

Rico Planning Commission Memorandum

Date: March 11th, 2021

TO: Town of Rico Board of Trustees
FROM: Kari Distefano, Rico Town Manager
SUBJECT: March Board of Trustee's meeting

Sewer Committee

The sewer committee will do a presentation regarding their review of various types of systems and the pros and cons associated with each type. I have included a copy of their presentation in this packet along with some material that backs up our cost estimates.

Lazy Rooster Campground

Mike Popek wants to build a campground called the Lazy Rooster on his land to the south of Rico. His land is not within the Rico municipal boundary but it is within the three mile planning area. I have included in this packet a copy of the application and the letter from Dolores County to Rico as a referral agency. Gregg Anderson will be attending the meeting to answer questions about the project. There will be a more formal hearing with the Dolores County Planning Commission regarding this project here in Rico at the Town Hall on Saturday April 10th from 10:00 to 12:00. If there are formal comments regarding this application, I will draft a letter to Dolores County.

Street fund mill levy analysis

As requested by the Board last month, I looked at what I believe would be needed to keep the street fund solvent for the next five to seven years. The following is a table that illustrates a proposed annual budget and is aspirational:

Operating Expenses	
Payroll transfer	\$74,180
Subtotal - Employee and Other Labor Costs	\$74,180
Contract snow removal	\$15,000
Fuel	\$10,000

Equipment repairs & maintenance	\$12,000
Insurance	\$7,000
Supplies	\$3,000
Electric	\$2,500
Street lights	\$2,500
Utilities - other	\$2,500
Treasurer Fees	\$500
Subtotal – Other operating costs	\$55,000
Total Street Fund Operating Expenses	\$129,180
Capital Improvement Expenses	
Gravel Project & drainage - various Streets	\$10,000
Equipment Buyout (120,000 total @ 60 months)	\$25,944
Preliminary maintenance facility planning	\$5,000
Used equipment upgrade (45,000 total)	\$9,732
Used water Truck (25,000) or rented	\$6,000
Total Street Fund Capital Improvement Expenses	\$56,676
Total Street Fund Expenses	\$185,856

Over the course of the last five years, our street fund expenses and revenues have been the following:

Expenses		Revenues	
2016	\$41,762	2016	\$51,379
2017	\$81,293	2017	\$56,922
2018	\$65,459	2018	\$54,617
2019	\$93,683	2019	\$61,462
2020	\$119,413	2020	\$86,101

Expenses vary year to year depending largely on the amount of snow we get. In 2017, we had to replace a big piece of equipment. Other equipment the Town owns has become more and more expensive to maintain so this proposed budget reflects an increase in equipment repair and maintenance. There is also grading and drainage work that has been neglected. It would be useful to have enough of a revenue stream to develop a routine maintenance program rather than just putting out fires. Dennis needs help and this budget includes funding, shared with the water

fund, for a maintenance supervisor. This budget also looks at some vehicle upgrades. If we accept that our revenues in the upcoming years will be similar to an average of the last five years, \$62,096, the Town would need an additional \$123,760 per year to cover anticipated costs. Using the most recent Rico valuation of \$6,003,815, the Town would need an additional 20.62 mills to achieve this. Residential properties are assessed at 7.15%. Commercial and vacant properties are assessed at 29%. The potential cost increase to owners is shown below:

House Value	Additional cost per year	Commercial/Vacant	Cost per year
\$100,000	\$147.43	\$100,000	\$597.98
\$150,000	\$221.15	\$150,000	\$896.97
\$200,000	\$294.87	\$200,000	\$1,195.96
\$250,000	\$368.58	\$250,000	\$1,494.95
\$300,000	\$442.30	\$300,000	\$1,793.94
\$350,000	\$516.02	\$350,000	\$2,092.93
\$400,000	\$589.73	\$400,000	\$2,391.92

As I indicated earlier, the above budget would be optimal. The Trustees could evaluate what they think the public will accept and ask for that amount rather than basing the increase on what is needed going forward. To give you an idea, the following tables illustrate a selection of mill levy increases and the amount of money they would generate:

5 mills – this would generate an additional \$30,019

House Value	Additional cost per year	Commercial/Vacant	Cost per year
\$100,000	\$35.75	\$100,000	\$145.00
\$150,000	\$53.63	\$150,000	\$217.50
\$200,000	\$71.50	\$200,000	\$290.00
\$250,000	\$89.38	\$250,000	\$362.50
\$300,000	\$107.25	\$300,000	\$435.00
\$350,000	\$125.13	\$350,000	\$507.50
\$400,000	\$143.00	\$400,000	\$580.00

10 mills – this would generate an additional \$60,038.15

House Value	Additional cost per year	Commercial/Vacant	Cost per year
\$100,000	\$71.50	\$100,000	\$290.00
\$150,000	\$107.25	\$150,000	\$435.00
\$200,000	\$143.00	\$200,000	\$580.00
\$250,000	\$178.75	\$250,000	\$725.00
\$300,000	\$214.50	\$300,000	\$870.00

\$350,000	\$250.25	\$350,000	\$1,015.00
\$400,000	\$286.00	\$400,000	\$1,160.00

15 mills – this would generate an additional \$90,057.23

House Value	Additional cost per year	Commercial/Vacant	Cost per year
\$100,000	\$107.25	\$100,000	\$435.00
\$150,000	\$160.88	\$150,000	\$652.50
\$200,000	\$214.50	\$200,000	\$870.00
\$250,000	\$268.13	\$250,000	\$1,087.50
\$300,000	\$321.75	\$300,000	\$1,305.00
\$350,000	\$375.38	\$350,000	\$1,522.50
\$400,000	\$429.00	\$400,000	\$1,740.00

The Town shop is a separate expense. San Miguel County built a new shop in 2015. It cost just over one million dollars. To design and build a new shop would likely require an additional 16 mills. It could be possible to share that expense with SMART, if which case we would be eligible for CDOT funding. CDOT funding only requires a 20% and it is possible that we could use the value of the land on which the shop sits for the match. We could also explore the option of Department of Local Affairs funding, which has a 50% match.

Allocation of water uses in the future

I have been working with Marti Whitmore to devise an equitable allocation of Rico's water uses that can be added to the revised Rico Land Use Code. I have attached a list of options for the Trustees to consider as well as a map of a proposed utility service area. The Rico Planning commission discussed the options at the March 10th meeting and preferred Option 3, the hybrid, but they did not have any definitive suggestions for a fee in lieu of charge.

I had suggested that we link the fee to the additional water use the subdivision would generate. Here is a possible method of determining the fees:

According to a preliminary engineering report we had done in 2018, the cost of upgrading the Silver Creek system to the point it could be used would be approximately \$4,000,000. When we looked at this U.S.D.A interest rates for a 20-year loan were 2.5%. This may have come down but I am going to use it:

The payments on a \$4,000,000 loan would be \$254,352 per year. For this price, we would get an additional 3 cubic feet per second (cfs). 3 cfs is the equivalent of 2172 acre feet per year so the cost per acre foot per year of upgrading the system would be \$117.10.

The average person uses 100 gallons of water per day.

The average household has 2.53 people. $100 \times 2.53 \times 365 = 92,345$ gallons per year or 0.2834 acre feet per year.

If you multiply \$117.10 by 0.2834, you get an annual fee of \$33.19 per single family lot. This would be in addition to the Town's normal base rate and would be adjusted for inflation. It would go away once the system had been upgraded.

The easiest way to charge this would be to have the developer pay that fee on an ongoing basis until the new system was installed and paid off but I think that we need to come up with a lump sum option. This process is just a suggestion. We could charge a higher rate but it does need to be roughly proportional to the level of subdivision impact. We should also consider affordable housing and whether or not to incorporate a sliding scale fee for developers that are willing to provide deed restricted housing.

The other suggestion that came out of the Planning Commission discussion was to increase tap fees. While the Board fairly recently brought them down, I believe that we are looking at a different landscape now than we were in 2018. Last year there were 32 land sales in Rico and we have seen an uptick in planning and building permit applications. We could only charge an increased tap fee to new subdivisions and leave the current tap fee in place for existing lots.

I had a conversation with Marty Robbins, the water commissioner in our area who is temporarily taking the place of Doug Pickering, who is retiring. He said we could change our point of diversion but like Marti Whitmore had cautioned, anytime an entity enters water court, they open themselves up to objections. The objecting entity must prove that an alternate point of diversion would damage downstream users. The other cautionary note is that the Town would only get water rights for water that Silver Creek physically produces. As far as I know, there are no historic records of Silver Creeks production and the Town would have to do a study. If the Town were to do a study this upcoming year, which will almost certainly be dry, and Silver Creek only produces say .3 cfs, that would be all that we would get. If the Town is contemplating this path, the next step would be to start tracking Silver Creek flow and to generate a request for proposals for a water attorney. Once we know approximately what this will cost, we can start applying for grant funding.

Pertinent Rico water resource facts

- Rico has two sources of water – the Rico well and Silver Creek
- The Rico well allows Rico 0.178 cubic feet per second or 3.5 million gallons per month for uses including municipal and industrial, domestic, commercial, irrigation and recreational.
- Silver Creek allows Rico 0.28 cubic feet per second or 5.4 million gallons per month for uses including domestic, municipal, industrial and lawn watering purposes (absolute).
- Silver Creek allows Rico 2.72 cubic feet per second or 52.7 million gallons per month for uses including domestic, municipal, industrial and lawn watering purposes (conditional).
- Rico has 278 taps, 209 of which are active.
- The average person uses approximately 100 gallons per day or 3050 gallons per month*
- The Rico monthly water use typically ranges between 800,000 and 1.3 million gallons, approximately 40% of the water the well produces.
- Rico has approximately 501 parcels, approximately 221 of which have structures and many of which can be subdivided.
- Rico's current population is approximately 233.
- The Rico well does not produce enough water to supply all lots within the Town boundary.

*per

<https://www.colorado.gov/pacific/sites/default/files/Citizens%20Guide%20to%20Colorado%20Water%20Conservation.pdf>

Options for allocating water taps

Option 1 – Laissez faire

- Put no restrictions on subdivisions. First come first serve with water taps until we run out of water.

Option 2 – Total subdivision moratorium

- Enact a subdivision moratorium until we are able to reactivate Silver Creek or change our diversion point to get more water from the well.

Option 3 - Hybrid

- Create a utility service area
- Allow some limited subdivision within that area
- Charge impact fees for subdivisions that will go towards re-activating Silver Creek

Option 1 – Laissez faire

- Put no restrictions on subdivisions. First come first serve with water taps until we run out of water.

Pros:

1. This is option would require less regulation of potential subdivisions.
2. Less regulation may encourage development, which in turn may encourage more businesses.

Cons:

1. This option would allow less local control over the size, scope and location of future development.
2. If the Town were to approve large-scale subdivisions, lots that are already platted may not have access to water in the future.
3. The Town may be forced into re-activating the Silver Creek system or applying to water court for a change of diversion point sooner than we would like or can afford.

Option 2 – Total subdivision moratorium

- Enact a subdivision moratorium until we are able to reactivate Silver Creek or change our diversion point.

Pros:

1. This is option could allow the Town time to save enough money to reactivate the Silver Creek system or change the diversion point.
2. Passing a subdivision moratorium would reduce the workload for Town staff, the Rico Planning Commission and the Rico Board of Trustees.

Cons:

1. The availability of affordable housing is already an issue in this area and prohibiting subdivisions in Rico could make housing less available and less affordable.
2. The small businesses in Rico need some volume of local population to survive. A subdivision moratorium would limit local growth.
3. Even a complete moratorium on subdivisions would not ensure that there would be enough water for build-out of existing lots.

The graphic consists of an orange rounded rectangle on the left containing the text 'Option 3 - Hybrid'. To its right is a large, light-orange arrow pointing to the right, which contains a bulleted list of three items.

Option 3 - Hybrid

- Create a utility service area
- Allow some limited subdivision within that area
- Charge impact fees for subdivisions that will go towards re-activating Silver Creek or changing the diversion point.

Pros:

1. This is option could allow some controlled growth in areas that are currently either served by or adjacent to existing utilities.
2. This option could help the Town stockpile some funding for the eventual expansion of water services.

Cons:

1. This option requires more engagement by staff and local officials than the other two options.
2. This option will require that the Rico Land Use Code be amended to provide for a utility service area and establish impact fees.

Consideration of a repeal of an Ordinance of the Board of Trustees of the Town of Rico, Colorado repealing and replacing Ordinance No. 315, including repeal of the temporary development restriction on Minor Subdivisions and Lot Splits

On January 14th, 1998, the Rico Board of Trustees adopted an ordinance that repealed a prior ordinance dated April 17th, 1996 that had placed temporary development restrictions on the final platting of any subdivisions, excavations in street rights-of-ways and the issuance of building permits in the Commercial Zone District and the Historic Commercial Zone District as well as the extension or construction of new roads. The 1998 ordinance, Ordinance 334, that replaced the 1996 ordinance continued the restrictions on the final platting of any new subdivisions other than minor subdivisions and lot splits. This ordinance was intended to limit development until the Town received final approval from the State of Colorado for the design and specifications of a municipal sewer system and had acquired funding to build the system. As we know, plans for the central sewer system at that time fell through and the Town was unable to construct the sewer system but the ordinance was never repealed. As discussed earlier in this memo, it is appropriate to consider a moratorium on subdivisions but such a moratorium, if enacted should be linked to water rather sewer since a municipal sewer system is not being contemplated at this time.

Consideration of a letter to the U.S.F.S. regarding the small tract sales within the Town's three-mile radius

This issue was discussed at the February meeting and I was instructed to write a letter to the U.S.F.S. regarding the Town of Rico's objection to the sale of public lands near the Town of Rico. There is a copy of the letter included in this packet.

Consideration of a Memorandum of Agreement between the United States Forest Service (San Juan National Forest), and the Colorado State Historic Preservation Officer, regarding adverse effects to Site 5DL.478.19 resulting from the Atlantic Richfield Company Small Tracts Act Case No. 2020 Project, Dolores County

At the December Board of Trustee's meeting, the Board approved a request by the U.S.F.S to become a concurring party to a Memorandum of Agreement with the U.S.F.S. regarding the adverse effects to historic sites on the parcel that the U.S.F.S. intends to sell to ARCO. A copy of the agreement is included in this packet. The agreement provisions are intended to lessen the adverse impact to historic artifacts. The mitigations include Level II documentation for the site with mapping, narrative history and photographs. Mitigation will also include interpretive signs with the history of the railroad and information about resource

development in the region. The Board of Trustees will have an opportunity to weigh in on the location of these signs.

Consideration of the Mine Shaft liquor license renewal

The owners of the Mine Shaft, Jorden O'Hara and Andrew Romanyshyn would like to renew their liquor license. Their paperwork for the license is in order.

Consideration of an Ordinance to allow the consumption of alcohol in public areas

The owners of the Mine Shaft would also like to extend their outdoor dining and liquor consumption opportunities to the front portion of their building. Our attorney, Carol Viner has drafted an ordinance to allow drinking in public places for your review. It is included in the packet. Separate from whether or not the Board decides to allow the consumption of liquor in public areas is the question of the location of the Mine Shaft porch. It appears from a map that I got from CDOT that illustrates CDOTs proposed sidewalk improvements, the Mine Shaft porch where they would like to allow liquor consumption is in the CDOT right of way. I believe that prior approving liquor consumption in this particular venue, the owners should discuss their proposal with CDOT. CDOT may have more restrictive requirements than those that have become common during COVID with respect to alcohol consumption on public property.

Consideration of an application for a special use permit for the purpose of short-term rental, 110 N. Silver Street, Anne Belaska applicant

Anne Belaska would like to use her house, located at 110 N. Silver Street as a short-term rental. She has applied for a Special Use Permit as required by the Rico Land Use Code. The application is attached to this memo for your review and is complete and compliant. Special Use Permits should be reviewed according to the following criteria:

Compatibility with Surrounding Area. The proposed use or operation is compatible with surrounding land uses and with the surrounding neighborhood.

General. The location, size, design and operating characteristics of all proposed uses shall mitigate any adverse effects, including visual impacts, on surrounding properties.

Noise. At no point on the bounding property line of any use in any district shall the sound pressure level of any use, operation or plant produce noise intensity greater than that customarily level of the underlying Zone District and surrounding neighborhood so as to create a nuisance or detract from the use and enjoyment of adjacent property. For the purposes of this section, bounding property line shall be interpreted as being at the far side of any street alley, stream or other permanently dedicated open space from the noise source when such open space exists between the property line of the noise source and adjacent property. When no such

open space exists, the common line between two (2) parcels of property shall be interpreted as the bounding property line.

Smoke and Particulate Matter. No proposed operation or use in any district shall at any time create smoke and particulate matter that, when considered at the bounding property line of the source of operation creates a nuisance or distracts from the use and enjoyment of adjacent property.

Odorous matter. No proposed use shall be located or operated in any district that involves the emission of odorous matter from a source of operation where the odorous matter exceeds the odor threshold at the bounding property line or any point beyond the tract on which such use or operation is located. The odor threshold shall be the concentration of odorous matter in the atmosphere necessary to be perceptible to the olfactory nerve of a normal person.

Explosives. No use involving the manufacture or storage of compounds or products that decompose by detonation shall be permitted in any district, except that chlorates, nitrates, phosphorus and similar substances and compounds in small quantities for use by industry, school laboratories, druggists or wholesalers may be permitted when approved by the Fire Marshall as not presenting a fire or explosion hazard.

Flammables. The storage and use of all flammable liquids and materials such as pyroxylin plastics, nitrocellulose film, solvents and petroleum products shall be permitted only when such storage or use conforms to the standards and regulations of the Town of Rico and receives the approval of the Fire Marshall.

Toxic and Noxious Matter. No proposed operation or use in any district shall emit a concentration across the bounding property line of the tract on which such operation or use is located of toxic or noxious matter that will exceed the threshold limits set forth by the Colorado Department of Health.

Vibration. No proposed operation or use in any district shall at any time create earthborne vibration that, when considered at the bounding property line of the source of operation creates a nuisance or distracts from the use and enjoyment of adjacent property.

Open storage. No open storage of materials or commodities shall be permitted in any district except as an accessory use to a main use located in a building in the MU Zone District. No open storage operation shall be located in front of a main building. No wrecking, junk, or salvage yard shall be permitted as a storage use in any district.

Glare. No proposed use or operation in any district shall be located or conducted so as to produce intense glare or direct illumination across the bounding property line from a visible source of illumination nor shall any such light be of such intensity as to create a nuisance or detract from the use and enjoyment of adjacent property.

Traffic. No proposed use or operation shall be permitted where the use would create undue traffic impacts on Town roads and affected residential neighborhoods.

Off-Street Parking. Adequate off-street parking is provided to accommodate the proposed use.

The proposed activity is unlikely to produce noxious odors, smoke or problems with any of the other issues mentioned in the review criteria except possibly noise. A site plan is included in the application, which is included in this packet. Parking would be on the street. As always in these residential neighborhoods, the concern is traffic and dogs. The applicant is local and would need to be available to respond to emergencies or disturbances within an hour. In the past, the Town has required that contact information for the local owner or a local representative be kept current and be available to local law enforcement as well as Town officials. We should also require proof that could come in the form of photos that smoke alarms and carbon monoxide detectors are installed in the house and functional.

There should be a renewal review after one year of the short-term rental operation. The Rico Planning Commission voted unanimously to approve this special use permit.

Consideration of an application for a special use permit for the purpose of short-term rental, 111 Short Street, Paul Jacobsen applicant

Paul Jacobsen has been using his house, located at 111 Short Street, as a short-term rental. Now he has applied for the special use permit as required by the Rico Land Use Code that would bring him into compliance. Again, special use permits should be reviewed according to the criteria described above. The owner should supply Town officials with local caretaker contact information so that someone can be notified if there is a problem with utilities or complaints about the occupants. As recommended for Ms. Belaska, the owner should supply proof of the existence of smoke alarms and carbon monoxide detectors. There should be a renewal review after one year of the short-term rental operation. This owner should also be required to pay back taxes for the times that he has been short term renting this without having a special use permit. The Rico Planning Commission unanimously recommended approval with the condition that the owner pay his back taxes.

Consideration of an application for a permanent fixed encroachment, 204 E. Mantz, Bonnie Emerick and James Schroff applicants

This issue is not new and it came before the Planning Commission when Dick Lanning owned the property. There is a shed on the property that encroaches on Town owned land. Unfortunately, this is not an uncommon occurrence in Rico. Many structures were built before the use of surveyors became common practice. In an effort to clear up the title prior to selling the property, the owners are requesting a fixed encroachment agreement. The agreement is included in the packet. I don't believe that there is a good reason to deny this request. The alley onto which the shed encroaches has likely not been used in decades, if ever. To my knowledge there are not any utilities in the alley. While the Town in the future may need the alley, it is unlikely that any Town use would impact the building. The Rico Planning Commission unanimously recommended approval of this application.

Consideration of an application of a re-subdivision (replat) for the purpose resolving an access issue with the Town of Rico, 314 N. Piedmont Rebecca Adams and Gordon Mortensen, applicants

As you may recall, the Town has some unresolved access issues that surfaced in August. Rebecca Adams and Gordon Mortenson bought Lots 11 – 14, Block B, which are south of the triplex on Piedmont. The historic access to the Piedmont Subdivision is located on this parcel. Based on Colorado Revised Statutes § 43-2-201.1.c, the Town has a prescriptive right to the road since properties in the area have been using the road and the Town has been maintaining the road for 20 plus years. At least one of the houses on Piedmont has been in existence since 1974 so we know that this road has been in place since then. The Piedmont area has no alternative access for the lots in that subdivision. To move the road would require road relocation and although the town owns a parcel in the vicinity, the parcel is on a steep slope and could not practically be used for road construction.

The owners have proposed a land trade with the Town that our attorney in the matters of access, Marti Whitmore, and I feel to be viable and equitable. I have included in this packet a color-coded site plan that illustrates the proposed trade. When considering a re-subdivision the following should be considered:

- The proposed land use shall be consistent with the underlying zoning (residential).
- All lots shall meet the subdivision design standards as defined in Section 550 of the Rico Land Use Code.

- All lots shall have building sites and access that are not in any known hazards or constraints to development.
- The proposed re-subdivision layout shall not cause excessive cut and fill excavation or removal of trees and vegetation in relationship to feasible alternatives.
- The proposed re-subdivision shall not exceed or overburden the capacity of any existing Town facilities or services unless the Applicant expands the Town facilities or service capacity to meet the increased demand of the proposed subdivision.
- The proposed re-subdivision shall be consistent with the Rico Regional Master Plan.
- The proposed re-subdivision shall not violate any laws of the Town of Rico, State of Colorado, or United States of America.

If this trade is approved, the owners will have to provide a 24"x36" inch mylar that is in conformance with the Rico Land Use Code Section 544. The Rico Planning Commission voted unanimously to approve this re-subdivision.

Consideration of an application of the River Corridor Tract Map, a boundary line agreement, Section 35 and 36, T.40 N. R.11 W., Section 1 and 2, T.39N. R.11W., Dolores County Colorado, Town of Rico applicant

This project has been in process since before I became the town manager. There are two things that the Town would like to accomplish through this agreement.

1. The Town would like to formalize the previous Rico River Corridor deed conveyance from Rico Renaissance and resolve lot line discrepancies.
2. The Town wishes to secure an easement not only for sewer and water lines that the Town may want to construct in the future, but also that the easement be expanded to include utilities such as fiber, cable TV, electricity, telephone and access for recreational use. The Town has an existing easement through these properties, but it is limited to water and sewer and does not include shallow utilities or recreational access.

This agreement does not contemplate any changes in zone districts. This project has already been through several rounds of negotiations and other challenges. In 2017, the Town reached an agreement that gave Kevin O'Grady and Linda Burnette access over Town owned land to their property, Tract 3, on the River Corridor Map. In 2018, the Town reached a similar agreement with Disposition Properties. This map will finalize an agreement with Rico River Village, owner of Tract 6 that rearranges his lot so that the entire parcel is on one side of the river. Finally, as the result of the death of one of the

owners of a portion of the Houghton parcel and the subsequent loss of the original mylar of the map, that tract was removed from the agreement. It was a minor part of the agreement and that parcel has a multitude of owners, most of which would be difficult to find. Staff determined that it would be more trouble that it was worth to try to obtain all that signatures that we would need to include that parcel. I have gotten a number of questions about the reference to Tract A on the map. Tract A was a part of the old Rico Townsite. I have included in this packet both the old Rico Townsite map and a diagram illustrating Tract of the River Corridor map for clarification. The Rico Planning Commission voted unanimously to recommend approval of this agreement.

Internet upgrades

I have gathered some preliminary information about internet upgrades. The company that installed Dove Creek's system is called Emory Telecom. I got a name from Margret Daves, the Dolores County Administer and called to ask if they had any interest in expanding to Rico. Jared Anderson, the person to whom I spoke, told me that Emory Telecom had considered applying for the federal funding to run fiber from Lewis to Dolores and would perhaps consider continuing to Rico. It is my understanding that Emory Telecom would apply for the funding. Mr. Anderson also told me that the permitting process is lengthy and that to undertake such a project would be a minimum of five years, three years for permitting and an additional two for construction. I asked him about the potential of using the new cell tower as a fixed base and possibly running fiber through Rico while they waited on the permits and he said that might be possible. I emailed him with contacts for Commnet (the cell tower owners). I am hoping something more will come of this conversation.

I also had a long conversation with a fellow named Virgil Turner who is DOLA's regional broadband coordinator and works with Region 10. He had some good information including a web site called Colorado Broadband Map (https://gis.colorado.gov/broadbandviewer/index.html?Viewer=broadbandmapping.broadbandmapping_hv/) This map tracts internet providers and you can type in an address and see which internet providers are in your area. This map shows Rico as being underserved, which would make it much easier to find a provider that would be willing to apply for grant funding to install a better system. Mr. Turner also told me that it was advantageous for communities to contact potential providers and invite them to enter the community. He suggested that I talk to Visionary Broadband and Clearnetworkx, which is the company that Allyn Svoboda had mentioned. I emailed Clearnetworkx but have not heard back from them. I am still trying to track down a

contact from Visionary Broadband. Hopefully I will have more to add by the time the meeting starts on Wednesday.

Water filtration system

Pat Drew and I have been considering a filtration system at the well that would help to eliminate the sediment that occurs in the water pipes and results in brown water in the community when there is a sudden increase in velocity in the pipes. This system would not affect the hardness or the calcium build up. The initial cost is relatively low but there is additional maintenance and the filters would be a monthly cost. As I am writing this memo, I am still waiting on final estimates from the supplier.

Rico Sewer Committee Update

Sewer Committee Update

Purpose:

After last sewer initiative failed, Board of Trustees tasked the Town Manager with establishing a Sewer Committee to evaluate alternative wastewater treatment options.

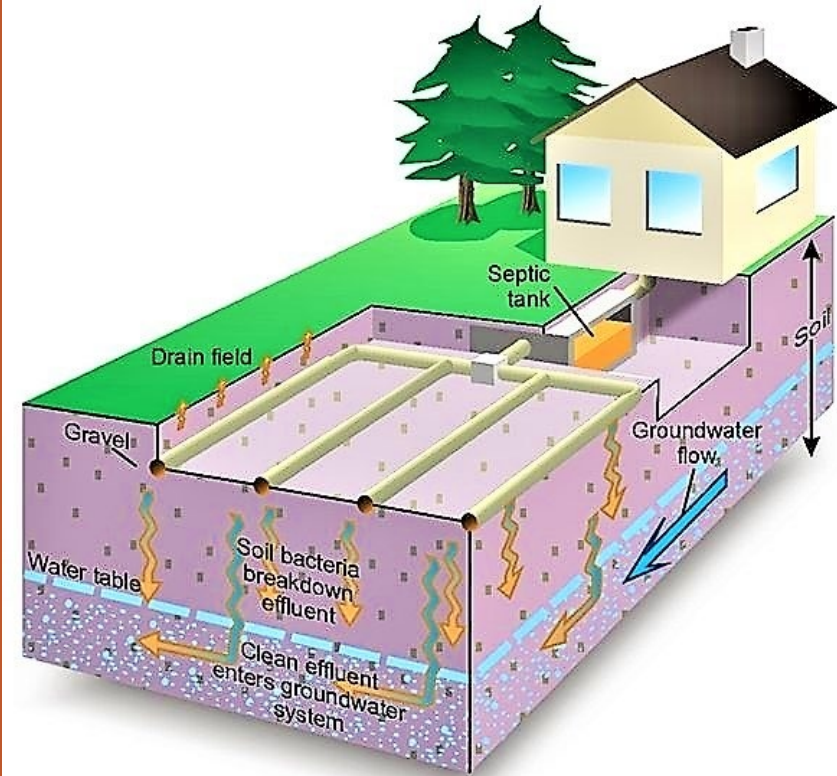
Summary of Tasks Completed:

Identified Suitable Wastewater Treatment Options for Rico

- Gathered information on various wastewater systems that may be applicable to Rico.
 - Conventional Centralized Plant
 - STEP Systems
 - Alternative Treatment Systems
 - Compare to No Action (Septic tanks and leach fields)
- Produced list of questions for vendors.
- Reached out to vendors and utilities to understand system pros/cons and costs.
- Prepared summary for Board of Trustees

Option 1

No Action



Owner-implemented septic systems

- On-site septic tank with or without leach field. Solids collect in tank and liquid effluent is dispersed into ground for natural treatment before ultimately reaching groundwater or river.
- Typically used in low-density rural settings with large lots.

Potential Pros:

- No costs to town.
- No discharge standards to meet with state.

Potential Cons:

- Requires space on property for tank and leach field, limiting development. Significant issue on small lots and in commercial core.
- Owner bears all costs and must maintain.
- Where space is not available for leach fields (e.g., commercial core), tanks/vaults must be pumped. Cost may be prohibitive to operate business (e.g., \$0.35/gal, \$0.52/flush – based on \$700 to pump 2000-gal vault @ Mason Building).
- Failing systems or inadequate residence time in soil may contribute bacteria, viruses, and nutrients to river, affecting water quality and ecosystem.
- State may eventually require centralized water treatment due to the density and condition of septic tanks and leach fields in Rico.

Option 2

Conventional Wastewater Treatment Plant

Conventional Wastewater Treatment

Sewage is directly piped with gravity flow from home or businesses to a centralized treatment plant with solids/liquid separation, biological treatment, and disinfection before discharge to river.

Potential Pros:

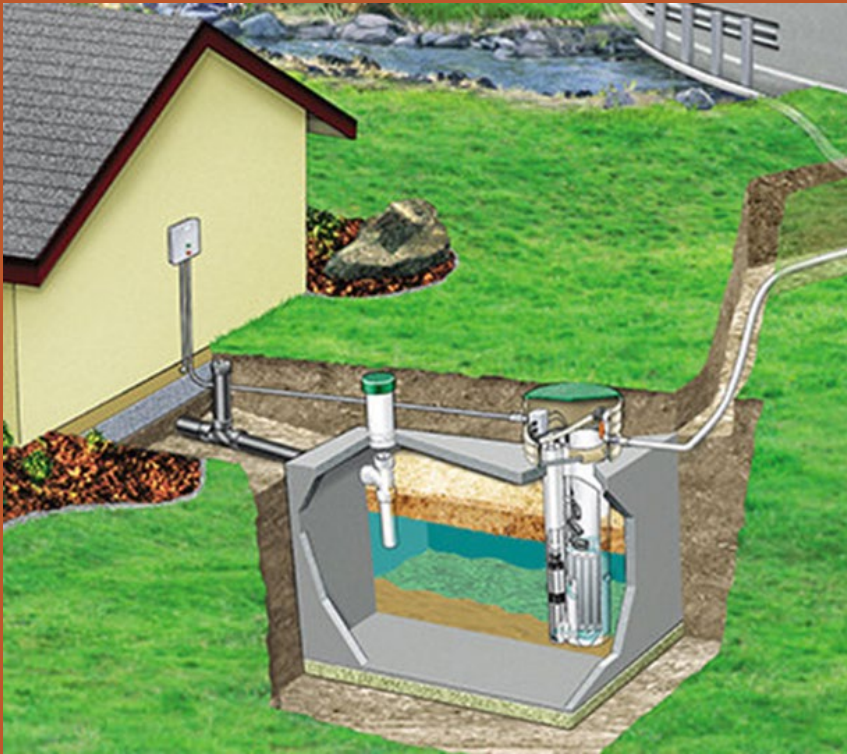
- Most defined option, Town has previously scoped and has cost estimates.
- Widely used, effective, and well established.

Potential Cons:

- High initial construction cost and ongoing operating costs.



Option 3 STEP Systems



Septic Tank Effluent Pump (STEP) systems

Owner maintains septic tank or processor for primary treatment, but there is no leach field. Liquid effluent is pumped to a common, simplified plant for treatment before discharge to river.

Potential Pros:

- **Reduced Lot Space Requirement** - Removes need for an on-property leach field, allowing for greater constructability of small or commercial lots.
- **Reduced Collection System and Treatment Plant Costs** -
 - Liquid effluent lines (e.g., 3-inch) can be much smaller diameter than sewer lines, and do not need gravity flow (can flow uphill if needed). Potential to install at shallower depth with careful construction (lines must drain when not pressurized).
 - Portion of treatment (solids/liquids separation) occurs on lot, reducing treatment plant infrastructure and sewer line size.
 - Smaller footprint, lower construction and operating costs, readily constructable in phases.

Potential Cons:

- Still requires on-property equipment including tank and pump.
- Engineering requirements for restaurants (grease separation) may not solve lot space issue in all cases.

Option 3a STEP Systems ORENCO Treatment System



ORENCO Advantex Systems

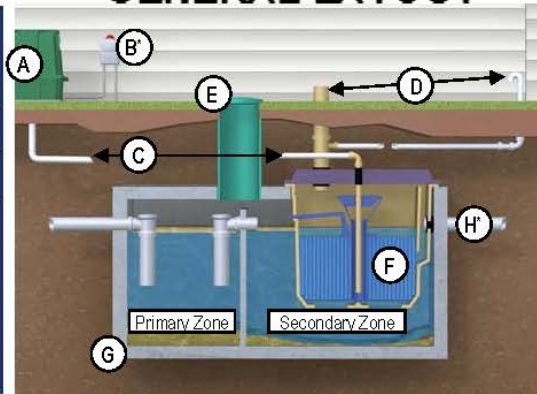
- ORENCO PRELOS processor (specialized tank with grinder pump system) replaces the septic tank and leach field at each property.
- Liquid effluent is collected and treated in a recirculating chamber filled with packed bed of textile fabric biological filters prior to discharge to river.
- Examples Where Used in Colorado:
 - Our Lady of The Pines Church – Conifer, CO
 - Vickers Horse River Ranch – Lake City, CO
 - Taylor River Canyon - Almont, CO

Option 3b STEP Systems Bio-Microbics Treatment System

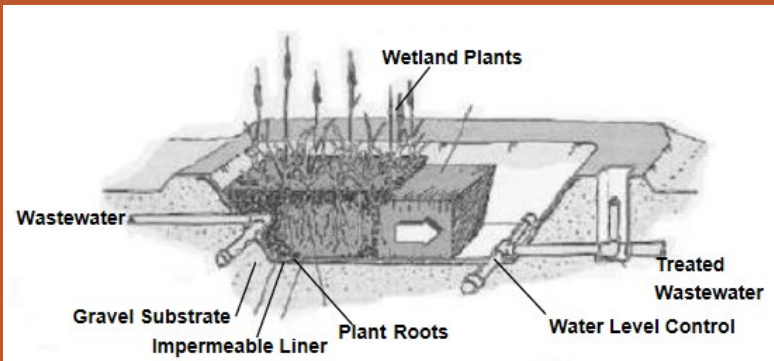
Bio-Microbics FAST Systems

- Can use existing vaults - Pumps added to existing (i.e., if 1990 & newer) or replacement septic tanks/vaults (i.e., if older than 1990).
- Liquid effluent is collected and treated in a submerged aerated biological filter prior to discharge to river.
- Examples Where Used:
 - Top of Lift 5 – Telluride, CO
 - Pikes Peak Visitor Center
 - Prairie School – New Raymer, CO
 - Aspen Park Commercial Center – Evergreen, CO

GENERAL LAYOUT



Option 4 Alternative Treatment Systems



Community members and Trustees expressed interest in alternative wastewater treatment systems such as constructed wetlands or alternative/emerging technologies.

Examples of alternative systems:

- Constructed wetland treatment systems
- Small package plants with emerging technologies

The Sewer Committee does not recommend Option 4 for the following reasons:

- Does not solve main cost issue – collection system construction.
- May not be able to permit with CDPHE
- Treatment effectiveness may be variable (esp. in winter) and discharge may not meet state criteria.
- Constructed wetlands require large land area. No space outside of flood plain, so must be protected from flood events. Potential permitting issues constructing in place of existing natural wetlands (Can't just use existing wetlands).
- Poorly defined reliability, costs, and maintenance requirements.
- Could take significant pilot testing, monitoring, and optimization with no guaranteed success.

Conceptual Cost Comparison – Total System

*Conservative estimate with excavation trenching. STEP system collection cost may be drastically reduced if lines can be installed at shallow depth or with directional boring (esp. under CO-145) or trencher. Rocky Rico soil and frost depth may still require conventional excavation trenching.

Option 1 – no action

- No cost to the Town

Option 2 - Conventional System

- Collection system - \$21,776,514
- Treatment Facility - \$3,782,587
- **Total system - \$25,559,101**

Option 3a – STEP System ORENCO

- Collection system - \$14,555,896*
- Treatment Facility - \$1,141,344
- **Total System - \$15,697,240**

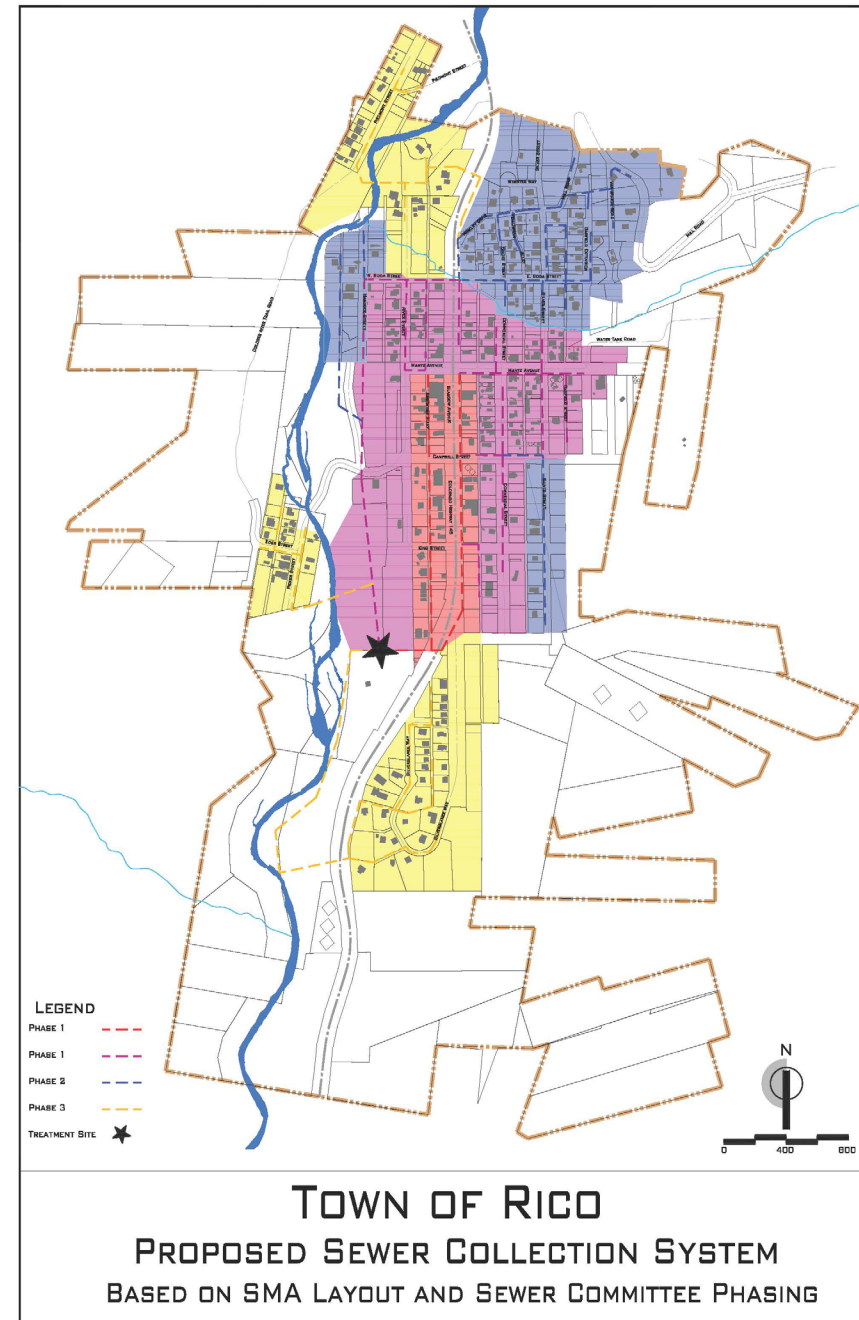
Option 3b – STEP System Bio-Microbics

- Collection system - \$14,555,896*
- Treatment Facility - \$425,983
- **Total system - \$14,981,879**

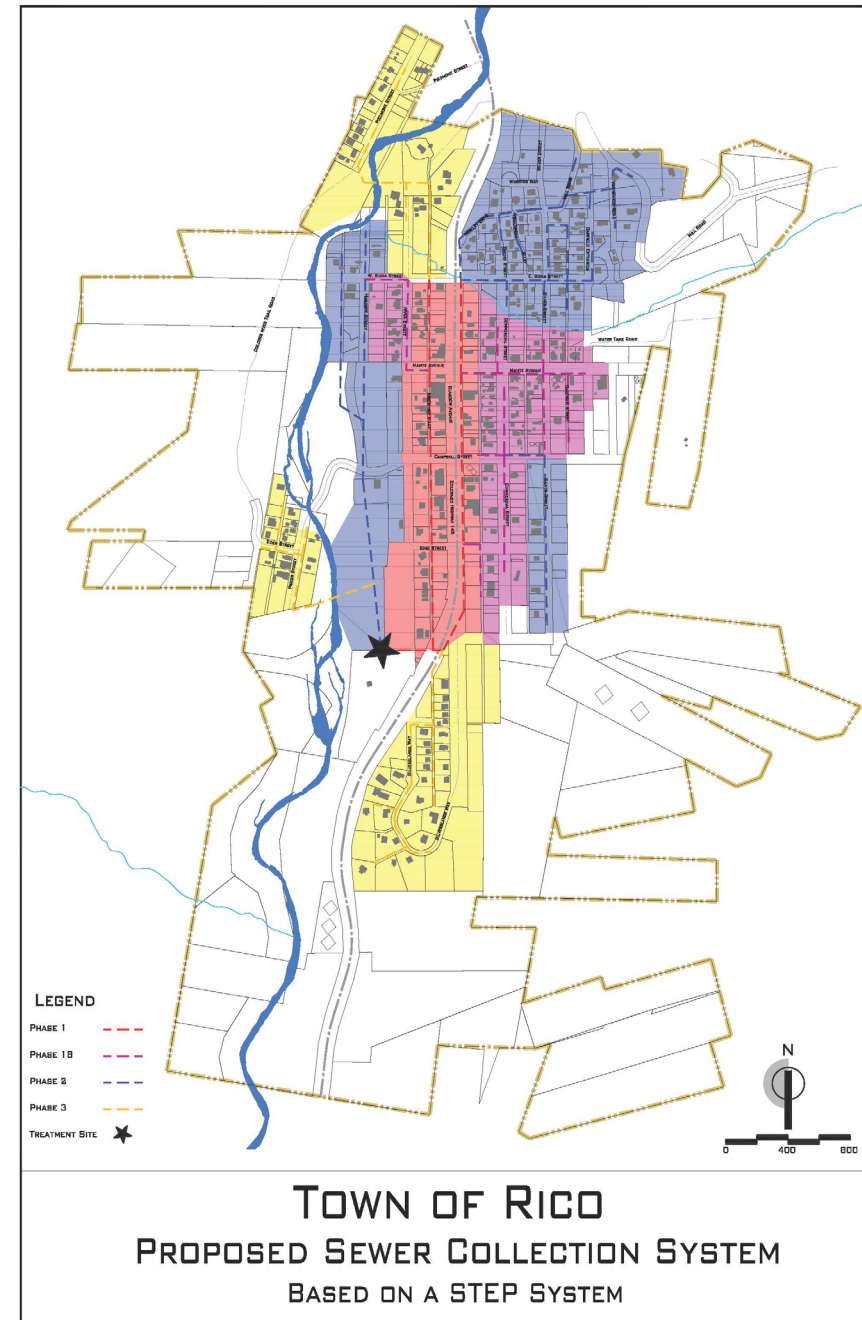
Option 4 – Alternative Treatments

- Collection system - \$21,776,514
- Treatment facility - ?
- **Total system - ?**

Conceptual Phased Collection System Options – conventional collection system layout



Conceptual Phased Collection System Options – STEP system layout



Conceptual Phase Costs – Conventional System

Phase 1

- Collection system - \$2,868,375
- Treatment Facility - \$2,300,000
- **Total system - \$5,163,375**

Phase 1B

- Collection system - \$6,327,383
- Treatment Facility - \$1,482,587
- **Total system - \$7,809,970**

Phase 2

- Collection system - \$5,842,374
- Treatment Facility - \$0
- **Total System - \$5,842,374**

Phase 3

- Collection system - \$6,738,382
- Treatment Facility - \$0
- **Total System - \$5,842,374**

Conceptual Phase Costs – STEP System

*Conservative estimate with excavation trenching. STEP system collection cost may be drastically reduced if lines can be installed at shallow depth or with directional boring (esp. under CO-145) or trencher. Rocky Rico soil and frost depth may still require conventional excavation trenching.

Phase 1

- Collection system - \$2,779,378*
- Treatment Facility - \$571,014
- **Total system - \$3,350,392**

Phase 1B

- Collection system - \$2,762,796*
- Treatment Facility - \$294,500
- **Total system - \$3,057,296**

Phase 2

- Collection system - \$5,628,829*
- Treatment Facility - \$0
- **Total System - \$5,628,829**

Phase 3

- Collection system - \$3,384,893*
- Treatment Facility - \$0
- **Total System - \$3,384,893**

Details

Option 2
Conventional
Wastewater
Treatment Plant
Estimated Cost:
Prep, Taps & Services

based on Town of Rico SMA
Wastewater Treatment Plant and
Collection System Final Design Report –
Adjusted for inflation (4%)

Preparation Work	Unit	Quantity	Subtotal
Mobilization	LS	1	\$692,671
Clear & Grub	Acres	18	\$155,851
Construction Staking	LS	1	\$407,121
Traffic Control	LS	1	\$181,826
Subtotal			\$1,437,469

Taps & Services	Unit	Quantity	Subtotal
Taps to active lots	EA	237	\$102,602
Taps to empty lots	EA	157	\$67,968
4” dia. Service lines	LF	9850	\$392,311
Subtotal		9166	\$562,881

Option 2
Conventional
Wastewater
Treatment Plant
Estimated Costs:
Excavation &
Bedding, Manholes

based on Town of Rico SMA
Wastewater Treatment Plant and
Collection System Final Design
Report – Adjusted for inflation (4%)

Excavation & Bedding	Unit	Quantity	Subtotal
Rock blasting or removal	Cubic Yd.	688	\$77,441
Excavation & removal of undesirable materials	Cubic Yd.	19016	\$823,239
Imported pipe bedding materials	Cubic Yd.	6885	\$274,220
Imported trench backfill	Cubic Yd.	12131\$	\$399,132
Subtotal			\$1,574,032

Manholes	Unit	Quantity	Subtotal
4’ dia. 6’ deep	EA	267	\$2,311,787
4’ dia. drop 6’ deep	EA	2	\$25,976
Additional depth	EA	286	\$272,393
Subtotal		555	\$2,610,156

Option 2 Conventional Wastewater Treatment Plant Estimated Costs: Pipe

based on Town of Rico SMA Wastewater
Treatment Plant and Collection System
Final Design Report – Adjusted for
inflation (4%)

Pipe	Unit	Quantity	Subtotal
12" Dia. 6'- 8' Deep	LF	4956	\$944,019
12" Dia. 8' – 12' Deep	LF	1538	\$378,194
12" Dia. 12+	LF	150	\$46,755
8" Dia. 6'- 8' Deep	LF	25697	\$4,450,206
8" Dia. 8' – 12' Deep	LF	5710	\$1,334,884
8" Dia. 12+	LF	1784	\$540,623
Concrete encased sewer line	LF	1910	\$86,829
Subtotal		41,745	\$7,781,190

Option 2
Conventional
Wastewater
Treatment Plant
Estimated Costs:
Misc Construction

based on Town of Rico SMA
Wastewater Treatment Plant and
Collection System Final Design
Report – Adjusted for inflation
(4%)

Misc. Construction Costs	Unit	Quantity	Subtotal
Trench Dewatering	LF	9166	\$198,407
Roadway repairs class 2 base course	Cubic Yd.	485.3	\$11,765
Roadway repairs 3” gravel removal & replacement	Sq. Yd.	11,081	\$47,972
Roadway repairs asphalt removal & replacement	Sq. Yd.	1908	\$553,928
Restoration / seeding	Sq. Yd.	30,336	\$63,039
Waterline relocation		3	\$129,876
River crossings	EA	2	\$51,050
Subtotal			\$1,056,937

Option 2 Conventional Wastewater Treatment Plant Estimated Costs: Other Costs and Treatment Facility

based on Town of Rico SMA
Wastewater Treatment Plant and
Collection System Final Design
Report – Adjusted for inflation
(4%)

Other Costs Collection System	Unit	Quantity	Subtotal
Construction Inspection	LS	1	\$1,268,739
Contingency @ 15%			\$2,874,954
Subtotal			\$4,143,693
Subtotal Collection System			\$21,776,514

Treatment Facility	Unit	Quantity	Subtotal
Treatment Facility	EA	1	\$3,782,587
Subtotal Collection System			\$21,776,514
System Total			\$25,559,101

Option 3 STEP Systems Estimated Costs: Prep Work

Preparation Work	Unit	Quantity	Subtotal
Mobilization	LS	1	\$692,671
Clear & Grub	Acres	18	\$155,851
Construction Staking	LS	1	\$407,121
Traffic Control	LS	1	\$181,826
Subtotal			\$1,437,469

Option 3

STEP Systems

Estimated Costs:

Excavation & Bedding, Pipe

Excavation & Bedding	Unit	Quantity	Subtotal
Rock blasting or removal	Cubic Yd.	688	\$77,441
Excavation & removal of undesirable materials	Cubic Yd.	19016	\$823,239
Imported pipe bedding materials	Cubic Yd.	6885	\$274,220
Imported trench backfill	Cubic Yd.	12131\$	\$399,132
Subtotal			\$1,574,032

Pipe	Unit	Quantity	Subtotal
4" Dia. 5' – 6' Deep	LF	39,835	\$6,898,131
Concrete encased sewer line	LF	1910	\$86,829
Subtotal		41,745	\$6,984,960

Option 3 STEP Systems Estimated Costs: Misc Construction Costs

Misc. Construction Costs	Unit	Quantity	Subtotal
Trench Dewatering	LF	9166	\$198,407
Roadway repairs class 2 base course	Cubic Yd.	485.3	\$11,765
Roadway repairs 3" gravel removal & replacement	Sq. Yd.	11,081	\$47,972
Roadway repairs asphalt removal & replacement	Sq. Yd.	1908	\$553,928
Restoration / seeding	Sq. Yd.	30,336	\$63,039
Waterline relocation		3	\$129,876
River crossings	EA	2	\$51,050
Subtotal			\$1,056,937

Option 3
STEP Systems
Estimated
Costs:
Other Costs

Other Costs Collection System	Unit	Quantity	Subtotal
Construction Inspection	LS	1	\$1,268,739
Contingency @ 15%			\$2,087,917
Subtotal			\$3,356,656

Option 3a

STEP Systems

Estimated Costs:

Orenco Treatment System

Prelos processors	Unit	Quantity	Subtotal
Residential lots with existing structures	EA	189+-	\$945,000
Commercial lots with existing structures	EA	41+-	\$246,000
4" dia. Service lines	LF	9850	\$392,311
Subtotal			\$1,583,311

Treatment Facility	Unit	Quantity	Subtotal
CDPHE approved treatment Facility	EA	1 (ck)	\$1,141,344
Subtotal Collection System			\$14,555,896
Total			\$15,697,240

Option 3b

STEP Systems

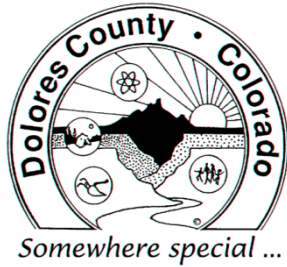
Estimated Costs:

Bio-Microbics

Treatment System

Vault	Unit	Quantity	Subtotal
Replaces vaults in structures built prior to 1990	EA	119+-	\$714,000
Utilize existing vaults (houses built after 1990)	EA	111+-	\$444,000
4" dia. Service lines	LF	9850	\$392,311
Subtotal			\$1,550,311

Treatment Facility	Unit	Quantity	Subtotal
Treatment Facility	EA	1	\$307,796
Subtotal Collection System			\$14,522,896
Total			\$14,830,692



Board of County Commissioners

P O Box 608

Dove Creek, CO 81324

Phone: (970) 677 2383 Fax: (970) 677-2815

Email Address: dcdolocnty@fone.net

March 11, 2021

The Dolores County Planning Commission has received an application from Mike Popek (Lazy Rooster Ranch)

The address of the proposed land change is: 4597 Highway 145, Rico, CO 81332.

Lazy Rooster Ranch proposes a land use change to convert the existing property to a Semi-primitive campground on 49 acres, south of the town of Rico.

Please see attached application for more information.

The Dolores County Land Use Code Regulations require the Board of County Commissioners to distribute copies of application to those listed in Section 6, paragraph B of those regulations.

According to Section 6 paragraph B "A copy of the application, site plan and supporting documents shall be provided to applicable reviewing agencies and another set or sets, as needed, maintained for public examination in the BOCC office during normal business hours. Reviewing agencies shall be allowed a minimum response period of twenty-one (21) days, unless other arrangements are made by prior agreement. All written comments should be submitted to the Planning Commission at least seven (7) days prior to the scheduled Planning Commission Hearing.

Therefore, please review the application and submit any recommendations you have by April 2nd, 2021.

If you have any questions, please contact Margret Daves at the Dolores County Commissioner's Office at 970-677-2383.

Sincerely,

Margret Daves
County Administrator

Cc: Town of Rico, Rico Fire Protection District, San Miguel Power, San Juan National Forest, Colorado Parks & Wildlife, Dolores County Sheriff, Colorado Department of Transportation, Dolores Water Conservation District, Corps of Engineers, Dove Creek Mandatory Weed District.

Popek & Karen Land Use Change Application

1. The applicant's name, address and telephone number:

Mike Popek & Alana Karen
959 Waverley St. Palo Alto, CA 94301
Phone: 307-224-8470

2. A legal description and assessor parcel number:

100% of North Parcel (22.26 Acres more or less)
Owned by Michael Popek & Alana Karen (JT)
45937 Highway 145, Rico, CO 81332
Parcel 508502100026

100% of South Parcel (27.19 Acres more or less)
No address assigned yet per Dolores County Parcel Report
Owned by Mike Popek
Parcel 508502100025

See Exhibits A & B - Deeds

3. A brief description of the existing land use and the general character of the use of adjacent lands:

The parcel is currently used by the owners for private off-grid camping. The only existing improvements to the lot are:

- A fence running length of North parcel and about 430 feet on the North end of the South parcel property lines along Highway 145
- An entrance/exit gate approximately across Highway 145 from Sundial Way
- A single lane road leading from the entrance to the river/old railroad grade
- Two A-frame structures, a tiny home, and a storage shed.
- A composting toilet.
- Adjoining uses are San Juan National Forest to the North, South, and West. Highway 145 is along the entire East Side. Across Highway 145 is Sundial Subdivision a single family large lot subdivision. Adjoining the Northeast corner is the Rico Community Cemetery.

4. A brief description of the new development or change in land use being applied for including a general description of any planned or potential future expansions:

Applicants propose to change land use of the two parcels to Entertainment and Recreational Facilities, for the purpose of starting a small semi-primitive campground business. See attached Narrative for details.

5. A list of all property owners adjacent to or within one-half (1/2) mile of the outside boundaries of the property:

See Exhibit C - Neighbors within ½ mile

6. The text of the public notice required by Section 6, Paragraph C, of this Article III:

NOTICE OF PROPOSED CHANGE IN LAND USE

The owners of 45937 HWY 145 RICO, CO 81332 AND THE ADJOINING PARCEL TO THE SOUTH, MIKE POPEK & ALANA KAREN, propose to change the land use of this address from RESIDENTIAL VACANT to ENTERTAINMENT AND RECREATIONAL FACILITIES. Details can be found at Dolores County Board of County Commissioners 409 N. Main Street, Dove Creek, CO 81324. A meeting to discuss and vote on the proposal is scheduled for (DATE). Comments or concerns about the proposal can be emailed to Margret Daves at dcmanager-project@fone.net or mailed to Dolores County Board of County Commissioners at address listed above.

7. Proposed infrastructure:

Roads

The current gate is accessed from Hwy 145 across from Sundial Way. This will be used as the entrance to the campground. The applicant will install an access leading south to meet up with a maintenance access to the southern parcel. Guest parking spots will be installed along the newly constructed access. All vehicular activity and parking will be restricted to the access and parking area; guests will walk, bike ride or be conveyed by onsite staff everywhere else.

Trails

The existing trail along the old railroad grade parallel to the Dolores River will be improved and maintained for guest foot traffic. Additionally, the applicants have provided The Town of Rico an easement for a public trail running north-south through the property along to connect to the old railroad grade.

Utilities

Power: Power service from SMPA was bored under Highway 145 to the property line, but no internal electric lines have been installed at this time. Guest units will remain solar-powered - electrical service will power central area structures, staff housing, and the garage.

Water: A commercial exempt well permit has been obtained. The approved well to be installed along with a possible 1,500 gallons underground plastic storage tank. Guest units will remain unplumbed - water will service employee tiny home.

Sewer: Only one Onsite Wastewater Treatment System (OWTS) is planned for the employee tiny home. All proposed guest toilets are composting unit(s) from a manufacture and are **not** pit privies or outhouses. There is plenty of room to build a traditional OWTS if there are any issues with the manufactured composting toilets in the future. If any additional OWTS are needed they will be designed and provided to Dolores County for approval.

Garbage: animal-proof dumpsters for trash and recycling will be installed in a common area adjoining the guest parking area. These dumpsters will be maintained and emptied regularly by the local provider.

8. Attachments:

- Exhibit A:** Northern Parcel Deed
- Exhibit B:** Southern Parcel Deed
- Exhibit C:** Application Site Map
- Exhibit D:** Owners with in half of a mile as provided by Dolores County
- Exhibit E:** Sample notice letter to owners
- Exhibit F:** Site Plan
- Exhibit G:** Narrative including Infrastructure Cost breakdown
- Exhibit H:** Composting Toilet
- Exhibit I:** Deck Plans
- Exhibit J:** A-Frame Plan
- Exhibit K:** Garage Plan

EXHIBIT A DEED NORTHERN PARCEL

WARRANTY DEED

DOC FEE: \$89.50

THIS DEED, made this 31 day of December, 2019, between Mildred Lynn Markey of the County of San Mateo and State of California, grantor(s),
And
Mike Popek whose legal address is 959 Waverly Street, Palo Alto, CA 94301, of the County of Santa Clara and State of California, grantees:

WITNESS, that the grantor(s), for and in consideration of the sum of EIGHT HUNDRED NINETY FIVE THOUSAND AND 00/100 DOLLARS (\$895,000.00), the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the grantees, their heirs and assigns forever, IN SEVERALTY, all the real property, together with improvements, if any, situate, lying and being in the County of Dolores and State of Colorado, described as follows:

FOR LEGAL DESCRIPTION SEE EXHIBIT A

also known by street and number as: TBD Hwy 145, Rico, CO 81332

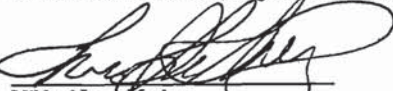
TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either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

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantees, their heirs and assigns forever. And the grantor, for himself, his heirs and personal representatives, does covenant, grant, bargain and agree to and with the grantees, their heirs and assigns, that at the time of the enrolling and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature, except for taxes for the current year, a lien but not yet due and payable, subject to statutory exceptions as defined in CRS 38-30-113, revised.

The grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantees, their heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

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


Mildred Lynn Markey

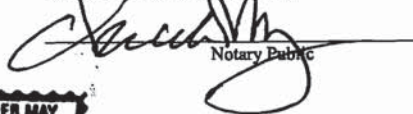
State of CALIFORNIA

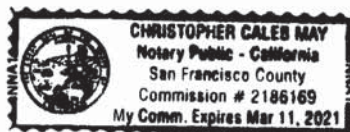
County of SAN MATEO

The foregoing instrument was acknowledged before me this 31 day of December, 2019, by Mildred Lynn Markey.

My Commission expires: 03.11.2021

Witness my hand and official seal.


Notary Public



GENERAL WARRANTY DEED

2192CEA
December 30, 2019
3:45 PM

Exhibit 'A'

A tract of land in Section 2, Township 39 North, Range 11 West, N.M.P.M., Dolores County, Colorado, which is all that part of the Dolores Placer Claim U.S. Mineral Survey #336, located in the Pioneer Mining District of Dolores County, Colorado, lying West of Colorado Highway 145, being more particularly described as follows:

Beginning at a point in Section 2, Township 39 North, Range 11 West, N.M.P.M., Dolores County, Colorado, which is Corner No. 3, Dolores Placer Claim U.S. Mineral Survey #336, from which point the Northeast corner of said Section 2 bears N20°43'28"E a distance of 4588.97 feet;
 thence N0°10'45"E a distance of 1774.12 feet along the West line of the Dolores Placer Claim U.S. Mineral Survey #336, to Corner No. 4 of the Dolores Placer Claim U.S. Mineral Survey #336;
 thence East a distance of 704.83 feet to the West right-of-way line of Colorado Highway 145;
 thence S03°43'30"W a distance of 1613.59 feet along the West right-of-way of Colorado Highway 145;
 thence S02°16'30"E a distance of 150.00 feet along the West right-of-way of Colorado Highway 145;
 thence N86°16'30"W a distance of 25.00 feet along the West right-of-way of Colorado Highway 145;
 thence S03°43'00"W a distance of 118.78 feet along the West right-of-way of Colorado Highway 145 to the South line of the Dolores Placer Claim U.S. Mineral Survey #336;
 thence N79°55'27"W a distance of 587.92 feet along the South line of Dolores Placer Claim U.S. Mineral Survey #336 to the point of beginning,
 County of Dolores, State of Colorado.

WARRANTY DEED

File # 2192CEA

December 30, 2019
3:45 PM

EXHIBIT B DEED SOUTHERN PARCEL

WARRANTY DEED

THIS DEED, made this 13 day of September, 2017, between

Ron Markey

of County of Bernalillo, State of New Mexico, grantor, and

Michael Popek and Alana Karen, as Joint Tenants

whose legal address is 959 Waverly Street, Palo Alto, CA 94301 grantee:

WITNESSETH, That the grantor for and in consideration of the sum of **Five Hundred Thousand and 00/100 Dollars**, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the grantee, his heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of **Dolores** and State of **Colorado** described as follows:

SEE ATTACHED EXHIBIT "A"

as known by street and number as:

15049 Highway 145, Rico, CO 81332

TOGETHER with all and singular the hereditaments and appurtenances thereto 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 grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee, his heirs and assigns forever. And the grantor, for himself, his heirs, and personal representatives, does covenant, grant, bargain, and agree to and with the grantee, his heirs and assigns, that at the time of the enrolling and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature what so ever, except

General taxes for the current year and subsequent years and subject to easements, restrictions, reservations, covenants and rights of way of record, as listed

SEE ATTACHED EXHIBIT EXC - 1400CEA

The grantor shall and will **WARRANT AND FOREVER DEFEND** the above-bargained premises in the quiet and peaceable possession of the grantee, his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

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



Ron Markey

STATE OF NM
COUNTY OF BERNALILLO

The foregoing instrument was acknowledged before me this 13 day of September, 2017 by Ron Markey.
Witness my hand and official seal.

My Commission Expires: 1-24-18

X [Signature]
NOTARY



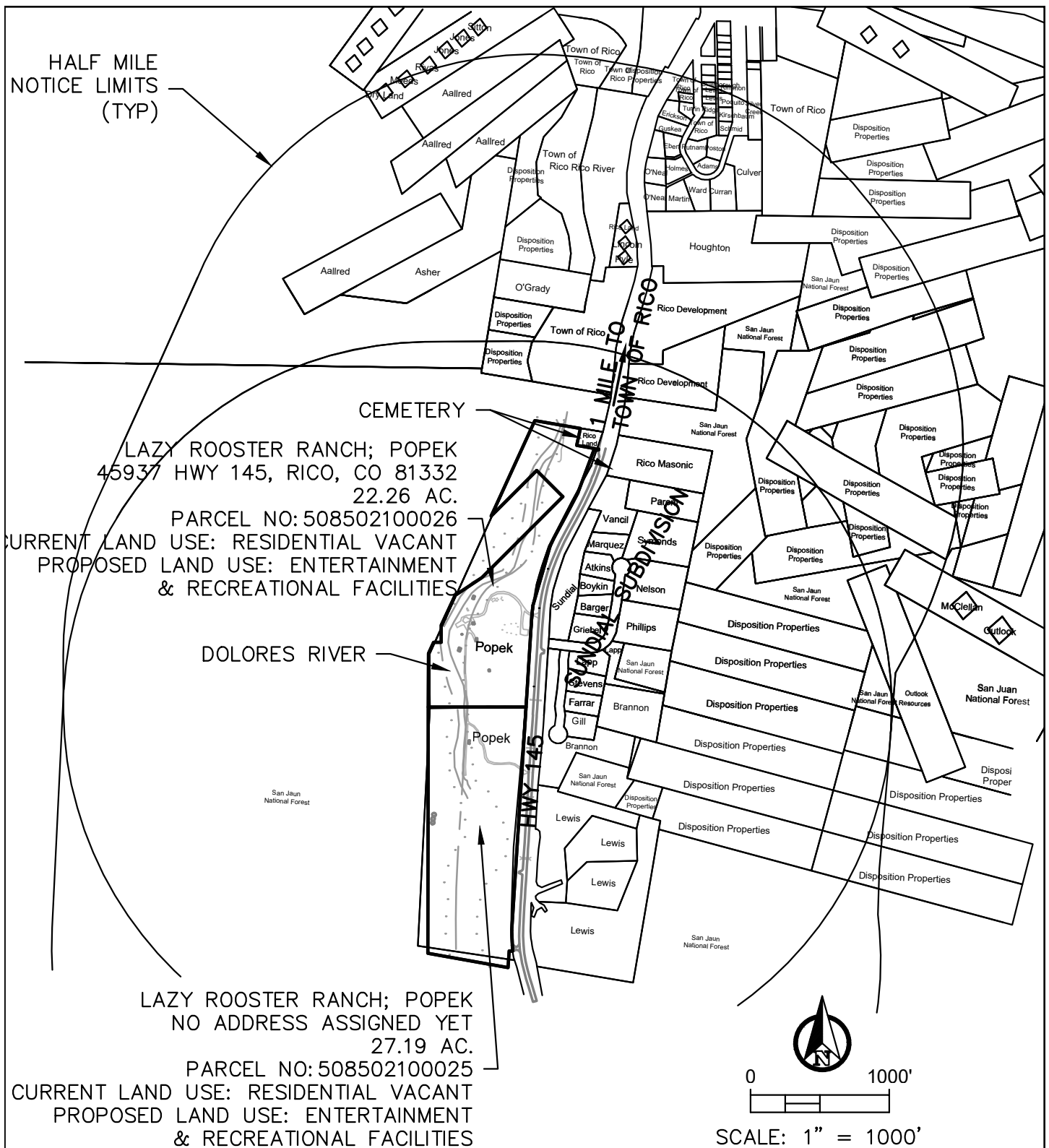
EXHIBIT "A"

A tract of land in Section 2, Township 39 North, Range 11 West, N.M.P.M., which is all that part of the Dolores Placer Claim, U.S. Mineral Survey #336, located in the Pioneer Mining District, lying West of Colorado Highway 145, being more particularly described as follows:

Beginning at a point in said Section 2, which is Corner No. 5, Dolores Placer Claim, U.S. Mineral Survey #336, from which point the Northeast Corner of said Section 2 bears North $61^{\circ}51'04''$ East a distance of 961.68 feet and from which point U.S.L.M. #3 bears South $77^{\circ}28'58''$ East a distance of 923.03; thence South $80^{\circ}33'36''$ East a distance of 334.30 feet along the North line of the Dolores Placer Claim, U.S. Mineral Survey #336, to a point on a fenceline; thence South $12^{\circ}25'51''$ West a distance of 126.82 feet along a fenceline; thence South $79^{\circ}47'45''$ East a distance of 139.65 feet along a fenceline to the West right of way of Colorado Highway 145; thence 337.45 feet along the arc of a curve to the right with a radius of 1843.86 feet, the long chord of which bears South $22^{\circ}28'03''$ West a distance of 336.98 feet along the right of way of Colorado State Highway 145; thence South $27^{\circ}43'30''$ West a distance of 196.50 feet along the West right of way of Colorado State Highway 145; thence South $28^{\circ}43'30''$ West a distance of 165.50 feet along the West right of way of Colorado State Highway 145; thence South $24^{\circ}43'30''$ West a distance of 69.00 feet along the West right of way of Colorado State Highway 145; thence 444.58 feet along the arc of a curve to the left with a radius of 1498.39 feet, the long chord of which bears South $16^{\circ}13'28''$ West a distance of 442.95 feet along the West right of way of Colorado State Highway 145; thence South $07^{\circ}43'30''$ West a distance of 69.00 feet along the West right of way of Colorado State Highway 145; thence South $03^{\circ}43'30''$ West a distance of 675.41 feet on the West right of way of Colorado State Highway 145; thence West a distance of 704.83 feet to the West line of the Dolores Placer Claim, U.S. Mineral Survey #336; thence North $0^{\circ}10'45''$ East a distance of 387.00 feet along the West line of the Dolores Placer Claim, U.S. Mineral Survey #336, to Corner No. 4 of the Dolores Placer Claim, U.S. Mineral Survey #336; thence North $24^{\circ}38'13''$ East a distance of 1845.25 feet along the West line of the Dolores Placer Claim, U.S. Mineral Survey #336, to Corner No. 5, Dolores Placer Claim, U.S. Mineral Survey #336, the point of beginning,
County of Dolores, State of Colorado.

LESS AND EXCEPT that portion of the above named mining claim, if any, within overlapping mining claims.

EXHIBIT C



LAZY ROOSTER RANCH PUBLIC HEARING LAND USE CHANGE VICINITY MAP

PROJECT MANAGER:	GEA	DATE:	NOVEMBER 23, 2020
DRAWN BY:	ADM	PROJECT #:	2020023



ALPINE LAND
CONSULTING, LLC

P.O. BOX 234
RICO, COLORADO 81332
970-708-0326
GREGG@ALPINELANDCONSULTING.COM

EXHIBIT D LOCAL OWNERS (WITHIN HALF A MILE)

Parcel Number	Owners Name	Owners Name 2	Mailing Address	City	ST	Zipcode	Property Address
504701100002	SAN JUAN NATIONAL FOREST	DEPT. OF AGRICULTURE	15 BURNETTE COURT	DURANGO	CO	813010000	48540 HWY 145
504735100010	DISPOSITION PROPERTIES, LLC	C/O EMMERSON ENTERPRISES, INC.	14555 N. SCOTTSDALE ROAD, STE 330	SCOTTSDALE	AZ	852540000	COLUMBIA SITE
504735100011	RICO TOWN OF		P.O. BOX 56	RICO	CO	813320000	RIVER CORRIDOR
504735400006	O'GRADY KEVIN & LINDA BURNETTE	(JT)	8108 EAST GRANADA	SCOTTSDALE	AZ	852570000	A & E ARMS TRACT
504735400018	RICO RIVER VILLAGE, L.L.C.		6545 EAST STALLION ROAD	PARADISE VALLEY	AZ	852530000	
504735400020	RICO LAND DEVELOPMENT, LLC		P.O. BOX 1076	CORTEZ	CO	813210000	HWY 145
504735400022	DISPOSITION PROPERTIES, LLC	C/O EMMERSON ENTERPRISES, INC.	14555 N. SCOTTSDALE ROAD, STE 330	SCOTTSDALE	AZ	852540000	PORTION OF MAX BOEHMER TRACT
504735400023	DISPOSITION PROPERTIES, LLC	C/O EMMERSON ENTERPRISES, INC.	14555 N. SCOTTSDALE ROAD, STE 330	SCOTTSDALE	AZ	852540000	PORTION AE ARMS NORTH
504735400024	DISPOSITION PROPERTIES, LLC	C/O EMMERSON ENTERPRISES, INC.	14555 N. SCOTTSDALE ROAD, STE 330	SCOTTSDALE	AZ	852540000	PORTION FG DAY
504735400025	DISPOSITION PROPERTIES, LLC	C/O EMMERSON ENTERPRISES, INC.	14555 N. SCOTTSDALE ROAD, STE 330	SCOTTSDALE	AZ	852540000	PORTION OF AE ARMS TRACT SOUTH
504735400505	AALLRED HOLDINGS, LLC		352 S. GRENN VALLEY LAND	ST. GEORGE	UT	847700000	BURCHARD
504735400506	AALLRED HOLDINGS, LLC		352 S. GREEN VALLEY LANE	ST. GEORGE	UT	847700000	HARDSCRABBLE
504735400508	MEEDS MYRNA LYNN & C. THOMAS	DAVIS	P.O. BOX 681	KEYPORT	WA	983450000	IRON CLAD
504735400509	RIVAS MARTHA S. & ROBERT L. (JT)		P.O. BOX 45	AZTEC	NM	874100000	IRON CLAD
504735400510	JONES KAREN K.		415 BRADLEY	LARAMIE	WY	820720000	IRON CLAD
504735400511	JONES TODD, MARK JONES, DAVID	JONES (TIC)	P.O. BOX 54	RICO	CO	813320000	IRON CLAD
504735400513	ASHER HILLS 80, LLC(AZ LLC) &	SILVER CREEK LAND CO, LLC(GA LLC)	14555 N. SCOTTSDALE ROAD, Suite 330	SCOTTSDALE	AZ	852540000	LITTLE MAGGIE
504735400514	AALLRED HOLDINGS, LLC		352 S. GREEN VALLEY LANE	ST. GEORGE	UT	847700000	N.A. COWDREY
504735400516	AALLRED HOLDINGS, LLC		352 S. GREEN VALLEY LANE	ST. GEORGE	UT	847700000	SANTA CRUZ
504735400527	DRY LAND FARMS LLC		25042 NELLIE GAIL ROAD	LAGUNA HILLS	CA	926530000	IRON CLAD
504735406006	O'NEAL KEVIN M. & MONICA M.	O'NEAL (JT)	324 WEST HEFNER	OKLAHOMA CITY	OK	731140000	450 SILVERGLANCE WAY
504735406007	O'NEAL KEVIN		324 WEST HEFNER	OKLAHOMA CITY	OK	731140000	452 SILVERGLANCE WAY
504735406008	KRZYMOWSKI WILLIAM W. M.D. &	SUSAN A.	1110 MARTINELLI DRIVE	GALLUP	NM	873010000	458 SILVERGLANCE WAY
504736300008	RICO DEVELOPMENT, LLC		405 LONDONBERRY, SUITE 203	WACO	TX	767120000	
504736300011	HOUGHTON DEVELOPMENT CO LLC	C/O GOODLAND CONSTRUCTION	760 NILE STREET	GOLDEN	CO	804010000	S. HWY 145
504736300013	RICO DEVELOPMENT, LLC		405 LONDONBERRY, SUITE 203	WACO	TX	767120000	LITTLE ADA SOUTH
504736300606	DISPOSITION PROPERTIES, LLC	C/O EMMERSON ENTERPRISES, INC.	14555 N. SCOTTSDALE ROAD, STE 330	SCOTTSDALE	AZ	852540000	CHESTNUT
504736300631	DISPOSITION PROPERTIES, LLC	C/O EMMERSON ENTERPRISES, INC.	14555 N. SCOTTSDALE ROAD, STE 330	SCOTTSDALE	AZ	852540000	LUCY
504736300634	DISPOSITION PROPERTIES, LLC	C/O EMMERSON ENTERPRISES, INC.	14555 N. SCOTTSDALE ROAD, STE 330	SCOTTSDALE	AZ	852540000	NEWMAN
504736300659	DISPOSITION PROPERTIES, LLC	C/O EMMERSON ENTERPRISES, INC.	14555 N. SCOTTSDALE ROAD, STE 330	SCOTTSDALE	AZ	852540000	SWANSEA
504736304008	RIMMON FAMILY TRUST		455 GOULD AVENUE	HERMOSA BEACH	CA	902540000	
504736304018	LEWIS VIRGINIA P.		2624 RICHARDS DR.	WACO	TX	767100000	465 SILVERGLANCE WAY
504736304021	KIRSCHBAUM DEAN A & LISA M(JT)		627 OAK LEAF LANE	PRESCOTT	AZ	863030000	423 SILVERGLANCE WAY
504736304022	SCARBOROUGH JOHN L. & NANCY L.	(JT)	P.O. BOX 247	RICO	CO	813320000	473 SILVERGLANCE WAY
504736304023	DALLAS DIVIDE DEVELOPMENT, LLC		P.O. BOX 857	TELLURIDE	CO	814350000	477 SILVERGLANCE WAY
504736304025	RIDGE JAMES F., JR.		103 BRYANT RANCH ROAD	SAN ANGELO	TX	769040000	459 SILVERGLANCE WAY
504736304026	POQUITO RICO, LTD.		2624 RICHARD DRIVE	WACO	TX	767100000	417 SILVERGLANCE WAY
504736304027	LEWIS VIRGINIA P.		2624 RICHARDS	WACO	TX	767101058	469 SILVERGLANCE WAY
504736304028	SCHMID LIVING TRUST		130 LAIDLEY STREET	SAN FRANCISCO	CA	941310000	SILVERGLANCE WAY
504736305001	SILVER CREEK LAND COMPANY LLC		400 COLONY SQUARE NE, SUITE 525	ATLANTA	GA	303610000	402 SILVERGLANCE WAY
504736306001	CULVER EDUCATIONAL FOUNDATION	ATTN. RICK TOMPOS	1300 ACADEMY ROAD	CULVER	IN	465110000	442 SILVERGLANCE WAY
504736306002	CURRAN KEVIN S. &	ODNEAL BARBARA L. (JT)	1810 W. 129TH DR.	WESTMINSTER	CO	802340000	444 SILVERGLANCE WAY
504736306003	ADAMS LAURIE A.		P.O. BOX 98	RICO	CO	813320000	441 SILVERGLANCE WAY
504736306004	WARD HEATH S. & WENDY J. WARD(JT)		4102 BAILEY DR.	WINTERVILLE	NC	285900000	446 SILVERGLANCE AVE
504736306005	MARTIN ROD		P.O. BOX 291	RICO	CO	813320000	448 SILVERGLANCE WAY
504736306009	EBERT MICHAEL & BETTS, BARBARA	(JT)	P.O. BOX 132	RICO	CO	813320000	456 SILVERGLANCE WAY

504736306010	HOLMES DANIEL RICHARD		P.O. BOX 128	RICO	CO	813320000	454 SILVERGLANCE WAY
504736306011	PUTNAM DOUG & CINDY		P.O. BOX 296	RICO	CO	813320000	443 SILVERGLANCE WAY
504736306014	RICO TOWN OF		P.O. BOX 56	RICO	CO	813320000	442 SILVERGLANCE WAY
504736306015	RICO TOWN OF		P.O. BOX 56	RICO	CO	813320000	466 SILVERGLANCE WAY
504736306016	RICO TOWN OF		P.O. BOX 56	RICO	CO	813320000	
504736306017	TURRIN MICHAEL J.		P.O. BOX 3641	TELLURIDE	CO	814350000	464 SILVERGLANCE WAY
504736306018	ERICKSON FAMILY TRUST DATED	FEBRUARY 20, 2002	13002 SOUTH 37TH STREET	PHOENIX	AZ	850440000	462 SILVERGLANCE WAY
504736306019	GUSKEA MICHAEL L. & KYRIAKAKIS,	SOPHIA I. (JT)	P.O. BOX 1390	TELLURIDE	CO	814350000	460 SILVERGLANCE WAY
504736306020	RICO TOWN OF		P.O. BOX 56	RICO	CO	813320000	447 SILVERGLANCE WAY
504736306022	POSTON SCOTT L.		P.O. BOX 126	RICO	CO	813320000	445 SILVERGLANCE WAY LOT 12
508501100003	RICO MASONIC TEMPLE ASSOCIATION	C/O GLEN BAER	813 N. SLIGO ST.	CORTEZ	CO	813210000	15050 HWY 145
508501100004	DISPOSITION PROPERTIES, LLC	C/O EMMERSON ENTERPRISES, INC.	14555 N. SCOTTSDALE ROAD, STE 330	SCOTTSDALE	AZ	852540000	BRITTLE SILVER
508501100032	SAN JUAN NATIONAL FOREST	DEPT. OF AGRICULTURE	15 BURNETTE COURT	DURANGO	CO	813010000	
508501200003	OUTLOOK RESOURCES, INC.		P.O. BOX 1511	IDAHO SPRINGS	CO	804520000	BLUE
508501200011	DISPOSITION PROPERTIES, LLC	C/O EMMERSON ENTERPRISES, INC.	14555 N. SCOTTSDALE ROAD, STE 330	SCOTTSDALE	AZ	852540000	HALF LOAF,LITTLE GEORGE,LOWLAND
508501200012	DISPOSITION PROPERTIES, LLC	C/O EMMERSON ENTERPRISES, INC.	14555 N. SCOTTSDALE ROAD, STE 330	SCOTTSDALE	AZ	852540000	HAL POINTER HIGHLAND CHIEF LITTLE
508501200013	DISPOSITION PROPERTIES, LLC	C/O EMMERSON ENTERPRISES, INC.	14555 N. SCOTTSDALE ROAD, STE 330	SCOTTSDALE	AZ	852540000	HELEN C.
508501200016	DISPOSITION PROPERTIES, LLC	C/O EMMERSON ENTERPRISES, INC.	14555 N. SCOTTSDALE ROAD, STE 330	SCOTTSDALE	AZ	852540000	MILLIE
508501200017	MC CLELLAN CASEY		29985 HWY 184	CORTEZ	CO	813210000	PROMETHEUS
508501200018	OUTLOOK RESOURCES, INC.		P.O. BOX 1511	IDAHO SPRINGS	CO	804520000	PROMETHEUS
508501200020	DISPOSITION PROPERTIES, LLC	C/O EMMERSON ENTERPRISES, INC.	14555 N. SCOTTSDALE ROAD, STE 330	SCOTTSDALE	AZ	852540000	SILVER GLANCE 1
508501200022	DISPOSITION PROPERTIES, LLC	C/O EMMERSON ENTERPRISES, INC.	14555 N. SCOTTSDALE ROAD, STE 330	SCOTTSDALE	AZ	852540000	SILVER GLANCE 4
508501200025	DISPOSITION PROPERTIES, LLC	C/O EMMERSON ENTERPRISES, INC.	14555 N. SCOTTSDALE ROAD, STE 330	SCOTTSDALE	AZ	852540000	SNOW FLAKE
508501200026	DISPOSITION PROPERTIES, LLC	C/O EMMERSON ENTERPRISES, INC.	14555 N. SCOTTSDALE ROAD, STE 330	SCOTTSDALE	AZ	852540000	STAR
508501200027	DISPOSITION PROPERTIES, LLC	C/O EMMERSON ENTERPRISES, INC.	14555 N. SCOTTSDALE ROAD, STE 330	SCOTTSDALE	AZ	852540000	STEPHANITE
508501200028	DISPOSITION PROPERTIES, LLC	C/O EMMERSON ENTERPRISES, INC.	14555 N. SCOTTSDALE ROAD, STE 330	SCOTTSDALE	AZ	852540000	SYNDICATE
508501200029	DISPOSITION PROPERTIES, LLC	C/O EMMERSON ENTERPRISES, INC.	14555 N. SCOTTSDALE ROAD, STE 330	SCOTTSDALE	AZ	852540000	TELEGRAPH
508501200031	DISPOSITION PROPERTIES, LLC	C/O EMMERSON ENTERPRISES, INC.	14555 N. SCOTTSDALE ROAD, STE 330	SCOTTSDALE	AZ	852540000	W.L. STEPHANS
508501300023	DISPOSITION PROPERTIES, LLC	C/O EMMERSON ENTERPRISES, INC.	14555 N. SCOTTSDALE ROAD, STE 330	SCOTTSDALE	AZ	852540000	SILVER CACHE
508502100008	MARQUEZ MILROSE M.		3895 SOUTHAMPTON TERRACE	FREEMON	CA	945550000	15050 HWY 145
508502100009	ATKINS VICTORIA MARIE		104 EAST CARPENTER STREET	CORTEZ	CO	813210000	15050 HWY 145
508502100010	BOYKIN KELLY ANN		P.O. BOX 322	RICO	CO	813320322	15323 ROAD 55.9 LOT 4
508502100011	BARGER STEVEN D. & DICKSON, K.	LAURIE (JT)	4035 N. LUGANO WAY	FLAGSTAFF	AZ	860040000	15050 HWY 145
508502100012	GRIEBEL GERALD W. & MARILYN		P.O. BOX 278	RICO	CO	813320000	15395 ROAD 55.9 LOT 6
508502100013	LAPP TYLER DAVIS & KLARA (JT)		P.O. BOX 28	RICO	CO	813320000	15374 ROAD 55.9 LOT 7
508502100014	STEVENS PETER		P.O. BOX 284	RICO	CO	813320000	15476 RAOD 55.9 LOT 8
508502100015	FARRAR LESIA NATALIE & BRITT	TYLER FARRAR (JT)	P.O. BOX 156	RICO	CO	813320000	15502 ROAD 55.9 LOT 9 SUNDIAL
508502100016	GILL RICHARD		1450 EAST 820 NORTH	PROVO	UT	846060000	15050 HWY 145 LOT 10
508502100018	BRANNON CHARLES & CYNTHIA	BRANNON (JT)	27758 HWY 145	DOLORES	CO	813230000	15050 HWY 145
508502100019	BRANNON CHARLES ALLEN & CINDY L.	BRANNON (JT)	27758 HWY 145	DOLORES	CO	813230000	15550 ROAD 55.9 LOT 13
508502100020	LAPP TK FAMILTY TRUST,A COLORADO	TRUST	P.O. BOX 28	RICO	CO	813320000	15050 HWY 145 LOT 14 SUNDIAL
508502100021	PHILLIPS JOHN A. & MARILYN B.(JT)		500 SOUTH HASSAYAMPA	PRESCOTT	AZ	863030000	15336 ROAD 55.9 LOT 4
508502100022	NELSON ROD & PATRICIA J. SCHILLE		13807 WINTERWOOD WAY SE	ALBUQUERQUE	NM	871230000	15322 ROAD 55.9
508502100023	SYMONDS MATTHEW		P.O. BOX 506	FARMINGTON	NM	874990000	15300 ROAD 55.9
508502100027	SAN JUAN NATIONAL FOREST	DEPT. OF AGRICULTURE	15 BURNETTE COURT	DURANGO	CO	813010000	
508502100028	SUNDIAL PROPERTY OWNER'S ASSOC.		P.O. BOX 261	RICO	CO	813320000	
508502100029	SUNDIAL PROPERTY OWNER'S ASSOC.		P.O. BOX 261	RICO	CO	813320000	

508502100030	PARENT ARTHUR F., III	C/O BENN VERNADAKIS	P.O. BOX 37	RICO	CO	813320000	15050 HWY 145
508502100031	VANCIL FAMILY TRUST		724 W. SAN ANGELO ST.	GILBERT	AZ	852330000	15301 ROAD 55.9
508502100032	RICO LAND COMPANY, LLC		P.O. BOX 3081	TELLURIDE	CO	814350000	46701 HWY 145 CEMETERY TRACT
508502401007	LEWIS BRYAN E.		31801 HIGHWAY 184	MANCOS	CO	813280000	15748 ROAD 55.8
508502401008	LEWIS BRYAN E.		3180 HWY 184	MANCOS	CO	813280000	15746 ROAD 55.8
508502401009	LEWIS BRYAN E.		3180 HWY 184	MANCOS	CO	813280000	15732 ROAD 55.8
508502401010	LEWIS BRYAN E.		3180 HWY 184	MANCOS	CO	813280000	LOT 4A



NOTICE OF PENDING LAND USE CHANGE APPLICATION

Date: xx-xx-2021

RE: Public Hearing on Land Use Change Application

Dear Property Owner,

You are receiving this public notice as required by Dolores County because you own property within half of mile of a proposed Land Use Change Application. See the enclosed Application Site Map.

Name of Applicant: Mike Popek & Alana Karen

Existing Land Use: Residential Vacant

Proposed Land Use: Entertainment and Recreational Facilities

Address: 45937 Colorado Highway 145, Rico, Colorado 81332

Site Size: Both Parcels = 49 acres more or less

Review Authority: Dolores County Board of County Commissioners

Planning Commission Hearing Date: XXXXXX xth, 2020

Board of County Commissioners Hearing Date: XXXXXX xth, 2020

Location of Public Hearings: Dolores County Building, 409 N. Main Street, Dove Creek, CO 81324

Send emailed comments addressed to the dcmanager-project@fone.net and/or gregg@alpinelandconsulting.com

Or by surface mail to:

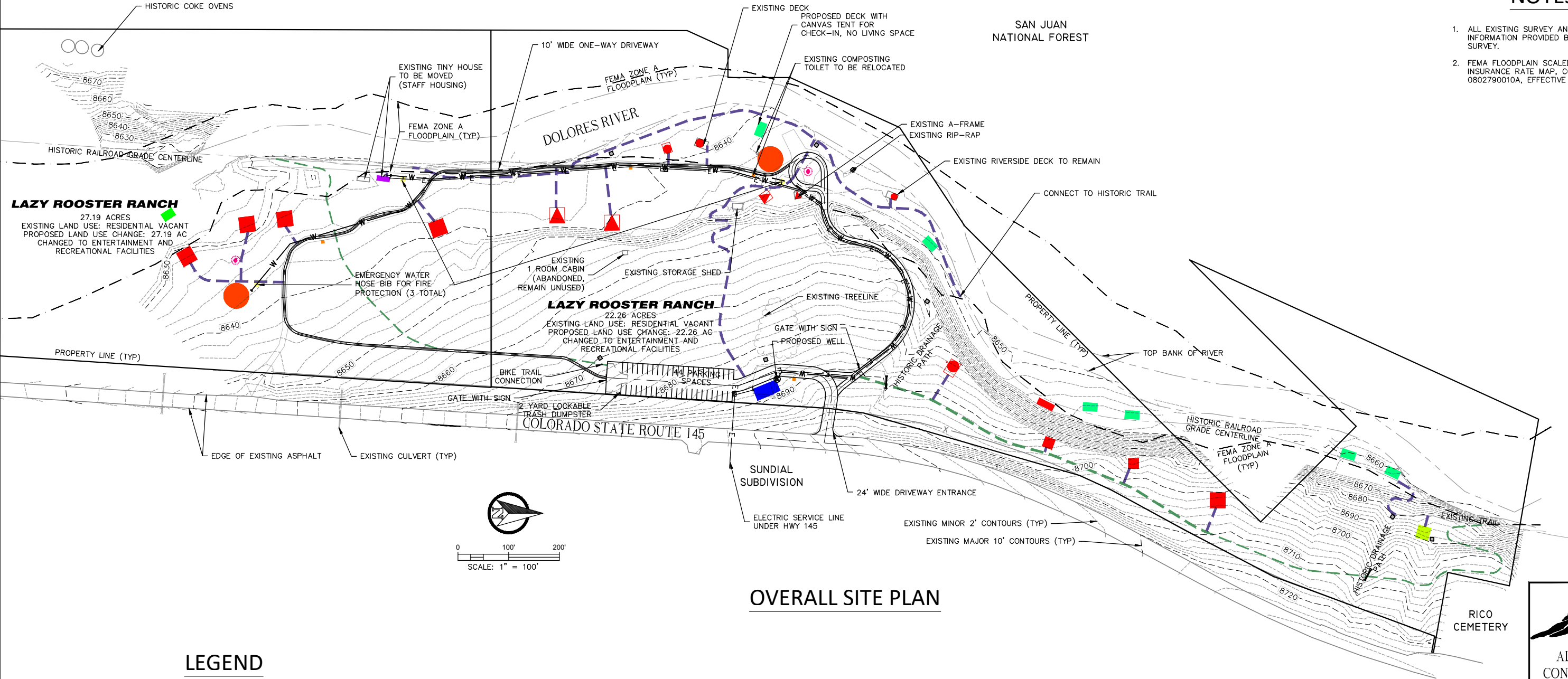
Margret Daves
Dolores County
409 N. Main Street
Dove Creek, CO 81324

Gregg Anderson
Alpine Land Consulting
PO Box 234
Rico, CO 81332
970-708-0326

EXHIBIT F

NOTES

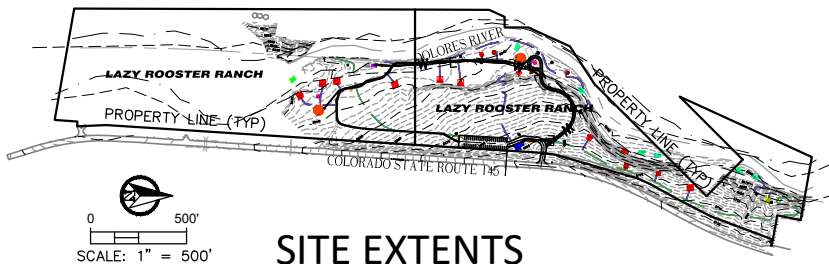
1. ALL EXISTING SURVEY AND TOPOGRAPHIC INFORMATION PROVIDED BY ALL POINTS LAND SURVEY.
2. FEMA FLOODPLAIN SCALED FROM FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 0802790010A, EFFECTIVE DATE MARCH 01, 1986.



OVERALL SITE PLAN

LEGEND

- 4 TIPI ON DECK CAMPSITES
- 4 A-FRAME CAMPSITES
- 8 DISPERSED CAMPSITES, SIZE VARIES
- 2 COMMON BBQ/PICNIC AREAS
- 2 FIRE PIT AND OUTDOOR SEATING
- 4 BATHROOMS (COMPOSTING TOILET) 5'X5' EACH
- 3 HOSE BIBS FOR FIRE PROTECTION
- 1 YOGA DECK OUTDOOR EVENT SPACE 25'X25'
- 6 RIVERSIDE DECK, SIZE VARIES
- 1 STAFF TINY HOME
- 1 GARAGE 24'X48'
- RICO TRAILS ALLIANCE PUBLIC TRAIL
- LAZY ROOSTER RANCH TRAIL



SITE EXTENTS

CALL UTILITY NOTIFICATION
CENTER OF COLORADO
1-800-922-1987
OR
811
CALL 2-BUSINESS DAYS IN ADVANCE
BEFORE YOU DIG, GRADE, OR
EXCAVATE FOR THE MARKING OF
UNDERGROUND MEMBER UTILITIES.

**THIS PLAN HAS
BEEN REDUCED TO
APPROXIMATELY
HALF SCALE
(11"X17")**

NO.	REVISIONS	DATE

ALPINE LAND
CONSULTING, LLC
P.O. BOX 234
RICO, COLORADO 81332
970-708-0326
GREGG@ALPINELANDCONSULTING.COM

LAZY ROOSTER
RANCH
OVERALL SITE PLAN

CLIENT:
MICHAEL POPEK AND ALANA KAREN
C/O JACKI GLOKLER
960 WAVERLY STREET
PALO ALTO, CA 94301

DATE: MARCH 10, 2021

PROJECT #: 2020023

PROJECT MANAGER: GEA
DRAWN BY: ADM

SHEET #: 1

EXHIBIT G: NARRATIVE



Lazy Rooster Ranch is a semi-primitive campground on 49 acres just south of the town of Rico. It will have 16 well-appointed primitive tent spots, tipis and A-frame cabins. Guests will make use of common facilities such as a riverside decks, barbeque areas and fire pits. Activities like fly fishing, hiking and mountain biking are available for use on the property. In addition, an easement has been created with the support of Rico Trails Alliance, in order to create a trail through the property to ensure future public use for bikers and hikers.

Semi-Primitive Campsites

Guests book units online via Airbnb, Hipcamp or our website. Arriving guests will park and hike down to a check in employee canvas tent located near the river. Employees will help guests get settled in at sites using Utility Terrain Vehicles (UTV) (golf cart or similar) on the established maintenance roads. A pre-packed wagon may also be loaded with everything needed for the dispersed camping sites to provide a more rustic experience. Guests will utilize trails to walk to their sites, where they follow simple steps to get everything setup. Upon departure, guests clean and lock up their A-frame and/or site and use wagons to carry things back to their car for departure. This model aims to reduce overhead, limit water & power consumption, and increase guest privacy.

Guest Facilities

Campsites

A mix of primitive dispersed camping, A-frame and Tipi sites will be located on the ranch. The A-frames and Tipi are furnished with a queen mattress, area rug, dresser, end tables, individual solar powered charging stations and portable drinking water. No sinks, bathrooms, or showers are provided at these sites. However, a propane heater may be provided for heat. Each site will

have an outdoor seating area with a fire pit. The dispersed camping sites are reserved for pitching tents with sleeping pads, sleeping bags, camping chairs, and other basic camping accessories. No RV's or camping rigs will be allowed, as these dispersed camping site are located along trails with no vehicular access. Composting toilets will be dispersed around the ranch with access from any campsite.

A total of 16 guest site will be installed with the breakdown listed below.

Single sites	2 guest sites	4 guest sites
1-3 Dispersed Tent Sites	2 Tipis	2 Tipis
-	4 A-Frames	1 Dispersed Tent Site
-	1-3 Dispersed Tent Sites	-



Figure 1: Example of Tipi sites



Figure 2: Example of A-frame sites



Figure 3: Firepits at each site



Figure 4: Bench/Picnic table at dispersed sites

Common facilities

Additional areas & structures will be placed around the ranch for shared guest use. Special consideration will be made for fire protection around shared and private campsite fire pit areas in order to help prevent forest fires. There are 3 planned hose bibs strategically placed onsite (see water section below and utility construction plan). In addition, 1' of gravel or sand will be placed below and within 3' of any fire pit located on Lazy Rooster Ranch.

- Fire pit
- Barbeque Area
- Welcome and check-in canvas tent
- Restroom – composting toilets
- Riverside Decks
- Dumpster



Figure 5: Outdoor Firepit



Figure 6: Composting Toilet/Restroom

Figure 7: Canvas Tent for Check-in



Figure 8: Informational Signs

*Photos are for illustrative purposes and are chosen to reflect approximate design & scale

Campground Infrastructure

1. Entrance, Exit & Parking

One entrance and exit gate is located approximately across from the Sundial Subdivision entrance on Highway. This is the existing location for the Northern Parcel.

- A. Applicant is submitting an application with CDOT to relocate the approved access to the existing location and for the upgrade to campground use. (contact: jo.heinlein@state.co.us)
- B. Guest parking to be installed along the new road near the entrance gate and welcome kiosk*

2. Roads & Trails

A single one-way road will support car traffic along with some 4' wide walking trails for foot/bike traffic.

- A. Entrance road will be 24' wide with 2-12' lanes from the highway to the parking area.
- B. A 12'-wide maintenance road will loop down to the check-in building for employee use only. A gate will be installed at entrance to maintenance road.
- C. A 4' wide two-track access will continue through the campsites and property for maintenance and smaller vehicular traffic only (i.e. side by side UTV, golf cart, etc.). A gate will be installed at entrance/exit of maintenance access.
- D. The current trail along the river and old railroad grade will be restricted from public access until the location of the old railroad bridge crossing.
- E. The Town of Rico and/or Rico Trails Alliance has agreed to build and maintain a public access trail along the fence line adjacent to Highway 145. LRR has granted an easement for this trail to pass through both properties and currently The Town of Rico and The Rico Trails Alliance is researching a pedestrian bridge at the historic location of the railroad grade river crossing. This is a long term goal of The Town of Rico, The Rico Trails Alliance, and Lazy Rooster Ranch.

3. Garbage & recycling

Guests pack out refuse from each unit and put all refuse in centrally-located animal-proof 2 yard dumpster bins to be serviced by a garbage collection provider at the parking lot. Recycling units will be provided if local garbage collection company provides this type of service.

4. Sewage

Manufactured composting toilets are accessible from each guest unit. A total of 4 composting toilets will be provided. Onsite Wastewater Treatment System (OWTS) or commonly known as a septic system, will be provided for the employee Tiny Home located onsite. This is the only full

time residence (staff use only) located on the property and will require an OWTS for any water service to the building.

5. Water

Applicants obtained a commercial exempt well permit (permit number 319957 - receipt number 10008341). A well will be installed near the highway entrance in order to support Lazy Rooster Ranch in the following manner:

- A. Fire protection hose bibs will be located strategically near the communal fire pits
- B. Tiny Home (staff housing) to be serviced with water which is connected to an OWTS
- C. No camping sites will have running water at this time, as this is considered a primitive campground.

6. Electricity

The Ranch will use individual solar units for lights and charging stations as its primary electrical source for all primitive camping sites. Common facilities & other staff quarters will be provided with electrical service via SMPA. An electrical service line has been installed under the highway to a transformer. Electrical service lines will be installed from the transformer as needed throughout the ranch.

Projected Infrastructure Costs

1	Install 44 parking spaces	\$10,000
2	Install maintenance road loop and CDOT access	\$16,000
3	Install garbage bins in common areas	\$2,500
4	Install well, 1500 gal storage & service to employee tiny home	\$25,000
5	Install SMPA service	\$27,000
	Total	\$80,500

Operating Details

The Ranch will open to the public for about four and a half months to five and a half months. The applicants have no current plans to remain open during winter months at this time.

Occupancy, Capacity & Usage Projections

The 2021 season will have relatively low occupancy compared to long term expectations. 2022 will be more reflective of expected occupancy of the initial 12 guest sites. Construction of additional sites (maximum 16 sites) will be considered as demand changes, no sooner than the summer of 2022.

The Ranch may host primitive special events such as small weddings. Overnight capacity will remain unchanged for special events - daytime guests will leave the property by 10pm. These additional day users may require trucked in portable water and porta-john services from a vendor.

	Avg Overnight Guests	Capacity	Special Events	Max Special Event Guests
Summer 2021	18	24	1	50
Winter 2021	Will not operate			
Summer 2022	25	27	2	50
Winter 2022	No current plans			
Summer 2023	27	27	4	50

** Possible addition of capacity depending on demand and availability of potable water and portable toilets/porta-johns*

Jobs

General Manager Onsite (1 full-time, half year employee)

- Daily operations
- Bookings
- Back office

Host Onsite (2 seasonal day employees, no residency on property)

- Guest relations & concierge
- Onsite activities coordination
- Housekeeping as needed

Landscaper (vendor)

- Trails & roads
- Trees, plants, weeds

Handyman/maintenance (vendor)

- Building/tent repair
- Infrastructure maintenance/repair

Expected Revenue Streams

Guest unit rentals: nightly fees collected for overnight use of the campsites

Retail purchases: Merchandise, equipment & sundries sold via a general store and/or vending machines

Partner commissions: Referral fees from local guides and outfitters

Events & weddings: Larger group events & weddings (max 27 guests)

ECOZOIC RESOURCES

WATERLESS BIOFILTRATION TOILETS

imitating nature for the most efficient + ecologically beneficial experience.

Ecozoic's biofilter toilets are a unique design that are an incredible, sustainable upgrade from porta potties and composting toilets.

Our toilets require little maintenance and handle intensive use with absolutely no need for water, pumping, or manual waste removal.

Solid waste is rapidly broken down over 90%. The byproduct of our process is a liquid fertilizer that can be used to build soil health onsite.

Our attached fan eliminates odor and in-unit lighting makes 24-hr use easy - a truly comfortable experience for everyone.



HOW IT WORKS



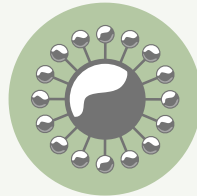
ORGANIC REGENERATION

Our process enables rapid decomposition of waste by **carefully regulating process conditions** to the microbiology.



DEHYDRATION

Waste contents are separated inside our processing chamber. Solid waste is dehydrated in our process, enabling a **rapid transformation of waste & removing smell.**



FERMENTATION

By using our unique mixture of microbes and enzymes to process both liquid and solid waste, this biofiltration toilet is able to **produce probiotic soil amendments (fertilizers).**



RESOURCE RECOVERY

Fertilizer may then be used for ecosystem regeneration, reforestation, or agriculture.

"Closing the loop"

WATERLESS ↔ ODORLESS ↔ RESOURCE RECOVERY

ONSITE BIOLOGICAL TREATMENT

↔ NO POLLUTION ↔ NO CHEMICALS ↔

NO PUMPING OR TRUCKING OF WASTE



WHERE WE'VE BEEN

we're the premier large-scale alternative toilet experts - with over 20 years of experience in the industry.



We've been providing sanitation services for 100% of Boom Festival's 41,000 people for the last 10 years.

You may have seen us recently at the Global Eclipse gathering, providing for 60,000 people over 8 days of use without the need for pumping.

This year, Ecozoic was at a number of other events, and installed at retreat centers and private properties around the country.



YOUR OWN ECOZOIC BIOFILTER

alternative sanitation: we make it easy for you.

With relatively little maintenance, your Ecozoic biofilter toilet will operate for years without ever needing to be emptied.

Forget the smelly cranking, turning, and regular waste removal of traditional compost toilets.

All that's needed with your Ecozoic is:
routine check up on valves & power, healthy microbiology, and cleaning at your discretion.

In high use scenarios (more than 150 people/day), simple in-tank maintenance may be necessary.



Footprint:

1 single unit (one seat)

4' x 15'

1 double unit (2 seats)

7'6" x 15'



CONTACT US

Kelly Erhart

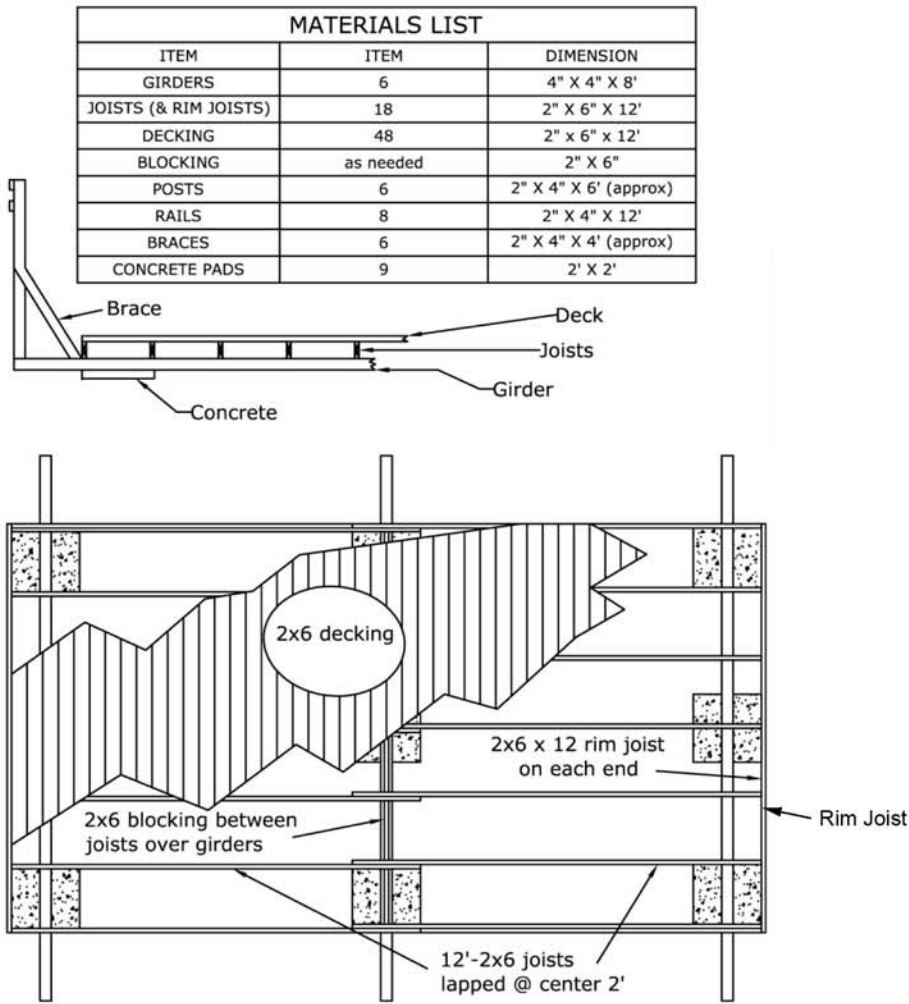
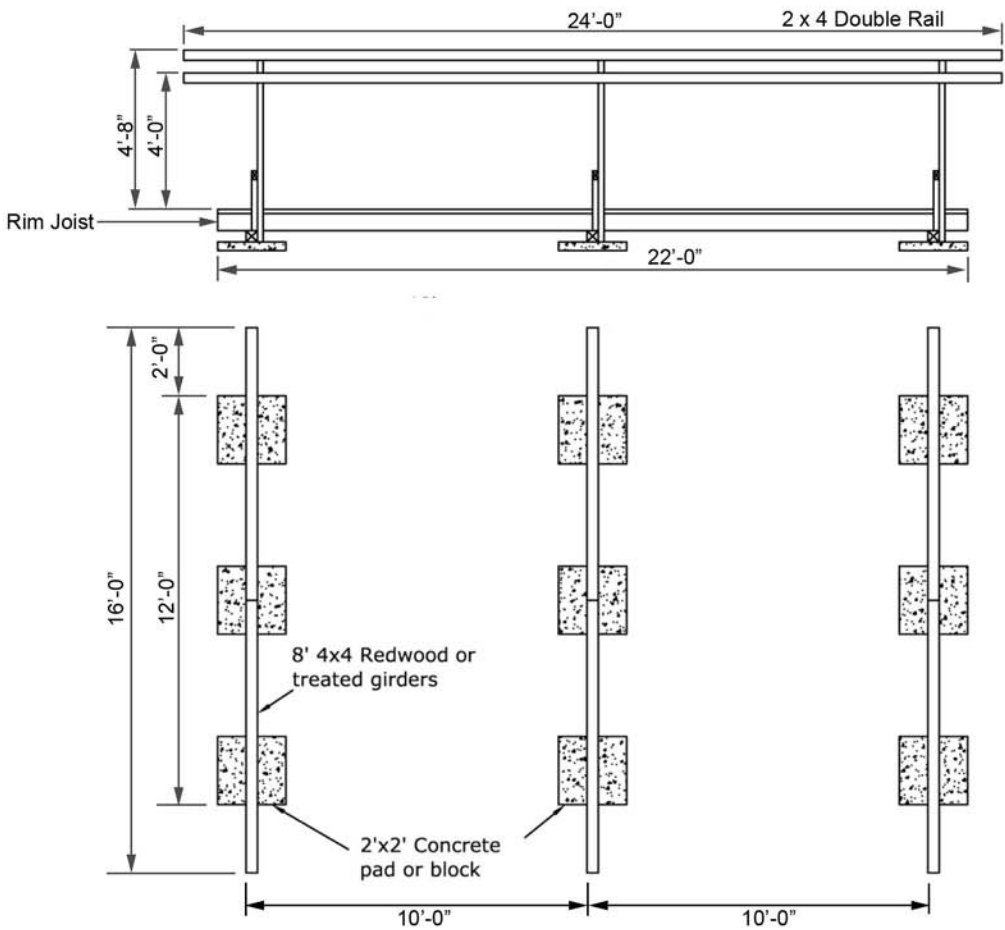
kelly@ecozoicresources.com

WWW.ECOZOICRESOURCES.COM

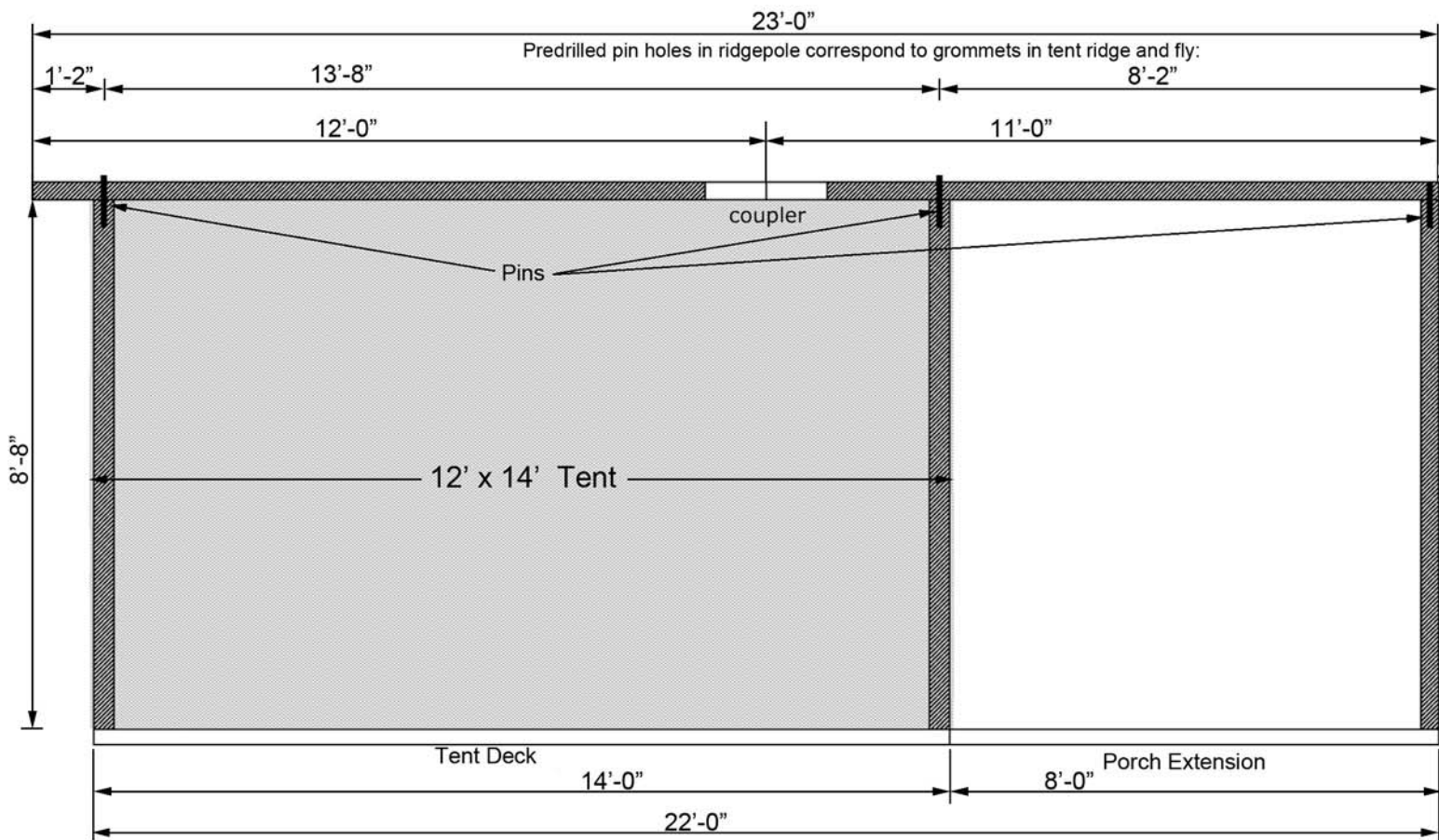


12’ x 14’ PLATFORM WALL TENT WITH EXTENDED FLY

12’ x 22’ Platform for 12’ x 14’ Tent with Extended Fly



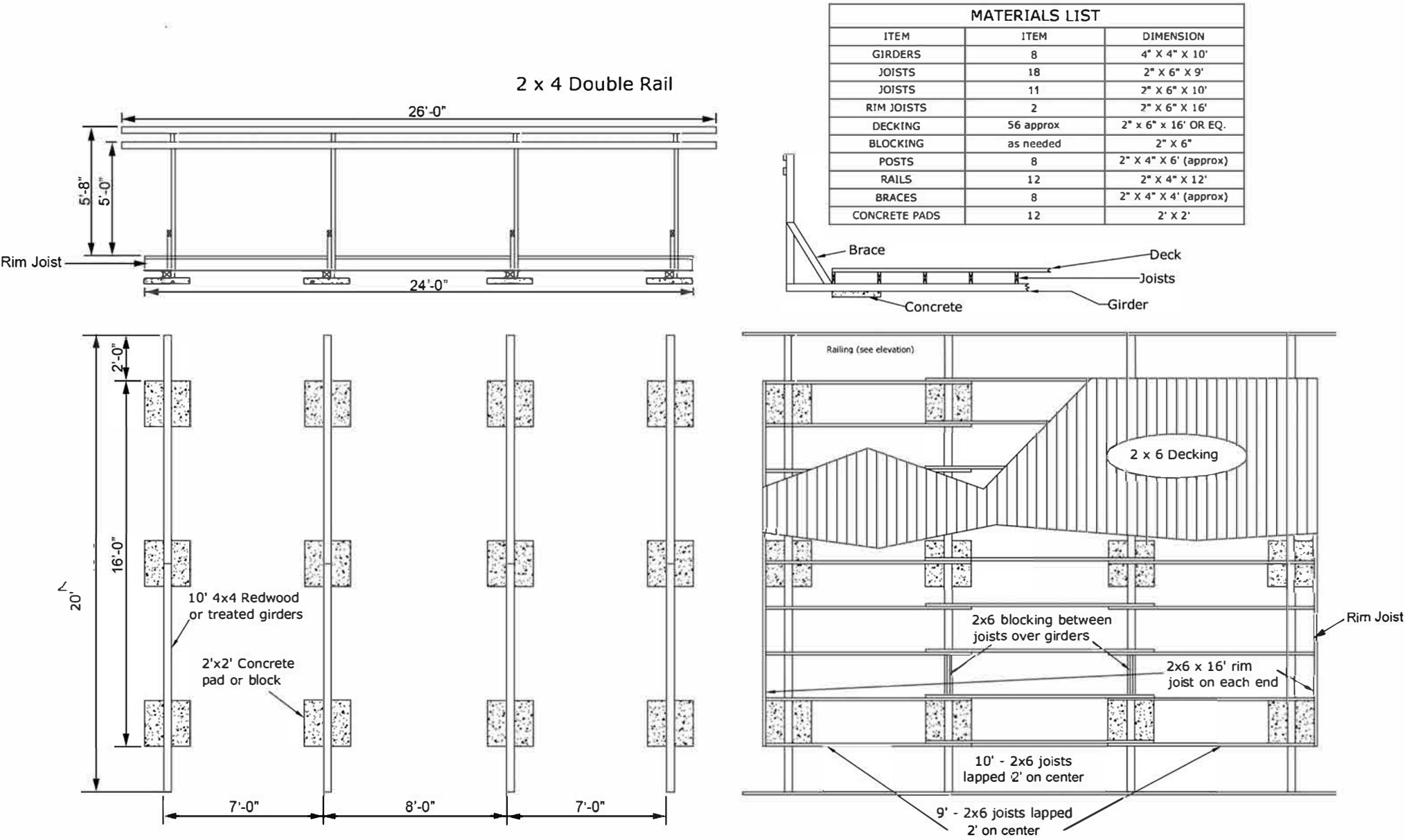
Pole Set for 12’ x 14’ Platform Tent with Extended Fly



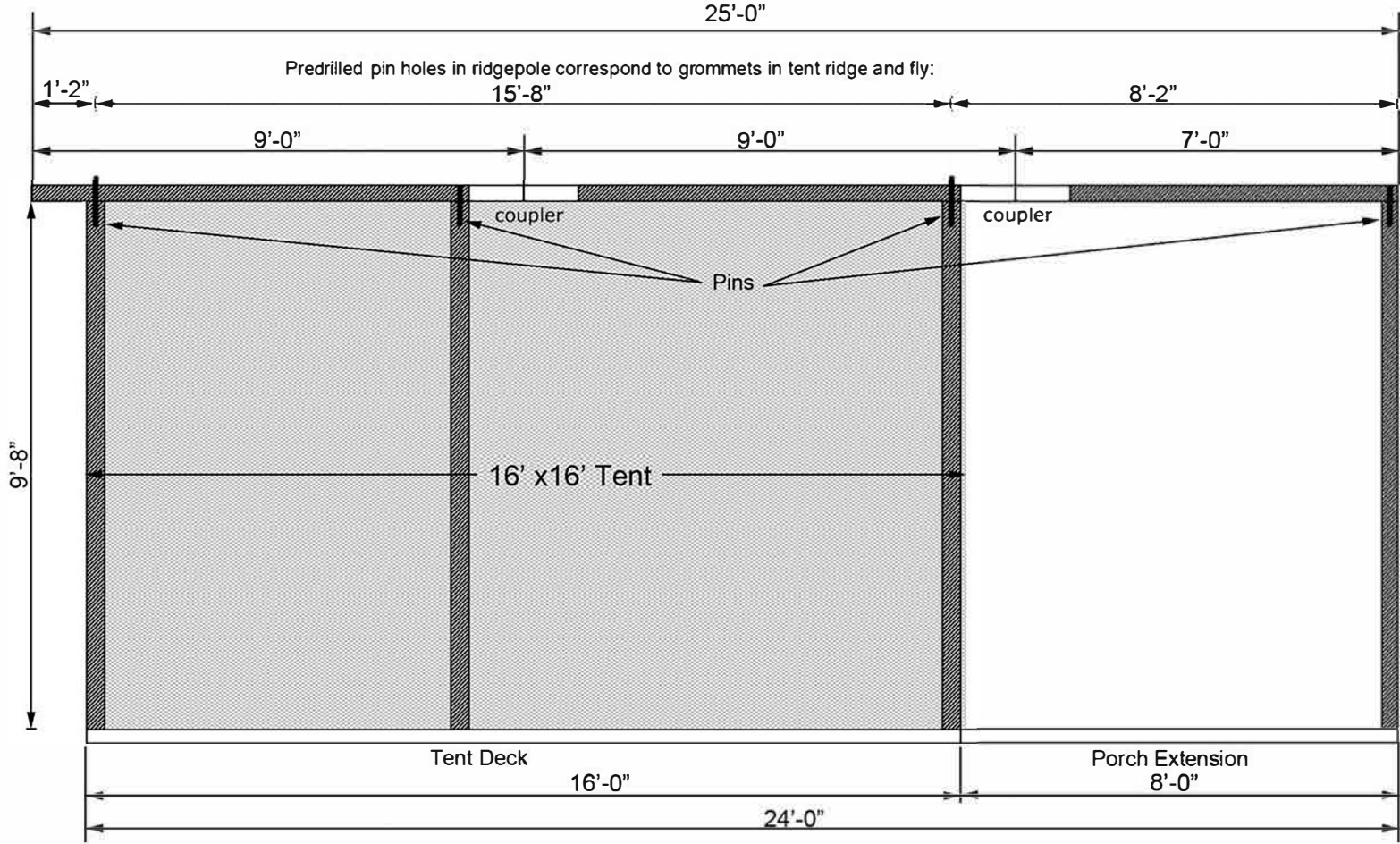


16' x 16' PLATFORM WALL TENT WITH EXTENDED FLY

16' x 24' Platform for 16' x 16' Tent with Extended Fly



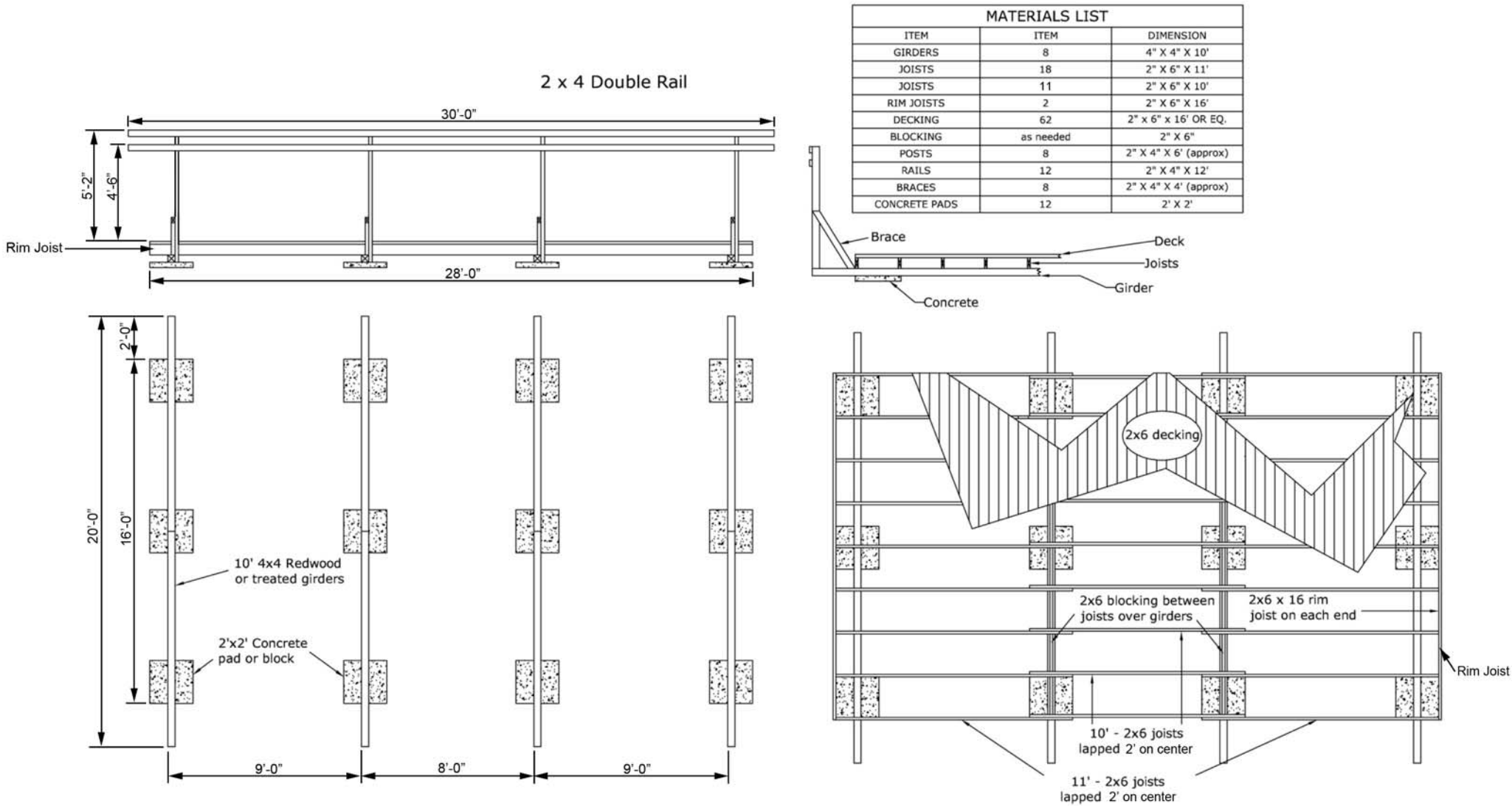
Pole Set for 16' x 16' Platform Tent with Extended Fly





16' x 20' PLATFORM WALL TENT WITH EXTENDED FLY

16' x 28' Platform for 16' x 20' Tent with Extended Fly



Pole Set for 16' x 20' Platform Tent with Extended Fly

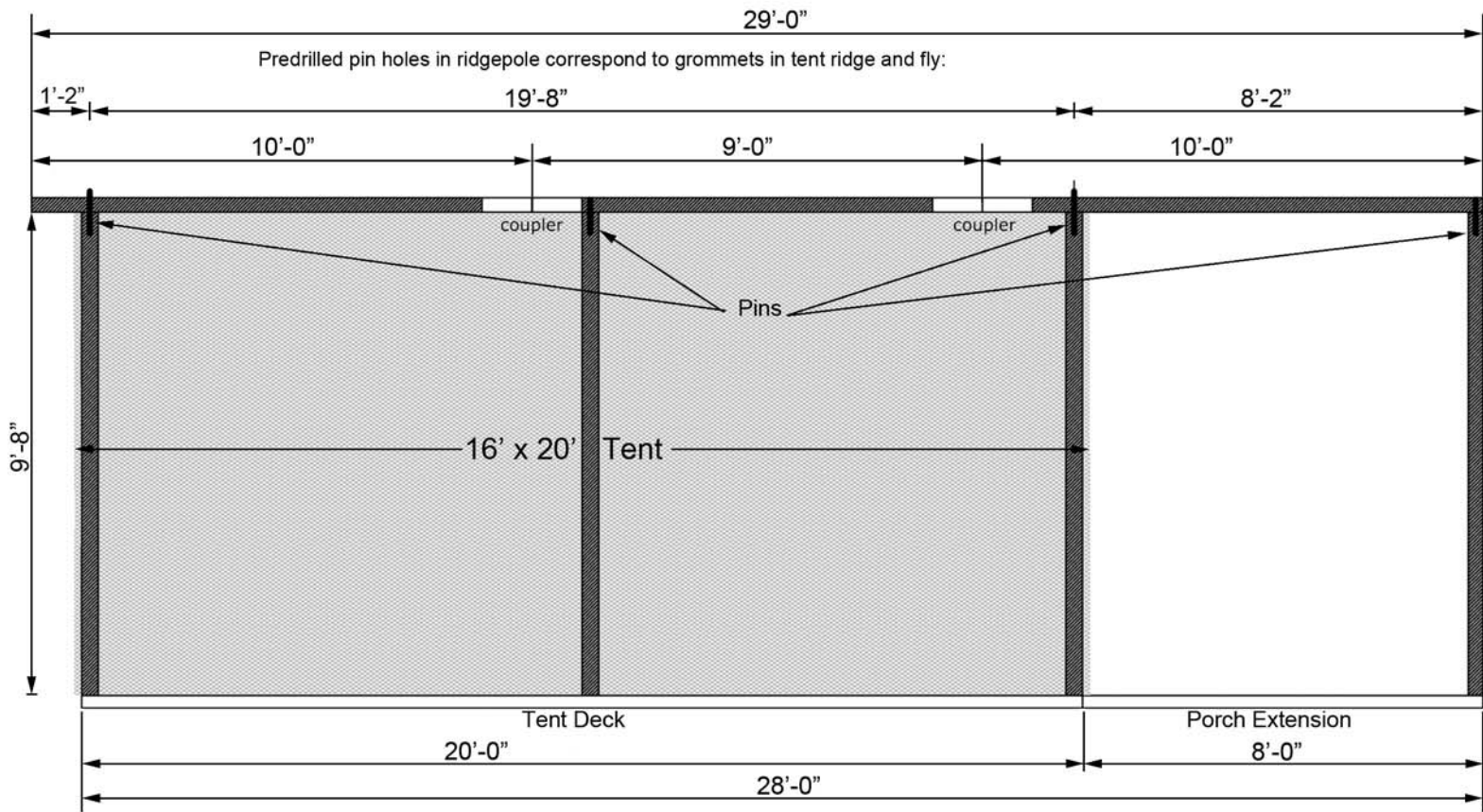


EXHIBIT J

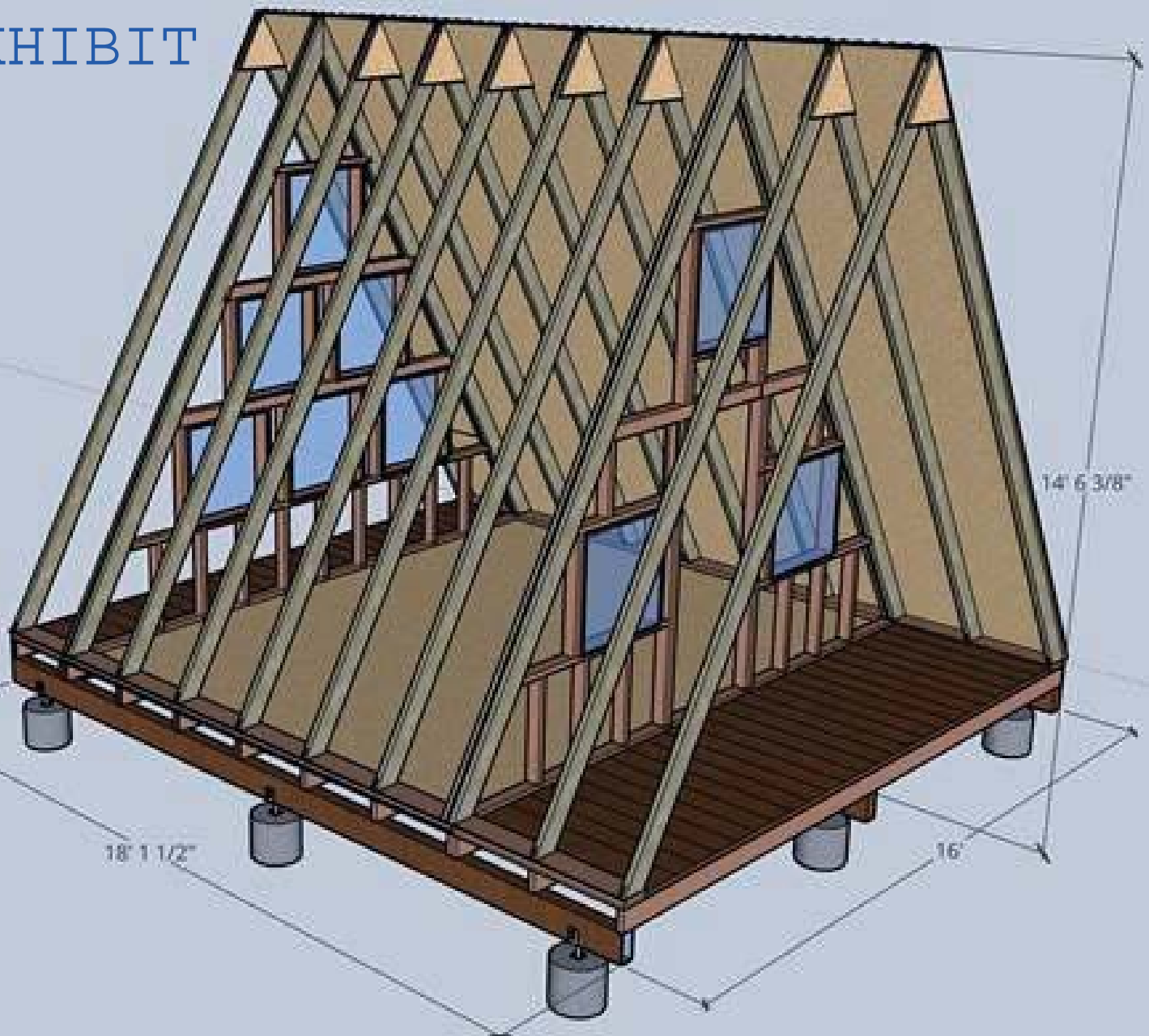
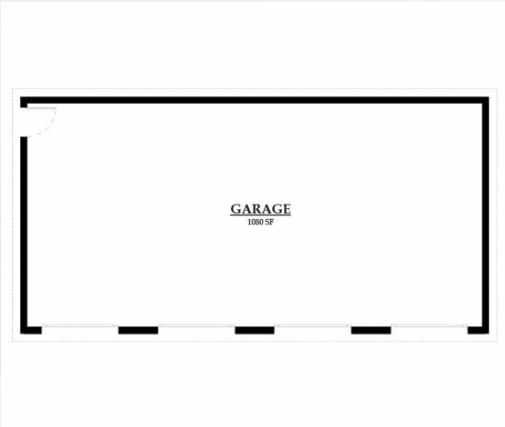


EXHIBIT K



SELLWOOD 48' FLOOR PLAN DETAILS

This sample floor plan for the Sellwood 48' features a wide-open layout that gives owners the ability to create their dream space. This 1,152 sq. ft. structure can house up to four garage bays, or be utilized as a creative workshop for hobbies, spacious office, or storage area for outdoor equipment.

THIS KIT CAN BE CUSTOMIZED FOR SEVERAL BUILDING PURPOSES, INCLUDING:

- Car Garage
- Equipment Storage
- Workshop
- Commercial Building

REQUEST A QUOTE



24' X 48'



Sellwood 48'

888.975.2057

DCSTRUCTURES.COM

BRIEF SUMMARY

- 24' x 48' Garage/Workshop Kit
- 12' - 6.5" Sidewall
- (4) Garage Bays- **Doors not included**
- 7/12 Roof Pitch
- Clear Span Truss Design (No center posts)
- Douglas Fir Purlins
- Tongue & Groove Siding
- Select Grade Cedar Board and Batten Siding Upper Gable End
- Select Grade Tight Knot Cedar Fascia
- Select Tight Knot Cedar Exterior Door Trim
- 2" x 6" Wall Framing Throughout All Exterior Walls
- CDX Roof Sheathing
- Rain Screen Exterior Wall Protection System w/ Vapor Barrier Throughout Exterior
- (1) 3.0 x 6.8 Prehung Knotty Alder Exterior Grade Door w/Bronze Hardware
- (3) Sets of Blueprints Based on Standard Engineering (County specific engineering & engineering wet stamp available)
- Digital Set of Completed Blueprints w/Standard Structural Details
- Builder Support Throughout Construction From Our Licensed Builder Team
- Live 3D walk through of final design (Upon Request)

DETAILED MATERIALS LIST

TRUSSES

- 24' Premanufactured Flat Bottom Chord Trusses

DOOR HEADERS

- 5.5" x 6" Glulam Beams

SIDING

- Select Grade Tongue & Groove Siding
- Select Grade Cedar Board and Batten Siding

TRIM & FASCIA

- Select Grade Tight Knot Cedar

ROOF SHEATHING

- 5/8" CDX Plywood

EQUIPMENT

- Knotty Alder Exterior Door
- Bronze Door Hardware
- Water Resistant Barrier W/ Rainscreen

PURLINS

- 2" x DF

RAFTERS

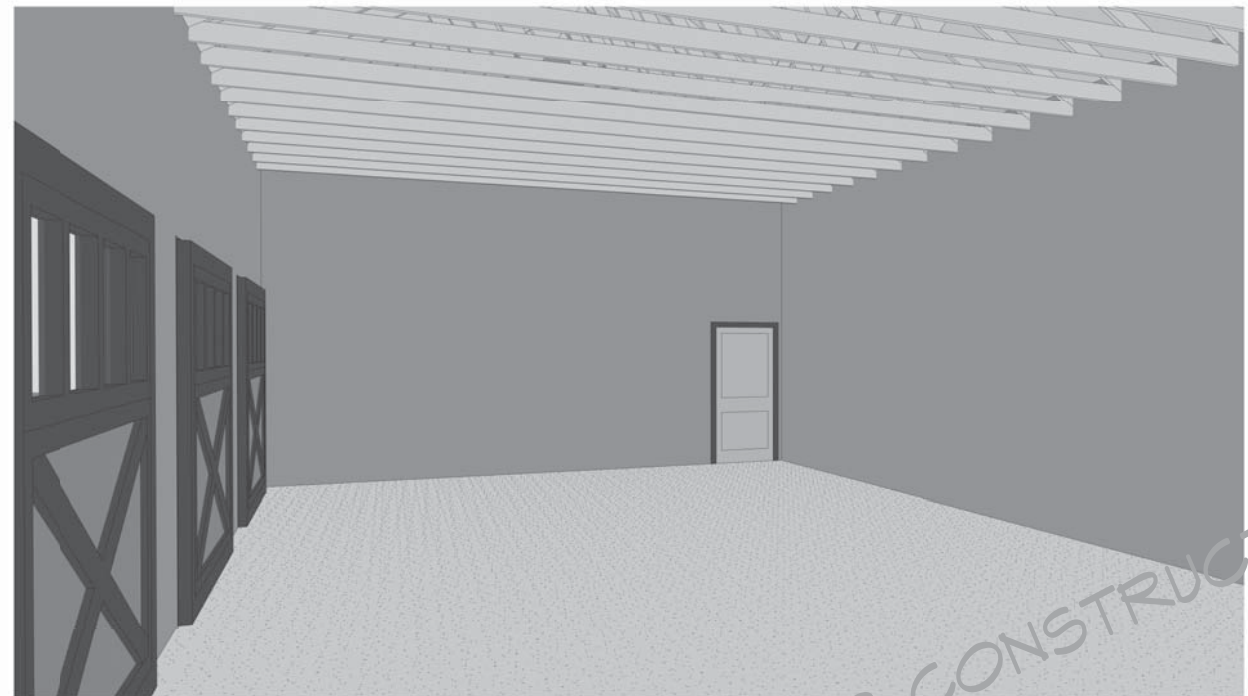
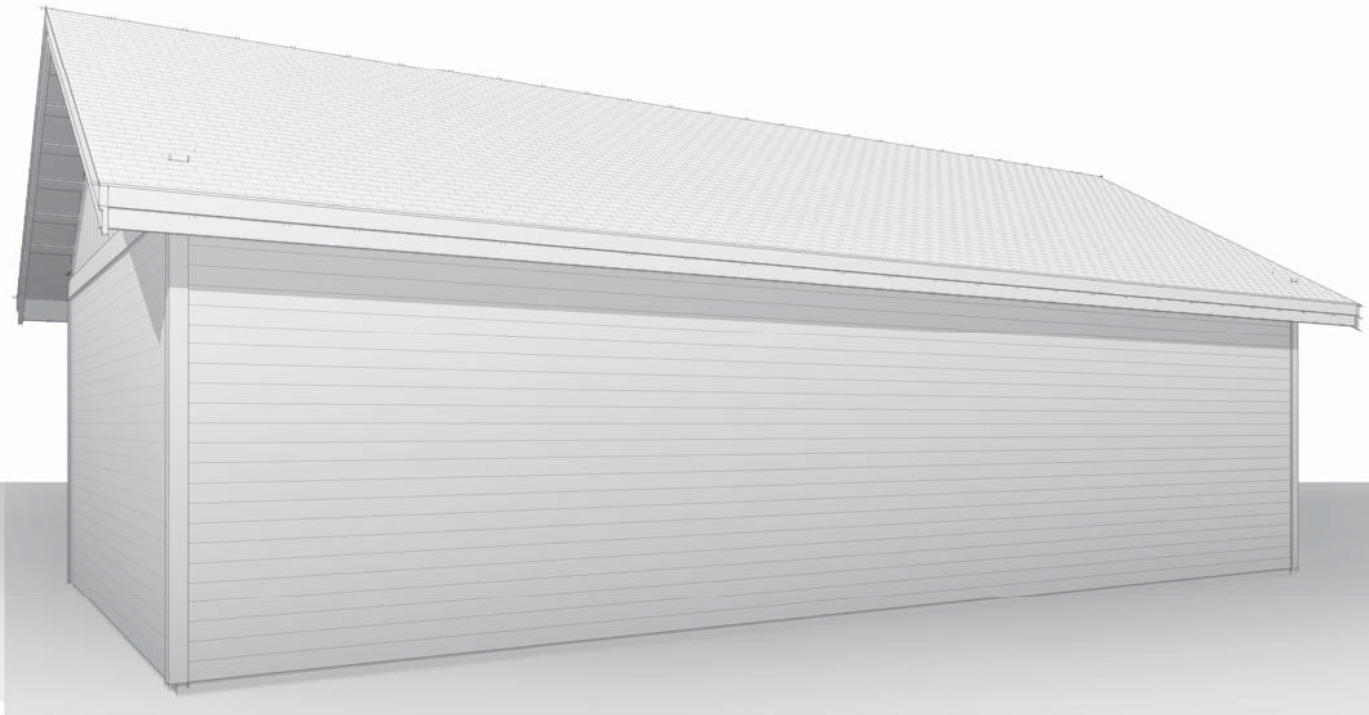
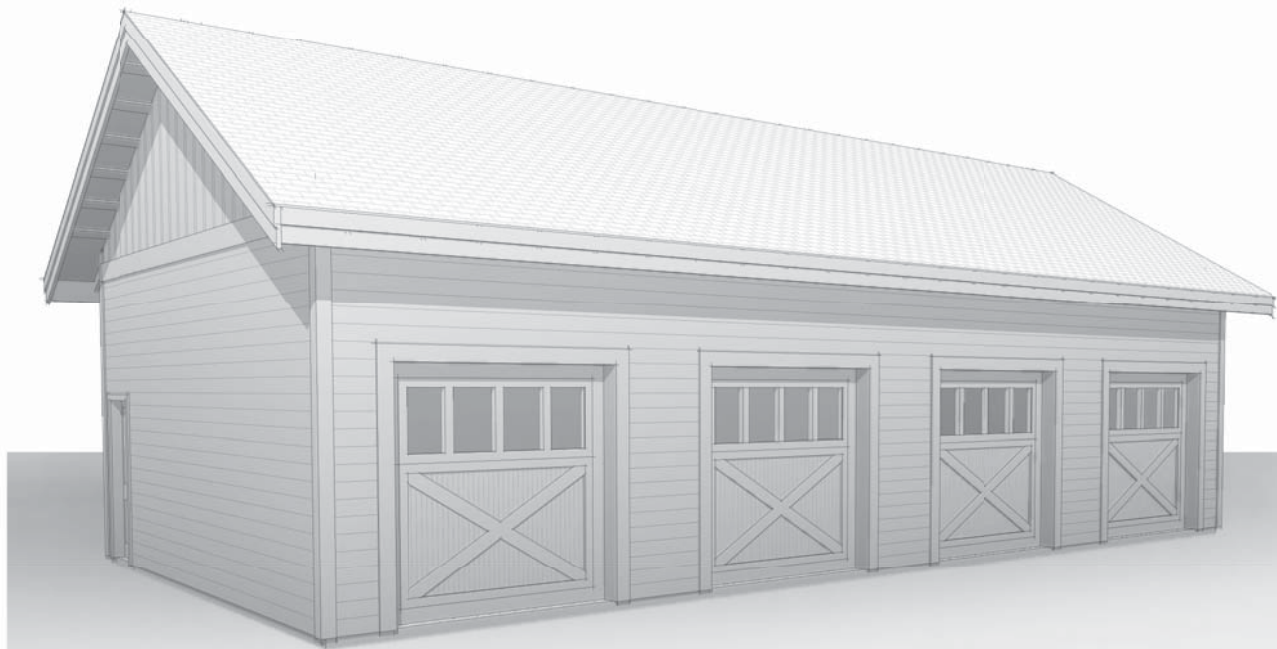
- 2" x DF

HARDWARE

- Joist Hangers
- Nuts/Bolts/Washers
- Framing Angles
- Hurricane Ties
- Sheathing Clips

*Kit does not include roofing material, concrete, nails, labor, or construction services.

*Additional fee for an engineer's stamp may be required in certain localities.



11251 SE 232nd AVE



DAMASCUS, OR 97089

SELLWOOD 24' x 48'
PRODUCT LINE

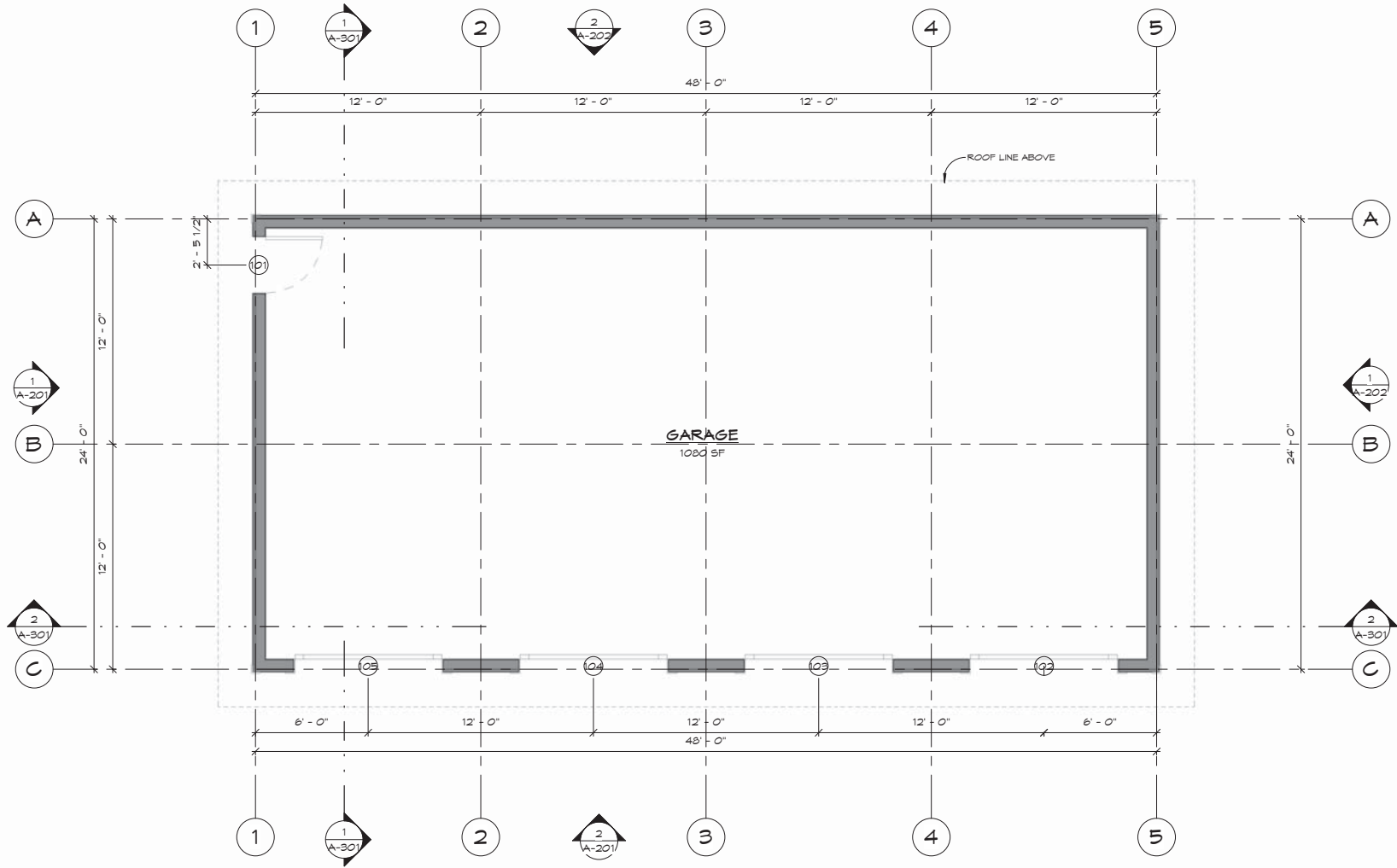
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Drawing Index
No. Date Description

A-002

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11251 SE 232nd AVE



DAMASCUS, OR 97089

SELLWOOD 24' x 48'
PRODUCT LINE

FLOOR PLANS

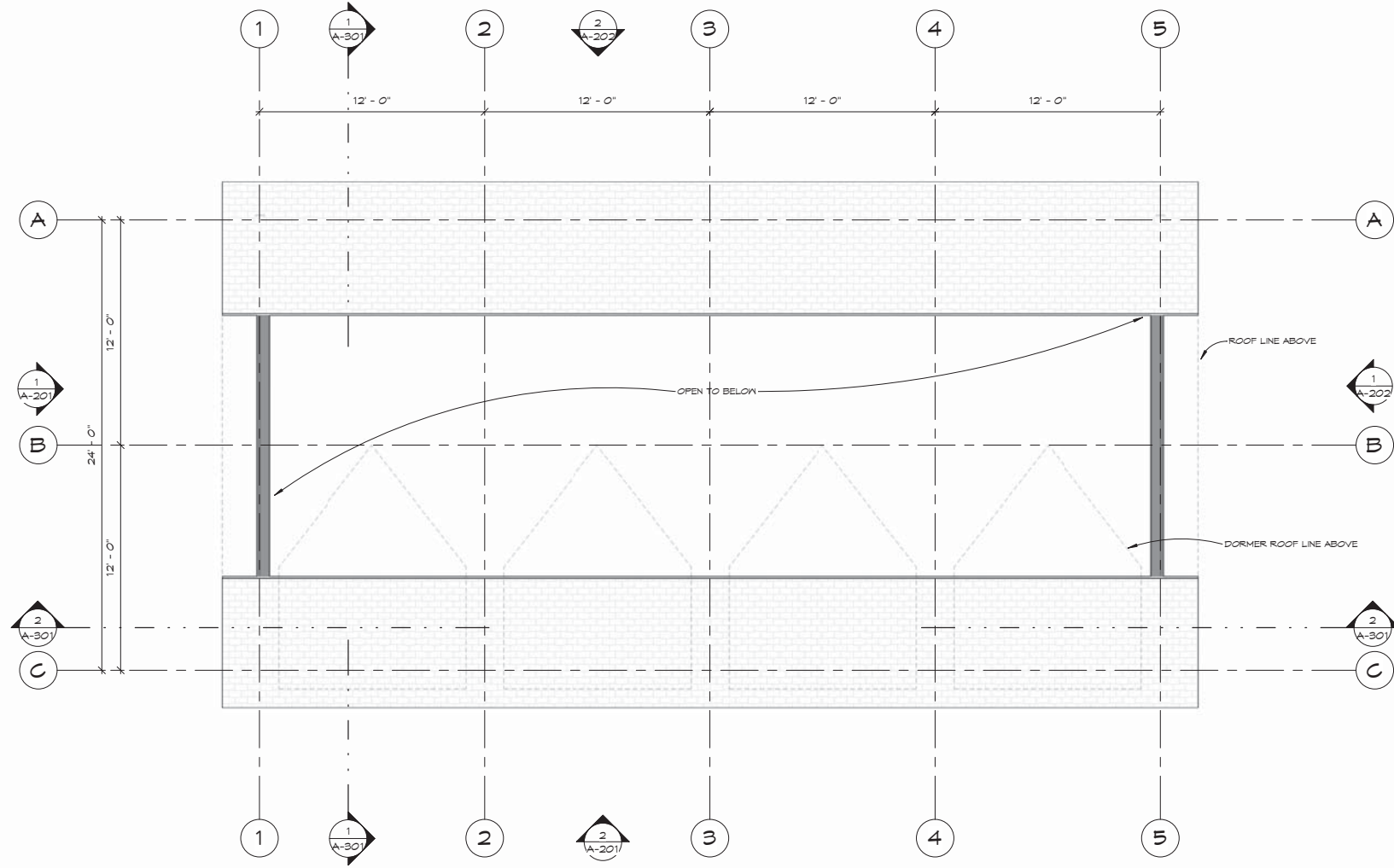
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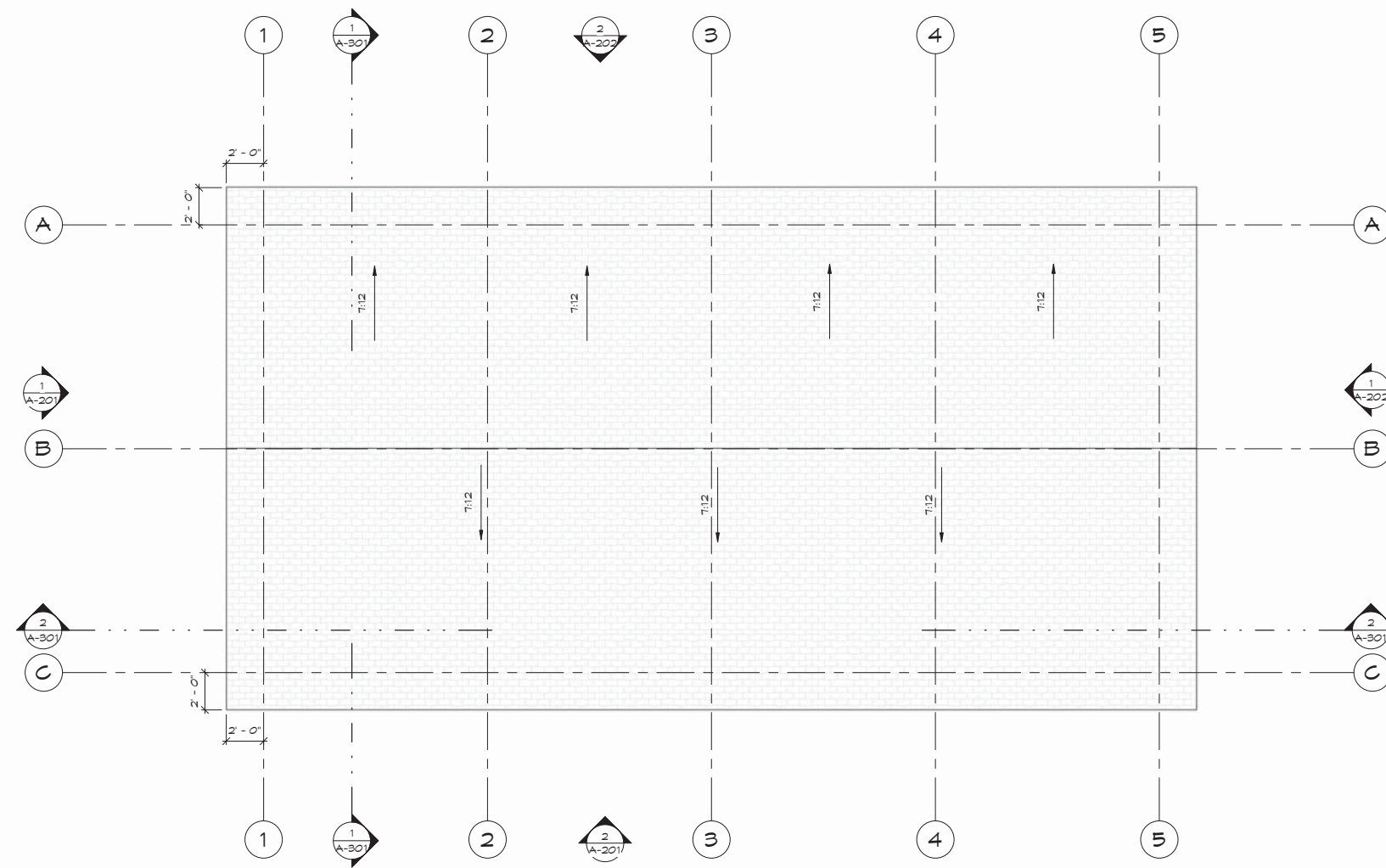
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NOT FOR CONSTRUCTION

2/14/2019 4:11:38 PM



NOT FOR CONSTRUCTION



2/14/2019 9:11:40
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11251 SE 232nd AVE



DAMASCUS, OR 97089

SELLWOOD 24' X 48'

PRODUCT LINE

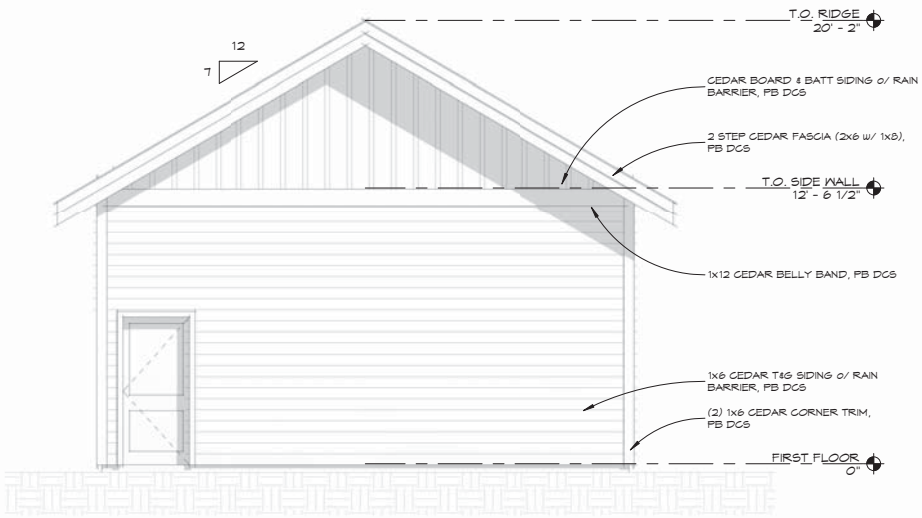
PLAN ROOF

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Drawing Index	
Date	Description

A-103

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11251 SE 232nd AVE



DAMASCUS, OR 97089

SELLWOOD 24' X 48'
PRODUCT LINE

ELEVATIONS

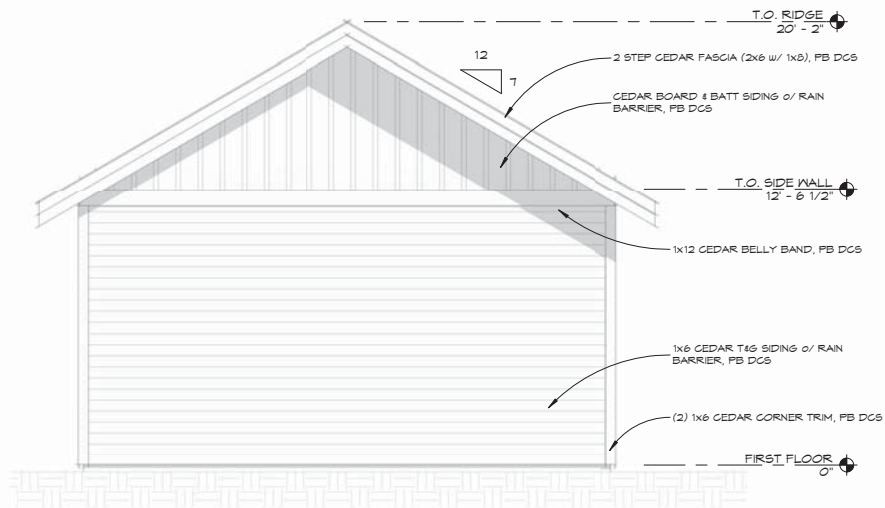
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No. Date Description

A-201

NOT FOR CONSTRUCTION

2/14/2019 9:11:44 AM



11251 SE 232nd AVE



DAMASCUS, OR 97089

SELLWOOD 24' X 48'
PRODUCT LINE

ELEVATIONS

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Author
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Drawing Index
No. Date Description

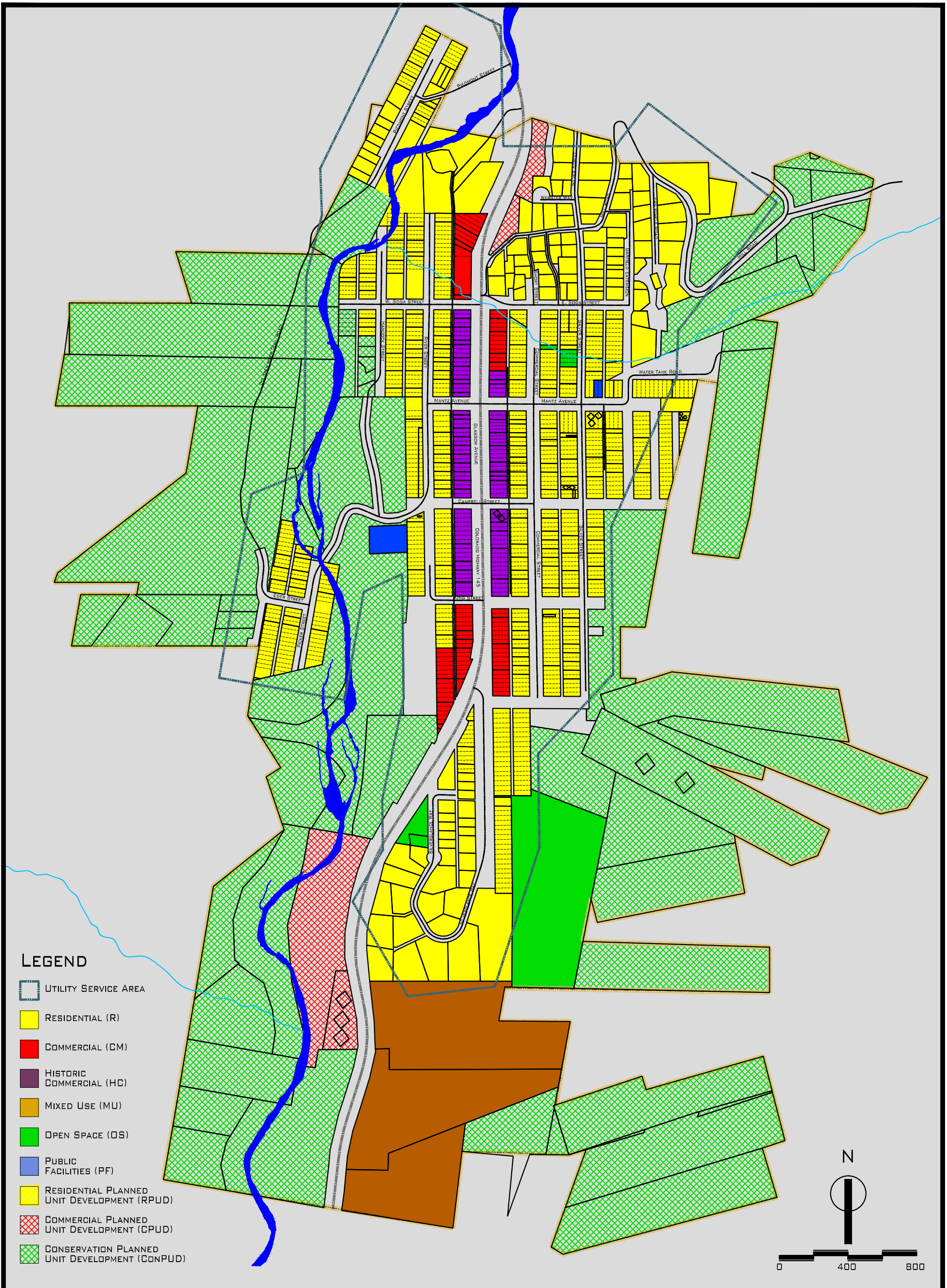
A-202

NOT FOR CONSTRUCTION

ARTICLE
WATER POLICIES

The Town of Rico has limited water resources for supplying new development in the town. In addition, the infrastructure capacity will not accommodate significant growth without improvement and upgrades. It is the position of the Town that new development must pay its own way. While embracing new development and the benefits of new development to the overall vibrancy and success of the Town, that must be balanced with the limited resources available. The following policies will guide the issuance of water taps to the Town's water system, and approvals of new development.

1. The water service area of the Town of Rico is as depicted on Exhibit A. The service area does not include properties that are considered to be non-developable due to environmental hazards such as avalanche, rockfall, slope, wetlands, flood plain. These areas do not lend themselves to cost-effective extension of water service, and may not qualify for development permits due to their location.
2. Within the service area, the Town anticipates one tap per developable lot to serve one single-family dwelling or commercial business. Projects requiring more than one tap because of a proposed PUD, subdivision, or special use will be required to either provide additional water and water rights to serve the additional uses or may be permitted to pay an "in-lieu" fee commensurate with the additional uses to assist the Town in acquiring additional water and water rights, or to expand/improve the Town's water infrastructure.
3. Any proposed development outside of the service area will need to provide an adequate supply of water for the proposed development for dedication to the Town, or may be permitted to pay an in-lieu fee commensurate with the water needs of the proposed development, at the Town's sole discretion. All development outside of the service area will be required to pay for costs of extension of infrastructure in order to service the proposed development.
4. No water taps will be issued without a corresponding building permit or other approval. Water taps, once issued, must be placed into service within twenty-four months, or the tap will be returned to the Town.
5. All water users on the Town of Rico water system are expected to adhere to best practices of conservation and such conservation measures as may be imposed from time to time as necessary during drought conditions.



TOWN OF RICO

OFFICIAL ZONING MAP

**TOWN OF RICO
ORDINANCE 2021-01**

**AN ORDINANCE OF THE TOWN OF RICO, COLORADO, REPEALING
ORDINANCE NO. 334 ENACTED IN FEBURARY 1998 PLACING
TEMPORARY RESTRICTIONS ON CERTAIN TYPES OF
DEVELOPMENT**

WHEREAS, the Town of Rico identified the need for a central sewer system in the mid-1990s and in the past has restricted development for periods of time;

WHEREAS, the Town adopted Ordinance No. 334 which extended a moratorium on submitting applications for planned unit developments and major subdivision;

WHEREAS, the Town placed a ballot question to the voters in 2019 asking to raise taxes to build a central sewer system in the commercial core but the question did not pass; and

WHEREAS, the Board of Trustees believes that it could be many years before the citizens of Rico would be willing to fund a central sewer system and the availability of water in Town will limit development such that this ordinance should be repealed.

**NOW THEREFORE, THE BOARD OF TRUSTEES OF THE TOWN OF RICO
ORDAINS AS FOLLOWS:**

Ordinance No. 334 is hereby repealed.

INTRODUCED, READ, APPROVED AS INTRODUCED, AND ORDERED
PUBLISHED on first reading by the Board of Trustees this 17th day of March, 2021.

TOWN OF RICO, COLORADO

Barbara Betts, Mayor

ATTEST:

Linda Yellowman, Town Clerk

INTRODUCED, READ, ADOPTED, AND ORDERED PUBLISHED on second reading
by the Board of Trustees this 21st day of April, 2021.

TOWN OF RICO, COLORADO

Barbara Betts, Mayor

ATTEST:

Linda Yellowman, Town Clerk



TOWN OF RICO
INCORPORATED OCTOBER 11, 1879
2 North Commercial Street
Post Office Box 9
Rico, Colorado 81332
Office # 970.967.2861
<https://townofrico.colorado.gov/>

February 22nd, 2020

USFS Mancos/Dolores Ranger District
29211 Highway 184
Dolores Colorado, 81323
Attention Derek Padilla
Via Email

Dear Mr. Padilla,

The Rico Board of Trustees generally disapproves of any sale of public land to private entities within the Rico planning area, which includes lands in the East Fork of the Dolores River within three miles of the Town boundary. In this instance, we feel that the Town was not made aware of the project until it was far enough along in the process to be considered a done deal. In the future, the Town would like to be notified of receipt of small (and large) tract transfer applications within our planning area when received by the USFS.

The small tract currently intended for sale to Atlantic Richfield is an area widely used by Rico residents and visitors for recreation. Given the fact that there are many old mining roads and other trails, it is impossible to determine the specific alignment of one trail that would maintain current use. The Board understands the need to keep the public away from reclamation activities, however much of the hillside portion of the small tract is not needed for reclamation work. The Board is also concerned about future transfers of portions of the small tract property to third party speculators and developers.

Accordingly, the Board would like to see the portion of the small tract that does not include the reclamation work area and associated safety buffer placed under a perpetual open space recreation/conservation easement that would be open to the public for recreational uses, and expressly allowing trail improvements.

Sincerely,

Barbara Betts, Rico Mayor

**MEMORANDUM OF AGREEMENT
BETWEEN
THE UNITED STATES FOREST SERVICE (SAN JUAN NATIONAL FOREST),
AND THE COLORADO STATE HISTORIC PRESERVATION OFFICER,
REGARDING ADVERSE EFFECTS TO SITE 5DL.478.19
RESULTING FROM THE ATLANTIC RICHFIELD COMPANY
SMALL TRACTS ACT CASE NO. 2020 PROJECT,
DOLORES COUNTY, COLORADO**

WHEREAS, the United States Forest Service, San Juan National Forest (USFS) is proposing to transfer 39.99 acres of land out of federal ownership to the Atlantic Richfield Company (ARC) in Dolores County, Colorado as part of the Atlantic Richfield Company Small Tracts Act Case No. 2020 Project; and

WHEREAS, the USFS has defined the undertaking's area of potential effect as the 39.99 acres situated in the west half (W1/2) of Section 25, Township 40 North, Range 11 West, N.M.P.M. depicted on the plat deposited with the Dolores County Clerk and Recorder's Office on September 26, 2019 as Survey 1-210, a copy of which is shown in Attachment 1 of this Memorandum of Agreement (MOA); and

WHEREAS, the USFS has determined, in consultation with the SHPO, that site 5DL.478.19 is eligible for listing on the National Register of Historic Places (NRHP) under Criteria A and D, and that the undertaking will have an adverse effect to the historic property; and

WHEREAS, the USFS has consulted with the Colorado State Historic Preservation Officer (SHPO) pursuant to 36 C.F.R. part 800 of the regulations implementing Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108), and they are a Signatory to this MOA; and

WHEREAS, on February 24, 2020 the USFS invited the Jicarilla Apache Nation, Kewa Pueblo, Navajo Nation, Ohkay Owingeh, Pueblo de Cochiti, Pueblo de San Ildefonso, Pueblo of Acoma, Pueblo of Isleta, Pueblo of Jemez, Pueblo of Laguna, Pueblo of Nambe, Pueblo of Picuris, Pueblo of Pojoaque, Pueblo of San Felipe, Pueblo of Sandia, Pueblo of Santa Ana, Pueblo of Santa Clara, Pueblo of Tesuque, Pueblo of Zia, Southern Ute Indian Tribe, Taos Pueblo, Hopi Tribe, Uintah and Ouray Tribal Business Committee, Ute Indian Tribe, Ute Mountain Ute Tribe, and Zuni Pueblo to consult on the proposed undertaking pursuant to Section 106 of the NHPA and have invited them to sign the MOA as a concurring party; and

WHEREAS, on April 17, 2020 the Southern Ute Indian Tribe indicated support for a finding of No Adverse Effect for the project; on March 5, the Hopi Tribe has deferred to the SHPO regarding findings of effect; on April 9 and May 4 respectively, the Navajo Nation and the Pueblo of San Ildefonso specifically declined to comment; and the remaining tribes have not expressed comment as of the signing of this MOA; and

WHEREAS, on April 10, 2020 the USFS has invited Atlantic Richfield Company (ARC) to participate in consultation as an invited Signatory to this MOA, and ARC accepted on April 14, 2020; and

WHEREAS, on February 24, 2020 the USFS invited the Town of Rico and the Rico Historical Society to be concurring parties to this agreement, and the town agreed to participate via email on October 29, 2020; and the Rico Historical Society has not expressed comment as of the signing of this MOA: and

WHEREAS, in accordance with 36 C.F.R. § 800.6(a)(1), on February 24, 2020 the USFS notified the Advisory Council on Historic Preservation (ACHP), of its adverse effect determination providing specified documentation as required by 36 C.F.R. § 800.11(e), and the ACHP elected, in a letter dated August 26, 2020 not to participate in the consultation pursuant to 36 C.F.R. § 800.6(a)(1)(iii); and

WHEREAS, the USFS is the lead agency for Section 106 responsibilities; and

WHEREAS, this MOA represents the entire and integrated agreement between the parties and supersedes all prior negotiations, representations, and agreements, whether written or oral, regarding compliance with Section 106 of NHPA for adverse effects to site 5DL.478.19 and subsequent updates as stipulated below; and

NOW, THEREFORE, pursuant to Section 106 of the NHPA, the USFS, the SHPO, and ARC agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effects of the undertaking on historic properties.

STIPULATIONS

The USFS shall ensure that the following measures are carried out:

I. MITIGATION

- A. Site 5DL.478.19 shall be recorded in accordance with the guidance for Level II Documentation found in “Historic Resource Documentation, Standards for Level I, II, and III Documentation” (Office of Archaeology and Historic Preservation Publication 1595, March 2013). The documentation will be of archival quality, and will include a detailed narrative history, mapping of the property, and photographic documentation of the portions of the historic property to be included in the project. Archival research will be completed.
 1. The USFS shall submit to the SHPO a copy of the draft documentation following completion of fieldwork so that it may review and provide comment. The SHPO shall have 30 days for review and comment following receipt of the draft documentation. The USFS shall address any comments made. Once the documentation is finalized and agreed to, the USFS shall provide the SHPO a copy of the finalized documentation.

B. The USFS and ARC shall coordinate to develop and install interpretive signage within 2 years of execution of this agreement for 5DL.478 (Rio Grande Southern Railroad). The interpretive signage will consist of a single National Park Service style low profile panel, and will at a minimum contain information on the history of the railroad, information on the importance of the resource in the development of the region, historic images of the resource, and a map of the resource.

1. USFS will consult with the concurring parties and signatories of this MOA to determine an appropriate location for the interpretive sign. The location of the sign will be on federal, state, or local government owned lands in an area accessible to the public, such as a trail or parking area, and will avoid disturbing cultural resources.
2. Prior to installing the sign, the USFS shall submit to concurring parties and signatories of this MOA a draft of the proposed content for the sign so that they may review and provide comments. The SHPO and signatory and concurring parties shall have 30 days for review and comment following receipt of the draft documentation. The USFS shall address any comments and update the content for the sign accordingly.
3. Once agreement is reached between USFS and SHPO regarding the content developed for the sign, ARC shall be responsible for fabrication and installation of the sign to USFS specifications.

Stipulation IA shall be satisfied prior to the conveyance of property out of federal ownership. Stipulation IB shall be satisfied prior to the expiration of this agreement.

II. GENERAL REQUIREMENTS AND STANDARDS

The activities prescribed by the stipulations of this MOA shall be carried out by or under the direct supervision of a person or persons meeting, at minimum, the Secretary of the Interior Professional Qualifications Standards (48 FR 44738-39) (PQS) in the appropriate discipline. This does not preclude the use of properly supervised persons who do not meet the PQS.

III. DURATION

This MOA will be in effect for two (2) years from the date of its execution or until all requirements have been completed. Prior to such time, the USFS may consult with other signatories to reconsider the terms of this agreement and amend it in accordance with Stipulation VII below. Upon completion of the requirements of this MOA, the USFS will file a final report with all signatories and ACHP stating that the agreement has been completed.

IV. POST-REVIEW DISCOVERIES

If potential historic properties are discovered or unanticipated effects on historic properties found, USFS shall consult pursuant to 36 C.F.R. § 800.13.

V. MONITORING AND REPORTING

Annually on July 1, beginning the year following the execution of this MOA until it expires or is terminated, the USFS shall provide all parties to this MOA a summary report describing work undertaken pursuant to its terms. Such report shall include any scheduling changes proposed, any problems encountered, and any disputes and objections received in USFS's efforts to carry out the terms of this MOA.

VI. DISPUTE RESOLUTION

Should any signatory or concurring party to this MOA object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, the USFS shall consult with such party to resolve the objection. If the USFS determines that such objection cannot be resolved, the USFS will:

- A) Forward all documentation relevant to this dispute, including the USFS's proposed resolution, to the ACHP. The ACHP shall provide the USFS with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, the USFS shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories and concurring parties, and provide them with a copy of this written response. The USFS will then proceed according to its final decision.
- B) If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period, the USFS may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, the USFS shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to the MOA and provide them and the ACHP with a copy of such written response.
- C) The USFS's responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged.

VII. AMENDMENTS

This MOA may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy signed by all the signatories is filed with the ACHP.

VIII. TERMINATION

If any signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other signatories to attempt to develop an amendment per Stipulation VII, above. If within thirty (30) days (or another time period agreed to by all signatories) an amendment cannot be reached, any signatory may terminate the MOA upon written notification to the other signatories.

Once the MOA is terminated, and prior to work continuing on the undertaking, the USFS must either (a) execute an MOA pursuant to 36 C.F.R. § 800.6 or (b) request, take into account, and respond to the comments of the ACHP under 36 C.F.R. § 800.7. The USFS shall notify the signatories as to the course of action it will pursue.

Execution of this MOA and implementation of its terms evidence that the USFS has taken into account the effects of the **Atlantic Richfield Company Small Tracts Act Case No. 2020 Project** on historic properties and has afforded the ACHP an opportunity to comment on the undertaking, its effects, and resolution of adverse effects.

Signatures. In witness whereof, the parties to this MOA through their duly authorized representatives have executed this MOA on the dates set out below, and certify that they have read, understood, and agreed to the terms and conditions of this MOA as set forth herein.

The remainder of this page intentionally left blank.

The effective date of this MOA for the **ATLANTIC RICHFIELD COMPANY SMALL TRACTS ACT CASE NO. 2020 PROJECT** is the date of the last Signatory signature affixed to these pages.

SIGNATORIES:

UNITED STATES FOREST SERVICE, SAN JUAN NATIONAL FOREST

Kara Chadwick, Forest Supervisor

Date: _____

COLORADO STATE HISTORIC PRESERVATION OFFICE

Steve Turner, Colorado State Historic Preservation Officer

Date: _____

INVITED SIGNATORY:

ATLANTIC RICHFIELD COMPANY

Patricia Gallery, Vice President

Date: _____

CONCURRING PARTY:

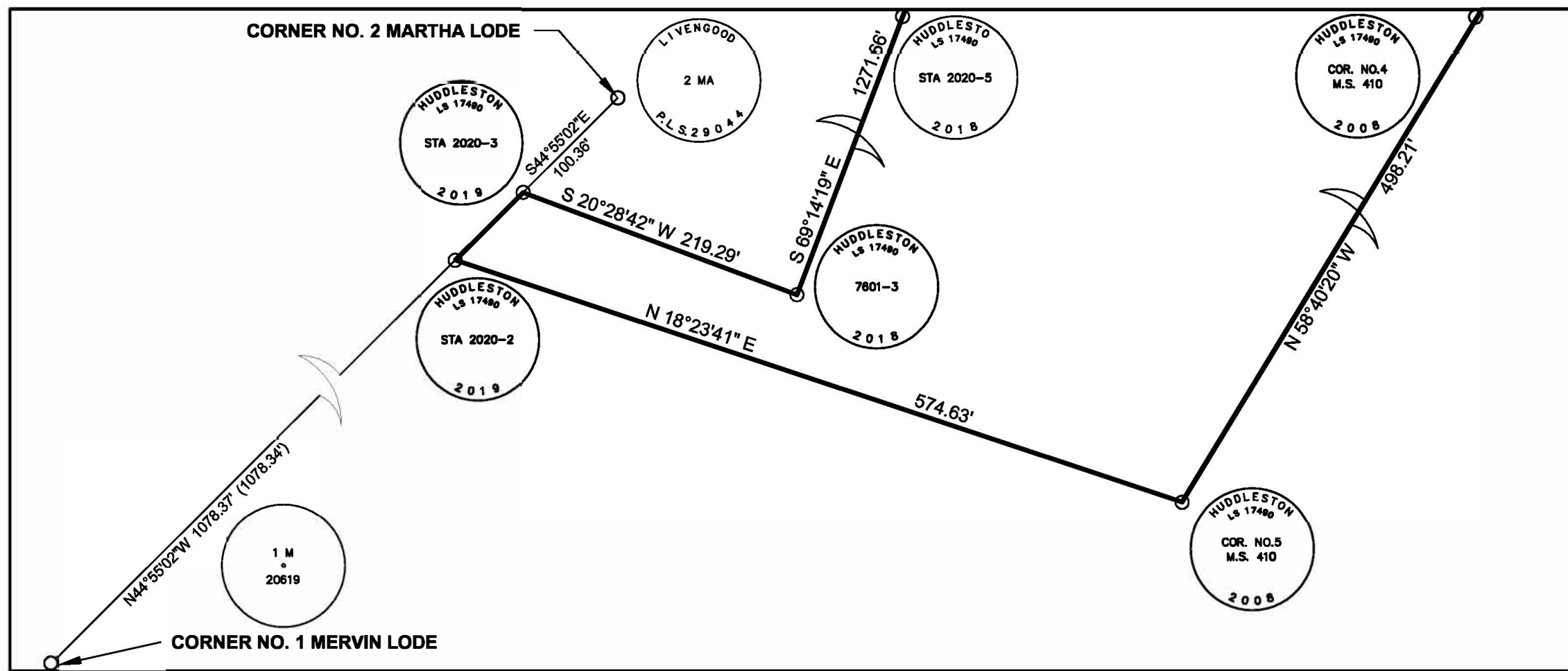
TOWN OF RICO

Kari Distefano, Town Manager

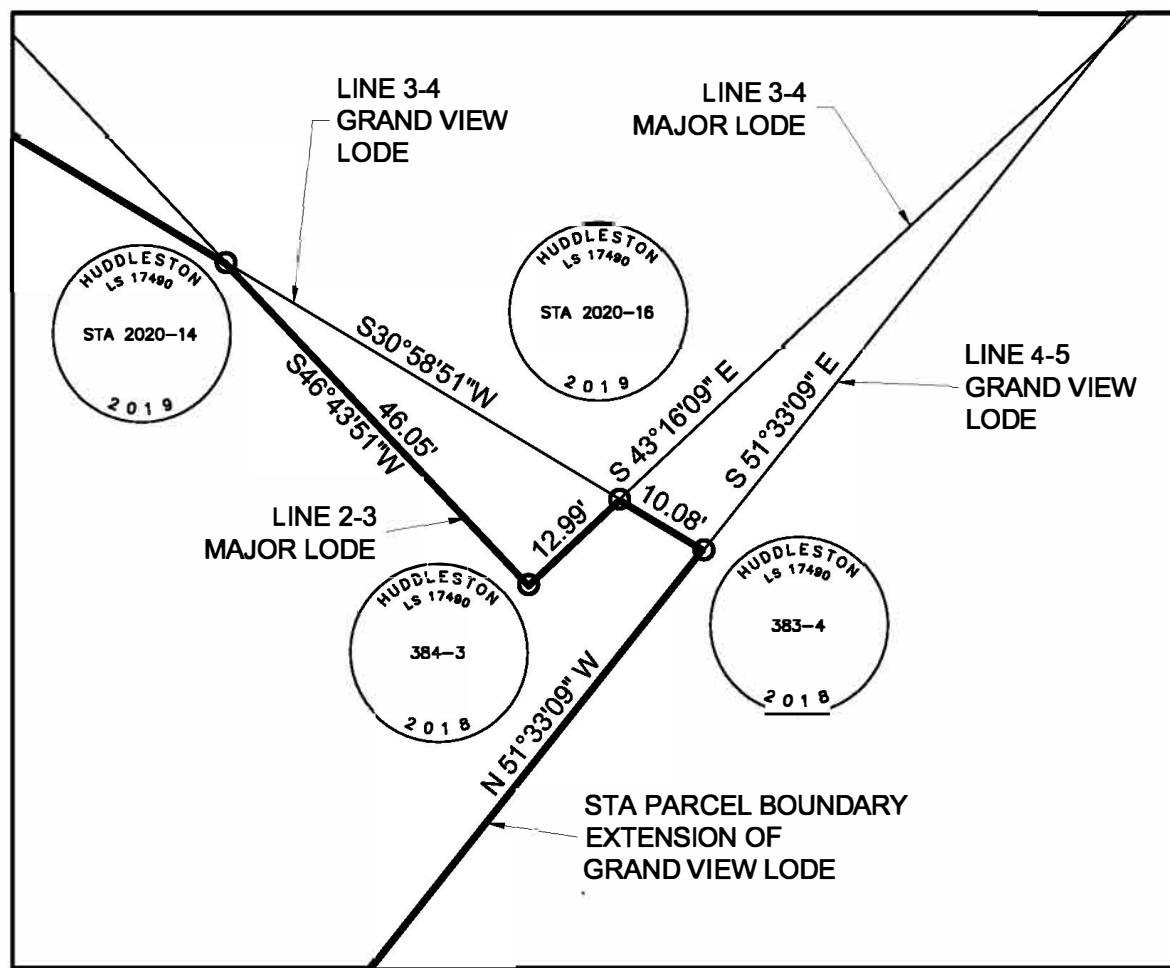
Date: _____

ATTACHMENT 1

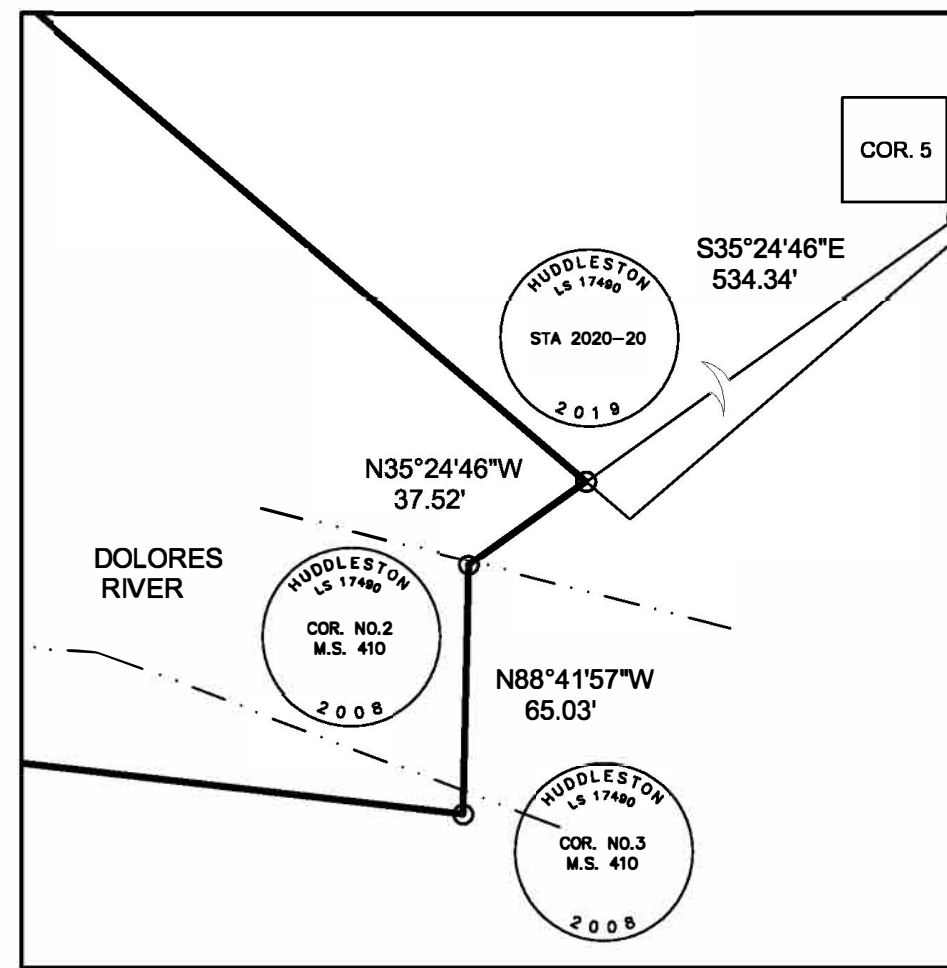
Recorded Plat



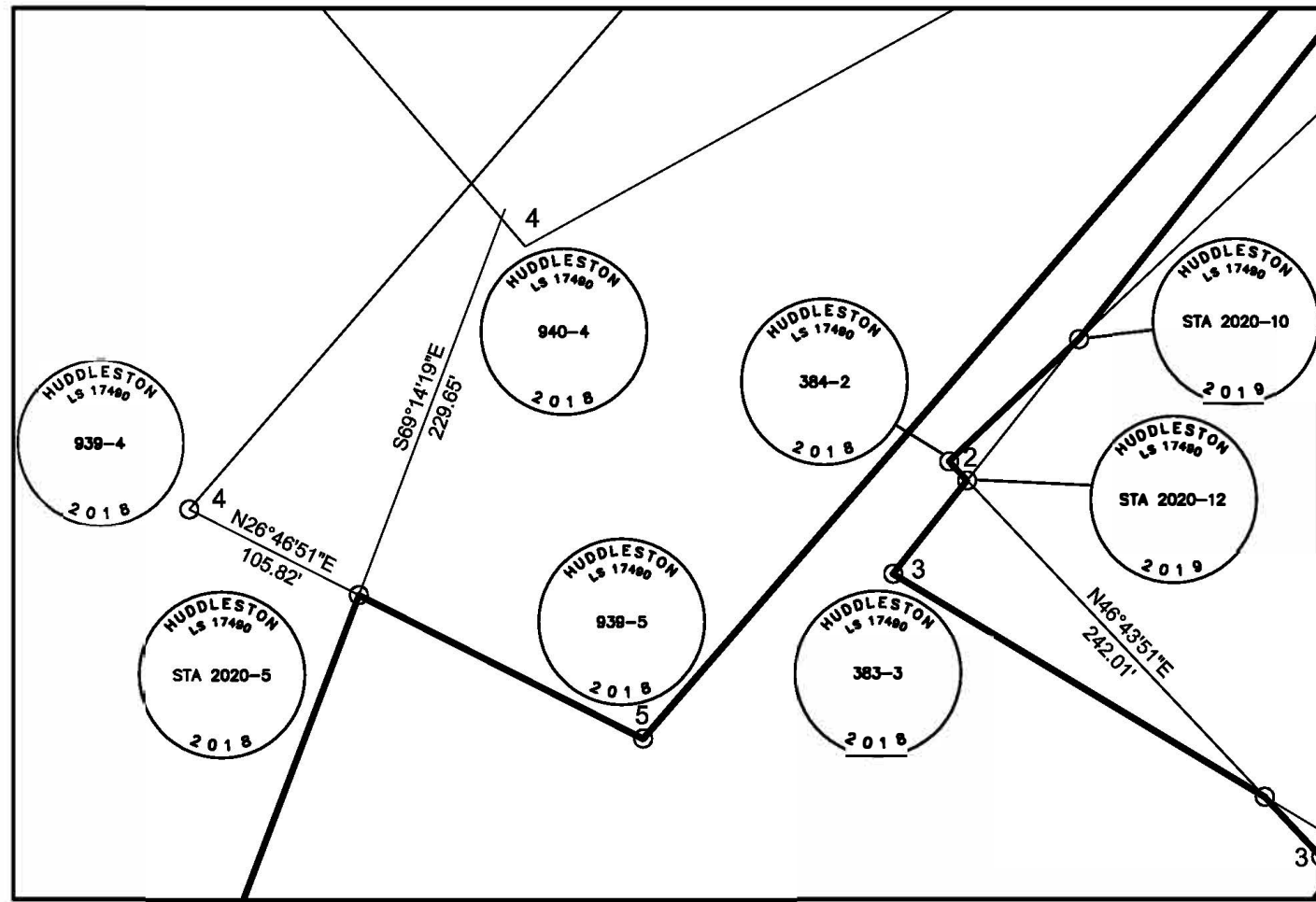
DETAIL A
SCALE 1"=100'



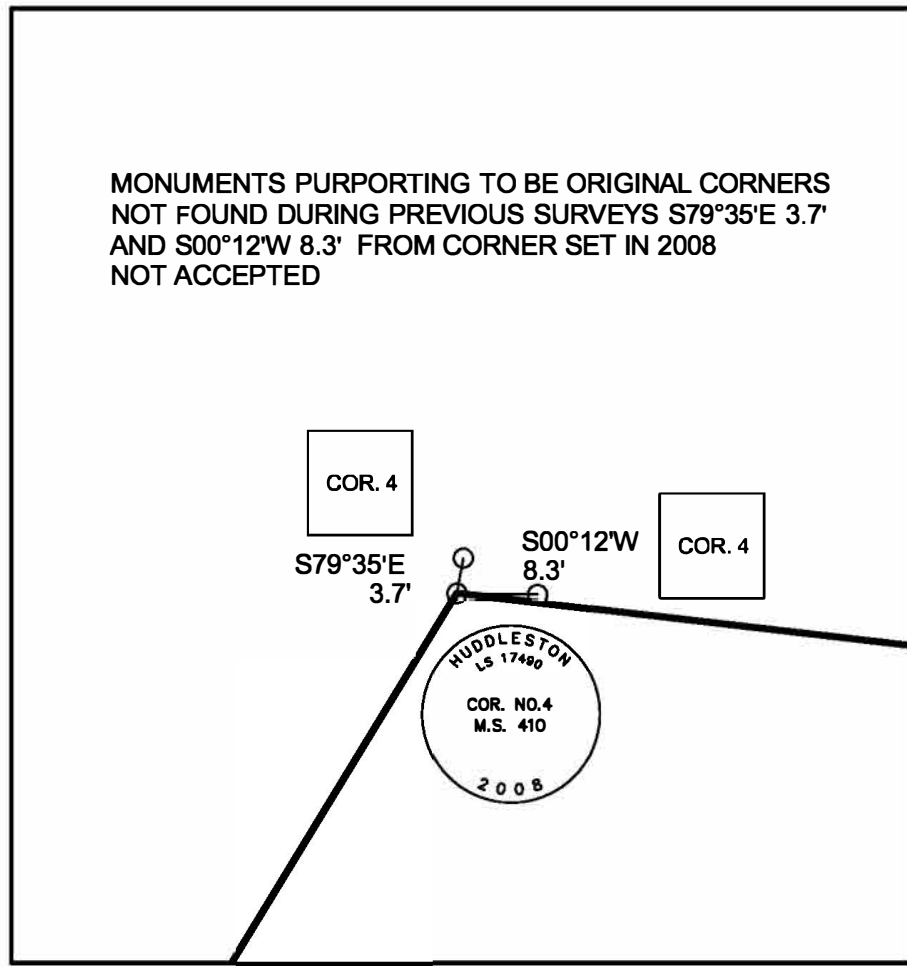
DETAIL E
SCALE 1"=20'



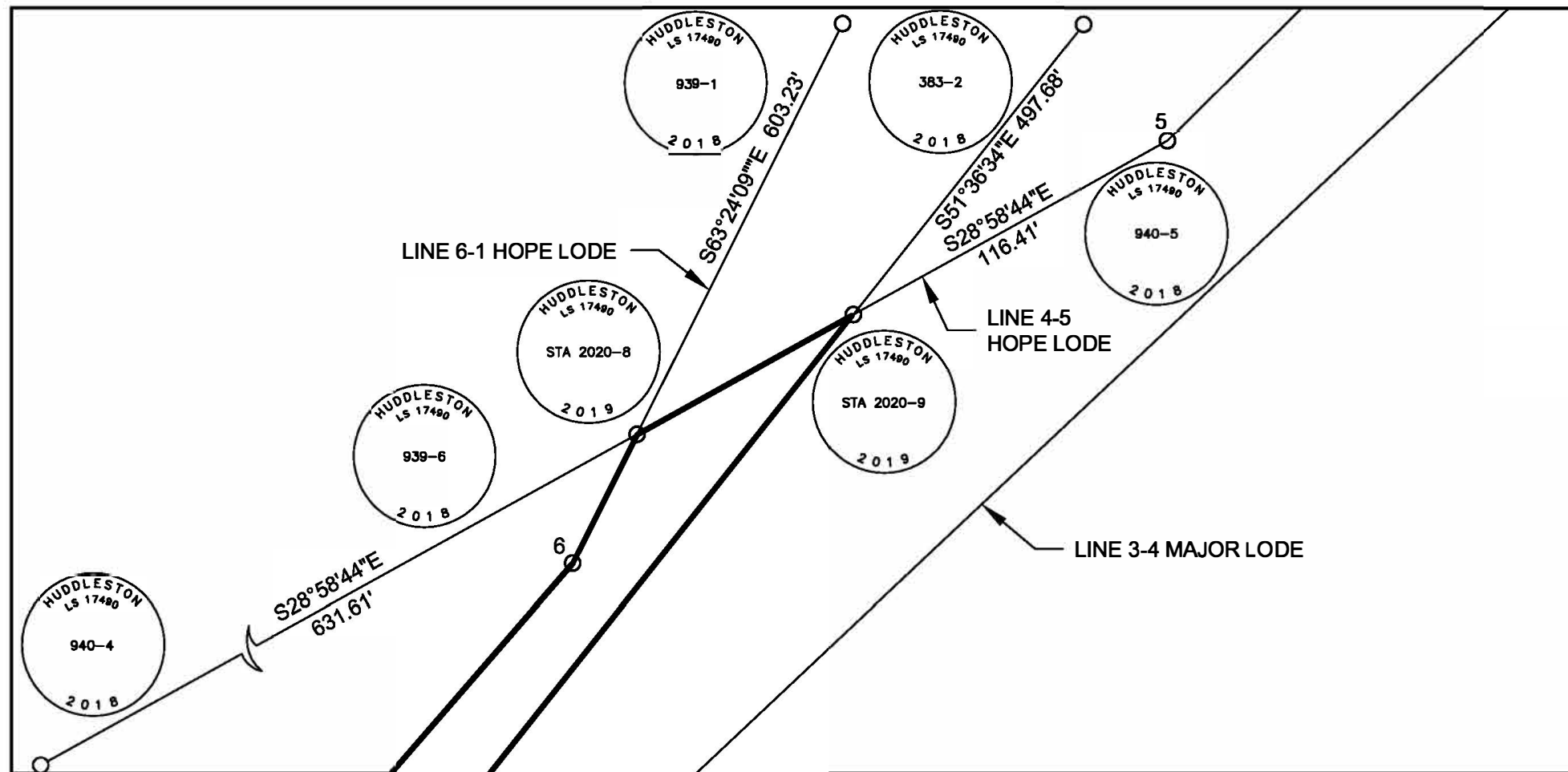
DETAIL F
SCALE 1"=50'



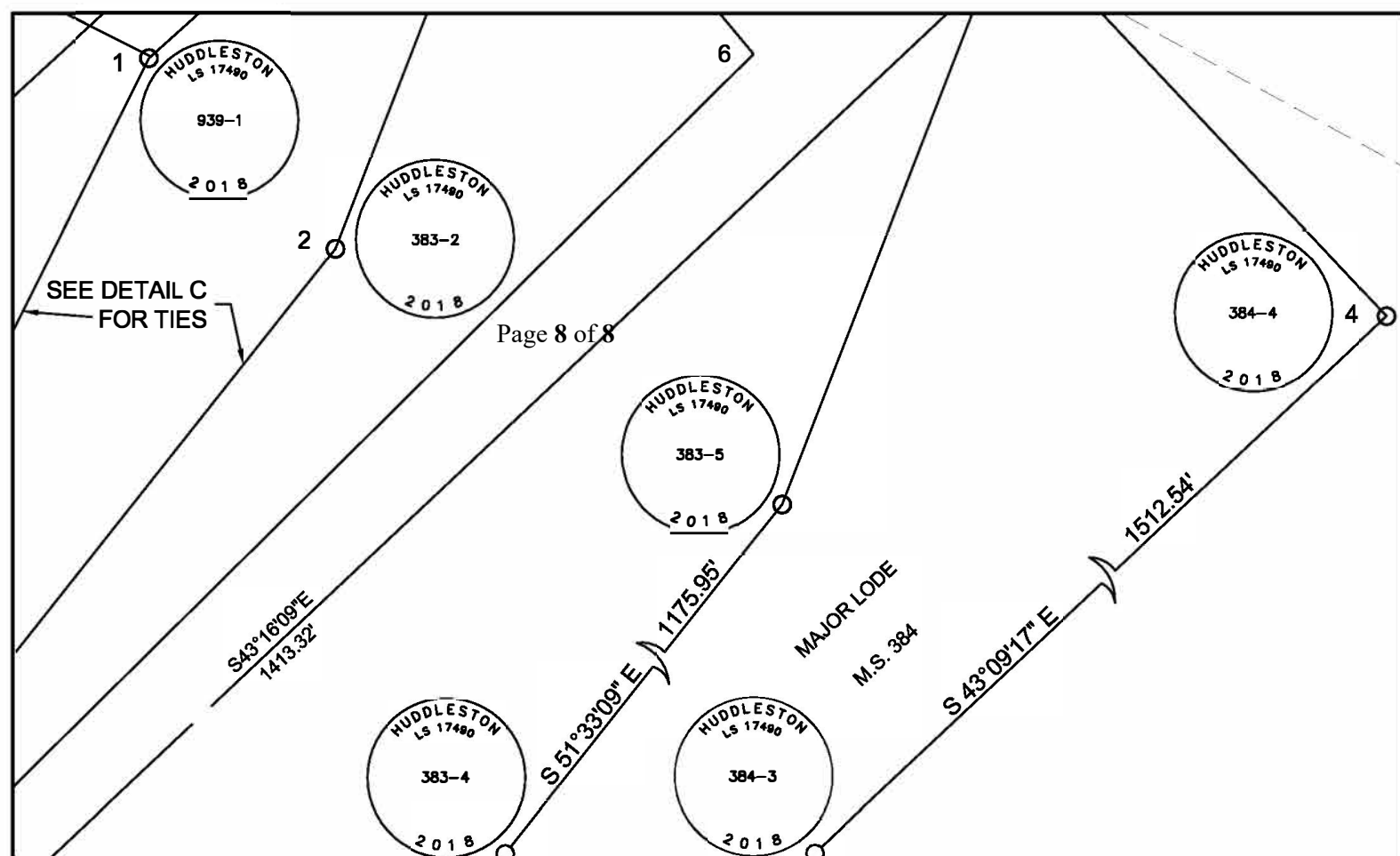
DETAIL B
SCALE 1"=100'



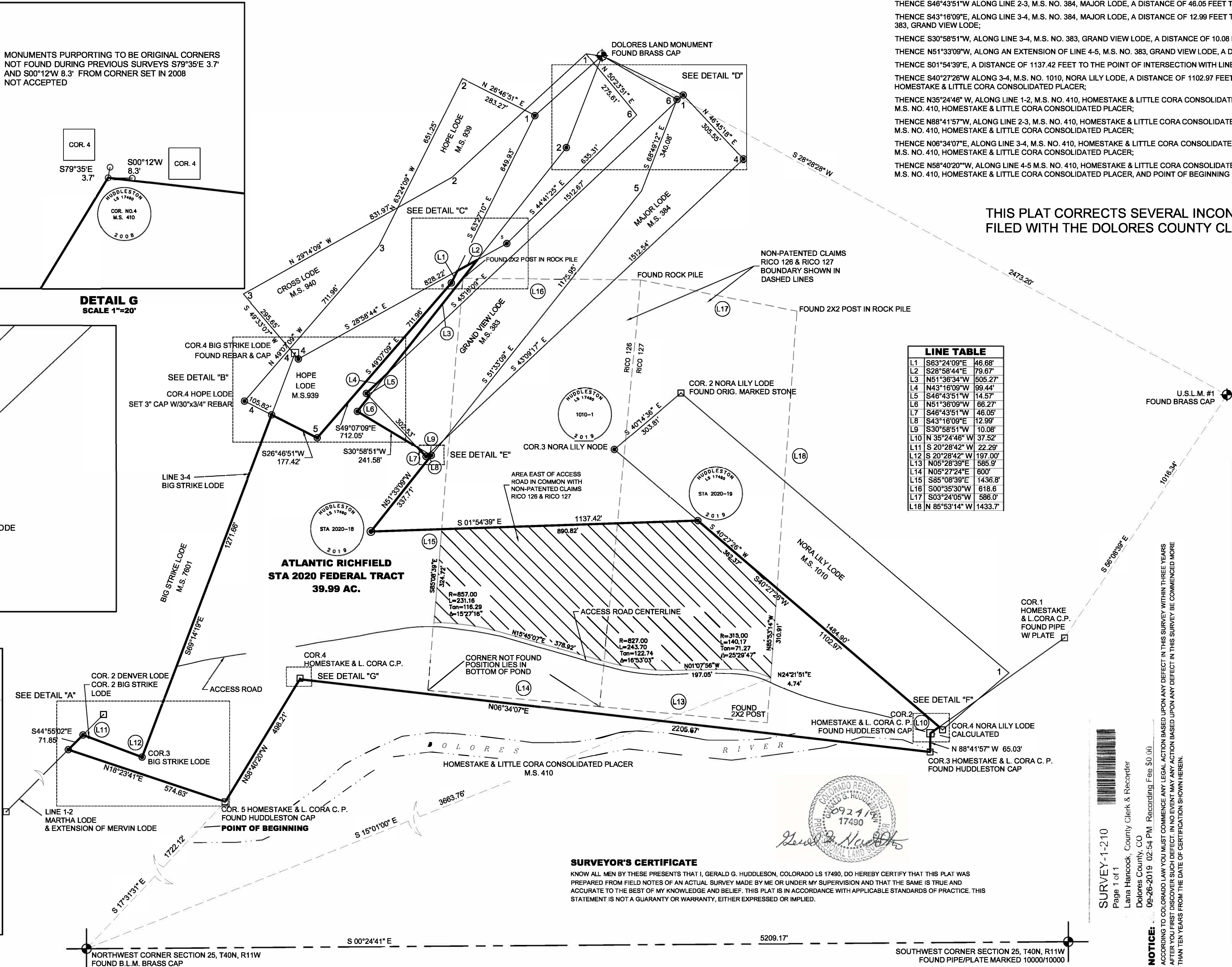
DETAIL G
SCALE 1"=20'



DETAIL C
SCALE 1"=50'

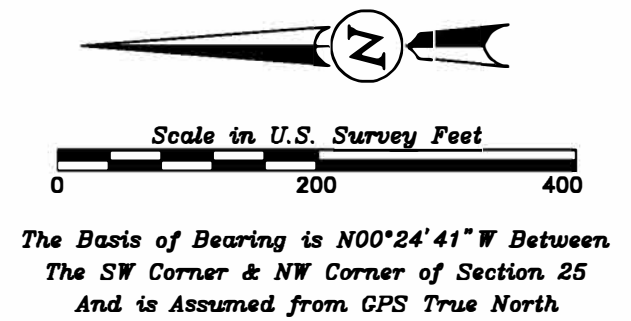


DETAIL D
SCALE 1"=100'



LEGAL DESCRIPTION OF STA 2020 FEDERAL TRACT, 39.99 ACRES
A TRACT OF LAND SITUATED IN THE WEST HALF (W1/2) OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 11 WEST, NEW MEXICO PRINCIPAL MERIDIAN, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT CORNER NO. 5, M.S. NO. 410, HOMESTAKE & LITTLE CORA CONSOLIDATED PLACER, MONUMENTED WITH A REBAR, 3/4" DIAMETER, WITH AN ALUMINUM CAP 3" DIAMETER, MARKED HUDDLESTON #17490. FROM SAID POINT OF BEGINNING, THE SECTION CORNER OF SECTIONS 23, 24, 25 & 26 BEARS N17°31'31"W, A DISTANCE OF 1722.12 FEET;
THENCE N16°23'41"E, ALONG LINE 5-6, M.S. NO. 410 HOMESTAKE & LITTLE CORA CONSOLIDATED PLACER, A DISTANCE OF 574.63 FEET TO THE POINT OF INTERSECTION WITH LINE 1-2, M.S. NO. 20619, MARTHA LODGE;
THENCE S44°58'02"E, ALONG LINE 1-2, M.S. NO. 20619, MARTHA LODGE, A DISTANCE OF 71.85 FEET TO THE POINT OF INTERSECTION WITH LINE 3-2, M.S. NO. 7801, DENVER LODGE;
THENCE S20°28'42"W, ALONG LINE 3-2, M.S. NO. 7801, DENVER LODGE, A DISTANCE OF 22.29 FEET TO CORNER NO. 2, M.S. 7801, DENVER LODGE;
THENCE S20°28'42"W, ALONG LINE 2-3, M.S. NO. 7801, BIG STRIKE LODGE, A DISTANCE OF 197.00 FEET TO CORNER NO. 3, M.S. 7801, BIG STRIKE LODGE;
THENCE S69°14'19"E, ALONG LINE 3-4, M.S. NO. 7601, BIG STRIKE LODGE, A DISTANCE OF 1271.66 FEET TO THE POINT OF INTERSECTION WITH LINE 4-5, M.S. NO. 939, HOPE LODGE;
THENCE S26°46'51"W, ALONG LINE 4-5 M.S. NO. 939, HOPE LODGE, A DISTANCE OF 177.42 FEET TO CORNER NO. 5, M.S. NO. 939, HOPE LODGE;
THENCE S49°07'09"E, ALONG LINE 5-6, M.S. NO. 939, HOPE LODGE, A DISTANCE OF 712.05 FEET TO CORNER NO. 6, M.S. NO. 939, HOPE LODGE;
THENCE S63°24'09"E, ALONG LINE 6-1, M.S. NO. 939, HOPE LODGE, A DISTANCE OF 46.68 FEET TO THE POINT OF INTERSECTION WITH LINE 4-5, M.S. NO. 940, CROSS LODGE;
THENCE S28°58'44"E, ALONG LINE 4-5, M.S. NO. 940, CROSS LODGE, A DISTANCE OF 79.67 FEET TO THE POINT OF INTERSECTION WITH LINE 2-3, M.S. NO. 383, GRAND VIEW LODGE;
THENCE N51°36'34"W, ALONG LINE 2-3, M.S. NO. 383, GRAND VIEW LODGE, A DISTANCE OF 505.27 FEET TO THE POINT OF INTERSECTION WITH LINE 1-2, M.S. NO. 384, MAJOR LODGE;
THENCE N43°16'09"W, ALONG LINE 1-2, M.S. NO. 384, MAJOR LODGE, A DISTANCE OF 99.44 FEET TO CORNER NO. 2, M.S. NO. 384, MAJOR LODGE;
THENCE S46°43'51"W, ALONG LINE 3-4, M.S. NO. 384, MAJOR LODGE A DISTANCE OF 14.57 FEET TO THE POINT OF INTERSECTION WITH LINE 2-3, M.S. NO. 383, GRAND VIEW LODGE;
THENCE S30°58'51"W, ALONG LINE 2-3, M.S. NO. 383, GRAND VIEW LODGE, A DISTANCE OF 66.27 FEET TO CORNER NO. 3, M.S. NO. 383, GRAND VIEW LODGE;
THENCE S30°58'51"W, ALONG LINE 3-4, M.S. NO. 383, GRAND VIEW LODGE, A DISTANCE OF 241.58 FEET TO THE POINT OF INTERSECTION WITH LINE 2-3, M.S. NO. 384, MAJOR LODGE;
THENCE S46°43'51"W ALONG LINE 2-3, M.S. NO. 384, MAJOR LODGE, A DISTANCE OF 46.05 FEET TO CORNER NO. 3, M.S. NO. 384, MAJOR LODGE;
THENCE S30°58'51"W, ALONG LINE 3-4, M.S. NO. 383, GRAND VIEW LODGE, A DISTANCE OF 10.08 FEET TO CORNER NO. 4, M.S. NO. 383, GRAND VIEW LODGE;
THENCE N51°33'09"W, ALONG AN EXTENSION OF LINE 4-5, M.S. NO. 383, GRAND VIEW LODGE, A DISTANCE OF 337.71 FEET;
THENCE S01°54'39"E, A DISTANCE OF 1137.42 FEET TO THE POINT OF INTERSECTION WITH LINE 3-4, M.S. NO. 1010, NORA LILY LODGE;
THENCE S40°27'28"W ALONG 3-4, M.S. NO. 1010, NORA LILY LODGE, A DISTANCE OF 1102.97 FEET TO THE POINT OF INTERSECTION WITH LINE 1-2, M.S. NO. 410, HOMESTAKE & LITTLE CORA CONSOLIDATED PLACER;
THENCE N35°24'46"W, ALONG LINE 1-2, M.S. NO. 410, HOMESTAKE & LITTLE CORA CONSOLIDATED PLACER, A DISTANCE OF 37.52 FEET TO CORNER NO. 2, M.S. NO. 410, HOMESTAKE & LITTLE CORA CONSOLIDATED PLACER;
THENCE N88°41'57"W, ALONG LINE 2-3, M.S. NO. 410, HOMESTAKE & LITTLE CORA CONSOLIDATED PLACER, A DISTANCE OF 65.03 FEET TO CORNER NO. 3, M.S. NO. 410, HOMESTAKE & LITTLE CORA CONSOLIDATED PLACER;
THENCE N06°34'07"E, ALONG LINE 3-4, M.S. NO. 410, HOMESTAKE & LITTLE CORA CONSOLIDATED PLACER, A DISTANCE OF 2205.67 FEET TO CORNER NO. 4, M.S. NO. 410, HOMESTAKE & LITTLE CORA CONSOLIDATED PLACER;
THENCE N58°40'20"W, ALONG LINE 4-5 M.S. NO. 410, HOMESTAKE & LITTLE CORA CONSOLIDATED PLACER, A DISTANCE OF 498.21 FEET TO CORNER NO. 5, M.S. NO. 410, HOMESTAKE & LITTLE CORA CONSOLIDATED PLACER, AND POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED.

THIS PLAT CORRECTS SEVERAL INCONSISTANCIES ON SURVEY 1-200
FILED WITH THE DOLORES COUNTY CLERK ON 8/12/2019



GOVERNMENT CORNER
CORNER FROM PREVIOUS SURVEY
FOUND & MEASURED
3" ALUM CAP ON 30" X #6 REBAR
MARKED "HUDDLESTON #17490"

ATLANTIC RICHFIELD COMPANY

ANDERSON
ENGINEERING COMPANY, INC.

CORRECTED PLAT
SHOWING LAND REQUESTED UNDER THE
SMALL TRACTS ACT FROM THE U.S.D.A.
FOREST SERVICE WITHIN
SECTION 25, T40N, R11W, N.M.P.M.
NORTH OF THE TOWN OF RICO,
DOLORES COUNTY, COLORADO

Project: _____ Sheet: _____
Date: 2-AUG-2019
Scale: AS SHOWN
1 of 1

The effective date of this MOA for the **ATLANTIC RICHFIELD COMPANY SMALL TRACTS ACT CASE NO. 2020 PROJECT** is the date of the last Signatory signature affixed to these pages.

SIGNATORIES:

UNITED STATES FOREST SERVICE, SAN JUAN NATIONAL FOREST

Kara Chadwick, Forest Supervisor

Date: _____

COLORADO STATE HISTORIC PRESERVATION OFFICE

Steve Turner, Colorado State Historic Preservation Officer

Date: _____

INVITED SIGNATORY:

ATLANTIC RICHFIELD COMPANY

Ron Halsey, Portfolio Manager

Date: _____

CONCURRING PARTY:

TOWN OF RICO

Barbara Betts, Mayor

Date: _____

**TOWN OF RICO
ORDINANCE 2021-02**

**A STANDALONE ORDINANCE OF THE TOWN OF RICO REGULATING
TEMPORARY SIDEWALK SERVICE AREA PERMITS FOR INCREASED
OUTDOOR SEATING FOR FOOD SERVICE ESTABLISHMENTS; AND
SETTING FORTH PENALTIES.**

WHEREAS, Colorado state statutes authorize the Town of Rico (Town) to regulate its sidewalks, streets, and alleys pursuant to C.R.S. § 31-15-702 et. seq., so long as public rights-of-way and the Americans with Disabilities Act (ADA) requirements remain in effect;

WHEREAS, due to the COVID-19 pandemic, on-premises food service establishments were closed or limited for indoor dining requiring take out, and other delivery methods;

WHEREAS, on-site food service establishments operating with a state liquor license are allowed to temporarily increase outdoor seating to comply with evolving changes in public health orders by allowing for temporary modification of premises;

WHEREAS, as Colorado starts to re-open, the Town Trustees desire food service establishments to increase its outdoor seating by serving on Town sidewalks, parking lots or other Town ROWs; and

WHEREAS, this ordinance does not replace or supplant any requirements of the state liquor enforcement division with respect to a modification of premises license and the Town has no control over such a license.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO, COLORADO that:

TOWEN OF RICO:

By: _____
Barbara Betts, Mayor

ATTEST:

Linda Yellowman, City Clerk

TOWN OF RICO LICENSE PROGRAM

TEMPORARY SIDEWALK AND TOWN ROW PERMIT REGULATIONS FOR FOOD SERVICE ESTABLISHMENTS

I. SCOPE AND PURPOSE

The COVID-19 pandemic requires food service establishments must arrange their inside dining for social distancing and table space is lost. To offset the loss and to encourage social distancing, Colorado Liquor Enforcement Division loosened its regulations making an expansion of premises easier when operating outdoors so long as the space is contiguous to the indoor space.

The Town desires to allow food service establishments to expand outdoors by using Town sidewalks and other rights-of-way, whether the establishment has a liquor license or not, so long as a permit is obtained from Town.

II. DEFINITIONS

- A. *Food Service Establishment* means any Restaurant, or other establishment serving food where on-premise sales constitute the majority of its sales whether it operates under a state liquor license or not.
- B. *Temporary Outside Area* means an area located on a sidewalk or other Town ROW that is immediately adjacent to the premises of the food establishment.

III. LICENSE REQUIRED; FEES; TERM; EXEMPTION

- A. Any food service establishment may, upon the granting of a temporary ROW license issued administratively by Town staff, serve food and beverages in a Temporary Outside Area located on a sidewalk or other Town ROW where the outside use is adjacent to the premises.
- B. The application fee is \$50.00. Food service establishments are responsible for the costs of all necessary barriers, signage, and any other required personal property purchases.
- C. A temporary license shall remain in effect after issuance until the Town adopts further regulations or repeals this ordinance.
- D. This Temporary License does not allow any material change to the interior of any food service establishment that would change the basic character of the premises or the physical structure.

IV. REQUIREMENTS FOR TEMPORARY LICENSE

Exhibit A to Town of Rico Ordinance 2021-2

- A. Along with the completed application, the applicant must submit:
1. An approved diagram of the current food service establishment and a diagram of the proposed changes to allow for the Temporary Outside Area, including the use of barriers approved by the City and the state licensing authority, as applicable, along with the location of all required warning signs to be posted in areas visible to the public, including all points of ingress and egress, and signs regarding laws against public consumption of food or beverages beyond the barriers, as well as any other alcohol related signed, as applicable.
 2. A control plan which specifically addresses the number of seats that will be available in the Temporary Outside Area; how the servers will prevent food or beverages from going beyond the barriers; and how all Town, County, and State law, including any applicable Public Health laws will be adhered to, as applicable.
 3. A signed lease on the form provided by the Town for use of sidewalk or Town ROW.
- B. The licensed premises, as temporarily modified, must comprise a definite contiguous area and a sidewalk or Town ROW can provide access to achieve such contiguous area.
- C. The licensed premises, as temporarily modified, may not encroach upon, or overlap with the licensed premises of any other licensee.
- D. The licensed premises, as temporarily modified, must comply with local building and zoning laws.
- E. The licensed premises, as temporarily modified, must comply with all other restrictions and requirements imposed by the Colorado liquor code and rules, if applicable.
- F. Any local, state, and federal taxes must be timely paid.
- G. No permanent structure shall be erected on any sidewalk to Town ROW.
- H. Tables located outside on Town sidewalks or ROWs must seat no more than six people.
- I. Umbrellas may be allowed so long as the Town is satisfied the wind cannot lift the umbrellas into traffic or the public causing injury or harm.

Exhibit A to Town of Rico Ordinance 2021-2

- J. Smoking shall not be allowed on any Temporary Outside Service Area.
- K. Food service establishments must provide adequate space for pedestrian traffic which complies with the American with Disabilities Act of 1990. Tables or chairs may not prohibit walking traffic on the sidewalks.
- L. All Town permit fees are paid.
- M. Permittee must file with the Town a certificate evidencing valid and effective policies of worker's compensation insurance and property liability insurance, naming the Town and its officers and employees as an additional insured on the liability policy with minimum limits of One Million Dollars (\$1,000,000.00) per occurrence, Two Million Dollars (\$2,000,000.00) in the aggregate.

V. ENFORCEMENT PROVISIONS

- A. It shall be unlawful to violate any of the provisions of this ordinance, or of the permit issued hereunder. In addition, continuing violations of this ordinance, or of any permit issued hereunder is declared a nuisance, which may be abated in any lawful manner.
- B. The penalties for violation of this ordinance shall be a municipal ticket with a fine of \$100.00 for each day of a violation.
- C. The permittee's rights hereunder are subject to the police powers of the Town. The Permittee shall comply with all applicable laws and ordinances enacted, or hereafter enacted, by the Town or any other legally constituted government unit having lawful jurisdiction over the subject matter hereof. The Town reserves the right to exercise its police powers, notwithstanding anything in this section, any permit issued hereunder, any franchise, or any other permit to the contrary. Any conflict between the provisions of this Ordinance, any franchise, or any permit and any other present or future lawful exercise of the Town's police powers shall be resolved in favor of this ordinance.
- D. Any revocation of any permit issued herein shall be a staff decision, upon three (3) days written notice to a licensee or permittee stating the contemplated action and, in general, the grounds for the revocation. An appeal may be had with the Board of Trustees within 30 days, and the Board of Trustees shall uphold the staff decisions if it finds that:
 - 1. The licensee or permittee has failed to file any reports or furnish any other information that may be required by the provisions relating to the specific license or permit;

Exhibit A to Town of Rico Ordinance 2021-2

2. The licensee or permittee has violated any of the terms or requirements of the license or any regulation or order lawfully made; or
3. Any fact or condition exists that if it had existed or had been known to exist at the time of the application for such license would have warranted the refusal of the issuance of such license or permit.

DRAFT

**TOWN OF RICO SIDEWALK/ROW
LEASE AGREEMENT**

THIS LEASE, made and entered into effective the ____ day of _____, 2021, by and between: _____, (Owner) and Town of Rico, a home rule town (Town).

RECITALS

WHEREAS, Owner operates an On-Premise Food Establishment, as defined in Town Ordinance 2021-2, incorporated herein and located at _____ Rico, Colorado which is the physical location, (Property) with a company name of _____ (Business).

WHEREAS, Town desires to lease to Owner certain Town right-of-way described as _____ with a total square footage of _____ (Town Asset) without specifying exact an legal description of the Town Asset; and

WHEREAS, Owner and Town desire to enter into a lease so that Owner can operate the Business on the Town Asset and access and use the Town Asset until the lease is terminated or expires;

NOW, THEREFORE, in consideration of the recitals above, and the mutual covenants and agreements between the parties hereto, it is mutually agreed as follows:

1. Grant of Lease. The Landowner grants to Town permission to enter and use the Town Asset as a On-Premise Food Establishment.
2. Term. This Lease shall continue until revoked by either party for any reason upon three day written notice.
3. Consideration. The consideration for this Lease is \$1.00 which has been received by Town.
4. No Real Property Interest. Owner understands, acknowledges and agrees that this Agreement does not create an interest or estate in Town Asset in favor of Owner. The Town retains legal possession of the full boundaries of its right-of-way and this Agreement merely grants to Town a lease to use the Town Asset.
5. No Vested Right. Notwithstanding any expenditure of money, time or labor by Owner on or within the Town Asset, this Agreement shall in no event be construed to create an assignment coupled with an interest or any vested rights in favor of Owner. Owner shall expend any time, money or labor on or in Town Asset at Owner's own risk and peril.
6. Limited Scope. The Lease granted to Owner is limited in scope to the following use or uses: to access, use and Town Assets for an On-Premise Food Establishment only. Owner shall not have the right to expand the use without the Town's prior written consent.
7. Assignment. The Lease is not transferable or assignable.

8. Insurance. Owner shall maintain adequate insurance to protect Town Asset and the public pursuant to the insurance terms set forth in Town of Rico Ordinance 2021-2, at Owner's sole cost and expense.
10. Breach and Limits on Damages. If either party violates or breaches any term of this Agreement, such violation or breach shall be deemed to constitute a default, and the other party shall have the right to seek such administrative, contractual or legal remedies as may be suitable for such violation or breach; provided, however, that in no event shall either party be liable to the other for monetary damages of any kind relating to or arising from any breach of this Agreement, and that no action of any kind shall be commenced by either party for monetary damages.
11. Indemnification. Owner hereby agrees, to the extent allowed by law, to indemnify and hold harmless the Town and its officers, agents and employees from any and all claims, suits, damages, costs, expenses, liabilities, actions, or proceedings arising in any way from the negligence of Owner and its officers, agents, and employees in the execution and performance of this agreement.
12. Government Immunity. Notwithstanding any other provision of this agreement to the contrary, no term or condition of this agreement shall be construed or interpreted as a waiver of any provision of the Colorado Governmental Immunity Act C.R.S. § 24-10-101 et. seq., as now or hereafter amended. The parties hereto understand and agree that liability for claims for injuries to persons or property and other injuries which lie in tort or could lie in tort that arise out of the negligence of the Owner and/or their respective officers, agents, and employees is controlled and limited by the provisions of C.R.S. § 24-10-101 et. seq., as now or hereafter amended.
13. Venue. This Lease shall be deemed to have been made in, and shall be construed and interpretation in accordance with the laws of the State of Colorado. Any legal action shall be brought in the Dolores County District Court.

IN WITNESS WHEREOF, the parties execute the same.

Owner:

By: _____

TOWN OF RICO, COLORADO:

Kari Distefano, Town Manager

Complete & Compliant Letter



February 24th, 2021

110 N. Silver Street
Anne Belaska
P.O. Box 264
Rico Colorado, 81332

RE: Special Use Permit for Short Term Rental

Dear Applicant,

The Town of Rico has received an application for a special use permit for the purpose of short term rental for the property located at 110 N. Silver Street. I have performed an initial review of this application and at this time the application is complete and compliant. This determination does not preclude the Town from determining following additional review at a subsequent time, that the application is not complete or compliant. In such an event, the Town Staff would require the applicant to correct any deficiencies.

Pursuant to this determination that this application is complete and compliant, this application is scheduled for the March 10th Rico Planning Commission meeting and the March 17th Rico Board of Trustee's meeting.

These applications include the following required components:

Attachments Required Special Use Permit:

- ☒ A site plan that includes any information relevant to the request, i.e.: adequate parking for short term rental permits
- ☒ Description of Special Use Request
- ☒ Narrative of reasons that a Special Use Permit should be granted
- ☒ Statement from County Treasurer showing the status of current taxes due on affected property
- ☒ An application fee in the amount of \$200.00
- ☒ A Certificate of Mailing with names, addresses, and property owned of property owners within 200 feet of subject property
- ☒ A copy of the deed for the property.

Date Application Received: 02-16-2021

Application Reviewed by: KLD

Application Fee Received: 02-16-2021

Date of Hearing: 03-10-2021 & 03-17-2021

Application Complete: Yes

Rico Planning Commission Action _____

Mailing Notice Complete: Yes

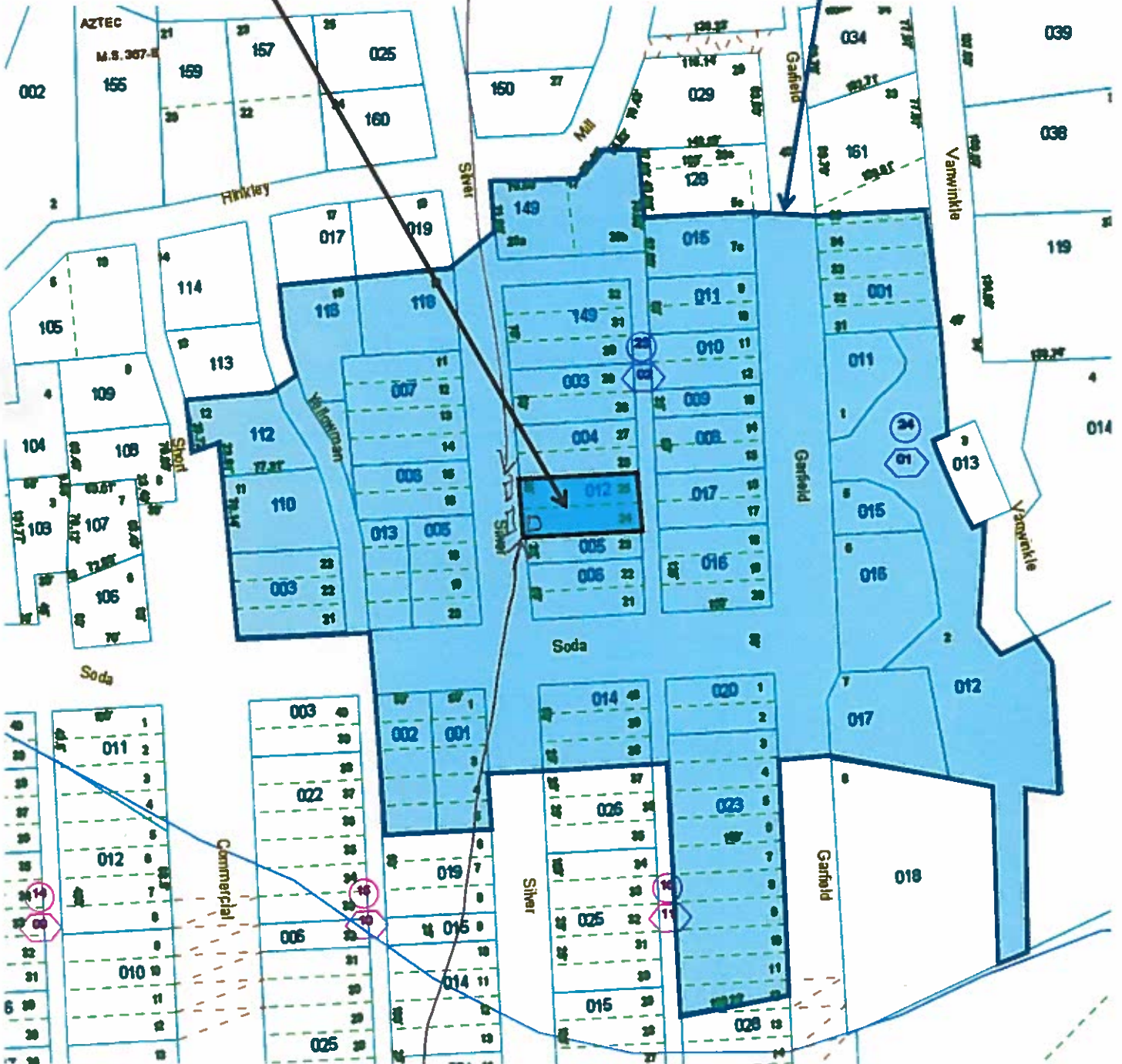
Approval Subject to Conditions _____

Other comments:

None.

Annie Belaska's Property

Owners within 200 feet
entitled to notice



Complete & Compliant Letter



March 8th, 2021

111 Short Street
Paul Jacobsen
167 Coffey St.
Brooklyn NY, 11231

RE: Special Use Permit for Short Term Rental

Dear Applicant,

The Town of Rico has received an application for a special use permit for the purpose of short-term rental for the property located at 111 N. Silver Street. I have performed an initial review of this application and at this time the application is complete and compliant. This determination does not preclude the Town from determining following additional review at a subsequent time, that the application is not complete or compliant. In such an event, the Town Staff would require the applicant to correct any deficiencies.

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- ☒ An application fee in the amount of \$200.00
- ☒ A Certificate of Mailing with names, addresses, and property owned of property owners within 200 feet of subject property
- ☒ A copy of the deed for the property.

Date Application Received: 03-08-2021

Application Reviewed by: KLD

Application Fee Received: 03-08-2021

Date of Hearing: 03-10-2021 & 03-17-2021

Application Complete: Yes

Rico Planning Commission Action _____

Mailing Notice Complete: Yes

Approval Subject to Conditions _____

Other comments:

None.

Rico Colorado, 81332

MAP

Insert map or PDF file of survey here showing the lot and the proposed special use permit.



Complete & Compliant Letter



March 1st, 2021

204 E. Mantz Ave
Bonnie Emerick & James Schroff
P.O. Box 308
Rico Colorado, 81332

RE: Fixed Encroachment Permit Application

Dear Applicant,

The Town of Rico has received an application for a fixed encroachment agreement for the purpose resolving an encroachment on to Town of Rico property for the structure located at 204 E. Mantz. Town staff has performed an initial review of this application and at this time the application is complete and compliant. This determination does not preclude the Town from determining following additional review at a subsequent time, that the application is not complete or compliant. In such an event, the Town Staff would require the applicant to correct any deficiencies.

Pursuant to this determination that this application is complete and compliant, this application is scheduled for the March 10th Rico Planning Commission meeting and the March 17th Rico Board of Trustee's meeting.

These applications include the following required components:

Attachments Required Special Use Permit:

☒ Description of encroachment request including a statement that the applicant or his/her contractor is not delinquent in payments due to the Town for prior work.

☐ Copies of other permits or licenses required by the Town including insurance, deposits, bonds and warranties

☒ Narrative of reasons that the encroachment should be granted

☒ Statement from County Treasurer showing the status of current taxes due on affected property

☐ Letter of agency if applicant is other than the owner of the property

☒ An application fee in the amount of \$200.00

☒ A Certificate of Mailing with names, addresses, and property owned of property owners within 200 feet of subject property.

☒ A copy of the deed for the property.

☒ A copy of the proposed agreement to be filed with Dolores County.

☒ One (1) electronic (pdf) site plan produced by a land surveyor registered in the State of Colorado showing the following:

Date Application Received: 03-01-2021

Application Reviewed by: KLD

Application Fee Received: 03-01-2021

Date of Hearing: 03-10-2021 & 03-17-2021

Application Complete: Yes

Rico Planning Commission Action _____

Mailing Notice Complete: Yes

Approval Subject to Conditions _____

Other comments:

None.

Complete & Compliant Letter –
Minor Subdivision & Re-
subdivision Application



March 1st, 2021

Rebecca Adams & Gordon Mortensen
P.O. Box 148
Rico Colorado, 81332

RE: Lots 11-14, Block B, Town of Rico, T.40 N., R.9 W., NMPM, Dolores County Colorado

Dear Applicants,

The Town of Rico has received an application for a Re-subdivision and land trade of the above mentioned lots. Staff has performed an initial review of this application and at this time the application is complete and compliant. This determination does not preclude the Town from determining following an additional review at a subsequent time, that the application is not complete or compliant. In such an event, the Town Staff would require the applicant to correct any deficiencies.

Pursuant to this determination that this application is complete and compliant, this application is scheduled for the March 10th, 2021 Rico Planning Commission meeting and the March 17th Rico Board of Trustee's meeting.

These applications include the following required components:

Attachments Required Minor Subdivision:

* One electronic (pdf) site plan showing the following signed and stamped by a surveyor licensed in the State of Colorado:

North Arrow and Scale	Notes
Legend	Mortgage consent if applicable
Vicinity Map	Dolores County Clerk's acceptance
Legal Description	Lot lines with dimensions and acreage
Surveyor's Certificate	Easements with dimensions
Title Insurance Company Certificate	Lot and street labels
County Treasurer's Certificate	Right-of-way dimensions
Dedication	Zone district labels
Approval by Rico Planning Commission	Adjoining lots with labels
Approval by Town of Rico	

☒ Statement from County Treasurer showing the status of current taxes due on affected property

NA Letter of agency if applicant is other than the owner of the property

☒ An application fee in the amount of \$750.00

☒ A Certificate of Mailing with names, addresses, and property owned of property owners within 200 feet of subject property.

☒ A copy of the deed for the property.

Date Application Received: 02-11-2021

Application Reviewed by KLD

Application Fee Received: 02-11-2021

Date of Hearing 03-10-2021 & 03-17-2021

Application Complete Yes*

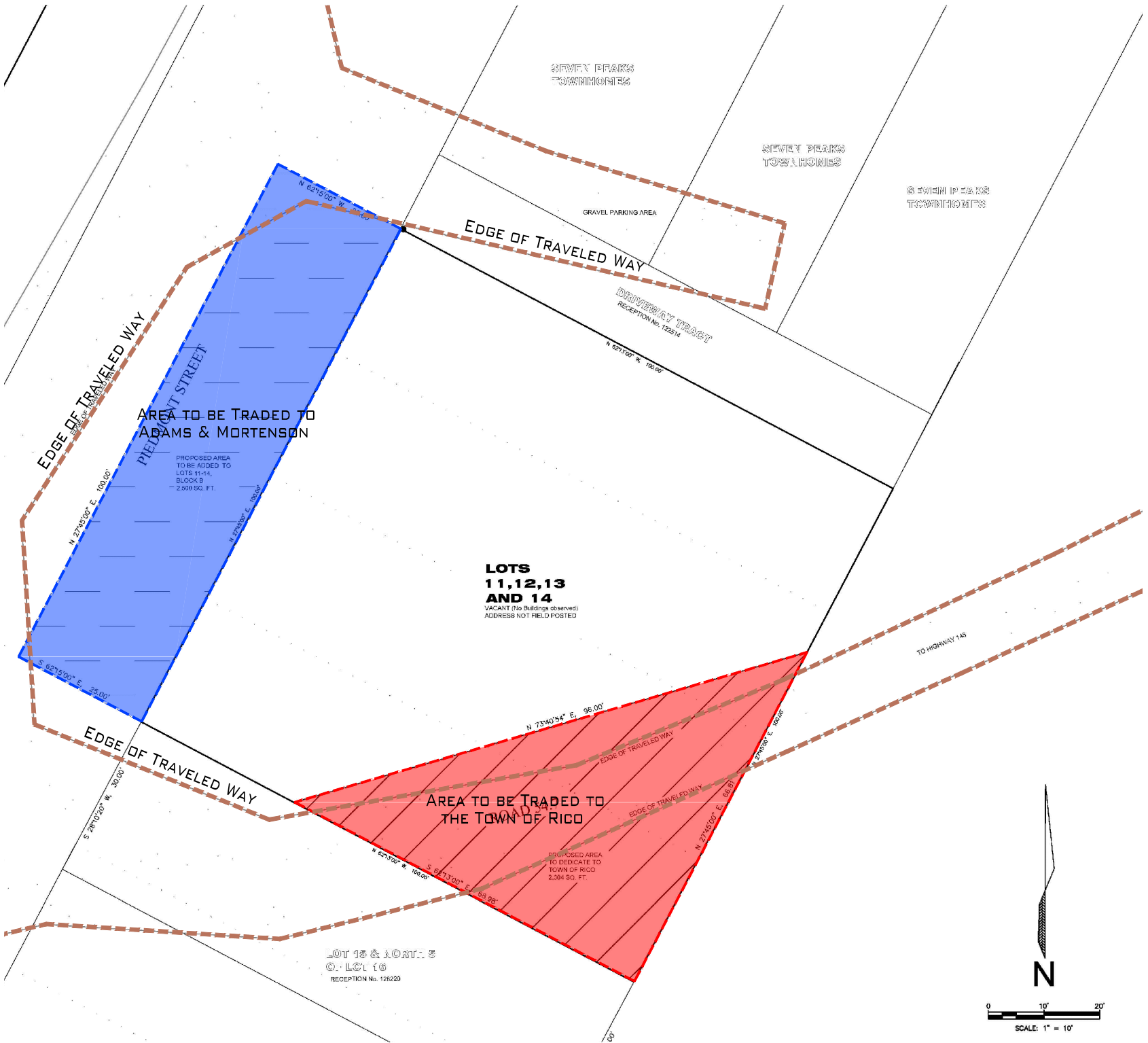
Rico Planning Commission Action _____

Mailing Notice Complete Yes

Approval Subject to Conditions _____

Other comments:

* A 24"x 36" mylar as per Rico Land Use Code Section 544 will be required for recording if the re-subdivision is approved.



AREA TO BE TRADED TO
ADAMS & MORTENSON

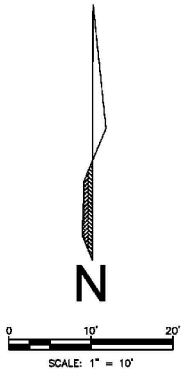
PROPOSED AREA
TO BE ADDED TO
LOTS 11-14,
BLOCK B
2,500 SQ. FT.

**LOTS
11,12,13
AND 14**
VACANT (No Buildings observed)
ADDRESS NOT FIELD POSTED

AREA TO BE TRADED TO
THE TOWN OF RICO

PROPOSED AREA
TO DEDICATE TO
TOWN OF RICO
2,304 SQ. FT.

LOT 15 & NORTH 5
© LCL 16
RECEPTION No. 126220



OWNERS' CERTIFICATE:

KNOW ALL PERSONS BY THESE PRESENTS:
That:

The Town of Rico, Colorado, a home rule municipality being the owner of a portion of Tract A, Townsite of Rico, hereon depicted as **Tract 5A** and **Tract 5B** and **Tract 5C** as evidenced in the document recorded on November 13, 2008 in Book 378, page 158, in the Office of the Clerk and Recorder, County of Dolores, State of Colorado.

Disposition Properties, LLC, an Arizona limited liability company being the owner of a portion of Tract A, Townsite of Rico, hereon depicted as **Tract 9** as evidenced in the document recorded on November 13, 2014 at Reception Number 164742 in the Office of the Clerk and Recorder, County of Dolores, State of Colorado.

Rico River Village, LLC being the owner of a portion of Tract A, Townsite of Rico, hereon depicted as **Tract 6** as evidenced in the document recorded on February 21, 1997 in Book 279, page 143 in the Office of the Clerk and Recorder, County of Dolores, State of Colorado.

Linda Burnette and Kevin O'Grady being the owners of a portion of Tract A, Townsite of Rico, hereon depicted as **Tract 3** as evidenced in the document recorded on August 31, 2001 in Book 307, page 414 in the Office of the Clerk and Recorder, County of Dolores, State of Colorado.

Disposition Properties, LLC, an Arizona limited liability company being the owner of a portion of Tract A, Townsite of Rico, hereon depicted as **Tract 2** and **Tract 4** as evidenced in the document recorded on November 13, 2014 at Reception Number 164742 in the Office of the Clerk and Recorder, County of Dolores, State of Colorado.

The Town of Rico, Colorado, a home rule municipality being the owner of a portion of Tract A, Townsite of Rico, hereon depicted as **Tract 5D** as evidenced in the document recorded on September 21, 2007 in Book 366, pages 41, 47, and 51 in the Office of the Clerk and Recorder, County of Dolores, State of Colorado.

The Town of Rico, Colorado, a home rule municipality being the owner of a portion of Tract A, Townsite of Rico, hereon depicted as **Tract 8** as evidenced in the document recorded on September 21, 2007 in Book 366, pages 41, 47, and 51 in the Office of the Clerk and Recorder, County of Dolores, State of Colorado.

Disposition Properties, LLC, an Arizona limited liability company being the owner of a portion of Tract A, Townsite of Rico, hereon depicted as **Tract 7** as evidenced in the document recorded on November 13, 2014 at reception number 164742 in the Office of the Clerk and Recorder, County of Dolores, State of Colorado.

Are collectively the sole owners ("Owners") of real property located within the following described parcel of land;

A portion of Tract A, Townsite of Rico according to the United States Patent for the Townsite of Rico recorded December 18th 1891 in Book 17 at page 394 with the Dolores County Clerk and Recorder, Dolores County, State of Colorado, further described as follows;

Beginning at a point on the southern boundary of said Tract A from which Corner 30 of said Tract A bears N 80° W, 372.33 feet;
thence N12f °07'10"W, a distance of 100.48 feet;
thence N03°44'10"W, a distance of 76.27 feet;
thence N13°23'37"E, a distance of 109.01 feet;
thence N31°46'16"E, a distance of 380.16 feet;
thence N31°25'10"E, a distance of 171.15 feet;
thence N07°56'50"E, a distance of 133.16 feet;
thence N07°03'58"W, a distance of 130.58 feet;
thence N17°49'37"W, a distance of 166.66 feet;
thence N41°16'56"W, a distance of 37.53 feet;
thence N53°36'42"W, a distance of 216.03 feet;
thence N02°29'27"W, a distance of 236.09 feet;
thence N16°42'25"E, a distance of 192.23 feet;
thence N42°23'15"E, a distance of 190.76 feet;
thence N36°05'39"E, a distance of 181.53 feet to corner 4 of the Burchard Lode, Mineral Survey Number 8070, United States Patent Number 27326 located in the Pioneer Mining District, Dolores County, Colorado;
thence N18°40'00"W, a distance of 325.80 along the extension of the line between corner 4 and corner 1 of said Burchard Lode to the intersection with the line between corner 3 and corner 4 of the Santa Cruz Lode, Mineral Survey Number 6132, United States Patent Number 25864 located in the Pioneer Mining District, Dolores County, Colorado;
thence N57°39'00"E, a distance of 100.00 feet to corner 4 of said Santa Cruz Lode;
thence N32°21'00"E, a distance of 300.00 feet to corner 1 of said Santa Cruz Lode, said corner being identical to corner 1 of the Iron Clad Lode, Mineral Survey Number 865, United States Patent Number 7967 located in the Pioneer Mining District, Dolores County, Colorado;
thence N27°00'00"W, a distance of 78.52 feet along the line between corner 1 and corner 4 of said Iron Clad Lode to the intersection with the western boundary of said Tract A, Townsite of Rico;
thence N10°00'00"W, a distance of 1888.53 feet along the western boundary of said Tract A, Townsite of Rico to the intersection with the westerly extension of the southern boundary of Block 12, Town of Rico according to the Plat recorded August 16th, 1893 at reception number 11727, Dolores County State of Colorado;
thence N 87°54'00" E, 627.45 feet along said westerly extension to the southwest corner of Lot 20 of said Block 12, Town of Rico;
thence S 02°06'00" E, 1140.00 feet along the western boundaries of Block 28 and Block 27, Town of Rico according to the Plat recorded August 16th, 1893 at reception number 11727, Dolores County State of Colorado to the southwest corner of said Block 27;
thence N 87°54'00" E, 160.00 feet to the southwest corner of Block 2, Town of Rico according to the Plat recorded August 16th, 1893 at reception number 11727, Dolores County, State of Colorado;
thence S 02°06'00" E, 1010.00 feet 846.74 feet to the western boundary of the Colorado State Highway 145 right-of-way according to the Colorado State Highway PROJECT OR 58-0145-05;
thence along said western boundary of the Colorado State Highway 145 right-of-way the following 36 courses;

1)Thence southwesterly, along the arc of a 7,589.47 feet radius curve to the right, through a central angle of 00°01'56", a distance of 4.27 feet, the chord of which bears S30°38'32"W, a chord distance of 4.27 feet to a point of non-tangent curvature;
2)Thence southwesterly, along the arc of a 34,327.60 feet radius curve to the right, through a central angle of 00°02'00", an arc length of 19.97 feet, the chord of which bears S30°41'00"W, a chord distance of 19.97 feet;
3)Thence N59°18'00"W, a distance of 16.00 feet;
4)Thence S30°42'00"W, a distance of 411.67 feet;
5)Thence N59°18'00"W, a distance of 24.00 feet;
6)Thence S30°42'00"W, a distance of 160.01 feet to a point of curvature;
7)Thence southwesterly, along the arc of a 34,467.60 feet radius curve to the left, through a central angle of 00°01'30", an arc length of 15.04 feet to a point of non-tangent curvature;
8)Thence southwesterly, along the arc of a 7,729.47 feet radius curve to the left, through a central angle of 00°06'45", an arc length of 15.18 feet, the chord of which bears S30°36'46"W, a chord distance of 15.18 feet to a point of compound curvature;
9)Thence southwesterly, along the arc of a 4,673.68 feet radius curve to the left, through a central angle of 00°11'15", an arc length of 15.29 feet to a point of compound curvature;
10)Thence southwesterly, along the arc of a 3,364.06 feet radius curve to the left, through a central angle of 00°15'45", an arc length of 15.41 feet to a point of compound curvature;
11)Thence southwesterly, along the arc of a 2,636.49 feet radius curve to the left, through a central angle of 00°20'15", an arc length of 15.53 feet to a point of compound curvature;
12)Thence southwesterly, along the arc of a 2,173.49 feet radius curve to the left, through a central angle of 00°24'45", an arc length of 15.65 feet to a point of compound curvature;
13)Thence southwesterly, along the arc of a 1,852.95 feet radius curve to the left, through a central angle of 00°29'15", an arc length of 15.77 feet to a point of compound curvature;

OWNERS' CERTIFICATE (cont.):

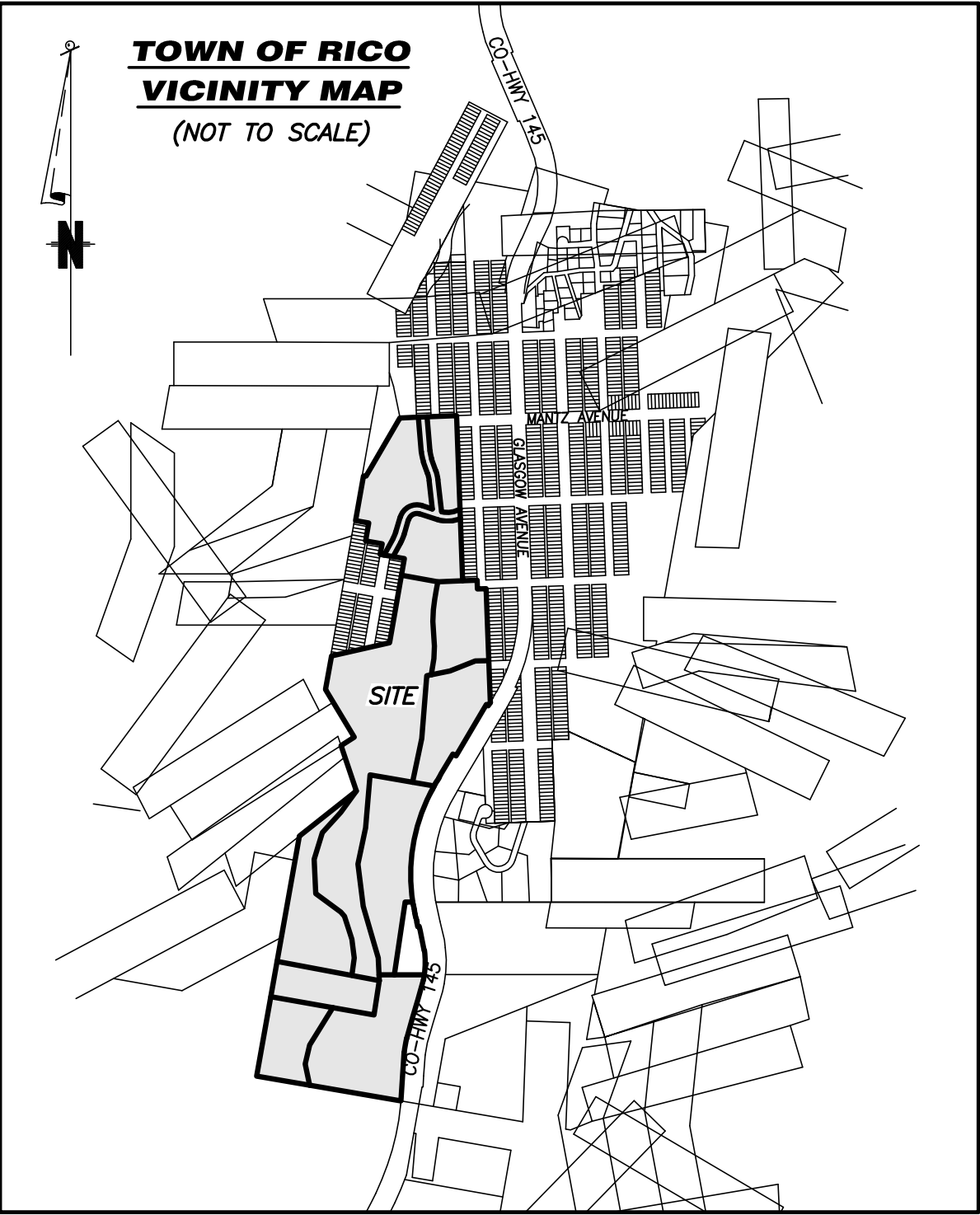
14)Thence southwesterly, along the arc of a 1,617.89 feet radius curve to the left, through a central angle of 00°33'45", an arc length of 15.88 feet to a point of compound curvature;
15)Thence southwesterly, along the arc of a 1,438.14 feet radius curve to the left, through a central angle of 00°38'14", an arc length of 15.99 feet to a point of non-tangent curvature;
16)Thence southwesterly, along the arc of a 1,275.43 feet radius curve to the left, through a central angle of 00°43'29", an arc length of 16.13 feet, the chord of which bears S27°18'46"W, a chord distance of 16.13 feet to a point of compound curvature;
17)Thence southerly, along the arc of a 1,235.92 feet radius curve to the left, through a central angle of 36°30'00", an arc length of 787.34 feet to a point of compound curvature;
18)Thence southerly, along the arc of a 1,275.43 feet radius curve to the left, through a central angle of 00°43'29", an arc length of 16.13 feet to a point of non-tangent curvature;
19)Thence southerly, along the arc of a 1,438.14 feet radius curve to the left, through a central angle of 00°38'14", an arc length of 15.99 feet, the chord of which bears S10°35'14"E, a chord distance of 15.99 feet to a point of compound curvature;
20)Thence southerly, along the arc of a 1,617.89 feet radius curve to the left, through a central angle of 00°33'45", an arc length of 15.88 feet to a point of compound curvature;

21)Thence southerly, along the arc of a 1,852.95 feet radius curve to the left, through a central angle of 00°29'15", an arc length of 15.77 feet to a point of compound curvature;
22)Thence southerly, along the arc of a 2,173.49 feet radius curve to the left, through a central angle of 00°24'45", an arc length of 15.65 feet to a point of compound curvature;
23)Thence southerly, along the arc of a 2,636.49 feet radius curve to the left, through a central angle of 00°20'15", an arc length of 15.53 feet to a point of compound curvature;
24)Thence southerly, along the arc of a 3,364.06 feet radius curve to the left, through a central angle of 00°15'45", an arc length of 15.41 feet to a point of compound curvature;
25)Thence southerly, along the arc of a 4,673.68 feet radius curve to the left, through a central angle of 00°11'15", an arc length of 15.29 feet to a point of compound curvature;
26)Thence southerly, along the arc of a 7,729.47 feet radius curve to the left, through a central angle of 00°06'45", an arc length of 15.18 feet to a point of non-tangent curvature;
27)Thence southerly, along the arc of a 34,467.60 feet radius curve to the left, through a central angle of 00°01'30", an arc length of 15.04 feet, the chord of which bears S13°17'13"E, a chord distance of 15.04 feet;
28)Thence N76°42'27"E, a distance of 10.00 feet;
29)Thence S13°17'33"E, a distance of 30.00 feet;
30)Thence S11°21'34"E, a distance of 141.45 feet to a point of non-tangent curvature;
31)Thence southerly, along the arc of a 636.20 feet radius curve to the right, through a central angle of 18°25'00", an arc length of 204.49 feet, the chord of which bears S01°54'30"W, a chord distance of 203.62 feet; Thence S15°10'34"W, a distance of 141.55 feet;
32)Thence S17°07'00"W, a distance of 121.84 feet;
33)Thence S15°35'12"W, a distance of 156.24 feet to a point of non-tangent curvature;
34)Thence southerly, along the arc of a 1,034.93 feet radius curve to the left, through a central angle of 05°25'00", an arc length of 97.84 feet, the chord of which bears S09°54'30"W, a chord distance of 97.80 feet;
35)Thence S04°07'54"W, a distance of 166.98 feet;
36)Thence S03°41'21"W, a distance of 174.88 feet to the southern boundary of Tract A, Townsite of Rico according to the United States Patent for the Townsite of Rico recorded December 18th 1891 in Book 17 at page 394 with the Dolores County Clerk and Recorder, Dolores County, State of Colorado;
Thence N 80° W, 638.76 feet along said southern boundary to the point of beginning.

TOGETHER WITH;

A portion of Tract A, Townsite of Rico according to the United States Patent for the Townsite of Rico recorded December 18th 1891 in Book 17 at page 394 with the Dolores County Clerk and Recorder, Dolores County, State of Colorado, further described as follows;

Beginning at a point on the southern boundary of said Tract A from which Corner 30 of said Tract A bears N 80° W, 372.33 feet;
thence N12°07'10"W, a distance of 100.48 feet;
thence N03°44'10"W, a distance of 76.27 feet;
thence N13°23'37"E, a distance of 109.01 feet;
thence N31°46'16"E, a distance of 380.16 feet;
thence N31°25'10"E, a distance of 171.15 feet;
thence N07°56'50"E, a distance of 133.16 feet;
thence N07°03'58"W, a distance of 130.58 feet;
thence N17°49'37"W, a distance of 166.66 feet;
thence N41°16'56"W, a distance of 37.53 feet;
thence N53°36'42"W, a distance of 216.03 feet;
thence N02°29'27"W, a distance of 236.09 feet;
thence N16°42'25"E, a distance of 192.23 feet;
thence N42°23'15"E, a distance of 190.76 feet;
thence N36°05'39"E, a distance of 181.53 feet to Corner 4 of the Burchard Lode, Mineral Survey Number 8070, United States Patent Number 27326 located in the Pioneer Mining District, Dolores County, Colorado
thence S51°20'00"W along the line between Corner 4 to Corner 3 of said Burchard Lode to Corner 31 of said Tract A, Townsite of Rico;
Thence S 10° W along said Tract A, Townsite of Rico to Corner 30 of said Tract A, Townsite of Rico;
Thence S 80° E, 372.33 feet along the southern boundary of said Tract A, Townsite of Rico to the point of beginning



SHEET LEGEND

- SHEET 1 - OWNERS' CERTIFICATE AND VICINITY MAP**
SHEET 2 - OWNERS' ACKNOWLEDGMENTS AND OTHER CERTIFICATES
SHEET 3 - PROPERTY DIMENSIONS AND EASEMENTS
SHEET 4 - SURVEY MONUMENTATION AND OTHER RELATED FEATURES

OWNERS' CERTIFICATE (cont.):

TOGETHER WITH;

Those lands granted to Linda Burnette and Kevin O'Grady by Grady Leavell and Helen Leavell and described in the Warranty Deed recorded 08-31-2001, Book 307, page 414-415 at reception number 143937, with the Dolores County Clerk and Recorder.

and, as Owners, do hereby agree upon the boundary lines as set forth hereon and do further grant, sell and convey to the other owners such of their real property as may lie on the other parties' side of the boundary lines set forth on this plat, and do hereby agree that the boundary lines shown on this plat are the boundary lines by agreement of adjoining pursuant to Colorado Revised Statutes sec. 38-44-112.

The Owners do collectively agree to release and abandon the easement rights having previously been granted in the following instruments. The locations of said released and abandoned easements are being shown on Sheet 4 of this Boundary Line Agreement:

- a) Right-of-Way Easement recorded October 22, 1992 in Book 256, at page 245, Dolores County Clerk and Recorder.
b) Grantor Reserved Easement rights as described in Quit Claim Deed recorded in Book 264, at pages 380-381, Dolores County Clerk and Recorder.
c) Grant of Easement to the Town of Rico for Sewer and Water Pipelines recorded March 13th, 2007 in Book 356 at page 244, Dolores County Clerk and Recorder.
d) Any and All Easement Rights granted by the Property Description recorded in Book 366 at pages 45-46, Dolores County Clerk and Recorder.
e) Easement Rights reserved within items 13 and 14, Schedule 6 of the Exceptions as included in the Mining Deed recorded September 2, 1980 in Book 193 at pages 324-347, Dolores County Clerk and Recorder.

The Owners do collectively affirm and agree to the following notes. Each further dedicates the following easements as necessary for the indicated use of the individual parties cited below.

1. Tract 7 received a No Action Determination Approval on December 10, 1999, from the Colorado Department of Public Health and Environment, pursuant to the State of Colorado VCUJP Program. Future development of the tract is subject to the approval by the State of Colorado in accordance with those terms set forth in the No Action Determination Approval cited above.

2. The lands located within Tract 10 were historically used as a refuse dump. At the time of any future development within Tract 10, the Town of Rico shall have the right to impose conditions which could include, without limitation, the requirement to remove all existing garbage and other waste debris and engage in any necessary clean up from the site prior to the issuance of a building or development permit in a manner that complies with all applicable law

3. A perpetual, non-exclusive 30' Access and Utility Easement (River Corridor) for the following purposes and activities, by the indicated users:

- a) non-motorized, pedestrian, equestrian, skier and other recreational access for the benefit of the public, provided that such usage is subordinate to the easement rights granted in 3(b) below as determined by the Town of Rico, which may include the right for the Town to temporarily suspend access during times of utility work.
b) an access, trail maintenance, and utility easement for the benefit of the Town of Rico and other public utility service providers, provided that motorized access for the purpose of trail maintenance, utility installation and maintenance shall be permitted at the discretion of the Town of Rico.
c) temporary widening of the easement area to 40' from the easement area shown hereon to enable access and earthwork necessary to install or maintain the utilities. The widening shall allow an additional 5' on each side of the permanent 30' width. Said use shall be temporary and terminates upon the completion of the installation or maintenance of the utilities. The owner of the utility shall have the obligation to return the ground to its pre-construction condition once work is complete.

4. A perpetual, non-exclusive 30' Access and Utility Easement (Tract 10) for the following purposes and activities, by the indicated users:

- a) A perpetual, 30' wide access and utility easement for the benefit of the Town of Rico, Tract 6, Tract 4, Tract 5D, and Tract 3.
b) temporary widening of the easement area to 40' from the easement area shown hereon to enable access and earthwork necessary to install or maintain the permanent improvements located within the easement area. The widening shall allow an additional 5' on each side of the permanent 30' width. Said use shall be temporary and terminates upon the completion of the installation or maintenance of the permanent improvements located within the easement area. The party responsible for the construction shall have the obligation to return the ground to its pre-construction condition once work is complete.

5. A perpetual, non-exclusive 30' Access and Utility Easement (Tract 6 - Segment 1) for the following purposes and activities, by the indicated users:

- a) A perpetual, 30' wide access and utility easement for the benefit of the Town of Rico, Tract 4, Tract 5D, and Tract 3.
b) temporary widening of the easement area to 40' from the easement area shown hereon to enable access and earthwork necessary to install or maintain the permanent improvements located within the easement area. The widening shall allow an additional 5' on each side of the permanent 30' width. Said use shall be temporary and terminates upon the completion of the installation or maintenance of the permanent improvements located within the easement area. The party responsible for the construction shall have the obligation to return the ground to its pre-construction condition once work is complete.
c) The deed recorded at reception number 137551 with the Dolores County Clerk and Recorder reserved a 80' wide utility easement along this section of existing dir/gravel road. All easement rights associated with this alignment and granted by said deed are hereby vacated and released by all signatories to this plat.

6. A perpetual, non-exclusive 30' Access and Utility Easement (Tract 6 - Segment 2) for the following purposes and activities, by the indicated users:

- a) A perpetual, 30' wide access and utility easement for the benefit of the Tract 5C and Tract 4.
b) temporary widening of the easement area to 40' from the easement area shown hereon to enable access and earthwork necessary to install or maintain the permanent improvements located within the easement area. The widening shall allow an additional 5' on each side of the permanent 30' width. Said use shall be temporary and terminates upon the completion of the installation or maintenance of the permanent improvements located within the easement area. The party responsible for the construction shall have the obligation to return the ground to its pre-construction condition once work is complete.
c) The deed recorded at reception number 137551 with the Dolores County Clerk and Recorder reserved a 60' wide utility easement along this section of existing dir/gravel road together with the right to build a bridge across the Dolores River. Access easement rights associated with this alignment and granted by said deed are hereby vacated and released by all signatories to this plat.

7. A perpetual, non-exclusive 30' Access and Utility Easement (Tract 6 - Segment 3) for the following purposes and activities, by the indicated users:

- a) A perpetual, 30' wide access and utility easement for the benefit of the Tract 3 and Tract 5D.
b) temporary widening of the easement area to 40' from the easement area shown hereon to enable access and earthwork necessary to install or maintain the permanent improvements located within the easement area. The widening shall allow an additional 5' on each side of the permanent 30' width. Said use shall be temporary and terminates upon the completion of the installation or maintenance of the permanent improvements located within the easement area. The party responsible for the construction shall have the obligation to return the ground to its pre-construction condition once work is complete.
c) The deed recorded at reception number 137551 with the Dolores County Clerk and Recorder reserved a 60' wide utility easement along this section of existing dir/gravel road. All easement rights associated with this alignment and granted by said deed are hereby vacated and released by all signatories to this plat.

8. A perpetual, non-exclusive Access and Utility Easement (Tract 3) for the following purposes and activities, by the indicated users:

a) A perpetual, non-exclusive access and utility easement for the benefit of the Tract 3.

9. A perpetual, exclusive 30' Access and Utility Easement (Tract 5C) for the following purposes and activities, by the indicated users:

- a) A perpetual, 30' wide access and utility easement for the benefit of the Tract 4. The easement area as indicated hereon is approximate and the final location can vary within the Tract 4 Easement Area at the sole discretion of the Tract 4 Owner.
b) temporary widening of the easement area to 40' from the easement area shown hereon to enable access and earthwork necessary to install or maintain the permanent improvements located within the easement area. The widening shall allow an additional 5' on each side of the permanent 30' width. Said use shall be temporary and terminates upon the completion of the installation or maintenance of the permanent improvements located within the easement area. The party responsible for the construction shall have the obligation to return the ground to its pre-construction condition once work is complete.

10. A perpetual, exclusive 15' Access Easement (Tract 6) for the following purposes and activities, by the indicated users:

a) non-motorized, pedestrian, equestrian, skier and other recreational access for the benefit of the public.

11. Access to Tract 2 shall be provided either as follows: (a) though the adjoining lands located westerly of the Tract 2 boundary which are currently owned by the United State of America and are designated as San Juan National Forest ("USFS Access"); or (b), if the USFS Access is not granted on reasonable terms and conditions upon such time as development is proposed on Tract 2, the owner of Tract 5D agrees to grant and convey a perpetual, non-exclusive 30' access and utility easement for the use and benefit of the Owner of Tract 2, which will be located within the portion of Tract 5D designated as the "Alternative Tract 2 Access Corridor" and as mutually agreed upon by the owners of Tract 5D and Tract 2.

12. Any and all rights associated with the existing 12' wide dirt and gravel road at the location shown hereon are hereby vacated and released by all signatories to this plat.

13. The deed recorded at reception number 137551 with the Dolores County Clerk and Recorder reserved a 20' wide utility easement at the location shown hereon. All easement rights associated with this alignment and granted by said deed are hereby vacated and released by all signatories to this plat.

14. Those areas depicted hereon as access and utility easements benefiting more than one lot shall be subject to a future joint maintenance agreement between all benefitted properties. The Town shall not authorize any development on the individually benefitted Lots without evidence of an executed and publically recorded joint maintenance agreement.

RICO RIVER CORRIDOR TRACT MAP
A BOUNDARY LINE AGREEMENT LOCATED WITHIN A PORTION OF TRACT A, RICO TOWNSITE
SECTIONS 35 AND 36 T.40N. R.11W, SECTIONS 1 AND 2, T.39N. R.11W. N.M.P.M. DOLORES COUNTY, COLORADO

Project Mgr:	DB	Rev	description	date	by
Technician:	DB	1	Updated with new file conventions	10/10/17	DB
Technician:					
Checked by:	DB				
Start date:	08/26/12				



970-728-6153 970-728-6050 Fax
P.O. BOX 1385
125 W. PACIFIC, SUITE B-1
TELLURIDE, COLORADO 81435

Drawing path: dwg\River Corrid..lot 2012\PLAT 7-27-17.dwg Sheet1 of 4 Project #: 07079

OWNERS' CERTIFICATE (cont.):

OWNERS:

_____ as Mayor of the Town of Rico, Colorado, a home rule municipality

_____ Curtis B. Swanky as manager of Disposition Properties, LLC, an Arizona limited liability company

As _____ of the Rico River Village, LLC

_____ Linda Burnette

_____ Kevin O'Grady

_____ as _____ of Rico Land Development, LLC, a Colorado limited liability company

ACKNOWLEDGMENT:

State of _____)
County of _____) ss
The foregoing signature was acknowledged before me this _____ day of _____, 20 ____ A.D. by _____ as Mayor of the Town of Rico, Colorado, a home rule municipality

My commission expires _____.
Witness my hand and seal.

Notary Public

ACKNOWLEDGMENT:

State of _____)
County of _____) ss
The foregoing signature was acknowledged before me this _____ day of _____, 20 ____ A.D. by _____ as _____ of Rico Land Development, LLC, a Colorado limited liability company

My commission expires _____.
Witness my hand and seal.

Notary Public

OWNERS' CERTIFICATE (cont.):

ACKNOWLEDGMENT:

State of _____)
County of _____) ss
The foregoing signature was acknowledged before me this _____ day of _____, 20 ____ A.D. by _____ as _____ of the Rico River Village LLC

My commission expires _____.
Witness my hand and seal.

Notary Public

ACKNOWLEDGMENT:

State of _____)
County of _____) ss
The foregoing signature was acknowledged before me this _____ day of _____, 20 ____ A.D. by Curtis B. Swanky as manager of Disposition Properties, LLC, an Arizona limited liability company

My commission expires _____.
Witness my hand and seal.

Notary Public

ACKNOWLEDGMENT:

State of _____)
County of _____) ss
The foregoing signature was acknowledged before me this _____ day of _____, 20 ____ A.D. by Linda Burnette

My commission expires _____.
Witness my hand and seal.

Notary Public

ACKNOWLEDGMENT:

State of _____)
County of _____) ss
The foregoing signature was acknowledged before me this _____ day of _____, 20 ____ A.D. by Kevin O'Grady

My commission expires _____.
Witness my hand and seal.

Notary Public

TITLE INSURANCE COMPANY CERTIFICATE:

Alpine Title Company does hereby certify that we have examined the title to all lands herein shown on this plat and that the title to this land is vested completely and solely in the names of those persons shown in the Certificate of Ownership which is on the face hereof and is free and clear of all encumbrances, liens, and taxes, except as follows:

Title Insurance Company Representative

PLANNING AND ZONING COMMISSION APPROVAL:

The Planning and Zoning Commission of Rico, Colorado did hereby authorize and approve this plat of the above subdivision at a meeting of said Commission held on this _____ day of _____, A.D., 20_____.

Chairperson

APPROVAL BY THE TOWN:

The within plat of RICO RIVER CORRIDOR TRACT MAP is authorized and approved for filing this _____ day of _____, 20_____.

Town of Rico
BY: _____ Mayor ATTEST: _____ Clerk

SECURITY INTEREST HOLDER'S CONSENT:

Security interest consents have been acquired and recorded by separate document.

NOTES:

1. Easement research and ownership information provided by Alpine Title file numbers:

- a) File No. 1200681A issued September 26, 2017 at 3:20 pm.
b) File No. 1200681H issued September 26, 2017 at 3:20 pm.
c) File No. 1200681I issued September 26, 2017 at 3:20 pm.
d) File No. 1200681B issued August 16, 2016 at 1:32 pm.
e) File No. 1200681E issued September 26, 2017 at 3:20 pm.
f) File No. 1200681C issued September 26, 2017 at 3:20 pm.
g) File No. 1200681D issued September 26, 2017 at 3:20 pm.
h) File No. 1200681K issued September 26, 2017 at 3:20 pm.
i) File No. 1200681J issued September 26, 2017 at 3:20 pm.

2. NOTES OF CLARIFICATION:

a. The Configuration of the following lots, tracts, and right-of-way have been created or modified by this plat:

Tract 2, Tract 3, Tract 4, Tract 5A, Tract 5B, Tract 5C, Tract 5D, Tract 6, Tract 7, Tract 8, Tract 9
Picker Street (modified)
Hancock Street (modified)

3. BASIS OF BEARINGS:

a. The line between Corner 30 of the Townsite of Rico, being a 2-1/2" brass cap on a 2" diameter iron pipe, and Corner 47 of the Townsite of Rico, being a 3/4" aluminum cap, LS 29771, was measured to be N 10°05'30" E.

b. Lineal units as depicted hereon are expressed in U.S. Survey Feet or decimal portions thereof.

4. NOTICE: According to Colorado law, you must commence any legal action based upon 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 certification shown hereon.

5. Monuments set by Fred Thomas LS 3762 and indicated hereon have been accepted and held as the original positions of the agreed upon Lot corners. Lots corners without a monument set by LS 3762 were set as indicated hereon as part of this survey by David R. Bulson LS 37662 and are also to be considered original corners of this survey.

SURVEYOR'S CERTIFICATE:

I, David R. Bulson of Foley Associates, Inc., being a Colorado Licensed Professional Land Surveyor, do hereby certify that this plat and survey of RICO RIVER CORRIDOR TRACT MAP ("Plat") was made by me and under my direct responsibility, supervision and checking, in compliance with the applicable provisions of Title 38, Article 51, C.R.S., and that both are true and accurate to the best of my knowledge and belief.

Dated this _____ day of _____, 20_____.

P.L.S. No 37662

RECORDER'S CERTIFICATE:

This plat was filed for record in the office of the Dolores County Clerk and Recorder on this _____ day of _____, 20_____, at

Plat Book _____,
Page _____,
Reception No. _____,
Time _____.

Dolores County Clerk

RICO RIVER CORRIDOR TRACT MAP
A BOUNDARY LINE AGREEMENT LOCATED WITHIN A PORTION OF TRACT A, RICO TOWNSITE
SECTIONS 35 AND 36 T.40N. R.11W, SECTIONS 1 AND 2, T.39N. R.11W. N.M.P.M. DOLORES COUNTY, COLORADO

Project Mgr: DB	Rev	description	date	by
Technician: DB	1	Updated with new title commitments	10/10/17	me
Technician:				
Checked by: DB				
Start date: 08/26/12				



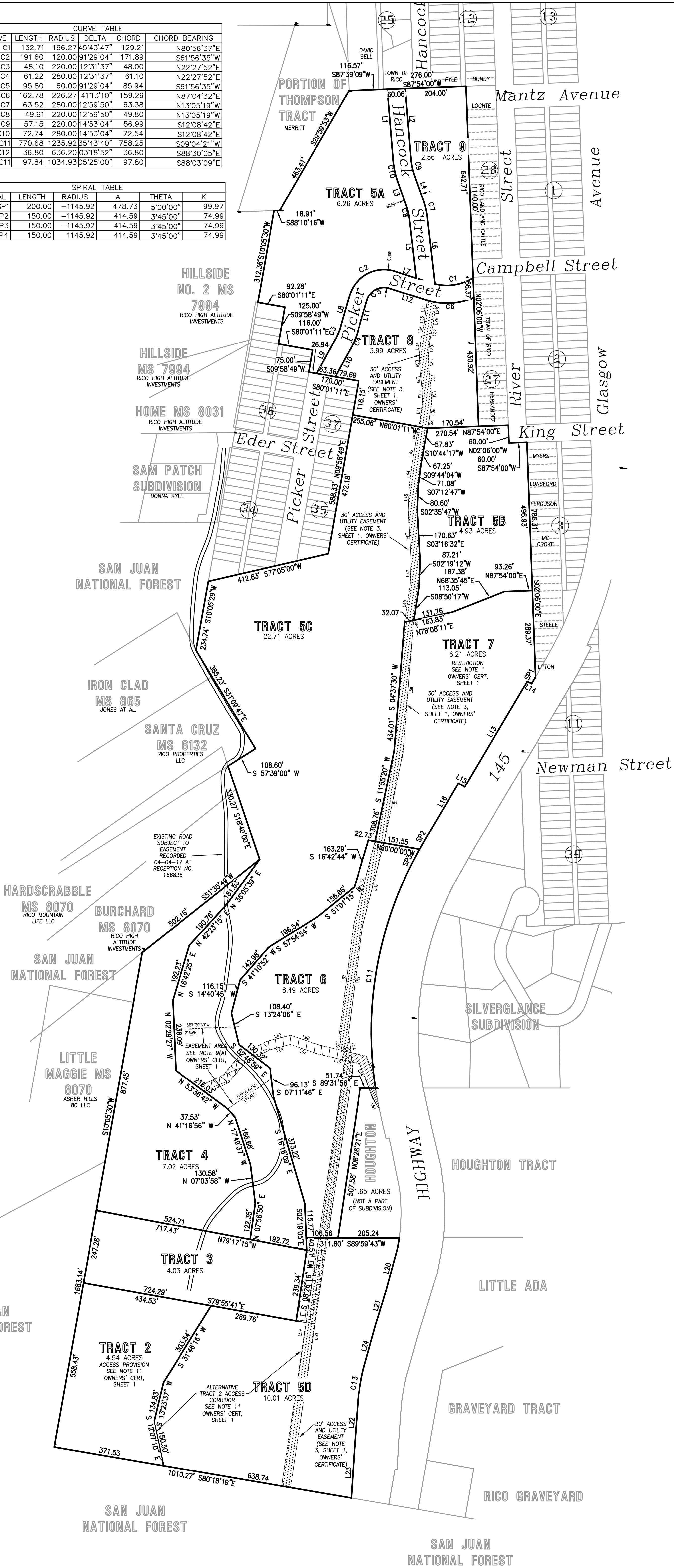
970-728-6153 970-728-6050 fax
P.O. BOX 1385
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Drawing path: dwg\River Corrid...lat 2012\PLAT 7-27-17.dwg Sheet2 of 4 Project #: 07079

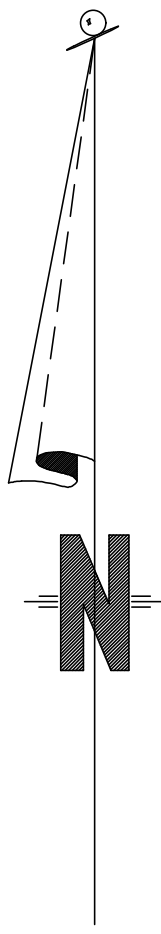
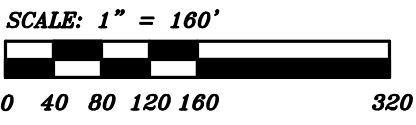
LINE TABLE		
LINE	LENGTH	BEARING
L1	240.00	S04°42'10"E
L2	237.27	S04°42'10"E
L3	84.88	S19°35'14"E
L4	84.88	S19°35'14"E
L5	196.08	N06°35'24"W
L6	222.72	N06°35'24"W
L7	75.25	S72°18'53"E
L8	107.60	S16°12'04"W
L9	129.30	N28°43'40"E
L10	108.94	N28°43'40"E
L11	107.60	S16°12'04"W
L12	129.66	S72°18'53"E
L13	411.67	N67°15'39"W
L14	16.00	N22°44'21"E
L15	24.00	N22°44'21"E
L16	160.01	S67°15'39"E
L20	141.55	S82°47'06"E
L21	121.84	N80°50'39"W
L22	166.98	N86°10'15"E
L23	168.08	N85°43'42"E
L24	156.24	S82°22'27"E
L25	52.65	S07°57'39"W
L26	19.29	S05°14'57"W
L27	53.48	S11°57'24"W
L28	54.16	S05°49'51"W
L29	51.32	S02°44'19"E
L30	52.27	S06°22'47"E
L31	55.39	S02°39'00"E
L32	62.60	S08°14'32"W
L33	23.33	S10°44'17"W
L34	54.07	S07°57'39"W
L35	18.24	S05°14'57"W
L36	53.32	S11°57'24"W
L37	58.01	S05°49'51"W
L38	54.52	S02°44'19"E
L39	52.25	S06°22'47"E
L40	51.56	S02°39'00"E
L41	59.09	S08°14'32"W
L42	80.77	S10°44'17"W
L43	68.17	S09°44'04"W
L44	72.95	S07°12'47"W
L45	83.35	S02°35'47"W
L46	170.70	S03°16'32"E
L47	84.03	S02°19'12"W
L48	122.68	S08°50'17"W
L49	10.23	S08°50'17"W
L50	434.82	S04°37'30"W
L51	311.34	S11°55'20"W
L52	286.23	S14°27'16"W
L53	359.29	S07°27'29"W
L54	125.90	S06°19'09"E
L55	1416.49	S08°28'00"W
L56	287.41	S14°27'16"W
L57	364.75	S07°27'29"W
L58	125.63	S06°19'09"E
L59	1412.60	S08°28'00"W
L60	72.13	N20°41'11"W
L61	159.78	N76°45'37"W
L62	103.96	N71°08'55"W
L63	83.06	S75°31'34"W
L64	40.17	N32°34'13"W
L65	126.02	N20°41'11"W
L66	145.28	N76°45'37"W
L67	96.45	N71°08'55"W
L68	77.91	S75°31'34"W

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C1	132.71	166.27	45°43'47"	129.21	N80°56'37"E
C2	191.60	120.00	91°29'04"	171.89	S61°56'35"W
C3	48.10	220.00	12°31'37"	48.00	N22°27'52"E
C4	61.22	280.00	12°31'37"	61.10	N22°27'52"E
C5	95.80	60.00	91°29'04"	85.94	S61°56'35"W
C6	162.78	226.27	41°13'10"	159.29	N87°04'32"E
C7	63.52	280.00	12°59'50"	63.38	N13°05'19"W
C8	49.91	220.00	12°59'50"	49.80	N13°05'19"W
C9	57.15	220.00	14°53'04"	56.99	S12°08'42"E
C10	72.74	280.00	14°53'04"	72.54	S12°08'42"E
C11	770.68	1235.92	35°43'40"	758.25	S09°04'21"W
C12	36.80	636.20	03°18'52"	36.80	S88°30'05"E
C11	97.84	1034.93	05°25'00"	97.80	S88°03'09"E

SPIRAL TABLE					
SPIRAL	LENGTH	RADIUS	A	THETA	K
SP1	200.00	-1145.92	478.73	5°00'00"	99.97
SP2	150.00	-1145.92	414.59	3°45'00"	74.99
SP3	150.00	-1145.92	414.59	3°45'00"	74.99
SP4	150.00	1145.92	414.59	3°45'00"	74.99



- 30' ACCESS AND UTILITY EASEMENT - RIVER CORRIDOR (SEE NOTE 3, SHEET 1, OWNERS' CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 10 (SEE NOTE 4, SHEET 1, OWNERS' CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 6 - SEGMENT 1 (SEE NOTE 5, SHEET 1, OWNERS' CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 6 - SEGMENT 2 (SEE NOTE 6, SHEET 1, OWNERS' CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 6 - SEGMENT 3 (SEE NOTE 7, SHEET 1, OWNERS' CERTIFICATE)
- ACCESS AND UTILITY EASEMENT - TRACT 3 - (SEE NOTE 8, SHEET 1, OWNERS' CERTIFICATE)
- 30' ACCESS AND UTILITY EASEMENT - TRACT 5C - (SEE NOTE 9, SHEET 1, OWNERS' CERTIFICATE)
- 15' ACCESS EASEMENT - TRACT 6 - (SEE NOTE 10, SHEET 1, OWNERS' CERTIFICATE)



RICO RIVER CORRIDOR TRACT MAP

A BOUNDARY LINE AGREEMENT LOCATED WITHIN A PORTION OF TRACT A, RICO TOWNSITE SECTIONS 35 AND 36 T.40N. R.11W, SECTIONS 1 AND 2, T.39N. R.11W. N.M.P.M. DOLORES COUNTY, COLORADO

Project Mgr: DB
Technician: DB
Checked by: DB
Start date: 08/26/12

Rev	description	date	by
1	Updated with new file commitments	10/19/17	DB



970-728-6153 970-728-6050 fax
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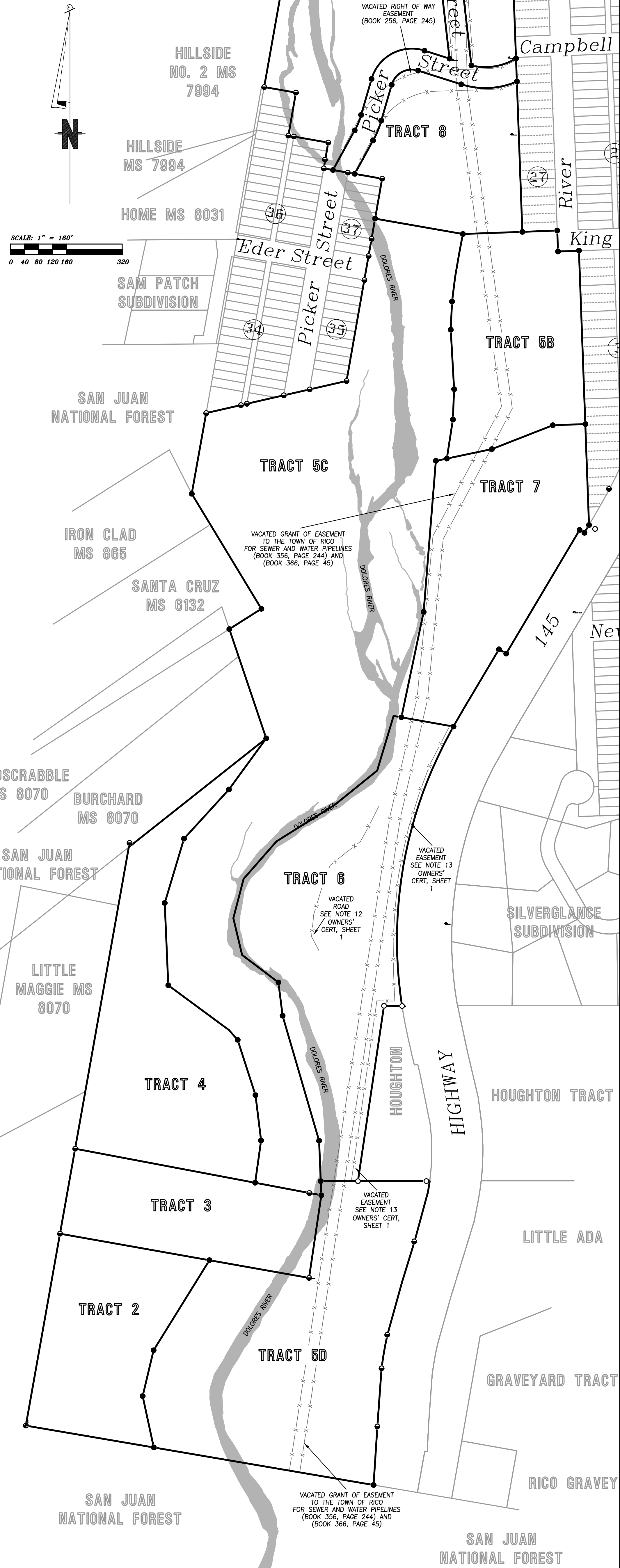
Drawing path: dwg\River Corrid...lat 2012\PLAT 7-27-17.dwg Sheet3 of 4 Project #: 07079

SURVEY MONUMENTATION
VACATED EASEMENTS

MONUMENT LEGEND

- FOUND 1 1/2" ALUMINUM CAP LS 37662 ON #5 REBAR
- SET 1 1/2" ALUMINUM CAP LS 37662 ON 18" LONG #5 REBAR
- FOUND 2" ALUMINUM CAP LS 29771 ON #5 REBAR
- FOUND 1 1/2" PLASTIC CAP LS 6728 ON #5 REBAR
- FOUND 4"x4" STEEL PLATE WELDED ON 3" STEEL PIPE STAMPED RTS CORNER

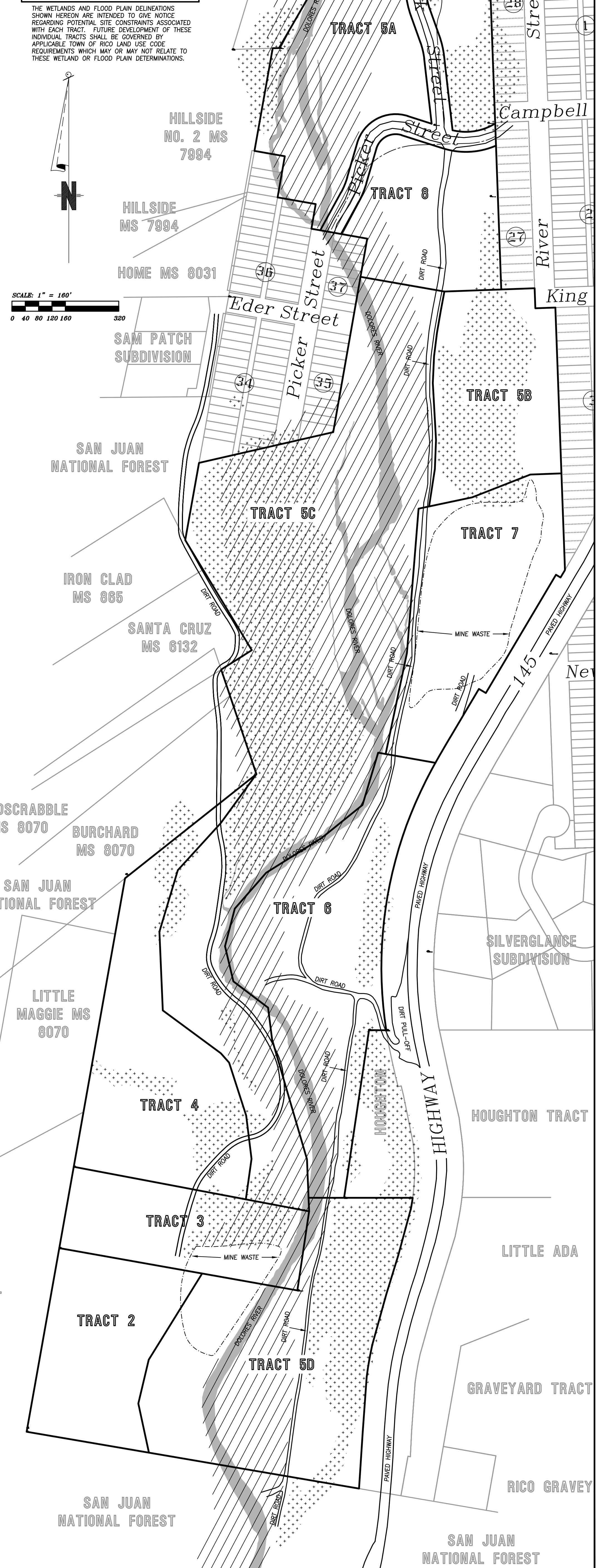
—X—X— VACATED EASEMENT
ACCORDING TO THE TERMS CITED HEREWITHIN



PHYSICAL SITE CONDITIONS

LEGEND

- MINE WASTE
- WETLAND AS DELINEATED BY PAT DREW 2005
- 100 YEAR FLOOD PLAIN CHRIS WILBUR 1994



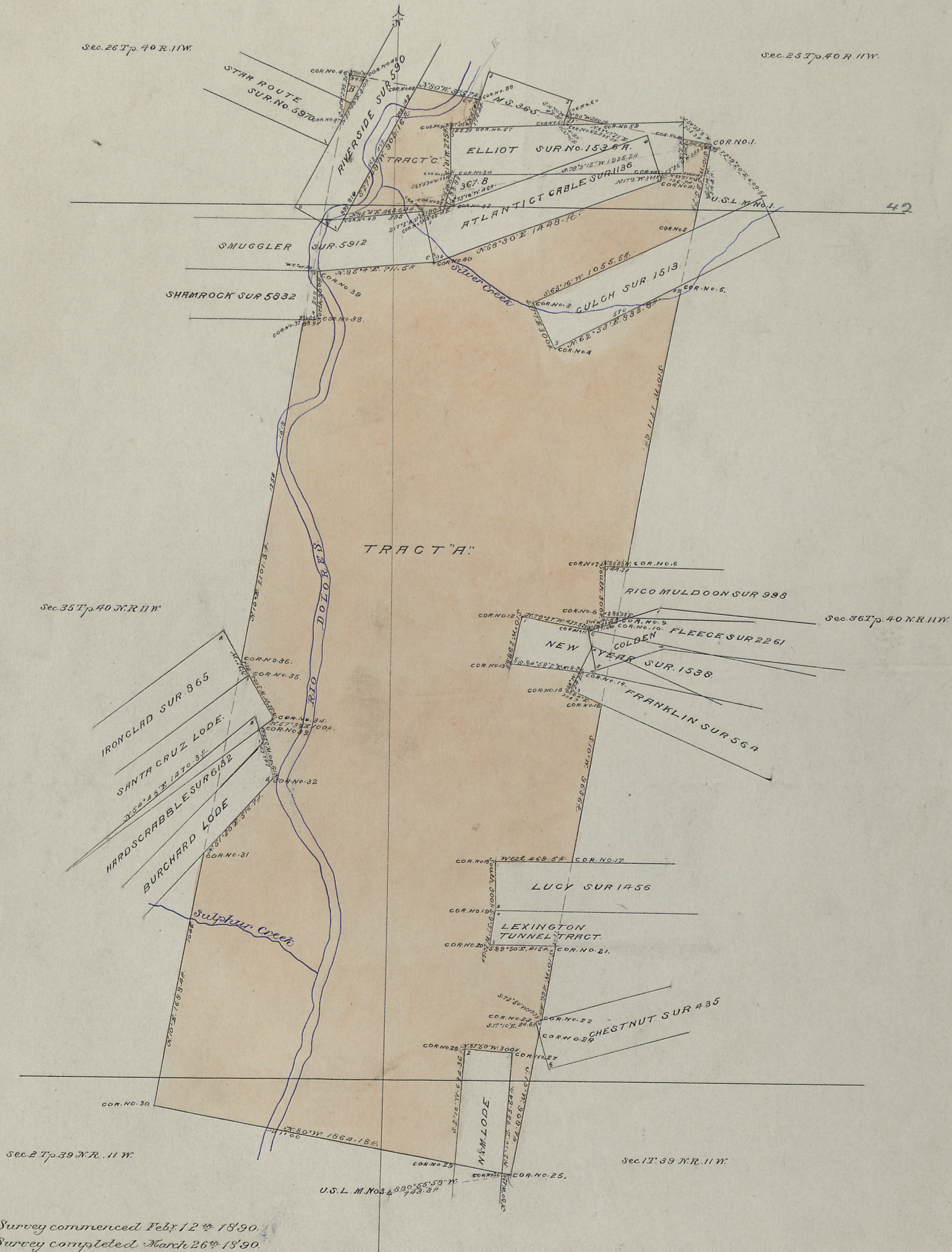
RICO RIVER CORRIDOR TRACT MAP
A BOUNDARY LINE AGREEMENT LOCATED WITHIN A PORTION OF TRACT A, RICO TOWNSITE
SECTIONS 35 AND 36 T.40N. R.11W, SECTIONS 1 AND 2, T.39N. R.11W. N.M.P.M. DOLORES COUNTY, COLORADO

Project Mgr:	DB
Technician:	DB
Checked by:	DB
Start date:	08/26/12

Rev	1	Updated with new site measurements	10/10/17	by	DB
FOLEY ASSOCIATES, INC. ENGINEERING • PLANNING • SURVEYING					
7970-728-6153 7970-728-6050 fax P.O. BOX 1385 125 W. PACIFIC, SUITE B-1 TELLURIDE, COLORADO 81435					
Drawing path: dwg\River Corrid...lat 2012\PLAT 7-27-17.dwg					
Sheet 4 of 4 Project #: 07079					

PLAT

of the second amended Survey of the
Townsite of Rico
 DOLORES CO COLORADO
 Containing 264 ⁴¹/₁₀₀ Acres
 Scale 500 feet to 1 Inch



Survey commenced Feb. 12th 1890.
 Survey completed March 26th 1890.

I hereby certify that the above Plat of the second amended survey of the Rico Townsite in Dolores County, Colorado as surveyed by James Dyson under special instructions dated February 7th 1890. is strictly conformable the field notes of the survey thereof on file in this Office, which have been examined and approved

Surveyor Generals Office
 Denver Colorado May 6th 1890.

E. C. Humphrey
 Surveyor General for Colorado.

42

LINE	LENGTH	BEARING
L1	240.00	S04°52'10"E
L2	237.27	S04°52'10"E
L3	84.88	S19°35'17"E
L4	84.88	S19°35'17"E
L5	196.06	N06°30'24"W
L6	222.72	N06°30'24"W
L7	75.25	S72°18'53"E
L8	107.60	S72°18'53"E
L9	129.30	N08°43'40"E
L10	108.84	S16°32'04"E
L11	107.60	S16°32'04"E
L12	129.66	S72°18'53"E
L13	411.87	N07°15'30"W
L14	16.00	N22°44'21"E
L15	24.00	N02°44'21"E
L16	180.01	S07°15'30"W
L17	141.50	S07°15'30"W
L18	121.84	N06°30'30"W
L19	121.84	N06°30'30"W
L20	186.89	N06°10'19"E
L21	168.06	N09°43'42"E
L22	156.24	S02°22'27"E
L23	52.45	S02°22'27"E
L24	52.45	S02°22'27"E
L25	19.29	S09°14'53"W
L26	127	S11°17'24"W
L27	53.48	S02°18'51"W
L28	51.30	S02°44'19"E
L29	52.27	S09°22'47"E
L30	55.39	S02°39'00"E
L31	62.60	S08°14'38"W
L32	23.33	S10°44'17"W
L33	54.07	S07°37'38"W
L34	16.34	S09°14'53"W
L35	53.32	S11°17'24"W
L36	54.07	S02°44'19"E
L37	52.39	S02°44'19"E
L38	51.54	S02°39'00"E
L39	51.54	S02°39'00"E
L40	51.54	S02°39'00"E
L41	58.09	S08°14'38"W
L42	80.77	S10°44'17"W
L43	68.17	S09°44'04"W
L44	72.80	S07°32'47"E
L45	83.30	S02°35'47"W
L46	176.70	S03°18'26"E
L47	84.03	S09°18'12"W
L48	122.66	S08°30'17"W
L49	10.23	S08°30'17"W
L50	434.82	S04°37'30"W
L51	311.34	S11°02'00"W
L52	286.23	S14°27'18"W
L53	259.29	S07°27'20"W
L54	125.90	S03°18'50"E
L55	1416.49	S08°28'00"W
L56	287.41	S14°27'18"W
L57	384.75	S07°27'20"W
L58	125.83	S09°18'12"W
L59	1412.60	S08°28'00"W
L60	72.13	N78°45'37"W
L61	103.96	N71°08'50"W
L62	83.06	S70°31'34"W
L63	40.17	N52°34'13"W
L64	126.00	N02°41'11"W
L65	145.28	N78°45'37"W
L66	86.45	N71°08'50"W
L67	77.91	S70°31'34"W

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C3	48.50	270.00	27°04'	48.00	N22°47'52"E
C4	61.22	280.00	12°31'37"	61.10	N22°47'52"E
C5	60.80	60.00	87°29'04"	60.94	S01°38'20"W
C6	162.78	208.27	41°13'01"	159.29	N02°04'30"E
C7	63.52	280.00	7°59'50"	63.38	N13°00'19"W
C8	48.81	220.00	12°30'50"	48.80	N13°00'19"W
C9	57.15	220.00	14°33'04"	56.99	S14°08'42"E
C10	72.34	280.00	14°33'04"	72.34	S14°08'42"E
C11	270.68	12.35	92°35'43"	258.23	S14°08'42"E
C12	36.80	636.20	63°18'52"	36.80	S08°30'50"E
C13	87.84	1034.83	95°05'00"	87.80	S08°30'50"E

SPIRAL	LENGTH	RADIUS	DELTA	THETA	K
SP1	200.00	-1145.82	478.73	53°00'00"	99.97
SP2	150.00	-1145.82	414.59	34°00'00"	74.99
SP3	150.00	-1145.82	414.59	34°00'00"	74.99
SP4	150.00	1145.82	414.59	34°00'00"	74.99

APPROXIMATE LOCATION OF TRACT A