



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

Office Use Only	
Case Number:	_____
Date:	_____
Fees:	\$500.00 <i>pd.</i>
Check #:	<i>CP</i>
Rec'd By:	<i>[Signature]</i>
<i>Note: A minimum of ten days are required to process this application</i>	

Right-of-Way Application

Name of Applicant/Property Owner: Cindy Powell / Duran Walton Ventures LLC
 Address: 347 Buena Vista Ave / PO Box 1005 Phone#: 719-482-5480
 Email: Cindyeducate@yahoo.com / msgstmaria@live.com

Name of Proposal: Vacate El Moro Ave

Legal Description or Address: lots 12, 13, 14 in Block 26 in Glen Park in Town of Palmer Lake, County of El Paso, State of Colorado / lot 20, lot 11, lot 19, lot 18, lot 17

(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: Cindy Powell Date: June 15, 2023

Applicant Signature: _____ Date: _____
(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: _____

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:  **Date:** 16 JUN 23

Applicant Signature: _____ **Date:** _____
(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:** _____

Intent to Vacate El Moro Road

I currently own lots 5, 6, 7, 12, 13, and 14 off Buena Vista Avenue. Lots 12, 13, and 14 are adjacent to the El Moro road which has never been used as a road. My two neighbors Jenny Day and Garcia Woods already have this road vacated adjacent to their lands.

I would like to vacate this road which will add either 10 or 20 feet, depending upon neighbor, to add the natural land that I own. I have no intent to build on this land.

Cindy Powell

347 Buena Vista Ave

Palmer Lake, CO. 80133

Duran Walton Ventures LLC
PO Box 1005
Palmer Lake, CO 80133
msgs4maria@live.com

November 28, 2022

Town of Palmer Lake
42 Valley Crescent
PO Box 208
Palmer Lake, CO 80133

To the Town of Palmer Lake:

Duran Walton Ventures LLC is requesting to vacate the right of way of Bijou Avenue and El Moro Avenue in conjunction with Cindy Powell.

Vacate Bijou Ave

As our properties are the only properties that abut Bijou, we are looking to vacate Bijou Ave. The properties we own that border the properties are: LOTS 10 TO 11 INC BLK 26 GLEN PARK PALMER LAKE; LOT 1 INC LOT 20 BLK 31 GLEN PARK PALMER LAKE; LOT 18 INC BLK 31 GLEN PARK PALMER LAKE.

Vacate El Moro Ave

We are looking to vacate El Moro Ave in conjunction with Cindy Powell. Our properties that border El Moro are: LOT 11 INC BLK 26 GLEN PARK PALMER LAKE; LOT 19 AND 20 BLK INC 31 GLEN PARK PALMER LAKE; LOT 17 AND 18 INC BLK 31 GLEN PARK PALMER LAKE.

Please feel free to contact Maria Duran regarding this request or if more information is needed.

Cordially,
Maria Duran
719-659-7149

Re: Vacate El Moro

From: Cindy Powell (cindyeducate@yahoo.com)

To: jday@lewispalmer.org

Date: Thursday, July 7, 2022 at 06:21 AM MDT

Thanks!

Sent from Yahoo Mail for iPhone

On Wednesday, July 6, 2022, 23:02, Jennifer Day <jday@lewispalmer.org> wrote:

Cindy has my permission to vacate El Moro Road.

Jenny Day

On Wed, Jul 6, 2022 at 4:24 PM garcia wood <woodanimals@gmail.com> wrote:

Cindy has my permission to vacate El Moro Rd.

Garcia Wood
TideWater Equine Massage ESMT II
woodanimals@gmail.com
720-635-8100

On Wed, Jul 6, 2022, 2:52 PM Cindy Powell <cindyeducate@yahoo.com> wrote:

Hi. I am in the process of getting permission to vacate the El Moro road behind my house. This "road" is already vacated behind your houses.

I need permission from you to vacate this road and this permission needs to be sent to Dawn Collins our town clerk.

Thank you!!

Sent from Yahoo Mail for iPhone

--
Jenny Day
Lewis-Palmer School District 38
Leadership and Learning Coach

"Start where you are. Use what you have. Do what you can." - Arthur Ashe

Re: Vacate El Moro

From: garcia wood (woodanimals@gmail.com)
To: cindyeducate@yahoo.com
Cc: jday@lewispalmer.org; dawn@palmer-lake.org
Date: Wednesday, July 6, 2022 at 04:24 PM MDT

Cindy has my permission to vacate El Moro Rd.

Garcia Wood
TideWater Equine Massage ESMT II
woodanimals@gmail.com
720-635-8100

On Wed, Jul 6, 2022, 2:52 PM Cindy Powell <cindyeducate@yahoo.com> wrote:

Hi. I am in the process of getting permission to vacate the El Moro road behind my house. This "road" is already vacated behind your houses.

I need permission from you to vacate this road and this permission needs to be sent to Dawn Collins our town clerk.

Thank you!!

Sent from Yahoo Mail for iPhone

Cindy Powell
347 Buena Vista Ave
PO Box 1014
Palmer Lake, CO. 80133
14 July 2022

Jessica & Nelson Lacsina
7601 Rushing Wind Grv
Colorado Springs, CO. 80908

Greetings. On May 4, 2022, you purchased a home located at 462 Virginia Avenue in Palmer Lake. Located behind this property adjacent to your lots 5, 6 and 7 is a road that has never been used and its name is El Moro Ave. This "road" is directly outside of the chain-link fence bordering the back yard of your property. Vacating this road will not affect STR guests parking and entering the building from the rear.

I own the property adjacent to this and my lots that border this road are 12, 13 and 14. This El Moro road has been vacated just north of both of our properties. I am requesting to vacate this road.

There are two options:

- Split the road in half so each of our properties gains 10 feet. We would split the \$500 processing fee with the Town of Palmer Lake and also the survey (~ \$400)
- Allow all 20 feet to be annexed to my property and I pay all of the costs.

Before I can proceed I need ⁱⁿ writing permission to vacate this road and also which of the above options you prefer. My phone number is 719-482-5481 and email: cindyeducate@yahoo.com.

I thank you for your time. Have a great day!

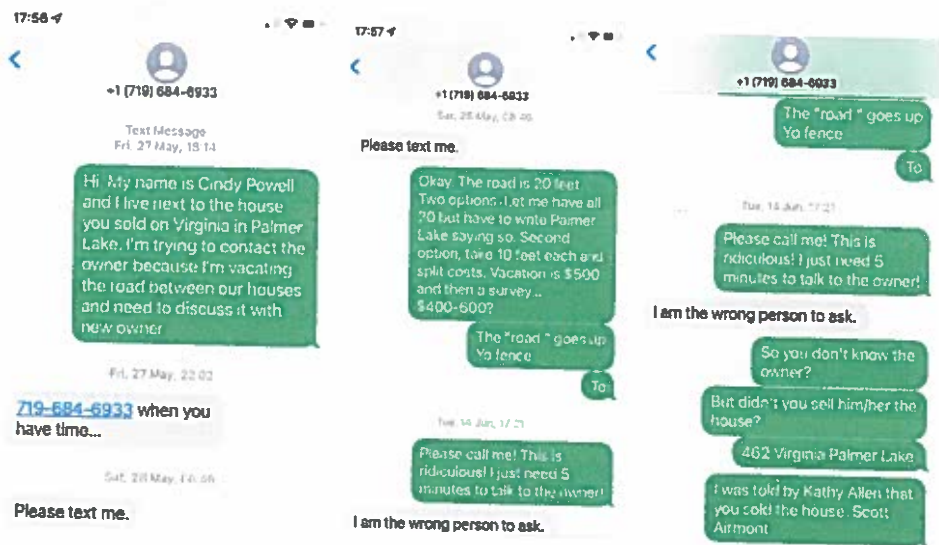
Cindy Powell

Vacation of El Moro

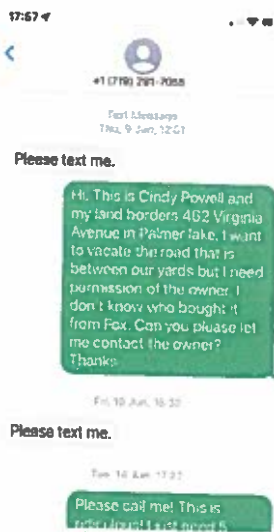
El Moro road is located between my home at 347 Buena Vista Ave. and 462 Virginia Ave. The house at 462 Virginia Avenue was sold to a Jessica and Nelsen Lacsina on May 4, 2022. I have tried numerous times to contact the owner to discuss the vacation of the road between our properties. The best I can tell with my research is that this is a corporation with no contact number and this property is operated as a STR.

Record of Contact Attempts:

I first tried contacting the real estate agent, Scott Airmont, as I was told by Raspberry Realty that he sold the house. I tried calling (May 27, 28 and June 14) and texting and he would not reply. I looked on his real estate page and he had sold this house. Here are the text messages:



I then approached a woman who cleans the house in between Airbnb guests and she gave me the phone number for Tony who is the property manager. I met the same stonewalling. I also called him twice May 28 and June 14.



Dawn Collins

From: Maria Duran <msgs4maria@live.com>
Sent: Friday, December 9, 2022 2:15 PM
To: Dawn Collins
Cc: drewwalton@reagan.com; Cindy Powell
Subject: Letter to the Lacsinas
Attachments: Letter to the Lacsinas.doc; Certification for Letter to Lacsinas.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

-----WARNING: This email originated from outside the Town of Palmer Lake. DO NOT CLICK on any attachments or links from unknown senders or unexpected emails. Always check the sender's display name and email address are correct before you communicate.-----

Hello Dawn,

I sent a certified letter to the Lacsinas address on the El Paso County website. It was undeliverable after 2 attempts. Attached is the letter, the mail receipt and the online information regarding the attempt to deliver.

Cordially,
Maria Duran
Duran Walton Ventures LLC



entures, LLC

November 29, 2022

Nelson & Jessica Lacsina
7601 Rushing Wind Grv.
Colorado Springs, CO 80908

Dear Nelson and Jessica:

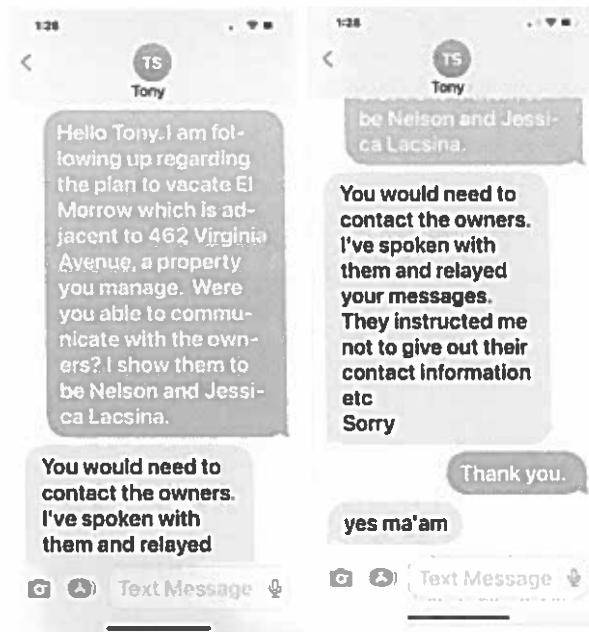
My name is Maria Duran and I am working on behalf of Duran Walton Ventures LLC to vacate the right of way of El Moro Avenue. Duran Walton Ventures LLC owns land that abuts El Moro Avenue. I am working with Dawn Collins, the Town Administrator/Clerk for the Town of Palmer Lake, to make this request of the Town. This unused road also abuts your property, 462 Virginia, Palmer Lake, CO. The request to vacate directly affects your property.

I am writing this letter with goal of discussing and showing you the current plans. I have contacted and emailed Tony Semadani, as he is the manager of the property in order to reach you both. Please feel free to contact me or Dawn regarding our vacate request.

Cordially,

Maria Duran
719-659-7149
msgs4maria@live.com

This is a text between Tony Semadeni and Maria Duran on January 2, 2023. Tony has been instructed, by the Lacsinas, not to give out their Information. I spoke with him directly on October 28, 2022. I asked him to let the Lacsinas know what we are doing and to give them my number. I also let him know that they could contact The Town of Palmer Lake directly for information.



I have done the following to contact the Lacsinas:

- Sent a certified mail to their address listed on the El Paso County Assessors site that was undeliverable (sent in a previous email)
- Spoken, emailed and texted with the Lacsina's property manager with information regarding the intent to vacate, my contact information and a request for them to at least call The Town of Palmer Lake for information.

Cindy Powell has also done her best to contact them via email and in person. I believe we have done our due diligence.

I would like to move forward to vacate the two streets with the property going to Cindy Powell and Duran Walton Ventures LLC as specified on the drawings we gave Dawn. Please let me know if that is doable.

Cordially,
Maria L Duran