

CASE SUMMARY

CASE SUMMARY
Consent Agenda

BCC Hearing Date: April 30, 2024 (Continued from: April 9, 2024)

23-102943VA Vacation of Right-of-Way (Continued from: April 9, 2024)

Case Name: 16764 County Road 126

Owner: Jefferson County

Applicant: David Vuono

Location: Adjacent to 16764 County Road 126
 Section 27, Township 7 South, Range 71 West

Approximate Area: 0.12 Acres (5,360 sq ft)

Purpose: To vacate an unused portion of right-of-way for County Road 126

Case Manager: Chuck Childs

Applicant Team Presenters:

David Vuono, dvuono@gmail.com, 203-36-8529, owner

Minor Variations:

- 23-132676 MVR - Minor Variance Request to legalize a 15-foot front setback where 30-feet is required. Approved on February 12, 2024.

Related Cases:

- 22-132796MA (Property Merger)
- 24-108113MA (Property Merger)

Recommendations:

- **Staff:** Recommends Approval subject to conditions

Interested Parties:

- None

Level of Community Interest: Low

Representative for Applicant: David Vuono

General Location: East of Intersection of County Road 126 & 2nd St

Case Manager Information: Phone: 303-271-8760 e-mail: cchilds@jeffco.us

STAFF REPORT

BCC Hearing Date: April 30, 2024 (Continued from April 9, 2024)

23-102943VA

Vacation of Right-of-Way

Related Cases: 23-132676 MVR (Minor Variance Request)
22-132796MA (Property Merger)
24-108113MA (Property Merger)

Owner: Jefferson County

Applicant: David Vuono

Location: Right-of-Way adjoining 16764 County Road 126
Section 27, Township 7 South, Range 71 West

Approximate Area: 0.12 Acres (5,360 sq ft)

Purpose: To vacate an unused portion of right-of-way for County Road 126

Case Manager: Chuck Childs

Background/Unique information:

The Pine Grove Plat dated 1886, recorded in Book 1 Page 28, shows Main Street (current location of County Road 126), which was granted and conveyed to the public. Jefferson County maintains County Road 126, which in accordance with Land Development Regulation Section 13.B.1, makes this "Right-of-Way" (ROW) eligible for vacation.

This Vacation will allow the owner/applicant to merge their property with the vacated Right-of-Way to correct an issue where approximately 2 feet of the southwest corner of the 1-story frame cabin, built in 1875, encroaches into the Right-of-Way.

The proposed Right-of-Way vacation will provide a front / south property line setback of 15 feet, when 30 feet is required by the Mountain Residential Three Zone District (MR-3). On February 12, 2024, Minor Variance Request (23-132676MVR) was granted for this reduced setback.

The applicant previously executed a Property Merger Agreement to combine all lots he owns from the original subdivision, as well as vacated alleyways transversing his property. The Property Merger Agreement (22-132796MA) and Resolution of Vacation V16-9-99 are included in the attached packet.

The Property Merger Agreement (24-108113MA), which is being processed in conjunction with this Vacation Case, will merge the vacated Right-of-Way with the applicant's property following approval of this case.

Vesting Exhibit and Discussion:

The Road and Bridge Division and Transportation and Engineering Divisions support this Right-of-Way vacation request. The vacated property will vest to the one property owner of the abutting property owner to the north. The abutting property owner will be responsible to maintain the newly acquired property. There is one affected property owner – the applicant. Staff has received no objections to this Right-of-Way vacation.

[illegible]

- David Vuono, 16764 County Road 126

Notification of the proposed development was sent and posted in accordance with the Land Development Regulation. Please see the attached Notification Summary for more information.

2

Analysis:

In order to proceed with the Vacation of Right-of-Way process, the application must be in conformance with the following:

	(1) Legal and Physical Access	(2) Utilities	(3) Private Maintenance Association	(4) Property Mergers	(5) Street/Road System	(6) Construction Plans/Improvements	(7) Circulation System	(8) Right-of-Way Reimbursement	(9) Isolated Right-of-Way	(10) Piecemeal Right-of-Way
Acceptable	✓.	✓.	✓.	✓.	✓.	✓.	✓.	✓.	✓.	✓.
Unacceptable										

1. Legal and Physical Access:

A vacation may not eliminate the only physical or legal access for any property per Section 13.C.1 of the Land Development Regulation.

All abutting and/or affected property owners have existing access and are not impacted by this Right-of-Way vacation. This Right-of-Way vacation request will not impact access to any existing lot, parcel and/or tract.

Legal and Physical access is in conformance with Section 13.C.1 of the Land Development Regulation.

2. Utilities:

A vacation may not eliminate the only physical or legal rights to utilities for any property per Section 13.C.2 of the Land Development Regulation.

All utility companies and districts including CORE, Colorado Natural Gas, and Lumen have provided letters stating there are no existing or proposed utilities within the proposed Right-of-Way vacation area.

Utilities are in conformance with Section 13.C.2 of the Land Development Regulation.

3. Private Maintenance Association:

The County may assign the vacated property to a private maintenance association per Section 13.C.3 of the Land Development Regulation.

The applicant is **not** proposing that a private maintenance association take over maintenance. The applicant will maintain the vacated ROW.

4. Property Mergers:

A Property Merger may be required to combine parcels affected by the vacation per Section 13.C.4 of the Land Development Regulation.

During the processing of the Vacation of Right-of-Way case, the applicant applied for a Minor Variation Request to legalize a 15-foot setback where 30-foot is required. The Minor Variation Request was approved on February 12, 2024 subject to the condition of the approval of the Vacation of Right-of-Way.

Along with the above referenced Minor Variation Request, a Property Merger agreement is required to combine the vacated property with the abutting property to address the encroachment into Right-of-Way of the existing single-family dwelling. The applicant has applied for this property merger under case number 24-108113MA. Recordation of this property merger has been included as a condition of this vacation.

The requirement for a property merger is in conformance with Section 13.C.4 of the Land Development regulation.

5. Street/Road System:

Vacation requests shall not negatively impact the existing or planned street/road system per Section 13.C.5 of the Land Development Regulation.

This vacation request does not negatively impact the existing or planned street/road system.

This Vacation conforms to the requirements set forth in Section 13.C.5 of the Land Development Regulation.

6. Construction Plans:

Construction plans for improvements are required to maintain acceptable service, or to mitigate negative impacts, and must be submitted in accordance with the Land Development Regulation and Transportation Design and Construction Manual per Section 13.C.6 of the Land Development Regulation.

Construction plans are not necessary for this Right-of-Way vacation case because no new street/road construction is necessary for traffic and safety related to the site.

This Vacation conforms to the requirements set forth in Section 13.C.6 of the Land Development Regulation.

7. Circulation System:

Vacation requests shall not create a circulation system that is non-compliant with the Land Development Regulation, unless an Alternative Standard/Requirement has been granted per Section 13.C.7 of the Land Development Regulation.

The circulation system is found to be compliant.

This Vacation conforms to the requirements set forth in Section 13.C.7 of the Land Development Regulation.

8. Right-of-Way Reimbursement:

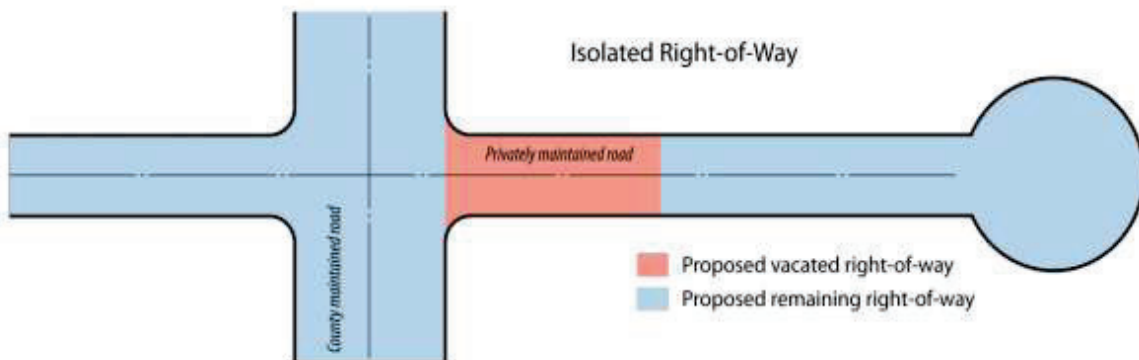
Reimbursement costs will be required for vacation requests that involve Right-of-Way that was previously purchased by the County per Section 13.C.8 of the Land Development Regulation.

This requirement only applies to Right-of-Way that the county paid for through a county improvements project. Since that was not the case with this original Right-of-Way dedication there is no requirement for reimbursement of Right-of-Way and the County is not requesting fees.

The Vacation conforms to the requirements set forth in Section 13.C.8 and Section 33 of the Land Development Regulation.

9. Isolated Right-of-Way:

Vacation requests that create isolated Right-of-Way (as shown below) are not permitted per Section 13.C.9 of the Land Development Regulation.

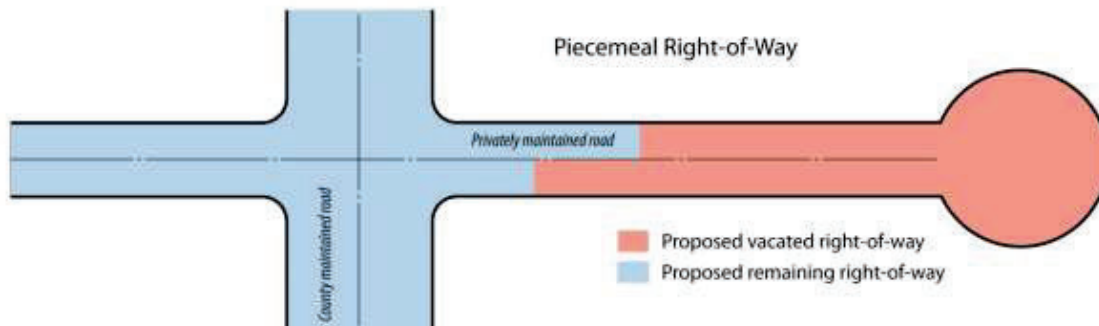


This vacation request does not create isolated ROW.

This Vacation conforms to the requirements set forth in Section 13.C.9 of the Land Development regulation.

10. Piecemeal Right-of-Way:

The “piecemeal” vacation of Right-of-Way (as shown below) is discouraged and shall be reviewed on a case-by-case basis per Section 13.C.10 of the Land Development Regulation.



This vacation request does not create piecemeal ROW because the proposed ROW to be vacated is outside of the County maintained road.

This Vacation conforms to the requirements set forth in Section 13.C.10 of the Land Development Regulation.

Additional Requirements:

1. Statutory Requirement – Boundary (C.R.S §43-2-303):

The Right-of-Way is requested to be vacated with this application is not within the limits of any city or town, and it does not form the boundary line of a city, town or county.

SUMMARY/RECOMMENDATIONS:

Staff recommends that the Board of County Commissioners find(s) that:

1. Jefferson County has acquired a public roadway over, through and on the lands described herein.
2. The Right-of-Way described herein is no longer necessary for use by the public.
3. The Right-of-Way is not within the limits of any city or town and does not form the boundary line of a city, town or county.
4. By a vacation of said Right-of-Way, no land would be left without an established public street or road or private access easement connecting it with another established public street or road.
5. The proposal conforms with the Land Development Regulation because all applicable regulations have been satisfied as indicated within this report.
6. The proposal is in compliance with title 43, article 2, part 300 of the Colorado Revised Statutes.

AND

Staff recommends that the Board of County Commissioners **APPROVE** Case No. 23-102943VA subject to the following condition[s]:

1. A completed merger agreement that merges the vacated Right-of-Way with the abutting property to the north, which will be recorded immediately following recordation the vacation of Right-of-Way resolution.

Staff further recommends that the Board of County Commissioners upon completion of the aforementioned condition and pursuant to Section 43-2-303, C.R.S. as amended, all rights, titles or interests of the County of Jefferson, State of Colorado are vacated subject to a reservation of easements for the continued use of the existing sewer, gas, water or similar pipe lines and appurtenances, existing ditches or canals and appurtenances, and existing electric, telephone, cable television, and similar lines and appurtenances, if any, in the vacated Right-of-Way discussed herein, and more particularly described in Exhibit A1-H4 in the hearing packet.

Staff further recommends that the Board of County Commissioners determine that the vacated roadway shall vest pursuant to C.R.S. 43-2-302(1)(b), as described on the vesting exhibit and legal description (Exhibit A1-H4) including in the hearing packet, to abutting property owner David Vuono (property address of 16764 County Road 126).

COMMENTS PREPARED BY:

Chuck Childs

Chuck Childs, Civil Planning Engineer

CASE DATES SUMMARY

Jefferson County Case Management

CASE DATE SUMMARY

Case Number: 23-102943VA Case Type: Vacation of Right-of-Way

Initial Application Submitted: February 13, 2023

Case Sent on First Referral: April 26, 2023

Referral Responses Provided to Applicant: August 8, 2023

Case Scheduled for Hearing(s): April 9, 2024 (continued to April 30, 2024)

PROPOSED Vacation

IMPROVEMENT SURVEY PLAT
OF LOTS IN BLOCKS 19 & 20, AND VACATED ALLEYS AND
ROADWAYS IN PINE GROVE SUBDIVISION, LOCATED IN THE S.E.
¼ OF SECTION 7, TOWNSHIP 7 SOUTH, RANGE 71 WEST, OF
THE 6TH P.M., COUNTY OF JEFFERSON, STATE OF COLORADO.

THIS PARCEL CONTAINS 5360 SQUARE FEET, MORE OR LESS. BEARINGS ARE BASED ON THE EAST LINE OF LOT 6, BLOCK 19 BEING N10°33'10"E. THE N.E. CORNER OF SAID LOT 6 IS MONUMENTED BY A FOUND #4 REBAR. THE S.E. CORNER OF SAID LOT 6 IS A 1.25" RED CAPPED PIN, L.S. 19618.

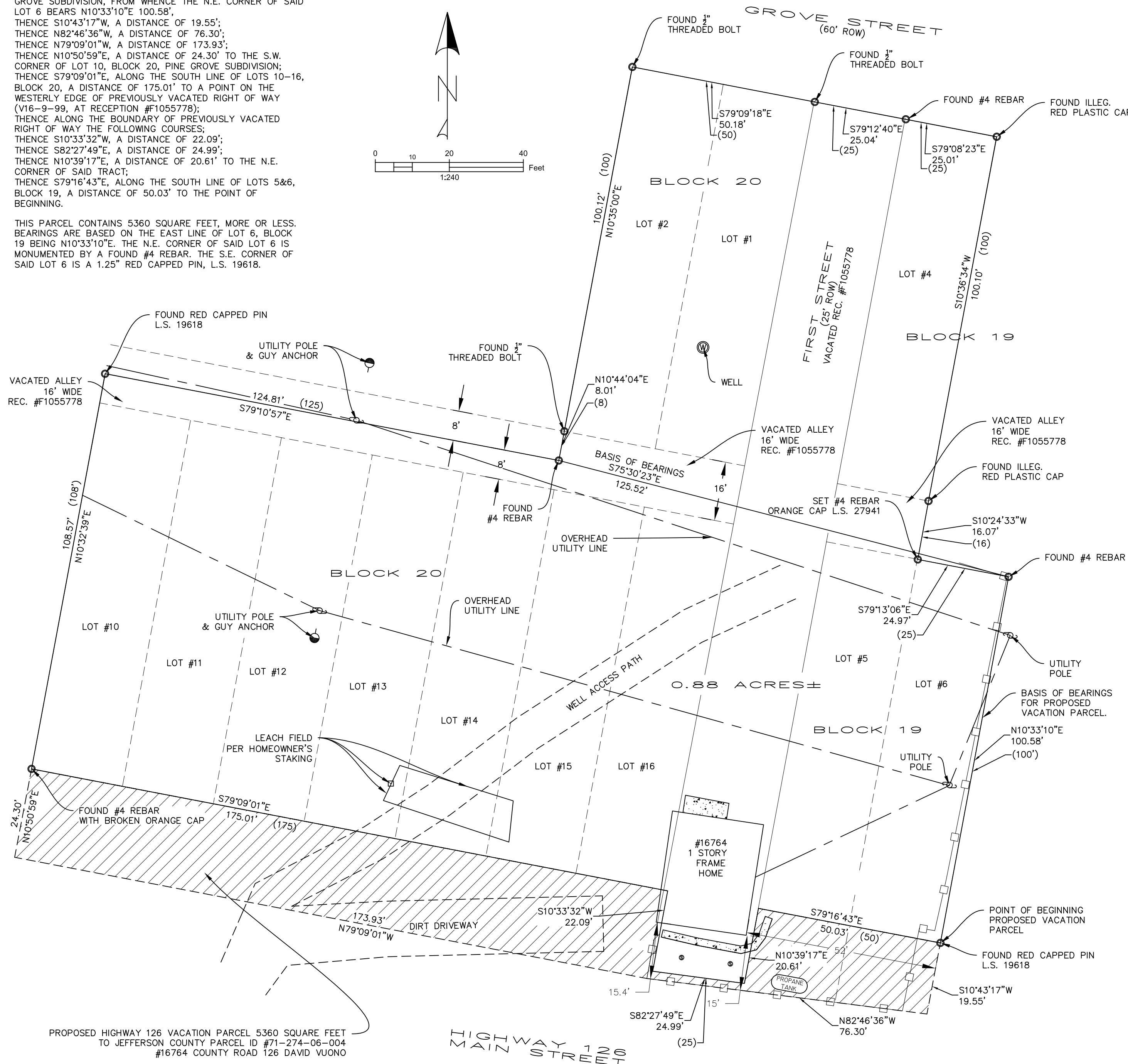


Exhibit A

PARCEL A:

LOTS 1 AND 2, BLOCK 20, PINE GROVE, COUNTY OF JEFFERSON, STATE OF COLORADO.

PARCEL B:

LOTS 10 TO 18, INCLUSIVE, BLOCK 20, PINE GROVE, COUNTY OF JEFFERSON, STATE OF COLORADO.

PARCEL C:

THE NORTH-EASTERLY 1/2 OF VACATED ALLEY IN BLOCK 20 OF PINE GROVE ADJOINING LOTS 1 AND 2, BLOCK 20, PINE GROVE TO THE SOUTH AS VACATED BY VACATION RESOLUTION NO. V16-9-89 OF THE JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS RECORDED MAY 12, 2000 UNDER RECEPTION NO. F1655779, COUNTY OF JEFFERSON, STATE OF COLORADO.

PARCEL D:

THE SOUTH-WESTTERLY 1/2 OF VACATED ALLEY IN BLOCK 20, PINE GROVE ADJOINING LOTS 18 TO 19, INCLUSIVE, BLOCK 20, TO THE NORTH, AS VACATED BY VACATION RESOLUTION NO. V16-9-99 OF THE JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS RECORDED MAY 12, 2000 UNDER RECEPTION NO. F1655779, TOGETHER WITH THE ALL OF VACATED FIRST STREET AS SHOWN ON PINE GROVE, LYING BETWEEN BLOCK 19 AND BLOCK 20 OF PINE GROVE EXTENDING SOUTHERLY TO WITHIN 35 FEET OF THE CENTERLINE OF COUNTY HIGHWAY 126 (MAIN STREET), AS VACATED BY VACATION RESOLUTION NO. V16-9-89 OF THE JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS RECORDED MAY 12, 2000 UNDER RECEPTION NO. F1655779, COUNTY OF JEFFERSON, STATE OF COLORADO.

PARCEL E:

LOTS 4, 5 AND 6, BLOCK 19, PINE GROVE, COUNTY OF JEFFERSON, STATE OF COLORADO, TOGETHER WITH VACATED ALLEY BETWEEN LOTS 4 AND 5, AS VACATED BY VACATION RESOLUTION NO. V16-9-89 OF THE JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS RECORDED MAY 12, 2000 UNDER RECEPTION NO. F1655779.

SURVEYOR'S CERTIFICATE:
I CHRISTINE K. BRAINING, A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO
HEREBY STATE TO DAVID VUONO THAT THE SURVEY REPRESENTED BY THIS PLAT WAS DONE
UNDER MY SUPERVISION AND THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AND THIS
PLAT ACCURATELY REPRESENTS SAID SURVEY.

CHRISTINE K. BRANING, P.L.S. 27941

DATE: JANUARY 4, 2023

BRANING LAND SURVEYING 303.278.1782 4445 ELDRIDGE STREET GOLDEN, CO 80403

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED IN THIS CERTIFICATE HEREON. THIS CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT A RECERTIFICATION NAMING SAID PERSON. THIS SURVEY IS VALID ONLY IF THE PRINT HAS THE ORIGINAL SIGNATURE AND SEAL OF THE SURVEYOR. POSITIONAL TOLERANCE: 0.3"±
THE WORD "CERTIFY" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THIS SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE EXPRESSED OR IMPLIED. THE BOUNDARY EVIDENCE SHOWN HEREON IS THE RESULT OF MEASUREMENTS, OBSERVATIONS AND CALCULATIONS MADE AT THE DATE OF THE SURVEY. ADDITIONAL EVIDENCE WHICH MAY NOT HAVE BEEN EVIDENT DUE TO SNOW, LACK OF ACCESS, SAFETY OR OTHER CIRCUMSTANCES MAY LEAD TO DIFFERENT RESULTS. THE RESULTS SHOWN HEREON ARE THE OPINION OF THE SURVEYOR AND MAY CHANGE UPON THE DISCOVERY OF AND EVALUATION OF ADDITIONAL EVIDENCE.

THE LOCATION OF EXISTING FENCES OR OTHER SIMILAR FEATURES DENOTING LINES OF POSSESSION/USAGE IN THE VICINITY OF THE PERIMETER OF THIS TRACT MAY INDICATE OWNERSHIP ACQUIRED OR LOST THROUGH UN RECORDED MEANS. AN ATTORNEY SHOULD BE CONSULTED REGARDING THIS MATTER.

FEMA FLOOD PLAIN STATUS WAS NOT RESEARCHED FOR THIS PROPERTY. FLOOD PLAIN STATUS IS NOT A PART OF THIS SURVEY/CERTIFICATION.

SENATE BILL 35 COMPLIANCE WAS NOT VERIFIED FOR THIS SURVEY.

NOTE: DIMENSIONS IN PARENTHESES () ARE RECORD/PLATTED VALUES.

NOTES:

1. LANDSCAPING AND UNDERGROUND FEATURES SUCH AS SPRINKLERS OR BURIED UTILITIES ARE NOT SHOWN AND ARE NOT PART OF THIS CERTIFICATION.
2. THIS SURVEY RELIED UPON SURVEYS RECORDED AT JEFFERSON COUNTY RECEPTION #93165122 AND F1149921.
3. LEACH FIELD LOCATION SHOWN HEREON IS BASED ON STAKES SET BY THE PROPERTY OWNER (PERMIT #18866).
4. THE DWELLING ENCROACHES SLIGHTLY ON THE WESTERN SIDE AS SHOWN HEREON.
5. THIS PLAT WAS REVISED JANUARY 4, 2023 TO SHOW THE PROPOSED RIGHT OF WAY VACATION OF HIGHWAY 126 AS SHOWN HEREON. ADDITIONAL FIELD WORK WAS NOT DONE.
6. THIS DRAWING WAS REVISED DECEMBER 20, 2023 TO SHOW DIMENSIONS FROM THE HOUSE TO THE PROPOSED VACATED RIGHT OF WAY, ADDITIONAL FIELDWORK WAS NOT DONE.

PARCEL DESCRIPTION PROPOSED HWY 126 VACATION:


THAT PART OF MAIN STREET, PINE GROVE, JEFFERSON COUNTY PLAT BOOK 1, PAGE 28, LOCATED IN THE S.E. $\frac{1}{4}$ OF SECTION 7, TOWNSHIP 7 SOUTH, RANGE 71 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF MAIN STREET, ALSO KNOWN AS COUNTY HIGHWAY 126, ADJACENT TO LOTS 5&6, BLOCK 19, 1ST STREET BETWEEN BLOCK 19 AND 20, AND LOTS 10-16, BLOCK 20, PINE GROVE SUBDIVISION DESCRIBED AS FOLLOWS:

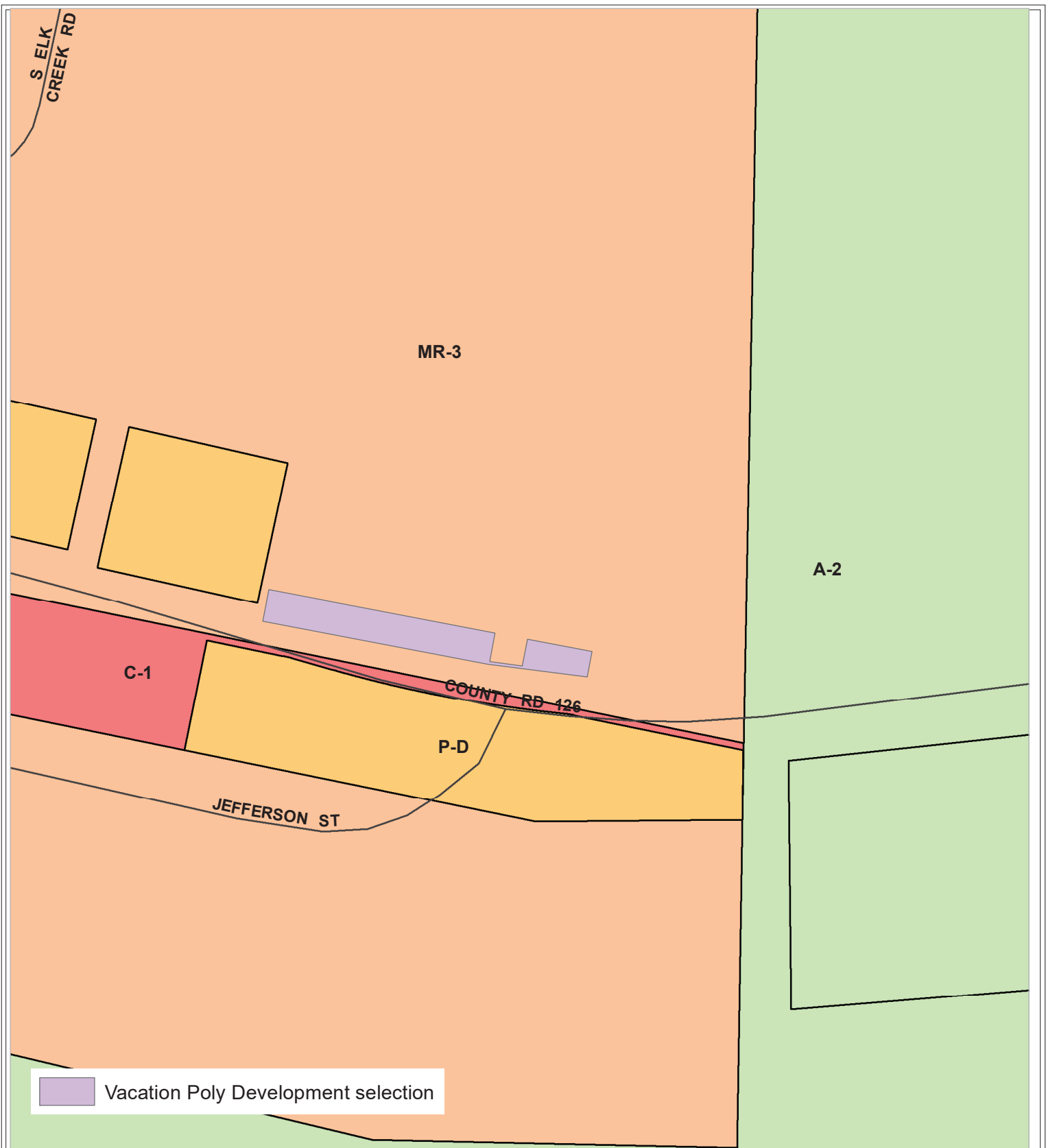
BEGINNING AT THE S.E. CORNER OF LOT 6, BLOCK 19, PINE GROVE SUBDIVISION, FROM WHENCE THE N.E. CORNER OF SAID LOT 6 BEARS N10°33'10"E 100.58',
THENCE S10°43'17"W, A DISTANCE OF 19.55';
THENCE N82°46'36"W, A DISTANCE OF 76.30';
THENCE N79°09'01"W, A DISTANCE OF 173.93';
THENCE N10°50'59"E, A DISTANCE OF 24.30' TO THE S.W. CORNER OF LOT 10, BLOCK 20, PINE GROVE SUBDIVISION;
THENCE S79°09'01"E, ALONG THE SOUTH LINE OF LOTS 10-16, BLOCK 20, A DISTANCE OF 175.01' TO A POINT ON THE WESTERLY EDGE OF PREVIOUSLY VACATED RIGHT OF WAY (V16-9-99, AT RECEPTION #F1055778);
THENCE ALONG THE BOUNDARY OF PREVIOUSLY VACATED RIGHT OF WAY THE FOLLOWING COURSES;
THENCE S10°33'32"W, A DISTANCE OF 22.09';
THENCE S82°27'49"E, A DISTANCE OF 24.99';
THENCE N10°39'17"E, A DISTANCE OF 20.61' TO THE N.E. CORNER OF SAID TRACT;
THENCE S79°16'43"E, ALONG THE SOUTH LINE OF LOTS 5&6, BLOCK 19, A DISTANCE OF 50.03' TO THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 5360 SQUARE FEET, MORE OR LESS. BEARINGS ARE BASED ON THE EAST LINE OF LOT 6, BLOCK 19 BEING N10°33'10"E. THE N.E. CORNER OF SAID LOT 6 IS MONUMENTED BY A FOUND #4 REBAR. THE S.E. CORNER OF SAID LOT 6 IS A 1.25" RED CAPPED PIN, L.S. 19618.

THIS DESCRIPTION WAS PREPARED FOR AND ON BEHALF OF DAVID VUONO BY CHRISTINE K. BRANING, L.S. 27941.


Christine K. Braning
CHRISTINE K. BRANING, P.L.S. 27941
DATE: JANUARY 4, 2023
BRANING LAND SURVEYING 303.278.1782 4445 ELDRIDGE STREET GOLDEN, CO 80403

MAPS



Case Number: 23-102943VA

Location: Section 7, T7S, R71W



JEFFERSON
COUNTY COLORADO

This product has been developed for internal use only. The Planning and Zoning Division makes no warranties or guarantees, either expressed or implied, as to the completeness, accuracy or correctness of such products, nor accepts any liability arising from any incorrect, incomplete or misleading information contained therein.





Case Number: 23-102943VA

Location: Section 7, T7S, R71W



JEFFERSON
COUNTY COLORADO

This product has been developed for internal use only. The Planning and Zoning Division makes no warranties or guarantees, either expressed or implied, as to the completeness, accuracy or correctness of such products, nor accepts any liability arising from any incorrect, incomplete or misleading information contained therein.





Case Number: 23-102943VA

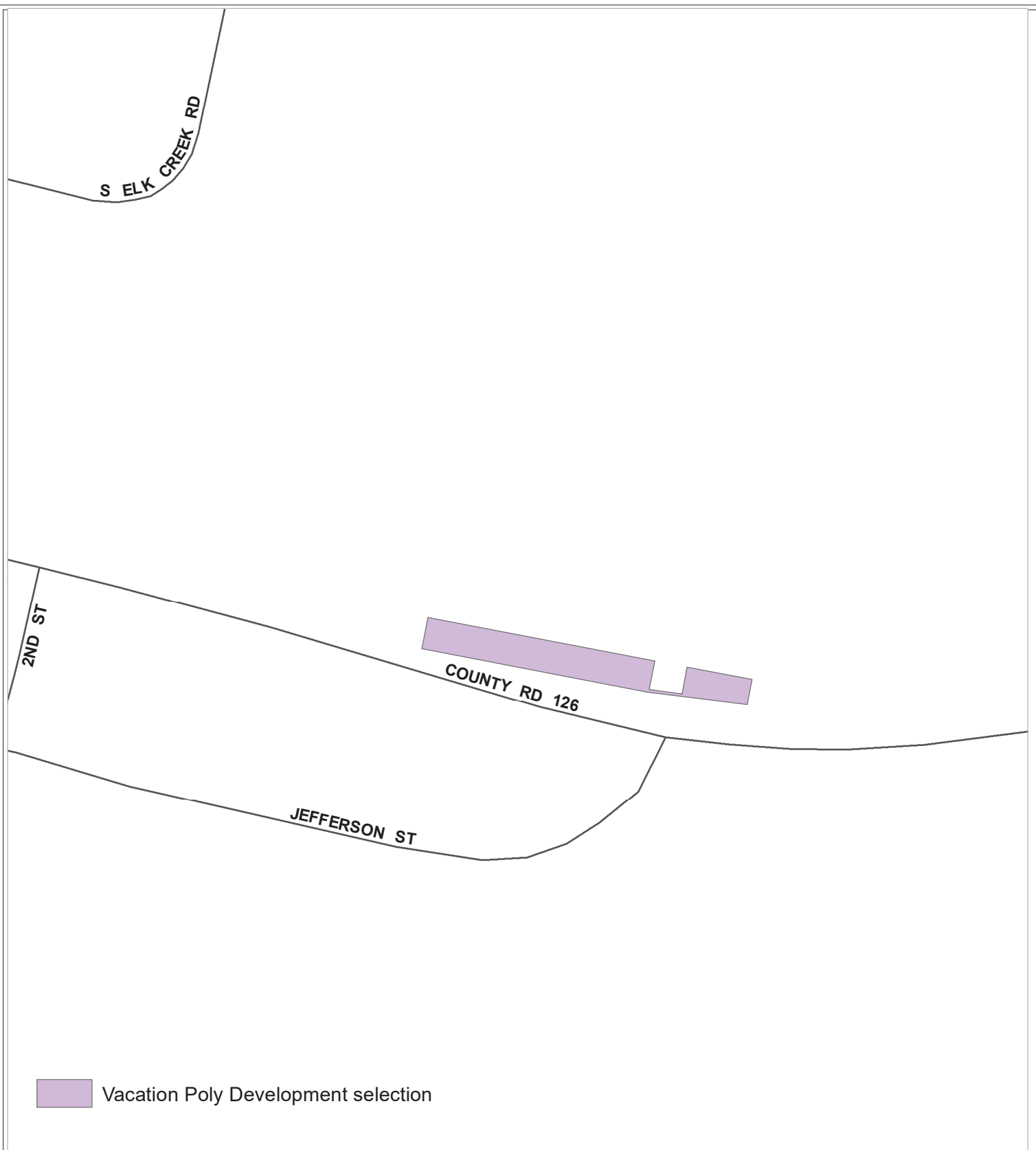
Location: Section 7, T7S, R71W



JEFFERSON
COUNTY COLORADO

This product has been developed for internal use only. The Planning and Zoning Division makes no warranties or guarantees, either expressed or implied, as to the completeness, accuracy or correctness of such products, nor accepts any liability arising from any incorrect, incomplete or misleading information contained therein.





Case Number: 23-102943VA

Location: Section 7, T7S, R71W



JEFFERSON
COUNTY COLORADO

This product has been developed for internal use only. The Planning and Zoning Division makes no warranties or guarantees, either expressed or implied, as to the completeness, accuracy or correctness of such products, nor accepts any liability arising from any incorrect, incomplete or misleading information contained therein.

0 62.5 125 250 Feet



NOTIFICATION SUMMARY

Case Number 23-102943VA

As a requirement of the Jefferson County Zoning Resolution, the following Level 2 Notification was provided for this proposal.

Notification of this proposed development was mailed to adjoining property owners and Registered Associations the property lies within.

These radii are shown on the maps below. The initial notification was mailed at the time of the first referral. Additional notification was mailed 14 days prior to the Board of County Commissioners Hearing.

Lists of the specific property owners and registered associations that received notification are attached to this summary.

Property Owners



Registered Associations



From the Jefferson County Assessor's Office
Home Owners Associations within 1 feet of 71-274-06-004

Subject Properties

Owner	PIN/Schedule	Mail Address	Property Address
VUONO DAVID	300034365	16764 COUNTY RD 126 PINE, CO 80470	16764 COUNTY RD 126 , PINE, CO 80470

4 HOA within 1 feet of subject properties

HOA Name	Contact	Address Line 1	Address Line 2
CONIFER AREA COUNCIL	PETER BARKMANN	19009 PLEASANT PARK RD	CONIFER CO 80433
JEFFERSON COUNTY HORSE COUNCIL			
PINE/ELK CREEK IMPROV ASSN	LARRY MEANS	16624 PINE VALLEY RD	PINE CO 80470
PLAN JEFFCO	C/O MICHELLE POOLET	24396 CODY PARK ROAD	GOLDEN, CO 80401

Owner	Mail Address	Mail Loc	Mail Zip	Property Address	Property Loc	Property Zip
VUONO DAVID	16764 COUNTY RD 126	PINE, CO	80470	16764 COUNTY RD 126	PINE, CO	80470
PINE ELK CREEK IMPROVEMENT ASSOCIATION	16624 PINE VALLEY RD	PINE, CO	80470	16855 2ND ST	PINE, CO	80470
NORTH FORK FIRE PROTECTION DISTRICT	PO BOX 183	BUFFALO C	80425	16675 COUNTY RD 126	PINE, CO	80470
SPENCER CHRISTEN	16744 COUNTY RD 126	PINE, CO	80470	16744 COUNTY RD 126	PINE, CO	80470
FARMER RUSSELL W	16774 PINE VALLEY RD	PINE, CO	80470	16774 COUNTY RD 126	PINE, CO	80470
HAGEN LESTER W	PO BOX 75	GRANT, CO	80448	VACANT LAND	PINE, CO	80470
FARMER RUSSELL W	16774 PINE VALLEY RD	PINE, CO	80470	VACANT LAND	, CO	

Case Type: Vacation Right of Way

Case Number: 23-102943VA **Case Name:** 16764 County Rd 126

Where: 16764 County Rd 126

General Location: Block 19 Lots 4 through 6 inclusive, Key 0SA, 0AA, , and Bloc

Case Manager: Charles Childs, 303-271-8760, cchilds@co.jefferson.co.us

Purpose: Vacation of portion of County Road 126, adjacent to 16764 Pine Valley Road.

A formal application has been submitted to Jefferson County for the development proposal described above. The applicant is required to provide this notification as a part of the processing requirements for this application.

Documents for this case can be accessed through the Planning & Zoning Website.

<http://jeffco.us/planning-and-zoning/active-cases/>

or by contacting the case manager.

Case Type: Vacation Right of Way

Case Number: 23-102943VA **Case Name:** 16764 County Rd 126

Where: 16764 County Rd 126

General Location: Block 19 Lots 4 through 6 inclusive, Key 0SA, 0AA, , and Bloc

Case Manager: Charles Childs, 303-271-8760, cchilds@co.jefferson.co.us

Purpose: Vacation of portion of County Road 126, adjacent to 16764 Pine Valley Road.

A formal application has been submitted to Jefferson County for the development proposal described above. The applicant is required to provide this notification as a part of the processing requirements for this application.

Documents for this case can be accessed through the Planning & Zoning Website.

<http://jeffco.us/planning-and-zoning/active-cases/>

or by contacting the case manager.

Case Type: Vacation Right of Way

Case Number: 23-102943VA **Case Name:** 16764 County Rd 126

Where: 16764 County Rd 126

General Location: Block 19 Lots 4 through 6 inclusive, Key 0SA, 0AA, , and Bloc

Case Manager: Charles Childs, 303-271-8760, cchilds@co.jefferson.co.us

Purpose: Vacation of portion of County Road 126, adjacent to 16764 Pine Valley Road.

A formal application has been submitted to Jefferson County for the development proposal described above. The applicant is required to provide this notification as a part of the processing requirements for this application.

Documents for this case can be accessed through the Planning & Zoning Website.

<http://jeffco.us/planning-and-zoning/active-cases/>

or by contacting the case manager.

Case Type: Vacation Right of Way

Case Number: 23-102943VA **Case Name:** 16764 County Rd 126

Where: 16764 County Rd 126

General Location: Block 19 Lots 4 through 6 inclusive, Key 0SA, 0AA, , and Bloc

Case Manager: Charles Childs, 303-271-8760, cchilds@co.jefferson.co.us

Purpose: Vacation of portion of County Road 126, adjacent to 16764 Pine Valley Road.

A formal application has been submitted to Jefferson County for the development proposal described above. The applicant is required to provide this notification as a part of the processing requirements for this application.

Documents for this case can be accessed through the Planning & Zoning Website.

<http://jeffco.us/planning-and-zoning/active-cases/>

or by contacting the case manager.

RELIEF

Administrative Decision Memorandum

Date: January 22, 2024

23-132676 MVR Minor Variation Request

Related Cases: 23-102943VA (Vacation of Right-of-Way)

Owner(s): David Vuono

Location: 16764 County Road 126, Pine

Purpose: To legalize an existing single-family dwelling

Zoning: Mountain Residential Three (MR-3)

Case Manager: Kayla Bryson

Background / Discussion:

The applicant is currently in the Vacation of Right-of-Way process with the County, as the existing house encroaches into the right-of-way at the southwest corner. The applicant worked with the Road and Bridge Division and Transportation and Engineering Division to obtain right-of-way to correct this issue. However, he was not able to obtain enough right-of-way to meet the setback requirements for the Mountain Residential Three Zone District.

The applicant is requesting relief to front setback requirements to the southern property line at 16764 County Road 126 in Pine, Colorado. The applicant purchased the property in 2021 and is seeking to legalize the placement of the existing single-family dwelling on the lot. The house is estimated to have been originally built in 1875 and is fifteen feet from the front/south property line, when thirty feet is required in MR-3 zoning districts.

The applicant has also executed a Property Merger Agreement to combine all the lots he owns from the original subdivision, as well as vacated alleyways traversing his property. The Property Merger Agreement (22-132796MA) and Resolution of Vacation V16-9-99 are included in the attached packet.

Applicable Regulations:

Section 1.1 of the Jefferson County Zoning Resolution allows the Director of Planning and Zoning to grant Minor Variations in order to facilitate the reasonable and expeditious processing of a development application. A Minor Variation may be granted for both onsite and offsite requirements for the following: Plats, Exemptions, Vacations, Minor Adjustments, Residential Structure Exclusions, Land Disturbance Permits, Floodplain Permits, Oil and Gas Production Drilling, and Site Development Plans. A Minor Variation may be granted for the offsite requirements of the following: Zonings, Special Uses or Site Approvals. Such variations shall be allowed only after a finding by the Director of Planning and Zoning that:

- a. Such variation(s) does not constitute a substantial change to the permitted land use(s), and that
- b. No substantial detriment to the public good, nor harm to the general purpose and intent of this

Zoning Resolution will be caused thereby.

Justification:

The owner provided the following justification for this Minor Variation Request:

"I am writing today to submit my application to pursue a Vacation of Right of Way (ROW) adjacent to my home at 16764 Pine Valley Rd, Pine CO 80470, along County Rd 126. I recently purchased this property in Dec 2021. The home, a 1-story frame cabin, was built in 1875 prior to the standards set forth in the Jefferson County Zoning Resolution. The cabin abuts County Road 126 in Pine and as a result it does not meet the minimum 30 ft front setback requirement on the primary structure for MR-3 zoning. I had previously requested setback relief due to practical difficulty through a variance application. However, the application was denied because approximately 2' of the southwest corner of the home is off property and on ROW. Thus, under the current circumstances I would not be able to rebuild the primary structure in the event of total loss due to natural disaster, such as wildfire. This creates a Catch-22 because my home insurance won't allow me to rebuild on a different location on the property."

Notification:

As a requirement of the Jefferson County Zoning Resolution, the following notice was provided for this proposal:

1. Notification of this proposed development was mailed to adjacent property owners and to Homeowners' Associations and Umbrella Groups associated with this site.
2. One double-sided sign, identifying the nature of the Minor Variation Request, was provided to the applicant for posting on the site. The sign was provided to the applicant with instructions that the site be posted for 14 days.

The Homeowners' Associations and Umbrella Groups that received notification are as follows:

- Conifer Area Council
- Pine/Elk Creek Improvement Association
- Jefferson County Horse Council
- Plan JeffCo

The minimum required 14-day public comment period has been met. During the processing of the application, staff received no comments in opposition.

Analysis:

Staff recommends approval of the applicant's request based on the following requirements being met from the Zoning Resolution:

1. The foregoing request from the applicant does not substantially alter the intent of the applicable zoning. The existing home has been at its current location for over a century without complaint or concern. Approval of this request would merely allow full repair and any additions would be required to meet the current setbacks of the zone district.
2. The request does no harm to the general purpose and intent of the Zoning Resolution. MR-3 Zone Districts permit single-family dwellings, and this request does not change the intent of the zoning.
3. The applicant provided adequate justification for legalizing the existing front setback distance of the single-family home originally constructed in 1875. Staff supports the applicant's reasoning to justify this Minor Variation Request and his intention to be able to rebuild in case of a natural disaster. The setbacks will not adversely affect nearby residents, as nothing is changing on the property through this request. The existing dwelling appears to be setback further than 15 feet (as shown on the attached survey) due to roadway separation and the house having a higher elevation than the road. These combined have an effect of a much larger setback than is actual.



Photo of dwelling from adjacent street.

Staff Recommendation:

For the reasons indicated within this report, Staff recommends **approval** of the applicant's requests for a Minor Variation Request for lot size and setbacks subject to approval of the Minor Adjustment in accordance with County regulations.

Decision:

Pursuant to Section 1. of the Jefferson County Zoning Resolution, the Director of Planning and Zoning, renders this decision on the request on the requested Minor Variation:

☒ Minor Variation Granted subject to approval of Vacation of Right-of-Way Case 23-102943 VA

☐ Minor Variation Granted with Changes _____

☐ Minor Variation Denied

Christopher B. O'Keefe

Christopher B. O'Keefe

Director of Planning and Zoning

February 12, 2024

Date

JEFFERSON
COUNTY COLORADO

REVIEWED

dmonke01/22/20244:49:35 PM2024

REFERRAL AGENCIES

23-102943VA - 16764 County Road 126



Charles Childs

To

Bcc jgutierrez@summitutilitiesinc.com; Alfonzo_Martinez@cable.comcast.com; bkaufman@irea.coop; platreview@lumen.com; platreferral@unitedpower.com; donna.L.George@xcelenergy.com



16764 Pine Valley Road vacation REVISED 1.pdf
550 KB

The attached Improvement Plat Survey shows the proposed right-of-way that is to be vacated, which is along the north edge of County Road 126 adjacent to 16764 County Road 126.

The attached document and other documents related to this case can be found in this folder: [1st Referral](#)

It appears that you were not sent an email for this case. Any comments you have would be greatly appreciated.

Thank You !



ELECTRONIC REFERRAL

Case Number: 23-102943VA

Case Type: Vacation of Right-of-Way

Address: 16764 County Road 126

Description: Vacation of Right-of-Way adjacent to 16764 County Road 126

Case Manager: Charles Childs

Case Manager Contact Information: cchilds@co.jefferson.co.us 303-271-8760

If you have any questions related to the processing of this application, please contact the Case Manager.



<input type="checkbox"/>	Process	Status	To Start	To End	Started	Ended	Assigned User
+ Administration (2)							
+ Case Management (2)							
+ Case Review (1)							
+ Final Steps (1)							
+ Public Hearings (2)							
- Reviews (8)							
<input type="checkbox"/>	Zoning*	No Comment	Nov 20, 2023	Nov 27, 2023	Jun 01, 2023	Jan 10, 2024	Nick Nelson
<input type="checkbox"/>	Transportation and Engineering	No Comment	Apr 26, 2023	May 10, 2023	May 08, 2023	May 08, 2023	Lindsay Townsend
<input type="checkbox"/>	Engineer (Development Review)	Complete	Apr 26, 2023	May 10, 2023	Jun 12, 2023	Jun 12, 2023	Laura Armstrong
<input type="checkbox"/>	Road & Bridge	Complete	Apr 26, 2023	May 10, 2023	Jul 19, 2023	Jul 19, 2023	Keith Dean
<input type="checkbox"/>	Fire District	No Response	Apr 26, 2023	May 10, 2023	Aug 08, 2023	Aug 08, 2023	Charles Childs
<input type="checkbox"/>	Cartographic	Complete	Apr 26, 2023	May 10, 2023	Jul 17, 2023	Jul 17, 2023	Cartography Review
<input type="checkbox"/>	Open Space	No Comment	Apr 26, 2023	May 10, 2023	Apr 27, 2023	Apr 27, 2023	Elizabeth Stoner
<input type="checkbox"/>	Research (Parcel/Access)*	No Comment	Apr 26, 2023	May 10, 2023	Aug 08, 2023	Sep 10, 2023	Kirk Hagaman

REFERRAL COMMENTS

Charles Childs

From: AUTOMAILER@JEFFCO.US
Sent: Monday, July 17, 2023 3:10 PM
To: Charles Childs
Cc: Kendell Court
Subject: 23 102943 VA - Agency Response

Case Number: 23 102943 VA

Case Type: Vacation Right of Way

Case Name: 16764 County Rd 126

Review: Cartographic

Results: Comments Sent (no further review)

Review Comments:

Scheduled End Date: 05/10/2023

Reviewer: Kendell Court

Description: Vacation of portion of County Road 126, adjacent to 16764 Pine Valley Road.

Charles Childs

From: AUTOMAILER@JEFFCO.US
Sent: Sunday, September 10, 2023 9:34 PM
To: XCCHILDS@JEFFCO.US
Cc: Charles Childs
Subject: 23 102943 VA - Agency Response

Case Number: 23 102943 VA

Case Type: Vacation Right of Way

Case Name: 16764 County Rd 126

Review: Research (Parcel/Access)

Results: No Comment (no further review)

Review Comments: Maps are in the case folder, carto had no comments, (Kendell Clark)

Scheduled End Date: 10-MAY-23

Reviewer: Charles Childs

Description: Vacation of portion of County Road 126, adjacent to 16764 Pine Valley Road.



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303.571.3284
Donna.L.George@xcelenergy.com

March 28, 2024

Jefferson County Planning and Zoning
100 Jefferson County Parkway, Suite 3550
Golden, CO 80419

Attn: Charles Childs

Re: 16764 CR 126 ROW Vacation, Case # 23-102943VA

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the documentation for **16764 CR 126 ROW Vacation** and currently has **no apparent conflict**.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com

4/3/2024



Charles Childs
cchilds@co.jefferson.co.us

P861327
No Reservations/No Objection

SUBJECT: Request for approval of a Vacate Abandon at 16764 County Road 126, Pine, CO.

To Whom It May Concern:

CenturyLink of Colorado, Inc. d/b/a CENTURYLINK ("CenturyLink") has reviewed the request for the subject vacation and has determined that it has no objections with respect to the areas proposed for vacation as shown and/or described on Exhibit "A", said Exhibit "A" attached hereto and incorporated by this reference.

It is the intent and understanding of CenturyLink that this Vacation shall not reduce our rights to any other existing easement or rights we have on this site or in the area.

This vacation response is submitted WITH THE STIPULATION that if CenturyLink facilities are found and/or damaged within the vacated area as described, the Applicant will bear the cost of relocation and repair of said facilities.

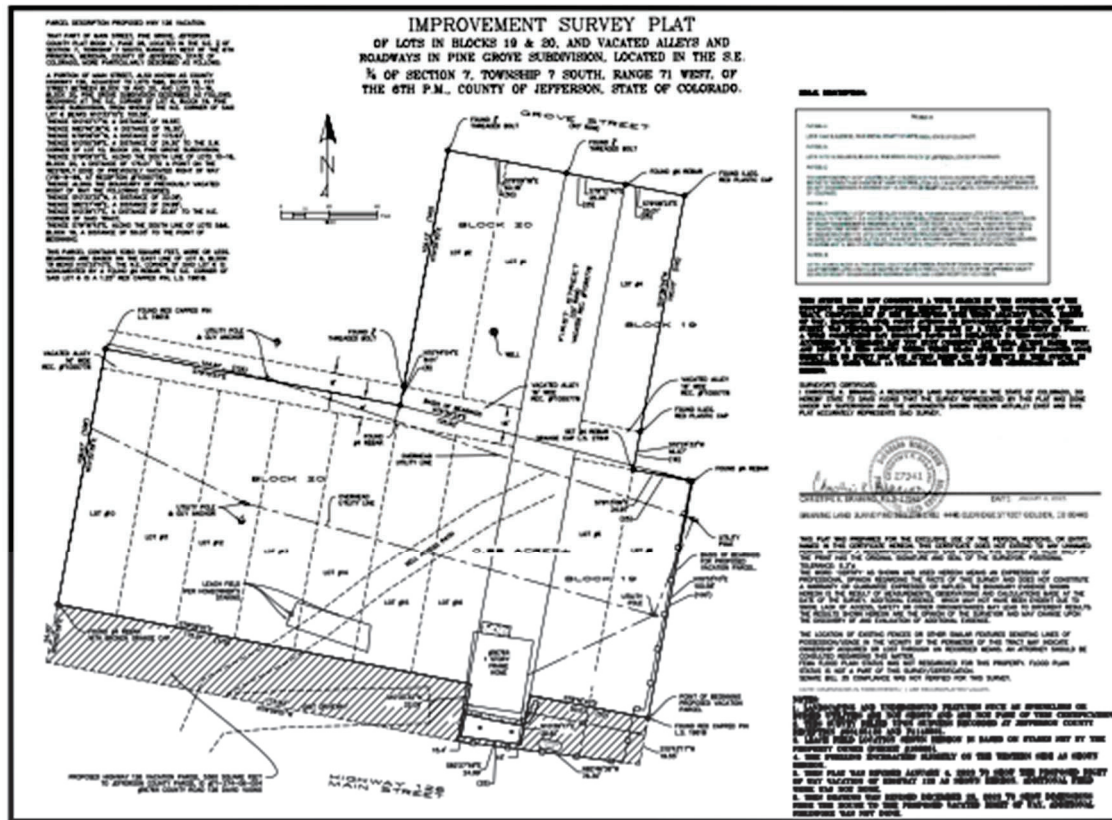
If you have any questions please contact Phil Hackler at (432) 288-08418 or Phil.Hackler@lumen.com.

Sincerely yours,

/s/

CenturyLink Right of Way Team

EXHIBIT A



Charles Childs

From: AUTOMAILER@JEFFCO.US
Sent: Monday, June 12, 2023 12:12 PM
To: Charles Childs
Cc: Laura Armstrong
Subject: 23 102943 VA - Agency Response

Case Number: 23 102943 VA

Case Type: Vacation Right of Way

Case Name: 16764 County Rd 126

Review: Engineer (Development Review)

Results: Comments Sent (no further review)

Review Comments:

Engineering Staff defers to T&E/R&B. Did not see any comments from them.

Scheduled End Date: 05/10/2023

Reviewer: Laura Armstrong

Description: Vacation of portion of County Road 126, adjacent to 16764 Pine Valley Road.

Charles Childs

From: Justin Gutierrez <JGutierrez@Summitutilitiesinc.com>
Sent: Wednesday, March 27, 2024 6:38 AM
To: Charles Childs
Subject: --{EXTERNAL}-- RE: [EXTERNAL EMAIL] 23-102943VA - 16764 County Road 126

This Message Is From an External Sender

This message came from outside your organization.

[Report Suspicious](#)

Good morning Charles,

16764 County Road 126 is outside of Colorado Natural Gas certified service territory. Colorado Natural Gas does not own or operate any facilities or appurtenances in this location and has no objection to the Vacation of Right-of-Way request.

Thanks,

Justin Gutierrez
Engineer
Summit Utilities, Inc.
jgutierrez@SummitUtilitiesInc.com
Office: (720) 981-2123 [x1187]

From: Charles Childs <cchilds@co.jefferson.co.us>
Sent: Tuesday, March 26, 2024 6:28 PM
Subject: [EXTERNAL EMAIL] 23-102943VA - 16764 County Road 126

The attached Improvement Plat Survey shows the proposed right-of-way that is to be vacated, which is along the north edge of County Road 126 adjacent to 16764 County Road 126.

The attached document and other documents related to this case can be found in this folder: [1st Referral](#)
[\[jeffcogov.sharepoint.com\]](https://jeffcogov.sharepoint.com)

It appears that you were not sent an email for this case. Any comments you have would be greatly appreciated.

Thank You !



ELECTRONIC REFERRAL

Case Number: 23-102943VA

Case Type: Vacation of Right-of-Way

Address: 16764 County Road 126

Description: Vacation of Right-of-Way adjacent to 16764 County Road 126

Case Manager: Charles Childs

Case Manager Contact Information: cchilds@co.jefferson.co.us 303-271-8760

If you have any questions related to the processing of this application, please contact the Case Manager.



If you received this message in error, please do not read, copy, or share it. Instead, please notify the sender immediately and permanently delete all copies in your possession.

Charles Childs

From: Brooks Kaufman <BKaufman@core.coop>
Sent: Thursday, April 18, 2024 2:10 PM
To: Charles Childs
Subject: --{EXTERNAL}-- RE: 16764 County Rd 126 (23-102943VA)

This Message Is From an External Sender

This message came from outside your organization.

[Report Suspicious](#)

Charles

CORE Electric Cooperative approves the ROW vacation of County Rd 126.

Respectfully

Brooks Kaufman

Lands and Rights of Way Manager

800.332.9540 MAIN
720.733.5493 DIRECT
303.912.0765 MOBILE

[www. \[core.coop\]](http://www.core.coop)[core \[core.coop\]](http://core.coop)[.coop \[core.coop\]](http://core.coop)



[The Energy to Thrive™ \[core.coop\]](#)



[\[core.coop\]](http://core.coop)[\[twitter.com\]](https://twitter.com)[\[facebook.com\]](https://facebook.com)[\[instagram.com\]](https://instagram.com)[\[linkedin.com\]](https://linkedin.com)



[\[outlook-sdf.office.com\]](#) [Book time to meet with me \[outlook-sdf.office.com\]](#)

From: Charles Childs <cchilds@co.jefferson.co.us>

Sent: Tuesday, April 16, 2024 11:19 AM

To: Brooks Kaufman <BKaufman@core.coop>

Subject: 16764 County Rd 126 (23-102943VA) & 16511 Great Divide Trail (24-102841MVR)

[CAUTION:] This email is from an external source. Do not open links or attachments unless you trust the sender and confirm the content's safety.

Brooks,

Thanks for meeting with me this morning to discuss these Cases.

Charles Childs

From: AUTOMAILER@JEFFCO.US
Sent: Thursday, April 27, 2023 9:46 AM
To: Charles Childs
Cc: EOBRIEN@JEFFCO.US
Subject: 23 102943 VA - Agency Response

Case Number: 23 102943 VA

Case Type: Vacation Right of Way

Case Name: 16764 County Rd 126

Review: Open Space

Results: No Comment (no further review)

Review Comments:

Scheduled End Date: 05/10/2023

Reviewer: Elizabeth Stoner

Description: Vacation of portion of County Road 126, adjacent to 16764 Pine Valley Road.

ZONING REVIEW MEMO

Date: June 1, 2023

To: Charles Childs, Civil Planning Engineer

From: Nick Nelson, Planner

Re: Vacation of portion of County Road 126, adjacent to 16764 Pine Valley Road.

Case no.: 23-102943VA

Zoning has the following comments on this case:

1. The subject property is currently zoned Mountain Residential – Three (MR-3)
2. The minimum lot size is 6,250 square feet which will be met once the lots are merged at more than 38,000 square feet.
3. The survey should be updated to show the setbacks once the Vacation of Right-of-Way is completed. A Minor Variation should be requested to accommodate the setbacks. This will be processed in conjunction with the Vacation request and will have a separate case number, notification, and fee.
4. Prior to the placement, erection, or construction of any new structures, signs, fences, retaining walls, etc., on this property, all required permits must be obtained from the County.

Charles Childs

From: Keith Dean
Sent: Monday, November 13, 2023 9:29 AM
To: Charles Childs
Cc: Lindsey Wire
Subject: RE: 16764 County Rd 126 - 23-102943VA
Attachments: 16764 Pine Valley Road vacation EXHIBIT.pdf

Chuck, the proposed area to vacate that Mike, Robert, and I discussed is the shaded/hatched area. It stretches from property line to property line using the fence as a general guideline. David is correct. Sorry, it took me so long to respond. I have been on vacation.

Best,

Keith Dean | Senior Supervisor

Jefferson County | Road & Bridge, District IV –Shaffers

o 303.271.5278 f 303.838-7273 w jeffco.us



From: Charles Childs <cchilds@co.jefferson.co.us>
Sent: Wednesday, November 8, 2023 1:55 PM
To: Keith Dean <kdean@co.jefferson.co.us>
Cc: Lindsey Wire <lwire@co.jefferson.co.us>
Subject: RE: 16764 County Rd 126 - 23-102943VA

Hi Keith,

I spoke with David Vuono this afternoon. He's indicates that the proposed vacation shown with the redlines (See page 2 of Survey & Vacation.pdf" attachment) is not what you, Mike, and Robert agreed to. He insists the proposed vacation agreed upon is shown by the hatched area.

Please confirm.

Chuck Childs, P.E.

Planning & Zoning

Civil Planning Engineer

303-271-8760

cchilds@jeffco.us | planning.jeffco.us

CITIZEN COMMENTS

Kayla Bryson

From: Kari Sue Tornow <karisuetornow@gmail.com>
Sent: Wednesday, January 3, 2024 5:18 PM
To: Kayla Bryson
Cc: David Vuono
Subject: --{EXTERNAL}-- ROW variance

This Message Is From an External Sender

This message came from outside your organization.

[Report Suspicious](#)

Hello,

As a member of the Pine community who has recently completed construction in Pine Grove requiring a BOA adjustment process, I understand how important and time-consuming this process is.

I fully support David and what he is doing to protect his right to rebuild on his property and I appreciate his due diligence in being proactive to accomplish this. It is good to have good neighbors who care about our community.

Sincerely,
Kari Tornow
16934 S 7th St
Pine, CO 80470
303-775-5066

ADDITIONAL CASE DOCUMENTS



R \$0.00
D \$0.00

2023013271

03/08/2023 10:53:33 AM 4 Page(s)

JEFFERSON COUNTY, Colorado

PROPERTY MERGER AGREEMENT

EV
no fee

This Property Merger Agreement dated for reference purposes only this 3rd day of January, 2023, is by and between the County of Jefferson, State of Colorado, a body politic and corporate (the "County") and David Vuono (the "Owner").

1-4

RECITALS

A. The Owner is the owner of record of certain contiguous parcels located in unincorporated Jefferson County and described as follows:

See Exhibit A

B. The Owner has filed an application with the County to combine or merge the above-described parcels into one parcel (the "Parcel"). This Property Merger application has been assigned Case No. 22-132796MA, with the Planning and Zoning Division.

C. The Owner finds that the merger of the above-described parcels into the Parcel will improve and will not injure or reduce the value of the land.

D. The County finds that the merger of the above-described parcels into the Parcel is an action which is exempt from the definition of "subdivision" or "subdivided land" as set forth in Section 30-28-101, C.R.S., as amended.

NOW, THEREFORE, IN CONSIDERATION OF THE ABOVE, THE PARTIES AGREE AS FOLLOWS:

1. The Recitals set forth above are incorporated by this reference as if fully set forth herein.

2. The contiguous parcels described in Recital A above are hereby combined and shall henceforth be and forever remain the Parcel unless the Parcel is subsequently subdivided pursuant to County regulation. All interior lot line(s) lying within the Parcel are hereby vacated and shall no longer serve as boundary line(s) separating legal interests in real property; provided, however, the Owner acknowledges that the legal description for the underlying parcels shall remain unchanged as a result, of this Agreement.

3. The Owner shall not transfer legal or equitable title to less than the entirety of the Parcel (by deed, deed of trust, inheritance, or otherwise) without further approval of the County as required by the then-applicable rules, regulations, policies, and procedures.

4. The Owner authorizes and hereby directs the County Assessor to combine the contiguous parcels described in Recital A onto one schedule number for purposes of assessment and taxation, if such combination is deemed appropriate by the County Assessor. The Owner further acknowledges that the Assessor's Office will combine tax parcels into one tax bill to the

extent possible, but such action may not be permissible in all cases and the Owner may continue to receive multiple tax bills for the parcels described herein.

5. This Agreement shall be perpetual and shall run with the land and shall be binding on all successors and assigns of the Owner.

6. This Agreement may be executed in any number of counterparts, each of which shall be an original, but all of which together shall constitute one instrument.

APPROVED AS TO FORM:

COUNTY OF JEFFERSON
STATE OF COLORADO

By: Kristin Cisowski
Assistant County Attorney

By: Chris O'Keefe
Director of Planning and Zoning

STATE OF COLORADO
COUNTY OF Jefferson

This Property Merger Agreement was acknowledged before me this 28th day of February, 2023, by Chris O'Keefe as Director of Planning & Zoning for the County of Jefferson, State to Colorado.

WITNESS my hand and official seal.

Nicole Katherine Alber
Notary Public

Nicole Katherine Alber
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID# 20164005333
MY COMMISSION EXPIRES November 20, 2024

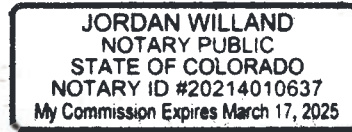
OWNER: David Vuono

By: David Vuono
David Vuono

3

STATE OF Colorado

COUNTY OF Jefferson



This Property Merger Agreement was acknowledged before me this 28 day of February, 2023, by David Vuono.

WITNESS my hand and official seal.

Jordan Willand
Notary Public

Exhibit A

Parcel A:

Lots 1 and 2, Block 20, Pine Grove, County of Jefferson, State of Colorado.

Parcel B:

Lots 10 to 16, Inclusive, Block 20, Pine Grove, County of Jefferson, State of Colorado.

Parcel C:

The Northeasterly 1/2 of Vacated Alley in Block 20 of Pine Grove Adjoining Lots 1 and 2, Block 20, Pine Grove to the South as Vacated by Vacation Resolution No. V16-9-99 of the Jefferson County Board of County Commissioners Recorded May 12, 2000 Under Reception No. F1055778, County of Jefferson, State of Colorado.

Parcel D:

The Southwesterly 1/2 of Vacated Alley in Block 20, Pine Grove Adjoining Lots 10 to 16, Inclusive, Block 20, to the North, as Vacated by Vacation Resolution No. V16-9-99 of the Jefferson County Board of County Commissioners Recorded May 12, 2000 Under Reception No. F1055778, Together With the All of Vacated First Street as Shown on Pine Grove, Lying Between Block 19 and Block 20 of Pine Grove Extending Southerly to Within 35 Feet of the Centerline of County Highway 126 (Main Street), as Vacated by Vacation Resolution No. V16-9-99 of the Jefferson County Board of County Commissioners Recorded May 12, 2000 Under Reception No. F1055778, County of Jefferson, State of Colorado.

Parcel E:

Lots 4, 5 and 6, Block 19, Pine Grove, County of Jefferson, State of Colorado, Together With Vacated Alley Between Lots 4 and 5, as Vacated by Vacation Resolution No. V16-9-99 of the Jefferson County Board of County Commissioners Recorded May 12, 2000 Under Reception No. F1055778.
County of Jefferson, State of Colorado.

4

MAP
 OF
 PINE - GROVE
 JEFFERSON COUNTY Colo.
 SCALE 100ft. = 1 inch.

ARK. K. Hall & Co.
 4/21-1888

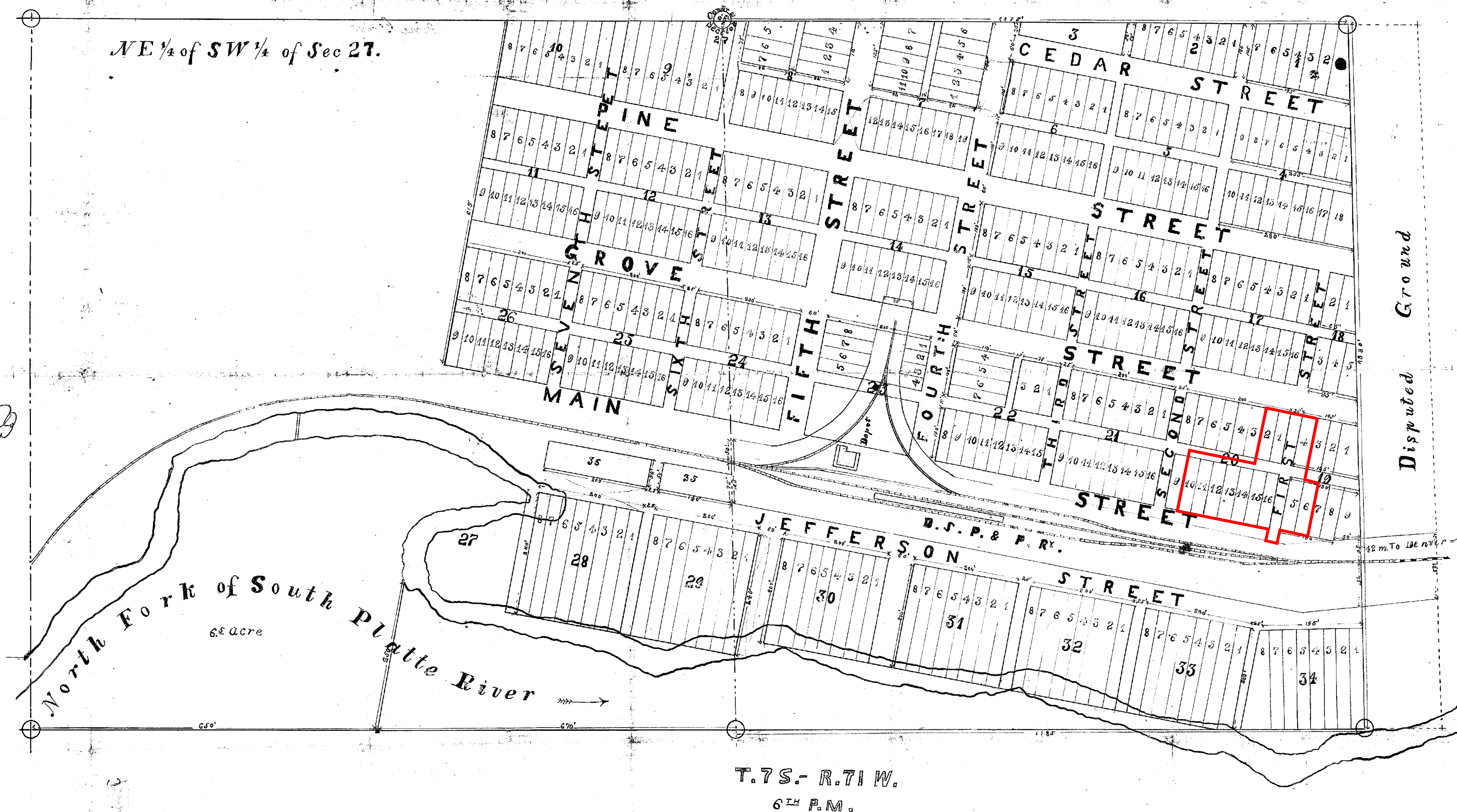
NE 1/4 of SW 1/4 of Sec 27.

From all men by these presents
 that I, C. W. Dake have laid
 out and platted the parcel of
 land as shown on this map
 to wit: - N. 1/4 of the SE 1/4 and
 a part of the NE 1/4 of Sec. 27
 of Range No. 71 north in Jefferson
 County, State of Colorado under
 the name and style of Pine-
 Grove. Reference being had to a
 disputed tract of ground, and
 do grant and convey to the
 public the perpetual use and
 right to all the streets and alleys
 as shown on this plat.
 Dated at Denver, Colo. this 24th
 day of August, 1888

Charles W. Dake

State of Colorado ss
 County of Jefferson
 Before me William
 J. Acheson, a notary public within and
 for the County and State aforesaid.
 this day personally appeared C. W. Dake
 to me known to be the person who
 executed the foregoing map and
 instrument of writing and acknowledged
 that he executed the same as his
 free and voluntary act and deed
 for the uses and purposes therein
 set forth. Witness my hand
 and seal this day of August,
 A.D. 1888

William J. Acheson
 Notary Public
 Independence, Colo.



Vacation Resolution - July 12, 1960 - Book 1286 - Page 474
 Vacation Resolution - Jan. 5, 1962 - Book 1439 - Page 102
 Vacation Resolution - Sept. 6, 1962 - Book 1518 - Page 167

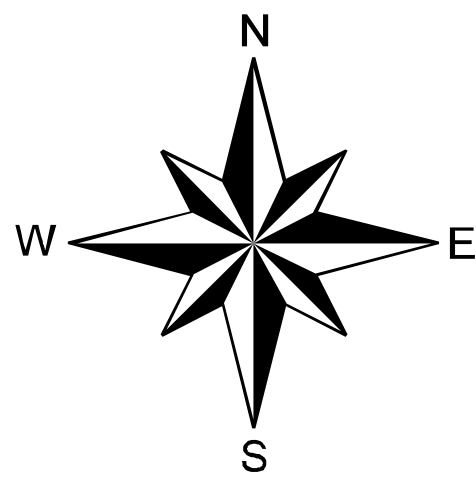
Sept. 5, 1888
 At Denver, Colo.
 16452 94

MAP
71-274



JEFFERSON
COUNTY COLORADO

Scot Kersgaard
Assessor



FEET
0 100 200 300
(Initially plotted at 1 inch = 100 feet, or 1:1,200)

MAP 71-272	MAP 71-271	MAP 71-261,262, 264,35,36
MAP 71-273	MAP 71-274	MAP 71-263
MAP 71-26,33,34		MAP 71-26,261,262, 264,35,36

MAP INDEX

R 72 W	R 71 W	R 70 W	R 69 W	
22	21	20	29	T 2 S
32	31	30	39	T 3 S
42	41	40	49	T 4 S
52	51	50	59	T 5 S
62	61	60	69	T 6 S
72	71	70	79	T 7 S
82	81	80		T 8 S
92	91	90		T 9 S
02	01			T 10 S

06	05	04	03	02	01
07	08	09	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

B	2	A	B	1	A
NW	D	C	D	C	D
B	A	27	B	A	
3	SW	C	D	4	SE

1, 2, 3, and 4 are Quarter Section Codes
A, B, C, and D are Quarter-Quarter Section Codes

TOWNSHIP INDEX State Assigned 4-Digit Township Code: 2359

Parcel Identification Numbers (PINs) in Jefferson County are based on the township, section, and quarter section the parcel falls within. PINs follow the pattern TT-SSQ-BB-LLL. TT is the two-digit township code; SS is the two-digit section number; Q is the quarter section code; BB is the two-digit parcel block number; LLL is the three-digit parcel lot number. When a parcel falls within two or more quarter sections, in most cases the PIN will be based on the quarter section (along with its associated township and section) with the most area within the parcel. Township codes, section numbers, and quarter section codes can be found in the indices above. Parcel block numbers are found enclosed in hexagons (00) on the map. Parcel lot numbers are found enclosed in ovals (001) on the map.

DISCLAIMER

Caution: This map is for assessment purposes only. It is not necessarily accurate by surveying standards. DO NOT USE FOR LEGAL CONVEYANCE. Subsequent editions with updated information will be published on a continual basis. Therefore, the information contained on this map may be modified or altered.

KEY

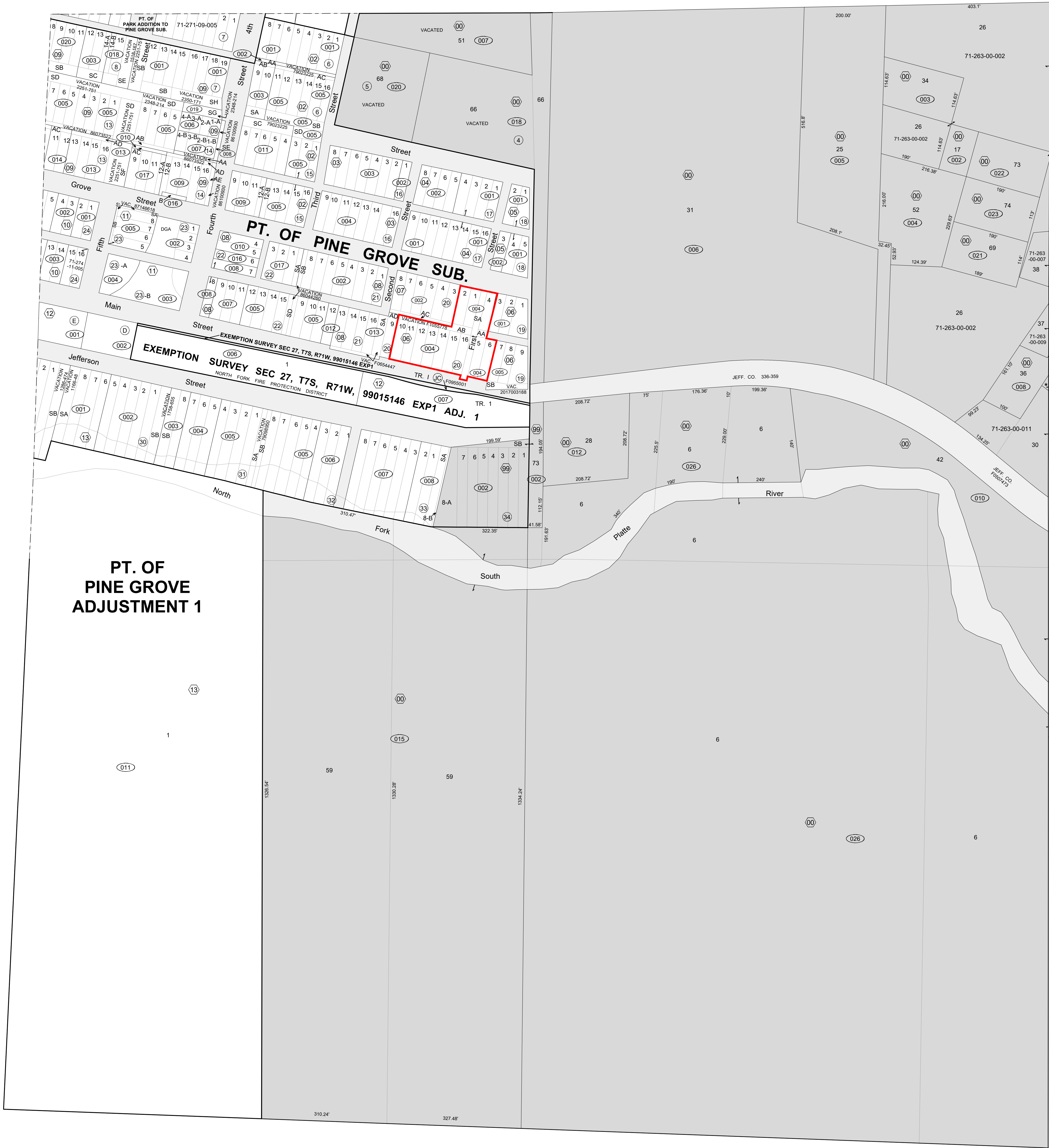
- Section Lines
- Tie Bar Lines
- Subdivision Lines
- Quarter Section/Tie Bar Lines
- Township Lines
- County Boundaries
- All Others
- Mapsheet Boundaries
- Rights of Way, Water, and Railroads (areas without parcel numbers)
- Metes and Bounds Associated Parcels (block numbers 99 and 00)

This map was last updated on Monday, March 18, 2019 at 07:40 AM.
<https://aprsimages.jeffco.us/aprpdfs/pmap71-274.pdf>

Projection Information:

State Plane Coordinate System
Colorado Central Zone (3476)
North American Datum 1983 (NAD83)
GRS1980 Spheroid, Units Feet

Marginalia (only) was updated on Tuesday, September 14, 2021





File No.: F0730849-135-CBQ

SPECIAL WARRANTY DEED

THIS DEED, Made this 10th day of December, 2021 between

Anthony Francis Hernandez and Zoe Frances Stanley

grantor(s), and

David Vuono

whose legal address is 16764 County Road 126 Pine CO 80470

grantee(s):

WITNESS, That the grantor(s), for and in consideration of the sum of Three Hundred Sixteen Thousand One Hundred Dollars and No/100's (\$316,100.00), the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee(s), his heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of Jefferson, State of COLORADO, described as follows:

See Exhibit A attached hereto and made a part hereof.

also known by street and number as 16764 County Road 126 , Pine, CO 80470

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances except for taxes for the current year, a lien but not yet due and payable, subject to statutory exceptions as defined in CRS 38-30-113, revised.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee(s), his heirs, and assigns forever. The grantor(s), for himself, his heirs and personal representatives or successors, does covenant and agree that he shall and will **WARRANT AND FOREVER DEFEND** the above-bargained premises in the quiet and peaceable possession of the grantee(s), his heirs and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the grantor(s).

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

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

SELLERS:


Anthony Francis Hernandez


Zoe Frances Stanley

STATE OF MA
COUNTY OF Worcester

} ss:

The foregoing instrument was acknowledged before me this 10 day of **December, 2021** by **Anthony Francis Hernandez and Zoe Frances Stanley**

Witness my hand and official seal.
My Commission expires:

3/2/23



MICHAEL J. O'SULLIVAN
Notary Public
Commonwealth of Massachusetts
My Commission Expires March 2, 2023



MICHAEL J. O'SULLIVAN
Notary Public
Commonwealth of Massachusetts
My Commission Expires March 2, 2023



MICHAEL J. O'SULLIVAN
Notary Public
Commonwealth of Massachusetts
My Commission Expires March 2, 2023

Exhibit A

Parcel A:

Lots 1 and 2, Block 20, Pine Grove, County of Jefferson, State of Colorado.

Parcel B:

Lots 10 to 16, Inclusive, Block 20, Pine Grove, County of Jefferson, State of Colorado.

Parcel C:

The Northeasterly 1/2 of Vacated Alley in Block 20 of Pine Grove Adjoining Lots 1 and 2, Block 20, Pine Grove to the South as Vacated by Vacation Resolution No. V16-9-99 of the Jefferson County Board of County Commissioners Recorded May 12, 2000 Under Reception No. F1055778, County of Jefferson, State of Colorado.

Parcel D:

The Southwesterly 1/2 of Vacated Alley in Block 20, Pine Grove Adjoining Lots 10 to 16, Inclusive, Block 20, to the North, as Vacated by Vacation Resolution No. V16-9-99 of the Jefferson County Board of County Commissioners Recorded May 12, 2000 Under Reception No. F1055778, Together With the All of Vacated First Street as Shown on Pine Grove, Lying Between Block 19 and Block 20 of Pine Grove Extending Southerly to Within 35 Feet of the Centerline of County Highway 126 (Main Street), as Vacated by Vacation Resolution No. V16-9-99 of the Jefferson County Board of County Commissioners Recorded May 12, 2000 Under Reception No. F1055778, County of Jefferson, State of Colorado.

Parcel E:

Lots 4, 5 and 6, Block 19, Pine Grove, County of Jefferson, State of Colorado, Together With Vacated Alley Between Lots 4 and 5, as Vacated by Vacation Resolution No. V16-9-99 of the Jefferson County Board of County Commissioners Recorded May 12, 2000 Under Reception No. F1055778.
County of Jefferson, State of Colorado.

**CERTIFIED COPY OF RESOLUTION
VACATION V16-9-99**

NO Fee **WHEREAS**, by a plat of Pine Grove Subdivision recorded in Book 1 at Page 28 of the Jefferson County Records, rights-of-way for certain streets, avenues, roads, alleys or other public ways thereon, whether or not they have been used as such, were dedicated to the public; and *1-1*

WHEREAS, the rights-of-way described below are no longer necessary for use by the public; and

WHEREAS, said rights-of-way are not within the limits of any city or town and do not form the boundary line of a city, town or county; and

WHEREAS, by a vacation of said rights-of-way no land would be left without an established public street/road or private access easement connecting it with another established public street/road; and

WHEREAS, the Jefferson County Planning Commission has recommended approval of the vacation of Jefferson County interests in the subject rights-of-way.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Jefferson County, Colorado, pursuant to Section 43-2-303, C.R.S. as amended, that all rights, titles or interests of the County of Jefferson, State of Colorado are hereby vacated in the following described parcels:

The alley and street rights-of-way in Pine Grove Subdivision recorded in Book 1 at Page 28 of the Jefferson County Records more particularly described as follows:

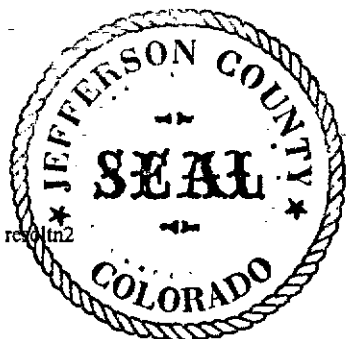
- 1) The alley between Lots 4 and 5 in Block 19,
- 2) the alley in Block 20, and
- 3) First Street between Grove Street and extending southerly to within 35 feet of the centerline of County Highway 126 (aka Main Street).

SUBJECT TO A RESERVATION OF EASEMENTS FOR THE CONTINUED USE OF EXISTING SEWER, GAS, WATER OR SIMILAR PIPE LINES AND APPURTENANCES, EXISTING DITCHES OR CANALS AND APPURTENANCES, AND EXISTING ELECTRIC, TELEPHONE, CABLE TELEVISION, AND SIMILAR LINES AND APPURTENANCES, IF ANY.

STATE OF COLORADO)
COUNTY OF JEFFERSON)

RECEPTION NO. F1055778
5/12/2000 15:23:30 PG: 001-001
PAGE FEE: 0.00 DOC.FEE: 0.00
RECORDED IN JEFFERSON COUNTY, COLORADO

I *Dorothy Gordon*, County Clerk and Recorder and Clerk to the Board of County Commissioners, certify that the above is a true copy of a resolution passed at the regular meeting of the Board of County Commissioners held on *February 1, 2000*, as it appears on record in the Minute Book.



Dorothy Gordon, Deputy Clerk
County Clerk and Recorder

Property Merger or Termination/Amendment Application Cover Sheet



100 Jefferson County Parkway
Suite 3550
Golden CO, 80419
303-271-8700
planning.jeffco.us
pzpermits@jeffco.us

To: County Attorney's Office

From: Kendell Court

Date: 4/2/24

Property Address or PIN: 16764 County Road 126

Case Number: 24-108113MA

Criteria Checklist	Check One	Comments
1. Carto Reviewed and Confirmed Legal Description:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
2. The exterior boundary of any lot or parcel after the merger is complete will be a proper division of land:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
3. All lots or parcels proposed to be merged have the same ownership, including tenancy:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
4. All lots or parcels proposed to be merged have the same zoning:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	MR-3
5. The lots or parcels proposed to be merged have at least 20 feet of contiguity:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
6. The owners of all affected parcels have consented in writing to the merger:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
7. The lots or parcels proposed to be merged are current on taxes and have no back taxes owed:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
8. If one or more easements are located between the parcels being merged, all property owners of the parcels being merged have executed an Affidavit of Understanding acknowledging that the merger will not extinguish the easement:	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A

Attached Documents	Check One	Comments
1. Property Merger Application signed by applicant:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
2. Draft Property Merger Agreement:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
3. Applicable Deed:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
4. Applicable Plat with any easement language highlighted	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
5. If owned by a legal entity (e.g., Trust, LLC or Corp) Statement of Authority and Operating Agreement (for LLC) or Certificate of Trust (for Trust):	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A
6. Affidavit of Understanding	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A

Property Merger or Termination/Amendment Application

Permit Number (for Jeffco employee use only): 24-108113 MA

To qualify for a property merger all lots or properties being merged must be:

- Legal parcels
- Same ownership, including tenancy
- Adjacent lots, contiguous by at least 20 feet
- Same zoning
- Current on taxes and no back taxes owed

To qualify for a Termination or Amendment of a property merger, see [Land Development Regulation](#), Section 20 Requirements, B4.

Fees can be found [on our website](#). Make checks payable to Jefferson County Treasurer.

Submit this permit and all supporting documents to pzpermits@jeffco.us

Is there a building permit or vacation in conjunction with this property merger? ☒ Yes ☐ No

If yes: BP Number: _____ Case Number: 23-102943 -VA

A completed Property Merger Agreement shall be submitted prior to the Certificate of Occupancy or the Final Inspection of your building permit.

<u>16764 County Rd 126</u>	<u>Pine</u>	<u>CO</u>	<u>80470</u>
Address or Parcel ID# of the subject property	City	State	Zip

Applicant Details

Staff will send the property owner(s) an agreement to their mailing address.

<u>David Vuono</u>	<u>203-536-8529</u>		
Property Owner	Phone Number		
<u>16764 County Rd 126</u>	<u>Pine</u>	<u>CO</u>	<u>80470</u>
Owner's Mailing Address	City	State	Zip

☐ This application is being submitted by a Representative:

<u>Representative</u>	<u>Phone Number</u>		
<u>Representative's Mailing Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>

Request to Merge, Terminate, or Amend

Reason for Property Merger Request:

Example: Lots 1,2,3, of Block 2 in Joe Subdivision OR Parcel ID# for Metes and bounds descriptions, as described in my current deed at Reception #

This request is to merge the parcel at 16764 County Rd 126 (aka Pine Valley Rd) with the pending vacation application
Case Number 23-102043

If approved by Planning and Zoning, the Owner authorizes and hereby requests the County Assessor to combine the contiguous parcels described onto one schedule number for purposes of assessment and taxation, if such combination is deemed appropriate by the County Assessor. The Owner further acknowledges that the Assessor's Office will combine tax parcels into one tax bill to the extent possible, but such action may not be permissible in all cases and the Owner may continue to receive multiple tax bills for the parcels described herein. (sign on page 2)

Property Merger or Termination/Amendment Application

Request to Merge, Terminate, or Amend (continued)

Permit Number: _____ MA

David Vuono

03/28/2024

Owner's Signature

Date

Owner's Signature

Date

Planner

Process

1. Staff will review the application/submittal materials and advise of any errors or omissions.
 2. The owner will be mailed a Merger Agreement to review, sign, notarize and return to Jefferson County Planning and Zoning.
 3. Once the completed agreement is returned, the Planning Director will review/sign and staff will record the document (and any affidavits) with the Jefferson County Clerk and Recorder's Office. The original agreement will become part of the formal property record.
- ☐ Yes, I would like a copy of the recorded agreement emailed to me at: _____

To be Completed by Front Counter Planner

Submit the following supporting documents to the Planning & Zoning Department. Not all supporting documents may be necessary.

- ☐ Current, recorded Warranty Deed(s), Quit Claim Deed(s), etc. for all land involved in the request. For land not platted (metes and bounds or portions of lots), a deed recorded prior to May 5, 1972 is required in addition to the current Warranty deed. (The appropriate deeds can be obtained from the Clerk & Recorder's office (second floor).)
- ☐ Operating Agreement if the owner on the deed is a LLC (Limited Liability Company).
- ☐ Proof of Certificate of Trust if ownership is within a Trust.

Platted Easements

☐ Platted easements, (DEDICATED), not building over

1. Utility companies request to be notified of a proposed merger. Use our utility contact list to notify all affected utility services. Then provide Planning and Zoning their response, typically referred to as a Letter of No Objection. Some utilities may request a copy of the plat, see the Clerk and Recorder (second floor).

☐ Platted easements, (DEDICATED), building over

If there is an existing structure or if it is desired that a structure be built over a platted easement that is dedicated to the County, this easement needs to be vacated by a Commissioner's deed, in conjunction with the Property Merger process. The Commissioner's deed will remove the County's interest in the easement. Please provide the following to have the easement vacated:

1. Letters of No Objection from utility companies, stating they have no objection to vacating the easement.
2. A site plan or ILC to scale, showing the platted easement and structure.

Note: This will go to a public hearing for approval and you will get a copy of the final, recorded Commissioner's deed in the mail.

☐ Platted easements, (RESERVED), not building over

1. Utility companies request to be notified of a proposed merger. Use our utility contact list to notify all affected utility services. Then provide Planning and Zoning their response, typically referred to as a Letter of No Objection. Some utilities may request a copy of the plat, see the Clerk and Recorder (second floor).
2. Affidavit of Understanding. This will be mailed with your Merger Agreement after you submit this application.

☐ Platted easements, (RESERVED), building over

1. Quiet Title – This is our 1st recommendation and is the best process when working with reserved easements. This is a court action that removes claim of title by another party. The owners will need to consult an attorney with experience in land law.

OR

1. Release of easement documents, Quit Claim deeds, or Letters of No Objection, provided by all of the appropriate utility companies. Use our utility contact list to notify all affected utility services. Some utilities may request a copy of the plat, see the Clerk and Recorder (second floor).
2. Affidavit of Understanding. This will be mailed with your Merger Agreement after you submit this application.

Note: The property owner should use discretion when determining which utility companies have an interest in the reserved easements on their property. Utility service areas may change or new companies may develop posing risk to property owners with reserved easements even after Release of Easements, Quit Claim Deeds or Letters of No Objection are obtained.

PROPERTY MERGER AGREEMENT

This Property Merger Agreement dated for reference purposes only this 3rd day of April 2024, is by and between the County of Jefferson, State of Colorado, a body politic and corporate (the "County") and David Vuono (the "Owner").

RECITALS

A. The Owner is the owner of record of certain contiguous parcels located in unincorporated Jefferson County and described as follows:

See Exhibit A

B. The Owner has filed an application with the County to combine or merge the above-described parcels into one parcel (the "Parcel"). This Property Merger application has been assigned Case No. 24-108113MA, with the Planning and Zoning Division.

C. The Owner finds that the merger of the above-described parcels into the Parcel will improve and will not injure or reduce the value of the land.

D. The County finds that the merger of the above-described parcels into the Parcel is an action which is exempt from the definition of "subdivision" or "subdivided land" as set forth in Section 30-28-101, C.R.S., as amended.

NOW, THEREFORE, IN CONSIDERATION OF THE ABOVE, THE PARTIES AGREE AS FOLLOWS:

1. The Recitals set forth above are incorporated by this reference as if fully set forth herein.
2. The contiguous parcels described in Recital A above are hereby combined and shall henceforth be and forever remain the Parcel unless the Parcel is subsequently subdivided pursuant to County regulation. All interior lot line(s) lying within the Parcel are hereby vacated and shall no longer serve as boundary line(s) separating legal interests in real property; provided, however, the Owner acknowledges that the legal description for the underlying parcels shall remain unchanged as a result, of this Agreement.
3. The Owner shall not transfer legal or equitable title to less than the entirety of the Parcel (by deed, deed of trust, inheritance, or otherwise) without further approval of the County as required by the then-applicable rules, regulations, policies, and procedures.
4. The Owner authorizes and hereby directs the County Assessor to combine the contiguous parcels described in Recital A onto one schedule number for purposes of assessment and taxation, if such combination is deemed appropriate by the County Assessor. The Owner

further acknowledges that the Assessor's Office will combine tax parcels into one tax bill to the extent possible, but such action may not be permissible in all cases and the Owner may continue to receive multiple tax bills for the parcels described herein.

5. This Agreement shall be perpetual and shall run with the land and shall be binding on all successors and assigns of the Owner.

6. This Agreement may be executed in any number of counterparts, each of which shall be an original, but all of which together shall constitute one instrument.

APPROVED AS TO FORM: COUNTY OF JEFFERSON
STATE OF COLORADO

By: _____
Assistant County Attorney

By: _____
Chris O'Keefe
Director of Planning and Zoning

STATE OF COLORADO
COUNTY OF _____

This Property Merger Agreement was acknowledged before me this _____ day of _____, 2024, by Chris O'Keefe as Director of Planning & Zoning for the County of Jefferson, State to Colorado.

WITNESS my hand and official seal.

Notary Public

Signature on following page.

OWNER: David Vuono

By: _____
David Vuono

STATE OF _____

COUNTY OF _____

This Property Merger Agreement was acknowledged before me this _____ day of _____, 2024, by David Vuono.

WITNESS my hand and official seal.

Notary Public

Exhibit A

Parcel A:

Lots 1 and 2, Block 20, Pine Grove, County of Jefferson, State of Colorado.

Parcel B:

Lots 10 to 16, Inclusive, Block 20, Pine Grove, County of Jefferson, State of Colorado.

Parcel C:

The Northeasterly 1/2 of Vacated Alley in Block 20 of Pine Grove Adjoining Lots 1 and 2, Block 20, Pine Grove to the South as Vacated by Vacation Resolution No. V16-9-99 of the Jefferson County Board of County Commissioners Recorded May 12, 2000 Under Reception No. F1055778, County of Jefferson, State of Colorado.

Parcel D:

The Southwesterly 1/2 of Vacated Alley in Block 20, Pine Grove Adjoining Lots 10 to 16, Inclusive, Block 20, to the North, as Vacated by Vacation Resolution No. V16-9-99 of the Jefferson County Board of County Commissioners Recorded May 12, 2000 Under Reception No. F1055778, Together With the All of Vacated First Street as Shown on Pine Grove, Lying Between Block 19 and Block 20 of Pine Grove Extending Southerly to Within 35 Feet of the Centerline of County Highway 126 (Main Street), as Vacated by Vacation Resolution No. V16-9-99 of the Jefferson County Board of County Commissioners Recorded May 12, 2000 Under Reception No. F1055778, County of Jefferson, State of Colorado.

Parcel E:

Lots 4, 5 and 6, Block 19, Pine Grove, County of Jefferson, State of Colorado, Together With Vacated Alley Between Lots 4 and 5, as Vacated by Vacation Resolution No. V16-9-99 of the Jefferson County Board of County Commissioners Recorded May 12, 2000 Under Reception No. F1055778.
County of Jefferson, State of Colorado.

as merged pursuant to Property Merger Agreement Case No. 22-132796MA, recorded at Reception No. 2023013271.

together with

THAT PART OF MAIN STREET, PINE GROVE, JEFFERSON COUNTY PLAT BOOK 1, PAGE 28, LOCATED IN THE S.E. $\frac{1}{4}$ OF SECTION 7, TOWNSHIP 7 SOUTH, RANGE 71 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF MAIN STREET, ALSO KNOWN AS COUNTY HIGHWAY 126, ADJACENT TO LOTS 5&6, BLOCK 19, 1ST STREET BETWEEN BLOCK 19 AND 20, AND LOTS 10-16, BLOCK 20, PINE GROVE SUBDIVISION DESCRIBED AS FOLLOWS: BEGINNING AT THE S.E. CORNER OF LOT 6, BLOCK 19, PINE GROVE SUBDIVISION, FROM WHENCE THE N.E. CORNER OF SAID LOT 6 BEARS N10°33'10"E 100.58', THENCE S10°43'17"W, A DISTANCE OF 19.55'; THENCE N82°46'36"W, A DISTANCE OF 76.30'; THENCE N79°09'01"W, A DISTANCE OF 173.93'; THENCE N10°50'59"E, A DISTANCE OF 24.30' TO THE S.W. CORNER OF LOT 10, BLOCK 20, PINE GROVE SUBDIVISION; THENCE S79°09'01"E, ALONG THE SOUTH LINE OF LOTS 10-16, BLOCK 20, A DISTANCE OF 175.01' TO A POINT ON THE WESTERLY EDGE OF PREVIOUSLY VACATED RIGHT OF WAY (V16-9-99, AT RECEPTION #F1055778); THENCE ALONG THE BOUNDARY OF PREVIOUSLY VACATED RIGHT OF WAY THE FOLLOWING COURSES: THENCE S10°33'32"W, A DISTANCE OF 22.09'; THENCE S82°27'49"E, A DISTANCE OF 24.99'; THENCE N10°39'17"E, A DISTANCE OF 20.61' TO THE N.E. CORNER OF SAID TRACT; THENCE S79°16'43"E, ALONG THE SOUTH LINE OF LOTS 5&6, BLOCK 19, A DISTANCE OF 50.03' TO THE POINT OF BEGINNING.

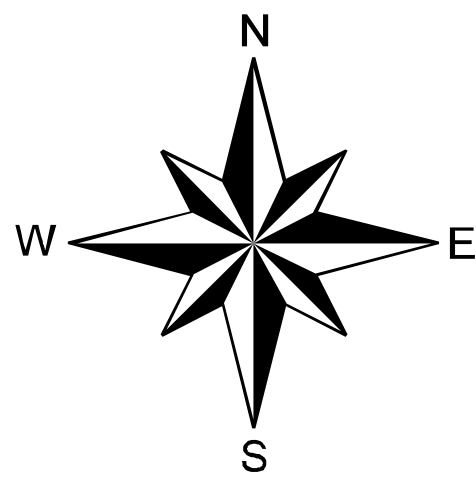
as vacated by Jefferson County Board of County Commissioners Resolution _____, recorded on _____, at Reception No _____.

MAP
71-274



JEFFERSON
COUNTY COLORADO

Scot Kersgaard
Assessor



FEET
0 100 200 300
(Initially plotted at 1 inch = 100 feet, or 1:1,200)

MAP 71-272	MAP 71-271	MAP 71-261,262, 264,35,36
MAP 71-273	MAP 71-274	MAP 71-263
MAP 71-26,33,34		MAP 71-261,262, 264,35,36

MAP INDEX

R 72 W	R 71 W	R 70 W	R 69 W	
22	21	20	29	T 2 S
32	31	30	39	T 3 S
42	41	40	49	T 4 S
52	51	50	59	T 5 S
62	61	60	69	T 6 S
72	71	70	79	T 7 S
82	81	80		T 8 S
92	91	90		T 9 S
02	01			T 10 S

06	05	04	03	02	01
07	08	09	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

B	2	A	B	1	A
NW	D	C	B	C	D
C	B	A	27	B	A
3	SW	C	D	4	SE
C	D	C	D	C	D

SECTION INDEX

QUARTER SECTIONS

1, 2, 3, and 4 are Quarter Section Codes
A, B, C, and D are Quarter-Quarter Section Codes

TOWNSHIP INDEX State Assigned 4-Digit Township Code: 2359

Parcel Identification Numbers (PINs) in Jefferson County are based on the township, section, and quarter section the parcel falls within. PINs follow the pattern TT-SSQ-BB-LLL. TT is the two-digit township code; SS is the two-digit section number; Q is the quarter section code; BB is the two-digit parcel block number; LLL is the three-digit parcel lot number. When a parcel falls within two or more quarter sections, in most cases the PIN will be based on the quarter section (along with its associated township and section) with the most area within the parcel. Township codes, section numbers, and quarter section codes can be found in the indices above. Parcel block numbers are found enclosed in hexagons (00) on the map. Parcel lot numbers are found enclosed in ovals (000) on the map.

DISCLAIMER

Caution: This map is for assessment purposes only. It is not necessarily accurate by surveying standards.
DO NOT USE FOR LEGAL CONVEYANCE.
Subsequent editions with updated information will be published on a continual basis.
Therefore, the information contained on this map may be modified or altered.

KEY

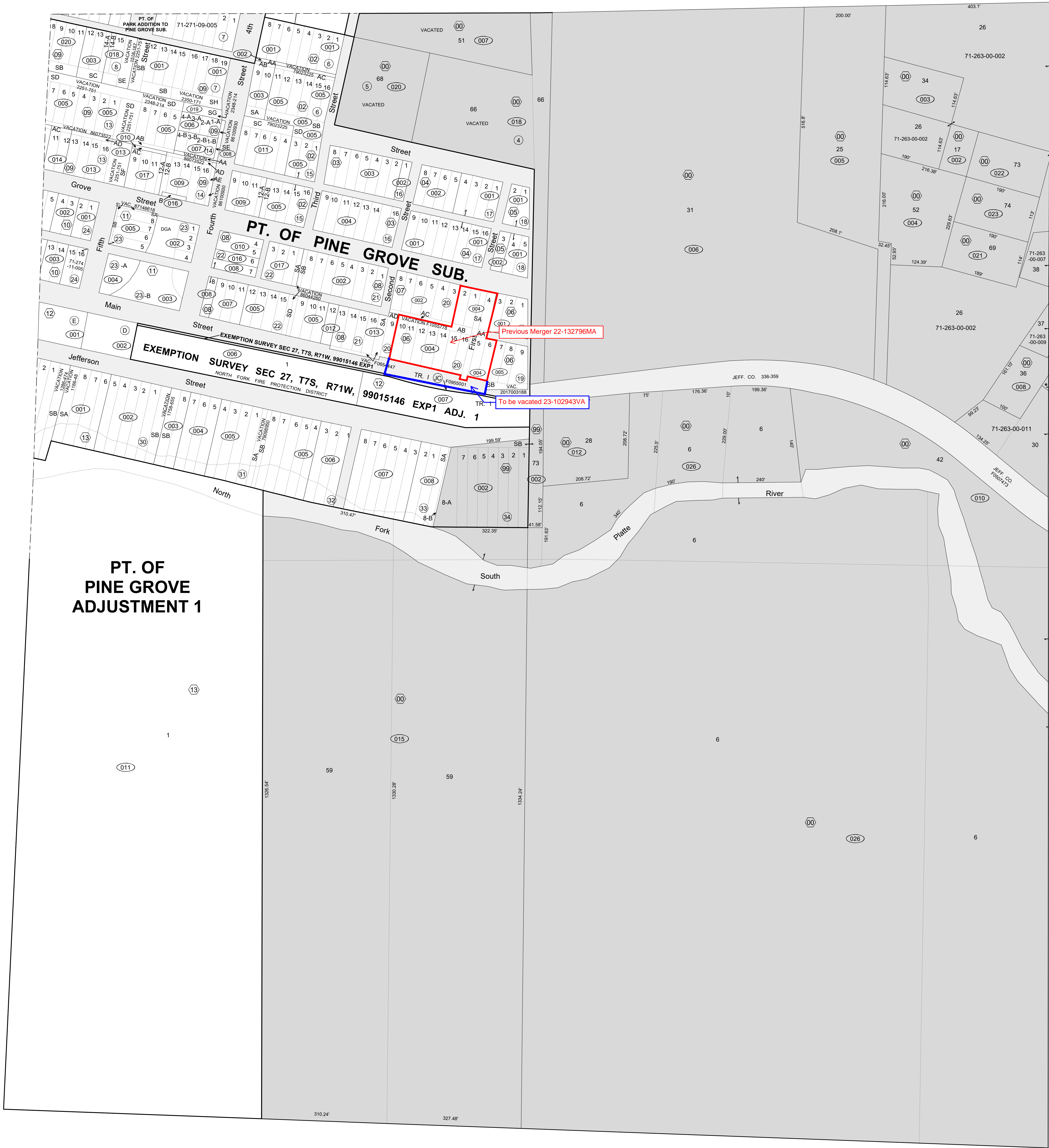
- Section Lines
- Tie Bar Lines
- Subdivision Lines
- Quarter Section/Tie Bar Lines
- Township Lines
- County Boundaries
- All Others
- Mapsheet Boundaries
- Rights of Way, Water, and Railroads (areas without parcel numbers)
- Metes and Bounds Associated Parcels (block numbers 99 and 00)

This map was last updated on Monday, March 18, 2019 at 07:40 AM.
<https://aprsimages.jeffco.us/aprspdfs/pmap71-274.pdf>

Projection Information:

State Plane Coordinate System
Colorado Central Zone (3476)
North American Datum 1983 (NAD83)
GRS1980 Spheroid, Units Feet

Marginalia (only) was updated on Tuesday, September 14, 2021.



MAP OF PINE - GROVE JEFFERSON COUNTY Colo. SCALE 100ft. = 1 inch.

ARK. K. Hall & Co.
 4/21-1888

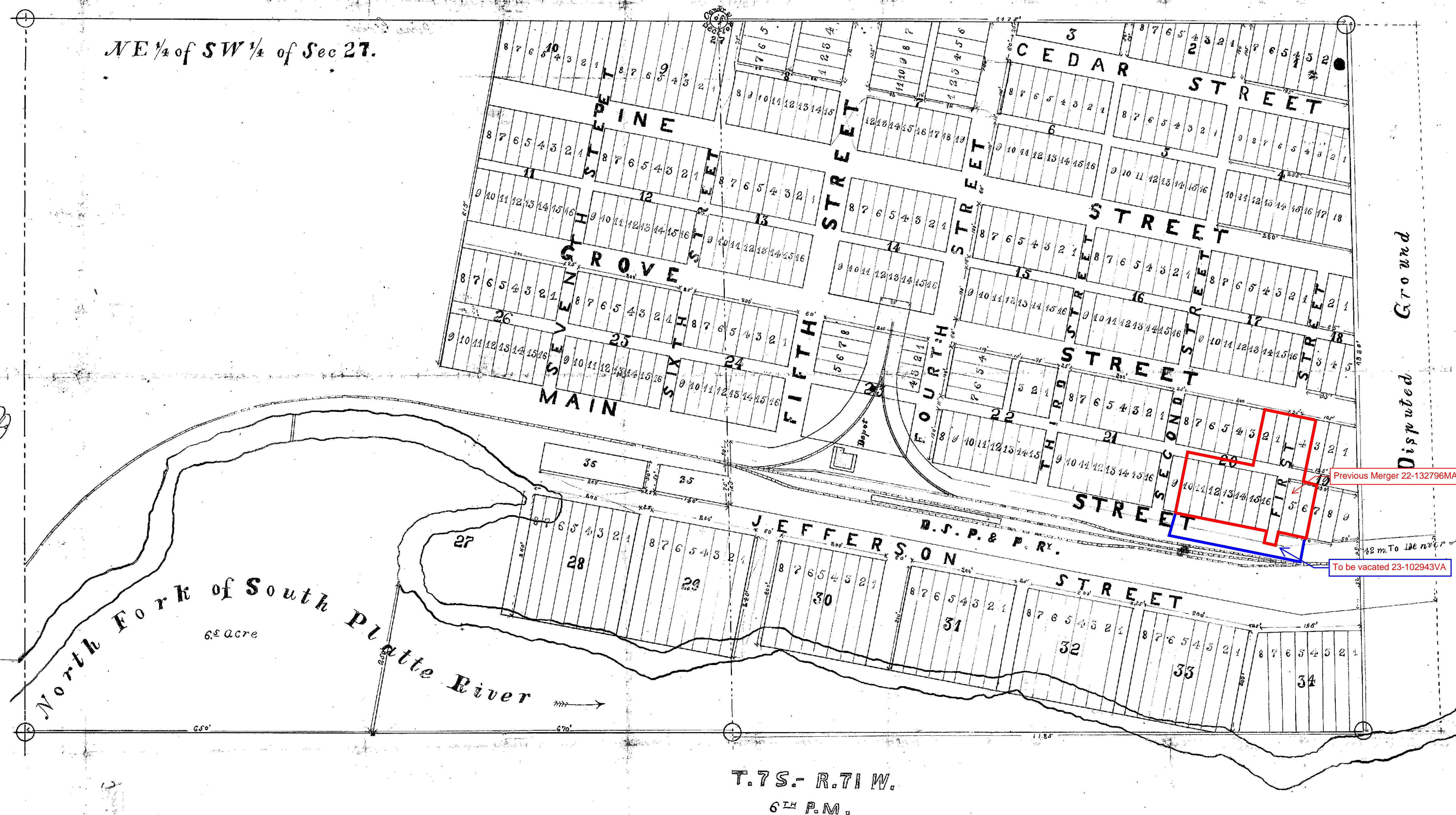
NE 1/4 of SW 1/4 of Sec 27.

From all men by these presents
 that I, C.W. Dake have laid
 out and platted the parcel of
 land as shown on this map
 to wit: - N.W. 1/4 of the SE 1/4 and
 a part of the NE 1/4 of Sec. 27 of
 Township No. 7 South
 of Range No. 71 West in Jefferson
 County, State of Colorado under
 the name and style of Pine-
 Grove. Reference being had to a
 disputed tract of ground, and
 do grant and convey to the
 Public the perpetual use and
 right to all the streets and alleys
 as shown on this plat.
 Dated at Denver, Colo. this 24th
 day of August, 1888

Charles W. Dake

State of Colorado ss
 County of Jefferson
 Before me William
 J. Acheson, a notary public within and
 for the County and State aforesaid.
 This day personally appeared C.W. Dake
 to me known to be the person who
 executed the foregoing map and
 instrument of writing and acknowledged
 that he executed the same as his
 free and voluntary act and deed
 for the uses and purposes therein
 set forth. Witness my hand
 and seal this 24th day of August,
 A.D. 1888

William J. Acheson
 Notary Public
 Independence, Colo.



T.7S.- R.71W.
 6TH P.M.

Vacation Resolution - July 12, 1960 - Book 1286 - Page 474
 Vacation Resolution - Jan. 5, 1962 - Book 1439 - Page 102
 Vacation Resolution - Sept. 6, 1962 - Book 1518 - Page 167

Sept. 5, 1888
 At Denver
 16452 94

**CERTIFIED COPY OF RESOLUTION
VACATION V16-9-99**

NO
Feb **WHEREAS**, by a plat of Pine Grove Subdivision recorded in Book 1 at Page 28 of the Jefferson County Records, rights-of-way for certain streets, avenues, roads, alleys or other public ways thereon, whether or not they have been used as such, were dedicated to the public; and 1-1

WHEREAS, the rights-of-way described below are no longer necessary for use by the public; and

WHEREAS, said rights-of-way are not within the limits of any city or town and do not form the boundary line of a city, town or county; and

WHEREAS, by a vacation of said rights-of-way no land would be left without an established public street/road or private access easement connecting it with another established public street/road; and

WHEREAS, the Jefferson County Planning Commission has recommended approval of the vacation of Jefferson County interests in the subject rights-of-way.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Jefferson County, Colorado, pursuant to Section 43-2-303, C.R.S. as amended, that all rights, titles or interests of the County of Jefferson, State of Colorado are hereby vacated in the following described parcels:

The alley and street rights-of-way in Pine Grove Subdivision recorded in Book 1 at Page 28 of the Jefferson County Records more particularly described as follows:

- 1) The alley between Lots 4 and 5 in Block 19,
- 2) the alley in Block 20, and
- 3) First Street between Grove Street and extending southerly to within 35 feet of the centerline of County Highway 126 (aka Main Street).

SUBJECT TO A RESERVATION OF EASEMENTS FOR THE CONTINUED USE OF EXISTING SEWER, GAS, WATER OR SIMILAR PIPE LINES AND APPURTENANCES, EXISTING DITCHES OR CANALS AND APPURTENANCES, AND EXISTING ELECTRIC, TELEPHONE, CABLE TELEVISION, AND SIMILAR LINES AND APPURTENANCES, IF ANY.

STATE OF COLORADO)
COUNTY OF JEFFERSON)

RECEPTION NO. F1055778
5/12/2000 15:23:30 PG: 001-001
PAGE FEE: 0.00 DOC.FEE: 0.00
RECORDED IN JEFFERSON COUNTY, COLORADO

I Dorothy Gordon, County Clerk and Recorder and Clerk to the Board of County Commissioners, certify that the above is a true copy of a resolution passed at the regular meeting of the Board of County Commissioners held on February 1, 2000, as it appears on record in the Minute Book.



Dorothy Gordon, Deputy Clerk
County Clerk and Recorder

**CERTIFIED COPY OF RESOLUTION
VACATION V16-9-99**

NO Fee **WHEREAS**, by a plat of Pine Grove Subdivision recorded in Book 1 at Page 28 of the Jefferson County Records, rights-of-way for certain streets, avenues, roads, alleys or other public ways thereon, whether or not they have been used as such, were dedicated to the public; and *1-1*

WHEREAS, the rights-of-way described below are no longer necessary for use by the public; and

WHEREAS, said rights-of-way are not within the limits of any city or town and do not form the boundary line of a city, town or county; and

WHEREAS, by a vacation of said rights-of-way no land would be left without an established public street/road or private access easement connecting it with another established public street/road; and

WHEREAS, the Jefferson County Planning Commission has recommended approval of the vacation of Jefferson County interests in the subject rights-of-way.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Jefferson County, Colorado, pursuant to Section 43-2-303, C.R.S. as amended, that all rights, titles or interests of the County of Jefferson, State of Colorado are hereby vacated in the following described parcels:

The alley and street rights-of-way in Pine Grove Subdivision recorded in Book 1 at Page 28 of the Jefferson County Records more particularly described as follows:

- 1) The alley between Lots 4 and 5 in Block 19,
- 2) the alley in Block 20, and
- 3) First Street between Grove Street and extending southerly to within 35 feet of the centerline of County Highway 126 (aka Main Street).

SUBJECT TO A RESERVATION OF EASEMENTS FOR THE CONTINUED USE OF EXISTING SEWER, GAS, WATER OR SIMILAR PIPE LINES AND APPURTENANCES, EXISTING DITCHES OR CANALS AND APPURTENANCES, AND EXISTING ELECTRIC, TELEPHONE, CABLE TELEVISION, AND SIMILAR LINES AND APPURTENANCES, IF ANY.

STATE OF COLORADO)
COUNTY OF JEFFERSON)

RECEPTION NO. F1055778
5/12/2000 15:23:30 PG: 001-001
PAGE FEE: 0.00 DOC.FEE: 0.00
RECORDED IN JEFFERSON COUNTY, COLORADO

I *Dorothy Gordon*, County Clerk and Recorder and Clerk to the Board of County Commissioners, certify that the above is a true copy of a resolution passed at the regular meeting of the Board of County Commissioners held on *February 1, 2000*, as it appears on record in the Minute Book.



Dorothy Gordon, Deputy Clerk
County Clerk and Recorder

PROPERTY MERGER AGREEMENT

This Property Merger Agreement dated for reference purposes only this 3rd day of April 2024, is by and between the County of Jefferson, State of Colorado, a body politic and corporate (the "County") and David Vuono (the "Owner").

RECITALS

A. The Owner is the owner of record of certain contiguous parcels located in unincorporated Jefferson County and described as follows:

See Exhibit A

B. The Owner has filed an application with the County to combine or merge the above-described parcels into one parcel (the "Parcel"). This Property Merger application has been assigned Case No. 24-108113MA, with the Planning and Zoning Division.

C. The Owner finds that the merger of the above-described parcels into the Parcel will improve and will not injure or reduce the value of the land.

D. The County finds that the merger of the above-described parcels into the Parcel is an action which is exempt from the definition of "subdivision" or "subdivided land" as set forth in Section 30-28-101, C.R.S., as amended.

NOW, THEREFORE, IN CONSIDERATION OF THE ABOVE, THE PARTIES AGREE AS FOLLOWS:

1. The Recitals set forth above are incorporated by this reference as if fully set forth herein.
2. The contiguous parcels described in Recital A above are hereby combined and shall henceforth be and forever remain the Parcel unless the Parcel is subsequently subdivided pursuant to County regulation. All interior lot line(s) lying within the Parcel are hereby vacated and shall no longer serve as boundary line(s) separating legal interests in real property; provided, however, the Owner acknowledges that the legal description for the underlying parcels shall remain unchanged as a result, of this Agreement.
3. The Owner shall not transfer legal or equitable title to less than the entirety of the Parcel (by deed, deed of trust, inheritance, or otherwise) without further approval of the County as required by the then-applicable rules, regulations, policies, and procedures.
4. The Owner authorizes and hereby directs the County Assessor to combine the contiguous parcels described in Recital A onto one schedule number for purposes of assessment and taxation, if such combination is deemed appropriate by the County Assessor. The Owner

further acknowledges that the Assessor's Office will combine tax parcels into one tax bill to the extent possible, but such action may not be permissible in all cases and the Owner may continue to receive multiple tax bills for the parcels described herein.

5. This Agreement shall be perpetual and shall run with the land and shall be binding on all successors and assigns of the Owner.

6. This Agreement may be executed in any number of counterparts, each of which shall be an original, but all of which together shall constitute one instrument.

APPROVED AS TO FORM: COUNTY OF JEFFERSON
STATE OF COLORADO

By: _____
Assistant County Attorney

By: _____
Chris O'Keefe
Director of Planning and Zoning

STATE OF COLORADO
COUNTY OF _____

This Property Merger Agreement was acknowledged before me this _____ day of _____, 2024, by Chris O'Keefe as Director of Planning & Zoning for the County of Jefferson, State to Colorado.

WITNESS my hand and official seal.

Notary Public

Signature on following page.

OWNER: David Vuono

By: _____
David Vuono

STATE OF _____

COUNTY OF _____

This Property Merger Agreement was acknowledged before me this _____ day of
_____, 2024, by David Vuono.

WITNESS my hand and official seal.

Notary Public

Exhibit A

Parcel A:

Lots 1 and 2, Block 20, Pine Grove, County of Jefferson, State of Colorado.

Parcel B:

Lots 10 to 16, Inclusive, Block 20, Pine Grove, County of Jefferson, State of Colorado.

Parcel C:

The Northeasterly 1/2 of Vacated Alley in Block 20 of Pine Grove Adjoining Lots 1 and 2, Block 20, Pine Grove to the South as Vacated by Vacation Resolution No. V16-9-99 of the Jefferson County Board of County Commissioners Recorded May 12, 2000 Under Reception No. F1055778, County of Jefferson, State of Colorado.

Parcel D:

The Southwesterly 1/2 of Vacated Alley in Block 20, Pine Grove Adjoining Lots 10 to 16, Inclusive, Block 20, to the North, as Vacated by Vacation Resolution No. V16-9-99 of the Jefferson County Board of County Commissioners Recorded May 12, 2000 Under Reception No. F1055778, Together With the All of Vacated First Street as Shown on Pine Grove, Lying Between Block 19 and Block 20 of Pine Grove Extending Southerly to Within 35 Feet of the Centerline of County Highway 126 (Main Street), as Vacated by Vacation Resolution No. V16-9-99 of the Jefferson County Board of County Commissioners Recorded May 12, 2000 Under Reception No. F1055778, County of Jefferson, State of Colorado.

Parcel E:

Lots 4, 5 and 6, Block 19, Pine Grove, County of Jefferson, State of Colorado, Together With Vacated Alley Between Lots 4 and 5, as Vacated by Vacation Resolution No. V16-9-99 of the Jefferson County Board of County Commissioners Recorded May 12, 2000 Under Reception No. F1055778.
County of Jefferson, State of Colorado.

as merged pursuant to Property Merger Agreement Case No. 22-132796MA, recorded at Reception No. 2023013271.

together with

THAT PART OF MAIN STREET, PINE GROVE, JEFFERSON COUNTY PLAT BOOK 1, PAGE 28, LOCATED IN THE S.E. $\frac{1}{4}$ OF SECTION 7, TOWNSHIP 7 SOUTH, RANGE 71 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF MAIN STREET, ALSO KNOWN AS COUNTY HIGHWAY 126, ADJACENT TO LOTS 5&6, BLOCK 19, 1ST STREET BETWEEN BLOCK 19 AND 20, AND LOTS 10-16, BLOCK 20, PINE GROVE SUBDIVISION DESCRIBED AS FOLLOWS: BEGINNING AT THE S.E. CORNER OF LOT 6, BLOCK 19, PINE GROVE SUBDIVISION, FROM WHENCE THE N.E. CORNER OF SAID LOT 6 BEARS N10°33'10"E 100.58', THENCE S10°43'17"W, A DISTANCE OF 19.55'; THENCE N82°46'36"W, A DISTANCE OF 76.30'; THENCE N79°09'01"W, A DISTANCE OF 173.93'; THENCE N10°50'59"E, A DISTANCE OF 24.30' TO THE S.W. CORNER OF LOT 10, BLOCK 20, PINE GROVE SUBDIVISION; THENCE S79°09'01"E, ALONG THE SOUTH LINE OF LOTS 10-16, BLOCK 20, A DISTANCE OF 175.01' TO A POINT ON THE WESTERLY EDGE OF PREVIOUSLY VACATED RIGHT OF WAY (V16-9-99, AT RECEPTION #F1055778); THENCE ALONG THE BOUNDARY OF PREVIOUSLY VACATED RIGHT OF WAY THE FOLLOWING COURSES: THENCE S10°33'32"W, A DISTANCE OF 22.09'; THENCE S82°27'49"E, A DISTANCE OF 24.99'; THENCE N10°39'17"E, A DISTANCE OF 20.61' TO THE N.E. CORNER OF SAID TRACT; THENCE S79°16'43"E, ALONG THE SOUTH LINE OF LOTS 5&6, BLOCK 19, A DISTANCE OF 50.03' TO THE POINT OF BEGINNING.

as vacated by Jefferson County Board of County Commissioners Resolution _____, recorded on _____, at Reception No _____.

NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec 27.

[illegible]

Charles W. Darr - Esq.

State of Colorado
County of Jefferson ss
I, William C. Adams Before me William C. Adams, county public notary and of Adams county public notary and for the County and State aforesaid this day personally appeared C.B. Locke to me known to be the person who executed the foregoing deed and instrument of writing and acknowledged that he executed the same as his free and voluntary act and deed for the uses and purposes herein set forth. Witness my hand and seal this 1st day of August, A.D. 1923.

William C. Adams
Notary Public
Adams Co. Co.

Vocation Revolution - July 13, 1960 - Book 1286 - Page 474
 Vocation Revolution - Jan. 5, 1962 - Book 1439 - Page 102 -
 Vocation Revolution - Sept. 6, 1962 - Book 1518 - Page 167

Sep 8 9³⁰ A
M. J. P. 186-28
McDonnell
16452 940

943

T. 7 S. - R. 71 W.
6TH P.M.

A map of the North Fork of the South Platte River. The river is depicted as a winding line. A small rectangular area, representing the 65-acre tract, is marked on the riverbank. The text "North Fork of South Platte River" is written along the curve of the river, and "65 acres" is written near the marked tract.

6.5 acre

Disputed Gro und

