It is anticipated that the 1st Phase of the development can be fully supported by the number of "historic" SFE's that exist with the property (22.5). Future phases of the project, when additional water resources become available, will require that the developer purchase an additional 20+ water taps plus another commercial tap for the Fire Station / Commercial building (size TBD, but anticipated to be 3-6")

SEWER

A section of the sanitary sewer main is proposed to be upgraded and realigned into a new easement that meets Eagle River Water and Sanitation District current rules and regulations. The Midtown Village team has worked extensively with ERWSD staff engineers to collaborate on the civil design details related to the proposed sewer plans and has provided an Ability to Serve letter anticipating full buildout of all phases.

UTILITY INFRASTRUCTURE

100% of the overhead electric power lines (Xcel Energy) are proposed to be buried as part of a new underground distribution design which will dramatically improve the look of this property from its current and historic use. The developer has already removed many of the old overhead distribution poles that serviced the mobile home trailers that previously littered the property. A 1.25" Natural Gas Main already exists inside the property boundary and Xcel engineers have deemed that line to be sufficient to serve any future needs for the full buildout of all phases.

6. The PUD will be evaluated in terms of its proximity to commercial, recreational and educational facilities conveniently located to residential housing

Midtown Village is already in a historically "Mixed Use" zone with a diverse mix of residential homes, mobile homes and businesses coexisting side by side for many decades.

7. The PUD should provide a wide range of housing opportunities and other buildings that promote design continuity with the existing community and design continuity in type, size and layout of buildings.

Midtown Village provides a diverse array of housing types (Deed Restricted apartments, Micro-Homes, Cottages, Townhomes and

Commercial Buildings) As mentioned above, homes and have coexisted side-by-side for many decades in this part of town. Midtown Village is merely an extension of this historic use.

8. Maximum height of structures shall be established by the approved PUD plan

Midtown Village does not propose any variation from current town code related to building height. All proposed buildings, structures are 28' Maximum as specified in the Midtown Village PUD Guide

9. The PUD should provide storage for snow removed from the internal street network, from sidewalks and from off-street parking areas.

Streets, snow storage areas and proposed snow melt areas are provided to town standards and will be maintained by the Master Association.

10. Open space for the PUD shall be planned to produce maximum usefulness to the residents of the development for purposes of recreation and scenery and to produce a feeling of openness

Midtown Village is unique due to the fact that is shares it's southern property boundary with USFS Martin Creek open Space. The site also offers public community gathering spaces and opportunities for play areas with playground equipment.

11. The mass and scale of individual buildings and the overall density of the PUD shall be consistent in scale and character to avoid abrupt and/or severe differences

All of the proposed buildings are appropriate and similar to historical uses in this zone district.

12. Any increase in density proposed above that which is permitted in the underlying zone shall be mitigated by increasing the land dedications to open space and/or recreational amenities and subsequent impact on public facilities.

Per the 2030 Future Land Use Map (2009), the proposed density of Midtown Village at full buildout is defined as Medium Density Residential (MDR -10-20 Dwelling units per acre) This MDR designation seems to fit the historical uses of this property given the

fact that this Zone district was home to many trailer / mob per lot and shared driveways between 25' wide lots. The proposed densities are appropriate for this zone and should not be subject to further land dedications than are provided within the Preliminary PUD plans submitted.

13. Residential density and intensity of other uses shall be limited as required by the Town Council, upon consideration of the Community Plan, the Official Zone District Map and the Character Area and specific characteristics of the subject land.

Proposed density and intensity is in line with historical uses and appropriate with the Zone District and Character Area

14. Architecture and design fit in the PUD shall reflect the character of the Town.

Midtown Village's architectural style exhibited by the renovation of the 100 year old warehouse that will be completed in the spring of 2024 shows the commitment to preservation of the Town's historical, eclectic character and style. The design and materials proposed for the apartment building are provided and utilize natural materials native to Colorado and other historical structures found throughout the valley.

15. A PUD may include any uses permitted by right or as a conditional or special use in any other zone, except that any use that has been declared a nuisance by statute, ordinance or any court of competent jurisdiction shall not be permitted

Primary and Secondary uses are described within the Midtown Village PUD Guide. They describe the original intentions for each Tract.

16. A PUD may be applied to annexed land or other land not zoned by the Town without the requirement for underlying zoning

All parcels of the Midtown Village PUD have been annexed and are a part of the Town.

SEC. 16-15-140. - PRELIMINARY DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

1. ***A Community Plan and Development Guidelines that illustrates the proposed land uses, building locations and housing unit densities.***
   Refer to Civil Drawings by Midwestern Consulting and Midtown Village PUD Guide
2. ***An open space, park and recreation plan that identifies the areas of common open space, parks and recreation lands and describes any agreement proposed to preserve the open space, parks and recreation lands and how this will be implemented by deed or other agreement. This plan shall also describe the source of funds for long-term maintenance.***
   Refer to Open Space Plan as part of the Civil Drawings. Maintenance of all greenspaces, common areas will be maintained by the Master Association and in accordance with the Declarations and Covenants

3. ***A traffic study***
   Provided by McDowell Engineering attached

4. ***Proposed trails, sidewalks and traffic circulation patterns, including snow removal patterns and snow storage areas, and the proposed status of street ownership.***
   Refer to Civil Drawings by Midwestern Consulting

5. ***Proposed grading and drainage plans.***
   Refer to Civil Drawings by Midwestern Consulting

6. ***Detailed descriptions and commitments for the proposed source of legal and physical water supply and engineering plans for the proposed storage and distribution system for water supply (domestic and irrigation) and sewage disposal.***

Described above. Midtown Village has "historical use water, which = 22.5 SFE's Refer to Civil Drawings by Midwestern Consulting for distribution details related to water and sewer. Ability to Serve letter for ERWSD included.
See "Water Exhibit" included in Applicant Response to Holland & Hart letter dated 3/4/24

7. ***Economic data and supporting market analysis to justify any proposed commercial and industrial elements. While no commercial or industrial uses are proposed,***
   Refer to Fiscal Impact Study has been provided by Stan Bernstein and Associates

- *The positive financial impacts to the Town of Minturn are also significant. Future Development Parcels (Tracts C, D, E) will require purchasing an additional Commercial Water Tap and an additional 20 SFE Residential Taps when additional water resources become available.*
- *The Town will receive significant revenue streams from not only these Tap Fees, but also Cash In Lieu, Real Estate Transfer, Construction Use, Sales and Property Taxes.*
- *Impacts to the Town of Minturn Public Works department are anticipated to be minimal due to the fact that the roads and driveways within the development are private and maintained by the Master Association.*

8. ***Proposed development covenants, deed restrictions or other applicable codes.***
   Refer to Midtown Village Master Declarations and Covenants document provided and Midtown Village PUD Guide
9. ***An environment assessment or environmental impact report, unless waived by the Town Planner***
   Refer to EIR provided by Birch Ecology and letter form Devin Duvall related to Wildlife inpacts
10. ***An impact analysis that describes the impact of the proposed PUD upon the school district***
    Refer to letter from Sandra Farrell, COO Eagle County Schools
11. ***A fiscal impact analysis of the estimated demands for Town services and a statement of projected Town tax revenue based***

upon the historic Town tax levy and a schedule of proje revenue

Refer to Fiscal Impact Study has been provided by Stan Bernstein and Associates

12. ***Final site plans and architectural forms planned for the first phase of the proposed development***

100% Construction Drawings, including site plans, have been provided.

13. ***Detailed plans for fire protection and emergency medical services.***

Refer to Civil Drawings by Midwestern Consulting showing turning radii for Fire apparatus etc. Also refer to Ability to Serve letter from Mick Woodworth ERFPD and Eagle River Emergency Services

14. ***The PUD shall include a phasing plan that demonstrates that the PUD can be completed within a reasonable period of time, which shall be determined prior to final approval of the PUD.***

Refer to Civil Drawings by Midwestern Consulting and Midtown Village PUD Guide which describes and illustrates all proposed Phases and Future Development Parcels on Tracts A-E

15. ***If development is proposed to occur in phases, then financial guarantees shall be proposed to ensure that project improvements and amenities are constructed as presented and approved***

Acknowledged

CHARACTER AREA AND ZONE DISTRICT MAP AMENDMENT

Character Area and Zone District Map amendment. The preliminary plan application shall be accompanied by an application for an amendment to the Character Area zoning map.

1. ***Subdivision. Where the PUD proposes activities that constitute a subdivision, the application for a preliminary plan for PUD shall also be required to meet the requirements of Chapter 17 of this Code regarding procedures for preliminary plat for subdivision.***
   - *Midtown Village acknowledges above*

2. ***Phasing. The preliminary plan for PUD shall include a phasing plan for the development. If development of the PUD is proposed to occur in phases, then guarantees shall be provided for public improvements and amenities that are necessary and desirable for residents of the project, or that are***

of benefit to the entire Town. Such public improvem
be constructed with the first phase of the project or, if this is not possible, then as early in the project as is reasonable.

- *Midtown Village acknowledges above and Phase Plan is included*

STANDARDS

Common recreation and open space. The PUD shall comply with the following common recreation and open space standards:

1. Minimum area. It is recommended that a minimum of twenty-five percent (25%) of the total PUD area shall be devoted to open air recreation or other usable open space, public or quasi-public. *As described above, due to the unique circumstances of the property and proximity to the Martin Creek USFS open space and the county-wide affordable housing needs, the property proposes less than the recommended percentage of public space dedication in lieu of more deed restricted/affordable housing options.*

2. ***Improvements required. All common open space and recreational facilities shall be shown on the preliminary plan for PUD and shall be constructed and fully improved according to the development schedule established for each development phase of the PUD*** *Refer to Civil Drawings provided by Midwestern Consulting Specifically - Phase and Open Space Plans*

3. ***Continuing use and maintenance. All privately owned common open space shall continue to conform to its intended use, as specified on the preliminary plan for PUD. To ensure that all the common open space identified in the PUD will be used as common open space, restrictions and/or covenants shall be placed in each deed to ensure their maintenance and to prohibit the division of any common open space***
Midtown Village acknowledges above

4. ***Organization. If common open space is proposed to be maintained through an association or nonprofit corporation, such organization shall manage all common open space and recreational and cultural facilities that are not dedicated to the public, shall provide for the maintenance, administration and operation of such land and any other land within the PUD not publicly owned and shall secure adequate liability insurance on the land. The association or nonprofit corporation shall be established prior to the sale of any lots or units within the PUD.***

Membership in the association or nonprofit corporatio mandatory for all landowners within the PUD
Acknowledged - Refer to Midtown Village Declarations and Covenants

VARIATIONS

Variations authorized. The Town Council shall be authorized to grant the following variations as part of its approval of the preliminary plan for PUD. Each variation that is granted shall be shown on the PUD Guide *Acknowledged*

1. ***Density and intensity***
   The density of residential and intensity of commercial development may be varied. *Midtown Village proposes a slight increase of density at full buildout from approximately 12 residential units/acre to approximately 15 residential units per acre. This is primarily a function of the multi-family deed restricted apartment building that drives the extra 3 units per acre.*

2. ***Dimensional limitations***
   The minimum lot area, minimum lot area per use, maximum building lot coverage, maximum floor area, minimum yard setbacks and maximum height may be varied. Midtown Village proposes a variation to a 5' Rear Setback on Tract A behind the apartment building. This variation is necessary to allow for safer traffic patterns inside the parking garage. It is also the opinion of the developer that the perceived visual of the variation will not be apparent due to shared property line and the USFS open space immediately behind the building.

3. ***Open Space***
   As described above, the project proposes less open space than the recommended 25% in lieu of increased density to provide more deed restricted housing solutions to local residents who live and work in the county. This has been an expressed goal of the Mayor, the Town Council and Community Plan.

4. ***Water SFE Allocation versus Actual Usage***
   SEE MIDTOWN VILLAGE – WATER EXHIBIT – 3/11/24 attached on pages 26-30

Basis for granting variations. These variations may be granted when the Town Council finds that the preliminary plan for PUD achieves one (1) or more of the following purposes and that the granting of the variation is necessary for that purpose to be achieved

Standards used in the designation of the land use categories on the Character Area Zoning Map, found in Chapter 16, Article III of the Community Plan, "Criteria Used in the Land Designation Process," shall also be considered when determining the maximum density and allowed uses of the PUD.

1. ***Obtain desired design qualities. A variation may be allowed that permits the integration of mixed uses or allows for greater variety in the type, design and layout of buildings. Structures shall be designed to be compatible, in terms of height, mass, scale, orientation and configuration, with other units in the PUD and the surrounding area, yet shall avoid uniformity of design. Residential and nonresidential uses may be mixed together. Various types of residential uses may also be combined within the PUD to promote more efficient land use patterns and increased open space.***
   The code specifically provides for this kind of interpretation when it comes to allowing certain variations that result in positive and predictable outcomes.
2. ***The Town Council may require minimum yard setbacks, lot widths and space between buildings of such dimensions as they are determined to be necessary to provide adequate access, wildfire prevention and fire protection; to ensure proper ventilation, light, air and snowmelt between buildings; and to minimize the effects of transmission of noise between units and between buildings. As a general guide, twenty (20) feet between buildings shall be considered the minimum appropriate spacing.***
   The civil drawings have been reviewed by town engineers and have been deemed to be safe and meeting existing codes.
3. ***Avoid environmental resources and natural hazards. A variation may be allowed that provides necessary site planning flexibility to enable the development to avoid valued environmental resource and natural hazard lands, as these have been identified in Article 20 of this Chapter.***
   Does not apply

4. ***This shall be accomplished in such a way as to maintain these lands as large, contiguous areas. Such lands shall not be fragmented into small, unconnected areas by development, unless the applicant demonstrates that this arrangement is necessary to maintain the underlying density on the property, and the lands providing environmental resource values have been protected and lands subject to natural hazards have been avoided. Where applicable, connections of such lands on the site to such lands on adjacent properties shall be accomplished***.
   Midtown Village is the result of combining multiple properties into (1) contiguous PUD and the (5) Tracts are in conformance with this provision of the code
5. ***Water augmentation. A variation may be allowed that creates incentives for applicants to commit to a water augmentation plan for their development that makes available "wet" water into the Cross Creek or Upper Eagle River Basin***.
   Due to constraints of current Water Moratorium, this does not apply
6. ***Trails. A variation may be allowed that provides incentives for applicants to make contributions to the County's and Town's multi-use trail system, in accordance with the recommendations of the latest version of the Town Trails Plan and the County Trails Plan, or to provide appropriate forms of access to public lands (including summer and winter parking areas and trailheads) and to river and creek drainages in and surrounding the Town. Proposed access shall be consistent with public land management objectives and resource protection needs for the areas to be accessed***.
   Midtown Village provides an additional trail resource for public use connecting HWY24 Sidewalk to Martin Creek
7. ***Affordable housing. A variation may be allowed that extends an incentive to applicants to provide long-term affordable housing***.
   Midtown Village provides for 74%% deed restricted, resident occupied housing opportunities. Midtown Village also complies with the Town of Minturn Ordinance No.7 -Series 2020 commonly known as the Housing Ordinance.

8. ***Public facilities. A variation may be allowed that provides incentives for applicants to develop public facilities, including but not limited to public transportation facilities, public recreation facilities and similar facilities. The facilities may be located on or***

off of the PUD site and shall be facilities that meet the c… not only of project residents, but also of other residents of and visitors to the Town

Midtown Village proposes to provide a covered ECOBUS Shelter for the adjacent bus stop that would require to be built closer to HWY24 for obvious reasons. This variation would allow the shelter to sit on the front property line of Tract D within the front setback. Maintenance of the shelter would be the responsibility of the Master Association.

SEC. 16-15-160. - PUD/PRELIMINARY DEVELOPMENT PLAN REVIEW CRITERIA:

1. ***The resulting development will be consistent with the Community Plan and the proposed PUD reflects the character of the Town***

   The intention of the developer is for Midtown Village to be a direct reflection of the diverse character of the Town. Many different types of housing units and business coexisting side by side. The project also promotes equity in terms of affordable options for many different demographics of the community.

2. ***The area around the development can be planned to be in substantial harmony with the proposed PUD.***

   Midtown Village reflects the same character as the historic uses and provides a substantial investment into the future of this zone district in terms of continuing commercial and residential uses.

3. ***The adjacent and nearby neighborhoods will not be detrimentally affected by the proposed PUD.***

   The proposed uses of Midtown Village do not present any significant impact from current and historic uses of the property. Furthermore, the phased development of this project will minimize the impact of day to day construction processes and spread them out over a longer period of time.

4. ***The mass and scale of individual buildings and the overall density of the PUD shall be consistent in scale and character to avoid abrupt and/or severe differences with the surrounding area.***

   The larger buildings proposed are consistent with other areas of this zone district. The Micro Homes proposed are more similar to the scale of older residential units

that existed in this zone district in previous de
They are not only a nod to the past but also an example of affordable and sustainable practice for future generations to be able to enjoy entry level homeownership in Minturn. The requested density is also consistent with other surrounding areas in town that have been redeveloped in recent years.

5. ***The PUD can be completed within a reasonable period of time, which shall be determined prior to final approval of the PUD.***

   APPLICANT RESPONSE: This project is slated to be completed in three (3) phases, post entitlement processing. Due to the excavation that is needed, it is anticipated that the multi-family buildings at the rear of the development will be first as they have underground parking. This phase will also use the existing water taps we have already. Phase 2 will be more random depending on sales of lots/units and the availability of additional water taps. The final phase will include the completion of landscaping and open space amenities.

6. ***The PUD provides for the appropriate treatment of the Eagle River corridor as a community recreational amenity and focal point.***

   APPLICANT RESPONSE: We are so fortunate to have a project located in proximity to the river. While we are not proposing any major recreational aspects, we are excited to have a project that incorporates increased access to adjacent open space well as equipment and amenities for young children and adults alike.

7. ***The residents of the PUD have easy access to recreational amenities.***

   Addressed in previous comments

8. ***Any increase in density proposed above what is permitted in the underlying zone shall be mitigated by increasing the land dedications to open space, recreational amenities or other public facilities and services.***

   Addressed in previous comments

9. ***Any proposed commercial or industrial development can be justified.***

   The investment into the rehabilitation of the existing commercial building is significant and will guarantee that future commercial uses will continue in this zone

district, which has been expressed as a goal and 2022 Community Plans and the current Town Council / Mayor. The inclusion of an additional commercial building / future ERFPD Fire Station also satisfies this provision of the code.

10. The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area.

Per the attached Traffic Study, there are no turn lanes or changes to HWY24 that are required. The impact to the streets outside the planned area are proposed to be of minimal impact.

11. Proposed utility and drainage facilities are adequate for the population densities and type of development proposed.

All utilities, grading plans and drainage facilities have been designed by licensed professional engineers and reviewed by Town Engineering staff to ensure that they meet or exceed town standards. See referral comments by Jeff Spanel, Intermountain Engineering

12. Residential density and intensity of other uses shall be limited as required by the Town Council, upon consideration of the Community Plan, the Official Zone District Map and the specific characteristics of the subject land.

APPLICANT RESPONSE: Please see previous comments.

13. A favorable finding is made on the environmental assessment or environmental impact report.

Phase 1, Phase 2 Studies have been included as well as Environmental Impact Study (Birch Ecology) No significant impacts were identified.

14. The preliminary plan for PUD shall comply with the following open space and recreation standards:

(1) A minimum of twenty-five percent (25%) of the gross land area shall be reserved for common recreation and usable open space. Parking areas, street rightsof-way and minimum yard setbacks shall not be counted when determining usable open space. Water bodies, lands within critical wildlife habitat, riparian ecosystems and one-hundred-year

floodplains that are preserved as open sp… count towards this minimum standard, even when they are not usable by or accessible to the residents of the PUD.

While this project is not proposing to dedicate the "recommended" 25% of open space, the developer believes that the tradeoff for the affordable housing component outweighs the public use of the square footage. The immediate proximity of the site to the USFS Martin Creek open space and the current economic cycles also impacted the decision to offer less than recommended open space dedications.

(2) *All common open space and recreational facilities shall be shown on the preliminary plan for PUD and shall be constructed and fully improved according to the development schedule established for each development phase.*

Acknowledged. Refer to Open Space Plan included in Civil Engineered Drawings

(3) *All privately owned common open space shall continue to conform to its intended use, as approved in the preliminary plan. To ensure that all the common open space identified in the preliminary plan will be used as common open space, restrictions and/or covenants shall be placed in each deed to ensure their maintenance and to prohibit the division of any common open space.*

Open Space / Easements etc. will be included on Final Plat and governed according to the Midtown Village PUD Guide, Subdivision Improvement and Master Declarations and Covenants documents.

ZONING/MAP AMENDMENT SEC. 16-21-450

STANDARDS

The wisdom of amending the text of these Land Use Regulations, the Character Area Zoning Map or any other map incorporated in these Land Use Regulations is a matter committed to the legislative discretion of the Town Council and is not controlled by any one (1) factor. In determining whether to adopt, adopt with modifications or disapprove the proposed amendment, the Town Council shall consider the following:

1. ***Consistency with Master Plan. Whether and the extent to which the proposed amendment is consistent with the purposes, goals, policies and Character Area Zoning Map of the Master Plan;***
   As stated previously, The Midtown Village PUD is consistent with and meets many of the intended goals
2. ***Compatible with surrounding uses. Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate Character Area and zone district for the land, considering its consistency with the purpose and standards of the proposed zone district;***
   Addressed above

3. ***Changed conditions. Whether and the extent to which there are changed conditions that require an amendment to modify the use, density or intensity.***
   Midtown Village does not propose any amendment to modify the historic use of the subject property. As stated above, the proposed increase to density has been discussed and identified by the Planning and Zoning Board and Town Council as a necessary derivative of affordable housing solutions.?

4. ***Effect on natural environment. Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, stormwater management, wildlife habitat, vegetation and wetlands.***
   Refer to Environmental Impact Study and letter from US Fish and Wildlife which did not identify any significant impacts.

5. ***Community need. Whether and the extent to which the proposed amendment addresses a demonstrated community need.***

   The fact that Midtown Village proposes over 50% Deed restricted housing as well a truly affordable entry to homeownership is a clear example of providing a solution to a community need.

6. ***Development patterns. Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern and not constitute spot zoning, and whether the resulting development can logically be provided with necessary public facilities and services.***

   APPLICANT RESPONSE: This project is located in an area suitable for development, in an already developed, residential area. We are simply requesting a (residential) PUD zoning overlay, and this will not cause spot zoning as the underlying properties are already zoned residential and were previously built using medium density. Public services have already been utilized at this location; this is a redevelopment project.

7. ***Public interest. Whether and the extent to which the area to which the proposed amendment would apply has changed or is changing to such a degree that it is in the public interest to encourage a new use or density in the area***

   This zone district has been identified as important to continue to be a mixed use area. Significant investment by other local business and property owners continue to support this community goal.. (Yoga Barn, SteamMaster, Lucero's gas station redevelopment)

MIDTOWN VILLAGE - WATER EXHIBIT - 3/11/24 - Variati

Considering the Town Council's recent vote to approve Resolution NO. 32 – Series 2023, which allowed the Belden Place PUD to make a new distinction between "allocation versus actual usage", Midtown Village is requesting a variance related to the allocation of the 22.5 SFEs that are available for the first and second phases of this project. Moratoriums are typically emergency measures that do not persist for multiple years. This Moratorium has been in place for 4 years with no solutions in sight for residents, investors, or developers. Some Council members, including the Mayor, have recently shown interest in doing a deeper dive into how Minturn defines and allocates SFEs. The PUD Overlay Zoning provision of the Minturn Municipal Code allows for the Town to consider variations to the existing code. This allows the Town and the applicant to work together to consider and create unique sets of rules and regulations specific to the development while maintaining the harmony and characteristics of the given neighborhood zone district. This variation is proposed with the realistic goal of creating more homes for permanent Minturn residents by allocating their (historic use +3) of 22.5 SFEs in a more responsible, equitable and sustainable manner than the existing code allows.

The tables below are based upon Minturn's definition that 1 SFE serves up to 3,000 square feet of indoor use and 2000 square feet of outdoor, irrigated use. The tables illustrate proposed maximum Indoor and Outdoor uses and the resulting number of SFE's proposed as part of the variation.

TRACT A – 21,910 SF - (16) Unit Apartment Building

Existing Code would require **16** SFE **- VARIANCE = 8 SFE (net 8 SFE)**

UNIT #	INDOOR	OUTDOOR	MAXIMUM	UNUSED	PROPOSED SFE
1	1272	0	5000	3728	.5
2	1272	0	5000	3728	.5
3	1272	0	5000	3728	.5
4	1272	0	5000	3728	.5
5	1420	0	5000	3580	.5
6	1420	0	5000	3580	.5
7	1420	0	5000	3580	.5
8	1420	0	5000	3580	.5
9	1420	0	5000	3580	.5
10	1420	0	5000	3580	.5
11	1420	0	5000	3580	.5
12	1420	0	5000	3580	.5
13	1420	0	5000	3580	.5
14	1420	0	5000	3580	.5
15	1420	0	5000	3580	.5
16	850	0	5000	4150	.5
TOTALS	**21,558**	**0**	**80,000**	**58,442**	**8**

The Proposed **Indoor** use is **21,558** - **45%** of the total allowable under current code.
The Maximum allowable **Outdoor** square footage would be **32,000 sf**.
The Proposed **Outdoor** square footage and use is **0**.

The **net** result of this sustainable design is that the entire 16 unit building will use **73% less** water than 16 SFE's would normally provide for. The developer proposes a Variance to allocate 8 SFE's to TRACT A instead of the full 16 SFEs that the code would normally require.

TRACT B – 28,527 SF – WAREHOUSE / (3) APTS and (2) Cottage Lots

Existing Code would require **6.5** SFE **- VARIANCE = 4.5 SFE - (net 2 SFE)**

UNIT #	INDOOR	OUTDOOR	MAXIMUM	UNUSED	PROPOSED SFE
APARTMENT A	1459	0	5,000	3,541	.5
APARTMENT B	1232	0	5,000	3,768	.5
APARTMENT C	916	0	5,000	4,084	.5
WAREHOUSE	3000	0	7,500	7,425	1
COTTAGE 1	3,000	2000	5,000	0	1
COTTAGE 2	3,000	2000	5,000	0	1
TOTALS	**12,607**	**4,000**	**32,500**	**15,893**	**4.5**

The Proposed **Indoor** use is **12,607 sf** - **65%** of the total allowable under current code. The Maximum allowable **Outdoor** square footage would be **13,000 sf**. The Proposed **Outdoor** use is **4,000 sf - 31%** of the total allowable under current code

The **net** result of this sustainable design is that the entire Tract B, at full build-out, will use **49%** less water than 6.5 SFE's would normally provide for. The developer proposes a Variance to allocate **4.5 SFE's** to **TRACT B** instead of the 6.5 SFEs that the code would normally require.

28

TRACT C – 21,501 SF – (8) MICRO HOMES @ 650 SF EACH

Existing Code would require 8 SFE - VARIANCE = 4 SFE

UNIT #	INDOOR	OUTDOOR	MAXIMUM	UNUSED	PROPOSED SFE
1	750	0	5,000	4,350	.5
2	750	0	5,000	4,350	.5
3	750	0	5,000	4,350	.5
4	750	0	5,000	4,350	.5
5	750	0	5,000	4,350	.5
6	750	0	5,000	4,350	.5
7	750	0	5,000	4,350	.5
8	750	0	5,000	4,350	.5
TOTALS	**6.000**	**0**	**40,000**	**34,000**	**4**

The Proposed **Indoor** use is **6,000 sf** - **25%** of the total allowable under current code. The Maximum allowable **Outdoor** square footage would be **16,000 sf**. The Proposed **Outdoor** square footage and use is **0**.

The **net** result of this sustainable design is that the entire Tract C, at full build-out, will use less than **85%** less water than 8 SFE's would normally provide for. The developer proposes a Variance to allocate **4 SFE's** to **TRACT C** instead of the 8 SFEs that the code would normally require.

HOW AND WHY DOES THE DEVELOPER PROPOSE TO HAVE ZERO O USE?

HOW –100% drought tolerant plantings, Xeriscape rock gardens and native grasses that can withstand natural rain/snowfall. Passive rain/snow collectors from roof drains will allow for gravity drip watering to planting areas when mother nature provides. Common "greenspace" areas that would traditionally be natural sod requiring irrigation systems would be replaced with small areas of artificial turf that require zero water. All the Open Space areas outside of the architected landscape areas would be left to return to native grasses subject to natural moisture conditions.

WHY – Midtown Village is unique regarding the actual water used versus what will be allocated to it, especially considering outdoor use/irrigation. Under Minturn's Town Code, 1 SFE allows for 2,000 square feet of outdoor irrigation. That means Minturn Village's 22.5 SFEs can be used to irrigate 45,000 square feet of outdoor space.

However, because Phase 1 and Phase 2 of the Midtown Village Preliminary PUD was designed in such a sustainable manner, the maximum outdoor irrigation potential it has available to it is only 4,000 square feet. Therefore, Midtown Village has 41,000 square feet of outdoor irrigation water allocated to it, which it will never use. The practical result is that 41,000 square feet of outdoor water use stays in Minturn's system and Midtown Village never touches it.

MIDTOWN VILLAGE

PUD GUIDE

Revision date - JULY 30, 2024



MIDTOWN VILLAGE PUD GUIDE

I. TITLE AND OWNERSHIP

This PUD shall be known as the Midtown Village PUD.

Owner is Midtown Lofts, LLC

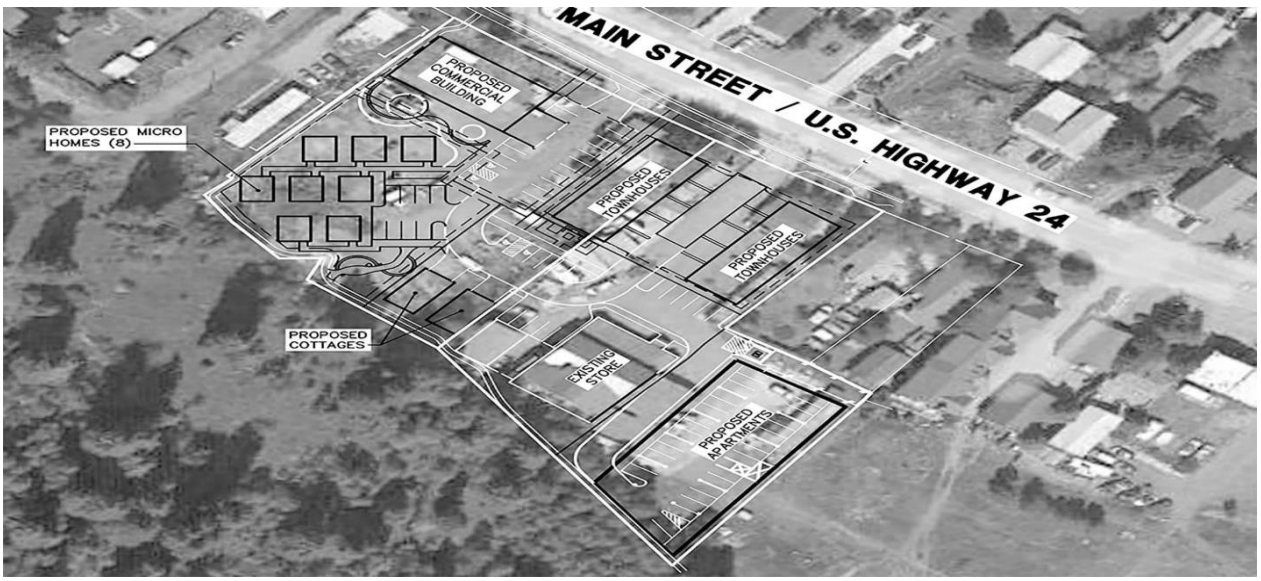
II. INTENTION

The intent of the Midtown Village PUD Guide is to provide the framework for a phased development of a new residential neighborhood with a diverse mix of affordable housing types spread across (5) separate Development Parcels (Tracts A-E) as well as civic and commercial uses.

III. GENERAL INFORMATION

Midtown Village PUD is a re-development, not green field development and aims to compliment the other residential properties and businesses in the South Town Commercial Zone by investing in more commercial space while maintaining a diverse and affordable residential component.
The PUD contains 110,207 Square Feet / (2.53 AC) acres of land situated south of downtown off Hwy 24 in the 900 Block of Minturn, Colorado.

The existing conditions of the site include a fully occupied 11,000 sf commercial building with 3 apartments above, 4 single family homes, 2 mobile homes, 1 light industrial garage/shop and a large portion of vacant land that housed 9 mobile homes (removed in 2019).



III. DEFINITIONS

Accessory Use - a use of land, or of a building or portion thereof, customarily incidental to and subordinate to the principal use of the land or building and located on the same lot with the principal use.

Association – the body of appointed members that govern the entire Midtown Village community either in the form of the Midtown Village Master Owners Association or sub-classes of membership based on ownership, square footage or by vote.

Building Envelope – the area within the specified Building Setback wherein the entire structure of the building must not encroach beyond.

Building Height – Midtown Village uses the same criteria as the Minturn Municipal Code

Building Lot Coverage – the percentage of square footage that the structure covers relative to the total Tract square footage. *(IE. A 100 sf home on a 1000 sf lot = 10% Building Lot Coverage)*

Building Setbacks – the measurement (in lineal feet) from a front, side or rear property line that establishes a Building Envelope

Common Area / Greenspace - public spaces, trails and amenities that are owned and maintained by the Association

Grade (Finished) – the final elevation of the ground surface of a site after human-made alterations, such as grading, grubbing, cutting, filling, or excavating, have been made on the ground surface; the grade of a site after reconfiguring grades according to an approved site plan.

Grade, (Natural) – the elevation of the surface of the ground which has been created through the action of natural forces and has not resulted from humanmade cuts, fills, excavation grading or similar earthmoving processes, or, the ground surface elevation in existence prior to the initiation of development on a parcel of land.

Impervious Surface - any material that prevents absorption of water into the ground. The area of the lot covered by the following shall be considered as impervious surface in all Tracts:

a. The principal building, excluding roof overhangs.
b. Porches, stairways, decks, elevated walkways, paved areas or areas otherwise covered with materials impervious to water.
c. Parking areas, sidewalks and driveways regardless of surface materials.

Parking Space – spaces designated either inside garages, in driveways or surface parking spaces painted and delineated by signage for specific buildings, units, homes, apartments or ADA

Permitted Use - the original intention of the Midtown Village Developer for the type of unit / building to be constructed on the specific Tract of land as it is described within this inaugural edition of the Midtown Village PUD Guide

Pervious Surface - any material that allows for the absorption of water into the ground.

Primary Use - the description of the intended use of a specific Tract for either commercial or residential

Prohibited Uses – uses of the property that are not allowed by the Association or by the Town of Minturn Municipal Code

IV. PUD PHASING

Due to water availability and Town of Minturn water system capacity, the Midtown Village PUD has been divided into (5) Development Parcels and includes Right-of-Way (ROW) / Public Open Space Parcels, as identified on Sheets 11 and 12 (Tract Plans) and Sheet 8 (Open Space Plan) of the civil drawings provided by Midwestern Consulting (Exhibit A).

The intent of the Midtown Village PUD (*shown on site plan and overlay below*) is to provide a phased development over a 3–5-year period with ultimate buildout of the 5 Tracts of land to consist of the following: **SEE Exhibit below**



PHASE 1 (**Tracts A & B**) – Phase 1 will include the development of a 2.5 story apartment building with garden level parking garage, the renovation and continued use of existing commercial warehouse and 3 existing apartment units located above the existing commercial warehouse; and 2 zero-lot line, single family cottages (1,500 sf+ Single Family Homes market value for sale) The 16 apartment units will include Resident Occupied ("RO") deed restrictions in accordance with the Town of Minturn Housing Guidelines.

Tract A is 0.5030 ACRES and consists of the 16 Unit apartment building with ingress/egress driveway to the grade level parking garage and direct access to the Martin Creek US Forest Service open space.

Tract B is 0.6549 ACRES and consists of the existing commercial warehouse with three (3) existing residential apartments above and the proposed two (2) zero-lot line, single family cottage homesites.

PHASE 2 (**Tract C** – 0.4936 ACRES) – Phase 2 is a "*Future Development Parcel*" which, when more SFE's / water capacity becomes available, will include the development of eight (8) RO Deed Restricted, zero-lot line Microhomes (Minimum 650 sf Single Family Homes for sale

PHASE 3 (**Tract D** – 0.4855 ACRES and **Tract E** – 0.3918 ACRES)

Both Tracts D and E are "*Future Development Parcels*" on Main Street which, when more SFE's / water capacity becomes available will include the development of two (2) five-plex style buildings containing ten (10) Townhomes (2,000 sf Townhomes market value for sale); and development of a new commercial building on Tract E with two possible scenarios:

Scenario #1 includes commercial uses on the first floor and second floor residential with up to 3 units of deed restricted units.

Scenario #2 includes a new Fire Station for the Eagle River Fire Protection District with up to 3 units of residential living quarters above for firefighters.

V. OPEN SPACE PLAN – Phase 1 of the PUD provides over 9,311 Square Feet of open space (Listed as Open Space Area C, D and E on Page 8 of the Civil Plans. The remaining Future Development Parcels in Phase 2 and 3 also include an additional 10,000 Square Feet of plaza, xeriscape passive open space and a rustic connector trail providing connectivity from Hwy 24 to United States Forest Service / Martin Creek open space. Amenities of these public spaces include barbeque grills, picnic tables, public garden spaces, playground equipment and a sound garden. Possible temporary public uses of vacant land on Tracts C, D and E include community garden and pump track for kids BMX.

Additional Tracts *(TBD)* Possible Tracts dedicated to public Rights of Way, Easements, Parking areas and Open Space for Public and/or Private uses may be added to and amended to Final Plat.

VI. PUBLIC BENEFITS OF THE PUD OVERLAY ZONING PROVISION

The PUD allows for property within the town of Minturn to be redeveloped consistent with the goals of the Community Plan as well as the existing mixed-use neighborhood. It also allows for the increased density that is necessary to include deed restricted local housing alternatives.

VII. HOUSING PLAN

The PUD, at full build-out, proposes to provide (31 of 42 Units) 74% of the total Units as Resident Occupied ("RO") Deed Restricted. (4) of the For Sale units also meet or exceed the required 200% AMI Price Cap Deed Restriction.

The intended breakdown of deed restricted housing units per Phase is as follows:

PHASE 1 (TRACTS A & B) – 90% of proposed units are to be RO Deed Restricted – 19 of the 21 Total Units

2 Cottages – For Sale Units

PHASE 2 (TRACT C) – 8 RO Deed Restricted Single Family Microhomes

PHASE 3 (TRACTS D & E) – (4) Units to be Price Capped @ 200% AMI or less

Tract D proposes (2) 5 unit buildings consisting of 10 units of For Sale Townhomes

Tract E proposes two (2) scenarios: one is commercial use on the first floor with 3 residential units above. The other scenario is the new Fire Station with living quarters for firefighters to live during their shifts.

Resident Occupancy restrictions may apply to rental or for sale housing and apply to sixteen (16) apartment units in Phase 1 of the PUD, three (3) units above the commercial building and eight (8) microhomes in Phase 2. Any designated Resident Occupied unit, if sold to a non- qualifying occupant, will require the collection of a 2% transfer fee payable to Town of Minturn (*to be used as a source for local workforce housing*) or the Eagle County Housing and Development Authority for each and every ownership transfer to a non-qualifying occupant. No RO unit shall be available for short term rental which is defined as a rental for less than a 30- day period.

RESIDENT OCCUPANCY HOUSING GUIDELINES:

Rental or for sale units where households where at least one member of the household meets at least one of the following criteria: Has earned a living primarily in Eagle County by having worked an average of at least thirty (30) hours per week on an annual basis at a business with an office or job site physically located in Eagle County (multiple jobs in Eagle County may be combined to reach 30 hours per week); or Has been hired for a job in Eagle County on a permanent basis to work at least thirty (30) hours per week; or Employees that make their home in Eagle County but work for employers that are located outside of Eagle County (i.e. telecommuters) may be considered eligible if all other eligibility requirements are met and the Household can prove Eagle County residency for at least 1 year before application submission; or Is over the age of sixty (60) and had earned a living primarily in Eagle County prior to his or her retirement; or Is a disabled person who had been a full-time employee in Eagle County for a minimum of two years immediately prior to his or her disability or has been granted an exception to the minimum of 30 hours per week in order to continue with a federal or state benefit program, if the person works the maximum number of hours per week the disabled person will have met the intent of the programs criteria; or The household cumulatively earns at least 75% of the Household' s Gross Household Income in Eagle County.

The applicant will agree to and sign a Resident Occupied deed restriction acceptable to the Town of Minturn for the sixteen (19) apartment units in Phase 1, eight (8) units in Phase 2 and three (3) units above the fire station / commercial in Phase 3 prior to approval of final plat and will record the deed restriction prior to issuance of the first temporary certificate of occupancy for any structure on site.

VIII. DEVELOPMENT STANDARDS:

The following development standards apply to the entirety or perimeter of the Midtown Village PUD and aim to conform to the Community Comprehensive Plan. The development standards for each of the 5 Tracts (A - E) are described below and are included to prescribe the intentions for the entire Midtown Village community. These standards shall be used for the Future Development Parcels when more water is available to allow the next phases of the PUD to be implemented.

BUIDLING ENVELOPES AND SETBACKS

Setbacks for all parcels are measured the same way: from exterior wall of building to property line. See diagram below for example:

- Building envelopes shall be created via ILC and platted with the Final Plat in accordance with the setback requirements referenced in the table diagram below.

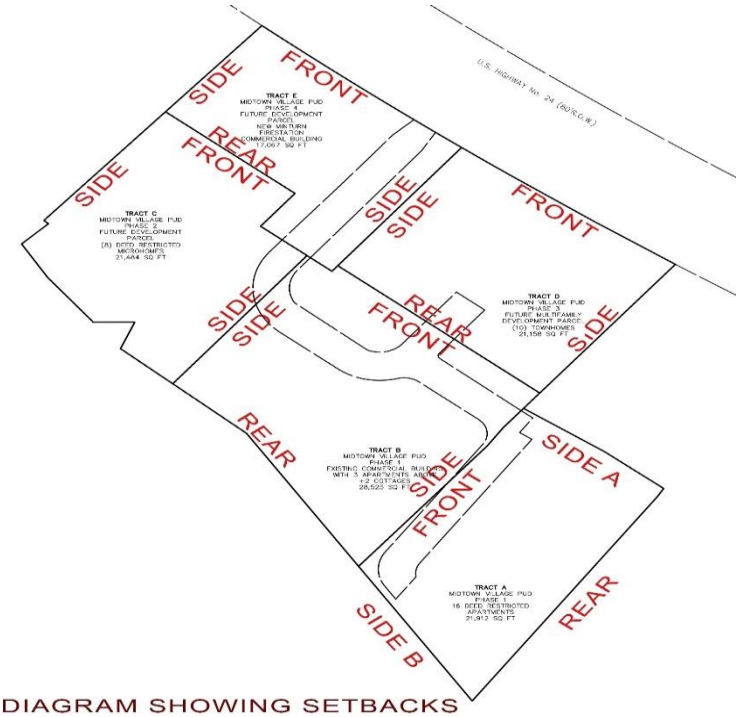


DIAGRAM SHOWING SETBACKS

i. Side A Setback: 25 ft. includes ERWSD Sewer easement

ii. Side B Setback: 5 ft.

iii. Rear Setback: 5 ft.

iv. Front Setback: 25 ft.

NOTE: Upon construction of parking garage foundation on Tract A apartment building, an ILC will be performed and provided to the Town. An amendment to the Plat will be required to establish "building envelope" and to convey title to the apartment building. All structures other than permissible encroachments (of things like: at grade decks and patios, up to 18" overhangs, sidewalks) are to be contained or maintained within the platted building envelopes.

v. Additional Building Envelope Standards: Building envelopes for all tracts will follow setback guidelines for each Tract included herein. Roof overhangs may extend beyond the building envelope up to 18 inches. Driveways, retaining walls, landscaping, landscape berms, walkways, sidewalks, paths may occur outside of building envelopes provided that a minimum of 5 feet is clear of impediments to allow for proper access, drainage, and snow storage around structures.

A. TRACT A: MINIMUM LOT SIZE OF 20,000 SF PARCEL

Sixteen (16) multi-family apartment dwelling units

1. **Description**: Apartment Building above grade level parking garage, Rooftop Solar Array
2. **Permitted Uses**: (16) Resident Occupied deed restricted rental apartments

2a. **Prohibited Uses**: Short Term Rental

3. **Primary Uses**: Residential
4. **Accessory Uses**
   a. Home Occupation
   b. Access, public driveway ingress/egress and parking areas for use by the tenants within the building
   c. Roof- mounted solar panels

TRACT A DESIGN GUIDELINES

a. Maximum Building Height: 28 ft.

b. Building lot coverage shall not exceed 80% of lot. Proposed lot coverage for apartment building = 63%

c. Total impervious area shall not exceed 90% of lot. Proposed impervious coverage = 19%

d. Open Space / Common Area – 18%

e. Building Envelopes and Setbacks:

(See Above: Diagram Showing Setbacks on Page 9)

Rear Setbacks: 5 ft (*variation*)

Front Setback: 20 ft

Side Setback: 5 ft

NOTE: The 5' Rear Setback shown on the diagram above is a variation from existing commercial code. This variation is necessary to accommodate the additional depth needed for the parking garage and adequate spacing for safest traffic patterns.

f. Parking: 31 spaces of structured parking 2 spaces / Dwelling Unit provided. Guest spaces provided at 1 space per on Tracts B and E (Future Development)

g. Trash / Dumpster Area: Tenants will place trash in provided bear-resistant dumpster enclosure. Fenced / Locked dumpster area. Maintenance of these amenities will be managed by the Midtown Lofts Owners Association.

h. Nature Trail: A rustic single-track, rustic dirt trail is proposed to run from Hwy 24 Right of Way along the West property line of Tract E and Tract C and connects with Tract B and ultimately to Tract A and the USFS Martin Creek Open Space.

B. TRACT B: MINIMUM LOT SIZE OF 27,000 SF PARCEL

1. **Description**: Existing Commercial Warehouse with 3 Apartments above and (2) single family cottage homesites

2. **Permitted Uses**: Commercial, light industrial, warehouse, non-hazardous materials storage, office, professional activities, professional offices, home occupation, residential. All other uses not listed by this PUD Guide must be approved by the MVMOA and may require Conditional Use Permit from Town of Minturn

3. **Primary Use**: Mail level Commercial Warehouse, mini storage spaces with 3 upper level employee residence units above

3a. **Prohibited Uses**: Short Term Residential Rental, VRBO

4. **Accessory Uses**

   a. Access, private and public driveway ingress/egress, parking areas for use by the tenants of commercial building

   b. Roof- mounted solar panels, HVAC Equipment

TRACT B DESIGN GUIDELINES

   a. Maximum Building Height: 28 ft.

   b. Building lot coverage shall not exceed 80% of lot. Proposed lot coverage for renovated commercial building and 2 cottages= 32%

   c. Total impervious area shall not exceed 90% of lot. Proposed impervious coverage for renovated commercial building and 2 cottages = 40%

   d. Building Envelopes and Setbacks: Building envelopes shall be platted with the Final Plat consistent with the Town of Minturn Subdivision Regulations and in accordance with the following setback requirements: *(See Above: Diagram Showing Setbacks on Page 9*)

Rear Setbacks: 10 ft

Front Setback: 20 ft

Side Setback: 5 ft

NOTE: Upon construction of one or both of the (2) cottage foundations, an ILC will be performed and provided to the Town. An amendment to the Plat will be required to establish "building envelopes" and to convey title to cottages. All structures other than permissible encroachments (of things like: at grade decks and patios, up to 18" overhangs, sidewalks) are to be contained or maintained within the platted building envelopes.

iv. Additional Building Envelope Standards: Roof overhangs may extend beyond the building envelope up to 18 inches. Driveways, retaining walls, landscaping, landscape berms, walkways, sidewalks, paths may occur outside of building envelopes provided that a minimum of 5 feet is clear of impediments to allow for proper access, drainage, and snow storage around structures.

f. Parking: Parking for commercial building and residential tenants provided in conformance with Minturn Municipal Code via marked surface parking and signage delineating specific spaces for specific Units. Additional overflow and guest parking is provided on Tract B and Tract E

g. Nature Trail: : A rustic singletrack dirt trail is proposed to run from Hwy 24 ROW along the West property line of Tract E and Tract C and connects with Tract B and ultimately to Tract A and the USFS Martin Creek Open Space.

C. TRACT C: MINIMUM LOT SIZE OF 20,000 SF PARCEL

1. **Description:** Future Development Parcel

2. **Permitted Uses**: Eight (8) "RO" Deed Restricted Single Family Homes / Micro Homes

2a. **Prohibited Use**: Short Term Rental

3. **Primary Use**: Single-family Residential

4. **Accessory Uses**

a. Access, private and public driveway ingress/egress, parking areas for use by the tenants of commercial building

b. Roof- mounted solar panels

TRACT C DESIGN GUIDELINES

a. Maximum Building Height: 28 ft.

b. Building lot coverage shall not exceed 45% of lot

Proposed lot coverage for 8 future Micro Homes = 28%

c. Impervious surface coverage shall not exceed 55% of lot

Proposed impervious surfaces coverage for parking, sidewalks, ingress/egress = 32%

NOTE: Upon construction of any, one or all of the (8) microhome foundations, an ILC will be performed and provided to the Town. An amendment to the Plat will be required to establish "building envelopes" and to convey title to homes. All structures other than permissible encroachments (of things like: at grade decks and patios, up to 18" overhangs, sidewalks) are to be contained or maintained within the platted building envelopes.

(See Above: Diagram Showing Setbacks on Page 9)

Rear Setbacks: 10 ft

Front Setback: 20 ft

Side Setback: 5 ft

iv. Additional Building Envelope Standards: Roof overhangs may extend beyond the building envelope up to 18 inches. Driveways, retaining walls, landscaping, landscape berms, walkways, sidewalks, paths may occur outside of building

envelopes provided that a minimum of 5 feet is clear of impediments to allow for proper access, drainage, and snow storage around structures.

f. Parking: Parking for future Micro Homes is provided in conformance with MMC via marked surface parking and signage delineating specific spaces for specific Units / Homeowners. Additional overflow and guest parking is provided on Tract B and Tract E

g. Nature Trail: A rustic singletrack dirt trail is proposed to run from Hwy 24 ROW along the West property line of Tract E and Tract C and connects with Tract B and ultimately to Tract A and the USFS Martin Creek Open Space.

D. TRACT D: MINIMUM LOT SIZE OF 20,000 SF PARCEL

1. **Description:** Future Development Parcel

2. **Permitted Uses**: Multi-Family Residential, specifically 10 Units attached Townhomes

2a. **Prohibited Use**: Short Term Rental, VRBO

3. **Primary Use**: Multi-family Residential (4) Units to be Price Capped @ 200% AMI or less

4. **Accessory Uses**

a. Access, private and public driveway ingress/egress

b. Roof- mounted solar panels

TRACT D DESIGN GUIDELINES

a. Maximum Building Height: 28 ft.

b. Building lot coverage shall not exceed 45% of lot. Proposed lot coverage for 2 buildings of (5) Units each of attached Townhomes = 36%

c. Impervious surface coverage shall not exceed 55% of lot. Proposed impervious surfaces coverage for parking, sidewalks, ingress/egress = 29%

(See Above: Diagram Showing Setbacks on Page 9)

i. Rear Setbacks: 10 ft. (Opposite end of Tract from Hwy 24 adjacent to Parking Lot)

ii. Front Setback: 20 ft (Along Hwy 24 ROW)

iii. Side Setbacks: 5 ft (Along Property Line shared with USFS Martin Creek and opposite side)

iv. Additional Building Envelope Standards: Roof overhangs may extend beyond the building envelope up to 18 inches. Driveways, retaining walls, landscaping, landscape berms, walkways, sidewalks, paths may occur outside of building envelopes provided that a minimum of 5 feet is clear of impediments to allow for proper access, drainage and snow storage around structures.

f. Parking: Parking for future Townhomes is provided in conformance with the Minturn Municipal Code via interior garages for each unit. Additional overflow and guest parking is provided on each unit's driveway.

E. TRACT E: MINIMUM LOT SIZE OF 15,000 SF PARCEL

1. **Description**: Future Development Parcel

2. **Permitted Uses**: Commercial, residential and/or civic (future Fire Station)

2a. **Prohibited Use**: Short Term Rental , VRBO

3. **Primary Use**: Commercial / Residences / Fire Station

4. **Accessory Uses**

a. Access, private and public driveway ingress/egress

b. Signage to identify the commercial businesses, residential community, Fire Station

c. Roof- mounted solar panels

TRACT E DESIGN GUIDELINES

a. Maximum Building Height: up to 28 *ft*

b. Building lot coverage shall not exceed 80% of lot

Proposed lot coverage for Commercial Building / Fire Station = 28%

c. Impervious surface coverage shall not exceed 90% of lot

Proposed impervious surfaces coverage for parking, sidewalks, ingress/egress = 48%

(See Above: Diagram Showing Setbacks on Page 8)

i. Rear Setbacks: 10 ft

ii. Front Setback: 20 ft

iii. Side Setbacks: 5 ft

iv. Additional Building Envelope Standards: Roof overhangs may extend beyond the building envelope up to 18 inches. Driveways, retaining walls, landscaping, landscape berms, walkways, sidewalks, paths may occur outside of building envelopes provided that a minimum of 5 feet is clear of impediments to allow for proper access, drainage, and snow storage around structures.

d. Parking: Parking for future commercial building and tenants is provided in conformance with Minturn Municipal Code via marked surface parking spaces. Additional review of proposed uses for future commercial building

may be required by Town of Minturn Planning Dept. to assess and verify sufficient parking within Tract E.

F. ACCESS AND SEMI-PUBLIC AREAS

1. **Description**: Private Driveways and sidewalks for Ingress / Egress and Common Areas
2. **Permitted Uses**: Ingress/Egress and circulation of residents and guests. Public spaces to be enjoyed by the residents and guests intended to create a closer sense of community.

G. OPEN SPACE TRACTS

Common area open space tracts are intended for public use by all Minturn community members and may have improvements such as playground equipment, barbeque grilles, firepits, community gardens, and picnic tables. Open Space Areas C, D and E listed on the Open Space Plan of the Civil Drawings show green spaces that can be used for dog walking and trail connectivity from HWY24 to USFS Martin Creek Trailhead. Additional Open Space Areas have been included on Future Development Parcels C and E.

IX. ARCHITECTURAL GUIDELINES

The intent of the architectural guidelines are to ensure that all proposed residential and commercial buildings blend as much as possible with the surrounding natural landscape and to insure building materials and colors that are compatible with the surrounding Character Area / Zone.

Roofs:

Roof materials may be asphalt shingle or composite shakes, metal (standing seam, pro-panel, Cor-Ten, corrugated or copper) or a combination of those materials. All metal roofing materials shall be non- reflective. Colors should be natural, earthtones such as brown, grey, green, rusted or patina. Cedar shakes are not permitted.

Exterior Siding:

Siding may be metal, masonry, cementitious board or panel, wood, stucco, or natural or cultured stone with color palette of natural earth tones. (Applications include vertical or horizontal, standing seam, board and batten or panels)

Lighting:

All exterior light fixtures shall be downcast in nature and Dark Sky Compliant.

Lighting must also comply with the applicable lighting standards of the Minturn Municipal Code.

Common Areas, sidewalks, parking areas may also be illuminated with code compliant site lighting.

Motion Sensor Flood type lighting is prohibited.

Fire Suppression Requirements:

All Commercial Buildings and Multi-Family residences are required to have a monitored residential fire sprinkler system pursuant to the requirements of (ERFPD) Eagle River Fire Protection District.

Sustainability:

Each unit is required to include solar readiness rough- in for future solar incorporation. In addition, each unit is required to include a dedicated circuit and/ or panel capacity to support Level II electric vehicle charging. Other opportunities for incorporating sustainable practices are encouraged, including but not limited to:
Installation of roof- mounted solar panels

All landscaping within the PUD will comply with the Town's waterwise landscaping standards including but not limited to:

· Waterwise design principles and hydrozones.

· Waterwise / drought tolerant plant selection for all trees, shrubs, grasses and ground covers.

· Waterwise irrigation design and maintenance.

· Incorporation of xeriscape design and materials such as rock and other non-living ground cover such as artificial turf.

Storage / Trash:

No Storage of personal property, materials etc. other than those required by the HOA or Developer shall be permitted. All trash shall be stored within garages or trash structures and within wildlife proof containers. The fenced Dumpster enclosure next to the apartment building on Tract A is considered a "temporary" wildlife proof enclosure that could be disassembled at any time to

accommodate any work related to the ERWSD Sewer easement. The enclosure will provide an aesthetic fenced area around a wildlife proof dumpster.

Fencing:

All fencing related to the property will be implemented, where necessary, by the developer and/or the Master Association per Town of Minturn Municipal Code requirements. Additional fencing is not permitted by any Homeowner or renter nor between units to allow adequate area between buildings for ladder staging in case of fire.

Additional Architectural Design Guidelines may be adopted by the developer or one of the Home Owners Associations, but in no case shall be less restrictive than what is proposed within these Guidelines.

Snow Storage and Management and Maintenance:

The Midtown Village Master Owners Association (MVMOA) shall be responsible for all common area maintenance in accordance with the Declarations. The project provides areas for snow storage as well as proposed areas of snow melt. All Tracts Midtown Village shall meet the minimum snow storage area required by Minturn Municipal Code, as may be amended from time to time, and /or may me snow melted. Snow removal and management of all common areas, driveways and sidewalks, including the sidewalk located in the Colorado Department Of Transportation (CDOT) right-of-way, shall be performed under the direction of the Midtown Village Master Owners Association (MVMOA).

X. WILDLIFE MEASURES AND LANDSCAPE GUIDELINES

Wildlife Mitigation Measures:

The following wildlife mitigation measures shall be adhered to:

1. Utilize bear- proof dumpsters for any garbage that is generated at this location. Furthermore, use bear-proof containers for trash during the construction period and prohibit workers from leaving food or other bear attractants onsite;
2. Prohibit construction workers and contractors from bringing pets on the work site;
3. Shield and direct all lighting fixtures downward to minimize light pollution on adjacent wildlife habitats. Only Dark-Sky compliant fixtures are approved for use.

4. Construction of any fences shall be in a wildlife- friendly manner that eliminates the chance of entanglement and impalement of wildlife attempting to jump fences. Sharp protrusions and pointed pickets or strands of wire are prohibited.
5. Prohibit fruit, nut, and berry producing trees and shrubs in landscape designs.

Landscape Guidelines:

Other than the (2) Cottage lots on Tract B, which allows for 2000 sq ft of irrigated space per lot, there are no other spaces that are allowed to be irrigated until such a time that the Town can provide additional SFE's to their system. Any future irrigation systems for Future Development on Tracts D and E are also subject to availability of additional SFE's provided by the Town. All disturbed areas shall be restored to a native condition and/or landscaped using Xeriscape or Waterwise practices.

The minimum tree and drought-tolerant plant size and type shall be in accordance with the Minturn Municipal Code, as amended from time to time, including but not limited to the Town of Minturn Waterwise landscaping and irrigation design standards and principles.

Homeowners and/or renters may not plant anything within common areas without prior consent of the governing HOA.

XI. SIGNS

All signs proposed within the PUD shall comply with the standards and limitations set forth in the Minturn Municipal Code for both residential and commercial uses. Unless exempt by the Minturn Municipal Code sign regulations, all residential and commercial signs shall require approval by the Town of Minturn.

XII. AMENDMENTS, MODIFICATIONS, AND DEVIATIONS

Minor deviations to the PUD may be approved by the Planning Director in accordance with Town of Minturn Municipal Code. Amendments or major modifications to the PUD Preliminary Plan or PUD Guide shall be processed in accordance with the Minturn Municipal Code.

MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR

MIDTOWN VILLAGE

Table of Contents

ARTICLE 1. SUBMISSION/NAMES/DEFINED TERMS 1
Section 1.1 Submission of Property 1
Section 1.2 Name and Type. 2
Section 1.3 Defined Terms 2

ARTICLE 2. PROPERTY RIGHTS IN THE COMMON ELEMENTS/EASEMENTS 5
Section 2.1 Easement for Encroachments. 5
Section 2.2 Blanket Easements. 5
Section 2.3 Access 5
Section 2.4 Mechanic's Liens 6
Section 2.5 Owners' Easements of Enjoyment 6
Section 2.6 Delegation of Use 7
Section 2.7 Future Development and Views 7

ARTICLE 3. THE ASSOCIATION, MEMBERSHIP AND VOTING RIGHTS 8
Section 3.2 Membership. Every Owner of a Lot shall be a member of the Association. Membership shall be appurtenant to and may not be separated from ownership of any Lot. If additional Lots are added to the Association, membership shall automatically be expanded. 8
Section 3.8 Managing Agent 9
Section 3.9 Right to Notice 10
Section 3.10 Indemnification 10

Section 3.11 Security Disclaimer. The Association may, but shall not be required to, from time to time, provide measures or take actions which directly or indirectly improve safety on the Property. Notwithstanding, each Owner, for himself or herself and his or her tenants, guests, licensees and invitees, acknowledges and agrees that the Association is not required to provide safety or security services and shall have no duty to provide any specific level or standard of safety or security in the Property. Furthermore, the Association does not guarantee that non-residents will not gain access to the Property and commit criminal acts in the Property, nor does the Association guarantee that criminal acts in the Property will not be committed by residents. Regardless of any measures or actions the Association may, but is under no obligation to, take related to safety, it shall be the responsibility of each Owner, at all times, to protect his or her person and property and all responsibility to provide such safety and/or security shall lie solely with each Owner. The Association shall not be held liable for any loss or damage by reason of failure to provide safety or security or the in effect. 10

ARTICLE 4. BOARD OF DIRECTORS 10
Section 4.1 Authority of the Board of Directors 10
Section 4.2 Termination of the Period of Declarant Control 10

ARTICLE 5. COVENANT FOR COMMON EXPENSE ASSESSMENTS 10
Section 5.1 Allocated Interests 10
Section 5.2 Creation of Lien and Personal Obligation to Pay Assessments 11

Section 5.2 Basis for Common Expense Assessments 11
Section 5.3 Annual Assessment 12
Section 5.4 Special Assessments 12
Section 5.5 Individual Purpose Assessments 12
Section 5.6 Application of Payments 13
Section 5.7 Effect of Non-Payment of Assessments. 13
Section 5.8 Lien Priority 14
Section 5.9 Working Capital Fund 14
Section 5.10 Surplus Funds 14

ARTICLE 6. ARCHITECTURAL REVIEW 14
Section 6.1 Composition of the Architectural Review Committee and Appointment 14
Section 6.2 Architectural Review Requirements; Authority of the Architectural Review Committee. 15
Section 6.3 Design Guidelines 15
Section 6.4 Procedures 15
Section 6.5 Vote and Appeal 16
Section 6.6 Commencement and Completion of Construction. 16
Section 6.7 Inspection of Work 16
Section 6.8 Variances 16
Section 6.9 Waivers. 16
Section 6.10 Liability. 16
Section 6.11 Builders Exemption 17

ARTICLE 7. MAINTENANCE AND SERVICE RESPONSIBILITIES 17
Section 7.1 Association Maintenance and Service Responsibilities. 17
Section 7.2 Owner's Maintenance Responsibility 18
Section 7.3 Inspection, Repair and Replacement of Designated Owner or Owners Association Maintenance Components 18
Section 7.4 Owner’s Negligence 18

ARTICLE 8. INSURANCE 18
Section 8.1 Insurance to be Carried by the Association. 18
Section 8.2 Real Property Insurance on the Common Area. 19
Section 8.3 Liability Insurance. 19
Section 8.4 Fidelity Insurance 19
Section 8.5 Workers Compensation. 20
Section 8.6 Director and Officer Liability Insurance. 20
Section 8.7 Other Insurance. 20
Section 8.8 Miscellaneous Terms Governing Insurance Carried by the Association. 20
Section 8.9 Insurance Obtained by Owners. 21
Section 8.10 Insurance Premium. 21

Section 8.11 Managing Agent Insurance. 21
Section 8.12 Waiver of Claims Against Association. 21
Section 8.13 Adjustments by the Association. 21
Section 8.14 Duty to Repair. 21
Section 8.15 Condemnation and Casualty Insurance Allocations and Distributions. 21
Section 8.16 Responsibility for Payment of Deductible Amount. 22
Section 8.17 Insurance Assessments. 22
Section 8.19 Association as Attorney-in-Fact. 22

ARTICLE 9. USE RESTRICTIONS 23
Section 9.1 Flexible Application of the Subsequent Covenants and Restrictions. 23
Section 9.2 Authority. 23
Section 9.3 Nuisances. 23
Section 9.4 Use of Common Area. 23
Section 9.5 No Annoying Lights, Sounds or Odors. 23
Section 9.6 No Hazardous Activities. 24
Section 9.7 Maintenance of Grade and Drainage. 24
Section 9.8 Rules and Regulations. 24
Section 9.9 Use of the Words “Midtown” and “Midtown Village Association”. 24

ARTICLE 10. DISPUTE RESOLUTION PROCEDURES 24
Section 10.1 Definitions Applicable to this Article 10 24
Section 10.2 Limitation. Intent of Article; Applicability of Article; and Applicability of Statutes of 25
Section 10.3 Commencement or Pursuit of Claim Against Bound Party. 26
Section 10.4 Claims 26
Section 10.5 Mandatory Procedure. 26
Section 10.6 Award 28

ARTICLE 11. DEVELOPMENT RIGHTS AND SPECIAL DECLARANT RIGHTS 29
Section 11.1 Development Rights 29
Section 11.2 Special Declarant Rights. 29
Section 11.3 Exercise of Development Rights or Special Declarant Rights. 30
Section 11.4 Subdivision or Replatting of Lots 30
Section 11.5 Subassociation Declarations 30
Section 11.6 Rights Transferrable/Rights Transferred. 30
Section 11.7 No Further Authorizations Needed 31

ARTICLE 12. MISCELLANEOUS AND GENERAL PROVISIONS 31
Section 12.1 Compliance and Enforcement. 31
Section 12.2 Covenants to Run. 32
Section 12.3 Termination. 32

Section 12.4	Attorney Fees.	32
Section 12.5	Amendment of Declaration by Owners.	32
Section 12.6	Amendment of Declaration by Declarant.	33
Section 12.7	Required Consent of Declarant to Amendment.	33
Section 12.8	Cooperation with Other Associations or Districts.	33
Section 12.9	Registration of Mailing Address.	34
Section 12.10	Interpretation.	34
Section 12.11	Singular Includes the Plural.	34
Section 12.12	Captions.	34
Section 12.13	Non-Waiver.	34
Section 12.14	Conflict of Provisions.	34
Section 12.15	Severability.	34

MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR MIDTOWN VILLAGE

THIS MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR MIDTOWN VILLAGE (the "**Declaration**") is made and entered into as of the _____ day of _____, 2024, by MIDTOWN LOFTS LLC, a Colorado limited liability company (the "**Declarant**").

RECITALS

A. Declarant is the owner of certain real property in Eagle County, Colorado, which is more particularly described as set forth in *Exhibit A* attached hereto and by reference made a part hereof.

B. Declarant desires to create a planned community under the terms of the Colorado Common Interest Ownership Act, C.R.S. § 38-33.3-101 *et. seq.* and any amendments, or modifications of that Act (hereinafter called "CCIOA" or the "Act" (the "**Act**") on the real estate described in *Exhibit A*, under the name "Midtown Village". The Declarant hereby declares that all of the Property, with all appurtenances, facilities and improvements thereon, shall be held, sold, used, improved, occupied, owned, resided upon, hypothecated, encumbered, liened, and conveyed subject to the following easements, reservations, uses, limitations, obligations, restrictions, covenants, provisions and conditions, all of which are for the purpose of enhancing and protecting the value, desirability and attractiveness of the Property and all of which shall run with the land and be binding on and inure to the benefit of all parties having any right, title or interest in the Property or any part thereof; their heirs, successors, and assigns.

C. Declarant has caused Midtown Village Association, Inc., a Colorado nonprofit corporation, to be incorporated under the laws of the State of Colorado, as an owners' association, for the purpose of exercising the functions set forth herein.

ARTICLE 1. SUBMISSION/NAMES/DEFINED TERMS

Section 1.1 Submission of Property. Declarant hereby submits the real estate described in *Exhibit A*, together with and subject to all easements, rights, and appurtenances thereto and the buildings and improvements erected or to be erected thereon (collectively, the "**Property**"), to the provisions of the Act, as it may be amended from time to time, and to the terms and conditions of this Declaration. In the event the Act is repealed, the Act on the effective date of this Declaration shall remain applicable. Declarant hereby declares that all the Property described in *Exhibit A* shall be held, sold and conveyed subject to the following easements, restrictions, covenants and conditions. Notwithstanding the forgoing and/or anything contained in this Declaration to the contrary, no property owned by the Town of Minturn shall be subject to this Declaration, and the same shall hereby be exempt and excluded from the purview of this Declaration. Declarant further declares that this Declaration is made

for the purpose of protecting the value and desirability of the Property, that this Declaration shall run with the Property and shall be binding on all parties having any right, title or interest in the Property or any part thereof, their heirs, legal representatives, successors, and assigns and shall inure to the benefit of each Owner thereof.

Section 1.2 Name and Type. The type of common interest Property created hereunder is a planned Property as defined in the Act. The name of the Property is "Midtown Village". The name of the Association is "Midtown Village Association, Inc."

Section 1.3 Defined Terms. Each capitalized term in this Declaration or on the Plat shall have the meaning specified in the Act or as used in the Act, unless otherwise defined in this Declaration or as context requires otherwise:

(a) "**Act**" shall mean the Colorado Common Interest Ownership Act, C.R.S.§ 38-33.3-101 *et. seq.*, as it may be amended.

(b) "**Architectural Review Committee**" or "**Committee**" shall mean the committee appointed by the Declarant or the Board of Directors pursuant to this Declaration for the purpose of administering the architectural approval and design review provisions contained in this Declaration.

(c) "**Articles of Incorporation**" shall mean the Articles of Incorporation of Midtown Village Association, Inc., as filed with the Colorado Secretary of State, as may be amended from time to time.

(d) "**Assessment**" shall include all Common Expense Assessments, Special Assessments, Individual Purpose Assessments, and any other expense levied to a Lot pursuant to this Declaration or the Act, including but not limited to interest, late fees, attorney fees, fines, and costs.

(e) "**Association**" shall mean and refer to Midtown Village Association, Inc., a Colorado nonprofit corporation, and its successors and assigns.

(f) "**Board**" or "**Board of Directors**" shall mean the body designated in the Governing Documents to act on behalf of the Association.

(g) "**Bylaws**" shall mean the Bylaws of Midtown Village Association, Inc., as may be amended from time to time.

(h) "**Common Elements**" means all the Property as labeled on the Plat, except the Lots, units, and Future Development Parcel, which the Association owns for the common use and enjoyment of the Owners on a non-exclusive basis as provided below. The Common Elements include any unimproved land surrounding the Lots, the easements benefiting the Property as granted in this Declaration or the Plat, the water, sewer and other utility or communication lines and facilities serving the Property which

are not owned by any public entity, any portion of the Common Elements shall also include Limited Common Elements, which are exclusively reserved for use by fewer than all Owners, or as otherwise provided in this Declaration. The Common Elements shall not include any portion of the Property dedicated to the public pursuant to this Declaration or the Plat, including, without limitation, roads, recreation areas, parking area, trails and trails access areas.

(k) "**Common Expense Assessment**" shall mean an Assessment levied against the Lots in the Association to fund the Common Expenses.

(l) "**Common Expense Liability**" shall mean the liability for Common Expenses allocated to each Lot as set forth in Section 4 of this Declaration.

(m) "**Common Expenses**" shall mean any and all of the Association's costs, expenses and liabilities including, without limitation, costs, expenses and liabilities incurred for (A) managing, operating, insuring, improving, repairing, replacing and maintaining the Common Elements; (B) providing facilities, services and other benefits to Owners and their Guests; (C) administering and enforcing the covenants, conditions, restrictions, reservations and easements created in the Association Documents; (D) levying, collecting and enforcing the Assessments; (E) regulating and managing the Project; (F) operating the Association; and (G) utilities not separately metered and billed directly to Unit Owners; other expenses declared to be Common Expenses pursuant to the Association Documents or the Act, and expenses agreed upon as Common Expenses by the Association; and reserves for any such costs, expenses and liability.

(n) "**Declarant**" shall mean Midtown Lofts LLC, a Colorado limited liability company, its agents, employees, contractors, successors and assigns to whom it expressly transfers all or any part of its rights as Declarant hereunder, in compliance with C.R.S. § 38-33.3-304. The Declarant hereby reserves any and all "special declarant rights" and "development rights" as created or set forth in CCIOA and any other rights as set forth herein. Any such rights shall apply to the Property and Future Development Parcels (as defined below) and shall terminate upon the earlier of ten (10) years from the date of recording hereof or as otherwise provided herein. The "Period of Declarant Control" means that period during which the Declarant, or persons designated by Declarant, may appoint and remove the officers and members of the Board as set forth in Article III hereof.

(o) "**Design Guidelines**" shall mean a manual of design guidelines for the Property, or other design or architectural guidelines, to interpret and/or implement any provisions of Article 6 of this Declaration, specifically, and this Declaration in general, as more fully provided for in Section 6.3 of this Declaration.

(p) "**Future Development Parcels**" and means the property more particularly described on the Plat as Tracts C, D, E which the Declarant may be subject to this Declaration by one or more duly recorded supplemental declarations and, if necessary, supplemental plats, and convert into additional Lots and contemplate future development rights as created or set forth in CCIOA.

(q) "**Governing Documents**" shall mean this Declaration, the Plat, the Articles of Incorporation, the Bylaws, the Design Guidelines and the Rules and Regulations of the Association, as they may be amended from time to time.

(r) "**Improvements"** shall mean and refer to all structures and any appurtenances thereto or components thereof of every type or kind, including, but not limited to, buildings, outbuildings, swimming pools, patio covers, awnings, painting or other finish material of any exterior surfaces of any visible structure, additions, walkways, garages, carports, driveways, parking areas, concrete, paving, fences, screening walls, retaining walls, stairs, decks, fixtures, landscaping, solar equipment, satellite dishes, and exterior air conditioning and water softener fixtures. "Improvements" shall also mean an excavation or fill, the volume of which exceeds two cubic yards, and any excavation, fill, ditch, diversion dam or other thing or device which affects or alters the natural flow of surface waters upon or across any Lot, or which affects or alters the flow of any waters in any natural or artificial stream, wash or drainage channel upon or across any Lot.

(s) "**Individual Purpose Assessment**" shall mean expenses incurred by the Association which are for the benefit of any individual Lot, as more fully provided in Section 5.5 of this Declaration.

(t) "Lot" shall mean and refer to any of the lots shown on any recorded Plat of the Property, together with all appurtenances thereto and improvements now or hereafter thereon. This term shall have the same meaning as "unit" under the CCIOA. The boundaries of any Lot may be relocated pursuant to C.R.S. § 38-33.3-212. The boundaries of the Lots shall be shown on any recorded Plat of the Property which shall be incorporated herein by this reference. The number of Lots to be developed on the Property is forty-two (42). Declarant reserves the right for itself and any Successor Declarant to expand the Future Development Parcels referred to as Tracts C, D, and E on the Plat and additional Lots.

(u) "**Member**" shall mean any Owner. The terms "Member" and "Owner" may be used interchangeably.

(v) "**Owner**" shall mean and refer to the record owner, whether one or more persons or entities of a fee simple title to any Lot which is a part of the Property but excluding those having such interest merely as security for the performance of an obligation. This term shall have the same meaning as "unit owner" under the CCIOA.

(w) "**Person**" shall mean a natural person, a corporation, a limited liability company, a partnership, a trust, a joint venture, an unincorporated association, or any other legal entity or any combination thereof.

(x) "**Plat**" shall mean and refer to the map(s) and/or plat(s) of the Property recorded in the records of the Office of the Clerk and Recorder of Eagle County,

Colorado at Reception No. ____ . More than one Plat or supplement thereto may be recorded, and, if so, then the term "Plat" shall collectively mean and refer to all of such maps, plats and supplements thereto.

(y) **"Rules and Regulations**" shall mean any written instruments, however identified, which are adopted by the Association for the regulation and management of the Property and/or clarification of the Governing Documents, including any amendment to those instruments.

(z) "**Special Assessment**" shall mean a Special Assessment levied by the Association from time to time to cover previously unbudgeted expenses or expenses in excess of those budgeted, including, without limitation, the costs of any construction restoration, or unbudgeted repairs or replacements of capital improvements that are not covered by the general reserve fund.

ARTICLE 2. PROPERTY RIGHTS IN THE COMMON ELEMENTS/EASEMENTS

Section 2.1 Easement for Encroachments. Each Lot and the property included in the Common Area shall be subject to an easement for encroachments created by the original construction, settling and overhangs. A valid easement for said encroachments and for the maintenance of same, so long as it stands, shall and does exist.

Section 2.2 Blanket Easements.

(a) *Maintenance Easement*. An easement is hereby granted to the Association, and any of its duly authorized agents, contractors or consultants, to enter in or to cross over the Common Area, any Lot, to perform the duties of operation, installation, maintenance, repair and replacement of the Common Area and any Lot as provided for in this Declaration.

(b) *Utility Easement*. A blanket easement is granted to the Association, and any of its duly authorized agents, contractors or consultants, upon, across, over and under the Common Area and all of the Lots for ingress, egress, installation, replacing, repairing and maintaining any utilities, including but not limited to water, including potable and/or non-potable water systems, sewer, gas, telephone, electricity, and cable, to the extent the Association is responsible for such utilities. Notwithstanding anything to the contrary contained in this paragraph, after the installation of the initial utilities on the Common Area and the Lots. No sewers, electrical lines, water lines or other utilities may thereafter be installed or relocated on the Common Area or the Lots except as approved by the Board of Directors. The easements provided for in this paragraph shall in no way affect any other prior recorded easements on the premises.

Section 2.3 Access**.** For the purpose of performing any of the functions or obligations required or permitted by this Declaration, and for performing inspections related thereto, the Association, through of its duly authorized agents, contractors or consultants, shall have the right, after reasonable notice to the Owner or occupants thereof, and during regular

business hours, to enter upon the exterior portions of any Lot and such entry shall not be deemed a trespass. In emergency situations, the Association, and any of its duly authorized agents, contractors or consultants, may enter without notice at any time, but the Owner or other occupants thereof shall be notified as soon as reasonably possible thereafter. In performing any of the functions or obligations required or permitted by this Declaration, including but not limited to ingress, egress, repairs or maintenance authorized under this Declaration, the Association shall not be liable for any loss, cost or damage caused by its actions, except on account of its willful misconduct.

Section 2.4 Mechanic's Liens**.** No labor performed and/or materials furnished for use and incorporated into any Lot with the consent or at the request of the Owner thereof or an agent, contractor, or subcontractor of such Owner shall be the basis for the filing of a lien against a Lot of any other Owner not expressly consenting to or requesting the same or against any interest in the Common Area. Each Owner shall indemnify and hold harmless each of the other Owners and the Association from and against any liability or loss arising from the claim of any mechanic's lien against the Lot of any other Owner, and/or the Common Area, or any part thereof, for labor performed and/or materials furnished in work on the first Owner's Lot as applicable. The Association may pay any sums necessary to eliminate any lien filed against Common Area not benefitting from the labor and/or materials furnished, and all sums paid shall be an Assessment against the Lot of the Owner or Owners for whom the labor and/or materials were furnished.

Section 2.5 Owners' Easements of Enjoyment. Every Owner shall have a right and easement of enjoyment in and to the Common Area, and such easement shall be appurtenant to and shall pass with the title to every Lot, subject to the following provisions:

(a) The terms, provisions, covenants, conditions, restrictions, easements, reservations, uses, limitations, and obligations contained in this Declaration;

(b) The right of the Association to adopt Rules and Regulations governing the use of the Common Area and the Lots;

(c) The right of the Association to borrow money for the purpose of maintaining or improving the Common Area, and for other such purposes deemed appropriate or necessary by the Board of Directors to fulfill the Association's obligations, duties or authority as set forth in the Governing Documents;

(d) The right of the Association, upon approval of Members entitled to cast at least sixty-seven percent (67%) of the votes in the Association, including sixty-seven percent (67%) of the votes allocated to Lots not owned by the Declarant, to mortgage the Common Area, if any, as security for any loan or liability incurred by the Association, provided, that the rights of such mortgagee shall be subordinate to the rights of the Owners;

(e) The right of the Association to assign its right to future income, including the right to assign its right to receive Assessments;

(f) The right, power and authority of the Association to grant any easement, right-of-way, license, lease, or similar interest through, over or in the Common Area;

(g) The right of the Association to transfer or convey ownership of the Common Area, or any portion thereof, subject to the prior approval of Members entitled to cast at least sixty-seven percent (67%) of the votes in the Association, including sixty-seven percent (67%) of the votes allocated to Lots not owned by the Declarant;

(h) The right of the Association to close portions of the Common Area for maintenance, repair, replacement and improvement;

(i) The right of the Association to change the use of, and/or to add or remove improvements to or from the Common Area; and

(j) The right of the Association to provide trash removal service to all or any portion of the Property, in which case, the Owners of any Lots for which trash service is provided shall be required to use such trash service provided by the Association and shall not be entitled to engage his or her own trash removal service.

Section 2.6 Delegation of Use**.** An Owner may delegate, in accordance with the Governing Documents, his right of enjoyment to the Common Area to the members of his family, his tenants, or others who reside on the Owner's Lot. If an Owner delegates such rights to use the Common Area to tenants or others who reside on the Owner's Lot, the Owner shall not be entitled to use the Common Area.

Section 2.7 Future Development and Views. Owners acknowledge that existing views, if any, of the immediate and surrounding areas and mountains may be subject to change or elimination as a result of future development of residential and non-residential uses, road construction, tree growth and landscaping. Neither the Declarant nor the Association guarantees or represents that any view over and across the Lots and/or Lots or other Improvements, or that any open space, will be preserved without impairment, nor is there any obligation to relocate, prune, or thin trees or other landscaping. The Declarant has the right to add Improvements, including but not limited to trees, walls, fences, berms, structures, signs, lighting, water features and landscaping, from time to time, without regard to any view impairment. Any express or implied easements for view purposes or for the passage of light and air are hereby expressly disclaimed. Neither the Declarant nor the Association assumes any responsibility for any representation or promise made by any other party, including but not limited to any Builder, sales counselor, independent broker or other agent or employee of a homebuilder, with regard to views. Each Owner acknowledges that development within and surrounding the Property may continue for an indefinite period, and that plans for the density, type and location of improvements, developments or land uses, may change over time. Such development may entail changes to or alterations in the access to the Property, views of or from the Property, the Lots, surrounding land uses, open space or facilities, traffic volumes or patterns, privacy or other off-site aspects or amenities. Development also may entail noise, odors, unsightliness, dust and other inconveniences or disruptions. By accepting a deed to a Lot, each Owner accepts title to such Lot subject to the

foregoing and waives and releases any claim against the Declarant and the Association arising out of or associated with any of the foregoing.

ARTICLE 3. THE ASSOCIATION, MEMBERSHIP AND VOTING RIGHTS

Section 3.1 Association. The Midtown Village Association, Inc. shall operate as a Colorado non-profit corporation pursuant to its Articles of Incorporation and Bylaws, which may include, without limitation, provisions for the indemnification of officers and directors.

Section 3.2 Membership. Every Owner of a Lot shall be a member of the Association. Membership shall be appurtenant to and may not be separated from ownership of any Lot. If additional Lots are added to the Association, membership shall automatically be expanded.

(a) One Vote per Lot. There shall be only one membership per Lot. If a Lot is owned by more than one Person, all co-owners shall share the privileges of such membership, subject to reasonable Board regulation and the restrictions on voting set forth herein and in the Bylaws, and all such co-owners shall be jointly and severally obligated to perform the responsibilities of Owner.

(b) Natural Person. The membership rights and privileges of an Owner who is a natural person may be exercised by the Member or the Member's spouse.

(c) Legal Entity. The membership rights of an Owner which is a corporation, partnership, or other legal entity may be exercised by any individual designated from time to time by the Owner in a written instrument provided to the Secretary of the Board.

(d) Right to Vote. Members shall have the right to cast votes on all matters to be voted on by the members, as provided in the Association's Articles of Incorporation and Bylaws.

Section 3.3 Classes of Membership. The Association shall have two classes of membership, Class "A" and Class "B".

(a) Class "A". The Class "A" Members shall be all Owners of Lots, except Class "B" Members.

(b) Class "B". The Class "B" Member shall be the Declarant.

Section 3.4 Voting Rights.

(a) Class "A" Members shall have one equal vote for each Lot in which they hold the interest required for membership;

(b) Class "B" Member shall be entitled to fifty one percent (51%) of the voting rights in the Association.

Section 3.4 Duration of Class B**.** The Class "B" membership shall cease and be converted to Class "A" membership upon the earlier of the following:

a. When 90% of the Lots permitted under the Development Plan filed with Eagle County have been conveyed by Declarant to Owners, and certificates of occupancy have been issued for residences constructed thereon;

b. Ten years from the date of the recording of this Declaration; provided that the 10-year period for conversion shall be extended an additional five years unless a majority of the Voting Members representing Class "A" Members at a special meeting held for such purpose at least 30 days, but not more than 90 days, prior to expiration of the 10-year period, vote not to extend the 5-year period, or

c. When, in its discretion, the Declarant so determines.

Section 3.5 Conversion of Class "B" Membership. From and after the conversion of the Class "B" membership, the Class "B" member shall be deemed to be a Class "A" member entitled to one vote for each Lot in which it holds the interest required for membership hereunder. Notwithstanding the above provision, the Declarant shall have the right to disapprove of the actions of the Board and committees as provided in the Bylaws.

Section 3.6 Transition to the Association**.** In the event Class "B" membership has not terminated when more than 80% of the Lots permitted under the Development Plan filed with Eagle County have been conveyed by Declarant, the Board shall form a "Transitional Advisory Committee." No later than when 90% of the Lots are owned as provided in this Declaration.

Section 3.7 Exercise of Voting Rights**.** Except as otherwise specified in this Declaration or the Bylaws, the vote for each Lot owned by a Class "A" Member shall be exercised by Voting Members, as described in this Declaration, the Articles, and the Bylaws. In any situation in which a Member is entitled personally to exercise the vote for his or her Lot and there is more than one Owner of a particular Lot, the vote for such Lot shall be exercised as such co-owners determine among themselves and advise the Secretary of the Board in writing prior to any meeting. Absent such advice, the Lot's vote shall be suspended if more than one Person seeks to exercise it.

Section 3.8 Managing Agent. The Association may employ or contract for the services of a managing agent to whom the Board may delegate certain powers, functions, or duties of the Association, as provided in the Bylaws of the Association. The agreement shall be by written contract having a term of no more than three (3) years and shall be subject to cancellation by the Association on thirty (30) days' notice, with cause, and without a cancellation fee. The Association

shall not be liable for any omission or improper exercise by a managing agent of any duty, power, or function so delegated by written instrument executed by or on behalf of the Association.

Section 3.9 Right to Notice. Notice of matters affecting the Property shall be given by the Association or through access to Association records, as further provided in the Bylaws or as otherwise provided by the Board of Directors.

Section 3.10 Indemnification. To the full extent permitted by law, each officer, director and committee member of the Association, as well as each volunteer whose activities on behalf of the Association have been approved or directed by the Association, shall be and hereby are indemnified by the Association against all expenses and liabilities including attorney fees, reasonably incurred by or imposed upon them in any proceeding to which they may be a party, or in which they may become involved, by reason of being or having been an officer, director, committee member or volunteer of the Association, or any settlements thereof, whether or not they are an officer, director, committee member or volunteer at the time such expenses are incurred; except in such cases wherein such officer, director, committee member or volunteer is adjudged guilty of breaching his or her duties.

Section 3.11 Security Disclaimer**.** The Association may, but shall not be required to, from time to time, provide measures or take actions which directly or indirectly improve safety on the Property. Notwithstanding, each Owner, for himself or herself and his or her tenants, guests, licensees and invitees, acknowledges and agrees that the Association is not required to provide safety or security services and shall have no duty to provide any specific level or standard of safety or security in the Property. Furthermore, the Association does not guarantee that non-residents will not gain access to the Property and commit criminal acts in the Property, nor does the Association guarantee that criminal acts in the Property will not be committed by residents. Regardless of any measures or actions the Association may, but is under no obligation to, take related to safety, it shall be the responsibility of each Owner, at all times, to protect his or her person and property and all responsibility to provide such safety and/or security shall lie solely with each Owner. The Association shall not be held liable for any loss or damage by reason of failure to provide safety or security or the in effect.

ARTICLE 4. BOARD OF DIRECTORS

Section 4.1 Authority of the Board of Directors. The affairs of the Association shall be managed by a Board of Directors. Except as otherwise provided in the Governing Documents, the Board of Directors may act in all instances on behalf of the Association.

Section 4.2 Termination of the Period of Declarant Control. Upon the termination of the Period of Declarant Control, the Declarant shall call a meeting for the purpose of turning over administration responsibilities to the Board.

ARTICLE 5. COVENANT FOR COMMON EXPENSE ASSESSMENTS

Section 5.1 Allocated Interests**.** The Common Expense Liability in the Association allocated to each Lot are set as follows:

(a) Unless otherwise provided in this Declaration, the Common Expense Liability allocated to each Lot shall be a fraction, the numerator of which is one (1) and the denominator of which is the total number of Lots in the Property from time to time.

(b) If any Lots are added or withdrawn from the Association then the formula shall be adjusted to account for those Lots added or withdrawn.

Section 5.2 Creation of Lien and Personal Obligation to Pay Assessments. Each Lot Owner, by acceptance of a deed for a Lot, whether or not it shall be so expressed in any such deed or other conveyance, shall be deemed to covenant and agree to pay to the Association annual Common Expense Assessments, and such other Assessments as imposed by the Association.

(a) Such Assessments, including but not limited to fees, charges, late fees, attorney fees, fines and interest charged by the Association and additional fees charged by the managing agent, including but not limited to, administration and witness fees, shall be the personal obligation of the Owner of such Lot at the time when the Assessment or other charges became or fell due. The personal obligation to pay any past due sums due to the Association shall not pass to a successor in title unless expressly assumed by them. No Owner may become exempt from liability for payment of any Assessment by waiver of the use or enjoyment of the Common Area, or by abandonment of the Lot against which the Assessment is made.

(b) The Assessments as imposed by the Association, including fees, charges, late fees, attorney fees, fines and interest charged by the Association, and additional fees charged by the managing agent, including but not limited to, administration and witness fees, and/or any other charges that may be assessed and/or levied or may be agreed to in the process of collecting past due Assessments, including but not limited, credit card convenience fees from whatever source, shall be a charge on the respective Lot generating such charges and shall be a continuing lien upon the Lot against which each such Assessment or charge is made. If any Assessment is payable in installments, the full amount of the Assessment is a lien from the time the first installment becomes due.

(c) All Assessments shall be payable in the amounts specified in the levy thereof, and no offsets or reduction thereof, except as provided in this Declaration, shall be permitted by any reason including, without limitation, any claim that the Association is not properly exercising their duties and powers under this Declaration. Except as provided in this Declaration, all Assessments shall be assessed against all Lots based on the Common Expense Liability allocated to each applicable Lot, as set forth in this Declaration.

Section 5.2 Basis for Common Expense Assessments. The Common Expense Assessment may be made on an annual basis against all Lots and shall be based upon the Association's advance budget of the cash requirements needed by it to provide for the administration and performance of its duties during such Assessment year. Unless otherwise provided herein, Common Expense Assessments shall be apportioned among the Lots in accordance with the Common Expense Liability allocated to each Lot as set forth herein. At the

earlier of such time as the issuance of a temporary certificate of occupancy or a final certificate of occupancy for a Lot shall thereafter be subject to Assessments as fully set forth herein.

Section 5.3 Annual Assessment. The budget for annual Common Expense Assessments shall be submitted to the Owners for ratification pursuant to Section 303(4) of the Act and as set forth in the Bylaws, as the Bylaws may be amended from time to time. The budget may be vetoed by Owners representing at least sixty-seven percent (67%) of the total Association vote. In the event the budget for annual Common Expense Assessments is vetoed as provided herein, the budget for annual Common Expense Assessments last proposed by the Board and not vetoed by the Owners shall be continued until a subsequent budget for annual Common Expense Assessments proposed by the Board is not vetoed by the Owners. Common Expense Assessments shall be due and payable in monthly, quarterly, or annual installments, or in any other manner, as determined by the Board of Directors. The omission or failure of the Board of Directors to levy a Common Expense Assessment for any period shall not be deemed a waiver, modification or a release of the Owners from their obligation to pay.

Section 5.4 Special Assessments. In addition to other authorized Assessments, the Association may levy Special Assessments from time to time to cover previously unbudgeted expenses or expenses in excess of those budgeted, including, without limitation, the costs of any construction, restoration, or unbudgeted repairs or replacements of capital improvements that are not covered by the general reserve fund. The proposed Special Assessment shall be submitted to the Owners for ratification pursuant to Section 303(4) of the Act and as set forth in the Bylaws, as the Bylaws may be amended from time to time. A proposed Special Assessment will be ratified unless Owners representing more than eighty percent (80%) of the total votes in the Association vote, either in person or by proxy, to reject the Special Assessment at a meeting called for such purpose. Special Assessments may be payable in installments extending beyond the fiscal year in which the Special Assessment is approved. The Board shall have the right to require that Special Assessments be paid in advance of the subject services or materials.

Section 5.5 Individual Purpose Assessments. The Association shall have the right to add to any Owner's Assessment as an Individual Purpose Assessment, without the need of going through the budget ratification process as provided for herein, the following:

(a) Those amounts expended by the Association for the benefit of any individual Lot or any occupant thereof, including but not limited to: trash removal services provided through the Association; improvement, repair, replacement and maintenance specific to a Lot; improvement, repair, replacement or maintenance caused by the negligent or willful acts of any Owner, his or her guest, employee, licensee, lessee or invitee as set forth in this Declaration;

(b) Any extraordinary maintenance, repair, improvement or replacement costs of any area which the Association maintains required on fewer than all the Lots;

(c) Any extraordinary insurance costs incurred as a result of the value of a particular Owner's Lot or the actions of an Owner (or his agents, guests, licensees, invitees or lessees);

(d) All fines and costs assessed against an Owner pursuant to the Governing Documents; and

(e) Any other expenditures or charges which the Board, in its sole discretion, chooses to allocate to a Lot and are reasonably determined to be allocable to a particular Lot.

Section 5.6 Application of Payments. All payments received on an account of any Owner or the Owner's Lot shall be applied in accordance with C.R.S. 38.33.3-316.3(4).

Section 5.7 Effect of Non-Payment of Assessments.

(a) Any Assessment, charge or fee provided for in this Declaration, or any monthly or other installment thereof, which is not fully paid within fifteen (15) days after the due date thereof, as established by the Board of Directors, shall bear interest at the rate established by the Board of Directors, on a per annum basis to accrue monthly, from the due date, and the Association may assess a reasonable late fee thereon as determined by the Board of Directors.

(b) Failure to make payment within sixty (60) days of the due date thereof shall cause the total amount of such Owner's annual Common Expense Assessment for the remainder of that fiscal year to become immediately due and payable at the option of the Board. The Board may, in its discretion, decelerate the Owner's annual Common Expense Assessment.

(c) Further, the Association may foreclose its lien and/or bring an action at law or in equity, or all of the same, against any Owner personally obligated to pay such overdue Assessments, charges or fees, or monthly or other installments thereof. An action at law or in equity by the Association against an Owner to recover a money judgment for unpaid Assessments, charges or fees, or monthly or other installments thereof, may be commenced and pursued by the Association without foreclosing, or in any way waiving the Association's lien therefor. Likewise, the obtaining of a money judgment shall not preclude the foreclosure of the Association's lien so long as the judgment remains unsatisfied.

(d) Foreclosure or attempted foreclosure by the Association of its lien shall not be deemed to estop or otherwise preclude the Association from thereafter again foreclosing or attempting to foreclose its lien for any subsequent Assessment, charges or fees, or monthly or other installments thereof, which are not fully paid when due. The Association shall have the power and right to bid on or purchase any Lot at foreclosure or other legal sale, and to acquire and hold, lease, mortgage, convey or otherwise deal with the same. If a foreclosure action is filed to foreclose any Assessment lien, and an Owner abandons or leaves vacant his or her Lot, the Board may take possession and rent said Lot or apply for the appointment of a receiver for the Lot without prior notice to the Owner. The rights of the Association shall be expressly subordinate to the rights of any holder of a first lien

security interest as set forth in its deed of trust or mortgage (including any assignment of rents), to the extent permitted under the Act.

Section 5.8 Lien Priority. The lien of the Association under this Article is prior to all other liens and encumbrances on a Lot except: (1) liens and encumbrances recorded before the recordation of the Declaration; (2) a first lien security interest on a Lot (except as allowed by the Act with regard to the limited lien priority allowed to the Association); and (3) liens for real estate taxes and other governmental assessments or charges against the Lot. This Section does not affect the priority of mechanics' or materialmen's liens. The lien of the Association under this Article is not subject to the provision of any homestead exemption as allowed under state or federal law. The acceptance of a deed to a Lot subject to this Declaration shall constitute a waiver of the homestead exemption as against said Assessment lien. Sale or transfer of any Lot shall not affect the lien for said Assessments or charges except that sale or transfer of any Lot pursuant to foreclosure of any first lien security interest, or any proceeding in lieu thereof, including deed in lieu of foreclosure, or cancellation or forfeiture shall only extinguish the lien of Assessment charges as provided by applicable state law. No such sale, transfer, foreclosure, or any proceeding in lieu thereof, including deed in lieu of foreclosure, nor cancellation or forfeiture shall relieve any Lot from continuing liability for any Assessment charges thereafter becoming due, nor from the lien thereof.

Section 5.9 Working Capital Fund. Each Person who purchases a Lot from the Declarant shall make a non-refundable contribution to the Association in an amount equal to two (2) times the then current monthly installment of the annual Common Expense Assessment. Said contribution shall be collected and transferred to the Association at the time of closing of the sale of each Lot and shall, until used, be maintained in a segregated account with other such working capital funds for the use and benefit of the Association, including, without limitation, to meet unforeseen expenditures or to purchase equipment, property or services. Such contribution to the working capital fund shall not relieve an Owner from making regular payment of Assessments as the same become due.

Section 5.10 Surplus Funds. Any surplus funds of the Association remaining after payment of or provision for Common Expenses and prepayment of or provision for reserves shall be retained by the Association as reserves or in such other funds as the Board of Directors may direct and need not be paid to the Owners or credited to them to reduce future Assessments.

ARTICLE 6. ARCHITECTURAL REVIEW

Section 6.1 Composition of the Architectural Review Committee and Appointment. The Architectural Review Committee will consist of three (3) or more natural persons, or a separate entity such as an architectural firm or affiliate of the Declarant, appointed by the Board of Directors; provided, however, that until all of the Lots That May Be Included have been conveyed to the first Owner thereof (other than the Declarant), the Declarant may appoint the Architectural Review Committee. If no Architectural Review Committee is appointed, the Board of Directors shall act as the Architectural Review Committee. The power to "appoint" the Architectural Review Committee, as provided herein, shall include without limitation the power to: constitute the initial membership of the Architectural Review Committee; appoint member(s) to the

Architectural Review Committee on the occurrence of a vacancy therein, for whatever reason; and remove any member of the Architectural Review Committee, with or without cause, at any time, and appoint the successor thereof. Each such appointment may be made for such term(s) of office, subject to the aforesaid power of removal, as may be set from time to time at the discretion of the Board of Directors.

Section 6.2 Architectural Review Requirements; Authority of the Architectural Review Committee.

(a) No Improvement may be constructed, erected, placed, altered, planted, applied, installed or modified, upon any Lot or Lot, unless the Improvement is in full compliance with all provisions of the Governing Documents. Prior to constructing, erecting, placing, altering, planting, applying, installing or modifying an Improvement upon any Lot or Lot, the Owner of the Lot or Lot or the board of directors must submit plans and specifications for the proposed Improvement to the Architectural Review Committee for review and consideration, and then receive approval in writing from the Architectural Review Committee, all in accordance with the Design Guidelines and/or Rules and Regulations.

(b) The Architectural Review Committee shall exercise its reasonable judgment in an attempt to provide for each proposed Improvement to generally harmonize with the existing surroundings, residences, landscaping and structures.

(c) In its review of such plans, specifications and other materials and information, the Architectural Review Committee may require that the applicant(s) pay an architectural review fee and/or reimburse the Architectural Review Committee for the actual expenses incurred by the Architectural Review Committee in the review and approval process. Such amounts, if any, shall be collectible by the Association in the same manner as Assessments.

Section 6.3 Design Guidelines. The Architectural Review Committee may propose Design Guidelines or revisions or amendments thereto, which may be approved by the Board of Directors, at any time and from time to time. Without limiting the generality of the foregoing, any such Design Guidelines may contain guidelines to clarify the types of designs and materials that may be considered in design approval, may state requirements for submissions in order to obtain review by the Architectural Review Committee, may state procedural requirements, or may specify acceptable Improvements that may be installed without prior approval of the Architectural Review Committee.

Section 6.4 Procedures. The Architectural Review Committee will review and approve in writing (which may be with conditions and/or requirements), or disapprove, each request for architectural approval within thirty (30) days after the complete submission to the Architectural Review Committee of the plans and specifications and other materials and information which the Architectural Review Committee may require in conjunction therewith in accordance with the design review procedures set forth in the Design Guidelines. If the Architectural Review Committee fails to review and approve in writing (which may be with conditions and/or

requirements), or disapprove, a request for architectural approval within thirty (30) days after the complete submission of the plans and specifications and other information requested with respect thereto, such request shall be appealed to the board of directors as set forth in Section 6.5 below. .

Section 6.5 Vote and Appeal. If the Board of Directors is not acting as the Architectural Review Committee, an Owner whose plans have been disapproved or conditionally approved by the Architectural Review Committee may appeal any decision of the Architectural Review Committee to the Board of Directors by submitting a written appeal to the Board of Directors within thirty (30) days of the date of such disapproval or conditional approval. The Board of Directors shall review the decision of the Architectural Review Committee pursuant to the criteria set forth in this Article and the Design Guidelines. Any decision of the Architectural Review Committee may be overruled and reversed on appeal by a majority of the Board of Directors by a written decision setting forth the reasons for the reversal when the Board of Directors concludes that the Architectural Review Committee's decision was inconsistent with the criteria set forth in this Article and/or the Design Guidelines.

Section 6.6 Commencement and Completion of Construction. All improvements approved by the Architectural Review Committee must be commenced within six (6) months from the date of approval. If not commenced within such time, then such approval shall be deemed revoked by the Architectural Review Committee, unless the Architectural Review Committee gives a written extension for commencing the work. Additionally, except with written Architectural Review Committee approval otherwise, and except for delays caused by strikes, fires, national emergencies, critical materials shortages or other intervening forces beyond the control of the Owner (or the owners association performing the work, pursuant to Section 6.2(a) of this Declaration), all work approved by the Architectural Review Committee shall be completed within twelve (12) months of commencement, or within such time as otherwise specified in the approval from the Architectural Review Committee.

Section 6.7 Inspection of Work. The Architectural Review Committee and the Board of Directors have the right to inspect any Improvement at any time, including prior to or after completion, to determine whether or not the proposed Improvement is being completed or has been completed in compliance with the approval granted pursuant to this Article.

Section 6.8 Variances. The Architectural Review Committee, in its sole discretion, may grant reasonable variances or adjustments from any conditions and restrictions imposed by this Declaration or the Design Guidelines.

Section 6.9 Waivers. The approval or consent of the Architectural Review Committee to any application for architectural approval shall not be deemed to constitute a waiver of any right to hold or deny approval or consent by the Architectural Review Committee as to any application or other matters subsequently or additionally submitted for approval or consent.

Section 6.10 Liability. Neither the Declarant, the Association, the Board of Directors, the Architectural Review Committee, nor any agent, representative, affiliate, designee, consultant or contractor of any the same (collectively, the "**Released Parties**") are liable or shall be liable to any Person by reason of any action, including but not limited to failure to act, approval (which

may be with conditions and/or requirements), disapproval, or failure to approve or disapprove, in regard to any matter whether for damage or in equity. In reviewing or approving any matter, the Released Parties are not responsible for any issue related to the Improvements, whether structural or otherwise, and whether submitted for review or otherwise. The Released Parties are not responsible for any matter related to safety. The Released Parties are not responsible for the conformance of Improvements with applicable law or compliance with any other standard or regulation, and any approval (which may be with conditions and/or requirements) of any Improvement by the Architectural Review Committee will not be deemed an approval of any such matters, will not be deemed to represent that the Improvement conforms to applicable law or complies with any other standards or regulations, and will not constitute a warranty by the Released Parties to any applicant of the adequacy of design, workmanship or quality of such work or materials for any applicants' intended use. The Released Parties shall not be held liable for matters related to their decisions including, but not limited to soil conditions, ground water, drainage, or other general site work; any defects in plans revised or approved hereunder; any loss or damage arising out of the action, inaction, integrity, financial condition or quality of work of any contractor or its subcontractors, employees or agents, whether or not any of the Released Parties have approved or featured such contractor as a builder in the Property; or any injury, damages, or loss arising out of the manner or quality or other circumstances of approved construction on or modifications to any Lot. In all matters, the Released Parties shall be defended and indemnified by the Association as provided in Section 3.7 of this Declaration. The Architectural Review Committee will not make any investigation into title, ownership, easements, rights-of-way, or other rights appurtenant to property with respect to architectural requests and shall not be liable for any disputes relating to the same. No Person is a third-party beneficiary of any obligation imposed upon, rights accorded to, action taken by, or approval granted by, the Released Parties. Each Owner (i) waives and releases the Released Parties from all claims related to approval or disapproval of any Improvements and (ii) waives and releases all claims against the Released Parties. The foregoing release and waiver are made by each Owner to the fullest extent permitted by the law and for and on behalf of itself, its assigns, executors, heirs, occupants, personal representatives, representatives, and successors. The Released Parties shall not be liable for any mistake of judgment, negligence or otherwise, except for their own individual willful misconduct or bad faith. The Released Parties have no personal liability with respect to any contract or other commitment made or action taken on behalf of the Released Parties.

Section 6.11 Builders Exemption. Notwithstanding anything to the contrary, as long as, and to the extent that, a Builder has received written architectural approval from the Declarant, such Builder shall, as to Declarant-approved Improvements, be exempt from this Article and all provisions of this Declaration that require Architectural Review Committee review and/or approval.

ARTICLE 7. MAINTENANCE AND SERVICE RESPONSIBILITIES

Section 7.1 Association Maintenance and Service Responsibilities.

(a) The Association shall determine the specifications, scope, extent, nature and parameters of the Association's maintenance and service responsibilities. The Association

shall maintain, repair, replace, and keep in good repair in a workmanlike manner as a Common Expense the Common Area and all Improvements thereon.

Section 7.2 Owner's Maintenance Responsibility. Unless otherwise provided, the maintenance, repair and replacement of each Lot and the Improvements thereon shall be performed by the Owner thereof at such Owner's sole cost and expense-. Each Lot shall be maintained in a clean, slightly and wholesome condition.

Section 7.3 Inspection, Repair and Replacement of Designated Owner or Owners Association Maintenance Components. In the event any Owner shall fail to perform the maintenance, repair and/or reconstruction obligations in a manner satisfactory to the Association, the Association may, if said failure continues for a thirty (30) day period after written notice from the Association to said Owner enter upon said Lot subsequent to the expiration of said thirty (30) day time period to perform any or all of such maintenance, repair or reconstruction, the cost of which shall be the obligation of the Owner. The Board of Directors may extend the time period set forth in this Section, in its sole discretion, if completion of the maintenance, repair or reconstruction within the timeframe provided herein is unreasonable or impracticable given the circumstances in any particular instance. Notwithstanding the above, if an Owner's failure to perform its maintenance, repair and/or reconstruction obligations poses an immediate threat to persons or property or creates an emergency situation such that providing thirty (30) days' notice is impossible or impracticable, the Association may immediately perform any or all of such maintenance, repair or reconstruction as necessary, the cost of which shall be the obligation of the Owner. In any such emergency situation, the Owner of the affected Lot shall be notified as soon as reasonably possible. If the work done by the Association was otherwise the obligation of the Owner of the Lot, such costs shall be added to and become a part of the Assessment to which such Owner is subject, as an Individual Purpose Assessment, shall become a lien against the Lot, and shall be collected as provided in this Declaration for the collection of Assessments.

Section 7.4 Owner's Negligence. If the Board determines that the need for maintenance or repair of any portion of the Common Area, any Lot or otherwise is a Common Expense and is caused through the willful or negligent act of any Owner, or occupant or their family, guests, lessees, or invitees, then the Association may assess the cost of any such maintenance, repair, or replacement against the Owner's or occupant's Lot, which shall become a lien against the Lot, and shall be collected as an Individual Purpose Assessment and as provided in this Declaration for the collection of Assessments.

ARTICLE 8. INSURANCE

Section 8.1 Insurance to be Carried by the Association. The Association shall obtain and maintain in full force and effect to the extent reasonably available, and at all times, the insurance coverage set forth in this Declaration, which insurance coverage shall be provided by financially responsible and able companies duly authorized to do business in the State of Colorado. All insurance purchased by the Association shall be purchased from companies with ratings of "A" or better, to the extent that insurance is available at reasonable cost to the Association through such companies.

Section 8.2 Real Property Insurance on the Common Area.

(a) The Association shall obtain insurance providing all risk coverage or the nearest equivalent available for the full replacement cost, without deduction for depreciation, for all insurable improvements located on the Common Area, as more fully provided herein, and the other property of the Association.

(b) All policies shall contain a standard non-contributory mortgage clause in favor of each first mortgagee, and their successors and assigns, which shall provide that the loss, if any, thereunder shall be payable to the Association for the use and benefit of such first mortgagee, and their successors and assigns, as their interests may appear of record in the records of the office of the Clerk and Recorder of Eagle County, Colorado.

(c) The Association may also obtain any additional endorsements which it deems advisable and in the best interests of the Property from the Board of Directors.

(d) The insurance described in this Section shall be inflation coverage insurance, if such insurance is available, which shall at all times represent one hundred percent (100%) of the replacement value of all facilities in the Common Area, including machinery and equipment that are part of the Common Area, except land, foundation, excavation and other items normally excluded from coverage and except for any deductible provisions as permitted under this Article.

(e) The Association's insurance policy may contain a reasonable deductible, and the amount thereof shall not be subtracted from the face amount of the policy in determining whether the insurance equals at least the replacement cost of the insured property.

(f) The Association shall obtain property damage insurance in accordance with C.R.S. 38-33.3-313(2) to maintain any buildings containing Lots with horizontal boundaries.

Section 8.3 Liability Insurance. The Association shall obtain a comprehensive policy of public liability and property damage liability insurance covering the Common Area in such limits as the Board may from time to time determine, but not in any amount less than a combined single limit of $1,000,000.00, and in all cases covering all claims for bodily injury or property damage. Coverage shall include, without limitation, liability for personal injuries, operation of automobiles on behalf of the Association, and activities in connection with the ownership, operation, maintenance and other uses of the Common Area.

Section 8.4 Fidelity Insurance. The Association shall obtain fidelity coverage or fidelity bonds to protect against dishonest acts on the part of its officers, directors, agents, trustees, volunteers and employees and on the part of all others who handle or are responsible for handling the funds of the Association, including persons who serve the Association with or without compensation. The fidelity insurance shall be in an amount at least covering the Association’s reserves plus three months’ worth of Assessments.

Section 8.5 Workers Compensation. The Association shall obtain and maintain workers' compensation and employer's liability insurance and all other similar insurance with respect to employees of the Association in the amounts and in forms now or hereafter required by law.

Section 8.6 Director and Officer Liability Insurance. The Association shall purchase directors' and officers' insurance in an amount reasonably necessary to protect the directors and officers. Such insurance should include coverage for claims brought seeking both monetary and/or non-monetary damages.

Section 8.7 Other Insurance. The Association may obtain insurance against such other risks, of similar or dissimilar nature as it shall deem appropriate with respect to the Association's responsibilities and duties.

Section 8.8 Miscellaneous Terms Governing Insurance Carried by the Association. The Association shall maintain, to the extent reasonably available, feasible and necessary, policies with the following terms or provisions:

(a) All policies of insurance shall provide that each Owner is an insured under the policy with respect to liability arising out of such Owner's membership in the Association.

(b) All policies of insurance shall contain waivers of subrogation against any Owner or member of his or her household.

(c) All policies of insurance shall contain waivers of any defense based on invalidity arising from any acts of an Owner and shall provide that such policies may not be canceled or modified without at least thirty (30) days prior written notice to all of the Owners, holders of first mortgages on any of the Lots and the Association.

(d) If requested, certificates of insurance and renewals thereof, together with proof of payments of premiums, shall be delivered to all holders of first mortgages on the Lots at least ten (10) days prior to expiration of the then current policies.

(e) All liability insurance shall be carried in blanket form naming the Association, and the manager or managing agent, if any, of the Association as insured.

(f) All policies of insurance of the Association shall be primary, providing the primary insurance of the loss, if there is other insurance in the name of the Owner.

(g) All policies of insurance shall provide that the insurance thereunder shall not be invalidated, suspended, voidable or have any condition of recovery due to an act or omission by any Owner, only in respect to the interest of any particular Owner guilty of a breach of warranty, act, omission, negligence or non-compliance of any provision of such policy, including payment of the insurance premium applicable to the Owner's interest, or

who permits or fails to prevent the happening of any event, whether occurring before or after a loss, which under the provisions of such policy would otherwise invalidate or suspend the entire policy, but the insurance under any such policy, as to the interests of all other insured Owners not guilty of any such act or omission, shall not be invalidated or suspended and shall remain in full force and effect.

Section 8.9 Insurance Obtained by Owners. Unless otherwise provided, each Owner shall be responsible for maintaining insurance with sufficient limits to cover his Lot and all Improvements thereon. Such insurance shall include, but may not be limited to, furnishings and personal or other property in or on the Lot and liability insurance for injury, death or damage in or upon the Lot. Any such policy shall contain waivers of subrogation and shall be written so that the liability of the carriers issuing insurance obtained by the Association shall not be affected or diminished thereby.

Section 8.10 Insurance Premium. Insurance premiums for insurance carried by the Association shall be a Common Expense to be included as a part of the annual Common Expense Assessment levied by the Association.

Section 8.11 Managing Agent Insurance. The manager or managing agent, if any, shall be insured for the benefit of the Association, and shall maintain and submit evidence of such coverage to the Association, including professional liability or errors and omissions insurance, workers' compensation, unemployment and fidelity coverage.

Section 8.12 Waiver of Claims Against Association. As to all policies of insurance maintained by or for the benefit of the Association and Owners, the Association and the Owners hereby waive and release all claims against one another and the Board of Directors, to the extent of the insurance proceeds available, whether or not the insurance damage or injury is caused by the negligence of or breach of any agreement by these persons.

Section 8.13 Adjustments by the Association. Any loss covered by an insurance policy carried by the Association shall be adjusted by the Association, and the insurance proceeds for that loss shall be payable to the Association, and not to any holder of a mortgage on any Lot. The Association shall hold any insurance proceeds in trust for the Association, Owners and such mortgagees as their interests may appear. The proceeds must be distributed first for the repair or restoration of the damaged property, and the Association, Owners and mortgagees are not entitled to receive payment of any portion of the proceeds unless there is a surplus of proceeds after the damaged property has been completely repaired or restored. If the insurance proceeds are insufficient to cover the cost of repair or reconstruction, the Association may levy a Special Assessment to cover the short fall (or deductible) pursuant to this Declaration.

Section 8.14 Duty to Repair. Any portion of the Common Area for which insurance is required to be carried by the Association under this Article which is damaged or destroyed must be repaired or replaced promptly by the Association.

Section 8.15 Condemnation and Casualty Insurance Allocations and Distributions. In the event of a distribution of condemnation proceeds or hazard insurance proceeds to the Owners,

the distribution shall be to the parties as their interests and rights are determined or allocated by record or as set forth in the Act.

Section 8.16 Responsibility for Payment of Deductible Amount. Whether the Board, in its discretion, chooses to submit a claim under the Association insurance policies or not, the payment of the deductible amount for claims which the Association is responsible for insuring shall be as follows:

(a) The Association shall pay or absorb the deductible amount for any work, repairs or reconstruction for damage to Common Area, unless the damage is the liability of an Owner, his family, guests, or invitees, as set forth in this Declaration. The Owner shall then be responsible for such deductible amount, and the Association shall seek reimbursement of the deductible amount, which in the case of an Owner, shall be collected as an Individual Purpose Assessment in compliance with and under the terms of this Declaration.

(b) The Owner shall pay or absorb the deductible for any loss to a Lot unless the loss is caused by the negligent or willful act or omission of the Association, another Owner, another Owner's family, guests or invitees, in which case the Association shall pay the deductible pursuant to this Section. The Association may but shall not be obligated to seek the deductible from such Owner which shall be collected on behalf of the Owner suffering the loss as an Individual Purpose Assessment of the other Owner, as provided in this Declaration for the collection of Assessments.

Section 8.17 Insurance Assessments. If the proceeds of insurance are not sufficient to defray the costs of reconstruction and repair due to deductibles allocated to the Association or failure of the Association to maintain coverage to defray costs of repair and reconstruction which in the absence of insurance would be the maintenance responsibility of the Association, the deductible or additional cost shall be a Common Expense. Notwithstanding the budget ratification procedure set forth in this Declaration, the insurance Assessment shall be ratified unless vetoed by Members holding at least eighty percent (80%) of the total votes entitled to be cast in the Association pursuant to Section 303(4) of the Act and as set forth in the Bylaws, as the Bylaws may be amended from time to time.

Section 8.19 Association as Attorney-in-Fact. Each Owner hereby irrevocably appoints the Association as the Owner's true and lawful attorney-in-fact for the purposes of dealing with any improvements covered by insurance written in the name of the Association pursuant to this Article upon their damage or destruction as provided in this Declaration, or a complete or partial taking or condemnation as provided in this Declaration. Acceptance by a grantee of a deed or other instrument of conveyance conveying any portion of the Property shall constitute appointment of the Association as the grantee's attorney-in-fact, and the Association shall have full authorization, right, and power to make, execute, and deliver any contract, assignment, deed, waiver, or other instrument with respect to the interest of any Owner which may be necessary to exercise the powers granted to the Association as attorney-in-fact per this Declaration. Furthermore, if so requested, the Owner shall execute a separate instrument specifically setting forth this appointment.

ARTICLE 9. USE RESTRICTIONS

Section 9.1 Flexible Application of the Subsequent Covenants and Restrictions. Except as otherwise provided in this Declaration, all Lots within the Property shall be held, used and enjoyed subject to the following limitations and restrictions. The strict application of the following limitations and restrictions in any specific case may be modified or waived, in whole or in part, by the Board of Directors or by an appropriate committee (subject to review by the Board of Directors) if such strict application would be unreasonable or unduly harsh under the circumstances. Any such modification or waiver must be in writing.

Section 9.2 Authority. All provisions of the Governing Documents shall apply to Owners and their guests, tenants, invitees and licensees. Owners and their successors and assigns, by acceptance of a deed to their Lot, acknowledge that they have been given notice, and that:

(a) The ability of Owners to use their Lots may be limited by the provisions in the Governing Documents.

(b) The Board may, from time to time, adopt and amend definitions of words, phrases and terms used in this Declaration and other Governing Documents.

(c) The Board may establish penalties for the infraction of all regulations and Owners will be responsible for fines assessed against their tenants, guests and invitees for violations of the restrictions.

(d) All fines imposed are collectable as Assessments.

Section 9.3 Nuisances. No nuisance shall be permitted within the Property, nor any use, activity or practice which is the source of unreasonable annoyance or embarrassment to, or which unreasonably offends or disturbs, any Owner or which may unreasonably interfere with the peaceful enjoyment or possession or the proper use of a Lot, the Common Area or any portion of the Property by residents.

Section 9.4 Use of Common Area. There shall be no obstruction of any Common Area, nor shall anything be kept or stored on any part of the Common Area without the prior written approval of the Association. Nothing shall be altered on, constructed in, or removed from any Common Area without the prior written approval of the Board of Directors.

Section 9.5 No Annoying Lights, Sounds or Odors. No light shall be emitted from any portion of the Property which is unreasonably bright or causes unreasonable glare, and no sound or odor shall be emitted from any portion of the Property which would reasonably be found by others to be noxious or offensive. Without limiting the generality of the foregoing, no exterior spot lights, searchlights, horns, whistles, bells or other light or sound devices shall be located or used on any portion of the Property except with the prior written approval of the Architectural Review Committee, or as set forth in the Rules and Regulations, which may limit the hours of operation of light and/or sound devices.

Section 9.6 No Hazardous Activities. No activity shall be conducted on, and no Improvement shall be constructed on any Property within the Property which is or might be unsafe or hazardous to any person or property. Without limiting the generality of the foregoing, no firearms shall be discharged upon any Property within the Property. No open fires shall be lighted or permitted on any Property within the Property except in a contained barbeque Lot while attended and in use for cooking purposes or within an interior or exterior fireplace designed to prevent dispersal of burning embers unless otherwise prohibited by governmental ordinances. No Owner or Owners shall permit any condition on his Lot or Lots which creates a fire hazard or is in violation of applicable fire prevention regulations.

Section 9.7 Maintenance of Grade and Drainage. The grading upon each Lot shall be maintained by the Owner thereof formed for any portion of the Property which is responsible for the maintenance of the grading on such Lot at the slope and pitch fixed by the final grading thereof. No Owner shall interfere in any way with the established drainage pattern over any real property maintained by the same, from adjoining or other real property. For purposes of this Section, "established drainage" is defined as the drainage which exists at the time final grading on the Lot is completed by the builder of the structure(s) on the Lot in accordance with the Property's lot grading plan as approved by Eagle County or the Town of Minturn. Any Owner who changes the established drainage on his or her Lot, as applicable, may void warranties applicable to affected components of the structure(s) on the Lot or property and shall be liable for all costs and expenses of repairing such changes, or any costs, liabilities, damages or causes of action arising out of such changes. Each Owner shall hold harmless the Association for any and all damage to any party caused by any change to the established drainage on the Owner's Lot as applicable.

Section 9.8 Rules and Regulations. In furtherance of the provisions of this Declaration, and the general plan of the Property, Rules and Regulations concerning and governing the Property, or any portion thereof may be adopted, amended, or repealed from time to time by the Board of Directors. The Board of Directors may establish and enforce penalties for the infraction thereof.

Section 9.9 Use of the Words "Midtown" and "Midtown Village Association". No resident or Owner shall use the words "Midtown Village" or "Midtown Village Association, Inc." or the logo of the Property or the Association, if any, or any derivative thereof, in connection with any goods, materials or services without the prior written consent of the Association.

ARTICLE 10. DISPUTE RESOLUTION PROCEDURES

Section 10.1 Definitions Applicable to this Article 10. For purposes of this Article 10 only, the following terms have the meanings set forth in this Section 10.1:

(a) "**JAG**" means the Judicial Arbiter Group, or any other Person agreed to by the Claimant and Respondent in writing for the purpose of performing the functions of the Judicial Arbiter Group under this Declaration with a minimum of ten (10) years' experience in the subject matter of the dispute. In the event that the Judicial Arbiter Group becomes unwilling or unable to perform its functions under this Declaration, JAG shall refer to any

organization in Eagle County or the Denver Metropolitan Area designated by the Declarant that specializes in the provision of impartial mediation and arbitration services and that has a minimum of ten (10) years' experience in the provision of such services.

(b) "**Bound Party**" means each of the Persons subject to this Declaration and any Person not otherwise subject to this Declaration who agrees to submit to this Article 10. Notwithstanding the foregoing, "Bound Party" does not include any of the parties identified in this subsection (b) if such parties have jointly entered into a separate written agreement providing for dispute resolution applicable to the Claim; in such circumstance, the dispute resolution mechanism set forth in such separate written agreement between such parties shall apply with respect to such Claim unless the parties mutually agree to submit such Claim to the provisions of this Article 10.

(c) "**Claimant**" means any Bound Party having a Claim.

(d) "**Claim**" means, except as exempted by the terms of this Article 10, (i) any claim, grievance or dispute between one Bound Party and another, regardless of how the same may have arisen or on what it might be based, including those arising out of or related to the interpretation, application or enforcement of any of the Governing Documents or the rights, obligations and duties of any Bound Party under any of the Governing Documents; or (ii) any statements, representations, promises, warranties, or other communications made by or on behalf of any Bound Party.

(e) "**Notice**" means the written notification given by a Claimant to a Respondent and which shall comply with the requirements of subsection 10.5(a).

(f) "**Party**" means the Claimant and the Respondent individually; "Parties" means the Claimant and the Respondent collectively.

(g) "**Respondent**" means any Bound Party against whom a Claimant asserts a Claim.

(h) "**Termination of Mediation**" means a period of time expiring thirty (30) days after submission of the matter to mediation (or within such other time as determined by the mediator or agreed to by the Parties) and upon the expiration of which the Parties have not settled the Claim.

(i) "**Termination of Negotiations**" means a period of time expiring thirty (30) days after the date of the Notice (or such other period of time as may be agreed upon by the Parties) and upon the expiration of which the Parties have not resolved a Claim.

Section 10.2 Intent of Article; Applicability of Article; and Applicability of Statutes of Limitation.

(a) Each Bound Party agrees to encourage the amicable resolution of disputes, without the emotional and financial costs of litigation. Accordingly, each Bound Party covenants and agrees to submit any Claims to the procedures set forth in Section 10.5.

(b) By acceptance of a deed to a Lot, each Owner agrees to abide by the terms of this Article 10.

(c) Any applicable statute of limitation shall apply to the alternative dispute resolution procedures set forth in this Article 10.

Section 10.3 Commencement or Pursuit of Claim Against Bound Party.

(a) A Bound Party may not commence or pursue a Claim against any other Bound Party except in compliance with this Article 10.

(b) Prior to any Bound Party commencing any proceeding to which another Bound Party is a party, the Respondent shall have the right to be heard by the Claimant, and to promptly access, inspect, correct the condition of, or redesign any portion of any Improvement as to which a defect is alleged or otherwise correct the alleged dispute.

Section 10.4 Claims. Unless specifically exempted below, all Claims between any of the Bound Parties are subject to the provisions of this Article 10. Notwithstanding the foregoing, unless all Parties otherwise agree, the following are not Claims and shall not be subject to the provisions of this Article 10:

(a) Any action or suit by the Association regarding the imposition or collection of Assessments or other charges levied by the Association pursuant to this Declaration, including actions to foreclose Assessment liens;

(b) Any action or suit by the Association or the Declarant to enforce any provisions of the Governing Documents, including obtaining a temporary restraining order or injunction (or equivalent emergency equitable relief) and such other ancillary relief as a court may deem necessary;

(c) Counterclaims or defenses to claims brought by the Association in proceedings instituted against any of them;

(d) Any suit between or among Owners, which does not also include the Association as a party, if such suit asserts a Claim which would constitute a cause of action independent of the Governing Documents; and

(e) Any suit in which any indispensable party is not a Bound Party.

Section 10.5 Mandatory Procedure.

(a) *Notice*. Prior to proceeding with any Claim against a Respondent, each Claimant shall give a Notice to each Respondent, which Notice shall state plainly and concisely:

(i) The nature of the Claim, including all Persons involved and Respondent's role in the Claim;

(ii) The legal basis of the Claim (i.e., the specific authority out of which the Claim arises);

(iii) The proposed remedy; and

(iv) The fact that Claimant will give the Respondent an opportunity to inspect all property and Improvements potentially involved with the Claim, and that Claimant will meet with Respondent within a reasonable amount of time after such inspection to discuss in good faith ways to resolve the Claim.

(b) *Negotiation and Mediation*.

(i) The Parties will make every reasonable effort to meet in person and confer for the purpose of resolving the Claim by good faith negotiation. If requested in writing, accompanied by a copy of the Notice, any Party may appoint a representative to assist the Parties in negotiation.

(ii) Upon the Termination of Negotiations, Claimant has thirty (30) days to submit the Claim to mediation under the auspices of JAG in accordance with the rules of JAG in effect on the date of the Notice that is provided for in subsection 10.5(a).

(iii) If Claimant does not submit the Claim to mediation within such time, or does not appear for the mediation, Claimant waives the Claim, and Respondent will be released and discharged from any and all liability to Claimant on account of such Claim.

(iv) Any settlement of the Claim through mediation must be documented in writing by the mediator and signed by the Parties. If a Termination of Mediation occurs, the mediator must issue a notice of Termination of Mediation. The Termination of Mediation notice shall set forth that the Parties are at an impasse and the date that mediation was terminated.

(v) Each Party will bear its own costs of the mediation, including attorneys' fees, and each Party shall share equally all charges rendered by the mediator.

(vi) If the Parties agree to a resolution of any Claim through negotiation or mediation and any Party thereafter fails to abide by the terms of such agreement,

then any other Party may file suit or initiate arbitration proceedings to enforce such agreement without the need to again comply with the procedures set forth in this Section 10.5(a). In such event, the Party taking action to enforce the agreement will recover from the non-complying Party (or if more than one non-complying Party, from all such Parties pro rata) all costs incurred in enforcing such agreement, including attorneys' fees and court costs.

(c) *Binding Arbitration*.

(i) Upon Termination of Mediation, if Claimant desires to pursue the Claim, Claimant may initiate final, binding arbitration of the Claim under the auspices of JAG in accordance with the rules of JAG in effect on the date of the Notice that is provided for in Section 10.5(a) of this Declaration.

(ii) If the Association is the Claimant and the Claim the Association is initiating is a construction defect action, as defined in §38-33.3-303.5(1)(b), C.R.S, the Association shall follow the notice procedures and obtain the Owner approval required by §38-33.3-303.5, C.R.S., prior to initiating final, binding arbitration of such Claim.

(iii) Any judgment upon the award rendered by the arbitrator may be entered in and enforced by any court having jurisdiction over such Claim. Unless otherwise mutually agreed to by the Parties, one arbitrator who has expertise in the areas of dispute, which may include legal expertise if legal issues are involved, will arbitrate the dispute.

(iv) In any action brought pursuant to this Article, the prevailing Party shall recover from the other Party all costs and expenses associated with such proceedings, including reasonable attorney's fees. For purposes of this Article, "prevailing party" shall mean the party in whose favor a judgment, decree, or final order is rendered, either by an arbitrator or the court, after appeal, if any. In the event both Parties prevail on one or more Claims, the prevailing party shall mean the net winner of a dispute, taking into account the Claims pursued, the Claims on which the pursuing party was successful, the amount of money sought, the amount of money awarded, and offsets or counterclaims pursued (successfully or unsuccessfully) by the other Party. Further, if a Party unsuccessfully contests the validity or scope of arbitration in a court of law, the arbitrator shall award reasonable attorneys' fees and expenses incurred in defending such contests, including those incurred in trial or on appeal, to the non-contesting Party. All decisions respecting the arbitrability of any Claim shall be decided by the arbitrator.

Section 10.6 Award. The award of the arbitrator must be accompanied by detailed written findings of fact and conclusions of law. Except as required by applicable law or for confirmation of an award, neither Party nor an arbitrator may disclose the existence, content, or results of any arbitration without the prior written consent of all Parties.

ARTICLE 11. DEVELOPMENT RIGHTS AND SPECIAL DECLARANT RIGHTS

Section 11.1 Development Rights. The Declarant hereby reserves for itself and its successors and assigns, the following rights, herein after the "Development Rights":

(a) The right to create Lots, Condominium Units or Common Area within the Property;

(b) The right to subdivide Lots or convert Lots to Common Area; and

(c) The right to withdraw real estate from the Property; and

(d) The right to add real estate to the Property; and

(e) The right to develop the Future Development Parcels.

Section 11.2 Special Declarant Rights. In addition to the Development Rights reserved above, the Declarant further reserves those rights granted to or reserved by the Declarant as hereinafter set forth or as otherwise set forth in this Declaration or the Act for the benefit of the Declarant, including but not limited to the following acts (collectively, the "**Special Declarant Rights**"):

(a) To build and complete Improvements in the Property;

(b) To exercise any Development Right;

(c) To maintain sales offices, construction offices, management offices, and signs advertising the Property and sale of Lots and/or Condominium Units;

(d) To use easements through the Common Area for the purpose of making Improvements within the Property or within real property which may be added to the Property;

(e) To grant or create rights-of-way or easements for purposes including but not limited to access, utilities, drainage, water, including potable and/or non-potable water systems, and other purposes incidental, complimentary or supplementary to the development and sale of the Property located in or across Lots owned by the Declarant or the Common Area, provided such easements do not create a permanent, unreasonable interference with the rights of any Owners at the time such right-of-way or easement is created;

(f) To make the Property subject to a master association;

(g) To merge or consolidate the Property with a common interest Property of the same form of ownership;

(h) To appoint or remove any officer of the Association or any member of the Board of Directors during the Period of Declarant Control;

(i) To convert any Lot or other portion of the Property in the Property owned by the Declarant into Common Area;

(j) To record a Subassociation Declaration against all or any portion of the Property owned by the Declarant, or if not owned by the Declarant, with the consent of the Owner thereof; and

(k) To perform any other right of the Declarant set forth in this Declaration.

Section 11.3 Exercise of Development Rights or Special Declarant Rights. All of the Development Rights and Special Declarant Rights may be exercised by the Declarant with respect to any portion of the property now or hereafter within the Property. The Declarant may exercise any or all of the Development Rights or Special Declarant Rights at any time and from time to time. Unless otherwise provided herein, the Development Rights and Special Declarant Rights shall terminate twenty (20) years from the date of the recording of this Declaration, unless surrendered by the Declarant prior to that date by the recording of a written statement that the Declarant has surrendered any such Development Rights or Special Declarant Rights.

Section 11.4 Subdivision or Replatting of Lots. The Declarant may subdivide or replat any Lot(s) and/or Condominiums Unit(s) owned by the Declarant in the Property. Without limiting the generality of the foregoing, the Declarant reserves the right to move any lots line(s) on Lots(s) and/or Condominium Unit(s) owned by the Declarant for the purpose of accommodating Improvements which are constructed or are to be constructed. Any subdivision or replating of any Lot(s) and/or Condominium Unit(s) may increase the number of Lots in the Property, as long as the total number of Lots That May be Included is not exceeded.

Section 11.5 Subassociation Declarations. The Declarant may record a Subassociation Declaration against all, or any portion of the Property then owned by the Declarant, or with the consent of the then Owner of the portion of the Property, if not owned by the Declarant, which may contain additional covenants, conditions, restrictions, limitations, reservations, exceptions, equitable servitudes or other provisions to be imposed on that portion of the Property described therein.

Section 11.6 Rights Transferrable/Rights Transferred. Any rights created or reserved under this Article or the Act for the benefit of the Declarant may be transferred to any Person by an instrument describing the rights transferred and recorded in the real property records of Eagle County, Colorado. Such instrument shall be executed by the transferor Declarant and the transferee. The rights transferred may then be exercised in compliance with the requirements of C.R.S. § 38-33.3-210 and C.R.S. § 38-33.3-209(6) without the consent of the Association, any Owners or any holders of a security interest on any Lot. Any rights created or reserved under this Article or the Act for the benefit of the Declarant may also be transferred to the Association by an instrument describing the right transferred and recorded in the real property records of Eagle County, Colorado. Such instrument shall be executed by the transferor Declarant and the

Association as transferee. The rights transferred may then be exercised in compliance with the requirements of C.R.S. § 38-33.3-210 and C.R.S. § 38-33.3-209(6) without the consent of the Association, any Owners or any holders of a security interest on any Lot.

Section 11.7 No Further Authorizations Needed. The consent of Owners or holders of security interests on the Lots shall not be required for the exercise of any reserved rights, and the Declarant or its assigns may proceed without limitation at its sole option. The Declarant or its assignees may exercise any reserved rights on all or any portion of the Property in whatever order determined. The Declarant or its assigns shall not be obligated to exercise any reserved rights or to expand the Property beyond the number of Lots initially submitted.

ARTICLE 12. MISCELLANEOUS AND GENERAL PROVISIONS

Section 12.1 Compliance and Enforcement.

(a) The Association may enforce all applicable provisions of this Declaration and may impose sanctions for violation of the Governing Documents. Such sanctions may include, without limitation:

(i) Imposing reasonable monetary fines, after notice and opportunity for a hearing, which fine shall constitute a lien upon the violator's Lot;

(ii) Suspending an Owner’s voting rights during any period in which the Owner shall be in default in the payment of any Assessment, including interest, fines, late fees, attorney fees and costs, levied by the Association;

(iii) Suspending an Owner’s voting rights for a period not to exceed sixty (60) days or during any period of violation, whichever is greater, for the violation of any other provision of the Governing Documents other than the non-payment of Assessments;

(iv) Exercising self-help or taking action to abate any violation of the Governing Documents;

(v) Requiring an Owner at the Owner's expense, to remove or alter any structure or Improvement on such Owner's Lot in violation of the Governing Documents and to restore the Lot or property to a compliant condition and, upon failure of the Owner, the Board or its designee shall have the right to enter the property, remove the violation and restore the property to a compliant condition and any such action shall not be deemed a trespass, with all fees and costs in connection with such removal and restoration to be assessed to the Owner as an Assessment under the terms of this Declaration;

(vi) Without liability to any person, precluding any contractor, subcontractor, agent, employee, or other invitee of an Owner who fails to comply with the terms and provisions of this Declaration from continuing or performing any further activities in the Property;

(vii) Bringing suit at law or in equity to enjoin any violation or to recover monetary damages or both.

(b) In addition to any other enforcement rights, if an Owner fails to properly perform his or her maintenance responsibility, or otherwise fails to comply with the Governing Documents, the Association may record a notice of violation or perform such maintenance responsibilities and assess all costs incurred by the Association against the Lot and the Owner as an Individual Purpose Assessment. The Association shall provide the Owner reasonable notice and an opportunity to cure the problem prior to taking such enforcement action.

(c) All remedies set forth in the Governing Documents shall be cumulative of any remedies available at law or in equity. In any action to enforce the Governing Documents, the prevailing party shall be entitled to recover all costs, including, without limitation, attorney fees and court costs, reasonably incurred in such action.

(d) The decision of the Association to pursue enforcement action in any particular case shall be left to the Board's discretion, subject to the duty to exercise judgment and be reasonable, as provided for in this Declaration, and further restricted in that the Board shall not be arbitrary or capricious in taking enforcement action.

Section 12.2 Covenants to Run. The covenants and restrictions contained in this Declaration shall run with and bind the Property in perpetuity. All of the covenants, easements, servitudes and provisions contained in this Declaration shall be a burden on the title to all of the lands within the Property, and the benefits thereof shall inure to the owners of all of the lands within the Property.

Section 12.3 Termination. Termination of the Property shall be in accordance with the Act.

Section 12.4 Attorney Fees. If an Owner fails to pay any Assessment or any other amount due to the Association as provided in this Declaration, the Association may require reimbursement for reasonable attorney fees and costs, without the necessity of commencing a legal proceeding. If an Owner, an Owner's family member, guest, tenant, invitee or licensee fails to comply with any other provision of the Governing Documents, the Association may seek reimbursement for reasonable attorney fees and costs incurred as a result of such failure to comply, without the necessity of commencing a legal proceeding. In a legal proceeding in any way related to the Governing Documents or the Property, the court shall award to the party prevailing on each claim the prevailing party's reasonable attorney fees and costs incurred in asserting or defending the claim. Such reasonable attorney fees and costs, if awarded against the Owner, shall be charged as an Individual Purpose Assessment and shall constitute a lien against the Lot.

Section 12.5 Amendment of Declaration by Owners. Except as otherwise provided in this Declaration and except for amendments that may be approved by the Declarant or the Association under the provisions of this Declaration or the Act, any provision, covenant, condition,

restriction or equitable servitude contained in this Declaration may be amended, revised, removed or repealed, and new provisions, covenants, conditions, restrictions or equitable servitudes may be added, at any time and from time to time upon approval of Owners holding at least sixty-seven percent (67%) of the votes in the Association. Said approval may be obtained in any method allowed by the Governing Documents of the Association or the Act or other applicable law. The amendment or repeal shall be effective upon the recordation in the office of the Clerk and Recorder of Eagle County, Colorado, of a certificate, setting forth the amendment in full and certifying that the amendment has been approved as set forth above, and containing the written consent and approval of the Association. All challenges to the validity of any amendment or repeal must be made within one (1) year after the date of recording of such amendment or repeal.

Section 12.6 Amendment of Declaration by Declarant. The Declarant may amend this Declaration or the Plat to correct clerical, typographical or technical errors. The Declarant may also amend this Declaration to comply with the requirements, standards or guidelines of recognized secondary mortgage markets, the Department of Housing and Urban Development, the Federal Housing Administration, the Veterans Administration, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or the Federal national Mortgage Association.

Section 12.7 Required Consent of Declarant to Amendment. Notwithstanding any other provision in this Declaration to the contrary, any proposed amendment or repeal of any provision of this Declaration reserving rights to or for the benefit of the Declarant, or its assigns, shall not be effective unless the Declarant has given written consent to such amendment or repeal, which may be withheld at the Declarant's sole discretion, and which consent, if granted, may be evidenced by the execution by the Declarant of any certificate of amendment or repeal. The foregoing requirement for consent to any such amendment or repeal shall terminate upon the conveyance of all of the Lots That May Be Included to Owners other than the Declarant.

Section 12.8 Cooperation with Other Associations or Districts. The Association shall have the right and authority at any time, from time to time, to enter into agreements and otherwise cooperate with other Property owners and/or any special district(s) to share facilities, to share the costs and/or responsibility for any operation, maintenance, repair, replacement or other matters, to perform maintenance, repair or replacement for any person(s) in consideration of payment or reimbursement therefor, to utilize the same contractors, subcontractors, managers or others who may perform services for the Association, any other Property association(s) and/or any district(s), or to otherwise cooperate with any other Property association(s) and/or any district(s) in order to increase consistency or coordination, reduce costs, or as may otherwise be deemed appropriate or beneficial by the Board of Directors in its discretion from time to time. The costs and expenses for all such matters, if any, shall be shared or apportioned between the Association and/or any other Property association(s) and/or any district(s) as the Board of Directors may determine in its discretion from time to time. Additionally, the Association shall have the right and authority at any time, from time to time, to enter into agreements and otherwise cooperate with any other Property association(s) and/or any district(s) to collect assessments, other charges or other amounts which may be due to such entity and to permit any such entity to collect assessments, other charges or other amounts which may be due to the Association; in any such instance, the Association shall

provide for remittance to such entity of any amounts collected by the Association or to the Association of any amounts collected by such entity.

Section 12.9 Registration of Mailing Address. Each Owner shall register his mailing address with the Association. Except as may otherwise be required by this Declaration, any notices or demands intended to be served upon an Owner shall be sent by first class mail, postage prepaid, addressed in the name of such Owner at such registered mailing address, or provided by other means as permitted or required by the Act. If an Owner fails to notify the Association of a registered address, then any notice or demand may be delivered or sent, as aforesaid, to such Owner at the address of such Owner's Lot.

Section 12.10 Interpretation. The provisions of this Declaration shall be construed to effectuate their purposes of creating a uniform plan for promoting and effectuating the fundamental concepts as set forth in this Declaration. The Board of Directors shall have the authority to interpret the meaning of any provision contained in this Declaration. This Declaration shall be construed and governed under the laws of the State of Colorado.

Section 12.11 Singular Includes the Plural. Unless the context otherwise requires, the singular shall include the plural, and the plural shall include the singular, and each gender referral shall be deemed to include the masculine, feminine and neuter.

Section 12.12 Captions. All captions and titles used in this Declaration are intended solely for convenience of reference and shall not enlarge, limit, or otherwise affect that which is set forth in any paragraph, section or article hereof.

Section 12.13 Non-Waiver. Any forbearance or failure to enforce any provisions of this Declaration shall not operate as a waiver of any such provision or of any other provision of this Declaration or of any subsequent enforcement of such provision.

Section 12.14 Conflict of Provisions. In case of conflict between this Declaration and the Articles of Incorporation or the Bylaws, this Declaration shall control. In the case of conflict between the Articles of Incorporation and Bylaws, the Articles of Incorporation shall control.

Section 12.15 Severability. Invalidation of any one of these covenants or restrictions by judgment or court order shall in no way affect any other provisions which shall remain in full force and effect.

[Signature page follows]

IN WITNESS WHEREOF, the undersigned has hereunto set its hand this _____ day of _____, 2024.

DECLARANT:

MIDTOWN LOFTS LLC,
a Colorado limited liability company

By: _____
Name: Dan Armistead
Title: Owner/Manager

STATE OF COLORADO)
)ss.
COUNTY OF EAGLE)

The foregoing instrument was acknowledged before me this _____ day of _____, 2024, by _____ as _____ of MIDTOWN LOFTS LLC, a Colorado limited liability company.

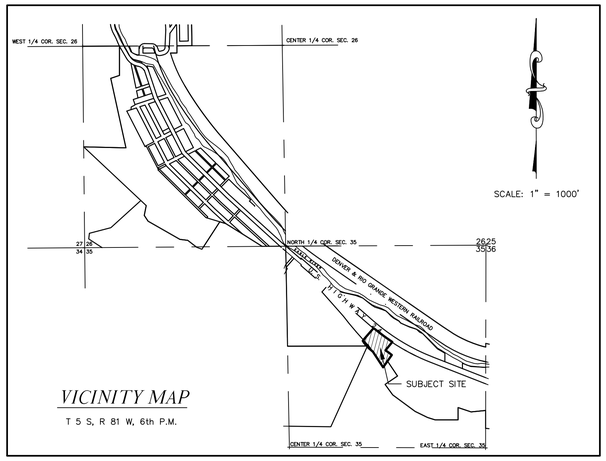
Witness my hand and official seal.

My commission expires: _____

_____
Notary Public

EXHIBIT A: DESCRIPTION OF PROPERTY

[NEED TO INCLUDE LEGAL DESCRIPTIONS OF THE LOTS TO BE INCLUDED, AND THE DESIGNATION OF THE LOT TYPE OF EACH]



VICINITY MAP

T 5 S, R 81 W, 6th P.M.

GENERAL NOTES:

1) DATE OF SURVEY: AUGUST, 2022.

2) BEARINGS BASED UPON THE LINE CONNECTING THE BRASS CAP MONUMENT FOUND MARKING U.S.F.S. BOUNDARY ANGLE POINT No. 17 AND THE BRASS CAP MONUMENT FOUND MARKING U.S.F.S. BOUNDARY ANGLE POINT No. 18, SAID BEARING BEING N33°12'33"W (ASSUMED).

3) THE SOLE PURPOSE OF THIS PLAT IS TO CREATE TRACTS A, B, C, D & E, MIDTOWN VILLAGE PUD AND VACATE THE INTERIOR BOUNDARIES OF THE PARCELS THAT COMPRISE MIDTOWN VILLAGE PUD AND TO CREATE CERTAIN EASEMENTS (SEE SHEETS 4 & 5).

4) THE PARCEL DESCRIPTIONS, BOUNDARY DIMENSIONS, EASEMENTS AND RIGHTS OF WAY SHOWN HEREON ARE PER THE TITLE SEARCH PERFORMED BY LAND TITLE GUARANTEE COMPANY, ORDER No. RND50070589-2, WITH AN EFFECTIVE DATE OF FEBRUARY 23, 2024 AT 5:00 P.M.

5) 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 CERTIFICATION SHOWN HEREON.

6) REFERENCES TO RECORD DOCUMENTS ARE TO THOSE REAL ESTATE RECORDS OF THE OFFICE OF THE EAGLE COUNTY CLERK AND RECORDER.

7) THE LINEAL UNITS INDICATED ARE IN U.S. SURVEY FEET.

MIDTOWN PUD IS SUBJECT TO THE FOLLOWING:

8) AN EASEMENT AND RIGHT TO USE SEWER TANKS AND LEACHING FIELD AS RESERVED IN DEED RECORDED JULY 1, 1965 IN BOOK 188 AT PAGE 345. (NOT ABLE TO DEPICT HEREON)

9) TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN WARRANTY DEED RECORDED FEBRUARY 19, 1970 IN BOOK 217 AT PAGE 120. (NOT ABLE TO DEPICT HEREON)

10) ANNEXATION ORDINANCE NO. 159, SERIES OF 1978, RECORDED MARCH 1, 1978 IN BOOK 267 AT PAGE 398 AND RECORDED DECEMBER 14, 1981 IN BOOK 333 AT PAGE 351, AND ANNEXATION MAP RECORDED MARCH 1, 1978 IN BOOK 267 AT PAGE 397.

11) TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN RIGHT OF WAY GRANT RECORDED JANUARY 21, 1970 IN BOOK 216 AT PAGE 914. (APPROXIMATE LOCATION SHOWN ON SHEET 2)

12) TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ANNEXATION ORDINANCES RECORDED DECEMBER 20, 1974 IN BOOK 238 AT PAGES 4 AND 94, MARCH 1, 1978 IN BOOK 267 AT PAGE 398 AND DECEMBER 14, 1981 IN BOOK 333 AT PAGES 349 AND 351.

13) EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF ANNEXATION PLAT FOR SOUTH MINTURN ADDITION TO THE TOWN OF MINTURN RECORDED MARCH 01, 1978 IN BOOK 267 AT PAGE 397. (THERE ARE NO EASEMENTS DEPICTED ON SAID PLAT).

14) TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN CLAIM OF EASEMENT RECORDED NOVEMBER 18, 2011 UNDER RECEPTION NO. 201121549. (LOCATION SHOWN ON SHEET 2)

15) TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN ENCROACHMENT AUTHORIZATION RECORDED NOVEMBER 18, 2011 UNDER RECEPTION NO. 201121550. (LOCATION SHOWN OF SHEET 2).

16) MIDTOWN VILLAGE PUD AND ANY VESTED RIGHTS ARE SUBJECT TO ORDINANCE No. 2, SERIES 2023 (WATER MORATORIUM) AND NO FURTHER SUBDIVISION OR DEVELOPMENT ON TRACTS C, D AND E MAY OCCUR UNTIL THE CONDITIONS OF SUCH MORATORIUM ORDINANCE HAVE BEEN MET.

LAND USE SUMMARY:

PARCEL	AREA	USE	ADDRESS
TRACT A	0.5030 ACRES	RESIDENTIAL	947 MAIN STREET
TRACT B	0.6549 ACRES	RESIDENTIAL/COMMERCIAL	947 MAIN STREET
TRACT C	0.4936 ACRES	FUTURE DEVELOPMENT	947 MAIN STREET
TRACT D	0.4855 ACRES	FUTURE DEVELOPMENT	947 MAIN STREET
TRACT E	0.3918 ACRES	FUTURE DEVELOPMENT	947 MAIN STREET
TOTAL	2.5288 ACRES		

Gore Range Surveying, LLC
P.O Box 15
Avon, CO 81620
(970) 479-8698 • fax (970) 479-0055

PRELIMINARY PLAT
MIDTOWN VILLAGE PUD
A PART OF SECTION 35, TOWNSHIP 5 SOUTH, RANGE 81 WEST OF THE SIXTH PRINCIPAL MERIDIAN
TOWN OF MINTURN, COUNTY OF EAGLE, STATE OF COLORADO

Certificate of Dedication and Ownership

Know all men by these presents that Midtown Lofts, LLC, a Colorado limited liability company being owner in fee simple and FirstBank as mortgagee of all that real property situated in the Town of Minturn, Eagle County, Colorado described as follows:

A parcel of land situated in a part of Section 35, Township 5 South, Range 81 West of the Sixth Principal Meridian, said parcel being more particularly described as follows:

Beginning at a brass cap monument found marking U.S.F.S. boundary Angle Point No. 17; thence N33°12'13"W 260.00 feet to a brass cap monument found marking U.S.F.S. boundary Angle Point No. 18; thence N49°07'41"W 105.00 feet to a brass cap monument found marking U.S.F.S boundary Angle Point No. 19; thence N22°42'10"E 23.28 feet; thence S89°55'28"W 26.06 feet to a found no. 5 rebar with a 1 1/2" aluminum cap, P.L.S. no. 38079; thence N39°00'05"W 46.14 feet to a found no. 5 rebar with a 1 1/2" aluminum cap, P.L.S. no. 38079; thence N30°18'47"W 32.19 feet to a found no. 5 rebar with a 1 1/2" aluminum cap, P.L.S. no. 38079; thence N45°41'02"E 23.64 feet to a found no. 5 rebar with a 1 1/2" aluminum cap, P.L.S. no. 38079; thence N49°22'27"W 3.87 feet to a found no. 5 rebar with a 1 1/2" aluminum cap, P.L.S. No. 14109; thence N0°57'36"E 209.84 feet to a found plain no. 5 rebar, said point being on the southerly right of way of U.S. Highway No. 24; thence along said southerly right of way 200.81 feet along a curve to the left having a radius of 2905.00 feet, an interior angle of 03°57'38" and a chord which bears S52°11'44"E 200.77 feet to a found no. 5 rebar with a 1 1/2" aluminum cap; thence continuing along said southerly right of way 124.33 feet along a curve to the left having a radius of 2905.00 feet, an interior angle of 02°27'08" and a chord which bears S55°09'46"E 124.32 feet to a found no. 5 rebar with a 1 1/2" aluminum cap, P.L.S. no. 30091; thence departing said southerly right of way S39°16'37"W 151.25 feet to a found no. 5 rebar with a 1 1/2" aluminum cap, P.L.S. no 30091; thence S55°26'50"E 61.91 feet to a found no. 5 rebar with a 1 1/2" aluminum cap, P.L.S. no 4551; thence S51°17'59"E 47.93 feet to a found no. 5 rebar with a 1 1/2" aluminum cap, P.L.S. no 4551; thence S31°12'11"W 7.97 feet to a brass cap monument found marking U.S.F.S. boundary Angle Point No. 16; thence S35°07'00"W 202.79 feet to the point of beginning, said parcel containing 2.5288 acres,

have by these presents laid out, platted and subdivided the same into lots and blocks as shown on this final plat under the name and style of Final Plat, Midtown Village PUD, a subdivision in the Town of Minturn, County of Eagle; and does hereby accept the responsibility for the completion of required improvements; and do hereby dedicate and set aside all of the public roads and other public improvements and places as shown on the accompanying plat to the use of the public forever; and do hereby dedicate those portions of said real property which are created as easements on the accompanying plat to the public or utility provider for the purposes shown herein; unless otherwise expressly provided herein; and does hereby grant and dedicate the following interests in the property:

A) To the Town of Minturn with no obligation to construct or maintain any improvements unless expressly agreed to by the Town:

1) Water Easement as shown on sheet 4 - on, over, under and through those portions of this Final Plat designated as "Water Easement" for the purpose of using, installing, constructing, maintaining, improving, repairing and replacing facilities of any kind or nature for the transmission of domestic water and/or irrigation water including but not limited to taps, manholes, and water lines, together with a right of ingress and egress thereto.

2) To the Eagle River Water and Sanitation District a non-exclusive sewer easement as shown on sheet 4 - on, over, under, above, across and through those areas designated hereon as "Sewer Easement" to, as shown, for the purpose of disposal and transmission of domestic sewage and storm water, the installation, use, repair, replacement, improvement and maintenance of sanitary sewer structures including but not limited to manholes, pipes and all related structures, together with a right of ingress and egress thereto.

B) All easements created by this plat are hereby dedicated to the Midtown Village PUD Homeowners Association.

EXECUTED this _____ day of _____, A.D., 2024.

Owner: Midtown Lofts, LLC
a Colorado Limited Liability Company

Address: _____

By: _____

Title: _____

STATE OF _____)
)SS
COUNTY OF _____)

The foregoing Certificate of Dedication and Ownership was acknowledged before me this _____day of _____, A.D., 2024, by _____ as _____ of Midtown Lofts, LLC, a Colorado limited liability company.

My Commission expires:_____

Witness my hand and official seal.

_____
Notary Public

Mortgagee: FirstBank

Address: _____

By: _____

Title: _____

STATE OF _____)
)SS
COUNTY OF _____)

The foregoing Certificate of Dedication and Ownership was acknowledged before me this _____day of _____, A.D., 2024, by _____ as _____ of FirstBank.

My Commission expires:_____

Witness my hand and official seal.

_____
Notary Public

Title Certificate

Land Title Guarantee Company does hereby certify that the Title to all lands shown upon this plat have been examined and is vested in Midtown Lofts, LLC, a Colorado limited liability company, that title to such lands is free and clear of all liens and encumbrances, except as follows:

_____

_____

_____

_____

_____

Dated this _____ day of _____, A.D., 2024.

Agent signature _____

Address: 610 West Lionshead Circle, Suite 300
Vail, CO 81657

Agent name_____

Surveyor's Certificate

I, do hereby certify that I am a Professional Land Surveyor licensed under the laws of the State of Colorado, that this plat is a true, correct and complete Final Plat of Midtown Village PUD, as laid out, platted, dedicated and shown hereon, that such plat was made from an accurate survey of said property by me and / or under my supervision and correctly shows the location and dimensions of the lots, easements and streets of said subdivision as the same are staked upon the ground in compliance with applicable regulations governing the subdivision of land.

In Witness Whereof, I have set my hand and seal this _____ day of _____, A.D., 2024.

_____
Samuel H. Ecker
Colorado P.L.S. No. 30091

Minturn Town Certificate

Pursuant to recommendation by the Town of Minturn Planning Director this plat is approved by the Town Council of the Town of Minturn, County of Eagle, State of Colorado, this _____ day of _____ A.D. 2024, for filing with the Clerk and Recorder of the County of Eagle. This plat shall supersede the prior plat, subject to the provision that approval in no way obligates the Town of Minturn for financing or construction of improvements on lands, streets or easements dedicated except as indicated. This Certificate further evidences the vacation of any and all roadways which may have been previously designated on such prior plat or which roadway may have been otherwise conveyed to or acquired by the Town of Minturn. All right, title, or interest of Minturn to any such roadway has been divested and this Certificate confirms the vacation of such roadway. Approval of this plat by the Town is a consent only and is not to be construed as an approval of the technical correctnes of this plat or any documentation relating thereto.

Witness my hand and the seal of the Town of Minturn
Town Council of the Town of Minturn

By: _____
Mayor
Town of Minturn, Colorado

ATTEST: _____
Town Clerk
Town of Minturn, Colorado

Certificate of Taxes Paid

I, the undersigned, do hereby certify that the entire amount of taxes and assessments due and payable upon all parcels of real estate described on this plat are paid in full as of _____.
Dated this _____ day of _____, A.D., 2024.

_____
Treasurer of Eagle County

Clerk and Recorder's Certificate

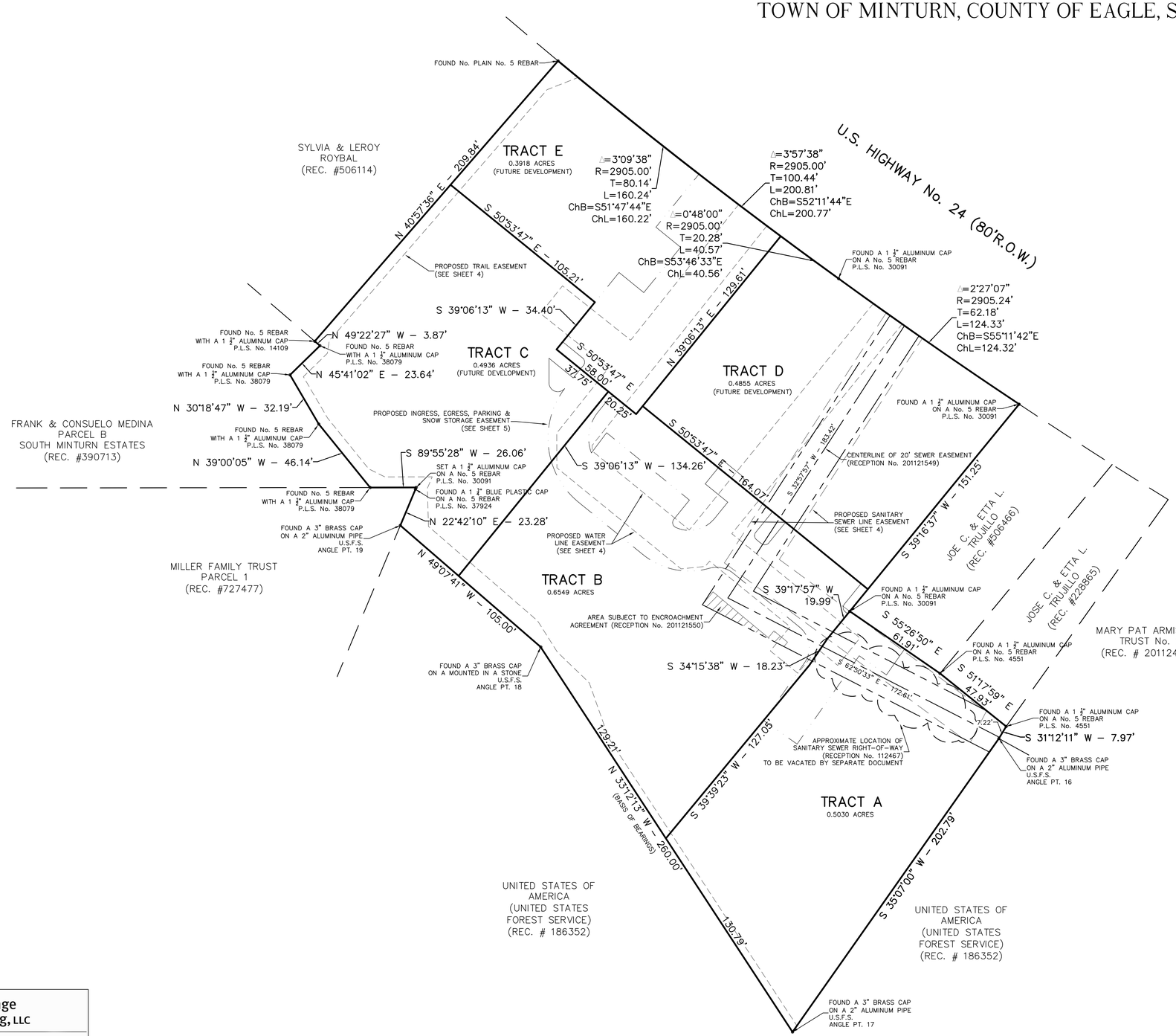
This Plat was filed for record in the Office of the Clerk and Recorder at ____ o'clock ____, on this_____ day of _____, 2024, and is duly recorded at Reception No._____.

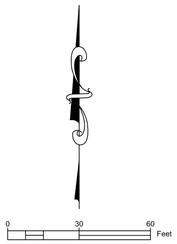
_____, Clerk and Recorder

By:_____, Deputy

DRAWN BY: SE	DATE: 8/15/2024
CHECKED BY: SE	DRAWING NO.: 21-1353plat
JOB NO.: 21-1353	SHEET 1 OF 54

PRELIMINARY PLAT
MIDTOWN VILLAGE PUD
A PART OF SECTION 26, TOWNSHIP 5 SOUTH, RANGE 81 WEST OF THE SIXTH PRINCIPAL MERIDIAN
TOWN OF MINTURN, COUNTY OF EAGLE, STATE OF COLORADO





SCALE: 1" = 30'

Gore Range Surveying, LLC
P.O Box 15
Avon, CO 81620
(970) 479-8698 • fax (970) 479-0055

DRAWN BY:	SE	DATE:	8/15/2024
CHECKED BY:	SE	DRAWING NO.:	21-1353plat
JOB NO.:	21-1353	SHEET	2 OF 5

PRELIMINARY PLAT
MIDTOWN VILLAGE PUD
A PART OF SECTION 26, TOWNSHIP 5 SOUTH, RANGE 81 WEST OF THE SIXTH PRINCIPAL MERIDIAN
TOWN OF MINTURN, COUNTY OF EAGLE, STATE OF COLORADO
PARCEL BOUNDARIES VACATED

INDIVIDUAL PARCEL LEGAL DESCRIPTIONS:

(PARCEL DESCRIPTIONS PER TITLE COMMITMENT PROVIDED BY LAND TITLE GUARANTEE COMPANY, ORDER NUMBER RND500789-2, WITH AN EFFECTIVE DATE OF FEBRUARY 23, 2024 AT 5:00 P.M.)

PARCEL 1:
PARCEL A:
A PARCEL OF LAND BEING A PORTION OF LOT 10, SOUTH MINTURN ADDITION, RECORDED MARCH 1, 1978, AT RECEPTION NO. 163774 AND A PORTION OF PARCEL B, SOUTH MINTURN ESTATES, RECORDED NOVEMBER 07, 1988 AT RECEPTION NO. 390713 SITUATED IN THE NE1/4 OF SECTION 35, TOWNSHIP 5 SOUTH, RANGE 81 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF MINTURN, COUNTY OF EAGLE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:
BEGINNING AT A FOUND 1.5" ALUMINUM CAP LS #14109, MARKING A WESTERLY CORNER OF SAID LOT 10, FROM WHENCE A 1.5" ALUMINUM CAP SET IN CONCRETE MARKING AN ANGLE POINT OF SAID PARCEL B, BEARS N41°25'32"W 307.94 FEET, SAID LINE FORMING THE BASIS OF BEARINGS FOR THE FOLLOWING DESCRIPTION; LEAVING SAID WESTERLY CORNER ALONG A WESTERLY LINE OF SAID LOT 10, N40°57'36"E 19.39 FEET TO A POINT BEING THE SOUTHEASTERLY CORNER OF A PARCEL OF LAND DESCRIBED IN INSTRUMENT RECORDED MAY 27, 1993 AT RECEPTION NO, 506114, ALSO KNOWN AS LOT 9; THENCE CONTINUING ALONG A LINE COMMON TO SAID LOT 9 AND LOT 10, N40°57'36"E 190.00 FEET TO A FOUND #5 REBAR LOCATED ON THE SOUTHERLY RIGHT OF WAY OF U.S. HIGHWAY 24, MARKING A COMMON CORNER OF SAID LOT 9 AND 10; THENCE ALONG SAID RIGHT OF WAY 200.75 FEET ALONG A ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 2905 FEET, INTERIOR ANGLE OF 03°57'34" AND A CHORD WHICH BEARS S52°21'01"E 200.71 FEET TO A FOUND 1.5" ALUMINUM CAP ON #5 REBAR LS #30091 MARKING THE NORTHWESTERLY CORNER OF PARCEL 3 AS BEING DESCRIBED IN INSTRUMENT RECORDED OCTOBER 29, 2013, UNDER RECEPTION NO. 201321950; THENCE LEAVING SAID RIGHT OF WAY ALONG THE WESTERLY LINE OF SAID PARCEL 3, S38°19'59W 150.48 FEET TO A FOUND 1.5" ALUMINUM CAP LS #30091 MARKING A CORNER COMMON TO SAID LOT 10 AND PARCEL 3; THENCE ALONG A LINE COMMON TO SAID LOT 10 AND PARCEL 1 AS BEING DESCRIBED IN INSTRUMENT RECORDED OCTOBER 29, 2013 AT RECEPTION NO, 201321950, S39°30'38"W 105.96 FEET TO A FOUND 1.5" ALUMINUM CAP ON #5 REBAR LS #14109 MARKING A CORNER COMMON TO SAID LOT 10 AND PARCEL 1, AND ALSO THE NORTHWESTERLY CORNER OF PARCEL 5, AS DESCRIBED IN INSTRUMENT RECORDED OCTOBER 29, 2013 AT RECEPTION NO, 201321950; THENCE LEAVING SAID LINE COMMON TO SAID LOT 10 AND PARCEL 1, ALONG A LINE KNOWN AS THE SOUTHERLY BOUNDARY OF SAID LOT 10 N36°46'00"W 101.53 FEET TO AN ANGLE POINT COMMON TO SAID LOT 10, AND PARCEL B; THENCE ALONG A LINE COMMON TO SAID PARCEL B, S89°40'00"W 43.35 FEET TO A FOUND 1.5" ALUMINUM CAP ON #5 REBAR, STAMPED LS #38079; THENCE N38°57'47"W 46.20 FEET TO A FOUND 1.5" ALUMINUM CAP ON #5 REBAR STAMPED LS #38079 FOUND ALONG SAID OLD FENCE LINE NOTED IN ADVERSE POSSESSION CASE NO. 90 CV 625, DESCRIBED IN INSTRUMENT RECORDED MAY 4, 2015 UNDER RECEPTION NO. 201507801; THENCE N30°02'13"W 32.15 FEET ALONG SAID FENCE LINE TO A FOUND 1.5" ALUMINUM CAP ON #5 REBAR, STAMPED LS #38079; THENCE N46°00'32"E 23.29 FEET ALONG SAID FENCE LINE TO A FOUND 1.5" ALUMINUM CAP ON #5 REBAR, STAMPED LS #38079, MARKING A COMMON CORNER OF SAID LOT 10 AND PARCEL B; THENCE N41°59'45"W 4.37 FEET LEAVING SAID FENCE LINE ALONG A LINE COMMON TO SAID LOT 10 AND PARCEL B TO THE POINT OF BEGINNING.

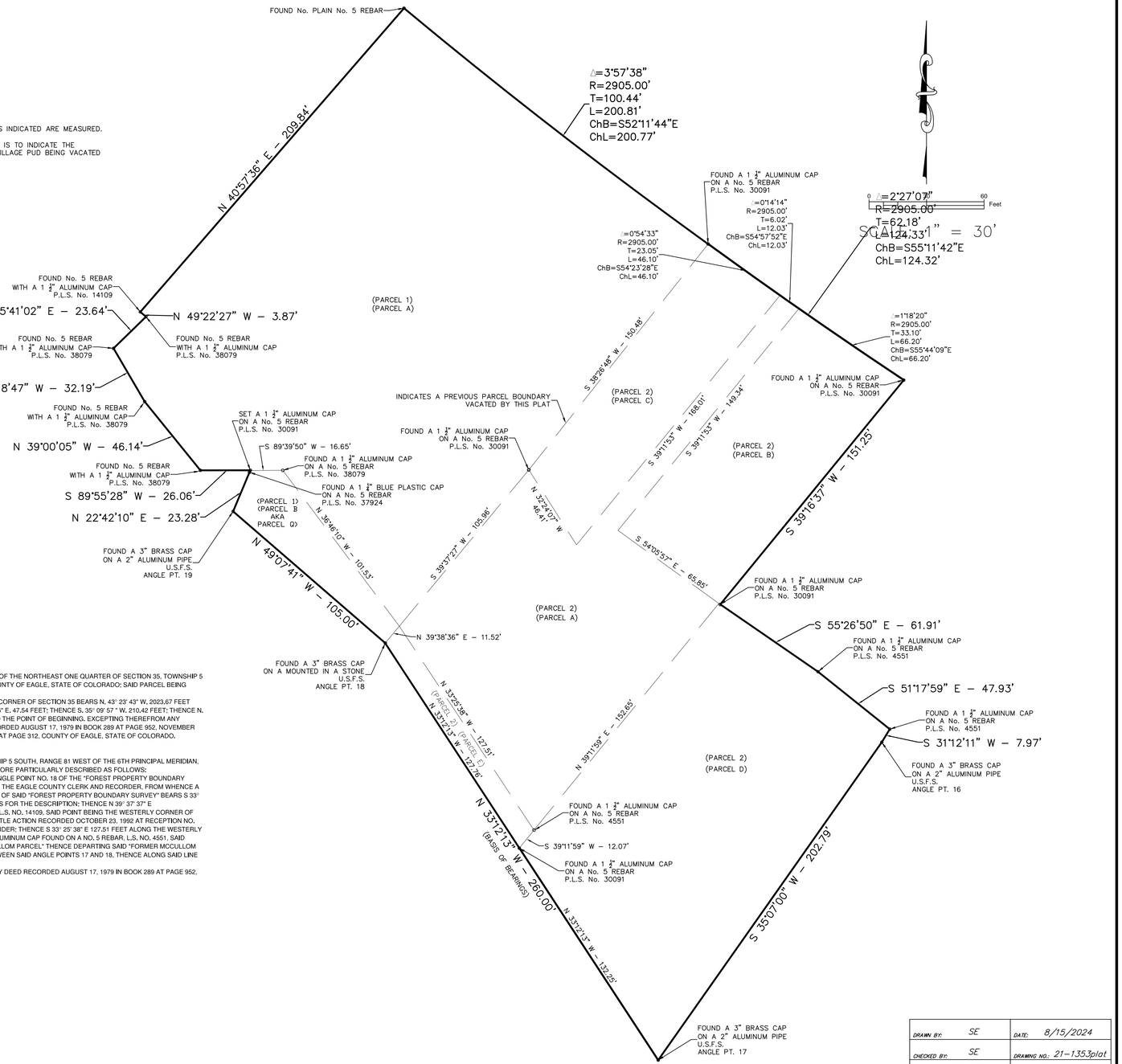
PARCEL B AKA PARCEL Q:
A PARCEL OF LAND SITUATED IN THE NW1/4 OF SECTION 35, TOWNSHIP 5 SOUTH, RANGE 81 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF MINTURN, COUNTY OF EAGLE, STATE OF COLORADO, DESCRIBED AS FOLLOWS: BEGINNING AT A FOUND 3.5" ALUMINUM CAP SET IN A ROCK, STAMPED U.S.D.A. A/P, 18, LS #7235 MARKING A COMMON CORNER OF TRACT A, U.S FOREST SERVICE PROPERTY AS DESCRIBED IN WARRANTY DEED RECORDED AUGUST 17, 1979 IN BOOK 289 AT PAGE 952 AND PARCEL 5, AS DESCRIBED IN INSTRUMENT RECORDED OCTOBER 29, 2013 AT RECEPTION NO. 201321950; THENCE ALONG A SAID TRACT A, THE U.S. FOREST SERVICE PROPERTY LINE, N49° 11'55"W 105.19 FEET, TO A FOUND 3.5" ALUMINUM CAP SET ON A 3" PIPE, STAMPED U.S.D.A A/P, 19, LS #7235 MARKING A COMMON CORNER OF SAID TRACT A, THE U.S. FOREST SERVICE AND ALSO BEING THE BASIS OF BEARINGS FOR THIS LEGAL DESCRIPTION; THENCE LEAVING SAID TRACT A, ALONG A COMMON LINE WITH PARCEL 1 AS DESCRIBED IN INSTRUMENT RECORDED MARCH 17, 2000 AT RECEPTION NO. 727477, N 24° 04'46" E 22.26 FEET, TO A FOUND 1.25" BLUE PLASTIC CAP LS # 37924 A POINT ON SAID LINE OF PARCEL 1; THENCE CONTINUING ALONG LINE, N 24° 04'48" E 1.14 FEET, TO A POINT ON A COMMON LINE WITH LOT 10, SOUTH MINTURN ADDITION, A PARCEL OF LAND DESCRIBED IN INSTRUMENTS RECORDED JUNE 22, 2016 AT RECEPTION NO. 201609476 AND 201609477 AND RECORDED JUNE 16, 2016 AT RECEPTION NO. 201609187; AND BEING A CORNER OF SAID PARCEL 1; THENCE ALONG SAID COMMON LINE, N89° 40'00" E 16,65 FEET, TO A POINT AND CORNER ON A LINE COMMON TO SAID LOT 10 SOUTH MINTURN ADDITION; THENCE ALONG SAID COMMON LINE TO SAID LOT 10, S36° 46'00" E 101.53 FEET, TO A FOUND 1.5" ALUMINUM CAP LS # 14109, MARKING THE SOUTHEASTERLY CORNER OF PARCEL 1, AS DESCRIBED IN INSTRUMENT RECORDED OCTOBER 29, 2013 AT RECEPTION NO. 201321950 AND THE NORTHWESTERLY CORNER OF SAID PARCEL 5; THENCE ALONG A LINE COMMON TO SAID PARCEL 5, S39° 37'54"W 11.51 FEET, TO THE POINT OF BEGINNING.

PARCEL 2:
PARCEL A:
A PARCEL OF LAND IN THE COUNTY OF EAGLE AND STATE OF COLORADO LOCATED IN THE NORTHEAST ONE QUARTER OF SECTION 35 TOWNSHIP 5 SOUTH, RANGE 81 WEST OF THE 6TH PRINCIPAL MERIDIAN ACCORDING TO THE DEPENDENT RESURVEY OF SAID TOWNSHIP AND RANGE AS APPROVED BY THE U.S. DEPARTMENT OF INTERIOR GENERAL LAND OFFICE IN DENVER, COLORADO, ON JUNE 13, 1943: SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:
BEGINNING AT A POINT ON THE SOUTHWESTERLY RIGHT OF WAY BOUNDARY LINE OF U.S. HIGHWAY NO. 24 FROM WHICH THE NORTH ONE QUARTER CORNER OF SAID SECTION 35 BEARS N. 47° 20' 46" W. 1931.82 FEET DISTANT; THENCE ALONG THE SOUTHWESTERLY RIGHT OF WAY BOUNDARY LINE OF U.S. HIGHWAY NO. 24 12.03 FEET ON A CURVE TO THE LEFT WITH A RADIUS OF 2905.00 FEET, THE CHORD OF WHICH BEARS S. 55° 07' 45" E. 12.03 FEET; THENCE S. 39° 02' W. 147.80 FEET; THENCE S. 54° 16' 00" E. 66.18 FEET TO AN EXISTING FENCE LINE; THENCE ALONG SAID FENCE LINE S. 39° 01' 56" W. 155.00 FEET; THENCE N. 33° 26' 16" W. 128.88 FEET TO A POINT ON AN EXISTING FENCE LINE; THENCE ALONG SAID FENCE LINE N. 39° 27' 34" E. 105.96 FEET; THENCE S. 32° 34' E. 46.41 FEET; THENCE N. 39° 02' E. 168.00 FEET TO A POINT OF BEGINNING, EXCEPTING THEREFROM ANY PORTION CONTAINED IN WARRANTY DEED RECORDED AUGUST 17, 1979 IN BOOK 289 AT PAGE 952, COUNTY OF EAGLE, STATE OF COLORADO.

PARCEL B:
THAT PART OR PARCEL OF LAND LYING AND BEING SOUTHERLY OF AND ADJACENT TO COLORADO U.S. HIGHWAY NO. 24 IN THE SOUTHEAST QUARTER OF THE NORTHEAST (SE1/4NE1/4) OF SECTION THIRTY-FIVE (35) IN TOWNSHIP (5) SOUTH, RANGE EIGHTY-ONE (81) WEST OF THE 6TH PRINCIPAL MERIDIAN, IN EAGLE COUNTY, COLORADO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT: BEGINNING AT A POINT ON THE SOUTHERLY RIGHT OF WAY BOUNDARY OF COLORADO U.S. HIGHWAY 24 FROM WHICH THE NORTH QUARTER CORNER OF SECTION 35, TOWNSHIP 5 SOUTH, RANGE 81 WEST OF THE 6TH PRINCIPAL MERIDIAN BEARS NORTH 47° 14' WEST 1980.5 FEET; THENCE SOUTH 29° 11' WEST 150 FEET, THENCE NORTHWESTERLY 65.0 FEET TO A POINT WHICH IS 29° 11' WEST FROM A POINT 150 FEET SOUTH OF THE SOUTHERLY RIGHT OF WAY BOUNDARY OF COLORADO U.S. HIGHWAY NO. 24, THENCE NORTH 29° 11' EAST 150 FEET TO THE SOUTHERLY RIGHT OF WAY BOUNDARY OF COLORADO U.S. HIGHWAY NO. 24, THENCE ALONG SAID RIGHT OF WAY BOUNDARY ON A 1° 58' CURVE TO THE LEFT 65 FEET TO THE PLACE OF BEGINNING, EXCEPTING THEREFROM, ANY PORTION CONTAINED IN DECREE RECORDED NOVEMBER 19, 1981 IN BOOK 332 AT PAGE 295, COUNTY OF EAGLE, STATE OF COLORADO.

PARCEL C:
A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 5 SOUTH, RANGE 81 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EAGLE COUNTY, COLORADO ACCORDING TO THE DEPENDENT RESURVEY OF SAID TOWNSHIP AND RANGE AS APPROVED BY THE U.S. SURVEYOR GENERAL IN DENVER, COLORADO ON SEPTEMBER 13, 1943; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY BOUNDARY LINE OF U.S. HIGHWAY NO. 24 FROM WHICH THE EAST QUARTER CORNER OF SAID SECTION 35, A BRASS CAP MONUMENT FOUND IN PLACE, BEARS S. 42° 47' 06" E. 2050.33 FEET DISTANT; THENCE S. 39° 02' 00" W. 168.00 FEET; THENCE N. 32° 34' 00" W. 46.41 FEET; THENCE N. 38° 16' 57" E. 150.48 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY BOUNDARY LINE OF U.S. HIGHWAY NO. 24; THENCE ALONG SAID RIGHT-OF-WAY 46.10 FEET ALONG THE ARC OF A CURVE TO THE LEFT WITH A RADIUS OF 2905.00 FEET, THE CHORD OF WHICH BEARS S. 54° 33' 22" E. 46.10 FEET TO THE POINT OF BEGINNING.

DESCRIPTION AS PER CHAIN OF TITLE:
A PARCEL OF LAND LYING SOUTHERLY OF AND ADJACENT TO THE SOUTHERLY BOUNDARY LINE OF THE RIGHT OF WAY OF U.S. HIGHWAY NO. 24, IN THE NE1/4 OF SECTION 35, TOWNSHIP 5 SOUTH, RANGE 81 WEST OF THE 6TH P.M. DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE SOUTHERLY BOUNDARY LINE OF THE RIGHT OF WAY OF SAID HIGHWAY FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION BEARS N. 46° 46' WEST 1858.5 FEET; THENCE SOUTH 29° 11' WEST 148 FEET TO THE NORTHERLY CORNER OF PARCEL OF LAND CONVEYED TO THE COLORADO STATE HIGHWAY DEPARTMENT BY DEED RECORDED IN BOOK 126 AT PAGE 421, EAGLE COUNTY COLORADO RECORDER'S RECORDS; THENCE SOUTH 31° 36' EAST ALONG THE NORTHEASTERLY BOUNDARY LINE OF SAID LAST MENTIONED PARCEL OF LAND 57.3 FEET, TO THE MOST EASTERLY CORNER OF SAID PARCEL, WHICH CORNER IS LOCATED ON THE NORTHWESTERLY LINE OF PARCEL OF LAND DESCRIBED IN THE DEED RECORDED IN BOOK 126 AT PAGE 232 OF SAID RECORDS; THENCE NORTH 29° 11' EAST, ALONG SAID NORTHWESTERLY LINE OF LAST MENTIONED PARCEL OF LAND 168 FEET TO THE SOUTHERLY BOUNDARY LINE OF THE RIGHT OF WAY OF SAID HIGHWAY THENCE WESTERLY ALONG SAID SOUTHERLY RIGHT OF WAY LINE ON A 1° 58' CURVE TO THE RIGHT 50.1 FEET TO THE POINT OF BEGINNING, COUNTY OF EAGLE, STATE OF COLORADO.



PARCEL D:
A PARCEL OF LAND LOCATED IN THE SOUTHEAST ONE QUARTER OF THE NORTHEAST ONE QUARTER OF SECTION 35, TOWNSHIP 5 SOUTH, RANGE 81 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EAGLE, STATE OF COLORADO; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:
BEGINNING AT A POINT FROM WHICH THE NORTH ONE QUARTER CORNER OF SECTION 35 BEARS N. 43° 23' 43" W. 2023.67 FEET DISTANT; THENCE S. 55° 14' 18" E. 63.14 FEET; THENCE S. 51° 36' 36" E. 47.54 FEET; THENCE S. 35° 09' 57 " W. 210.42 FEET; THENCE N. 33° 12' 13" W. 130.94 FEET; THENCE N. 39° 01' 56" E. 164.76 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM ANY PORTIONS THAT MAY BE CONTAINED WITHIN INSTRUMENTS RECORDED AUGUST 17, 1979 IN BOOK 289 AT PAGE 952, NOVEMBER 19, 981 IN BOOK 332 AT PAGE 295 AND JUNE 18, 1985 IN BOOK 417 AT PAGE 312, COUNTY OF EAGLE, STATE OF COLORADO.

PARCEL E:
A PARCEL OF LAND SITUATED IN A PART OF SECTION 35, TOWNSHIP 5 SOUTH, RANGE 81 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EAGLE, STATE OF COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A 3" BRASS CAP MONUMENT, SAID POINT BEING ANGLE POINT NO. 18 OF THE "FOREST PROPERTY BOUNDARY SURVEY" RECORDED IN BOOK 469 AT PAGE 371 IN THE OFFICE OF THE EAGLE COUNTY CLERK AND RECORDER, FROM WHENCE A 3" BRASS CAP MONUMENT FOUND MARKING ANGLE POINT NO. 17 OF SAID "FOREST PROPERTY BOUNDARY SURVEY" BEARS S 33° 12' 13" E. 260.01FEET, SAID LINE FORMING THE BASIS OF BEARINGS FOR THE DESCRIPTION: THENCE N 39° 37' 37" E 11.52 FEET TO A 1 1/2" ALUMINUM CAP FOUND ON A NO. 5 REBAR, L.S. NO. 14109, SAID POINT BEING THE WESTERLY CORNER OF THE "FORMER MCCULLOM PARCEL" PER THE DECREE IN QUIET TITLE ACTION RECORDED OCTOBER 23, 1992 AT RECEPTION NO. 488393 IN THE OFFICE OF THE EAGLE COUNTY CLERK AND RECORDER; THENCE S 33° 25' 38" E 127.51 FEET ALONG THE WESTERLY BOUNDARY OF SAID "FORMER MCCULLOM PARCEL" TO A 1 1/2" ALUMINUM CAP FOUND ON A NO. 5 REBAR, L.S. NO. 4551, SAID POINT BEING THE SOUTHERLY CORNER OF SAID "FORMER MCCULLOM PARCEL" THENCE DEPARTING SAID "FORMER MCCULLOM PARCEL" S 39° 11' 59" W 12.07 FEET TO A POINT ON THE LINE BETWEEN SAID ANGLE POINTS 17 AND 18, THENCE ALONG SAID LINE N 33° 12' 13" W 127.76 FEET TO THE POINT OF BEGINNING.
EXCEPTING THEREFROM ANY PORTION CONTAINED IN WARRANTY DEED RECORDED AUGUST 17, 1979 IN BOOK 289 AT PAGE 952, COUNTY OF EAGLE, STATE OF COLORADO.

Gore Range Surveying, LLC
P.O Box 15
Avon, CO 81620
(970) 479-8698 • fax (970) 479-0055

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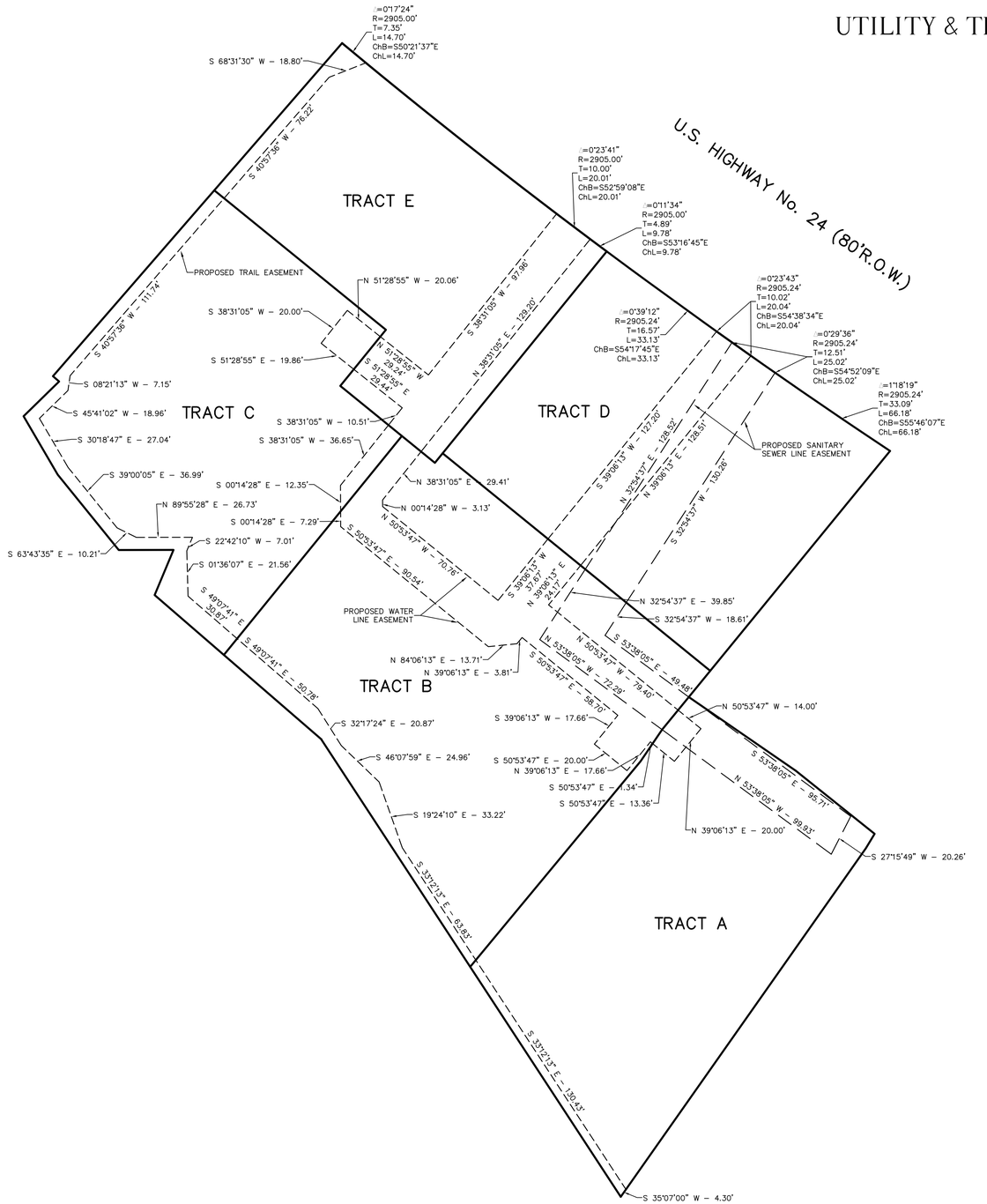
CHECKED BY:	SE	DRAWING NO.:	21-1353plat
JOB NO.:	21-1353	SHEET	3 OF 5

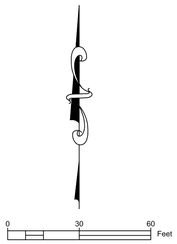
PRELIMINARY PLAT

MIDTOWN VILLAGE PUD

A PART OF SECTION 26, TOWNSHIP 5 SOUTH, RANGE 81 WEST OF THE SIXTH PRINCIPAL MERIDIAN
TOWN OF MINTURN, COUNTY OF EAGLE, STATE OF COLORADO

UTILITY & TRAIL EASEMENTS DETAILS





SCALE: 1" = 30'

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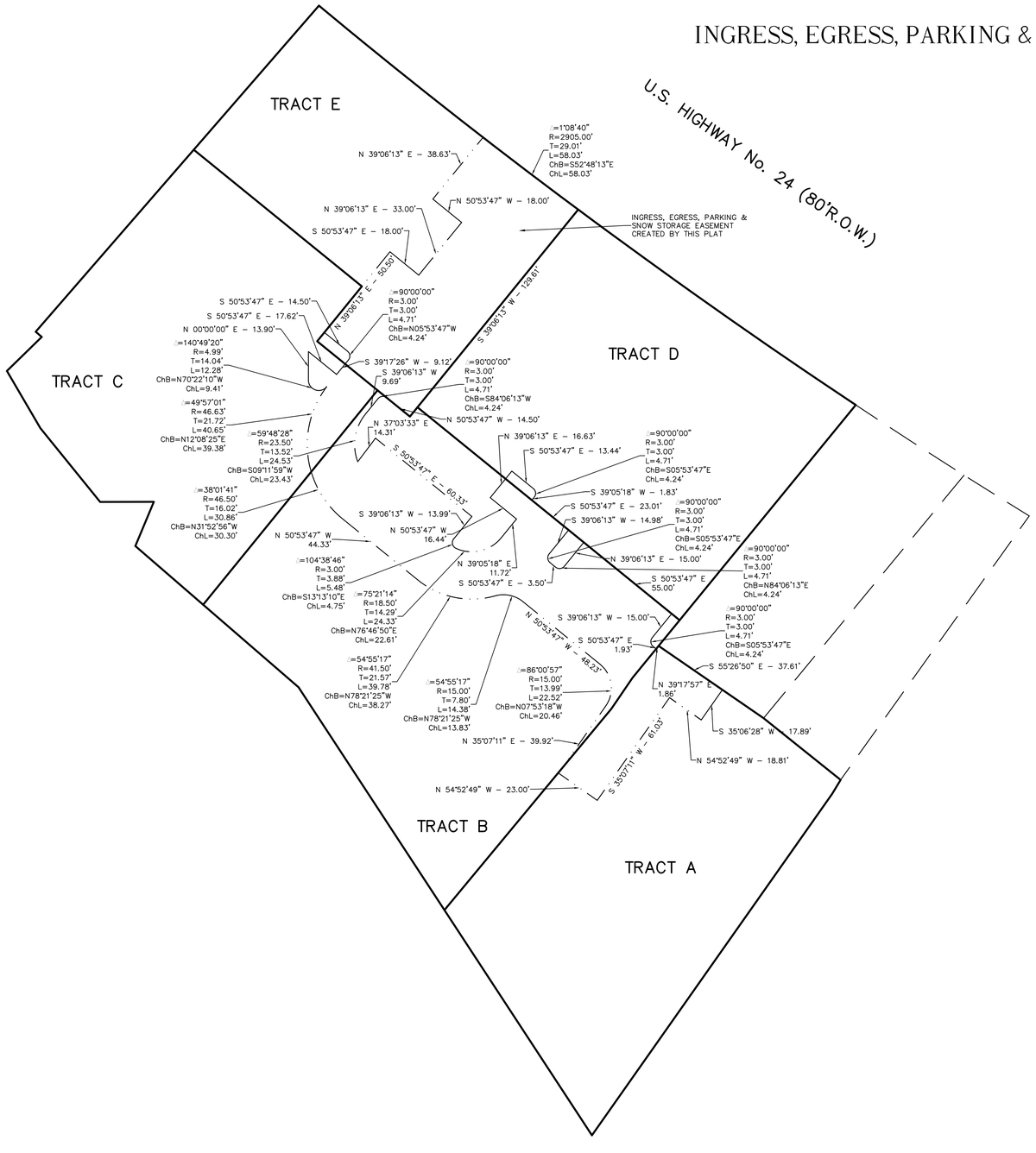
CHECKED BY:	SE	DRAWING NO.:	21-1353plat
JOB NO.:	21-1353	SHEET	4 OF 5

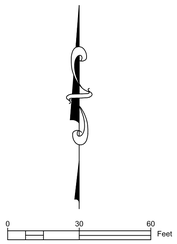
PRELIMINARY PLAT

MIDTOWN VILLAGE PUD

A PART OF SECTION 26, TOWNSHIP 5 SOUTH, RANGE 81 WEST OF THE SIXTH PRINCIPAL MERIDIAN
TOWN OF MINTURN, COUNTY OF EAGLE, STATE OF COLORADO

INGRESS, EGRESS, PARKING & SNOW STORAGE EASEMENT DETAIL





SCALE: 1" = 30'

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CHECKED BY:	SE	DRAWING NO.:	21-1353plat
JOB NO.:	21-1353	SHEET	5 OF 5

ARMISTEAD
MIDTOWN VILLAGE
PUD
16 UNIT APARTMENT
EAGLE COUNTY, CO



CODES

BUILDING CODE 2021 OF COLORADO	NATIONAL ELECTRICAL CODE 2020 OF COLORADO
FIRE CODE 2021 OF COLORADO	SAFETY CODE FOR ELEVATORS 2019 OF COLORADO
PLUMBING CODE 2018 OF COLORADO	LIFE SAFETY CODE - 2012 OF COLORADO
MECHANICAL CODE 2021 OF COLORADO	NFPA 13
ENERGY CONSERVATION CODE COLORADO	

BUILDING CODE DATA

ZONING:	PUD
DEFINITION (CHAPTER 2):	MULTI-STORY UNIT
OCCUPANCY (SECTION 310.3):	R-2 (RESIDENTIAL) & S-2 (LOW HAZARD STORAGE)
TYPE OF CONSTRUCTION (TABLE 601):	IIIA
FIRE RATING (TABLE 601):	
PRIMARY STRUCTURAL FRAME	1
BEARING WALL (EXTERIOR) (TABLE 601[b] 705.5)	1
(INTERIOR)	1
NON BEARING WALLS & PARTITIONS (EXTERIOR)	0 (1 HR AT <10' FROM PROPERTY LINE)
(INTERIOR)	0
FLOOR CONST. & ASSOC. SECONDARY MEMBERS	1
ROOF CONST. & ASSOC. SECONDARY MEMBERS	1
SPECIAL CONDITIONS (CHAPTER 4 & 5):	
PARKING GARAGE (402.4.2.3 / 311 / 508.4 / 510.4)	1 HR (HORIZONTAL SEPARATION)
SEPARATION WALLS (420.2 / 708.3)	FIRE PARTITIONS 1 HR
CORRIDOR WALLS (708.3)	1/2 HR
HORIZONTAL SEPARATION (508.3.3 / 708.4)	1 HR
SEPARATION OF OCCUPANCIES (TABLE 508.4)	1 HR
EGRESS STAIR ENCLOSURE (1017.3.2. / 1023.1)	1 HR
SPRINKLER SYSTEM (420.5 / 903.3.1.1) :	SPRINKLED 13R
GENERAL BUILDING HEIGHTS AND AREA (CHAPTER 5):	
ALLOWABLE BUILDING HEIGHT (TABLE 504.3)	ALLOWED: 65 FT. ACTUAL: 35'-10" (AT MAX. PEAK)
ALLOWABLE STORIES ABOVE GRADE (TABLE 504.4 5/8.3.2)	ALLOWED: 5 ACTUAL: 3
ALLOWABLE AREA (TABLE 506.2)	R-2 ALLOWED: 12,000 SF ACTUAL: 25,924 SF S2 ALLOWED: 117,700 SF ACTUAL: 13,728 SF
MIXED USE ALLOWABLE BUILDING AREA (508.4.2) SUM OF THE RATIOS SHALL NOT EXCEED 1	LOW HAZARD (S-2) 13728/117700 = 0.12 RESIDENTIAL (R-2) 25924/12000 = 0.36 SUM = 0.48
MEANS OF EGRESS (CHAPTER 10)	
OCCUPANT LOAD (TABLE 1004.5)	R-2 200 GROSS = 25,924 / 200 = 130 OCCUPANTS S-2 200 GROSS = 13,728 / 200 = 69 OCCUPANTS
STAIR WIDTH (1005.3.1 EXCEPTION 1)	OCCUPANT LOAD X .2 PER OCCUPANT MIN. 44" PER 1011.2
NUMBER OF EXITS (TABLE 1006.3.3)	REQUIRED 2 PROVIDED S-2 (PARKING GARAGE) = 2 PROVIDED R-2 (RESIDENTIAL) = 2
NUMBER OF EXITS (TABLE 1006.2.1)	RESIDENTIAL 125 FEET LOW HAZARD 100 FEET
PUBLIC STAIR RISER (1011.5.2)	ALLOWED: 7" ACTUAL: 6-3/4"
INTERIOR UNIT STAIR RISER (1011.5.2 EXCEPTION 3)	ALLOWED: 7 3/4" ACTUAL: 6-5/8"
WIDTH (1009.3.1 EXCEPTION 2)	OCCUPANT LOAD X .2 PER OCCUPANT MIN. 44" PER 1011.2
ACCESSIBILITY (CHAPTER 11)	
ACCESSIBLE TYPE (1107.6.2.3 / TABLE 1107.6.1.1.):	NO. REQUIRED: 4 ACTUAL: 1 (TYPE A)
TYPE B REQUIRED (1107.6.2.3.2.):	0 PER EXCEPTION UNDER SECTION 1107.7.2 MULTI STORY UNIT WITHOUT ELEVATOR

SQUARE FOOTAGE:

UNIT IDENTITY	SQUARE FOOTAGE FIRST FLOOR	SQUARE FOOTAGE SECOND FLOOR	UNIT TYPE HEATED S.F.	NO. UNITS	TOTAL HEATED S.F.	TOTAL UNHEATED S.F.	TOTAL OUTDOOR LIVING
TYPE A	654	663	1317	4	5268		
TYPE B	722	643	1365	10	13650		545
TYPE C	1024	1035	2059	1	2059		
TYPE D	902	967	1869	1	1869		
PUBLIC COORIDOR/STAIR / MECH. /ELEV. (LOWER LEVEL)					1712		
PUBLIC COORIDOR/MECH/STAIR (FIRST FLOOR)					334		
GARAGE						12,478	
STORAGE UNITS						916	
BLDG TOTAL SF. F.T =					24,892	13,394	545

PLAN DRAWING INDEX

CIVIL	
	SITE - REFER TO PLANS BY OTHERS
ARCHITECTURAL BUILDING COMPOSITION	
GN1	GENERAL NOTES & DETAILS
GN2	ELEVATOR NOTES AND DETAILS
GN3	EGRESS DIAGRAM
GN4	FIRE RATING KEY AND UL DESCRIPTIONS
A1	FOUNDATION PLAN
A2	FIRST FLOOR PLAN
A3	SECOND FLOOR PLAN
A4	FRONT, LEFT, RIGHT & REAR ELEVATION
A5	BUILDING SECTIONS
A6	ROOF PLAN / WALL SECTIONS
A7	DETAILS
A8	ADA ENLARGED PLANS / DETAILS

COLORADO LICENSED
CHRISTOPHER HALLETT
ARCH00401844
ARCHITECT
1-6-23

DESIGN
CREATIVE COLLABORATIVE

WWW.TKHOMEDESIGN.COM
26030 PONTIAC TRAIL
SOUTH LYON, MI 48178
PHONE: (248)-446-1960
FAX: (248)-446-1961

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CLIENT / PROJECT
ARMISTEAD
MIDTOWN VILLAGE
PUD
16 UNIT APARTMENT
EAGLE COUNTY, CO

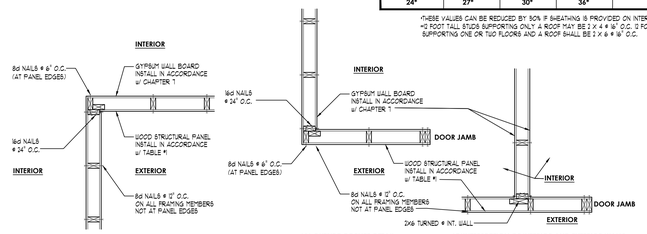
JOB No.	21-289
DRAWN:	AG
CHECKED:	AG
FRAMED:	-
REVIEW	8-31-22
FINAL:	1-4-23
REVISION	10-14-22

SCALE:
PER PLAN

SHEET #
COVER

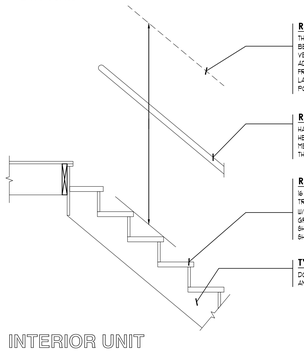
LENGTH REQUIREMENTS FOR BRACED WALL PANELS IN A CONTINUOUSLY SHEATHED WALL TABLE #1				
LENGTH OF BRACED WALL PANEL (INCHES)				MAXIMUM OPENING HEIGHT NEXT TO BRACED WALL PANEL (% OF WALL HEIGHT)
8-FOOT WALL	9-FOOT WALL	10-FOOT WALL	12-FOOT WALL**	
48"	54"	60"	72"	100%
32"	36"	40"	48"	85%
24"	27"	30"	36"	65%

^THESE VALUES CAN BE REDUCED BY 50% IF SHEATHING IS PROVIDED ON INTERIOR AND EXTERIOR
**2 FOOT TALL STUDS SUPPORTING ONLY A ROOF MAY BE 2 X 4 @ 16" O.C. 12 FOOT TALL STUDS SUPPORTING ONE OR TWO FLOORS AND A ROOF SHALL BE 2 X 6 @ 16" O.C.



WALL BRACING DETAIL

NO SCALE



R311.7.2 HEADROOM
THE HEADROOM IN STAIRWAYS SHALL BE NOT LESS THAN 6'-8" MEASURED VERTICALLY FROM THE SLOPED LINE ADJOINING THE TREAD NOSING OR FROM THE FLOOR SURFACE OF THE LANDING OR PLATFORM ON THAT PORTION OF THE STAIRWAY.

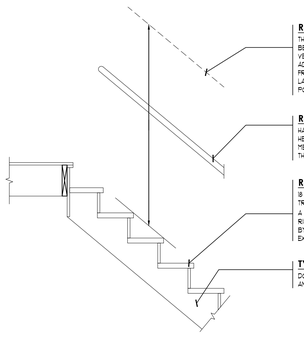
R311.7.8 HANDRAILS
HANDRAILS THAT HAVE MINIMUM AND MAXIMUM HEIGHTS OF 34" AND 38" RESPECTIVELY, MEASURED VERTICALLY FROM THE NOSING OF THE TREAD.

R311.7.5 STAIR TREADS AND RISERS
16 RISERS @ RISER HEIGHT 4 @-3/8" EACH WITH A TREAD DEPTH OF 10.00" EACH NOSE TO NOSE @ A NOSE OVERHANG OF 2" TO 12"). THE GREATEST RISER HEIGHT SHALL NOT EXCEED THE SHORTEST BY 3/8". LIKEWISE THE SHORTEST RUN SHALL NOT EXCEED THE GREATEST BY 3/8".

TYPICAL STRINGERS
DOUBLE 2x12 MINIMUM STRINGERS AT ENDS AND ONE (1) STRINGER AT CENTER

INTERIOR UNIT TYPICAL STAIR DETAIL FIRST FLOOR TO SECOND FLOOR

SCALE: 3/4" = 1'-0"



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TYPICAL STRINGERS
DOUBLE 2x12 MINIMUM STRINGERS AT ENDS AND ONE (1) STRINGER AT CENTER

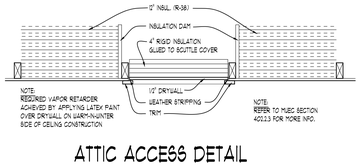
PUBLIC STAIR DETAIL PARKING TO FIRST FLOOR

SCALE: 3/4" = 1'-0"

TABLE R404.1.2(1) MINIMUM HORIZONTAL REINFORCEMENT FOR CONCRETE BASEMENT WALLS[a,b]	
MAXIMUM UNSUPPORTED HEIGHT OF BASEMENT WALL (feet)	LOCATION OF HORIZONTAL REINFORCEMENT
≤ 8	One N. 4 bar within 12 inches of the top of the wall story and one No. 4 bar near mid-height of the wall story
> 8	One N. 4 bar within 12 inches of the top of the wall story and one No. 4 bar near third points in the wall story

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 pound per square inch = 6.895 kPa.

a. Horizontal reinforcement requirements are for reinforcing bars with a minimum yield strength of 40,000 psi and concrete with a minimum concrete compressive strength 2,500 psi.
b. See Section R404.1.2.2 for minimum reinforcement required for foundation walls supporting above-grade concrete walls.



ATTIC ACCESS DETAIL

SCALE: 1" = 1'-0"

TABLE 2308.5.1 SIZE, HEIGHT AND SPACING OF WOOD STUDS						
STUD SIZE (inches)	BEARING WALLS				NONBEARING WALLS	
	Laterally unsupported stud height[a] (feet)	Supporting roof & ceiling only (inches)	Supporting one floor, roof & ceiling (inches)	Supporting two floors, roof & ceiling (inches)	Laterally unsupported stud height[a] (feet)	Spacing (inches)
2x3 b	-	-	-	-	10	16
2x4	10	24	16	-	14	24
3x4	10	24	24	16	14	24
2x5	10	24	24	-	16	24
2x6	10	24	24	16	20	24

For SI: 1 inch = 25.4 mm. 1 foot = 304.8 mm.

a. Listed heights are distances between points of lateral support placed perpendicular to the plan of the wall. Increases in unsupported height are permitted where justified by analysis.
b. Shall not be used in exterior walls.
C. Utility- grade studs shall not be spaced more than 16" on center or support more than a roof & ceiling, or exceed 8 feet in height for exterior walls and load-bearing walls or 10 feet for interior nonload-bearing walls

GENERAL NOTES

WOOD TRUSS SPECIFICATIONS

1. Designs shall conform with the latest versions of (NDS), "National Design Specification for Wood Construction" by the American Forest & Paper Association, and Design Standard for Metal Plate Connected Wood Truss Construction by the American Standard (ANSI) and the Truss Plate Institute (T.P.I.) and the local code jurisdiction.
2. Trusses shall be spaced as indicated on the plans unless the designer determines that different spacing is required to meet deflection requirements.
3. Maximum deflection of floor trusses shall be limited to 1/360 for total load and l/480 for live load. Maximum deflection of roof trusses shall be limited to 1/240 for total loads and 1/360 for live load u.n.o.
4. Adequate camber shall be built into floor and parallel chord roof trusses to compensate for normal dead load deflection.
5. Design loads:

FLOOR JOIST LOADING CRITERIA

FIRST FLOOR LOADING:
LIVE LOAD 40 P.S.F.
DEAD LOAD 15 P.S.F.
GYPCRETE 10 P.S.F.
TOTAL LOAD 65 P.S.F.
LIVE LOAD DEFLECTION L/480
TOTAL LOAD DEFLECTION L/240

SECOND FLOOR LOADING:
LIVE LOAD 30 P.S.F.
DEAD LOAD 10 P.S.F.
GYPCRETE 10 P.S.F.
TOTAL LOAD 50 P.S.F.
LIVE LOAD DEFLECTION L/480
TOTAL LOAD DEFLECTION L/240

FLOOR U/GARAGE TILE/MARBLE
LIVE LOAD 40 P.S.F.
DEAD LOAD 25 P.S.F.
TOTAL LOAD 65 P.S.F.
LIVE LOAD DEFLECTION L/120
TOTAL LOAD DEFLECTION L/360

EXT. DECK JOIST LOADING CRITERIA

DECK LOADING:
LIVE LOAD 60 P.S.F.
DEAD LOAD 10 P.S.F.
TOTAL LOAD 60 P.S.F.
LIVE LOAD DEFLECTION L/360
TOTAL LOAD DEFLECTION L/240

ROOF TRUSS LOADING CRITERIA

TOP CHORD LIVE LOAD 20 P.S.F.
DEAD LOAD 7 P.S.F.

BOTT. CHORD LIVE LOAD 10 P.S.F.
(UNINHABITABLE ATTICS W/OUT STORAGE)

LIVE LOAD 20 P.S.F.
(UNINHABITABLE ATTICS WITH STORAGE)

DEAD LOAD 10 P.S.F.
WIND LOAD 115 MPH OR AS REQUIRED BY CODE

CONC. DECK JOIST LOADING CRITERIA

DECK LOADING:
LIVE LOAD 60 P.S.F.
DEAD LOAD 160 P.S.F.
TOTAL LOAD 100 P.S.F.
LIVE LOAD DEFLECTION L/360
TOTAL LOAD DEFLECTION L/240

- A 25% increase on allowable stresses for short term loading is allowed. Drift loading shall be accounted for per the current "Colorado Building Code" requirements.
- Add additional static storage live loads per the current "Colorado Building Code" requirements.
- Tile, natrola, or other special features shall be designed using the appropriate dead loads and deflection limitations. Partition loads shall also be considered where appropriate.
- All conventional framed floor decks shall be 2 x 10 #2 or 2 x 12 #2 Douglas Fir or better.

HANDLING AND ERECTION SPECIFICATIONS

1. Trusses are to be handled with particular care during fabrication, bundling, loading, delivery, unloading and installation in order to avoid damage and weakening of the trusses.
2. Temporary and permanent bracing for holding the trusses in a straight and plumb position is always required and shall be designed and installed by the erecting contractor. Temporary bracing during installation, includes cross bracing between the trusses to prevent toppling or "dominoing" of the trusses.
3. Permanent bracing shall be installed in accordance with the latest of the "National Design Standard", as published by the American Forest & Paper Association and H.I.B.-91 and D.S.B.-89 as published by the truss plate institute. Permanent bracing consists of lateral and diagonal bracing not to exceed spacing requirements of the truss fabricator. Top chords of trusses must be continuously braced by roof sheathing unless otherwise note on the truss shop drawings. Bottom chords must be braced at intervals not to exceed 10' o.c. or as noted on the truss fabricators drawings.
4. Construction loads greater than the design loads of the trusses shall not be applied to the trusses at any time.
5. No loads shall be applied to the truss until all fastening and required bracing is installed.
6. The supervision of the truss erecting shall be under the direct control of persons(s) experienced in the installation and proper bracing of wood trusses.
7. Field modification or cutting of pre-engineered roof trusses is strictly prohibited unless expressed prior written consent and details from a licensed professional structural engineer experienced in wood truss design and modifications.

SOIL REQUIREMENTS & EARTH WORK AND CONCRETE

1. All top soil, organic and vegetative material should be removed prior to construction. Any required fill shall be clean, granular material compacted to at least 95% of maximum dry density as determined by ASTM D-1557.
2. Foundations bearing on existing soils have been designed for a minimum allowable soil bearing capacity of 3000 psf, u.n.o.
3. Notify the engineer/architect if the allowable soil bearing capacity is less than 3000 psf so that the foundations can be redesigned for the new allowable bearing capacity.
4. 1804.3 Placement of Backfill
The excavation outside the foundation shall be backfilled with soil that is free of organic material, construction debris, cobbles and boulder or with a controlled lowstrength material (CLSM) . the backfill shall be placed in lifts and compacted in a manner that does not damage the foundation or the waterproofing or dampproofing material.

Fill.
Fill material shall be free of vegetation and foreign material. The Fill shall be compacted to assure uniform support of the slab and, except where approved, the fill depths shall not exceed 24 inches for clean sand or gravel and 8 inches for earth.

Vapor retarder.
A 6 mil polyethylene or approved vapor retarder with joints lapped not less than 6 inches shall be placed between the concrete floor slab and the base course or the prepared subgrade where no base course exists.

5. Concrete work shall conform to the requirements of ACI 301-96, "Specifications for Structural Concrete for Buildings", except as modified as supplemental requirements.
6. Concrete shall have a minimum of 3000 psi. 28 day compressive strength, unless noted otherwise. (4 sacks) f a water/cement ratio not to exceed 6 gallons per sack). Exterior concrete slabs shall have a minimum of 4000 psi, 28 day compressive strength, f 4%5% air entrainment.
7. The use of additives such as fly ash or calcium chloride is not allowed without prior review from the architect.

STRUCTURAL STEEL SPECIFICATIONS

1. Structural steel shapes, plates, bars, etc. are to be ASTM A-36 (unless noted other wise) designed and constructed per the 1989 AISC "Specifications For The Design, Fabrication, And Erection Of Steel For Buildings", and the latest edition of the AISC "Manuk Of Steel Construction".
2. Steel column shall be ASTM A-501, Fy=36 KSI. Structural tubing shall be ASTM A500, grade B, Fy=46 KSI.
3. Welds shall conform with the latest AUS D1.1 "Specifications For Welding in Building Construction", And shall utilize E70XX electrodes unless noted otherwise.
4. Bolted connections shall utilize ASTM A-325 bolts tightened to a "snug fit" condition (unless noted otherwise).

REINFORCING STEEL SPECIFICATIONS

1. Reinforcing bars, dowels and ties shall conform to ASTM-615 grade 60 requirements and shall be free of rust, dirt, and mud.
2. Welded wire fabric shall conform to ASTM a-185 and be positioned at the mid height of slabs U.N.O.
3. Reinforcing shall be placed and securely tied in place sufficiently ahead of placing of concrete to allow inspection and correction. If necessary, without delaying the concrete placement.
4. Extend reinforcing bars a minimum of 36" around corners and lap bars at splices a minimum of 24" U.N.O.
5. Welding of reinforcing steel is not allowed.

ACCESSIBLE MEANS OF EGRESS

1009.2 Continuity and components
Each required accessible means of egress shall be continuous to a public way and shall consist of one or more of the following components:

- Accessible routes complying with Section 1104
- Interior exit stairs complying with Sections 1009.3 4 1023
- Doors complying with Section 1010

1009.3 Stairways
In order to be considered part of an accessible means of egress, a stairway between stories shall be a min. clear width of 48". min. between handrails and shall either incorporated an area of refuge with an enlarged floor-level landing or shall be accessed from an area of refuge complying with Section 1009.6.

Exceptions:
- *2. The clear width of 48" between handrails is not required in buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1. or 903.3.1.2.
- *5. Areas of refuge are not required st stairways in Group R-2 occupancies

1010.1.1 Size of doors
The required capacity of each door opening shall be sufficient for the occupant load thereof and shall provide a minimum clear width of 32". Clear openings of doorways with swinging doors shall be measured between the face of the door and the stop, with the door open 90 degrees. Where this sections requires a minimum clear width of 32" and a door opening includes 2 door leaves without a mullion , one leaf shall provide a clear opening width of 32". The minimum opening width of a swinging door leaf shall be 48" nominal. *Here of egress doors in Group R-2 occupancy used for the movement of beds shall provide a clear width of not less than 41]". The heights of door openings shall be not less than 80".

Exceptions:
- *1. The minimum # minimum width shall not apply to door openings that are not part of the required means of egress in Group I-2 I-1 3 occupancies.
- *3. Door openings within a dwelling unit or sleeping unit shall be not less than 78" in height.
- *4 Exterior door openings in dwelling units and sleeping units, other than the required exit door, shall be not less than 76" in height.
- *5 Door openings required to be accessible within Type B units shall have a minimum clear width of 31.75"

1010.1.11 Projections into clear width.
There shall not be projections into the required clear width lower than 34" above the floor or ground. Projections into the clear opening width between 34" and 80" above the floor or ground shall not exceed 4"

Exception. Door closers and door stops shall be permitted to be "8" min. above the floor.

1010.1.12 Door swings.
Egress doors shall be of the pivotad or side-hinged swinging type.

Exceptions:
*4. Doors within or serving a single dwelling unit in Group R-2 I R-3.

STAIRWAYS AND HANDRAILS

1011.2 Width.
The required capacity of of stairways shall be determined as specified in section 1005.1, but the minimum width shall be not less than 44". See Section 1009.3 for accessible means of egress stairways

Exception. Stairways serving an occupant load of less than 50 shall have width of not less than 36"

1011.3 Headroom
Stairways shall have a headroom clearance of not less than 80" measured vertically from a line connection the edge of the nosings. Such headroom shall be continuous above the stairway to the point where the line intersections the landing below, one trad depth beyond the bottom riser. The minimum clearance shall be reinstared the full width of the stairway and landing.

Exception:
*2 In Group R-3 occupancies within dwelling units in Group R-2 occupancies, and in Group U occupancies that are accessory to a Group R-3 occupancy or accessory to individual dwelling units in Group R-2 occupancies where the nosings of treads at the side of a flight extend under the edge of a floor opening through which the stair passes, the floor opening shall be allowed to project horizontally into the required headroom not more than 4 3/4"

1011.5.2 Riser heights and tread depth
Stair riser heights shall be 7" maximum and 4" minimun. The riser heights shall be measured vertically between nosings of adjacent treads. Rectangular treads depths shall be 11" min. measured horizontally between vertical treads and at a right angle to the tread's nosing.

1011.11 Handrails.
Stairways shall have handrails on each side and shall comply with Section 1014. Where glass is used to provide the handrail, the handrail shall comply with Section 2407.shall be provided on at least one side of each continuous run of treads or flight with four or more risers.

1014.2 Height.
Handrail height, measured above stair tread nosing, or finish surface of ramp slope, shall be uniform, not less than 34 inches (864 mm) and not more than 38 inches (965 mm).

FIRE ALARM AND DETECTION SYSTEMS

907.2.9 Group R-2
Fire alarm systems and smoke alarms shall be installed in Group R-2 occupancies as required in Sections 907.2.9.1. through 907.2.9.3.

907.2.9.1. Manual fire alarm system.
A "Manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group R-2 occupancy.Ie where any of the following conditions apply.
*1 any dwelling unit or sleeping unit is locations 3 or more stores above the lowest level of exit discharge
*3 The building contains nore than 16 dwelling units or sleeping units.

907.2.11 Single 4 Multiple-station smoke alarms
Listed Single 4 Multiple-station smoke alarms complying with UL 217 shall be installed in accordance with Sections 907.2.11.1 through 907.2.11.4 and NFPA 72.

907.2.11.2 Groups R-2, R-3, R-4 4 1-1
Single or multiple-station smoke alarms shall be installed and reinstained in Groups R-2, R-3, R-4 1-1-1 regardless of occupant load at all of the following locations:

1. On the ceiling o sall outside of each separate sleeping area in the immediate vicinity of bedrooms
2. In each room used for sleeping purposes
3. In each story within a dwelling unit, including basements, but not including crall spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

907.2.11.3 Interconnection
When more than one smoke alarm is required to be installed within an individual dwelling unit the alarm devices shall be interconnected in such a tanner that the actuation of one alarm sill activate all of the alarms in the individual unit.

CARBON MONOXIDE DETECTOR

915.2.1 Carbon monoxide locations in Dwelling units
Carbon monoxide detection shall be installed in dwelling units outside of each separate sleeping area in the immediate vicinity of the bedrooms. Where a fuel-burning appliance is located within a bedroom or its attached bathroom, carbon monoxide detection shall be installed within the bedrooms.

Carbon Monoxide Detectors shall not be placed within fifteen feet of fuel-burning heating or cooking appliances such as gas stoves, furnaces, or fireplaces, or in or near very humid areas such as bathrooms.

FLASHING AND WEEPHOLES

R703.8.3 Flashing.
Flashing shall be located beneath the first course of MASONRY above finished ground level above the foundation sall or slab and at other points of support, including structural floors, shelf angles and lintels when MASONRY veneers are designed in accordance with Section R703.7. See Section R703.8 for additional requirements.

R703.8.6 Weepholes.
Weepholes shall be provided in the outside ayhe of MASONRY walls at a maximum spacing of 33 inches (838 mm) on center. Weepholes shall not be less than 3/16 inch (5 mm) in diameter. Weepholes shall be located immediately above the flashing.

R703.4 Flashing.
Approved corrosion-resistant flashing shall be applied shingle-fashion in a tanner to prevent entry of water into the sall cavity or penetration of water to the building structural framing components. Self-adhered membranes used as flashing shall comply with AAMA 711. The Flashing shall extend to the surface of the exterior sall finish. Approved corrosion- resistant flashings shall be installed at all of the following locations:

1. Exterior windou and door openings. Flashing at exterior windou and door openings shall extend to the surface of the exterior sall finish or to the uiterresistive barrier for subsequent drainage.
2. At the intersection of chimneys or other MASONRY construction with frame or stucco walls, with projecting lips on both sides under stucco copings.
3. Under and at the ends of MASONRY, wood or metal copings and sills.
4. Continuously above all projecting wood trim.
5. Where exterior porches, decks or stairs attach to a sall or floor assembly of wood-frame construction.
6. At sall and roof intersections. I.T. At built-in gutters.

EGRESS WINDOW REQUIREMENTS

1030.1 Emergency Escape 4 Rescue

- Min. net clear opening of 5.7 sq. ft.
- Min. net clear opening ht. of 24 inches
- Min. net clear opening width of 20 inches
- Max. sill ht. above Finish floor of 44 inches

AREAS THAT REQUIRE SAFETY GLAZING

2406.4 Hazardous locations.
The locations specified in Sections 2604.1 through 2604.7 shall be considered specific hazardous locations requiring safety glazing materials.

2406.4.1 Glazing in doors.
Glazing in all fixed and operable panels of swinging, sliding and bifold doors considered to be a hazardous location.

Exceptions:
1. Glazed openings of a size through which a 3-inch diameter (76 mm) sphere is unable to pass.
2. Decorative glazing.

2406.4.2 Glazing adjacent to doors.
Glazing in an individual fixed or operable panel adjacent to a door where the nearest vertical edge of the glazing is within 24" (610mm) arc of either vertical edge of the door in a closed position and where the bottom exposed edge of the glazing is less than 60 inches (1524 mm) above the walking surface shall be considered a hazardous location.

Exceptions:
1. Decorative glazing.
2. Where there is an intervening sall or other permanent barrier between the door and the glazing.
3. Where access through the door is to a closet or storage area 3 feet (914 mm) or less in depth. Glazing in this application shall comply with Section 2406.3.
4. Glazing in walls on the inteh side of and perpendicular to the plane of the door in a closed position in 1 or 2-family dwellings or within dwelling units in Group R-2.

2406.4.3 Glazing in windous.
Glazing in an individual fixed or operable panel that meets all of the following conditions shall be considered to be a hazardous location:

1. The exposed area of an individual pane is larger than 9 square feet (0.836 m2)
2. The bottom edge of the glazing is less than 18 inches (457 mm) above the floor
3. The top edge of the glazing is more than 36 inches (914 mm) above the floor
4. One or nore walking surfaces are within 36 inches (914 mm), measured horizontally and in a straight line, of the glazing.

Exceptions:
1. Decorative glazing.
2. When a horizontal rail is installed on the accessible side(s) of the glazing 34 to 38 inches (864 to 965) above the walking surface. The rail shall be capable of withstanding a horizontal load of 50 pounds per linear foot (730 N/m) without contacting the glass and be a minimun of 1-1/2 inches (38 mm) in cross sectional height.
3. Outboard panes in insulating glass units and other multiple glazed panels when the bottom edge of the glass is 25 feet (7620 mm) or nore above grade, a roof, walking surfaces, or other horizonal (within 45 degrees (0.75 rad.) of horizontal) surface adjacent to the glass exterior.

2604.4.4 Glazing in guards and railings.
Glazing in guards and railings, including structural baluster panels and nonstructural in-fill panels, regardless of area or height above a walking surface shall be considered to be a hazardous location.

2604.4.5 Glazing and wet surfaces.
Glazing in walls, enclosures or fences containing or facing hot tubs, spas, whirlpools, saunas, steam rooms, bathtubs, showers and indoor swimming pools where the bottom exposed edge of the glazing is less than 60 inches (1524 mm) measured vertically above any standing or walking surface shall be considered to be a hazardous location. This shall apply to single glazing and each pane in multiple glazing.

Exceptions:
Glazing that is nore than 60 inches (1524 mm), measured horizontally and in a straight line, from the water's edge of a bathtub, hot tub, spa, whirlpool or swimming pool or from the edge of a shower, sauna or steam room.

2604.4.6 Glazing adjacent to stairs and ramps.
Glazing where the bottom exposed edge of the glazing is less than 36 inches (914 mm) above the plane of the adjacent walking surface of stairways, landings between flights of stairs and ramps shall be considered to be a hazardous location.

Exceptions:
1. Where a rail is installed on the accessible side(s) of the glazing 34 to 38 inches (864 to 965 mm) above the walking surface. The rail shall be capable of withstanding a horizontal load of 50 pounds per linear foot (730 N/m) without contacting the glass and have a cross-sectional height of not less than 1-1 inches (38 mm).
2. Glazing 36 inches (914 mm) or nore measured horizontally from the walking surface.

2604.4.7 Glazing adjacent to the bottom stair landing.
Glazing adjacent to the landing at the bottom of a stairway where the glazing is less than 60 inches (1524 mm) above the landing and within a 60-inch (1524 mm) horizontal arc less than 180 degrees from the bottom tread nosing shall be considered to be a hazardous location.

Exception:
The glazing that is protected by a guard complying with Section 1015 4 1607.8 where the plane of the glass is greater than 15 inches (457 mm) from the guard.

MOTOR VEHICLE RELATED OCCUPANCIES

406.2.1 Automatic Garage Door Openers and Vehicular Gates
Automatic garage door openers shall be listed and labeled in accordance with UL 325. Where provided automatic vehicular gates shall comply with Section 310

406.2.2 Clear Height.
The clear heights of each floor level in vehicle and pedestrian traffic areas shall be not less than 7 feet

406.2.3 Accessible Parking spaces
Where parking is provided, accessible parking spaces, access aisle and vehicular routes serving accessible parking shall be provided in accordance with Section 1106

406.2.1. Electric Vehicle Charging Stations and Systems
Where provided, electric vehicle charging systems shall be shall be installed in accordance with NFPA 70. Electric vehicle charging system equipment shall be listed and labeled in accordance with UL2202. Electric vehicle supply equipment shall be listed and labeled in accordance with UL2594. Accessibility to electric vehicle charging stations shall be provided in accordance with Section 1107.

ENCLOSED PARKING GARAGES

406.2.1 Automatic Garage Door Openers and Vehicular Gates
Automatic garage door openers shall be listed and labeled in accordance with UL 325. Where provided automatic vehicular gates shall comply with Section 310

406.2.2 Clear Height.
The clear heights of each floor level in vehicle and pedestrian traffic areas shall be not less than 7 feet

406.2.3 Accessible Parking spaces
Where parking is provided, accessible parking spaces, access aisle and vehicular routes serving accessible parking shall be provided in accordance with Section 1106

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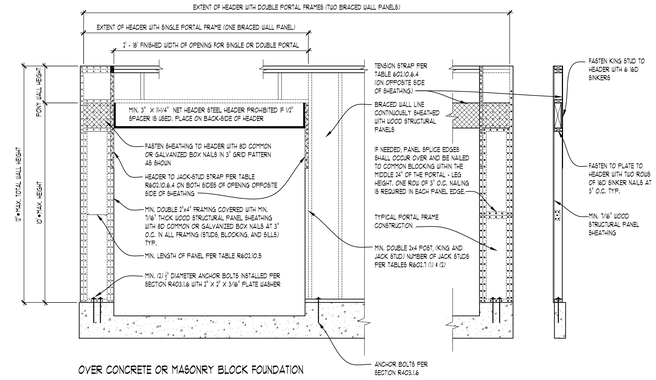
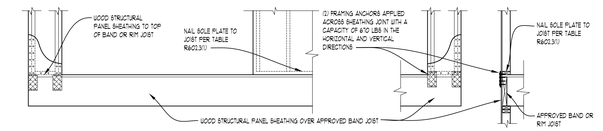
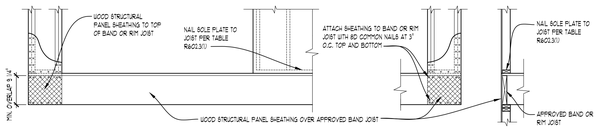


OVER CONCRETE OR MASONRY BLOCK FOUNDATION



OVER RAISED WOOD FLOOR - FRAMING ANCHOR OPTION
(WHERE PORTAL SHEATING DOES NOT LAP OVER BAND OR RIM JOIST)



OVER RAISED WOOD FLOOR - OVERLAP OPTION
(WHERE PORTAL SHEATING LAPS OVER BAND OR RIM BOARD)

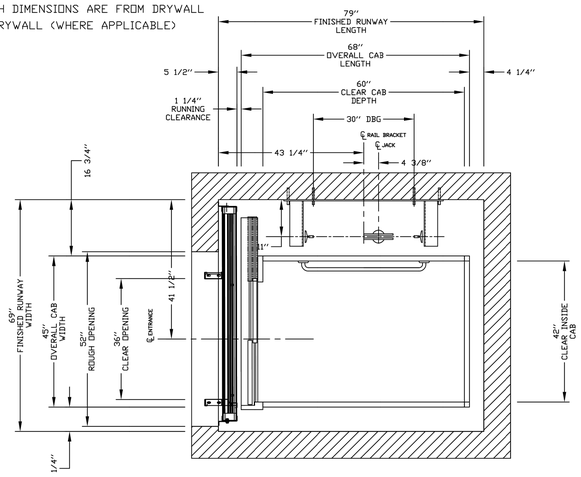
FRONT ELEVATION SECTION

FIGURE R602.10.6.4
METHOD CS-PF: CONTINUOUSLY SHEATHED PORTAL FRAME PANEL CONSTRUCTION

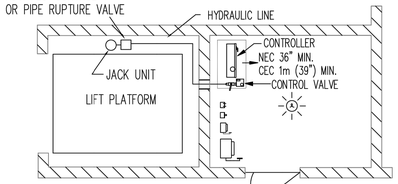
FOR SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm NOT TO SCALE

TABLE R404.1.2(8) MINIMUM VERTICAL REINFORCEMENT FOR 6-, 8-, 10-, 12 INCH NOMINAL FLAT CONCRETE BASEMENT WALLS[a,b,c,d,e,f,g,h,i,j,k,l,m,n,o]												
MAXIMUM WALL HEIGHT (feet)	MAXIMUM UNBALANCED BACKFILL HEIGHT[g] (feet)	MINIMUM VERTICAL REINFORCEMENT - BAR SIZE AND SPACING (INCHES)											
		Soil classes[a] and design lateral soil (psf per foot of depth)											
		GW, GP, SW, SP 30				GM, GC, SM, SM-SC and ML 45				SC, ML-CL and incorganic CL 60			
		Minimum nominal wall thickness (inches)											
		6	8	10	12	6	8	10	12	6	8	10	12
5	4	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
	5	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
6	4	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
	5	NR	NR	NR	NR[i]	NR	NR	NR	NR	4 @ 35	NR[i]	NR	NR
	6	NR	NR	NR	5 @ 48	NR	NR	NR	NR	5 @ 36	NR	NR	NR
7	4	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
	5	NR	NR	NR	NR	NR	NR	NR	5 @ 47	NR	NR	NR	NR
	6	NR	NR	NR	5 @ 42	NR	NR	NR	6 @ 43	5 @ 48	NR[i]	NR	NR
	7	5 @ 46	NR	NR	6 @ 42	5 @ 46	NR[i]	NR	6 @ 34	6 @ 48	NR	NR	NR
8	4	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
	5	NR	NR	NR	NR	4 @ 38	NR[i]	NR	5 @ 43	NR	NR	NR	NR
	6	4 @ 37	NR[i]	NR	NR	5 @ 37	NR	NR	6 @ 37	5 @ 43	NR[i]	NR	NR
	7	5 @ 40	NR	NR	NR	6 @ 37	5 @ 41	NR[i]	6 @ 34	6 @ 43	NR	NR	NR
	8	6 @ 43	5 @ 47	NR[i]	NR	6 @ 34	6 @ 43	NR	NR	6 @ 27	6 @ 32	6 @ 44	NR
9	4	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
	5	NR	NR	NR	NR	4 @ 35	NR[i]	NR	NR	5 @ 40	NR	NR	NR
	6	4 @ 34	NR[i]	NR	NR	6 @ 48	NR	NR	NR	6 @ 36	6 @ 39	NR[i]	NR
	7	5 @ 36	NR	NR	NR	6 @ 34	5 @ 37	NR	NR	6 @ 33	6 @ 38	5 @ 37	NR[i]
	8	6 @ 38	5 @ 41	NR[i]	NR	6 @ 33	6 @ 38	5 @ 37	NR[i]	6 @ 24	6 @ 29	6 @ 39	4 @ 48[m]
	9	6 @

PLEASE NOTE:
OVERALL HOISTWAY LENGTH AND
WIDTH DIMENSIONS ARE FROM DRYWALL
TO DRYWALL (WHERE APPLICABLE)



ADJ. FLO-CONTROL
OR PIPE RUPTURE VALVE



M/R PLAN AT LOWER LEVEL

PRELIMINARY DRAWING ONLY
DRAWING APPROVAL:

THIS DRAWING REFLECTS OUR INTERPRETATION OF THE INFORMATION PROVIDED BY THE DEALER ON THE ORDER FORM. THIS INFORMATION IS THE DEALER'S RESPONSIBILITY, AND IS THE BASIS FROM WHICH THIS LIFT IS DESIGNED AND MANUFACTURED. PLEASE INDICATE THE REQUESTED ACTION BY CHECKING ONE OF THE FOLLOWING BOXES AND SIGNING BELOW TO AUTHORIZE COMPLETION OF THIS ORDER.

- ☐ APPROVED WITH NO EXCEPTIONS
  MANUFACTURE PRODUCT AS PER DRAWING
- ☐ APPROVED WITH EXCEPTIONS, NO REAPPROVAL REQUIRED
  MAKE CHANGES AS NOTED, NO REAPPROVAL DRAWING REQUIRED
- ☐ CHANGE AS NOTED, REAPPROVAL REQUIRED
  MAKE CHANGES AS NOTED; SEND CORRECTED DRAWING FOR REAPPROVAL BEFORE MANUFACTURE

SIGNATURE:_____ DATE: _____

CHANGES REQUEST:

1. _____
2. _____
3. _____
4. _____

CAUTION: ONCE THE DRAWING IS APPROVED, JOB CANCELLATION FEES WILL APPLY

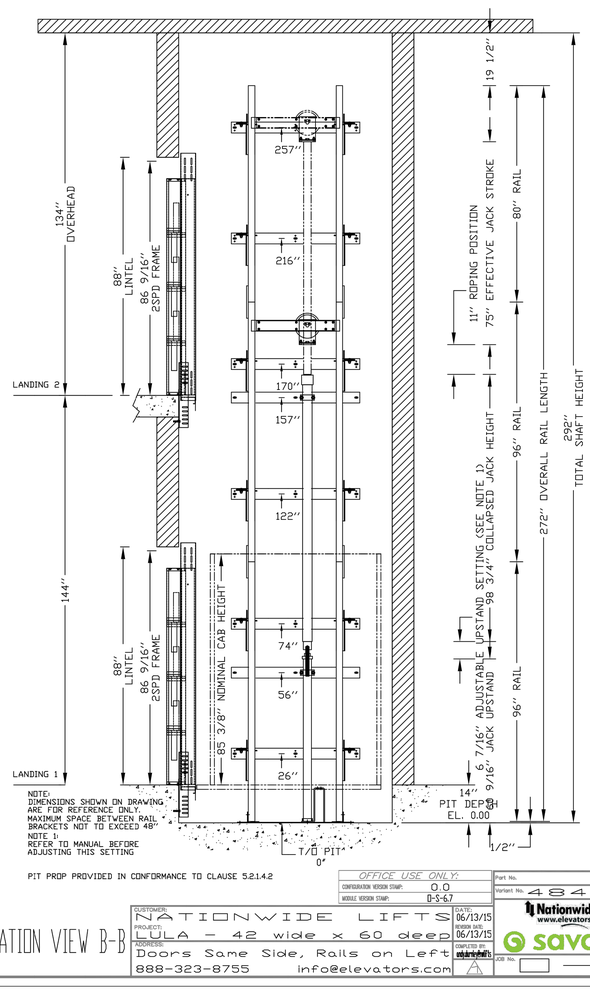
OFFICE USE ONLY:
CONFIGURATION VERSION STAMP: 0.0
MODULE VERSION STAMP: D-S-67

Part No.
Variant No. 48415

Nationwide Lifts www.elevators.com
savaria

CUSTOMER: NATIONWIDE LIFTS
PROJECT: LULA - 42 wide x 60 deep
ADDRESS: Doors Same Side, Rails on Left
888-323-8755 info@elevators.com
DATE: 06/13/15
DRAWN DATE: 06/13/15
COMPLETED BY:
JOB No. SHEET No. 1 OF 4

PLAN VIEW



NOTE:
DIMENSIONS SHOWN ON DRAWING ARE FOR REFERENCE ONLY.
MAXIMUM SPACE BETWEEN RAIL BRACKETS NOT TO EXCEED 48"
NOTE 1:
REFER TO MANUAL BEFORE ADJUSTING THIS SETTING

PIT PROP PROVIDED IN CONFORMANCE TO CLAUSE 5.2.1.4.2

OFFICE USE ONLY:
CONFIGURATION VERSION STAMP: 0.0
MODULE VERSION STAMP: D-S-6.7

Part No.
Variant No. 48415

Nationwide Lifts www.elevators.com
savaria

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COMPLETED BY:
JOB No. SHEET No. 2 OF 4

ELEVATION VIEW B-B

PROVISIONS BY OTHERS

*GENERAL

HOISTWAY- THE HOISTWAY MUST BE IN ACCORDANCE WITH "SAFETY CODE FOR ELEVATORS AND ESCALATORS" (ASME A17.1) AND ALL STATE AND LOCAL CODES.
PLUMB HOISTWAY- DUE TO CLOSE RUNNING CLEARANCES OWNER/AGENT MUST ENSURE THAT HOISTWAY AND PIT (WHERE PROVIDED) ARE LEVEL, PLUMB AND SQUARE AND ARE IN ACCORDANCE WITH THE DIMENSIONS ON THESE DRAWINGS.
MINIMUM OVERHEAD CLEARANCE- OWNER/AGENT MUST ENSURE MINIMUM OVERHEAD CLEARANCE IS IN COMPLIANCE WITH CODES.
CONSTRUCTION SITE- OWNER/AGENT TO PROVIDE ALL MASONRY, CARPENTRY AND DRYWALL WORK AS REQUIRED AND SHALL PATCH AND MAKE GOOD (INCLUDING FINISH PAINTING) ALL AREAS WHERE WALLS/FLOORS MAY REQUIRE TO BE CUT, DRILLED OR ALTERED IN ANY WAY TO PERMIT THE PROPER INSTALLATION OF THE LIFT.
DIMENSIONS
CONTRACTOR/CUSTOMER TO VERIFY ALL DIMENSIONS AND REPORT ANY DISCREPANCIES TO OUR OFFICE IMMEDIATELY.

*STRUCTURAL

FLOOR/SUPPORT WALL LOADS- STRUCTURE TO ANCHOR A CRANK SHAFT AND SAFETY HARNESS, WHERE APPLICABLE/NEEDED, TO BE PROVIDED BY CONTRACTOR. CONTRACTOR TO ASSURE THAT BUILDING AND SHAFT WILL SAFELY SUPPORT ALL LOADS IMPOSED BY THE LIFT EQUIPMENT. REFER TO THE TABLES ON THIS DRAWING FOR LOADS IMPOSED BY THE EQUIPMENT.
WHERE DOORS ARE REQUIRED- SUITABLE LINTELS MUST BE PROVIDED BY OWNER/AGENT. DOOR FRAMES ARE NOT DESIGNED TO SUPPORT OVERHEAD WALL LOADS.

*MACHINE ROOM

LOCATION / ACCESS- MACHINE ROOM LOCATED AT THE LOWEST LEVEL ADJACENT TO HOISTWAY, UNLESS SHOWN OTHERWISE ON THE LAYOUT DRAWINGS. FIELD ADJUSTMENT BY INSTALLER MAY BE NECESSARY TO MEET JOB SITE CONDITIONS OR REGULATIONS.
MACHINE ROOM DOOR IS TO BE LOCKABLE AND IS TO MEET THE REQUIREMENTS OF THE AUTHORITY HAVING JURISDICTION.
SLEEVES FOR OIL & ELECTRIC LINES- FROM MACHINE ROOM TO RUNWAY AS REQUIRED. (POSITION PER INSTALLERS INSTRUCTIONS). MINIMUM SCHEDULE 80 PIPING REQUIRED FOR OIL LINES.

	DISCONNECT SIZE	TIME DELAY FUSE SIZE	VOLTS	PHASE	AMPERAGE
MOTOR & EQUIP.	30 AMPS	30 AMPS	208 volt	Three Phase	15.6 AMPS
CAB LIGHTS	15 AMPS	15 AMPS	115 V	1	

*ELECTRICAL

POWER SUPPLY- (SEE SPECIFICATIONS) LOCKABLE FUSED DISCONNECT WITH AUXILIARY CONTACT TO BRAKE THE BATTERY FEED, OR CIRCUIT BREAKERS WITH A 3-POLE BREAKER FOR BATTERY FEED REQUIRED, IN COMPLIANCE WITH ELECTRICAL CODE, AS FOLLOWS: (LOCATED ON WALL ON LOCK JAMB SIDE OF MACHINE ROOM DOOR)
PERMANENT POWER- BEFORE INSTALLATION CAN BEGIN, PERMANENT POWER MUST BE SUPPLIED.
LIGHTING- THE ILLUMINATION SHALL BE NOT LESS THAN 200 LX (19 FC) AT THE FLOOR LEVEL IN ALL MACHINE ROOMS AND MACHINERY SPACES. ENSURE AT LEAST 100 LX (10 FC) AMBIENT LIGHTING OVER LIFT AREA.
PHONE- NEED A DEDICATED PHONE LAND LINE (NOT VoIP) FOR THE PHONE, WHERE APPLICABLE. FOR VoIP PLEASE CONTACT SAVARIA.

*ENTRANCES

FASCIA PANEL- BELOW UPPER LEVEL ENTRANCE- WHERE REQUIRED, FASCIA PANEL MUST BE FASTENED TO A SOLID WALL AND BE PERPENDICULAR TO THE FLOOR AND WALLS. HOISTWAY FASCIA IS NOT SELF-SUPPORTING FOR LONG, CONTINUOUS RUNS VOID OF ENTRANCES. ADEQUATE SUPPORT FOR THE FASCIA MUST BE PROVIDED .
ENTRANCE ASSEMBLIES- ENTRANCE ASSEMBLIES MUST BE ADJUSTED TO ALIGN WITH PLATFORM AND INTERLOCK EQUIPMENT. OTHERS TO ALLOW AN ADEQUATE ROUGH OPENING.
RETURN WALLS- RETURN WALLS AT ENTRANCES MUST BE BUILT-IN BY OTHERS AFTER ENTRANCE ASSEMBLIES ARE IN PLACE. ENTRANCE ASSEMBLY MUST BE SECURELY FASTENED TO WALLS BY ELEVATOR CONTRACTOR.

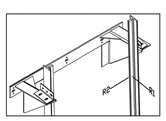
SPECIFICATIONS

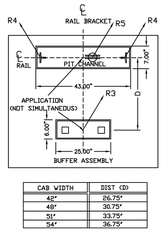
GENERAL

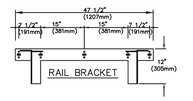
CLASSIFICATION: Public Building
APPLIED CODE: CSA/ASMEA17.1/B44-2010 Sec 5.2
MODEL: Orion
CAPACITY: 1400lbs
NOMINAL SPEED: 30 fpm
TRAVEL: 144 "
PIT DEPTH 14 "
POWER SUPPLY: 60 HzThree Phase 208 volt

HYDRAULIC

PUMP MFR: CONCORD
PUMP MODEL: VICKERS 3P
MOTOR: 5.0 hp
VALVE MODEL NO. EPV - 7
VALVE COIL VOLTS: 24 V DC
MAX WORKING PRESSURE: 1500 psi (10340 kPa)
RELIEF VALVE SETTING: MAX 25% ABOVE ACTUAL WORKING PRESSURE
RESERVOIR: 22 Gal.
HOSE & SAFETY VALVE: no







CAB WIDTH	DIST <D>
42"	26.75"
48"	30.75"
51"	33.75"
54"	36.75"

PIT RE-ACTION FORCE	
R3	8000 LBS
R4	3000 LBS
R5	9000 LBS

RAIL FORCES



*R1	*R2
720 lbf	260 lbf

RAIL WEIGHT - 8.3 lbs / Ft

FOR TOTAL PULL-OUT FORCE ON RAIL BRACKET, R5 MUST BE DOUBLED eg. 2 x 720 = 1440 lbf
FOR LOCAL APPLICATION OF PIT LOAD, SEE PIT CHANNEL/BUFFER SKETCH.

FIRST DOOR BY LANDING CHART

DOOR TYPE	LANDING 1: 2 Speed Sliding Doors (Vittur)	LANDING 2: 2 Speed Sliding Doors (Vittur)
ENTRANCE SIDE	Side A	Side A
DOOR LATCH	Right Hand	Right Hand
LOCK TYPE	Not Applicable	Not Applicable
AUTO DOOR OPENER	Keyless	Keyless
HALL CALL KEY SWITCH	yes	yes
HOISTWAY ACCESS	1	2
FLOOR MARKING	1	
MAIN EGRESS FLOOR		

CAR FINISH DETAILS

CAB PANEL SELECTION: White Steel Colour
CEILING SELECTION: standard (white)
CAB ENTRANCE: Match Cab
PLASTIC LAMINATE FINISHES: Not Applicable
PIT LIGHT FINISH: Stainless Steel
TRIM COLOUR: Not Applicable
CAR STATION PLATE: stainless steel
HAND RAIL TYPE: Stainless Steel Cylindrical
CAB FLOORING: Plywood Floor
FINISHED FLOOR THICKNESS: 3/8" Finish
TELEPHONE BOX: no
TELEPHONE BOX FINISH: Not Applicable
HAND FREE PHONE: yes, with phone line monitoring

CAR DIMENSIONS/PLATFORM GATES

CAB TYPE: Type 1 Left Hand
CAB HEIGHT: 84" Standard Cab Height
CAB OPERATION: automatic operation
GATES REQUIRED: Automatic Operated Gates
GATE TYPE: 2 Spd Doors (Vittur) match CAB
GATE FINISH: Baked Enamel White
INSIDE PLATFORM AREA: 17.5 sf.

HOISTWAY

DOOR TYPE: 2 spd Sliding Doors (Vittur)
HOISTWAY DOORS FINISH: Standard Finish (Primer Grey)
HOISTWAY FINISH: Masonary

JACK UNIT

EFFECTIVE STROKE: 75"
SOLID PLUNGER O/D: 2 3/4 "
CYLINDER O/D: 3 1/2 "
CYLINDER I/D: 3 "
SPLIT CYLINDER?: no
COLLAPSED LENGTH: 98 3/4 "
CYLINDER WALL THICKNESS: 1/4 "

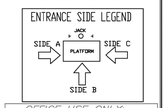
SUSPENSION

TYPE: AIRCRAFT CABLE 2 X 3/8" DIA.
CONSTRUCTION: 1WRC 7 X 19, GALVANIZED STEEL RHRL
NOMINAL STRENGTH: 14,400 lbs Per Cable
SPECS: MI-DTL-83420

OVER SPEED VALVE

MODEL: AS PER SECTION 3.19.4.7
BLAIN R10 AA
(1500psi (10340 kPa) MAX WORKING PRESSURE)

ENTRANCE SIDE LEGEND



OPTIONS

FASTENERS: Concrete Anchors
FIREMAN'S SERVICE: Firemen Service
OVERSPEED GOV./VALVE: OverSpeed Valve
CONDUCTOR CABLE: 40' cable
DATA ACCESS TERMINAL: No DAT
DUPLINE PROGRAMMING TOOL: Programmer not Included
TEMP. RUN BUTTON: Temp Run Button not included
SPEEDY SET-UP JIG: Speedy Jig Not required

OFFICE USE ONLY:
CONFIGURATION VERSION STAMP: 0.0
MODULE VERSION STAMP: D-S-6.7

Part No.
Variant No. 48415

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savaria

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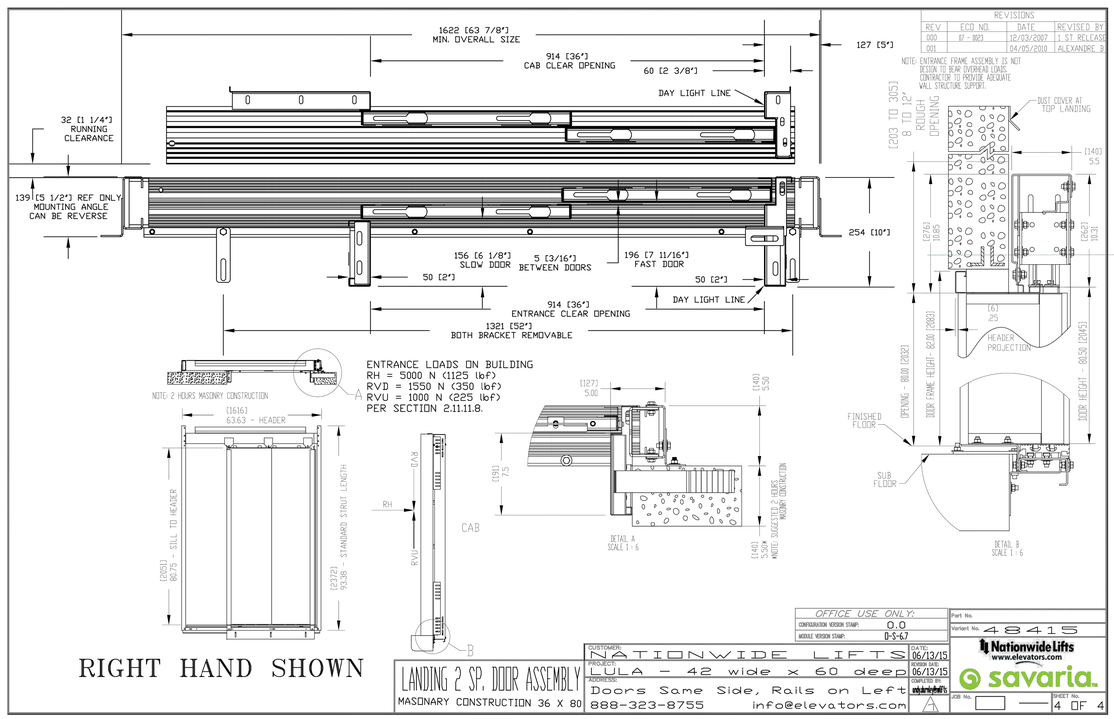
DATE: 06/13/15
DRAWN DATE: 06/13/15
COMPLETED BY:
JOB No. SHEET No. 3 OF 4

Data Sheet
LIMITED USE LIMITED APPLICATION



NOTE: ENTRANCE FRAME ASSEMBLY IS NOT DESIGN TO BEAR OVERHEAD LOADS. CONTRACTOR TO PROVIDE ADEQUATE WALL STRUCTURE SUPPORT.

ENTRANCE LOADS ON BUILDING
RH = 5000 N (1125 lbf)
RVD = 1550 N (350 lbf)
RVU = 1000 N (225 lbf)
PER SECTION 2.11.11.8.

RIGHT HAND SHOWN

OFFICE USE ONLY:
CONFIGURATION VERSION STAMP: 0.0
MODULE VERSION STAMP: D-S-6.7

Part No.
Variant No. 48415

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COMPLETED BY:
JOB No. SHEET No. 4 OF 4

LANDING 2 SP. DOOR ASSEMBLY
MASONARY CONSTRUCTION 36 X 80

REVISIONS			
REV.	ECO NO.	DATE	REVISED BY
000	07 - 0823	12/03/2007	I ST RELEASE
001		04/05/2010	ALEXANDRE B

COLORADO LICENSED STEVEN HALLETT 38004 ARCHITECT
1-6-23

TK DESIGN
CREATIVE COLLABORATIVE

WWW.TKHOMEDESIGN.COM
26030 PONTIAC TRAIL
SOUTH LYON, MI 48178
PHONE: (248)-446-1960
FAX: (248)-446-1961

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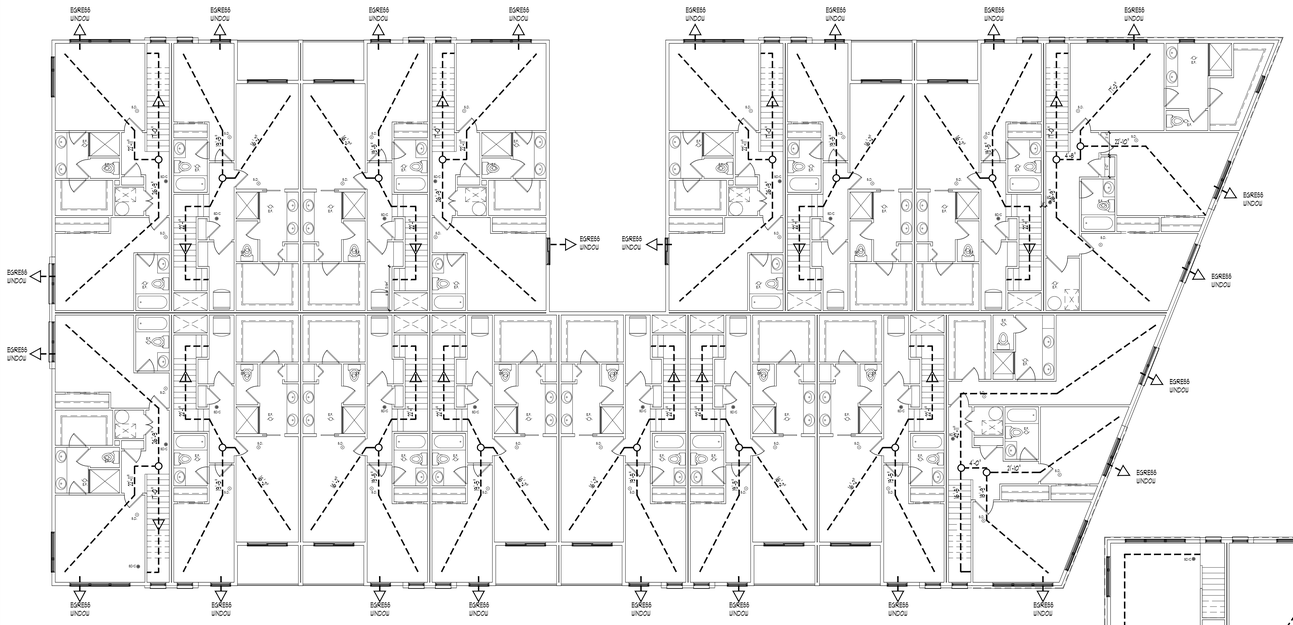
CLIENT / PROJECT
ARMISTEAD
MIDTOWN VILLAGE
PUD
16 UNIT APARTMENT
EAGLE COUNTY, CO

JOB No.	21-289
DRAWN:	AG
CHECKED:	AG
FRAMED:	-
REVIEW	8-31-22
FINAL:	1-4-23
REVISION	10-14-22

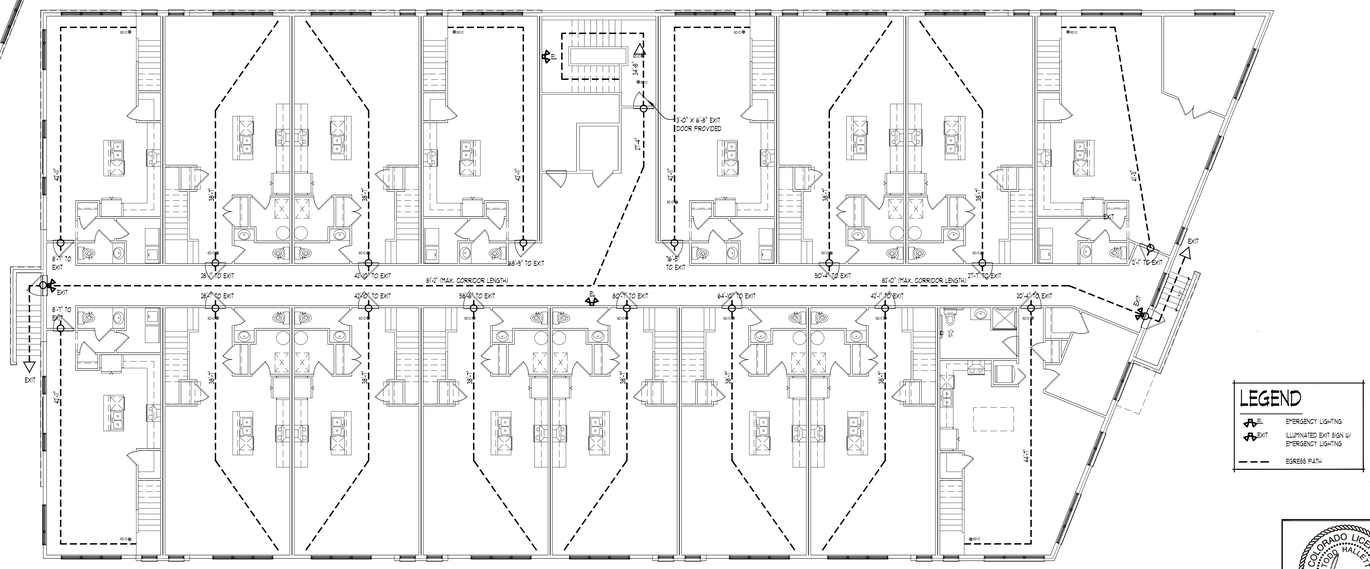
SCALE:
PER PLAN

SHEET #
GN2



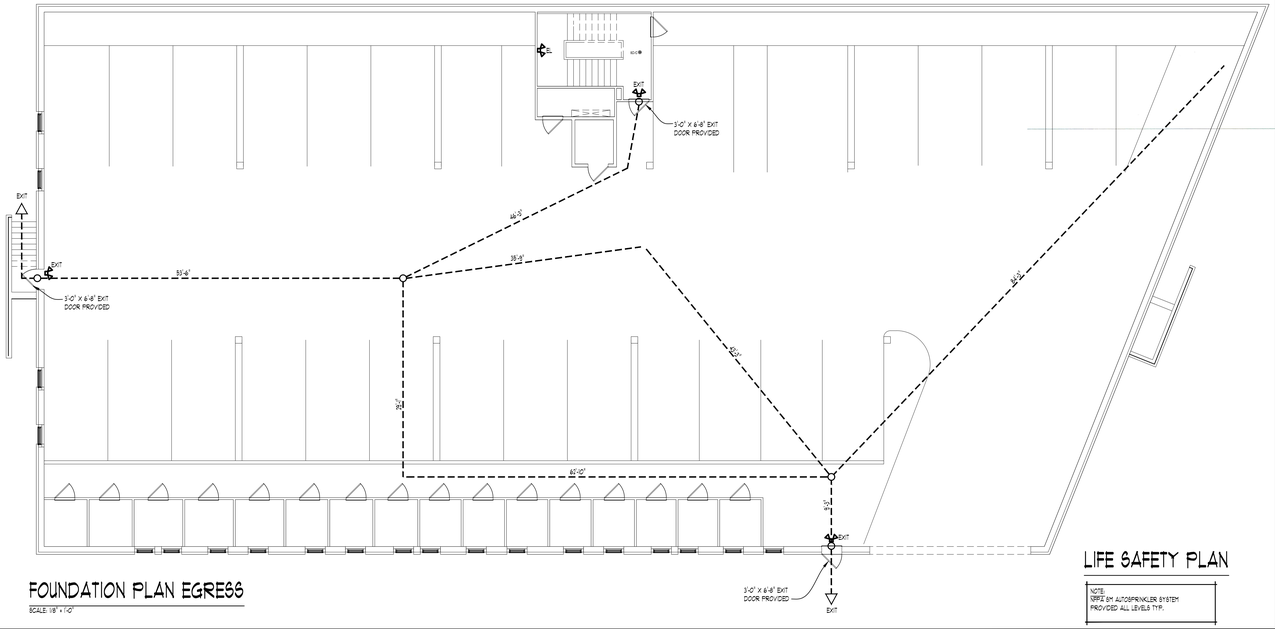
SECOND FLOOR PLAN EGRESS

SCALE: 1/8" = 1'-0"



FIRST FLOOR PLAN EGRESS

SCALE: 1/8" = 1'-0"



FOUNDATION PLAN EGRESS

SCALE: 1/8" = 1'-0"

LEGEND

EL	EMERGENCY LIGHTING
EXIT	ILLUMINATED EXIT SIGN W/ EMERGENCY LIGHTING
- - -	EGRESS PATH

LIFE SAFETY PLAN

NOTE:
NFPA 5M AUTOSPRINKLER SYSTEM PROVIDED ALL LEVELS TYP.

COLORADO LICENSED TODD HALLETT ARC00401844 ARCHITECT

1-6-23

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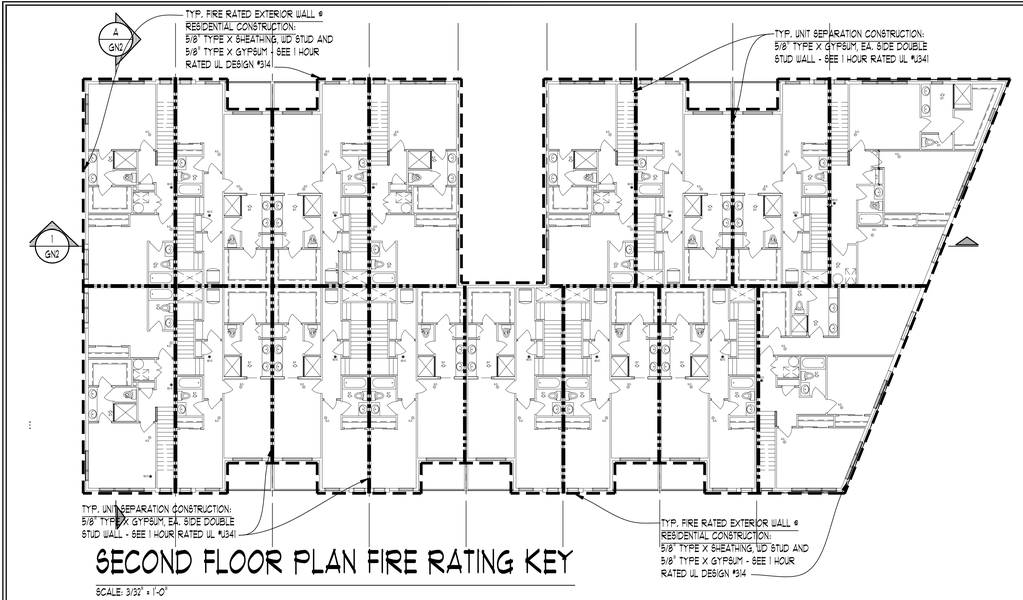
CLIENT / PROJECT

ARMISTEAD
MIDTOWN VILLAGE
PUD
16 UNIT APARTMENT
EAGLE COUNTY, CO

JOB No.	21-289
DRAWN:	AG
CHECKED:	AG
FRAMED:	-
REVIEW	8-31-22
FINAL:	1-4-23
REVISION	10-14-22

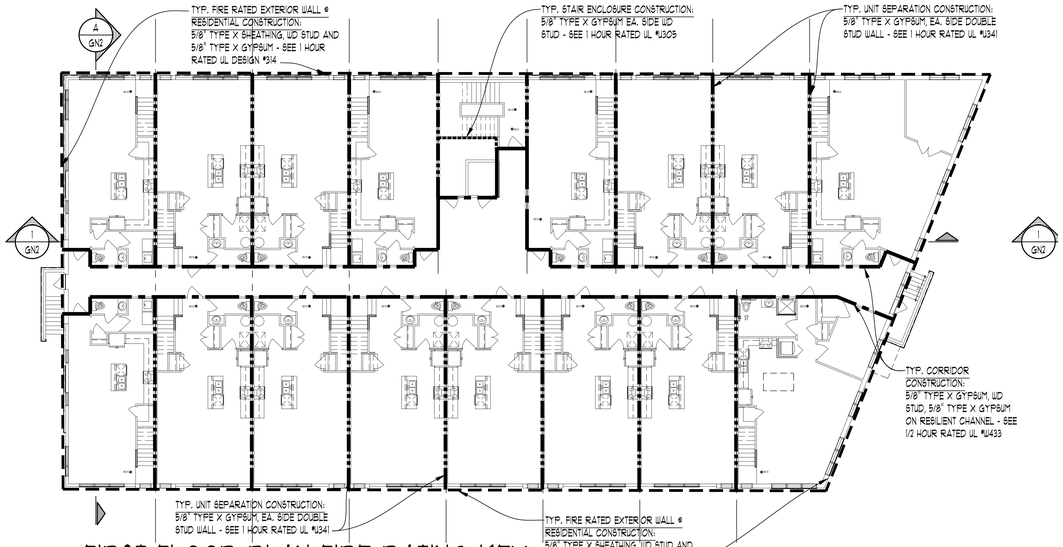
SCALE:
PER PLAN

SHEET #
GN-3



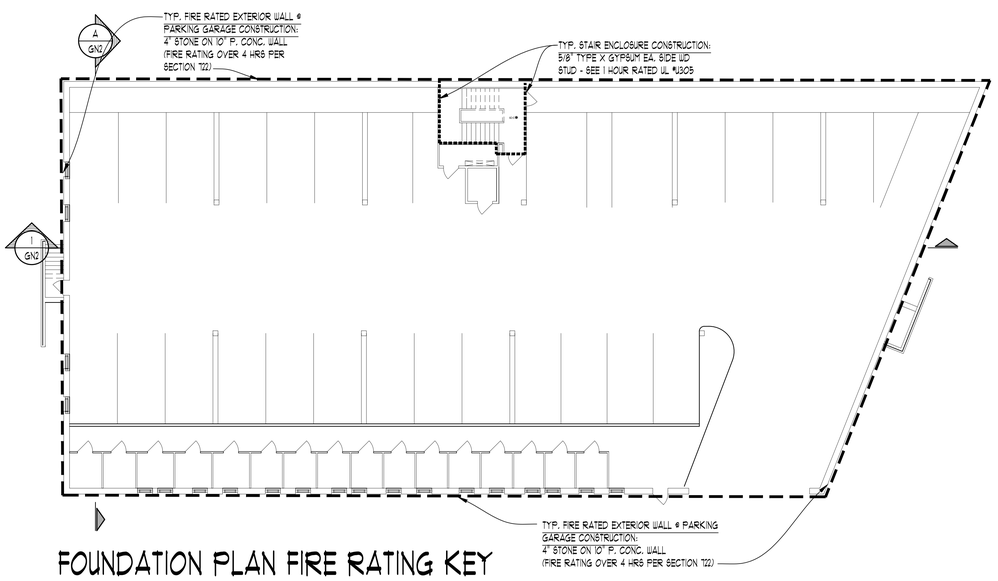
SECOND FLOOR PLAN FIRE RATING KEY

SCALE: 3/32" = 1'-0"



FIRST FLOOR PLAN FIRE RATING KEY

SCALE: 3/32" = 1'-0"



FOUNDATION PLAN FIRE RATING KEY

SCALE: 3/32" = 1'-0"

RATED ASSEMBLY DESCRIPTIONS:

WALLS AND INTERIOR PARTITIONS, WOOD FRAMED

GA FILE NO. WP 3008	PROPRIETARY*	1/2 HOUR FIRE	40 to 44 STC SOUND

GYPSUM WALLBOARD, WOOD STUDS

One layer 5/8" proprietary gypsum wallboard applied parallel or at right angles to each side of 2 x 4 wood studs 16" o.c. with 1-1/4" Type W or Type S drywall screws 16" o.c. Vertical joints centered over studs and staggered one stud cavity on opposite sides. Horizontal joints need not be staggered or backed. **(LOAD-BEARING)**

Sound tested with resilient channels on one side and 3-1/2" glass fiber insulation.

PROPRIETARY GYPSUM BOARD

American Gypsum Company LLC.....5/8" LightRoc® 30 Gypsum Board

Thickness: 5-3/8"
Approx. Weight: 6 psf
Fire Test: UL R14196, 4786409617, 8-14-14, **UL Design W433**
Sound Test: RAL TL14-268, 7-30-14

GA FILE NO. WP 5508	PROPRIETARY*	1 HOUR FIRE	55 to 59 STC SOUND

GYPSUM WALLBOARD, WOOD STUDS

One layer 5/8" proprietary type X gypsum wallboard applied parallel or at right angles to each side of double row of 2 x 4 wood studs 24" o.c. on separate plates with 1-1/4" drywall screws 8" o.c. No minimum airspace between rows of studs.

Joints staggered 16" on opposite sides.

Sound tested with 1" air space between rows of studs and 3-1/2" glass fiber insulation in stud cavity on both sides. **(LOAD-BEARING)**

PROPRIETARY GYPSUM BOARD

American Gypsum Company LLC.....5/8" FireBloc® Type X Gypsum Board

Thickness: 9-1/2"
Approx. Weight: 10 psf
Fire Test: UL R14196, 06NK07241, 3-13-06, **UL Design U341**
Sound Test: RAL TL11-160, 7-11-11

GA FILE NO. WP 3335	PROPRIETARY*	1 HOUR FIRE	45 to 49 STC SOUND

GYPSUM WALLBOARD, RESILIENT CHANNELS, WOOD STUDS

One layer 5/8" proprietary type X gypsum wallboard applied parallel or at right angles to each side of 2 x 4 wood studs 16" o.c. with 1-1/4" Type W drywall screws 8" o.c. When applied parallel to wood studs, joint staggered 16" on opposite side of wall.

Sound tested with resilient channels 24" o.c. attached at right angles to ONE SIDE of 2 x 4 wood studs 16" o.c. with 1-1/4" Type S drywall screws. One layer 5/8" proprietary type X gypsum wallboard applied perpendicular to channels with 1" Type S drywall screws 8" o.c. with 3 1/2" thick glass fiber insulation compressed and friction fit in stud space. **(LOAD-BEARING)**

PROPRIETARY GYPSUM BOARD

American Gypsum Company LLC.....5/8" FireBloc® Type X Gypsum Board

Thickness: 5-3/8"
Approx. Weight: 7 psf
Fire Test: UL R14196, 05NK29898, 2-16-06
UL Design U305
Sound Test: RAL TL10-267, 8-10-10

EXTERIOR WALLS

GA FILE NO. WP 8105	GENERIC	1 HOUR FIRE

GYPSUM WALLBOARD, GYPSUM SHEATHING, WOOD STUDS

EXTERIOR SIDE: One layer 48" wide 5/8" type X gypsum sheathing applied parallel to 2 x 4 wood studs 24" o.c. with 1 3/4" galvanized roofing nails 4" o.c. at vertical joints and 7" o.c. at intermediate studs and top and bottom plates . Joints of gypsum sheathing may be left utreated. Extrerior cladding to be attached through sheathing to studs.

INTERIOR SIDE: One layer 5/8" type X gypsum wallboard, water-resistant gypsum backing board, or gypsum veneer base applied parallel or at right angles to studs with 6d coated nails 1 7/8" long, 0.0915" shank, 1/4" heads 7" o.c. **(LOAD-BEARING)**

Thickness: Varies
Approx. Weight: 7 psf
Fire Test: See WP 3510 (UL R3501-47, -48, 9-17-65, UL Design U309; UL R1319-129, 7-22-70, UL Design U314)

ROOF-CEILING SYSTEMS

GA FILE NO. RC 2602	GENERIC	1 HOUR FIRE

WOOD TRUSSES, GYPSUM WALLBOARD

Base layer 5/8" type X gypsum wallboard applied at right angles to wood roof trusses 24" o.c. with 1-1/4" Type W or S drywall screws 24" o.c. **Face** layer 5/8" type X gypsum wallboard or gypsum veneer base applied at right angles to trusses with 1-7/8" Type W or S drywall screws 12" o.c. at joints and intermediate trusses and 1-1/2" Type G drywall screws 12" o.c. placed 2" back on either side of end joints. Joints offset 24" from base layer joints. Wood trusses supporting 1/2" wood structural panels applied at right angles to trusses with 8d nails. Appropriate roof covering. **Ceiling provides one-hour fire-resistance protection for trusses.**

Approx. Ceiling Weight: 5 psf
Fire Test: FM FC 172, 2-25-72; ITS, 8-6-98

GA FILE NO. FC 5529	GENERIC	1 HOUR FIRE

WOOD JOISTS, GYPSUM WALLBOARD

Base layer 5/8" type X gypsum wallboard applied at right angles to 2 x 10 wood joists 24" o.c. with 1-1/4" Type W or S drywall screws 24" o.c. **Face** layer 5/8" type X gypsum wallboard or gypsum veneer base applied at right angles to joists with 1-7/8" Type W or S drywall screws 12" o.c. at joints and intermediate joists and 1-1/2" Type G drywall screws 12" o.c. placed 2" back on either side of end joints. Joints offset 24" from base layer joints. Wood joists supporting 1/2" plywood with exterior glue applied at right angles to joists with 8d nails. **Ceiling provides one-hour fire-resistance protection for framing, including trusses.**

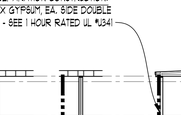
Approx. Ceiling Weight: 5 psf
Fire Test: FM FC 172, 2-25-72; ITS, 8-6-98

8" X 48" HOLLOW CORE

(2 HOUR FIRE RATING) **SAFE LOAD TABLE**

Standard Designation	#/Size of 7-Wire strand	Strand Area Sq.In.	Mu in Ft-Kips per unit	SIMPLE SPAN IN FEET-CENTER TO CENTER OF END BEARINGS																														
				10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40
1.75-28510	2-1/2.5-.6	1.391	145.04	545	470	408	358	315	285	256	232	211	289	272	257	243	231	219	209	199	186	168	153	139	126	114	104	94	86					
1.75-78	7-1/2	1.071	115.67	463	396	344	303	269	240	215	195	177	289	272	257	243	222	199	179	160	144	130	117	105	94	85	76							

UNIFORMLY DISTRIBUTED SUPERIMPOSED LOAD IN LBS. PER SQ. FT.
(Includes the live load plus dead load that is in addition to the weight of the grouted slabs in place.)
FOR LOADS & SPANS NOT SHOWN CONTACT MID-STATES CONCRETE INDUSTRIES



HOLLOW CORE: FL = 9000 psi, WEIGHT = 62 psf

1- Dead Load, 62 psf grouted weight of structural unit.
2- Tabulated loads are based on ACI318-14 where M_u=1.2 M_D+1.6M, and with all loads superimposed on the structural section considered as live load.
3- Camber is a result of the design rather than a design requirement. Heavy superimposed loads & / or long spans may cause excessive camber. Contact Mid-States Concrete Industries for more specific camber information.
4- Shaded blue values are governed by shear.
5- Shaded red values governed by Mcr criteria at partially developed strands.
6- Shaded yellow values governed by flexural tension at service loads.
7- All strand stresses to 65% of ultimate.

FIRE RATING CODE NOTES

CALCULATED FIRE RESISTANCE

721.1 General
The provisions of this section contain procedures by which the fire resistance of specific materials or combination of materials established by calculations. These procedures apply only to the information contained in this section and shall not be otherwise used. The calculated fire resistance of specific materials or combinations of materials shall be established using one of the following:
1. Concrete , concrete masonry and clay masonry assemblies shall be permitted in accordance with ACI 216.1/TMS

2. Precast and precast, prestressed concrete assemblies shall be permitted in accordance with PCI 124

3. Steel assemblies shall be permitted in accordance with Chapter 9 of AISCE 25

CONCRETE WALLS

721.1 Concrete walls
Cast in place and precast walls shall comply with Section 721.1. Multiwythe concrete walls shall comply with Section 721.1.2. Joints between precast panels shall comply with Section 721.1.3. Concrete walls with gypsum wallboard or plaster finish shall comply with Section 721.1.4

721.1.1 Cast-in-Place or Precast walls
The minimum equivalent thickness of cast-in-place or precast concrete walls for fire resistance ratings of 1 hour to 4 hours are shown in Table 721.1.1 for solid walls until the vertical surfaces, the equivalent thickness is the same as the actual thickness. the values in Table 721.1.1 apply to plain, reinforced, or prestressed concrete walls.

TABLE 721.1.1
MINIMUM EQUIVALENT THICKNESS OF CAST-IN-PLACE OR PRECAST CONCRETE WALLS LOAD-BEARING OR NON-LOAD BEARING

CONCRETE TYPE	MINIMUM SLAB THICKNESS (inches) FOR FIRE-RESISTANCE RATING OF				
	1 hour	1 1/2 hour	2 hours	3 hours	4 hours
Siliceous	3.5	4.3	5.0	6.2	7.0
Carbonate	3.2	4.0	4.6	5.7	6.6
Sand-lightweight	2.7	3.3	3.8	4.6	5.4
Lightweight	2.5	3.1	3.6	4.4	5.1

For SI: 1 inch = 25.4 mm

721.1.2 Multiwythe walls
For walls that consist of two wythes of different types of concrete, the fire-resistance ratings shall be permitted to be determined from Figure 721.1.2

TABLE 721.2.2 (1)
VALUES OF $K_2^{3/2}$ FOR USE IN EQUATION 7-4

TYPE OF MATERIAL	THICKNESS OF MATERIAL (inches)						
	1 1/2	2	2 1/2	3	3 1/2	4	7
Siliceous aggregate concrete	9.3	6.9	8.1	5.5	1.3	0.0	0.0
Carbonate aggregate concrete	9.3	7.1	8.9	10.4	0.0	14.0	21.2[c]
Sand lightweight concrete	6.3	8.2	10.3	0.8	9.3	9.1	None d
Lightweight concrete	6.6	8.8	1.2	0.7	10.3	9.1	None d
Insulating concrete	9.3	0.3	9.6	9.3	2.1	26.9[b]	None d
Airspace[a]	-	-	-	-	-	-	-

For SI: 1 inch = 25.4 mm, 1 pound per cubic foot = 16.03 kg/m³
a. Dry unit weight of 35 psf or less and consisting of cellular, perlite or vermiculite concrete
b. The $K_2^{3/2}$ value of one 12" to 3 1/2" airspace is 3.3, the $K_2^{3/2}$ value for 2 1/2" to 3 1/2" airspace is 6.7
c. The fire resistance rating for this thickness exceeds 4 hours

TABLE 721.2.2 (2) FOR ONE MORE WYTHES
The fire resistance rating for all panels consisting of two or more wythes shall be permitted to be determined by the formula:

$$R = (R_1^{3/2} + R_2^{3/2} + R_3^{3/2})^{2/3} \quad \text{(EQUATION 7-4)}$$

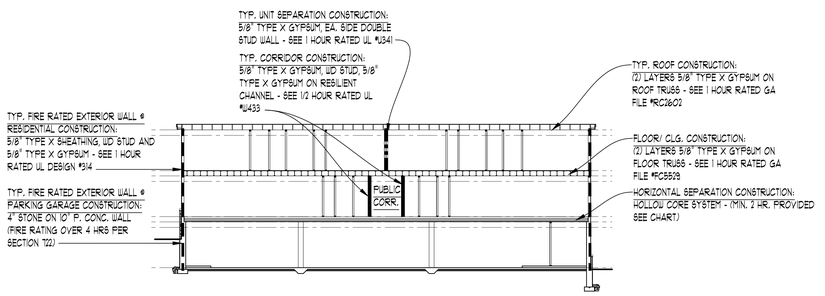
where:
R = The fire resistance of the assembly, minutes
R_1, R_2, and R_3 = The fire resistance of the individual wythes, minutes
Values of $R_1^{3/2}$ for use in Equation 7-4 are given in Table 721.2.2(1)
Calculated fire resistance ratings are shown in Table 721.2.2(2)

721.4 Concrete Columns
Concrete Columns shall comply with this section

TABLE 721.4
MINIMUM DIMENSIONS OF CONCRETE COLUMNS (inches)

TYPE OF CONCRETE	FIRE RESISTANCE RATING (hours)				
	1	1 1/2	2[a]	3[a]	4[a]
Siliceous	8	9	10	12	14
Carbonate	8	9	10	11	12
Sand lightweight	8	8 1/2	9	10 1/2	12

For SI: 1 inch = 25.4 mm
a. The minimum dimension is permitted to be reduced to 8 inches for rectangular columns with two parallel sides not less than 36" in length
b. The minimum dimension is permitted to be reduced to 10 inches for rectangular columns with two parallel sides not less than 36" in length



BUILDING SECTION A FIRE RATING KEY

SCALE: 3/32" = 1'-0"

BUILDING SECTION 1 FIRE RATING KEY

SCALE: 3/32" = 1'-0"

KEY:
- 1 HOUR MIN. EXTERIOR WALL
- 1/2 HOUR CORRIDOR WALL (UL #U433)
- 1 HOUR UNIT SEPARATION (UL #U341)
- 1 HOUR STAIR (UL #U305)
- 1 HOUR FLR/CLG.

COLORADO LICENSED MICHAEL HALEY ARCHITECT ARC00401844
1-6-23

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CLIENT / PROJECT
ARMISTEAD MIDTOWN VILLAGE PUD
16 UNIT APARTMENT
EAGLE COUNTY, CO

JOB No.	21-289
DRAWN:	AG
CHECKED:	AG
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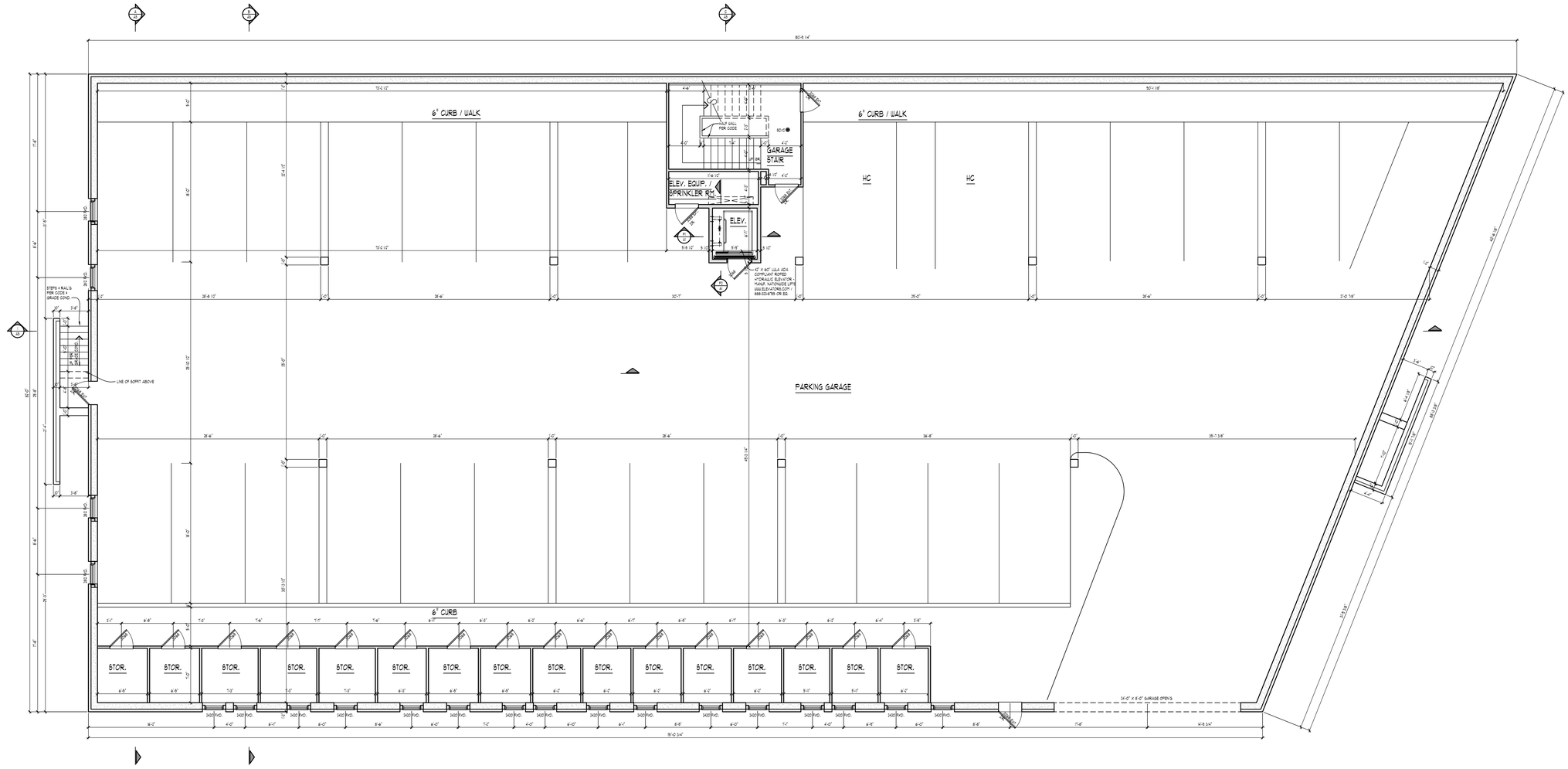
REVIEW	8-31-22
FINAL:	1-4-23
REVISION	10-14-22

SCALE: PER PLAN

SHEET # GN-4



GROUND LEVEL FLOOR PLAN

SCALE: 3/8" = 1'-0"

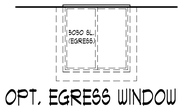
PLAN NOTES

INTERIOR WALLS:
1/2" GYPSUM WALL BOARD ON EACH SIDE OF 2x4 WOOD STUDS @ 16" O.C. 3 1/2" THICK TYPICAL (UNLESS NOTED OTHERWISE). ALL DIMENSION TAKEN FROM STUD EDGES

GARGE LEVEL EXTERIOR WALLS:
POURED CONCRETE / CONC. BLOCK AND/OR MASONRY. WALL TO BE 14" THICK WITH MASONRY (TYPICAL UNLESS NOTED OTHERWISE). ALL DIMENSION TAKEN FROM FRAMING (FLOOR PLANS) OR FOUNDATION CORNERS (FOUNDATION PLAN)

EXTERIOR WALLS:
SIDING AND/OR MASONRY WITH AIRSPACE, MOISTURE BARRIER PAPER (HOUSE WRAP) ON 5/8" O.S.B. SHEATHING ON 2x6 WOOD STUDS @ 16" O.C. OR AS NOTED. MIN. R-20 WALL CONSTRUCTION. 1/2" GYPSUM WALL BOARD (SLIDE 4 SCREEN) WALL TO BE 8" THICK WITH SIDING AND 10" THICK WITH MASONRY (TYPICAL UNLESS NOTED OTHERWISE). ALL DIMENSION TAKEN FROM FRAMING (FLOOR PLANS) OR FOUNDATION CORNERS (FOUNDATION PLAN)

1. VENT ALL EXHAUST FANS TO EXTERIOR.
2. WHEN POSSIBLE DIRECT ALL FLUES AND VENTS THAT PENETRATE ROOF BEHIND MAIN RIDGE.
3. INSTALL WATER SUPPLY AND DRAIN BOX (GREY BOX) AT WASHING MACHINE LOCATION.
4. USE MOISTURE RESISTANT DRYWALL AT ALL AREAS SUSCEPTIBLE TO MOISTURE.
5. ALL INTERIOR DOORS TO BE FRAMED 6'-8" TALL ALL EXTERIOR DOORS TO BE FRAMED 6'-8" UNLESS NOTED OTHERWISE. VERIFY W/ BUILDER
6. PROVIDE GUARDRAIL AT STAIRS DURING CONSTRUCTION.
7. PROVIDE SQUASH BLOCKS UNDER ALL BEARING CONDITIONS
8. ALL EXTERIOR SLIDING GLASS DOORS TO BE VERIFIED W/ BUILDER FOR ACTIVE DIRECTION.



OPT. EGRESS WINDOW WELL DETAIL

SCALE: 1/4" = 1'-0"

EGRESS WINDOW WELL

OPT. WINDOW WELL TO BE FILLED W/ PEA GRAVEL DOWN TO TOP OF HOUSE DRAIN TILE. TIE DRAIN INTO HOUSE DRAIN TILE FROM BOTTOM OF WINDOW WELL

RAILING OR METAL REMOVABLE GRATE + LADDER OVER TOP (AS CODE REQUIRES)

WINDOW WELLS WITH A DEPTH GREATER THAN 44" BELOW GRADE SHALL BE EQUIPPED WITH A PERMANENTLY AFFIXED LADDER OR STEPS USABLE WITH THE WINDOW IN THE FULLY OPEN POSITION.

WINDOW WELL SHALL HAVE HORIZONTAL DIMENSIONS THAT PROVIDE A MIN. NET CLEAR AREA OF 9 SQ. FT. WITH A MIN HORIZONTAL PROJECTION AND WIDTH OF 36".

NOTE:
PROVIDE MIN. (2) 2 X 4 HEADER AT ALL INTERIOR & EXTERIOR DOOR & WINDOW OPENINGS (UNLESS NOTED OTHERWISE).

NOTE:
PROVIDE MIN. (1) JACK STUD & (1) KING STUD AT EACH END OF ALL HEADERS (UNLESS NOTED OTHERWISE).

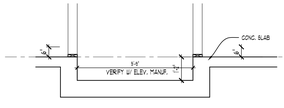
NOTE: S.D. ⊙ SD/C ●
ALL SMOKE & CARBON MONOXIDE DETECTORS INTERCONNECTED W/ BATTERY BACKUP PER CODE.

NOTE:
DOOR & WINDOW LOCATIONS:
ALL DOORS & WINDOWS ARE ASSUMED TO BE EITHER IN THE CENTER OF THE WALL MASS OR MIN. 4 INCHES FROM PERPENDICULAR WALL FOR CASING UNLESS NOTED OTHERWISE

NOTE:
PROVIDE MIN. (1) JOIST OR LADDER FRAMING UNDER ALL UPPER FLOOR PARALLEL PARTITIONS

NOTE:
GROUT ALL CONCRETE BLOCK CORES SOLID THAT SUPPORT POINT LOADS FROM ABOVE (TYPICAL)

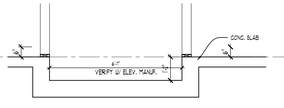
NOTE:
WOOD BEAM
STEEL BEAM
BRG. WALL
BRG. WALL ABOVE
BRG. WALL & BRG. WALL ABOVE
POINT LOAD
POINT LOAD FROM ABOVE



PIT DETAIL

P1 / A1

SCALE: 3/8" = 1'-0"
REFER TO STRUCTURAL & GEOPIER DESIGN DRAWINGS BY OTHERS



PIT DETAIL

P2 / A1

SCALE: 3/8" = 1'-0"
REFER TO STRUCTURAL & GEOPIER DESIGN DRAWINGS BY OTHERS

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CHRISTY HALEY
ARC00401844
ARCHITECT
1-6-23

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24030 PONTIAC TRAIL
SOUTH LYON, MI 48178
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MIDTOWN VILLAGE
PUD
16 UNIT APARTMENT
EAGLE COUNTY, CO

JOB No.	21-289
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REVIEW	8-31-22
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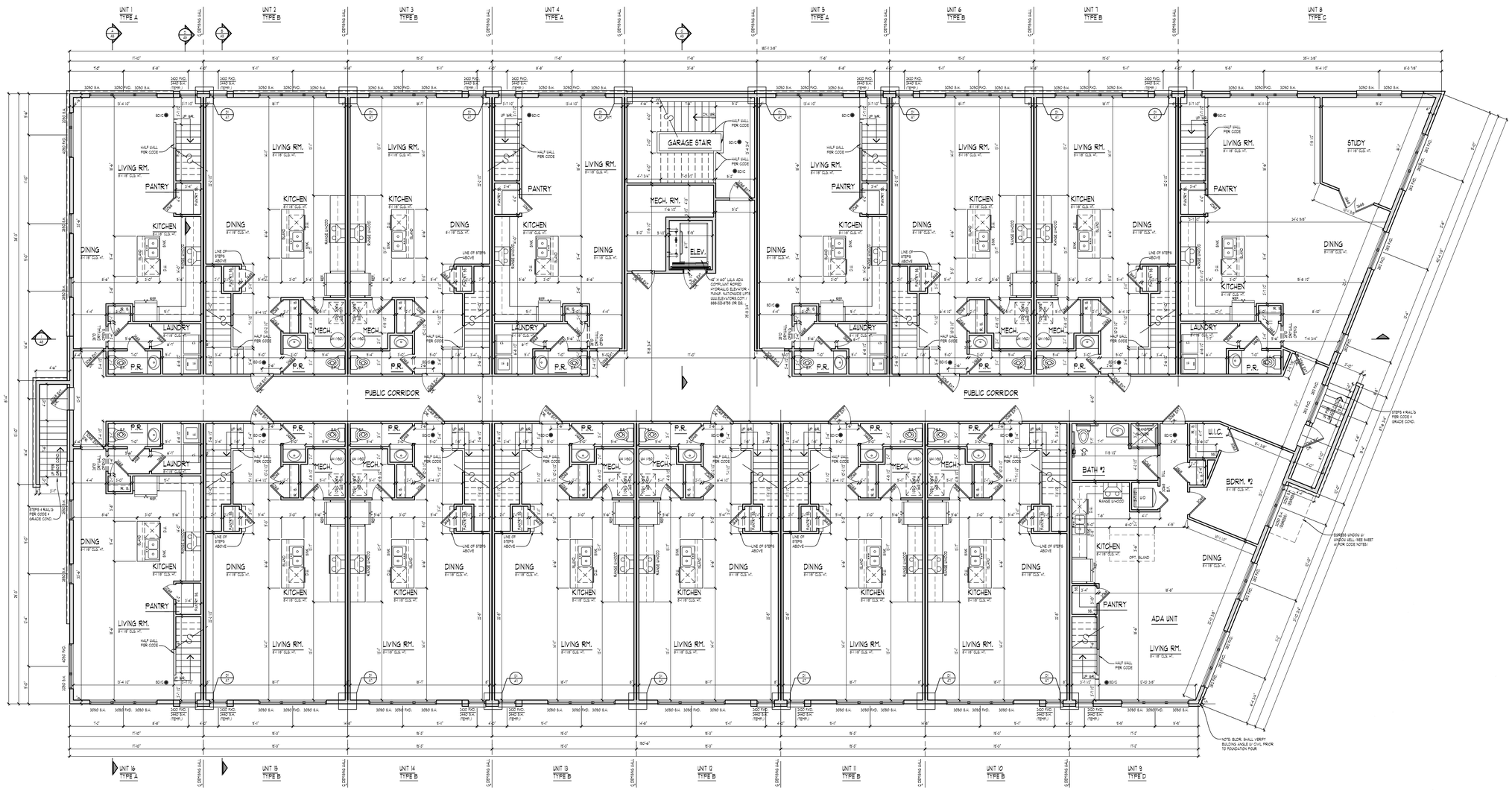
SCALE:
PER PLAN

SHEET #
A-1



FIRST FLOOR PLAN

SCALE: 3/16" = 1'-0"

PLAN NOTES

INTERIOR WALLS:
1/2" GYPSUM WALL BOARD ON EACH SIDE OF 2x4 WOOD STUDS @ 16" O.C. 3 1/2" THICK TYPICAL (UNLESS NOTED OTHERWISE). ALL DIMENSION TAKEN FROM STUD EDGES

GARGE LEVEL EXTERIOR WALLS:
POURED CONCRETE / CONC. BLOCK AND/OR MASONRY. WALL TO BE 14" THICK WITH MASONRY (TYPICAL UNLESS NOTED OTHERWISE). ALL DIMENSION TAKEN FROM FRAMING (FLOOR PLANS) OR FOUNDATION CORNERS (FOUNDATION PLAN)

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1. VENT ALL EXHAUST FANS TO EXTERIOR.
2. WHEN POSSIBLE DIRECT ALL FLUES AND VENTS THAT PENETRATE ROOF BEHIND MAIN RIDGE.
3. INSTALL WATER SUPPLY AND DRAIN BOX (GREY BOX) AT WASHING MACHINE LOCATION.
4. USE MOISTURE RESISTANT DRYWALL AT ALL AREAS SUSCEPTIBLE TO MOISTURE.
5. ALL INTERIOR DOORS TO BE FRAMED 6'-8" TALL ALL EXTERIOR DOORS TO BE FRAMED 6'-8" UNLESS NOTED OTHERWISE. VERIFY W BUILDER
6. PROVIDE GUARDRAIL AT STAIRS DURING CONSTRUCTION.
7. PROVIDE SQUASH BLOCKS UNDER ALL BEARING CONDITIONS
8. ALL EXTERIOR SLIDING GLASS DOORS TO BE VERIFIED W/ BUILDER FOR ACTIVE DIRECTION.

NOTE: S.D. Ⓢ S.D.C. ●
ALL SMOKE & CARBON MONOXIDE DETECTORS INTERCONNECTED W/ BATTERY BACKUP PER CODE.

NOTE:
DOOR & WINDOW LOCATIONS:
ALL DOORS & WINDOWS ARE ASSUMED TO BE EITHER IN THE CENTER OF THE WALL MASS OR MIN. 4 INCHES FROM PERPENDICULAR WALL FOR CASING UNLESS NOTED OTHERWISE

NOTE:
PROVIDE MIN. (2) 2 X 4 HEADER AT ALL INTERIOR & EXTERIOR DOOR & WINDOW OPENINGS (UNLESS NOTED OTHERWISE).

NOTE:
PROVIDE MIN. (1) JACK STUD & (1) KING STUD AT EACH END OF ALL HEADERS (UNLESS NOTED OTHERWISE).

NOTE:
PROVIDE MIN. (1) JOIST OR LADDER FRAMING UNDER ALL UPPER FLOOR PARALLEL PARTITIONS

AREA SUMMARY:

OVERALL FLOOR AREA:	
OCCUPANCY U	
PARKING GARAGE	13,728 S.F.
TOTAL OCCUPANCY U AREA	13,728 S.F.
OCCUPANCY R-2	
FIRST FLOOR	13,631 S.F.
SECOND FLOOR	12,293 S.F.
TOTAL OCCUPANCY R-2 AREA	25,924 S.F.
TOTAL BUILDING AREA	39,652 S.F.

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1-6-23

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MIDTOWN VILLAGE
PUD
16 UNIT APARTMENT
EAGLE COUNTY, CO

JOB No.	21-289
DRAWN:	AG
CHECKED:	AG
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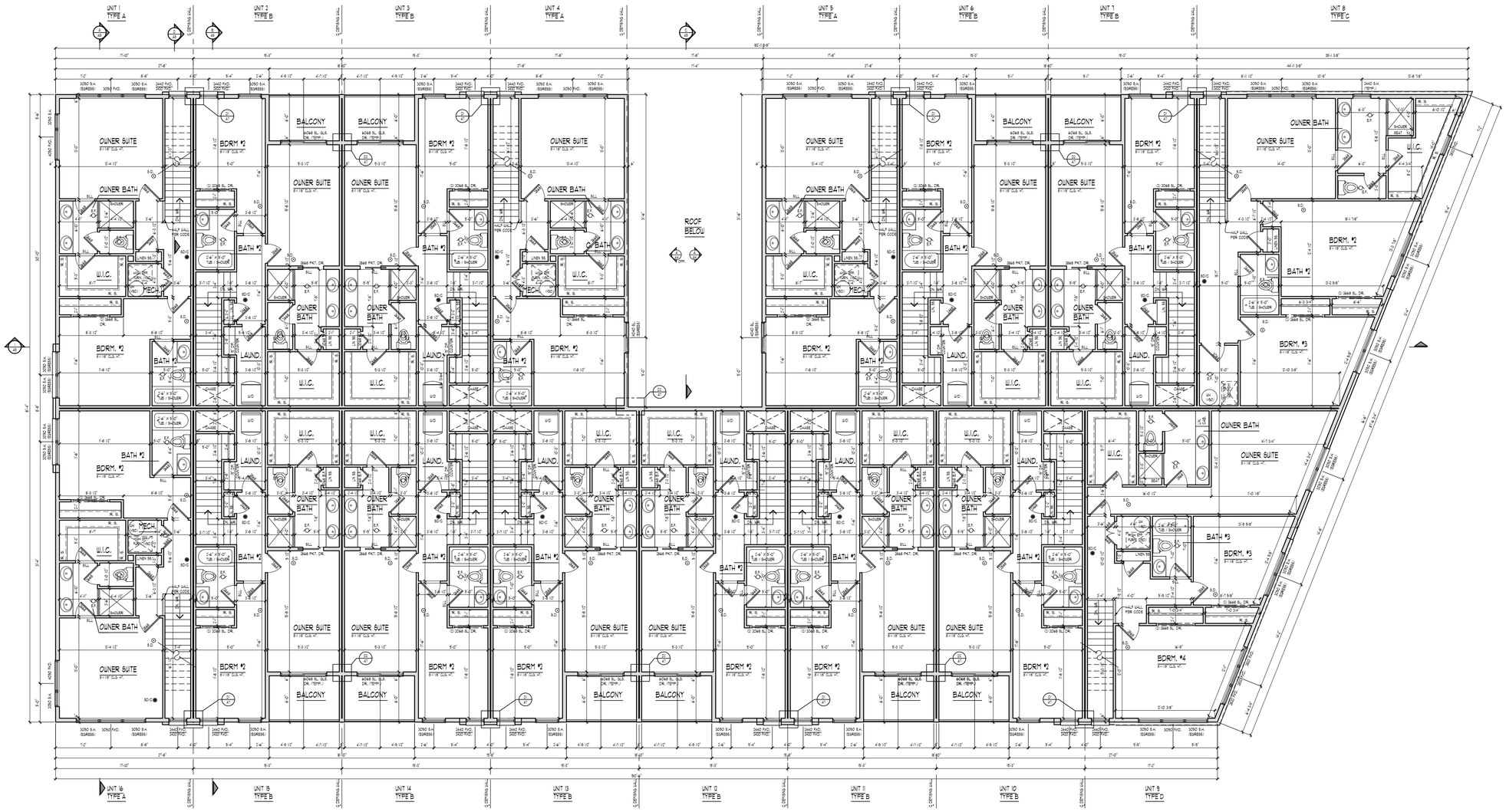
FINAL:	1-4-23
REVISION	10-14-22

SCALE:
PER PLAN

SHEET #
A-2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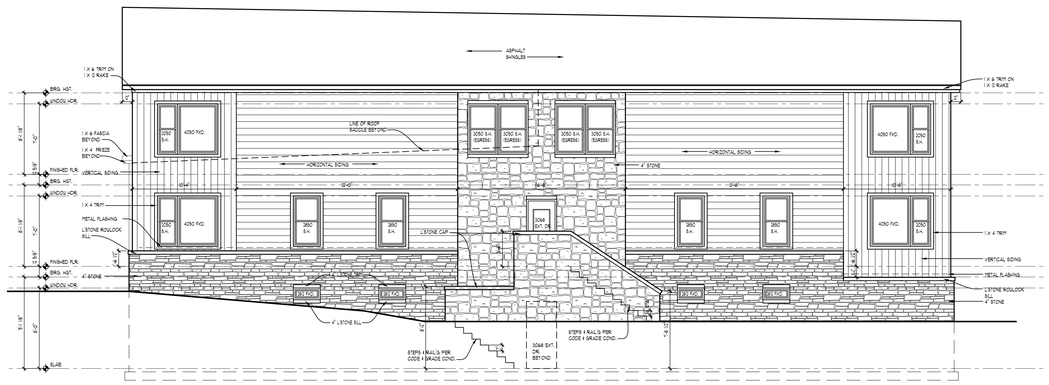
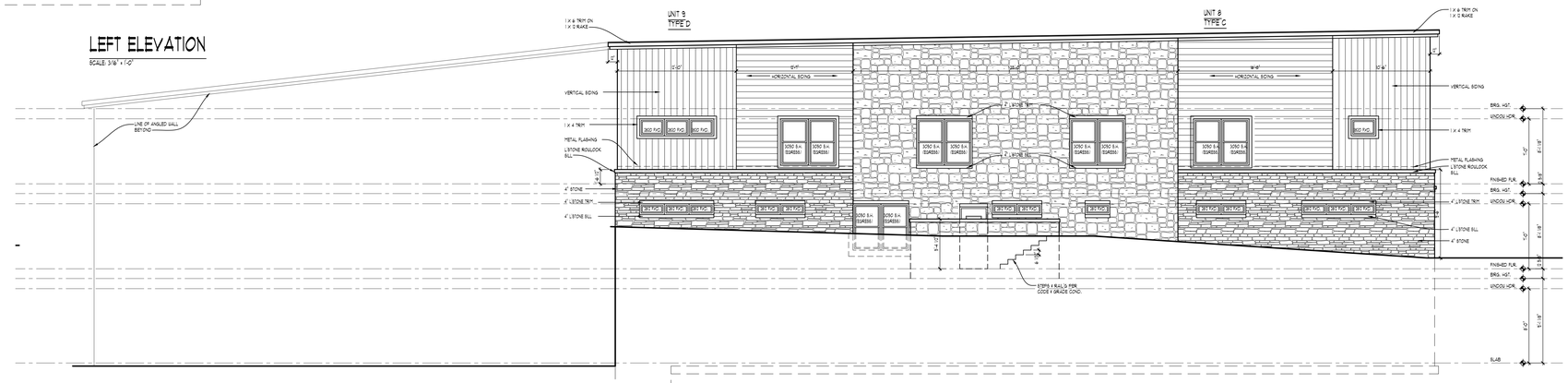
UNIT 2 TYPE B
UNIT 3 TYPE B
UNIT 4 TYPE A
UNIT 5 TYPE A
UNIT 6 TYPE B
UNIT 7 TYPE B
UNIT 8 TYPE C
UNIT 16 TYPE A
UNIT 15 TYPE B
UNIT 14 TYPE B
UNIT 13 TYPE B
UNIT 12 TYPE B
UNIT 11 TYPE B
UNIT 10 TYPE B
UNIT 9 TYPE D
ROOF BELOW
OWNER SUITE
OWNER BATH
BDRM #2
BDRM. #3
BDRM. #4
BALCONY
BATH #2
BATH #3
LAUND.
W.I.C.
MECH.
LINEN 16"
2'-6" X 5'-0" TUB / SHOWER
2'-6" X 5'-0" SHOWER
2'-6" X 6'-0" TUB / SHOWER
(2) 2068 SL. DR.
2868 SL. DR.
2868 PKT. DR.
6068 SL. GLS. DR. (TEMP.)
6068 SL. DR.
3050 S.H. (SIM.)
3050 S.H. (SIM.)
3050 FIXED
3440 FIXED 2020 POCKET
3050 S.H. (SIM.)
3050 S.H. (SIM.)
3050 S.H. (SIM.)



LEFT ELEVATION

SCALE: 3/16" = 1'-0"



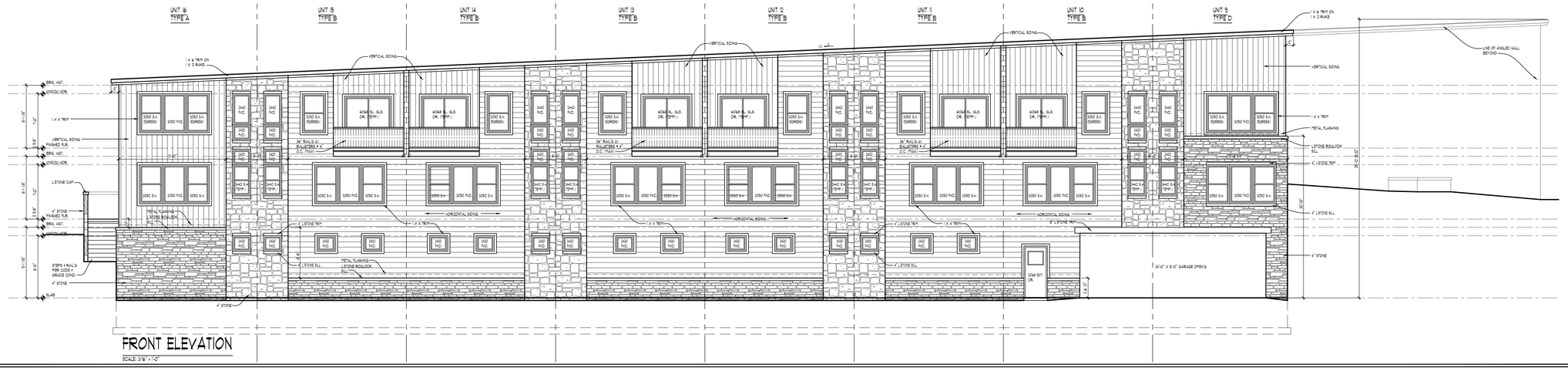
RIGHT ELEVATION

SCALE: 3/16" = 1'-0"



REAR ELEVATION

SCALE: 3/16" = 1'-0"



FRONT ELEVATION

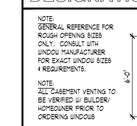
SCALE: 3/16" = 1'-0"

ELEVATION NOTES

1. ALL ROOF SADDLES TO BE O.S.B. SHEATHED WITH ICE & WATER SHIELD AND SHINGLES.
2. PROVIDE ICE & WATER SHIELD MIN. 6'-0" COVERAGE AT ALL VALLEYS
3. FIREPLACE FLUE TO BE DETERMINED PER MANUFACTURER'S SPECIFICATION
4. METAL FLASHING AS REQUIRED BY CODE.
5. ROOF & SOFFIT VENTS AS REQUIRED BY CODE.
6. PROVIDE GUTTERS & DOWNSPOUTS FOR DRAINAGE OF ROOF WATER. DOWNSPOUTS ARE TO BE LOCATED SO THAT THE DISCHARGE WILL NOT SPILL ON OR FLOW ACROSS ANY PORCHES, WALKS OR DRIVES.
7. CARPENTER TO VERIFY THICKNESS OF MASONRY PRIOR TO BUILDING BRICK RACK

NOTE:
OVERHANG DIMENSIONS (O.H.) ARE FROM SHEATHING U.N.O.

TYPICAL WINDOW DESIGNATION



NOTE:
GENERAL REFERENCE FOR ROUGH OPENING SIZES ONLY. CONSULT WITH WINDOW MANUFACTURER FOR EXACT WINDOW SIZES & REQUIREMENTS.

NOTE:
ALL BASEMENT VENTING TO BE VERIFIED W/ BUILDER/ HOMEOWNER PRIOR TO ORDERING WINDOWS

NOTE:
WINDOW MANUFACTURER TO VERIFY ALL WINDOW GRID PATTERNS WITH HOME OWNER.

NOTE:
ALL WINDOW SILLS OVER 6'-0" ABOVE EXTERIOR GRADE OR SURFACE BELOW TO BE MINIMUM 24" ABOVE FINISHED FLOOR OR HAVE SASH LIMITERS PER CODE REQUIREMENTS

COLORADO LICENSED
ANDREW GREGORY HALLETT
ARCHITECT
ARC0040184
1-6-23

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CREATIVE COLLABORATIVE

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26030 PONTIAC TRAIL
SOUTH LYON, MI 48178
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CALL MISS DIG AT 800-482-7171 (72 HR) PRIOR TO ANY EXCAVATION. CONSTRUCTION IS THE SOLE RESPONSIBILITY OF THE PERMIT HOLDER.

CLIENT / PROJECT
ARMISTEAD
MIDTOWN VILLAGE
PUD
16 UNIT APARTMENT
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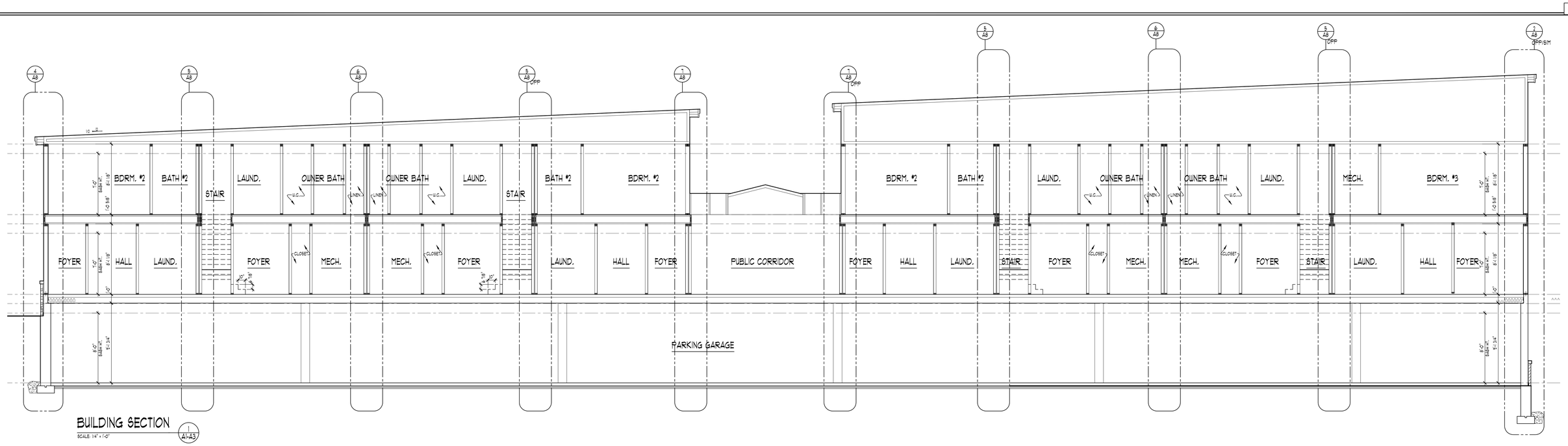
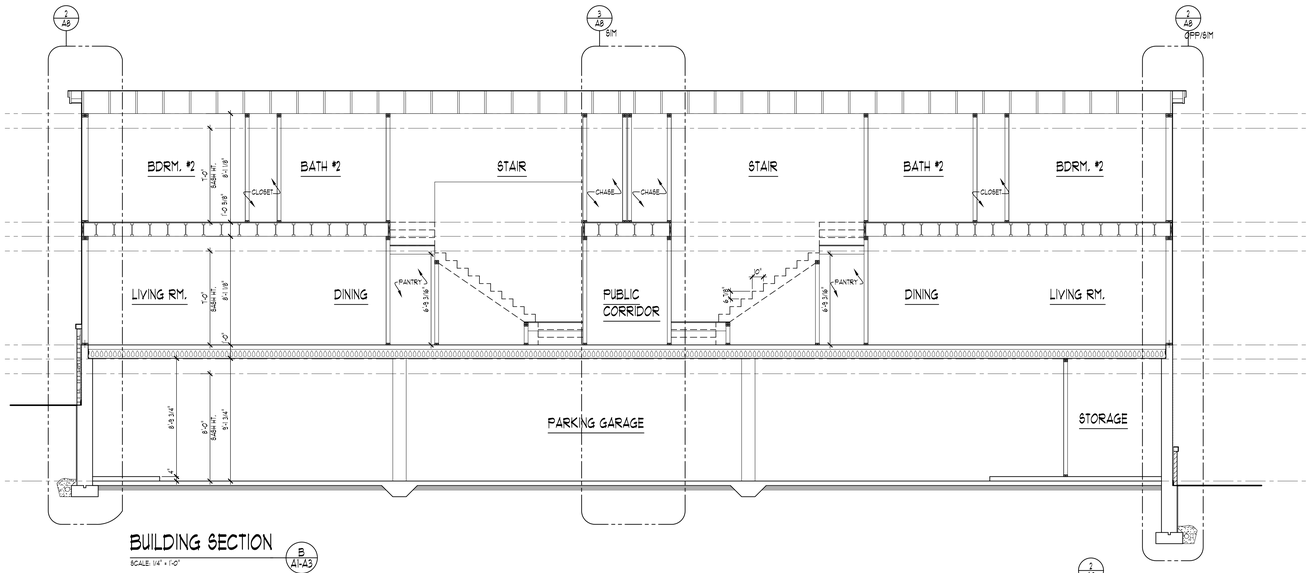
SCALE:
PER PLAN

SHEET #
A-4



BUILDING SECTION
SCALE: 1/4" = 1'-0"



BUILDING SECTION
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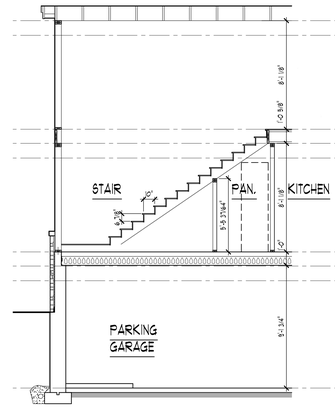

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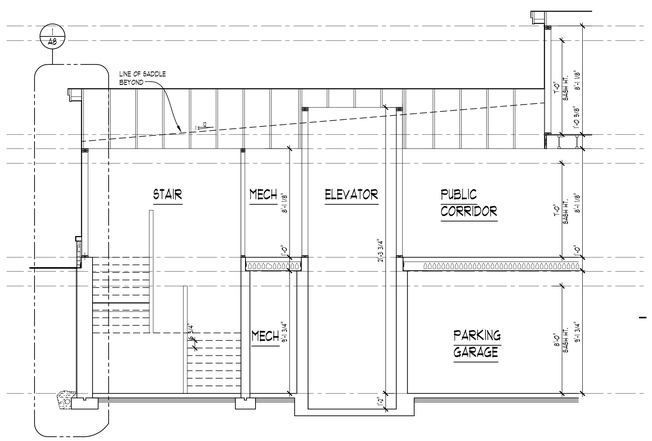
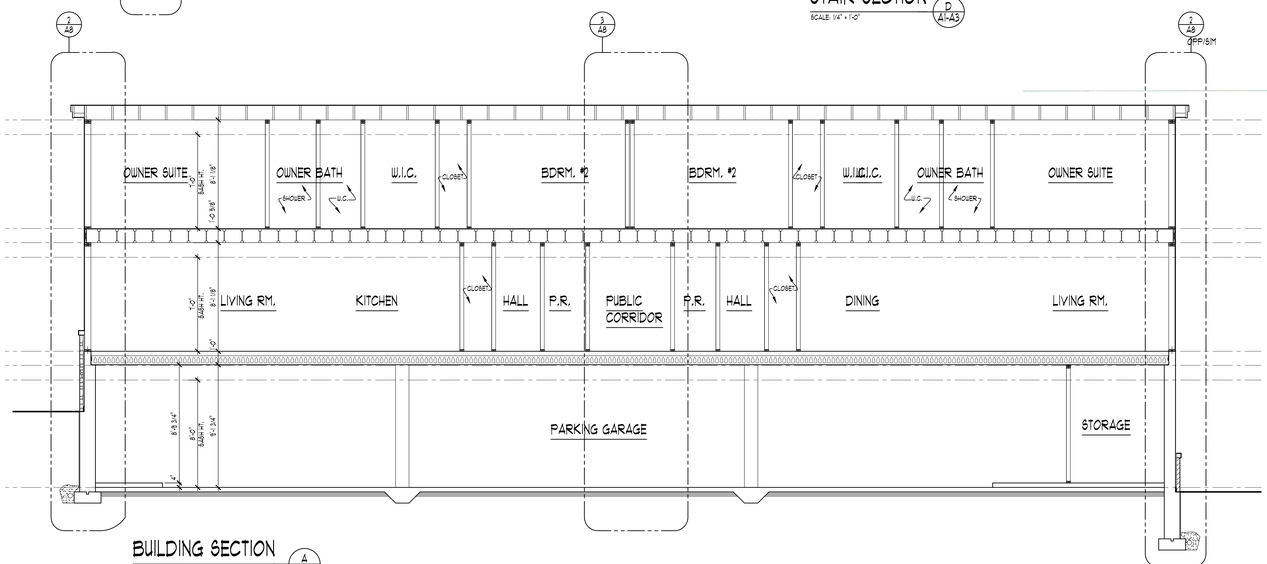


BUILDING SECTION
SCALE: 1/4" = 1'-0"



BUILDING SECTION
SCALE: 1/4" = 1'-0"

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CHRISTOPHER J. HAUER
ARCHITECT
#PC200401844

1-6-23

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MIDTOWN VILLAGE
PUD
16 UNIT APARTMENT
EAGLE COUNTY, CO

JOB No.	21-289
DRAWN:	AG
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FRAMED:	-
REVIEW	8-31-22
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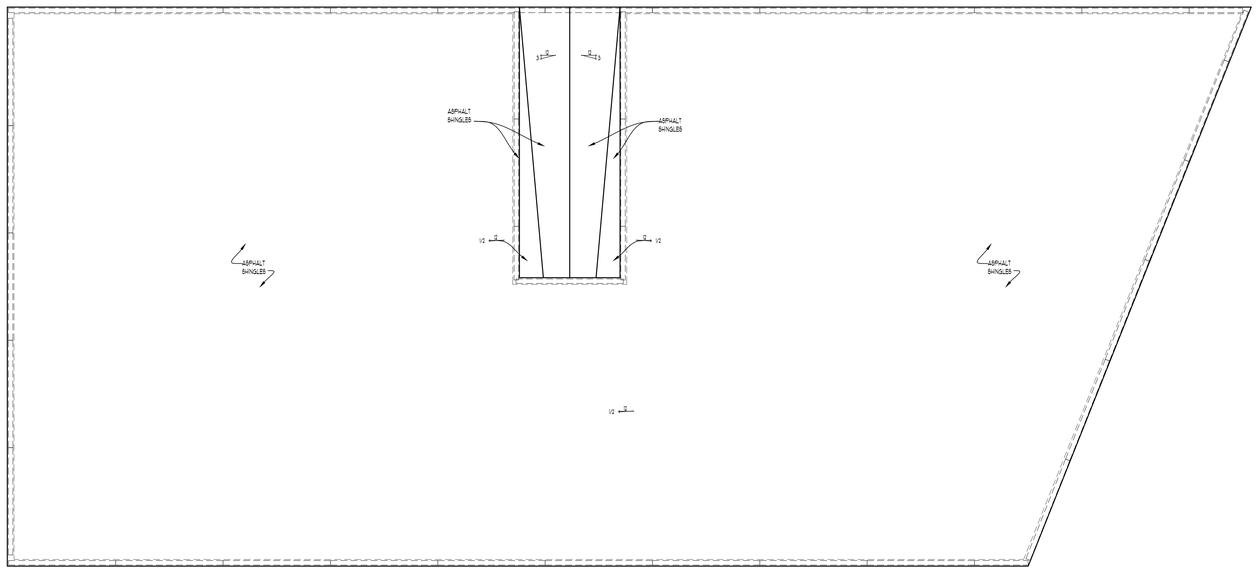
REVISION	10-14-22

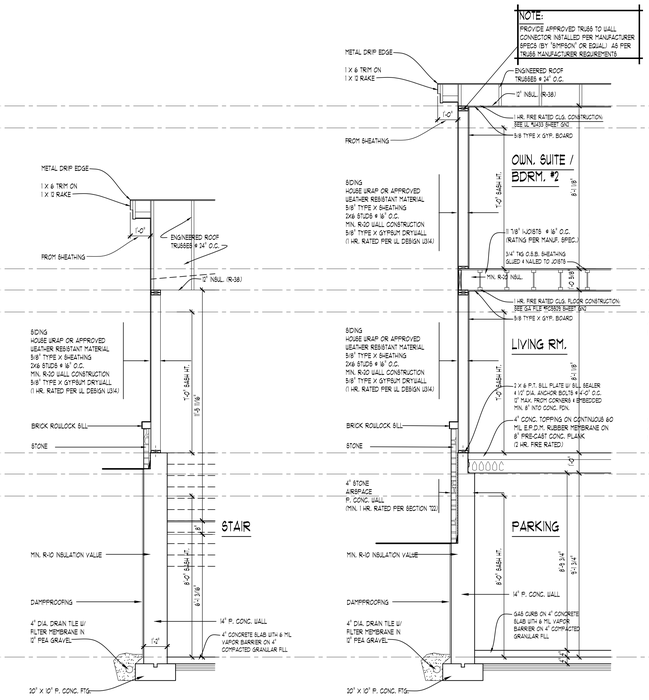
SCALE:
PER PLAN

SHEET #
A-5



ROOF PLAN

SCALE: 1/8" = 1'-0"

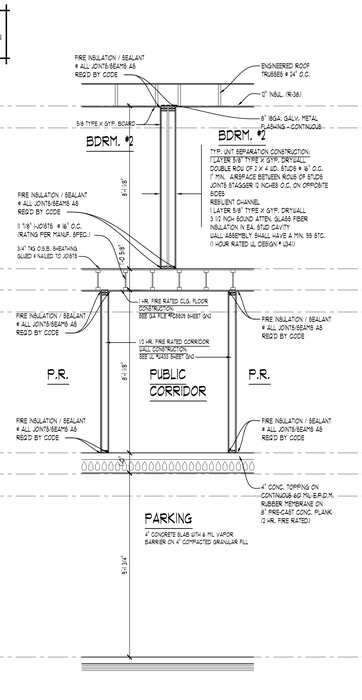


WALL SECTION 1 A1-A3

SCALE: 3/8" = 1'-0"

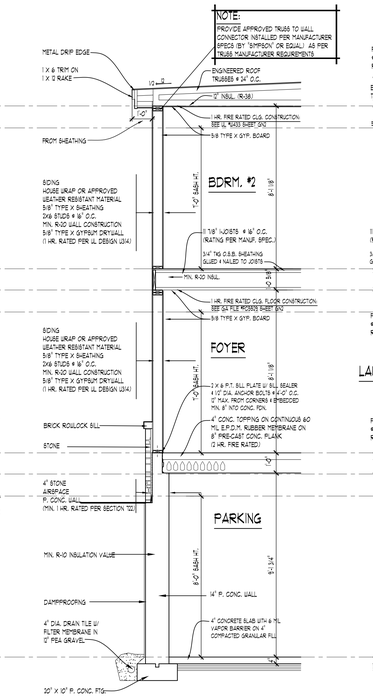
WALL SECTION 2 A1-A3

SCALE: 3/8" = 1'-0"



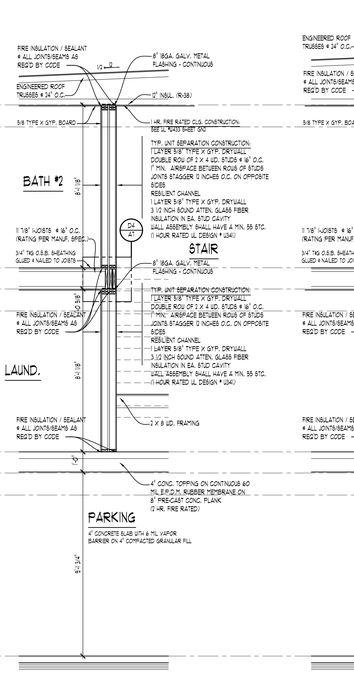
WALL SECTION 3 A1-A3

SCALE: 3/8" = 1'-0"



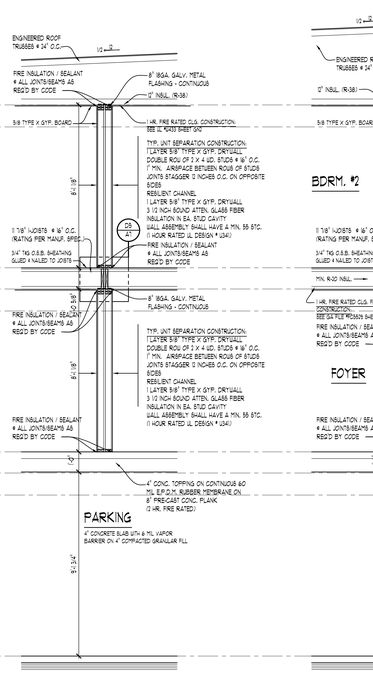
WALL SECTION 4 A1-A3

SCALE: 3/8" = 1'-0"



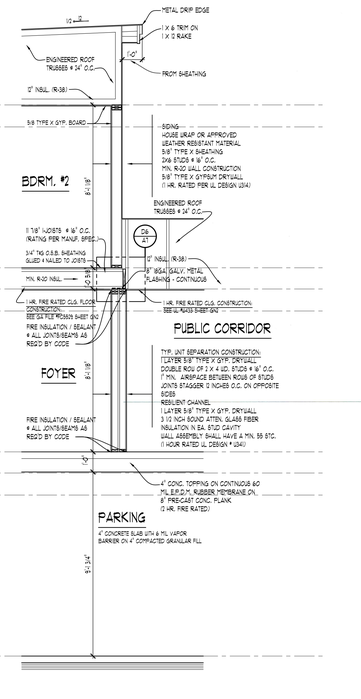
WALL SECTION 5 A1-A3

SCALE: 3/8" = 1'-0"



WALL SECTION 6 A1-A3

SCALE: 3/8" = 1'-0"



WALL SECTION 7 A1-A3

SCALE: 3/8" = 1'-0"

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ARCH00401844
ARCHITECT
1-6-23

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MIDTOWN VILLAGE
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16 UNIT APARTMENT
EAGLE COUNTY, CO

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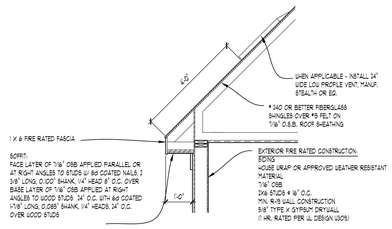
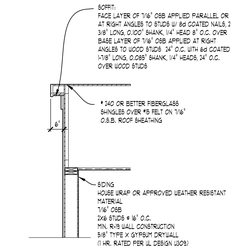
SHEET #
A-6



FIRE RATED OVERHANG ASSEMBLY @ SOFFIT

D1

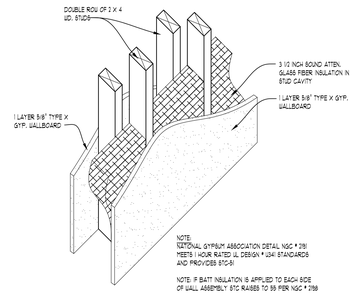
SCALE: 1/2" = 1'-0"



FIRE RATED OVERHANG ASSEMBLY @ RAKE

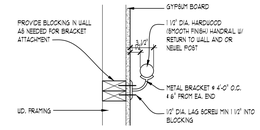
D2

SCALE: 1/2" = 1'-0"



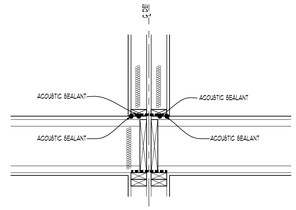
STC DETAIL

SCALE: N.T.S.



HANDRAIL DETAIL

SCALE: 1 1/2" = 1'-0"

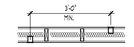


SECTION

RECOMMENDED SEALANT PLACEMENT DETAIL

SCALE: 1" = 1'-0"

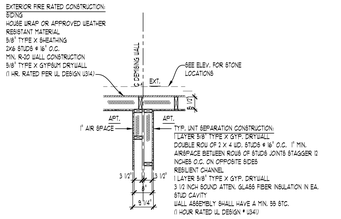
RECOMMENDATION NOTES:
1. INSTALL FLOOR COVERINGS WITH IMPACT SOUND INSULATION OF 55 dB MIN.
2. AIR-SEAL PERIMETER OF DEMISING WALLS WITH NON-HARDENING, PERMANENTLY RESILIENT CAULKING ON EA. SIDE
3. CLEAN FLOOR TO AVOID DEBRIS AND PLACE LINE OF ACOUSTICAL CAULK



RECOMMENDED ACOUSTICAL LAYOUT FOR ELEC. BOX

SCALE: 1/2" = 1'-0"

RECOMMENDATION NOTES:
1. CUT HOLES NEATLY
2. VERIFY OUTLETS ARE AIRTIGHT USING ELASTIC NON HARDENING CAULK PRIOR TO PLATE INSTALLATION
3. DO NOT INSTALL ELECTRICAL BOXES BACK TO BACK

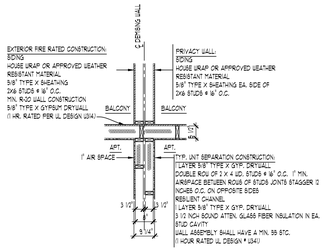


PLAN VIEW

WALL DETAIL

D1 A5-A6

SCALE: 1/2" = 1'-0"

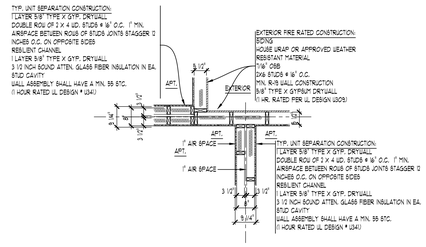


PLAN VIEW

WALL DETAIL

D2 A5-A6

SCALE: 1/2" = 1'-0"

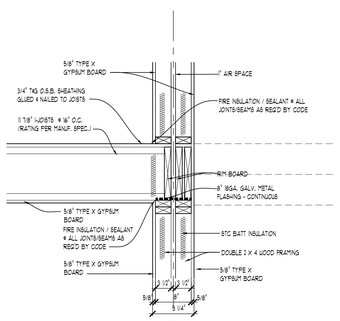


PLAN VIEW

WALL DETAIL

D3 A5-A6

SCALE: 1/2" = 1'-0"



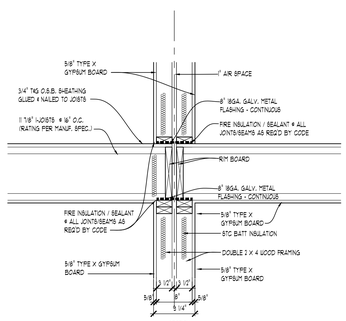
SECTION

UL NOTES:
FIRE PUERTITION: 1 HOUR RATED UL DESIGN * U341
FLOOR /CEILING ASSEMBLY: 1 HOUR RATED GA FILE #IC5929

CONNECTION DETAIL

D4 A5-A6

SCALE: 1" = 1'-0"



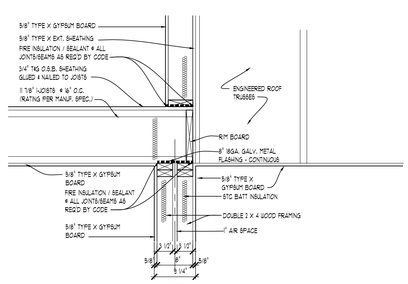
SECTION

UL NOTES:
FIRE PUERTITION: 1 HOUR RATED UL DESIGN * U341
FLOOR /CEILING ASSEMBLY: 1 HOUR RATED GA FILE #IC5929

CONNECTION DETAIL

D5 A5-A6

SCALE: 1" = 1'-0"



SECTION

UL NOTES:
FIRE PUERTITION: 1 HOUR RATED UL DESIGN * U341
FLOOR /CEILING ASSEMBLY: 1 HOUR RATED GA FILE #IC5929
EXTERIOR WALL ASSEMBLY: 1 HOUR RATED UL DESIGN *U314

CONNECTION DETAIL

D6 A5-A6

SCALE: 1" = 1'-0"

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SCALE:
PER PLAN

SHEET #
A-7

ACCESSIBLE NOTES:

ACCESSIBLE UNIT TYPE A SHALL COMPLY WITH ACCESSIBLE AND USEABLE BUILDINGS AND FACILITIES ICC A117.1 - 2009

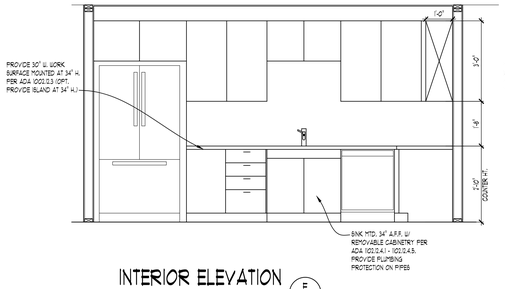
GENERAL:
1. IF REQUIRED, AN ENTRY DOOR SHALL HAVE A 1/2" THRESHOLD (MAX.) IF REQUIRED PER ICC 404.2.4
2. ENTRY DOOR SHALL HAVE 0" MIN. CLEARANCE ONE HANDLE SIDE WITH 48" DEEP CLEAR SPACE PER TABLE 404.2.3.2
7. AN ACCESSIBLE ROUTE OF 36" SHALL BE PROVIDED WITHIN UNIT PER ICC 1003.3.3.1
8. HANDLES, PULLS, LATCHES, LOCKS, AND OTHER OPERABLE PARTS SHALL BE EASY TO GRASP WITH THE NEED FOR TIGHT GRIP, TWISTING OR PINCHING TO OPERATE. OPERABLE HARDWARE SHALL BE MOUNTED BETWEEN 34" - 48" A.F.F. PER 404.2.6
9. LIGHT SWITCHES, ENVIRONMENTAL CONTROLS SHALL BE MOUNTED NO HIGHER THAN 48" A.F.F. FOR UNOBSTRUCTED ACCESS OR 44" A.F.F FOR OBSTRUCTED ACCESS PER 308
10. RECEPTACLES SHALL BE MOUNTED AT 15" A.F.F.
11. DOORWAYS WITHIN UNIT SHALL HAVE A MIN. 32" CLEAR OPENING PER 404.2.2

LAUNDRY:
- A 30" X 48 CLEAR SPACE IN PARALLEL APPROACH POSITION SHALL BE PROVIDED CENTERED ON TOP LOAD WASHERS AND OFFSET 24" ON FRONT LOAD PER 611.

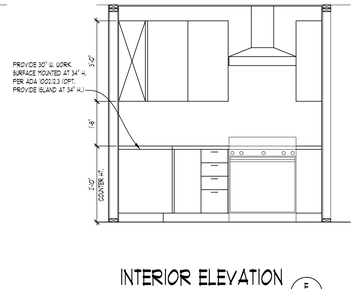
CLOSETS:
PROVIDE A MIN. 32" CLEARANCE AT DOOR(S)

BATHROOM
1. TOILET SHALL BE CENTERED 16"/18" FROM WALL (1004.1.3.1.2) WITH SEAT BETWEEN 17" TO 19" AFF PER 604.4
2. A SHOWER/TUB WITHOUT A PERMANENT SEAT SHALL BE PROVIDED IN "TYPE A" & "TYPE B" UNITS PER 610.2
3. GRAB BARS SHALL BE INSTALLED IN THE "TYPE A" UNITS AT SHOWER/TUB, & TOILET PER 604.5 & 609
3.1. BAR ON SIDE WALL AT TOILET SHALL BE 2' FROM WALL AND 42" LONG PER 604.5.1
3.2. BAR ON REAR WALL AT TOILET SHALL BE 12" FROM WALL AND 36" LONG PER 604.5.2
3.3. THERE SHALL BE (1) 24" LONG MIN. HORZ. GRAB BARS ON LONG WALL OF TUB/SHOWER THAT IS 24" FROM NON CONTROL SIDE WALL AND 12" FROM CONTROL SIDE. LOWER BAR TO BE MOUNTED 8"-10" A.F.F. & TOP BAR MOUNTED BETWEEN 33"-36"
3.4. A 24" LONG HORZ. GRAB BAR AT CONTROL END OF TUB SHALL BE INSTALLED NEAR BEING OF TUB FACE AND MOUNTED 33"-36" A.F.F. PER 607.4.1
3.5. A 18" LONG VERT. GRAB BAR SHALL BE INSTALLED AT CONTROL END OF TUB, 4" BACK FROM TUB FACE AND 3"-6" ABOVE HORZ. BAR PER 607.4.1
3.6. A 12" LONG HORZ. GRAB BAR AT HEAD OF TUB SHALL BE INSTALLED NEAR TUB FACE AND MOUNTED PER 607.4.2.3
3.7. A 42" LONG HORZ. GRAB BAR AT SIDE OF TOILET SHALL BE INSTALLED 12" FROM REAR WALL AND 33"-36" A.F.F. PER 604.5.1
3.8. A 36" LONG HORZ. GRAB BAR BEHIND THE TOILET SHALL BE INSTALLED 12" FROM CORNER AND 33"-36" A.F.F. TOILET PER 604.5.2
3.9. NOTE: TYPE B UNITS ARE NOT REQUIRED TO HAVE GRAB BARS BUT BUILDER MUST PROVIDE BLOCKING IN WALL FOR FUTURE INSTALLATION
4. (1) TYPE A' UNIT SHALL HAVE A ROLL-IN SHOWER IN LIEU OF A TUB/SHOWER COMBO. SHOWER SHALL BE MIN. 30" X 60" IN SIZE PER 1003.11.2.5.2
4.1. A 48" LONG HORZ. GRAB BARS AT REAR WALL OF SHOWER SHALL BE INSTALLED 6" FROM CORNER AND 33"-36" A.F.F. PER FIGURE 608.3.2
4.2. A 24" LONG HORZ. GRAB BARS AT SIDE WALL OF SHOWER SHALL BE INSTALLED 6" FROM CORNER AND 33"-36" A.F.F. PER FIGURE 608.3.2
4.3. A FOLDING SEAT SHALL BE PROVIDED PER 608.2.2.3 & 610
5. SHOWER CONTROLS & HAND SHOWER HOSE SHALL COMPLY WITH 309.4, 607.5 & 607.6
6. LAVATORY SHALL HAVE PARALLEL APPROACH CLEARANCE PER 305.3 AND BE MOUNTED 34" A.F.F PER 1003.11.2.1
7. MIRROR SHALL MOUNTED 40" A.F.F PER ICC 1003.11.2.3
8. TOILETS SHALL BE CENTER 16-18" FROM SIDE WALL HAVE A MAX. SEAT HT. BETWEEN 15"-19" A.F.F PER 1003.11.2.3 AND FIGURE 1003.11.2.4

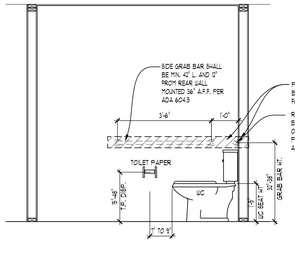
KITCHEN
1. ONE SECTION OF THE COUNTER SHALL BE NO HIGHER THAN 34" AND A MIN. OF 30" WIDE PER 1003.12.3
2. CABINETRY IS ALLOWED AT LOWER COUNTER IF ITS REMOVABLE THE FLOOR FINISH EXTEND UNDER CABINET AND SIDE FACES OF ADJACENT CABINETS ARE FINISHED PER 1003.12.4.3.2
3. KITCHEN SINK SHALL HAVE A FRONT APPROACH AND BE MOUNTED 34" MAX AFF. PER 1003.12.4.1
4. CABINETRY IS ALLOWED UNDER KITCHEN SINK. IF ITS REMOVABLE THE FLOOR FINISH EXTEND UNDER CABINET AND SIDE FACES OF ADJACENT CABINETS ARE FINISHED PER 1003.11.2.2
5. FAUCET CONTROLS SHALL COMPLY WITH 309



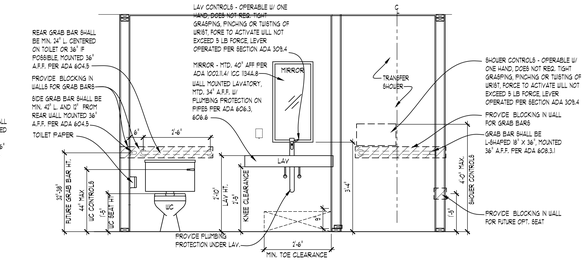
INTERIOR ELEVATION — SCALE: 1/2" = 1'-0" — E / A2



INTERIOR ELEVATION — SCALE: 1/2" = 1'-0" — F / A2



INTERIOR ELEVATION — SCALE: 1/2" = 1'-0" — A / A2



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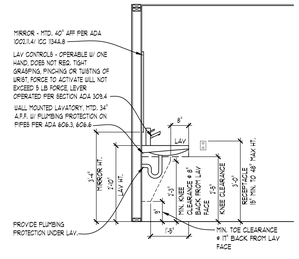

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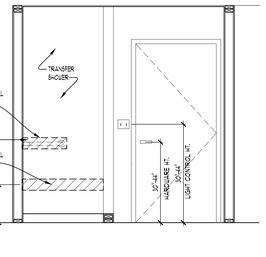
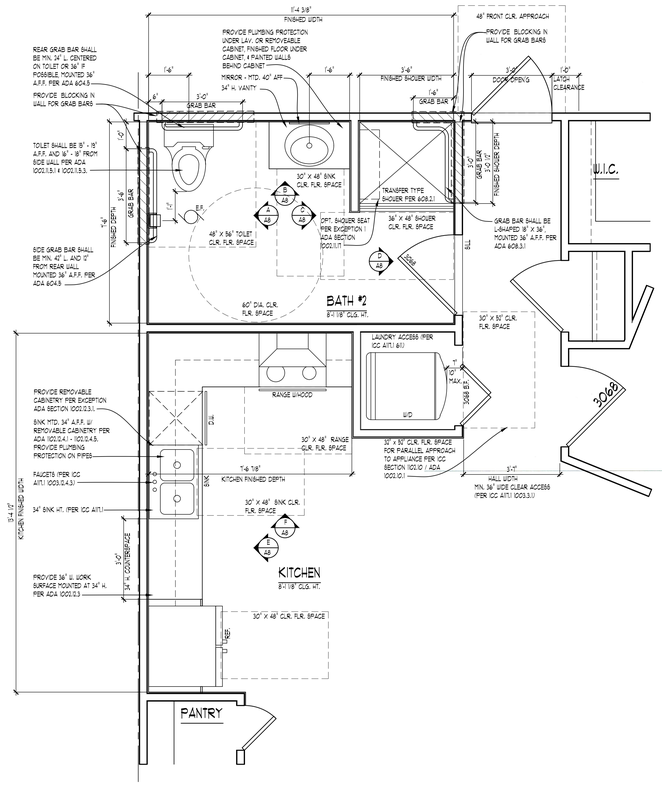


INTERIOR ELEVATION — SCALE: 1/2" = 1'-0" — D / A2



ENLARGED ADA PLAN

SCALE: 1/2" = 1'-0" — AA

NOTE:
DIMENSIONS SHOWN FROM FACE OF 1/2" DRYWALL
PROVIDED IN (1) TYPE A UNIT ONLY

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SOUTH LYON, MI 48178
PHONE: (248)-446-1960
FAX: (248)-446-1961

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DO NOT SCALE DRAWINGS. USE CALCULATED DIMENSIONS ONLY. CONTRACTOR IS HELD STRICTLY ACCOUNTABLE FOR ANY DISCREPANCIES OR OMISSIONS ON THE DRAWINGS. CONTRACTOR SHALL VERIFY ALL DRAWING DIMENSIONS AND CONDITIONS AT THE JOB SITE PRIOR TO THE START OF CONSTRUCTION. DISCREPANCIES AND DESIGN CHANGES SHALL BE REPORTED TO THE DESIGNER IN WRITTEN FORM IMMEDIATELY. CALL MISS DIG AT 1-800-482-7171 (3 DAYS PRIOR TO ANY EXCAVATION). CONSTRUCTION IS THE SOLE RESPONSIBILITY OF THE PERMIT HOLDER.

CLIENT / PROJECT
ARMISTEAD
MIDTOWN VILLAGE
PUD
16 UNIT APARTMENT
EAGLE COUNTY, CO

JOB No.	21-289
DRAWN:	AG
CHECKED:	AG
FRAMED:	-
REVIEW	8-31-22
FINAL:	1-4-23
REVISION	10-14-22

SCALE: PER PLAN

SHEET #
A-8

MIDWESTERN CONSULTING
3815 Plaza Drive
Ann Arbor, Michigan 48108
734.995.0200

Land Development • Land Surveying • Municipal • Wireless Communications • Institutional • Transportation • Landfill Services

Date

Town of Minturn
PO Box 309
Minturn, CO 81645
Via email: planner1@minturn.org

Attn: Scott Hunn

Re: Midtown Village Planned Unit Development
Midwestern File No.: 20067

Mr. Hunn,

Midwestern Consulting has previously submitted site plans for review for the Midtown Village Planned Unit Development, and has received comments from Eagle River Water & Sanitation District and The Town of Minturn. We have revised the plans to incorporate the requested changes, and offer the following as a response to the comments and description of changes.

Eagle River Water & Sanitation District – 04/16/2024

Subsection (a) General Requirements

1. Confused by the order of the sheets, keep all sanitary sewer together to avoid confusion between storm sewer and sanitary sewer
   Sheets have been reordered for ease of review and coordination of similar design.

2. Show sanitary services on plan view of SAN S3 to S1
   Existing sanitary leads added and shown on Existing Conditions Plan (sheet 2)
   Proposed Sanitary Services added and shown on Overall Sewer Plan (sheet 20).

3. Add depth labels on profiles
   Profiles have elevations indicated at each structure location and minimum depth of cover labels have been added. (sheets 21 & 22)

4. Ensure pipes meet minimum size and slope requirements
   Proposed pipes have been reviewed to ensure minimum size and slope

5. Show sewer service that will be abandoned on plan view
   Overall Sewer Plan (sheet 20) has been revised to indicate public versus private with labels and labeled sanitary to be abandoned.

6. Label existing and proposed and private vs public
   Overall Sewer Plan (sheet 20) has been revised to indicate public versus private with labels and labeled sanitary to be abandoned.

7. Ensure cover requirements are met (3' minimum)
   3' minimum depth of cover has been confirmed and identified on the profiles. (sheets 21 & 22)

8. Ensure you have insulation where needed
   Insulation board has been added to sanitary with less than 4.5' of cover (sheets 21 & 22)

9. Please provide a detail for dog house manhole
   Detail for manhole construction over existing sewer has been added to Sewer Details (sheet 23)

10. Locate and show sewer services for all existing structures including 947, 961, 981, 989, 991, 997 and 1003 Main Street. Sewer services for buildings that will remain must be reconnected to new main. Sewer services for buildings that will be demolished must be abandoned at the main. Provide plan for keeping other properties in service during construction.
    Existing sewer services have been added (sheet 2)

11. Show existing and proposed grading from stations 1+50 to 2+40. Adequate cover must be provided for sewer main and existing sewer services to adjacent properties.
    Additional existing contours have been added extending to existing sanitary structure s2 (sheet 21)

Town of Minturn (Inter-Mountain Engineering) – Jeffery M. Spanel – 06/24/2024

4. Proposed trails, sidewalks and traffic circulation patterns including snow removal patterns and snow storage area, and the proposed status of street ownership: The ERWSD referral dated September 11, 2023 requests access be maintained for maintenance equipment.
   b. There are no construction details for the proposed trail connection to US Forest Service property. The trail is narrow and crosses very steep slopes of 20-30%. Detailed construction plans need to be provided.
      1. The BMPs provided in the attachment are appropriate. Civil plans should be revised to include proposed trail construction and associated BMPs
         Trail construction BMPs have been added to the plans (Sheet 30)

   c. Snow storage calculations show adequate storage. Easements for snow storage located on adjacent lots should be created and dedicated on the final plat
      Snow storage easements added to plans. (sheet 14)

5. Proposed grading & drainage plans

a. Detailed grading plans including grading around the buildings is required prior to permit.
   i. Applicant Response: "Detailed grading plans for the site including areas around buildings has been provided."
      1. No additional information has been provided. The Drainage and Grading plan must show grading to direct drainage around the buildings into the proper proposed drainage facilities.
         See updated detailed grading plan (sheet 29)

b. Plan & profile drawings of the roadways with cross sections are required.
   1. Please clarify the driveway profile – there is a rise at station 1+25 and between 2+50 to 3+00 which do not seem to agree with the grading and drainage plans.
      See revised driveway profile (sheet 41)

   2. The "Typical Road Cross Section" on sheet 34 shows 8.5 foot travel lanes. The site plans and truck turning templates show 22 foot wide roadways (11 foot travel lanes). The 22 foot section is required to accommodate truck movements.
      See revised typical road cross section (sheet 36)

3. Driveway easement need to be shown and dedicated on the plat
   Ingress, egress, parking & snow storage easement areas have been added to plat

c. Pavement design must follow the recommendation in the July 25, 2022 Kumar & Associates, Inc report.
   i. Applicant Response: "The geotechnical report was consulted for pavement specifications."
      1. Pavement design follows recommendations for "Standard Duty" We recommend Applicant consider "Heavy Duty" recommendation in the path of trash trucks.
         Not necessary and not required for the entire road
      1. No additional detail provided. The geotechnical report indicates lanes subject to truck traffic require the "Heavy Duty" pavement section which should be shown on the plans.
         Asphalt and Concrete Pavement sections have been added to the site details sheet. Drive lanes have been identified as heavy duty pavement and parking areas have been identified as standard duty pavement. (sheet 36)

d. Specific slope information is not provided, and steeper slopes are indicated along the southerly and westerly property lines. Plan note "PS" denotes areas where "Seeding with Mulch and/or Matting" is required. Please specify slopes and any matting requirements.
   Note has been added to the SESC plans indicating any restoration area with a slope steeper than 1:6 shall be seeded and mulched using a soil erosion control fabric or blanket. (sheet 37)

e. Storm Sewer Plans
   i. Inlet "r-7" is the tie in point for the storm sewer system. The location & invert elevations are critical to the design and need to be field verified as a part of the design.
      1. Applicant Response: "Information for the structure was taken from the design plans for US 24. The applicant will have their local surveyor confirm the structure information and the plans will be updated if the field information differs."
         1. No additional detail provided.
            Surveyed Data for inlet r-7 has been added to the plans (sheet 2)

   ii. Provide details and sizing for permanent storm water quality control devices.
      1. Applicant Response: "The ADS system for underground storage, the outlet and water quality structures have all been specified and detailed within this submittal"
         a. Reference EPA circular "Storm Water Technology Fact Sheet; On-Site Underground Retention/Detention": "The primary disadvantage of the on-site underground storm water detention structures is that they are not designed to provide storm water quality benefits. However, if they are included in a treatment-train type system, underground detention systems can be an important part of an overall storm water management process."
            Storm structure R8 is a hydrodynamic separator. Label has been added to storm water management plan view. (sheet 30)

         b. The Engineers Opinion of Probable Cost (EPOPC) references a Hydrodynamic separator; however, it does not appear on the plans. Including the separator addresses the issue Identified by the EPA circular.
            Storm structure R8 is a hydrodynamic separator. Label has been added to storm water management plan view. (sheet 31)

         c. There is a discrepancy in the storage volume. Sheet 30 references 1100 CF of storage, the profile on Sheet 31 references 900 CF and the drainage report references 11 CF.
            Labels have been updated. (sheets 31 & 32)

            Civil Engineer will address and revise prior to Final PUD Review No additional information has been provided. The Drainage Study is a requirement of Preliminary Plan and revisions need to be provided prior to Preliminary Plan approval.
            Storm water plan has been revised

6. Domestic water & sanitary sewer plans

a. Water
   i. The Water & Sewer Easements plan needs to show the proposed utilities along with dimensions to the Water & Sewer Easements Plan. Please address utility provider comments.
      1. Applicant Response: The width of the easements have been provided on the easement plan per the request of the ERWSD review. Additionally, water and sanitary plans have been provided to specific scales with dimensions of utility to easement, etc. These plans and the information on them were provided at the specific request of ERWSD.
         a. The plat needs to create and dedicate the easements shown on the civil plans.
            1. The Preliminary Plat included in the submittal does not show the additional easements required on the engineering plans.
               Proposed relocated sewer easement has been added to the plat

   ii. Water Main Plans indicate the main is "Private" – are private water mains proposed?
      Water Main is proposed to be part of the public system and protected by the easements shown on the drawings and dedicated on the Plat
         1. The Preliminary Plat included in the submittal does not show the additional easements required on the engineering plans.
            Proposed water main easement has been added to the plat

12.1.a.1 The Architectural plans refer to site plans provided by others. The Civil Drawings included with the application are overall in nature and not a specific site or grading plan for the building.
See revised grading plan (sheet 29)

Subsection (b) Character Area & Zone District Requirements

2.b.iv.1 An Engineers Opinion of Probable Cost (EOPC) for required improvements is required. The estimate needs to provide costs for improvements in the current and future phases for the Subdivision Improvements Agreement (SIA)
   i. The EOPC is part of the Development Agreement and therefore necessary at Preliminary Plat.
      Updated EOPC has been included with Phase 1 and future phases

Sincerely,
MIDWESTERN CONSULTING, LLC

Colton Wallace
Senior Project Engineer

Robert C. Wagner, P.E.
Project Manager/Associate

20067A
Opinion of Probable Cost - Phase 1
August 19, 2024

MIDWESTERN CONSULTING

Pay Item	Qty	Units	Unit Cost	Unit Total	Subtotal	Notes
ON SITE IMPROVEMENTS						
Mobilization	1.00	Ls		$35,000.00	**$35,000.00**	
Site Preparation and SESC					**$13,210.00**	
Temporary						
Stone Mud Tracking Mat	1	Ea	$3,500.00	$3,600.00		
Silt Fence	1080	Ft	$4.50	$4,860.00		
Inlet Filter	5	Ea	$150.00	$750.00		
Traffic Control and Maintenance	1	Ls	$4,000.00	$4,000.00		
Removals					**$70,693.22**	
Sidewalk Removal	7	Syd	$8.00	$56.00		
Concrete Pavement Removal	738	Syd	$10.00	$7,383.33		
Bituminous Pavement Removal	6710	Syd	$5.00	$33,548.89		
Utility Structure Removal	2	Ea	$350.00	$700.00		
Sewer Removal	237	Ft	$30.00	$7,110.00		
Hydrant Removal	1	Ea	$1,500.00	$1,500.00		
Fence Removal	518	Ft	$15.00	$7,770.00		
Wall Removal	40	Ft	$25.00	$1,000.00		
Existing Franchise Utilities Removal	1	Ls	$11,625.00	$11,625.00		775 ft Overhead
Earthwork					**$75,200.00**	
Strip Topsoil (3" average)	1020	Cyd	$10.00	$10,200.00		
Mass Grading, Onsite Earth Moving	3000	Cyd	$15.00	$45,000.00		
Final Grading	40000	Sft	$0.50	$20,000.00		
Paving					**$162,038.73**	
Aggregate Base, (8) inch, (gradation, type)	1966	Syd	$9.00	$17,691.00		
Aggregate Base, (4) inch, (gradation, type)	340	Syd	$7.00	$2,383.11		
Curb and Gutter	926	Ft	$22.00	$20,372.00		
Bituminous Pavement, (HMA)	450	Ton	$140.00	$63,000.00		
Concrete Pavement, (6) inch	2437	SF	$10.00	$24,370.00		
Concrete Pavement, (7) inch	627	SF	$12.00	$7,524.00		
Sidewalk Base, CIP, Sand, (4) inch	34	Cyd	$20.00	$670.62		
Sidewalk, Conc, (4) inch	2716	SF	$8.00	$21,728.00		
Integral Curb and Sidewalk, Conc	215	Ft	$20.00	$4,300.00		
Site Utilities					**$339,880.00**	
Water Main, (12) inch dia, (DIP)	559	Ft	$200.00	$111,800.00		
Water Main, (6) inch dia, (DIP)	117	Ft	$120.00	$14,040.00		
Fire Hydrant Assembly	2	Ea	$10,000.00	$20,000.00		
Valve in Box, (12) inch, (type) valve	7	Ea	$6,000.00	$42,000.00		
Valve in Box, (6) inch, (type) valve	2	Ea	$4,000.00	$8,000.00		
Water Service, (1) inch, (material)	226	Ft	$20.00	$4,520.00		
Water Service, (2) inch, (material)	23	Ft	$25.00	$575.00		
Water Main, Tapping Sleeve, (12) inch x (12) inch	2	Ea	$3,500.00	$7,000.00		No valve or structure
Curb Stop and Box	8	Ea	$1,500.00	$12,000.00		
Storm Sewer, (6) inch, (HDPE)	185	Ft	$40.00	$7,400.00		
Storm Sewer, (8) inch, (HDPE)	75	Ft	$50.00	$3,750.00		
Storm Sewer, (12) inch, (HDPE)	677	Ft	$55.00	$37,235.00		
Storm Sewer, (18) inch, (HDPE)	50	Ft	$70.00	$3,500.00		
Catch Basin, (48) inch dia	3	Ea	$2,000.00	$6,000.00		
Catch Basin, (72) inch dia	1	Ea	$3,000.00	$3,000.00		Includes frame & cover
Storm Manhole, (48) inch dia	8	Ea	$2,000.00	$16,000.00		Includes frame & cover
Storm Structure Tap, (12) inch diam	1	Ea	$800.00	$800.00		
Tench Drain	22	Ft	$80.00	$1,760.00		
Sanitary Sewer, (1.5) inch, (material)	146	Ft	$50.00	$7,300.00		
Sanitary Sewer, (6) inch, (material)	12	Ft	$90.00	$1,080.00		
Sanitary Sewer, (12) inch, (material)	154	Ft	$100.00	$15,400.00		
Sanitary Manhole, (48) inch dia	2	Ea	$3,000.00	$6,000.00		Includes frame & cover
Sanitary Service Lead, (1.5) inch dia.	75	Ft	$40.00	$3,000.00		
Sanitary Service Lead, (4) inch dia.	12	Ft	$60.00	$720.00		
Lighting Pole/Base/Fixture	2	Ea	$3,500.00	$7,000.00		
Electric Tranformer	3	Ea	$3,500.00	$10,500.00		
Stormwater System					**$73,500.00**	
Outlet Structure, (6) ft. dia., (concrete)	1	Ea	$5,500.00	$5,500.00		
Underground basin, installation, chamber system	1100	Cft	$30.00	$33,000.00		Excavation, Labor, Material, Backfill
Water Quality Structural Unit	1	Ea	$35,000.00	$35,000.00		Hydrodynamic Separator, Settling Tank, Etc.
Landscaping					**$32,000.00**	
Restoration	8000	Sft	$4.00	$32,000.00		
Site Furnishings					**$101,240.00**	
Paint Striping	600	Ft	$4.00	$2,400.00		approx.
Regulatory Signs	1	Ls	$5,000.00	$5,000.00		Barrier Free, Fire Lane, FDC, No Parking
Dumpster Enclosure	1	Ea	$4,000.00	$4,000.00		
Retaining Wall, (material), (height)	996	Sft	$40.00	$39,840.00		approx. height/sf
Public Amenities	1	Ls	$50,000.00	$50,000.00		
				SUBTOTAL	**$902,761.95**	
				CONTINGENCY 15%	**$135,414.29**	
				PHASE 1 TOTAL	**$1,038,176.24**	

*Budgets for Construction Survey, Construction Observation, Materials Testing, As-Built Drawings, and Franchise Utilities to be provided by developer.

20067A
Opinion of Probable Cost - Future Phases

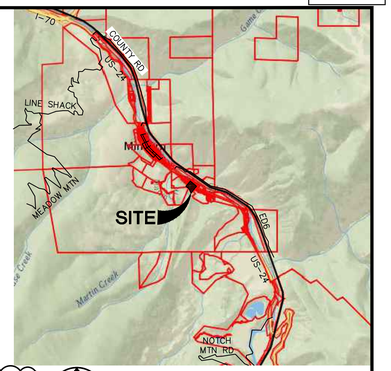
Pay Item	Qty	Units	Unit Cost	Unit Total	Subtotal	Notes
ON SITE IMPROVEMENTS						
Mobilization	1.00	Ls		$10,000.00	**$10,000.00**	
Site Preparation and SESC					**$1,500.00**	
Traffic Control and Maintenance	1	Ls	$1,500.00	$1,500.00		
Removals					**$0.00**	
Earthwork					**$15,000.00**	
Mass Grading, Onsite Earth Moving	500	Cyd	$15.00	$7,500.00		
Final Grading	15000	Cyd	$0.50	$7,500.00		
Paving					**$53,261.02**	
Aggregate Base, (8) inch, (gradation, type)	428	Syd	$9.00	$3,855.00		
Bituminous Pavement, (HMA)	90	Ton	$140.00	$12,600.00		
Sidewalk Base, CIP, Sand, (4) inch	54	Cyd	$20.00	$1,078.02		
Sidewalk, Conc, (4) inch	4366	SF	$8.00	$34,928.00		
Integral Curb and Sidewalk, Conc	40	Ft	$20.00	$800.00		
Paver Pathway	700	SF	$20.00	$14,000.00		
Site Utilities					**$89,025.00**	
Water Service, (1) inch, (material)	1011	Ft	$15.00	$15,165.00		Fire or Domestic Service
Curb Stop and Box, (1) inch	18	Ea	$1,500.00	$27,000.00		
Sanitary Sewer, (1.25) inch, (material)	136	Ft	$50.00	$6,800.00		
Sanitary Sewer, (4) inch, (material)	180	Ft	$70.00	$12,600.00		
Sanitary Service Lead, (4) inch dia.	341	Ft	$60.00	$20,460.00		
Lighting Pole/Base/Fixture	2	Ea	$3,500.00	$7,000.00		
Stormwater System					**$0.00**	
Landscaping					**$0.00**	
Site Furnishings					**$432.00**	
Paint Striping	108	Ft	$4.00	$432.00		approx.
				SUBTOTAL	**$169,218.02**	
				CONTINGENCY 15%	**$25,382.70**	
				FURTURE PHASES TOTAL	**$194,600.73**	

*Budgets for Construction Survey, Construction Observation, Materials Testing, As-Built Drawings, and Franchise Utilities to be provided by developer.

MIDTOWN VILLAGE PUD

MINTURN, EAGLE COUNTY, COLORADO

PLANNED UNIT DEVELOPMENT



VICINITY MAP
SCALE : NTS

OWNER/APPLICANT
10TH MOUNTAIN BUILDERS
1632 MAIN STREET
MINTURN, MICHIGAN, 81645
CONTACT: JEFF ARMISTEAD
970-471-0618

ENGINEER/LANDSCAPE ARCH.
MIDWESTERN CONSULTING, LLC
3815 PLAZA DR.
ANN ARBOR, MI 48108
CONTACT: KATE BOND
734-995-0200

ARCHITECT
TK DESIGN & ASSOCIATES
26030 PONTIAC TRAIL
SOUTH LYON, MI 48178
CONTACT: TODD HALLETT
248-446-1960

SURVEYOR
GORE RANGE SURVEYING, LLC
953 S. FRONTAGE RD W.
VAIL, CO 81657
CONTACT: SAMUEL ECKER
970-479-8698

SIGNATURES

OWNER DEVELOPER DATE

FIRE DEPARTMENT DATE



SITE MAP
SCALE : NTS

SITE DATA

	Exsisting	Proposed			
Parcel size		2.53 acres			
Zoning	Commercial	Commercial			
Lot coverage		Masterplan	Phase I		
Impervious area		73,657.98 SF	44,111 SF		
Pervious area		36,547.02 SF	14,544 SF		
	Required	**Provided**	**Parking Requirement**	**Parking Provided**	**Notes**
Setbacks					
Front	20'	20'			
Side	5'	5'			
Rear	10'	5'			5' at proposed apartment building only
Residential					
Town House		10 Units	2/unit: 2x10=20	20 (+ 20 Guest)	2 car tandem garages in each unit + 2 car side by side driveway for guests
Cottage		2 Units	2/unit: 2x2=4	4	2 car side by side driveway at each unit
2 Story Micro Home		4 Units	1/unit: 1x4=4	4	Surface parking
Micro Home		4 Units	1/unit: 1x4=4	4	Surface parking
Apartment					
Apartment Bldg		15 (2 bdrm) Units 1 (1 bdrm) Unit	2/unit=30 + 1= 31		31 spaces beneath structure
Lofts Bldg A1		4 Units	2/units=8		Garage provided with 4 stacked spaces + 4 surface spaces
Exist Bldg B		2 Units	2/unit=4	2/unit+1/8 units=46	4 surface spaces
			Guest 1 space/8 units=3		3 surface spaces
Commercial					
Bldg A: Proposed		3600 sf (80%)	1/300sf: 3600/300=12	12	12 in surface lot
Bldg B: Existing		5280sf (80%)	1/300sf: 5280/300=18	14	4 in surface lot and 10 stacked in driveways
			Total	28 Phase I(108)	
Open Space		Masterplan	Phase I		
Active		17,861 sf / 16%	6,619 sf / 6%		Pocket parks, Public plaza, Community garden
Passive		2,692 sf / 2%	2,692 sf / 2%		Connector Trail
	deviation required				

Sheet List Table

#	SHEET TITLE
01	COVER SHEET
02	EXISTING CONDITIONS
03	DEMOLITION PLAN
04	MASTER PLAN
05	TRACT PLAN
06	TRACT PLAN WITH BUILDINGS
07	SITE PLAN PHASE 1
08	SNOW REMOVAL PLAN
09	OPEN SPACE PLAN
10	LANDSCAPE PLAN
11	FIRE TRUCK TURNING TEMPLATES
12	SOLID WASTE TRUCK TURNING TEMPLATE
13	LANDSCAPE AND SITE DETAILS
14	WATER AND SANITARY SEWER EASEMENTS
15	OVERALL UTILITY PLAN
16	WATER MAIN PLAN AND PROFILE VIEW 1
17	WATER MAIN PLAN AND PROFILE VIEW 2
18	WATER SERVICE DETAILS
19	WATER CONSTRUCTION SPECIFICATIONS
20	OVERALL SEWER PLAN
21	SANITARY SEWER PLAN AND PROFILE VIEW 1
22	SANITARY SEWER PLAN AND PROFILE VIEW 2
23	SEWER DETAILS
24	E-ONE GRINDER PUMP DETAILS
25	SEWER CONSTRUCTION SPECIFICATIONS 1
26	SEWER CONSTRUCTION SPECIFICATIONS 2
27	EXISTING DRAINAGE PLAN
28	OVERALL GRADING PLAN
29	DETAILED GRADING PLAN
30	RUSTIC TRAIL PLAN
31	PRELIMINARY STORM WATER MANAGEMENT PLAN
32	STORM SEWER PLAN AND PROFILE VIEW 1
33	STORM SEWER PLAN AND PROFILE VIEW 2
34	STORM WATER DETAILS 1
35	STORM WATER DETAILS 2
36	SITE DETAILS
37	SOIL EROSION PLAN
38	SOIL EROSION DETAILS
39	STORM WATER CONSTRUCTION SPECIFICATIONS 1
40	STORM WATER CONSTRUCTION SPECIFICATIONS 2
41	DRIVEWAY PROFILE VIEW
42	CROSS SECTION

The underground utilities shown have been located from field survey information and existing records. The surveyor makes no guarantees that the underground utilities shown comprise all such utilities in the area, either in-service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated. Although the surveyor does certify that they are located as accurately as possible from the information available.

MIDTOWN VILLAGE PUD

JOB No. **20067**

DATE: 8/19/24
SHEET 01 OF 38

01

REVISIONS:	REV. DATE
PER MUNICIPAL REVIEW 03/31/23	04/06/23
PER ERWSD REVIEW	08/21/23
PER ERWSD REVIEW	01/15/24
PER ERWSD & IME REVIEW	02/23/24
PER ERWSD & IME REVIEW	08/19/24

CADD:
ENG: CMW
PM: RCW
TECH:
/20067CV1

MIDWESTERN CONSULTING
3815 Plaza Drive Ann Arbor, Michigan 48108
(734) 995-0200 • www.midwesternconsulting.com
Land Development • Land Survey • Institutional • Municipal
Wireless Communications • Transportation • Landfill Services

RELEASED FOR:	DATE

COLORADO LICENSED ROBERT C WAGNER 60475 PROFESSIONAL ENGINEER

P.E. #

M:\Civil3d_Proj\20067\Site Plan\20067CV1.dwg, 8/19/2024 3:18 PM, Colton M. Wallace, 01 COVER SHEET, MCLLC PDF.pc3
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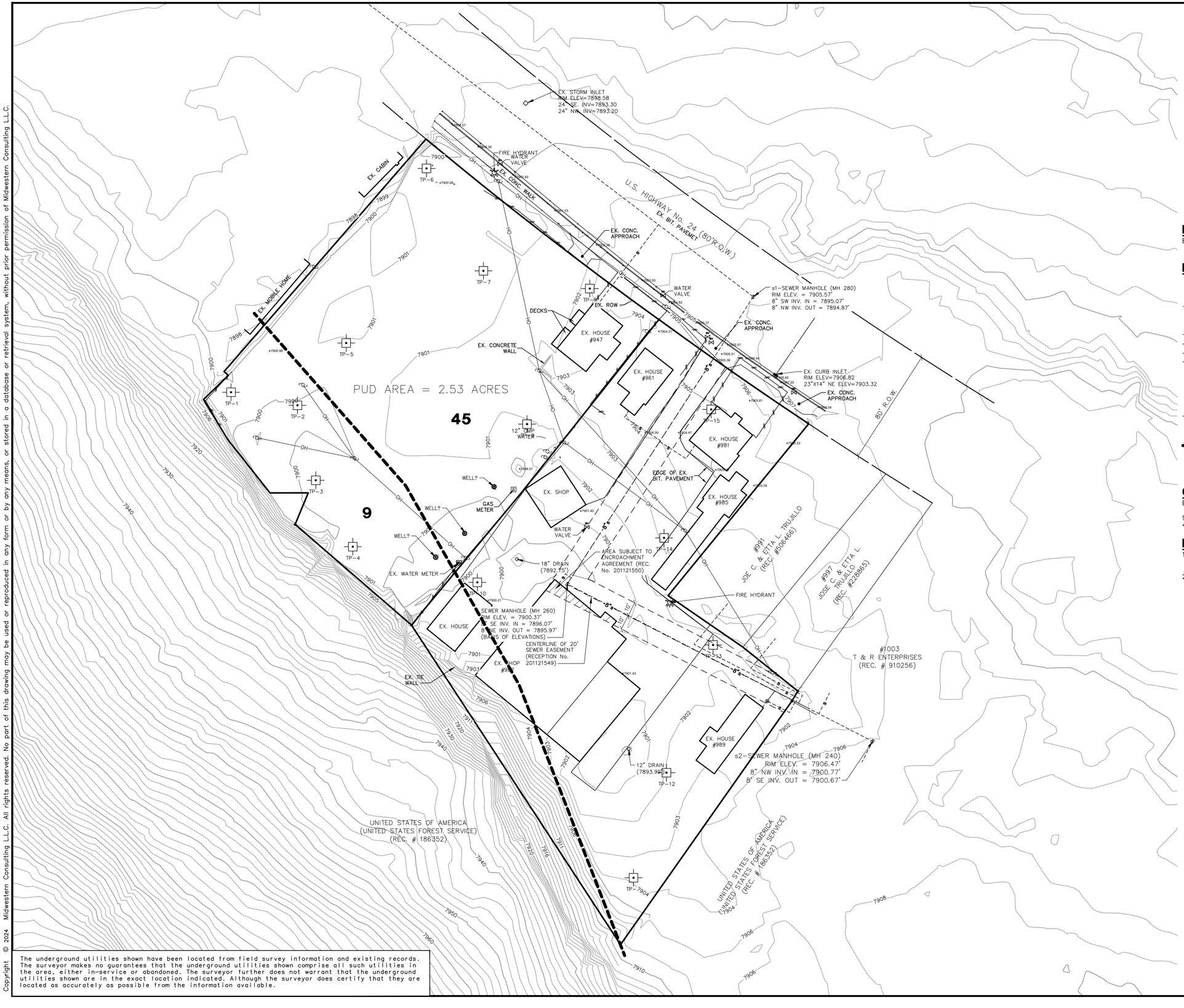

The underground utilities shown have been located from field survey information and existing records. The surveyor makes no guarantees that the underground utilities shown comprise all such utilities in the area, either in-service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated. Although the surveyor does certify that they are located as accurately as possible from the information available.

SCALE: 1" = 30'

0 30 60 90

811 Know what's below. Call before you dig.

BASIS OF ELEVATIONS

EXISTING SANITARY SEWER MANHOLE AT THE CENTER OF THE SOUTH PROPERTY.
ELEV=7900.37 (NAVD88)

LEGEND

838	EXISTING CONTOUR
×836.2	EXISTING SPOT ELEVATION
	EXISTING UTILITY POLE
OH	EXISTING OVERHEAD UTILITY LINE
	EXISTING HYDRANT
WV	EXISTING WATER VALVE
r	EXISTING STORM SEWER
	EXISTING CATCH BASIN OR INLET
s	EXISTING SANITARY SEWER
	SIGN
	POST
	EXISTING GAS VALVE
W	WELL
	FENCE
45	EXISTING SOIL TYPE & BOUNDARY
TP-1	TEST PIT LOCATION

GENERAL SOILS DESCRIPTION

BASED ON SOIL SURVEY OF EAGLE COUNTY COLORADO

9 – ANSEL-ANVIK ASSOCIATION, 25 TO 45 PERCENT SLOPES
45 – FORSEY COBBLY LOAM, 3 TO 12 PERCENT SLOPES

NOTES

1. SOIL BORINGS PERFORMED BY KUMAR & ASSOCIATES, INC. ON MAY 31, 2022.
2. THE BOUNDARY & TOPOGRAPHIC SURVEY WAS PREPARED BY GORE RANGE SURVEYING, LLC DATED 11/1/2021

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MIDTOWN VILLAGE PUD

EXISTING CONDITIONS

02

DATE: 8/19/24
SHEET 02 OF 38
CADD:
ENG: CMW
PM: RCW
TECH:
/20067EX1

JOB No. 20067

REVISIONS:	REV. DATE
PER ERWSD & IME REVIEW	02/23/24
PER ERWSD & IME REVIEW	08/19/24

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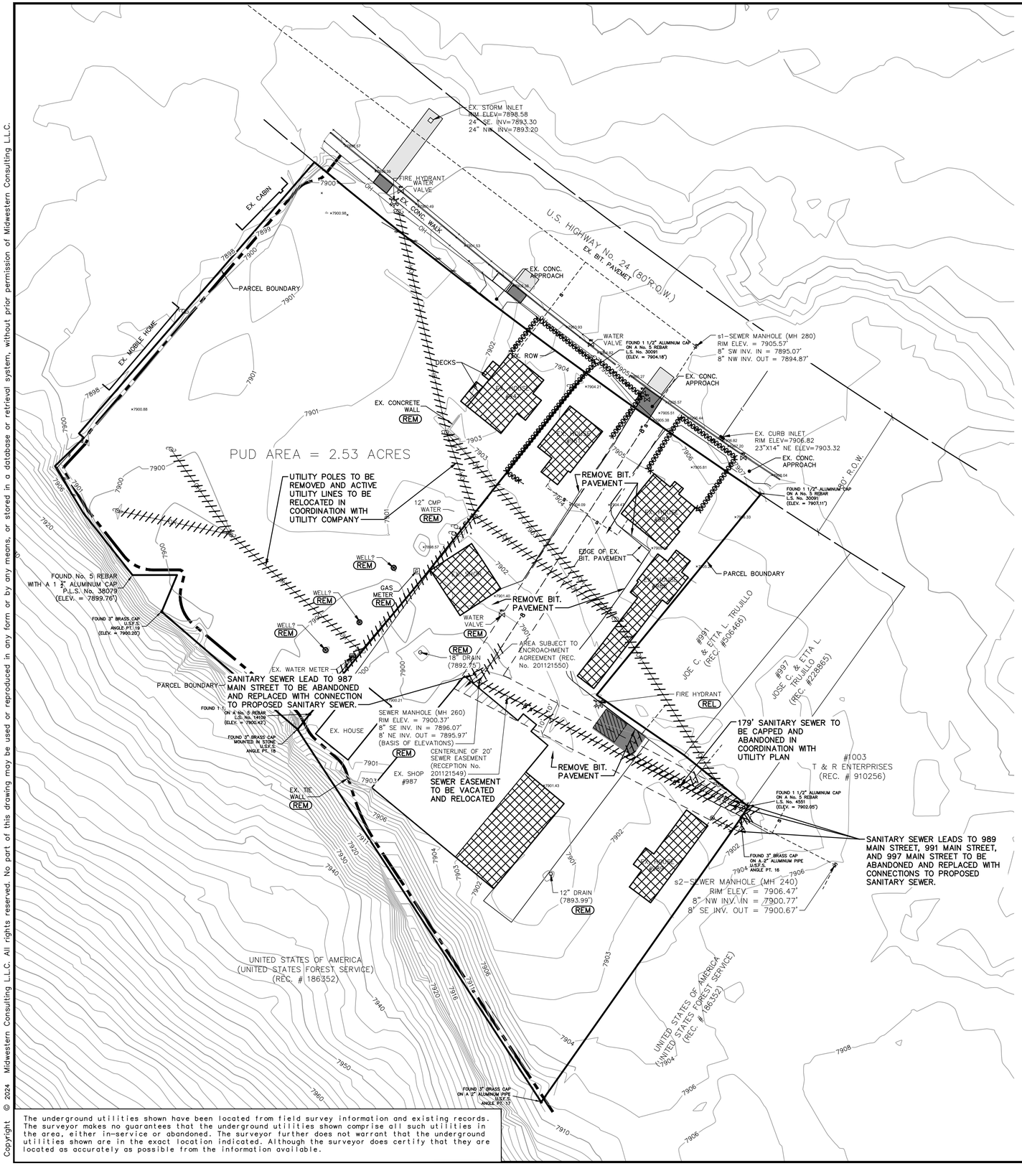

LEGEND

- 838 — EXISTING CONTOUR
- ×836.2 — EXISTING SPOT ELEVATION
- U.P. — EXISTING UTILITY POLE
- U.P. — EXISTING UTILITY POLE W/ TRANSFORMER
- GP — EXISTING GUY POLE
- GUY WIRE
- ELECTRIC TRANSFORMER
- EXISTING AC UNIT
- EXISTING GENERATOR
- OH — EXISTING OVERHEAD UTILITY LINE
- EXISTING LIGHT POLE
- t — EXISTING TELEPHONE LINE
- e — EXISTING ELECTRIC LINE
- g — EXISTING GAS LINE
- g — EXISTING GAS VALVE
- f.o. — EXISTING FIBER OPTIC LINE
- w — EXISTING WATER MAIN
- EXISTING HYDRANT
- EXISTING GATE VALVE IN BOX
- EXISTING GATE VALVE IN WELL
- EXISTING CURB STOP & BOX
- EXISTING BLOW-OFF
- p.i.v. — POST INDICATOR VALVE
- fdc — FIRE DEPARTMENT CONNECTION
- r — EXISTING STORM SEWER
- EXISTING CATCH BASIN OR INLET
- EXISTING BEEHIVE INLET
- END SECTION
- HEAD WALL
- CULVERT
- ds — EXISTING DOWNSPOUT
- s — EXISTING SANITARY SEWER
- EXISTING CLEANOUT
- C/L OF DITCH
- SIGN
- MAILBOX
- TELEPHONE RISER
- catv — CABLE TELEVISION RISER
- e — ELECTRIC METER
- w — WATER METER
- scb — SPRINKLER CONTROL BOX
- g — GAS METER
- gm — GAS LINE MARKER
- fiber — FIBER OPTIC MARKER
- ped — PEDESTRIAN CROSSING SIGNAL
- tscb — TRAFFIC SIGNAL CONTROL BOX
- POST
- W — WELL
- FENCE
- SECTION CORNER
- SB-1 — SOIL BORING LOCATION
- S — SET IRON PIPE
- F — FOUND IRON PIPE
- S — SET MONUMENT
- F — FOUND MONUMENT
- spk — SET PARKER KRYLON
- FPK — FOUND PARKER KRYLON
- S — SET IRON ROD
- FIR — FOUND IRON ROD
- CONTROL POINT
- ℄ — CENTERLINE
- PROPERTY LINE
- gfc — EXISTING GAS FILLER CAP
- STRUCTURE TO BE REMOVED
- BITUMINOUS TO BE REMOVED
- UTILITY TO BE ABANDONED
- FENCE TO BE REMOVED
- REL — ITEM TO BE RELOCATED
- REM — ITEM TO BE REMOVED
- CONCRETE WALK TO BE REPLACED
- BITUMINOUS PAVEMENT TO BE REPLACED

Know what's below. Call before you dig.

SCALE: 1" = 30'

0 30 60 90

NOTES

1. LIMITS OF PAVEMENT REMOVAL ARE NOT FIELD VERIFIED.
2. ALL BUILDING REMOVALS SHALL INCLUDE REMOVAL OF FOUNDATIONS, UTILITY SERVICES, DRIVEWAYS, DECKS AND ANY OTHER IMPROVEMENTS.
3. ITEMS TO REMAIN SHALL BE PROTECTED THROUGHOUT THE ENTIRETY OF CONSTRUCTION.
4. ALL UTILITY REMOVALS SHALL BE COORDINATED WITH THE APPLICABLE UTILITY ENTITY.
5. ALL ASPHALT PAVEMENT REMOVALS SHALL BE SAWCUT AT REMOVAL LIMITS.
6. EAST CONCRETE APRON TO REMAIN AND BE PROTECTED THROUGHOUT THE ENTIRETY OF CONSTRUCTION.
7. SANITARY SEWER TO BE ABANDONED PER ALL PERTINENT LOCAL AND REGIONAL STANDARDS.

The underground utilities shown have been located from field survey information and existing records. The surveyor makes no guarantees that the underground utilities shown comprise all such utilities in the area, either in-service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated. Although the surveyor does certify that they are located as accurately as possible from the information available.

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MIDTOWN VILLAGE PUD

DEMOLITION PLAN

03

DATE: 8/19/24
SHEET 03 OF 38
CADD:
ENG.: CMW
PM: RCW
TECH:
/20067EX1

REVISIONS:	REV. DATE
PER ENGR & MME REVIEW	08/19/24
PER ENGR & MME REVIEW	

JOB No. 20067

COLORADO LICENSED
ROBERT C WAGNER
60475
PROFESSIONAL ENGINEER

M:\Civil34_Proj\20067\Site Plan\20067SP1.dwg, 8/19/2024 4:49 PM, Colton M. Wallace, 04 MASTER PLAN, MCLLC PDF.pc3
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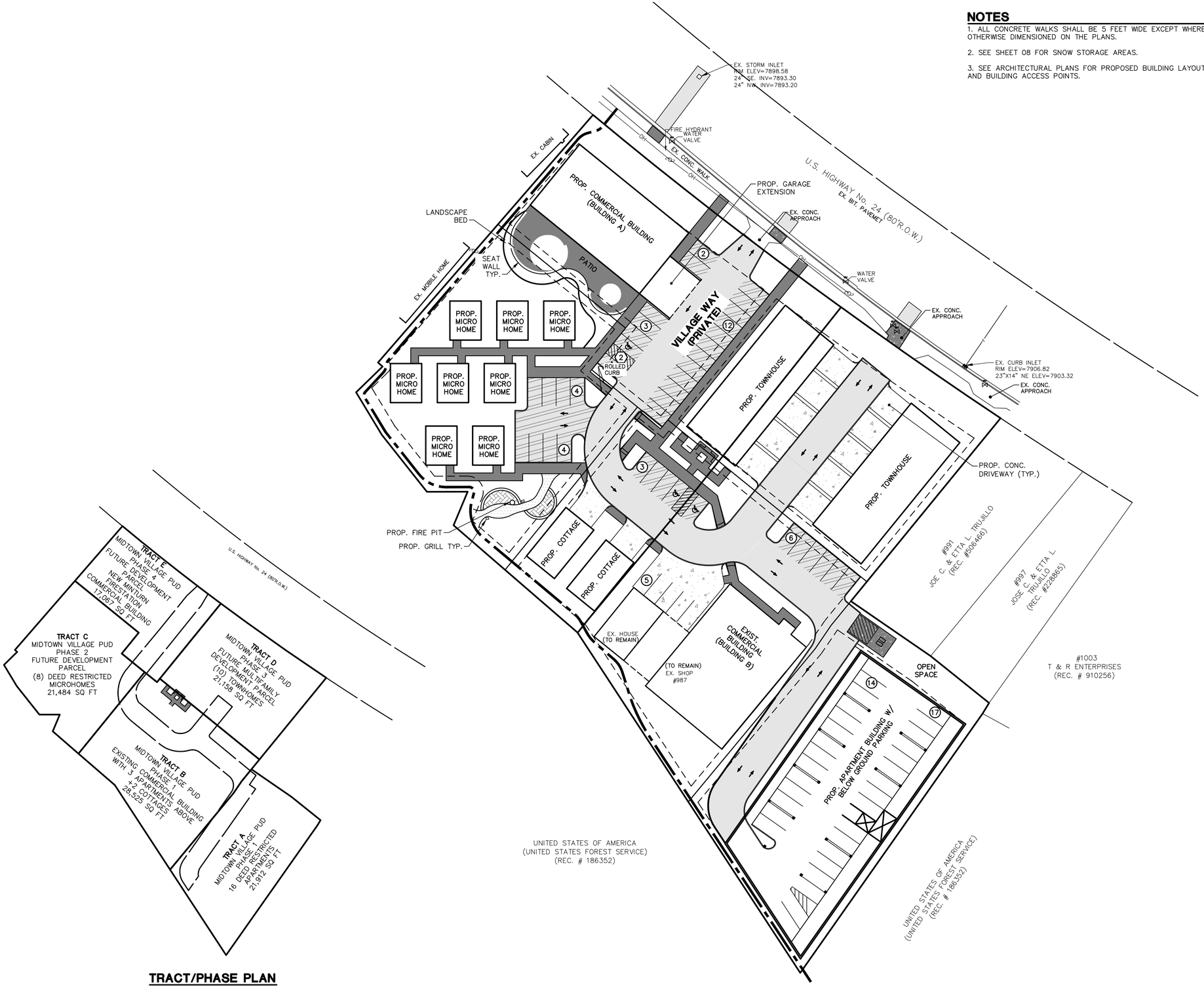
NOTES

1. ALL CONCRETE WALKS SHALL BE 5 FEET WIDE EXCEPT WHERE OTHERWISE DIMENSIONED ON THE PLANS.
2. SEE SHEET 08 FOR SNOW STORAGE AREAS.
3. SEE ARCHITECTURAL PLANS FOR PROPOSED BUILDING LAYOUTS AND BUILDING ACCESS POINTS.



TRACT/PHASE PLAN

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SCALE: 1" = 30'

0 30 60 90

811 Know what's below. Call before you dig.

LEGEND

- EXISTING UTILITY POLE
- EXISTING OVERHEAD UTILITY LINE
- EXISTING HYDRANT
- EXISTING WATER VALVE
- EXISTING STORM SEWER
- EXISTING CATCH BASIN OR INLET
- EXISTING SANITARY SEWER
- SIGN
- POST
- EXISTING GAS VALVE
- WELL
- FENCE
- RUSTIC TRAIL
- PROPOSED CONCRETE WALK
- PROPOSED STANDARD DUTY BITUMINOUS PAVEMENT
- PROPOSED HEAVY DUTY BITUMINOUS PAVEMENT
- PROPOSED STANDARD DUTY CONCRETE PAVEMENT
- PROPOSED HEAVY DUTY CONCRETE PAVEMENT
- PAVEMENT MARKING
- NUMBER OF STANDARD PARKING SPACES IN ROW
- NUMBER OF BARRIER FREE PARKING SPACES IN ROW
- TRAFFIC DIRECTION ARROWS
- PROPOSED LIGHT POLE

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MIDTOWN VILLAGE PUD

MASTER PLAN

04

JOB No. 20067

REVISIONS:	REV. DATE
PER ERWSD & ME REVIEW	06/25/24
PER ERWSD & ME REVIEW	07/23/24
PER ERWSD & ME REVIEW	08/19/24

DATE: 8/16/24
SHEET 04 OF 38
CADD:
ENG: CMW
PM: RCW
TECH:
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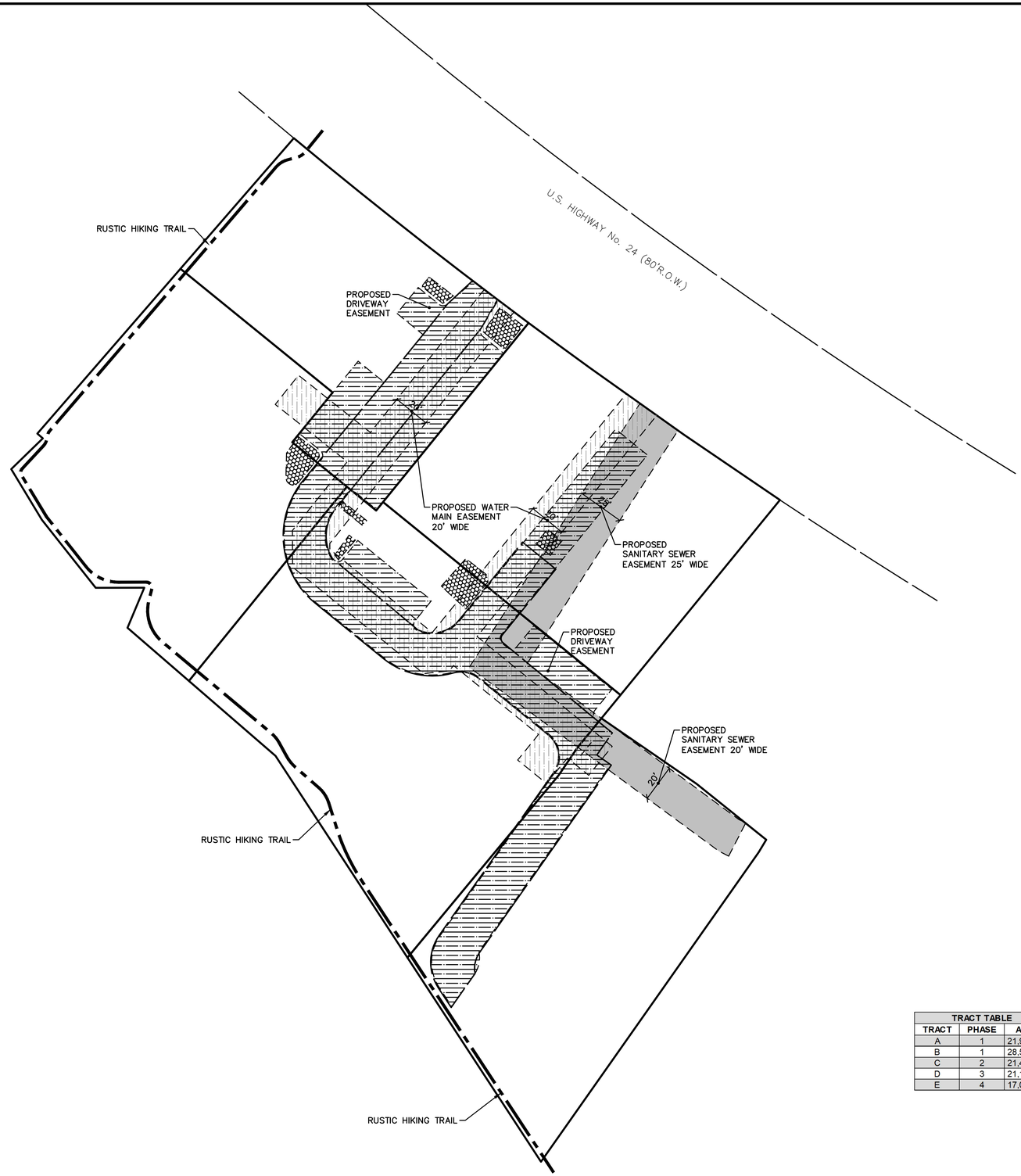

SCALE: 1" = 30'

0 30 60 90

811 Know what's below. Call before you dig.

LEGEND

- TRACT BOUNDARY
- PROPOSED R.O.W. (RIGHT-OF-WAY)
- WATER MAIN EASEMENT
- SANITARY SEWER EASEMENT
- DRIVEWAY EASEMENT
- SNOW STORAGE EASEMENT

TRACT TABLE		
TRACT	PHASE	AREA
A	1	21,912 SF
B	1	28,525 SF
C	2	21,484 SF
D	3	21,158 SF
E	4	17,067 SF

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MIDTOWN VILLAGE PUD

TRACT PLAN

05

JOB No. 20067
DATE: 8/15/24
SHEET 05 OF 38
CADD:
ENG: CMW
PM: RCW
TECH:
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REVISIONS:	REV. DATE
PER ERWSD & ME REVIEW	07/17/24
PER ERWSD & ME REVIEW	08/19/24

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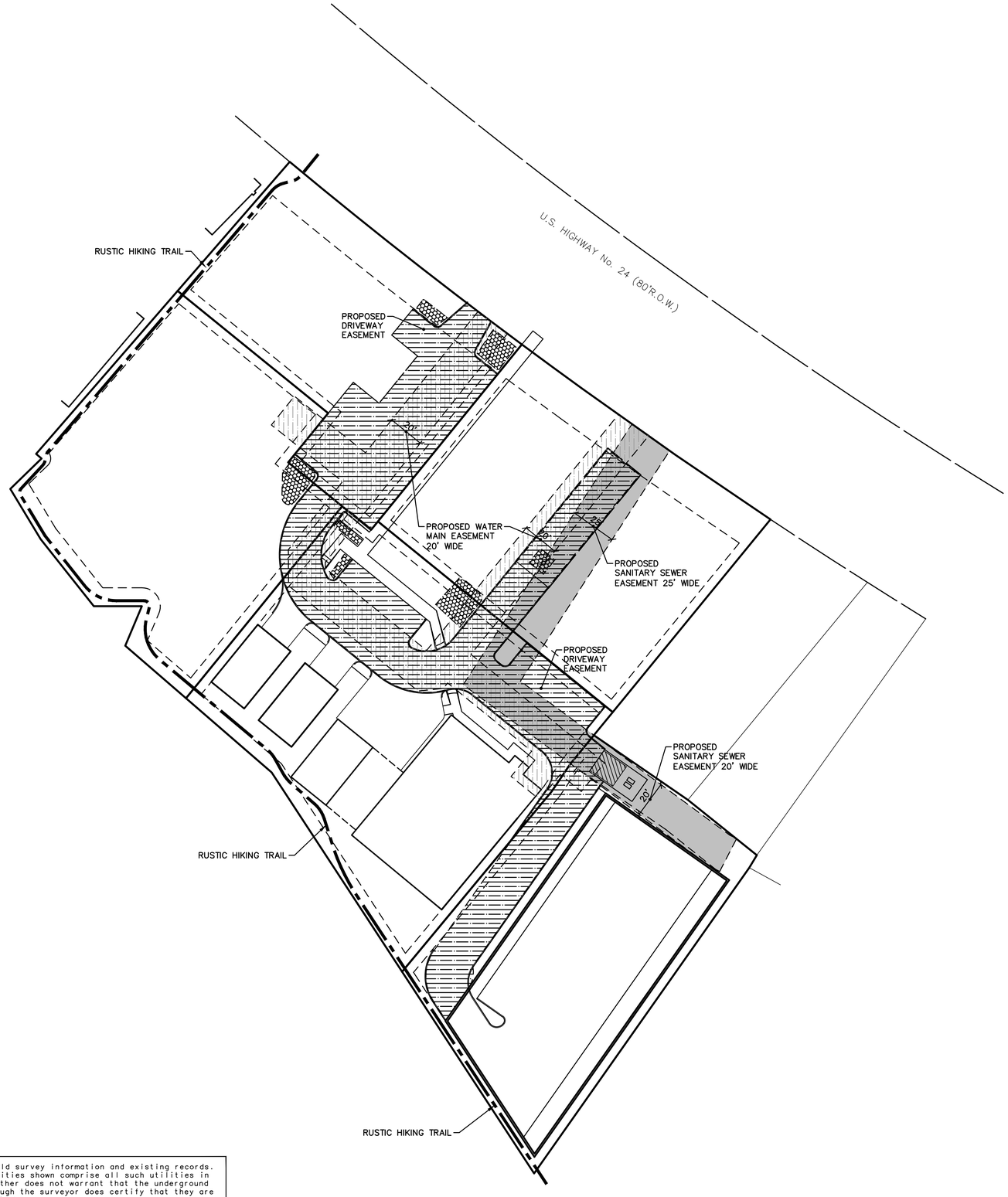

SCALE: 1" = 30'

0 30 60 90

811 Know what's below. Call before you dig.

LEGEND

- TRACT BOUNDARY
- PROPOSED BUILDING
- SETBACK LIMITS
- WATER MAIN EASEMENT
- SANITARY SEWER EASEMENT
- DRIVEWAY EASEMENT
- SNOW STORAGE EASEMENT

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MIDTOWN VILLAGE PUD

TRACT PLAN WITH BUILDINGS

06

JOB No. 20067

REVISIONS:	REV. DATE
PER ERWSD & IME REVIEW	02/23/24
PER ERWSD & IME REVIEW	08/19/24

DATE: 8/15/24
SHEET 06 OF 38
CADD:
ENG: CMW
PM: RCW
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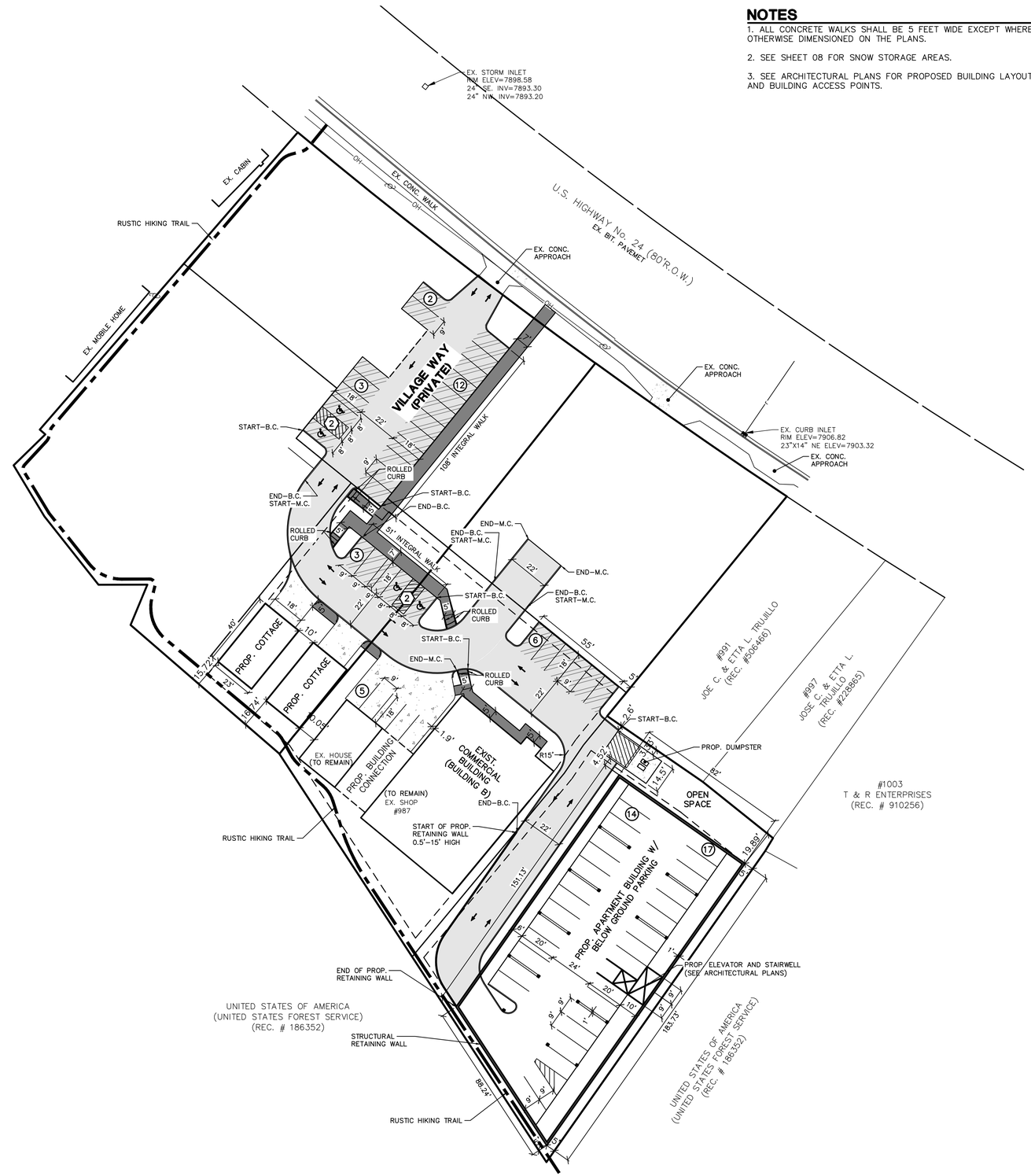
NOTES

1. ALL CONCRETE WALKS SHALL BE 5 FEET WIDE EXCEPT WHERE OTHERWISE DIMENSIONED ON THE PLANS.

2. SEE SHEET 08 FOR SNOW STORAGE AREAS.

3. SEE ARCHITECTURAL PLANS FOR PROPOSED BUILDING LAYOUTS AND BUILDING ACCESS POINTS.



SCALE: 1" = 30'

0 30 60 90

811 Know what's below. Call before you dig.

LEGEND

- EXISTING UTILITY POLE
- EXISTING OVERHEAD UTILITY LINE
- EXISTING HYDRANT
- EXISTING WATER VALVE
- EXISTING STORM SEWER
- EXISTING CATCH BASIN OR INLET
- EXISTING SANITARY SEWER
- SIGN
- POST
- EXISTING GAS VALVE
- WELL
- FENCE
- RUSTIC TRAIL
- PROPOSED CONCRETE WALK
- PROPOSED STANDARD DUTY BITUMINOUS PAVEMENT
- PROPOSED HEAVY DUTY BITUMINOUS PAVEMENT
- PROPOSED STANDARD DUTY CONCRETE PAVEMENT
- PROPOSED HEAVY DUTY CONCRETE PAVEMENT
- PAVEMENT MARKING
- NUMBER OF STANDARD PARKING SPACES IN ROW
- NUMBER OF BARRIER FREE PARKING SPACES IN ROW
- TRAFFIC DIRECTION ARROWS
- PROPOSED LIGHT POLE

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MIDTOWN VILLAGE PUD

SITE PLAN PHASE 1

07

JOB No. 20067

DATE: 8/16/24
SHEET 07 OF 38
CADD:
ENG: CMW
PM: ROW
TECH:
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REVISIONS:	REV. DATE
PER. ERWSD & IME. REVIEW	10/17/24
PER. ERWSD & IME. REVIEW	02/23/24
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ROBERT C. WAGNER
60475
PROFESSIONAL ENGINEER

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M:\Civil3d_Pro\20067\Site Plan\20067SP1.dwg, 8/19/2024 4:52 PM, Colton M. Wallace, 07 SITE PLAN PHASE 1, MCLLC PDF.pc3
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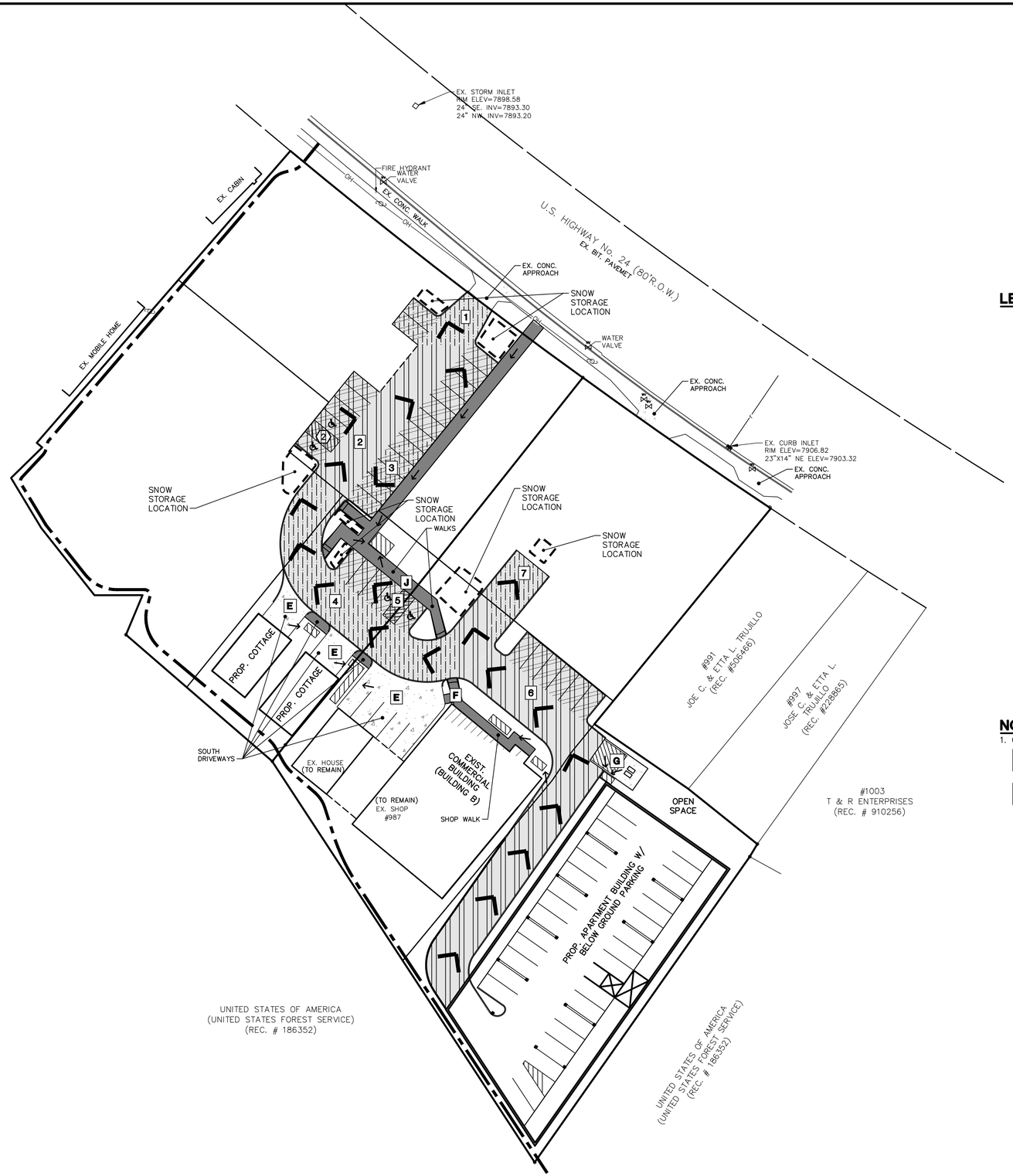

SCALE: 1" = 30'

0 30 60 90

811 Know what's below. Call before you dig.

LEGEND

- PROPOSED DRIVE SNOW STORAGE
- EXISTING UTILITY POLE
- EXISTING OVERHEAD UTILITY LINE
- EXISTING HYDRANT
- EXISTING WATER VALVE
- EXISTING STORM SEWER
- EXISTING CATCH BASIN OR INLET
- EXISTING SANITARY SEWER
- SIGN
- POST
- EXISTING GAS VALVE
- FENCE
- PROPOSED CONCRETE WALK
- PROPOSED BITUMINOUS PAVEMENT
- PROPOSED CONCRETE PAVEMENT
- PROPOSED SHOVEL SNOW STORAGE
- PROPOSED SNOW REMOVAL ROUTE
- PROPOSED HAND SHOVEL LOCATION

NOTE

1. CONTRASTING DRIVE HATCHING SIGNIFY DRIVE SNOW REMOVAL SECTIONS

DRIVE SNOW STORAGE TABLE

Plan Area #	Snow Removal Site Section	Snow Removal Area (ft^2)	Required Storage Area (ft^2) 5%	Storage Area Provided (ft^2)
1	Northwest Approach	998	50	101
2	Northwest Road	4323	216	242
3	West Center Parking	912	46	55
4	Center	3465	173	287
5	South Center Parking	864	43	50
6	Ramp	6657	333	355
7	Northeast Road Ph1	851	43	100
	Total	**18070**	**903**	**1190**

PEDESTRIAN AND LOT SNOW STORAGE TABLE

Plan Area Letter	Snow Removal Site Section	Snow Removal Area (ft^2)	Required Storage Area (ft^2) 5%	Storage Area Provided (ft^2)
E	South Driveways	2561	128	150
F	Shop Walk	369	18	83
G	Dumpster	411	21	24
J	S Center Pkg Walk	1673	84	88
	Total	**5014**	**251**	**345**

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60475
PROFESSIONAL ENGINEER

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MIDTOWN VILLAGE PUD

SNOW REMOVAL PLAN

08

DATE: 8/19/24
SHEET 08 OF 38
CADD:
ENG: CMW
PM: ROW
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REVISIONS:	REV. DATE
PER ERWSD & ME REVIEW	08/7/24
PER ERWSD & ME REVIEW	08/19/24

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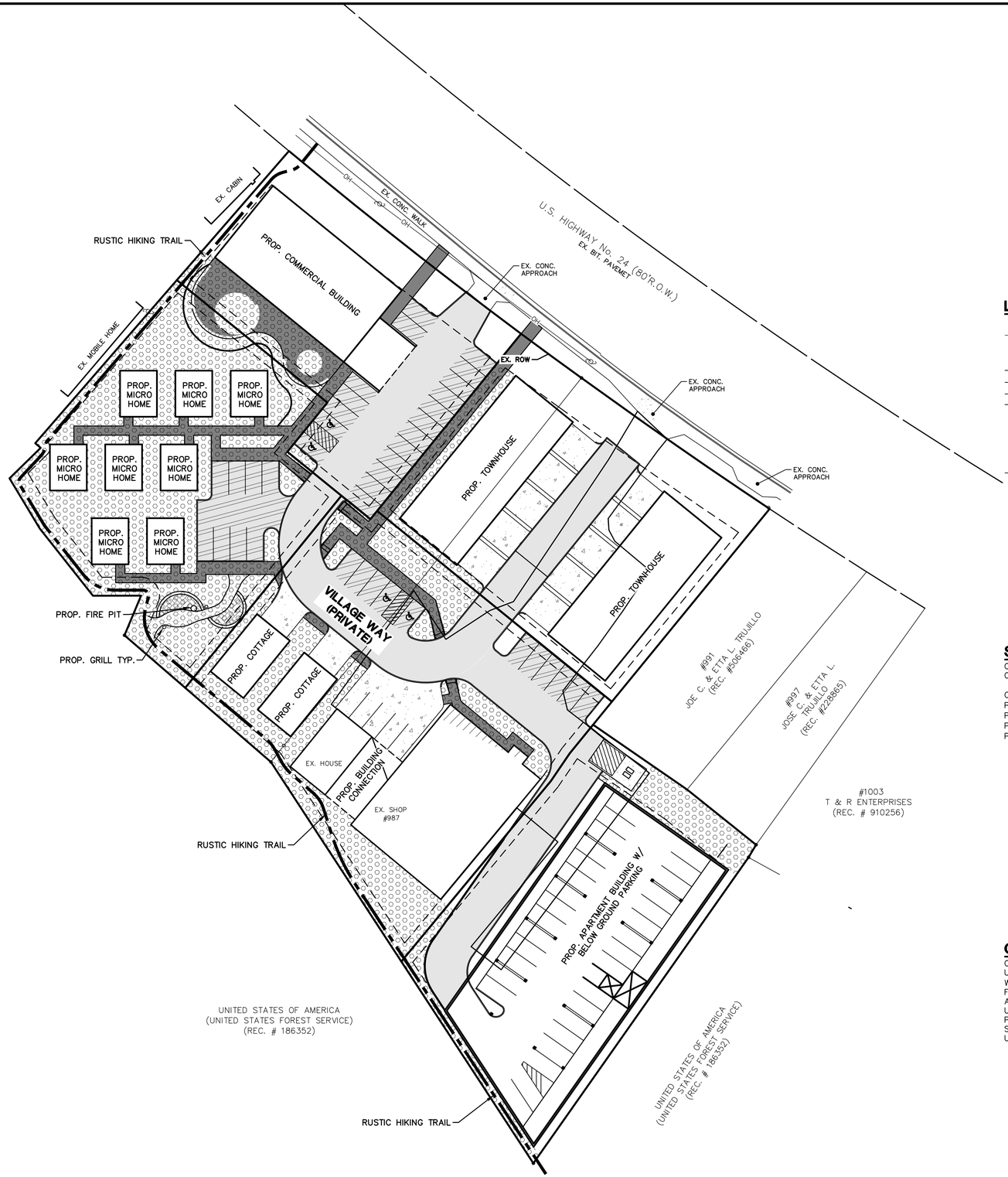

SCALE: 1" = 30'

0 30 60 90

811 Know what's below. Call before you dig.

LEGEND

- EXISTING UTILITY POLE
- OH — EXISTING OVERHEAD UTILITY LINE
- EXISTING HYDRANT
- EXISTING WATER VALVE
- EXISTING STORM SEWER
- EXISTING CATCH BASIN OR INLET
- EXISTING SANITARY SEWER
- SIGN
- POST
- EXISTING GAS VALVE
- WELL
- FENCE
- PROPOSED LIGHT POLE
- OPEN SPACE E

SITE OPEN SPACE DATA

OPEN SPACE REQUIRED: 25% OR 27,552 SF
OPEN SPACE PROVIDED: 34,089 SF

OPEN SPACE BY PHASE/TRACT
PHASE I/TRACT A & B 11,645 SF
PHASE II/TRACT C 18,545 SF
PHASE III/TRACT D 1,527 SF
PHASE IIII/TRACT E 2,372 SF

OPEN SPACE NARRATIVE

OPEN SPACE FOR THE PUD IS COMPRISED OF AREAS THAT CAN BE UTILIZED BY RESIDENTS WITHIN THE DEVELOPMENT; CONNECTING WALKWAYS. PATIOS WITH SEATING/GRILLS/FIRE PITS, OPEN SPACES FOR COMMUNITY GARDENING, PLAZAS, AREAS AROUND THE COTTAGES AND MICRO HOMES IS INCLUDED AS OPEN SPACE CONSIDERED AS USEABLE YARD SPACE. OTHER OPEN SPACES ARE AVAILABLE FOR PLAY STRUCTURES OR SIMILAR USES. OPEN SPACE ALONG THE NORTH, SOUTH AND WEST IS PROVIDED FOR A RUSTIC HIKING TRAIL TO BE USED AS A CONNECTOR TO THE OTHER HIKING TRAILS IN THE VILLAGE.

COLORADO LICENSED ROBERT C. WAGNER 60475 PROFESSIONAL ENGINEER

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MIDTOWN VILLAGE PUD

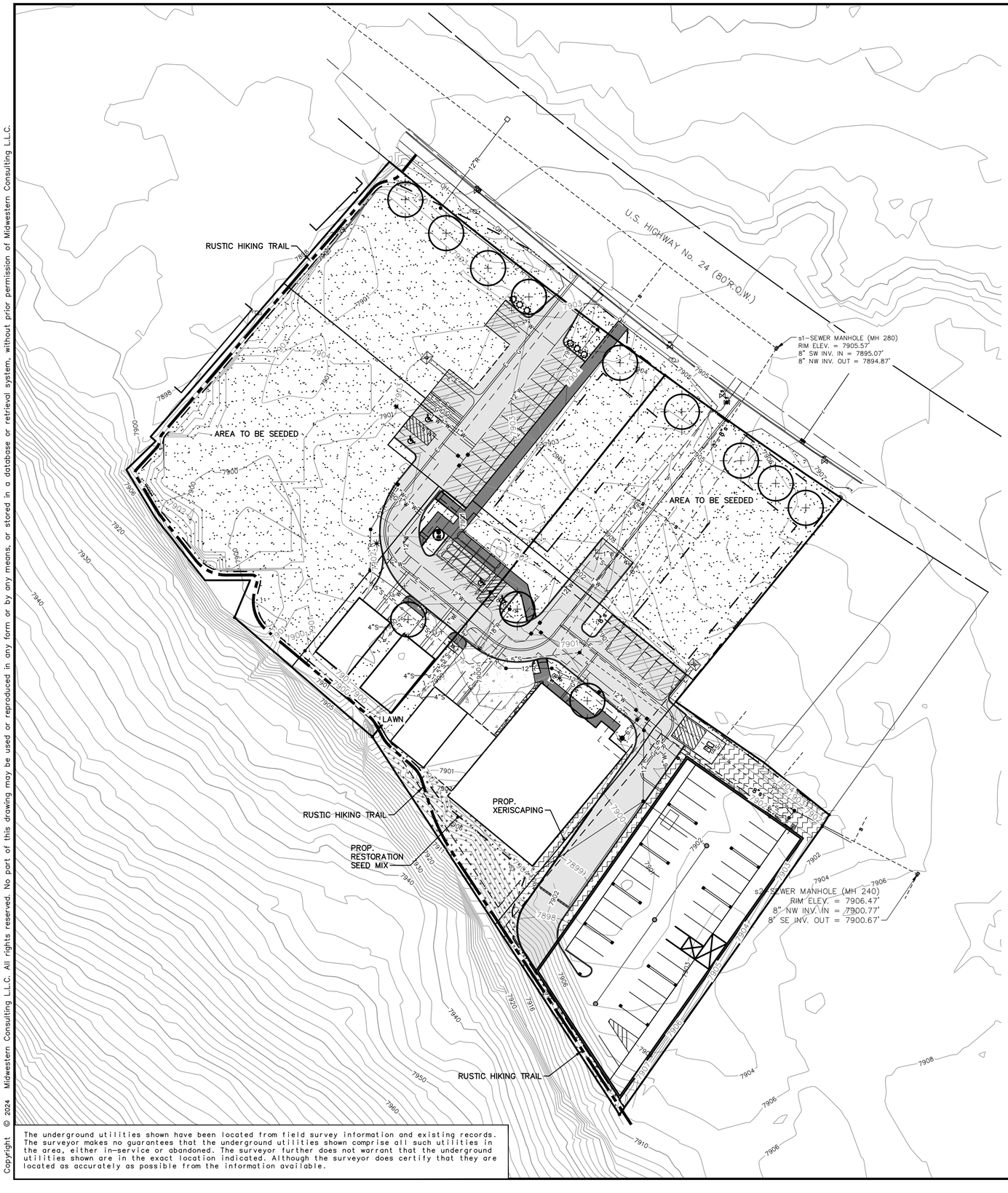
OPEN SPACE PLAN

09

DATE: 8/19/24
SHEET 09 OF 38
CADD:
ENG: CMW
PM: RCW
TECH:
/20067SP2

JOB No. 20067

REVISIONS:	REV. DATE
PER MUNICIPAL REVIEW	03/31/23
PER MUNICIPAL ME REVIEW	07/23/24
PER ERWSD & ME REVIEW	08/19/24



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LANDSCAPE LEGEND

PROPOSED CANOPY TREE

PROPOSED EVERGREEN SHRUBS

PROPOSED XERISCAPING

PROPOSED RIVERSTONE

PROPOSED RESTORATION SEED MIX

PROPOSED SEEDED AREA

PROPOSED CONCRETE WALK

PROPOSED BITUMINOUS PAVEMENT

PROPOSED CONCRETE PAVEMENT

SCALE: 1" = 30'

0 30 60 90

811 Know what's below. Call before you dig.

LANDSCAPE REQUIREMENTS

REQUIREMENT		REQUIRED	PROVIDED
Interior off-street parking	Area	Minimum 5% area for landscaping 13,830sf x 0.05 = 692sf island	363sf + 423sf + 138sf +231sf+ 167sf = 1,322sf provided
	Islands	1 island every 15 spaces (41 spaces / 15 = 3 trees) Minimum width - 6 ft, 1 tree per island	3 trees provided; not 1 per island due to utility conflicts
Off-street landscaping	Area	20% total area to be landscaped	20% + landscape area
	Planting strips-screening (areas of 15+ spaces)	Minimum width - 8 ft Minimum 75% of strip used to screen parking area from street, Minimum height - 30 in	20ft width provided, 12 shrubs provided
	Trees (planting strip)	1 tree per 30 lineal ft* (36lf/30 = 2 trees) Gap between trees cannot exceed 50 ft	2 trees provided (one adjacent to building due to utility conflicts)
Street Trees	Trees along street	Minimum distance from curb - 5 ft	5 trees provided (utility conflicts prevent additional plantings)

RESTORATION SEED MIX

Lower Montane Mix: 7,501 - 8,500 feet a.s.l.					
Scientific Name (USDA)	Common Name (USDA) Cultivar or Ecotype	Cultivar or Ecotype	Life History	% Mix	Pounds PLS Needed
Adenolinum lewisii	Lewis flax	CO ecotype or Maple Grove	NPF	2	0.32
Bouteloua gracilis	Blue Grama	Fremont CO ecotype	NPG-L	8	0.52
Cleome serrulata	Rocky Mountain Beeplant	CO Ecotype (or VNS)	NAF	2	0.84
Elymus elymoides	Squirreltail	Pueblo or Wapiti	NPG-L	10	2.5
Elymus trachycaulus	Slender Wheatgrass	Pryor or Frist Strike or San Luis	NPG-L	14	4.63
Festuca arizonica	Arizona Fescue	Redondo	NPG-L	10	1
Gaillardia aristata	Blanketflower	CO Ecotype (or VNS)	NPF	3	0.77
Pascopyrum smithii	Western Wheatgrass	Arriba	NPG-L	14	5.89
Poa secunda	Sandberg Bluegrass	Sims Mesa or high Plains	NPG-L	12	0.55
Pseudoroegneria spicata	Bluebunch Wheatgrass	Anatone	NPG-L	8	3.28
Quickguard	Quickguard	Quickguard	Cover Crop	1	3.42
Rudbeckia hirta	Black-eyed Susan	CO Ecotype (or VNS)	NBF	3	0.09
Bromus marginatus	Mountain Brome	Cold Springs or Eco type	NPG-L	12	6.85
Penstemon strictus	Rocky Mountain Penstemon	Bandera	NPF	1	0.11

PLANT SCHEDULE

Total	Parking	Street Trees Internal	Street Trees Main Street	Code	Scientific Name	Common Name	Root	Size	Notes
Evergreen Trees									
6	6			JC	*Juniperus chinensis 'Spartan'*	Spartan Juniper			
Deciduous Canopy Trees									
3		3		CO	Celtis occidentalis	Northern Hackberry	B&B	2.5" Ca.	
9			9	GB	*Acer rubrum*	Red Sunset Red Maple	B&B	2.5" cal.	Male only
12				Total					
Shrubs for Xeriscape									
				AC	*Arctostaphylos x coloradoensis 'Panchito'*	Panchito Manzanita	#3 Cont		
				CM	*Chamaebatiaria millefolium*	Fernbush	#3 Cont		
				CP	*Cytisus purgans 'Spanish Gold'*	Spanish Gold Broom	#3 Cont		
				BT	*Berberis thunbergii 'Crimson Pygmy'*	Crimson Pygmy Barberry	#3 Cont	30-36" ht	
				FP	*Falugia paradoxa*	Apache Plume	#3 Cont		
				PB	*Prunus besseyi 'Pawnee Buttes'*	Creeping Western Sand Cherry	#3 Cont	30-36" ht	
				Total					
Perennials and Grasses for Xeriscape									
				AS	*Achillea ssp.*	Yarrow			
				AG	*Agastache ssp.*	Agastache			
				CO	*Callirhoe onvolucrata*	Prairie Winecups			
				DS	*Delosperma ssp.*	Iceplant			
				HS	*Helictrotrichon sempervirens*	Blue Avena Grass			
				KS	*Kniphofia ssp.*	Torch Lily			
				NT	*Nassella tenuissima*	Mexican Feather Grass			
				SP	*Salvia pachyphylla*	Mojave Sage			
				Total					

TBD = Detailed landscape plan for Xeriscape areas to be provided prior to construction

COLORADO LICENSED ROBERT C WAGNER 60475 PROFESSIONAL ENGINEER

MIDWESTERN CONSULTING
3815 Plaza Drive, Ann Arbor, Michigan 48108
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MIDTOWN VILLAGE PUD

LANDSCAPE PLAN

10

JOB No. 20067

DATE: 8/19/24
SHEET 10 OF 38
CADD:
ENG: CMW
PM: RCW
TECH:
/20067LP1

REVISIONS:	REV. DATE
PER ERWSD & WE REVIEW	07/17/24
PER ERWSD & WE REVIEW	08/19/24

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M:\Civil3d_Proj\20067\Site Plan\20067TT1.dwg, 8/19/2024 4:56 PM, Colton M. Wallace, 11 FIRE TRUCK TURNING TEMPLATES, MCLLC PDF.pc3
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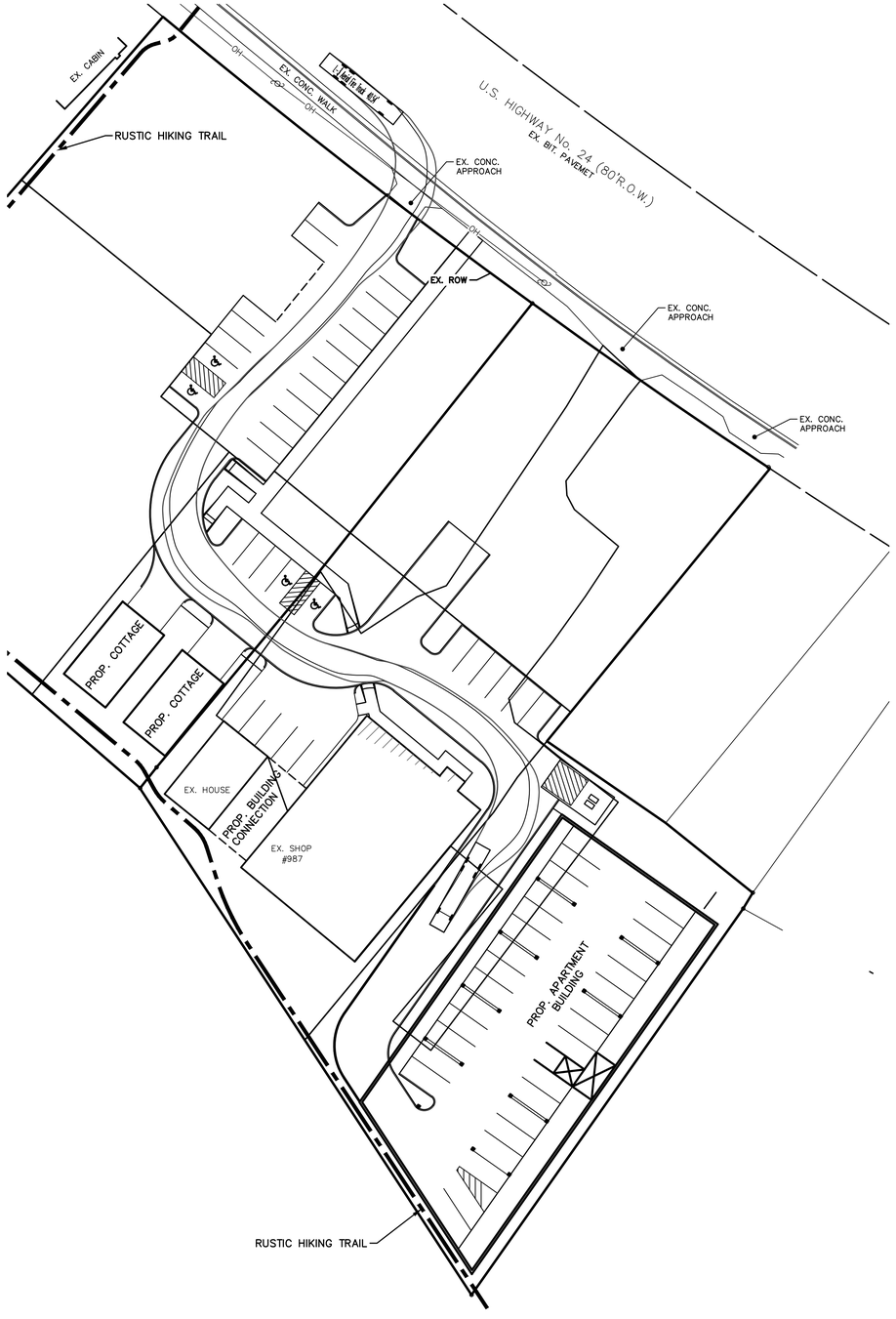
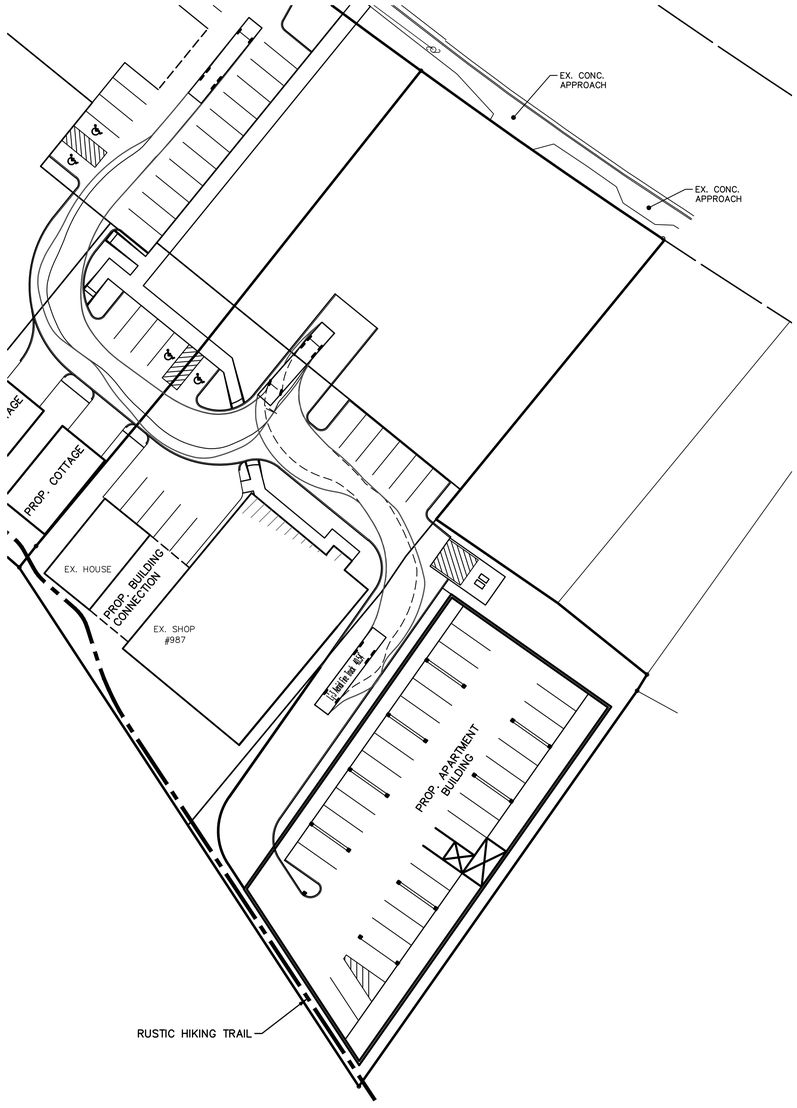


FIRE TRUCK TURNING TEMPLATE ENTER ROUTE



FIRE TRUCK TURNING TEMPLATE EXIT ROUTE

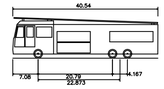
SCALE: 1" = 30'

0 30 60 90

811 Know what's below. Call before you dig.

LEGEND

- EXISTING UTILITY POLE
- OH — EXISTING OVERHEAD UTILITY LINE
- EXISTING HYDRANT
- EXISTING WATER VALVE
- EXISTING STORM SEWER
- EXISTING CATCH BASIN OR INLET
- S — EXISTING SANITARY SEWER
- SIGN
- POST
- EXISTING GAS VALVE
- W — WELL
- FENCE



L-3 Aerial Fire Truck 40.54'	
Overall Length	40.540ft
Overall Width	7.000ft
Overall Body Height	11.364ft
Min Body Ground Clearance	1.144ft
Track Width	6.910ft
Lock-to-lock time	6.00s
Max Steering Angle (Virtual)	45.00°

FIRE TRUCK DETAIL
NOT TO SCALE

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MIDTOWN VILLAGE PUD

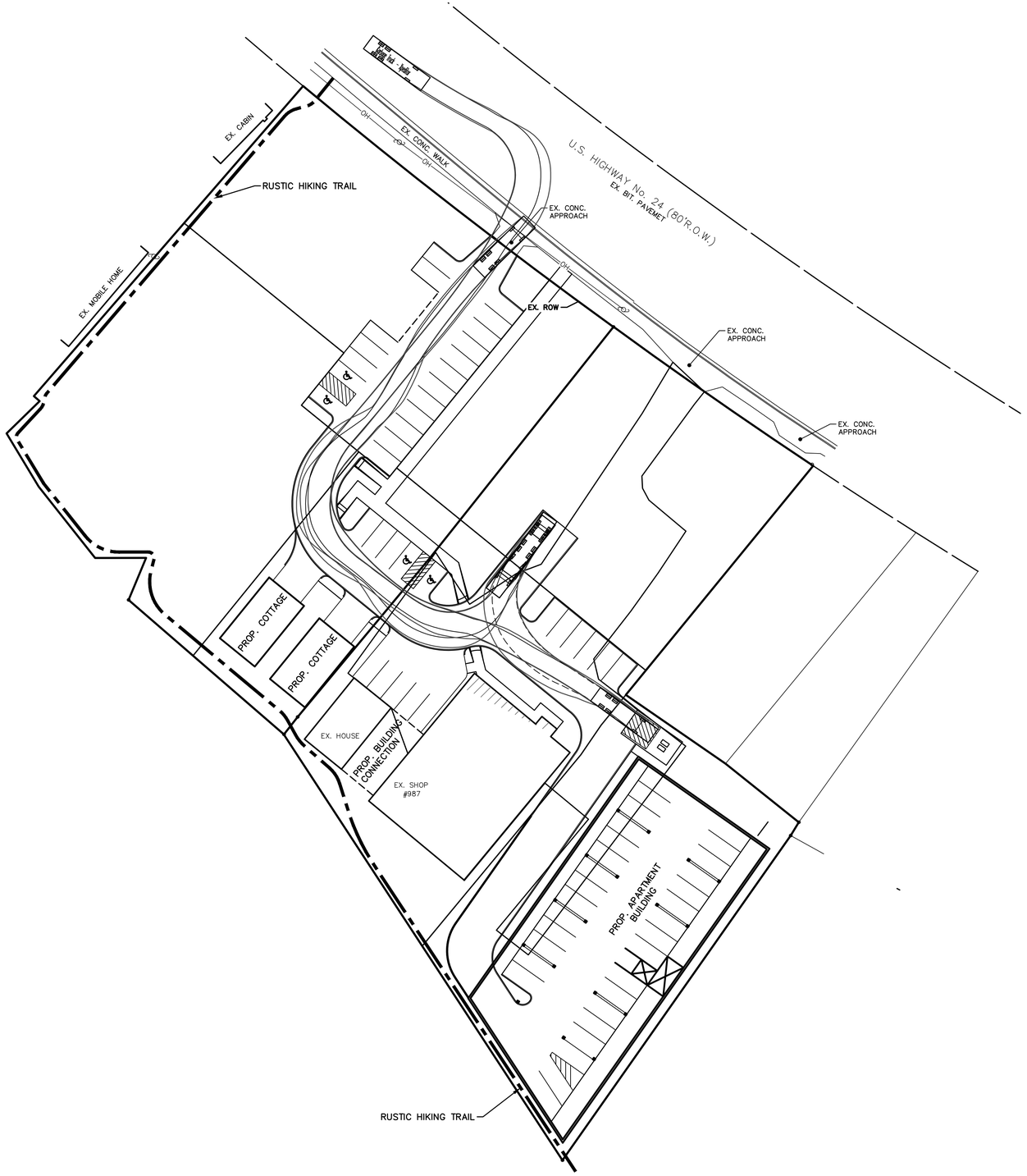
FIRE TRUCK TURNING TEMPLATES

11

JOB No. 20067

REVISIONS:	REV. DATE
PER ERWSD & ME REVIEW	01/17/24
PER ERWSD & ME REVIEW	02/23/24
PER ERWSD & ME REVIEW	08/19/24

DATE: 2/23/24
SHEET 11 OF 38
CADD:
ENG.: CMW
PM.: RCW
TECH: 20067TT1



SOLID WASTE TRUCK TURNING TEMPLATE

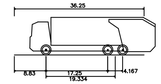
SCALE: 1" = 30'

0 30 60 90

811 Know what's below. Call before you dig.

LEGEND

- EXISTING UTILITY POLE
- OH — EXISTING OVERHEAD UTILITY LINE
- EXISTING HYDRANT
- EXISTING WATER VALVE
- EXISTING STORM SEWER
- EXISTING CATCH BASIN OR INLET
- S — EXISTING SANITARY SEWER
- SIGN
- POST
- EXISTING GAS VALVE
- W — WELL
- FENCE



Garbage Truck - Xpeditor	
Overall Length	36.250ft
Overall Width	8.420ft
Overall Body Height	10.481ft
Min Body Ground Clearance	0.934ft
Track Width	8.000ft
Lock-to-lock time	6.00s
Max Steering Angle (Virtual)	31.80°

SOLID WASTE TRUCK DETAIL

NOT TO SCALE

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MIDTOWN VILLAGE PUD

SOLID WASTE TRUCK TURNING TEMPLATE

12

JOB No. 20067

REVISIONS:	REV. DATE
PER ERWSD & IME REVIEW	07/17/24
PER ERWSD & IME REVIEW	07/23/24
PER ERWSD & IME REVIEW	08/19/24

DATE: 2/23/24
SHEET 12 OF 38
CADD:
ENG: CMW
PM: RCW
TECH:
/20067TT1

M:\Civil3d_Pro\20067\Site Plan\20067TT1.dwg, 8/19/2024 4:57 PM, Colton M. Wallace, 12 SOLID WASTE TRUCK TURNING TEMPLATE, MCLLC PDF.pc3
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M:\Civil3d_Proj\20067\Site Plan\20067LP1.dwg, 8/19/2024 3:21 PM, Colton M. Wallace, 13 LANDSCAPE AND SITE DETAILS, MCLLC PDF.pc3
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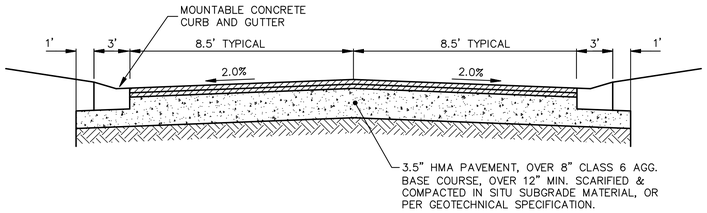
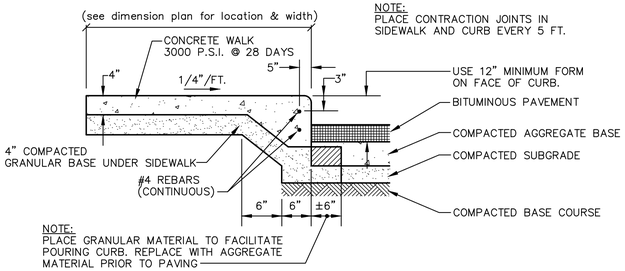


NOTE: SECTION MAY VARY DEPENDING ON SUBGRADE.
DESIGNER TO SUBMIT PAVEMENT DESIGN VERIFICATION.

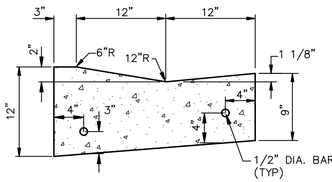
TYPICAL ROAD CROSS SECTION
NOT TO SCALE



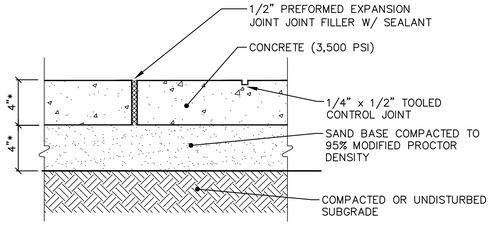
NOTE:
PLACE CONTRACTION JOINTS IN SIDEWALK AND CURB EVERY 5 FT.

NOTE:
PLACE GRANULAR MATERIAL TO FACILITATE POURING CURB. REPLACE WITH AGGREGATE MATERIAL PRIOR TO PAVING

TYPICAL INTEGRAL WALK & CURB
NOT TO SCALE



MOUNTABLE CONCRETE CURB & GUTTER
NOT TO SCALE



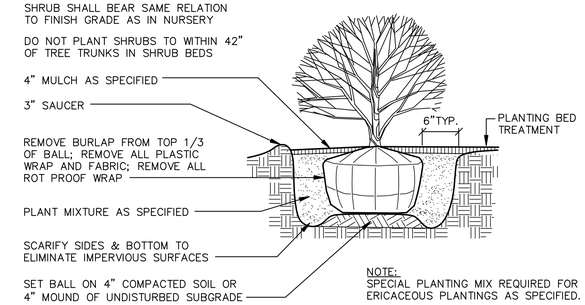
NOTE:
* INCREASE CONCRETE WALK TO 6" WHEN CROSSING A SINGLE-FAMILY OR DOUBLE-FAMILY DRIVEWAY, AND TO 8" FOR COMMERCIAL DRIVE CROSSINGS. USE 6" SAND BASE AT RESIDENTIAL DRIVE CROSSINGS, AND 8" AGGREGATE BASE (98% MODIFIED PROCTOR) AT COMMERCIAL DRIVE CROSSINGS.

CONCRETE WALK DETAIL
NOT TO SCALE

DO NOT TRIM EVERGREENS

SHRUB SHALL BEAR SAME RELATION TO FINISH GRADE AS IN NURSERY

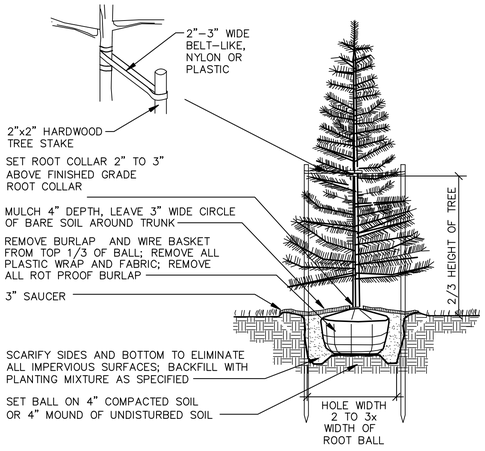
DO NOT PLANT SHRUBS TO WITHIN 42" OF TREE TRUNKS IN SHRUB BEDS



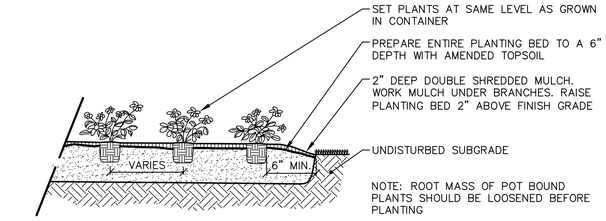
NOTE:
SPECIAL PLANTING MIX REQUIRED FOR ERICACEOUS PLANTINGS AS SPECIFIED.

SHRUB PLANTING DETAIL
NOT TO SCALE

NOTE: REMOVE STAKING/GUYING MATERIAL AFTER ONE YEAR.

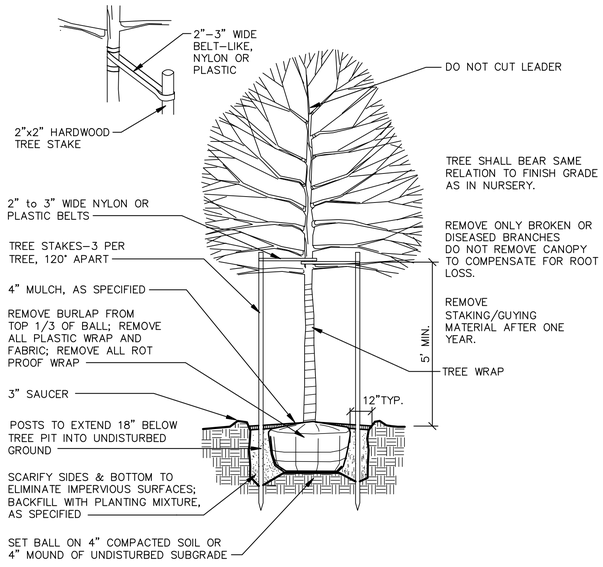


EVERGREEN TREE PLANTING DETAIL
NOT TO SCALE



ANNUAL AND PERENNIAL PLANTING DETAIL
NOT TO SCALE

NOTE: REMOVE STAKING/GUYING MATERIAL AFTER ONE YEAR.



NOTE: NO STAKING IS REQUIRED FOR FLOWERING TREES.

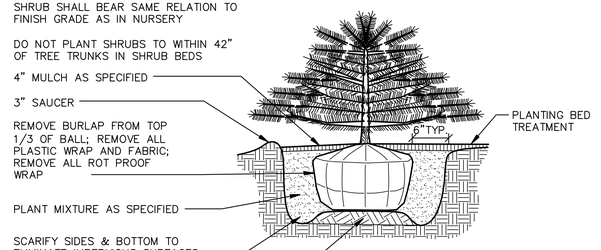
DECIDUOUS TREE PLANTING DETAIL
2-1/2" CAL. OR SMALLER NOT TO SCALE

NOTE:
PRUNE 20% OF BRANCHES AND FOLIAGE RETAINING NORMAL PLANT

SHAPE DO NOT TRIM EVERGREENS

SHRUB SHALL BEAR SAME RELATION TO FINISH GRADE AS IN NURSERY

DO NOT PLANT SHRUBS TO WITHIN 42" OF TREE TRUNKS IN SHRUB BEDS



NOTE:
SPECIAL PLANTING MIX REQUIRED FOR ERICACEOUS PLANTINGS AS SPECIFIED.

EVERGREEN SHRUB PLANTING DETAIL
NOT TO SCALE

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ROBERT C. WARNER
60475
PROFESSIONAL ENGINEER

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MIDTOWN VILLAGE PUD

LANDSCAPE AND SITE DETAILS

13

DATE: 8/19/24
SHEET 13 OF 38
CADD:
ENG: CMW
PM: RCW
TECH:
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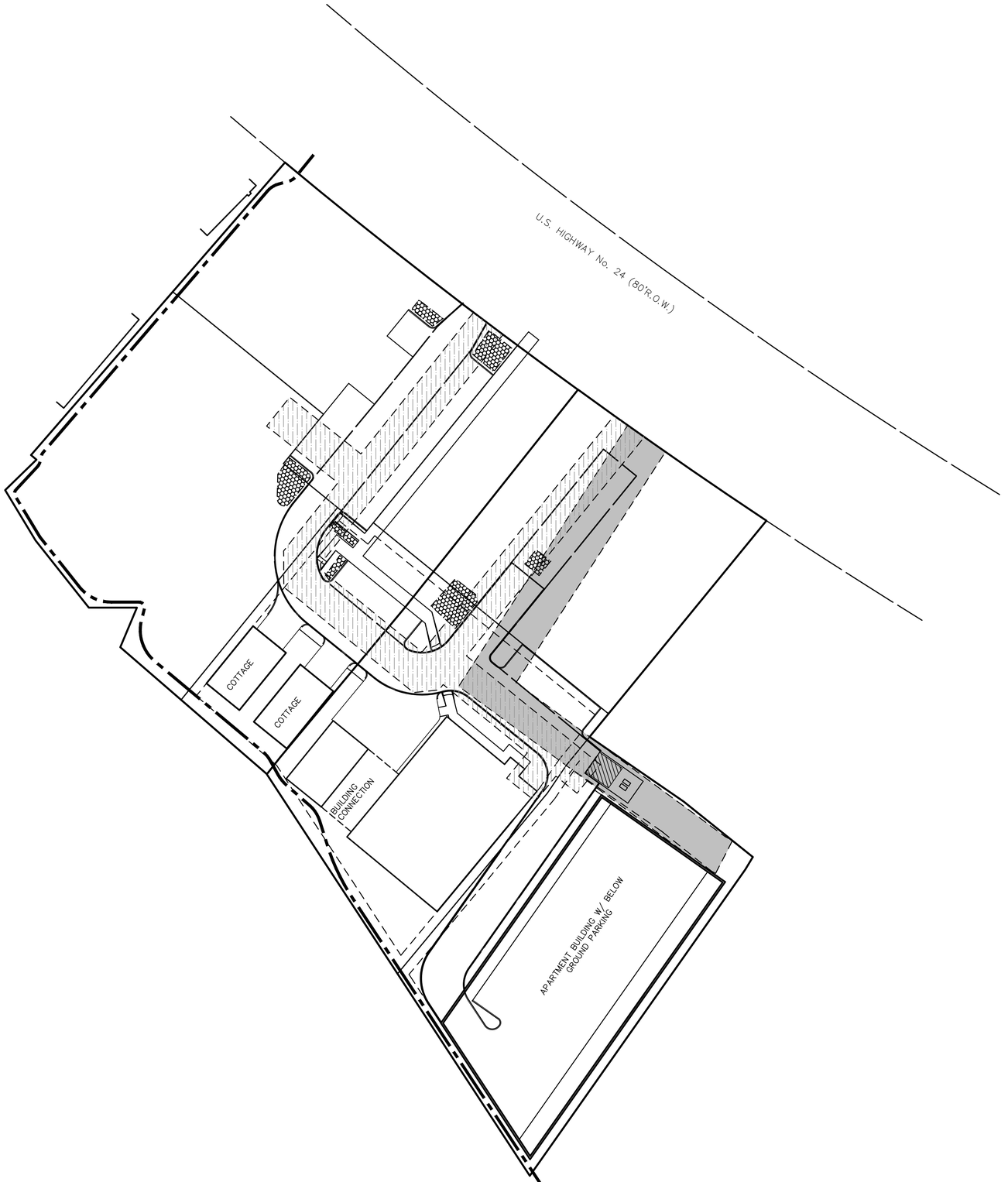
REVISIONS:	REV. DATE
PER TOWN & MLE REVIEW	08/19/24
PER TOWN & MLE REVIEW	

JOB No. 20067



SCALE: 1" = 30'

0 30 60 90

811 Know what's **below.** **Call** before you dig.

NOTES

1. A NON EXCLUSIVE WATER EASEMENT, AS SHOWN, IS TO BE DEDICATED TO THE TOWN OF MINTURN FOR MAINTENANCE AND OPERATION OF THE WATER SYSTEM.
2. A NON EXCLUSIVE SEWER EASEMENT, AS SHOWN, IS TO BE DEDICATED TO THE TOWN OF MINTURN FOR MAINTENANCE AND OPERATION OF THE WATER SYSTEM.

LEGEND

- EXISTING UTILITY POLE
- OH — EXISTING OVERHEAD UTILITY LINE
- EXISTING HYDRANT
- WV — EXISTING WATER VALVE
- r — EXISTING STORM SEWER
- EXISTING CATCH BASIN OR INLET
- S — EXISTING SANITARY SEWER
- SIGN
- POST
- G — EXISTING GAS VALVE
- W — WELL
- FENCE
- S — PROPOSED SANITARY SEWER
- W — PROPOSED WATER MAIN
- PROPOSED CATCH BASIN OR INLET
- PROPOSED UNDERGROUND STORM SEWER STORAGE
- PROPOSED R.O.W. (RIGHT-OF-WAY)
- WATER MAIN EASEMENT
- SANITARY SEWER EASEMENT
- SNOW STORAGE EASEMENT

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MIDTOWN VILLAGE PUD

WATER AND SANITARY SEWER EASEMENTS

14

JOB No. 20067

REVISIONS:	REV. DATE
PER ERWSD REVIEW	07/17/24
PER ERWSD & IME REVIEW	07/23/24
PER ERWSD & IME REVIEW	08/19/24

DATE: 8/19/24
SHEET 14 OF 38
CADD:
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M:\Civil3d_Pro\20067\Site Plan\20067PM1.dwg, 8/19/2024 4:58 PM, Colton M. Wallace, 14 WATER AND SANITARY SEWER EASEMENTS, MCLLC PDF.pc3
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TRACER WIRE PLAN

GENERAL
TRACER WIRE SHALL BE INSTALLED WITH ALL BURIED MAIN AND SERVICE PIPELINES IN THE WATER AND WASTEWATER SYSTEM. ALL TRACER WIRE SHALL HAVE HDPE INSULATION INTENDED FOR DIRECT BURY, COLOR CODED PER AMERICAN PUBLIC WORKS ASSOCIATION (APWA) STANDARD FOR THE SPECIFIC UTILITY BEING MARKED. WIRE INSULATION FOR POTABLE WATER WILL BE COLORED BLUE AND WIRE INSULATION FOR WASTEWATER WILL BE COLORED GREEN. WIRE INSULATION FOR THE LEAD FROM THE GROUNDING ANODE WILL BE COLORED RED.
OPEN TRENCH - TRACER WIRE SHALL BE #12 AWG COPPER CLAD STEEL, OR SOLID COPPER, HIGH STRENGTH WITH MINIMUM 300 LB. BREAK LOAD, WITH MINIMUM 30 MIL HDPE INSULATION THICKNESS. APPROVED MANUFACTURER: COPPERHEAD INDUSTRIES, PRO LINE SAFETY PRODUCTS, OR APPROVED EQUAL.

CONNECTORS
ALL MAINLINE TRACER WIRE MUST BE INTERCONNECTED IN INTERSECTIONS, AT MAINLINE TEES AND MAINLINE CROSSES. AT TEES, THE THREE WIRES SHALL BE JOINED USING A SINGLE 3-WAY LOCKABLE CONNECTOR. AT CROSSES, THE FOUR WIRES SHALL BE JOINED USING A 4-WAY CONNECTOR. USE OF TWO 3-WAY CONNECTORS WITH A SHORT JUMPER WIRE BETWEEN THEM IS AN ACCEPTABLE ALTERNATIVE. DIRECT BURY WIRE CONNECTORS – SHALL INCLUDE 3-WAY LOCKABLE CONNECTORS AND MAINLINE TO LATERAL LUG CONNECTORS SPECIFICALLY MANUFACTURED FOR USE IN UNDERGROUND TRACER WIRE INSTALLATION. CONNECTORS SHALL BE DIELECTRIC SILICONE FILLED TO SEAL OUT MOISTURE AND CORROSION, AND SHALL BE INSTALLED IN A MANNER SO AS TO PREVENT ANY UNINSULATED WIRE EXPOSURE. NON LOCKING FRICTION FIT, TWIST ON OR TAPED CONNECTORS ARE PROHIBITED. APPROVED MANUFACTURERS: BURNDY SPLIT BOLD CONNECTOR, COPPER TO COPPER, SQUARE HEAD WITH KING INNOVATION SPLIT BOLT AQUA HOUSING 6910S OR COPPERHEAD INDUSTRIES SNAKEBITE CONNECTOR, OR APPROVED EQUALS.

TERMINATION/ ACCESS
ALL TRACER WIRE TERMINATION POINTS AT WATER SERVICE CURB STOPS AND SEWER SERVICE CLEANOUTS MUST UTILIZE AN APPROVED TRACER WIRE ACCESS BOX (ABOVE GROUND ACCESS BOX OR GRADE LEVEL/IN-GROUND ACCESS BOX AS APPLICABLE), SPECIFICALLY MANUFACTURED FOR THIS PURPOSE AS SPECIFIED BELOW FOR THE TYPE OF PIPELINE. ALL GRADE LEVEL/IN-GROUND ACCESS BOXES SHALL BE APPROPRIATELY IDENTIFIED WITH "SEWER" OR "WATER" CAST INTO THE CAP AND BE COLOR CODED. A MINIMUM OF TWO (2) FEET OF SERVICE LOOP WIRE IS REQUIRED IN ALL TRACER WIRE ACCESS BOXES AFTER MEETING FINAL ELEVATION. ALL TRACER WIRE ACCESS BOXES MUST INCLUDE A MANUALLY INTERRUPTIBLE CONDUCTIVE/CONNECTIVE LINK BETWEEN THE TERMINAL(S) FOR THE TRACER WIRE CONNECTION AND THE TERMINAL FOR THE GROUNDING ANODE WIRE CONNECTION. GROUNDING ANODE WIRE SHALL BE CONNECTED TO THE IDENTIFIED (OR BOTTOM) TERMINAL ON ALL ACCESS BOXES.

GROUNDING
TRACER WIRE MUST BE PROPERLY GROUNDED AT ALL DEAD ENDS/STUBS AND AT ALL CONNECTION POINTS TO EXISTING SYSTEMS WITHOUT TRACER WIRE. GROUNDING OF TRACER WIRE SHALL BE ACHIEVED BY USE OF A DRIVE-IN MAGNESIUM GROUNDING ANODE ROD WITH A MINIMUM OF 20 FEET OF #12 RED HDPE INSULATED COPPER CLAD STEEL OR SOLID COPPER WIRE CONNECTED TO ANODE (MINIMUM 1 LB.) SPECIFICALLY MANUFACTURED FOR THIS PURPOSE, AND BURIED AT THE SAME ELEVATION AS THE UTILITY. WHEN GROUNDING THE TRACER WIRE AT DEAD ENDS/STUBS, THE GROUNDING ANODE SHALL BE INSTALLED IN A DIRECTION 180 DEGREES OPPOSITE OF THE TRACER WIRE, AT THE MAXIMUM POSSIBLE DISTANCE. WHERE THE ANODE WIRE WILL BE CONNECTED TO A TRACER WIRE ACCESS BOX, A MINIMUM OF TWO (2) FEET OF SERVICE LOOP IS REQUIRED AFTER MEETING FINAL ELEVATION.

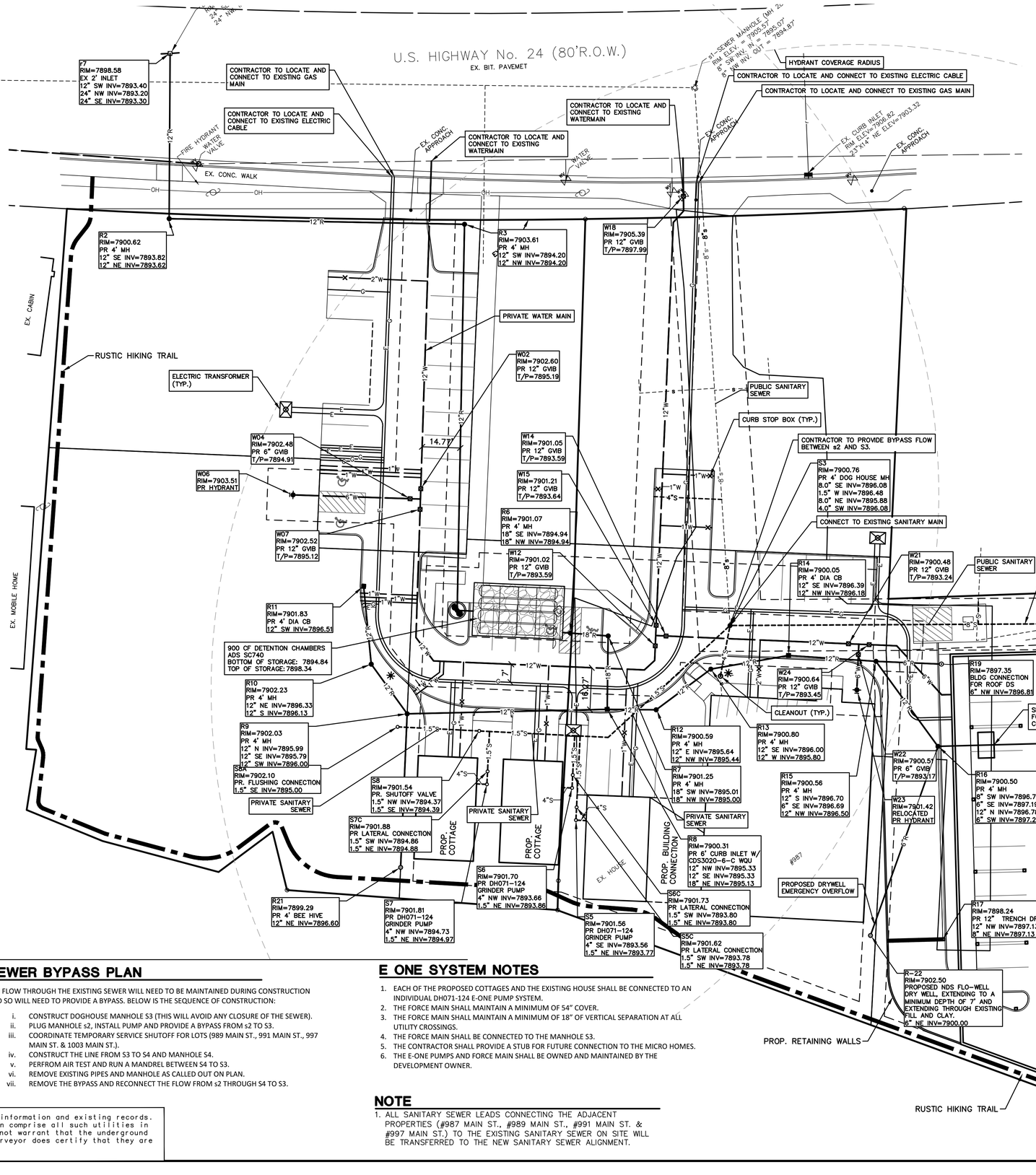
TRACER WIRE INSTALLATION SHALL BE PERFORMED IN SUCH A MANNER THAT ALLOWS PROPER ACCESS FOR CONNECTION OF LINE TRACING EQUIPMENT, PROPER LOCATING OF WIRE WITHOUT LOSS OR DETERIORATION OF LOW FREQUENCY (512HZ) SIGNAL FOR DISTANCES IN EXCESS OF 1,000 LINEAR FEET, AND WITHOUT DISTORTION OF SIGNAL CAUSED BY MULTIPLE WIRES BEING INSTALLED IN CLOSE PROXIMITY TO ONE ANOTHER. TRACER WIRE SYSTEMS MUST BE INSTALLED AS A SINGLE CONTINUOUS WIRE, EXCEPT WHERE USING APPROVED CONNECTORS. NO LOOPING OR COILING OF WIRE IS ALLOWED. ANY DAMAGE OCCURRING DURING INSTALLATION OF THE TRACER WIRE MUST BE IMMEDIATELY REPAIRED BY REMOVING THE DAMAGED WIRE, AND INSTALLING A NEW SECTION OF WIRE WITH APPROVED CONNECTORS. TAPING AND/OR SPRAY COATING ARE PROHIBITED. TRACER WIRE SHALL BE INSTALLED AT THE TOP HALF OF THE PIPE AND SECURED (TAPED/TIED) AT FIVE (5) FEET INTERVALS. TRACER WIRE MUST BE PROPERLY GROUNDED AS SPECIFIED.

AT ALL WATER AND WASTEWATER MAINLINE DEAD-ENDS, AND AT WATER SERVICE LINE CURB STOPS AND WASTEWATER SERVICE LINE CLEANOUTS CLOSEST TO THE PROPERTY BEING SERVED, TRACER WIRE SHALL GO TO GROUND USING AN APPROVED CONNECTION TO A DRIVE-IN MAGNESIUM GROUNDING ANODE ROD, BURIED AT THE SAME DEPTH AS THE SERVICE. (SEE GROUNDING) IF NO MAINLINE TRACER WIRE EXISTS AT A CONNECTION POINT, MAINLINE TRACE WIRE SHALL NOT BE CONNECTED TO EXISTING CONDUCTIVE PIPES. TREAT AS A MAINLINE DEAD END, GROUND USING AN APPROVED WATERPROOF CONNECTION TO A GROUNDING ANODE BURIED AT THE SAME DEPTH AS THE MAIN. ALL SERVICE LATERAL TRACER WIRE SHALL BE A SINGLE WIRE, CONNECTED TO THE MAINLINE TRACER WIRE USING A MAINLINE TO LATERAL LUG CONNECTOR, INSTALLED WITHOUT CUTTING/SPLICING THE MAINLINE TRACER WIRE. IN OCCURRENCES WHERE AN EXISTING TRACER WIRE IS ENCOUNTERED ON AN EXISTING UTILITY THAT IS BEING EXTENDED OR TIED INTO, THE NEW TRACER WIRE AND EXISTING TRACER WIRE SHALL BE CONNECTED USING APPROVED SPLICE CONNECTORS.

SANITARY SEWER SYSTEM
A MAINLINE TRACER WIRE MUST BE INSTALLED, WITH ALL SERVICE LATERAL TRACER WIRE PROPERLY CONNECTED TO THE MAINLINE TRACER WIRE, TO ENSURE FULL TRACING/LOCATING CAPABILITIES FROM A SINGLE CONNECTION POINT. TRACER WIRE ON ALL SEWER SERVICE LATERALS MUST TERMINATE AT AN APPROVED TRACER WIRE ACCESS BOX COLOR CODED GREEN AND LOCATED DIRECTLY ADJACENT TO THE SEWER SERVICE CLEANOUT CLOSEST TO THE STRUCTURE BEING SERVED. A GROUNDING ANODE SHALL BE INSTALLED BENEATH THE CLEANOUT AT THE DEPTH OF THE SERVICE. ACCESS BOX APPROVED MANUFACTURER: COPPERHEAD INDUSTRIES SNAKE-PIT OR APPROVED EQUAL.

ERWSD Standard Plan Notes

1. All materials, workmanship, and construction shall meet or exceed the standards and specifications set forth in the Eagle River Water and Sanitation District Rules and Regulations. Where there is conflict between these Plans and the Rules and Regulations or any applicable Standards, the more stringent Standard shall apply. All Work shall be inspected and approved by the ERWSD Construction Inspector.
2. Contractor shall schedule a mandatory pre-construction meeting at the construction site a minimum of three (3) business days after the plans have been submitted. Participants shall include, but are not limited to: the Applicant; Applicant's contractor, excavator and engineer; and the District representative. Construction may begin once the meeting has concluded and the District Inspector has signed off.
3. The Contractor shall have one (1) signed copy of the approved Plans, one (1) copy of the appropriate criteria and specifications, and a copy of any permits and extension agreements needed for the job onsite at all times.
4. Provide a complete Bill of Materials for all proposed water and wastewater infrastructure
5. The Contractor shall be responsible for all aspects of safety including, but not limited to, excavation, trenching, shoring, traffic control, and security.
6. If during the construction process conditions are encountered which could indicate a situation that is not identified in the Plans or specifications, the Contractor shall contact the ERWSD Construction Inspector immediately
7. Submit traffic control plans as approved by the appropriate governing agency
8. The Contractor is responsible for providing all labor and materials necessary for the completion of the intended improvements shown on these drawings or as designated to be provided, installed, or constructed unless specifically noted otherwise.
9. The Contractor shall be responsible for recording As-Built information on a set of record drawings kept on the construction site and available to the ERWSD Construction Inspector at all times. All as-built information shall be field surveyed under the direct care and supervision of a licensed Professional Land Surveyor.
10. The contractor shall obtain locates prior to any excavation
11. The contractor is responsible for any damage to any utility facilities as a result of their actions. The contractor shall make the required repairs immediately to the satisfaction of the affected utility.
12. Eagle River Water and Sanitation District does not guarantee the accuracy of the locations of existing pipelines, manholes, hydrants, valves and service lines. If field conditions are found to be different than shown on the plans, the contractor shall notify the inspector and design engineer immediately.
13. All trenching and backfill shall be in accordance with Appendix E of the ERWSD Rules and Regulations.



SEWER BYPASS PLAN

THE FLOW THROUGH THE EXISTING SEWER WILL NEED TO BE MAINTAINED DURING CONSTRUCTION AND SO WILL NEED TO PROVIDE A BYPASS. BELOW IS THE SEQUENCE OF CONSTRUCTION:

i. CONSTRUCT DOGHOUSE MANHOLE S3 (THIS WILL AVOID ANY CLOSURE OF THE SEWER).
ii. PLUG MANHOLE s2, INSTALL PUMP AND PROVIDE A BYPASS FROM s2 TO S3.
iii. COORDINATE TEMPORARY SERVICE SHUTOFF FOR LOTS (989 MAIN ST., 991 MAIN ST., 997 MAIN ST. & 1003 MAIN ST.).
iv. CONSTRUCT THE LINE FROM S3 TO S4 AND MANHOLE S4.
v. PERFROM AIR TEST AND RUN A MANDREL BETWEEN S4 TO S3.
vi. REMOVE EXISTING PIPES AND MANHOLE AS CALLED OUT ON PLAN.
vii. REMOVE THE BYPASS AND RECONNECT THE FLOW FROM s2 THROUGH S4 TO S3.

E ONE SYSTEM NOTES

1. EACH OF THE PROPOSED COTTAGES AND THE EXISTING HOUSE SHALL BE CONNECTED TO AN INDIVIDUAL DH071-124 E-ONE PUMP SYSTEM.
2. THE FORCE MAIN SHALL MAINTAIN A MINIMUM OF 54" COVER.
3. THE FORCE MAIN SHALL MAINTAIN A MINIMUM OF 18" OF VERTICAL SEPARATION AT ALL UTILITY CROSSINGS.
4. THE FORCE MAIN SHALL BE CONNECTED TO THE MANHOLE S3.
5. THE CONTRACTOR SHALL PROVIDE A STUB FOR FUTURE CONNECTION TO THE MICRO HOMES.
6. THE E-ONE PUMPS AND FORCE MAIN SHALL BE OWNED AND MAINTAINED BY THE DEVELOPMENT OWNER.

NOTE

1. ALL SANITARY SEWER LEADS CONNECTING THE ADJACENT PROPERTIES (#987 MAIN ST., #989 MAIN ST., #991 MAIN ST. & #997 MAIN ST.) TO THE EXISTING SANITARY SEWER ON SITE WILL BE TRANSFERRED TO THE NEW SANITARY SEWER ALIGNMENT.

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SCALE: 1" = 20'
0 20 40 60

811 Know what's below. Call before you dig.

LEGEND

- EXISTING UTILITY POLE
- OH — EXISTING OVERHEAD UTILITY LINE
- WV — EXISTING WATER VALVE
- FH — EXISTING HYDRANT (HYD.)
- W — PROPOSED WATER MAIN
- PROPOSED HYDRANT (HYD.)
- PROPOSED GATE VALVE IN BOX (GVIB.)
- r — EXISTING STORM SEWER
- EXISTING CATCH BASIN OR INLET (CB.)
- R — PROPOSED STORM SEWER
- PROPOSED CATCH BASIN OR INLET (CB.)
- PROPOSED UNDERGROUND STORM SEWER STORAGE
- PROPOSED UNDERGROUND STONE BED
- s — EXISTING SANITARY SEWER
- S — PROPOSED SANITARY SEWER
- PROPOSED FLOOR DRAIN
- SIGN
- POST
- G — EXISTING GAS VALVE
- W — WELL
- FENCE
- PROPOSED ELECTRIC TRANSFORMER
- E — PROPOSED ELECTRIC LINE
- G — PROPOSED GAS LINE

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PUD
MIDTOWN VILLAGE
OVERALL UTILITY PLAN

15

DATE: 8/19/24
SHEET 15 OF 38
CADD:
ENG: CMW
PM: ROW
TECH:
/20067UT1

REVISIONS:	REV. DATE
PER ERWSD REVIEW	05/15/24
PER ERWSD REVIEW	07/15/24
PER ERWSD & IME REVIEW	07/23/24
PER ERWSD & IME REVIEW	08/19/24

JOB No. 20067

COLORADO LICENSED ROBERT C WAGNER 60475 PROFESSIONAL ENGINEER

LEGEND

- EXISTING UTILITY POLE
- EXISTING OVERHEAD UTILITY LINE
- EXISTING WATER VALVE
- EXISTING HYDRANT (HYD.)
- PROPOSED WATER MAIN
- PROPOSED HYDRANT (HYD.)
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- WELL
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- PROPOSED ELEC. TRANSFORMER
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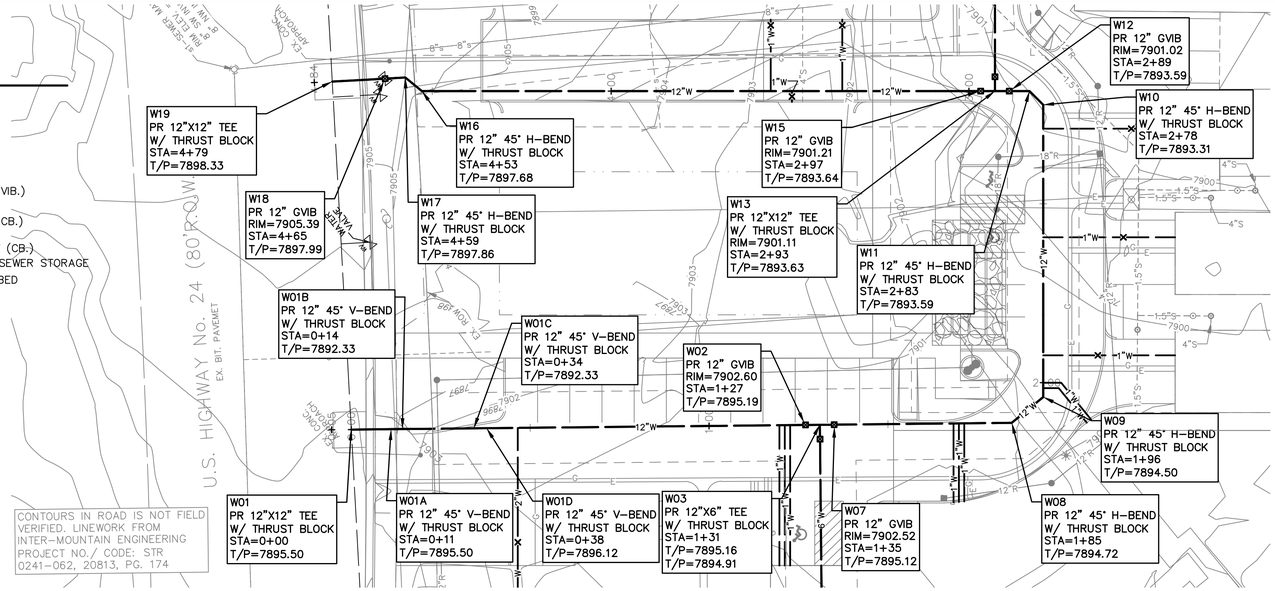
- PROPOSED GAS LINE



HORZ. SCALE: 1" = 20'
0 20 40 60
VERT. SCALE: 1" = 2'
0 2 4 6

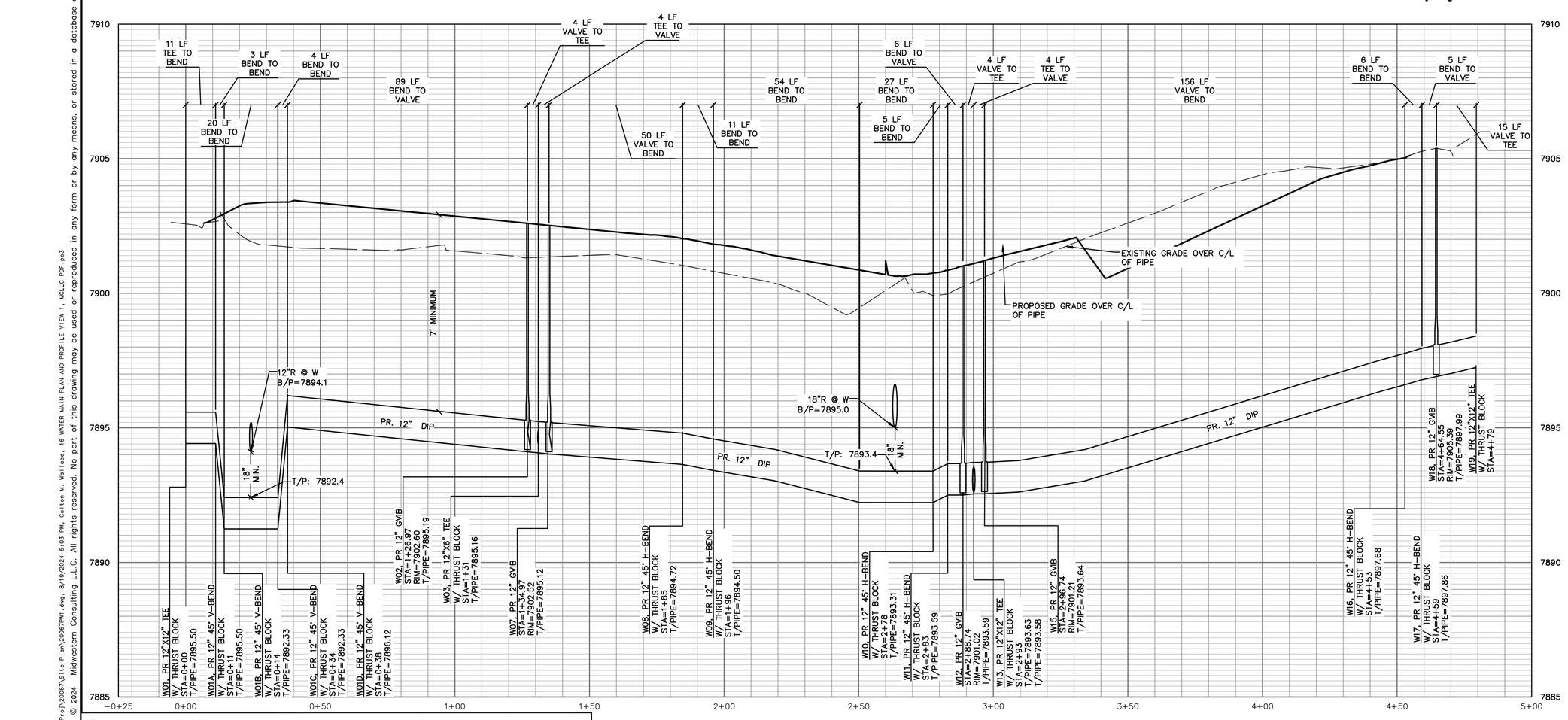
811 Know what's below. Call before you dig.

ERWSD Water Plan Notes

1. All water line construction is subject to the most recently adopted ERWSD Rules and Regulations.
2. All water mains shall be a minimum of 8" in diameter.
3. All water mains shall be installed with a minimum of 7ft cover to top of pipe and a maximum of 9.5ft cover to top of pipe.
4. Pipe deflections shall not exceed pipe manufacturers maximum allowable deflection or exceed the values in Appendix C- 2.6.9 Table C-1
5. All DIP water mains must be encased in PE Wrap per Article C-3.2.9
6. Tracer wire meeting ERWSD requirements per Appendix E-1.12
7. Water specific marking tape shall be installed 24" above water main.
8. All water mains shall be bedded per Appendix E, Detail E-01
9. All water lines that run parallel to sanitary or storm sewer shall be installed a minimum of 10ft horizontally away from water or secondary containment must be used.
10. All water mains must be tested in accordance with ERWSD Rules and Regulations Article 9.3.3.
11. All water service lines shall be constructed along the shortest and straightest route possible.
12. Water service lines taps must be a minimum of 18" apart.
13. Water service curb stop must be placed at property line, edge of ROW or edge of easement.

NOTES

1. ALL HYDRANT LATERALS SHALL BE RESTRAINED.
2. ALL WATER SERVICE LEADS SHALL BE TYPE K COPPER.



PRIVATE WM TEE TO TEE

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M:\Civil3d_Proj\20067\Site Plan\20067PW1.dwg, 8/9/2024 5:03 PM, Colton M. Wallace, 16 WATER MAIN PLAN AND PROFILE VIEW 1, MCLLC PDF pc3
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MIDTOWN VILLAGE PUD

WATER MAIN PLAN AND PROFILE VIEW 1

16

JOB No. 20067
DATE: 04/07/22
SHEET 16 OF 38
CADD:
ENG: CMW
PM: RCW
TECH:
FILE: 20067PW1

REVISIONS:	REV. DATE
PER. ERWSD REVIEW	01/25/24
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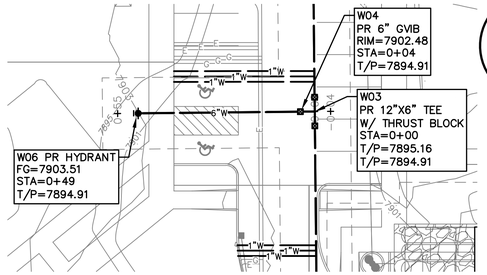

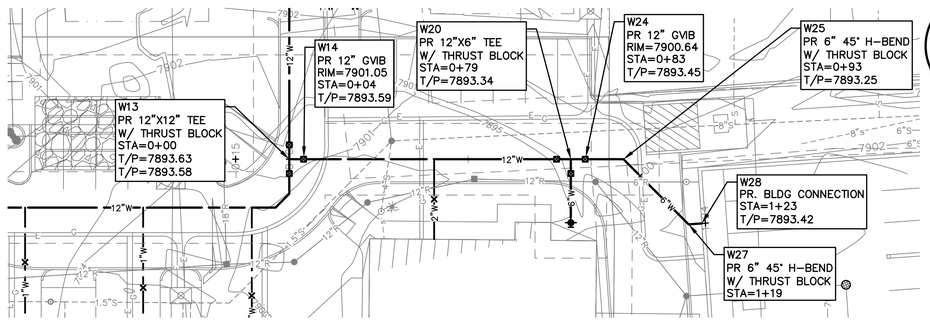

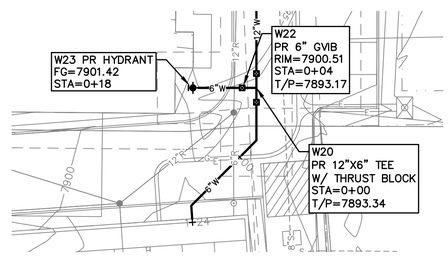

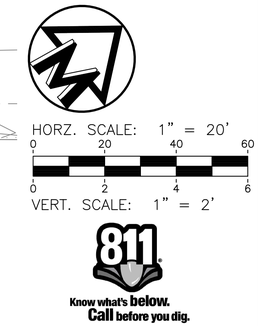

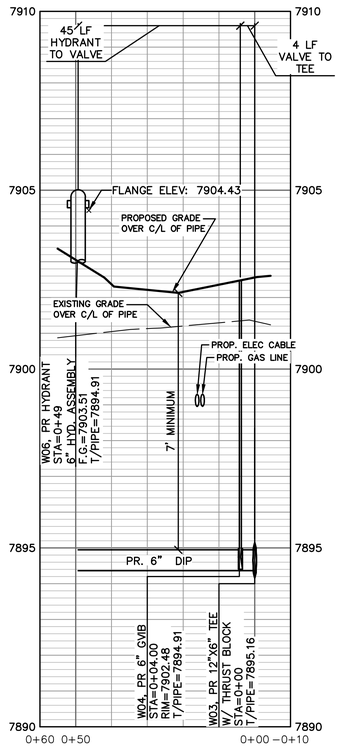

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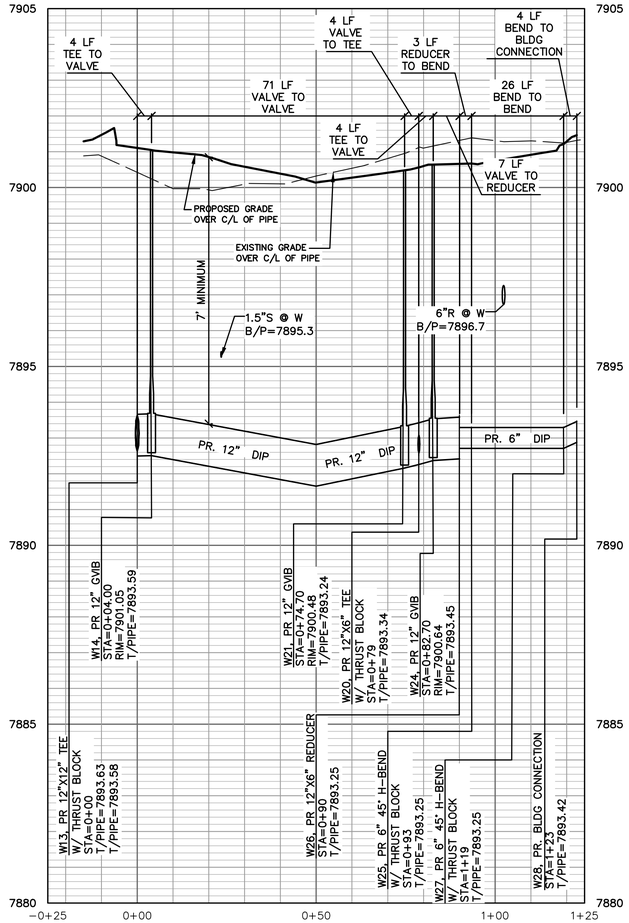

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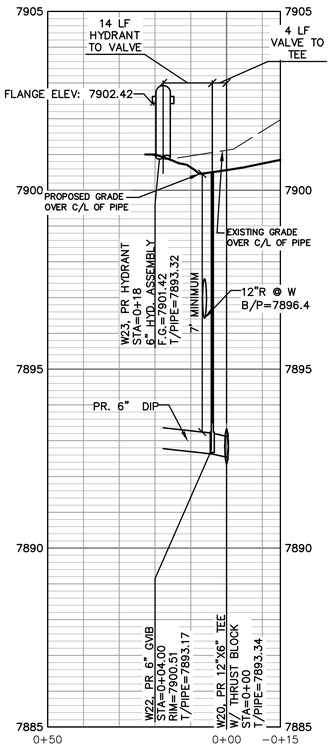

PRIVATE WM TEE TO HYD W23

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6. Tracer wire meeting ERWSD requirements per Appendix E-1.12
7. Water specific marking tape shall be installed 24" above water main.
8. All water mains shall be bedded per Appendix E, Detail E-01
9. All water lines that run parallel to sanitary or storm sewer shall be installed a minimum of 10ft horizontally away from water or secondary containment must be used.
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11. All water service lines shall be constructed along the shortest and straightest route possible.
12. Water service lines taps must be a minimum of 18" apart.
13. Water service curb stop must be placed at property line, edge of ROW or edge of easement.

NOTES

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MIDTOWN VILLAGE PUD

WATER MAIN PLAN AND PROFILE VIEW 2

17

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JOB No. 20067

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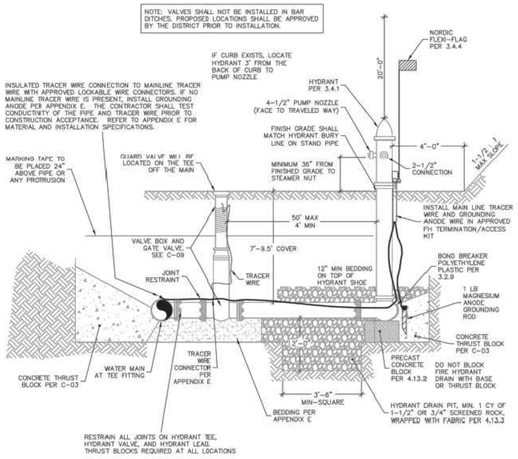
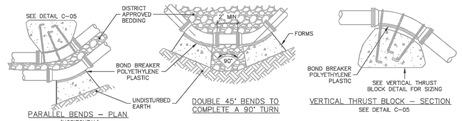


DETAIL
FIRE HYDRANT ASSEMBLY



200 PSI WORKING	REQUIRED MINIMUM BEARING SURFACE AREA (SF)					
	SIZE OF PIPE	BENDS				TEE OR DEAD END
		11-1/4°	22-1/2°	45°	90°	
	4"-8"	1.2	2.5	4.8	8.9	6.3
	10"	1.9	3.8	7.5	13.9	9.8
	12"	2.8	5.5	10.8	20.0	14.1
	16"	4.9	9.8	19.2	35.5	25.1
	18"	6.2	12.4	24.3	45.0	31.8
	20"	7.7	15.3	30.1	55.5	39.3
	24"	11.1	22.1	43.3	80.0	56.5

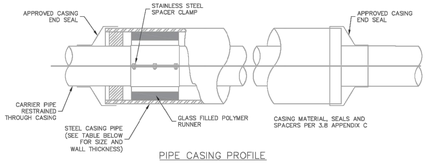
THE MINIMUM BEARING SURFACE AREAS ARE PROVIDED FOR 200 PSI WORKING PIPE PRESSURE + 50 PSI SURGE (250 PSI TOTAL) AND 2,000 PSF SOIL BEARING CAPACITY. IF PRESSURE IS HIGHER OR SOIL BEARING POTENTIAL LOWER, CONSULT DISTRICT.

250 PSI WORKING	REQUIRED MINIMUM BEARING SURFACE AREA (SF)					
	SIZE OF PIPE	BENDS				TEE OR DEAD END
		11-1/4°	22-1/2°	45°	90°	
	4"-8"	1.5	2.9	5.8	10.7	7.5
	10"	2.3	4.6	9.0	16.7	11.8
	12"	3.3	6.6	13.0	24.0	17.0
	16"	5.9	11.8	23.1	42.7	30.2
	18"	7.5	14.9	29.2	54.0	38.2
	20"	9.2	18.4	36.1	66.6	47.1
	24"	13.3	26.5	51.9	96.0	67.9

THE MINIMUM BEARING SURFACE AREAS ARE PROVIDED FOR 250 PSI WORKING PIPE PRESSURE + 50 PSI SURGE (300 PSI TOTAL) AND 2,000 PSF SOIL BEARING CAPACITY. IF PRESSURE IS HIGHER OR SOIL BEARING POTENTIAL LOWER, CONSULT DISTRICT.

GENERAL NOTES
1. MEGALUGS SHALL BE USED IN CONJUNCTION WITH ALL FITTINGS THAT REQUIRE THE USE OF THRUST BLOCKS.
2. REFER TO DISTRICT STANDARDS IN APPENDIX C SECTION 3.6 FOR REQUIREMENTS.
3. THRUST BLOCKS SHALL BE INSTALLED SO THAT ALL JOINTS ARE ACCESSIBLE. POLYWRAP FITTINGS PRIOR TO POURING THRUST BLOCK. EXTEND WRAP TO ENCLOSE ALL FITTINGS AND BOLTS.
4. THRUST BLOCKS SHALL BE POURED AGAINST UNDISTURBED SOIL & FORMS PER APPENDIX C 4.14.
5. BLOCK HEIGHT SHALL BE ESTABLISHED SUCH THAT THE CALCULATED BLOCK WIDTH IS BETWEEN ONE AND TWO TIMES THE HEIGHT.
6. BOND BREAKER PER APPENDIX C 3.2.10.

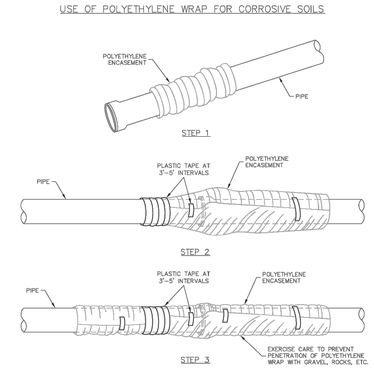
DETAIL
CONCRETE
THRUST BLOCKS



GENERAL NOTES
1. FOLLOW MANUFACTURER'S RECOMMENDATION, IF IN CONFLICT WITH ERWSD STANDARDS, USE MORE RESTRICTIVE SPECIFICATION.
2. CARRIER PIPE SHALL BE CENTERED AND ALL JOINTS RESTRAINED IN & THROUGH THE CASING PIPE.
3. WATER MAINS SHALL BE ENCASED SEPARATELY FROM OTHER UTILITIES.
4. ALL FASTENERS SHALL BE T-304 STAINLESS STEEL.
5. ALL CAD WELDS SHALL BE CONNECTED TO PIPE.
6. MAXIMUM DISTANCE BETWEEN SPACERS SHALL BE 6 FEET ON CENTER.

CARRIER PIPE NOMINAL #	CASING PIPE	
	MIN OD	MIN WALL THICKNESS
4"	12"	0.25"
6"	16"	0.3125"
8"	18"	0.3125"
12"	22"	0.375"
16"	28"	0.500"
20"	32"	0.500"

DETAIL
WATER CASING



FIELD INSTALLATION - POLYETHYLENE WRAP

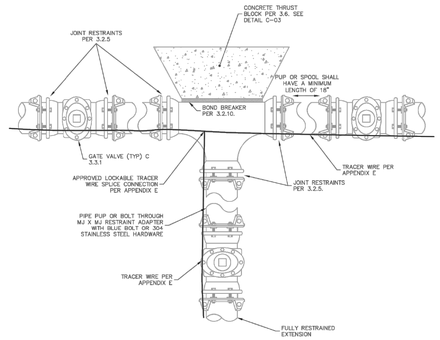
STEP 1 - PLACE POLYETHYLENE MATERIAL ON PIPE PRIOR TO LOWERING IT INTO PLACE.

STEP 2 - PULL THE TUBE OVER THE LENGTH OF THE PIPE. TAPE TUBE TO PIPE AT JOINT. FOLD MATERIAL AROUND THE ADJACENT SPIGOT END AND WRAP WITH TAPE TO HOLD THE POLYETHYLENE ENCASEMENT IN PLACE.

STEP 3 - OVERLAP FIRST TUBE WITH ADJACENT TUBE AND SECURE WITH PLASTIC ADHESIVE TAPE. THE POLYETHYLENE TUBE MATERIAL COVERING THE PIPE SHALL BE LOOSE. EXCESS MATERIAL SHALL BE NEATLY DRAWN UP AROUND THE PIPE BARREL, FOLDED ON TOP OF PIPE AND TAPED IN PLACE.

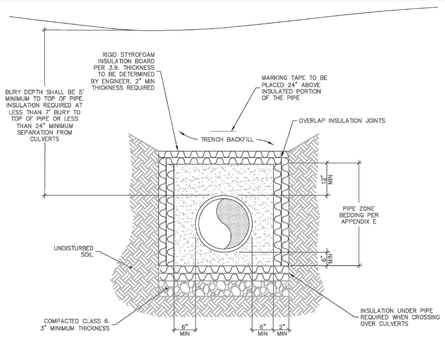
GENERAL NOTES:
1. ALL DUCTILE IRON PIPE REQUIRES THE USE OF POLYETHYLENE WRAP UNLESS APPLICANT SUBMITS A SOILS TEST INDICATING THAT NO CORROSIVE SOILS ARE PRESENT.
2. POLYETHYLENE ENCASEMENT PER APPENDIX C 3.2.10.

DETAIL
POLYETHYLENE WRAP



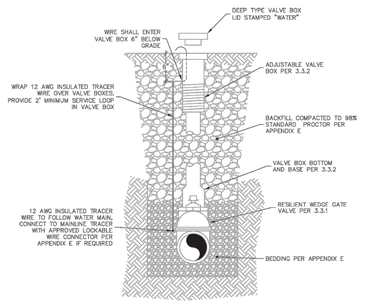
DETAIL
TEE

GENERAL NOTES
1. TEES SHALL BE CONSIDERED ON AN INDIVIDUAL BASIS. ALL USES OF THIS APPLICATION SHALL REQUIRE PRIOR DISTRICT APPROVAL.
2. JOINT RESTRAINT DEVICES SHALL BE REQUIRED ON ALL TEE APPLICATIONS.
3. THRUST BLOCKS ALONE WILL NOT BE ACCEPTED AS A RESTRAINT.



DETAIL
MINIMUM COVER & CULVERT CROSSING INSULATION

GENERAL NOTES
1. CONDITION OF LESS THAN MINIMUM BURY DEPTH ALLOWED ONLY WITH WRITTEN APPROVAL FROM THE DISTRICT PRIOR TO CONSTRUCTION. INSULATION SHALL BE INSTALLED ON ALL PIPE THAT DOES NOT MEET MINIMUM BURY REQUIREMENTS.
2. SEE SEWER AND WATER PIPE BEDDING DETAIL AND APPENDIX E FOR BACKFILL MATERIAL AND COMPACTION SPECIFICATIONS.
3. INSULATION SHALL BE INSTALLED ON ALL PIPES THAT DO NOT HAVE A MINIMUM OF 7' OF EFFECTIVE COVER. EFFECTIVE COVER SHALL BE DEFINED AS SEPARATION FROM COLD AIR SOURCES, INCLUDING STORM SEWERS. 1" OF INSULATION BOARD MAY BE SUBSTITUTED FOR EACH 1' OF SOIL COVER (MIN. 2" INSULATION) REQUIRED TO MEET THE MINIMUM COVER REQUIREMENT.
4. INSULATION SPECIFICATIONS PER APPENDIX C 3.9.



DETAIL
GATE VALVE &
VALVE BOX ASSEMBLY

GENERAL NOTES
1. VALVE BOX IS TO BE INSTALLED PLUMB, LEVEL, AND CENTERED ON 2" NUT.
2. IF THE DISTANCE FROM THE TOP OF THE OPERATING NUT TO THE TOP OF THE VALVE COVER IS GREATER THAN 9', A CENTERING RING AND EXTENSION STEM IS REQUIRED. THE EXTENSION MUST BE SECURED TO THE VALVE OPERATING NUT.

COLORADO LICENSED
ROBERT C. WAGNER
60475
PROFESSIONAL ENGINEER

MIDWESTERN CONSULTING
3815 Plaza Drive, Ann Arbor, Michigan 48108
(734) 995-0200 • www.midwesternconsulting.com
Land Development • Land Survey • Institutional • Municipal
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10TH MOUNTAIN BUILDERS
1632 MAIN STREET
MINTURN, CO 81645
JEFFREY D. ARMISTEAD
970-471-0618

MIDTOWN VILLAGE PUD

WATER SERVICE DETAILS

18

DATE: 8/19/24
SHEET 18 OF 38
CADD: CMW
PM: RCW
TECH:
/20067DT1

REVISIONS:	REV. DATE
PER ERWSD & IME REVIEW	08/19/24
PER ERWSD & IME REVIEW	

JOB No. 20067

M:\Civil3d_Pro\20067\Site Plan\20067DT1.dwg, 8/19/2024 3:23 PM, Colton M. Wallace, 19 WATER CONSTRUCTION SPECIFICATIONS, MCLLC PDF.pc3
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WATER SPECIFICATIONS

THE FOLLOWING APPLICABLE CONSTRUCTIN SPECIFICATIONS ARE A PORTION OF THE TOWN OF MINTURN ENGINEERING STANDARDS. TABLES, DRAWINGS, DETAILS AND EXHIBITS REFERENCED BELOW ARE INCLUDED IN THE TOWN STANDARDS.

SECTION 1 - DISTRIBUTION SYSTEM DESIGN AND LAYOUT

1.01 - Fire Protection

The number and location of fire hydrants in a given area must be approved by the Eagle River Fire Protection District. Fire hydrant branch lines shall be set at right angles to street mains. The fire hydrant shall be set at the end of the branch line and shall face the direction as dictated per the Eagle River Fire Protection District. No horizontal bends or offsets shall be used in installing fire hydrant branch lines unless approved by the Eagle River Fire Protection District. Under no circumstances shall any size or manner of tap be made on a fire hydrant branch line between the hydrant and hydrant valve. The maximum length of 6-inch main line shall not exceed 50 feet. All fire hydrant valves shall be attached to the tee off of the main line. A fire hydrant shall be installed at the end of all dead end water mains. The Applicant shall install an approved fire hydrant marker on all fire hydrants. The Applicant shall perform all fire hydrant "flow tests." Results of flow tests shall be provided to the Town and to the Eagle River Fire Protection District. All costs associated with the "flow test" shall be borne by the Applicant. The Town shall witness and oversee the "flow test" in conjunction with other appropriate governmental agencies.

1.02 - Layout of the Distribution System

A. Fire Hydrants: Fire hydrant depths shall be 7-feet to 9.5-feet. All fire hydrants will be installed within dedicated streets, right-of-ways, or easements as herein above defined. Fire hydrants shall be installed at locations approved by the Eagle River Fire Protection District and at the end of all dead-end line extensions.

SECTION 2 - MATERIAL SPECIFICATIONS

2.01 - Pipe and Fittings

All pipe and fittings used in the Town's System shall meet or exceed the latest AWWA Specifications and follow the guideline lines set forth below:

A.Tapping Sleeves: Wet taps shall only be made with the use of a tapping sleeve. The Town will allow epoxy-coated Mueller H304 (250 psi working pressure) or equivalent. No tapping sleeves will be allowed for any application with a working pressure of 150 psi or higher. For those applications where working pressure exceeds 150 psi, the Town will require the use of a tee.

2.02 - Fire Hydrants

A.Fire Hydrants: Fire hydrants shall be Mueller Centurion A423 Mountain Hydrant, which conforms to AWWA Standard C502 with a working pressure of 250 psi. They also shall be six-inch (6") mechanical joint inlet, minimum 5¼ inches, compression-type main valve that closes with pressure, two 2½-inch hose nozzles, one 4½-inch pump nozzle, nozzle threads ANSI B26. Nozzles must be easily replaceable in the field with standard tools. Operating and cap nuts must be 1½-inch, Number 17 National Standard hex main valve that open to the left. An arrow cast on top of hydrant shall indicate direction of opening. There shall be a breakable section that permits clean break at or near ground level, preventing water loss in case of breakage. Working parts must be removable for maintenance or repair without excavation. Also required are operating mechanism non-wetting, oil reservoir lubricated, with O-ring seals and barrel drain bronze mounted with at least two (2) outlets, which operate automatically with main valve. Fire hydrants must be installed at the end of all main lines. Finish grade around the fire hydrant shall be a minimum of six inches (6") to a maximum of twelve inches (12") below the flange for the final grade and paving inspection.

B.Fire Hydrant Extension Sections: New Installations: Defined as new main extensions throughout the one-year (1) warranty period. All new installations shall be installed at the standard 7-foot to 9.5-foot of cover measured from the top of the pipe to finish grade. All fire hydrants shall consist of a single solid shaft. No fire hydrant extensions will be allowed. Any special circumstance will require written approval from the Town prior to installation.
Existing Fire Hydrants: No more than one (1), two-foot (2') long, fire hydrant grade extension (extension section) shall be used or installed on fire hydrant assemblies. All hydrants shall be installed with a guard valve to isolate the hydrant for repair while maintaining service to main. No service line taps will be allowed between the guard valve and hydrant. Guard valves shall be installed on the tee off of the water main. The maximum distance from the guard valve to the fire hydrant shall not exceed fifty feet (50'). Fire hydrants shall be installed at the end of all dead-end mains.

C.Fire Hydrant Marker Flags: The Applicant shall purchase and install fire hydrant marker flags for all newly constructed fire hydrants. The required flag is a Nordic Flex Flag, FF2-72 inches.D.Fire Hydrant Depth of Bury: Fire hydrant depth of bury will conform to Manufacturer's requirements.

2.03 - Service Lines

The following represents the requirements for service line construction:

A.Copper Tubing: Copper Tubing Shall be Type K, soft copper. Connections are to be compression or silver-soldered.

B.Corporation Stops: Mueller 300 Ball Valve Number B-25008 or B25028, AWWA C800 constructed of all brass construction with compression connection.
McDonald Number 4701 BT, AWWA C800.

Ford cc/comp FB-1000-G

Ford IPS/Comp FB-1100-G

C.Curb Stops: Mueller 300 Ball Curb Valve No. B25209, Ford B44, or McDonald 6100 T. Curb stops must have compression end connections, AWWA C800.

D.Curb Boxes: For curb stops up to 1": Mueller H10314 with 89982 lid or McDonald 5601 with 5601L lid. For curb stops larger than 1": Mueller H10314 with 89982 lid and Tyler 6500 Series Enlarged Base #144809 or McDonald 5603 with 5601L lid. Shaft diameter shall be 1" and the top of the shaft shall be a minimum of 18" from final grade and lid.

E.Saddles: Ductile Iron Saddle: Mueller DE2A, JCM-402, Smith & Blair 313, Ford F202, McDonald 3825, 3826 or equal and approved by the District. The saddle must have a double flat strap design with ductile iron body. Said saddle must conform to AWWA C800.

F.Turn-On/Turn-Off of Service: All routine turn-on and turn-off of water service at a curbstop shall be performed only by Town personnel. During emergencies, a customer may turn-off the water service at the curb stop valve. The Town shall be notified of the turn-off and the circumstances at the earliest time. Only Town personnel shall turn-on the water service.

G.Repair of Service Line: Leaks, breaks and general maintenance of the water service line shall be the responsibility of the customer. The customer shall be given notice by first- class mail, that the water service line is defective and in need of repair. Customer shall institute repair or maintenance immediately. If satisfactory progress toward repairing the service line has not been completed in a timely manner or the Town determines that environmental or property damage is being caused, the Town shall shut off the water service until the service line has been repaired. In addition, the Town shall have the right to affect the repair, and the costs therefore shall constitute a lien on the property as provided for by C.R.S., 32-1-1001.

2.04 - Granular Bedding

Two types of bedding material are allowed: Screened rock and soil or select imported material, meeting the following gradation specification table:

TABLE 5.01

Sieve Size	Total Percent Passing by Weight	Screened Rock	Soil or Select Import
1½ inch maximum,			
and maximum of 10% of pipe diameter to ⅓ inch	100	100	
No. 4	0 to 10	30 to 100	
No. 200	0 to 10	0 to 50	
Minimum compaction requirement			
Tamp to spring line to fill voids below pipe haunches	90% of Standard Proctor placed at ± 3% of Optimum Moisture		

The maximum particle size of pipe bedding should generally not exceed 1½ inches or 10 percent of the nominal pipe diameter, whichever is less. Bedding for small pipe such as service lines should generally have a maximum particle size not exceeding ¾ inch.

Screened rock used for waterline or sewer pipe bedding should be crushed, angular material that meets the requirements of ASTM D 2321, Class IA bedding material. The material should have not more than 10 percent passing the No. 4 (4.75 millimeter) screen, and less than 5 percent passing the No. 200 (75 micrometer) screen. The bedding should be tamped under the haunches of the pipe to spring line. Where future excavation is anticipated, the sloughing properties of screened rock when unconfined should be taken into consideration. The Town may require soil or select import. Where groundwater may be present, the use of screened rock for bedding is prohibited.

Compacted pipe bedding should meet the requirements of ASTM D 2321, Class IB, Class II, or Class III bedding material. The material should have a minimum of 30 percent passing the No. 4 screen and less than 50 percent passing the No. 200 screen. Class 6 aggregate base course per CDOT Table 703.2 conforms to this gradation criteria. The bedding should be compacted to a minimum of 90 percent at +/- 3 percent of optimum moisture content, referencing Standard Proctor (ASTM D698, AASHTO T99). Material containing 10 to 30 percent passing the No. 4 screen can be used with the following considerations: materials in this range can be expected to possess properties similar to screened rock except that compaction will be required and materials in this range may be too free-draining to be testable for compaction by ASTM D698. Flow-fill, a ½ sack (50 pounds) per cubic yard lean concrete mix as defined in the CDOT 1999 Standard Specifications for Road and Bridge Construction, Section 206.02, may be used as bedding where a combination of ease of placement, low permeability, and unconfined stability is desired.

Additional Requirements:

•Bedding materials shall be free of topsoil, organic materials, frozen matter, debris, or other deleterious materials.

•Flow-fill as specified by CDOT 1999 Standard Specifications, Section 206.02, may be used with Town approval.

•Ductile Iron Pipe may be required to be encased in loose polyethylene in conformance with ANSI/AWWA C105/A21.5 installation methods, unless site soils and proposed bedding materials are determined to be non-corrosive to iron pipe when evaluated according to Appendix A of ANSI/AWWA C105/A21.5.

•Materials not meeting these requirements shall be used only with prior written approval of the Town.

In specific areas, such as where access is extremely limited, the use of on-site materials may be allowed, and, when used, must be on-site 1½ inches minus well-graded screened material, free from organic materials, chunks of soil, frozen material, debris, or other suitable materials. Use of on-site bedding material must have prior written Town approval.

2.05 - Marking Tape

The installation of "blue" marking tape is required on all water mains and service lines. The tape shall be installed approximately twenty-four inches (24") above the main or line. The tape shall meet the following specifications:

1.Four (4) mil thick PVC material.2.Solid "blue" color with black lettering.3.Six inches (6") in width.

SECTION 3 - PIPE INSTALLATION

3.01 - Fire Hydrants

A.Installation: The location of all hydrants shall be staked. Final location and grade shall be in accordance with the approved drawings. Offset stakes not farther than 12 feet from the fire hydrant are acceptable. All hydrants shall stand plumb. Each hydrant shall be connected to the main by a six-inch (6") branch line. An independent six-inch (6") gate valve shall be installed on the tee off of the water main. It is the intention of the Town to limit the length of the six-inch (6") branch line servicing the fire hydrant to 50 feet. If the length of the branch line extends beyond 50 feet, an eight-inch (8") main with an eight-inch (8") by six-inch (6") concentric reducer shall be used from the main until a point 50 feet from the hydrant is reached. At that point, a six-inch (6") branch line may be extended to the fire hydrant. No service line connections shall be installed between the fire hydrant and the fire hydrant guard valve. No service line connections shall be made on the six-inch (6") branch line servicing the fire hydrant.

B.Anchorage: The shoe of each hydrant shall be well braced against the un-excavated earth at the end of the trench with a concrete thrust block. Care shall be taken not to cover the weep holes with concrete. The bottom of the hydrant bowl and the hydrant valve shall be supported with minimum 18 x 8 x 4-inch precast concrete blocking slabs or a Town approved equal. The hydrant assembly shall require megalug restraints.

C.Drainage: Wherever a hydrant is set, drainage shall be provided at the base of the hydrant by placing approved granular bedding material from the bottom of the trench, to at least 12 inches above the barrel flange of the hydrant, and as shown on the typical fire hydrant detail. The minimum distance from the bottom of the trench to the bottom of the hydrant elbow shall be six inches (6"). The minimum of approved granular bedding material placed therein shall be 1/3 cubic yards.D.Clearances: The minimum clearances around all fire hydrants shall be: ten feet (10') in the front, seven feet (7') on the sides, four feet (4') on the back, and 20 feet above.

E.Operation of Fire Hydrant: The required operational position of a fire hydrant is either fully opened or fully closed. The guard valve shall control any restriction of flow. The restriction of flow, through a fire hydrant, by means of the "operating nut" is strictly prohibited.

3.02 - Connection to the Town System

A.Connections: Connections to the Town system shall be in a neat and workmanlike manner. The connection shall be inspected and approved by the Town. Under no circumstances shall a non-disinfected main, which cannot be isolated, be connected to an existing distribution main in service.

B.Tapping Existing Mains: Main Line Connections: Unless otherwise approved by the Town, all main line connections shall be made by means of a tee.

Service Taps/Stubouts: During new main line construction, service line stubouts may only be installed after the required tests have been completed and approved by the Town. Stubouts shall be installed by the main line Contractor. Stubouts shall terminate at the curb stop valve. Curb stop valves shall be installed at the property line or edge of easement. The minimum separation distance between service line taps on the main shall be 18 inches.

The Contractor shall install all new service line taps. All tees/taps shall be witnessed and approved by the Town. Any tap preformed without a Town inspection and approval shall be considered "illegal system tampering" and punished in accordance with the provisions of Section 1-4-20 of this Code for each offense. Each day any person is in violation of Chapter 13 of the Minturn Municipal code and shall constitute a separate offense. (Ord. 7-2018 , §4)

SECTION 4 - CONSTRUCTION ACCEPTANCE

4.01 - Requirements

A.Field Maintenance Inspections

1.Fire Hydrant (To Grade and Operated). The fire hydrant shall be straight and plumb, and shall be operated with proper drainage. See Fire Hydrant Assembly detail.

2.Rough Grade Inspection. Above-ground attributes are to be in a reasonable grade so as not to allow standing water to accumulate on top of or allow drainage into the attributes of the system. All attributes within the road right-of-way/easement shall be protected from traffic, equipment, etc.

3.Warranty Period. During the 1-year warranty period that begins at Construction Acceptance, the Town will test the integrity of the telemetry and cathodic protection systems. Remedial repair and subsequent testing will be made by the applicant.

4.Redline Submittal. A redline submittal will be required to be made from the contractor to the engineer in order to facilitate the completion of as-builts in a timely manner.

SECTION 5 - FINAL ACCEPTANCE

5.01 - Requirements

The following items shall be required to be submitted to the Town for approval prior to Final Acceptance. Once these items have been received, reviewed, and approved by the Town Administrator, Final Acceptance may occur.

A.Final Grade and Paving Inspection: All system attributes shall be fully operational and meet Town Standards. Back lot access shall meet Town Standards. The ring and cover shall be centered over the cone section. All system attributes shall meet or exceed Town Standards.

B.Drawings of Record: Field measured Drawings of Record shall be submitted to the Town in the specific format as required by the Town. The Drawings of Record shall include, but not be limited to, all attribute information including main lengths, all bends (horizontal and vertical), valves, hydrants, materials, pipe diameters, encasement, insulation, pipe deflections, and service line information which shall include size, location of line, tap and curb stop. Water and Sewer Drawings of Record shall be submitted on the same drawing. The submittal will contain the swing ties for service lines. The Town requires a digital format using District formatting (AutoCAD Release 14 or newer), and three (3) black line copies of the field-measured Drawings of Record. The Drawings of Record shall also depict the established easement for each line segment with reference to the specific Town of Minturn recording information. Construction drawings will not be accepted as Drawings of Record.

C.Final Inspection: The District shall perform a final walk-through inspection prior to Final Acceptance. The purpose of this inspection is to determine if any changes have occurred since the final grade and paving inspection that would negatively effect the operation of the system. The owner or the owner's designated representative is required to accompany the Town's Inspector during this final inspection

COLORADO LICENSED
ROBERT C. WAGNER
60475
PROFESSIONAL ENGINEER

MIDWESTERN CONSULTING
381S Plaza Drive, Ann Arbor, Michigan 48108
(734) 995-0200 • www.midwesternconsulting.com
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JEFFREY D. ARMISTEAD
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MIDTOWN VILLAGE PUD

WATER CONSTRUCTION SPECIFICATIONS

19

DATE: 8/19/24
SHEET 19 OF 38
CADD: KJV
ENG: CMW
PM: RCW
TECH:
/20067DT1

JOB No. 20067

REVISIONS:	REV. DATE
PER ERWSD & IME REVIEW	07/17/24
PER ERWSD & IME REVIEW	08/19/24

M:\Civil3&Pro\20067\Site Plan\20067SA1.dwg, 8/19/2024 5:06 PM, Colton M. Wallace, 20 OVERALL SEWER PLAN, MCLLC PDF.pc3
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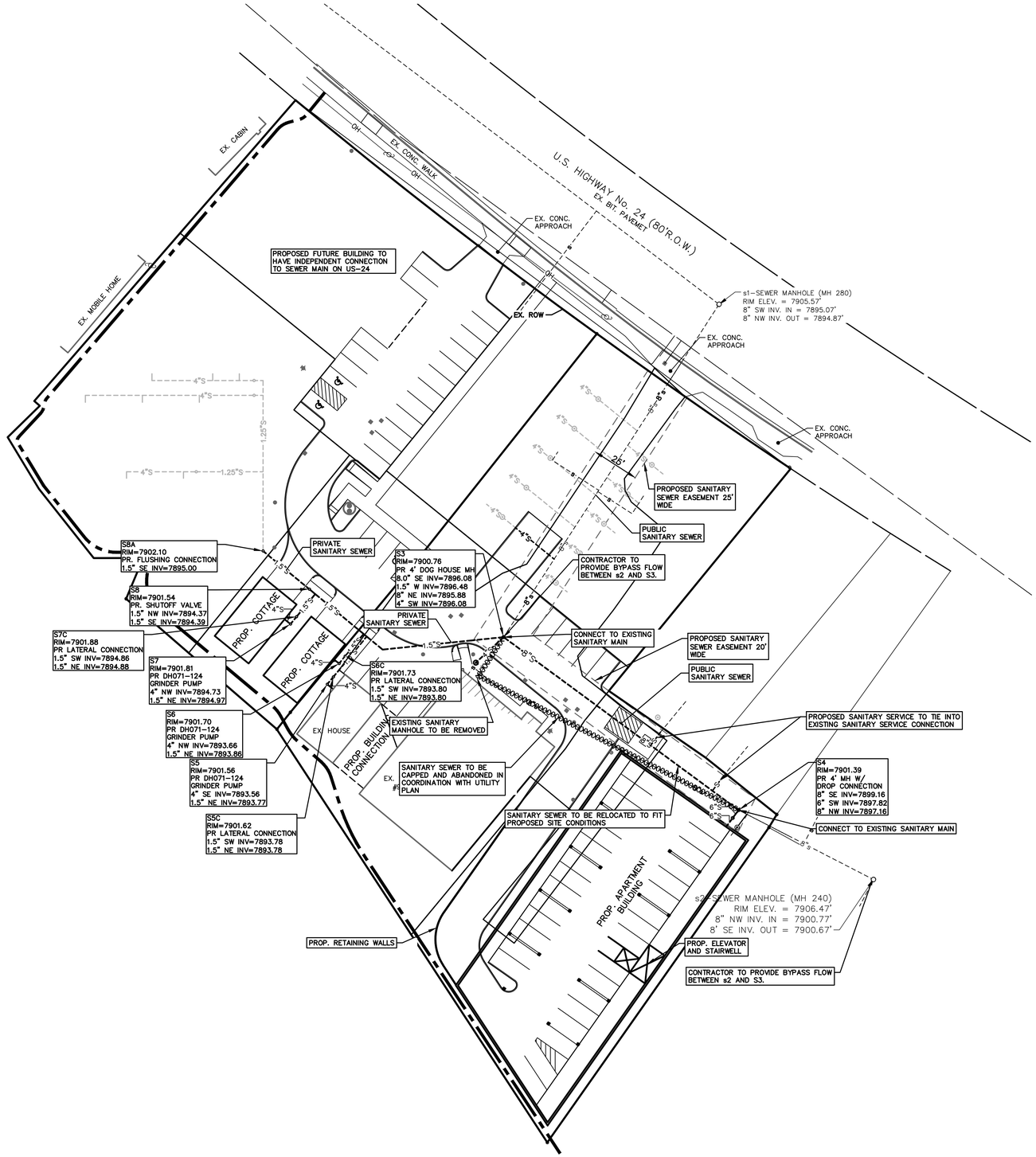

SCALE: 1" = 30'

0 30 60 90

811 Know what's below. Call before you dig.

LEGEND

- EXISTING UTILITY POLE
- OH — EXISTING OVERHEAD UTILITY LINE
- S — EXISTING SANITARY SEWER
- S — PROPOSED SANITARY SEWER PHASE 1
- S — PROPOSED SANITARY SEWER PHASE 2, 3 & 4
- PROPOSED FLOOR DRAIN
- RELOCATE EXISTING SANITARY SEWER
- SIGN
- POST
- EXISTING GAS VALVE
- WELL
- FENCE
- PROPOSED PAVEMENT REMOVAL

NOTE

1. ALL SANITARY SEWER LEADS CONNECTING THE ADJACENT PROPERTIES (#991 MAIN ST., #997 MAIN ST. & #1003 MAIN ST.) TO THE EXISTING SANITARY SEWER ON SITE WILL BE TRANSFERRED TO THE NEW SANITARY SEWER ALIGNMENT.

E ONE SYSTEM NOTES

1. EACH OF THE PROPOSED COTTAGES AND THE EXISTING HOUSE SHALL BE CONNECTED TO AN INDIVIDUAL DH071-124 E-ONE PUMP SYSTEM.
2. THE FORCE MAIN SHALL MAINTAIN A MINIMUM OF 54" COVER.
3. THE FORCE MAIN SHALL MAINTAIN A MINIMUM OF 18" OF VERTICAL SEPARATION AT ALL UTILITY CROSSINGS.
4. THE FORCE MAIN SHALL BE CONNECTED TO THE MANHOLE S3.
5. THE CONTRACTOR SHALL PROVIDE A STUB FOR FUTURE CONNECTION TO THE MICRO HOMES.
6. THE E-ONE PUMPS AND FORCE MAIN SHALL BE OWNED AND MAINTAINED BY THE DEVELOPMENT OWNER.

SEWER BYPASS PLAN

THE FLOW THROUGH THE EXISTING SEWER WILL NEED TO BE MAINTAINED DURING CONSTRUCTION AND SO WILL NEED TO PROVIDE A BYPASS. BELOW IS THE SEQUENCE OF CONSTRUCTION:

i. CONSTRUCT DOGHOUSE MANHOLE S3 (THIS WILL AVOID ANY CLOSURE OF THE SEWER).
ii. PLUG MANHOLE s2, INSTALL PUMP AND PROVIDE A BYPASS FROM s2 TO S3.
iii. COORDINATE TEMPORARY SERVICE SHUTOFF FOR LOTS (989 MAIN ST., 991 MAIN ST., 997 MAIN ST. & 1003 MAIN ST.).
iv. CONSTRUCT THE LINE FROM S3 TO S4 AND MANHOLE S4.
v. PERFROM AIR TEST AND RUN A MANDREL BETWEEN S4 TO S3.
vi. REMOVE EXISTING PIPES AND MANHOLE AS CALLED OUT ON PLAN.
vii. REMOVE THE BYPASS AND RECONNECT THE FLOW FROM s2 THROUGH S4 TO S3.

The underground utilities shown have been located from field survey information and existing records. The surveyor makes no guarantees that the underground utilities shown comprise all such utilities in the area, either in-service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated. Although the surveyor does certify that they are located as accurately as possible from the information available.

COLORADO LICENSED
ROBERT C. MACKLEM
60475
PROFESSIONAL ENGINEER

MIDWESTERN CONSULTING
381 S Plaza Drive, Ann Arbor, Michigan 48108
(734) 995-0200 • www.midwesternconsulting.com
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MIDTOWN VILLAGE PUD

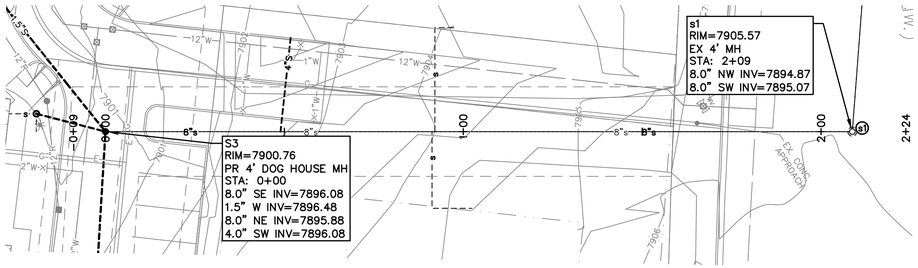
OVERALL SEWER PLAN

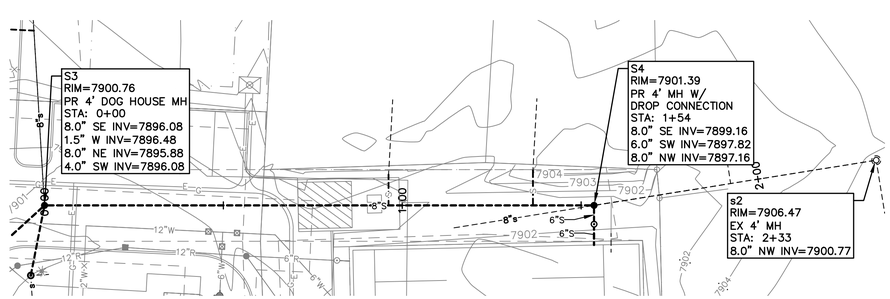
20

DATE: 8/15/24
SHEET 20 OF 38
CADD:
ENG: CMW
PM: RCW
TECH:
/20067SA1

JOB No. 20067

REVISIONS:	REV. DATE
PER. ERWSD & IME REVIEW	01/15/24
PER. ERWSD & IME REVIEW	02/23/24
PER. ERWSD & IME REVIEW	08/19/24





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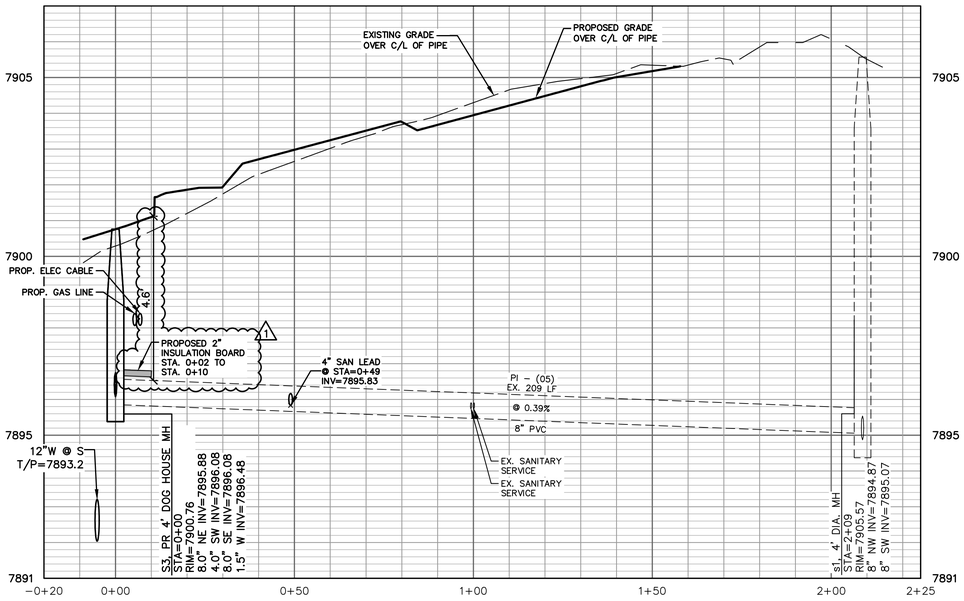
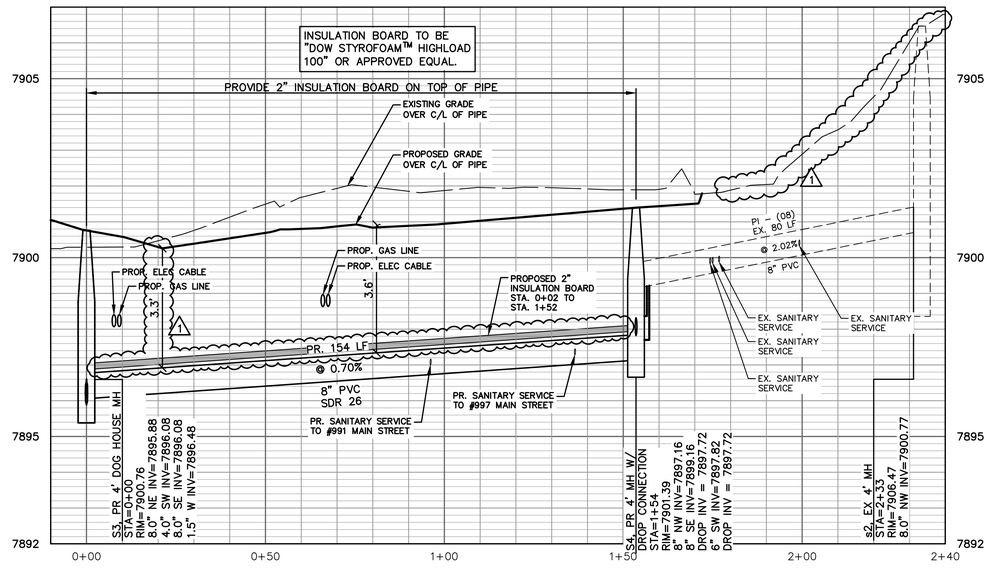
VERT. SCALE: 1" = 2'
0 2 4 6

811 Know what's below. Call before you dig.



SAN S3 TO S1



SAN S3 TO S2

SANITARY STRUCTURE TABLE

STRUCTURE NO.	TYPE	RIM ELEV.	INV.	DEPTH	TYPE OF CASTING
s2	4' DIAM. MH	7906.47	8.0" NW 7900.77	7.62	TYPE D-01 MANHOLE
S3	4' DIAM. MH	7900.76	8.0" SE 7896.08 1.5" W 7896.48 8.0" NE 7895.88 4.0" SW 7896.08	4.88	TYPE D-01 MANHOLE
S4	4' DIAM. MH	7901.39	8.0" SE 7899.16 6.0" SW 7897.82 8.0" NW 7897.16	4.24	TYPE D-01 MANHOLE Cover

NOTES

1. ALL SEWER SERVICE LEADS SHALL BE TYPE PVC SDR 26.
2. INSULATION BOARD SHALL BE DOW STYROFOAM HIGHLOAD 100, OWENS CORNING FOAMULAR 1000 OR APPROVED EQUAL

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BENCHMARKS

BM#1 – DESCRIPTION
ELEV=7900.37 (NAVD88)

EXISTING SANITARY SEWER MANHOLE AT THE CENTER OF THE SOUTH PROPERTY.

ERWSD Sanitary Sewer Construction Notes

1. All sanitary sewer construction is subject to the most recently adopted ERWSD Rules and Regulations.
2. All sanitary sewer mains shall be a minimum of 8" in diameter.
3. All sanitary sewers shall be installed with a minimum of 4.5ft cover to top of pipe and a maximum of 14ft cover to top of pipe.
4. Tracer wire per Appendix E1.12 to be installed on all sanitary sewer lines, to include both mains and service lines.
5. All sanitary sewers shall be bedded per Appendix E, Detail E-01
6. All sanitary sewers shall be installed a minimum of 10ft horizontally away from domestic water or secondary containment must be used.
7. All sanitary sewers must be tested in accordance with ERWSD Rules and Regulations Article 9.3.3.
8. All sanitary sewer service lines shall be constructed along the shortest and straightest route possible.
9. Sanitary sewer services shall be connected a minimum of 10 feet outside of manholes with a wye connection.
10. Sanitary sewer service lines taps must be a minimum of 18" apart.
11. Sanitary sewer service cleanouts should be placed outside of the ROW whenever possible.

Pipe ID	Pipe Dia	Upstream Struc No.	Downstream Struc No.	# Of Residential Units Added	# Of Commercial Units Added	Pipe Slope	Q_{avg} gpd	Q_{avg} gpm	Q_{peak} Factor=4 gpm	Q_{peak} cfs	Velocity @ Q_{peak} ft/s	Q_{peak} combined cfs	Pipe Capacity cfs
PI - (01)	8"	S4	S3	16	1	0.94%	3120	2.17	8.67	0.019	0.055		1.17
PI - (02)	8"	S3	s1	10		0.39%	1950	1.35	5.42	0.012	0.035	0.031	0.76
Totals				26	1		5070	3.52	14.08	0.031			

Q_{avg} = 195 gpd/unit for Residential units
Q_{avg} = 1500 gpd/unit per gross acre for Commercial units

LEGEND

- EXIST. UTILITY POLE
- OH — EXIST. OVERHEAD UTILITY LINE
- WV — EXIST. WATER VALVE
- EXIST. HYDRANT (HYD)
- W — PROP. WATER MAIN
- PROP. HYDRANT (HYD)
- PROP. GATE VALVE IN BOX (GVIB)
- r — EXIST. STORM SEWER
- EXIST. CATCH BASIN OR INLET (CB)
- R — PROP. STORM SEWER
- PROP. CATCH BASIN OR INLET (CB)
- PROP. UNDERGROUND STORM SEWER STORAGE
- PROP. UNDERGROUND STONE BED
- s — EXIST. SANITARY SEWER
- S — PROP. SANITARY SEWER
- PROP. FLOOR DRAIN
- SIGN
- POST
- G — EXIST. GAS VALVE
- W — WELL
- FENCE
- PROP. ELEC. TRANSFORMER
- E — PROP. ELECTRIC LINE
- G — PROP. GAS LINE

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MIDTOWN VILLAGE PUD

SANITARY SEWER PLAN AND PROFILE VIEW 1

21

DATE: 8/19/24
SHEET 21 OF 38
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REVISIONS:	REV. DATE
PER ERWSD REVIEW	01/23/24
PER ERWSD REVIEW	01/15/24
PER ERWSD & ME REVIEW	02/23/24
PER ERWSD & ME REVIEW	08/19/24

JOB No. 20067

M:\Civil3d_Proj\20067\Site Plan\20067PS1.dwg, 8/19/2024 3:24 PM, Colton M. Wallace, 21 SANITARY SEWER PLAN AND PROFILE VIEW 1, MCLLC PDF.pc3
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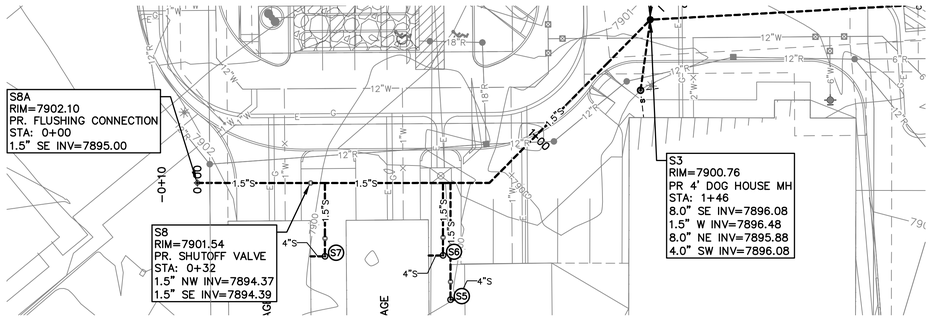
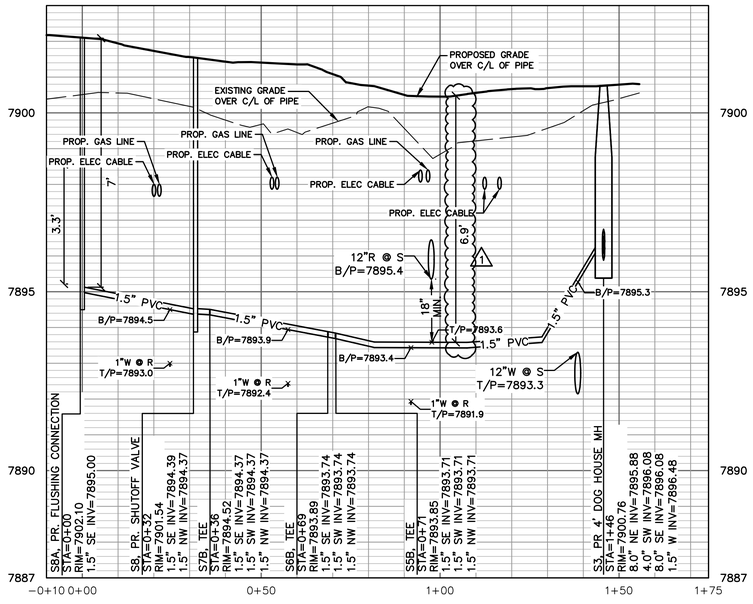
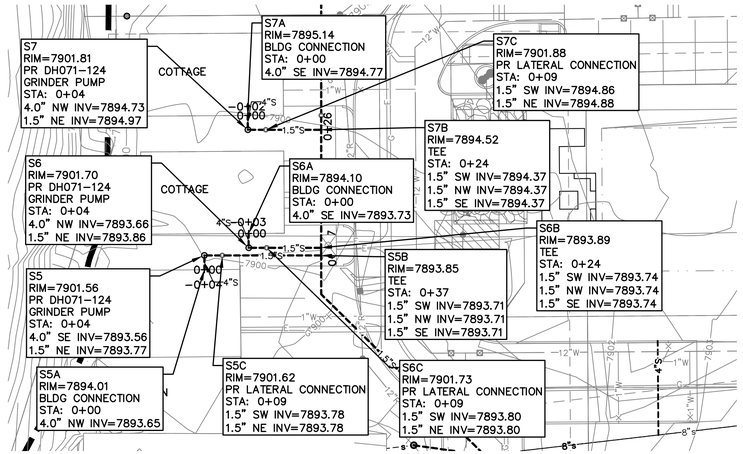




SAN FORCE MAIN



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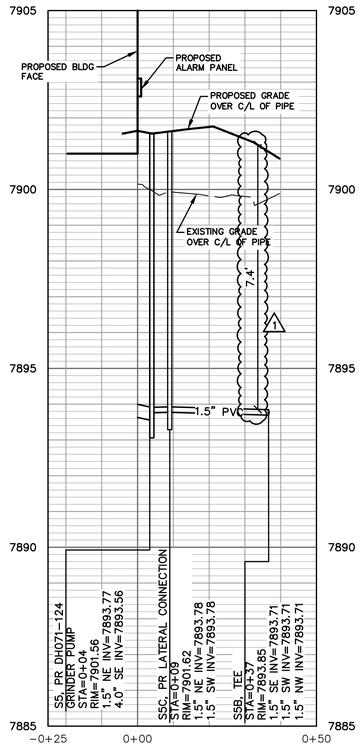

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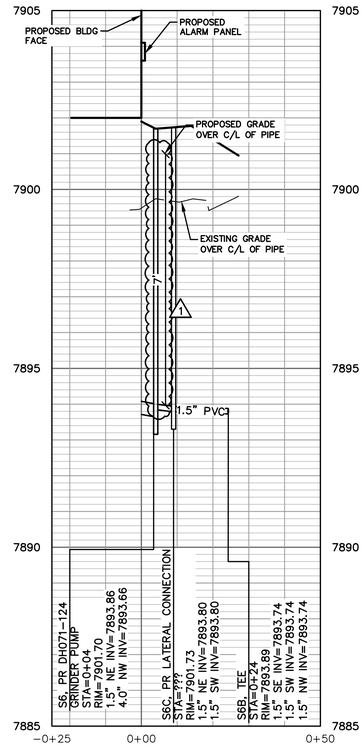

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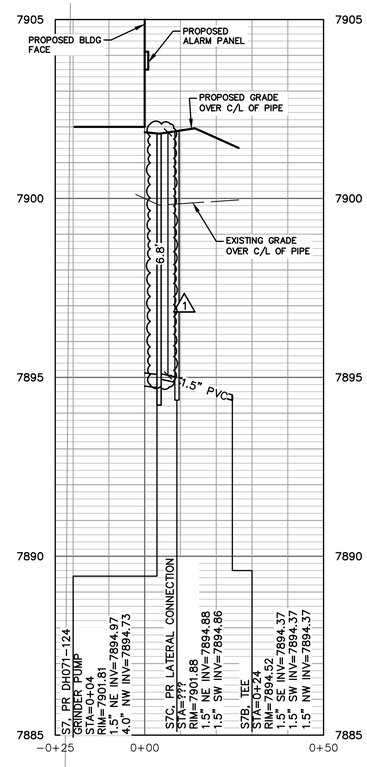

SAN S7A TO S7B

SANITARY STRUCTURE TABLE

STRUCTURE NO.	TYPE	RIM ELEV.	INV.	DEPTH	TYPE OF CASTING
S3	4' DIAM. MH	7900.76	8.0" SE 7896.08 1.5" W 7896.48 8.0" NE 7895.88 4.0" SW 7896.08	4.88	TYPE D−01 MANHOLE

LEGEND

- EXIST. UTILITY POLE
- OH — EXIST. OVERHEAD UTILITY LINE
- EXIST. WATER VALVE
- EXIST. HYDRANT (HYD)
- W — PROP. WATER MAIN
- PROP. HYDRANT (HYD)
- PROP. GATE VALVE IN BOX (GVIB)
- r — EXIST. STORM SEWER
- EXIST. CATCH BASIN OR INLET (CB)
- R — PROP. STORM SEWER
- PROP. CATCH BASIN OR INLET (CB)
- PROP. UNDERGROUND STORM SEWER STORAGE
- PROP. UNDERGROUND STONE BED
- s — EXIST. SANITARY SEWER
- S — PROP. SANITARY SEWER
- PROP. FLOOR DRAIN
- SIGN
- POST
- EXIST. GAS VALVE
- WELL
- FENCE
- PROP. ELEC. TRANSFORMER
- E — PROP. ELECTRIC LINE
- G — PROP. GAS LINE

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BENCHMARKS

BM#1 – DESCRIPTION
ELEV=7900.37 (NAVD88)

EXISTING SANITARY SEWER MANHOLE AT THE CENTER OF THE SOUTH PROPERTY.

COLORADO LICENSED ROBERT C. WAGNER 60475 PROFESSIONAL ENGINEER

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SANITARY SEWER PLAN AND PROFILE VIEW 2

22

DATE: 8/19/24
SHEET 22 OF 38
CADD:
ENG: CMW
PM: RCW
TECH:
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JOB No. 20067

REVISIONS:	REV. DATE
PER. ERWSD REVIEW	01/23/24
PER. ERWSD & MWE REVIEW	05/13/24
PER. ERWSD & MWE REVIEW	08/19/24

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M:\Civil3d_Proj\20067\Site Plan\20067D71.dwg, 8/19/2024 3:25 PM, Colton M. Wallace, 23 SEWER DETAILS - MCLLC PDF.pc3
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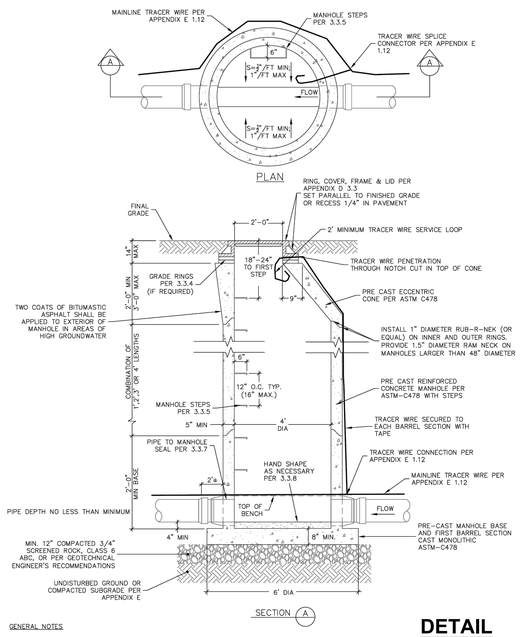
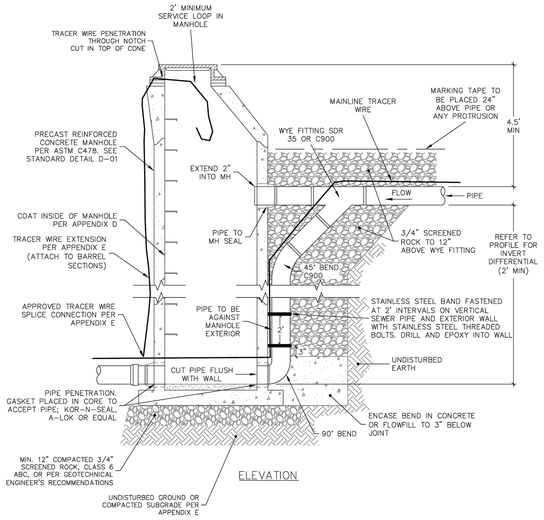


GENERAL NOTES

1. ALL CONCRETE WORK SHALL COMPLY WITH LATEST ACI-318 SPECIFICATIONS.
2. MANHOLE TROUGH SHALL HAVE A MINIMUM OF 0.2' DROP FROM ENTRANCE THROUGH EXIT.
3. FLOW CHANNEL TO BE SHAPED AS TO NOT ALLOW STANDING WATER PER 3.3.8.
4. MANHOLE SHALL CONFORM TO ASTM C478 AND ALL APPLICABLE DISTRICT STANDARDS (APPENDIX D).

DETAIL
STANDARD MANHOLE

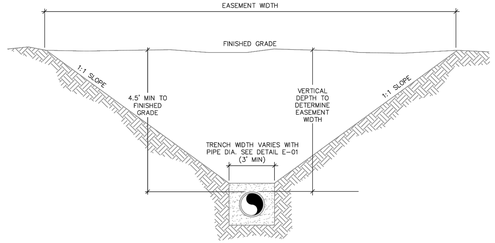


GENERAL NOTES

1. SEE 2.4.12 AND 3.3.11.
2. MANHOLE SHALL CONFORM TO D-01 STANDARD MANHOLE DETAIL AND ALL APPLICABLE DISTRICT STANDARDS.
3. ALL CONCRETE WORK SHALL COMPLY WITH LATEST ACI-318 SPECIFICATIONS.
4. MANHOLE TROUGH SHALL HAVE A MINIMUM OF 0.20' DROP FROM ENTRANCE THROUGH EXIT.

DETAIL
DROP CONNECTION MANHOLE

SEWER PIPE COVER DEPTH	MINIMUM EASEMENT WIDTH REQUIRED
4'6" TO 8'6"	20'
8'7" TO 11'0"	25'
11'1" TO 13'6"	30'
13'7" TO 16'0"	35'
16'1" TO 18'6"	40'
18'7" TO 21'0"	45'
21'1" TO 23'6"	50'



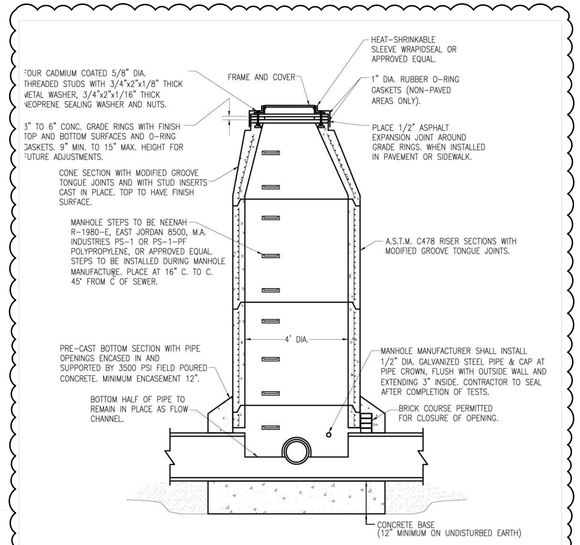
MINIMUM EASEMENT WIDTH

GENERAL NOTES

1. PIPE SHALL BE CENTERED IN EASEMENT.
2. ANY PROPOSED SEWER MAIN DEPTH GREATER THAN 14' DEEP REQUIRES AN ALTERNATIVES ANALYSIS AND DISTRICT APPROVAL.
3. CALCULATE EASEMENT WIDTH AS FOLLOWS:
   W = DEPTH TO TOP OF PIPE X 2 + 3 FEET
   (ROUNDED UP IN 5 FOOT INCREMENTS)

EXAMPLE:
10 FOOT DEEP PIPE = 10 X 2 + 3 = 23 FEET
W = 25 FOOT WIDE EASEMENT ROUNDED

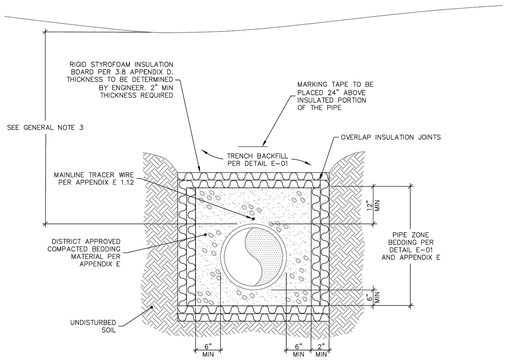
DETAIL
EASEMENT WIDTH DETAIL



DETAIL
MANHOLE CONSTRUCTED OVER EXISTING SEWER

NOTE

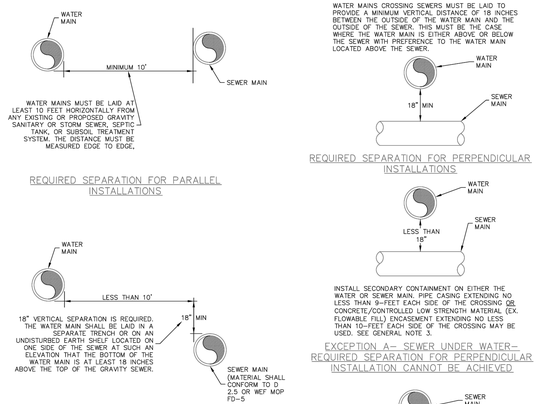
THE CONTRACTOR SHALL PROVIDE A SHOP DRAWING FOR THE SANITARY MANHOLE S3. THE SPECIFIC COMPONENTS OF THE MANHOLE SHALL BE CONSTRUCTED AS PER ERWSD STANDARDS. THE DETAIL PROVIDED ABOVE IS FOR REFERENCE PURPOSES ONLY.



GENERAL NOTES

1. CONDITION OF LESS THAN MINIMUM BURY DEPTH IS ALLOWED ONLY WITH WRITTEN APPROVAL FROM THE DISTRICT PRIOR TO CONSTRUCTION. INSULATION SHALL BE INSTALLED ON ALL PIPE THAT DOES NOT MEET MINIMUM BURY REQUIREMENTS.
2. THE USE OF INSULATION MUST BE APPROVED BY THE DISTRICT PRIOR TO INSTALLATION.
3. INSULATION SHALL BE INSTALLED ON ALL PIPES THAT DO NOT HAVE A MINIMUM OF 4.5' OF EFFECTIVE COVER. EFFECTIVE COVER SHALL BE DEFINED AS SEPARATION FROM COLD AIR SOURCES, INCLUDING STORM SEWERS. 1" OF INSULATION BOARD MAY BE SUBSTITUTED FOR EACH 1" OF SOIL COVER (MINIMUM 2" OF INSULATION) REQUIRED TO MEET THE MINIMUM COVER REQUIREMENT.
4. INSULATION SHALL BE DOW HIGHLOAD 100, OWENS CORNING FOAMULAR 1000, OR APPROVED EQUAL. HIGH COMPRESSIVE STRENGTH FOAM BOARD INSULATION IS REQUIRED WITHIN ALL RIGHT OF WAY AND PAVED AREAS.

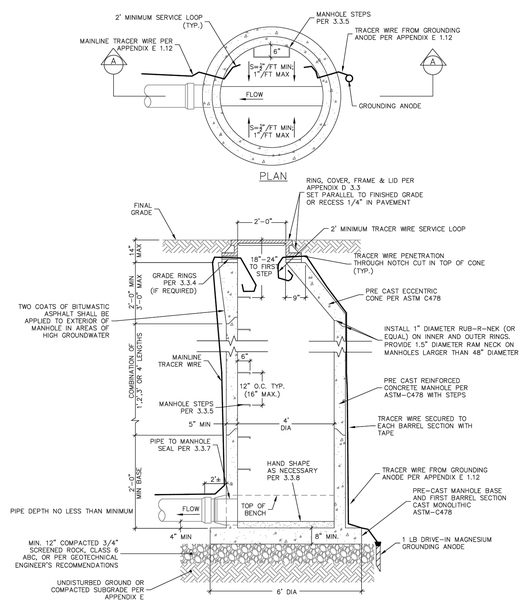
DETAIL
SEWER PIPE INSULATION



GENERAL NOTES

1. WATER PIPES MUST NOT PASS THROUGH OR COME IN CONTACT WITH ANY PART OF A SEWER MANHOLE. WATER MAIN SHOULD BE LOCATED AT LEAST 10 FEET FROM SEWER MANHOLES.
2. PIPE SEPARATION MUST COMPLY WITH STATE OF COLORADO DESIGN CRITERIA FOR POTABLE WATER SYSTEMS, SECTION 8.8 (ALL DETAILS REGARDING SEPARATION BETWEEN WATER AND SEWER).
3. SECONDARY CONTAINMENT-THE PIPE CASING MUST BE OF WATERTIGHT MATERIAL WITH NO JOINTS. THE CASING PIPE MATERIALS MAY BE STEEL, DUCTILE IRON, FIBERGLASS, FIBERGLASS REINFORCED POLYMER MORTAR (FRPM), OR POLYVINYLCHLORIDE (PVC) WITH SUITABLE CARRIER PIPE SUPPORTS AND CASING PIPE END SEALS.
4. SECONDARY CONTAINMENT REQUIRED UNLESS THE VERTICAL DISTANCE EXCEEDS 5 FEET. THE CASING MUST BE A SINGLE SECTION OF STEEL OR DUCTILE IRON PIPE. THE DESIGN MUST INCLUDE A MEANS TO SUPPORT THE INTERCEPTOR OR SEWER MAIN TO PREVENT SETTLEMENT AND PERMIT MAINTENANCE OF THE WATER MAIN WITHOUT DAMAGE TO THE SEWER PIPE. CROSSINGS INVOLVING JOINTLESS PIPE SUCH AS HDPE, FUSIBLE PVC OR WELDED STEEL DO NOT REQUIRE INSTALLATION OF SECONDARY CONTAINMENT.

DETAIL
WATER AND SANITARY SEWER SEPARATION



GENERAL NOTES

1. ALL CONCRETE WORK SHALL COMPLY WITH LATEST ACI-318 SPECIFICATIONS.
2. TRACER WIRE SHOWN ENTERING OPPOSITE SIDES FOR CLARITY, WIRES MAY BE INSTALLED PARALLEL THROUGH SAME NOTCH IN PRECAST CONE SECTION.
3. FLOW CHANNEL TO BE SHAPED AS TO NOT ALLOW STANDING WATER PER 3.3.8.
4. MANHOLE SHALL CONFORM TO ASTM C478 AND ALL APPLICABLE DISTRICT STANDARDS (APPENDIX D).

DETAIL
DEAD END MANHOLE

COLORADO LICENSED
ROBERT C. WAGNER
60475
PROFESSIONAL ENGINEER

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MIDTOWN VILLAGE PUD

SEWER DETAILS

23

DATE: 8/19/24
SHEET 23 OF 38
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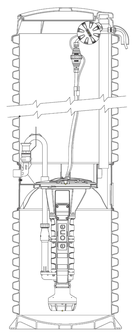
E/ONE EXTREME SERIES

DH071/DR071



General Features

The model DH071 or DR071 grinder pump station is a complete unit that includes: the grinder pump, check valve, HDPE (high density polyethylene) tank, controls, and alarm panel. A single DH071 or DR071 is a popular choice for one, average single-family home and can also be used for up to two average single-family homes where codes allow and with consent of the factory.

- Rated for flows of 700 gpd (2650 lpd)
- 70 gallons (265 liters) of capacity
- Indoor or outdoor installation
- Standard outdoor heights range from 61 inches to 160 inches

The DH071 is the "hardwired," or "wired," model where a cable connects the motor controls to the level controls through watertight penetrations.

The DR071 is the "radio frequency identification" (RFID), or "wireless," model that uses wireless technology to communicate between the level controls and the motor controls.

Operational Information

Motor
1 hp, 1,725 rpm, high torque, capacitor start, thermally protected, 120/240V, 60 Hz, 1 phase

Inlet Connections
4-inch inlet grommet standard for DWV pipe. Other inlet configurations available from the factory.

Discharge Connections
Pump discharge terminates in 1.25-inch NPT female thread. Can easily be adapted to 1.25-inch PVC pipe or any other material required by local codes.

Discharge
15 gpm at 0 psig (0.95 lps at 0 m)
11 gpm at 40 psig (0.69 lps at 28 m)
7.8 gpm at 80 psig (0.49 lps at 56 m)

Accessories

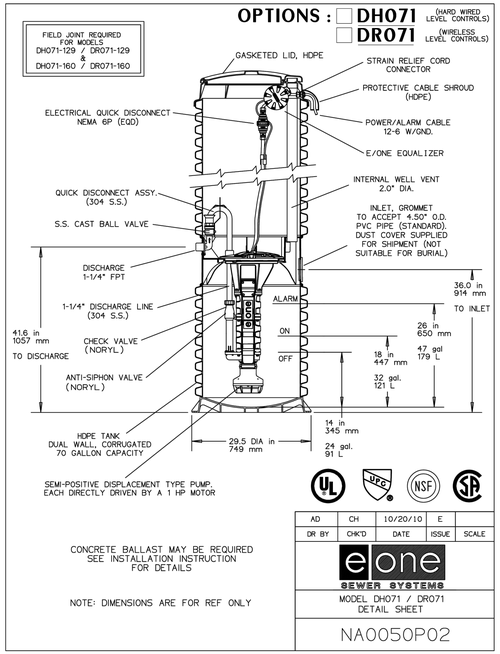
E/One requires that the Uni-Lateral, E/One's own stainless steel check valve, be installed between the grinder pump station and the street main for added protection against backflow.

Alarm panels are available with a variety of options, from basic monitoring to advanced notice of service requirements.

The Remote Sentry is ideal for installations where the alarm panel may be hidden from view.

NA0050P01 Rev D

OPTIONS : ☐ DH071 (HARD WIRED LEVEL CONTROLS)
☐ DR071 (WIRELESS LEVEL CONTROLS)



CONCRETE BALLAST MAY BE REQUIRED SEE INSTALLATION INSTRUCTION FOR DETAILS

NOTE: DIMENSIONS ARE FOR REF ONLY

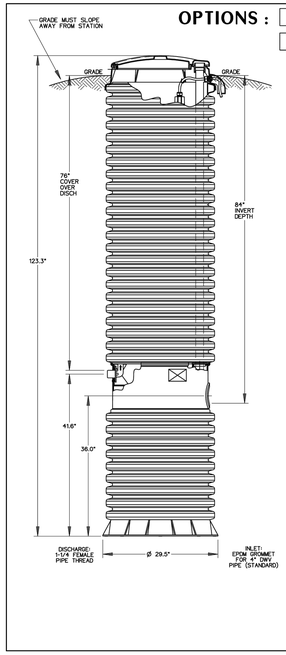
AD	CH	10/20/10	E	
DR BY	CHK'D	DATE	ISSUE	SCALE

e/one SEWER SYSTEMS

MODEL DH071 / DR071 DETAIL SHEET

NA0050P02

OPTIONS : ☐ DH071-124 (HARD WIRED LEVEL CONTROLS)
☐ DR071-124 (WIRELESS LEVEL CONTROLS)



CONCRETE BALLAST MAY BE REQUIRED SEE INSTALLATION INSTRUCTIONS FOR DETAILS

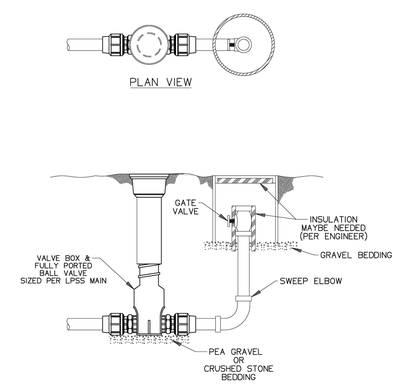
NOTE: DIMENSIONS ARE FOR REF ONLY

AD	CAH	07/13/07	C	1/16
DR BY	CHK'D	DATE	ISSUE	SCALE

e/one SEWER SYSTEMS

MODEL DH071-124 / DR071-124

NA0050P07



TYPICAL TERMINAL FLUSHING CONNECTION

SGS		05-13-10	1	1/32
DR BY	CHK'D	DATE	ISSUE	SCALE

e/one SEWER SYSTEMS

TYPICAL TERMINAL FLUSHING CONNECTION

ESD 10-0094

E/ONE EXTREME SERIES

E/One Sentry™

Alarm Panel — Protect Plus Package



Description

The E/One Sentry panels are custom designed for use with Environment One grinder pump stations. They can be configured to meet the needs of your application, from basic alarm indication to advanced warning of pending service requirements.

E/One Sentry panels are supplied with audible and visual high level alarms. They are easily installed in accordance with relevant national and local codes. Standard panels are approved by UL, CSA, CE and NSF to ensure high quality and safety.

The panel features a corrosion-proof, NEMA 4X-rated, thermoplastic enclosure. A padlock is provided to prevent unauthorized entry (safety front).

Standard Features

Includes all features of the basic configuration of the E/One Sentry panel, including circuit breakers, 240 or 120 VAC service, terminal blocks and ground lugs, audible alarm with manual silence, manual run feature and run indicator, redundant "Start" function with high level alarm, safety front, conformal-coated board and overload protection.

Includes all of the features of the E/One Sentry Protect package, including a Trouble indication that shuts down the pump temporarily in the event of an unacceptable operating condition (brownout, system overpressure, run dry), as well as:

Predictive status display module

Pre-alarm indication for major operating parameters

Alarm indications for major operating parameters

Hour meter, cycle counter and alarm delay

LCD display and user-friendly interface

Inner cover (dead front)

Contact group — dry and Remote Sentry

Optional Features

Generator receptacle with auto transfer

GFCI

Main service disconnect

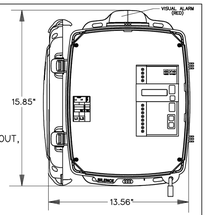
Please consult factory for special applications.

NA0079P01 Rev. B

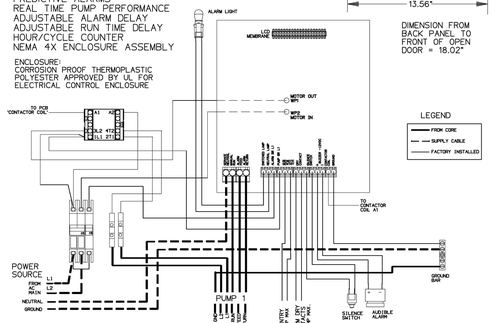
SENTRY PROTECT PLUS SIMPLEX

REDUNDANT RUN (HIGH LEVEL)
EXTERNAL VISUAL & AUDIBLE ALARM
REMOTE SENTRY DRY CONTACTS FOR OPTIONAL POWER LOSS HIGH LEVEL ALARM (POWER LOSS ALARM FOR WIRELESS)
MANUAL ALARM SILENCE
MANUAL RUN
STATUS LED'S: NORMAL, PUMP RUNNING, HIGH LEVEL
TROUBLE INDICATIONS: RUN DRY, OVERPRESSURE, BROWNOUT, VOLTAGE, EXTENDED RUN TIME
DRY CONTACTS
CONFORMAL COATED CIRCUIT BOARD (BOTH SIDES)
PADLOCK
DEAD FRONT
PREDICTIVE ALARMS
REAL TIME PUMP PERFORMANCE
ADJUSTABLE ALARM DELAY
ADJUSTABLE RUN TIME DELAY
HOUR/CYCLE COUNTER
NEMA 4X ENCLOSURE ASSEMBLY

ENCLOSURE:
CORROSION PROOF THERMOPLASTIC POLYESTER APPROVED BY UL FOR ELECTRICAL CONTROL ENCLOSURE



DIMENSION FROM BACK PANEL TO FRONT OF OPEN DOOR = 18.02"



OLD / NEW WIRE COLOR MAP			
PIN	FUNCTION	2000S	EXTREME
1	MANUAL RUN	RED	BROWN
2	L1	BLACK	RED
3	L2	WHITE	BLACK
4	GND	GREEN	GRN/YEL
5	ALARM FEED	ORANGE	YELLOW
6	ALARM RETURN	BLUE	BLUE

CONTROL CABLE:
TYPE TC- DIRECT BURIAL, SIX CONDUCTOR

AD	12/14/07	DMS	C	06/23/11
DR BY	DATE	CHK'D	ISSUE	DATE

e/one SEWER SYSTEMS

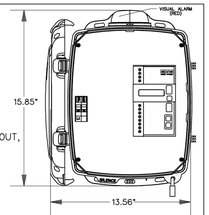
SENTRY PROTECT PLUS PANEL, SIMPLEX 240V 60Hz DOUBLE POLE POWER

NA0079P03

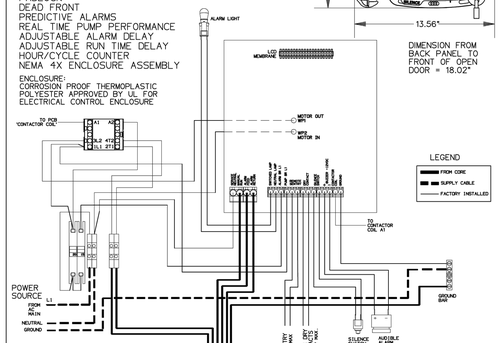
SENTRY PROTECT PLUS SIMPLEX

REDUNDANT RUN (HIGH LEVEL)
EXTERNAL VISUAL & AUDIBLE ALARM
REMOTE SENTRY DRY CONTACTS FOR OPTIONAL POWER LOSS HIGH LEVEL ALARM (POWER LOSS ALARM FOR WIRELESS)
MANUAL ALARM SILENCE
MANUAL RUN
STATUS LED'S: NORMAL, PUMP RUNNING, HIGH LEVEL
TROUBLE INDICATIONS: RUN DRY, OVERPRESSURE, BROWNOUT, VOLTAGE, EXTENDED RUN TIME
DRY CONTACTS
CONFORMAL COATED CIRCUIT BOARD (BOTH SIDES)
PADLOCK
DEAD FRONT
PREDICTIVE ALARMS
REAL TIME PUMP PERFORMANCE
ADJUSTABLE ALARM DELAY
ADJUSTABLE RUN TIME DELAY
HOUR/CYCLE COUNTER
NEMA 4X ENCLOSURE ASSEMBLY

ENCLOSURE:
CORROSION PROOF THERMOPLASTIC POLYESTER APPROVED BY UL FOR ELECTRICAL CONTROL ENCLOSURE



DIMENSION FROM BACK PANEL TO FRONT OF OPEN DOOR = 18.02"



OLD / NEW WIRE COLOR MAP			
PIN	FUNCTION	2000S	EXTREME
1	MANUAL RUN	RED	BROWN
2	L1	BLACK	RED
3	NEUTRAL	WHITE	BLACK
4	GND	GREEN	GRN/YEL
5	ALARM FEED	ORANGE	YELLOW
6	ALARM RETURN	BLUE	BLUE

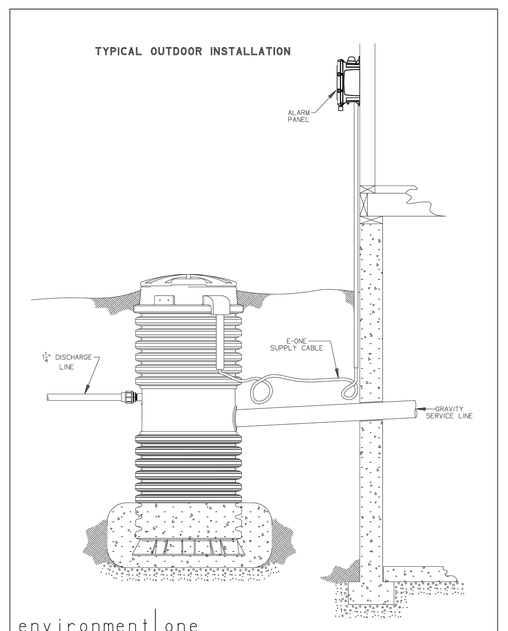
CONTROL CABLE:
TYPE TC- DIRECT BURIAL, SIX CONDUCTOR

AD	01/10/08	DMS	A	06/23/11
DR BY	DATE	CHK'D	ISSUE	DATE

e/one SEWER SYSTEMS

SENTRY PROTECT PLUS PANEL, SIMPLEX 120V, SINGLE POLE POWER

NA0079P04



LM000112 REV. B

COLORADO LICENSED ROBERT C. WAGNER 60475 PROFESSIONAL ENGINEER

CLIENT
10TH MOUNTAIN BUILDERS
1632 MAIN STREET
MINTURN, CO 81645
JEFFREY D. ARMISTEAD
970-471-0618

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MIDTOWN VILLAGE PUD

E-ONE GRINDER PUMP DETAILS

24

DATE: 8/19/24
SHEET 24 OF 38
CADD:
ENG: CMW
PM: RCW
TECH:
/20067DT1

JOB No. 20067

REVISIONS:	REV. DATE
PER ERWSD & ME REVIEW	05/13/24
PER ERWSD & ME REVIEW	06/19/24

SEWER SPECIFICATIONS

THE FOLLOWING APPLICABLE CONSTRUCTIONS SPECIFICATIONS ARE A PORTION OF THE THE EAGLE RIVER WATER & SANITATION DISTRICT ("DISTRICT") RULES AND REGULATIONS FOR WATER AND WASTEWATER SERVICE.
TABLES, DRAWINGS, DETAILS AND EXHIBITS REFERENCED BELOW ARE INCLUDED IN THE APPENDICES OF THE DISTRICTS' RULES AND REGULATIONS

SECTION I – GENERAL REQUIREMENTS

1.1 Authority
The Standard Specifications for Sewer Mains (the "Specifications") are promulgated by the Eagle River Water & Sanitation District ("District"). The interpretation and enforcement of the Specifications is hereby delegated to the District Regulations Administrator.

SECTION II – COLLECTION SYSTEM DESIGN AND LAYOUT

2.5.10 Manhole Connections
Any new main connection eight inches (8") or greater within a manhole shall match the crown of pipe to crown of pipe at the highest existing main currently within the manhole.

2.5.11 Location/Marking Tape
All lines connected to District mains in any way shall be marked with the appropriate marking tape per Section 3.6 and shall be placed twenty four inches (24") above the pipe.

2.6.3 Horizontal and Vertical Separation from Potable Water Mains
Refer to detail D-11.

(a) Parallel Main Installations and Appurtenances:

Sewer mains and sewer service lines shall be installed at least ten feet (10') horizontally from any existing or proposed water main. The distance shall be measured edge to edge. In cases where it is not practical to maintain a ten foot (10') separation, the District may allow installation of the sewer main closer to a water main utilizing encasement or pressure rated joints, provided that the water main is on a separate trench or on an undisturbed earth shelf located on one side of the main and at an elevation so the bottom of the water main is at least eighteen inches (18") above the top of the sewer main. The District requires a ten-foot (10') separation between water and sewer appurtenances including manholes. If a manhole is installed, it will be measured from outside of manhole to outside of water attribute.

(b) Perpendicular Crossings – Sewer under Water:

If the sewer pipe crosses under the water main but less than eighteen inches (18") of clear space will exist, either the water main or sewer main must be installed with secondary containment. Acceptable options include a pipe casing extending no less than nine feet (9') each side of the crossing. The pipe casing shall be of watertight material with no joints. The casing pipe materials may be steel, ductile iron, fiberglass, fiberglass reinforced polymer mortar (FRPM), or polyvinylchloride (PVC) with suitable carrier pipe supports and casing pipe end seals. Alternatively, concrete or Controlled Low Strength Material (ex. flowable fill) encasement of either pipe extending no less than ten-feet (10') each side of the crossing may be used.

(c) Perpendicular Crossings – Water under Sewer:

If the sewer pipe will cross above or over the water main, either the sewer pipe or water pipe shall be installed with secondary containment unless the vertical distance exceeds five feet (5'). Acceptable options include a pipe casing extending no less than 9- feet each side of the crossing. The casing must be a single section of steel or ductile iron pipe. The design must include a means to support the interceptor or sewer main to prevent settlement and permit maintenance of the water main without damage to the sewer pipe. Alternatively, concrete or Controlled Low Strength Material (ex. flowable fill) encasement of either pipe extending no less than 10-feet each side of the crossing may be used. Crossings involving jointless pipe such as HDPE, fusible PVE or welded steel do not require installation of secondary containment.

SECTION III – MATERIAL SPECIFICATIONS

3.1 General Requirements
All materials must conform to these Material Specifications and shall be new and undamaged. Acceptance of materials, or the waiving of inspection thereof, shall in no way relieve the Applicant of the responsibility for furnishing materials that meet the requirements of these Specifications.

3.2 Pipe and Fittings
The following materials are approved for District mains:

3.2.1 Polyvinyl Chloride (PVC) gravity pipe
Main installations from eight to fifteen inches (8" to 15") in diameter shall conform to ASTM D3034, and shall be either SDR-35/PS46 or SDR-26/PS115.
Main installations from eighteen to twenty-seven inches (18" to 27") in diameter shall conform to ASTM F679 and shall be SDR-26/P115. Push on joints and molded rubber gaskets shall conform to ASTM D3212.
Maximum pipe segment lengths shall be twenty feet (20'). Joint lubricant shall be nontoxic and water-soluble and supplied by the pipe manufacturer.

3.2.2 Polyvinyl Chloride (PVC) pressure pipe

(a) Yelomine
Yelomine pipe shall be SDR-21, restrained joint PVC pressure pipe and fittings having a minimum cell classification of 12454 as defined in ASTM D1784 and materials in conformance with ASTM D2241.

(b) C-900
AWWA C-900 pipe may be used for 8 " through 12" diameter pipe, and shall be pressure class 235 psi, DR18, with push-on joints and flexible elastomeric seals ASTM D3139/ASTM F477. All spigot ends shall be beveled to manufacturer's specifications with gaskets meeting ASTM F477 and joints in compliance with ASTM D3139.

3.2.3 Ductile Iron Pipe (DIP)
Ductile Iron Pipe shall be per ASTM A746, Class 52, 350 psi, AWWAC151. Push-on joints shall be ANSI/AWWA C111/A21.11. Factory applied Protecto 401, or equivalent, ceramic epoxy interior lining for DIP & fittings. Manufactured by U.S. Pipe and Foundry Company/Griffin Pipe Products or approved equal.

3.2.4 Service Line Taps
Factory wyes shall be used for all service line connections with new main installations See Appendix B for requirements for new service line connections to existing mains.

3.2.5 Transition Adapter
If permitted on a case-by-case basis, Harco transition adapters or Shear Guard couplers may be used for pipe material transitions with prior approval. Fernco couplers shall not be permitted.

3.3 Manholes

3.3.1 Manhole
Manhole sections, base, riser, conical top sections, flat slab tops, and joint sealants between manhole sections shall be in accordance with ASTM C 478. Concrete used in cast in place manhole bases shall be per Section 3.3.10. All cone sections shall be the eccentric type. Openings through manhole risers shall be cored or cast-in, and access opening shall be twenty four-inch (24") diameter. Flat lid slabs are required on manholes with a depth of less than five feet (5') and must be eccentric.

3.3.2 Water Tightness
Manholes shall be watertight and constructed of precast concrete. Barrel sections, cones and frame joints shall all be sealed with a double Rub R Nek, or other equivalent material approved by the District. In areas of high groundwater or otherwise required by the District, a bituminous coating, or approved equal waterproofing material, shall be applied to the exterior of the manhole. Manhole vacuum testing shall be required by the District on all manholes in all areas of high groundwater.

3.3.3 Rings and Covers
Manhole rings and covers shall be heavy duty castings ASTM A 536 or gray cast iron per ASTM A 48 and all components shall be traffic rated to AASHTO HS-20. Ring and cover combined weight shall be greater than 245 pounds and machined to fit securely with a non-rocking cover. Manhole covers shall be twenty-four inch (24") in diameter and have a minimum of twenty-two and one-eighth inches (22-1/8") diameter clearance, have a waffle pattern with a flat lid and the lettering "SEWER" cast on the cover. Covers shall be D & L brand model A-1043 or accepted equal. Precision Cover Systems, Inc. (PCSI) fully-adjustable manhole covers with variable grade rings shall be installed in roadways.

3.3.4 Grade Rings
Grade rings shall be in accordance with ASTM C 478 and the maximum height of grade rings shall not exceed eleven inches (11").

3.3.5 Manhole steps
Steps shall be comprised of grade 60 deformed rebar encased in a polypropylene copolymer plastic with a tread width of fourteen inches (14"). The steps shall be M.A. Industries No. PS2-PF or PS2-PF-DF or approved equal. Steps shall be cast in place during manufacturing of the manhole sections and shall be six inches (6") from face of manhole. The top most step shall be installed between eighteen (18") and twenty-four inches (24") from the rim of the manhole. Manhole steps shall be vertically aligned and plumb. Steps shall be typically spaced at twelve inches on-center vertically with a maximum spacing of sixteen inches (16"). Steps shall not be installed in the "chimney" portion of the manhole. Entry steps shall be located in the barrel and cone sections of the manhole. See Standard Manhole Detail D-01.

3.3.6 Joint Sealant
Joints shall be sealed with Rub-R-Nek LTM or approved equal installed on the inner and outer ring. Sealant shall be a flexible gasket-type of Butyl rubber, Federal Specifications SS-S-210 (210-A), per ASTM C990-09, AASHTO M-198 75 1. Sealant shall be applied on all surfaces between precast concrete adjusting ring and casting, individual precast concrete adjusting rings, and precast concrete adjusting ring and cone joints. A compatible primer or solvent as recommended by manufacturer of butyl base material shall be used to prepare surfaces prior to application of butyl base material and riser rings. Two gaskets with a minimum cross sectional area equivalent to one inch (1") in diameter are required per joint on forty-eight inch (48") diameter manholes. Gaskets for manholes greater than forty-eight inches (48") in diameter shall have a minimum cross sectional area of one and one-half inches (1 ½").

3.3.7 Pipe to Manhole Seal
KOR-N-Seal, A-Lok, or approved equal flexible rubber boot in a cored hole per ASTM C 923 shall be used for installations in pre-cast bases.
For installations in cast-in-place bases (upon approval and on existing mains only), all pipe-to-manhole connections shall use two elastomeric Kor-N-Seal, or approved equal, "O"-ring water stops minimum per ASTM F477.

3.3.8 Flow Channel
The flow channel straight through a manhole should be made to conform as closely as possible in shape and slope to that of the connecting mains and shall have two tenths of a foot (0.2') minimum fall through the channel for a standard manhole. Channel depth and width shall equal the largest pipe diameter. The channel walls should be formed or shaped to the full height of the crown of the outlet main in such a manner as to not obstruct maintenance, inspection or flow in the sewers.

3.3.9 Bench
All manholes shall be constructed with a full bench configuration, in which the top of the invert channel walls shall match the crown of pipe elevation. The horizontal bench surface shall be sloped at a minimum of one-half inch (½") per foot, maximum of one inch (1") per foot with a medium broomed finish, perpendicular to the main direction of flow.

3.3.10 Manhole Base
The foundation for each manhole base shall be prepared by replacing unsuitable material with sub grade stabilization material in accordance with Appendix E-Earthwork.
The manhole base shall be precast (in accordance with ASTM C478) unless the manhole ties into an existing main, in which case a cast-in-place base may be used.
The invert shall be formed and smoothly finished to match the shape and elevation of all pipes connected to the manhole. Where the sewer line is designed with a continuous grade through the manhole, the pipe shall be laid through the manhole location, the top half of the pipe cut out and the manhole base formed around the bottom half of the pipe.
All concrete used in construction of cast-in-place manholes and bases shall be CDOT Class D. Concrete reinforcement shall be epoxy-coated steel reinforcing bars in accordance with ASTM A-615, Grade 60. In instances where a manhole ties into an existing main and a cast-in-place base is used, the first pre-cast manhole section shall be placed on the concrete base structure before the base has taken initial set, or the section shall be grouted into a suitable groove formed in the top of the manhole base.
The first section shall be adjusted to the proper grade and alignment so that it is uniformly supported by the base concrete and not bearing on any of the pipes. The manhole steps shall be located one-foot left or right of the main inflow pipe.
The remaining pre-cast sections shall be placed and aligned to provide vertical sides and alignment of the ladder rungs. Plumbness shall be checked as each barrel section is added. A bitumastic or other approved sealer shall be placed between pre-cast sections so that the completed manhole is rigid and watertight. The sealer shall be placed both on the inside lip as well as the outside lip of each section.

3.3.11 Interior Coatings
For drop manholes (or other applications as identified by the District), manhole interiors shall be coated with a Polyamidoamine Epoxy Primer with Polyamidoamine Epoxy Top Coat such as Tnemec Epoxoline Series L69 or equivalent. Preparation and application shall be per manufacturers' recommendations.

3.4 Concrete/Grout

3.4.1 General Requirements
Contractor shall provide the District Inspector with a specification sheet or mix design from the concrete supplier.

3.4.2 Concrete
All concrete used in construction of cast-in-place manholes and bases shall be CDOT Class D. Construction shall be in conformance with the Detail D-01.

3.4.3 Mortar and Grout
Non-shrink mortar and grout used in the shaping of inverts, grade ring gaps, sealing penetrations, or setting and anchoring cast iron shall consist of one part Type II Portland Cement and two parts of fine, clean sand. Only sufficient water shall be added to provide a stiff, workable cement mixture for proper troweling. Hydrate lime or masonry cement shall not be used. Where relatively thin portions of grout are to be applied (to a flow channel or top of bench) an approved epoxy bonding coat shall be applied to the exposed concrete surfaces prior to grouting.

3.5 Locating Disk
The District will provide green 3M brand Full-Range Disk Marker locating disks to the contractor for stub outs. The contractor shall ensure their correct installation.

3.6 Marking Tape
The installation of green marking tape is required on all sewer mains and service lines.
The tape shall be installed approximately 24 inches (24") above the main or line. The tape shall meet the following specifications:

(a) Five (5)-mil thick Polyethylene material.

(b) Solid green color with black lettering.

(c) Six inches (6") in width.

3.7 Casing Material and Spacers
Carrier pipes to be installed inside casings shall be installed with self-restraining casing spacers. Casing spacers shall provide axial thrust restraint to prevent pipe joint deflection during and after installation. They shall also provide dielectric insulation between the carrier pipe and the casing and facilitate installation of the carrier pipe into the casing. See Sewer Main Casing Detail D-5. Pipe casing shall be smooth wall welded steel ASTM A-53 Grade B cylinder fabricated in accordance with AWWA C200. External loading shall be AASHTO HS-20 highway or E-80 railroad loading, railroad loading plus jacking load. Casing joints shall have ends beveled for field welding, be butt welded with complete joint penetration welds around the entire circumference of the pipe, and be formed and accurately manufactured so that when pipes are placed together and welded they form a continuous casing with a smooth and uniform interior surface. Interlocking joints shall be Permalok Interlocking Pipe Joining System.
Casing spacers shall be stainless steel, two piece bolt-on style, minimum fourteen (14) gauge thickness and a minimum length of eleven inch (11"); casing spacers shall be installed every six feet (6') of the pipeline to support the pipe barrel and the weight of its contents, or at an appropriate spacing as determined by the engineer. The four runners shall be eleven inches (11") long at a minimum and manufactured of high abrasion resistant, low coefficient of friction, glass filled polymer. Runner heights shall be set to center the carrier pipe in the casing. Risers shall be ten (10) gauge maximum, and the coating shall be fusion-bonded epoxy or heat fused PVC. Casing spacer models shall be Uni-Flange Series UFRCS1300, Advance Products and Systems, Inc. SI-12; Pipeline Seal and Insulator, Inc. C12G or approved equivalent. Restrained casing spacers shall be provided at all pipe joints. Restrained casing spacers shall be UniFlange Series UFRCS1390 P or approved equivalent.
Casing end seals shall be preformed and designed to prevent entry of water or loss of material from casing. The end seals shall be made of one-eighth inch (1/8") thick 60 durometer EPDM or neoprene rubber held together with mastic strips to seal the edges.
The seals shall overlap the casing pipe by two inches (2") and shall be held on with AISI 304L stainless steel worm gear clamps. Casing end seals shall be Advance Products and Systems, Inc. AC or AW; Pipeline Seal and Insulator, Inc. C or W; or approved equivalent.

3.8 Tracer Wire (REQUIRED)
See Appendix E

SECTION IV – PIPE INSTALLATION & CONSTRUCTION

4.1 Safety
Job site safety shall be the responsibility of the contractor. The District Inspector may refuse to enter a jobsite if deemed unsafe by Occupational Health and Safety Act (OSHA) standards. Failure to provide a safe jobsite may prevent the District from conducting an inspection.

4.2 Handling of Materials
Pipe and fittings shall be loaded and unloaded by lifting so as to avoid shock or damage. Under no circumstances shall material be dropped. If, however, any part of the pipe is damaged, the replacement or repair of the damaged pipe shall be done to the satisfaction of the District. Any pipe or fittings that are not acceptable to the District shall be removed from the job site immediately. All pipe-handling equipment and pipe handling methods shall be in accordance with the methods and equipment recommended by the manufacturer.
Under NO circumstance shall forks be inserted into any pipe and or fitting.
Pipe shall be stored and handled in accordance with manufacturer's recommendations.
Any pipe with UV degradation or bowing may be rejected by the District Inspector. All pipe shall be delivered to the project site and stored with factory applied end caps intact.

4.3 Inspection and Preparation of Pipe and Fittings
Before placing pipe in the trench, each pipe or fitting shall be thoroughly cleaned of all foreign material, kept clean at all times thereafter, and carefully examined for cracks, warping, or any other defects before installation. Bell ends and spigot ends are to be examined and free of defects. Following the inspection, end caps shall be replaced prior to placing the pipe in the trench.
All lumps, blisters and excess coatings shall be removed from the pipe and fitting, and the outeide of the spigot and the inside of the bell shall be wiped clean, dry and free from oil and grease before the pipe or fitting is installed. Dirt and any other material must be removed from the barrel of the pipe before installation.

4.4 Cutting and Fitting of Pipe
Pipe shall be cut in accordance with manufacturer's recommendations, whenever necessary, to conform to location of fittings, line, or grade. All cuts, when required, shall be straight, true and beveled and may be made with plastic pipe cutters or completed per the DIPRA Guidelines for Field Welding and Cutting Ductile Iron Pipe (August 2015). All burrs shall be removed from the ends of cut pipe and the ends of the pipe lightly rasped or filed.

4.5 Pipe Alignment and Grade
Manholes shall be installed at staked locations and elevations. Main installation stakes for alignment and grade shall be set by a surveyor under the guidance of a Professional Land Surveyor who is registered in the State of Colorado.
Pipe shall be installed at a constant grade from manhole to manhole. No grade breaks or low spots will be accepted. Pipe shall be installed with the bell ends facing in the direction of installation, unless directed otherwise by the District. Where pipe is to be installed on a grade of ten percent (10%) or greater, the installation shall start at the bottom and shall proceed upward with the bell ends of the pipe up grade.

4.6 Temporary Plugs
A mechanical pipe plug shall be used as a temporary plug during line installation to isolate the mainline extension from the existing collection system. All temporary plugs shall be provided by the Contractor.

4.7 Frost
No pipe or appurtenant structure shall be installed upon a foundation into which frost has penetrated, or if at any time there is danger of ice formation. No pipe or appurtenant structure shall be installed unless backfilling can be completed before the formation of ice and frost.

4.8 Lowering of Material into the Trench
Proper implements, tools and facilities satisfactory to the District shall be provided and used by the Contractor for the safe and convenient performance of the work. All pipe, manholes, and accessories shall be carefully lowered into the trench piece by piece by means of suitable tools and equipment, in such a manner as to prevent damage to the materials. Under no circumstances shall the materials be dropped or dumped into the trench.
If damage occurs to any pipe, manholes or main accessories in handling, the District inspector may reject the damaged material at the discretion of the inspector.

4.9 Installation of Pipe

4.9.1 General Requirements
Factory applied end caps shall remain installed on the pipe while it is being placed in the trench to prevent foreign material from entering the pipe. The end cap shall be left in place until the connection is to be made to the adjacent pipe. During installation, no debris, tools, clothing or other foreign materials shall be placed in the pipe.
As each length of pipe is placed in the trench, the spigot end shall be centered in the bell and the pipe inserted to the manufacturer's recommended depth with a slow steady pressure without jerky or jolting movements and brought to correct line and grade. The pipe shall be secured in place with bedding material tamped under it, except at the bells. Precautions shall be taken to prevent dirt from entering the joint space. No wooden blocking shall be left at any point under the pipeline. All pipe joints shall be uniform and smooth transitions shall exist from joint to joint or fitting.
See Appendix E for bedding, backfill and compaction requirements.

4.9.2 Ductile Iron Pipe
Push-On Joints: The inside of the bell, the outside of the spigot end, and the rubber gasket shall be thoroughly cleaned to remove oil, grit, excess coating, and other foreign matter. The rubber gasket shall be flexed inward and inserted into the gasket recess of the bell socket. NSF-61 approved gasket lubricant per the manufacturers recommendations shall be applied to either the inside face of the gasket, and the spigot end of the pipe, per the manufacturer's recommendations.
The spigot end of the pipe shall be placed in the bell end with care to prevent the joint from contacting the ground. Pipe furnished without a depth mark on the spigot end shall be marked before assembly to ensure insertion to the manufacturer's recommended depth. The pipe shall be kept in straight alignment and the joint shall be completed by inserting the pipe to the manufacturer's recommended depth with a slow, steady pressure by using a long pry bar, jack, lever puller, or backhoe bucket. A timber header should be used between the pipe and the jack or backhoe bucket to avoid damage to the pipe.
Upon completion of joining push-on joint pipe, an inspection shall be made to ensure that the gasket is correctly aligned in the gasket recess of the bell socket and not twisted or turned.

4.9.3 Polyvinyl Chloride Pipe
Elastomeric Gasket Joints: Immediately before joining two (2) lengths of PVC pipe, the inside of the bell or coupling, the outside of the spigot and the elastomeric gasket shall be thoroughly cleaned to remove all foreign material.
Lubrication of the joint and rubber gasket shall be done in accordance with the pipe manufacturer's specifications.
Care shall be taken that the correct elastomeric gasket, compatible with the annular groove of the bell, is used. Insertion of the elastomeric gasket in the annular groove of the bell or coupling must be in accordance with the manufacturer's recommendations.
The spigot and bell or coupling shall be aligned and inserted to the manufacturer's recommended depth or reference line. Installation or pushing shall be done in a smooth, steady motion. Upon completion of joining the pipe, an inspection shall be made to assure that the gasket is correctly aligned in the gasket recess of the bell socket and not twisted or turned. NO deflection will be allowed at a joint of PVC pipe.

4.9.4 Yelomine Pipe
Installation of Yelomine pipe shall be in accordance with the manufacturer's recommendations and specifications. Cleanout caps shall be installed with nonpermanent gaskets where applicable.

4.9.5 Job-Mixed Concrete
Job-mixed concrete shall be thoroughly mixed to combine aggregates, cement, and water into a uniform mass.

4.9.6 Ready-Mixed Concrete
Said materials must be proportioned, mixed and transported in accordance with ASTM C94. Any concrete not plastic and workable when it reaches project shall be rejected.
See Section 3.4 for material specifications.

4.10 Manholes
Manholes shall be precast, watertight and constructed in accordance with the District's standard details and per Section 3.3. For precast manhole bases, the area underneath the manhole base shall be excavated and bedding material shall be placed and compacted to 95% Modified Proctor the required elevation. The manhole base shall then be lowered into the trench and checked for proper bearing on the subgrade, proper elevation and orientation to receive the incoming and outgoing sewers at the designated invert elevation. If the invert elevation varies by more than plus or minus one half inch (1/2") from the designated invert elevation, the base shall be removed and reset. The concrete invert channel and bench shall be constructed following the connection of all sewer pipes to the manhole. The flow channel shall be smooth and true to the sewer pipe invert elevations, with uniform cross section and slope, either straight or with a continuous curve between inlet and outlet of pipes. To eliminate free fall conditions in a manhole resulting from invert elevation differentials between incoming and outgoing pipes, the Contractor shall form and construct suitable channels in the bottom of the manhole connecting the inverts. Shape channel base and bench per Sections 3.3.8 and 3.3.9, respectively. New manholes shall have pre-formed holes for pipe installation and existing manholes shall be cored to install pipe and connector. Chip existing concrete bench inside manhole and shape smooth continuous invert for connections to existing manholes. All pipe-to-manhole connections and grade adjustment rings shall be sealed and grouted with non-shrink materials and be watertight. All lift holes shall be filled with non-shrink grout.
All dimensions, locations and elevations shall be coordinated by the Applicant and Contractor and meet the requirements of the District. Cast-in-place manhole bases will only be allowed when connecting to an existing main.

4.11 Service Lines
Refer to Appendix B, Section II.

SECTION V – TESTING AND ACCEPTANCE

5.1 General Requirements for Connections
Connections to the District system shall be inspected and approved by the District prior to backfilling.

5.1.1 Service Connections
Refer to Appendix B.

5.1.2 Connections to Manholes
All connections shall match the crown of pipe to crown of pipe at the highest existing main or per the direction of the District. All new main installations shall require reformed benches that meet all District standards.

5.2 Testing – Sewer Mains

5.2.1 Alignment
Straight alignment shall be checked by using either a laser beam or lamping.

5.2.2 Low Pressure Air Testing – General Requirements
The air test shall, as a minimum, conform to the test procedure described in ASTM F 1417 Standard Practice for Installation Acceptance of Plastic Non-Pressure Sewer Lines Using Low-Pressure Air. Deflection testing should occur prior to air test.

5.2.3 Low Pressure Air Testing Procedure

(a) Lines must be cleaned by flushing or by other means before the low pressure air test is to begin.

(b) Isolate the sewer line to be tested and ensure that all other outlets from which air could escape are properly sealed. In this step of the procedure, it is necessary to inspect the manhole invert being plugged to be sure that it has no damage which will be covered by the plug and not detected with the low-pressure air test.

(c) Determine the duration of the test by using the accompanying tables at the end of this section.

(d) Begin the test by connecting the air source to the inlet tap. Slowly add air until the internal pressure of the test section reaches a pressure 4.0 psig. If ground water back pressure exists, it must be quantified by the Engineer prior to testing.

(e) After the constant pressure of 4.0 psig is obtained, regulate the air supply so that the pressure is maintained between 3.5 to 4.0 psig for at least 2 min. Depending on air/ground temperature conditions, the internal air temperature will stabilize in equilibrium with the temperature of the pipe walls. The pressure will normally drop slightly until equilibrium is obtained; however, a minimum of 3.5 psig is required.

(f) Once the pressure has stabilized to 4.0 psig (plus the average ground water back pressure, if applicable) disconnect the air supply from the control panel. Observe the continuous monitoring gauge and decrease the internal pressure to no less than 3.5 psig. At a reading of 3.5 psig or within the range of 3.5 to 4.0 psig, stop decreasing the pressure and commence timing with a stopwatch or watch with a second hand or digital readout in minutes and seconds with an accuracy of 0.1.s.

(g) Once the predetermined time period from the formula or table above has elapsed, observe the continuous monitoring gauge to obtain the amount of pressure lost during the test duration. If the pressure drop is found to be less than 1.0 psig (or 0.5 psig in circumstances where a shorter test duration is desired), the section is presumed to be free of any leaks or defective joints. If the pressure drop is 1.0 psig or greater (0.5 psig or greater in circumstances where a shorter test duration is desired), the test section has failed due to excessive pressure loss. When low-pressure air testing of a sewer line results in a failure the Contractor, at his/her own expense, shall detect the leak or defect and repair or replace whatever is necessary to remedy such defect in a manner acceptable to the Owner.

See TABLE D-3 for Minimum Time for a 1.0 psig Pressure Drop for Size and Length of Pipe for Q = 0.0015
See Table D-4 for Minimum Time for a 0.5 psig Pressure Drop for Size and Length of Pipe for Q = 0.0015

COLORADO LICENSED
ROBERT C WAGNER
60475
PROFESSIONAL ENGINEER

M:\Civil34_Proj\20067DT1\Site Plan\20067DT1.dwg, 8/19/2024 3:25 PM, Colton M. Wallace, 25 SEWER CONSTRUCTION SPECIFICATIONS 1, MCLLC PDF.pc3
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MIDTOWN VILLAGE PUD
SEWER CONSTRUCTION SPECIFICATIONS 1

25

DATE: 8/19/24
SHEET 25 OF 38
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JOB No. 20067

REVISIONS:	REV. DATE
PER ERWSD & MME REVIEW	07/19/24
PER ERWSD & MME REVIEW	08/19/24

SEWER SPECIFICATIONS - CONTINUED

5.3 Manhole Testing – General Requirements

Manhole vacuum testing shall be required by the District on all manholes in all areas of high groundwater via the vacuum test per ASTM C1244, "Standard Test Method for Concrete Sewer Manholes by the Negative Air Pressure (Vacuum) prior to backfill.

5.3.1 Manhole Testing Procedure

(a) Plug all inlets and outlets.

(b) Install the vacuum tester head assembly on the manhole.

(c) Attach the vacuum pump assembly to the proper connection on the test head assembly. Make sure the vacuum inlet/outlet valve is in the closed position.

(d) Inflate the sealing element to twice the test pressure to be used. Do not over inflate.

(e) Start the vacuum pump assembly engine and allow preset RPMs to stabilize.

(f) Open the inlet/outlet ball valve and evacuate the manhole to ten-inch (10") Hg (mercury) that is equivalent to approximately 5 PSIG (0.3 bar) backpressure.

(g) Close the vacuum inlet/outlet ball valve, disconnect the vacuum pump and monitor the vacuum for one (1) minute.

(h) Allowable leakage - less than one-inch (1") Mercury (Hg) in one (1) minute.

(i) All manholes that do not meet the minimum amount for the leakage rests must be repaired and re-tested.

5.4 Television Inspection – General Requirements

Prior to construction/final acceptance of any sanitary sewer line by the District, the main shall be inspected internally by television as outlined in this Section. Leakage testing shall be performed prior to televising. The complete job is ready for television inspection when the following work has been completed.

(a) All sewer pipelines are installed and backfilled.

(b) All attributes are in place, all inverts are complete and pipelines are accessible.

(c) All other underground facilities, utility piping and conduits are installed.

(d) Pipelines have been jet cleaned.

(e) Final air test has been completed.

When the above work is complete, the Contractor shall arrange for the television inspection. The Contractor of the project will notify the District in writing as to the scheduled date of the television inspection.
After conditions a through e as outlined above, are met, the entire job will be televised.

(a) A video. accompanied by Standard Form 6.3 shall document defects requiring correction.

(b) If no deficiencies are observed, the work will be considered satisfactory.

There is no acceptance tolerance for defects such as high and low spots, joint separations, offset joints, chipped ends, cracked or damaged pipe, dimples or bumps in the pipe, or groundwater infiltration.

5.4.1 Inspection Format
Sanitary sewer lines shall be inspected by means of remote CCTV. All CCTV work shall conform to current NASSCO-PACP standards. Contractor shall provide the District with CCTV inspections (video and data collected) entirely in electronic format. Mains shall be tested with three and a half (3.5) gallons of water per minute flowing during televising and shall follow the direction of flow. The camera must be centered in the pipe and the speed of travel shall be slow enough to inspect each pipe joint, and tee connection, and should not, at any time, be faster than 30 feet per minute. The documentation of the work shall consist of PACP CCTV Reports, PACP database, logs, electronic reports, etc. noting important features encountered during the inspection. All CCTV video observations shall be identified by audio and recorded on the District Standard Form 6.3 and is required to accompany each submittal.

5.4.2 CCTV Video Content
Submitted CCTV videos shall include:

(a) Footage indicator

(b) Running time

(c) Date

(d) Location

(e) Beginning (upstream) and ending (downstream) manhole numbers for each run. Manhole numbers corresponding with the District's GIS mapping system shall be obtained by the District field inspector.

5.4.3 District Review
The Contractor will be notified in writing of any deficiencies revealed by the television inspection that require repair. If corrective work is indicated and the Contractor wishes to view CCTV videos, he shall contact the District to set a time for the viewing.

5.4.4 Correction of Deficiencies
Those segments of the pipeline system that have been corrected must be re-televised. The procedure outlined in above will be repeated until all deficiencies observed by television inspection have been corrected to the complete satisfaction of the District. Prior to submittal to the District, the CCTV videos shall be reviewed by the Engineer, Applicant, and Contractor for any defect that may be visible. If CCTV videos and cut sheets are submitted to the District that are deemed "unacceptable," the Contractor shall be charged for the time taken by District personnel to review the CCTV videos. The minimum charge shall be one hundred dollars ($100).

5.5 Sewer Main Repairs
All proposed repairs must be approved by the District Inspector prior to actual repair. Once repair has been made, inspection will be required by a District Inspector. There will be no exception to this requirement. If a repair and/or correction is made in a sewer line segment, the entire line segment shall be required to be re-televised with water flowing. A line segment is defined as the entire length of sewer line from manhole to manhole.

5.6 Protection of Existing Sewer System
On the outlet of the connection point to the existing District sewer main, a mechanical plug shall be installed to prevent any flow, debris and or material from the newly constructed main line from entering the District's system. The plug shall be normally set on the downstream outlet of the manhole. Plugs shall be installed per the direction of the District's Inspector. The plug shall be a mechanical-type device and is to be secured to the existing manhole to prevent loss of plug. The plug shall not be removed until Construction Acceptance has occurred. The Contractor shall be required to make routine inspections of the mechanical plug to insure that no leaking is occurring. If a leak is found, the Contractor shall immediately notify the District and take corrective action. The District may perform a video inspection of existing sewer mains that could potentially be impacted by construction activities prior to the start of construction and after the completion of construction. Any damage to existing facilities caused by the Contractor shall be repaired at the Contractor's expense.

5.7 Manhole Abandonment
Manholes to be abandoned in place shall have all pipes entering or exiting the structure plugged with lean concrete or controlled low strength material backfill (Flo-Fill). For manholes with existing pipes too large to plug with fill, a bulkhead shall be constructed on the inside of the manhole to prevent the fill from entering the pipes. Manhole tops or cone section shall be removed to the top of the full barrel diameter section or to a point not less than eighteen (18) inches below final grade. The structure shall then be backfilled with lean concrete or Flo-Fill. Surface restoration shall be completed to match the surrounding areas.

COLORADO LICENSED
ROBERT C. WAGNER
60475
PROFESSIONAL ENGINEER

MIDWESTERN CONSULTING
3815 Plaza Drive, Ann Arbor, Michigan 48108
(734) 995-0200 • www.midwesternconsulting.com
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1632 MAIN STREET
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SEWER CONSTRUCTION SPECIFICATIONS 2

26

JOB No. 20067

REVISIONS:	REV. DATE
PER ENGR & MEP REVIEW	07/17/24
PER ENGR & MEP REVIEW	08/19/24

DATE: 8/19/24
SHEET 26 OF 38
CADD:
ENG.: CMW
PM: RCW
TECH:
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M:\Civil3dLPro1\20067\Site Plan\20067DT1.dwg, 8/19/2024 3:25 PM, Colton M. Wallace, 26 SEWER CONSTRUCTION SPECIFICATIONS 2, MCLLC PDF.pc3
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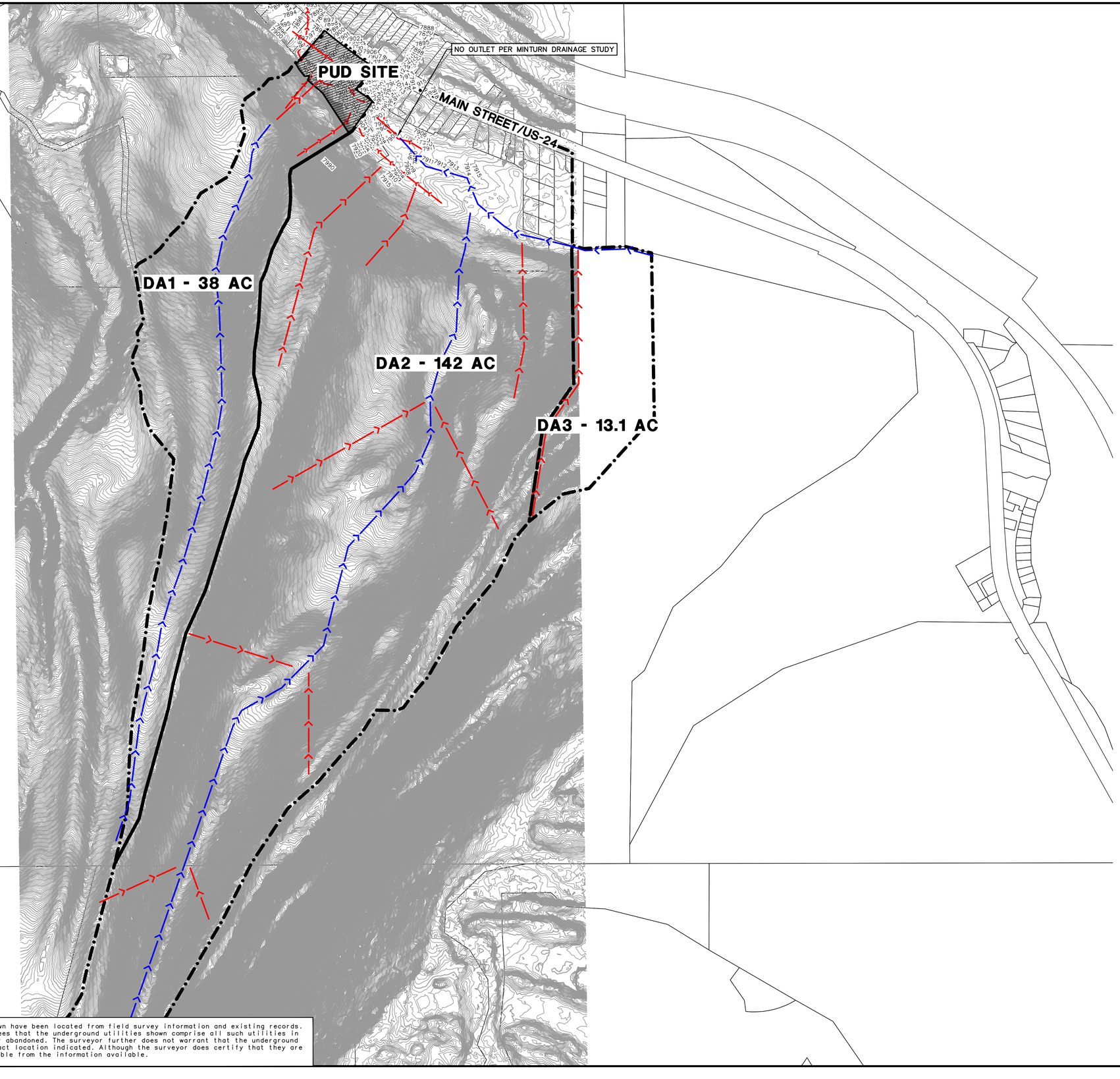

SCALE: 1" = 100'

0 100 200 300

811 Know what's below. Call before you dig.

NOTES

1. CONTOURS ARE NOT FIELD VERIFIED AND ARE INSERTED PER USGS GIS DATA
2. EXISTING DRAINAGE AREA PATTERNS AND AREAS ARE ESTIMATED.

LEGEND

- 838 — EXIST. CONTOUR
- EXIST. DRAINAGE AREA BOUNDARY
- FLOW PATH CONCENTRATED FLOW
- FLOW PATH SHEET FLOW

The underground utilities shown have been located from field survey information and existing records. The surveyor makes no guarantees that the underground utilities shown comprise all such utilities in the area, either in-service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated. Although the surveyor does certify that they are located as accurately as possible from the information available.

COLORADO LICENSED ROBERT C. WAGNER 60475 PROFESSIONAL ENGINEER

MIDWESTERN CONSULTING
381 S Plaza Drive Ann Arbor, Michigan 48108
(734) 995-0200 • www.midwesternconsulting.com
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MIDTOWN VILLAGE PUD

EXISTING DRAINAGE PLAN

27

DATE: 8/19/24
SHEET 27 OF 38
CADD:
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JOB No. 20067

REVISIONS:	REV. DATE
PER ERWSD & MVE REVIEW	07/17/24
PER ERWSD & MVE REVIEW	08/19/24

M:\Civil3d_Pro\20067\Site Plan\20067DA1.dwg, 8/19/2024 3:27 PM, Colton M. Wallace, 27 EXISTING DRAINAGE PLAN, MCLLC PDF.pc3
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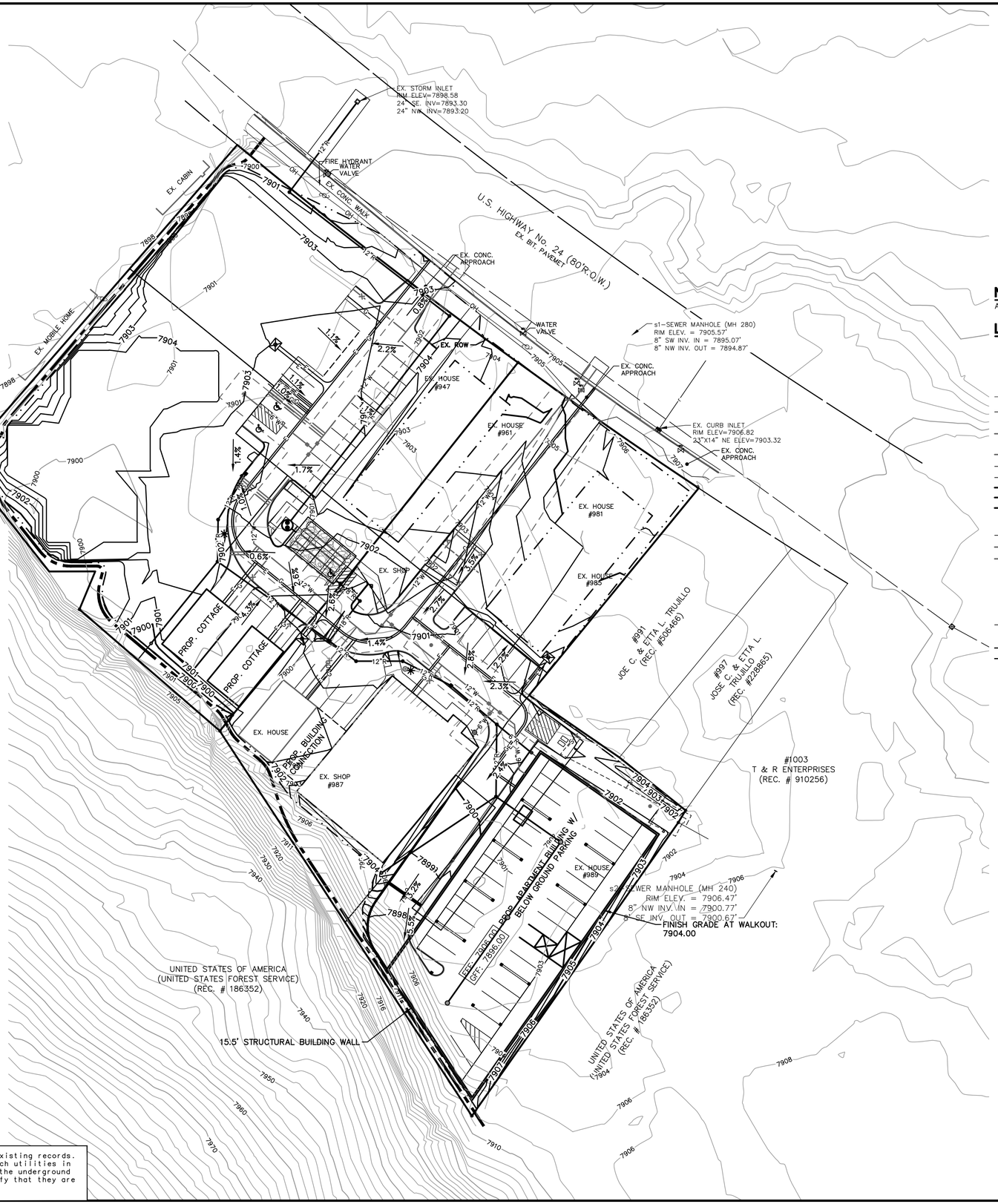

SCALE: 1" = 30'

0 30 60 90

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NOTES

ADD NOTES AS NECESSARY

LEGEND

7902	EXIST. CONTOUR
7902	PROP. CONTOUR
×7902.2	EXIST. SPOT ELEVATION
7902.2	PROP. SPOT ELEVATION
	EXIST. UTILITY POLE
OH	EXIST. OVERHEAD UTILITY LINE
WV	EXIST. WATER VALVE
	EXIST. HYDRANT
W	PROP. WATER MAIN
	PROP. HYDRANT
	PROP. GATE VALVE IN BOX
r	EXIST. STORM SEWER
	EXIST. CATCH BASIN OR INLET
R	PROP. STORM SEWER
	PROP. CATCH BASIN OR INLET
	PROP. UNDERGROUND STORM SEWER STORAGE
	PROP. UNDERGROUND STONE BED
s	EXIST. SANITARY SEWER
S	PROP. SANITARY SEWER
	PROP. FLOOR DRAIN
	SIGN
	POST
	EXIST. GAS VALVE
W	WELL
	FENCE
	PROP. ELEC. TRANSFORMER
E	PROP. ELECTRIC LINE
G	PROP. GAS LINE

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MINTURN, CO 81645
JEFFREY D. ARMISTEAD
970-471-0618

MIDTOWN VILLAGE PUD

OVERALL GRADING PLAN

28

DATE: 04/07/22
SHEET 28 OF 38
CADD:
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PM: RCW
TECH:
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JOB No. 20067

REVISIONS:	REV. DATE
PER ERWSD REVIEW	01/15/24
PER ERWSD & IME REVIEW	02/23/24
PER ERWSD & IME REVIEW	08/19/24

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M:\Civil3d_Proj\20067\Site Plan\20067GP2.dwg, 8/19/2024 3:58 PM, Colton M. Wallace, 29 DETAILED GRADING PLAN, MCLLC PDF.pc3
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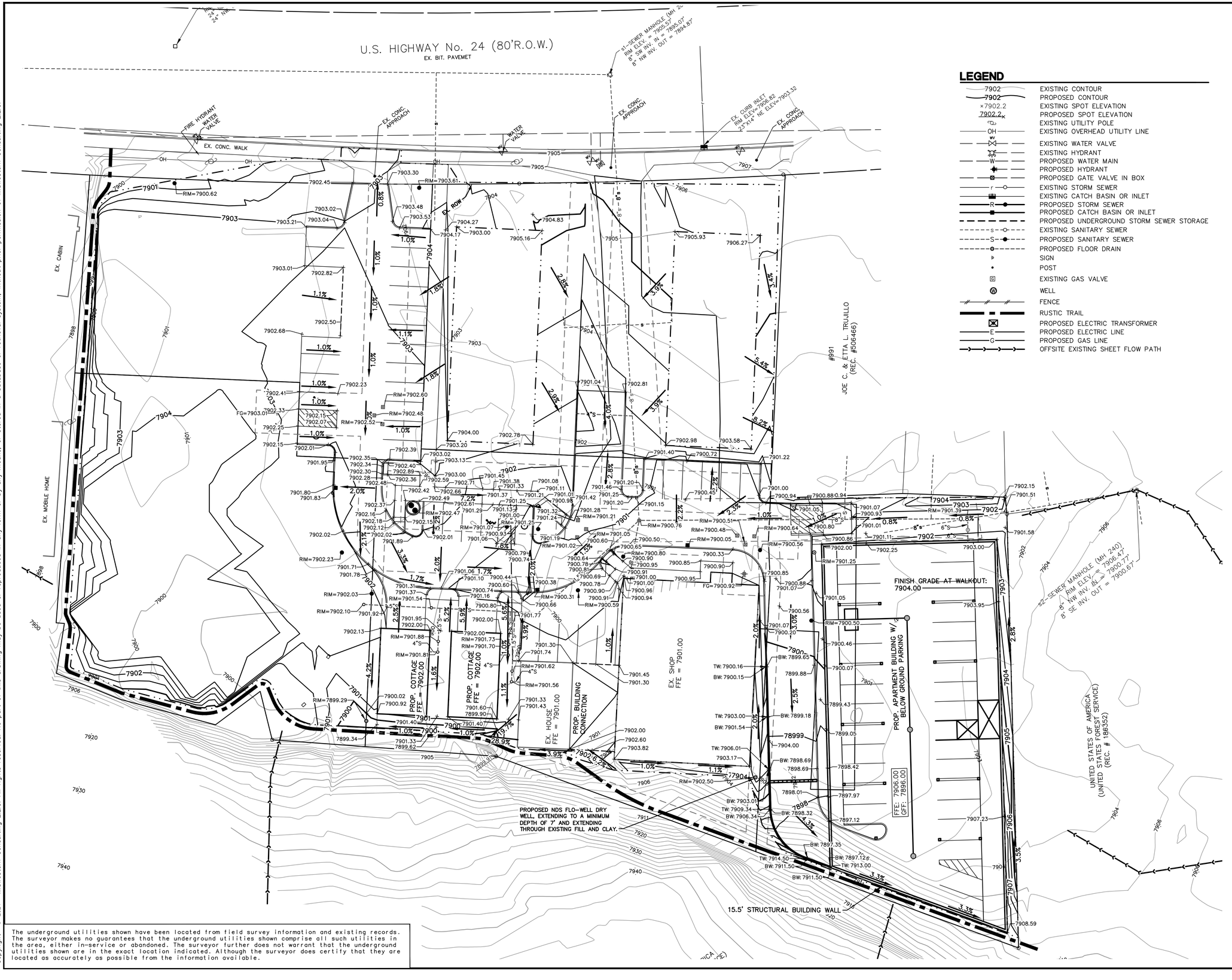

LEGEND

7902	EXISTING CONTOUR
7902	PROPOSED CONTOUR
×7902.2	EXISTING SPOT ELEVATION
7902.2	PROPOSED SPOT ELEVATION
	EXISTING UTILITY POLE
OH	EXISTING OVERHEAD UTILITY LINE
W	EXISTING WATER VALVE
	EXISTING HYDRANT
W	PROPOSED WATER MAIN
	PROPOSED HYDRANT
	PROPOSED GATE VALVE IN BOX
r	EXISTING STORM SEWER
	EXISTING CATCH BASIN OR INLET
R	PROPOSED STORM SEWER
	PROPOSED CATCH BASIN OR INLET
	PROPOSED UNDERGROUND STORM SEWER STORAGE
s	EXISTING SANITARY SEWER
S	PROPOSED SANITARY SEWER
	PROPOSED FLOOR DRAIN
	SIGN
	POST
G	EXISTING GAS VALVE
W	WELL
	FENCE
	RUSTIC TRAIL
	PROPOSED ELECTRIC TRANSFORMER
E	PROPOSED ELECTRIC LINE
G	PROPOSED GAS LINE
	OFFSITE EXISTING SHEET FLOW PATH

SCALE: 1" = 20'

0 20 40 60

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385 Plaza Drive, Ann Arbor, Michigan 48108
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1632 MAIN STREET
MINTURN, CO 81645
JEFFREY D. ARMISTEAD
970-471-0618

MIDTOWN VILLAGE PUD

DETAILED GRADING PLAN

29

JOB No. 20067

DATE: 04/07/22
SHEET 29 OF 38
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ENG.: CMW
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PER ERWSD & MEP REVIEW	02/23/24
PER ERWSD & MEP REVIEW	08/19/24



SCALE: 1" = 40'
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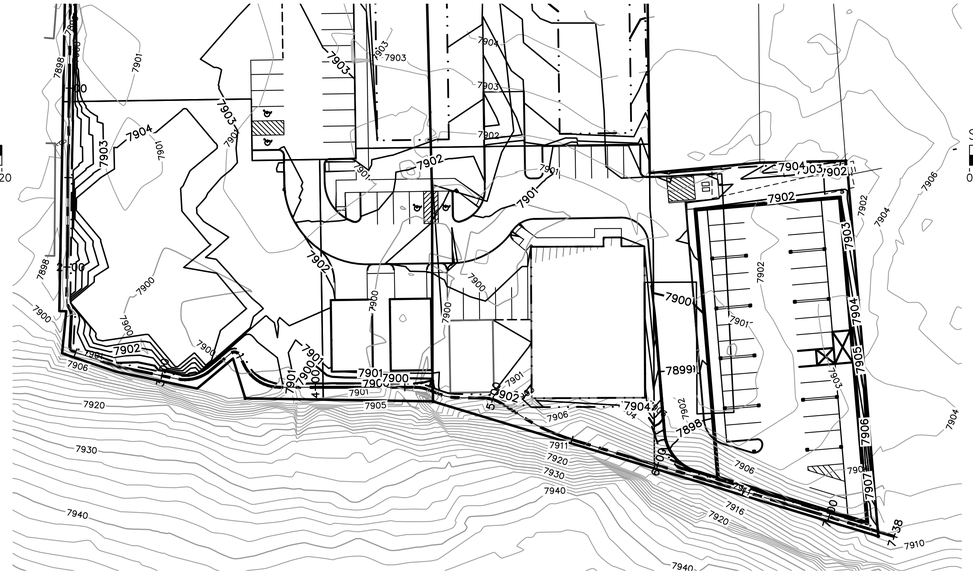

SCALE: 1" = 40'
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HORZ. SCALE: 1" = 40'
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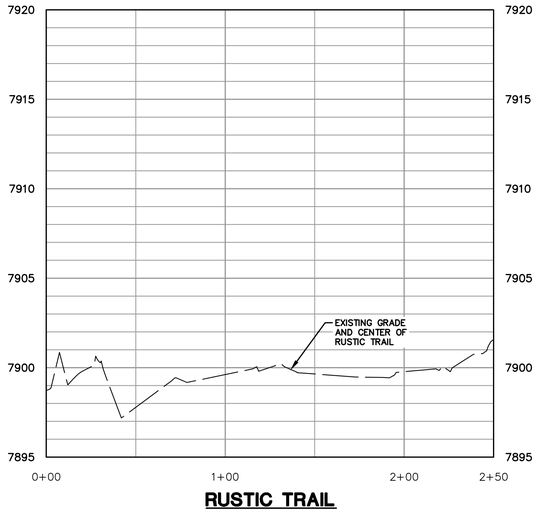
0 4 8 12
VERT. SCALE: 1" = 4'



RUSTIC TRAIL

HORZ. SCALE: 1" = 40'
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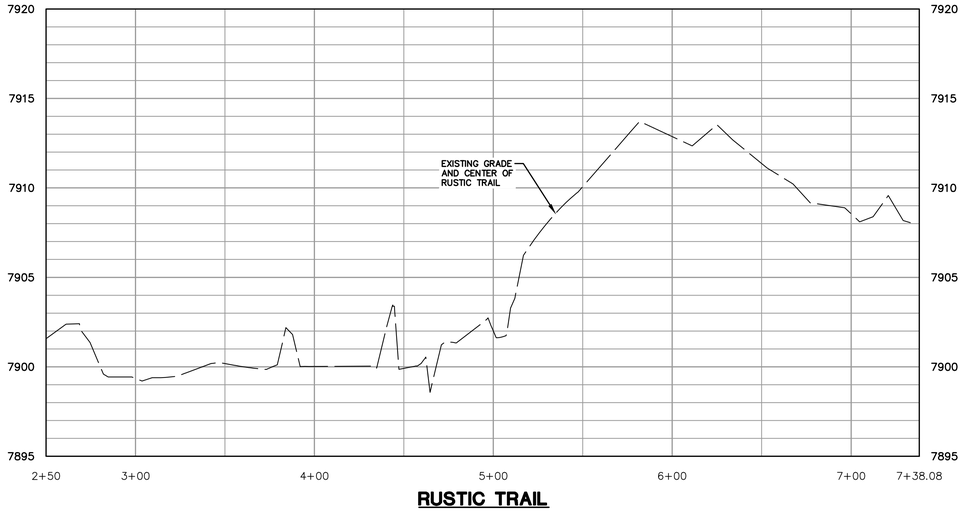
0 4 8 12
VERT. SCALE: 1" = 4'



RUSTIC TRAIL

RUSTIC TRAIL CONSTRUCTION EXAMPLE IMAGES



NOTES

ADD NOTES AS NECESSARY

LEGEND

- 7902 — EXIST. CONTOUR
- 7902 — PROP. CONTOUR
- EXIST. UTILITY POLE
- OH — EXIST. OVERHEAD UTILITY LINE
- EXIST. WATER VALVE
- EXIST. HYDRANT
- W — PROP. WATER MAIN
- PROP. HYDRANT
- PROP. GATE VALVE IN BOX
- r — EXIST. STORM SEWER
- EXIST. CATCH BASIN OR INLET
- R — PROP. STORM SEWER
- PROP. CATCH BASIN OR INLET
- PROP. UNDERGROUND STORM SEWER STORAGE
- PROP. UNDERGROUND STONE BED
- s — EXIST. SANITARY SEWER
- S — PROP. SANITARY SEWER
- PROP. FLOOR DRAIN
- SIGN
- POST
- G — EXIST. GAS VALVE
- W — WELL
- FENCE
- RUSTIC TRAIL
- PROP. ELEC. TRANSFORMER
- E — PROP. ELECTRIC LINE
- G — PROP. GAS LINE

RUSTIC TRAIL BMPS

1. PROPOSED DESIGN CREATES A STABLE TRAIL THAT WILL RESULT IN FEWER PROBLEMS WITH SOIL EROSION AND SEDIMENTATION.
2. INSTALL TEMPORARY EROSION CONTROL MEASURES SUCH AS HAY BALES BEFORE CONSTRUCTION BEGINS. KEEP THEM IN PLACE AND MAINTAINED DURING CONSTRUCTION AND REMOVE THEM ONLY AFTER THE SITE HAS BEEN STABILIZED.
3. BEFORE BEGINNING ANY TRAIL CONSTRUCTION, INSTALL NECESSARY MEASURES TO MINIMIZE AND PREVENT EROSION.
4. STABILIZING SLOPES, CREATING NATURAL VEGETATION BUFFERS, DIVERTING RUNOFF FROM EXPOSED AREAS, CONTROLLING THE VOLUME AND VELOCITY OF RUNOFF, AND CONVEYING THAT RUNOFF AWAY FROM THE CONSTRUCTION AREA ALL SERVE TO REDUCE EROSION.
5. DURING TRAIL CONSTRUCTION, MINIMIZE THE AMOUNT OF SOIL DISTURBANCE AT STREAM CROSSINGS.
6. TRAIL CONSTRUCTION IS BEST DONE DURING THE DRY MONTHS WHEN SOIL SATURATION AND WATER LEVELS ARE AT THEIR LOWEST.
7. THE THREE MOST IMPORTANT FACTORS TO CONSIDER DURING TRAIL CONSTRUCTION ARE THE CHARACTER OF THE LAND ITSELF (SOIL, SLOPE, AND VEGETATIVE COVER), THE TYPE OF EXPECTED USE, AND THE VOLUME OF THAT EXPECTED USE.
8. RUSTIC TRAIL TO BE DESIGN-BUILT BY 10TH MOUNTAIN BUILDERS.

811 Know what's below. Call before you dig.

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M:\Civil3d_Proj\20067\Site Plan\20067DP3.dwg, 8/19/2024 3:28 PM, Colton M. Wallace, 3D RUSTIC TRAIL PLAN, MCLLC PDF.pc3
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JEFFREY D. ARMISTEAD
970-471-0618

MIDTOWN VILLAGE PUD

RUSTIC TRAIL PLAN

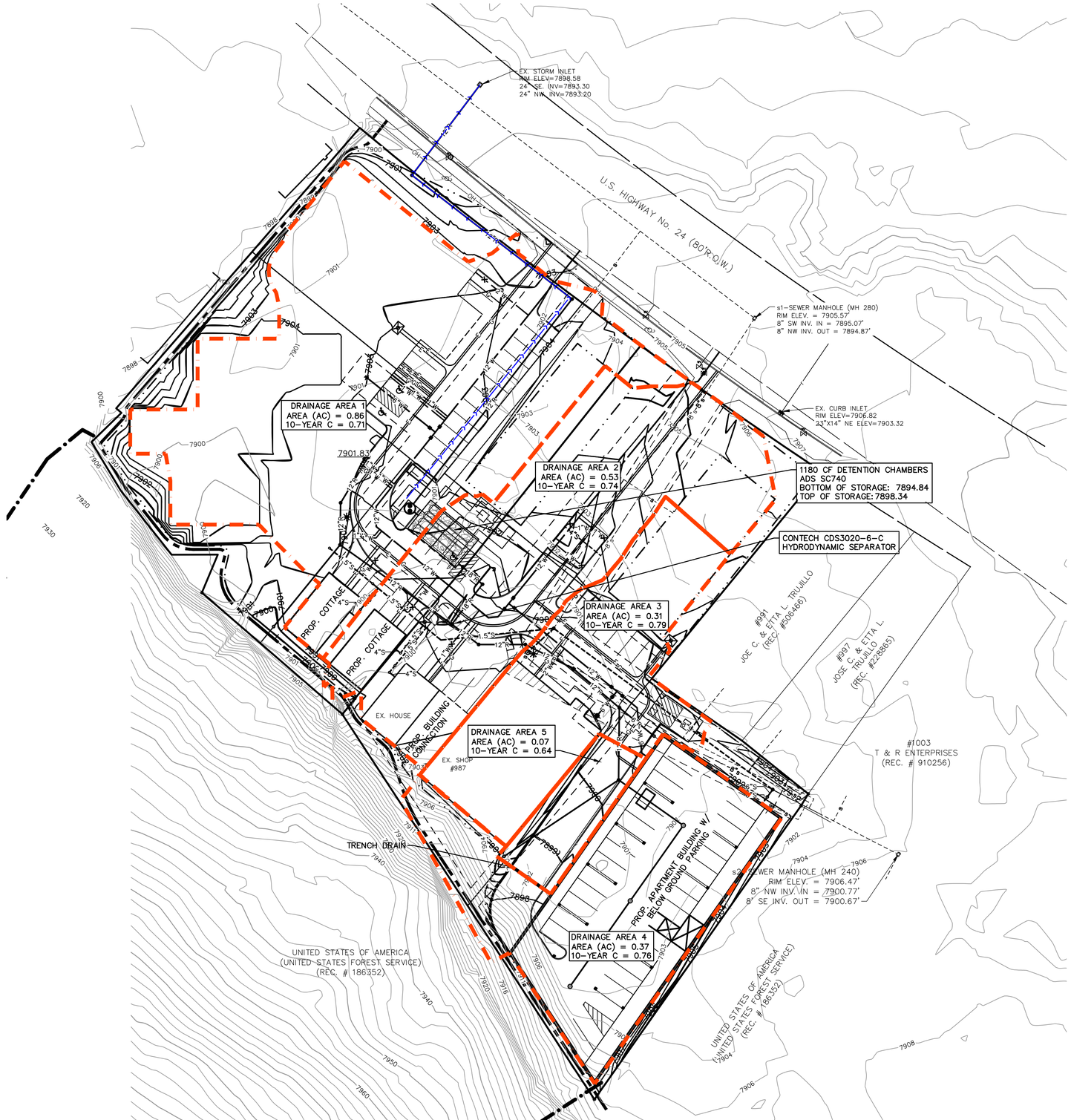
30

DATE: 04/07/22
SHEET 30 OF 38
CADD: KJV
ENG: CMW
PM: ROW
TECH:
/20067DP3

JOB No. 20067

REVISIONS:
PER ERWSD & WE REVIEW — REV. DATE 08/19/24

COLORADO LICENSED
ROBERT C. WAGNER
60475
PROFESSIONAL ENGINEER



LEGEND

- EXISTING UTILITY POLE
- EXISTING OVERHEAD UTILITY LINE
- EXISTING WATER VALVE
- EXISTING HYDRANT
- PROPOSED WATER MAIN
- PROPOSED HYDRANT
- PROPOSED GATE VALVE IN BOX
- EXISTING STORM SEWER
- EXISTING CATCH BASIN OR INLET
- PROPOSED STORM SEWER
- PROPOSED CATCH BASIN OR INLET
- PROPOSED UNDERGROUND STORM SEWER STORAGE
- PROPOSED DRAINAGE AREA
- EMERGENCY OVERFLOW ROUTING
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- SIGN
- POST
- EXISTING GAS VALVE
- WELL
- FENCE
- PROPOSED ELECTRIC TRANSFORMER
- PROPOSED ELECTRIC LINE
- PROPOSED GAS LINE

SCALE: 1" = 30'

0 30 60 90

Know what's below. Call before you dig.

STORMWATER VOLUME CALCULATIONS

Subcatchment Name	Area (ac)	NRCS Hydrologic	Percent Impervio	Runoff Coefficient, C						
				2-yr	5-yr	10-yr	25-yr	50-yr	100-yr	500-yr
Existing Site	2.52	C	28.0	0.20	0.26	0.34	0.48	0.53	0.60	0.68
Proposed Site	2.52	C	68.3	0.54	0.59	0.63	0.70	0.73	0.76	0.80

SITE DRAINAGE AREA CHARACTARISTICS - EXISTING CONDITIONS

Tributary Area (A) = 2.52 Acres

100 yr Run-off Coefficient (C) = 0.60
10 yr Run-off Coefficient (C) = 0.34
5 yr Run-off Coefficient (C) = 0.26

100 yr Existing Constant (Ke) = 1.51
10 yr Existing Constant (Ke) = 0.85
5 yr Existing Constant (Ke) = 0.66

Allowable Outflow Rate (Qo)* = 0.50 cfs*

* Allowable outflow rate Qo is computed by one of the follow ing cases:

Case 1: Qo = capacity of existing discharge conduit or channel. N/A cfs / Acre
Case 2: Qo = q * A w here q = Permissible discharge rate per acre of tributary area = 0.20 cfs / Acre

SITE DRAINAGE AREA CHARACTARISTICS - PROPOSED CONDITIONS

Tributary Area (A) = 2.52 Acres

100 yr Run-off Coefficient (C) = 0.76
10 yr Run-off Coefficient (C) = 0.63
5 yr Run-off Coefficient (C) = 0.59

100 yr Design Constant (Kd) = 1.82
10 yr Design Constant (Kd) = 1.60
5 yr Design Constant (Kd) = 1.49

Allowable Outflow Rate (Qo)* = 0.50 cfs*

* Allowable outflow rate Qo is computed by one of the following cases:

Case 1: Qo = capacity of existing discharge conduit or channel. N/A cfs / Acre
Case 2: Qo = q * A w here q = Permissible discharge rate per acre of tributary area = 0.20 cfs / Acre

1-HOUR RAINFALL DEPTH, P1

2-yr	5-yr	10-yr	25-yr	50-yr	100-yr	500-yr
0.53	0.69	0.83	1.06	1.26	1.47	2.05

DETENTION BASIN SIZING

100 YEAR STORM

1	2	3	4	5	6	7	8	9	10	11	12
Duration (Minutes)	Duration (Seconds)	Intensity (10- yr Storm) (In/Hr)	Col. #2 x Col. #3 (Inches)	Existing Peak Flow, Q (CFS)	Proposed Peak Flow, Q (CFS)	Net Peak Flow, Q (CFS) Col. #6 - Col. #5	Existing Volume Generated= Col. #4 x Ke	Proposed Volume Generated = Col. #4 x Kd	Net Volume Generated	Outflow Volume = Col. #2 x Qo (Cu. Ft.)	Storage Volume = Col. #10 - Col. #11 (Cu. Ft.)
5	300	4.99	1,496	7.52	9.59	2.07	2256	2,878	622	151	471
10	600	3.98	2,386	6.00	7.65	1.65	3599	4,591	992	302	690
15	900	3.34	3,003	5.03	6.42	1.39	4530	5,779	1,249	454	795
30	1,800	2.31	4,152	3.48	4.44	0.96	6262	7,988	1,726	907	***819***
40	2,400	1.94	4,645	2.92	3.72	0.80	7006	8,937	1,931	1,210	722
60	3,600	1.49	5,348	2.24	2.86	0.62	8067	10,290	2,224	1,814	409
90	5,400	1.12	6,061	1.69	2.16	0.47	9142	11,662	2,520	2,722	-202

Note: > Figures in Columns (3) are computed by Equation 5-3 in the UDCSM per the Town of Minturn Ordinance

Eq. 5-3

$$I = \frac{28.5\,P_1}{(10 + T_d)^{0.786}}$$

1-HOUR RAINFALL DEPTH, P1

2-yr	5-yr	10-yr	25-yr	50-yr	100-yr	500-yr
0.53	0.69	0.83	1.06	1.26	1.47	2.05

DETENTION BASIN SIZING

10 YEAR STORM

1	2	3	4	5	6	7	8	9	10	11	12
Duration (Minutes)	Duration (Seconds)	Intensity (10- yr Storm) (In/Hr)	Col. #2 x Col. #3 (Inches)	Existing Peak Flow (CFS)	Proposed Peak Flow (CFS)	Net Peak Flow (CFS) Col. #6 - Col. #5	Existing Volume Generated= Col. #4 x Ke	Proposed Volume Generated = Col. #4 x Kd	Net Volume Generated	Outflow Volume = Col. #2 x Qo (Cu. Ft.)	Storage Volume = Col. #10 - Col. #11 (Cu. Ft.)
5	300	2.83	848	2.41	4.52	2.11	722	1,355	633	151	482
10	600	2.25	1,352	1.92	3.60	1.68	1151	2,161	1,010	302	708
15	900	1.89	1,702	1.61	3.02	1.41	1449	2,720	1,272	454	818
30	1,800	1.31	2,353	1.11	2.09	0.98	2003	3,760	1,758	907	***851***
40	2,400	1.10	2,632	0.93	1.75	0.82	2241	4,207	1,967	1,210	757
60	3,600	0.84	3,031	0.72	1.35	0.63	2580	4,844	2,264	1,814	450

Note: > Figures in Columns (3) are computed by Equation 5-3 in the UDCSM per the Town of Minturn Ordinance

Eq. 5-3

$$I = \frac{28.5\,P_1}{(10 + T_d)^{0.786}}$$

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MIDTOWN VILLAGE PUD

PRELIMINARY STORM WATER MANAGEMENT PLAN

31

JOB No. 20067
DATE: 8/19/24
SHEET 31 OF 38
CADD:
ENG: CMW
PM: RCW
TECH:
/20067SR1

REVISIONS:	REV. DATE
PER ERWSD & ME REVIEW	04/19/24
PER ERWSD & ME REVIEW	08/19/24

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M:\Civil\3d_Pro\20067\Site Plan\20067PR1.dwg, 8/19/2024 3:29 PM, Colton M. Wallace, 32 STORM SEWER PLAN AND PROFILE VIEW 1, MCLLC PDF.pc3
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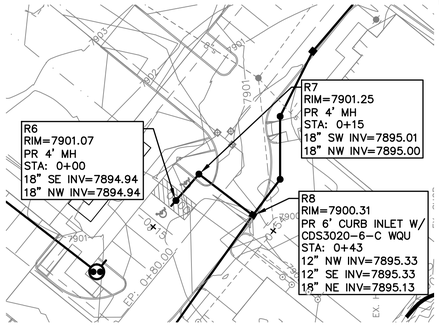

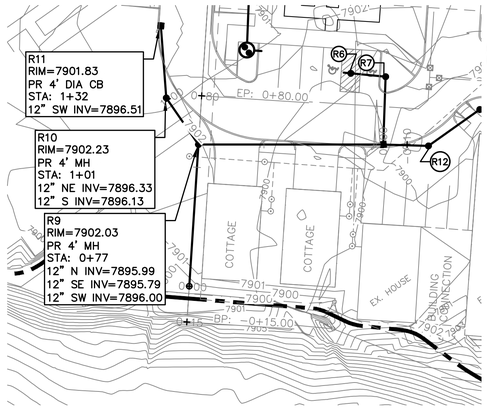

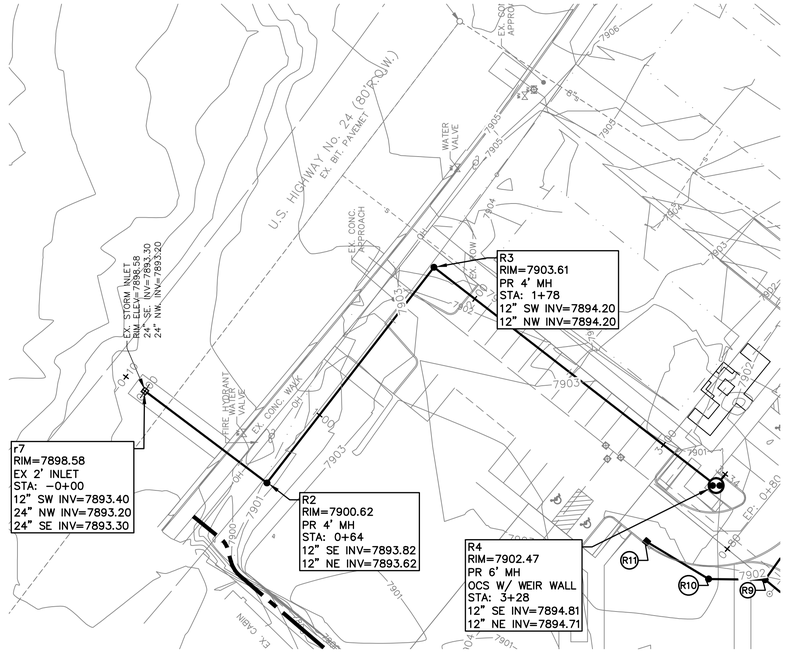

HORZ. SCALE: 1" = 30'
0 30 60 90
VERT. SCALE: 1" = 3'
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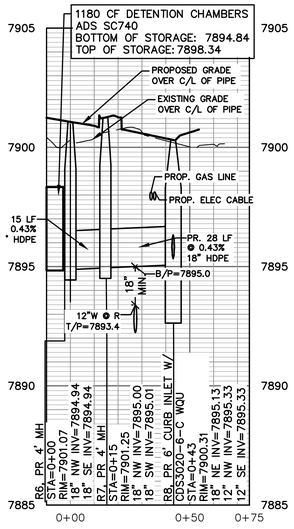
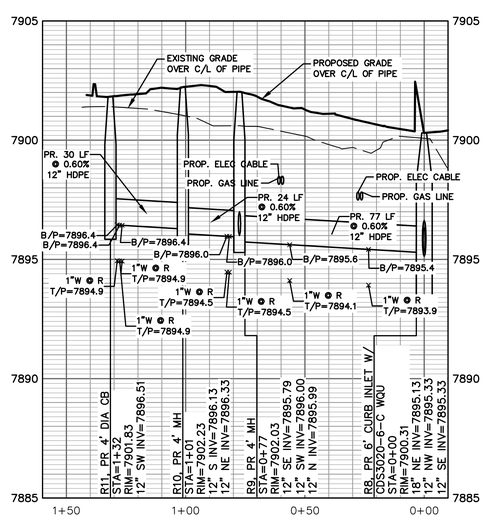
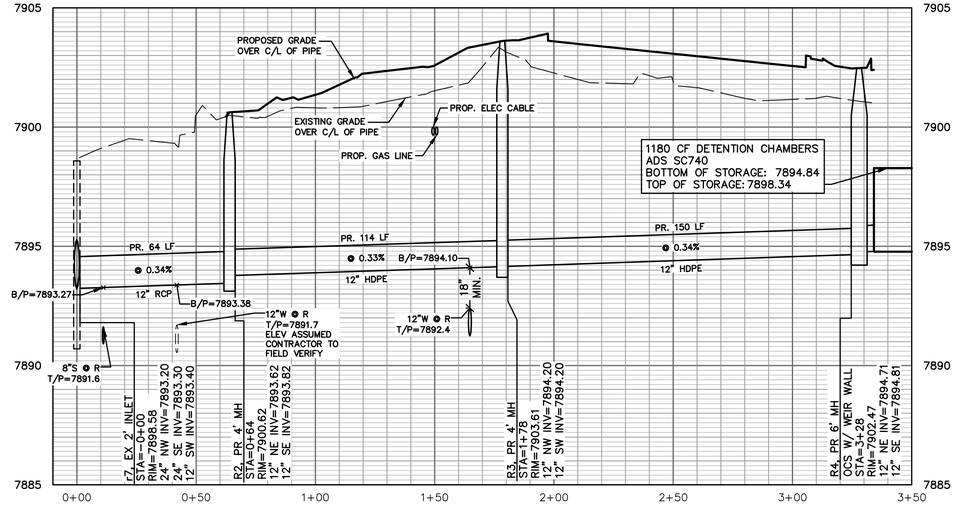
811 Know what's below. Call before you dig.



ST R6 TO R8



ST R8 TO R11



ST R7 TO R4

STORM STRUCTURE TABLE

STRUCTURE NO.	TYPE	RIM ELEV.	INV.	DEPTH	SUMP	TYPE OF CASTING
r7	2' INLET	7898.58	12" SW 7893.40 24" NW 7893.20 24" SE 7893.30	7.38	2'	CDOT TYPE R INLET
R2	4' MH	7900.62	12" SE 7893.82 12" NE 7893.62	7.00	0'	CDOT MANHOLE
R3	4' MH	7903.61	12" SW 7894.20 12" NW 7894.20	9.41	0'	CDOT MANHOLE
R6	4' MH	7901.07	18" SE 7894.94 18" NW 7894.94	6.13	0'	CDOT MANHOLE
R7	4' MH	7901.25	18" SW 7895.01 18" NW 7895.00	6.25	0'	CDOT MANHOLE
R8	6' CB	7900.31	12" NW 7895.33 12" SE 7895.33 18" NE 7895.13	7.18	2'	TYPE 13 CURB INLET
R9	4' MH	7902.03	12" N 7895.99 12" SE 7895.79 12" SW 7896.00	6.24	0'	CDOT MANHOLE COVER

STORM STRUCTURE TABLE

STRUCTURE NO.	TYPE	RIM ELEV.	INV.	DEPTH	SUMP	TYPE OF CASTING
R10	4' MH	7902.23	12" NE 7896.33 12" S 7896.13	6.10	0'	CDOT MANHOLE
R11	4' CB	7901.83	12" SW 7896.51	5.48	0'	TYPE 13 CURB INLET

LEGEND

- EXISTING UTILITY POLE
- EXISTING OVERHEAD UTILITY LINE
- EXISTING WATER VALVE
- EXISTING HYDRANT (HYD.)
- PROPOSED WATER MAIN
- PROPOSED HYDRANT (HYD.)
- PROPOSED GATE VALVE IN BOX (GVIB.)
- EXISTING STORM SEWER
- EXISTING CATCH BASIN OR INLET (CB.)
- PROPOSED STORM SEWER
- PROPOSED CATCH BASIN OR INLET (CB.)
- PROPOSED UNDERGROUND STORM SEWER STORAGE
- PROPOSED UNDERGROUND STONE BED
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- PROPOSED FLOOR DRAIN
- SIGN
- POST
- EXISTING GAS VALVE
- WELL
- FENCE
- PROPOSED ELECTRIC TRANSFORMER
- PROPOSED ELECTRIC LINE
- PROPOSED GAS LINE

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MIDTOWN VILLAGE PUD

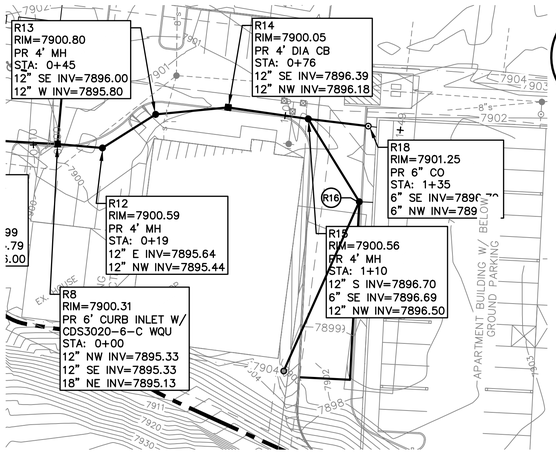
STORM SEWER PLAN AND PROFILE VIEW 1

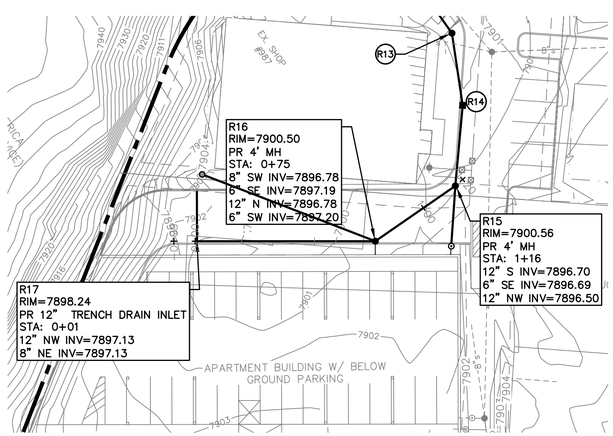
32

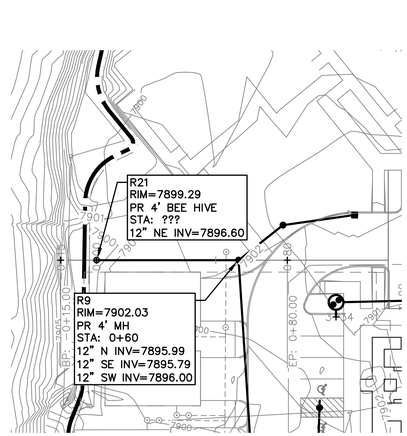
JOB No. 20067

DATE: 8/19/24
SHEET 32 OF 38
CADD:
ENG: CMW
PM: RCW
TECH:
/20067PR1

REVISIONS:	REV. DATE
PER ERWSD & IME REVIEW	07/15/24
PER ERWSD & IME REVIEW	07/23/24
PER ERWSD & IME REVIEW	08/19/24







HORZ. SCALE: 1" = 30'
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0 3 6 9
VERT. SCALE: 1" = 3'

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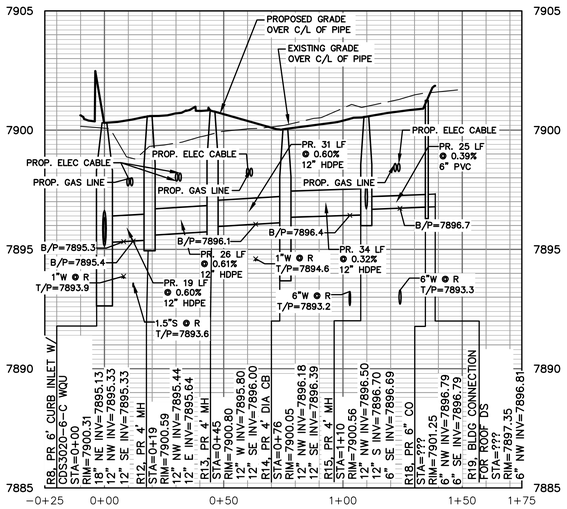
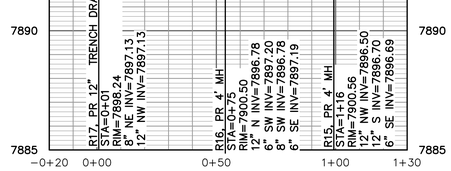
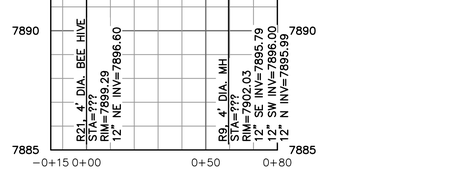


ST R8 TO R18



ST R15 TO R17



R21 TO R9

STORM STRUCTURE TABLE

STRUCTURE NO.	TYPE	RIM ELEV.	INV.	DEPTH	SUMP	TYPE OF CASTING
R8	6' CB	7900.31	12" NW 7895.33 12" SE 7895.33 18" NE 7895.13	7.18	2'	TYPE 13 CURB INLET
R12	4' MH	7900.59	12" E 7895.64 12" NW 7895.44	5.15	0'	CDOT MANHOLE
R13	4' MH	7900.80	12" SE 7896.00 12" W 7895.80	5.00	0'	CDOT MANHOLE
R14	4' CB	7900.05	12" SE 7896.39 12" NW 7896.18	5.87	2'	TYPE 13 CURB INLET
R15	4' MH	7900.56	12" S 7896.70 6" SE 7896.69 12" NW 7896.50	4.07	0'	CDOT MANHOLE
R16	4' MH	7900.50	8" SW 7896.78 6" SE 7897.19 12" N 7896.78 6" SW 7897.20	3.72	0'	CDOT MANHOLE DOME GRATE
R21	4' BEE HIVE	7899.29	12" NE 7896.60	2.69	0'	Dome Grate

LEGEND

- EXISTING UTILITY POLE
- EXISTING OVERHEAD UTILITY LINE
- EXISTING WATER VALVE
- EXISTING HYDRANT (HYD.)
- PROPOSED WATER MAIN
- PROPOSED HYDRANT (HYD.)
- PROPOSED GATE VALVE IN BOX (GVIB.)
- EXISTING STORM SEWER
- EXISTING CATCH BASIN OR INLET (CB.)
- PROPOSED STORM SEWER
- PROPOSED CATCH BASIN OR INLET (CB.)
- PROPOSED UNDERGROUND STORM SEWER STORAGE
- PROPOSED UNDERGROUND STONE BED
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- PROPOSED FLOOR DRAIN
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MIDTOWN VILLAGE PUD

STORM SEWER PLAN AND PROFILE VIEW 2

33

DATE: 8/19/24
SHEET 33 OF 38
CADD:
ENG.: CMW
PM: RCW
TECH:
/20067PR1

JOB No. 20067

REVISIONS:	REV. DATE
PER ERWSD REVIEW	06/17/24
PER ERWSD REVIEW	07/15/24
PER ERWSD & IME REVIEW	02/23/24
PER ERWSD & IME REVIEW	08/19/24

M:\Civil3d_Proj\20067\Site Plan\20067PR1.dwg, 8/19/2024 3:29 PM, Colton M. Wallace, 33 STORM SEWER PLAN AND PROFILE VIEW 2, MCLLC PDF.pc3
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M:\Civil3d_Pro\2006\Site Plan\20067071.dwg, 8/19/2024 3:29 PM, Colton M. Wallace, 34 STORM WATER DETAILS 1, MCLLC PDF.pc3
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Advanced Drainage Systems, Inc.

ADS SiteAssist
FOR STORMTECH INSTALLATION INSTRUCTIONS VISIT OUR APP

SC-740 STORMTECH CHAMBER SPECIFICATIONS

1. CHAMBERS SHALL BE STORMTECH SC-740.
2. CHAMBERS SHALL BE ARCH-SHAPED AND SHALL BE MANUFACTURED FROM VIRGIN, IMPACT-MODIFIED POLYPROPYLENE COPOLYMERS.
3. CHAMBERS SHALL MEET THE REQUIREMENTS OF ASTM F2418, "STANDARD SPECIFICATION FOR POLYPROPYLENE (PP) CORRUGATED WALL STORMWATER COLLECTION CHAMBERS".
4. CHAMBER ROWS SHALL PROVIDE CONTINUOUS, UNOBSTRUCTED INTERNAL SPACE WITH NO INTERNAL SUPPORTS THAT WOULD IMPEDE FLOW OR LIMIT ACCESS FOR INSPECTION.
5. THE STRUCTURAL DESIGN OF THE CHAMBERS, THE STRUCTURAL BACKFILL, AND THE INSTALLATION REQUIREMENTS SHALL ENSURE THAT THE LOAD FACTORS SPECIFIED IN THE AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS, SECTION 12.12, ARE MET FOR: 1) LONG-DURATION DEAD LOADS AND 2) SHORT-DURATION LIVE LOADS, BASED ON THE AASHTO DESIGN TRUCK WITH CONSIDERATION FOR IMPACT AND MULTIPLE VEHICLE PRESENCES.
6. CHAMBERS SHALL BE DESIGNED, TESTED AND ALLOWABLE LOAD CONFIGURATIONS DETERMINED IN ACCORDANCE WITH ASTM F2787, "STANDARD PRACTICE FOR STRUCTURAL DESIGN OF THERMOPLASTIC CORRUGATED WALL STORMWATER COLLECTION CHAMBERS". LOAD CONFIGURATIONS SHALL INCLUDE: 1) INSTANTANEOUS (<1 MIN) AASHTO DESIGN TRUCK LIVE LOAD ON MINIMUM COVER 2) MAXIMUM PERMANENT (75-YR) COVER LOAD AND 3) ALLOWABLE COVER WITH PARKED (1-WEEK) AASHTO DESIGN TRUCK.
7. REQUIREMENTS FOR HANDLING AND INSTALLATION:
   - TO MAINTAIN THE WIDTH OF CHAMBERS DURING SHIPPING AND HANDLING, CHAMBERS SHALL HAVE INTEGRAL, INTERLOCKING STACKING LUGS.
   - TO ENSURE A SECURE JOINT DURING INSTALLATION AND BACKFILL, THE HEIGHT OF THE CHAMBER JOINT SHALL NOT BE LESS THAN 2".
   - TO ENSURE THE INTEGRITY OF THE ARCH SHAPE DURING INSTALLATION, a) THE ARCH STIFFNESS CONSTANT SHALL BE GREATER THAN OR EQUAL TO 550 LBS/FT/%, THE ASC IS DEFINED IN SECTION 6.2.8 OF ASTM F2418, AND b) TO RESIST CHAMBER DEFORMATION DURING INSTALLATION AT ELEVATED TEMPERATURES (ABOVE 73° F / 23° C), CHAMBERS SHALL BE PRODUCED FROM REFLECTIVE GOLD OR YELLOW COLORS.
8. ONLY CHAMBERS THAT ARE APPROVED BY THE SITE DESIGN ENGINEER WILL BE ALLOWED. UPON REQUEST BY THE SITE DESIGN ENGINEER OR OWNER, THE CHAMBER MANUFACTURER SHALL SUBMIT A STRUCTURAL EVALUATION FOR APPROVAL BEFORE DELIVERING CHAMBERS TO THE PROJECT SITE AS FOLLOWS:
   - THE STRUCTURAL EVALUATION SHALL BE SEALED BY A REGISTERED PROFESSIONAL ENGINEER.
   - THE STRUCTURAL EVALUATION SHALL DEMONSTRATE THAT THE SAFETY FACTORS ARE GREATER THAN OR EQUAL TO 1.95 FOR DEAD LOAD AND 1.75 FOR LIVE LOAD, THE MINIMUM REQUIRED BY ASTM F2787 AND BY SECTIONS 3 AND 12.12 OF THE AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS FOR THERMOPLASTIC PIPE.
   - THE TEST DERIVED CREEP MODULUS AS SPECIFIED IN ASTM F2418 SHALL BE USED FOR PERMANENT DEAD LOAD DESIGN EXCEPT THAT IT SHALL BE THE 75-YEAR MODULUS USED FOR DESIGN.
9. CHAMBERS AND END CAPS SHALL BE PRODUCED AT AN ISO 9001 CERTIFIED MANUFACTURING FACILITY.

IMPORTANT - NOTES FOR THE BIDDING AND INSTALLATION OF THE SC-740 SYSTEM

1. STORMTECH SC-740 CHAMBERS SHALL NOT BE INSTALLED UNTIL THE MANUFACTURER'S REPRESENTATIVE HAS COMPLETED A PRE-CONSTRUCTION MEETING WITH THE INSTALLERS.
2. STORMTECH SC-740 CHAMBERS SHALL BE INSTALLED IN ACCORDANCE WITH THE "STORMTECH SC-310/SC-740/DC-780 CONSTRUCTION GUIDE".
3. CHAMBERS ARE NOT TO BE BACKFILLED WITH A DOZER OR AN EXCAVATOR SITUATED OVER THE CHAMBERS. STORMTECH RECOMMENDS 3 BACKFILL METHODS:
   - STONESHOOTER LOCATED OFF THE CHAMBER BED.
   - BACKFILL AS ROWS ARE BUILT USING AN EXCAVATOR ON THE FOUNDATION STONE OR SUBGRADE.
   - BACKFILL FROM OUTSIDE THE EXCAVATION USING A LONG BOOM HOE OR EXCAVATOR.
4. THE FOUNDATION STONE SHALL BE LEVELED AND COMPACTED PRIOR TO PLACING CHAMBERS.
5. JOINTS BETWEEN CHAMBERS SHALL BE PROPERLY SEATED PRIOR TO PLACING STONE.
6. MAINTAIN MINIMUM - 6" (150 mm) SPACING BETWEEN THE CHAMBER ROWS.
7. EMBEDMENT STONE SURROUNDING CHAMBERS MUST BE A CLEAN, CRUSHED, ANGULAR STONE 3/4-2" (20-50 mm).
8. THE CONTRACTOR MUST REPORT ANY DISCREPANCIES WITH CHAMBER FOUNDATION MATERIALS BEARING CAPACITIES TO THE SITE DESIGN ENGINEER.
9. ADS RECOMMENDS THE USE OF "FLEXSTORM CATCH IT" INSERTS DURING CONSTRUCTION FOR ALL INLETS TO PROTECT THE SUBSURFACE STORMWATER MANAGEMENT SYSTEM FROM CONSTRUCTION SITE RUNOFF.

NOTES FOR CONSTRUCTION EQUIPMENT

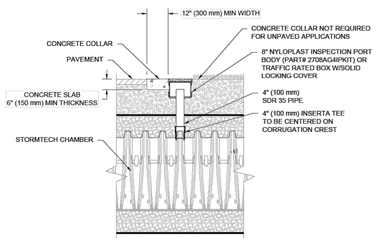
1. STORMTECH SC-740 CHAMBERS SHALL BE INSTALLED IN ACCORDANCE WITH THE "STORMTECH SC-310/SC-740/DC-780 CONSTRUCTION GUIDE".
2. THE USE OF CONSTRUCTION EQUIPMENT OVER SC-740 CHAMBERS IS LIMITED:
   - NO EQUIPMENT IS ALLOWED ON BARE CHAMBERS.
   - NO RUBBER TIRED LOADERS, DUMP TRUCKS, OR EXCAVATORS ARE ALLOWED UNTIL PROPER FILL DEPTHS ARE REACHED IN ACCORDANCE WITH THE "STORMTECH SC-310/SC-740/DC-780 CONSTRUCTION GUIDE".
   - WEIGHT LIMITS FOR CONSTRUCTION EQUIPMENT CAN BE FOUND IN THE "STORMTECH SC-310/SC-740/DC-780 CONSTRUCTION GUIDE".
3. FULL 36" (900 mm) OF STABILIZED COVER MATERIALS OVER THE CHAMBERS IS REQUIRED FOR DUMP TRUCK TRAVEL OR DUMPING.

USE OF A DOZER TO PUSH EMBEDMENT STONE BETWEEN THE ROWS OF CHAMBERS MAY CAUSE DAMAGE TO THE CHAMBERS AND IS NOT AN ACCEPTABLE BACKFILL METHOD. ANY CHAMBERS DAMAGED BY THE "DUMP AND PUSH" METHOD ARE NOT COVERED UNDER THE STORMTECH STANDARD WARRANTY.

CONTACT STORMTECH AT 1-888-892-2694 WITH ANY QUESTIONS ON INSTALLATION REQUIREMENTS OR WEIGHT LIMITS FOR CONSTRUCTION EQUIPMENT.



3 SC-740 ISOLATOR ROW PLUS DETAIL



NOTE:
INSPECTION PORTS MAY BE CONNECTED THROUGH ANY CHAMBER CORRUGATION CREST.

4 4" PVC INSPECTION PORT DETAIL (SC SERIES CHAMBER)

INSPECTION & MAINTENANCE

STEP 1) INSPECT ISOLATOR ROW PLUS FOR SEDIMENT
- A. INSPECTION PORTS (IF PRESENT)
  - A.1. REMOVE/OPEN LID ON NYLOPLAST INLINE DRAIN
  - A.2. REMOVE AND CLEAN FLEXSTORM FILTER IF INSTALLED
  - A.3. USING A FLASHLIGHT AND STADIA ROD, MEASURE DEPTH OF SEDIMENT AND RECORD ON MAINTENANCE LOG
  - A.4. LOWER A CAMERA INTO ISOLATOR ROW PLUS FOR VISUAL INSPECTION OF SEDIMENT LEVELS (OPTIONAL)
  - A.5. IF SEDIMENT IS AT, OR ABOVE, 3" (80 mm) PROCEED TO STEP 2. IF NOT, PROCEED TO STEP 3.
- B. ALL ISOLATOR PLUS ROWS
  - B.1. REMOVE COVER FROM STRUCTURE AT UPSTREAM END OF ISOLATOR ROW PLUS
  - B.2. USING A FLASHLIGHT, INSPECT DOWN THE ISOLATOR ROW PLUS THROUGH OUTLET PIPE
    - i) MIRRORS ON POLES OR CAMERAS MAY BE USED TO AVOID A CONFINED SPACE ENTRY
    - ii) FOLLOW OSHA REGULATIONS FOR CONFINED SPACE ENTRY IF ENTERING MANHOLE
  - B.3. IF SEDIMENT IS AT, OR ABOVE, 3" (80 mm) PROCEED TO STEP 2. IF NOT, PROCEED TO STEP 3.

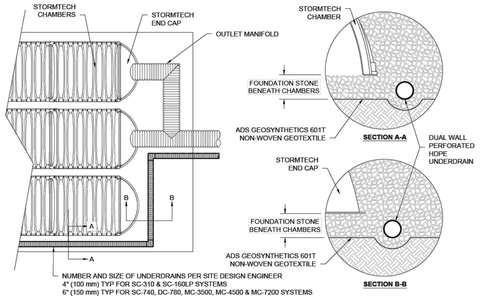
STEP 2) CLEAN OUT ISOLATOR ROW PLUS USING THE JETVAC PROCESS
- A. A FIXED CULVERT CLEANING NOZZLE WITH REAR FACING SPREAD OF 45° (1.1 m) OR MORE IS PREFERRED
- B. APPLY MULTIPLE PASSES OF JETVAC UNTIL BACKFLUSH WATER IS CLEAN
- C. VACUUM STRUCTURE SUMP AS REQUIRED

STEP 3) REPLACE ALL COVERS, GRATES, FILTERS, AND LIDS; RECORD OBSERVATIONS AND ACTIONS.

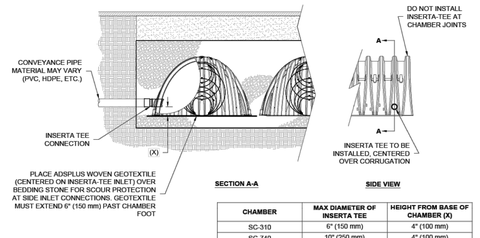
STEP 4) INSPECT AND CLEAN BASINS AND MANHOLES UPSTREAM OF THE STORMTECH SYSTEM.

NOTES

1. INSPECT EVERY 6 MONTHS DURING THE FIRST YEAR OF OPERATION. ADJUST THE INSPECTION INTERVAL BASED ON PREVIOUS OBSERVATIONS OF SEDIMENT ACCUMULATION AND HIGH WATER ELEVATIONS.
2. CONDUCT JETTING AND VACTORING ANNUALLY OR WHEN INSPECTION SHOWS THAT MAINTENANCE IS NECESSARY.



5 UNDERDRAIN DETAIL

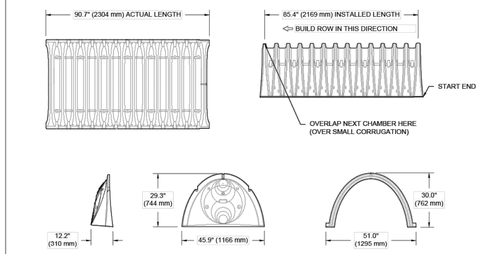


CHAMBER	MAX DIAMETER OF INSERTA TEE	HEIGHT FROM BASE OF CHAMBER (X)
SC-310	6" (150 mm)	4" (100 mm)
SC-740	10" (250 mm)	4" (100 mm)
DC-780	10" (250 mm)	4" (100 mm)
MC-3500	12" (300 mm)	6" (150 mm)
MC-4500	12" (300 mm)	8" (200 mm)
MC-7200	12" (300 mm)	8" (200 mm)

INSERTA TEE FITTINGS AVAILABLE FOR SDR 26, SDR 35, SCH 40 IPS GASKETED & SOLVENT WELD, N-12, HP STORM, C-900 OR DUCTILE IRON

NOTES:
- PART NUMBERS WILL VARY BASED ON INLET PIPE MATERIALS. CONTACT STORMTECH FOR MORE INFORMATION.
- CONTACT ADS ENGINEERING SERVICES IF INSERTA TEE INLET MUST BE RAISED AS NOT ALL INVERTS ARE POSSIBLE.

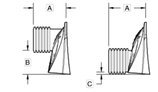
6 INSERTA-TEE SIDE INLET DETAIL



NOMINAL CHAMBER SPECIFICATIONS

SIZE (W X H X INSTALLED LENGTH)	51.0" X 30.0" X 85.4"	(1295 mm X 762 mm X 2169 mm)
CHAMBER STORAGE	45.9 CUBIC FEET	(1.30 m³)
MINIMUM INSTALLED STORAGE*	74.9 CUBIC FEET	(2.12 m³)
WEIGHT	75.0 lbs.	(33.6 kg)

*ASSUMES 6" (152 mm) STONE ABOVE, BELOW, AND BETWEEN CHAMBERS



PRE-FAB STUB AT BOTTOM OF END CAP WITH FLAMP END WITH "BR"
PRE-FAB STUBS AT BOTTOM OF END CAP FOR PART NUMBERS ENDING WITH "B"
PRE-FAB STUBS AT TOP OF END CAP FOR PART NUMBERS ENDING WITH "T"
PRE-CORED END CAPS END WITH "PC"

PART #	STUB	A	B	C
SC740EPE06T / SC740EPE06TPC	6" (150 mm)	10.9" (277 mm)	18.5" (470 mm)	—
SC740EPE06B / SC740EPE06BPC			—	0.5" (13 mm)
SC740EPE08T / SC740EPE08TPC	8" (200 mm)	12.2" (310 mm)	16.5" (419 mm)	—
SC740EPE08B / SC740EPE08BPC			—	0.6" (15 mm)
SC740EPE10T / SC740EPE10TPC	10" (250 mm)	13.4" (340 mm)	14.5" (368 mm)	—
SC740EPE10B / SC740EPE10BPC			—	0.7" (18 mm)
SC740EPE12T / SC740EPE12TPC	12" (300 mm)	14.7" (373 mm)	12.5" (318 mm)	—
SC740EPE12B / SC740EPE12BPC			—	1.2" (30 mm)
SC740EPE15T / SC740EPE15TPC	15" (375 mm)	18.4" (467 mm)	9.0" (229 mm)	—
SC740EPE15B / SC740EPE15BPC			—	1.3" (33 mm)
SC740EPE18T / SC740EPE18TPC	18" (450 mm)	19.7" (500 mm)	5.0" (127 mm)	—
SC740EPE18B / SC740EPE18BPC			—	1.6" (41 mm)
SC740EPE24B*	24" (600 mm)	18.5" (470 mm)	—	0.1" (3 mm)
SC740EPE24BR*	24" (600 mm)	18.5" (470 mm)	—	0.1" (3 mm)

ALL STUBS, EXCEPT FOR THE SC740EPE24B/SC740EPE24BR ARE PLACED AT BOTTOM OF END CAP SUCH THAT THE OUTSIDE DIAMETER OF THE STUB IS FLUSH WITH THE BOTTOM OF THE END CAP. FOR ADDITIONAL INFORMATION CONTACT STORMTECH AT 1-888-892-2694.

* FOR THE SC740EPE24B/SC740EPE24BR THE 24" (600 mm) STUB LIES BELOW THE BOTTOM OF THE END CAP APPROXIMATELY 1.75" (44 mm). BACKFILL MATERIAL SHOULD BE REMOVED FROM BELOW THE N-12 STUB SO THAT THE FITTING SITS LEVEL.

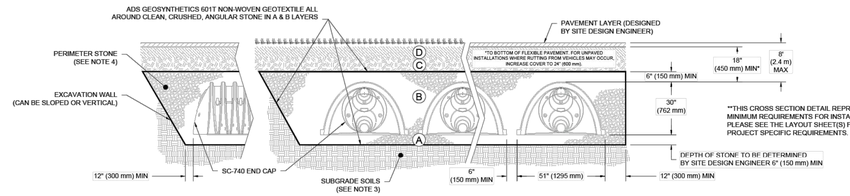
NOTE: ALL DIMENSIONS ARE NOMINAL

2 SC-740 TECHNICAL SPECIFICATIONS

ACCEPTABLE FILL MATERIALS: STORMTECH SC-740 CHAMBER SYSTEMS

MATERIAL LOCATION		DESCRIPTION	AASHTO MATERIAL CLASSIFICATIONS	COMPACTION / DENSITY REQUIREMENT
D	**FINAL FILL:** FILL MATERIAL FOR LAYER 'D' STARTS FROM THE TOP OF THE 'C' LAYER TO THE BOTTOM OF FLEXIBLE PAVEMENT OR UNPAVED FINISHED GRADE ABOVE. NOTE THAT PAVEMENT SUBBASE MAY BE PART OF THE 'D' LAYER.	ANY SOIL/ROCK MATERIALS, NATIVE SOILS, OR PER ENGINEER'S PLANS. CHECK PLANS FOR PAVEMENT SUBGRADE REQUIREMENTS.	N/A	PREPARE PER SITE DESIGN ENGINEER'S PLANS. PAVED INSTALLATIONS MAY HAVE STRINGENT MATERIAL AND PREPARATION REQUIREMENTS.
C	**INITIAL FILL:** FILL MATERIAL FOR LAYER 'C' STARTS FROM THE TOP OF THE EMBEDMENT STONE ('B' LAYER) TO 18" (450 mm) ABOVE THE TOP OF THE CHAMBER. NOTE THAT PAVEMENT SUBBASE MAY BE A PART OF THE 'C' LAYER.	GRANULAR WELL-GRADED SOIL/AGGREGATE MIXTURES, <35% FINES OR PROCESSED AGGREGATE. MOST PAVEMENT SUBBASE MATERIALS CAN BE USED IN LIEU OF THIS LAYER.	AASHTO M145[1] A-1, A-2-4, A-3 OR AASHTO M43[1] 3, 357, 4, 467, 5, 56, 57, 6, 67, 68, 7, 78, 8, 89, 9, 10	BEGIN COMPACTIONS AFTER 12" (300 mm) OF MATERIAL OVER THE CHAMBERS IS REACHED. COMPACT ADDITIONAL LAYERS IN 6" (150 mm) MAX LIFTS TO A MIN. 95% PROCTOR DENSITY FOR WELL GRADED MATERIAL AND 95% RELATIVE DENSITY FOR PROCESSED AGGREGATE MATERIALS. ROLLER GROSS VEHICLE WEIGHT NOT TO EXCEED 12,000 lbs (53 kN). DYNAMIC FORCE NOT TO EXCEED 20,000 lbs (89 kN).
B	**EMBEDMENT STONE:** FILL SURROUNDING THE CHAMBERS FROM THE FOUNDATION STONE ('A' LAYER) TO THE 'C' LAYER ABOVE.	CLEAN, CRUSHED, ANGULAR STONE	AASHTO M43[1] 3, 357, 4, 467, 5, 56, 57	NO COMPACTION REQUIRED.
A	**FOUNDATION STONE:** FILL BELOW CHAMBERS FROM THE SUBGRADE UP TO THE FOOT (BOTTOM) OF THE CHAMBER.	CLEAN, CRUSHED, ANGULAR STONE	AASHTO M43[1] 3, 357, 4, 467, 5, 56, 57	PLATE COMPACT OR ROLL TO ACHIEVE A FLAT SURFACE.[2,3]

PLEASE NOTE:
1. THE LISTED AASHTO DESIGNATIONS ARE FOR GRADATIONS ONLY. THE STONE MUST ALSO BE CLEAN, CRUSHED, ANGULAR. FOR EXAMPLE, A SPECIFICATION FOR #4 STONE WOULD STATE: "CLEAN, CRUSHED, ANGULAR NO. 4 (AASHTO M43) STONE".
2. STORMTECH COMPACTION REQUIREMENTS ARE MET FOR 'A' LOCATION MATERIALS WHEN PLACED AND COMPACTED IN 6" (150 mm) (MAX) LIFTS USING TWO FULL COVERAGES WITH A VIBRATORY COMPACTOR.
3. WHERE INFILTRATION SURFACES MAY BE COMPROMISED BY COMPACTION, FOR STANDARD DESIGN LOAD CONDITIONS, A FLAT SURFACE MAY BE ACHIEVED BY RAKING OR DRAGGING WITHOUT COMPACTION EQUIPMENT. FOR SPECIAL LOAD DESIGNS, CONTACT STORMTECH FOR COMPACTION REQUIREMENTS.
4. ONCE LAYER 'C' IS PLACED, ANY SOIL/MATERIAL CAN BE PLACED IN LAYER 'B' UP TO THE FINISHED GRADE. MOST PAVEMENT SUBBASE SOILS CAN BE USED TO REPLACE THE MATERIAL REQUIREMENTS OF LAYER 'C' OR 'D' AT THE SITE DESIGN ENGINEER'S DISCRETION.



NOTES:
1. CHAMBERS SHALL MEET THE REQUIREMENTS OF ASTM F2418, "STANDARD SPECIFICATION FOR POLYPROPYLENE (PP) CORRUGATED WALL STORMWATER COLLECTION CHAMBERS".
2. SC-740 CHAMBERS SHALL BE DESIGNED IN ACCORDANCE WITH ASTM F2787 "STANDARD PRACTICE FOR STRUCTURAL DESIGN OF THERMOPLASTIC CORRUGATED WALL STORMWATER COLLECTION CHAMBERS".
3. THE SITE DESIGN ENGINEER IS RESPONSIBLE FOR ASSESSING THE BEARING RESISTANCE (ALLOWABLE BEARING CAPACITY) OF THE SUBGRADE SOILS AND THE DEPTH OF FOUNDATION STONE WITH CONSIDERATION FOR THE RANGE OF EXPECTED SOIL MOISTURE CONDITIONS.
4. PERIMETER STONE MUST BE EXTENDED HORIZONTALLY TO THE EXCAVATION WALL FOR BOTH VERTICAL AND SLOPED EXCAVATION WALLS.
5. REQUIREMENTS FOR HANDLING AND INSTALLATION:
   - TO MAINTAIN THE WIDTH OF CHAMBERS DURING SHIPPING AND HANDLING, CHAMBERS SHALL HAVE INTEGRAL, INTERLOCKING STACKING LUGS.
   - TO ENSURE A SECURE JOINT DURING INSTALLATION AND BACKFILL, THE HEIGHT OF THE CHAMBER JOINT SHALL NOT BE LESS THAN 2".
   - TO ENSURE THE INTEGRITY OF THE ARCH SHAPE DURING INSTALLATION, a) THE ARCH STIFFNESS CONSTANT AS DEFINED IN SECTION 6.2.8 OF ASTM F2418 SHALL BE GREATER THAN OR EQUAL TO 550 LBS/FT/%. AND b) TO RESIST CHAMBER DEFORMATION DURING INSTALLATION AT ELEVATED TEMPERATURES (ABOVE 73° F / 23° C), CHAMBERS SHALL BE PRODUCED FROM REFLECTIVE GOLD OR YELLOW COLORS.

1 SC-740 CROSS SECTION DETAIL

PROPOSED ELEVATIONS

BOTTOM OF STONE = 7894.34
BOTTOM OF SC-740 CHAMBER = 7894.84
12" ISOLATOR ROW PLUS CONNECTION INVERT = 7894.84
12" BOTTOM MANIFOLD INVERT = 7894.84
TOP OF CHAMBER = 7898.34
MIN ELEV. W/ 6" STONE COVER = 7898.84
MIN ELEV. W/ 18" TO TOP OF RIGID PAVEMENT = 7899.84

VOLUME CALCULATIONS

TOTAL NO. OF SC-740 CHAMBERS = 16
TOTAL NO. OF SC-740 END CAPS = 8
SYSTEM AREA = 718 SF
STONE VOID = 25%
VOLUME OF 6 BEDS = 1180 CF

COLORADO LICENSED
ROBERT C. WAGNER
60475
PROFESSIONAL ENGINEER

DRAWN:
DATE:
REVIEWED:
PROJECT NO:
REV:
NOT TO SCALE

SC-740
STANDARD DETAILS

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ADS Advanced Drainage Systems, Inc.

SHEET

ADVANCED DRAINAGE SYSTEMS, INC. ("ADS") HAS PREPARED THIS DETAIL BASED ON REFERENCED STANDARDS. ADS HAS NOT PERFORMED ANY ENGINEERING OR DESIGN SERVICES FOR THIS PROJECT, NOR HAS ADS INDEPENDENTLY VERIFIED THE INFORMATION SUPPLIED. THE INSTALLATION DETAILS PROVIDED HEREIN ARE GENERIC AND ARE INTENDED FOR USE BY PERSONS HAVING SKILL AND KNOWLEDGE IN THE PROPER INSTALLATION OF ADS PRODUCTS. IT IS THE SITE DESIGN ENGINEER'S RESPONSIBILITY TO ENSURE THE DETAILS PROVIDED HEREIN MEETS OR EXCEEDS THE APPLICABLE NATIONAL STATE, OR LOCAL REQUIREMENTS AND TO ENSURE THAT THE DETAILS PROVIDED HEREIN ARE ACCEPTABLE FOR THIS PROJECT.

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MIDTOWN VILLAGE PUD

STORM WATER DETAILS 1

34

DATE: 8/19/24
SHEET 34 OF 38
CADD:
ENG: CMW
PM: RCW
TECH:
/20067071

JOB No. 20067

REVISIONS:	REV. DATE
PER ERRSD & IME REVIEW	08/19/24
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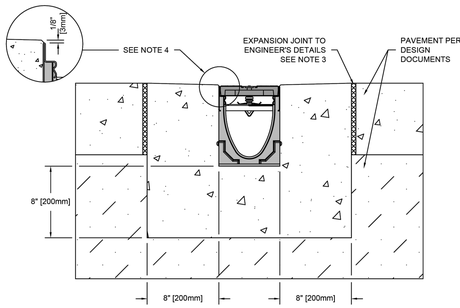


NOTES:
1. IT IS NECESSARY TO ENSURE MINIMUM DIMENSIONS SHOWN ARE SUITABLE FOR EXISTING GROUND CONDITIONS. *ENGINEERING ADVICE MAY BE REQUIRED.*
2. MINIMUM CONCRETE STRENGTH OF 4,000 PSI IS RECOMMENDED. CONCRETE SHOULD BE VIBRATED TO ELIMINATE AIR POCKETS.
3. EXPANSION AND CONTRACTION CONTROL JOINTS AND REINFORCEMENT ARE RECOMMENDED TO PROTECT CHANNEL AND CONCRETE SURROUND. *ENGINEERING ADVICE MAY BE REQUIRED.*
4. THE FINISHED LEVEL OF THE CONCRETE SURROUND MUST BE APPROX. 1/8" [3mm] ABOVE THE TOP OF THE CHANNEL EDGE.
5. CONCRETE BASE THICKNESS SHOULD MATCH SLAB THICKNESS. ENGINEERING ADVICE MAY BE REQUIRED TO DETERMINE PROPER LOAD CLASS.
6. REFER TO ACO'S LATEST INSTALLATION INSTRUCTIONS FOR FURTHER DETAILS.

SPECIFICATION CLAUSE

K100 KLASSIKDRAIN - LOAD CLASS E

GENERAL
THE SURFACE DRAINAGE SYSTEM SHALL BE POLYMER CONCRETE K100 CHANNEL SYSTEM WITH GALVANIZED STEEL EDGE RAILS AS MANUFACTURED BY ACO POLYMER PRODUCTS, INC.

MATERIALS
CHANNELS SHALL BE MANUFACTURED FROM POLYESTER RESIN POLYMER CONCRETE WITH AN INTEGRALLY CAST-IN GALVANIZED STEEL EDGE RAIL. MINIMUM PROPERTIES OF POLYMER CONCRETE WILL BE AS FOLLOWS:

COMPRESSIVE STRENGTH:	14,000 PSI
FLEXURAL STRENGTH:	4,000 PSI
TENSILE STRENGTH:	1,500 PSI
WATER ABSORPTION:	0.07%
FROST PROOF	YES
DILUTE ACID AND ALKALI RESISTANT	YES
B117 SALT SPRAY TEST COMPLIANT	YES

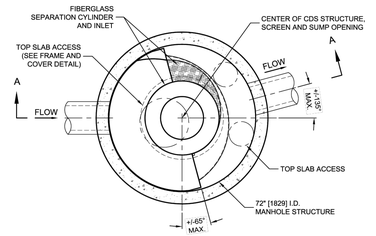
THE SYSTEM SHALL BE 4" (100mm) NOMINAL INTERNAL WIDTH WITH A 5.1" (130mm) OVERALL WIDTH AND A BUILT-IN SLOPE OF 0.5%. CHANNEL INVERT SHALL HAVE DEVELOPED "V" SHAPE. ALL CHANNELS SHALL BE INTERLOCKING WITH A MALE/FEMALE JOINT.

THE COMPLETE DRAINAGE SYSTEM SHALL BE BY ACO POLYMER PRODUCTS, INC. ANY DEVIATION OR PARTIAL SYSTEM DESIGN AND/OR IMPROPER INSTALLATION WILL VOID ANY AND ALL WARRANTIES PROVIDED BY ACO POLYMER PRODUCTS, INC.

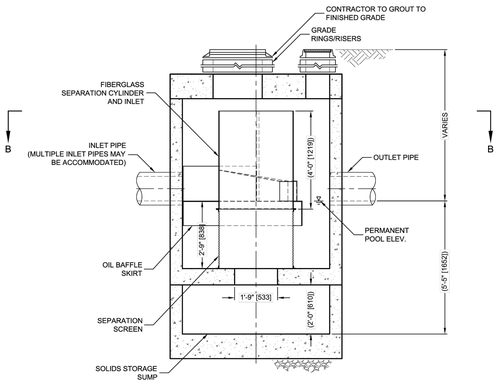
CHANNEL SHALL WITHSTAND LOADING TO PROPER LOAD CLASS AS OUTLINED BY EN 1433. GRATE TYPE SHALL BE APPROPRIATE TO MEET THE SYSTEM LOAD CLASS SPECIFIED AND INTENDED APPLICATION. GRATES SHALL BE SECURED USING 'QUICKLOK' BOLTLESS LOCKING SYSTEM. CHANNEL AND GRATE SHALL BE CERTIFIED TO MEET THE SPECIFIED EN 1433 LOAD CLASS. THE SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS AND RECOMMENDATIONS.

K1-E-ECP	K100 - KLASSIKDRAIN - LOAD CLASS: E Exposed Concrete Pavement	**ACO Polymer Products, Inc.**
DATE: 08/24/15	INSTALLATION DRAWING - ACO DRAIN	825 W. Beechcraft St Casa Grande, AZ 85122 Tel: 520-421-9988 Fax: 520-421-9899 9470 Pinecone Dr. Mentor, OH 44060 Tel: 440-639-7230 Fax: 440-639-7235 4211 Pleasant Rd. Fort Mill, SC 29708 Tel: 440-639-7230 Fax: 803-802-1063

Arizona Tel: 888-490-9552 e-mail: sales@acousa.com Ohio Tel: 800-543-4764 www.acousa.com South Carolina Tel: 800-543-4764

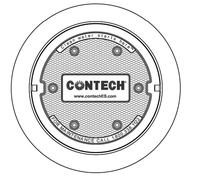


PLAN VIEW B-B
N.T.S.



ELEVATION A-A
N.T.S.

CDS3020-6-C DESIGN NOTES
THE STANDARD CDS3020-6-C CONFIGURATION IS SHOWN. ALTERNATE CONFIGURATIONS ARE AVAILABLE AND ARE LISTED BELOW. SOME CONFIGURATIONS MAY BE COMBINED TO SUIT SITE REQUIREMENTS.
CONFIGURATION DESCRIPTION
GRATED INLET ONLY (NO INLET PIPE)
GRATED INLET WITH INLET PIPE OR PIPES
CURB INLET ONLY (NO INLET PIPE)
CURB INLET WITH INLET PIPE OR PIPES
SEPARATE OIL BAFFLE (SINGLE INLET PIPE REQUIRED FOR THIS CONFIGURATION)
SEDIMENT WEIR FOR NJDEP / NJCAT CONFORMING UNITS



FRAME AND COVER
(DIAMETER VARIES)
N.T.S.

SITE SPECIFIC DATA REQUIREMENTS

STRUCTURE ID			
WATER QUALITY FLOW RATE (CFS OR L/s)			*
PEAK FLOW RATE (CFS OR L/s)			*
RETURN PERIOD OF PEAK FLOW (YRS)			*
SCREEN APERTURE (2400 OR 4700)			*
PIPE DATA:	I.E.	MATERIAL	DIAMETER
INLET PIPE 1	*	*	*
INLET PIPE 2	*	*	*
OUTLET PIPE	*	*	*
RIM ELEVATION			*
ANTI-FLOTATION BALLAST		WIDTH	HEIGHT
		*	*
NOTES/SPECIAL REQUIREMENTS:			
* PER ENGINEER OF RECORD			

GENERAL NOTES
1. CONTECH TO PROVIDE ALL MATERIALS UNLESS NOTED OTHERWISE.
2. DIMENSIONS MARKED WITH ( ) ARE REFERENCE DIMENSIONS. ACTUAL DIMENSIONS MAY VARY.
3. FOR FABRICATION DRAWINGS WITH DETAILED STRUCTURE DIMENSIONS AND WEIGHTS, PLEASE CONTACT YOUR CONTECH ENGINEERED SOLUTIONS LLC REPRESENTATIVE. www.contechES.com
4. CDS WATER QUALITY STRUCTURE SHALL BE IN ACCORDANCE WITH ALL DESIGN DATA AND INFORMATION CONTAINED IN THIS DRAWING.
5. STRUCTURE SHALL MEET AASHTO HS20 AND CASTINGS SHALL MEET HS20 (AASHTO M 306) LOAD RATING, ASSUMING GROUNDWATER ELEVATION AT, OR BELOW, THE OUTLET PIPE INVERT ELEVATION. ENGINEER OF RECORD TO CONFIRM ACTUAL GROUNDWATER ELEVATION.
6. PVC HYDRAULIC SHEAR PLATE IS PLACED ON SHELF AT BOTTOM OF SCREEN CYLINDER. REMOVE AND REPLACE AS NECESSARY DURING MAINTENANCE CLEANING.

INSTALLATION NOTES
A. ANY SUB-BASE, BACKFILL DEPTH, AND/OR ANTI-FLOTATION PROVISIONS ARE SITE-SPECIFIC DESIGN CONSIDERATIONS AND SHALL BE SPECIFIED BY ENGINEER OF RECORD.
B. CONTRACTOR TO PROVIDE EQUIPMENT WITH SUFFICIENT LIFTING AND REACH CAPACITY TO LIFT AND SET THE CDS MANHOLE STRUCTURE (LIFTING CLUTCHES PROVIDED).
C. CONTRACTOR TO ADD JOINT SEALANT BETWEEN ALL STRUCTURE SECTIONS, AND ASSEMBLE STRUCTURE.
D. CONTRACTOR TO PROVIDE, INSTALL, AND GROUT PIPES. MATCH PIPE INVERTS WITH ELEVATIONS SHOWN.
E. CONTRACTOR TO TAKE APPROPRIATE MEASURES TO ASSURE UNIT IS WATER TIGHT, HOLDING WATER TO FLOWLINE INVERT MINIMUM. IT IS SUGGESTED THAT ALL JOINTS BELOW PIPE INVERTS ARE GROUTED.

CONTECH ENGINEERED SOLUTIONS LLC
www.contechES.com
9025 Centre Pointe Dr., Suite 400, West Chester, OH 45069
800-338-1122 513-645-7000 513-645-7993 FAX

CDS3020-6-C
INLINE CDS
STANDARD DETAIL

C:\USERS\SCHLACHTER\DESKTOP\CDS DETAILS 18\MERGIN\BACKUP\CDS3020-6-C DTL.DWG 5/19/2014 5:21 PM

M:\Civil\3d_Pro\20067\Site Plan\20067DT1.dwg, 8/19/2024 3:39 PM, Colton M. Wallace, 35 STORM WATER DETAILS 2, MCLLC PDF.pc3
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ACO DRAIN

Type 478Q Longitudinal ductile iron grade (ADA)

Product Features

- Certified to EN 1433 Load Class E - 135,000 lbs - 2,788 psi
- Uses 'QuickLok' boltless locking system
- Suitable for use with K100, KS100, H100-8, H100-10, H100K-8 H100KS-8, and NW100 channels
- Manufactured from ductile iron to ASTM A 536-84 - Grade 65-45-12
- E- coated for improved resistance against rust
- Complies with ADA - American Disabilities Act of 1990 Section 4.5.4
- Bicycle Tire Penetration Resistant to AS 3996 - 2006



Specifications

General
The surface drainage system shall be ACO Drain K100, KS100, H100-8, H100-10, H100K-8, H100KS-8, and NW100 channels* complete with ACO Type 478Q longitudinal ductile iron grate with 'QuickLok' locking as manufactured by ACO, Inc. or similar approved.

Materials
The covers shall be manufactured from ductile iron and have ***minimum*** properties as follows:

- ***Independently certified to meet Load Class E to EN 1433 - 135,000 lbs - 2,788 psi***
- ***Ductile iron to ASTM A 536-84 - Grade 65-45-12***
- ***Intake area of 22.5 sq. in. (145.16 cm²) per half meter of grate***

The overall width of 4.85" (123mm) and overall length of 19.69" (500mm). Slots measure at a maximum of 0.28" (7mm).

Installation
The trench drain system and grates shall be installed in accordance with the manufacturer's installation instructions and recommendations.
* delete as appropriate

ACO Specification Information

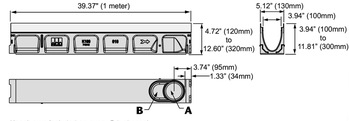
April 2018

www.ACODrain.us

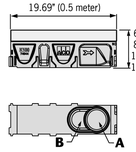
ACO DRAIN

KlassikDrain - K100 Galvanized steel edge rail channel system

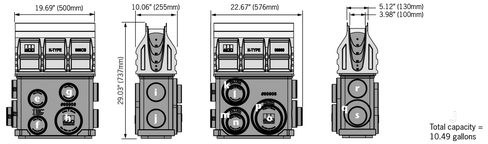
One meter channel



Knock-outs included on every 5th channel



Type K901G In-line catch basin



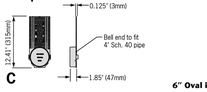
Total capacity = 10.49 gallons

Outlet flow rates

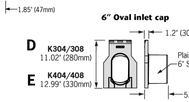
Outlet	Product	Outlet size (Sch. 40)	Invert Depth	GPM	CFS
a	Bottom outlet - K00	4" round	3.94"	108	0.24
a	Bottom outlet - K40	4" round	11.81"	187	0.42
b	Bottom outlet - K00	6" oval	3.94"	177	0.39
b	Bottom outlet - K40	6" oval	11.81"	306	0.68
c	End outlet - K20	4" round	7.87"	132	0.29
c	End outlet - K40	4" round	11.81"	171	0.38
d	K1-308-6 6" outlet cap	6" oval	9.84"	233	0.52
e	K1-408-6 6" outlet cap	6" oval	11.81"	264	0.59
f	Type K1-901G	4" round	19.30"	226	0.50
g	Type K1-901G	4" round	25.67"	265	0.59
h	Type K1-901G	4" round	25.30"	263	0.59
i	Type K1-901G	4" round	18.56"	222	0.49
j	Type K1-901G	6" round	25.85"	586	1.30
k	Type K1-901G	4" round	26.43"	269	0.60
l	Type K1-901G	4" round	19.36"	227	0.51
m	Type K1-901G	6" round	27.30"	604	1.35
n	Type K1-901G	6" round	19.99"	505	1.12
o	Type K1-901G	6" round	26.43"	593	1.32
p	Type K1-901G	8" round	27.30"	1051	2.34
q	Type K1-901G	4" round	27.17"	273	0.61
r	Type K1-901G	4" round	20.68"	235	0.52
s	Type K1-901G	4" round	18.99"	224	0.50
t	Type K1-901G	6" round	27.17"	6.02	1.34

Note: These are the pipe flow rates at the specified outlet, **NOT** channel flow rates. Catch basin flow rates are without trash bucket - using trash bucket reduces flow.

End Cap



6" Oval inlet cap



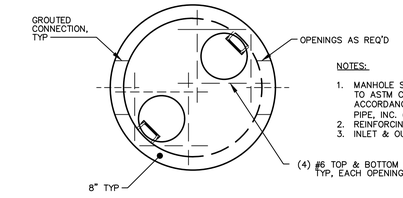
6" Oval outlet cap



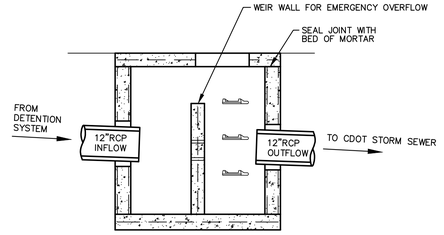
ACO Specification Information

April 2018

www.ACODrain.us



NOTES:
1. MANHOLE SECTIONS TO BE MANUFACTURED TO ASTM C-478 SPECIFICATIONS AND IN ACCORDANCE WITH NORTHERN CONCRETE PIPE, INC. (800 222 9918).
2. REINFORCING SHOWN FOR SCHEMATIC ONLY.
3. INLET & OUTLET PIPES SIZE MAY VARY.



OUTLET CONTROL STRUCTURE
NO SCALE

COLORADO LICENSED
ROBERT C WAGNER
60475
PROFESSIONAL ENGINEER

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JEFFREY D. ARMISTEAD
970-471-0618

MIDTOWN VILLAGE PUD

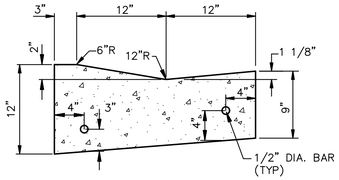
STORM WATER DETAILS 2

35

DATE: 8/19/24
SHEET 35 OF 38
CADD:
ENG: CMW
PM: RCW
TECH:
/20067DT1

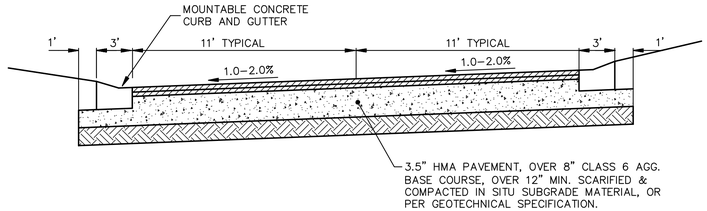
JOB No. **20067**

REVISIONS:	REV. DATE
PER ERWSD & IME REVIEW	02/14/24
PER ERWSD & IME REVIEW	08/19/24



MOUNTABLE CONCRETE CURB & GUTTER

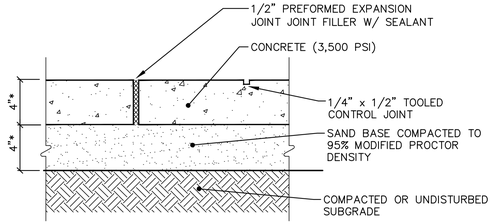
NOT TO SCALE



NOTE: SECTION MAY VARY DEPENDING ON SUBGRADE.
DESIGNER TO SUBMIT PAVEMENT DESIGN VERIFICATION.

TYPICAL ROAD CROSS SECTION

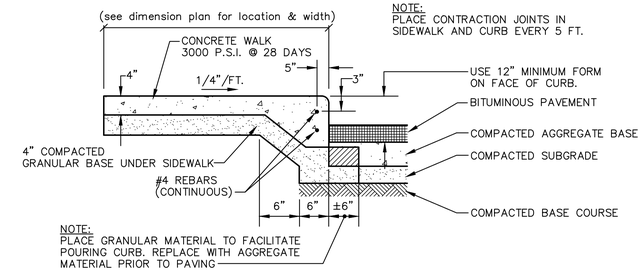
NOT TO SCALE



NOTE:
* INCREASE CONCRETE WALK TO 6" WHEN CROSSING A SINGLE-FAMILY OR DOUBLE-FAMILY DRIVEWAY, AND TO 8" FOR COMMERCIAL DRIVE CROSSINGS. USE 6" SAND BASE AT RESIDENTIAL DRIVE CROSSINGS, AND 8" AGGREGATE BASE (98% MODIFIED PROCTOR) AT COMMERCIAL DRIVE CROSSINGS.

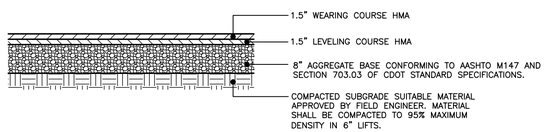
CONCRETE WALK DETAIL

NOT TO SCALE



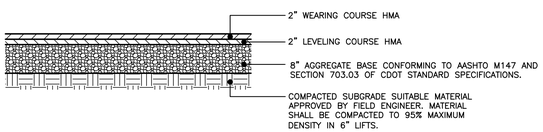
TYPICAL INTEGRAL WALK & CURB

NOT TO SCALE



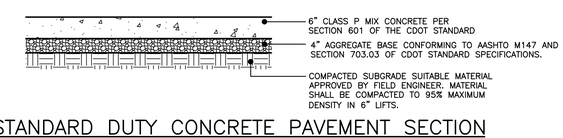
STANDARD DUTY BITUMINUOUS PAVEMENT SECTION

NOT TO SCALE



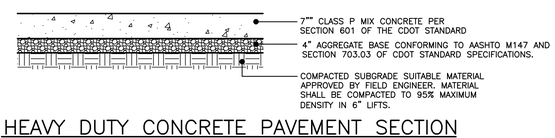
HEAVY DUTY BITUMINUOUS PAVEMENT SECTION

NOT TO SCALE



STANDARD DUTY CONCRETE PAVEMENT SECTION

NOT TO SCALE



HEAVY DUTY CONCRETE PAVEMENT SECTION

NOT TO SCALE

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60475
PROFESSIONAL ENGINEER

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MIDTOWN VILLAGE PUD

SITE DETAILS

36

DATE: 8/19/24
SHEET 36 OF 38
CADD: KJV
ENG: CMW
PM: ROW
TECH:
/20067DT1

JOB No. 20067

REVISIONS:	REV. DATE
PER ERWSD & IHE REVIEW	08/19/24

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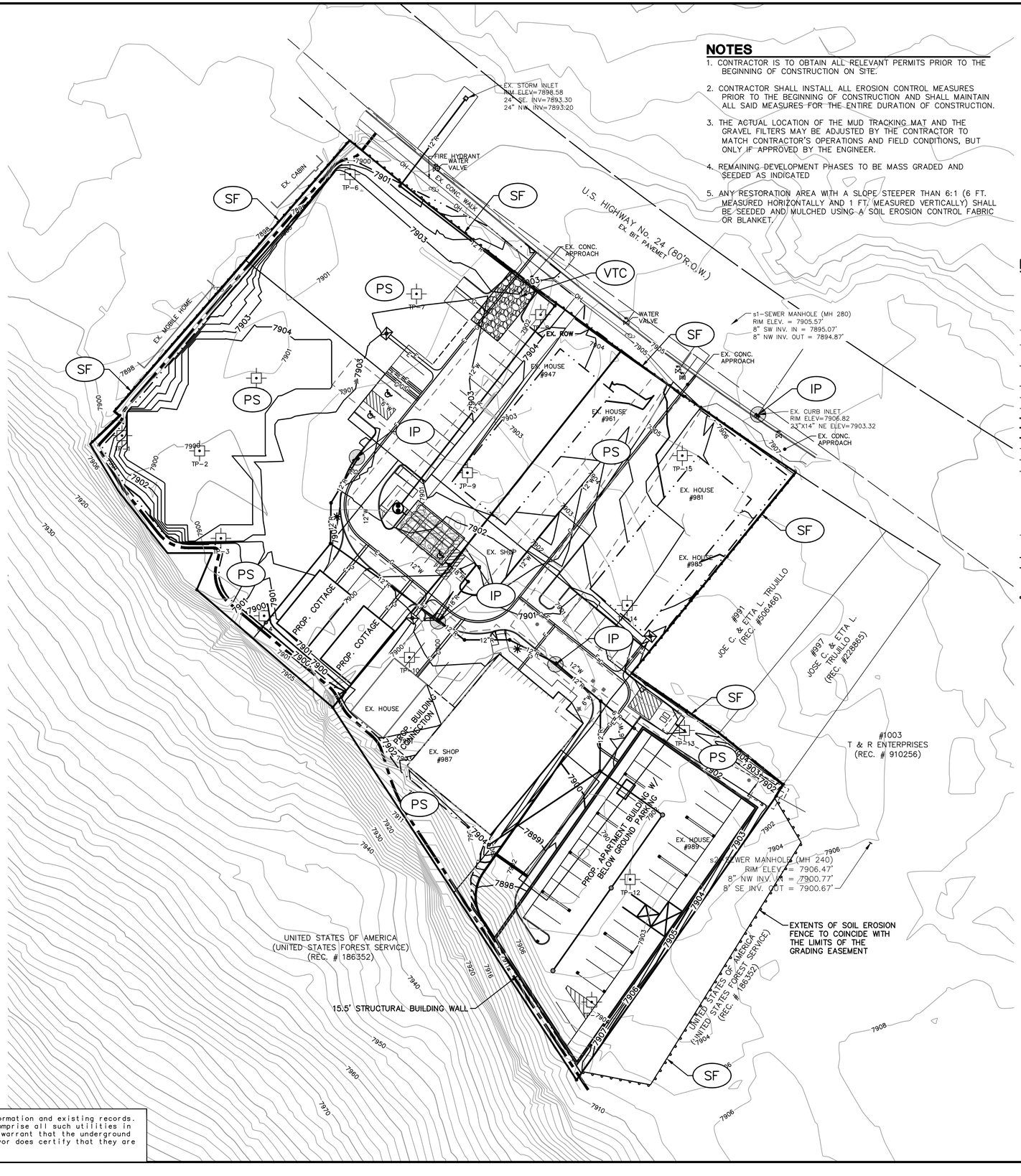
SOIL EROSION CONTROL MEASURES

t = temporary p = permanent

PS	SEEDING WITH MULCH AND/OR MATTING	IP	C.B./INLET FILTER
CF	CONSTRUCTION FENCE OR SNOW FENCE	VTC	VEHICLE TRACKING CONTROL
SF	GEOTEXTILE SILT FENCE	CD	CHECK DAM

NOTES

1. CONTRACTOR IS TO OBTAIN ALL RELEVANT PERMITS PRIOR TO THE BEGINNING OF CONSTRUCTION ON SITE.
2. CONTRACTOR SHALL INSTALL ALL EROSION CONTROL MEASURES PRIOR TO THE BEGINNING OF CONSTRUCTION AND SHALL MAINTAIN ALL SAID MEASURES FOR THE ENTIRE DURATION OF CONSTRUCTION.
3. THE ACTUAL LOCATION OF THE MUD TRACKING MAT AND THE GRAVEL FILTERS MAY BE ADJUSTED BY THE CONTRACTOR TO MATCH CONTRACTOR'S OPERATIONS AND FIELD CONDITIONS, BUT ONLY IF APPROVED BY THE ENGINEER.
4. REMAINING DEVELOPMENT PHASES TO BE MASS GRADED AND SEEDED AS INDICATED
5. ANY RESTORATION AREA WITH A SLOPE STEEPER THAN 6:1 (6 FT. MEASURED HORIZONTALLY AND 1 FT. MEASURED VERTICALLY) SHALL BE SEEDED AND MULCHED USING A SOIL EROSION CONTROL FABRIC OR BLANKET.



LEGEND

- 7902 — EXISTING CONTOUR
- 7902 — PROPOSED CONTOUR
- ×7902.2 — EXISTING SPOT ELEVATION
- 7902.2× — PROPOSED SPOT ELEVATION
- EXISTING UTILITY POLE
- OH — EXISTING OVERHEAD UTILITY LINE
- EXISTING WATER VALVE
- EXISTING HYDRANT
- W — PROPOSED WATER MAIN
- PROPOSED HYDRANT
- PROPOSED GATE VALVE IN BOX
- r — EXISTING STORM SEWER
- EXISTING CATCH BASIN OR INLET
- R — PROPOSED STORM SEWER
- PROPOSED CATCH BASIN OR INLET
- PROPOSED UNDERGROUND STORM SEWER STORAGE
- s — EXISTING SANITARY SEWER
- S — PROPOSED SANITARY SEWER
- PROPOSED FLOOR DRAIN
- SIGN
- POST
- EXISTING GAS VALVE
- W — WELL
- FENCE
- PROPOSED ELECTRIC TRANSFORMER
- E — PROPOSED ELECTRIC LINE
- G — PROPOSED GAS LINE
- PROPOSED INLET PROTECTION
- PROPOSED SILT FENCE

SCALE: 1" = 30'

0 30 60 90

811 Know what's below. Call before you dig.

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MIDTOWN VILLAGE PUD

SOIL EROSION PLAN

37

JOB No. 20067

REVISIONS:	REV. DATE:
PER ENVSO & WE REVIEW	06/07/24
PER ENVSO & WE REVIEW	08/19/24

DATE: 04/07/22
SHEET 37 OF 38
CADD:
ENG: CMW
PM: RCW
TECH:
20067SE1

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ROBERT C WAGNER
60475
PROFESSIONAL ENGINEER

The underground utilities shown have been located from field survey information and existing records. The surveyor makes no guarantees that the underground utilities shown comprise all such utilities in the area, either in-service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated. Although the surveyor does certify that they are located as accurately as possible from the information available.

M:\Civil34_Proj\20067SE1 Plan\20067SE1.dwg, 8/19/2024 3:30 PM, Colton M. Wallace, 37 SOIL EROSION PLAN, MCLLC PDF.pc3
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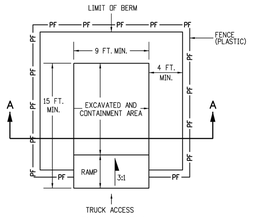
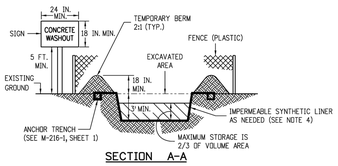


PLAN VIEW

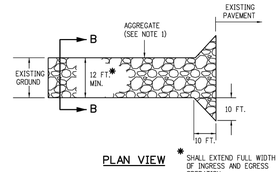


SECTION A-A

NOTES:

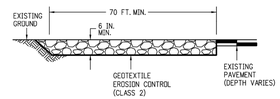
1. A FENCE (PLASTIC) CONFORMING TO SECTION 607 SHALL BE INSTALLED AROUND THE CONCRETE WASHOUT AREA, EXCEPT AT THE OPENING.
2. THE CONCRETE WASHOUT SIGN SHALL HAVE LETTERS AT LEAST 3 INCHES HIGH AND CONFORM TO SUBSECTION 630.02.
3. ALL MATERIALS AND LABOR TO COMPLETE THE CONCRETE WASHOUT STRUCTURE SHALL BE INCLUDED IN THE COST OF WORK AND NOT PAID FOR SEPARATELY.
4. THE BOTTOM OF EXCAVATION SHALL BE A MINIMUM OF FIVE FEET ABOVE GROUND WATER. IF NOT, THE BOTTOM OF EXCAVATION SHALL BE IN ACCORDANCE WITH 208.02 (J).
5. THE PAY ITEM NUMBER FOR CONCRETE WASHOUT STRUCTURE (EACH) IS 208-00045.

CONCRETE WASHOUT STRUCTURE

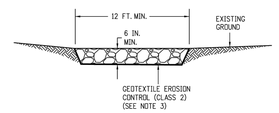


PLAN VIEW

* SHALL EXTEND FULL WIDTH OF INGRESS AND EGRESS OPERATION.



ELEVATION SECTION



SECTION B-B

NOTES:

1. AGGREGATE SHALL CONFORM TO SUBSECTION 208.02 (I).
2. THE CONTRACTOR SHALL PROTECT CURB AND GUTTER THAT CROSSES THE ENTRANCE FROM DAMAGE, WHILE NOT BLOCKING FLOW OF WATER THRU STRUCTURE. PROTECTION OF THE CURB AND GUTTER SHALL BE INCLUDED IN THE COST OF WORK AND NOT PAID FOR SEPARATELY.
3. GEOTEXTILE SHALL CONFORM TO SUBSECTION 712.08.
4. ALL MATERIALS AND LABOR TO COMPLETE THE VEHICLE TRACKING PAD SHALL BE INCLUDED IN THE COST OF WORK AND NOT PAID FOR SEPARATELY.
5. THE PAY ITEM NUMBER FOR VEHICLE TRACKING PAD (EACH) IS 208-00070.

VEHICLE TRACKING PAD

Computer File Information		Sheet Revisions	
Creation Date: 07/31/19		Date:	Comments
Designer Initials: JBK	(R-X)		
Last Modification Date: 07/31/19	(R-X)		
Detailer Initials: LTA	(R-X)		
CAD Ver.: MicroStation V8 Scale: Not to Scale Units: English	(R-X)		

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2829 West Howard Place
CDOT HQ, 3rd Floor
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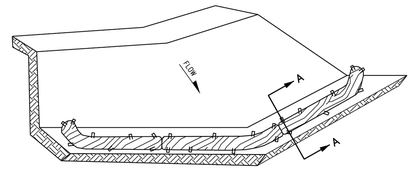
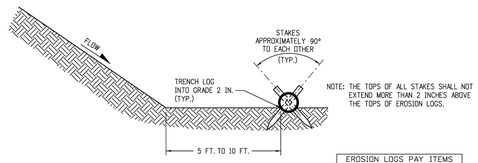
TEMPORARY EROSION CONTROL

Issued by the Project Development Branch: July 31, 2019

STANDARD PLAN NO.
M-208-1
Standard Sheet No. 1 of 11
Project Sheet Number:



ISOMETRIC VIEW



NOTE: THE TOPS OF ALL STAKES SHALL NOT EXTEND MORE THAN 2 INCHES ABOVE THE TOPS OF EROSION LOGS.

SECTION A-A

NOTES:

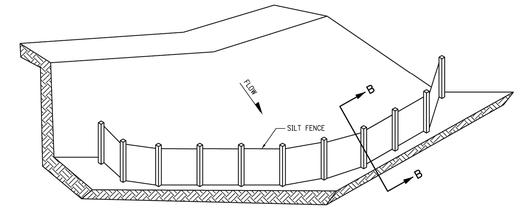
1. EROSION LOGS USED AT TOE OF SLOPE SHALL BE PLACED 5 TO 10 FEET BEYOND TOE OF SLOPE TO PROVIDE STORAGE CAPACITY.
2. EROSION LOGS SHALL BE PLACED ON THE CONTOUR WITH ENDS FLARED UP SLOPE.
3. SEE SHEET 2 OF 11 FOR JOINING LOGS DETAIL.

EROSION LOGS PAY ITEMS	
NUMBER	DESCRIPTION
208-00012	TYPE 1 (9 IN.)
208-00002	TYPE 1 (12 IN.)
208-00013	TYPE 1 (20 IN.)
208-00007	TYPE 2 (8 IN.)
208-00008	TYPE 2 (12 IN.)
208-00009	TYPE 2 (18 IN.)
208-00022	TYPE 3 (9 IN.)
208-00023	TYPE 3 (12 IN.)
208-00024	TYPE 3 (20 IN.)

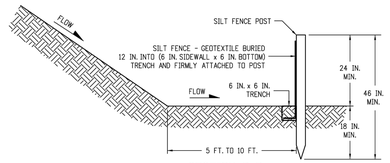
EROSION LOG TOE OF SLOPE PROTECTION

NOTES

1. SILT FENCE SHALL HAVE A MAXIMUM DRAINAGE AREA OF ONE-QUARTER ACRE PER 100 FEET OF SILT FENCE LENGTH; MAXIMUM SLOPE LENGTH BEHIND BARRIER IS 100 FEET.
2. SILT FENCE USED AT TOE OF SLOPE SHALL BE PLACED 5 TO 10 FEET BEYOND TOE OF SLOPE TO PROVIDE STORAGE CAPACITY.
3. SILT FENCE SHALL BE PLACED PARALLEL TO THE CONTOUR WITH ENDS FLARED UP SLOPE.
4. THE MAXIMUM LENGTH OF EROSION LOGS OR SILT FENCES WITHOUT A FLARED END TURNING UPSLOPE IS 150 FEET.



ISOMETRIC VIEW



SECTION B-B

SILT FENCE TOE OF SLOPE PROTECTION

NOTE: THE PAY ITEM NUMBER FOR SILT FENCE (LF) IS 208-00020.

TOE OF SLOPE PROTECTION APPLICATIONS

Computer File Information		Sheet Revisions	
Creation Date: 07/31/19		Date:	Comments
Designer Initials: JBK	(R-X)		
Last Modification Date: 07/31/19	(R-X)		
Detailer Initials: LTA	(R-X)		
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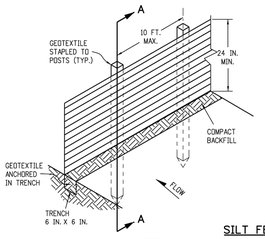
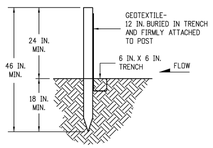
TEMPORARY EROSION CONTROL

Issued by the Project Development Branch: July 31, 2019

STANDARD PLAN NO.
M-208-1
Standard Sheet No. 3 of 11
Project Sheet Number:



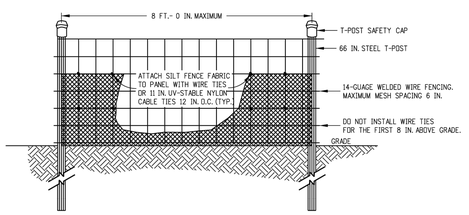


SECTION A-A

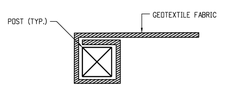
SILT FENCE

NOTES:

1. GEOTEXTILE SHALL BE ATTACHED TO WOOD POSTS WITH THREE OR MORE STAPLES PER POST. STAPLES SHALL BE HEAVY DUTY WIRE AND AT LEAST 1 INCH LONG.
2. WOOD POST SHALL BE 1 IN. X 1 IN. NOMINAL.
3. THE PAY ITEM NUMBER FOR SILT FENCE (LF) IS 208-00020.
4. THE SILT FENCE SHALL BE PLACED ON THE CONTOUR (AT THE SAME ELEVATION ±6 IN.). THE ENDS SHALL BE FLARED UP SLOPE (MINIMUM ELEVATION GAIN OF 18 IN.).



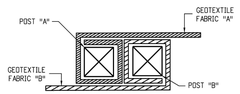
ELEVATION VIEW



END SECTION DETAIL (PLAN VIEW)

NOTE:

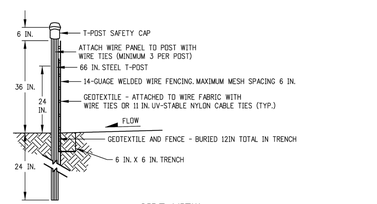
1. THE END OF THE SILT FENCE FABRIC SHALL BE WRAPPED APPROX. 6 INCHES AROUND A WOODEN POST ONE FULL TURN, THEN SECURED ALONG THE POST WITH 6 HEAVY DUTY WIRE STAPLES AT LEAST 1 INCH LONG.



JOINING SECTION DETAIL (PLAN VIEW)

NOTES:

1. THE ENDS OF THE SILT FENCE FABRIC SHALL BE JOINED TOGETHER BY WRAPPING APPROX. 6 INCHES OF EACH END AROUND A WOODEN POST ONE FULL TURN, THEN SECURED ALONG THE POST WITH 6 HEAVY DUTY WIRE STAPLES AT LEAST 1 INCH LONG.
2. POSTS SHALL BE TIGHTLY ABUTTED WITH NO GAPS TO PREVENT POTENTIAL FLOW-THROUGH OF SEDIMENT AT JOINT.



SIDE VIEW

NOTES:

1. THE ENDS OF THE SILT FENCE FABRIC SHALL BE JOINED TOGETHER BY WRAPPING APPROX. 6 INCHES OF EACH END AROUND A STEEL T-POST, THEN SECURED ALONG THE POST WITH WIRE TIES (MINIMUM 3 PER POST).
2. POSTS SHALL BE TIGHTLY ABUTTED WITH NO GAPS TO PREVENT POTENTIAL FLOW-THROUGH OF SEDIMENT AT JOINT.
3. SILT FENCES SHALL NOT BE USED FOR CHECK DAMS.
4. THE PAY ITEM NUMBER FOR SILT FENCE (REINFORCED) (LF) IS 208-00021.

SILT FENCE (REINFORCED)

SILT FENCE APPLICATIONS

Computer File Information		Sheet Revisions	
Creation Date: 07/31/19		Date:	Comments
Designer Initials: JBK	(R-X)		
Last Modification Date: 07/31/19	(R-X)		
Detailer Initials: LTA	(R-X)		
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Issued by the Project Development Branch: July 31, 2019

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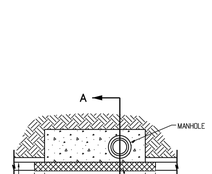
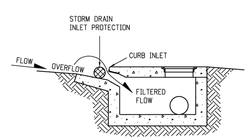
M-208-1
Standard Sheet No. 8 of 11
Project Sheet Number:



PLAN VIEW

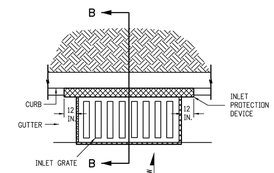


SECTION A-A

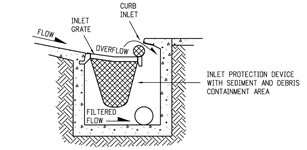
STORM DRAIN INLET PROTECTION (TYPE I)

NOTES:

1. INLET PROTECTION DEVICE SHALL EXTEND 12 INCHES PAST EACH END OF THE INLET.
2. THE PAY ITEM NUMBERS FOR STORM DRAIN INLET PROTECTION (TYPE I) ARE 208-00051 (LF), 208-00053 84 INCHES (EACH), 208-00057 144 INCHES (EACH), AND 208-00058 204 INCHES (EACH).
3. FOR STORM DRAIN INLET TYPES I AND II, IF THERE IS A MINIMUM CLEARANCE OF 3 FEET FROM THE EDGE OF THE TRAVELED WAY TO THE FACE OF CURB, USE THE AGGREGATE BAGS AT STORM DRAIN INLET (TYPE I) DETAIL ON SHEET 4 INSTEAD.



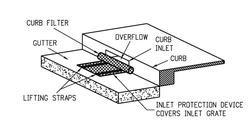
PLAN VIEW



SECTION B-B

OPTION A

STORM DRAIN INLET PROTECTION (TYPE II)

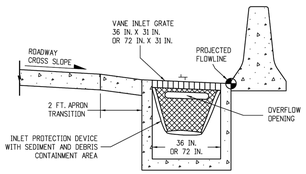


ISOMETRIC VIEW

OPTION B

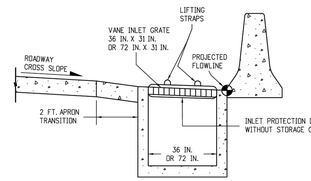
STORM DRAIN INLET PROTECTION (TYPE II)

NOTE: THE PAY ITEM NUMBERS FOR STORM DRAIN INLET PROTECTION (TYPE II) ARE 208-00054 (EACH).



OPTION A

STORM DRAIN INLET PROTECTION (TYPE III)



OPTION B

STORM DRAIN INLET PROTECTION (TYPE III)

NOTE: THE PAY ITEM NUMBER FOR STORM DRAIN INLET PROTECTION (TYPE III) (EACH) IS 208-00056.

STORM DRAIN INLET PROTECTION TYPES

Computer File Information		Sheet Revisions	
Creation Date: 07/31/19		Date:	Comments
Designer Initials: JBK	(R-X)		
Last Modification Date: 07/31/19	(R-X)		
Detailer Initials: LTA	(R-X)		
CAD Ver.: MicroStation V8 Scale: Not to Scale Units: English	(R-X)		

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STANDARD PLAN NO.
M-208-1
Standard Sheet No. 9 of 11
Project Sheet Number:

ROBERT L. ARMISTEAD
60475
PROFESSIONAL ENGINEER

MIDWESTERN CONSULTING
385 Plaza Drive, Ann Arbor, Michigan 48108
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JEFFREY D. ARMISTEAD
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MIDTOWN VILLAGE PUD

SOIL EROSION DETAILS

38

DATE: 8/19/24
SHEET 38 OF 38
CADD:
ENG: CMW
PM: ROW
TECH:
/20067DT1

REVISIONS:	REV. DATE
PER ERWSD & MVE REVIEW	06/19/24
PER ERWSD & MVE REVIEW	08/19/24

JOB No. 20067

CONSTRUCTION SPECIFICATIONS

THE FOLLOWING APPLICABLE CONSTRUCTION SPECIFICATIONS ARE A PORTION OF THE TOWN OF MINTURN ENGINEERING STANDARDS. TABLES, DRAWINGS, DETAILS AND EXHIBITS REFERENCED BELOW ARE INCLUDED IN THE TOWN STANDARDS.

CHAPTER 2 - SITE WORK/EARTHWORK/GRADING

SECTION 1 - SCOPE

All site work and earthwork shall comply with the requirements of these STANDARDS AND SPECIFICATIONS and any special criteria established by the Town of Minturn. Site work shall be completed as shown on the approved engineering plans. Site work shall consist of demolition, removal, and abandonment; clearing and grubbing; overlot grading; removal of topsoil; site preparation; embankment subgrade preparation; embankment fill; excavation, trenching, bedding and backfill of pipelines and service lines; excess excavation; structure backfill; roadway excavation, backfill and compaction; borrow; and restoration and cleanup. All workmanship and materials shall be in accordance with the requirements of these STANDARDS AND SPECIFICATIONS and shall conform to the lines, grades, quantities, and the typical cross-sections shown on the approved plans, or as directed by the Town Engineer or as directed by the Engineer-of-Record (EOR).

1.01 -Inspections

A Grading Permit shall be required for all construction activities. Construction activities shall be subject to inspection by the Town Engineer, and certain types of construction shall have continuous inspection.

It shall be the responsibility of the person performing the work authorized by a permit to notify the Town Engineer or his authorized representative that such work is ready for inspection. Every request for inspection shall be filled at least one (1) working day before such inspection is desired unless otherwise stated in these STANDARDS AND SPECIFICATIONS. An inspection request may be in writing or by telephone, at the option of the Town Engineer.

It shall be the responsibility of the person requesting an inspection required by these STANDARDS AND SPECIFICATIONS to provide access to and means for proper inspection of all work. All work shall be inspected by the Town Engineer or his designated representative. The Town Engineer has the authority to halt construction when, in his opinion, these STANDARDS AND SPECIFICATIONS and/or standard construction practices are not being followed, or the work is otherwise defective. Whenever any portion of these STANDARDS AND SPECIFICATIONS are violated, the Town Engineer shall give the Contractor written notice listing deficiencies to be corrected and may order further construction stopped until all deficiencies are Corrected. If the deficiencies are not corrected within the time limit specified in the notice, the Town Engineer may invoke enforcement options authorized by the Minturn Municipal Code and/or draw upon performance guarantees under which the work is being performed.

For small commercial developments, Minturn may require the development to hire a qualified private contract inspection professional or a Colorado Registered Professional Engineer at the developer's cost to certify to Minturn that the work was completed in accordance with these STANDARDS AND SPECIFICATIONS.

Landscaping that is privately owned and maintained by a Homeowners Association (HOA) or other property management entity shall be designed and constructed in accordance with these STANDARDS AND SPECIFICATIONS. Compliance to these STANDARDS AND SPECIFICATIONS shall be certified by a qualified third party approved by Minturn and paid by the developer. Minturn shall assist with inspection of the irrigation system for the landscaping.

Adequate inspections assure compliance to the Town of Minturn requirements and are the basis for the town's recommendation that said improvements be accepted for maintenance and for release of performance guarantees. It is the responsibility of the Contractor to contact the Town Engineer a minimum of one (1) full working day (twenty-four [24] hours) in advance of the required inspections. Required inspections shall include:

A. Erosion Control: Ensure that the Erosion Control Plan is adhered to and Best Management Practices (BMP's) are properly installed and maintained.

B. Geotechnical Testing: Verify that a Colorado Registered Professional Engineer (or designated representative), who practices the field of Geotechnical Engineering, is onsite and that adequate testing is performed. Full-time observation and testing is required for over-excavation work.

C. Grade Certification: Verify that the extent and depths of proposed work is certified. Verify the final grade.

The Contractor shall provide access to all Minturn Inspectors/Representatives, and all other project quality control (QC) and/or quality assurance (QA) personnel throughout the earthwork process for observation and testing purposes. The Contractor shall not proceed with work until the project Soils Engineer has performed adequate observations and testing, unless approved by the Town Engineer.

All testing and retesting to meet requirements and specifications shall be at the Contractor's or owner's expense.

SECTION 2 - DEMOLITION, REMOVAL AND ABANDOMENT

The Contractor shall remove—wholly or in part—and satisfactorily dispose of all foundations, structures, fences, old pavements, abandoned pipelines, and any other obstructions which are not designated on the approved plans or allowed to remain.

Where portions of structures shall be removed, the remaining parts shall be prepared to accommodate the new construction. The work shall be performed in such a manner that materials left in place shall be protected from damage. All damage to portions of structures to remain shall be repaired at the Contractor's expense.

2.01 - Disposal

The Contractor shall make all necessary arrangements for obtaining suitable disposal locations. If disposal shall be at other than established dumpsites, the EOR may require the Contractor to furnish written permission from the property owner on whose property the materials and debris is proposed to be placed. Materials and debris shall be disposed of in a manner approved by the Town Engineer. Burning shall not be allowed without prior written approval of the Town of Minturn.

2.02 - Salvage

All salvageable material shown on the approved plans and any additional salvageable material marked by the EOR shall be removed without unnecessary damage in sections or pieces which may be readily transported and shall be stored by the Contractor in locations approved by the EOR. The Contractor shall be required to replace any materials lost from improper storage methods or damaged by negligence. These materials include, but shall not be limited to, manhole frames and covers; inlet grates; valves and)re hydrants; landscape plant materials; fence materials; handrails; culverts; guardrail; walkway; roadway and traffic appurtenances (traffic signals and attached hardware, including mast arms and span wire) and irrigation systems and appurtenances.

2.03 - Pipe and Appurtenances

All pipe and appurtenances to be taken out of service shall be completely removed or abandoned in place, as required by the EOR.

Pipe designated to be reused shall be removed and stored, when necessary, to prevent loss or damage before re-laying.

Excavation required to remove pipe or appurtenances shall be back filled and compacted in accordance with Section 5 - TRENCHING, BACKFILLING AND COMPACTING of these STANDARDS AND SPECIFICATIONS.

When pipe is to be abandoned in place, it shall be completely filled with fly ash slurry composed of approximately sixty-five (65) percent Class C Fly ash and thirty-five (35) percent water, unless otherwise approved by the EOR. Each end of the pipe shall be capped with concrete.

When removing appurtenances such as manholes, catch basins, inlets etc., any live lines connected to these appurtenances shall be properly bypassed and shall remain in operation until abandonment is complete.

When appurtenances are to be abandoned in place, the remaining structure shall be lowered to a minimum of three (3) feet below finished grade, and shall be filled with concrete with a minimum compressive strength of 3000 psi (at 28 days) to the top of the remaining structure and then backfilled and compacted to the required grades.

2.04 - Pavement and Concrete Flatwork

All concrete or asphalt to remain shall have a straight, true break line and a vertical face. Concrete or asphalt may be cut with a cutting wheel, jackhammer, or saw. The EOR may require that saw-cutting be performed. Any damage to adjacent concrete or asphalt to remain in place shall be repaired at the Contractor's expense. The minimum depth of saw cuts in concrete shall be two (2) inches.

If areas cut for future placement of concrete or asphalt adjacent to existing asphalt or concrete are left exposed for longer than thirty (30) days or are subjected to inclement weather, the areas shall be evaluated by a Geotechnical Engineer and a recommendation shall be provided to the EOR. An additional cut of at least six (6) inches behind and/or below the existing structure—or until competent subgrade is encountered—may be required by the EOR.

SECTION 3 - SITE PREPARATION

3.01 - Clearing

All sites to receive fill shall be cleared of organic materials, including root structures, at the Contractor's expense. Vegetation shall be pulled or grubbed in such a manner as to assure complete and permanent removal. Branches of trees extending over the roadbed shall be trimmed to give a clear height of twenty (20) feet above the road bed surface. All surface objects and trees, stumps, roots and other protruding obstructions not designated to remain shall be cleared and/or grubbed as required. Non-biodegradable, solid objects located at least two (2) feet below the final subgrade surface may remain at the discretion of the EOR.

The EOR may establish clearing lines and designate items and materials to remain. The Contractor shall preserve all materials and items to remain. Paint used for cut or scarred surfaces of trees or shrubs to remain shall be an approved asphalt base paint formulated especially for tree surgery.

Except in areas to be excavated, stump holes and other holes from which obstructions are removed shall be backfilled with suitable material and compacted in accordance with these STANDARDS AND SPECIFICATIONS.

The Contractor shall scalp areas where excavation or embankment shall be made. Scalping shall include the removal of organic material such as brush, roots, sod, grass, residue of agricultural crops, sawdust, and vegetable matter from the surface of the ground.

An overlot grading summary report prepared by the project Soils Engineer which states that fill placement is in conformance to approved plans and reports and includes locations and elevations of field density tests (referenced from a permanent landmark or permanent control point), summaries of field and laboratory tests and any other substantiating data and comments regarding deviations from the approved plans and reports and how they relate to or affect recommendations in the approved Geotechnical Engineering Report and grading plan.

SECTION 4 - EARTHWORK

Earthwork shall consist of excavation, disposal, shaping and compaction of all material encountered within the limits of the project, including but not limited to excavation of ditches and channels, surface boulders, muck, rock, concrete foundations, slabs, stripping, etc. Excavation shall be performed to the line and grade and typical cross-sections shown on the approved plans or as required by the EOR.
Free-running water shall be drained from all earthwork materials prior to construction of structures, utilities, or concrete 4atwork construction.

4.01 - Definitions

A. **Suitable Material**: Any earthen material that consists of onsite or similar non-organic sands, gravels, clays, silts and mixtures thereof with a maximum size of six (6) inches. Claystone fragments exceeding three (3) inches in particle size are not to be incorporated in embankment material unless specifically approved by the project Soils Engineer and the EOR.

B. **Bedrock:** Bedrock that breaks down to specified soil types and sizes during excavation, hauling and placement may be considered as suitable material.

C. **Rock Excavation:** Igneous, metamorphic or sedimentary rock formations that cannot be excavated with a D-9 tractor in good repair with a single hydraulic ripper.

4.02 - Borrow

It shall be the Contractor's responsibility to stockpile suitable materials for use in the project. Only after the Contractor estimates that sufficient suitable back#ll material is stockpiled to complete all earthwork operations of the project, shall excavated material be removed from the project site.

If the Contractor fails to preserve onsite, su1cient suitable material, and removes or disposes of suitable material, suitable material shall be recovered at the Contractor's expense.

4.03 - Embankment Construction

Embankment construction shall include placement, processing and compaction of all embankment material, and all related work required to ensure proper bond of materials with previously placed embankment material.

A. Preparation of Embankment Subgrade: The grade shall be maintained so that the surface is well drained at all times. When necessary, temporary drain systems shall be installed to intercept or divert surface water that may affect the work.

Where an embankment shall be constructed, unsuitable material shall be removed from the surface. The cleared surface shall be plowed or scarified to a minimum depth of six (6) inches. The embankment area shall adhere to the density and moisture content requirements shown in the following table, unless otherwise approved by the project Soils Engineer and the EOR:

TABLE 2.01

Soil Classification AASHTO M145	*Relative Compaction by Standard Proctor ASTM D698 or AASHTO T99 (percent compaction)*	*Relative Compaction by Modified Proctor ASTM D1557 or AASHTO T180 (percent compaction)*	*Moisture Content Range (with respect to Optimum Moisture Content)*
A-1, A-2, A-3	—	95	-2 to +2 (based on AASHTO T180)
A-4, A-5, A-6	95	—	-1 to +3 (based on AASHTO T99)

If equipment is deemed inadequate, the project Soils Engineer and/or the EOR may recommend the use of larger or different types of equipment.

After subgrade is properly prepared, the embankment filling operation shall begin in the deepest part of the area to be filled. Embankment material shall be placed and compacted in parallel layers until the finished rough grade is reached. Temporary gaps through the embankment shall not be allowed without approval of the EOR. All temporary slopes shall not be steeper than 4:1 (horizontal:vertical).

The thickness of each layer shall not exceed six (6) inches before compacting.

B. Embankments Greater Than Twelve (12) Feet in Height

Compaction operations shall continue until each layer of embankment material for embankments greater than twelve (12) feet in height is compacted to the moisture and density requirements shown in the following table, unless otherwise required by the project Soils Engineer and the EOR.

TABLE 2.02

Soil Classification AASHTO M145	*Relative Compaction by Standard Proctor ASTM D698 or AASHTO T99 (percent compaction)*	*Relative Compaction by Modified Proctor ASTM D1557 or AASHTO T180 (percent compaction)*	*Moisture Content Range (with respect to Optimum Moisture Content)*
A-1, A-2, A-3	—	96	-2 to +2 based on AASHTO T180)
A-4, A-5, A-6	100	—	-1 to +2 (based on AASHTO T99)

4.04 - Excavation

It is the sole responsibility of the Contractor to become familiar with the existing conditions and potential excess excavation at each project site. Geotechnical reports or other data provided by Minturn may be used to assist in determining general site and soil characteristics.

4.05 - Structure Backfill

Structure backfill shall comply with Section 4.01 De5nitions of these STANDARDS AND SPECIFICATIONS. Structure backfill material shall have a liquid limit not exceeding thirty-5ve (35) and a plasticity index less than fifteen (15), as determined by AASHTO T 89 and T 90, unless otherwise approved by the project Soils Engineer and the EOR.

Areas adjacent to structures and other areas inaccessible to mobile compaction equipment shall be compacted with suitable power-driven hand tampers or other approved devices. Backfilling shall consist of placing materials in horizontal, uniform layers brought up uniformly on all sides of the structure. **The thickness of each layer of back ll shall not exceed SIX (6) inches before compacting to the required density.**

Backfill material shall not be deposited against the back of concrete abutments, concrete retaining walls, or the outside of cast-in-place concrete structures until the concrete has developed a strength of not less than eighty (80) percent of the required design strength. Backfill placed within two (2) feet of any structure shall be placed evenly on all sides to avoid unequal lateral pressures.

In the event that suitable backfill material is not available on the site, the Contractor shall import Class 1 structure backfill materials as defined in Section 4.01 De5nitions of these STANDARDS AND SPECIFICATIONS, or other material approved by the project Soils Engineer and the EOR. The Contractor shall not be required to excavate below the depths of excavation indicated on the approved plans to provide structure backfill material.

The Contractor shall uniformly process, maintain proper moisture in, and properly compact each lift throughout the backfilling process. All testing shall comply with Section 5.07 Compaction Testing of these STANDARDS AND SPECIFICATIONS.

SECTION 5 - TRENCHING, BACKFILLING AND COMPACTION

This work shall consist of furnishing all labor, materials, tools and equipment for trenching, bedding, backfill and compaction for all underground utilities (inclusive of "dry" utility trenches located under roadways or within roadway R.O.W.) as specified herein and shown on the approved plans. The excavation shall be made to lines and grades shown on the approved plans and as established by the EOR. Except where shown otherwise on the approved plans and except where the EOR gives written permission to do otherwise, all trench excavation shall be made by open cut to the depth required to construct the pipelines as shown on the approved plans. All excavation shall be 'unclassified', as defined in Section 4.01 Definitions of these STANDARDS AND SPECIFICATIONS. All trenching shall be performed in accordance with all Occupational Safety and Health Administration (OSHA) requirements. These regulations are described in Subpart P, Part 1926 of the Code of Federal Regulations.

All excavated material which meets the requirements for backfill materials shall be stockpiled in a manner which shall not contaminate the excavated material, and shall be located a sufficient distance from the trench to avoid overloading, to avoid obstructing sidewalks, driveways, or streets, and to provide the least possible interference with traffic

5.01 - Special Conditions

A. Subsurface Investigation: Prior to the connection of any planned utility line to an existing line, the Contractor shall expose the existing utility at the points of connection in order to verify the elevations and materials of construction. The EOR shall be notified a minimum of two (2) working days before such an investigation is performed. The Contractor shall also expose utilities as they cross each other to allow for verification of elevation and materials of construction. The EOR shall evaluate this information and provide revisions, if required, within three (3) working days of the completion of the investigation.

B. Underground Wire, Cable, Fiber Optic, or Similar Lines: Where underground wire, cable, fiber optic or similar lines are encountered, they shall be relocated as directed by the telephone service provider and in accordance with their speci5cations. The Contractor shall coordinate this work with all other phases of construction to avoid further conflicts.

C. Gas and Electric Lines: Where underground gas and electric lines are encountered, they shall be relocated as directed by the gas and electric service provider and in accordance with their specifications. The Contractor shall coordinate this work with all other phases of construction to avoid further conflicts.

5.02 - Removal of Water

The Contractor shall provide and maintain adequate equipment to properly remove and dispose of all surface or ground water that enters the trench. Water shall be disposed of without damage to adjacent property and without being a nuisance to public health and convenience. The use of any sanitary sewer to dispose of trench water shall not be allowed. The trench shall be dry at all times during pipe installation. Dewatering shall be accomplished by well points, sumping or any other method approved by the Engineer.

5.03 Trench Excavation for Pipelines and Service Lines

The width of the trench shall comply with the requirements set forth in these STANDARDS AND SPECIFICATIONS and shall be sufficient to allow pipe to be installed and backfill placed and compacted. The allowable trench width, regardless of the type of soil encountered, the depth of excavation or method of bedding densification, shall not exceed the outside diameter of the pipe barrel plus twenty-four (24) inches, or be less than the outside diameter of the pipe barrel plus twelve (12) inches when measured at any point below the top of the pipe bell, flange or collar.

Where the width of the lower portion of the trench exceeds the maximum width herein stated, the Contractor shall furnish and install special pipe embedment or concrete encasement to protect the pipe from the additional loading. The type and quantities of special pipe embedment shall be determined by the pipe supplier, using trench loading criteria based upon saturated backfill weighing one-hundred twenty (120) pounds per cubic foot and allowance for other superimposed live loads.

A. Preparation of Foundation for Pipe Laying: When the excavation is in firm earth, care shall be taken to avoid excavation below the established grade plus the required specified over-depth to accommodate the pipe bedding material.

In case soft or otherwise unsuitable foundation material is encountered in the bottom of the trench, the project Soils Engineer and/or the EOR may require removal and replacement with stabilization material to provide a suitable foundation for the pipe. If the trench bottom is wet, the project Soils Engineer shall determine whether it is stable. The bottom of sumps utilized for dewatering shall be two (2) inches minimum below the bottom of the trench excavation to prevent the upward flow of water into the excavation, which may result in unstable bottom conditions.

5.04 - Bedding for Pipelines and Service Lines

See Sheets C.500 and C.501 for Specifications for Bedding Requirements for Water Mains, Sewer Mains and water and sewer Service Lines.

Bedding material type and placement for storm sewer pipe shall be that specified in the latest version of the "Standard Plans M&S Standards" Plan No. 5 M-603-1 through M-603-3 for metal, plastic, and reinforced concrete pipe.

5.05 - Backfill for Pipelines and Service Lines

Suitable backfill shall be as defined in Section 4.01 Definitions of these STANDARDS AND SPECIFICATIONS. Clay and similar material with a liquid index in excess of thirty-five (35) and a plasticity index in excess of six (6), as determined in accordance with AASHTO T89 and T90, shall not be considered suitable for backfilling in trenches located in improved streets, roads, highways and thoroughfares, unless approved by the Town Engineer.

When the excavated material is unsuitable for compaction, import material shall be approved by the project Soils Engineer and the EOR prior to placement.

A. Backfill Compaction: Trench back5ll shall be placed in loose six (6) inch lifts, processed and moisture-conditioned, and each lift thoroughly consolidated by tamping, vibrating, or a combination thereof, until the moisture content and the relative compaction complies with the values shown in the Moisture and Density Requirements for Embankment Materials table in Section 4.03 Embankment Construction of these STANDARDS AND SPECIFICATIONS for the various soil classifications and relative compaction.

For new landscape areas with trees, compaction shall be between eighty-five (85) and ninety (90) percent of the maximum Standard Proctor dry density in the top two (2) feet of soils below finished grade.

Where sidewalk or concrete trail will be constructed, soils shall be scarified, moisture treated and recompacted two (2) feet wider than the footprint of the sidewalk or trail until the moisture content and the relative compaction complies with the values shown in the table in Section 4.03 Embankment Construction.

Backfill of utilities, pipes, culverts, or other miscellaneous structures located in areas that will not have a hard surface shall be placed in six (6) inch lifts at ninety (90) percent of the maximum Standard Proctor dry density and within two (2) percent of the optimum moisture content. All other requirements for particle size and processing shall be met.

5.06 - Compaction Testing

Testing shall be performed at various depths and locations, and at all vertical structures. The project Soils Engineer and/or the EOR may require additional testing around structures, manholes, valve boxes, etc.

Field test results shall be submitted to the EOR within twenty-four (24) hours of the test or on the next working day. In no case shall fill or backfill be placed on materials that did not pass moisture and density testing.

Moisture and density testing shall be performed by a qualified technician who works under the direct supervision of a Colorado Registered Professional Engineer. Final soil compaction reports shall be prepared and signed by a Colorado Registered Professional Engineer, and who is qualified to prepare such reports. Reports shall be submitted to the EOR within one (1) week of the test.

SECTION 6 - RESTORATION AND CLEANUP

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ROBERT C WAGNER
60475
PROFESSIONAL ENGINEER

M:\Civil3d_Proj\20067\Site Plan\20067DT1.dwg, 8/19/2024 3:30 PM, Colton M. Wallace, 39 STORM WATER CONSTRUCTION SPECIFICATIONS 1, MCLLC PDF.pc3
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MIDTOWN VILLAGE PUD

STORM WATER CONSTRUCTION SPECIFICATIONS 1

39

JOB No. **20067**

DATE: 8/19/24
SHEET 39 OF 38
CADD:
ENG: CMW
PM: RCW
TECH:
/20067DT1

REVISIONS:	REV. DATE
PER EPMSD & WE REVIEW	07/19/24
PER EPMSD & WE REVIEW	08/19/24

CONSTRUCTION SPECIFICATIONS

THE FOLLOWING APPLICABLE CONSTRUCTION SPECIFICATIONS ARE A PORTION OF THE TOWN OF MINTURN ENGINEERING STANDARDS AND OTHER STANDARDS. TABLES, DRAWINGS, DETAILS AND EXHIBITS REFERENCED BELOW ARE INCLUDED IN THE TOWN STANDARDS.

SECTION 6 - RESTORATION AND CLEANUP

At all times during construction, the Contractor shall maintain the site, including partially finished structures, material stockpiles and other like areas, in a reasonable state of order and cleanliness.

The grade and condition of all unsurfaced areas shall be restored to a condition equal to or better than the grade and condition immediately prior to construction, unless otherwise shown in the approved plans and approved by the Town of Minturn. The Contractor shall restore or replace all seeded areas, sod, trees, landscaping materials, landscape irrigation systems, fences, and any other items, to a condition equal to or better than before the work began and to the satisfaction of the EOR.

All pavement and concrete flatwork shall be restored or replaced to a condition equal to or better than before the work began and to the satisfaction of the EOR.

CHAPTER 3 - EROSION CONTROL AND SEDIMENTATION

3.01 - Infiltration Practices
Infiltration practices include measures to percolate runoff into soils. Typical practices include rock-filled trenches or basins (dry wells) and diversion of storm runoff into vegetated areas. Directing water from impervious areas and allowing it to percolate reduces sediment transported off-site.

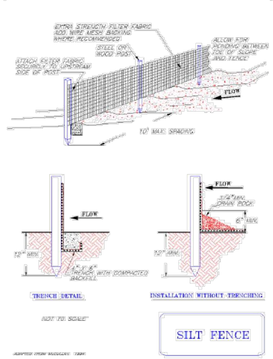
A. Maintenance
1. Clean out accumulated sediment and debris before the system fails to infiltrate storm runoff. It may be necessary to replace the upper layer of stone.
2. If rapid clogging occurs and pre-sedimentation BMP's cannot be placed upstream, install surface-maintained BMP's
3. Monitor observation well to evaluate whether soil is clogging or infiltration device is not performing as designed

4.01 - Silt Fences
Silt Fences are temporary barriers constructed of woven synthetic material, buried at the bottom, stretched and supported by posts. The goal of this BMP is to reduce velocity and pool sheet flow from an eroding area, allowing the sediment to settle. Silt fences can be used along the base of slopes, around stockpiles and at other discrete areas where erosion is likely to occur

A. Installation/ Design Guidelines
1. Use only in areas of dispersed low-velocity runoff. Less than 1/4 acre should drain to each 100 foot of fence.
2. Anchor fences along the contour below the toe of disturbed slopes. Place fences to pond, not □ lter, runoff. A minimum of five feet of potential ponding area is recommended between the fence and the toe of the slope.
3. Avoid placing silt fences in ditches, except where erosion potential is low
4. To properly install silt fence:
   4.1. Excavate a trench at least 6" deep, the length of the proposed barrier
   4.2. Place the bottom 6" to 1' of the fence material into the trench (see diagram).
   4.3. Drive posts at least 12" into the ground at intervals of 10' or less on the down gradient side of the trench
   4.4. Backfill and compact soil over the fence material in the trench.
   4.5. Secure the fence to the posts.
5. Minimize the number of joints between fences and overlap joints where they are unavoidable.
6. Silt fences should remain in place until vegetation has been established.

B. Special Considerations in Mountain Areas
1. Thin, rocky soils may preclude the use of this BMP.
2. Sediment traps, check dams, or berms are often better alternatives in rocky soils, especially where depth to bedrock is shallow.
3. Wire mesh and steel posts are recommended to reinforce the fence where rockfalls may occur, grading may place soils against fence, or near environmentally sensitive areas.
4. Leave enough area up gradient of the fence for runoff to pond and sediment to settle. Excavating up gradient of fence may be necessary to pond sufficient water to cause sediment deposition.
5. Silt fence often must be installed several times during construction due to changing slopes and hydrology of the site.

C. Maintenance
1. Check fences weekly and after rain or snowmelt.
2. Ensure silt fence material remains entrenched and anchored.
3. Look for rills under or around fences.
4. Replace torn or damaged sections of fence.
5. Remove excess sediment periodically, at a minimum when sediment reaches a depth of 8 inches.
6. Silt fences may only detain sediment for a period of weeks or months. Remove fabric, stakes, and accumulated sediments when there are has been successfully revegetated.



SILT FENCE

CHAPTER 4 - ROADWAY DESIGN & TECHNICAL CRITERIA
SECTION 1 - SIDEWALKS, CURBS AND GUTTERS, DRIVEWAYS, RAMPS, AND TRAILS
Curbs, gutters, and walks shall be constructed to comply with the approved details and Specifications.

1.01- Sidewalks
A. Minimum Width: All sidewalks used in conjunction with vertical curb and gutter shall have a minimum width per the approved plans. Tooled or saw cut joints are required at 10 foot intervals.
B. Minimum Thickness: All sidewalks used in conjunction with vertical curb and gutter shall have a minimum thickness of six (6) inches. All sidewalks shall consist of air-entrained (5%-7%), reinforced concrete (4000 psi) over a compacted six (6) inches of CDOT Class 6 ABC.
C. Drainage and Grading: Sidewalks shall have a positive drainage towards the street flowline.

1.02 - Curb and Gutter
Curbs, gutters, and ramps shall be constructed to comply with the approved plans. All material for construction of driveway, drive ramp, curb and gutter, and drainage pan must be made with CDOT's concrete designation Class and minimum strength of 4000 psi, in 28 consecutive days.

1.03 - Driveways
All material for construction of driveway, drive ramp, curb and gutter, and drainage pan must be made with CDOT's concrete designation Class and minimum strength of 4000 psi, in 28 consecutive days.

9.00 SHALLOW UTILITIES (UNDER GROUND ELECTRIC, TELEPHONE, CABLE TELEVISION, NATURAL GAS & IRRIGATION)
9.01 SCOPE
Shallow utilities are defined as any wire, pipe conduit or cable and shall include but not be limited to underground electric, telephone, cable television, natural gas and irrigation water systems.

9.02 SPECIAL CONDUIT ENCASEMENT
Any shallow utility which crosses under or is within 5 feet horizontally of any road or street structure, including, pavement, curb and gutter, sidewalk, bike path, or bridge shall be encased in conduit so that repair or replacement of the utility may be accomplished without disturbing the road or street structure.
For natural gas and irrigation water systems, the carrier pipes for the natural gas and irrigation water shall be installed inside of a second pipe having strength equal to or greater than the carrier pipe and of sufficient diameter to allow free movement of the carrier pipe in the event that replacement is required.
It is recommended that consideration be given to the potential for future increase in size/capacity of the respective utility when sizing the conduit.

9.03 SHALLOW UTILITY INSTALLATION
A. Electric system underground facilities shall be buried a minimum of 4.0 feet below finished grade. Electric system vaults and transformers shall be designed to be located and installed in areas that will not be subject to concentrated surface drainage flow.
B. Telephone system underground facilities shall be buried a minimum of 2.0 feet below finished grade. Telephone pedestals shall be designed to be located and installed in areas that will not be subject to concentrated surface drainage flow.
C. Cable television system underground facilities shall be buried a minimum of 2.0 feet below finished grade. Cable television risers and surface facilities shall be designed to be located and installed in areas that will not be subject to concentrated surface drainage flow.
D. Natural gas system underground facilities shall be buried a minimum of 3.5 feet below finished grade.
E. Whenever any shallow utility parallels or generally parallels a domestic water or sewer utility, a minimum horizontal separation of 4 feet shall be maintained between the domestic water or sewer main or service and the shallow utility. Where it must cross domestic water it must cross above and with a 1' minimum separation. Nonpotable water tape.

COLORADO LICENSED ROBERT C. WAGNER 60475 PROFESSIONAL ENGINEER

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3815 Plaza Drive, Ann Arbor, Michigan 48108
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MIDTOWN VILLAGE PUD

STORM WATER CONSTRUCTION SPECIFICATIONS 2

40

JOB No. 20067
DATE: 8/19/24
SHEET 40 OF 38
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REVISIONS:	REV. DATE
PER ERWSD & ME REVIEW	08/7/24
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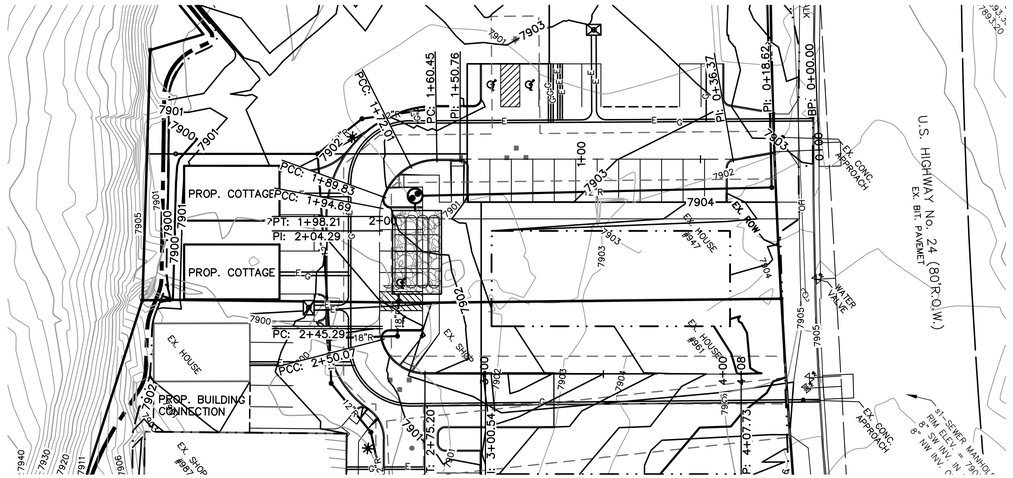

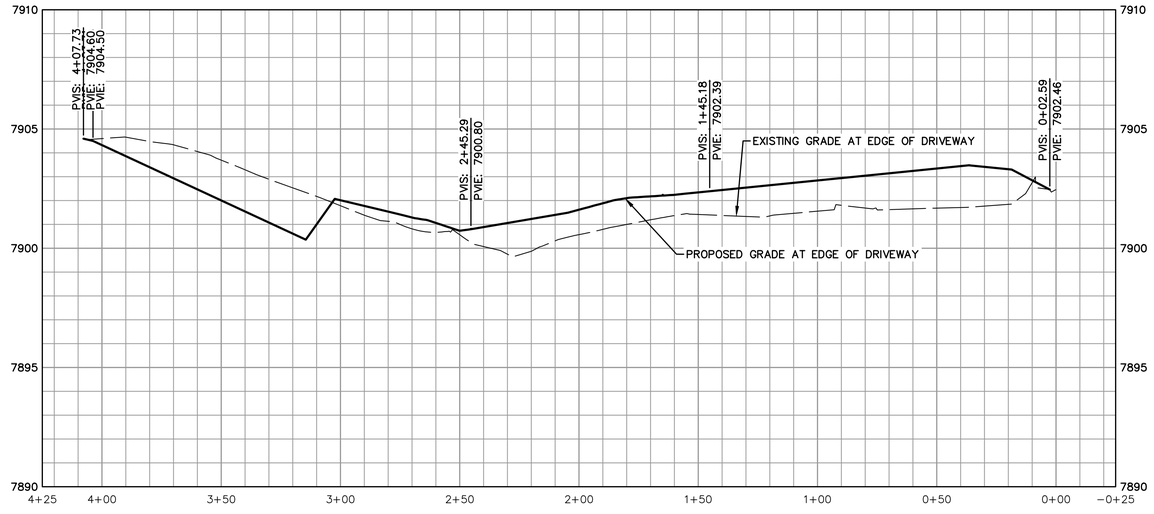

SCALE: 1" = 30'

0 30 60 90

811 Know what's below. Call before you dig.

LEGEND

7902	EXISTING CONTOUR
7902	PROPOSED CONTOUR
×7902.2	EXISTING SPOT ELEVATION
7902.2×	PROPOSED SPOT ELEVATION
	EXISTING UTILITY POLE
OH	EXISTING OVERHEAD UTILITY LINE
W	EXISTING WATER VALVE
	EXISTING HYDRANT
W	PROPOSED WATER MAIN
	PROPOSED HYDRANT
	PROPOSED GATE VALVE IN BOX
r	EXISTING STORM SEWER
	EXISTING CATCH BASIN OR INLET
R	PROPOSED STORM SEWER
	PROPOSED CATCH BASIN OR INLET
	PROPOSED UNDERGROUND STORM SEWER STORAGE
s	EXISTING SANITARY SEWER
S	PROPOSED SANITARY SEWER
	PROPOSED FLOOR DRAIN
	SIGN
	POST
G	EXISTING GAS VALVE
W	WELL
	FENCE
	PROPOSED ELECTRIC TRANSFORMER
E	PROPOSED ELECTRIC LINE
G	PROPOSED GAS LINE

The underground utilities shown have been located from field survey information and existing records. The surveyor makes no guarantees that the underground utilities shown comprise all such utilities in the area, either in-service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated. Although the surveyor does certify that they are located as accurately as possible from the information available.

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MIDTOWN VILLAGE PUD

DRIVEWAY PROFILE VIEW

41

DATE: 04/07/22
SHEET 41 OF 38
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TECH:
/20067PR2

JOB No. 20067

REVISIONS:	REV. DATE
PER ERWSD & ME REVIEW	07/07/24
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M:\Civil3d_Pro\20067\Site Plan\20067PR2.dwg, 8/19/2024 3:31 PM, Colton M. Wallace, 41 DRIVEWAY PROFILE VIEW, MCLLC PDF.pc3
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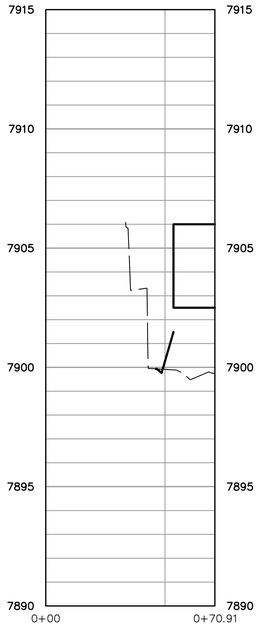
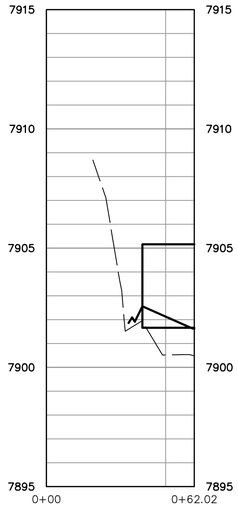
LEGEND

7902	EXISTING CONTOUR
7902	PROPOSED CONTOUR
×7902.2	EXISTING SPOT ELEVATION
7902.2×	PROPOSED SPOT ELEVATION
	EXISTING UTILITY POLE
OH	EXISTING OVERHEAD UTILITY LINE
W	EXISTING WATER VALVE
	EXISTING HYDRANT
W	PROPOSED WATER MAIN
	PROPOSED HYDRANT
	PROPOSED GATE VALVE IN BOX
r	EXISTING STORM SEWER
	EXISTING CATCH BASIN OR INLET
R	PROPOSED STORM SEWER
	PROPOSED CATCH BASIN OR INLET
	PROPOSED UNDERGROUND STORM SEWER STORAGE
s	EXISTING SANITARY SEWER
S	PROPOSED SANITARY SEWER
	PROPOSED FLOOR DRAIN
	SIGN
	POST
G	EXISTING GAS VALVE
W	WELL
	FENCE
	PROPOSED ELECTRIC TRANSFORMER
E	PROPOSED ELECTRIC LINE
G	PROPOSED GAS LINE

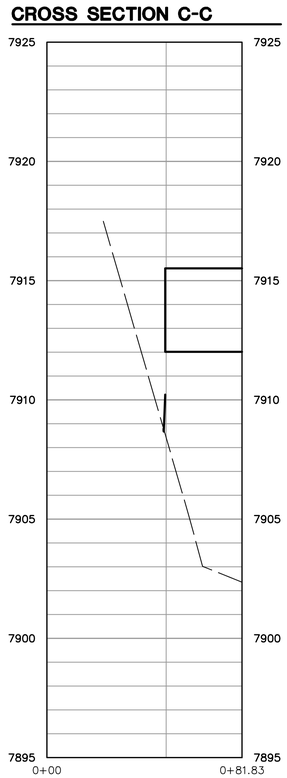
CROSS SECTION A-A



CROSS SECTION B-B



CROSS SECTION C-C





The underground utilities shown have been located from field survey information and existing records. The surveyor makes no guarantees that the underground utilities shown comprise all such utilities in the area, either in-service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated. Although the surveyor does certify that they are located as accurately as possible from the information available.

M:\Civil3d_Pro\20067\Site Plan\20067PR3.dwg, 8/19/2024 5:08 PM, Colton M. Wallace, 42 CROSS SECTION, MCLLC PDF.pc3
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MIDWESTERN CONSULTING
3815 Plaza Drive, Ann Arbor, Michigan 48108
(734) 995-0200 • www.midwesternconsulting.com
Land Development • Land Survey • Institutional • Municipal
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CLIENT
10TH MOUNTAIN BUILDERS
1632 MAIN STREET
MINTURN, CO 81645
JEFFREY D. ARMISTEAD
970-471-0618

MIDTOWN VILLAGE PUD

CROSS SECTION

42

JOB No. 20067

REVISIONS:	REV. DATE
PER ERWSS & ME REVIEW	07/10/24
PER ERWSS & ME REVIEW	08/19/24

DATE: 10/26/23
SHEET 42 OF 38
CADD:
ENG: CMW
PM: RCW
TECH:
I:\20067PR3

Auxiliary Turn Lane Assessment
Transportation Impact Study
for

Midtown Lofts
Minturn, Colorado



April 12, 2021
Revised October 23, 2023

PREPARED FOR:
10th Mountain Builders
1632 S Main Street
PO Box 1058
Minturn, CO 81645
Contact: Jeff Armistead

PREPARED BY:
McDowell Engineering, LLC
PO Box 4259
Eagle, CO 81631
970.623.0788
Contact: Kari J. McDowell Schroeder, PE, PTOE
Project Number: M1506

Statement of Engineering Qualifications

Kari J. McDowell Schroeder, PE, PTOE is a Transportation and Traffic Engineer for McDowell Engineering, LLC. Ms. McDowell Schroeder has over twenty-six years of extensive traffic and transportation engineering experience. She has completed numerous transportation studies and roadway design projects throughout the State of Colorado. Ms. McDowell Schroeder is a licensed Professional Engineer in the State of Colorado and has her certification as a Professional Traffic Operations Engineer from the Institute of Transportation Engineers.

Traffic Impact Analysis for Midtown Lofts

Table of Contents

1.0 BACKGROUND 4

1.1 Project Description 4

2.0 EXISTING CONDITIONS 6

2.1 Description of Existing Transportation System 6
2.2 Existing Site Access 6
2.3 Traffic Data 7

3.0 PROJECT TRAFFIC 8

3.1 Trip Generation for Proposed Land Use 8
3.2 Proposed and Closed Accesses 9
3.3 Directional Distribution 9
3.4 Total Traffic 9

4.0 TRANSPORTATION IMPACT ANALYSIS 11

4.1 State Highway Access Permits 11
4.2 State Highway Turn Lane Analysis 11
4.3 Sight Distance 11
4.4 Access Design Criteria 12

5.0 RECOMMENDATIONS AND CONCLUSIONS 13

6.0 REFERENCE DOCUMENTS 14

7.0 APPENDICES 14

Tables and Figures

Table 1: Project Trip Generation 8
Table 2: Auxiliary Turn Lane Requirements 11

Figure 1: Area Map 4
Figure 2: Conceptual Site Plan 5
Figure 3: Existing Site Accesses 6
Figure 4: OTIS [1] Windshield (screen capture) 7
Figure 5: Midtown Lofts - Traffic Projections 10

1.0 Background

1.1 Project Description

McDowell Engineering has prepared this Level Two Auxiliary Turn Lane Assessment for the proposed Midtown Lofts located along Highway 24 in Minturn, Colorado. The purpose of this transportation impact analysis is to forecast and analyze the impacts of the additional traffic volumes associated with this project on the surrounding roadway network. Recommendations to mitigate any traffic impacts are also included. The analysis complies with Colorado Department of Transportation's *State Highway Access Code* [3] (*SHAC*) and the Town of Minturn's standards.

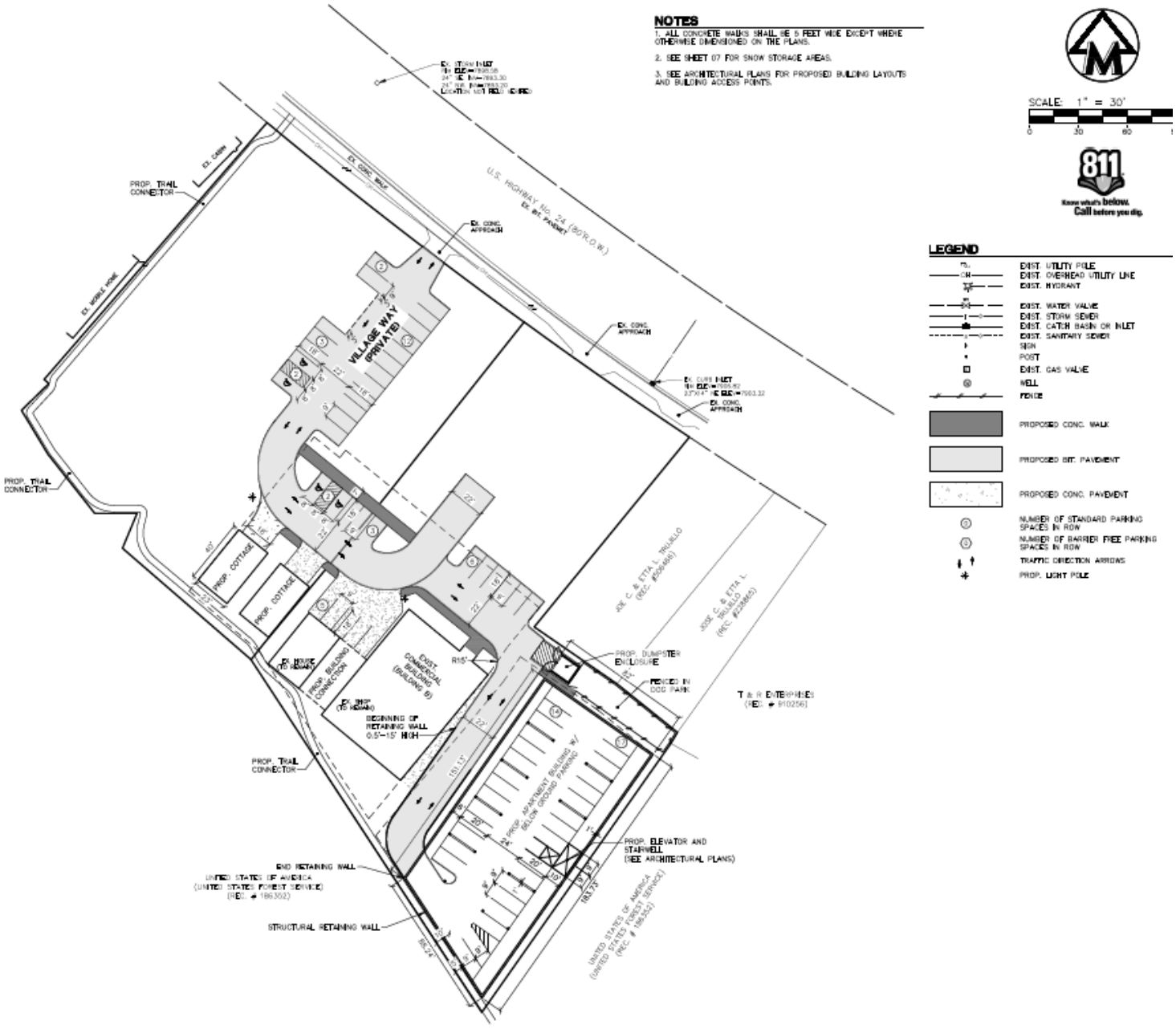
The applicant is proposing to combine six parcels and develop a mixed-use development with residential and commercial components. The parcels previously had four houses, a commercial building, a small trailer park and a commercial and RV storage yard. All of those uses, except the commercial building, have or will be removed prior to the development of the property.

Refer to the Area Map in **Figure 1** and the Conceptual Site Plan in **Figure 2**.

Figure 1: Area Map



Figure 2: Conceptual Site Plan



2.0 Existing Conditions

2.1 Description of Existing Transportation System

US Highway 24 serves as Main Street through Minturn. This paved two-lane highway connects the mountain communities of Leadville and Buena Vista to the Interstate 70 (I-70) corridor just north of Minturn. US 24 is posted at 35 mph in both directions at the site access, although the statutory speed limit for westbound traffic is 30 mph according to the CDOT straight-line diagram. The straight-line diagram can be seen in the **Appendix**. The segment of US 24 along the development's frontage is classified by the Colorado Department of Transportation as a regional highway with an access category of R-A.

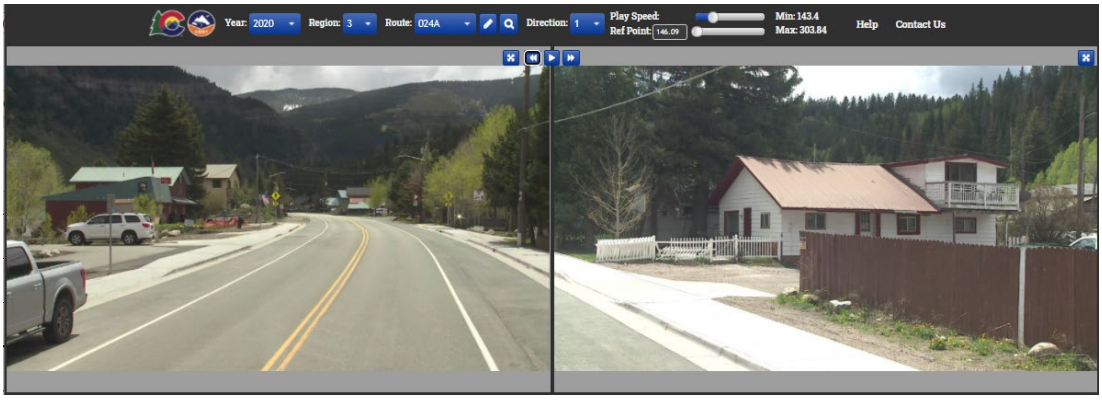
2.2 Existing Site Access

Midtown Lofts will be developed by combining six properties as seen in **Figure 3.** The properties have three existing access onto US 24. The western one will become the single access into the development. The other two will be closed. As can be seen in **Figure 4**, the properties were included in the Town of Minturn's recent street improvement project. Each of the driveways has a curb cut in the sidewalk and a concrete apron.

Figure 3: Existing Site Accesses



Figure 4: OTIS[1] Windshield (screen capture)



2.3 Traffic Data

Traffic data was taken from CDOT's *Online Transportation Information System*[1] (OTIS). Midtown Lofts is within the segment of US 24 covered by Traffic Counter Station 100776, which extends from Mile Marker 145.537 to Mile Marker 150.868. The most recent CDOT traffic counts at this station were taken on October 2-3, 2019, as seen in the **Appendix**. The 20-year factor for Sta. 100776 is 1.01, which equates to a yearly growth rate of 0.05%.

The morning peak hourly volume at Sta. 100776 occurred during the 7:00 a.m. hour, with a two-day average of 232 vph westbound and 42 vph eastbound. The afternoon peak hourly volume at Sta. 100776 occurred during the 5:00 p.m. hour, with a two-day average of 96 vph westbound and 233 vph eastbound.

Since the counts were taken in October a seasonal adjustment factor (SAF) was applied. The SAF of 1.30 was determined from the CDOT continuous counter on I-70 at West Vail. The calculation is shown in the **Appendix**.

To obtain the seasonally adjusted 2022 Initial Year Background Traffic the 2019 two-day average volumes were multiplied by the seasonal adjustment factor and the annual growth rate of 0.05% per annum was applied for three years. To obtain the seasonally adjusted 2042 Design Year Background Traffic the 2019 two-day average volumes were multiplied by the seasonal adjustment factor and annual growth rate of 0.05% per annum was applied for 23 years.

The seasonally adjusted 2022 Initial Year and 2042 Design Year background traffic volumes are shown in **Figure 5**.

3.0 Project Traffic

3.1 Trip Generation for Proposed Land Use

Midtown Lofts will be a mixed-use development consisting of one commercial building and 21 residential units. The existing commercial warehouse building will have an updated total gross floor area of 7,500 square feet (sf). There will be four different types of residential units: 2 Cottages and 19 Apartments. The Institute of Transportation Engineers (ITE) *Trip Generation Manual, 10th Edition, 2017* [4], was used to estimate the peak hour volumes of traffic that will be generated by the development.

ITE Land Use 220 *Multifamily Housing (Low-Rise)* was used for the residential units. ITE Land Use 150 *Warehousing* was used for the commercial warehouse building.

A 5% multi-modal reduction was applied to the residential land uses because the development is on the ECO Transit Minturn Route. It is anticipated that most of the residents in Midtown Lofts will be people working in the I-70 corridor from Gypsum to Vail. Because of the cost and inconvenience of driving to and finding parking in Vail and the other communities some will ride the bus to and from work.

The development is anticipated to generate 37 vehicle trips in the morning peak hour (10vph entering and 27vph exiting). The subdivision is anticipated to generate 44 vehicle trips in the evening peak hour (27vph entering and 17vph exiting). The project trip generation information is shown in **Table 1.**

Table 1: Project Trip Generation

	Project Number M1506			AM Peak Hour of Generator [2]			PM Peak Hour of Generator [2]		
ITE Code	Land Use Description		Units	Average Rate Fitted Curve Equation	Enter (vph)	Exit (vph)	Average Rate Fitted Curve Equation	Enter (vph)	Exit (vph)
			Dwelling		24%	76%		62%	38%
220	Multifamily Housing (Low-Rise) [1]	21	Units	Average Rate = 0.47	2	8	Average Rate = 0.42	5	3
				T = 0.35(X) + 28.13	~~9~~	~~27~~	T = 0.42(X) + 34.78	~~28~~	~~17~~
	Multi-Modal reduction (5%)				0	(1)		(1)	(1)
					9	26		27	16
			1000 sf		66%	34%		24%	76%
150	Warehousing [1]	7.5	GFA	Average Rate = 0.21	~~1~~	~~1~~	Average Rate = 0.23	~~0~~	~~1~~
				T = 0.11(X) + 28.55	20	10	T = 0.15(X) + 20.47	6	17
	Total traffic from proposed Land Uses				10	27		27	17

[1] Data obtained from *Trip Generation Manual, 10th Edition,* Institute of Transportation Engineers, 2017

[2] The Average Rate or the Fitted Curve Equation is used based on the procedures in *ITE Trip Generation Handbook §4.4* .

3.2 Proposed and Closed Accesses

Midtown Lofts will use the existing access at MM 146.16 as the single access into the development. The access may be modified. The accesses at MM 143.18 and MM 146.19 will be closed.

3.3 Directional Distribution

The distribution of project-generated traffic on the surrounding roadway network is influenced by several factors including the following:

- The location of the site relative to other facilities and the roadway network
- The configuration of the existing and proposed adjacent roadway network
- Relative location of neighboring population, commercial and employment centers

It is anticipated that many of the residents in Midtown Lofts will be people working in the I-70 corridor from Gypsum to Vail. Also, most of the commercial and social establishments in the area are located along the I-70 corridor. As such the directional distribution is assumed to be 90% to and from the west on US 24 and 10% to and from the east.

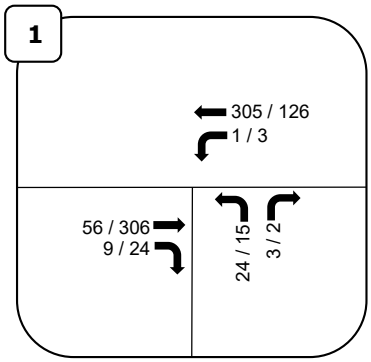
Applying the movement percentages to the project-generated volumes from **Table 1** gives the a.m. and p.m. peak hour volumes for each of the movements; also shown in **Figure 5**.

3.4 Total Traffic

The total peak hour volumes are the sum of the project-generated volumes and the background volumes. The total peak hour volumes for the Initial Year (2022) and Design Year (2042) are depicted in **Figure 5**.

Figure 5: Design Year Total Traffic (2042)
(vehicles per hour)





McDowell Engineering, LLC
Transportation Engineering Consultants

(NTS)

LEGEND
XX/XX = AM/PM Volumes (vph)
Turning Movements

4.0 Transportation Impact Analysis

4.1 State Highway Access Permits

Section 2.6(3) of the *State Highway Access Code* [3] (SHAC) requires a new access permit when there is a land-use change or the driveway volume is anticipated to increase by more than twenty percent. Therefore, new State Highway Access Permits will be required for Midtown Lofts' access. The access location is SH 024A, MM 146.16 R. The design hour volume for the permit is 44 vehicles per hour.

The two existing driveways that will be closed are at SH 024A, MM 146.18 R and SH 024A, MM 146.19 R.

4.2 State Highway Turn Lane Analysis

The *State Highway Access Code* establishes turning volume thresholds above which auxiliary turn lanes are required. The traffic volume thresholds are based on the Access Category and the speed limit of the highway.

Per SHAC §3.8(5) for an R-A Access Category highway with a speed limit less than 45 mph, a right-turn deceleration lane is required when there are anticipated to be greater than 25 right turns during one of the peak hours. The traffic volumes generated by the proposed land use does not trigger the requirement for a right-turn lane.

Table 2: Auxiliary Turn Lane Requirements

Intersection	Type of lane	Weekday AM Peak Hour Volume (pce-vph)	Weekday PM Peak Hour Volume (pce-vph)	Trigger Volume [1] (pce-vph)	Required by SHAC?
US 24 & Midtown Lofts	Left turn decel.	1	3	>10	No
	Right turn decel.	9	24	>25	No
	Right turn accel.	3	2	S&O [2]	No
	Left turn accel.	24	15	S&O [2]	No
[1] Category R-A, <= 40 mph, SHAC §3.8(5)					
[2] S&O = Safety and Operation triggers may apply. No traffic volume trigger.					

Therefore, no auxiliary lanes are required because of the projected turning volumes. They are also not recommended for operational or safety reasons.

4.3 Sight Distance

Table 4-2 of the *Access Code* specifies the required sight distance for vehicles entering the highway. The sight distances at the proposed site access to US 24 exceed 1000

feet to the west and 600 feet to the east, which are greater than the 350-foot requirement for passenger cars at the 35-mph posted speed limit.

4.4 Access Design Criteria

The configuration of the access shall be in accordance with Section 4 of the CDOT *State Highway Access Code* [3] (SHAC). Criteria from the Town of Minturn will also apply.

It is recommended that the existing curb cut driveway be removed and the entrance be reconstructed as a radiused intersection. See the *Construction of Concrete Gutters at Intersection* detail on *CDOT Standard Detail M-609-1*.

5.0 Recommendations and Conclusions

The proposed Midtown Lofts is anticipated to be successfully accommodated into the greater Minturn roadway system.

Trip Generation:

Based upon the proposed land use, the project is anticipated to generate at project buildout 37vph during the morning peak hour and 44vph during the evening peak hour.

State Highway Access Permits:

New State Highway Access Permits will be required for the proposed site access. The access location is SH 024A, MM 146.16 R. The design hour volume for the permit is 44vph.

Auxiliary Turn Lanes:

No auxiliary turn lanes are required on SH 24 at the site access per Section 3.8(5) of the *State Highway Access Code*.

Access Construction:

The proposed access shall be constructed in accordance with Section 4 of the *State Highway Access Code.* Minturn regulations will also apply.

6.0 Reference Documents

1. Colorado Department of Transportation, *Online Transportation Information System* (OTIS) http://apps.coloradodot.info/dataaccess/

2. *Highway Capacity Manual.* Transportation Research Board, 2010.

3. *State Highway Access Code.* State of Colorado, 2002.

4. *Trip Generation Handbook, Edition 10.* Institute of Transportation Engineers, 2017.

7.0 Appendices

1. CDOT OTIS Traffic Count

2. CDOT Straight-Line Diagram

3. Seasonal Adjustment Factor Calculations

4. CDOT Region 3 *Transportation Impact Study Methodology Form*

OTIS Online Transportation Information System

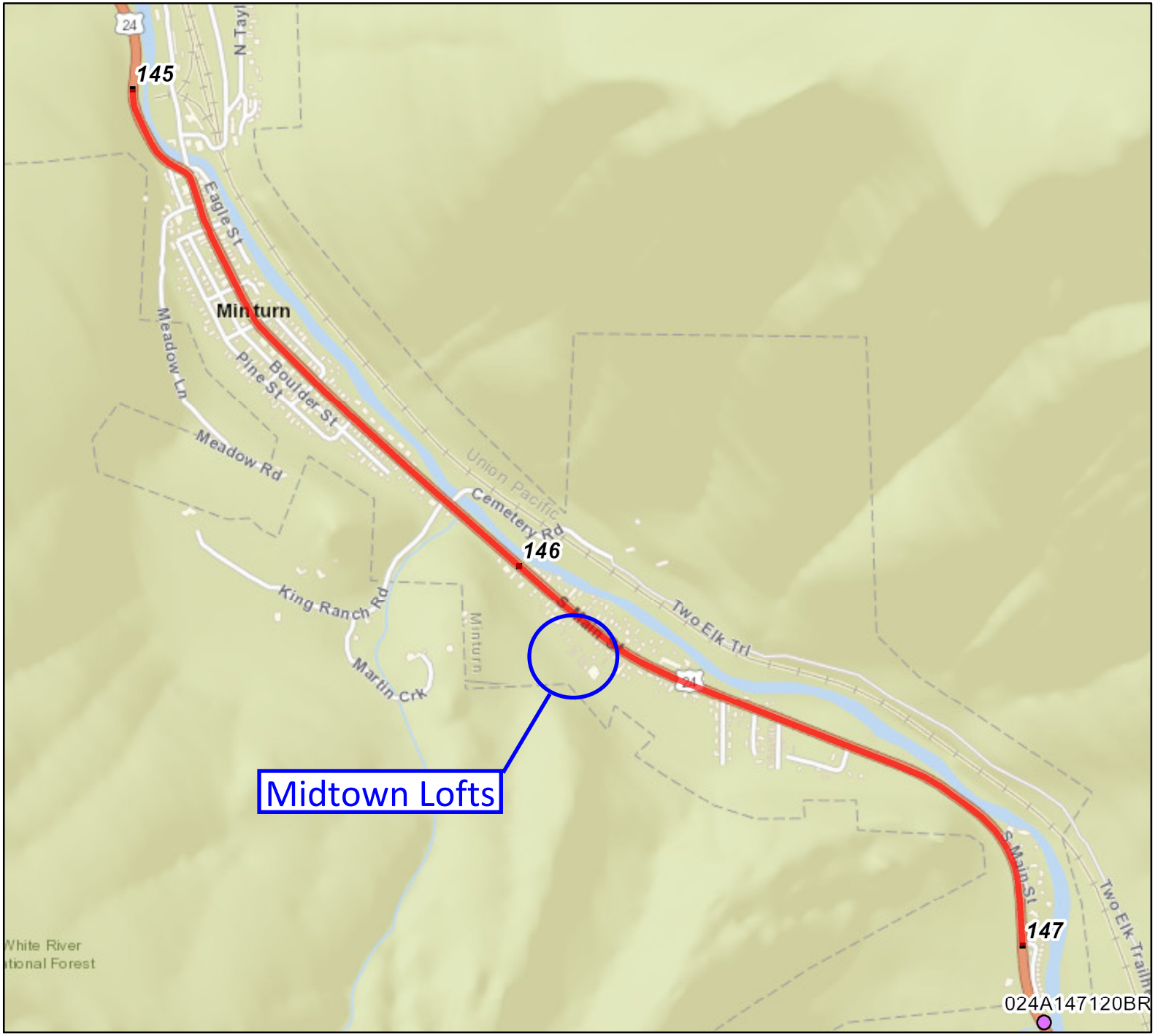
Highway Data | Traffic Data | Data Catalog | Reports | Map View | Help

Daily Traffic Volume for Station ID: 100776 from 10 / 2019

Count Date	Dir	0h	1h	2h	3h	4h	5h	6h	7h	8h	9h	10h	11h	12h	13h	14h	15h	16h	17h	18h	19h	20h	21h	22h	23h
10/02/2019	P	0	2	0	4	9	40	140	244	137	96	45	69	65	108	89	86	110	97	68	54	18	15	9	6
10/02/2019	S	1	3	4	2	2	6	20	48	61	72	116	104	92	98	111	95	206	219	111	60	33	32	18	7
10/03/2019	P	4	1	2	3	9	40	140	219	130	84	74	59	83	81	97	119	120	95	83	46	25	22	15	7
10/03/2019	S	4	1	2	0	6	11	27	36	68	87	110	101	110	98	109	102	182	247	113	63	43	45	16	14

Note: US 24 is a west-to-east highway, so the Primary (P) direction is eastbound and the Secondary (S) direction is westbound. The data for this Counter Station was entered incorrectly, so P is westbound and S is eastbound in this table.

Route 024A From 145 to 147



Legend

- Route
- Milepoint

Structures

- Major Structure
- Minor Structure

Created:

Date: 3/17/2021

Time: 9:06:17 AM

0 0.1 0.2 0.3 0.4

Miles

N

W E

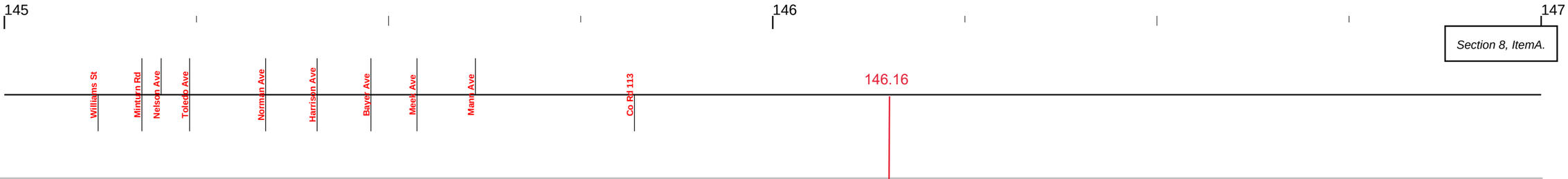
S

CDOT

The information contained in this map is based on the most currently available data and has been checked for accuracy. CDOT does not guarantee the accuracy of any information presented, is not liable in any respect for any errors or omissions, and is not responsible for determining "fitness for u

Route 024A
From 145 To 147

Ramps
Overpass
Underpass
Structures



CLASSIFICATION

Access Control	NR-B: Non-Rural Arterial	R-A: Regional Highway
Administrative Class	CDOT Highway	
Forest Route	0	
Functional Class	4 Minor Arterial	
Highway Designation	U.S.	
NHS Designation	0 Not on NHS	
Scenic Route	Y	
Special System	NON-STRAHNET	
Terrain	Mountainous	

DEMOGRAPHICS

Urban Area	89920 VAIL	

JURISDICTION

FIPS City	50920 Minturn	
FIPS County	037 Eagle Co	

SAFETY

Primary Speed Limit	30	25	30	35	45	
Secondary Speed Limit	40	30	25	30	35	
Truck Restriction	1 National Truck Route					

TRAFFIC

AADT	6400	7600	2400	
DHV	11.0			
Off Peak Truck Percentage	7.20	7.00	4.10	
Peak Truck Percentage	0.60	0.45	0.27	
Year 20 Factor	1.01	1.07	1.01	

It may appear that information is missing from the straight line diagram. If so, reduce the number of miles/page and re-submit the request.

ON I-70 W/O CHAONIX RD, WEST VAIL (Station Id: 000126)
Eagle County
West side of Exit 173 (West Vail)

Highway: 70 A
Mile Marker: 173.1

Averages and factors from most recent 10 years with full years of record

Average	34,603	34,993	38,111	31,739	31,789	39,190	43,075	40,432	37,400	33,077	30,991	35,221
Factor	1.24	1.23	1.13	1.36	1.36	1.10	1.00	1.07	1.15	1.30	1.39	1.22

Yr	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2019	41,455	41,396	42,697	37,746	37,416	46,296	44,809	42,307	41,242	36,884	32,897	37,243
2018	38,143	37,957	41,032	34,163	36,659	44,572	49,730	45,011	41,720	36,636	36,683	41,449
2017	37,153	38,223	41,936	35,019	35,389	43,675	47,565	44,362	40,864	36,131	34,745	38,405
2016	35,966	34,641	40,075	32,958	34,750	42,958	46,003	42,974	40,610	35,354	34,704	38,111
2015	34,496	36,977	39,373	32,244	31,137	39,361	44,505	41,088	38,059	33,999	31,251	35,646
2014	32,513	32,658	36,519	30,827	29,879	37,210	42,390	40,173	35,879	32,899	23,394	30,021
2013	32,509	33,609	36,104	28,374	29,208	36,321	40,767	38,678	33,704	30,470	29,498	33,673
2012	31,414	32,342	36,296	28,834	28,920	35,918	40,673	38,229	34,065	30,120	30,000	32,031
2011	30,967	30,694	34,411	28,579	26,662	31,112	34,760	34,120	33,952	29,232	28,986	33,666
2010	31,409	31,435	32,666	28,649	27,865	34,478	39,547	37,380	33,903	29,044	27,747	31,967

Docusign Envelope ID: 3E767D14-D7F5-4ECF-B45D-9DF913483050

COLORADO
Department of Transportation
Region 3

R3 Traffic Section, Access Unit
222 S 6th St, Rm 100
Grand Junction, CO 81501
PH (970) 683-6284 FAX (970) 683-6290

<<<<< e-mailed >>>>>

August 16, 2024 **Permit No. 324094**

Midtown Lofts LLC
PO Box 995
Minturn, Colorado 81645

Dear Permittee:

1. Please review the attached State Highway Access Permit (Form #101) and all enclosed attachments
2. If you ACCEPT the Permit and its Terms and Conditions (and are authorized to sign as legal owner of the property, or as an authorized representative), please complete the DocuSign process within 60 days of the transmittal date on the permit. Your signature confirms your agreement to all the listed Terms and Conditions.
3. If you fail to complete the DocuSign within 60 days, the Colorado Department of Transportation (CDOT) will consider this permit withdrawn.
4. You may use the PayPal link to pay for this permit or send a check or money order made payable to "CDOT" for the total amount due of $100.00 to our office.
5. If you wish to APPEAL the Terms and Conditions of the permit, please refer to the attached Form 101, Pages 2 and 3 for an explanation of the appeal procedures.
6. As described in the additional attached Terms and Conditions, you must make a written request to obtain a Notice to Proceed. DO NOT begin any work within the State Highway Right-of-Way without a validated Access Permit and Notice to Proceed. Use of this permit without the Colorado Department of Transportation's validation shall be considered a violation of State Law.

If you have any questions please call Kandis Aggen, Asst. Access Manager, at (970) 683-6270 or Brian Killian, Region 3 Access Program Manager, at (970) 683-6284.

If you choose to return the signed permit and/or check by mail, please send to:

Region 3 Access Unit
Attn: Kandis Aggen, Asst. Access Manager
222 S 6th St, Rm 100
Grand Junction, CO 81501

Docusign Envelope ID: 3E767D14-D7F5-4ECF-B45D-9DF913483050

COLORADO DEPARTMENT OF TRANSPORTATION

STATE HIGHWAY ACCESS PERMIT

CDOT Permit: 3

State Highway No / Mp / Side: 024A / 146.155 / Right

Permit Fee	Date of Transmittal	Region / Section / Patrol / Name	Local Jurisdiction
$100.00	08/16/2024	3 / 02 / 2M20 Mark Massanari	Minturn

The Permittee(s):

Midtown Lofts LLC
PO Box 995
Minturn, Colorado 81645
(970) 471-0618

The Applicant(s):

Jeff Armistead
PO Box 955
Minturn, Colorado 81645
970-471-0618

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

Location: Located on the south side of Hwy 024 A approximately 830 feet east of MP 146 (lat. 39.578833, long. -106.419637)

Access to Provide Service to:

(Land Use Code)	(Size)	(Units)
150 - Warehousing 7.5 ksf		
220 - Multifamily Housing (Low-Rise) 21 units		
Total	**44**	**DHV**

Additional Information:

All other accesses must be closed

MUNICIPALITY OR COUNTY APPROVAL
Required only when the appropriate local authority retains issuing authority.

Signature	Print Name	Date	Title

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

The permittee shall notify Dave Kuhn 2M5 with the Colorado Department of Transportation, at (970) 445-8132 at least 48 hours prior to commencing construction within the State Highway right-of-way.

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

Permittee Signature: DocuSigned by: Dan Armistead 5D77A8B4455C4...	Print Name: Dan Armistead	Date: 8/20/2024 | 9:55 AM PDT
Co-Permittee Signature: (if applicable)	Print Name	Date

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

Signature: DocuSigned by: Kandis Aggen B1CF3B58529F4D5...	Print Name: Kandis Aggen	Title: Asst. Access Manager	Date (of issue): 8/21/2024 | 10:04 AM PDT

Copy Distribution: Required: 1.Region 2.Applicant 3.Staff Access Section 4.Central Files
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State Highway Access Permit
Form 101, Page 2

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

APPEALS

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

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

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

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

PERMIT EXPIRATION

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

CONSTRUCTION

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

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

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

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

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

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

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

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

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

10. Each access shall be constructed in a manner that shall not cause water to enter onto the roadway or shoulder, and shall not interfere with the existing drainage system on the right-of-way or any adopted municipal system and drainage plan.

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

CHANGES IN ACCESS USE AND PERMIT VIOLATIONS

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

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

MAINTENANCE

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

Docusign Envelope ID: 3E767D14-D7F5-4ECF-B45D-9DF913483050

STATE of COLORADO HIGHWAY ACCESS PERMIT
ADDITIONAL TERMS and CONDITIONS

August 16, 2024 **PERMIT No. 324094**

Permittee(s): Midtown Lofts LLC
Location: Eagle County on CO Highway 024A, near Mile Ref. Pt. 146.155 Right

1. This permitted access is only for the use and purpose stated in the application and permit. This permit is issued in accordance with the State Highway Access Code (2 CCR 601-1), hereafter referred to as the "Access Code", and is based in part upon the information submitted by the Permittee.
2. Any subsequent relocation, reconstruction, modifications, changes in the type of traffic using the access or 20% increase in volume to the access shall require a new application and coordination with Colorado Department of Transportation, hereafter referred to as "CDOT". Any changes causing non-compliance with the Access Code may render this permit void, requiring a new permit.
3. This permit replaces any and all additional access permits that may be in existence for this access.
4. This permit is for multifamily housing & warehousing use for parcels 2103-351-01-107, 2103-351-01-060, 2103-351-01-016, 2103-351-01-017 & 2103-351-01-018.
5. The traffic volume shall be 44 DHV (Design Hourly Volume).
6. The Highway Access Category is R-A.
7. This access shall have a full turning-movement.
8. This access shall be designed and constructed to CDOT's standards and may be required to include sidewalk, trail, curb and gutter.
9. All other accesses to these parcels shall be closed. The Permittee shall restore the access/CDOT right-of-way to its original condition. This includes the removal of the culvert, the re-grading of the ditch, the removal of the surfacing, the removal of any gates, signs, or mailboxes, the replacement of fencing to match the adjacent fencing, and the re-seeding of any trees, shrubs, and/or native grasses that were disturbed by the access construction.
10. **A Notice to Proceed (NTP) is required before beginning construction on the access or any activity within the highway right-of-way. To receive the NTP the applicant shall submit a complete packet to CDOT (to Nick Nordquist - 970-683-6280, nicholas.nordquist@state.co.us) with the following items**:
    (a) A cover letter or email requesting a NTP with the intended date to begin construction.
    (b) Electronic copy of construction plans (11"x 17" with a minimum scale of 1" = 50'*)*. This plan set must be in full compliance with the State Highway Access Code. The plans shall provide the contact information for the Design Engineer, if applicable, and the following items:
        i) Plan view with driveway dimensions – turning radius, width, slope, gates, etc.
        ii) Typical road section - existing and proposed sub base, base, pavement, and shoulder dimensions.
        iii) Centerline profile of the access/highway connection showing depths, driveway slope, etc.
    (c) Certificate of Insurance for Liability as per Section 2.3(11)(i) of the State Highway Access Code, naming CDOT on the face of the certificate as "an additional insured for general liability";

Docusign Envelope ID: 3E767D14-D7F5-4ECF-B45D-9DF913483050

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(d) A certified Traffic Control Plan (TCP) in accordance with section 2.4(6) of the Access Code. The TCP shall provide accessibility features to accommodate all pedestrians including persons with disabilities for all pathways during construction.

11. Access width, geometry, and radii shall be determined by designing the access for the largest vehicle using the access on a consistent basis. This design shall be in conformance with Section 4.5(5) of the Access Code.

12. The horizontal axis of the access to the state highway shall be constructed perpendicular to the centerline of the highway and extend from the edge of the roadway a minimum distance of 40 feet, or to the property line, whichever is greater. This design shall be in conformance with section 4.9(4) of the Access Code.

13. Side slopes shall be at a 4:1 slope on the highway access. The roadway shall slope away from the highway at a -2% grade for the first 20 feet of driveway. This design shall be in conformance with section 4.9(8) of the Access Code.

14. Immediately upon completion of earthwork the access shall be hard-surfaced a minimum distance of 50 feet from the traveled way, or to the CDOT right-of-way, whichever is greater. Where the hard surface ties into the existing pavement, the existing pavement shall be saw cut and removed to a minimum of the full depth asphalt section or until an acceptable existing cross slope is achieved. The saw cut shall not be located in the wheel path. Surfacing shall meet CDOT's specifications with minimum surfacing to be equal to, or greater than, existing highway conditions in conformance with section 4 of the Access Code.

15. **Materials, Placing, and Compaction**

Unless the Applicant has approval from the Access Manager who may state otherwise, the following are minimum requirements for driveway construction:

Hot Mix Asphalt Option (HMA): compaction of the subgrade, embankments and backfill shall comply with sections 203 & 304 of the Colorado Highway Standard Specifications for Road and Bridge Construction.

Concrete Pavement Option: Portland Cement (PCCP): compaction of the subgrade, embankments and backfill shall comply with sections 203 & 304 of the Colorado Highway Standard Specifications for Road and Bridge Construction.

16. This permit allows for onsite construction as long as such use does not violate any terms of the permit. Permittee shall coordinate with CDOT for onsite construction and shall provide a traffic control plan and proof of liability insurance. If the access location, volume, or turning movement for onsite construction is different from the permitted access, a new temporary construction permit may be required.

17. No drainage from this site shall enter onto the state highway travel lanes. The Permittee is required to maintain all drainage in excess of historical flows and time of concentration on site. All existing drainage structures shall be extended, modified or upgraded, as applicable, to accommodate all new construction and safety standards, in accordance with CDOT's standard specifications.

Docusign Envelope ID: 3E767D14-D7F5-4ECF-B45D-9DF913483050

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18. Open cuts, which are at least 3 inches in depth, within 30 feet of the edge of the state highway traveled way, will not be left open at night, on weekends, or on holidays, or shall be protected with a suitable barrier per state and federal standards.
19. Nothing in this permit shall prohibit the Chief Engineer from exercising the right granted in CRS 43-3-102 including but not limited to restricting left hand turns by construction of physical medial separations.
20. Under no circumstances shall the construction of a private driveway by a private interest interfere with the completion of a public highway construction project.
21. Any current or proposed cattle guard shall be maintained fully within the property boundaries and all repairs are the sole responsibility of the property owner.
22. Backing maneuvers within and onto the state highway right-of-way are strictly prohibited. All vehicles shall enter and exit the highway right-of-way in a forward movement. Backing into the right-of-way shall be considered a violation of the Terms and Conditions of the Access Permit and may result in the revocation of the permit by CDOT and/or Issuing Authority.
23. No additional accesses will be granted for these parcels or any future parcels as a result of splitting or dividing land. All accesses to newly created parcels shall be provided internally from this access. (This is only for FW, EX, R-A and NR-A)
24. The Permittee assumes responsibility for any and all easements that are associated with this access. If an easement is part of this access permit, CDOT is not liable for incorrect information in the easement documentation. It is the Permittees responsibility to ensure all applicable laws and regulations have been followed pertaining to easements and subdivision law.
25. The Permittee is responsible for obtaining any necessary additional federal, state and/or city/county permits or clearances required for construction of the access. Approval of this access permit does not constitute verification of this action by the Permittee. Permittee is also responsible for obtaining all necessary utility permits in addition to this access permit.
26. All workers within the state highway right-of-way shall comply with their employer's safety and health policies/procedures, and all applicable U.S. Occupational Safety and Health Administration (OSHA) regulations - including, but not limited to the applicable sections of 29 CFR Part 1910 - Occupational Safety and Health Standards and 29 CFR Part 1926 - Safety and Health Regulations for Construction. Personal protective equipment (e.g. head protection, footwear, high visibility apparel, safety glasses, hearing protection, respirators, gloves, etc.) shall be worn as appropriate for the work being performed, and as specified in regulation.
27. The Permittee shall provide accessibility features to accommodate all pedestrians including persons with disabilities for all pathways during and after construction.
28. The Permittee is required to comply with the Americans with Disabilities Act Accessibility Guidelines (ADAAG) that have been adopted by the U.S. Architectural and Transportation Barriers Compliance Board (Access Board), and incorporated by the U.S. Attorney General as a federal standard. These guidelines are defining traversable slope requirements and prescribing the use of a defined pattern of truncated domes as detectable warnings at street crossings. The new

Docusign Envelope ID: 3E767D14-D7F5-4ECF-B45D-9DF913483050

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Standards Plans and can be found on the Design and Construction Project Support web page at: https://www.codot.gov/business/designsupport/standard-plans.

29. When it is necessary to remove any highway right-of-way fence, the posts on either side of the access entrance shall be securely braced with approved end posts and in conformance with CDOT's M-607-1 standard, before the fence is cut, to prevent slacking of the remaining fence. All materials removed shall be returned to CDOT.
30. It shall be the responsibility of the Permittee to maintain adequate sight distance for this driveway. Trimming of vegetation or trees to maintain adequate sight distance is the sole responsibility of the Permittee.
31. CDOT will determine the extent of inspection services for the work. A daily inspection may be done by CDOT from the time work begins inside the highway right-of way until the job is completed and right-of-way restored to its original condition.
32. CDOT's plan review is only for general conformance with CDOT design standards and Access Code requirements. CDOT is not responsible for the accuracy and adequacy of the design. All dimensions and elevations shall be confirmed and correlated at the job site. CDOT, through the approval of this document, assumes no responsibility for plan omissions or errors.
33. The CDOT inspector may suspend work due to: 1) Noncompliance with the provisions of this permit; 2) Adverse weather or traffic conditions; 3) Concurrent highway construction or maintenance in conflict with permit work; 4) Any condition deemed unsafe for workers or the general public. The work may be resumed upon notice from the CDOT Inspector.
34. The Permittee, his or her heirs, successors-in-interest, assigns, and occupants of the property serviced by the access shall be responsible for meeting the terms and conditions of the permit. This includes, but is not limited to, the repair and maintenance of the access beyond the edge of the roadway including any cattle guard and gate, and the removal or clearance of snow or ice upon the access even when deposited on the access during CDOT's snow removal operations per section 2.7 of the Access Code.
35. The Permittee is responsible for the repair and replacement of any access-related culverts within the right-of-way. Within incorporated areas, drainage responsibilities for municipalities are determined by statute and local ordinance. CDOT will maintain the highway including auxiliary lanes upon final acceptance. In cases where the access installation has failed due to improper access construction and/or failure to follow permit requirements and specifications the Permittee shall be responsible for such repair. Any significant repair such as culvert replacement, resurfacing, or changes in design or specifications, requires authorization from CDOT.
36. Any damage to present highway facilities including traffic control devices shall be repaired immediately at no cost to CDOT and prior to continuing other work.
37. During access construction, no construction-related or personal vehicles will be permitted to park in the state highway right-of-way.
38. Any mud or other material tracked, or otherwise deposited, on the roadway shall be removed daily or as ordered by CDOT's inspector. If mud is an obvious condition during site construction, it is recommended that the contractor build a stabilized construction entrance or scrubber pad at the

Docusign Envelope ID: 3E767D14-D7F5-4ECF-B45D-9DF913483050

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intended construction access to aid in the removal of mud and debris from vehicle tires. Details of the stabilized construction entrance can be found in the M & S Standards Plan No. M-208-1.

39. A fully executed, complete copy of this permit and the Notice to Proceed must be on the job site with the contractor at all times during the construction. Failure to comply with this or any other construction requirement may result in the immediate suspension of work by order of the CDOT inspector or the issuing authority.
40. No work will be allowed at night, Saturdays, Sundays and legal holidays without prior authorization. CDOT may also restrict work within the state highway right-of-way during adverse weather conditions, seasonal changes and if safety and operational issues occur.
41. The access shall be completed in an expeditious and safe manner and shall be completed within 45 days from initiation of construction within the state highway right-of-way or in accordance with written concurrence of the Access Manager. All construction shall be completed in a single season.
42. All costs associated with any type of utility work will be at the sole responsibility and cost of the Permittee and at no cost to CDOT.
43. Areas of roadway and/or right-of-way disturbed during this installation shall be restored to their original conditions to insure proper strength and stability, drainage and erosion control. Restoration shall meet CDOT's standard specifications for topsoil, fertilization, mulching, and re-seeding.
44. Permittee is required to complete the construction according to the terms and conditions of the permit prior to using the access. If the access is used prior to CDOT final acceptance, CDOT may suspend or revoke the permit, until construction is completed per the terms and conditions of the permit.
45. Upon the completion of the access (and prior to any use as allowed by this permit), the Applicant shall notify the Access Manager within 10 days to request a final inspection. This request shall include certification that all materials and construction have been completed in accordance with all applicable Department Standards and Specifications; and that the access is constructed in conformance with the State Highway Access Code, 2 CCR 601-1, including this permit. The Engineer of Record as indicated on the construction plans, may be requested by CDOT for this inspection. The access serviced by this permit may not be opened to traffic until written approval has been given from the CDOT Access Manager.
46. If any construction element fails within two years due to improper construction or material specifications, permittee shall be responsible for all repairs. Failure to make such repairs may result in suspension of the permit and closure of the access.

Docusign Envelope ID: 3E767D14-D7F5-4ECF-B45D-9DF913483050

COLORADO
Department of Transportation

What is stormwater runoff?

Stormwater runoff occurs when precipitation from rain or snowmelt flows over the ground. Impervious surfaces like roads and sidewalks prevent stormwater from naturally soaking into the ground

Why is stormwater runoff a problem?

Stormwater can pick up debris, chemicals, dirt and other pollutants and flow into CDOT's storm drain system or directly into a stream, river, lake, wetland or reservoir. Anything that enters CDOT's storm drain system is discharged untreated into the waterways we use for fishing, swimming, and providing drinking water.



Dredged spoil, dirt, slurry, solid waste, incinerator residue, sewage, sewage sludge, garbage, trash, chemical waste, biological nutrient, biological material, radioactive material, heat, pH, wrecked or discarded equipment, rock, sand, any industrial, municipal, or agricultural waste.

Tips for Reporting an Illicit Discharge

Call the illicit discharge hotline at **(303) 512-4426**
From a safe distance try to estimate the amount of the discharge.
Identify characteristics of the discharge (color, odor, algae, etc.).
Obtain information on the vehicle dumping the waste (if applicable).
Do not approach!
Call *CSP for illicit dumping.
If possible, take a photo, record a license plate.

REMEMBER:
Never get too close to the illicit discharge, it may be dangerous!!!

For more information on CDOT Utility Permits:

https://www.codot.gov/business/permits/utilitiesspecialuse

For more information on CDOT Access Permits:

https://www.codot.gov/business/permits/accesspermits

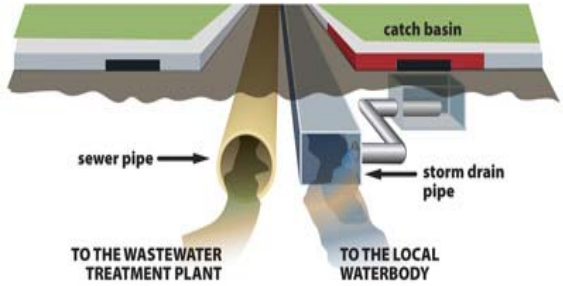
For more information on CDOT Water Quality Program:

Water Quality Program Manager
4201 E. Arkansas Ave.
Shumate Building
Denver, Colorado 80222
303-757-9343

COLORADO
Department of Transportation

Water Quality Program Industrial Facilities Program

CDOT has a Municipal Separate Storm Sewer System permit, otherwise known as (MS4) from the Colorado Department of Public Health and Environment. The permit states that only stormwater can be discharged from CDOT's storm drain system



As part of the permit, CDOT has several different programs to prevent pollutants from entering into the storm drain system:

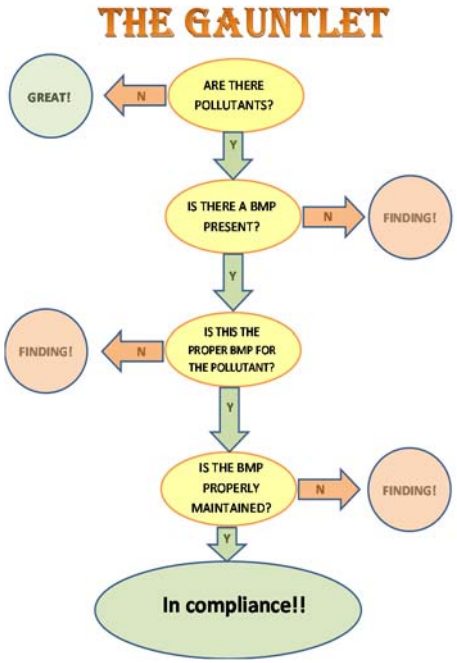
- Construction Site Program
- New Development Redevelopment Program
- Illicit Discharge Program
- Industrial Facilities Program
- Public Education and Outreach Program
- Pollution Prevention and Good Housekeeping Program
- Wet Weather Monitoring Program

Docusign Envelope ID: 3E767D14-D7F5-4ECF-B45D-9DF913483050

COLORADO Department of Transportation

Control Measures for Industrial Facilities

Industrial facilities can use control measures (CM) otherwise known as Best Management Practices (BMP) during the construction of a facility and when operating the facility. Control measures are schedules of activities, maintenance procedures, and other management practices to prevent and reduce pollution entering into CDOT's storm drain system. Control Measures also include treatment, operating procedures, and practices to control site run off which can include structural and non-structural controls.



CDOT defines a utility, or utility facility as any privately, publicly, or cooperatively owned line, facility, or system producing, transmitting or distributing the following:

- ✓ Communications
- ✓ Cable television
- ✓ Power
- ✓ Electricity
- ✓ Light
- ✓ Heat Gas
- ✓ Oil
- ✓ Crude Products
- ✓ Water
- ✓ Stream
- ✓ Waste
- ✓ Stormwater not connected with highway drainage
- ✓ Similar Commodity







Industrial Facilities Program Elements:

1. **Educate and outreach to owners or operators that have potential to contribute substantial pollutant to water.**
2. **Report and include information on discharge and water quality concerns. Provide written notification within 15 days of discovery to CDPHE.**
3. **Submit an annual report to CDPHE containing the number of informational brochures distributed; name and title of each individual trained.**

Education

There are instances when a utility company or other entity doing work in the state highway right-of-way will require some type of environmental permit or clearance for that work. CDOT has put together an Environmental Clearances Information Summary for those applying for a CDOT Utility and Special Use Permit or Access Permit to obtain all required clearances. This fact sheet is given to each permittee and is available at: http://www.coloradodot.info/programs/environmental/resources/guidance-standards/Environmental%20Clearances%20Info%20Summary.pdf

Docusign Envelope ID: 3E767D14-D7F5-4ECF-B45D-9DF913483050

COLORADO DEPARTMENT OF TRANSPORTATION
Environmental Clearances Information Summary

PURPOSE - This summary is intended to inform entities external to CDOT that may be entering the state highway right-of-way to perform work related to their own facilities (such as Utility, Special Use or Access Permittees), about some of the more commonly encountered environmental permits/clearances that may apply to their activities. This listing is not all-inclusive—additional environmental or cultural resource permits/clearances may be required in certain instances. Appropriate local, state and federal agencies should be contacted for additional information if there is any uncertainty about what permits/clearances are required for a specific activity. **IMPORTANT: Please Review The Following Information Carefully – Failure to Comply With Regulatory Requirements May Result In Suspension or Revocation of Your CDOT Permit, Or Enforcement Actions By Other Agencies.**

CLEARANCE CONTACTS - As indicated in the permit/clearance descriptions listed below, the following agencies may be contacted for additional information:

- Colorado Department of Public Health and Environment (CDPHE): General Information – (303) 692-2000
  Water Quality Control Division (WQCD): (303) 692-3500
  Environmental Permitting Website https://www.colorado.gov/pacific/cdphe/all-permits
- CDOT Water Quality Program Manager: (303) 512-4053 https://www.codot.gov/programs/environmental/water-quality
- CDOT Asbestos Project Manager: (303) 512-5519
- Colorado Office of Archaeology and Historic Preservation: (303) 866-5216
- U.S. Army Corps of Engineers, District Regulatory Offices:
  Omaha District (Northeastern CO), Denver Office (303) 979-4120
  http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/Colorado.aspx
  Sacramento District (Western CO), Grand Junction Office (970) 243-1199
  http://www.spk.usace.army.mil/Missions/Regulatory.aspx
  Albuquerque District (Southeastern CO), Pueblo Office (719) 543-9459
  http://www.spa.usace.army.mil/Missions/RegulatoryProgramandPermits.aspx
- CDOT Utilities, Special Use and Access Permitting: (303) 757-9654 https://www.codot.gov/business/permits

Wildlife Resources - Disturbance of wildlife shall be avoided to the maximum extent practicable. Entry into areas of known or suspected threatened or endangered species habitat requires special authorization from the CDOT permitting office. If any threatened or endangered species are encountered during the progress of the permitted work, work in the subject area shall be halted and the CDOT Regional Permitting Office and Region Planning and Environmental Manager shall be contacted immediately. Authorization must be provided by CDOT prior to the continuation of work. Information about threatened or endangered species may be obtained from the CDOT website, http://www.codot.gov/programs/environmental/wildlife/guidelines, or the Colorado Parks and Wildlife (CPW) website, http://www.cpw.state.co.us/learn/Pages/SOC-ThreatenedEndangeredList.aspx. Additional guidance may be provided by the appropriate Region Planning and Environmental Manager (RPEM).

Cultural Resources - The applicant must request a file search of the permit area through the Colorado Office of Archaeology and Historic Preservation (OAHP), Denver, to ascertain if historic or archaeological resources have previously been identified (https://www.historycolorado.org/file-access; 303-866-5216). Inventory of the permit area by a qualified cultural resources specialist may be necessary, per the recommendation of CDOT. If archaeological sites/artifacts or historic resources are encountered as the project progresses, all work in the subject area shall be halted and the CDOT Regional Permitting Office and Region Planning and Environmental Manager shall be contacted immediately. Authorization must be provided by CDOT prior to the continuation of work. Additional guidance may be provided by the Regional Permitting Office and RPEM.

Paleontological Resources - The level of effort required for paleontological resources is dependent on the amount of ground disturbance, including rock scaling, digging, trenching, boring, ground leveling, and similar activities.

- If the permit will involve extensive ground disturbance (generally involving more than one mile of CDOT ROW), a full review will be required by a qualified paleontologist, including map, file, and locality searches, with final recommendations provided by the CDOT paleontologist upon receipt of the report. Based on results of the review, a survey or inventory of the permit area may be necessary.
- If the permit will involve a small amount of ground disturbance (less than one mile of ROW), the applicant must request a fossil locality search through the University of Colorado Museum of Natural History (https://www.colorado.edu/cumuseum/research-collections/paleontology/policies-procedure) and the Denver Museum of Nature and Science (https://www.dmns.org/science/earth-sciences/earth-sciences-collections/). The museum collections manager will provide information about localities in the project area. If there are no known localities, the permit requirement for paleontology is complete upon submitting that information to CDOT. If there are known localities, the CDOT paleontologist will be contacted by the museum with details, and additional recommendations will be made if necessary. Note that museum staff are not required to disclose the details of fossil localities to the permit applicant, nor is detailed locality information required for the permit application to proceed.
- If the permit does not involve ground disturbance, no action is required for paleontological resources. If fossils are encountered during the permitted action, all work in the immediate area of the find should stop and the CDOT Staff Paleontologist and the Region Environmental Manager should be contacted immediately. Authorization must be provided by CDOT prior to the continuation of work. Additional guidance may be provided by the Regional Permitting Office in the Permit Special Provisions. Contact Information: See the museum websites listed above. The CDOT Paleontologist is not able to conduct locality searches independently. For further information contact CDOT Paleontologist Nicole Peavey at nicole.peavey@state.co.us or (303) 757-9632.

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Hazardous Materials, Solid Waste - The Solid Wastes Disposal Sites and Facilities Act C.R.S. 30-20-100, et al, and Regulations Pertaining to Solid Waste Disposal Sites and Facilities (6 CCR 1007-2), prohibit solid waste disposal without an approved Certificate of Designation (a landfill permit). The Colorado Hazardous Waste Act C.R.S. 25-15-301 et al, and the Colorado Hazardous Waste Regulations (6 CCR 1007-3) prohibit the transfer, storage or disposal (TSD) of hazardous waste except at permitted TSD sites. There are no permitted landfills or TSD sites within the State Highway Right of Way. Therefore, all solid or hazardous wastes that might be generated by the activities of entities entering the State Highway Right of Way must be removed from the ROW and disposed of at a permitted facility or designated collection point (e.g., for solid waste, a utility or construction company's own dumpster). If pre-existing solid waste or hazardous materials contamination (including oil or petroleum contaminated soil, asbestos, chemicals, mine tailings, etc.) is encountered during the performance of work, the permittee shall halt work in the affected area and immediately contact the CDOT Regional Permitting Office for direction as to how to proceed. ***Contact Information:*** Theresa Santangelo-Dreiling, CDOT Hazardous Materials Management Supervisor: (303) 512-5524.

Asbestos Containing Materials, Asbestos Contaminated Soil - All work on asbestos containing materials (ACM) must comply with the applicable requirements of the CDPHE Air Pollution Control Division's (APCD) Regulation 8. Disposal of ACM, and work done in asbestos-contaminated soil, must comply with the CDPHE Hazardous Materials and Waste Management Division's (HMWMD) Solid Waste Regulations. The application for any CDOT permit must specifically identify any ACM involved in the work for which authorization is being requested. Additional guidance or requirements may be specified in the permit special provisions. ***Contact Info:*** CDPHE APCD and HMWMD Regulations can be accessed via the CDPHE Environmental Permitting Website listed above. Additional information **concerning clearance on CDOT projects** is available from the CDOT Asbestos Project Manager (303) 949-2729, or Theresa Santangelo-Dreiling, Hazardous Materials Management Supervisor: (303) 512-5524.

Transportation of Hazardous Materials - No person may offer or accept a hazardous material for transportation in commerce unless that person is registered in conformance with the United States Department of Transportation regulations at 49 CFR, Part 171. The hazardous material must be properly classed, described, packaged, marked, labeled, and in condition for shipment as required or authorized by applicable requirements, or an exemption, approval or registration has been issued. Vehicles requiring a placard, must obtain authorization and a State HAZMAT Permit from the Colorado Public Utilities Commission. ***Contact Information:*** For authorization and more info call the Federal Motor Safety Carrier Administration, US DOT for inter- and intra-state HAZMAT Registration (303) 969-6748. Colorado Public Utilities Commission: (303) 894-2868.

Discharge of Dredged or Fill Material – 404 Permits Administered By the U.S. Army Corps of Engineers, and Section 401 Water Quality Certifications Issued by the CDPHE WQCD - Clean Water Act section 404 permits are often required for the discharge of dredged or fill material into waters of the U.S., including wetlands. Several types of section 404 permits exist, including nationwide, regional general, and individual permits. Nationwide permits are the most commonly authorized type for activities with relatively minor impacts. If an individual 404 permit is required, section 401 water quality certification from the CDPHE WQCD is also required. Contact the appropriate Corps District Regulatory Office for information about what type of 404 permit may be required (contact information above). Contact the CDPHE Water Quality Control Division at (303) 692-3500.

Working on or in any stream or its bank - In order to protect and preserve the state's fish and wildlife resources from actions that may obstruct, diminish, destroy, change, modify, or vary a natural existing stream or its banks or tributaries, it may be necessary to obtain a Senate Bill 40 certification from the Colorado Department of Natural Resources. A stream is defined as 1) represented by a solid blue line on USGS 7.5' quadrangle maps; and/or 2) intermittent streams providing live water beneficial to fish and wildlife; and/or 3) segments of streams supporting 25% or more cover within 100 yards upstream or downstream of the project; and/or 4) segments of streams having wetlands present within 200 yards upstream or downstream of the project measured by valley length. The CPW application, as per guidelines agreed upon by CDOT and CPW, can be accessed at https://www.codot.gov/programs/environmental/wildlife/guidelines.

Erosion and Sediment Control Practices - Any activities that disturb one or more acres of land require a Stormwater Construction Permit (SCP) from the CDPHE-WQCD. Erosion & sediment control requirements will be specified in that permit. In situations where a stormwater permit is *not* required, all reasonable erosion and sediment control measures should be taken to minimize erosion and sedimentation. Control practices should be in accordance with CDOT Standard Specifications 107.25, 208, 213 and 216 (https://www.codot.gov/business/designsupport/cdot-construction-specifications). The CDOT Erosion Control and Stormwater Quality Guide (website: https://www.codot.gov/programs/environmental/landscape-architecture/erosion-storm-quality) can also be used to design erosion/sediment controls. ***Contact Information:*** Contact the CDPHE-WQCD at (303) 692-3500. Website: https://www.colorado.gov/pacific/cdphe/wq-construction-general-permits

Site Stabilization - All disturbances require a stabilization plan, native seeding or landscape design plan according to applicable CDOT Standard Specifications 212-217 and 623. The CDOT Erosion Control and Stormwater Quality Guide should also be used to plan restoration of disturbed vegetation. Website: https://www.codot.gov/programs/environmental/landscape-architecture/erosion-storm-quality

Stormwater Discharge From Industrial Facilities - Discharges of stormwater runoff from certain types of industrial facilities, such as concrete batch plants - require a CDPS Stormwater Permit. ***Contact Information:*** Contact the CDPHE-WQCD at (303) 692-3500. Website: https://colorado.gov/pacific/cdphe/wq-commerce-and-industry-permits

Concrete Washout - Waste generated from concrete activities shall NOT be allowed to flow into the drainage ways, inlets, receiving waters, or in the CDOT ROW. Concrete waste shall be placed in a temporary concrete washout facility and must be located a minimum of 50 feet from state waters, drainageways, and inlets. Concrete washout shall be in accordance to CDOT specifications and guidelines at https://www.codot.gov/business/designsupport/cdot-construction-specifications and refer to the specifications and their revisions for sections 101, 107 and 208.

Construction Dewatering (Discharge or Infiltration) and Remediation Activities - Discharges of water encountered during excavation or work in wet areas may require a Construction Dewatering or Remediation Activities Discharge Permit. ***Contact***

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Information: Contact the CDPHE-WQCD at (303) 692-3500. For Applications and Instructions: https://www.colorado.gov/pacific/cdphe/wq-construction-general-permits.

Municipal Separate Storm Sewer System (MS4) Requirements - When working in a MS4 area, discharges to the storm sewer system are subject to CDOT's or other municipalities' MS4 Permit. For activities within the boundaries of a municipality that has a MS4 permit, the owner of such activity should contact the municipality regarding stormwater related requirements. All discharges to the CDOT highway drainage system or within the Right of Way (ROW) must comply with the applicable provisions of the Colorado Water Quality Control Act, the Water Quality Control Commission (WQCC) Regulations (https://www.colorado.gov/pacific/cdphe/wqcc-regulations-and-policies-and-water-quality-statutes) and the CDOT MS4 Permit #COS-000005 (https://www.codot.gov/programs/environmental/water-quality/documents). Discharges are subject to inspection by CDOT and CDPHE. For CDOT-related MS4 programs and requirements, go to: https://www.codot.gov/programs/environmental/water-quality/stormwater-programs.

Post-Construction Permanent Water Quality - When working in a CDOT MS4 area and the activity disturbs one or more acres, permanent water quality control measures may be required. Information on the requirements can be found under the CDOT Permanent Water Quality MS4 Program at: https://www.codot.gov/programs/environmental/water-quality/stormwater-programs/pwq-permanent-water-quality

Discharges to Storm Sewer Systems

Prohibited Discharges - All discharges are subject to the provisions of the Colorado Water Quality Control Act and the Colorado Discharge Permit Regulations. Prohibited discharges include, but are not limited to, substances such as wash water, paint, automotive fluids, solvents, oils or soaps and sediment.

Allowable Discharges - The following discharges to stormwater systems are allowed without a permit from the CDPHE-WQCD: landscape irrigation, diverted stream flows, uncontaminated ground water infiltration to separate storm sewers, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, uncontaminated springs, footing drains, water line flushing, flows from riparian habitats and wetlands, and flow from firefighting activities. ***Contact Information:*** Contact the CDPHE-WQCD at (303) 692-3500. Information can also be found in the CDOT Illicit Discharge MS4 Program PDD at: https://www.codot.gov/programs/environmental/water-quality/stormwater-programs/idde.html.

Spill Reporting - Spills shall be contained and cleaned up as soon as possible. Spills shall NOT be washed down into the storm drain or buried. All spills shall be reported to the CDOT Illicit Discharge Hotline at (303) 512-4426 (4H20), as well as the Regional Permitting Office and Regional Maintenance Supervisor. Spills on highways, into waterways, any spill in the highway right-of-way exceeding 25 gallons, or that may otherwise present an immediate danger to the public shall be reported by calling 911, and shall also be reported to the CDPHE at 1-877-518-5608. More information can be found at https://www.colorado.gov/pacific/cdphe/emergency-reporting-line.

Disposal of Drilling Fluids - Drilling fluids used in operations such as Horizontal Directional Drilling may be classified as "discharges" or "solid wastes," and in general, should be pumped or vacuumed from the construction area, removed from the State Highway Right of Way, and disposed of at permitted facilities that specifically accept such wastes. Disposal of drilling fluids into storm drains, storm sewers, roadside ditches or any other type of man-made or natural waterway is prohibited by Water Quality Control and/or Solid Waste regulations. Small quantities of drilling fluid solids (less than 1 cubic yard of solids) may be left on-site after either being separated from fluids or after infiltration of the water, provided: 1) the drilling fluid consists of only water and bentonite clay, or, if required for proper drilling properties, small quantities of polymer additives that are approved for use in drinking water well drilling; 2) the solids are fully contained in a pit, and are not likely to pose a nuisance to future work in the area, 3) the solids are covered and the area restored as required by CDOT permit requirements (Utility, Special Use, or Access Permits, etc.). ***Contact Information:*** Contact CDPHE (telephone #'s listed above).

Noxious Weeds and Invasive Species Management Plan - Noxious Weeds and Invasive Species guidance can be found by contacting the Colorado Department of Agriculture (https://www.colorado.gov/pacific/agconservation/noxiousweeds) and the Colorado Division of Parks and Wildlife (http://cpw.state.co.us/aboutus/Pages/RS-NoxiousWeeds.aspx). In either case, management plans involving the control of noxious weeds associated with the permitted activity and cleaning of equipment will be required.

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COLORADO DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ACCESS PERMIT APPLICATION

Issuing authority application acceptance date

Section 8, ItemA.

Instructions: ***Please print or type***

- Contact the Colorado Department of Transportation (CDOT) or your local government to determine your issuing authority.
- Contact the issuing authority to determine what plans and other documents are required to be submitted with your application.
- Complete this form (some questions may not apply to you) and attach all necessary documents and Submit it to the issuing authority.
- Submit an application for each access affected.
- If you have any questions contact the issuing authority.
- For additional information see CDOT's Access Management website at **https://www.codot.gov/business/permits/accesspermits**

1) Property owner (Permittee)		2) Applicant or Agent for permittee (if different from property owner)	
MIDTOWN LOFTS LLC		JEFF ARMISTEAD	
Street address: PO Box 995		Mailing address	
City, state & zip: Minturn, CO 81645	Phone #: 970-471-0618	City, state & zip	Phone # (required)
E-mail address: jafamilyman@gmail.com		E-mail address if available	

3) Address of property to be served by permit (required): 987 S. Main Street, Minturn, CO 81645

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

county	subdivision	block	lot	section	township	range
Eagle	S. Minturn Addit	10-13				

5) What State Highway are you requesting access from? 024A 146.16R

6) What side of the highway? ☐ N ☒ S ☐ E ☐ W

7) How many feet is the proposed access from the nearest mile post? 860 feet (☐ N ☐ S ☒ E ☐ W) from: _____

How many feet is the proposed access from the nearest cross street? 1590 feet (☐ N ☐ S ☒ E ☐ W) from: Cemetery Rd (Ballpark)

8) What is the approximate date you intend to begin construction? 5/1/2024

9) Check here if you are requesting a:
☐ new access ☐ temporary access (duration anticipated:) ☒ improvement to existing access
☐ change in access use ☐ removal of access ☐ relocation of an existing access (provide detail)

10) Provide existing property use: Residential, warehouse, storage

11) Do you have knowledge of any State Highway access permits serving this property, or adjacent properties in which you have a property interest?
☒ no ☐ yes, if yes - what are the permit number(s) and provide copies: and/or, permit date:

12) Does the property owner own or have any interests in any adjacent property?
☐ no ☒ yes, if yes - please describe:

13) Are there other existing or dedicated public streets, roads, highways or access easements bordering or within the property?
☒ no ☐ yes, if yes - list them on your plans and indicate the proposed and existing access points.

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

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

business/land use	square footage	business	square footage
Warehouse	7,500		

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

type	number of units	type	number of units
Multifamliy	21		

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

Indicate if your counts are ☒ peak hour volumes or ☐ average daily volumes.	# of passenger cars and light trucks at peak hour volumes: 44	# of multi unit trucks at peak hour volumes
# of single unit vehicles in excess of 30 ft.	# of farm vehicles (field equipment)	**Total count of all vehicles**: 44

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

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

1- It is the applicant's responsibility to contact appropriate agencies and obtain all environmental clearances that apply to their activities. Such clearances may include Corps of Engineers 404 Permits or Colorado Discharge Permit System permits, or ecological, archeological, historical or cultural resource clearances. The CDOT Environmental Clearances Information Summary presents contact information for agencies administering certain clearances, information about prohibited discharges, and may be obtained from Regional CDOT Utility/Special Use Permit offices or accessed via the CDOT Planning/Construction-Environmental-Guidance webpage: **https://www.codot.gov/programs/environmental/resources/guidance-standards/environmental-clearances-info-summary-august-2017/view**

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

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

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

3- The Permittee is responsible for complying with the Revised Guidelines that have been adopted by the Access Board under the American Disabilities Act (ADA). These guidelines define traversable slope requirements and prescribe the use of a defined pattern of truncated domes as detectable warnings at street crossings. The new Standards Plans and can be found on the Design and Construction Project Support web page at:
https://www.codot.gov/business/civilrights/ada/resources-engineers

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

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

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

Applicant or Agent for Permittee signature	Print name	Date
	Jeff Armistead	7/10/24

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

Property owner signature	Print name	Date
	Daniel D Armistead	7/10/24

Docusign Envelope ID: 3E767D14-D7F5-4ECF-B45D-9DF913483050

STATEMENT OF AUTHORITY

1. This Statement of Authority relates to an entity[1] named SBR Investments LLC,
and is executed on behalf of the entity pursuant to the provisions of Section 38-30-172, C.R.S.

2. The type of entity is a:

☐ trust	☐ registered limited liability partnership
☐ nonprofit corporation	☐ registered limited liability limited partnership
☒ limited liability company	☐ limited partnership association
☐ general partnership	☐ government or governmental subdivision or agency
☐ limited partnership	☐ corporation
☐ _____	

3. The entity is formed under the laws of Michigan

4. The mailing address for the entity is 300 Acorn Drive
Brighton, MI 48116

5. The ☒ name ☐ position of each person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity is Jennifer Blanchi President and Daniel D. Arnistead, VP

6.[2] The authority of the foregoing person (s) to bind the entity is ☒ not limited ☐ limited as follows: _____

7. Other matters concerning the manner in which the entity deals with interests in real property:
_____

Executed this 8th day of August 2024

Daniel D Arnistead
Signature

_____
Signature

STATE OF ~~COLORADO~~ Michigan
COUNTY OF Livingston } SS:

DONNA L TAYLOR FERGUSON
Notary Public, State of Michigan
County of Livingston
My Commission Expires Nov. 26, 2029
Acting in the County of Livingston

The foregoing instrument was acknowledged before me this 8th day of August 2024,
by Donna Taylor Ferguson

Witness my hand and official seal.

Donna L Taylor Ferguson
Notary Public

My commission expires: 11-26-2029

[1]This form should not be used unless the entity is capable of holding title to real property.
[2]The absence of any limitation shall be prima facie evidence that no such limitation exists.
[3]The statement of authority must be recorded to obtain the benefits of the statute.

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The printed portions of this form, except differentiated additions, have been approved by the Colorado Real Estate Commission. (D1-10-19) (Mandatory 1-20)

WARRANTY DEED

Grantor, **SBR INVESTMENTS, LLC**, whose address is: 300 Acorn Drive, Brighton, Michigan 48116 for consideration of ten dollars and no/100 ($10.00) hereby grants, conveys, and transfers to the Grantee, **MIDTOWN LOFTS LLC,** a Colorado limited liability company whose address is: P.O. Box 955, Minturn, Colorado 81645, the following real property, to wit:

Section: 35 Township: 5 Range: 81 PC LIN SE 1/4 NE 1/4 (Parcel No. 2103-351-01-060) – 961 S. Main Street

SOUTH MINTURN ADDITION Lot: 12 (Parcel No. 2103-351-01) – 981 S. Main Street

SOUTH MINTURN ADDITION Lot: 11 (Parcel No. 2103-351-01-016) – 987 S. Main Street

SOUTH MINTURN ADDITION Lot: 13 (Parcel No. 2103-351-01-018) – 989 S. Main Street

with all its appurtenances (Property), and warrant(s) the title to the following:

- Grantor currently hold full title to the real estate;
- Grantor owns the right to transfer title to the Property;
- The Property is free of liens or other defects not disclosed in the deed.
- No claimant will assert superior title to the real estate; and .
- If an adverse claim arises, the Grantor will defend the Grantee's title.

Signed this 9th day of August, 2022.

GRANTOR:

Daniel D. Armstead VP, its Manager AMG General Inc, Mgr
SBR INVESTMENTS, LLC

DONNA L TAYLOR
Notary Public – State of Michigan
County of Livingston
My Commission Expires Nov 26, 2023
Acting in the County of Livingston

STATE OF MICHIGAN)
) ss.
COUNTY OF Livingston)

The foregoing instrument was acknowledged before me this 9th day of August, 2022, by Daniel D. Armistead.

Witness my hand and official seal.

My commission expires: 11-26-2023

Donna L. Layla
Notary Public

DONNA L TAYLOR
Notary Public – State of Michigan
County of Livingston
My Commission Expires Nov 26, 2023
Acting in the County of Livingston

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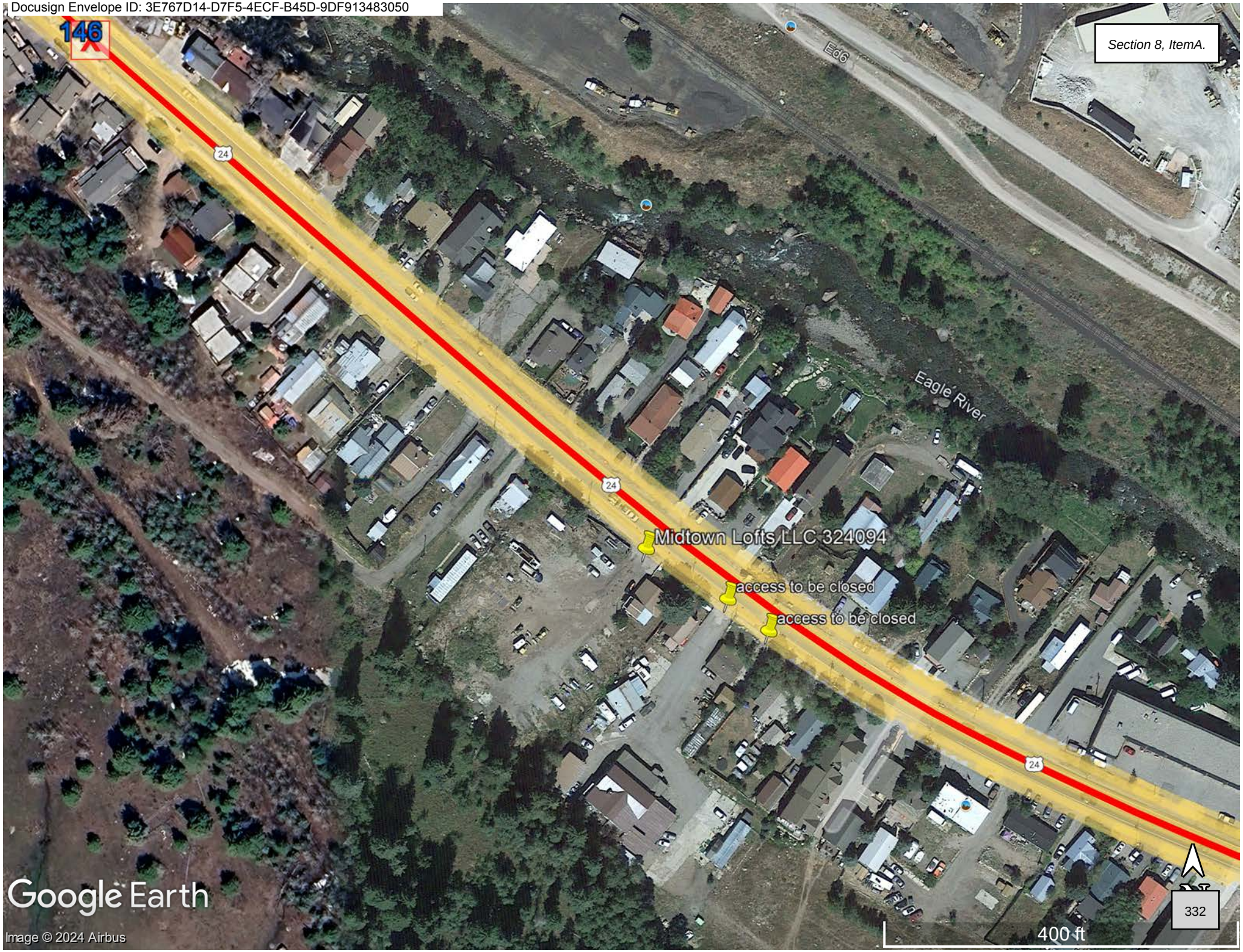


COLORADO
Department of Transportation

Region 3 Traffic, Access Unit
222 S 6th St, Rm 100
Grand Junction, CO 81501
PH 970-683-6284 FAX 970-683-6290

<<< E-mailed>>>

August 21, 2024

Midtown Lofts LLC
PO Box 995
Minturn, Colorado 81645

Re: State Highway **Access Permit No. 324094**, located in Eagle County on Highway 024 near Mile Marker Reference Pt. 146.155 Right

Dear Applicant/Permittee:

The Colorado Department of Transportation (CDOT) has received your signed permit and application fee. A copy of the issued permit is enclosed. This permit is valid for one year from the date of issue. If construction does not occur within the first year, the Applicant/Permittee may request in writing, an extension for another year. This permit may be extended twice for a total of two (2) additional years. If construction does not occur within the third year, a new application shall be submitted and the permit process shall begin again. Issuance of this permit is not approval of any construction plans that have been submitted.

The next step in the CDOT access permitting process is for you, Applicant/Permittee, to request a Notice to Proceed (NTP) from CDOT. ***You may NOT proceed with any construction without receiving an approved Notice to Proceed (NTP) from CDOT. Failure of receiving a Notice to Proceed prior to any construction will be a violation of the State Highway Access Code*** (2 CCR 601-1,"the Code") § 2.4.

The Applicant/Permittee shall request a NTP in writing along with all required items. Once the complete NTP submittal has been received, CDOT has seven (7) days to determine if the NTP submittal is complete for review and then, if necessary, notify the applicant of any deficiencies. If complete, CDOT will review and comment on the submitted information within thirty (30) days. If CDOT determines the information is unacceptable, missing, or in need of correction, the Applicant/Permittee shall correct their submittal and resubmit the complete request for NTP.

Once resubmitted, CDOT will review the revised NTP documents within ten (10) days. If the revised documents are satisfactory, CDOT will issue a NTP. If further corrections are necessary, the cycle of submittal, review and comments will repeat itself until approval is granted and the NTP is issued.

Notice to Proceed Requirements

The request for NTP shall include the following documents, along with any other items specified in the Terms and Conditions of your permit:

1) **Written Request for Notice to Proceed**

Well in advance of construction, the Permittee shall make a written request for a Notice to Proceed (NTP) to Nick Nordquist, Access Project Manager. If applicable please include the engineering firm name, Professional Engineer's name, and their contact numbers. Request may be sent to: 222 S. 6th St, Rm 100, Grand Junction, CO 81501 (or by email to nicholas.nordquist@state.co.us). He may also be reached by phone at: (970) 683-6280.

2) Complete Construction Plans

The Applicant shall provide one (1) electronic copy of 11X17 construction plans and specifications for the proposed improvements. The plans shall:

A. Include the name of the Engineering firm and/or the Professional Engineer with their contact information; and

B. Address (as applicable) the geometry, striping, signing, and signalization; and

C. Include (but not be limited to) the layout of the access, highway improvements, utility locations, existing and proposed drainage, existing and proposed right-of-way lines, existing and proposed traffic control devices, and a clear zone analysis; and

D. Conform to the requirement of the permit's "Terms and Conditions"; and

E. If applicable include the following statement on the cover page of the plans: "This design is in full compliance with Section 4 of the State Highway Access Code, 2 CCR 601-1 except for the following approved design waivers:"

3) Insurance Liability Certification

The Applicant or contractor shall be required to provide a comprehensive general liability and property damage insurance for the period of access construction. As per the State Access Code, Section 2 (11)(i), the certificate shall name CDOT, and the local Issuing Authority (if applicable) as an additional insured party for general liability in the amounts of not less than $1,000,000 per occurrence and automobile liability insurance of $1,000,000 with combined single limit bodily injury and property damage for each accident. The additional insured(s) must be noted as such, not just "Certificate Holders".

4) Traffic Control Plan (TCP)

The traffic control plan must be:

A. Comply with CDOT Standard Plans Manual for Maintenance and Signing; and

B. Be consistent with the MUTCD, identifying the type, number and spacing for all devices; and

C. Be prepared by individual with American Traffic Safety Services Association (ATSSA) or Colorado Contractors Association certification – or sealed (stamped) by a Colorado registered professional engineer; and

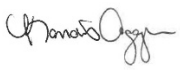
D. Be acceptable to CDOT prior to any construction within the right-of-way; and

E. Be presented in a manner that provides a method of handling traffic (MHT) for each different phase of construction; and

F. Describe the MHT according to the proposed construction phasing and include dimensioned diagrams of work zone elements, with the final traffic control plan submitted a minimum of three working days in advance of construction. (**Such plans may be revised as necessary with CDOT concurrence**.)

If you have any questions regarding the process or the required documents, please contact me at 970-683-6270 or Nick Nordquist, Project Manager at nicholas.nordquist@state.co.us or 970-683-6280.

Respectfully,



Kandis Aggen, Region 3 Asst. Access Manager

Cc: Nick Nordquist, Project Manager
File

Kumar & Associates, Inc.®
Geotechnical and Materials Engineers
and Environmental Scientists

6735 Ku
Colorado Springs, CO 80918
phone: (719) 632-7009
fax: (719) 632-1049
email: kacolospgs@kumarusa.com
www.kumarusa.com

An Employee Owned Company

Office Locations: Denver (HQ), Parker, Colorado Springs, Fort Collins, Glenwood Springs, and Summit County, Colorado

SUBSOIL STUDY
FOR FOUNDATION DESIGN
PROPOSED MIDTOWN VILLAGE
US HIGHWAY 24
MINTURN, COLORADO

Prepared by:

Steven L. Pawlak, P.E.

COLORADO REGISTERED
STEVEN L. PAWLAK
15222
7/26/22
PROFESSIONAL ENGINEER

Reviewed by:

Daniel E. Hardin, P.E.

Prepared For:

10TH MOUNTAIN BUILDERS
ATTN: JEFF ARMISTEAD
P.O. BOX 955
MINTURN, COLORADO 81645-0955

jafamilyman@gmail.com

Project No. 22-7-293

JULY 25, 2022

TABLE OF CONTENTS

SUMMARY 3
PURPOSE AND SCOPE OF STUDY 4
PROPOSED CONSTRUCTION 4
SITE CONDITIONS 4
SUBSURFACE CONDITIONS 4
GEOTECHNICAL ENGINEERING CONSIDERATIONS 5
FOUNDATION RECOMMENDATIONS 5
RETAINING AND FOUNDATION WALLS 6
FLOOR SLABS 7
EARTHWORK AND SITE GRADING 8
EXCAVATION CONSIDERATIONS 9
SURFACE DRAINAGE 9
PAVEMENT DESIGN 10
DESIGN AND SUPPORT SERVICES 12
LIMITATIONS 12

FIGURE 1 - LOCATION OF EXPLORATORY BORINGS
FIGURES 2 AND 3 - LOGS OF EXPLORATORY BORINGS
FIGURE 4 – LEGEND AND NOTES
FIGURES 5 AND 6 – SWELL-CONSOLIDATION TEST RESULTS
FIGURES 7 THROUGH 12 – GRADATION TEST RESULTS
TABLE 1 - SUMMARY OF LABORATORY TEST RESULTS

SUMMARY

1. The subsurface conditions at the site were evaluated by drilling a total of 15 exploratory borings as shown on Figure 1. Subsoils encountered in the borings consisted of about 1½ to 7 feet of mixed clayey silty sand, gravel and cobble fill and up to 2 to 5 feet of natural sandy clay and silty sand down to about 3 to 10 feet and underlain by slightly silty to silty sand, gravel and cobbles with possible boulders to the boring depths of 10 to 25 feet.

2. Groundwater was encountered in the borings at depths of about 14 to 19 feet at the time of drilling. The upper soils were slightly moist to very moist and wet with depth.

3. The existing fill materials are generally not suitable for support of building foundations, floor slabs, concrete flatwork, and asphalt or concrete pavement. The underlying natural sandy clay and silty sand soils can be used for support of lightly loaded spread footings and floor slabs. Shallow foundations bearing on compacted structural fill placed on the natural soils and natural clay and sand soils designed for an allowable bearing pressure of 2,000 pounds per square foot (psf) can be used for building support. Alternately, spread footings which extend down through the existing fill, clay and sand soils and into the underlying dense, sandy gravel and cobble soils can be designed for an allowable bearing pressure of 4,000 psf. Detailed discussions of geotechnical recommendations are presented in the body of this report.

4. The following recommended pavement section thicknesses were based on an assumed traffic loading of 5 Equivalent Daily Load Applications (EDLA) for parking areas (Standard Duty), and 20 EDLA for drive lanes (Heavy Duty).

Location	Asphalt Over Aggregate Base Course (Inches)	Concrete Over Aggregate Base Course (inches)
Standard Duty	3 over 8	6 over 4
Heavy Duty	4 over 8	7 over 4

We recommend trash pickup areas, delivery truck lanes, and other areas where truck turning movements are concentrated be paved with portland cement concrete.

PURPOSE AND SCOPE OF STUDY

This report presents the results of a geotechnical engineering study for the proposed Midtown Village, US Highway 24 in Minturn, Colorado. The project site is shown on Figure 1. The study was conducted in general accordance with our Proposal No. P7-22-108, dated January 14, 2022 for the purpose of providing geotechnical engineering recommendations, pavement thickness sections and site grading criteria for the project.

This report has been prepared to summarize the data obtained during this study and to present our conclusions and recommendations based on the proposed construction and the subsurface conditions encountered. Design recommendations and a discussion of geotechnical engineering considerations related to construction of the proposed project are included in the report.

PROPOSED CONSTRUCTION

The project consists of a mixed-use development located in the 900 block of Minturn between US Highway 24 and the valley side as shown on Figure 1. Most existing development on the property will be razed except for a commercial building and adjacent small residence in the south-central part of the project site. New proposed development includes single-family and multi-unit residential in the central and northern parts, a commercial building in the northwest corner and an apartment building with an underground parking level in the southeast part of the property. Foundation loadings are assumed to be relatively light to moderate and carried mainly by continuous foundation walls. Grading for the proposed development will be relatively minor in the valley bottom area and moderate along the south side with cut depths up to around 10 to 15 feet into the hillside.

If the proposed construction varies significantly from that described above, we should be notified to reevaluate our recommendations.

SITE CONDITIONS

The site is located mainly in relatively flat, valley bottom terrain between US Highway 24 and the steep valley side with various existing buildings as shown on Figure 1. The site slopes gently down to the northwest with around 5 feet of elevation difference in the valley bottom development area. Along the southwest side, the grade abruptly steepens with about 5 to 10 feet elevation rise within the property limits as indicated by the contour lines shown on Figure 1. The property is typically vegetated with grass, weeds and brush in developed areas and an aspen and evergreen tree forest on the hillside with debris and fill piles scattered across the property.

SUBSURFACE CONDITIONS

The subsurface conditions were evaluated by drilling 15 exploratory borings at the approximate locations shown on Figure 1. The boring logs are shown on Figures 2 and 3. Swell-consolidation test results, shown on Figures 5 and 6, indicated the sandy clay and silty sand soils have low to moderate compressibility under conditions of loading and wetting. Results of gradation analyses performed on small diameter drive samples of the granular soils (minus 1½-inch size fraction) are presented on Figures 7 through 12. The laboratory test results are summarized Table 1.

The following subsurface descriptions are of a generalized nature to highlight the major stratification features and groundwater conditions encountered in the borings. The boring logs should be referenced for more detailed information at the immediate location of the borings. Subsoils encountered in the borings consisted of about 1½ to 7 feet of mixed clayey silty sand, gravel and cobble fill and up to 2 to 5 feet of natural sandy clay and silty sand down to about 3 to 10 feet and underlain by relatively dense, slightly silty to silty sand, gravel and cobbles with possible boulders to the boring depths of 10 to 25 feet. Drilling in the coarse granular soils was difficult due to the cobbles and boulders and practical auger refusal was encountered in several of the borings.

Groundwater was encountered in the borings at depths of about 14 to 19 feet at the time of drilling. The upper soils were slightly moist to very moist and wet with depth. The groundwater levels can be expected to seasonally fluctuate.

GEOTECHNICAL ENGINEERING CONSIDERATIONS

The subsurface conditions encountered in the borings were evaluated to develop geotechnical engineering recommendations for the proposed development. The following discussion addresses building foundations, slabs-on-grade, surface and subsurface drainage, site grading, and pavement sections, which should be considered during project planning, design and construction.

The existing fill materials are generally not suitable for support of building foundations, floor slabs, concrete flatwork, and asphalt or concrete pavement. The underlying natural sandy clay and silty sand soils and compacted structural fill placed on the natural soils can be used for support of lightly loaded spread footings and floor slabs. Alternately, spread footings which extend down through the existing fill soils and natural clay and sand soils and into the underlying dense, sandy gravel and cobble soils can be used for support of moderately loaded spread footings and floor slabs with low settlement potential. If a deep foundation such as piles or piers is proposed, we should be contacted for additional analysis and recommendations.

FOUNDATION RECOMMENDATIONS

Shallow Foundations: Considering the subsoil conditions encountered in the exploratory borings, shallow footings are suitable for support of the proposed buildings that bearing on the natural soils or on properly compacted structural fill placed on the natural soils. Existing fill and debris from previous construction at the site or topsoil if encountered, should be removed from development areas. The excavation should be adequately dewatered, relatively dry, and stable prior to placement of structural fill. The natural clay soils will tend to soften under construction traffic and precautions should be taken to maintain a stable subgrade. Excavations should be evaluated for suitable subgrade conditions by a representative of Kumar & Associates prior to placing structural fill and for suitability of natural soils for bearing prior to forming footings.

Footing Foundations: The design and construction criteria presented below should be observed for a spread footing foundation system. The construction details should be considered when preparing project documents.

1. Footings placed on properly compacted structural fill or on the underlying natural clay and sand soils should be designed for an allowable soil bearing pressure of 2,000 pounds per square foot (psf). Based on experience, we expect initial settlement of footings designed and constructed as discussed in this section will be about 1 inch or less with additional settlement of around 1 inch from long term compression of the natural soils or structural fill. Footings placed on the underlying natural dense, sandy gravel and cobble soils should be designed for an allowable soil bearing pressure of 4,000 psf. Settlements are expected to be about 1 inch or less.
2. Continuous footings should be at least 18 inches wide and isolated pads should be at least 24 inches wide.
3. Exterior footings and footings beneath unheated areas should be provided with adequate soil cover above their bearing elevation for frost protection. Placement of foundations at least 42 inches below the exterior grade is recommended for this area.
4. Continuous foundation walls should be heavily reinforced top and bottom to span an unsupported length of at least 12 feet.
5. Earthwork recommendations for spread footing foundations are presented in the "Earthwork and Site Grading" section of this report.
6. A representative of the geotechnical engineer should observe the overall excavation prior to placing structural fill and footing areas prior to concrete placement.

RETAINING AND FOUNDATION WALLS

Lateral Earth Pressures: Below-grade foundation walls and retaining structures, should be designed for the lateral earth pressure generated by the backfill, which is a function of the degree of rigidity of the wall and the type of backfill material used. Foundation walls and retaining structures that are laterally supported and can be expected to undergo only a slight amount of deflection should be designed for earth pressures based on the following equivalent fluid densities:

Granular backfill with < 5% passing No. 200 sieve .....40 pcf
CDOT Class 1 backfill (<20% passing No. 200 sieve) .....45 pcf
On-site granular backfill.....50 pcf

Cantilevered retaining structures that can be expected to deflect sufficiently to mobilize the full active earth pressure condition should be designed for earth pressures based on the following equivalent fluid densities:

Granular backfill with < 5% passing No. 200 sieve .....35 pcf
CDOT Class 1 backfill (<20% passing No. 200 sieve) .....40 pcf
On-site granular backfill .....40 pcf

The equivalent fluid density values recommended above assume drained conditions behind the walls and retaining structures, and a horizontal backfill surface. The buildup of water behind a wall or retaining structure, or an upward sloping backfill surface, will increase the lateral earth pressure imposed on the wall or retaining structure. Below-grade walls and retaining structures should also be designed for appropriate surcharge pressures due to adjacent structures, vehicle traffic, and construction activities.

Backfill should be placed in uniform lifts and compacted to at least 95% of the maximum Proctor dry density (ASTM D 698). The backfill should be compacted at moisture contents within 2 percentage points of optimum. Care should be taken not to over-compact the backfill since this could cause excessive lateral pressure on the walls. Hand compaction procedures, if necessary, should be used to prevent lateral pressures from exceeding the design values. Settlement of deep wall backfills can occur even if the fill is properly placed and compacted.

The lateral resistance of footings will be a combination of the sliding resistance of the footing on the bearing materials and passive earth pressure against the side of the footing. Resistance to sliding at the bottoms of the footings can be calculated based on a coefficient of friction of 0.40 for clay or sand soils and 0.50 for dense gravel soils. Passive pressure of compacted backfill against the sides of the footings can be calculated using an equivalent fluid unit weight of 400 pcf. The coefficient of friction and passive pressure values recommended above assume ultimate soil strength. Suitable factors of safety should be included in the design to limit the strain which will occur at the ultimate strength, particularly in the case of passive resistance. Fill placed against the sides of the footings to resist lateral loads should be a granular material compacted to at least 95% of the maximum standard Proctor dry density at a moisture content near optimum.

FLOOR SLABS

Existing fill, topsoil and organic matter are not suitable for support of floor slabs and flatwork and should be removed essentially down to the natural soils and replaced with properly compacted structural fill. To reduce the effects of some differential movement, floor slabs should be separated from all bearing walls and columns with expansion joints which allow unrestrained vertical movement. Floor slab control joints should be used to reduce damage due to shrinkage cracking. The joint spacing and slab reinforcement should be established by the designer based on experience in concrete floor slab design using criteria such as that of the Portland Cement Association or American Concrete Institute. A perimeter foundation drain should not be needed for slab-at-grade construction.

In occupied areas of the building, we recommend vapor retarders conform to at least the minimum requirements of ASTM E1745 Class C material. Certain floor types are more sensitive to water vapor transmission than others. For floor slabs bearing on angular gravel or where flooring system sensitive to water vapor transmission are utilized, we recommend a vapor barrier be utilized conforming to the minimum requirements of ASTM E1745 Class A material. The vapor

retarder/barrier should be installed in accordance with the manufacturers' recommendations and ASTM E1643.

EARTHWORK AND SITE GRADING

We recommend the following criteria be used when preparing the site grading plans:

Removal and Replacement Requirement: Existing fill and other unsuitable materials related to the previous property development, should be removed from within the proposed building footprint and pavement areas to a minimum 1:1 horizontal to vertical projection beyond development edges and replaced with properly compacted structural fill.

Fill Material Specifications: The following material specifications are presented for fills on the project site.

1. *Foundation and Pavement Subgrade and Backfill*: The on-site granular soils should be suitable for reuse throughout the site including under foundations and as foundation backfill or pavement subgrade, following screening to remove unsuitable materials and moisture conditioning. Construction debris or other unsuitable materials may be present as remnants of prior site development. These materials should be removed from the excavated soils before placement and compaction. Imported fill should consist of a minus 6-inch non-expansive soil having less than 25 percent passing the No. 200 sieve, a liquid limit less than 30, and a plasticity index less than 15.
2. *Utility Trench Backfill*: Screened materials from onsite excavations can be used for trench backfill above the pipe zone fill provided they do not contain unsuitable material such as construction debris or particles larger than 4 inches.
3. *Material Suitability*: All structural fill material should be non-expansive and free of vegetation, brush, sod and other deleterious substances and should not contain rocks or lumps having a diameter of more than 6 inches. The geotechnical engineer should evaluate the suitability of all proposed fill materials prior to placement. A fill material should be considered non-expansive if the swell potential when remolded to the required compaction in the table below at the optimum moisture content under a 200 psf surcharge pressure does not exceed ½ percent.
4. *Subgrade Preparation*: The ground surface should be stripped of existing fill, vegetation/ organics, loose soils, or any other deleterious materials prior to fill placement. The resulting ground surface should be scarified to a depth of 8 inches, moisture conditioned as necessary, and compacted in a manner specified below for the subsequent layers of fill. Loose or unstable soils should be removed and replaced to provide a stable platform prior to placement of fill.

Compaction Requirements: A representative of the geotechnical engineer should observe fill placement operations on a regular basis. We recommend the following minimum compaction criteria be used on the project.

Area	Percentage of Standard Proctor Maximum Dry Density (ASTM D 698)
Below Foundation Elements	98%
Floor Slab Subgrade and Foundation Wall Backfill	95%
Beneath Pavement areas / Flatwork/Utility Trenches	95%
Landscape and Other Misc. Overlot Fill Areas	90%
For compaction of onsite or import soils, a moisture content within 2 percent of optimum should be maintained during placement and compaction.	

EXCAVATION CONSIDERATIONS

In our opinion, it is anticipated that the on-site soils encountered in the exploratory borings drilled for this study can be excavated with conventional duty construction equipment. All excavations should be in accordance with OSHA, state and local requirements. The contractor should follow appropriate safety precautions. In accordance with OSHA guidelines, the upper soils will likely classify as a Type B material. If materials different from those indicated in this report are encountered, the OSHA soil type may vary and need to be adjusted. The contractor's competent person should make decisions regarding cut slopes. Per OSHA criteria, unless excavations are shored, temporary dry excavations in Type B soils shall have slopes no steeper than 1 horizontal to 1 vertical. The underlying sandy gravel and cobbles soil will likely classify as a Type C material with temporary dry slopes of 1½ Horizontal to 1 Vertical or flatter. Shoring will be required where excavated slopes cannot be accommodated. OSHA regulations require that excavations greater than 20 feet in depth and excavations that extend below the ground water level be designed by a professional engineer.

Groundwater was encountered in the borings below the expected excavation depths but may be encountered during construction as seasonal perched water or rise in the groundwater level. If water seepage is encountered, flatter slopes will be required. Dewatering during construction can likely be handled by the use of trenches and sumps for shallow drawdown. Surface drainage should be diverted away from all temporary cut slopes in order to reduce the potential for slope erosion and instability.

SURFACE DRAINAGE

Proper surface drainage is very important for acceptable performance of the facilities during construction and after construction has been completed. Drainage recommendations provided by local, state and national entities should be followed based on the intended use of the structure. The following recommendations should be used as guidelines and changes should be made only after consultation with the geotechnical engineer.

1. Excessive wetting of the foundation and slab subgrades should be avoided during construction.
2. Exterior backfill should be compacted according to the "Earthwork and Site Grading" section of this report.

3. Care should be taken when compacting around the foundation walls and underground structures to avoid damage to the structure. Hand compaction procedures, if necessary, should be used to prevent lateral pressures from exceeding the design values.
4. The ground surface surrounding the exterior of the building should be sloped to drain away from the foundation in all directions. We recommend a minimum slope of 6 inches in the first 10 feet in unpaved areas. Site drainage beyond the 10-foot zone should be designed to promote runoff and reduce infiltration. A minimum slope of 2 inches in the first 10 feet is recommended in the paved areas. These slopes may be changed as required for handicap access points in accordance with the Americans with Disabilities Act.
5. Ponding of water should not be allowed in backfill material or in a zone within 10 feet of the foundation walls, whichever is greater.
6. Backfill material should meet the requirements stated in the "Earthwork and Site Grading" section of the report.
7. Roof downspouts and drains should discharge well beyond the limits of all backfill.

PAVEMENT DESIGN

Subgrade Materials: The subgrade materials encountered at the site are variable and generally classified as A-4 in accordance with the American Association of State Highway Transportation Officials (AASHTO) classification. Based on the soil classification and our experience with similar projects, an Hveem R-value of 15 was assumed for design of flexible pavements and a corrected subgrade modulus of 75 pounds per cubic inch (pci) was assumed for rigid pavements.

Design Traffic: Traffic loading information was not available at the time of report preparation. Based on our experience, we assumed an equivalent 18-kip daily load application (EDLA) of 5 for standard duty areas (parking areas restricted to automobile traffic) and an EDLA of 20 for the heavy-duty areas (drive lanes and areas with auto and truck traffic, including occasional delivery trucks, and fire trucks with HS20 loading). If it is determined that actual traffic is significantly different from that assumed, we should be contacted to reevaluate the pavement thickness design.

Pavement Sections: The recommended sections were determined using an in-house spreadsheet based on the 1993 AASHTO pavement design procedures. Based on the subgrade conditions encountered and the traffic information provided, we recommend the following pavement sections:

Location	Asphalt Over Aggregate Base Course (inches)	Concrete Over Aggregate Base Course (inches)
Standard Duty	3 over 8	6 over 4
Heavy Duty	4 over 8	7 over 4

We recommend trash pickup areas and other areas where truck turning movements are concentrated be paved with Portland cement concrete.

Pavement Materials: Asphalt should consist of a mixture of aggregate, filler and asphalt cement established by a qualified engineer. Aggregate Base Course (ABC) should conform to the requirements of AASHTO M147 and to Section 703.03 of the CDOT Standard Specifications for Road and Bridge Construction. The ABC should meet Class 6 grading and quality as defined by the CDOT specifications. The ABC should have a minimum R-value of 77 and a minimum dry unit weight of 120 pcf when placed at the required compaction. The ABC must also meet all other appropriate CDOT specifications.

Concrete pavement should meet the requirements of a Class P Mix, per Section 601 of the CDOT Standard. Specifications, and should be based on a mix design established by a qualified engineer. Concrete joint spacing should be established by a qualified engineer. Concrete should be cured by protecting against loss of moisture, rapid temperature changes and mechanical injury for at least three days after placement. The concrete sections presented above are assumed to be unreinforced. Providing dowels at construction joints would help reduce the risk of differential movements between panel sections. Providing a grid mat of deformed rebar or welded wire mesh within the concrete pavement section would assist in mitigating corner breaks and differential panel movements. If a rebar mat is installed, we recommend that the bars be placed in the lower half of the pavement section. Also, if reinforcing is used, we have commonly seen No. 4 rebar placed at 24-inch center in each direction, however, we recommend that a structural engineer evaluate the placement and spacing of rebar if needed. Concrete pavement will be more sensitive to settlement or heave-related movements than asphalt pavement.

Subgrade Preparation: The existing fill soils should be removed and replaced with structural fill to design subgrade level. Prior to placing the pavement section, the entire subgrade area should be thoroughly scarified and well-mixed to a minimum depth of 8 inches, and adjusted to the moisture content and compaction criteria presented in the “Earthwork and Site Grading” section of the report. Following scarification and compaction, the pavement subgrade should be proof rolled with a heavily loaded pneumatic-tired vehicle. The vehicle should have a gross weight of at least 50,000 lbs., with a single loaded axel weight of 18,000 lbs., and a tire pressure of 100 psi.

Pavement design procedures assume a stable subgrade. Areas that deform excessively under heavy wheel loads are not stable and should be removed and replaced to achieve a stable subgrade prior to paving.

Drainage: The collection and diversion of surface drainage away from paved areas is extremely important to the satisfactory performance of the pavement. Drainage design should provide for the removal of water from paved areas and prevent the wetting of the subgrade soils.

Maintenance: Periodic maintenance of paved areas is critical to achieve the design pavement life. Crack sealing should be performed annually as new cracks appear. Joint seals in concrete should be replaced as they deteriorate. Chip seals, fog seals, or slurry seals applied at approximate intervals of 3 to 5 years are usually necessary for asphalt. As conditions warrant, it may be necessary to perform patching and structural overlays at approximate 10-year intervals.

DESIGN AND SUPPORT SERVICES

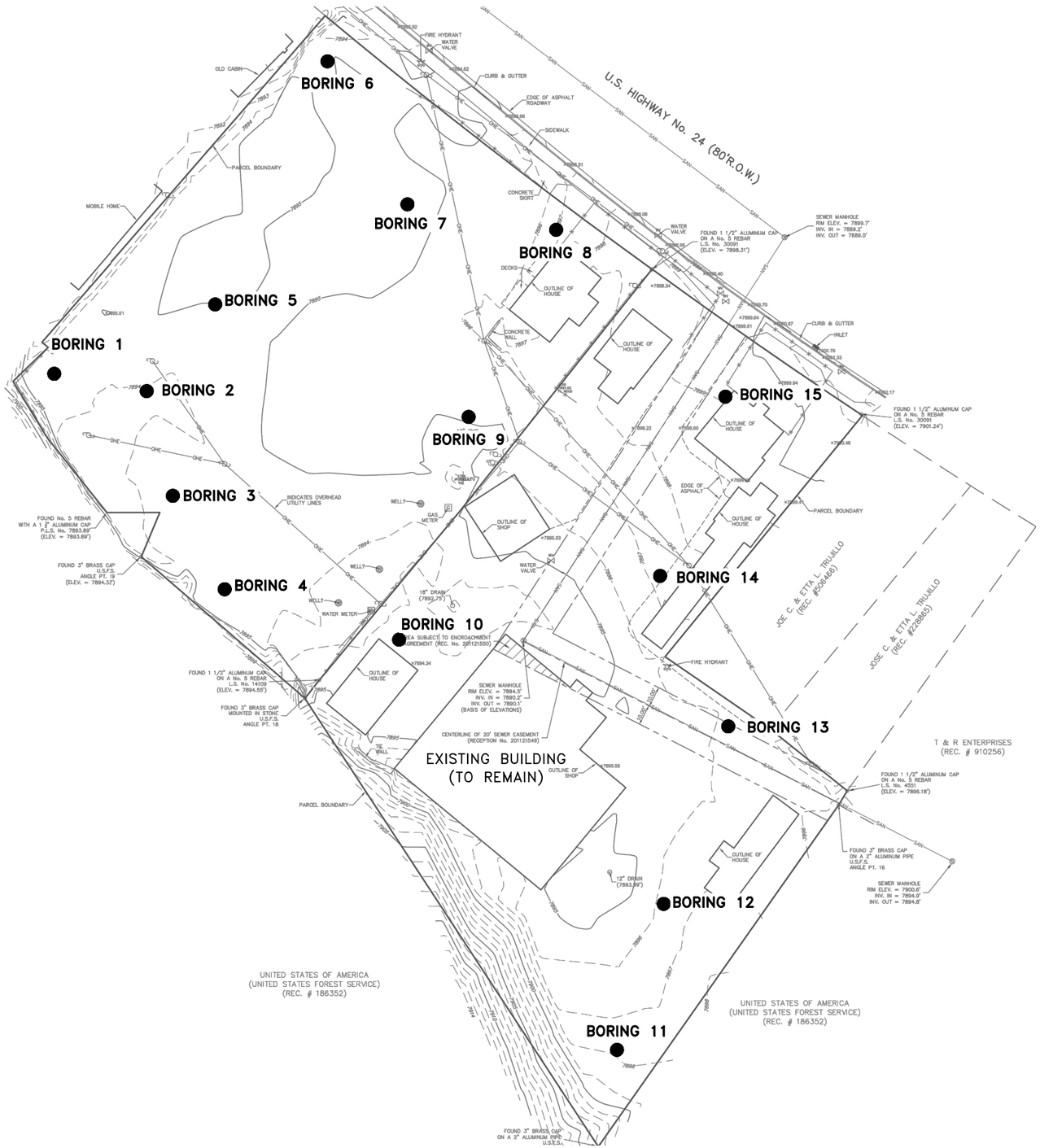
Kumar & Associates, Inc. should be retained to review the project plans and specifications for conformance with the recommendations provided in our report. We are also available to assist the design team in preparing specifications for geotechnical aspects of the project, and performing additional studies if necessary to accommodate possible changes in the proposed construction.

We recommend that Kumar & Associates, Inc. be retained to provide construction observation and testing services to document that the intent of this report and the requirements of the plans and specifications are being followed during construction. This will allow us to identify possible variations in subsurface conditions from those encountered during this study and to allow us to re-evaluate our recommendations, if needed. We will not be responsible for implementation of the recommendations presented in this report by others, if we are not retained to provide construction observation and testing services.

LIMITATIONS

This study has been conducted to develop geotechnical related design and construction criteria for the project. The conclusions and recommendations submitted in this report are based upon the data obtained from the exploratory borings at the locations indicated on Fig. 1 and the proposed type of construction. Our findings include interpolation and extrapolation of the subsurface conditions identified at the exploratory borings and variations in the subsurface conditions may not become evident until excavation is performed. If conditions encountered during construction appear different from those described in this report, we should be notified so that re-evaluation of the recommendations may be made. Our services do not include determining the presence, prevention or possibility of mold or other biological contaminants (MOBC) developing in the future. If the client is concerned about MOBC, then a professional in this special field of practice should be consulted.

This report has been prepared for the exclusive use by our client for design purposes. We are not responsible for technical interpretations by others of our information. As the project evolves, we should provide continued consultation and field services during construction to review and monitor the implementation of our recommendations, and to verify that the recommendations have been appropriately interpreted.



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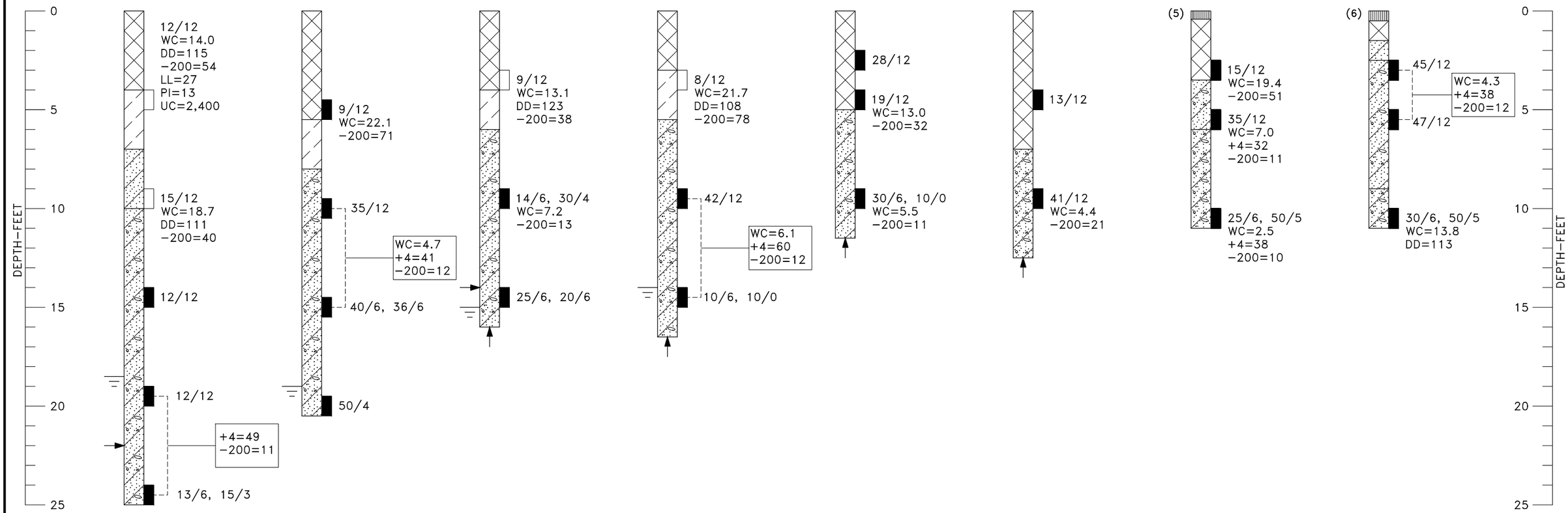
22–7–293	Kumar & Associates	MIDTOWN VILLAGE, MINTURN	LOCATION OF EXPLORATORY BORINGS	Fig. 1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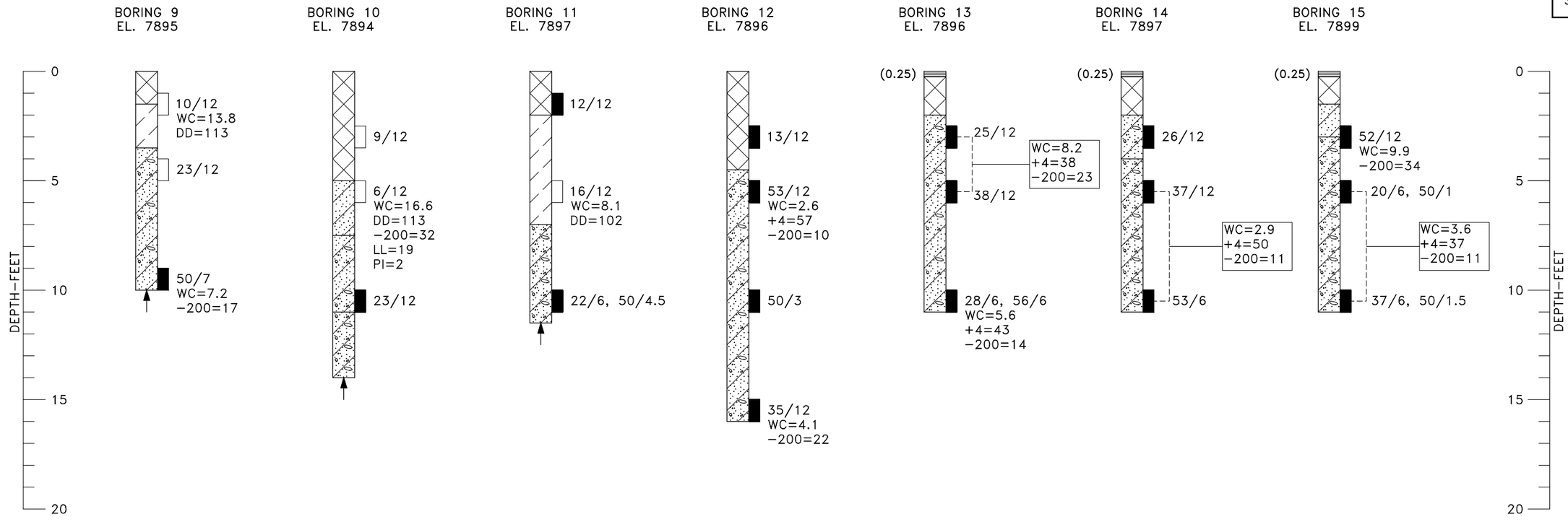

22−7−293	Kumar & Associates	MIDTOWN VILLAGE, MINTURN	LOGS OF EXPLORATORY BORINGS	Fig. 3

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LEGEND

(0.25) ASPHALT, THICKNESS IN INCHES SHOWN IN PARENTHESES TO LEFT OF THE LOG.

(5) CONCRETE, THICKNESS IN INCHES SHOWN IN PARENTHESES TO LEFT OF THE LOG.

FILL: SILTY TO CLAYEY SAND AND GRAVEL, COBBLES, SOME ORGANICS, LOOSE, MOIST, BROWN TO BLACK.

CLAY (CL); SILTY, SANDY, MEDIUM STIFF TO STIFF, MOIST, BROWN, LOW PLASTICITY.

SAND (SM); SILTY, SLIGHTLY CLAYEY, GRAVELLY, LOOSE TO MEDIUM DENSE, MOIST, BROWN.

SAND AND GRAVEL (SM–GM); SILTY, COBBLES WITH DEPTH, MEDIUM DENSE TO DENSE, MOIST TO WET WITH DEPTH, BROWN.

GRAVEL (GM); SILTY, SANDY, COBBLES, POSSIBLE BOULDERS, MEDIUM DENSE TO DENSE, MOIST TO WET WITH DEPTH, BROWN.

DRIVE SAMPLE, 2–INCH I.D. CALIFORNIA LINER SAMPLE.

DRIVE SAMPLE, 1 3/8–INCH I.D. SPLIT SPOON STANDARD PENETRATION TEST.

10/12 DRIVE SAMPLE BLOW COUNT. INDICATES THAT 10 BLOWS OF A 140–POUND HAMMER FALLING 30 INCHES WERE REQUIRED TO DRIVE THE SAMPLER 12 INCHES.

DEPTH TO WATER LEVEL ENCOUNTERED AT THE TIME OF DRILLING.

DEPTH AT WHICH BORING CAVED.

PRACTICAL AUGER REFUSAL.

NOTES

1. THE EXPLORATORY BORINGS WERE DRILLED ON MAY 31, 2022 WITH A 4–INCH DIAMETER CONTINUOUS–FLIGHT POWER AUGER.
2. THE LOCATIONS OF THE EXPLORATORY BORINGS WERE MEASURED APPROXIMATELY BY PACING FROM FEATURES SHOWN ON THE SITE PLAN PROVIDED.
3. THE ELEVATIONS OF THE EXPLORATORY BORINGS WERE OBTAINED BY INTERPOLATION BETWEEN CONTOURS ON THE SITE PLAN PROVIDED.
4. THE EXPLORATORY BORING LOCATIONS AND ELEVATIONS SHOULD BE CONSIDERED ACCURATE ONLY TO THE DEGREE IMPLIED BY THE METHOD USED.
5. THE LINES BETWEEN MATERIALS SHOWN ON THE EXPLORATORY BORING LOGS REPRESENT THE APPROXIMATE BOUNDARIES BETWEEN MATERIAL TYPES AND THE TRANSITIONS MAY BE GRADUAL.
6. GROUNDWATER LEVELS SHOWN ON THE LOGS WERE MEASURED AT THE TIME AND UNDER CONDITIONS INDICATED. FLUCTUATIONS IN THE WATER LEVEL MAY OCCUR WITH TIME.
7. LABORATORY TEST RESULTS:
   WC = WATER CONTENT (%) (ASTM D2216);
   DD = DRY DENSITY (pcf) (ASTM D2216);
   +4 = PERCENTAGE RETAINED ON NO. 4 SIEVE (ASTM D6913);
   –200= PERCENTAGE PASSING NO. 200 SIEVE (ASTM D1140);
   LL = LIQUID LIMIT (ASTM D4318);
   PI = PLASTICITY INDEX (ASTM D4318);
   UC = UNCONFINED COMPRESSIVE STRENGTH (psf) (ASTM D 2166);

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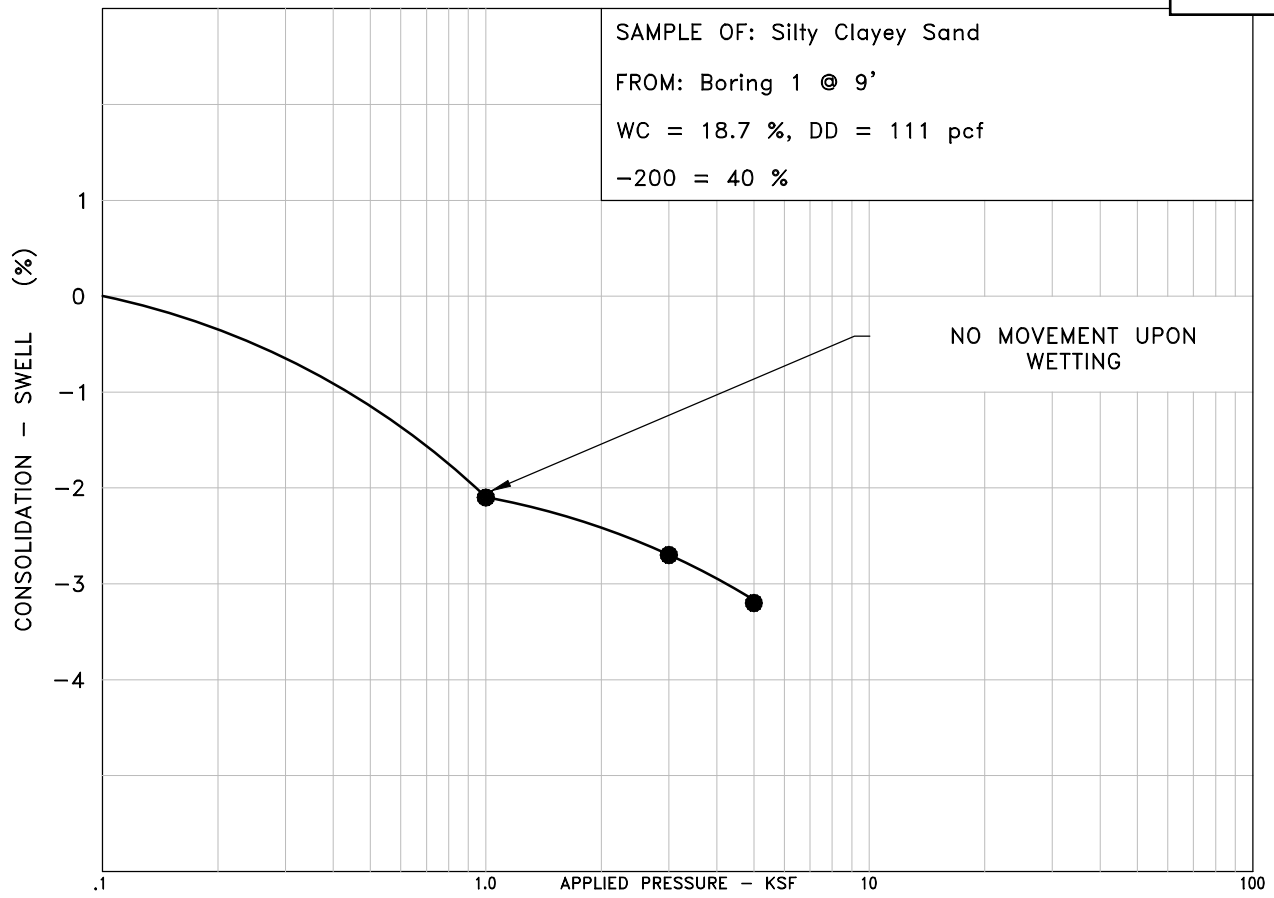

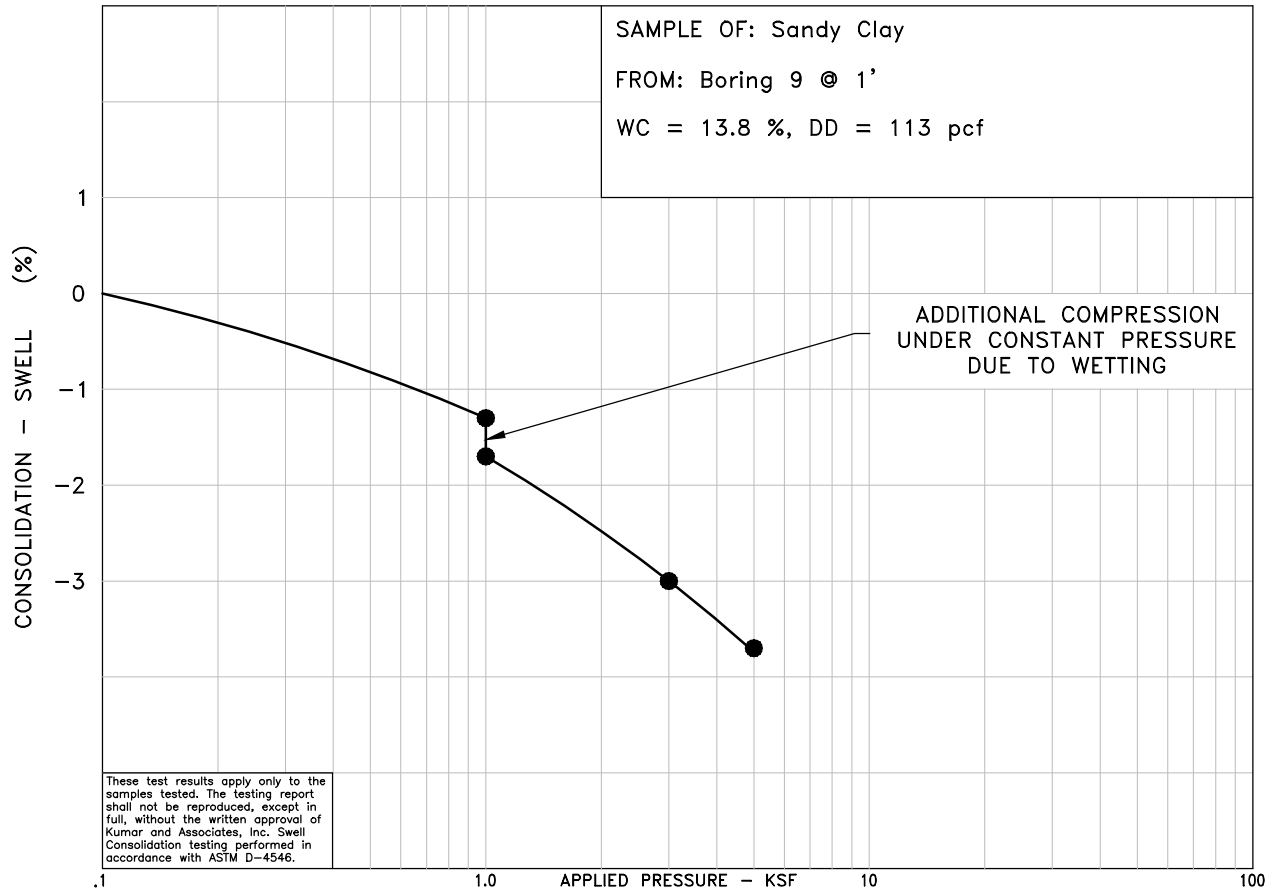

These test results apply only to the samples tested. The testing report shall not be reproduced, except in full, without the written approval of Kumar and Associates, Inc. Swell Consolidation testing performed in accordance with ASTM D-4546.

22-7-293	Kumar & Associates	SWELL-CONSOLIDATION TEST RESULTS	Fig. 5

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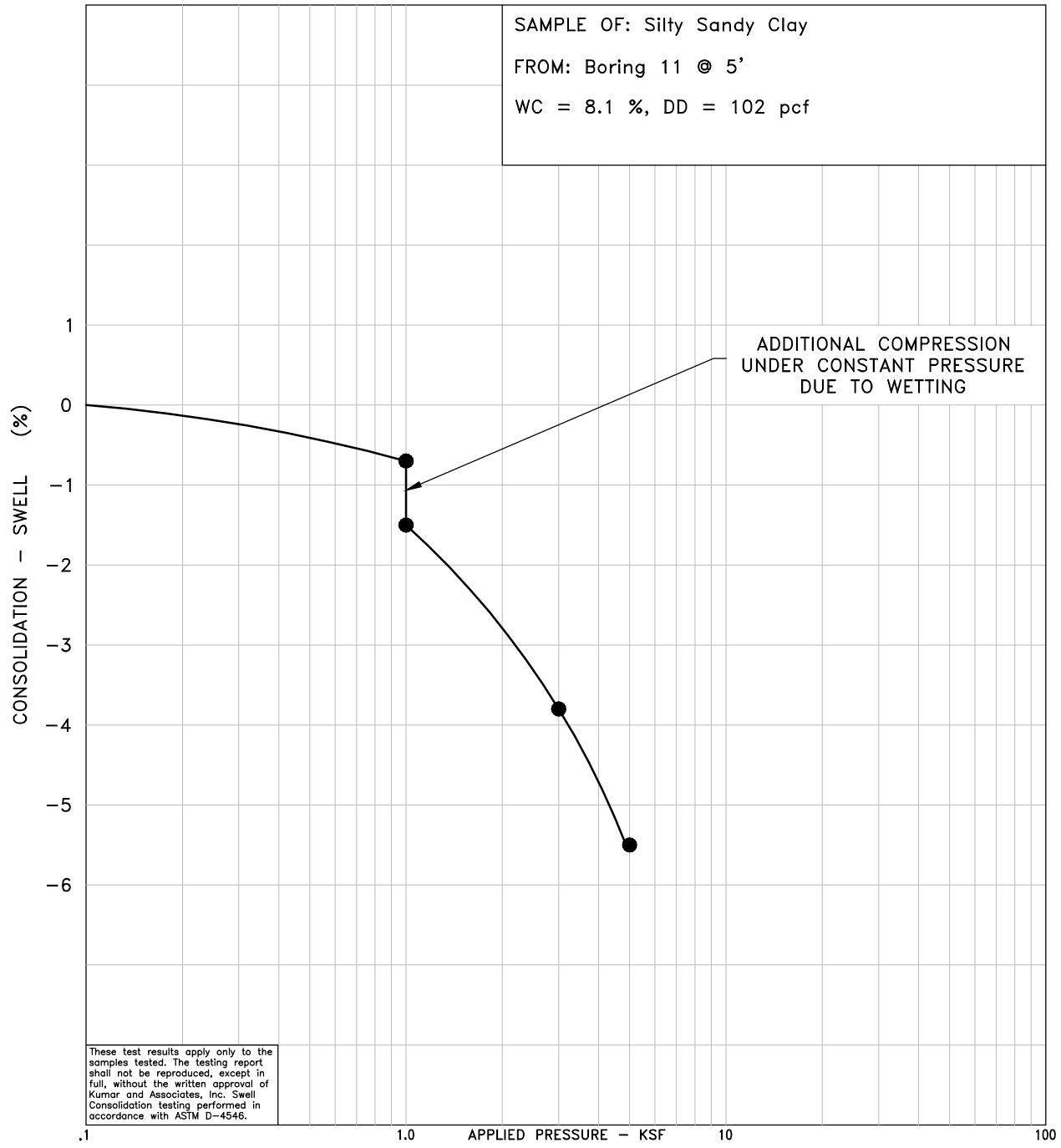

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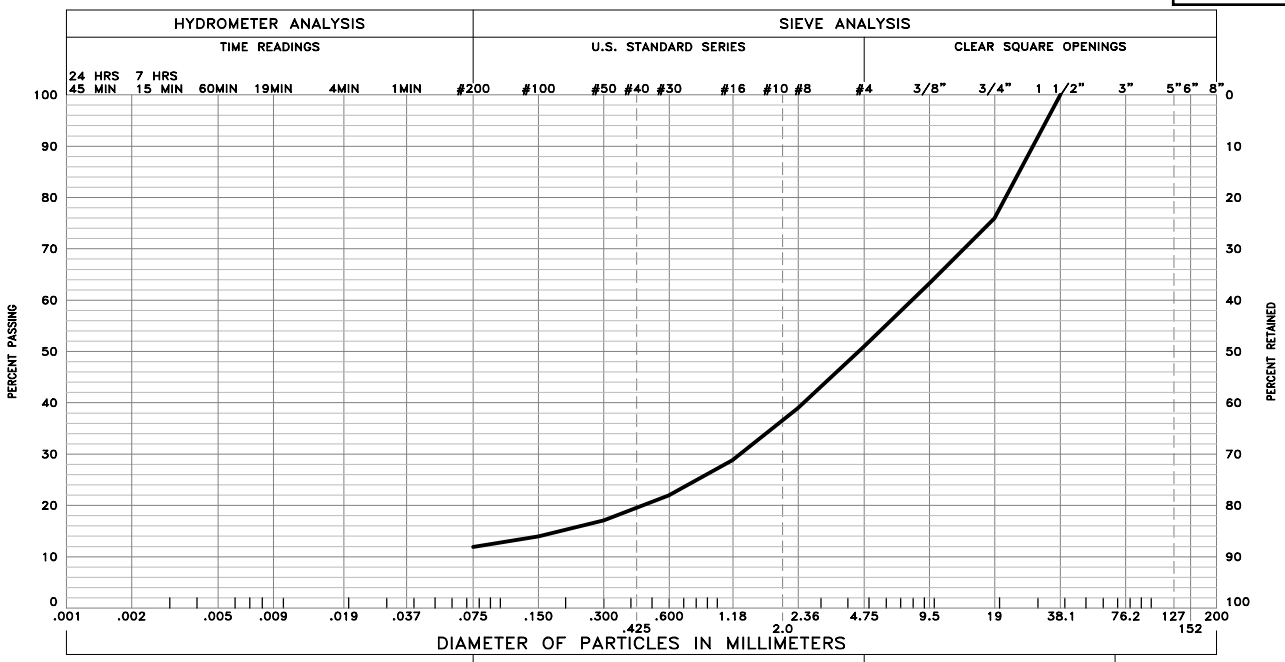
22-7-293	Kumar & Associates	SWELL-CONSOLIDATION TEST RESULTS	Fig. 6



GRAVEL 49 % SAND 40 % SILT AND CLAY 11 %

LIQUID LIMIT – PLASTICITY INDEX –

SAMPLE OF: Silty Sandy Gravel FROM: Boring 1 @ 19' & 24 (Combined)



GRAVEL 41 % SAND 47 % SILT AND CLAY 12 %

LIQUID LIMIT – PLASTICITY INDEX –

SAMPLE OF: Silty Sand and Gravel FROM: Boring 2 @ 9.5 & 14.5 (Combined)

These test results apply only to the samples which were tested. The testing report shall not be reproduced, except in full, without the written approval of Kumar & Associates, Inc. Sieve analysis testing is performed in accordance with ASTM D6913, ASTM D7928, ASTM C136 and/or ASTM D1140.

22-7-293	Kumar & Associates	GRADATION TEST RESULTS	Fig. 7

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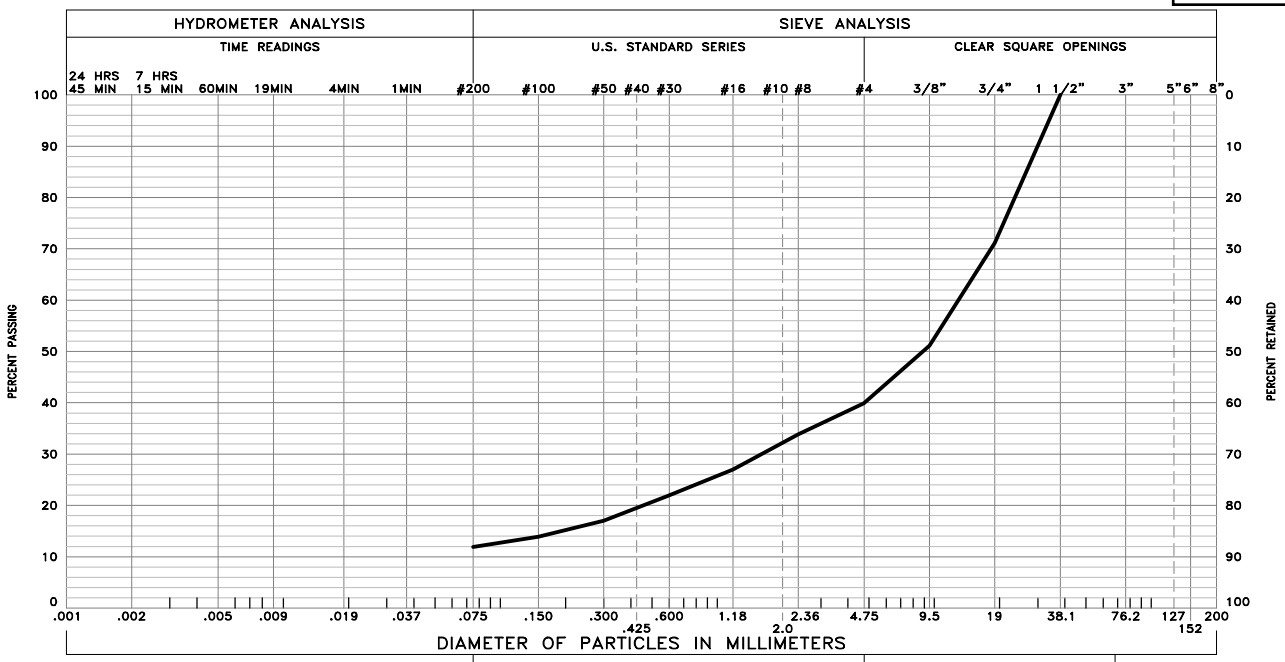
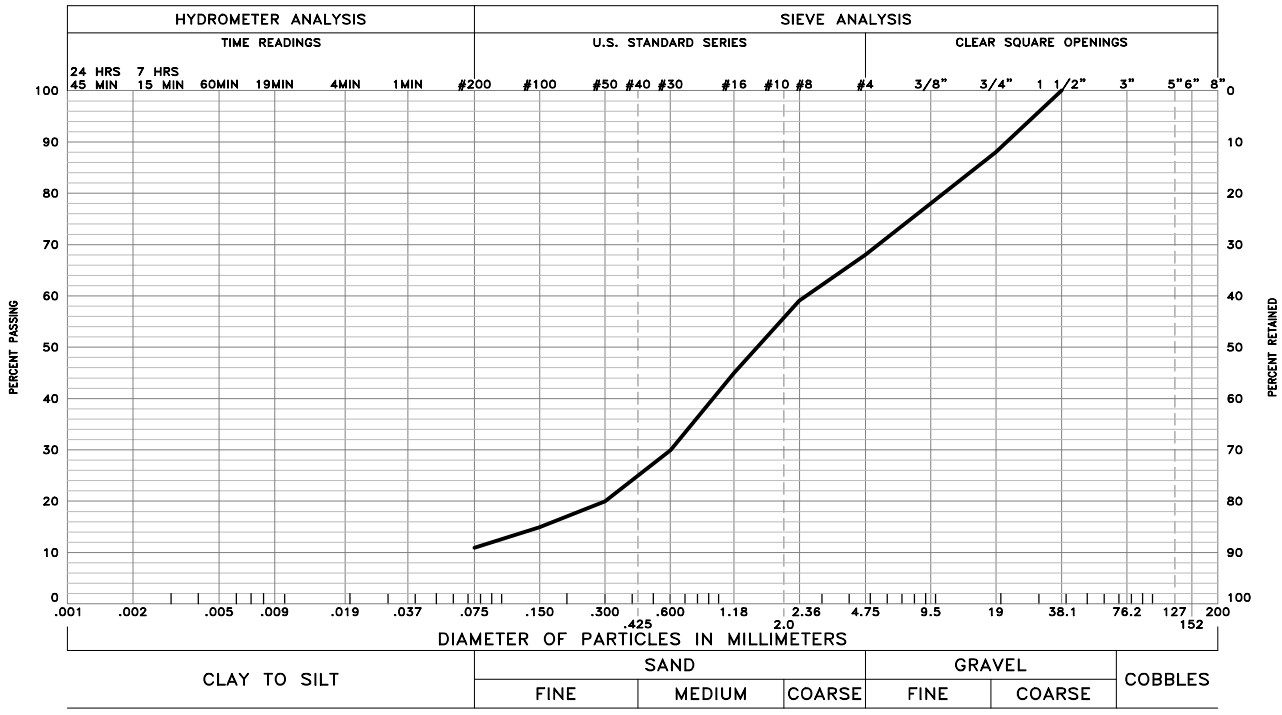


GRAVEL 60 % SAND 28 % SILT AND CLAY 12 %

LIQUID LIMIT – PLASTICITY INDEX –

SAMPLE OF: Silty Sandy Gravel FROM: Boring 4 @ 9' & 14' (Combined)



GRAVEL 32 % SAND 57 % SILT AND CLAY 11 %

LIQUID LIMIT – PLASTICITY INDEX –

SAMPLE OF: Silty Sand with Gravel FROM: Boring 7 @ 5'

These test results apply only to the samples which were tested. The testing report shall not be reproduced, except in full, without the written approval of Kumar & Associates, Inc. Sieve analysis testing is performed in accordance with ASTM D6913, ASTM D7928, ASTM C136 and/or ASTM D1140.

22-7-293	Kumar & Associates	GRADATION TEST RESULTS	Fig. 8

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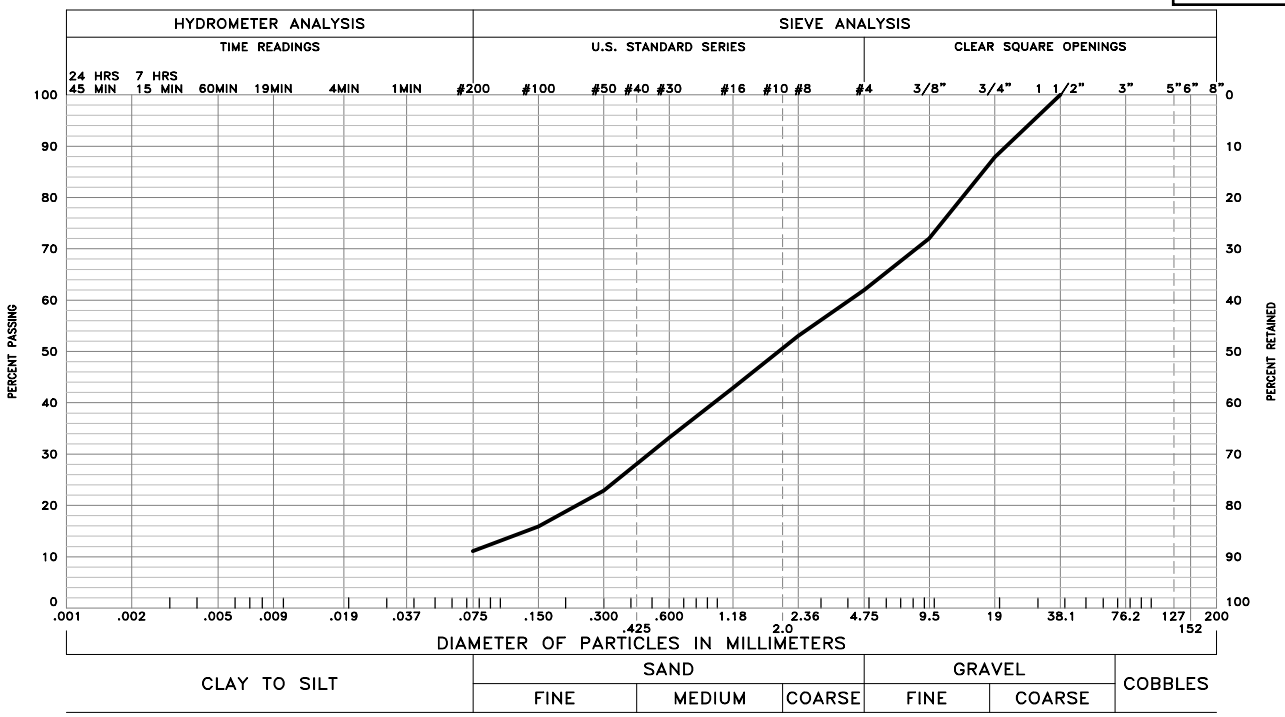
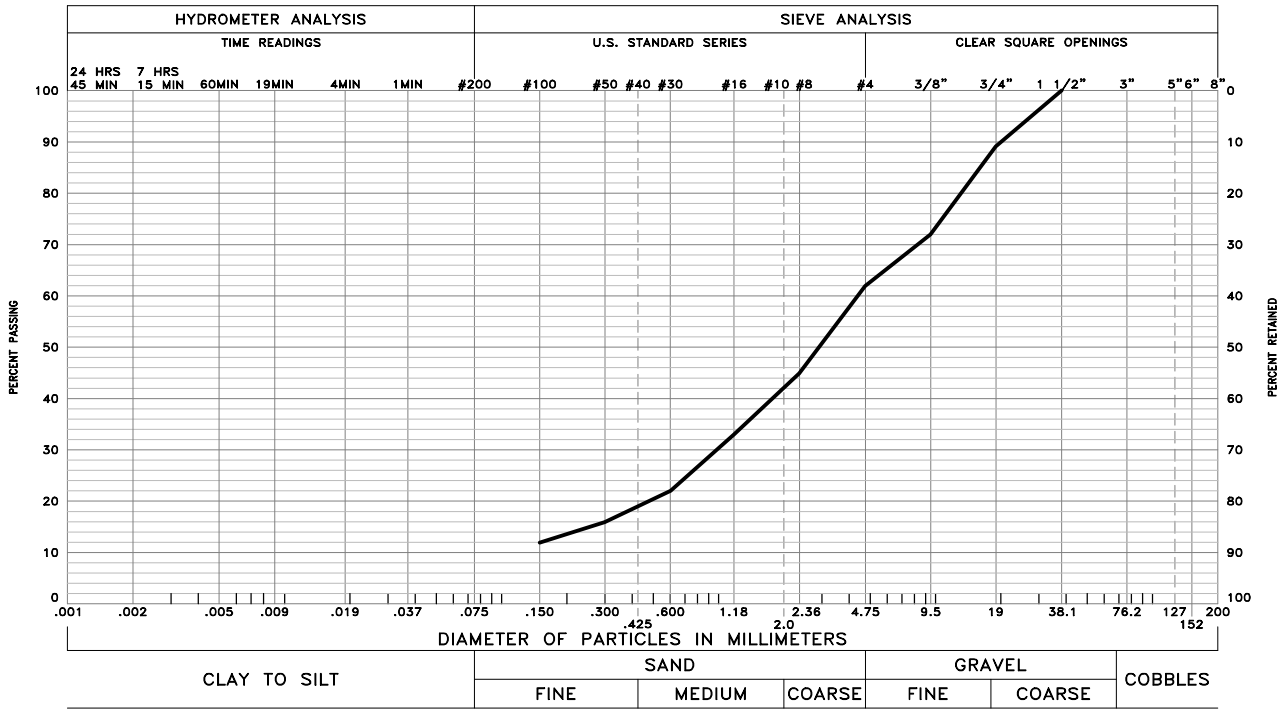


GRAVEL 38 % SAND 52 % SILT AND CLAY 10 %

LIQUID LIMIT – PLASTICITY INDEX –

SAMPLE OF: Silty Sand and Gravel FROM: Boring 7 @ 10'



GRAVEL 38 % SAND 50 % SILT AND CLAY 12 %

LIQUID LIMIT – PLASTICITY INDEX –

SAMPLE OF: Silty Sand with Gravel FROM: Boring 8 @ 2.5' & 5 ' (Combined)

These test results apply only to the samples which were tested. The testing report shall not be reproduced, except in full, without the written approval of Kumar & Associates, Inc. Sieve analysis testing is performed in accordance with ASTM D6913, ASTM D7928, ASTM C136 and/or ASTM D1140.

22-7-293	Kumar & Associates	GRADATION TEST RESULTS	Fig. 9

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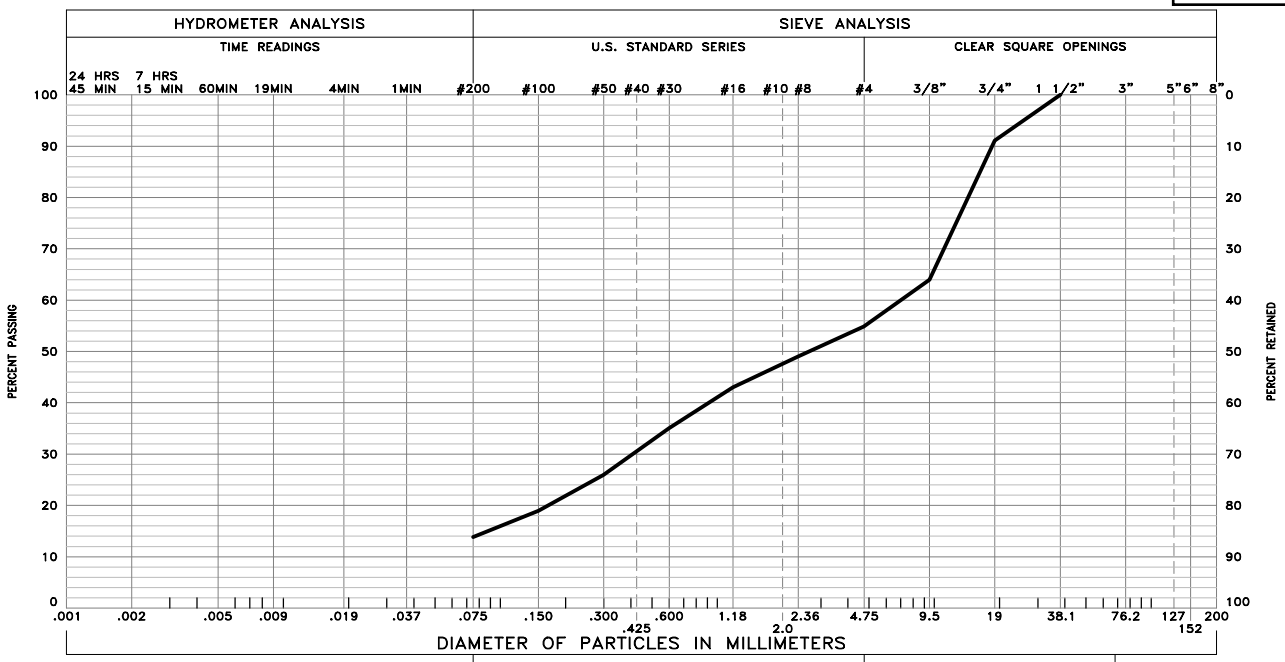

GRAVEL 45 % SAND 42 % SILT AND CLAY 13 %

LIQUID LIMIT – PLASTICITY INDEX –

SAMPLE OF: Silty Sandy Gravel FROM: Boring 8 @ 10'



GRAVEL 57 % SAND 33 % SILT AND CLAY 10 %

LIQUID LIMIT – PLASTICITY INDEX –

SAMPLE OF: Silty Sandy Gravel FROM: Bring 12 @ 5'

These test results apply only to the samples which were tested. The testing report shall not be reproduced, except in full, without the written approval of Kumar & Associates, Inc. Sieve analysis testing is performed in accordance with ASTM D6913, ASTM D7928, ASTM C136 and/or ASTM D1140.

22-7-293	Kumar & Associates	GRADATION TEST RESULTS	Fig. 10

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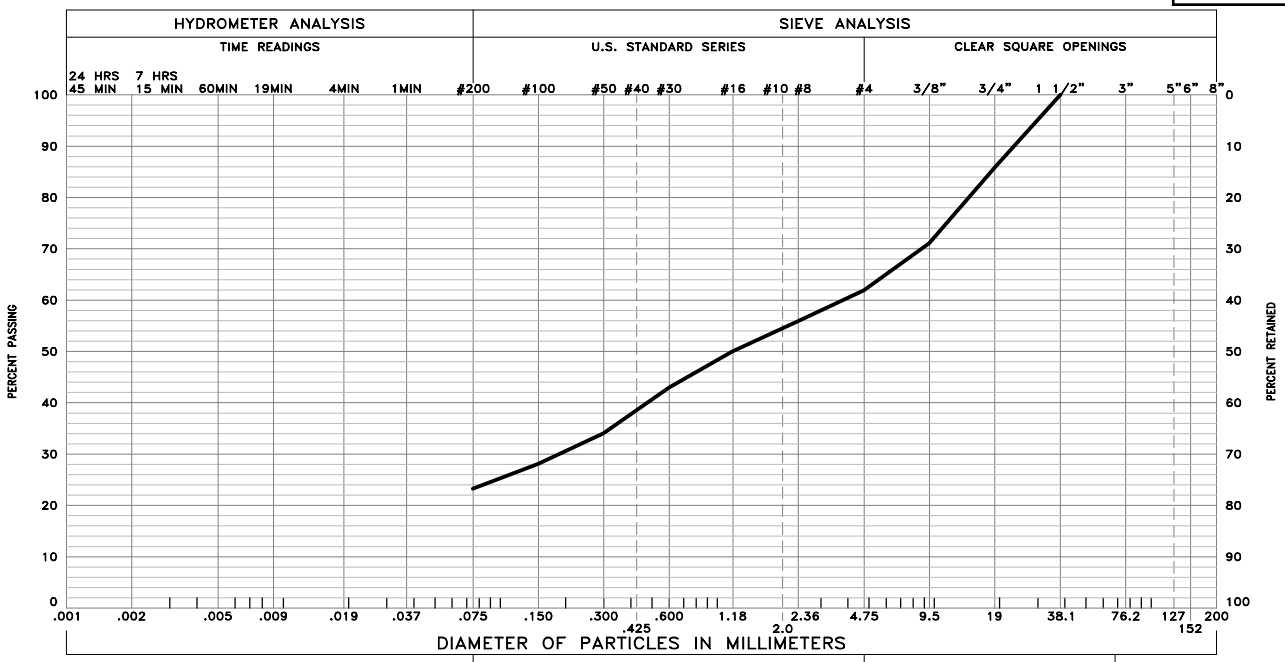
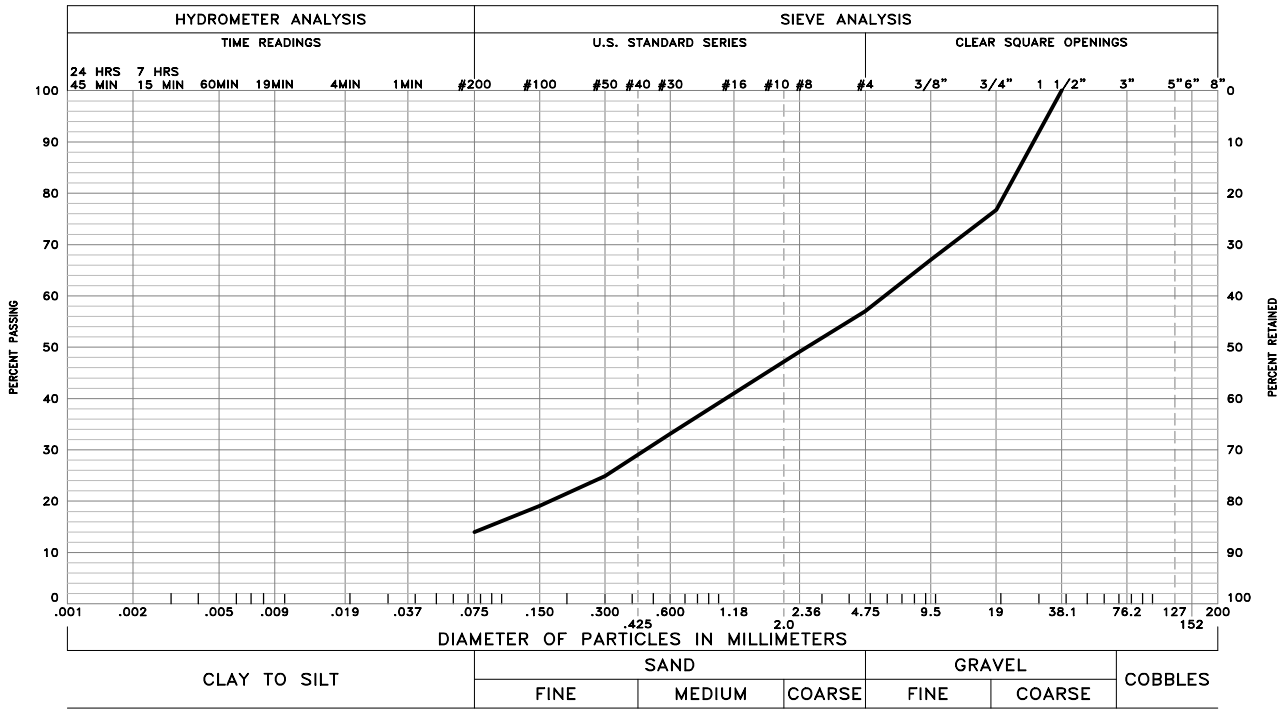


GRAVEL 38 % SAND 39 % SILT AND CLAY 23 %

LIQUID LIMIT – PLASTICITY INDEX –

SAMPLE OF: Silty Sand and Gravel FROM: Boring 13 @ 2.5' & 5' (Combined)



GRAVEL 43 % SAND 43 % SILT AND CLAY 14 %

LIQUID LIMIT – PLASTICITY INDEX –

SAMPLE OF: Silty Sand and Gravel FROM: Boring 13 @ 10'

These test results apply only to the samples which were tested. The testing report shall not be reproduced, except in full, without the written approval of Kumar & Associates, Inc. Sieve analysis testing is performed in accordance with ASTM D6913, ASTM D7928, ASTM C136 and/or ASTM D1140.

22-7-293	Kumar & Associates	GRADATION TEST RESULTS	Fig. 11

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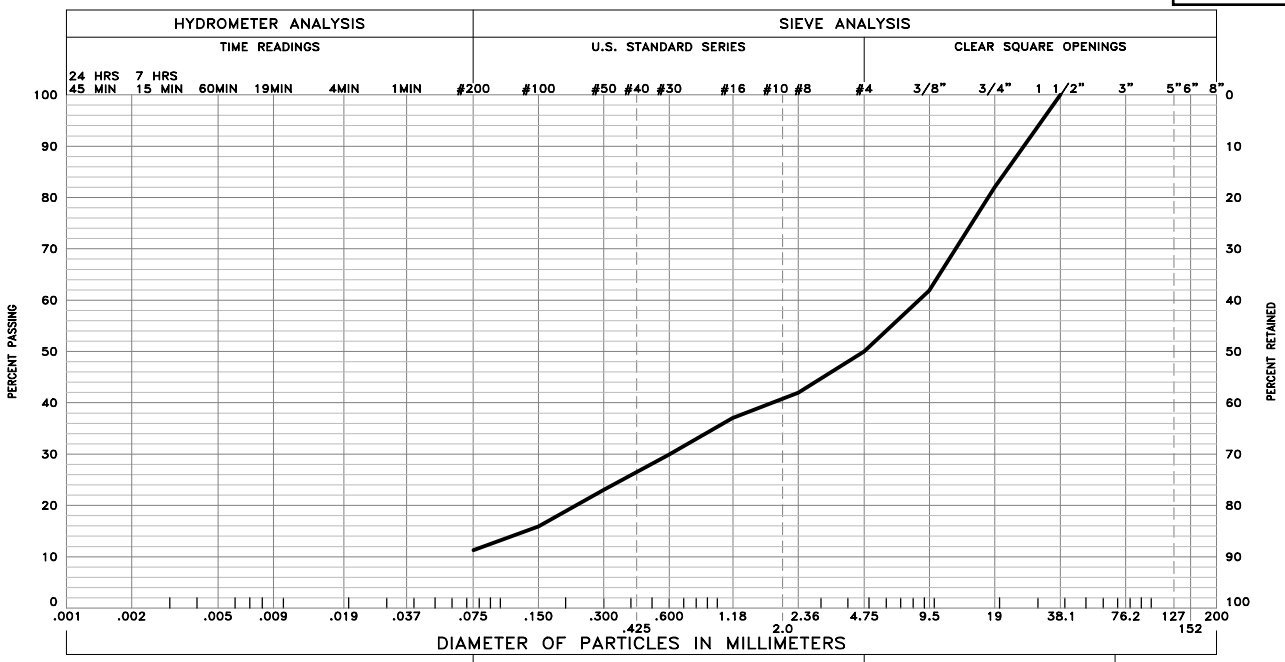

GRAVEL 50 % SAND 39 % SILT AND CLAY 11 %

LIQUID LIMIT – PLASTICITY INDEX –

SAMPLE OF: Silty Sandy Gravel FROM: Boring 14 @ 5' & 10' (Combined)



GRAVEL 37 % SAND 52 % SILT AND CLAY 11 %

LIQUID LIMIT – PLASTICITY INDEX –

SAMPLE OF: Silty Sand and Gravel FROM: Boring 15 @ 5' & 10' (Combined)

These test results apply only to the samples which were tested. The testing report shall not be reproduced, except in full, without the written approval of Kumar & Associates, Inc. Sieve analysis testing is performed in accordance with ASTM D6913, ASTM D7928, ASTM C136 and/or ASTM D1140.

22-7-293	Kumar & Associates	GRADATION TEST RESULTS	Fig. 12

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Geotechnical and Materials Engineers
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TABLE 1
SUMMARY OF LABORATORY TEST RESULTS

SAMPLE LOCATION		NATURAL MOISTURE CONTENT	NATURAL DRY DENSITY	GRADATION		PERCENT PASSING NO. 200 SIEVE	ATTERBERG LIMITS		UNCONFINED COMPRESSIVE STRENGTH		SOIL TYPE
BORING	DEPTH (ft)	(%)	(pcf)	GRAVEL (%)	SAND (%)		LIQUID LIMIT (%)	PLASTIC INDEX (%)	(psf)		
1	4	14.0	115			54	27	13	2,400		Sandy Silty Clay
	9	18.7	111			40					Silty Clayey Sand
	19 and 24 combined			49	40	11					Silty Sandy Gravel
2	4½	22.1				71					Sandy Silty Clay (Fill)
	9½ & 14½ combined	4.7		41	47	12					Silty Sand and Gravel
3	3	13.1	123			38					Clayey Sand and Gravel (Fill)
	9	7.2				13					Silty Sand and Gravel
4	3	21.7	108			78					Sandy Silty Clay
	9 and 14 combined	6.1		60	28	12					Silty Sandy Gravel

Kumar & Associates, Inc.®
Geotechnical and Materials Engineers
and Environmental Scientists

TABLE 1
SUMMARY OF LABORATORY TEST RESULTS

SAMPLE LOCATION		NATURAL MOISTURE CONTENT	NATURAL DRY DENSITY	GRADATION		PERCENT PASSING NO. 200 SIEVE	ATTERBERG LIMITS		UNCONFINED COMPRESSIVE STRENGTH		SOIL TYPE
BORING	DEPTH (ft)	(%)	(pcf)	GRAVEL (%)	SAND (%)		LIQUID LIMIT (%)	PLASTIC INDEX (%)	(psf)		
5	4	13.0				32					Silty Gravelly Sand (Fill)
	9	5.5				11					Silty Sand and Gravel
6	9	4.4				21					Silty Sand and Gravel
7	2½	19.4				51					Very Sandy Clay (Fill)
	5	7.0		32	57	11					Silty Sand with Gravel
	10	2.5		38	52	10					Silty Sand and Gravel
8	2½ and 5 combined	4.3		38	50	12					Silty Sand with Gravel
	10	4.2		45	42	13					Silty Sandy Gravel
9	1	13.8	113								Sandy Clay
	9	7.2				17					Silty Sand and Gravel

Kumar & Associates, Inc.®
Geotechnical and Materials Engineers
and Environmental Scientists

TABLE 1
SUMMARY OF LABORATORY TEST RESULTS

Project No. 22-7-293

SAMPLE LOCATION		NATURAL MOISTURE CONTENT	NATURAL DRY DENSITY	GRADATION		PERCENT PASSING NO. 200 SIEVE	ATTERBERG LIMITS		UNCONFINED COMPRESSIVE STRENGTH		SOIL TYPE
BORING	DEPTH (ft)	(%)	(pcf)	GRAVEL (%)	SAND (%)		LIQUID LIMIT (%)	PLASTIC INDEX (%)	(psf)		
10	5	16.6	113			32	19	2			Silty Clayey Sand
11	5	8.1	102								Silty Sandy Clay
12	5	2.6		57	33	10					Silty Sandy Gravel
	15	4.1				22					Silty Sand and Gravel
13	2½ and 5 combined	8.2		38	39	23					Silty Sand and Gravel
	10	5.6		43	43	14					Silty Sand and Gravel
14	5 and 10 combined	2.9		50	39	11					Silty Sandy Gravel
15	2½	9.9				34					Silty Clayey Sand with Gravel
	5 and 10 combined	3.6		37	52	11					Silty Sand and Gravel

ENVIRONMENTAL IMPACT REPORT

MIDTOWN VILLAGE

MINTURN, COLORADO



prepared for:

10th MOUNTAIN BUILDERS

1632 S MAIN ST, MINTURN, CO 81645

prepared by:

BIRCH ECOLOGY, LLC

429 MAIN ST, LYONS, CO 80540

BIRCH ECOLOGY

NOVEMBER 2022

TABLE OF CONTENTS

Section / Title	Page
1.0 INTRODUCTION	1
2.0 ENVIRONMENTAL SETTING	1
3.0 EXISTING CONDITIONS	2
3.1 Hydrology	2
3.1.1 Surface Water	2
3.1.2 Groundwater	2
3.1.3 100-Year Floodplain	2
3.2 Atmospheric Conditions	2
3.3 Geologic Conditions	2
3.3.1 Geology	2
3.3.2 Soils	3
3.4 Biotic Conditions	3
3.4.1 Vegetation	3
3.4.2 Wildlife	3
3.5 Environmental Conditions	3
3.6 Noise & Odors	4
3.7 Visual Conditions	4
3.8 Land Uses	4
3.9 Population	4
3.10 Traffic	4
4.0 PROPOSED PROJECT	5
4.1 Commercial	5
4.2 Apartments	5
4.3 Townhomes	5
4.4 Single Family Homes	6
4.5 Access and Transportation	6
4.6 Utilities	6
4.7 Stormwater Management	6
5.0 IMPACTS & MITIGATION	7
5.1 Hydrology	7
5.1.1 Surface Water	7
5.1.2 Groundwater	7
5.1.3 100-Year Floodplain	7
5.2 Atmospheric Conditions	7
5.3 Geologic Conditions	7
5.3.1 Geology	7
5.3.2 Soils	7
5.4 Biotic Conditions	8
5.4.1 Vegetation	8
5.4.2 Wildlife	8
5.5 Environmental Impacts	8
5.6 Noise & Odors	8

5.7 Visual Impacts 8
5.8 Land Uses 9
5.9 Population 9
5.10 Traffic 9
5.11 Fiscal Impacts 9
5.12 Permits & Coordinating Agencies 10
6.0 SUMMARY OF ENVIRONMENTAL IMPACTS 10
7.0 FIGURES 12
8.0 TABLES 25
9.0 PHOTOS 28
10.0 REFERENCES 34
APPENDIX A. CDPHE AIR QUALITY DATA 35

LIST OF FIGURES

Number / Title **Page**

Figure 1. Project Location Map. 13
Figure 2. Aerial Photo. 14
Figure 3. Existing Drainage Plan. 15
Figure 4. Soil Boring Map by AEI Consultants. 16
Figure 5. 100-Year Floodplain. 17
Figure 6. Soil Boring Map by Kumar and Associates. 18
Figure 7. NRCS Soil Map. 19
Figure 8. Elk Winter Range. 20
Figure 9. Lynx Habitat. 21
Figure 10. Proposed Development Plan. 22
Figure 11. Preliminary Stormwater Management Plan. 23
Figure 12. Traffic Study. 24

LIST OF TABLES

Number / Title **Page**

TABLE 1. CDPHE Ambient Air Concentration Estimates 26

TABLE 2. Vascular Plant Species List 27

LIST OF PHOTOS

Number / Title **Page**

Photo 1. The site is adjacent to the White River National Forest. (5/10/22). 29

Photo 2. A panoramic view from the southeast corner of the site. (5/10/22) 29

Photo 3. The area on the northwest side of the sites. (5/10/22). 30

Photo 4. A vegetated strip dominated by weeds separates the parcel. (5/10/22). 30

Photo 5. A mixture of building types characterizes the southeast side. (5/10/22) 31

Photo 6. Construction materials along the boundary. (5/10/22). 31

Photo 7. Construction and miscellaneous materials are piled. (5/10/22). 32

Photo 8. Cracked pavement, old buildings, and piled construction supplies. (5/10/22). 32

Photo 9. An existing commercial building with loft apartments. (5/10/22). 33

1.0 INTRODUCTION

10th Mountain Builders is planning to redevelop six contiguous parcels into one comprehensive Plat with the vision to revive this section of Minturn into a thriving micro community. The proposed project would provide a diverse mix of affordable housing types and new commercial business space opportunities in the 900 Block of the South Town Commercial Zone of Minturn, Colorado, located in Section 35 of Township 5 South and Range 81 West in Eagle County (Figures 1 & 2). This site represents one of the remaining "infill" areas within the town of Minturn suitable for higher density redevelopment according to historical mixed uses.

To aid project planning, an Environmental Impact Report (EIR) was prepared for the Midtown Village project site. This report documents the existing and proposed conditions of the Midtown Village parcel in accordance with the EIR guidelines outlined in Article 20 of Minturn's Town Code; it discusses other required permits and coordinating agencies; and provides a summary and analysis of impacts. Please note, all figures are included in Section 7.0, tables are in Section 8.0, and Photos are in Section 9.0. Appendix A contains a discussion of air quality prepared by the Colorado Department of Public Health and Environment (CDPHE).

2.0 ENVIRONMENTAL SETTING

The EIR study area is in the South Town Commercial Zone of the town of Minturn, Colorado (Figures 1 & 2). The Midtown Village project would combine six contiguous properties into one parcel covering approximately 2.53 acres. The project site is currently characterized by residential and commercial structures, asphalt driveways and parking areas, and small areas of ornamental landscaping.

The site is bounded to the northeast by Highway 24, which provides three access points to the parcel. White River National Forest is located to the southwest (Photo 1), and Martin Creek Open Space lies to the southeast (Photo 2; Figure 2). Residential housing flanks the northwest and part of the east side of the project site (Photo 3).

Currently, the site supports a variety of land uses including residential and commercial space, parking, and storage. However, these existing structures are out-of-date and in poor condition. An approximately 40-foot-wide strip of weedy vegetation separates the parcel into two large sections (Photo 4). The northwestern section is predominately unpaved and housed nine mobile homes until they were removed in 2019 (Figure 2). This area now serves as a parking space for vehicles and contains a few small structures. The southeastern portion is primarily paved and features a commercial building with two second-story apartments, a garage/shop that is used for light industrial work (Photo 5), and several small homes and mobile homes. Piles of miscellaneous construction materials are scattered about the site (Photos 6 and 7).

The surrounding area in Minturn is developed with businesses, recreational amenities, and residences. The Eagle River is located approximately 300 feet to the northeast behind development across Highway 24. Elevations of the project area range from a high of

approximately 7,921 feet at the northeastern side of the parcel, to a low of 7,914 feet at the western extent of the study area.

3.0 EXISTING CONDITIONS

3.1 Hydrology

3.1.1 Surface Water

The project site does not contain any streams, ponds, or other surface water features. The Eagle River, a perennial stream, is located approximately 300 feet to the northeast. Both Highway 24 and additional development on the opposite side of Highway 24 separate the project site from Eagle River.

A drainage report prepared by Midwestern Consulting identified three basins that drain into the project area (Figure 3). A 38-acre basin is located to the southeast and drains directly onto the project site. Two drainage basins totaling 142 and 13.1 acres also contribute to stormwater runoff on the project area. Currently, no stormwater management infrastructure is in place.

3.1.2 Groundwater

Groundwater was evaluated as part of a Phase II Subsurface Analysis prepared by AEI Consultants. This study, which consisted of five borings, indicates that the groundwater exists at a depth of 10-12 feet below ground and flows northeast following the topographic gradient (Figure 4).

3.1.3 100-Year Floodplain

Figure 5 illustrates the 100-year floodplain of the Eagle River. The project site is located approximately 300 feet to the southwest of Eagle River, outside of the FEMA 100-year floodplain.

3.2 Atmospheric Conditions

The Colorado Department of Public Health and Environment (CDPHE) provided data on the estimated ambient air concentrations of six air pollutants for the Midtown Village project site (Table 1). Please note, local air monitoring data do not exist for Minturn, Colorado; therefore, CDPHE developed best estimates for the general geographic area using available CDPHE data. Eagle County is in an attainment area as summarized by Table 1. The estimated concentrations of each of the six air pollutants assessed for this region remained below the standard concentration. For further details, please refer to CDPHE's correspondence in Appendix A.

3.3 Geologic Conditions

3.3.1 Geology

The geology of the western portion of the site is described in the Phase I Environmental Report by Braun Environmental. The Town of Minturn is situated in a deep mountain valley between the two uplifted areas. Most of the Town of Minturn and all the Subject Property are located on locally deposited stream gravels sourced from the Eagle River. These gravels are made up of a mixture of Paleozoic sedimentary rock and metamorphosed Precambrian rock. The

bulk of this gravel is comprised of the Precambrian material as this older rock is more resistant to erosive conditions.

For further details on the geology of the surrounding areas, please refer to the geotechnical report by Braun Environmental, Inc. and the Subsoil Study report by Kumar and Associates, Inc.

3.3.2 Soils

Figure 7 illustrates the NRCS soil types for the project area. The study area is mapped as a combination of Forsey cobble loam at 3 to 12 percent slopes and Ansel-Anvik association at 25 to 45 percent slopes. Neither soil type has been rated as hydric by the NRCS.

A subsoil study was performed by Kumar and Associates, Inc. on the eastern portion of the site and completed on July 25th, 2022. A total of 15 soil borings were used to evaluate the subsoils on the site (Figure 6). Subsoils encountered in the borings consisted of approximately 1½ to 7 feet of mixed clayey silty sand, gravel, and cobble fill; 2 to 5 feet of natural sandy clay and silty sand down to about 3 to 10 feet; and were underlain by relatively dense, slightly silty to silty sand, gravel, and cobbles with possible boulders to the boring depths of 10 to 25 feet.

3.4 Biotic Conditions

3.4.1 Vegetation

The Midtown Village project site is highly disturbed and lacks any native plant communities (Photos 2 and 3). The southern edge borders U.S. Forest Service lands, where aspen *(Populus tremuloides)*, Engelmann spruce *(Picea engelmanii)*, Woods' rose *(Rosa woodsii)* and common juniper *(Juniperus communis)* extend out from the forest edge along the property line. The interior of the parcel has small areas of ornamental vegetation around existing buildings, but most of the vegetation consists of weedy, introduced species and noxious weeds. In particular, wild chamomile *(Matricaria perforata)* and plumeless thistle *(Carduus acanthoides)* are common in the disturbed soil. In addition, a few large choke cherry *(Prunus virginia var. melanocarpa)* shrubs occur in the northwestern corner and there are several planted blue spruce *(Picea pungens)* trees along the northern side near Main Street.

3.4.2 Wildlife

The project site is highly disturbed, lacks native plant communities, and does not provide significant wildlife habitat. Moreover, Highway 24, which is heavily trafficked, is directly adjacent to the property.

The project site is outside American Elk winter range mapped by CPW (Figure 8). In addition, it is not included in the areas that have been mapped as potential habitat for lynx (Figure 9). Likewise, the adjacent National Forest and Martin Creek Open Space land are outside the mapped elk winter range or potential lynx habitat.

3.5 Environmental Conditions

On June 1st, 2015 Braun Environmental, Inc. conducted a Phase 1 Environmental Investigation which revealed that some parking areas contained minor soil staining likely sourced from "drips" from vehicles. Their report stated that the stains appear to be limited to a few "drips,"

de minimis in nature, and do not represent a recognized environmental condition. Therefore, this investigation did not identify any significant environmental impacts on the property.

A Limited Phase II Subsurface Investigation of the project site prepared by AEI Consultants investigated the potential for petroleum and hazardous chemicals used for auto servicing in the green and brown buildings (Photo 5) to have infiltrated the subsurface via floor drains installed in each building. To further examine the extent of these substances in the subsurface, Site Services Drilling of Golden, Colorado drilled three borings for soil sampling and two groundwater monitoring wells (Figure 4). The results of their analysis indicate that TPH and petroleum compounds were present but remained below the limits of accepted concentrations following the US EPA Regional Screening Levels for industrial soil and protection for groundwater. Therefore, these compounds only generate low level impacts that do not require further action at this point.

3.6 Noise & Odors

The site is in the developed South Town Commercial Zone of Minturn Colorado and is directly adjacent to Highway 24 corridor. This road generates noise and odors from traffic. There are no significant sources of noise or odors from the existing land uses on the project site.

3.7 Visual Conditions

The project area is visible from Highway 24 and is currently occupied by a mix of housing, mobile homes, and commercial buildings. The existing structures are one or two stories high. The visual character is impacted by old buildings, cracked pavement, and piles of construction materials (Photo 8).

3.8 Land Uses

This area has been designated as mixed use. The existing site contains a fully occupied 3,000 sf commercial building with two apartments above (Photo 9). The site also contains four single family homes, two mobile homes, one industrial garage/shop and a large area of vacant land that formerly housed nine mobile homes (removed in 2019).

In addition, the property has been used to store miscellaneous items including vehicles, tools, and building materials.

3.9 Population

The existing population of the property is housed by the 3,000-sf commercial building with two apartments above, four single family homes, and two mobile homes.

3.10 Traffic

US Highway 24 serves as Main Street through Minturn and is the main road access to the site. Currently three entrances provide access from Highway 24.

McDowell Engineering, LLC of Eagle, Colorado prepared a Traffic Impact Study to analyze current and projected traffic along Highway 24 (Figure 12). Traffic data were documented from CDOT's Online Transportation Information System (OTIS) by assessing the nearest Traffic Counter Station (100776), which extends from Mile Marker 145.537 to Mile Marker 150.868. The most recent CDOT traffic counts at this station at the

time of analysis were taken on October 2-3, 2019. These values were adjusted based on a seasonal adjustment factor of 1.30 and an expected yearly growth rate of 0.05%.

Traffic for 2022 along Highway 24 was averaged as 302 vehicles per hour (vph) westbound and 55 vph eastbound during the morning peak hour (7:00 am), and 125 vph westbound and 303 vph eastbound during the evening peak hour (5:00 pm). By 2024, traffic along Highway 24 is projected to increase to 305 vehicles per hour westbound and 56 vph eastbound in the morning peak hour, and 126 vehicles per hour westbound and 306 vph eastbound at 5:00 pm.

The project site does not contain a sidewalk along Highway 24 or public paths/access to While River National Forest / Marin Creek Open Space.

4.0 PROPOSED PROJECT

This report describes the environmental impact of the PUD proposal for Midtown Village. The proposed project would enhance and redevelop one of the last infill areas remaining within Minturn designated for higher density redevelopment by uniting adjacent properties/addresses (947, 961, 981, 985 & 987 Main Street) into one 2.53-acre Plat.

The vision for the project is to provide a diverse mix of affordable housing types and new commercial business space opportunities with 64% of the project designated as Resident-Occupied Deed Restricted. The proposed commercial and residential spaces are designed to complement the existing residential properties and businesses surrounding the site and enhance the availability of affordable housing and commercial space within the town of Minturn. Figure 10 shows the proposed development plan.

4.1 Commercial

The existing commercial building (Photo 9) will be renovated to contain grade-level commercial space. A second commercial building will be constructed along Main Street and will occupy an area of 4,500 sf.

4.2 Apartments

Both the existing and proposed commercial buildings will contain second-story loft apartments. Two Resident-Occupied Deed Restricted Rental apartments will be located above the existing structure, and four rental apartments will be built within the new commercial building.

Construction of a sixteen-unit apartment building will be situated at the southeastern corner of the property. These units will be Resident-Occupied Deed Restricted Rentals. This structure will cover an area of 13,394 sf.

4.3 Townhomes

Two townhome buildings will contain a total of ten units available for sale. These structures will be located on the east side of the property and each cover 4,000 sf.

4.4 Single Family Homes

A total of ten single family homes situated on the west side of the property will help fulfill the vison of providing an affordable pathway to homeownership in Minturn. Eight of these homes will be Micro Homes that range from 600-1000 sf and cover an area of 500 sf. The proposed Micro Homes take inspiration from a group of houses constructed in the 1960s on the south side of town to provide schoolteacher housing.

The other two houses will be cottages each covering 920 sf of the project site.

4.5 Access and Transportation

Site access to the Midtown Village site will be provided by an existing access road at mile marker 146.16 on Highway 24. Currently, there are three access points for the six-parcels, two of which will be closed. Paved parking spaces and an underground parking garage situated beneath the apartment building will provide resident parking.

Additionally, the construction of an on-site ECO Bus shelter will provide direct public transportation to and from the site. A sidewalk will join existing sidewalks to enhance the connectivity of pedestrian infrastructure, and a trail system will facilitate access to Marin Creek Open Space and White River National Forest from Highway 24.

4.6 Utilities

Midtown Village anticipates that the Town water system would supply 100% of the domestic water and ERWSD would provide 100% of the sanitary sewer service. The developer has accounted for the current state of Minturn's water resources and the proposed improvements that are in process.

The capacity for both water and sewer resources is anticipated to be available and sufficient for the project by the time of buildout of each phase. Phase 1 of the development (which encompasses upgrading the current site infrastructure, renovating the existing commercial building, constructing the apartment building, and creating the ECO Bus shelter) will reallocate the water supply and number of taps currently used on this site. New water and sewer main and service lines will be installed. The existing overhead Xcel Power lines will be removed and replaced by buried power services.

Phase 2 (single family homes and townhomes) and Phase 3 (the new commercial building) will entail the purchase of 22.5 water taps and a Commercial tap after the town water system changes are in place, additional water capacity is available, and the moratorium is lifted. Sewer services for Phases 2 and 3 will be available after the completion of the ERWSD Dowd lift station project.

4.7 Stormwater Management

The stormwater management system will facilitate infiltration of stormwater into the subsurface to recharge the groundwater, aided by the highly infiltrative nature of on-site subsurface material. Stormwater runoff will be routed to StormTech SC-740 belowground detention chambers with a capacity of 1000 CF. The overflow outlet will tie into the Town's stormwater conveyance system, which was designed to take on the capacity of water

draining from the project site and surrounding National Forest / Martin Creek Open Space in the event of a significant storm (Figures 3 and 11). A forebay with separators at storm inlets will remove sediment which can be cleaned out for maintenance.

This stormwater system will be complemented by landscaping that improves infiltration. Xeriscape and native seed mix will increase green space by 40,000 sf.

5.0 IMPACTS & MITIGATION

5.1 Hydrology

5.1.1 Surface Water

The construction of Midtown Village is anticipated to have a positive impact on water quality by promoting infiltration of stormwater runoff. While the proposed project will increase the impervious surfaces, the existing site has no stormwater system and runoff sheet flows across the site. Stormwater will be routed to underground detention chambers where infiltration can occur. In addition, runoff from the three adjacent basins shown in Figure 3 will be integrated into the system. Designated sites for snow storage upon removal from streets, sidewalks, and parking areas will facilitate proper snowmelt drainage into the planned stormwater detention.

5.1.2 Groundwater

The proposed project will enhance groundwater recharge by utilizing the infiltrative properties of the on-site soil. Stormwater will recharge groundwater by infiltrating into the subsurface in the underground stormwater detention chambers, and additional surface water will infiltrate into the ground with the expansion of green space by 40,000 sf.

5.1.3 100-Year Floodplain

Figure 5 illustrates the extent of the 100-year floodplain. The project will not impact or be impacted by the 100-year floodplain.

5.2 Atmospheric Conditions

There would be a short-term increase in hydrocarbon pollutants and dust during the construction process. Over the long-term, the proposed project would have a small and unmeasurable impact on air quality due to a projected increase in traffic. Over time, increased use of multimodal transportation, encouraged by the installation of the ECO bus shelter and sidewalks, could reduce the effects of increased traffic. Eagle County is in an air quality attainment area (Table 1; Appendix A).

5.3 Geologic Conditions

5.3.1 Geology

No geologic hazards such as debris flows, avalanches, or rock falls have been documented for this site.

5.3.2 Soils

A subsoil investigation performed by Kumar and Associates, Inc., which focused on the eastern portion of the site, noted that the current substrate is not particularly suitable to support buildings or pavement. They proposed the use of lightly loaded spread footings to

rest upon the natural soils and structural fill, and moderately loaded spread footings to extend down to the denser sandy gravel and cobble soils beneath the less stable surface layers. If heavier loads are necessary, Kumar and Associates requested to be contacted for further guidance.

Erosion during site construction will be mitigated by the installation of BMPs including temporary geotextile silt fences, vehicle tracking control, and catch basin/inlet filters.

5.4 Biotic Conditions

5.4.1 Vegetation

The project will have no impact on existing native plant communities because none occur within the Midtown Village project site. The proposed landscape plan utilizes a mix of nonnative and native plant species. A native seed mix will be used to revegetate the portion of the property adjacent to White River National Forest. The project would increase green space by approximately 40,000 sf.

5.4.2 Wildlife

Both the current and proposed project area consist of housing and commercial developments that do not provide significant wildlife habitat (Figures 8 and 9). The surrounding parcels are occupied by a heavily traveled highway, housing, and business developments that limit the wildlife habitat potential. Redeveloping the site should not significantly alter wildlife behavior or habitat due to the existing low value of the site. However, increased recreational use of adjacent open space has the potential to generate an indirect impact on wildlife.

5.5 Environmental Impacts

The developer has taken into consideration that old buildings potentially contain asbestos and is coordinating with CDPHE to address this issue. One building that has been identified to contain asbestos will be mitigated in accordance with legal requirements. A CDPHE demo permit has been acquired for this structure.

5.6 Noise & Odors

A short-term increase in noise and odors will occur during the construction phase, but will subside following the completion of the project. The noise and odor level associated with the long-term change in residential and commercial use is anticipated to be minimal.

5.7 Visual Impacts

The proposed PUD will upgrade the existing old commercial and residential structures to contemporary structures, infrastructure, and landscaping. An HOA will maintain the grounds. While additional structures will be constructed, these buildings will not exceed 28 ft. in height, in accordance with code guidelines.

All aspects of architecture, design details and landscaping are controlled by the Midtown Village team and will not be left to an outside party. All proposed designs will be shared during the PUD approval process.

5.8 Land Uses

The project expands the historical use of this property for diverse land uses by providing commercial space and various types of residential units. 25,000 sf of are designated as open space in keeping with the vision of the Community Plan. Part of this open space will be allocated to residential community gathering areas. The open space will also contain an internal network of new sidewalks and trails which will not only connect directly to the new HWY 24 Sidewalk project, but will also extend the existing sidewalk, which currently ends at 997 Main Street, to 1041 Main Street. The proposed internal trail system will provide direct access to Martin Creek / National Forest open space safely away from Highway 24.

5.9 Population

The current residential site structures consist of four single family homes, two mobile homes, and two apartments above the commercial building. The planned PUD would support an increased population as there will be more occupiable structures. These include ten-single family townhouse units, two cottages, eight single family homes, sixteen rental apartments, and six lofts above the commercial buildings. The PUD would increase the residential capacity from eight to thirty-six units.

Commercial space will also expand upon the single existing commercial building to incorporate a second commercial structure. This new building is proposed to be used in part as a COWORK / Shared Community Workspace to facilitate affordable office space for local businesses.

5.10 Traffic

The completed project will have one main entrance and close the two additional existing driveways. McDowell Engineering, LLC of Eagle, Colorado prepared a traffic study projecting potential traffic conditions associated with the use of this single access. This study shows that at buildout, the proposed development may generate approximately 54 vehicles trips in the morning peak hour (7:00 am) and 75 vehicle trips in the evening peak hour (5:00 pm). Such traffic increase requires the construction of a right-turn deceleration lane. A State Highway Access Permit is necessary to approve the proposed traffic adjustments with a recommended design hour volume of 75 vehicles per hour.

Personal vehicle traffic impacts will be minimized by the construction of an ECO bus shelter and the connection and extension of the Minturn sidewalk system. The construction of a trail system will facilitate access to White River National Forest and Martin Creek Open Space from Highway 24.

5.11 Fiscal Impacts

This project is anticipated to generate revenue for the Town of Minturn. A fiscal impact analysis was developed by Stan Bernstein and Associates of Vail, Colorado on June 1st, 2021 based upon the construction of a total of 42 residential units and 3,000 sf of commercial space. This report anticipates that between 2021-2030, the General Fund will exceed expenditures by $817,000 and the Incremental Capital Fund will generate around $475,000. The installation of additional 23-25 SFE Residential Taps and a Commercial Water Tap will generate Incremental Water Tap fee revenues. Revenue for the Town of Minturn will likely also be generated from increased Cash in Lieu, Real Estate Transfer, Construction Use, and

Sales/Property Taxes. The developer envisions the new commercial space to be used in a way that would generate Sales Tax or Fees for the Town of Minturn and potentially serve as a COWORK space.

The Town of Minturn Public Works department is not anticipated to be significantly impacted because project site maintenance (including snow removal) will be managed by an HOA and property residents.

5.12 Permits & Coordinating Agencies

- McDowell Engineering's report states that a State Highway Access Permit will be required for the installation of a right-turn deceleration lane on Highway 24.
- Because site grading will disturb more than one acre, a stormwater permit may be required from the Colorado Department of Public Health and Environment (CDPHE).
- A CDPHE demo permit has been obtained for the demolition of the existing structures that contain asbestos.
- A water main easement, sanitary sewer easement, and the re-alignment of a sewer main will be coordinated with the Town of Minturn and ERWSD.
- The developer will coordinate with Xcel power to replace existing overhead power lines with buried power infrastructure.
- Ability-to-serve letters have been issued by emergency services.

6.0 SUMMARY OF ENVIRONMENTAL IMPACTS

The proposed project is an opportunity to provide significant upgrades over the existing condition.

- The construction of Midtown Village is anticipated to have a positive impact on water quality. The installation of an underground stormwater system and 40,000 sf of additional green space will facilitate infiltration and groundwater recharge of runoff that currently sheet flows across the site.
- The subsurface soil of the site is somewhat unstable and merits the use of spread footings of varying depths based upon the amount of loading.
- The proposed project will not impact native vegetation communities since none are present on the project site. Instead, the project will increase green space by 40,000 sf, including an area landscaped with a native seed mix.
- The project site does not provide quality wildlife habitat and is outside the areas mapped as elk winter range or potential habitat for Canada lynx. Increased recreation use of adjacent open spaces may generate indirect habitat impacts.

- A Phase I Environmental Report and Phase II Subsurface Investigation Report identified some soil staining from vehicle "drips" as well as TPH and petroleum compounds from automobile servicing. However, the concentrations of these hazards were below US EPA Regional Screening Levels such that no further action is necessary at this point.

- The presence of asbestos in existing buildings will be mitigated following legal guidelines. Necessary CDPHE demo permits will be obtained.

- A short-term increase in hydrocarbons, dust, noise, and odors is expected during construction activities. Over the long term, there will be a minimal impact from increased traffic.

- The visual character of the site will be upgraded from old buildings to modern structures. Weedy vegetation and stacked construction materials will be replaced by landscaping that includes xeriscaping and native seed mix revegetation.

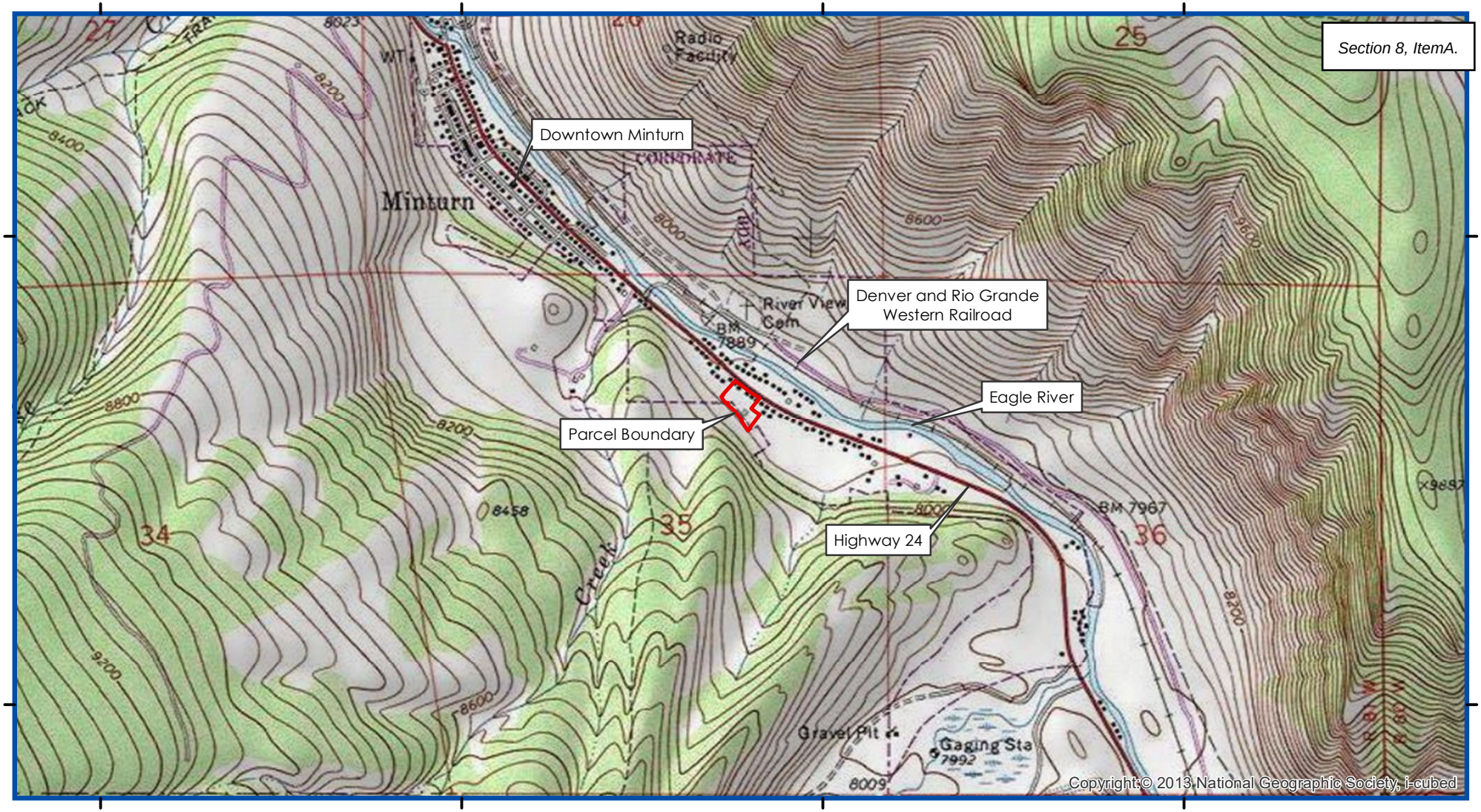
- The development is projected to increase traffic in the peak hours by 45 trips per hour at 7:00 am and 75 trips per hour at 5:00 pm. The remaining entrance warrants a right-turn deceleration lane.

- The historic designation of mixed residential and commercial use will be maintained, while also increasing the number of affordable housing and commercial spaces. A trail and sidewalk network will connect the sidewalk at 997 Main Street, to 1041 Main Street and provide access to Martin Creek / National Forest open space.

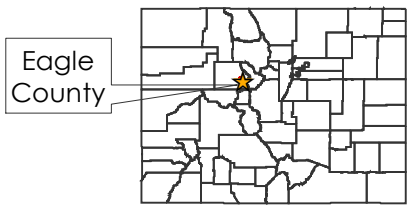
- The population capacity of the site will increase from 8 to 36 residential units with the vision of expanding available affordable housing for the local workforce. A renovated commercial space and new commercial building are anticipated to provide office space (possibly a COWORK space rental) and/or an area for lease.

- The PUD is predicted to generate positive fiscal impacts for the Minturn community. The local workforce will be provided with additional affordable housing and commercial space. The Town of Minturn will likely obtain revenue from increased Cash in Lieu, Real Estate Transfer, Construction Use, and Sales/Property Taxes.

7.0 FIGURES



BASE: USGS 7.5' Minturn Quadrangle, Colorado



Parcel Boundary

N

1:24,000

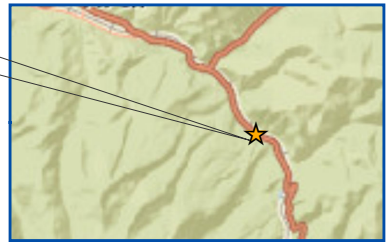
0 600 1,200 2,400
Feet

FIGURE 1. PROJECT LOCATION MAP
MIDTOWN VILLAGE

November 2022

Prepared by:
Birch Ecology LLC
429 Main Street
P.O. Box 170
Lyons, CO 80540
(720) 350-2530
www. birchecolo





Credits: Esri World Imagery Basemap,
Esri World Street Map Basemap

LEGEND

Project Site

N

1:2,000

0 50 100 200

Feet

14

FIGURE 2. AERIAL PHOTO
MIDTOWN VILLAGE
November 2022

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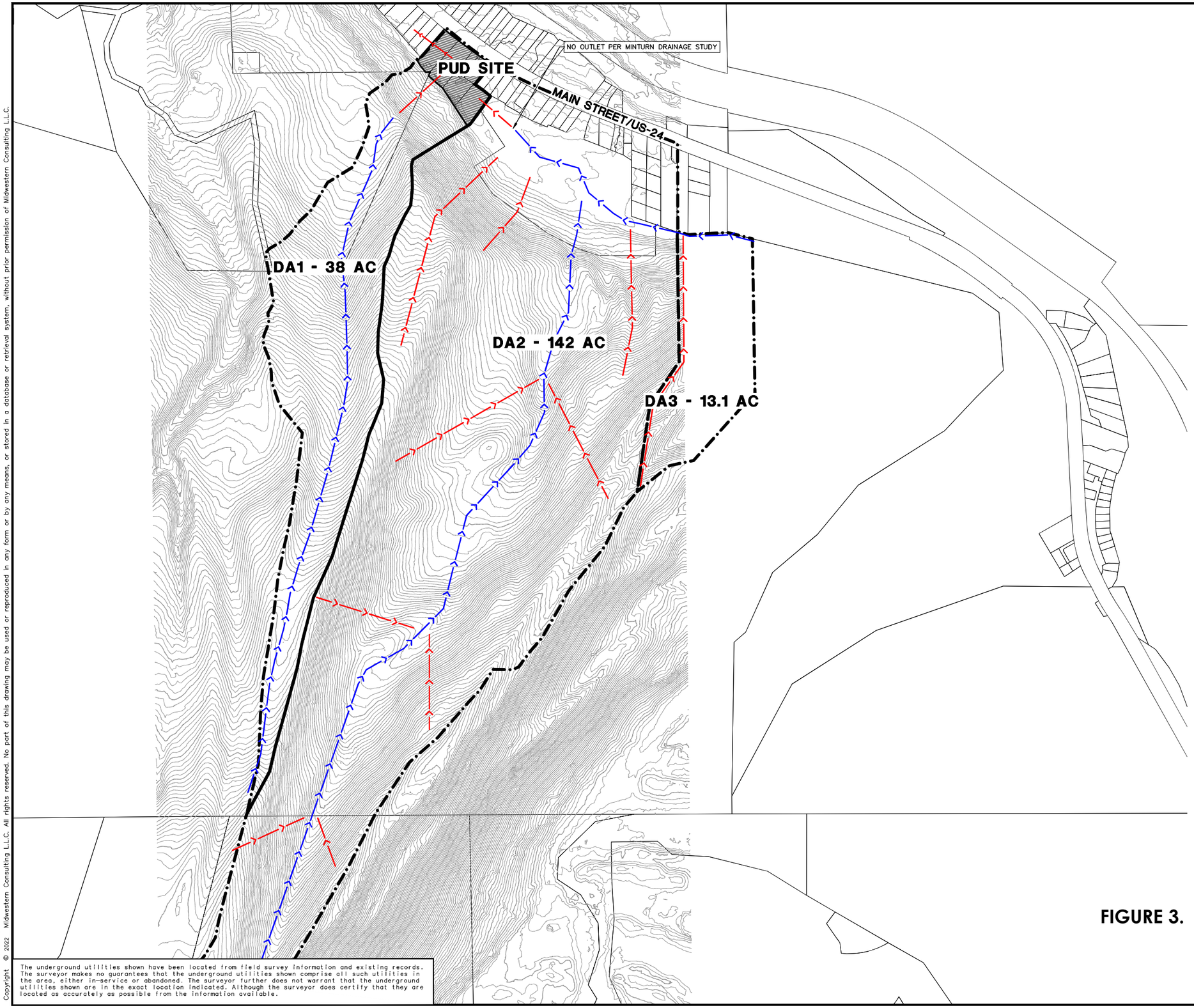
429 Main Street
P.O. Box 170
Lyons, CO 80540
(720) 350-2530
www. birchecology.com



SCALE: 1" = 100'

0 100 200 300

811 Know what's below. Call before you dig.

NOTES

1. CONTOURS ARE NOT FIELD VERIFIED AND ARE INSERTED PER USGS GIS DATA
2. EXISTING DRAINAGE AREA PATTERNS AND AREAS ARE ESTIMATED.

LEGEND

- 838 — EXIST. CONTOUR
- EXIST. DRAINAGE AREA BOUNDARY
- FLOW PATH CONCENTRATED FLOW
- FLOW PATH SHEET FLOW

The underground utilities shown have been located from field survey information and existing records. The surveyor makes no guarantees that the underground utilities shown comprise all such utilities in the area, either in-service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated. Although the surveyor does certify that they are located as accurately as possible from the information available.

FIGURE 3. EXISTING DRAINAGE PLAN
MIDTOWN VILLAGE
November 2022

M:\Civil3d_Proj\20067\Site Plan\20067DA1.dwg, 10/13/2022 10:51 AM, Charity A. Richards, 03 EXISTING DRAINAGE PLAN, MCLLC PDF.pc3
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10TH MOUNTAIN BUILDERS
1632 MAIN STREET
MINTURN, CO 81645
JEFFREY D. ARMSTEAD
970-471-0618

MIDTOWN VILLAGE PUD

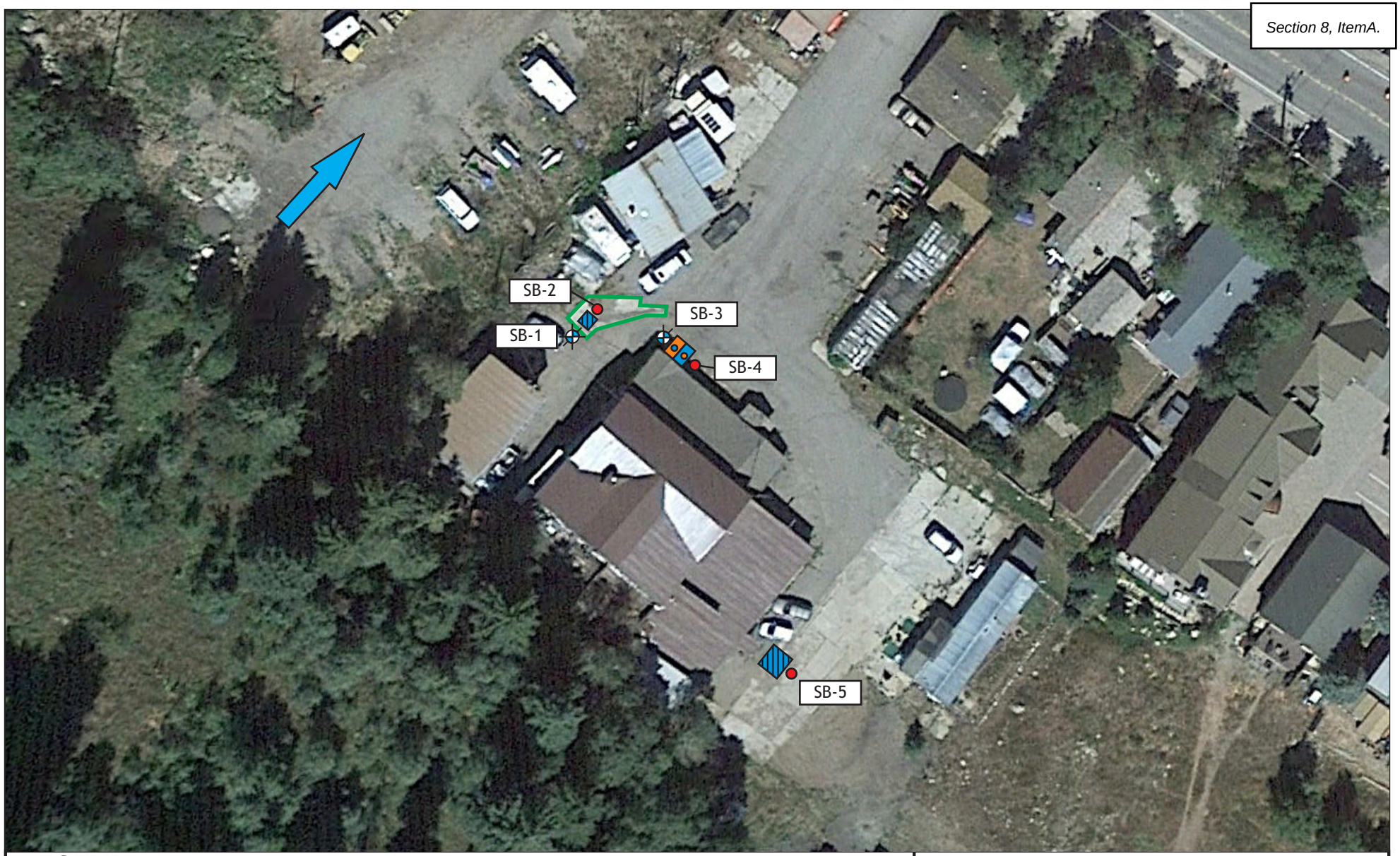
EXISTING DRAINAGE PLAN

03

DATE: 8/24/22
SHEET 03 OF 27
CADD:
ENG: ROW
PIC: KEB
FILE: 20067DA1

JOB No. 20067
REVISIONS: REV. DATE

380



LEGEND

- Approximate clean-out area
- Approximate Groundwater Flow Direction
- Drain
- Oil/Water Separator
- Soil Boring
- Soil Boring/Temporary Monitoring Well

N

0 33’ 66’

SCALE: 1” = 66’

SAMPLE LOCATION MAP

AEI

987 Main Street
Minturn, Colorado

FIGURE 3
Project No. 46852

381

FIGURE 4. SOIL BORINGS BY AEI CONSULTANTS
November 2022



LEGEND

- Parcel Boundary
- 100-Year Floodplain

N

0 125 250 500

Feet

FIGURE 5. 100-YEAR FLOODPLAIN
MIDTOWN VILLAGE

November 2022

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429 Main Street
P.O. Box 170
Lyons, CO 80540
(720) 350-2530
www. birchecology.com

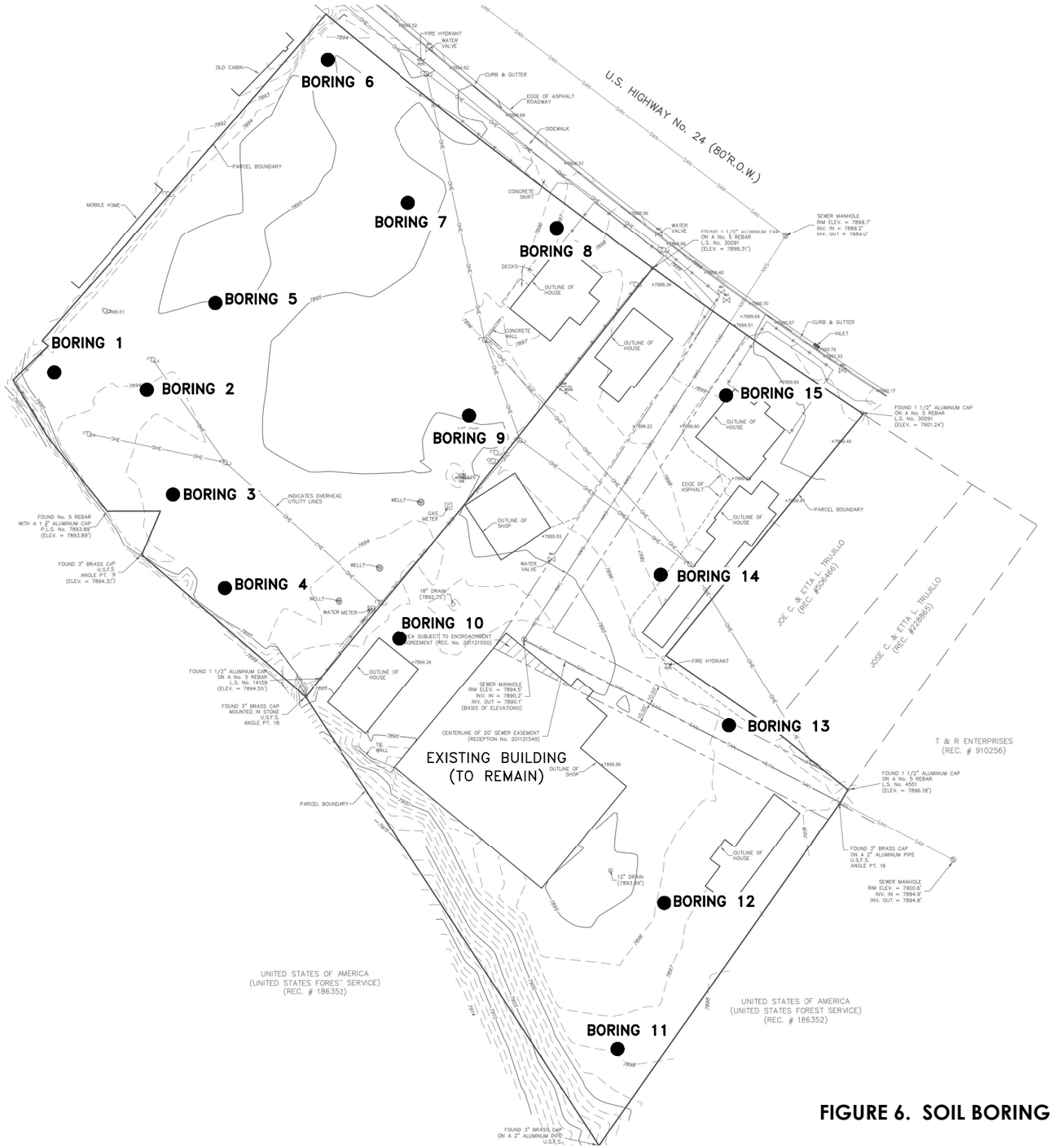

FIGURE 6. SOIL BORING MAP BY KUMAR AND ASSOCIATES INC.
MIDTOWN VILLAGE
November 2022

22–7–293	Kumar & Associates	MIDTOWN VILLAGE, MINTURN	LOCATION OF EXPLORATORY BORINGS	Fig. 1

July 25, 2022 – 06:36am
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FIGURE 7. NRCS SOIL MAP
MIDTOWN VILLAGE

November 2022

LEGEND

Parcel Boundary

NRCS Soil Types

45—Forsey cobbly loam, 3 to 12 % slopes

9—Ansel-Anvik association, 25 to 45 % slopes

N

0 50 100 200

Feet

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429 Main Street
P.O. Box 170
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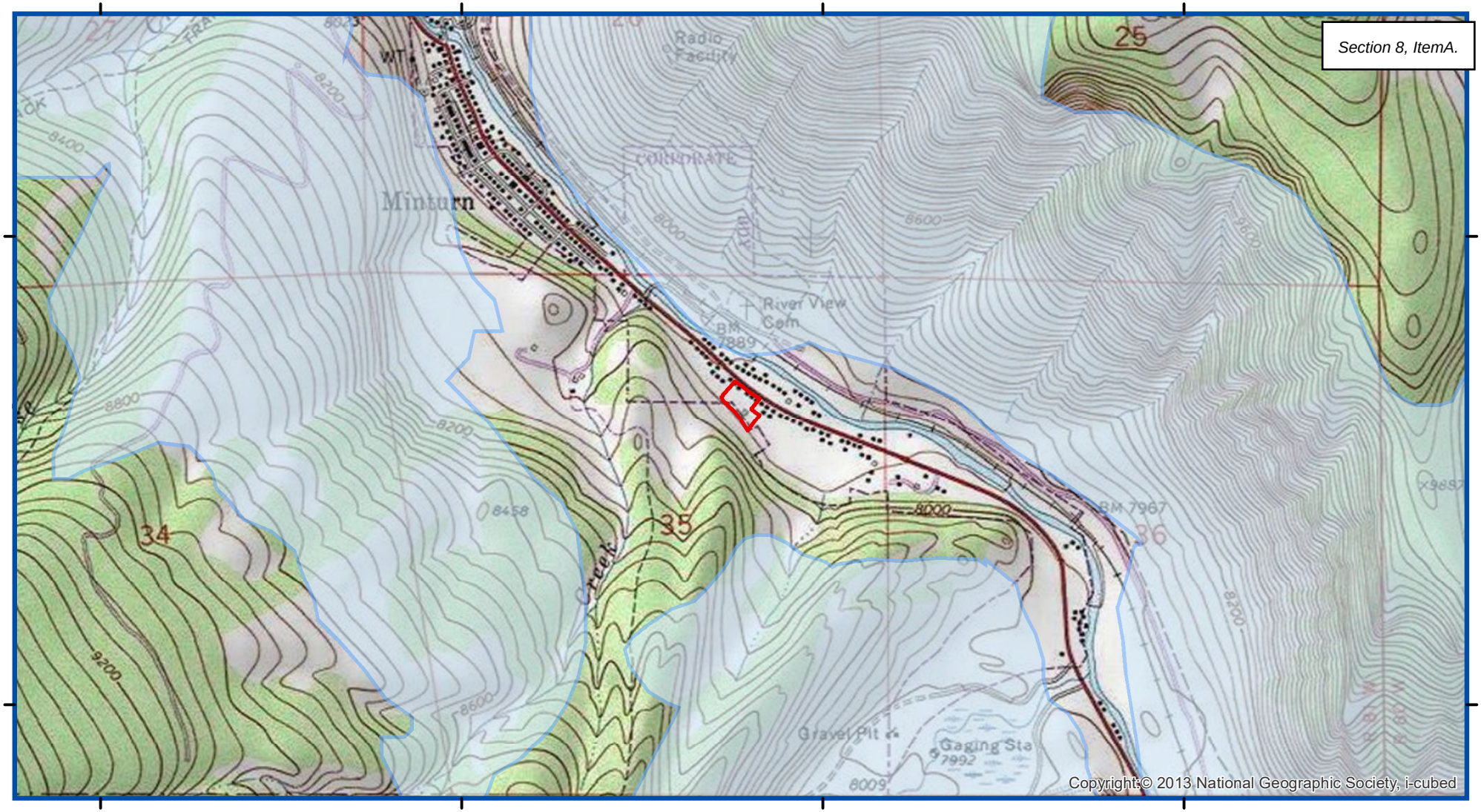

BASE: USGS 7.5' Minturn Quadrangle, Colorado

LEGEND

- Winter Range
- Parcel Boundary

N

1:24,000

0 600 1,200 2,400
Feet

FIGURE 8. ELK WINTER RANGE
MIDOWN VILLAGE

November 2022

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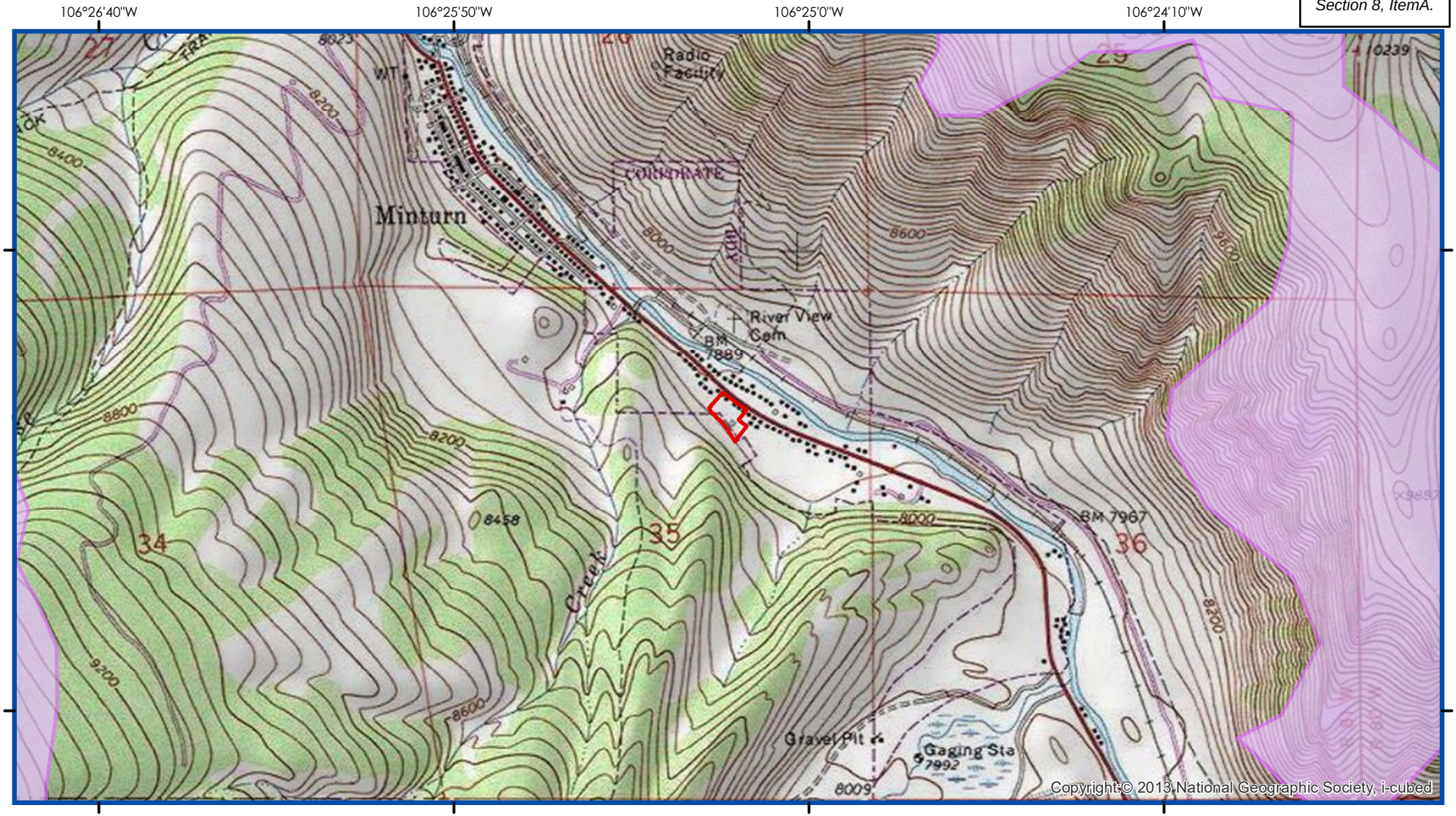
Birch Ecology LLC
429 Main Street
P.O. Box 170
Lyons, CO 80540
(720) 350-2530
www. birchecolo

385



BASE: USGS 7.5' Minturn Quadrangle, Colorado

LEGEND

- Potential Lynx Habitat
- Parcel Boundary

N

1:24,000

0 600 1,200 2,400
Feet

FIGURE 9. POTENTIAL LYNX HABITAT
MIDTOWN VILLAGE
November 2022

Prepared by:

Birch Ecology LLC
429 Main Street
P.O. Box 170
Lyons, CO 80540
(720) 350-2530
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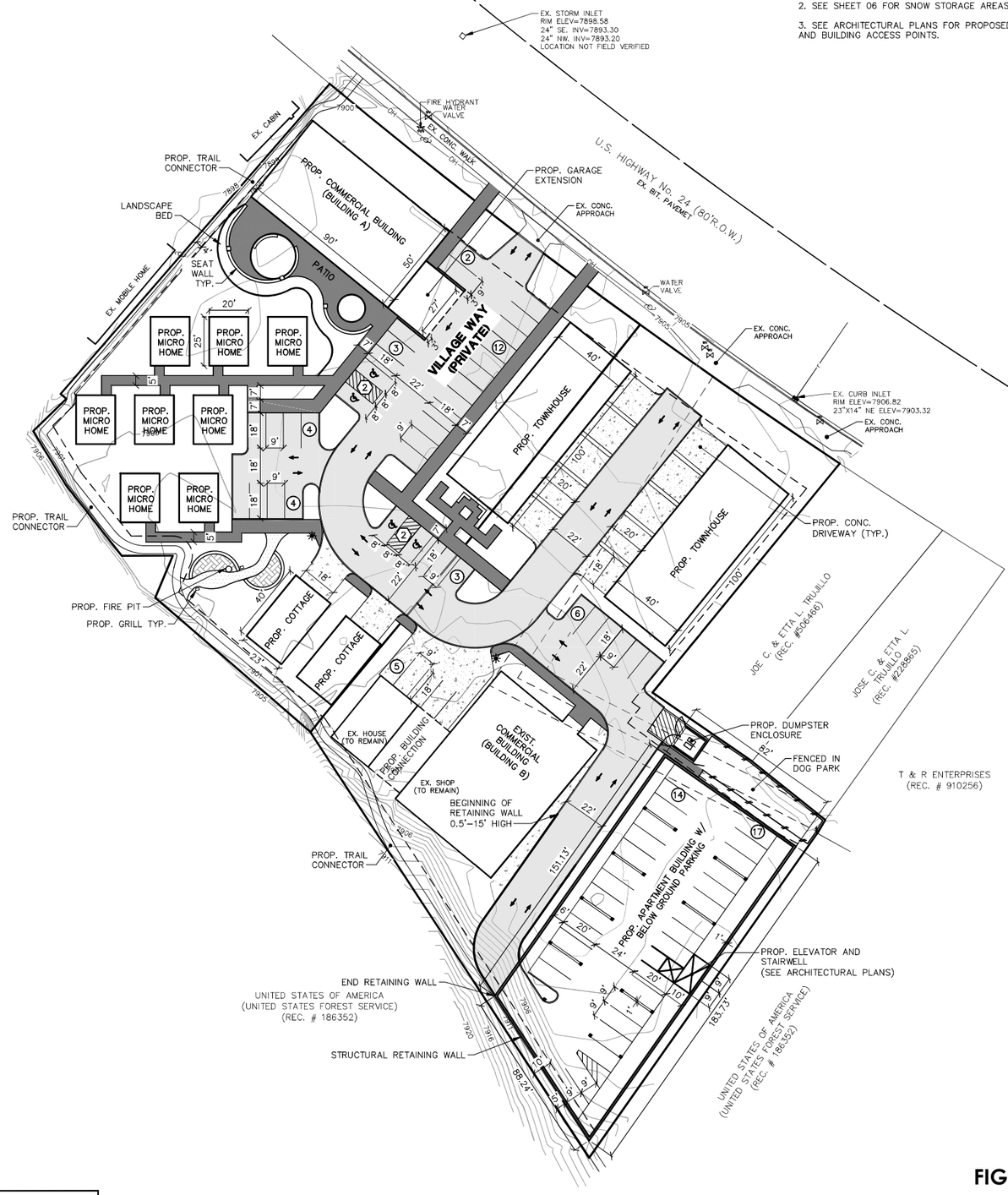
386

NOTES

1. ALL CONCRETE WALKS SHALL BE 5 FEET WIDE EXCEPT WHERE OTHERWISE DIMENSIONED ON THE PLANS.

2. SEE SHEET 06 FOR SNOW STORAGE AREAS.

3. SEE ARCHITECTURAL PLANS FOR PROPOSED BUILDING LAYOUTS AND BUILDING ACCESS POINTS.



SCALE: 1" = 30'

0 30 60 90

811 Know what's below. Call before you dig.

LEGEND

- EXIST. UTILITY POLE
- EXIST. OVERHEAD UTILITY LINE
- EXIST. HYDRANT
- EXIST. WATER VALVE
- EXIST. STORM SEWER
- EXIST. CATCH BASIN OR INLET
- EXIST. SANITARY SEWER
- SIGN
- POST
- EXIST. GAS VALVE
- WELL
- FENCE
- PROPOSED CONC. WALK
- PROPOSED BIT. PAVEMENT
- PROPOSED CONC. PAVEMENT
- NUMBER OF STANDARD PARKING SPACES IN ROW
- NUMBER OF BARRIER FREE PARKING SPACES IN ROW
- TRAFFIC DIRECTION ARROWS
- PROP. LIGHT POLE

The underground utilities shown have been located from field survey information and existing records. The surveyor makes no guarantees that the underground utilities shown comprise all such utilities in the area, either in-service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated. Although the surveyor does certify that they are located as accurately as possible from the information available.

FIGURE 10. PROPOSED DEVELOPMENT PLAN
MIDTOWN VILLAGE
November 2022

MIDWESTERN CONSULTING
381 S Plaza Drive Ann Arbor, Michigan 48108
(734) 995-0200 • www.midwesternconsulting.com
Land Development • Land Surveying • Water Resources
Wireless Communications • Transportation • Landfill

CLIENT
10TH MOUNTAIN BUILDERS
1632 MAIN STREET
MINTURN, CO 81645
JEFFREY D. ARMISTEAD
970-471-0618

MIDTOWN VILLAGE PUD
SITE PLAN

05

DATE: 10/5/22
SHEET 05 OF 27
CADD:
ENG: ROW
FIELD: KEB
TECH:
Z0067SP1

JOB No. 20067
REVISIONS: REV. DATE

M:\Civil3d_Proj\20067\Site Plan\20067SP1.dwg, 10/13/2022 11:09 AM, Charity A. Richards, 05 SITE PLAN, MCLLC PDF.pc3
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W:\Civil\34_Pro\2006?\Site Plan\20067SR1.dwg, 10/13/2022 10:53 AM, Charity A. Richards, 13 PRELIMINARY STORM WATER MANAGEMENT PLAN, MCLLC PDF.pc3
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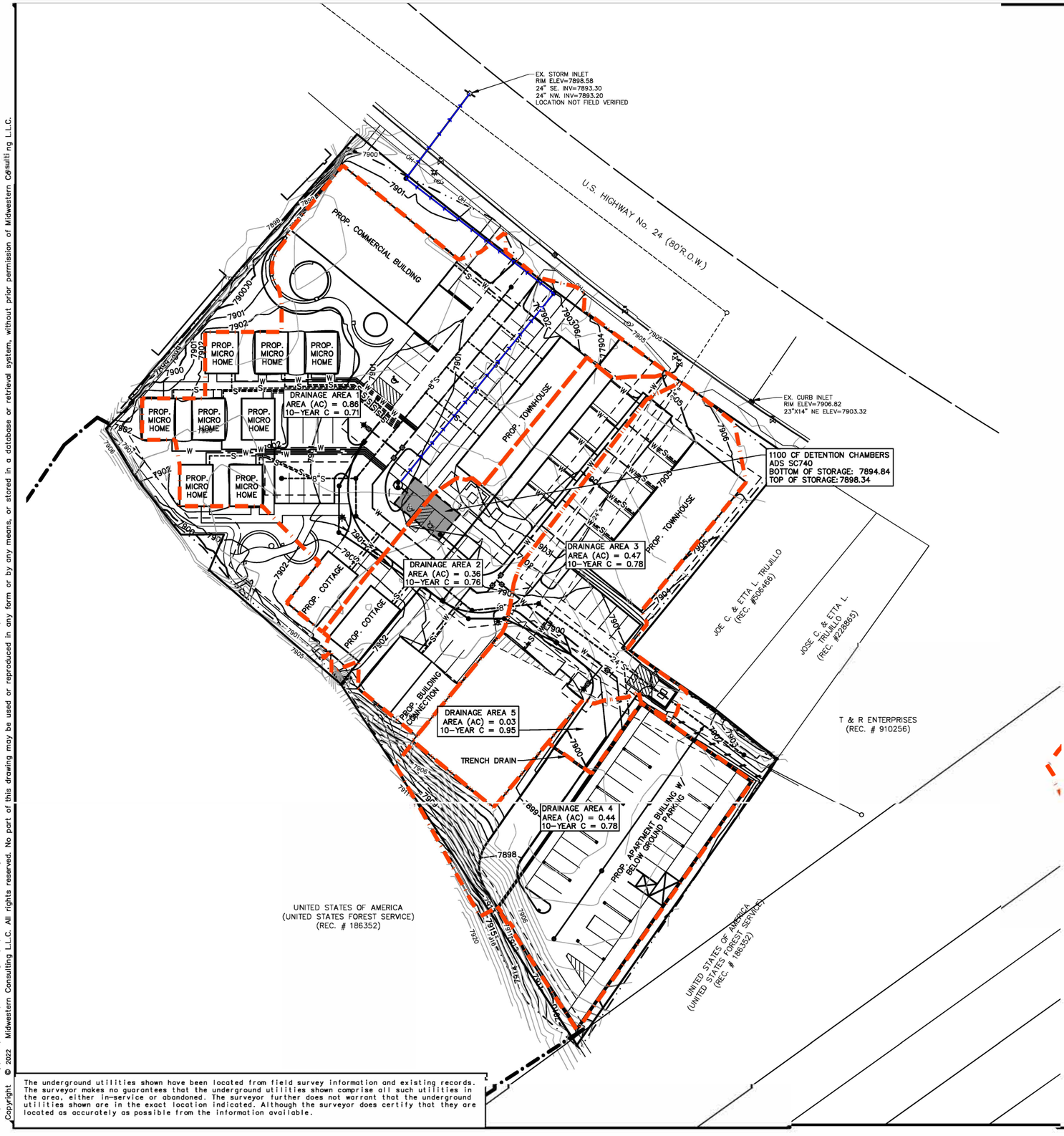

The underground utilities shown have been located from field survey information and existing records. The surveyor makes no guarantees that the underground utilities shown comprise all such utilities in the area, either in-service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated. Although the surveyor does certify that they are located as accurately as possible from the information available.

LEGEND

- EXIST. UTILITY POLE
- OH — EXIST. OVERHEAD UTILITY LINE
- EXIST. HYDRANT
- W — EXIST. WATER VALVE
- r — EXIST. STORM SEWER
- EXIST. CATCH BASIN OR INLET
- s — EXIST. SANITARY SEWER
- SIGN
- POST
- G — EXIST. GAS VALVE
- W — WELL
- FENCE
- S — PROP. SANITARY SEWER
- W — PROP. WATER MAIN
- PROP. CATCH BASIN OR INLET
- PROP. DRAINAGE AREA
- PROP. UNDERGROUND STORM SEWER STORAGE
- EMERGENCY OVERFLOW ROUTING

SCALE: 1" = 30'

0 30 60 90

811 Know what's below. Call before you dig.

STORMWATER VOLUME CALCULATIONS

Subcatchment Name	Area (ac)	NRCS Hydrologic	Percent Impervio	Runoff Coefficient, C						
				2-yr	5-yr	10-yr	25-yr	50-yr	100-yr	500-yr
Existing Site	2.52	C	28.0	0.20	0.26	0.34	0.48	0.53	0.60	0.68
Proposed Site	2.52	C	72.0	0.58	0.62	0.66	0.72	0.75	0.78	0.81

SITE DRAINAGE AREA CHARACTARISTICS - EXISTING CONDITIONS

Tributary Area (A) = 2.52 Acres
Run-off Coefficient (C) = 0.34
Existing Constant (Ke) = 0.85
Allowable Outflow Rate (Qa)* = 0.50 cfs*

* Allowable outflow rate (Qa) is computed by one of the following equations:
Case 1 Qa = capacity of existing discharge conduit or channel
Case 2 Qa = q * A where q = Permissible discharge rate per acre of tributary area = N/A cfs / Acre

SITE DRAINAGE AREA CHARACTARISTICS - PROPOSED CONDITIONS

Tributary Area (A) = 2.52 Acres
Run-off Coefficient (C) = 0.66
Design Constant (Kd) = 1.67
Allowable Outflow Rate (Qa)* = 0.50 cfs*

* Allowable outflow rate Qa is computed by one of the following cases:
Case 1 Qa = capacity of existing discharge conduit or channel
Case 2 Qa = q * A where q = Permissible discharge rate per acre of tributary area = N/A cfs / Acre

1-HOUR RAINFALL DEPTH P1

2-yr	5-yr	10-yr	25-yr	50-yr	100-yr	500-yr
0.53	0.69	0.83	1.06	1.26	1.47	2.05

DETENTION BASIN SIZING

10 YEAR STORM

1 Duration (Minutes)	2 Duration (Seconds)	3 Intensity (10- yr Storm) (In/Hr)	4 Col. #2 x Col. #3 (Inches)	5 Existing Peak Flow, Q (CFS)	6 Proposed Peak Flow, Q (CFS)	7 Net Peak Flow, Q (CFS) Col. #6 - Col. #5	8 Existing Volume Generated= Col. #4 x Kd	9 Proposed Volume Generated = Col. #4 x Kd	10 Net Volume Generated	11 Outflow Volume = Col. #2 x Qa (Cu. Ft.)	12 Storage Volume = Col. #10 - Col. #11 Cu
5	300	3.83	848	3.44	4.79	2.39	1412	2,353	941	151	540
10	600	2.25	1,382	1.92	3.76	1.84	1151	2,253	1,102	302	800
15	900	1.69	1,702	1.61	3.15	1.54	1005	2,205	1,201	453	748
30	1,800	1.31	2,353	1.11	2.18	1.07	2003	3,920	1,917	907	1,010
40	2,400	1.10	2,632	0.93	1.83	0.90	2241	4,388	2,145	1,210	935
60	3,600	0.84	3,091	0.72	1.40	0.68	2586	5,050	2,470	1,814	656
90	5,400	0.64	3,435	0.54	1.06	0.52	2924	5,723	2,799	2,722	78

Note: > Figures in Columns (3) are computed by Equation 5-3 in the UDCSM per the Town of Minturn Ordinance

Eq. 5-3

$$I = \frac{28.5\,P_1}{(10 + T_d)^{0.786}}$$

1-HOUR RAINFALL DEPTH P1

2-yr	5-yr	10-yr	25-yr	50-yr	100-yr	500-yr
0.53	0.69	0.83	1.06	1.26	1.47	2.05

DETENTION BASIN SIZING

5 YEAR STORM

1 Duration (Minutes)	2 Duration (Seconds)	3 Intensity (10- yr Storm) (In/Hr)	4 Col. #2 x Col. #3 (Inches)	5 Existing Peak Flow (CFS)	6 Proposed Peak Flow (CFS)	7 Net Peak Flow (CFS) Col. #6 -Col. #5	8 Existing Volume Generated= Col. #4 x Kd	9 Proposed Volume Generated = Col. #4 x Kd	10 Net Volume Generated	11 Outflow Volume = Col. #2 x Qa (Cu. Ft.)	12 Storage Volume = Col. #10 - Col. #11 (Cu
5	300	3.83	848	1.68	3.87	1.89	593	1,161	568	151	417
10	600	1.85	1,112	1.58	3.09	1.51	947	1,853	906	302	604
15	900	1.56	1,400	1.30	2.57	1.27	1197	2,332	1,141	454	687
30	1,800	1.07	1,935	0.91	1.79	0.88	1647	3,223	1,577	907	669
40	2,400	0.90	2,164	0.77	1.50	0.73	1843	3,607	1,764	1,210	554
60	3,600	0.69	2,462	0.60	1.15	0.56	2122	4,153	2,031	1,814	217

Note: > Figures in Columns (3) are computed by Equation 5-3 in the UDCSM per the Town of Minturn Ordinance

Eq. 5-3

$$I = \frac{28.5\,P_1}{(10 + T_d)^{0.786}}$$

FIGURE 11. STORMWATER MANAGEMENT PLAN
MIDTOWN VILLAGE
November 2022

MIDWESTERN CONSULTING
385 Plaza Drive, Ann Arbor, Michigan 48108
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Land Development • Site Design • Water Resources • Utilities
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JEFFREY D. ARMISTEAD
970-471-0618

MIDTOWN VILLAGE PUD
PRELIMINARY STORM WATER MANAGEMENT PLAN

13

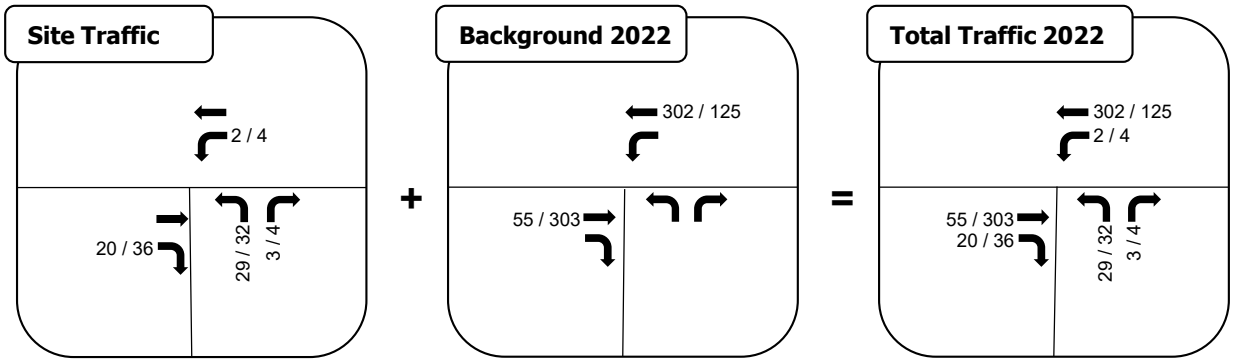
DATE: 10/7/22
SHEET 13 OF 27
CADD:
ENG: ROW
PM: KEB
FILE: 20067SR1

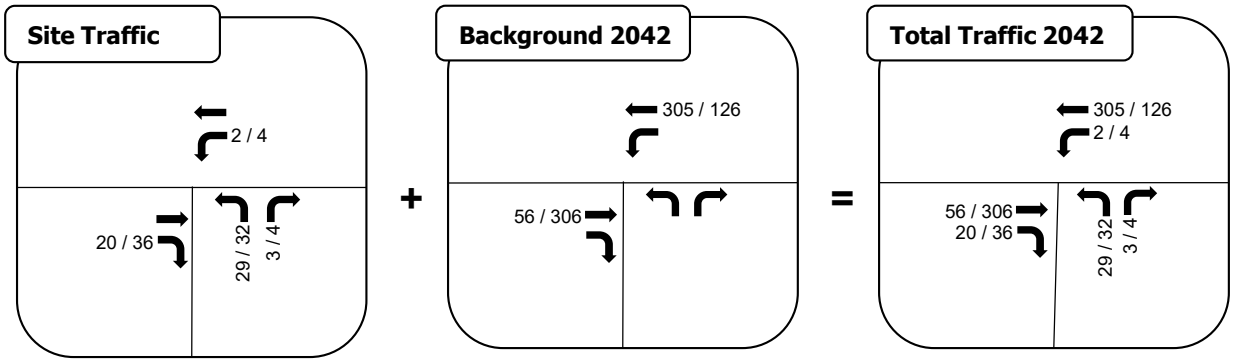
REV. DATE

JOB No. 20067
REVISIONS:

FIGURE 12. TRAFFIC STUDY
MIDTOWN VILLAGE
November 2022







McDOWELL ENGINEERING LLC
TRANSPORTATION ENGINEERING CONSULTANTS

N
(NTS)

LEGEND
XX/XX = AM/PM Volumes (vph)
Turning Movements

8.0 TABLES

TABLE 1
CDPHE Ambient Air Concentration Estimates
Midtown Village

POLLUTANT	AVERAGING TIME	STANDARD	ESTIMATED CONCENTRATION	BASIS FOR ESTIMATE
Carbon Monoxide (CO)	1-Hour Second Maximum	35 ppm	1 ppm	Grand Junction, 2016-2018
	8-Hour Second Maximum	9 ppm	1 ppm	
Ozone (O3)	8-Hour Fourth Maximum	0.070 ppm	0.06 ppm	Rifle, 2017-2019
Sulfur Dioxide (SO2)	1-Hour 99th Percentile	0.075 ppm	0.012 ppm	RM Steel, Print Shop, 2013-2018
	3-Hour Second Maximum	0.5 ppm	0.008 ppm	
Nitrogen Dioxide (NO2)	Annual Mean	0.053 ppm	0.005 ppm	Glenwood Springs, 2015
	1-Hour 98th Percentile	0.100 ppm	0.033 ppm	
PM10	24-Hour Second Maximum	150 (ug/m3)	37 (ug/m3)	Carbondale, 2014-2016
PM2.5	Annual Mean	12 (ug/m3)	5 (ug/m3)	Carbondale, 2014-2016
	24-Hour 98th Percentile	35 (ug/m3)	10 (ug/m3)	
Lead (Pb)	3-Month Average	0.15 (ug/m3)	0.006 (ug/m3)	Denver Municipal Animal Shelter, 2009

Additional details are included in Appendix A.

TABLE 2
Vascular Plant Species List
Midtown Village

Scientific Name	Common Name	Family	Origin*
Trees			
Picea engelmannii	Engelmann spruce	Pinaceae	N
Populus tremuloides	Aspen	Salicaceae	N
Shrubs			
Juniperus communis ssp. alpina	Common juniper	Cupressaceae	N
Prunus virginiana var. melanocarpa	Choke cherry	Rosaceae	N
Rosa woodsii	Woods' rose	Rosaceae	N
Perennial Graminoids			
Bromus inermis	Smooth brome	Poaceae	I
Mahonia repens	Oregon grape	Berberidaceae	N
Rumex crispus	Curly dock	Polygonaceae	I
Taraxacum officinale	Dandelion	Asteraceae	I
Annual/Biennial Forbs			
Carduus acanthoides	Plumeless thistle	Asteraceae	I+
Cynoglossum officinale	Houndstongue	Boraginaceae	I+
Matricaria perforata (Tripleurospermum)	Wild chamomile	Asteraceae	I+
Melilotus officinalis	Yellow sweet clover	Fabaceae	I
Verbascum thapsus	Great mullein	Scrophulariaceae	I+

*Origin:
N = Native
I = Introduced
I+ = Colorado State-Listed Noxious Weed

9.0 PHOTOS



Photo 1. The site is adjacent to the White River National Forest on the southwest property line. (5/10/22).



Photo 2. A panoramic view from the southeast corner of the site displays Martin Creek Open Space on the right, stacked construction materials on the property in the center of the picture, and National Forest land to the left. (5/10/22).



Photo 3. The area on the northwest side of the site that once housed trailer homes is now empty land. The northwest boundary with adjacent residential housing (a light pink trailer home) is visible to the left side of the picture. (5/10/22).



Photo 4. A vegetated strip dominated by weeds separates the parcel into two sections. (5/10/22).



Photo 5. A mixture of building types characterizes the southeast side of the project area. An existing commercial building which will be renovated in the proposed project is visible on the left. A blue apartment building and brown garage/shop are also currently located on the property. (5/10/22).



Photo 6. Construction materials are amassed along the White River National Forest boundary. (5/10/22).



Photo 7. Construction and miscellaneous materials are piled by the far north entrance. (5/10/22).



Photo 8. Cracked patchwork pavement, old buildings, and piled construction supplies (just visible behind the white van in the center of the photo) make this site not visually appealing in its current state. (5/10/22).



Photo 9. An existing commercial building with loft apartments will be renovated. (5/10/22).

10.0 REFERENCES

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APPENDIX A. CDPHE AIR QUALITY DATA

COLORADO
Air Pollution Control Division
Department of Public Health & Environment

Dedicated to protecting and improving the health and environment of the people of Colorado

Joe DiMaria
By email: joe@birchecology.com

May 6, 2022

Dear Mr. DiMaria,

You recently requested background estimates for air pollution in the area of the following project:

Midtown Village
10th Mountain Builders

County:		Eagle	
Latitude:	NAD83:	39.5784	AND / OR NAD27
Longitude:		-106.4198	

The estimates, and their bases, are given below.

Pollutant Standard	Standard	Estimated Concentration	Basis for Estimate
CO requested? **Yes**			
CO 1 Hour Second Maximum (ppm)	35	1	Grand Junction, 2016 - 2018.
CO 8 Hour Second Maximum (ppm)	9	1	
O3 requested? **Yes**			
O3 8 Hour Fourth Maximum (ppm)	0.070	0.06	Rifle, 2017 - 2019.
SO2 requested? **Yes**			
SO2 1 Hour 99th Percentile	0.075	0.012	RM Steel, Print Shop, 2013 - 2015.
SO2 3 Hour Second Maximum (ppm) (Secondary Standard)	0.5	0.008	
SO2 24 Hour Second Maximum (ppm)			
SO2 Annual Mean (ppm) .			
NO2 requested?) **Yes**			
NO2 Annual Mean (ppm)	0.053	0.005	Glenwood Springs, 2015.
NO2 1 Hour 98th Percentile (ppm)	0.100	0.033	
PM10 requested? **Yes**	150	37	Carbondale, 2014 - 2016.
PM10 24 Hour Second Maximum (ug/m3)			
PM2.5 requested? **Yes**			
PM2.5 Annual Mean (ug/m3)	12.0	5	Carbondale, 2014 - 2016.
PM2.5 24 Hour 98th Percentile (ug/m3)	35	10	
Pb requested? **Yes**			
Pb Rolling 3-Month Average (ug/m3)	0.15	0.006	Denver Municipal Animal Shelter, 2009.

Any ozone concentrations provided here are for informational purposes only. They are not for use in modeling. Ozone concentrations for use in modeling (AERMOD / OLM) should be requested separately.

Upon request, refinement of a single value background concentration listed above may be conducted by the modeling staff (email: emmett.malone@state.co.us), if applicable, appropriate, and justified.

These estimates are derived from ambient monitored concentrations that are available to the Division to represent background levels (added to the impacts of the project emissions and emissions from other nearby sources) in cumulative ambient air impacts for comparison to the NAAQS. They are not suitable for applications beyond that scope of use. The quantity of data is sometimes limited and may be of uncertain quality. The ambient background concentrations -

1. Do not necessarily substitute for on-site monitoring data; i.e., for permitting actions subject to PSD rules, pre-construction monitoring may be required.

2. Indicate the ambient levels in general geographic areas, not a specific location. This is particularly true for particulate concentration values.

3. Are subject to change without notice as new information is acquired.

Use of these background estimates should be accompanied by an appropriate citation that indicates their source and their limitations. Referencing this letter would be adequate, but an expanded explanation is suggested.

If you have questions, I can be reached at 303-692-3226, or email: nancy.chick@state.co.us.

Sincerely,



Nancy D. Chick
Environmental Protection Specialist
Air Pollution Control Division

C:\background concentration\request no. 241

ENVIRONMENTAL STUDY

TABLE OF CONTENTS

		Page
I	**Summary of Investigations**	1
II	**Introduction**	1
	II.1 Purpose	2
	II.2 Detailed Scope of Services	2
	II.3 Significant Assumptions	2
	II.4 Limitations and Exceptions	2
	II.5 Special Terms and Conditions	3
	II.6 User Reliance	3
III	**Site Description**	4
	III.1 Location and Legal Description	4
	III.2 Site Vicinity and General Characteristics	4
	III.3 Current Use of Property	4
	III.4 Description of Structures, Roads, Other Improvements on Site	5
	III.5 Current Uses of the Adjoining Properties	5
IV	**User Provided Information**	6
	IV.1 Title Records	6
	IV.2 Environmental Liens or Activity and Use Limitations	6
	IV.3 Specialized Knowledge	6
	IV.4 Commonly Known or Reasonably Ascertainable Information	7
	IV.5 Valuation Reduction for Environmental Issues	7
	IV.6 Owner, Property Manager, and Occupant Information	7
	IV.7 Reason for Performing Phase I	7
	IV.8 Other	7
V	**Records Review**	8
	V.1 Standard Environmental Record Sources, Federal and State	8
	V.1.1 Off-Site Facilities	8
	V.1.2 Water Well Information	12
	V.1.3 Aerial Photographs	14
	V.1.4 Historical Topographic Maps	15
	V.2 Additional Environmental Record Sources	16
	V.3 Physical Setting Sources	16
	V.3.1 Geology/Hydrology	16
	V.4 Historical Use Information on Property	17
	V.5 Historical Use Information on Adjoining Properties	17
VI	**Site Reconnaissance**	18
	VI.1 Methodology and Limiting Conditions	18
	VI.2 General Site Setting	18
	VI.3 Exterior Observations	18
	VI.4 Interior Observations	19
VII	**Interviews**	21
	VII.1 Interview with Owner	21
	VII.2 Interview with Site Manager	22
	VII.3 Interviews with Occupants	22
	VII.4 Interviews with Local Government Officials	22
	VII.5 Interviews with Others	22
VIII	**Findings, Opinions, and Conclusions**	23
IX	**Deviations**	25
X	**Additional Services**	25
XI	**References**	25
IX	**Signatures of Environmental Professionals**	25
XIII	**Qualifications of Environmental Professionals**	26

APPENDICES

Appendix A **Maps and Figures**

Figure 1 Location Map for Subject Property

Figure 2 Subject and Adjacent Property Map

Figure 3 Surveyor's Map – Reduced Scale

Appendix B **Historical Documentation**

Table A - List of Previous Property Owners

Deeds

Sanborn Report

City Directory- Historical

Appendix C **Governmental Database Information**

Appendix D **Historical Aerial Photographs and Topographic Maps**

Topographic Map, 1934

Topographic Map, 1950

Topographic Map, 1970-Rev 1987

Aerial Photograph, 1999

Aerial Photograph, 2004

Aerial Photograph, 2011

Appendix E **Select Site Photographs**

I Summary of Investigations

Braun Environmental, Inc. has performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E1527-13. The address of the Subject Property is 947 Main Street, Minturn, Colorado, 81645 (Figure 1, Appendix A) and known as the Quintana Property. Any exceptions to, or deletions from, this practice are described in Section II.2 of this report. This assessment has revealed no evidence of recognized environmental conditions in connection with the Subject Property.

II Introduction

At the request of Mary Pope of Ascent Sothebys international Realty, Vail, Colorado, Braun Environmental, Inc. (Braun) performed a Phase I Environmental Site Assessment (ESA) of the Quintana Property, located at 947 Main Street in Minturn, Colorado. More specifically, the subject property described as part of the northeast quarter of Section 35, Township 5 South Range 81 West of the New Mexico Principle Meridian, also known Lot 10, part of the South Minturn Addition, including an area of 1.082 acres (Figure 2, Appendix A). The parcel is roughly rectangular in shape and is bounded on the east (northeast) by State Highway 24. It is bounded on the north, northwest and south by private property and on the southwest by US Forest service land. The lot contains a wood-frame construction house near its southeast corner. At the time of the site visit, the lot contained a total of 9 mobile homes, with six of them located to the west of the house along the south property line and three additional units located north of the central roadway, near the western boundary. The trailers are rented and occupied by tenants. The remainder of the open portion of the lot is used by the owner for parts storage. Various materials stored include structural and ornamental steel, wood products, parts for equipment, and several enclosed van-type trailers which are used to keep stored items inside and out of the weather.

Included in this report are descriptions of the purpose of the investigation, information obtained during the site reconnaissance, records information, and an evaluation of the information as it pertains to the environmental condition of the Subject Property along with our findings and conclusions. The site inspection was performed by C. A. Braun on June 1, 2015. A site map, provided by the client, along with recent survey stakes were used to locate the property boundaries. An adaptation of that map is included in this report as Figure 2 found in Appendix A. The figure shows the property boundaries and surface features including roads, major utilities, cultural and natural features.

II. 1 Purpose

The purpose of this assessment is to investigate and identify, to the extent feasible pursuant to the processes described herein, recognized environmental conditions in connection with the Subject Property. The assessment includes collection of evidence to indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, ground water, or surface waters on the property. The assessment includes visual observations, evaluation of information obtained from the review of records and documents, and interviews with selected persons concerning environmentally hazardous substances or conditions that may have, or do, exist on the Subject Property. The site investigation includes, but is not limited to, surface topography, surface drainage, surface impoundments, soil staining, vegetation distress, current and past hazardous materials, potential soil, water and vapor pathways, and evidence of surface and underground storage tanks using non-invasive means.

II. 2 Detailed Scope of Services

Braun is providing an environmental site assessment conforming to ASTM Standard Practice E-1527-13.

II. 3 Significant Assumptions

It is assumed that data acquired from governmental databases and information derived as a result of personal interviews is correct. No independent verification of that information has been performed unless specifically addressed in this document. The conclusions and recommendations offered in this report are based on the findings of the requested assessment including site visits, interviews with persons knowledgeable about the Subject Property, reasonably ascertainable historical records, reviews of reports and other available documents, any previous field investigations, and Braun's understanding of current applicable environmental laws and regulations as per ASTM Standard E-1527-13.

II.4 Limitations and Exceptions

No environmental site assessment can wholly eliminate uncertainty regarding the potential for recognized environmental conditions in connection with a property. Performance of this practice is intended to reduce, but not eliminate, uncertainty regarding the potential for recognized

environmental conditions. The accuracy of the data obtained is only to the degree implied by the sources and methods used. Due to information that may become evident in the future, the current assessment does not result in a guarantee that the Subject Property is free and clear of hazardous materials.

II.5 Special Terms and Conditions

No special terms or conditions.

II.6 User Reliance

ASTM Practice 1527 is intended to permit a user to satisfy one of the requirements to qualify for the innocent landowner defense to CERCLA liability in that the practice constitutes an "all appropriate inquiry into the previous ownership and uses of the property consistent with good commercial or customary practice" as defense to 42 USC ξ 9601(35)(B). An evaluation of business environmental risk associated with a parcel of commercial real estate may necessitate investigation beyond that identified in this practice. The chemical analysis of soils or groundwater is not within the scope of the basic practice, nor is testing for radon, asbestos, lead-based paint and PCBs, or identification and delineation of wetlands.

Braun's professional services were performed, findings obtained, and recommendations prepared in accordance with generally accepted engineering and geological principles and practices. Beyond this, no other warranty is either expressed or implied. The assessment was performed and this report was prepared for the sole use of Mary Pope and Acent Sothby's International Realty. Others who seek to rely on the findings contained in this report, do so at their own risk and have a duty to determine the adequacy of this report for their time, location and intended use.

III Site Description

III.1 Location and Legal Description

The Subject Property is known as Quintana Property and is located at 947 Main Street in Minturn, Colorado (Figure 2, Appendix A), totaling 1.082 acres. The property is at an elevation of approximately 7,900 feet above mean sea level. The parcel is roughly square with the dimensions in both the north-south and east-west directions being a little over 200 feet. More specifically, the subject property described as part of the northeast quarter of Section 35, Township 5 South Range 81 West of the New Mexico Principle Meridian, also known Lot 10, part of the South Minturn Addition. The boundary description can be found on the survey map, included as Figure 3, Appendix A in reduced size format.

III.2 Site Vicinity and General Characteristics

The United States Geological Survey (USGS), Minturn, Colorado, 7 1/2 Minute Topographic Quadrangle map shows the Subject Property, adjacent cultural features, and the topography (Figure 1, Appendix A). The Subject Property is located within a deep canyon that has been cut by the Eagle River. The topography along the valley bottom is relatively flat with the topographic and hydrologic down gradient direction generally to the north along the river. Both topographic and hydrologic gradients on both sides of the river are dominantly toward the river with some additional northward component. Groundwater flow on the Subject Property is most likely to the north, partially paralleling Main Street, also known as State Highway 24, with a a component moving toward the river . The Subject Property is located at an elevation of approximately 7,900 feet above mean sea level based on the USGS topographic quadranglemap. The town historically consisted of local farming and ranching, along with railroad transportation, and housing for people that worked at the old historic mine located a few miles south of town. The flavor of the town has changed somewhat over the last years, as mining was discontinued during the last century and the railroad was mothballed early in this century. The town now mostly supports tourism, recreation, and service people that maintain infrastructure in the general Eagle-Vail area.

III.3 Current Use of Property

The Subject Property serves as the residence for the Quintana family, and also as an income property through the renting mobile home units to others. Due to the need for housing in the area, the units are generally fully occupied. The family also operates a small excavation business, and

uses a portion of the land not occupied by the house or the mobile home units to store construction supplies and various parts. From time to time, they will park their equipment on the site when it is not on a project. (Figure 2, Appendix A).

III.4 Description of Structures, Roads, Other Improvements on Site

The Subject Property consists of a total area of approximately 1.082 acres. Main Street /State Highway 24 makes up the eastern boundary of the Subject Property. It consists of a two-lane asphalt surfaced road that serves as a north-south access leading from I-70 from a point near Vail, to Leadville, the next major town to the south. The house and mobile home units are accessed via a gravel road that runs through approximately the center of the property, perpendicular to the highway. The property immediately to the west rises steeply from the valley bottom and is undeveloped in the vicinity of the Subject Property.

The property contains one permanent building which is the residence of the Quintanas, along with 9 mobile home units that are rented out. The house is of wood frame construction and has an area of 1,285 square feet per to Eagle County records. The mobile homes are licensed with Motor Vehicle and are of standard widths with varying lengths up to 65 feet. A couple of the mobile homes have storage sheds or porches added that are used for that occupant's private belongings

The remainder of the Subject Property is used by the Quintanas to store various construction materials and parts. Some of the materials are stored outside, and others are stored in van-type trailers. The variety of materials can be seen in the photos (Appendix E), and include wood and steel products, and various parts for shop tools, cars, and construction equipment. There is a small mine car exhibit set up on the front of the property facing Main Street to remind the public of Colorado's mining heritage.

III.5 Current Uses of the Adjoining Properties

The physiographic features of the adjacent properties are similar to the Subject Property. The Subject Property and adjacent properties are bounded on the east by US Highway 24 (Figure 2, Appendix A) and on the west by steep hillsides. The Subject Property is bounded by private residences on the south, the north and across Main Street (Highway 24) to the east. The west end of the property to the south contains a commercial building which currently houses a carpet cleaning company. This is the only commercial building that is near to the site. Observations of these adjacent properties found no visible environmental issues.

IV User Provided Information

At the request of the client, Land Title Guarantee Company did a title search on the subject property and results are summarized in Appendix B. A survey map was provided to Braun by the client, prepared by Kipp Land Surveying Company of Englewood, Colorado as Figure 3 (Appendix A). The map shows the permanent buildings and mobile home units with respect to their location to property boundaries. As other items stored on the site are not considered permanent, they are not shown on that map.

IV.1 Title Records

A title search was completed by the client and the title information is summarized in Table A. The search included information from the Land Title Company. The oldest available records found by the Land Title Guarantee Company search were the 1891 and 1903 original patents from the US Government under the 1820 Sale of Public Lands Act. The sales were made to Benjamin Booco and John Kollnig (sp) respectively. According to the title company's search, the land making up the Subject Property shows up as a smaller tract in 1939 when a parcel was sold to Siegfried and Arthur Nelson by Ora and Martha Tipton. Another portion making up part of the Subject Property was sold in 1943 by William Bergquist to Elmer and Elsie Owen. Owens sold a portion of that parcel to Edward and Peggy Smith in 1965, and then the remaining portion to the Quintanas in 1968. The Qunitanas subsequently consolidate the parcels that make the total area contained within the current Subject Property, with current ownership as the Francis R. Quintana Declaration Trust (see documents in Appendix B).

IV.2 Environmental Liens or Activity and Use Limitations

Neither the client nor anyone additionally interviewed knew of any environmental liens or land use limitations that may be the result of environmental issues associated with the Subject Property. No environmental liens or limitations were found as a result of Braun's research.

IV.3 Specialized Knowledge

The client, nor anyone else interviewed has any other specialized knowledge concerning negative environmental issues associated with the Subject Property.

IV.4 Commonly Known or Reasonably Ascertainable Information

No commonly known or other reasonably ascertainable information was found to exist concerning any negative environmental issues associated with the Subject Property other than the standard sources used in this report.

IV.5 Valuation Reduction for Environmental Issues

No person interviewed had any knowledge of any value reductions for the Subject Property due to negative environmental issues.

IV.6 Owner, Property Manager, and Occupant Information

The property is owned by the Frances R. Quintana Declaration of Trust with the Quintana family as trustees, managing the property. The Qunitana family had owned the central portion of the property since 1968, and has operated it in a manner similar to how is being currently used today ever since. Randy Quintana was interviewed at the time of the walkthrough and pointed out the various details that they knew or recalled with respect to the property. They knew of no recognized environmental conditions associated with the property or of any associated with any of the adjacent properties.

IV.7 Reason for Performing Phase I

This Phase I was requested by Mary Pope of Acent Sotheby's International Realty to determine if negative environmental conditions exist with respect to the Subject Property per standard ASTM Practice E1527-13.

IV.8 Other

No additional information has been found regarding the Subject Property other than that contained within the other sections of this report.

V Records Review

V.1 Standard Environmental Record Sources, Federal and State

Braun has reviewed records, lists, and other available information on documented environmental impacts and cleanups up to one mile of the Subject Property. The lists and databases are contained in Appendix C. The maps showing search areas and results are contained within the database results. The Subject Property was not listed in any of the environmental databases searched that document environmental problems or concerns.

V.1.1 Off-Site Facilities

A survey of properties within a one-half mile radius of the site was conducted to obtain names and addresses of operations where present or former environmental problems or concerns, including leaking underground storage tanks and small quantity hazardous waste generators, are or may have been (Appendix C). Federal databases were searched to a radius of one mile, leaking underground storage tanks sites and water wells were searched to one mile radius. A list of available and researched databases are shown in this section with a specific listing of results in Appendix C.

Standard Environmental Records Researched
Proposed NPL - Proposed National Priority List Sites
NPL LIENS - Federal Superfund Liens
Delisted NPL - National Priority List Deletions
CERCLIS - Comprehensive Environmental Response, Compensation, and Liability Information System
FEDERAL FACILITY - Federal Facility Site Information listing
CERC-NFRAP CERCLIS - No Further Remedial Action Planned
CORRACTS - -Corrective Action Report
RCRA-TSDF RCRA - Treatment, Storage and Disposal
Federal RCRA - generators list
RCRA-LQG RCRA - Large Quantity Generators
RCRA-SQG RCRA - Small Quantity Generators
RCRA-CESQG RCRA - Conditionally Exempt Small Quantity Generator
US ENG CONTROLS - Engineering Controls Sites List
US INST CONTROL - Sites with Institutional Controls
ERNS - Emergency Response Notification System
State- and tribal - equivalent CERCLIS
SWF/LF - Solid Waste Sites & Facilities
LUST - Leaking Underground Storage Tank List
LUST TRUST - RAP Site Listing
LAST - Leaking Aboveground Storage Tank Listing
INDIAN LUST - Leaking Underground Storage Tanks on Indian Land
INDIAN UST - Underground Storage Tank Database
INDIAN UST - Underground Storage Tanks on Indian Land
FEMA UST - Underground Storage Tank Listing

AUL - Environmental Covenants and Environmental Use Restrictions List
INDIAN VCP - Voluntary Cleanup Priority Listing

VCP - Voluntary Cleanup & Redevelopment Act Application Tracking Report
US BROWNFIELDS - A Listing of Brownfields Sites
ODI Open Dump Inventory
DEBRIS REGION 9 - Torres Martinez Reservation Illegal Dump Site Locations
SWRCY - Registered Recyclers Listing
HIST LF - Historical Landfill List
INDIAN ODI - Report on the Status of Open Dumps on Indian Lands
US CDL - Clandestine Drug Labs
CDL - Meth Lab Locations
US HIST CDL - National Clandestine Laboratory Register
LIENS 2 CERCLA - Lien Information
HMIRS Hazardous Materials Information Reporting System
CO ERNS - Spills Database
SPILLS 90 - SPILLS 90 data from FirstSearch
RCRA NonGen / NLR RCRA - Non Generators / No Longer Regulated
DOT OPS - Incident and Accident Data
DOD - Department of Defense Sites
FUDS - Formerly Used Defense Sites
CONSENT - Superfund (CERCLA) Consent Decrees
UMTRA - Uranium Mill Tailings Sites
US MINES - Mines Master Index File
TRIS - Toxic Chemical Release Inventory System
TSCA - Toxic Substances Control Act
FTTS FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)
HIST FTTS FIFRA/TSCA - Tracking System Administrative Case Listing
SSTS - Section 7 Tracking Systems
ICIS - Integrated Compliance Information System
PADS PCB - Activity Database System
MLTS - Material Licensing Tracking System
RADINFO - Radiation Information Database
FINDS - Facility Index System/Facility Registry System
RAATS RCRA - Administrative Action Tracking System
RMP - Risk Management Plans
METHANE SITE - Methane Site Investigations - Jefferson County 1980
Methane Investigation Methane Gas & Swamp Findings
DRYCLEANERS - Drycleaner Facilities
NPDES - Permitted Facility Listing
AIRS - Permitted Facility & Emissions Listing
UMTRA - Uranium Mill Tailings Sites
ASBESTOS - Asbestos Abatement & Demolition Projects
INDIAN RESERV - Indian Reservations
SCRD DRYCLEANERS - State Coalition for Remediation of Drycleaners Listing
LEAD SMELTERS - Lead Smelter Sites
US AIRS - Aerometric Information Retrieval System Facility Subsystem
EPA WATCH - LIST EPA WATCH LIST
US FIN ASSUR - Financial Assurance Information
COAL ASH EPA - Coal Combustion Residues Surface Impoundments List
PCB TRANSFORMER PCB - Transformer Registration Database
COAL ASH DOE - Steam-Electric Plant Operation Data
2020 COR ACTION - 2020 Corrective Action Program List
PRP - Potentially Responsible Parties
EDR - HIGH RISK HISTORICAL RECORDS
EDR - Exclusive Records

EDR MGP EDR - Proprietary Manufactured Gas Plants
EDR US - Hist Auto Stat EDR Exclusive Historic Gas Stations
EDR US - Hist Cleaners EDR Exclusive Historic Dry Cleaners
RGA LUST -Recovered Government Archive Leaking Underground Storage Tank
RGA LF - Recovered Government Archive Solid Waste Facilities List

Database Search Results

The Subject Property is not listed in any of the searched databases. The search listed three mapped and listed sites with one half mile radius of the Subject Property. The first is an above ground tank located at Minturn RMC located just less than one quarter mile to the East of the Subject Property. The tank is reported to have capacity to hold 2,000 gallons of diesel. There are no reports of any leaks or releases associated with the tank, and since the site is located on the east side of the Eagle River, opposite of the Subject Property any release of diesel would have no negative affect on the Subject Property.

A second site is the Minturn Pit owned by Chadwick Construction. It is located approximately one quarter mile East-Northeast of the Subject Property, also on the opposite side of the Eagle River. It is listed in the data as being a mine, and shows no records indicating negative environmental conditions that might negatively affect the Subject Property.

A third listed and mapped site is located about greater than one half mile from the Subject Property. It is the tailings disposal area for the Eagle Mine. The site is located approximately 0.6 miles South Southeast of the Subject Property at a point where Cross Creek empties into the Eagle River. The area contained some level ground and was a place for the mining company to deposit the material. The site is on the National Priorities List and has been under the care and direction of the US EPA since before the turn of the century. The mine is reported to have moved iron manganese, copper, zinc, cadmium, lead compounds. The company closed the mine in 1977 actions began to be taken byEPA and the State of Colorado in 1983. The critical issue was that contaminants had potential to reach the Eagle River or had reached it. The site has been in the good hands of the government agencies since then and they say that they have stabilized the site. Based on the current understanding of local geologic conditions, if any releases might ever occur, they would be anticipated to flow to the Eagle River and not affect the Subject Property. Further information concerning this site is included in Appendix C. Based on data contained in that report and general familiarity with the site, no further research is deemed necessary for this site. . Based on the quality oversight by the government agencies associated with this site, and lack of any hydrologic conductivity, the Subject Property would not be anticipated to negatively affect

this site.

The following sites are listed in various databases as orphan sites, meaning that they have not been assigned locational positions in those databases.

ORPHAN SUMMARY

City	Site Name	Site Address	Database(s)
MINTURN	GILROY TRANSPORT SPILL	US HWY 24, MP 144	CERC-NFRAP
MINTURN	MINTURN N MAIN ST WATERLINE	N MAIN ST AND 4 ST	NPDES
MINTURN	MINTURN N MAIN ST WATERLINE	N MAIN ST AND 4 ST	FINDS
MINTURN	HIWAY 24 LIQUORS	996 MAIN ST P O BOX 353	LUST, LUST TRUST
MINTURN	BATTLE MOUNTAIN TRADING POST	1031 MAIN ST	LUST

Each sited has been reviewed individually and the following comments are made for each.

The Gilroy Transport Spill occurred about 45 miles south of the town of Minturn, so would have no negative affect on the subject property.

The address of 4th and Main is located nearly a mile north of the Subject Property and is topographically and hydrologically down-gradient so would not negatively affect the property.

The Hiway 24 Liquors site is the site of a leaking underground storage tank (LUST) located approximately a block south of the Subject Property at 966 Main, the east side of the street. The release was discovered in November of 2008 when the underground petroleum storage tanks were removed. The site is currently being remediated by the State of Colorado Division of Oil and Public Safety (DOPS). This site has been thoroughly investigated under the direction of DOPS personnel, and since it is hydrologically cross gradient to from the Subject Property, it poses no threat to the Subject Property. Any environmental reclassification that might reasonably be anticipated to occur with respect to that site would have no effect on the Subject Property.

The last site is the Battle Mountain Trading Post located at 1031 Main. This is also a LUST site located approximately a block and a half south of the Subject Property. The release was discovered in late 1994, with the release event being closed in April of 1995. Per the records, this site poses no threat to the Subject Property. Any reclassification, reasonably anticipated to that site would have no effect on the Subject Property.

In summary none of the sites that have been identified are be anticipated to negatively affect the Subject Property.

V.1.2 Water Well Information

Federal and State of Colorado Well Databases were accessed to determine water wells within one mile of the Subject Property (see Physical Settings, Source Map-3410228.2s in Appendix C for locations relative to subject property). A total of 5 wells were found within a one-half mile radius and 33 wells within a one mile radius. The wells, their depth and permitted use, and their relative locations with respect to the Subject Property are shown in the following Table 1.

Table 1

List of Recorded Water Wells Located Within One Mile of the Subject Property

WELL NUMBER	NAME	Use	DISTANCE AND DIRECTION	DEPTH TO WATER	WELL DEPTH
CO6000000325629	MEDINA FRANK	D	1/8 - 1/4 Mile WNW	180	300
CO6000000249167	LUCERO TONY	M	1/8 - 1/4 Mile ENE	--	--
CO6000000249778	LUCERO TONY	M	1/8 - 1/4 Mile ENE	--	--
CO6000000249822	MINITURN TOWN OF	M	1/8 - 1/4 Mile ENE	--	--
CO6000000175288	MINTURN CEMETERY DISTRICT	C	/8 - 1/4 Mile North	37	100
CO6000000297881	MCFARLANE WILLIS	D	1/8 - 1/4 Mile WSW	101	245
CO6000000249821	MINITURN TOWN OF	M	1/4 - 1/2 Mile NNW	--	--
CO6000000287231	MARSHALL JOHN	D	1/4 - 1/2 Mile WNW	--	--
CO6000000397297	POUCHER RALPH & ANN	D	1/4 - 1/2 Mile West	60	145
CO6000000356676	BECK CLAIRE K	D	1/4 - 1/2 Mile WNW	105	154
CO6000000452612	KEELER CLAIRE	D	1/4 - 1/2 Mile WNW	105	154
CO6000000150371	SPARKS LARRY	HO	1/2 - 1 Mile WNW	156	191
CO6000000450862	KEELER CLAIRE	HO	1/2 - 1 Mile WNW	90	170
CO6000000199287	BURNETT HAROLD P	D	1/2 - 1 Mile WNW	90	160
CO6000000431111	BURNETT HAROLD PETE	HO	1/2 - 1 Mile WNW	137	237
CO6000000220893	MINITURN TOWN OF	M	1/2 - 1 Mile SSE	--	--
CO6000000223775	MINITURN TOWN OF	M	1/2 - 1 Mile SSE	--	--
CO6000000150098	MINITURN TOWN OF	M	1/2 - 1 Mile SSE	3	105
CO6000000398855	MINITURN TOWN OF	C	1/2 - 1 Mile SSE	13	87
CO6000000338596	PARAMOUNT COMMUNICATIONS INC	M	1/2 - 1 Mile SE	--	--
CO6000000480938	GINN COMPANY	M	1/2 - 1 Mile SE	0	22
CO6000000480939	GINN COMPANY	M	1/2 - 1 Mile SE	0	34
CO6000000249819	MINITURN TOWN OF	M	1/2 - 1 Mile NW	--	--
CO6000000249820	MINITURN TOWN OF	M	1/2 - 1 Mile NW	--	--
CO6000000310407	ENG. SCIENCE	M	1/2 - 1 Mile SE	--	--
CO6000000310404	ENG. SCIENCE	M	1/2 - 1 Mile SE	--	--
CO6000000310405	ENG. SCIENCE	M	1/2 - 1 Mile SE	--	--
CO6000000245263	GINN COMPANY	M	1/2 - 1 Mile SE	--	--
CO6000000204914	FLEWELLING AL	C	1/2 - 1 Mile NNW	--	--
CO6000000310409	ENG. SCIENCE	M	1/2 - 1 Mile SE	--	--
CO6000000310406	ENG. SCIENCE	M	1/2 - 1 Mile SE	--	--
CO0319218	HOLY CROSS R D OFFICE	A	1/2 - 1 Mile NW	--	--
USGS40000208985	USGS	M	1/2 - 1 Mile SSE	20	80

** Note: Distances are approximate and based on database records. NR = Not Recorded C = Municipal
D = Domestic M= monitoring NA = Not Applicable
Additional records for wells up to 1 mile distant are in Appendix C

There are four wells located within ¼ of a mile of the Subject Property. Of the four, two of the wells are located on the east side of the Eagle River and would not be locally hydrological connected to groundwater within the Subject Property. Two additional wells are located on the mountainside to the west of the Subject Property; one at one-eight mile and one at one-quarter mile away. Both produce from deeper formations and would not be anticipated to be hydrologically connected. There is only one well that has notation referencing chemicals. The well (CO0319218) notes the use of chlorine, but is located nearly one mile to the north, and hydrologically and topographically down-gradient. It would not affect the Subject Property.

V.1.3 Aerial Photographs

The search found three historic aerial photographs that cover the Subject Property. Two are in color and one is black and white.

1999 Aerial Photo

The oldest aerial photo in the set was taken on October 11, 1999. The photo is black and white image with fairly poor resolution. Highway 24/Main Street can be seen running diagonally from the upper left-hand corner to the bottom right. The Eagle River is visible at the far upper left-hand corner. It is the dark area parallel to the road. The Subject Property looks very similar as it does in 2015. The house is shaded by a large tree, and the trees shadow points nearly due north. The mobile homes are visible along with stored materials, and what appears to be, van trailers in the north part of the yard.

2004 Aerial Photo

This photo was taken on August 31, 2004. It is a color image, at a similar scale and showing nearly identical features as the 1999 photo. The Subject Property is visible with its mobile homes and stored materials, trailers, along with other various pieces of equipment. It is obvious in the photo that the Subject Property is surrounded by houses. The single larger building visible to the south of the Subject Property housed the Alpine glass company for many years. The glass company moved a few years ago and a carpet cleaning company now used the building for offices and to store their equipment.

2011 Aerial Photo

This color photo was taken on September 23, 2011 and is of similar quality as the previous photo. The Subject Property is clearly visible and looks the same as in previous photographs. Both this photo and the 2004 allow counting of individual mobile homes. In this photo, there appears to be a fourth mobile home in the north row, but as the feature leaves no shadow, so is most likely that it is a flat-bed trailer or some parts from a one.

V.1.4 Historical Topographic Maps

Three USGS Topographic Quadrangle maps were found that show coverage of the Subject Property. All three are USGS 7.5 Minute Quadrangles. The Subject Property is identified on each of the maps.

1934 Map

The oldest map found is dated 1934 and shows no improvements on or nearby the Subject Property. The road adjacent to the Subject Property is named US Highway No.4 S. A railroad grade can be seen located on the east side of the Eagle River.

1950 Map

The next map in the set is dated 1950. That map shows the strip of land to the west (SW) of the road built up with houses (occupied buildings). The road and railroad track alignments both appear unchanged from the previous map. The road label has been changed to "24" from the original "No4 S" to update it to the new labeling convention.

1970-Rev1987 Map

The most recent map was produced in 1970 and then photo-revised in 1987, meaning that the original map and line work were produced in 1970 and any changes found in 1987 were added in purple ink. The Subject Property is labeled on the map to show its location, and the map shows two houses (occupied buildings). The mobile homes were on the property at the time of the map was made, but the mappers simplified the details somewhat. As can be seen, there are no physical changes recognized by the cartographers that made the map, and the only visible purple ink on the map, denoting a change, is the addition of the city boundary.

V.2 Additional Environmental Record Sources

No additional records were reviewed.

V.3 Physical Setting Sources

V.3.1 Geology/Hydrology

Minturn is located on the western flank of the Park Range, of which the more local Gore Range is part of. To the west is another uplifted area containing the Mount of the Holy Cross. Both features expose a Precambian core made up of metamorphosed sedimentary rocks with associated intrusives. The Town of Minturn is situated in a deep mountain valley between the two uplifted areas with it local bedrock made up of Paleozoic sedimentary units. The bedrock to the west of town is composed of the upper Devonian and Mississippian age Leadville limestone which has been cut off and faulted by the uplift to the west. To the east, the younger Pennsylvanian Minturn formation rises steeply to the east as it gains elevation toward the top the uplifted core. Most of the Town of Minturn and all of the Subject Property are located on locally deposited stream gravels sourced from the Eagle River. These gravels are made up of a mixture of Paleozoic sedimentary, and metamorphosed Precambrian rock. As the Precambrian rock is more resistant to erosive conditions than the sediments, it generally makes up the bulk of the gravels.

The arkosic Minturn formation generally makes a poor source of water for wells due to the high percentage of finer grained materials that make it up. The limestones have low permeabilities with dominant flows being restricted to fracture zones and areas of karsting. Thus, the majority of groundwater flow in the general vicinity of the Subject Property will be within the river gravels, as these gravels have the highest relative permeability of all of the local units. Based on this information, if some connection existed, it would be anticipated that the gravel unit would have the greatest chance of producing connectivity between water wells. Since the Paleozoic units are more hydrologically tight, individual wells would be anticipated to have less area of influence than in the gravels, thus less chance of any connectivity between wells. A review of the water well information shows no reported wells that would be anticipated to have any hydrologic connection with the Subject Property.

V.4 Historical Use Information on Property

The Land went was patented under the 1820 Sale of Public Lands Act in the late 1800's; one dated 1891, and a second a few years later. The property appears to have been used for agriculture prior to World War II. The historic USGS topographic map produced in 1934, showed no development in the area and the 1950 maps shows the area in the vicinity of the Subject Property similar to it appears today. Development, the area has been dominantly residential with few retail businesses located along the highway. The first deed found by the title company after the patents was a deed from Tipton and Nelson to Owen in1939. Owen purchased an additional portion of the current property in 1943 from William Bergquist. Owen then sold off a portion at the southwest corner to E.E Smith in 1965. The Quintana family purchased their first parcel in 1968 and assembled the other pieces over the next few years. In 2004, Mrs. Quintana deeded the properties to the Francis R. Quintana Declaration of Trust, where title currently resides today.

Following their original purchase of the property, the Quintanas moved in mobile homes and rented them out. Over the years, they acquired additional mobile homes and added them to the site. Also over time, they began to do local construction work in the area. Since they had extra space that was not being used, they took a portion and used it to store various building materials and parts. When the equipment was not working on a construction project would also be temporarily stored on the property.

V.5 Historical Use Information on Adjoining Properties

The Land went was patented under the 1820 Sale of Public Lands Act in the late 1800's; one dated 1891 and a second a few years later. The property appears to have been used for agriculture prior to World War II, with the dominant use of crops along the river and sheep run in the highlands. The historic USGS topographic map produced in 1934 showed no development in the area and the 1950 maps show the area in the vicinity of the Subject Property similar to as it appears today. Since development, the area has been dominantly residential with a few scattered retail businesses that along the highway. No businesses have been identified that would have eh potential of negatively affecting the Subject Property.

VI Site Reconnaissance

VI.1 Methodology and Limiting Conditions

The methods used to perform the site investigation are consistent with the methods outlined in ASTM Practice 1527-13.

VI.2 General Site Setting

The Subject Property consists of a total area of about 1.082 acres (based on survey maps). The property is bounded on the northeast (called east in this report to avoid confusion) by Colorado highway 24, and on the west by a steep hillside. The property is generally level. The Subject property contains one house used by the Quintanas as a residence, and by 9 mobile homes that are rented. The house is 2 stories and is of frame construction. Due to the need for affordable housing in the area, the units are usually fully occupied and have been a source of income for the family since they were placed on the site. The access to the site is via a gravel road that runs through approximately the center of the property perpendicular to the highway. The house is the first structure west of the highway (Main Street), and the mobile homes are located to its west. The north portion of the subject Property is generally used to store various supplies, including wood and steel products, tools, parts and equipment.

VI.3 Exterior Observations

Site inspection was completed on June 1, 2015, and found the following features on the Subject Property. The house is intact and in fair condition, and the trailers are all livable but do show their years. The remainder of the property is used for storage of various items including steel, wood products, various old collectable vehicles, tools for their business, and a variety of parts and supplies for repairs to the mobile homes, the vehicles and construction equipment. A close inspection of the soils found minor oil drips on the parking areas from vehicles that were parked at the mobile homes and in other areas around the site. The drips were found to be small and are considered to be de minimus in quantity. There is a small grate over a hole in the ground near the west end of the driveway. The owner said that he had been having a mud-hole that the tenants had to drive through and he made the hole a little larger and put a grate over it so it would not keep the road muddy. A careful inspection of the grate found standing water just below the bottom of the grate. Since it has been rainy, the standing water was the result of the wet weather.

The inspection found no evidence of any odors or sheen on the water, thus no negative environmental conditions were found associated with the grate.

Two old steel tanks are found near the northwest corner of the property. One tank is square and appears to have been designed to be mounted on the back of a truck. The second is a smaller round tank with the word "diesel" written on it. Both tanks had been used to transport and store water, and neither had any odor indicating anything other than water has been in them for a long time. Neither of the tanks would be subject to any environmental regulations.

Near the northwest corner of the property two plastic 50-gallon drums were observed that had had labels indicating they had once been used to store a product called Dowfrost. Dowfrost is an antifreezing product that is deemed safe for use in food products. The barrels appeared to only contain rain water at the time of the inspection and must have been collected somewhere to be used for another purpose. Neither water nor the compound listed on the label would present an environmental concern.

In summary, the inspection of the Subject Property found that the stored items were somewhat haphazardly placed, and the owner was in the process of tidying up the area by removing some of them. Although the site was messy due to the number of items stored, there was no indication of any negative environmental conditions as a result, including from spills or leaks of fuels or chemicals that would not be considered anything greater than de minimus volumes.

VI.4 Interior Observations

House and Mobil Homes

House and mobile homes are private residences and would not normally be considered to have any negative environmental conditions. Since the tenants were at work or out on other business, the units were not available for interior inspection. The outsides of the trailers were carefully observed and nothing was found that would indicate any negative condition inside. The owner was confident that no negative issues existed within the units, and since he lived on site, he has been watchful of the goings-on at the property. A couple of the mobile homes had small storage sheds for their tenants to store personal items, They were also inaccessible for the inspection, but inspection of their exteriors produced no evidence that any negative environmental conditions associated with them might exist.

The accessible van trailers were inspected, and found to contain parts and tools. In some, the items had been placed in order through the use of bins and shelving. In others, the items had been placed more haphazardly. No drums containing any fuels, lubricants, or chemicals that might result in a negative environmental condition were found inside any of the trailers during the site visit.

VII Interviews

VII.1 Interview with Owner

Randy Quintana, the person in charge for the family business, was interviewed during the field inspection. He lives on the property and manages the business. He said that the family moved onto the property after Mr. Quintana bought the property in the 1960's. They first lived in one of the mobile homes and then eventually moved into the house located as the southeast corner of the property when that parcel was later purchased. The parcel to the north of the southern lot originally had a small building he referred to as the Pool Hall. The Quintanas operated that business for a short period and then leased it out for a while longer. It was found to be uneconomic to continue its operation so it was closed and torn down leaving only the concrete floor, that can is still visible today.

When asked about any negative environmental conditions, he knew of none. He said that they have lived on the property since the 1960's and have used if for the same purpose for all those years. He said that there were never any environmental issues caused by the tenants, and the use of the north portion of the property had always been for storage of materials. Their construction equipment was stored on this site during times that they were not working on a construction project. He stated that at one time a few years ago he had a small above ground farm-type diesel tank on the site in approximately the area shown in Photo 6 (Appendix E). The tank had secondary containment and he said that they had always been careful about spills. They decided that it has been easier to buy fuel form at a station than use the tank, so he removed it. He pointed to the location where it had been, which was near the center of the property along the north edge of the road leading to the trailers. The inspection found no evidence of a tank or any indication that any spills had ever occurred.

The grate at the west end of the access road was discussed and he stated that the area always had a low spot that collected surface water and made mud. He said that he remedied the mud problem by deepening the pothole depression and placing a grate over it. He knew of no negative environmental issues associated with the grate or the hole, only that it gotten rid of his mud problem. When asked about septic tanks or leach fields, he said that he thought that the site was on town water and sewer since they owned the property so none existed that he knew of.

VII.2 Interview with Site Manager

Randy Quintana is also the site manager.

VII.3 Interviews with Occupants

There are no occupants that would be familiar with the environmental site conditions.

VII.4 Interviews with Local Government Officials

Janet Hawkingson, the Planning Director for the Town of Minturn was contacted concerning the Subject Property. She was aware that people have concerns with sites that have construction materials, and also knew of the removed underground storage sites that are located within the town to the south of the Subject Property. However, she knew of no negative environmental associated with the Subject Property or of any concerns that nearby properties could generate.

VII.5 Interviews with Others

Tom Dunn of Ascend Sotheby's International Reality, as the requestor of the Phase I, was interviewed concerning if he knew of any recognized environmental conditions. He mentioned that he was told by the owner the location of a fuel tank that had been on the site for a couple of years, but of nothing else. He knew of no negative environmental conditions.

VIII Findings, Opinions, and Conclusions

Based on information obtained during the site reconnaissance and the records and information gathered during Braun's investigation, the following points are summarized for the Subject Property:

- The June 1, 2015 site visit revealed no evidence of any significant spills of chemicals or petroleum products, any chemically distressed vegetation, stained surface water, or any anomalous odors on, or adjacent to the Subject Property with one exception. Minor soil staining was found in the parking areas that appeared to have been sourced from drips from vehicles. The stains found are considered to be limited to a few drips, and de minimis in nature. These do not produce a recognized environmental condition.

- A low area in the west end of the main driveway leading to the mobile homes had been deepened to a depth of about a foot and a steel grate was placed over it. The owner stated that the intent of the deepening of the depression and installing a grate was to keep a mud hole drained so cars and pedestrians would not get mud on them. It had been rainy prior to the site visit and the depression below the grate contained some water at the time of the inspection. That inspection found the water to be clean with no odors or sheens, nor was there any evidence of any stained soils or spills located nearby that could provide a source of impacts. Thus, it is concluded that the depression is, from an environmental perspective, equivalent to the previous pothole that existed in the driveway. Where the water had been originally collected in the shallow pothole above the current level of the grate, it now instead collects in a slightly deeper pothole below the grate. As the deepened pothole had no chemical odors, nor any visible indications that any contaminants existed, it is not considered to be a recognized environmental condition.

- The environmental database/records search found no listings for the Subject Property. There are two nearby properties listed in the Leaking Underground Storage Tank (LUST) database within 2 blocks. One was issued a no further action letter in 1995 and the second is undergoing remediation under the direction of the Colorado Division of Oil and Public Safety (DOPS). Both sites are deemed

cross gradient of the Subject Property, thus not considered to negatively affect the Subject Property, or present a recognized environmental condition.

- The database/records search found one mining property on multiple databases including the National Priorities List. The site has been remediated under the direction of the State of Colorado and the Environmental Protections Agency. Since it had been stabilized by these government agencies and has no apparent hydrological connection to the Subject Property, it is not considered to cause any negative risk the Subject Property thus is not a recognized environmental condition.

- Since a Phase I investigation is non-invasive, and as the soils below some stored items was not visible at the time of inspection, it is recommended that the owner when moving materials, watch carefully to make certain that no undiscovered stained soils exist. It is our professional opinion that there is little chance that the soils below the stored items will be any different that the soils that were visible, so this observation does not constitute a recognized environment condition. However, we do advise property owners to always be watchful and proactive in the event something now hidden might be discovered.

We have performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E1527-13 for the Quintana property, located at 947. Main Street, Minturn, Colorado. Thus, subject to the limitations of the standard, the assessment has revealed no evidence of any recognized environmental conditions in connection with Subject Property.

IX Deviations

There are no known deviations from ASTM Practice E1527-05

X Additional Services

No additional services have been performed.

XI References

No additional sources were used or quoted other than as stated in this report

XII Signatures of Environmental Professionals

Phase I Assessment Performed by:



C. A. Braun, PE, CPG
BRAUN ENVIRONMENTAL, INC.

XIII Qualifications of Environmental Professionals

CHARLES A. BRAUN, P.E., CPG

Colorado School of Mines: B.S., Geological Engineering (1978)
Registered Professional Engineer - Colorado and Kansas
Certified Professional Geologist CPG

SUMMARY OF EXPERIENCE

Mr. Braun has extensive experience in environmental assessments, design, and restoration of impacted sites such as petroleum, mining and commercial industrial sites. His background includes experience in construction- and mining-related engineering and geological services. He has performed environmental site assessments, hydrogeologic studies, dam and reservoir site evaluations and developed mine plans and on permitting and environmental impact statements including hazardous waste sites. He has evaluated base metal, industrial mineral and precious metal deposits using geologic, geophysical and geochemical data throughout the western United States. He has operating familiarity with most types of heavy equipment and mining machinery. This professional engineering experience has been invaluable in the practical design and evaluation of environmental issues, for process facilities and structures. He has experience through many districts within the United States.

PROFESSIONAL EXPERIENCE

Braun Environmental, Inc., Lakewood, Colorado
(1996 - present)

Mr. Braun owns and manages Braun Environmental, Inc. The firm specializes in all aspects of environmental issues including: underground and above ground storage tanks; investigation of chemical spills, clean ups of spills in both soils and groundwater medias, and providing proper reporting of required information to governmental oversight agencies. As a licensed engineer, Mr. Braun is responsible for the design of systems and programs developed to clean up contaminated sites and to design and write Spill Containment and Countermeasure plans (SPCC Plans). The firm performs environmental investigations including Phase I assessments and site audits. It has developed procedures and programs to assist clients in the prevention of spills and issues that would require cleanups. It does the design and implementation of remediation systems to remove pollutants from soil and aquifers at leaking petroleum tank sites. A variety of clients are served which include individuals, retail facilities, ski areas, cities and counties and Federal Agencies. The types of investigations performed include Phase I environmental evaluations, initial and follow-up site assessments, corrective action plans (CAP), Spill Prevention, Containment and

Countermeasure (SPCC), Plans and design and remediation of impacted sites. Braun is currently performs work throughout the State of Colorado.

Mr. Braun currently is working on and overseeing approximately twenty sites located in Colorado and Wyoming. The phases of cleanup of petroleum storage tank sites vary in progress from initial discovery to active remediation, to groundwater monitoring, to closure. Mr. Braun has obtained closure of four sites during approximately the last year. He knows and has good working relationships with all regulatory agencies involved in the cleanup of the petroleum storage tanks including the Colorado Division of Oil and Public Safety, the Colorado Department of Public Health and Environment, and various contractors and drilling firms required to perform the work. As an engineer, Mr. Braun normally personally supervises any removal of underground storage tanks. He provides the remediation designs and supervises installation of these systems

Braun Consulting Engineers, Idledale, Colorado
(1983 - Present)

As the company principal, Mr. Braun provided diverse engineering services to mining and construction companies for property evaluation and development. He is familiar with the design, operation, utilization and maintenance of various types of mining and construction equipment, and has operating experience on most types of heavy machinery. This experience has been invaluable in the practical design of facilities, access roads and structures. He has performed services including the layout and design of buildings, surface and subsurface structures and impoundments and environmental considerations. He has performed structural design work for a variety of building types including residential and commercial buildings, mining structures such as warehouses, headframes and underground facilities. He has experience on hazardous materials sites including environmental assessment, design and regulatory negotiations. The sites include above and under ground storage tank facilities, high level waste and chemical and mining waste sites. Mr. Braun's managerial experience includes project supervision, organizing and negotiating contracts, impact statements, mining-related permits and detailed development plans for mining operations. His extensive mining background allowed him to make economic decisions on these projects based on the available facts.

On one of Mr. Braun's current projects , he recently served as chief engineer for a company that is mining a gold deposit in Cripple Creek, Colorado. His functions included: guiding the exploration drilling program, calculating ore reserves that have been defined, developing access to the ore body, and designing the extraction method. This project used a short decline using rubber tired equipment. Ore was transported to a company controlled flotation mill, with the concentrates then being sold to a refiner.

He is currently participating in a joint venture project with a company that locates utilities to map features

so that the clients will have maps and databases showing the locations of their equipment. The work is being performed for the private needs of the clients and to also meet Federal Department of Transportation (DOT) regulations.

Mr. Braun has experience throughout the western United States on base metal, industrial mineral and precious metal deposits. He has worked in Arizona, California, Colorado, Idaho Montana, New Mexico, Nevada, Oregon, South Dakota, Utah, Washington, and Wyoming. He evaluated vein, disseminated, precious metal and base metal, massive sulfide, and placer deposits. He currently has interests in precious properties located in Colorado. He has led projects including the generation of exploration stage properties, evaluation of existing prospects using geologic, geophysical, and geochemical data and the planning and development of production stage mineral properties. He maintains an extensive database listing of properties that are located throughout the western United States.

Mr. Braun is the co-owner of a patent involving mineral processing, which is currently being applied in the environmental and sanitary field. Equipment based on the patent is currently being manufactured and sold for use in fresh and wastewater treatment processes.

Science Applications International Corporation, Golden, Colorado
(1991 - Present)

Mr Braun assists the Chevron Texaco on fuel spills at retail sites, and the U.S. Forest Service on engineering issues for a Environmental Impact Statement (EIS) for underground and surface mines and on remediation and site closure issues. These issues included facilities designs, hydrological considerations, natural and site generated hazards including fuel and hazardous materials spills. He has performed work for the EPA and the Department of Justice on other issues including providing written input for remediation procedures and providing solutions to specific engineering issues. He provided engineering input to the EPA on the Summitville mine in Colorado and on projects in other states. He has supported resolution of a legal case involving structural damage to buildings and property located over an operating underground mine. He is currently working on environmental related projects for the US Forest Service in California, Colorado, Idaho, and South Dakota. These projects include mine evaluations for cleanups of soils and water, for closures, chemical spills, and environmental engineering/cost analysis studies. He serves as the lead engineer on most of the projects. Remediation methods include both underground and surface including water diversions, plugs, and transport of mine wastes.

Mr. Braun worked on the Site Safety Analysis Reports (SAR) for the Rocky Flats Environmental Technology Site. He has contributed to portions of the SAR related to the hazards to the structural failure of individual facilities from weather phenomena, including heavy rain and snow loads. This analysis was done in order to evaluated the possibility of hazardous materials including petroleum and radioactive

substances escaping if a building containing them were to collapse. He was also responsible for reviewing potential hazards to the site from a coal mine that is being used to store natural gas. This evaluation included determining the result of an underground explosion and the resulting stress that might affect the mine and its openings. His experience and familiarity with the site's geology have been valuable in reviewing past geological studies and performing detailed geologic assessments.

Mr. Braun reviewed and coded technical data into an integrated computer database, which he helped to design on a project involving flooding at a deep potash mine in Saskatchewan, Canada. The database incorporated over 30 years of mine operation records and included water, hydrologic (including pump draw-down and tracer tests), drill holes (including lithological and geophysical logs), surface and underground geophysics, surface and underground geology, tectonics, earthquakes, micro earthquakes, faults, subsidence, rock mechanics, computer generated models and mine geometries. In addition, the database included mine and mechanical engineering, civil engineering and legal documents. Mr. Braun was one of two licensed engineers working on the project for SAIC. The sources for this information were field books, mining and consultants reports, laboratory results and published articles. Mr. Braun incorporated the completed databases with field observations to develop new solutions to key problems at the mine.

Mr. Braun managed field teams undertaking detailed engineering geologic mapping at Yucca Mountain in support of the U.S. Geological Survey. These teams have mapped the Ghost Dance fault and discovered the existence of several new faults. Mr. Braun has developed a database, which includes the attributes (including nothing, easting, elevation, strike, dip, fillings, roughness and aperture) for more than 1,500 surface fractures. These data are being used to calibrate hydrogeologic models and provide stress-strain data for the underground engineers and other kinds of statistical analyses. The data have resulted in development of a new micro-stratigraphy for the Yucca Mountain site. All surface geologic information has been recorded at a scale of 1 inch equals 20 feet based on the Nevada State Coordinate System. Standard-of-the-industry survey techniques were used to accurately locate this information on maps. This information was then input to a large-scale two-dimensional AutoCAD model of the surface and a three-dimensional model at the scale of the site. Mr. Braun's managerial duties include responsibility for implementing quality assurance procedures connected with this work.

Apex Envirotech, Inc., Lakewood, Colorado
(1995 - 1996)

Mr. Braun managed the Apex Envirotech Inc. office in Lakewood Colorado. He was involved with all phases of analysis and remediation of above ground (AST) and underground storage tank (UST) sites. As a licensed engineer he was responsible for the engineering designs and certified reports required by government agencies. He was responsible for all aspects of testing and remediation projects for locations

in that state. He assisted on technical and engineering issues for Apex offices located in other states.

Tierra Consultants, Inc., Lakewood, Colorado
(1982 - 1983)

As co-owner and geological engineer, Mr. Braun provided consulting engineering services for groups requiring geological property evaluation. He evaluated properties in the western United States for gold/silver potential, performed hydrogeological studies, dam and reservoir site evaluations and developed mine plans and environmental permitting. His responsibilities included devising sampling programs, mining plans, and geophysical studies; setting up and supervising drilling/trenching programs; and negotiating with property owners for contracts. His decisions and recommendations affected the generation of venture capital for mining projects. An example of one such sampling program was designed to test for heavy metals in alluvium located on a gravel bench on the south side of Rocky Flats, Colorado. A series of trenches were dug and samples of gravel taken. The material was then processed using gravity separation techniques.

Apache Energy and Minerals Co., Lakewood, Colorado
(1978 - 1982)

As a geologist/project engineer, Mr. Braun was involved in the assessment and acquisition of properties, which became the company's original property holdings. His responsibilities included evaluation of properties using exploration techniques such as photo geologic interpretation, geochemical sampling, field mapping, and geophysical surveys. After a property was acquired, his duties included property boundary surveying, development and execution of drilling and sampling programs, mine feasibility studies and reserve estimates. He determined property ownership, made lease/purchase arrangements, negotiated with landowners, acquired properties by claim staking, and participated in the marketing of properties. He evaluated properties for gold/silver, tin, copper, fluorite, barite, molybdenum, uranium, coal, oil shale, and oil and gas in Colorado, New Mexico, Wyoming Montana, Idaho, Nevada, Arizona, Utah, and California. He managed the re-opening of the Gold King Underground Mine in Silverton, Colorado. This mine contained a portal that has been caved. In order to gain access, equipment needed to be purchased, crews hired and permits acquired.

PROFESSIONAL CERTIFICATIONS AND AFFILIATIONS

Professional Engineer, Colorado
Professional Engineer, Kansas
Certified Professional Geologist
Colorado Mining Association
Society for Mining, Metallurgy, and Exploration, Inc. (SME)

Who's Who in Environmental Registry for 1992

PUBLICATIONS

Braun, C.A., Martin, L.G., Blackburn, R.L., Fahy, M.F. and Spengler, R.W. 1995. Geologic and Fracture maps for the ARP-1 Study Area at Antler Ridge, Nye County, Nevada U.S. Geological Survey Open File Report.

Braun, C.A., Martin, L.G., Spengler, R.W. , Linden, R.M. , Blackburn, R.L., and Ross-Brown, D.M.. 1995. Detailed Geologic Mapping Along the Ghost Dance Fault, Yucca Mountain, Nevada. U.S. Geological Survey Open File Report.

Spengler, R.W., Braun, C.A., Martin, L.G., and Weisenberg, C.W., 1994. The Sundance Fault: A Newly Recognized Sheer Zone at Yucca Mountain, Nevada. U.S. Geological Survey Open-File Report 94-49.

Spengler, R.W., Braun, C.A., R.M. Linden, Martin, L.G., Ross-Brown, D.M., and Blackburn, R.L.. 1993. Structural Character of the Ghost Dance Fault, Yucca Mountain, Nevada. Proceedings of the Fourth International Conference, High-Level Radioactive Waste Management. American Nuclear Society, v. 1, pp. 653-659.

Braun, C.A., McEldowney, R.C., and Sherman, G., 1982. The New Mexico Gold Belt: Regional Structural Implications, Colorado Mining Association 1982 Yearbook, p. 136-151.

Note: List excludes numerous confidential reports that have been prepared for clients.

Appendix A

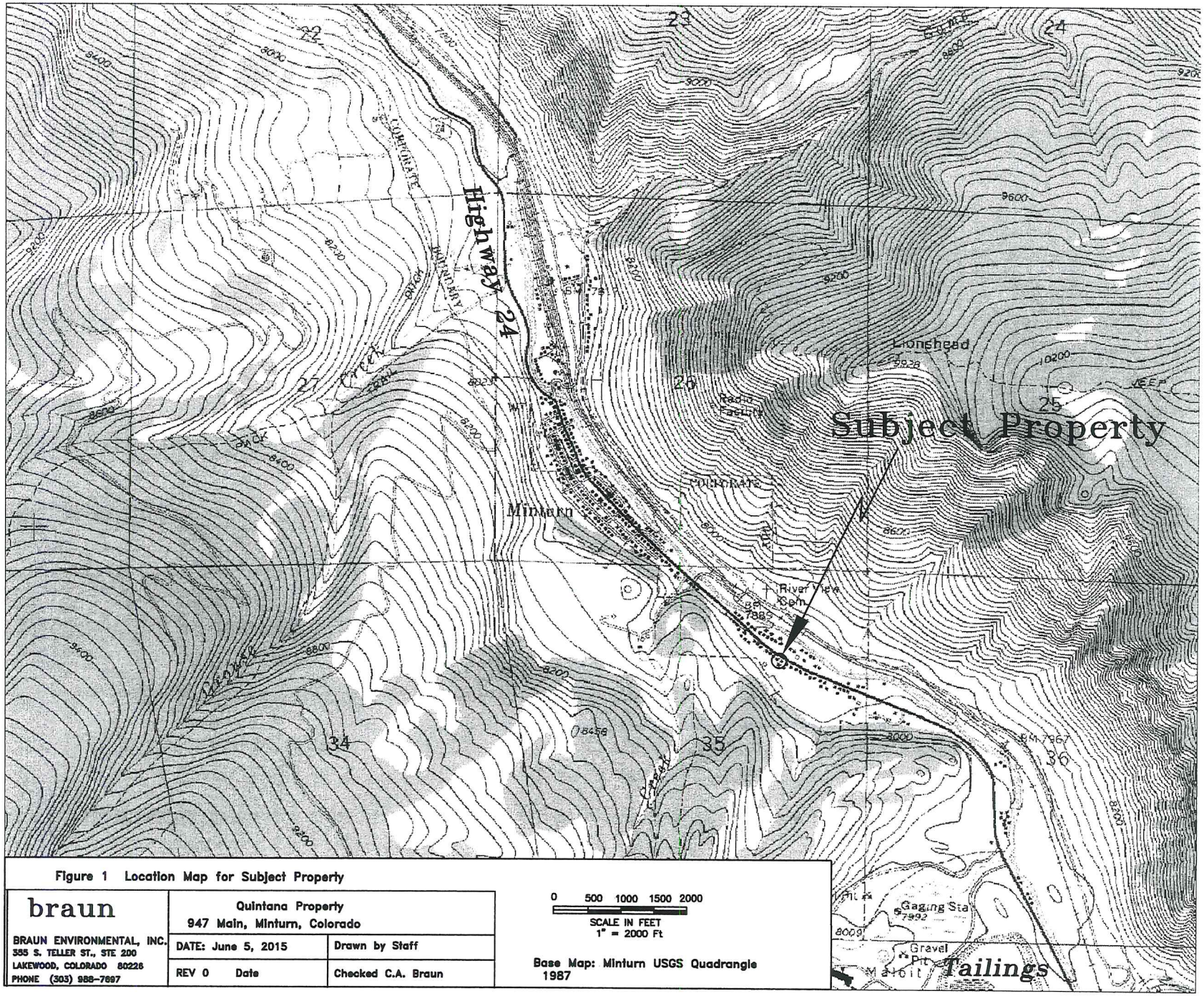


Figure 1 Location Map for Subject Property

braun	Quintana Property 947 Main, Minturn, Colorado	
BRAUN ENVIRONMENTAL, INC. 355 S. TELLER ST., STE 200 LAKEWOOD, COLORADO 80226 PHONE (303) 988-7697	DATE: June 5, 2015	Drawn by Staff
	REV 0 Date	Checked C.A. Braun

Base Map: Minturn USGS Quadrangle
1987

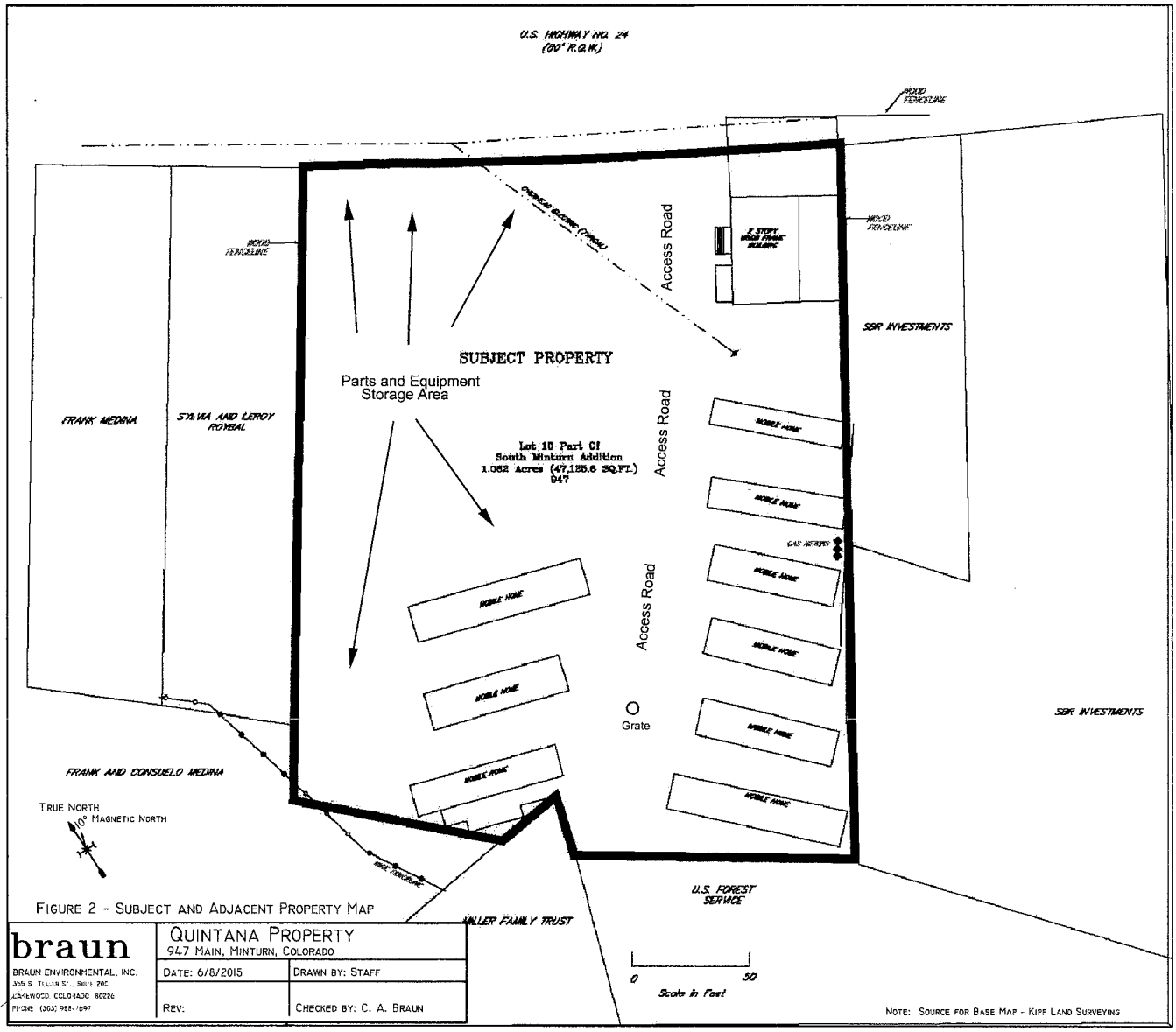
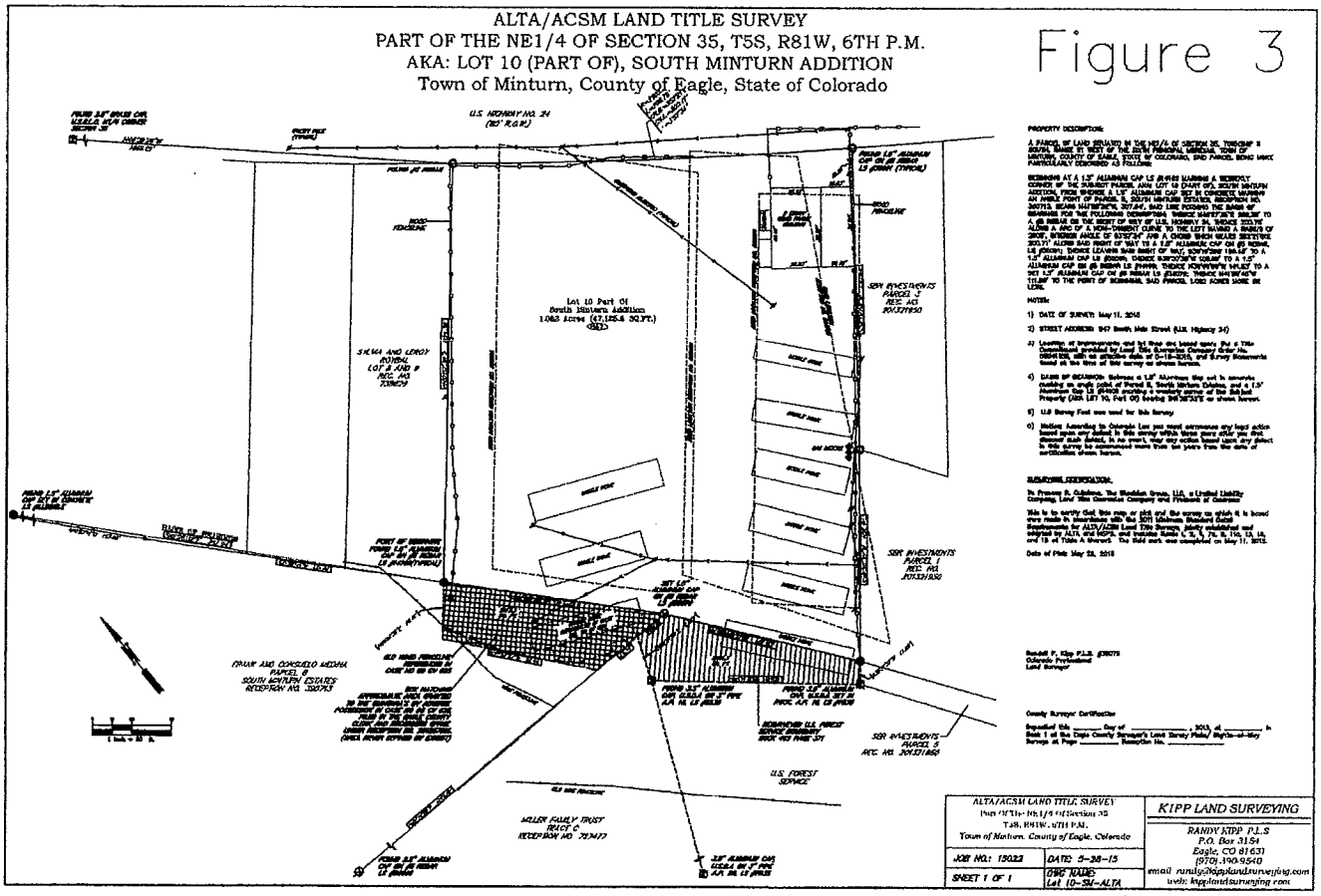


FIGURE 2 - SUBJECT AND ADJACENT PROPERTY MAP

braun	QUINTANA PROPERTY 947 MAIN, MINTURN, COLORADO	
BRAUN ENVIRONMENTAL, INC. 355 S. TELLER ST., SUITE 205 LAKEWOOD, COLORADO 80226 PHONE (303) 988-7697	DATE: 6/8/2015	DRAWN BY: STAFF
	REV:	CHECKED BY: C. A. BRAUN


ALTA/ACSM LAND TITLE SURVEY
PART OF THE NE1/4 OF SECTION 35, T5S, R81W, 6TH P.M.
AKA: LOT 10 (PART OF), SOUTH MINTURN ADDITION
Town of Minturn, County of Eagle, State of Colorado
Figure 3
U.S. HIGHWAY NO. 24
(80' R.O.W.)
Lot 10 Part Of
South Minturn Addition
1.063 Acres (47,125.6 SQ.FT.)
SBV INVESTMENTS
PARCEL 1
REC. NO.
200729950
SBV INVESTMENTS
PARCEL 2
REC. NO.
200729950
SBV INVESTMENTS
PARCEL 3
REC. NO. 200729950
SHUMA AND LEROY
BUNDAL
LOT 9 AND 9
REC. NO.
728629
FRANK AND CONSUELO MEDINA
PARCEL B
SOUTH MINTURN ESTATES
RECEPTION NO. 130743
MILLER FAMILY TRUST
BLOCK C
RECEPTION NO. 203477
U.S. FOREST
SERVICE
PROPERTY DESCRIPTION:
NOTES:
1) DATE OF SURVEY: May 11, 2015
2) STREET ADDRESS: 947 South Main Street (U.S. Highway 24)
3) Location of improvements and lot lines are based upon the a Title Commitment provided by Land Title Guarantee Company Order No. SBD45728, with an effective date of 5-12-2015, and Survey Monuments found at the time of this survey as shown hereon.
4) BASIS OF BEARINGS: Bearings a 1.5" Aluminum Cap set in concrete marking an angle point of Parcel B, South Minturn Estates, and a 1.5" Aluminum Cap LS 38403 marking a monument survey of the Railroad Property (ABA LOT 10, Part Of) bearing S41°36'53"E as shown hereon.
5) U.S Survey Foot was used for this Survey.
6) 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 certification shown hereon.
SURVEYORS CERTIFICATION:
Date of Plat: May 28, 2015
Ronald P. Kipp P.L.S. #38078
Colorado Professional
Land Surveyor
County Surveyor's Certificate
ALTA/ACSM LAND TITLE SURVEY
Part Of The NE1/4 Of Section 35
T.5S., R81W., 6TH P.M.
Town of Minturn, County of Eagle, Colorado
JOB NO.: 15022
DATE: 5-28-15
SHEET 1 OF 1
DRG NAME:
Lot 10-SM-ALTA
KIPP LAND SURVEYING
RANDY KIPP P.L.S
P.O. Box 3154
Eagle, CO 81631
(970) 390-9540
email randy@kipplandsurveying.com
web: kipplandsurveying.com

Appendix B

Table A - List of Previous Property Owners
Title Research for Quintana Property - 947 Main, Minturn Colorado
Summary of Title Search Completed by Land Title
June 9, 2015

Date	Instrument	Book-Page	Grantor	Grantee	Description
8/11/1903 (?)	Patent	B48 P502	US Government	John Kollnig (sp	Portions Sec 35
7/28/1891	Patent	B106 P517	US Government	Benjanin Booco	Portions Sec 35
4/21/1939	W Deed	B131 P 30	Tipton	Nelson	Portion of Subject Property
6/30/1943	W Deed	B133 P179	Bergquist	Owen	Portion of Subject Property
6/30/1965	W Deed	B188 P345	Owen	Smith	Portion of south parcel
9/25/1968	W Deed	B213 P815	Owen	Quintana	Portion of Subject Property
2/28/1978	Annexation	B267 P397-397		Town of Minturn	Annexation of South Part of Town
12/14/1981	Annexation	B333 P351		Town of Minturn	Annexation of South Part of Town
5/7/1987	Survey	B469 P371	US Forest Service	NA	Subject Property Boundary
12/7/2009	Survey	26003	Fire Protection District		Map of District
5/24/2002	Court Order	799500	Fire Protection District		Court Order for District

STATE OF OHIO,)
)ss.
County of Guernsey,)

I, Samuel D Ross, a Notary Public within and for said County in the State aforesaid, do hereby certify that Geo. M. Wilso who is personally known to me to be the same person whose name is subscribed to the within Quit Claim Deed, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument of writing as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 22nd day of October, A. D. 1928.
My commission expires September 7th, 1930.

(NOTARIAL)
(SEAL)

Samuel D Ross
Notary Public.

State of Ohio,)
)ss.
County of Franklin.)

I. W. S. Freshwater, a Notary Public within and for said County in the State aforesaid, do hereby certify that Blanche L. Walters nee Wilson, appeared before me this day in person and acknowledged that she signed, sealed and delivered, the within Quit Claim Deed which bears her signature as she avers and is known to me, as her free and voluntary act for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 20th day of October, A.D.1928.
My commission expires Dec. 1930

(NOTARIAL)
(SEAL)

W. S. Freshwater
Notary Public.
Franklin Co Ohio

Filed for record February 4, 1929 at 11:55 o'clock A.M., Nettie M. Cave, Recorder.
By Forrest M. Cave, Deputy.

No. 49906

THE UNITED STATES OF AMERICA,
To all to whom these Presents shall come, Greeting:

Certificate)
No. 713) WHEREAS Benjamin G. Booco of Eagle County Colorado has deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Central City Colorado whereby it appears that full payment has been made by the said Benjamin G. Booco

according to the provisions of the Act of Congress of the 24th of April, 1820, entitled, "An Act making further provision for the sale of the Public Lands" and the Acts supplemental thereto, for the South West quarter of the South East quarter of Section Twenty six and the North half of the North West quarter and the North West quarter of the North East quarter of Section thirty five in Township five South of Range eighty one West of the Sixth Principal Meridian in Colorado containing one hundred and sixty acres.

according to the Official Plat of the Survey of the said Lands, returned to the General Land Office by the Surveyor General, which said Tract has been purchased by the said Benjamin G. Booco

NOW KNOW YE, That the United States of America, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, Have given and granted, and by these presents do give and grant unto the said Benjamin G. Booco
and to his heirs, the said Tract above described. To have and to hold the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said Benjamin G. Booco
and to his heirs and assigns
forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law. And there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF I, Benjamin Harrison
President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.
Given under my hand, at the City of Washington, the twenty eighth day of July, in the year of our Lord one thousand eight hundred and Ninety one, and of the Independence of the United States the One hundred and sixteenth

L.S.

By THE PRESIDENT: Benjamin Harrison
By Ellen Macfarland Asst, Secretary
I R. Conwell, Recorder, of the General Land Office,
Ad Interim

1328156

over

STATE OF COLORADO,)
County of Eagle)ss.

The foregoing instrument was acknowledged before me this 15th day of June, 1945 by Mrs. Pearl Kincaid
Witness my hand and official seal.
My commission expires My Commission expires November 29, 1947

(Notarial Seal) Charles S Merrill
Notary Public.

Filed for record the 20 day of June A. D. 1945 at 2:45 O'clock P. M. Mae Cox, Recorder.

No. 73193 WARRANTY DEED

Know all Men by these Presents, That I, ORA J. TIPTON and MARTHA TIPTON and SIGFRED NELSON AND ARTHUR NELSON of the County of Eagle and State of Colorado for the consideration of ONE DOLLAR AND OTHER GOOD AND VALUABLE CONSIDERATION - - - Dollars, in hand paid, hereby sell and convey to E. E. OWEN of the County of Eagle and State of Colorado, the following real property situate in the County of Eagle and State of Colorado, to-wit:

The following tract or parcel of land situate in the NW¼ of the NE¼ of Section 35 in Township Five (5) South of Range Eighty-one (81) West of the Sixth (6th) Principal Meridian, and more particularly described as follows, to-wit:

Beginning at a point whence the Northwest corner of the NW¼ of the NE¼ of said Section 35, said Township and Range bears North 46° 26' West 1808.8 feet distant; thence South 41° 00' West 212 feet; North 41° 53' West 100 feet; thence North 41° 00' East 212 feet; thence South 49° 00' East 100 feet; to the point of beginning, being a tract of land approximately 212 feet by 100 feet wide.

with all its appurtenances and warrant the title to the same.

Signed and delivered this _____ day of April, A. D. 19 39.

IN THE PRESENCE OF)
_____)
_____)

Arthur Nelson
Sigfred Nelson
Martha Tipton
O J Tipton.

STATE OF COLORADO,)
County of Eagle)ss.

I, Helen Joxen, a Notary Public in and for said Eagle County, in the State aforesaid, do hereby certify that ORA J. TIPTON and MARTHA TIPTON and SIGFRED NELSON and ARTHUR NELSON, who are personally known to me to be the persons whose names, are subscribed to the foregoing deed, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument of writing as their free and voluntary act and deed, for the uses and purposes therein set forth.
Given under my hand and notarial seal, this 21st day of April, A. D. 1939.
My commission expires February 15, A. D. 1943.

(Notarial Seal) HELEN JOXEN, Notary Public
Eagle County, Colorado
My Commission expires Feb. 15, 1943

Helen Joxen
NOTARY PUBLIC.

Filed for record the 4 day of October, A. D. 1945 at 8:10 o'clock A. M. Mae Cox, Recorder

No. 75173 500-B—Revised WARRANTY DEED TO JOINT TENANTS—Out West Printing and Stationery Co., Colorado Springs, Colo. G1137

This Deed, Made this nineteenth day of June, in the year of our Lord one thousand nine hundred and forty-three between William Bergquist of the County of Los Angeles and State of ~~Colorado~~ California of the first part, and ELMER OWEN and ELSIE OWEN, of the County of Eagle 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 ----One thousand one hundred and No/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 do es 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 Eagle and State of Colorado, to-wit:

That part or parcel of land lying and being Southerly of and adjacent to Colorado-U.S.Highway No. 24 in the Southeast Quarter of the Northeast Quarter (SE¼ of NE¼) of Section Thirty-five (35), in Township Five (5) South of Range Eighty-one (81) West of the Sixth (6th) Principal Meridian, in Eagle County, Colorado, and more particularly described as follows, to-wit:

Beginning at a point on the Southerly Right-of-Way boundary of Colorado-U.S. Highway No. 24 from which the North one quarter/ corner of Section 35, Twp. 5 S., R. 81 W., of the 6th P.M., bears North 46°46' West 1858.5 feet; thence South 29°11' West 248.0 feet; thence North 31°36' West 110.0 feet; thence North 41°00' East 212.0 feet to the Southerly Right-of-Way boundary of Colorado-U.S. Highway No. 24; thence along said Southerly Right-of-Way boundary of Colorado-U.S. Highway No. 24 on a 1°58' curve left 50.1 feet to the point of beginning.

Containing 16, 935 square feet, 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 y of the first part, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

To Have and To Hold the said premises above bargained and described, with the appurtenances, unto the said parties of the second part, the survivor of them, their assigns and the heirs and assigns of such survivor forever. And the said part y of the first part, for himself, his heirs, executors, and administrators, do es covenant, grant, bargain and agree to and with the said parties of the second part, the survivor of them, their assigns and the heirs and assigns of such survivor, that at the time of the ensealing and delivery of these presents, 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,

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

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

Signed, Sealed and Delivered in the Presence of

William Bergquist (Seal)

Ruth Bergquist (Seal)

(Seal)

STATE OF ~~COLORADO~~ California, Los Angeles ss.
County of Eagle

The foregoing instrument was acknowledged before me this 30th day of June, 19 43, by William Bergquist and Ruth Bergquist

Witness my hand and official seal.
My commission expires My Commission Expires January 29, 1946.
Mittie Thagard
Notary Public.

Notarial Seal

STATE OF COLORADO, County of Eagle ss.

I, ... a Notary Public in and for said County, in the State aforesaid, do hereby certify that ..... who ..... personally known to me to be the person ..... whose name ..... subscribed to the foregoing Deed, appeared before me this day in person, and acknowledged that ..... signed, sealed and delivered the said instrument of writing as ..... free and voluntary act and deed, for the uses and purposes therein specified.

My notarial commission expires ....., A. D. 19....

Given under my hand and notarial seal, this ..... day of ....., A. D. 19....

Notary Public.

Filed for record the 29 day of April, A. D. 1947, at 3:10 o'clock P M.

Thomas F. McBreen Recorder.

By ..... Deputy.

345

330 Revised 1939. WARRANTY DEED TO JOINT TENANTS—The C. P. Hoskal Blank Book & Litho. Co. Denver, Colo.

This Deed, Made this 30th day of June in the year of our Lord one thousand nine hundred and sixty five between

ELMER OWEN and ELSIE OWEN

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

EDWARD E. SMITH and PEGGY B. SMITH

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

Witnesseth, That the said parties of the first part, for and in consideration of the sum of One Thousand Nine Hundred Fifty Dollars---------- DOLLARS, to the said parties of the first part in hand paid by the said parties of the second part, the receipt whereof is hereby confessed and acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey and confirm, unto the said parties of the second part, not in tenancy in common but in joint tenancy, the survivor of them, their assigns and the heirs and assigns of such survivor forever, all the following described lot or parcel of land, situate, lying and being in the County of Eagle and State of Colorado, to-wit:

A portion of the Lot conveyed to Sellers by William Bergquist, described in a Deed recorded in Book 133, at Page 179, of the records in the Office of the Clerk and Recorder of Eagle County, Colorado, located in the SE ¼ of the NE ¼ of Sec. 35, T. 5 S, R. 81 W, of the 6th P. M.; the portion to be conveyed lying southerly and westerly of a line extended from side line to side line along and parallel to a rock wall presently located on the premises.

Reserving, however, to the Grantors herein, their heirs and assigns, an easement and right to use the sewer tanks and leaching fields located on the premises conveyed, for the use and benefit of the retained portion of said Lot, so long as said premises are occupied as a one-family residence.

DOCUMENTARY U.S. EDUCATES TAXES U.S. REVENUE $2.20 TO JOBS AND PEACE

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 parties of the first part, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

To Have and to Hold the said premises above bargained and described, with the appurtenances, unto the said parties of the second part, the survivor of them, their assigns and the heirs and assigns of such survivor forever. And the said parties of the first part, for themselves, their heirs, executors, and administrators, do covenant, grant, bargain and agree to and with the said parties of the second part, the survivor of them, their assigns and the heirs and assigns of such survivor, that at the time of the ensealing and delivery of these presents, they are well seized of the premises above conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and have good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments and incumbrances of whatever kind or nature soever, except taxes for the year 1965 payable in 1966, which second parties assume and agree to pay.

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

In Witness Whereof, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Elmer Owen (SEAL)

Harriet A. Trust

Elsie Owen (SEAL)

(SEAL)

CERTIFICATE

State of Oregon

OFFICE OF THE SECRETARY OF STATE

I, CLAY MYERS, Secretary of State of the State of Oregon, and Custodian of the Seal of said State, do hereby certify:

THAT Janice Frank, a Notary Public in and for the State of Oregon was on the 19th day of August, 19 65, duly commissioned as such by the Governor of the State of Oregon for the term ending at midnight on the 18th day of August, 19 69 and that ~~he~~ she is a duly qualified Notary Public with full power and authority to take acknowledgments of all instruments in writing and to administer oaths, and that full faith and credit should be given to ~~his~~ her official acts as Notary Public aforesaid.

I FURTHER CERTIFY THAT I have carefully compared the signature and seal of this Notary Public as it appears on the annexed document, with ~~his~~ her official signature and seal on file in this office and believe them to be genuine.

AND I FURTHER CERTIFY THAT the office of the Secretary of State is an office of record and that the Secretary of State is the custodian of the records and files showing the appointment of Notaries Public by the Governor of the State of Oregon and the qualifications of such appointees thereunder, and duly qualified by law to make certifications of said appointments and qualifications of Notaries Public of the State of Oregon.

In Testimony Whereof, I have hereunto set my hand and affixed hereto the Seal of the State of Oregon.

Done at the Capitol at Salem, Oregon, this 25th day of September, A. D. 19 68.

CLAY MYERS, Secretary of State

By _____ Assistant Secretary of State

Recorded at ..... o'clock ..... M., ...

Reception No. ..... Recorder.

RECORDER'S STAMP

THIS DEED, Made this 17th day of September, 19 , between

ELSIE J. OWEN and ELMER E. OWEN

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

ISIDORE QUINTANA and FRANCES QUINTANA

of the County of Eagle 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 and other valuable consideration---------- DOLLARS,

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

That portion of the following described tract of land which lies within the SE¼NE¼ Section 35 Tp. 5 S., R81 W.,6th P.M.:

That portion or parcel of land lying and being Southerly of and adjacent to Colorado U.S. Highway No. 24 in the SE¼NE¼ of Section 35, in Tp. 5 S., R. 81 W., 6th P.M., in Eagle County, Colorado, and more particularly described as follows, to-wit:

Beginning at a point on the Southerly right of way boundary of Colorado U.S. Highway No. 24 from which the N¼ corner of Section 35, Tp. 5 S., R. 81 W., 6th P.M., bears North 46°46' West 1858.5 feet; thence South 29°11' West 248.0 feet; thence North 31°36' West 110.0 feet; thence North 41°00' East 212.0 feet to the Southerly right of way boundary of Colorado U.S. Highway No. 24; thence along said Southerly right of way boundary of Colorado U.S. Highway No. 24 on a 1°58' curve left 50.1 feet to the point of beginning.

EXCEPT all entries pertaining to Document No. 73193.

STATE DOCUMENTARY FEE

OCT 09 1968

0.52

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.

No. 768. WARRANTY DEED—To Joint Tenants.—Bradford Publishing Co., 1624-48 Stout Street, Denver, Colorado

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 ies of the first part, for them sel ves, their heirs, executors, and administrators, do covenant, grant, bargain and agree to and with the said parties of the second part, their heirs and assigns, that at the time of the ensealing and delivery of these presents, they are well seized of the premises above conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance in law, in fee simple, and ha ve 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 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 ies of the first part shall and will WARRANT AND FOREVER DEFEND.

IN WITNESS WHEREOF, the said parties of the first part ha ve hereunto set their hand s and seal s the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Elsie J. Owen [SEAL]

Elmer E Owen [SEAL]

[SEAL]

STATE OF ~~COLORADO~~, OREGON
County of Marion } ss.

The foregoing instrument was acknowledged before me this 25th day of September 19 68, by ELSIE J. OWEN AND ELMER E. OWEN

My commission expires August 19, 1969. Witness my hand and official seal.

JANICE FRANK NOTARY PUBLIC

Janice Frank
Notary Public.

If by natural person or persons here insert name or names; if by persons acting in representative or official capacity or as attorney-in-fact, then insert name of person as executor, attorney-in-fact or 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.

No.

WARRANTY DEED
JOINT TENANTS

TO

STATE OF COLORADO, } ss.
County of

I hereby certify that this instrument was filed for record in my office this day of , 19 , at o'clock M., and duly recorded in Book Page.

Recorder.

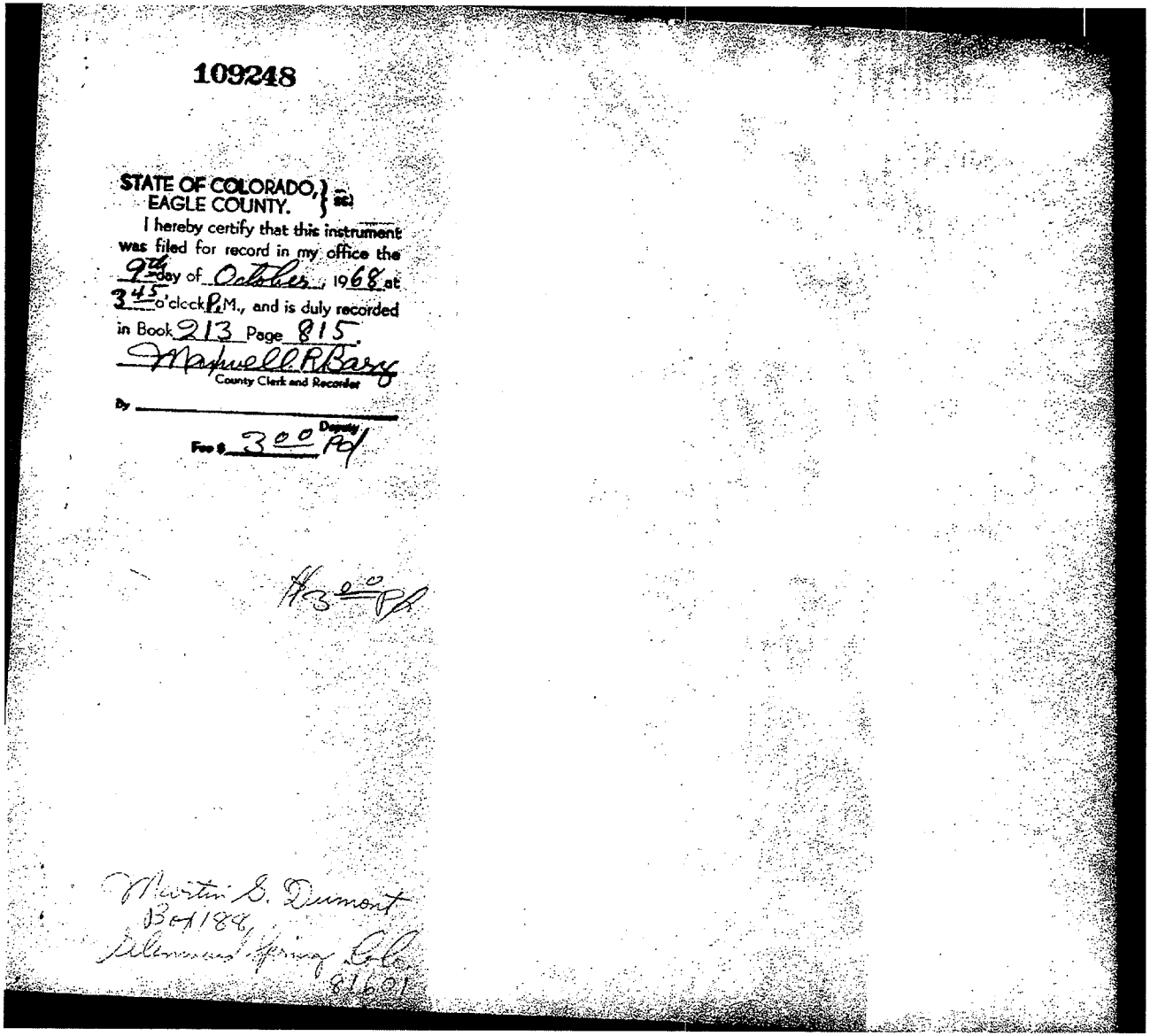
By Deputy.

Fees, $

Mail to: (or return to)

Send future tax statements to:

11-67 BANCROFT PUBLISHING CO., SAN MATEO



109248

STATE OF COLORADO, }
EAGLE COUNTY. } ss:

I hereby certify that this instrument was filed for record in my office the 9th day of October, 1968 at 3 45 o'clock P. M., and is duly recorded in Book 213 Page 815.

Maxwell R. Barry
County Clerk and Recorder

By _____ Deputy

Fee $ 3.00 Pd

#3.00 Pd

Martin S. Dumont
Box 188,
Allenspark, Colo.
80501

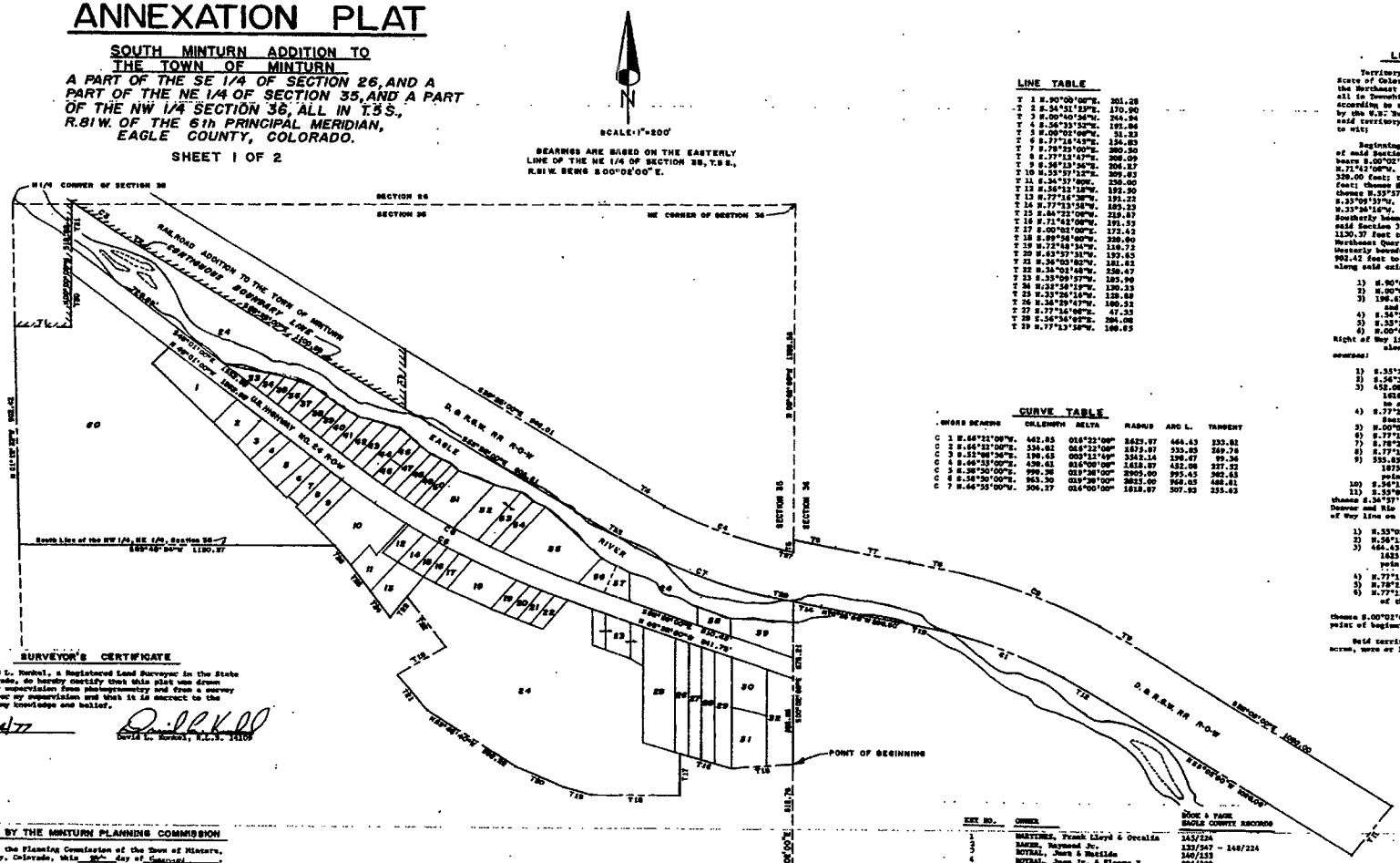
ANNEXATION PLAT

SOUTH MINTURN ADDITION TO THE TOWN OF MINTURN

A PART OF THE SE 1/4 OF SECTION 26, AND A PART OF THE NE 1/4 OF SECTION 35, AND A PART OF THE NW 1/4 SECTION 36, ALL IN T.5 S., R.81 W. OF THE 6th PRINCIPAL MERIDIAN, EAGLE COUNTY, COLORADO.

SHEET 1 OF 2

267/397



LINE TABLE

T 1	N.90°00'00"E.	201.28
T 2	S.34°31'13"E.	170.90
T 3	N.00°40'34"W.	244.84
T 4	S.25°33'52"E.	191.84
T 5	N.00°02'00"W.	31.83
T 6	S.77°16'43"E.	134.83
T 7	S.78°25'00"E.	280.50
T 8	S.77°12'47"E.	208.09
T 9	S.56°13'56"E.	306.17
T 10	N.33°57'17"E.	309.83
T 11	S.34°57'00"E.	236.00
T 12	N.56°12'18"W.	192.90
T 13	N.77°16'38"W.	191.22
T 14	N.77°13'38"W.	185.23
T 15	S.84°31'13"E.	219.87
T 16	N.71°42'00"W.	191.53
T 17	S.00°02'00"E.	172.62
T 18	S.89°58'00"W.	208.00
T 19	N.77°16'38"W.	116.72
T 20	N.63°57'21"W.	193.65
T 21	N.26°03'02"W.	181.82
T 22	N.26°03'02"W.	258.47
T 23	S.33°09'57"W.	185.90
T 24	N.33°56'19"W.	130.33
T 25	N.33°26'16"W.	128.58
T 26	N.34°59'17"W.	100.31
T 27	N.77°16'08"E.	47.35
T 28	S.56°34'09"E.	384.08
T 29	N.77°13'38"W.	160.85

CURVE TABLE

	CHORD BEARING	CHLENGTH	DELTA	RADIUS	ARC L.	TANGENT
C 1	N.66°22'08"W.	442.85	016°22'08"	1623.87	444.43	223.81
C 2	N.66°32'08"E.	336.62	016°32'08"	1873.87	335.85	169.76
C 3	N.52°48'56"E.	190.63	030°13'49"	3342.14	196.67	99.36
C 4	S.66°33'08"E.	430.61	016°00'00"	1618.87	432.08	217.52
C 5	S.26°30'00"E.	990.38	019°30'00"	2909.00	991.45	502.63
C 6	S.26°30'00"E.	963.50	019°30'00"	2831.00	968.85	488.81
C 7	N.66°55'00"W.	306.27	016°00'00"	1618.87	307.83	155.63

LEGAL DESCRIPTION

Territory to be annexed to the Town of Minturn, in the County of Eagle, State of Colorado, located within the Southeast Quarter of Section 26, and the Northeast Quarter of Section 35, and the Northwest Quarter of Section 36, all in Township 5 South, Range 81 West of the Sixth Principal Meridian according to the Dependent Resurvey of said Township and Range as approved by the U.S. Surveyor General in Denver, Colorado, on September 13, 1943, said territory to be annexed being more particularly described as follows, to wit;

Beginning at a point on the East boundary line of the Northeast Quarter of said Section 35, whence the Northeast Corner of said Northeast Quarter bears S.00°02'00"E. 315.76 feet; thence S.84°31'00"W. 319.87 feet; thence N.71°42'00"W. 191.53 feet; thence S.00°02'00"E. 172.62 feet; thence S.89°58'00"W. 328.00 feet; thence N.77°16'38"W. 116.72 feet; thence N.63°57'21"W. 193.65 feet; thence N.33°46'40"W. 309.22 feet; thence N.26°03'02"W. 181.82 feet; thence N.33°57'17"E. 309.83 feet; thence N.34°03'48"W. 258.34 feet; thence N.33°09'57"W. 185.90 feet; thence N.33°56'19"W. 130.33 feet; thence N.33°26'16"W. 128.58 feet; thence N.34°59'17"W. 100.31 feet to a point on the Southerly boundary line of the Northwest Quarter of the Northeast Quarter of said Section 35; thence S.89°58'34"W. and along said Southerly boundary line 1130.37 feet to the Southeasterly Corner of the Northeast Quarter of the Northwest Quarter of said Section 35; thence N.01°19'32"W. and along the Westerly boundary line of said Northeast Quarter of the Northwest Quarter, 902.42 feet to the existing boundary line of the Town of Minturn; thence along said existing boundary line on the following six courses:

1) S.90°00'00"E. 201.28 feet;
2) N.00°00'00"W. 313.83 feet to a point on a curve;
3) 196.67 feet along a curve to the left whose radius is 3342.14 feet and whose chord bears S.32°08'56"E. 196.65 feet;
4) S.34°31'13"E. 170.90 feet;
5) S.33°25'00"E. 1190.89 feet;
6) S.00°48'39"W. 344.96 feet to the Northeasterly Right of Way line of Right of Way line of the Denver and Rio Grande Western Railroad; thence along said Northeasterly Right of Way line on the following eleven courses:

1) S.33°25'00"E. 946.01 feet;
2) S.56°35'57"W. 191.88 feet;
3) 452.08 feet along a non-tangent curve to the left whose radius is 1618.87 feet and whose long chord bears S.66°55'00"E. 450.61 feet to a point of non-tangency;
4) S.77°16'08"E. 47.35 feet to the Easterly boundary line of said Section 35;
5) N.00°02'00"W. and along said Easterly boundary line 31.25 feet;
6) S.77°16'43"E. 134.83 feet;
7) S.78°25'00"E. 280.50 feet;
8) S.77°12'47"E. 208.09 feet;
9) 535.85 feet along a non-tangent curve to the right whose radius is 1873.87 feet and whose chord bears S.66°22'00"E. 534.02 feet to a point of non-tangency;
10) S.56°13'56"E. 306.17 feet;
11) S.33°57'00"E. 1090.00 feet;

thence S.34°57'00"W. 236.00 feet to the Southwesterly Right of Way line of the Denver and Rio Grande Western Railroad; thence along said Southwesterly Right of Way line on the following six courses:

1) N.33°03'00"W. 1090.00 feet;
2) N.56°13'18"W. 192.90 feet;
3) 464.43 feet along a non-tangent curve to the left whose radius is 1623.87 feet and whose chord bears S.66°22'00"E. 462.85 feet to a point of non-tangency;
4) N.77°16'38"W. 191.22 feet;
5) N.78°25'00"W. 280.50 feet;
6) N.77°13'38"W. 103.23 feet to a point on the Easterly boundary line of the Northeast Quarter of said Section 35;

thence S.00°02'00"E. and along said Easterly boundary line 676.21 feet to the point of beginning.

Said territory to be annexed contains 3,731,372 square feet or 85.661 acres, more or less.

Prepared By
JOHNSON AND KUNKEL
LAND SURVEYING CO.

SURVEYOR'S CERTIFICATE

I, David L. Kunkel, a Registered Land Surveyor in the State of Colorado, do hereby certify that this plat was drawn under my supervision from photogrammetry and from a survey done under my supervision and that it is correct to the best of my knowledge and belief.

10/4/77
Date

David L. Kunkel, R.L.S. 24109

APPROVAL BY THE MINTURN PLANNING COMMISSION

Approved by the Planning Commission of the Town of Minturn, Eagle County, Colorado, this 26th day of October, A.D., 1978.

Chairman

APPROVAL BY THE TOWN OF MINTURN

Approved by the Council of the Town of Minturn, Eagle County, Colorado, by Ordinance No. 4/77 Witness My Hand and the Corporate Seal of the Town of Minturn, County of Eagle, Colorado, this 2nd day of November, A.D., 1978.

Mayor

Clerk of the Town of Minturn

163774 CCC

CLERK & RECORDER'S CERTIFICATE

I hereby certify that this instrument was filed for record in the office of the Clerk and Recorder of Eagle County, Colorado, at 10 o'clock, A.M., this 1st day of March, A.D., 1978. Recorded in Book 327 at Page 497 Map Case ___, Drawer ___ Reception Number 163774.

Clerk and Recorder of Eagle County

By Deputy

#26.00

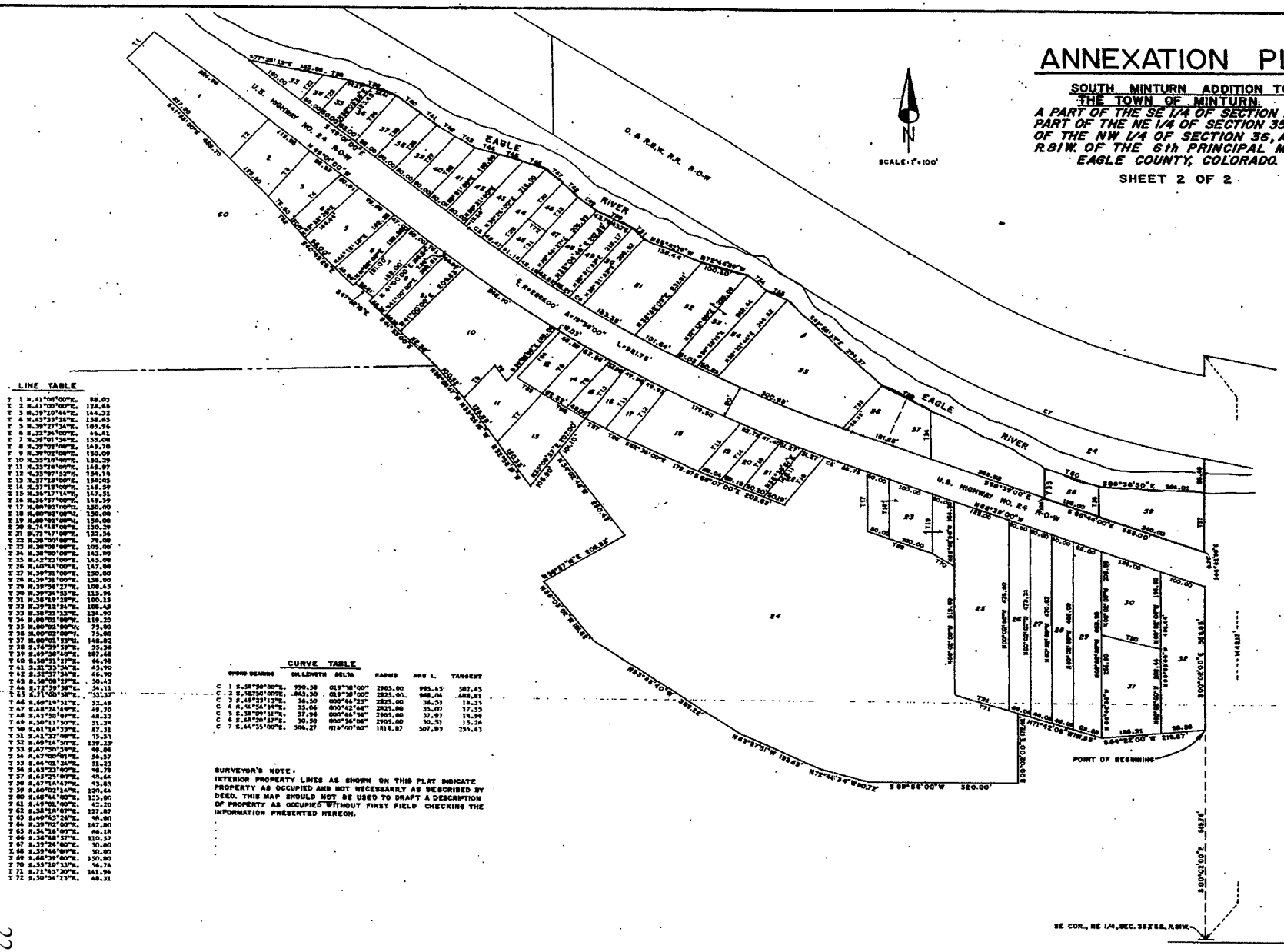
KEY NO.	OWNER	BOOK & PAGE EAGLE COUNTY RECORDS
1	MARTINEZ, Frank Lloyd & Orcalia	145/224
2	BAKER, Raymond Jr.	133/547 - 148/224
3	ROYBAL, Juan & Matilda	140/153
4	ROYBAL, Juan Jr. & Eleana R.	224/129
5	HERRIN, Isaac & Francis P.	183/183
6	CARON, Joe F & Nelle	181/447
7	GUSTAFSON, W.E. & Lois	161/435
8	HERRIN, Riley & Olympia	213/536
9	ROYBAL, Sylvia	168/571
10	QUINTANA, Isidoro O. & Francis R.	229/773 - 213/815
11	FISHER, Martin B. & Rose	
12	RITTER, James E.	126/456
13	TREES, Marvin O. & Barbara	211/542
14	GALLEGOS, Glen & Diane	245/525
15	TRUJILLO, Juan C. & Rita L.	213/537
16	SALAZAR, Floyd Dennis & Florence	168/237
17	SALAZAR, George R. & Elsie	214/445
18	TROUT, Marvin C. & Barbara	211/542
19	RIVERA, Ginto & Virginia	165/625
20	MEDINA, Bonnie Arlene	230/783
21	MEDINA, Tobias & Benitez C.	230/781
22	MARTINEZ, Emily M.	240/566 - 230/782
23	ESPARZA, Pat F. & Placida M.	190/918
24	VAIL ASSOCIATES	229/94
25	MEDINA, Esteve	140/99
26	VIGIL, Firstwor & Adenella	140/305
27	GORDON, Ortmon & Betty L.	121/373
28	GORDON, Ortmon & Betty L. and	343/21
	HOAKLAND, Dorothy J.	
29	HANSON, Arthur R.	199/409
30	SMLZER, Homer F. & Dorothy	135/593
31	GATES, Walter J.	131/337
32	VAIL ASSOCIATES	229/94
33	CLARK, Eugene	144/523
34	THOMPSON, Vernie & Mary E.	222/371
35	VALDEZ, Alvaro R. & Rosalie J.	232/99
36	MEDINA, Frank & Velma	240/927
37	ANDERSON, A.	126/372
38	MARCELLA, Don & Cesaria F.	115/585
39	GIBSON, Ronald & Mabel C.	221/343 - 126/28
40	MONTOYA, Tito & Viola	177/19
41	SALAS, Oswaldo & Dulcinea	186/193
42	GALLEGOS, Anastacio & Carmen	199/181
43	SIERRENOS, Napolito, Eleanor, George	245/900
44	SIERRENOS, Napolito & Clarevera	145/383
45	VASQUEZ, Ursula & Emilio	145/313
46	VARNEKE, Joe D. & Nancy R.	199/493
47	MARTINEZ, Agapiando G., et al	197/545
48	TRUJILLO, Edward & Rinata	139/381
49	LOPEZ, Estevan & Bernie	165/539
50	VASQUEZ, Majorie & Emilio	145/545
51	LUCERO, Tony & Rosario	145/99
52	MANZANARES, M.	151/49
53	MANZANARES, M.	148/543
54	BARELA, Patricio	108/65
55	MARTEZ, Joseph S. & Charlene	248/367
56	SANDOVAL, Ismael & Flora C.	215/525
57	VIGIL, Patricio	146/331
58	VALDEZ, Walter F. & Lucille M.	225/612
59	VAIL ASS, Dorothy	223/548
60	HERNANDEZ, Ramon	108/449

ANNEXATION PLAT

SOUTH MINTURN ADDITION TO THE TOWN OF MINTURN

A PART OF THE SE 1/4 OF SECTION 26, AND A PART OF THE NE 1/4 OF SECTION 35, AND A PART OF THE NW 1/4 OF SECTION 36, ALL IN T.5S., R.81W. OF THE 6th PRINCIPAL MERIDIAN, EAGLE COUNTY, COLORADO.

SHEET 2 OF 2



LINE TABLE

L 1	N.41°08'00"E.	88.03
L 2	N.41°08'00"E.	128.88
L 3	N.39°10'45"E.	144.28
L 4	N.63°33'38"E.	158.83
L 5	N.39°23'38"E.	169.96
L 6	N.35°34'38"E.	66.41
L 7	N.35°34'38"E.	155.08
L 8	N.39°00'38"E.	149.70
L 9	N.39°02'38"E.	150.09
L 10	N.39°16'38"E.	150.39
L 11	N.39°16'38"E.	149.97
L 12	N.39°16'38"E.	150.15
L 13	N.39°16'38"E.	149.99
L 14	N.39°16'38"E.	150.39
L 15	N.39°16'38"E.	149.97
L 16	N.39°16'38"E.	147.31
L 17	N.39°16'38"E.	149.99
L 18	N.39°16'38"E.	150.00
L 19	N.39°16'38"E.	150.00
L 20	N.39°16'38"E.	150.00
L 21	N.39°16'38"E.	150.00
L 22	N.39°16'38"E.	150.00
L 23	N.39°16'38"E.	150.00
L 24	N.39°16'38"E.	150.00
L 25	N.39°16'38"E.	150.00
L 26	N.39°16'38"E.	150.00
L 27	N.39°16'38"E.	150.00
L 28	N.39°16'38"E.	150.00
L 29	N.39°16'38"E.	150.00
L 30	N.39°16'38"E.	150.00
L 31	N.39°16'38"E.	150.00
L 32	N.39°16'38"E.	150.00
L 33	N.39°16'38"E.	150.00
L 34	N.39°16'38"E.	150.00
L 35	N.39°16'38"E.	150.00
L 36	N.39°16'38"E.	150.00
L 37	N.39°16'38"E.	150.00
L 38	N.39°16'38"E.	150.00
L 39	N.39°16'38"E.	150.00
L 40	N.39°16'38"E.	150.00
L 41	N.39°16'38"E.	150.00
L 42	N.39°16'38"E.	150.00
L 43	N.39°16'38"E.	150.00
L 44	N.39°16'38"E.	150.00
L 45	N.39°16'38"E.	150.00
L 46	N.39°16'38"E.	150.00
L 47	N.39°16'38"E.	150.00
L 48	N.39°16'38"E.	150.00
L 49	N.39°16'38"E.	150.00
L 50	N.39°16'38"E.	150.00
L 51	N.39°16'38"E.	150.00
L 52	N.39°16'38"E.	150.00
L 53	N.39°16'38"E.	150.00
L 54	N.39°16'38"E.	150.00
L 55	N.39°16'38"E.	150.00
L 56	N.39°16'38"E.	150.00
L 57	N.39°16'38"E.	150.00
L 58	N.39°16'38"E.	150.00
L 59	N.39°16'38"E.	150.00
L 60	N.39°16'38"E.	150.00
L 61	N.39°16'38"E.	150.00
L 62	N.39°16'38"E.	150.00
L 63	N.39°16'38"E.	150.00
L 64	N.39°16'38"E.	150.00
L 65	N.39°16'38"E.	150.00
L 66	N.39°16'38"E.	150.00
L 67	N.39°16'38"E.	150.00
L 68	N.39°16'38"E.	150.00
L 69	N.39°16'38"E.	150.00
L 70	N.39°16'38"E.	150.00
L 71	N.39°16'38"E.	150.00
L 72	N.39°16'38"E.	150.00

CURVE TABLE

	CHORD BEARING	CH. LENGTH	DELTA	RADIUS	ARC L.	TANGENT
C 1	S.58°30'00"E.	990.58	019°18'00"	2985.00	995.45	502.65
C 2	S.48°30'00"E.	1843.50	019°18'00"	2825.00	868.84	488.81
C 3	S.49°23'13"E.	36.50	000°46'25"	2825.00	36.50	18.25
C 4	S.54°54'14"E.	33.06	000°42'46"	2825.00	33.07	17.33
C 5	S.58°39'37"E.	37.94	000°45'56"	2985.00	37.97	18.99
C 6	S.48°20'37"E.	30.50	000°35'08"	2985.00	30.51	15.26
C 7	S.44°55'00"E.	508.27	019°47'40"	1818.87	507.99	256.61

SURVEYOR'S NOTE:
INTERIOR PROPERTY LINES AS SHOWN ON THIS PLAT INDICATE PROPERTY AS OCCUPIED AND NOT NECESSARILY AS DESCRIBED BY DEED. THIS MAP SHOULD NOT BE USED TO DRAFT A DESCRIPTION OF PROPERTY AS OCCUPIED WITHOUT FIRST FIELD CHECKING THE INFORMATION PRESENTED HEREON.

ORDINANCE NO. 159

Series of 1978

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY TO THE TOWN OF MINTURN

WHEREAS, there was heretofore filed with the Town Clerk of the Town of Minturn, a Petition for annexation of certain property hereinbelow described; and

WHEREAS, the Board of Trustees has heretofore reviewed the Petition, held a public hearing thereon, and adopted a resolution with respect to the annexation of said property and further the Board of Trustees has determined that said property meets the statutory requirements and is eligible for annexation;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MINTURN, COLORADO:

Section 1. The following described property be and the same hereby is annexed to the Town of Minturn:

Section 2. Adopted as an emergency ordinance effective March 2, 1978.

See Exhibit "A" attached hereto and made a part hereof.

INTRODUCED, READ, PASSED AND ORDERED PUBLISHED this 28th day of February, 1978.

TOWN OF MINTURN

Harold R Bellm
Mayor

ATTEST:

Pauline Lee Unger
Town Clerk

Territory to be annexed to the Town of Minturn in the County of Eagle, State of Colorado, located within the Southeast Quarter of Section 26, and the Northeast Quarter of Section 35, and the Northwest Quarter of Section 36, all in Township 5 South, Range 81 West of the Sixth Principal Meridan according to the Dependent Resurvey of said Township and Range as approved by the U. S. Surveyor General in Denver, Colorado, on September 13, 1943, said territory to be annexed being more particularly described as follows, to wit;

Beginning at a point on the East boundary line of the Northeast Quarter of said Section 35, whence the Southeast Corner of said Northeast Quarter bears S.00°02'00"E. 515.76 feet; thence S.84°22'00"W. 219.87. feet; thence N.71°42'08"W. 191.53 feet; thence S.00°02'00"E. 172.42 feet; thence S.89°58'00"W. 320.00 feet; thence N.72°48'34"W. 110.72 feet; thence N.63°57'51"W. 193.65 feet; thence N.53°46'40"W. 389.22 feet; thence N.36°03'02"W. 181.82 feet; thence N.55°57'12"E 209.83 feet; thence N.34°02'48"W. 250.24 feet; thence S.35°09'57"W. 105.90 feet; thence N.32°58'19"W. 130.33 feet; thence N.33°26'16"W. 128.88 feet; thence N.36°29'47"W. 100.52 feet to a point on the Southerly boundary line of the Northwest Quarter of the Northeast Quarter of said Section 35; thence S.89°49'34"W. and along said Southerly boundary line 1130.37 feet to the Southwesterly Corner of the Northwest Quarter of the Northeast Quarter of said Section 35; thence N.01°19'32"W. and along the Westerly boundary line of said Northwest Quarter of the Northeast Quarter, 902.42 feet to the existing boundary line of the Town Minturn; thence along said existing boundary line of the following courses:

1) N.90°00'00"E. 201.28 feet;
2) N.00°00'00"W. 515.83 feet to a point on a curve;
3) 198.67 feet along a curve to the left whose radius is 3542.14 feet and whose chord bears S.52°08'36"E. 198.65 feet;
4) S.54°51'25"E. 170.90 feet;
5) S.55°25'00"E. 1100.89 feet;
6) N.00°40'36"W. 244.94 feet to the Northeasterly Right of Way line of Right of Way line of the Denver and Rio Grande Western Railroad; thence along said Northeaste Right of Way line on the following eleven courses:

1) S.55°25'00"E. 946.01 feet;
2) S.56°33'52"E. 191.86 feet;
3) 452.08 feet along a non-tangent curve to the left whos radius is 1618.87 feet and whose long chord bears S.66°55'00"E. 450.61 feet to a point of non-tangency,
4) S.77°16'08"E. 47.35 feet to the Easterly boundary lin of said Section 35;
5) N.00°02'00"W. and along said Easterly boundary line 51.23 feet;
6) S.77°16'43"E. 154.83 feet;
7) S.78°25'00"E. 280.50 feet;
8) S.77°12'47"E. 208.09 feet;
9) 535.85 feet along a non-tangent curve to the right whos radius is 1875.87 feet and whose chord bears S.66°22'0 534.02 feet to a point of non-tangency;
10) S.56°13'56"E. 206.17 feet;
11) S.55°03'00"E. 1090.00 feet; thence S.34°57'00"W. 250.0 feet to the Southwesterly Right of Way line of the Den and Rio Grande Western Railroad; thence along said Sou westerly Right of Way line on the following six cours

ORDINANCE NO. 159

Series of 1978

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY TO THE TOWN OF MINTURN

WHEREAS, there was heretofore filed with the Town Clerk of the Town of Minturn, a Petition for annexation of certain property hereinbelow described; and

WHEREAS, the Board of Trustees has heretofore reviewed the Petition, held at a public hearing thereon, and adopted a resolution with respect to the annexation of said property and further the Board of Trustees has determined that said property meets the statutory requirements and is eligible for annexation;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MINTURN, COLORADO:

Section 1. The following described property be and the same hereby is annexed to the Town of Minturn:

Section 2. Adopted as an emergency ordinance effective March 2, 1978.

See Exhibit "A" attached hereto and made a part hereof.

INTRODUCED, READ, PASSED AND ORDERED PUBLISHED this 28th day of February, 1978.

TOWN OF MINTURN

Harold R Bellon
Mayor

ATTEST:

Darlene Lee Unger
Town Clerk

1904

LEGAL DESCRIPTION

Territory to be annexed to the Town of Minturn in the County of Eagle, State of Colorado, including parts of the Southeast Quarter of Section 25, and the Northeast Quarter of Section 36, and the Northwest Quarter of Section 36, all in Township 5 South, Range 81 West of the Sixth Principal Meridan according to the Dependent Resurvey of said Township and Range as approved by the U. S. Surveyor General in Denver, Colorado, on September 13, 1943, said territory to be annexed being more particularly described as follows, to wit;

Beginning at a point on the East boundary line of the Northeast Quarter of said Section 35, whence the Southeast Corner of said Northeast Quarter bears S.00°02'00"E. 515.76 feet; thence S.84°22'00"W. 219.87. feet; thence N.71°42'08"W. 191.53 feet; thence S.00°02'00"E. 172.42 feet; thence S.89°58'00"W. 320.00 feet; thence N.72°48'34"W. 110.72 feet; thence N.63°57'51"W. 193.65 feet; thence N.53°46'40"W. 389.22 feet; thence N.36°03'02"W. 181.82 feet; thence N.55°57'12"E. 209.83 feet; thence N.34°02'48"W. 250.24 feet; thence S.35°09'57"W. 105.90 feet; thence N.32°58'19"W. 130.33 feet; thence N.33°26'16"W. 128.88 feet; thence N.36°29'47"W. 100.52 feet to a point on the Southerly boundary line of the Northwest Quarter of the Northeast Quarter of said Section 35; thence S.89°49'34"W. and along said Southerly boundary line 1130.37 feet to the Southwesterly Corner of the Northwest Quarter of the Northeast Quarter of said Section 35; thence N.01°19'32"W. and along the Westerly boundary line of said Northwest Quarter of the Northeast Quarter, 902.42 feet to the existing boundary line of the Town of Minturn; thence along said existing boundary line of the following six courses:

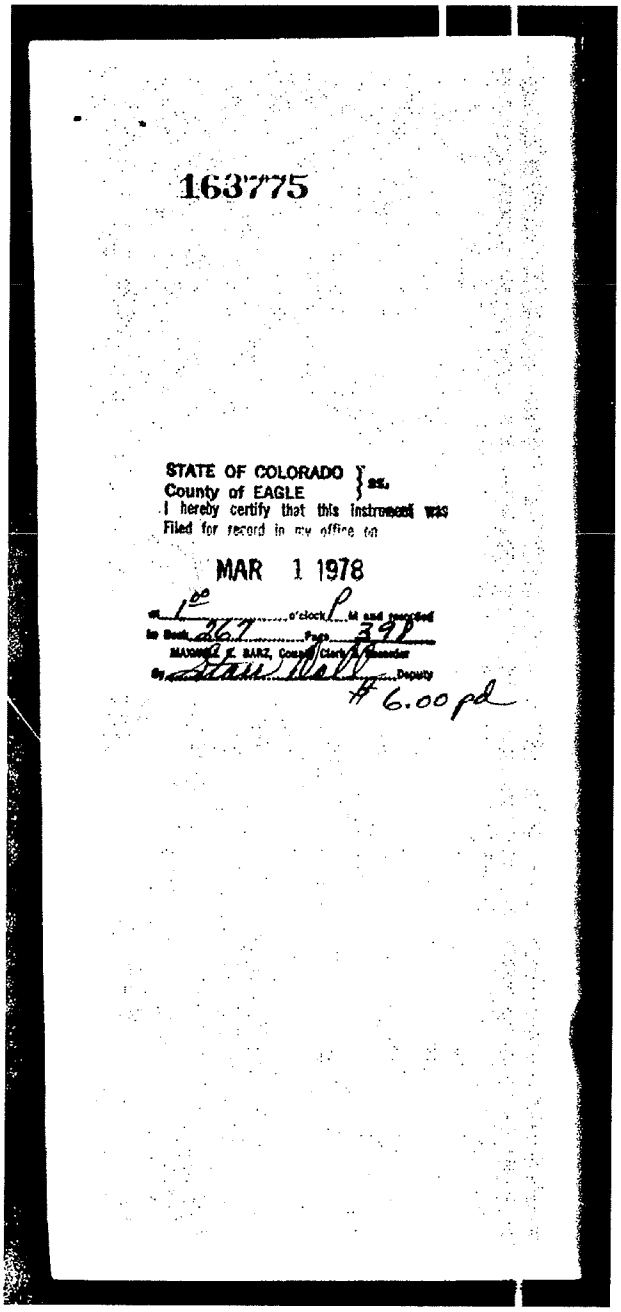
1) N.90°00'00"E. 201.28 feet;
2) N.00°00'00"W. 515.83 feet to a point on a curve;
3) 198.67 feet along a curve to the left whose radius is 3542.14 feet and whose chord bears S.52°08'36"E. 198.65 feet;
4) S.54°51'25"E. 170.90 feet;
5) S.55°25'00"E. 1100.89 feet;
6) N.00°40'36"W. 244.94 feet to the Northeasterly Right of Way line of Right of Way line of the Denver and Rio Grande Western Railroad; thence along said Northeaste Right of Way line on the following eleven courses:

1) S.55°25'00"E. 946.01 feet;
2) S.56°33'52"E. 191.86 feet;
3) 452.08 feet along a non-tangent curve to the left whos radius is 1618.87 feet and whose long chord bears S.66°55'00"E. 450.61 feet to a point of non-tangency;
4) S.77°16'08"E. 47.35 feet to the Easterly boundary lin of said Section 35;
5) N.00°02'00"W. and along said Easterly boundary line 51.23 feet;
6) S.77°16'43"E. 154.83 feet;
7) S.78°25'00"E. 280.50 feet;
8) S.77°12'47"E. 208.09 feet;
9) 535.85 feet along a non-tangent curve to the right whos radius is 1875.87 feet and whose chord bears S.66°22'00 534.02 feet to a point of non-tangency;
10) S.56°13'56"E. 206.17 feet;
11) S.55°03'00"E. 1090.00 feet; thence S.34°57'00"W. 250.00 feet to the Southwesterly Right of Way line of the Denver and Rio Grande Western Railroad; thence along said Southwesterly Right of Way line on the following six courses:

Legal Description (continued)

1) N.55°03'00"W. 3000.00 feet;
2) N.56°12'18"W. 192.90 feet;
3) 464.43 feet along a non-tangent curve to the left whose radius is 1629.87 feet and whose chord bears N.66°22'00"W. 462.85 feet to a point of non-tangency;
4) N.77°16'38"W. 191.22 feet;
5) N.78°25'00"W. 280.50 feet;
6) N.77°13'58"W. 103.23 feet to a point on the Easterly boundary line of the Northeast Quarter of said Section 35; thence S.00°02'00"E. and along said Easterly boundary line 676.21 feet to the point of beginning.

Said territory to be annexed contains 3,731,372 square feet or 85.661 acres, more or less.



163775

STATE OF COLORADO }
County of EAGLE } ss.
I hereby certify that this instrument was
Filed for record in my office on

MAR 1 1978

at 1:00 o'clock P M and recorded
in Book 267 Page 398
MAXWELL E. BARZ, County Clerk & Recorder
By Stan Wall Deputy
#6.00 pd

Book 333
Page 351
229707 Recorded at 11:00 AM Dec 14 1981 Fee:$9.00pd
Recorder Johnnette Phillips Eagle County

ORDINANCE NO. 159

Series of 1978

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY TO THE TOWN OF MINTURN

WHEREAS, there was heretofore filed with the Town Clerk of the Town of Minturn, a Petition for annexation of certain property hereinbelow described; and

WHEREAS, the Board of Trustees has heretofore reviewed the Petition, held a public hearing thereon, and adopted a resolution with respect to the annexation of said property and further the Board of Trustees has determined that said property meets the statutory requirements and is eligible for annexation;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MINTURN, COLORADO:

Section 1. The following described property be and the same hereby is annexed to the Town of Minturn:

See Exhibit "A" attached hereto and made a part hereof.

Section 2. Adopted as an amergency ordinance effective March 2, 1978.

INTRODUCED, READ, PASSED AND ORDERED PUBLISHED this 28th day of February, 1978.

TOWN OF MINTURN

Harold R Bellm
Mayor

ATTEST:

Darlene Lee Unger
Town Clerk

Legal Description (Continued)

1) N.55°03'00"W. 1090.00 feet;
2) N.56°12'18"W. 192.50 feet;
3) 464.43 feet along a non-tangent curve to the left wh radius is 1625.87 feet and whose chord bears N.66°2 462.85 feet to a point of non-tangency;
4) N.77°16'38"W. 191.22 feet;
5) N.79°25'00"W. 280.50 feet;
6) N.77°13'58"W. 103.23 feet to a point on the Easterly boundary line of the Northeast Quarter of said Sect thence S.00°02'00"E. and along said Easterly bounda line 676.21 feet to the point of beginning.

Said territory to be annexed contains 3,731,372 square 85.661 acres, more or less.

EXHIBIT A
LEGAL DESCRIPTION

Territory to be annexed to the Town of Minturn in the Cou Eagle, State of Colorado, located within the Southeast Quarter of S. 26, and the Northeast Quarter of Section 35, and the Northwest Quart Section 36, all in Township 5 South, Range 81 West of the Sixth Prin Meridan according to the Dependent Resurvey of said Township and Ran approved by the U. S. Surveyor General in Denver, Colorado, on Septe 13, 1943, said territory to be annexed being more particularly descri as follows, to wit;

Beginning at a point on the East boundary line of the North east Quarter of said Section 35, whence the Southeast Corner of said Northeast Quarter bears S.00°02'00"E. 515.76 feet; thence S.84°22'00" 219.87. feet; thence N.71°42'08"W. 191.53 feet; thence S.00°02'00"E. 172.42 feet; thence S.89°58'00"W. 320.00 feet; thence N.72°48'34"W. 110.72 feet; thence N.63°57'51"W. 193.65 feet; thence N.53°46'40"W. 389.22 feet; thence N.36°03'02"W. 181.82 feet; thence N.55°57'12"E. 209.83 feet; thence N.34°02'48"W. 250.24 feet; thence S.35°09'57"W. 105.90 feet; thence N.32°58'19"W. 130.33 feet; thence N.33°26'16"W. 128.88 feet; thence N.36°29'47"W. 100.52 feet to a point on the Sou erly boundary line of the Northwest Quarter of the Northeast Quarter said Section 35; thence S.89°49'34"W. and along said Southerly bound line 1130.37 feet to the Southwesterly Corner of the Northwest Quarte of the Northeast Quarter of said Section 35; thence N.01°19'32"W. and along the Westerly boundary line of said Northwest Quarter of the Nor east Quarter, 902.42 feet to the existing boundary line of the Town o Minturn; thence along said existing boundary line of the following fi courses:

1) N.90°00'00"E. 201.28 feet;
2) N.00°00'00"W. 515.83 feet to a point on a curve;
3) 198.67 feet along a curve to the left whose radius is 3542.14 feet and whose chord bears S.52°08'36"E. 198.65 feet;
4) S.54°51'25"E. 170.90 feet;
5) S.55°25'00"E. 1100.89 feet;
6) N.00°40'36"W. 244.94 feet to the Northeasterly Right of Way line of Right of Way line of the Denver and Rio Grande Western Railroad; thence along said Northeaster Right of Way line on the following eleven courses:

1) S.55°25'00"E. 946.01 feet;
2) S.56°33'52"E. 191.86 feet;
3) 452.08 feet along a non-tangent curve to the left whos radius is 1618.87 feet and whose long chord bears S.66°55'00"E. 450.61 feet to a point of non-tangency;
4) S.77°16'08"E. 47.35 feet to the Easterly boundary line of said Section 35;
5) N.00°02'00"W. and along said Easterly boundary line 51.23 feet;
6) S.77°16'43"E. 154.83 feet;
7) S.78°25'00"E. 280.50 feet;
8) S.77°12'47"E. 208.09 feet;
9) 535.85 feet along a non-tangent curve to the right whos radius is 1875.37 feet and whose chord bears S.66°22'0 534.02 feet to a point of non-tangency;
10) S.56°13'56"E. 206.17 feet;
11) S.55°03'00"E. 1090.00 feet; thence S.34°57'00"W. 250.0 feet to the Southwesterly Right of Way line of the Den and Rio Grande Western Railroad; thence along said Sou westerly Right of Way line on the following six course

THE UNITED STATES OF AMERICA

48/502

Homestead Certificate No. 5741 } [illegible], There has been deposited in the General Land Office of the
[illegible] 6499 }
United States a Certificate of the Register of the Land Office at Denver, Colorado whereby
it appears that, pursuant to the Act of Congress approved 20th May, 1862, "TO SECURE HOMESTEADS TO
ACTUAL SETTLERS ON THE PUBLIC DOMAIN," and the acts supplemental thereto, the claim of
John Kollnig has been established and duly consummated, in conformity
to law, for the North East Quarter of the North East Quarter and the South Half
of the North East Quarter of Section thirty-five in Township [illegible]
Range Eighty-one West of the Sixth Principal Meridian in Colorado [illegible]
One hundred and twenty acres.

according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the
Surveyor General:

Now Know Ye, That there is, therefore, granted by the UNITED STATES unto the said
John Kollnig the tract of land above described.
To Have and to Hold the said tract of Land, with the appurtenances thereof, unto the said
John Kollnig and to [illegible] heirs and assigns forever: subject
to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes and rights
to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged
by the local [illegible], [illegible] and decisions of Courts, and also subject to the right of the proprietor of a vein or lode
to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises
hereby granted, as provided by law. And there is reserved from the lands hereby granted a right of
way thereon for ditches or canals constructed by the authority of the United States.

In Testimony Whereof, I, Theodore Roosevelt President of the United States of America
have caused these letters to be made patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the Eleventh
day of September, in the year of our Lord one thousand [illegible]
hundred and three, and of the Independence of the United
States the one hundred and twenty-eighth

BY THE PRESIDENT: T. Roosevelt

By F. M. McKean Secretary.

C. N. Brush Recorder of the General Land Office

Colorado
Recorded, Vol. 74 Page 492

Filed for Record the 2nd day of May A. D. 1904, at 1:00 [illegible]

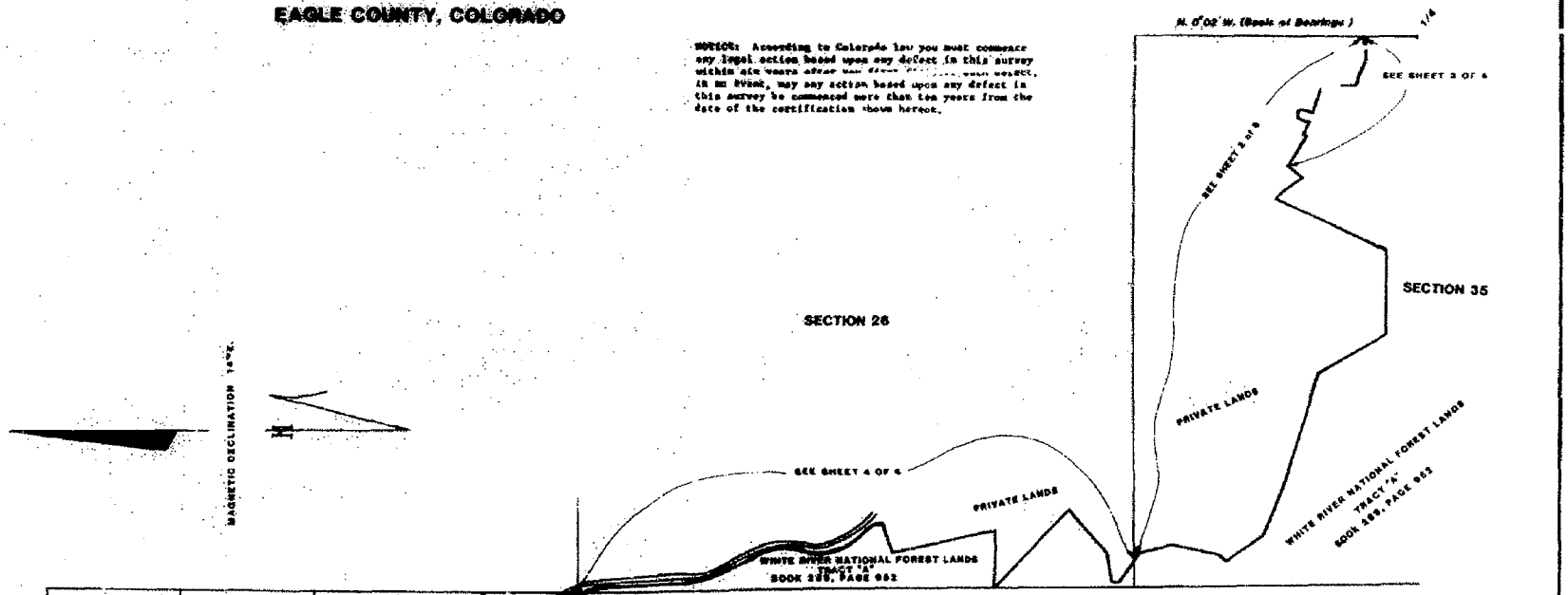
James L. Cooper
County Clerk and Recorder
By [illegible] Deputy

Reception #365591 Book 469 Page 371 September 8, 1977 3:09 P.M.
Johnnette Phillips, Eagle County Clerk & ...

TOWNSHIP 5 SOUTH, RANGE 81 WEST, 6th P.M.

EAGLE COUNTY, COLORADO

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within six years after you 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.



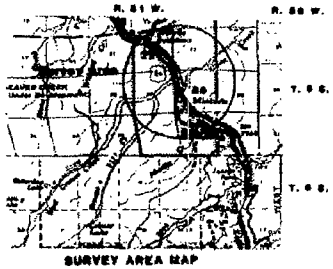
HISTORY of SURVEY

Original Survey of Township 5 South, Range 81 West, 6th. Principal Meridian was surveyed October 6-19, 1881 by John W. Irons and approved by Surveyor General Albert Johnson, July 20, 1882. A Dependent Resurvey was surveyed by Leo Petersen and John Knowles October 1, 1941 to September 2, 1942 under Special Instructions dated April 8, 1941 and under Group No. 237 approved September 13, 1943 by Francis M. Johnson, Supervisor of Surveys.

BASIS of BEARINGS

The bearings were determined by the record bearing between the East 1/4 corner of section 35 and the section corner common to sections 26, 25, 35, 36. The bearing is North 0°02' West and was taken from the General Land Office Dependent Re-survey Plat approved September 13, 1943. Bearings were transferred by direct angles.

This legally recorded RECORD OF SURVEY serves as constructive notice to the surveyor, Individual Landowners, Title Companies, Local Government and others of this occupancy of lands owned by the United States of America. This occupancy may result in appropriate civil or criminal actions by the United States to resolve this matter.



SURVEY AREA MAP
No Scale

CERTIFICATE of SURVEY

I, Robert E. Houser, Registered Land Surveyor No. 7235, State of Colorado, do hereby certify that this plat correctly represents a survey made by me or under my direction in conformation with the laws of the State of Colorado and at the request of the U.S. Department of Agriculture, Forest Service.

ROBERT E. HOUSER REGISTERED 7235 LAND SURVEYOR STATE OF COLORADO

NATIONAL FOREST REVIEW AND ACCEPTANCE

Reviewed And Accepted: Forest Supervisor Date: 5/4/81

U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
REGION 2 — WHITE RIVER NATIONAL FOREST

FOREST PROPERTY BOUNDARY SURVEY
Portions of Sections 22, 26 and 35
T. 5 S., R. 81 W., 6th. P.M.
Eagle County, Colorado

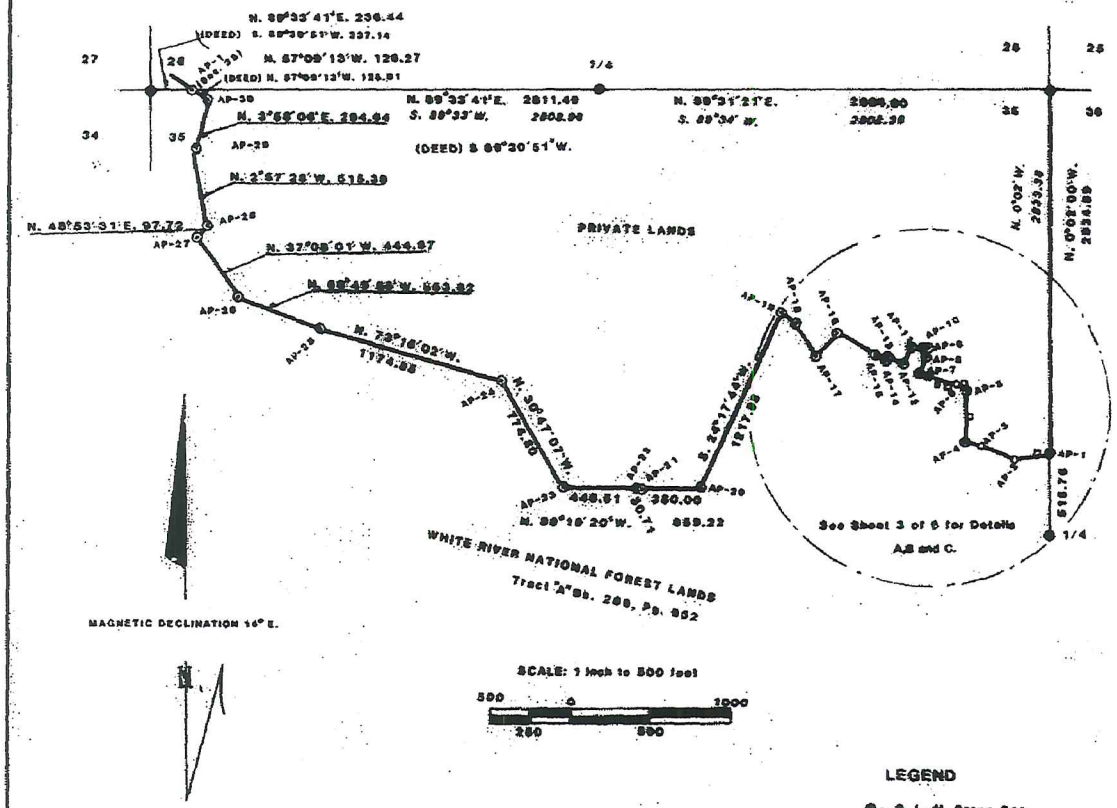
SURVEYED BY W. Bontrager DATE 7-22-80 — DRAWN W.B.
FOREST APPROVAL DATE 5/4/81 — CHECKED R.H.
REVIEWED DATE — SHEET 1 of 6

Johnnette Phillips, Eagle County Clerk & Recorder

Reception # 365592 Book 469 Pg 372 Sept. 8, 1987 3:09 P.m.

TOWNSHIP 5 SOUTH, RANGE 81 WEST, 6TH P. M.

EAGLE COUNTY, COLORADO



CERTIFICATE of SURVEY

I, Robert E. Houser, Registered Land Surveyor No. 7235, State of Colorado, do hereby certify that this plat correctly represents a survey made by me or under my direction in conformation with the laws of the State of Colorado and at the request of the U.S. Department of Agriculture, Forest Service.

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within six 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.

For BASIS OF BEARINGS, HISTORY OF SURVEY, and SURVEY AREA MAP see sheet 1 of 8.

This legally recorded RECORD OF SURVEY serves as constructive notice to the Surveyor, Individual Landowners, Title Companies, Local Government and others of this occupancy of lands owned by the United States of America. This occupancy may result in appropriate civil or criminal actions by the United States to resolve this matter.

This legally recorded RECORD OF SURVEY serves as constructive notice to the Surveyor, Individual Landowners, Title Companies, Local Government and others of this occupancy of lands owned by the United States of America. This occupancy may result in appropriate civil or criminal actions by the United States to resolve this matter.

LEGEND

- ● - B. L. M. Brass Cap
- ⊙ - U. S. F. S. Aluminum Cap
- ○ - L. S. Cap No. 5441 set in concrete (AP-2, AP-3, AP-8) See sheet 3 of 6

(DEED) - Tract "A" Bk. 289, Pg. 952

NOTE: All bearings and distances represent both deed and measured bearings and distances unless otherwise shown.

NOTE: Slant Lettering Denotes B. L. M. Record Bearings and Distances.

ROBERT E. HOUSER REGISTERED 7235 LAND SURVEYOR STATE OF COLORADO

NATIONAL FOREST REVIEW AND ACCEPTANCE

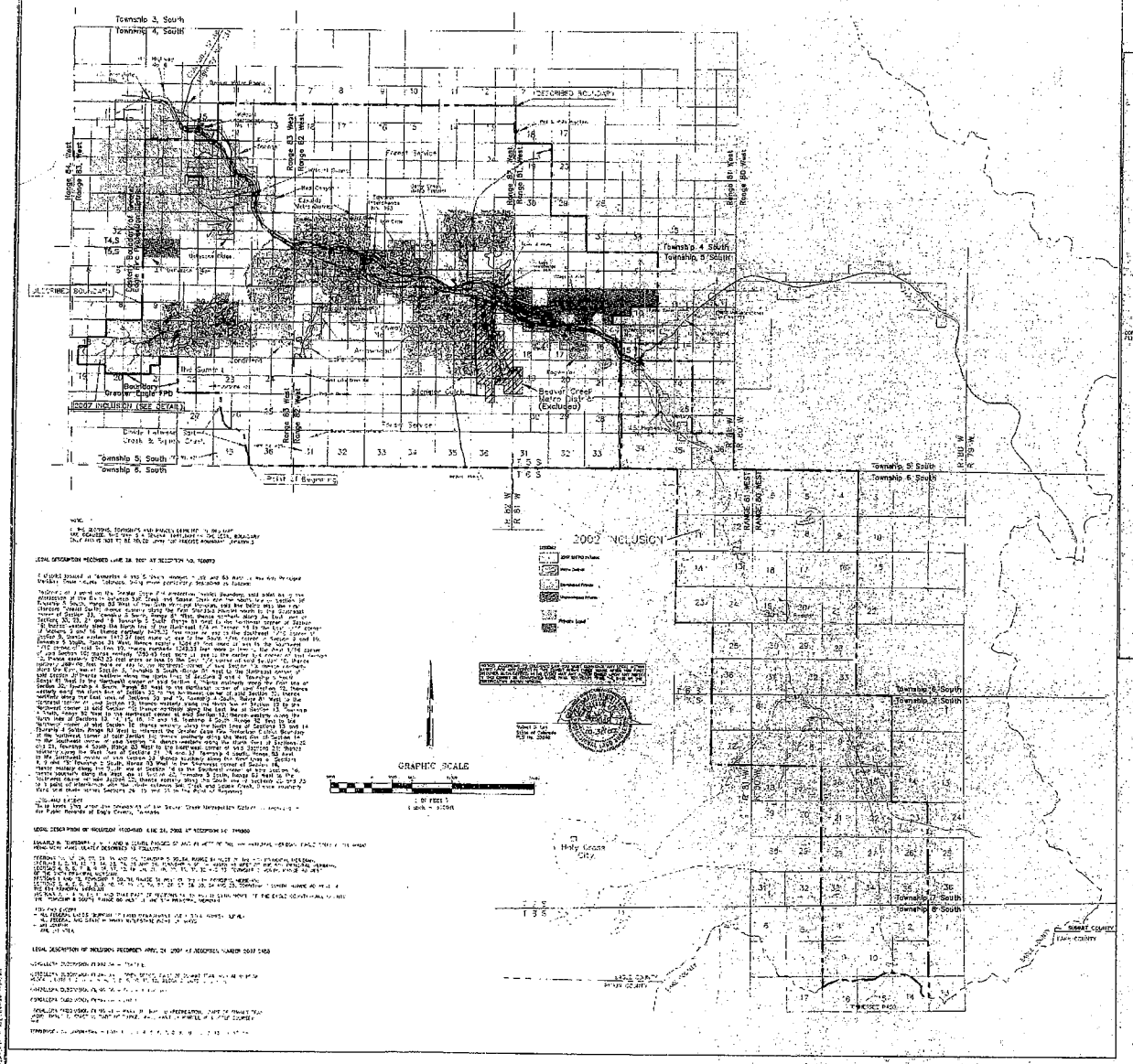
Reviewed And Accepted: Forest Supervisor Date: 5-91

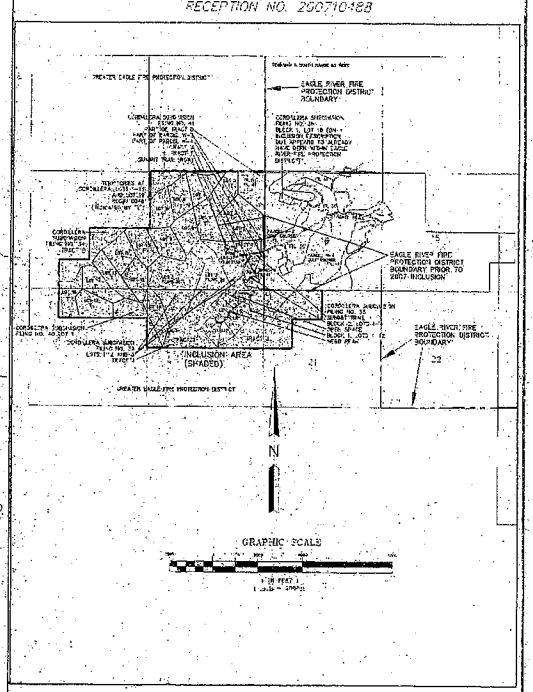
U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
REGION 2 WHITE RIVER NATIONAL FOREST

FOREST PROPERTY BOUNDARY SURVEY
Portion of Section 35
T. 5 S., R. 81 W., 6th. P.M.
Eagle County, Colorado

SURVEYED BY W. BONTRAGER	DATE 11-22-86	DRAWN W.B.	
FOREST APPROVAL Harold A. Hughes FOREST ENGINEER	DATE 5/7/87	CHECKED R.H.	
REVIEWED Charles F. Vernon REGIONAL LAND SURVEYOR	7-28-87	SHEET 2 of 6	

EAGLE RIVER FIRE PROTECTION DISTRICT





LEGAL DESCRIPTION RECORDED JUNE 28, 2007 AT RECEPTION NO. 200723

LEGAL DESCRIPTION OF INCLUSION RECORDED JUNE 24, 2002 AT RECEPTION NO. 199800

LEGAL DESCRIPTION OF INCLUSION RECORDED APRIL 24, 2007 AT RECEPTION NUMBER 200710488

200926003
12/07/2009

ALPINE ENGINEERING INC

SHEET 1 OF 1

3/15

DISTRICT COURT, EAGLE COUNTY, STATE OF COLORADO Court Address: 885 Chambers Avenue Eagle, CO 81631 Phone Number: (970) 328-6373	FILED IN THE COMBINED CLERKS OFFICE MAY 30 2002 EAGLE COUNTY, COLORADO BY _____ ▲ COURT USE ONLY ▲
IN RE THE MATTER OF EAGLE RIVER FIRE PROTECTION DISTRICT	
Attorney: James P. Collins Collins Cockrel & Cole, a Professional Corporation 390 Union Boulevard, Suite 400 Denver, Colorado 80228 Phone Number: (303) 986-1551 Fax Number: (303) 986-1755 E-mail: ccandcpc@ccandcpc.com Atty. Reg. #: 7958	Case Number: 00CV35 Div.: Ctrm.:

ORDER OF INCLUSION

THIS MATTER coming before the Court upon the filing of a Motion for Entry of Order of Inclusion and Resolution Initiating Inclusion Election by the Board of Directors of the Eagle River Fire Protection District for inclusion of certain additional real property into the District; and it appearing to the Court that the question of inclusion of such property was presented to the qualified electors of the area to be included at a public election held on May 7, 2002, after duly publishing notice of the date, place and time of, and the question to be submitted at such election, in a newspaper of general circulation in the District and the area to be included, in accordance with all statutory requirements, and such election was conducted in substantial compliance with the provisions of Article 1 through 13, Title 1, C.R.S., and Part 8, Article 1, Title 32, C.R.S., and no election contest has been commenced in accordance with statutory requirements; and it further appearing to the Court that two hundred forty-one (241) votes were cast in favor of inclusion and twenty-nine (29) votes were cast against inclusion, as set forth in the Board of Canvassers Certificate of Election Results, which has been filed with the Clerk of this Court.

799500
Page: 1 of 3
06/24/2002 02:08P
Sara J Fisher Eagle, CO 274 R 15.00 D 0.00

IT IS THEREFORE ORDERED that the real property described in Exhibit A attached hereto and incorporated herein by this reference be included into the Eagle River Fire Protection District, in accordance with the terms and conditions of the District's Resolution Initiating Inclusion Election.

DATED this 30th day of May, 2002.

BY THE COURT:

District Court Judge

799500
Page: 2 of 3
06/24/2002 02:08P
Sara J Fisher Eagle, CO 274 R 15.00 D 0.00

DISTRICT COURT
Eagle County, Colorado
Certified to be full, true and correct copy of the original in my custody
Date 5/31/02
By Deputy Clerk

COPIES MAILED: 1
5-31-02

EXHIBIT A

(Legal Description)

Located in Townships 5, 6, 7 and 8 South, Ranges 80 and 81 West of the 6th Principal Meridian, Eagle County, Colorado, being more particularly described as follows:

Sections 22, 23, 26, 27, 34, 35 and 36, Township 5 South, Range 81 West of the 6th Principal Meridian;

Sections 1, 2, 11, 12, 13, 14, 23, 24, 25 and 36, Township 6 South, Range 81 West of the 6th Principal Meridian;

Sections 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32 and 33, Township 6 South, Range 80 West of the 6th Principal Meridian;

Sections 1 and 12, Township 7 South, Range 81 West of the 6th Principal Meridian;

Sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 21, 22, 23, 26, 27, 28, 33, 34 and 35, Township 7 South, Range 80 West of the 6th Principal Meridian; and

Sections 2, 3, 4, 9, 10, 11 and that part of Sections 14, 15 and 16 lying North of the Eagle County-Lake County line, Township 8 South, Range 80 West of the 6th Principal Meridian.

LESS AND EXCEPT:
- All Federal lands (Bureau of Land Management and United States Forest Service)
- All Federal and State Highway/Interstate right-of-ways
- Ski Cooper
- Vail Ski Area

799500
Page: 3 of 3
06/24/2002 02:08P
Sara J Fisher Eagle, CO 274 R 15.00 D 0.00

890104
Page: 1 of 2
09/07/2004 02:37P
Teak J Simonton Eagle, CO 319 R 11.00 D 0.00

QUITCLAIM DEED

FRANCES R. QUINTANA, whose address is P.O. Box 281, Minturn, Colorado 81645, the Grantor, for a good, sufficient and valuable consideration, the receipt of which is hereby acknowledged, hereby transfers and quitclaims to FRANCES R. QUINTANA, or her successor, as TRUSTEE under the FRANCES R. QUINTANA DECLARATION OF TRUST, dated August 28, 2004, the Grantee, whose address is P.O. Box 281, Minturn, Colorado 81645, the following-described parcels of real property, situated in Eagle County, and State of Colorado, to wit:

See attached Exhibit A of Parcels A through F

Parcels A-D also known by street and number as 947 Main St., Minturn, Colorado.

Parcels E-F also known by street and number as 1973 U.S. Highway 24, Minturn, Colorado.

with all appurtenances.

Signed this 28th day of August, 2004.

Frances R. Quintana
Frances R. Quintana

STATE OF COLORADO)
) ss.
COUNTY OF EAGLE)

The foregoing instrument was acknowledged before me this 28TH day of AUGUST, 2004, by Frances R. Quintana.

WITNESS my hand and official seal.

My commission expires: MAY 24, 2006.

Lawrence D. Gill
Notary Public

(No Documentary Fee Required)

890104
Page: 2 of 2
09/07/2004 02:37P
Teak J Simonton Eagle, CO 319 R 11.00 D 0.00

EXHIBIT "A" – QUINTANA

Parcel A:
A portion of the lot conveyed to Elmer Owen and Elsie Owen by William Bergquist described in a Deed recorded in Book 133 at Page 179, of the records in the Office of the Clerk and Recorder of Eagle County, Colorado located in the SE¼ of the NE¼ of Sec. 35, T 5 S., R 81 W. of the 6th P.M.; the portion being that part lying southerly and westerly of a line extended from side line to side line along and parallel to a rock wall presently located on the premises.

Parcel B.
A part of the Northwest Quarter of the Northeast Quarter of section 35, Township 5 South, Range 81 West of the 6th P.M., more particularly described as follows, to wit: Beginning at a point whence the Northwest corner of the Northwest Quarter of the Northeast Quarter of said Section 35, in said Township and Range, bears North 46°26' West 1908.8 feet distant; thence South 41°00' West 212 feet; thence North 41°53' West 100 feet; thence North 41°00' East 212 feet; thence South 49°East 100 feet to the point of beginning.

Parcel C:
Beginning at a point being 46.80 feet south 89°33' West, 1770.10 feet south 48°54.5' East, and 34.63 feet South 42°02' West from the North Quarter Corner Section 35, Township 5 South, Range 81 West of the 6th P.M.; thence South 40°05' West 206.60 feet; thence North 46°54' West 53.78 feet; thence North 41°03' East 204.67 feet; thence South 48°54' East 50.28 feet; to the point of beginning.

Parcel D:
A parcel of land lying Southerly of and adjacent to the Southerly boundary line of the right of way of U.S. Highway no. 24, in the NE¼ of Section 35, Township 5 South, Range 81 West of the 6th P.M. described as follows:

Beginning at a point on the Southerly boundary line of the right of way of said highway from which the North Quarter Corner of said Section bears N46°46' West, 1858.5 feet;
Thence South 29°11' West 148 feet to the Northerly Corner of parcel of land conveyed to the Colorado State Highway Department by deed recorded in Book 126 at page 421, Eagle County, Colorado Recorder's Records;
Thence South 31°35' East along the Northeasterly boundary line of said last mentioned parcel of land 57.3 feet, to the most Easterly corner of said parcel, which corner is located on the Northwesterly line of parcel of land described in the Deed recorded in Book 126 at Page 232 of said records;
thence North 29°11' East, along said Northwesterly line of last mentioned parcel of land 168 feet to the Southerly boundary line of the right of way of said Highway; thence Westerly along said Southerly right of way line on a 1°58' curve to the right 50.1 feet to the point of beginning.

Parcel E:
A tract of land designated the "Country Club Tract" located in Section 36, Township 5 South, Range 81 West of the 6th P.M. according to the Dependent Resurvey of said Township and Range approved by the U.S. Department of the Interior General Land Office in Denver, Colorado on September 13, 1943; said tract of land being more particularly described as follows, to wit:
Beginning at Corner No. 1, located on the Westerly right of way boundary line of U.S. Highway No. 24, from which the South Quarter Corner of Section 36 bears S. 27°37'50" E. 1568.35 feet distant; and also an iron pin Witness Corner for Corner No. 1 with an aluminum cap marked "W.C." bears No. 56°24'30" E. 9.45 feet distant from Corner No. 1; thence continuing along said highway right of way boundary line 151.58 feet on a curve to the right having a radius of 756.30 feet, the chord of which bears N. 13°35'10" W. 151.33 feet to Corner No. 2, from which an iron pin Witness Corner for Corner No. 2 with an aluminum cap marked "W.C" bears N. 61°04'40" E.2.26 feet distant; thence departing from said highway right of way boundary line and following an existing fence line, S.61°04'40" W. 150.74 feet to Corner No. 3, an iron pin monument with an aluminum cap marked "PROP. COR"; thence S.29°55'30" E. 150.86 feet to Corner No. 4, an iron pin monument with an aluminum cap marked "PROP.COR."; thence, following an existing fence line, N.56°24'30" E. 108.54 feet to Corner No. 1, the place of beginning.

PARCEL F:

Beginning at a point on the Westerly Right-of-Way boundary of Colorado - US Highway No. 24 from which the South ¼ corner of Sec. 36 in Tp. 5 S. of R. 81 W. of the 6th P.M., bears South 27°53' East 1648.7 feet; thence South 62°30' West 100.0 feet; thence North 18°03' West 100.0 feet; thence North 62°30' East 100.0 feet to the westerly Right-of-Way Boundary of Colorado - US Highway No. 24; thence Southerly along the Westerly Right-of-Way Boundary of Colorado - US Highway No. 24 on a 7°35' curve left (the long chord of which bears South 18°03' East 100.0 feet) 100.0 feet through a central angle of 8° to the point of beginning.

Containing 10,000 square feet more or less

Clerk's Note: This document is a poor copy and will not photograph well. This is not the fault of this office.

Certified Sanborn® Map Report

5/29/15

Site Name:
947 Main
947 Main Street
Minturn, CO 81645

Client Name:
Braun Environmental Inc.
355 S. Teller Suite
Lakewood, CO 80226

EDR Inquiry # 4309297.3

Contact: Art Braun

The Sanborn Library has been searched by EDR and maps covering the target property location as provided by Braun Environmental Inc. were identified for the years listed below. The Sanborn Library is the largest, most complete collection of fire insurance maps. The collection includes maps from Sanborn, Bromley, Perris & Browne, Hopkins, Barlow, and others. Only Environmental Data Resources Inc. (EDR) is authorized to grant rights for commercial reproduction of maps by the Sanborn Library LLC, the copyright holder for the collection. Results can be authenticated by visiting www.edrnet.com/sanborn.

The Sanborn Library is continually enhanced with newly identified map archives. This report accesses all maps in the collection as of the day this report was generated.

Certified Sanborn Results:

Site Name: 947 Main
Address: 947 Main Street
City, State, Zip: Minturn, CO 81645
Cross Street:
P.O. # NA
Project: AS-01
Certification # 4091-47A5-BE7F

Sanborn® Library search results
Certification # 4091-47A5-BE7F

UNMAPPED PROPERTY

This report certifies that the complete holdings of the Sanborn Library, LLC collection have been searched based on client supplied target property information, and fire insurance maps covering the target property were not found.

The Sanborn Library includes more than 1.2 million fire insurance maps from Sanborn, Bromley, Perris & Browne, Hopkins, Barlow and others which track historical property usage in approximately 12,000 American cities and towns. Collections searched:

- ✓ Library of Congress
- ✓ University Publications of America
- ✓ EDR Private Collection

The Sanborn Library LLC Since 1866™

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947 Main
947 Main Street
Minturn, CO 81645

Inquiry Number: 4309297.5
June 01, 2015

The EDR-City Directory Image Report

EDR® Environmental Data Resources Inc

6 Armstrong Road
Shelton, CT 06484
800.352.0050
www.edrnet.com

TABLE OF CONTENTS

SECTION

Executive Summary

Findings

City Directory Images

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with any questions or comments.

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EXECUTIVE SUMMARY

DESCRIPTION

Environmental Data Resources, Inc.'s (EDR) City Directory Report is a screening tool designed to assist environmental professionals in evaluating potential liability on a target property resulting from past activities. EDR's City Directory Report includes a search of available city directory data at 5 year intervals.

RESEARCH SUMMARY

The following research sources were consulted in the preparation of this report. A check mark indicates where information was identified in the source and provided in this report.

Year	Target Street	Cross Street	Source
2013	☑	☐	Cole Information Services
2008	☑	☐	Cole Information Services
2003	☐	☐	Cole Information Services
1999	☐	☐	Cole Information Services
1995	☑	☐	Cole Information Services
1992	☑	☐	Cole Information Services

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FINDINGS

TARGET PROPERTY STREET

947 Main Street
Minturn, CO 81645

Year	*CD Image*	*Source*	
MAIN ST			
2013	pg A1	Cole Information Services	
2008	pg A2	Cole Information Services	
2003	-	Cole Information Services	Target and Adjoining not listed in Source
1999	-	Cole Information Services	Target and Adjoining not listed in Source
1995	pg A3	Cole Information Services	
1992	pg A4	Cole Information Services	

FINDINGS

CROSS STREETS

No Cross Streets Identified

City Directory Images

MAIN ST 2013

446	ALFREDO CERVANTES
451	PAULA TURNER
532	JON HIGHTER
591	ANTHONY AIELLO
601	JINGER PURVIS
656	DAVID GIBBS
741	JESSICA ACEVES
871	DONNA CHAVEZ
974	BARRY CLARK
987	ERIC MOSCA
989	SUSAN MARTINEZ
1003	FLOYD SALAZAR
1182	WALTER VALDEZ
1251	MELLY DOMINGUEZ
1351	WHITE RIVER RECREATION
1800	BENJAMIN RESER

MAIN ST 2008

511	MATTHEW SCHERR
751	MARIE CARTER
832	ROSALIE VALDEZ
1003	FLOYD SALAZAR

MAIN ST 1995

461	NEW LIFE ASSEMBLEY
976	LOPEZ, BERNIE
1040	BOB SONTAG WOODWORKING
	MICHAEL K ARNETT & SON WOODWRK

MAIN ST 1992

451	DAVIS, CHARLES E
501	MIX, DAVID
976	LOPEZ, BERNIE
1051	SALAZAR, ROBERT E

Appendix C

947 Main
947 Main Street
Minturn, CO 81645

Inquiry Number: 4309297.2s
May 29, 2015

The EDR Radius Map™ Report with GeoCheck®

EDR® Environmental Data Resources Inc

6 Armstrong Road, 4th floor
Shelton, CT 06484
Toll Free: 800.352.0050
www.edrnet.com

TABLE OF CONTENTS

SECTION	PAGE
Executive Summary	ES1
Overview Map	2
Detail Map	3
Map Findings Summary	4
Map Findings	8
Orphan Summary	36
Government Records Searched/Data Currency Tracking	GR-1

GEOCHECK ADDENDUM

Physical Setting Source Addendum	A-1
Physical Setting Source Summary	A-2
Physical Setting SSURGO Soil Map	A-5
Physical Setting Source Map	A-14
Physical Setting Source Map Findings	A-16
Physical Setting Source Records Searched	PSGR-1

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with any questions or comments.

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EXECUTIVE SUMMARY

A search of available environmental records was conducted by Environmental Data Resources, Inc (EDR). The report was designed to assist parties seeking to meet the search requirements of EPA's Standards and Practices for All Appropriate Inquiries (40 CFR Part 312), the ASTM Standard Practice for Environmental Site Assessments (E 1527-13) or custom requirements developed for the evaluation of environmental risk associated with a parcel of real estate.

TARGET PROPERTY INFORMATION

ADDRESS

947 MAIN STREET
MINTURN, CO 81645

COORDINATES

Latitude (North):	39.5787000 - 39° 34' 43.32"
Longitude (West):	106.4197000 - 106° 25' 10.92"
Universal Tranverse Mercator:	Zone 13
UTM X (Meters):	378067.8
UTM Y (Meters):	4381752.0
Elevation:	7901 ft. above sea level

USGS TOPOGRAPHIC MAP ASSOCIATED WITH TARGET PROPERTY

Target Property Map:	39106-E4 MINTURN, CO
Most Recent Revision:	1987

AERIAL PHOTOGRAPHY IN THIS REPORT

Portions of Photo from:	20110920
Source:	USDA

MAPPED SITES SUMMARY

Target Property Address:
947 MAIN STREET
MINTURN, CO 81657

Click on Map ID to see full detail.

MAP ID	SITE NAME	ADDRESS	DATABASE ACRONYMS	RELATIVE ELEVATION	DIST (ft. & mi.) DIRECTION
Reg	EAGLE MINE	W OF US HWY 24	NPL, CERCLIS, RCRA NonGen / NLR, US ENG CONTROLS,...	Same	3373, 0.639, SSE
1	MINTURN RMC	1120 CEMETERY RD	AST	Higher	1055, 0.200, East
2	MINTURN PIT		MINES	Higher	1121, 0.212, ENE

EXECUTIVE SUMMARY

TARGET PROPERTY SEARCH RESULTS

The target property was not listed in any of the databases searched by EDR.

DATABASES WITH NO MAPPED SITES

No mapped sites were found in EDR's search of available ("reasonably ascertainable ") government records either on the target property or within the search radius around the target property for the following databases:

STANDARD ENVIRONMENTAL RECORDS

Federal NPL site list

Proposed NPL---------- Proposed National Priority List Sites
NPL LIENS---------- Federal Superfund Liens

Federal Delisted NPL site list

Delisted NPL---------- National Priority List Deletions

Federal CERCLIS list

CERCLIS---------- Comprehensive Environmental Response, Compensation, and Liability Information System
FEDERAL FACILITY---------- Federal Facility Site Information listing

Federal CERCLIS NFRAP site List

CERC-NFRAP---------- CERCLIS No Further Remedial Action Planned

Federal RCRA CORRACTS facilities list

CORRACTS---------- Corrective Action Report

Federal RCRA non-CORRACTS TSD facilities list

RCRA-TSDF---------- RCRA - Treatment, Storage and Disposal

Federal RCRA generators list

RCRA-LQG---------- RCRA - Large Quantity Generators
RCRA-SQG---------- RCRA - Small Quantity Generators
RCRA-CESQG---------- RCRA - Conditionally Exempt Small Quantity Generator

Federal institutional controls / engineering controls registries

US ENG CONTROLS---------- Engineering Controls Sites List
US INST CONTROL---------- Sites with Institutional Controls
LUCIS---------- Land Use Control Information System

EXECUTIVE SUMMARY

Federal ERNS list

ERNS..... Emergency Response Notification System

State- and tribal - equivalent CERCLIS

SHWS..... This state does not maintain a SHWS list. See the Federal CERCLIS list and Federal NPL list.

State and tribal landfill and/or solid waste disposal site lists

SWF/LF..... Solid Waste Sites & Facilities

State and tribal leaking storage tank lists

LUST..... Leaking Underground Storage Tank List
LUST TRUST..... RAP Site Listing
LAST..... Leaking Aboveground Storage Tank Listing
INDIAN LUST..... Leaking Underground Storage Tanks on Indian Land

State and tribal registered storage tank lists

UST..... Underground Storage Tank Database
INDIAN UST..... Underground Storage Tanks on Indian Land
FEMA UST..... Underground Storage Tank Listing

State and tribal institutional control / engineering control registries

AUL..... Environmental Covenants and Environmental Use Restrictions List

State and tribal voluntary cleanup sites

INDIAN VCP..... Voluntary Cleanup Priority Listing
VCP..... Voluntary Cleanup & Redevelopment Act Application Tracking Report

ADDITIONAL ENVIRONMENTAL RECORDS

Local Brownfield lists

US BROWNFIELDS..... A Listing of Brownfields Sites

Local Lists of Landfill / Solid Waste Disposal Sites

ODI..... Open Dump Inventory
DEBRIS REGION 9..... Torres Martinez Reservation Illegal Dump Site Locations
SWRCY..... Registered Recyclers Listing
HIST LF..... Historical Landfill List
INDIAN ODI..... Report on the Status of Open Dumps on Indian Lands

Local Lists of Hazardous waste / Contaminated Sites

US CDL..... Clandestine Drug Labs
CDL..... Meth Lab Locations

EXECUTIVE SUMMARY

US HIST CDL..... National Clandestine Laboratory Register

Local Land Records

LIENS 2..... CERCLA Lien Information

Records of Emergency Release Reports

HMIRS..... Hazardous Materials Information Reporting System
CO ERNS..... Spills Database
SPILLS 90..... SPILLS 90 data from FirstSearch

Other Ascertainable Records

RCRA NonGen / NLR..... RCRA - Non Generators / No Longer Regulated
DOT OPS..... Incident and Accident Data
DOD..... Department of Defense Sites
FUDS..... Formerly Used Defense Sites
CONSENT..... Superfund (CERCLA) Consent Decrees
UMTRA..... Uranium Mill Tailings Sites
US MINES..... Mines Master Index File
TRIS..... Toxic Chemical Release Inventory System
TSCA..... Toxic Substances Control Act
FTTS..... FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)
HIST FTTS..... FIFRA/TSCA Tracking System Administrative Case Listing
SSTS..... Section 7 Tracking Systems
ICIS..... Integrated Compliance Information System
PADS..... PCB Activity Database System
MLTS..... Material Licensing Tracking System
RADINFO..... Radiation Information Database
FINDS..... Facility Index System/Facility Registry System
RAATS..... RCRA Administrative Action Tracking System
RMP..... Risk Management Plans
METHANE SITE..... Methane Site Investigations - Jefferson County 1980
Methane Investigation..... Methane Gas & Swamp Findings
DRYCLEANERS..... Drycleaner Facilities
NPDES..... Permitted Facility Listing
AIRS..... Permitted Facility & Emissions Listing
UMTRA..... Uranium Mill Tailings Sites
ASBESTOS..... Asbestos Abatement & Demolition Projects
INDIAN RESERV..... Indian Reservations
SCRD DRYCLEANERS..... State Coalition for Remediation of Drycleaners Listing
Financial Assurance..... Financial Assurance Information Listing
LEAD SMELTERS..... Lead Smelter Sites
US AIRS..... Aerometric Information Retrieval System Facility Subsystem
EPA WATCH LIST..... EPA WATCH LIST
US FIN ASSUR..... Financial Assurance Information
COAL ASH EPA..... Coal Combustion Residues Surface Impoundments List
PCB TRANSFORMER..... PCB Transformer Registration Database
COAL ASH DOE..... Steam-Electric Plant Operation Data
2020 COR ACTION..... 2020 Corrective Action Program List
PRP..... Potentially Responsible Parties

EDR HIGH RISK HISTORICAL RECORDS

EDR Exclusive Records

EDR MGP..... EDR Proprietary Manufactured Gas Plants

EXECUTIVE SUMMARY

EDR US Hist Auto Stat_____. EDR Exclusive Historic Gas Stations
EDR US Hist Cleaners_____ EDR Exclusive Historic Dry Cleaners

EDR RECOVERED GOVERNMENT ARCHIVES

Exclusive Recovered Govt. Archives

RGA LUST_____ Recovered Government Archive Leaking Underground Storage Tank
RGA LF_____ Recovered Government Archive Solid Waste Facilities List

SURROUNDING SITES: SEARCH RESULTS

Surrounding sites were identified in the following databases.

Elevations have been determined from the USGS Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified. Sites with an elevation equal to or higher than the target property have been differentiated below from sites with an elevation lower than the target property.
Page numbers and map identification numbers refer to the EDR Radius Map report where detailed data on individual sites can be reviewed.

Sites listed in ***bold italics*** are in multiple databases.

Unmappable (orphan) sites are not considered in the foregoing analysis.

STANDARD ENVIRONMENTAL RECORDS

Federal NPL site list

NPL: Also known as Superfund, the National Priority List database is a subset of CERCLIS and identifies over 1,200 sites for priority cleanup under the Superfund program. The source of this database is the U.S. EPA.

A review of the NPL list, as provided by EDR, and dated 12/16/2014 has revealed that there is 1 NPL site within approximately 1 mile of the target property.

Equal/Higher Elevation	Address	Direction / Distance	Map ID	Page
EAGLE MINE	***W OF US HWY 24***	***SSE 1/2 - 1 (0.639 mi.)***	***0***	***8***

State and tribal registered storage tank lists

AST: The Aboveground Storage Tank database contains registered ASTs. The source is the State Oil Inspector's Office's Tank List.

A review of the AST list, as provided by EDR, and dated 03/10/2015 has revealed that there is 1 AST site within approximately 0.25 miles of the target property.

Equal/Higher Elevation	Address	Direction / Distance	Map ID	Page
MINTURN RMC Tank Status: Currently In Use Facility Id: 19186	1120 CEMETERY RD	E 1/8 - 1/4 (0.200 mi.)	1	34

EXECUTIVE SUMMARY

ADDITIONAL ENVIRONMENTAL RECORDS

Other Ascertainable Records

ROD: Record of Decision. ROD documents mandate a permanent remedy at an NPL (Superfund) site containing technical and health information to aid the cleanup.

A review of the ROD list, as provided by EDR, and dated 11/25/2013 has revealed that there is 1 ROD site within approximately 1 mile of the target property.

Equal/Higher Elevation	Address	Direction / Distance	Map ID	Page
EAGLE MINE	***W OF US HWY 24***	***SSE 1/2 - 1 (0.639 mi.)***	***0***	***8***

MINES: This dataset represents permitted mines in the State of Colorado

A review of the MINES list, as provided by EDR, and dated 09/19/2011 has revealed that there is 1 MINES site within approximately 0.25 miles of the target property.

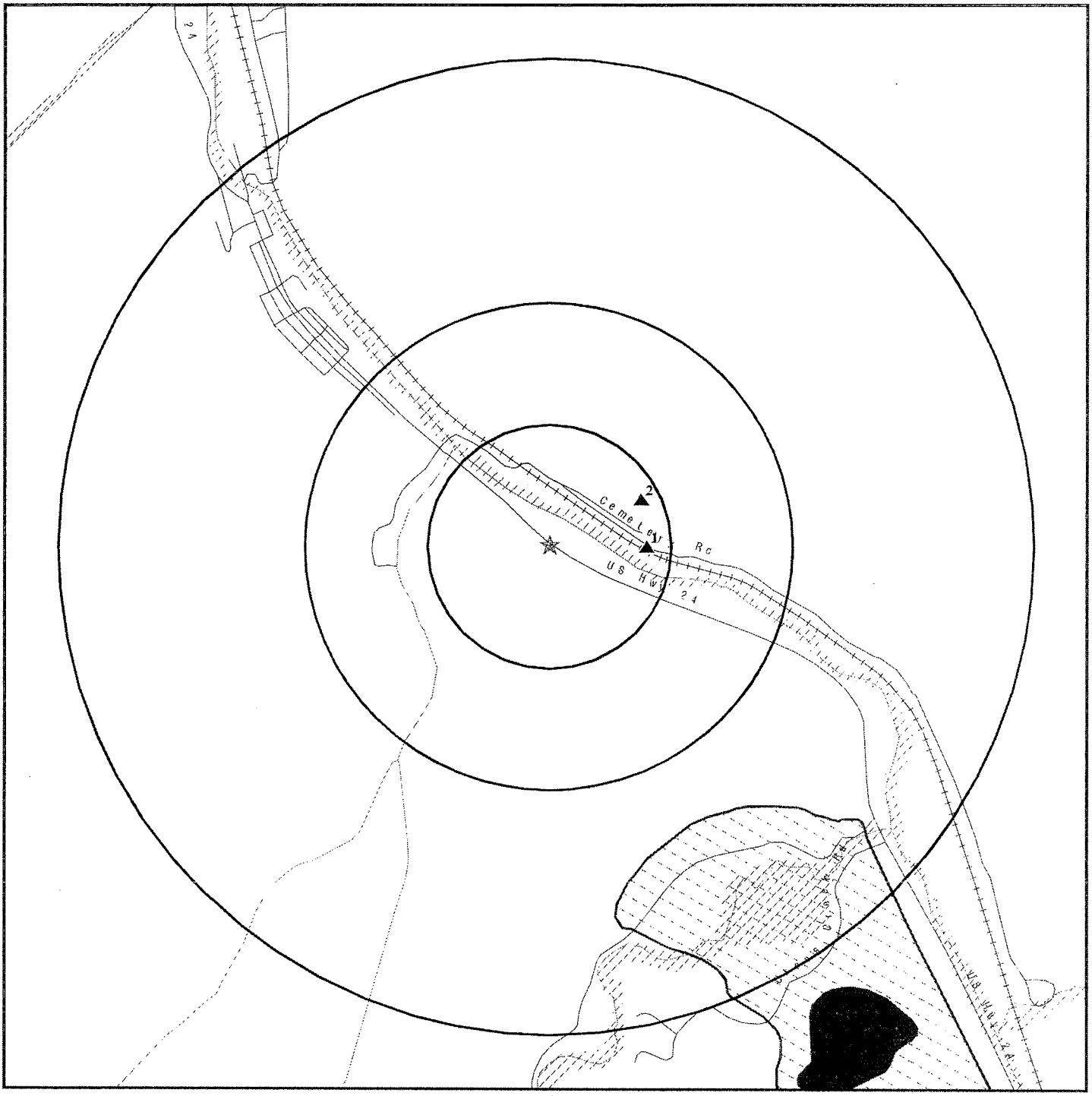
Equal/Higher Elevation	Address	Direction / Distance	Map ID	Page
MINTURN PIT Facility Id: M1996010		ENE 1/8 - 1/4 (0.212 mi.)	2	34

EXECUTIVE SUMMARY

Due to poor or inadequate address information, the following sites were not mapped. Count: 5 records.

Site Name	Database(s)
GILROY TRANSPORT SPILL	CERC-NFRAP
HIWAY 24 LIQUORS	LUST, LUST TRUST
BATTLE MOUNTAIN TRADING POST	LUST
MINTURN N MAIN ST WATERLINE	FINDS
MINTURN N MAIN ST WATERLINE	NPDES

OVERVIEW MAP - 4309297.2S



- Target Property
- Sites at elevations higher than or equal to the target property
- Sites at elevations lower than the target property
- Manufactured Gas Plants
- National Priority List Sites
- Dept. Defense Sites
- Indian Reservations BIA
- Oil & Gas pipelines from USGS
- 100-year flood zone
- 500-year flood zone

This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

SITE NAME: 947 Main ADDRESS: 947 Main Street Minturn CO 81645 LAT/LONG: 39.5787 / 106.4197	CLIENT: Braun Environmental Inc. CONTACT: Art Braun INQUIRY #: 4309297.2s DATE: May 29, 2015 11:32 am

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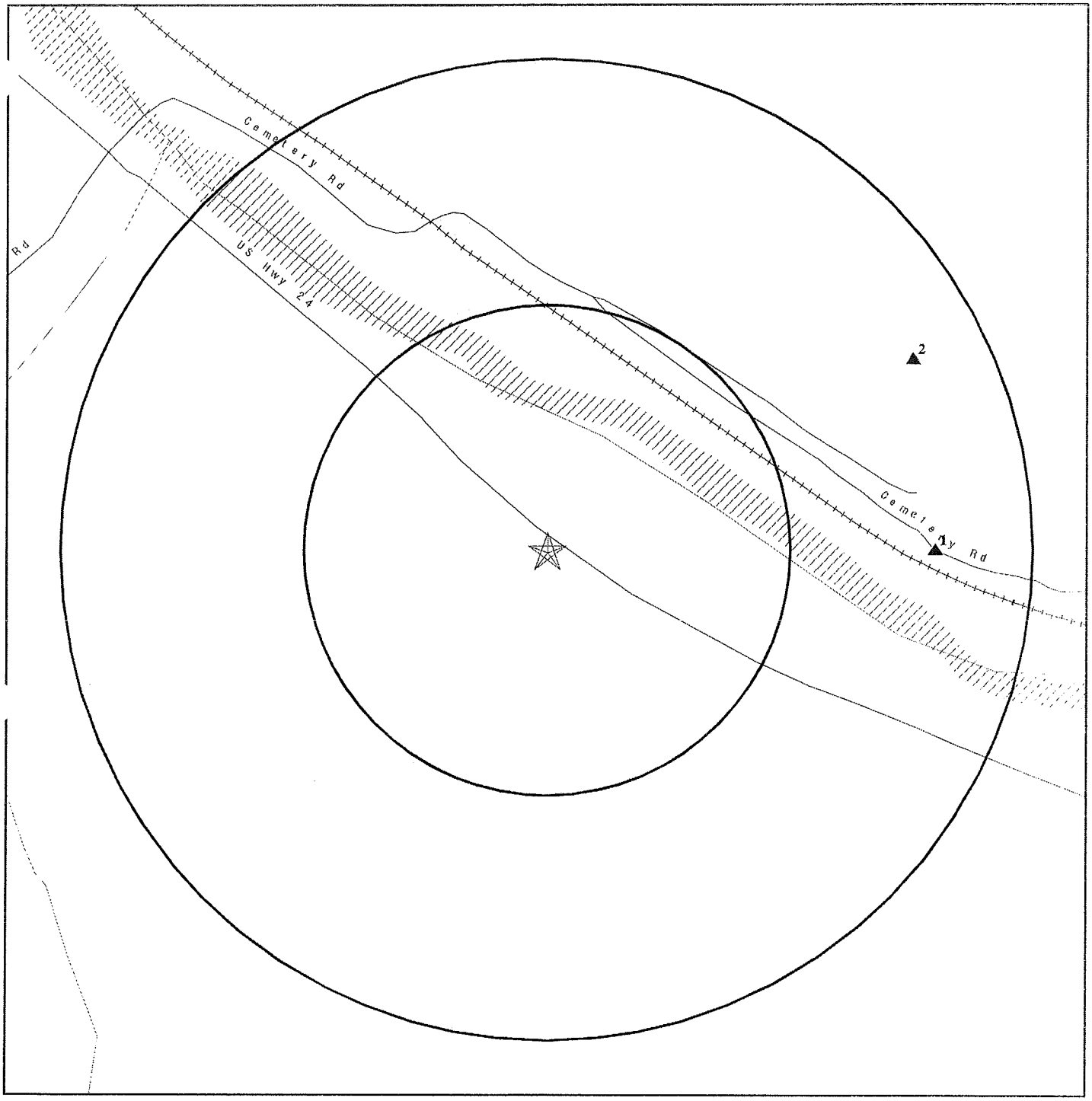
DETAIL MAP - 4309297.2S



- Target Property
- Sites at elevations higher than or equal to the target property
- Sites at elevations lower than the target property
- Manufactured Gas Plants
- Sensitive Receptors
- National Priority List Sites
- Dept. Defense Sites
- Indian Reservations BIA
- Oil & Gas pipelines from USGS
- 100-year flood zone
- 500-year flood zone

This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

SITE NAME: 947 Main ADDRESS: 947 Main Street Minturn CO 81645 LAT/LONG: 39.5787 / 106.4197	CLIENT: Braun Environmental Inc. CONTACT: Art Braun INQUIRY #: 4309297.2s DATE: May 29, 2015 11:33 am

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MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
STANDARD ENVIRONMENTAL RECORDS								
Federal NPL site list								
NPL	1.000		0	0	0	1	NR	1
Proposed NPL	1.000		0	0	0	0	NR	0
NPL LIENS	TP		NR	NR	NR	NR	NR	0
Federal Delisted NPL site list								
Delisted NPL	1.000		0	0	0	0	NR	0
Federal CERCLIS list								
CERCLIS	0.500		0	0	0	NR	NR	0
FEDERAL FACILITY	0.500		0	0	0	NR	NR	0
Federal CERCLIS NFRAP site List								
CERC-NFRAP	0.500		0	0	0	NR	NR	0
Federal RCRA CORRACTS facilities list								
CORRACTS	1.000		0	0	0	0	NR	0
Federal RCRA non-CORRACTS TSD facilities list								
RCRA-TSDF	0.500		0	0	0	NR	NR	0
Federal RCRA generators list								
RCRA-LQG	0.250		0	0	NR	NR	NR	0
RCRA-SQG	0.250		0	0	NR	NR	NR	0
RCRA-CESQG	0.250		0	0	NR	NR	NR	0
Federal institutional controls / engineering controls registries								
US ENG CONTROLS	0.500		0	0	0	NR	NR	0
US INST CONTROL	0.500		0	0	0	NR	NR	0
LUCIS	0.500		0	0	0	NR	NR	0
Federal ERNS list								
ERNS	TP		NR	NR	NR	NR	NR	0
State- and tribal - equivalent CERCLIS								
SHWS	N/A		N/A	N/A	N/A	N/A	N/A	N/A
State and tribal landfill and/or solid waste disposal site lists								
SWF/LF	0.500		0	0	0	NR	NR	0
State and tribal leaking storage tank lists								
LUST	0.500		0	0	0	NR	NR	0
LUST TRUST	0.500		0	0	0	NR	NR	0
LAST	0.500		0	0	0	NR	NR	0
INDIAN LUST	0.500		0	0	0	NR	NR	0

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
State and tribal registered storage tank lists								
UST	0.250		0	0	NR	NR	NR	0
AST	0.250		0	1	NR	NR	NR	1
INDIAN UST	0.250		0	0	NR	NR	NR	0
FEMA UST	0.250		0	0	NR	NR	NR	0
State and tribal institutional control / engineering control registries								
AUL	0.500		0	0	0	NR	NR	0
State and tribal voluntary cleanup sites								
INDIAN VCP	0.500		0	0	0	NR	NR	0
VCP	0.500		0	0	0	NR	NR	0
ADDITIONAL ENVIRONMENTAL RECORDS								
Local Brownfield lists								
US BROWNFIELDS	0.500		0	0	0	NR	NR	0
Local Lists of Landfill / Solid Waste Disposal Sites								
ODI	0.500		0	0	0	NR	NR	0
DEBRIS REGION 9	0.500		0	0	0	NR	NR	0
SWRCY	0.500		0	0	0	NR	NR	0
HIST LF	0.500		0	0	0	NR	NR	0
INDIAN ODI	0.500		0	0	0	NR	NR	0
Local Lists of Hazardous waste / Contaminated Sites								
US CDL	TP		NR	NR	NR	NR	NR	0
CDL	TP		NR	NR	NR	NR	NR	0
US HIST CDL	TP		NR	NR	NR	NR	NR	0
Local Land Records								
LIENS 2	TP		NR	NR	NR	NR	NR	0
Records of Emergency Release Reports								
HMIRS	TP		NR	NR	NR	NR	NR	0
CO ERNS	TP		NR	NR	NR	NR	NR	0
SPILLS 90	TP		NR	NR	NR	NR	NR	0
Other Ascertainable Records								
RCRA NonGen / NLR	0.250		0	0	NR	NR	NR	0
DOT OPS	TP		NR	NR	NR	NR	NR	0
DOD	1.000		0	0	0	0	NR	0
FUDS	1.000		0	0	0	0	NR	0
CONSENT	1.000		0	0	0	0	NR	0
ROD	1.000		0	0	0	1	NR	1
UMTRA	0.500		0	0	0	NR	NR	0

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
US MINES	0.250		0	0	NR	NR	NR	0
TRIS	TP		NR	NR	NR	NR	NR	0
TSCA	TP		NR	NR	NR	NR	NR	0
FTTS	TP		NR	NR	NR	NR	NR	0
HIST FTTS	TP		NR	NR	NR	NR	NR	0
SSTS	TP		NR	NR	NR	NR	NR	0
ICIS	TP		NR	NR	NR	NR	NR	0
PADS	TP		NR	NR	NR	NR	NR	0
MLTS	TP		NR	NR	NR	NR	NR	0
RADINFO	TP		NR	NR	NR	NR	NR	0
FINDS	TP		NR	NR	NR	NR	NR	0
RAATS	TP		NR	NR	NR	NR	NR	0
RMP	TP		NR	NR	NR	NR	NR	0
METHANE SITE	TP		NR	NR	NR	NR	NR	0
Methane Investigation	TP		NR	NR	NR	NR	NR	0
DRYCLEANERS	0.250		0	0	NR	NR	NR	0
NPDES	TP		NR	NR	NR	NR	NR	0
AIRS	TP		NR	NR	NR	NR	NR	0
UMTRA	0.500		0	0	0	NR	NR	0
ASBESTOS	TP		NR	NR	NR	NR	NR	0
INDIAN RESERV	1.000		0	0	0	0	NR	0
SCRD DRYCLEANERS	0.500		0	0	0	NR	NR	0
MINES	0.250		0	1	NR	NR	NR	1
Financial Assurance	TP		NR	NR	NR	NR	NR	0
LEAD SMELTERS	TP		NR	NR	NR	NR	NR	0
US AIRS	TP		NR	NR	NR	NR	NR	0
EPA WATCH LIST	TP		NR	NR	NR	NR	NR	0
US FIN ASSUR	TP		NR	NR	NR	NR	NR	0
COAL ASH EPA	0.500		0	0	0	NR	NR	0
PCB TRANSFORMER	TP		NR	NR	NR	NR	NR	0
COAL ASH DOE	TP		NR	NR	NR	NR	NR	0
2020 COR ACTION	0.250		0	0	NR	NR	NR	0
PRP	TP		NR	NR	NR	NR	NR	0
EDR HIGH RISK HISTORICAL RECORDS								
EDR Exclusive Records								
EDR MGP	1.000		0	0	0	0	NR	0
EDR US Hist Auto Stat	0.250		0	0	NR	NR	NR	0
EDR US Hist Cleaners	0.250		0	0	NR	NR	NR	0
EDR RECOVERED GOVERNMENT ARCHIVES								
Exclusive Recovered Govt. Archives								
RGA LUST	TP		NR	NR	NR	NR	NR	0
RGA LF	TP		NR	NR	NR	NR	NR	0
- Totals --		0	0	2	0	7	0	4

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted

NOTES:

TP = Target Property

NR = Not Requested at this Search Distance

Sites may be listed in more than one database

N/A = This State does not maintain a SHWS list. See the Federal CERCLIS list.

MAP FINDINGS

Map ID / Direction / Distance / Elevation	Site	Database(s)	EDR ID Number / EPA ID Number
NPL / Region SSE / 1/2-1 / 3373 ft.	**EAGLE MINE W OF US HWY 24 MINTURN, CO 81645**	**NPL CERCLIS RCRA NonGen / NLR US ENG CONTROLS US INST CONTROL ROD PRP**	**1014922314 COD081961518**

NPL:

EPA ID:	COD081961518
EPA Region:	08
Federal:	N
Final Date:	1986-06-10 00:00:00

Category Details:

NPL Status:	Currently on the Final NPL
Category Description:	Depth To Aquifer-<= 10 Feet
Category Value:	5

NPL Status:	Currently on the Final NPL
Category Description:	Distance To Nearest Population-> 0 And <= 1/4 Mile
Category Value:	1320

Site Details:

Site Name:	EAGLE MINE
Site Status:	Final
Site Zip:	81657
Site City:	MINTURN/REDCLIFF
Site State:	CO
Federal Site:	No
Site County:	EAGLE
EPA Region:	08
Date Proposed:	10/15/84
Date Deleted:	Not reported
Date Finalized:	06/10/86

Substance Details:

NPL Status:	Currently on the Final NPL
Substance ID:	Not reported
Substance:	Not reported
CAS #:	Not reported
Pathway:	Not reported
Scoring:	Not reported

NPL Status:	Currently on the Final NPL
Substance ID:	C151
Substance:	IRON AND COMPOUNDS
CAS #:	Not reported
Pathway:	GROUND WATER PATHWAY
Scoring:	2

NPL Status:	Currently on the Final NPL
Substance ID:	C151
Substance:	IRON AND COMPOUNDS
CAS #:	Not reported
Pathway:	SURFACE WATER PATHWAY
Scoring:	2

Map ID
Direction
Distance
Elevation | Site | MAP FINDINGS | Database(s) | EDR ID Number EPA ID Number

EAGLE MINE (Continued) **1014922314**

NPL Status: Currently on the Final NPL
Substance ID: C178
Substance: COPPER AND COMPOUNDS
CAS #: Not reported
Pathway: NO PATHWAY INDICATED
Scoring: 1

NPL Status: Currently on the Final NPL
Substance ID: C201
Substance: MANGANESE AND COMPOUNDS
CAS #: Not reported
Pathway: GROUND WATER PATHWAY
Scoring: 2

NPL Status: Currently on the Final NPL
Substance ID: C201
Substance: MANGANESE AND COMPOUNDS
CAS #: Not reported
Pathway: SURFACE WATER PATHWAY
Scoring: 2

NPL Status: Currently on the Final NPL
Substance ID: C247
Substance: ZINC AND COMPOUNDS
CAS #: Not reported
Pathway: GROUND WATER PATHWAY
Scoring: 2

NPL Status: Currently on the Final NPL
Substance ID: C247
Substance: ZINC AND COMPOUNDS
CAS #: Not reported
Pathway: SURFACE WATER PATHWAY
Scoring: 2

NPL Status: Currently on the Final NPL
Substance ID: D006
Substance: CADMIUM (CD)
CAS #: 7440-43-9
Pathway: GROUND WATER PATHWAY
Scoring: 4

NPL Status: Currently on the Final NPL
Substance ID: D006
Substance: CADMIUM (CD)
CAS #: 7440-43-9
Pathway: SURFACE WATER PATHWAY
Scoring: 4

NPL Status: Currently on the Final NPL
Substance ID: D008
Substance: LEAD (PB)
CAS #: 7439-92-1
Pathway: NO PATHWAY INDICATED
Scoring: 1

Map ID
Direction
Distance
Elevation Site

MAP FINDINGS

Database(s) EDR ID Number EPA ID Number

EAGLE MINE (Continued) **1014922314**

Summary Details:

Conditions at proposal October 15, l984): The Eagle Mine and its tailings piles, previously owned by the New Jersey Zinc Co. and Gulf and Western Industries, cover ll0 acres in Eagle County, Colorado, between the towns of Minturn and Redcliff. About 1,300 people live within 3 miles of the tailings. The company s predecessors began purchasing mines in the area in l9l2 and immediately began production. After a merger in 1938, New Jersey Zinc owned the mine. Zinc mining andmilling operations ceased on December 30, l977. Silver mining continued intermittently thereafter. The mine is now shut down completely and owned by Miller Enterprises. Two major tailings piles exist on the site. The old tailings pondwas abandoned in l946 when it reached capacity. A new tailings pond was constructed about 0.5 mile south where Cross Creek and Eagle River meet. Approximately 7 million tons of tailings remaining in the disposal areas are owned by Battlemountain Corp. Several other smaller tailings piles are located on National Forest land nearby, and tailings have been dumped in areas in the Eagle River floodplain. In the summer of 1984, EPA used CERCLA emergency funds to remove transformerscontaining PCBs that had been placed in the mine. The transformers were threatened by rising water levels in the mine after dewatering pumps were turned off. Status January l986): The mine is now filling with water, and acidic metal-laden mine water may overflow into the river in the near future. Gulf and Western has begun studies to determine concentrations of various metals in surface water and ground water, as well as to gather data on whether leachate from the tailings can reach the Minturn drinking water wells. The State has filed a natural resource damage suit under CERCLA against the site owner. As part of the litigation, the State has collected data on water quality impacts of the various sources andhas developed a remedial investigation/feasibility study to determine the type and extent of contamination at the site and identify alternatives for remedial action. The trial is scheduled for April 1986. Status June 10, 1986):This mining site is being placed on the NPL at this time because it is a noncoal site with mining operations that occurred after August 3, 1977, the enactment date of the Surface Mining Control and Reclamation Act SMCRA). Thus, it is neitherregulated by SMCRA nor eligible for funds from the SMCRA Abandoned Mine Land Reclamation Program.

Site Status Details:

NPL Status:	Final
Proposed Date:	10/15/1984
Final Date:	06/10/1986
Deleted Date:	Not reported

Narratives Details:

NPL Name:	EAGLE MINE
City:	MINTURN/REDCLIFF
State:	CO

CERCLIS:

Site ID:	0800159
EPA ID:	COD081961518
Facility County:	EAGLE
Short Name:	EAGLE MINE
Congressional District:	02
IFMS ID:	0845
SMSA Number:	Not reported

Map ID
Direction
Distance
Elevation Site

MAP FINDINGS

Database(s) EDR ID Number EPA ID Number

EAGLE MINE (Continued) **1014922314**

USGC Hydro Unit:	14010001
Federal Facility:	Not a Federal Facility
DMNSN Number:	235.00000
Site Orphan Flag:	N
RCRA ID:	Not reported
USGS Quadrangle:	Not reported
Site Init By Prog:	Not reported
NFRAP Flag:	Not reported
Parent ID:	Not reported
RST Code:	O
EPA Region:	08
Classification:	Mines/Tailings
Site Settings Code:	RU
NPL Status:	Currently on the Final NPL
DMNSN Unit Code:	ACRE
RBRAC Code:	Not reported
RResp Fed Agency Code:	Not reported
Non NPL Status:	Not reported
Non NPL Status Date:	/ /
Site Fips Code:	08037
CC Concurrence Date:	09/17/01
CC Concurrence FY:	2001
Alias EPA ID:	Not reported
Site FUDS Flag:	Not reported

CERCLIS Site Contact Name(s):

Contact ID:	13000436.00000
Contact Name:	Jennifer Chergo
Contact Tel:	(303) 312-6601
Contact Title:	Community Involvement Coordinator
Contact Email:	chergo.jennifer@epa.gov
Contact ID:	13004525.00000
Contact Name:	Leslie Sims
Contact Tel:	(303) 312-6224
Contact Title:	Remedial Project Manager (RPM)
Contact Email:	sims.leslie@epa.gov

CERCLIS Site Alias Name(s):

Alias ID:	101
Alias Name:	GILMAN
Alias Address:	Not reported
	CO
Alias ID:	201
Alias Name:	NEW JERSEY ZINC, CO-EAGLE MINE
Alias Address:	.5 MI NE OF GILMAN TOWNSITE
	GILMAN, CO 81634
Alias ID:	202
Alias Name:	EAGLE MINE
Alias Address:	3 1/2 MI SE OF GILMAN
	GILMAN, CO 81645
Alias ID:	203
Alias Name:	EAGLE MINE
Alias Address:	W OF US HWY 24
	MINTURN/REDCLIFF, CO 81657
Alias ID:	101

Map ID
Direction
Distance
Elevation Site

MAP FINDINGS

Database(s) EDR ID Number EPA ID Number

EAGLE MINE (Continued) **1014922314**

Alias ID: 201
Alias Comments: ROCKY FLATS PLATEAU BETWEEN GOLDEN & BOULDER EAST OF COLO HWY 93.AKA EAGLE MINE(CERCLIS)

Site Description: The Eagle Mine Site is a large abandoned mining and milling facility located along the banks of the Eagle River near Minturn, Colorado. The boundaries of the Site are defined by the areas of past mining activity between the towns of Red Cliff and Minturn. There are associated impacts from Site contaminants which extend downstream in the Eagle River, possibly as far as Gypsum, Colorado. The 235-acre Eagle Mine Site, referred to in this document as the "Site", includes the Eagle Mine Workings, the town of Oilman, the mine tailings pond areas, Rex Flats, Rock Creek Canyon, and waste rock and roaster pile areas. The Site is bordered on the south and west by the White River National Forest which includes the Holy Cross Wilderness Area. Access to the wilderness area runs through the Site and next to the historic location of the Old Tailings Pile (OTP). The Eagle River is the major surface water resource affected by the metals contamination from the Site. The headwaters of the Eagle River originate about 15 miles above Red Cliff. The Eagle River flows north-northwest through the Site to the town of Avon where it turns generally westward until it joins the Colorado River at Dotsero. The Eagle Mine workings were developed in the lower levels of Battle Mountain to the east of the Eagle River and just south of Rock Creek. Several wetland and former wetland areas border the Eagle River between Red Cliff and Minturn. Rex Flats, a low lying area which was once a wetland, is located on the east side of the Eagle River across from the OTP area about three miles north of the mine. The OTP area was a hay meadow prior to the advent of mining operations. Another tailings disposal unit, the New Tailings Pile is called the Consolidated Tailing Pile (CTP) in this Record of Decision (ROD). The CTP is located about a mile north of the OTP just west of the Eagle River and south of Cross Creek. The Maloit Park Wetland along Cross Creek has been affected by surface water and ground water flowing from this pile. The Eagle River is used as a water supply and for recreation (rafting and kayaking). Fishing also occurs on the Eagle River from the headwaters to the Colorado River. There are numerous diversions from the Eagle River for municipal supply, stock watering, and irrigation downstream from the confluence with Gore Creek, The closest residence to the Site is 1,000 feet to the northeast along Highway 24. Minturn, the closest population center, with 1,500 people, has filter ponds and municipal wells located northwest of the CTP and across Cross Creek. Minturn draws its public water supply both from area wells and from Cross Creek. The Eagle Mine Superfund Site is located near Minturn in Eagle County, Colorado. The Eagle Mine area ore deposits, a large body of zinc and lead ores, along with some precious metals, were first mined in the 1870's. Early in the 1900's, the New Jersey Zinc Company consolidated a number of these workings and operated them as the Eagle Mine until 1966 at which time the company was merged with Gulf Western, Inc. The Eagle Mine workings are underground. At the turn of this century, ores were processed by "roasting." Residues from this process were left in five "roaster piles," three on the west side of the Eagle River and two on the east side. Later, a mill was constructed underground to process ores. Mill tailings were slurried down valley and deposited at the OTP. Tailings were also deposited in the Rex Flats area and some were left under the slurry line, probably through accidental spillage. When the OTP area was "full" the slurry line was extended further to the north and the New Tailings Pile, now called the CTP, was created. Tailings and polluted water ran off the New Tailings Pile depositing metals in adjacent Maloit Park Wetlands. Ground water in the Rex Flats, Old and New Tailings Pile, and Maloit Park Wetlands area became polluted. Impacts to the Eagle River from Site contaminants have been noted downstream, possibly as far as Gypsum, Colorado. Gulf Western, which has since changed its name to Paramount Communications, Inc., operated the Eagle Mine until 1979. In 1983,

EAGLE MINE (Continued) **1014922314**

Gulf Western sold the property to Mr. Glenn Miller. Mr. Miller immediately sold portions of the surface property to the Battle Mountain Corporation and also attempted to operate the mine for a short period of time. The mining operation was abandoned in 1984. Battle Mountain Corporation obtained a loan from a Texas savings and loan and later defaulted. The savings and loan has since become insolvent and has been taken over by the Federal Deposit Insurance Corporation (FDIC). The FDIC has not yet foreclosed on the property and holds the notes to the Battle Mountain property. In 1983, the State of Colorado filed a complaint against Gulf Western and the New Jersey Zinc Company for natural resource damages under the Superfund statute. In 1986, the State amended their complaint to seek injunctive relief against Gulf Western. In 1986, the EPA placed the Eagle Mine Site on the National Priority List, making it a designated Superfund Site. EPA and the State entered into a Memorandum of Agreement (MOA) in 1986 which designated the State as "lead" agency for the Site cleanup. The State and Paramount resolved their lawsuit in 1988 when the two parties entered into a Consent Decree/Remedial Action Plan (RAP). This agreement included the following major provisions 1) plugging the mine audits and grouting fracture zones to flood the mine workings to stop the generation of acid mine drainage; 2) removal of roaster piles; removal of tailings from Rex Flats, the pipeline corridor, the toes of CTP, and the Old Tailings Pile, and removal of contaminated Maloit Park wetland soils with consolidation of those materials at the CTP; 3) capping and temporary ground water pumping at the CTP, and; 4) setting compliance objectives and long term monitoring of surface water, ground water, mine water, vegetation, soils, CTP settlement and erosion. Compliance standards were set for dissolved zinc concentrations in the Eagle River, for soils cleanup (lead and pH standards), and for revegetation criteria. The RAP also required run-on diversion ditches at the waste rock piles; site-wide treatment of underlying soils for pH adjustment, removal or isolation of soil with high lead levels and revegetation of disturbed areas. Temporary surface runoff and run-on control at Rex Flats, OTP, and CTP were required as were an upgradient ground water diversion ditch and two ground water extraction trenches at the CTP, removal of historic pond on top of CTP and construction of lined surge pond at CTP. Other RAP provisions included diversion of lower Rock Creek, disposal of contaminated water at the site, regrading and stabilizing the CTP, dust control during construction, installing an Eagle River gauging station and connecting the Pierson house to the municipal water supply. The RAP included a Construction QA/QC plan, construction element approvals by State inspectors, final construction reports and a State inspection and certification program. EPA reviewed the Consent Decree/Remedial Action Plan and found it generally "environmentally acceptable," but expressed reservations about its ultimate success. EPA believed this success would have to be demonstrated by continued monitoring of Site conditions. Although significant progress has been made at the Site, concerns about the effectiveness of the cleanup and evidence of difficulties in its accomplishment appeared in late 1989 and early 1990 when metals concentrations in the Eagle River were extremely high. In May 1990 the State and Paramount amended the Remedial Action Plan and added: a chemical water treatment plant, a second lined surge pond, a mine seepage collection system, expanded ground/surface water monitoring, annual contaminant loading report, temporary sludge disposal at CTP, Rock Creek grouting and evaluation, and OTP ground water reduction. Operation of this treatment plant which presently treats mine seep water and ground water and surface water from the CTP has improved the water quality of the Eagle River. The State continues to pursue additional cleanup measures under its Consent Decree including improvement of mine seep collection, removal of additional roaster material, and revegetation of disturbed areas. One notable aspect of the RAP relates to how Paramount was to achieve compliance with the water quality goals set in the Eagle River.

EAGLE MINE (Continued) **1014922314**

The Eagle River water quality goals were set at 150 micrograms per liter (ug/l) dissolved zinc below the mine and 250 ug/l dissolved zinc immediately above the confluence with Cross Creek. The goals were to be met in September of an average flow year and were to be averaged over 30 days. In contrast, EPA believes that the critical time of year for meeting in-stream standards that will lead to re-establishing the aquatic community including a viable fishery may be during the low-flow period in late winter. Another aspect of the RAP that EPA has noted is the absence of consideration of possible ground water problems in the CTP/Maloit Park Wetlands area. Minturn operates municipal wells that draw water from an aquifer that could potentially be impacted by leachate from the CTP. This problem has been alleviated by a recent agreement whereby Paramount will provide Minturn with new drinking water wells which are currently under development In addition, because of the upstream location of the surface water compliance points adopted in the RAP, the full impact of the contaminated CTP Maloit Park ground water on Eagle River water quality is not reflected in the data. On April 4, 1991, the Water Management Division at EPA issued a Notice of Violation (NOV) to the Colorado Department of Health (CDH) for alleged violations of Section 301 of the Clean Water Act by Paramount. These alleged violations included discharges from various mine seeps and discharge from the Roaster Pile area, The Water Division action was coordinated with the Superfund program with EPA viewing the NOV as an opportunity to compel additional clean-up actions at the Site. The Colorado Department of Health responded to the NOV on November 1, 1991. In lieu of further NOV action, CDH and Paramount agreed that Paramount would do additional work in the Roaster Pile area, collect additional mine seepage, and explore the possibility of collection of subsurface mine seepage in the colluvial material in Rock Creek. CDH also was to pursue Paramount for payment of fines for several of the alleged violations. EPA accepted this proposal. In the fall of 1990, EPA announced it would conduct a Feasibility Study Addendum (FSA). The purpose of the FSA was to help solve Site problems using Federal authorities. It was called an "Addendum" because it was being done "in addition" to, and consistent with, the large effort already underway by the State of Colorado. The FSA was released to the public on June 17, 1992, and serves as the technical and analytical basis for the Proposed Plan, and this Record of Decision (ROD). The Proposed Plan for OU1 was released to the public on June 30, 1992. The public comment period was first extended to August 30, 1992 and again to September 14, 1992. The extension was specifically to allow complete comments on the water quality standards. EPA has recently concluded that additional risk assessment must be conducted at the Site due to possible wind-blown deposition of metals into populated areas of Minturn and the nearby Minturn Middle School. A screening of soils was initiated in September 1992. In order to expedite the ROD process, this additional soils work has been separated from the remainder of the Site and classified as Operable Unit 2. If no significant risk is found, EPA will document a "no action decision" on OU-2. If significant risk is found to exist, OU-2 will be the subject of a complete Remedial Investigation/Feasibility Study (RI/FS), Proposed Plan, and a Record of Decision. In 1981, Gulf Western personnel entered the mine and drained fluid containing polychlorinated biphenyls (PCBs) out of three transformers located in an abandoned portion of the mine. These three transformers were drained and flushed but an estimated 28 pounds of PCB remained. EPA has determined that there is very low risk associated with the limited amount of PCBs remaining in the mine. In 1984 the Colorado Public Service Company notified EPA that it planned to shut off electric power to the mine due to unpaid bills. If power was shut off the mine would flood and a quantity of other electrical equipment containing PCBs would be under water. Accordingly, EPA conducted an Emergency Response Action in June 1984 and removed all but the three previously noted transformers from the mine. In 1991, EPA became aware

MAP FINDINGS

Map ID
Direction
Distance
Elevation | Site | Database(s) | EDR ID Number / EPA ID Number

EAGLE MINE (Continued) **1014922314**

that hazardous substances may have been abandoned at the Eagle Mine Site, including the company town of Oilman. A confused ownership situation and apparent lack of day-to-day control of access to the property heightened EPA concern. Accordingly, EPA decided to conduct a Site inspection and assessment of the entire property. This decision was discussed with personnel from the Colorado Department of Health, who decided to participate in the inspection and possible removal. EPA and CDH representatives conducted the inspection over several days beginning on October 8, 1991. A quantity of hazardous substances were found including explosives, laboratory chemicals, PCBs, and one radioactive vial. Cleanup negotiations were concluded on November 21, 1991, when Paramount and the State signed an amendment to the RAP that allowed Paramount to conduct a removal action. Paramount began the removal action immediately after the signing of the agreement. Although various problems arose that kept Paramount from meeting the target date of June 1992, the removal was essentially completed by September 1, 1992. A ROD Amendment addressing OU 01 at the Eagle Mine site was completed in March 1993. Surface soil sampling for OU2 occurred in 1993, and a risk assessment for OU2 was completed in February 1997. The focused FS for OU2 was completed in June 1997, and the proposed plan was issued September 1997. The final ROD for OU2 was completed in September 1998.

CERCLIS Assessment History:

Action Code:	001
Action:	DISCOVERY
Date Started:	/ /
Date Completed:	08/01/80
Priority Level:	Not reported
Operable Unit:	SITEWIDE
Primary Responsibility:	EPA Fund-Financed
Planning Status:	Not reported
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	001
Action:	SITE INSPECTION
Date Started:	/ /
Date Completed:	02/27/84
Priority Level:	Higher priority for further assessment
Operable Unit:	SITEWIDE
Primary Responsibility:	EPA Fund-Financed
Planning Status:	Not reported
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	001
Action:	HAZARD RANKING SYSTEM PACKAGE
Date Started:	/ /
Date Completed:	04/15/84
Priority Level:	Not reported
Operable Unit:	SITEWIDE
Primary Responsibility:	EPA Fund-Financed
Planning Status:	Not reported

Map ID
Direction
Distance
Elevation Site

MAP FINDINGS

Database(s) EDR ID Number EPA ID Number

EAGLE MINE (Continued) **1014922314**

Urgency Indicator: Not reported
Action Anomaly: Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code: 001
Action: REMOVAL NEGOTIATIONS
Date Started: 05/15/84
Date Completed: 05/15/84
Priority Level: Not reported
Operable Unit: SITEWIDE
Primary Responsibility: Federal Enforcement
Planning Status: Alternate
Urgency Indicator: Not reported
Action Anomaly: Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code: 001
Action: UNILATERAL ADMIN ORDER
Date Started: / /
Date Completed: 06/07/84
Priority Level: Not reported
Operable Unit: SITEWIDE
Primary Responsibility: Federal Enforcement
Planning Status: Primary
Urgency Indicator: Not reported
Action Anomaly: Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code: 001
Action: REMOVAL
Date Started: 06/15/84
Date Completed: 06/15/84
Priority Level: Stabilized
Operable Unit: SITEWIDE
Primary Responsibility: EPA Fund-Financed
Planning Status: Not reported
Urgency Indicator: Time Critical
Action Anomaly: Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code: 001
Action: PROPOSAL TO NATIONAL PRIORITIES LIST
Date Started: / /
Date Completed: 10/15/84
Priority Level: Not reported
Operable Unit: SITEWIDE
Primary Responsibility: EPA Fund-Financed
Planning Status: Not reported
Urgency Indicator: Not reported
Action Anomaly: Not reported

For detailed financial records, contact EDR for a Site Report.:

Map ID
Direction
Distance
Elevation | Site | MAP FINDINGS | Database(s) | EDR ID Number EPA ID Number

EAGLE MINE (Continued) **1014922314**

Action Code:	001
Action:	PRELIMINARY ASSESSMENT
Date Started:	/ /
Date Completed:	12/01/84
Priority Level:	Low priority for further assessment
Operable Unit:	SITEWIDE
Primary Responsibility:	EPA Fund-Financed
Planning Status:	Not reported
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	001
Action:	NATIONAL PRIORITIES LIST RESPONSIBLE PARTY SEARCH
Date Started:	02/15/85
Date Completed:	02/15/85
Priority Level:	Not reported
Operable Unit:	SITEWIDE
Primary Responsibility:	Federal Enforcement
Planning Status:	Primary
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	001
Action:	FINAL LISTING ON NATIONAL PRIORITIES LIST
Date Started:	/ /
Date Completed:	06/10/86
Priority Level:	Not reported
Operable Unit:	SITEWIDE
Primary Responsibility:	EPA Fund-Financed
Planning Status:	Not reported
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	001
Action:	COMBINED REMEDIAL INVESTIGATION/FEASIBILITY STUDY
Date Started:	11/01/84
Date Completed:	05/20/88
Priority Level:	Not reported
Operable Unit:	SITEWIDE(EXCLUDE N. PROPERTY)
Primary Responsibility:	PRP Lead Under State
Planning Status:	Primary
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	001
Action:	REMEDIAL INVESTIGATION/FEASIBILITY STUDY NEGOTIATIONS
Date Started:	02/15/86
Date Completed:	05/20/88

Map ID
Direction
Distance
Elevation Site

MAP FINDINGS

Database(s) EDR ID Number EPA ID Number

EAGLE MINE (Continued) **1014922314**

Priority Level:	Not reported
Operable Unit:	SITEWIDE
Primary Responsibility:	State Enforcement
Planning Status:	Alternate
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	001
Action:	RECORD OF DECISION
Date Started:	/ /
Date Completed:	05/20/88
Priority Level:	Not reported
Operable Unit:	SITEWIDE(EXCLUDE N. PROPERTY)
Primary Responsibility:	PRP Lead Under State
Planning Status:	Primary
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	001
Action:	ADMINISTRATIVE RECORDS
Date Started:	07/01/88
Date Completed:	07/01/88
Priority Level:	Admin Record Compiled for a Remedial Event
Operable Unit:	SITEWIDE(EXCLUDE N. PROPERTY)
Primary Responsibility:	PRP Lead Under State
Planning Status:	Primary
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	001
Action:	HEALTH ASSESSMENT
Date Started:	07/30/88
Date Completed:	02/04/89
Priority Level:	Not reported
Operable Unit:	SITEWIDE(EXCLUDE N. PROPERTY)
Primary Responsibility:	Federal Enforcement
Planning Status:	Primary
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	001
Action:	REMOVAL ASSESSMENT
Date Started:	08/30/90
Date Completed:	08/30/90
Priority Level:	Not reported
Operable Unit:	SITEWIDE
Primary Responsibility:	EPA Fund-Financed

Map ID
Direction
Distance
Elevation Site

MAP FINDINGS

Database(s) EDR ID Number EPA ID Number

EAGLE MINE (Continued) **1014922314**

Planning Status:	Not reported
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	001
Action:	PREPARATION OF COST DOCUMENT PACKAGE
Date Started:	01/25/90
Date Completed:	07/31/91
Priority Level:	Not reported
Operable Unit:	SITEWIDE
Primary Responsibility:	Federal Enforcement
Planning Status:	Primary
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	001
Action:	COMMUNITY INVOLVEMENT
Date Started:	05/20/88
Date Completed:	09/30/91
Priority Level:	Not reported
Operable Unit:	SITEWIDE(EXCLUDE N. PROPERTY)
Primary Responsibility:	PRP Lead Under State
Planning Status:	Primary
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	002
Action:	REMOVAL
Date Started:	06/01/90
Date Completed:	11/25/91
Priority Level:	Stabilized
Operable Unit:	SITEWIDE
Primary Responsibility:	EPA Fund-Financed
Planning Status:	Primary
Urgency Indicator:	Time Critical
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	001
Action:	RISK/HEALTH ASSESSMENT
Date Started:	/ /
Date Completed:	12/15/91
Priority Level:	Not reported
Operable Unit:	SITEWIDE(EXCLUDE N. PROPERTY)
Primary Responsibility:	EPA Fund-Financed
Planning Status:	Not reported
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

Map ID
Direction
Distance
Elevation | Site | MAP FINDINGS | Database(s) | EDR ID Number EPA ID Number

EAGLE MINE (Continued) **1014922314**

For detailed financial records, contact EDR for a Site Report.:

Action Code:	002
Action:	ISSUE REQUEST LETTERS (104E)
Date Started:	/ /
Date Completed:	03/27/92
Priority Level:	Not reported
Operable Unit:	SITEWIDE
Primary Responsibility:	Federal Enforcement
Planning Status:	Not reported
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	001
Action:	ISSUE REQUEST LETTERS (104E)
Date Started:	/ /
Date Completed:	03/27/92
Priority Level:	Not reported
Operable Unit:	SITEWIDE
Primary Responsibility:	Federal Enforcement
Planning Status:	Not reported
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	002
Action:	REMOVAL ASSESSMENT
Date Started:	02/18/92
Date Completed:	09/30/92
Priority Level:	Not reported
Operable Unit:	SITEWIDE
Primary Responsibility:	EPA Fund-Financed
Planning Status:	Primary
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	002
Action:	NATIONAL PRIORITIES LIST RESPONSIBLE PARTY SEARCH
Date Started:	06/03/92
Date Completed:	10/06/92
Priority Level:	Not reported
Operable Unit:	SITEWIDE
Primary Responsibility:	Federal Enforcement
Planning Status:	Primary
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Map ID
Direction
Distance
Elevation Site

MAP FINDINGS

Database(s) EDR ID Number EPA ID Number

EAGLE MINE (Continued) **1014922314**

Action Code:	001
Action:	FEASIBILITY STUDY
Date Started:	09/25/90
Date Completed:	03/29/93
Priority Level:	Not reported
Operable Unit:	SITEWIDE(EXCLUDE N. PROPERTY)
Primary Responsibility:	Federal Enforcement
Planning Status:	Alternate
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	002
Action:	COMBINED REMEDIAL INVESTIGATION/FEASIBILITY STUDY
Date Started:	12/31/91
Date Completed:	03/29/93
Priority Level:	Not reported
Operable Unit:	SITEWIDE(EXCLUDE N. PROPERTY)
Primary Responsibility:	EPA Fund-Financed
Planning Status:	Primary
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	002
Action:	ADMINISTRATIVE RECORDS
Date Started:	12/31/91
Date Completed:	03/29/93
Priority Level:	Admin Record Compiled for a Remedial Event
Operable Unit:	SITEWIDE(EXCLUDE N. PROPERTY)
Primary Responsibility:	Federal Enforcement
Planning Status:	Primary
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	001
Action:	RECORD OF DECISION AMENDMENT
Date Started:	/ /
Date Completed:	03/29/93
Priority Level:	Not reported
Operable Unit:	SITEWIDE(EXCLUDE N. PROPERTY)
Primary Responsibility:	Federal Enforcement
Planning Status:	Not reported
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	001
Action:	CONSENT DECREE
Date Started:	05/13/93
Date Completed:	07/23/93
Priority Level:	Not reported

Map ID
Direction
Distance
Elevation Site

MAP FINDINGS

Database(s) EDR ID Number EPA ID Number

EAGLE MINE (Continued) **1014922314**

Operable Unit:	SITEWIDE
Primary Responsibility:	State Enforcement
Planning Status:	Alternate
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	002
Action:	UNILATERAL ADMIN ORDER
Date Started:	/ /
Date Completed:	07/07/94
Priority Level:	Not reported
Operable Unit:	SITEWIDE
Primary Responsibility:	Federal Enforcement
Planning Status:	Primary
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	001
Action:	REMEDIAL DESIGN/REMEDIAL ACTION NEGOTIATIONS
Date Started:	11/08/93
Date Completed:	08/23/95
Priority Level:	Not reported
Operable Unit:	SITEWIDE
Primary Responsibility:	Federal Enforcement
Planning Status:	Primary
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	002
Action:	CONSENT DECREE
Date Started:	08/23/95
Date Completed:	08/23/95
Priority Level:	Not reported
Operable Unit:	SITEWIDE
Primary Responsibility:	Federal Enforcement
Planning Status:	Primary
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	001
Action:	Lodged By DOJ
Date Started:	/ /
Date Completed:	09/14/95
Priority Level:	Not reported
Operable Unit:	SITEWIDE
Primary Responsibility:	Federal Enforcement
Planning Status:	Not reported
Urgency Indicator:	Not reported

Map ID
Direction
Distance
Elevation Site

MAP FINDINGS

Database(s) EDR ID Number EPA ID Number

EAGLE MINE (Continued) **1014922314**

Action Anomaly: Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code: 001
Action: POTENTIALLY RESPONSIBLE PARTY REMEDIAL DESIGN
Date Started: 05/20/88
Date Completed: 09/30/95
Priority Level: Higher priority for further assessment
Operable Unit: SITEWIDE(EXCLUDE N. PROPERTY)
Primary Responsibility: PRP Response Under State
Planning Status: Primary
Urgency Indicator: Not reported
Action Anomaly: Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code: 003
Action: ISSUE REQUEST LETTERS (104E)
Date Started: / /
Date Completed: 02/22/96
Priority Level: Not reported
Operable Unit: SITEWIDE
Primary Responsibility: Federal Enforcement
Planning Status: Not reported
Urgency Indicator: Not reported
Action Anomaly: Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code: 002
Action: FEASIBILITY STUDY
Date Started: 09/01/92
Date Completed: 06/09/97
Priority Level: Not reported
Operable Unit: SOILS
Primary Responsibility: EPA Fund-Financed
Planning Status: Alternate
Urgency Indicator: Not reported
Action Anomaly: Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code: 001
Action: TECHNICAL ASSISTANCE
Date Started: 09/06/90
Date Completed: 06/30/97
Priority Level: Not reported
Operable Unit: SITEWIDE(EXCLUDE N. PROPERTY)
Primary Responsibility: EPA Fund-Financed
Planning Status: Primary
Urgency Indicator: Not reported
Action Anomaly: Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code: 002
Action: PREPARATION OF COST DOCUMENT PACKAGE

Map ID
Direction
Distance
Elevation Site

MAP FINDINGS

Database(s) EDR ID Number EPA ID Number

EAGLE MINE (Continued) **1014922314**

Date Started:	06/30/94
Date Completed:	06/23/98
Priority Level:	Not reported
Operable Unit:	SITEWIDE
Primary Responsibility:	Federal Enforcement
Planning Status:	Primary
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	002
Action:	TECHNICAL ASSISTANCE
Date Started:	07/01/97
Date Completed:	07/01/98
Priority Level:	Not reported
Operable Unit:	SOILS
Primary Responsibility:	EPA Fund-Financed
Planning Status:	Not reported
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	003
Action:	ADMINISTRATIVE RECORDS
Date Started:	09/01/92
Date Completed:	09/03/98
Priority Level:	Admin Record Compiled for a Remedial Event
Operable Unit:	SOILS
Primary Responsibility:	Federal Enforcement
Planning Status:	Primary
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	003
Action:	RECORD OF DECISION
Date Started:	/ /
Date Completed:	09/03/98
Priority Level:	Final Remedy Selected at Site
Operable Unit:	SOILS
Primary Responsibility:	EPA Fund-Financed
Planning Status:	Primary
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	001
Action:	POTENTIALLY RESPONSIBLE PARTY REMEDIAL ACTION
Date Started:	09/01/88
Date Completed:	03/01/99
Priority Level:	Higher priority for further assessment

EAGLE MINE (Continued) **1014922314**

Operable Unit:	SITEWIDE(EXCLUDE N. PROPERTY)
Primary Responsibility:	PRP Response Under State
Planning Status:	Primary
Urgency Indicator:	Long Term Action
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	002
Action:	POTENTIALLY RESPONSIBLE PARTY REMEDIAL DESIGN
Date Started:	06/08/94
Date Completed:	07/01/99
Priority Level:	Not reported
Operable Unit:	SITEWIDE(EXCLUDE N. PROPERTY)
Primary Responsibility:	Responsible Party
Planning Status:	Primary
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	002
Action:	POTENTIALLY RESPONSIBLE PARTY REMEDIAL ACTION
Date Started:	08/01/99
Date Completed:	09/30/99
Priority Level:	Not reported
Operable Unit:	SITEWIDE(EXCLUDE N. PROPERTY)
Primary Responsibility:	PRP Response Under State
Planning Status:	Primary
Urgency Indicator:	Long Term Action
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	002
Action:	FIVE-YEAR REVIEW
Date Started:	06/01/99
Date Completed:	09/21/00
Priority Level:	Not reported
Operable Unit:	SITEWIDE
Primary Responsibility:	EPA Fund-Financed
Planning Status:	Primary
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	001
Action:	TECHNICAL ASSISTANCE GRANT
Date Started:	09/20/91
Date Completed:	12/14/00
Priority Level:	Not reported
Operable Unit:	SITEWIDE
Primary Responsibility:	EPA Fund-Financed
Planning Status:	Primary
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

Map ID
Direction
Distance
Elevation Site

MAP FINDINGS

Database(s) EDR ID Number EPA ID Number

EAGLE MINE (Continued) **1014922314**

For detailed financial records, contact EDR for a Site Report.:

Action Code:	001
Action:	PRELIMINARY CLOSE-OUT REPORT PREPARED
Date Started:	/ /
Date Completed:	09/17/01
Priority Level:	Not reported
Operable Unit:	SITEWIDE(EXCLUDE N. PROPERTY)
Primary Responsibility:	EPA Fund-Financed
Planning Status:	Primary
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	003
Action:	FIVE-YEAR REVIEW
Date Started:	10/01/04
Date Completed:	09/27/05
Priority Level:	Not reported
Operable Unit:	SITEWIDE
Primary Responsibility:	EPA Fund-Financed
Planning Status:	Not reported
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	003
Action:	TECHNICAL ASSISTANCE
Date Started:	08/16/05
Date Completed:	06/21/06
Priority Level:	Not reported
Operable Unit:	SITEWIDE(EXCLUDE N. PROPERTY)
Primary Responsibility:	EPA Fund-Financed
Planning Status:	Not reported
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	002
Action:	RISK/HEALTH ASSESSMENT
Date Started:	08/01/06
Date Completed:	02/02/07
Priority Level:	Not reported
Operable Unit:	NORTH PROPERTY REDEVELOPMENT
Primary Responsibility:	Responsible Party
Planning Status:	Not reported
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	003
Action:	NATIONAL PRIORITIES LIST RESPONSIBLE PARTY SEARCH

Map ID
Direction
Distance
Elevation Site

MAP FINDINGS

Database(s) EDR ID Number EPA ID Number

EAGLE MINE (Continued) **1014922314**

Date Started:	05/10/07
Date Completed:	01/28/08
Priority Level:	Not reported
Operable Unit:	SITEWIDE(EXCLUDE N. PROPERTY)
Primary Responsibility:	Federal Enforcement
Planning Status:	Not reported
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	004
Action:	FIVE-YEAR REVIEW
Date Started:	01/25/08
Date Completed:	09/30/08
Priority Level:	Not reported
Operable Unit:	SITEWIDE
Primary Responsibility:	EPA Fund-Financed
Planning Status:	Not reported
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	001
Action:	SECTION 107 LITIGATION
Date Started:	08/28/06
Date Completed:	09/28/12
Priority Level:	Not reported
Operable Unit:	SITEWIDE(EXCLUDE N. PROPERTY)
Primary Responsibility:	Federal Enforcement
Planning Status:	Not reported
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	005
Action:	FIVE-YEAR REVIEW
Date Started:	02/01/13
Date Completed:	09/27/13
Priority Level:	Not reported
Operable Unit:	SITEWIDE
Primary Responsibility:	EPA Fund-Financed
Planning Status:	Primary
Urgency Indicator:	Not reported
Action Anomaly:	Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code:	001
Action:	POTENTIALLY RESPONSIBLE PARTY REMEDIAL INVESTIGATION/FEASIBILITY STUDY
Date Started:	02/16/07
Date Completed:	/ /
Priority Level:	Not reported
Operable Unit:	NORTH PROPERTY REDEVELOPMENT
Primary Responsibility:	Responsible Party
Planning Status:	Not reported

Map ID
Direction
Distance
Elevation Site

MAP FINDINGS

Database(s) EDR ID Number EPA ID Number

EAGLE MINE (Continued) **1014922314**

Urgency Indicator: Not reported
Action Anomaly: Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code: 002
Action: TECHNICAL ASSISTANCE GRANT
Date Started: 12/20/07
Date Completed: / /
Priority Level: Not reported
Operable Unit: SITEWIDE
Primary Responsibility: EPA Fund-Financed
Planning Status: Not reported
Urgency Indicator: Not reported
Action Anomaly: Not reported

For detailed financial records, contact EDR for a Site Report.:

Action Code: 004
Action: TECHNICAL ASSISTANCE
Date Started: 07/15/10
Date Completed: / /
Priority Level: Not reported
Operable Unit: SITEWIDE
Primary Responsibility: EPA Fund-Financed
Planning Status: Not reported
Urgency Indicator: Not reported
Action Anomaly: Not reported

For detailed financial records, contact EDR for a Site Report.:

Federal Register Details:
Fed Register Date: 06/10/86
Fed Register Volume: 51
Page Number: 21054

Fed Register Date: 10/15/84
Fed Register Volume: 49
Page Number: 40320

Click this hyperlink while viewing on your computer to access
315 additional US CERCLIS Financial: record(s) in the EDR Site Report.

RCRA NonGen / NLR:
Date form received by agency: 08/18/1980
Facility name: NEW JERSEY ZINK CO-EAGLE MINE
Facility address: .5 MI NE OF GILMAN TOWNSITE
GILMAN, CO 81634
EPA ID: COD081961518
Mailing address: PO BOX 118
GILMAN, CO 81634
Contact: DURBIN MCILNAY
Contact address: PO BOX 118
GILMAN, CO 81634
Contact country: US
Contact telephone: (303) 827-5761
Contact email: Not reported

Map ID
Direction
Distance
Elevation | Site | MAP FINDINGS | Database(s) | EDR ID Number / EPA ID Number

EAGLE MINE (Continued) **1014922314**

EPA Region: 08
Classification: Non-Generator
Description: Handler: Non-Generators do not presently generate hazardous waste

Owner/Operator Summary:
Owner/operator name: GULF & WESTERN INDUSTRIES
Owner/operator address: Not reported
Not reported
Owner/operator country: Not reported
Owner/operator telephone: Not reported
Legal status: Private
Owner/Operator Type: Operator
Owner/Op start date: Not reported
Owner/Op end date: Not reported

Owner/operator name: GULF & WESTERN INDUSTRIES INC
Owner/operator address: DATA NOT REQUESTED
DATA NOT REQUESTED, CO 99999
Owner/operator country: Not reported
Owner/operator telephone: (999) 999-9999
Legal status: Private
Owner/Operator Type: Owner
Owner/Op start date: Not reported
Owner/Op end date: Not reported

Handler Activities Summary:
U.S. importer of hazardous waste: No
Mixed waste (haz. and radioactive): No
Recycler of hazardous waste: No
Transporter of hazardous waste: No
Treater, storer or disposer of HW: No
Underground injection activity: No
On-site burner exemption: No
Furnace exemption: No
Used oil fuel burner: No
Used oil processor: No
User oil refiner: No
Used oil fuel marketer to burner: No
Used oil Specification marketer: No
Used oil transfer facility: No
Used oil transporter: No

. Waste code: D000
. Waste name: Not Defined

. Waste code: D002
. Waste name: CORROSIVE WASTE

Violation Status: No violations found

US ENG CONTROLS:
EPA ID: COD081961518
Site ID: 0800159
Name: EAGLE MINE
Address: W OF US HWY 24
MINTURN, CO 81645
EPA Region: 08

Map ID
Direction
Distance
Elevation Site

MAP FINDINGS

Database(s) EDR ID Number EPA ID Number

EAGLE MINE (Continued) **1014922314**

County: EAGLE
Event Code: Not reported
Actual Date: 03/29/1993

Action ID: 001
Action Name: RECORD OF DECISION
Action Completion date: 05/20/1988
Operable Unit: 01
Contaminated Media : Groundwater
Engineering Control: Discharge

Action ID: 001
Action Name: RECORD OF DECISION
Action Completion date: 05/20/1988
Operable Unit: 01
Contaminated Media : Groundwater
Engineering Control: Monitoring

Action ID: 001
Action Name: RECORD OF DECISION
Action Completion date: 05/20/1988
Operable Unit: 01
Contaminated Media : Groundwater
Engineering Control: Pump And Treat

Action ID: 001
Action Name: RECORD OF DECISION
Action Completion date: 05/20/1988
Operable Unit: 01
Contaminated Media : Sediment
Engineering Control: Cap

Action ID: 001
Action Name: RECORD OF DECISION
Action Completion date: 05/20/1988
Operable Unit: 01
Contaminated Media : Sediment
Engineering Control: Disposal

Action ID: 001
Action Name: RECORD OF DECISION
Action Completion date: 05/20/1988
Operable Unit: 01
Contaminated Media : Soil
Engineering Control: Cap

Action ID: 001
Action Name: RECORD OF DECISION
Action Completion date: 05/20/1988
Operable Unit: 01
Contaminated Media : Soil
Engineering Control: Disposal

Action ID: 001
Action Name: RECORD OF DECISION
Action Completion date: 05/20/1988
Operable Unit: 01

Map ID
Direction
Distance
Elevation | Site | MAP FINDINGS | Database(s) | EDR ID Number
EPA ID Number

EAGLE MINE (Continued) **1014922314**

Contaminated Media : Surface Water
Engineering Control: Discharge

Action ID: 001
Action Name: RECORD OF DECISION
Action Completion date: 05/20/1988
Operable Unit: 01
Contaminated Media : Surface Water
Engineering Control: Monitoring

Action ID: 001
Action Name: RECORD OF DECISION
Action Completion date: 05/20/1988
Operable Unit: 01
Contaminated Media : Surface Water
Engineering Control: Other, (N.O.S.)

Action ID: 001
Action Name: ROD Amendment
Action Completion date: 03/29/1993
Operable Unit: 01
Contaminated Media : Buildings/Structures
Engineering Control: Operations & Maintenance (O&M)

Action ID: 001
Action Name: ROD Amendment
Action Completion date: 03/29/1993
Operable Unit: 01
Contaminated Media : Groundwater
Engineering Control: Monitoring

Action ID: 001
Action Name: ROD Amendment
Action Completion date: 03/29/1993
Operable Unit: 01
Contaminated Media : Groundwater
Engineering Control: Pump And Treat

Action ID: 001
Action Name: ROD Amendment
Action Completion date: 03/29/1993
Operable Unit: 01
Contaminated Media : Leachate
Engineering Control: Leachate Control

Action ID: 001
Action Name: ROD Amendment
Action Completion date: 03/29/1993
Operable Unit: 01
Contaminated Media : Leachate
Engineering Control: Monitoring

Action ID: 001
Action Name: ROD Amendment
Action Completion date: 03/29/1993
Operable Unit: 01
Contaminated Media : Sludge

Map ID
Direction
Distance
Elevation Site

MAP FINDINGS

Database(s) EDR ID Number EPA ID Number

EAGLE MINE (Continued) **1014922314**

Engineering Control: Other, (N.O.S.)

Action ID: 001
Action Name: ROD Amendment
Action Completion date: 03/29/1993
Operable Unit: 01
Contaminated Media : Soil
Engineering Control: Excavation

Action ID: 001
Action Name: ROD Amendment
Action Completion date: 03/29/1993
Operable Unit: 01
Contaminated Media : Soil
Engineering Control: Revegetation

Action ID: 001
Action Name: ROD Amendment
Action Completion date: 03/29/1993
Operable Unit: 01
Contaminated Media : Solid Waste
Engineering Control: Cap

Action ID: 001
Action Name: ROD Amendment
Action Completion date: 03/29/1993
Operable Unit: 01
Contaminated Media : Solid Waste
Engineering Control: Monitoring

Action ID: 001
Action Name: ROD Amendment
Action Completion date: 03/29/1993
Operable Unit: 01
Contaminated Media : Solid Waste
Engineering Control: Sampling

Action ID: 001
Action Name: ROD Amendment
Action Completion date: 03/29/1993
Operable Unit: 01
Contaminated Media : Surface Water
Engineering Control: Other, (N.O.S.)

Action ID: 001
Action Name: ROD Amendment
Action Completion date: 03/29/1993
Operable Unit: 01
Contaminated Media : Surface Water
Engineering Control: Surface Water Control

US INST CONTROL:
EPA ID: COD081961518
Site ID: 0800159
Name: EAGLE MINE
Action Name: RECORD OF DECISION

Map ID
Direction
Distance
Elevation | Site | MAP FINDINGS | Database(s) | EDR ID Number EPA ID Number

EAGLE MINE (Continued) **1014922314**

Address: W OF US HWY 24
MINTURN, CO 81645
EPA Region: 08
County: EAGLE
Event Code: Not reported
Inst. Control: Institutional Controls, (N.O.S.)
Actual Date: 09/30/1998
Complet. Date: 09/03/1998
Operable Unit: 02
Contaminated Media : Debris

EPA ID: COD081961518
Site ID: 0800159
Name: EAGLE MINE
Action Name: RECORD OF DECISION
Address: W OF US HWY 24
MINTURN, CO 81645
EPA Region: 08
County: EAGLE
Event Code: Not reported
Inst. Control: Institutional Controls, (N.O.S.)
Actual Date: 09/30/1998
Complet. Date: 09/03/1998
Operable Unit: 02
Contaminated Media : Soil

EPA ID: COD081961518
Site ID: 0800159
Name: EAGLE MINE
Action Name: ROD Amendment
Address: W OF US HWY 24
MINTURN, CO 81645
EPA Region: 08
County: EAGLE
Event Code: Not reported
Inst. Control: Groundwater use/well drilling regulation
Actual Date: 03/29/1993
Complet. Date: 03/29/1993
Operable Unit: 01
Contaminated Media : Groundwater

ROD:
Full-text of USEPA Record of Decision(s) is available from EDR.

PRP:
PRP name: MILLER, GLEN T.
PARAMOUNT COMMUNICATIONS INC
PARAMOUNT COMMUNICATIONS INC.
VIACOM INTERNATIONAL INCORPORATED
VIACOM INTERNATIONAL INCORPORATED

MAP FINDINGS

Map ID / Direction / Distance / Elevation	Site	Database(s)	EDR ID Number / EPA ID Number
1 **East** **1/8-1/4** **0.200 mi.** **1055 ft.**	**MINTURN RMC** **1120 CEMETERY RD** **MINTURN, CO 81645**	**AST**	**A100359373** **N/A**

Relative: Higher

Actual: 7920 ft.

AST:

Facility ID:	19186

Owner:

Owner Id:	22457
Owner Name:	OLDCASTLE SW GROUP INC
Owner Address:	PO BOX 3609
Owner City/State/Zip:	GRAND JUNCTION, CO 81502
Owner County:	MESA
Tank Tag:	19186-1
Tank Status:	Currently In Use
Date Tank Installed:	03/01/2007
Tank Age:	8.03131148528666
Tank Contents:	Diesel
Tank Type:	AST

Map ID / Direction / Distance / Elevation	Site	Database(s)	EDR ID Number / EPA ID Number
2 **ENE** **1/8-1/4** **0.212 mi.** **1121 ft.**	**MINTURN PIT** **EAGLE (County), CO**	**MINES**	**S112331429** **N/A**

Relative: Higher

Actual: 7971 ft.

MINES:

Facility Id:	M1996010
Mine Type:	Surface
Status Description:	Terminated
Date Status:	05/10/2005
Permittee:	Chadwick Construction
Permit Type:	110c
Date Permit Issued:	06/04/1997
Permit Acreage:	8.6999999999999993
Commodity 2:	Not reported
Annual Fee:	281
Required Surety:	64800
Required I:	48
Actual Surety:	0
Township:	5
North or South:	S
Range:	81
Range Direction:	W
Prime Meridian:	06
Section:	35
Quarter:	NE
Quarter Quarter:	NE
Quarter1:	Not reported
UTM X:	378373.5
UTM Y:	4381905
PS X UTM:	378373.5
PS Y UTM:	4381905
Latitutde:	39.580120000000001
Longitude:	-106.41616999999999
Post Mining:	Mining
Pre Mining:	Recreation

Map ID
Direction
Distance
Elevation

MAP FINDINGS

Site | Database(s) | EDR ID Number / EPA ID Number

MINTURN PIT (Continued) **S112331429**

Max Allowed Disturbed Acres: 8.6999999999999993
Affected Acres: 8
Date Last Inspection: 05/05/2005
Mineral Owner: State
Surface Owner: State
Permit Specialist Assigned: TAS

Count: 5 records. ORPHAN SUMMARY

City	EDR ID	Site Name	Site Address	Zip	Database(s)
MINTURN	1014409525	GILROY TRANSPORT SPILL	US HWY 24, MP 144	81657	CERC-NFRAP
MINTURN	S110597519	MINTURN N MAIN ST WATERLINE	N MAIN ST AND 4 ST	81645	NPDES
MINTURN	1014683006	MINTURN N MAIN ST WATERLINE	N MAIN ST AND 4 ST	81645	FINDS
MINTURN	S109351142	HIWAY 24 LIQUORS	996 MAIN ST P O BOX 353	81645	LUST, LUST TRUST
MINTURN	S102052949	BATTLE MOUNTAIN TRADING POST	1031 MAIN ST	81645	LUST

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

To maintain currency of the following federal and state databases, EDR contacts the appropriate governmental agency on a monthly or quarterly basis, as required.

Number of Days to Update: Provides confirmation that EDR is reporting records that have been updated within 90 days from the date the government agency made the information available to the public.

STANDARD ENVIRONMENTAL RECORDS

Federal NPL site list

NPL: National Priority List

National Priorities List (Superfund). The NPL is a subset of CERCLIS and identifies over 1,200 sites for priority cleanup under the Superfund Program. NPL sites may encompass relatively large areas. As such, EDR provides polygon coverage for over 1,000 NPL site boundaries produced by EPA's Environmental Photographic Interpretation Center (EPIC) and regional EPA offices.

Date of Government Version: 12/16/2014
Date Data Arrived at EDR: 01/08/2015
Date Made Active in Reports: 02/09/2015
Number of Days to Update: 32

Source: EPA
Telephone: N/A
Last EDR Contact: 04/08/2015
Next Scheduled EDR Contact: 07/20/2015
Data Release Frequency: Quarterly

NPL Site Boundaries

Sources:

EPA's Environmental Photographic Interpretation Center (EPIC)
Telephone: 202-564-7333

EPA Region 1
Telephone 617-918-1143

EPA Region 6
Telephone: 214-655-6659

EPA Region 3
Telephone 215-814-5418

EPA Region 7
Telephone: 913-551-7247

EPA Region 4
Telephone 404-562-8033

EPA Region 8
Telephone: 303-312-6774

EPA Region 5
Telephone 312-886-6686

EPA Region 9
Telephone: 415-947-4246

EPA Region 10
Telephone 206-553-8665

Proposed NPL: Proposed National Priority List Sites

A site that has been proposed for listing on the National Priorities List through the issuance of a proposed rule in the Federal Register. EPA then accepts public comments on the site, responds to the comments, and places on the NPL those sites that continue to meet the requirements for listing.

Date of Government Version: 12/16/2014
Date Data Arrived at EDR: 01/08/2015
Date Made Active in Reports: 02/09/2015
Number of Days to Update: 32

Source: EPA
Telephone: N/A
Last EDR Contact: 04/08/2015
Next Scheduled EDR Contact: 07/20/2015
Data Release Frequency: Quarterly

NPL LIENS: Federal Superfund Liens

Federal Superfund Liens. Under the authority granted the USEPA by CERCLA of 1980, the USEPA has the authority to file liens against real property in order to recover remedial action expenditures or when the property owner received notification of potential liability. USEPA compiles a listing of filed notices of Superfund Liens.

Date of Government Version: 10/15/1991
Date Data Arrived at EDR: 02/02/1994
Date Made Active in Reports: 03/30/1994
Number of Days to Update: 56

Source: EPA
Telephone: 202-564-4267
Last EDR Contact: 08/15/2011
Next Scheduled EDR Contact: 11/28/2011
Data Release Frequency: No Update Planned

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Federal Delisted NPL site list

DELISTED NPL: National Priority List Deletions

The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) establishes the criteria that the EPA uses to delete sites from the NPL. In accordance with 40 CFR 300.425.(e), sites may be deleted from the NPL where no further response is appropriate.

Date of Government Version: 12/16/2014
Date Data Arrived at EDR: 01/08/2015
Date Made Active in Reports: 02/09/2015
Number of Days to Update: 32

Source: EPA
Telephone: N/A
Last EDR Contact: 04/08/2015
Next Scheduled EDR Contact: 07/20/2015
Data Release Frequency: Quarterly

Federal CERCLIS list

CERCLIS: Comprehensive Environmental Response, Compensation, and Liability Information System

CERCLIS contains data on potentially hazardous waste sites that have been reported to the USEPA by states, municipalities, private companies and private persons, pursuant to Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). CERCLIS contains sites which are either proposed to or on the National Priorities List (NPL) and sites which are in the screening and assessment phase for possible inclusion on the NPL.

Date of Government Version: 10/25/2013
Date Data Arrived at EDR: 11/11/2013
Date Made Active in Reports: 02/13/2014
Number of Days to Update: 94

Source: EPA
Telephone: 703-412-9810
Last EDR Contact: 05/01/2015
Next Scheduled EDR Contact: 06/08/2015
Data Release Frequency: Quarterly

FEDERAL FACILITY: Federal Facility Site Information listing

A listing of National Priority List (NPL) and Base Realignment and Closure (BRAC) sites found in the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) Database where EPA Federal Facilities Restoration and Reuse Office is involved in cleanup activities.

Date of Government Version: 07/21/2014
Date Data Arrived at EDR: 10/07/2014
Date Made Active in Reports: 10/20/2014
Number of Days to Update: 13

Source: Environmental Protection Agency
Telephone: 703-603-8704
Last EDR Contact: 04/08/2015
Next Scheduled EDR Contact: 07/20/2015
Data Release Frequency: Varies

Federal CERCLIS NFRAP site List

CERCLIS-NFRAP: CERCLIS No Further Remedial Action Planned

Archived sites are sites that have been removed and archived from the inventory of CERCLIS sites. Archived status indicates that, to the best of EPA's knowledge, assessment at a site has been completed and that EPA has determined no further steps will be taken to list this site on the National Priorities List (NPL), unless information indicates this decision was not appropriate or other considerations require a recommendation for listing at a later time. This decision does not necessarily mean that there is no hazard associated with a given site; it only means that, based upon available information, the location is not judged to be a potential NPL site.

Date of Government Version: 10/25/2013
Date Data Arrived at EDR: 11/11/2013
Date Made Active in Reports: 02/13/2014
Number of Days to Update: 94

Source: EPA
Telephone: 703-412-9810
Last EDR Contact: 05/01/2015
Next Scheduled EDR Contact: 06/08/2015
Data Release Frequency: Quarterly

Federal RCRA CORRACTS facilities list

CORRACTS: Corrective Action Report

CORRACTS identifies hazardous waste handlers with RCRA corrective action activity.

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 12/09/2014
Date Data Arrived at EDR: 12/29/2014
Date Made Active in Reports: 01/29/2015
Number of Days to Update: 31

Source: EPA
Telephone: 800-424-9346
Last EDR Contact: 03/31/2015
Next Scheduled EDR Contact: 07/13/2015
Data Release Frequency: Quarterly

Federal RCRA non-CORRACTS TSD facilities list

RCRA-TSDF: RCRA - Treatment, Storage and Disposal

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Transporters are individuals or entities that move hazardous waste from the generator offsite to a facility that can recycle, treat, store, or dispose of the waste. TSDFs treat, store, or dispose of the waste.

Date of Government Version: 12/09/2014
Date Data Arrived at EDR: 12/29/2014
Date Made Active in Reports: 01/29/2015
Number of Days to Update: 31

Source: Environmental Protection Agency
Telephone: 303-312-6149
Last EDR Contact: 03/31/2015
Next Scheduled EDR Contact: 07/13/2015
Data Release Frequency: Quarterly

Federal RCRA generators list

RCRA-LQG: RCRA - Large Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Large quantity generators (LQGs) generate over 1,000 kilograms (kg) of hazardous waste, or over 1 kg of acutely hazardous waste per month.

Date of Government Version: 12/09/2014
Date Data Arrived at EDR: 12/29/2014
Date Made Active in Reports: 01/29/2015
Number of Days to Update: 31

Source: Environmental Protection Agency
Telephone: 303-312-6149
Last EDR Contact: 03/31/2015
Next Scheduled EDR Contact: 07/13/2015
Data Release Frequency: Quarterly

RCRA-SQG: RCRA - Small Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Small quantity generators (SQGs) generate between 100 kg and 1,000 kg of hazardous waste per month.

Date of Government Version: 12/09/2014
Date Data Arrived at EDR: 12/29/2014
Date Made Active in Reports: 01/29/2015
Number of Days to Update: 31

Source: Environmental Protection Agency
Telephone: 303-312-6149
Last EDR Contact: 03/31/2015
Next Scheduled EDR Contact: 07/13/2015
Data Release Frequency: Quarterly

RCRA-CESQG: RCRA - Conditionally Exempt Small Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Conditionally exempt small quantity generators (CESQGs) generate less than 100 kg of hazardous waste, or less than 1 kg of acutely hazardous waste per month.

Date of Government Version: 12/09/2014
Date Data Arrived at EDR: 12/29/2014
Date Made Active in Reports: 01/29/2015
Number of Days to Update: 31

Source: Environmental Protection Agency
Telephone: 303-312-6149
Last EDR Contact: 03/31/2015
Next Scheduled EDR Contact: 07/13/2015
Data Release Frequency: Varies

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Federal institutional controls / engineering controls registries

US ENG CONTROLS: Engineering Controls Sites List

A listing of sites with engineering controls in place. Engineering controls include various forms of caps, building foundations, liners, and treatment methods to create pathway elimination for regulated substances to enter environmental media or effect human health.

Date of Government Version: 09/18/2014
Date Data Arrived at EDR: 09/19/2014
Date Made Active in Reports: 10/20/2014
Number of Days to Update: 31

Source: Environmental Protection Agency
Telephone: 703-603-0695
Last EDR Contact: 02/26/2015
Next Scheduled EDR Contact: 06/15/2015
Data Release Frequency: Varies

US INST CONTROL: Sites with Institutional Controls

A listing of sites with institutional controls in place. Institutional controls include administrative measures, such as groundwater use restrictions, construction restrictions, property use restrictions, and post remediation care requirements intended to prevent exposure to contaminants remaining on site. Deed restrictions are generally required as part of the institutional controls.

Date of Government Version: 09/18/2014
Date Data Arrived at EDR: 09/19/2014
Date Made Active in Reports: 10/20/2014
Number of Days to Update: 31

Source: Environmental Protection Agency
Telephone: 703-603-0695
Last EDR Contact: 02/26/2015
Next Scheduled EDR Contact: 06/15/2015
Data Release Frequency: Varies

LUCIS: Land Use Control Information System

LUCIS contains records of land use control information pertaining to the former Navy Base Realignment and Closure properties.

Date of Government Version: 12/03/2014
Date Data Arrived at EDR: 12/12/2014
Date Made Active in Reports: 01/29/2015
Number of Days to Update: 48

Source: Department of the Navy
Telephone: 843-820-7326
Last EDR Contact: 05/18/2015
Next Scheduled EDR Contact: 08/31/2015
Data Release Frequency: Varies

Federal ERNS list

ERNS: Emergency Response Notification System

Emergency Response Notification System. ERNS records and stores information on reported releases of oil and hazardous substances.

Date of Government Version: 09/29/2014
Date Data Arrived at EDR: 09/30/2014
Date Made Active in Reports: 11/06/2014
Number of Days to Update: 37

Source: National Response Center, United States Coast Guard
Telephone: 202-267-2180
Last EDR Contact: 03/31/2015
Next Scheduled EDR Contact: 07/13/2015
Data Release Frequency: Annually

State- and tribal - equivalent CERCLIS

SHWS: This state does not maintain a SHWS list. See the Federal CERCLIS list and Federal NPL list.

State Hazardous Waste Sites. State hazardous waste site records are the states' equivalent to CERCLIS. These sites may or may not already be listed on the federal CERCLIS list. Priority sites planned for cleanup using state funds (state equivalent of Superfund) are identified along with sites where cleanup will be paid for by potentially responsible parties. Available information varies by state.

Date of Government Version: N/A
Date Data Arrived at EDR: N/A
Date Made Active in Reports: N/A
Number of Days to Update: N/A

Source: Department of Public Health & Environment
Telephone: 303-692-3300
Last EDR Contact: 05/18/2015
Next Scheduled EDR Contact: 08/31/2015
Data Release Frequency: N/A

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

State and tribal landfill and/or solid waste disposal site lists

SWF/LF: Solid Waste Sites & Facilities

Solid Waste Facilities/Landfill Sites. SWF/LF type records typically contain an inventory of solid waste disposal facilities or landfills in a particular state. Depending on the state, these may be active or inactive facilities or open dumps that failed to meet RCRA Subtitle D Section 4004 criteria for solid waste landfills or disposal sites.

Date of Government Version: 12/04/2014
Date Data Arrived at EDR: 02/13/2015
Date Made Active in Reports: 03/04/2015
Number of Days to Update: 19

Source: Department of Public Health & Environment
Telephone: 303-692-3300
Last EDR Contact: 05/14/2015
Next Scheduled EDR Contact: 08/24/2015
Data Release Frequency: Annually

State and tribal leaking storage tank lists

LUST: Leaking Underground Storage Tank List

Leaking Underground Storage Tank Incident Reports. LUST records contain an inventory of reported leaking underground storage tank incidents. Not all states maintain these records, and the information stored varies by state.

Date of Government Version: 03/10/2015
Date Data Arrived at EDR: 03/12/2015
Date Made Active in Reports: 03/16/2015
Number of Days to Update: 4

Source: Department of Labor and Employment, Oil Inspection Section
Telephone: 303-318-8521
Last EDR Contact: 03/09/2015
Next Scheduled EDR Contact: 06/22/2015
Data Release Frequency: Quarterly

TRUST: Lust Trust Sites

Reimbursement application package. The 1989 Colorado General Assembly established Colorado's Petroleum Storage Tank Fund. The Fund reimburses eligible applicants for allowable costs incurred in cleaning up petroleum contamination from underground and aboveground petroleum storage tanks, as well as for third-party liability expenses. Remediation of contamination caused by railroad or aircraft fuel is not eligible for reimbursement. The Fund satisfies federal Environmental Protection Agency financial assurance requirements. Monies in the Fund come from various sources, predominantly the state environmental surcharge imposed on all petroleum products except railroad or aircraft fuel.

Date of Government Version: 04/08/2015
Date Data Arrived at EDR: 04/10/2015
Date Made Active in Reports: 04/15/2015
Number of Days to Update: 5

Source: Department of Labor and Employment, Oil Inspection Section
Telephone: 303-318-8521
Last EDR Contact: 03/30/2015
Next Scheduled EDR Contact: 07/13/2015
Data Release Frequency: Varies

LAST: Leaking Aboveground Storage Tank Listing

A listing of leaking aboveground storage tank sites.

Date of Government Version: 03/10/2015
Date Data Arrived at EDR: 03/12/2015
Date Made Active in Reports: 03/16/2015
Number of Days to Update: 4

Source: Department of Labor & Employment
Telephone: 303-318-8525
Last EDR Contact: 03/09/2015
Next Scheduled EDR Contact: 06/22/2015
Data Release Frequency: Varies

INDIAN LUST R8: Leaking Underground Storage Tanks on Indian Land

LUSTs on Indian land in Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming.

Date of Government Version: 01/28/2015
Date Data Arrived at EDR: 01/30/2015
Date Made Active in Reports: 03/13/2015
Number of Days to Update: 42

Source: EPA Region 8
Telephone: 303-312-6271
Last EDR Contact: 04/27/2015
Next Scheduled EDR Contact: 08/10/2015
Data Release Frequency: Quarterly

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

INDIAN LUST R9: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in Arizona, California, New Mexico and Nevada

Date of Government Version: 01/08/2015
Date Data Arrived at EDR: 01/08/2015
Date Made Active in Reports: 02/09/2015
Number of Days to Update: 32

Source: Environmental Protection Agency
Telephone: 415-972-3372
Last EDR Contact: 01/08/2015
Next Scheduled EDR Contact: 05/11/2015
Data Release Frequency: Quarterly

INDIAN LUST R10: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in Alaska, Idaho, Oregon and Washington.

Date of Government Version: 02/03/2015
Date Data Arrived at EDR: 02/12/2015
Date Made Active in Reports: 03/13/2015
Number of Days to Update: 29

Source: EPA Region 10
Telephone: 206-553-2857
Last EDR Contact: 04/27/2015
Next Scheduled EDR Contact: 08/10/2015
Data Release Frequency: Quarterly

INDIAN LUST R5: Leaking Underground Storage Tanks on Indian Land
Leaking underground storage tanks located on Indian Land in Michigan, Minnesota and Wisconsin.

Date of Government Version: 01/30/2015
Date Data Arrived at EDR: 02/05/2015
Date Made Active in Reports: 03/09/2015
Number of Days to Update: 32

Source: EPA, Region 5
Telephone: 312-886-7439
Last EDR Contact: 04/27/2015
Next Scheduled EDR Contact: 08/10/2015
Data Release Frequency: Varies

INDIAN LUST R1: Leaking Underground Storage Tanks on Indian Land
A listing of leaking underground storage tank locations on Indian Land.

Date of Government Version: 02/01/2013
Date Data Arrived at EDR: 05/01/2013
Date Made Active in Reports: 11/01/2013
Number of Days to Update: 184

Source: EPA Region 1
Telephone: 617-918-1313
Last EDR Contact: 04/03/2015
Next Scheduled EDR Contact: 08/10/2015
Data Release Frequency: Varies

INDIAN LUST R4: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in Florida, Mississippi and North Carolina.

Date of Government Version: 09/30/2014
Date Data Arrived at EDR: 03/03/2015
Date Made Active in Reports: 03/13/2015
Number of Days to Update: 10

Source: EPA Region 4
Telephone: 404-562-8677
Last EDR Contact: 04/27/2015
Next Scheduled EDR Contact: 08/10/2015
Data Release Frequency: Semi-Annually

INDIAN LUST R6: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in New Mexico and Oklahoma.

Date of Government Version: 01/23/2015
Date Data Arrived at EDR: 02/10/2015
Date Made Active in Reports: 03/13/2015
Number of Days to Update: 31

Source: EPA Region 6
Telephone: 214-665-6597
Last EDR Contact: 01/26/2015
Next Scheduled EDR Contact: 05/11/2015
Data Release Frequency: Varies

INDIAN LUST R7: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in Iowa, Kansas, and Nebraska

Date of Government Version: 09/23/2014
Date Data Arrived at EDR: 11/25/2014
Date Made Active in Reports: 01/29/2015
Number of Days to Update: 65

Source: EPA Region 7
Telephone: 913-551-7003
Last EDR Contact: 04/27/2015
Next Scheduled EDR Contact: 08/10/2015
Data Release Frequency: Varies

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

State and tribal registered storage tank lists

UST: Underground Storage Tank Database
Registered Underground Storage Tanks. UST's are regulated under Subtitle I of the Resource Conservation and Recovery Act (RCRA) and must be registered with the state department responsible for administering the UST program. Available information varies by state program.

Date of Government Version: 03/10/2015
Date Data Arrived at EDR: 03/12/2015
Date Made Active in Reports: 03/16/2015
Number of Days to Update: 4

Source: Department of Labor and Employment, Oil Inspection Section
Telephone: 303-318-8521
Last EDR Contact: 03/09/2015
Next Scheduled EDR Contact: 06/22/2015
Data Release Frequency: Quarterly

AST: Aboveground Tank List
Aboveground storage tank locations.

Date of Government Version: 03/10/2015
Date Data Arrived at EDR: 03/12/2015
Date Made Active in Reports: 03/16/2015
Number of Days to Update: 4

Source: Department of Labor and Employment, Oil Inspection Section
Telephone: 303-318-8521
Last EDR Contact: 03/09/2015
Next Scheduled EDR Contact: 06/22/2015
Data Release Frequency: Semi-Annually

INDIAN UST R1: Underground Storage Tanks on Indian Land
The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 1 (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont and ten Tribal Nations).

Date of Government Version: 02/01/2013
Date Data Arrived at EDR: 05/01/2013
Date Made Active in Reports: 01/27/2014
Number of Days to Update: 271

Source: EPA, Region 1
Telephone: 617-918-1313
Last EDR Contact: 04/28/2015
Next Scheduled EDR Contact: 08/10/2015
Data Release Frequency: Varies

INDIAN UST R4: Underground Storage Tanks on Indian Land
The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 4 (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee and Tribal Nations)

Date of Government Version: 09/30/2014
Date Data Arrived at EDR: 03/03/2015
Date Made Active in Reports: 03/13/2015
Number of Days to Update: 10

Source: EPA Region 4
Telephone: 404-562-9424
Last EDR Contact: 04/27/2015
Next Scheduled EDR Contact: 08/10/2015
Data Release Frequency: Semi-Annually

INDIAN UST R5: Underground Storage Tanks on Indian Land
The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 5 (Michigan, Minnesota and Wisconsin and Tribal Nations).

Date of Government Version: 01/30/2015
Date Data Arrived at EDR: 02/05/2015
Date Made Active in Reports: 03/13/2015
Number of Days to Update: 36

Source: EPA Region 5
Telephone: 312-886-6136
Last EDR Contact: 04/27/2015
Next Scheduled EDR Contact: 08/10/2015
Data Release Frequency: Varies

INDIAN UST R6: Underground Storage Tanks on Indian Land
The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 6 (Louisiana, Arkansas, Oklahoma, New Mexico, Texas and 65 Tribes).

Date of Government Version: 01/23/2015
Date Data Arrived at EDR: 02/13/2015
Date Made Active in Reports: 03/13/2015
Number of Days to Update: 28

Source: EPA Region 6
Telephone: 214-665-7591
Last EDR Contact: 01/26/2015
Next Scheduled EDR Contact: 05/11/2015
Data Release Frequency: Semi-Annually

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

INDIAN UST R7: Underground Storage Tanks on Indian Land
The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 7 (Iowa, Kansas, Missouri, Nebraska, and 9 Tribal Nations).

Date of Government Version: 09/23/2014
Date Data Arrived at EDR: 11/25/2014
Date Made Active in Reports: 01/29/2015
Number of Days to Update: 65

Source: EPA Region 7
Telephone: 913-551-7003
Last EDR Contact: 04/27/2015
Next Scheduled EDR Contact: 08/10/2015
Data Release Frequency: Varies

INDIAN UST R8: Underground Storage Tanks on Indian Land
The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 8 (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming and 27 Tribal Nations).

Date of Government Version: 01/29/2015
Date Data Arrived at EDR: 01/30/2015
Date Made Active in Reports: 03/13/2015
Number of Days to Update: 42

Source: EPA Region 8
Telephone: 303-312-6137
Last EDR Contact: 04/27/2015
Next Scheduled EDR Contact: 08/10/2015
Data Release Frequency: Quarterly

INDIAN UST R9: Underground Storage Tanks on Indian Land
The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 9 (Arizona, California, Hawaii, Nevada, the Pacific Islands, and Tribal Nations).

Date of Government Version: 12/14/2014
Date Data Arrived at EDR: 02/13/2015
Date Made Active in Reports: 03/13/2015
Number of Days to Update: 28

Source: EPA Region 9
Telephone: 415-972-3368
Last EDR Contact: 01/26/2015
Next Scheduled EDR Contact: 05/11/2015
Data Release Frequency: Quarterly

INDIAN UST R10: Underground Storage Tanks on Indian Land
The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 10 (Alaska, Idaho, Oregon, Washington, and Tribal Nations).

Date of Government Version: 02/03/2015
Date Data Arrived at EDR: 02/12/2015
Date Made Active in Reports: 03/13/2015
Number of Days to Update: 29

Source: EPA Region 10
Telephone: 206-553-2857
Last EDR Contact: 04/27/2015
Next Scheduled EDR Contact: 08/10/2015
Data Release Frequency: Quarterly

FEMA UST: Underground Storage Tank Listing
A listing of all FEMA owned underground storage tanks.

Date of Government Version: 01/01/2010
Date Data Arrived at EDR: 02/16/2010
Date Made Active in Reports: 04/12/2010
Number of Days to Update: 55

Source: FEMA
Telephone: 202-646-5797
Last EDR Contact: 04/13/2015
Next Scheduled EDR Contact: 07/27/2015
Data Release Frequency: Varies

State and tribal institutional control / engineering control registries

AUL: Environmental Real Covenants List
Senate Bill 01-145 gave authority to the Colorado Department of Public Health and Environment to approve requests to restrict the future use of a property using an enforceable agreement called an environmental covenant. When a contaminated site is not cleaned up completely, land use restrictions may be used to ensure that the selected cleanup remedy is adequately protective of human health and the environment.

Date of Government Version: 05/05/2015
Date Data Arrived at EDR: 05/07/2015
Date Made Active in Reports: 05/13/2015
Number of Days to Update: 6

Source: Department of Public Health & Environment
Telephone: 303-692-3331
Last EDR Contact: 05/04/2015
Next Scheduled EDR Contact: 08/17/2015
Data Release Frequency: Varies

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

State and tribal voluntary cleanup sites

VCP: Voluntary Cleanup & Redevelopment Act Application Tracking Report
The Voluntary Cleanup and Redevelopment Act is intended to permit and encourage voluntary cleanups by providing a method to determine clean-up responsibilities in planning the reuse of property. The VCRA was intended for sites which were not covered by existing regulatory programs.

Date of Government Version: 02/06/2015
Date Data Arrived at EDR: 04/15/2015
Date Made Active in Reports: 05/08/2015
Number of Days to Update: 23

Source: Department of Public Health and Environmental
Telephone: 303-692-3331
Last EDR Contact: 04/15/2015
Next Scheduled EDR Contact: 07/27/2015
Data Release Frequency: Semi-Annually

INDIAN VCP R1: Voluntary Cleanup Priority Listing
A listing of voluntary cleanup priority sites located on Indian Land located in Region 1.

Date of Government Version: 09/29/2014
Date Data Arrived at EDR: 10/01/2014
Date Made Active in Reports: 11/06/2014
Number of Days to Update: 36

Source: EPA, Region 1
Telephone: 617-918-1102
Last EDR Contact: 04/02/2015
Next Scheduled EDR Contact: 07/13/2015
Data Release Frequency: Varies

INDIAN VCP R7: Voluntary Cleanup Priority Lisitng
A listing of voluntary cleanup priority sites located on Indian Land located in Region 7.

Date of Government Version: 03/20/2008
Date Data Arrived at EDR: 04/22/2008
Date Made Active in Reports: 05/19/2008
Number of Days to Update: 27

Source: EPA, Region 7
Telephone: 913-551-7365
Last EDR Contact: 04/20/2009
Next Scheduled EDR Contact: 07/20/2009
Data Release Frequency: Varies

ADDITIONAL ENVIRONMENTAL RECORDS

Local Brownfield lists

US BROWNFIELDS: A Listing of Brownfields Sites
Brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Cleaning up and reinvesting in these properties takes development pressures off of undeveloped, open land, and both improves and protects the environment. Assessment, Cleanup and Redevelopment Exchange System (ACRES) stores information reported by EPA Brownfields grant recipients on brownfields properties assessed or cleaned up with grant funding as well as information on Targeted Brownfields Assessments performed by EPA Regions. A listing of ACRES Brownfield sites is obtained from Cleanups in My Community. Cleanups in My Community provides information on Brownfields properties for which information is reported back to EPA, as well as areas served by Brownfields grant programs.

Date of Government Version: 12/22/2014
Date Data Arrived at EDR: 12/22/2014
Date Made Active in Reports: 01/29/2015
Number of Days to Update: 38

Source: Environmental Protection Agency
Telephone: 202-566-2777
Last EDR Contact: 03/24/2015
Next Scheduled EDR Contact: 07/06/2015
Data Release Frequency: Semi-Annually

Local Lists of Landfill / Solid Waste Disposal Sites

ODI: Open Dump Inventory
An open dump is defined as a disposal facility that does not comply with one or more of the Part 257 or Part 258 Subtitle D Criteria.

Date of Government Version: 06/30/1985
Date Data Arrived at EDR: 08/09/2004
Date Made Active in Reports: 09/17/2004
Number of Days to Update: 39

Source: Environmental Protection Agency
Telephone: 800-424-9346
Last EDR Contact: 06/09/2004
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

DEBRIS REGION 9: Torres Martinez Reservation Illegal Dump Site Locations
A listing of illegal dump sites location on the Torres Martinez Indian Reservation located in eastern Riverside County and northern Imperial County, California.

Date of Government Version: 01/12/2009
Date Data Arrived at EDR: 05/07/2009
Date Made Active in Reports: 09/21/2009
Number of Days to Update: 137

Source: EPA, Region 9
Telephone: 415-947-4219
Last EDR Contact: 04/23/2015
Next Scheduled EDR Contact: 08/10/2015
Data Release Frequency: No Update Planned

SWRCY: Registered Recyclers Listing
A listing of registered recycler locations in the state of Colorado.

Date of Government Version: 03/30/2015
Date Data Arrived at EDR: 03/31/2015
Date Made Active in Reports: 04/09/2015
Number of Days to Update: 9

Source: Department of Public Health & Environment
Telephone: 303-692-3337
Last EDR Contact: 03/30/2015
Next Scheduled EDR Contact: 06/29/2015
Data Release Frequency: Varies

HISTORICAL LANDFILL: Historical Landfill List
Abandoned/Inactive Landfills.

Date of Government Version: 01/31/1993
Date Data Arrived at EDR: 04/24/1994
Date Made Active in Reports: 05/30/1994
Number of Days to Update: 36

Source: Department of Public Health & Environment
Telephone: 303-692-3300
Last EDR Contact: 09/05/1996
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

INDIAN ODI: Report on the Status of Open Dumps on Indian Lands
Location of open dumps on Indian land.

Date of Government Version: 12/31/1998
Date Data Arrived at EDR: 12/03/2007
Date Made Active in Reports: 01/24/2008
Number of Days to Update: 52

Source: Environmental Protection Agency
Telephone: 703-308-8245
Last EDR Contact: 05/01/2015
Next Scheduled EDR Contact: 08/17/2015
Data Release Frequency: Varies

Local Lists of Hazardous waste / Contaminated Sites

US CDL: Clandestine Drug Labs
A listing of clandestine drug lab locations. The U.S. Department of Justice ("the Department") provides this web site as a public service. It contains addresses of some locations where law enforcement agencies reported they found chemicals or other items that indicated the presence of either clandestine drug laboratories or dumpsites. In most cases, the source of the entries is not the Department, and the Department has not verified the entry and does not guarantee its accuracy. Members of the public must verify the accuracy of all entries by, for example, contacting local law enforcement and local health departments.

Date of Government Version: 02/25/2015
Date Data Arrived at EDR: 03/10/2015
Date Made Active in Reports: 03/25/2015
Number of Days to Update: 15

Source: Drug Enforcement Administration
Telephone: 202-307-1000
Last EDR Contact: 03/03/2015
Next Scheduled EDR Contact: 06/15/2015
Data Release Frequency: Quarterly

CDL: Meth Lab Locations
Meth lab locations that were reported to the Department of Public Health & Environment.

Date of Government Version: 04/05/2015
Date Data Arrived at EDR: 04/07/2015
Date Made Active in Reports: 04/09/2015
Number of Days to Update: 2

Source: Department of Public Health and Environment
Telephone: 303-692-3023
Last EDR Contact: 04/06/2015
Next Scheduled EDR Contact: 07/20/2015
Data Release Frequency: Quarterly

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

US HIST CDL: National Clandestine Laboratory Register

A listing of clandestine drug lab locations. The U.S. Department of Justice ("the Department") provides this web site as a public service. It contains addresses of some locations where law enforcement agencies reported they found chemicals or other items that indicated the presence of either clandestine drug laboratories or dumpsites. In most cases, the source of the entries is not the Department, and the Department has not verified the entry and does not guarantee its accuracy. Members of the public must verify the accuracy of all entries by, for example, contacting local law enforcement and local health departments.

Date of Government Version: 02/25/2015
Date Data Arrived at EDR: 03/10/2015
Date Made Active in Reports: 03/25/2015
Number of Days to Update: 15

Source: Drug Enforcement Administration
Telephone: 202-307-1000
Last EDR Contact: 03/03/2015
Next Scheduled EDR Contact: 06/15/2015
Data Release Frequency: No Update Planned

Local Land Records

LIENS 2: CERCLA Lien Information

A Federal CERCLA ('Superfund') lien can exist by operation of law at any site or property at which EPA has spent Superfund monies. These monies are spent to investigate and address releases and threatened releases of contamination. CERCLIS provides information as to the identity of these sites and properties.

Date of Government Version: 02/18/2014
Date Data Arrived at EDR: 03/18/2014
Date Made Active in Reports: 04/24/2014
Number of Days to Update: 37

Source: Environmental Protection Agency
Telephone: 202-564-6023
Last EDR Contact: 04/27/2015
Next Scheduled EDR Contact: 08/10/2015
Data Release Frequency: Varies

Records of Emergency Release Reports

HMIRS: Hazardous Materials Information Reporting System

Hazardous Materials Incident Report System. HMIRS contains hazardous material spill incidents reported to DOT.

Date of Government Version: 12/29/2014
Date Data Arrived at EDR: 12/30/2014
Date Made Active in Reports: 03/09/2015
Number of Days to Update: 69

Source: U.S. Department of Transportation
Telephone: 202-366-4555
Last EDR Contact: 03/31/2015
Next Scheduled EDR Contact: 07/13/2015
Data Release Frequency: Annually

CO ERNS: Spills Database

State reported spills.

Date of Government Version: 04/05/2015
Date Data Arrived at EDR: 04/07/2015
Date Made Active in Reports: 04/09/2015
Number of Days to Update: 2

Source: Department of Public Health and Environmental
Telephone: 303-692-2000
Last EDR Contact: 04/06/2015
Next Scheduled EDR Contact: 07/20/2015
Data Release Frequency: Quarterly

SPILLS 90: SPILLS90 data from FirstSearch

Spills 90 includes those spill and release records available exclusively from FirstSearch databases. Typically, they may include chemical, oil and/or hazardous substance spills recorded after 1990. Duplicate records that are already included in EDR incident and release records are not included in Spills 90.

Date of Government Version: 10/15/2012
Date Data Arrived at EDR: 01/03/2013
Date Made Active in Reports: 02/06/2013
Number of Days to Update: 34

Source: FirstSearch
Telephone: N/A
Last EDR Contact: 01/03/2013
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

Other Ascertainable Records

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

RCRA NonGen / NLR: RCRA - Non Generators / No Longer Regulated

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Non-Generators do not presently generate hazardous waste.

Date of Government Version: 12/09/2014
Date Data Arrived at EDR: 12/29/2014
Date Made Active in Reports: 01/29/2015
Number of Days to Update: 31

Source: Environmental Protection Agency
Telephone: 303-312-6149
Last EDR Contact: 03/31/2015
Next Scheduled EDR Contact: 07/13/2015
Data Release Frequency: Varies

DOT OPS: Incident and Accident Data

Department of Transporation, Office of Pipeline Safety Incident and Accident data.

Date of Government Version: 07/31/2012
Date Data Arrived at EDR: 08/07/2012
Date Made Active in Reports: 09/18/2012
Number of Days to Update: 42

Source: Department of Transporation, Office of Pipeline Safety
Telephone: 202-366-4595
Last EDR Contact: 05/05/2015
Next Scheduled EDR Contact: 08/17/2015
Data Release Frequency: Varies

DOD: Department of Defense Sites

This data set consists of federally owned or administered lands, administered by the Department of Defense, that have any area equal to or greater than 640 acres of the United States, Puerto Rico, and the U.S. Virgin Islands.

Date of Government Version: 12/31/2005
Date Data Arrived at EDR: 11/10/2006
Date Made Active in Reports: 01/11/2007
Number of Days to Update: 62

Source: USGS
Telephone: 888-275-8747
Last EDR Contact: 04/14/2015
Next Scheduled EDR Contact: 07/27/2015
Data Release Frequency: Semi-Annually

FUDS: Formerly Used Defense Sites

The listing includes locations of Formerly Used Defense Sites properties where the US Army Corps of Engineers is actively working or will take necessary cleanup actions.

Date of Government Version: 06/06/2014
Date Data Arrived at EDR: 09/10/2014
Date Made Active in Reports: 09/18/2014
Number of Days to Update: 8

Source: U.S. Army Corps of Engineers
Telephone: 202-528-4285
Last EDR Contact: 03/13/2015
Next Scheduled EDR Contact: 06/22/2015
Data Release Frequency: Varies

CONSENT: Superfund (CERCLA) Consent Decrees

Major legal settlements that establish responsibility and standards for cleanup at NPL (Superfund) sites. Released periodically by United States District Courts after settlement by parties to litigation matters.

Date of Government Version: 01/23/2015
Date Data Arrived at EDR: 02/13/2015
Date Made Active in Reports: 03/09/2015
Number of Days to Update: 24

Source: Department of Justice, Consent Decree Library
Telephone: Varies
Last EDR Contact: 03/30/2015
Next Scheduled EDR Contact: 07/13/2015
Data Release Frequency: Varies

ROD: Records Of Decision

Record of Decision. ROD documents mandate a permanent remedy at an NPL (Superfund) site containing technical and health information to aid in the cleanup.

Date of Government Version: 11/25/2013
Date Data Arrived at EDR: 12/12/2013
Date Made Active in Reports: 02/24/2014
Number of Days to Update: 74

Source: EPA
Telephone: 703-416-0223
Last EDR Contact: 03/10/2015
Next Scheduled EDR Contact: 06/22/2015
Data Release Frequency: Annually

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

UMTRA: Uranium Mill Tailings Sites

Uranium ore was mined by private companies for federal government use in national defense programs. When the mills shut down, large piles of the sand-like material (mill tailings) remain after uranium has been extracted from the ore. Levels of human exposure to radioactive materials from the piles are low; however, in some cases tailings were used as construction materials before the potential health hazards of the tailings were recognized.

Date of Government Version: 09/14/2010
Date Data Arrived at EDR: 10/07/2011
Date Made Active in Reports: 03/01/2012
Number of Days to Update: 146

Source: Department of Energy
Telephone: 505-845-0011
Last EDR Contact: 05/26/2015
Next Scheduled EDR Contact: 09/07/2015
Data Release Frequency: Varies

US MINES: Mines Master Index File

Contains all mine identification numbers issued for mines active or opened since 1971. The data also includes violation information.

Date of Government Version: 12/30/2014
Date Data Arrived at EDR: 12/31/2014
Date Made Active in Reports: 01/29/2015
Number of Days to Update: 29

Source: Department of Labor, Mine Safety and Health Administration
Telephone: 303-231-5959
Last EDR Contact: 03/06/2015
Next Scheduled EDR Contact: 06/15/2015
Data Release Frequency: Semi-Annually

TRIS: Toxic Chemical Release Inventory System

Toxic Release Inventory System. TRIS identifies facilities which release toxic chemicals to the air, water and land in reportable quantities under SARA Title III Section 313.

Date of Government Version: 12/31/2011
Date Data Arrived at EDR: 07/31/2013
Date Made Active in Reports: 09/13/2013
Number of Days to Update: 44

Source: EPA
Telephone: 202-566-0250
Last EDR Contact: 01/29/2015
Next Scheduled EDR Contact: 06/08/2015
Data Release Frequency: Annually

TSCA: Toxic Substances Control Act

Toxic Substances Control Act. TSCA identifies manufacturers and importers of chemical substances included on the TSCA Chemical Substance Inventory list. It includes data on the production volume of these substances by plant site.

Date of Government Version: 12/31/2012
Date Data Arrived at EDR: 01/15/2015
Date Made Active in Reports: 01/29/2015
Number of Days to Update: 14

Source: EPA
Telephone: 202-260-5521
Last EDR Contact: 03/27/2015
Next Scheduled EDR Contact: 07/06/2015
Data Release Frequency: Every 4 Years

FTTS: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)

FTTS tracks administrative cases and pesticide enforcement actions and compliance activities related to FIFRA, TSCA and EPCRA (Emergency Planning and Community Right-to-Know Act). To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 04/09/2009
Date Data Arrived at EDR: 04/16/2009
Date Made Active in Reports: 05/11/2009
Number of Days to Update: 25

Source: EPA/Office of Prevention, Pesticides and Toxic Substances
Telephone: 202-566-1667
Last EDR Contact: 05/20/2015
Next Scheduled EDR Contact: 09/07/2015
Data Release Frequency: Quarterly

FTTS INSP: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)

A listing of FIFRA/TSCA Tracking System (FTTS) inspections and enforcements.

Date of Government Version: 04/09/2009
Date Data Arrived at EDR: 04/16/2009
Date Made Active in Reports: 05/11/2009
Number of Days to Update: 25

Source: EPA
Telephone: 202-566-1667
Last EDR Contact: 05/20/2015
Next Scheduled EDR Contact: 09/07/2015
Data Release Frequency: Quarterly

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

HIST FTTS: FIFRA/TSCA Tracking System Administrative Case Listing

A complete administrative case listing from the FIFRA/TSCA Tracking System (FTTS) for all ten EPA regions. The information was obtained from the National Compliance Database (NCDB). NCDB supports the implementation of FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) and TSCA (Toxic Substances Control Act). Some EPA regions are now closing out records. Because of that, and the fact that some EPA regions are not providing EPA Headquarters with updated records, it was decided to create a HIST FTTS database. It included records that may not be included in the newer FTTS database updates. This database is no longer updated.

Date of Government Version: 10/19/2006
Date Data Arrived at EDR: 03/01/2007
Date Made Active in Reports: 04/10/2007
Number of Days to Update: 40

Source: Environmental Protection Agency
Telephone: 202-564-2501
Last EDR Contact: 12/17/2007
Next Scheduled EDR Contact: 03/17/2008
Data Release Frequency: No Update Planned

HIST FTTS INSP: FIFRA/TSCA Tracking System Inspection & Enforcement Case Listing

A complete inspection and enforcement case listing from the FIFRA/TSCA Tracking System (FTTS) for all ten EPA regions. The information was obtained from the National Compliance Database (NCDB). NCDB supports the implementation of FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) and TSCA (Toxic Substances Control Act). Some EPA regions are now closing out records. Because of that, and the fact that some EPA regions are not providing EPA Headquarters with updated records, it was decided to create a HIST FTTS database. It included records that may not be included in the newer FTTS database updates. This database is no longer updated.

Date of Government Version: 10/19/2006
Date Data Arrived at EDR: 03/01/2007
Date Made Active in Reports: 04/10/2007
Number of Days to Update: 40

Source: Environmental Protection Agency
Telephone: 202-564-2501
Last EDR Contact: 12/17/2008
Next Scheduled EDR Contact: 03/17/2008
Data Release Frequency: No Update Planned

SSTS: Section 7 Tracking Systems

Section 7 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended (92 Stat. 829) requires all registered pesticide-producing establishments to submit a report to the Environmental Protection Agency by March 1st each year. Each establishment must report the types and amounts of pesticides, active ingredients and devices being produced, and those having been produced and sold or distributed in the past year.

Date of Government Version: 12/31/2009
Date Data Arrived at EDR: 12/10/2010
Date Made Active in Reports: 02/25/2011
Number of Days to Update: 77

Source: EPA
Telephone: 202-564-4203
Last EDR Contact: 04/10/2015
Next Scheduled EDR Contact: 08/10/2015
Data Release Frequency: Annually

ICIS: Integrated Compliance Information System

The Integrated Compliance Information System (ICIS) supports the information needs of the national enforcement and compliance program as well as the unique needs of the National Pollutant Discharge Elimination System (NPDES) program.

Date of Government Version: 01/23/2015
Date Data Arrived at EDR: 02/06/2015
Date Made Active in Reports: 03/09/2015
Number of Days to Update: 31

Source: Environmental Protection Agency
Telephone: 202-564-5088
Last EDR Contact: 04/09/2015
Next Scheduled EDR Contact: 07/27/2015
Data Release Frequency: Quarterly

PADS: PCB Activity Database System

PCB Activity Database. PADS Identifies generators, transporters, commercial storers and/or brokers and disposers of PCB's who are required to notify the EPA of such activities.

Date of Government Version: 07/01/2014
Date Data Arrived at EDR: 10/15/2014
Date Made Active in Reports: 11/17/2014
Number of Days to Update: 33

Source: EPA
Telephone: 202-566-0500
Last EDR Contact: 04/17/2015
Next Scheduled EDR Contact: 07/27/2015
Data Release Frequency: Annually

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

MLTS: Material Licensing Tracking System

MLTS is maintained by the Nuclear Regulatory Commission and contains a list of approximately 8,100 sites which possess or use radioactive materials and which are subject to NRC licensing requirements. To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 12/29/2014
Date Data Arrived at EDR: 01/08/2015
Date Made Active in Reports: 01/29/2015
Number of Days to Update: 21

Source: Nuclear Regulatory Commission
Telephone: 301-415-7169
Last EDR Contact: 03/09/2015
Next Scheduled EDR Contact: 06/22/2015
Data Release Frequency: Quarterly

RADINFO: Radiation Information Database

The Radiation Information Database (RADINFO) contains information about facilities that are regulated by U.S. Environmental Protection Agency (EPA) regulations for radiation and radioactivity.

Date of Government Version: 02/27/2015
Date Data Arrived at EDR: 02/27/2015
Date Made Active in Reports: 03/25/2015
Number of Days to Update: 26

Source: Environmental Protection Agency
Telephone: 202-343-9775
Last EDR Contact: 04/09/2015
Next Scheduled EDR Contact: 07/20/2015
Data Release Frequency: Quarterly

FINDS: Facility Index System/Facility Registry System

Facility Index System. FINDS contains both facility information and 'pointers' to other sources that contain more detail. EDR includes the following FINDS databases in this report: PCS (Permit Compliance System), AIRS (Aerometric Information Retrieval System), DOCKET (Enforcement Docket used to manage and track information on civil judicial enforcement cases for all environmental statutes), FURS (Federal Underground Injection Control), C-DOCKET (Criminal Docket System used to track criminal enforcement actions for all environmental statutes), FFIS (Federal Facilities Information System), STATE (State Environmental Laws and Statutes), and PADS (PCB Activity Data System).

Date of Government Version: 01/18/2015
Date Data Arrived at EDR: 02/27/2015
Date Made Active in Reports: 03/25/2015
Number of Days to Update: 26

Source: EPA
Telephone: (303) 312-6312
Last EDR Contact: 03/09/2015
Next Scheduled EDR Contact: 06/22/2015
Data Release Frequency: Quarterly

RAATS: RCRA Administrative Action Tracking System

RCRA Administration Action Tracking System. RAATS contains records based on enforcement actions issued under RCRA pertaining to major violators and includes administrative and civil actions brought by the EPA. For administration actions after September 30, 1995, data entry in the RAATS database was discontinued. EPA will retain a copy of the database for historical records. It was necessary to terminate RAATS because a decrease in agency resources made it impossible to continue to update the information contained in the database.

Date of Government Version: 04/17/1995
Date Data Arrived at EDR: 07/03/1995
Date Made Active in Reports: 08/07/1995
Number of Days to Update: 35

Source: EPA
Telephone: 202-564-4104
Last EDR Contact: 06/02/2008
Next Scheduled EDR Contact: 09/01/2008
Data Release Frequency: No Update Planned

RMP: Risk Management Plans

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

When Congress passed the Clean Air Act Amendments of 1990, it required EPA to publish regulations and guidance for chemical accident prevention at facilities using extremely hazardous substances. The Risk Management Program Rule (RMP Rule) was written to implement Section 112(r) of these amendments. The rule, which built upon existing industry codes and standards, requires companies of all sizes that use certain flammable and toxic substances to develop a Risk Management Program, which includes a(n): Hazard assessment that details the potential effects of an accidental release, an accident history of the last five years, and an evaluation of worst-case and alternative accidental releases; Prevention program that includes safety precautions and maintenance, monitoring, and employee training measures; and Emergency response program that spells out emergency health care, employee training measures and procedures for informing the public and response agencies (e.g the fire department) should an accident occur.

Date of Government Version: 02/01/2015
Date Data Arrived at EDR: 02/13/2015
Date Made Active in Reports: 03/25/2015
Number of Days to Update: 40

Source: Environmental Protection Agency
Telephone: 202-564-8600
Last EDR Contact: 04/27/2015
Next Scheduled EDR Contact: 08/10/2015
Data Release Frequency: Varies

BRS: Biennial Reporting System

The Biennial Reporting System is a national system administered by the EPA that collects data on the generation and management of hazardous waste. BRS captures detailed data from two groups: Large Quantity Generators (LQG) and Treatment, Storage, and Disposal Facilities.

Date of Government Version: 12/31/2011
Date Data Arrived at EDR: 02/26/2013
Date Made Active in Reports: 04/19/2013
Number of Days to Update: 52

Source: EPA/NTIS
Telephone: 800-424-9346
Last EDR Contact: 02/24/2015
Next Scheduled EDR Contact: 06/08/2015
Data Release Frequency: Biennially

METHANE SITE: Methane Site Investigations - Jefferson County 1980

The objectives of the study are to define as closely as possible the boundaries of methane producing solid waste landfills.

Date of Government Version: 12/31/1980
Date Data Arrived at EDR: 02/13/1995
Date Made Active in Reports: 04/04/1995
Number of Days to Update: 50

Source: Jefferson County Health Department
Telephone: 303-239-7175
Last EDR Contact: 01/27/1995
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

METHANE INVESTIGATION: Methane Gas & Swamp Findings

The primary objective of this study was to assess methane gas related hazards at selected landfill sites in Colorado. These sites were selected by the Colorado Department of Health following evaluation of responses received from County and Municipal agencies about completed and existing landfills within their jurisdiction.

Date of Government Version: 03/15/1979
Date Data Arrived at EDR: 02/13/1995
Date Made Active in Reports: 04/04/1995
Number of Days to Update: 50

Source: Department of Health
Telephone: 303-640-3335
Last EDR Contact: 01/27/1995
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

DRYCLEANERS: Drycleaner Facilities

A listing of drycleaning facilities.

Date of Government Version: 03/09/2015
Date Data Arrived at EDR: 03/10/2015
Date Made Active in Reports: 03/16/2015
Number of Days to Update: 6

Source: Department of Public Health & Environment
Telephone: 303-692-3213
Last EDR Contact: 03/09/2015
Next Scheduled EDR Contact: 06/22/2015
Data Release Frequency: Varies

NPDES: Permitted Facility Listing

A listing of permitted facilities from the Water Quality Control Division.

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 05/05/2015
Date Data Arrived at EDR: 05/05/2015
Date Made Active in Reports: 05/13/2015
Number of Days to Update: 8

Source: Department of Public Health & Environment
Telephone: 303-692-3611
Last EDR Contact: 05/04/2015
Next Scheduled EDR Contact: 08/17/2015
Data Release Frequency: Varies

AIRS: Permitted Facility & Emissions Listing
A listing of Air Pollution Control Division permits and emissions data.

Date of Government Version: 03/09/2015
Date Data Arrived at EDR: 03/10/2015
Date Made Active in Reports: 03/16/2015
Number of Days to Update: 6

Source: Department of Public Health & Environment
Telephone: 303-692-3213
Last EDR Contact: 03/09/2015
Next Scheduled EDR Contact: 06/22/2015
Data Release Frequency: Varies

UMTRA: Uranium Mill Tailings Sites
There were nine uranium mill tailings sites in Colorado designated for cleanup under the federal Uranium Mill Tailings Radiation Control Act. These nine sites, know commonly as UMTRA sites, were remediated jointly by the State of Colorado and the U.S. Department of Energy during the late 1980's and early 1990's. Mill tailings were removed from 8 of the mill sites and relocated in engineered disposal cells. A disposal cell is designed to encapsulate the material, reduce radon emanation, and prevent the movement of water through the material. At one site, Maybell, CO, the tailings were stabilized in-place at the mill site. After remediation of the tailings was completed, the State and DOE began to investigate the residual impacts to groundwater at the mill sites. The groundwater phase of the UMTRA program is on-going.

Date of Government Version: 11/23/2004
Date Data Arrived at EDR: 03/21/2007
Date Made Active in Reports: 05/02/2007
Number of Days to Update: 42

Source: Department of Public Health & Environment
Telephone: 970-248-7164
Last EDR Contact: 05/22/2015
Next Scheduled EDR Contact: 09/07/2015
Data Release Frequency: Varies

ASBESTOS: Asbestos Abatement & Demolition Projects
Asbestos abatement and demolition projects by the contractor.

Date of Government Version: 12/31/2014
Date Data Arrived at EDR: 02/26/2015
Date Made Active in Reports: 03/05/2015
Number of Days to Update: 7

Source: Department of Public Health & Environment
Telephone: 303-692-3100
Last EDR Contact: 05/14/2015
Next Scheduled EDR Contact: 08/24/2015
Data Release Frequency: Semi-Annually

INDIAN RESERV: Indian Reservations
This map layer portrays Indian administered lands of the United States that have any area equal to or greater than 640 acres.

Date of Government Version: 12/31/2005
Date Data Arrived at EDR: 12/08/2006
Date Made Active in Reports: 01/11/2007
Number of Days to Update: 34

Source: USGS
Telephone: 202-208-3710
Last EDR Contact: 04/14/2015
Next Scheduled EDR Contact: 07/27/2015
Data Release Frequency: Semi-Annually

SCRD DRYCLEANERS: State Coalition for Remediation of Drycleaners Listing
The State Coalition for Remediation of Drycleaners was established in 1998, with support from the U.S. EPA Office of Superfund Remediation and Technology Innovation. It is comprised of representatives of states with established drycleaner remediation programs. Currently the member states are Alabama, Connecticut, Florida, Illinois, Kansas, Minnesota, Missouri, North Carolina, Oregon, South Carolina, Tennessee, Texas, and Wisconsin.

Date of Government Version: 03/07/2011
Date Data Arrived at EDR: 03/09/2011
Date Made Active in Reports: 05/02/2011
Number of Days to Update: 54

Source: Environmental Protection Agency
Telephone: 615-532-8599
Last EDR Contact: 05/21/2015
Next Scheduled EDR Contact: 08/31/2015
Data Release Frequency: Varies

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

2020 COR ACTION: 2020 Corrective Action Program List

The EPA has set ambitious goals for the RCRA Corrective Action program by creating the 2020 Corrective Action Universe. This RCRA cleanup baseline includes facilities expected to need corrective action. The 2020 universe contains a wide variety of sites. Some properties are heavily contaminated while others were contaminated but have since been cleaned up. Still others have not been fully investigated yet, and may require little or no remediation. Inclusion in the 2020 Universe does not necessarily imply failure on the part of a facility to meet its RCRA obligations.

Date of Government Version: 04/22/2013
Date Data Arrived at EDR: 03/03/2015
Date Made Active in Reports: 03/09/2015
Number of Days to Update: 6

Source: Environmental Protection Agency
Telephone: 703-308-4044
Last EDR Contact: 05/14/2015
Next Scheduled EDR Contact: 08/24/2015
Data Release Frequency: Varies

LEAD SMELTER 1: Lead Smelter Sites

A listing of former lead smelter site locations.

Date of Government Version: 11/25/2014
Date Data Arrived at EDR: 11/26/2014
Date Made Active in Reports: 01/29/2015
Number of Days to Update: 64

Source: Environmental Protection Agency
Telephone: 703-603-8787
Last EDR Contact: 04/10/2015
Next Scheduled EDR Contact: 07/20/2015
Data Release Frequency: Varies

LEAD SMELTER 2: Lead Smelter Sites

A list of several hundred sites in the U.S. where secondary lead smelting was done from 1931and 1964. These sites may pose a threat to public health through ingestion or inhalation of contaminated soil or dust

Date of Government Version: 04/05/2001
Date Data Arrived at EDR: 10/27/2010
Date Made Active in Reports: 12/02/2010
Number of Days to Update: 36

Source: American Journal of Public Health
Telephone: 703-305-6451
Last EDR Contact: 12/02/2009
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

MINES: Permitted Mines Listing

This dataset represents permitted mines in the State of Colorado

Date of Government Version: 09/19/2011
Date Data Arrived at EDR: 12/26/2012
Date Made Active in Reports: 02/01/2013
Number of Days to Update: 37

Source: Division of Reclamation Mining and safety
Telephone: 303-866-3567
Last EDR Contact: 12/26/2012
Next Scheduled EDR Contact: N/A
Data Release Frequency: Varies

PRP: Potentially Responsible Parties

A listing of verified Potentially Responsible Parties

Date of Government Version: 10/25/2013
Date Data Arrived at EDR: 10/17/2014
Date Made Active in Reports: 10/20/2014
Number of Days to Update: 3

Source: EPA
Telephone: 202-564-6023
Last EDR Contact: 05/14/2015
Next Scheduled EDR Contact: 08/24/2015
Data Release Frequency: Quarterly

FEDLAND: Federal and Indian Lands

Federally and Indian administrated lands of the United States. Lands included are administrated by: Army Corps of Engineers, Bureau of Reclamation, National Wild and Scenic River, National Wildlife Refuge, Public Domain Land, Wilderness, Wilderness Study Area, Wildlife Management Area, Bureau of Indian Affairs, Bureau of Land Management, Department of Justice, Forest Service, Fish and Wildlife Service, National Park Service.

Date of Government Version: 12/31/2005
Date Data Arrived at EDR: 02/06/2006
Date Made Active in Reports: 01/11/2007
Number of Days to Update: 339

Source: U.S. Geological Survey
Telephone: 888-275-8747
Last EDR Contact: 04/14/2015
Next Scheduled EDR Contact: 07/27/2015
Data Release Frequency: N/A

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

US AIRS (AFS): Aerometric Information Retrieval System Facility Subsystem (AFS)
The database is a sub-system of Aerometric Information Retrieval System (AIRS). AFS contains compliance data on air pollution point sources regulated by the U.S. EPA and/or state and local air regulatory agencies. This information comes from source reports by various stationary sources of air pollution, such as electric power plants, steel mills, factories, and universities, and provides information about the air pollutants they produce. Action, air program, air program pollutant, and general level plant data. It is used to track emissions and compliance data from industrial plants.

Date of Government Version: 10/16/2014
Date Data Arrived at EDR: 10/31/2014
Date Made Active in Reports: 11/17/2014
Number of Days to Update: 17

Source: EPA
Telephone: 202-564-2496
Last EDR Contact: 03/30/2015
Next Scheduled EDR Contact: 07/13/2015
Data Release Frequency: Annually

US AIRS MINOR: Air Facility System Data
A listing of minor source facilities.

Date of Government Version: 10/16/2014
Date Data Arrived at EDR: 10/31/2014
Date Made Active in Reports: 11/17/2014
Number of Days to Update: 17

Source: EPA
Telephone: 202-564-2496
Last EDR Contact: 03/30/2015
Next Scheduled EDR Contact: 07/13/2015
Data Release Frequency: Annually

US FIN ASSUR: Financial Assurance Information
All owners and operators of facilities that treat, store, or dispose of hazardous waste are required to provide proof that they will have sufficient funds to pay for the clean up, closure, and post-closure care of their facilities.

Date of Government Version: 03/09/2015
Date Data Arrived at EDR: 03/10/2015
Date Made Active in Reports: 03/25/2015
Number of Days to Update: 15

Source: Environmental Protection Agency
Telephone: 202-566-1917
Last EDR Contact: 05/14/2015
Next Scheduled EDR Contact: 08/31/2015
Data Release Frequency: Quarterly

Financial Assurance 2: Financial Assurance Information Listing
A listing of financial assurance information for solid waste facilities. Financial assurance is intended to ensure that resources are available to pay for the cost of closure, post-closure care, and corrective measures if the owner or operator of a regulated facility is unable or unwilling to pay.

Date of Government Version: 01/20/2015
Date Data Arrived at EDR: 01/22/2015
Date Made Active in Reports: 02/09/2015
Number of Days to Update: 18

Source: Department of Public Health & Environment
Telephone: 303-392-3350
Last EDR Contact: 04/06/2015
Next Scheduled EDR Contact: 07/20/2015
Data Release Frequency: Varies

COAL ASH EPA: Coal Combustion Residues Surface Impoundments List
A listing of coal combustion residues surface impoundments with high hazard potential ratings.

Date of Government Version: 07/01/2014
Date Data Arrived at EDR: 09/10/2014
Date Made Active in Reports: 10/20/2014
Number of Days to Update: 40

Source: Environmental Protection Agency
Telephone: N/A
Last EDR Contact: 03/13/2015
Next Scheduled EDR Contact: 06/22/2015
Data Release Frequency: Varies

PCB TRANSFORMER: PCB Transformer Registration Database
The database of PCB transformer registrations that includes all PCB registration submittals.

Date of Government Version: 02/01/2011
Date Data Arrived at EDR: 10/19/2011
Date Made Active in Reports: 01/10/2012
Number of Days to Update: 83

Source: Environmental Protection Agency
Telephone: 202-566-0517
Last EDR Contact: 05/01/2015
Next Scheduled EDR Contact: 08/10/2015
Data Release Frequency: Varies

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

COAL ASH DOE: Steam-Electric Plant Operation Data
A listing of power plants that store ash in surface ponds.

Date of Government Version: 12/31/2005
Date Data Arrived at EDR: 08/07/2009
Date Made Active in Reports: 10/22/2009
Number of Days to Update: 76

Source: Department of Energy
Telephone: 202-586-8719
Last EDR Contact: 04/15/2015
Next Scheduled EDR Contact: 07/27/2015
Data Release Frequency: Varies

Financial Assurance 1: Financial Assurance Information Listing
A listing of financial assurance information for hazardous waste facilities. Financial assurance is intended to ensure that resources are available to pay for the cost of closure, post-closure care, and corrective measures if the owner or operator of a regulated facility is unable or unwilling to pay.

Date of Government Version: 01/20/2015
Date Data Arrived at EDR: 01/22/2015
Date Made Active in Reports: 02/09/2015
Number of Days to Update: 18

Source: Department of Public Health & Environment
Telephone: 303-692-3350
Last EDR Contact: 04/06/2015
Next Scheduled EDR Contact: 07/20/2015
Data Release Frequency: Varies

EPA WATCH LIST: EPA WATCH LIST
EPA maintains a "Watch List" to facilitate dialogue between EPA, state and local environmental agencies on enforcement matters relating to facilities with alleged violations identified as either significant or high priority. Being on the Watch List does not mean that the facility has actually violated the law only that an investigation by EPA or a state or local environmental agency has led those organizations to allege that an unproven violation has in fact occurred. Being on the Watch List does not represent a higher level of concern regarding the alleged violations that were detected, but instead indicates cases requiring additional dialogue between EPA, state and local agencies - primarily because of the length of time the alleged violation has gone unaddressed or unresolved.

Date of Government Version: 08/30/2013
Date Data Arrived at EDR: 03/21/2014
Date Made Active in Reports: 06/17/2014
Number of Days to Update: 88

Source: Environmental Protection Agency
Telephone: 617-520-3000
Last EDR Contact: 05/07/2015
Next Scheduled EDR Contact: 08/24/2015
Data Release Frequency: Quarterly

EDR HIGH RISK HISTORICAL RECORDS

EDR Exclusive Records

EDR MGP: EDR Proprietary Manufactured Gas Plants
The EDR Proprietary Manufactured Gas Plant Database includes records of coal gas plants (manufactured gas plants) compiled by EDR's researchers. Manufactured gas sites were used in the United States from the 1800's to 1950's to produce a gas that could be distributed and used as fuel. These plants used whale oil, rosin, coal, or a mixture of coal, oil, and water that also produced a significant amount of waste. Many of the byproducts of the gas production, such as coal tar (oily waste containing volatile and non-volatile chemicals), sludges, oils and other compounds are potentially hazardous to human health and the environment. The byproduct from this process was frequently disposed of directly at the plant site and can remain or spread slowly, serving as a continuous source of soil and groundwater contamination.

Date of Government Version: N/A
Date Data Arrived at EDR: N/A
Date Made Active in Reports: N/A
Number of Days to Update: N/A

Source: EDR, Inc.
Telephone: N/A
Last EDR Contact: N/A
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

EDR US Hist Auto Stat: EDR Exclusive Historic Gas Stations
EDR has searched selected national collections of business directories and has collected listings of potential gas station/filling station/service station sites that were available to EDR researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion, include gas station/filling station/service station establishments. The categories reviewed included, but were not limited to gas, gas station, gasoline station, filling station, auto, automobile repair, auto service station, service station, etc. This database falls within a category of information EDR classifies as "High Risk Historical Records", or HRHR. EDR's HRHR effort presents unique and sometimes proprietary data about past sites and operations that typically create environmental concerns, but may not show up in current government records searches.

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: N/A
Date Data Arrived at EDR: N/A
Date Made Active in Reports: N/A
Number of Days to Update: N/A

Source: EDR, Inc.
Telephone: N/A
Last EDR Contact: N/A
Next Scheduled EDR Contact: N/A
Data Release Frequency: Varies

EDR US Hist Cleaners: EDR Exclusive Historic Dry Cleaners

EDR has searched selected national collections of business directories and has collected listings of potential dry cleaner sites that were available to EDR researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion, include dry cleaning establishments. The categories reviewed included, but were not limited to dry cleaners, cleaners, laundry, laundromat, cleaning/laundry, wash & dry etc. This database falls within a category of information EDR classifies as "High Risk Historical Records", or HRHR. EDR's HRHR effort presents unique and sometimes proprietary data about past sites and operations that typically create environmental concerns, but may not show up in current government records searches.

Date of Government Version: N/A
Date Data Arrived at EDR: N/A
Date Made Active in Reports: N/A
Number of Days to Update: N/A

Source: EDR, Inc.
Telephone: N/A
Last EDR Contact: N/A
Next Scheduled EDR Contact: N/A
Data Release Frequency: Varies

EDR RECOVERED GOVERNMENT ARCHIVES

Exclusive Recovered Govt. Archives

RGA LF: Recovered Government Archive Solid Waste Facilities List

The EDR Recovered Government Archive Landfill database provides a list of landfills derived from historical databases and includes many records that no longer appear in current government lists. Compiled from Records formerly available from the Department of Public Health & Environment in Colorado.

Date of Government Version: N/A
Date Data Arrived at EDR: 07/01/2013
Date Made Active in Reports: 01/15/2014
Number of Days to Update: 198

Source: Department of Public Health & Environment
Telephone: N/A
Last EDR Contact: 06/01/2012
Next Scheduled EDR Contact: N/A
Data Release Frequency: Varies

RGA LUST: Recovered Government Archive Leaking Underground Storage Tank

The EDR Recovered Government Archive Leaking Underground Storage Tank database provides a list of LUST incidents derived from historical databases and includes many records that no longer appear in current government lists. Compiled from Records formerly available from the Department of Labor and Employment, Oil Inspection Section in Colorado.

Date of Government Version: N/A
Date Data Arrived at EDR: 07/01/2013
Date Made Active in Reports: 01/02/2014
Number of Days to Update: 185

Source: Department of Labor and Employment, Oil Inspection Section
Telephone: N/A
Last EDR Contact: 06/01/2012
Next Scheduled EDR Contact: N/A
Data Release Frequency: Varies

COUNTY RECORDS

ADAMS COUNTY:

Summary Report on Methane Gas Hazards and Surveys Conducted on Domestic and Demolition Landfills in Adams County

As of May 8, 1978, all known landfills or dumping sites in the Adams County area have been surveyed.

Date of Government Version: 05/08/1978
Date Data Arrived at EDR: 02/16/1995
Date Made Active in Reports: 04/04/1995
Number of Days to Update: 47

Source: Tri-County Health Department
Telephone: 303-761-1340
Last EDR Contact: 01/27/1995
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

ARAPAHOE COUNTY:

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

A Survey of Landfills in Arapahoe County

A survey of Arapahoe County was conducted from August through November, 1977, of all open and closed landfills and dumpsites in the county. Each of the sites found was classified as domestic or demolition.

Date of Government Version: 12/31/1978
Date Data Arrived at EDR: 02/16/1995
Date Made Active in Reports: 04/04/1995
Number of Days to Update: 47

Source: Tri-County Health Department
Telephone: 303-761-1340
Last EDR Contact: 01/27/1995
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

BOULDER COUNTY:

Old Landfill Sites

Landfill sites in Boulder county.

Date of Government Version: 05/01/1986
Date Data Arrived at EDR: 11/14/1995
Date Made Active in Reports: 12/07/1995
Number of Days to Update: 23

Source: Boulder County Health Department
Telephone: 303-441-1182
Last EDR Contact: 01/30/1998
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

DENVER COUNTY:

Landfills in Denver County

Landfill sites in the city and county of Denver.

Date of Government Version: 02/13/2014
Date Data Arrived at EDR: 05/16/2014
Date Made Active in Reports: 06/13/2014
Number of Days to Update: 28

Source: City and County of Denver
Telephone: 303-436-7300
Last EDR Contact: 03/27/2015
Next Scheduled EDR Contact: 07/06/2015
Data Release Frequency: No Update Planned

Investigation of Methane Gas Hazards

The purpose of this study was to assess the actual and potential generation, migration, explosive and related problem associated with specified old landfills, and to identify existing and potential problems, suggested strategies to prevent, abate, and control such problems and recommend investigative and monitoring functions as may be deemed necessary. Eight sites determined to be priorities due to population density and potential hazards to population and property were selected by the Colorado Department of Health.

Date of Government Version: 01/01/1981
Date Data Arrived at EDR: 01/29/2013
Date Made Active in Reports: 03/08/2013
Number of Days to Update: 38

Source: City and County of Denver Department of Environmental Health
Telephone: 720-865-5522
Last EDR Contact: 01/15/2013
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

DOUGLAS COUNTY:

Douglas County Landfill Key

Landfill sites in Douglas county.

Date of Government Version: 06/12/1991
Date Data Arrived at EDR: 02/16/1995
Date Made Active in Reports: 04/04/1995
Number of Days to Update: 47

Source: Tri-County Health Department
Telephone: 303-761-1340
Last EDR Contact: 01/27/1995
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

PUEBLO COUNTY:

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Designated Disposal & Landfill Sites
Only inert materials. Asphalt, cement, dirt & rock unless otherwise specified. These sites are no longer active.

Date of Government Version: 04/30/1990
Date Data Arrived at EDR: 11/16/1995
Date Made Active in Reports: 12/07/1995
Number of Days to Update: 21

Source: Pueblo City-County Health Department
Telephone: 719-583-4300
Last EDR Contact: 11/13/1995
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

TRI COUNTY:

Tri-County Area Solid Waste Facilities List (Adams, Arapahoe and Douglas Counties)
Closed Domestic Landfills in Adams County, Closed Domestic Landfills in Arapahoe County, Closed Demolition Landfills in Arapahoe County, Closed Domestic Landfills in Douglas County.

Date of Government Version: 10/15/1983
Date Data Arrived at EDR: 02/16/1995
Date Made Active in Reports: 04/04/1995
Number of Days to Update: 47

Source: Tri-County Health Department
Telephone: 303-761-1340
Last EDR Contact: 01/27/1995
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

WELD COUNTY:

Solid Waste Facilities in Weld County
Solid Waste Facilities in Weld County.

Date of Government Version: 12/05/2014
Date Data Arrived at EDR: 12/12/2014
Date Made Active in Reports: 01/07/2015
Number of Days to Update: 26

Source: Weld County Department of Public Health
Telephone: 970-304-6415
Last EDR Contact: 05/14/2015
Next Scheduled EDR Contact: 08/24/2015
Data Release Frequency: No Update Planned

OTHER DATABASE(S)

Depending on the geographic area covered by this report, the data provided in these specialty databases may or may not be complete. For example, the existence of wetlands information data in a specific report does not mean that all wetlands in the area covered by the report are included. Moreover, the absence of any reported wetlands information does not necessarily mean that wetlands do not exist in the area covered by the report.

CT MANIFEST: Hazardous Waste Manifest Data
Facility and manifest data. Manifest is a document that lists and tracks hazardous waste from the generator through transporters to a tsd facility.

Date of Government Version: 07/30/2013
Date Data Arrived at EDR: 08/19/2013
Date Made Active in Reports: 10/03/2013
Number of Days to Update: 45

Source: Department of Energy & Environmental Protection
Telephone: 860-424-3375
Last EDR Contact: 05/18/2015
Next Scheduled EDR Contact: 08/31/2015
Data Release Frequency: No Update Planned

NY MANIFEST: Facility and Manifest Data
Manifest is a document that lists and tracks hazardous waste from the generator through transporters to a TSD facility.

Date of Government Version: 05/01/2015
Date Data Arrived at EDR: 05/06/2015
Date Made Active in Reports: 05/20/2015
Number of Days to Update: 14

Source: Department of Environmental Conservation
Telephone: 518-402-8651
Last EDR Contact: 05/06/2015
Next Scheduled EDR Contact: 08/17/2015
Data Release Frequency: Annually

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

PA MANIFEST: Manifest Information
Hazardous waste manifest information.

Date of Government Version: 12/31/2013
Date Data Arrived at EDR: 07/21/2014
Date Made Active in Reports: 08/25/2014
Number of Days to Update: 35

Source: Department of Environmental Protection
Telephone: 717-783-8990
Last EDR Contact: 04/16/2015
Next Scheduled EDR Contact: 08/03/2015
Data Release Frequency: Annually

WI MANIFEST: Manifest Information
Hazardous waste manifest information.

Date of Government Version: 12/31/2014
Date Data Arrived at EDR: 03/19/2015
Date Made Active in Reports: 04/07/2015
Number of Days to Update: 19

Source: Department of Natural Resources
Telephone: N/A
Last EDR Contact: 03/13/2015
Next Scheduled EDR Contact: 06/29/2015
Data Release Frequency: Annually

Oil/Gas Pipelines: This data was obtained by EDR from the USGS in 1994. It is referred to by USGS as GeoData Digital Line Graphs from 1:100,000-Scale Maps. It was extracted from the transportation category including some oil, but primarily gas pipelines.

Sensitive Receptors: There are individuals deemed sensitive receptors due to their fragile immune systems and special sensitivity to environmental discharges. These sensitive receptors typically include the elderly, the sick, and children. While the location of all sensitive receptors cannot be determined, EDR indicates those buildings and facilities - schools, daycares, hospitals, medical centers, and nursing homes - where individuals who are sensitive receptors are likely to be located.

AHA Hospitals:
Source: American Hospital Association, Inc.
Telephone: 312-280-5991
The database includes a listing of hospitals based on the American Hospital Association's annual survey of hospitals.

Medical Centers: Provider of Services Listing
Source: Centers for Medicare & Medicaid Services
Telephone: 410-786-3000
A listing of hospitals with Medicare provider number, produced by Centers of Medicare & Medicaid Services, a federal agency within the U.S. Department of Health and Human Services.

Nursing Homes
Source: National Institutes of Health
Telephone: 301-594-6248
Information on Medicare and Medicaid certified nursing homes in the United States.

Public Schools
Source: National Center for Education Statistics
Telephone: 202-502-7300
The National Center for Education Statistics' primary database on elementary and secondary public education in the United States. It is a comprehensive, annual, national statistical database of all public elementary and secondary schools and school districts, which contains data that are comparable across all states.

Private Schools
Source: National Center for Education Statistics
Telephone: 202-502-7300
The National Center for Education Statistics' primary database on private school locations in the United States.

Daycare Centers: Daycare Listing
Source: Department of Human Services
Telephone: 303-866-5958

Flood Zone Data: This data, available in select counties across the country, was obtained by EDR in 2003 & 2011 from the Federal Emergency Management Agency (FEMA). Data depicts 100-year and 500-year flood zones as defined by FEMA.

NWI: National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002, 2005 and 2010 from the U.S. Fish and Wildlife Service.

State Wetlands Data: Riparian Vegetation Data
Source: Division of Wildlife
Telephone: 970-416-3360

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Scanned Digital USGS 7.5' Topographic Map (DRG)
Source: United States Geologic Survey
A digital raster graphic (DRG) is a scanned image of a U.S. Geological Survey topographic map. The map images are made by scanning published paper maps on high-resolution scanners. The raster image is georeferenced and fit to the Universal Transverse Mercator (UTM) projection.

STREET AND ADDRESS INFORMATION

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GEOCHECK ® - PHYSICAL SETTING SOURCE ADDENDUM

TARGET PROPERTY ADDRESS

947 MAIN
947 MAIN STREET
MINTURN, CO 81645

TARGET PROPERTY COORDINATES

Latitude (North):	39.5787 - 39° 34' 43.32"
Longitude (West):	106.4197 - 106° 25' 10.92"
Universal Tranverse Mercator:	Zone 13
UTM X (Meters):	378067.8
UTM Y (Meters):	4381752.0
Elevation:	7901 ft. above sea level

USGS TOPOGRAPHIC MAP

Target Property Map:	39106-E4 MINTURN, CO
Most Recent Revision:	1987

EDR's GeoCheck Physical Setting Source Addendum is provided to assist the environmental professional in forming an opinion about the impact of potential contaminant migration.

Assessment of the impact of contaminant migration generally has two principal investigative components:

1. Groundwater flow direction, and
2. Groundwater flow velocity.

Groundwater flow direction may be impacted by surface topography, hydrology, hydrogeology, characteristics of the soil, and nearby wells. Groundwater flow velocity is generally impacted by the nature of the geologic strata.

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

GROUNDWATER FLOW DIRECTION INFORMATION

Groundwater flow direction for a particular site is best determined by a qualified environmental professional using site-specific well data. If such data is not reasonably ascertainable, it may be necessary to rely on other sources of information, such as surface topographic information, hydrologic information, hydrogeologic data collected on nearby properties, and regional groundwater flow information (from deep aquifers).

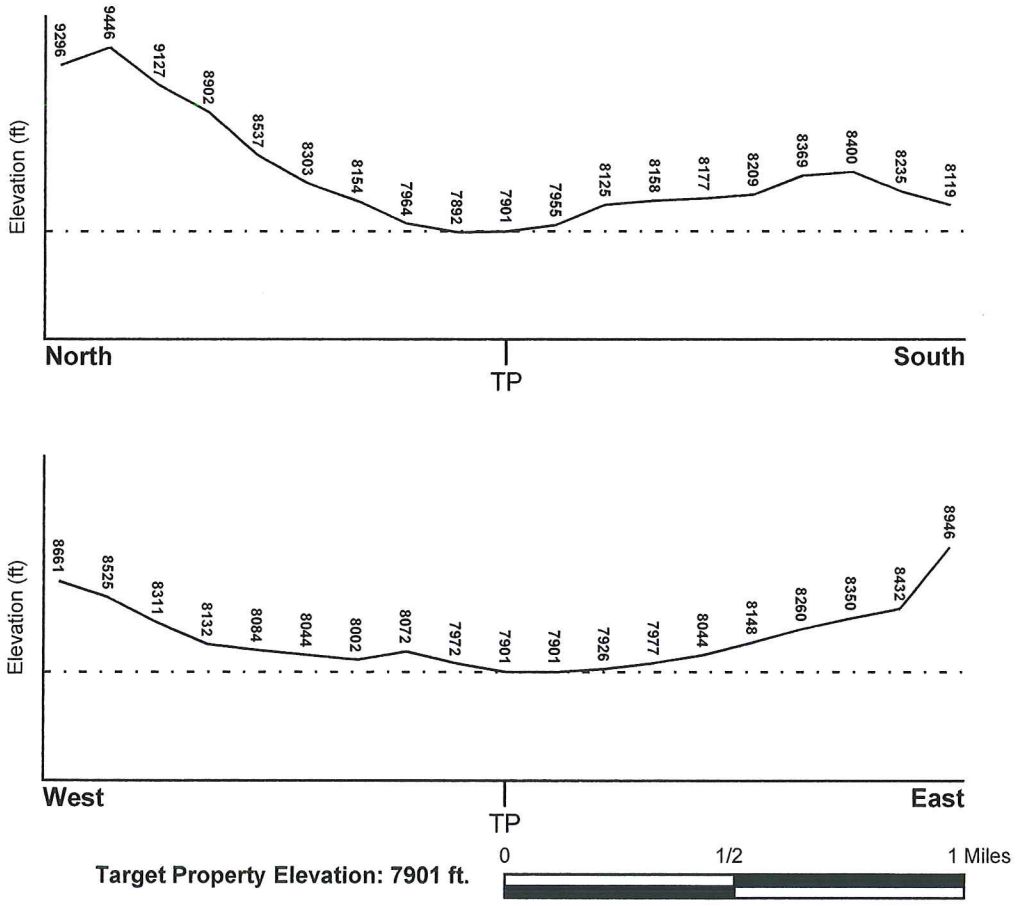
TOPOGRAPHIC INFORMATION

Surface topography may be indicative of the direction of surficial groundwater flow. This information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

TARGET PROPERTY TOPOGRAPHY

General Topographic Gradient: General NE

SURROUNDING TOPOGRAPHY: ELEVATION PROFILES



Source: Topography has been determined from the USGS 7.5' Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified.

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

HYDROLOGIC INFORMATION

Surface water can act as a hydrologic barrier to groundwater flow. Such hydrologic information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

Refer to the Physical Setting Source Map following this summary for hydrologic information (major waterways and bodies of water).

FEMA FLOOD ZONE

Target Property County	FEMA Flood Electronic Data
EAGLE, CO	YES - refer to the Overview Map and Detail Map

Flood Plain Panel at Target Property: 08037C - FEMA DFIRM Flood data

Additional Panels in search area: Not Reported

NATIONAL WETLAND INVENTORY

NWI Quad at Target Property	NWI Electronic Data Coverage
NOT AVAILABLE	YES - refer to the Overview Map and Detail Map

HYDROGEOLOGIC INFORMATION

Hydrogeologic information obtained by installation of wells on a specific site can often be an indicator of groundwater flow direction in the immediate area. Such hydrogeologic information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

AQUIFLOW®

Search Radius: 1.000 Mile.

EDR has developed the AQUIFLOW Information System to provide data on the general direction of groundwater flow at specific points. EDR has reviewed reports submitted by environmental professionals to regulatory authorities at select sites and has extracted the date of the report, groundwater flow direction as determined hydrogeologically, and the depth to water table.

MAP ID	LOCATION FROM TP	GENERAL DIRECTION GROUNDWATER FLOW
Not Reported		

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

GROUNDWATER FLOW VELOCITY INFORMATION

Groundwater flow velocity information for a particular site is best determined by a qualified environmental professional using site specific geologic and soil strata data. If such data are not reasonably ascertainable, it may be necessary to rely on other sources of information, including geologic age identification, rock stratigraphic unit and soil characteristics data collected on nearby properties and regional soil information. In general, contaminant plumes move more quickly through sandy-gravelly types of soils than silty-clayey types of soils.

GEOLOGIC INFORMATION IN GENERAL AREA OF TARGET PROPERTY

Geologic information can be used by the environmental professional in forming an opinion about the relative speed at which contaminant migration may be occurring.

ROCK STRATIGRAPHIC UNIT

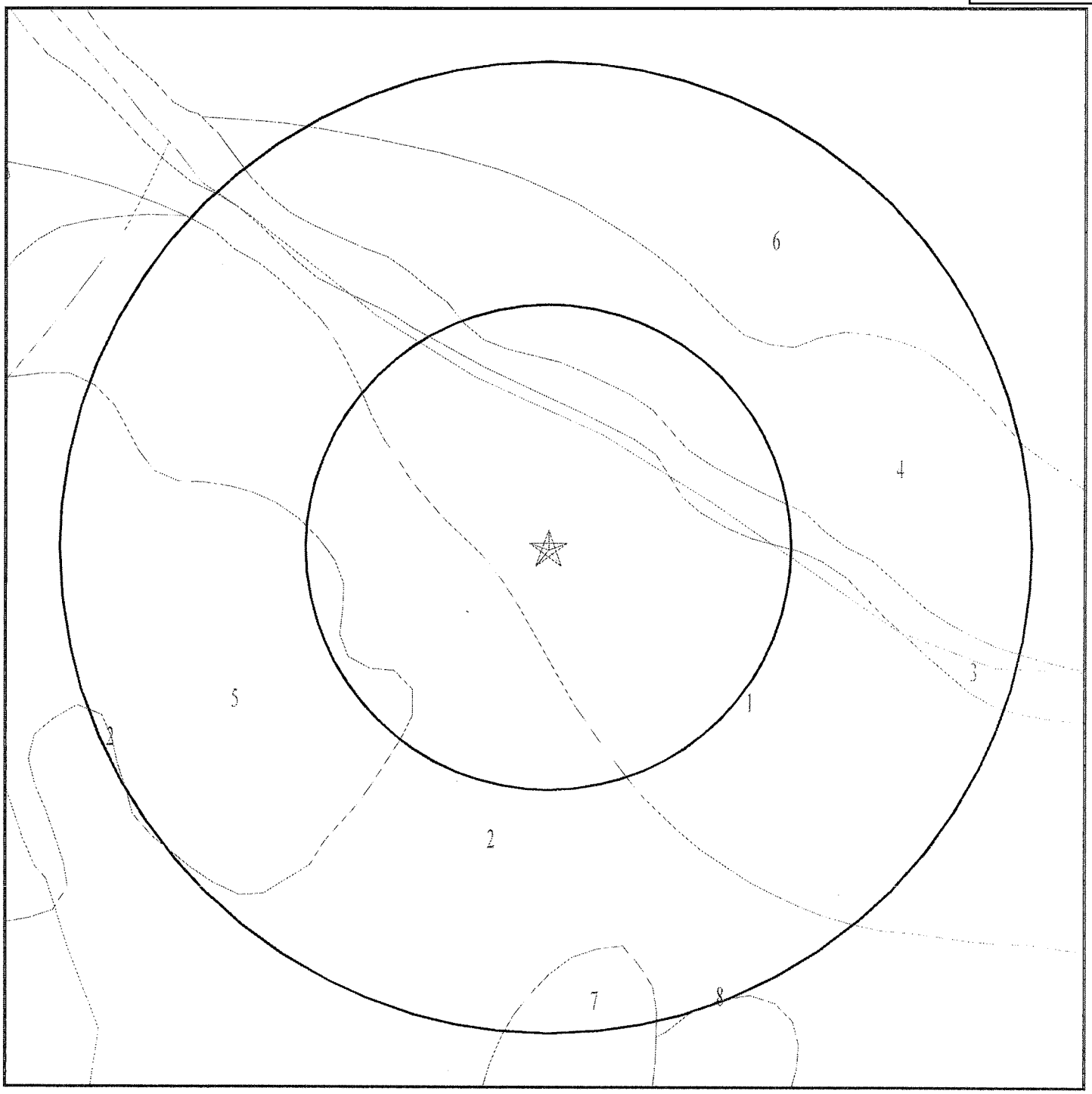
Era:	Paleozoic
System:	Pennsylvanian
Series:	Upper Paleozoic
Code:	uPz *(decoded above as Era, System & Series)*

GEOLOGIC AGE IDENTIFICATION

Category: Stratified Sequence

Geologic Age and Rock Stratigraphic Unit Source: P.G. Schruben, R.E. Arndt and W.J. Bawiec, Geology of the Conterminous U.S. at 1:2,500,000 Scale - a digital representation of the 1974 P.B. King and H.M. Beikman Map, USGS Digital Data Series DDS - 11 (1994).

SSURGO SOIL MAP - 4309297.2s



Target Property
SSURGO Soil
Water

SITE NAME:	947 Main	CLIENT:	Braun Environmental Inc.
ADDRESS:	947 Main Street Minturn CO 81645	CONTACT:	Art Braun
LAT/LONG:	39.5787 / 106.4197	INQUIRY #:	4309297.2s
		DATE:	May 29, 2015 11:33 am

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GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

DOMINANT SOIL COMPOSITION IN GENERAL AREA OF TARGET PROPERTY

The U.S. Department of Agriculture's (USDA) Soil Conservation Service (SCS) leads the National Cooperative Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. The following information is based on Soil Conservation Service SSURGO data.

Soil Map ID: 1

Soil Component Name: Forsey

Soil Surface Texture: cobbly loam

Hydrologic Group: Class B - Moderate infiltration rates. Deep and moderately deep, moderately well and well drained soils with moderately coarse textures.

Soil Drainage Class: Well drained

Hydric Status: Not hydric

Corrosion Potential - Uncoated Steel: High

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information

	Boundary			Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil		
1	0 inches	9 inches	cobbly loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	FINE-GRAINED SOILS, Silts and Clays (liquid limit less than 50%), Lean Clay. FINE-GRAINED SOILS, Silts and Clays (liquid limit less than 50%), silt.	Max: 42.34 Min: 4.23	Max: 7.8 Min: 6.6
2	9 inches	22 inches	very cobbly clay loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Clayey Soils.	COARSE-GRAINED SOILS, Gravels, Gravels with fines, Clayey Gravel	Max: 4.23 Min: 1.41	Max: 7.8 Min: 6.6
3	22 inches	59 inches	very cobbly sandy clay loam	Granular materials (35 pct. or less passing No. 200), Stone Fragments, Gravel and Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Clayey sand. COARSE-GRAINED SOILS, Sands, Sands with fines, Silty Sand.	Max: 14.11 Min: 1.41	Max: 8.4 Min: 7.9

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

Soil Map ID: 2

Soil Component Name: Ansel

Soil Surface Texture: loam

Hydrologic Group: Class B - Moderate infiltration rates. Deep and moderately deep, moderately well and well drained soils with moderately coarse textures.

Soil Drainage Class: Well drained

Hydric Status: Not hydric

Corrosion Potential - Uncoated Steel: Moderate

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information

	Boundary			Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil		
1	0 inches	22 inches	loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	FINE-GRAINED SOILS, Silts and Clays (liquid limit less than 50%), Lean Clay	Max: 42.34 Min: 4.23	Max: 7.3 Min: 6.1
2	22 inches	48 inches	stony clay loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Clayey Soils.	FINE-GRAINED SOILS, Silts and Clays (liquid limit less than 50%), Lean Clay	Max: 4.23 Min: 1.41	Max: 7.3 Min: 6.1
3	48 inches	59 inches	clay loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Clayey Soils.	FINE-GRAINED SOILS, Silts and Clays (liquid limit less than 50%), Lean Clay	Max: 4.23 Min: 1.41	Max: 7.3 Min: 6.1

Soil Map ID: 3

Soil Component Name: Water

Soil Surface Texture: loam

Hydrologic Group: Class B - Moderate infiltration rates. Deep and moderately deep, moderately well and well drained soils with moderately coarse textures.

Soil Drainage Class:

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

Hydric Status: Partially hydric

Corrosion Potential - Uncoated Steel: Not Reported

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 0 inches

No Layer Information available.

Soil Map ID: 4

Soil Component Name: Forsey

Soil Surface Texture: cobbly loam

Hydrologic Group: Class B - Moderate infiltration rates. Deep and moderately deep, moderately well and well drained soils with moderately coarse textures.

Soil Drainage Class: Well drained

Hydric Status: Not hydric

Corrosion Potential - Uncoated Steel: High

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information

	Boundary			Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil		
1	0 inches	9 inches	cobbly loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	COARSE-GRAINED SOILS, Sands, Sands with fines, Clayey sand. COARSE-GRAINED SOILS, Sands, Sands with fines, Silty Sand.	Max: 42.34 Min: 4.23	Max: 7.8 Min: 6.6
2	9 inches	22 inches	very cobbly clay loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Clayey Soils.	COARSE-GRAINED SOILS, Gravels, Gravels with fines, Clayey Gravel	Max: 4.23 Min: 1.41	Max: 7.8 Min: 6.6

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

Soil Layer Information							
	Boundary			Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil		
3	22 inches	59 inches	very cobbly sandy clay loam	Granular materials (35 pct. or less passing No. 200), Stone Fragments, Gravel and Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Clayey sand.	Max: 14.11 Min: 1.41	Max: 8.4 Min: 7.9

Soil Map ID: 5

Soil Component Name: Cochetopa

Soil Surface Texture: loam

Hydrologic Group: Class C - Slow infiltration rates. Soils with layers impeding downward movement of water, or soils with moderately fine or fine textures.

Soil Drainage Class: Well drained

Hydric Status: Not hydric

Corrosion Potential - Uncoated Steel: Moderate

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
	Boundary			Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil		
1	0 inches	3 inches	loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	FINE-GRAINED SOILS, Silts and Clays (liquid limit less than 50%), Lean Clay. FINE-GRAINED SOILS, Silts and Clays (liquid limit less than 50%), silt.	Max: 14.11 Min: 4.23	Max: 7.3 Min: 6.6

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

Soil Layer Information							
	Boundary			Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil		
2	3 inches	38 inches	clay loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Clayey Soils.	FINE-GRAINED SOILS, Silts and Clays (liquid limit less than 50%), Lean Clay	Max: 4.23 Min: 1.41	Max: 7.3 Min: 6.6
3	38 inches	59 inches	gravelly clay loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Clayey Soils.	COARSE-GRAINED SOILS, Sands, Sands with fines, Clayey sand.	Max: 4.23 Min: 1.41	Max: 7.3 Min: 6.6

Soil Map ID: 6

Soil Component Name: Torriorthents

Soil Surface Texture: variable

Hydrologic Group: Class D - Very slow infiltration rates. Soils are clayey, have a high water table, or are shallow to an impervious layer.

Soil Drainage Class: Well drained

Hydric Status: Not hydric

Corrosion Potential - Uncoated Steel: High

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
	Boundary			Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil		
1	0 inches	3 inches	variable	Not reported	Not reported	Max: 14.1 Min: 4.23	Max: 8.4 Min: 6.1
2	3 inches	29 inches	fine sandy loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Clayey Soils.	COARSE-GRAINED SOILS, Sands, Sands with fines, Silty Sand.	Max: 14.11 Min: 4.23	Max: 8.4 Min: 6.1

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

Soil Layer Information							
	Boundary			Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil		
3	29 inches	33 inches	unweathered bedrock	Not reported	Not reported	Max: 1.41 Min: 0.42	Max: Min:

Soil Map ID: 7

Soil Component Name: Forsey

Soil Surface Texture: cobbly loam

Hydrologic Group: Class B - Moderate infiltration rates. Deep and moderately deep, moderately well and well drained soils with moderately coarse textures.

Soil Drainage Class: Well drained

Hydric Status: Not hydric

Corrosion Potential - Uncoated Steel: High

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
	Boundary			Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil		
1	0 inches	9 inches	cobbly loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	FINE-GRAINED SOILS, Silts and Clays (liquid limit less than 50%), Lean Clay. FINE-GRAINED SOILS, Silts and Clays (liquid limit less than 50%), silt.	Max: 42.34 Min: 4.23	Max: 7.8 Min: 6.6
2	9 inches	22 inches	very cobbly clay loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Clayey Soils.	COARSE-GRAINED SOILS, Gravels, Gravels with fines, Clayey Gravel	Max: 4.23 Min: 1.41	Max: 7.8 Min: 6.6

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

Soil Layer Information							
	Boundary			Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil		
3	22 inches	59 inches	very cobbly sandy clay loam	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Clayey sand.	Max: 14.11 Min: 1.41	Max: 8.4 Min: 7.9

Soil Map ID: 8

Soil Component Name: Jerry

Soil Surface Texture: loam

Hydrologic Group: Class C - Slow infiltration rates. Soils with layers impeding downward movement of water, or soils with moderately fine or fine textures.

Soil Drainage Class: Well drained

Hydric Status: Not hydric

Corrosion Potential - Uncoated Steel: High

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
	Boundary			Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil		
1	0 inches	11 inches	loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	FINE-GRAINED SOILS, Silts and Clays (liquid limit less than 50%), Lean Clay	Max: 42.34 Min: 4.23	Max: 7.8 Min: 7.4
2	11 inches	33 inches	channery clay loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Clayey Soils.	FINE-GRAINED SOILS, Silts and Clays (liquid limit less than 50%), Lean Clay	Max: 4.23 Min: 1.41	Max: 8.4 Min: 7.4

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

Soil Layer Information							
	Boundary			Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil		
3	33 inches	59 inches	very channery clay loam	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	COARSE-GRAINED SOILS, Gravels, Gravels with fines, Clayey Gravel	Max: 4.23 Min: 1.41	Max: 8.4 Min: 7.4

LOCAL / REGIONAL WATER AGENCY RECORDS

EDR Local/Regional Water Agency records provide water well information to assist the environmental professional in assessing sources that may impact ground water flow direction, and in forming an opinion about the impact of contaminant migration on nearby drinking water wells.

WELL SEARCH DISTANCE INFORMATION

DATABASE	SEARCH DISTANCE (miles)
Federal USGS	1.000
Federal FRDS PWS	Nearest PWS within 1 mile
State Database	1.000

FEDERAL USGS WELL INFORMATION

MAP ID	WELL ID	LOCATION FROM TP
E20	USGS40000208985	1/2 - 1 Mile SSE

FEDERAL FRDS PUBLIC WATER SUPPLY SYSTEM INFORMATION

MAP ID	WELL ID	LOCATION FROM TP
19	CO0319218	1/2 - 1 Mile NW

Note: PWS System location is not always the same as well location.

STATE DATABASE WELL INFORMATION

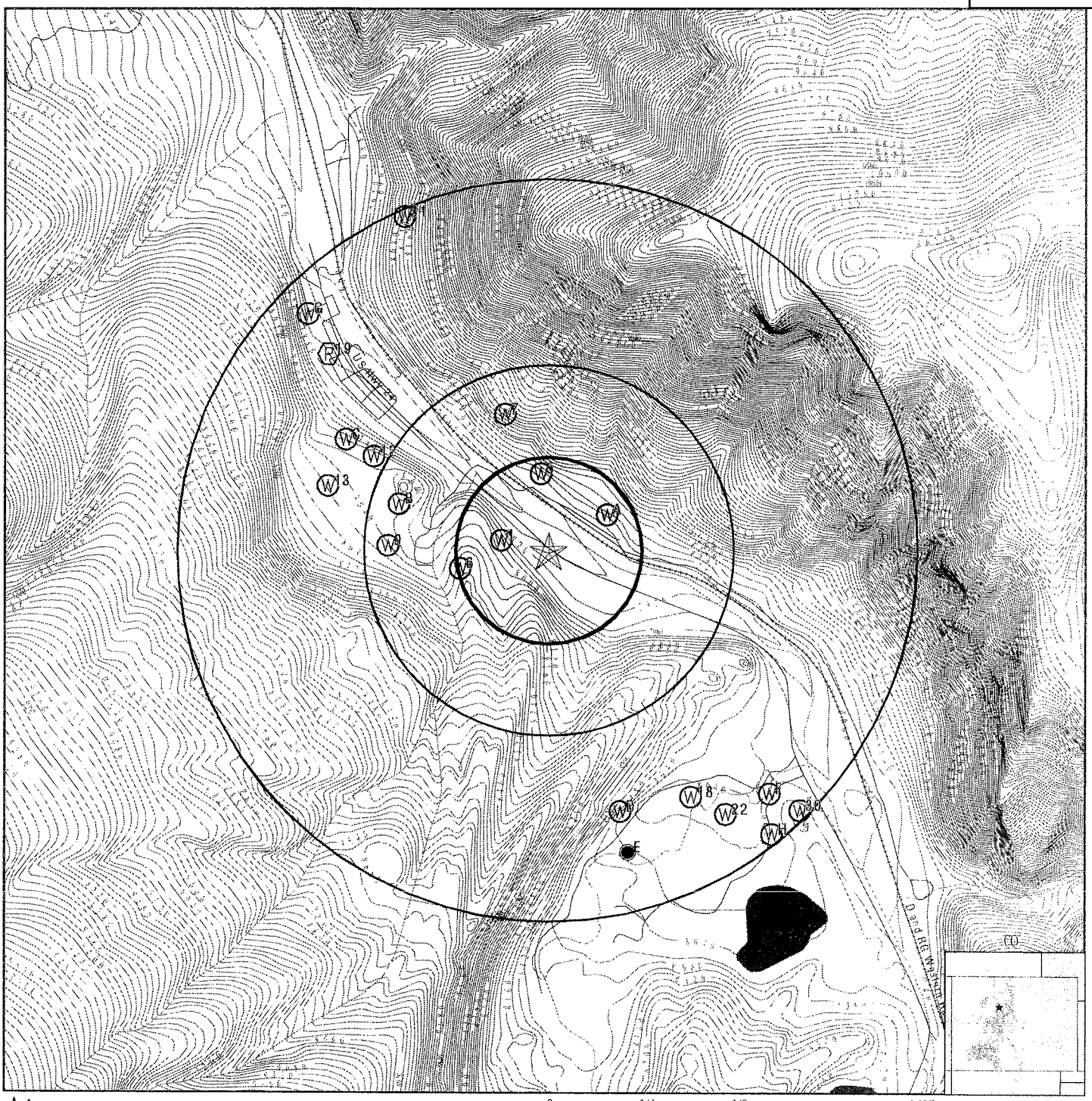
MAP ID	WELL ID	LOCATION FROM TP
1	CO6000000325629	1/8 - 1/4 Mile WNW

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

STATE DATABASE WELL INFORMATION

MAP ID	WELL ID	LOCATION FROM TP
A2	CO6000000249167	1/8 - 1/4 Mile ENE
A3	CO6000000249778	1/8 - 1/4 Mile ENE
A4	CO6000000249822	1/8 - 1/4 Mile ENE
5	CO6000000175288	1/8 - 1/4 Mile North
6	CO6000000297881	1/8 - 1/4 Mile WSW
7	CO6000000249821	1/4 - 1/2 Mile NNW
B8	CO6000000287231	1/4 - 1/2 Mile WNW
9	CO6000000397297	1/4 - 1/2 Mile West
B10	CO6000000356676	1/4 - 1/2 Mile WNW
B11	CO6000000452612	1/4 - 1/2 Mile WNW
12	CO6000000150371	1/2 - 1 Mile WNW
13	CO6000000450862	1/2 - 1 Mile WNW
C14	CO6000000199287	1/2 - 1 Mile WNW
C15	CO6000000431111	1/2 - 1 Mile WNW
D16	CO6000000220893	1/2 - 1 Mile SSE
D17	CO6000000223775	1/2 - 1 Mile SSE
18	CO6000000150098	1/2 - 1 Mile SSE
E21	CO6000000398855	1/2 - 1 Mile SSE
22	CO6000000338596	1/2 - 1 Mile SE
F23	CO6000000480938	1/2 - 1 Mile SE
F24	CO6000000480939	1/2 - 1 Mile SE
G25	CO6000000249819	1/2 - 1 Mile NW
G26	CO6000000249820	1/2 - 1 Mile NW
H27	CO6000000310407	1/2 - 1 Mile SE
H28	CO6000000310404	1/2 - 1 Mile SE
H29	CO6000000310405	1/2 - 1 Mile SE
30	CO6000000245263	1/2 - 1 Mile SE
31	CO6000000204914	1/2 - 1 Mile NNW
H32	CO6000000310409	1/2 - 1 Mile SE
H33	CO6000000310406	1/2 - 1 Mile SE

PHYSICAL SETTING SOURCE MAP - 4309297.2s



- County Boundary
- Major Roads
- Contour Lines
- Earthquake epicenter, Richter 5 or greater
- Water Wells
- Public Water Supply Wells
- Cluster of Multiple Icons
- Groundwater Flow Direction
- Indeterminate Groundwater Flow at Location
- Groundwater Flow Varies at Location
- Oil, gas or related wells

SITE NAME:	947 Main	CLIENT:	Braun Environmental Inc.
ADDRESS:	947 Main Street Minturn CO 81645	CONTACT:	Art Braun
		INQUIRY #:	4309297.2s
LAT/LONG:	39.5787 / 106.4197	DATE:	May 29, 2015 11:33 am

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GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

	Database	EDR ID Number
1		
WNW	**CO WELLS**	**CO6000000325629**
1/8 - 1/4 Mile		
Higher		

Fid:	325628	Objectid:	325629
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=0293182		
Receipt:	0293182	Permit:	152970-
Wdid:	Not Reported	Currstatus:	Well Constructed
Wellname:	Not Reported	Caseno:	Not Reported
Div:	5	Wd:	37
County:	EAGLE	Mgmtdist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	19-2103-351-09-003
Parcelsize:	12.2		
Pm:	S	Township:	5.0 S
Range:	81.0 W	Section :	35
Q160:	NE	Q40:	NW
Q10:	Not Reported	Coordew:	2200
Coordewdir:	E	Coordns:	1100
Coordnsdir:	N		
Utmx:	377866.3		
Utmy:	4382010.4		
Locaccurac:	Spotted from section lines		
Latdecdeg:	39.579113		
Longdecdeg:	-106.422092		
Use1:	HOUSEHOLD USE ONLY	Use2:	Not Reported
Specialuse:	HUO PRIOR TO HB1111 AMENDATORY	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	acres		
Annappropr:	0		
Permissued:	1988-11-23		
Permexpire:	1990-11-23		
Wellconstr:	1990-07-28		
Firstbenef:	Not Reported		
Pumpinstal:	Not Reported		
Wellplugge:	Not Reported		
Comment :	Only well on 12.2 acre tract. Limit use to HUO, being 1 SFD & water non-commercial domestic animals. Tax #R043549. dmw		
Elev:	0	Welldepth:	300
Topperfcas:	180	Botperfcas:	300
Yield:	4		
Staticwl:	180		
Applicantn:	MEDINA FRANK		
Completewe:	1	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	377866.3		
Disputmy:	4382010.4		
Latitude:	39.5791130064		
Longitude:	-106.422091733		
Site id:	CO6000000325629		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

Database	EDR ID Number
CO WELLS	**CO6000000249167**

A2
ENE
1/8 - 1/4 Mile
Higher

Fid:	249166	Objectid:	249167
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=0048485		
Receipt:	0048485	Permit:	48485-MH
Wdid:	Not Reported	Currstatus:	Permit Expired
Wellname:	Not Reported	Caseno:	Not Reported
Div:	5	Wd:	37
County:	EAGLE	Mgmtdist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	0		
Pm:	S	Township:	5.0 S
Range:	81.0 W	Section :	35
Q160:	NE	Q40:	NE
Q10:	Not Reported	Coordew:	0
Coordewdir:	Not Reported	Coordns:	0
Coordnsdir:	Not Reported		
Utmx:	378326.3		
Utmy:	4382113.5		
Locaccurac:	Spotted from quarters		
Latdecdeg:	39.58011		
Longdecdeg:	-106.41676		
Use1:	OTHER	Use2:	Not Reported
Specialuse:	MONITORING WELL	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	Not Reported		
Annappropr:	0		
Permissued:	2009-04-08		
Permexpire:	2009-07-07		
Wellconstr:	Not Reported		
Firstbenef:	Not Reported		
Pumpinstal:	Not Reported		
Wellplugge:	Not Reported		
Comment :	EXPIRED NOTICE! Drillers log NOT submitted. 3 holes - 996 S Main St - Hwy 24 - Miniturn 81645. Monitor ground water, un		
Elev:	0	Welldepth:	0
Topperfcas:	0	Botperfcas:	0
Yield:	0		
Staticwl:	0		
Applicantn:	LUCERO TONY		
Completewe:	0	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	378326		
Disputmy:	4382113		
Latitude:	39.5801071161		
Longitude:	-106.416756069		
Site id:	CO6000000249167		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

Database	EDR ID Number
CO WELLS	**CO6000000249778**

A3
ENE
1/8 - 1/4 Mile
Higher

Fid:	249777	Objectid:	249778
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=0048857		
Receipt:	0048857	Permit:	48857-MH
Wdid:	Not Reported	Currstatus:	Permit Issued; Completion Status Unknown
Wellname:	Not Reported	Caseno:	Not Reported
Div:	5	Wd:	37
County:	EAGLE	Mgmtdist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	0		
Pm:	S	Township:	5.0 S
Range:	81.0 W	Section :	35
Q160:	NE	Q40:	NE
Q10:	Not Reported	Coordew:	0
Coordewdir:	Not Reported	Coordns:	0
Coordnsdir:	Not Reported		
Utmx:	378326.3		
Utmy:	4382113.5		
Locaccurac:	Spotted from quarters		
Latdecdeg:	39.580107		
Longdecdeg:	-106.416756		
Use1:	OTHER	Use2:	Not Reported
Specialuse:	MONITORING WELL	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	Not Reported		
Annappropr:	0		
Permissued:	2009-09-29		
Permexpire:	2009-12-28		
Wellconstr:	Not Reported		
Firstbenef:	Not Reported		
Pumpinstal:	Not Reported		
Wellplugge:	Not Reported		
Comment :	EXPIRED NOTICE! Drillers log NOT submitted. 3 holes - 996 S Main St - Hwy 24 - Miniturn 81645. Monitor ground water, un		
Elev:	0	Welldepth:	0
Topperfcas:	0	Botperfcas:	0
Yield:	0		
Staticwl:	0		
Applicantn:	LUCERO TONY		
Completewe:	2	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	378336.3		
Disputmy:	4382141.2		
Latitude:	39.5801071161		
Longitude:	-106.416756069		
Site id:	CO6000000249778		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

Database	EDR ID Number
CO WELLS	**CO6000000249822**

A4
ENE
1/8 - 1/4 Mile
Higher

Fid:	249821	Objectid:	249822
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=0048883		
Receipt:	0048883	Permit:	48883-MH
Wdid:	Not Reported	Currstatus:	Permit Expired
Wellname:	Not Reported	Caseno:	Not Reported
Div:	5	Wd:	37
County:	EAGLE	Mgmtdist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	0		
Pm:	S	Township:	5.0 S
Range:	81.0 W	Section :	35
Q160:	NE	Q40:	NE
Q10:	Not Reported	Coordew:	0
Coordewdir:	Not Reported	Coordns:	0
Coordnsdir:	Not Reported		
Utmx:	378326.3		
Utmy:	4382113.5		
Locaccurac:	Spotted from quarters		
Latdecdeg:	39.580107		
Longdecdeg:	-106.416756		
Use1:	OTHER	Use2:	Not Reported
Specialuse:	MONITORING WELL	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	Not Reported		
Annappropr:	0		
Permissued:	2009-10-14		
Permexpire:	2010-01-12		
Wellconstr:	Not Reported		
Firstbenef:	Not Reported		
Pumpinstal:	Not Reported		
Wellplugge:	Not Reported		
Comment :	EXPIRED NOTICE! Drillers log NOT submitted. Slug testing for hydraulic conductivity data. dmw 06/02/11		
Elev:	0	Welldepth:	0
Topperfcas:	0	Botperfcas:	0
Yield:	0		
Staticwl:	0		
Applicantn:	MINITURN TOWN OF		
Completewe:	2	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	378345.3		
Disputmy:	4382136		
Latitude:	39.5801071161		
Longitude:	-106.416756069		
Site id:	CO6000000249822		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

Database	EDR ID Number
CO WELLS	**CO6000000175288**

5
North
1/8 - 1/4 Mile
Higher

Fid:	175287	Objectid:	175288
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=9503461		
Receipt:	9503461	Permit:	285851-
Wdid:	Not Reported	Currstatus:	Well Constructed
Wellname:	Not Reported	Caseno:	Not Reported
Div:	5	Wd:	37
County:	EAGLE	Mgmtdist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	RIVER VIEW CEMETERY		
Filing:	Not Reported	Lot:	2
Block:	Not Reported	Ctyparclid:	19-2103-351-10-002
Parcelsize:	2.3699999		
Pm:	S	Township:	5.0 S
Range:	81.0 W	Section :	35
Q160:	NE	Q40:	NW
Q10:	Not Reported	Coordew:	1609
Coordewdir:	E	Coordns:	144
Coordnsdir:	N		
Utmx:	378043.3		
Utmy:	4382295.5		
Locaccurac:	Spotted from section lines		
Latdecdeg:	39.581706		
Longdecdeg:	-106.420084		
Use1:	COMMERCIAL	Use2:	Not Reported
Specialuse:	Not Reported	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	Not Reported		
Annappropr:	0		
Permissued:	2011-06-02		
Permexpire:	2013-06-02		
Wellconstr:	2011-10-12		
Firstbenef:	Not Reported		
Pumpinstal:	Not Reported		
Wellplugge:	Not Reported		
Comment :	RULE 6.2.3 = LOCATION! Only well on 2.37 acre tract. Limit use to exempt commercial, being, drinking and sanitary facilities		
Elev:	0	Welldepth:	100
Topperfcas:	60	Botperfcas:	100
Yield:	15		
Staticwl:	37		
Applicantn:	MINTURN CEMETERY DISTRICT		
Completewe:	1	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	378043.3		
Disputmy:	4382295.5		
Latitude:	39.5817062968		
Longitude:	-106.420083807		
Site id:	CO6000000175288		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

	Database	EDR ID Number
6 WSW 1/8 - 1/4 Mile Higher	**CO WELLS**	**CO6000000297881**

Fid:	297880	Objectid:	297881
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=0240323		
Receipt:	0240323	Permit:	133478-
Wdid:	Not Reported	Currstatus:	Well Constructed
Wellname:	MCFARLANE WELL NO. 1	Caseno:	Not Reported
Div:	5	Wd:	37
County:	EAGLE	Mgmtdist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	45.139999		
Pm:	S	Township:	5.0 S
Range:	81.0 W	Section :	35
Q160:	NW	Q40:	SE
Q10:	Not Reported	Coordew:	2800
Coordewdir:	E	Coordns:	1500
Coordnsdir:	N		
Utmx:	377684.5		
Utmy:	4381890.3		
Locaccurac:	User supplied		
Latdecdeg:	39.578005		
Longdecdeg:	-106.424185		
Use1:	DOMESTIC	Use2:	Not Reported
Specialuse:	ISSUED UNDER PRESUMPTION OF BENEFIT	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	1		
Permitunit:	ACRES		
Annappropr:	0		
Permissued:	1983-11-04		
Permexpire:	Not Reported		
Wellconstr:	1984-02-21		
Firstbenef:	Not Reported		
Pumpinstal:	1984-04-19		
Wellplugge:	Not Reported		
Comment :	Only well on 45.14 acre tract. Permit should be amended for full use per SE policy 93-4. Limit use to 1 SFD, 1 acre lawn & ga		
Elev:	0	Welldepth:	245
Topperfcas:	120	Botperfcas:	245
Yield:	8		
Staticwl:	101		
Applicantn:	MCFARLANE WILLIS		
Completewe:	1	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	377684.5		
Disputmy:	4381890.3		
Latitude:	39.5780052637		
Longitude:	-106.424185805		
Site id:	CO6000000297881		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

Database	EDR ID Number
CO WELLS	**CO6000000249821**

7
NNW
1/4 - 1/2 Mile
Higher

Fid:	249820	Objectid:	249821
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=0048882		
Receipt:	0048882	Permit:	48882-MH
Wdid:	Not Reported	Currstatus:	Permit Issued; Completion Status Unknown
Wellname:	Not Reported	Caseno:	Not Reported
Div:	5	Wd:	37
County:	EAGLE	Mgmtdist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	0		
Pm:	S	Township:	5.0 S
Range:	81.0 W	Section :	26
Q160:	SE	Q40:	SW
Q10:	Not Reported	Coordew:	0
Coordewdir:	Not Reported	Coordns:	0
Coordnsdir:	Not Reported		
Utmx:	377891.3		
Utmy:	4382555.5		
Locaccurac:	Spotted from quarters		
Latdecdeg:	39.584026		
Longdecdeg:	-106.421901		
Use1:	OTHER	Use2:	Not Reported
Specialuse:	MONITORING WELL	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	Not Reported		
Annappropr:	0		
Permissued:	2009-10-14		
Permexpire:	2010-01-12		
Wellconstr:	Not Reported		
Firstbenef:	Not Reported		
Pumpinstal:	Not Reported		
Wellplugge:	Not Reported		
Comment :	Not Reported		
Elev:	0	Welldepth:	0
Topperfcas:	0	Botperfcas:	0
Yield:	0		
Staticwl:	0		
Applicantn:	MINITURN TOWN OF		
Completewe:	0	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	377891.3		
Disputmy:	4382555.5		
Latitude:	39.5840266511		
Longitude:	-106.421901079		
Site id:	CO6000000249821		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

	Database	EDR ID Number
B8 WNW 1/4 - 1/2 Mile Higher	**CO WELLS**	**CO6000000287231**

Fid:	287230	Objectid:	287231
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=0221387		
Receipt:	0221387	Permit:	106691-
Wdid:	Not Reported	Currstatus:	Permit Expired
Wellname:	MARSHALL WELL NO. 1	Caseno:	Not Reported
Div:	5	Wd:	37
County:	EAGLE	Mgmtdist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	49.59		
Pm:	S	Township:	5.0 S
Range:	81.0 W	Section :	35
Q160:	NW	Q40:	NE
Q10:	Not Reported	Coordew:	2000
Coordewdir:	W	Coordns:	600
Coordnsdir:	N		
Utmx:	377462		
Utmy:	4382171.9		
Locaccurac:	Spotted from section lines		
Latdecdeg:	39.58051		
Longdecdeg:	-106.426828		
Use1:	DOMESTIC	Use2:	Not Reported
Specialuse:	ISSUED UNDER PRESUMPTIVE DILIGENCE	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	1		
Permitunit:	ACRES		
Annappropr:	0		
Permissued:	1981-12-01		
Permexpire:	1984-12-01		
Wellconstr:	Not Reported		
Firstbenef:	Not Reported		
Pumpinstal:	Not Reported		
Wellplugge:	Not Reported		
Comment :	EXPIRED PERMIT! Drillers log NOT submitted. Reapplication & Reinstatement of #106691 (EP, 05/22/81). Only well on 49.5		
Elev:	0	Welldepth:	0
Topperfcas:	0	Botperfcas:	0
Yield:	0		
Staticwl:	0		
Applicantn:	MARSHALL JOHN		
Completewe:	0	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	377462		
Disputmy:	4382171.9		
Latitude:	39.5805100447		
Longitude:	-106.426827759		
Site id:	CO6000000287231		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

	Database	EDR ID Number
9		
West	**CO WELLS**	**CO6000000397297**
1/4 - 1/2 Mile		
Higher		

Fid:	397296	Objectid:	397297
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=0409377		
Receipt:	0409377	Permit:	200892-
Wdid:	Not Reported	Currstatus:	Well Constructed
Wellname:	Not Reported	Caseno:	Not Reported
Div:	5	Wd:	37
County:	EAGLE	Mgmtdist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	KING RANCH		
Filing:	Not Reported	Lot:	A
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	35.709999		
Pm:	S	Township:	5.0 S
Range:	81.0 W	Section :	35
Q160:	NW	Q40:	NE
Q10:	Not Reported	Coordew:	1600
Coordewdir:	W	Coordns:	1200
Coordnsdir:	N		
Utmx:	377370.8		
Utmy:	4381993.9		
Locaccurac:	Spotted from section lines		
Latdecdeg:	39.578894		
Longdecdeg:	-106.427856		
Use1:	DOMESTIC	Use2:	Not Reported
Specialuse:	ISSUED UNDER PRESUMPTIVE DIL	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	acres		
Annappropr:	0		
Permissued:	1997-02-06		
Permexpire:	1999-02-06		
Wellconstr:	1997-05-09		
Firstbenef:	Not Reported		
Pumpinstal:	1997-07-23		
Wellplugge:	Not Reported		
Comment :	3SFD, 1AC IRR, ANIMALS, ONLY WELL ON 35.7 AC		
Elev:	0	Welldepth:	145
Topperfcas:	105	Botperfcas:	145
Yield:	15		
Staticwl:	60		
Applicantn:	POUCHER RALPH & ANN		
Completewe:	1	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	377370.8		
Disputmy:	4381993.9		
Latitude:	39.5788936401		
Longitude:	-106.427856472		
Site id:	CO6000000397297		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

Database	EDR ID Number
CO WELLS	**CO6000000356676**

B10
WNW
1/4 - 1/2 Mile
Higher

Fid:	356675	Objectid:	356676
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=0352172		
Receipt:	0352172	Permit:	171014-
Wdid:	Not Reported	Currstatus:	Permit Canceled
Wellname:	#1	Caseno:	Not Reported
Div:	5	Wd:	37
County:	EAGLE	Mgmtdist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	0		
Pm:	S	Township:	5.0 S
Range:	81.0 W	Section :	35
Q160:	NW	Q40:	NE
Q10:	Not Reported	Coordew:	1800
Coordewdir:	W	Coordns:	600
Coordnsdir:	N		
Utmx:	377401.1		
Utmy:	4382173.4		
Locaccurac:	Spotted from section lines		
Latdecdeg:	39.580515		
Longdecdeg:	-106.427537		
Use1:	DOMESTIC	Use2:	Not Reported
Specialuse:	ISSUED UNDER PRESUMPTIVE DOMESTIC	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	acres		
Annappropr:	0		
Permissued:	1993-07-12		
Permexpire:	1995-07-12		
Wellconstr:	1993-08-23		
Firstbenef:	Not Reported		
Pumpinstal:	1993-09-15		
Wellplugge:	Not Reported		
Comment :	3SF, 1 AC IRR, DOM ANIMALS, ONLY WELL ON 50 ACRES		
Elev:	0	Welldepth:	154
Topperfcas:	100	Botperfcas:	154
Yield:	12		
Staticwl:	105		
Applicantn:	BECK CLAIRE K		
Completewe:	0	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	377401		
Disputmy:	4382173		
Latitude:	39.580514848		
Longitude:	-106.427536946		
Site id:	CO6000000356676		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

	Database	EDR ID Number
B11		
WNW	**CO WELLS**	**CO6000000452612**
1/4 - 1/2 Mile		
Higher		

Fid:	452611	Objectid:	452612
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=0493917		
Receipt:	0493917	Permit:	241890-
Wdid:	Not Reported	Currstatus:	Well Constructed
Wellname:	Not Reported	Caseno:	Not Reported
Div:	5	Wd:	39
County:	EAGLE	Mgmtdist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	GROUSE BAR RANCH		
Filing:	Not Reported	Lot:	1
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	35.689999		
Pm:	S	Township:	5.0 S
Range:	81.0 W	Section :	35
Q160:	NW	Q40:	NE
Q10:	Not Reported	Coordew:	1800
Coordewdir:	W	Coordns:	600
Coordnsdir:	N		
Utmx:	377401.1		
Utmy:	4382173.4		
Locaccurac:	Spotted from section lines		
Latdecdeg:	39.580515		
Longdecdeg:	-106.427537		
Use1:	DOMESTIC	Use2:	Not Reported
Specialuse:	ISSUED UNDER PRESUMPTION OF BENEFIT	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	1		
Permitunit:	ACRES		
Annappropr:	0		
Permissued:	2002-06-25		
Permexpire:	2004-06-25		
Wellconstr:	1993-08-23		
Firstbenef:	Not Reported		
Pumpinstal:	1993-09-15		
Wellplugge:	Not Reported		
Comment :	Not Reported		
Elev:	0	Welldepth:	154
Topperfcas:	100	Botperfcas:	154
Yield:	12		
Staticwl:	105		
Applicantn:	KEELER CLAIRE		
Completewe:	3	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	377411.3		
Disputmy:	4382201.2		
Latitude:	39.580514848		
Longitude:	-106.427536946		
Site id:	CO6000000452612		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

Database	EDR ID Number
CO WELLS	**CO6000000150371**

12
WNW
1/2 - 1 Mile
Higher

Fid:	150370	Objectid:	150371
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=9113460		
Receipt:	9113460	Permit:	134975-
Wdid:	Not Reported	Currstatus:	Well Constructed
Wellname:	Not Reported	Caseno:	Not Reported
Div:	5	Wd:	37
County:	EAGLE	Mgmtdist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	0		
Pm:	S	Township:	5.0 S
Range:	81.0 W	Section :	26
Q160:	SW	Q40:	SE
Q10:	Not Reported	Coordew:	1620
Coordewdir:	W	Coordns:	80
Coordnsdir:	S		
Utmx:	377315.6		
Utmy:	4382380.9		
Locaccurac:	Spotted from section lines		
Latdecdeg:	39.582372		
Longdecdeg:	-106.428571		
Use1:	HOUSEHOLD USE ONLY	Use2:	Not Reported
Specialuse:	Not Reported	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	acres		
Annappropr:	0		
Permissued:	Not Reported		
Permexpire:	Not Reported		
Wellconstr:	Not Reported		
Firstbenef:	1984-07-07		
Pumpinstal:	Not Reported		
Wellplugge:	Not Reported		
Comment :	Not Reported		
Elev:	0	Welldepth:	191
Topperfcas:	0	Botperfcas:	0
Yield:	10		
Staticwl:	156		
Applicantn:	SPARKS LARRY		
Completewe:	1	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	377315.6		
Disputmy:	4382380.9		
Latitude:	39.5823717016		
Longitude:	-106.428570597		
Site id:	CO6000000150371		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

Database	EDR ID Number
CO WELLS	CO6000000450862

13
WNW
1/2 - 1 Mile
Higher

Fid:	450861	Objectid:	450862
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=0490759		
Receipt:	0490759	Permit:	241889-
Wdid:	Not Reported	Currstatus:	Well Constructed
Wellname:	Not Reported	Caseno:	Not Reported
Div:	5	Wd:	37
County:	EAGLE	Mgmtdist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	GROUSE BAR RANCH		
Filing:	Not Reported	Lot:	2
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	13.9		
Pm:	S	Township:	5.0 S
Range:	81.0 W	Section :	35
Q160:	NW	Q40:	NW
Q10:	Not Reported	Coordew:	900
Coordewdir:	W	Coordns:	350
Coordnsdir:	N		
Utmx:	377113.9		
Utmy:	4382255.9		
Locaccurac:	Spotted from section lines		
Latdecdeg:	39.581217		
Longdecdeg:	-106.430895		
Use1:	HOUSEHOLD USE ONLY	Use2:	Not Reported
Specialuse:	Not Reported	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	Not Reported		
Annappropr:	0		
Permissued:	2002-06-25		
Permexpire:	2004-06-25		
Wellconstr:	2002-07-19		
Firstbenef:	Not Reported		
Pumpinstal:	2002-07-24		
Wellplugge:	Not Reported		
Comment :	ISSUED PER SEO LETTER DATED 12-24-1985 SENT TO EAGLE COUNTY.		
Elev:	0	Welldepth:	170
Topperfcas:	130	Botperfcas:	170
Yield:	15		
Staticwl:	90		
Applicantn:	KEELER CLAIRE		
Completewe:	1	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	377113.9		
Disputmy:	4382255.9		
Latitude:	39.5812168534		
Longitude:	-106.4308954		
Site id:	CO6000000450862		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

Database	EDR ID Number
CO WELLS	**CO6000000199287**

C14
WNW
1/2 - 1 Mile
Higher

Fid:	199286	Objectid:	199287
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=0008657		
Receipt:	0008657	Permit:	130255-
Wdid:	Not Reported	Currstatus:	Well Constructed
Wellname:	Not Reported	Caseno:	Not Reported
Div:	5	Wd:	37
County:	EAGLE	Mgmtdist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	0		
Pm:	S	Township:	5.0 S
Range:	81.0 W	Section :	26
Q160:	SW	Q40:	SW
Q10:	Not Reported	Coordew:	1225
Coordewdir:	W	Coordns:	315
Coordnsdir:	S		
Utmx:	377195.7		
Utmy:	4382455		
Locaccurac:	Spotted from section lines		
Latdecdeg:	39.583022		
Longdecdeg:	-106.42998		
Use1:	DOMESTIC	Use2:	Not Reported
Specialuse:	Not Reported	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	acres		
Annappropr:	0		
Permissued:	1983-05-06		
Permexpire:	1985-05-06		
Wellconstr:	1983-07-09		
Firstbenef:	Not Reported		
Pumpinstal:	Not Reported		
Wellplugge:	Not Reported		
Comment :	Not Reported		
Elev:	0	Welldepth:	160
Topperfcas:	90	Botperfcas:	150
Yield:	7		
Staticwl:	90		
Applicantn:	BURNETT HAROLD P		
Completewe:	1	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	377195		
Disputmy:	4382455		
Latitude:	39.5830219978		
Longitude:	-106.429980057		
Site id:	CO6000000199287		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

	Database	EDR ID Number
C15		
WNW	**CO WELLS**	**CO6000000431111**
1/2 - 1 Mile		
Higher		

Fid:	431110	Objectid:	431111
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=0457646		
Receipt:	0457646	Permit:	130255--A
Wdid:	Not Reported	Currstatus:	Well Constructed
Wellname:	Not Reported	Caseno:	Not Reported
Div:	5	Wd:	37
County:	EAGLE	Mgmtdist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	20		
Pm:	S	Township:	5.0 S
Range:	81.0 W	Section :	26
Q160:	SW	Q40:	SW
Q10:	Not Reported	Coordew:	1225
Coordewdir:	W	Coordns:	315
Coordnsdir:	S		
Utmx:	377195.7		
Utmy:	4382455.4		
Locaccurac:	Spotted from section lines		
Latdecdeg:	39.583026		
Longdecdeg:	-106.42998		
Use1:	HOUSEHOLD USE ONLY	Use2:	Not Reported
Specialuse:	Not Reported	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	Not Reported		
Annappropr:	0		
Permissued:	2000-03-03		
Permexpire:	2002-03-03		
Wellconstr:	2000-04-12		
Firstbenef:	Not Reported		
Pumpinstal:	2000-04-18		
Wellplugge:	Not Reported		
Comment :	Not Reported		
Elev:	0	Welldepth:	237
Topperfcas:	157	Botperfcas:	237
Yield:	5		
Staticwl:	137		
Applicantn:	BURNETT HAROLD PETE		
Completewe:	3	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	377205.3		
Disputmy:	4382483.2		
Latitude:	39.5830256005		
Longitude:	-106.429980131		
Site id:	CO6000000431111		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

Database	EDR ID Number
CO WELLS	**CO6000000220893**

D16
SSE
1/2 - 1 Mile
Higher

Fid:	220892	Objectid:	220893
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=0026195		
Receipt:	0026195	Permit:	26195-MH
Wdid:	Not Reported	Currstatus:	Permit Expired
Wellname:	Not Reported	Caseno:	Not Reported
Div:	5	Wd:	37
County:	EAGLE	Mgmtdist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	0		
Pm:	S	Township:	5.0 S
Range:	81.0 W	Section :	35
Q160:	SE	Q40:	SE
Q10:	Not Reported	Coordew:	0
Coordewdir:	Not Reported	Coordns:	0
Coordnsdir:	Not Reported		
Utmx:	378364.8		
Utmy:	4380825.8		
Locaccurac:	Spotted from quarters		
Latdecdeg:	39.568513		
Longdecdeg:	-106.416072		
Use1:	OTHER	Use2:	Not Reported
Specialuse:	MONITORING WELL	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	acres		
Annappropr:	0		
Permissued:	1995-07-25		
Permexpire:	1995-10-25		
Wellconstr:	Not Reported		
Firstbenef:	Not Reported		
Pumpinstal:	Not Reported		
Wellplugge:	Not Reported		
Comment :	EXPIRED NOTICE! Drillers log not submitted. X-refer file no. 28616-MH. dmw 06/02/11		
Elev:	0	Welldepth:	0
Topperfcas:	0	Botperfcas:	0
Yield:	0		
Staticwl:	0		
Applicantn:	MINTURN TOWN OF		
Completewe:	0	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	378364		
Disputmy:	4380825		
Latitude:	39.5685133557		
Longitude:	-106.416071842		
Site id:	CO6000000220893		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

	Database	EDR ID Number
D17		
SSE	**CO WELLS**	**CO6000000223775**
1/2 - 1 Mile		
Higher		

Fid:	223774	Objectid:	223775
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=0028616		
Receipt:	0028616	Permit:	28616-MH
Wdid:	Not Reported	Currstatus:	Permit Issued; Completion Status Unknown
Wellname:	Not Reported	Caseno:	Not Reported
Div:	5	Wd:	37
County:	EAGLE	Mgmtdist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	0		
Pm:	S	Township:	5.0 S
Range:	81.0 W	Section :	35
Q160:	SE	Q40:	SE
Q10:	Not Reported	Coordew:	0
Coordewdir:	Not Reported	Coordns:	0
Coordnsdir:	Not Reported		
Utmx:	378364.8		
Utmy:	4380825.8		
Locaccurac:	Spotted from quarters		
Latdecdeg:	39.568513		
Longdecdeg:	-106.416072		
Use1:	OTHER	Use2:	Not Reported
Specialuse:	MONITORING WELL	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	acres		
Annappropr:	0		
Permissued:	1996-07-11		
Permexpire:	1996-10-11		
Wellconstr:	Not Reported		
Firstbenef:	Not Reported		
Pumpinstal:	Not Reported		
Wellplugge:	Not Reported		
Comment :	X-refer file no. 13700-F-R. dmw 06/02/11		
Elev:	0	Welldepth:	0
Topperfcas:	0	Botperfcas:	0
Yield:	0		
Staticwl:	0		
Applicantn:	MINTURN TOWN OF/US FOREST SERVICE		
Completewe:	2	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	378374.3		
Disputmy:	4380853.2		
Latitude:	39.5685133557		
Longitude:	-106.416071842		
Site id:	CO6000000223775		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

Database	EDR ID Number
CO WELLS	**CO6000000150098**

18
SSE
1/2 - 1 Mile
Higher

Fid:	150097	Objectid:	150098
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=9113172		
Receipt:	9113172	Permit:	13700-F
Wdid:	Not Reported	Currstatus:	Well Abandoned
Wellname:	Not Reported	Caseno:	Not Reported
Div:	5	Wd:	37
County:	EAGLE	Mgmtdist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	0		
Pm:	S	Township:	5.0 S
Range:	81.0 W	Section :	36
Q160:	SW	Q40:	SW
Q10:	Not Reported	Coordew:	410
Coordewdir:	W	Coordns:	890
Coordnsdir:	S		
Utmx:	378673.9		
Utmy:	4380883.3		
Locaccurac:	Spotted from section lines		
Latdecdeg:	39.569075		
Longdecdeg:	-106.412485		
Use1:	MUNICIPAL	Use2:	Not Reported
Specialuse:	Not Reported	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	acres		
Annappropr:	0		
Permissued:	Not Reported		
Permexpire:	Not Reported		
Wellconstr:	Not Reported		
Firstbenef:	Not Reported		
Pumpinstal:	Not Reported		
Wellplugge:	Not Reported		
Comment :	Not Reported		
Elev:	0	Welldepth:	105
Topperfcas:	0	Botperfcas:	0
Yield:	88		
Staticwl:	3		
Applicantn:	MINTURN TOWN OF		
Completewe:	0	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	378673.9		
Disputmy:	4380883.3		
Latitude:	39.5690750884		
Longitude:	-106.412484852		
Site id:	CO6000000150098		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

Database	EDR ID Number
FRDS PWS	**CO0319218**

19
NW
1/2 - 1 Mile
Lower

Epa region:	08	State:	CO
Pwsid:	CO0319218		
Pwsname:	HOLY CROSS R D OFFICE		
City served:	Not Reported	State served:	CO
Zip served:	Not Reported	Fips county:	08037
Status:	Active	Pop srvd:	160
Pwssvcconn:	1	Source:	Groundwater
Pws type:	TNCWS	Owner:	Fed_Govt
Contact:	BOAZ, HEATHER		
Contactor gname:	BOAZ, HEATHER		
Contact phone:	970-945-3240	Contact address1:	7940 HORIZON DR
Contact address2:	Not Reported	Contact city:	GLENWOOD SPRINGS
Contact state:	CO	Contact zip:	81601
Activity code:	A		

Facid:	6115		
Facname:	CHLORINATOR FOR WELL		
Facility type:	Treatment_plant	Activity code:	A
Treatment obj:	disinfection	Treatment process:	hypochlorination, post

Location Information:

Name:	HOLY CROSS R D OFFICE		
Pwstypcd:	TNCWS	Primsrccd:	GW
Popserved:	183		
Add1:	120 MIDLAND AVE, STE 140		
Add2:	Not Reported		
City:	GLENWOOD SPRINGS	State:	CO
Zip:	81602	Phone:	970-945-3240
Cityserv:	Not Reported	Cntyserv:	Eagle
Stateserv:	CO	Zipserv:	Not Reported

Enforcement Information:

Violation id:	Not Reported	Orig cd:	S
Enf fy:	2008	Enf act date:	04/25/2008
Enf act detail:	St Compliance achieved	Enf act cat:	Not Reported

Enforcement Information:

Violation id:	3542214	Orig cd:	S
Enf fy:	2014	Enf act date:	02/10/2014
Enf act detail:	St Violation/Reminder Notice	Enf act cat:	Informal

Enforcement Information:

Violation id:	3542214	Orig cd:	S
Enf fy:	2014	Enf act date:	02/10/2014
Enf act detail:	St Public Notif requested	Enf act cat:	Informal

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Enforcement Information:			
Violation id:	3542212	Orig cd:	S
Enf fy:	2013	Enf act date:	09/12/2013
Enf act detail:	St Public Notif requested	Enf act cat:	Informal
Enforcement Information:			
Violation id:	3542212	Orig cd:	S
Enf fy:	2013	Enf act date:	09/12/2013
Enf act detail:	St Violation/Reminder Notice	Enf act cat:	Informal
Enforcement Information:			
Violation id:	3542210	Orig cd:	S
Enf fy:	2013	Enf act date:	06/07/2013
Enf act detail:	St Public Notif requested	Enf act cat:	Informal
Enforcement Information:			
Violation id:	3542210	Orig cd:	S
Enf fy:	2013	Enf act date:	06/07/2013
Enf act detail:	St Violation/Reminder Notice	Enf act cat:	Informal
Enforcement Information:			
Violation id:	3542208	Orig cd:	S
Enf fy:	2012	Enf act date:	12/07/2011
Enf act detail:	St Public Notif requested	Enf act cat:	Informal
Enforcement Information:			
Violation id:	3542208	Orig cd:	S
Enf fy:	2012	Enf act date:	12/07/2011
Enf act detail:	St Violation/Reminder Notice	Enf act cat:	Informal
Enforcement Information:			
Violation id:	3542206	Orig cd:	S
Enf fy:	2009	Enf act date:	01/29/2009
Enf act detail:	St Violation/Reminder Notice	Enf act cat:	Informal
Enforcement Information:			
Violation id:	3542206	Orig cd:	S
Enf fy:	2009	Enf act date:	02/11/2009
Enf act detail:	St Compliance achieved	Enf act cat:	Resolving
Enforcement Information:			
Violation id:	3542206	Orig cd:	S
Enf fy:	2009	Enf act date:	01/29/2009
Enf act detail:	St Public Notif requested	Enf act cat:	Informal
Enforcement Information:			
Violation id:	3542205	Orig cd:	S
Enf fy:	2008	Enf act date:	04/25/2008
Enf act detail:	St Compliance achieved	Enf act cat:	Resolving
Enforcement Information:			
Violation id:	3542205	Orig cd:	S
Enf fy:	2005	Enf act date:	06/21/2005
Enf act detail:	St Public Notif received	Enf act cat:	Informal

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Enforcement Information:			
Violation id:	3542205	Orig cd:	S
Enf fy:	2005	Enf act date:	06/10/2005
Enf act detail:	St Public Notif requested	Enf act cat:	Informal
Enforcement Information:			
Violation id:	3542205	Orig cd:	S
Enf fy:	2005	Enf act date:	06/10/2005
Enf act detail:	St Violation/Reminder Notice	Enf act cat:	Informal
Enforcement Information:			
Violation id:	3542104	Orig cd:	S
Enf fy:	2008	Enf act date:	04/25/2008
Enf act detail:	St Compliance achieved	Enf act cat:	Resolving
Enforcement Information:			
Violation id:	3542104	Orig cd:	S
Enf fy:	2004	Enf act date:	06/30/2004
Enf act detail:	St Public Notif requested	Enf act cat:	Informal
Enforcement Information:			
Violation id:	3542104	Orig cd:	S
Enf fy:	2004	Enf act date:	06/30/2004
Enf act detail:	St Violation/Reminder Notice	Enf act cat:	Informal
Enforcement Information:			
Violation id:	3542004	Orig cd:	S
Enf fy:	2004	Enf act date:	04/01/2004
Enf act detail:	St Public Notif requested	Enf act cat:	Informal
Enforcement Information:			
Violation id:	3542004	Orig cd:	S
Enf fy:	2004	Enf act date:	04/01/2004
Enf act detail:	St Violation/Reminder Notice	Enf act cat:	Informal
Enforcement Information:			
Violation id:	3542004	Orig cd:	S
Enf fy:	2008	Enf act date:	04/25/2008
Enf act detail:	St Compliance achieved	Enf act cat:	Resolving
Enforcement Information:			
Violation id:	3019902	Orig cd:	S
Enf fy:	2002	Enf act date:	07/31/2002
Enf act detail:	St Formal NOV issued	Enf act cat:	Informal
Enforcement Information:			
Violation id:	3019902	Orig cd:	S
Enf fy:	2008	Enf act date:	04/25/2008
Enf act detail:	St Compliance achieved	Enf act cat:	Resolving
Enforcement Information:			
Violation id:	3019902	Orig cd:	S
Enf fy:	2002	Enf act date:	07/31/2002
Enf act detail:	St Public Notif requested	Enf act cat:	Informal

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Enforcement Information:

Violation id:	1018496	Orig cd:	S
Enf fy:	2008	Enf act date:	04/25/2008
Enf act detail:	St Compliance achieved	Enf act cat:	Resolving

Enforcement Information:

Violation id:	1013193	Orig cd:	S
Enf fy:	2008	Enf act date:	04/25/2008
Enf act detail:	St Compliance achieved	Enf act cat:	Resolving

Enforcement Information:

Violation id:	1012401	Orig cd:	S
Enf fy:	2001	Enf act date:	01/31/2001
Enf act detail:	St Formal NOV issued	Enf act cat:	Informal

Enforcement Information:

Violation id:	1012401	Orig cd:	S
Enf fy:	2001	Enf act date:	01/31/2001
Enf act detail:	St Public Notif requested	Enf act cat:	Informal

Enforcement Information:

Violation id:	1012401	Orig cd:	S
Enf fy:	2008	Enf act date:	04/25/2008
Enf act detail:	St Compliance achieved	Enf act cat:	Resolving

Violations Information:

Violoation id:	3542214	Orig cd:	S
State:	CO	Viol fy:	2013
Contamcd:	3100		
Contamnm:	Coliform (TCR)		
Viol code:	23		
Viol name:	Monitoring, Routine Major (TCR)		
Rule code:	110		
Rule name:	TCR		
Violmeasur:	Not Reported	Unitmeasur:	Not Reported
State mcl:	Not Reported	Cmpbdt:	12/01/2013
Cmpedt:	12/31/2013		

Violations Information:

Violoation id:	3542212	Orig cd:	S
State:	CO	Viol fy:	2013
Contamcd:	3100		
Contamnm:	Coliform (TCR)		
Viol code:	23		
Viol name:	Monitoring, Routine Major (TCR)		
Rule code:	110		
Rule name:	TCR		
Violmeasur:	Not Reported	Unitmeasur:	Not Reported
State mcl:	Not Reported	Cmpbdt:	07/01/2013
Cmpedt:	07/31/2013		

Violations Information:

Violoation id:	3542210	Orig cd:	S
State:	CO	Viol fy:	2013
Contamcd:	3100		
Contamnm:	Coliform (TCR)		
Viol code:	23		
Viol name:	Monitoring, Routine Major (TCR)		
Rule code:	110		
Rule name:	TCR		
Violmeasur:	Not Reported	Unitmeasur:	Not Reported

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

State mcl:	Not Reported	Cmpbdt:	04/01/2013
Cmpedt:	04/30/2013		

Violations Information:

Violoation id:	3542208	Orig cd:	S
State:	CO	Viol fy:	2011
Contamcd:	3100		
Contamnm:	Coliform (TCR)		
Viol code:	23		
Viol name:	Monitoring, Routine Major (TCR)		
Rule code:	110		
Rule name:	TCR		
Violmeasur:	Not Reported	Unitmeasur:	Not Reported
State mcl:	Not Reported	Cmpbdt:	10/01/2011
Cmpedt:	10/31/2011		

Violations Information:

Violoation id:	3542206	Orig cd:	S
State:	CO	Viol fy:	2008
Contamcd:	1040		
Contamnm:	Nitrate		
Viol code:	03		
Viol name:	Monitoring, Regular		
Rule code:	331		
Rule name:	Nitrates		
Violmeasur:	Not Reported	Unitmeasur:	Not Reported
State mcl:	Not Reported	Cmpbdt:	01/01/2008
Cmpedt:	12/31/2008		

Violations Information:

Violoation id:	3542205	Orig cd:	S
State:	CO	Viol fy:	2005
Contamcd:	3100		
Contamnm:	Coliform (TCR)		
Viol code:	23		
Viol name:	Monitoring, Routine Major (TCR)		
Rule code:	110		
Rule name:	TCR		
Violmeasur:	Not Reported	Unitmeasur:	Not Reported
State mcl:	Not Reported	Cmpbdt:	04/01/2005
Cmpedt:	04/30/2005		

Violations Information:

Violoation id:	3542104	Orig cd:	S
State:	CO	Viol fy:	2004
Contamcd:	3100		
Contamnm:	Coliform (TCR)		
Viol code:	23		
Viol name:	Monitoring, Routine Major (TCR)		
Rule code:	110		
Rule name:	TCR		
Violmeasur:	Not Reported	Unitmeasur:	Not Reported
State mcl:	Not Reported	Cmpbdt:	05/01/2004
Cmpedt:	05/31/2004		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Violations Information:

Violoation id:	3542004	Orig cd:	S
State:	CO	Viol fy:	2004
Contamcd:	3100		
Contamnm:	Coliform (TCR)		
Viol code:	23		
Viol name:	Monitoring, Routine Major (TCR)		
Rule code:	110		
Rule name:	TCR		
Violmeasur:	Not Reported	Unitmeasur:	Not Reported
State mcl:	Not Reported	Cmpbdt:	02/01/2004
Cmpedt:	02/29/2004		

Violations Information:

Violoation id:	3019902	Orig cd:	S
State:	CO	Viol fy:	2002
Contamcd:	3100		
Contamnm:	Coliform (TCR)		
Viol code:	23		
Viol name:	Monitoring, Routine Major (TCR)		
Rule code:	110		
Rule name:	TCR		
Violmeasur:	Not Reported	Unitmeasur:	Not Reported
State mcl:	Not Reported	Cmpbdt:	04/01/2002
Cmpedt:	06/30/2002		

Violations Information:

Violoation id:	1012401	Orig cd:	S
State:	CO	Viol fy:	2000
Contamcd:	3100		
Contamnm:	Coliform (TCR)		
Viol code:	23		
Viol name:	Monitoring, Routine Major (TCR)		
Rule code:	110		
Rule name:	TCR		
Violmeasur:	Not Reported	Unitmeasur:	Not Reported
State mcl:	Not Reported	Cmpbdt:	10/01/2000
Cmpedt:	12/31/2000		

PWS ID: CO0319218
Date Initiated: Not Reported Date Deactivated: Not Reported
PWS Name: USFS, HOLY CROSS R.D. OFFICE
HOLY CROSS RANGER DISTRICT
P.O. BOX 190, 24747 US HWY 24
MINTURN, CO 81645

Addressee / Facility: Not Reported

Facility Latitude:	39 35 11	Facility Longitude:	106 25 49
City Served:	Not Reported		
Treatment Class:	Treated	Population:	00000120

Violations information not reported.

ENFORCEMENT INFORMATION:

Truedate:	03/31/2009	Pwsid:	CO0319218
Pwsname:	HOLY CROSS R D OFFICE		
Retpopsrvd:	160	Pwstypecod:	NC
Violid:	1012401	Contaminant:	COLIFORM (TCR)
Viol. Type:	Monitoring, Routine Major (TCR)		
Complperbe:	10/1/2000 0:00:00		
Complperen:	12/31/2000 0:00:00	Enfdate:	1/31/2001 0:00:00
Enf action:	State Formal NOV Issued		
Violmeasur:	Not Reported		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Truedate:	03/31/2009	Pwsid:	CO0319218
Pwsname:	HOLY CROSS R D OFFICE		
Retpopsrvd:	160	Pwstypecod:	NC
Vioid:	1012401	Contaminant:	COLIFORM (TCR)
Viol. Type:	Monitoring, Routine Major (TCR)		
Complperbe:	10/1/2000 0:00:00		
Complperen:	12/31/2000 0:00:00	Enfdate:	1/31/2001 0:00:00
Enf action:	State Public Notif Requested		
Violmeasur:	Not Reported		

Truedate:	03/31/2009	Pwsid:	CO0319218
Pwsname:	HOLY CROSS R D OFFICE		
Retpopsrvd:	160	Pwstypecod:	NC
Vioid:	1012401	Contaminant:	COLIFORM (TCR)
Viol. Type:	Monitoring, Routine Major (TCR)		
Complperbe:	10/1/2000 0:00:00		
Complperen:	12/31/2000 0:00:00	Enfdate:	4/25/2008 0:00:00
Enf action:	State Compliance Achieved		
Violmeasur:	Not Reported		

Truedate:	03/31/2009	Pwsid:	CO0319218
Pwsname:	HOLY CROSS R D OFFICE		
Retpopsrvd:	160	Pwstypecod:	NC
Vioid:	3019902	Contaminant:	COLIFORM (TCR)
Viol. Type:	Monitoring, Routine Major (TCR)		
Complperbe:	4/1/2002 0:00:00		
Complperen:	6/30/2002 0:00:00	Enfdate:	4/25/2008 0:00:00
Enf action:	State Compliance Achieved		
Violmeasur:	Not Reported		

Truedate:	03/31/2009	Pwsid:	CO0319218
Pwsname:	HOLY CROSS R D OFFICE		
Retpopsrvd:	160	Pwstypecod:	NC
Vioid:	3019902	Contaminant:	COLIFORM (TCR)
Viol. Type:	Monitoring, Routine Major (TCR)		
Complperbe:	4/1/2002 0:00:00		
Complperen:	6/30/2002 0:00:00	Enfdate:	7/31/2002 0:00:00
Enf action:	State Formal NOV Issued		
Violmeasur:	Not Reported		

Truedate:	03/31/2009	Pwsid:	CO0319218
Pwsname:	HOLY CROSS R D OFFICE		
Retpopsrvd:	160	Pwstypecod:	NC
Vioid:	3019902	Contaminant:	COLIFORM (TCR)
Viol. Type:	Monitoring, Routine Major (TCR)		
Complperbe:	4/1/2002 0:00:00		
Complperen:	6/30/2002 0:00:00	Enfdate:	7/31/2002 0:00:00
Enf action:	State Public Notif Requested		
Violmeasur:	Not Reported		

Truedate:	03/31/2009	Pwsid:	CO0319218
Pwsname:	HOLY CROSS R D OFFICE		
Retpopsrvd:	160	Pwstypecod:	NC
Vioid:	3542004	Contaminant:	COLIFORM (TCR)
Viol. Type:	Monitoring, Routine Major (TCR)		
Complperbe:	2/1/2004 0:00:00		
Complperen:	2/29/2004 0:00:00	Enfdate:	4/1/2004 0:00:00
Enf action:	State Violation/Reminder Notice		
Violmeasur:	Not Reported		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Truedate:	03/31/2009	Pwsid:	CO0319218
Pwsname:	HOLY CROSS R D OFFICE		
Retpopsrvd:	160	Pwstypecod:	NC
Vioid:	3542004	Contaminant:	COLIFORM (TCR)
Viol. Type:	Monitoring, Routine Major (TCR)		
Complperbe:	2/1/2004 0:00:00		
Complperen:	2/29/2004 0:00:00	Enfdate:	4/1/2004 0:00:00
Enf action:	State Public Notif Requested		
Violmeasur:	Not Reported		

Truedate:	03/31/2009	Pwsid:	CO0319218
Pwsname:	HOLY CROSS R D OFFICE		
Retpopsrvd:	160	Pwstypecod:	NC
Vioid:	3542004	Contaminant:	COLIFORM (TCR)
Viol. Type:	Monitoring, Routine Major (TCR)		
Complperbe:	2/1/2004 0:00:00		
Complperen:	2/29/2004 0:00:00	Enfdate:	4/25/2008 0:00:00
Enf action:	State Compliance Achieved		
Violmeasur:	Not Reported		

Truedate:	03/31/2009	Pwsid:	CO0319218
Pwsname:	HOLY CROSS R D OFFICE		
Retpopsrvd:	160	Pwstypecod:	NC
Vioid:	3542104	Contaminant:	COLIFORM (TCR)
Viol. Type:	Monitoring, Routine Major (TCR)		
Complperbe:	5/1/2004 0:00:00		
Complperen:	5/31/2004 0:00:00	Enfdate:	4/25/2008 0:00:00
Enf action:	State Compliance Achieved		
Violmeasur:	Not Reported		

Truedate:	03/31/2009	Pwsid:	CO0319218
Pwsname:	HOLY CROSS R D OFFICE		
Retpopsrvd:	160	Pwstypecod:	NC
Vioid:	3542104	Contaminant:	COLIFORM (TCR)
Viol. Type:	Monitoring, Routine Major (TCR)		
Complperbe:	5/1/2004 0:00:00		
Complperen:	5/31/2004 0:00:00	Enfdate:	6/30/2004 0:00:00
Enf action:	State Public Notif Requested		
Violmeasur:	Not Reported		

Truedate:	03/31/2009	Pwsid:	CO0319218
Pwsname:	HOLY CROSS R D OFFICE		
Retpopsrvd:	160	Pwstypecod:	NC
Vioid:	3542104	Contaminant:	COLIFORM (TCR)
Viol. Type:	Monitoring, Routine Major (TCR)		
Complperbe:	5/1/2004 0:00:00		
Complperen:	5/31/2004 0:00:00	Enfdate:	6/30/2004 0:00:00
Enf action:	State Violation/Reminder Notice		
Violmeasur:	Not Reported		

Truedate:	03/31/2009	Pwsid:	CO0319218
Pwsname:	HOLY CROSS R D OFFICE		
Retpopsrvd:	160	Pwstypecod:	NC
Vioid:	3542205	Contaminant:	COLIFORM (TCR)
Viol. Type:	Monitoring, Routine Major (TCR)		
Complperbe:	4/1/2005 0:00:00		
Complperen:	4/30/2005 0:00:00	Enfdate:	4/25/2008 0:00:00
Enf action:	State Compliance Achieved		
Violmeasur:	Not Reported		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Truedate:	03/31/2009	Pwsid:	CO0319218
Pwsname:	HOLY CROSS R D OFFICE		
Retpopsrvd:	160	Pwstypecod:	NC
Vioid:	3542205	Contaminant:	COLIFORM (TCR)
Viol. Type:	Monitoring, Routine Major (TCR)		
Complperbe:	4/1/2005 0:00:00		
Complperen:	4/30/2005 0:00:00	Enfdate:	6/10/2005 0:00:00
Enf action:	State Violation/Reminder Notice		
Violmeasur:	Not Reported		

Truedate:	03/31/2009	Pwsid:	CO0319218
Pwsname:	HOLY CROSS R D OFFICE		
Retpopsrvd:	160	Pwstypecod:	NC
Vioid:	3542205	Contaminant:	COLIFORM (TCR)
Viol. Type:	Monitoring, Routine Major (TCR)		
Complperbe:	4/1/2005 0:00:00		
Complperen:	4/30/2005 0:00:00	Enfdate:	6/10/2005 0:00:00
Enf action:	State Public Notif Requested		
Violmeasur:	Not Reported		

Truedate:	03/31/2009	Pwsid:	CO0319218
Pwsname:	HOLY CROSS R D OFFICE		
Retpopsrvd:	160	Pwstypecod:	NC
Vioid:	3542205	Contaminant:	COLIFORM (TCR)
Viol. Type:	Monitoring, Routine Major (TCR)		
Complperbe:	4/1/2005 0:00:00		
Complperen:	4/30/2005 0:00:00	Enfdate:	6/21/2005 0:00:00
Enf action:	State Public Notif Received		
Violmeasur:	Not Reported		

Truedate:	03/31/2009	Pwsid:	CO0319218
Pwsname:	HOLY CROSS R D OFFICE		
Retpopsrvd:	160	Pwstypecod:	NC
Vioid:	3542206	Contaminant:	NITRATE
Viol. Type:	3		
Complperbe:	1/1/2008 0:00:00		
Complperen:	12/31/2008 0:00:00	Enfdate:	1/29/2009 0:00:00
Enf action:	State Public Notif Requested		
Violmeasur:	Not Reported		

Truedate:	03/31/2009	Pwsid:	CO0319218
Pwsname:	HOLY CROSS R D OFFICE		
Retpopsrvd:	160	Pwstypecod:	NC
Vioid:	3542206	Contaminant:	NITRATE
Viol. Type:	3		
Complperbe:	1/1/2008 0:00:00		
Complperen:	12/31/2008 0:00:00	Enfdate:	1/29/2009 0:00:00
Enf action:	State Violation/Reminder Notice		
Violmeasur:	Not Reported		

Truedate:	03/31/2009	Pwsid:	CO0319218
Pwsname:	HOLY CROSS R D OFFICE		
Retpopsrvd:	160	Pwstypecod:	NC
Vioid:	3542206	Contaminant:	NITRATE
Viol. Type:	3		
Complperbe:	1/1/2008 0:00:00		
Complperen:	12/31/2008 0:00:00	Enfdate:	2/11/2009 0:00:00
Enf action:	State Compliance Achieved		
Violmeasur:	Not Reported		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

ENFORCEMENT INFORMATION:

System Name:	HOLY CROSS R D OFFICE		
Violation Type:	Monitoring, Routine Major (TCR)		
Contaminant:	COLIFORM (TCR)		
Compliance Period:	1999-10-01 - 1999-12-31		
Violation ID:	0010167		
Enforcement Date:	2000-01-28	Enf. Action:	State Formal NOV Issued
System Name:	HOLY CROSS R D OFFICE		
Violation Type:	Monitoring, Routine Major (TCR)		
Contaminant:	COLIFORM (TCR)		
Compliance Period:	1999-10-01 - 1999-12-31		
Violation ID:	0010167		
Enforcement Date:	2000-01-28	Enf. Action:	State Public Notif Requested
System Name:	HOLY CROSS R D OFFICE		
Violation Type:	Monitoring, Routine Major (TCR)		
Contaminant:	COLIFORM (TCR)		
Compliance Period:	10/01/00 - 12/31/00		
Violation ID:	1012401		
Enforcement Date:	01/31/01	Enf. Action:	State Public Notif Requested
System Name:	HOLY CROSS R D OFFICE		
Violation Type:	Monitoring, Routine Major (TCR)		
Contaminant:	COLIFORM (TCR)		
Compliance Period:	10/1/2000 0:00:00 - 12/31/2000 0:00:00		
Violation ID:	1012401		
Enforcement Date:	1/31/2001 0:00:00	Enf. Action:	State Public Notif Requested
System Name:	HOLY CROSS R D OFFICE		
Violation Type:	Monitoring, Routine Major (TCR)		
Contaminant:	COLIFORM (TCR)		
Compliance Period:	10/01/00 - 12/31/00		
Violation ID:	1012401		
Enforcement Date:	01/31/01	Enf. Action:	State Formal NOV Issued
System Name:	HOLY CROSS R D OFFICE		
Violation Type:	Monitoring, Routine Major (TCR)		
Contaminant:	COLIFORM (TCR)		
Compliance Period:	10/1/2000 0:00:00 - 12/31/2000 0:00:00		
Violation ID:	1012401		
Enforcement Date:	1/31/2001 0:00:00	Enf. Action:	State Formal NOV Issued
System Name:	HOLY CROSS R D OFFICE		
Violation Type:	Monitoring, Routine Major (TCR)		
Contaminant:	COLIFORM (TCR)		
Compliance Period:	4/1/2002 0:00:00 - 6/30/2002 0:00:00		
Violation ID:	3019902		
Enforcement Date:	7/31/2002 0:00:00	Enf. Action:	State Public Notif Requested
System Name:	HOLY CROSS R D OFFICE		
Violation Type:	Monitoring, Routine Major (TCR)		
Contaminant:	COLIFORM (TCR)		
Compliance Period:	4/1/2002 0:00:00 - 6/30/2002 0:00:00		
Violation ID:	3019902		
Enforcement Date:	7/31/2002 0:00:00	Enf. Action:	State Formal NOV Issued
System Name:	HOLY CROSS R D OFFICE		
Violation Type:	Monitoring, Routine Major (TCR)		
Contaminant:	COLIFORM (TCR)		
Compliance Period:	04/01/02 - 06/30/02		
Violation ID:	3019902		
Enforcement Date:	07/31/02	Enf. Action:	State Formal NOV Issued

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

ENFORCEMENT INFORMATION:

System Name:	HOLY CROSS R D OFFICE		
Violation Type:	Monitoring, Routine Major (TCR)		
Contaminant:	COLIFORM (TCR)		
Compliance Period:	04/01/02 - 06/30/02		
Violation ID:	3019902		
Enforcement Date:	07/31/02	Enf. Action:	State Public Notif Requested
System Name:	HOLY CROSS R D OFFICE		
Violation Type:	Monitoring, Routine Major (TCR)		
Contaminant:	COLIFORM (TCR)		
Compliance Period:	02/01/04 - 02/29/04		
Violation ID:	3542004		
Enforcement Date:	04/01/04	Enf. Action:	State Violation/Reminder Notice
System Name:	HOLY CROSS R D OFFICE		
Violation Type:	Monitoring, Routine Major (TCR)		
Contaminant:	COLIFORM (TCR)		
Compliance Period:	02/01/04 - 02/29/04		
Violation ID:	3542004		
Enforcement Date:	04/01/04	Enf. Action:	State Public Notif Requested
System Name:	HOLY CROSS R D OFFICE		
Violation Type:	Monitoring, Routine Major (TCR)		
Contaminant:	COLIFORM (TCR)		
Compliance Period:	2/1/2004 0:00:00 - 2/29/2004 0:00:00		
Violation ID:	3542004		
Enforcement Date:	4/1/2004 0:00:00	Enf. Action:	State Public Notif Requested
System Name:	HOLY CROSS R D OFFICE		
Violation Type:	Monitoring, Routine Major (TCR)		
Contaminant:	COLIFORM (TCR)		
Compliance Period:	2/1/2004 0:00:00 - 2/29/2004 0:00:00		
Violation ID:	3542004		
Enforcement Date:	4/1/2004 0:00:00	Enf. Action:	State Violation/Reminder Notice
System Name:	HOLY CROSS R D OFFICE		
Violation Type:	Monitoring, Routine Major (TCR)		
Contaminant:	COLIFORM (TCR)		
Compliance Period:	5/1/2004 0:00:00 - 5/31/2004 0:00:00		
Violation ID:	3542104		
Enforcement Date:	6/30/2004 0:00:00	Enf. Action:	State Public Notif Requested
System Name:	HOLY CROSS R D OFFICE		
Violation Type:	Monitoring, Routine Major (TCR)		
Contaminant:	COLIFORM (TCR)		
Compliance Period:	05/01/04 - 05/31/04		
Violation ID:	3542104		
Enforcement Date:	06/30/04	Enf. Action:	State Public Notif Requested
System Name:	HOLY CROSS R D OFFICE		
Violation Type:	Monitoring, Routine Major (TCR)		
Contaminant:	COLIFORM (TCR)		
Compliance Period:	05/01/04 - 05/31/04		
Violation ID:	3542104		
Enforcement Date:	06/30/04	Enf. Action:	State Violation/Reminder Notice
System Name:	HOLY CROSS R D OFFICE		
Violation Type:	Monitoring, Routine Major (TCR)		
Contaminant:	COLIFORM (TCR)		
Compliance Period:	5/1/2004 0:00:00 - 5/31/2004 0:00:00		
Violation ID:	3542104		
Enforcement Date:	6/30/2004 0:00:00	Enf. Action:	State Violation/Reminder Notice

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

ENFORCEMENT INFORMATION:

System Name:	HOLY CROSS R D OFFICE		
Violation Type:	Monitoring, Routine Major (TCR)		
Contaminant:	COLIFORM (TCR)		
Compliance Period:	04/01/05 - 04/30/05		
Violation ID:	3542205		
Enforcement Date:	06/21/05	Enf. Action:	State Public Notif Received
System Name:	HOLY CROSS R D OFFICE		
Violation Type:	Monitoring, Routine Major (TCR)		
Contaminant:	COLIFORM (TCR)		
Compliance Period:	04/01/05 - 04/30/05		
Violation ID:	3542205		
Enforcement Date:	06/10/05	Enf. Action:	State Public Notif Requested
System Name:	HOLY CROSS R D OFFICE		
Violation Type:	Monitoring, Routine Major (TCR)		
Contaminant:	COLIFORM (TCR)		
Compliance Period:	4/1/2005 0:00:00 - 4/30/2005 0:00:00		
Violation ID:	3542205		
Enforcement Date:	6/21/2005 0:00:00	Enf. Action:	State Public Notif Received
System Name:	HOLY CROSS R D OFFICE		
Violation Type:	Monitoring, Routine Major (TCR)		
Contaminant:	COLIFORM (TCR)		
Compliance Period:	04/01/05 - 04/30/05		
Violation ID:	3542205		
Enforcement Date:	06/10/05	Enf. Action:	State Violation/Reminder Notice
System Name:	HOLY CROSS R D OFFICE		
Violation Type:	Monitoring, Routine Major (TCR)		
Contaminant:	COLIFORM (TCR)		
Compliance Period:	4/1/2005 0:00:00 - 4/30/2005 0:00:00		
Violation ID:	3542205		
Enforcement Date:	6/10/2005 0:00:00	Enf. Action:	State Public Notif Requested
System Name:	HOLY CROSS R D OFFICE		
Violation Type:	Monitoring, Routine Major (TCR)		
Contaminant:	COLIFORM (TCR)		
Compliance Period:	4/1/2005 0:00:00 - 4/30/2005 0:00:00		
Violation ID:	3542205		
Enforcement Date:	6/10/2005 0:00:00	Enf. Action:	State Violation/Reminder Notice
System Name:	HOLY CROSS R D OFFICE		
Violation Type:	Monitoring, Regular		
Contaminant:	NITRATE		
Compliance Period:	1994-01-01 - 1994-12-31		
Violation ID:	9529734		
Enforcement Date:	1995-03-06	Enf. Action:	State Intentional no-action
System Name:	HOLY CROSS R D OFFICE		
Violation Type:	Monitoring, Routine Major (TCR)		
Contaminant:	COLIFORM (TCR)		
Compliance Period:	1995-10-01 - 1995-12-31		
Violation ID:	9610184		
Enforcement Date:	1996-01-25	Enf. Action:	State Formal NOV Issued
System Name:	HOLY CROSS R D OFFICE		
Violation Type:	Monitoring, Routine Major (TCR)		
Contaminant:	COLIFORM (TCR)		
Compliance Period:	1995-10-01 - 1995-12-31		
Violation ID:	9610184		
Enforcement Date:	1996-01-25	Enf. Action:	State Public Notif Requested

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

ENFORCEMENT INFORMATION:

System Name:	HOLY CROSS R D OFFICE		
Violation Type:	Monitoring, Regular		
Contaminant:	NITRATE-NITRITE		
Compliance Period:	1995-01-01 - 1995-12-31		
Violation ID:	9629283		
Enforcement Date:	1996-01-03	Enf. Action:	State Formal NOV Issued
System Name:	HOLY CROSS R D OFFICE		
Violation Type:	Monitoring, Regular		
Contaminant:	NITRATE-NITRITE		
Compliance Period:	1995-01-01 - 1995-12-31		
Violation ID:	9629283		
Enforcement Date:	1996-01-03	Enf. Action:	State Public Notif Requested

CONTACT INFORMATION:

Name:	HOLY CROSS R D OFFICE	Population:	160
Contact:	WHITE RIVER NF HOLY CROSS RANGER DISTRICT	Phone:	970-945-3236
Address:	JO IVES		
Address 2:	PO BOX 948 GLENWOOD SPRINGS, CO 81602		

E20
SSE
1/2 - 1 Mile
Higher

FED USGS **USGS40000208985**

Org. Identifier:	USGS-CO		
Formal name:	USGS Colorado Water Science Center		
Monloc Identifier:	USGS-393334106250300		
Monloc name:	SC00608102BBD00		
Monloc type:	Well		
Monloc desc:	UCOL NAWQA SUS2 GWSI VERIFIED 7/27/99 CMS		
Huc code:	14010003	Drainagearea value:	Not Reported
Drainagearea Units:	Not Reported	Contrib drainagearea:	Not Reported
Contrib drainagearea units:	Not Reported	Latitude:	39.5670722
Longitude:	-106.4159778	Sourcemap scale:	24000
Horiz Acc measure:	.1	Horiz Acc measure units:	seconds
Horiz Collection method:	Differentially corrected Global Positioning System (DGPS)		
Horiz coord refsys:	NAD83	Vert measure val:	8040
Vert measure units:	feet	Vertacc measure val:	10
Vert accmeasure units:	feet		
Vertcollection method:	Interpolated from topographic map		
Vert coord refsys:	NGVD29	Countrycode:	US
Aquifername:	Alluvial aquifers		
Formation type:	Valley-Fill Deposits		
Aquifer type:	Unconfined single aquifer		
Construction date:	19930118	Welldepth:	80
Welldepth units:	ft	Wellholedepth:	86
Wellholedepth units:	ft		

Ground-water levels, Number of Measurements: 1

Date	Feet below Surface	Feet to Sealevel
1993-01-18	20.00	

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

Database	EDR ID Number
CO WELLS	**CO6000000398855**

E21
SSE
1/2 - 1 Mile
Higher

Fid:	398854	Objectid:	398855
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=0411874		
Receipt:	0411874	Permit:	13700-F-R
Wdid:	Not Reported	Currstatus:	Well Constructed
Wellname:	WELL #2	Caseno:	W1101
Div:	5	Wd:	37
County:	EAGLE	Mgmtdist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	0		
Pm:	S	Township:	5.0 S
Range:	81.0 W	Section :	35
Q160:	SE	Q40:	SE
Q10:	Not Reported	Coordew:	430
Coordewdir:	E	Coordns:	60
Coordnsdir:	S		
Utmx:	378420.7		
Utmy:	4380632.8		
Locaccurac:	Spotted from section lines		
Latdecdeg:	39.566783		
Longdecdeg:	-106.415386		
Use1:	MUNICIPAL	Use2:	Not Reported
Specialuse:	Not Reported	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	acres		
Annappropr:	0		
Permissued:	1997-02-27		
Permexpire:	1998-02-27		
Wellconstr:	Not Reported		
Firstbenef:	Not Reported		
Pumpinstal:	1997-03-25		
Wellplugge:	Not Reported		
Comment :	REPL FOR TOWN S MUNICIPAL SUPPLY. X-refer file no. 28616-MH. dmw 06/02/11		
Elev:	0	Welldepth:	87
Topperfcas:	0	Botperfcas:	0
Yield:	85		
Staticwl:	13		
Applicantn:	MINTURN TOWN OF		
Completewe:	1	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	378420.7		
Disputmy:	4380632.8		
Latitude:	39.566782793		
Longitude:	-106.41538589		
Site id:	CO6000000398855		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID Direction Distance Elevation		Database	EDR ID Number
22 SE 1/2 - 1 Mile Higher		**CO WELLS**	**CO6000000338596**

Fid:	338595	Objectid:	338596
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=0319061C		
Receipt:	0319061C	Permit:	167676-
Wdid:	Not Reported	Currstatus:	Permit Issued; Completion Status Unknown
Wellname:	NTP-MW7	Caseno:	Not Reported
Div:	5	Wd:	37
County:	EAGLE	Mgmtdist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	0		
Pm:	S	Township:	5.0 S
Range:	81.0 W	Section :	36
Q160:	SW	Q40:	SW
Q10:	Not Reported	Coordew:	900
Coordewdir:	W	Coordns:	640
Coordnsdir:	S		
Utmx:	378824.1		
Utmy:	4380806.8		
Locaccurac:	Spotted from section lines		
Latdecdeg:	39.568407		
Longdecdeg:	-106.410723		
Use1:	OTHER	Use2:	Not Reported
Specialuse:	MONITORING WELL	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	acres		
Annappropr:	0		
Permissued:	1992-12-08		
Permexpire:	Not Reported		
Wellconstr:	Not Reported		
Firstbenef:	Not Reported		
Pumpinstal:	Not Reported		
Wellplugge:	Not Reported		
Comment :	Not Reported		
Elev:	0	Welldepth:	0
Topperfcas:	0	Botperfcas:	0
Yield:	0		
Staticwl:	0		
Applicantn:	PARAMOUNT COMMUNICATIONS INC		
Completewe:	0	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	378824.1		
Disputmy:	4380806.8		
Latitude:	39.5684072339		
Longitude:	-106.410722747		
Site id:	CO6000000338596		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

Database	EDR ID Number
CO WELLS	**CO6000000480938**

F23
SE
1/2 - 1 Mile
Higher

Fid:	480937	Objectid:	480938
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=0544753N		
Receipt:	0544753N	Permit:	266791-
Wdid:	Not Reported	Currstatus:	Well Constructed
Wellname:	CCMW1S	Caseno:	Not Reported
Div:	5	Wd:	37
County:	EAGLE	Mgmtdist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	0		
Pm:	S	Township:	5.0 S
Range:	81.0 W	Section :	36
Q160:	SW	Q40:	SE
Q10:	Not Reported	Coordew:	1566
Coordewdir:	W	Coordns:	969
Coordnsdir:	S		
Utmx:	379026		
Utmy:	4380906		
Locaccurac:	Spotted from section lines		
Latdecdeg:	39.569329		
Longdecdeg:	-106.40839		
Use1:	OTHER	Use2:	Not Reported
Specialuse:	MONITORING WELL	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	Not Reported		
Annappropr:	0		
Permissued:	2005-11-29		
Permexpire:	Not Reported		
Wellconstr:	2005-09-24		
Firstbenef:	Not Reported		
Pumpinstal:	Not Reported		
Wellplugge:	Not Reported		
Comment :	Not Reported		
Elev:	0	Welldepth:	22
Topperfcas:	12	Botperfcas:	22
Yield:	0		
Staticwl:	0		
Applicantn:	GINN COMPANY		
Completewe:	1	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	379026		
Disputmy:	4380906		
Latitude:	39.5693293088		
Longitude:	-106.408390987		
Site id:	CO6000000480938		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID Direction Distance Elevation		Database	EDR ID Number
F24 SE 1/2 - 1 Mile Higher		**CO WELLS**	**CO6000000480939**

Fid:	480938	Objectid:	480939
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=0544753O		
Receipt:	0544753O	Permit:	266792-
Wdid:	Not Reported	Currstatus:	Well Constructed
Wellname:	CCMW1D	Caseno:	Not Reported
Div:	5	Wd:	37
County:	EAGLE	Mgmtdist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	0		
Pm:	S	Township:	5.0 S
Range:	81.0 W	Section :	36
Q160:	SW	Q40:	SE
Q10:	Not Reported	Coordew:	1509
Coordewdir:	W	Coordns:	880
Coordnsdir:	S		
Utmx:	379008.9		
Utmy:	4380879		
Locaccurac:	Spotted from section lines		
Latdecdeg:	39.569083		
Longdecdeg:	-106.408585		
Use1:	OTHER	Use2:	Not Reported
Specialuse:	MONITORING WELL	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	Not Reported		
Annappropr:	0		
Permissued:	2005-11-29		
Permexpire:	Not Reported		
Wellconstr:	2005-09-23		
Firstbenef:	Not Reported		
Pumpinstal:	Not Reported		
Wellplugge:	Not Reported		
Comment :	Not Reported		
Elev:	0	Welldepth:	34
Topperfcas:	26	Botperfcas:	31
Yield:	0		
Staticwl:	0		
Applicantn:	GINN COMPANY		
Completewe:	1	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	379008.9		
Disputmy:	4380879		
Latitude:	39.5690836869		
Longitude:	-106.408585089		
Site id:	CO6000000480939		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

Database	EDR ID Number
CO WELLS	**CO6000000249819**

G25
NW
1/2 - 1 Mile
Lower

Fid:	249818	Objectid:	249819
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=0048880		
Receipt:	0048880	Permit:	48880-MH
Wdid:	Not Reported	Currstatus:	Permit Issued; Completion Status Unknown
Wellname:	Not Reported	Caseno:	Not Reported
Div:	5	Wd:	37
County:	EAGLE	Mgmtdist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	0		
Pm:	S	Township:	5.0 S
Range:	81.0 W	Section :	26
Q160:	SW	Q40:	NW
Q10:	Not Reported	Coordew:	0
Coordewdir:	Not Reported	Coordns:	0
Coordnsdir:	Not Reported		
Utmx:	377039.3		
Utmy:	4383004		
Locaccurac:	Spotted from quarters		
Latdecdeg:	39.587944		
Longdecdeg:	-106.431902		
Use1:	OTHER	Use2:	Not Reported
Specialuse:	MONITORING WELL	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	Not Reported		
Annappropr:	0		
Permissued:	2009-10-14		
Permexpire:	2010-01-12		
Wellconstr:	Not Reported		
Firstbenef:	Not Reported		
Pumpinstal:	Not Reported		
Wellplugge:	Not Reported		
Comment :	East of 210 Eagle St, Miniturn 81645		
Elev:	0	Welldepth:	0
Topperfcas:	0	Botperfcas:	0
Yield:	0		
Staticwl:	0		
Applicantn:	MINITURN TOWN OF		
Completewe:	0	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	377039		
Disputmy:	4383004		
Latitude:	39.5879447625		
Longitude:	-106.431902503		
Site id:	CO6000000249819		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

Database	EDR ID Number
CO WELLS	**CO6000000249820**

G26
NW
1/2 - 1 Mile
Lower

Fid:	249819	Objectid:	249820
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=0048881		
Receipt:	0048881	Permit:	48881-MH
Wdid:	Not Reported	Currstatus:	Permit Issued; Completion Status Unknown
Wellname:	Not Reported	Caseno:	Not Reported
Div:	5	Wd:	37
County:	EAGLE	Mgmtdist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	0		
Pm:	S	Township:	5.0 S
Range:	81.0 W	Section :	26
Q160:	SW	Q40:	NW
Q10:	Not Reported	Coordew:	0
Coordewdir:	Not Reported	Coordns:	0
Coordnsdir:	Not Reported		
Utmx:	377039.3		
Utmy:	4383004		
Locaccurac:	Spotted from quarters		
Latdecdeg:	39.587944		
Longdecdeg:	-106.431902		
Use1:	OTHER	Use2:	Not Reported
Specialuse:	MONITORING WELL	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	Not Reported		
Annappropr:	0		
Permissued:	2009-10-14		
Permexpire:	2010-01-12		
Wellconstr:	Not Reported		
Firstbenef:	Not Reported		
Pumpinstal:	Not Reported		
Wellplugge:	Not Reported		
Comment :	243 Boulder St. Miniturn 81645		
Elev:	0	Welldepth:	0
Topperfcas:	0	Botperfcas:	0
Yield:	0		
Staticwl:	0		
Applicantn:	MINITURN TOWN OF		
Completewe:	2	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	377049.3		
Disputmy:	4383032.2		
Latitude:	39.5879447625		
Longitude:	-106.431902503		
Site id:	CO6000000249820		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

Database	EDR ID Number
CO WELLS	**CO6000000310407**

H27
SE
1/2 - 1 Mile
Higher

Fid:	310406	Objectid:	310407
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=0261206D		
Receipt:	0261206D	Permit:	29643-M
Wdid:	Not Reported	Currstatus:	Permit Issued; Completion Status Unknown
Wellname:	Not Reported	Caseno:	Not Reported
Div:	5	Wd:	37
County:	EAGLE	Mgmtdist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	0		
Pm:	S	Township:	5.0 S
Range:	81.0 W	Section :	36
Q160:	SW	Q40:	SE
Q10:	Not Reported	Coordew:	1450
Coordewdir:	W	Coordns:	420
Coordnsdir:	S		
Utmx:	378992.5		
Utmy:	4380739		
Locaccurac:	Spotted from section lines		
Latdecdeg:	39.56782		
Longdecdeg:	-106.40875		
Use1:	OTHER	Use2:	Not Reported
Specialuse:	MONITORING WELL	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	acres		
Annappropr:	0		
Permissued:	1986-01-15		
Permexpire:	Not Reported		
Wellconstr:	Not Reported		
Firstbenef:	Not Reported		
Pumpinstal:	Not Reported		
Wellplugge:	Not Reported		
Comment :	Not Reported		
Elev:	0	Welldepth:	0
Topperfcas:	0	Botperfcas:	0
Yield:	0		
Staticwl:	0		
Applicantn:	ENG. SCIENCE		
Completewe:	0	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	378992.5		
Disputmy:	4380739		
Latitude:	39.5678202887		
Longitude:	-106.408750439		
Site id:	CO6000000310407		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

Database	EDR ID Number
CO WELLS	**CO6000000310404**

H28
SE
1/2 - 1 Mile
Higher

Fid:	310403	Objectid:	310404
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=0261206A		
Receipt:	0261206A	Permit:	29640-M
Wdid:	Not Reported	Currstatus:	Permit Issued; Completion Status Unknown
Wellname:	Not Reported	Caseno:	Not Reported
Div:	5	Wd:	37
County:	EAGLE	Mgmtdist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	0		
Pm:	S	Township:	5.0 S
Range:	81.0 W	Section :	36
Q160:	SW	Q40:	SE
Q10:	Not Reported	Coordew:	1580
Coordewdir:	W	Coordns:	400
Coordnsdir:	S		
Utmx:	379032.2		
Utmy:	4380733		
Locaccurac:	Spotted from section lines		
Latdecdeg:	39.567772		
Longdecdeg:	-106.408287		
Use1:	OTHER	Use2:	Not Reported
Specialuse:	MONITORING WELL	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	acres		
Annappropr:	0		
Permissued:	1986-01-15		
Permexpire:	Not Reported		
Wellconstr:	Not Reported		
Firstbenef:	Not Reported		
Pumpinstal:	Not Reported		
Wellplugge:	Not Reported		
Comment :	Not Reported		
Elev:	0	Welldepth:	0
Topperfcas:	0	Botperfcas:	0
Yield:	0		
Staticwl:	0		
Applicantn:	ENG. SCIENCE		
Completewe:	0	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	379032.2		
Disputmy:	4380733		
Latitude:	39.5677718431		
Longitude:	-106.408287295		
Site id:	CO6000000310404		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

Database	EDR ID Number
CO WELLS	**CO6000000310405**

H29
SE
1/2 - 1 Mile
Higher

Fid:	310404	Objectid:	310405
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=0261206B		
Receipt:	0261206B	Permit:	29641-M
Wdid:	Not Reported	Currstatus:	Permit Issued; Completion Status Unknown
Wellname:	Not Reported	Caseno:	Not Reported
Div:	5	Wd:	37
County:	EAGLE	Mgmtdist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	0		
Pm:	S	Township:	5.0 S
Range:	81.0 W	Section :	36
Q160:	SW	Q40:	SE
Q10:	Not Reported	Coordew:	1585
Coordewdir:	W	Coordns:	400
Coordnsdir:	S		
Utmx:	379033.8		
Utmy:	4380733		
Locaccurac:	Spotted from section lines		
Latdecdeg:	39.567772		
Longdecdeg:	-106.408269		
Use1:	OTHER	Use2:	Not Reported
Specialuse:	MONITORING WELL	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	acres		
Annappropr:	0		
Permissued:	1986-01-15		
Permexpire:	Not Reported		
Wellconstr:	Not Reported		
Firstbenef:	Not Reported		
Pumpinstal:	Not Reported		
Wellplugge:	Not Reported		
Comment :	Not Reported		
Elev:	0	Welldepth:	0
Topperfcas:	0	Botperfcas:	0
Yield:	0		
Staticwl:	0		
Applicantn:	ENG. SCIENCE		
Completewe:	0	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	379033.8		
Disputmy:	4380733		
Latitude:	39.5677720688		
Longitude:	-106.408268673		
Site id:	CO6000000310405		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

	Database	EDR ID Number
30 SE 1/2 - 1 Mile Higher	**CO WELLS**	**CO6000000245263**

Fid:	245262	Objectid:	245263
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=0045333		
Receipt:	0045333	Permit:	45333-MH
Wdid:	Not Reported	Currstatus:	Permit Issued; Completion Status Unknown
Wellname:	Not Reported	Caseno:	Not Reported
Div:	5	Wd:	37
County:	EAGLE	Mgmtdist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	0		
Pm:	S	Township:	5.0 S
Range:	81.0 W	Section :	36
Q160:	SW	Q40:	SE
Q10:	Not Reported	Coordew:	0
Coordewdir:	Not Reported	Coordns:	0
Coordnsdir:	Not Reported		
Utmx:	379150.9		
Utmy:	4380818.5		
Locaccurac:	Spotted from quarters		
Latdecdeg:	39.568558		
Longdecdeg:	-106.406921		
Use1:	OTHER	Use2:	Not Reported
Specialuse:	MONITORING WELL	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	Not Reported		
Annappropr:	0		
Permissued:	2005-07-21		
Permexpire:	2005-10-19		
Wellconstr:	Not Reported		
Firstbenef:	Not Reported		
Pumpinstal:	Not Reported		
Wellplugge:	Not Reported		
Comment :	17 holes - 266779, 266781, 266791-266792		
Elev:	0	Welldepth:	0
Topperfcas:	0	Botperfcas:	0
Yield:	0		
Staticwl:	0		
Applicantn:	GINN COMPANY		
Completewe:	0	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	379150.9		
Disputmy:	4380818.5		
Latitude:	39.5685587418		
Longitude:	-106.406921368		
Site id:	CO6000000245263		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

Database	EDR ID Number
CO WELLS	**CO6000000204914**

31
NNW
1/2 - 1 Mile
Higher

Fid:	204913	Objectid:	204914
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=0013879		
Receipt:	0013879	Permit:	11115-F
Wdid:	Not Reported	Currstatus:	Permit Expired
Wellname:	Not Reported	Caseno:	Not Reported
Div:	5	Wd:	37
County:	EAGLE	Mgmtdist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	0		
Pm:	S	Township:	5.0 S
Range:	81.0 W	Section :	26
Q160:	NW	Q40:	SE
Q10:	Not Reported	Coordew:	0
Coordewdir:	Not Reported	Coordns:	0
Coordnsdir:	Not Reported		
Utmx:	377465.4		
Utmy:	4383417.4		
Locaccurac:	Spotted from quarters		
Latdecdeg:	39.59173		
Longdecdeg:	-106.427018		
Use1:	COMMERCIAL	Use2:	Not Reported
Specialuse:	Not Reported	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	acres		
Annappropr:	0		
Permissued:	1966-08-12		
Permexpire:	Not Reported		
Wellconstr:	Not Reported		
Firstbenef:	Not Reported		
Pumpinstal:	Not Reported		
Wellplugge:	Not Reported		
Comment :	Not Reported		
Elev:	0	Welldepth:	0
Topperfcas:	0	Botperfcas:	0
Yield:	0		
Staticwl:	0		
Applicantn:	FLEWELLING AL		
Completewe:	0	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	377465.4		
Disputmy:	4383417.4		
Latitude:	39.5917295549		
Longitude:	-106.427018334		
Site id:	CO6000000204914		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

	Database	EDR ID Number
H32 SE 1/2 - 1 Mile Higher	**CO WELLS**	**CO6000000310409**

Fid:	310408	Objectid:	310409
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=0261206F		
Receipt:	0261206F	Permit:	29645-M
Wdid:	Not Reported	Currstatus:	Permit Issued; Completion Status Unknown
Wellname:	Not Reported	Caseno:	Not Reported
Div:	5	Wd:	37
County:	EAGLE	Mgmtdist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	0		
Pm:	S	Township:	5.0 S
Range:	81.0 W	Section :	36
Q160:	SW	Q40:	SE
Q10:	Not Reported	Coordew:	1580
Coordewdir:	W	Coordns:	260
Coordnsdir:	S		
Utmx:	379032.7		
Utmy:	4380690		
Locaccurac:	Spotted from section lines		
Latdecdeg:	39.567385		
Longdecdeg:	-106.408274		
Use1:	OTHER	Use2:	Not Reported
Specialuse:	MONITORING WELL	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	acres		
Annappropr:	0		
Permissued:	1986-01-15		
Permexpire:	Not Reported		
Wellconstr:	Not Reported		
Firstbenef:	Not Reported		
Pumpinstal:	Not Reported		
Wellplugge:	Not Reported		
Comment :	Not Reported		
Elev:	0	Welldepth:	0
Topperfcas:	0	Botperfcas:	0
Yield:	0		
Staticwl:	0		
Applicantn:	ENG. SCIENCE		
Completewe:	0	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	379032.7		
Disputmy:	4380690		
Latitude:	39.5673845806		
Longitude:	-106.408273638		
Site id:	CO6000000310409		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID
Direction
Distance
Elevation

Database	EDR ID Number
CO WELLS	**CO6000000310406**

H33
SE
1/2 - 1 Mile
Higher

Fid:	310405	Objectid:	310406
Moreinfo:	http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=0261206C		
Receipt:	0261206C	Permit:	29642-M
Wdid:	Not Reported	Currstatus:	Permit Issued; Completion Status Unknown
Wellname:	Not Reported	Caseno:	Not Reported
Div:	5	Wd:	37
County:	EAGLE	Mgmtdist:	Not Reported
Desigbasin:	Not Reported		
Subdivname:	Not Reported		
Filing:	Not Reported	Lot:	Not Reported
Block:	Not Reported	Ctyparclid:	Not Reported
Parcelsize:	0		
Pm:	S	Township:	5.0 S
Range:	81.0 W	Section :	36
Q160:	SW	Q40:	SE
Q10:	Not Reported	Coordew:	1585
Coordewdir:	W	Coordns:	260
Coordnsdir:	S		
Utmx:	379034.3		
Utmy:	4380690		
Locaccurac:	Spotted from section lines		
Latdecdeg:	39.567385		
Longdecdeg:	-106.408255		
Use1:	OTHER	Use2:	Not Reported
Specialuse:	MONITORING WELL	Aquifer1:	ALL UNNAMED AQUIFERS
Aquifer2:	Not Reported		
Permitarea:	0		
Permitunit:	acres		
Annappropr:	0		
Permissued:	1986-01-15		
Permexpire:	Not Reported		
Wellconstr:	Not Reported		
Firstbenef:	Not Reported		
Pumpinstal:	Not Reported		
Wellplugge:	Not Reported		
Comment :	Not Reported		
Elev:	0	Welldepth:	0
Topperfcas:	0	Botperfcas:	0
Yield:	0		
Staticwl:	0		
Applicantn:	ENG. SCIENCE		
Completewe:	0	Ogcc api:	Not Reported
Ogjobbatch:	0		
Disputmx:	379034.3		
Disputmy:	4380690		
Latitude:	39.5673848064		
Longitude:	-106.408255017		
Site id:	CO6000000310406		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS
RADON

AREA RADON INFORMATION

State Database: CO Radon

Radon Test Results

Zip	Total Sites	Avg	% sites<=4 pCi/L	% sites>4&<10 pCi/L	% sites>=10&<20 pCi/L	% sites>20 pCi/L
81657	9	5.71	55.56	11.11	33.33	0.00

Federal EPA Radon Zone for EAGLE County: 2

Note: Zone 1 indoor average level > 4 pCi/L.
: Zone 2 indoor average level >= 2 pCi/L and <= 4 pCi/L.
: Zone 3 indoor average level < 2 pCi/L.

Federal Area Radon Information for Zip Code: 81657

Number of sites tested: 1

Area	Average Activity	% <4 pCi/L	% 4-20 pCi/L	% >20 pCi/L
Living Area - 1st Floor	Not Reported	Not Reported	Not Reported	Not Reported
Living Area - 2nd Floor	Not Reported	Not Reported	Not Reported	Not Reported
Basement	2.800 pCi/L	100%	0%	0%

PHYSICAL SETTING SOURCE RECORDS SEARCHED

TOPOGRAPHIC INFORMATION

USGS 7.5' Digital Elevation Model (DEM)
Source: United States Geologic Survey
EDR acquired the USGS 7.5' Digital Elevation Model in 2002 and updated it in 2006. The 7.5 minute DEM corresponds to the USGS 1:24,000- and 1:25,000-scale topographic quadrangle maps. The DEM provides elevation data with consistent elevation units and projection.

Scanned Digital USGS 7.5' Topographic Map (DRG)
Source: United States Geologic Survey
A digital raster graphic (DRG) is a scanned image of a U.S. Geological Survey topographic map. The map images are made by scanning published paper maps on high-resolution scanners. The raster image is georeferenced and fit to the Universal Transverse Mercator (UTM) projection.

HYDROLOGIC INFORMATION

Flood Zone Data: This data, available in select counties across the country, was obtained by EDR in 2003 & 2011 from the Federal Emergency Management Agency (FEMA). Data depicts 100-year and 500-year flood zones as defined by FEMA.

NWI: National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002, 2005 and 2010 from the U.S. Fish and Wildlife Service.

State Wetlands Data: Riparian Vegetation Data
Source: Division of Wildlife
Telephone: 970-416-3360

HYDROGEOLOGIC INFORMATION

AQUIFLOW^{R} Information System
Source: EDR proprietary database of groundwater flow information
EDR has developed the AQUIFLOW Information System (AIS) to provide data on the general direction of groundwater flow at specific points. EDR has reviewed reports submitted to regulatory authorities at select sites and has extracted the date of the report, hydrogeologically determined groundwater flow direction and depth to water table information.

GEOLOGIC INFORMATION

Geologic Age and Rock Stratigraphic Unit
Source: P.G. Schruben, R.E. Arndt and W.J. Bawiec, Geology of the Conterminous U.S. at 1:2,500,000 Scale - A digital representation of the 1974 P.B. King and H.M. Beikman Map, USGS Digital Data Series DDS - 11 (1994).

STATSGO: State Soil Geographic Database
Source: Department of Agriculture, Natural Resources Conservation Services
The U.S. Department of Agriculture's (USDA) Natural Resources Conservation Service (NRCS) leads the national Conservation Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. Soil maps for STATSGO are compiled by generalizing more detailed (SSURGO) soil survey maps.

SSURGO: Soil Survey Geographic Database
Source: Department of Agriculture, Natural Resources Conservation Services (NRCS)
Telephone: 800-672-5559
SSURGO is the most detailed level of mapping done by the Natural Resources Conservation Services, mapping scales generally range from 1:12,000 to 1:63,360. Field mapping methods using national standards are used to construct the soil maps in the Soil Survey Geographic (SSURGO) database. SSURGO digitizing duplicates the original soil survey maps. This level of mapping is designed for use by landowners, townships and county natural resource planning and management.

PHYSICAL SETTING SOURCE RECORDS SEARCHED

LOCAL / REGIONAL WATER AGENCY RECORDS

FEDERAL WATER WELLS

PWS: Public Water Systems
Source: EPA/Office of Drinking Water
Telephone: 202-564-3750
Public Water System data from the Federal Reporting Data System. A PWS is any water system which provides water to at least 25 people for at least 60 days annually. PWSs provide water from wells, rivers and other sources.

PWS ENF: Public Water Systems Violation and Enforcement Data
Source: EPA/Office of Drinking Water
Telephone: 202-564-3750
Violation and Enforcement data for Public Water Systems from the Safe Drinking Water Information System (SDWIS) after August 1995. Prior to August 1995, the data came from the Federal Reporting Data System (FRDS).

USGS Water Wells: USGS National Water Inventory System (NWIS)
This database contains descriptive information on sites where the USGS collects or has collected data on surface water and/or groundwater. The groundwater data includes information on wells, springs, and other sources of groundwater.

OTHER STATE DATABASE INFORMATION

RADON

State Database: CO Radon
Source: Department of Public Health & Environment
Telephone: 303-692-3090
Radon Study in Colorado

Area Radon Information
Source: USGS
Telephone: 703-356-4020
The National Radon Database has been developed by the U.S. Environmental Protection Agency (USEPA) and is a compilation of the EPA/State Residential Radon Survey and the National Residential Radon Survey. The study covers the years 1986 - 1992. Where necessary data has been supplemented by information collected at private sources such as universities and research institutions.

EPA Radon Zones
Source: EPA
Telephone: 703-356-4020
Sections 307 & 309 of IRAA directed EPA to list and identify areas of U.S. with the potential for elevated indoor radon levels.

OTHER

Airport Landing Facilities: Private and public use landing facilities
Source: Federal Aviation Administration, 800-457-6656

Epicenters: World earthquake epicenters, Richter 5 or greater
Source: Department of Commerce, National Oceanic and Atmospheric Administration

Earthquake Fault Lines: The fault lines displayed on EDR's Topographic map are digitized quaternary faultlines, prepared in 1975 by the United State Geological Survey

PHYSICAL SETTING SOURCE RECORDS SEARCHED

STREET AND ADDRESS INFORMATION

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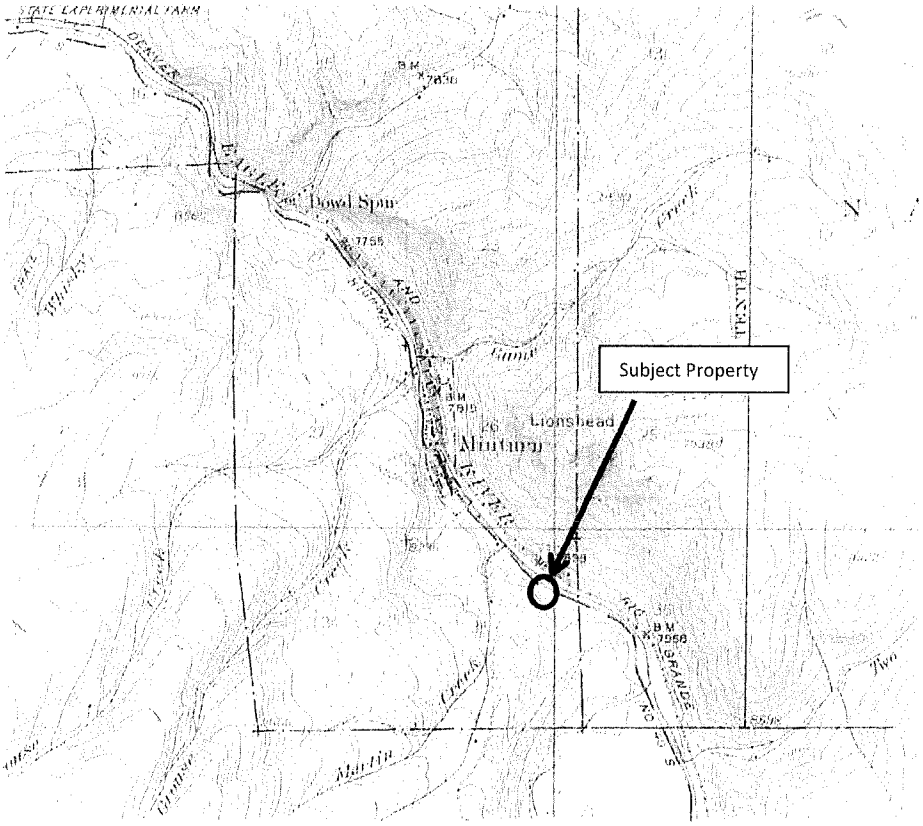
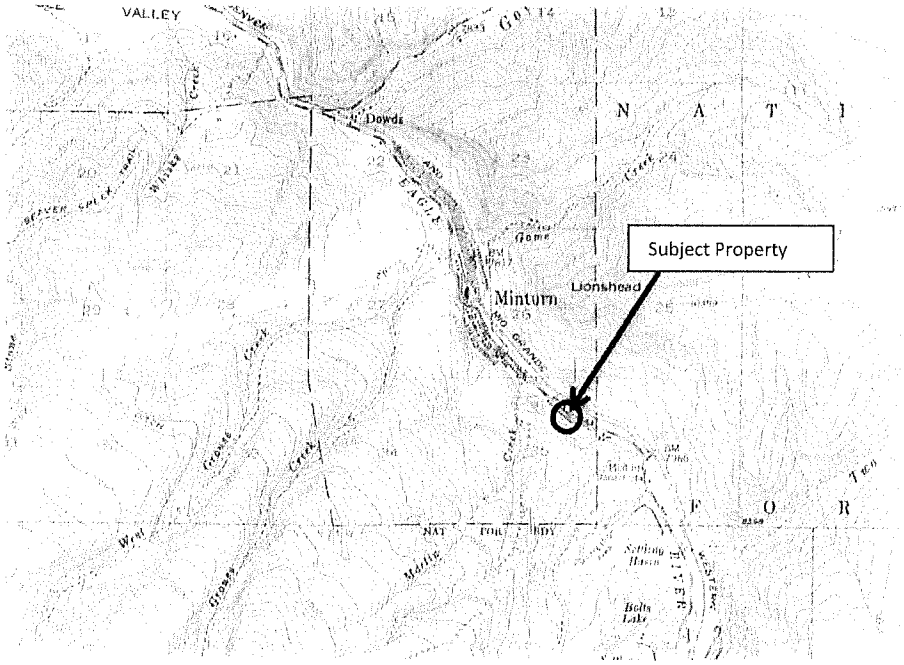
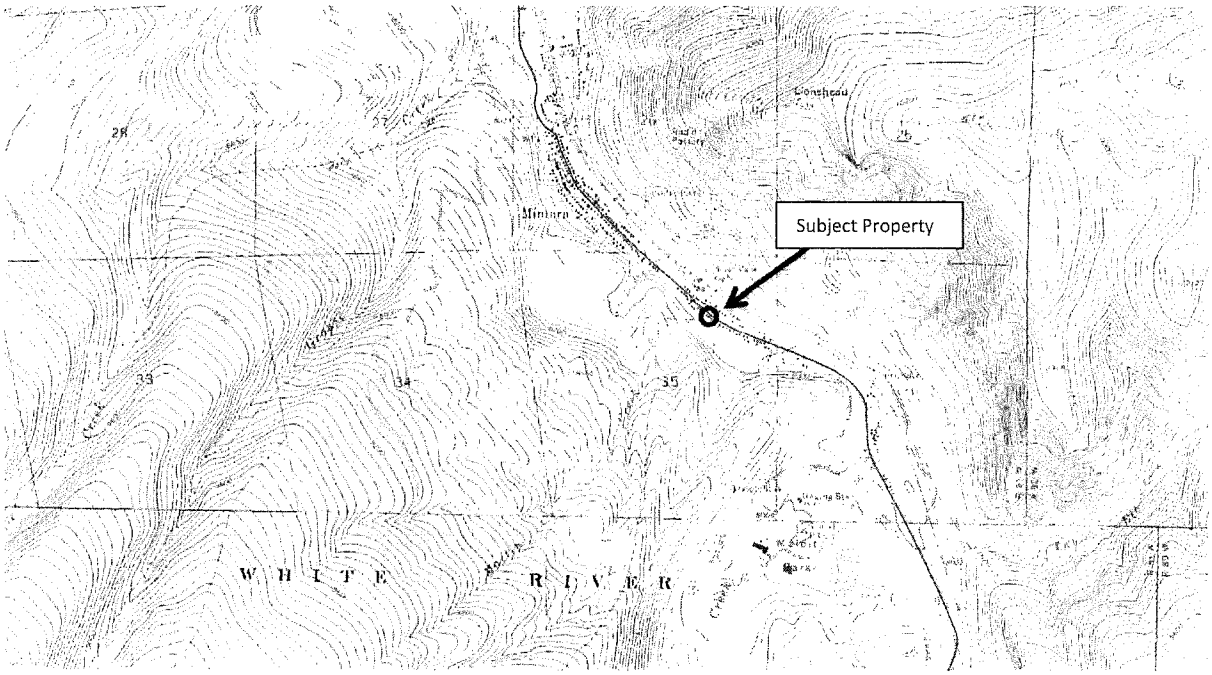
Appendix D



USGS Topographic Map – Date 1934



USGS Topographic Map – Date 1950



USGS Topographic Map – 1970 Photo-revised – 1987

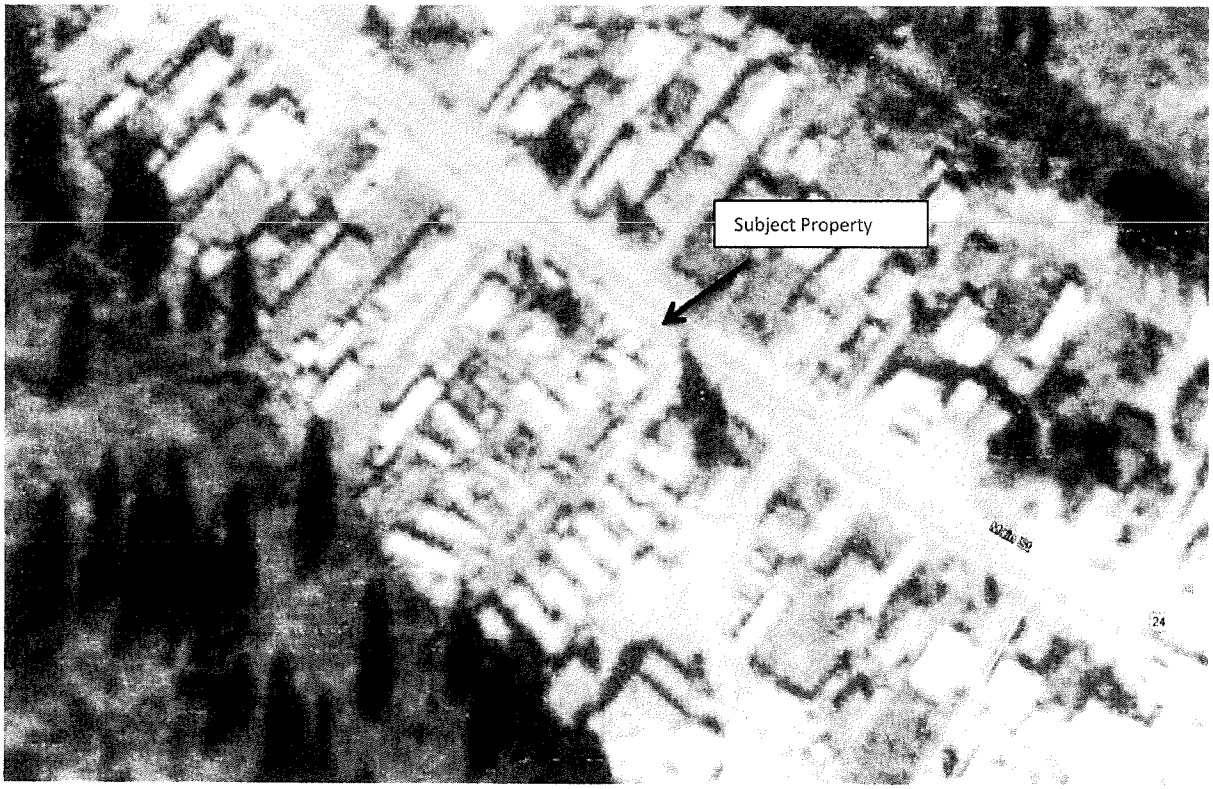


Photo - 1999

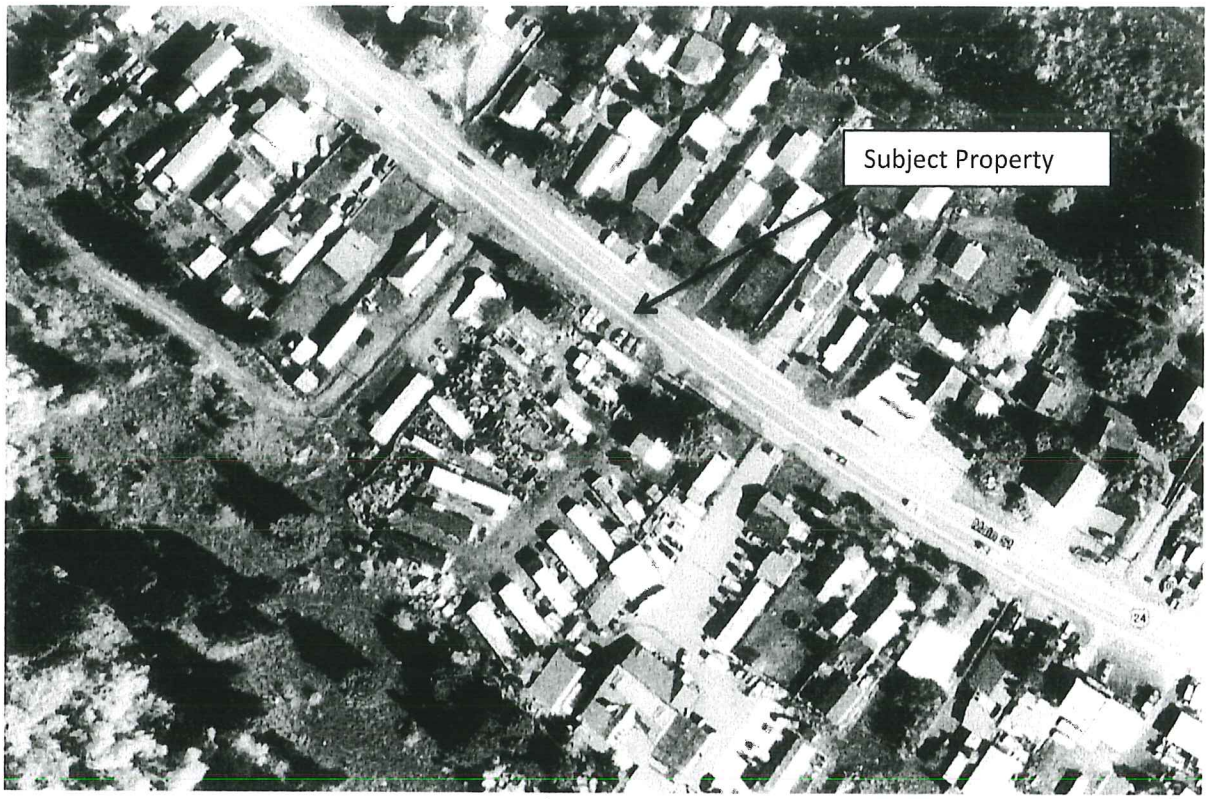


Photo – 2004



Photo - 2011

Appendix E

Southwest West Northwest

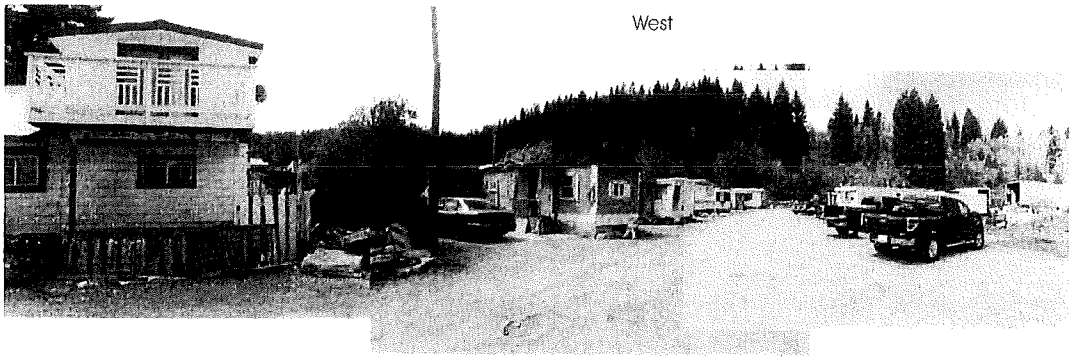


Photo 1 Panorama of Subject Property from Entrance

East Southeast South



Photo 2 Panorama of Subject Property from Northwest Corner



Photo 3 View to East of Residence, and Entrance Driveway – Gravel Surfaced Road



Photo 4 View to South of Typical Mobil Homes on Site – Steep Hillside is Visible in Upper Right of Photo – Building that once Housed Alpine Glass is Visible at Center Top

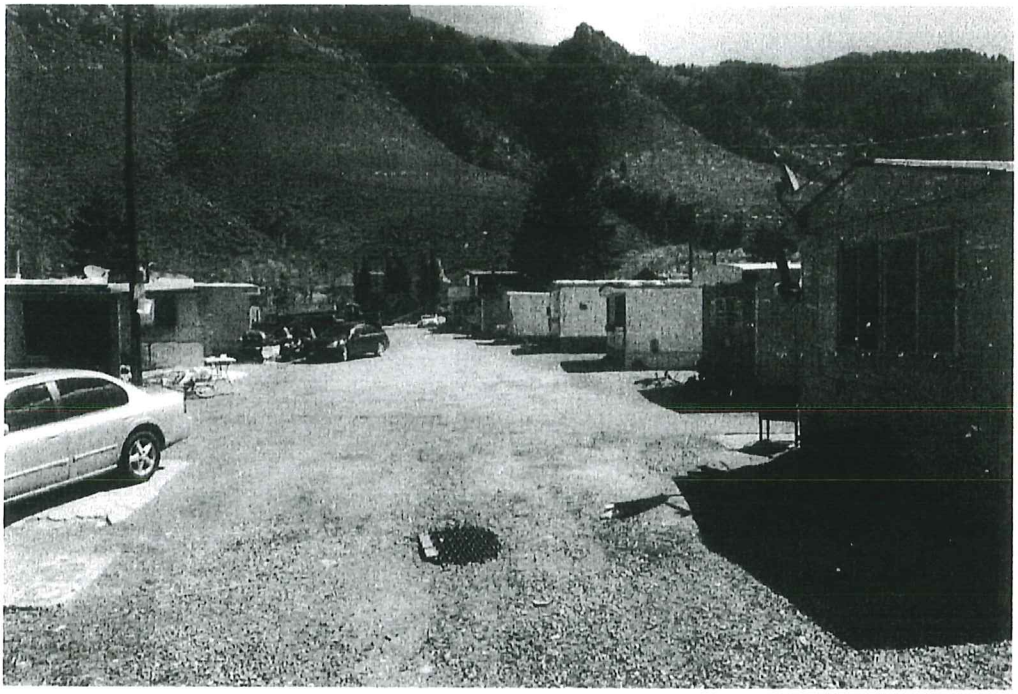


Photo 5 View to East of Main Driveway Showing Gravel Surface and Mobile Homes – The Grate in Driveway in the Foreground Covers a Pothole – Road Surface is Clean and Well Kept



Photo 6 View North of Working Part of Storage Area with Water in Low Area from Recent Rains – Note Water is Clean and Shows no Evidence of any Contaminants or Sheen- A Small Above Ground Fuel Storage Tank Had Been at this Location For a Short Time a Few Years Ago



Photo 7 Inside of Storage Trailer- Unorganized

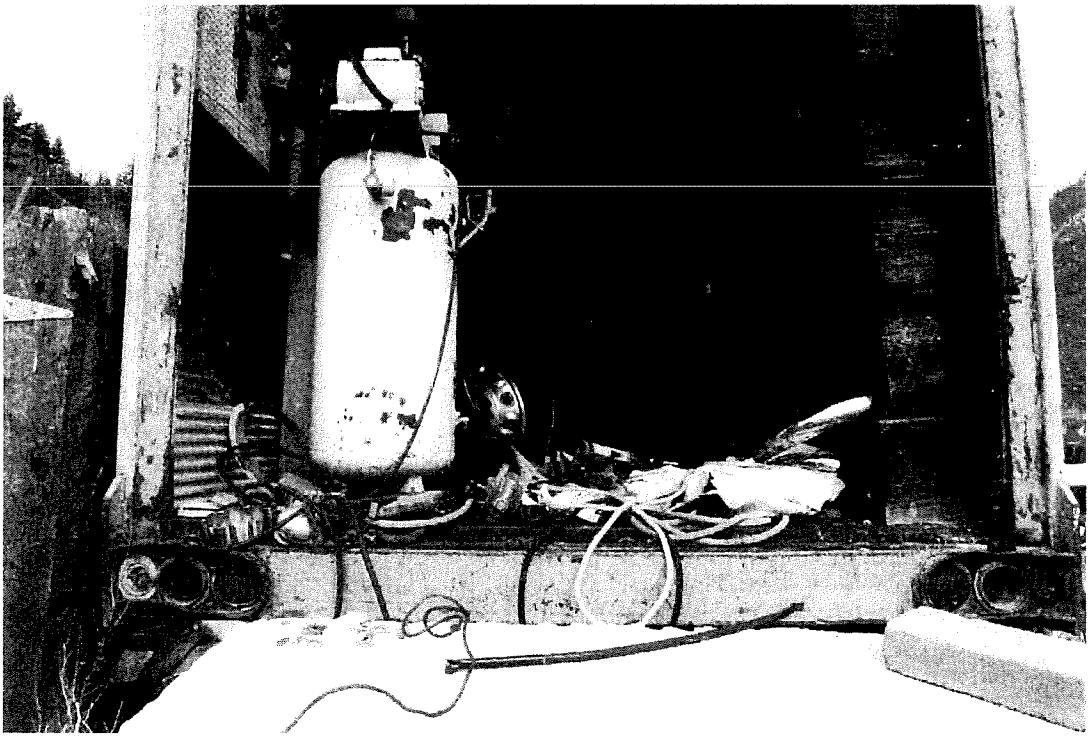


Photo 8 Inside Storage Trailer - Organized

Sec. 16-20-20. - Preliminary environmental assessment.

(a)

When required by the Planning Commission, submission and review of a preliminary environmental assessment on any proposed land development, land use change, Planned Unit Development or subdivision that may affect to any significant degree the quality of the natural, cultural, social or economic environment in the Town shall include a preliminary environmental assessment of whether the proposed project "will," "will not" or "could possibly" affect the environment, either during construction or on a continuing basis in each of the following respects:

(1)

By altering an ecological unit or land form, such as a ridgeline, saddle, draw, ravine, hillside, cliff, slope, creek, marsh, watercourse or other natural landform feature; Midtown Village will not affect the environment either during construction or on a continuing basis. The site is basically flat and has no discernable features.

(2)

By directly or indirectly affecting a wildlife habitat, feeding ground or nesting ground; Midtown Village will not affect the environment either during construction or on a continuing basis. The site is not a natural habitat for any species and has virtually no trees or grass. The only feeding grounds that currently exist on the property is the trash from residents that attract local bears.

(3)

By altering or removing native grasses, trees, shrubs or other vegetative cover; Midtown Village will not affect the environment either during construction or on a continuing basis. The has virtually no trees and no native grasses or shrubs. It does have a number of noxious weeds that would be positively mitigated by developing the site.

(4)

By affecting the appearance or character of a significant scenic area or resource, or involving buildings or other structures that are of a size, bulk or scale that would be in marked contrast to natural or existing cultural features; Midtown Village will not affect the environment either during construction or on a continuing basis. The proposed uses of the site are very similar to existing and previous uses. The bulk and density will go up slightly due the 16 units proposed in the apartment building, but that building is similar is scale to the existing green commercial building.

(5)

By potentially resulting in rock fall, avalanche, landslide, siltation, settlement, flood or other landform change or hazard to health and safety; Midtown Village will not affect the environment either during construction or on a continuing basis. As stated earlier, the site is basically flat and contains no hazards relative to landslides, rock fall, settlement etc..

(6)

By discharging toxic or thermally abnormal substance or involving use of herbicides or pesticides, or emitting smoke, gas, steam, dust or other particulate matter; Midtown Village will not affect the environment either during construction or on a continuing basis. The project is primarily a residential environment and the small commercial component is proposed to be more of an office/retail nature vs any type of light industrial or agricultural use. Dust created during site work, mass grading, clearing, grubbing will be mitigated through normal best practices of construction IE. Water trucks, spraying down dry dirt being moved, loaded or dumped.

(7)

By involving any process which results in odor that may be objectionable or damaging; Same as above. Midtown Village will not affect the environment either during construction or on a continuing basis. The project is primarily a residential environment and the small commercial component is proposed to be more of an office/retail nature vs any type of light industrial or agricultural use. Dust created during site work, mass grading, clearing, grubbing will be mitigated through normal best practices of construction IE. Water trucks, spraying down dry dirt being moved, loaded or dumped.

(8)

By requiring any waste treatment, cooling or settlement pond, or requiring transportation of solid or liquid wastes to a treatment or disposal site by discharging significant volumes of solid or liquid wastes; Midtown Village will not affect the environment either during construction or on a continuing basis. This project does not contain any elements related to the above topics.

(9)

(10)

By increasing the demand on existing or planned water supply, sewage disposal, storm drainage or other utility systems to a level which is likely to cause an adverse impact on the Town or the environment; ; Midtown Village will not affect the environment either during construction or on a continuing basis. The Phasing of the project (3 Phases) takes into account the existing condition of the Town water supply issues and demands as well as the existing condition of the ERWSD sewer upgrade lift station in Dowd Junction. The project currently has sufficient existing SFE's (19.5) to support Phase 1 of the Project. Phase 2 and 3 would not continue until such time as both the Town of Minturn Public Works Dept / Water supply and ERWSD sign off on their ability to serve the next phases of the project.

(11)

By involving any process which generates noise that may be offensive or damaging; ; Midtown Village could possibly affect the environment during construction but will not on a continuing basis once construction is complete. The project will adhere to strict guidelines with regards to hours of construction.

Monday-Friday 7:00 AM – 7:00 PM

Saturday 8:00 AM - 4:00 PM

No Work on Sundays

(12)

By either displacing significant numbers of people or resulting in a significant increase in population; ; Midtown Village will not affect the environment either during construction or on a continuing basis. Upon completion, the project will provide 25+ units of affordable workforce housing and this type of growth is encouraged by the Town.

(13)

By preempting a site that is desirable for recreational uses or planned open space; ; Midtown Village will not affect the environment either during construction or on a continuing basis. This site has been identified as a prime site for in-fill, higher density residential and mixed uses and there is a US Forest Service open space next door.

(14)

By altering local traffic patterns or causing an increase in traffic volume or transit service need; and/or ; Midtown Village could possibly affect the environment either during construction or on a continuing basis. A Traffic Study has been provided.

(15)

By being a part of a larger project that, at any future stage, may involve any of the impacts listed above. ; Midtown Village will not affect the environment either during construction or on a continuing basis. The project is proposed to be designed, built and managed 100% by our own team and is not part of any future, larger project.

(b)

For each area stated above for which the response is "will" or "could possibly," an environmental impact report addressing such concerns may be required by the Planning Commission before development review by the Planning Commission, or may be required by the Town Council at any time prior to final approval.

TOPOGRAPHIC SURVEY
PART OF THE NE1/4 OF SECTION 35, T5S, R81W 6TH P.M., AKA: LOT 10 (PART OF) SOUTH MINTURN ADDITION
Town of Minturn, County of Eagle, Colorado

PROPERTY DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF LOT 10, SOUTH MINTURN ADDITION, RECORDED MARCH 1, 1978, AT RECEPTION NO. 163774 AND A PORTION OF PARCEL B, SOUTH MINTURN ESTATES, RECORDED NOVEMBER 07, 1988, AT RECEPTION NO. 390713 SITUATED IN THE NE1/4 OF SECTION 35, TOWNSHIP 5 SOUTH, RANGE 81 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF MINTURN, COUNTY OF EAGLE, STATE OF COLORADO, DESCRIBED AS FOLLOWS: BEGINNING AT A FOUND 1.5" ALUMINUM CAP LS #14109, MARKING A WESTERLY CORNER OF SAID LOT 10, FROM WHENCE A 1.5" ALUMINUM CAP SET IN CONCRETE MARKING AN ANGLE POINT OF SAID PARCEL B, BEARS N41°25'32"W 307.94 FEET, SAID LINE FORMING THE BASIS OF BEARINGS FOR THE FOLLOWING DESCRIPTION: LEAVING SAID WESTERLY CORNER ALONG A WESTERLY LINE OF SAID LOT 10, N40°57'36"E 19.39 FEET TO A POINT BEING THE SOUTHEASTERLY CORNER OF A PARCEL OF LAND DESCRIBED IN INSTRUMENT RECORDED MAY 27, 1993 AT RECEPTION NO. 506114, ALSO KNOWN AS LOT 9; THENCE CONTINUING ALONG A LINE COMMON TO SAID LOT 9 AND LOT 10, N40°57'36"E 190.00 FEET TO A FOUND #5 REBAR LOCATED ON THE SOUTHERLY RIGHT OF WAY OF U.S. HIGHWAY 24, MARKING A COMMON CORNER OF SAID LOT 9 AND 10; THENCE ALONG SAID RIGHT OF WAY 200.75 FEET ALONG AN ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 2905 FEET, INTERIOR ANGLE OF 03°57'34" AND A CHORD WHICH BEARS S52°21'01"E 200.71 FEET TO A FOUND 1.5" ALUMINUM CAP ON #5 REBAR LS #30091 MARKING THE NORTHWESTERLY CORNER OF PARCEL 3 AS BEING DESCRIBED IN INSTRUMENT RECORDED OCTOBER 29, 2013 AT RECEPTION NO. 201321950; THENCE LEAVING SAID RIGHT OF WAY ALONG THE WESTERLY LINE OF SAID PARCEL 3, S38°19'59"W 150.48 FEET TO A FOUND 1.5" ALUMINUM CAP LS #30091 MARKING A CORNER COMMON TO SAID LOT 10 AND PARCEL 3; THENCE ALONG A LINE COMMON TO SAID LOT 10 AND PARCEL 1 AS BEING DESCRIBED IN INSTRUMENT RECORDED AT RECEPTION NO. 201321950, S39°30'38"W 105.96 FEET TO A FOUND 1.5" ALUMINUM CAP ON #5 REBAR LS #14109 MARKING A CORNER COMMON TO SAID LOT 10 AND PARCEL 1, AND ALSO THE NORTHWESTERLY CORNER OF PARCEL 5, AS DESCRIBED IN INSTRUMENT RECORDED OCTOBER 29, 2013 AT RECEPTION NO. 201321950; THENCE LEAVING SAID LINE COMMON TO SAID LOT 10 AND PARCEL 1, ALONG A LINE KNOWN AS THE SOUTHERLY BOUNDARY OF SAID LOT 10, N36°46'00"W 101.53' TO AN ANGLE POINT COMMON TO SAID LOT 10 AND PARCEL B; THENCE ALONG A LINE COMMON TO SAID PARCEL B, S89°40'00"W 43.35 FEET TO A FOUND 1.5" ALUMINUM CAP ON #5 REBAR, STAMPED LS #38079; THENCE N38°57'47"W 46.20 FEET TO A FOUND 1.5" ALUMINUM CAP ON #5 REBAR STAMPED LS #38079, FOUND ALONG AN OLD FENCE LINE NOTED IN ADVERSE POSSESSION CASE NO. 90 CV 625, DESCRIBED IN INSTRUMENT RECORDED MAY 4, 2015 AT RECEPTION NO. 201507801; THENCE N30°02'13"W 32.15 FEET ALONG SAID FENCE LINE TO A FOUND 1.5" ALUMINUM CAP ON #5 REBAR, STAMPED LS #38079; THENCE N46°00'32"E 23.29 FEET ALONG SAID FENCE LINE TO A FOUND 1.5" ALUMINUM CAP ON #5 REBAR, STAMPED LS #38079, MARKING A COMMON CORNER OF SAID LOT 10 AND PARCEL B; THENCE N41°59'45"W 4.37 FEET LEAVING SAID FENCE LINE ALONG A LINE COMMON TO SAID LOT 10 AND PARCEL B TO THE POINT OF BEGINNING.

SAID PARCEL BEING 1.145 ACRES MORE OR LESS.

NOTES:

1) DATE OF SURVEY: May 2015 – September 2016

2) STREET ADDRESS: 947 South Main Street (U.S. Highway 24) Not Posted

3) Location of improvements and lot lines are based upon: the a Title Commitment provided by Land Title Guarantee Company Order No. ABJ50042592–5, with an effective date of 02–19–2016, and Survey Monuments found at the time of this survey as shown hereon.

4) BENCHMARK: Found 1.5" Aluminum Cap Assumed Elevation = 100.0' as shown hereon.

5) 1 Foot Contours Shown hereon.

6) U.S Survey Feet was used for this Survey.

7) 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 certification shown hereon.

Topographic Survey Part Of The NE1/4 Of Section 35 T5S, R81W, 6TH P.M. *Town of Minturn, County of Eagle, Colorado*	
JOB NO.: 15025	*DATE: 9–19–16*
SHEET 1 OF 1	*DWG NAME: Lot 10–SM–Topo*

KIPP LAND SURVEYING
RANDY KIPP P.L.S.
P.O. Box 3154
Eagle, CO 81631
(970) 390-9540
email: randy@kipplandsurveying.com
web: kipplandsurveying.com

Limited Phase II Subsurface Investigation Report

REPORT DATE: September 26, 2022

SITE INFORMATION
987 Main Street
Minturn, Eagle County, Colorado 81645

PROJECT INFORMATION
AEI Project No. 468525

PREPARED FOR
10th Mountain Builders LLC
Jeffrey Armistead
Owner
PO Box 955
Minturn, Colorado 81645

PREPARED BY
AEI Consultants
2420 W 26th Avenue
Denver, Colorado 80211
Contact: Chris Viola, cviola@aeiconsultants.com
303-916-1270

TABLE OF CONTENTS

1.0 SITE DESCRIPTION 4

2.0 BACKGROUND 5

3.0 INVESTIGATION EFFORTS 6

3.1 Health and Safety Plan 6
3.2 Permitting and Utility Clearance 6
3.3 Drilling and Soil Sample Collection 6
3.4 Groundwater Sample Collection 7
3.6 Boring Destruction 8
3.7 Decontamination Procedures and Investigation-Derived Waste 8
3.8 Laboratory Analysis 8

4.0 FINDINGS 9

4.1 Subsurface Conditions and Field Screening 9
4.2 Analytical Results 9
4.2.1 Soil Sample Analytical Results 9

5.0 SUMMARY AND CONCLUSIONS 11

6.0 REFERENCES 12

7.0 REPORT LIMITATIONS AND RELIANCE 13

FIGURES
Figure 1 Site Location Map
Figure 2 Site Map
Figure 3 Sample Location Map

TABLES
Table 1 Soil Sample Data Summary

APPENDICES
Appendix A Boring Logs
Appendix B Laboratory Analytical Reports

9/26/2022

10th Mountain Builders LLC
Mr. Jeffrey Armistead
PO Box 955
Minturn, Colorado 81645

Subject: Limited Phase II Subsurface Investigation
987 Main Street
Minturn, Colorado 81645
AEI Project No. 468525

Dear Jeffrey Armistead,

This report presents the results of the Limited Phase II Subsurface Investigation (Phase II) performed by AEI Consultants (AEI) at 987 Main Street, Minturn, Colorado ("the Site"). This investigation was completed to assess the recognized environmental conditions (RECs) identified in *Phase I Environmental Site Assessment* (ESA) report dated August 19th, 2022. The investigation was performed in general accordance with the scope of services outlined in our proposal dated August 25th, 2022 (AEI Proposal Number 86858), which was subsequently authorized on August 29th, 2022.

The purpose of this investigation is to evaluate whether the subsurface conditions (i.e., soil and/or groundwater) at the Site have been significantly impacted by the RECs identified in the ESA report. Information regarding the site description, background, scope of work, findings, conclusions, and recommendations are provided in the following sections.

Sincerely,
AEI Consultants

Chris Viola
Vice President
2420 W 26th Avenue
Denver, Colorado 80211
303-916-1270
cviola@aeiconsultants.com

1.0 SITE DESCRIPTION

The Site is located on the west side of Main Street, in Minturn, Colorado. The Site consists of approximately 2.47 acres of land that is categorized as industrial and manufacturing. There are eight buildings located on site which are described as follows: a green structure, blue structure, brown garage, brown residence, light blue mobile home, green residence and shed, and a white residence. The site is additionally improved by asphalt-paved parking areas, concrete walkways, dirt access roads, and associated landscaping. The location of the site is shown on figure 1. Figure 2 presents the Site Map. The Site investigation focused on the eastern half of the property.

The ground surface at the Site and nearby properties appeared to be generally flat, with a slight topographic gradient toward the southwest and is situated at an elevation approximately 7,915 feet above mean sea level. According to the information obtained from the Colorado Division of Water Resources (DWR) for the surrounding area, groundwater was expected to be encountered from a depth of approximately 10-20 feet below ground surface (bgs) and groundwater flow direction beneath the Site is inferred to follow the topographic gradient, and flow southwest (AEI 2022).

Refer to Section 4.1 below for additional information on the Site subsurface conditions.

2.0 BACKGROUND

According to the ESA report, the commercial property had the following RECs related to current and historical operations at the Site:

- AEI observed a former concrete pit in the western portion of the green structure. In addition, a trench drain and several circular floor drains were observed in the northern portion of this building; and a suspect oil/water separator system was observed along the exterior of the building. Further, chronic petroleum like staining was observed on concrete floors throughout the green building. This structure was constructed in 1938 and historically used as an auto service garage. It is unknown how long auto servicing operations were conducted on-site. As such, petroleum and hazardous chemicals previously used may have adversely impacted the subject property through these features. Therefore, the former auto servicing operations and drains are considered a REC.

- AEI observed an exterior drain between the green and brown structures, which appeared to have a cleanout discharging from the brown structure (clubhouse). AEI was unable to access the interior of this building during the site reconnaissance. The subject property owner provided AEI with interior pictures that showed current auto repair servicing and the presence of a floor drain. Therefore, there is a potential that petroleum and hazardous chemicals may have adversely impacted the subsurface through this drain, which is considered a REC.

3.0 INVESTIGATION EFFORTS

AEI was contracted to perform a Limited Phase II Subsurface Investigation in order to evaluate the subsurface for impacts related to current and historic automotive service operations at the green and brown buildings and drainage features. Investigation efforts include the advancement of three soil borings and two soil borings with temporary monitoring wells at the Site for the collection of soil and groundwater samples. The boring locations are shown on Figure 3. The completed Site activities are summarized below.

3.1 Health and Safety Plan

A site-specific health and safety plan was prepared, reviewed by onsite personnel, and kept onsite for the duration of the fieldwork.

3.2 Permitting and Utility Clearance

Drilling permits were not required for this investigation.

The public underground utility locator Colorado 811 was notified who, in turn, notified subscribing utility companies of the planned investigation work for underground utility locations to be marked along the ground surface around the Site boundaries and proposed boring locations, where accessible. Private utility locating was conducted by GPRS of Denver, Colorado under subcontract to AEI to further identify and locate underground utilities on the Site and to clear boring locations.

3.3 Drilling and Soil Sample Collection

On September 9th, 2022, three soil borings (SB-2, SB-4, and SB-5) were advanced at the Site for soil sampling; two borings with temporary monitoring wells (SB-1 and SB-3) were advanced for soil and groundwater sampling. Boring locations are shown on Figure 3. The borings were advanced by Site Services Drilling, LLC. of Golden, Colorado using a direct push (DP) track-mounted drill rig. The locations of the borings are listed below:

- Boring SB-1 was advanced to a total depth of 20 feet below ground surface (bgs). This boring was placed approximately 5 feet southwest of the cleanout discharging from the brown structure for soil and groundwater sample collection.
- Boring SB-2 was advanced to a total depth of 12 feet bgs where direct push refusal was encountered. This boring was placed approximately 5 feet northeast of the cleanout discharging from the brown structure, for soil sample collection.
- Boring SB-3 was advanced to a total depth of 20 feet bgs. This boring was placed approximately 5 feet northwest of the oil/water separator north of the green structure for soil and groundwater sample collection.
- Boring SB-4 was advanced to a total depth of 11 feet bgs where direct push refusal was encountered. This boring was placed approximately 5 feet southeast of the oil/water separator north of the green structure for soil sample collection.
- Boring SB-5 was advanced to a total depth of 12 feet bgs, where direct push refusal was encountered. This boring was placed 3 feet southeast of a drain located 10 feet southeast of the green structure for soil sample collection.

The soil borings were evaluated throughout their entire depths for the purposes of lithologic logging, field screening (headspace testing), and laboratory analyses. The soil samples from borings were obtained using a single-walled coring system with approximately 2.25 inches and 5 feet in length containing plastic liners. The coring system was connected to 1-inch diameter, flush-jointed drill rod that was hydraulically driven (pushed) by the rig to each target sample depth. Upon retrieval from each sample depth interval, the coring system was opened, and the liners were removed and cut for visual inspection and lithologic logging purposes. Recovered soil samples were examined for soil classification and described on detailed boring log in general conformance with the Unified Soil Classification System. The boring logs are presented in Appendix A.

Select soil samples were collected from the plastic liners or plastic baggies and placed into clean laboratory-supplied jars. A measured amount of the selected sample was retrieved using a new disposable coring device and placed into two laboratory provided volatile organics analysis (VOA) 40-milliliter (ml) amber vials containing a pre-measured volume of methanol preservative and one 4-ounce clear jar with no preservative. After sealing, each sample was labeled with the project name, project number, boring number, sample depth, and sampling date/time of sampling, and each sample was entered onto chain-of-custody documentation for transportation to a State of Colorado-certified laboratory for analysis, and was placed into an insulated, chilled ice chest containing ice. The following is a summary of the soil samples collected and analyzed:

- Sample SB-1: 5-10' was collected from a depth of 5 to 10 feet bgs.
- Sample SB-1: 15-20' was collected from a depth of 15 to 20 feet bgs, in lieu of groundwater sample.
- Sample SB-2: 5-10' was collected from a depth of 5 to 10 feet bgs.
- Sample SB-3: 5-10' was collected from a depth between 5 to 10 feet bgs.
- Sample SB-3: 15-20' was collected from a depth of 15 to 20 feet bgs, in lieu of a groundwater sample.
- Sample SB-4: 5-10' was collected from a depth of 5 to 10 feet bgs.
- Sample SB-5: 5-10' was collected from a depth of 5 to 10 feet bgs.

The chain-of-custody and analytical laboratory report is included in Appendix B.

Headspace screening was performed with a PID equipped with an electrodeless 10.6 eV ultraviolet lamp or equivalent for detecting the presence of organic vapors in the soil samples collected. The PID was calibrated by the rental company before use. To initiate the headspace testing procedure, soil samples were placed into labeled, plastic bags, and sealed prior to conducting the tests. After approximately 20-30 minutes had elapsed for organic vapor build-up inside the bags, each bag was punctured with the probe tip of the PID to allow for measurement of the organic vapors or headspace gases. Measurements of the organic vapors were reported in parts per million (ppm). The resulting PID measurements were then recorded in the boring logs that are presented in Appendix A.

3.4 Groundwater Sample Collection

On September 8, 2022, temporary groundwater monitoring wells were installed in boring locations SB-1 and SB-3 to a depth of 20 feet to facilitate collection of a groundwater sample. The temporary well materials were constructed with 5 feet of one-inch diameter polyvinyl chloride (pvc) riser and 15 feet of one-inch diameter pvc 0.010-slotted screen that was installed

into the borehole to facilitate groundwater infiltration and groundwater sample collection from the borings. The temporary well materials remained in-place for approximately 1 hour to allow for groundwater infiltration for sample collection. During this timeframe, groundwater had not infiltrated the temporary monitoring wells. Groundwater samples were not collected during this investigation.

3.6 Boring Destruction

Following completion of field activities, removal of well/probe construction material, and tooling, the boring locations were backfilled with borehole drilling cuttings and hydrated bentonite chips and completed at the surface to match the surrounding conditions.

3.7 Decontamination Procedures and Investigation-Derived Waste

AEI personnel wore disposable Nitrile gloves during sample collection and changed gloves prior to and between each sample collection. Down-hole equipment including sampling tubes, samplers, and hand tools were decontaminated prior to drilling each boring and/or were dedicated to a single boring.

No investigation-derived waste requiring disposal or characterization was generated during the field activities.

3.8 Laboratory Analysis

Soil samples were labeled and placed into a cooler with ice following sampling and transferred under appropriate chain-of-custody documentation to Pace Analytical of Mount Juliet, Tennessee. Chain-of-custody documentations and the certified analytical reports are provided in Appendix B.

Laboratory analysis of soil samples consisted of the following:

- Volatile Organic Compounds (VOCs) by EPA Testing Method 8260 B (7 Samples)
    - SB-1: 5-10', SB-1: 15-20', SB-2: 5-10', SB-3: 5-10', SB-3: 15-20', SB-4: 5-10', and SB-5: 5-10'
- Total Petroleum Hydrocarbons (TPH Multi-Range: Gasoline, Diesel, and Motor Oil) by EPA Testing Method 8015B (5 Samples)
    - (SB-1: 5-10', SB-2: 5-10', SB-3: 5-10', SB-4: 5-10', and SB-5: 5-10'

No additional samples were selected for analyses.

4.0 FINDINGS

The findings of this investigation are summarized below.

4.1 Subsurface Conditions and Field Screening

Subsurface conditions observed during the drilling activities indicated that soils underlaying the Site consisted primarily of silty clay, sandy clay, sandy clay with gravel, and gravelly sand to depths between of 11 and 20 feet. Drilling refusal was encountered in borings SB-2, SB-4, and SB-5 at depths of 12, 11, and 12 feet respectively. Groundwater was not encountered this investigation.

There was no visual or olfactory evidence (i.e., soil discoloration, odor) of potentially impacted soils observed in soils that were recovered during drilling activities. The maximum PID reading was 6.8 ppm in boring SB-3 between approximately 5-10 feet bgs.

4.2 Analytical Results

For the purpose of providing context to the data obtained during this investigation, analytical data results were compared to applicable regulatory screening levels, The Colorado Department of Labor and Employment Division of Oil and Public Safety (OPS) has the responsibility for overseeing environmental cleanups related to releases from petroleum tanks. Colorado Department of Public Health and Environment (CDPHE) oversee other contaminant release projects. The Colorado OPS Remediation Program listed Tier 1 Risk-Based Screening Levels (RBSLs) for subsurface soils for select petroleum compounds.

Soil samples were also compared to US EPA Regional Screening Levels (RSLs) for industrial soil and protection of groundwater using target cancer risk of 1 in a million (1E-06) and hazard quotient of 1. Protection of groundwater RSLs are reviewed based on Maximum Contaminant Levels (MCLs) or risk-based soil screening levels (SSL), if no MCL based standard is listed for EPA RSLs. Compounds exceeding a screening level are considered a potential risk and may require additional evaluation, depending on risk pathway and exposure potential. The soil protection of groundwater pathway can be further evaluated with groundwater samples for compounds detected, if groundwater is encountered for sampling.

4.2.1 Soil Sample Analytical Results

Table 1 presents a summary of the soil sample analytical results. Chain-of-custody documentation and the certified analytical report are provided in Appendix B. The "J" flag indicates that the detected concentration is an estimate between the reported detection limit (RDL) and the method detection limit (MDL). The "B" flag indicates that the same analyte was found in the associated blank. The analytical results can be summarized as follows:

- TPH-GRO was detected in samples SB-1: 5-10', SB-2: 5-10', SB-3: 5-10', and SB-5: 5-10' at concentrations between 0.601 and 2.45 milligrams per kilogram (mg/kg), which are below the Tier 1 RBSL of 500 mg/kg.
- TPH-DRO was detected in samples SB-1: 5-10', SB-2: 5-10', SB-3: 5-10', SB-4: 5-10', and SB-5: 5-10' at concentrations between 3.71 and 16.6 mg/kg, which are below the Tier 1 RBSL of 500 mg/kg.

- TPH-ORO was detected in samples SB-1: 5-10', SB-2: 5-10', SB-3: 5-10', SB-4: 5-10', and SB-5: 5-10' at concentrations between 20.5 and 63.8 mg/kg, which are below the Tier 1 RBSL of 500 mg/kg.
- Benzene was not detected at concentrations above the laboratory MDL.
- Toluene was detected in all samples analyzed at concentrations between 0.00201 and 0.00293, below the RSL for protection of groundwater (MCL based SSL) of 0.69 mg/kg.
- Ethylbenzene was detected in samples SB-1: 15-20', SB-2: 5-10', SB-3: 5-10', SB-3: 15-20', and SB-5: 5-10', at concentrations between 0.000849 and 0.00231 mg/kg, below the RSL for protection of groundwater (MCL based SSL) of 0.78 mg/kg.
- Total xylenes were detected in all samples analyzed at concentrations between 0.00420 and 0.0198, below the RSL for protection of groundwater (MCL based SSL) of 9.9.
- Methyl tert-butyl ether (MTBE) was detected in sample SB-3: 5-10' at a concentration of 0.000600, below the RSL for industrial soil of 210 mg/kg.
- Acetone was detected in Sample SB-3: 5-10' at a concentration of 0.657, below the RSL for industrial soil RSL of 1,100,000 mg/kg.
- Isopropyl benzene, n-Propyl benzene, 1,2,3-Trimethylbenzene, 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene were detected in the samples analyzed at concentrations below RSLs for industrial soil.

5.0 SUMMARY AND CONCLUSIONS

AEI completed a Limited Phase II Subsurface Investigation at the Site which included five (5) borings for soil sample collection. The borings were installed and sampled to a maximum depth of 20 feet, no groundwater was encountered. Seven (7) soil samples were submitted for laboratory analyses of VOCs and TPH, to assess impacts from auto operations and drains.

TPH and petroleum compounds were detected at concentrations below RSLs for industrial soil and below RSLs for protection of groundwater, indicating low level impacts near the drains and auto service operations near the green and brown buildings. Based on the concentrations below RSLs, no significant impacts were identified in the soils sampled near the green and brown buildings. No further action is recommended at this time.

6.0 REFERENCES

AEI, 2022, *Phase I Environmental Site Assessment, 987 Main Street, Eagle County, Colorado 81645*, (AEI Project No. 467091), dated August 19th.

Colorado Department of Labor and Employment, Division of Oil and Public Safety, 2020. *Tier 1 Risk-Based Screening Levels (RBSLs)*. Revised as of April 13, 2020.

United States Environmental Protection Agency, 2021. *Regional Screening Levels (RSLs) – GenericTables*. Updated November 17, 2021. Retrieved November 2021 from https://www.epa.gov/risk/regional-screening-levels-rsls-generic-tables

7.0 REPORT LIMITATIONS AND RELIANCE

This report presents a summary of work completed by AEI Consultants. The completed work includes observations and descriptions of site conditions encountered. Where appropriate, it includes analytical results for samples taken during the course of the work. The number and location of samples are chosen to provide the requested information, subject to scope of work for which AEI was retained and limitations inherent in this type of work, but it cannot be assumed that they are representative of areas not sampled. This report should not be regarded as a guarantee that no further contamination beyond that which could have been detected within the scope of this investigation is present beneath the Site. Undocumented, unauthorized releases of hazardous material, the remains of which are not readily identifiable by visual inspection and are of different chemical constituents, are difficult and often impossible to detect within the scope of a chemical specific investigation.

Any conclusions and/or recommendations are based on these analyses and observations, and the governing regulations. Conclusions beyond those stated and reported herein should not be inferred from this document. These services were performed in accordance with generally accepted practices, in the environmental engineering and construction field, which existed at the time and location of the work. No other warranty, either expressed or implied, has been made.

This investigation was prepared for the sole use and benefit of 10th Mountain Builders LLC. Both verbal and written, whether in draft or final, are for the benefit of 10th Mountain Builders LLC. This report has no other purpose and may not be relied upon by any other person or entity without the written consent of AEI. Either verbally or in writing, third parties may come into possession of this report or all or part of the information generated as a result of this work. In the absence of a written agreement with AEI granting such rights, no third parties shall have rights of recourse or recovery whatsoever under any course of action against AEI, its officers, employees, vendors, successors or assigns. Reliance is provided in accordance with AEI's Proposal and Standard Terms & Conditions executed by 10th Mountain Builders LLC. The limitation of liability defined in the Terms and Conditions is the aggregate limit of AEI's liability to the client and all relying parties.

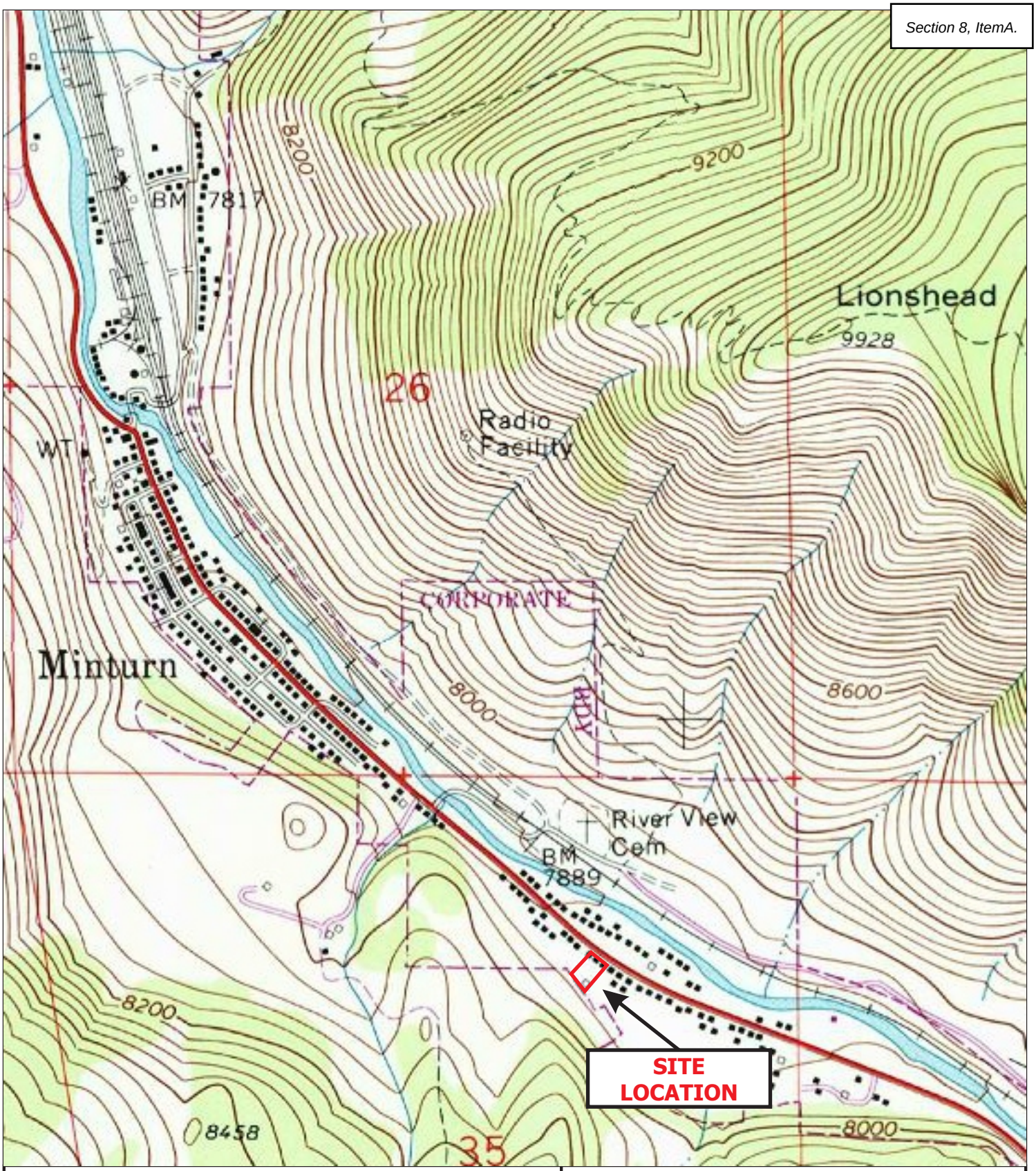
If there are any questions regarding our investigation, please do not hesitate to contact Chris Viola at 303-916-1270, or the undersigned.

Sincerely,
AEI Consultants

Logan Harsh
Project Manager

Patricia Feeley
Vice President Site Mitigation

FIGURES



LEGEND

Approximate Site Boundary

Map: Minturn, Colorado
Date: 1970; Photorevised 1987
Source: USGS

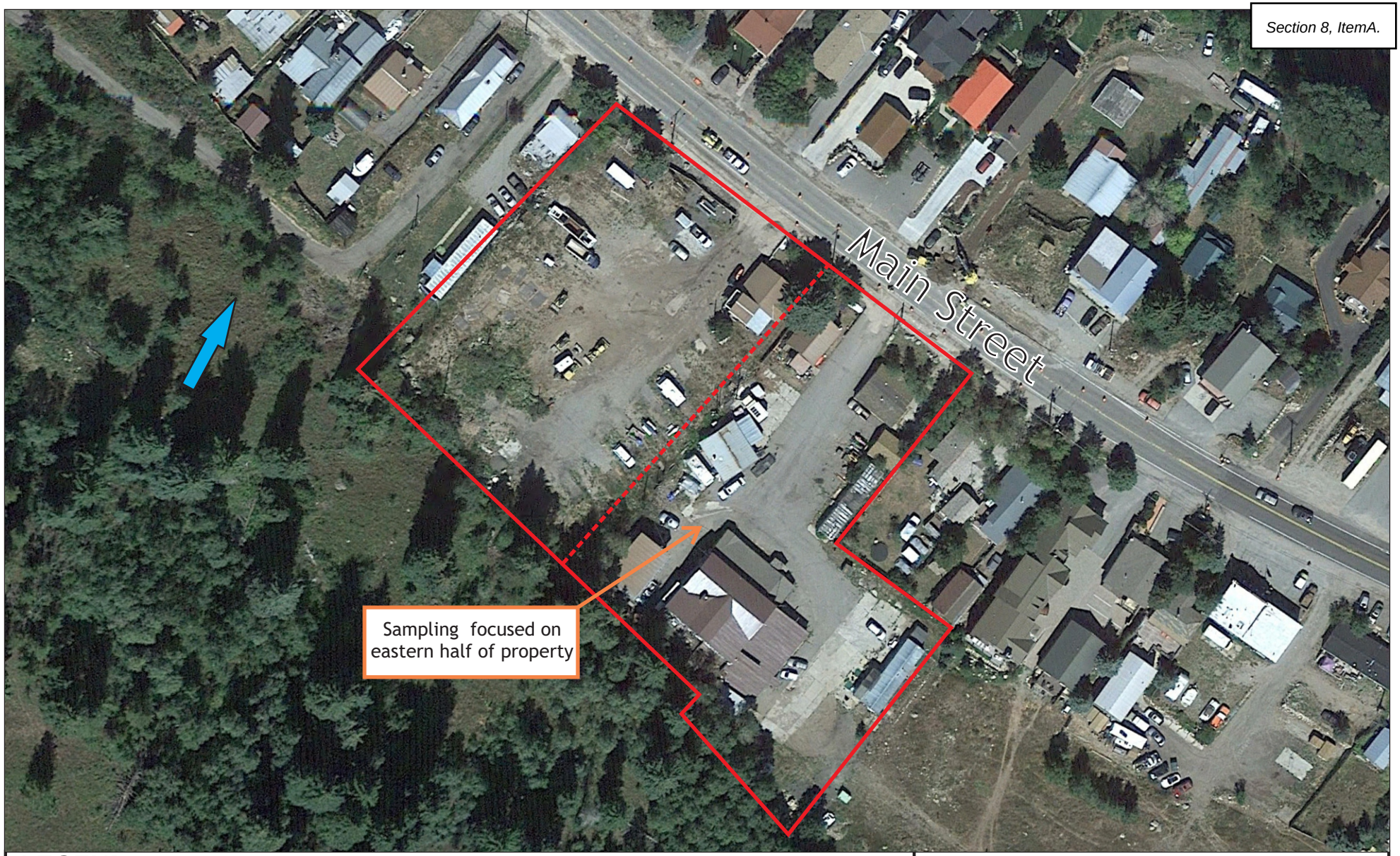
N

SITE LOCATION MAP

AEI

987 Main Street
Minturn, CO

FIGURE 1
Project No. 468525



LEGEND

- Approximate Site Boundary
- Estimated Groundwater Flow Direction

N

0 63 126

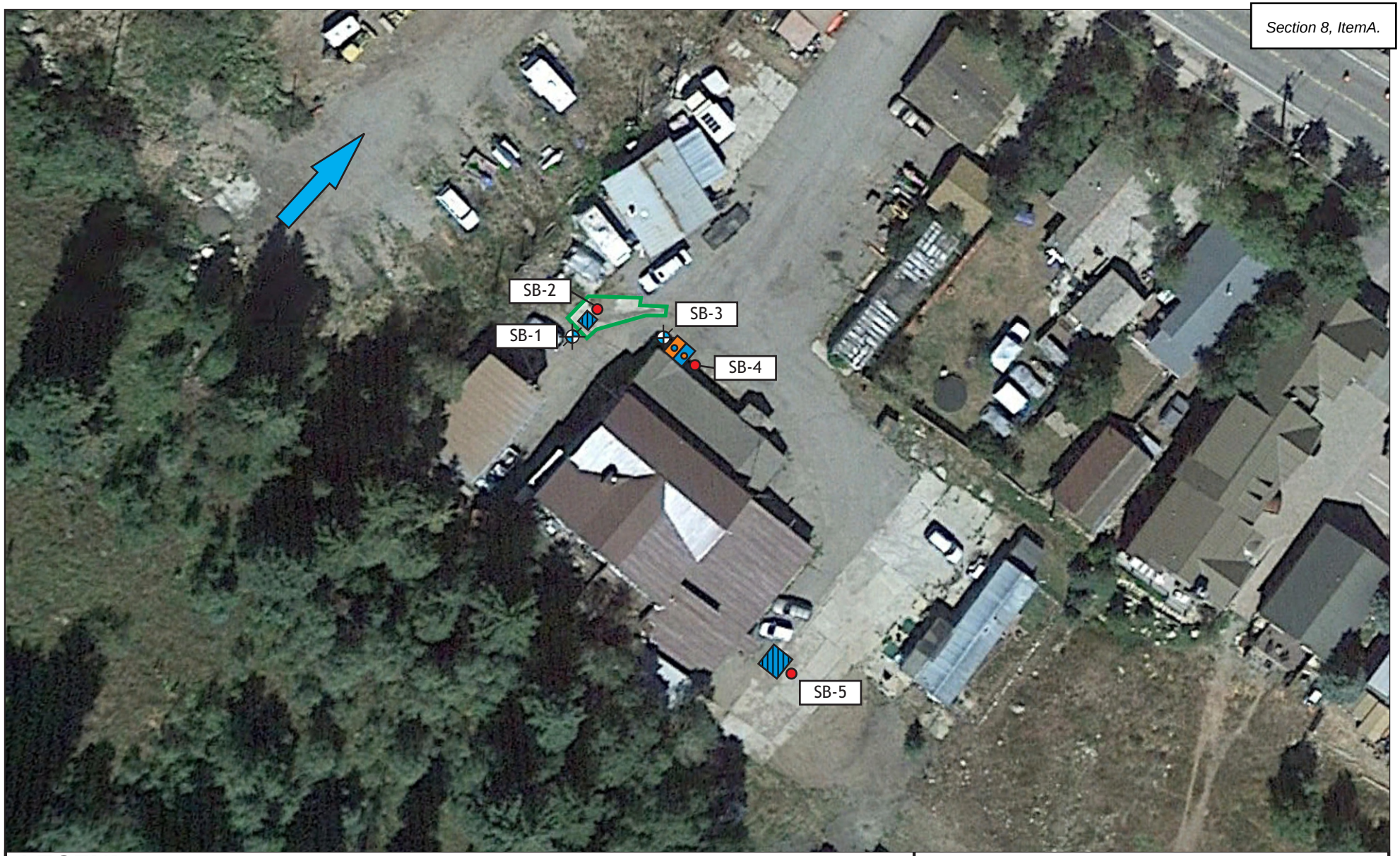
SCALE: 1” = 126’

SITE MAP

AEI

987 Main Street
Minturn, Colorado

FIGURE 2
Project No. 46852



LEGEND

- Approximate clean-out area
- Approximate Groundwater Flow Direction
- Drain
- Oil/Water Separator
- Soil Boring
- Soil Boring/Temporary Monitoring Well

N

0 33’ 66’

SCALE: 1” = 66’

SAMPLE LOCATION MAP

AEI

987 Main Street
Minturn, Colorado

FIGURE 3
Project No. 46852

TABLES

TABLE 1: SOIL SAMPLE DATA SUMMARY
987 Main Street, Minturn, Colorado

Location ID	Date	Depth (feet bgs)	TPH-g (mg/kg)	TPH-d (mg/kg)	TPH-mo (mg/kg)	Benzene (mg/kg)	Toluene (mg/kg)	Ethylbenzene (mg/kg)	Total Xylenes (mg/kg)	MTBE (mg/kg)	Acetone (mg/kg)	Isopropyl Benzene (mg/kg)	n-Propylbenzene (mg/kg)	1,2,4-Trimethylbenzene (mg/kg)	1,2,3-Trimethylbenzene (mg/kg)	1,3,5-Trimethylbenzene (mg/kg)	Remaining VOCs (mg/kg)
SB-1: 5-10'	9/8/2022	5-10'	0.601 B J	8.95	25.2	<RL	0.00225 J	<RL	0.00495 J	<RL	<RL	0.000757 J	<RL	0.00311 J	<RL	<RL	<RL
SB-1 15-20'	9/8/2022	15-20'	NA	NA	NA	<RL	0.00202 J	0.000943 J	0.00527 J	<RL	<RL	0.000828 J	<RL	0.00314 J	<RL	<RL	<RL
SB-2: 5-10'	9/8/2022	5-10'	0.737 B J	<RL	37.9	<RL	0.00218 J	0.00108 J	0.00540 J	<RL	<RL	0.00106 J	<RL	0.00354 J	<RL	<RL	<RL
SB-3: 5-10'	9/8/2022	5-10'	2.45 B J	16.6 J	63.8	<RL	0.00293 J	0.00231 J	0.0198	0.000600 J	0.657	0.000825 J	<RL	0.00635	0.00291 J	0.00275 J	<RL
SB-3: 15-20'	9/8/2022	15-20'	NA	NA	NA	<RL	0.00201 J	0.000849 J	0.00574	<RL	<RL	0.000703 J	<RL	0.00412 J	<RL	<RL	<RL
SB-4: 5-10'	9/8/2022	5-10'	<RL	3.71 J	20.5	<RL	0.00210 J	<RL	0.0054	<RL	<RL	0.000925 J	0.00128 J	0.00383 J	<RL	<RL	<RL
SB-5: 5-10'	9/8/2022	5-10'	0.684 B J	8.05	26.1	<RL	0.00230 J	0.00108 J	0.00420 J	<RL	<RL	0.000720 J	<RL	0.00247 J	<RL	<RL	<RL
Comparison Values:																	
Tier 1 RBSLs - Subsurface Soil				500***		0.26	140	190	>Sat* or 260**	--	--	--	--	--	--	--	Various
RSLs - Resident Soil			--	--	--	1.20	4,900	5.80	580	47.0	70,000.0	--	3,800	300	340.0	270.0	Various
RSLs - Composite Worker Soil			--	--	--	5.10	47,000	25.0	2,500	210	1,100,000	--	--	1,800.0	2,000	1,500	Various
RSLs - Protection of Groundwater MCL Based Soil Screening Level			--	--	--	0.0026	0.69	0.78	9.9	--	--	--	--	--	--	--	Various

Notes:

mg/kg	milligrams per kilogram
<RL	less than the laboratory reporting limit
NA	not analyzed
bgs	below ground surface
--	not established
N/A	not applicable
TPH-g	Total Petroleum Hydrocarbons as Gasoline
TPH-d	Total Petroleum Hydrocarbons as Diesel
TPH-mo	Total Petroleum Hydrocarbons as Motor Oil
*	This RBSL will be in effect for releases that occurred prior to September 14, 2004
**	This RBSL will be in effect for releases that occurred on or after September 14, 2004
***	To identify sites where pirorty PAHs may pose a risk to human health and the environment, a threshold value of 500 mg/kg for TPH in soil has been established by the OPS
MTBE	methyl tertiary-butyl ether
Bold	Result exceeds a Comparison Value
B	The same analyte is found in the associated blank
J	The identification of the analyte is acceptable; the reported value is an estimate.

Comparison Values:
Tier 1 RBSLs: Colorado Department of Labor and Employment, Division of Oil and Public Safety - Remediation Section, Tier 1 Risk-Based Screening Levels, Effective February 1999, Revised October 2005.
US EPA RSLs: US EPA Regional Screening Level Summary Table (TR=1E-06, HQ=1) Composite Worker Soil, Resident Soil, and Resident Soil to Groundwater, November 2021.

APPENDIX A
BORING LOGS

AEI Consultants
2420 W 26th Avenue
Denver, CO 80211
Telephone: (720)-238-4582

BORING NU

CLIENT 10th Mountain Builders LLC
PROJECT NAME Phase II Subsurface Investigation
PROJECT NUMBER 468525
PROJECT LOCATION 987 Maint Street, Minturn, CO
DATE STARTED 9/8/22 **COMPLETED** 9/8/22
GROUND ELEVATION _____ **HOLE SIZE** 2.25 inches
DRILLING CONTRACTOR Site Services
GROUND WATER LEVELS:
DRILLING METHOD Direct Push
AT TIME OF DRILLING ---
LOGGED BY Logan Harsh **CHECKED BY** Patricia Feeley
AT END OF DRILLING ---
NOTES _____
AFTER DRILLING ---

DEPTH (ft)	SAMPLE TYPE NUMBER	BLOW COUNTS	PID DATA (ppm)	GRAPHIC LOG	MATERIAL DESCRIPTION	COMPLETION
0					0.5 TOPSOIL to 6" BGS	
			0.4		(CL-ML) SILTY CLAY, Dark Brown, Low-Plasticity, Stiff, Moist	
			0.1		4.0	
5					(CL) SANDY CLAY, Light Brown, Medium Plasticity, Wet	
	SB-1: 5-10		0.8		7.5	
10			0.0		(GC) SANDY CLAY W/ GRAVEL, Brown, Non-Plastic, Very Stiff, Moist	
			0.0			
15						
	SB-1: 15-20		0.0		Large stones aproximately 1.5" in diameter throughout	
20					20.0	

Bottom of borehole at 20.0 feet.

AEI Consultants
2420 W 26th Avenue
Denver, CO 80211
Telephone: (720)-238-4582

BORING NU

CLIENT 10th Mountain Builders LLC
PROJECT NAME Phase II Subsurface Investigation
PROJECT NUMBER 468525
PROJECT LOCATION 987 Maint Street, Minturn, CO
DATE STARTED 9/8/22 **COMPLETED** 9/8/22
GROUND ELEVATION _____ **HOLE SIZE** 2.25 inches
DRILLING CONTRACTOR Site Services
GROUND WATER LEVELS:
DRILLING METHOD Direct Push
AT TIME OF DRILLING ---
LOGGED BY Logan Harsh **CHECKED BY** Patricia Feeley
AT END OF DRILLING ---
NOTES
AFTER DRILLING ---

DEPTH (ft)	SAMPLE TYPE NUMBER	BLOW COUNTS	PID DATA (ppm)	GRAPHIC LOG	MATERIAL DESCRIPTION	COMPLETION
0.0					TOPSOIL to 6" BGS	
			0.3		(CL-ML) SILTY CLAY, Brown/Red, Low-Plasticity, Stiff, Moist	
2.5			0.0		(CL) SANDY CLAY W/ GRAVEL, Light Brown, Low-Plasticity, Stiff, Wet	
5.0			0.0			
7.5	SB-2: 5-10					
10.0			0.2		(SM) SILTY SAND W/ GRAVEL, Light Brown, Non-Plastic, Dense, Dry	
					Refusal at 12.0 feet. Bottom of borehole at 12.0 feet.	

AEI BORING - GINT STD US LAB.GDT - 9/21/22 14:07 - C:\USERS\PUBLIC\DOCUMENTS\BENTLEY\GINT\PROJECTS\468525 - MINTURN.GPJ

AEI Consultants
2420 W 26th Avenue
Denver, CO 80211
Telephone: (720)-238-4582

BORING NU

CLIENT 10th Mountain Builders LLC
PROJECT NAME Phase II Subsurface Investigation
PROJECT NUMBER 468525
PROJECT LOCATION 987 Maint Street, Minturn, CO
DATE STARTED 9/8/22 **COMPLETED** 9/8/22
GROUND ELEVATION _____ **HOLE SIZE** 2.25 inches
DRILLING CONTRACTOR Site Services
GROUND WATER LEVELS:
DRILLING METHOD Direct Push
AT TIME OF DRILLING ---
LOGGED BY Logan Harsh **CHECKED BY** Patricia Feeley
AT END OF DRILLING ---
NOTES
AFTER DRILLING ---

DEPTH (ft)	SAMPLE TYPE NUMBER	BLOW COUNTS	PID DATA (ppm)	GRAPHIC LOG	MATERIAL DESCRIPTION	COMPLETION
0					0.5 ASPHALT to 6" BGS	
			0.1		(CL) SANDY CLAY W/ GRAVEL, Brown, Low-Plasticity, Stiff, Moist	
5					5.0	
	SB-3: 5-10		6.8		(SP) GRAVELLY SAND, Brown, Fine to Coarse-Grained, Angular, Dense, Wet	
10					10.0	
			0.5		(GP) GRAVEL W/ SAND, Brown, Coarse-Grained, Angular, Very Dense, Moist	
15					15.0	
	SB-3: 15-20		2.1		(SP) GRAVELLY SAND, Light Brown/Gray, Fine to Coarse-Grained, Angular, Dry	
20					20.0	

Bottom of borehole at 20.0 feet.

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AEI Consultants
2420 W 26th Avenue
Denver, CO 80211
Telephone: (720)-238-4582

BORING NU

CLIENT 10th Mountain Builders LLC
PROJECT NAME Phase II Subsurface Investigation
PROJECT NUMBER 468525
PROJECT LOCATION 987 Maint Street, Minturn, CO
DATE STARTED 9/8/22 **COMPLETED** 9/8/22
GROUND ELEVATION _____ **HOLE SIZE** 2.25 inches
DRILLING CONTRACTOR Site Services
GROUND WATER LEVELS:
DRILLING METHOD Direct Push
AT TIME OF DRILLING ---
LOGGED BY Logan Harsh **CHECKED BY** Patricia Feeley
AT END OF DRILLING ---
NOTES
AFTER DRILLING ---

DEPTH (ft)	SAMPLE TYPE NUMBER	BLOW COUNTS	PID DATA (ppm)	GRAPHIC LOG	MATERIAL DESCRIPTION	COMPLETION
0.0					ASPHALT to 6" BGS	
			0.0		0.5 (CL) SANDY CLAY W/ GRAVEL, Brown, Low Plasticity, Stiff, Moist	
2.5					Large stone in sample tube approximately 6" in length	
5.0			0.0			
7.5	SB-4: 5-10					
10.0			0.0			
					11.0	

Refusal at 11.0 feet.
Bottom of borehole at 11.0 feet.

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AEI Consultants
2420 W 26th Avenue
Denver, CO 80211
Telephone: (720)-238-4582

BORING NU

CLIENT 10th Mountain Builders LLC
PROJECT NAME Phase II Subsurface Investigation
PROJECT NUMBER 468525
PROJECT LOCATION 987 Maint Street, Minturn, CO
DATE STARTED 9/8/22 **COMPLETED** 9/8/22
GROUND ELEVATION _____ **HOLE SIZE** 2.25 inches
DRILLING CONTRACTOR Site Services
GROUND WATER LEVELS:
DRILLING METHOD Direct Push
AT TIME OF DRILLING ---
LOGGED BY Logan Harsh **CHECKED BY** Patricia Feeley
AT END OF DRILLING ---
NOTES
AFTER DRILLING ---

DEPTH (ft)	SAMPLE TYPE NUMBER	BLOW COUNTS	PID DATA (ppm)	GRAPHIC LOG	MATERIAL DESCRIPTION	COMPLETION
0.0					CONCRETE to 6" BGS	
0.5			0.0		(GC) SANDY CLAY W/ GRAVEL, Brown, Low-Plasticity, Stiff, Moist	
2.5						
5.0			0.0			
7.5	SB-5: 5-10					
10.0			0.0		(SP) GRAVELLY SAND, Gray/Pink, Fine to Coarse-Grained, Angular, Dry	
12.0						

Refusal at 12.0 feet.
Bottom of borehole at 12.0 feet.

AEI BORING - GINT STD US LAB.GDT - 9/21/22 14:07 - C:\USERS\PUBLIC\DOCUMENTS\BENTLEY\GINT\PROJECTS\468525 - MINTURN.GPJ

APPENDIX B
LABORATORY ANALYTICAL REPORT

ANALYTICAL REPORT

September 19, 2022

AEI Consultants - Denver, CO

Sample Delivery Group:	L1534570
Samples Received:	09/10/2022
Project Number:	468525
Description:	987 Main St.

Report To: Patricia Feeley
8700 W. Bryn Mawr, Suite 710N
Chicago, IL 60631

Entire Report Reviewed By:

Marty Edwards III
Project Manager

Results relate only to the items tested or calibrated and are reported as rounded values. This test report shall not be reproduced, except in full, without written approval of the laboratory. Where applicable, sampling conducted by Pace Analytical National is performed per guidance provided in laboratory standard operating procedures ENV-SOP-MTJL-0067 and ENV-SOP-MTJL-0068. Where sampling conducted by the customer, results relate to the accuracy of the information provided, and as the samples are received.

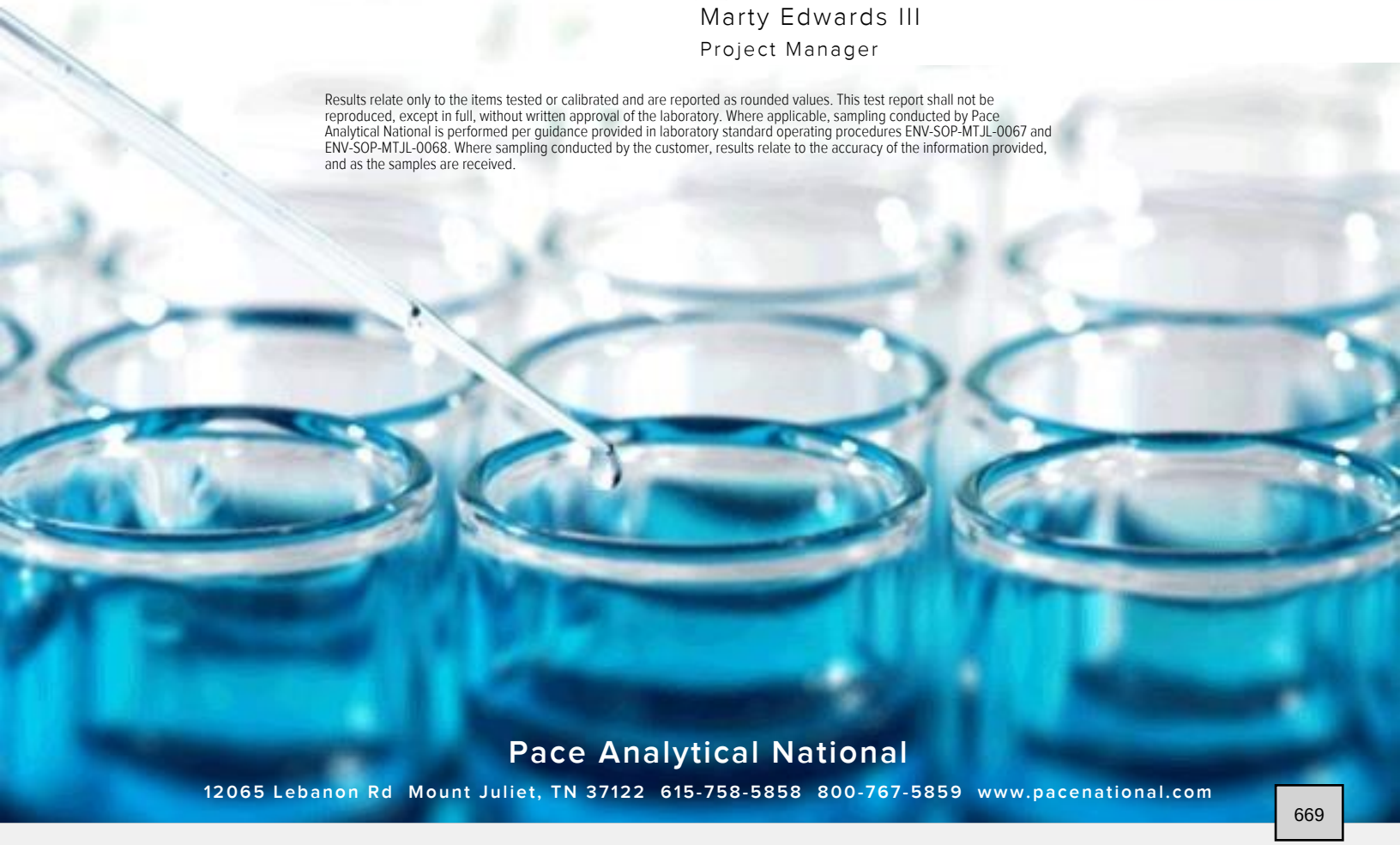


TABLE OF CONTENTS

Cp: Cover Page 1

Tc: Table of Contents 2

Ss: Sample Summary 3

Cn: Case Narrative 5

Sr: Sample Results 6

SB-1: 5-10' L1534570-01 6

SB-1: 15-20' L1534570-02 8

SB-2: 5-10' L1534570-03 10

SB-3: 5-10' L1534570-04 12

SB-3: 15-20' L1534570-05 14

SB-4: 5-10' L1534570-06 16

SB-5: 5-10' L1534570-07 18

Qc: Quality Control Summary 20

Total Solids by Method 2540 G-2011 20

Volatile Organic Compounds (GC) by Method 8015D/GRO 21

Volatile Organic Compounds (GC/MS) by Method 8260B 22

Semi-Volatile Organic Compounds (GC) by Method 8015 26

Gl: Glossary of Terms 27

Al: Accreditations & Locations 28

Sc: Sample Chain of Custody 29

SB-1: 5-10' L1534570-01 Solid

Collected by: Logan H | Collected date/time: 09/08/22 10:30 | Received date/time: 09/10/22 09:00

Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst	Location
Total Solids by Method 2540 G-2011	WG1925958	1	09/14/22 11:15	09/14/22 11:31	CMK	Mt. Juliet, TN
Volatile Organic Compounds (GC) by Method 8015D/GRO	WG1926974	25	09/08/22 10:30	09/16/22 07:49	BAM	Mt. Juliet, TN
Volatile Organic Compounds (GC/MS) by Method 8260B	WG1926956	1.01	09/08/22 10:30	09/15/22 13:53	ACG	Mt. Juliet, TN
Semi-Volatile Organic Compounds (GC) by Method 8015	WG1926744	1	09/16/22 05:16	09/16/22 14:20	JAS	Mt. Juliet, TN

SB-1: 15-20' L1534570-02 Solid

Collected by: Logan H | Collected date/time: 09/08/22 12:00 | Received date/time: 09/10/22 09:00

Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst	Location
Total Solids by Method 2540 G-2011	WG1925958	1	09/14/22 11:15	09/14/22 11:31	CMK	Mt. Juliet, TN
Volatile Organic Compounds (GC/MS) by Method 8260B	WG1926956	1	09/08/22 12:00	09/15/22 15:31	ACG	Mt. Juliet, TN

SB-2: 5-10' L1534570-03 Solid

Collected by: Logan H | Collected date/time: 09/08/22 11:45 | Received date/time: 09/10/22 09:00

Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst	Location
Total Solids by Method 2540 G-2011	WG1925958	1	09/14/22 11:15	09/14/22 11:31	CMK	Mt. Juliet, TN
Volatile Organic Compounds (GC) by Method 8015D/GRO	WG1926974	26	09/08/22 11:45	09/16/22 08:11	BAM	Mt. Juliet, TN
Volatile Organic Compounds (GC/MS) by Method 8260B	WG1926956	1	09/08/22 11:45	09/15/22 16:15	ACG	Mt. Juliet, TN
Semi-Volatile Organic Compounds (GC) by Method 8015	WG1926744	5	09/16/22 05:16	09/16/22 14:57	JAS	Mt. Juliet, TN

SB-3: 5-10' L1534570-04 Solid

Collected by: Logan H | Collected date/time: 09/08/22 12:30 | Received date/time: 09/10/22 09:00

Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst	Location
Total Solids by Method 2540 G-2011	WG1925958	1	09/14/22 11:15	09/14/22 11:31	CMK	Mt. Juliet, TN
Volatile Organic Compounds (GC) by Method 8015D/GRO	WG1926974	25	09/08/22 12:30	09/16/22 08:34	BAM	Mt. Juliet, TN
Volatile Organic Compounds (GC/MS) by Method 8260B	WG1926956	1	09/08/22 12:30	09/15/22 16:34	ACG	Mt. Juliet, TN
Semi-Volatile Organic Compounds (GC) by Method 8015	WG1926744	5	09/16/22 05:16	09/16/22 15:10	JAS	Mt. Juliet, TN

SB-3: 15-20' L1534570-05 Solid

Collected by: Logan H | Collected date/time: 09/08/22 13:15 | Received date/time: 09/10/22 09:00

Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst	Location
Total Solids by Method 2540 G-2011	WG1925958	1	09/14/22 11:15	09/14/22 11:31	CMK	Mt. Juliet, TN
Volatile Organic Compounds (GC/MS) by Method 8260B	WG1926956	1	09/08/22 13:15	09/15/22 16:53	ACG	Mt. Juliet, TN

SB-4: 5-10' L1534570-06 Solid

Collected by: Logan H | Collected date/time: 09/08/22 13:45 | Received date/time: 09/10/22 09:00

Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst	Location
Total Solids by Method 2540 G-2011	WG1925958	1	09/14/22 11:15	09/14/22 11:31	CMK	Mt. Juliet, TN
Volatile Organic Compounds (GC) by Method 8015D/GRO	WG1926974	25	09/08/22 13:45	09/16/22 08:57	BAM	Mt. Juliet, TN
Volatile Organic Compounds (GC/MS) by Method 8260B	WG1926956	1	09/08/22 13:45	09/15/22 17:26	ACG	Mt. Juliet, TN
Semi-Volatile Organic Compounds (GC) by Method 8015	WG1926744	1	09/16/22 05:16	09/16/22 14:32	JAS	Mt. Juliet, TN

SAMPLE SUMMARY

SB-5: 5-10' L1534570-07 Solid

Collected by: Logan H
Collected date/time: 09/08/22 14:30
Received date: 09/10/22 09:00

Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst	Location
Total Solids by Method 2540 G-2011	WG1925958	1	09/14/22 11:15	09/14/22 11:31	CMK	Mt. Juliet, TN
Volatile Organic Compounds (GC) by Method 8015D/GRO	WG1926974	26.3	09/08/22 14:30	09/16/22 09:19	BAM	Mt. Juliet, TN
Volatile Organic Compounds (GC/MS) by Method 8260B	WG1926956	1	09/08/22 14:30	09/15/22 18:05	ACG	Mt. Juliet, TN
Semi-Volatile Organic Compounds (GC) by Method 8015	WG1926744	1	09/16/22 05:16	09/16/22 17:44	JAS	Mt. Juliet, TN
Semi-Volatile Organic Compounds (GC) by Method 8015	WG1926744	1	09/16/22 05:16	09/17/22 10:04	NH	Mt. Juliet, TN

All sample aliquots were received at the correct temperature, in the proper containers, with the appropriate preservatives, and within method specified holding times, unless qualified or notated within the report. Where applicable, all MDL (LOD) and RDL (LOQ) values reported for environmental samples have been corrected for the dilution factor used in the analysis. All Method and Batch Quality Control are within established criteria except where addressed in this case narrative, a non-conformance form or properly qualified within the sample results. By my digital signature below, I affirm to the best of my knowledge, all problems/anomalies observed by the laboratory as having the potential to affect the quality of the data have been identified by the laboratory, and no information or data have been knowingly withheld that would affect the quality of the data.



Marty Edwards III
Project Manager

Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis	Batch
	%			date / time	
Total Solids	88.7		1	09/14/2022 11:31	WG1925958

Volatile Organic Compounds (GC) by Method 8015D/GRO

Analyte	Result	Qualifier	MDL	RDL	Dilution	Analysis	Batch
	mg/kg		mg/kg	mg/kg		date / time	
TPH (GC/FID) Low Fraction	0.601	B J	0.543	2.50	25	09/16/2022 07:49	WG1926974
(S) a,a,a-Trifluorotoluene(FID)	*99.2*			*77.0-120*		*09/16/2022 07:49*	WG1926974

Volatile Organic Compounds (GC/MS) by Method 8260B

Analyte	Result	Qualifier	MDL	RDL	Dilution	Analysis	Batch
	mg/kg		mg/kg	mg/kg		date / time	
Acetone	U		0.0369	0.0505	1.01	09/15/2022 13:53	WG1926956
Acrylonitrile	U		0.00365	0.0126	1.01	09/15/2022 13:53	WG1926956
Benzene	U		0.000472	0.00101	1.01	09/15/2022 13:53	WG1926956
Bromobenzene	U	J4	0.000909	0.0126	1.01	09/15/2022 13:53	WG1926956
Bromodichloromethane	U		0.000732	0.00253	1.01	09/15/2022 13:53	WG1926956
Bromoform	U		0.00118	0.0253	1.01	09/15/2022 13:53	WG1926956
Bromomethane	U		0.00199	0.0126	1.01	09/15/2022 13:53	WG1926956
n-Butylbenzene	U		0.00530	0.0126	1.01	09/15/2022 13:53	WG1926956
sec-Butylbenzene	U		0.00291	0.0126	1.01	09/15/2022 13:53	WG1926956
tert-Butylbenzene	U		0.00197	0.00505	1.01	09/15/2022 13:53	WG1926956
Carbon tetrachloride	U		0.000907	0.00505	1.01	09/15/2022 13:53	WG1926956
Chlorobenzene	U		0.000212	0.00253	1.01	09/15/2022 13:53	WG1926956
Chlorodibromomethane	U		0.000618	0.00253	1.01	09/15/2022 13:53	WG1926956
Chloroethane	U		0.00172	0.00505	1.01	09/15/2022 13:53	WG1926956
Chloroform	U		0.00104	0.00253	1.01	09/15/2022 13:53	WG1926956
Chloromethane	U		0.00439	0.0126	1.01	09/15/2022 13:53	WG1926956
2-Chlorotoluene	U		0.000874	0.00253	1.01	09/15/2022 13:53	WG1926956
4-Chlorotoluene	U		0.000455	0.00505	1.01	09/15/2022 13:53	WG1926956
1,2-Dibromo-3-Chloropropane	U		0.00394	0.0253	1.01	09/15/2022 13:53	WG1926956
1,2-Dibromoethane	U		0.000654	0.00253	1.01	09/15/2022 13:53	WG1926956
Dibromomethane	U		0.000757	0.00505	1.01	09/15/2022 13:53	WG1926956
1,2-Dichlorobenzene	U		0.000429	0.00505	1.01	09/15/2022 13:53	WG1926956
1,3-Dichlorobenzene	U		0.000606	0.00505	1.01	09/15/2022 13:53	WG1926956
1,4-Dichlorobenzene	U		0.000707	0.00505	1.01	09/15/2022 13:53	WG1926956
Dichlorodifluoromethane	U		0.00163	0.00253	1.01	09/15/2022 13:53	WG1926956
1,1-Dichloroethane	U		0.000496	0.00253	1.01	09/15/2022 13:53	WG1926956
1,2-Dichloroethane	U		0.000655	0.00253	1.01	09/15/2022 13:53	WG1926956
1,1-Dichloroethene	U		0.000612	0.00253	1.01	09/15/2022 13:53	WG1926956
cis-1,2-Dichloroethene	U		0.000741	0.00253	1.01	09/15/2022 13:53	WG1926956
trans-1,2-Dichloroethene	U		0.00105	0.00505	1.01	09/15/2022 13:53	WG1926956
1,2-Dichloropropane	U		0.00143	0.00505	1.01	09/15/2022 13:53	WG1926956
1,1-Dichloropropene	U		0.000817	0.00253	1.01	09/15/2022 13:53	WG1926956
1,3-Dichloropropane	U		0.000506	0.00505	1.01	09/15/2022 13:53	WG1926956
cis-1,3-Dichloropropene	U		0.000765	0.00253	1.01	09/15/2022 13:53	WG1926956
trans-1,3-Dichloropropene	U		0.00115	0.00505	1.01	09/15/2022 13:53	WG1926956
2,2-Dichloropropane	U		0.00139	0.00253	1.01	09/15/2022 13:53	WG1926956
Di-isopropyl ether	U		0.000414	0.00101	1.01	09/15/2022 13:53	WG1926956
Ethylbenzene	U		0.000744	0.00253	1.01	09/15/2022 13:53	WG1926956
Hexachloro-1,3-butadiene	U		0.00606	0.0253	1.01	09/15/2022 13:53	WG1926956
Isopropylbenzene	0.000757	J	0.000429	0.00253	1.01	09/15/2022 13:53	WG1926956
p-Isopropyltoluene	U		0.00258	0.00505	1.01	09/15/2022 13:53	WG1926956
2-Butanone (MEK)	U		0.0641	0.101	1.01	09/15/2022 13:53	WG1926956
Methylene Chloride	U		0.00671	0.0253	1.01	09/15/2022 13:53	WG1926956

Volatile Organic Compounds (GC/MS) by Method 8260B

Analyte	Result mg/kg	Qualifier	MDL mg/kg	RDL mg/kg	Dilution	Analysis date / time	Batch
4-Methyl-2-pentanone (MIBK)	U		0.00230	0.0253	1.01	09/15/2022 13:53	WG1926956
Methyl tert-butyl ether	U		0.000353	0.00101	1.01	09/15/2022 13:53	WG1926956
Naphthalene	U		0.00493	0.0126	1.01	09/15/2022 13:53	WG1926956
n-Propylbenzene	U		0.000959	0.00505	1.01	09/15/2022 13:53	WG1926956
Styrene	U		0.000231	0.0126	1.01	09/15/2022 13:53	WG1926956
1,1,1,2-Tetrachloroethane	U		0.000957	0.00253	1.01	09/15/2022 13:53	WG1926956
1,1,2,2-Tetrachloroethane	U		0.000702	0.00253	1.01	09/15/2022 13:53	WG1926956
1,1,2-Trichlorotrifluoroethane	U		0.000762	0.00253	1.01	09/15/2022 13:53	WG1926956
Tetrachloroethene	U		0.000905	0.00253	1.01	09/15/2022 13:53	WG1926956
Toluene	0.00225	J	0.00131	0.00505	1.01	09/15/2022 13:53	WG1926956
1,2,3-Trichlorobenzene	U		0.00740	0.0126	1.01	09/15/2022 13:53	WG1926956
1,2,4-Trichlorobenzene	U		0.00444	0.0126	1.01	09/15/2022 13:53	WG1926956
1,1,1-Trichloroethane	U		0.000932	0.00253	1.01	09/15/2022 13:53	WG1926956
1,1,2-Trichloroethane	U		0.000603	0.00253	1.01	09/15/2022 13:53	WG1926956
Trichloroethene	U		0.000590	0.00101	1.01	09/15/2022 13:53	WG1926956
Trichlorofluoromethane	U		0.000835	0.00253	1.01	09/15/2022 13:53	WG1926956
1,2,3-Trichloropropane	U		0.00164	0.0126	1.01	09/15/2022 13:53	WG1926956
1,2,4-Trimethylbenzene	0.00311	J	0.00160	0.00505	1.01	09/15/2022 13:53	WG1926956
1,2,3-Trimethylbenzene	U		0.00160	0.00505	1.01	09/15/2022 13:53	WG1926956
1,3,5-Trimethylbenzene	U		0.00202	0.00505	1.01	09/15/2022 13:53	WG1926956
Vinyl chloride	U		0.00117	0.00253	1.01	09/15/2022 13:53	WG1926956
Xylenes, Total	0.00495	J	0.000889	0.00656	1.01	09/15/2022 13:53	WG1926956
(S) Toluene-d8	*99.7*			*75.0-131*		*09/15/2022 13:53*	WG1926956
(S) 4-Bromofluorobenzene	*93.9*			*67.0-138*		*09/15/2022 13:53*	WG1926956
(S) 1,2-Dichloroethane-d4	*101*			*70.0-130*		*09/15/2022 13:53*	WG1926956

Semi-Volatile Organic Compounds (GC) by Method 8015

Analyte	Result mg/kg	Qualifier	MDL mg/kg	RDL mg/kg	Dilution	Analysis date / time	Batch
C10-C28 Diesel Range	8.95		1.61	4.00	1	09/16/2022 14:20	WG1926744
C28-C40 Oil Range	25.2		0.274	4.00	1	09/16/2022 14:20	WG1926744
(S) o-Terphenyl	*48.7*			*18.0-148*		*09/16/2022 14:20*	WG1926744

Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis	Batch
	%			date / time	
Total Solids	88.2		1	09/14/2022 11:31	WG1925958

Volatile Organic Compounds (GC/MS) by Method 8260B

Analyte	Result	Qualifier	MDL	RDL	Dilution	Analysis	Batch
	mg/kg		mg/kg	mg/kg		date / time	
Acetone	U		0.0365	0.0500	1	09/15/2022 15:31	WG1926956
Acrylonitrile	U		0.00361	0.0125	1	09/15/2022 15:31	WG1926956
Benzene	U		0.000467	0.00100	1	09/15/2022 15:31	WG1926956
Bromobenzene	U	J4	0.000900	0.0125	1	09/15/2022 15:31	WG1926956
Bromodichloromethane	U		0.000725	0.00250	1	09/15/2022 15:31	WG1926956
Bromoform	U		0.00117	0.0250	1	09/15/2022 15:31	WG1926956
Bromomethane	U		0.00197	0.0125	1	09/15/2022 15:31	WG1926956
n-Butylbenzene	U		0.00525	0.0125	1	09/15/2022 15:31	WG1926956
sec-Butylbenzene	U		0.00288	0.0125	1	09/15/2022 15:31	WG1926956
tert-Butylbenzene	U		0.00195	0.00500	1	09/15/2022 15:31	WG1926956
Carbon tetrachloride	U		0.000898	0.00500	1	09/15/2022 15:31	WG1926956
Chlorobenzene	U		0.000210	0.00250	1	09/15/2022 15:31	WG1926956
Chlorodibromomethane	U		0.000612	0.00250	1	09/15/2022 15:31	WG1926956
Chloroethane	U		0.00170	0.00500	1	09/15/2022 15:31	WG1926956
Chloroform	U		0.00103	0.00250	1	09/15/2022 15:31	WG1926956
Chloromethane	U		0.00435	0.0125	1	09/15/2022 15:31	WG1926956
2-Chlorotoluene	U		0.000865	0.00250	1	09/15/2022 15:31	WG1926956
4-Chlorotoluene	U		0.000450	0.00500	1	09/15/2022 15:31	WG1926956
1,2-Dibromo-3-Chloropropane	U		0.00390	0.0250	1	09/15/2022 15:31	WG1926956
1,2-Dibromoethane	U		0.000648	0.00250	1	09/15/2022 15:31	WG1926956
Dibromomethane	U		0.000750	0.00500	1	09/15/2022 15:31	WG1926956
1,2-Dichlorobenzene	U		0.000425	0.00500	1	09/15/2022 15:31	WG1926956
1,3-Dichlorobenzene	U		0.000600	0.00500	1	09/15/2022 15:31	WG1926956
1,4-Dichlorobenzene	U		0.000700	0.00500	1	09/15/2022 15:31	WG1926956
Dichlorodifluoromethane	U		0.00161	0.00250	1	09/15/2022 15:31	WG1926956
1,1-Dichloroethane	U		0.000491	0.00250	1	09/15/2022 15:31	WG1926956
1,2-Dichloroethane	U		0.000649	0.00250	1	09/15/2022 15:31	WG1926956
1,1-Dichloroethene	U		0.000606	0.00250	1	09/15/2022 15:31	WG1926956
cis-1,2-Dichloroethene	U		0.000734	0.00250	1	09/15/2022 15:31	WG1926956
trans-1,2-Dichloroethene	U		0.00104	0.00500	1	09/15/2022 15:31	WG1926956
1,2-Dichloropropane	U		0.00142	0.00500	1	09/15/2022 15:31	WG1926956
1,1-Dichloropropene	U		0.000809	0.00250	1	09/15/2022 15:31	WG1926956
1,3-Dichloropropane	U		0.000501	0.00500	1	09/15/2022 15:31	WG1926956
cis-1,3-Dichloropropene	U		0.000757	0.00250	1	09/15/2022 15:31	WG1926956
trans-1,3-Dichloropropene	U		0.00114	0.00500	1	09/15/2022 15:31	WG1926956
2,2-Dichloropropane	U		0.00138	0.00250	1	09/15/2022 15:31	WG1926956
Di-isopropyl ether	U		0.000410	0.00100	1	09/15/2022 15:31	WG1926956
Ethylbenzene	0.000943	J	0.000737	0.00250	1	09/15/2022 15:31	WG1926956
Hexachloro-1,3-butadiene	U		0.00600	0.0250	1	09/15/2022 15:31	WG1926956
Isopropylbenzene	0.000828	J	0.000425	0.00250	1	09/15/2022 15:31	WG1926956
p-Isopropyltoluene	U		0.00255	0.00500	1	09/15/2022 15:31	WG1926956
2-Butanone (MEK)	U		0.0635	0.100	1	09/15/2022 15:31	WG1926956
Methylene Chloride	U		0.00664	0.0250	1	09/15/2022 15:31	WG1926956
4-Methyl-2-pentanone (MIBK)	U		0.00228	0.0250	1	09/15/2022 15:31	WG1926956
Methyl tert-butyl ether	U		0.000350	0.00100	1	09/15/2022 15:31	WG1926956
Naphthalene	U		0.00488	0.0125	1	09/15/2022 15:31	WG1926956
n-Propylbenzene	U		0.000950	0.00500	1	09/15/2022 15:31	WG1926956
Styrene	U		0.000229	0.0125	1	09/15/2022 15:31	WG1926956
1,1,1,2-Tetrachloroethane	U		0.000948	0.00250	1	09/15/2022 15:31	WG1926956
1,1,2,2-Tetrachloroethane	U		0.000695	0.00250	1	09/15/2022 15:31	WG1926956

Volatile Organic Compounds (GC/MS) by Method 8260B

Analyte	Result mg/kg	Qualifier	MDL mg/kg	RDL mg/kg	Dilution	Analysis date / time	Batch
1,1,2-Trichlorotrifluoroethane	U		0.000754	0.00250	1	09/15/2022 15:31	WG1926956
Tetrachloroethene	U		0.000896	0.00250	1	09/15/2022 15:31	WG1926956
Toluene	0.00202	J	0.00130	0.00500	1	09/15/2022 15:31	WG1926956
1,2,3-Trichlorobenzene	U		0.00733	0.0125	1	09/15/2022 15:31	WG1926956
1,2,4-Trichlorobenzene	U		0.00440	0.0125	1	09/15/2022 15:31	WG1926956
1,1,1-Trichloroethane	U		0.000923	0.00250	1	09/15/2022 15:31	WG1926956
1,1,2-Trichloroethane	U		0.000597	0.00250	1	09/15/2022 15:31	WG1926956
Trichloroethene	U		0.000584	0.00100	1	09/15/2022 15:31	WG1926956
Trichlorofluoromethane	U		0.000827	0.00250	1	09/15/2022 15:31	WG1926956
1,2,3-Trichloropropane	U		0.00162	0.0125	1	09/15/2022 15:31	WG1926956
1,2,4-Trimethylbenzene	0.00314	J	0.00158	0.00500	1	09/15/2022 15:31	WG1926956
1,2,3-Trimethylbenzene	U		0.00158	0.00500	1	09/15/2022 15:31	WG1926956
1,3,5-Trimethylbenzene	U		0.00200	0.00500	1	09/15/2022 15:31	WG1926956
Vinyl chloride	U		0.00116	0.00250	1	09/15/2022 15:31	WG1926956
Xylenes, Total	0.00527	J	0.000880	0.00650	1	09/15/2022 15:31	WG1926956
(S) Toluene-d8	*102*			*75.0-131*		*09/15/2022 15:31*	WG1926956
(S) 4-Bromofluorobenzene	*92.8*			*67.0-138*		*09/15/2022 15:31*	WG1926956
(S) 1,2-Dichloroethane-d4	*98.5*			*70.0-130*		*09/15/2022 15:31*	WG1926956

Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis	Batch
	%			date / time	
Total Solids	86.1		1	09/14/2022 11:31	WG1925958

Volatile Organic Compounds (GC) by Method 8015D/GRO

Analyte	Result	Qualifier	MDL	RDL	Dilution	Analysis	Batch
	mg/kg		mg/kg	mg/kg		date / time	
TPH (GC/FID) Low Fraction	0.737	B J	0.564	2.60	26	09/16/2022 08:11	WG1926974
(S) a,a,a-Trifluorotoluene(FID)	*99.0*			*77.0-120*		*09/16/2022 08:11*	WG1926974

Volatile Organic Compounds (GC/MS) by Method 8260B

Analyte	Result	Qualifier	MDL	RDL	Dilution	Analysis	Batch
	mg/kg		mg/kg	mg/kg		date / time	
Acetone	U		0.0365	0.0500	1	09/15/2022 16:15	WG1926956
Acrylonitrile	U		0.00361	0.0125	1	09/15/2022 16:15	WG1926956
Benzene	U		0.000467	0.00100	1	09/15/2022 16:15	WG1926956
Bromobenzene	U	J4	0.000900	0.0125	1	09/15/2022 16:15	WG1926956
Bromodichloromethane	U		0.000725	0.00250	1	09/15/2022 16:15	WG1926956
Bromoform	U		0.00117	0.0250	1	09/15/2022 16:15	WG1926956
Bromomethane	U		0.00197	0.0125	1	09/15/2022 16:15	WG1926956
n-Butylbenzene	U		0.00525	0.0125	1	09/15/2022 16:15	WG1926956
sec-Butylbenzene	U		0.00288	0.0125	1	09/15/2022 16:15	WG1926956
tert-Butylbenzene	U		0.00195	0.00500	1	09/15/2022 16:15	WG1926956
Carbon tetrachloride	U		0.000898	0.00500	1	09/15/2022 16:15	WG1926956
Chlorobenzene	U		0.000210	0.00250	1	09/15/2022 16:15	WG1926956
Chlorodibromomethane	U		0.000612	0.00250	1	09/15/2022 16:15	WG1926956
Chloroethane	U		0.00170	0.00500	1	09/15/2022 16:15	WG1926956
Chloroform	U		0.00103	0.00250	1	09/15/2022 16:15	WG1926956
Chloromethane	U		0.00435	0.0125	1	09/15/2022 16:15	WG1926956
2-Chlorotoluene	U		0.000865	0.00250	1	09/15/2022 16:15	WG1926956
4-Chlorotoluene	U		0.000450	0.00500	1	09/15/2022 16:15	WG1926956
1,2-Dibromo-3-Chloropropane	U		0.00390	0.0250	1	09/15/2022 16:15	WG1926956
1,2-Dibromoethane	U		0.000648	0.00250	1	09/15/2022 16:15	WG1926956
Dibromomethane	U		0.000750	0.00500	1	09/15/2022 16:15	WG1926956
1,2-Dichlorobenzene	U		0.000425	0.00500	1	09/15/2022 16:15	WG1926956
1,3-Dichlorobenzene	U		0.000600	0.00500	1	09/15/2022 16:15	WG1926956
1,4-Dichlorobenzene	U		0.000700	0.00500	1	09/15/2022 16:15	WG1926956
Dichlorodifluoromethane	U		0.00161	0.00250	1	09/15/2022 16:15	WG1926956
1,1-Dichloroethane	U		0.000491	0.00250	1	09/15/2022 16:15	WG1926956
1,2-Dichloroethane	U		0.000649	0.00250	1	09/15/2022 16:15	WG1926956
1,1-Dichloroethene	U		0.000606	0.00250	1	09/15/2022 16:15	WG1926956
cis-1,2-Dichloroethene	U		0.000734	0.00250	1	09/15/2022 16:15	WG1926956
trans-1,2-Dichloroethene	U		0.00104	0.00500	1	09/15/2022 16:15	WG1926956
1,2-Dichloropropane	U		0.00142	0.00500	1	09/15/2022 16:15	WG1926956
1,1-Dichloropropene	U		0.000809	0.00250	1	09/15/2022 16:15	WG1926956
1,3-Dichloropropane	U		0.000501	0.00500	1	09/15/2022 16:15	WG1926956
cis-1,3-Dichloropropene	U		0.000757	0.00250	1	09/15/2022 16:15	WG1926956
trans-1,3-Dichloropropene	U		0.00114	0.00500	1	09/15/2022 16:15	WG1926956
2,2-Dichloropropane	U		0.00138	0.00250	1	09/15/2022 16:15	WG1926956
Di-isopropyl ether	U		0.000410	0.00100	1	09/15/2022 16:15	WG1926956
Ethylbenzene	0.00108	J	0.000737	0.00250	1	09/15/2022 16:15	WG1926956
Hexachloro-1,3-butadiene	U		0.00600	0.0250	1	09/15/2022 16:15	WG1926956
Isopropylbenzene	0.00106	J	0.000425	0.00250	1	09/15/2022 16:15	WG1926956
p-Isopropyltoluene	U		0.00255	0.00500	1	09/15/2022 16:15	WG1926956
2-Butanone (MEK)	U		0.0635	0.100	1	09/15/2022 16:15	WG1926956
Methylene Chloride	U		0.00664	0.0250	1	09/15/2022 16:15	WG1926956

1 Cp
2 Tc
3 Ss
4 Cn
5 Sr
6 Qc
7 Gl
8 Al
9 Sc

Volatile Organic Compounds (GC/MS) by Method 8260B

Analyte	Result mg/kg	Qualifier	MDL mg/kg	RDL mg/kg	Dilution	Analysis date / time	Batch
4-Methyl-2-pentanone (MIBK)	U		0.00228	0.0250	1	09/15/2022 16:15	WG1926956
Methyl tert-butyl ether	U		0.000350	0.00100	1	09/15/2022 16:15	WG1926956
Naphthalene	U		0.00488	0.0125	1	09/15/2022 16:15	WG1926956
n-Propylbenzene	U		0.000950	0.00500	1	09/15/2022 16:15	WG1926956
Styrene	U		0.000229	0.0125	1	09/15/2022 16:15	WG1926956
1,1,1,2-Tetrachloroethane	U		0.000948	0.00250	1	09/15/2022 16:15	WG1926956
1,1,2,2-Tetrachloroethane	U		0.000695	0.00250	1	09/15/2022 16:15	WG1926956
1,1,2-Trichlorotrifluoroethane	U		0.000754	0.00250	1	09/15/2022 16:15	WG1926956
Tetrachloroethene	U		0.000896	0.00250	1	09/15/2022 16:15	WG1926956
Toluene	0.00218	J	0.00130	0.00500	1	09/15/2022 16:15	WG1926956
1,2,3-Trichlorobenzene	U		0.00733	0.0125	1	09/15/2022 16:15	WG1926956
1,2,4-Trichlorobenzene	U		0.00440	0.0125	1	09/15/2022 16:15	WG1926956
1,1,1-Trichloroethane	U		0.000923	0.00250	1	09/15/2022 16:15	WG1926956
1,1,2-Trichloroethane	U		0.000597	0.00250	1	09/15/2022 16:15	WG1926956
Trichloroethene	U		0.000584	0.00100	1	09/15/2022 16:15	WG1926956
Trichlorofluoromethane	U		0.000827	0.00250	1	09/15/2022 16:15	WG1926956
1,2,3-Trichloropropane	U		0.00162	0.0125	1	09/15/2022 16:15	WG1926956
1,2,4-Trimethylbenzene	0.00354	J	0.00158	0.00500	1	09/15/2022 16:15	WG1926956
1,2,3-Trimethylbenzene	U		0.00158	0.00500	1	09/15/2022 16:15	WG1926956
1,3,5-Trimethylbenzene	U		0.00200	0.00500	1	09/15/2022 16:15	WG1926956
Vinyl chloride	U		0.00116	0.00250	1	09/15/2022 16:15	WG1926956
Xylenes, Total	0.00540	J	0.000880	0.00650	1	09/15/2022 16:15	WG1926956
(S) Toluene-d8	*97.8*			*75.0-131*		*09/15/2022 16:15*	WG1926956
(S) 4-Bromofluorobenzene	*93.0*			*67.0-138*		*09/15/2022 16:15*	WG1926956
(S) 1,2-Dichloroethane-d4	*104*			*70.0-130*		*09/15/2022 16:15*	WG1926956

Semi-Volatile Organic Compounds (GC) by Method 8015

Analyte	Result mg/kg	Qualifier	MDL mg/kg	RDL mg/kg	Dilution	Analysis date / time	Batch
C10-C28 Diesel Range	U		8.05	20.0	5	09/16/2022 14:57	WG1926744
C28-C40 Oil Range	37.9		1.37	20.0	5	09/16/2022 14:57	WG1926744
(S) o-Terphenyl	*66.1*			*18.0-148*		*09/16/2022 14:57*	WG1926744

Sample Narrative:

L1534570-03 WG1926744: Cannot run at lower dilution due to viscosity of extract

Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis	Batch
	%			date / time	
Total Solids	91.1		1	09/14/2022 11:31	WG1925958

Volatile Organic Compounds (GC) by Method 8015D/GRO

Analyte	Result	Qualifier	MDL	RDL	Dilution	Analysis	Batch
	mg/kg		mg/kg	mg/kg		date / time	
TPH (GC/FID) Low Fraction	2.45	B J	0.543	2.50	25	09/16/2022 08:34	WG1926974
(S) a,a,a-Trifluorotoluene(FID)	*100*			*77.0-120*		*09/16/2022 08:34*	WG1926974

Volatile Organic Compounds (GC/MS) by Method 8260B

Analyte	Result	Qualifier	MDL	RDL	Dilution	Analysis	Batch
	mg/kg		mg/kg	mg/kg		date / time	
Acetone	0.657		0.0365	0.0500	1	09/15/2022 16:34	WG1926956
Acrylonitrile	U		0.00361	0.0125	1	09/15/2022 16:34	WG1926956
Benzene	U		0.000467	0.00100	1	09/15/2022 16:34	WG1926956
Bromobenzene	U	J4	0.000900	0.0125	1	09/15/2022 16:34	WG1926956
Bromodichloromethane	U		0.000725	0.00250	1	09/15/2022 16:34	WG1926956
Bromoform	U		0.00117	0.0250	1	09/15/2022 16:34	WG1926956
Bromomethane	U		0.00197	0.0125	1	09/15/2022 16:34	WG1926956
n-Butylbenzene	U		0.00525	0.0125	1	09/15/2022 16:34	WG1926956
sec-Butylbenzene	U		0.00288	0.0125	1	09/15/2022 16:34	WG1926956
tert-Butylbenzene	U		0.00195	0.00500	1	09/15/2022 16:34	WG1926956
Carbon tetrachloride	U		0.000898	0.00500	1	09/15/2022 16:34	WG1926956
Chlorobenzene	U		0.000210	0.00250	1	09/15/2022 16:34	WG1926956
Chlorodibromomethane	U		0.000612	0.00250	1	09/15/2022 16:34	WG1926956
Chloroethane	U		0.00170	0.00500	1	09/15/2022 16:34	WG1926956
Chloroform	U		0.00103	0.00250	1	09/15/2022 16:34	WG1926956
Chloromethane	U		0.00435	0.0125	1	09/15/2022 16:34	WG1926956
2-Chlorotoluene	U		0.000865	0.00250	1	09/15/2022 16:34	WG1926956
4-Chlorotoluene	U		0.000450	0.00500	1	09/15/2022 16:34	WG1926956
1,2-Dibromo-3-Chloropropane	U		0.00390	0.0250	1	09/15/2022 16:34	WG1926956
1,2-Dibromoethane	U		0.000648	0.00250	1	09/15/2022 16:34	WG1926956
Dibromomethane	U		0.000750	0.00500	1	09/15/2022 16:34	WG1926956
1,2-Dichlorobenzene	U		0.000425	0.00500	1	09/15/2022 16:34	WG1926956
1,3-Dichlorobenzene	U		0.000600	0.00500	1	09/15/2022 16:34	WG1926956
1,4-Dichlorobenzene	U		0.000700	0.00500	1	09/15/2022 16:34	WG1926956
Dichlorodifluoromethane	U		0.00161	0.00250	1	09/15/2022 16:34	WG1926956
1,1-Dichloroethane	U		0.000491	0.00250	1	09/15/2022 16:34	WG1926956
1,2-Dichloroethane	U		0.000649	0.00250	1	09/15/2022 16:34	WG1926956
1,1-Dichloroethene	U		0.000606	0.00250	1	09/15/2022 16:34	WG1926956
cis-1,2-Dichloroethene	U		0.000734	0.00250	1	09/15/2022 16:34	WG1926956
trans-1,2-Dichloroethene	U		0.00104	0.00500	1	09/15/2022 16:34	WG1926956
1,2-Dichloropropane	U		0.00142	0.00500	1	09/15/2022 16:34	WG1926956
1,1-Dichloropropene	U		0.000809	0.00250	1	09/15/2022 16:34	WG1926956
1,3-Dichloropropane	U		0.000501	0.00500	1	09/15/2022 16:34	WG1926956
cis-1,3-Dichloropropene	U		0.000757	0.00250	1	09/15/2022 16:34	WG1926956
trans-1,3-Dichloropropene	U		0.00114	0.00500	1	09/15/2022 16:34	WG1926956
2,2-Dichloropropane	U		0.00138	0.00250	1	09/15/2022 16:34	WG1926956
Di-isopropyl ether	U		0.000410	0.00100	1	09/15/2022 16:34	WG1926956
Ethylbenzene	0.00231	J	0.000737	0.00250	1	09/15/2022 16:34	WG1926956
Hexachloro-1,3-butadiene	U		0.00600	0.0250	1	09/15/2022 16:34	WG1926956
Isopropylbenzene	0.000825	J	0.000425	0.00250	1	09/15/2022 16:34	WG1926956
p-Isopropyltoluene	U		0.00255	0.00500	1	09/15/2022 16:34	WG1926956
2-Butanone (MEK)	U		0.0635	0.100	1	09/15/2022 16:34	WG1926956
Methylene Chloride	U		0.00664	0.0250	1	09/15/2022 16:34	WG1926956

Volatile Organic Compounds (GC/MS) by Method 8260B

Analyte	Result mg/kg	Qualifier	MDL mg/kg	RDL mg/kg	Dilution	Analysis date / time	Batch
4-Methyl-2-pentanone (MIBK)	U		0.00228	0.0250	1	09/15/2022 16:34	WG1926956
Methyl tert-butyl ether	0.000600	J	0.000350	0.00100	1	09/15/2022 16:34	WG1926956
Naphthalene	U		0.00488	0.0125	1	09/15/2022 16:34	WG1926956
n-Propylbenzene	U		0.000950	0.00500	1	09/15/2022 16:34	WG1926956
Styrene	U		0.000229	0.0125	1	09/15/2022 16:34	WG1926956
1,1,1,2-Tetrachloroethane	U		0.000948	0.00250	1	09/15/2022 16:34	WG1926956
1,1,2,2-Tetrachloroethane	U		0.000695	0.00250	1	09/15/2022 16:34	WG1926956
1,1,2-Trichlorotrifluoroethane	U		0.000754	0.00250	1	09/15/2022 16:34	WG1926956
Tetrachloroethene	U		0.000896	0.00250	1	09/15/2022 16:34	WG1926956
Toluene	0.00293	J	0.00130	0.00500	1	09/15/2022 16:34	WG1926956
1,2,3-Trichlorobenzene	U		0.00733	0.0125	1	09/15/2022 16:34	WG1926956
1,2,4-Trichlorobenzene	U		0.00440	0.0125	1	09/15/2022 16:34	WG1926956
1,1,1-Trichloroethane	U		0.000923	0.00250	1	09/15/2022 16:34	WG1926956
1,1,2-Trichloroethane	U		0.000597	0.00250	1	09/15/2022 16:34	WG1926956
Trichloroethene	U		0.000584	0.00100	1	09/15/2022 16:34	WG1926956
Trichlorofluoromethane	U		0.000827	0.00250	1	09/15/2022 16:34	WG1926956
1,2,3-Trichloropropane	U		0.00162	0.0125	1	09/15/2022 16:34	WG1926956
1,2,4-Trimethylbenzene	0.00635		0.00158	0.00500	1	09/15/2022 16:34	WG1926956
1,2,3-Trimethylbenzene	0.00291	J	0.00158	0.00500	1	09/15/2022 16:34	WG1926956
1,3,5-Trimethylbenzene	0.00275	J	0.00200	0.00500	1	09/15/2022 16:34	WG1926956
Vinyl chloride	U		0.00116	0.00250	1	09/15/2022 16:34	WG1926956
Xylenes, Total	0.0198		0.000880	0.00650	1	09/15/2022 16:34	WG1926956
(S) Toluene-d8	*98.0*			*75.0-131*		*09/15/2022 16:34*	WG1926956
(S) 4-Bromofluorobenzene	*88.4*			*67.0-138*		*09/15/2022 16:34*	WG1926956
(S) 1,2-Dichloroethane-d4	*95.4*			*70.0-130*		*09/15/2022 16:34*	WG1926956

Semi-Volatile Organic Compounds (GC) by Method 8015

Analyte	Result mg/kg	Qualifier	MDL mg/kg	RDL mg/kg	Dilution	Analysis date / time	Batch
C10-C28 Diesel Range	16.6	J	8.05	20.0	5	09/16/2022 15:10	WG1926744
C28-C40 Oil Range	63.8		1.37	20.0	5	09/16/2022 15:10	WG1926744
(S) o-Terphenyl	*61.6*			*18.0-148*		*09/16/2022 15:10*	WG1926744

Sample Narrative:

L1534570-04 WG1926744: Cannot run at lower dilution due to viscosity of extract

Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis	Batch
	%			date / time	
Total Solids	95.7		1	09/14/2022 11:31	WG1925958

Volatile Organic Compounds (GC/MS) by Method 8260B

Analyte	Result	Qualifier	MDL	RDL	Dilution	Analysis	Batch
	mg/kg		mg/kg	mg/kg		date / time	
Acetone	U		0.0365	0.0500	1	09/15/2022 16:53	WG1926956
Acrylonitrile	U		0.00361	0.0125	1	09/15/2022 16:53	WG1926956
Benzene	U		0.000467	0.00100	1	09/15/2022 16:53	WG1926956
Bromobenzene	U	J4	0.000900	0.0125	1	09/15/2022 16:53	WG1926956
Bromodichloromethane	U		0.000725	0.00250	1	09/15/2022 16:53	WG1926956
Bromoform	U		0.00117	0.0250	1	09/15/2022 16:53	WG1926956
Bromomethane	U		0.00197	0.0125	1	09/15/2022 16:53	WG1926956
n-Butylbenzene	U		0.00525	0.0125	1	09/15/2022 16:53	WG1926956
sec-Butylbenzene	U		0.00288	0.0125	1	09/15/2022 16:53	WG1926956
tert-Butylbenzene	U		0.00195	0.00500	1	09/15/2022 16:53	WG1926956
Carbon tetrachloride	U		0.000898	0.00500	1	09/15/2022 16:53	WG1926956
Chlorobenzene	U		0.000210	0.00250	1	09/15/2022 16:53	WG1926956
Chlorodibromomethane	U		0.000612	0.00250	1	09/15/2022 16:53	WG1926956
Chloroethane	U		0.00170	0.00500	1	09/15/2022 16:53	WG1926956
Chloroform	U		0.00103	0.00250	1	09/15/2022 16:53	WG1926956
Chloromethane	U		0.00435	0.0125	1	09/15/2022 16:53	WG1926956
2-Chlorotoluene	U		0.000865	0.00250	1	09/15/2022 16:53	WG1926956
4-Chlorotoluene	U		0.000450	0.00500	1	09/15/2022 16:53	WG1926956
1,2-Dibromo-3-Chloropropane	U		0.00390	0.0250	1	09/15/2022 16:53	WG1926956
1,2-Dibromoethane	U		0.000648	0.00250	1	09/15/2022 16:53	WG1926956
Dibromomethane	U		0.000750	0.00500	1	09/15/2022 16:53	WG1926956
1,2-Dichlorobenzene	U		0.000425	0.00500	1	09/15/2022 16:53	WG1926956
1,3-Dichlorobenzene	U		0.000600	0.00500	1	09/15/2022 16:53	WG1926956
1,4-Dichlorobenzene	U		0.000700	0.00500	1	09/15/2022 16:53	WG1926956
Dichlorodifluoromethane	U		0.00161	0.00250	1	09/15/2022 16:53	WG1926956
1,1-Dichloroethane	U		0.000491	0.00250	1	09/15/2022 16:53	WG1926956
1,2-Dichloroethane	U		0.000649	0.00250	1	09/15/2022 16:53	WG1926956
1,1-Dichloroethene	U		0.000606	0.00250	1	09/15/2022 16:53	WG1926956
cis-1,2-Dichloroethene	U		0.000734	0.00250	1	09/15/2022 16:53	WG1926956
trans-1,2-Dichloroethene	U		0.00104	0.00500	1	09/15/2022 16:53	WG1926956
1,2-Dichloropropane	U		0.00142	0.00500	1	09/15/2022 16:53	WG1926956
1,1-Dichloropropene	U		0.000809	0.00250	1	09/15/2022 16:53	WG1926956
1,3-Dichloropropane	U		0.000501	0.00500	1	09/15/2022 16:53	WG1926956
cis-1,3-Dichloropropene	U		0.000757	0.00250	1	09/15/2022 16:53	WG1926956
trans-1,3-Dichloropropene	U		0.00114	0.00500	1	09/15/2022 16:53	WG1926956
2,2-Dichloropropane	U		0.00138	0.00250	1	09/15/2022 16:53	WG1926956
Di-isopropyl ether	U		0.000410	0.00100	1	09/15/2022 16:53	WG1926956
Ethylbenzene	0.000849	J	0.000737	0.00250	1	09/15/2022 16:53	WG1926956
Hexachloro-1,3-butadiene	U		0.00600	0.0250	1	09/15/2022 16:53	WG1926956
Isopropylbenzene	0.000703	J	0.000425	0.00250	1	09/15/2022 16:53	WG1926956
p-Isopropyltoluene	U		0.00255	0.00500	1	09/15/2022 16:53	WG1926956
2-Butanone (MEK)	U		0.0635	0.100	1	09/15/2022 16:53	WG1926956
Methylene Chloride	U		0.00664	0.0250	1	09/15/2022 16:53	WG1926956
4-Methyl-2-pentanone (MIBK)	U		0.00228	0.0250	1	09/15/2022 16:53	WG1926956
Methyl tert-butyl ether	U		0.000350	0.00100	1	09/15/2022 16:53	WG1926956
Naphthalene	U		0.00488	0.0125	1	09/15/2022 16:53	WG1926956
n-Propylbenzene	U		0.000950	0.00500	1	09/15/2022 16:53	WG1926956
Styrene	U		0.000229	0.0125	1	09/15/2022 16:53	WG1926956
1,1,1,2-Tetrachloroethane	U		0.000948	0.00250	1	09/15/2022 16:53	WG1926956
1,1,2,2-Tetrachloroethane	U		0.000695	0.00250	1	09/15/2022 16:53	WG1926956

Volatile Organic Compounds (GC/MS) by Method 8260B

Analyte	Result mg/kg	Qualifier	MDL mg/kg	RDL mg/kg	Dilution	Analysis date / time	Batch
1,1,2-Trichlorotrifluoroethane	U		0.000754	0.00250	1	09/15/2022 16:53	WG1926956
Tetrachloroethene	U		0.000896	0.00250	1	09/15/2022 16:53	WG1926956
Toluene	0.00201	J	0.00130	0.00500	1	09/15/2022 16:53	WG1926956
1,2,3-Trichlorobenzene	U		0.00733	0.0125	1	09/15/2022 16:53	WG1926956
1,2,4-Trichlorobenzene	U		0.00440	0.0125	1	09/15/2022 16:53	WG1926956
1,1,1-Trichloroethane	U		0.000923	0.00250	1	09/15/2022 16:53	WG1926956
1,1,2-Trichloroethane	U		0.000597	0.00250	1	09/15/2022 16:53	WG1926956
Trichloroethene	U		0.000584	0.00100	1	09/15/2022 16:53	WG1926956
Trichlorofluoromethane	U		0.000827	0.00250	1	09/15/2022 16:53	WG1926956
1,2,3-Trichloropropane	U		0.00162	0.0125	1	09/15/2022 16:53	WG1926956
1,2,4-Trimethylbenzene	0.00412	J	0.00158	0.00500	1	09/15/2022 16:53	WG1926956
1,2,3-Trimethylbenzene	U		0.00158	0.00500	1	09/15/2022 16:53	WG1926956
1,3,5-Trimethylbenzene	U		0.00200	0.00500	1	09/15/2022 16:53	WG1926956
Vinyl chloride	U		0.00116	0.00250	1	09/15/2022 16:53	WG1926956
Xylenes, Total	0.00574	J	0.000880	0.00650	1	09/15/2022 16:53	WG1926956
(S) Toluene-d8	*104*			*75.0-131*		*09/15/2022 16:53*	WG1926956
(S) 4-Bromofluorobenzene	*91.0*			*67.0-138*		*09/15/2022 16:53*	WG1926956
(S) 1,2-Dichloroethane-d4	*96.8*			*70.0-130*		*09/15/2022 16:53*	WG1926956

Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis	Batch
	%			date / time	
Total Solids	90.1		1	09/14/2022 11:31	WG1925958

Volatile Organic Compounds (GC) by Method 8015D/GRO

Analyte	Result	Qualifier	MDL	RDL	Dilution	Analysis	Batch
	mg/kg		mg/kg	mg/kg		date / time	
TPH (GC/FID) Low Fraction	U		0.543	2.50	25	09/16/2022 08:57	WG1926974
(S) a,a,a-Trifluorotoluene(FID)	*100*			*77.0-120*		*09/16/2022 08:57*	WG1926974

Volatile Organic Compounds (GC/MS) by Method 8260B

Analyte	Result	Qualifier	MDL	RDL	Dilution	Analysis	Batch
	mg/kg		mg/kg	mg/kg		date / time	
Acetone	U		0.0365	0.0500	1	09/15/2022 17:26	WG1926956
Acrylonitrile	U		0.00361	0.0125	1	09/15/2022 17:26	WG1926956
Benzene	U		0.000467	0.00100	1	09/15/2022 17:26	WG1926956
Bromobenzene	U	J4	0.000900	0.0125	1	09/15/2022 17:26	WG1926956
Bromodichloromethane	U		0.000725	0.00250	1	09/15/2022 17:26	WG1926956
Bromoform	U		0.00117	0.0250	1	09/15/2022 17:26	WG1926956
Bromomethane	U		0.00197	0.0125	1	09/15/2022 17:26	WG1926956
n-Butylbenzene	U		0.00525	0.0125	1	09/15/2022 17:26	WG1926956
sec-Butylbenzene	U		0.00288	0.0125	1	09/15/2022 17:26	WG1926956
tert-Butylbenzene	U		0.00195	0.00500	1	09/15/2022 17:26	WG1926956
Carbon tetrachloride	U		0.000898	0.00500	1	09/15/2022 17:26	WG1926956
Chlorobenzene	U		0.000210	0.00250	1	09/15/2022 17:26	WG1926956
Chlorodibromomethane	U		0.000612	0.00250	1	09/15/2022 17:26	WG1926956
Chloroethane	U		0.00170	0.00500	1	09/15/2022 17:26	WG1926956
Chloroform	U		0.00103	0.00250	1	09/15/2022 17:26	WG1926956
Chloromethane	U		0.00435	0.0125	1	09/15/2022 17:26	WG1926956
2-Chlorotoluene	U		0.000865	0.00250	1	09/15/2022 17:26	WG1926956
4-Chlorotoluene	U		0.000450	0.00500	1	09/15/2022 17:26	WG1926956
1,2-Dibromo-3-Chloropropane	U		0.00390	0.0250	1	09/15/2022 17:26	WG1926956
1,2-Dibromoethane	U		0.000648	0.00250	1	09/15/2022 17:26	WG1926956
Dibromomethane	U		0.000750	0.00500	1	09/15/2022 17:26	WG1926956
1,2-Dichlorobenzene	U		0.000425	0.00500	1	09/15/2022 17:26	WG1926956
1,3-Dichlorobenzene	U		0.000600	0.00500	1	09/15/2022 17:26	WG1926956
1,4-Dichlorobenzene	U		0.000700	0.00500	1	09/15/2022 17:26	WG1926956
Dichlorodifluoromethane	U		0.00161	0.00250	1	09/15/2022 17:26	WG1926956
1,1-Dichloroethane	U		0.000491	0.00250	1	09/15/2022 17:26	WG1926956
1,2-Dichloroethane	U		0.000649	0.00250	1	09/15/2022 17:26	WG1926956
1,1-Dichloroethene	U		0.000606	0.00250	1	09/15/2022 17:26	WG1926956
cis-1,2-Dichloroethene	U		0.000734	0.00250	1	09/15/2022 17:26	WG1926956
trans-1,2-Dichloroethene	U		0.00104	0.00500	1	09/15/2022 17:26	WG1926956
1,2-Dichloropropane	U		0.00142	0.00500	1	09/15/2022 17:26	WG1926956
1,1-Dichloropropene	U		0.000809	0.00250	1	09/15/2022 17:26	WG1926956
1,3-Dichloropropane	U		0.000501	0.00500	1	09/15/2022 17:26	WG1926956
cis-1,3-Dichloropropene	U		0.000757	0.00250	1	09/15/2022 17:26	WG1926956
trans-1,3-Dichloropropene	U		0.00114	0.00500	1	09/15/2022 17:26	WG1926956
2,2-Dichloropropane	U		0.00138	0.00250	1	09/15/2022 17:26	WG1926956
Di-isopropyl ether	U		0.000410	0.00100	1	09/15/2022 17:26	WG1926956
Ethylbenzene	U		0.000737	0.00250	1	09/15/2022 17:26	WG1926956
Hexachloro-1,3-butadiene	U		0.00600	0.0250	1	09/15/2022 17:26	WG1926956
Isopropylbenzene	0.000925	J	0.000425	0.00250	1	09/15/2022 17:26	WG1926956
p-Isopropyltoluene	U		0.00255	0.00500	1	09/15/2022 17:26	WG1926956
2-Butanone (MEK)	U		0.0635	0.100	1	09/15/2022 17:26	WG1926956
Methylene Chloride	U		0.00664	0.0250	1	09/15/2022 17:26	WG1926956

Volatile Organic Compounds (GC/MS) by Method 8260B

Analyte	Result mg/kg	Qualifier	MDL mg/kg	RDL mg/kg	Dilution	Analysis date / time	Batch
4-Methyl-2-pentanone (MIBK)	U		0.00228	0.0250	1	09/15/2022 17:26	WG1926956
Methyl tert-butyl ether	U		0.000350	0.00100	1	09/15/2022 17:26	WG1926956
Naphthalene	U		0.00488	0.0125	1	09/15/2022 17:26	WG1926956
n-Propylbenzene	0.00128	J	0.000950	0.00500	1	09/15/2022 17:26	WG1926956
Styrene	U		0.000229	0.0125	1	09/15/2022 17:26	WG1926956
1,1,1,2-Tetrachloroethane	U		0.000948	0.00250	1	09/15/2022 17:26	WG1926956
1,1,2,2-Tetrachloroethane	U		0.000695	0.00250	1	09/15/2022 17:26	WG1926956
1,1,2-Trichlorotrifluoroethane	U		0.000754	0.00250	1	09/15/2022 17:26	WG1926956
Tetrachloroethene	U		0.000896	0.00250	1	09/15/2022 17:26	WG1926956
Toluene	0.00210	J	0.00130	0.00500	1	09/15/2022 17:26	WG1926956
1,2,3-Trichlorobenzene	U		0.00733	0.0125	1	09/15/2022 17:26	WG1926956
1,2,4-Trichlorobenzene	U		0.00440	0.0125	1	09/15/2022 17:26	WG1926956
1,1,1-Trichloroethane	U		0.000923	0.00250	1	09/15/2022 17:26	WG1926956
1,1,2-Trichloroethane	U		0.000597	0.00250	1	09/15/2022 17:26	WG1926956
Trichloroethene	U		0.000584	0.00100	1	09/15/2022 17:26	WG1926956
Trichlorofluoromethane	U		0.000827	0.00250	1	09/15/2022 17:26	WG1926956
1,2,3-Trichloropropane	U		0.00162	0.0125	1	09/15/2022 17:26	WG1926956
1,2,4-Trimethylbenzene	0.00383	J	0.00158	0.00500	1	09/15/2022 17:26	WG1926956
1,2,3-Trimethylbenzene	U		0.00158	0.00500	1	09/15/2022 17:26	WG1926956
1,3,5-Trimethylbenzene	U		0.00200	0.00500	1	09/15/2022 17:26	WG1926956
Vinyl chloride	U		0.00116	0.00250	1	09/15/2022 17:26	WG1926956
Xylenes, Total	0.00540	J	0.000880	0.00650	1	09/15/2022 17:26	WG1926956
(S) Toluene-d8	*103*			*75.0-131*		*09/15/2022 17:26*	WG1926956
(S) 4-Bromofluorobenzene	*90.4*			*67.0-138*		*09/15/2022 17:26*	WG1926956
(S) 1,2-Dichloroethane-d4	*99.5*			*70.0-130*		*09/15/2022 17:26*	WG1926956

Semi-Volatile Organic Compounds (GC) by Method 8015

Analyte	Result mg/kg	Qualifier	MDL mg/kg	RDL mg/kg	Dilution	Analysis date / time	Batch
C10-C28 Diesel Range	3.71	J	1.61	4.00	1	09/16/2022 14:32	WG1926744
C28-C40 Oil Range	20.5		0.274	4.00	1	09/16/2022 14:32	WG1926744
(S) o-Terphenyl	*55.0*			*18.0-148*		*09/16/2022 14:32*	WG1926744

Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis	Batch
	%			date / time	
Total Solids	93.1		1	09/14/2022 11:31	WG1925958

Volatile Organic Compounds (GC) by Method 8015D/GRO

Analyte	Result	Qualifier	MDL	RDL	Dilution	Analysis	Batch
	mg/kg		mg/kg	mg/kg		date / time	
TPH (GC/FID) Low Fraction	0.684	B J	0.571	2.63	26.3	09/16/2022 09:19	WG1926974
(S) a,a,a-Trifluorotoluene(FID)	*99.8*			*77.0-120*		*09/16/2022 09:19*	WG1926974

Volatile Organic Compounds (GC/MS) by Method 8260B

Analyte	Result	Qualifier	MDL	RDL	Dilution	Analysis	Batch
	mg/kg		mg/kg	mg/kg		date / time	
Acetone	U		0.0365	0.0500	1	09/15/2022 18:05	WG1926956
Acrylonitrile	U		0.00361	0.0125	1	09/15/2022 18:05	WG1926956
Benzene	U		0.000467	0.00100	1	09/15/2022 18:05	WG1926956
Bromobenzene	U	J4	0.000900	0.0125	1	09/15/2022 18:05	WG1926956
Bromodichloromethane	U		0.000725	0.00250	1	09/15/2022 18:05	WG1926956
Bromoform	U		0.00117	0.0250	1	09/15/2022 18:05	WG1926956
Bromomethane	U		0.00197	0.0125	1	09/15/2022 18:05	WG1926956
n-Butylbenzene	U		0.00525	0.0125	1	09/15/2022 18:05	WG1926956
sec-Butylbenzene	U		0.00288	0.0125	1	09/15/2022 18:05	WG1926956
tert-Butylbenzene	U		0.00195	0.00500	1	09/15/2022 18:05	WG1926956
Carbon tetrachloride	U		0.000898	0.00500	1	09/15/2022 18:05	WG1926956
Chlorobenzene	U		0.000210	0.00250	1	09/15/2022 18:05	WG1926956
Chlorodibromomethane	U		0.000612	0.00250	1	09/15/2022 18:05	WG1926956
Chloroethane	U		0.00170	0.00500	1	09/15/2022 18:05	WG1926956
Chloroform	U		0.00103	0.00250	1	09/15/2022 18:05	WG1926956
Chloromethane	U		0.00435	0.0125	1	09/15/2022 18:05	WG1926956
2-Chlorotoluene	U		0.000865	0.00250	1	09/15/2022 18:05	WG1926956
4-Chlorotoluene	U		0.000450	0.00500	1	09/15/2022 18:05	WG1926956
1,2-Dibromo-3-Chloropropane	U		0.00390	0.0250	1	09/15/2022 18:05	WG1926956
1,2-Dibromoethane	U		0.000648	0.00250	1	09/15/2022 18:05	WG1926956
Dibromomethane	U		0.000750	0.00500	1	09/15/2022 18:05	WG1926956
1,2-Dichlorobenzene	U		0.000425	0.00500	1	09/15/2022 18:05	WG1926956
1,3-Dichlorobenzene	U		0.000600	0.00500	1	09/15/2022 18:05	WG1926956
1,4-Dichlorobenzene	U		0.000700	0.00500	1	09/15/2022 18:05	WG1926956
Dichlorodifluoromethane	U		0.00161	0.00250	1	09/15/2022 18:05	WG1926956
1,1-Dichloroethane	U		0.000491	0.00250	1	09/15/2022 18:05	WG1926956
1,2-Dichloroethane	U		0.000649	0.00250	1	09/15/2022 18:05	WG1926956
1,1-Dichloroethene	U		0.000606	0.00250	1	09/15/2022 18:05	WG1926956
cis-1,2-Dichloroethene	U		0.000734	0.00250	1	09/15/2022 18:05	WG1926956
trans-1,2-Dichloroethene	U		0.00104	0.00500	1	09/15/2022 18:05	WG1926956
1,2-Dichloropropane	U		0.00142	0.00500	1	09/15/2022 18:05	WG1926956
1,1-Dichloropropene	U		0.000809	0.00250	1	09/15/2022 18:05	WG1926956
1,3-Dichloropropane	U		0.000501	0.00500	1	09/15/2022 18:05	WG1926956
cis-1,3-Dichloropropene	U		0.000757	0.00250	1	09/15/2022 18:05	WG1926956
trans-1,3-Dichloropropene	U		0.00114	0.00500	1	09/15/2022 18:05	WG1926956
2,2-Dichloropropane	U		0.00138	0.00250	1	09/15/2022 18:05	WG1926956
Di-isopropyl ether	U		0.000410	0.00100	1	09/15/2022 18:05	WG1926956
Ethylbenzene	0.00108	J	0.000737	0.00250	1	09/15/2022 18:05	WG1926956
Hexachloro-1,3-butadiene	U		0.00600	0.0250	1	09/15/2022 18:05	WG1926956
Isopropylbenzene	0.000720	J	0.000425	0.00250	1	09/15/2022 18:05	WG1926956
p-Isopropyltoluene	U		0.00255	0.00500	1	09/15/2022 18:05	WG1926956
2-Butanone (MEK)	U		0.0635	0.100	1	09/15/2022 18:05	WG1926956
Methylene Chloride	U		0.00664	0.0250	1	09/15/2022 18:05	WG1926956

Volatile Organic Compounds (GC/MS) by Method 8260B

Analyte	Result mg/kg	Qualifier	MDL mg/kg	RDL mg/kg	Dilution	Analysis date / time	Batch
4-Methyl-2-pentanone (MIBK)	U		0.00228	0.0250	1	09/15/2022 18:05	WG1926956
Methyl tert-butyl ether	U		0.000350	0.00100	1	09/15/2022 18:05	WG1926956
Naphthalene	U		0.00488	0.0125	1	09/15/2022 18:05	WG1926956
n-Propylbenzene	U		0.000950	0.00500	1	09/15/2022 18:05	WG1926956
Styrene	U		0.000229	0.0125	1	09/15/2022 18:05	WG1926956
1,1,1,2-Tetrachloroethane	U		0.000948	0.00250	1	09/15/2022 18:05	WG1926956
1,1,2,2-Tetrachloroethane	U		0.000695	0.00250	1	09/15/2022 18:05	WG1926956
1,1,2-Trichlorotrifluoroethane	U		0.000754	0.00250	1	09/15/2022 18:05	WG1926956
Tetrachloroethene	U		0.000896	0.00250	1	09/15/2022 18:05	WG1926956
Toluene	0.00230	J	0.00130	0.00500	1	09/15/2022 18:05	WG1926956
1,2,3-Trichlorobenzene	U		0.00733	0.0125	1	09/15/2022 18:05	WG1926956
1,2,4-Trichlorobenzene	U		0.00440	0.0125	1	09/15/2022 18:05	WG1926956
1,1,1-Trichloroethane	U		0.000923	0.00250	1	09/15/2022 18:05	WG1926956
1,1,2-Trichloroethane	U		0.000597	0.00250	1	09/15/2022 18:05	WG1926956
Trichloroethene	U		0.000584	0.00100	1	09/15/2022 18:05	WG1926956
Trichlorofluoromethane	U		0.000827	0.00250	1	09/15/2022 18:05	WG1926956
1,2,3-Trichloropropane	U		0.00162	0.0125	1	09/15/2022 18:05	WG1926956
1,2,4-Trimethylbenzene	0.00247	J	0.00158	0.00500	1	09/15/2022 18:05	WG1926956
1,2,3-Trimethylbenzene	U		0.00158	0.00500	1	09/15/2022 18:05	WG1926956
1,3,5-Trimethylbenzene	U		0.00200	0.00500	1	09/15/2022 18:05	WG1926956
Vinyl chloride	U		0.00116	0.00250	1	09/15/2022 18:05	WG1926956
Xylenes, Total	0.00420	J	0.000880	0.00650	1	09/15/2022 18:05	WG1926956
(S) Toluene-d8	*102*			*75.0-131*		*09/15/2022 18:05*	WG1926956
(S) 4-Bromofluorobenzene	*91.7*			*67.0-138*		*09/15/2022 18:05*	WG1926956
(S) 1,2-Dichloroethane-d4	*96.6*			*70.0-130*		*09/15/2022 18:05*	WG1926956

Semi-Volatile Organic Compounds (GC) by Method 8015

Analyte	Result mg/kg	Qualifier	MDL mg/kg	RDL mg/kg	Dilution	Analysis date / time	Batch
C10-C28 Diesel Range	8.05		1.61	4.00	1	09/16/2022 17:44	WG1926744
C28-C40 Oil Range	26.1		0.274	4.00	1	09/17/2022 10:04	WG1926744
(S) o-Terphenyl	*50.9*			*18.0-148*		*09/17/2022 10:04*	WG1926744
(S) o-Terphenyl	*52.2*			*18.0-148*		*09/16/2022 17:44*	WG1926744

Method Blank (MB)

(MB) R3837489-1 09/14/22 11:31

Analyte	MB Result %	MB Qualifier	MB MDL %	MB RDL %
Total Solids	0.00300			

L1534570-05 Original Sample (OS) • Duplicate (DUP)

(OS) L1534570-05 09/14/22 11:31 • (DUP) R3837489-3 09/14/22 11:31

Analyte	Original Result %	DUP Result %	Dilution	DUP RPD %	DUP Qualifier	DUP RPD Limits %
Total Solids	95.7	95.2	1	0.567		10

Laboratory Control Sample (LCS)

(LCS) R3837489-2 09/14/22 11:31

Analyte	Spike Amount %	LCS Result %	LCS Rec. %	Rec. Limits %	LCS Qualifier
Total Solids	50.0	50.0	100	85.0-115	

Method Blank (MB)

(MB) R3838221-4 09/16/22 04:25

Analyte	MB Result mg/kg	MB Qualifier	MB MDL mg/kg	MB RDL mg/kg
TPH (GC/FID) Low Fraction	0.620	J	0.543	2.50
(S) a,a,a-Trifluorotoluene(FID)	*99.6*			*77.0-120*

Laboratory Control Sample (LCS) • Laboratory Control Sample Duplicate (LCSD)

(LCS) R3838221-2 09/16/22 03:17 • (LCSD) R3838221-3 09/16/22 03:40

Analyte	Spike Amount mg/kg	LCS Result mg/kg	LCSD Result mg/kg	LCS Rec. %	LCSD Rec. %	Rec. Limits %	LCS Qualifier	LCSD Qualifier	RPD %	RPD Limits %
TPH (GC/FID) Low Fraction	5.50	5.56	5.41	101	98.4	72.0-127			2.73	20
(S) a,a,a-Trifluorotoluene(FID)				*104*	*103*	*77.0-120*				

L1534043-02 Original Sample (OS) • Matrix Spike (MS) • Matrix Spike Duplicate (MSD)

(OS) L1534043-02 09/16/22 12:42 • (MS) R3838221-5 09/16/22 14:13 • (MSD) R3838221-6 09/16/22 14:35

Analyte	Spike Amount mg/kg	Original Result mg/kg	MS Result mg/kg	MSD Result mg/kg	MS Rec. %	MSD Rec. %	Dilution	Rec. Limits %	MS Qualifier	MSD Qualifier	RPD %	RPD Limits %
TPH (GC/FID) Low Fraction	27500	425	20800	21300	74.1	75.9	5000	10.0-151			2.38	28
(S) a,a,a-Trifluorotoluene(FID)					*98.0*	*99.8*		*77.0-120*				

Method Blank (MB)

(MB) R3837704-3 09/15/22 11:36

Analyte	MB Result mg/kg	MB Qualifier	MB MDL mg/kg	MB RDL mg/kg
Acetone	U		0.0365	0.0500
Acrylonitrile	U		0.00361	0.0125
Benzene	U		0.000467	0.00100
Bromobenzene	U		0.000900	0.0125
Bromodichloromethane	U		0.000725	0.00250
Bromoform	U		0.00117	0.0250
Bromomethane	U		0.00197	0.0125
n-Butylbenzene	U		0.00525	0.0125
sec-Butylbenzene	U		0.00288	0.0125
tert-Butylbenzene	U		0.00195	0.00500
Carbon tetrachloride	U		0.000898	0.00500
Chlorobenzene	U		0.000210	0.00250
Chlorodibromomethane	U		0.000612	0.00250
Chloroethane	U		0.00170	0.00500
Chloroform	U		0.00103	0.00250
Chloromethane	U		0.00435	0.0125
2-Chlorotoluene	U		0.000865	0.00250
4-Chlorotoluene	U		0.000450	0.00500
1,2-Dibromo-3-Chloropropane	U		0.00390	0.0250
1,2-Dibromoethane	U		0.000648	0.00250
Dibromomethane	U		0.000750	0.00500
1,2-Dichlorobenzene	U		0.000425	0.00500
1,3-Dichlorobenzene	U		0.000600	0.00500
1,4-Dichlorobenzene	U		0.000700	0.00500
Dichlorodifluoromethane	U		0.00161	0.00250
1,1-Dichloroethane	U		0.000491	0.00250
1,2-Dichloroethane	U		0.000649	0.00250
1,1-Dichloroethene	U		0.000606	0.00250
cis-1,2-Dichloroethene	U		0.000734	0.00250
trans-1,2-Dichloroethene	U		0.00104	0.00500
1,2-Dichloropropane	U		0.00142	0.00500
1,1-Dichloropropene	U		0.000809	0.00250
1,3-Dichloropropane	U		0.000501	0.00500
cis-1,3-Dichloropropene	U		0.000757	0.00250
trans-1,3-Dichloropropene	U		0.00114	0.00500
2,2-Dichloropropane	U		0.00138	0.00250
Di-isopropyl ether	U		0.000410	0.00100
Ethylbenzene	U		0.000737	0.00250
Hexachloro-1,3-butadiene	U		0.00600	0.0250
Isopropylbenzene	U		0.000425	0.00250

Method Blank (MB)

(MB) R3837704-3 09/15/22 11:36

Analyte	MB Result mg/kg	MB Qualifier	MB MDL mg/kg	MB RDL mg/kg
p-Isopropyltoluene	U		0.00255	0.00500
2-Butanone (MEK)	U		0.0635	0.100
Methylene Chloride	U		0.00664	0.0250
4-Methyl-2-pentanone (MIBK)	U		0.00228	0.0250
Methyl tert-butyl ether	U		0.000350	0.00100
Naphthalene	U		0.00488	0.0125
n-Propylbenzene	U		0.000950	0.00500
Styrene	U		0.000229	0.0125
1,1,1,2-Tetrachloroethane	U		0.000948	0.00250
1,1,2,2-Tetrachloroethane	U		0.000695	0.00250
1,1,2-Trichlorotrifluoroethane	U		0.000754	0.00250
Tetrachloroethene	U		0.000896	0.00250
Toluene	U		0.00130	0.00500
1,2,3-Trichlorobenzene	U		0.00733	0.0125
1,2,4-Trichlorobenzene	U		0.00440	0.0125
1,1,1-Trichloroethane	U		0.000923	0.00250
1,1,2-Trichloroethane	U		0.000597	0.00250
Trichloroethene	U		0.000584	0.00100
Trichlorofluoromethane	U		0.000827	0.00250
1,2,3-Trichloropropane	U		0.00162	0.0125
1,2,4-Trimethylbenzene	U		0.00158	0.00500
1,2,3-Trimethylbenzene	U		0.00158	0.00500
1,3,5-Trimethylbenzene	U		0.00200	0.00500
Vinyl chloride	U		0.00116	0.00250
Xylenes, Total	U		0.000880	0.00650
(S) Toluene-d8	*103*			*75.0-131*
(S) 4-Bromofluorobenzene	*89.8*			*67.0-138*
(S) 1,2-Dichloroethane-d4	*96.4*			*70.0-130*

Laboratory Control Sample (LCS) • Laboratory Control Sample Duplicate (LCSD)

(LCS) R3837704-1 09/15/22 10:20 • (LCSD) R3837704-2 09/15/22 10:39

Analyte	Spike Amount mg/kg	LCS Result mg/kg	LCSD Result mg/kg	LCS Rec. %	LCSD Rec. %	Rec. Limits %	LCS Qualifier	LCSD Qualifier	RPD %	RPD Limits %
Acetone	0.625	0.774	0.683	124	109	10.0-160			12.5	31
Acrylonitrile	0.625	0.443	0.432	70.9	69.1	45.0-153			2.51	22
Benzene	0.125	0.132	0.121	106	96.8	70.0-123			8.70	20
Bromobenzene	0.125	0.148	0.153	118	122	73.0-121		J4	3.32	20
Bromodichloromethane	0.125	0.134	0.130	107	104	73.0-121			3.03	20

Laboratory Control Sample (LCS) • Laboratory Control Sample Duplicate (LCSD)

(LCS) R3837704-1 09/15/22 10:20 • (LCSD) R3837704-2 09/15/22 10:39

Analyte	Spike Amount mg/kg	LCS Result mg/kg	LCSD Result mg/kg	LCS Rec. %	LCSD Rec. %	Rec. Limits %	LCS Qualifier	LCSD Qualifier	RPD %	RPD Limits %
Bromoform	0.125	0.115	0.119	92.0	95.2	64.0-132			3.42	20
Bromomethane	0.125	0.124	0.117	99.2	93.6	56.0-147			5.81	20
n-Butylbenzene	0.125	0.153	0.149	122	119	68.0-135			2.65	20
sec-Butylbenzene	0.125	0.154	0.150	123	120	74.0-130			2.63	20
tert-Butylbenzene	0.125	0.149	0.149	119	119	75.0-127			0.000	20
Carbon tetrachloride	0.125	0.147	0.137	118	110	66.0-128			7.04	20
Chlorobenzene	0.125	0.131	0.127	105	102	76.0-128			3.10	20
Chlorodibromomethane	0.125	0.111	0.112	88.8	89.6	74.0-127			0.897	20
Chloroethane	0.125	0.142	0.125	114	100	61.0-134			12.7	20
Chloroform	0.125	0.123	0.122	98.4	97.6	72.0-123			0.816	20
Chloromethane	0.125	0.127	0.116	102	92.8	51.0-138			9.05	20
2-Chlorotoluene	0.125	0.152	0.148	122	118	75.0-124			2.67	20
4-Chlorotoluene	0.125	0.142	0.149	114	119	75.0-124			4.81	20
1,2-Dibromo-3-Chloropropane	0.125	0.101	0.0989	80.8	79.1	59.0-130			2.10	20
1,2-Dibromoethane	0.125	0.127	0.135	102	108	74.0-128			6.11	20
Dibromomethane	0.125	0.130	0.124	104	99.2	75.0-122			4.72	20
1,2-Dichlorobenzene	0.125	0.138	0.143	110	114	76.0-124			3.56	20
1,3-Dichlorobenzene	0.125	0.143	0.146	114	117	76.0-125			2.08	20
1,4-Dichlorobenzene	0.125	0.132	0.134	106	107	77.0-121			1.50	20
Dichlorodifluoromethane	0.125	0.131	0.114	105	91.2	43.0-156			13.9	20
1,1-Dichloroethane	0.125	0.134	0.126	107	101	70.0-127			6.15	20
1,2-Dichloroethane	0.125	0.126	0.127	101	102	65.0-131			0.791	20
1,1-Dichloroethene	0.125	0.134	0.123	107	98.4	65.0-131			8.56	20
cis-1,2-Dichloroethene	0.125	0.128	0.126	102	101	73.0-125			1.57	20
trans-1,2-Dichloroethene	0.125	0.137	0.123	110	98.4	71.0-125			10.8	20
1,2-Dichloropropane	0.125	0.136	0.125	109	100	74.0-125			8.43	20
1,1-Dichloropropene	0.125	0.146	0.140	117	112	73.0-125			4.20	20
1,3-Dichloropropane	0.125	0.132	0.135	106	108	80.0-125			2.25	20
cis-1,3-Dichloropropene	0.125	0.136	0.134	109	107	76.0-127			1.48	20
trans-1,3-Dichloropropene	0.125	0.120	0.123	96.0	98.4	73.0-127			2.47	20
2,2-Dichloropropane	0.125	0.158	0.133	126	106	59.0-135			17.2	20
Di-isopropyl ether	0.125	0.129	0.124	103	99.2	60.0-136			3.95	20
Ethylbenzene	0.125	0.134	0.128	107	102	74.0-126			4.58	20
Hexachloro-1,3-butadiene	0.125	0.125	0.112	100	89.6	57.0-150			11.0	20
Isopropylbenzene	0.125	0.132	0.128	106	102	72.0-127			3.08	20
p-Isopropyltoluene	0.125	0.158	0.156	126	125	72.0-133			1.27	20
2-Butanone (MEK)	0.625	0.653	0.581	104	93.0	30.0-160			11.7	24
Methylene Chloride	0.125	0.112	0.112	89.6	89.6	68.0-123			0.000	20
4-Methyl-2-pentanone (MIBK)	0.625	0.555	0.548	88.8	87.7	56.0-143			1.27	20
Methyl tert-butyl ether	0.125	0.132	0.124	106	99.2	66.0-132			6.25	20

Laboratory Control Sample (LCS) • Laboratory Control Sample Duplicate (LCSD)

(LCS) R3837704-1 09/15/22 10:20 • (LCSD) R3837704-2 09/15/22 10:39

Analyte	Spike Amount mg/kg	LCS Result mg/kg	LCSD Result mg/kg	LCS Rec. %	LCSD Rec. %	Rec. Limits %	LCS Qualifier	LCSD Qualifier	RPD %	RPD Limits %
Naphthalene	0.125	0.111	0.110	88.8	88.0	59.0-130			0.905	20
n-Propylbenzene	0.125	0.155	0.155	124	124	74.0-126			0.000	20
Styrene	0.125	0.117	0.116	93.6	92.8	72.0-127			0.858	20
1,1,1,2-Tetrachloroethane	0.125	0.121	0.123	96.8	98.4	74.0-129			1.64	20
1,1,2,2-Tetrachloroethane	0.125	0.137	0.146	110	117	68.0-128			6.36	20
1,1,2-Trichlorotrifluoroethane	0.125	0.126	0.113	101	90.4	61.0-139			10.9	20
Tetrachloroethene	0.125	0.129	0.128	103	102	70.0-136			0.778	20
Toluene	0.125	0.126	0.122	101	97.6	75.0-121			3.23	20
1,2,3-Trichlorobenzene	0.125	0.108	0.111	86.4	88.8	59.0-139			2.74	20
1,2,4-Trichlorobenzene	0.125	0.125	0.130	100	104	62.0-137			3.92	20
1,1,1-Trichloroethane	0.125	0.140	0.131	112	105	69.0-126			6.64	20
1,1,2-Trichloroethane	0.125	0.128	0.133	102	106	78.0-123			3.83	20
Trichloroethene	0.125	0.132	0.128	106	102	76.0-126			3.08	20
Trichlorofluoromethane	0.125	0.117	0.104	93.6	83.2	61.0-142			11.8	20
1,2,3-Trichloropropane	0.125	0.148	0.147	118	118	67.0-129			0.678	20
1,2,4-Trimethylbenzene	0.125	0.152	0.154	122	123	70.0-126			1.31	20
1,2,3-Trimethylbenzene	0.125	0.145	0.149	116	119	74.0-124			2.72	20
1,3,5-Trimethylbenzene	0.125	0.152	0.150	122	120	73.0-127			1.32	20
Vinyl chloride	0.125	0.137	0.122	110	97.6	63.0-134			11.6	20
Xylenes, Total	0.375	0.408	0.398	109	106	72.0-127			2.48	20
(S) Toluene-d8				*100*	*103*	*75.0-131*				
(S) 4-Bromofluorobenzene				*90.4*	*90.8*	*67.0-138*				
(S) 1,2-Dichloroethane-d4				*110*	*106*	*70.0-130*				

Method Blank (MB)

(MB) R3838208-2 09/16/22 16:37

Analyte	MB Result mg/kg	MB Qualifier	MB MDL mg/kg	MB RDL mg/kg
C10-C28 Diesel Range	U		1.61	4.00
C28-C40 Oil Range	U		0.274	4.00
(S) o-Terphenyl	*78.7*			*18.0-148*

Laboratory Control Sample (LCS)

(LCS) R3838208-1 09/16/22 10:19

Analyte	Spike Amount mg/kg	LCS Result mg/kg	LCS Rec. %	Rec. Limits %	LCS Qualifier
C10-C28 Diesel Range	50.0	35.6	71.2	50.0-150	
(S) o-Terphenyl			*84.2*	*18.0-148*	

L1534558-03 Original Sample (OS) • Matrix Spike (MS) • Matrix Spike Duplicate (MSD)

(OS) L1534558-03 09/16/22 11:12 • (MS) R3838208-3 09/16/22 11:24 • (MSD) R3838208-4 09/16/22 11:37

Analyte	Spike Amount mg/kg	Original Result mg/kg	MS Result mg/kg	MSD Result mg/kg	MS Rec. %	MSD Rec. %	Dilution	Rec. Limits %	MS Qualifier	MSD Qualifier	RPD %	RPD Limits %
C10-C28 Diesel Range	48.3	U	32.4	26.5	67.1	55.4	1	50.0-150			20.0	20
(S) o-Terphenyl					*72.5*	*65.2*		*18.0-148*				

Guide to Reading and Understanding Your Laboratory Report

The information below is designed to better explain the various terms used in your report of analytical results from the Laboratory. This is not intended as a comprehensive explanation, and if you have additional questions please contact your project representative.

Results Disclaimer - Information that may be provided by the customer, and contained within this report, include Permit Limits, Project Name, Sample ID, Sample Matrix, Sample Preservation, Field Blanks, Field Spikes, Field Duplicates, On-Site Data, Sampling Collection Dates/Times, and Sampling Location. Results relate to the accuracy of this information provided, and as the samples are received.

Abbreviations and Definitions

MDL	Method Detection Limit.
RDL	Reported Detection Limit.
Rec.	Recovery.
RPD	Relative Percent Difference.
SDG	Sample Delivery Group.
(S)	Surrogate (Surrogate Standard) - Analytes added to every blank, sample, Laboratory Control Sample/Duplicate and Matrix Spike/Duplicate; used to evaluate analytical efficiency by measuring recovery. Surrogates are not expected to be detected in all environmental media.
U	Not detected at the Reporting Limit (or MDL where applicable).
Analyte	The name of the particular compound or analysis performed. Some Analyses and Methods will have multiple analytes reported.
Dilution	If the sample matrix contains an interfering material, the sample preparation volume or weight values differ from the standard, or if concentrations of analytes in the sample are higher than the highest limit of concentration that the laboratory can accurately report, the sample may be diluted for analysis. If a value different than 1 is used in this field, the result reported has already been corrected for this factor.
Limits	These are the target % recovery ranges or % difference value that the laboratory has historically determined as normal for the method and analyte being reported. Successful QC Sample analysis will target all analytes recovered or duplicated within these ranges.
Original Sample	The non-spiked sample in the prep batch used to determine the Relative Percent Difference (RPD) from a quality control sample. The Original Sample may not be included within the reported SDG.
Qualifier	This column provides a letter and/or number designation that corresponds to additional information concerning the result reported. If a Qualifier is present, a definition per Qualifier is provided within the Glossary and Definitions page and potentially a discussion of possible implications of the Qualifier in the Case Narrative if applicable.
Result	The actual analytical final result (corrected for any sample specific characteristics) reported for your sample. If there was no measurable result returned for a specific analyte, the result in this column may state “ND” (Not Detected) or “BDL” (Below Detectable Levels). The information in the results column should always be accompanied by either an MDL (Method Detection Limit) or RDL (Reporting Detection Limit) that defines the lowest value that the laboratory could detect or report for this analyte.
Uncertainty (Radiochemistry)	Confidence level of 2 sigma.
Case Narrative (Cn)	A brief discussion about the included sample results, including a discussion of any non-conformances to protocol observed either at sample receipt by the laboratory from the field or during the analytical process. If present, there will be a section in the Case Narrative to discuss the meaning of any data qualifiers used in the report.
Quality Control Summary (Qc)	This section of the report includes the results of the laboratory quality control analyses required by procedure or analytical methods to assist in evaluating the validity of the results reported for your samples. These analyses are not being performed on your samples typically, but on laboratory generated material.
Sample Chain of Custody (Sc)	This is the document created in the field when your samples were initially collected. This is used to verify the time and date of collection, the person collecting the samples, and the analyses that the laboratory is requested to perform. This chain of custody also documents all persons (excluding commercial shippers) that have had control or possession of the samples from the time of collection until delivery to the laboratory for analysis.
Sample Results (Sr)	This section of your report will provide the results of all testing performed on your samples. These results are provided by sample ID and are separated by the analyses performed on each sample. The header line of each analysis section for each sample will provide the name and method number for the analysis reported.
Sample Summary (Ss)	This section of the Analytical Report defines the specific analyses performed for each sample ID, including the dates and times of preparation and/or analysis.

Qualifier	Description
B	The same analyte is found in the associated blank.
J	The identification of the analyte is acceptable; the reported value is an estimate.
J4	The associated batch QC was outside the established quality control range for accuracy.

ACCREDITATIONS & LOCATIONS

Pace Analytical National 12065 Lebanon Rd Mount Juliet, TN 37122

Alabama	40660	Nebraska	NE-OS-15-05
Alaska	17-026	Nevada	TN000032021-1
Arizona	AZ0612	New Hampshire	2975
Arkansas	88-0469	New Jersey–NELAP	TN002
California	2932	New Mexico [1]	TN00003
Colorado	TN00003	New York	11742
Connecticut	PH-0197	North Carolina	Env375
Florida	E87487	North Carolina [1]	DW21704
Georgia	NELAP	North Carolina [3]	41
Georgia [1]	923	North Dakota	R-140
Idaho	TN00003	Ohio–VAP	CL0069
Illinois	200008	Oklahoma	9915
Indiana	C-TN-01	Oregon	TN200002
Iowa	364	Pennsylvania	68-02979
Kansas	E-10277	Rhode Island	LAO000356
Kentucky [1 6]	KY90010	South Carolina	84004002
Kentucky [2]	16	South Dakota	n/a
Louisiana	AI30792	Tennessee [1 4]	2006
Louisiana	LA018	Texas	T104704245-20-18
Maine	TN00003	Texas [5]	LAB0152
Maryland	324	Utah	TN000032021-11
Massachusetts	M-TN003	Vermont	VT2006
Michigan	9958	Virginia	110033
Minnesota	047-999-395	Washington	C847
Mississippi	TN00003	West Virginia	233
Missouri	340	Wisconsin	998093910
Montana	CERT0086	Wyoming	A2LA
A2LA – ISO 17025	1461.01	AIHA-LAP,LLC EMLAP	100789
A2LA – ISO 17025 [5]	1461.02	DOD	1461.01
Canada	1461.01	USDA	P330-15-00234
EPA–Crypto	TN00003		

[1] Drinking Water [2] Underground Storage Tanks [3] Aquatic Toxicity [4] Chemical/Microbiological [5] Mold [6] Wastewater n/a Accreditation not applicable

* Not all certifications held by the laboratory are applicable to the results reported in the attached report.

* Accreditation is only applicable to the test methods specified on each scope of accreditation held by Pace Analytical.

Company Name/Address:
AEI Consultants - Denver, CO
8700 W. Bryn Mawr, Suite 710N
Chicago, IL 60631

Billing Information:
Accounts Payable
2500 Camino Diablo
Walnut Creek, CA 94597

Pres Chk

Report to: **Patricia Feeley**

Email To: **pfeeley@aeiconsultants.com;lharsh@aeiconsult**

Project Description: 987 Main Street

City/State Collected: Minturn, CO

Please Circle: PT (MT) CT ET

Phone: **773-693-4731**

Client Project # **468525**

Lab Project # **AEICONDCO-468525**

Collected by (print): Logan Harsh

Site/Facility ID #

P.O. # **318191**

Collected by (signature):

Immediately Packed on Ice N ___ Y X

Rush? (Lab MUST Be Notified)
___ Same Day ___ Five Day
___ Next Day ___ 5 Day (Rad Only)
___ Two Day ___ 10 Day (Rad Only)
___ Three Day

Quote #

Date Results Needed: 5-7 Day TAT 9/15 - 9/17

Sample ID	Comp/Grab	Matrix *	Depth	Date	Time	No. of Cntrs	DRORLA 4ozClr-NoPres	GRO 40mlAmb/MeOH10ml/Syr	V8260 40mlAmb-HCl	V8260 40mlAmb/MeOH10ml/Syr							Remarks	Sample # (lab only)
SB-1: 5-10'	Grab	SS	5-10'	9/8/22	10:30	3	X	X		X								-01
SB-1: 15-20'		SS	15-20'		12:00	3	~~X~~	~~X~~		X								-02
SB-2: 5-10'		SS	5-10'		11:45	3	X	X		X								-03
SB-3: 5-10'		SS	5-10'		12:30	3	X	X		X								-04
SB-3: 15-20'		SS	15-20'		13:15	3	~~X~~	~~X~~		X								-05
SB-4: 5-10'		SS	5-10'		13:45	3	X	X		X								-06
SB-5: 5-10'		SS	5-10'		14:30	3	X	X		X								-07
		~~SS~~																
		~~SS~~																
		~~GW~~																

Chain of Custo

Pace
PEOPLE ADVANCING SCIENCE

MT JULIET, TN
12065 Lebanon Rd Mount Juliet, TN 37122
Submitting a sample via this chain of custody constitutes acknowledgment and acceptance of the Pace Terms and Conditions found at: https://info.pacelabs.com/hubfs/pas-standard-terms.pdf

SDG # L1534570
E079

Acctnum: **AEICONDCO**
Template: **T215739**
Prelogin: **P948936**
PM: **3813 - Marty Edwards III**
PB:
Shipped Via: **FedEX Ground**

* Matrix:
SS - Soil AIR - Air F - Filter
GW - Groundwater B - Bioassay
WW - WasteWater
DW - Drinking Water
OT - Other_____

Remarks: Hold samples SB-1:15-20' + SB-3: 15-20' for TPH GRO/DRO analysis but run both for VOCs

pH _____ Temp _____
Flow _____ Other _____

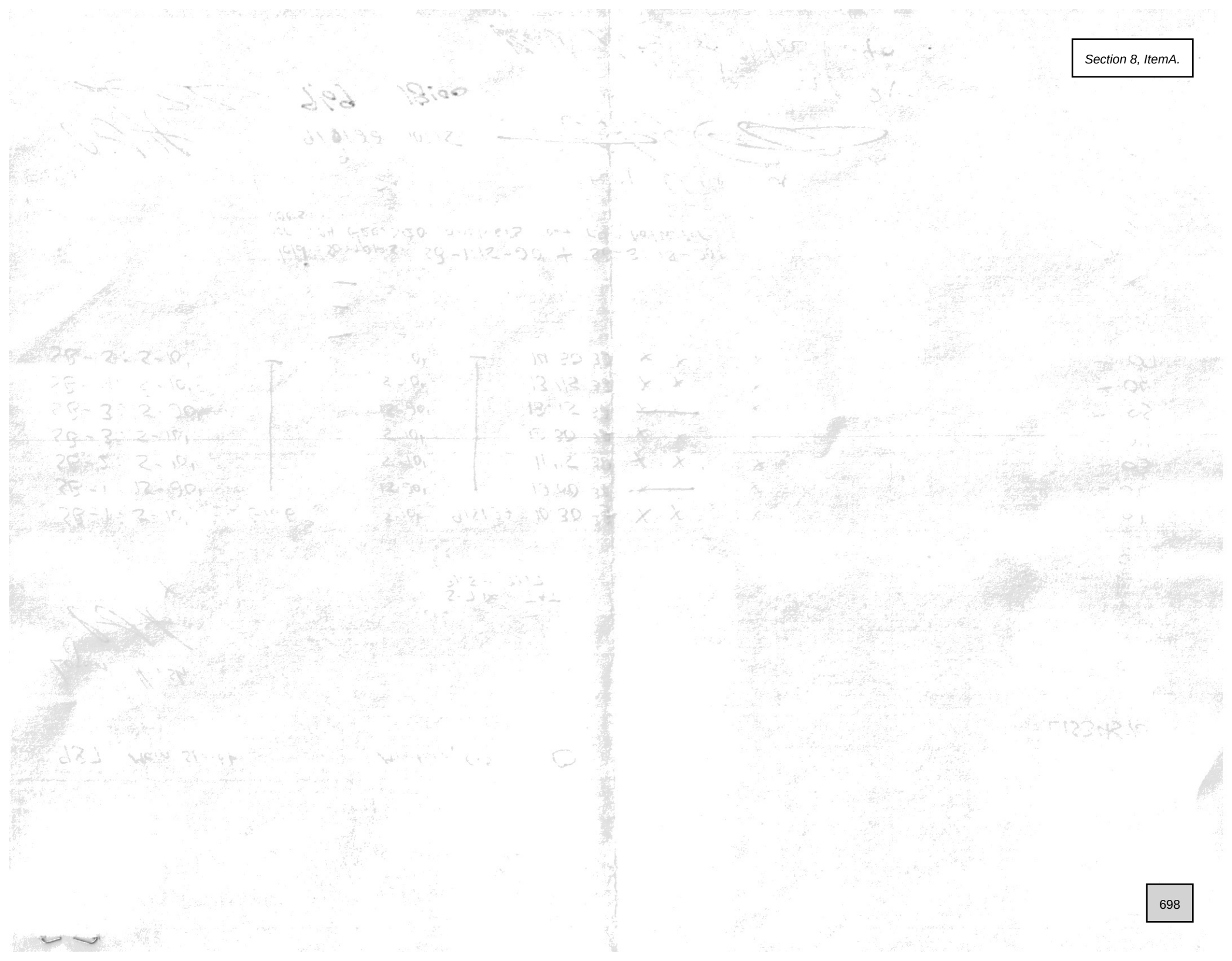
Samples returned via:
__ UPS __ FedEx __ Courier _____

Tracking # 5829 6694 2301

Sample Receipt Checklist

COC Seal Present/Intact:	NP	Y N
COC Signed/Accurate:		Y N
Bottles arrive intact:		Y N
Correct bottles used:		Y N
Sufficient volume sent:		Y N
If Applicable		
VOA Zero Headspace:		Y N
Preservation Correct/Checked:		Y N
RAD Screen <0.5 mR/hr:		Y N

Relinquished by : (Signature)	Date:	Time:	Received by: (Signature)	Trip Blank Received: Yes / No HCL / MeoH TBR	If preservation required by Login: Date/Time
	9/8/22	10:15			
Relinquished by : (Signature)	Date: 9/09	Time: 18:00	Received by: (Signature)	Temp: NSR °C 2.7+0=2.7 Bottles Received: 21	
Relinquished by : (Signature)	Date:	Time:	Received for lab by: (Signature)	Date: 9/10/22 Time: 900	Hold: Condition NCF / OK



Stan Bernstein and Associates, Inc.

Financial Planners and Consultants
For Local Governments, Municipal Bond Underwriters, and Real Estate Developers
PO Box 5342
Vail, Colorado 81658
970-390-9162
amy.bernstein.greer@gmail.com

MEMORANDUM

TO: Mr. Jeffrey Armistead, 10th Mountain Builders

FROM: Amy Greer

DATE: April 18, 2024

SUBJECT: Analysis of Potential Incremental Town of Minturn Revenues Generated, and General Fund Expenditures Incurred as a result of the development of the Midtown Village PUD –Draft 3

In accordance with your request Stan Bernstein and Associates, Inc. has developed this **ANALYSIS OF POTENTIAL INCREMENTAL TOWN OF MINTURN REVENUES GENERATED, AND GENERAL FUND EXPENDITURES INCURRED, AS A RESULT OF THE DEVELOPMENT OF THE MIDTOWN VILLAGE PUD** (the "Fiscal Impact Analysis").

THE MIDTOWN VILLAGE PUD

The Fiscal Impact Analysis is based upon a total of 39 residential units (21 in phase 1 and 18 in phase 2) and 5,000 square feet of commercial space. It is expected that buildout of phase 1 will be complete by the end of 2026 and the buildout of phase 2 will be complete by the end of 2029. Aggregate non-inflated value is approximately $27.879 million as set forth on Schedule 1.

INCREMENTAL TOWN OF MINTURN REVENUES, AND GENERAL FUND EXPENDITURES, BY INDIVIDUAL ACCOUNTING FUNDS

The following paragraphs summarize the forecast non-inflated incremental Town of Minturn revenues, and incremental general fund expenditures, by individual accounting funds.

- **General Fund (Exhibit I, page 1)** General Fund revenues are expected to exceed expenditures by approximately $893,000 during years 2024 – 2033. Incremental General Fund revenues are forecast to exceed incremental expenditures by approximately $91,000 annually at stabilization (2031). This is based on marginal cost estimates for each governmental fund. While we believe these marginal cost estimates to be reasonable to use for financial modeling purposes, no attempt has been made to do a detailed analysis of every Town of Minturn service department for the purpose of precisely determining what percentage of costs are fixed and what percentage of costs are variable. Incremental General Fund revenues over expenditures will vary and could increase or decrease depending on the actual impact of the additional housing units and commercial square feet.

- **Capital Fund (Exhibit II, page 2)** Incremental Capital Fund revenues, which include 4% use tax revenues, are forecast to generate approximately $505,000 on a non-inflated basis during the analysis period.

- **Water Enterprise Fund (Exhibit III, page 3)** Incremental Water Enterprise Fund revenues are forecast to generate approximately $3.0 million during the analysis period. These revenues will be available to defray water utility operating costs and for transfer to the General Fund. Incremental Water Tap fee revenues are based on an assumed buildout that requires 23 (18 residential, 5 commercial) new taps and are forecast to be approximately $658,000 during the analysis period. This assumes a tap fee rate of $12,940 per residential SFE and $68,973 for the fire station in 2024 with 3% annual increases. Incremental System Improvement fee revenues are forecast to be approximately $825,000 during the analysis period assuming 3% annual increases to the existing three tier SIF rate structure (assumes fire station pays full SIF fee @ 5,000 square feet). Cash in lieu revenues are forecast to be approximately $1.02 million during the analysis period assuming 18 residential SFE's and 5 commercial SFE's at a rate of $40,501 per SFE. It is assumed that these revenues will be used to pay water utility related capital and/or debt service costs.

APPROACH, METHODOLOGY AND UNDERLYING ASSUMPTIONS

Stan Bernstein and Associates, Inc. believes that the most understandable way to assess the Midtown Village PUD revenue and expenditure impacts to the Town of Minturn is to identify (i) the incremental General Fund revenue and expenditure impacts, and (ii) the individual revenue impacts for the Town of Minturn's Capital Fund, and Water Enterprise Fund. Although not a direct revenue impact to the Town of Minturn, the incremental Fire Impact Fee revenues have also been identified. The incremental revenue and expenditure impacts have been identified for the years ending December 31, 2024 through 2033.

Incremental Town of Minturn Assessed Valuation. Incremental assessed valuation expected to be generated as a result of the Midtown Village PUD is forecast to be approximately $2.797 million by tax collection year 2031 as set forth on Schedule 1. Assessed valuation is expected to increase as a result the sale and platting of lots and from the completion of homes. Assessed valuation forecasts do not include the impacts of inflation and assume that vacant platted lots will be assessed at 29% of 75% of market value and completed living units will be assessed at 6.8% of market value.

Incremental Town of Minturn Property Tax Revenues. Incremental Town of Minturn property tax revenues expected to be generated from the Midtown Village PUD are forecast to increase from $17,613 for tax collection year 2026 to $50,167 by tax collection year 2031 as presented on Exhibit I, page 1. This assumes that the Town of Minturn General Fund mill levy remains 17.934.

Incremental Town of Minturn Sales and Use Tax Revenues. Non-inflated incremental Town of Minturn 4.0% sales tax revenues expected to be generated from the Midtown Village PUD are forecast to be approximately $22,794 annually beginning in 2028. Sales tax revenue forecasts assume that an average of 3.0 persons will occupy each completed living unit; it is assumed that 80% of residential living units will be occupied for a full-year, 15% will be occupied for half of the year, and 5% will be occupied for 1 month of the year. It is assumed that each "full-year equivalent household" will generate incremental sales-taxable expenditures averaging $16,620 annually (this level of expenditure was calculated by dividing the year 2021 budgeted taxable sales ($17.95 million) by the number of Town of Minturn households (540) which results in an average taxable expenditure per capita of $33,241 which has been factored by 50% to compensate for expenditures incurred by non-Minturn related I-70 travelers).

Non-inflated 4% Town of Minturn construction materials use tax revenues expected to be generated from the Midtown Village PUD are forecast to generate approximately $505,000 million during years 2025-2028. This does not account for any use tax refunds that may be issued by the Town. The construction materials use tax revenue forecasts assume that the average non-inflated construction value of an average

home is $676,385 excluding land and builders' profit and that 50% of such costs will be for construction materials.

Incremental Town of Minturn Real Estate Transfer Tax Revenues. 1% Real Estate Transfer Taxes on initial sales are expected to total approximately $245,760. 1% RETT on secondary sales are projected to total $17,203 annually beginning in 2028. This assumes an average annual turnover of inventory of 7%.

Incremental Town of Minturn General Fund Other Revenues. Non-inflated incremental Town of Minturn General Fund revenues (i.e., other than sales or property tax revenues) have been forecast for each General Fund revenue source based upon a "revenue generation per household" approach. This approach assumes that each incremental household will generate the same amount of incremental revenues to the Town of Minturn's General Fund that are currently being generated for each household within the boundaries of the Town of Minturn (for financial planning purposes it is assumed that there are approximately 540 households within the Town of Minturn. These incremental forecast General Fund revenues are presented on Exhibit I, page 1.

Incremental Town of Minturn General Fund Expenditures. Uninflated incremental Town of Minturn General Fund expenditures have been forecast by departments (i.e., General and Administration Department; Building, Zoning and Planning Department; Public Safety – Police Department; and Buildings and Grounds Department). Incremental Town of Minturn department costs are difficult to assess but have been forecast at a marginal per household allowance as follows:

Department	Variable Cost %	Allocation per Household
General Government	10%	$102.7
Planning and Zoning	65% of Inspection Fees	N/A
Public Works – Streets	10%	$55.60
Court/Police	50%	$428.00
Events	10%	$13.90

No new roadways (other than those internal to the development) are proposed within the Town of Minturn.

Incremental Fire Impact Fee Revenues. Although not a revenue source to the Town of Minturn, incremental Fire Impact Fee revenues have been based upon one-time impact fee rates of $1,939 per dwelling unit. Fire Impact Fee revenues are forecast to total $71,743 during the analysis period.

LIMITING FACTORS

Although Stan Bernstein and Associates, Inc. believes the assumptions and methodology that have been used to develop the Fiscal Impact Analysis are reasonable, certain

assumptions may or may not materialize which might cause actual results to differ from forecast results and such variation may be material. Consequently, Stan Bernstein and Associates, Inc. does not vouch for the achievability of the assumptions or for the forecast results.

If you have any questions or comments regarding this analysis, please do not hesitate to contact me.

Very truly yours,

STAN BERNSTEIN AND ASSOCIATES, INC. (signed)

Stan Bernstein and Associates, Inc.

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PO Box 5342
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970-390-9162
amy.bernstein.greer@gmail.com

MEMORANDUM

TO: Mr. Jeffrey Armistead, 10th Mountain Builders

FROM: Amy Greer

DATE: April 18, 2024

SUBJECT: Analysis of Potential Incremental Town of Minturn Revenues Generated, and General Fund Expenditures Incurred as a result of the development of the Midtown Village PUD –Draft 3 PHASE 1 ONLY

In accordance with your request Stan Bernstein and Associates, Inc. has developed this **ANALYSIS OF POTENTIAL INCREMENTAL TOWN OF MINTURN REVENUES GENERATED, AND GENERAL FUND EXPENDITURES INCURRED, AS A RESULT OF THE DEVELOPMENT OF THE MIDTOWN VILLAGE PUD** (the "Fiscal Impact Analysis").

THE MIDTOWN VILLAGE PUD

This iteration of the Fiscal Impact Analysis is based upon a total of 21 residential units in phase 1 only. It is expected that buildout of phase 1 will be complete by the end of 2026. Aggregate non-inflated value is approximately $15.079 million as set forth on Schedule 1.

INCREMENTAL TOWN OF MINTURN REVENUES, AND GENERAL FUND EXPENDITURES, BY INDIVIDUAL ACCOUNTING FUNDS

The following paragraphs summarize the forecast non-inflated incremental Town of Minturn revenues, and incremental general fund expenditures, by individual accounting funds.

- **General Fund (Exhibit I, page 1)** General Fund revenues are expected to exceed expenditures by approximately $532,000 during years 2024 – 2033. Incremental General Fund revenues are forecast to exceed incremental expenditures by approximately $50,000 annually at stabilization (2028). This is based on marginal cost estimates for each governmental fund. While we believe these marginal cost estimates to be reasonable to use for financial modeling purposes, no attempt has been made to do a detailed analysis of every Town of Minturn service department for the purpose of precisely determining what percentage of costs are fixed and what percentage of costs are variable. Incremental General Fund revenues over expenditures will vary and could increase or decrease depending on the actual impact of the additional housing units and commercial square feet.

- **Capital Fund (Exhibit II, page 2)** Incremental Capital Fund revenues, which include 4% use tax revenues, are forecast to generate approximately $240,000 on a non-inflated basis during the analysis period.

- **Water Enterprise Fund (Exhibit III, page 3)** Incremental Water Enterprise Fund revenues are forecast to generate approximately $308,000 during the analysis period. These revenues will be available to defray water utility operating costs and for transfer to the General Fund. There are no Incremental Water Tap fee revenues, System Improvement fee revenues or Cash in lieu revenue.

APPROACH, METHODOLOGY AND UNDERLYING ASSUMPTIONS

Stan Bernstein and Associates, Inc. believes that the most understandable way to assess the Midtown Village PUD revenue and expenditure impacts to the Town of Minturn is to identify (i) the incremental General Fund revenue and expenditure impacts, and (ii) the individual revenue impacts for the Town of Minturn's Capital Fund, and Water Enterprise Fund. Although not a direct revenue impact to the Town of Minturn, the incremental Fire Impact Fee revenues have also been identified. The incremental revenue and expenditure impacts have been identified for the years ending December 31, 2024 through 2033.

Incremental Town of Minturn Assessed Valuation. Incremental assessed valuation expected to be generated as a result of the Midtown Village PUD is forecast to be approximately $1.554 million by tax collection year 2028 as set forth on Schedule 1. Assessed valuation is expected to increase as a result the sale and platting of lots and from the completion of homes. Assessed valuation forecasts do not include the impacts

of inflation and assume that vacant platted lots will be assessed at 29% of 75% of market value and completed living units will be assessed at 6.8% of market value.

Incremental Town of Minturn Property Tax Revenues. Incremental Town of Minturn property tax revenues expected to be generated from the Midtown Village PUD are forecast to increase from $16,053 for tax collection year 2026 to $27,876 by tax collection year 2028 as presented on Exhibit I, page 1. This assumes that the Town of Minturn General Fund mill levy remains 17.934.

Incremental Town of Minturn Sales and Use Tax Revenues. Non-inflated incremental Town of Minturn 4.0% sales tax revenues expected to be generated from the Midtown Village PUD are forecast to be approximately $12,274 annually beginning in 2026. Sales tax revenue forecasts assume that an average of 3.0 persons will occupy each completed living unit; it is assumed that 80% of residential living units will be occupied for a full-year, 15% will be occupied for half of the year, and 5% will be occupied for 1 month of the year. It is assumed that each "full-year equivalent household" will generate incremental sales-taxable expenditures averaging $16,620 annually (this level of expenditure was calculated by dividing the year 2021 budgeted taxable sales ($17.95 million) by the number of Town of Minturn households (540) which results in an average taxable expenditure per capita of $33,241 which has been factored by 50% to compensate for expenditures incurred by non-Minturn related I-70 travelers).

Non-inflated 4% Town of Minturn construction materials use tax revenues expected to be generated from the Midtown Village PUD are forecast to generate approximately $240,000 million during years 2025. This does not account for any use tax refunds that may be issued by the Town. The construction materials use tax revenue forecasts assume that the average non-inflated construction value of an average home is $718,048 excluding land and builders' profit and that 50% of such costs will be for construction materials.

Incremental Town of Minturn Real Estate Transfer Tax Revenues. 1% Real Estate Transfer Taxes on initial sales are expected to total approximately $65,052. 1% RETT on secondary sales are projected to total $9,293 annually beginning in 2028. This assumes an average annual turnover of inventory of 7%.

Incremental Town of Minturn General Fund Other Revenues. Non-inflated incremental Town of Minturn General Fund revenues (i.e., other than sales or property tax revenues) have been forecast for each General Fund revenue source based upon a "revenue generation per household" approach. This approach assumes that each incremental household will generate the same amount of incremental revenues to the Town of Minturn's General Fund that are currently being generated for each household within the boundaries of the Town of Minturn (for financial planning purposes it is assumed that there are approximately 540 households within the Town of Minturn. These incremental forecast General Fund revenues are presented on Exhibit I, page 1.

Incremental Town of Minturn General Fund Expenditures. Uninflated incremental Town of Minturn General Fund expenditures have been forecast by departments (i.e., General and Administration Department; Building, Zoning and Planning Department; Public Safety – Police Department; and Buildings and Grounds Department). Incremental Town of Minturn department costs are difficult to assess but have been forecast at a marginal per household allowance as follows:

Department	Variable Cost %	Allocation per Household
General Government	10%	$102.7
Planning and Zoning	65% of Inspection Fees	N/A
Public Works – Streets	10%	$55.60
Court/Police	50%	$428.00
Events	10%	$13.90

No new roadways (other than those internal to the development) are proposed within the Town of Minturn.

Incremental Fire Impact Fee Revenues. Although not a revenue source to the Town of Minturn, incremental Fire Impact Fee revenues have been based upon one-time impact fee rates of $1,939 per dwelling unit. Fire Impact Fee revenues are forecast to total $34,902 during the analysis period.

LIMITING FACTORS

Although Stan Bernstein and Associates, Inc. believes the assumptions and methodology that have been used to develop the Fiscal Impact Analysis are reasonable, certain assumptions may or may not materialize which might cause actual results to differ from forecast results and such variation may be material. Consequently, Stan Bernstein and Associates, Inc. does not vouch for the achievability of the assumptions or for the forecast results.

If you have any questions or comments regarding this analysis, please do not hesitate to contact me.

Very truly yours,

STAN BERNSTEIN AND ASSOCIATES, INC. (signed)

Stan Bernstein and Associates, Inc.

MIDTOWN VILLAGE PUD - DIRECT FISCAL IMPACTS TO TOWN OF MINTURN
GENERAL FUND
FOR THE YEARS ENDING DECEMBER 31, 2024 THROUGH 2033
2024$ (NO INFLATION)

Working Draft, Subject To Change
18-Apr-24

assumed 540 current households

EXHIBIT I - PROJECTED GENERAL FUND REVENUES AND EXPENDITURES

	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
GENERAL FUND - REVENUES:										
TAXES:										
General Property @ 17.934 Mills (See Schedule 1)	0	0	16,053	16,053	27,876	27,876	27,876	27,876	27,876	27,876
City Sales Tax @ 4% (See Schedule 2)	1,753	1,753	12,274	12,274	12,274	12,274	12,274	12,274	12,274	12,274
Lodging Tax @ 1.5%	0	0	0	0	0	0	0	0	0	0
Real Estate Transfer Taxes @ 1.0% (See Schedule 5)	0	0	135,415	6,638	9,293	9,293	9,293	9,293	9,293	9,293
Franchise Fees @ $118.89 per Household	357	357	2,497	2,497	2,497	2,497	2,497	2,497	2,497	2,497
Total Taxes	2,110	2,110	166,239	37,461	51,939	51,939	51,939	51,939	51,939	51,939
LICENSES AND PERMITS:										
Building Permits @ .006 x Cost of Construction	0	71,970	0	0	0	0	0	0	0	0
Total Licenses and Permits	0	71,970	0	0	0	0	0	0	0	0
INTERGOVERNMENTAL REVENUE:										
Highway Users Tax @ $64.89 per household	195	195	1,363	1,363	1,363	1,363	1,363	1,363	1,363	1,363
Specific Ownership @ 5.0% of Property Taxes	0	0	803	803	1,394	1,394	1,394	1,394	1,394	1,394
Cigarette Tax @ $4.44 per household	13	13	93	93	93	93	93	93	93	93
Road & Bridge Fund @ .6795 mills (50% of County R&B Fund)	0	608	608	1,056	1,056	1,056	1,056	1,056	1,056	1,056
Highway 24 Maintenance @ $70.00 per household	210	210	1,470	1,470	1,470	1,470	1,470	1,470	1,470	1,470
County Sales Tax @ 5.15% of 4% Town sales taxes	90	90	632	632	632	632	632	632	632	632
Total Intergovernmental Revenue	508	1,117	4,969	5,417	6,008	6,008	6,008	6,008	6,008	6,008
CHARGES FOR SERVICES:										
Inspections and Reimburseables @ $1,000 per unit(construction related)	0	18,000	0	0	0	0	0	0	0	0
Total Charges For Services	0	18,000	0	0	0	0	0	0	0	0
FINES AND FORFEITURES:										
Fines and Forfeitures @ $31.48 per household	94	94	661	661	661	661	661	661	661	661
Total Fines and Forfeitures	94	94	661	661	661	661	661	661	661	661
MISCELLANEOUS REVENUE:										
Interest & Other @ $147.50 per household	443	443	3,098	3,098	3,098	3,098	3,098	3,098	3,098	3,098
Total Miscellaneous Revenue	443	443	3,098	3,098	3,098	3,098	3,098	3,098	3,098	3,098
TOTAL GENERAL FUND REVENUES	3,155	93,733	174,966	46,637	61,706	61,706	61,706	61,706	61,706	61,706
GENERAL FUND - EXPENDITURES:										
GENERAL GOVERNMENT @ 10% variable = $107.68 per household	323	308	2,157	2,157	2,157	2,157	2,157	2,157	2,157	2,157
PLANNING AND ZONING (65% of Inspection Fees + Reimbursements)	0	58,480	0	0	0	0	0	0	0	0
PUBLIC WORKS - STREETS @ 10% variable = $72.12 per household	216	216	1,515	1,515	1,515	1,515	1,515	1,515	1,515	1,515
COURT/POLICE @ 50% variable = $356.78 per household	1,070	1,070	7,492	7,492	7,492	7,492	7,492	7,492	7,492	7,492
EVENTS @ 10% variable = $28.71 per household	86	86	603	603	603	603	603	603	603	603
TOTAL GENERAL FUND - EXPENDITURES	1,696	60,161	11,767	11,767	11,767	11,767	11,767	11,767	11,767	11,767
EXCESS ANNUAL REVENUES OVER EXPEND. - GENERAL FUND	1,459	33,572	163,200	34,870	49,939	49,939	49,939	49,939	49,939	49,939
CUMULATIVE EXCESS REVENUES OVER EXPEND. - GENERAL FUND	1,459	35,031	198,231	233,101	283,041	332,980	382,919	432,859	482,798	532,737

MIDTOWN VILLAGE PUD - DIRECT FISCAL IMPACTS TO TOWN OF MINTURN
CAPITAL FUND
FOR THE YEARS ENDING DECEMBER 31, 2024 THROUGH 2033
2024$ (NO INFLATION)

Working Draft, Subject To Change
18-Apr-24

EXHIBIT II - PROJECTED CAPITAL FUND REVENUES

	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
CAPITAL IMPROVEMENT FUND REVENUES:										
4% USE TAX (SCHEDULE 2)	0	239,899	0	0	0	0	0	0	0	0
TOTAL REVENUES	0	239,899	0	0	0	0	0	0	0	0
EXPENDITURES:										
ALLOWANCE FOR PAY AS YOU GO CAPITAL IMPROVEMENTS	0	239,899	0	0	0	0	0	0	0	0
TOTAL EXPENDITURES	0	239,899	0	0	0	0	0	0	0	0
EXCESS REVENUES OVER EXPENDITURES	0	0	0	0	0	0	0	0	0	0

MIDTOWN VILLAGE PUD - DIRECT FISCAL IMPACTS TO TOWN OF MINTURN
WATER ENTERPRISE FUND
FOR THE YEARS ENDING DECEMBER 31, 2024 THROUGH 2033
2024$ (NO INFLATION)

Working Draft, Subject To Change
18-Apr-24

EXHIBIT III - PROJECTED WATER ENTERPRISE FUND REVENUES

WATER ENTERPRISE FUND	**2024**	**2025**	**2026**	**2027**	**2028**	**2029**	**2030**	**2031**	**2032**	**2033**
Water Tap Fee Revenue (See Schedule 3)	0	0	0	0	0	0	0	0	0	0
Water SIF Fee Revenue (See Schedule 3)	0	0	0	0	0	0	0	0	0	0
Water Cash in Lieu Fee Revenue (See Schedule 3)	0	0	0	0	0	0	0	0	0	0
Water User Fee Revenue (See Schedule 3)	5,146	5,301	5,301	38,217	39,364	40,545	41,761	43,014	44,304	45,633
TOTAL WATER FUND REVENUES	5,146	5,301	5,301	38,217	39,364	40,545	41,761	43,014	44,304	45,633
TOTAL WATER FUND REVENUES - CUMULATIVE	5,146	10,447	15,747	53,965	93,328	133,873	175,634	218,648	262,952	308,585

MIDTOWN VILLAGE PUD - DIRECT FISCAL IMPACTS TO TOWN OF MINTURN
PROJECTED FIRE IMPACT FEE REVENUES
FOR THE YEARS ENDING DECEMBER 31, 2024 THROUGH 2033
2024$ (NO INFLATION)

Working Draft, Subject To Change
18-Apr-24

EXHIBIT IV - FIRE IMPACT FEE REVENUES

	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
FIRE IMPACT FEE REVENUES (SCH. 4)	0	34,902	0	0	0	0	0	0	0	0
FIRE IMPACT FEE REVENUES - CUMULATIVE	0	34,902	34,902	34,902	34,902	34,902	34,902	34,902	34,902	34,902

MIDTOWN VILLAGE PUD - DIRECT FISCAL IMPACTS TO TOWN OF MINTURN
PROJECTED PROPERTY TAX REVENUES GENERATED FOR VARIOUS OVERLAPPING
TOWN OF MINTURN GOVERNMENTAL ENTITIES
FOR THE YEARS ENDING DECEMBER 31, 2024 THROUGH 2033
2024$ (NO INFLATION)

Working Draft, Subject To Change
18-Apr-24

EXHIBIT V - PROJECTED PROPERTY TAX REVENUES GENERATED FOR OVERLAPPING TAXING ENTITIES

	ASSUMED MILL LEVY	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
PROJECTED ASSESSED VALUATION - MIDTOWN VILLAGE PUD		0	0	895,106	895,106	1,554,340	1,554,340	1,554,340	1,554,340	1,554,340	1,554,340
OVERLAPPING ENTITIES (MINTURN IN TOWN MILL LEVY):											
TAXING AREA 024											
EAGLE COUNTY	8.399	0	0	7,518	7,518	13,055	13,055	13,055	13,055	13,055	13,055
COLORADO MOUNTAIN COLLEGE	2.977	0	0	2,665	2,665	4,627	4,627	4,627	4,627	4,627	4,627
SCHOOL DISTRICT RE-50J	22.317	0	0	19,976	19,976	34,688	34,688	34,688	34,688	34,688	34,688
TOWN OF MINTURN	17.934	0	0	16,053	16,053	27,876	27,876	27,876	27,876	27,876	27,876
MINTURN CEMETERY	0.450	0	0	403	403	699	699	699	699	699	699
EAGLE RIVER FIRE PROTECTION DISTRICT	7.742	0	0	6,930	6,930	12,034	12,034	12,034	12,034	12,034	12,034
EAGLE RIVER WATER AND SANITATION DISTRICT	0.610	0	0	546	546	948	948	948	948	948	948
COLORADO RIVER WATER CONSERVATION DISTRICT	0.500	0	0	448	448	777	777	777	777	777	777
EAGLE VALLEY LIBRARY DISTRICT	1.913	0	0	1,712	1,712	2,973	2,973	2,973	2,973	2,973	2,973
EAGLE COUNTY HEALTH SERVICE (AMBULANCE)	2.753	0	0	2,464	2,464	4,279	4,279	4,279	4,279	4,279	4,279
TOTAL - ALL OVERLAPPING ENTITIES	65.595	0	0	58,714	58,714	101,957	101,957	101,957	101,957	101,957	101,957

SCHEDULE 1
MIDTOWN VILLAGE PUD
PROJECTED ASSESSED VALUATION - BUILDOUT & LOT SALES
FOR THE YEARS ENDING DECEMBER 31, 2024 THROUGH 2034
2024$ (Uninflated)

Working Draft, Subject To Change
18-Apr-24

BUILDOUT - INCLUDES UNIT LOT VALUES AS SHOWN BELOW:													
Description of Unit	**Planned Number Units/SF**	**Average Price/Unit**	**Average SQ. FT per Unit**	**Total Gross Unit Volume**	**2024**	**2025**	**2026**	**2027**	**2028**	**2029**	**2030**	**2031**	**2032**	**2033**	**2034**
RESIDENTIAL															
Phase 1															
RENOVATED APARTMENTS	3	601,000	1,202	1,803,000	3	0	0	0	0	0	0	0	0	0	0
APARTMENTS	16	673,500	1,347	10,776,000	0	0	16	0	0	0	0	0	0	0	0
SINGLE FAMILY COTTAGE	2	1,250,000	2,500	2,500,000	0	0	2	0	0	0	0	0	0	0	0
Total Phase 1 Residential	21			15,079,000	3	0	18	0	0	0	0	0	0	0	0
Phase 2															
SINGLE FAMILY MICRO	0	525,000	750	0	0	0	0	0	0	0	0	0	0	0	0
TOWNHOMES	0	710,000	1,420	0	0	0	0	0	0	0	0	0	0	0	0
Total Phase 2 Residential	0			0	0	0	0	0	0	0	0	0	0	0	0
Total Residential	21	718,048		15,079,000	3	0	18	0	0	0	0	0	0	0	0
COMMERCIAL															
Commercial/Fire Station	0	300		0	0	0	0	0	0	0	0	0	0	0	0
Total Commercial	0			0											
					3	3	21	21	21	21	21	21	21	21	21
Total Value - Entire Project				15,079,000											

Estimated Actual Value of Residential											
Phase 1											
RENOVATED APARTMENTS	1,803,000	0	0	0	0	0	0	0	0	0	0
APARTMENTS	0	0	10,776,000	0	0	0	0	0	0	0	0
SINGLE FAMILY COTTAGE	0	0	2,500,000	0	0	0	0	0	0	0	0
Total Phase 1	1,803,000	0	13,276,000	0	0	0	0	0	0	0	0
Phase 2											
SINGLE FAMILY MICRO	0	0	0	0	0	0	0	0	0	0	0
TOWNHOMES	0	0	0	0	0	0	0	0	0	0	0
Total Phase 2	0	0	0	0	0	0	0	0	0	0	0
Total Incremental Estimate Actual Value of Residential (includes 3 existing parcels)	**1,803,000**	**0**	**13,276,000**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Total Cumulative Estimate Actual Value of Residential	**1,803,000**	**1,803,000**	**15,079,000**	**15,079,000**	**15,079,000**	**15,079,000**	**15,079,000**	**15,079,000**	**15,079,000**	**15,079,000**	**15,079,000**
Estimated Actual Value of Commercial											
Commercial	0	0	0	0	0	0	0	0	0	0	0
Vacant Land	1,000,000		(1,000,000)	0	0	0					
Estimate Actual Value Commercial (Cumulative) (includes existing commercial)	2,642,040	2,642,040	1,642,040	1,642,040	1,642,040	1,642,040	1,642,040	1,642,040	1,642,040	1,642,040	1,642,040
Estimated Assessed Value Of Commercial and Vacant Land @ 29%	766,192	766,192	476,192	476,192	476,192	476,192	476,192	476,192	476,192	476,192	476,192
Estimated Assessed Value Of Residential Product @ 6.8%	128,915	128,915	1,078,149	1,078,149	1,078,149	1,078,149	1,078,149	1,078,149	1,078,149	1,078,149	1,078,149
Total Estimated Assessed Value Of Vacant Land, Comm. & Resid.	**895,106**	**895,106**	**1,554,340**	**1,554,340**	**1,554,340**	**1,554,340**	**1,554,340**	**1,554,340**	**1,554,340**	**1,554,340**	**1,554,340**
TOWN MINTURN Mill Levy 17.934	16,053	16,053	27,876	27,876	27,876	27,876	27,876	27,876	27,876	27,876	27,876
Year Assessed Valuation Certified	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Year Taxes Received	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036

SCHEDULE 2
MIDTOWN VILLAGE PUD - DIRECT FISCAL IMPACTS TO TOWN OF MINTURN
PROJECTED TOWN OF MINTURN 4.0% SALES AND USE TAXES
FOR THE YEARS ENDING DECEMBER 31, 2024 THROUGH 2033
2024$ (Uninflated)

Working Draft, Subject To Change
18-Apr-24

	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Projected Cumulative Households Completed (Occupied 1 year after completion)	3	3	21	21	21	21	21	21	21	21
Projected Households:										
Assumed Average Number of Residents per Household	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00
Assumed Number of Residents	9	9	63	63	63	63	63	63	63	63
Allocation of Types of Households:										
Assumed Percentage of Households Occupied for Full Year	80.00%	80.00%	80.00%	80.00%	80.00%	80.00%	80.00%	80.00%	80.00%	80.00%
Assumed Percentage of Households Occupied for Half Year	15.00%	15.00%	15.00%	15.00%	15.00%	15.00%	15.00%	15.00%	15.00%	15.00%
Assumed Percentage of Households Occupied for One Month	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%
Assumed Number of Households Occupied for Full Year	2	2	17	17	17	17	17	17	17	17
Assumed Number of Households Occupied for Half Year	0	0	3	3	3	3	3	3	3	3
Assumed Number of Households Occupied for One Month	0	0	1	1	1	1	1	1	1	1
Assumed Total Number of Households	3	3	21	21	21	21	21	21	21	21
Assumed Total Number of Full Year Equiv. Households	3	3	18	18	18	18	18	18	18	18
Projected Town of Minturn Taxable Sales Generated From Groceries/Residential Utilities/Other (liquor, sundries, hardware and materials, clothing, gifts, restaurants, etc.):										
Assumed Annual Taxable Sales for Households Occupied for Full Year (1)	16,620	16,620	16,620	16,620	16,620	16,620	16,620	16,620	16,620	16,620
Assumed Annual Taxable Sales for Households Occupied for Half Year	8,310	8,310	8,310	8,310	8,310	8,310	8,310	8,310	8,310	8,310
Assumed Annual Taxable Sales for Households Occupied for One Year	1,385	1,385	1,385	1,385	1,385	1,385	1,385	1,385	1,385	1,385
Projected Annual Taxable Sales Generated From Groceries/Residential Utilities/Other (liquor, sundries, hardware and materials, clothing, gifts, etc.):										
Projected Annual Taxable Sales for Households Occupied for Full Year	39,888	39,888	279,216	279,216	279,216	279,216	279,216	279,216	279,216	279,216
Projected Annual Taxable Sales for Households Occupied for Half Year	3,740	3,740	26,177	26,177	26,177	26,177	26,177	26,177	26,177	26,177
Projected Annual Taxable Sales for Households Occupied for One Year	208	208	1,454	1,454	1,454	1,454	1,454	1,454	1,454	1,454
Projected Annual Sales from All Households - (Groceries/Utilities/Other)	43,835	43,835	306,847	306,847	306,847	306,847	306,847	306,847	306,847	306,847
Projected 4.0% Town of Minturn Sales Tax Revenues from Groceries/Utilities/Other:										
Projected 4.0% Sales Tax Revenues for Households Occupied for Full Year	1,596	1,596	11,169	11,169	11,169	11,169	11,169	11,169	11,169	11,169
Projected 4.0% Sales Tax Revenues for Households Occupied for Half Year	150	150	1,047	1,047	1,047	1,047	1,047	1,047	1,047	1,047
Projected 4.0% Sales Tax Revenues Households Occupied for One Year	8	8	58	58	58	58	58	58	58	58
Projected 4.0% Sales Tax Revenues from Groc./Util./Other - All Residents	1,753	1,753	12,274	12,274	12,274	12,274	12,274	12,274	12,274	12,274
Projected 4.0% Sales Tax Revenues from MIDTOWN VILLAGE PUD to General Fund	**1,753**	**1,753**	**12,274**	**12,274**	**12,274**	**12,274**	**12,274**	**12,274**	**12,274**	**12,274**
Projected 4% Town of Minturn Use Tax Revenues from Construction Materials:										
Projected Building Permit Value Residential @ $718,048 - 10,000 = 708,048 Average Bldg. Permit (less 10,000 reduction	0	11,994,930	0	0	0	0	0	0	0	0
Projected Building Permit Value Commercial @ $250 per SqFt	0	0	0	0	0	0	0	0	0	0
Assumed Cost of Construction Materials @ 50% of Bldg. Permit Value	0	5,997,465	0	0	0	0	0	0	0	0
Projected 4% Use Tax Construction Materials - Residential and Commercial	0	239,899	0	0	0	0	0	0	0	0
Projected 4% Use Tax Revenues from Construction Materials	0	239,899	0	0	0	0	0	0	0	0

Note 1: The $16,620 per household expenditure was estimated as follows: $17,950,00 budgeted year 2021 taxable sales divided by 540 current Town of Minturn households = $33,241 per household divided by two = $16,620 sales taxable expenditures per household.

SCHEDULE 3
MIDTOWN VILLAGE PUD - DIRECT FISCAL IMPACTS TO TOWN OF MINTURN
PROJECTED WATER TAP FEE AND USER FEE REVENUES ***Working Draft, Subject To Change***
FOR THE YEARS ENDING DECEMBER 31, 2024 THROUGH 2033 **18-Apr-24**
2024$ (NO INFLATION)

	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Total Projec. Number of Incremental SFE's (phase 2 only. Subject to tap fee, SIF, cash in lieu fee)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Projected Water Tap Fee, SIF Fee, and Cash in Lieu Fee Revenues:										
Assumed Tap Fee per 0-3,000 SF (3,001+ pays 2nd tap) per Town of Minturn (paid at permit; 3% increases)	12,940	13,328	13,728	14,140	14,564	15,001	15,451	15,915	16,392	16,884
Assumed Tap Fee Commercial (assume 1"?)	30,918	31,846	32,801	33,785	34,798	35,842	36,918	38,025	39,166	40,341
Assumed SIF Fee - Tier 1 (0 - 1,500 SF) per Town of Minturn (paid at permit; 3% increases)	10.95	11.28	11.62	11.97	12.32	12.69	13.07	13.47	13.87	14.29
Assumed SIF Fee - Tier 2 (1,501 - 3,000 SF) per Town of Minturn (paid at permit; 3% increases)	14.52	14.96	15.40	15.87	16.34	16.83	17.34	17.86	18.39	18.95
Assumed SIF Fee - Tier 3 (3,001+SF) per Town of Minturn (paid at permit; 3% increases)	17.47	17.99	18.53	19.09	19.66	20.25	20.86	21.49	22.13	22.79
Assumed Cash in Lieu Fee per Town of Minturn (paid upfront; 3% increases)	40,501	41,716	42,968	44,257	45,584	46,952	48,360	49,811	51,305	52,845
Projected Tap Fee Revenues	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Projected SIF Fee Revenues										
SIF TIER 1	0	0	0	0	0	0	0	0	0	0
SIF TIER 2	0	0	0	0	0	0	0	0	0	0
SIF TIER 3	0	0	0	0	0	0	0	0	0	0
Projected SIF Fee Revenues	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Projected Cash in Lieu Fee Revenues (assumed @ 0 SFES)	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Projected Water User Fee Revenues:										
Assumed Average Annual Rate per res unit and comm SFE ($116.77 base +8.82x4 (assume 4,000 gallons per month) +1	1,715	1,767	1,820	1,874	1,931	1,989	2,048	2,110	2,173	2,238
Total Projected Water User Fee Revenues	**5,146**	**5,301**	**38,217**	**39,364**	**40,545**	**41,761**	**43,014**	**44,304**	**45,633**	**47,002**

SCHEDULE 4
MIDTOWN VILLAGE PUD - DIRECT FISCAL IMPACTS TO TOWN OF MINTURN
PROJECTED FIRE IMPACT FEES
FOR THE YEARS ENDING DECEMBER 31, 2024 THROUGH 2033
2024$ (NO INFLATION)

Working Draft, Subject To Change
18-Apr-24

	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Projected Fire Impact Fee Revenues (paid at permit):										
Assumed Average Rate per .75 inch water meter - Residential/Commercial (based on 2024 rates)	1,939.00	1,939.00	1,939.00	1,939.00	1,939.00	1,939.00	1,939.00	1,939.00	1,939.00	1,939.00
Projected Fire Impact Fee Revenues	0	34,902	0	0	0	0	0	0	0	0

SCHEDULE 5
MIDTOWN VILLAGE PUD - DIRECT FISCAL IMPACTS TO TOWN OF MINTURN
PROJECTED REAL ESTATE TRANSFER ASSESSMENT (RETT) **Working Draft, Subject To Change**
FOR THE YEARS ENDING DECEMBER 31, 2021 THROUGH 2029 **18-Apr-24**
2021$ (Uninflated)

INITIAL SALES	#	**2024**	**2025**	**2026**	**2027**	**2028**	**2029**	**2030**	**2031**	**2032**	**2033**
INCREMENTAL INITIAL REAL ESTATE SALES		0	0	13,276,000	0	0	0	0	0	0	0
1% RETT ON INITIAL REAL ESTATE SALES		**0**	**0**	**132,760**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
RESALES											
CUMULATIVE INITIAL REAL ESTATE SALES		0	0	13,276,000	13,276,000	13,276,000	13,276,000	13,276,000	13,276,000	13,276,000	13,276,000
AVERAGE TURNOVER PER YEAR		0.00%	0.00%	2.00%	5.00%	7.00%	7.00%	7.00%	7.00%	7.00%	7.00%
TOTAL RESALE REVENUE		0	0	265,520	663,800	929,320	929,320	929,320	929,320	929,320	929,320
1% RETT ON RESALES		**0**	**0**	**2,655**	**6,638**	**9,293**	**9,293**	**9,293**	**9,293**	**9,293**	**9,293**
TOTAL ANNUAL 1.0% RETT TO TOWN OF MINTURN GENERAL FUND		**0**	**0**	**135,415**	**6,638**	**9,293**	**9,293**	**9,293**	**9,293**	**9,293**	**9,293**

MIDTOWN VILLAGE PUD - DIRECT FISCAL IMPACTS TO TOWN OF MINTURN
GENERAL FUND
FOR THE YEARS ENDING DECEMBER 31, 2024 THROUGH 2033
2024$ (NO INFLATION)

Working Draft, Subject To Change
18-Apr-24

assumed 540 current households

EXHIBIT I - PROJECTED GENERAL FUND REVENUES AND EXPENDITURES

	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
GENERAL FUND - REVENUES:										
TAXES:										
General Property @ 17.934 Mills (See Schedule 1)	0	0	17,613	17,613	33,076	36,382	43,926	50,167	50,167	50,167
City Sales Tax @ 4% (See Schedule 2)	1,753	1,753	12,274	16,950	22,794	22,794	22,794	22,794	22,794	22,794
Lodging Tax @ 1.5%	0	0	0	0	0	0	0	0	0	0
Real Estate Transfer Taxes @ 1.0% (See Schedule 5)	0	0	135,415	50,738	88,203	17,203	17,203	17,203	17,203	17,203
Franchise Fees @ $118.89 per Household	357	357	2,497	3,448	4,637	4,637	4,637	4,637	4,637	4,637
Total Taxes	2,110	2,110	167,799	88,749	148,711	81,016	88,560	94,801	94,801	94,801
LICENSES AND PERMITS:										
Building Permits @ .006 x Cost of Construction	0	71,970	31,986	39,983	0	0	0	0	0	0
Total Licenses and Permits	0	71,970	31,986	39,983	0	0	0	0	0	0
INTERGOVERNMENTAL REVENUE:										
Highway Users Tax @ $64.89 per household	195	195	1,363	1,882	2,531	2,531	2,531	2,531	2,531	2,531
Specific Ownership @ 5.0% of Property Taxes	0	0	881	881	1,654	1,819	2,196	2,508	2,508	2,508
Cigarette Tax @ $4.44 per household	13	13	93	129	173	173	173	173	173	173
Road & Bridge Fund @ .6795 mills (50% of County R&B Fund)	0	667	667	1,253	1,378	1,664	1,901	1,901	1,901	1,901
Highway 24 Maintenance @ $70.00 per household	210	210	1,470	2,030	2,730	2,730	2,730	2,730	2,730	2,730
County Sales Tax @ 5.15% of 4% Town sales taxes	90	90	632	873	1,174	1,174	1,174	1,174	1,174	1,174
Total Intergovernmental Revenue	508	1,176	5,106	7,047	9,640	10,091	10,705	11,017	11,017	11,017
CHARGES FOR SERVICES:										
Inspections and Reimburseables @ $1,000 per unit(construction related)	0	18,000	8,000	10,000	0	0	0	0	0	0
Total Charges For Services	0	18,000	8,000	10,000	0	0	0	0	0	0
FINES AND FORFEITURES:										
Fines and Forfeitures @ $31.48 per household	94	94	661	913	1,228	1,228	1,228	1,228	1,228	1,228
Total Fines and Forfeitures	94	94	661	913	1,228	1,228	1,228	1,228	1,228	1,228
MISCELLANEOUS REVENUE:										
Interest & Other @ $147.50 per household	443	443	3,098	4,278	5,753	5,753	5,753	5,753	5,753	5,753
Total Miscellaneous Revenue	443	443	3,098	4,278	5,753	5,753	5,753	5,753	5,753	5,753
TOTAL GENERAL FUND REVENUES	3,155	93,792	216,650	150,969	165,331	98,087	106,245	112,798	112,798	112,798
GENERAL FUND - EXPENDITURES:										
GENERAL GOVERNMENT @ 10% variable = $107.68 per household	323	308	2,157	2,978	4,005	4,005	4,005	4,005	4,005	4,005
PLANNING AND ZONING (65% of Inspection Fees + Reimbursements)	0	58,480	25,991	32,489	0	0	0	0	0	0
PUBLIC WORKS - STREETS @ 10% variable = $72.12 per household	216	216	1,515	2,091	2,813	2,813	2,813	2,813	2,813	2,813
COURT/POLICE @ 50% variable = $356.78 per household	1,070	1,070	7,492	10,347	13,914	13,914	13,914	13,914	13,914	13,914
EVENTS @ 10% variable = $28.71 per household	86	86	603	833	1,120	1,120	1,120	1,120	1,120	1,120
TOTAL GENERAL FUND - EXPENDITURES	1,696	60,161	37,758	48,738	21,852	21,852	21,852	21,852	21,852	21,852
EXCESS ANNUAL REVENUES OVER EXPEND. - GENERAL FUND	1,459	33,631	178,892	102,231	143,479	76,235	84,393	90,946	90,946	90,946
CUMULATIVE EXCESS REVENUES OVER EXPEND. - GENERAL FUND	1,459	35,091	213,983	316,214	459,693	535,928	620,321	711,267	802,213	893,158

MIDTOWN VILLAGE PUD - DIRECT FISCAL IMPACTS TO TOWN OF MINTURN
CAPITAL FUND
FOR THE YEARS ENDING DECEMBER 31, 2024 THROUGH 2033
2024$ (NO INFLATION)

Working Draft, Subject To Change
18-Apr-24

EXHIBIT II - PROJECTED CAPITAL FUND REVENUES

	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
CAPITAL IMPROVEMENT FUND REVENUES:										
4% USE TAX (SCHEDULE 2)	0	239,899	106,622	133,277	25,000	0	0	0	0	0
TOTAL REVENUES	0	239,899	106,622	133,277	25,000	0	0	0	0	0
EXPENDITURES:										
ALLOWANCE FOR PAY AS YOU GO CAPITAL IMPROVEMENTS	0	239,899	106,622	133,277	25,000	0	0	0	0	0
TOTAL EXPENDITURES	0	239,899	106,622	133,277	25,000	0	0	0	0	0
EXCESS REVENUES OVER EXPENDITURES	0	0	0	0	0	0	0	0	0	0

MIDTOWN VILLAGE PUD - DIRECT FISCAL IMPACTS TO TOWN OF MINTURN
WATER ENTERPRISE FUND
FOR THE YEARS ENDING DECEMBER 31, 2024 THROUGH 2033
2024$ (NO INFLATION)

Working Draft, Subject To Change
18-Apr-24

EXHIBIT III - PROJECTED WATER ENTERPRISE FUND REVENUES

WATER ENTERPRISE FUND	**2024**	**2025**	**2026**	**2027**	**2028**	**2029**	**2030**	**2031**	**2032**	**2033**
Water Tap Fee Revenue (See Schedule 3)	0	0	0	0	113,119	145,641	399,793	0	0	0
Water SIF Fee Revenue (See Schedule 3)	0	0	0	139,402	179,480	0	506,313	0	0	0
Water Cash in Lieu Fee Revenue (See Schedule 3)	0	0	0	343,740	442,565	0	234,759	0	0	0
Water User Fee Revenue (See Schedule 3)	5,146	5,301	5,301	38,217	54,359	75,297	87,499	90,124	92,828	95,613
TOTAL WATER FUND REVENUES	5,146	5,301	5,301	521,360	789,524	220,938	1,228,364	90,124	92,828	95,613
TOTAL WATER FUND REVENUES - CUMULATIVE	5,146	10,447	15,747	537,107	1,326,631	1,547,569	2,775,933	2,866,058	2,958,885	3,054,498

MIDTOWN VILLAGE PUD - DIRECT FISCAL IMPACTS TO TOWN OF MINTURN
PROJECTED FIRE IMPACT FEE REVENUES
FOR THE YEARS ENDING DECEMBER 31, 2024 THROUGH 2033
2024$ (NO INFLATION)

Working Draft, Subject To Change
18-Apr-24

EXHIBIT IV - FIRE IMPACT FEE REVENUES

	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
FIRE IMPACT FEE REVENUES (SCH. 4)	0	34,902	15,512	21,329	0	0	0	0	0	0
FIRE IMPACT FEE REVENUES - CUMULATIVE	0	34,902	50,414	71,743	71,743	71,743	71,743	71,743	71,743	71,743

MIDTOWN VILLAGE PUD - DIRECT FISCAL IMPACTS TO TOWN OF MINTURN
PROJECTED PROPERTY TAX REVENUES GENERATED FOR VARIOUS OVERLAPPING TOWN OF MINTURN GOVERNMENTAL ENTITIES
FOR THE YEARS ENDING DECEMBER 31, 2024 THROUGH 2033
2024$ (NO INFLATION)

Working Draft, Subject To Change
18-Apr-24

EXHIBIT V - PROJECTED PROPERTY TAX REVENUES GENERATED FOR OVERLAPPING TAXING ENTITIES

	ASSUMED MILL LEVY	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
PROJECTED ASSESSED VALUATION - MIDTOWN VILLAGE PUD		0	0	982,106	982,106	1,844,340	2,028,640	2,449,290	2,797,290	2,797,290	2,797,290
OVERLAPPING ENTITIES (MINTURN IN TOWN MILL LEVY):											
TAXING AREA 024											
EAGLE COUNTY	8.399	0	0	8,249	8,249	15,491	17,039	20,572	23,494	23,494	23,494
COLORADO MOUNTAIN COLLEGE	2.977	0	0	2,924	2,924	5,491	6,039	7,292	8,328	8,328	8,328
SCHOOL DISTRICT RE-50J	22.317	0	0	21,918	21,918	41,160	45,273	54,661	62,427	62,427	62,427
TOWN OF MINTURN	17.934	0	0	17,613	17,613	33,076	36,382	43,926	50,167	50,167	50,167
MINTURN CEMETERY	0.450	0	0	442	442	830	913	1,102	1,259	1,259	1,259
EAGLE RIVER FIRE PROTECTION DISTRICT	7.742	0	0	7,603	7,603	14,279	15,706	18,962	21,657	21,657	21,657
EAGLE RIVER WATER AND SANITATION DISTRICT	0.610	0	0	599	599	1,125	1,237	1,494	1,706	1,706	1,706
COLORADO RIVER WATER CONSERVATION DISTRICT	0.500	0	0	491	491	922	1,014	1,225	1,399	1,399	1,399
EAGLE VALLEY LIBRARY DISTRICT	1.913	0	0	1,879	1,879	3,528	3,881	4,685	5,351	5,351	5,351
EAGLE COUNTY HEALTH SERVICE (AMBULANCE)	2.753	0	0	2,704	2,704	5,077	5,585	6,743	7,701	7,701	7,701
TOTAL - ALL OVERLAPPING ENTITIES	65.595	0	0	64,421	64,421	120,979	133,069	160,661	183,488	183,488	183,488

SCHEDULE 1
MIDTOWN VILLAGE PUD
PROJECTED ASSESSED VALUATION - BUILDOUT & LOT SALES
FOR THE YEARS ENDING DECEMBER 31, 2024 THROUGH 2034
2024$ (Uninflated)

Working Draft, Subject To Change
18-Apr-24

BUILDOUT - INCLUDES UNIT LOT VALUES AS SHOWN BELOW:													
Description of Unit	**Planned Number Units/SF**	**Average Price/Unit**	**Average SQ. FT per Unit**	**Total Gross Unit Volume**	**2024**	**2025**	**2026**	**2027**	**2028**	**2029**	**2030**	**2031**	**2032**	**2033**	**2034**
RESIDENTIAL															
Phase 1															
RENOVATED APARTMENTS	3	601,000	1,202	1,803,000	3	0	0	0	0	0	0	0	0	0	0
APARTMENTS	16	673,500	1,347	10,776,000	0	0	16	0	0	0	0	0	0	0	0
SINGLE FAMILY COTTAGE	2	1,250,000	2,500	2,500,000	0	0	2	0	0	0	0	0	0	0	0
Total Phase 1 Residential	21			15,079,000	3	0	18	0	0	0	0	0	0	0	0
Phase 2															
SINGLE FAMILY MICRO	8	525,000	750	4,200,000	0	0	0	8	0	0	0	0	0	0	0
TOWNHOMES	10	710,000	1,420	7,100,000	0	0	0	0	10	0	0	0	0	0	0
Total Phase 2 Residential	18	627,778		11,300,000	0	0	0	8	10	0	0	0	0	0	0
Total Residential	39	676,385		26,379,000	3	0	18	8	10	0	0	0	0	0	0
COMMERCIAL															
Commercial/Fire Station	5,000	300		1,500,000	0	0	0	0	0	5,000	0	0	0	0	0
Total Commercial	5,000			1,500,000											
					3	3	21	29	39	39	39	39	39	39	39
Total Value - Entire Project				27,879,000											

Estimated Actual Value of Residential											
Phase 1											
RENOVATED APARTMENTS	1,803,000	0	0	0	0	0	0	0	0	0	0
APARTMENTS	0	0	10,776,000	0	0	0	0	0	0	0	0
SINGLE FAMILY COTTAGE	0	0	2,500,000	0	0	0	0	0	0	0	0
Total Phase 1	1,803,000	0	13,276,000	0	0	0	0	0	0	0	0
Phase 2											
SINGLE FAMILY MICRO	0	0	0	4,200,000	0	0	0	0	0	0	0
TOWNHOMES	0	0	0	0	7,100,000	0	0	0	0	0	0
Total Phase 2	0	0	0	4,200,000	7,100,000	0	0	0	0	0	0
Total Incremental Estimate Actual Value of Residential (includes 3 existing parcels)	**1,803,000**	**0**	**13,276,000**	**4,200,000**	**7,100,000**	**0**	**0**	**0**	**0**	**0**	**0**
Total Cumulative Estimate Actual Value of Residential	**1,803,000**	**1,803,000**	**15,079,000**	**19,279,000**	**26,379,000**	**26,379,000**	**26,379,000**	**26,379,000**	**26,379,000**	**26,379,000**	**26,379,000**
Estimated Actual Value of Commercial											
Commercial	0	0	0	0	0	1,500,000	0	0	0	0	0
Vacant Land	1,300,000		(300,000)	(400,000)	(300,000)	(300,000)					
Estimate Actual Value Commercial (Cumulative) (includes existing commercial)	2,942,040	2,942,040	2,642,040	2,242,040	1,942,040	3,142,040	3,142,040	3,142,040	3,142,040	3,142,040	3,142,040
Estimated Assessed Value Of Commercial and Vacant Land @ 29%	853,192	853,192	766,192	650,192	563,192	911,192	911,192	911,192	911,192	911,192	911,192
Estimated Assessed Value Of Residential Product @ 6.8%	128,915	128,915	1,078,149	1,378,449	1,886,099	1,886,099	1,886,099	1,886,099	1,886,099	1,886,099	1,886,099
Total Estimated Assessed Value Of Vacant Land, Comm. & Resid.	**982,106**	**982,106**	**1,844,340**	**2,028,640**	**2,449,290**	**2,797,290**	**2,797,290**	**2,797,290**	**2,797,290**	**2,797,290**	**2,797,290**
TOWN MINTURN Mill Levy 17.934	17,613	17,613	33,076	36,382	43,926	50,167	50,167	50,167	50,167	50,167	50,167
Year Assessed Valuation Certified	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Year Taxes Received	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036

SCHEDULE 2
MIDTOWN VILLAGE PUD - DIRECT FISCAL IMPACTS TO TOWN OF MINTURN
PROJECTED TOWN OF MINTURN 4.0% SALES AND USE TAXES
FOR THE YEARS ENDING DECEMBER 31, 2024 THROUGH 2033
2024$ (Uninflated)

Working Draft, Subject To Change
18-Apr-24

	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Projected Cumulative Households Completed (Occupied 1 year after completion)	3	3	21	29	39	39	39	39	39	39
Projected Households:										
Assumed Average Number of Residents per Household	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00
Assumed Number of Residents	9	9	63	87	117	117	117	117	117	117
Allocation of Types of Households:										
Assumed Percentage of Households Occupied for Full Year	80.00%	80.00%	80.00%	80.00%	80.00%	80.00%	80.00%	80.00%	80.00%	80.00%
Assumed Percentage of Households Occupied for Half Year	15.00%	15.00%	15.00%	15.00%	15.00%	15.00%	15.00%	15.00%	15.00%	15.00%
Assumed Percentage of Households Occupied for One Month	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%
Assumed Number of Households Occupied for Full Year	2	2	17	23	31	31	31	31	31	31
Assumed Number of Households Occupied for Half Year	0	0	3	4	6	6	6	6	6	6
Assumed Number of Households Occupied for One Month	0	0	1	1	2	2	2	2	2	2
Assumed Total Number of Households	3	3	21	29	39	39	39	39	39	39
Assumed Total Number of Full Year Equiv. Households	3	3	18	25	34	34	34	34	34	34
Projected Town of Minturn Taxable Sales Generated From Groceries/Residential Utilities/Other (liquor, sundries, hardware and materials, clothing, gifts, restaurants, etc.):										
Assumed Annual Taxable Sales for Households Occupied for Full Year (1)	16,620	16,620	16,620	16,620	16,620	16,620	16,620	16,620	16,620	16,620
Assumed Annual Taxable Sales for Households Occupied for Half Year	8,310	8,310	8,310	8,310	8,310	8,310	8,310	8,310	8,310	8,310
Assumed Annual Taxable Sales for Households Occupied for One Year	1,385	1,385	1,385	1,385	1,385	1,385	1,385	1,385	1,385	1,385
Projected Annual Taxable Sales Generated From Groceries/Residential Utilities/Other (liquor, sundries, hardware and materials, clothing, gifts, etc.):										
Projected Annual Taxable Sales for Households Occupied for Full Year	39,888	39,888	279,216	385,584	518,544	518,544	518,544	518,544	518,544	518,544
Projected Annual Taxable Sales for Households Occupied for Half Year	3,740	3,740	26,177	36,149	48,614	48,614	48,614	48,614	48,614	48,614
Projected Annual Taxable Sales for Households Occupied for One Year	208	208	1,454	2,008	2,701	2,701	2,701	2,701	2,701	2,701
Projected Annual Sales from All Households - (Groceries/Utilities/Other)	43,835	43,835	306,847	423,741	569,858	569,858	569,858	569,858	569,858	569,858
Projected 4.0% Town of Minturn Sales Tax Revenues from Groceries/Utilities/Other:										
Projected 4.0% Sales Tax Revenues for Households Occupied for Full Year	1,596	1,596	11,169	15,423	20,742	20,742	20,742	20,742	20,742	20,742
Projected 4.0% Sales Tax Revenues for Households Occupied for Half Year	150	150	1,047	1,446	1,945	1,945	1,945	1,945	1,945	1,945
Projected 4.0% Sales Tax Revenues Households Occupied for One Year	8	8	58	80	108	108	108	108	108	108
Projected 4.0% Sales Tax Revenues from Groc./Util./Other - All Residents	1,753	1,753	12,274	16,950	22,794	22,794	22,794	22,794	22,794	22,794
Projected 4.0% Sales Tax Revenues from MIDTOWN VILLAGE PUD to General Fund	**1,753**	**1,753**	**12,274**	**16,950**	**22,794**	**22,794**	**22,794**	**22,794**	**22,794**	**22,794**
Projected 4% Town of Minturn Use Tax Revenues from Construction Materials:										
Projected Building Permit Value Residential @ $676,385 - 10,000 = 666,385 Average Bldg. Permit (less 10,000 reduction	0	11,994,930	5,331,080	6,663,850	0	0	0	0	0	0
Projected Building Permit Value Commercial @ $250 per SqFt	0	0	0	0	1,250,000	0	0	0	0	0
Assumed Cost of Construction Materials @ 50% of Bldg. Permit Value	0	5,997,465	2,665,540	3,331,925	625,000	0	0	0	0	0
Projected 4% Use Tax Construction Materials - Residential and Commercial	0	239,899	106,622	133,277	25,000	0	0	0	0	0
Projected 4% Use Tax Revenues from Construction Materials	0	239,899	106,622	133,277	25,000	0	0	0	0	0

Note 1: The $16,620 per household expenditure was estimated as follows: $17,950,00 budgeted year 2021 taxable sales divided by 540 current Town of Minturn households = $33,241 per household divided by two = $16,620 sales taxable expenditures per household.

SCHEDULE 3
MIDTOWN VILLAGE PUD - DIRECT FISCAL IMPACTS TO TOWN OF MINTURN
PROJECTED WATER TAP FEE AND USER FEE REVENUES ***Working Draft, Subject To Change***
FOR THE YEARS ENDING DECEMBER 31, 2024 THROUGH 2033 **18-Apr-24**
2024$ (NO INFLATION)

	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Total Projec. Number of Incremental Residential SFE's (phase 2 only. Subject to tap fee, SIF, cash in lieu fee)		0.00	0.00	8.00	10.00	0.00	0.00	0.00	0.00	0.00
Total Projec. Number of Incremental Commercial SFE's (phase 2 only. Subject to tap fee, SIF, cash in lieu fee)		0.00	0.00	0.00	0.00	5.00	0.00	0.00	0.00	0.00
Projected Water Tap Fee, SIF Fee, and Cash in Lieu Fee Revenues:										
Assumed Tap Fee per 0-3,000 SF (3,001+ pays 2nd tap) per Town of Minturn (paid at permit; 3% increases)	12,940	13,328	13,728	14,140	14,564	15,001	15,451	15,915	16,392	16,884
Assumed Tap Fee Commercial (assume 1.5 inch, approx 5 SFE's for Fire Station)	68,973	71,042	73,173	75,369	77,630	79,959	82,357	84,828	87,373	89,994
Assumed SIF Fee - Tier 1 (0 - 1,500 SF) per Town of Minturn (paid at permit; 3% increases)	10.95	11.28	11.62	11.97	12.32	12.69	13.07	13.47	13.87	14.29
Assumed SIF Fee - Tier 2 (1,501 - 3,000 SF) per Town of Minturn (paid at permit; 3% increases)	14.52	14.96	15.40	15.87	16.34	16.83	17.34	17.86	18.39	18.95
Assumed SIF Fee - Tier 3 (3,001+SF) per Town of Minturn (paid at permit; 3% increases)	17.47	17.99	18.53	19.09	19.66	20.25	20.86	21.49	22.13	22.79
Assumed Cash in Lieu Fee per Town of Minturn (paid upfront; 3% increases)	40,501	41,716	42,968	44,257	45,584	46,952	48,360	49,811	51,305	52,845
Projected Tap Fee Revenues	**0**	**0**	**0**	**113,119**	**145,641**	**399,793**	**0**	**0**	**0**	**0**
Projected SIF Fee Revenues										
SIF TIER 1	0	0	139,402	179,480	0	0	0	0	0	0
SIF TIER 2	0	0	0	0	0	0	0	0	0	0
SIF TIER 3	0	0	0	0	0	506,313	0	0	0	0
Projected SIF Fee Revenues	**0**	**0**	**139,402**	**179,480**	**0**	**506,313**	**0**	**0**	**0**	**0**
Projected Cash in Lieu Fee Revenues (assumed @ 18 Res SFES + 5 Comm)	**0**	**0**	**343,740**	**442,565**	**0**	**234,759**	**0**	**0**	**0**	**0**
Projected Water User Fee Revenues:										
Assumed Average Annual Rate per res unit and comm SFE ($116.77 base +8.82x4 (assume 4,000 gallons per month) +1	1,715	1,767	1,820	1,874	1,931	1,989	2,048	2,110	2,173	2,238
Total Projected Water User Fee Revenues	**5,146**	**5,301**	**38,217**	**54,359**	**75,297**	**87,499**	**90,124**	**92,828**	**95,613**	**98,481**

SCHEDULE 4
MIDTOWN VILLAGE PUD - DIRECT FISCAL IMPACTS TO TOWN OF MINTURN
PROJECTED FIRE IMPACT FEES
FOR THE YEARS ENDING DECEMBER 31, 2024 THROUGH 2033
2024$ (NO INFLATION)

Working Draft, Subject To Change
18-Apr-24

	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Projected Fire Impact Fee Revenues (paid at permit):										
Assumed Average Rate per .75 inch water meter - Residential/Commercial (based on 2024 rates)	1,939.00	1,939.00	1,939.00	1,939.00	1,939.00	1,939.00	1,939.00	1,939.00	1,939.00	1,939.00
Projected Fire Impact Fee Revenues	0	34,902	15,512	21,329	0	0	0	0	0	0

SCHEDULE 5
MIDTOWN VILLAGE PUD - DIRECT FISCAL IMPACTS TO TOWN OF MINTURN
PROJECTED REAL ESTATE TRANSFER ASSESSMENT (RETT) **Working Draft, Subject To Change**
FOR THE YEARS ENDING DECEMBER 31, 2024 THROUGH 2033 **18-Apr-24**
2021$ (Uninflated)

INITIAL SALES	**2024**	**2025**	**2026**	**2027**	**2028**	**2029**	**2030**	**2031**	**2032**	**2033**
INCREMENTAL INITIAL REAL ESTATE SALES	0	0	13,276,000	4,200,000	7,100,000	0	0	0	0	0
1% RETT ON INITIAL REAL ESTATE SALES	**0**	**0**	**132,760**	**42,000**	**71,000**	**0**	**0**	**0**	**0**	**0**
RESALES										
CUMULATIVE INITIAL REAL ESTATE SALES	0	0	13,276,000	17,476,000	24,576,000	24,576,000	24,576,000	24,576,000	24,576,000	24,576,000
AVERAGE TURNOVER PER YEAR	0.00%	0.00%	2.00%	5.00%	7.00%	7.00%	7.00%	7.00%	7.00%	7.00%
TOTAL RESALE REVENUE	0	0	265,520	873,800	1,720,320	1,720,320	1,720,320	1,720,320	1,720,320	1,720,320
1% RETT ON RESALES	**0**	**0**	**2,655**	**8,738**	**17,203**	**17,203**	**17,203**	**17,203**	**17,203**	**17,203**
TOTAL ANNUAL 1.0% RETT TO TOWN OF MINTURN GENERAL FUND	**0**	**0**	**135,415**	**50,738**	**88,203**	**17,203**	**17,203**	**17,203**	**17,203**	**17,203**

FULL BUILDOUT - INCLUDES UNIT LOT VALUES AS SHOWN BELOW

Description of Unit				Planned Number of Units/SF	Average Price/Unit	Average SQ. FT per Unit	Total Gross Unit Volume
RESIDENTIAL		**COMPLETION DATES**					
PHASE 1							
	RENOVATED APARTMENTS	**2024**		3	$601,000	1202	$1,803,000
	NEW APARTMENTS	**2026**		16	$673,500	1347	$10,776,000
	SINGLE FAMILY COTTAGES	**2026**		2	$1,250,000	2500	$2,500,000
			subtotal	**21**			**$15,079,000**
PHASE 2							
	SINGLE FAMILY MICROHOMES	**2027**		8	$525,000	750	$4,200,000
	TOWNHOMES	**2028**		10	$710,000	1420	$7,100,000
			subtotal	**18**			**$11,300,000**
COMMERCIAL							
	COMMERCIAL BLDG / FIRE STATI	**2029**		**5000 sf**	$3,500,000		**$3,500,000**
					TOTAL VALUE - ENTIRE PROJECT		**$29,879,000**

MIDTOWN VILLAGE

ADJACENT PROPERTY OWNERS LIST

915 MAIN STREET –
MEDINA, FRANK & CONSUELO V.
Owner Address PO BOX 308
MINTURN, CO 81645-0308

921 MAIN STREET
ROYBAL, SYLVIA A. & LEROY A.
Owner Address PO BOX 473
MINTURN, CO 81645-0473

936 / 942 MAIN STREET
SMART VENTURES LLC
Owner Address 4801 E CYPRESS LANDING DR
LAKE CHARLES, LA 70605-5991

944 & 952 MAIN STREET
VASQUEZ, LEROY D. & DAVID H.
Owner Address PO BOX 747
MINTURN, CO 81645-0747

962 MAIN STREET
WOODRUFF, RHONDA - STEPHANOFF, ROBERT
Owner Address PO BOX 5055
VAIL, CO 81658-5055

974 & 976 MAIN STREET
YARDE, CRAIG
Owner Address PO BOX 833
MINTURN, CO 81645-0833

992 MAIN STREET
BRIGHTWELL, HENRY P. & LINDA P.
Owner Address 2123 LURAY AVE APT 6
CINCINNATI, OH 45206-2629

994 MAIN STREET
WHITEFORD, HEATHER - ALFOND, JOHN
Owner Address 122 W MEADOW DR UNIT B
VAIL, CO 81657-5077

996 MAIN STREET
YOUNG, WILLIAM MARK - BOVINO, BETH ANN
Owner Address 529 3RD ST
BROOKLYN, NY 11215-3001

998 MAIN STREET
WOODRUFF, JOHN - FEIGER, LYNN
Owner Address PO BOX 910
MINTURN, CO 81645-0910

991 & 997 MAIN STREET
TRUJILLO, JOSE C. & ETTA L.
Owner Address PO BOX 421
MINTURN, CO 81645-0421

350 KING RANCH ROAD
MILLER FAMILY TRUST
In Care Of Name FIRST NATIONAL BANK OF AMERICA
Owner Address PO BOX 980
EAST LANSING, MI 48826-0980

UNITED STATES FOREST SERVICE PROPERTIES

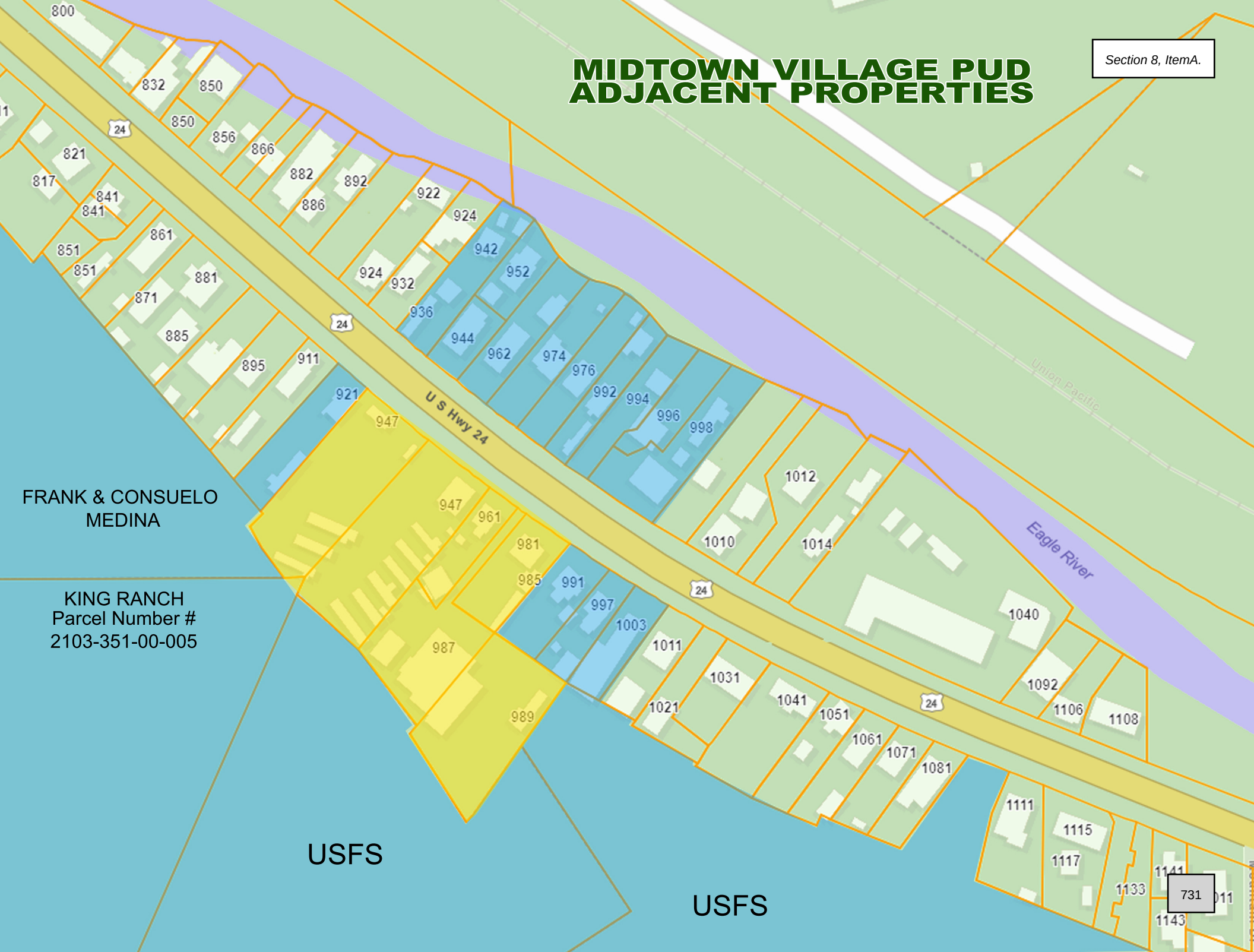
PARCEL #2103-342-00-001

PARCEL #2103-351-00-002

UNITED STATES OF AMERICA

Owner Address W 6TH AVE & KIPLING ST
LAKEWOOD, CO 80225-0546

MIDTOWN VILLAGE PUD
ADJACENT PROPERTIES



EAGLE COUNTY
PARAMEDIC SERVICES

OFFICE 970.926.5270
FAX 970.926.5235

1055 Edwards Village Blvd. P.O. Box 990 Edwards, CO 81632

EAGLE COUNTY HEALTH SERVICE DISTRICT

www.eaglecountyparamedics.com

October 5, 2022

To Jeff Armistead, 10TH Mountain Builders LLC

Via Email

To Whom It May Concern:

On behalf of Eagle County Health Service District d/b/a Eagle County Paramedic Services, we have the ability to serve the property and PUD known as Midtown Village in the 900 block of US Highway 24 in Minturn Colorado.

This project will not create an undue burden on response and can be served from our Stations located in Vail and Avon.

Please feel free to contact me with any questions.

Sincerely,

Jim Bradford
COO
Eagle County Health Service District
jbradford@ecparamedics.com
970-926-5270

Sandra Farrell, C.P.A.
Chief Financial Officer
sandra.farrell@eagleschools.net

EAGLE COUNTY SCHOOL DISTRICT

July 21, 2022

Mr. Jeff Armistead
10th Mountain Builder LLC
Minturn, CO 81645

RE: Midtown Village

Dear Jeff:
As per your request, we have completed an initial review of the Midtown Village Project. The purpose of this review is to provide comment on the estimated student generation from the project and the ability of schools that will serve the project to accommodate these students.

This review focused on the net new units to be constructed. Student generation from the existing units was determined by applying actual student generation rates from comparable housing types in Minturn to the existing housing types. The same student generation rates were then applied to proposed unit types. Note that no student generation was applied to one-bedroom units because ECSD data indicates very few students are generated by one-bedroom units. Based on this approach, it is estimated that the proposed development will generate 6.68 new K-12 students. The site is served by Red Sandstone Elementary, Homestake Peak Middle School and Battle Mountain High School. These schools have capacity to accommodate these students.

ECSD has had conversations with the Town of Minturn about adoption of a school land dedication ordinance. As a part of the district's formal review of this project, ECSD will request that the project comply with a school land (or cash in lieu) dedication ordinance if such an ordinance is adopted by the Town prior to this project receiving development entitlements.

Regards

Sandra Farrell

Sandra Farrell
Chief Operations Officer

EAGLE RIVER
WATER & SANITATION
DISTRICT

August 9, 2023

Madison Harris
Town of Minturn
309 Boulder St. #309
Minturn, CO 81645

Transmitted via E-mail: planner1@minturn.org

Subject: Midtown Village PUD Ability to Serve

Dear Madison,

The Eagle River Water and Sanitation District recently received a request for an Ability to Serve Letter for wastewater service to the Midtown Village Planned Unit Development (the "Project"). This letter serves as the District's commitment of Wastewater Capacity to serve the proposed Project and is intended to be an **Ability to Serve Letter** as defined in § 29-20-304 (3), C.R.S. subject to conditions regarding the completion of capital improvements that are underway at the District's Dowd Junction Lift Station #4 and construction of other mainline infrastructure to serve the Project as further discussed in this letter.

We understand that the Project is proposing the redevelopment of several properties defined as Eagle County Parcel Nos. 210335101018, 210335101016, 210335101060, 210335101107, 210335101017, 210335101096. We understand that the PUD proposes to redevelop the properties with 42 residential units resulting in a net total of 22.5 new SFEs and 3,600 square feet of additional commercial space.

The subject property for the Project is included within the service area of the District for wastewater service. Wastewater generated by the Project will be conveyed to the Avon Wastewater Treatment Plant for liquid stream treatment and the Edwards Wastewater Treatment Plant for solids treatment via the District's collection system including the Minturn Interceptor, Dowd Junction Lift Station #4, and collection system trunk lines to each facility. The Avon Wastewater Treatment Plant (liquid stream) and Edwards Wastewater Treatment Plant (solids) have sufficient capacity to treat the anticipated wastewater generated by the Project.

District Staff updated our collection systems hydraulic model in 2020 to evaluate whether we have sufficient capacity to convey the wastewater generated by the Project to the Avon Wastewater Treatment Plant. The District currently serves approximately 750 SFEs in the Town of Minturn. Our modeling indicates that Dowd Junction Lift Station #4 has limited capacity to convey wastewater flows for the Project and other recently approved developments in Minturn. The existing lift station experiences surcharging in our model once 85 new SFEs are added to the system, which indicates that the lift station would be at risk of sanitary sewer overflows.

Construction is underway on a new lift station to replace Dowd Junction Lift Station #4 which will bring the facility up to current Colorado Department of Health and Environment (CDPHE) standards and add capacity for growth anticipated in the Town of Minturn. The new lift station is anticipated to be completed and operational by the fourth quarter of 2023. Once the new lift station is operational, we will have sufficient collection system capacity to serve the buildout of the Project.

Due to capacity limitations at Dowd Lift Station #4, we request that the Town limit the issuance of building permits to no more than 85 net new SFEs until the new lift station is operational, effective from the date of our original letter from October 10, 2020.

Service to the Project requiring the extension of mainline infrastructure is subject to the District's Infrastructure Acceptance Process outlined in Article IX of the District's Rules and Regulations. Following the construction of wastewater infrastructure by the Developer for the Project and subsequent dedication of the infrastructure to the District, individual customers may connect to the wastewater collection system for service subject to the payment of all applicable impact fees.

This letter is valid for the Project as defined above for a period of two years from the date of issuance. If there are changes to the Project density, we will need to reevaluate and reissue. Please let me know if you have questions or need any additional information.

Sincerely,



cc: Jeff Armistead
Kathryn Winn
Siri Roman

WILL SERVE LETTER

October 5, 2022

Jeff Armistead
Midtown Village - 987 Main Street
Minturn, Colorado 81645

Re: 987 Main Street, Minturn, CO 81645

Dear Jeff,

This letter is to confirm that Xcel Energy is your utility provider for natural gas. In accordance with our tariffs, on file with and approved by the Colorado Public Utilities Commission, gas facilities can be made available to serve the project at 11010 East 120th Avenue, Henderson, CO 80640.

Your utility service(s) will be provided after the following steps are completed:

- ***Application submitted to Public Service's "Builders Call Line (BCL)"*** – once your application is accepted you will be assigned a design department representative who will be your primary point of contact
- ***Utility design is completed*** – you must provide your design representative with the site plan, the one line diagrams, and panel schedules for electric and gas loads if applicable
- ***All documents provided by design representative are signed and returned***
- ***Payment is received***
- ***Required easements are granted*** - you must sign and return applicable easement documents to your Right-of-Way agent
- ***Site is ready for utility construction***

A scheduled in-service date will be provided once these requirements have been met.

It is important to keep in mind that the terms and conditions of utility service, per our tariffs, require that you provide adequate space and an easement on your property for all gas and electric facilities required to serve your project, including but not limited to gas and electrical lines and meters, transformers, and pedestals. General guidelines for these requirements can be found at Site Requirements. https://www.xcelenergy.com/staticfiles/xe-responsive/Admin/Managed Documents & PDFs/Xcel-Energy-Standard-For-Electric-Installation-and-Use.pdfEasement requirements can be found at Utility Design and Layout.

Xcel Energy looks forward to working with you on your project and if I can be of further assistance, please contact me at the phone number or email listed below.

Sincerely,

Taylor Cronic
Pike Engineering
T: 303-628-2272
PikeEngineering@Xcelenergy.com.

Mailing address: Pike Engineering
555 Zang, Suite 250
Lakewood, CO 80228

November 2, 2021

Jeffery Armistead
10th Mountain Builders
PO Box 955
Minturn, CO 81645

Subject: Conditional Ability to Serve Letter confirming fire department service for Midtown Village and Midtown Lofts

Mr. Armistead,

In response to your request, this letter will serve as a conditional confirmation that Eagle River Fire Protection District has the resources required to serve the proposed Midtown Village/ Midtown Lofts, 900 Main Street, Minturn, Colorado, project as submitted on November 1, 2021. Conditions will be found on Appendix A.

Eagle River Fire Protection District currently responds from five fire stations and has mutual aid response from Vail Fire and Rescue. The nearest fire station to the project address is Station 5 located at 195 Pine Street, Minturn, Colorado. The address will use purveyed water from a pressurized source for domestic water use and for fire suppression. The ISO protection rating for the construction location is PPC 3.

If the Midtown Village project design changes, this letter is void and a new "Conditional Ability to Serve" letter must be issued. This letter is not transferable.

If you have questions, please call the Fire Marshal at (970)736-5064.

Sincerely,

Mick Woodworth, FM
Fire Marshal, Eagle River Fire Protection District

Post Office Box 2942/1050 Edwards Village Blvd, Edwards, Colorado 81632
Phone: 970-736-5064• FAX: 970-949-7965· Email: mwoodworth@eagleriverfire.org

APPENDIX A

Conditions for Ability to Serve Letter

Building site meets IFC requirements for apparatus turn around.
Required fire flow is available from Town of Minturn water distribution system.
Buildings meet applicable IFC code and NFPA standards.

Post Office Box 2942/1050 Edwards Village Blvd, Edwards, Colorado 81632
Phone: 970-736-5064• FAX: 970-949-7965· Email: mwoodworth@eagleriverfire.org

E-Filed

Colorado Secretary of State
Date and Time: 07/09/2018 04:03 PM
ID Number: 20181541894

Document number: 20181541894
Amount Paid: $50.00

Document must be filed electronically.
Paper documents are not accepted.
Fees & forms are subject to change.
For more information or to print copies
of filed documents, visit www.sos.state.co.us.

ABOVE SPACE FOR OFFICE USE ONLY

Articles of Organization

filed pursuant to § 7-90-301 and § 7-80-204 of the Colorado Revised Statutes (C.R.S.)

1. The domestic entity name of the limited liability company is

Midtown Lofts, LLC.

(The name of a limited liability company must contain the term or abbreviation "limited liability company", "ltd. liability company", "limited liability co.", "ltd. liability co.", "limited", "l.l.c.", "llc", or "ltd.". See §7-90-601, C.R.S.)

(Caution: The use of certain terms or abbreviations are restricted by law. Read instructions for more information.)

2. The principal office address of the limited liability company's initial principal office is

Street address: 1003 Main Street - Office
(Street number and name)

Minturn (City) CO (State) 81645 (ZIP/Postal Code)
(Province – if applicable) United States (Country)

Mailing address
(leave blank if same as street address): P.O. Box 955
(Street number and name or Post Office Box information)

Minturn (City) CO (State) 81645 (ZIP/Postal Code)
(Province – if applicable) United States (Country).

3. The registered agent name and registered agent address of the limited liability company's initial registered agent are

Name
(if an individual) _____ (Last) _____ (First) _____ (Middle) _____ (Suffix)

or

(if an entity) SBR Investments, LLC
(Caution: Do not provide both an individual and an entity name.)

Street address: 1003 Main Street
(Street number and name)

Minturn (City) CO (State) 81645 (ZIP Code)

Mailing address
(leave blank if same as street address): P.O. Box 955
(Street number and name or Post Office Box information)

Minturn (City) CO (State) 81645 (ZIP Code).

(The following statement is adopted by marking the box.)

☒ The person appointed as registered agent has consented to being so appointed.

4. The true name and mailing address of the person forming the limited liability company are

Name
(if an individual) Borne (Last) Ruth (First) _____ (Middle) _____ (Suffix)

or

(if an entity) _____

(Caution: Do not provide both an individual and an entity name.)

Mailing address P.O. Box 7833
(Street number and name or Post Office Box information)

Avon (City) CO (State) 81620 (ZIP/Postal Code)

_____ (Province – if applicable) United States (Country).

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

☐ The limited liability company has one or more additional persons forming the limited liability company and the name and mailing address of each such person are stated in an attachment.

5. The management of the limited liability company is vested in
(Mark the applicable box.)

☐ one or more managers.

or

☒ the members.

6. *(The following statement is adopted by marking the box.)*

☒ There is at least one member of the limited liability company.

7. *(If the following statement applies, adopt the statement by marking the box and include an attachment.)*

☐ This document contains additional information as provided by law.

8. *(Caution: Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.)*

(If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)

The delayed effective date and, if applicable, time of this document is/are _____.
(mm/dd/yyyy hour:minute am/pm)

Notice:
Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that the document is the individual's act and deed, or that the individual in good faith believes the document is the act and deed of the person on whose behalf the individual is causing the document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S., the constituent documents, and the organic statutes, and that the individual in good faith believes the facts stated in the document are true and the document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the Secretary of State, whether or not such individual is named in the document as one who has caused it to be delivered.

9. The true name and mailing address of the individual causing the document to be delivered for filing are

Borne (Last) Ruth (First) _____ (Middle) _____ (Suffix)

P.O. Box 7833
(Street number and name or Post Office Box information)

Avon (City) CO (State) 81620 (ZIP/Postal Code)

_____ (Province – if applicable) United States (Country).

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

☐ This document contains the true name and mailing address of one or more additional individuals causing the document to be delivered for filing.

Disclaimer:
This form/cover sheet, and any related instructions, are not intended to provide legal, business or tax advice, and are furnished without representation or warranty. While this form/cover sheet is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form/cover sheet. Questions should be addressed to the user's legal, business or tax advisor(s).

E-Filed

Colorado Secretary of State
Date and Time: 07/10/2022 09:47 AM
ID Number: 20181541894

Document number: 20221672124
Amount Paid: $10.00

Document must be filed electronically.
Paper documents are not accepted.
Fees & forms are subject to change.
For more information or to print copies
of filed documents, visit www.sos.state.co.us.

ABOVE SPACE FOR OFFICE USE ONLY

Periodic Report

filed pursuant to §7-90-301, et seq. and §7-90-501 of the Colorado Revised Statutes (C.R.S)

ID number: 20181541894

Entity name: Midtown Lofts, LLC

Jurisdiction under the law of which the entity was formed or registered: Colorado

1. Principal office street address:
1003 Main Street - Office
(Street name and number)

Minturn (*City*) CO (*State*) 81645 (*Postal/Zip Code*)
(*Province – if applicable*) United States (*Country – if not US*)

2. Principal office mailing address: (if different from above)
P.O. Box 955
(Street name and number or Post Office Box information)

Minturn (*City*) CO (*State*) 81645 (*Postal/Zip Code*)
CO (*Province – if applicable*) United States (*Country – if not US*)

3. Registered agent name: (if an individual) _____ (*Last*) _____ (*First*) _____ (*Middle*) _____ (*Suffix*)

or (if a business organization) SBR Investments, LLC

4. The person identified above as registered agent has consented to being so appointed.

5. Registered agent street address:
PO Box 955
(Street name and number)

Minturn (*City*) CO (*State*) 81645 (*Postal/Zip Code*)

6. Registered agent mailing address: (if different from above)
PO Box 961
(Street name and number or Post Office Box information)

Minturn (*City*) CO (*State*) 81645 (*Postal/Zip Code*)
(*Province – if applicable*) United States (*Country – if not US*)

Notice:
Causing this document to be delivered to the secretary of state for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that the document is the individual's act and deed, or that the individual in good faith believes the document is the act and deed of the person on whose behalf the individual is causing the document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S., the constituent documents, and the organic statutes, and that the individual in good faith believes the facts stated in the document are true and the document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the secretary of state, whether or not such individual is named in the document as one who has caused it to be delivered.

7. Name(s) and address(es) of the individual(s) causing the document to be delivered for filing:

Bianchi	Jennifer		
(Last)	*(First)*	*(Middle)*	*(Suffix)*

PO Box 961
(Street name and number or Post Office Box information)

Minturn	CO	81645
(City)	*(State)*	*(Postal/Zip Code)*

	United States
(Province – if applicable)	*(Country – if not US)*

(The document need not state the true name and address of more than one individual. However, if you wish to state the name and address of any additional individuals causing the document to be delivered for filing, mark this box ☐ *and include an attachment stating the name and address of such individuals.)*

Disclaimer:
This form, and any related instructions, are not intended to provide legal, business or tax advice, and are offered as a public service without representation or warranty. While this form is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form. Questions should be addressed to the user's attorney.

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF FACT OF GOOD STANDING

I, Jena Griswold, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

Midtown Lofts, LLC

is a

Limited Liability Company

formed or registered on 07/09/2018 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20181541894 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 06/29/2020 that have been posted, and by documents delivered to this office electronically through 07/01/2020 @ 09:34:10 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 07/01/2020 @ 09:34:10 in accordance with applicable law. This certificate is assigned Confirmation Number 12440048 .

Jena Griswold

Secretary of State of the State of Colorado

**********End of Certificate**********

Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's Web site, http://www.sos.state.co.us/biz/CertificateSearchCriteria.do entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, http://www.sos.state.co.us/ click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."

The printed portions of this form, except differentiated additions, have been approved by the Colorado Real Estate Commission. (D1-10-19) (Mandatory 1-20)

WARRANTY DEED

Grantor, **SBR INVESTMENTS, LLC**, whose address is: 300 Acorn Drive, Brighton, Michigan 48116 for consideration of ten dollars and no/100 ($10.00) hereby grants, conveys, and transfers to the Grantee, **MIDTOWN LOFTS LLC,** a Colorado limited liability company whose address is: P.O. Box 955, Minturn, Colorado 81645, the following real property, to wit:

Section: 35 Township: 5 Range: 81 PC LIN SE 1/4 NE 1/4 (Parcel No. 2103-351-01-060) – 961 S. Main Street

SOUTH MINTURN ADDITION Lot: 12 (Parcel No. 2103-351-01) – 981 S. Main Street

SOUTH MINTURN ADDITION Lot: 11 (Parcel No. 2103-351-01-016) – 987 S. Main Street

SOUTH MINTURN ADDITION Lot: 13 (Parcel No. 2103-351-01-018) – 989 S. Main Street

with all its appurtenances (Property), and warrant(s) the title to the following:

- Grantor currently hold full title to the real estate;
- Grantor owns the right to transfer title to the Property;
- The Property is free of liens or other defects not disclosed in the deed.
- No claimant will assert superior title to the real estate; and .
- If an adverse claim arises, the Grantor will defend the Grantee's title.

Signed this 9th day of August, 2022.

GRANTOR:

Daniel D. Armstead VP, its Manager AMG General Inc, Mgr
SBR INVESTMENTS, LLC

DONNA L TAYLOR
Notary Public – State of Michigan
County of Livingston
My Commission Expires Nov 26, 2023
Acting in the County of Livingston

STATE OF MICHIGAN)
) ss.
COUNTY OF Livingston)

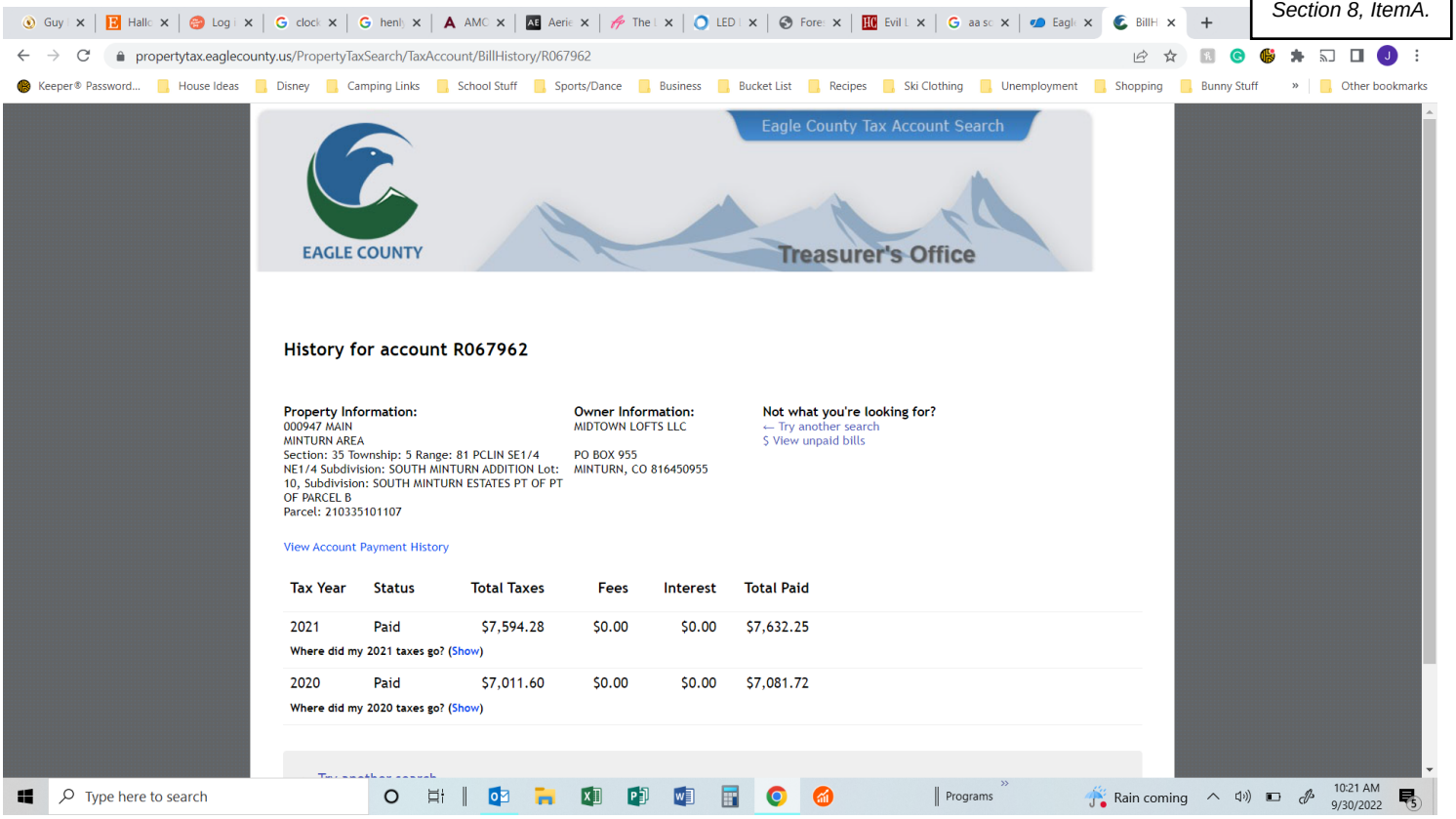
The foregoing instrument was acknowledged before me this 9th day of August, 2022, by Daniel D. Armistead.

Witness my hand and official seal.

My commission expires: 11-26-2023

Donna L. Layla
Notary Public

DONNA L TAYLOR
Notary Public – State of Michigan
County of Livingston
My Commission Expires Nov 26, 2023
Acting in the County of Livingston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Eagle County Tax Account Search
EAGLE COUNTY
Treasurer's Office
History for account R067962
Property Information:
000947 MAIN
MINTURN AREA
Section: 35 Township: 5 Range: 81 PCLIN SE1/4 NE1/4 Subdivision: SOUTH MINTURN ADDITION Lot: 10, Subdivision: SOUTH MINTURN ESTATES PT OF PT OF PARCEL B
Parcel: 210335101107
Owner Information:
MIDTOWN LOFTS LLC
PO BOX 955
MINTURN, CO 816450955
Not what you're looking for?
← Try another search
$ View unpaid bills
View Account Payment History
Tax Year Status Total Taxes Fees Interest Total Paid
2021 Paid $7,594.28 $0.00 $0.00 $7,632.25
Where did my 2021 taxes go? (Show)
2020 Paid $7,011.60 $0.00 $0.00 $7,081.72
Where did my 2020 taxes go? (Show)
Type here to search
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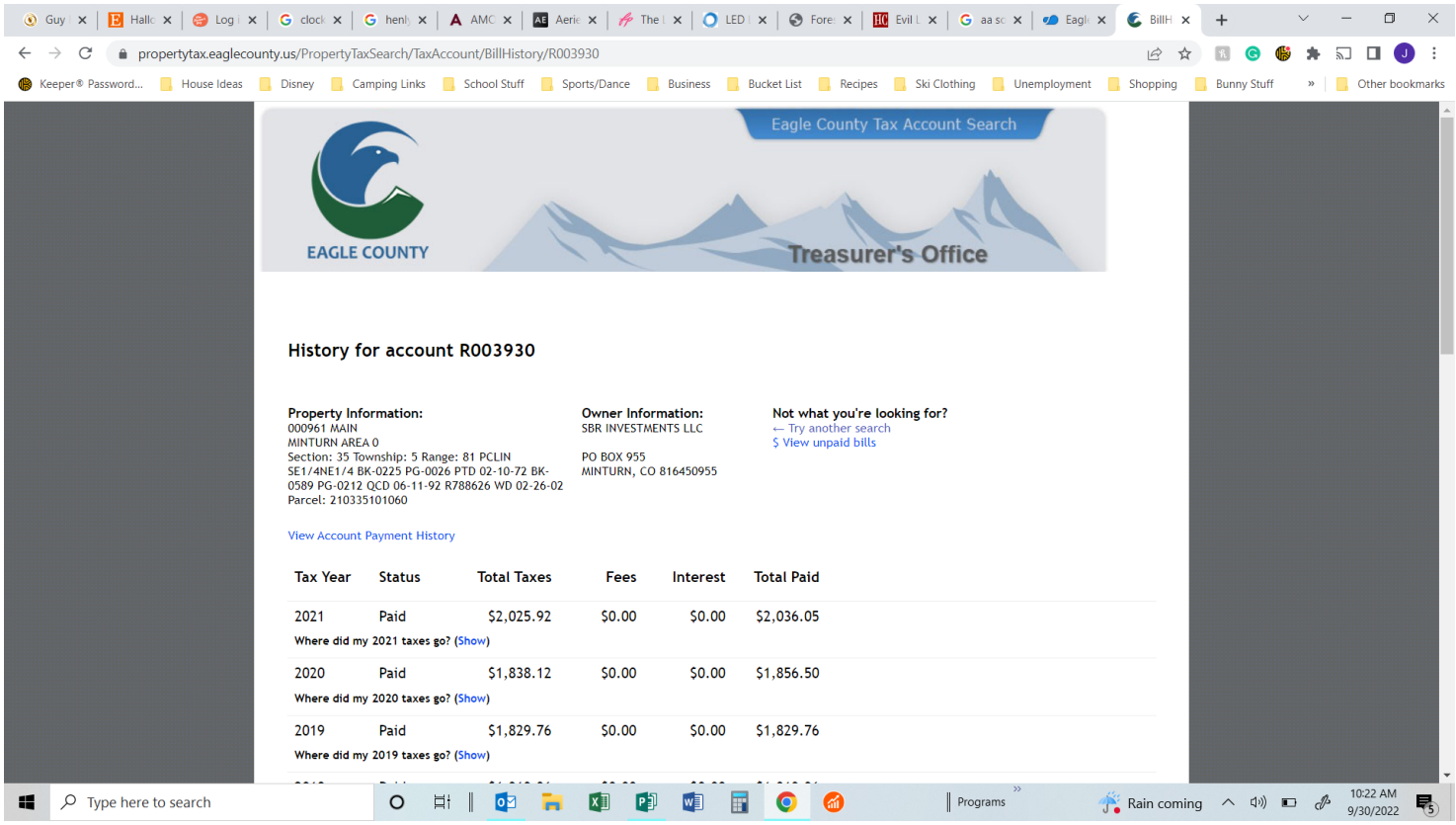
9/30/2022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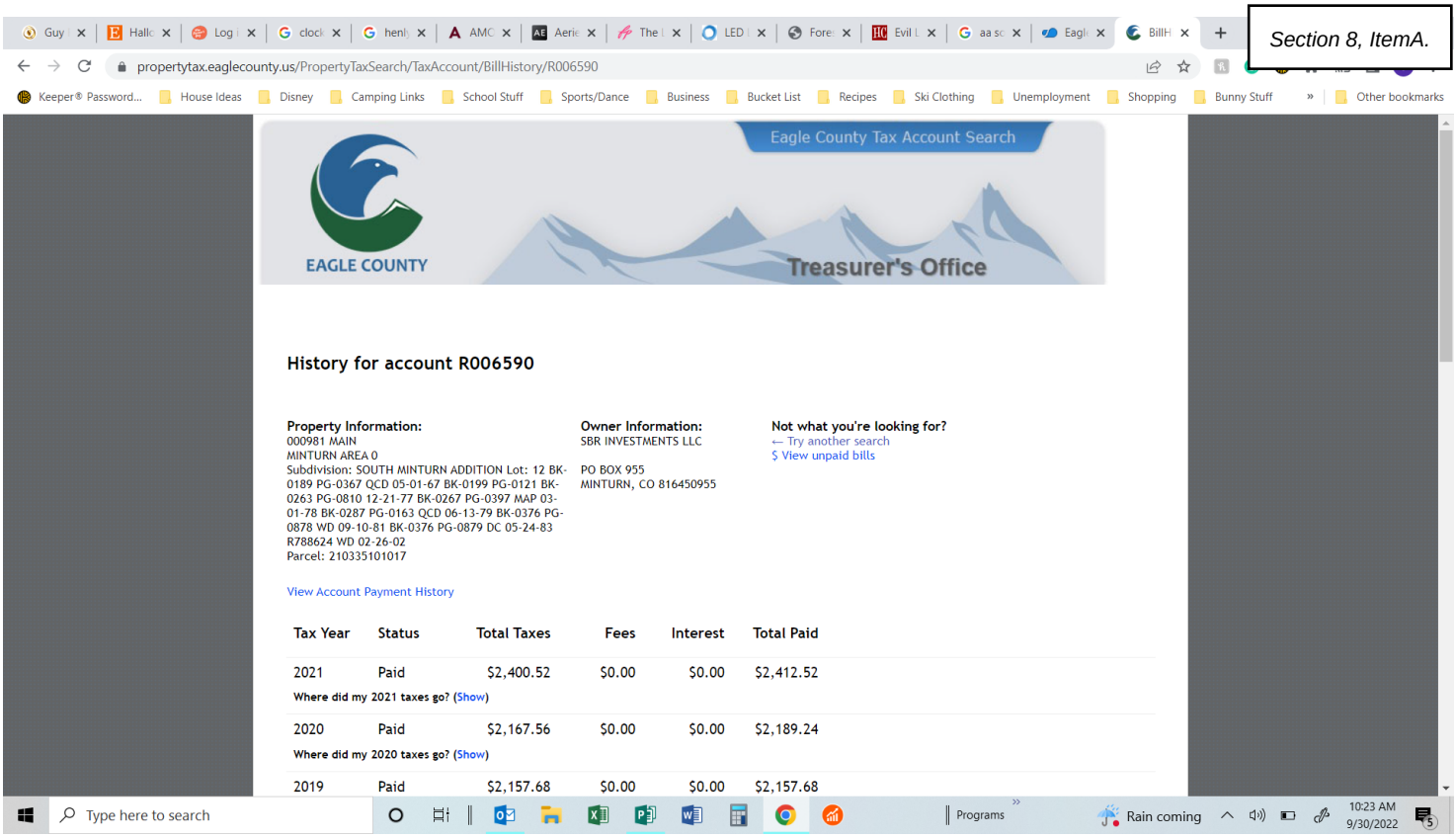
Eagle County Tax Account Search
EAGLE COUNTY
Treasurer's Office
History for account R003930
Property Information:
000961 MAIN
MINTURN AREA 0
Section: 35 Township: 5 Range: 81 PCLIN SE1/4NE1/4 BK-0225 PG-0026 PTD 02-10-72 BK-0589 PG-0212 QCD 06-11-92 R788626 WD 02-26-02
Parcel: 210335101060
Owner Information:
SBR INVESTMENTS LLC
PO BOX 955
MINTURN, CO 816450955
Not what you're looking for?
← Try another search
$ View unpaid bills
View Account Payment History
Tax Year Status Total Taxes Fees Interest Total Paid
2021 Paid $2,025.92 $0.00 $0.00 $2,036.05
Where did my 2021 taxes go? (Show)
2020 Paid $1,838.12 $0.00 $0.00 $1,856.50
Where did my 2020 taxes go? (Show)
2019 Paid $1,829.76 $0.00 $0.00 $1,829.76
Where did my 2019 taxes go? (Show)
Type here to search
Programs
Rain coming
10:22 AM
9/30/2022



propertytax.eaglecounty.us/PropertyTaxSearch/TaxAccount/BillHistory/R006590

EAGLE COUNTY

Eagle County Tax Account Search

Treasurer's Office

History for account R006590

Property Information:
000981 MAIN
MINTURN AREA 0
Subdivision: SOUTH MINTURN ADDITION Lot: 12 BK-0189 PG-0367 QCD 05-01-67 BK-0199 PG-0121 BK-0263 PG-0810 12-21-77 BK-0267 PG-0397 MAP 03-01-78 BK-0287 PG-0163 QCD 06-13-79 BK-0376 PG-0878 WD 09-10-81 BK-0376 PG-0879 DC 05-24-83 R788624 WD 02-26-02
Parcel: 210335101017

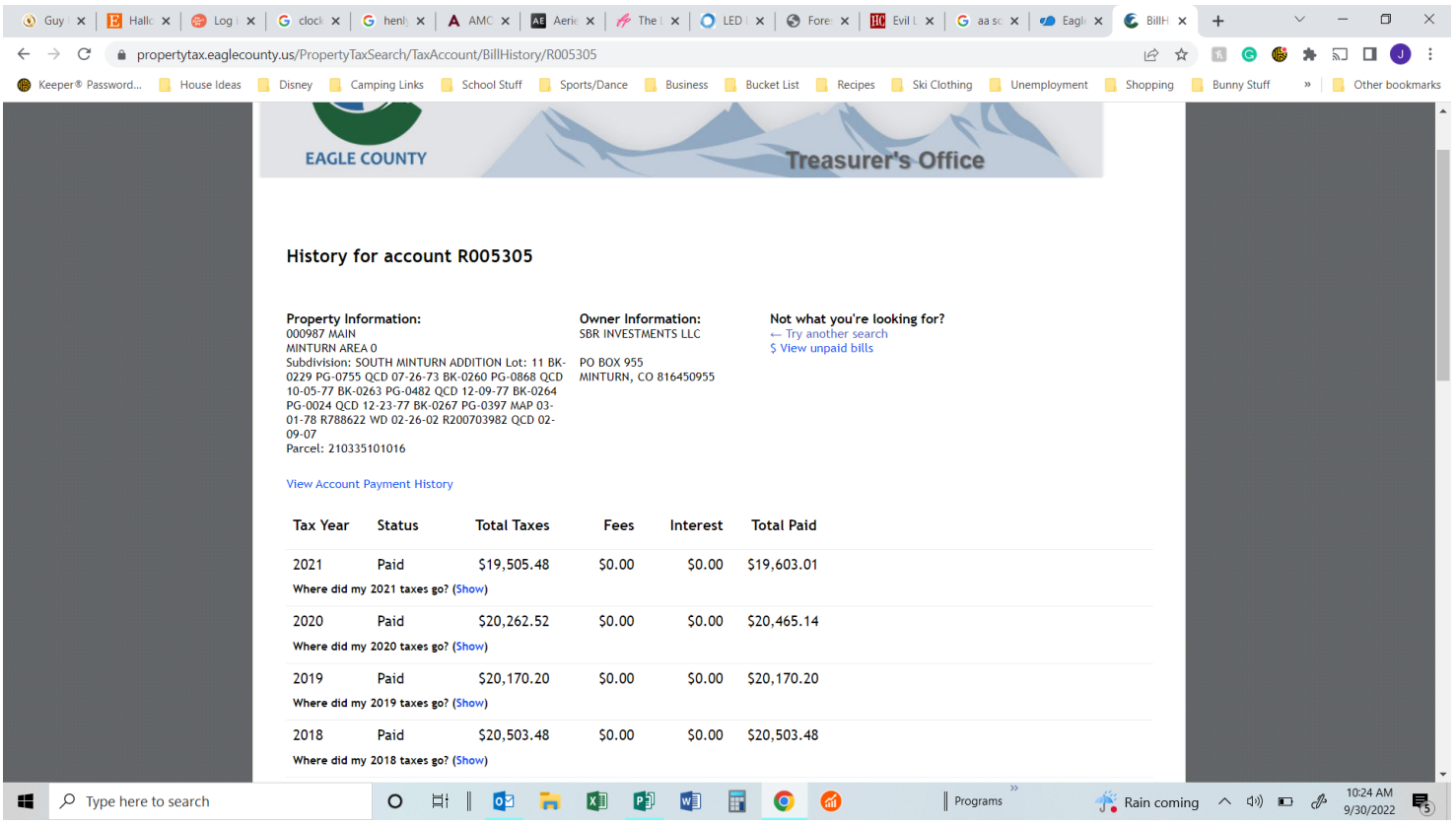
Owner Information:
SBR INVESTMENTS LLC

PO BOX 955
MINTURN, CO 816450955

Not what you're looking for?
← Try another search
$ View unpaid bills

View Account Payment History

Tax Year	Status	Total Taxes	Fees	Interest	Total Paid
2021	Paid	$2,400.52	$0.00	$0.00	$2,412.52
Where did my 2021 taxes go? (Show)					
2020	Paid	$2,167.56	$0.00	$0.00	$2,189.24
Where did my 2020 taxes go? (Show)					
2019	Paid	$2,157.68	$0.00	$0.00	$2,157.68



propertytax.eaglecounty.us/PropertyTaxSearch/TaxAccount/BillHistory/R005305

EAGLE COUNTY

Treasurer's Office

History for account R005305

Property Information:
000987 MAIN
MINTURN AREA 0
Subdivision: SOUTH MINTURN ADDITION Lot: 11 BK-0229 PG-0755 QCD 07-26-73 BK-0260 PG-0868 QCD 10-05-77 BK-0263 PG-0482 QCD 12-09-77 BK-0264 PG-0024 QCD 12-23-77 BK-0267 PG-0397 MAP 03-01-78 R788622 WD 02-26-02 R200703982 QCD 02-09-07
Parcel: 210335101016

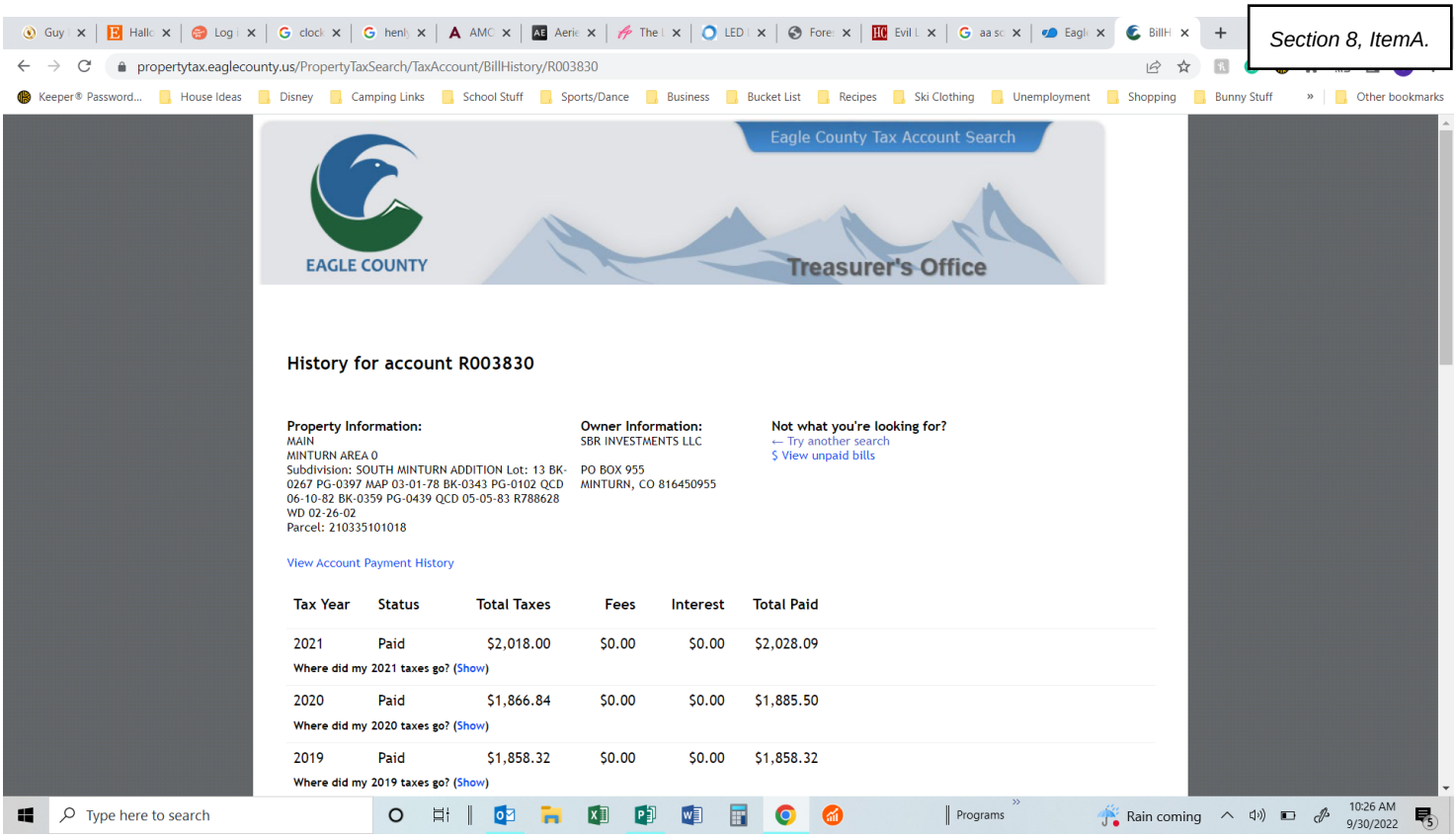
Owner Information:
SBR INVESTMENTS LLC

PO BOX 955
MINTURN, CO 816450955

Not what you're looking for?
← Try another search
$ View unpaid bills

View Account Payment History

Tax Year	Status	Total Taxes	Fees	Interest	Total Paid
2021	Paid	$19,505.48	$0.00	$0.00	$19,603.01
Where did my 2021 taxes go? (Show)					
2020	Paid	$20,262.52	$0.00	$0.00	$20,465.14
Where did my 2020 taxes go? (Show)					
2019	Paid	$20,170.20	$0.00	$0.00	$20,170.20
Where did my 2019 taxes go? (Show)					
2018	Paid	$20,503.48	$0.00	$0.00	$20,503.48
Where did my 2018 taxes go? (Show)					



propertytax.eaglecounty.us/PropertyTaxSearch/TaxAccount/BillHistory/R003830

Eagle County Tax Account Search

EAGLE COUNTY Treasurer's Office

History for account R003830

Property Information:
MAIN
MINTURN AREA 0
Subdivision: SOUTH MINTURN ADDITION Lot: 13 BK-0267 PG-0397 MAP 03-01-78 BK-0343 PG-0102 QCD 06-10-82 BK-0359 PG-0439 QCD 05-05-83 R788628 WD 02-26-02
Parcel: 210335101018

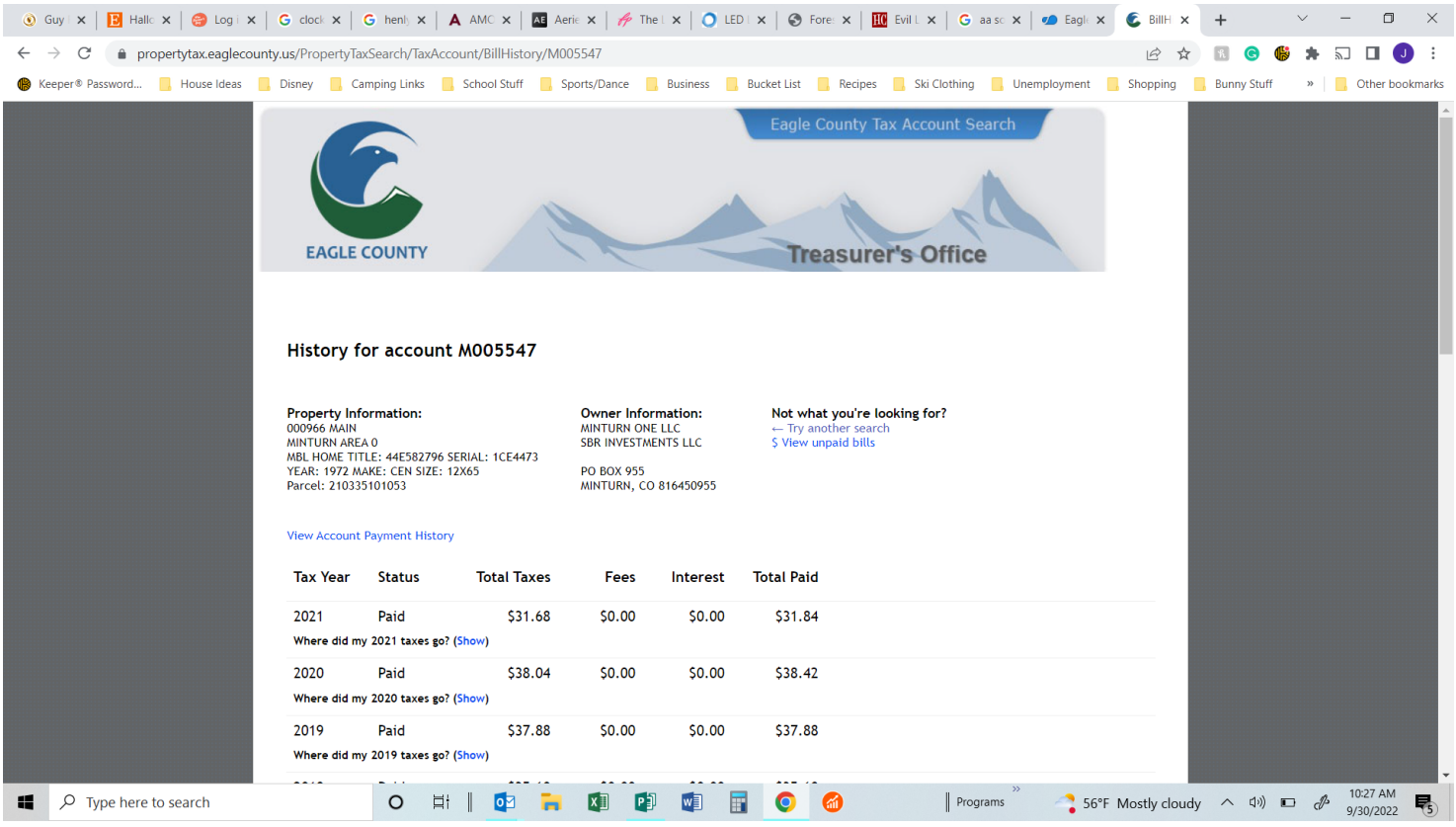
Owner Information:
SBR INVESTMENTS LLC

PO BOX 955
MINTURN, CO 816450955

Not what you're looking for?
← Try another search
$ View unpaid bills

View Account Payment History

Tax Year	Status	Total Taxes	Fees	Interest	Total Paid
2021	Paid	$2,018.00	$0.00	$0.00	$2,028.09
Where did my 2021 taxes go? (Show)					
2020	Paid	$1,866.84	$0.00	$0.00	$1,885.50
Where did my 2020 taxes go? (Show)					
2019	Paid	$1,858.32	$0.00	$0.00	$1,858.32
Where did my 2019 taxes go? (Show)					



propertytax.eaglecounty.us/PropertyTaxSearch/TaxAccount/BillHistory/M005547

Eagle County Tax Account Search

EAGLE COUNTY Treasurer's Office

History for account M005547

Property Information:
000966 MAIN
MINTURN AREA 0
MBL HOME TITLE: 44E582796 SERIAL: 1CE4473
YEAR: 1972 MAKE: CEN SIZE: 12X65
Parcel: 210335101053

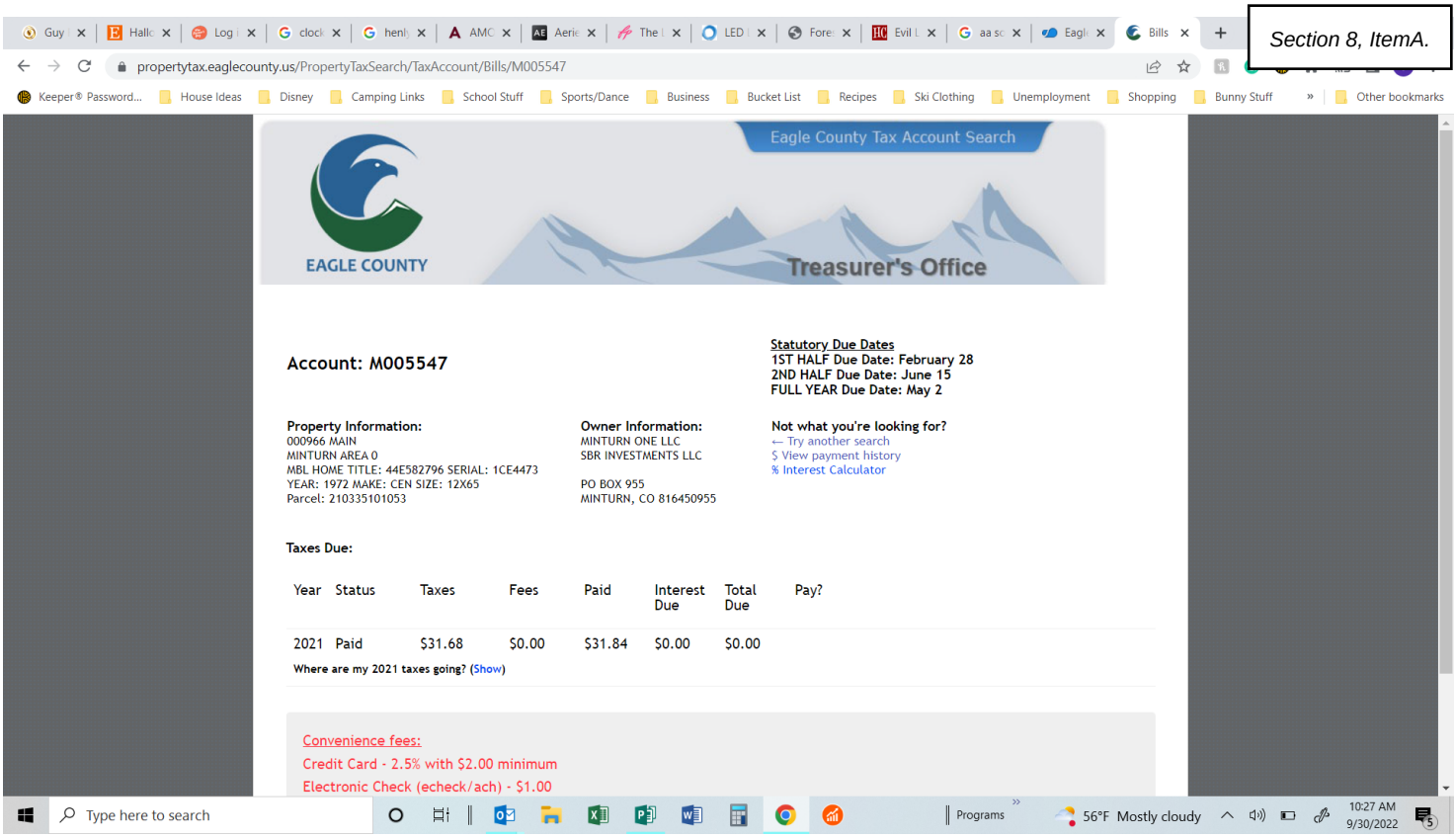
Owner Information:
MINTURN ONE LLC
SBR INVESTMENTS LLC

PO BOX 955
MINTURN, CO 816450955

Not what you're looking for?
← Try another search
$ View unpaid bills

View Account Payment History

Tax Year	Status	Total Taxes	Fees	Interest	Total Paid
2021	Paid	$31.68	$0.00	$0.00	$31.84
Where did my 2021 taxes go? (Show)					
2020	Paid	$38.04	$0.00	$0.00	$38.42
Where did my 2020 taxes go? (Show)					
2019	Paid	$37.88	$0.00	$0.00	$37.88
Where did my 2019 taxes go? (Show)					



propertytax.eaglecounty.us/PropertyTaxSearch/TaxAccount/Bills/M005547

EAGLE COUNTY

Eagle County Tax Account Search

Treasurer's Office

Account: M005547

Statutory Due Dates
1ST HALF Due Date: February 28
2ND HALF Due Date: June 15
FULL YEAR Due Date: May 2

Property Information:
000966 MAIN
MINTURN AREA 0
MBL HOME TITLE: 44E582796 SERIAL: 1CE4473
YEAR: 1972 MAKE: CEN SIZE: 12X65
Parcel: 210335101053

Owner Information:
MINTURN ONE LLC
SBR INVESTMENTS LLC

PO BOX 955
MINTURN, CO 816450955

Not what you're looking for?
← Try another search
$ View payment history
% Interest Calculator

Taxes Due:

Year	Status	Taxes	Fees	Paid	Interest Due	Total Due	Pay?
2021	Paid	$31.68	$0.00	$31.84	$0.00	$0.00	

Where are my 2021 taxes going? (Show)

Convenience fees:
Credit Card - 2.5% with $2.00 minimum
Electronic Check (echeck/ach) - $1.00

Type here to search

Programs

56°F Mostly cloudy

10:27 AM
9/30/2022

Land Title GUARANTEE COMPANY Since 1967

Customer Distribution

Prevent fraud - Please call a member of our closing team for wire transfer instructions or to initiate a wire transfer. Note that our wiring instructions will never change.

Order Number: **RND50070589-3** Date: **03/04/2024**

Property Address: **947, 961, 981, 987 AND 989 MAIN STREET, MINTURN, CO 81645**

For Closing Assistance

For Title Assistance

Scott Cieslewicz
5975 GREENWOOD PLAZA BLVD
GREENWOOD VILLAGE, CO 80111
(303) 850-4189 (Work)
scieslewicz@ltgc.com

Seller/Owner
MIDTOWN LOFTS, LLC, A COLORADO LIMITED LIABILITY COMPANY
Attention: JEFF ARMISTEAD/DD ARMISTEAD
P.O. BOX 955
Minturn, CO 81645
jafamilyman@gmail.com
ddunbar66@comcast.net
Delivered via: Electronic Mail

Surveyor
GORE RANGE SURVEYING
Attention: SAM ECKER
PO BOX 15
AVON, CO 81620
(970) 479-8698 (Work)
(970) 479-0055 (Work Fax)
sam@gorerange.net
Delivered via: Electronic Mail

Attorney for Seller
BORNE LAW
Attention: RUTH O BORNE
P.O. BOX 7833
27 MAIN STREET SUITE 103 EDWARDS, CO 81632
AVON, CO 81620
(970) 390-8027 (Cell)
(970) 748-1187 (Work)
(970) 748-1189 (Work Fax)
ruth@bornelaw.com
Delivered via: Electronic Mail

Estimate of Title Fees

Order Number: RND50070589-3 **Date:** 03/04/2024

Property Address: 947, 961, 981, 987 AND 989 MAIN STREET, MINTURN, CO 81645

Seller(s): MIDTOWN LOFTS LLC, A COLORADO LIMITED LIABILITY COMPANY

Buyer(s): A BUYER TO BE DETERMINED

Thank you for putting your trust in Land Title. Below is the estimate of title fees for the transaction. The final fees will be collected at closing. Visit **ltgc.com** to learn more about Land Title.

Estimate of Title Insurance Fees	
"TBD" Commitment	$265.00
Tax Certificate	$27.00
TOTAL	**$292.00**

Note: The documents linked in this commitment should be reviewed carefully. These documents, such as covenants conditions and restrictions, may affect the title, ownership and use of the property. You may wish to engage legal assistance in order to fully understand and be aware of the implications of the documents on your property.

Chain of Title Documents:

Eagle county recorded 10/28/2022 under reception no. 202217083

Plat Map(s):

Eagle county recorded 03/01/1978 under reception no. 163774

ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule A

Order Number: RND50070589-3

Property Address:

947, 961, 981, 987 AND 989 MAIN STREET, MINTURN, CO 81645

1. **Effective Date:**

   02/23/2024 at 5:00 P.M.

2. **Policy to be Issued and Proposed Insured:**

   "TBD" Commitment $0.00
   Proposed Insured:
   A BUYER TO BE DETERMINED

3. **The estate or interest in the land described or referred to in this Commitment and covered herein is:**

   FEE SIMPLE

4. **Title to the estate or interest covered herein is at the effective date hereof vested in:**

   MIDTOWN LOFTS LLC, A COLORADO LIMITED LIABILITY COMPANY

5. **The Land referred to in this Commitment is described as follows:**

PARCEL 1:

PARCEL A:

A PARCEL OF LAND BEING A PORTION OF LOT 10, SOUTH MINTURN ADDITION, RECORDED MARCH 1, 1978, AT RECEPTION NO. 163774 AND A PORTION OF PARCEL B, SOUTH MINTURN ESTATES, RECORDED NOVEMBER 07, 1988 AT RECEPTION NO. 390713 SITUATED IN THE NE1/4 OF SECTION 35, TOWNSHIP 5 SOUTH, RANGE 81 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF MINTURN, COUNTY OF EAGLE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 1.5" ALUMINUM CAP LS #14109, MARKING A WESTERLY CORNER OF SAID LOT 10, FROM WHENCE A 1.5" ALUMINUM CAP SET IN CONCRETE MARKING AN ANGLE POINT OF SAID PARCEL B, BEARS N41°25'32"W 307.94 FEET, SAID LINE FORMING THE BASIS OF BEARINGS FOR THE FOLLOWING DESCRIPTION: LEAVING SAID WESTERLY CORNER ALONG A WESTERLY LINE OF SAID LOT 10, N40°57'36"E 19.39 FEET TO A POINT BEING THE SOUTHEASTERLY CORNER OF A PARCEL OF LAND DESCRIBED IN INSTRUMENT RECORDED MAY 27, 1993 AT RECEPTION NO. 506114, ALSO KNOWN AS LOT 9; THENCE CONTINUING ALONG A LINE COMMON TO SAID LOT 9 AND LOT 10, N40°57'36"E 190.00 FEET TO A FOUND #5 REBAR LOCATED ON THE SOUTHERLY RIGHT OF WAY OF U.S. HIGHWAY 24, MARKING A COMMON CORNER OF SAID LOT 9 AND 10; THENCE ALONG SAID RIGHT OF WAY 200.75 FEET ALONG A ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 2905 FEET, INTERIOR ANGLE OF 03°57'34" AND A CHORD WHICH BEARS S52°21'01"E 200.71 FEET TO A FOUND 1.5" ALUMINUM CAP ON #5 REBAR LS #30091 MARKING THE NORTHWESTERLY CORNER OF PARCEL 3 AS BEING DESCRIBED IN INSTRUMENT RECORDED OCTOBER 29, 2013, UNDER RECEPTION NO. 201321950; THENCE LEAVING SAID RIGHT OF WAY ALONG THE WESTERLY LINE OF SAID PARCEL 3, S38°19'59W 150.48 FEET TO A FOUND 1.5" ALUMINUM CAP LS #30091 MARKING A CORNER COMMON TO SAID LOT 10 AND PARCEL 3; THENCE ALONG A LINE COMMON TO SAID LOT 10 AND PARCEL 1 AS BEING DESCRIBED IN INSTRUMENT RECORDED OCTOBER 29, 2013 AT RECEPTION NO. 201321950, S 39°30'38"W 105.96 FEET TO A FOUND 1.5" ALUMINUM CAP ON #5 REBAR LS #14109 MARKING A CORNER COMMON TO SAID LOT 10 AND PARCEL 1, AND ALSO THE NORTHWESTERLY CORNER OF PARCEL 5, AS DESCRIBED IN INSTRUMENT RECORDED OCTOBER 29, 2013 AT RECEPTION NO. 201321950; THENCE LEAVING SAID LINE COMMON TO SAID LOT 10 AND PARCEL 1, ALONG A LINE KNOWN AS THE SOUTHERLY BOUNDARY OF SAID LOT 10 N36°46'00"W 101.53 FEET TO AN ANGLE POINT COMMON TO SAID LOT 10, AND PARCEL B; THENCE ALONG A LINE COMMON TO SAID PARCEL B, S89°40'00"W 43.35 FEET TO A FOUND 1.5" ALUMINUM CAP ON #5 REBAR, STAMPED LS #38079; THENCE N38°57'47"W 46.20 FEET TO A FOUND 1.5" ALUMINUM CAP ON #5 REBAR STAMPED LS #38079 FOUND ALONG SAID OLD

ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule A

Order Number: RND50070589-3

FENCE LINE NOTED IN ADVERSE POSSESSION CASE NO. 90 CV 625, DESCRIBED IN INSTRUMENT RECORDED MAY 4, 2015 UNDER RECEPTION NO. 201507801; THENCE N30°02'13"W 32.15 FEET ALONG SAID FENCE LINE TO A FOUND 1.5" ALUMINUM CAP ON #5 REBAR, STAMPED LS #38079; THENCE N46°00'32"E 23.29 FEET ALONG SAID FENCE LINE TO A FOUND 1.5" ALUMINUM CAP ON #5 REBAR, STAMPED LS #38079, MARKING A COMMON CORNER OF SAID LOT 10 AND PARCEL B; THENCE N41°59'45"W 4.37 FEET LEAVING SAID FENCE LINE ALONG A LINE COMMON TO SAID LOT 10 AND PARCEL B TO THE POINT OF BEGINNING.

SAID LEGAL DESCRIPTION PREPARED BY
RANDALL P. KIPP, P.L.S. #38079
FOR AND ON BEHALF OF
KIPP LAND SURVEYING
P.O.BOX 3154
EAGLE, CO 81631
JOB NO.: 15025

PARCEL B AKA PARCEL Q:

A PARCEL OF LAND SITUATED IN THE NW1/4 OF SECTION 35, TOWNSHIP 5 SOUTH, RANGE 81 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF MINTURN, COUNTY OF EAGLE, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 3.5" ALUMINUM CAP SET IN A ROCK, STAMPED U.S.D.A. A/P. 18, LS #7235 MARKING A COMMON CORNER OF TRACT A, U.S FOREST SERVICE PROPERTY AS DESCRIBED IN WARRANTY DEED RECORDED AUGUST 17, 1979 IN BOOK 289 AT PAGE 952 AND PARCEL 5, AS DESCRIBED IN INSTRUMENT RECORDED OCTOBER 29, 2013 AT RECEPTION NO. 201321950; THENCE ALONG A SAID TRACT A, THE U.S. FOREST SERVICE PROPERTY LINE, N49° 11'55"W 105.19 FEET, TO A FOUND 3.5" ALUMINUM CAP SET ON A 3" PIPE, STAMPED U.S.D.A A/P. 19, LS #7235 MARKING A COMMON CORNER OF SAID TRACT A, THE U.S. FOREST SERVICE AND ALSO BEING THE BASIS OF BEARINGS FOR THIS LEGAL DESCRIPTION; THENCE LEAVING SAID TRACT A, ALONG A COMMON LINE WITH PARCEL 1 AS DESCRIBED IN INSTRUMENT RECORDED MARCH 17, 2000 AT RECEPTION NO. 727477, N 24° 04'46" E 22.26 FEET, TO A FOUND 1.25" BLUE PLASTIC CAP LS # 37924 A POINT ON SAID LINE OF PARCEL 1; THENCE CONTINUING ALONG LINE, N 24° 04'48" E 1.14 FEET, TO A POINT ON A COMMON LINE WITH LOT 10, SOUTH MINTURN ADDITION, A PARCEL OF LAND DESCRIBED IN INSTRUMENTS RECORDED JUNE 22, 2016 AT RECEPTION NO. 201609476 AND 201609477 AND RECORDED JUNE 16, 2016 AT RECEPTION NO. 201609187; AND BEING A CORNER OF SAID PARCEL 1; THENCE ALONG SAID COMMON LINE, N89° 40'00" E 16.65 FEET, TO A POINT AND CORNER ON A LINE COMMON TO SAID LOT 10 SOUTH MINTURN ADDITION; THENCE ALONG SAID COMMON LINE TO SAID LOT 10, S36° 46'00" E 101.53 FEET, TO A FOUND 1.5" ALUMINUM CAP LS # 14109, MARKING THE SOUTHEASTERLY CORNER OF PARCEL 1, AS DESCRIBED IN INSTRUMENT RECORDED OCTOBER 29, 2013 AT RECEPTION NO. 201321950 AND THE NORTHWESTERLY CORNER OF SAID PARCEL 5; THENCE ALONG A LINE COMMON TO SAID PARCEL 5, S39° 37'54"W 11.51 FEET, TO THE POINT OF BEGINNING.

SAID LEGAL DESCRIPTION PREPARED BY
RANDALL P. KIPP, P.L.S. #38079
FOR AND ON BEHALF OF
KIPP LAND SURVEYING
P.O.BOX 3154
EAGLE, CO 81631
JOB NO.: 15025

PARCEL 2:

ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule A

Order Number: RND50070589-3

PARCEL A:

A PARCEL OF LAND IN THE COUNTY OF EAGLE AND STATE OF COLORADO LOCATED IN THE NORTHEAST ONE QUARTER OF SECTION 35 TOWNSHIP 5 SOUTH, RANGE 81 WEST OF THE 6TH PRINCIPAL MERIDIAN ACCORDING TO THE DEPENDENT RESURVEY OF SAID TOWNSHIP AND RANGE AS APPROVED BY THE U.S. DEPARTMENT OF INTERIOR GENERAL LAND OFFICE IN DENVER, COLORADO, ON JUNE 13, 1943; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT A POINT ON THE SOUTHWESTERLY RIGHT OF WAY BOUNDARY LINE OF U.S. HIGHWAY NO. 24 FROM WHICH THE NORTH ONE QUARTER CORNER OF SAID SECTION 35 BEARS N. 47° 20' 46" W. 1931.82 FEET DISTANT; THENCE ALONG THE SOUTHWESTERLY RIGHT OF WAY BOUNDARY LINE OF U.S. HIGHWAY NO. 24 12.03 FEET ON A CURVE TO THE LEFT WITH A RADIUS OF 2905.00 FEET, THE CHORD OF WHICH BEARS S. 55° 07' 45" E. 12.03 FEET; THENCE S. 39° 02' W. 147.80 FEET; THENCE S. 54° 16' 00" E. 66.18 FEET TO AN EXISTING FENCE LINE; THENCE ALONG SAID FENCE LINE S. 39° 01' 56" W. 155.00 FEET; THENCE N. 33° 26' 16" W. 128.88 FEET TO A POINT ON AN EXISTING FENCE LINE; THENCE ALONG SAID FENCE LINE N. 39° 27' 34" E. 105.96 FEET; THENCE S. 32° 34' E. 46.41 FEET; THENCE N. 39° 02" E. 168.00 FEET TO A POINT OF BEGINNING,

EXCEPTING THEREFROM ANY PORTION CONTAINED IN WARRANTY DEED RECORDED AUGUST 17, 1979 IN BOOK 289 AT PAGE **952**,

COUNTY OF EAGLE, STATE OF COLORADO.

PARCEL B:

THAT PART OR PARCEL OF LAND LYING AND BEING SOUTHERLY OF AND ADJACENT TO COLORADO U.S. HIGHWAY NO. 24 IN THE SOUTHEAST QUARTER OF THE NORTHEAST (SE1/4NE1/4) OF SECTION THIRTY-FIVE (35) IN TOWNSHIP (5) SOUTH, RANGE EIGHTY-ONE (81) WEST OF THE 6TH PRINCIPAL MERIDIAN, IN EAGLE COUNTY, COLORADO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT A POINT ON THE SOUTHERLY RIGHT OF WAY BOUNDARY OF COLORADO U.S. HIGHWAY 24 FROM WHICH THE NORTH QUARTER CORNER OF SECTION 35, TOWNSHIP 5 SOUTH, RANGE 81 WEST OF THE 6TH PRINCIPAL MERIDIAN BEARS NORTH 47° 14' WEST 1980.5 FEET; THENCE SOUTH 29° 11' WEST 150 FEET, THENCE NORTHWESTERLY 65.0 FEET TO A POINT WHICH IS 29° 11' WEST FROM A POINT 150 FEET SOUTH OF THE SOUTHERLY RIGHT OF WAY BOUNDARY OF COLORADO U.S. HIGHWAY NO. 24, THENCE NORTH 29° 11' EAST 150 FEET TO THE SOUTHERLY RIGHT OF WAY BOUNDARY OF COLORADO U.S. HIGHWAY NO. 24, THENCE ALONG SAID RIGHT OF WAY BOUNDARY ON A 1° 58' CURVE TO THE LEFT 65 FEET TO THE PLACE OF BEGINNING,

EXCEPTING THEREFROM, ANY PORTION CONTAINED IN DECREE RECORDED NOVEMBER 19, 1981 IN BOOK 332 AT PAGE **295**,

COUNTY OF EAGLE, STATE OF COLORADO.

ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule A

Order Number: RND50070589-3

PARCEL C:

DESCRIPTION AS NOW LOCATED:

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 5 SOUTH, RANGE 81 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EAGLE COUNTY, COLORADO ACCORDING TO THE DEPENDENT RESURVEY OF SAID TOWNSHIP AND RANGE AS APPROVED BY THE U.S. SURVEYOR GENERAL IN DENVER, COLORADO ON SEPTEMBER 13, 1943; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY BOUNDARY LINE OF U.S. HIGHWAY NO. 24 FROM WHICH THE EAST QUARTER CORNER OF SAID SECTION 35, A BRASS CAP MONUMENT FOUND IN PLACE, BEARS S. 42° 47' 06" E. 2050.33 FEET DISTANT; THENCE S. 39° 02' 00" W. 168.00 FEET; THENCE N. 32° 34' 00" W. 46.41 FEET; THENCE N. 38° 16' 57" E. 150.48 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY BOUNDARY LINE OF U.S. HIGHWAY NO. 24; THENCE ALONG SAID RIGHT-OF-WAY 46.10 FEET ALONG THE ARC OF A CURVE TO THE LEFT WITH A RADIUS OF 2905.00 FEET, THE CHORD OF WHICH BEARS S. 54° 33' 22" E. 46.10 FEET TO THE POINT OF BEGINNING.

DESCRIPTION AS PER CHAIN OF TITLE:

A PARCEL OF LAND LYING SOUTHERLY OF AND ADJACENT TO THE SOUTHERLY BOUNDARY LINE OF THE RIGHT OF WAY OF U.S. HIGHWAY NO. 24, IN THE NE1/4 OF SECTION 35, TOWNSHIP 5 SOUTH, RANGE 81 WEST OF THE 6TH P.M. DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY BOUNDARY LINE OF THE RIGHT OF WAY OF SAID HIGHWAY FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION BEARS N. 46° 46' WEST 1858.5 FEET;
THENCE SOUTH 29° 11' WEST 148 FEET TO THE NORTHERLY CORNER OF PARCEL OF LAND CONVEYED TO THE COLORADO STATE HIGHWAY DEPARTMENT BY DEED RECORDED IN BOOK 126 AT PAGE **421**, EAGLE COUNTY COLORADO RECORDER'S RECORDS:
THENCE SOUTH 31° 36' EAST ALONG THE NORTHEASTERLY BOUNDARY LINE OF SAID LAST MENTIONED PARCEL OF LAND 57.3 FEET, TO THE MOST EASTERLY CORNER OF SAID PARCEL, WHICH CORNER IS LOCATED ON THE NORTHWESTERLY LINE OF PARCEL OF LAND DESCRIBED IN THE DEED RECORDED IN BOOK 126 AT PAGE **232** OF SAID RECORDS:
THENCE NORTH 29° 11' EAST, ALONG SAID NORTHWESTERLY LINE OF LAST MENTIONED PARCEL OF LAND 168 FEET TO THE SOUTHERLY BOUNDARY LINE OF THE RIGHT OF WAY OF SAID HIGHWAY
THENCE WESTERLY ALONG SAID SOUTHERLY RIGHT OF WAY LINE ON A 1° 58' CURVE TO THE RIGHT 50.1 FEET TO THE POINT OF BEGINNING. COUNTY OF EAGLE, STATE OF COLORADO.

PARCEL D:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST ONE QUARTER OF THE NORTHEAST ONE QUARTER OF SECTION 35, TOWNSHIP 5 SOUTH, RANGE 81 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EAGLE, STATE OF COLORADO; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule A

Order Number: RND50070589-3

BEGINNING AT A POINT FROM WHICH THE NORTH ONE QUARTER CORNER OF SECTION 35 BEARS N. 43° 23' 43" W. 2023.67 FEET DISTANT; THENCE S. 55° 14' 18" E. 63.14 FEET; THENCE S. 51° 36' 36" E. 47.54 FEET; THENCE S. 35° 09' 57 " W. 210.42 FEET; THENCE N. 33° 12' 13" W. 130.94 FEET; THENCE N. 39° 01' 56" E. 164.76 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ANY PORTIONS THAT MAY BE CONTAINED WITHIN INSTRUMENTS RECORDED AUGUST 17, 1979 IN BOOK 289 AT PAGE 952, NOVEMBER 19, 981 IN BOOK 332 AT PAGE 295 AND JUNE 18, 1985 IN BOOK 417 AT PAGE 312,

COUNTY OF EAGLE, STATE OF COLORADO.

PARCEL E:

A PARCEL OF LAND SITUATED IN A PART OF SECTION 35, TOWNSHIP 5 SOUTH, RANGE 81 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EAGLE, STATE OF COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 3" BRASS CAP MONUMENT, SAID POINT BEING ANGLE POINT NO. 18 OF THE "FOREST PROPERTY BOUNDARY SURVEY" RECORDED IN BOOK 469 AT PAGE 371 IN THE OFFICE OF THE EAGLE COUNTY CLERK AND RECORDER, FROM WHENCE A 3" BRASS CAP MONUMENT FOUND MARKING ANGLE POINT NO. 17 OF SAID "FOREST PROPERTY BOUNDARY SURVEY" BEARS S 33° 12' 13" E. 260.01 FEET, SAID LINE FORMING THE BASIS OF BEARINGS FOR THE DESCRIPTION; THENCE N 39° 37' 37" E 11.52 FEET TO A 1 1/2" ALUMINUM CAP FOUND ON A NO. 5 REBAR, L.S. NO. 14109, SAID POINT BEING THE WESTERLY CORNER OF THE "FORMER MCCULLOM PARCEL" PER THE DECREE IN QUIET TITLE ACTION RECORDED OCTOBER 23, 1992 AT RECEPTION NO. 488393 IN THE OFFICE OF THE EAGLE COUNTY CLERK AND RECORDER; THENCE S 33° 25' 38" E 127.51 FEET ALONG THE WESTERLY BOUNDARY OF SAID "FORMER MCCULLOM PARCEL" TO A 1 1/2" ALUMINUM CAP FOUND ON A NO. 5 REBAR, L.S. NO. 4551, SAID POINT BEING THE SOUTHERLY CORNER OF SAID "FORMER MCCULLOM PARCEL" THENCE DEPARTING SAID "FORMER MCCULLOM PARCEL" S 39° 11' 59" W 12.07 FEET TO A POINT ON THE LINE BETWEEN SAID ANGLE POINTS 17 AND 18, THENCE ALONG SAID LINE N 33° 12' 13" W 127.76 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ANY PORTION CONTAINED IN WARRANTY DEED RECORDED AUGUST 17, 1979 IN BOOK 289 AT PAGE 952,

COUNTY OF EAGLE, STATE OF COLORADO.

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ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule B, Part I

(Requirements)

Order Number: RND50070589-3

All of the following Requirements must be met:

This proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.

Pay the agreed amount for the estate or interest to be insured.

Pay the premiums, fees, and charges for the Policy to the Company.

Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.

THIS COMMITMENT IS FOR INFORMATION ONLY, AND NO POLICY WILL BE ISSUED PURSUANT HERETO.

ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule B, Part II

(Exceptions)

Order Number: RND50070589-3

This commitment does not republish any covenants, condition, restriction, or limitation contained in any document referred to in this commitment to the extent that the specific covenant, conditions, restriction, or limitation violates state or federal law based on race, color, religion, sex, sexual orientation, gender identity, handicap, familial status, or national origin.

1. **Any facts, rights, interests, or claims thereof, not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.**
2. **Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.**
3. **Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.**
4. **Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.**
5. **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 of the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.**
6. **(a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.**
7. **(a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water.**
8. EXISTING LEASES AND TENANCIES, IF ANY.
9. RIGHT OF THE PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE HIS ORE THEREFROM, SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES HEREBY GRANTED, AND A RIGHT OF WAY FOR DITCHES OR CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES, AS RESERVED IN UNITED STATES PATENT RECORDED MAY 02, 1904 IN BOOK 48 AT PAGE 502 AND FEBRUARY 18, 1929 IN BOOK 106 AT PAGE 517.
10. AN EASEMENT AND RIGHT TO USE SEWER TANKS AND LEACHING FIELD AS RESERVED IN DEED RECORDED JULY 1, 1965 IN BOOK 188 AT PAGE 345.
11. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN RIGHT OF WAY GRANT RECORDED JANUARY 21, 1970 IN BOOK 216 AT PAGE 914.
12. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS TO ANY INTERESTS, AS SET FORTH IN WARRANTY DEED RECORDED FEBRUARY 19, 1970 IN BOOK 217 AT PAGE 120.
13. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ANNEXATION ORDINANCES RECORDED DECEMBER 20, 1974 IN BOOK 238 AT PAGES 4 AND 94, MARCH 1, 1978 IN BOOK 267 AT PAGE 398 AND DECEMBER 14, 1981 IN BOOK 333 AT PAGES 349 AND 351.
14. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF ANNEXATION PLAT FOR SOUTH MINTURN ADDITION TO THE TOWN OF MINTURN RECORDED MARCH 01, 1978 IN BOOK 267 AT PAGE 397.
15. ANNEXATION ORDINANCE NO. 159, SERIES OF 1978, RECORDED MARCH 1, 1978 IN BOOK 267 AT PAGE 398 AND RECORDED DECEMBER 14, 1981 IN BOOK 333 AT PAGE 351.

ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule B, Part II

(Exceptions)

Order Number: RND50070589-3

16. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE SURVEYS RECORDED SEPTEMBER 08, 1987 IN BOOK 469 AT PAGE 371 AND 372, INCLUDING, BUT NOT LIMITED TO ANY LOSS, DAMAGE OR CLAIMS THEREIN DUE TO ANY OCCUPANCY, AS SET FORTH ON SAID SURVEYS.
17. THE FAILURE OF THE SOUTHERN BOUNDARY LINE OF THE LAND TO BE CONGRUENT WITH THE NORTHERN BOUNDARY LINE OF THAT CERTAIN PROPERTY OWNED BY THE MILLER FAMILY TRUST AS DESCRIBED BY DEED RECORDED APRIL 17, 2000, UNDER RECEPTION NO. 727477, AND ANY CONSEQUENCES OF THE GAP, STRIP, OR GORE CREATED THEREBY.
18. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE EAGLE RIVER FIRE PROTECTION DISTRICT, AS EVIDENCED BY INSTRUMENT RECORDED JUNE 24, 2002, UNDER RECEPTION NO. 799500 AND MAP RECORDED DECEMBER 7, 2009 UNDER RECEPTION NO. 26003.
19. ANY LOSS, DAMAGE, CLAIM OR INTEREST RESULTING FROM THE ERRORS AND/OR OMISSIONS WITHIN THE GRANTEE AND THE LEGAL DESCRIPTION WITHIN EXHIBIT A, OF QUIT CLAIM DEED RECORDED MAY 8, 2012 UNDER RECEPTION NO. 201209032.
20. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE UPPER EAGLE VALLEY SANITATION DISTRICT, AS EVIDENCED BY INSTRUMENT RECORDED MARCH 28, 2017, UNDER RECEPTION NO. 201705247 AND 201705251.
21. ANY LOSS, DAMAGE OR CLAIM ARISING FROM GAPS OR OVERLAPS BETWEEN PROPERTIES HEREIN AND ADJACENT PROPERTIES, AS SET FORTH IN DEED RECORDED NOVEMBER 30, 1987 IN BOOK 474 AT PAGE 879 AS TO PARCEL 3 HEREIN, AND AS MAY EXIST WITH ALL THE SUBJECT PROPERTIES HEREIN, AND ANY PROPERTIES ADJACENT THERETO.
22. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE EAGLE RIVER FIRE PROTECTION DISTRICT, AS EVIDENCED BY INSTRUMENTS RECORDED JUNE 24, 2002, UNDER RECEPTION NO. 799500 AND DECEMBER 7, 2009 UNDER RECEPTION NO. 200926003.
23. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN FINDINGS OF FACT, CONCLUSIONS OF LAW AND RULING OF REFEREE RECORDED JUNE 07, 2006 UNDER RECEPTION NO. 200615125.
24. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN CLAIM OF EASEMENT RECORDED NOVEMBER 18, 2011 UNDER RECEPTION NO. 201121549.
25. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN ENCROACHMENT AUTHORIZATION RECORDED NOVEMBER 18, 2011 UNDER RECEPTION NO. 201121550.
26. (THIS ITEM WAS INTENTIONALLY DELETED)
27. THE EFFECT OF ANY DAMAGE, FAILURE OF TITLE, OR OTHER LOSS, DIRECTLY OR INDIRECTLY ASSOCIATED WITH ANY TRAILER, MOBILE HOME OR SIMILAR PERSONAL PROPERTY LOCATED ON SUBJECT PROPERTY.
28. DEED OF TRUST DATED OCTOBER 28, 2022, FROM MIDTOWN LOFTS LLC, A COLORADO LIMITED LIABILITY COMPANY TO THE PUBLIC TRUSTEE OF EAGLE COUNTY, COLORADO FOR THE USE OF FIRSTBANK TO SECURE THE SUM OF $2,500,000.00 RECORDED OCTOBER 28, 2022, UNDER RECEPTION NO. 202217084.

ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule B, Part II

(Exceptions)

Order Number: RND50070589-3

SAID DEED OF TRUST WAS FURTHER SECURED IN ASSIGNMENT OF RENTS RECORDED DECEMBER 27, 2023, UNDER RECEPTION NO. **202317008**.

MODIFICATION AGREEMENT IN CONNECTION WITH SAID MORTGAGE RECORDED DECEMBER 27, 2023 UNDER RECEPTION NO. **202317008**.

Land Title Guarantee Company
Disclosure Statements

Note: Pursuant to CRS 10-11-122, notice is hereby given that:

(A) The Subject real property may be located in a special taxing district.

(B) A certificate of taxes due listing each taxing jurisdiction will be obtained from the county treasurer of the county in which the real property is located or that county treasurer's authorized agent unless the proposed insured provides written instructions to the contrary. (for an Owner's Policy of Title Insurance pertaining to a sale of residential real property).

(C) The information regarding special districts and the boundaries of such districts may be obtained from the Board of County Commissioners, the County Clerk and Recorder, or the County Assessor.

Note: Effective September 1, 1997, CRS 30-10-406 requires that all documents received for recording or filing in the clerk and recorder's office shall contain a top margin of at least one inch and a left, right and bottom margin of at least one half of an inch. The clerk and recorder may refuse to record or file any document that does not conform, except that, the requirement for the top margin shall not apply to documents using forms on which space is provided for recording or filing information at the top margin of the document.

Note: Colorado Division of Insurance Regulations 8-1-2 requires that "Every title entity shall be responsible for all matters which appear of record prior to the time of recording whenever the title entity conducts the closing and is responsible for recording or filing of legal documents resulting from the transaction which was closed". Provided that Land Title Guarantee Company conducts the closing of the insured transaction and is responsible for recording the legal documents from the transaction, exception number 5 will not appear on the Owner's Title Policy and the Lenders Policy when issued.

Note: Affirmative mechanic's lien protection for the Owner may be available (typically by deletion of Exception no. 4 of Schedule B, Section 2 of the Commitment from the Owner's Policy to be issued) upon compliance with the following conditions:

(A) The land described in Schedule A of this commitment must be a single family residence which includes a condominium or townhouse unit.

(B) No labor or materials have been furnished by mechanics or material-men for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months.

(C) The Company must receive an appropriate affidavit indemnifying the Company against un-filed mechanic's and material-men's liens.

(D) The Company must receive payment of the appropriate premium.

(E) If there has been construction, improvements or major repairs undertaken on the property to be purchased within six months prior to the Date of Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and or the contractor; payment of the appropriate premium fully executed Indemnity Agreements satisfactory to the company, and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.

No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay.

Note: Pursuant to CRS 10-11-123, notice is hereby given:

This notice applies to owner's policy commitments disclosing that a mineral estate has been severed from the surface estate, in Schedule B-2.

(A) That there is recorded evidence that a mineral estate has been severed, leased, or otherwise conveyed from the surface estate and that there is substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property; and

(B) That such mineral estate may include the right to enter and use the property without the surface owner's permission.

Note: Pursuant to CRS 10-1-128(6)(a), It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance, and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies.

Note: Pursuant to Colorado Division of Insurance Regulations 8-1-3, notice is hereby given of the availability of a closing protection letter for the lender, purchaser, lessee or seller in connection with this transaction.

Note: Pursuant to CRS 24-21-514.5, Colorado notaries may remotely notarize real estate deeds and other documents using real-time audio-video communication technology. You may choose not to use remote notarization for any document.

Joint Notice of Privacy Policy of
Land Title Guarantee Company
Land Title Insurance Corporation and
Old Republic National Title Insurancy Company

This Statement is provided to you as a customer of Land Title Guarantee Company as agent for Land Title Insurance Corporation and Old Republic National Title Insurance Company.

We want you to know that we recognize and respect your privacy expectations and the requirements of federal and state privacy laws. Information security is one of our highest priorities. We recognize that maintaining your trust and confidence is the bedrock of our business. We maintain and regularly review internal and external safeguards against unauthorized access to your non-public personal information ("Personal Information").

In the course of our business, we may collect Personal Information about you from:

- applications or other forms we receive from you, including communications sent through TMX, our web-based transaction management system;
- your transactions with, or from the services being performed by us, our affiliates, or others;
- a consumer reporting agency, if such information is provided to us in connection with your transaction;

  and
- The public records maintained by governmental entities that we obtain either directly from those entities, or from our affiliates and non-affiliates.

Our policies regarding the protection of the confidentiality and security of your Personal Information are as follows:

- We restrict access to all Personal Information about you to those employees who need to know that information in order to provide products and services to you.
- We may share your Personal Information with affiliated contractors or service providers who provide services in the course of our business, but only to the extent necessary for these providers to perform their services and to provide these services to you as may be required by your transaction.
- We maintain physical, electronic and procedural safeguards that comply with federal standards to protect your Personal Information from unauthorized access or intrusion.
- Employees who violate our strict policies and procedures regarding privacy are subject to disciplinary action.
- We regularly assess security standards and procedures to protect against unauthorized access to Personal Information.

WE DO NOT DISCLOSE ANY PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT STATED ABOVE OR PERMITTED BY LAW.

Consistent with applicable privacy laws, there are some situations in which Personal Information may be disclosed. We may disclose your Personal Information when you direct or give us permission; when we are required by law to do so, for example, if we are served a subpoena; or when we suspect fraudulent or criminal activities. We also may disclose your Personal Information when otherwise permitted by applicable privacy laws such as, for example, when disclosure is needed to enforce our rights arising out of any agreement, transaction or relationship with you.

Our policy regarding dispute resolution is as follows: Any controversy or claim arising out of or relating to our privacy policy, or the breach thereof, shall be settled by arbitration in accordance with the rules of the American Arbitration

Association, and judgment upon the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof.

Commitment For Title Insurance
Issued by Old Republic National Title Insurance Company

NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON. .

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, Old Republic National Title Insurance Company, a Minnesota corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured. If all of the Schedule B, Part I—Requirements have not been met within 6 months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

COMMITMENT CONDITIONS

1. DEFINITIONS
   (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
   (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
   (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
   (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
   (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
   (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
   (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
   (h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:
   (a) the Notice;
   (b) the Commitment to Issue Policy;
   (c) the Commitment Conditions;
   (d) Schedule A;
   (e) Schedule B, Part I—Requirements; and
   (f) Schedule B, Part II—Exceptions; and
   (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

4. **COMPANY'S RIGHT TO AMEND**

   The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. **LIMITATIONS OF LIABILITY**
   (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
      i. comply with the Schedule B, Part I—Requirements;
      ii. eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
      iii. acquire the Title or create the Mortgage covered by this Commitment.
   (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
   (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
   (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
   (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
   (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
   (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

6. **LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT**
   (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
   (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
   (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.

(d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
(e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
(f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. **IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT**

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. **PRO-FORMA POLICY**

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. **ARBITRATION**

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is $2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at http://www.alta.org/arbitration.

IN WITNESS WHEREOF, Land Title Insurance Corporation has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A to be valid when countersigned by a validating officer or other authorized signatory.

Issued by:
Land Title Guarantee Company
3033 East First Avenue Suite 600
Denver, Colorado 80206
303-321-1880

Craig B. Rants, Senior Vice President

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
A Stock Company
400 Second Avenue South, Minneapolis, Minnesota 55401
(612) 371-1111

By *President*

Attest *Secretary*

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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MIDTOWN VILLAGE

ADJACENT PROPERTY OWNERS LIST

915 MAIN STREET –

MEDINA, FRANK & CONSUELO V.
Owner Address PO BOX 308
MINTURN, CO 81645-0308

921 MAIN STREET

ROYBAL, SYLVIA A. & LEROY A.
Owner Address PO BOX 473
MINTURN, CO 81645-0473

936 / 942 MAIN STREET

SMART VENTURES LLC
Owner Address 4801 E CYPRESS LANDING DR
LAKE CHARLES, LA 70605-5991

944 & 952 MAIN STREET

VASQUEZ, LEROY D. & DAVID H.
Owner Address PO BOX 747
MINTURN, CO 81645-0747

962 MAIN STREET

WOODRUFF, RHONDA - STEPHANOFF, ROBERT
Owner Address PO BOX 5055
VAIL, CO 81658-5055

974 & 976 MAIN STREET

YARDE, CRAIG
Owner Address PO BOX 833
MINTURN, CO 81645-0833

992 MAIN STREET

BRIGHTWELL, HENRY P. & LINDA P.
Owner Address 2123 LURAY AVE APT 6
CINCINNATI, OH 45206-2629

994 MAIN STREET

WHITEFORD, HEATHER - ALFOND, JOHN
Owner Address 122 W MEADOW DR UNIT B
VAIL, CO 81657-5077

996 MAIN STREET

YOUNG, WILLIAM MARK - BOVINO, BETH ANN
Owner Address 529 3RD ST
BROOKLYN, NY 11215-3001

998 MAIN STREET

WOODRUFF, JOHN - FEIGER, LYNN
Owner Address PO BOX 910
MINTURN, CO 81645-0910

991 & 997 MAIN STREET

TRUJILLO, JOSE C. & ETTA L.
Owner Address PO BOX 421
MINTURN, CO 81645-0421

350 KING RANCH ROAD

MILLER FAMILY TRUST
In Care Of Name FIRST NATIONAL BANK OF AMERICA
Owner Address PO BOX 980
EAST LANSING, MI 48826-0980

UNITED STATES FOREST SERVICE PROPERTIES

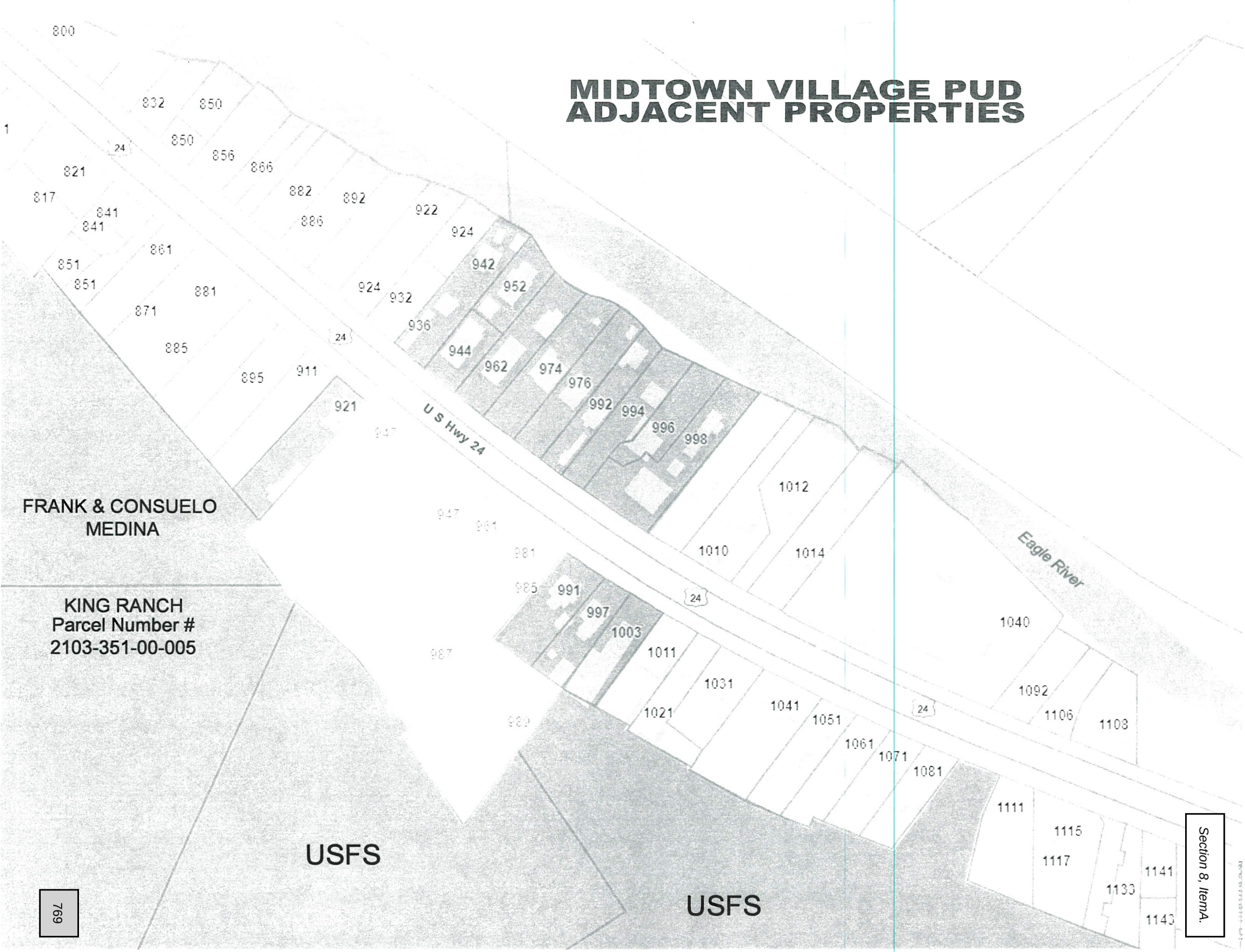
PARCEL #2103-342-00-001

PARCEL #2103-351-00-002

UNITED STATES OF AMERICA

Owner Address W 6TH AVE & KIPLING ST
LAKEWOOD, CO 80225-0546

MIDTOWN VILLAGE PUD
ADJACENT PROPERTIES



Minturn Forward Memo

TO:	Minturn Planning Commission
FROM:	Matt Farrar, Western Slope Consulting
DATE:	December 6, 2024
ATTACHMENTS:	Initial Draft (v2) of Article 8

To support the Planning Commission's review of the initial draft of Article 8: Subdivision Application Requirements and Procedures, this memo lists the key changes that have been made to Minturn's existing requirements for subdivision applications. Comments have been included in the initial draft of Article 8 to further assist with the Planning Commission's review.

Section 16-8-10: General Provisions

- The language under Subsection 16-8-10(A): Purpose comes directly from the existing Code. This language needs further refinement to better explain the purpose of the town's subdivision processes and to clarify that subdivisions include the division of land and buildings.

- An additional provision may be added that states all subdivisions must comply with the Town's Subdivision Standards. The existing Code has limited standards for subdivisions. Work on the Town's Subdivision Standards will be addressed at a later stage of the Code update process.

Section 16-8-20: Subdivision Application Types & Review Procedures

- A table has been added to provide a summary of the town's subdivision applications and their applicable review process.

- The required review processes for Exemption Plats, Minor Subdivisions, and Major Subdivision Sketch Plans are being worked on. Those requirements will be added to the table and shared with the Planning Commission for review.

Section 16-8-30: Public Notice Requirements

- A table has been added to provide a summary of the public notice requirements for each subdivision application.

- The public notice requirements for "Duplex, Condominium, or Townhome Subdivisions," "Exemption Plats," and "Minor Subdivisions" are being worked on. Those requirements will be added to the table and shared with the Planning Commission for review.

- The public notice requirements may be subject to further changes subject to input from the Town Attorney.

- "Major Activity Notice" is a statutory requirement for subdivisions of over 5-acres. This requirement has been included in the initial draft of Article 8. Input from the Town Attorney is necessary to confirm that this requirement needs to be included in Article 8.

Section 16-8-40: Waiver from Subdivision Standards

- This is a new Section that has been added to allow for flexibility in the requirements for subdivisions and to establish a process for reviewing and deciding on a request for a waiver from the Town's Subdivision Standards.

Section 16-8-50: Administrative Replat

- The "Applicability" and "Purpose" language has been modified to clarify that the Administrative Replat applies to the following. The existing Code is a bit vague about what the Administrative Replat is to be used for.
    - Any substantive changes (e.g., removal of a Plat note(s)) to a previously approved Final Plat.
    - The modification or elimination of one (1) or more lot lines.
- The submittal requirements for an Administrative Replat are subject to further refinement based on input from Town staff.
- The review criteria for an Administrative Replat have been modified and expanded to ensure they are appropriate for this type of application.
- Language has been added to clarify each step of the process required for an Administrative Replat application.

Section 16-8-60: Correction Plat

- In the existing Code, this Section is under Chapter 16: Zoning > Article 21: Administration and Procedures > Division 4: Miscellaneous Provisions. This Section has been moved under Article 8 because it is a type of subdivision application.
- The existing Code has no review criteria for a Correction Plat. Review criteria for a Correction Plat have been added.
- Language has been added to clarify each step of the process required for a Correction Plat application.

Section 16-8-70: Duplex, Condominium, or Townhome Subdivision

- In the existing Code, a Duplex, Condominium, or Townhome Subdivision is classified as Type B Minor Subdivision. This type of subdivision was broken out as a separate type of subdivision and application type in an effort to make the Code more user-friendly.
- The submittal requirements for a Duplex, Condominium, or Townhome Subdivision are subject to further refinement based on input from Town staff.
- Language has been added to clarify each step of the process required for a Duplex, Condominium, or Townhome Subdivision application.

Section 16-5-80: Exemption Plat

- This is a new type of subdivision and application type. The purpose of an Exemption Plat is to:

    1. Legalize illegally subdivided property.

    2. Create conveyable property that could otherwise be created via court action/judgement.

    3. Create property that is intended for use and preservation under conservation easement.

- The review process for an Exemption Plat is likely to entail a review/recommendation by Town staff and a review/decision by Town Council.

- The details of this Section are still being worked on and will be provided to the Planning Commission for review at a later time.

Section 16-5-90: Minor Subdivisions

- The existing Code includes the following under Minor Subdivisions:

    - Amended Final Plats

    - Type A Minor Subdivisions
      A subdivision creating not more than six (6) lots within property that has not previously been platted.

    - Type B Minor Subdivisions
      A subdivision creating not more than six (6) lots within a legally approved subdivision, or is a subdivision of a building containing condominiums, townhomes or duplexes, which may include the subdivision of land directly associated with that building.

- Under the initial draft of Article 8:

    - Amendments to an approved Final Plat will be addressed via the Administrative Replat or Correction Plat process, depending on the type of amendment proposed.

    - Duplex, Condominium, and Townhome Subdivisions are a separate type of subdivision and application.

- Staff is working to determine how to best address subdivisions of up to six (6) lots that are proposed for land that has not been platted (i.e., Type A Minor Subdivisions) and for land within a legally approved subdivision (i.e., Type B Minor Subdivisions). Therefore, a modified Minor Subdivision Section will be provided to the Planning Commission for review at a later time.

Sections 16-8-100 and 16-8-110: Mountaintop Estate & Ranch Lots

- The language under these Sections comes directly from the existing Code. The existing provisions for Mountaintop Estate and Ranch Lots are the result of a settlement agreement. Therefore, there is limited opportunity to revise these provisions without agreement from the landowner(s).

- Staff will be working with the Town Attorney and the landowner(s) to explore options for enhancing the legibility and usability of these Sections. Any changes to these Sections will be provided to the Planning Commission for review.

Section 16-8-120: Vacation of Public Right-of-Way or Easement

- The existing Code does not include specific review criteria for the vacation of a public right-of-way or easement. Review criteria have been added and are subject to further refinement based on input from Town staff and the Town Attorney.

- Language has been added to clarify each step of the process required for a vacation of public right-of-way or easement application.

Section 16-8-130: Major Subdivisions

- This is a new Section that has been added to clarify the applicability of the Major Subdivision process and the step-by-step process for Major Subdivisions.

Section 16-8-140: Major Subdivision - Sketch Plan

- This a new Section and step in the Major Subdivision process. The purpose of the Sketch Plan is to allow the applicant to present and discuss the concept for the proposed subdivision and obtain feedback from Town staff, the Planning Commission, and the Town Council. This is an optional step in the Major Subdivision process and is intended to assist the applicant with developing a subdivision that complies with this Code and is substantial conformance with the Community Plan.

- The details of this Section are still being worked on and will be provided to the Planning Commission for review at a later time.

Section 16-8-150: Major Subdivision - Preliminary Plat

- The submittal requirements for a Preliminary Plat are subject to further refinement based on input from Town staff.

- New review criteria for a Preliminary Plat have been added. The review criteria in the existing Code seem insufficient for a proper and complete review of a Preliminary Plat. These criteria are subject to further refinement based on input from Town staff.

- Language has been added to clarify each step of the process required for a Preliminary Plat application.

Section 16-8-160: Major Subdivision - Final Plat

- The review process for Final Plats has been modified from a two-step process (Step 1: Review/recommendation by Planning Commission and Step 2: Review/decision by Town Council) to a one-step process (Step 1: Review/decision by Town Council).

- The submittal requirements for a Final Plat are subject to further refinement based on input from Town staff.

- The review criteria for a Final Plat have been modified to improve their applicability. These criteria are subject to further refinement based on input from Town staff.

- Language has been added to clarify each step of the process required for a Final Plat application.

ARTICLE 8: SUBDIVISION APPLICATION REQUIREMENTS & PROCEDURES

Section 16-8-10: General Provisions

A. Purpose

Commented [MF1]: This language comes from the existing Code. It is subject to further refinement.

These subdivision regulations are intended and designed to protect the health, safety and welfare of the citizens of the Town by providing for orderly, controlled development; by requiring disclosure to purchasers of unknown risks; and by establishing minimum standards for the design of land subdivision projects to ensure that all public and private facilities, including streets and other forms of access, drainage, water supply and sanitation improvements necessary to support human occupation on the land, are provided while also protecting the land form, streams and vegetation from the effects of excessive earthwork and deforestation resulting in extensive erosion and other forms of environmental deterioration. To assure attainment of the objectives, it is necessary that each subdivision be planned in an efficient and economical manner.

The purpose of this Article is to establish minimum standards for the division of land and improvement of that land in the Town:

1. Establish reasonable and equitable procedures and standards for the subdivision of land.
2. Require the provision of safe and convenient vehicular and pedestrian traffic circulation.
3. Ensure that public facilities are available to serve development.
4. Conserve and manage natural resources.
5. Minimize the impacts of air and water pollution and the degradation of land.
6. Provide for open space and recreational land through efficient and appropriate subdivision design.
7. Guide future growth and development consistent with the Master Plan and the Land Use Regulations.
8. Maintain or improve safety from fire, flood and other potential disasters.
9. Provide adequate light, air and privacy for land uses.
10. Ensure that the subdivision of lands is recorded with proper legal descriptions and monuments.

B. Authority

The provisions of this Article are enacted and adopted pursuant to Article XX of the State Constitution and the Town Charter.

C. Applicability

1. As of the effective date of this Article, or amendment thereto, all subdivisions of land and any change to, or modification or alteration of, any platted lot, existing subdivision, public easement or right-of-way within the legal boundaries of the Town of Minturn shall comply with the provisions of this Article.

2. **Exemptions.**
   a. The following types of subdivisions are exempt from the provisions of this Article:

      i. Division of land created by a lien, mortgage, deed of trust, or any other security instrument.

      ii. Division of land created by an interest in an investment entity.

      iii. Division of land that creates cemetery lots within a lawfully existing cemetery.

      iv. Division of land that creates an interest in oil, gas, minerals, or water which is now or hereafter severed from the surface ownership of real property.

      v. Division of land created by the acquisition of an interest in land in the name of a spouse or other persons in joint tenancy or as tenants in common of such interest. For this specific exemption, any interest in common owned in joint tenancy shall be considered a single interest.

      vi. Division of land that creates a leasehold interest of less than three (3) years in term and involves no change in use or degree of use of the leasehold estate or will devote the leasehold estate solely to the growing of crops or livestock.

      vii. Division of land created by any court in the State of Colorado pursuant to the law of eminent domain or by operation of law, or by order of such court if the Town is given timely notice of any such pending action by the court and given opportunity to join as a party in interest in such proceeding for the purpose of raising the issue of evasion prior to entry of the court order.

      viii. Division of land that would be redundant, where the case involved a clerical error in a previously approved plat.

      ix. Division of land that would result in a property division for the purpose of perpetual open space.

   b. Town Council may exempt any division of land from the provisions of this Article if they determine:

      i. Such division is not within the purposes of this Chapter; AND

      ii. The method of disposition adopted is not for the purpose of evading the provisions of this Article.

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Section 16-8-20: Subdivision Types & Review Procedures

A. Overview

Table ## provides an overview of the types of subdivision applications permitted in the Town and their review procedures.

Table ##: Summary of Subdivision Application Types & Review Procedures

Application Type	Pre-Application Conference	Town Staff	Planning Commission	Town Council
Administrative Replat (refer to Section 16-8-##)	Required	D	-	-
Correction Plat (refer to Section 16-8-##)	Required	D	-	-
Duplex, Condominium, or Townhome Subdivision (refer to Section 16-8-##)	Required	D	-	-
Exemption Plat (refer to Section 16-8-##)	Required	#	#	#
Minor Subdivision (refer to Section 16-8-##)	Required	#	#	#
Mountaintop Estate Lots (refer to Section 16-8-##)	Required	D	-	-
Mountaintop Ranch Lots (refer to Section 16-8-##)	Required	R	D	D[1]
Vacation of Public Easement or Right-of-Way (refer to Section 16-8-##)	Required	R	R	D
Major Subdivision Applications				
Sketch Plan (Optional) (refer to Section 16-8-##)	Required	R	#	#
Preliminary Plat (refer to Section 16-8-##)	Required	R	R	D
Final Plat (refer to Section 16-8-##)	Required	R	-	D

LEGEND:
R = Reviews and Provides Recommendation(s); D = Reviews and Makes Final Decision

NOTES:
[1] If called-up by Town Council.

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Section 16-8-30: Public Notice Requirements

A. Overview

Table ## provides an overview of the public notice requirements for the Town's subdivision applications.

Table ##: Summary of Public Notice Requirements

Application Type	Type of Notice Required				
	Published	Mailed	Posted	Major Activity	Mineral Estate
Administrative Replat	X	X	X	X[1]	X[1]
Correction Plat	-	-	-	-	-
Duplex, Condominium, or Townhome Subdivision	#	#	#	X[1]	X[1]
Exemption Plat	#	#	#	#	#
Minor Subdivision	#	#	#	X[1]	X[1]
Mountaintop Estate Lots	-	-	-	X[1]	X[1]
Mountaintop Ranch Lots	X	X	X	X[1]	X[1]
Vacation of Public Easement or Right-of-Way	X	X	-	-	-
Major Subdivision Applications					
Sketch Plan	-	-	-	X[1]	X[1]
Preliminary Plat	X	X	X	X[1]	X[1]
Final Plat	X	X	X	X[1]	X[1]

LEGEND:
X = Required; - = Not required/not applicable

NOTES:
[1] Refer to Colorado Revised Statutes for mineral estate owner and major activity notice requirements and procedures.

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Section 16-8-40: Waiver from Subdivision Standards

A. Applicability

As part of an application for a Minor Subdivision or Preliminary Plan for a Major Subdivision, an applicant may request a waiver from the Subdivision Standards set forth in Article ##.

Commented [MF2]: Are there other types of subdivisions where a waiver from Subdivision Standards might be applicable?

B. Waiver Request

1. An applicant must submit a waiver request as part of their application. If a waiver request is not included as part of an application, it will not be considered by the Town.

Commented [MF3]: Is this language appropriate? Is it too restrictive?

2. A request for a waiver must address each of the following:
    a. Identify the standard(s) that an applicant is seeking a waiver from.
    b. Explain the justification for such a waiver.
    c. Demonstrate how the request complies with the applicable review criteria.
3. An applicant shall supplement their request with maps and/or other additional data, as deemed necessary by the Planning Director.

C. Waiver Review Criteria.

The Town Council may grant a waiver from the Subdivision Design Standards (refer to Article ##) if they find that the applicant has proposed an alternative that satisfies each of the following criteria:

1. The alternative achieves the intent of the subject standard or standards to the same degree or better.
2. The alternative imposes no greater impacts on the health, safety, or general welfare of the public, or on adjacent properties, than would occur through compliance with the specific standard(s).

D. Waiver Procedure.

1. A waiver request will be considered by the Planning Commission as part of the review process for a Minor Subdivision or a Preliminary Plan for a Major Subdivision. At the public hearing for the application, the Planning Commission will take one of the following actions:
    a. Recommend that the Town Council approve the requested waiver.
    b. Recommend that the Town Council deny the requested waiver.
2. The Town Council shall make the final determination of a waiver request as part of the review process for a Minor Subdivision or a Preliminary Plan for a Major Subdivision. At the public hearing for the application, the Town Council will take one of the following actions:
    a. Approve the requested waiver.
    b. Deny the requested waiver.

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In making a decision, the Town Council shall take into consideration the Planning Commission's recommendation.

3. Any approval of a waiver shall apply only to the specific subdivision for which it is requested. The approval of a waiver shall not establish a precedent for subsequent requests.

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Section 16-8-50: Administrative Replat

A. Applicability

1. The following must comply with the requirements and procedures set forth in this Section:

    a. Any substantive changes (e.g., removal of a Plat note(s)) to a previously approved Final Plat.

    b. The modification or elimination of one (1) or more lot lines

2. No more than four (4) lots, tracts, or parcels can be included in a request for an Administrative Replat.

3. If the subject property, or properties, is in a Planned Unit Development (PUD), no property outside the boundaries of the PUD may be included as part of a request for an Administrative Replat.

4. A public easement or right-of-way cannot be modified by an Administrative Replat. Lots, tracts, or parcels separated by a public right-of-way cannot be replatted administratively. If a vacation of a public easement or right-of-way is required as part of an Administrative Replat, such a request will be reviewed and processed in accordance with Section 16-8-##. An application for an Administrative Replat and an application for a vacation of a public easement or right-of-way may be reviewed concurrently.

5. The Administrative Replat process is not applicable if any of the following are required:

    a. Dedication of right-of-way.

    b. Public improvements.

    c. A traffic and/or drainage study.

    d. A subdivision improvement agreement.

Commented [MF4]: These requirements come from the existing Code. Should they be carried forward?

B. Purpose

The purpose of this Section is to provide an efficient administrative review process for making substantive changes to a previously approved Final Plat and/or modifying or eliminating one (1) or more lot lines.

C. Application Submittal Requirements

An application for an Administrative Replat shall include the following:

1. **Application.** A completed copy of the application form furnished by the Town. This form will, at minimum, require an applicant to submit the information listed in Subsection 16-#-##-#.

2. **Application Fee.** Payment for the applicable fee, as designated by the Town's schedule of fees, shall be made at the time of submittal of an application.

3. **Narrative.** A written statement that includes an explanation of the following:

a. The proposed change(s) and the reason for such change(s).

b. How the proposed change(s) complies with each of the review criteria set forth in this Section.

4. **Approved Final Plat.** A copy of the approved Final Plat that is to be modified.

5. **Amended Final Plat.** A Final Plat, prepared in accordance with Section 16-#-##, that depicts the proposed change(s).

6. **Traverse Closure Computations.** One (1) set of traverse closure computations corresponding to the proposed Final Plat.

7. **Monument Records.** One (1) set of monument records, if applicable.

8. **Plans, Reports, and Agreements.**
   a. Evidence that an overall final drainage report, street construction plans, and/or other site infrastructure plans have been approved for the Final Plat governing the Administrative Replat proposal and a subdivision improvement agreement is in place to guarantee all required public improvements.

   b. For subdivisions or lots created prior to Town regulations requiring drainage reports, street construction plans, and subdivision improvement agreements, evidence must be provided that demonstrates:

      i. All public streets and sidewalks required to serve the lots have been constructed.

      ii. The Administrative Replat will not impact existing drainage conditions.

      iii. The subject property, or properties, are served by utilities that would otherwise be covered by a subdivision improvement agreement (e.g., water, wastewater, electric, gas, telephone, etc.).

9. **Additional Information.** Any other information deemed necessary by the Planning Director to ensure a complete and proper review of the request.

Commented [MF5]: The existing Code requires a "Plat Exhibit" (refer to Section 17-4-70). It is recommended that this be changed to the submittal of a Final Plat. It is unclear why a different type of document (i.e., a Plat Exhibit) would be required.

Commented [MF6]: These requirements come from the existing Code. Should they be carried forward?

D. Waiver of Application Submittal Requirements

1. At the discretion of the Planning Director, certain submittal requirements may be waived to tailor the requirements to the information that is necessary to review a specific application.

2. To authorize a waiver, the Planning Director must make a finding for the following:

   a. The waiver will not compromise a proper and complete review of the application.

   b. The submittal requirement(s) to be waived is not necessary for describing the proposal or demonstrating compliance with the applicable review criteria.

3. If the Planning Director authorizes a waiver, they will:

a. Provide the applicant with written notice of their decision.

b. Include in their staff report a list of the submittal requirements waived and the findings made to justify the waiver.

E. Application Review Criteria

Commented [MF7]: These are new review criteria and are different from those in the existing Code.

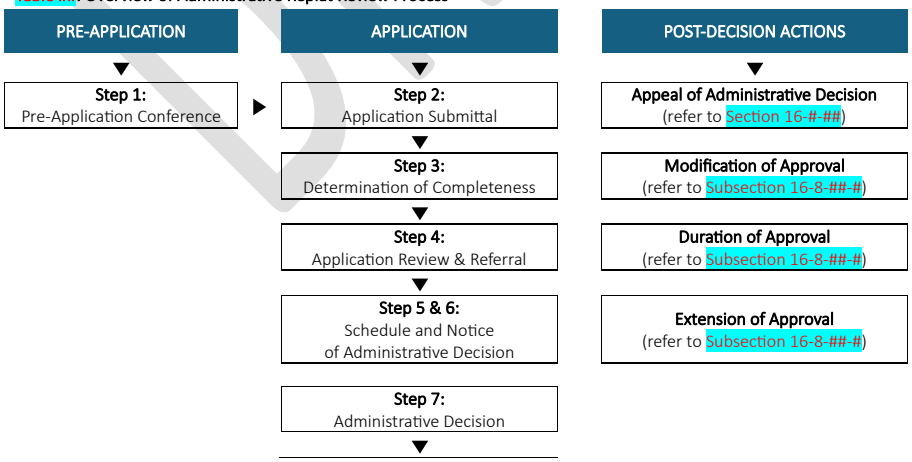
The Planning Director may approve a request for an Administrative Replat upon a positive finding of each of the following criteria:

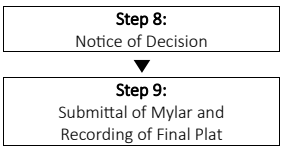
1. Does not create any additional lots, tracts, or parcels.
2. Will not result in a lot, tract, or parcel that does not conform to the applicable standards of this Code and/or the applicable PUD.
3. Does not require the extension of, or new, public infrastructure.
4. Will not reduce the overall amount of open space within a neighborhood or a PUD.
5. Will not affect a recorded easement, without the written consent of the holder(s) of said easement.
6. Does not require changes to rights-of-way, street alignments, street locations, or intersection improvements.
7. The Final Plat complies with the applicable requirements of the Colorado Revised Statutes.

F. Application Review Process

A request for an Administrative Replat will be reviewed and decided upon in accordance with the following process.

Table ##: Overview of Administrative Replat Review Process





1. **Step 1: Pre-Application Conference.** A Pre-Application Conference is required prior to the submittal of an application for an Administrative Replat. This requirement may be waived at the discretion of the Planning Director.

   The process for a Pre-Application Conference is as follows:

   a. *Schedule Pre-Application Conference.* The applicant must submit a written request for a Pre-Application Conference to the Planning Director. Within fourteen (14) calendar days of receiving such a request, the Planning Director will schedule the Pre-Application Conference and notify the applicant of the date, time, and location of the conference.

   b. *Materials for Pre-Application Conference.* If required by the Planning Director, the applicant will submit information that allows for an informal evaluation of the proposal. This information must be submitted at least five (5) business days prior to the Pre-Application Conference.

   c. *Attend Pre-Application Conference.* The applicant and the Planning Director will attend the Pre-Application Conference. The Planning Director may invite other town staff, town consultants, and/or county, state, or federal representatives to participate in the Pre-Application Conference if they deem it appropriate.

      The purpose of the Pre-Application Conference is to provide the applicant, Planning Director, and other attendees with an opportunity to review and discuss the following:

      i. The applicant's proposal.

      ii. The applicable provisions of this Code.

      iii. The application submittal requirements and review procedures.

      iv. The referral agencies likely to be involved with the review of the application.

      Depending on the magnitude or complexity of the applicant's proposal and/or the availability of other persons deemed necessary to attend, the Pre-Application Conference may be continued for a reasonable time at the request of the applicant or the Planning Director.

   d. *Pre-Application Conference Summary.* Within ten (10) business days of the conclusion of the Pre-Application Conference, the Planning Director shall prepare, and provide the applicant with, a written summary of the conference.

e. *Effect of Pre-Application Conference*. Any information provided as part of a Pre-Application Conference shall not be binding on the Town or the applicant.

2. **Step 2: Submittal of Application.** The applicant for an Administrative Replat shall submit a complete application to the Town. Prior to the application submittal, the Planning Director shall determine, and inform the applicant of, the format (electronic or hard copy) and number of copies of the application to be submitted.

3. **Step 3: Determination of Completeness.** Within thirty (30) business days of the Town receiving an application, the Planning Director shall review the application and determine whether it is complete and includes sufficient information to be evaluated for general compliance with the requirements of this Code.

   a. *Application Deemed Complete.* If the Planning Director determines the application to be complete, they shall do the following:

      i. Certify the application as complete and record the date of the determination of completeness.

      ii. Notify the applicant, in writing, of the determination of completeness; any changes that need to be made to the application prior to commencing the application referral process; and the number of complete applications to be submitted to the Town for the referral process.

   b. *Application Deemed Incomplete.* If the application is determined to be incomplete, the Planning Director shall notify the applicant, in writing, of the application's deficiencies and that no further action on the application will be taken until these deficiencies have been remedied.

      If an applicant fails to correct deficiencies in their application, the Planning Director may deem the application to be withdrawn in accordance with Subsection 16-#-##-#.

   c. *Extension of Timeframe for Determination of Completeness.* The Planning Director may extend the timeframe for a determination of completeness by up to ten (10) business days if one of the following conditions exist:

      i. The scope of the application warrants additional time for the Planning Director to review the application and make a determination of completeness.

      ii. The Planning Director's workload justifies the need for an extension of time to review the application and make a determination of completeness.

      If the Planning Director chooses to extend the time for the review and determination of completeness for an application, they will provide the applicant with written notice of their decision.

4. **Step 4: Application Review and Referral.**

a. Within five (5) business days of receiving the requested number of complete applications from the applicant, the Planning Director shall circulate copies of the application package for review and comment by the town departments, town consultants, and referral agencies that may be affected by the proposal. The Planning Director is responsible for determining the appropriate town departments, town consultants, and referral agencies to involve in the review of an application.

b. The comment period for the review by referral agencies shall be twenty (20) business days from the date that the application is circulated by the Planning Director. Upon request by a referral agency, the Planning Director may authorize one (1) extension of this comment period by up to ten (10) business days.

c. Comments from referral agencies not received by the Town within the applicable time frame will be considered a no comment.

d. Town departments and town consultants may provide comments on an application at any time during the review process.

5. **Step 5: Schedule Administrative Decision.**
   a. Upon conclusion of the referral process, the Planning Director shall schedule the application for an Administrative Decision and notify the applicant, in writing, of the date of the Administrative Decision.

   b. The Administrative Decision shall be scheduled no later than thirty (30) business days from the conclusion of the referral process.

6. **Step 6: Notice of Administrative Decision**.
   a. Prior to the date of the Administrative Decision, the applicant shall:

      i. *Mail Notice.* Mail notice, by certified mail, to all property owners of record within one hundred (100) feet of the subject property or properties, in accordance with Section 16-#-##.

      ii. *Publish Notice.* Publish notice in a local newspaper, having general circulation within the Town, in accordance with Section 16-#-##.

      iii. *Post Notice.* Post notice on a sign on the subject property in accordance with Section 16-5-##.

      iv. *Mail Notice to Mineral Estate Owners (As Required).* If required by the Colorado Revised Statues, mail notice to mineral estate owners in accordance with Section 16-5-##.

      v. *Submit Proof of Notice.* Submit proof of notice in accordance with Section 16-5-##.

   b. If required by the Colorado Revised Statutes, the Town Planner shall send notice to the Colorado Geologic Survey and the Eagle County Board of Commissioners.

7. **Step 7: Administrative Decision.**

Commented [MF8]: Town staff needs to weigh in on these public notice requirements. The existing Code doesn't appear to have any public notice requirements for an Administrative Replat.

Commented [MF9]: I believe that "Major Activity Notice" is a statutory requirement for subdivisions that cover five or more acres. The Town Attorney needs to weigh in on this to determine if this requirement is applicable.

a. On the date scheduled for the Administrative Decision, the Planning Director will review and render a decision on a request for an Administrative Replat.

b. The Planning Director shall consider the application and any supporting materials, the staff report, public testimony, and the review criteria for an Administrative Replat, and shall take one of the following actions:

i. Approve the Administrative Replat, subject to any changes that the Planning Director deems necessary to ensure compliance with this Code and the Community Plan.

ii. Deny the Administrative Replat and state the specific reason(s) for denial.

8. **Step 8: Notice of Decision.** Within ten (10) business days of a final action by the Planning Director, the following will occur:

a. The Planning Director will send written notice of the decision to the applicant.

b. A copy of the decision will be made available to the applicant during normal business at Minturn Town Hall.

9. **Step 9: Submittal of Mylar and Recording of Final Plat.**
   a. Within ninety (90) business days of an approval by the Planning Director, the applicant shall submit a copy of the approved Final Plat on Mylar (as specified in Section 38-50-101(3)(a)(II), C.R.S.) to the Planning Director.

Commented [MF10]: Should this just refer to the "Colorado Revised Statutes"?

   b. Upon the approval of an Administrative Replat, the Mayor or Mayor Pro-Tem is authorized to sign the Mylar version of the Final Plat once the Planning Director has determined that all conditions of approval and technical corrections have been addressed.

   c. Within thirty (30) business days of the Planning Director making a positive finding for each of the following, the Town Clerk shall record the approved Mylar version of the Final Plat with the office of the Eagle County Clerk and Recorder.

      i. All signatures required on the Final Plat have been obtained.

      ii. All conditions of approval and technical corrections have been addressed.

   c. The applicant is responsible for all costs associated with recording a Final Plat.

G. Modification of Approval

Any modification to an approved Administrative Replat shall require the submittal of a new application that is processed and reviewed in accordance with the procedures and standards set forth in this Section.

H. Duration of Approval

1. The approval of an Administrative Replat shall expire and become null and void ninety (90) business days from the date of approval unless one of the following has occurred:

   a. A Mylar version of the approved Final Plat has been submitted to the Town.

b. A request for an extension has been submitted and approved in accordance with Subsection 16-8-##-#.

2. If the approval of an Administrative Replat expires, the applicant will be required to submit a new application that is processed and reviewed in accordance with the procedures and standards set forth in this Section.

I. Extension of Approval

1. The applicant for an approved Administrative Replat may submit a written request for an extension of their approval to the Town. Such a request must be received by the Town a minimum of five (5) business days prior to the expiration date of the approval. Any request received later than this will not be considered by the Town.

2. A request to extend the approval of an Administrative Replat must demonstrate the following:

   a. A showing of good cause, which may include, but is not limited to, signatories being located out of state or out of the country or significant changes to the Final Plat are required.

   b. The Administrative Replat remains in compliance with this Code and the Community Plan.

3. The Planning Director may authorize an extension of an approved Administrative Replat for a period of up to twelve (12) months.

4. If a request for an extension is denied by the Planning Director, the applicant may submit a written request to appeal such a decision to the Town Council. Such a request must be received by the Town within ten (10) business days of the date of the decision by the Planning Director. Any request received later than this will not be considered. An appeal to the Town Council will be reviewed in accordance with Section ##-#-##.

Commented [MF11]: These criteria have been modified from those in the existing Code. The existing Code requires an applicant to submit a narrative explaining why they were unable to comply with the specified deadlines.

It seems that the requirement to show good cause will likely address the reasons why an applicant was unable to meet the required deadlines.

The existing Code offers examples of what constitutes "good cause," which have been included. Note, examples of "good cause" were not included in Article 5.

It is recommended that a definition of "good cause" be included in the updated Code, rather than trying to include examples here and/or elsewhere in the Code.

Commented [MF12]: This provision comes from the existing Code. The language has been modified. Should this provision be carried forward?

Section 16-8-60: Correction Plat

A. Applicability

The correction of one (1) or more technical errors on a previously approved Final Plat must comply with the requirements and procedures set forth in this Section.

B. Purpose

The purpose of this Section is to provide an efficient administrative review process for correcting one (1) or more technical errors on a previously approved Final Plat.

C. Application Submittal Requirements

An application for a Correction Plat shall include the following:

1. **Application.** A completed copy of the application form furnished by the Town. This form will, at minimum, require an applicant to submit the information listed in Subsection 16-#-##-#.

2. **Application Fee.** Payment for the applicable fee, as designated by the Town's schedule of fees, shall be made at the time of submittal of an application

3. **Approved Final Plat.** A copy of the approved Final Plat that is to be corrected.

4. **Correction Plat.** A Final Plat, prepared in accordance with Section 16-8-##, that is titled "Correction Plat" and includes the following:

    a. The changes to be made to correct the technical errors on the approved Final Plat.

    b. A purpose statement, the name of the Final Plat that the correction supersedes, and any other notes that are pertinent to the Correction Plat. These items are to be listed under the "General Notes" on the Correction Plat.

5. **Additional Information.** Any other information deemed necessary by the Planning Director to ensure a complete and proper review of the request.

D. Waiver of Application Submittal Requirements

1. At the discretion of the Planning Director, certain submittal requirements may be waived to tailor the requirements to the information that is necessary to review a specific application.

2. To authorize a waiver, the Planning Director must make a finding for the following:

    a. The waiver will not compromise a proper and complete review of the application.

    b. The submittal requirement(s) to be waived is not necessary for describing the proposal or demonstrating compliance with the applicable review criteria.

3. If the Planning Director authorizes a waiver, they will provide the applicant with written notice of their decision.

E. Application Review Criteria

Commented [MF13]: Should these requirements from the existing Code be carried forward?

Commented [MF14]: Should these requirements from the existing Code be carried forward?

Commented [MF15]: These are new review criteria. The existing Code has no review criteria for a Correction Plat.

The Planning Director may approve a request for a Correction Plat upon a positive finding of each of the following criteria:

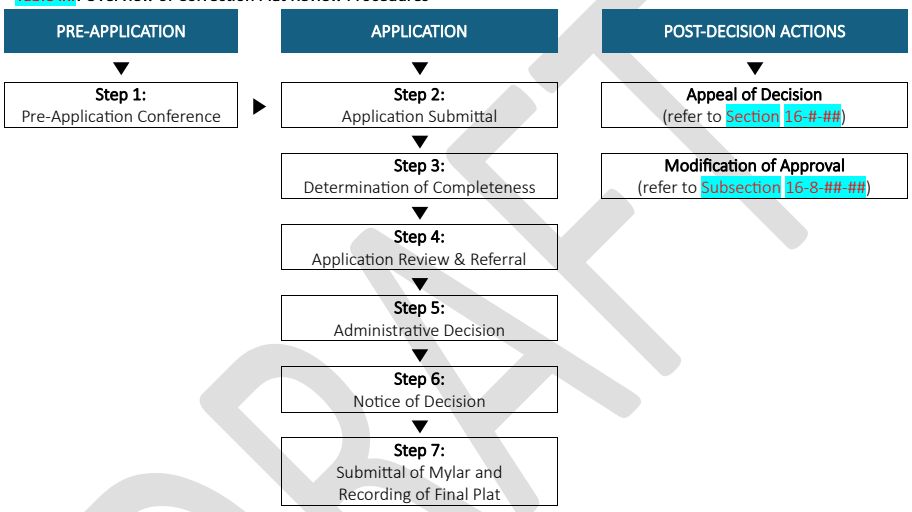
1. Compliance with the applicable requirements of this Code.

2. The Final Plat complies with requirements of the Colorado Revised Statutes

F. Application Review Procedures

A request for a Correction Plat will be reviewed and decided upon in accordance with the following procedures.

Table ##: Overview of Correction Plat Review Procedures



1. **Step 1: Pre-Application Conference.** A Pre-Application Conference is required prior to the submittal of an application for a Correction Plat. This requirement may be waived at the discretion of the Planning Director.

   The process for a Pre-Application Conference is as follows:

   a. *Schedule Pre-Application Conference.* The applicant must submit a written request for a Pre-Application Conference to the Planning Director. Within fourteen (14) calendar days of receiving such a request, the Planning Director will schedule the Pre-Application Conference and notify the applicant of the date, time, and location of the conference.

   b. *Materials for Pre-Application Conference.* If required by the Planning Director, the applicant will submit information that allows for an informal evaluation of the proposal. This information must be submitted at least five (5) business days prior to the Pre-Application Conference.

c. *Attend Pre-Application Conference.* The applicant and the Planning Director will attend the Pre-Application Conference. The Planning Director may invite other town staff, town consultants, and/or county, state, or federal representatives to participate in the Pre-Application Conference if they deem it appropriate.

The purpose of the Pre-Application Conference is to provide the applicant, Planning Director, and other attendees with an opportunity to review and discuss the following:

i. The applicant's proposal.

ii. The applicable provisions of this Code.

iii. The application submittal requirements and review procedures.

iv. The referral agencies likely to be involved with the review of the application.

Depending on the magnitude or complexity of the applicant's proposal and/or the availability of other persons deemed necessary to attend, the Pre-Application Conference may be continued for a reasonable time at the request of the applicant or the Planning Director.

d. *Pre-Application Conference Summary.* Within ten (10) business days of the conclusion of the Pre-Application Conference, the Planning Director shall prepare, and provide the applicant with, a written summary of the conference.

e. *Effect of Pre-Application Conference*. Any information provided as part of a Pre-Application Conference shall not be binding on the Town or the applicant.

2. **Step 2: Submittal of Application.** The applicant for a Correction Plat shall submit a complete application to the Town. Prior to the application submittal, the Planning Director shall determine, and inform the applicant of, the format (electronic or hard copy) and number of copies of the application to be submitted.

3. **Step 3: Determination of Completeness.** Within thirty (30) business days of the Town receiving an application, the Planning Director shall review the application and determine whether it is complete and includes sufficient information to be evaluated for general compliance with the requirements of this Code.

a. *Application Deemed Complete.* If the Planning Director determines the application to be complete, they shall do the following:

i. Certify the application as complete and record the date of the determination of completeness.

ii. Notify the applicant, in writing, of the determination of completeness; any changes that need to be made to the application prior to commencing the application referral process; and the number of complete applications to be submitted to the Town for the referral process.

b. *Application Deemed Incomplete.* If the application is determined to be incomplete, the Planning Director shall notify the applicant, in writing, of the application's deficiencies and that no further action on the application will be taken until these deficiencies have been remedied.

   If an applicant fails to correct deficiencies in their application, the Planning Director may deem the application to be withdrawn in accordance with Subsection 16-#-##-#.

c. *Extension of Timeframe for Determination of Completeness.* The Planning Director may extend the timeframe for a determination of completeness by up to ten (10) business days if one of the following conditions exist:

   i. The scope of the application warrants additional time for the Planning Director to review the application and make a determination of completeness.

   ii. The Planning Director's workload justifies the need for an extension of time to review the application and make a determination of completeness.

   If the Planning Director chooses to extend the time for the review and determination of completeness for an application, they will provide the applicant with written notice of their decision.

4. **Step 4: Application Review and Referral.**
   a. Within five (5) business days of receiving the requested number of complete applications from the applicant, the Planning Director shall circulate copies of the application package for review and comment by the town departments, town consultants, and referral agencies that may be affected by the proposal. The Planning Director is responsible for determining the appropriate town departments, town consultants, and referral agencies to involve in the review of an application.

   b. The comment period for the review by referral agencies shall be twenty (20) business days from the date that the application is circulated by the Planning Director. Upon request by a referral agency, the Planning Director may authorize one (1) extension of this comment period by up to ten (10) business days.

   c. Comments from referral agencies not received by the Town within the applicable time frame will be considered a no comment.

   d. Town departments and town consultants may provide comments on an application at any time during the review process.

5. **Step 5: Administrative Decision.** Upon the conclusion of the review and referral process, the Planning Director shall review the application to determine if the proposal satisfies the applicable review criteria and standards identified in this Code. Upon the conclusion of their review, the Planning Director shall take one of the following actions:

a. Approve the Correction Plat, subject to any conditions that the Planning Director deems necessary to ensure compliance with this Code.

b. Deny the Correction Plat and state the specific reason(s) for denial.

6. **Step 6: Notice of Decision.** Within ten (10) business days of a final action by the Planning Director, the following will occur:

   a. The Planning Director will send written notice of the decision to the applicant.

   b. A copy of the decision will be made available to the applicant during normal business at Minturn Town Hall.

7. **Step 7: Submittal of Mylar and Recording of Final Plat.**
   a. Within ninety (90) business days of an approval by the Planning Director, the applicant shall submit a copy of the approved Final Plat on Mylar (as specified in Section 38-50-101(3)(a)(II), C.R.S.) to the Planning Director.

   b. Upon the approval of a Correction Plat, the Mayor or Mayor Pro-Tem is authorized to sign the Mylar version of the Final Plat once the Planning Director has determined that all conditions of approval and technical corrections have been addressed.

   c. Within thirty (30) business days of the Planning Director making a positive finding for each of the following, the Town Clerk shall record the approved Mylar version of the Final Plat with the office of the Eagle County Clerk and Recorder.

      i. All signatures required on the Final Plat have been obtained.

      ii. All conditions of approval and technical corrections have been addressed.

   d. The applicant is responsible for all costs associated with recording a Final Plat.

Commented [MF16]: Should this just refer to the "Colorado Revised Statutes"?

G. Modification of Approval

Any modification to an approved Correction Plat shall require the submittal of a new application that is processed and reviewed in accordance with the procedures and standards set forth in this Section.

Commented [MF17]: This is a new Subsection.

H. Duration of Approval

1. The approval of a Correction Plat shall expire and become null and void ninety (90) business days from the date of approval unless one of the following has occurred:

   a. A Mylar version of the approved Final Plat has been submitted to the Town.

   b. A request for an extension has been submitted and approved in accordance with Subsection 16-8-##-#.

2. If the approval of a Correction Plat expires, the applicant will be required to submit a new application that is processed and reviewed in accordance with the procedures and standards set forth in this Section.

Commented [MF18]: This is a new Subsection. This language mirrors the language for an Administrative Replat.

The existing Code doesn't include any language that addresses the duration of an approval for a Correction Plat.

I. Extension of Approval

1. The applicant for an approved Correction Plat may submit a written request for an extension of their approval to the Town. Such a request must be received by the Town a minimum of five (5) business days prior to the expiration date of the approval. Any request received later than this will not be considered by the Town.

2. A request to extend the approval of a Correction Plat must demonstrate the following:

   a. A showing of good cause, which may include, but is not limited to, signatories being located out of state or out of the country or significant changes to the Final Plat are required.

   b. The Correction Plat remains in compliance with this Code.

b. The Planning Director may authorize an extension of an approved Correction Plat for a period of up to twelve (12) months.

c. If a request for an extension is denied by the Planning Director, the applicant may submit a written request to appeal such a decision to the Town Council. Such a request must be received by the Town within ten (10) business days of the date of the decision by the Planning Director. Any request received later than this will not be considered. An appeal to the Town Council will be reviewed in accordance with Section ##-#-##.

Commented [MF19]: This is a new Subsection. This language mirrors the language for an Administrative Replat.

The existing Code doesn't include any language that addresses the extension of an approval for a Correction Plat.

DRAFT

Section 16-8-70: Duplex, Condominium, or Townhome Subdivision

A. Applicability

Any subdivision of an existing building(s) into separate ownerships (e.g., duplexes, condominiums, townhomes, rowhomes, etc.) must comply with the requirements and procedures set forth in this Section.

Commented [MF20]: Should language be added that states an application cannot be submitted until all shared/party walls have been framed?

B. Purpose

The purpose of this Section is to provide an efficient administrative review process for the subdivision of an existing building(s) into separate ownerships.

C. Application Submittal Requirements

An application for a Duplex, Condominium, or Townhome Subdivision shall include the following:

1. **Application.** A completed copy of the application form furnished by the Town. This form will, at minimum, require an applicant to submit the information listed in Subsection 16-#-##-#.

2. **Application Fee.** Payment for the applicable fee, as designated by the Town's schedule of fees, shall be made at the time of submittal of an application.

3. **Narrative.** A written statement that provides evidence of the following:

    a. Conformance with the zoning of the subject property.

    b. Legal and physical access to a public street or right-of-way.

    c. A legal, physical, adequate and dependable water supply for each proposed unit.

    d. A sewer system, or other lawful means of disposing of human waste, for each proposed unit that complies with all applicable public health laws

    e. Adequate fire protection for each proposed unit.

    f. Site conditions (e.g., geology, soil, topography, drainage, etc.) will not create hazards.

    g. All applicable school land dedication or cash-in-lieu requirements have been satisfied.

4. **Site Plan.** A site plan depicting the following:

    c. Existing and proposed building locations.

    d. Access drives.

    e. Parking areas.

    f. Landscaping.

    g. Fences.

h. Signs.

i. Any other pertinent site data.

5. **Final Plat.** A Final Plat, prepared in accordance with Section 16-8-##, that depicts the following:

   a. All common areas (general and limited common elements).

   b. Usages of the building and grounds.

   c. The interior division of the building showing horizontal and/or vertical boundaries of all units, including a distance from a building corner to a property corner or other survey reference.

   d. If the land where a condominium building exists, or is to be built on, is not an existing platted lot, all provisions, requirements, standards, and procedures of this Code shall be met for the land as well as the building, and the land shall be shown as a "lot" on the Final Plat and recorded in accordance with this Chapter.

6. **Covenants, Declarations, Agreements, and/or Other Restrictions.** Any protective covenants, declarations, party wall agreements, and/or other restrictions to be placed on the subdivision that include, but are not limited to, the following:

   a. The declaration for the condominium project, as defined in the Colorado Revised Statutes and/or as may be required pursuant to the State of Colorado's Common Interest Ownership Act.

   b. The condominium association Articles of Incorporation, bylaws, and covenants. The bylaws and declaration of covenants shall contain the information required by the State of Colorado's Condominium Ownership Act and Common Interest Ownership Act, if applicable.

   c. Any restrictive covenants, conditions, or restrictions, other than those specified in the declaration for the condominium project.

7. **Agreements.** A subdivision improvements agreement, off-site road improvements agreement or other agreement if required by the Town.

8. **Additional Information.** Any other information deemed necessary by the Planning Director to ensure a complete and proper review of the request.

D. Waiver of Application Submittal Requirements

1. At the discretion of the Planning Director, certain submittal requirements may be waived to tailor the requirements to the information that is necessary to review a specific application.

2. To authorize a waiver, the Planning Director must make a finding for the following:

   a. The waiver will not compromise a proper and complete review of the application.

Commented [MF21]: This is a requirement for a Minor Subdivision application from the existing Code (refer to Section 17-8-30). It may not be applicable to a Duplex, Condominium, or Townhome Subdivision application.

Commented [MF22]: These requirements need to be reviewed by the Town Attorney.

Commented [MF23]: This is a requirement for all Minor Subdivision applications from the existing Code (refer to Section 17-8-40). It may not be applicable to a Duplex, Condominium, or Townhome Subdivision application.

b. The submittal requirement(s) to be waived is not necessary for describing the proposal or demonstrating compliance with the applicable review criteria.

3. If the Planning Director authorizes a waiver, they will provide the applicant with written notice of their decision.

E. Application Review Criteria

The Planning Director may approve a request for a Duplex, Condominium, or Townhome Subdivision upon a positive finding of each of the following criteria:

1. There is adequate access, potable water, and sewage disposal to serve each unit to be created by the subdivision.

2. The proposed subdivision complies with the requirements of this Code and, if applicable, the requirements of an approved Development Plan or Subdivision Final Plat.

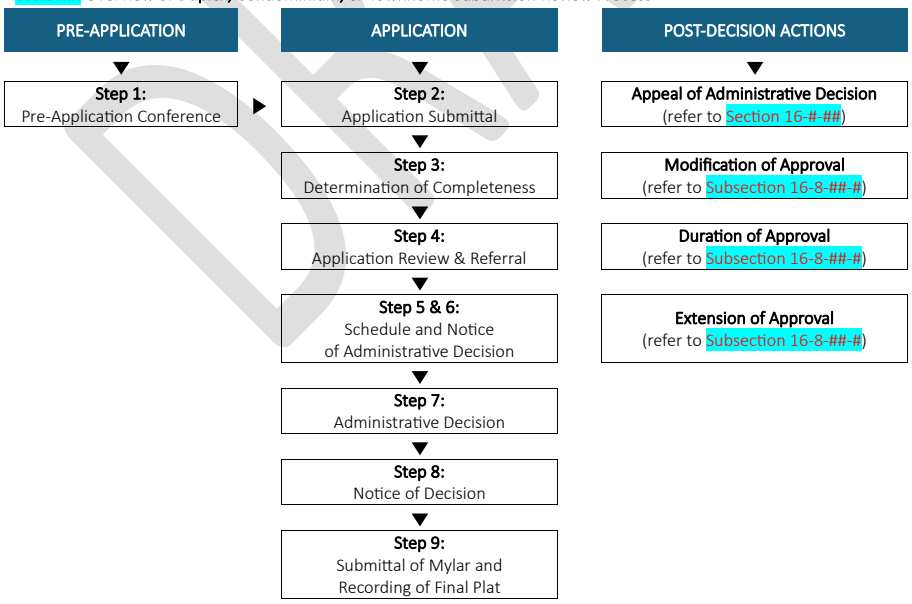
3. The declaration and bylaws make adequate provision for the maintenance of common area elements that may include but are not limited to utilities, access, parking areas, sidewalks, building exterior(s), and open space areas.

4. The Final Plat complies with requirements of the Colorado Revised Statutes.

F. Application Review Process

A request for a Duplex, Condominium, or Townhome Subdivision will be reviewed and decided upon in accordance with the following process.

Table ##: Overview of Duplex, Condominium, or Townhome Subdivision Review Process



1. **Step 1: Pre-Application Conference.** A Pre-Application Conference is required prior to the submittal of an application for a Duplex, Condominium, or Townhome Subdivision. This requirement may be waived at the discretion of the Planning Director.

   The process for a Pre-Application Conference is as follows:

   a. *Schedule Pre-Application Conference.* The applicant must submit a written request for a Pre-Application Conference to the Planning Director. Within fourteen (14) calendar days of receiving such a request, the Planning Director will schedule the Pre-Application Conference and notify the applicant of the date, time, and location of the conference.

   b. *Materials for Pre-Application Conference.* If required by the Planning Director, the applicant will submit information that allows for an informal evaluation of the proposal. This information must be submitted at least five (5) business days prior to the Pre-Application Conference.

   c. *Attend Pre-Application Conference.* The applicant and the Planning Director will attend the Pre-Application Conference. The Planning Director may invite other town staff, town consultants, and/or county, state, or federal representatives to participate in the Pre-Application Conference if they deem it appropriate.

      The purpose of the Pre-Application Conference is to provide the applicant, Planning Director, and other attendees with an opportunity to review and discuss the following:

      i. The applicant's proposal.

      ii. The applicable provisions of this Code.

      iii. The application submittal requirements and review procedures.

      iv. The referral agencies likely to be involved with the review of the application.

      Depending on the magnitude or complexity of the applicant's proposal and/or the availability of other persons deemed necessary to attend, the Pre-Application Conference may be continued for a reasonable time at the request of the applicant or the Planning Director.

   d. *Pre-Application Conference Summary.* Within ten (10) business days of the conclusion of the Pre-Application Conference, the Planning Director shall prepare, and provide the applicant with, a written summary of the conference.

   e. *Effect of Pre-Application Conference*. Any information provided as part of a Pre-Application Conference shall not be binding on the Town or the applicant.

2. **Step 2: Submittal of Application.** The applicant for a Duplex, Condominium, or Townhome Subdivision shall submit a complete application to the Town. Prior to the application submittal,

the Planning Director shall determine, and inform the applicant of, the format (electronic or hard copy) and number of copies of the application to be submitted.

3. **Step 3: Determination of Completeness.** Within thirty (30) business days of the Town receiving an application, the Planning Director shall review the application and determine whether it is complete and includes sufficient information to be evaluated for general compliance with the requirements of this Code.

   a. *Application Deemed Complete.* If the Planning Director determines the application to be complete, they shall do the following:

      i. Certify the application as complete and record the date of the determination of completeness.

      ii. Notify the applicant, in writing, of the determination of completeness; any changes that need to be made to the application prior to commencing the application referral process; and the number of complete applications to be submitted to the Town for the referral process.

   b. *Application Deemed Incomplete.* If the application is determined to be incomplete, the Planning Director shall notify the applicant, in writing, of the application's deficiencies and that no further action on the application will be taken until these deficiencies have been remedied.

      If an applicant fails to correct deficiencies in their application, the Planning Director may deem the application to be withdrawn in accordance with Subsection 16-#-##-#.

   c. *Extension of Timeframe for Determination of Completeness.* The Planning Director may extend the timeframe for a determination of completeness by up to ten (10) business days if one of the following conditions exist:

      i. The scope of the application warrants additional time for the Planning Director to review the application and make a determination of completeness.

      ii. The Planning Director's workload justifies the need for an extension of time to review the application and make a determination of completeness.

      If the Planning Director chooses to extend the time for the review and determination of completeness for an application, they will provide the applicant with written notice of their decision.

4. **Step 4: Application Review and Referral.**
   a. Within five (5) business days of receiving the requested number of complete applications from the applicant, the Planning Director shall circulate copies of the application package for review and comment by the town departments, town consultants, and referral agencies that may be affected by the proposal. The Planning Director is responsible for determining the appropriate town departments, town consultants, and referral agencies to involve in the review of an application.

b. The comment period for the review by referral agencies shall be twenty (20) business days from the date that the application is circulated by the Planning Director. Upon request by a referral agency, the Planning Director may authorize one (1) extension of this comment period by up to ten (10) business days.

c. Comments from referral agencies not received by the Town within the applicable time frame will be considered a no comment.

d. Town departments and town consultants may provide comments on an application at any time during the review process.

5. **Step 5: Schedule Administrative Decision.**
   a. Upon conclusion of the referral process, the Planning Director shall schedule the application for an Administrative Decision and notify the applicant, in writing, of the date of the Administrative Decision.

   b. The Administrative Decision shall be scheduled no later than thirty (30) business days from the conclusion of the referral process.

6. **Step 6: Notice of Administrative Decision**.
   a. Prior to the date of the Administrative Decision, the applicant shall:

      i. *Mail Notice.* Mail notice, by certified mail, to all property owners of record within one hundred (100) feet of the subject property or properties, in accordance with Section 16-#-##.

      ii. *Publish Notice.* Publish notice in a local newspaper, having general circulation within the Town, in accordance with Section 16-#-##.

      iii. *Post Notice.* Post notice on a sign on the subject property in accordance with Section 16-5-##.

      iv. *Mail Notice to Mineral Estate Owners (As Required).* If required by the Colorado Revised Statues, mail notice to mineral estate owners in accordance with Section 16-5-##.

      v. *Submit Proof of Notice.* Submit proof of notice in accordance with Section 16-5-##.

   b. If required by the Colorado Revised Statutes, the Town Planner shall send notice to the Colorado Geologic Survey and the Eagle County Board of Commissioners.

7. **Step 7: Administrative Decision.**
   a. On the date scheduled for the Administrative Decision, the Planning Director will review and render a decision on a request for a Duplex, Condominium, or Townhome Subdivision.

   b. The Planning Director shall consider the application and any supporting materials, the staff report, public testimony, and the review criteria for a Duplex, Condominium, or Townhome Subdivision, and shall take one of the following actions:

Commented [MF24]: Town staff needs to weigh in on these public notice requirements. The existing Code exempts Type B Minor Subdivisions from public notice requirements.

Commented [MF25]: I believe that "Major Activity Notice" is a statutory requirement for subdivisions that cover five or more acres. The Town Attorney needs to weigh in on this to determine if this requirement is applicable.

i. Approve the subdivision, subject to any changes that the Planning Director deems necessary to ensure compliance with this Code and the Community Plan.

ii. Deny the subdivision and state the specific reason(s) for denial.

8. **Step 8: Notice of Decision.** Within ten (10) business days of a final action by the Planning Director, the following will occur:

   a. The Planning Director will send written notice of the decision to the applicant.

   b. A copy of the decision will be made available to the applicant during normal business at Minturn Town Hall.

9. **Step 9: Submittal of Mylar and Recording of Final Plat.**
   a. Within ninety (90) business days of an approval by the Planning Director, the applicant shall submit a copy of the approved Final Plat on Mylar (as specified in Section 38-50-101(3)(a)(II), C.R.S.) to the Planning Director.

   b. Upon the approval of a request for Condominiumization, the Mayor or Mayor Pro-Tem is authorized to sign the Mylar version of the Final Plat once the Planning Director has determined that all conditions of approval and technical corrections have been addressed.

   c. Within thirty (30) business days of the Planning Director making a positive finding for each of the following, the Town Clerk shall record the approved Mylar version of the Final Plat with the office of the Eagle County Clerk and Recorder.

      i. All signatures required on the Final Plat have been obtained.

      ii. All conditions of approval and technical corrections have been addressed.

   c. The applicant is responsible for all costs associated with recording a Final Plat.

Commented [MF26]: Should this just refer to the "Colorado Revised Statutes"?

G. Modification of Approval

Any modification to an approved Duplex, Condominium, or Townhome Subdivision shall require the submittal of a new application that is processed and reviewed in accordance with the procedures and standards set forth in this Section.

Commented [MF27]: This is a new Subsection. It may not be appropriate and if so, will be removed.

H. Duration of Approval

1. The approval of a Duplex, Condominium, or Townhome Subdivision shall expire and become null and void ninety (90) business days from the date of approval unless one of the following has occurred:

   a. A Mylar version of the approved Final Plat has been submitted to the Town.

   b. A request for an extension has been submitted and approved in accordance with Subsection 16-8-##-#.

Commented [MF28]: This is a new Subsection. This language mirrors the language for an Administrative Replat.

The existing Code doesn't include any language that addresses the duration of an approval for Type B Minor Subdivisions.

2. If the approval of a Duplex, Condominium, or Townhome Subdivision expires, the applicant will be required to submit a new application that is processed and reviewed in accordance with the procedures and standards set forth in this Section.

I. Extension of Approval

1. The applicant for an approved Duplex, Condominium, or Townhome Subdivision may submit a written request for an extension of their approval to the Town. Such a request must be received by the Town a minimum of five (5) business days prior to the expiration date of the approval. Any request received later than this will not be considered by the Town.

2. A request to extend the approval of a Duplex, Condominium, or Townhome Subdivision must demonstrate the following:

   a. A showing of good cause, which may include, but is not limited to, signatories being located out of state or out of the country or significant changes to the Final Plat are required.

   b. The subdivision remains in compliance with this Code and the Community Plan.

4. The Planning Director may authorize an extension of an approved Duplex, Condominium, or Townhome Subdivision for a period of up to twelve (12) months.

5. If a request for an extension is denied by the Planning Director, the applicant may submit a written request to appeal such a decision to the Town Council. Such a request must be received by the Town within ten (10) business days of the date of the decision by the Planning Director. Any request received later than this will not be considered. An appeal to the Town Council will be reviewed in accordance with Section ##-#-##.

Commented [MF29]: This is a new Subsection. This language mirrors the language for an Administrative Replat.

The existing Code doesn't include any language that addresses the extension of an approval for Type B Minor Subdivisions.

DRAFT

Section 16-8-80: Exemption Plat

This Section is in progress.

DRAFT

Section 16-8-90: Minor Subdivision

This Section is in progress.

DRAFT

Section 16-8-100: Mountaintop Estate Lots

Notwithstanding anything in the subdivision regulations to the contrary, which regulations will not apply to the estate lot process unless expressly set forth in this Section, the creation of lots within the mountaintop area pursuant to the estate lot process will be accomplished by Administrative Review and approval by the Planning Director, and recording of the estate lot plat, in accordance with the following requirements and procedures:

1. An application pursuant to the estate lot process may only be submitted by a party permitted under Section 16-8-##.

2. Not more than a total of ten (10) estate lots may be created within the mountaintop area pursuant to the estate lot process.

3. The application must contain the following materials:

    a. A completed application form in the format provided by the Planning Director and executed by the landowner or the landowner's authorized agent.

    b. A check for the then-current estate lot processing fee in an amount to be established by resolution of the Town Council.

    c. One (1) electronic copy and three (3) paper copies measuring twenty-four (24) by thirty-six (36) inches of the proposed estate lot plat prepared in accordance with the requirements set forth in Subsection 16-8-##(#).

    d. One (1) electronic copy and three (3) paper copies of the master map.

    e. One (1) electronic copy and three (3) paper copies of the proposed form of access easement agreement that will, upon recording:

        i. Establish legal access from a public road to the boundary of each estate lot (to the extent such easement(s) are not created by recording of the estate lot plat); AND

        ii. Address the terms of, and otherwise provide for, construction and ongoing maintenance of the private roadways serving the estate lots.

    f. A copy of a title commitment issued by a title company doing business in Eagle County with an effective date no earlier than sixty (60) days prior to the submission of the application.

4. Within fifteen (15) days of receiving the application, the Planning Director will confirm and advise the applicant in writing whether the application is complete. If the application is not complete, the applicant may supplement the application and the Planning Director will provide an updated written determination of completeness as otherwise provided herein.

5. Within thirty (30) days after the date on which the application is determined complete, the Planning Director, after consultation with appropriate staff and referral agencies, if any, will complete review of the proposed estate lot plat to confirm whether it complies with the following requirements:

i. It adheres to the format for final plats as described in Subsection 16-8-##(#), excluding subparagraphs (3), (4) and (9). With respect to subparagraph (8)d., the certificate of ownership will not include any language of dedication. With respect to subparagraph (8)e., the certificate of title will be executed by a title company and will reference exceptions to title as reflected in a specifically identified title commitment.

ii. It contains a certificate to be executed by a professional land surveyor, as defined in Section 38-51-102(16), C.R.S., that the proposed estate lot plat was prepared in accordance with Section 38-51-106, C.R.S., which certificate will be deemed to satisfy the requirement of Subsection 16-#-##(#)(#)(#).

iii. It depicts rights-of-way and easements pursuant to Section 38-51-106 (1)(B)(I), C.R.S.

iv. It contains a certificate to be executed by the landowner(s) that, to the extent not previously monumented in the manner described in Section 38-51-105, C.R.S., the landowner will cause the external boundaries of the estate lot plat and the boundaries/corners of each estate lot to be so monumented within twelve (12) months after the effective date of the planning director's approval of the estate lot plat.

v. Each estate lot depicted on the proposed estate lot plat has a minimum land area of three hundred fifty (350) acres.

vi. Each estate lot depicted on the proposed estate lot plat designates one (1) or more designated buildable areas having a minimum aggregate land area of forty-three thousand five hundred sixty (43,560) square feet and a maximum aggregate land area of not more than thirty-three percent (33%) of the total acreage of the estate lot, and all such designated buildable areas are located outside of and do not overlap with any areas that the master map referenced in Subparagraph (3)d. above designates as non-buildable.

vii. Each estate lot depicted on the proposed estate lot plat depicts the boundaries of lynx denning areas and peregrine falcon nesting areas as shown in the master map, if any, located within such estate lot.

viii. It complies with Section 16-#-## of the subdivision regulations by demonstrating legal access. Such compliance will be demonstrated by the estate lot plat depicting an existing or proposed road that would physically connect each proposed estate lot to a public road, identifies whether legal access to the estate lots is (or will be) granted by the estate lot plat or by a separate instrument, and describes by reference to a recorded, or to be recorded, the access easement agreement required pursuant to Subparagraph (3)e. above. Application for issuance of required permits for access to a public highway, if any, pursuant to Section 43-2-147, C.R.S., will be a condition precedent to issuance of building permits within estate lots created by the estate lot plat.

ix. It contains the following statements and acknowledgements:

i. *Municipal Services.* The landowner(s) of the lots created pursuant to this plat and other parties having an interest in such lots hereby acknowledge that the Town will not

provide, and will have no obligation to provide: municipal water services and municipal sanitary sewer services to the lots or any improvements located within the lots; or snow plowing, road maintenance, street lighting and similar services for private or public roadways (if any) located within this plat; or provision of emergency services with similar response times as may be available within other areas of the Town. In consideration of the Town's approval of this plat, the landowner(s) and other parties having an interest in the property that have executed this plat, by so executing this plat, and all successor owners of the lots created pursuant to this plat or other parties having an interest therein, by taking title to or acquiring an interest in such lots, knowingly and intentionally waive any and all right to disconnection of the property arising under Section 31-12-119, C.R.S., and based on failure to provide municipal services on the same general terms and conditions as the rest of the Town receives, to the extent based on the Town not providing the lots with municipal water services, municipal sewer services, municipal road services and emergency services as described herein.

ii. *Peregrine Falcon Nesting Areas and Lynx Denning Areas.* The landowner(s) of the lots created pursuant to this plat and other parties having an interest in such lots hereby acknowledge that no permanent or temporary roads or trails to provide vehicular access to and between the designated buildable areas depicted on this plat (including construction roads) may cross through areas, and no motorized vehicular activities may be undertaken within such areas, that the master map set forth in Section 16-10-35 of the Town Code designates as peregrine falcon nesting area or as lynx denning area (as such areas are depicted on this plat, if applicable) without prior Town approval pursuant to applicable limited use or conditional use procedures and requirements pursuant to Section 16-#-## of this Code.

6. Upon completion of the foregoing review of the proposed estate lot plat, the Planning Director will either approve, approve with conditions, or deny the proposed estate lot plat, and will provide written notice of such determination to the applicant.

   a. If the proposed estate lot plat is approved, the applicant will prepare and cause to be executed a mylar in form suitable for recording and, upon execution by appropriate parties, including the Town, the same will be recorded.

   b. If approved with conditions, the notice letter will specifically describe the conditions required to be satisfied prior to preparation of mylars for execution and recording as described in Clause a. above. The applicant will have a period of three (3) months to revise the proposed estate lot plat to accomplish satisfaction of the stated conditions and resubmit to the planning director for review and confirmation in accordance with Subparagraphs (5) and (6) of this Section.

   c. If the application is denied, the notice letter will specifically describe the deficiencies in the application and/or proposed estate lot plat. At any time after receipt of a notice of denial, an applicant may resubmit such application, with such modifications as may be appropriate to address the specified deficiencies, for reconsideration as a new application in accordance with the requirements set forth in this Section.

7. The roads depicted on the estate lot plat that will provide physical access to the estate lots will be designed and constructed in accordance with the mountaintop road standards. Construction of or security to assure completion of construction of such roads is not required before approval or recording of the estate lot plat. Construction of such roads may be accomplished in phases at such time as the subdivider determines appropriate.

8. The Planning Director's processing, review and final action with respect to estate lot plat applications will be exempt from any posting and public notice requirements under this Code, including, but not limited to, Section 16-#-## of the Zoning Code.

9. Estate lots created by recording of an approved estate lot plat may be subsequently replatted into ranch lots pursuant to Section 16-8-##.

10. The following provisions of Articles # through # of this Chapter ## are incorporated in this Section by reference:

    a. Section 16-#-##: Save Harmless Clause.

    b. Section 16-#-##: Disclaimer of Liability.

    c. Section 16-#-##: Compliance Required.

    d. Section 16-#-##:Remedies for Violation.

    e. Section 16-#-##:Definitions.

    f. Subsection 16-#-##(#):Permits for Development; Changes on Final Plat.

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Section 16-8-110: Mountaintop Ranch Lots

Notwithstanding anything in the subdivision regulations to the contrary, which regulations will not apply to the ranch lot process unless expressly set forth in this Section, the creation of ranch lots within the mountaintop area pursuant to the ranch lot process will be accomplished by Planning Commission review and approval, and recording of a ranch lot plat, in accordance with the following requirements and procedures:

1. An application pursuant to the ranch lot process may only be submitted by a party permitted under Section 16-#-##. All or any portion of the area within a proposed ranch lot plat may, but is not required to, be located within a portion of the mountaintop area that is subject to a previously approved and recorded estate lot plat.

2. The application must contain the following materials:

   i. A completed application form in the format provided by the Planning Director and executed by the landowner or the landowner's authorized agent.

   ii. A check for the then-current ranch lot plat processing fee in an amount to be established by resolution of the Town Council.

   iii. One electronic copy and three (3) paper copies measuring twenty-four (24) by thirty-six (36) inches of the proposed ranch lot plat prepared in accordance with the requirements set forth in Subparagraph (7) below.

   iv. One (1) electronic copy and three (3) paper copies of a master map. The master map additionally will, for purposes of the ranch lot process, conceptually depict potential locations of mountaintop area roads and those specific segments of such roads and non-motorized trails that will be restricted to private use and emergency services and those specific segments that may be open to public access.

   v. One (1) electronic copy and three (3) paper copies of the proposed form of access easement agreement that will, upon recording:

      i. Establish legal access from a public road to the boundary of each ranch lot (to the extent such easement(s) are not created by recording of the estate lot plat); AND

      ii. Address the terms of, and otherwise provide for, construction and ongoing maintenance of the private roadways serving the estate lots.

   vi. A copy of a title commitment issued by a title company doing business in Eagle County with an effective date no earlier than sixty (60) days prior to the submission of the application.

   vii. Construction drawings and/or as-built drawings of all access roads described in Subparagraph e. prepared by a licensed Colorado professional engineer that demonstrate that such access roads can be constructed at the depicted locations or have been constructed in accordance with the mountaintop road standards.

viii. An access permit issued by the state department of transportation or a letter from said agency stating that an access permit is not required for the development depicted on the ranch lot plat.

3. The proposed ranch lot plat must be prepared in accordance with the following format:

   a. It must adhere to the format for final plats as described in Subsection 16-#-##(#), excluding Subparagraphs (3), (4) and (9). With respect to Subparagraph (8)d., the certificate of ownership will not include any language of dedication. With respect to subparagraph (8)e., the certificate of title will be executed by a title company and will reference exceptions to title as reflected in a specifically identified title commitment.

   b. It must contain a certificate to be executed by a professional land surveyor, as defined in Section 38-51-102(16), C.R.S., that the proposed ranch lot plat was prepared in accordance with Section 38-51-106, C.R.S., which certificate will be deemed to satisfy the requirement of Subsection 16-#-##(#)(#)(#).

   c. It must depict rights-of-way and easements pursuant to Section 38-51-106 (1)(B)(I), C.R.S.

   d. It must contain a certificate to be executed by the landowner(s) that, to the extent not previously monumented in the manner described in Section 38-51-105, C.R.S., the landowner will cause the external boundaries of the ranch lot plat and the boundaries/corners of each ranch lot to be so monumented within twelve (12) months after the effective date of Planning Commission's approval of the ranch lot plat.

   e. It must contain the following statement and acknowledgement:

      i. *Municipal Services.* The landowner(s) of the lots created pursuant to this plat and other parties having an interest in such lots hereby acknowledge that the Town will not provide, and will have no obligation to provide: municipal water services and municipal sanitary sewer services to the lots or any improvements located within the lots; or snow plowing, road maintenance, street lighting and similar services for private or public roadways (if any) located within this plat; or provision of emergency services with similar response times as may be available within other areas of the Town. In consideration of the Town's approval of this plat, the landowner(s) and other parties having an interest in the property that have executed this plat, by so executing this plat, and all successor owners of the lots created pursuant to this plat or other parties having an interest therein, by taking title to or acquiring an interest in such lots, knowingly and intentionally waive any and all right to disconnection of the property arising under Section 31-12-119, C.R.S., and based on failure to provide municipal services on the same general terms and conditions as the rest of the Town receives, to the extent based on the Town not providing the lots with municipal water services, municipal sewer services, municipal road services and emergency services as described herein.

      ii. *Peregrine Falcon Nesting Areas and Lynx Denning Areas.* The landowner(s) of the lots created pursuant to this plat and other parties having an interest in such lots hereby acknowledge that no permanent or temporary roads or trails to provide vehicular access to and between the designated buildable areas depicted on this plat (including

construction roads) may cross through areas, and no motorized vehicular activities may be undertaken within such areas, that the master map set forth in Section 16-#-## of the Town Code designates as peregrine falcon nesting area or as lynx denning area (as such areas are depicted on this plat, if applicable) without prior Town approval pursuant to applicable limited use or conditional use procedures and requirements pursuant to Section 16-#-## of this Code.

4. Within fifteen (15) days of receiving the application, the Planning Director will confirm and advise the applicant in writing whether the application is complete and has been prepared in the required format. If the application is not complete or in the required format, the applicant may supplement the application and the planning director will provide an updated written determination of completeness as otherwise provided herein.

5. Within thirty (30) days after the date on which the application is determined complete, the Planning Director, after consultation with appropriate staff and referral agencies, if any, will review the proposed ranch lot plat for conformance with the criteria and requirements set forth in Subparagraph (7) below, and will deliver a written report to the applicant setting forth the planning director's findings and comments. The applicant may revise and resubmit the application for further review as provided in subparagraph (4) above or, either at such time or after further review following resubmittal, may advise the Planning Director of the applicant's determination to proceed with notice for public hearing by Planning Commission pursuant to subparagraphs (6), (7) and (8) below.

6. Public notice of Planning Commission action regarding the application, to be held at a public meeting promptly after applicant's determination to proceed pursuant to Subparagraph (5) above will be provided in compliance with Section 16-#-##.

7. At a regular or special meeting to be held on the date set forth in the public notice provided pursuant to subparagraph (6) above Planning Commission will hold a public hearing to determine whether the proposed ranch lot plat complies with the following requirements:

   a. Each ranch lot depicted on the proposed ranch lot plat has a minimum land area of thirty-five (35) acres.

   b. Each ranch lot depicted on the proposed ranch lot plat designates one (1) or more designated buildable areas having a minimum aggregate land area of twenty thousand (20,000) square feet and a maximum aggregate land area of not more than thirty-three percent (33%) of the total acreage of the ranch lot, and all such designated buildable areas are located outside of and do not overlap with any areas that the master map referenced in subparagraph (2)d. above designates as non-buildable.

   c. Each ranch lot depicted on the proposed ranch lot plat depicts the boundaries of lynx denning areas and peregrine falcon nesting areas as shown in the master map, if any, located within such ranch lot.

   d. It depicts, in a manner generally consistent with the master map referenced in subparagraph (2)d. above, specific segments of proposed mountaintop area roads and non-motorized trails located within the proposed ranch lot plat that will be restricted to private

use and emergency services and those specific segments, if any, that will be open to and accessible by the public (including, if applicable, depiction of public easement areas, to be dedicated by separate instrument, for such purposes).

e. It complies with Section 16-#-## of the subdivision regulations. Compliance will be demonstrated by addressing legal and physical access as follows:

i. Depicting an existing or proposed road that physically connects each proposed ranch lot to a public road; AND

ii. Stating whether legal access to the ranch lots is (or will be) granted by the ranch lot plat or by a separate instrument, and describes by reference to a recorded, or to be recorded, form of access easement agreement as required pursuant to subparagraph (2)e. above.

8. Planning Commission will either approve, approve with conditions, or deny the proposed ranch lot plat.

9. The roads depicted on the ranch lot plat that will provide physical access to the ranch lots will be designed and constructed in accordance with the Mountaintop Road Standards. Prior to recording of the approved ranch lot plat, such roads must be constructed, or assurance of completion provided in accordance with the requirements of Subsection 16-#-##(#), the scope of which will be limited to the roads depicted on the approved ranch lot plat. The amount of security or collateral for assurance of completion shall be based upon construction cost estimates, stamped by a Colorado licensed professional engineer, and approved by the Town Engineer. Construction of such roads may be accomplished in phases at such time as the subdivider determines appropriate.

10. The following provisions of Articles # through # of this Chapter ## are incorporated in this Section by reference:

a. Section 16-#-##: Save Harmless Clause.

b. Section 16-#-##: Disclaimer of Liability.

c. Section 16-#-##: Compliance Required.

d. Section 16-#-##:Remedies for Violation.

e. Section 16-#-##:Definitions.

f. Subsection 16-#-##(#):Permits for Development; Changes on Final Plat.

Section 16-8-120: Vacation of Public Right-of-Way or Easement

A. Applicability

1. Any vacation of a public right-of-way or easement must comply with the requirements and procedures set forth in this Section and be in accordance with the Colorado Revised Statutes.

2. As used herein, the terms ~~road~~ "right-of-way" and "easement" shall be deemed to include any and all parcels upon which there has been legally sufficient acceptance of dedication by the public or its authorized agents, representatives, or officials.

3. No vacation of public right-of-way or easement shall become effective unless quit claim deeds have been duly recorded with the Eagle County Clerk and Recorder that cumulatively relinquish all rights, claims, and interests that all interested parties, including public and private utility companies, may have in the subject right-of-way or easement.

Commented [MF30]: "Road" has been replaced with "right-of-way."

Commented [MF31]: This provision comes from the existing Code (refer to Subsection 17-9-20(a)). Any definition of "road," "right-of-way," or "easement" should be moved to the new Definitions Article.

Commented [MF32]: This is an existing Code provision (refer to Subsection 17-9-20(i)). This needs to be reviewed by the Town Attorney to ensure the language is appropriate.

2. Purpose

The purpose of this Section is to provide a process for the Town Council to review and render a decision on a request to vacate rights, interests, or title of the Town in, and to, any public right-of-way or easement or right-of-way.

3. Application Submittal Requirements

An application for a vacation of public right-of-way or easement shall include the following:

1. **Application.** A completed copy of the application form furnished by the Town. This form will, at minimum, require an applicant to submit the information listed in Subsection 16-#-##-#.

2. **Application Fee.** Payment for the applicable fee, as designated by the Town's schedule of fees, shall be made at the time of submittal of an application.

3. **Petition.** A petition requesting the vacation of a public right-of-way or easement that includes the following:

   a. The reason(s) for the requested vacation.

   b. Signatures of all owners of record of properties abutting the right-of-way or easement and whose means of ingress and egress would be affected by the requested vacation.

   c. The names, mailing and legal addresses, and legal addresses of all abutting or adjacent landowners and/or other landowners whose interests might be adversely affected by or who may be interested in such vacation.

4. **Map or Plat.** A map or plat, drawn to scale, that depicts the following:

   a. The location and dimensions of the right-of-way or easement to be vacated.

   b. Any property affected by the proposed vacation.

   c. A legal description for the proposed vacation.

Commented [MF33]: Should this be changed to physical address?

Commented [MF34]: This language seems subjective and should be clarified.

5. **Additional Information.** Any other information deemed necessary by the Planning Director to ensure a complete and proper review of the request.

4. Waiver of Application Submittal Requirements

1. At the discretion of the Planning Director, certain submittal requirements may be waived to tailor the requirements to the information that is necessary to review a specific application.

2. To authorize a waiver, the Planning Director must make a finding for the following:

   a. The waiver will not compromise a proper and complete review of the application.

   b. The submittal requirement(s) to be waived is not necessary for describing the proposal or demonstrating compliance with the applicable review criteria.

3. If the Planning Director authorizes a waiver, they will:

   a. Provide the applicant with written notice of their decision.

   b. Include in their staff report a list of the submittal requirements waived and the findings made to justify the waiver.

5. Application Review Criteria

The Planning Commission may recommend approval of, and the Town Council may approve, a request to vacate a public right-of-way or easement upon a positive finding of each of the following criteria:

1. The vacation is consistent with the Community Plan and complies with the requirements of this Code.

2. The right-of-way or easement is no longer needed for a public purpose.

3. All portions of the right-of-way or easement are within the Town.

4. No portion of the easement or right-of-way constitutes a boundary line between two (2) counties or the boundary of the Town.

5. No land adjoining the right-of-way or easement will be left, as a result of the vacation, without adequate access to a public road or public services.

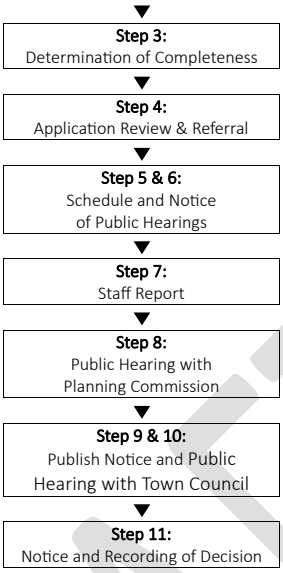
6. Application Review Process

A request to vacate a public right-of-way or easement will be reviewed and decided upon in accordance with the following process.

Table ##: Overview of Vacation of Public Right-of-Way or Easement Review Process

PRE-APPLICATION	APPLICATION	POST-DECISION ACTIONS
Step 1: Pre-Application Conference	**Step 2:** Application Submittal	<Add Text>

Commented [MF35]: Need input from Town Attorney on what, if any, actions can be taken following a final action by the Town Council.



1. **Step 1: Pre-Application Conference.** A Pre-Application Conference is required prior to the submittal of an application for a vacation of public right-of-way or easement. This requirement may be waived at the discretion of the Planning Director.

   The process for a Pre-Application Conference is as follows:

   a. *Schedule Pre-Application Conference.* The applicant must submit a written request for a Pre-Application Conference to the Planning Director. Within fourteen (14) calendar days of receiving such a request, the Planning Director will schedule the Pre-Application Conference and notify the applicant of the date, time, and location of the conference.

   b. *Materials for Pre-Application Conference.* If required by the Planning Director, the applicant will submit information that allows for an informal evaluation of the proposal. This information must be submitted at least five (5) business days prior to the Pre-Application Conference.

   c. *Attend Pre-Application Conference.* The applicant and the Planning Director will attend the Pre-Application Conference. The Planning Director may invite other town staff, town consultants, and/or county, state, or federal representatives to participate in the Pre-Application Conference if they deem it appropriate.

      The purpose of the Pre-Application Conference is to provide the applicant, Planning Director, and other attendees with an opportunity to review and discuss the following:

      i. The applicant's proposal.

ii. The applicable provisions of this Code.

iii. The application submittal requirements and review procedures.

iv. The referral agencies likely to be involved with the review of the application.

Depending on the magnitude or complexity of the applicant's proposal and/or the availability of other persons deemed necessary to attend, the Pre-Application Conference may be continued for a reasonable time at the request of the applicant or the Planning Director.

d. *Pre-Application Conference Summary.* Within ten (10) business days of the conclusion of the Pre-Application Conference, the Planning Director shall prepare, and provide the applicant with, a written summary of the conference.

e. *Effect of Pre-Application Conference*. Any information provided as part of a Pre-Application Conference shall not be binding on the Town or the applicant.

2. **Step 2: Submittal of Application.** The applicant for a vacation of public right-of-way or easement shall submit a complete application to the Town. Prior to the application submittal, the Planning Director shall determine, and inform the applicant of, the format (electronic or hard copy) and number of copies of the application to be submitted.

3. **Step 3: Determination of Completeness.** Within thirty (30) business days of the Town receiving an application, the Planning Director shall review the application and determine whether it is complete and includes sufficient information to be evaluated for general compliance with the requirements of this Code.

a. *Application Deemed Complete.* If the Planning Director determines the application to be complete, they shall do the following:

i. Certify the application as complete and record the date of the determination of completeness.

ii. Notify the applicant, in writing, of the determination of completeness; any changes that need to be made to the application prior to commencing the application referral process; and the number of complete applications to be submitted to the Town for the referral process.

b. *Application Deemed Incomplete.* If the application is determined to be incomplete, the Planning Director shall notify the applicant, in writing, of the application's deficiencies and that no further action on the application will be taken until these deficiencies have been remedied.

If an applicant fails to correct deficiencies in their application, the Planning Director may deem the application to be withdrawn in accordance with Subsection 16-#-##-#.

c. *Extension of Timeframe for Determination of Completeness.* The Planning Director may extend the timeframe for a determination of completeness by up to ten (10) business days if one of the following conditions exist:

i. The scope of the application warrants additional time for the Planning Director to review the application and make a determination of completeness.

ii. The Planning Director's workload justifies the need for an extension of time to review the application and make a determination of completeness.

If the Planning Director chooses to extend the time for the review and determination of completeness for an application, they will provide the applicant with written notice of their decision.

4. **Step 4: Application Review and Referral.**
   a. Within five (5) business days of receiving the requested number of complete applications from the applicant, the Planning Director shall circulate copies of the application package for review and comment by the town departments, town consultants, and referral agencies that may be affected by the proposal. The Planning Director is responsible for determining the appropriate town departments, town consultants, and referral agencies to involve in the review of an application.

   b. The comment period for the review by referral agencies shall be twenty (20) business days from the date that the application is circulated by the Planning Director. Upon request by a referral agency, the Planning Director may authorize one (1) extension of this comment period by up to ten (10) business days.

   c. Comments from referral agencies not received by the Town within the applicable time frame will be considered a no comment.

   d. Town departments and town consultants may provide comments on an application at any time during the review process.

5. **Step 5: Schedule Public Hearings.** Upon the conclusion of the referral process, the Planning Director shall schedule the application for public hearings before the Planning Commission and Town Council in accordance with the following requirements and notify the applicant, in writing, of the date, time, and location of each public hearing.

   a. The public hearings shall be scheduled for a regularly scheduled meeting or a special meeting of the Planning Commission and Town Council.

   b. The first public hearing before the Planning Commission shall be scheduled no later than forty (40) business days after the conclusion of the referral process.

   c. A public hearing before the Town Council shall be scheduled within forty (40) business days of the Planning Commission completing its review and making a recommendation to the Town Council. In accordance with the Home Rule Charter, the public hearing with the Town

Commented [MF36]: The existing Code (refer to Subsection 17-9-20(d)) provides referral agencies thirty (30) days to submit comments.

Council is to be held at the second meeting that the ordinance for the vacation or right-of-way or easement is introduced a second time.

6. **Step 6: Notice of Public Hearings**. Prior to the date of the first public hearing with the Planning Commission, the applicant shall:

   a. *Mail Notice.* Mail notice, by certified mail, to all property owners of record affected by the proposed vacation. Mailed notice must comply with the applicable requirements set forth in Section 16-#-##.

   b. *Submit Proof of Notice.* Submit proof of notice in accordance with Section 16-#-##.

7. **Step 7: Staff Report.** Town staff shall prepare a staff report that addresses the following, as applicable:

   a. Compliance with the standards of this Code.

   b. Issues raised during the review of the application by town staff, town consultants, and/or referral agencies.

   c. Recommended conditions to ensure compliance with applicable standards.

   d. Additional information pertinent to the review of the application that must be submitted by the applicant.

8. **Step 8: Public Hearing with Planning Commission.**
   a. The Planning Commission will hold a public hearing, in accordance with Section 16-#-##, to review the application. The applicant, or their agent, must be present at the hearing.

   b. At least five (5) calendar days prior to the public hearing, the Planning Director shall make available the following materials to the Planning Commission, the applicant, and the public:

      i. The application and any supporting materials.

      ii. The staff report.

      iii. Copies of any comments received by the Town from town departments, town consultants, referral agencies, and/or the public.

   c. Following the close of the public hearing, the Planning Commission shall consider the application and any supporting materials, the staff report, public testimony, and the review criteria for a vacation of public right-of-way or easement, and shall take one of the following actions:

      i. Recommend that the Town Council approve the vacation, subject to any changes that the Planning Commission deems necessary to ensure compliance with this Code and the Community Plan.

Commented [MF37]: The existing Code (refer to Subsection 17-9-20(c)) just requires a vacation of public right-of-way or easement to be reviewed at a regular meeting of the Planning Commission.

ii. Recommend that Town Council deny the vacation and state the specific reason(s) for denial.

9. **Step 9: Publish Notice.** Following the public hearing with the Planning Commission and at least thirty (30) calendar days prior to the public hearing with the Town Council, the Town Clerk will publish notice, one (1) time, in a local newspaper, having general circulation within the Town. The notice must include the following:

   a. A description of the right-of-way or easement to be vacated.

   b. The recommendation of the Planning Commission.

   c. The date, time, and location of the hearing with the Town Council.

10. **Step 10: Public Hearing with Town Council.**
    a. Following the public hearing with the Planning Commission, the Town Council will hold a public hearing, in accordance with Section 16-#-##, to review the application. The applicant, or their agent, must be present at the hearing.

    b. At least five (5) calendar days prior to the public hearing, the Planning Director shall make available the following materials to the Town Council, the applicant, and the public:

       i. The application and any supporting materials.

       ii. The staff report.

       iii. The Planning Commission's recommendation.

       iv. Copies of any comments received by the Town from town departments, town consultants, referral agencies, and/or the public.

    c. Following the close of the public hearing, the Town Council shall consider the application and any supporting materials, the staff report, public testimony, and the review criteria for a vacation of public right-of-way or easement, and shall take one of the following actions:

       i. Approve the vacation, subject to any changes that the Planning Commission deems necessary to ensure compliance with this Code and the Community Plan.

       ii. Deny the vacation and state the specific reason(s) for denial.

    d. If the Town Council approves a vacation of public right-of-way or easement, it shall enact an ordinance to such effect.

11. **Step 11: Notice and Recording of Decision.**
    a. Within ten (10) business days of a final action by the Town Council, the following will occur:

       i. The Planning Director will send written notice of the decision to the applicant.

Commented [MF38]: This requirement comes from the existing Code (refer to Subsection 17-9-20(g)). This needs to be reviewed by the Town Attorney to determine if:

1.This requirement needs to be completed at this stage of the review process.

2.The Town Clerk or the applicant should be responsible for this.

ii. A copy of the decision will be made available to the applicant during normal business at Minturn Town Hall.

b. If the Town Council approves a vacation of public right-of-way or easement, the Town Clerk will do the following:

i. Enter a copy of the ordinance approving the vacation into the town's records.

ii. Record the approved vacation with the Eagle County Clerk and Recorder.

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Section 16-8-130: Major Subdivisions

A. Applicability

Any subdivision of land that is not eligible to be reviewed and processed via the other procedures set forth in this Article is considered a Major Subdivision. All Major Subdivisions must comply with this Section and Sections 16-8-140 through 16-8-160.

Commented [MF39]: This is new language and may need further refinement.

B. Overview of Major Subdivision Process

The process for a Major Subdivision has one (1) optional step and two (2) required steps:

1. *Step 1: Sketch Plan (refer to Section 16-8-140).* The purpose of the Sketch Plan is to allow the applicant to present and discuss the concept for the proposed subdivision and obtain feedback from Town staff, the Planning Commission, and the Town Council. This is an optional step in the Major Subdivision process and is intended to assist the applicant with developing a subdivision that complies with this Code and is substantial conformance with the Community Plan.

2. *Step 2: Preliminary Plat (refer to Section 16-8-150).* The purpose of the Preliminary Plat is to allow the Town to review and evaluate the details of a proposed subdivision and ensure the following:

   a. Compliance with the requirements of this Code.

   b. Substantial conformance with the Community Plan.

   c. The provision of infrastructure and services necessary to serve future residents and/or occupants of the subdivided land.

   This is a required step in the Major Subdivision process.

3. *Step 3: Final Plat (refer to Section 16-8-160).* The purpose of the Final Plat is to ensure compliance with an approved Preliminary Plat and the requirements of this Code. This is the final required step in the Major Subdivision process.

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Section 16-8-140: Sketch Plan (Optional)

This Section is in progress.

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Section 16-8-150: Preliminary Plat

A. Purpose

The purpose of this Section is to establish a process for reviewing the details of a proposed Major Subdivision. The Preliminary Plat is the second step in the Major Subdivision process and is required. Refer to Subsection 16-8-##-# for further information.

B. General Provisions

1. All maps, construction plans, and other drawings required as part of a Preliminary Plat must be scaled as follows:

Table ##: Required Drawing Scale

Total Area of Subdivision	Maximum Scale Permitted
Less than 10,000 sq. ft.	1" = 50 feet
10,000 sq. ft.- 2 acres	1" = 100 feet
2.01- 5 acres	1" = 200 feet
More than 5 acres	Scale must provide for the clear depiction of all required information on a sheet size of 24"x36".

2. Construction plans for streets, utilities, erosion control facilities, and other public improvements should be drawn in sufficient detail to fully represent the intentions of the subdivider with regard to the type, materials and location of the proposed improvements.

3. Legal descriptions and plats must be prepared, dated, and signed by a professional land surveyor licensed in the State of Colorado.

4. Utility, road, grading, drainage, erosion control, and water quality plans must be prepared, dated, and signed by a professional engineer licensed in the State of Colorado.

5. Soils reports must be prepared, dated, and signed by a professional engineer licensed in the State of Colorado and actively engaged in the practice of soils engineering.

6. Geologic reports must be prepared, dated, and signed by a professional geologist as defined in the Colorado Revised Statutes.

C. Application Submittal Requirements

An application for a Preliminary Plat shall include the following:

1. **Application.** A completed copy of the application form furnished by the Town. This form will, at minimum, require an applicant to submit the information listed in Subsection 16-#-##-#.

2. **Application Fee.** Payment for the applicable fee, as designated by the Town's schedule of fees, shall be made at the time of submittal of an application.

3. **Narrative.** A petition requesting the vacation of a public right-of-way or easement that includes the following:

4. **Preliminary Plat Map.** A map drawn to scale, dimensioned to the nearest foot, and that includes the following:

Commented [MF40]: The application submittal requirements are subject to further review and refinement by town staff.

a. Information sufficient to demonstrate that the Final Plat will comply with the requirements the Colorado Revised Statutes.

b. North arrow, graphic scale, date of preparation and any revisions thereto, and contour interval.

c. Boundary lines with bearings and distances, plus a property description of the tract proposed for subdivisions; said property description shall be a metes-and-bounds survey.

d. Departing property lines and owners of record of all parcels adjoining the proposed subdivision, including parcels separated therefrom only by a public right-of-way.

e. Existing contours at two-foot intervals on all portions of the land proposed for development for either public or private use, and at ten-foot intervals for all areas to remain in their natural state. All contour lines shall be accurate to within fifty percent (50%) of the interval. Areas sloping less than two percent (2%) shall have two-foot contour intervals.

f. Street names and a block and lot numbering system shall be shown.

g. Approximate area of each lot and its proposed use.

h. Site or facilities to be reserved or dedicated for public parks, schools or other public uses, if any, and the proposed terms and managing agencies for such reservations and dedications.

i. The site's geological, mineral resource, drainage and floodways, soil, vegetation, wildfire and other natural or man-made characteristics, including hazards and pollution which will affect the proposed land use, shall be investigated and shown on a map supplemental to and at the same scale as the preliminary plat, accompanied by such reports as necessary to complete the description of the existing conditions to show the following:

j. Soil types and their boundaries based on the National Cooperative Soil Survey, U.S.D.A. Soil Conservation Service, and a table of interpretations for included soil types shall be included.

k. Plant associations, including a description of materials, shall be mapped and described and major tree masses shall be shown on the plat.

l. The wildlife species inhabitation inventory, including wildlife habitats which will be affected by the proposed subdivision, shall be mapped and described following the practices of the State Division of Wildlife.

m. The relationship of vegetation types, aspect, slope and weather in the area of the proposed subdivision shall be inventoried and mapped, following practices of the State Forest Service, to determine wildfire hazard conditions.

n. The slopes of each proposed lot shall be shown.

o. The distance from the natural identifiable high-water mark of live or intermittent streams to any proposed development within the subdivision.

p. Potential pollution hazards that might affect the property.

q. Any hazardous or abandoned buildings on the property.

5. **Grading and Drainage Plan.** A Grading and Drainage Plan that includes the following:

a. *Grading Plan.* Generalized grading plan for the areas to be developed for public or private use, showing existing and revised contours and any proposed retaining structures.

b. *Cross Sections.* Cross sections to illustrate potentially difficult grade relationships between proposed roads, building sites and parking areas, and the recommended solutions to these problem areas.

c. *Street Plan and Profiles.* Plan views and centerline profiles shall be plotted at a horizontal scale of one (1") inch to five (5') feet on sheets supplemental to the drainage plan. These plans and profiles shall show all intersections with existing streets and all existing and proposed drainage areas and easements crossing, or parallel to, the roads. Also shown will be any known areas of high-water table, unsuitable soils and geological hazards. These plans shall include typical cross-section showing road widths, including driving surface, shoulders, curbs and gutters, barrow ditches, cut-and-fill slopes to the point of intersection with natural ground and the pavement structure details. The plan shall include the extremities of all cut-and-fill areas. A supplemental sheet shall be included to detail all drainage, retaining and bridge structures to be constructed as part of the roadway.

d. *Drainage Study.* A drainage study shall be prepared in accordance with this Chapter. This study shall include a contour map showing all existing and proposed water courses, including the seasonal course limits of tributaries, indicating the surface conditions and location of point of departure from the development. This study shall include computations of ten-year flow and one-hundred-year floodplain plotted on the contour maps. The drainage study shall also include computation of the increase or decrease in flows anticipated as a result of the development, and the capacity and velocity through all drainage structures, including open channels. In no case shall the area within the one-hundred-year floodplain be used for structural development without specific approval of the Town. In no case will a development be allowed to affect the location of discharge, the magnitude, depth and slope of stream bed, velocity of drainage flows upstream or downstream from the development, or the stream channel slope within the development, unless part of a floodplain management plan approved by the Town.

6. **Utility Plans.** Utility plans that include the following:

a. *Central Water Supply and Distribution System.* If a central water supply and distribution system is to be provided, the details of the system shall be shown and shall include the following:

i. Adequate evidence prepared by a registered engineer that a water supply that is sufficient in terms of quality, quantity and dependability will be available to ensure an adequate supply of water for the type of subdivision proposed, including requirements for fire protection. For preliminary plat applications affecting Battle Retained Parcels, a letter from ERWSD confirming its ability and commitment to meet the physical and legal water service needs for the proposed land use including fire flows. The ERWSD letter will be deemed to fully satisfy the foregoing requirement. Per Section 13-8-60, engineering and technical requirements of the Bolts Water Distribution System will be subject to ERWSD regulations (including, but not limited to, applicable fire flow requirements).

ii. If connection is to be made to the existing Town system, the following information shall be provided:

1. Evidence that the Town is willing to service the proposed subdivision.

2. Information regarding present service requirements, future commitments and present and future water supply capabilities of the Town.

3. Information regarding the water rights owned or used by the applicant, and an analysis of the potential for transfer to the Town for the purpose of supplying the development.

4. Evidence of compliance with all applicable water system construction and operation specifications of the Town, to include demonstrated adequacy for fire protection.

b. *Individual Water Supply and Systems.* If it is intended that individual water systems will be provided by lot owners, a report indicating the availability of ample potable groundwater at estimated depths throughout the subdivision and expected quality and long-term yield of such wells shall be provided by a registered engineer or geologist qualified to perform such work. The cumulative effect of on-lot domestic wells shall be considered on existing water rights.

c. *Water Supply Options.* A review and analysis of all viable options for water supply, indicating the relative benefits of each, shall be submitted. For preliminary plat applications affecting Battle Retained Parcels, the foregoing requirement shall be satisfied by the ERWSD letter required by Subsection 16-#-##(#)(#)(#).

d. *Electrical Service.* Underground distribution of electrical power or communication lines is required, and a description of the system shall be shown. The subdivider shall present written evidence that the utility companies involved have been advised of the proposed system and that an agreement on design has been reached.

e. *Sewer Service.* A central sewer collection system is to be provided; the details of the system shall be shown and include the following:

i. Evidence that the Town or sewer district is willing to service the proposed subdivision.

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ii. Information regarding present and future requirements and future commitments and capabilities of the provider of service.

iii. Adequate evidence provided by a registered engineer that the proposed sewer collection system is capable of serving the proposed subdivision.

f. *Fire Protection System.* The systems proposed to carry an adequate supply of water, and the related systems, shall be shown to comply with the Town ordinances and/or regulations regarding fire control and protection.

7. **Erosion Control and Revegetation Plans.** Erosion control and revegetation plans that include the following:

a. Plan for saving and/or protecting topsoil from erosion during construction and using topsoil for revegetation of disturbed areas.

b. Timing of disturbance.

c. Disturbed area controls.

d. Stabilization during disturbance.

e. Monitoring during disturbance.

f. Water quality impact report.

g. The temporary and permanent erosion control and revegetation measures required by this Subsection shall, as public improvements, be covered by the subdivision public improvements agreement or other security arrangements. The portion of such security allocated to permanent erosion control and revegetation measures shall not be released until those measures have been constructed and demonstrated effective over a period of two (2) growing seasons. The security or plat restriction imposed to guarantee temporary erosion control and revegetation measures may be released upon inspection and approval of such measures by the representatives of the Planning Commission.

h. The effects of increased impervious cover due to development (roofs, parking lots, streets, driveways, sidewalks, etc.) shall be mitigated in the following manner:

i. The developer shall attempt to minimize increases in impervious cover; an example is underground parking; AND

ii. Maximum use of open space shall be encouraged to mitigate the impact of increased impervious cover. The developer shall present information indicating the percentage increase in impervious cover projected as a result of development.

i. All applications for subdivision shall include a nonpoint source pollution control program. This program shall include both temporary and permanent control devices. Applicants should make proposals which meet any anticipated pollution source, including, but not limited to,

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parking lot and street runoff, sedimentation from disturbed areas, etc. The best current control devices must be proposed and included in any improvements agreement.

8. **Phasing Plan.** If development of a Major Subdivision is to occur in phases, a phasing plan must be provided. The phasing plan must demonstrate that the Major Subdivision can be completed within a reasonable time frame and include the following information:

    a. The approximate date when development, and subsequent phases or stages of development, will begin and be completed.

    b. The improvements to be included in each phase or stage of development.

    c. The financial guarantee(s) to be provided to ensure that improvements and amenities are constructed in accordance with the phasing plan.

9. **Environmental Impact Report.** An environmental impact report performed by independent, qualified professionals.

10. **U.S. Army Corps of Engineers 404 Permit.** If a subdivision proposes to modify the existing channel of a navigable stream, a completed Section 404- U.S. Army Corps of Engineers dredge-and-fill permit application must be submitted.

11. **Information for Battle Retained Parcels.** Any subdivision within the Battle Retained Parcels must include the following statement and acknowledgement:

    a. *Municipal Water Service.* The landowner(s) of the lots, tracts, blocks or parcels created pursuant to this plat and other parties having an interest in such hereby acknowledge that the Town will not provide, and will have no obligation to provide, municipal water service to the lots, tracts, blocks or parcels or any improvements located within the lots, tracts, blocks or parcels. In consideration of the Town's approval of this plat, the landowner(s) and other parties having an interest in the property that have executed this plat, by so executing this plat, and all successor owners of the lots, tracts, blocks or parcels created pursuant to this plat or other parties having an interest therein, by taking title to or acquiring an interest in such, knowingly and intentionally waive any and all right to disconnection of the property arising under Section 31-12-119, C.R.S., and based on failure to provide municipal services on the same general terms and conditions as the rest of the Town receives, to the extent based on the Town not providing the lots with municipal water service as described herein.

12. **Additional Information.** Any other information deemed necessary by the Planning Director to ensure a complete and proper review of the request.

D. Waiver of Application Submittal Requirements

1. At the discretion of the Planning Director, certain submittal requirements may be waived to tailor the requirements to the information that is necessary to review a specific application.

2. To authorize a waiver, the Planning Director must make a finding for the following:

    a. The waiver will not compromise a proper and complete review of the application.

DRAFT

b. The submittal requirement(s) to be waived is not necessary for describing the proposal or demonstrating compliance with the applicable review criteria.

3. If the Planning Director authorizes a waiver, they will:

   a. Provide the applicant with written notice of their decision.

   b. Include in their staff report a list of the submittal requirements waived and the findings made to justify the waiver.

E. Application Review Criteria

The Planning Commission may recommend approval of, and the Town Council may approve, a request for a Preliminary Plat upon a positive finding of each of the following criteria:

1. Complies with the requirements of this Code.
2. Is in substantial conformance with the community plan.
3. There is a legal, physical, adequate, and dependable water supply for each lot.
4. There is, or will be, adequate infrastructure (e.g., roads, sidewalks, etc.) and utilities (e.g., water, sewer, electricity, gas, internet, etc.) to serve each lot to be created by the subdivision.
5. Natural and/or human-made hazards will be mitigated, to the extent practicable.
6. If applicable, proposes reasonable project phasing in terms of infrastructure capacity, utility and transportation network connections, provision of open space and trails, and other aspects of the subdivision to be developed in phases.

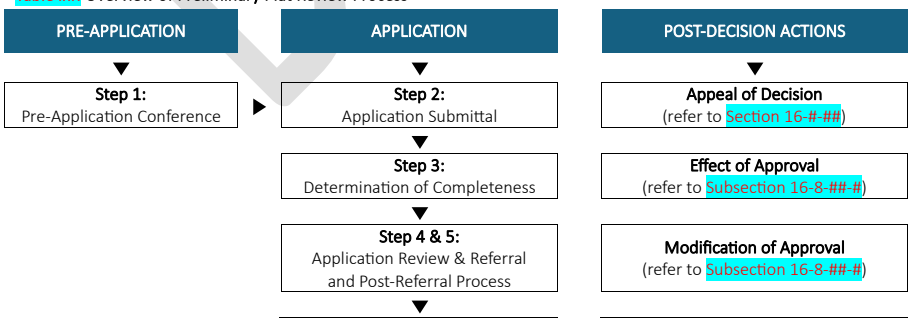
Commented [MF41]: These are new review criteria. The existing Code (refer to Section 17-5-80) simply states that following will be considered in the review of a Preliminary Plat:

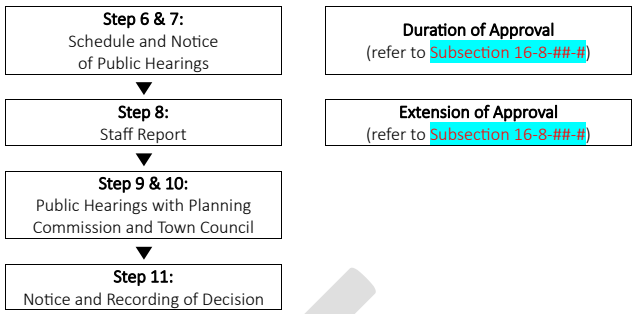
1. Information requested or required by the Town.
2. Whether the proposed subdivision conforms to these and other applicable regulations, policies and guidelines of the Town.
3. Review of reports on file, and others as available, pertaining to geologic, soils, wildfire, flood, pollution and other hazards, mineral resource areas and significant wildlife areas. The review shall consider the guidelines and recommendations, as prepared by the appropriate agency, to mitigate hazards and to protect resources.

F. Application Review Process

A request for a Preliminary Plat will be reviewed and decided upon in accordance with the following process.

Table ##: Overview of Preliminary Plat Review Process





1. **Step 1: Pre-Application Conference.** A Pre-Application Conference is required prior to the submittal of an application for a Preliminary Plat. This requirement may be waived at the discretion of the Planning Director.

   The process for a Pre-Application Conference is as follows:

   a. *Schedule Pre-Application Conference.* The applicant must submit a written request for a Pre-Application Conference to the Planning Director. Within fourteen (14) calendar days of receiving such a request, the Planning Director will schedule the Pre-Application Conference and notify the applicant of the date, time, and location of the conference.

   b. *Materials for Pre-Application Conference.* If required by the Planning Director, the applicant will submit information that allows for an informal evaluation of the proposal. This information must be submitted at least five (5) business days prior to the Pre-Application Conference.

   c. *Attend Pre-Application Conference.* The applicant and the Planning Director will attend the Pre-Application Conference. The Planning Director may invite other town staff, town consultants, and/or county, state, or federal representatives to participate in the Pre-Application Conference if they deem it appropriate.

      The purpose of the Pre-Application Conference is to provide the applicant, Planning Director, and other attendees with an opportunity to review and discuss the following:

      i. The applicant's proposal.

      ii. The applicable provisions of this Code.

      iii. The application submittal requirements and review procedures.

      iv. The referral agencies likely to be involved with the review of the application.

      Depending on the magnitude or complexity of the applicant's proposal and/or the availability of other persons deemed necessary to attend, the Pre-Application Conference may be continued for a reasonable time at the request of the applicant or the Planning Director.

d. *Pre-Application Conference Summary.* Within ten (10) business days of the conclusion of the Pre-Application Conference, the Planning Director shall prepare, and provide the applicant with, a written summary of the conference.

e. *Effect of Pre-Application Conference*. Any information provided as part of a Pre-Application Conference shall not be binding on the Town or the applicant.

2. **Step 2: Submittal of Application.** The applicant for a Preliminary Plat shall submit a complete application to the Town. Prior to the application submittal, the Planning Director shall determine, and inform the applicant of, the format (electronic or hard copy) and number of copies of the application to be submitted.

3. **Step 3: Determination of Completeness.** Within thirty (30) business days of the Town receiving an application, the Planning Director shall review the application and determine whether it is complete and includes sufficient information to be evaluated for general compliance with the requirements of this Code.

   a. *Application Deemed Complete.* If the Planning Director determines the application to be complete, they shall do the following:

      i. Certify the application as complete and record the date of the determination of completeness.

      ii. Notify the applicant, in writing, of the determination of completeness; any changes that need to be made to the application prior to commencing the application referral process; and the number of complete applications to be submitted to the Town for the referral process.

   b. *Application Deemed Incomplete.* If the application is determined to be incomplete, the Planning Director shall notify the applicant, in writing, of the application's deficiencies and that no further action on the application will be taken until these deficiencies have been remedied.

      If an applicant fails to correct deficiencies in their application, the Planning Director may deem the application to be withdrawn in accordance with Subsection 16-#-##-#.

   c. *Extension of Timeframe for Determination of Completeness.* The Planning Director may extend the timeframe for a determination of completeness by up to ten (10) business days if one of the following conditions exist:

      i. The scope of the application warrants additional time for the Planning Director to review the application and make a determination of completeness.

      ii. The Planning Director's workload justifies the need for an extension of time to review the application and make a determination of completeness.

If the Planning Director chooses to extend the time for the review and determination of completeness for an application, they will provide the applicant with written notice of their decision.

4. **Step 4: Application Review and Referral.**
   a. Within five (5) business days of receiving the requested number of complete applications from the applicant, the Planning Director shall circulate copies of the application package for review and comment by the town departments, town consultants, and referral agencies that may be affected by the proposal. The Planning Director is responsible for determining the appropriate town departments, town consultants, and referral agencies to involve in the review of an application.

   b. The comment period for the review by referral agencies shall be twenty (20) business days from the date that the application is circulated by the Planning Director. Upon request by a referral agency, the Planning Director may authorize one (1) extension of this comment period by up to ten (10) business days.

   c. Comments from referral agencies not received by the Town within the applicable time frame will be considered a no comment.

   d. Town departments and town consultants may provide comments on an application at any time during the review process.

5. **Step 5: Post-Referral Process.**
   a. *Schedule Post-Referral Meeting with Applicant.* If the review comments from town departments, town consultants, and/or referral agencies identify deficiencies in and/or concerns with an application, the Planning Director will provide the applicant with written notice of such comments and schedule a post-referral meeting with the applicant within ten (10) business days of the conclusion of the referral period (i.e., Step 4). The Planning Director may invite other town staff, town consultants, and/or referral agency representatives to participate in the post-referral meeting if they deem it appropriate.

      The purpose of the post-referral meeting is to:

      i. Discuss the review comments from the town departments, town consultants, and/or referral agencies.

      ii. Determine what actions the applicant needs to take to adequately address the review comments, prior to the scheduling of the first public hearing for the application.

   b. *Applicant Response to Review Comments.* Within ninety (90) business days of a post-referral meeting, the applicant shall submit a detailed written response to the Planning Director that addresses all review comments from town departments, town consultants and/or referral agencies.

      If the applicant fails to submit such a response within ninety (90) business days, the application may be deemed withdrawn in accordance with Subsection 16-#-##(#)(#).

The applicant may submit a written request to the Planning Director for additional time to submit the required response to review comments from town departments, town consultants and/or referral agencies. Upon a showing of good cause by the applicant, the Planning Director may authorize an extension of the response period.

c. *Review of Applicant's Response.* Following receipt of the applicant's response, the Planning Director will circulate copies of the response to the town departments, town consultants, and/or referral agencies that provided review comments.

The town departments, town consultants, and/or referral agencies shall have twenty (20) business days to review the applicant's response and provide written comments that clearly delineate review comments have been adequately addressed or remedied by the applicant, and those that have not. Upon request by a town department, town consultant, or referral agency, an extension of this comment period may be granted by the Planning Director.

d. *Inadequate Response to Review Comments.*

i. If a town department, town consultant, and/or a referral agency identifies review comments that have not been adequately addressed or remedied by the applicant's response, the Planning Director will provide the applicant with written notice of such and request that the applicant submit an additional response that addresses all outstanding review comments.

ii. The applicant shall submit an additional response that addresses all outstanding review comments, in accordance with Subsection 16-8-##(#)(b).

iii. Upon receipt of the applicant's response to all outstanding review comments, the Planning Director will circulate copies of the response to the town departments, town consultants, and/or referral agencies that provided review comments. Such town departments, town consultants, and/or referral agencies shall have the opportunity to review and comment on the applicant's response in accordance with Subsection 16-8-##(#)(c)..

If a town department, town consultant, and/or a referral agency identifies review comments that have not been adequately addressed or remedied by the applicant's additional response, the process set forth in this Subsection shall be repeated until all review comments have been adequately addressed or remedied by the applicant.

e. *Applicant Request for a Public Hearing.* If the applicant is unable to address or remedy all review comments to the satisfaction of the Planning Director, town departments, town consultants, and/or referral agencies, the applicant may submit a written request to the Planning Director that the application be scheduled for a public hearing.

As part of their request, the applicant shall submit a written response detailing the following:

i. How referral comments have been addressed.

Commented [MF42]: This refers to the *Applicant Response to Review Comments* Subsection above.

Commented [MF43]: This refers to the *Review of Applicant's Response* Subsection above.

ii. Why it was not possible to address or remedy the outstanding review comments to the satisfaction of the Planning Director, town departments, town consultants, and/or referral agencies.

f. *Schedule Public Hearings.* Planning Director shall schedule a public hearing, in accordance with Subsection 16-#-##(#), upon one of the following:

i. The Planning Director determines that the applicant has successfully and adequately addressed or remedied all comments set forth in the referral responses.

ii. The Planning Director receives a written request from the applicant that a public hearing be scheduled for their application, in accordance with Subsection 16-5-##(#)(e).

Commented [MF44]: This refers to the *Applicant Request for a Public Hearing* Subsection above.

6. **Step 6: Schedule Public Hearings.** Upon the conclusion of the post-referral process, the Planning Director shall schedule the application for public hearings before the Planning Commission and Town Council in accordance with the following requirements and notify the applicant, in writing, of the date, time, and location of each public hearing.

a. The public hearings shall be scheduled for a regularly scheduled meeting or a special meeting of the Planning Commission and Town Council.

b. The first public hearing before the Planning Commission shall be scheduled no later than forty (40) business days after the conclusion of the referral process.

c. A public hearing before the Town Council shall be scheduled within forty (40) business days of the Planning Commission completing its review and making a recommendation to the Town Council. In accordance with the Home Rule Charter, the public hearing with the Town Council is to be held at the second meeting that the ordinance for the vacation or right-of-way or easement is introduced a second time.

7. **Step 7: Notice of Public Hearings**. Prior to the date of the first public hearing with the Planning Commission, the applicant shall:

a. *Mail Notice.* Mail notice, by certified mail, to all property owners of record within two hundred (200) feet of the subject property or properties, in accordance with Section 16-#-##.

b. *Publish Notice.* Publish notice in a local newspaper, having general circulation within the Town, in accordance with Section 16-#-##.

c. *Post Notice.* Post notice on a sign on the subject property in accordance with Section 16-#-##.

d. *Mail Notice to Mineral Estate Owners (As Required).* If required by the Colorado Revised Statues, mail notice to mineral estate owners in accordance with Section 16-#-##.

e. *Submit Proof of Notice.* Submit proof of notice in accordance with Section 16-#-##.

f. If required by the Colorado Revised Statutes, the Town Planner shall send notice to the Colorado Geologic Survey and the Eagle County Board of Commissioners.

8. **Step 8: Staff Report.** Town staff shall prepare a staff report that addresses the following, as applicable:

   a. Compliance with the standards of this Code.

   b. Issues raised during the review of the application by town staff, town consultants, and/or referral agencies.

   c. Recommended conditions to ensure compliance with applicable standards.

   d. Additional information pertinent to the review of the application that must be submitted by the applicant.

9. **Step 9: Public Hearing with Planning Commission.**
   a. The Planning Commission will hold a public hearing, in accordance with Section 16-#-##, to review the application. The applicant, or their agent, must be present at the hearing.

   b. Prior to the public hearing, at least three (3) members of the Planning Commission shall review the proposal on site. Members of the Planning Commission that participate in the site review may make written recommendations to the full Planning Commission at its regular meeting regarding compliance of the proposal with the Town's regulations, goals, policies and plans.

   c. At least five (5) calendar days prior to the public hearing, the Planning Director shall make available the following materials to the Planning Commission, the applicant, and the public:

      i. The application and any supporting materials.

      ii. The staff report.

      iii. Copies of any comments received by the Town from town departments, town consultants, referral agencies, and/or the public.

   c. Following the close of the public hearing, the Planning Commission shall consider the application and any supporting materials, the staff report, public testimony, and the review criteria for a Preliminary Plat, and shall take one of the following actions:

      i. Recommend that the Town Council approve the Preliminary Plat, subject to any changes that the Planning Commission deems necessary to ensure compliance with this Code and the Community Plan.

      ii. Recommend that Town Council deny the Preliminary Plat and state the specific reason(s) for denial.

Commented [MF45]: The existing Code (refer to Section 17-5-30) requires a site review. This needs further review and discussion with town staff and the Planning Commission. It may be more appropriate for this to be optional.

10. **Step 10: Public Hearing with Town Council.**
    a. Following the public hearing with the Planning Commission, the Town Council will hold a public hearing, in accordance with Section 16-#-##, to review the application. The applicant, or their agent, must be present at the hearing.

    b. At least five (5) calendar days prior to the public hearing, the Planning Director shall make available the following materials to the Town Council, the applicant, and the public:

        i. The application and any supporting materials.

        ii. The staff report.

        iii. The Planning Commission's recommendation.

        iv. Copies of any comments received by the Town from town departments, town consultants, referral agencies, and/or the public.

    c. Following the close of the public hearing, the Town Council shall consider the application and any supporting materials, the staff report, public testimony, and the review criteria for a Preliminary Plat, and shall take one of the following actions:

        i. Approve the Preliminary Plat, subject to any changes that the Town Council deems necessary to ensure compliance with this Code and the Community Plan.

        ii. Deny the Preliminary Plat and state the specific reason(s) for denial.

    d. If the Town Council approves a Preliminary Plat, it shall enact a resolution to such effect.

    e. If the approved subdivision is to be developed in phases, the Town Council may include time frames for the approval of Final Plats for each phase of the subdivision.

11. **Step 11: Notice and Recording of Decision.**
    a. Within ten (10) business days of a final action by the Town Council, the following will occur:

        i. The Planning Director will send written notice of the decision to the applicant.

        ii. A copy of the decision will be made available to the applicant during normal business at Minturn Town Hall.

    b. If the Town Council approves a Preliminary Plat, the Town Clerk will enter a copy of the resolution approving the Preliminary Plat into the town's records.

Commented [MF46]: This needs to be confirmed by town staff.

G. Effect of Approval

Approval of a Preliminary Plat constitutes authorization for an applicant to prepare and submit an application for a Final Plat.

H. Modification of Approval

Any modification to an approved Preliminary Plat shall require the submittal of a new application that is processed and reviewed in accordance with the procedures and standards set forth in this Section. This shall not apply to any modifications that an applicant must make to address conditions of approval placed on a Preliminary Plat by the Town Council.

I. Duration of Approval

All Preliminary Plats shall expire and become null and void three (3) years from the date of approval unless one of the following has occurred:

1. If the subdivision is to be developed in a single phase, a Final Plat application has been submitted to and deemed complete by the Town.

2. If the subdivision is to be developed in multiple phases, Final Plat applications have been submitted to and deemed complete by the Town in accordance with the phasing plan approved by the Town Council.

3. A request for an extension has been submitted and approved in accordance with Subsection 16-8-##-#.

Commented [MF47]: This time frame may be a bit long. One (1) or two (2) years may be more appropriate.

J. Extension of Approval

1. The applicant for an approved Preliminary Plat may submit a written request for an extension of their approval to the Town. Such a request must be received a minimum of sixty (60) calendar days prior to the expiration date of the approval. Any request received later than this will not be considered by the Town.

2. A request to extend the approval of a Preliminary Development Plan must demonstrate the following:

   a. Failure to proceed with the submittal of a Final Plat was beyond the applicant's control.

   b. The Preliminary Plat remains in compliance with this Code and in substantial conformance with the Community Plan.

3. A request to extend the approval of a Preliminary Plat will be reviewed by the Town Council at a public hearing. Following the public hearing, the Town Council may authorize an extension of an approval for a period of up to two (2) years.

Commented [MF48]: The existing Code requires a request for an extension to be submitted at least sixty (60) days prior to the expiration date. This could be reduced to thirty (30) calendar days.

Commented [MF49]: These are new criteria that have been modeled off of the criteria for the extension of an approval for a Preliminary PUD Development Plan. The existing Code (refer to Subsection 17-5-90(b)) only requires a showing of good cause.

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Section 16-8-160: Final Plat

A. Purpose

The purpose of this Section is to establish a process for ensuring that the Final Plat for a Major Subdivision complies with an approved Preliminary Plat and the requirements of this Code. The Final Plat is the third and final step in the Major Subdivision process and is required. Refer to Subsection 16-8-##-# for further information.

B. Application Submittal Requirements

An application for a Final Plat shall include the following:

1. **Application.** A completed copy of the application form furnished by the Town. This form will, at minimum, require an applicant to submit the information listed in Subsection 16-5-##-#.

2. **Application Fee.** Payment for the applicable fee, as designated by the Town's schedule of fees, shall be made at the time of submittal of an application.

3. **Final Plat.** A Final Plat drawn to scale and that includes the following:

    a. The name of the subdivision, date of preparation, date of survey, north arrow, graphic scale, and a vicinity map. If multiple sheets are necessary to depict the total filing, the title or cover sheet of the Final Plat must include the following:

        i. The vicinity map.

        ii. The legal description of the tract boundary.

        iii. A key map to sheet location.

        iv. All certifications and dedications.

        The vicinity map must be at a scale of 1" = 1,000 feet and include section lines and township and range lines, where practical.

    b. A legal description of the property.

    c. The basis of bearings.

    d. Name and address of the property owner(s) and mineral estate owner(s) of record of the land being platted.

    e. Name, address, and seal of the certifying registered land surveyor preparing the Final Plat.

    f. Boundary lines, corner pins, and dimensions of the subject property or properties, including land survey data to identify the subject property or properties by section corners, distance and bearing to these corners, quarter corner, township, and range. All surveying data shall be tied to primary control points, the locations and descriptions of these control points being indicated.

Commented [MF50]: The application submittal requirements are subject to further review and refinement by town staff.

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g. Location and full description of all property monuments required by this Code and the Colorado Revised Statutes including, but not limited to, the following. Information adequate to locate all monuments must be noted on the Final Plat.

   i. Two (2) concrete monuments, at least thirty-six (36") inches in length and four (4") inches square with a suitable center point, shall be set at each street intersection on the street right-of-way line, or on offset lines therefrom, designated on the record plat.

   ii. Iron monuments one-half (½") inch in diameter and eighteen (18") inches long shall be placed on all points on boundary lines where there is a change of direction.

h. Bearings, deflection angles, arc lengths, chord bearings, chord lengths, tangent distances and central angles of all curves shall be shown. If multiple sheets are necessary to depict the total filing, curve tables shall be provided on each sheet and include only those curves shown on the sheet.

i. Location and dimensions of rights-of-way. Right-of-way lines must be depicted as dashed lines.

j. Location, dimensions and names of all streets and/or roads. Street and road lines must be depicted as solid black lines.

k. Lot and block location and information including the following:

   i. Blocks letters or numbers in consecutive order.

   ii. Lot numbers in consecutive order.

   iii. Street addresses for each lot.

   iv. Lot boundaries shown with accurate dimensions to the nearest one-hundredth (0.01) foot. Lot boundaries must be depicted as solid black lines.

   v. Area of each lot shown to two (2) decimal places.

l. Location, width, purpose, and owners of all easements. A Plat note(s) may be necessary to provide complete information regarding the purpose of an easement. Easement lines must be depicted as dashed lines.

m. The location of all major drainage channels and areas showing the boundaries of land subject to inundation by a one-hundred-year flood.

n. Reference to any protective covenants, declarations, and/or other restrictions to be filed with the Final Plat and an indication of the purpose for which sites other than residential lots are dedicated or reserved.

o. Certificates and signature blocks that include, but are not limited to, the following:

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i. *Certificate of Dedication and Ownership.* A certificate of dedication and ownership executed by the owner(s) of record and any other person(s) or entity(ies) having an interest in the land being platted, including any security interest.

ii. *Title Certificate.* A certificate of a title company or attorney showing marketable title in the owners, subject only to the liens or encumbrances of persons executing the certificate of dedication and ownership.

iii. *Surveyor's Certificate.* A surveyor's certificate signed by a land surveyor licensed in the State of Colorado and who is responsible for the survey and Final Plat.

iv. *Clerk and Recorder's Certificate.* A recorder's certificate to be completed upon recording of the Final Plat.

v. An approval block for the Town Council.

p. In addition to requirements described herein, the Final Plat shall comply with all requirements of the Colorado Revised Statutes.

4. **Supplemental Documents.** Supplemental documents required to be filed with the Final Plat that include, but are not limited to, the following:

a. *Governing Documents.* Any protective covenants, declarations, party wall agreements, and/or other restrictions placed on the subdivision.

b. *Engineering Documents.* Complete engineering plans and specifications, time schedules and cost estimates for all public improvements, including erosion control and revegetation measures, "no discharge" measures to eliminate stormwater discharges, streets, access roads, drainage facilities, utility systems, bridges, landscaping and other improvements proposed or required to be installed by the developer, and a statement of proof that the subdivider has the ability to pay for such improvements. The above-referenced drawings shall be labeled as final public improvement drawings.

c. *Agreements.* An executed subdivision improvements agreement, off-site improvements agreement, and/or other agreement required by the Town as a condition of Final Plat approval.

d. *Evidence of Water Supply.* Adequate evidence of water in sufficient quantity for both domestic and irrigation use which shall be transferred to a legal entity which shall be established to operate a system to provide such quantity of water. For final plat applications affecting Battle Retained Parcels, a letter from ERWSD confirming its ability and commitment to meet the physical and legal water service needs for the proposed land use including fire flows. The ERWSD letter will be deemed to fully satisfy the foregoing requirement. Per Section 13-8-60, engineering and technical requirements of the Bolts Water Distribution System will be subject to ERWSD regulations and Chapter ## (including, but not limited to, applicable fire flow requirements).

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5. **Information for Battle Retained Parcels.** Any final plat within the Battle Retained Parcels must include the following statement and acknowledgement:

    a. *Municipal Water Service.* The landowner(s) of the lots, tracts, blocks or parcels created pursuant to this plat and other parties having an interest in such hereby acknowledge that the Town will not provide, and will have no obligation to provide municipal water service to the lots, tracts, blocks or parcels or any improvements located within the lots, tracts, blocks or parcels. In consideration of the Town's approval of this plat. the landowner(s) and other parties having an interest in the property that have executed this plat, by so executing this plat, and all successor owners of the lots, tracts, blocks or parcels created pursuant to this plat or other parties having an interest therein, by taking title to or acquiring an interest in such, knowingly and intentionally waive any and all right to disconnection of the property arising under Section 31-12-119, C.R.S., and based on failure to provide municipal services on the same general terms and conditions as the rest of the Town receives, to the extent based on the Town not providing the lots with municipal water service as described herein.

6. **Additional Information.** Any other information deemed necessary by the Planning Director to ensure a complete and proper review of the request.

C. Waiver of Application Submittal Requirements

1. At the discretion of the Planning Director, certain submittal requirements may be waived to tailor the requirements to the information that is necessary to review a specific application.

2. To authorize a waiver, the Planning Director must make a finding for the following:

    a. The waiver will not compromise a proper and complete review of the application.

    b. The submittal requirement(s) to be waived is not necessary for describing the proposal or demonstrating compliance with the applicable review criteria.

3. If the Planning Director authorizes a waiver, they will:

    a. Provide the applicant with written notice of their decision.

    b. Include in their staff report a list of the submittal requirements waived and the findings made to justify the waiver.

D. Application Review Criteria

The Town Council may approve a request for a Final Plat upon a positive finding of each of the following criteria:

1. The Final Plat is in substantial conformance with the approved Preliminary Plat.
2. The Final Plat complies with the requirements of this Code.
3. All conditions of approval for the Preliminary Plat have been addressed satisfactorily.
4. The Final Plat complies with the applicable requirements of the Colorado Revised Statutes.

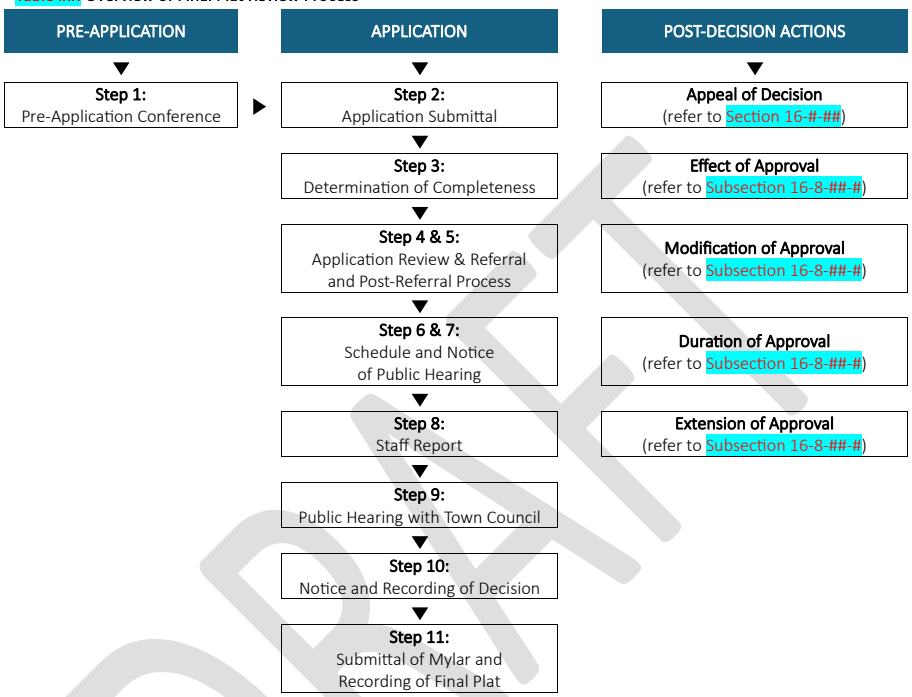
Commented [MF51]: Minor modifications have been made to the review criteria in the existing Code (refer to Section 17-6-20):

"...the plat is in conformance with the approved preliminary subdivision plat and meets the requirements for final subdivision plat..."

E. Application Review Process

A request for a Final Plat will be reviewed and decided upon in accordance with the following process.

Table ##: Overview of Final Plat Review Process



1. **Step 1: Pre-Application Conference.** A Pre-Application Conference is required prior to the submittal of an application for a Final Plat. This requirement may be waived at the discretion of the Planning Director.

   The process for a Pre-Application Conference is as follows:

   a. *Schedule Pre-Application Conference.* The applicant must submit a written request for a Pre-Application Conference to the Planning Director. Within fourteen (14) calendar days of receiving such a request, the Planning Director will schedule the Pre-Application Conference and notify the applicant of the date, time, and location of the conference.

   b. *Materials for Pre-Application Conference.* If required by the Planning Director, the applicant will submit information that allows for an informal evaluation of the proposal. This information must be submitted at least five (5) business days prior to the Pre-Application Conference.

c. *Attend Pre-Application Conference.* The applicant and the Planning Director will attend the Pre-Application Conference. The Planning Director may invite other town staff, town consultants, and/or county, state, or federal representatives to participate in the Pre-Application Conference if they deem it appropriate.

The purpose of the Pre-Application Conference is to provide the applicant, Planning Director, and other attendees with an opportunity to review and discuss the following:

i. The applicant's proposal.

ii. The applicable provisions of this Code.

iii. The application submittal requirements and review procedures.

iv. The referral agencies likely to be involved with the review of the application.

Depending on the magnitude or complexity of the applicant's proposal and/or the availability of other persons deemed necessary to attend, the Pre-Application Conference may be continued for a reasonable time at the request of the applicant or the Planning Director.

d. *Pre-Application Conference Summary.* Within ten (10) business days of the conclusion of the Pre-Application Conference, the Planning Director shall prepare, and provide the applicant with, a written summary of the conference.

e. *Effect of Pre-Application Conference.* Any information provided as part of a Pre-Application Conference shall not be binding on the Town or the applicant.

2. **Step 2: Submittal of Application.** The applicant for a Final Plat shall submit a complete application to the Town. Prior to the application submittal, the Planning Director shall determine, and inform the applicant of, the format (electronic or hard copy) and number of copies of the application to be submitted.

3. **Step 3: Determination of Completeness.** Within thirty (30) business days of the Town receiving an application, the Planning Director shall review the application and determine whether it is complete and includes sufficient information to be evaluated for general compliance with the requirements of this Code.

a. *Application Deemed Complete.* If the Planning Director determines the application to be complete, they shall do the following:

i. Certify the application as complete and record the date of the determination of completeness.

ii. Notify the applicant, in writing, of the determination of completeness; any changes that need to be made to the application prior to commencing the application referral process; and the number of complete applications to be submitted to the Town for the referral process.

b. *Application Deemed Incomplete.* If the application is determined to be incomplete, the Planning Director shall notify the applicant, in writing, of the application's deficiencies and that no further action on the application will be taken until these deficiencies have been remedied.

   If an applicant fails to correct deficiencies in their application, the Planning Director may deem the application to be withdrawn in accordance with Subsection 16-#-##-#.

c. *Extension of Timeframe for Determination of Completeness.* The Planning Director may extend the timeframe for a determination of completeness by up to ten (10) business days if one of the following conditions exist:

   i. The scope of the application warrants additional time for the Planning Director to review the application and make a determination of completeness.

   ii. The Planning Director's workload justifies the need for an extension of time to review the application and make a determination of completeness.

   If the Planning Director chooses to extend the time for the review and determination of completeness for an application, they will provide the applicant with written notice of their decision.

4. **Step 4: Application Review and Referral.**
   a. Within five (5) business days of receiving the requested number of complete applications from the applicant, the Planning Director shall circulate copies of the application package for review and comment by the town departments, town consultants, and referral agencies that may be affected by the proposal. The Planning Director is responsible for determining the appropriate town departments, town consultants, and referral agencies to involve in the review of an application.

   b. The comment period for the review by referral agencies shall be twenty (20) business days from the date that the application is circulated by the Planning Director. Upon request by a referral agency, the Planning Director may authorize one (1) extension of this comment period by up to ten (10) business days.

   c. Comments from referral agencies not received by the Town within the applicable time frame will be considered a no comment.

   d. Town departments and town consultants may provide comments on an application at any time during the review process.

5. **Step 5: Post-Referral Process.**
   a. *Schedule Post-Referral Meeting with Applicant.* If the review comments from town departments, town consultants, and/or referral agencies identify deficiencies in and/or concerns with an application, the Planning Director will provide the applicant with written notice of such comments and schedule a post-referral meeting with the applicant within ten (10) business days of the conclusion of the referral period (i.e., Step 4). The Planning Director

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may invite other town staff, town consultants, and/or referral agency representatives to participate in the post-referral meeting if they deem it appropriate.

The purpose of the post-referral meeting is to:

i. Discuss the review comments from the town departments, town consultants, and/or referral agencies.

ii. Determine what actions the applicant needs to take to adequately address the review comments, prior to the scheduling of the first public hearing for the application.

b. *Applicant Response to Review Comments.* Within ninety (90) business days of a post-referral meeting, the applicant shall submit a detailed written response to the Planning Director that addresses all review comments from town departments, town consultants and/or referral agencies.

If the applicant fails to submit such a response within ninety (90) business days, the application may be deemed withdrawn in accordance with Subsection 16-#-##(#)(#).

The applicant may submit a written request to the Planning Director for additional time to submit the required response to review comments from town departments, town consultants and/or referral agencies. Upon a showing of good cause by the applicant, the Planning Director may authorize an extension of the response period.

c. *Review of Applicant's Response.* Following receipt of the applicant's response, the Planning Director will circulate copies of the response to the town departments, town consultants, and/or referral agencies that provided review comments.

The town departments, town consultants, and/or referral agencies shall have twenty (20) business days to review the applicant's response and provide written comments that clearly delineate review comments have been adequately addressed or remedied by the applicant, and those that have not. Upon request by a town department, town consultant, or referral agency, an extension of this comment period may be granted by the Planning Director.

d. *Inadequate Response to Review Comments.*

i. If a town department, town consultant, and/or a referral agency identifies review comments that have not been adequately addressed or remedied by the applicant's response, the Planning Director will provide the applicant with written notice of such and request that the applicant submit an additional response that addresses all outstanding review comments.

ii. The applicant shall submit an additional response that addresses all outstanding review comments, in accordance with Subsection 16-8-##(#)(b).

iii. Upon receipt of the applicant's response to all outstanding review comments, the Planning Director will circulate copies of the response to the town departments, town consultants, and/or referral agencies that provided review comments. Such town departments, town consultants, and/or referral agencies shall have the opportunity to

review and comment on the applicant's response in accordance with Subsection 16-8-##(#)(c).

If a town department, town consultant, and/or a referral agency identifies review comments that have not been adequately addressed or remedied by the applicant's additional response, the process set forth in this Subsection shall be repeated until all review comments have been adequately addressed or remedied by the applicant.

e. *Applicant Request for a Public Hearing.* If the applicant is unable to address or remedy all review comments to the satisfaction of the Planning Director, town departments, town consultants, and/or referral agencies, the applicant may submit a written request to the Planning Director that the application be scheduled for a public hearing.

As part of their request, the applicant shall submit a written response detailing the following:

i. How referral comments have been addressed.

ii. Why it was not possible to address or remedy the outstanding review comments to the satisfaction of the Planning Director, town departments, town consultants, and/or referral agencies.

f. *Schedule Public Hearings.* The Planning Director shall schedule a public hearing, in accordance with Subsection 16-#-##(#), upon one of the following:

i. The Planning Director determines that the applicant has successfully and adequately addressed or remedied all comments set forth in the referral responses.

ii. The Planning Director receives a written request from the applicant that a public hearing be scheduled for their application, in accordance with Subsection 16-5-##(#)(e).

6. **Step 6: Schedule Public Hearing.** Upon the conclusion of the post-referral process, the Planning Director shall schedule the application for a public hearing before the Town Council in accordance with the following requirements and notify the applicant, in writing, of the date, time, and location of each public hearing.

a. The public hearing shall be scheduled for a regularly scheduled meeting or a special meeting of the Town Council.

b. The first public hearing before the Town Council shall be scheduled no later than forty (40) business days after the conclusion of the referral process.

7. **Step 7: Notice of Public Hearings.** Prior to the date of the first public hearing with the Town Council, the applicant shall:

a. *Mail Notice.* Mail notice, by certified mail, to all property owners of record within two hundred (200) feet of the subject property or properties, in accordance with Section 16-#-##.

b. *Publish Notice.* Publish notice in a local newspaper, having general circulation within the Town, in accordance with Section 16-#-##.

c. *Post Notice.* Post notice on a sign on the subject property in accordance with Section 16-#-##.

d. *Mail Notice to Mineral Estate Owners (As Required).* If required by the Colorado Revised Statues, mail notice to mineral estate owners in accordance with Section 16-#-##.

e. *Submit Proof of Notice.* Submit proof of notice in accordance with Section 16-#-##.

f. If required by the Colorado Revised Statutes, the Town Planner shall send notice to the Colorado Geologic Survey and the Eagle County Board of Commissioners.

8. **Step 8: Staff Report.** Town staff shall prepare a staff report that addresses the following, as applicable:

   a. Compliance with the standards of this Code.

   b. Issues raised during the review of the application by town staff, town consultants, and/or referral agencies.

   c. Recommended conditions to ensure compliance with applicable standards.

   d. Additional information pertinent to the review of the application that must be submitted by the applicant.

9. **Step 9: Public Hearing with Town Council.**
   a. The Town Council will hold a public hearing, in accordance with Section 16-#-##, to review the application. The applicant, or their agent, must be present at the hearing.

   b. At least five (5) calendar days prior to the public hearing, the Planning Director shall make available the following materials to the Town Council, the applicant, and the public:

      i. The application and any supporting materials.

      ii. The staff report.

      iii. Copies of any comments received by the Town from town departments, town consultants, referral agencies, and/or the public.

   c. Following the close of the public hearing, the Town Council shall consider the application and any supporting materials, the staff report, public testimony, and the review criteria for a Final Plat, and shall take one of the following actions:

      i. Approve the Final Plat, subject to any changes that the Town Council deems necessary to ensure compliance with this Code and the Community Plan.

      ii. Deny the Final Plat and state the specific reason(s) for denial.

d. If the Town Council approves a Final Plat, it shall enact an ordinance to such effect.

Commented [MF52]: To be confirmed by town staff.

10. **Step 10: Notice and Recording of Decision.**
    a. Within ten (10) business days of a final action by the Town Council, the following will occur:
        i. The Planning Director will send written notice of the decision to the applicant.
        ii. A copy of the decision will be made available to the applicant during normal business at Minturn Town Hall.
    b. If the Town Council approves a Final Plat, the Town Clerk will enter a copy of the ordinance approving the Final Plat into the town's records.
11. **Step 11: Submittal of Mylar and Recording of Final Plat.**
    a. Within ninety (90) business days of an approval by the Town Council, the applicant shall submit a copy of the approved Final Plat on Mylar (as specified in Section 38-50-101(3)(a)(II), C.R.S.) to the Planning Director.
    b. Upon the approval of a Final Plat, the Mayor or Mayor Pro-Tem is authorized to sign the Mylar version of the Final Plat once the Planning Director has determined that all conditions of approval and technical corrections have been addressed.
    c. Within thirty (30) business days of the Planning Director making a positive finding for each of the following, the Town Clerk shall record the approved Mylar version of the Final Plat with the office of the Eagle County Clerk and Recorder.
        i. All signatures required on the Final Plat have been obtained.
        ii. All conditions of approval and technical corrections have been addressed.
    d. The applicant is responsible for all costs associated with recording a Final Plat.

Commented [MF53]: The existing Code (refer to Section 17-6-30) requires:

"The plat and subdivision agreement shall be recorded with the County Clerk and Recorder within thirty (30) days of Town Council certification."

Commented [MF54]: Should this just refer to the "Colorado Revised Statutes"?

F. Effect of Approval

<Add Text>

G. Modification of Approval

<Add Text>

H. Duration of Approval

<Add Text>

I. Extension of Approval

<Add Text>

Commented [MF55]: These are new Subsections to be prepared in collaboration with Town staff and the Town Attorney.

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To: Minturn Town Council
From: Michelle Metteer
Date: December 04, 2024
RE: Town Manager Update

License Plate Reader Proposal

The Eagle County Sheriff's Office has provided materials for the consideration of purchasing and installing license plate readers (LPRs) within the Minturn town boundaries. The proposal and supporting informational materials are included with this report. License plate readers are already being utilized in Gypsum, Avon, and Vail. The goal is for the regional, state and federal law enforcement teams to be able to collaborate on solving crimes. Town staff seeks the Council's feedback on your support or opposition to the purchase of these devices.

Downtown Water Tank Holiday Lights Update

Staff continue to explore ways to utilize solar power for the holiday lights at the downtown water tank. The lights work if they are plugged into an electrical power source but have yet to properly function via the solar option which is preferred.

Main Street Phase II Sidewalks

The team is working toward grant opportunities for the completion of the Main Street Phase II Sidewalk project, however all CDOT grants are estimating an 18-month grant contract approval process and therefore will not fit into the current construction schedule for Minturn's Spring 2025 construction period. We will continue to look for opportunities, but any additional sidewalk construction will most likely come via a future construction period.

Dolores Bridge Truss Opportunity Investigation

Staff have submitted to the Colorado Bridge Replacement and Historic Preservation programs our interest to further investigate the reuse of the Dolores bridge in the current Bellm Bridge location. It is unknow if this will be a viable alternative, however it remains worth investigating. We remain hopeful the grant committee also sees this as a benefit worth funding.

Minturn Seniors Lunch & Bingo

Our office staff visited the Minturn Seniors Lunch on Friday, November 22nd at the Vail Ski and Snowboard Academy. Thirteen rounds of bingo were played, a lovely lunch was served and then cake was enjoyed by all for a birthday celebration. Council members are encouraged to schedule time at an upcoming senior's lunch as the experience is invaluable.

DOLA Grant – Retaining Wall Repairs/Playground Equipment Match

The request has been submitted to match the retaining wall repair funds with funds to replace the playground equipment. Once the Town receives this approval, staff will coordinate a community feedback session on the kind of playground equipment Minturn youth would like to have installed. More to come.

Railroad Ave Pedestrian Safety Improvements

With the PUC approval for the Railroad Ave Pedestrian improvements, staff will create the RFP and plan to go to Ad by mid-winter in preparation for a spring construction start date.

Taylor St Neighborhood Meeting

Inter-Mountain Engineering has completed the survey work for Taylor Street. With this in hand, staff would like to hold a neighborhood meeting with Taylor Street residents, preferable on-site if weather

permits, to review the feedback received during the last Taylor St paving discussion. We would like to correlate the feedback received with the surveyed topography and on-site inspections to ensure we're making as many needed improvements as the budget will allow. More information to follow about a date/time for the neighborhood meeting.

Community Energy Efficiency Program

Minturn supports the Community Energy Efficiency Program operated by Walking Mountains Science Center. Currently, the Town pays $2500 annually administratively to manage the program and market the rebates for Minturn residents. Attached is a copy of the program use and costs to date. As you will see, Minturn is paying more in program administration costs than toward providing residents with rebates. With this in mind, Minturn will bring the administration of the community rebates offered in-house so as to save the $2500 annual cost but still allow for the full use of the program by Minturn residents.

For: Town of Minturn

Proposal: License Plate Readers to be purchased and placed within the Town of Minturn.

Summary: This proposal recommends that the Town of Minturn invest in License Plate Reader (LPR) technology to enhance public safety, improve law enforcement efficiency, and support community security initiatives. LPR systems are an advanced technological tool that captures and processes license plate information of passing vehicles. These systems detect stolen vehicles, identify vehicles involved in crimes, and provide data to assist with investigations. With Minturn's unique location as a gateway to both residential and recreational traffic, LPRs will bolster public safety efforts, support crime prevention, and help protect residents and visitors alike. In real-time, LPRs can notify our Deputies of stolen vehicles and vehicles related to criminal activities, including theft, drug trafficking, and hit-and-run accidents.

The Eagle County Sheriff's Office currently manages four License Plate Readers in the Town of Gypsum, which have proven to be highly effective in enhancing public safety and solving crimes. These cameras have played a critical role in several investigations, enabling the swift identification of suspect vehicles and assisting in recovering stolen vehicles. Their deployment has also successfully resolved other cases the Eagle County Sheriff’s Office investigated. The success in Gypsum demonstrates the tangible benefits of LPR technology and highlights its potential for similar outcomes in the Town of Minturn. By adopting LPRs, Minturn can leverage this proven tool to enhance law enforcement capabilities and safeguard the community.

Motorola Solutions has been identified as the vendor for this project, offering their advanced LQ6 model cameras at a cost of $6,969.96 per unit. These cameras are designed for quick deployment, ensuring that they can be installed efficiently at key locations throughout the Town of Minturn. The Eagle County Sheriff's Office will oversee the installation and maintenance of these cameras, ensuring they remain operational and effective throughout their five-year lifecycle. This partnership ensures seamless integration of the LPR system with existing Eagle County Sheriff’s Office operations, providing Minturn with a reliable and expertly managed public safety solution.

Thank you

Deputy Jordan Harrison #1405

P.O. Box 359 • 0885 E. Chambers Ave. • Eagle, CO 81631
(970) 328-8500 • Fax: (970) 328-1448
info@sheriff.eagle.co.us







EAGLE COUNTY SHERIFFS OFFICE

11/27/2024

The design, technical, pricing, and other information ("Information") furnished with this submission is confidential proprietary information of Motorola Solutions, Inc. or the Motorola Solutions entity providing this quote ("Motorola") and is submitted with the restriction that it is to be used for evaluation purposes only. To the fullest extent allowed by applicable law, the Information is not to be disclosed publicly or in any manner to anyone other than those required to evaluate the Information without the express written permission of Motorola.
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MOTOROLA SOLUTIONS

QUOTE 2915632

11/27/2024

EAGLE COUNTY SHERIFFS OFFICE
0885 E CHAMBERS AVE
EAGLE, CO 81631

Dear Jordan Harrison,

Motorola Solutions is pleased to present EAGLE COUNTY SHERIFFS OFFICE with this quote for quality communications equipment and services. The development of this quote provided us the opportunity to evaluate your requirements and propose a solution to best fulfill your communications needs.

This information is provided to assist you in your evaluation process. Our goal is to provide EAGLE COUNTY SHERIFFS OFFICE with the best products and services available in the communications industry. Please direct any questions to Matthew Goss at Matt.GOSS@motorolasolutions.com.

We thank you for the opportunity to provide you with premier communications and look forward to your review and feedback regarding this quote.

Sincerely,

Matthew Goss

MOTOROLA SOLUTIONS

QUOTE-2915632

Billing Address:
EAGLE COUNTY SHERIFFS OFFICE
0885 E CHAMBERS AVE
EAGLE, CO 81631
US

Quote Date:11/27/2024
Expiration Date:02/25/2025
Quote Created By:
Matthew Goss
Matt.GOSS@motorolasolutions.com

End Customer:
EAGLE COUNTY SHERIFFS OFFICE
Jordan Harrison
jordan.harrison@eaglecounty.us
9703767011

Summary:

Any sales transaction resulting from Motorola's quote is based on and subject to the applicable Motorola Standard Terms and Conditions, notwithstanding terms and conditions on purchase orders or other Customer ordering documents. Motorola Standard Terms and Conditions are found at www.motorolasolutions.com/product-terms.

Line #	Item Number	Description	Qty	Term	List Price	Sale Price	Ext. Sale Price
	L6Q Quick-Deploy System Purchase						
1	VSB-60-900	KIT, L6Q AND SOLAR PANEL CAT 1	2		$6,495.00	$6,495.00	$12,990.00
2	VS-DLF-01	DEVICE LICENSE FEE	2	5 YEARS	$2,374.80	$2,374.80	$4,749.60
3	CDFS-L6Q-HWW-01	FIXED L6Q CAMERA SYSTEM EXTENDED HARDWARE WARRANTY - VALID FROM STANDARD WARRANTY EXPIRATION	2	5 YEARS	$1,399.80	$1,399.80	$2,799.60
4	LSV07S04314A	LPR REMOTE MONITORING	2	5 YEARS	$364.80	$364.80	$729.60

Grand Total $21,268.80(USD)

Notes:

- The Pricing Summary is a breakdown of costs and does not reflect the frequency at which you will be invoiced.

Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the ""Underlying Agreement"") that authorizes Customer to purchase equipment and/or services or license software (collectively ""Products""). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products.

MOTOROLA SOLUTIONS

QUOTE-2915632

- Unless otherwise noted, this quote excludes sales tax or other applicable taxes (such as Goods and Services Tax, sales tax, Value Added Tax and other taxes of a similar nature). Any tax the customer is subject to will be added to invoices.

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MOTOROLA SOLUTIONS

QUOTE-2915632

L6Q CAMERA SYSTEM SOLUTION DESCRIPTION



L6Q CAMERA SYSTEM

The L6Q camera system revolutionizes license plate recognition (LPR) technology with its sophisticated capabilities, streamlined design, and consumer-grade installation process. This innovative system is ideal for law enforcement agencies and businesses seeking to enhance security through efficient and effective LPR. The L6Q seamlessly integrates with our backend software, VehicleManager or ClientPortal, to offer a comprehensive solution for building or supplementing a camera network, ensuring the safety and security of the communities they serve.

Key Features and Benefits:

- **Easy Install Out-of-Box**: The L6Q's user-friendly design, convenient carry case, and intuitive out-of-box workflow enable one-person installation and activation in minutes, using a smartphone for ultimate ease.
- **Precise Data Collection**: Configure the L6Q to capture vehicles moving at specific speeds and directions. It collects detailed information beyond license plates, including vehicle make, model, color, and speed, even in low-light conditions, enhancing investigative capabilities.
- **Versatile Power Options**: The L6Q operates anywhere with solar, AC/DC, Pole Tap, and internal battery options. It's built to withstand weather conditions and rated to IP67.
- **Amplified Insight & Awareness**: Beyond license plate data, the L6Q has advanced software for managing hot lists, alerts, searches, and patented analytics. Agencies control data retention and sharing, ensuring security and compliance.
- **App-Based Configuration & Activation**: Use the Mobile Companion app on Android or iOS for quick on-site setup. Scan the camera's QR code for guided configuration, including live video-enabled aiming and adjustable image capture regions for improved accuracy.
- **Advanced Night Vision**: Equipped with long-range infrared (IR) illumination and a starlight sensor, the L6Q can scan vehicles even in total darkness, ensuring round-the-clock operation.
- **Tamper-Proof Design**: The L6Q is built to be physically secure with a tamper-proof shroud, easily customized to blend with various environments.

Deploy the L6Q to enhance your LPR capabilities with a system designed for ease of use, versatility, and advanced data insights.

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MOTOROLA SOLUTIONS

QUOTE-2915632

LICENSE PLATE RECOGNITION TECHNOLOGY STATEMENT OF WORK

OVERVIEW

This Statement of Work (SOW) outlines the responsibilities of Motorola Solutions, Inc. (Motorola) and the Customer for the implementation of fixed or mobile License Plate Recognition (LPR) technology(s) and your License Plate Recognition Technology solution, if Deployment or Installation Services are purchased as part of the Contract. For the purpose of this SOW, the term “Motorola” may refer to our affiliates, subcontractors, or certified third-party partners. A third-party partner(s) (Motorola-certified installer) will work on Motorola’s behalf to install your License Plate Recognition Technology system(s) (if applicable).

This SOW addresses the responsibilities of Motorola and the Customer that are relevant to the implementation of the hardware and software components listed in the Solutions Description. Any changes or deviations from this SOW must be mutually agreed upon by Motorola and the Customer and will be addressed in accordance with the change provisions of the Contract. The Customer acknowledges any changes or deviations from this SOW may incur additional cost.

Motorola and the Customer will work to complete their respective responsibilities in accordance with the Project Schedule. Any changes to the Project Schedule must be mutually agreed upon by both parties in accordance with the change provisions of the Contract.

Unless specifically stated, Motorola will perform the work remotely. The Customer will provide Motorola personnel with access to their network and facilities so Motorola is able to fulfill its obligations. The Customer is responsible for acquisition and use of a remote access tool that complies with the regulations controlling use of the remote access tool. All work will be performed during normal business hours based on the Customer’s time zone (Monday through Friday from 8:00 a.m. to 5:00 p.m.).

The number and type of software subscription licenses, products, or services provided by Motorola are specifically listed in the Contract and referenced in the SOW. Services provided under this SOW are governed by the mutually executed Contract between the parties, or Motorola’s Master Customer Agreement and applicable addenda (“Contract”).

AWARD, ADMINISTRATION, AND PROJECT INITIATION

Project Initiation and Planning will begin following the execution of the Contract between Motorola and the Customer. At the conclusion of Project Planning, Motorola’s Project Manager (PM) will begin status meetings and provide status reports on a regular cadence with the Customer’s PM. The status report will provide a summary of activities completed, activities planned, progress against the project schedule, items of concern requiring attention, as well as, potential project risks and agreed upon mitigation actions.

Motorola utilizes Google Meet as its teleconference tool. If the Customer desires to use an alternative teleconferencing tool, any costs incurred from the use of this alternate teleconferencing tool will be the responsibility of the Customer.

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FBI-CJIS SECURITY POLICY – CRIMINAL JUSTICE INFORMATION

CJIS Security Policy Compliance

Motorola does not believe our LPR and License Plate Recognition Technology offerings require compliance with the *FBI-CJIS Security Policy* (CJISSECPOL) based on the definition in Section 4 of CJISSECPOL and how the FBI-CJIS defines Criminal Justice Information. However, Motorola does design its products with the CJISSECPOL security controls as a guide. Motorola's LPR system design and features support best practice security controls and policy compliance. In the event of a CJIS technical audit request, Motorola will support the Customer throughout this process.

Personnel Security – Background Screening

Motorola will assist the Customer with completing the *CJIS Security Policy Section 5.12 Personnel Security* related to authorized personnel background screening when requested to do so by the Customer. Based on Section 5.12, a Motorola employee is defined as someone who is required to be on the Customer's property with unescorted access. Motorola employees will also have access to the Customer's network(s) and stored information. Motorola has remote access tools to support virtual escorted access to on-premises customer assets.

Additionally, Motorola performs independent criminal background investigations including name based background checks, credential and educational vetting, credit checks, U.S. citizen and authorized worker identity verification on its employees.

Motorola will support the Customer in the event of a CJIS audit request to validate employees assigned to the project requiring *CJIS Section 5.12 Personnel Security* screening and determine whether this list is up to date and accurate. Motorola will notify the Customer within 24 hours or next business day of a personnel status change.

Security Awareness Training

Motorola requires all employees who will support the Customer to undergo Level 3 Security Awareness Training provided by Peak Performance and their CJIS online training platform. If the Customer does not have access to these records, Motorola can facilitate proof of completion. If the Customer requires additional and/or separate training, Motorola will work with the Customer to accommodate this request at an additional cost.

CJIS Security Addendum

Motorola requires all employees directly supporting the Customer to sign the CJIS Security Addendum if required to do so by the Customer.

Third Party Installer

The Motorola-certified third party installer will work independently with the Customer to complete the Section 5.12 Personnel Security checks, complete Security Awareness Training and execute the CJIS Security Addendum.

COMPLETION CRITERIA

The project is considered complete once Motorola has completed all responsibilities listed in this SOW. The Customer's task completion will occur based on the Project Schedule to ensure Motorola is able to complete all tasks without delays. Motorola will not be held liable for project delays due to incomplete Customer tasks.

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The Customer must provide Motorola with written notification if they do not accept the completion of Motorola responsibilities. Written notification must be provided to Motorola within ten (10) business days of task completion. The project will be deemed accepted if no written notification is received within ten (10) business days.

In the absence of written notification for non-acceptance, beneficial use will occur thirty (30) days after functional demonstration of the system.

SUBSCRIPTION SERVICE PERIOD

If the contracted system includes a subscription, the subscription service period will begin upon the Customer's receipt of credentials for access. The provision and use of the subscription service is governed by the Contract.

PROJECT ROLES AND RESPONSIBILITIES OVERVIEW

Motorola Project Roles and Responsibilities (if applicable)

The Motorola Project Team will be assigned to the project under the direction of the Motorola Project Manager. Each team member will be engaged in different phases of the project as necessary. Some team members will be multi-disciplinary and may fulfill more than one role.

In order to maximize effectiveness, the Motorola Project Team will provide various services remotely by teleconference, web-conference, or other remote method in order to fulfill our commitments as outlined in this SOW.

Our experience has shown customers who take an active role in the operational and educational process of their system realize user adoption sooner and achieve higher levels of success with system operation. The subsections below provide an overview of each Motorola Project Team Member.

Project Manager (PM)

The PM will be the principal business representative and point of contact for Motorola. The PM's responsibilities may include but are not limited to:

- Manage Motorola responsibilities related to the delivery of the project.
- Maintain the Project Schedule, and manage assigned Motorola personnel, subcontractors, and suppliers as applicable.
- Coordinate schedules of assigned Motorola personnel, subcontractors, and suppliers as applicable.
- Maintain project communications with the Customer.
- Identify and manage project risks.
- Coordinate collaboration of Customer resources to minimize project delays.
- Evaluate project status against Project Schedule.
- Conduct status meetings on mutually agreed upon dates to discuss project status.
- Provide timely responses to Customer inquiries and issues related to project progress.
- Conduct status calls with the Customer throughout the Project up to and including Go-Live.

System Technologist

The System Technologist (ST) will work with the Customer's Project Team on:

- Camera programing
- Camera alignment

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- Licensed Software Training
- Develop and submit Start Up and Commissioning Sign Off (SSU&C)

Technical Trainer / Instructor

The Technical Trainer / Instructor provides training in accordance with the Training Plan provided to the Customer.

Motorola-Certified Installer

The Motorola-certified installer is primarily responsible for installing in-car and fixed LPRs. There are specific requirements the 3rd party partner must meet in order to be considered a Motorola-certified installer, and they include (but are not limited to) the following:

Required Training

- SSU&C Onsite Training
  - Included Certification testing completed and passed
- Networking (must meet one of the following three requirements)
  - CompTia Network + Certification
  - Networking Degree in IT
  - Basic Networking RDS003
- ASE Certification for Mobile Installers
- Electrical Certification
  - Electrical Certification/Permitting
    - Low Voltage Certification
    - High Voltage Certification
- Equipment Certification
  - Bucket Truck Certification
  - Any applicable testing equipment certification

Other responsibilities the Motorola-certified installer may be involved in include the fixed and/or mobile installation of cellular routers, wired networks, poles, trenching, and conduit runs as well as the manufacturing and/or service of trailers. These activities will only be completed by Motorola if Motorola quotes these services; otherwise, the completion of these services are solely the responsibility of the Customer.

Customer Support and Services Team

The Customer Support and Services Team will provide on-going support to the Customer following Go-Live and final acceptance of the project.

Customer Project Roles and Responsibilities (if applicable)

Motorola has defined key resources that are critical to this project and must participate in all the activities defined in this SOW. During the Project Planning phase, the Customer will be required to provide names and contact information for the roles listed below. It is critical that these resources are empowered to make decisions based on the Customer's operational and administration needs. The Customer Project Team will be engaged from Project Initiation through Beneficial Use of the system. In the event the Customer is unable to provide the resources identified in this section, Motorola may be able to supplement these resources at an additional cost.

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Project Manager

The PM will act as the primary point of contact for the duration of the project. In the event the project involves multiple locations, Motorola will work exclusively with the Customer's primary PM. The PM's responsibilities will include, but are not limited to:

- Communicate and coordinate with other project participants.
- Manage the Customer Project Team including subcontractors and third-party vendors. This includes timely facilitation of tasks and activities.
- Maintain project communications with the Motorola PM.
- Identify tasks required of Customer staff that are outlined in this SOW and the Project Schedule.
- Consolidate all project inquiries from Customer staff to present to Motorola PM.
- Approve a deployment date offered by Motorola.
- Review Project Schedule with the Motorola PM and finalize tasks, dates, and responsibilities.
- Measure and evaluate progress against the Project Schedule.
- Monitor project to ensure resources are available as required.
- Attend status meetings.
- Provide timely responses to issues related to project progress.
- Liaise and coordinate with other agencies, Customer vendors, contractors, and common carriers.
- Review and administer change control procedures, hardware and software certification, and all related project tasks required to meet the deployment date.
- Ensure Customer vendors' readiness ahead of the deployment date.
- Assign one or more personnel to work with Motorola staff as needed for the duration of the project, including one or more representatives from the IT department.
- Identify a resource with authority to formally acknowledge and approve milestone recognition certificates, as well as, approve and release payments in a timely manner.
- Provide Motorola personnel with access to all Customer facilities where system equipment is to be installed. Temporary identification cards are to be issued to Motorola personnel, if required for access.
- Ensure remote network connectivity and access for Motorola resources, if applicable to the solution.
- Assume responsibility for all fees pertaining to licenses, permits, inspections and any delays associated with inspections due to required permits as applicable to this project.
- Provide reasonable care to prevent equipment exposure from contaminants that may cause damage to the equipment or interruption of service.
- Ensure a safe working environment for Motorola personnel.
- Identify and manage project risks.
- Provide signature(s) of Motorola-provided milestone recognition certificate(s) within ten (10) business days of receipt.

IT Support

IT Support manages the technical efforts and ongoing activities of the Customer's system. IT Support will be responsible for managing Customer provisioning and providing Motorola with the required information for LAN, WAN, server and client infrastructure.

The IT Support Team responsibilities include but are not limited to:

- Participate in delivery and training activities to understand the software and functionality of the system.
- Participate with Customer Subject Matter Experts (SMEs) during the provisioning process and associated training.

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- Authorize global provisioning decisions and be the Point of Contact (POC) for reporting and verifying problems.
- Monitor firmware updates
- Implement changes to Customer infrastructure in support of the proposed system.

Agency Manager

The Agency Manager will act as the primary POC upon project completion.

- Push internal requests for updates through appropriate channels
- Monitor all firmware updates and all other security measures for physical hardware as required by the Customer internal policies
- Administer users
- Audit reports
- Manage Hotlist and Hotlist functionality
- Attend Agency Manager training
- Oversee or act as the training POC
- Ensure all Authorized Users are aware of usage restrictions and any applicable terms related to the use of the LPR System
- Controls appropriate use and data storage policies as well as procedures for the data maintained outside the LPR system. This includes when any information is disseminated, extracted or exported out of the LPR system
- Controls and is responsible for developing the policies, procedures, and enforcement for applying deletion/purging and dissemination rules to information within and outside of the LPR system.
- Ensure data and system protection strategies are accomplished through the tools provided by Motorola for account and user management features along with audit and alert threshold features.

Subject Matter Experts (SMEs)

SMEs are a core group of users involved with the analysis, training and implementation process. The SMEs should be experienced users in their own respective field (evidence, dispatch, patrol, etc.) and should be empowered by the Customer to make decisions based on workflows and department policies related to the proposed system.

General Customer Responsibilities (If Applicable)

In addition to the Customer responsibilities listed above, the Customer is responsible for the following:

- Customer Site. If the Solution is to be installed at a Customer location (“Site”), the Solution will only be installed and/or evaluated at the Customer sites identified.
- Customer will be responsible for providing all necessary permits, licenses, and other approvals necessary for the installation and use of the Products and the performance of the Services at each applicable Site, including for Motorola to perform its obligations hereunder, and for facilitating Motorola’s access to the Sites. This includes, but is not limited to providing a traffic safety plan to facilitate the safe deployment of all Equipment that is installed on, over, or near Sites with active roadways. No waivers of liability will be imposed on Motorola or its subcontractors by Customer or others at Customer facilities or other Sites, but if and to the extent any such waivers are imposed, the Parties agree such waivers are void. The Equipment used for the Services will only be located at such site.
- If the Solution is to be accessed remotely, Customer will only access Solution in the manner described by Solution documentation or as otherwise instructed by Motorola.

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- Site Conditions and Issues. Customer will ensure that (a) all Sites are safe and secure, (b) Site conditions meet all applicable industry and legal standards (including standards promulgated by OSHA or other governmental or regulatory bodies), (c) to the extent applicable, Sites have adequate physical space, air conditioning, and other environmental conditions, electrical power outlets, distribution, equipment, connections, and telephone or other communication lines (including modem access and interfacing networking capabilities), and (d) Sites are suitable for the installation, use, and maintenance of the Products and Services. This Agreement is predicated upon normal soil conditions as defined by the version of E.I.A. standard RS-222 in effect on the Effective Date.
- All costs associated with permitting.
- Supply a proper power source to all Motorola Solutions provided equipment.
- Provide ALL points of attachment for hardware that include fixed LPR Cameras and associated equipment and ensuring all equipment is attached in accordance with local policies and codes.
- Supply any new infrastructure required to mount or attach the Motorola Solutions hardware to.
- Trenching as required for the purpose of running electrical power
- All poles and existing infrastructure that are not being purchased from Motorola as part of the LPR solution.
- All Utility locates needed for impacted areas.
- Providing the communications point of attachment for each site.
- When cellular service is used as the point of connection, customer is responsible for providing cellular service and SIM cards if they are not being purchased from Motorola as part of the LPR solution.
- All Customer-provided equipment, including third-party hardware and software needed for the proposed system but not listed as a Motorola deliverable. Examples include end user workstations, network equipment, etc.
- Configure, test, and maintain third-party system(s) that will interface with the proposed system.
- Establish an Application Programming Interface (API) for applicable third-party system(s) and provide documentation that describes the integration to the Motorola system.
- All work is to be performed by Motorola-certified installers. The Customer is responsible for work performed by non-certified installers.
- Upgrades to Customer's existing system(s) in order to support the proposed system.
- Mitigate the impact of upgrading Customer third-party system(s) that will integrate with the proposed system. Motorola strongly recommends working with the Motorola Project Team to understand the impact of such upgrades prior to taking action.
- Electronic versions of any documentation associated with business processes identified.
- Ability to participate in remote project meetings using Google Meet or a mutually agreed upon Customer-provided remote conferencing tool.
- Manage the Hotlist in accordance with the rules and regulations of the Customers State.

Motorola is not responsible for any delays that arise from Customer's failure to perform the responsibilities outlined in this SOW or delays caused by Customer's third-party vendor(s) or subcontractor(s).

NETWORK AND HARDWARE REQUIREMENTS

The following requirements must be met by the Customer prior to Motorola installing the proposed system:

- Provide network connectivity for the transfer and exchange of data for the proposed system.
- Provide remote access for Motorola personnel to configure the system and conduct diagnostics.
- Provide Internet access to fixed and mobile equipment.
- Provide devices such as workstations, tablets, and smartphones with Internet access for system usage. Chrome is the recommended browser for optimal performance. The workstations must support MS Windows 11 Enterprise.

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- Provide and install antivirus software for workstation(s).
- Provide Motorola with administrative rights to Active Directory for the purpose of installation, configuration, and support (if applicable).
- Ensure required traffic is routed through Customer's firewall.

Motorola is not responsible for any costs or delays that arise from Customer's failure to meet network and hardware requirements.

PROJECT PLANNING

A clear understanding of the needs and expectations of Motorola and the Customer is critical to fostering a collaborative environment of trust and mutual respect. Project Planning requires the gathering of specific information to set clear project expectations and guidelines, as well as lay the foundation for a successful implementation.

Project Planning Session (if applicable)

A Project Planning Session will be scheduled after the Contract has been executed. The Project Planning Session is an opportunity for the Motorola and Customer PM to meet prior to the Project Kickoff Meeting and review key elements of the project and expectations. Depending on the items purchased, the agenda will typically include:

- A high level review of the following project elements:
  - Contract documents.
  - A summary of contracted applications and hardware as purchased.
  - Customer's involvement in project activities to confirm understanding of scope and required time commitments.
  - A high level Project Schedule with milestones and dates.
- Confirm CJIS background investigations and fingerprint requirements for Motorola employees and/or subcontractors.
- Confirm Customer location for Motorola to ship their equipment for installation.

Motorola Responsibilities

- Schedule the remote Project Planning Session.
- Request the assignment of Customer Project Team and any additional Customer resources that are instrumental to the project's success.
- Provide the initial Project Schedule.
- Baseline the Project Schedule.
- Review Motorola's delivery approach.
- Document mutually agreed upon Project Kickoff Meeting Agenda.
- Request user information required to establish the Customer in associated training portals.

Customer Responsibilities

- Identify Customer Project Team and any additional Customer resources that are instrumental to the project's success.
- Acknowledge the mutually agreed upon Project Kickoff Meeting Agenda.
- Provide approval to proceed with the Project Kickoff Meeting.

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Motorola Deliverables

- Project Kickoff Meeting Agenda.

Project Kickoff (if applicable)

Motorola will work with the Customer to understand the impact of introducing a new solution and the preparedness needed for a successful implementation.

Note – The Detail Design Review (DDR), if applicable, is completed during the pre-sales process and normally completed prior to Contract award. Delay in the DDR review may impact the project schedule. Motorola will not be responsible for additional costs or delays incurred for Customer requested changes to the DDR.

Motorola Responsibilities

- Review Contract documents including project delivery requirements as described in this SOW.
- Discuss the deployment start date and deliver the Deployment Checklist.
- Discuss Mobile LPR equipment installation activities and responsibilities.
- Discuss Fixed LPR installation activities and responsibilities.
- Discuss project team participants and their role(s) in the project with fulfilling the obligations of this SOW.
- Review resource and scheduling requirements.
- Review the DDR, arranging for additional meeting for review as needed
- Review the Credentials Form
- Discuss Motorola remote system access requirements (24-hour access to a secured two-way Internet connection through the Customer's firewall for the purpose of deployment and maintenance).
- Complete all necessary documentation (i.e. fingerprints, background checks, card keys, etc.) required for Motorola resources to gain access to Customer facilities.
- Discuss the Training Plan.
- Review and agree on completion criteria and the process for transitioning to support.

Customer Responsibilities

- Provide feedback on project delivery requirements.
- Review the Deployment Checklist.
- Review the roles of project participants to identify decision-making authority.
- Grant Motorola Support access in the License Plate Recognition Technology program
- Validate non-disclosure agreements, approvals, and other related items are complete (if applicable).
- Provide all documentation (i.e. fingerprints, background checks, card keys, etc.) required for Motorola resources to gain access to Customer facilities.

Motorola Deliverables

- Project Kickoff Meeting Minutes
- Deployment Checklist

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PROJECT EXECUTION

Hardware Procurement and Installation (if applicable)

Motorola will procure contracted hardware as part of the ordering process. The Customer is responsible for providing an installation environment that meets manufacturer's specifications for the hardware, which includes but is not limited to:

- Power
- Heating and Cooling
- Network Connectivity
- Access and Security
- Conduit and Cabling

Motorola Responsibilities

- Procure contracted equipment and ship to the Customer's designated location.
- Verify remote connection to hardware.
- The installer will be responsible for installing all Motorola provided hardware.
- Installer will utilize a certified electrician when wiring power to equipment.
- Verify whether the hardware is properly installed, connected to the network, and positioned to capture license plate data. (if applicable).
- Create a Trip Report outlining the activities completed during configuration and testing of system hardware.

Customer Responsibilities (if applicable)

- Provide Motorola with the correct IP address(es) for configuration
- Ensure the Customer's network is operational.
- Inventory LPR equipment after arrival at Customer location.
- Procure Customer-provided equipment and make it available at the installation location.
- Install backend server in Customer's designated area (if applicable).
- Confirm the server room complies with environmental requirements (i.e. power, uninterruptible power, surge protection, heating/cooling, etc.)(if applicable).
- Verify the server is connected to the Customer's network and installed for use.(if applicable)
- Conduct a power-on test to validate the installed hardware and software are ready for configuration.
- Provide, install, and maintain antivirus software for server(s) and/or workstation(s).
- Enable outgoing network connection (external firewall) to License Plate Recognition Technology
- Install Customer-supplied Access Points (if applicable).
- Verify all equipment directly connected to power is properly installed and connected to the network (if applicable).
- For remote deployments, the Customer is responsible for verifying all equipment is connected to their network
- Confirm access to installed software on Customer-provided workstation(s).

Motorola Deliverables

- Contracted Equipment

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Mobile LPR Camera System (If Applicable)

The Motorola-certified installer will complete the installation of the Mobile LPR system(s) within the Customer-provided vehicle(s) or selected location. The installer may also be responsible for installing cellular routers or Wi-Fi radios inside the vehicle(s) for wireless upload of video and images.

The Customer vehicles must be available for the ST to complete the configuration and testing of the contractual number of Mobile LPR cameras. If the Customer does not have all vehicles available during the agreed upon date and time, the Customer may opt to sign-off on the number of Mobile configurations completed. If the Customer requires the ST to complete the full contractual number of Mobile LPR Cameras at a later date and time, additional cost may be incurred.

Note – The Pricing Page will reflect the Mobile LPR installation services by Motorola if Motorola is responsible for the installations.

Motorola Responsibilities

- Setup server for Mobile LPR digital video recorder (DVR) configuration.
- Create configuration USB used to complete Mobile LPR hardware configuration and validation.
- Travel to the Customer site to conduct configuration and testing of Mobile LPRs.
- Complete Mobile LPR configuration on a single vehicle, and validate the configuration with the Customer.
- Point and aim the Mobile LPR camera for image capturing.
- Install Licensed Software on Customer-provided mobile data terminal (MDT)
- Configure MDT Netowrk Card
- Enable AI in Video Manager
- Configure NetMotion (if applicable)
- Receive Customer approval to proceed with remaining Mobile LPR configurations.
- Complete remaining contracted vehicle configurations.
- Test a subset of completed Mobile LPR hardware configurations.
- For Motorola-certified installer, complete the installation of cellular router and confirm placement of antenna mounting with Customer (if applicable).
- The Motorola-certified installer will install Customer-provided SIM card into cellular router and connect cellular router to the Mobile LPR (if applicable).

Customer Responsibilities

- Provide Motorola with remote connection and access credentials to complete Mobile LPR hardware configuration.
- Notify Motorola of the vehicle installation location.
- Coordinate and schedule date and time for Mobile LPR hardware configuration(s).
- Make Mobile LPR hardware available to Motorola for configuration and testing in accordance with the Project Schedule.
- Provide cellular SIM Card for Internet connectivity to the installer at time of installation.

Motorola Deliverables

- Complete Configuration and camera aiming as it applies to the proposed solution.

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Fixed LPR Camera System Configuration (If Applicable)

The Motorola-certified installer will complete the installation of the Fixed LPR system(s) within the Customers designated locations. The installer may also be responsible for installing cellular routers or Wi-Fi radios for wireless upload of video and images. In the instance where Customer has purchased a self-deploy or quick-deploy camera without deployment or installation, the below Motorola responsibilities will be absorbed by the Customer.

Motorola Responsibilities

- Review preliminary plans for installation
- Verify with customer that proper permits and authorizations have been obtained
- Identify installation locations (pole or infrastructure asset) on which to install the Fixed LPR camera
- Motorola-certified installer will install the Fixed LPR camera
- Point and aim the Fixed LPR camera for image capturing
- Install License Plate Recognition Technology Software

Customer Responsibilities

- Approve installation locations
- Obtain necessary permits and authorizations
- Provide power to installation locations
- Provide any required trenching
- Coordinate with local utility companies in the case of any interrupted service requests or instances

NOTE - The Customer is responsible for having all vehicles and devices available for installation per the Project Schedule. All cellular data fees and Internet connectivity charges are the responsibility of the Customer. When cellular service is used as the point of connection, customer is responsible for providing cellular service, and SIM cards if they are not being purchased from Motorola as part of the LPR solution. If a Motorola-certified installer is not used for installation, Motorola is not responsible for any errors in hardware installation, performance or delays in the Project Schedule. In the event the Customer takes on the responsibility of installing LPR cameras through a Motorola-certified installer, Motorola is also not responsible for any errors in hardware installation, performance or delays in the Project Schedule. For in-car LPR installations, an MDT is required for all vehicles (if applicable).

Automatic License Plate Recognition (ALPR) Commissioning (If Applicable)

This section highlights the responsibilities of Motorola and the Customer when a Motorola In-Car Video (ICV) system interfaces with the LPR database.

Motorola Responsibilities

- Create a Customer account in the LPR data system with authorized user emails.
- Verify License Plate Recognition Technology software has been installed and launched per the Quickstart Guide.
- Provide Mobile LPR - Officer Safety Basic and Advanced Pre-Installation Checklist.
- Provide Agency Manager with Training Materials and Licensed Software MDT installation guide.
- Advise Agency Manager of different options available to add new users.
- Confirm Agency Manager is aware of registration required for Hotlists.
- Confirm Agency Manager understands how to set up data-sharing.

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Customer Responsibilities

- Identify the Agency Manager.
- Register to receive access to Hotlists.

SOFTWARE INSTALLATION AND CONFIGURATION (IF APPLICABLE)

Motorola will install LPR software on a specified number of workstations. The Customer will be responsible for installing the software on the remaining workstations.

Licensed Software for the Mobile LPR Solution

Licensed Software is used in conjunction with Mobile LPR cameras. Installation consists of the following activities:

- Network discovery.
- Operating system and software installation.
- Onboarding user / system identity set up.
- Provide user access to the application.

License Plate Recognition Technology

License Plate Recognition Technology software is a cloud solution that does not require an onsite server and supports the full LPR Solution.

Motorola Responsibilities

- Based on Customer feedback, perform the following activities:
  - Create users, groups, and permissions.
- Test to ensure software is accessible to the Customer

Customer Responsibilities

- Verify traffic can be routed through Customer's firewall and reaches end user workstations.

CloudConnect Installation and Configuration (applicable for CommandCentral Aware purchase)

Motorola Responsibilities

- Verify remote access capability.
- Remotely configure CloudConnect Virtual Machine within the Cloud Anchor Server.
- Configure network connectivity and test connection to the CloudConnect Virtual Machine.
- Create an IPSEC tunnel.
- Provide Customer with the information for setting up the IPSEC tunnel.

Customer Responsibilities

- Provide Motorola with two static IP addresses, corresponding subnet masks/default gateway, and available NTP and DNS IP for the CloudConnect Virtual Machine and the Cloud Anchor Server.
- Confirm with Motorola the network performance requirements are met.
- Configure firewall to allow traffic from IPSEC tunnel.

Completion Criteria

- CloudConnect Virtual Machine configuration is complete and accessible throughout the network.

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CommandCentral Evidence (if applicable)

Motorola will work with the Customer to determine best industry practices, current operations environment, and subsystem integration to ensure optimal configuration of your CommandCentral Evidence solution.

Motorola Responsibilities

- Use the CommandCentral Admin Portal to provision users, groups, and rules based on Customer Active Directory data.
- Guide the Customer in the configuration of CommandCentral Evidence.

Customer Responsibilities

- Supply access and credentials to Customer's Active Directory for the purpose of Motorola conducting CommandCentral Evidence provisioning.
- Respond to Motorola's inquiries regarding users, groups and agency mapping to CommandCentral Evidence.
- Provision policies, procedures, and user permissions.
- Configure evidence as directed by Motorola.

Third-Party Interfaces (if applicable)

The integration between Motorola's LPR system and the Customer's third-party system may consist of an iterative series of activities depending on the complexity of accessing the third-party system. Interfaces will be installed and configured in accordance with the Project Schedule. The Customer is responsible for engaging third-party vendors as required to facilitate connectivity and testing of the interface(s).

Motorola Responsibilities

Develop and configure interface(s) to support the functionality described in the Solution Description.

Establish and validate connectivity between Motorola and third-party systems.

Perform functional demonstration to confirm the interface(s) can transmit and receive data to the Customer's digital evidence management system.

Customer Responsibilities

- Act as liaison between Motorola and third-party vendor(s) as required to establish connectivity to the LPR system.
- Provide personnel authorized to make changes to the network and third-party systems to support Motorola's integration efforts.
- Provide network connectivity between the LPR and the third-party system(s).
- Provide information on API, SDKs, data scheme, and any documentation necessary to establish interfaces with all local and remote systems. This information should be provided to the Motorola PM within ten (10) business days of the Interface Engagement Meeting.

NOTE - At the time of initial design, unknown circumstances, requirements or anomalies may present difficulties with interfacing Motorola products to a third-party application. These difficulties could result in a poorly performing or a non-functional interface. By providing Motorola with this information early in the deployment process, will put us in the best position to mitigate these potential issues. If the resolution requires additional third-party integration, application upgrades, APIs, and/or additional software licenses, the Customer is responsible for addressing these issues at their cost. Motorola is not responsible for any delays or costs associated with third-party applications or

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Customer-provided third-party hardware or software. All APIs provided by Motorola or integrations with third-party software are provided AS IS. Motorola is not liable for any claims or damages associated with third party applications, or Customer-provided third party hardware or software.

SYSTEM TRAINING

The objective of this section is to prepare for and deliver training. Motorola training consists of computer-based (online) and instructor-led (on-site or remote). Our training delivery methods will vary depending on course content. Training will be delivered in accordance with the Training Plan. As part of our training delivery, Motorola will provide user guides and training materials in an electronic format.

Online Training (if applicable)

Online training is made available to the Customer through LXP and/or Motorola vetted third party platforms.

Motorola Responsibilities

- Designate a LXP Administrator to work with the Customer (if applicable).
- Establish an accessible instance of LXP for the Customer (if applicable).
- Configure a Customer-specific portal view.
- Organize content to align with Customer's selected technologies.
- Create initial Customer user accounts and a single Primary Administrator account..
- Provide technical support for user account and access issues, LXP functionality, and Motorola managed content (if applicable).
- Provide instruction to Customer on building groups.
- Coordinate third party platform usage and additional course offerings

Customer Responsibilities

- Provide user information for the initial creation of accounts.
- Complete LXP Administrator training (if applicable).
- Ensure network and Internet connectivity for Customer access to training platforms.

Instructor-Led Training (On-Site and/or Remote, if applicable)

Instructor-led courses are based on products purchased and the Customer's Training Plan.

Motorola Responsibilities

- Deliver User Guides and training materials in an electronic format.
- Perform training in accordance with the provided Training Plan.
- Provide the Customer with training attendance rosters and summarize any pertinent information that may impact end user training.

Customer Responsibilities

- Supply classroom(s) with the required computer and audio-visual equipment for training.
- Designate training representatives who will work with the Motorola trainer(s) to deliver the training content.
- Facilitate training of all Customer end users in accordance with the Customer's Training Plan.

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Motorola Deliverables

- Electronic versions of User Guides and training materials.
- Attendance rosters.

PROJECT GO-LIVE, CLOSURE, AND HANDOVER TO SUPPORT

Motorola will utilize the Deployment Checklist throughout the deployment process to verify features and functionality are in line with installation and configuration requirements. The Customer will witness the ST demonstrating the Deployment Checklist and provide feedback as features and functionality are demonstrated. The Customer is considered Live on the system after the equipment has been installed, configured, and made available for use, and training has been delivered or made available to the Customer.

Upon the conclusion of Go-Live, the project is prepared for closure. Project closure is defined as the completion of tasks and the Customer's receipt of contracted components. The Deployment Checklist serves as the artifact that memorializes a project closure. A System Acceptance Certificate will be provided to the Customer for signature to formally close out the project. The Customer has ten (10) business days to provide Motorola with a signed System Acceptance Certificate. If the Customer does not sign off on this document or provide Motorola written notification rejecting project closure, the project will be deemed closed. Upon project closure, the Customer will engage with Technical Support for on-going needs in accordance with the Customer's specific terms and conditions of support.

Motorola Responsibilities

- Provide the Customer with Motorola Technical Support engagement process and contact information.
- Provide Technical Support with the contact information of Customer users who are authorized to engage Technical Support.
- Ensure Deployment Checklist is complete.
- Obtain Customer signature on the System Acceptance Certificate.
- Provide Customer survey upon closure of the project.

Customer Responsibilities

- Within ten (10) business days of receiving the System Acceptance Certificate, provide signatory approval signifying project closure.
- Provide Motorola with the contact information of users who are authorized to engage Motorola's Technical Support.
- Engage Technical Support as needed.

Motorola Completion Criteria

- Provide Customer with survey upon closure of the project.

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ASSUMPTIONS

This SOW is based on the following list of assumptions (if applicable):

- Customer is aware of and abiding by their States' laws, mandates and requirements in relation to the Hotlist
- Pole installations will be done on grassy/dirt/gravel areas or sites where excavation can easily be done with fstandard auger equipment.
- Site conditions meet all applicable industry and legal standards (including standards promulgated by OSHA or other governmental or regulatory bodies)
- Information provided and approved in the Presales DDR process was accurate

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MOTOROLA SOLUTIONS

QUOTE-2915632

LPR REMOTE MONITORING SERVICE

STATEMENT OF WORK

OVERVIEW

The Remote Monitoring service provides Motorola Solutions' Network Operations Center ("NOC") with operational status of Customer's LPR cameras, enabling the NOC to provide proactive technical support response to defined alerts from the Customer's camera system. When an actionable event takes place, it becomes an incident. Centralized Managed Support Operations ("CMSO") technologists acknowledge and assess these incidents, and initiate a defined response.

This Statement of Work ("SOW"), including all of its subsections and attachments, is an integral part of the applicable agreement and applicable addenda ("Agreement") between Motorola Solutions, Inc. ("Motorola Solutions") and the customer ("Customer"). All services provided under this SOW shall be governed by the terms of the Agreement.

DESCRIPTION OF SERVICE

This service is made up of two main components:

1. Upon initial purchase of this Service, Motorola Customer Representatives will onboard the Customer to receive service.
2. The alerts will be monitored and responded to by the NOC.

Alerts will be generated based on the health status of the camera. These alerts may be tied to events like a camera losing power or not recording detections after a defined period of time.

SCOPE

Remote Monitoring service will provide a response to detected health status alerts. The NOC will begin the standard troubleshooting process on the system directly and initiate the appropriate next steps.

MOTOROLA SOLUTIONS RESPONSIBILITIES

- Verify connectivity and event monitoring prior to system acceptance or start date of the Service.
- Once alerted, create an incident, as necessary. Gather information to perform the following:
  - Describe the event
  - Assign and track the incident to resolution (if applicable)
- Electronically transmit the Incident ticket to the Customer.
- Maintain communication as needed with the Customer in the field until incident resolution.
- Upon request, provide updates on incident resolution to the Customer.
- If the Customer would like to have an on-site technician dispatched, LPR Standard On-site Replacement is an optional solution available for purchase with associated fees.

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LIMITATIONS AND EXCLUSIONS

The following activities are outside the scope of the LPR Remote Monitoring service:

- Motorola Solutions will not monitor alerts from any elements outside of the Customer's identified LPR solution, or monitor infrastructure provided by a third party, unless specifically agreed upon in writing. Monitored elements must be within the Motorola LPR Solution and capable of sending alerts to the monitoring platform.
- Customer shall inform Motorola Solutions of any changes made to the Motorola Solutions System. Motorola Solutions is not responsible or liable for Services necessary due to such changes. Additional support charges above contracted service agreement fees may apply if Motorola Solutions determines that system faults were caused by the Customer or a third party making changes to the System without written approval from Motorola Solutions.
- Monitoring of network transport, such as WAN ports, WAN Cloud and redundant paths, unless provided by supplemental service outside this standard scope.
- On-site visits required to resolve technical issues that cannot be resolved by working remotely with the Customer's technical resource.
- System installations, hardware upgrades and expansions.
- Customer training.
- Hardware repair and/or replacement.
- Network security services.
- Information Assurance.
- Customer-provided or third-party equipment, services or software not provided by Motorola.

CUSTOMER RESPONSIBILITIES

- Provide internet connectivity for the camera(s) included in this service, unless otherwise provided as agreed upon by Motorola Solutions.
- Purchase camera licenses for any cameras covered by this service.
- Provide access to the camera as needed for troubleshooting efforts.
- Provide continuous utility service to any Motorola Solutions supported equipment installed or used at the Customer's premises to support delivery of the service. The Customer agrees to take reasonable due care to secure the Motorola Solutions supported equipment from theft or damage while on the Customer's premises.
- Prior to contract start date, provide Motorola Solutions with pre-defined information necessary to complete a Customer Support Plan (CSP), including:
  - Incident notification preferences and procedure
  - Repair verification preference and procedure
  - Database and escalation procedure forms
- Submit timely changes in any information previously supplied to Motorola Solutions and included in the CSP.
- Notify the CMSO when the Customer performs any activity that impacts the system. Activity that impacts the system may include, but is not limited to: installing software or hardware upgrades, performing upgrades to the network, renaming elements or devices within the network, moving (including installing/reinstalling/deinstalling) cameras, and taking down part of the system to perform maintenance. All such changes must be communicated through the opening of a Change ("CRQ) ticket with the NOC.
- Allow Motorola Solutions field service technician, if designated in the CSP, access to remove Motorola Solutions-owned monitoring equipment upon cancellation of service.

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- Provide Motorola Solutions with all Customer-managed passwords required to access the Customer's system upon request, when opening a request for service support, or when needed to enable response to a technical issue.
- Pay additional support charges above the contracted service agreements that may apply if it is determined that system faults were caused by the Customer or a third party making changes to the System without written approval from Motorola Solutions, or if Customer-provided network connectivity is not capable of supporting consistent heartbeat event transmission. Additional fees may be necessary to resolve an issue, based on the exclusions above.
- Cooperate with Motorola Solutions and perform reasonable or necessary acts to enable Motorola Solutions to provide these services.

RESPONSE TIMES

In the event of an incident, a ticket is opened. Motorola Solutions will provide an initial response during normal business hours: 8:00 a.m. to 5:00 p.m, Monday through Friday; excluding statutory (Federal and State) holidays, and excluding Customer-specific holidays when a Customer representative would not be available to collaborate with the CMSO Service Desk. Motorola's response time will be based on Customer's local time zone.

Upon ticket opening, the CMSO Service Desk and Technical Support will determine if a replacement camera and/or solar panel will be required to resolve the incident. Motorola will then notify Customer to request an advance replacement unit through their warranty coverage.

If On-site Standard Replacement has been purchased and meets requirements, the Customer will then notify the Service Desk upon receipt of the replacement unit. Motorola will aim to have a Field Service Technician arrive on-site within 8 hours of confirmation that Customer has received the replacement unit.

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Brochure



Do more than just detect

Build your license plate recognition program with purpose-built cameras & advanced software

MOTOROLA SOLUTIONS



To clear more cases you need more leads

Every day that passes, the chances of solving a case become slimmer and slimmer. Witnesses' memories fade and new cases get added to the pile with fresher evidence, clearer facts and better solvability ratings.

To avoid growing your case backlog your options are either solve cases quicker or, ensure they stay relevant with actionable information that you can act on quickly to keep the investigation moving forward.

License plate recognition (LPR) has been used for decades across the world by law enforcement agencies to help generate leads and close cases. LPR camera systems deployed in fixed, portable and mobile configurations take photos of vehicles and accurately extract license plate, make and model data with date, time and GPS. Detections can trigger real-time alerts to improve safety and productivity, but more importantly, can be searched and analyzed to uncover insights that aid investigations and inform future decisions.

Detect

Collect license plate, make, model, location date and time data from passing vehicles.

Analyze

Stored detection data can be searched and analyzed to generate actionable leads.

Respond

Detections of hot listed vehicles can notify users for an immediate response.

The most complete LPR solution available

From a wide range of available camera options and our best-in-class LPR algorithm, to patented search and analytics and broad alerting capabilities, we offer the tools required to build a successful LPR program.

We also provide unparalleled control over data retention and easy data sharing with agency partners to ensure you have the data you need to actually solve cases - hot or cold. And to ensure responsible use of LPR technology, our solutions are built to be compliant with industry security standards.

- The broadest data capture portfolio
- Industry-leading LPR algorithm
- Robust alerts, searching & analytics
- Complete data & system control
- Built for secure, responsible use



Our camera portfolio

One size does not fit all

To be most effective with your LPR program you will need cameras that are designed for the results you want to achieve. This is why we provide various cameras, mobile applications and even LPR integrations for existing camera systems to help you collect the data that makes a difference.

Purpose-built LPR cameras



L5F

Deploy this high- performance fixed camera system on high-speed, high-traffic volume roadways to create a virtual fence around your jurisdiction.



L6Q

Fill the gaps in your network with this tactical, quick-deploy camera system option that is completely self-contained, portable and can run on battery or solar power.



L5M

Install this high-performance camera system on vehicles to provide 360° coverage for officers and keep them more informed. Also available in a trailer configuration.

Other cameras, apps & integrations



LinC

Get more return on your existing video investments with this over-the-top LPR integration that can be deployed in any architecture and on most cameras.



M500

Get the best of both worlds with this AI-enabled in-car video system that not only records evidentiary video, but is also equipped with LPR on the front-facing camera.



Mobile Companion

Take the benefits of LPR with you anywhere you go with this Android or iOS app that enables LPR data capture, search and analytics access and real-time alerting.

Why so many options?

Different use cases require different cameras. Each of our options help facilitate LPR data capture in the way that makes sense for your desired outcomes.



Looking to intercept vehicles of interest entering your jurisdiction? Deploy L5F cameras at critical points of entry.



Need a temporary, targeted deployment for a specific investigation? Quickly install and activate the L6Q.



Want to direct officer patrol efforts more to make them more productive? Add L5M cameras to patrol vehicles.



Looking to add a layer of safety for officers during a traffic stop? Invest in the M500 for in-car video and LPR.



Want to expedite vehicle canvassing at a crime scene? Have officers download Mobile Companion.



Do you have existing security cameras installed at key sites you need to protect? Equip them with LinC.

Buy or subscribe? The choice is yours

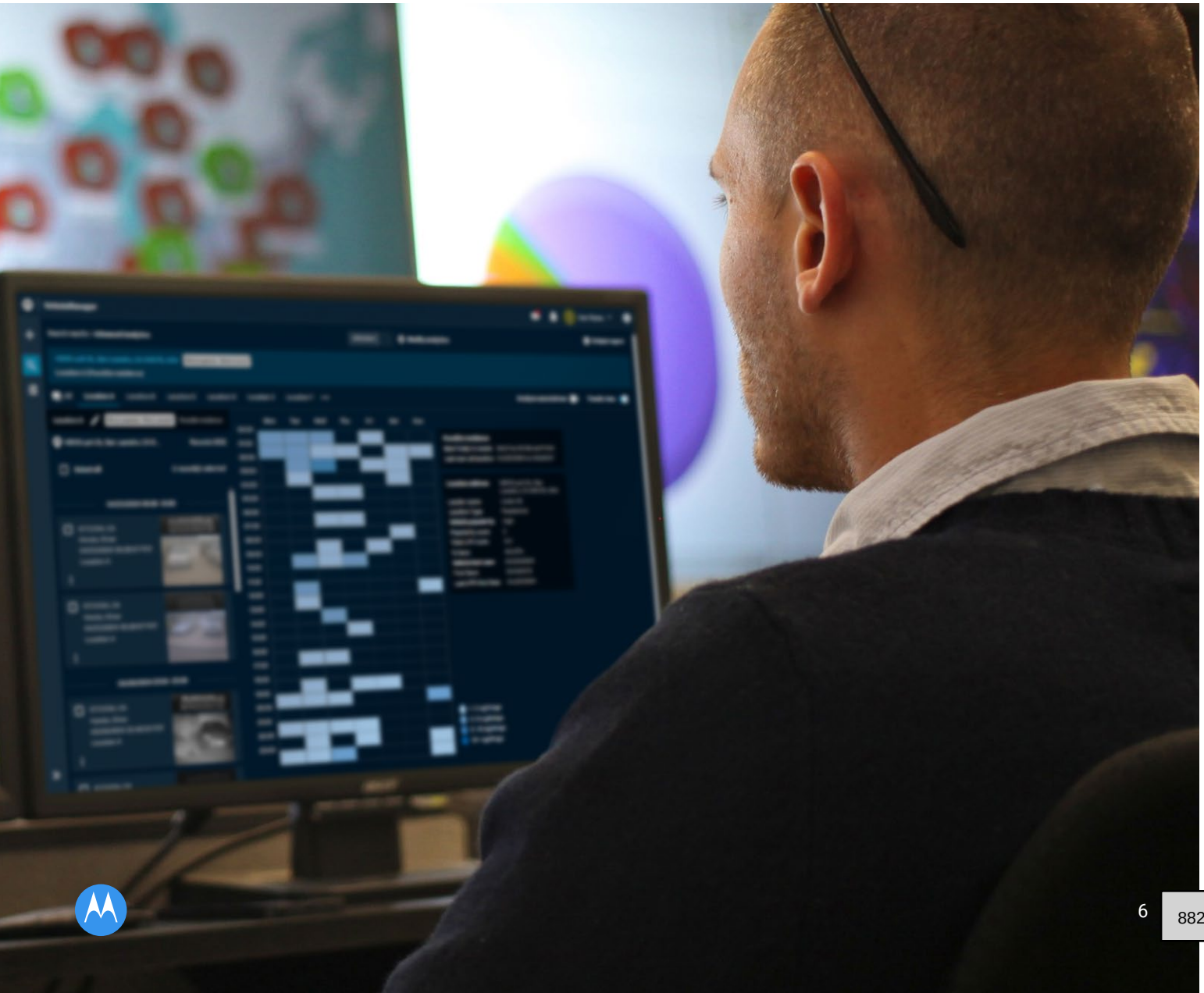
To give you the most flexibility, you can purchase our cameras outright or as-a-service. By procuring as-a-service you get all the value of license plate recognition while minimizing upfront investment and adding predictability and visibility to your spend.

VehicleManager

Software that makes a difference

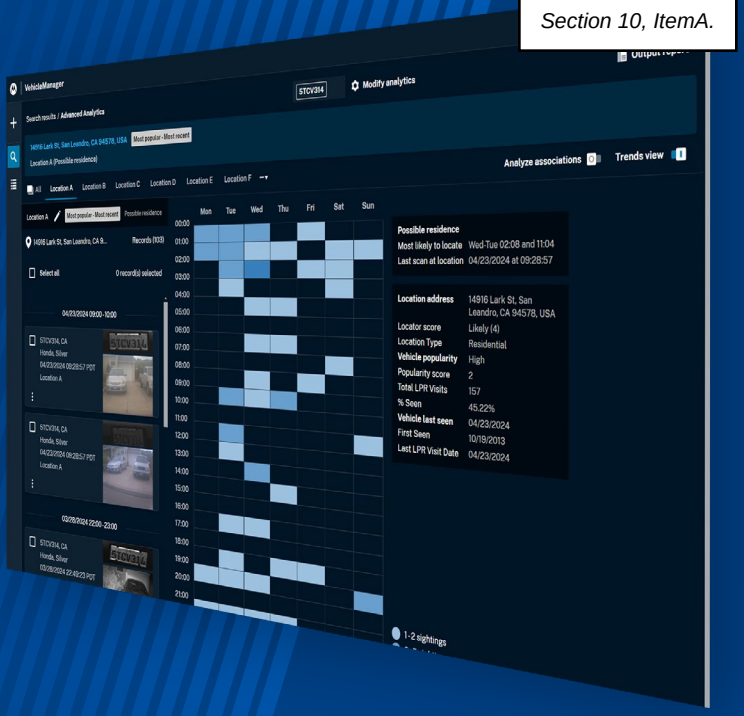
Take your agency beyond simple license plate searches and hot list alerts in order to find vehicles of interest faster.

VehicleManager is a vehicle location intelligence solution that builds upon license plate recognition basics with patented, powerful analytics. It is uniquely designed to help your team instantly transform license plate recognition data into actionable intelligence.



Find the needle in a haystack

Easily search for, find and review the location history of a vehicle of interest and determine where it may be located in the future. VehicleManager provides complete and partial plate search capabilities with date and time filters to focus on detections that are most relevant. Detection data is intuitively displayed in a timeline view as well as on a map with integrated Google Street View. And when you're ready to intercept your vehicle of interest, VehicleManager provides a best-address location and time-of-day, day-of-week heat map to determine when the vehicle is most likely to be there.



Find a suspect on the run

By doing a comprehensive Plate Location Analysis you can use historical vehicle location data to determine potential locations they might be hiding out and when to intercept them.

Confirm a hit & run vehicle

Even with a partial plate, run a search for a vehicle. Results include a full vehicle image that can be used to verify with a witness a vehicle they saw involved in the hit and run.

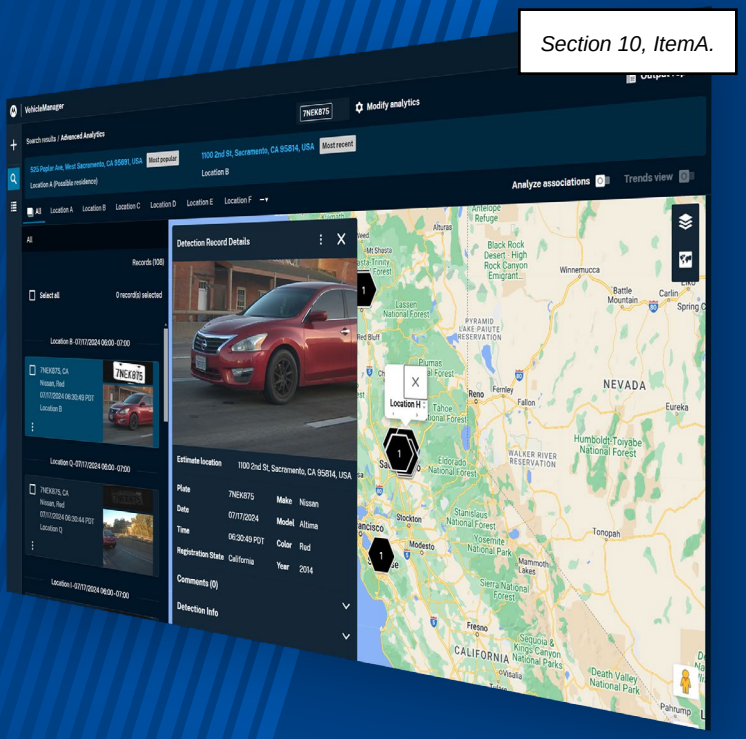
Expedite your analysis

For CommandCentral Records users, when a vehicle is added to an incident report, an indicator will appear if detections exist and allow you to open up a QuickSearch result with one click.



Discover new vehicle leads

Jumpstart your investigation by identifying vehicles you may not have known were connected to each other or specific locations. Our location-based, stakeout search capability allows you to create a geo-fence, set a time and date range and even apply vehicle year, make and model filters to find a vehicle that has frequented a specific area. Even search across locations to find a vehicle common to multiple areas. Looking for multiple vehicles? Once you've identified your vehicle of interest, conduct an associate or convoy analysis to determine others which have been sighted parked near or travelling with your target vehicle.



Solve a series of burglaries

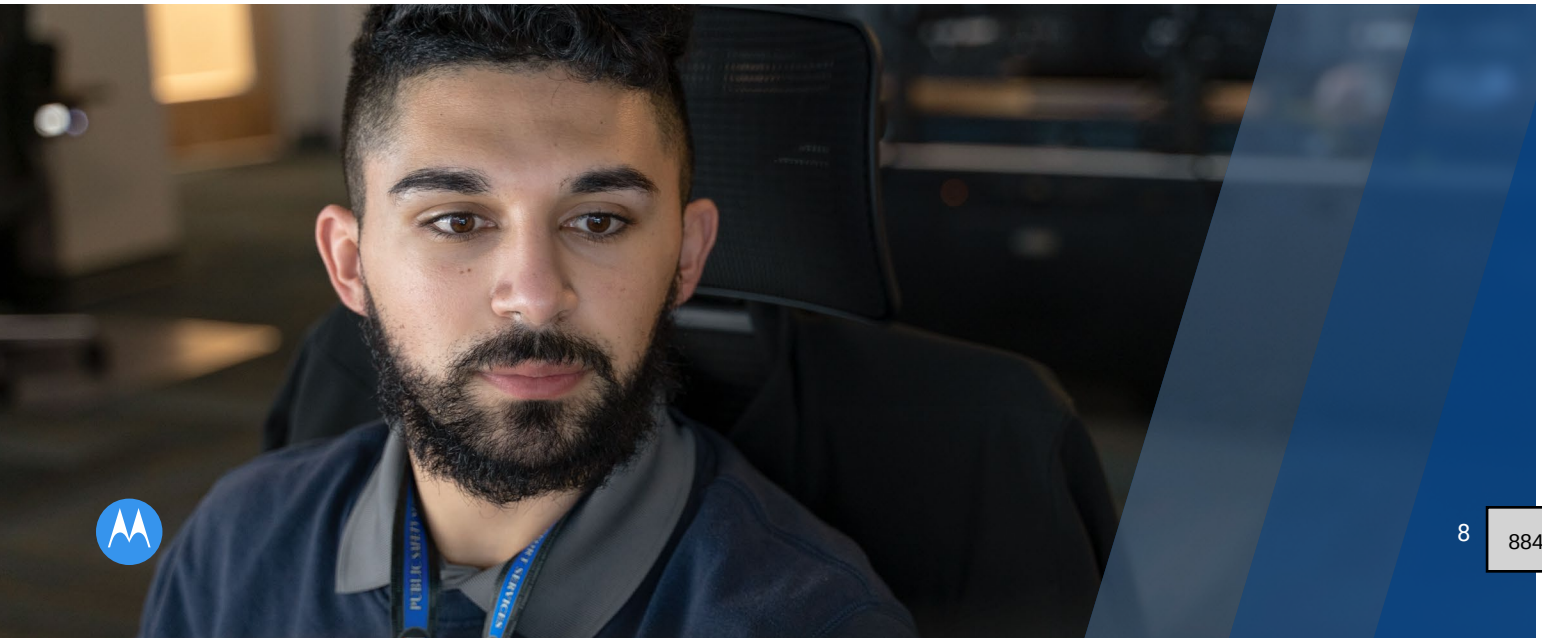
Common plate analysis can help you generate a suspect lead by identifying a vehicle which has been previously sighted at the various locations of a series of burglaries.

Combat drug trafficking

Using convoy analysis, easily identify vehicles travelling together as part of a trafficking convoy so you can generate new leads, establish connections and build a stronger case.

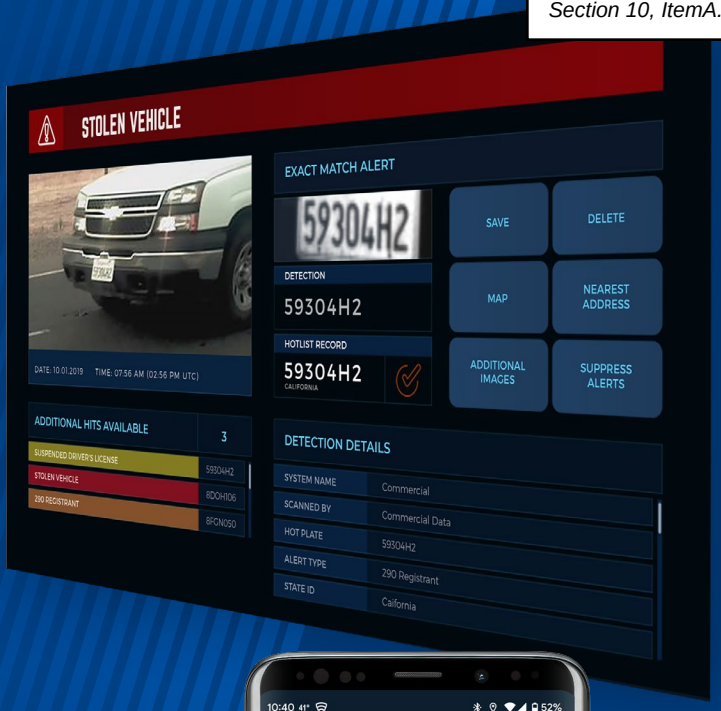
Disrupt a car theft ring

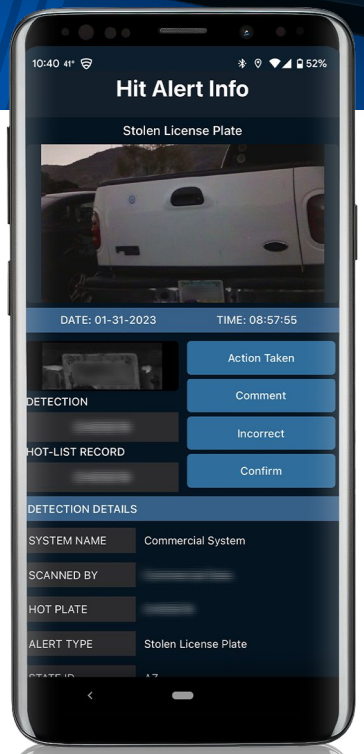
Leveraging associate analysis, identify vehicles who have been seen together so you can verify a potential accomplice and getaway car used during a string of vehicle thefts.



Heighten your awareness

Configure hot lists and alerts for vehicles of interest to your agency and partner agencies. Hot list creation can be done at the individual, group or agency level with provisions for who has access. To enhance collaboration with law enforcement partners, you can also share and subscribe to hot lists. To receive alerts when a hot listed vehicle is detected, you have various options at your disposal.





Officers on patrol can receive alerts on their in-car LPR software or on their smartphone with push notifications from Mobile Companion.

Dispatch can use our dedicated Windows application, Target Alert Service (TAS), to receive alerts and send units to respond.

Detectives and command staff can receive alerts via text or email or also download Mobile Companion for push notifications.

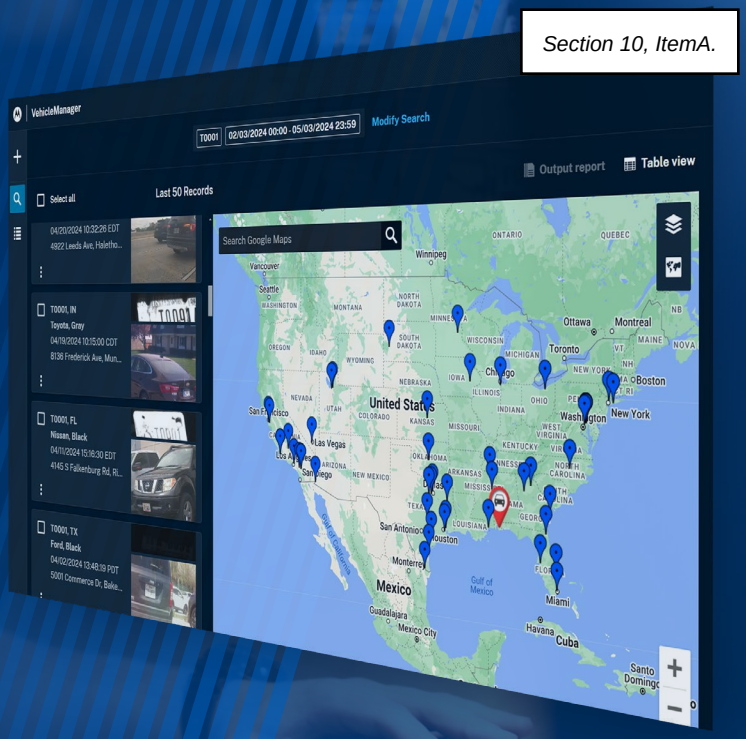
Real-time crime center analysts with CommandCentral Aware can receive alerts on their map and incident monitor.

Receive an alert and want to do some additional investigation? VehicleManager is cloud-based and available on desktop or mobile meaning that it can be accessed from anywhere you have an internet connection and through any device.

Stay in control

Data & system management

More important than the search, analytics and alerting capabilities is the data itself that they use. Without the LPR detection data at your disposal, these powerful features can be rendered useless. This is why VehicleManager allows you to choose who you share your data with and how long it's retained. Additionally, beyond being the centralized location to manage your LPR camera network, it allows you to also ingest LPR detection data from third party systems.



The pillars of data management

Camera network

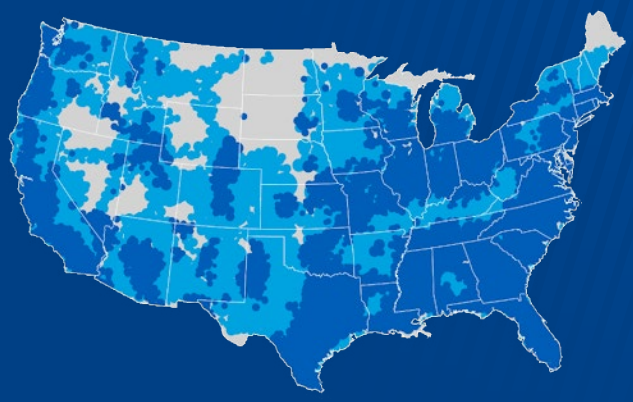
Collect detection data from any LPR camera systems.

Data retention

Set retention rules based on what works for you - not us.

Data sharing

"Grow" your network with agency and business partners.

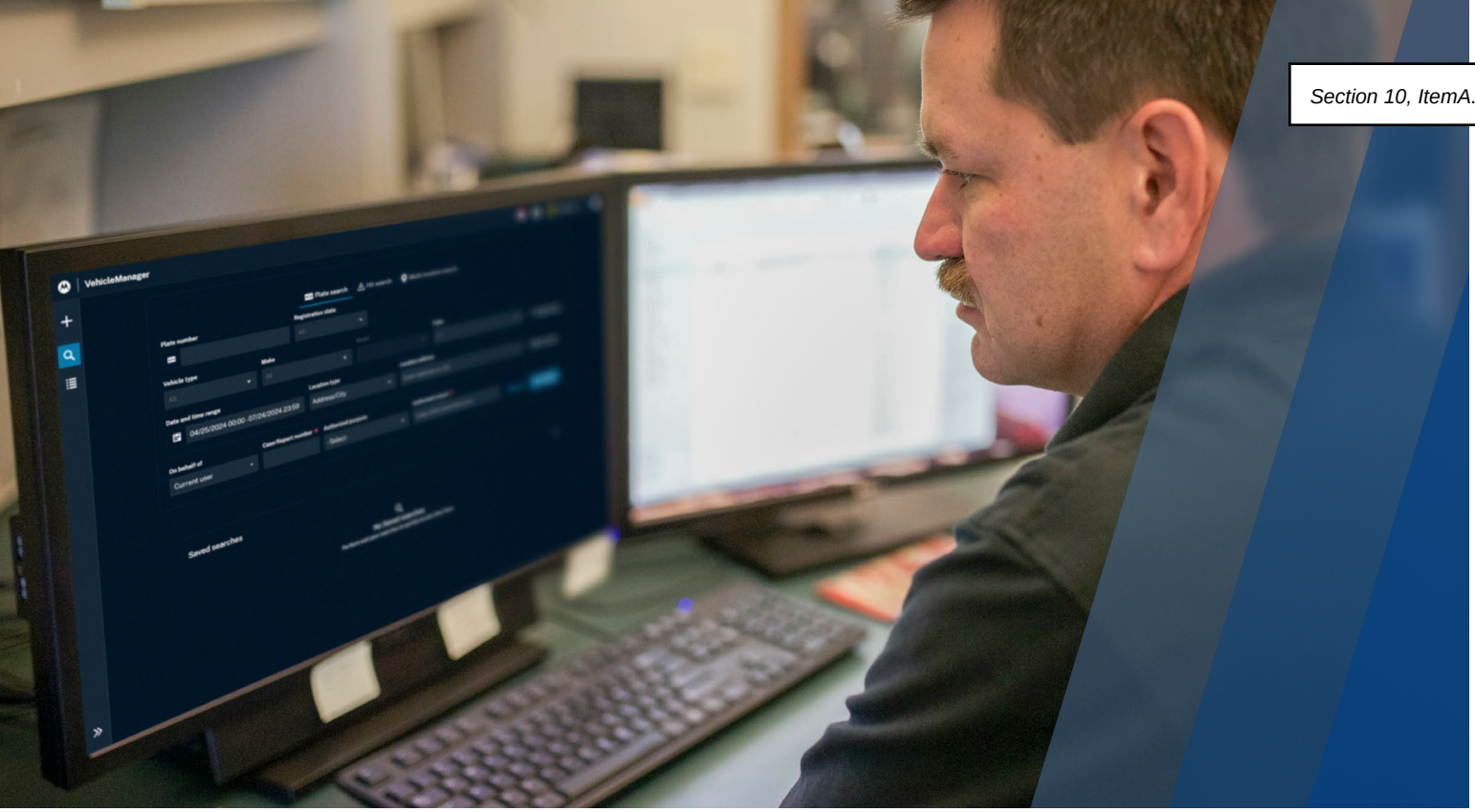


The data sharing network effect

2,650+ agencies on VehicleManager and capable of data sharing

72B+ detection records from agency and business partners

600K+ daily hot list alerts initiated for vehicles of interest



Secure & responsible by design

Deploy LPR responsibly with standards-based security built in from the ground up, and automatic updates that keep you protected. With our solutions, your data is protected and its integrity is verifiable with end-to-end encryption and hashing. Access to your system requires authentication from a secure web-browser and you can provision users and groups to only have access to certain features or capabilities. Within the system, every keystroke and user action is recorded, with additional usage justification requirements for certain functionality, so that detailed audits can be conducted and accountability is never compromised.

A part of having a secure system is making sure that you're staying up to date. That is why we routinely deliver system updates to you that not only keep you secure, but bring you our best, most powerful new features as soon as they are ready. Software updates for VehicleManager occur automatically and almost always include advance notification with information on enhancements. Camera system updates can be configured to happen automatically or can be manually pushed out to your network if you so desire.

Expert Training & 24/7 Support

Becoming an LPR power user doesn't happen overnight. That is why our training team offers on-site, virtual and on-demand training for our entire portfolio. You can even access training if you're not a customer to see if our solutions are right for you as long as you have law enforcement credentials. Our training team is all former users who have been in your shoes and come from agencies large and small. With a broad variety of experiences as officers, detectives and analysts, they'll even provide assistance on specific cases if needed.

And while we hope you never need it, our support team is always available to help. Call or email and our technicians will work with you to troubleshoot and fix any issues with your system. If you have a faulty camera or need a license key, we also have online forms available to expedite the return authorization process or license key lookup.



Build a safer city with license plate recognition

To do license plate recognition well, you need the right tools for the job. We provide the most flexibility and options for capturing license plate data with fixed, mobile, trailer and quick-deploy camera systems, video-based integration and even mobile apps. All of these are equipped with our in-house developed, industry-leading LPR algorithm that is relied upon by law enforcement agencies world-wide.

Beyond ensuring you can collect the data you need, our suite of software solutions, including VehicleManager, combines robust hot list management and alerting options with patented, powerful search and data analytics to equip your team with the insights they need to close more cases, faster.

Our software also keeps you in complete control of your data and systems with camera management, agency-defined data retention and broad data sharing options with built in memorandum of understanding (MOU) templates for you and your partners.

Lastly, to ensure your program is most successful, your solution is backed by a team who has built our license plate recognition portfolio to be secure and designed for responsible use from the ground up. You also have access to 24/7 support and free in-person, on-demand and virtual training from our expert trainers, all of whom were former users and want nothing more than to help you succeed.

To learn more, visit: **www.motorolasolutions.com/lpr**

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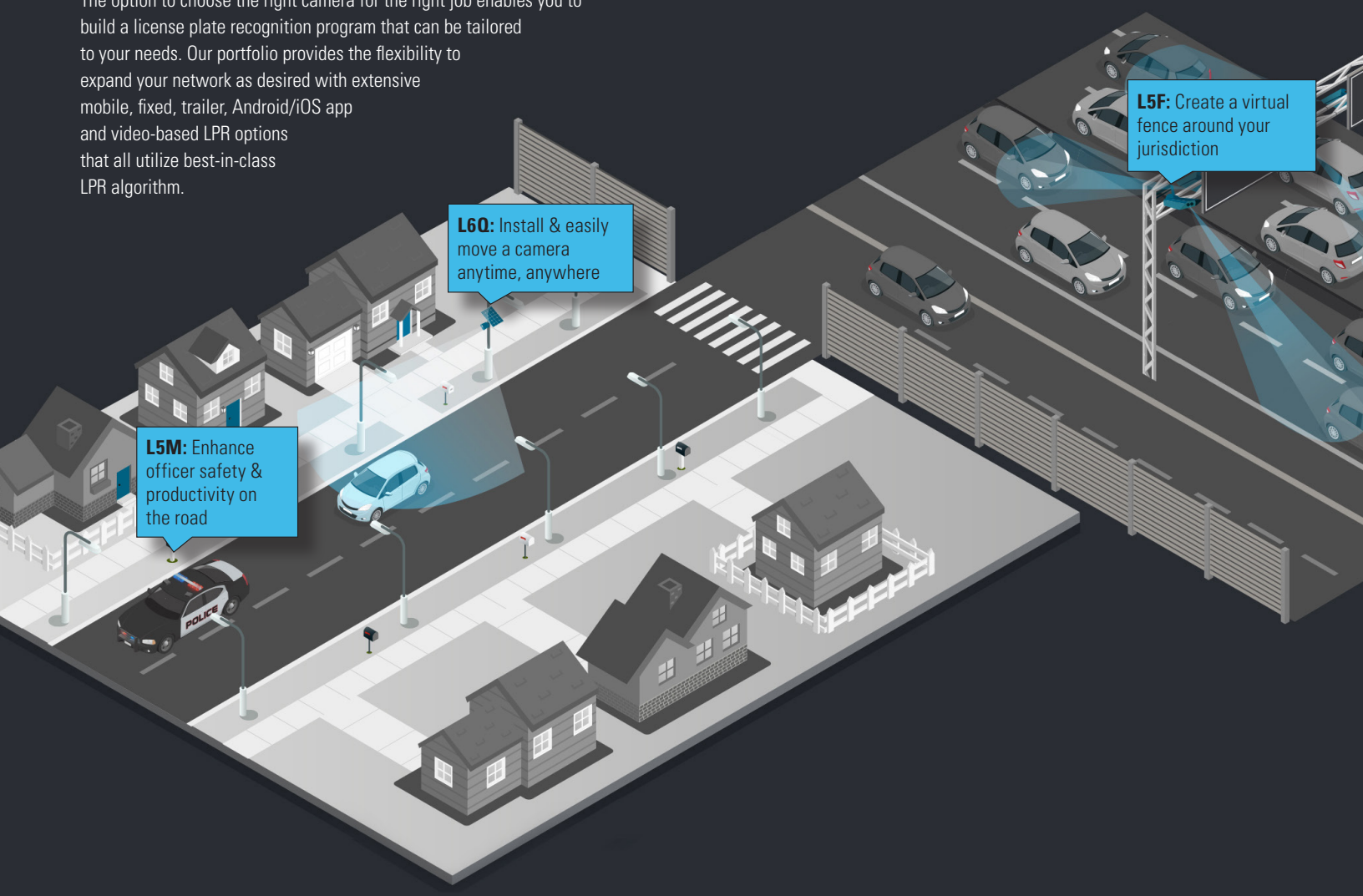
MAXIMIZE YOUR EFFECTIVENESS

SEE DIFFERENT LPR SOLUTIONS IN ACTION

The option to choose the right camera for the right job enables you to build a license plate recognition program that can be tailored to your needs. Our portfolio provides the flexibility to expand your network as desired with extensive mobile, fixed, trailer, Android/iOS app and video-based LPR options that all utilize best-in-class LPR algorithm.



ONE SIZE DOES NOT FIT ALL

DISCOVER THE RIGHT LPR DEPLOYMENT FOR TEXAS

Don't compromise. No one camera meets all LPR technology needs. So, it's important to maximize your effectiveness with the right camera optimized for specific situations and an LPR system that easily integrates all of them into one system.

That's exactly what we've done. At Motorola Solutions, we've made a commitment to develop all of the tools required to build a successful LPR program that meets your unique needs: a wide range of mission-specific cameras combined with the industry's leading LPR algorithm, patented search and analytics capabilities, and broad alerting capabilities.

We also provide unparalleled control over data retention and easy data sharing with agency partners to ensure you have the data you need to actually solve cases - hot or cold. And to ensure responsible use of LPR technology, our solutions are built to be compliant with industry security standards.



L6Q: QUICK-DEPLOY LPR CAMERA FOR TACTICAL USE CASES

Need a temporary, targeted deployment for a specific investigation? Quickly install and activate the L6Q.

The L6Q license plate reader camera is our newest generation quick-deploy LPR system. It's perfect for temporary or semi-permanent installation almost anywhere. The L6Q allows your agency to fill the gaps in your camera network with a tactical, quick-deploy system that's completely self-contained, portable and can run on battery or solar power. The L6Q can be configured to scan vehicles moving at specific speeds, up to 75 MPH, and directions, up to 75 feet away.

Each scan collects valuable information like make, model, color and speed to help advance investigations. High quality scans are possible even in complete darkness, with long-range, integrated infrared (IR) illumination and a new, top-of-the-line starlight sensor. Plus, with the Mobile Companion app on your Android or iOS device, you can connect and set up the L6Q camera quickly and easily on-site in a matter of minutes. Set up is made simple with QR code-based device linking, guided camera setup process, live video-assisted aiming, and digitally adjusted capture region. And with remote system monitoring and updates you can ensure scanning never stops.

L5F: FIXED LPR CAMERA FOR HIGH-SPEED, HIGH-TRAFFIC ROADWAYS

Looking to intercept vehicles of interest entering your jurisdiction? Deploy L5F cameras at points of entry.

The L5F Camera is a high-performance fixed camera system that can be used on high-speed, high-traffic volume roadways to create a virtual fence around your jurisdiction. Featuring a new, state-of-the-art sensor, it ensures images are always crystal clear with accurate detections day or night. The L5F offers a broad choice of lenses so you can deploy LPR cameras in hard-to-reach areas. Plus, the L5F captures pinpoint accurate images of license plates on vehicles traveling up to 150 MPH.





L5M: MOBILE LPR CAMERA TO ENHANCE OFFICER PRODUCTIVITY & SAFETY ON THE ROAD

Want to direct officer patrol efforts to make them more productive? Add L5M cameras to patrol vehicles.

The L5M is designed to be mounted in a patrol car or on a trailer to scan cars as they pass by, providing 360° coverage for officers and keeping them informed. This mobile license plate recognition system is a high-performance solution for those who want to maximize detections and data collection to ensure their officers are their safest and most productive on the road. The L5M leverages dual color and infrared (IR) sensors and lenses with added IR illumination to see more plates as they pass. Additionally, a global shutter provides unprecedented clarity of plates even when they are moving at high speeds. With AI-powered make and model identification, the L5M mobile license plate recognition system enables you to accurately capture more license plates than ever.

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L6Q

RAPID INSTALL.
RAPID INSIGHTS.

THE L6Q QUICK-DEPLOY LICENSE PLATE RECOGNITION CAMERA SYSTEM

MOTOROLA SOLUTIO



COMMUNITY SAFETY SHOULDN'T BE LIMITED BY COMPLEX TECHNOLOGY.

DETECT. ANALYZE. RESPOND.

L6Q

Safety should be simple. By combining sophisticated license plate recognition (LPR) with consumer-grade ease of installation the L6Q camera system enables law enforcement agencies and businesses alike to better ensure the safety and security of the people they serve.

This next generation of quick-deploy LPR camera includes a new, high-capacity, swappable internal battery along with solar and AC/DC direct line power options. Additionally, configuration and activation takes place from your Android or iOS smartphone using our Mobile Companion application.

On-board the L6Q, radar-based triggering can be configured for only vehicles moving at specific speed thresholds and directions of travel, across multiple lanes, to hone in on only the data you're interested in. The long-range, integrated infrared (IR) illumination and a new starlight sensor enable you to scan vehicles even in complete darkness. And lastly, a tamper-proof design and paintable, removable shroud makes the L6Q physically secure while blending in with its surroundings.





EASILY INSTALL OUT-OF-BOX

START SCANNING PLATES IN A MATTER OF MINUTES WITH ONLY ONE PERSON REQUIRED TO INSTALL, CONFIGURE AND ACTIVATE THE L6Q.

The faster you can install an LPR camera, the faster you can start scanning plates. The L6Q's user-friendly design, convenient carry case and intuitive out-of-box workflow mean it can be installed, configured and activated by one person in a matter of minutes. Mount it on almost any surface and complete setup from your smartphone for ultimate ease.



FAST

RAPID-DEPLOYMENT CARRY CASE
Take the L6Q around town and up and down ladders safely with a carry case that keeps everything you need accessible.

WALL, POLE & TREE MOUNT OPTIONS
The L6Q mount can attach to most poles, T-poles, or to common infrastructure with included band-ties and lag-bolts.

SIMPLE, EASY-TO-HANDLE DESIGN
Compact, lightweight construction, ball-joint attachment and single screw locking mechanism makes L6Q installation easy.

APP-BASED CONFIGURATION & ACTIVATION
Connect and set up the L6Q quickly and easily on-site with the Mobile Companion app on your Android or iOS device.

THE FASTER YOU CAN INSTALL AN LPR CAMERA, THE FASTER YOU CAN START SCANNING PLATES.



GET THE DATA THAT MATTERS

CONFIGURE THE L6Q TO COLLECT THE PLATE, MAKE, MODEL, COLOR AND SPEED DATA YOU NEED - IN LIGHT AND DARK CONDITIONS.

Clean data means good insights. Get the data you need by configuring the L6Q to scan vehicles moving at specific speeds and directions. Each scan collects valuable information beyond the license plate like make, model, color and speed, even in dark conditions, to help advance investigations. And, with remote monitoring you can ensure your cameras are always working when you need them.

CONDUCT MULTI-LANE SCANNING ON VEHICLES MOVING UP TO 75 MPH AT UP TO 75 FT AWAY.



DIRECTION & SPEED-BASED RADAR DETECTION

Configure the L6Q to trigger on vehicles moving at specific speeds, up to 75 MPH, and directions of travel up to 75 feet away.

MAKE, MODEL, COLOR & SPEED RECOGNITION

Capture valuable information like vehicle make, model, color and speed with AI that is capable of recognizing almost any vehicle.

LONG RANGE IR-ENABLED NIGHT VISION

Scan vehicles even in total darkness, with long-range, integrated infrared (IR) illumination and a starlight sensor.

REMOTE SYSTEM MONITORING & UPDATES

Ensure your system is working as it should with automatic updates and remote battery, signal, storage and status monitoring.

READY FOR ANY ENVIRONMENT

DEPLOY THE L6Q WHERE AND WHEN NEEDED WITHOUT WORRYING ABOUT WEATHER, SECURITY, POWER SOURCE, OR CONNECTIVITY.

Criminals operate everywhere. Your LPR camera should too. Solar, AC/DC and high-capacity, swappable battery options enable you to install the L6Q almost anywhere. Built to run in all weather conditions it is also physically secure, with its tamper-proof design. You can also customize the L6Q to blend in with its surroundings by painting the removable shroud.



AN IP67 RATING ENSURES THE L6Q WILL PERFORM IN ALL WEATHER CONDITIONS.



TOUGH







TEMPERATURE & WEATHER RESISTANT
Install the L6Q in the hottest and coldest locations with its IP67-rated design capable of withstanding even the harshest elements.

TAMPER-PROOF WITH PAINTABLE SHROUD
The L6Q is built to be physically secure and to blend in with its surroundings by easily removing and customizing its shroud.

SOLAR, BATTERY & AC/DC POWER OPTIONS
Deploy the L6Q where needed with versatile power options including solar, AC/DC, as well as a swappable internal battery.

FLEXIBLE LTE CONNECTIVITY
Buy the L6Q as-a-service with a Verizon SIM card and cellular plan, or use your own Verizon, AT&T, FirstNet* or T-Mobile SIM card.

*Q3 2022

SHARING BY THE NUMBERS

1,800+
agencies on the LEARN platform and capable of data sharing

35B+
detection records from agency and business partners

600K+
daily hot list alerts initiated for vehicles of interest

AMPLIFY INSIGHT & AWARENESS

GO BEYOND BASIC ALERTS AND SEARCHES WITH PATENTED ANALYTICS AND COMPLETE CONTROL OVER YOUR DATA RETENTION AND SHARING.

License plate data collection is only the tip of the iceberg. What you do with it is what matters. The L6Q, like all of our camera systems, comes with our industry-leading Vigilant PlateSearch software, a part of the Vigilant LEARN platform, to manage hot lists and alerts, conduct advanced searches and run patented analytics. Most importantly, with Vigilant PlateSearch your data is completely under your control with customer-defined retention and sharing capabilities.



Target Alert Service (TAS)
Windows Client

Mobile Companion
Android/iOS App

TEXT & EMAIL ALERTS

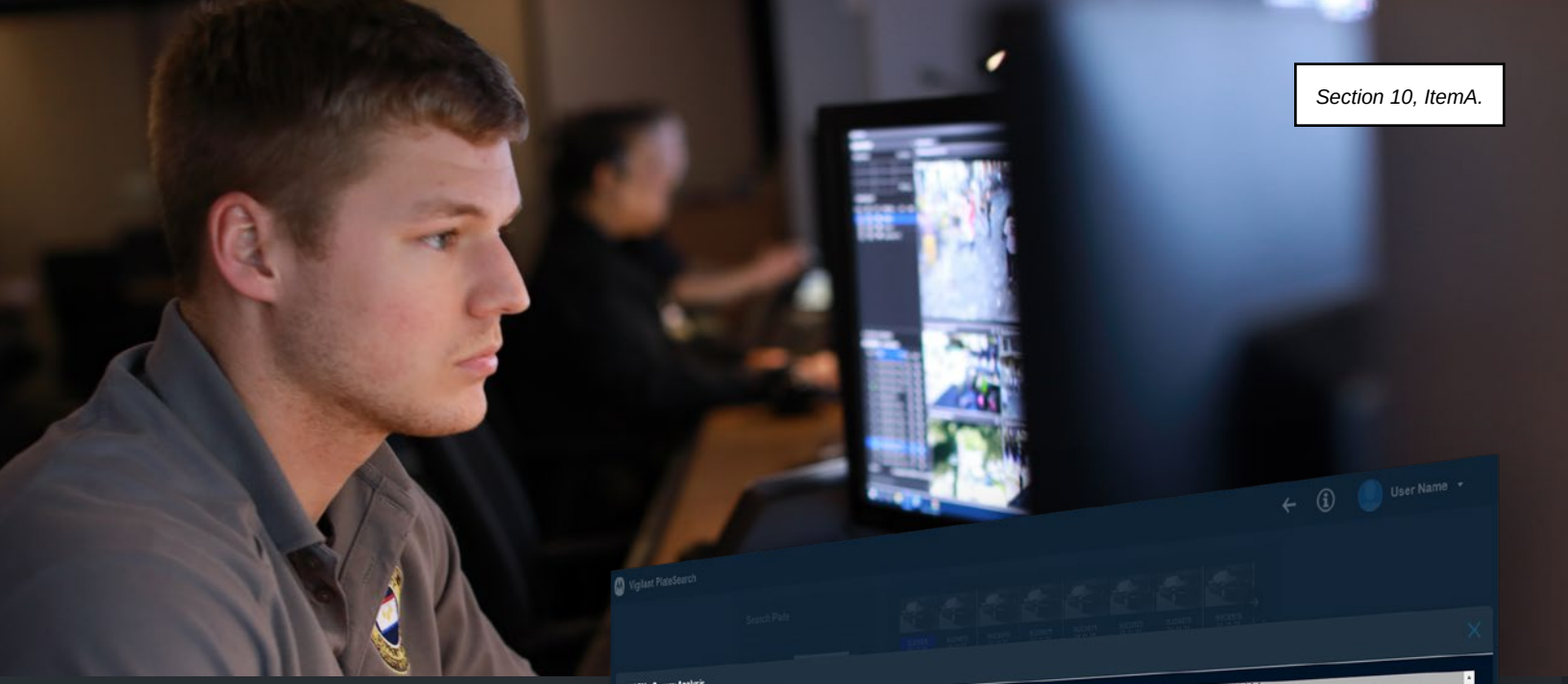
IN-CAR (MDT) ALERTS

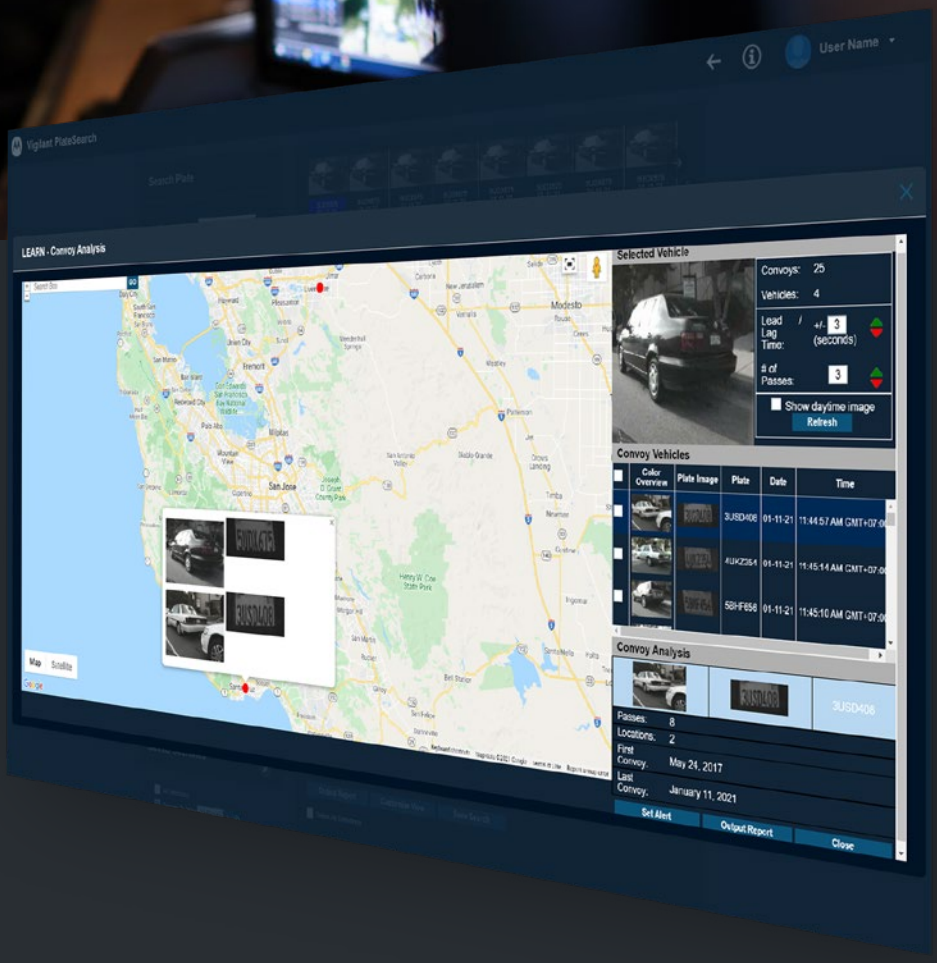
ANDROID/IOS ALERTS

WINDOWS CLIENT ALERTS

HOT LIST MANAGEMENT & ALERTING

From Vigilant PlateSearch, build your own hot lists, subscribe to shared lists from the National Crime Information Center (NCIC) and state hot lists as well as share lists with local law enforcement partners. Configure alerts to be received across devices and applications.





ACCESS BILLIONS OF DETECTIONS FROM LAW ENFORCEMENT AND COMMERCIAL PARTNERS.

PLATE & LOCATION-BASED SEARCH
Search by full or partial plate, or location. Filter by year, make, model and more.

PATENTED VEHICLE LOCATION ANALYTICS
Identify associations, predict the location of vehicles and more with patented analytics.

DATA MANAGEMENT & SECURITY
Control data retention, sharing and camera systems all from a single secure place.

INTELLIGENT

WE TAKE SECURITY SERIOUSLY

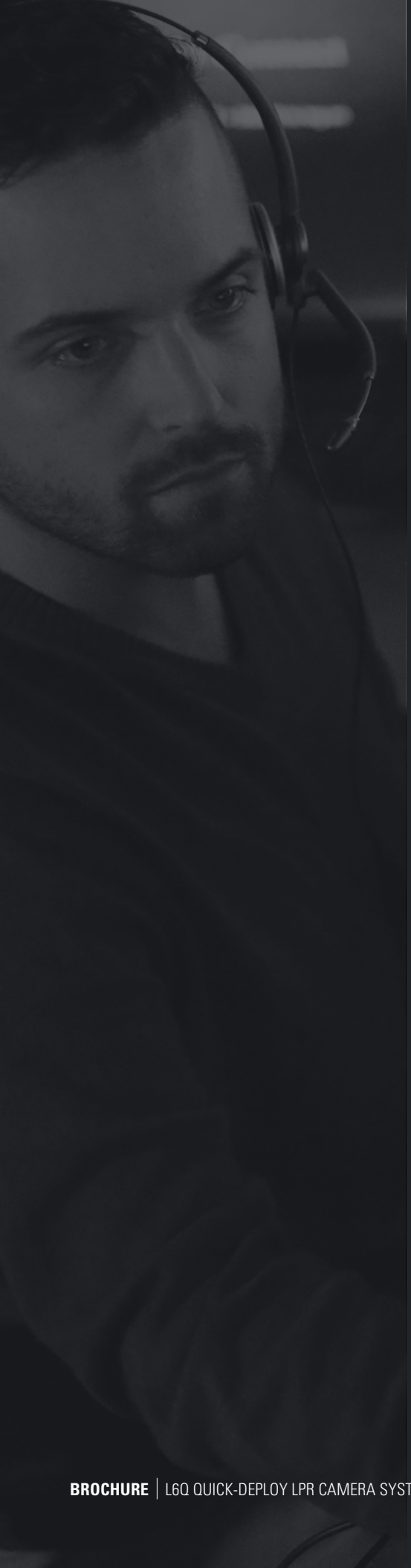
DEPLOY LPR RESPONSIBLY WITH STANDARDS-BASED SECURITY BUILT IN FROM THE GROUND UP, AND AUTOMATIC UPDATES THAT KEEP YOU PROTECTED.

Vigilant PlateSearch is designed to work seamlessly with our camera systems to provide data protection and integrity with end-to-end encryption and hashing. Access to your system requires authentication from a secure web-browser and you can provision users and groups to only have access to certain features or capabilities. Within the system, all user actions are audited, with additional usage justification requirements for certain functionality, so that detailed audits can be conducted and accountability is never compromised.

A part of having a secure system is making sure that you're staying up to date. That is why we routinely deliver system updates to you that not only keep you secure, but bring you our best, most powerful new features as soon as they are ready. Software updates for Vigilant PlateSearch occur automatically and are clearly documented so you can stay up to date too.



- ✓ **DATA PROTECTION & INTEGRITY MECHANISMS**
- ✓ **GRANULAR AUDITING & ACCOUNTABILITY TOOLS**
- ✓ **STRICT USER ACCESS & AUTHENTICATION**
- ✓ **INCLUDED AUTOMATIC SYSTEM UPDATES**



GET THE MOST OUT OF YOUR SOLUTION

OUR SERVICE OPTIONS KEEP YOUR TEAM AND SYSTEM WORKING SO YOU CAN MAINTAIN THE SAFETY OF THE PEOPLE YOU SERVE.

TRAINING & SUPPORT
Whether it's generating new leads or successfully following up on current ones, the Motorola Solutions Vigilant Training Team is ready to help. Composed of retired and former law enforcement personnel, the team brings well over a hundred years of investigative experience to the table along with free training available in-person and online. And when you need technical support, our certified engineers use the right escalation procedures to bring you a prompt resolution.

PROCUREMENT OPTIONS
The L6Q camera system can be bought as an outright purchase or as a subscription. With a subscription, you can bring the power of our license plate recognition technology to your community for a low, predictable cost.

HARDWARE WARRANTY
Maintain efficiency and reliability with a one year manufacturer warranty from ship date, with the option to purchase an additional four years for a total five year warranty.



BETTER ENSURE THE SAFETY AND SECURITY OF THE PEOPLE YOU SERVE WITH THE L6Q QUICK-DEPLOY LPR CAMERA SYSTEM.



For more information, please visit

www.motorolasolutions.com/L6Q

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Incentive/Hard Cost	Details	2024 Budget	Q1	Q2	Q3	Q4	Total 2024	Funds 2024	YTD MtCO2e reduced / offset	Annual Utility Cost Savings	Community Priority
Home Energy Assessments	***Goal: 20*** *- $50 assessment; $0 TOV employees*	$1,000	1	2	0	1	4	$200	0.49	$145	*1*
Weatherization Bonus	***Goal: 7-10*** *=$500 bonus rebate for air sealing/insulation improvements; or*						0				
Heat Pump Bonus	*=$500 bonus rebate for heat pump/heat pump water heater; or*	$6,500					0				
Public EV Charging	*=$1,000 for on-site EV Charger, shared access*						0				
Marketing & Outreach	*Hard costs for marketing/outreach in order to increase participation*	$500	*full year accounted for in marketing & admin*					$500			
Program Administration	*Hard costs for program management & energy coaching*	$2,000						$2,000			
		$10,000	*incentive funds + annual admin/marketing funds*					**$2,700**	*(not all projects modeled yet)*	$ *(not all projects modeled yet)*	*pending/upcoming: 2 requested/in-progress assessments ($100 est.); $1,000 Res Rebates in-progress (EV Charger)*
								$7,300	***remaining funds for 2024***		
								$1,100	*pending projects funds*		
								$6,200	***remaining funds for 2024***		

2024 Invoices:

$50	*Q1 (incentives)*	*Q1 total:*
$625	*Q1 (admin)*	$675
$100	*Q2 (incentives)*	*Q2 total:*
$625	*Q2 (admin)*	$725
$50	*Q3 (incentives)*	*Q3 total:*
$625	*Q3 (admin)*	$675
	Q4 (incentives)	*Q4 total:*
$625	*Q4 (admin)*	*$625*
$2,700	*TOTAL Spent*	*$2,700*
$7,300	*Remaining*	