



**AGENDA
HAYDEN PLANNING COMMISSION**

**THURSDAY, MAY 26, 2016
7:00 P.M.**

HAYDEN TOWN HALL – 178 WEST JEFFERSON AVENUE

REGULAR MEETING

- 1. CALL TO ORDER, MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL**
- 3. CONSIDERATION OF MINUTES**
 - a. Decision: January 28, 2015
- 4. PUBLIC COMMENTS**
- 5. OLD BUSINESS**
- 6. NEW BUSINESS**
 - a. Staff Report: McCarty 2nd Annexation and Zoning
 - b. Public Hearing: McCarty 2nd Annexation and Zoning
 - c. Decision: McCarty 2nd Annexation and Zoning Recommendation
- 7. STAFF AND COMMISSION MEMBER REPORTS**
- 8. ADJOURNMENT**

NOTICE: Agenda is subject to change. If you require special assistance in order to attend any of the Town's public meetings or events, please notify the Town of Hayden at (970) 276-3741 at least 48 hours in advance of the scheduled event so the necessary arrangements can be made.

The regular meeting of the Hayden Planning Commission was called to order by Chair Angie Robinson at 7:01 p.m. Other members present were Donna Hellyer, Ashley McMurray, and Amy Williams. Town Manager, David Torgler, Town Clerk, Sharon Johnson, and Greg Thompson, Planner were also in attendance.

Moment of Silence and Pledge of Allegiance **Chair Robinson** asked for a moment of silence and led the Pledge of Allegiance.

Consideration of Minutes **Amy Williams** moved to approve the minutes for the regular meeting held on October 29, 2015 as written. **Donna Hellyer** seconded. **Voice vote. Hellyer aye, McMurray aye, Williams aye, Robinson aye. Motion carried.**

Public Comments **None.**

Old Business **None.**

New Business

Decision: X-West Minor Subdivision **Greg** introduced the Staff Report to the Planning Commission. The applicant, X-West, is interested in obtaining approval for a 4.13 acre single-lot subdivision which would include the existing single-family residence on the property. Based on the observation and findings of compliance with the Town Codes, Planning Commission made the following findings regarding the proposed one-lot minor subdivision 1. The proposed minor subdivision is in accord with the Code and Comprehensive Plan. **Williams** moved to approve the proposed minor subdivision and recommend approval to the Town Council as shown on the subdivision plat. **McMurray** seconded. **Voice vote. Hellyer aye, McMurray aye, Williams aye, and Robinson aye. Motion carried.**

Staff and Commission Member Reports

Adjournment **Chair Robinson** adjourned the meeting at 7:15 p.m.

Recorded by:

Sharon Johnson, Town Clerk

APPROVED THIS 26th DAY OF MAY, 2016.

Angie Robinson, Chair
Draft minutes subject to editing and approval before becoming official record.



Town of Hayden

Planning Commission

Staff Report

Project: McCarty's 2nd Annexation to the Town of Hayden

Address: 385 W Jackson Avenue

Applicant: Mr. Terry McCarty

Prepared by: Ross Culbertson, Hayden Consulting Planner

Hearing Date: May 26, 2016

Background

The applicant has submitted an annexation request for 0.76 acres of land currently unincorporated and surrounded by the Town of Hayden. The property is located on the east side of South 1st Street, approximately 475 feet north of South Poplar Street. The applicant wishes to annex the property into the Town of Hayden to receive access to the Town's water and sanitary sewer services in anticipation of future development of a single family dwelling unit. In conjunction with the annexation application, the applicant is requesting the property be placed in the Residential Low Density (RLD) zoning district to comply with zoning regulations.

The McCarty's were granted incorporation of 0.94 acres of land into the Town of Hayden with a prior 2012 annexation request which was codified by Ordinance No. 651. The 0.94 acre request was located east of the current subject property, having frontage on West Jackson Avenue and South Poplar Street and was granted an RLD zoning district classification with Ordinance No. 652.

At their regular meeting of May 5, 2016, the Town Council determined the 2016 Petition for Annexation regarding the subject property was in "substantial compliance" with the State Statues. With the findings, the Town Council began the review and decision-making process for annexation and now seeks input from the Planning Commission with a forwarding recommendation.

Staff Analysis

Annexation

The proposed 2nd McCarty Annexation request for 0.76 acres is to incorporate an enclave piece of land which is surrounded by adjacent properties already served with public utilities, fire and police protection, and snow plowing services from the Town of Hayden; in addition to being incorporated

within the Town's school district. The subject property is generally depicted by the "Annexation Map" which shows a rectangular shaped property boundary that has frontage on South 1st Street. The land is vacant and contains a small wooden shed/barn that will be removed at the time of development. The land also contains a small portion of Shelton Ditch located at the northwest corner of the property which does not limit the owner's developable area. Utility services are located within South 1st Street and loop north and east of the subject site to connecting lines within the West Jackson Avenue right-of-way. Should the owners wish to subdivide the property from one contiguous lot into two lots for placement of more than one dwelling unit on the property, the Town would require street improvements meeting minimum lot frontage requirements by either extending South 1st Street to West Washington Avenue or connecting West Jackson Avenue to West Washington Avenue.

The annexation request meets all determining provisions within the Three-Mile Boundary Plan and the Comprehensive Plan and has been found to meet the contiguity regulations per the Colorado State Statutes. Approval of the annexation request would rectify and enclose the Hayden Town Limits around the "donut-hole" remainder of unincorporated land which for all practical purposes would be better served as added property within the Town's boundary.

Zoning

The applicant requests the property be zoned to a Residential Low Density (RLD) zoning district to be compatible with adjacent land uses and with similarly zoned adjacent property owned by the applicant. The RLD district's intent is to *build a transitional residential area of single family units on single lots with a mixture of lot sizes and building types*. Annexation requests require the applicant to bring the property into full compliance with town ordinances which includes correctly zoning the property for anticipated development. The surrounding land uses and corresponding zoning districts to the subject property include:

North: Property to the north is zoned Open District (O) and is owned by the Town of Hayden as future parcel area for Washington Avenue. The property is vacant.

South: Property to the south is zoned Open District (O) and contains a mobile home used for residential purposes.

East: Property to the east is zoned Residential Low Density (RLD) and is comprised of four parcels of land owned by the applicant having separate single family structures used for residential purposes.

West: Property to the west is zoned Residential Low Density (RLD) and contains the right-of-way for 1st Street with adjacent single family lots used for residential purposes.

Comprehensive Plan

Pursuant to the Future Land Use Map within the 2007 Amendment to the Hayden Comprehensive Plan, the subject property is designated as a Medium Density Residential (MDR) land use category. The MDR category is intended to support a higher range of residential density of six to eight units per acre which may include duplexes, townhomes and multi-family units. Since the adoption of the 2007 Comprehensive Plan Amendments, the surrounding land uses and residential neighborhood context have not developed or redeveloped to the level of intensity outlined by the Future Land Use Map. It is reasonable to suggest the continuation of a Low Density Residential (LDR) pattern for the subject

property and for properties between 1st Street and South Poplar Street until such time market forces precipitate the need for higher density at this location. The annexation's zoning request is consistent with adjacent land uses in maintaining a low density residential pattern.

Compliance with Review Criteria

Annexation

Review requirements for an annexation application are found in Title 16, Article 13 of the Hayden Town Code. The subject property and application must follow the Annexation process outlined by the Town of Hayden and with Colorado Revised Statutes (C.R.S.) The applicant has provided staff the necessary documents to file the Petition for Annexation (per 16.13.070), the Annexation Agreement (per 16.13.080), the Annexation Map (per 16.13.090), and the Annexation Concept Plan Map (per 16.13.100).

Public Hearing Notice requirements for annexations are found in 16.01.170 and 16.13.060. The subject property and application must follow the Annexation process outlined by the Town of Hayden and with Colorado Revised Statutes (C.R.S.) for hearings, publications, mailed notices and sign postings as required. The applicant has coordinated with Planning Staff and the Town Clerk to meet all public hearing notice requirements.

Zoning

Review requirements for zoning applications of annexed territory are found in Title 16, Article 13.010.D of the Hayden Town Code. The listed zoning criteria states:

1. *Zoning of land during annexation may be done in accordance with the procedures and notice requirements of this Article. The proposed zoning ordinance shall not be passed before the date when the annexation ordinance is passed.*
2. *Any area annexed shall be brought under the provision of this Article and the map thereunder within ninety (90) days from the effective date of the annexation ordinance, despite any legal review that may be made challenging the annexation. During such ninety-day period, or such portion thereof as is required to zone the territory, the Town shall not issue a building permit for any portion, or all of, the newly annexed areas.*
3. *Unless zoned otherwise by action of the Council in compliance with this Code or provided otherwise on the Hayden Zoning Map in effect on October 6, 2005, all annexed property shall be considered zoned O-Open.*

The applicant's requested zoning to a Residential Low Density District (RLD) has been initiated within the proper annexation sequence, is compatible with surrounding properties, and is consistent with the goals and objectives of the Hayden Comprehensive Plan.

Referral Agency and Department Comments

The proposed annexation request was referred to the following agencies for a development review:

1. Planning Consultants – planning review of annexation and zoning application (including exhibits) are complete.
2. Public Works Department (incl. Water & Sewer) – review of annexation and zoning application are complete. Town services can be provided to the property.

3. Building Inspections Consultants – review of annexation and zoning application are complete. A more thorough review will be made at the time of platting or with future residential building permits.
4. Fire District - review of annexation and zoning application are complete.
5. Engineering Consultants - review of annexation and zoning application are complete. A more thorough review will be made at the time of platting or with future residential building permits.

Public Input

Annexation

As required by the Town Code, a notice was sent to property owners within 150 feet of the property, a sign was posted on the property and a public notice was placed in the newspaper regarding the annexation request to run for five consecutive weeks prior to the upcoming Town Council public hearing on June 16, 2016. No comments or concerns regarding the annexation request have been received by Planning Staff or the Town Clerk to date.

Zoning

As required by the Town Code, a notice was sent to property owners within 150 feet of the property, a sign was posted on the property and a public notice was placed in the newspaper at least 15 days prior to this Planning Commission public hearing date. No comments or concerns regarding the annexation's zoning request to an RLD district have been received by Planning Staff or the Town Clerk to date.

Staff Recommendation

Based on the above observations and findings of compliance with the Hayden Town Codes, staff recommends:

Approval of the annexation request as submitted.

Approval of the annexation's zoning request for a Residential Low Density (RLD) district as submitted.

Planning Commission Recommending Options

The Planning Commission may choose to:

1. Recommend to the Town Council approval as submitted.
2. Recommend to the Town Council approval subject to conditions.
3. Recommend to the Town Council project denial.
4. Table the item.
- 5.

Attachments

Annexation Map

Annexation Concept Plan

Zoning Map

Resolution 2016-14 & Annexation Petition

RESOLUTION 2016 - 14

**A RESOLUTION OF THE TOWN COUNCIL FOR HAYDEN, COLORADO
FINDING SUBSTANTIAL COMPLIANCE WITH THE STATUTORY
COMPLIANCE FOR ANNEXATION AND INITIATING ANNEXATION
PROCEEDINGS FOR THE MCCARTY ANNEXATION**

RECITALS

1. A written petition, together with four (4) prints of an annexation map was filed with the Clerk for the Town of Hayden requesting the annexation of certain real property to be known as the McCarty Annexation; and
2. The Hayden Town Council desires to initiate annexation proceedings in accordance with law.

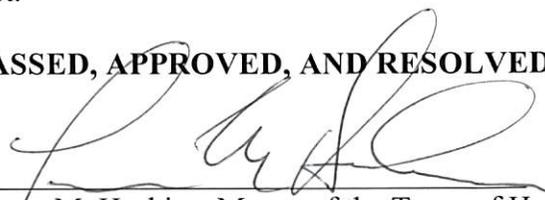
**NOW, THEREFORE BE IT RESOLVED BY THE HAYDEN TOWN COUNCIL
AS FOLLOWS:**

Section 1. That the Town Council hereby accepts the annexation petition for the McCarty Annexation, which real property is more particularly described in Exhibit B, attached hereto and incorporated herein by this reference (the "Property").

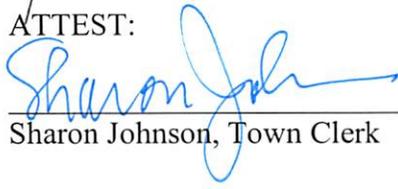
Section 2. That the Town Council hereby finds and determines that the Annexation Petition and accompanying Map, Exhibit A, are in substantial compliance with the Municipal Annexation Act at C.R.S. 31-12-101 et.seq. (the "Act").

Section 3. That the Notice attached hereto shall be adopted as part of this Resolution. Said Notice establishes the date, time and place when a public hearing will be held regarding the passage of an annexation ordinance pertaining to the Property. The Town Clerk is directed to publish a copy of this Resolution and said Notice as provided in the Act.

PASSED, APPROVED, AND RESOLVED THIS 5th DAY OF MAY, 2016.


James M. Haskins, Mayor of the Town of Hayden

ATTEST:


Sharon Johnson, Town Clerk



NOTICE

TO ALL INTERESTED PERSONS:

Please take notice that the Town Council for the Town of Hayden, a Colorado home rule town, has adopted a Resolution initiating annexation proceedings for the McCarty Annexation, said Annexation being more particularly described in the Annexation Petition and the Resolution, a copy of which precedes this Notice.

Further, that on June 16, 2016 at 7:30 p.m. or as soon thereafter that the matter can be heard in the Council Chambers of the Town Hall at 178 West Jefferson Ave., Hayden, CO 81639, the Hayden Town Council will hold a public hearing upon the annexation petition for purposes of finding and determining whether the property proposed to be annexed meets the applicable requirements of Colorado law and is considered eligible for annexation. At such hearing, any persons may appear and present such evidence as they may desire.

Dated the 5th day of May, 2016



Sharon Johnson, Town Clerk

McCarty Property
Petition for Annexation of unincorporated territory
in the County of Routt, State of Colorado
to the Town of Hayden, Colorado.

TO THE MAYOR AND THE TOWN COUNCIL OF HAYDEN, COLORADO:

The undersigned, in accordance with the Municipal Annexation Act of 1965, Part 1, Article 12, Title 31, Colorado Revised Statutes, as amended, hereby petition the Town Council of the Town of Hayden, Colorado, for the annexation of the following described unincorporated territory located in the County of Routt, State of Colorado, to-wit:

For legal description see Exhibit B, attached hereto and incorporated herein by reference.

In support of said petition, your Petitioner alleges:

1. It is desirable and necessary that the above-described unincorporated territory be annexed to the Town of Hayden, Colorado.
2. The requirements of Section 31-12-104, C.R.S., as amended, exist or have been met, to-wit:
 - a. Not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the Town of Hayden; calculations are detailed on Exhibit A: Annexation Map;
 - b. A community of interest exists between the area proposed to be annexed and the Town of Hayden;
 - c. Said area is agricultural and will be urbanized in the near future;
 - d. Said area is integrated with or is capable of being integrated with the Town of Hayden.
3. The requirements of Section 31-12-105, C.R.S. as amended, exist or have been met, to-wit:
 - a. In establishing the boundaries of the territory to be annexed, no land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, has been divided into separate parts or parcels without the written consent of the landowners;
 - b. In establishing the boundaries of the area proposed to be annexed, no land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate comprising 20 acres or more (which, together with the buildings and improvements situated thereon has a valuation for assessment in excess of two hundred thousand dollars for ad valorem tax purposes for the year next proceeding the annexation) has been included without the written consent of the landowners;
 - c. That no annexation proceedings have been commenced for the annexation of part or all of the subject property to another municipality;

1. The proposed acquisition would not have the effect of extending the financial boundary of the issuer beyond the boundaries of any one of its subsidiaries as of the date of the filing of the registration statement.

2. If a portion of the stated amount of the debt is to be included in the proposed acquisition, the portion of the debt to be included is identified in the following table:

3. The name and address of the issuer is as follows:

4. The name and address of the transferee is as follows:

5. The legal description of the property to be included is as follows:

6. The legal description of the property to be included is as follows:

7. The legal description of the property to be included is as follows:

8. The legal description of the property to be included is as follows:

9. The legal description of the property to be included is as follows:

10. The legal description of the property to be included is as follows:

11. The legal description of the property to be included is as follows:

12. The legal description of the property to be included is as follows:

13. The legal description of the property to be included is as follows:

14. The legal description of the property to be included is as follows:

15. The legal description of the property to be included is as follows:

16. The legal description of the property to be included is as follows:



By: _____
 Date: _____

Notary for Acquisition
 STATE OF COLORADO
 COUNTY OF KOUTI

The foregoing instrument was acknowledged before me on this _____ day of _____, 2015, by _____ and _____, Owners

All the instrument signed by _____

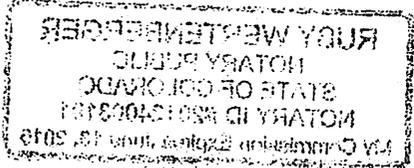
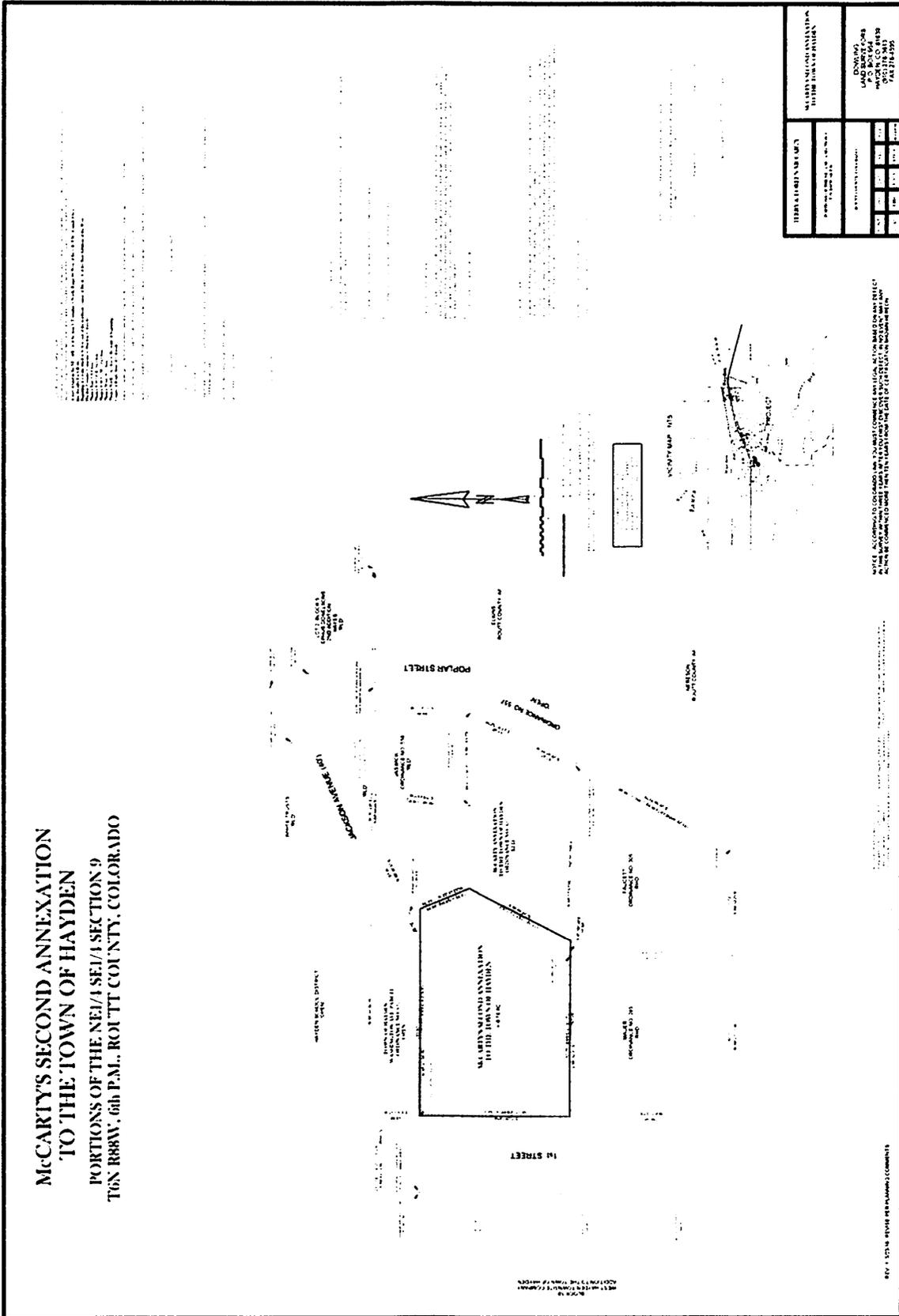


EXHIBIT A: ANNEXATION MAP



**MCCARTY'S SECOND ANNEXATION
TO THE TOWN OF HAYDEN**
PORTIONS OF THE NE1/4 SE1/4 SECTION 9
T6N R88W, 6th P.M., ROUTT COUNTY, COLORADO

TERRITORY		MCCARTY'S SECOND ANNEXATION TO THE TOWN OF HAYDEN	
Area	Population	Area	Population
1000	1000	1000	1000
2000	2000	2000	2000
3000	3000	3000	3000
4000	4000	4000	4000
5000	5000	5000	5000
6000	6000	6000	6000
7000	7000	7000	7000
8000	8000	8000	8000
9000	9000	9000	9000
10000	10000	10000	10000

THIS MAP IS A PRELIMINARY MAP AND IS NOT A GUARANTEE OF ACCURACY. THE TOWN OF HAYDEN IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. THE TOWN OF HAYDEN IS NOT RESPONSIBLE FOR ANY DAMAGES OR LOSSES ARISING FROM THE USE OF THIS MAP. THE TOWN OF HAYDEN IS NOT RESPONSIBLE FOR ANY DAMAGES OR LOSSES ARISING FROM THE USE OF THIS MAP.

BY: [Signature] DATE: [Date]

EXHIBIT B: LEGAL DESCRIPTION

DOWLING LAND SURVEYORS, LLC
P.O. BOX 954
HAYDEN, COLORADO 81639
(970) 276-3613
Fax (970) 276-4695
dowling@plotz.biz

McCarty's Second Annexation

LEGAL DESCRIPTION

A tract of land in the NE1/4SE1/4 of Section 9, Township 6 North, Range 88 West of the 6th P.M., bounded by a line described as follows:
Beginning at a point which is 80 feet east of the northeast corner of Block 18 of the First Addition of the West Hayden Townsite Company to Hayden, Colorado;
Thence East 218.8 feet;
Thence S 23°35' E, 54.5 feet;
Thence S 28°21' W, 124.0 feet;
Thence West 181.7 feet;
Thence North 154.0 feet to the point of beginning.
County of Routt, State of Colorado

EXHIBIT C: ADJOINING PROPERTY OWNERS LIST

Property Owners within 150 feet of the McCarty Annexation Request

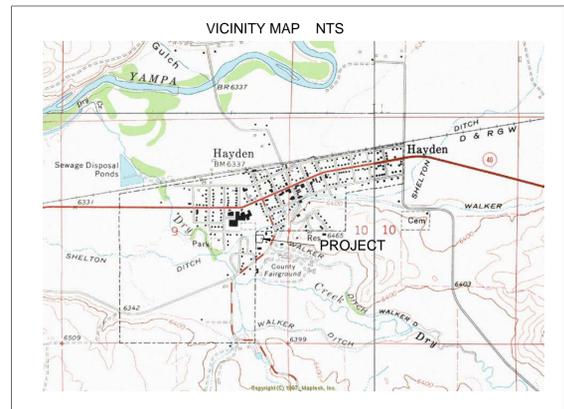
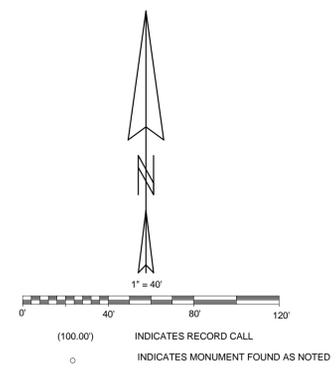
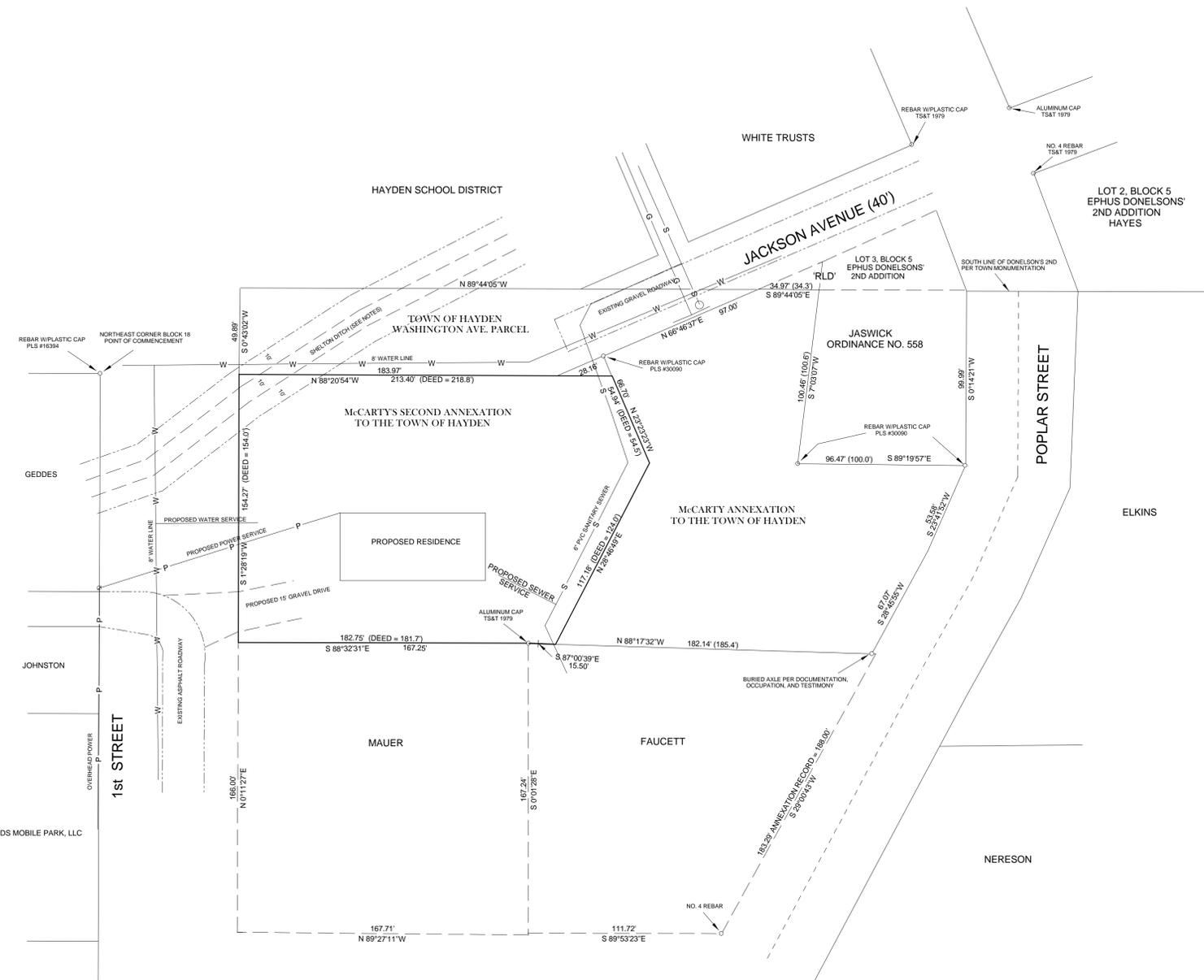
Owner Name	Owner Street 2	Owner City	Owner State	Owner Zip	Site Address
MC CARTY, TERRY H. & LOREEN M. (JT)	P O BOX 743	HAYDEN	CO	81639-0743	345 JACKSON Ave
Geddes, C Nicole	PO Box 231	HAYDEN	CO	81639-0231	
Mauer, Loita M	PO Box 123	HAYDEN	CO	81639-0123	
Johnston, Jeff K and Sylvia L	PO Box 52	HAYDEN	CO	81639-0052	
FAUCETT, DANIEL & KATHLEEN	P.O. BOX 952	HAYDEN	CO	81639-0952	335 S POPLAR ST
JAZWICK, LORETTA DIANNE	P O BOX 674	HAYDEN	CO	81639-0674	305 S POPLAR ST
Hayden School District	PO Box 70	HAYDEN	CO	81639-0070	

McCARTY'S SECOND ANNEXATION TO THE TOWN OF HAYDEN

CONCEPT PLAN

PORTIONS OF THE NE1/4 SE1/4 SECTION 9 T6N R88W, 6th P.M., ROUTT COUNTY, COLORADO

BLOCK 18
WEST HAYDEN TOWNSITE COMPANY
ADDITION TO THE TOWN OF HAYDEN



- NOTES:
- PER FEMA MAPPING THERE IS A NARROW BAND ALONG THE SHELTON DITCH THAT IS IN FLOOD ZONE A (NO BASE FLOOD ELEVATION), INTERPOLATED WIDTH.
 - SHOWN POWER SERVICE IS DEPICTED ONLY, AS YVEA WOULD MAKE THAT DETERMINATION.
 - IF NECESSARY NATURAL GAS COULD BE ACCESSED AT THE SHOWN EXISTING MAIN NORTHEAST OF THE SITE, ATMOS ENERGY WOULD MAKE THAT DETERMINATION.

REV. 1 4/16/16 DEFINE FEMA ZONE LINE, PER PLANNING

TERRY & LOREEN MCCARTY					McCARTY'S SECOND ANNEXATION TO THE TOWN OF HAYDEN CONCEPT PLAN
PORTIONS OF THE NE1/4 SE1/4 SECTION 9 T6N R88W, 6th P.M.					
ROUTT COUNTY, COLORADO					DOWLING LAND SURVEYORS P.O. BOX 954 HAYDEN, CO. 81639 (970) 276-3613 FAX 276-4595
SCALE	DWG	DATE	REV	FILE	
1" = 40'	GRD	3/23/16	4/16/16	MCCARTY	

NOTICE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED ON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT, IN NO EVENT MAY ANY ACTION BE COMMENCED MORE THEN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

McCARTY'S SECOND ANNEXATION TO THE TOWN OF HAYDEN

PORTIONS OF THE NE1/4 SE1/4 SECTION 9 T6N R88W, 6th P.M., ROUTT COUNTY, COLORADO

CERTIFICATE OF OWNERSHIP
KNOW ALL MEN BY THESE PRESENTS THAT THE TERRY H. McCARTY AND LOREEN M. McCARTY BEING THE OWNERS OF THE LANDS LOCATED IN SECTION 9, T6N R88W, 6th P.M., PRINCIPAL MERIDIAN BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
A tract of land in the NE1/4 SE1/4 of Section 9, Township 6 North, Range 88 West of the 6th P.M., bounded by a line described as follows:
Beginning at a point which is 80 feet east of the northeast corner of Block 18 of the First Addition of the West Hayden Township Company to Hayden, Colorado:
Thence East 218.8 feet;
Thence S 27°37' E, 143.5 feet;
Thence S 28°21' W, 124.0 feet;
Thence West 181.7 feet;
Thence North 154.0 feet to the point of beginning.
County of Routt, State of Colorado

Witness My Hand and Official Seal
DOES HERBY ANNEX TO THE TOWN OF HAYDEN THE ABOVE DESCRIBED PROPERTY.
IN WITNESS WHEREOF, THE SAID TERRY H. McCARTY AND LOREEN M. McCARTY HAVE CAUSED THEIR NAMES TO BE HEREUNTO SUBSCRIBED THIS ____ DAY OF _____, 2013.

TERRY H. McCARTY
LOREEN M. McCARTY

STATE OF COLORADO)
COUNTY OF ROUTT)
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 2013 BY TERRY H. McCARTY AND LOREEN M. McCARTY.

WITNESS MY HAND AND OFFICIAL SEAL
MY COMMISSION EXPIRES: _____

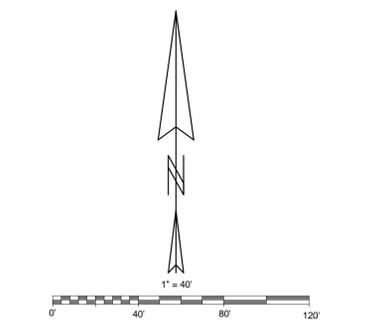
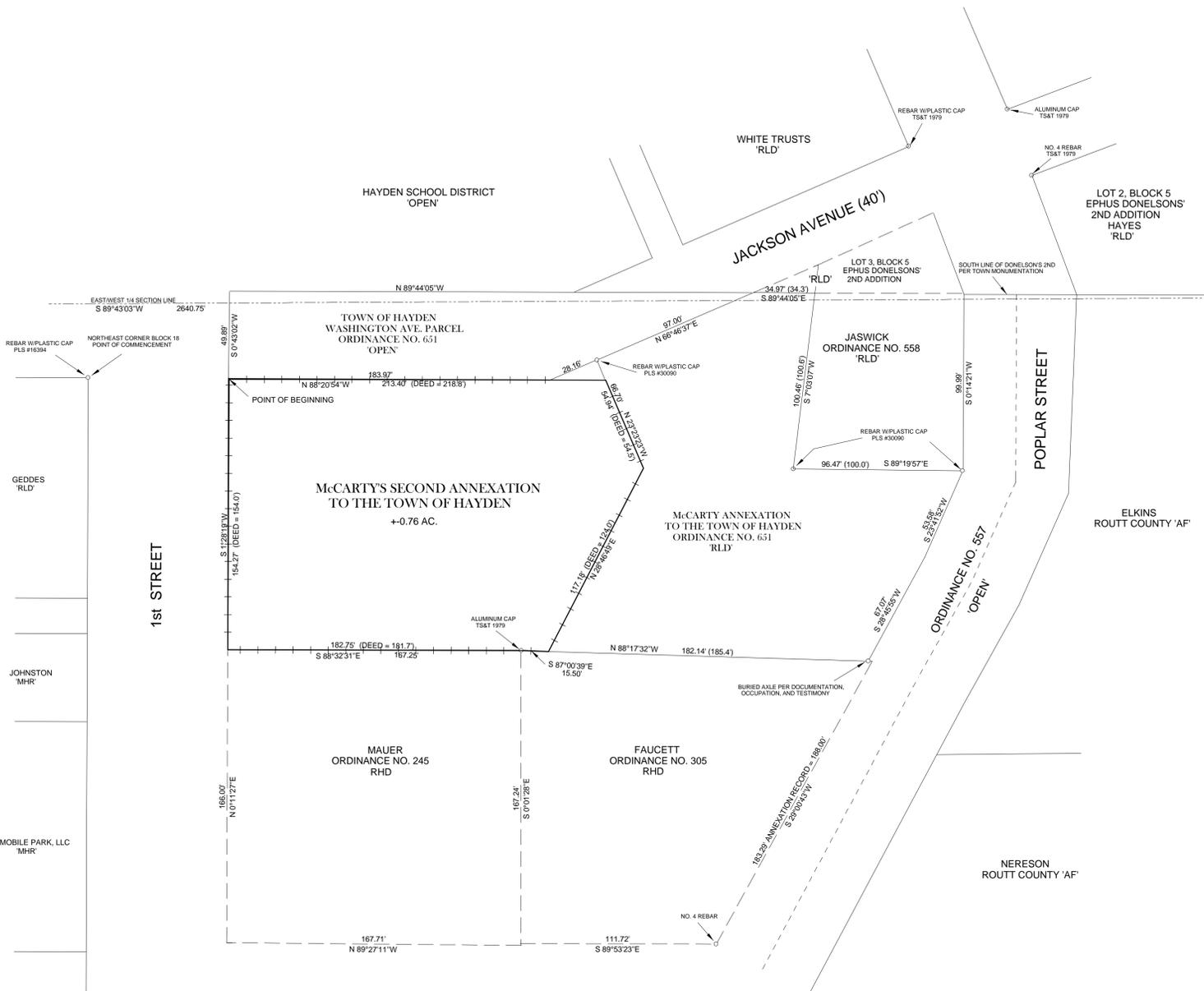
NOTARY PUBLIC

TOWN COUNCIL CERTIFICATE
THIS PLAT OF THE McCARTY ANNEXATION, IS APPROVED FOR FILING THIS ____ DAY OF _____, 2016, BY THE TOWN COUNCIL, HAYDEN, COLORADO.
BY: JAMES M. HASKINS, AS MAYOR OF THE TOWN OF HAYDEN
ATTEST: SHARON JOHNSON, AS TOWN OF HAYDEN CLERK

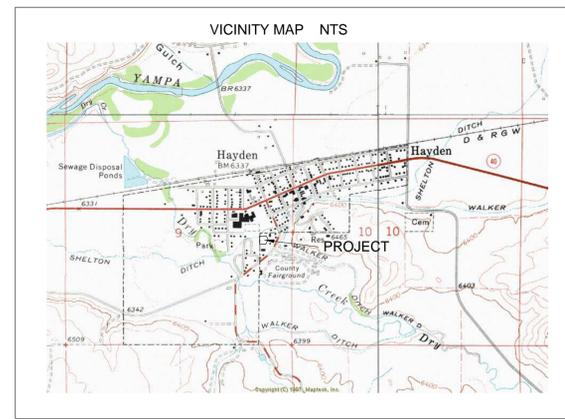
SURVEYOR'S CERTIFICATE
I, GORDON R. DOWLING, PLS #30090, A DULY REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT OF THE McCARTY ANNEXATION, WAS PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THIS PLAT HAS BEEN PREPARED IN COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF COLORADO AT THE TIME OF THIS SURVEY AND WITH MY CONTROL AND IS ACCURATE TO THE BEST OF MY KNOWLEDGE.
BY: GORDON R. DOWLING, PLS #30090

ATTORNEY'S OPINION
I, ALAN M. KEEFFE, BEING AN ATTORNEY-AT-LAW DULY LICENSED TO PRACTICE IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT I HAVE REVIEWED HERITAGE TITLE COMPANY COMMITMENT NO. _____ AND BASED EXCLUSIVELY UPON SAID DOCUMENTS, IT IS MY OPINION THAT TITLE TO ALL THE LANDS DESCRIBED THEREIN ARE VESTED IN THE OWNERS AS LISTED IN CERTIFICATE OF OWNERSHIP 'B' ABOVE, FREE AND CLEAR OF ALL LIENS, TAXES AND ENCUMBRANCES EXCEPT FOR THE LIEN OF GENERAL REAL PROPERTY TAXES AND THE STATED B-2 EXCEPTIONS AND THE DEEDS OF TRUST DESCRIBED IN THE STATED B-1 REQUIREMENTS, ALL AS CONTAINED WITHIN THE ABOVE-DESCRIBED TITLE COMMITMENTS.
ALAN M. KEEFFE, ATTORNEY-AT-LAW
EFFECTIVE THE ____ DAY OF _____, 2016.

ROUTT COUNTY CLERK AND RECORDERS' ACCEPTANCE
This Plat was accepted for filing in the Office of the Routt Clerk and Recorder on this ____ day of _____, 2016, A.D.
File No. _____ Reception No. _____ Time ____ m.
KIM BONNER, ROUTT COUNTY CLERK & RECORDER



STATEMENT OF CONTIGUITY TO THE TOWN OF HAYDEN
TOTAL PERIMETER = 722.54 FEET
REQUIRED CONTIGUITY = 120.42 FEET
ACTUAL CONTIGUITY = 693.11 FEET



NOTICE OF RESEARCH
Pursuant to C.R.S. § 38-51-106 (1) (b) (i), research regarding the Rights-of-Way and easements as shown hereon was obtained from Title Commitment dated _____, 2016, as prepared by HERITAGE TITLE COMPANY and not from the personal search of Gordon R. Dowling, a Professional Land Surveyor in the State of Colorado.

NOTICE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED ON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT, IN NO EVENT MAY ANY ACTION BE COMMENCED MORE THEN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

TERRY & LOREEN MCCARTY					McCARTY'S SECOND ANNEXATION TO THE TOWN OF HAYDEN
PORTIONS OF THE NE1/4 SE1/4 SECTION 9 T6N R88W, 6th P.M.					
ROUTT COUNTY, COLORADO					DOWLING LAND SURVEYORS P.O. BOX 954 HAYDEN, CO. 81639 (970) 276-3613 FAX 276-4595
SCALE	DWG	DATE	REV	FILE	
1" = 40'	GRD	3/16/16	3/23/16	SECURITIES	

ZONING AMENDMENT MAP

McCARTY'S SECOND ANNEXATION TO THE TOWN OF HAYDEN PORTIONS OF THE NE1/4 SE1/4 SECTION 9 T6N R88W, 6th P.M., ROUTT COUNTY, COLORADO

LEGAL DESCRIPTION
A tract of land in the NE1/4SE1/4 of Section 9, Township 6 North, Range 88 West of the 6th P.M., bounded by a line described as follows:
Beginning at a point which is 80 feet east of the northeast corner of Block 18 of the First Addition of the West Hayden Township Company to Hayden, Colorado;
Thence East 218.8 feet;
Thence S 23°3' E, 54.5 feet;
Thence S 28°21' W, 124.0 feet;
Thence West 181.7 feet;
Thence North 154.0 feet to the point of beginning.
County of Routt, State of Colorado

BOARD OF TRUSTEES CERTIFICATE

THIS ZONING AMENDMENT MAP IS APPROVED FOR FILING THIS ____ DAY OF _____, 2013,
BY THE TOWN COUNCIL, HAYDEN, COLORADO.

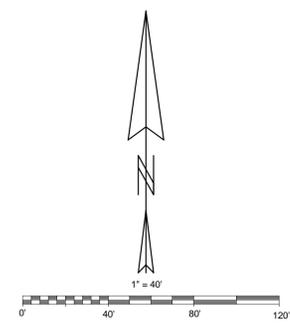
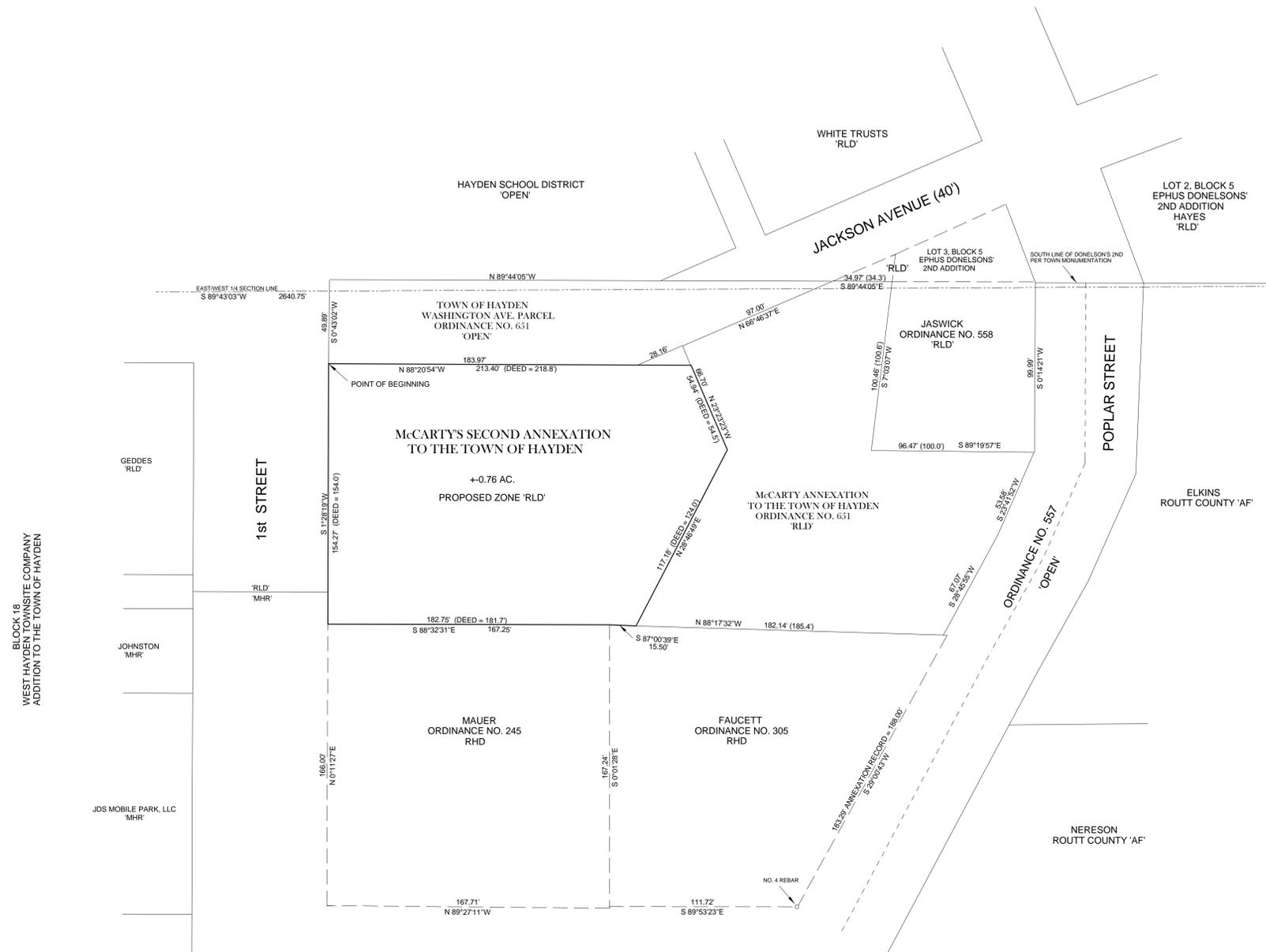
BY: _____
JAMES M. HASKINS, AS MAYOR OF THE TOWN OF HAYDEN

ATTEST: _____
MELISA OWENS, AS TOWN OF HAYDEN CLERK

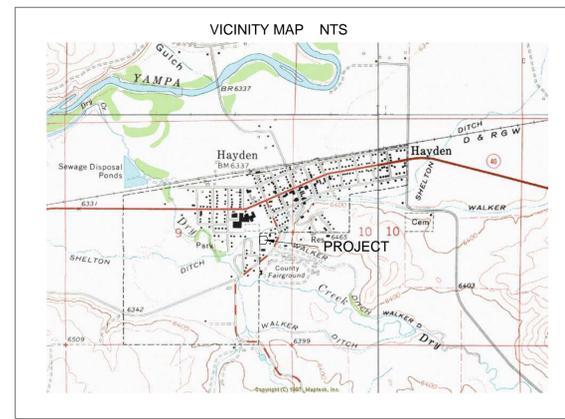
SURVEYOR'S CERTIFICATE

I, GORDON R. DOWLING, PLS #30090, A DULY REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS ZONING AMENDMENT MAP, WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THIS MAP HAS BEEN PREPARED IN COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF COLORADO AT THE TIME AND WITHIN MY CONTROL AND IS ACCURATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

BY: _____
GORDON R. DOWLING, PLS #30090



ZONING KEY
O - OPEN
RLD - RESIDENTIAL LOW DENSITY
MHR - MOBILE HOME RESIDENTIAL
ROUTT COUNTY
AF - AGRICULTURAL & FORESTRY



ROUTT COUNTY CLERK AND RECORDERS' ACCEPTANCE
This Plat was accepted for filing in the Office of the Routt Clerk and Recorder on this ____ day of _____, 2016, A.D.
File No. _____ Reception No. _____ Time ____m.

KIM BONNER, ROUTT COUNTY CLERK & RECORDER

REV. 1 CLEARLY DEFINE ADJACENT ZONES, PER PLANNING

TERRY & LOREEN MCCARTY					McCARTY'S SECOND ANNEXATION TO THE TOWN OF HAYDEN ZONING AMENDMENT MAP
PORTIONS OF THE NE1/4 SE1/4 SECTION 9 T6N R88W, 6th P.M.					
ROUTT COUNTY, COLORADO					DOWLING LAND SURVEYORS P.O. BOX 954 HAYDEN, CO. 81639 (970) 276-3613 FAX 276-4595
SCALE	DWG	DATE	REV	FILE	
1" = 40'	GRD	3/23/16	4/16/16	MCCARTY22	

NOTICE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED ON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT, IN NO EVENT MAY ANY ACTION BE COMMENCED MORE THEN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.