

Cari Anne Holcomb
970.920.5092

From: Kevin Michelson [mailto:kmichelson@billposs.com]
Sent: Monday, September 15, 2008 3:27 PM
To: Cari Anne Holcomb
Subject: PID# 2645-224-00-022

Cari Anne,

I noticed that an application came in last week for Lot 14 Shield O Terraces. I am a member of the Association, and on the board. I assume you will be mailing an application to myself or someone else within our subdivision. If not, can you please send me a copy of the application?

Thanks,

Kevin
707 Shield O Rd.
Snowmass, CO 81654

Kevin Michelson
Bill Poss and Associates Architecture and Planning, P.C.
P O S S ARCHITECTURE + PLANNING
605 EAST MAIN STREET ASPEN, CO 81611
(t) 970/925-4755 (f) 970/920-2950 (e) kmichelson@billposs.com

Davis Horn Inc.
PLANNING & REAL ESTATE CONSULTING

September 8, 2008

Cari Anne Holcomb
Pitkin County Community Development Department
130 South Galena Street
Aspen, Colorado 81611

**Re: Walker-Brinson – Designation of an Activity Envelope with Vesting;
51 Shield O Road; Shield O Terraces Lot 14 Parcel ID # 2645 224-00-022**

Dear Cari Ann:

Christina Walker-Brinson (Applicant) is the owner of a property at 51 Shield O Road, Shield O Terrances Lot 14. (PID # 2645-224-00-022). Please refer to Attachment 1, a Vicinity Map, which depicts the location of the property. The applicant is represented by Davis Horn Incorporated in this land use application.

Through this land use application, the applicant is requesting approval of an Activity Envelope with Vested Property Rights. Site Plan Review and possible Scenic View Protection approvals are not requested at this time. A previous 1041 Hazard Review was approved pursuant to Administrative Decision No. 09-2004. The vested property rights with this approval expired on February 5, 2007. The same proposal as that previously approved is being requested, so this is a refresh of those approvals, with current Code language and terminology (such as the Activity Envelope instead of Building Envelope) used.

The application is divided in the following sections:

1. Background;
2. Existing Conditions;
3. Project Description;
4. Land Use Approvals; and
5. Summary.

BACKGROUND

The subject property was granted 1041 Hazard Review approval in 1988; the site plan was recorded in Plat Book 21, at Page 85. The BOCC reinstated the vested rights, pursuant to Resolution No. 94-2000. The Building Envelope was expanded at that time in order to accommodate the well, septic system and other development associated with the residence; all were within the building envelope. The amended 1041 site plan was recorded in Plat Book 53, at Page 91. These vested rights expired on July 14, 2003.

The most recent 1041 Site Plan approval was granted in February, 2004 pursuant to Administrative Decision No. 09-2004. These approvals expired on February 5, 2007. The approval documents are found in Attachments 2 through 6 of this application.

The subject parcel was created prior to June 12, 1978 and has not merged with any adjacent parcels. Therefore, the construction of one single family dwelling unit of up to 5,750 square feet of floor area is exempt from growth management.

EXISTING CONDITIONS

The subject property contains approximately 5.308 acres and is vacant. The property is located near Snowmass Creek Road near the bottom of the Shield O Road. Single family residential land uses and customary accessory uses are permitted in the RS-30 PUD zone district where the property is located. One dwelling unit is permitted for every 30 acres of land in the zone. The subject site is a legally created sub-standard size or non conforming lot. A legally created non-conforming lot located in Pitkin County may be redeveloped in the same manner as a conforming size lot.

In the prior approvals, the subject site was found to have a medium wildfire rating and that the wildfire hazard could be mitigated. Also, the approved building envelope is located primarily on slopes of less than 15% in grade.

PROJECT DESCRIPTION

The applicant acquired the property in July, 2006. Since the approvals expired in 2007, the applicant is seeking approval for an Activity Envelope Plan pursuant to the land use code which was adopted after the most recent, 2004 approvals. Attachment 6 shows the most recently approved 1041 Site Plan and Attachment 7 shows the current proposal, which requests approval for the same development, but with current code language and terminology.

As shown on the Activity Envelope Plan in Attachment 7, the proposed Activity Envelope will encompass the proposed home, access, and utilities. It is the most appropriate and logical portion of the property for development as it is the most level section of the site and hazards are minimal.

LAND USE APPROVALS

This section of the land use application demonstrates compliance with the standards identified in the Pitkin County Pre-Application Conference Summary Sheet (see Attachment 8).

- Activity Envelope Criteria for Approval (Section 2-30-20 g);

- Activity Envelope (Section 7-10-50);
- Priorities in Locating Activity of Development (Section 7-10-60);
- Steep and Potentially Unstable Slopes (Section 7-20-20);
- Water Courses and Drainage (Section 7-20-30);
- Floodplain Hazards (Section 7-20-40);
- Wildfire Hazard (Section 7-20-60); and
- Wildlife Habitat (Section 7-20-70).

Activity Envelope Criteria for Approval: Section 2-30-20 g
Activity Envelope: Section 7-10-50
Priorities for Locating Activity of Development Section 7-10-60

Refer to Attachment 7 which has been prepared in compliance with these sections of the Land Use Code. These Code sections have been met.

Site Preparation and Grading: Section 7-20-10

As required, the only grading and filling, grubbing, clearing and vegetation removal on the site will occur within the defined Activity Envelope shown in the Activity Envelope Site Plan in Attachment 7. Tree removal and the protection of natural terrain (including re-vegetation, topsoil management, weed prevention, utility installation and erosion, sedimentation and storm water management) will meet the criteria in the Section of the code. The proposal will comply.

Steep and Potentially Unstable Slopes: Section 7-20-20

This section of the application demonstrates compliance with Section 7-20-20 of the Code.

Slope Delineation

Slopes shall be delineated within the Activity Envelope with two (2) foot contour intervals. Slopes between each two (2) foot contour in each of the following categories shall be designated by a distinct graphic pattern.

- (1) Slopes that are fifteen (15) percent or greater, but less than thirty (30) percent;
- (2) Slopes that are thirty (30) percent or greater, but less than forty-five (45) percent;

(3) Slopes that are forty-five (45) percent or greater.

The topography of the site is given in Attachment 7, the Activity Envelope Plan and Attachment 8, a slope analysis of the property with the slopes delineated as required above. The Activity Envelope is the most logical, appropriate part of the parcel for development as the slopes are less than 15% in grade within the proposed Activity Envelope. In the previous Administrative Decision of approval for the subject property, No. 09-2004, the Community Development Director found that the Activity Envelope "is located primarily on slopes of less than 15%."

The Code states specific criteria for lands over 45% in grade, 30% to 45% in grade, and between 0 and 15% in grade. The specific details of the Code standards have not been repeated here, but the applicant will comply with all the applicable standards.

**Water Courses and Drainages
Section 7-20-30**

This is no water course or drainage of significance on or in the immediate vicinity of the property. Snowmass Creek is down Shield O Road and across Snowmass Creek Road from the subject property. This section of the Code will be met.

**Floodplain Hazards
Section 7-20-40**

The Snowmass Creek 100 year or intermediate regional flood has not been mapped by the Federal Emergency Management Agency (FEMA). The property is far enough from the Creek for this to not be of concern. The proposed Activity Envelope Plan will comply with this section of the Code.

**Wildfire Hazards
Section 7-20-60**

The wildfire hazard on the site was previously rated medium in the previous land use applications. The pre-application conference summary shows a severe rating. The applicable wildfire mitigation requirements will be met. The applicant agrees to comply with the same, lengthy list of wildfire mitigation listed in the most recent conditions of approval in Administrative Decision No. 09-2004 plus any new requirements which are reasonable to mitigate the wildfire hazard on this property.

**Wildlife Habitat
Section 7-20-70**

The pre-application summary in Attachment 8 states that the subject property is mapped mule deer summer and overall ranges, elk winter range and possibly within 1/4 mile from elk and mule deer winter ranges and a migration pattern. The previous three reviews did

not find that the property was within a critical wildlife habitat area. Although we do not find this section to be applicable, the applicant will meet any reasonable conditions of approval related to wildlife, if it is found to be appropriate giving the wildlife hazard on the property.

Summary

The applicant is requesting approval for an Activity Envelope Plan for her vacant property located in Shield O Terraces, Lot 14. The property is located at 51 Shield O Road near the bottom of the Road and near its intersection with Snowmass Creek Road. Site Plan Review and possibly Scenic View Protection review approvals are not requested at this time. Vested property rights are requested.

The property has received 1041 hazard review three previous times, in 1988, 1995 and most recently in 2004. The vested property rights for the 2004 approvals expired in February 2007. This request is essentially the same as that approved in 2004, but with current Code language reflected.

This land use application has demonstrated compliance with the Land Use Code standards identified in the Pre-Application Conference in Attachment 8. The following attachments are included with this application:

- Attachment 1: Vicinity Map showing the property's location;
- Attachment 2: Approved 1988 1041 Hazard Review Site Plan (Book 21, Page 85)
- Attachment 3: Resolution No. 94-2000 reinstated the 1988 approvals and amending the approved building envelope;
- Attachment 4: Approved 2000 Amended 1041 Site Plan (Book 53, Page 91);
- Attachment 5: Administrative Decision No. 09-2004 granting 1041 Hazard Review and Conceptual Submission approval for the subject property;
- Attachment 6: Friedman 1041 Site Plan re-established and approved in 2004;
- Attachment 7: Proposed Walker-Brinson Activity Envelope Plan;
- Attachment 8: Slope Analysis for the Property by High Country Engineers and Surveyors;
- Attachment 9: Letter from property owner authorizing the submission of this land use application;
- Attachment 10: Signed Fee Agreement for this land use application;
- Attachment 11: Pre-application conference summary sheet;
- Attachment 12: List of Adjacent Property Owners for public notice purposes; and
- Attachment 13: Poof of Ownership.

Please contact me if you have any questions or would like any additional information.

Sincerely,

DAVIS HORN INCORPORATED

A handwritten signature in black ink, appearing to read 'G. Horn', with a stylized, cursive style.

GLENN HORN AICP

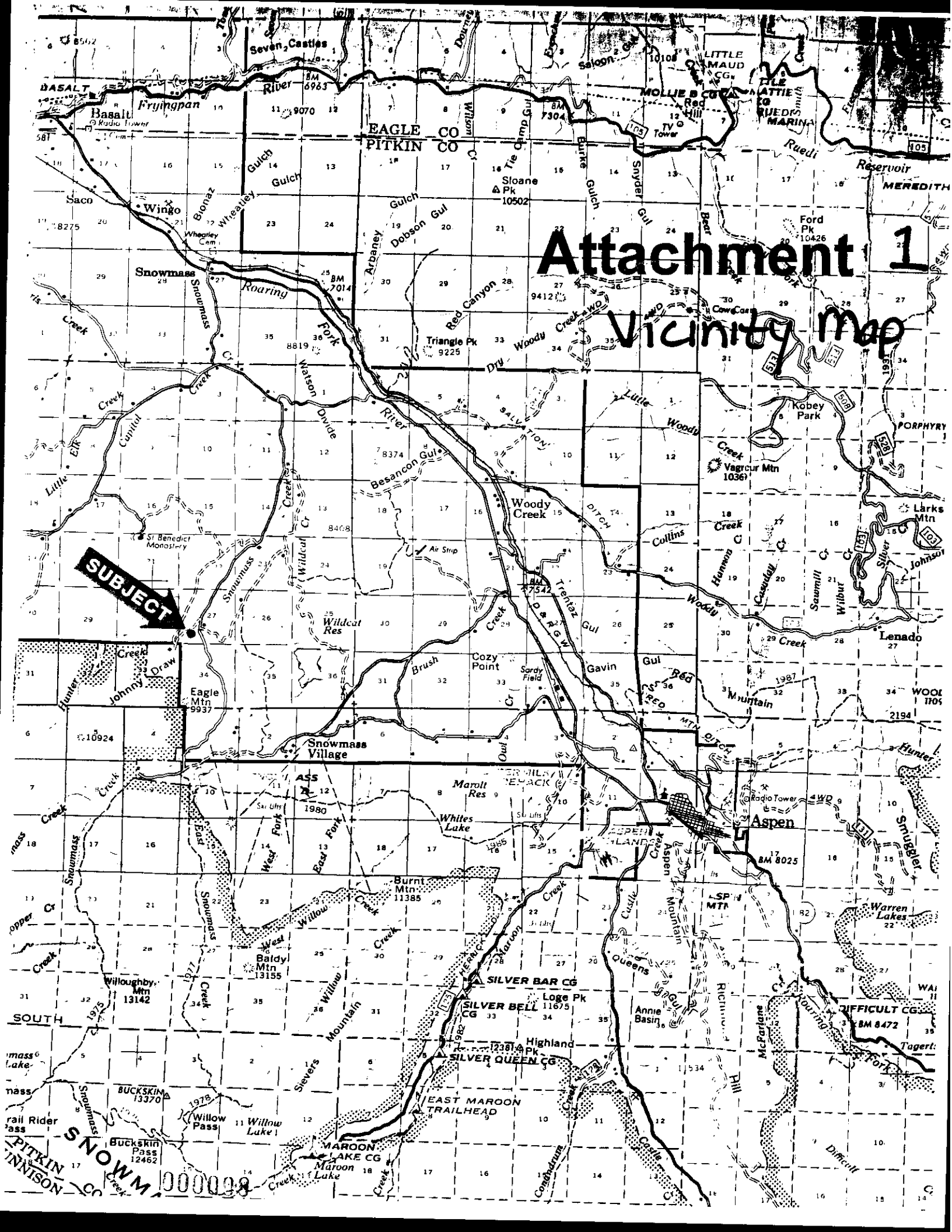
A handwritten signature in black ink, appearing to read 'Alice Davis', in a cursive style.

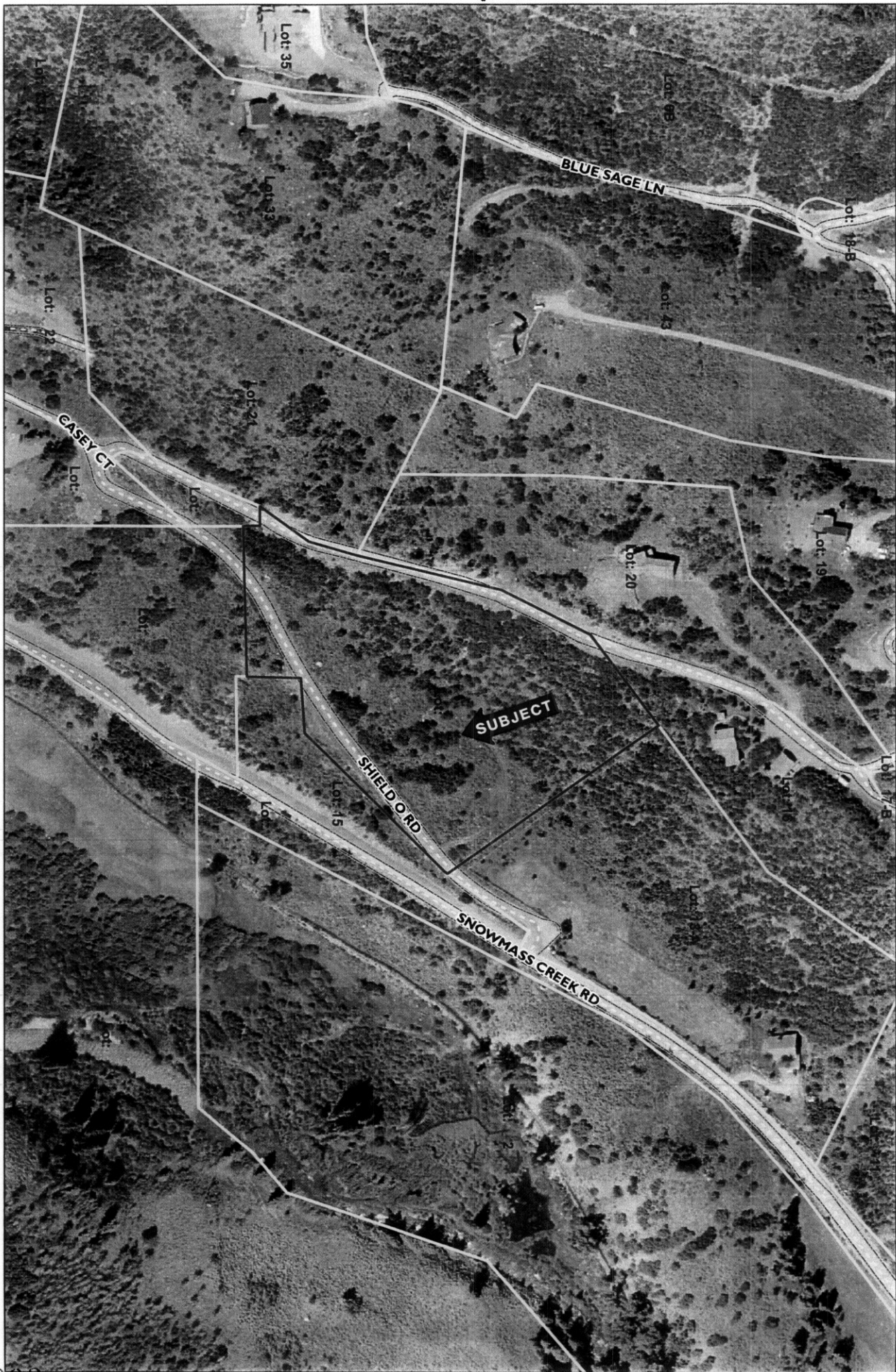
ALICE DAVIS AICP

Attachment 1

Vicinity map

SUBJECT



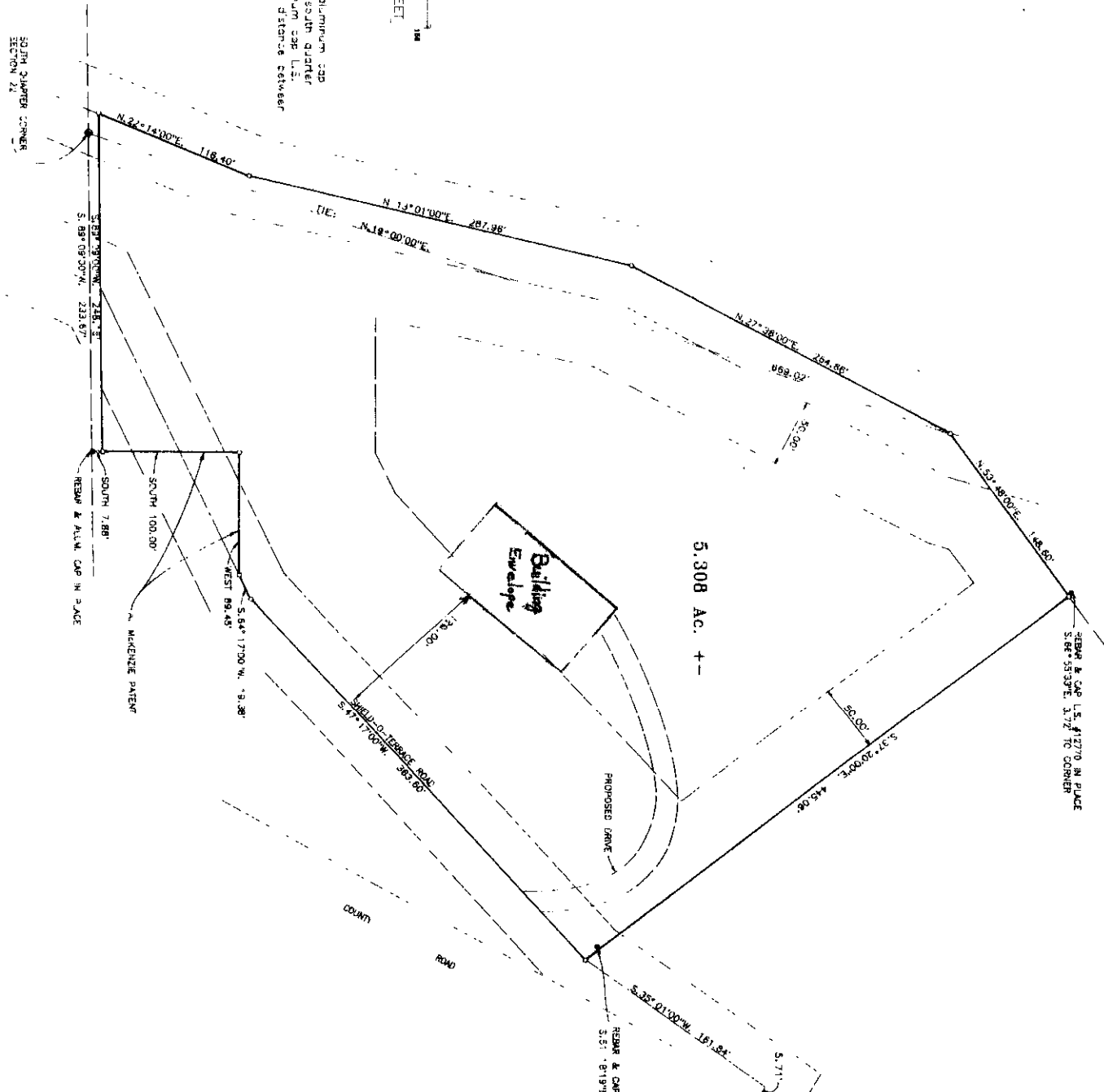


SCALE: 1 INCH = 50 FEET



NOTE: this survey is based on the rebar and aluminum cap which bears N. 59° 29' 30" E. 233.67' from the south quarter corner of Section 24 and the rebar and aluminum cap L.S. #14260 shown on the plan. The bearing and distance between said corners is N. 42° 01' 30" E. 767.22'

PROB: 1984-1985 TO 2000-01-01 FOR THE 1984-1985 SECTION 24 AND 25. THE 1984-1985 SECTION 24 AND 25 ARE THE SAME AS THE 1984-1985 SECTION 24 AND 25. THE 1984-1985 SECTION 24 AND 25 ARE THE SAME AS THE 1984-1985 SECTION 24 AND 25.




Attachment 3

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PITKIN COUNTY,
COLORADO, REINSTATING THE VESTED REAL PROPERTY RIGHTS FOR THE SMITH
PROPERTY AND EXEMPTING THE PROPERTY FROM THE MORATORIUM ENACTED
PURSUANT TO ORDINANCE NO. 96-19**

Resolution No. 094-2000

RECITALS

1. Harry Smith ("Applicant") has applied to the Pitkin County Board of County Commissioners ("BOCC") to consider a reinstatement of vested real property rights pursuant to Section 4-140-30 of the Land Use Code ("Code"), expansion of the previously approved building envelope, and exemption from the Shield-O-Terrace moratorium (Ordinance No. 96-19).
2. The property is located on the north side of Shield-O-Terrace Road approximately 80 feet from the intersection with Snowmass Creek Road, and is more specifically described in Exhibit A.
3. The parcel is zoned RS-30/PUD and contains 5.308 acres.
4. The vested rights for the development expired in 1991.
5. The BOCC reviewed the request at a duly noticed public hearing on June 14, 2000, at which time evidence and testimony were presented with respect to this application.
6. The BOCC finds that exemption from the Shield-O-Terrace moratorium (Ordinance No. 96-19) is justified, given the following:
 - The parcel is located approximately 80 feet from the intersection of Shield-O-Terrace Road and Snowmass Creek Road.
 - The portion of Shield-O-Terrace Road that provides access to the property is considered adequate for residential and emergency access purposes.
 - The wildfire hazard on the parcel is rated medium, and mitigation will be required to ensure that development on this parcel does not create an additional risk to properties located above.
7. The BOCC further finds that the request complies with the applicable provisions of the Land Use Code.


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NOW, THEREFORE, BE IT RESOLVED by the Pitkin County Board of County

Commissioners that it does hereby grant a reinstatement of vested rights to the Smith parcel, and does hereby exempt the property from the moratorium enacted pursuant to Ordinance No. 96-19, subject to the following conditions, which shall run with the land and be binding on all successors in interest:

1. Prior to submission of any development permits, the Applicant shall submit an amended 1041 hazard review site plan on a 24 x 36 inch mylar sheet to the Community Development Department for approval and recording. The site plan shall also be submitted in digital format suitable for integration into the County's GIS system. The mylar copy of the site plan must be signed by the owner prior to submittal for recording. The site plan shall be modified as follows:
 - A. Designate an access envelope that avoids slopes in excess of 15%.
2. Prior to submission of an ISDS permit for the parcel, the Applicant shall provide documentation of adequate quality and quantity of water from a well to the Environmental Health Department. The well shall be located within the building envelope.
3. Prior to building permit application, the Applicant shall:
 - A. Obtain approval of an ISDS permit from the Environmental Health Department. The septic system shall be located within the approved building envelope and must comply with the setback requirements from surface and groundwater sources. A qualified professional engineer must design the system.
 - B. Obtain a fireplace/woodstove permit from the Community Development Department.
 - C. Obtain an access permit to improve the driveway to comply with County standards and the requirements of the Fire District. The access permit shall be reviewed and approved by the County Engineer and the Fire District. If the driveway exceeds 30 inches above or below natural grade within the setbacks, the Applicant shall submit and the Board of Adjustment shall consider a variance application prior to submission of the Access Permit.
 - D. Provide a trip generation study if the free market residential structure exceeds 5,000 gross square feet, for review and approval by the County Engineer. This study shall be developed by a traffic engineering consultant hired by the applicant and pre-approved by the County Engineer.
4. The Applicant shall comply with the following landscaping and wildfire defensible space mitigation standards:
 - A. Brush, debris, and non-ornamental vegetation shall be removed within a minimum 10 foot perimeter around the structure.
 - B. Vegetation shall be reduced to break up the vertical and horizontal continuity of the fuels a minimum of a 40 foot perimeter around any structures.
 - C. Spacing between clumps of brush and vegetation within the 30 foot perimeters shall be a minimum of two times the height of the fuel. Maximum diameter of the clumps shall not exceed 10 feet. All measurements shall be from the edges of the crowns of the fuel.



- D. All branches from trees and brush within the 30 foot perimeter shall be pruned to a height of 10 feet above the ground and ladder fuels from around trees and brush shall be removed.
- E. Tree crown separation within the 30 foot perimeters shall have a minimum of 10 feet between the edges of the crowns.
- F. All branches which extend over the roof eaves shall be trimmed and all branches within 15 feet of the chimneys shall be removed.
- G. The density of fuels within a 100 foot perimeter of the structure shall be reduced.
- H. All deadfall within the 100 foot perimeter shall be removed.
- I. Low vegetation shall be maintained within a 10 foot perimeter around all structures.
- J. The applicant shall be responsible for the continued maintenance of the defensible space vegetation requirements.

5. The Applicant shall comply with the following additional wildfire mitigation standards:

- A. Roofs shall have a Class A, non-combustible roof system. Wood shake/shingle roof coverings and flat roofs (up to a 3:12 pitch) are prohibited in all wildfire hazard areas.
- B. Vents shall be screened with corrosive resistant wire mesh with mesh ¼ inch maximum.
- C. Roofs and gutters shall be kept clear of debris.
- D. Yards shall be kept clear of all litter, slash, and flammable debris.
- E. All flammable materials shall be stored on a parallel contour a minimum of 15 feet away from any structure.
- F. Weeds and grasses within the 10 foot perimeter shall be maintained to a height not more than 6 inches.
- G. Firewood/wood piles shall be stacked on a parallel contour a minimum of 15 feet away from the structure.
- H. Swimming pools shall be accessible to Fire Department vehicles.
- I. Fences shall be kept clear of brush and debris.
- J. Wood fences shall not connect to the structure.
- K. Any outbuildings or additional structures shall adhere to the same standards as structures.
- L. Fuel tanks shall be installed underground with an approved container.
- M. Propane tanks shall be installed according to NFPA 48 standards and on a contour away from the structure with standard defensible space vegetation mitigation around any above ground tank. Any wood enclosure around the tank shall be constructed with materials approved for 2 hour fire-resistive construction on the exterior side of the walls.
- N. Each structure shall have a minimum of one 10 pound approved ABC fire extinguisher placed in a visible and accessible location.
- O. Addresses shall be clearly marked with 2 inch non-combustible letters and shall be clearly visible at the primary point of access from the public or common access road and installed on a non-combustible post.
- P. Utility lines shall be buried within the driveway.

6. The Applicant shall install a residential sprinkler system, the design and installation of which shall be approved by the Fire District. The Applicant shall also install a 2,500 gallon water tank for fire protection only. The location and design of the water tank shall be approved by the Fire District. The water tank shall be located within the building envelope.

7. No development, including grading, excavation, fill placement, landscaping, vegetation removal or disturbance, septic system and well, shall occur outside of the approved building envelopes, except for utility and driveway extension and maintenance.



- 8. Areas disturbed by improvement of the driveway and installation of utilities shall be revegetated no later than one growing season after completion of work.
- 9. The Applicant shall join a road improvement district for Shield-O-Terrace Road in the event one is formed.
- 10. In accordance with Ordinance No. 2000-02B, this approval shall permit a maximum of 5,750 square feet of floor area (all inclusive) as defined by the 1997 Uniform Building Code.
- 11. The Applicant shall adhere to all material representations made in public hearings and in the application.
- 12. Statutory vested rights for the approval contained herein are granted pursuant to the Pitkin County Land Use Code and Colorado Statutes, subject to the exceptions set forth in Pitkin County Land Use Code, § 4-140 and C.R.S., § 24-68-105. The statutory vested rights granted herein shall expire on June 14, 2003.

NOTICE OF PUBLIC HEARING PUBLISHED IN THE ASPEN TIMES WEEKLY on the 13th day of May, 2000.

APPROVED AND ADOPTED on the 14th day of June, 2000.

PUBLISHED AFTER ADOPTION FOR VESTED REAL PROPERTY RIGHTS IN THE ASPEN TIMES WEEKLY on the 24th day of JUNE, 2000.


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BOARD OF COUNTY COMMISSIONERS,
PITKIN COUNTY, COLORADO

By Shellie Roy Harper
Shellie Roy Harper, Chair

ATTEST:

Lyndee R. Dean
Lyndee R. Dean, Clerk to the BOCC

APPROVED AS TO CONTENT:

Zanne Clark for CH
Cindy Houben 6/14/00
Community Development Director

APPROVED AS TO FORM:

John Ely
John Ely 6/15/00
County Attorney

P35-00
PID #264522400022
\\suzanne\pitkin\cases\vre\smith\reso

R: 94-2000

EXHIBIT "A"

FORM 557 (REV 7-63)

"EXHIBIT A" TO BE ATTACHED TO AND BECOME A PART OF WARRANTY DEED DATED FEBRUARY 24, 1988, BETWEEN ARTHUR L. STAPLETON AND KAREN A. STAPLETON GRANTEES, AND HARRY C. SMITH, GRANTEE.

LEGAL DESCRIPTION

PCT-1617

A Tract of land located in the South-Half of Section 22, Township 9 South, Range 86 West of the Sixth Principal Meridian, more fully described as follows:

LOT 14, SHEILD-O-TERRACES, described as follows:

Beginning at a point being 669.02 feet, North 19.00' East from the South 1/4 corner of Section 22, Township 9 South, Range 86 West of the Sixth Principal Meridian.,

thence North 83 48' East 148.80 feet;

thence South 37 30' East 448.08 feet;

thence South 67 17' West 363.80 feet;

thence South 64 17' West 19.38 feet;

thence West 89 48' feet along the North line of A. McKenzie Patent to the North West Corner of the A. McKenzie Patent.

thence South 100.00 feet along the West line of the A. McKenzie Patent;

thence South 89 09' West 248.15 feet;

thence North 23 14' East 118.40 feet;

thence North 13 01' East 287.96 feet;

thence North 27 36' East 264.86 feet, to the point of the beginning.

EXCEPTING THEREFROM:

A 30 foot Utility and Right of Way Easement on all courses, Except the North 83 48' East course and the South 37 30' East course and an Easement to the property described as follows:

Beginning at a point on the Snowmass Road being 879.79 feet North 87 13' East from the South 1/4 Corner of Section 22, Township 9 South, Range 86 West of the Sixth Principal Meridian;

thence North 89 58' West 48.08 feet;

thence South 38 01' West 181.84 feet to the Northeast Corner of Lot 14, being 30 feet on both sides of the above described line.

2-24-88



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SILVER DAVIS PITKIN COUNTY CO

**ADMINISTRATIVE DECISION OF THE COMMUNITY DEVELOPMENT DIRECTOR OF
PITKIN COUNTY, COLORADO, APPROVING THE FRIEDMAN 1041 HAZARD REVIEW AND
CONCEPTUAL SUBMISSION**

Administrative Decision No. 09-2004

RECITALS

1. Barry Friedman ("Applicant") has applied to the Pitkin County Community Development Director ("Director") for 1041 Hazard Review and Conceptual Submission approval to re-establish a building envelope for a single family residence.
2. The parcel is located on Shield O Road, and is more specifically described in Exhibit A.
3. The property contains 5.308 acres, and is a non-conforming size parcel in the RS-30/PUD zone district.
4. Administrative 1041 hazard review approval was granted in 1988; the 1041 site plan was recorded in Plat Book 21 at Page 85. The BOCC reinstated the vested rights, pursuant to Resolution No. 94-2000. The building envelope was expanded at that time in order to accommodate the well, septic system and other development associated with the residence within the envelope. The amended 1041 site plan was recorded in Plat Book 53 at Page 91. The vested rights expired on June 14, 2003.
5. The parcel was created prior to June 12, 1978 and has not merged with any adjacent parcels. Therefore, the construction of one single family dwelling unit of up to 5,750 square feet of floor area is exempt from growth management.
6. The Director finds that the wildfire hazard is rated as medium and can be mitigated, and that the proposed building envelope is located primarily on slopes of less than 15%.

THE DIRECTOR DOES HEREBY APPROVE the Friedman 1041 Hazard Review and Conceptual Submission, subject to the following conditions, which shall run with the land and be binding on all successors in interest:

- 1) Prior to submission of any earthmoving, access, or building permit applications for new development, the Applicant shall submit a 1041 Hazard Review Site Plan to the Community Development Department for approval and recording. The mylar copy of the site plan must be signed by the owner prior to submittal for recording. The Applicant shall amend the site plan as follows prior to recordation:
 - A. Designate an access envelope around the existing driveway in order to limit future improvements to the driveway to the less steep area on the north side of the parcel.
- 2) Prior to submission of a septic permit, the Applicant shall provide documentation of an adequate domestic water supply on the property. Quantity and quality of said supply shall meet the approval of the Environmental Health Department. The well shall be located within the approved building envelope.
- 3) Prior to issuance of any building permit applications, the Applicant shall:

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Attachment 5



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Page: 2 of 5

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- A. Pay the applicable road impact fee.
 - B. Obtain an access/driveway permit to improve the driveway to comply with County standards and the requirements of the Basalt and Rural Fire Protection District. The access permit shall be reviewed and approved by the County Engineer and the Fire District.
 - C. Obtain a septic permit from the Environmental Health Department. The septic system must be designed by a registered professional engineer and shall be located within the approved building envelope.
 - D. Obtain fireplace/woodstove permits from the Community Development Department, if necessary.
 - E. Submit a drainage and erosion control plan for review and approval by the County Engineer.
 - F. If the primary residence exceeds 5,000 square feet, submit a Traffic and Parking Management Plan in accordance with Section 4.01.01(C) of the 2003 Pitkin County Assets Management Plan, for review and approval by the County Engineer. The Plan shall indicate that vehicles associated with construction (i.e. employee traffic, construction vehicles, staging and deliveries) shall not violate County Law, such as parking on County rights-of-way.
- 4) Prior to commencement of any earthmoving or construction activity, the Applicant shall stake the corners of the building envelope and install construction fencing around the perimeter of the building envelope. The fencing shall remain in place until a Certificate of Occupancy is issued for the residence.
 - 5) The Applicant shall provide waste storage that complies with BOCC Ordinance No. 010-2001. Verification of compliance shall be provided prior to issuance of a certificate of occupancy.
 - 6) The Applicant shall comply with the following landscaping and wildfire defensible space mitigation standards:
 - A. Brush, debris and non-ornamental vegetation shall be removed within a minimum 10 foot perimeter around all structures.
 - B. Vegetation shall be reduced to break up the vertical and horizontal continuity of the fuels a minimum of a 40 foot perimeter around all structures.
 - C. Spacing between clumps of brush and vegetation within the 40 foot perimeter shall be a minimum of two times the height of the fuel. Maximum diameter of the clumps shall be two times the height of the fuel. All measurements shall be from the edges of the crowns of the fuel.
 - D. All branches from trees and brush within the 40 foot perimeter shall be pruned to a height of 10 feet above the ground and ladder fuels from around trees and brush shall be removed.
 - E. Tree crown separation within the 40 foot perimeter shall have a minimum of 10 feet between the edges of the crowns.
 - F. All branches that extend over the roof eaves shall be trimmed and all branches within 15 feet of the chimneys shall be removed.
 - G. The density of fuels within a 100 foot perimeter of all structures shall be reduced.
 - H. All deadfall within the 100 foot perimeter shall be removed.
 - I. Low vegetation (less than 6 inches in height) shall be maintained within a 10 foot perimeter around all structures.
 - J. The Applicant shall be responsible for the continued maintenance of the defensible space vegetation requirements.

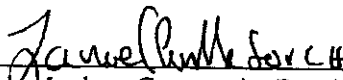


- 7) The Applicant shall comply with the following additional wildfire mitigation standards:
- A. Roofs shall be constructed with a Class A roof covering or a Class A assembly as defined in the UBC 1997 Section 1504. Wood shake/shingle roof coverings are prohibited. Roofs with less than a 3:12 pitch are not permitted unless they comply with the following:
 - 1) All roof coverings shall be noncombustible materials as defined in the Uniform Building Code (UBC) 1997 Section 1504 and installed on a Class A roof assembly.
 - 2) All roof coverings shall have a surface that shall facilitate the natural process of clearing the roof.
 - 3) All roof designs shall facilitate the natural process of clearing roof debris. Protrusions above the roofline, such as parapets, shall be prohibited.
 - 4) Roofs shall be installed as required by UBC 1997 Chapter 15 and shall have a minimum slope of 1:48.
 - 5) All roof designs, coverings, or equivalent assemblies shall be specifically approved by the Fire Marshal prior to submittal of a building permit application.
 - B. Vents shall be screened with corrosive resistant wire mesh with mesh 1/4 inch maximum.
 - C. Roofs and gutters shall be kept clear of debris.
 - D. Yards shall be kept clear of all litter, slash, and flammable debris.
 - E. All flammable materials and firewood/wood piles shall be stored on a parallel contour a minimum of 15 feet away from any structure.
 - F. Swimming pools or ponds shall be accessible to Fire Department vehicles.
 - G. Fences shall be kept clear of brush and debris.
 - H. Wood fences shall not connect to the structure.
 - I. Fuel tanks shall be installed underground with an approved container.
 - J. Propane tanks shall be installed according to NFPA 48 standards and on a contour away from the structure with standard defensible space vegetation mitigation around any above-ground tank. Any wood enclosure around the tank shall be constructed with materials approved for 2 hour fire-resistant construction on the exterior side of the walls.
 - K. Each structure shall have a minimum of one 10 pound approved ABC fire extinguisher placed in a visible and accessible location.
 - L. Addresses shall be clearly marked with 2 inch non-combustible letters and shall be visible and installed on a non-combustible post.
 - M. New utility lines shall be buried within the driveway.
- 8) The Applicant shall install a residential sprinkler system, the design and installation of which shall be approved by the Fire District. The Applicant shall also install a water tank for fire protection only. The size, location and design of the water tank shall be approved by the Fire District. The water tank shall be located within the building envelope.
- 9) No development, including grading, excavation, fill placement, berming, landscaping, vegetation removal or disturbance, well or septic system shall occur outside of the approved building and access envelopes, except to comply with the required wildfire mitigation.
- 10) All areas disturbed by construction shall be revegetated with native shrubs and grasses to limit water consumption and additional runoff within one growing season of the project's completion.



- 11) The property shall be limited to a maximum of 5,750 square feet of floor area exempt from growth management.
- 12) The Applicant shall adhere to all material representations made in the application and shall consider those representations to be conditions of approval, unless amended by other conditions.
- 13) Statutory vested rights for the approval contained herein are granted pursuant to the Pitkin County Land Use Code and Colorado Statutes, subject to the exceptions set forth in Pitkin County Land Use Code, § 4-140 and C.R.S., § 24-68-105. The statutory vested rights granted herein shall expire on February 5, 2007.

APPROVED by the Director, this 5th day of February, 2004.



Cindy Houben, Community Development Director

P003-04
PID#264522400022

EXHIBIT "A"
LEGAL DESCRIPTION

A tract of land situated in the South one-half of Section 22, Township 9 South, Range 86 West of the Sixth Principal Meridian, more fully described as follows:

Lot 14, Shield-O-Terraces, described as follows:

Beginning at a point of being 669.02 feet, North 19°00' East from the South 1/4 corner of Section 22, Township 9, South, Range 86 West of the Principal Meridian,
thence North 53°48' East 148.60 feet;
thence South 37°20' East 445.06 feet;
thence South 47°17' West 363.60 feet;
thence South 64°17' West 19.38 feet;
thence West 89.45 feet along the North line of the A. McKenzie patent to the Northwest corner of the A. McKenzie patent;
thence South 100.00 feet along the West line of the A. McKenzie patent;
thence South 89°09' West 248.15 feet;
thence North 22°14' East 118.40 feet;
thence North 13°01' East 287.96 feet;
thence North 27°36' East 264.86 feet to the Point of Beginning.



SILVER DAVIS PITKIN COUNTY CO

R 0.00

494317

Page: 5 of 5

02/09/2004 03:04P

D 0.00

000021

FORM NO. 7 (REV. 10-28-85)

1. THAT OF LAND SHOWN IN THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 36 S., RANGE 96 W., MERIDIAN 103 W., AS SHOWN IN BOOK 214 AT PAGE 114 FROM WHICH THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 36 S., RANGE 96 W., MERIDIAN 103 W., IS DESCRIBED AS FOLLOWS:

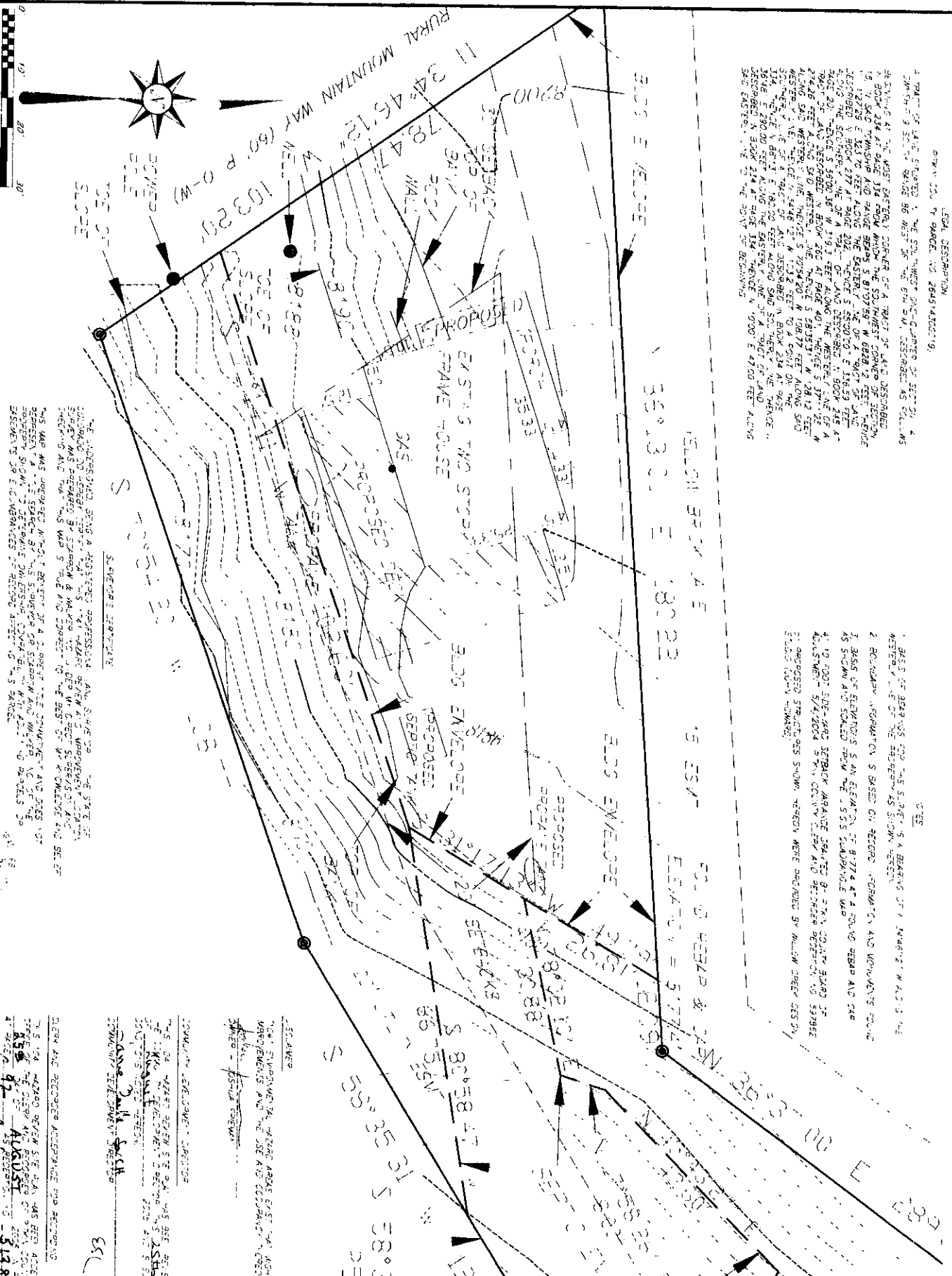
2. THAT OF LAND SHOWN IN THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 36 S., RANGE 96 W., MERIDIAN 103 W., AS SHOWN IN BOOK 214 AT PAGE 114 FROM WHICH THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 36 S., RANGE 96 W., MERIDIAN 103 W., IS DESCRIBED AS FOLLOWS:

3. THAT OF LAND SHOWN IN THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 36 S., RANGE 96 W., MERIDIAN 103 W., AS SHOWN IN BOOK 214 AT PAGE 114 FROM WHICH THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 36 S., RANGE 96 W., MERIDIAN 103 W., IS DESCRIBED AS FOLLOWS:

1. THAT OF LAND SHOWN IN THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 36 S., RANGE 96 W., MERIDIAN 103 W., AS SHOWN IN BOOK 214 AT PAGE 114 FROM WHICH THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 36 S., RANGE 96 W., MERIDIAN 103 W., IS DESCRIBED AS FOLLOWS:

2. THAT OF LAND SHOWN IN THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 36 S., RANGE 96 W., MERIDIAN 103 W., AS SHOWN IN BOOK 214 AT PAGE 114 FROM WHICH THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 36 S., RANGE 96 W., MERIDIAN 103 W., IS DESCRIBED AS FOLLOWS:

3. THAT OF LAND SHOWN IN THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 36 S., RANGE 96 W., MERIDIAN 103 W., AS SHOWN IN BOOK 214 AT PAGE 114 FROM WHICH THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 36 S., RANGE 96 W., MERIDIAN 103 W., IS DESCRIBED AS FOLLOWS:



THE UNDERSIGNED, BEING A REGISTERED PROFESSIONAL ENGINEER, HAVE BEEN DULY SWORN AND DEPOSED THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL SURVEY AND MAP AS PREPARED BY SAID ENGINEER AND THAT THE SAME IS A TRUE AND CORRECT COPY OF THE ORIGINAL SURVEY AND MAP AS PREPARED BY SAID ENGINEER AND THAT THE SAME IS A TRUE AND CORRECT COPY OF THE ORIGINAL SURVEY AND MAP AS PREPARED BY SAID ENGINEER.

DATE AND RECORD ACCEPTANCE FOR RECORD

5/13/84

5/13/84

Attachment #9

TINA WALKER-BRINSON
4 LARKSPUR
PORTOLA VALLEY, CA. 94028
(650) 530-2109

Cari Anne Holcomb
Aspen Pitkin County Community Development
130 South Galena Street
Aspen, CO. 81611

RE: Authorization to Submit a Land Use Application

Dear Cari Anne:

As the owner of the property at 51 Shield O Road, Shield O Terraces Lot 14, I authorize Davis Horn Inc. to submit a land use application on my behalf and to represent me in the land use review process. Should you have any questions, please call Davis Horn at 925-6587 or me at the above phone number.

Thank you.

Sincerely,

Christina Walker Brinson

Christina Walker-Brinson

Attachment #10

PITKIN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT AGREEMENT FOR PAYMENT OF LAND USE APPLICATION FEES

PITKIN COUNTY (hereinafter "COUNTY") and Christina Walker Brinson
(hereinafter "APPLICANT") AGREE AS FOLLOWS.

1. APPLICANT has submitted to COUNTY an application for Activity Envelope
with vesting (hereinafter, the "PROJECT").

2. APPLICANT understands and agrees that Pitkin County Ordinance No. 32-2002 establishes a fee structure for land use applications and the payment of all processing fees is a condition precedent to a determination of application completeness. The fee structure is based on the COUNTY'S policy that development shall pay, in full, the cost of development review in the COUNTY. Fees have been set to be consistent and fair to the public and to reflect the expense incurred in providing such services to the public.

3. APPLICANT and COUNTY agree that because of the size, nature or scope of the proposed PROJECT, it may not be possible at the time of application to ascertain the full extent of the costs involved in processing the application.

4. APPLICANT and COUNTY agree that fees charged for the processing of land use applications shall accumulate if an application includes more than one type of land use review.

5. COUNTY and APPLICANT further agree that it is impracticable for COUNTY staff to complete processing or present sufficient information to the Planning Commission and/or Board of County Commissioners to enable the Planning Commission and/or Board of County Commissioners to make legally required findings for project approval, unless current billings are paid in full prior to decision.

6. Therefore, APPLICANT agrees that in consideration of the COUNTY'S waiver of its right to collect full fees prior to a determination of application completeness, APPLICANT shall pay a base fee in the amount of \$ 2,574.00 which is based on 10 hours of staff time, and if actual time spent by staff to process the application exceeds the average number of hours by more than 20%, then the COUNTY will bill the APPLICANT quarterly for the additional time spent. Such periodic payments shall be made within 30 days of the billing date. APPLICANT further agrees that failure to pay such accrued costs shall be grounds for suspension of processing.

PITKIN COUNTY

Christina Walker Brinson
("APPLICANT")

Cindy Houben
Community Development Director

By: _____

Christina Walker Brinson
Print Name and Title (if applicable)

Date: 8.19.08

Mailing Address: _____

4 Larkspur
Portola Valley, CA. 94028

* 2495.00 Planning Office
54.00 Public Notice
25.00 Web Tech. Fee

\$ 2574.00 Total Fee

000027

Attachment

11

PITKIN COUNTY PRE-APPLICATION CONFERENCE SUMMARY

PROJECT: Designation of an Activity Envelope with Vesting.

LOCATION: 51 Shield O Road, Shield O Terraces, Lot 14

SIZE: 5.308 Acres

OWNER: Christina Walker-Brinson

REPRESENTATIVE: Glenn Horn

PID#: 2645-224-00-022

ZONED: RS-30

PHONE & EMAIL: 925-6587

ghorn@rof.net

PLANNER: Cari Anne Holcomb 920.5092

DATE: August 8, 2008

Type of Application: Activity Envelope Review with Vesting.

Description of Project/Development: The Applicant is requesting approval of an Activity Envelope with vested rights. Site Plan review is not requested at this time. Site Plan Approval including possible Scenic View Protection shall occur prior to submission of a building permit. A previous 1041 Hazard Review was approved pursuant to 09-2004; that vesting has expired.

Land Use Code Sections to be addressed in letter of request (application):

Sec. 2-30-20(g): Activity Envelope Criteria for Approval;

Sec. 7-10-50: Activity Envelope;

Sec. 7-10-60: Priorities in Locating Activity of Development;

Sec. 7-20-10: Site Preparation and Grading;

Sec. 7-20-20: Steep and Potentially Unstable Slopes;

Sec. 7-20-30: Water Courses and Drainage;

Sec. 7-20-40: Floodplain Hazards;

Sec. 7-20-60: Wildfire Hazard – Mapped Severe Wildfire Hazard Area;

Sec. 7-20-70: Wildlife Habitat – parcel mapped Mule Deer summer and overall ranges; Elk Winter Range; possibly within ¼ mile from elk and mule deer winter ranges and a migration pattern.

Staff will refer the application to the following agencies: Snowmass/Capitol Caucus, Basalt & Rural Fire Protection District and CDOW, *Shield-O-Terrace HOA*

Review by: Community Development Director

Public Hearing: No. However, the Applicant shall post a public notice sign on the property at least 15 days prior to the date specified for the Administrative Decision pursuant to Sec. 2-20-100(a)(3) of the Land Use Code. In addition, the Applicant shall mail notice (by certified mail) at least 30 days prior to the date specified to all adjacent property owners and mineral estate owners with the return address of the Community Development Department (form of notice to be obtained from the Community Development Department). The names and addresses shall be those on the current tax records of Pitkin County, as they appear no more than 60 days prior to the date of the public hearing. A property owner receiving the public notice shall have 2 weeks from the date the notice is postmarked to submit comments or objections to the Community Development Department.

FEES: \$2,574 (make check payable to "Pitkin County Treasurer")

- Planning Office flat fee: **\$2,495** (non-refundable; based on 10 hours of Staff time at \$249); if staff review time exceeds 12 hours, the Applicant will be charged for additional time above 10 hours at a rate of \$249/hour);
 - Public Notice Fee: \$54
 - Web Technology Fee: \$25

000028

To apply, submit 4 copies of the following information, unless noted otherwise:

1. Summary letter explaining the request, providing background on prior approvals and permits, and addressing compliance with the Code sections listed above.
2. 24" by 36" and 11" x 17" Activity Envelope as designated in Section 2.1.1 of the Pitkin County Land Use Application Manual;
3. Previous Land Use Approvals (if applicable);
4. Proof of ownership of subject property as designated in Section 1.3 of the Pitkin County Land Use Application Manual;
5. Consent from all owners to process application and authorizing the representative;
6. Parcel description, including legal description and 8-1/2" x 11" vicinity map locating the subject property within Pitkin County;
7. Total fee for review of the application;
8. Signed fee agreement (1 copy);
9. List of all adjacent property owners and mineral estate owners (1 copy)
10. Copies of this pre-app form.

NOTES:

- *PLEASE SUBMIT ONE UNBOUND AND ONE-SIDED COPY OF YOUR COMPLETE APPLICATION. PLEASE SUBMIT TWO-SIDED COPIES OF ALL REMAINING COPIES OF YOUR APPLICATION (IF POSSIBLE). THE PARCEL IDs SHOULD BE INCLUDED ON ALL DOCUMENTS INCLUDED IN YOUR APPLICATION.*
- *ALL MAPS SHALL BE FOLDED.*
- *The Land Use Code is available on-line at <http://www.aspenpitkin.com/depts/71/>*
- *The Land Use Application manual is available on-line at <http://www.aspenpitkin.com/pdfs/depts/7/Land Use Application Manual.pdf>*
- *This pre-application conference summary is advisory in nature and not binding on the County. The information provided in this summary is based on current zoning standards and staff's interpretations based upon representations of the applicant. Additional information may be required upon a complete review of the application.*

**ATTACHMENT #12
ADJACENT PROPERTY OWNERS**

**Andrew Russell
520 East Cooper Avenue
Aspen, CO. 81611**

**Sherling T. Lauricella Revocable Trust
7155 Snowmass Creek Road
Snowmass, CO. 81654**

**Hawley V. Smith Jr. Trust I
1 San Jose Place #7
Jacksonville, FL. 32257**

**Marvin A. Tillman
P.O. Box 427
Palisade, CO. 81525-0427**

**Michal Ann Brimm
262 Wildwood Lane
Aspen, CO. 81611**

**Thomas R. Gardner
484 Shield O Road
Snowmass, CO, 81654**

**Marc A. Sparks
5010 Addison Circe
Addison TX. 75001**

**Henry T. Lowe Revocable Trust
911 Crestland Avenue
Columbia, MO. 65201**



Attachment 13

Owner's Policy of Title Insurance

Fidelity National Title Insurance Company

A Stock Company

Policy Number 1312-

OWNER'S POLICY OF TITLE INSURANCE

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, FIDELITY NATIONAL TITLE INSURANCE COMPANY, a California corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. *Title to the estate or interest described in Schedule A being vested other than as stated therein;*
2. *Any defect in or lien or encumbrance on the title;*
3. *Unmarketability of the title;*
4. *Lack of a right of access to and from the land.*

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

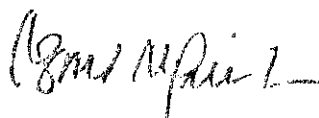
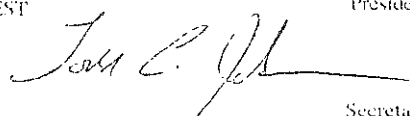
IN WITNESS WHEREOF, FIDELITY NATIONAL TITLE INSURANCE COMPANY has caused this policy to be signed and sealed by its duly authorized officers as of Date of Policy shown in Schedule A.



Fidelity National Title Insurance Company



Pitkin County Title, Inc.
601 E. Hopkins Ave. 3rd Floor
Aspen, Colorado 81611
970-925-1766 Ph./970-925-6527 Fax
877-217-3158 Toll Free



By: 
 ATTEST: 
 President
 Secretary

Countersigned: 
 Authorized Signature
 (Please print name below) 

**PITKIN COUNTY TITLE, INC.
601 E. HOPKINS, 3rd Floor
ASPEN, COLORADO 81611
970-925-1766 | 970-925-6527 FAX**

August 30, 2006

MYLER LAW FIRM
211 MIDLAND AVENUE
BASALT, CO 81621

ATTN: ROBYN J. MYLER

RE: LOT 14, SHIELD O TERRACE -- PCT20683F3

Pitkin County Title, Inc. is pleased to provide you with the owners policy along with the following endorsements relative to the above mentioned file:

Endorsement Form
Endorsement Form

Endorsement Form
Endorsement Form

Endorsement Form
Endorsement Form

Please review the policy in its entirety. We at Pitkin County Title, Inc. believe in providing you, our customer, with a quality product which will serve your needs.

In the event you do find a discrepancy, or if you have any questions or comments regarding your final policy, please contact us and we will gladly handle any request you may have as efficiently and quickly as possible.

We have assigned the above number to your records to assure prompt processing of future title orders involving the property. If you sell or obtain a loan on this property within 5 years, ask your broker or agent to contact our office to ensure re-issue rates which may be available to you.

Thank you very much for giving Pitkin County Title, Inc. the opportunity to serve you.

Sincerely,



Vincent J. Higen
President

Vh

Enclosures:

000032

SCHEDULE A-OWNER'S POLICY

CASE NUMBER PCT20683F3	DATE OF POLICY July 21, 2006 @ 10:24 AM	AMOUNT OF INSURANCE \$895,000.00	POLICY NUMBER 1312-682174
---------------------------	--	-------------------------------------	------------------------------

1. NAME OF INSURED:

CHRISTINA WALKER-BRINSON

2. THE ESTATE OR INTEREST IN THE LAND HEREIN AND WHICH IS COVERED BY THIS POLICY IS:

IN FEE SIMPLE

3. THE ESTATE OR INTEREST REFERRED TO HEREIN IS AT DATE OF POLICY VESTED IN:

CHRISTINA WALKER-BRINSON

4. THE LAND REFERRED TO IN THIS POLICY IS SITUATED IN THE COUNTY OF PITKIN, STATE OF COLORADO AND IS DESCRIBED AS FOLLOWS:

A tract of land situated in the South one-half of Section 22, Township 9 South, Range 86 West of the Sixth Principal Meridian, more fully described as follows:

Lot 14, Shield-O-Terraces, described as follows:

Beginning at a point of being 669.02 feet, North 19°00' East from the South 1/4 corner of Section 22, Township 9 South, Range 86 West of the Principal Meridian,
thence North 53°48' East 148.60 feet;
thence South 37°20' East 445.06 feet;
thence South 47°17' West 363.60 feet;
thence South 64°17' West 19.38 feet;
thence West 89.45 feet along the North line of the A. McKenzie patent to the Northwest corner of the A. McKenzie patent;
thence South 100.00 feet along the West line of the A. McKenzie patent;
thence South 89°09' West 248.15 feet;
thence North 22°14' East 118.40 feet;
thence North 13°01' East 287.96 feet;
thence North 27°36' East 264.86 feet to the Point of Beginning.

PITKIN COUNTY TITLE, INC.
601 E. HOPKINS AVE.
ASPEN, COLORADO 81611
(970) 925-1768/(970)-925-6527 FAX

THE POLICY NUMBER SHOWN ON THIS SCHEDULE MUST AGREE WITH THE PREPRINTED NUMBER ON THE COVER SHEET.

000033

SCHEDULE B-OWNERS

CASE NUMBER
PCT20683F3

DATE OF POLICY
July 21, 2006 @ 10:24 AM

POLICY NUMBER
1312-682174

THIS POLICY DOES NOT INSURE AGAINST LOSS OR DAMAGE BY REASON OF THE FOLLOWING:

1. Rights or claims of parties in possession not shown by the public records.
2. Easements, or claims of easements, not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, any facts which a correct survey and inspection of the premises would disclose and which are not shown by the public records.
4. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Water rights, claims or title to water.
6. Taxes for the year 2006 not yet due or payable.
7. Right of the proprietor of a vein or lode to extract or remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted as reserved in United States Patent recorded January 11, 1904 in Book 55 at Page 509.
8. Right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted and right of way for ditches or canals constructed by the authority of the United States as reserved in United States Patent recorded March 23, 1911 in Book 55 at Page 187.
9. Terms, conditions, provisions and obligations as set forth in Deed recorded October 2, 1951 in Book 176 at Page 603, Deed recorded April 27, 1966 in Book 220 at Page 190 and Deed recorded September 7, 1966 in Book 222 at Page 459.
10. Easement and right of way for an electric transmission or distribution line or system, as granted to Holy Cross Electric Association, Inc., in instrument recorded January 2, 1970 in Book 245 at Page 697.
11. Easements, rights of way and all matters as disclosed on 1041 Hazard Review Plat of subject property recorded October 14, 1988 in Plat Book 21 at Page 85 and Amended 1041 Hazard Review Site Plan recorded June 22, 2000 in Plat Book 53 at Page 91.
12. Those terms, conditions, provisions, obligations, easements, restrictions, assessments and all matters as set forth in Protective Covenants for Shield-O-Terrace recorded June 24, 1968 in Book 235 at Page 137 and Amendment thereto recorded May 27, 2003 as Reception No. 483213, deleting therefrom any restrictions indicating any preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin.
13. Terms, conditions, provisions, obligations and all matters as set forth in Ordinance No. 97-33, Series of 1997 by Board of County Commissioners recorded September 8, 1997 as Reception No. 408165.
14. Terms, conditions, provisions, obligations and all matters as set forth in Resolution of the Board of County Commissioners recorded January 31, 1997 as Reception No. 401412 as Resolution No. 96-145.

(Continued)

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POLICY NO. 1312-682174
CASE NO. PCT20683F3

SCHEDULE B-OWNERS --EXCEPTIONS--CONTINUED--

15. Terms, conditions, provisions, obligations and all matters as set forth in Resolution of the Board of County Commissioners recorded September 4, 1997 as Reception No. ~~400013~~ as Resolution No. 97-156 and re-recorded February 13, 1998 as Reception No. 413575.
16. Terms, conditions, provisions, obligations and all matters as set forth in Resolution of the Board of County Commissioners recorded June 21, 2000 as Reception No. 444400 as Resolution No. 94-2000.
17. Terms, conditions, provisions, obligations and all matters as set forth in Ordinance No. 35, Series of 2000 by Board of County Commissioners recorded August 17, 2000 as Reception No. 446171 and re-recorded September 8, 2000 as Reception No. 446799.
18. Terms, conditions, provisions and obligations as set forth in Agreement recorded August 17, 2000 as Reception No. 446172.
19. Terms, conditions, provisions and obligations as set forth in Administrative Decision recorded February 9, 2004 as Reception No. 494317.
20. Easements, rights of way and all matters as disclosed on Plat of subject property recorded February 17, 2004 in Plat Book 68 at Page 59.
21. Any loss or damage resulting from adverse possession or any possessory interest for any fenceline encroachments as disclosed on Survey of High Country Engineering, Inc. dated June 19, 2006 as Job No. 2061711.

EXCEPTIONS NUMBERED 1, 2 ,3 AND 4 ARE HEREBY OMITTED

MISCELLANEOUS
DOCUMENTS

LARGE PLAT(S)

**AVAILABLE TO VIEW AT
COMMUNITY DEVELOPMENT**

**AVAILABLE TO BUY AT
CLERK & RECORDER**