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April 11, 2011

Suzanne Wolff
Pitkin County Community Development Department
130 South Galena Street
Aspen, CO 81611

**RE: SITE PLAN REVIEW
PARCEL ID #2645-224-00-583**

Dear Suzanne:

Please accept this letter as the Marvin A. Tillman's Estate ("applicant's") request to obtain Site Plan approval for its property, located on Shield-O Road in the Snowmass Creek valley. According to the Pitkin County Land Use Code ("Code") any request for a Site Plan approval must provide a summary letter explaining the request, background information on prior approvals and permits, and shall address compliance with the Code Sections listed within the Pre-application Conference Summary (ATTACHMENT 1).

SITE PLAN REQUEST

The applicant is requesting approval of a Site Plan for the property. As a part of the Site Plan, the applicant is also requesting an exception to develop on slopes greater than 30% in the Activity Envelope (Section 7-20-20(c)(3) Minor Slope Anomaly). To best address this additional request, this application includes a discussion of the standards in Section 7-20-10, Site Preparation and Grading. The development will consist of a single-family residence with no more than 4,000 square feet of living space and is no higher than 20-feet above natural grade. In addition to the residence, a short driveway, Individual Sewage Disposal System (ISDS), and small yard area are proposed for placement within the Activity Envelope. A landscaping plan has also been developed to help screen and break-up the building mass.

BACKGROUND INFORMATION

The property is known as Lot 15 of the Shield-O-Terrace Tracts and was created in the 1960s (See ATTACHMENTS 3 and 4). It is about 1.08-acres in size and is located between Shield-O Road and Snowmass Creek Road. The property consists of a relatively flat bench of land separated from Snowmass Creek Road by a short but steep cut-bank coming off of the road. Vegetation on the property is made up of primarily native grasses and woody plants, such as mountainous shrubs, sage and scrub oak. No riparian vegetation is present on the property. Slopes on the property are all less than 30% with the exception of the steep hillside adjacent to Snowmass Creek Road and a few small areas near the center of the property and adjacent to Shield-O Road. The property is currently vacant with no structures other than fencing along Snowmass Creek Road.

The property has received an Activity Envelope approval from Pitkin County (see ATTACHMENT 6).

LAND USE CODE SECTIONS TO BE ADDRESSED

Attached to this letter please find the following materials, documents and information that comprise our responses to the following Section of the Code:

Sec. 2-30-20(g): Site Plan Criteria for Approval

As evidenced by the contents of this letter and attachments, we feel that this application complies with the Site Plan Criteria as set forth in Section 2-30-20(g):

- ATTACHMENT 1: Pre-Application Conference Summary Sheet.
- ATTACHMENT 2: Consent from the owner of the property for Newland Project Resources, Inc. (NPRI) to represent them and to process the land use application.
- ATTACHMENT 3: Disclosure and proof of ownership of the property complying with Subsection 5-70-020(D) of the Land Use Code and List of Adjacent Property and Mineral Rights Owners.
- ATTACHMENT 4: A chain of title showing the original creation date of the property that proves the lot is eligible for GMQS exemption under Section 6-30-100 of the Code.
- ATTACHMENT 5: Parcel description, including legal description, and an 8-1/2"x 11" vicinity map locating the subject property within Pitkin County.
- ATTACHMENT 6: Previous Land Use Approvals.
- ATTACHMENT 7: Executed Pitkin County Community Development Agreement for Payment of Land Use Application Fees form.
- ATTACHMENT 8: Visual Impact Analysis of the residence in relationship to the site and the County Road, including computer simulations and a Lighting Report showing conformance with Section 7-20-140 of the Code.
- ATTACHMENT 9: Individual Sewage Disposal System Design.
- ATTACHMENT 10: Engineers Report on stability of topographic anomalies and Utilities Assessment
- ATTACHMENT 11: Engineers Report on compatibility of driveway with Pitkin County Road Standards
- ATTACHMENT 12: Water Engineers Assessment of ability to obtain a Well Permit.
- ATTACHMENT 13: An Improvement Survey that shows the existing conditions on the site, topography, access, zone district setbacks, physical features and a slope analysis of the property.

ATTACHMENT 14: Draft Site Plan Plat prepared in accordance with the requirements of Subsections 7-10-50 of the Pitkin County Land Use Code and Section 2.2.1 of the Pitkin County Land Use Application Manual. Included are a Site Plan, building floor plans and elevations, a drainage/stormwater management plan, and a landscape plan.

Section 7-10-50: Site Plan

The Site Plan as proposed (ATTACHMENT 14) will allow the activities and development to comply with provisions of the Land Use Code and Comprehensive Plan by avoiding or mitigating the "constrained areas" located on the property. As shown in ATTACHMENT 14, the development proposed is a two-story, single family residence that conforms to the conditions of approval set out in the Activity Envelope approval (see ATTACHMENT 6). These conditions include a limitation on floor area of 4,000 square feet and a restriction on the height of any structure to 20-feet above original grade. The previously approved Activity Envelope is of adequate size for all of the allowed uses by right within a designated activity envelope provided that development is allowed to occur on the minor slope anomalies as discussed below. Other than the residence, these uses include grading, yard and landscape improvements, and utility-related improvements.

The property is zoned RS-30. This zone district has a conforming lot size of 30-acres. Setbacks for this zone district are as follows:

Setback from Collector Streets (Snowmass Creek Road):	50-feet
Front Setback (from Shield-O-Terrace Road)	30-feet (20-feet with variance)
Side Setback	20-feet

Due to the fact that this property is a very small (1.08 acres), and therefore non-conforming lot within the zone district, the setbacks create hardship when trying to place a structure on the site. As such, the proposed Site Plan (ATTACHMENT 14) anticipates a variance from the front yard setback of 10-feet (from 30-feet to 20-feet). This variance request would allow the proposed development to best comply with Development Standards of the Land Use Code as described in this letter. A variance request is being submitted to the Board of Adjustment concurrently with this land use application.

It is acknowledged that upon approval of the Site Plan, any and all applicable local, state or federal permits required to conduct development activities will be obtained prior to initiation of construction. It is also acknowledged that all areas located outside of the already approved Activity Envelope will not be disturbed and that construction fencing shall be placed around the perimeter of the Activity Envelope prior to initiation of construction.

Section 7-20-10: Site Preparation and Grading

(a) Grading and Fill Placement

Grading and fill placement is anticipated on the site. The amount of excavation and fill is approximately 130 cubic yards, all of which will be excavated and placed within the Activity Envelope. Any excess excavation will be hauled off site to the county landfill. Included within ATTACHMENT 14 is a grading plan for the site.

As a part of this land use application, we would also like to seek approval to development on two minor slope anomalies located in or near the Activity Envelope. One is located near the center of the buildable area and appears to be an overgrown mound and shallow pit, possibly placed during soils

investigations some time ago. The other area is located along the side of Shield-O Road and was obviously created by the construction and maintenance of the road. These areas fit the definition of a minor slope anomaly and are applicable to the exception to prohibition of development on steep slopes under Section 7-20-20(c)(3) of the Code:

(3) MINOR SLOPE ANOMALY

Through the Site Plan process, exceptions for minor changes in slope-development may be permitted on lands that have a slope equal to or in excess of thirty (30) percent when the slope is due to the presence of a minor natural or minor man-made change in the gradient of a continuous slope, provided that an engineer or geologist licensed in the State of Colorado demonstrates that the slope's ground surface is not prone to instability or failure and that the proposed development will not cause greater instability or increase the potential for slope failure.

Included as ATTACHMENT 10 is a letter from High Country Engineering insuring that the slope's ground surface is not prone to instability and that the proposed development will not cause a greater instability or potential for slope failure.

(b) Clearing, Grubbing, and Vegetation Removal

All clearing, grubbing and vegetation removal will occur within the approved Activity Envelope (See ATTACHMENT 14).

(c) Tree Removal and Mitigation

There are no trees on the property that are six (6) inches or larger diameter at breast height. Revegetation of the site will be accomplished under the attached landscape plan (ATTACHMENT 14) and will comply with the Pitkin County Revegetation Guidelines.

(d) Protection of Natural Terrain

The applicant agrees to implement appropriate design and construction techniques to lessen and mitigate the physical and visual damage to the site as follows:

(1) REVEGETATION

Revegetation efforts will utilize native or similar horticultural material, and will be completed during the first planting season after construction; where vegetation is removed, it will be replaced with vegetation that will reach similar density and height to that removed within two (2) years following conclusion of construction.

(2) TOPSOIL

Topsoil will be removed and stored prior to any grading or excavating and will be replaced for revegetation.

(3) WEED PREVENTION

The existing site is relatively weed-free. To prevent possible weed infestation, seed mix used in revegetation efforts will be certified as weed-free and revegetation efforts will be put in place as soon as possible after disturbance.

(4) UTILITY INSTALLATION

Water will be obtained from a well to be located on the southwest side of the property. An Individual Septic Disposal System has been designed (see ATTACHMENT 11) and will be located to the north of the house.

Other utilities, such as electricity and communication lines, will be buried to the house within the approved Activity Envelope. See Attachment 10 for location and alignment of these utility connections.

(5) EROSION, SEDIMENTATION, AND STORMWATER MANAGEMENT

Disturbance of ground vegetation shall be limited to the areas within the Activity Envelope where development will take place. Although topsoil will remain on site, excavated soils will if necessary be trucked off-site to the landfill. The site plan shows that the cuts and fills required for placement of the residence are at least 2:1 at final grade and can be easily revegetated. Natural drainage patterns, which run down the site from Shield-O Road, will be maintained and improved so that natural drainage runs around the house and driveway. Stormwater management practices will be utilized when constructing the improvements on the property. Please see ATTACHMENT 14 for a detailed drainage and storm water management plan.

With respect to grading, the grading plan (ATTACHMENT 14) conforms to the following standards:

- The original, natural grade within the Activity Envelope shall not be raised or lowered more than four feet, provided that said natural grade can be changed up to seven-feet if retaining walls are utilized;
- Grading for accessory building pads is not anticipated.
- Where grading, excavation or filling is required, slopes of 25% (4:1) will be placed where practicable and these slopes will not exceed 50% (2:1). Slopes between 25% and 50% will conform to the requirements of Section 7-20-20(e)(4)(c).
- All cut, filled or graded slopes shall be recontoured to the natural, varied contour of the surrounding terrain.
- If retaining walls are utilized, the guidelines and standards for retaining walls will be followed.

Section 7-20-30: Water Courses and Drainage

No water courses, ditches or significant drainages are located on the property. The grading of the site has been designed to provide positive drainage away from the residence and off of the driveway. Grading for the improvements will provide adequate drainage for low points on the property. The drainage plan (see ATTACHMENT 14) has been designed to account for the entire drainage basin and accommodates runoff from the proposed development.

7-20-120: Scenic View Protection

The property abuts and is visible from Snowmass Creek Road (Subsection 7-20-120(b)(1)(a)) and is therefore subject to the standards of 7-20-120(d) of the Land Use Code concerned with Scenic View Protection Areas. Included as ATTACHMENT 8 is a Visual Impact Analysis of the site including computer-generated photo-simulations of the residence and the site as seen from Snowmass Creek Road. The Activity Envelope complies with the Scenic View Protection Standards as follows:

- (1) The proposed development shall utilize existing topography and natural vegetation, such as ridges, hills, and existing trees, to screen buildings to the maximum extent practicable when viewed from those right-of-ways listed.*

The small, 1-acre parcel is relatively flat with no abrupt ridges, hills or existing trees to help screen the building. There is a cut bank along the property adjacent to Snowmass Creek Road that does provide screening, especially when driving north past the property on Snowmass Creek Road.

- (2) The proposed development shall avoid the location of structures within the Scenic View Protection Areas, and shall avoid the location of structures within any Viewplane identified in the State Highway 82 Corridor Master Plan and Down Valley Comprehensive Plan if possible. If location outside the Scenic View Protection Area and defined Viewplanes is not practicable, then the proposed development shall not be located on the highest ground or most visible portion of any site as viewed from those right-of-ways listed.*

Being a small parcel located adjacent to Snowmass Creek Road, there is no area on the property that is excluded from the Scenic Protection Area. The proposed development has been located on the least visible portion of the Activity Envelope as viewed from the County Road. The Variance Request for encroachment of the building into the front yard setback aids to further remove the structure from view from the road.

- (3) The proposed development's height and bulk shall be designed to avoid, to the maximum extent practicable, the visibility of buildings from those corridors listed in subsection (b) above. This may include, but shall not be limited to, breaking the mass of the building down into a series of smaller forms, articulation of the building façades to avoid a wall or row effect, and staggering rooflines to avoid a long unbroken plane.*

The building proposed has articulating facades and staggered rooflines to reduce the appearance of the building as seen from Snowmass Creek Road.

- (4) The proposed structure shall be placed so it does not project above a ridgeline such that a structure silhouettes against the sky when viewed from those rights-of-ways listed, unless there are no alternate building sites on the lot or parcel.*

After carefully assessing the site, it is not possible to place a structure on the parcel that does not break the ridgeline as seen from Snowmass Creek Road. Care has been taken in the design and placement of the building to make sure that it projects above the ridgeline as little as possible. One of the main benefits of seeking a variance from the front yard setback is to reduce the building projection above the ridgeline by siting it away from Snowmass Creek Road.

- (5) The proposed development shall be designed to complement the natural topography of the land through the use of techniques such as earth-sheltered design, the use of natural materials and coloring, the use of low-reflectance materials, or clustering of structures on the least visible portions of the site. When a building is proposed near a ridgeline, then its form (particularly its roof form) shall replicate, parallel, or complement the natural form of the ridgeline so that it appears to be an element of the natural ridgeline.*

The development shall utilize natural materials and coloring and low-reflectance materials in its construction. The roof form does try to replicate the ridgeline in the background, but the property's close proximity to Snowmass Creek Road makes it hard if not impossible for the roof to appear like an element of that ridgeline.

- (6) The proposed development shall preserve natural vegetation and avoid development within irrigated meadows, to the maximum extent practicable.*

Removal of the natural vegetation, other than grasses and groundcover on the site will be kept to a minimum and only done where the building, driveway, septic field and yard area are located. The property does not contain irrigated meadows.

- (7) The proposed development shall install utilities in locations and through procedures that minimize visual impacts to the maximum extent practicable.*

Utilities shall be buried to the residence to reduce visual clutter. See ATTACHMENT 10 for an assessment of utility locations in the area of the property.

- (8) All satellite dishes in the proposed development shall be located to minimize visibility from those rights-of-way listed in subsection (b), and shall use earth tone colors and/or screening to minimize their visual impact.*

Satellite dish, if needed, will be placed away from Snowmass Creek Road on the south-facing side of the building.

- (9) The proposed development shall not use earth moving and berms as the primary means of compliance with these regulations, but earth moving may be utilized in conjunction with other techniques to comply with standards in this section. Where earth moving techniques are necessary, man-made forms should be undulating and natural in appearance.*

No berms are proposed for the development. However, earthmoving will be a technique utilized to comply with this section of the Land Use Code. The building will be set 3 to 5 feet below the existing grade. This will reduce the visibility from Snowmass Creek Road and from Shield-O Road.

- (10) In the Rural Areas only, development shall be located so that activities and development occur in at least one of the locations specified in subsection 7-20-120(e) as they may apply to the particular property.*

Please see the response to this section below.

- (11) EARTH TONE MATERIALS. The exterior of all development, except development located and designed in the form of a ranch compound, shall be built or painted with indigenous earth tone materials or colors. The exterior of a ranch compound should be built or painted with indigenous earth tone materials, or shall be painted or stained using local, traditional ranch colors, which shall include shades of red, brown, or white. Paints or stains that simulate weathered barn wood also shall be permitted.*

The exterior of the residence shall utilize natural materials and coloring.

- (12) ROOFS. All roofs shall have a non-reflective color or composition. Reflective roof materials shall not be used unless the materials are treated prior to installation to eliminate reflection, with the exception of materials associated with solar or photovoltaic equipment.*

The roof materials use shall not have a reflective color or composition.

(13) REVEGETATION OF DISTURBED AREAS. *Lands disturbed by earth moving or berms should be revegetated using native species that are already growing on or near the site. Topsoil shall be stockpiled and placed on disturbed areas. Irrigation shall be provided to the revegetated areas if it is necessary to ensure survival of planted native species.*

All disturbed areas within the Activity Envelope shall be aggressively revegetated with native, neighborhood species upon the completion of construction activities. Topsoil obtained from excavation activities will be retained and reused on site to facilitate and promote revegetation efforts. All revegetation shall be adequately irrigated with existing facilities.

(14) DRIVEWAYS AVOID DIVIDING MEADOWS AND PASTURES. *To the maximum extent practicable, roads and driveways shall be located to skirt the edge of and avoid dividing meadows and pastures and to avoid major road cuts. Roads and driveways should take advantage of the screening potential of natural topography and existing vegetation. Existing roads and driveways shall be used where practical. To enhance screening, a row of trees may be planted along the roads or driveways. To the maximum extent practicable, roads and driveways located around the edge of or in meadows shall be laid out with soft, curving edges and shall avoid straight line corridors that are incongruous with the natural setting.*

The driveway is very short and will not cross existing irrigated meadows or divide a meadow.

7-20-120(e): RURAL CHARACTER GUIDELINES FOR BUILDING LOCATION

In addition to complying with the standards of subsection (d) above development within the Activity Envelope should be located so that activities and development occur in one or a combination of the following locations as they may apply to the particular property: (1) at the edge of an open meadow or pasture; (2) behind an existing stand of vegetation; (3) behind or built into a change in natural topography; or (4) within a pasture or meadow, clustered in the form of a ranch compound, or adjacent to or integrated into an existing ranch compound. Where guidelines reference distances from a road, and more than one road borders the property, the guideline applies to the road carrying the greater amount of traffic.

The guidelines for building the development into the natural topography (3) has been utilized in this development proposal.

7-20-130: Landscape and Vegetation Protection

The purpose of this code section is to preserve existing vegetation on development sites to the maximum extent consistent with the permitted development; to ensure that specific types of man made improvements are screened from view in order to preserve the rural character of the County; and to prevent the use of landscaping in ways that would compromise the rural character of the County. The criteria are as follows:

(1) PROTECTION OF NATURAL VEGETATION

In order to protect the rural character of Pitkin County, natural vegetation should be preserved to the maximum extent practicable, and any installed landscaping shall use the species plant materials naturally occurring on the site or on neighboring properties (except for flower gardens).

The natural vegetation within the Activity Envelope consists primarily of field grasses with mountain shrubs. All existing vegetation shall be preserved to the maximum extent possible, and new vegetation

proposed for the development will be naturally occurring, neighboring species. A conceptual landscape plan is included as a part of ATTACHMENT 14.

(2) CONFORMANCE WITH WILDFIRE REGULATIONS

In the event the provisions of this Sec. 7-20-130 conflict with any provisions of Sec. 7-20-60, as those requirements may be varied by a wildfire expert approved by the County, the provisions of Sec. 7-20-60 shall govern.

All activities and improvements required for conformance with wildfire regulations will be followed.

(3) BERMS

Berms may be incorporated into any required landscaping, buffering, or screening area, provided that the County determines, during the development approval process, that the proposed berms will not cause drainage or erosion problems. No installed berm shall have a slope of greater than four-to one (4:1), nor a height greater than four (4) feet above grade.

No berms are proposed for the development. However, if berms are considered or recommended as a part of the approval process, they will conform to the above stated criteria.

(4) LANDSCAPE ENCLOSURES

Landscaping shall not be used to mark or enclose the boundary of a parcel, or to privatize an otherwise public viewplane. Use of indigenous shrubs or trees to enclose a portion of the property immediately surrounding a dwelling, barn, and/or accessory buildings (as opposed to the entire property or a large area of the property) are permitted if made to resemble similar windbreaks located near older properties in Rural Areas of the County.

No landscape enclosures are proposed for the development. However, vegetation is proposed along the west side of the building adjacent to Shield-O Road to break up the massing of the building along this side. A conceptual landscape plan is included as a part of ATTACHMENT 14.

(5) VISIBILITY CLEARANCE

All landscaping shall be installed and maintained so that it does not interfere with the ability of drivers to see nearby traffic at the intersection of any driveway with a public road, or at the intersection of two public roads.

Visibility clearances will not be impacted by the proposed landscaping improvements.

(6) UTILITY EASEMENTS

Whenever the provisions of this Sec. 7-20-130 would require the installation of trees or shrubs over or on utility easements, where branches or roots might interfere with utility lines or pipes, the required location for such trees and shrubs shall be modified to require installation at the closest location that would avoid potential conflicts with utilities and would enable the trees and shrubs to serve the same landscaping purpose.

No utility easements encroach upon the proposed Activity Envelope.

(7) FINANCIAL SECURITY

The Community Development Department may require financial security in a form acceptable to the County Attorney to ensure completion of installation of all required landscaping and/or successful establishment of plants.

Financial security shall be submitted if required during the development permit approval process.

(8) MAINTENANCE

All plants shall be maintained continually in a healthy condition in accordance with generally accepted professional horticultural standards and practices. Within areas required to be landscaped with installed plant materials, plants that die or are unhealthy shall be replaced. Landscape areas shall remain free of weeds, litter, junk, rubbish and other nuisances and obstructions.

Maintenance of planted vegetation is in the best interests of the applicant and will be conducted after planting is complete.

Required Landscaping in Rural Areas:

- (1) Landscaping is required for the following purposes: (i) to screen satellite dishes and other telecommunications equipment when located within five hundred (500) feet of adjacent public roads and visible from such roads, and (ii) to screen parking areas and service areas when viewed from adjacent public roads, (iii) where necessary to comply with the standards of Secs. 7-20-70, 7-20-80, or 7-20-120, and (iv) to revegetate disturbed areas.*
- (2) Landscape treatments shall cluster shrubs and trees into groupings similar to those naturally occurring on the site or neighboring sites, shall use indigenous species of shrubs and trees, and shall not be installed in regularly spaced lines or rows, unless more specific provisions of Secs. 7-20-70, 7-20-80, or 7-20-120 require a different treatment.*

The above stated landscaping criteria for rural areas applicable to this development will be utilized within the landscape plans for the property. A conceptual landscape plan is included as a part of ATTACHMENT 14.

7-30: Roads, Driveways and Parking

The driveway has been designed to be in compliance with Pitkin County Road Standards and Specifications and the Pitkin County Asset Management Plan. 3 parking spaces, one along the driveway and two in the garage, have been provided. See ATTACHMENT 14 for the location of the driveway and parking area on the site plan. ATTACHMENT 11 is an engineers report confirming the compatibility of the driveway design with Pitkin County Road Standards.

7-50: Public Services and Utilities

Public utilities, including electricity and communication lines, shall be buried to the residence through the defined Activity Envelope. ATTACHMENT 10 contains an assessment of existing utilities in the area of the property. Water will be obtained from a private well to be located on the northwest side of the property. According to State well permit regulations, this property can receive an Exempt Well Permit for domestic water. Included as ATTACHMENT 12 is a letter from Resource Engineering confirming that a well permit can be issued for this property. A well permit will be applied for prior to issuance of a building permit for the property.

Sewage treatment and collection will take place on the site using an Individual Sewage Disposal System (ISDS). This system has been designed for the site and the design has been included as ATTACHMENT 9.

SUMMARY

Based on the information submitted in this letter, we believe that the proposed Site Plan is in compliance with all applicable standards of the Land Use Code and is consistent with the conditions of approval and the representations made during the Activity Envelope approval for this property.

Thank you for considering this request. If you have any questions or requests for additional information, please contact me at 927-4645 or tomn@sopris.net.

Sincerely,

Tom Newland,
Newland Project Resources, Inc.

ATTACHMENTS

- ATTACHMENT 1: Pre-Application Conference Summary Sheet.
- ATTACHMENT 2: Consent from the owner of the property for Newland Project Resources, Inc. (NPRI) to represent them and to process the land use application.
- ATTACHMENT 3: Disclosure and proof of ownership of the property complying with Subsection 5-70-020(D) of the Land Use Code and List of Adjacent Property and Mineral Rights Owners.
- ATTACHMENT 4: A chain of title showing the original creation date of the property that proves the lot is eligible for GMQS exemption under Section 6-30-100 of the Code.
- ATTACHMENT 5: Parcel description, including legal description, and an 8-1/2"x 11" vicinity map locating the subject property within Pitkin County.
- ATTACHMENT 6: Previous Land Use Approvals.
- ATTACHMENT 7: Executed Pitkin County Community Development Agreement for Payment of Land Use Application Fees form.
- ATTACHMENT 8: Visual Impact Analysis of the residence in relationship to the site and the County Road, including computer simulations and a Lighting Report showing conformance with Section 7-20-140 of the Code
- ATTACHMENT 9: Individual Sewage Disposal System Design.
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- ATTACHMENT 14: Draft Site Plan Plat prepared in accordance with the requirements of Subsections 7-10-50 of the Pitkin County Land Use Code and Section 2.2.1 of the Pitkin County Land Use Application Manual. Included are a Site Plan, building floor plans and elevations, a drainage and Stormwater management plan, and a landscape plan.

ATTACHMENT 1:

Pre-Application Conference Summary

PITKIN COUNTY PRE-APPLICATION CONFERENCE SUMMARY

PLANNER: Suzanne Wolff
PHONE: (970) 920-5093

DATE: 11/23/10
E-MAIL: suzanne@co.pitkin.co.us

LOCATION: Shield O Road
ZONE/SIZE: RS-30/1.08 acres

PID# 264522400583

OWNER: Estate of Marvin Tillman
REPRESENTATIVE: Tom Newland

PHONE: 618-9922

EMAIL: tomn@sopris.net

Type of Application: Site Plan Review

Description of Project/Development: The Applicant is requesting Site Plan Review approval for a single family residence. The Hearing Officer approved an Activity Envelope, pursuant to Determination No. 01-2008. The neighbor's appeal of the Determination was denied by the BOCC, pursuant to Resolution No. 079-2008. The neighbor pursued the appeal to District Court, where the Court found in favor of the Applicant.

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

- 2-30-20(g): Site Plan Criteria for Approval
- 7-10-50: Site Plan
- 7-20-10: Site Preparation and Grading
- 7-20-30: Water Courses and Drainage
- 7-20-120: Scenic View Protection Areas
- 7-20-130: Landscaping and Vegetation Protection
- 7-30: Roads, Driveways and Parking
- 7-50: Public Services and Utilities

Review by: Community Development Director

Public Hearing: NO. However, notice is required via **posting, mailing and publication**. 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) to all owners within 300' of the property 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 was postmarked to submit comments or objections to the Community Development Department.

Staff will refer the application to the following agencies: Snowmass/Capitol Creek Caucus, Basalt Fire, Shield O Terraces HOA, and Planning Engineer

FEES: \$2,263 (make check payable to "Pitkin County Treasurer")

- **\$1,560** Planning Office flat fee (non-refundable; based on 5 hours of staff time. If staff review time exceeds 6 hours, the Applicant will be charged for additional time above 5 hours at a rate of \$312/hour)
- **\$624** Planning Engineer
- **\$54** Public Notice Fee
- **\$25** Clerk Technology Fee

To apply, submit 1 copy 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" Site Plan as designated in Section 2.1.12 of the Pitkin County Land Use Application Manual;
3. Scenic View Protection and Lighting Exhibits as designated in Section 2.1.12 of the Application Manual
4. Preliminary Drainage Study
5. Engineering report addressing road design, water supply, wastewater disposal and other utilities and public services.
6. Wildfire Hazard Analysis and Mitigation Report prepared by a wildfire expert
7. Disclosure and proof of ownership of the property, consisting of a current certificate from a title insurance company or attorney licensed to practice law in the State of Colorado, listing the names of all owners of the property and all mortgagees, judgments, liens, easements, contracts and agreements affecting use and development of the parcel and proof of the owner's right to use the land for the purposes identified in the development application.
8. Street address (if any) and parcel description, including legal description, and 8-1/2"x 11" vicinity map locating the subject property within Pitkin County;
9. Consent from the owner of the property for the representative to process the application and represent the owner;
10. List of all property owners within 300' and mineral estate owners (1 copy).
11. Total fee for review of the application;
12. Signed fee agreement (form attached);
13. Copy of this preapp form

NOTES:

- *PLEASE SUBMIT ONE UNBOUND AND ONE-SIDED COPY OF YOUR COMPLETE APPLICATION. THE PARCEL IDs SHOULD BE INCLUDED ON ALL DOCUMENTS INCLUDED IN YOUR APPLICATION.*
- *ALL MAPS SHALL BE FOLDED.*
- *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 2:

Consent from the Owner of the Property for Newland Project Resources, Inc. (NPRI) To Represent Them and To Process the Land Use Application

JUL 17 2007 4:09 PM ALP:EE ERNA WELSH WPL

Alan Moore
*Personal Representative for
The Estate of Marvin Tillman*
P.O. Box 427
Falko, CO 81526

July 10, 2007

Mr. Michael Kraemer, Planner
Community Development Department
130 South Galena Street
Aspen, CO 81611


RE: PERMISSION TO REPRESENT

Dear Michael;

Please consider this letter as authorization for Tom Newland of Newland Project Resources, Inc. to represent us in the processing of our application for an Activity Envelope on our property located on Shield-O-Terrace Road (State Parcel ID# 2645-224-00-583). Mr. Newland is hereby authorized to act on our behalf with respect to all matters necessarily pertaining to the aforementioned application.

Should you have any questions, or if we can be of any assistance, please do not hesitate to contact me.

Sincerely,


Alan Moore, Personal Representative
The Estate of Marvin Tillman

ATTACHMENT 3:

Disclosure and Proof of Ownership of the Property Complying With Subsection 5-70-020(D) of the Land Use Code
and List of Adjacent Property and Mineral Rights Owners

TITLE INSURANCE COMMITMENT
BY



Order Number: 46189

We agree to issue policy to you according to the terms of the Commitment. When we show the policy amount and your name as the proposed insured in Schedule A, this Commitment becomes effective as of the Commitment Date shown in Schedule A.

If the Requirements shown in this Commitment have not been met within six months after the Commitment Date, our obligation under this Commitment will end. Also, our obligation under this Commitment will end when the Policy is issued and then our obligation to you will be under the Policy.

Our obligation under this Commitment is limited by the following:

- The Provisions in Schedule A.
- The Requirements in Schedule B-I.
- The Exceptions in Schedule B-II.
- The Conditions on Page 2.

This Commitment is not valid without SCHEDULE A and Sections I and II of SCHEDULE B.

IN WITNESS WHEREOF, Stewart Title Guaranty Company has caused its corporate name and seal to be hereunto affixed by its duly authorized officers on the date shown in Schedule A.




Chairman of the Board




President

Countersigned:


Authorized Countersignature

Stewart Title of Colorado Inc. - Aspen Division
620 East Hopkins Avenue
Aspen, CO 81611
(970) 925-3577

Order Number: 46189
Page 1 of 2 Commitment - 235 W/O Disclosure

CONDITIONS

1. DEFINITIONS

- (a) "Mortgage" means mortgage, deed of trust or other security instrument. (b) "Public Records" means title records that give constructive notice of matters affecting your title – according to the state statutes where your land is located.

2. LATER DEFECTS

The Exceptions in Schedule B – Section II may be amended to show any defects, liens or encumbrances that appear for the first time in the public records or are created or attached between the Commitment Date and the date on which all of the Requirements (a) and (c) of Schedule B – Section I are met. We shall have no liability to you because of this amendment.

3. EXISTING DEFECTS

If any defects, liens or encumbrances existing at Commitment Date are not shown in Schedule B, we may amend Schedule B to show them. If we do amend Schedule B to show these defects, liens or encumbrances, we shall be liable to you according to Paragraph 4 below unless you knew of this information and did not tell us about it in writing.

4. LIMITATION OF LIABILITY

Our only obligation is to issue to you the policy referred to in this Commitment when you have met its Requirements. If we have any liability to you for any loss you incur because of an error in this Commitment, our liability will be limited to your actual loss caused by your relying on this Commitment when you acted in good faith to:

Comply with the Requirements shown in Schedule B – Section I.

or

Eliminate with our written consent any Exceptions shown in Schedule B – Section II.

We shall not be liable for more than the Policy Amount shown in Schedule A of this Commitment and our liability is subject to the terms of the Policy form to be issued to you.

5. CLAIMS MUST BE BASED ON THIS COMMITMENT

Any claim whether or not based on negligence, which you may have against us concerning the title to the land must be based on this Commitment

Order Number: 46189

Page 2 of 2 Commitment – 235 W/O Disclosure

EXHIBIT A
LEGAL DESCRIPTION

Order No.: 46189

A tract of land situated in Lot 3, Section 22, Township 9 South, Range 86 West of the Sixth Principal Meridian, described as follows:

Beginning at a point being 233.67 feet N. $89^{\circ}09'$ East 107.88 feet North, and 89.45 feet West from the South Quarter Corner of Section 22, Township 9 South, Range 86 West of the 6th Principal Meridian;
thence East along the North Boundary of the McKenzie Patent 219.85 feet to the center of the Snowmass Road;
thence North $28^{\circ}19'$ East 414.65 feet along the center line of the Snowmass Road;
thence North $59^{\circ}58'$ West 45.08 feet;
thence South $35^{\circ}01'$ West 161.84 feet;
thence South $47^{\circ}17'$ West 363.60 feet;
thence South $64^{\circ}17'$ West 19.38 feet to the Point of Beginning.

County of Pitkin, State of Colorado

SCHEDULE B – Section 1

REQUIREMENTS

Order Number: 46189

The following are the requirements to be complied with:

Item (a) Payment to or for the account of the grantors or mortgagors of the full consideration for the estate or interest to be insured.

Item (b) Proper instrument(s) creating the estate or interest to be insured must be executed and duly filed for record, to wit:

1. Certificate from the Homeowners Association evidencing the fact that all expenses have been paid pursuant to the Protective Covenants.
2. Improvement Survey of the subject property, completed in the last six months approved by Stewart Title of Aspen, Inc., this survey is to be retained in the files of Stewart Title of Aspen, Inc. and Stewart Title of Aspen, Inc. reserves the right to add further requirements and/or exceptions to this commitment upon receipt of said survey.
3. A. Certificate of non-foreign status, duly executed by the seller(s), pursuant to Section 1445 of the Internal Revenue Code AND
B. Satisfactory evidence of the seller(s) Colorado residency (or incorporation) pursuant to Colorado House Bill 92-1270.

NOTE: Section 1445 of the Internal Revenue Code requires withholding of tax from sales proceeds if the transferor (seller) is a foreign person or entity. Colorado House Bill 92-1270 may require withholding of tax from sales proceeds if the seller(s) is not a Colorado resident. Detailed information and Forms are available from Stewart Title.

4. Deed from Vested Owner, vesting fee simple title in Purchaser(s).
5. Indemnity and Affidavit as to Debts, Liens and Leases, duly executed by the Seller and Buyer(s) and approved by Stewart title of Aspen, Inc.

SCHEDULE B – Section 2

EXCEPTIONS

Order Number: 46189

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company:

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, and 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. Unpatented mining claims; reservations or exceptions in patents, or an act authorizing the issuance thereof; water rights, claims or title to water.
6. Any and all unpaid taxes and assessments and any unredeemed tax sales.

The effect of inclusions in any general or specific water conservancy, fire protection, soil conservation or other district or inclusion in any water service or street improvement area.

7. 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, as reserved in United States Patent recorded January 11, 1904 in Book 55 at Page 509.
8. 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. One-half of all of the oil, gas and other hydrocarbon minerals contained in said land as set forth in instrument recorded October 2, 1951 in Book 176 at Page 603.
10. One-half of all oil, gas and other minerals as reserved by J. Burton Tuttle in Deed to Jan R. Christensen as set forth in instrument recorded June 1, 1967 in Book 227 at Page 226 as Reception No. 127531.
11. Easements, rights of way for access and utility purposes as reserved in Deed from Snowmass Development Company recorded October 13, 1966 in Book 223 at Page 261 as Reception No. 125604.

12. All mineral rights as reserved in Deed from Snowmass Development Company recorded October 13, 1966 in Book 228 at Page 580 as Reception No. 125604.
13. Assessments of pro-rata lot share of maintenance of domestic water system to supply water to all lots of Shield-O-Terrace as set forth in Deed recorded April 26, 1976 in Book 311 at Page 209.
14. Right of way for Shield-O-Mesa and Shield-O-Terrace Roads.
15. Terms, conditions, obligations and provisions of Protective Covenants of Shield-O-Terrace as set forth in instrument recorded June 24, 1968 in Book 235 at Page 137 as Reception No. 131535, and, *Amended and Restated Declaration of Protective Covenants and Restrictions for the Shield-O-Terrace* as set forth in instrument recorded May 27, 2003, as Reception No. 483213.
16. Terms, conditions, obligations and provisions of Shield O Terraces Homeowners Association Rules For Use and Maintenance for Shield O Road recorded May 29 1992 in Book 678 at Page 994 as Reception No. 345172, AND, *Shield-O-Terraces Homeowners' Association, Association Rules*, September 27, 2006, as set forth in instrument recorded November 3, 2006, as Reception No. 530672.
17. Terms, conditions, obligations and provisions of *An Emergency Resolution of the Board of County Commissioners of Pitkin County, Colorado, Establishing a Moratorium on Issuance of Building Permits for Development on Real Property Accessed by the Shield-O-Terrace and the Shield-O-Mesa Roads and Modifying Road Standards for Shield-O-Terrace and Shield-O-Mesa Roads, Resolution No. 96-145* as set forth in instrument recorded January 31, 1997 as Reception No. 401412; AND, an *Ordinance of the Board of County Commissioners of Pitkin County Colorado, Ordinance # 96-19 , Establishing a Moratorium on Issuance of Building Permits for Development on Real Property Accessed by the Shield-O-Terrace and the Shield-O-Mesa Roads and Modifying Road Standards for Shield-O-Terrace and Shield-O-Mesa Roads*, recorded December 10, 1997 as Reception No. 411495 AND an *Ordinance of the Board of County Commissioners of Pitkin County Colorado, Ordinance # 97-33, Repealing Ordinance 96-19, IN PART, by Lifting the Moratorium on Issuance of Building Permits for Development of Real Property Accessed by the Mesa Road; and Authorizing Pitkin County to Join the Shield-O-Mesa Road Improvement and Maintenance Association* recorded September 8, 1997 as Reception No. 408165.
18. Terms, conditions, obligations and provisions of Declaration of Protective Covenants for the Shield-O-Mesa Road Improvement and Maintenance Association as set forth in instrument recorded July 22, 1997 as Reception No. 406544.

NOTE: Colorado Division of Insurance Regulations 3-5-1, Paragraph C of Article VII requires that Every title entity shall be responsible for all matters which appear of record prior to the time of recording whenever the title entity conducts the closing and is responsible for recording or filing of legal documents resulting from the transaction which was closed. Provided that Stewart Title of Aspen, Inc. conducts the closing of the insured transaction and

is responsible for recording the legal documents from the transaction, exception number 5 will not appear on the Owner's Title Policy and the Lender's Policy when issued.

NOTE: Policies issued hereunder will be subject to the terms, conditions, and exclusions set forth in the ALTA 1992 Policy form. Copies of the 1992 form Policy Jacket, setting forth said terms, conditions and exclusions, will be made available upon request.

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DISCLOSURES

Pursuant to C.R.S. 10-11-122, notice is hereby given that:

- A. The subject real property may be located in a Special Taxing District;
 - B. A Certificate of Taxes due listing each taxing jurisdiction shall be obtained from the County Treasurer or the County Treasurer's authorized agent;
 - C. Information regarding Special Districts and the boundaries of such districts may be obtained from the Board of County Commissioners, the County Clerk and Recorder, or the County Assessor.
-

Note: Colorado Division of Insurance Regulations 3-5-1, Paragraph C of Article VII requires that Every title entity shall be responsible for all matters which appear of record prior to the time of recording whenever the title entity conducts the closing and is responsible for recording or filing of legal documents resulting from the transaction which was closed. Provided that **Stewart Title of Colorado Inc. - Aspen Division** conducts the closing of the insured transaction and is responsible for recording the legal documents from the transaction, exception number 5 will not appear on the Owner's Title Policy and the Lender's Title Policy when issued.

Note: Affirmative Mechanic's Lien Protection for the Owner may be available (typically by deletion of Exception No. 4 of Schedule B, Section 2 of the Commitment form the Owner's Policy to be issued) upon compliance with the following conditions:

- A. The land described in Schedule A of this commitment must be a single family residence, which includes a condominium or townhouse unit.
- B. No labor or materials have been furnished by mechanics or materialmen for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months.
- C. The Company must receive an appropriate affidavit indemnifying the Company against unfiled mechanic's and materialmen's liens.
- D. The Company must receive payment of the appropriate premium.
- E. If there has been construction, improvements or major repairs undertaken on the property to be purchased, within six months prior to the Date of Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and/or the contractor; payment of the appropriate premium; fully executed Indemnity agreements satisfactory to the company; and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.

*No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay.

NOTHING HEREIN CONTAINED WILL BE DEEMED TO OBLIGATE THE COMPANY TO PROVIDE ANY OF THE COVERAGES REFERRED TO HEREIN UNLESS THE ABOVE CONDITIONS ARE FULLY SATISFIED.

EXHIBIT 2
Stewart Title of Colorado Inc. - Aspen Division.

PRIVACY POLICY NOTICE

PURPOSE OF THIS NOTICE

Title V of the Gramm-Leach-Bliley Act (GLBA) generally prohibits any financial institution, directly or through its affiliates, from sharing nonpublic personal information about you with a nonaffiliated third party unless the institution provides you with a notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. In compliance with the GLBA, we are providing you with this document, which notifies you of the privacy policies and practices of **Stewart Title of Colorado Inc. - Aspen Division**.

We may collect nonpublic personal information about you from the following sources:

- Information we receive from you, such as on applications or other forms.
- Information about your transactions we secure from our files, or from our affiliates or others.
- Information we receive from a consumer reporting agency.
- Information that we receive from others involved in your transaction, such as the real estate agent or lender.

Unless it is specifically stated otherwise in an amended Privacy Policy Notice, no additional nonpublic personal information will be collected about you.

We may disclose any of the above information that we collect about our customers or former customers to our affiliates or to nonaffiliated third parties as permitted by law.

We also may disclose this information about our customers or former customers to the following types of nonaffiliated companies that perform marketing services on our behalf or with whom we have joint marketing agreements:

- Financial service providers such as companies engaged in banking, consumer finance, securities and insurance.
- Non-financial companies such as envelope stuffers and other fulfillment service providers.

WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

We restrict access to nonpublic personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

EXHIBIT 1
Stewart Title Guaranty Company

PRIVACY POLICY NOTICE

PURPOSE OF THIS NOTICE

Title V of the Gramm-Leach-Bliley Act (GLBA) generally prohibits any financial institution, directly or through its affiliates, from sharing nonpublic personal information about you with a nonaffiliated third party unless the institution provides you with a notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. In compliance with the GLBA, we are providing you with this document, which notifies you of the privacy policies and practices of **Stewart Title Guaranty Company**.

We may collect nonpublic personal information about you from the following sources:

- Information we receive from you, such as on applications or other forms.
- Information about your transactions we secure from our files, or from our affiliates or others.
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WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

We restrict access to nonpublic personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

ATTACHMENT 4:

A Chain of Title Showing the Original Creation Date of the Property That Proves the Lot is Eligible For GMQS
Exemption under Section 6-30-100 of the Code

000028



Roaring Fork Division
 1000 Dolores Way, Suite A
 Carbondale, CO 81623
 970-704-1000
 970-704-0205 fax

July 13, 2007

To Whom It May Concern:

RE: Lot 15, Shield-O-Terrace, Account # R009078 Parcel # 264522400583

"A tract of land situated in Lot 3, Section 22, Township 9 South, Range 86 West of the Sixth Principal Meridian, described as follows:

Beginning at a point being 233.67 feet N. 89°09 East 107.88 feet North, and 89.45 feet West from the South Quarter Corner of Section 22, Township 9 South, Range 86 West of the 6th Principal Meridian;
 thence East along the North Boundary of the McKenzie Patent 219.85 feet to the center of the Snowmass Road;
 thence North 28°19' East 414.65 feet along the center line of the Snowmass Road;
 thence North 59°58' West 45.08 feet;
 thence South 35°01' West 161.84 feet;
 thence South 47°17' West 363.60 feet;
 thence South 64°17' West 19.38 feet to the Point of Beginning.

County of Pitkin, State of Colorado"

TITLE CHAIN:

Reception # 124101 Book 220 Page 190 4/27/66
 W/D Burton Tuttle > Jan Christensen

Reception # 124102 Book 220 Page 193 4/27/66
 W/D Jan R. Christensen > Snowmass Development Company

Reception # 128975 Book 230 Page 266 11/2/67
 W/D Snowmass Development Company > Jan R. Christensen

Reception # 128976 Book 230 Page 267 11/2/67
 W/D Jan R. Christensen > Richard Anderson and Shirley Anderson

NOTE: No Conveyance out from Anderson's > Christensen

Reception # 218602 Book 377 Page 317 10/9/79
 W/D Jan R. Christensen > Thomas C. Scrima

Reception # 223608 Book 388 Page 107 4/24/80
 W/D Thomas C. Scrima > Paul Ling Tai (1/4 Interest)

Friday, July 13, 2007

Page 1 of 2.

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Reception # 225620 Book 392 Page 341 7/28/80
W/D Thomas C. Scrima > Timothy R. Olson(1/12) and Gregory M. Olson(1/12)
and Richard G. St. Marie(1/12) (Individed? 1/12 Interest =
3/12 = ¼ Interest Total)

Reception # 230575 Book 403 Page 593 2/2/81
W/D Paul Tai (1/4 Interest) > Thomas C. Scrima (1/2 Interest + ¼ Interest = ¾ Interest)

Reception # 233652 Book 410 Page 201 6/19/81
W/D Thomas C. Scrima (3/4 Interest) > Gregory M. Olson (1/12 Interest + 9/12
=10/12Interest)

Reception # 235125 Book 413 Page 95 8/26/81
W/D Roger L. Hunter (? Interest) > Gregory M. Olson (10/12Interest)
(? Wild Deed, no record of conveyance to Roger L. Hunter)

Reception # 235671 Book 414 Page 334 9/16/81
W/D Gregory M. Olson (10/12 Interest) > Peace of Aspen, a partnership

Reception # 238053 Book 419 Page 219 12/30/81
W/D Gary St. Marie (1/12Interest) > Peace of Aspen, a partnership (10/12 Interest)

Reception # 238512 Book 420 Page 143 1/21/82
W/D Timothy R. Olson (1/12Interest) > Peace of Aspen, a partnership (11/12 Interest)

Reception # 490579 10/31/2003
Treasure's Deed (Sales Tax Certificate 77-1995) > Marvin A. Tillman

Reception # 525055 6/8/06
Decree Quieting Title- Marvin A. Tillman vs. Shield O Terrace Homeowners
Association, Gregory m. Olson, Timothy R. Olson, Peace of Aspen, et al,
Case No 06 CV 10.

Note: *Metes and Bounds* description for Lot 15 has remained the same from the original conveyance on 4/27/66, through the Decree Quieting Title action on 6/8/06. W/D's Attached)

Sincerely,



David G. Faulkner
Title Officer
Stewart Title-Roaring Fork Division

Friday, July 13, 2007

Page 2 of 2.

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Pitkin County Assessor/Treasurer

Parcel Detail Information

[Assessor/Treasurer Property Search](#) | [Assessor Subset Query](#) | [Assessor Sales Search](#)
[Clerk & Recorder Reception Search](#)

[Basic Building Characteristics](#) | [Tax Information](#)

[Parcel Detail](#) | [Value Detail](#) | [Sales Detail](#) | [Residential/Commercial Improvement Detail](#)
[Land Detail](#) | [Photographs](#)

Tax Area	Account Number	Parcel Number	Mill Levy
014	R009078	264522400583	63.347

Owner Name and Address

TILLMAN MARVIN A
3864 G RD
PALISADE, CO 81626

Legal Description

SUB:SHIELD-O-TERRACES LOT:15
SECT,TWN,RNG:22-9-86 DESC: LAND IN
LOT 3 SEC 22-9-86 DESC BY M/ B BK
410 PG 201 BK 413 PG 95 BK 414 PG
334 BK 420 PG 143

Location

Physical Address:	SNOWMASS	
Subdivision:	SHIELD-O-TERRACES	
Land Acres:	1.08	
Land Sq Ft:	0	
Section	Township	Range
22	9	86

Property Tax Valuation Information

4/27/66

This deed, 10th day of January in the year of our Lord one thousand nine hundred and sixty-six between

BURTON TUTTLE

of the County of Pitkin and State of Colorado, of the first part, and JAN CHRISTENSEN

of the County of Pitkin, and State of Colorado, of the second part:

Witnesseth, That the said party of the first part, for and in consideration of the sum of Ten Dollars and other good and valuable considerations... to the said party of the first part in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the said party of the second part, his heirs and assigns forever, all the following described lots or parcels of land,

situate, lying and being in the County of Pitkin and State of Colorado, to-wit: PARCEL NO. 1 - A part of Lot 15 of Shield-O Terraces described as follows: Beginning at a point being 233.67 ft. N. 89°09' E. 107.88 ft. North, and 89.45 ft. West from the South Quarter Corner Sec. 22, T. 9 S., R. 86 W. 6th P.M., thence East along the North boundary of the McKenzie Patent 219.85 ft. to the center of the Snowmass Road, thence N. 28°19' E. 414.63 ft. along the center line of the Snowmass Road, thence N. 70°58' W. 45.08 ft., thence S. 35°01' W. 161.84 ft., thence S. 47°11' W. 263.60 ft., thence S. 64°17' W. 19.38 ft. to the point of beginning, containing 1.608 acres, more or less.

PARCEL NO. 2 - Lot 16 of Shield-O Terraces described as follows: Beginning at a point being 669.02 ft. N. 19°00' E. from the South quarter corner of Sec. 22, T. 9 S., R. 86 W., 6th P.M., thence N. 17°41' E. 242.66 ft., thence S. 38°15' E. 214.72 ft., thence N. 34°53' E. 103.56 ft., thence N. 12°40' E. 122.90 ft., thence S. 77°06' E. 155.16 ft., thence S. 64°37' E. 115.00 ft., thence S. 35°00' W. 300.00 ft., thence S. 53°48' W. 465.72 ft. to the point of beginning, containing 2.710 acres, more or less.

PARCEL NO. 3 - Lot 17A of Shield-O Terraces described as follows: Beginning at a point being 1398.14 ft. N. 22°00' E. from the South quarter corner of Sec. 22, T. 9 S., R. 86 W., 6th P.M., thence N. 42°14' W. 184.47 ft., thence S. 90°00' W. 350.00 ft., thence N. 40°35' W. 100.00 ft., thence N. 73°02' E. 295.44 ft., thence N. 85°03' E. 196.01 ft., thence S. 54°36' E. 161.21 ft., thence S. 05°56' W. 209.07 ft., thence S. 85°06' W. 37.69 ft. to the point of beginning, containing 2.073 acres, more or less.

PARCEL NO. 4 - Lot 17B of Shield-O Terraces described as follows: Beginning at a point being 1398.14 ft. N. 22°00' E. from the South quarter corner of Sec. 22, T. 9 S., R. 86 W., 6th P.M., thence N. 42°14' W. 184.47 ft., thence S. 90°00' W. 350.00 ft., thence S. 49°35' E. 105.34 ft., thence S. 00°53' E. 190.30 ft., thence S. 26°16' E. 78.17 ft., thence N. 27°42' E. 108.59 ft., thence N. 44°32' E. 147.71 ft., thence S. 10°20' E. 253.31 ft., thence N. 36°15' E. 18.67 ft., thence N. 34°53' E. 103.56 ft., thence N. 12°40' E. 183.43 ft. to the point of beginning, containing 2.261 acres, more or less.

PARCEL NO. 5 - Lot 23 of Shield-O Terraces described as follows: Beginning at a point being 833.27 ft. S. 33°36' E. from the NW corner Sec. 27, T. 9 S., R. 86 W., 6th P.M., thence N. 77°03' E. 281.80 ft. to a point in the Elk Creek Ditch, thence S. 03°33' W. 169.89 ft. up the Elk Creek Ditch, thence S. 03°00' E. 16.77 ft. up the Elk Creek Ditch, thence S. 22°40' W. 109.18 ft. to the South line of Lot 16, Sec. 27, thence S. 90°00' W. along the South line of Lot 16, Sec. 27, 266.00 ft., thence N. 11°26' E. 299.00 ft. to the point of beginning, containing 2.099 acres, more or less.

PARCEL NO. 6 - An easement and right of way to be used as a means of ingress and egress to Shield-O Terraces described as follows: Beginning at a point on the Snowmass Road being 879.79 ft. N. 57°13' E. from the South

Deed #2

quarter corner of Sec. 22, T. 9 S., R. 86 W., 6th P.M. and being 30 feet on both sides of the following described line:

- N. 59°58' W. 45.08 ft.
- S. 35°01' W. 161.84 ft.
- S. 47°17' W. 361.00 ft.
- S. 64°17' W. 277.73 ft.
- S. 47°07' W. 394.61 ft.
- N. 33°30' E. 320.80 ft.
- N. 22°14' E. 126.94 ft.
- N. 15°01' E. 287.00 ft.
- N. 27°36' E. 264.86 ft.
- N. 17°41' E. 242.66 ft.
- N. 38°15' E. 214.72 ft.
- N. 34°53' E. 103.56 ft.
- N. 12°49' E. 183.43 ft. to a point 1398.14 ft. N. 22°00' E. from

the South quarter corner, Sec. 22.
The first party excepts and reserves from this conveyance an undivided one-half interest in and to all oil, gas and other hydrocarbon and associated substances and all other minerals of every kind and character in, on or under the above described real property which first party owns, together with the right of ingress and egress for the purpose of exploring, mining or drilling and removing the same upon payment of surface damages.



Together With all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of the said party of the first part, 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 said party of the second part, his heirs and assigns forever. And the said party of the first part, for himself and his heirs, executors and administrators, do as covenant, grant, bargain and agree to and with the said party of the second part, 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, as of 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 aforesaid, and that the same are free and discharged from all former and other grants, bargains, sales, liens, taxes, assessments and incumbrances of whatever kind or nature soever; except reservations in United States patents or in previous conveyances, easements and rights of way of public or private nature, and the first party does not warrant title to that portion of the tract and right of way described above under Parcel No. 6, which is situated in Lot 2 of Section 27, Township 9 South, Range 86 West of the Sixth Principal Meridian,

and the above bargained premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said party of the first part shall and will Warrant and Forever Defend.

In Witness Whereof, The said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered in Presence of

Burton Tuttle Seal
Seal
Seal
Seal

STATE OF COLORADO,

County of GARFIELD

The foregoing instrument was

acknowledged before me this 25th day of January

1966, by* Burton Tuttle.

Witness my hand and official seal.

My commission expires July 27, 1969.

Emma C. Blanc
Notary Public.

* acting in official or representative capacity, insert name and also office or capacity and for whom acting.



#2

THIS DEED, Made this 27th day of January in the year of our Lord, one thousand nine hundred and sixty-six between

JAN R. CHRISTENSEN

of the County of Pitkin, and State of Colorado, of the first part, and SNOWMASS DEVELOPMENT COMPANY,

a corporation duly organized and existing under and by virtue of the laws of the State of Utah, qualified to do business in the State of Colorado of the second part;

WITNESSETH, That the said party of the first part, for and in consideration of the sum of

Ten Dollars and other valuable considerations DOLLARS.

to the said party of the first part in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, he is granted, conveyed, sold and conveyed, and by these presents do grant, bargain, sell, convey and confirm, unto the said party of the second part, its successors and assigns forever, all of the following described lots or parcels of land, situate, lying and being in the County of Pitkin, and State of Colorado, to-wit:

PARCEL NO. 1 - A part of Lot 13 of Shield-O Terraces described as follows: Beginning at a point being 233.67 ft. N. 89°09' E. 107.88 ft. North, and 89.45 ft. West from the south quarter Corner Sec. 22, T. 9 S., R. 86 W., 6th P.M., thence East along the North boundary of the McKenzie Patent 219.85 ft. to the center of the Snowmass Road, thence N. 28°19' E. 414.65 ft. along the center line of the Snowmass Road, thence N. 59°58' W. 45.08 ft., thence S. 35°01' W. 161.84 ft., thence S. 47°17' W. 363.60 ft., thence S. 64°17' W. 19.38 ft. to the point of beginning, containing 1.008 acres, more or less.

PARCEL NO. 2 - Lot 16 of Shield-O Terraces described as follows: Beginning at a point being 669.02 ft. N. 19°00' E. From the South quarter corner of Section 27, T. 9 S., R. 86 W., 6th P.M., thence N. 17°41' E. 242.66 ft., thence N. 38°15' E. 214.72 ft., thence N. 34°53' E. 103.56 ft., thence N. 12°40' E. 122.90 ft., thence S. 77°06' E. 155.16 ft., thence S. 64°37' E. 115.00 ft., thence S. 35°00' W. 300.00 ft., thence S. 53°48' W. 465.72 ft. to the point of beginning, containing 2.710 acres, more or less.

PARCEL NO. 3 - Lot 17A of Shield-O Terraces described as follows: Beginning at a point being 1398.14 ft. N. 22°00' E. from the South quarter corner of Sec. 22, T. 9 S., R. 86 W., 6th P.M., thence N. 42°14' W. 184.47 ft., thence S. 90°00' W. 350.00 ft., thence N. 49°35' W. 100.00 ft., thence N. 73°42' E. 295.44 ft., thence N. 85°03' E. 196.01 ft., thence S. 54°36' E. 161.21 ft., thence S. 05°56' W. 209.07 ft., thence S. 85°06' W. 37.69 ft. to the point of beginning, containing 2.073 acres, more or less.

PARCEL NO. 4 - Lot 17B of Shield-O Terraces described as follows: Beginning at a point being 1398.14 ft. N. 22°00' E. from the South quarter corner of Sec. 22, T. 9 S., R. 86 W., 6th P.M., thence N. 42°14' W. 184.47 ft., thence S. 90°00' W. 350.00 ft., thence S. 49°35' E. 165.34 ft., thence S. 60°53' E. 190.30 ft., thence S. 6°16' E. 78.17 ft., thence N. 27°42' W. 108.59 ft., thence N. 44°33' E. 147.71 ft., thence S. 10°20' E. 259.31 ft., thence N. 38°15' E. 18.67 ft., thence N. 34°53' E. 103.56 ft., thence N. 12°40' E. 183.43 ft. to the point of beginning, containing 2.261 acres, more or less.

PARCEL NO. 5 - Lot 23 of Shield-O Terraces described as follows: Beginning at a point being 833.27 ft. S. 33°36' E. from the NW corner Sec. 27, T. 9 S., R. 86 W., 6th P.M., thence N. 77°03' E. 281.80 ft. to a point in the Elk Creek ditch, thence S. 03°33' W. 169.89 ft. up the Elk Creek Ditch, thence S. 08°00' E. 40.00 ft. up the Elk Creek ditch, thence S. 22°30' W. 159.18 ft. to the south line of Lot 16, section 27, thence S. 90°00' W. along the south line of Lot 16, Sec. 27, 768.00 ft., thence N. 11°26' E. 294.00 ft. to the point of beginning, containing 2.099 acres, more or less.

PARCEL NO. 6 - An easement and right of way to be used as a means of ingress and egress to Shield-C Terraces described as follows:
 Beginning at a point on the Snowmass Road being 879.79 ft. N. 57°13' E. from the South Quarter Corner of Section 22, T. 9 S., R. 86 W., 6th P.M. and being 30 feet on both sides of the following described line:

- N. 59°58' E. 45.08 ft.
- S. 35°01' W. 161.84 ft.
- S. 47°17' W. 103.60 ft.
- S. 64°17' W. 272.73 ft.
- S. 47°07' W. 394.61 ft.
- N. 33°30' E. 510.00 ft.
- N. 22°14' E. 126.94 ft.
- N. 13°01' E. 287.96 ft.
- N. 27°36' E. 264.88 ft.
- E. 17°41' E. 242.66 ft.
- N. 38°15' . 214.72 ft.
- N. 34°53' E. 103.56 ft.
- N. 12°40' E. 183.43 ft. to a point 1398.14 ft. N. 22°

00' E. from the South Quarter Corner, Sec. 22.

Except a prior reservation of an undivided one-half interest in and to all oil, gas and other hydrocarbons and associated substances and all other minerals of every kind and character in, on or under the above described real property, together with the right of ingress and egress for the purpose of exploring, mining or drilling and removing the same upon payment of surface damages.

(Consideration less than \$100.00)

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 said party of the first part, 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 said party of the second part, its successors and assigns forever. And the said


Jan K. Christensen

part y of the first part, for himself, his heirs, executors and administrators, do hereby covenant, grant, bargain and agree to and with the said party of the second part, its successors and assigns, that at the time of the encasing and delivery of these presents are well seized of the premises above conveyed as of good, lawful, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and have good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form aforesaid, and that the same are free and clear from all taxes and other grants, bargains, sales, liens, taxes, assessments and incumbrances of whatever kind or nature soever.

and the above bargained premises in the quiet and peaceable possession of the said party of the second part, his successors and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said party of the first part shall and will WARRANT AND FOREVER DEFEND.

IN WITNESS WHEREOF, The said party of the first part has hereunto set his hand and seal the day and year first above written

Signed, Sealed and Delivered in Presence of

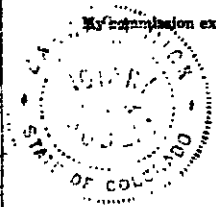
 (SEAL)
 JAN R. CHRISTENSEN (SEAL)
 _____ (SEAL)
 _____ (SEAL)
 _____ (SEAL)
 _____ (SEAL)

STATE OF COLORADO,
County of Garfield ss.

The foregoing instrument was acknowledged before me this 27th day of January

A D 19 66, by Jan R. Christensen.

My commission expires Jan. 11, 1967, 19 . Witness my hand and official seal.





 Notary Public.

800.130 742500

#3

WARRANTY DEED

Know all men by these presents: that SNOWMASS DEVELOPMENT COMPANY, a corporation, grantor, for the consideration of \$1.00 and other valuable consideration, in hand paid, and receipt whereof is hereby acknowledged, hereby sells and conveys to JAN K. CHRISTENSEN, grantee, the following described real property in Pitkin County, Colorado;

Beginning at a point being 233.67 ft. N89°09' E, 107.88 ft. North, and 89.45 ft. West from the South 1/4 Cor. Sec. 22 T9S R86W 6PM, thence East along the North boundary of the McKensie patent 219.85 ft., to the center of the Snowmass Road, thence N28°19' E 414.65 Ft. along the center line of the Snowmass Road, thence N 59°58'W 45.08 ft., thence S35°01'W 161.84 ft., thence S47°17'W 363.60 ft., thence S54°17'W 19.38 ft. to point of beginning containing 1.008 acres more or less;

Reserving all mineral rights;

Reserving any rights reserved by the United States by patent;

Subject to existing easements, if any;

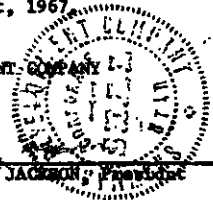
with all its appurtenances, and warrants title to the same.

Signed and delivered this 22 day of August, 1967

STATE DOCUMENTARY FEE
NOV 2 1967

SNOWMASS DEVELOPMENT COMPANY

By: Charles B. Jackson
CHARLES B. JACKSON, President



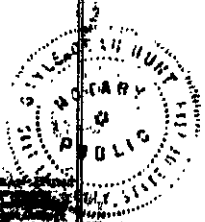
STATE OF UTAH)
: ss
COUNTY OF SALT LAKE)

Charles B. Jackson, being first duly sworn, deposes and says that he is the President of Snowmass DEvelopment Company and that he made and executed the foregoing Warranty Deed for and in behalf of, and as the official act of, Snowmass Development Company, a corporation, by authority of the articles and by-laws of said corporation and resolution duly adopted and passed by the Board of Directors of said corporation, held August 2, 1967, and that said corporation is a Utah corporation qualified to do business in the State of Colorado.

Charles B. Jackson
CHARLES B. JACKSON, President

Subscribed and sworn to before me this 22 day of August, 1967.

[Signature]
NOTARY PUBLIC
Residing in Salt Lake County, Utah



Recorded at 11:03 o'clock A.M., 9 OCTOBER, 1979

Reception No. 218602

LORETTA BANNER

377 317
Recorder

FILING STAMP

9
3.80

THIS DEED, Made this 9th day of October

1979 between Jan R. Christensen
Suite 600, Kernecott Bldg., 10 E. S. Temple
of the City of Salt Lake City of Utah and State of
Utah 84133
Witness, of the first part, and Thomas C. Scrina

whose legal address is 3779 North Union Boulevard
Colorado Springs
of the city of / County of and State of Colorado, of the second part;

WITNESSETH That the said party of the first part, for and in consideration of the sum of Ten and 00/100 (\$10.00) or other good and valuable consideration DOLLARS,

to the said party of the first part in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the said party of the second part, his heirs and assigns forever, all the following described lot or parcel of land, situate, lying and being in the

County of Pitkin and State of Colorado, to-wit: a tract of land situated in Lot 3, Section 22, Township 9 South, Range 86 West of the 6th Principal Meridian, described as follows: BEGINNING at a point being 233.67 feet N. 89°09' East 107.88 feet North, and 89.45 feet West from the South Quarter Corner of Section 22 Township 9 South, Range 86 West of the 6th Principal Meridian; thence East along the North Boundary of the McKenzia Patent 219.85 feet to the center of the Snowmass Road; thence North 28°19' East 414.65 feet along the center line of the Snowmass Road; thence North 59°58' West 45.08 feet; thence South 35°01' West 161.84 feet; thence South 47°17' West 363.60 feet; thence South 64°17' West 19.38 feet to The Point of Beginning. Pitkin County, Colorado.

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 said party of the first part, 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 said party of the second part, his heirs and assigns forever. And the said party of the first part, for himself, his heirs, executors, and administrators, does covenant, grant, bargain, and agree to and with the said party of the second part, his heirs and assigns, that at the time of the ensuing and delivery of these presents, he is well seized of the premises above conveyed, as of 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 and encumbrances of whatever kind or nature soever, except easements, reservations, restrictions, covenants and rights of way of record, and 1979 taxes payable in 1980.

and the above bargained premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said party of the first part shall and will WARRANT AND FOREVER DEFEND. 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 said party of the first part has hereunto set his hand and seal the day and year first above written.

Jan R. Christensen (SEAL)
(SEAL)
(SEAL)

STATE OF COLORADO
County of Pitkin

The foregoing instrument was acknowledged before me this

9th day of October

1979 by Jan R. Christensen

My commission expires

Witness my hand and official seal.

Thomas C. Scrina
Notary Public

#5

79-05-62

\$3.80

000040

223608

Warranty Deed

BOOK 388 NO. 107

(STATUTORY FORM)

Know all Men by these Presents, That Thomas C. Scrima

of the County of El Paso and State of Colorado, for the consideration of One Dollar and other good and valuable considerations, in hand paid, hereby sell and convey to Paul Ling Tai, whose legal address is 103 Ecorse, Ypsilanti, Michigan 48197

of the County of Michigan and State of Michigan, the following Real Property situate in the County of Pitkin and State of Colorado; to-wit: an undivided one quarter (1/4) interest in a tract of land situated in Lot 3, Section 22, Township 9 South, Range 86 West of the 6th Principal Meridian, described as follows: BEGINNING at a point being 233.67 feet N. 89°09' East 107.88 feet North, and 89.45 feet West from the South Quarter Corner of Section 22, Township 9 South, Range 86 West of the 6th Principal Meridian; thence East along the North Boundary of the McKenzie Patent 219.85 feet to the center of the Snowmass Road; thence North 28°19' East 414.65 feet along the center line of the Snowmass Road; thence North 59°58' West 45.08 feet; thence South 55°01' West 161.84 feet; thence South 47°17' West 363.60 feet; thence South 64°17' West 19.38 feet to The Point of Beginning. Pitkin County, Colorado.

STATE DOCUMENTARY FEE

APR 24 1980

1.00

with all its appurtenances and warrant the title to the same, except easements, reservations, restrictions, covenants and rights of way of record, and 1979 taxes payable in 1980.

Signed and delivered this 16th day of April, 1980

STATE OF Colorado
County of El Paso

STATUTORY ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me this 16th day of April, 1980, by Thomas C. Scrima



Witness my hand and official seal
My commission expires Nov 1, 1982
Linda Wolke
NOTARY PUBLIC

STATE OF _____
County of _____

The foregoing instrument was acknowledged before me

this _____ day of _____, 19____,
by _____, President of _____
and _____, Secretary of _____
a corporation.

Witness my hand and official seal.
My commission expires _____
NOTARY PUBLIC

If Joint Tenancy required, add after grantor names - in Joint Tenancy.

Filed for record the 2nd day of February A.D. 19 81 at 3:15 o'clock P.M.

23:575

Loretta Banner RECORDER

Warranty Deed

403 593

KNOW ALL MEN BY THESE PRESENTS, That Paul Tai

of the County of Washtenaw and State of Michigan for the consideration of Ten dollars and other good and valuable considerations (\$ 10.00) dollars in hand paid hereby sell and convey to Thomas C. Scrina

whose legal address is (including road or street address if applicable) 13402 Perry Park Road, Palmer Lake, Colorado 80133

of the County of Douglas and State of Colorado the following Real Property situated in the County of Pitkin and State of Colorado, to wit:

#8

A tract of land situated in Lot 3, Section 22, Township 9 South, Range 86 West of the 6th Principal Meridian, described as follows:

to begin at a point being 233.67 feet N. 89°09' East 107.88 feet North, and 89.45 feet West from the South Quarter Corner of Section 22, Township 9 South, Range 86 West of the 6th Principal Meridian;
thence East along the North boundary of the McKenzie Patent 219.85 feet to the center of the Snowmass Road;
thence North 28°19' East 414.65 feet along the center line of the Snowmass Road;
thence North 59°58' West 45.08 feet;
thence South 35°01' West 161.84 feet;
thence South 47°17' West 363.60 feet;
thence South 64°17' West 19.38 feet to The Point of Beginning.

Pitkin County, Colorado

with all its appurtenances and warrant(s) the title to the same, subject to easements and restrictions of record.

Y. K. Cooper

Signed and delivered this 20 day of January 19 81

STATE DOCUMENTARY FEE

FEB 02 1981

- 0 -

STATE OF Michigan } SS The foregoing instrument was acknowledged before me
County of Washtenaw
this 20th day of JANUARY 19 81
by Paul Tai

Witness my hand and official seal.
My commission expires _____

MARY C. KILOK
Notary Public - Livingston County, MI
My Commission Expires Sept. 17, 1984
Mary C. Kilok
NOTARY PUBLIC

STATE OF _____ } SS The foregoing instrument was acknowledged before me
County of _____
this _____ day of _____ 19 _____
by _____ as _____ President
and _____ as _____ Secretary of
_____ a corporation.

Witness my hand and official seal.
My commission expires _____

NOTARY PUBLIC
* IF JOINT TENANCY IS NOT DESIRED,
STRIKE PHRASE BETWEEN ASTERISKS.

STANDARD FORM NO. 14
COLORADO SPRINGS BOARD OF REALTORS, INC.

000043

Warranty Deed 410 201

Know all Men by these Presents, that **THOMAS C. SCRIDA**
of the County of **PITKIN** and State of **COLORADO**, for the
consideration of **Five Hundred Dollars** and valuable considerations, in hand paid, hereby sell and
convey to

of the County of **EL PASO** and State of **COLORADO**
the following Real Property situated in the County of **PITKIN** and State of
Colorado (Assessor's Schedule Number _____) to-wit:

A tract of land situated in Lot 3, Section 22, Township 9 South,
Range 86 West of the 6th Principal Meridian, described as follows:

BEGINNING at a point being 233.67 feet N. 89°09' East 107.88 feet
North, and 89.45 feet West from the South Quarter Corner of
Section 22, Township 9 South, Range 86 West of the 6th Principal
Meridian;
thence East along the North Boundary of the McKenzie Patent 219.85
feet to the center of the Snowmass Road;
thence North 28°19' East 414.65 feet along the center line of the
Snowmass Road;
thence North 59°58' West 45.08 feet;
thence South 35°01' West 161.84 feet;
thence South 47°17' West 363.60 feet;
thence South 64°17' West 19.38 feet to The Point of Beginning.

Pitkin County, Colorado

STATE DOCUMENTARY FEE

JUN 19 1981

- 0 -

with all its appurtenances and warrant(s) the title to the same, subject to

Signed and delivered this 12th day of June, 1981
Thomas C. Scrida
THOMAS C. SCRIDA

STATE OF COLORADO)
County of EL PASO) ss. The foregoing instrument was acknowledged before me
this 4th day of June, 1981
by THOMAS C. SCRIDA.



My commission expires Dec 1, 1982
Linda W. Schuster
Linda W. Schuster
NOTARY PUBLIC
The foregoing instrument was acknowledged before me
this _____ day of _____, 19____
by _____ as _____ President
and _____ as _____ Secretary of
_____ a corporation.

Witness my hand and official seal.
My commission expires _____

NOTARY PUBLIC

*If good tenancy is not desired, write the phrase between the brackets.
FORM 3306 WARRANTY DEED CLAYER PRINTING CO. COLORADO SPRING

#9

Form No. 306 26 August A. D. 1981 2:18 P.M.
235125 Loretta Banner

Warranty Deed

NOV 413 1985 95

Knows all Men by these Presents, That ROGER L. HUNTER
525 California Drive, Burlingame, California 94010
of the County of El Paso and State of California
for the consideration of cash and other good and valuable considerations, in legal and lawful manner, hereby sell and convey to CLARENCE M. OYON, 4116 Anitra Circle, Colorado Springs, Colorado

whose mailing address is 4116 Anitra Circle, Colorado Springs, Colorado
the following Real Property situate in the County of Pitkin and State of Colorado
(Assessor's Schedule Number _____) to-wit:

A tract of land situated in Lot 3, Section 22, Township 9 South, Range 86 West of the 6th Principal Meridian, described as follows:

BEGINNING at a point being 233.67 feet N. 89°09' East 107.88 feet North, and 89.45 feet West from the South Quarter Corner of Section 22, Township 9 South, Range 86 West of the 6th Principal Meridian;
thence East along the North Boundary of the McKenzie Patent 219.85 feet to the center of the Snowmass Road;
thence North 28°19' East 414.65 feet along the center line of the Snowmass Road;
thence North 59°58' West 45.08 feet;
thence South 35°01' West 161.84 feet;
thence South 47°17' West 363.60 feet;
thence South 64°17' West 19.38 feet to The Point of Beginning.

Pitkin County, Colorado

STATE DOCUMENTARY FEE

AUG 26 1981

- 0 -

with all its appurtenances and warrant(s) the title to the same, subject to

Signed and delivered this 22 day of July, 1981
Roger L. Hunter
ROGER L. HUNTER

STATE OF CALIFORNIA) ss. The foregoing instrument was acknowledged before me
County of El Paso)
this 22 day of July
by ROGER L. HUNTER.

Witness my hand and official seal
My commission expires 4/25/84

Kathryn H. ...
NOTARY PUBLIC

STATE OF _____) ss. The foregoing instrument was acknowledged before me
County of _____)
this _____ day of _____, 19____
by _____ as _____ President
and _____ as _____ Secretary of
_____ a corporation.

Witness my hand and official seal
My commission expires 4/25/84

NOTARY PUBLIC

*If joint tenancy is not desired, an "s" should be placed between the interests.

#10

70
200 ft

Warranty Deed

Know all Men by these Presents, That GREGORY M. OLSON,
4116 Antira Circle, Colorado Springs, Colorado
of the County of El Paso and State of Colorado, for the
consideration of cash and other good and valuable considerations, in hand paid, hereby sell and
convey to PEACE OF ALPES, a partnership,

of the County of El Paso and State of Colorado
whose mailing address is 407 South Tejon, Colorado Springs, Colorado
the following Real Property situate in the County of Pitkin and State of
Colorado, (Assessor's Schedule Number _____) to-wit:

A tract of land situated in Lot 3, Section 22, Township 9 South,
Range 86 West of the 6th Principal Meridian, described as follows:

BEGINNING at a point being 233.67 feet N. 89°09' East 107.88 feet
North, and 89.45 feet West from the South Quarter Corner of
Section 22, Township 9 South, Range 86 West of the 6th Principal
Meridian;
thence East along the North Boundary of the McKenzie Patent 219.85
feet to the center of the Snowmass Road;
thence North 28°19' East 414.65 feet along the center line of the
Snowmass Road;
thence North 59°58' West 45.08 feet;
thence South 15°01' West 161.84 feet;
thence South 47°17' West 363.60 feet;
thence South 64°17' West 19.38 feet to The Point of Beginning.

Pitkin County, Colorado

STATE DOCUMENTARY FEE

SEP 16 1981

with all its appurtenances and warrant(s) the title to the same, subject to - 0 -

Signed and delivered this 6th day of August, 1981
GREGORY M. OLSON

STATE OF COLORADO }
County of EL PASO } ss. The foregoing instrument was acknowledged before me
this 6th day of August, 1981
by GREGORY M. OLSON.

Witness my hand and official seal.
My commission expires October 26, 1981

Loretta Banner
NOTARY PUBLIC

STATE OF _____ }
County of _____ } ss. The foregoing instrument was acknowledged before me
this _____ day of _____, 19____
by _____ as _____ President
and _____ as _____ Secretary of
a corporation.

Witness my hand and official seal.
My commission expires _____

NOTARY PUBLIC

Strike the phrase here in the interests

70
do. for

#11

No. 238053 Loretta Banner RECORDER

Warranty Deed

BOOK 419 PAGE 219

Know all Men by these Presents, That R. GARY ST. MARIE

of the County of El Paso and State of Colorado for the consideration of cash and valuable considerations, in hand paid, hereby sell and convey to "PEACE OF ASPEN", a partnership,

of the County of El Paso and State of Colorado whose mailing address is 407 South Tejon, Colorado Springs, Colorado the following Real Property situate in the County of PITKIN and State of Colorado, (Assessor's Schedule Number _____) to-wit:

A tract of land situated in Lot 3, Section 22, Township 9 South, Range 86 West of the 6th Principal Meridian, described as follows:

BEGINNING at a point being 233.67 feet N. 89°09' East 107.88 feet North, and 89.45 feet West from the South Quarter Corner of Section 22, Township 9 South, Range 86 West of the 6th Principal Meridian;
thence East along the North Boundary of the McKenzie Patent 219.85 feet to the center of the Snowmass Road;
thence North 28°19' East 414.65 feet along the center line of the Snowmass Road;
thence North 59°58' West 45.08 feet;
thence South 35°01' West 161.84 feet;
thence South 47°17' West 363.60 feet;
thence South 64°17' West 19.38 feet to The Point of Beginning.

Pitkin County, Colorado

STATE DOCUMENTARY FEE
DEC 30 1981
-0-

with all its appurtenances and warrant(s) the title to the same, subject to

Signed and delivered this 2nd day of December 1981

R. Gary St. Marie
R. GARY ST. MARIE
9000 10th Avenue North
Minneapolis, Minnesota

ENC - 0 -

#12



The foregoing instrument was acknowledged before me this 2nd day of December 1981 by R. GARY ST. MARIE

Will Dutton
NOTARY PUBLIC

STATE OF _____ County of _____ The foregoing instrument was acknowledged before me this _____ day of _____ 19____ by _____ as _____ President and _____ as _____ Secretary of a corporation.

Witness my hand and official seal. My commission expires _____

NOTARY PUBLIC

*If joint tenancy is not desired, strike the phrase between the asterisks.

Warranty Deed

BOOK 420 PAGE 143

Know all Men by these Presents, That TIMOTHY R. OLSON

of the County of El Paso and State of Colorado for the consideration of Cash and other good and valuable considerations, in hand paid, hereby sell and convey to "PEACE OF ASPEN", a partnership

of the County of El Paso and State of Colorado whose mailing address is 407 South Trujon, Colorado Springs, Colorado the following Real Property situate in the County of Pitkin and State of Colorado, (Assessor's Schedule Number _____) to-wit:

A tract of land situated in Lot 3, Section 22, Township 9 South, Range 86 West of the 6th Principal Meridian, described as follows:

BEGINNING at a point being 233.67 feet N. 89°09' East 107.88 feet North, and 89.45 feet West from the South Quarter Corner of Section 22, Township 9 South, Range 86 West of the 6th Principal Meridian;
thence East along the North Boundary of the McKenzie Patent 219.85 feet to the center of the Snowmass Road;
thence North 28°19' East 414.65 feet along the center line of the Snowmass Road;
thence North 59°58' West 45.08 feet;
thence South 35°01' West 161.84 feet;
thence South 47°17' West 63.60 feet;
thence South 64°17' West 19.38 feet to The Point of Beginning.

Pitkin County, Colorado

STATE DOCUMENTARY FEE

JAN 21 1982

with all its appurtenances and warrant(s) the title to the same, subject to

Signed and delivered this 19th day of January, 1982

TIMOTHY R. OLSON
5852 Long Brake Trail
Edina, Minnesota

STATE OF Minnesota) ss. The foregoing instrument was acknowledged before me
County of Hennepin)
this 19th day of January, 1982
by TIMOTHY R. OLSON

Witness my hand and official seal.
My commission expires _____
[Signature]
NOTARY PUBLIC

STATE OF _____) ss. The foregoing instrument was acknowledged before me
County of _____)
this _____ day of _____, 19____
by _____, President
and _____, Secretary of
_____ a corporation.

Witness my hand and official seal.
My commission expires _____
NOTARY PUBLIC

*If joint tenancy is not desired, under the phrase "to them the undersigned" should be inserted.
FORM 3304 WARRANTY DEED, CENTER PRINTING CO. COLORADO SPRINGS

AK
Dec
FEE

#13



490579

Page: 1 of 2
10/31/2003 02:14P

SILVIA DAVIS PITKIN COUNTY CO

R 11.00

D 0.00

Treasurer's Deed

Tax Sale Certificate 77-1995

Know all men by these presents, that, whereas, the following described real property, viz: (description of property taxes), situated in the county of Pitkin, and state of Colorado, was subject to taxation for the year (or years) A.D. 1994;

M/B Snowmass Creek
Block Lot 13

A tract of land situated in Lot 3, Section 22, Township 9 South, Range 86 West, fully described by metes and bounds, See Deed of record in Book 410, at Page 201 Pitkin County records. See Book 413, Page 95. See Book 414, Page 334, Book 420, Page 143, Pitkin County records.

And, whereas, the taxes assessed upon said property for the year (or years) aforesaid remained due and unpaid at the date of the sale hereinafter named; and, whereas, the treasurer of the said county did, on the 2nd day of November, A.D. 1995, by virtue of the authority vested in him by law, at the sale begun and publicly held on the 2nd day of November A.D. 1995 expose to public sale at the office of the treasurer, in the county aforesaid, in substantial conformity with the requirements of the statute in such case made and provided, the tax lien on the real property above described for the payment of the taxes, delinquent interest, and costs then due and remaining unpaid on said property;

And, whereas, at the time and place aforesaid, Marvin A Tillman of the county of Mesa and the state Colorado bid on the tax lien on all of the above described property the sum of One thousand three hundred eighty four dollars and twenty three cents, being the whole amount of taxes, delinquent interest, and costs then due and remaining unpaid upon said property for that year, and the said bid being the largest amount which any person offered to pay in excess of the said taxes, delinquent interest, and costs so due upon said property for that year (or those years), and payment of the said sum having been made by him to the said treasurer, the said tax lien on such property was stricken off to him at that price;

And, whereas, the said Marvin A. Tillman has paid subsequent taxes on said property to the amount of Twenty six thousand five hundred seventy four dollars and fifty cents;



490579

Page: 2 of 2

10/31/2003 02:14P

SILVIA DAVIS PITKIN COUNTY CO

R 11.00

D 0.00

And, whereas, more than three years have elapsed since the date of the said sale, and the said property has not been redeemed therefrom as provided by law;

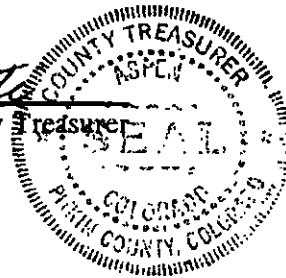
And, whereas, the said property was valued for assessment for that year at the amount of 17,400.00;

And, whereas, all the provisions of the statutes prescribing prerequisites to obtaining tax deeds have been fully complied with, and are now of record, and filed in the office of the treasurer of said county;

Now, therefore, I, Carol L. Foote, Deputy for Thomas Carl Oken, treasurer of the county aforesaid, for and in consideration of the sum to the treasurer paid as aforesaid, and by virtue of the statute in such case made and proved, have granted, bargained, and sold, and by these presents do grant, bargain, and sell the above and foregoing described real estate unto the said Marvin A. Tillman, his heirs and assigns, forever, subject to all the rights of redemption by minors, or incompetent persons, as provided by law.

In witness whereof, I, Carol L. Foote, deputy for Thomas Carl Oken, treasurer as aforesaid, by virtue of the authority aforesaid, have hereunto set my hand and seal this 31st day of October, A.D. 2003.

Carol L. Foote
Deputy Treasurer



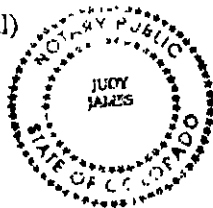
(Seal)

State of Colorado)
) ss.
County of Pitkin)

The foregoing instrument was acknowledged before me this 31st day of October 2003, by Carol L. Foote, deputy for Thomas Carl Oken, as treasurer of said county.

Witness my hand and official seal.
My commission expires March 7, 2004

(Seal)



Judy James

<p>DISTRICT COURT, PITKIN COUNTY, COLORADO</p> <p>Court Address: 506 E. Main, Suite E. Aspen, CO 81611 970-925-7365</p> <p>MARVIN A. TILLMAN, Plaintiff,</p> <p>vs.</p> <p>SHIELD O TERRACES HOMEOWNERS ASSOCIATION, a Colorado nonprofit corporation, GREGORY M. OLSON, an individual, TIMOTHY R. OLSON, an individual, PEACE OF ASPEN, a partnership, and all persons claiming any interest in the subject matter of this action under them, Defendants.</p> <p>Sam D. Starritt Cindy C. Lay DUFFORD, WALDECK, MILBURN & KROHN, L.L.P. 744 Horizon Court, Suite 300 Grand Junction, CO 81506 Telephone: (970) 241-5500 Fax: (970) 243-7378 E-mail: dwmk@dwmk.com Attorney Reg. #: 27876, 35912</p>		<p>▲ COURT USE ONLY ▲</p> <p>Case Number: 06 CV 10</p> <p>Div.: Ctrm:</p>
<p>SECRET QUILTING TITLE</p>		

THIS MATTER comes before the Court on Plaintiff's Motion for Entry of Default Judgment. The Court, having reviewed the pleadings in the file and being fully apprised, FINDS AND ORDERS AS FOLLOWS:

1. Service of process in conformity with C.R.C.P. 4 was obtained for all Defendants in

525055

Page: 1 of 3
06/08/2006 03:11
D 0.00

JANICE K VGS CAUDILL PITKIN COUNTY CO R 16.00

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this action. This Court has personal and subject matter jurisdiction over the persons and real property described herein. Venue is proper pursuant to C.R.C.P. 98, as the affected real property is located in Pitkin County, Colorado;

2. None of the Defendants have entered an appearance or otherwise contested the relief requested in the Complaint. No Defendant is known to be an infant, an incompetent, officer or agent of the State of Colorado or in the military service. Therefore, there is no requirement to appoint a legal representative pursuant to 50 App. U.S.C. § 521(b)(2). All such Defendants are therefore in Default;

3. The allegations of the Complaint Under Rule 105 are true;

4. Every claim, if made by said Defendants is unlawful and without right; provided, however, that pursuant to the Stipulated Disclaimer entered into by and between Shield O Terraces Homeowner's Association ("Shield O") and Plaintiff, Shield O specifically retains its interest and right to assess and collect any homeowner's association assessments assessed against the property after the date of the treasurer's deed issuance and its interest and right to enforce the provisions of the Amended and Restated Declaration of Protective Covenants and Restrictions for Shield O Terraces Homeowners Association recorded as Reception No. 483213 of the real property records of Pitkin County, Colorado;

5. No Defendant herein has any right, title, or interest in the real property described herein below;

IT IS HEREBY ADJUDGED AND DECREED THAT Plaintiff, Marvin A. Tillman, at the time of the commencement of this proceeding was and now continues to be, the owner in fee simple absolute with right to possession of the following described real property in Pitkin County, Colorado:

A tract of land situated in Lot 3, Section 22, Township 9 South, Range 86 West of the Sixth Principal Meridian, described as follows:

Beginning at a point being 233.67 feet N. 89°09 East 107.88 feet North, and 89.45 feet West from the South Quarter Corner of Section 22, Township 9 South, Range 86 West of the 6th Principal Meridian;
thence East along the North Boundary of the McKenzie Patent 219.85 feet to the center of the Snowmass Road;
thence North 28° 19' East 414.65 feet along the center line of the Snowmass Road;

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Page: 2 of 3
06/03/2008 03:14
D 0.00
JANICE K VOS CAUDILL PITKIN COUNTY CO R 18.00

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thence North 59°58' West 45.08 feet;
thence South 35°01' West 161.84 feet;
thence South 47°17' West 363.60 feet;
thence South 64°17' West 19.38 feet to the Point of Beginning.

County of Pitkin, State of Colorado;

That fee simple title in and to said real property be and the same hereby is quieted in the Plaintiff, and that each of the Defendants has no right, title, or interest in or to the said real property or any part thereof, and that the Defendants are forever enjoined from asserting any claim, right, title or interest in or to the said real property or any part thereof.

SO ORDERED this 31 day of May, 2006.

BY THE COURT:


District Court Judge



525055

Page: 3 of 3

05/08/2006 03:11

JANICE K VOS GAUDILL PITKIN COUNTY CO R 10.00 D 0.00

ATTACHMENT 5:

Parcel Description, Including Legal Description, And an 8-1/2"X 11" Vicinity Map Locating the Subject Property within Pitkin County

ADDRESS

No address has been designated for the property. The property is located at the corner of Snowmass Creek Road and Shield-O-Terrace Road. Access to the property will likely be approximately 350-feet from the intersection on Shield-O-Terrace Road.

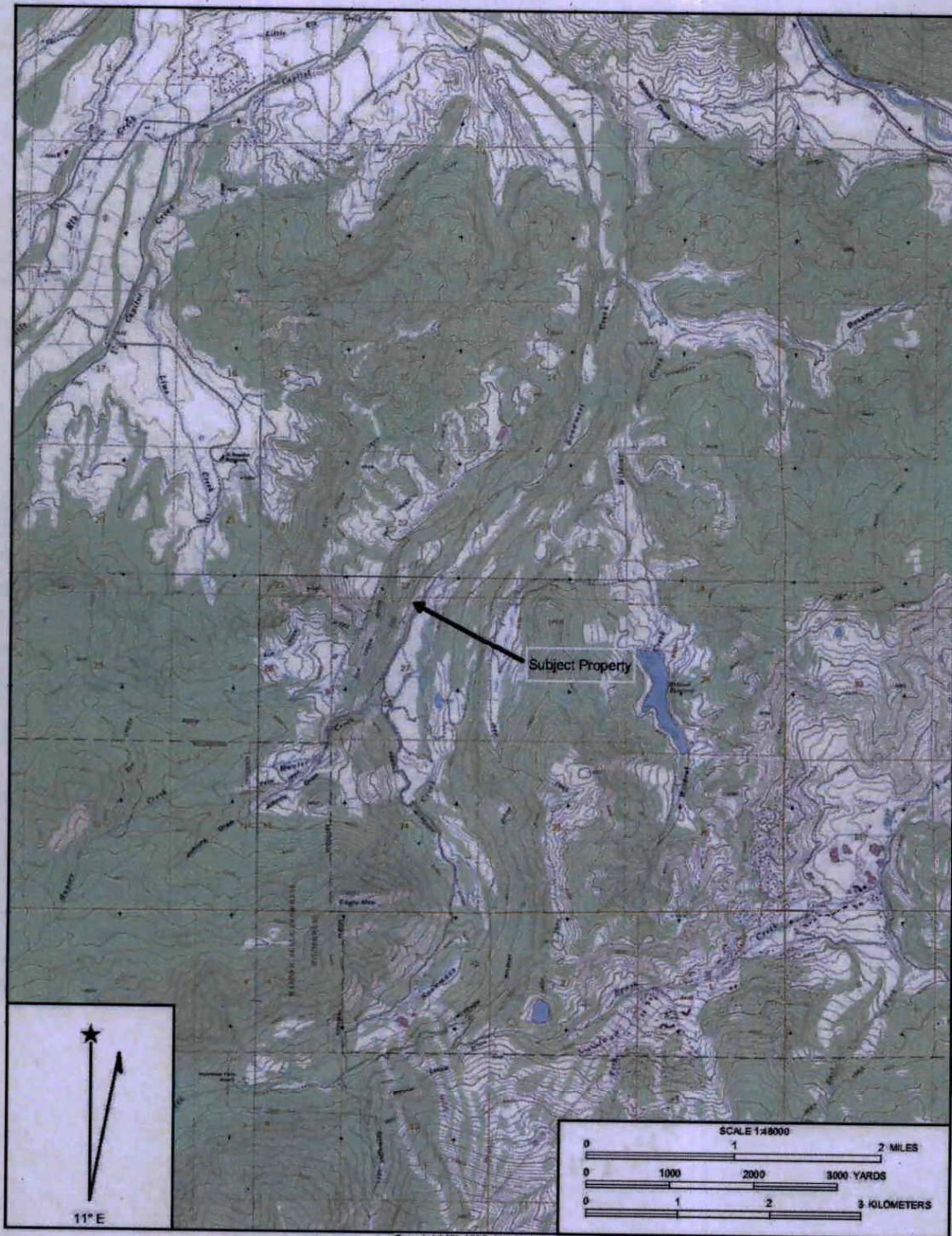
LEGAL DESCRIPTION

A tract of land situated in Lot 3, Section 22, Township 9 South, Range 86 West of the Sixth Principal Meridian, described as follows:

Beginning at a point being 233.67 feet N89°09'E 107.88 feet North, and 89.45 feet West from the South Quarter Corner of Section 22, Township 9 South, Range 86 West of the 6th Principal Meridian;
thence East along the North Boundary of McKenzie Patent 219.85 feet to the center of the Snowmass Road;
thence North 28°19' East 414.65 feet along the center line of the Snowmass Road;
thence North 59°58' West 45.08 feet;
thence South 35° 01' West 161.84 feet;
thence South 47°17' West 363.60 feet;
thence South 64°17' West 19.38 feet to the Point of Beginning.

County of Pitkin, State of Colorado.

- VICINITY MAP -



Copyright (C) 1999, Maptech, Inc.

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ATTACHMENT 6:
Previous Land Use Approvals

000056

RECEPTION#: 551405, 07/24/2008 at
03:46:43 PM,
1 OF 8, R \$0.00 Doc Code RESOLUTION
Janice K. Vos Caudill, Pitkin County, CO

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PITKIN COUNTY,
COLORADO, DENYING AN APPEAL BY THE STONYWOOD TRUST OF HEARING
OFFICER DETERMINATION NO. 01-2008 WHICH APPROVED THE TILLMAN ACTIVITY
ENVELOPE, AND MODIFYING THE DETERMINATION**

Resolution No. 079 - 2008

RECITALS

1. Stonywood Trust ("Appellant") has appealed Hearing Officer Determination No. 01-2008, which approved the Tillman Activity Envelope Review, to the Board of County Commissioners of Pitkin County, Colorado ("BOCC").
2. The parcel is located on Shield O Road, on the east side of the road just above the intersection with Snowmass Creek Road, and is more specifically described in Exhibit A.
3. The parcel contains 1.08 acres and is a nonconforming size parcel within the RS-30 zone district.
4. The Hearing Officer granted approval of an Activity Envelope, pursuant to Determination No. 01-2008, after consideration of the application at duly noticed public hearings on November 20, December 11 and December 20, 1007.
5. The Appellant submitted a notice of appeal within 15 working days of the decision and submitted transcripts of the hearings within 60 working days of the decision, as required by Sec. 2-20-180 of the Land Use Code ("Code").
6. The BOCC heard this appeal at a regular meeting on June 25, 2008, at which time evidence and testimony were presented with respect to the appeal based on the record of the Hearing Officer's decision.
7. The BOCC finds that there has not been an abuse of discretion or denial of procedural due process in the application of the fact in the record to the standards of the Land Use Code.
8. The BOCC further finds that the Hearing Officer erred in his inclusion of certain conditions of approval in Determination No. 01-2008, specifically certain language in Condition Nos. 3D and 6, and that it is appropriate to modify those conditions as part of this appeal resolution.

NOW THEREFORE BE IT RESOLVED by the Pitkin County Board of County Commissioners that it does hereby deny the appeal of Hearing Officer Determination No. 01-2008, which approved the Tillman Activity Envelope Review.

BE IT FURTHER RESOLVED by the BOCC that it does hereby modify the following conditions of Hearing Officer Determination No. 01-2008:

1. Condition #3D shall be amended to read: "The activity envelope designated by red, dotted lines on Exhibit A, attached hereto, shall be modified to exclude all slopes in excess of 30%."
2. Condition #6 shall be amended to read: "The floor area on the parcel shall be limited to 4,500 square feet and the maximum height of principal and accessory structures shall be limited to 20 feet. The

4,500 square feet of gross floor area is exempt from growth management without the use of TDRs or growth management allotments for additional floor area.”

BE IT FURTHER RESOLVED by the BOCC that it does hereby restate all of the conditions of Hearing Officer Determination No. 01-2008, which shall run with the land and be binding on all successors in interest:

1. The Applicants shall adhere to all material representations made during the application process.
2. Prior to submission of any building or other development permit applications, the Applicant shall be required to submit for approval an application for Site Plan Review, pursuant to Secs. 2-30-20 and 7-10-50 of the Code. The parcel is within the mapped Scenic View Protection Area, and, therefore, the Applicant shall demonstrate compliance at Site Plan Review with the standards in Sec. 7-20-120.d and the rural character guidelines for building location in Sec. 7-20-120.e of the Code, in addition to all other applicable criteria. The Applicant shall provide a report with the Site Plan Review application from a wildfire expert evaluating the wildfire hazard and making recommendations to mitigate the hazard.
3. Prior to submission of the Site Plan Review application, the Applicant shall be required to submit for approval by the County Attorney and Community Development an Activity Envelope Plan in accordance with Land Use Code Section 2-30-20(g) and Application Manual Section 2.1.1. The above referenced approvals shall be a condition precedent to finalization and recordation. The Activity Envelope Plan shall also incorporate the following changes:
 - A. Change the title to “Tillman Activity Envelope Plan.”
 - B. Provide a more specific vicinity map showing the relationship of the parcel to proximate roads.
 - C. Label the Activity Envelope so it can be differentiated once the plan is recorded and the color is not visible.
 - D. The activity envelope designated by red, dotted lines on Exhibit “B”, attached hereto, shall be modified to exclude all slopes in excess of 30%.
4. Prior to issuance of a building permit for the residence, the Applicant shall:
 - A. Provide proof of an adequate water supply (in terms of quantity and availability) for domestic and fire protection purposes, and for irrigation purposes, if applicable, to the Environmental Health and Natural Resources Department.
 - B. Obtain an access permit for the driveway, which shall be approved by the Planning Engineer.
 - C. Obtain a fireplace/woodstove permit from the Community Development Department, if necessary.
 - D. Submit a site specific drainage and erosion control plan prepared by a qualified engineer or geologist for review and approval by the Planning Engineer.
 - E. Pay the applicable road and employee housing impact fees.
 - F. Obtain a septic system permit from the Environmental Health and Natural Resources Department. The sewage disposal system must be designed by a registered professional engineer and shall be located within the approved activity envelope.
 - G. Submit a construction management plan for review and approval by the Planning Engineer.
 - H. Submit a detailed revegetation plan for disturbed areas with appropriate seed mixes.
5. No structural development in excess of 30”, with the exception of fencing, shall occur within the setbacks of the parcel. Landscaping in the form of berms shall not exceed four feet from the most

restrictive grade. Any development located within setbacks mandated by County zoning regulations shall require a variance from the Board of Adjustment. Approval of an activity envelope within such setbacks does not assure approval of a variance.

6. The floor area on the parcel shall be limited to 4,500 square feet and the maximum height of principal and accessory structures shall be limited to 20 feet. The 4,500 square feet of gross floor area is exempt from growth management without the use of TDRs or growth management allotments for additional floor area.
7. The Applicant shall comply with the following standards for Development in a Severe Wildfire Hazard Area:
 - A. Defensible Space: The area around all buildings/structures, limited by property boundaries that may limit a property owner's ability to comply with this section, shall incorporate landscaping with wildfire defensible space considerations as follows (note: actual vegetation manipulation to meet these conditions may not be necessary where the natural vegetation patterns have already fulfilled these conditions):
 - 1) Brush, debris and non-ornamental vegetation shall be removed within a minimum ten-foot (10') perimeter around all structures.
 - 2) Vegetation shall be reduced to break up the vertical and horizontal continuity of the fuels at a minimum of a thirty (30) foot perimeter around the structures.
 - 3) Spacing between clumps of brush and vegetation up to the thirty (30) foot perimeter shall be a minimum of two (2) times the height of the fuel. Maximum diameter of the clumps shall be equal to the height of the fuel. All measurements shall be from the edges of the crowns of the fuel.
 - 4) All branches from trees and brush within the thirty (30) foot perimeter shall be pruned to a height of ten (10) feet above the ground with removal of ladder fuels from around trees and brush.
 - 5) Tree crown separation within the thirty (30) foot perimeters shall have a minimum of ten (10) feet between the edges of the crowns, except for mature stands of aspen trees where ladder fuels have been removed. In areas of aspen regeneration, understory shrubs and down and dead materials shall be removed.
 - 6) All branches that extend over the roof eaves shall be trimmed and all branches within fifteen (15) feet of chimneys shall be removed.
 - 7) The density of fuels up to a one hundred (100) foot perimeter of the structures shall be reduced where natural reduction has not already occurred.
 - 8) All deadfall up to a one hundred (100) foot perimeter shall be removed.
 - 9) No new conifer trees shall be planted within ten (10) feet of a residence.
 - 10) No flammable mulches shall be placed within two (2) feet of a residence.
 - 11) The property owner shall be responsible for the continued maintenance of the defensible space vegetation requirements.
 - B. Roofing Materials: Class A covering or Class A assembly as defined by the currently adopted Building Code. No wood shakes or shingles. All other adopted Building Code compliant methods and materials permitted. Roofs with less than a 3:12 pitch are not permitted unless they comply with the following:

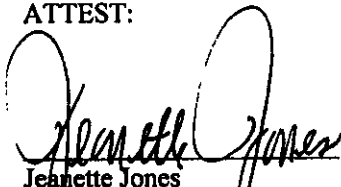
- 1) All roof coverings shall be constructed of non-combustible materials and installed on a Class A roof assembly.
 - 2) All roof coverings shall have a surface that shall facilitate the natural process of clearing roof debris.
 - 3) Protrusions above the roofline, such as parapets, shall be prohibited.
 - 4) Roofs shall be installed as required by the adopted Building Code and shall have a minimum pitch 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.
- C. Roof Venting:
- 1) Soffit venting shall be located in the outer 1/3rd portion of the overhang.
 - 2) Attic, soffit and other roof venting shall be of non-corrosive metal mesh with maximum 1/4" openings.
- D. Projections at the Roofline, including Soffits, Rafters, Porch or Deck Roofs, Fascias, or Other: One hour rated material or any material underlain by 5/8" Type X gypboard or equal, or "Type IV" Heavy Timber materials, per the currently adopted building code.
- E. Decks, Decking, Cantilevered Floors, or Other Projections Below the Roofline:
- 1) Construction with noncombustible or one (1) hour rated material, or material with flame spread <25 (tested to ASTM E84 and listed for exterior use), or
 - 2) Conventionally framed deck with waterproof surface and underside protected with 5/8" Type X gypboard or equal (decking as "a" above), or
 - 3) "Type IV" Heavy Timber materials: joist and beams minimum 6"x10", columns minimum 8"x8", decking minimum 4" in depth, or decking as "a" above; or equivalent log construction, or
 - 4) Enclose projection vertically to ground with one hour fire resistive materials. Decking as "a" above.
- F. Railings: Railings must be constructed of noncombustible or "Type IV" Heavy Timber materials.
- G. Exterior of the Structure, Including All Walls:
- 1) One (1) hour fire resistive rated materials, or
 - 2) 5/8" gypboard underlying combustible materials, or
 - 3) Cement stucco, minimum 3/4" thickness.
 - 4) All glazing to be tempered glazing; and
 - 5) Doors to be metal or wood 1 3/4" thick minimum.
- H. Foundations: Foundations, skirting, and crawl space openings shall be fully enclosed and constructed with materials approved for one (1) hour fire-resistive construction on the exterior side of the walls and shall extend from the top of grade to the underside of the floor decking or walls.
- I. Maintenance and Miscellaneous Requirements

- 1) Roofs and gutters shall be kept clear of debris.
 - 2) Any outbuilding shall adhere to the same wildfire requirements.
 - 3) Yards shall be kept clear of all litter, slash and flammable debris.
 - 4) All flammable materials shall be stored on a parallel contour a minimum of fifteen (15) feet away from any structure.
 - 5) Weeds and grasses within the ten (10) foot perimeter shall be maintained to a height not more than six (6) inches.
 - 6) Firewood/wood piles shall be stacked on a parallel contour a minimum of fifteen (15) feet away from the structure.
 - 7) Swimming pools and ponds shall be accessible by the local fire district.
 - 8) Fences shall be kept clear of brush and debris.
 - 9) Wood fences shall not connect to other structures.
 - 10) Fuel tanks shall be installed underground with an approved container.
 - 11) Propane tanks shall be buried, if possible, or installed according to NFPA 58 standards and on a contour away from the structure with standard defensible space vegetation mitigation around any aboveground tank. Any wood enclosure around the tank shall be constructed with materials approved for two (2) hour fire-resistive construction on the exterior side of the walls.
 - 12) Each structure shall have a minimum of one ten (10) pound ABC fire extinguisher.
 - 13) Addresses shall be clearly marked with two (2) inch non-combustible letters and shall be visible at the primary point of access from the public or common access road and installed on a non-combustible post.
 - 14) Utilities shall be extended underground.
8. An approved automatic fire suppression system shall be installed in the residence.
9. The Applicant shall comply with the following measures to mitigate impacts to wildlife:
- A. Dogs shall be kenneled within 50' of the residence or leashed under human supervision when outside of the kennel.
 - B. Native vegetation shall be maintained outside of the activity envelope.
 - C. Trash/garbage shall be kept in an approved bear resistant container or enclosure, pursuant to the County's Wildlife Protection Ordinance. Verification of compliance shall be provided prior to issuance of a certificate of occupancy.
 - D. Fencing shall comply with the following, except for fencing immediately adjacent to the buildings to contain pets or livestock:
 - 1) Wood fencing shall employ three rails or less, be the round or split rail type, shall not exceed 48 inches in height above ground level and 12 inches in width (top view), and shall have at least 18 inches between two of the rails.
 - 2) Wire fencing shall consist of no more than 3 strands of smooth wire and shall not exceed 42 inches in height.
 - 3) All non-conforming fencing on the property must be brought into compliance.
 - E. Avoid fruit-bearing trees and shrubs in any landscaping.
 - F. Construction workers shall be prohibited from bringing dogs on-site during construction.
10. No development including grading, excavation, fill placement, berming, landscaping, vegetation removal or disturbance, well or septic system shall occur outside of the approved activity envelope, except as necessary to comply with the wildfire mitigation measures described above.


11. Prior to commencement of any earthmoving or other construction activity, the Applicant shall stake the corners of the activity envelope and install construction fencing around the construction site within the perimeter of the activity envelope. The fencing shall remain in place until issuance of a Certificate of Occupancy.
12. All areas disturbed by construction shall be re-vegetated with native shrubs and grasses within one growing season of the project's completion.
13. No calculations for height, bulk, setback, size, floor area, or any other building and zoning requirements have been conducted. These requirements will be considered at the time of building permit.
14. Failure to comply with the conditions of this approval may result in revocation of this approval, or any subsequent permit(s) or approval(s) related to this property, or vested rights associated with this property.
15. 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 § 2-20-170 and C.R.S. § 24-68-105. The statutory vested rights granted herein shall expire on January 5, 2011.

DENIED ON THE 25TH DAY OF JUNE, 2008.

ATTEST:


Jeannette Jones
Deputy County Clerk

BOARD OF COUNTY COMMISSIONERS
OF PITKIN COUNTY, COLORADO

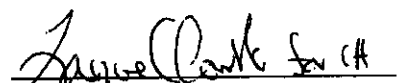

Jack Hatfield, Chairman

Date: 7/23/08

APPROVED AS TO FORM:


John Ely,
County Attorney

APPROVED AS TO CONTENT:


Cindy Houben,
Community Development Director

PID 264522400583
Case #P115-07

Boll Reso: 079-2008

EXHIBIT 'A'
LEGAL DESCRIPTION

Order No.: 46189

A tract of land situated in Lot 3, Section 22, Township 9 South, Range 86 West of the Sixth Principal Meridian, described as follows:

Beginning at a point being 233.67 feet N. 89°09 East 107.88 feet North, and 89.45 feet West from the South Quarter Corner of Section 22, Township 9 South, Range 86 West of the 6th Principal Meridian;
thence East along the North Boundary of the McKenzie Patent 219.85 feet to the center of the Snowmass Road;
thence North 28°19' East 414.65 feet along the center line of the Snowmass Road;
thence North 59°58' West 45.08 feet;
thence South 35°01' West 161.84 feet;
thence South 47°17' West 363.60 feet;
thence South 64°17' West 19.38 feet to the Point of Beginning.

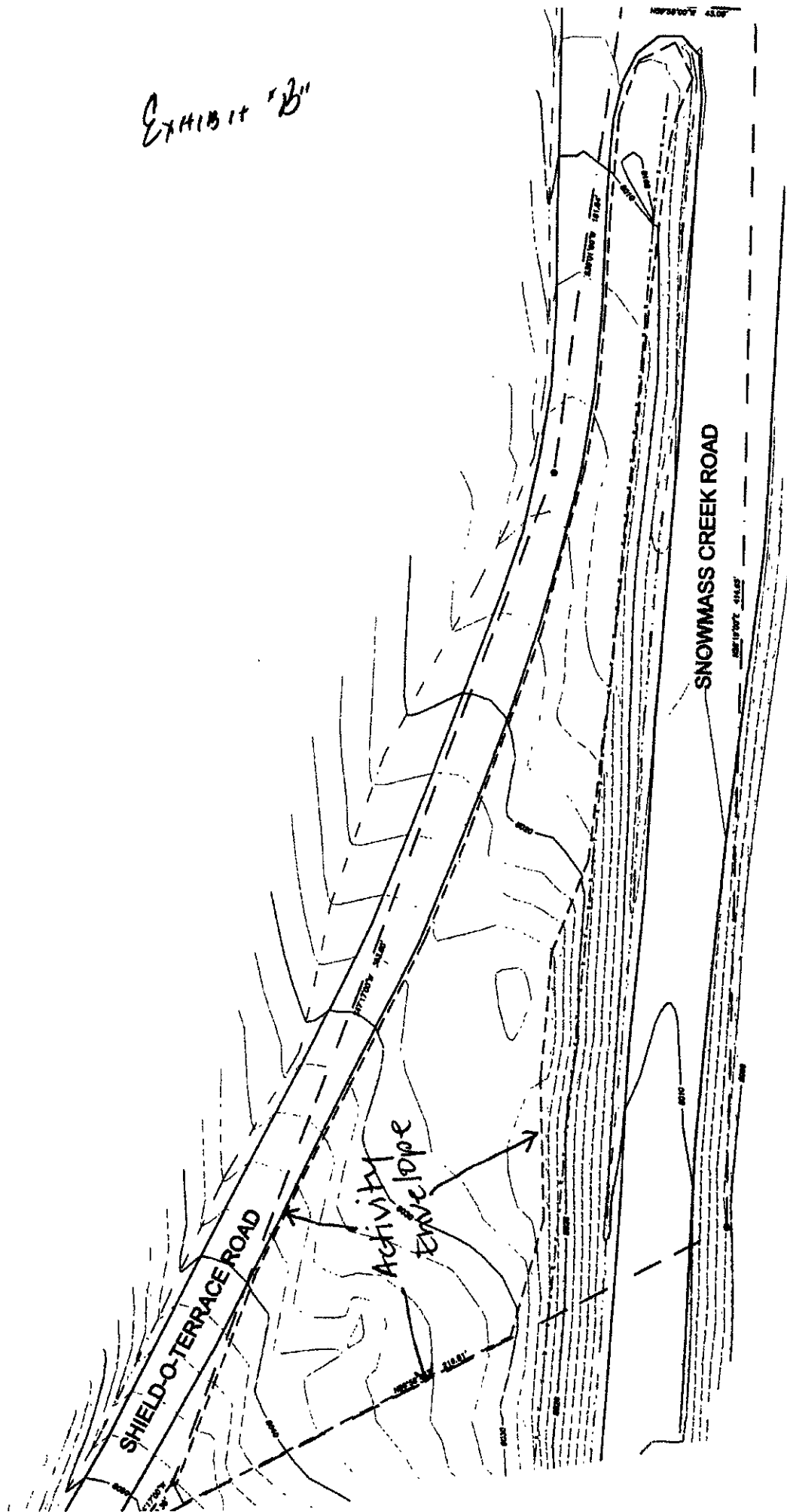
County of Pitkin, State of Colorado

000063

7

1111 079-2008

EXHIBIT "B"



000064

ATTACHMENT 7:

Executed Pitkin County Community Development Agreement for Payment of Land Use Application Fees form

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

PITKIN COUNTY (hereinafter COUNTY) and (hereinafter APPLICANT) AGREE AS FOLLOWS:

1. APPLICANT has submitted to COUNTY an application for (hereinafter, THE PROJECT).
2. APPLICANT understands and agrees that Pitkin County Ordinance No. 011-2005 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 Pitkin 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 \$ 2,310.00 which is based on 6 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

APPLICANT

**Cindy Houben,
Community Development Director**

**Signature
Tom Newland
July 10, 2007
c/o Alan Moore
Personal Representative for
The Estate of Marvin Tillman
P.O. Box 427
Palisade, CO 81526**

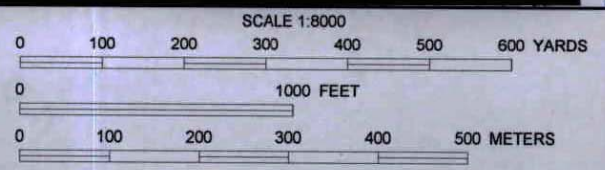
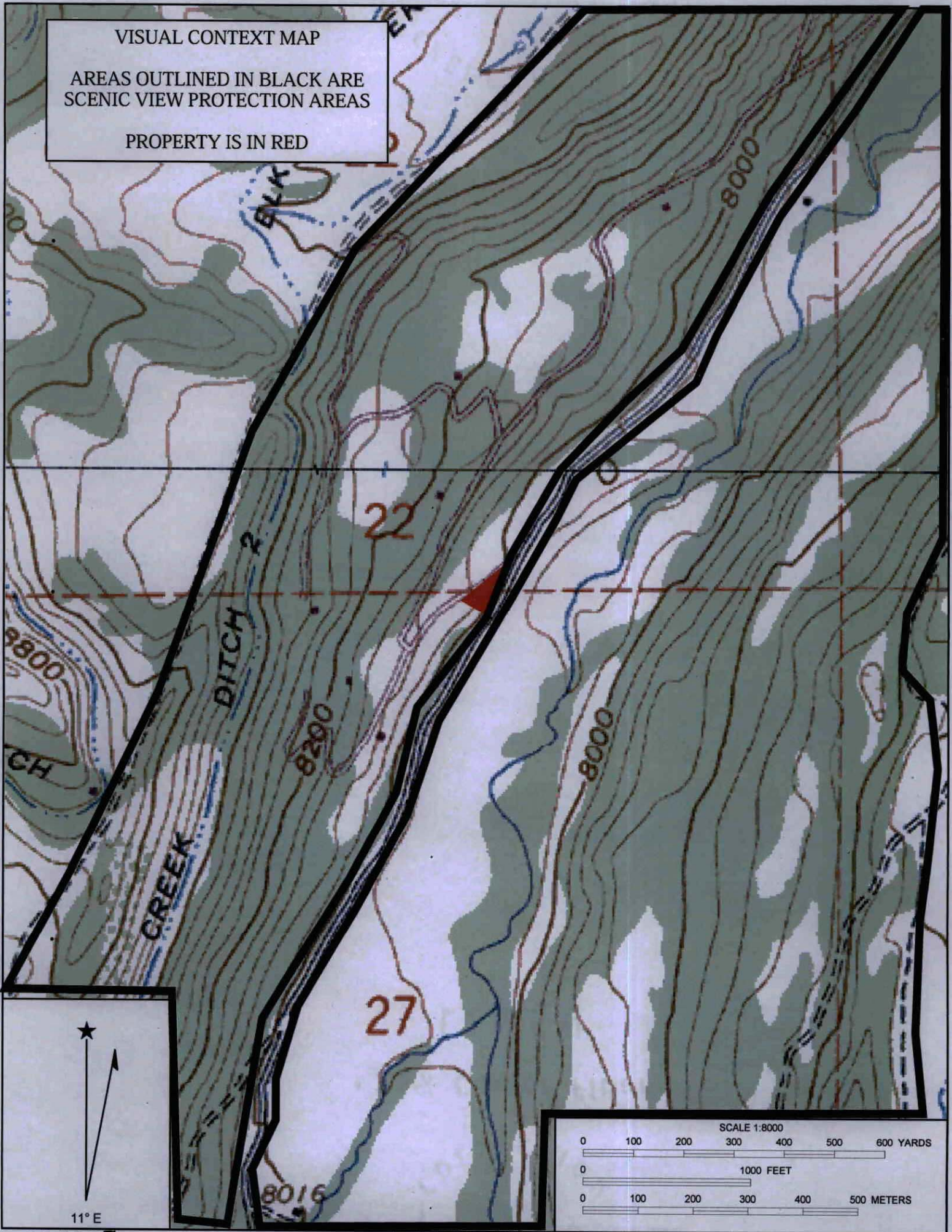
ATTACHMENT 8:

Visual Impact Analysis of the Residence in Relationship to the Site and the County Road, including
Computer Simulations and a Lighting Report Showing Conformance with Section 7-20-140 of the Land
Use Code

VISUAL CONTEXT MAP

AREAS OUTLINED IN BLACK ARE
SCENIC VIEW PROTECTION AREAS

PROPERTY IS IN RED



000067



Image © 2011 DigitalGlobe
© 2011 Google
Image USDA Farm Service Agency
Image JNRGIS

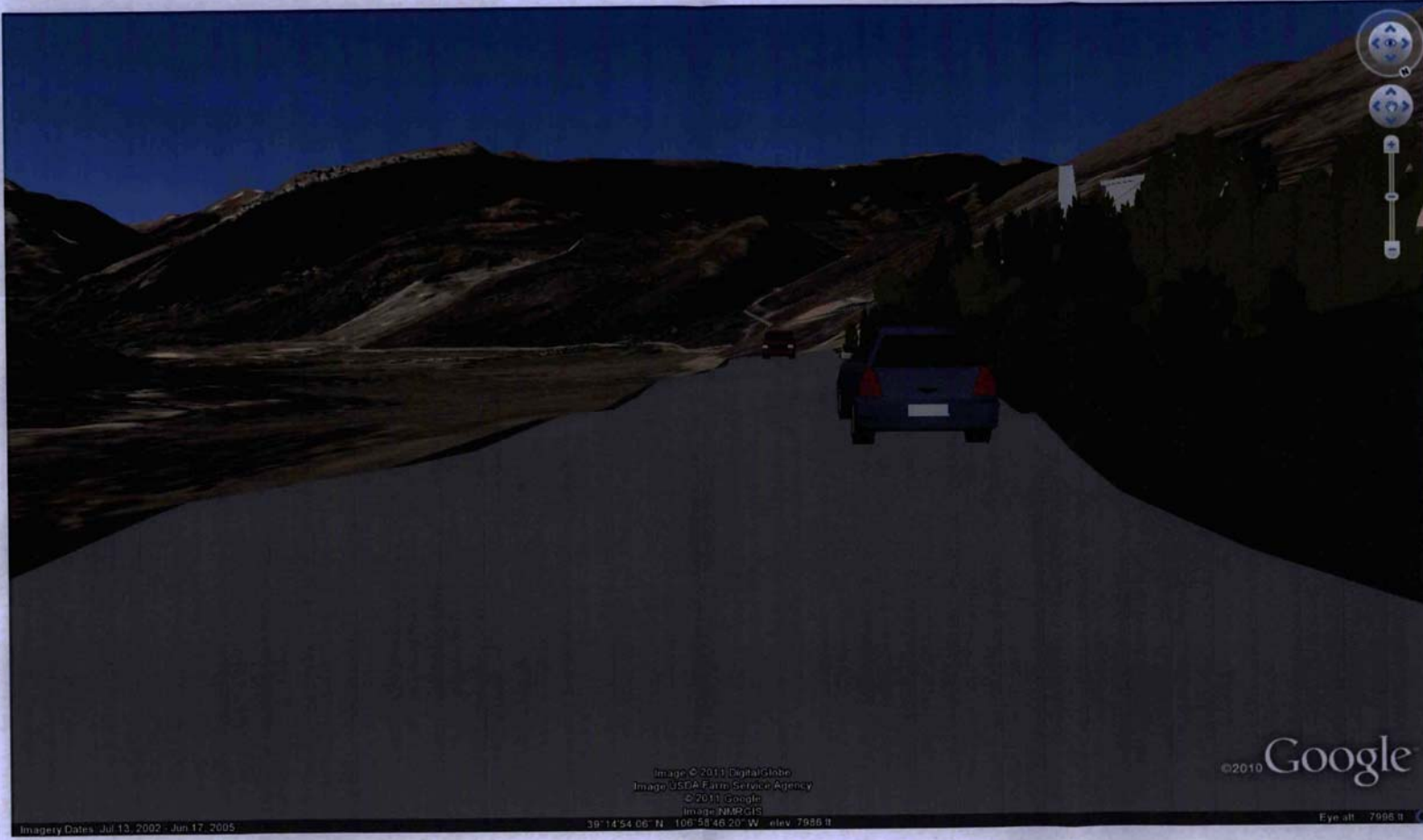
©2011 Google

Imagery Dates: Jul 13, 2002 - Jun 17, 2005

39°14'44.15" N 106°58'54.75" W elev: 8013 ft

Eye alt: 7997 ft

000068



©2010 Google

Image © 2011 DigitalGlobe
Image © 2011 USA Earth Science Agency
© 2011 Google
Image © 2011 Google

Imagery Dates: Jul 13, 2002 - Jun 17, 2005

39°14'54.06" N, 106°58'46.20" W, elev. 7966 ft

Eye alt: 7966 ft

000069



000070

Image ©2010 DigitalGlobe
Image ©2009 Air Force Service Agency
©2010 Google
Image NMR GIS

©2010 Google

39°14'38.24" N 106°59'12.12" W elev 5513 ft

Eye alt 7989 ft

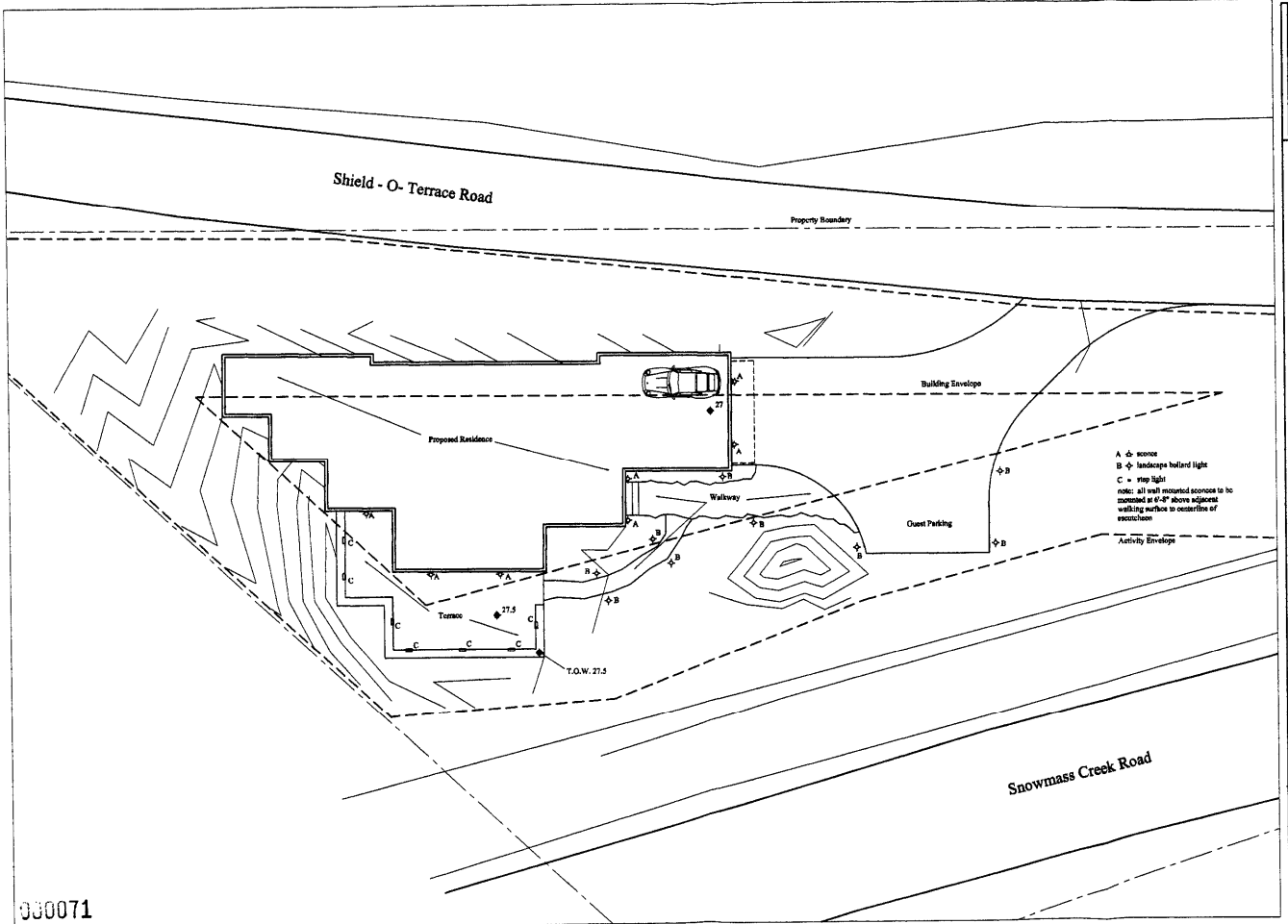
Shield - O
Terrace
Lot 15

Old Snowmass
Pitkin County
Colorado

Site
Lighting
Plan

SCALE: 1/8"=1'-0"

E101



030071

**Shield-O-Terrace Lot 15
Old Snowmass
Pitkin County, Colorado**

Exterior Lighting Fixture Summary

Type A – Surface mounted sconces - (7 fixtures) – Bega #6697 70w

Type B – Path lighting fixtures – (9 fixtures) – Bega #8582 40w

Type C – In-wall terrace lights -- (7 fixtures) – Bega #2039 24w

**Note that all wall mounted sconces (A fixtures) will be switched from inside residence.
All other exterior lights to be automatically turned on at dusk and turned off with a preset
timer or manual override.**

**Note that the attached fixture cut sheets comply with the Lighting standards contained in
Section 7-20-140 of the Pitkin County Land Use Code.**



Product

Application

Information

Search

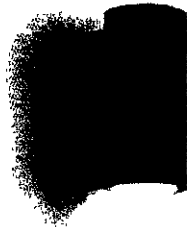
Contact



Description

Catalogue page

A.



Wall luminaire with single-sided light output

Protection class IP 65

Die cast aluminium, aluminium and stainless steel safety glasses

Reflectors of pure anodized aluminium

Colour: graphite - article number
white - article number + W
silver - article number + A

β = half beam angle

back to
Wall luminaires

	Lamp	Base	Lumen	β	A	B	C	D	Tender text	Instructions for use
→	6696 1 HIT-TC-CE	35 W G 8,5	3600	17°	110	230	180	40	6696 TXT	6696 PDF
	6697 1 HIT-CE	70 W G 12	7300	14°	150	280	200	40	6697 TXT	6697 PDF

Technical amendments reserved

000073



Product Application Information Search Contact

Description

- Lighting technology
- Photo archive
- Catalogue page
- Matching luminaires



Recessed wall luminaire shielded
Installation depth 110 mm

Protection class IP 65

Die cast aluminium and stainless steel
Safety glass
Reflector of pure anodized aluminium

Colour: graphite - article number
silver - article number + A

C.

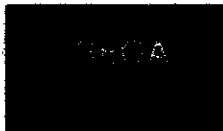


back to
Recessed luminaires

	Lamp	Base	Lumen	A	B	C	Recessed opening	Tender text	Instructions for use
2033	1 Lamp	60 W E 27	-	330	125	100	315 x 110 x 110	2033.TXT	2033.PDF
2038	1 TC-L	18 W 2 G 11	1200	330	125	100	315 x 110 x 110	2038.TXT	2038.PDF
2039	1 TC-L	24 W 2 G 11	1800	420	125	100	405 x 110 x 110	2039.TXT	2039.PDF
2040	1 TC-L	36 W 2 G 11	2900	520	125	100	505 x 110 x 110	2040.TXT	2040.PDF

Technical amendments reserved

000074



Product

Application

Information

Search

Contact



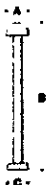
Description

Lighting technology

Photo archive

Catalogue page

B.



Garden luminaire

Protection class IP 44

- for tungsten halogen lamps QT 18

Die cast aluminium, aluminium and stainless steel
Synthetic diffuser with optical texture

3 x 4 ° connecting terminal
with mounting plate for bolting to
a foundation or anchorage unit.

Colour: graphite - article number
white - article number + W

Use Osram 64467 AM lamps only.

[back to Boilards](#)

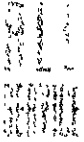
Lamp	Base	Lumen	A	B	C	Tender text	Instructions for use
8582 1 QT 18	40 W B 18 d	460	120	800	110	8582 TXT	8582 PDF

Technical amendments reserved

000075

ATTACHMENT 9:
Individual Sewage Disposal System Design

000076



PO Box 2844
Glenwood Springs, CO 81602
Ph 970-618-5833
Fax 970-216-2796

January 2nd 2011

Newland Project Resources
Attn: Tom
PO Box 4815
Basalt, CO 81621

Septic Planning for Tillman Residence, 4-Bedroom
Lot 15, Shield-O-Terrace
Pitkin County, Colorado

Tom,

As requested, ALL SERVICE septic, LLC has prepared a conceptual 4-bedroom onsite wastewater system (OWS) design for the subject residence. We understand a typical family residence is being planned.

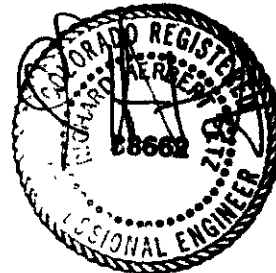
A percolation rate of 20 MPI has been used to consider the septic design. The percolation rate was assumed based on observation of an onsite test pit, and our experience in the area. The design is based on 4-bedrooms and 600 gallons per day. A 1250-gallon concrete septic tank with a screened dosing siphon may be installed and gravelless chambers to serve the residence. Drawings are attached.

Based on the existing conditions our past experience, the following recommendations are realistic and feasible. A complete soils test, engineering, and permit are required prior to any septic construction. This letter is for planning purposes only.

Please call with questions.

ALL SERVICE septic, LLC

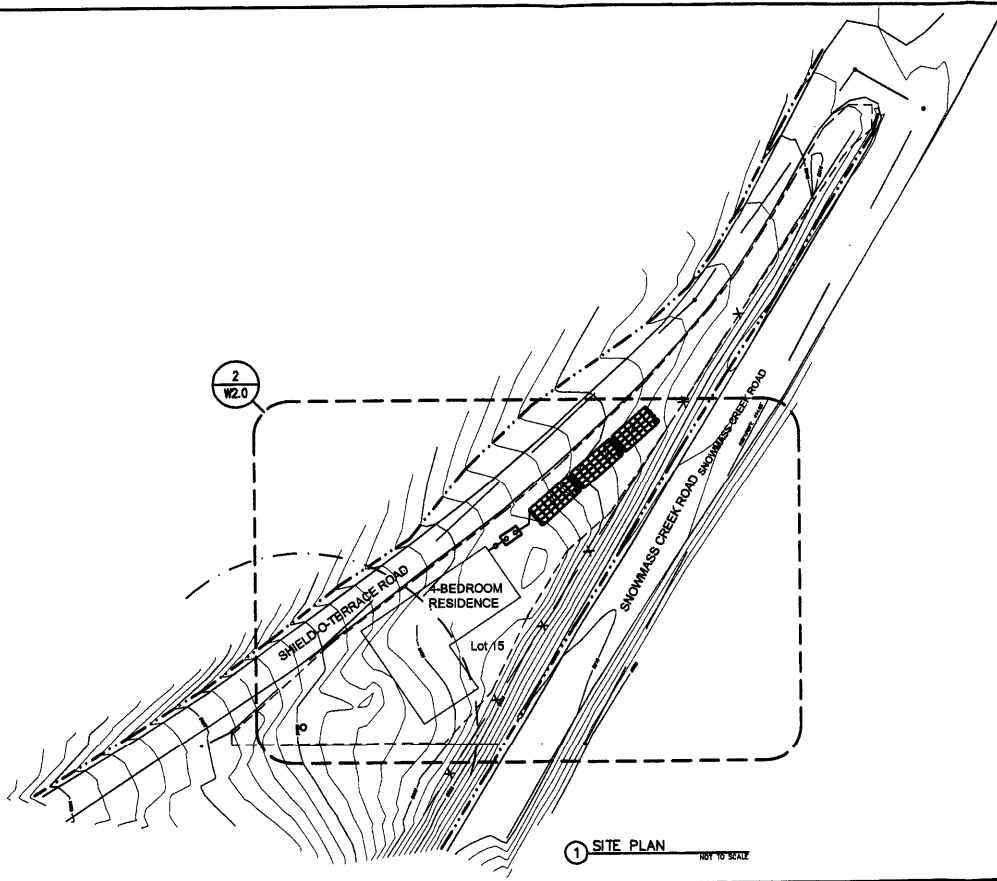

Timothy R. Petz



000077



Scale: Not to Scale



1 SITE PLAN NOT TO SCALE

000078

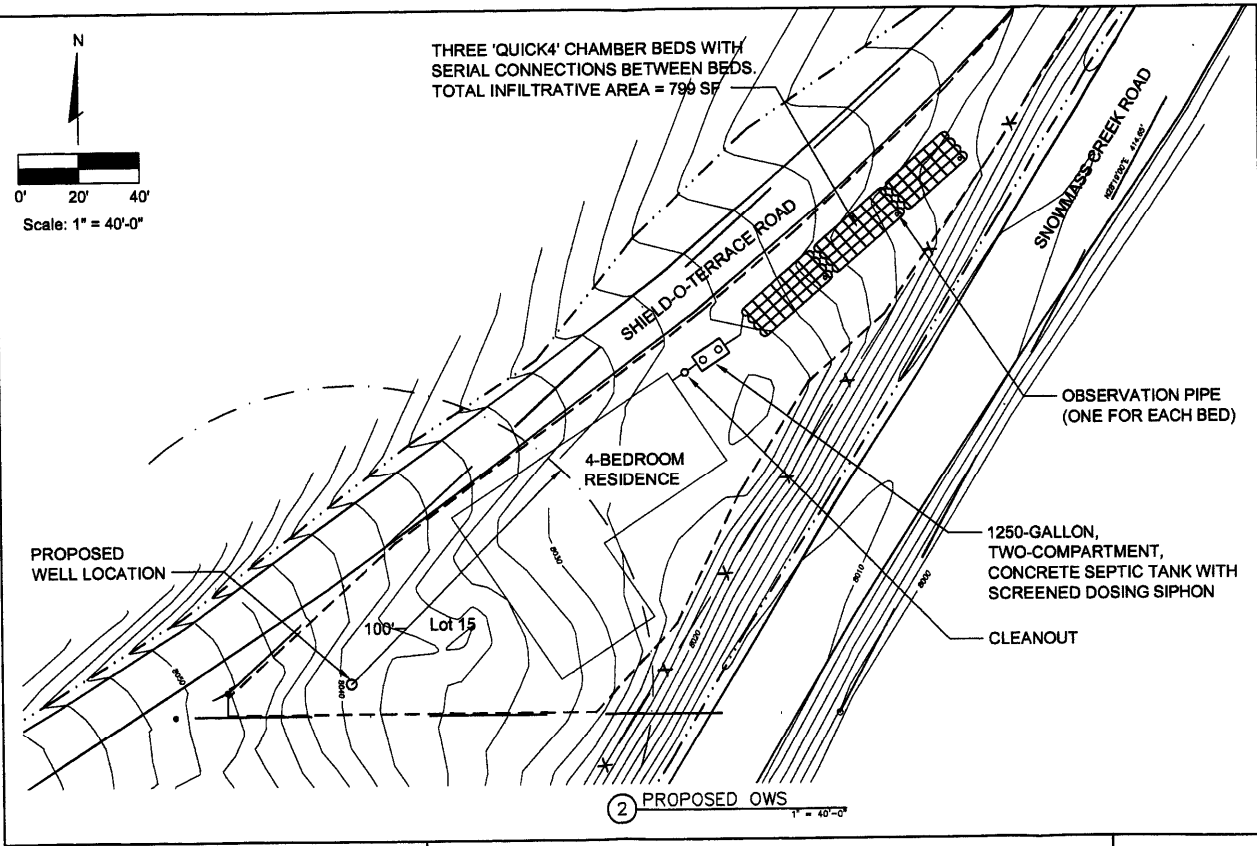


P.O. Box 2844
Glenwood Springs, Colorado 81602
Phone 970.618.5033
Fax 303.216.2796

Tillman Residence
Shield-O-Mesa Road
Pitkin County, Colorado
Project Number: 1785

W1.0

Sheet 1 of 4



P.O. Box 2844
 Glenwood Springs, Colorado 81602
 Phone 970.618.5033
 Fax 303.216.2796

Tillman Residence
 Shield-O-Mesa Road
 Pitkin County, Colorado
 Project Number: 1785

W2.0

Sheet 2 of 4

000079

ATTACHMENT 10:

Engineers Report on Stability of Topographic Anomalies and Utilities Assessment

CIVIL ENGINEERING



LAND SURVEYING

An Employee-Owned Company

March 21, 2011

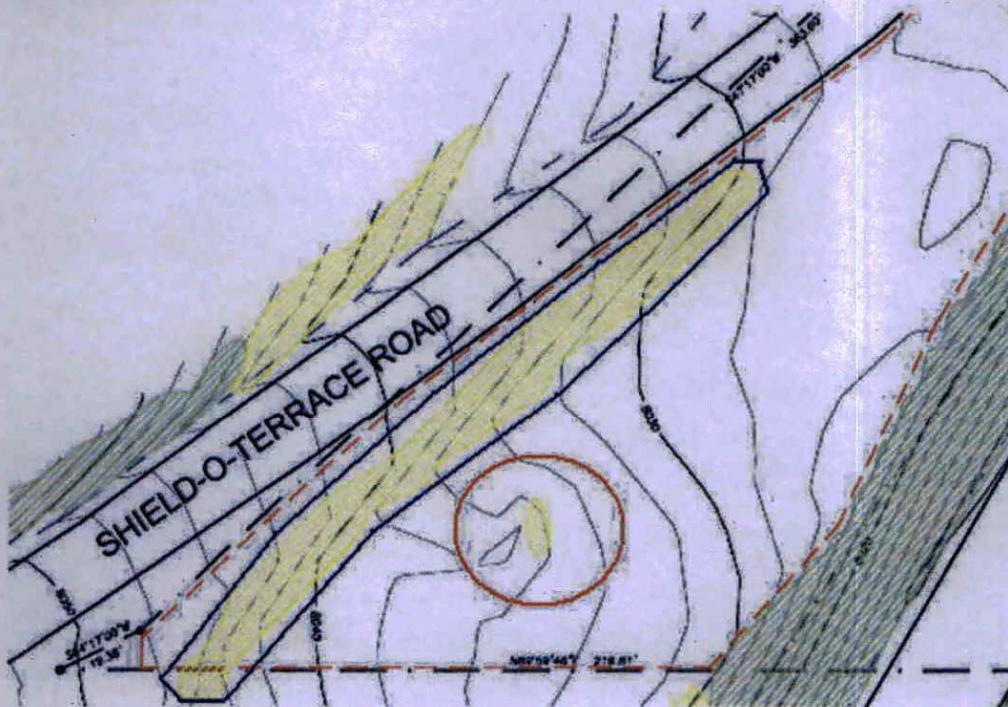
Tom Newland
Newland Resources
417 Original Road
Basalt, CO 81621
E-mail: tomn@sopris.net

Re: Tillman Property Slopes Greater than 30% Anomalies
Located in Pitkin County, Colorado

Dear Tom:

High Country Engineering, Inc. (HCE) has met you on site and we have reviewed the slope anomaly which has been identified in the building envelope of the Tillman property. This anomaly is shown on the following exhibit circled by the red circle and the blue line. These are slopes between 30% and 45%.

Exhibit 1



1517 Blake Avenue, Suite 101
Glenwood Springs, CO 81601
Telephone (970) 945-8676
Fax (970) 945-2555

000081

Tom Newland
age 2

HCE has reviewed these locations in the field. With the amount of snow still on the site it was not possible to be definitive, but it appears the small mound (red circle) in the middle of the site generating the small circle of 30%-45% slopes appears to possibly be an old excavation pile. The blue circled area was created as part of the construction of the Shield-O-Terrace road platform, as can be seen in with the existing contour lines. Neither of these anomalies would cause me concern with the proposed construction in these locations.

I would recommend that at the time of building permit that the selected Geotechnical Engineer verifies whether there are any slope stability issues as part of the foundation study. This recommendation would be for any property which lies near steeper slopes and not due to the anomalies.

Photos of the areas are shown below in exhibit 2 and exhibit 3.

Exhibit 2



000082

Tom Newland
age 2

Exhibit 3



Please feel free to give me a call if you have any questions,

Sincerely,

Roger Neal, PE
High Country Engineering, Inc.



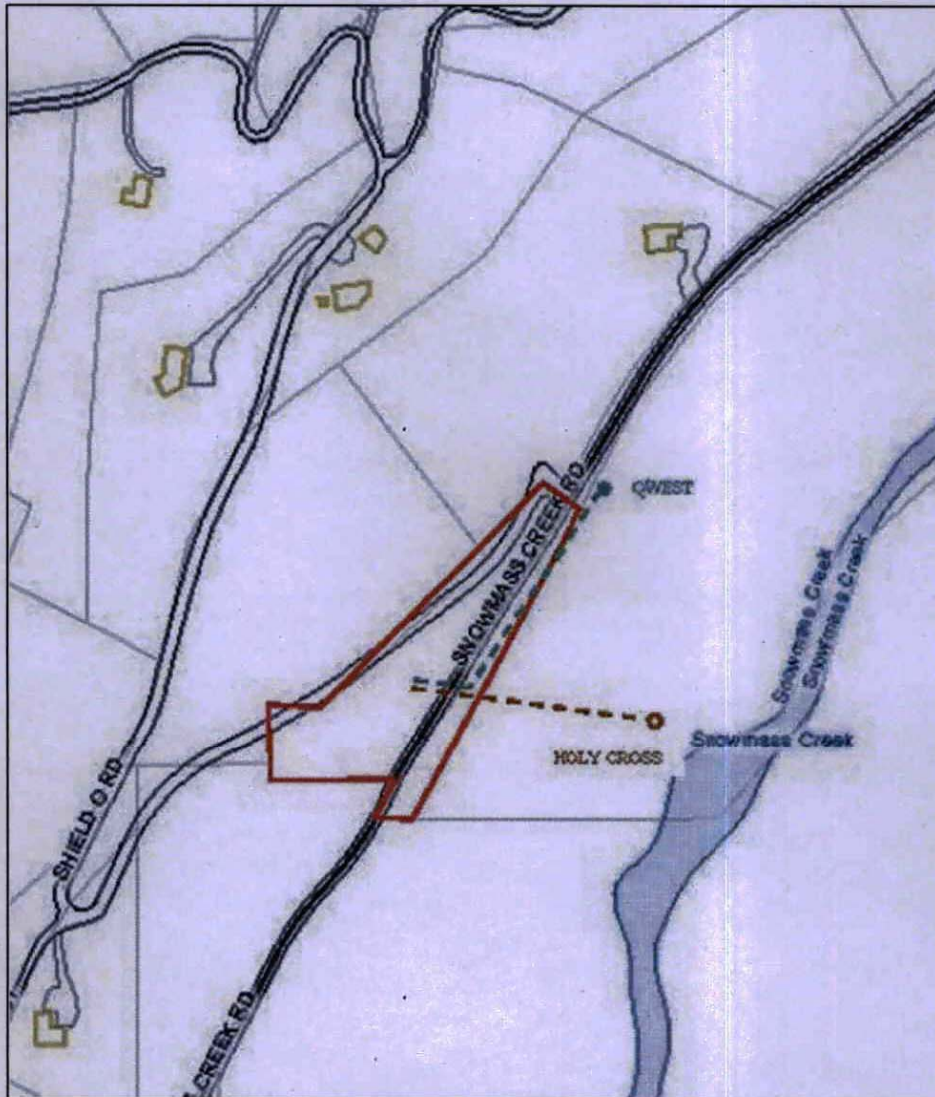
UTILITY ASSESSMENT

Water: Water will be obtained from a private well on the property.

Sewer: An Individual Sewage Disposal System (ISDS) will be placed on the property.

Electric: A Holy Cross electric line is located approximately 300-feet to the east of the property. Power will be taken from the nearest pole and buried to the site.

Telephone: A Qwest pedestal is located approximately 100-feet north of the property. Service will be extended to the site from the pedestal via buried cable.



000084

ATTACHMENT 11:

Engineers Report on Compatibility of Driveway with Pitkin County Road Standards.



An Employee-Owned Company

March 25, 2011

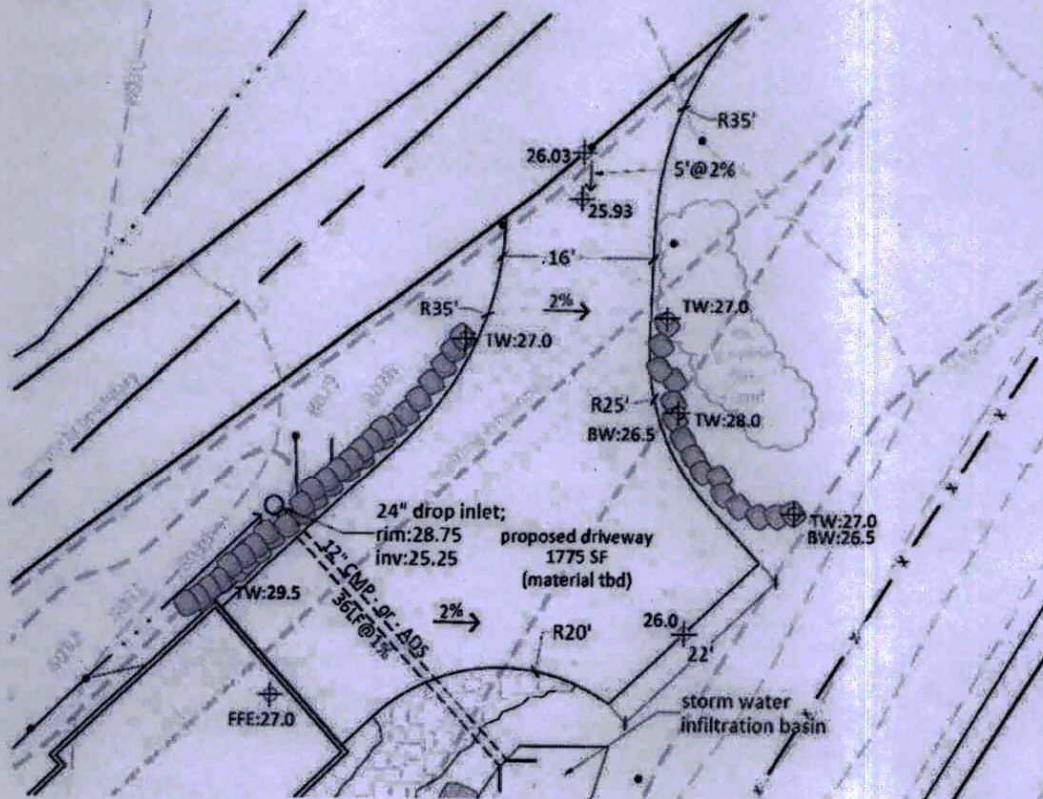
Tom Newland
Newland Resources
417 Original Road
Basalt, CO 81621
E-mail: tomn@sopris.net

Re: Tillman Property Driveway Design
Located in Pitkin County, Colorado

Dear Tom:

High Country Engineering, Inc. (HCE) has reviewed the driveway design provided by Land West and driveway design appears to meet with County Standards as well as meet standards of typical engineering practices. The profile grade identifies grading away from Shield-o-terrace road for the first 5', as required.

Exhibit 1



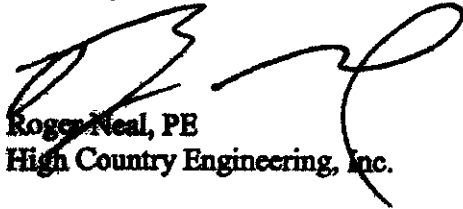
1517 Blake Avenue, Suite 101
Glenwood Springs, CO 81601
Telephone (970) 945-8676
Fax (970) 945-2555

Tom Newland
Page 2

The drainage for the driveway is sufficient to drain away from the building and off of the driveway to the northeast. A pipe culvert and drop inlet is shown to capture any drainage that may collect behind the landscape wall and the road.

Please feel free to give me a call if you have any questions,

Sincerely,



Roger Neal, PE
High Country Engineering, Inc.



000087

ATTACHMENT 12:

Water Engineers Assessment of Ability to Obtain a Well Permit



Tom Newland
Newland Project Resources, Inc.
P.O. Box 4815
Basalt, CO 81621

April 4, 2011

Via E-mail and First Class Mail

RE: Lot 15, Shield-O-Terrace Legal Water Supply

Dear Tom:

The purpose of this memorandum is to outline the current legal water supply for Lot 15 (Parcel No. 1), Shield-O-Terrace Subdivision located in Section 22, Township 9 South, Range 86 West, of the 6th P.M. in Pitkin County, Colorado. The Pitkin County parcel number is 264522400583 with a total land area of 1.008 acres. A review of the title chain indicates that the land was first deeded from Burton Tuttle to Jan Christensen on January 10th, 1966. This deed includes a metes and bounds legal description of the property that matches the current legal description.

The Colorado Division of Water Resources (DWR) administers water rights, issues water well permits, represents Colorado in interstate water compact proceedings, monitors streamflow and water use, issues licenses for well drillers and assures the safe and proper construction of water wells. On May 5, 1972, legislation was enacted which mandated that counties adopt regulations requiring developers to provide data, studies, etc. for their proposed subdivision of land created on or after June 1, 1972. These studies were to include adequate evidence that a physical water supply was available in quality, quantity, and dependability for the subdivision. The DWR would then issue an opinion regarding injury to other vested water rights and the adequacy of the water supply. For parcels of land less than 35 acres and created prior to June 1, 1972, an indoor use only exempt well can be obtained provided that the well is not located in a designated water basin and is the only well on the parcel.

An indoor use only exempt well permit can be obtained for this property as there are no existing wells on the property, the property is not located within a designated water basin, and parcel of land was created prior to 1972. In order to obtain an exempt well permit, the owner must simply follow the instructions and fill out a Residential Water Well Permit Application (GWS-44).

We trust that this is the information you require. Please contact me if you have any questions or require further information.

Sincerely,

RESOURCE ENGINEERING, INC.

A handwritten signature in black ink, appearing to read "Eric F. Mangeot", is written over a circular stamp or seal.

Eric F. Mangeot, P.E.
Water Resources Engineer
EFM/1136-3.0

Consulting Engineers and Hydrologists

000089

808 Colorado Avenue ■ Glenwood Springs, CO 81601 ■ (970) 845-6777 ■ Fax (970) 845-1137

ATTACHMENT 13:
Improvement Survey

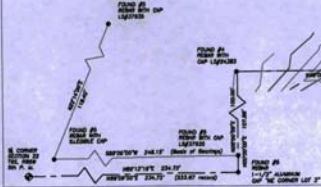


Vicinity Map
(NOT TO SCALE)



LEGEND

- FOUND ALUMINUM CAP & STAMPING ON-CENTERED
- FOUND SURVEY MONUMENT AS DESCRIBED
- SET NO. 2 REBAR W/ CAP L.S. 2011



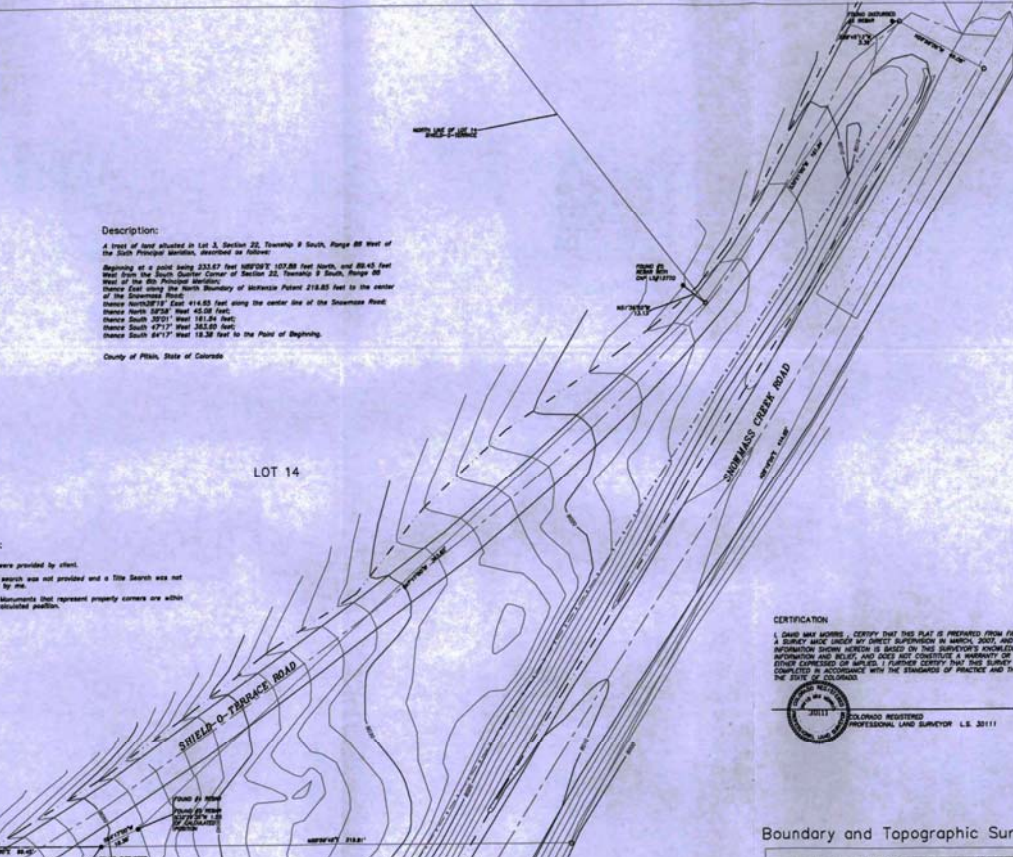
Description:

A tract of land situated in Lot 14, Section 22, Township 9 South, Range 88 West of the Sixth Principal Meridian, described as follows:
 Beginning at a point being 233.67 feet S89°00'00" W 157.88 feet down, and 83.45 feet West from the South Quarter Corner of Section 22, Township 9 South, Range 88 West of the 6th Principal Meridian;
 Thence East along the North Boundary of Section 22, Township 9 South, Range 88 West of the 6th Principal Meridian;
 Thence North 20°15' East 414.55 feet along the center line of the Soumestre Road;
 Thence North 52°24' East 42.06 feet;
 Thence South 20°15' West 181.84 feet;
 Thence South 84°17' West 12.38 feet to the Point of Beginning.
 County of Pitkin, State of Colorado

Notes:

1. Deeds were provided by client.
2. A Title search was not provided and a Title Search was not performed by me.
3. Found Monuments that represent property corners are within 25% of estimated position.

LOT 14



CERTIFICATION

I, DAVID W. MOORE, CERTIFY THAT THIS PLAN IS PREPARED FROM FIELD NOTES OF A SURVEY MADE UNDER MY DIRECT SUPERVISION IN MARCH, 2007, AND THE INFORMATION HEREON IS BASED ON THE SURVEYOR'S KNOWLEDGE, INFORMATION AND BELIEF, AND DOES NOT CONSTITUTE A WARRANTY OF GUARANTEE. OTHER EXPERTS OR SERVICES, I FURTHER CERTIFY THAT THIS SURVEY WAS BEING COMPLETED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE AND THE LAWS OF THE STATE OF COLORADO.



DAVID W. MOORE
 LICENSED REGISTERED
 PROFESSIONAL LAND SURVEYOR L.S. 2011

Basis of Bearings Statement:

Bearings are based on the South line of Lot 14 Shield-O-Terrace as located on the recorded PITKIN 1041 NAD80 REVIEW SITE PLAN LOT 14 SHIELD-O-TERRACE and (Previous PARCELS).
 Said line bears S89°00'00" W.

LAND SURVEY DEPOSITS
 PITKIN COUNTY SURVEYORS OFFICE

DATE: _____ PAGE: _____
 BOOK: _____ DEPOSIT NUMBER: _____

Boundary and Topographic Survey

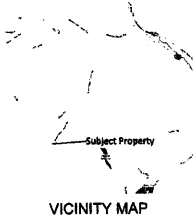
SITUATED IN THE SE1/4 SECTION 22, T9S, R88W OF THE 6th PRINCIPAL MERIDIAN			
FOR: MOORE	ADJACENT: SHUMWAY CREEK	DATE: 4/24/07	SHEET NO. 207-288.2
SCALE: 1" = 20'	Q.E.D. SURVEYING SYSTEMS, Inc. 1018 Colorado Ave. Boulder, CO 80501-3620 (970) 441-2270 Fax: 241-7025	DRAWN BY: JMW	CHECKED BY: JMW

000091

ATTACHMENT 14:
Proposed Site Plan

TILLMAN SITE PLAN

PITKIN COUNTY, COLORADO SPID# 2645-224-00-583



LEGAL DESCRIPTION - 1.08 AC PARCEL

A tract of land situated in Lot 3, Section 33, Township 9 South, Range 88 West of the 6th Principal Meridian, described as follows:

Beginning at a point being 133.87 feet N88°09'1" E 177.85 feet North, and 88.45 feet West from the South Quarter Corner of Section 33, Township 9 South, Range 88 West of the 6th Principal Meridian;

Thence East along the North Property of McCaskey Tract 133.85 feet to the center of the 20-foot-wide Road;

Thence North 15°12' East 134.85 feet along the center line of the Snowmass Road;

Thence North 82°02' West 49.58 feet;

Thence South 88°02' West 181.84 feet;

Thence South 67°17' West 163.80 feet;

Thence South 67°17' West 13.38 feet to the Point of Beginning.

County of Pitkin, State of Colorado



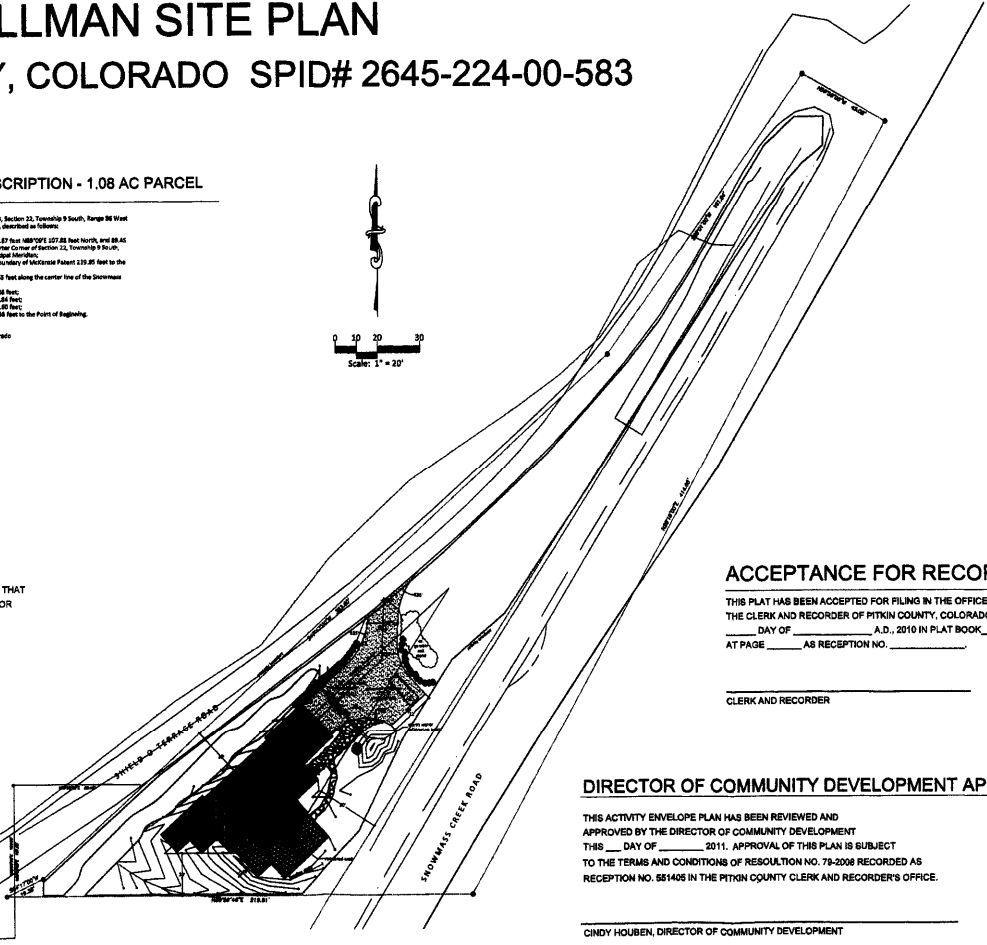
DISCLAIMER

ENVIRONMENTAL HAZARD AREAS EXIST THAT MIGHT AFFECT THE PROPERTY, ANY IMPROVEMENTS AND THE USE AND OCCUPANCY THEREOF.

WAIVER

THE PROVISIONS OF THESE REGULATIONS DO NOT IN ANYWAY ASSURE OR IMPLY THAT AREAS OUTSIDE OF DESIGNATED HAZARD AREAS WILL BE FREE FROM HAZARDS, OR THAT APPROVED MITIGATION MEASURES WILL GUARANTEE THE SAFETY OF ANY PROPERTY.

APPLICANT'S NAME: _____



ACCEPTANCE FOR RECORDING

THIS PLAT HAS BEEN ACCEPTED FOR FILING IN THE OFFICE OF THE CLERK AND RECORDER OF PITKIN COUNTY, COLORADO ON THIS _____ DAY OF _____ A.D., 2010 IN PLAT BOOK _____ AT PAGE _____ AS RECEPTION NO. _____

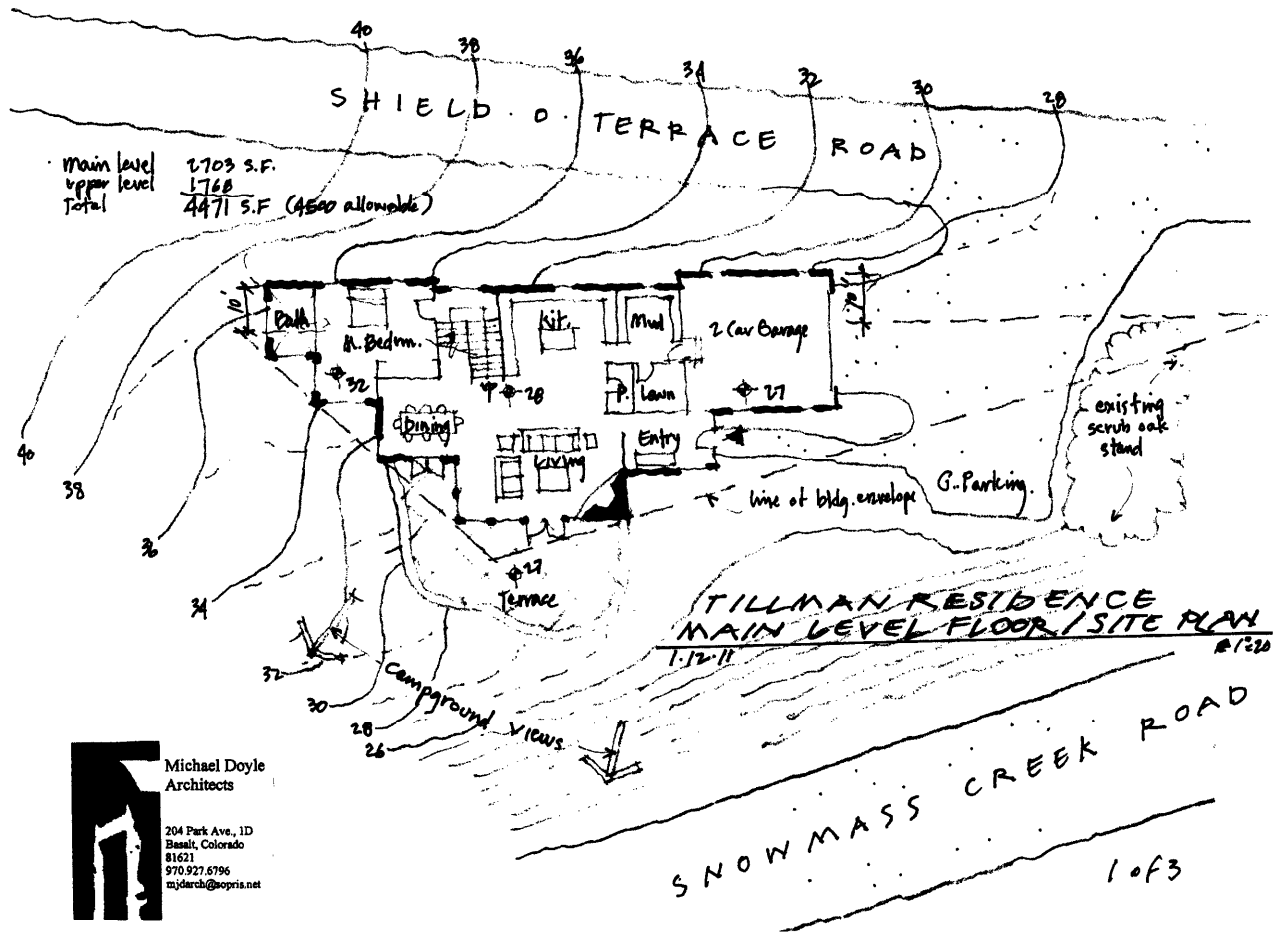
CLERK AND RECORDER _____

DIRECTOR OF COMMUNITY DEVELOPMENT APPROVAL

THIS ACTIVITY ENVELOPE PLAN HAS BEEN REVIEWED AND APPROVED BY THE DIRECTOR OF COMMUNITY DEVELOPMENT THIS _____ DAY OF _____ 2011. APPROVAL OF THIS PLAN IS SUBJECT TO THE TERMS AND CONDITIONS OF RESOLUTION NO. 78-2008 RECORDED AS RECEPTION NO. 881406 IN THE PITKIN COUNTY CLERK AND RECORDER'S OFFICE.

CINDY HOUBEN, DIRECTOR OF COMMUNITY DEVELOPMENT

000093



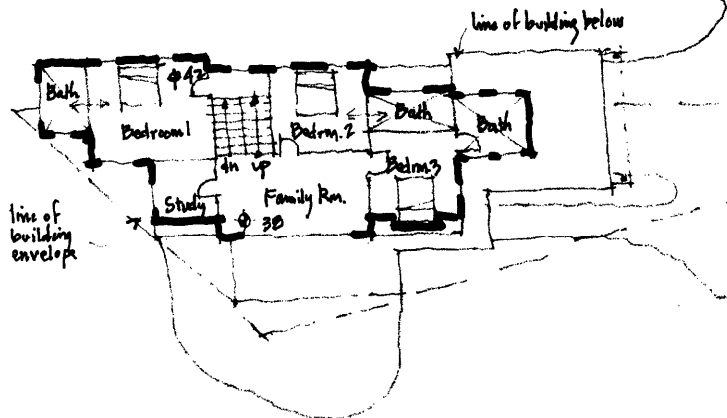
Main level 2703 S.F.
 upper level 1768
 Total 4471 S.F. (4500 allowable)

TILLMAN RESIDENCE
 MAIN LEVEL FLOOR / SITE PLAN
 1-12-11 1 of 3

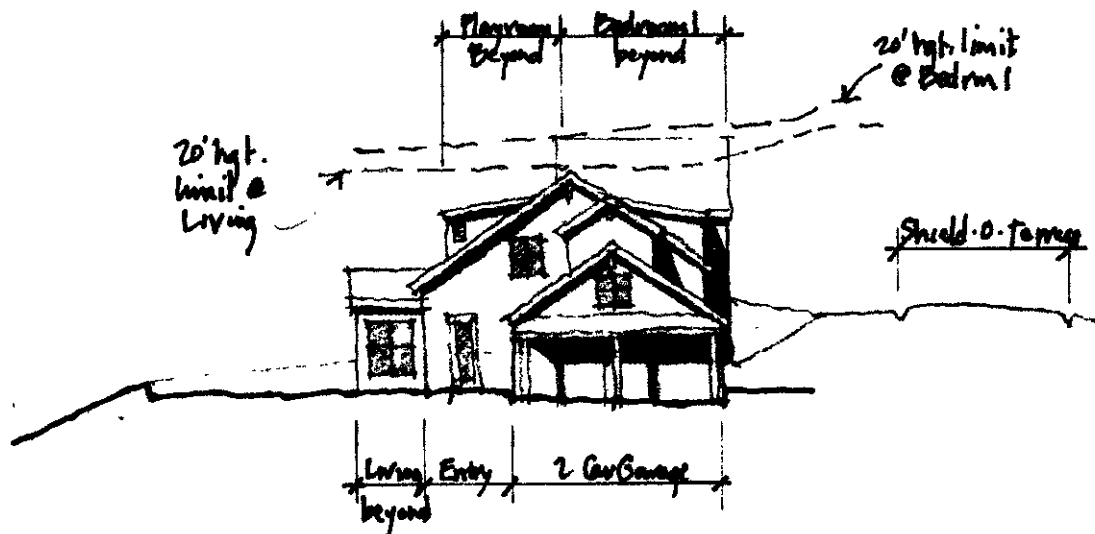


Michael Doyle
 Architects
 204 Park Ave., 1D
 Basalt, Colorado
 81621
 970.927.6796
 mjdarcb@sopria.net

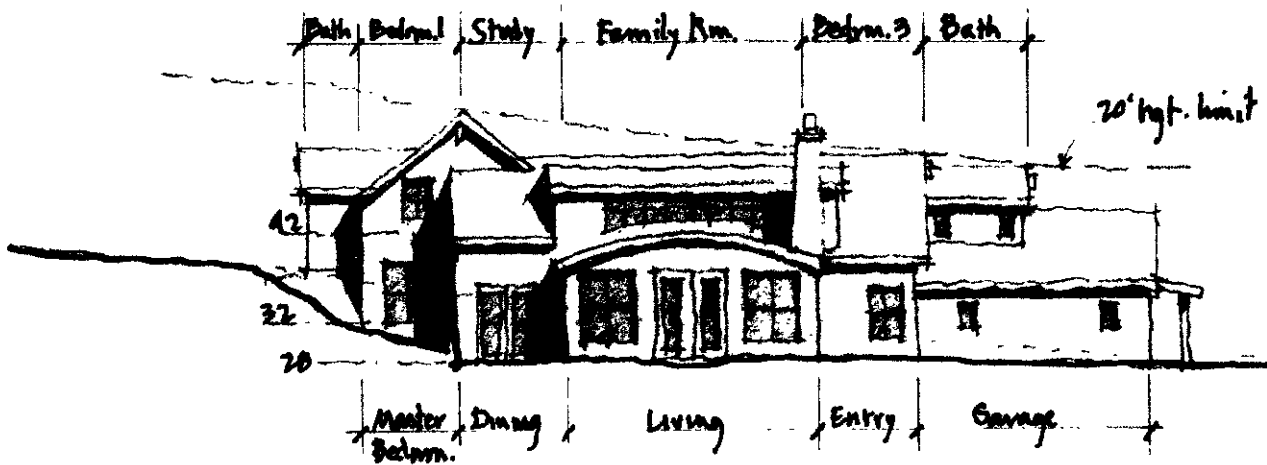
000094



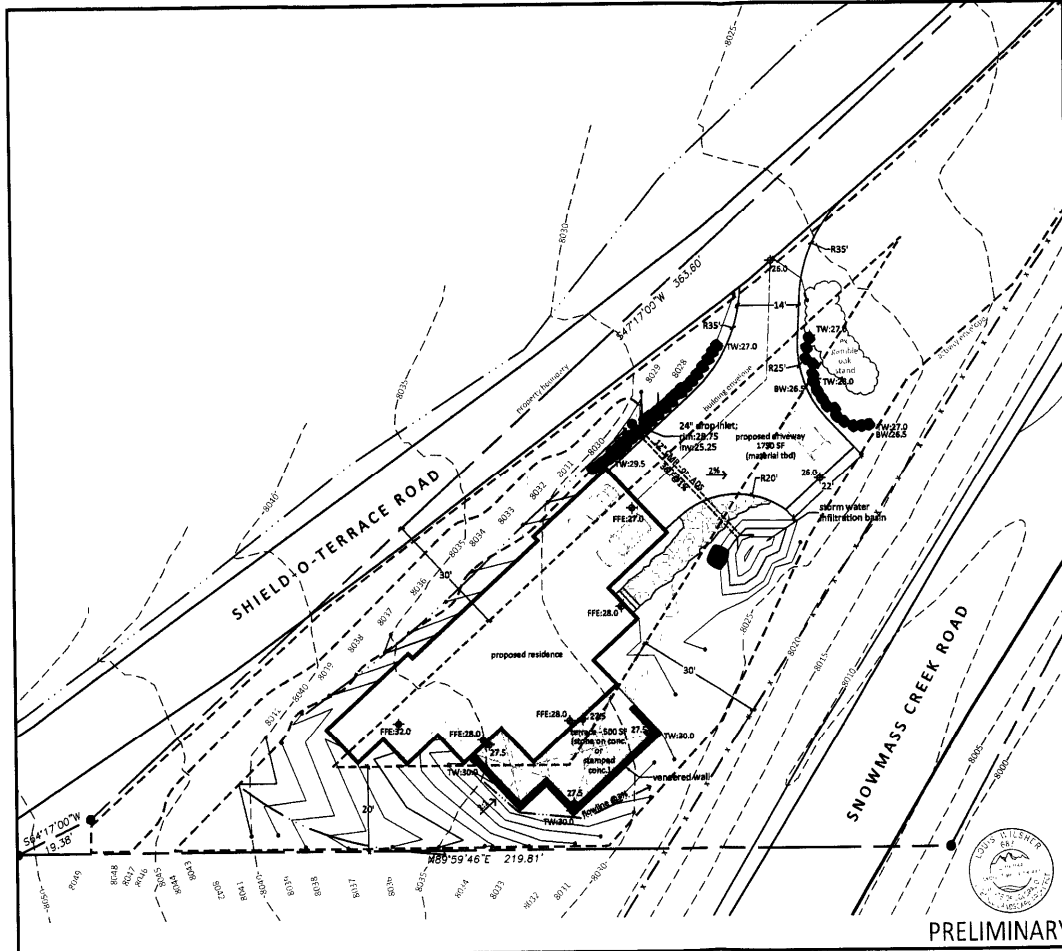
UPPER LEVEL FLOOR PLAN
1-12-11 1"=20'



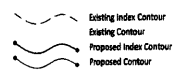
NORTHEAST ELEVATION
©20'



SOUTHEAST ELEVATION
1.12.11 ©20'



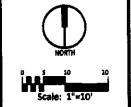
- GRADING NOTES:**
1. Contractor is required to notify Landscape Architect if the Grading Report contradicts proposed grading and surface drainage to ensure grading is consistent with site report.
 2. All temporary erosion control measures as depicted on Erosion Control Plan shall be installed prior to grading and shall be maintained throughout the entire construction period.
 3. In cutfill and retention areas, the upper 12-18" of topsoil shall be stripped, prior to excavation, and stockpiled on-site. Contractor shall designate stockpile areas in the Construction Management Plan.
 4. Stockpiled topsoil to be kept weed-free throughout the duration of construction.
 5. Stockpiled topsoil to be redistributed on-site by landscape contractor. Topsoil shall be immediately distributed on areas where subgrade work is complete.
 6. No imported topsoil shall be allowed unless specifically approved by Landscape Architect and/or the Community Development Dept.
 7. Subgrade to be set 4" minimum below indicated finished grade. Distribute topsoil to meet final grade.
 8. Upon distribution of topsoil, landscape contractor shall apply BioSoil at a rate of 1500 lbs. per acre.
 9. Disturbed areas shall be seeded with approved revegetation seed mix within six months of disturbance, but no later than October 15th of each year (see sheet L102 for seed mix). All seeded areas shall be mulched with certified weed free material.
 10. Rocks and boulders (larger than 12" in any dimension) unearthed during excavation are to be stockpiled on site.
 11. Stockpiled rocks and boulders to be used on-site by landscape contractor.



PROJECT MANAGER	
JANIA WILSON	
Checked: LW	
Checked: LW	
Checked: LW	

REVISION DATE	
02-17-11	

sheild-o terrace lot-15
 old snowmass, pitkin county, colorado
grading and surface drainage



PRELIMINARY: NOT FOR CONSTRUCTION

SHEET L101
 grading plan

000097

**MISCELLANEOUS
DOCUMENTS**

LARGE PLAT(S)

**AVAILABLE TO VIEW AT
COMMUNITY DEVELOPMENT**

AFTER REVIEW RECORDED COPIES

**AVAILABLE TO BUY AT
CLERK & RECORDER**