### **Huerfano County Land Use Department**

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



## Huerfano County Board of County Commissioners Staff Report – Permit #24-012 Maria Lakes Plat Amendment

Meeting Date: June 13, 2024

#### **Request:**

With this Application, Don Sieke is requesting a correction of the Maria Lakes Plat Map.

The applicant is requesting wording be eliminated and replaced. The plat map currently reads:

Note 6- Parcel A is for the purpose of Private Open Space, Drainage, Private Trails, and Public Utilities to be owned and maintained by the Maria Lake Subdivision Homeowners Association. Wording to be replaced by:

Parcel A, owned by Maria Lake Grazing Association, LLC, is for the purpose of Private Open Space, Drainage,

Private Trails, and Public Utilities. Except for the Maria Lake area of Parcel A, the remainder of Parcel A will be maintained by Maria Lake Subdivision Homeowners Association.

#### **Process for Plat Amendment:**

• (2.14.01): PC meeting: recommendation  $\rightarrow$  BOCC public meeting  $\rightarrow$ Record amended plat with County Clerk and Recorder within 5 days at applicant's expense.

#### **Code References:**

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

§ 2.14 – Plat Amendment

#### **Application Materials Required for a Plat Amendment:**

Proof of ownership; approved and recorded final plat along with proposed amendments; narrative statement explaining why proposed changes should be approved by the Planning Commission and BOCC.

#### **Application Materials:**

- Letter of intent.
- Deed to show ownership
- Current Map
- Application

#### **Background:**

This application, along with all required attachments were received on April 4, 2024. Application Fees were invoiced to the applicant. Staff has determined the application to be complete.

#### **Eligibility for a Plat Amendment:**

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

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#### 2.14.03 Criteria for Action on a Plat Amendment Application:

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

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

#### **Analysis:**

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

#### **Referral Comments:**

Letters were sent to the following referral agencies on March 1, 2024:

- San Isabel Electric
- Huerfano County Road and Bridge Department
- Huerfano County Soil Conservation District
- Huerfano County Water Conservancy District

There was one reply on agency comments, the Water Conservancy District, who stated they had no comments on this application.

#### Note:

Plat Amendments do not require a public hearing. Planning Commission should make a recommendation to BOCC for an upcoming BOCC public meeting. BOCC may require notification of review agencies or other interested parties.

#### **Commission Action:**

#### **Recommendation:**

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

#### **Enclosures:**

- Application
- Current Map
- Maria Lakes Location
- Letter of Intent
- Deed
- Agency Comment

Page 2 of 2 24-012- Plat Correction

# MARIA LAKE SUBDIVISION PLAT CORRECTION

March 28, 2024

Exhibit 1

The approved Maria Lake Subdivision Plat recorded July 16, 2009, included Note 6 which contains an error, under General Notes which reads:

Note 6 – Parcel A is for the purpose of Private Open Space, Drainage, Private Trails, and Public Utilities to be owned and maintained by the Maria Lake Subdivision Homeowners Association.

Parcel A largely consists of the approximately 250 acre Maria Lake including related water and storage rights, Road, utility and other easements are or will be separately recorded. Because Maria Lake owners are pursuing separate water initiatives to retain water in the Cucharas River Valley, ownership was always intended to and must remain in the name of Maria Lake Grazing Association, LLC, successor to Maria Lake Grazing Association, LLP

Accordingly, it is hereby requested that Note 6 be eliminated in its entirely and replaced by:

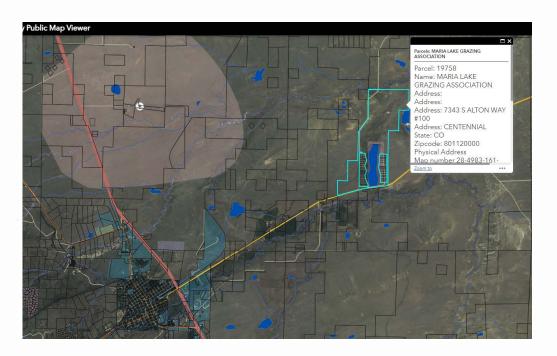
Parcel A, owned by Maria Lake Grazing Association, LLC, is for the purpose of Private Open Space, Drainage, Private Trails, and Public Utilities. Except for the Maria Lake area of Parcel A, the remainder of Parcel A will be maintained by Maria Lake Subdivision Homeowners Association.

The undersigned is currently the owner, directly through 100% owned entities, of 100% of the Maria Lake Subdivision.

Thank you for your consideration,

Siechi

Donald E. Siecke



#### MARIA LAKE GRAZING ASSOCIATION

#### 7343 S. Alton Way, Suite 100 Centennial, CO 80112

March 28, 2024

Cheri Chamberlain (cchamberlain@huerfano.us)

Huerfano County 401 Main Street, Suite 304 Walsenburg, CO 81089

Cheri,

Thank you for the Plat Amendment Instructions and the General Land Use Application.

I'm enclosing the General Land Use Application along with an attachment which explains the requested Plat Amendment for Note 6 under General Notes.

I'm also enclosing a copy of the Maria Lake Subdivision which was approved in 2009 and a Preliminary Title Commitment for Parcel A that confirms the ownership of Maria Lake Grazing Association, LLC, which is owned 99% by Donald E. Siecke and 1% by Maria Lake Ranch Wetlands, LLC which I also own.

I'm uncertain of the required fees, but will have them paid immediately if you let me know the amount.

I've referenced my submittal as a Plat Correction. Please let me know if I need to modify my submittal or provide additional information.

Thanks for you help,

Donald Siecke



## **Huerfano County Land Use Department**

401 Main Street, Suite 340, Attn: Land Use

Walsenburg, Colorado 81089

719-738-1220 ext. 103



GENERAL LAND USE APPLICATION		
Application File No.:		
Date Received: Received by:		
Fees due: Date Paid		
1. ACTION(S) REQUESTED:  □ Conditional Use Permit	□ Sign Permit	
□ Conditional Use Permit / Marijuana	□ Temporary Use Permit	
☐ Conditional Use Permit/ Oil, Gas or Uranium Exploration and/or Development	☐ H.B. 1041 Text Amendment ☐ H.B. 1041 Development Permit	
□ Rezoning	□ H.B. 1041 Flood Plain Exemption	
□ Variance	PUD and Subdivisions:	
□ Subdivision Exemption	□ Sketch Plan	
□ Plat Amendment	□ Preliminary Plan	
□ Lot Consolidation	☐ Final Plat / Subdivision Improvement Agreement	
■ Plat Correction	□ Appeal of Denied Application	
□ Right-of-Way or Easement Vacation	Appear of Deffied Application	
□ Other Actions (specify):		
2. APPLICANT AND OWNER INFORMATION: Applicant Name: Donald E. Siecke and 100% Owned Entit	ies	
Applicant's Mailing Address: 7343 S. Alton Way, Suite 100, Centennial, CO 80112		
Applicant's Telephone: 303-229-8300	Email: don@kelmoredevelopment.com	
Name of Land Owner: Same as applicant		
Land Owner's Mailing Address:		
	Email:	
3. PERMIT DETAILS:		
Detailed project description/Scope of Work: See Exhibit	1 Attached	
	8	
Parcel Area: Acres; Zoning District(s): _		
Parcel/Schedule Number(s):		
Parcel Address (optional):		

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

## **GENERAL LAND USE APPLICATION**

If project is in an HOA, HOA name: Maria Lake Subdivision Homeowners Association	
If a Variance Request, please state the reason for the Variance(s): See Exhibit Attached	
Is all or a portion of the subject land located in a 100-year flood plain area (see FEMA floodplain map), or a areas with slopes in excess of twenty percent (20%)? □ YES ■ NO □ NOT SURE  If YES, describe existing conditions: N/A	re there
Value of proposed project:	
Will the proposed project require any State or Federal permits? $\Box$ YES $\equiv$ NO  If YES, please list all permits or approvals required: $\boxed{N/A}$	
Additional pertinent information:	
If a H.B. 1041 permit is required, for what matters of local concern and state interest? N/A	
4. CERTIFICATION BY THE APPLICANT:	
I hereby certify that this Application is made with full knowledge of the design standards, all fees, propublic hearing and meeting requirements contained in the Huerfano County Land Use Regulations. Furthe understand that all conditional use permits are non-transferrable, unless specifically approved by the H County Board of County Commissioners. The Board of County Commissioners may impose permit fees as it deems appropriate. All documents submitted may be subject to internet publishing.	rmore, I uerfano
Signature of Applicant: Date: March 28, 202  Printed name: Donald E. Siecke	24
5. ACTION (by the authorized permitting authority):	
□ Final Approval □ Conditional Approval □ Denial	
Name Signature	
Title Date	
Comments	

# MARIA LAKE SUBDIVISION PLAT CORRECTION

March 28, 2024

Exhibit 1

The approved Maria Lake Subdivision Plat recorded July 16, 2009, included Note 6 which contains an error, under General Notes which reads:

Note 6 – Parcel A is for the purpose of Private Open Space, Drainage, Private Trails, and Public Utilities to be owned and maintained by the Maria Lake Subdivision Homeowners Association.

Parcel A largely consists of the approximately 250 acre Maria Lake including related water and storage rights, Road, utility and other easements are or will be separately recorded. Because Maria Lake owners are pursuing separate water initiatives to retain water in the Cucharas River Valley, ownership was always intended to and must remain in the name of Maria Lake Grazing Association, LLC, successor to Maria Lake Grazing Association, LLP

Accordingly, it is hereby requested that Note 6 be eliminated in its entirely and replaced by:

Parcel A, owned by Maria Lake Grazing Association, LLC, is for the purpose of Private Open Space, Drainage, Private Trails, and Public Utilities. Except for the Maria Lake area of Parcel A, the remainder of Parcel A will be maintained by Maria Lake Subdivision Homeowners Association.

The undersigned is currently the owner, directly through 100% owned entities, of 100% of the Maria Lake Subdivision.

Thank you for your consideration,

Donald E. Siecke

# We appreciate your business!

We are thankful for the opportunity to work with you on your transaction. Below you will find a digital copy of your Title Commitment for the property with hyperlinks to supporting documentation. Please scroll down and click on the blue links below to view the referenced documentation. You will receive your title policy after the closing of the transaction. Should you have any questions about "What is Title Insurance?" please visit our website at www.heritagetco.com and click on the "Consumers" tab. Thank you.



Pursuant to your real estate contract, the title commitment attached is for your records and review only, you will receive your title policy after the closing of the property. Thank You.

heritagetco.com

# Your Preliminary Title Commitment

Our File No. HS0828138

Effective Date: January 30, 2024

#### PROPERTY ADDRESS: PARCEL A

This commitment was delivered to the following parties, disclosed to the Company to be involved in this transaction:

Donald Siecke

Cindy Cogan

The delivery/email address of each party is intentionally not displayed, in order to protect the Personal Private Information (PPI) of all.

IS THIS A SALE TRANSACTION? Are the seller's in this transaction US Citizens? If not click <u>HERE</u> for important information regarding FIRPTA

ONLINE FRAUD IS ON THE RISE - click HERE before wiring your funds

#### E&O Certificate - Click HERE

Agents and Lenders - Click <u>HERE</u> for the best resource to calculate net sheets, closing cost estimates and much more...

#### Click here for your complete Title Commitment

#### Click here for your Tax Certificate

Thank you for your new order! We truly appreciate the opportunity to work with you on your transaction. Below you will find a digital copy of your Title Commitment for the property with hyperlinks to supporting documentation. Please scroll down and click on the blue links below to view the referenced documentation. You will receive your title policy after the closing of the transaction. Should you have any questions about "What is Title Insurance?" please visit our website at <a href="www.heritagetco.com">www.heritagetco.com</a> and click on the "Consumer Tab". Thank You.

#### WIRING INSTRUCTIONS

WIRED FUNDS ARE REQUIRED ON ALL CASH PURCHASE TRANSACTIONS. FOR WIRING INSTRUCTIONS, PLEASE CONTACT YOUR ESCROW OFFICE AS NOTED ON THE TRANSMITTAL PAGE OF THIS COMMITMENT.

NOTE: Wired funds are required on all cash purchase transactions

\*\*Be aware! Online banking fraud is on the rise. If you receive an email containing WIRE TRANSFER INSTRUCTIONS call your escrow officer immediately to verify the information prior to sending funds.\*\*

#### LEGAL DESCRIPTION

Parcel A in Maria Lake Subdivision, County of Huerfano, State of Colorado.

#### SELLERS

Maria Lake Grazing Association, LLC, a Colorado limited liability company

#### **BUYERS**

Contracted Purchaser or Designee

#### LENDER

Lender or designee with contractual rights under a loan agreement with the borrower identified as the Proposed Owner, its successors and/or assign

#### PROPOSED COVERAGES

#### **ALTA Owner's Policy 2021**

Proposed Insured:

Contracted Purchaser or Designee

Proposed Policy

\$10,000.00

Amount:

#### **ALTA Loan Policy 2021**

Proposed Insured:

Lender or designee with contractual rights under a loan agreement with the

borrower identified as the Proposed Owner, its successors and/or assign

Proposed Policy

\$10,000.00

Amount:

#### **ESTIMATED TITLE CHARGES**

Owner's Policy Premium	\$192.00
CO 110.1-06	\$95.00
Loan Policy 1 Premium	\$375.00
Closing Protection Letter	\$25.00
Tax Certificate	\$13.50
addl search fee	\$120.00

#### REQUIREMENTS

- 1. Pay the agreed amounts for the interest in the land and/or for the mortgage to be insured.
- 2. Pay the premiums, fees, and charges for the Policy.
- 3. Obtain a certificate of taxes due from the county treasurer or the county treasurer's authorized agent.
- 4. Evidence that any and all assessments for common expenses, if any, have been paid.
- 5. The Company will require that an Affidavit and Indemnity Agreement be completed by the party(s) named below before the issuance of any policy of title insurance.
  - Party(s): \\

The Company reserves the right to add additional items or make further requirements after review requested Affidavit.

- 6. Deed sufficient to convey the fee simple estate or interest in the Land described or referred to herein, to the Proposed Insured Purchaser.
- 7. Deed of Trust sufficient to encumber the estate or interest in the Land described or referred to herein for the benefit of the Proposed Insured Lender

Click to View Tax Info

NOTE: Exception(s) number(ed) 1-4 will not appear on the Lender's Policy, subject to satisfaction of requirements and as applicable.

NOTE: Endorsement Form 110.1, deleting exception(s) 1-4 will be issued with the Owner's Policy, subject to satisfaction of requirements and as applicable.

Note: Exception number 5 will be removed from the Owner's and Lender's Policy provided the Company conducts the closing.

NOTE: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.

24 MONTH CHAIN OF TITLE, FOR INFORMATIONAL PURPOSES ONLY:

The following vesting deeds relating to the subject property have been recorded in the Clerk and Recorder's office of the County in which the property is located:

NONE

#### **EXCEPTIONS**

- 1. Any facts, rights, interests or claims that are not shown by the Public Records but which could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
- 2. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
- 3. Any encroachment, encumbrance, violation, variation or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the land and not shown by the Public Records.
- 4. Any lien or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
- 5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the Public Records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires of record for the value the estate or interest or mortgage thereon covered by this Commitment.
- 6. Water rights, claims or title to water, whether or not disclosed by the Public Records.
- 7. All taxes and assessments, now or heretofore assessed, due or payable.

NOTE: This tax exception will be amended at policy upon satisfaction and evidence of payment of the same of the sa

8. Terms, conditions, provisions, agreements and obligations contained in the Water Well and Pipeline Easement recorded October 6, 1972 in <u>Book 331 at Page 783</u>

Terms, conditions, provisions, agreements and obligations contained in the Partnership Agreement for Maxia Lake Grazing Association, a Colorado General Partnership, recorded March 28, 1988 in Book 3M at Page 346, Memorandum of First Amended Partnership Agreement recorded January 2, 1992 in Book 13M at Page 876, Memorandum recorded January 6, 2000 at Reception No. 342551, Revised and Restated Memorandum of the second Amended, recorded January 15, 2002 at Reception No. 352206, Revised and Restated recorded August 22, 2005 at Reception No. 369047, Revised and Restated recorded December 26, 2007 at Reception No. 378793.

10. Terms, conditions, provisions, agreements and obligations contained in the San Isabel Electric Association, Inc. Line Extension Contract and Agreement for Permanent Electric Service as set forth below:

Recording Date:

July 7, 2000

Recording No:

<u>345051</u>

11. Terms, conditions, provisions, agreements and obligations contained in the Ruling of the Referee as set forth below:

Recording Date:

August 28, 2000

Recording No:

345695

12. Terms, conditions, provisions, agreements and obligations contained in the Judgment and Decree Confirming Conditional Water Right as set forth below:

Recording Date:

August 28, 2000

Recording No:

345696

13. Terms, conditions, restrictions, provisions, notes and easements but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth on the Plat(s) of said subdivision set forth below:

Recording No:

384387

14. Covenants, conditions, restrictions and lien rights but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, and any and all amendments thereto, as set forth in the document.

Recording Date:

July 28, 2009

Recording No:

384388

amendment recorded April 19, 2022 at Reception No. 426325

- 15. Terms, conditions, provisions, agreements and obligations contained in the Line Extension Contract between Marie Lake Grazing Association and San Isabel Electric Association, recorded October 14, 2009 at Reception No. 385163
- 16. Terms, conditions, provisions, agreements and obligations contained in the Resolution between Huerfano County and Maria Lake Grazing, recorded January 21, 2009 at Reception No. 382430
- 11. Terms, conditions, provisions, agreements and obligations contained in the Memorandum of Easement and Lease Agreement as set forth below:

Recording Date:

April 29, 2010

Recording No:

388148

- 18. Easement between Marie Lake Grazing Association and San Isabel Electric Association, recorded September 11, 2009 at Reception No. 384846 and recorded March 24, 2014 at Reception No. 400023
- 19. Mineral Rights as conveyed in Deed recorded January 21, 2016 at Reception No. 405142.

Terms, conditions, provisions, agreements and obligations contained in the Grant of Conservation Easement Agreement between Maria Lake Grazing Association, LLC, a Colorado Limited Liability Company and Maria Lake Ranch Wetlands, LLC, A Colorado Limited Liability Company, recorded January 21, 2016 at Reception No. 405144, rerecorded January 29, 2016 at Reception No. 405233, assignment recorded May 16, 2016 at Reception No. 406075 2nd correcting Assignment recorded January 26, 2017 at Reception No. 408102, assignment recorded April 9, 2018 at Reception No. 411992 and Amended recorded April 9, 2018 at Reception No. 411993.

A. Terms, conditions, provisions, agreements and obligations contained in the Grant of Easement
Agreement between South Ranch at Cuchara Junction, LLC and Maria Lake Grazing Association LLC, a
Colorado limited Liability Company, recorded July 10, 2017 at Reception No. 409426

Deletal

5

22. Terms, conditions, provisions, agreements and obligations contained in the Duran Ditch Easement between Maria Lake Grazing Association LLC and Darryl Harwig and Cheryl Harwig, recorded April 15, 2019 at Reception No. 415150.

#### **IMPORTANT CONTACTS**

Escrow Closer:

Cindy Cogan

Phone:

720-728-7210

FAX:

E-Mail:

Cindy.Cogan@heritagetco.com

Address: 627 E Bridge St

Brighton, CO 80601

Thank you for trusting us with your transaction!
Please contact your Escrow Closer, Closing Assistant
or Title Representative with any questions,
as replies to this message will not be read.

#### DISCLAIMER/DISCLOSURES/EXPLANATIONS OF COVERAGE

The information provided in the Title Snapshot is for preview purposes only. Any conflict with the information displayed herein and the contents of the official Title Commitment issued in connection with this order will be controlled by said official Title Commitment. Questions regarding any discovered conflict should be directed to the Contact Persons shown herein.

# MARIA LAKE SUBDIVISION

5-764 Survey

A PORTION OF THE E 1/2 OF SECTION 20, A PORTION OF THE W 1/2 OF SECTION 21, A PORTION OF THE NE 1/4 OF SECTION 29 AND A PORTION OF THE NW 1/4 OF SECTION 28, TOWNSHIP 27 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN. HUERFAND COUNTY, COLORADO.

KNOW ALL MEN BY THESE PRESENTS: That Maria Lake Grazing Assoc., LLP, Being the LEGAL DESCRIPTION A parcel of land being a portion the E 1/2 of Section 20 and a portion of the W 1/2 of Section 21 and a portion of the NR 1/4 of Section 23 and a portion of the NW 1/4 of Section 23. Township 27 South, tange 63 West of the Sixth Principal Mentilan, Huerfano Country, Colorado. Said parcel being more particularly described as BEGINNING at a point on the east line of the sald W 1/2 of Section 21 from which the N 1/4 corner of said Section 21 bears N 00°0303°E (bearings based on a line between the N 1/4 corner and the S 1/4 corner of Section 21, Township 27 South, fange 65 West of the Sixth Principal Meridian, monumented on both ends with a No. 5 chear with a 1 1/2" aluminanue opp 1/L.S. 11624, assound to bear 500°030°30°N; A long said east line, a distance of 3053.56 feet to the said S 1/4 corner of 1683.32 feet; thenee S 00°030°30°N along said east line, a distance of 3053.56 feet to the said S 1/4 corner of 1845.18 feet to a point on the north line of Valdez Cernetery; thenee S 80°30′40°N along said north line of Valdez Cernetery, at distance of 116.61 feet to the northwest corner of said Valdez Cernetery, the S 10°19′42°W along the west line of said Valdez Cernetery, the sacce S 01°19′42°W along the west line of said Valdez Cernetey, a distance of 188.36 feet to a point on the northwest corner of said Valdez Cernetery. The said Valdez Cernetery is the said Valdez Cernetery is the said Valdez Cernetery is thought of the said Valdez Cernetery, the said Valdez Cernetery is the west line of Said Valdez Cernetery, the said Valdez Cernetery is said valdez Cernetery is the Said Valdez Cernetery is 1. along the arc of a non-tangent curve to the right, whose center bears N 11\*55'24"W and having a central angle of O4\*1841's and a radius of 2252.00 feet, a distance of 169.46 feet;
2. S 32\*23'17"W, a distance of 2652.56 feet;
3. along the arc of a curve to the left, having a central angle of 07\*34'14" and a radius of 5769.33 feet, a distance of 762.31 feet;
4. S 74\*481"W, a distance of 117.13 feet; thence N 48°53'52"W, a distance of 62.78 feet; thence along the apparent easterly right of way line of Huerfano County Road No. 120 the following two (2) courses: thence N 90°00'00"E, a distance of 3783.40 feet to the POINT OF BEGINNING Said parcel contains \$18.42 acres, more or less GENERAL NOTES:

1. Date of Preparation is February 28, 2009.

2. The fract of Land Herein lies with a portion of the B 1/2 of Section 20, a portion of the W 1/2 of Section 21, a portion of the NE 1/4 of Section 29 and a portion of the NW 1/4 of Section 28, Township 27 South Range 65 West of the Stath Principal Meridian.

3. Conditions of the sale of specific lots are as follows:

Muria Lake Grezing Association, LLP being the Developer for Muria Lake Subdivision is responsible for
the installation of improvements as listed below und is subject to the following conditions:

u.) Lots 1-3, Phase One as shown hereon may not be sold until such thre as water and electric services are

Sewage treatment is the responsibility of each individual property owner. All facilities shall comply with all applicable State and Regional regulations governing sowage disposal.

5. Unless shown other wise, the following easements are hearby platted for Public Utilities. The sole responsibility for maintenance of easements is hereby vested with the individual property owners.

A. A 20.00 FT Public Utility Easemen their [0.00 FT on both sides of Lot Lines indicated by B. A 10.00 FT Public Utility Easement parallel to the 40.00 ft Private Ingress-Egress Easement and

7. The Covenants, Conditions, Restrictions and Ensements for the Maria Lake Subdivision Homeowners

8. Fire protection by Huerfano County Fire Protection District.

9. Lots 1-18 and Lot 20 shall not have direct vehicular access to County Road 120.

Lot 20, Phase 1, per Conditional Use Pennit No. 09-012 has been granted the conditional use for Animal Husbandry and 4H animals for so long as they are exercised without interuptions for a period not to exceed tweny-four (24) months.

11. Proposed entry monumentation adjacent to County Road 120 to be maintained by Maria Lake Subdivision

12. All Private Roads to provide lagress and allow for drainage and Public Utilities and are to be maintained by Maria Luke Subdivision Homeoscopy Accounts.

13. All Storm culverts facilities to be owned and maintained by the Maria Lake Humes

14. Flood plain Statement:

By graphic plotting only, this property and adjacent properties are in zone "x" (areas determined to be untitle of "500 year flood plain) of the Flood Insurance Rate May, Community Banel Number 080206 New Suffix (b), which bears a flood hazard boundary map date of November 22, 1977, no field survey was per formed to determine these zones and an Elevation Certificate may be needed to verify this determination or upply for a Variance from the Federal Emergency Management Agent.

#### SITE DATA CHART:

Total Acreago being Platted:
Total Number of Proposed Lots (two Planes)
Lot 16 Block 1, is Community Clubhouse
Net Size of the Average (Mean) Lot-Plane I
Maximum Lot Size, Block 1 Plane 1
Minimum Lot Size, Block 1 Plane 1
Minimum Lot Size, Block 1 Plane 1
Net Size of the Average (Mean) Lot-Plane II
Maximum Lot Size, Block 2 Plane II 518.42 Acres 36 Total Lots 5.02 Acres 3.93 Acres 6.76 Acres 2.02 Acres 5.66 Acres 5.84 Acres 5.36 Acres m Lot Size, Block 2 Phase II

Types of Land Use Proposed: Area of Land Proposed for Residential Lots Area of Land Proposed for Private Open Space Area of Land Proposed for Private Roads

Residential Lots, Comm unity Lodge, Open Space

## DEDICATION:

The above owner has caused said Tract of Land to be surveyed and platted into Lots, Parcels, Private Roads, and Eastemats is shown on the accompanying plat, which plat is drawn to a fixed scale as indicated thereon and accurately sets forth the Boundaries and Dimensions of said Tract and the location of said Eastemans, at which Plats op platted shall be knowns? Thairs Lands Subdivision?

IN WITNESS WHEREOF:

SOUTH LINE E 1/2 SECTION 20-

120

2.63± ACRES

N 8744'47" W 678.29

5 87 18 38 W 792.35

5 80° 16'35" W 829 13

S 8316'36' W

2 81-1224. A.—

LAKEVIEW LANE

511.28, M. M. S. 22.11. M.

LAKESHORE DRIVE

R-61/07 -L-71.70 0-68-2002

R-300.07 -L+91.37

7-16-09 By Eric S. White For Maria Lake Grazing Asso 7373 S. Alton Way, Suite 100 Centennial, Colorado, 80112

iation, LLP

res: 12/30/12.

#### DEDICATION OF RIGHTS-OF-WAY FOR UTILITY PURPOSES:

Unless otherwise specified, all Ultility Easements, at well as all Public and Private Rights-of-Way, shown hereon, are dedicated to the perpectual use of all Ultity Companies, for the purpose of Installing, Constructing Replacing, and Manistaning underground ultilities and Dainauge Facilities including (due to the limited by water, sewer, electric, gas, telephone and television lines; ingester with the right of lagress and Egress for each installation, construction, replacement, repair and maintenance, as well as the right to trim interfering frees and breath, in no event shall the Ultility Companies ejecrése the rights barein granted so as to Interfere with the

#### SURVEYOR'S STATEMIENT:

IRANDY G. REEVES, a Professional Land Surveyor registered in the State of Colorado, bereby certify to Maria Lake Grazing Association, LLP, a Colorado familed Liability Partnership, that a survey of the above described premises was conducted under my responsible change in December 2009 and that this plat of Maria Lake Subdivision, complies with the requirements of Plats and susp as set forth in Section 38-33, 2009 er, seq. C.R.S. 1992 and with the minimum standards for Land Survey and Plats as set forth in Section 38-33-31-016 et a.yc., C.R.S. 1992.

7-9-09 A.J. X Pleas

7-9-09

Poly HRecon ONAL LAND SURVIEYOR NO. 22101

A search for recorded rights of way and essenters was done by Dotter Abstract Company, Order No. 27202 with an Effective Date of February 2,2009 at 8:00 AM.

2) Bearings based on a line between the N 1/4 correr and the S 1/4 corner of Section 21, Township 27 South, Range 65 West of the Sixth Principal Meridian, anomented on both ends with a No. 5 rebor with a 1 1/2" aluminum cap P.L.S. 11624, assumed to be set 50 070303" W.

According to C.R.S. 13-80-105, you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the -certificate shown bereon.

BOARD OF COUNTY COMMISSIONERS APPROVAL AND DEDICATION:

This Plot of Maria Luke Subdivision has been reviewed and approved by the Huerfano County Board of Commissioners this \_\_day of \_\_\_\_\_, 2009. The Preliminary Plat for this subdivision was approved on \_\_\_\_\_, 2009. There is no Dedication of Roads to Huerfano County and the County shall NOT undertake maintenance of Such roads.

The Consense CHAIRPERSON HUERFANO COUNTY PLANNING COMMISSION

Carlo, Dotion HUERFANO COUNTY BOARD OF

AST LAKESHORE DRIVE

7 5.67± ACRES

H=254.03 L=134.13 D=30\*4356\*

N 0373730\*

R-10101 -L-70 34

5 12402F

CLERK AND RECORDER:

COLORADO STATE HIGHWAY NO. 10

80' RIGHT OF WAY

I hereby Certify that this Instrument was Filed for Record in My offfice at\_\_\_\_ O'clock\_\_.M, This\_of\_\_\_\_\_\_, 2009 A.D. and Duly Recorded under Reception Number

DETAILED BY: RUS

191 OF

Mangini Reeves, Inc. essional Engineers and Professional Land Survey 4718 North Elizabeth St. - Pueblo, CO (719) 544-0865 Fax (719) 544-0876 (VA) OWNER/TITLE: MARIA LAKE GRAZING ASSOCIATION, LLF
(IAND ACCUSTION AND MANGEMENT, LLC.)

JOB DESCRIPTION: MARIA LAKE SURDINASION MARIA LAKE SUBDIVISION

SCALE: 1" = 200'

200'

200' 100' 0

JOB NUMBER: 2008-142 FILE NAME: 08142SUB-PRELIM SHEET NO

# RIA LAKE SUBDIVISION A PORTION OF THE E 1/2 OF SECTION 20, A PORTION OF THE W 1/2 OF SECTION 21, A PORTION OF THE NE 1/4 OF SECTION 29 AND A PORTION OF THE NW 1/4 OF SECTION 28, TOWNSHIP 27 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN. HUERFAND COUNTY, COLORADO. Survey 5-764 Pg 2 SET NO. 4 REBAR WITH YELLOW PLASTIC CAP P.L.S. NO. 22101 SET NO. 4 REBAR WITH YELLOW PLASTIC CAP PLS. NO. 22101 N 90'00'00" E 3783.40" EAST LAKESHORE DRIVE SCALE: 1" = 200' 200' PARCEL A EAST LAKESHORE DRIVE COUNTY ROAD NO. (60' RIGHT OF WAY) PARCEL A H-275 07 L+55.42 0-11'32'97 RESERVOIR LANE 10 NUMBER INCRESS EDIEST AND RABLES THAT SERVEN (PHASE 1) VICINITY MAP TOTAL PARCEL A (PHASE 2) BLOCK 2 87.64± ACRES R-750 02 ) L-710T D-7 17-FT B = EASEMENT DETAIL (NOT TO SCALE) SUF IVES E-Mangini Reeves, Inc. fessional Engineers and Professional Land Surveyor OWNER/TITLE: MARIA LAKE GRAZING ASSOCIATION, LLE UND AGGESTRA MIO WARDDRIN, LLC.) JOB DESCRIPTION: MARIA LAKE SUBDINSION DETAILED BY: RMS DATE: 3-3-09 JOB NUMBER: 2008-142 SCALE: 1" = 200' H-47510 . -L-19507 . D-217177 7-9-09 5.67± ACIES MATICH LINE SPEAT A OF 2 SET HO. 4 REDAR WITH YELLOW PLASTIC CAP P.L.S. HO. 22101

DRAWI MBR



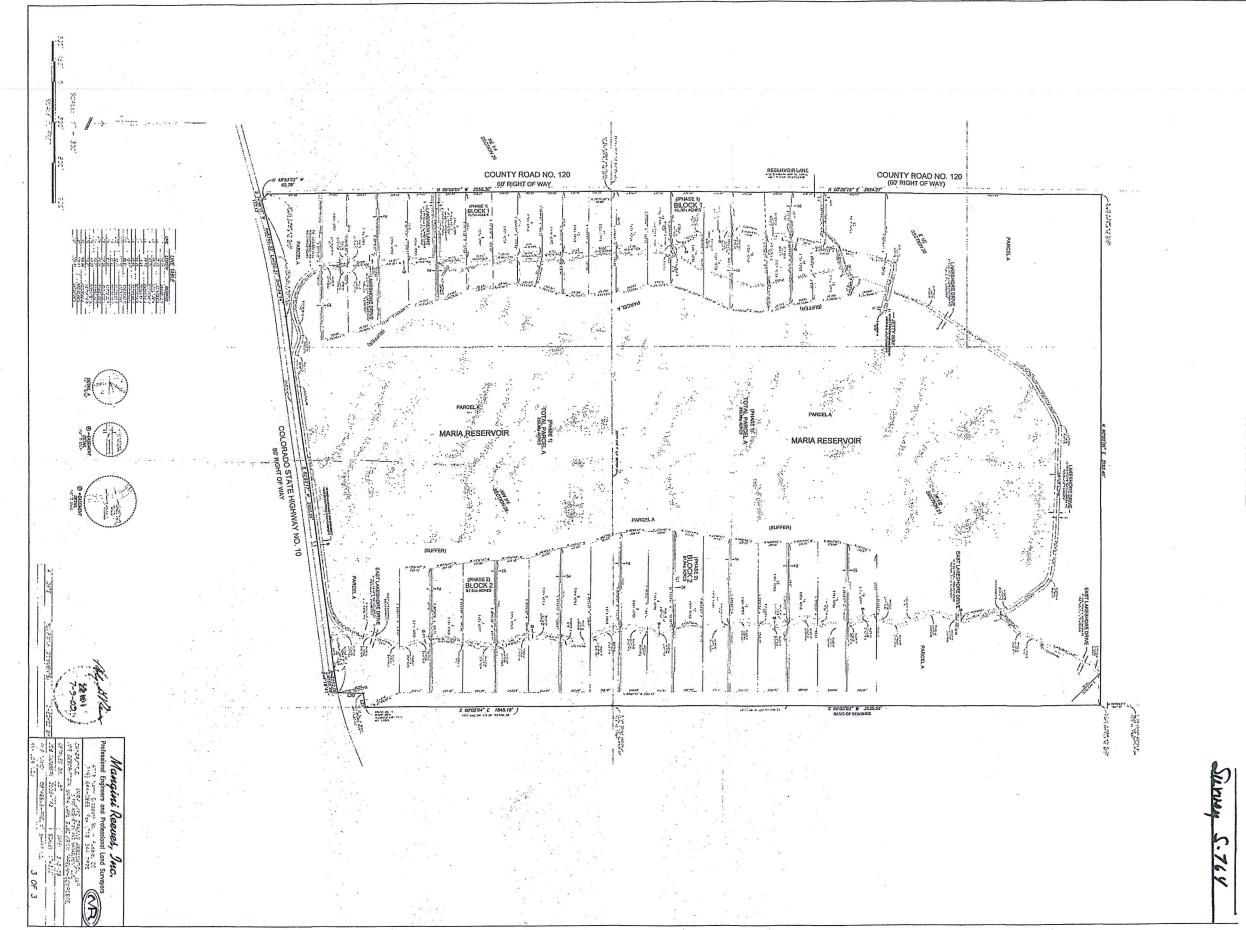


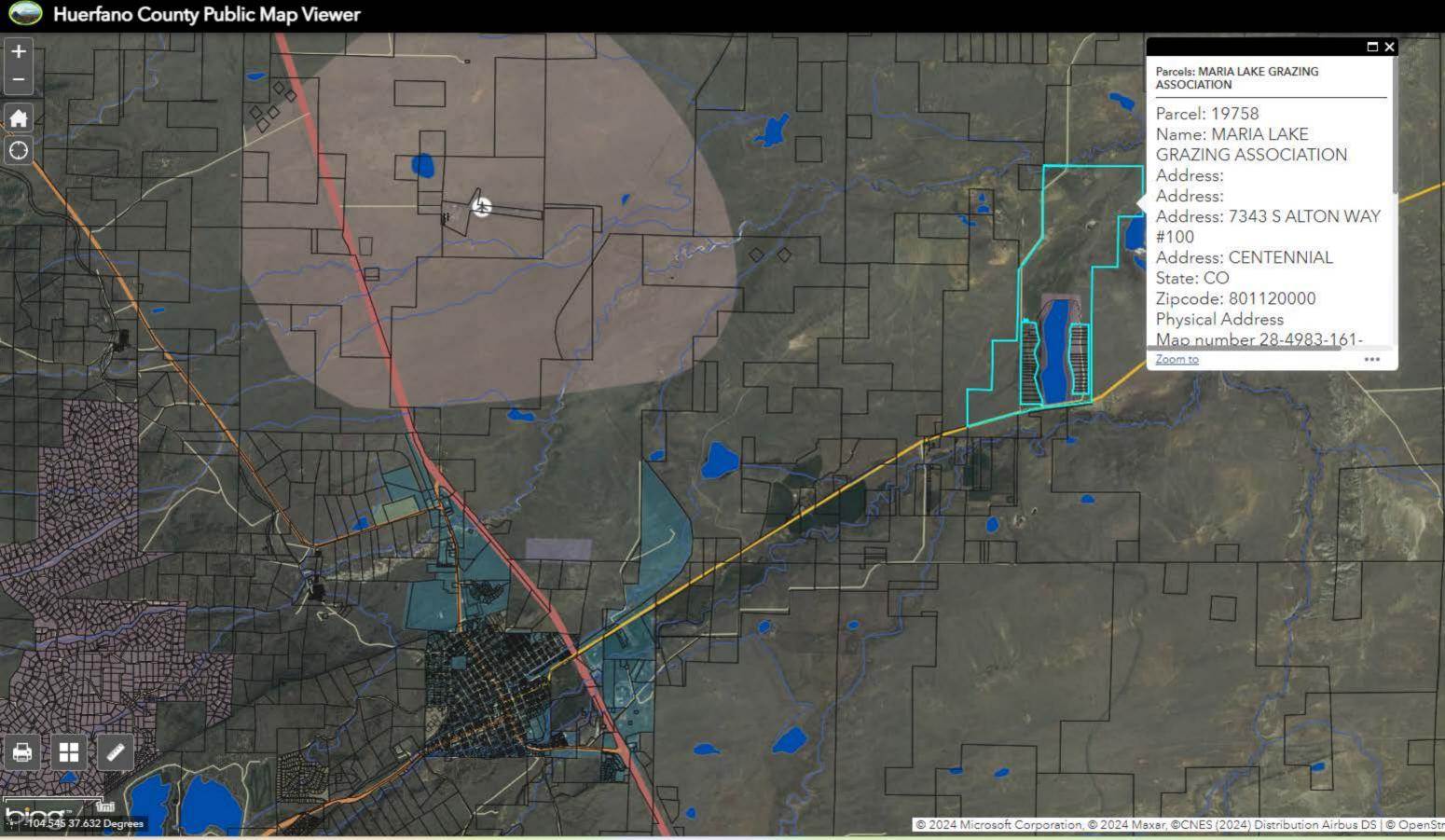


# MARKA 正图器园 SUBDIVISION

PORTION OF THE E 1/2 OF SECTION 20, A PORTION OF THE W 1/2 OF SECTION 21, A PORTION OF THE NE 1/4 OF SECTION 29 AND A PORTION OF THE NW 1/4 OF SECTION 28, TOWNSHIP 27 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN. HUERFAND COUNTY, COLORADO.

COMPOSITE SHEET





Thu, Apr 25, 2024 at 3:40 PM



## RE: Plat Correction- Referral Agency Comment

1 message

hcwcdistrict@gmail.com <hcwcdistrict@gmail.com> To: Kyla Witt <kwitt@huerfano.us>

Huerfano County Water Conservancy District has no comments on this application.

Carol Dunn

# Carol S Dunn

Administrator

Huerfano County Water Conservancy District

hcwcdistrict@gmail.com

(719) 742-5581 (home office)

PO Box 442

La Veta, CO 81055

Caroc 3 D