AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Planning Commission Recommendation and Resolution;

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement:

Term Begins: **Term Ends:** **Grant Contract #:**

Summary:

Subdivision of 32-acres into two single-family lots.

Fiscal Impact:

Submitted by: Neal Starkebaum **Submitter's Email Address:** nstarkebaum@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:
ok db 1/11/18

Reveiwed by: GUNCOUNTY1\dBaumgarten Discharge Date: 1/11/2018 Certificate of Insurance Required Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 1/12/2018

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted: 10

Agenda Date: 1/16/2018

Revised April 2015

Gunnison County Community and
Economic Development Department
Offices of Planning, Building and Environmental Health
221 N. Wisconsin St., Ste. D
Gunnison, CO 81230
Phone: (970) 641-0360 Fax: (970)641-8585

January 8, 2018

TO: **Board of County Commissioners**
Matthew Birnie, County Manager
David Baumgarten, County Attorney

FROM: **Neal Starkebaum**
Assistant Director

SUBJECT: **Jim Free**
Free Subdivision - LUC-16-00040
Planning Commission Recommendation

At their September 15, 2017 meeting, the Planning Commission unanimously approved a Recommendation to the Board of County Commissioners to approve the Free Subdivision application. Due to delays working with his title company, it has taken since that time to have the plat prepared.

Attachments:

Planning Commission Recommendation
BOCC Resolution
Subdivision Plat

TO: **Board of County Commissioners**

FROM: **Planning Commission**

SUBJECT: **Planning Commission Recommendation**
Free Subdivision
LUC-2016-00040

DATE: **September 15, 2017**

PREPARED BY: **Neal Starkebaum, Assistant Director**

APPLICANT: **James C. Free**
14920 6000 Road
Montrose, CO 81403

At its regular meeting on September 15, 2017, Vince Rogalski was seated and the Planning Commission unanimously approved the following Minor Impact Recommendation, moved by Tom Venard and seconded by Vince Rogalski:

PROJECT SUMMARY:
The applicant is requesting the subdivision of 32.428-acres into two single-family lots: Lot 1, 5.898-acres (with existing cabin) and Lot 2, 26.53-acres (with three existing cabins) to settle a family estate. All of the cabins are served by exiting springs and pit privies. Existing access is from Hampton Road, via County #858 (Big Cimarron Road). No covenants are proposed, and no changes to the existing developed property is contemplated. The existing cabins date back to the early/mid 20th century. The 32-acre legal parcel was created as a remainder tract, during the subdivision of Silverjack Subdivision, in 1973.

LOCATION:
The property is located approximately 14 miles south of Highway 50, directly west of County Road #858 (Big Cimarron Road), adjacent to Silverjack Subdivision. The property is legally described as being situated in U.S. Government Lots 9, 10, 15 & 16, Section 5, Township 46 North, Range 6 West, N.M.P.M.

SURROUNDING LAND USES:
West – developed residential lots within Silverjack Subdivision, ranging in size from 5 – 10 acres.
North – 165-acre tract, agricultural
East –410-acre tract (across CR#858), agricultural
South – developed residential lots within Bearclaw Subdivision

IMPACT CLASSIFICATION: Minor Impact Project, based upon the impact classification found in *Section 6-102: Projects Classified as Minor Impact Projects A. 2-4 Units*.

PLANS/REPORTS/SUBMITTALS:
Plans, reports, and other submittal documents informing this Decision include, but are not limited to:
- Minor Impact Land Use Change Application
- Subdivision Plat – prepared by Del-Mont Consultants, Inc., November 14, 2016

MEETING DATES:
The Planning Commission held meetings on the following dates:

- January 6, 2017 Work Session
- September 15, 2017 Joint Public Hearing

SITE VISIT:
The Planning Commission determined that a site visit was not necessary.

PUBLIC HEARING:
The Planning Commission and the Board of County Commissioners conducted a joint public hearing on September 15, 2017. At that time, Shirley Bruck was present and asked about the acreage of the parcels. No written public comments were received.

All testimony, both written and oral, is hereby incorporated as part of this record of review and evaluation.

REVIEW AGENCY REFERRAL COMMENTS:
Comments were received from the following agencies:
Colorado Division of Water Resources –Megan Sullivan, P.E., Water Resource Engineer, letter of January 3, 2017 and July 26, 2017. Excerpts include:

> We have reviewed the above referenced proposal to subdivide a 32.428 acre tract into two lots of 5.898 and 26.530 acres, according to a handwritten amendment dated December 9, 2016 in the referral materials. Lot 1 (5.898 acres) has an existing cabin, the Cow Camp Cabin, and Lot 2 (26.530 acres) has three existing cabins. According to information provided, water will be supplied by two springs and wastewater treatment will be provided by existing pit privies.
>
> The two springs proposed as the water supply have been decreed as surface water rights by the Division 4 Water Court. The Cow Camp Spring has been decreed as a conditional water right in case no. 12CW126 for domestic use in one single family dwelling, stock watering, wildlife watering and fire protection uses. The decreed flow rate is 15 gallons per minute (0.033 cubic feet per second). The decreed appropriation date is October 6, 2012 and the adjudication date is 2012. As of the date of this letter, the water right has not been made absolute. The Getaway Spring was decreed by the Water Court in case no. 89CW175 as an absolute water right for domestic use in three cabins and for livestock watering and fire protection proposes. The decreed flow rate for this spring is also 15 gallons per minute. The decreed appropriation date is September 15, 1988 and the adjudication date is December 31, 1989. Both springs as surface water diversions are subject to administration in Colorado's Prior Appropriation water rights system.
>
> No information was provided concerning the physical adequacy of the water supply. As stated in CRS 30-28-133(3)(d), the subdivider is required to submit "Adequate evidence that a water supply that is sufficient in terms of quality, quantity, and dependability will be available to ensure an adequate supply of water for the type of subdivision proposed." Adequate evidence is usually provided in the form of a water resource report, prepared by a professional engineer or water consultant, which addresses the quality, quantity, and dependability issues. A report of this nature was not provided. Furthermore, a review of our water rights diversion records found that there is no information on the actual flow rates of the springs. We recommend that the County request the applicant to provide the measured flow rates of the two springs. Should the actual flow rates of the springs be similar to the decreed flow rates, with sufficient storage the supply would be adequate for the weekend getaway type use of the cabins described in the referral materials. Water for the other decreed uses may not be available in dry years due to reduction in spring flows. Please note that the long term adequacy of any spring fed source may be subject to fluctuation due to hydrological and climatic trends.
>
> Based on the above, it is our opinion, pursuant to CRS 30-28-136(1)(h)(I), that as long as the springs are operated in accordance with the terms and conditions of their respective court decrees, the proposed water supply will not cause material injury to decreed water rights. However, due to

the lack of information on the actual flow rates of the springs, we are unable to comment on the physical adequacy of the water supply for the subdivision.

The applicant submitted a water supply report prepared by Gary Shellhorn, Hydrologist with Water Solutions LLC, on June 28, 2017, for the proposed Free Subdivision. The report indicates that the flows of two springs, the Cow Camp Spring and the Getaway Spring which are proposed as the water supply source for the two-lot subdivision, were measured on June 5, 2017. The average measured discharge of the Cow Camp Spring was 1.2 gallons per minute and the Getaway Spring produced an average outflow of 10.7 gallons per minute. Mr. Shellhorn indicated that the Getaway Spring has provided water for the past 30 years for three rental cabins on Lots 1 and 2 and that there is a existing pipeline and storage tank. He also notes that the Cow Camp Spring does not currently have a pipeline system in place to supply the cabin on Lot 1. Since a gravity flow system would not be available due to topography, he recommends that the spring outlet be piped to a water tank of at least 500 gallon capacity so that a pressurized system could be developed to supply a single household. Based on the data collected, Mr. Shellhorn indicated that the proposed supply would be adequate to sustain a domestic supply for both lots.

Should the flow rates of the springs continue to be similar to the measured flow rates, with sufficient storage the supply would be adequate for the weekend getaway type use of the cabins described in the referral materials. Water for the other decreed uses may not be available in dry years due to reduction in spring flows. Please note that the long term adequacy of any spring fed source may be subject to fluctuation due to hydrological and climatic trends."

COMPLIANCE WITH APPLICABLE SECTIONS OF THE *GUNNISON COUNTY LAND USE RESOLUTION:*

Section 9-508: Keeping of Livestock not on an Agricultural Operation.
The applicant proposes to allow livestock on the property.

Section 10-102: *Locational Standards for Residential Development.*
The request does not meet the primary residential density standard. The proposed subdivision is not located within a municipal three-mile area.

Section 10-103: *Residential Density.*
No change to the residential density, as the residences are existing. Parcel sizes are compatible with existing residential development in the neighborhood and will result in no significant net adverse impacts to the neighborhood.

Section 11-103: *Development in Areas Subject to Flood Hazards*.
The property contains a narrow floodplain on Big Cimarron Creek, according to County mapping. No impact to existing development.

Section 11-104: *Development in Areas Subject to Geologic Hazards*.
The property is not within a geologic hazard area, according to County mapping.

Section 11-105: *Development in Areas Subject to Wildfire Hazards.*
The property is in a low wildfire hazard area, according to County mapping.

Section 11-106: *Protection of Wildlife Habitat Areas.*
The property is not within Sage-grouse habitat. No additional impacts to wildlife, as the residences are existing.

Section 11-107: *Protection of Water Quality*.
No impact from existing residential uses.

Section 11-108: ***Standards for Development on Ridgelines.***
The property is not located on a ridgeline.

Section 11-109: ***Development that Affects Agricultural Lands.***
There are agricultural lands in the immediate area.

Section 11-110: ***Development of Land beyond Snowplowed Access*****.**
The property is a seasonal use.

Section 11-111: ***Development on Inholdings in the National Wilderness.***
Not applicable, the site is not located on a National Wilderness inholding.

Section 11-112: ***Development on Property above Timberline.***
Not applicable, the site is not located above timberline.

Section 12-103: ***Road System***.
The proposed lots and existing cabins are accessed by existing driveways from Hampton Road. No comments were received from the County Public Works Department.

Section 12-104: ***Public Trails***.
There is no public trail existing or proposed.

Section 12-105: ***Water Supply*****.**
The water supply for the parcels are supplied by existing decreed springs. Comments from Megan Sullivan, Water Resources Engineer, Colorado Division of Water Resources, note that the subdivision can be legally and physically served by the proposed water supply.

Section 12-106: ***Sewage Disposal/Wastewater Treatment.***
Existing pit privies on each lot provide for wastewater treatment.

Section 12-107: ***Fire Protection*****.**
The property is within the Gunnison County Fire Protection District. No comments were received from the District.

Section 13-103: ***General Site Plan Standards and Lot Measurements.***
The site plan for the subdivision complies with the standards of this Section.

Section 13-104: ***Setbacks from Property Lines and Road Rights-of-Way.***
The building envelopes meet the setback requirements.

Section 13-105: ***Residential Building Sizes and Lot Coverages.***
Minimum lot size complies with OWTS regulations. Building sizes are required to comply with the required maximum square footages at time of building permit application.

Section 13-106: ***Energy and Resource Conservation.***
All structures to be constructed within the development will be subject to the standards of this Section at the time of building permit application.

Section 13-107: ***Installation of Solid Fuel-Burning Devices***
Installation of solid fuel-burning devices is subject to the standards of this Section at the time of building permit application.

Section 13-108: ***Open Space and Recreation Areas***
Not applicable. Open space dedication is not required for minor impact projects.

Section 13-109: ***Signs.***
There are no signs proposed as part of the submitted application.

Section 13-110: ***Off-Road Parking and Loading.***
A minimum of two parking spaces is required for each single-family residence.

Section 13-111: ***Landscaping and Buffering.***
Landscaping is not required for minor impact projects.

Section 13-112: ***Snow storage.***
Adequate area is available for snow storage on each lot.

Section 13-113: ***Fencing***
All new fencing shall comply with this Section.

Section 13-114: ***Exterior Lighting.***
All new structures are required to comply with this section.

Section 13-115: ***Reclamation and Noxious Weed Control.***
A reclamation permit is required for driveway construction, home site clearing and berm construction.

Section 13-116: ***Grading and Erosion Control.***
Grading activities are required to secure a Reclamation Permit from the Public Works Department, pursuant to Section 13-115: *Reclamation and Noxious Weed Control*.

Section 13-117: ***Drainage, Construction and Post-Construction Stormwater Runoff.***
Construction activities are required to secure a Reclamation Permit from the Public Works Department.

Section 13-118: ***Water Impoundments.***
Not applicable, this project does not propose a water impoundment.

Section 13-119: Standards to Ensure Compatible Uses.
The development is compatible with the existing residential and agricultural neighborhood.

Section 15-103: ***Right-to-Ranch Policy.***
This Section is applicable to all land use change permits.

FINDINGS:
The Commission finds that:

1. The Planning Commission has classified the application as a Minor Impact Project, based upon the impact classification found in *Section 6-102: Projects Classified as Minor Impact Projects A. 2-4 Units*.

2. The land use change complies with all applicable requirements of the *Gunnison County Land Use Resolution* and *Section 6-10: Standards of Approval for Minor Impact Projects*.

3. The Commission finds that the proposed residential subdivision is compatible with existing development in the neighborhood and will result in no significant net adverse impacts to the neighborhood.

4. This review and decision incorporates, but is not limited to, all the documentation submitted to the County and included within the Planning Office file relative to this application; including all exhibits, references and documents as included therein.

RECOMMENDATION:
The Gunnison County Planning Commission, having considered the submitted plans, exhibits, and public testimony, has reached the above Findings and recommends to the Board of County Commissioners that LUC No. 2016-00040 Free Subdivision, be approved with the following conditions:

1. This permit is limited to activities described within the "Project Summary" of this application, and as depicted on the Site Plan submitted as part of this application. Expansion or change of this use will require either an application for amendment of this permit, or submittal of an application for a new permit, in compliance with applicable requirements of the *Gunnison County Land Use Resolution*.

2. A mylar subdivision plat, in compliance with Section 6-105, *Gunnison County Land Use Resolution*, shall be provided to the Community Development Department, for signature by the Board of County Commissioners. Approval shall not be effective until and unless the plat is recorded with the Office of the Gunnison County Clerk and Recorder.

3. The approval shall be memorialized by Board Resolution. Approval shall not be effective until the Resolution is recorded with the Office of the Gunnison County Clerk and Recorder.

4. This permit may be revoked or suspended if Gunnison County determines that any material fact set forth herein or represented by the applicant was false or misleading, or that the applicant failed to disclose facts necessary to make any such fact not misleading.

5. The removal or material alteration of any physical feature of the property (geological, topographical or vegetative) relied on herein to mitigate a possible conflict shall require a new or amended land use change permit.

6. Approval of this use is based upon the facts presented and implies no approval of similar use in the same or different location and/or with different impacts on the environment and community. Any such future application shall be reviewed and evaluated, subject to its compliance with current regulations, and its impact to the County.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY
RESOLUTION NO. 18 -___

A RESOLUTION APPROVING LAND USE CHANGE PERMIT NO. LUC-2016-00040
A LAND USE CHANGE PERMIT FOR JIM FREE
BEING SITUATED IN U.S. GOVERNMENT LOTS 9, 10, 15 & 16, SECTION 5, TOWNSHIP 46 NORTH, RANGE 6 WEST, N.M.P.M.
FREE SUBDIVISION

WHEREAS, Jim Free, submitted a land use change application for the subdivision of 32.428-acres into two single-family lots: Lot 1, 5.898-acres (with existing cabin) and Lot 2, 26.53-acres (with three existing cabins) to settle a family estate. Existing access is from Hampton Road, via County #858 (Big Cimarron Road). No covenants are proposed, and no changes to the existing developed property is contemplated. The existing cabins date back to the early/mid 20th century. The 32-acre legal parcel was created as a remainder tract, during the subdivision of Silverjack Subdivision, in 1973; and

WHEREAS, after a review of the information, documentation and public testimony related to it, the Gunnison County Planning Commission did, after a joint public hearing on September 15, 2017 unanimously approve a Recommendation to the Board of County Commissioners, to approve the Free Subdivision, LUC-16-00040 with certain Findings and Conditions:

FINDINGS:

1. The Planning Commission has classified the application as a Minor Impact Project, based upon the impact classification found in *Section 6-102: Projects Classified as Minor Impact Projects A. 2-4 Units*.

2. The land use change complies with all applicable requirements of the *Gunnison County Land Use Resolution* and *Section 6-10: Standards of Approval for Minor Impact Projects*.

3. The Commission finds that the proposed residential subdivision is compatible with existing development in the neighborhood and will result in no significant net adverse impacts to the neighborhood.

4. This review and decision incorporates, but is not limited to, all the documentation submitted to the County and included within the Planning Office file relative to this application; including all exhibits, references and documents as included therein.

CONDITIONS:

1. This permit is limited to activities described within the "Project Summary" of this application, and as depicted on the Site Plan submitted as part of this application. Expansion or change of this use will require either an application for amendment of this permit, or submittal of an application for a new permit, in compliance with applicable requirements of the *Gunnison County Land Use Resolution*.

2. A mylar subdivision plat, in compliance with Section 6-105, *Gunnison County Land Use Resolution*, shall be provided to the Community Development Department, for signature by

the Board of County Commissioners. Approval shall not be effective until and unless the plat is recorded with the Office of the Gunnison County Clerk and Recorder.

3. The approval shall be memorialized by Board Resolution. Approval shall not be effective until the Resolution is recorded with the Office of the Gunnison County Clerk and Recorder.

4. This permit may be revoked or suspended if Gunnison County determines that any material fact set forth herein or represented by the applicant was false or misleading, or that the applicant failed to disclose facts necessary to make any such fact not misleading.

5. The removal or material alteration of any physical feature of the property (geological, topographical or vegetative) relied on herein to mitigate a possible conflict shall require a new or amended land use change permit.

6. Approval of this use is based upon the facts presented and implies no approval of similar use in the same or different location and/or with different impacts on the environment and community. Any such future application shall be reviewed and evaluated, subject to its compliance with current regulations, and its impact to the County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado, that Land Use Change Permit No. 2016-00040, Free Subdivision, is approved as a Minor Impact Project, subject to each and all conditions of the Planning Commission Recommendation, as identified above.

THIS APPROVAL is effected noting that decision documentation includes, but is not limited to, the application and the entire Community Development Department Land Use Change Permit application file relative to this application. This approval is founded on each individual finding and requirement. Should the applicant successfully challenge any such finding or requirement, this approval is null and void.

THIS RESOLUTION AND THE APPROVAL GRANTED HEREBY shall not be effective unless and until a copy is recorded in the Office of the Clerk and Recorder of Gunnison County.

INTRODUCED by Commissioner _____, seconded by Commissioner _____, and passed on this 16th day of January, 2018.

BOARD OF COUNTY COMMISSIONERS

_____	_____	_____
Phil Chamberland, Chairperson	Jonathan Houck, Commissioner	John Messner, Commissioner

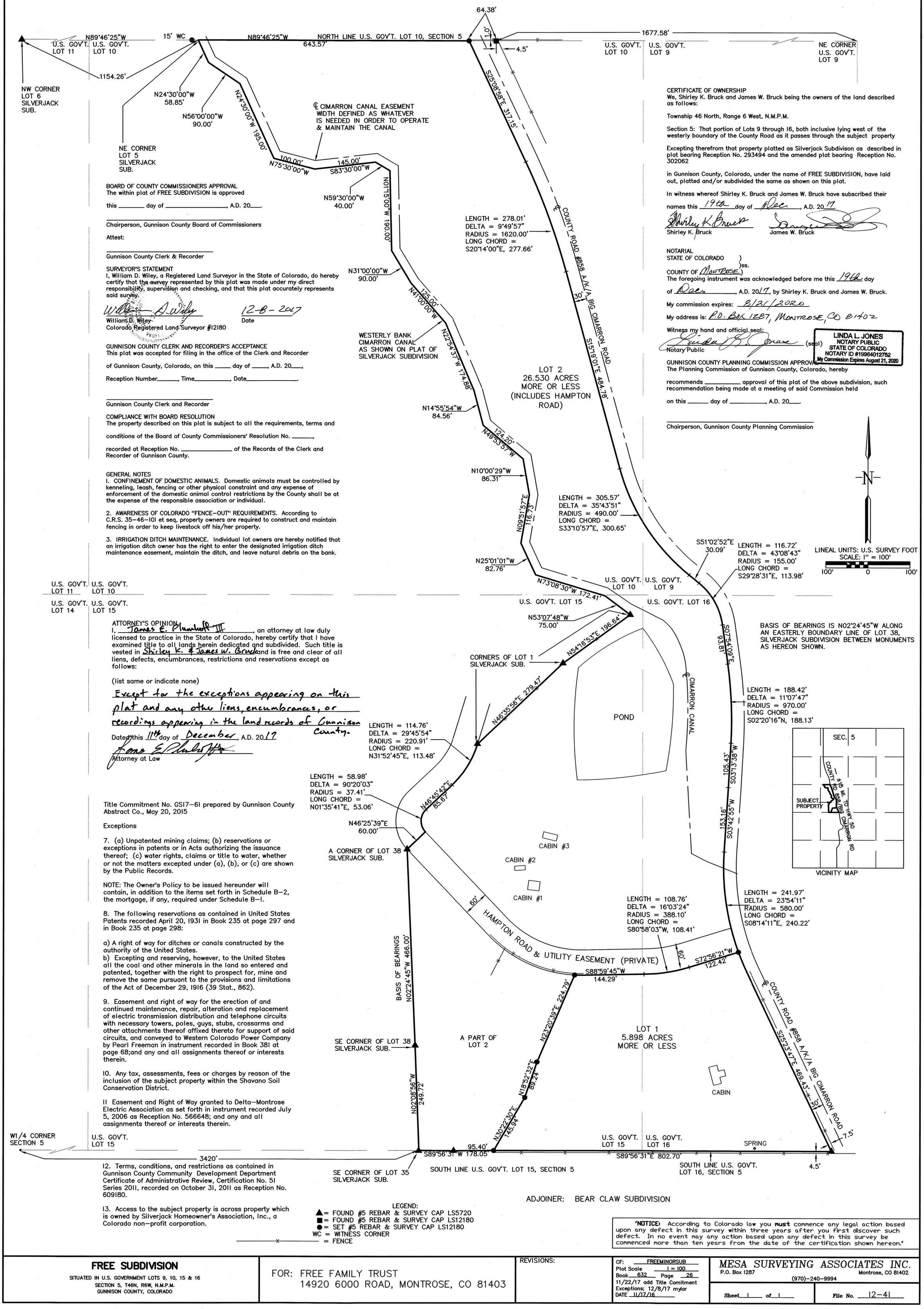
ATTEST:

_____

Gunnison County Clerk and Recorder

FREE SUBDIVISION

SITUATED IN U.S. GOVERNMENT LOTS 9, 10, 15 & 16
SECTION 5, T46N, R6W, N.M.P.M.
GUNNISON COUNTY, COLORADO



BOARD OF COUNTY COMMISSIONERS APPROVAL
The within plat of FREE SUBDIVISION is approved

this _____ day of _____, A.D. 20___.

_____
Chairperson, Gunnison County Board of Commissioners

Attest:

_____
Gunnison County Clerk & Recorder

SURVEYOR'S STATEMENT
I, William D. Wiley, a Registered Land Surveyor in the State of Colorado, do hereby certify that the survey represented by this plat was made under my direct responsibility, supervision and checking, and that this plat accurately represents said survey.

William D. Wiley — 12-8-2017
William D. Wiley — Date
Colorado Registered Land Surveyor #12180

GUNNISON COUNTY CLERK AND RECORDER'S ACCEPTANCE
This plat was accepted for filing in the office of the Clerk and Recorder

of Gunnison County, Colorado, on this _____ day of _____, A.D. 20___,

Reception Number_____, Time_____, Date_____.

_____
Gunnison County Clerk and Recorder

COMPLIANCE WITH BOARD RESOLUTION
The property described on this plat is subject to all the requirements, terms and

conditions of the Board of County Commissioners' Resolution No. _____,

recorded at Reception No. _____ of the Records of the Clerk and Recorder of Gunnison County.

GENERAL NOTES
1. CONFINEMENT OF DOMESTIC ANIMALS. Domestic animals must be controlled by kenneling, leash, fencing or other physical constraint and any expense of enforcement of the domestic animal control restrictions by the County shall be at the expense of the responsible association or individual.

2. AWARENESS OF COLORADO "FENCE–OUT" REQUIREMENTS. According to C.R.S. 35–46–101 et seq, property owners are required to construct and maintain fencing in order to keep livestock off his/her property.

3. IRRIGATION DITCH MAINTENANCE. Individual lot owners are hereby notified that an irrigation ditch owner has the right to enter the designated irrigation ditch maintenance easement, maintain the ditch, and leave natural debris on the bank.

ATTORNEY'S OPINION
I, James E. Plumhoff III, an attorney at law duly licensed to practice in the State of Colorado, hereby certify that I have examined title to all lands herein dedicated and subdivided. Such title is vested in Shirley K. & James W. Bruck and is free and clear of all liens, defects, encumbrances, restrictions and reservations except as follows:

(list same or indicate none)

Except for the exceptions appearing on this plat and any other liens, encumbrances, or recordings appearing in the land records of Gunnison County.

Dated this 11th day of December, A.D. 2017.

James E. Plumhoff III
Attorney at Law

Title Commitment No. GS17–61 prepared by Gunnison County Abstract Co., May 20, 2015

Exceptions

7. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.

NOTE: The Owner's Policy to be issued hereunder will contain, in addition to the items set forth in Schedule B–2, the mortgage, if any, required under Schedule B–1.

8. The following reservations as contained in United States Patents recorded April 20, 1931 in Book 235 at page 297 and in Book 235 at page 298:

a) A right of way for ditches or canals constructed by the authority of the United States.
b) Excepting and reserving, however, to the United States all the coal and other minerals in the land so entered and patented, together with the right to prospect for, mine and remove the same pursuant to the provisions and limitations of the Act of December 29, 1916 (39 Stat., 862).

9. Easement and right of way for the erection of and continued maintenance, repair, alteration and replacement of electric transmission distribution and telephone circuits with necessary towers, poles, guys, stubs, crossarms and other attachments thereof affixed thereto for support of said circuits, and conveyed to Western Colorado Power Company by Pearl Freeman in instrument recorded in Book 381 at page 68;and any and all assignments thereof or interests therein.

10. Any tax, assessments, fees or charges by reason of the inclusion of the subject property within the Shavano Soil Conservation District.

11 Easement and Right of Way granted to Delta–Montrose Electric Association as set forth in instrument recorded July 5, 2006 as Reception No. 566648; and any and all assignments thereof or interests therein.

12. Terms, conditions, and restrictions as contained in Gunnison County Community Development Department Certificate of Administrative Review, Certification No. 51 Series 2011, recorded on October 31, 2011 as Reception No. 609180.

13. Access to the subject property is across property which is owned by Silverjack Homeowner's Association, Inc., a Colorado non–profit corporation.

LEGEND:
▲ = FOUND #5 REBAR & SURVEY CAP LS5720
■ = FOUND #5 REBAR & SURVEY CAP LS12180
● = SET #5 REBAR & SURVEY CAP LS12180
WC = WITNESS CORNER
—x— = FENCE

CERTIFICATE OF OWNERSHIP
We, Shirley K. Bruck and James W. Bruck being the owners of the land described as follows:

Township 46 North, Range 6 West, N.M.P.M.

Section 5: That portion of Lots 9 through 16, both inclusive lying west of the westerly boundary of the County Road as it passes through the subject property

Excepting therefrom that property platted as Silverjack Subdivison as described in plat bearing Reception No. 293494 and the amended plat bearing Reception No. 302062

in Gunnison County, Colorado, under the name of FREE SUBDIVISION, have laid out, platted and/or subdivided the same as shown on this plat.

In witness whereof Shirley K. Bruck and James W. Bruck have subscribed their names this 19th day of Dec, A.D. 2017.

Shirley K. Bruck — James W. Bruck

NOTARIAL
STATE OF COLORADO)
)ss.
COUNTY OF MONTROSE)
The foregoing instrument was acknowledged before me this 19th day of Dec, A.D. 2017, by Shirley K. Bruck and James W. Bruck.
My commission expires: 8/21/2020
My address is: P.O. Box 1287, Montrose, CO 81402
Witness my hand and official seal:
_____ (seal)
Notary Public

LINDA L. JONES
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #19964012752
My Commission Expires August 21, 2020

GUNNISON COUNTY PLANNING COMMISSION APPROVAL
The Planning Commission of Gunnison County, Colorado, hereby

recommends _____ approval of this plat of the above subdivision, such recommendation being made at a meeting of said Commission held

on this _____ day of _____, A.D. 20___.

_____
Chairperson, Gunnison County Planning Commission

BASIS OF BEARINGS IS N02°24'45"W ALONG AN EASTERLY BOUNDARY LINE OF LOT 38, SILVERJACK SUBDIVISION BETWEEN MONUMENTS AS HEREON SHOWN.

'NOTICE: According to Colorado law you **must** commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.'

FREE SUBDIVISION SITUATED IN U.S. GOVERNMENT LOTS 9, 10, 15 & 16 SECTION 5, T46N, R6W, N.M.P.M. GUNNISON COUNTY, COLORADO	FOR: FREE FAMILY TRUST 14920 6000 ROAD, MONTROSE, CO 81403	REVISIONS:	CF: FREEMINORSUB Plot Scale 1 = 100 Book 632 Page 26 11/22/17 add Title Comitment Exceptions; 12/8/17 mylar DATE 11/17/16	MESA SURVEYING ASSOCIATES INC. P.O. Box 1287 Montrose, CO 81402 (970)–240–9994 Sheet 1 of 1 — File No. 12–41