



42 Valley Crescent  
PO Box 208  
Palmer Lake CO 80133  
719-481-2953 – office

Office Use Only	
Case Number:	<u>PC 2/15</u>
Date:	<u>1/23/2023</u>
Fees:	<u>\$500.00</u>
Check #:	_____
Rec'd By:	<u>KAC</u>
<i>Note: A minimum of ten days are required to process this application</i>	

### Right-of-Way Application

Name of Applicant/Property Owner: SYLVIA & ARLON MARTIN

Address: 215 CANON DR. SANTA BARBARA Phone#: 805-698-8551  
CA 93105

Email: arlonmartin@gmail.com

Name of Proposal: Lakeview West Subdivision

Legal Description or Address: Block G3, PALMER LAKE AMENDED FILING  
253 MILTON STREET

*(If the applicant is someone other than the property owner, the applicant must provide a notarized letter from the property owner giving permission to be represented in this action).*

**This is a Right-of-Way Vacation** – A Right of Way vacation is the termination of the public interest in a right-of-way (built or unbuilt); it extinguishes the easement for public travel that is represented by the right-of-way. The Right of Way is equally divided.

**Criteria for approval of a Right-of-Way Vacation** - In order to approve any Right-of-Way vacation, the Planning Commission must find, based upon evidence, both factual and supportive, provided by the applicant that the vacation sought will not leave any lands adjoining without an established right of way. and that the portion of the right of way sought to be vacated has now become useless to the property owners, the general public, and the Town of Palmer Lake, and that the Final Plat meets all of the criteria stated in Section 16 of the Palmer Lake Municipal Code.

By signing, Applicant agrees to the following:

- Town of Palmer Lake staff or its consultants may enter the property to inspect the property and evaluate the proposal.
- The applicant/petitioner is liable for all fees and costs associated with the Town's review of this application. These may include, but are not limited, to engineering and consultant fees, public notice / recordation fees, and any other fees paid by the Town in connection with or related to this application.

*Payment of the above fees shall not relieve the applicant of any other fees incurred by the Town.*

**As owner/applicant, I understand and affirm the information contained in this application is accurate, and I agree to the above conditions.**

Applicant Signature:           *Robn Marti*           Date:           *Jan. 27, 2023*          

Applicant Signature:           *[Signature]*           Date:           *Jan 27, 2023*            
*(if needed)*

If the applicant is not the owner:

As owner of the above property, I agree to the application.

Owner – Print: \_\_\_\_\_

Owner – Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## PROCEDURAL CHECKLIST FOR RIGHT-OF-WAY VACATION

Applicant: SYLVIA & ARLO MARTIN Address/Location: 253 MILTON STREET  
(print or type)

- \* Submitted on: JANUARY 24, 2023
- \* Property will be posted & published by: \_\_\_\_\_
- \* Planning Commission meeting: \_\_\_\_\_
- \* Board of Trustees meeting: \_\_\_\_\_

### Submittal Requirements:

X	<b>Required Information:</b>
X	Complete application form
X	Letter(s) of Intent - why you are making this request; adjoining property owner
	A map of the proposed right-of-way vacation prepared by a Colorado registered land surveyor. Each plan must include:
X	• Identify the right-of-way requested for vacation ✓
X	• All easements identified on right-of-way and abutting properties ✓
	<b>Required Copies: (Proposed)</b>
X	One (1) each 11x17 paper and electronic copy of proposed vacation
X	Copies of letters of notification to all property owners abutting proposed vacation
	A map of all properties effected by the right-of-way vacation, prepared by a Colorado registered land surveyor. Each plan must include:
X	• Name of the Proposal ✓
X	• Legal description of the Proposal ✓
X	• Date of preparation and Northpoint ✓
X	• A vicinity map ✓
	• Location of land intended to be for public use
	• All monuments
	•
	• Profiles of all roads
X	• Certificates for execution by Executor (s) – (Mylar)*
	•
	•
X	• All easements as required by public and quasi-public agencies ✓
X	• The right-of-way lines, widths, locations, and street names of existing and proposed streets ✓
	<b>Required Copies: (Final)</b>
X	• One (1) copy of final plat - Mylar* – Owner MUST record after approval
X	• One (1) paper copy (24x36) of final plat
X	• One (1) Electronic copy of final plat

To: Planning Commission and Board of Trustees for Palmer Lake, CO  
Attn. Ms. Dawn Collins, Town Administrator and Clerk  
42 Valley Crescent  
P.O. Box 208  
Palmer Lake, CO 80133

January 27, 2023

From: Arlon and Sylvia Martin  
215 Canon Ave.  
Santa Barbara, CA 93105

Re: Lakeview West Subdivision, 253 Milton Street

Dear Ms. Collins, Planning Commission and Board of Trustees

We are requesting to Replat all of Block 63 and the Southerly One-Half of Brook Street from Viola Street to Park Street, in Palmer Lake Amended Filing, into three single Family Residential Lots.

Two of the three proposed lots will be larger than 10,000 square feet and noted on the Proposed Plat as being restricted from Future Replatting into smaller lots.

The generally flat Lot with the existing house at 253 Milton Street is to remain and currently has access from Park Street. This Lot would have the ability for future demolition of the existing structure and relocation of the access point.

The other two lots would have access from either Viola Street or Park Street for possible over-under parking. The approximate slope of these lots is 13%, sloping down from Viola Street to Park Street.

The portion of Brook Street to be vacated has not been used and has utilities shown on the Preliminary Plot. An Easement will be Platted for that utility. A portion of Brook Street has been previously vacated by PARKVIEW SUB Replat. The Northerly One Half of Brook Street would remain as access to the unimproved Alley adjacent to the rear of Lot 10 Block 58 in Palmer Lake Amended Filing.

If you have any questions, please contact us at [arlonmartin@gmail.com](mailto:arlonmartin@gmail.com) or by cell 805-698-8551.

Best Regards,

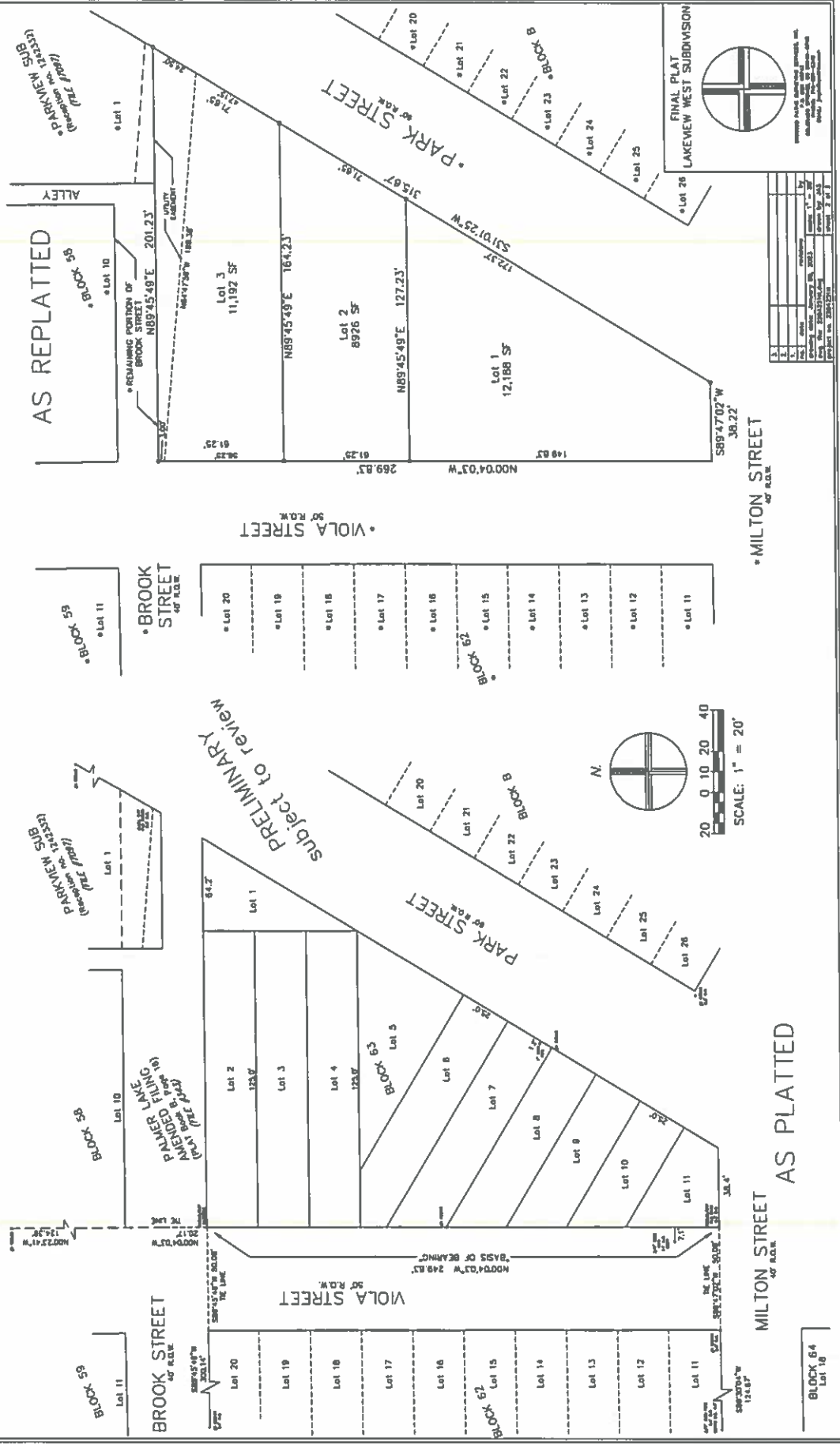


Arlon and Sylvia Martin

Cc: Dawn Collins, Town Administrator/Clerk, Palmer Lake, CO

LAKEVIEW WEST SUBDIVISION

A VACATION AND REPLAT OF BLOCK 63 together with the VACATED portion of BROOK STREET in the "PALMER LAKE AMENDED FILING" to the Town of Palmer Lake, being a portion of the Northwest One-Quarter of Section 5, Township 11 South, Range 67 West of the 6th P.M., IN THE TOWN OF PALMER LAKE, EL PASO COUNTY, COLORADO







NOTICE OF PUBLIC HEARING

TOWN OF PALMER LAKE

Notice is hereby given that Palmer Lake Planning Commission shall hold a public hearing on February 15, 2023, at 5 PM at the Town Hall at 28 Valley Crescent, Palmer Lake, to consider a request to vacate a portion of right of way, Brooks Street, abutting parcel located at 253 Milton Dr. A recommendation will be made to the Board of Trustees on the same matter scheduled to be heard on February 23, 2023, at 5 PM. A copy of the complete application is on file at the Town Clerk office, at 719-481-2953. /s/ Dawn A. Collins, Town Clerk



To: Mr. Blake Menter  
348 Park St.  
Palmer Lake, CO 80133

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January 27, 2023

From: Arlon and Sylvia Martin  
215 Canon Ave.  
Santa Barbara, CA 93105

Re: Notice of Intent to Vacate and Replat

Dear Mr. Menter,

As required by the Palmer Lake Municipal Code, we are providing you with notice of our intent to vacate and replat the portion of Brook Street that borders our property.

The Northerly One Half of Brook Street would remain as access to the unimproved alley adjacent to the rear of the property, officially described as Lot 10 Block 58.

A portion of the Southerly Half of Brook Street was previously vacated by PARKVIEW SUB Replat.

If you have any questions, please contact us at [arlonmartin@gmail.com](mailto:arlonmartin@gmail.com) or by cell 805-698-8551.

Best Regards,



Arlon and Sylvia Martin

Cc: Dawn Collins, Town Administrator/Clerk, Palmer Lake, CO

# AFFIDAVIT OF PUBLICATION

STATE OF COLORADO  
COUNTY OF El Paso

**NOTICE OF PUBLIC HEARING  
TOWN OF PALMER LAKE**

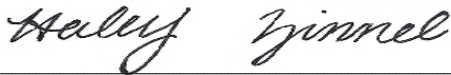
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/s/ Dawn A. Collins, Town Clerk

Published in the Tri-Lakes Tribune February 1, 2023.

I, Haley Zinnel, being first duly sworn, deposes and says that he is the Legal Sales Representative of The Tri Lakes Tribune, LLC., a corporation, the publishers of a daily/weekly public newspapers, which is printed and published daily/weekly in whole in the County of El Paso, and the State of Colorado, and which is called Tri Lakes Tribune; that a notice of which the annexed is an exact copy, cut from said newspaper, was published in the regular and entire editions of said newspaper **1 time(s) to wit 02/01/2023**

That said newspaper has been published continuously and uninterruptedly in said County of El Paso for a period of at least six consecutive months next prior to the first issue thereof containing this notice; that said newspaper has a general circulation and that it has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879 and any amendment thereof, and is a newspaper duly qualified for the printing of legal notices and advertisement within the meaning of the laws of the State of Colorado.



Haley Zinnel  
Sales Center Agent

Subscribed and sworn to me this 02/01/2023, at said City of Colorado Springs, El Paso County, Colorado.

My commission expires June 23, 2026.



Karen Hogan  
Notary Public  
The Gazette

**KAREN HOGAN  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20224024441  
MY COMMISSION EXPIRES 06/23/2026**

Document Authentication Number  
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