



ARCHULETA COUNTY
BOARD OF COUNTY COMMISSIONERS

CALL TO ORDER THE REGULAR BOCC MEETING OF JANUARY 5, 2016 AT 1:30 P.M.

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

APPROVAL OR ADJUSTMENTS TO AGENDA

DISCLOSURES AND/OR CONFLICT OF INTEREST

PUBLIC COMMENTS FROM THE FLOOR*

This is an opportunity during the session for the public to address the Commissioner. Please step up to the podium, **STATE YOUR NAME AND ADDRESS FOR THE RECORD** and keep your comments to 3 minutes (**the Board is not required to discuss your comment or make a decision regarding your comment, under this section**).

LIQUOR BOARD

A. Special Events Permit For Pagosa Lakes Property Owners Association, Inc.

This is an application for a Special Events Permit for Pagosa Lakes Property Owners Association, Inc., to serve malt, vinous and spirituous liquor at 230 Port Ave. for a Local Vocals Event on January 15, 2016. The Sheriff has been notified of the event. The proper fees were collected and the premises was posted for the 10 required days prior to today's Hearing.

Presenter Tonya McCann
Presenter's Title Paralegal

Documents: [PLPOA SPECIAL EVENT 1-15-16.PDF](#)

LAND USE REGULATION HEARING

A. Consideration Of Roberts -Thibault Minor Lot Line Adjustment, Pagosa Meadows Unit Four Amendment, To Replat Lots 266X And 268X Located On Everest Ct.

Russell L. and Priscilla S. Roberts, on behalf of the Russell and Priscilla Roberts Trust and Dave and Polly B. Thibault, are requesting approval of the Roberts-Thibault Minor Lot Line Adjustment, being the Pagosa Meadows Unit Four Plat Amendment 2016-01, to replat lots 266X and 268X located at Elbert Place and Everest Ct, Pagosa Springs, CO. The proposal will move the north end of the common lot line to the east, resulting in lots of approximately 16.9 acres and 20.3 acres in the PUD zoning district. On December 9, 2015, the Planning Commission voted 4-0 to recommend conditional approval.

Presenter John Shepard
Presenter's Title Planning Manager

Documents: [2015-030MLLA_ROBERTS-THIBAUT_BOCC-20160105_STAFF_REPORT.PDF](#), [A1-2015-030MLLA_ROBERTS-THIBAUT_MAP.PDF](#), [A2-2015-030MLLA_PAGOSAMEADOWS4-AMENDED_PLAT-20151215.PDF](#)

B. Consideration Of Resolution 2016-___ Exempting From The Definition Of The Term “Subdivision” A Division Of Land Located In Section 6, T34N R1W, NMPM

Peter Prina and John Merrett have requested a determination that two tracts which they own are legal lots of record.

Presenter John Shepard
Presenter's Title Planning Manager

Documents: [MEMO_BOCC-PRINA_MERRETT.PDF](#), [SITEMAP-PRINA_MERRETT.PDF](#), [RESOLUTION-PRINA_MERRETT.PDF](#)

CONSENT AGENDA

A. PAYROLL AND PAYABLE WARRANTS

December 23, 2015 - January 5, 2016

Presenter Bentley Henderson
Presenter's Title County Administrator

B. Consideration Of The Approval Of The First Amendment To Ground Lease Between Archuleta County And CoBiz Public Finance, Inc.

The First Amendment to Ground Lease amends the original Ground Lease dated March 22, 2012.

Presenter Bentley Henderson
Presenter's Title County Administrator

Documents: [FIRST AMENDMENT TO GROUND LEASE.PDF](#)

C. Consideration Of Approval Of The First Amendment To Lease And Purchase Option Agreement Between Archuleta County And CoBiz Public Finance, Inc.

The First Amendment to Lease and Purchase Option Agreement amends the Lease and Purchase Option Agreement between the parties dated March 22, 2012.

Presenter Bentley Henderson
Presenter's Title County Administrator

Documents: [FIRST AMENDMENT TO LEASE AND PURCHASE OPTION AGREEMENT.PDF](#)

D. Consideration The Authorizing The Signing Of County Warrants Pursuant To C.R.S. 30-25-110

Pursuant to Colorado Revised Statutes 30-25-110(1), the Chairperson of the Board of County Commissioners is authorized to sign county warrants. In the event the Chairperson is not available to sign county warrants, the other Commissioners need to be authorized to sign county warrants.

Furthermore, child support warrants that are issued by the County and by statute be released within 24 hours. For additional flexibility, the County Administrator has historically been authorized to sign child support warrants in the event none of the Commissioners are available

within the specified time frame.

Presenter Bentley Henderson
Presenter's Title County Administrator

E. Consideration Of Resolution 2016 - Consolidate 2 Lots Into 1 Pagosa In The Pines Unit 2 Owned By Curtis Arlo Anderson And Laurie Dawn Anderson

This request is to consider the Resolution authorizing the consolidation of Lots 232 and 233 Pagosa in the Pines Unit 2, to become Lot 232X owned by Curtis Arlo Anderson and Laurie Dawn Anderson

Presenter Bentley Henderson
Presenter's Title County Administrator

Documents: [ANDERSON RESOLUTION 1-5-16.PDF](#), [ANDERSON C AND L O AND E.PDF](#)

F. Consideration Of Resolution 2016 - Consolidate 2 Lots Into 1 Cloman Industrial Park Owned By SJS Holdings, LLC

This request is to consider the Resolution authorizing the consolidation of Lots 16 and 17 Cloman Industrial Park, to become Lot 16X owned by SJS Holdings, LLC

Presenter Bentley Henderson
Presenter's Title County Administrator

Documents: [SJS HOLDINGS RESOLUTION.PDF](#), [SJS HOLDINGS O AND E AND CERT OF GOOD STANDING.PDF](#)

G. Consideration Of Approving The List Of Arbitrators For 2016 Tax Appeals

The following persons are willing to serve as arbitrators:

Reid Kelly
Mark Espoy
Deborah Schulte

Presenter Todd M. Starr
Presenter's Title County Attorney

H. Review And Consider Appointment Of A Budget Officer Pursuant To CRS 29-1-104 For Fiscal Year 2016

Pursuant to Colorado Revised Statutes 29-1-104, the governing body of each local government shall designate or appoint a person to prepare the annual budget for submittal to that governing body. The County Administrator has historically been designated as the Budget Officer for Archuleta County.

Presenter Bentley Henderson
Presenter's Title County Administrator

NEW BUSINESS

A. Consideration Of A License Agreement Between Board Of County Commissioners Of Archuleta County And BYOB, LLC

This License Agreement allows BYOB, LLC to maintain the current sign which is in the County Right-of-Way.

Presenter Bentley Henderson
Presenter's Title County Administrator

Documents: [LICENSE AGREEMENT - PAGOSA BREWERY.PDF](#)

B. Consideration Of Resolution 2016 - Acknowledging The Release Of Encumbrance Of 88.285 Acres Known As Skyrocket Park Within Archuleta County And Providing For The Unencumbered Sale Of Said Property

In anticipation of the sale of the subdivided portion of the County owned property on Highway 84, now known as Skyrocket Park, the County was required to clear up some title exceptions. Those exceptions involved the pledge of the parcel as collateral in a loan that the County has with CoBiz Bank. The attached resolution defines the subdivision of the property and provides assurance that the parcel being sold is free of the original encumbrance.

Presenter Bentley Henderson
Presenter's Title County Administrator

Documents: [RESOLUTION PROVIDING FOR CLEAR TITLE OF 95 ACRES.PDF](#), [95 ACRE MEMO.PDF](#)

C. Consideration Of Resolution 2016 - Authorizing The Sale Of Subject Property And The Execution Of Necessary Documents Pursuant To The Terms Of The Sale And Purchase Agreement Dated March 19, 2015 Between The State Of Colorado, Department Of Natural Resources, Division Of Parks And Wildlife And The Board Of County Commissioners Of Archuleta County, Colorado

Provided for consideration is a resolution to reconcile a succession of actions that started with a loan from CoBiz Bank, that is now concluding with the sale of the Skyrocket Park property.

Presenter Bentley Henderson
Presenter's Title County Administrator

Documents: [SKYROCKET PARK PROPERTY SALE RESOLUTION.PDF](#)

D. Consideration Of Resolution 2016 - Approving The 2016 Archuleta County Fee Schedule

Every year the Board of County Commissioners approves the County Fee Schedule pursuant to C.R.S. 30-11-107. Request of the Board of County Commissioners is to approve updated and existing fees. Amended fees include fees for Public Works, Planning and Building.

Presenter Bentley Henderson
Presenter's Title County Administrator

Documents: [COUNTY FEE SCHEDULE RESOLUTION.PDF](#), [FEE SCHEDULE 2016 JANUARY.PDF](#)

E. Consideration Of Designating Committee And Board Appointments For 2016

The Commissioners have appointments on various Boards and Committees for local and regional organizations. They may appoint other members of the community or staff to serve in their place.

Presenter Bentley Henderson

Presenter's Title County Administrator

Documents: [2015 - ARCHULETA COUNTY COMMISSIONERS BOARDS AND COMMITTEES.PDF](#),
[2016 - ARCHULETA COUNTY COMMISSIONERS BOARDS AND COMMITTEES.PDF](#)

F. Consideration Of The Reorganization Of The Board Of County Commissioners Pursuant To C.R.S. 30-10-307

Pursuant to C.R.S. 30-10-107, the Board is required to reorganize and choose one member as the Chairperson. In the case of the Chairperson's absence, the Board shall also choose a member as the Vice-Chair.

Presenter Bentley Henderson
Presenter's Title County Administrator

G. Consideration Of Resolution 2016 - Establishing A Location For The Posting Of Official County Notices, Setting Meeting Dates For The Calendar Year 2016 And Establishing Days And Office Hours For County Offices To Transact County Business For Fiscal Calendar Year 2016

Pursuant to Colorado Revised Statutes 24-6-402, the Board of County Commissioners, at their first regular meeting of the calendar year, shall designate a public postings place(s) for notice of agendas. The posting place designated will be located outside the building located at 398 Lewis Street, Pagosa Springs, Colorado. The document board is located on the outside, front wall of the building.

Pursuant to Colorado Revised Statutes 30-10-109, the Board of County Commissioners are required to establish the days and office hours for County offices to be kept open for the transaction of County business. Except for legal holidays, all County offices located in Archuleta County, except for the County Administration offices, shall be open during the hours of 8:00 a.m. through 4:00 p.m., Monday through Friday. County Administrations offices shall be open during the hours of 8:00 a.m. through 5:00 p.m., Monday through Friday.

Pursuant to Colorado Revised Statutes 30-10-303 at the first meeting of the year, the Board of County Commissioners sets the dates and times for Board of County Commissioner Meetings. The meeting dates and times will be the first and third Tuesdays of each month with the meeting starting at 1:30 p.m. These meetings will be held in the Commissioner's Meeting Room locates at 398 Lewis Street, Pagosa Springs, Colorado unless otherwise posted.

In those months with five Tuesdays, there will be a Community Forum held in Arboles, Chromo and the Town of Pagosa Springs.

Presenter Bentley Henderson
Presenter's Title County Administrator

Documents: [RESOLUTION ESTABLISHING MEETING DATES AND OFFICIAL NOTICES.PDF](#)

MEDIA QUESTIONS

PUBLIC COMMENTS FROM THE FLOOR

This is an opportunity during the session for the public to address the Commissioners on a subject not covered on the agenda. Please step up to the podium, **STATE YOUR NAME AND ADDRESS FOR THE RECORD** and keep your comments to 3 minutes (**the Board is not required to discuss your comment or make a decision regarding your comment, under this section**).

COMMISSIONER COMMENTS

EXECUTIVE SESSION

Per C.R.S 26-4-402(4)(b), for the purposes of the Board receiving legal advice on specific legal questions.

Presenter	Todd M. Starr
Presenter's Title	County Attorney

ADJOURNMENT OF THE REGULAR BOCC MEETING

All meetings to be held in the Archuleta County Administration Offices
at 398 Lewis Street unless otherwise stated.
All Regular and Special BoCC Meetings are recorded.

APPLICATION FOR A SPECIAL EVENTS PERMIT

Department Use Only

IN ORDER TO QUALIFY FOR A SPECIAL EVENTS PERMIT, YOU MUST BE NONPROFIT AND ONE OF THE FOLLOWING (See back for details.)

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> SOCIAL | <input type="checkbox"/> ATHLETIC | <input type="checkbox"/> PHILANTHROPIC INSTITUTION |
| <input type="checkbox"/> FRATERNAL | <input type="checkbox"/> CHARTERED BRANCH, LODGE OR CHAPTER | <input type="checkbox"/> POLITICAL CANDIDATE |
| <input type="checkbox"/> PATRIOTIC | <input type="checkbox"/> OF A NATIONAL ORGANIZATION OR SOCIETY | <input type="checkbox"/> MUNICIPALITY OWNING ARTS FACILITIES |
| <input type="checkbox"/> POLITICAL | <input type="checkbox"/> RELIGIOUS INSTITUTION | |

LIAB TYPE OF SPECIAL EVENT APPLICANT IS APPLYING FOR:	DO NOT WRITE IN THIS SPACE
2110 <input checked="" type="checkbox"/> MALT, VINOUS AND SPIRITUOUS LIQUOR \$25.00 PER DAY	LIQUOR PERMIT NUMBER
2170 <input type="checkbox"/> FERMENTED MALT BEVERAGE (3.2 Beer) \$10.00 PER DAY	

1. NAME OF APPLICANT ORGANIZATION OR POLITICAL CANDIDATE Pagosa Lakes Property Owners Association	State Sales Tax Number (Required) 84-0711564
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2. MAILING ADDRESS OF ORGANIZATION OR POLITICAL CANDIDATE (include street, city/town and ZIP) 230 Port Ave. Pagosa Springs, CO 81147	3. ADDRESS OF PLACE TO HAVE SPECIAL EVENT (include street, city/town and ZIP) 230 Port Ave. Pagosa Springs, CO 81147
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NAME	DATE OF BIRTH	HOME ADDRESS (Street, City, State, ZIP)	PHONE NUMBER
4. PRES./SEC'Y OF ORG. or POLITICAL CANDIDATE Kimberly Swinney		20 Quartz Court, Pagosa Springs, CO 81147	970-576-8076
5. EVENT MANAGER Chip Munday		230 Port Ave, Pagosa Springs, CO 81147	970-731-5635
6. HAS APPLICANT ORGANIZATION OR POLITICAL CANDIDATE BEEN ISSUED A SPECIAL EVENT PERMIT THIS CALENDAR YEAR? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES HOW MANY DAYS? _____	7. IS PREMISES NOW LICENSED UNDER STATE LIQUOR OR BEER CODE? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES TO WHOM? _____		

8. DOES THE APPLICANT HAVE POSSESSION OR WRITTEN PERMISSION FOR THE USE OF THE PREMISES TO BE LICENSED? Yes No

LIST BELOW THE EXACT DATE(S) FOR WHICH APPLICATION IS BEING MADE FOR PERMIT

Date	Date	Date	Date	Date
Hours From To	Hours From To	Hours From To	Hours From To	Hours From To
1/15/16 8:00 A.m. To 11:00 P.m.				

OATH OF APPLICANT

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

SIGNATURE 	TITLE Lifestyle and Event Coordinator	DATE 12/7/15
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REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY OR COUNTY)

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 12, Article 48, C.R.S., as amended.

THEREFORE, THIS APPLICATION IS APPROVED.

LOCAL LICENSING AUTHORITY (CITY OR COUNTY) Archuleta County	<input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY	TELEPHONE NUMBER OF CITY/COUNTY CLERK 970-264-8300
SIGNATURE 	TITLE Chairman	DATE

DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY

LIABILITY INFORMATION

License Account Number	Liability Date	State	TOTAL
		-750 (999)	\$

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF FACT OF GOOD STANDING

I, Wayne W. Williams, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

PAGOSA LAKES PROPERTY OWNERS ASSOCIATION

is a

Nonprofit Corporation

formed or registered on 03/14/1972 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 19871239666 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 12/10/2015 that have been posted, and by documents delivered to this office electronically through 12/14/2015 @ 11:37:07 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 12/14/2015 @ 11:37:07 in accordance with applicable law. This certificate is assigned Confirmation Number 9412985



A handwritten signature in cursive script that reads 'Wayne W. Williams'.

Secretary of State of the State of Colorado

*****End of Certificate*****

Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."

Dec. 07, 2015

Pagosa Lakes Property Owners Association
2309 Port Ave.
Pagosa Springs Colorado

RE: Temporary Liquor License

To Whom It May Concern,

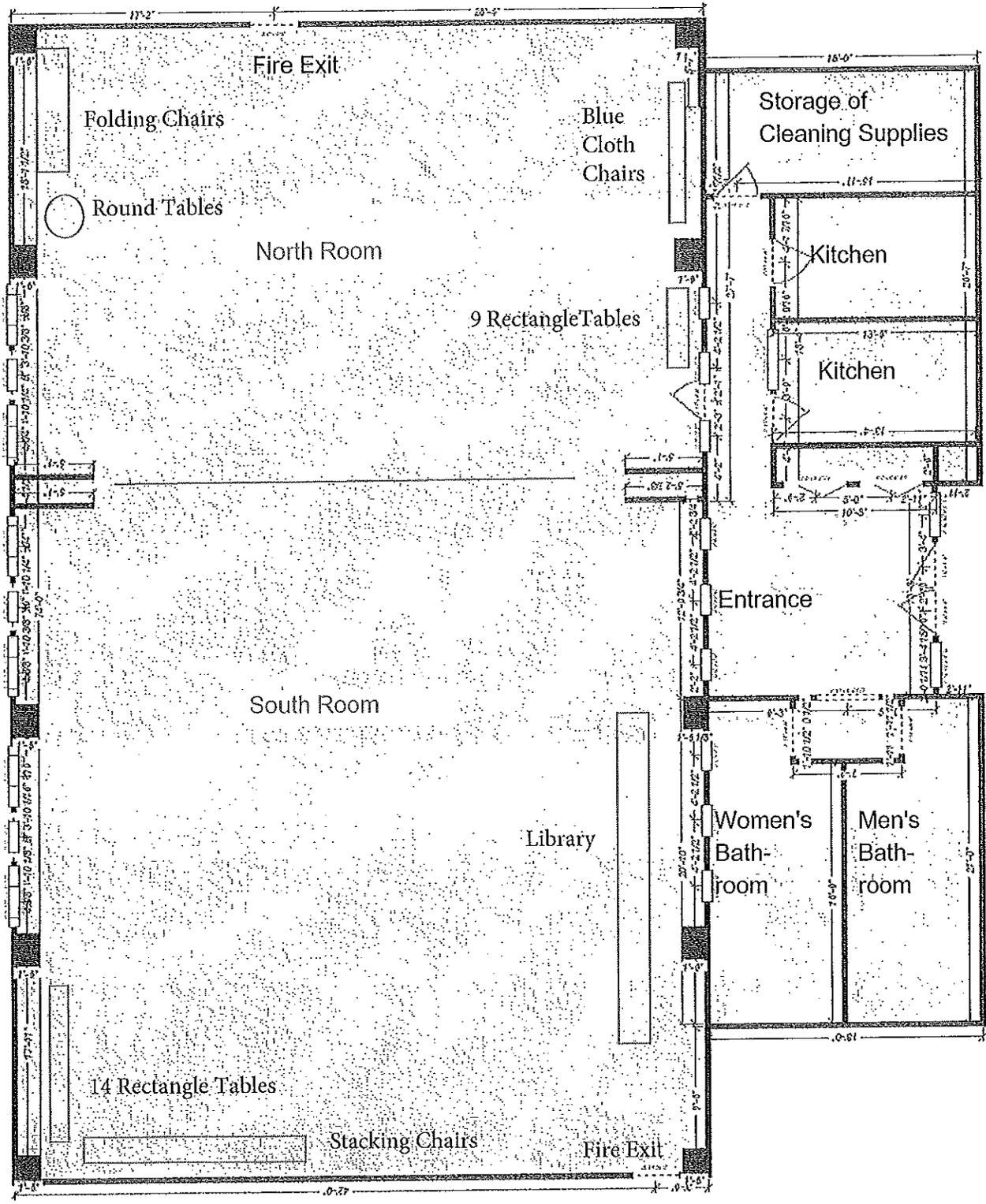
Pagosa Lakes Property Owners Association is holding an event here at the Pagosa Lakes Clubhouse, on Friday January 15, 2016. PLPOA has granted authorization for this event to serve alcohol. PLPOA is located at 230 Port Ave. Pagosa Springs, CO 81147.

Please let me know if you have any further questions.

Thank you!

A handwritten signature in black ink, appearing to read "J Pitcher", with a long horizontal flourish extending to the right.

Jenifer Pitcher
Community Lifestyle Coordinator





Archuleta County
Development Services—Planning Department
1122 HWY 84
P. O. Box 1507
Pagosa Springs, Colorado 81147
970-264-1390
Fax 970-264-3338

MEMORANDUM

TO: Archuleta County Board of County Commissioners

FROM: John C. Shepard, AICP; Planning Manager

DATE: January 5, 2016

RE: Roberts-Thibault Minor Lot Line Adjustment, Pagosa Meadows Unit Four Amendment, to replat lots 266X and 268X located on Everest Ct.

EXECUTIVE SUMMARY

Russell L. and Priscilla S. Roberts, on behalf of the Russell and Priscilla Roberts Trust and Dave and Polly B. Thibault, are requesting approval of the Roberts-Thibault Minor Lot Line Adjustment, being the Pagosa Meadows Unit Four Plat Amendment 2016-01, to replat lots 266X and 268X located at Elbert Place and Everest Ct, Pagosa Springs, CO. The proposal will move the north end of the common lot line to the east, resulting in lots of approximately 16.9 acres and 20.3 acres in the PUD zoning district.

On December 9, 2015, the Planning Commission voted 4-0 to recommend approval with conditions.

REVIEW PROCEDURE

Section 4.6 of the *Archuleta County Land Use Regulations* provides for Plat Amendments, including minor boundary adjustments which require approval by the Board of County Commissioners in a public meeting. Amended plats may proceed directly to Final Plat.

Public notice was published in the *Pagosa Springs Sun*, and posted on site.

DISCUSSION

Pagosa Meadows Unit Four was approved in 1973, and is within the Pagosa Lakes Property Owners Association (PLPOA). Russell and Priscilla Roberts own lots 268 and 269, which were combined by lot consolidation in 2002 into Lot 268X, with a home and outbuildings. Dave and Polly Thibault own lots 264-267, which were combined by lot consolidation in 2007 into Lot 266X and remain vacant. The lots front on Everest Ct. cul-de-sac off of Elbert Place. This proposal will move the original lot line between 268 and 267, so that the Roberts' will add property to their parcel along a steep hill.

The *Archuleta County Community Plan* of 2001 provides guidance for future development. The Future Land Use Map designates an area south of US Highway 160 and west of the Town of Pagosa Springs for Low density Residential development. Pagosa Meadows Unit Four, along with most of the property within PLPOA, is zoned Planned Unit Development (PUD). The boundary line adjustment will move the common lot line further from the improvements on the Roberts' lot and will be in compliance with setbacks.

Criteria for submittal and approval of an Amended Plat is specified in Section 4.6 of the Land Use Regulations. Section 4.6.4.1 specifies that Staff review the plan for conformance with the Community Plan, the Land Use Regulations, and other adopted County policies and ordinances. Section 4.6.4.3 states that amendments to a recorded plat may have to go through one or more steps of the subdivision review process—as this proposed amendment meets the requirements for a Minor Lot Line Adjustment, the application may proceed to Final Plat with approval by the Board of County Commissioners in a public meeting.

Comments were received prior to preparation of this staff report.

- The County Surveyor had technical comments on the plat, including correcting the title of the plat, to which the County Recorder concurred.
- On further review, the proposed lot numbers should be Lot 264Z and Lot 268XZ.
- The County Surveyor and SourceGas asked that existing utility easements be shown on the amended plat. The original plat dedicated utility easements 25' wide along all side and rear lot lines. All platted utility easements remain unless specifically vacated (Section 4.6.2.4).
- LPEA has an existing overhead power line along Elbert Place (shown on the plat), and requested that an easement be dedicated 20' in width and to include guy-wires. There are also utilities buried on Everest Ct, either in the right-of-way or on the lot frontage.
- Section 6.6 of the Land Use Regulations require dedication of utility easements no less than 20' along all streets and 10' on each side of a lot line.
- PLPOA has approved the project.
- County Engineering and Pagosa Fire Protection District stated no concerns.

The Archuleta County Planning Commission met at a regular meeting on December 9, 2015, to review the application. Applicants were in attendance, and no public comments were received. After discussing easements existing and necessary, the Planning Commission voted (4-0) to recommend Approval to the Board of County Commissioners with the following conditions:

1. The Amended Plat and title shall be revised in response to the County Surveyor's comments with correct lot numbers, and a mylar submitted prior to the Board of County Commissioners' hearing.
2. The Amended Plat shall be revised to show existing utility easements.
3. The Amended Plat shall be revised to dedicate utility easements required by Section 6.6 along Elbert Place and Everest Ct.

Applicants' surveyor made the requested revisions and submitted a signed mylar of the Amended Plat, fulfilling the recommended conditions.

RECOMMENDATION AND FINDINGS

Based on evidence provided, staff recommends the Board of County Commissioners find that:

- a. The application does meet the review criteria for development in a PUD district, in Section 3.1.6 of the *Archuleta County Land Use Regulations*, and
- b. The application does meet the review criteria for an Amended Plat, in Section 4.6 of the *Archuleta County Land Use Regulations*, and

That the Board of County Commissioners approve the Pagosa Meadows Unit Four Amendment 2016-01 to replat lots 266X and 268X, located on Everest Ct, with no conditions.

PROPOSED MOTION

I move to approve the Pagosa Meadows Unit Four Amendment to replat lots 266X and 268X, with Findings A and B of the staff report.

ATTACHMENTS.

Attachment 1: Area Map

Attachment 2: Proposed Amended Plat

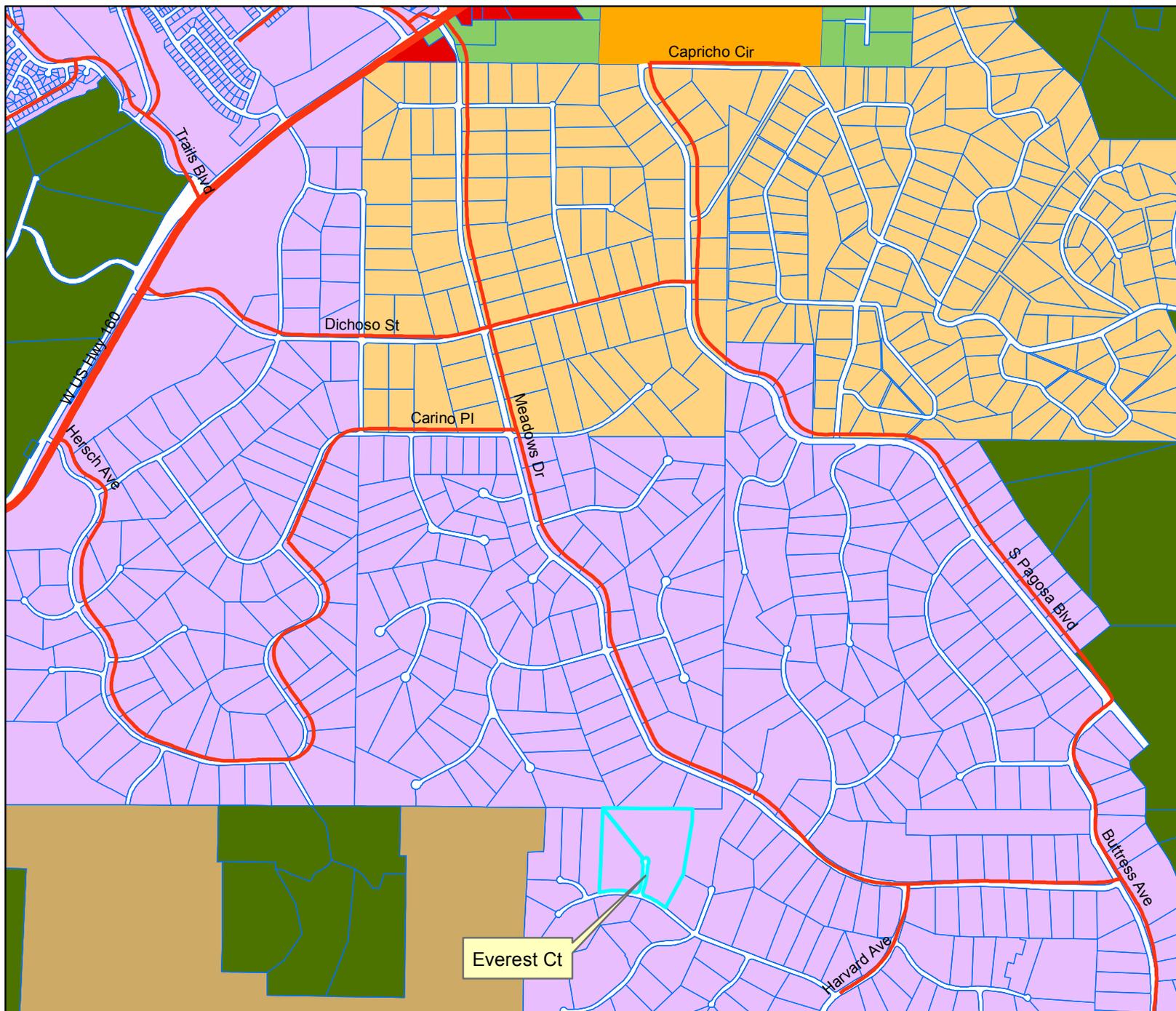


Site Map

Roberts-Thibault
Lot Line Adjustment
2015-30MLLA

Legend

- Highway
- Primary Road
- Pagosa Springs
- Zoning Map 2011**
- Zoning Districts**
- Agriculture Forestry (AF)
- Agriculture Ranching (AR)
- Agricultural Estate (AE)
- Rural Residential (RR)
- Residential (R)
- Mobile Home Park (MHP)
- Commercial (C)
- Industrial (I)
- PUD
- Project Location



850 425 0 850 Feet



This map has been produced using various geospatial data sources. The information displayed is intended for general planning purposes and the original data will routinely be updated. No warranty is made by Archuleta County as to the accuracy, reliability or completeness of this information. Consult actual legal documentation and/or the original data source for accurate descriptions of locations displayed herein.

PAGOSA MEADOWS UNIT FOUR AMENDMENT 2016-01

A REPLAT OF LOTS 266X AND 268X OF THE PAGOSA MEADOWS UNIT FOUR SUBDIVISION
 CREATING LOTS 264Z AND 268XZ
 LOCATED WITHIN SECTIONS 4 AND 5 T34N R2W NMPM
 ARCHULETA COUNTY, COLORADO

BASIS OF BEARINGS

BEARINGS OF THIS SURVEY ARE BASED UPON THE WESTERLY BOUNDARY OF LOT 263 AND MONUMENTED AS SHOWN HEREON, SAID BEARING S27°46'02"W AS SHOWN ON PLAT REFERENCE 1.

PROPERTY DESCRIPTION LOT 268XZ

A TRACT OF LAND LOCATED WITHIN SECTIONS 4 AND 5 T34N R2W NMPM ARCHULETA COUNTY, COLORADO ALSO DESCRIBED AS LOT 268XZ OF THE PAGOSA MEADOWS UNIT FOUR SUBDIVISION AS RECORDED UNDER RECEPTION NUMBER #77867 IN THE OFFICE OF THE ARCHULETA COUNTY CLERK AND RECORDER, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THIS TRACT, A 5/8" REBAR FOUND WITH A CAP STAMPED "LS 5840" AT THE NORTHEAST CORNER OF LOT 270 OF SAID PAGOSA MEADOWS UNIT FOUR SUBDIVISION, THENCE AROUND THE TRACT HEREIN DESCRIBED;

S89°59'54"E, 291.47 FT. TO A 5/8" REBAR FOUND WITH A CAP STAMPED "LS 5840", THENCE;

S89°36'33"E, 212.39 FT. TO A 1/2" REBAR SET WITH A CAP STAMPED "LS 28274", THENCE;

S07°07'42"E, 803.47 FT. TO A 5/8" REBAR FOUND WITH A CAP STAMPED "LS 5840" ON THE WESTERLY RIGHT OF WAY OF EVEREST COURT, THENCE ALONG SAID RIGHT OF WAY;

ALONG A CURVE TO THE LEFT AN ARC DISTANCE OF 51.78 FT. THROUGH A CENTRAL ANGLE OF 59°20'04", SAID CURVE HAVING A RADIUS OF 50.00 FT., THE CHORD OF WHICH BEARS S23°22'36"W, 49.50 FT. TO A 5/8" REBAR FOUND WITH A CAP STAMPED "LS 5840", THENCE;

ALONG A CURVE TO THE LEFT AN ARC DISTANCE OF 26.46 FT. THROUGH A CENTRAL ANGLE OF 30°18'58", SAID CURVE HAVING A RADIUS OF 50.00 FT., THE CHORD OF WHICH BEARS S21°28'30"E, 26.15 FT. TO A 5/8" REBAR FOUND WITH A CAP STAMPED "LS 33675", THENCE;

ALONG A CURVE TO THE LEFT AN ARC DISTANCE OF 32.17 FT. THROUGH A CENTRAL ANGLE OF 36°51'52", SAID CURVE HAVING A RADIUS OF 50.00 FT., THE CHORD OF WHICH BEARS S18°12'58"E, 31.62 FT. TO A 5/8" REBAR FOUND WITH A CAP STAMPED "LS 33675", THENCE;

S00°22'10"W, 30.15 FT. TO A 1/2" REBAR FOUND WITH AN ILLEGIBLE CAP, THENCE;

ALONG A CURVE TO THE RIGHT AN ARC DISTANCE OF 288.54 FT. THROUGH A CENTRAL ANGLE OF 17°02'25", SAID CURVE HAVING A RADIUS OF 970.18 FT., THE CHORD OF WHICH BEARS S08°43'55"W, 287.48 FT. TO A 5/8" REBAR FOUND WITH A CAP STAMPED "LS 33675", THENCE;

S16°55'16"W, 69.09 FT. TO A 5/8" REBAR FOUND WITH A CAP STAMPED "LS 5840", THENCE;

ALONG A CURVE TO THE RIGHT AN ARC DISTANCE OF 30.32 FT. THROUGH A CENTRAL ANGLE OF 86°52'17", SAID CURVE HAVING A RADIUS OF 20.00 FT., THE CHORD OF WHICH BEARS S62°28'40"W, 27.50 FT. TO A 5/8" REBAR FOUND WITH A CAP STAMPED "LS 33675" ON THE NORTHERLY RIGHT OF WAY OF ELBERT PLACE, THENCE ALONG SAID RIGHT OF WAY;

ALONG A CURVE TO THE LEFT AN ARC DISTANCE OF 551.91 FT. THROUGH A CENTRAL ANGLE OF 27°26'25", SAID CURVE HAVING A RADIUS OF 1124.49 FT., THE CHORD OF WHICH BEARS N89°18'05"W, 546.39 FT. TO A 5/8" REBAR FOUND, THENCE LEAVING SAID RIGHT OF WAY;

N01°35'57"E, 374.01 FT. TO A 5/8" REBAR FOUND WITH A CAP STAMPED "LS 5840", THENCE;

N01°18'43"E, 911.32 FT. TO THE POINT OF BEGINNING.

THIS TRACT CONTAINS 16.873 ACRES, MORE OR LESS, ALL AS SHOWN ON SPOTTED EAGLE SURVEYING PLAT# 1584 DATED 11/15/15 PREPARED BY THOMAS F. JOHNSTON PLS# 28274.

PROPERTY DESCRIPTION LOT 264Z

A TRACT OF LAND LOCATED WITHIN SECTIONS 4 AND 5 T34N R2W NMPM ARCHULETA COUNTY, COLORADO ALSO DESCRIBED AS LOT 266X OF THE PAGOSA MEADOWS UNIT FOUR SUBDIVISION AS RECORDED UNDER RECEPTION NUMBER #77867 IN THE OFFICE OF THE ARCHULETA COUNTY CLERK AND RECORDER, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THIS TRACT, A 1/2" REBAR SET WITH A CAP STAMPED "LS 28274", THENCE AROUND THE TRACT HEREIN DESCRIBED;

S89°36'33"E, 194.54 FT. TO A 5/8" REBAR FOUND WITH A CAP STAMPED "LS 5840", THENCE;

N89°40'19"E, 392.42 FT. TO A 5/8" REBAR FOUND WITH A CAP STAMPED "LS 5840", THENCE;

N89°58'33"E, 258.77 FT. TO A 5/8" REBAR FOUND WITH A CAP STAMPED "LS 5840", THENCE;

S07°10'03"W, 251.67 FT. TO A 1/2" REBAR SET WITH A CAP STAMPED "LS 28274", THENCE;

S09°47'50"W, 791.60 FT. TO A 5/8" REBAR FOUND WITH A CAP STAMPED "LS 5840", THENCE;

S27°46'02"W, 535.24 FT. TO A 1/2" REBAR FOUND ON THE NORTHERLY RIGHT OF WAY OF ELBERT PLACE, THENCE ALONG SAID RIGHT OF WAY;

ALONG A CURVE TO THE LEFT AN ARC DISTANCE OF 375.40 FT. THROUGH A CENTRAL ANGLE OF 19°07'39", SAID CURVE HAVING A RADIUS OF 1124.49 FT., THE CHORD OF WHICH BEARS N60°38'05"W, 373.66 FT. TO A 1/2" REBAR SET, THENCE;

ALONG A CURVE TO THE RIGHT AN ARC DISTANCE OF 29.09 FT. THROUGH A CENTRAL ANGLE OF 83°20'55", SAID CURVE HAVING A RADIUS OF 20.00 FT., THE CHORD OF WHICH BEARS N26°11'29"W, 26.60 FT. TO A 1/2" REBAR SET ON THE EASTERLY RIGHT OF WAY OF EVEREST COURT, THENCE ALONG SAID RIGHT OF WAY;

N16°55'16"E, 69.09 FT. TO A 1/2" REBAR SET, THENCE;

ALONG A CURVE TO THE LEFT AN ARC DISTANCE OF 306.38 FT. THROUGH A CENTRAL ANGLE OF 17°02'25", SAID CURVE HAVING A RADIUS OF 1030.18 FT., THE CHORD OF WHICH BEARS N08°43'55"E, 305.25 FT. TO A 1/2" REBAR SET, THENCE;

N00°19'19"E, 30.00 FT. TO A 1/2" REBAR SET, THENCE;

ALONG A CURVE TO THE RIGHT AN ARC DISTANCE OF 32.18 FT. THROUGH A CENTRAL ANGLE OF 36°52'32", SAID CURVE HAVING A RADIUS OF 50.00 FT., THE CHORD OF WHICH BEARS N18°43'35"E, 31.63 FT. TO A 1/2" REBAR SET, THENCE;

ALONG A CURVE TO THE LEFT AN ARC DISTANCE OF 15.70 FT. THROUGH A CENTRAL ANGLE OF 17°59'32", SAID CURVE HAVING A RADIUS OF 50.00 FT., THE CHORD OF WHICH BEARS N27°51'31"E, 15.64 FT. TO A 1/2" REBAR SET, THENCE;

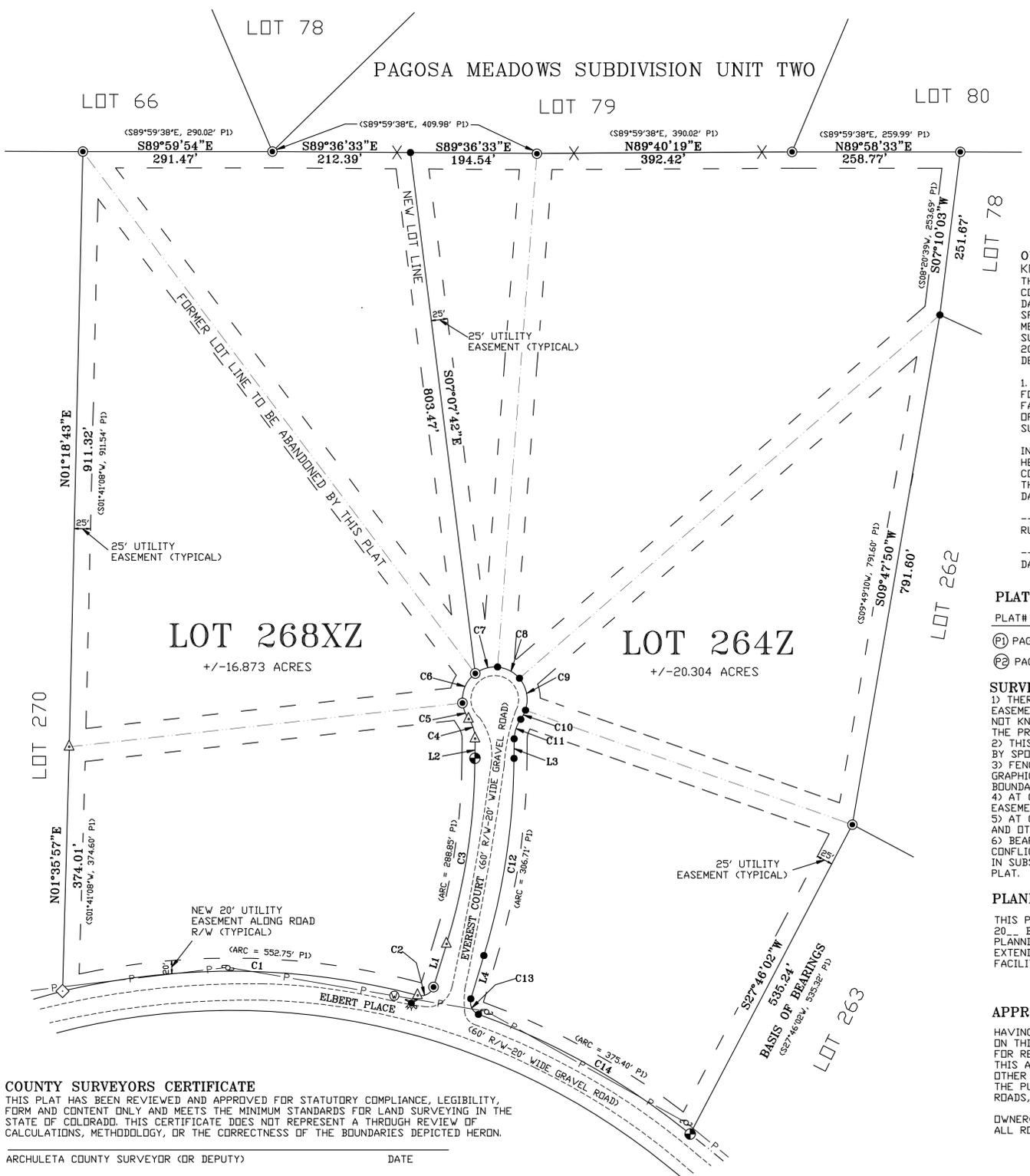
ALONG A CURVE TO THE LEFT AN ARC DISTANCE OF 52.26 FT. THROUGH A CENTRAL ANGLE OF 59°52'52", SAID CURVE HAVING A RADIUS OF 50.00 FT., THE CHORD OF WHICH BEARS N10°42'41"W, 49.91 FT. TO A 1/2" REBAR SET, THENCE;

ALONG A CURVE TO THE LEFT AN ARC DISTANCE OF 38.79 FT. THROUGH A CENTRAL ANGLE OF 44°26'53", SAID CURVE HAVING A RADIUS OF 50.00 FT., THE CHORD OF WHICH BEARS N62°52'22"W, 37.82 FT. TO A 1/2" REBAR SET, THENCE;

ALONG A CURVE TO THE LEFT AN ARC DISTANCE OF 36.53 FT. THROUGH A CENTRAL ANGLE OF 41°51'50", SAID CURVE HAVING A RADIUS OF 50.00 FT., THE CHORD OF WHICH BEARS S73°56'14"W, 35.73 FT. TO A 5/8" REBAR FOUND WITH A CAP STAMPED "LS 5840", THENCE LEAVING SAID RIGHT OF WAY;

N07°07'42"W, 803.47 TO THE POINT OF BEGINNING.

THIS TRACT CONTAINS 20.304 ACRES, MORE OR LESS, ALL AS SHOWN ON SPOTTED EAGLE SURVEYING PLAT# 1584 DATED 11/15/15 PREPARED BY THOMAS F. JOHNSTON PLS #28274.



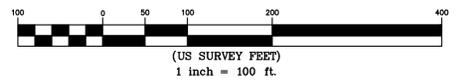
LEGEND

- ◇ 5/8" REBAR FOUND (NO CAP)
- 1/2" REBAR SET W/1" PLASTIC CAP STAMPED "LS 28274"
- ⊙ 1/2" REBAR FOUND W/1" PLASTIC CAP ILLEGIBLE
- ⊙ 5/8" REBAR FOUND W/1-1/2" ALUMINUM CAP STAMPED "LS 5840"
- △ 5/8" REBAR FOUND W/2" ALUMINUM CAP STAMPED "LS 33675"
- ☐ TELEPHONE DROP BOX
- ⊙ WATER METER
- FENCE LINE
- POWER POLE
- ABANDONED LOT LINE
- ★ FIRE HYDRANT
- P OVERHEAD POWERLINE

VICINITY MAP (NOT TO SCALE)



GRAPHIC SCALE



OWNER'S DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS: THAT WE, RUSSELL & PRISCILLA ROBERTS WHOSE ADDRESS IS 92 EVEREST COURT, PAGOSA SPRINGS, COLORADO BEING THE OWNER OF LOT 266X AND DAVE & POLLY THIBAUT WHOSE ADDRESS IS 103 EVEREST COURT, PAGOSA SPRINGS, COLORADO, BEING THE OWNERS OF LOT 266X, OF THE PAGOSA MEADOWS UNIT FOUR SUBDIVISION, HAVE CAUSED THE SAME TO BE SURVEYED, LAID OUT, AND DESIGNATED AS PAGOSA MEADOWS UNIT FOUR 2016-01 AND HAVE CAUSED THIS PLAT TO BE MADE AND FILED AND FURTHER DECLARES:

1. THAT THE EASEMENTS SHOWN HEREON ARE GRANTED TO THE PUBLIC FOREVER FOR THE PURPOSES OF THE MAINTENANCE OF UTILITY LINES AND FACILITIES TOGETHER WITH THE RIGHT TO CARRY OUT CONSTRUCTION, OPERATION, AND MAINTENANCE ACTIVITIES NECESSARY AND APPROPRIATE TO SUCH USES AND PURPOSES.

IN CONSIDERATION OF THE APPROVAL OF THIS PLAT, THE UNDERSIGNED HEREBY WAIVE ANY AND ALL CLAIMS FOR DAMAGES AGAINST ARCHULETA COUNTY OCCASIONED BY THE ALTERATION OF LAND SURFACES TO CONFORM TO THIS PLAT. IN WITNESS WHEREOF, THIS INSTRUMENT IS EXECUTED THIS DAY OF _____, 20__.

RUSSELL ROBERTS PRISCILLA ROBERTS
 DAVE THIBAUT POLLY THIBAUT

PLAT REFERENCES

PLAT#	TITLE	SURVEYOR	LS#	DATE	FILED UNDER
Ⓟ	PAGOSA MEADOWS UNIT FOUR	RALPH B. NUNNELLY	9509	06-04-1973	REC# 77867
Ⓠ	PAGOSA MEADOWS UNIT 2	RALPH B. NUNNELLY	9509	09-13-1971	REC# 74883

SURVEYORS NOTES

- 1) THERE MAY BE DOCUMENTS IN EXISTENCE WHICH SPECIFY EASEMENTS, COVENANTS, CODES, OR RESTRICTIONS THAT WERE NOT KNOWN OR PROVIDED TO THE SURVEYOR AT THE TIME OF THE PREPARATION OF THIS PLAT.
- 2) THIS PLAT DOES NOT REPRESENT A TITLE SEARCH PERFORMED BY SPOTTED EAGLE SURVEYING.
- 3) FENCES MEANDER AND ARE SHOWN ON THIS PLAT FOR GRAPHIC ORIENTATION ONLY. FENCE LINES DO NOT CONTROL THE BOUNDARIES OF THIS TRACT.
- 4) AT CLIENTS REQUEST, NO RESEARCH WAS DONE CONCERNING EASEMENTS ON THIS PROPERTY.
- 5) AT CLIENTS REQUEST, SOME INTERNAL FENCES, BUILDINGS, AND OTHER IMPROVEMENTS ARE NOT SHOWN ON THIS PLAT.
- 6) BEARINGS AND DISTANCES SHOWN IN PARENTHESES ARE CONFLICTING BOUNDARY CALLS. ALL OTHER BOUNDARY CALLS ARE IN SUBSTANTIAL CONFORMANCE WITH THE ORIGINAL SUBDIVISION PLAT.

PLANNING COMMISSION CERTIFICATE

THIS PLAT AND THE STATEMENTS HEREON ARE APPROVED ON THIS _____ DAY OF _____, 20__ BY THE PLANNING COMMISSION FOR ARCHULETA COUNTY COLORADO. THIS APPROVAL DOES NOT EXTEND TO THE DESIGN OF UTILITIES, SEWAGE DISPOSAL, ROADS OR ANY OTHER SERVICE FACILITY.

BY: _____ CHAIR

APPROVAL TO RECORD

HAVING ASCERTAINED THAT THE CONDITIONS OF APPROVAL HAVE BEEN SATISFACTORILY COMPLETED ON THIS _____ DAY OF _____, 2015, THE BOARD OF COUNTY COMMISSIONERS APPROVE THIS PLAT FOR RECORDING BY THE COUNTY CLERK AND RECORDER. THIS APPROVAL DOES NOT EXTEND TO THE DESIGN OF UTILITIES, SEWAGE DISPOSAL, ROADS OR ANY OTHER SERVICE FACILITY, THE CONSTITUTE'S ACCEPTANCE, ON THE PUBLIC'S BEHALF, OF THE OFFER OF DEDICATION OF RIGHTS-OF-WAY OVER THE SUBDIVISION ROADS, BUT DOES NOT CONSTITUTE ACCEPTANCE OF ROAD MAINTENANCE OBLIGATIONS.

OWNER(S) OF PROPERTY IN THE SUBDIVISION AND/OR THE HOMEOWNER'S ASSOCIATION SHALL RETAIN ALL ROAD MAINTENANCE OBLIGATIONS FOR ALL ROADS IN THE SUBDIVISION.

BY: _____ CHAIR

COUNTY SURVEYORS CERTIFICATE

THIS PLAT HAS BEEN REVIEWED AND APPROVED FOR STATUTORY COMPLIANCE, LEGIBILITY, FORM AND CONTENT ONLY AND MEETS THE MINIMUM STANDARDS FOR LAND SURVEYING IN THE STATE OF COLORADO. THIS CERTIFICATE DOES NOT REPRESENT A THOROUGH REVIEW OF CALCULATIONS, METHODOLOGY, OR THE CORRECTNESS OF THE BOUNDARIES DEPICTED HEREON.

ARCHULETA COUNTY SURVEYOR (OR DEPUTY) _____ DATE _____

CLERK AND RECORDERS CERTIFICATE

STATE OF COLORADO } SS
 COUNTY OF ARCHULETA }
 I HEREBY CERTIFY THAT THIS PLAT WAS FILED IN MY OFFICE AT _____ O'CLOCK, THIS _____ DAY OF _____, 20__.

RECEPTION NUMBER: _____ BY: _____
 CLERK AND RECORDER/DEPUTY

PLAT FILE NUMBER: _____

SURVEYORS CERTIFICATE

I, THOMAS F. JOHNSTON, A DULY LICENSED LAND SURVEYOR IN THE STATE OF COLORADO HEREBY CERTIFY THAT THIS PLAT AND THE FIELD SURVEY UPON WHICH IT IS BASED WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

THOMAS F. JOHNSTON PLS# 28274 DATE _____



SPOTTED EAGLE SURVEYING
 SERVING SOUTHERN COLORADO

P.O. BOX 3091
 PAGOSA SPRINGS, CO 81147
 (970) 731-8999

DRAFTSMAN: LP CHECKED BY: TFJ

PAGOSA MEADOWS UNIT FOUR AMENDMENT 2016-01

LOCATED WITHIN SECTIONS 4 AND 5 T34N R2W NMPM
 PAGOSA MEADOWS UNIT FOUR
 92 EVEREST COURT
 ARCHULETA COUNTY, COLORADO

DATE: 11/15/15 JOB#: 1584 SCALE: 1"=100'



Archuleta County
Development Services—Planning Department
1122 HWY 84
P. O. Box 1507
Pagosa Springs, Colorado 81147
970-264-1390
Fax 970-264-3338

MEMORANDUM

TO: Archuleta County Board of County Commissioners

FROM: John C. Shepard, AICP; Planning Manager

DATE: January 5, 2016

RE: A Resolution Exempting from the Definition of the term "Subdivision" a division of land located in Section 6, T34N R1W, NMPM.

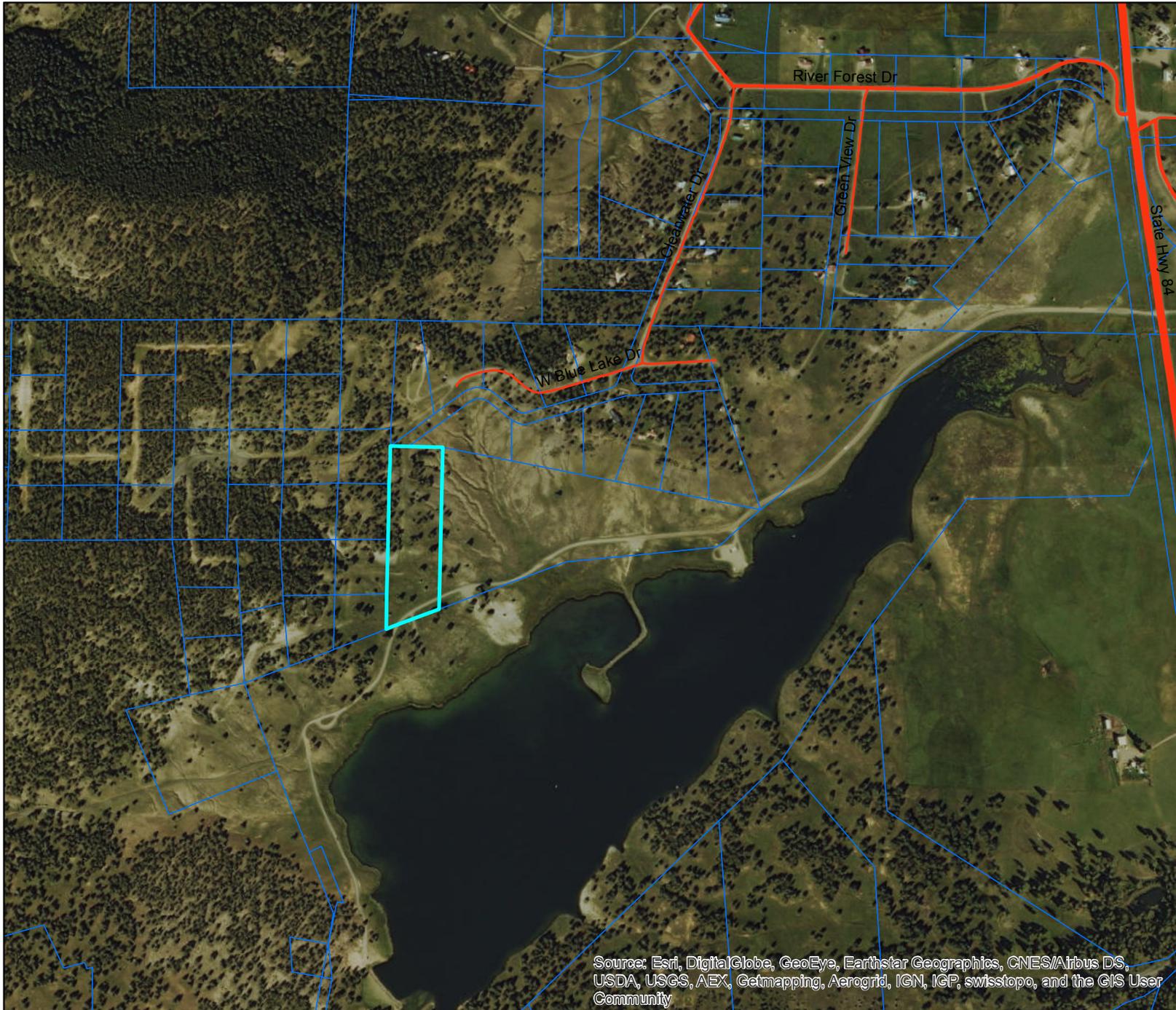
Peter Prina and John Merrett have requested a determination that two tracts which they own are legal lots of record.

In 1972, Colorado Senate Bill 35 first required counties to regulate subdivision of land into parcels small than 35 acres. In 1973, Archuleta County first adopted subdivision regulations, currently incorporated into the Archuleta County Land Use Regulations, and defines a "Subdivision" the same as defined in Colorado Revised Statutes §30-28-101. Any tract of land less than 35 acres, created after 2 October 1973 is considered a legal lot if it is a whole lot in a Subdivision Plat approved by the Board of County Commissioners, was created by a court or mortgage default, or granted an exemption from Subdivision review by the Board.

In 1985, Peter G. Prina and John H. Merrett purchased two tracts of land near Echo Lake, west of US Highway 85. Burlison Collyer, a developer from Albuquerque operating as High West, Inc., purchased 400 acres of the Jackson Ranch on payments starting in January 1970. Collyer then began to re-sell smaller tracts on payments, which was not regulated by the County at that time.

These two tracts, one approximately 4.5 acres and the adjacent tract of 3 acres, were first conveyed by Warranty Deeds dated 10 June 1970. However, the deeds were not recorded with Archuleta County Clerk & Recorder until 28 May 1974. Divided tracts of land recorded after October 1973 are not considered a legal lot of record. Documentation provided supports the property owners' request that the two tracts be considered legal lots.

Additional provisions will need to be made before any Building Permit could be issued on the property. The vacant property was zoned Rural Residential (RR) in 2006, and both tracts do meet the 3 acre minimum lot size. However, 5 acres is necessary for new lots unless water and/or sanitary sewer services are available—there is no guarantee the State of Colorado will issue a well permit, or that San Juan Basin Health will issue a septic permit, for either parcel. Access and utility easements will also need to be recorded. Since there are several parcels under mixed ownership to the west of these tracts, all of which access the nearest public right-of-way (W. Blue Lake Dr.) over these tracts, the Archuleta County Road & Bridge Standards would require a 50'-60' public access easement along the western property line.



Site Map

Prina-Merrett
Property
in Section 6
T34N R1W NMPM

Legend

-  Highway
-  Primary Road
-  Secondary Road
-  Project Location



350 175 0 350 Feet



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS,
USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User
Community

RESOLUTION NO. 2016-__

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ARCHULETA COUNTY, COLORADO, EXEMPTING FROM THE DEFINITION OF THE TERM “SUBDIVISION” A DIVISION OF LAND LOCATED IN SECTION 6, T34N R1W, NMPM

WHEREAS, Colorado Revised Statutes § 30-28-101(10)(D) provides that the Board of County Commissioners may, pursuant to rules and regulations or resolution, exempt from the definition of the terms “Subdivision” And “Subdivided Land” any division of land if the Board of County Commissioners determines that such division is not within the purposes of the Statute; and

WHEREAS, pursuant to Colorado Revised Statutes, the Board of County Commissioners of Archuleta County, Colorado adopted subdivision regulations on or about October 2, 1973, and which have been updated and set forth in the current Archuleta County Land Use Regulations; and

WHEREAS, Burleson T. Collyer and Joyce E. Collyer conveyed two tracts of land to Frank Cohn, described in part as the Southerly 4.5 acres and the Northerly 3 acres of a tract of land being and comprising a portion of the Northwest Quarter of Section 6, T. 34N., R.1W., N.M.P.M. (more particularly described in Exhibit 1 attached), by Warranty Deeds dated 10th of June 1970, and recorded with the Archuleta County Clerk & Recorder on May 28, 1974 at Book 137 Pages 191-194 (Reception No. 80130 and No. 80131); and

WHEREAS, Frank Cohn conveyed to Peter G. Prina (undivided 4/5 interest) and John H. Merrett (undivided 1/5 interest) these same tracts of land by Warranty Deeds dated 29th of November 1985, and recorded with the Archuleta County Clerk & Recorder on February 18, 1986 (Reception No. 0137849 and No. 0137849); and

WHEREAS, The Archuleta County Land Use Regulations were adopted effective April 18, 2002, and this property was first zoned Rural Residential (RR) in 2006; as a result of application of the Regulations, the County has taken the position that property less than 35 acres, not recorded prior to 1973, is not a legal lot of record; and

WHEREAS, The Archuleta County Land Use Regulations provide standards for development and building, including access, utilities, water supply and sewage; and

WHEREAS, sufficient and compelling evidence has been provided that the property was properly divided prior to Archuleta County’s adoption of subdivision regulations in 1973; and

WHEREAS, given the atypical nature of the property’s chain of title, the County’s approval of this Exemption Plat will not create an adverse precedent for the County; and

WHEREAS, the Board of County Commissioners of Archuleta County, Colorado, held a public meeting on the ___ day of _____, 2016, and considered whether the subject property had been divided in evasion of County subdivision regulations; and

WHEREAS, at the public meeting, based upon the evidence and testimony presented therein, the Board of County Commissioners of Archuleta County, Colorado, made a finding that the division

of the subject property was not made to avoid public review under Archuleta County's subdivision regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ARCHULETA COUNTY, COLORADO, AS FOLLOWS:

1. That the two divisions of land currently owned by Peter G. Prina and John H. Merrett described in part as the Southerly 4.5 acres and the Northerly 3 acres of a tract of land in the Northwest ¼ Section 6, T. 34N., R. 1W., N.M.P.M, is hereby found **not** to be an evasion of subdivision review under C.R.S. § 30-28-101 (10)(d).
2. Accordingly, the Board of County Commissioners hereby resolves that the division of land is approved as an exemption from the definition of Subdivision in the Archuleta County Land Use Regulations.
3. This approval shall not guarantee that these are buildable lots; recorded access and utility easements, and approval of water and sewage treatment, will be required prior to application for any building permit.

Done and adopted in Pagosa Springs, Archuleta County, Colorado, this ____ day of _____ 2016.

BOARD OF COUNTY COMMISSIONERS
OF ARCHULETA COUNTY, COLORADO

ATTEST:

Clerk to the Board

Chairman

APPROVED AS TO FORM:

Todd Starr
Archuleta County Attorney

Exhibit 1: Legal Description

Exhibit 1: Legal Description
As contained in the property deeds

Recorded MAY 28 1974 At 9:34 AM
Recpt. No. 80130 Felima Gardner Recorder

No. 28. WARRANTY DEED - Short Form - Bradford Printing, 1824-46 Stout Street, Denver, Colorado - 80202

THIS DEED, Made this 10th day of June, 1970, between
BURLESON T. COLLYER and JOYCE E. COLLYER

of the said County of Bernalillo and State of ~~Colorado~~ New Mexico of the first part, and

FRANK COHN
of the said County of Bernalillo and State of ~~Colorado~~ New Mexico of the second part:

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of
TEN AND NO/100----- DOLLARS,
to the said parties of the first part in hand paid by the said party of the second part, the receipt
whereof is hereby confessed and acknowledged, has granted, bargained, sold and conveyed, and by these presents
do es grant, bargain, sell, convey and confirm, unto the said party of the second part;
heirs and assigns forever, all the following described lot or parcel of land, situate, lying and being
in the said County of Archuleta and State of Colorado, to wit:

The Northerly 3 acres of a tract of land being and comprising a portion
of the Northwest Quarter of Section 6, T. 34N., R1W, N.M.P.M., within
Archuleta County, Colorado, and being more particularly described as
follows: BEGINNING at the Southwest Corner of the herein described
tract of land, from whence the West One Quarter Corner of the above said
Section 6, bears, S 30° 09' W - 617.30 feet distant, and running thence
from said point of beginning:

N 0° 22' E - 1096.86 feet to the Northwest Corner of the herein des-
cribed tract of land, and running thence:

S 89° 38' E - 315.94 feet to the Northeast Corner of the herein
described tract of land, and running thence:

S 0° 22' W - 971.24 feet to the Southeast Corner of the herein des-
cribed tract of land, and running thence:

S 68° 41' W - 340.00 feet to the Southwest Corner of the herein des-
cribed tract of land, and the point of beginning, together with ingress
and egress.

(over)

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in any wise
appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and
all the estate, right, interest, claim and demand whatsoever of the said parties of the first part, either in
law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances unto
the said party of the second part, his heirs and assigns forever. And the said parties of the first part, for
grant, bargain and agree to and with the said party of the second part, his heirs and assigns,
that at the time of the ensembling and delivery of these presents well seized of the premises above
conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and ha-
ve good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as
aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, as-
sessment and encumbrances of whatever kind or nature soever.

STATE DOCUMENTARY FEE
Date MAY 28 1974
\$.35

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

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their
hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Burleson T. Collyer [SEAL]
Joyce E. Collyer [SEAL]
[SEAL]

BOOK 37 PAGE 197

STATE OF COLORADO,

New Mexico County of Bernalillo ss.

I, FRANCES LEWIS

, a Notary Public in and for

said BERNALILLO County, in the State aforesaid, do hereby certify that BRALESON T AND JOYCE E. COLLYER

who personally known to me to be the

person whose name subscribed to the foregoing Deed, appeared before me this day in person and

acknowledged that signed, sealed and delivered the said instrument of writing as

free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and official seal, this 24th day of August, 1973.

My commission expires 8-24-75



Frances Lewis
Notary Public.

Subject to the easements and patents of record and in use and to any mineral reservation of record. All mineral rights owned by parties of the first part shall be conveyed without warrant to party of the second part.

80130 BOOK 137 PAGE 192

No. 80130

WARRANTY DEED

TO

STATE OF COLORADO,
County of Cherokee

I hereby certify that this instrument was filed for record in my office this 28th day of

May, 1974

at 9:24 o'clock A.M., and duly recorded

in Book 137, Page 199-190

Film No. Reception No.

Belina Alford
Recorder

By Jane Cladez
Duty.

Fees, \$ 4.00 + 2.00 = 6.00 - .35 = 5.65

MAJOR RECORDING CO., INC.

Frank Cohn
Box 757
Argue, n.m. 87410

Recorded MAY 28 1974 At 9:35 a.m.

Recpt. No. 80131 *Palma Garza* Recorder

THIS DEED, Made this 10th day of June, 19 70 between
of the said BURLESON T. COLLYER and JOYCE E. COLLYER, his wife
County of Bernalillo and State of Colorado, of the first part, and
NEW MEXICO
of the said FRANK COHN
County of Bernalillo and State of ~~Colorado~~ New Mexico of the second part:

WITNESSETH, That the said part ies of the first part, for and in consideration of the sum of
TEN AND NO/100----- DOLLARS,
to the said part ies of the first part in hand paid by the said part y of the second part, the receipt
whereof is hereby confessed and acknowledged, ha ve granted, bargained, sold and conveyed, and by these presents
do grant, bargain, sell, convey and confirm, unto the said part y of the second part,
heirs and assigns forever, all the following described lot or parcel y of land, situate, lying and being
in the said County of Archuleta and State of Colorado, to wit:

The Southerly 4.5 acres of a tract of land being and comprising a portion
of the Northwest Quarter of Section 6, T. 34N., R.1W., N.M.P.M., within
Archuleta County, Colorado, and being more particularly described as
follows: BEGINNING at the Southwest Corner of the herein described
tract of land, from whence the West One Quarter Corner of the above said
Section 6, bears, S 30° 09' W - 617.30 feet distant, and running thence
from said point of beginning:

N 0° 22' E - 1096.86 feet to the Northwest Corner of the herein des-
cribed tract of land, and running thence:

S 89° 38' E - 315.94 feet to the Northeast Corner of the herein
described tract of land, and running thence:

S 0° 22' W - 971.24 feet to the Southeast Corner of the herein des-
cribed tract of land, and running thence:

S 68° 41' W - 340.00 feet to the Southwest Corner of the herein des-
cribed tract of land, and the point of beginning, together with ingress
and egress,

(over)

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in any wise
appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and
all the estate, right, interest, claim and demand whatsoever of the said part ies of the first part, either in
law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances unto
the said part y of the second part, his heirs and assigns forever. And the said part ies
of the first part, for them selves their heirs, executors, and administrators, do ies covenant,
grant, bargain and agree to and with the said part y of the second part, his heirs and assigns,
that at the time of the sealing and delivery of these presents well seized of the premises above
conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and ha
good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as
aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, as-
sessment and encumbrances of whatever kind or nature soever.

STATE DOCUMENTARY FEE
Date MAY 28 1974
\$.35

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

IN WITNESS WHEREOF, The said part ies of the first part ha ve hereunto set their
hand s and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of
Burleson T. Collyer [SEAL]
Joyce E. Collyer [SEAL]
[SEAL]

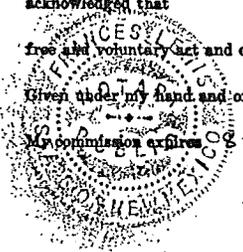
BOOK 137 PAGE 193

STATE OF COLORADO,
New Mexico County of Bernalillo } ss.

I, FRANCES LEWIS, a Notary Public in and for
said BERNALILLO County, in the State aforesaid, do hereby certify that BURLESON T
and Joyce E. COLLYER who personally known to me to be the
person whose name subscribed to the foregoing Deed, appeared before me this day in person and
acknowledged that signed, sealed and delivered the said instrument of writing as
free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and official seal, this 24th day of August, 1973.

My commission expires 8-24-75



Frances Lewis
Notary Public.

Subject to the easements and patents of record and in use and to any mineral reservation of record. All mineral rights owned by parties of the first part shall be conveyed without warrant to party of the second part.

80131
BOOK 137 PAGE 194

No. 80131
80131
WARRANTY DEED

TO

STATE OF COLORADO,
County of Bernalillo

I hereby certify that this instrument was filed
for record in my office this 28th day of
May, 1974
at 9:35 o'clock A.M., and duly recorded
in Book 137, Page 197-198

Film No. _____ Reception No. _____
FELIMA GARDNER
By Jane Valdez
Fees, \$ 4.00 + 500 per. 35

Return:
Gracie Cohn
Box 757
Ogden, W. Va. 25130

After Recordation, please return to:
CoBiz Public Finance, Inc.
Attn: Derek Peters, 1st Vice President, Public Finance
c/o Kline Alvarado Veio, P.C.
1775 Sherman Street, Suite 1790
Denver, Colorado 80203

**FIRST AMENDMENT TO
GROUND LEASE**

by and between

ARCHULETA COUNTY, COLORADO,
as Ground Lessor

and

COBIZ PUBLIC FINANCE, INC.,
as Ground Lessee

Originally Dated March 22, 2012
As Amended on January 5, 2016

FIRST AMENDMENT TO GROUND LEASE

FIRST AMENDMENT TO GROUND LEASE AGREEMENT (together with any amendments hereto made in accordance herewith, this "First Amended Ground Lease"), made as of January 5, 2016, between the ground lessor identified, and having its principal place of business located at the address specified, on the signature page to this First Amended Ground Lease (the "Ground Lessor"), and COBIZ PUBLIC FINANCE, INC., formerly CoBiz Bank, a Colorado corporation d/b/a Colorado Business Bank, having an office and place of business at 821 17th Street, Denver, Colorado 80202 (the "Ground Lessee").

RECITALS:

A. The Ground Lessor and the Ground Lessee entered into that certain Ground Lease, dated March 22, 2012 (the "Original Ground Lease"), whereby the Ground Lessor leased certain Leased Property (as defined in the Original Ground Lease) to the Ground Lessee.

B. The Ground Lessor subleased the Leased Property from the Ground Lessee under that certain Lease and Purchase Option Agreement, originally dated March 22, 2012 (the "Original Lease"), as amended by the First Amended Lease and Purchase Option Agreement, dated as of December 28, 2015 (the "First Amended Lease," and together with the Original Lease, the "Lease"), between the Ground Lessor, as lessee and the Ground Lessee, as lessor.

C. The Ground Lessor and the Ground Lessee have agreed to this First Amended Ground Lease as more fully set forth herein for the purpose of releasing a portion of the Leased Property under the Original Lease.

D. Capitalized terms used and not otherwise defined herein shall have the meaning ascribed thereto in the Original Ground Lease; and

NOW, THEREFORE, for and in consideration of the premises and the mutual covenants hereinafter contained, the parties hereto hereby formally covenant, agree and bind themselves as follows:

1. Amendment to Original Ground Lease. Exhibit A to the Original Ground Lease shall be amended and restated in its entirety. The amended and restated Exhibit A is attached hereto.

2. Binding Effect. This First Amended Ground Lease shall inure to the benefit of and shall be binding upon the Ground Lessee and the Ground Lessor and their respective successors and assigns.

3. Counterparts. This First Amended Ground Lease may be executed in counterparts, each of which shall constitute one and the same instrument.

4. Applicable Law. THIS FIRST AMENDED GROUND LEASE SHALL BE INTERPRETED AND ENFORCED IN ACCORDANCE WITH THE LAWS OF THE STATE OF COLORADO, WITHOUT GIVING EFFECT TO ANY RULES OF CONFLICTS OF LAWS THEREOF.

5. Expenses. Ground Lessor agrees to pay all reasonable costs and expenses, including filing and recording fees, if any, incurred in connection with the preparation, execution and delivery of this First Amended Ground Lease and any other documents or instruments which may be delivered in connection herewith.

6. Ratification. The Original Ground Lease, as amended by this First Amended Ground Lease, is and shall continue to be in full force and effect and is hereby in all respects confirmed, approved and ratified. Except to the extent amended hereby, all terms and conditions of the Original Ground Lease remain the same. All references to the Original Ground Lease in any and all such other agreements and documents shall mean the Original Ground Lease as amended by this First Amended Ground Lease.

7. Reference to Original Ground Lease. From and after the effective date of this First Amended Ground Lease, each reference in the Original Ground Lease to “this Ground Lease”, “hereof”, “hereunder” or words of like import, and all references to the Original Ground Lease in any and all agreements, instruments, documents, notes, certificates and other writings of every kind and nature, shall be deemed to mean the Original Ground Lease as modified and amended by this First Amended Ground Lease.

8. Effectiveness. The amendments to the Original Ground Lease contained herein shall become effective as of the date first referenced above after the Ground Lessor and the Ground Lessee shall have duly executed this First Amended Ground Lease.

IN WITNESS WHEREOF, the parties hereto have executed this First Amended Ground Lease as of this 5th day of January, 2016.

ARCHULETA COUNTY, as Ground Lessor

By: _____
Name: Michael Whiting
Title: Chairperson of the Board

[SEAL]

ATTEST:

By: _____
Name: June Madrid
Title: County Clerk and Recorder

Address of Ground Lessor:
449 San Juan Street
Pagosa Springs, Colorado 81147

The foregoing instrument was acknowledged before me this 5th day of January, 2016, by Michael Whiting, as Chairperson of the Board and June Madrid, as County Clerk and Recorder of Archuleta County.

WITNESS my hand and official seal.

My commission expires: _____

[SEAL]

Notary Public, State of Colorado

EXHIBIT A
LEGAL DESCRIPTION OF THE LAND

Parcel 1:

Archuleta County Courthouse located at 449 San Juan Street, Pagosa Springs, Colorado, the legal address is as follows:

A portion of Lot 2 of the Southwest Quarter of Section 13, Township 35 North, Range 2 West, N.M.P.M., Archuleta County, Colorado, described as follows:

BEGINNING at a point on the south line of San Juan Street, 250 feet east of the southeast corner of San Juan and Fifth Street in the Town of Pagosa Springs, Colorado, and the said southeast corner also being the northwest corner of said Lot 2 of the Southwest Quarter of Section 13, Township 35 North, Range 2 West, N.M.P.M.; thence East along the south line of said San Juan Street 225 feet to a point; thence South on a line parallel with Fifth Street 150 feet to a point; thence West on a line parallel with San Juan Street 225 feet to a point; thence North on a line parallel with Fifth Street 150 feet to the point of beginning.

Parcel 2:

**TRACT B
LEGAL DESCRIPTION**

A TRACT OF LAND LOCATED WITHIN THE NORTH 1/2 OF SECTION 19 T35N R1W NMPM, ARCHULETA COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THIS TRACT, A 1/2" REBAR FOUND WITH A CAP STAMPED "LS 26223" ON THE EASTERLY RIGHT OF WAY OF US HIGHWAY 84 FROM WHENCE THE NORTH 1/4 CORNER OF SAID SECTION 19, A 3" BRASS CAP MONUMENT FOUND STAMPED "LS 9009" BEARS N04°11'56"W, 604.82 FT. DISTANT, THENCE LEAVING SAID RIGHT OF WAY AND AROUND THE TRACT HEREIN DESCRIBED;
S66°42'17"E, 149.75 FT. TO A 1/2" REBAR SET WITH A CAP STAMPED "LS 28274", THENCE;
S14°26'34"W, 1256.39 FT. TO A 1/2" REBAR SET, THENCE;
S87°24'57"W, 375.00 FT. TO A 1/2" REBAR SET ON THE EASTERLY RIGHT OF WAY OF US HIGHWAY 84, THENCE ALONG SAID RIGHT OF WAY;
N20°39'04"E, 60.00 FT. TO A 3" CDOT BRASS CAP FOUND IN CONCRETE, THENCE;
N23°31'08"E, 1040.70 FT. TO A 1/2" REBAR FOUND WITH A CAP STAMPED "LS 26223", THENCE;
N21°58'43"E, 304.56 FT. TO THE POINT OF BEGINNING.

THIS TRACT CONTAINS 7.529 ACRES, MORE OR LESS, ALL AS SHOWN ON SPOTTED EAGLE SURVEYING PLAT# 1412 DATED 05/29/15 PREPARED BY THOMAS F. JOHNSTON PLS# 28274.

After Recordation, please return to:
CoBiz Public Finance, Inc.
Attn: Derek Peters, 1st Vice President, Public Finance
c/o Kline Alvarado Veio, P.C.
1775 Sherman Street, Suite 1790
Denver, Colorado 80203

**FIRST AMENDMENT TO
LEASE AND PURCHASE OPTION AGREEMENT**

by and between

ARCHULETA COUNTY, COLORADO,
as Lessee

and

COBIZ PUBLIC FINANCE, INC.,
as Lessor

Originally Dated March 22, 2012
As Amended on January 5, 2016

FIRST AMENDMENT TO LEASE AND PURCHASE OPTION AGREEMENT

FIRST AMENDMENT TO LEASE AND PURCHASE OPTION AGREEMENT (this "First Amended Lease"), made as of January 5, 2016 (the "Dated Date") (hereinafter defined) between COBIZ PUBLIC FINANCE, INC., formerly CoBiz Bank, a Colorado corporation d/b/a Colorado Business Bank, having an office and place of business at 821 17th Street, Denver, Colorado 80202, as lessor (the "Lessor"), and Archuleta County, Colorado a duly organized political subdivision of the State of Colorado having its main office and place of business in Pagosa Springs, Colorado (the "Lessee").

RECITALS:

A. Lessor and the Lessee entered into that certain Lease and Purchase Option Agreement, originally dated March 22, 2012 (the "Original Lease"), whereby the Lessor subleased certain Leased Property (as defined in the Original Lease) to the Lessee.

B. Lessor and the Lessee simultaneously entered into a Ground Lease, originally dated March 22, 2012 (the "Original Ground Lease"), between the Lessee, as lessor, and the Lessor, as lessee, as amended by the First Amendment to Ground Lease, dated as of December 28, 2015 (the "First Amended Ground Lease," and together with the Original Ground Lease, the "Ground Lease") whereby the Lessor acquired a leasehold interest in the Leased Property as more particularly described in the Original Ground Lease.

C. The Lessor and the Lessee have agreed to this First Amended Lease as more fully set forth herein for the purpose of releasing a portion of the Leased Property under the Original Lease.

D. Capitalized terms used and not otherwise defined herein shall have the meaning ascribed thereto in the Original Lease; and

NOW, THEREFORE, for and in consideration of the mutual promises and covenants herein contained, the parties hereto agree as follows:

1. Amendment to Original Lease. Exhibit B to the Original Lease shall be amended and restated in its entirety. The amended and restated Exhibit B is attached hereto.

2. Representations and Warranties by the Lessee. Section 2.01 of the Original Lease is amended to add the following representations and warranties of the Lessee as of the date hereof:

(a) The Lessee is a duly organized and existing County under Title 30-11-101 of the Colorado Revised Statutes and a political subdivision of the State of Colorado; and

(b) No Event of Default has occurred under the Original Lease and is continuing and no Event of Default will exist under the Original Lease immediately after giving effect to the amendment contained herein; and

(c) No consent of any other person or filing or action by any Governmental Authorities, is required to authorize the execution, delivery and performance of this First Amended Lease; and

(d) This First Amended Lease has been duly executed by the duly authorized officers of the Lessee and constitutes the legal, valid and binding obligation of the Lessee, enforceable in accordance with its terms, except as enforcement thereof may be subject to the effect of any applicable (i) bankruptcy, insolvency, reorganization, moratorium or similar law affecting creditors' rights generally and (ii) general principles of equity; and

(e) The execution and delivery and performance of the agreements in this First Amended Lease will not violate any law, statute or regulation applicable to the Lessee or any order or decree of any federal, state, county, municipal, local or foreign court or governmental agency, authority, instrumentality or regulatory body, or conflict with or result in the breach or any contractual obligation of the Lessee; and

(f) All of the Lessee's representations and warranties contained in the Original Lease are true and correct as of the date of this First Amended Lease.

3. Representations and Warranties by the Lessor. Section 2.02 of the Original Lease is amended to add the following representations and warranties of the Lessor as of the date hereof:

(a) The Lessor is a corporation duly organized and validly existing; is in good standing under the laws of Colorado; and is authorized to transact business in the State; and

(b) No Event of Default has occurred under the Original Lease and is continuing and no Event of Default will exist under the Original Lease immediately after giving effect to the amendment contained herein; and

(c) No consent of any other person or filing or action by any Governmental Authorities, is required to authorize the execution, delivery and performance of this First Amended Lease; and

(d) This First Amended Lease has been duly executed by the duly authorized officers of the Lessor and constitutes the legal, valid and binding obligation of the Lessor, enforceable in accordance with its terms, except as enforcement thereof may be subject to the effect of any applicable (i) bankruptcy, insolvency, reorganization, moratorium or similar law affecting creditors' rights generally and (ii) general principles of equity; and

(e) The execution and delivery and performance of the agreements in this First Amended Lease will not violate any law, statute or regulation applicable to the Lessor or any order or decree of any federal, state, county, municipal, local or foreign court or governmental agency, authority, instrumentality or regulatory body, or conflict with or result in the breach or any contractual obligation of the Lessor; and

(f) All of the Lessor's representations and warranties contained in the Original Lease are true and correct as of the date of this First Amended Lease.

4. Governing Law. THIS FIRST AMENDED LEASE SHALL BE INTERPRETED AND ENFORCED IN ACCORDANCE WITH AND GOVERNED BY THE LAWS OF THE STATE OF COLORADO, WITHOUT GIVING EFFECT TO ANY RULES OF CONFLICTS OF LAWS THEREOF.

5. Counterparts. This First Amended Lease may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute but one and the same First Amended Lease.

6. Expenses. The Lessee agrees to pay all reasonable costs and expenses, including filing and recording fees, if any, incurred in connection with the preparation, execution and delivery of this First Amended Lease and any other documents or instruments which may be delivered in connection herewith.

7. Ratification. The Original Lease, as amended by this First Amended Lease, is and shall continue to be in full force and effect and is hereby in all respects confirmed, approved and ratified. Except to the extent amended hereby, all terms and conditions of the Original Lease remain the same.

8. Reference to Original Agreement. From and after the effective date of this First Amended Lease, each reference in the Original Lease Agreement to “this Agreement”, “hereof”, “hereunder” or words of like import, and all references to the Original Lease in any and all agreements, instruments, documents, notes, certificates and other writings of every kind and nature, shall be deemed to mean the Original Lease as modified and amended by this First Amended Lease.

9. Effectiveness. The amendments to the Original Lease contained in herein shall become effective as of the date first referenced above after the Lessor and the Lessee shall have duly executed this First Amended Lease.

[The balance of this page is intentionally left blank]

[SIGNATURE PAGE]

LESSEE:

ARCHULETA COUNTY, as Lessee

By: _____
Michael Whiting
Chairperson

ATTEST

By: _____
June Madrid
County Clerk and Recorder

STATE OF COLORADO)
) ss.
COUNTY OF ARCHULETA)

The foregoing instrument was acknowledged before me this 5th day of January, 2016, by Michael Whiting and June Madrid, the Chairperson and the County Clerk and Recorder of the County Commissioners of Archuleta County respectively, on behalf of said Lessee.

Notary Public, State of Colorado

EXHIBIT B

DESCRIPTION OF THE LAND

Parcel 1:

Archuleta County Courthouse located at 449 San Juan Street, Pagosa Springs, Colorado, the legal address is as follows:

A portion of Lot 2 of the Southwest Quarter of Section 13, Township 35 North, Range 2 West, N.M.P.M., Archuleta County, Colorado, described as follows:

BEGINNING at a point on the south line of San Juan Street, 250 feet east of the southeast corner of San Juan and Fifth Street in the Town of Pagosa Springs, Colorado, and the said southeast corner also being the northwest corner of said Lot 2 of the Southwest Quarter of Section 13, Township 35 North, Range 2 West, N.M.P.M.; thence East along the south line of said San Juan Street 225 feet to a point; thence South on a line parallel with Fifth Street 150 feet to a point; thence West on a line parallel with San Juan Street 225 feet to a point; thence North on a line parallel with Fifth Street 150 feet to the point of beginning.

Parcel 2:

TRACT B LEGAL DESCRIPTION

A TRACT OF LAND LOCATED WITHIN THE NORTH 1/2 OF SECTION 19 T35N R1W NMPM, ARCHULETA COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THIS TRACT, A 1/2" REBAR FOUND WITH A CAP STAMPED "LS 26223" ON THE EASTERLY RIGHT OF WAY OF US HIGHWAY 84 FROM WHENCE THE NORTH 1/4 CORNER OF SAID SECTION 19, A 3" BRASS CAP MONUMENT FOUND STAMPED "LS 9009" BEARS N04°11'56"W, 604.82 FT. DISTANT, THENCE LEAVING SAID RIGHT OF WAY AND AROUND THE TRACT HEREIN DESCRIBED;
S66°42'17"E, 149.75 FT. TO A 1/2" REBAR SET WITH A CAP STAMPED "LS 28274", THENCE;
S14°26'34"W, 1256.39 FT. TO A 1/2" REBAR SET, THENCE;
S87°24'57"W, 375.00 FT. TO A 1/2" REBAR SET ON THE EASTERLY RIGHT OF WAY OF US HIGHWAY 84, THENCE ALONG SAID RIGHT OF WAY;
N20°39'04"E, 60.00 FT. TO A 3" CDOT BRASS CAP FOUND IN CONCRETE, THENCE;
N23°31'08"E, 1040.70 FT. TO A 1/2" REBAR FOUND WITH A CAP STAMPED "LS 26223", THENCE;
N21°58'43"E, 304.56 FT. TO THE POINT OF BEGINNING.

THIS TRACT CONTAINS 7.529 ACRES, MORE OR LESS, ALL AS SHOWN ON SPOTTED EAGLE SURVEYING PLAT# 1412 DATED 05/29/15 PREPARED BY THOMAS F. JOHNSTON PLS# 28274.

RESOLUTION NO. 2016-____

**A RESOLUTION APPROVING THE CONSOLIDATION OF CERTAIN
LOTS IN ARCHULETA COUNTY, COLORADO**

WHEREAS, the Board of County Commissioners of Archuleta County, Colorado, has heretofore adopted regulations relating to the consolidation of lots in Archuleta County, Colorado, (Resolution No. 2006-25); and

WHEREAS, the Board has received an application from Curtis Arlo Anderson and Laurie Dawn Anderson, to consolidate certain lots in Archuleta County pursuant to the regulations heretofore adopted by the Board; and

WHEREAS, the Board has found that Curtis Arlo Anderson and Laurie Dawn Anderson, has met all the requirements contained in said regulations for Lot Consolidations and the Board may consolidate the hereafter mentioned lots.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Archuleta County as follows: The Chair does hereby sign on authority granted by the Board of County Commissioners and approves the consolidation of Lots 232 and 233, Pagosa in the Pines Unit 2, according to the plat thereof filed for record February 7, 1972, as Reception No. 75408, Archuleta County, Colorado, to become Lot 232X with the condition that if, at a future date, there is a request to split or re-subdivide the consolidated lots, the applicant must comply with the applicable Land Use Regulations in effect at the time the application is made.

APPROVED AND ADOPTED DURING A MEETING DULY AND REGULARLY CALLED, NOTICED, CONVENED AND HELD IN PAGOSA SPRINGS, ARCHULETA COUNTY, COLORADO, this 5th day of January, 2016.

The Board of County Commissioners
Archuleta County, Colorado

ATTEST:

June Madrid,
Archuleta County Clerk and Recorder

Chairman Michael Whiting

Return copy to Planning Dept.



High Country Title, Inc.
Post Office Box 2400
486 Lewis Street
Pagosa Springs, CO 81147
(970) 264-2128 Office
(970) 264-2130 Fax

OWNERSHIP & ENCUMBRANCE REPORT
O&E-15-3539

November 19, 2015

Curtis Anderson
Laurie Anderson

RE: O&E Report 15-3539 – Lot Consolidation

PROPERTY DESCRIPTION(S):

Lot 232 and 233, Pagosa in the Pines Unit Two, according to the plat thereof filed February 7, 1972, as Reception No. 75408, in the office of the Clerk and Recorder, Archuleta County, Colorado.

TAX SCHEDULE NO(S):

5699-174-09-002 as to Lot 232
5699-174-09-001 as to Lot 233

VESTED OWNER(S):

Curtis Arlo Anderson and Laurie Dawn Anderson by Warranty Deed as to Joint Tenants recorded October 13, 2015 as Reception No. 21507502, in the office of the Clerk and Recorder, Archuleta County, Colorado. (As to Both Lots)

LIEN(S) AND ENCUMBRANCE(S) OF RECORD AS OF November 16, 2015 @ 8:00 a.m.:

NONE

Any tax, assessment, fee or charge by reason of the inclusion of the subject property in the Owner's Association (if any) as supported by the most recent Certificate of Taxes Due, issued by the Archuleta County Treasurer's Office.



Authorized Signature

THE INFORMATION SET FORTH IN THIS REPORT IS BASED ON A CAREFUL SEARCH AND EXAMINATION OF THE RECORDS OF THE ARCHULETA COUNTY CLERK AND RECORDER'S OFFICE. HOWEVER, THIS REPORT IS NOT TO BE CONSTRUED AS AN ABSTRACT OF TITLE, NOR AN OPINION OF TITLE, NOR A GUARANTY OF TITLE, AND THE LIABILITY HERBIN SHALL NOT EXCEED THE AMOUNT PAID FOR THIS REPORT.

RESOLUTION NO. 2016-____

**A RESOLUTION APPROVING THE CONSOLIDATION OF CERTAIN
LOTS IN ARCHULETA COUNTY, COLORADO**

WHEREAS, the Board of County Commissioners of Archuleta County, Colorado, has heretofore adopted regulations relating to the consolidation of lots in Archuleta County, Colorado, (Resolution No. 2006-25); and

WHEREAS, the Board has received an application from SJS Holdings, LLC, to consolidate certain lots in Archuleta County pursuant to the regulations heretofore adopted by the Board; and

WHEREAS, the Board has found that SJS Holdings, LLC, has met all the requirements contained in said regulations for Lot Consolidations and the Board may consolidate the hereafter mentioned lots.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Archuleta County as follows: The Chair does hereby sign on authority granted by the Board of County Commissioners and approves the consolidation of Lots 16 and 17, Cloman Industrial Park, according to the plat thereof filed for record September 17, 1996, as Reception No. 97006938, Archuleta County, Colorado, to become Lot 16X with the condition that if, at a future date, there is a request to split or re-subdivide the consolidated lots, the applicant must comply with the applicable Land Use Regulations in effect at the time the application is made.

APPROVED AND ADOPTED DURING A MEETING DULY AND REGULARLY CALLED, NOTICED, CONVENED AND HELD IN PAGOSA SPRINGS, ARCHULETA COUNTY, COLORADO, this 5th day of January, 2016.

The Board of County Commissioners
Archuleta County, Colorado

ATTEST:

June Madrid,
Archuleta County Clerk and Recorder

Chairman Michael Whiting

Return copy to Planning Dept.



High Country Title, Inc.
Post Office Box 2400
486 Lewis Street
Pagosa Springs, CO 81147
(970) 264-2128 Office
(970) 264-2130 Fax

**OWNERSHIP & ENCUMBRANCE REPORT
O&E-15-3536**

November 17, 2015

James Diffey

RE: O&E Report 15-3536 – Consolidation

PROPERTY DESCRIPTION(S):

Lots 16 & 17, Cloman Industrial Park, according to the plat thereof recorded September 17, 1996 as Reception No. 97006938, in the office of the Clerk and Recorder, Archuleta County, Colorado.

TAX SCHEDULE NO(S):

5699-092-02-009 as to Lot 16
5699-092-02-010 as to Lot 17

VESTED OWNER(S):

SJS Holdings, LLC by Quit Claim Deed recorded November 12, 2015 as Reception No. 21508306, in the office of the Clerk and Recorder, Archuleta County, Colorado. (As to Lot 16)
(Note: Name variation from grantee to grantor from Warranty Deed at Reception No. 21507700)

SJS Holdings, LLC by Quit Claim Deed recorded November 12, 2015 as Reception No. 21508307, in the office of the Clerk and Recorder, Archuleta County, Colorado. (As to Lot 17)
(Note: Name variation from grantee to grantor from Warranty Deed at Reception No. 21506517)

LIEN(S) AND ENCUMBRANCE(S) OF RECORD AS OF November 16, 2015 @ 8:00 a.m.:

NONE

Any tax, assessment, fee or charge by reason of the inclusion of the subject property in the Owner's Association (If any) as supported by the most recent Certificate of Taxes Due, issued by the Archuleta County Treasurer's Office.

Authorized Signature

THE INFORMATION SET FORTH IN THIS REPORT IS BASED ON A CAREFUL SEARCH AND EXAMINATION OF THE RECORDS OF THE ARCHULETA COUNTY CLERK AND RECORDER'S OFFICE. HOWEVER, THIS REPORT IS NOT TO BE CONSTRUED AS AN ABSTRACT OF TITLE, NOR AN OPINION OF TITLE, NOR A GUARANTY OF TITLE, AND THE LIABILITY HEREIN SHALL NOT EXCEED THE AMOUNT PAID FOR THIS REPORT.

SERVING ARCHULETA, LA PLATA, MINERAL, HINSDALE, RIO GRANDE COUNTIES

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF FACT OF GOOD STANDING

I, Wayne W. Williams, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

SJS Holdings LLC

is a

Limited Liability Company

formed or registered on 09/06/2015 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20151580648 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 11/13/2015 that have been posted, and by documents delivered to this office electronically through 11/17/2015 @ 10:12:47 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 11/17/2015 @ 10:12:47 in accordance with applicable law. This certificate is assigned Confirmation Number 9377286 .



A handwritten signature in blue ink that reads "Wayne W. Williams".

Secretary of State of the State of Colorado

*****End of Certificate*****

Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."

LICENSE AGREEMENT

THIS LICENSE AGREEMENT being enter this 5th day of January, 2016 by and between, the Board of County Commissioners of Archuleta County, Colorado, hereinafter referred to as "County" and BYOB, LLC, whose address is 118 N. Pagosa Blvd., Pagosa Springs, CO 81147, hereinafter referred to as "Licensee"

The County hereby grants a license ("License") to the Licensee, subject to the terms and conditions contained in this License Agreement, for use of certain property, described as follows:

Licensed area is depicted as the area that includes a free standing sign located at

PAG VILL SERV COMM Lot: 17XX P VIL SER Sec: 20 Twn: 35 Rng: 2W
CONSOLIDATION OF LOT 15, NE 30' OF 18, AND 17X

(Hereinafter the "Licensed Area")

The Licensee covenants and agrees to pay all charges for utilities assessed, levied or incurred on improvements on the Licensed Area during the term of this License.

The Licensee agrees to keep all Improvements thereon in good repair at the expense of the Licensee; to keep the Property free from liter, dirt, debris and obstruction; and to surrender and deliver the Licensed Area in good order and condition upon the termination of this License. In the event County has to enter the Licensed Area for any reason, including but not limited to repair and maintain the Pre-Existing Improvements in order to protect the integrity of the Licensed Area, the County shall charge all costs to the Licensee.

The County or its duly authorized representative has the right to enter upon the Licensed Area at any time for the purpose of inspecting the same, making surveys and do other acts and things as it deems necessary for the protection of its interest therein. The County shall have the right to order Licensee to stop work anytime County believes that a violation of this License has occurred or if there is a danger to the safety of the public if the work continues or if the county desires for any reason whatsoever, in its sole and unfettered discretion to make use of the Licensed Area.

The Licensee shall not cause any damage to culverts, irrigation structures, drain lines, utility lines, or any other Projects or facilities within the Licensed Area are to be cut or damaged. In the event Licensee damages an existing facility, Licensee shall be responsible for all costs of any and all repairs.

In the event changes are made to the roadway or its appurtenances within the Licensed Area, that would necessitate removal or relocation of Licensee's Improvement, or the county for any other reason deems it advisable Licensee shall promptly at its own expense upon the request of the County remove Licensee's Project.

The construction, operation, maintenance and repair of any work or improvements to the Licensed Area installed by Licensee, and all other improvements described in this License, shall be at its own expense and without the aid or use of County funds.

Licensee remains solely responsible for all matters pertaining to the Licensed Area. These responsibilities include, but are not limited to the following: repair and maintenance of the Licensed Area.

Licensee acknowledges and agrees that the Licensed Area exists as a public Easement and that the rights granted herein to Licensee and to other public and private utilities and entities, are subject to the County's rights and obligations to preserve and maintain the Easement as such.

County reserve the right to allow other public and private utilities and entities to utilize the Easement and may impose location requirements and restrictions on Licensee in anticipation of requests by future public and private utilities and entities to occupy Easement or Licensed Area.

Licensee shall indemnify and save harmless County, its officers, employees, agents, successors and assigns from any damage or loss sustained by them or any of them, which arise by reason of Licensee's negligence with respect to the installation, upgrade and/or maintenance of the Property.

Licensee agrees to protect County and save and hold County harmless from any and all third party claims and damages which the installation and/or maintenance of Property and related facilities may directly or indirectly cause. Additionally, Licensee releases County from any and all claims and damages to property owned by Licensee resulting from any act, either by or on the part of the County or by or on the part of any third party.

Licensee shall not assign any or all of its rights under this License without first obtaining written consent to such assignment from the County, which consent may be unreasonably withheld. However, in the event Licensee contracts with a third party contractor to perform the work associated with the installation of the landscape, Licensee remains solely responsible for contractor's compliance with the terms of this License.

The parties hereby agree that neither had made or authorized any agreement with respect to the subject matter of this instrument other than expressly set forth herein, and no oral representation, promise, or consideration different from the terms herein contained shall be binding on either party hereto, or its agents or employees. The License embodies all agreement between the parties hereto and there are not promises, terms, conditions, or obligations referring to the subject matter whereof other than as contained herein.

If any term or provision of this License, or the application thereof to any person or circumstances shall, to any extent, be held invalid or unenforceable, the remainder of this License, or the application of such terms or provisions, to a person or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected, and other terms and provisions of this License shall be deemed valid and enforceable to the extent permitted by law.

No terms or condition of this License shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, protections or other provisions, of the Colorado Governmental Immunity Act §§24-10-101, et. seq., as applicable now or hereafter amended.

It is expressly understood and agreed that the enforcement of the terms and conditions of this License, and all rights of actions relating to such enforcement, shall be strictly reserved to the County and nothing in this License shall give or allow any claim or right of action whatsoever by any other person not included in this License. It is mutually understood and agreed that this License and all the terms and conditions hereof shall extend to and be binding upon the Licensee and its successors and assigns.

Executed on the day and year above written.

ATTEST:

Board of County Commissioners of the County of Archuleta, Colorado

June Madrid, Clerk and Recorder

Michael Whiting, Chair

LICENSEE:

BYOB, LLC

STATE OF COLORADO)
)
) ss
COUNTY OF ARCHULTA)

The foregoing instrument was acknowledged before me this _____ day of _____, 2016, by _____.

Witness my hand and official seal.

Notary Public
My Commissioner Expires:

RESOLUTION NO. 2016-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ARCHULETA COUNTY, COLORADO, ACKNOWLEDGING THE RELEASE OF ENCUMBERANCE OF 88.265 ACRES KNOWN AS SKYROCKET PARK WITHIN ARCHULETA COUNTY AND PROVIDING FOR THE UNENCUMBERED SALE OF SAID PROPERTY.

WHEREAS, Archuleta County, Colorado (the “County”) a quasi-municipal corporation and political subdivision of the State of Colorado and a duly organize and existing County pursuant to Title 30 of the Colorado Revised Statutes; and

WHEREAS, pursuant to applicable law, the County is authorized to acquire dispose of and encumber real and personal property, including without limitation rights and interest in property and leases necessary to the functions and operation of the County; and

WHEREAS, in 2010 Archuleta County purchased 95 acres along Highway 84 (the “Property”) in anticipation of the development of recreational facilities for the benefit of the residents of the County, which was financed in part by a ground lease of the Property, approved by the Board of County Commissioners as set forth in Resolution 2010-71, recorded December 23, 2010 as Reception No. 21009209; and

WHEREAS, Archuleta County encumbered the Property in a lease agreement with CoBiz Bank, approved by the Board of County Commissioners as set forth in Resolution 2012-11 recorded February 29, 2012 as Reception No. 21201308 and amended in Resolution 2012-41 recorded June 7, 2012 as Reception No. 21203622; and

WHEREAS, the adoption and approval of Resolution 2012-11 terminated any prior leases in Resolution 2010-71; and

WHEREAS, upon environmental investigation it was determined that the Property was the habitat of the highest concentration of Pagosa Skyrocket plants in the world; and

WHEREAS, it was subsequently determined that the highest and best use of the Property would be to have Colorado Parks and Wildlife own and manage the Property to ensure protection of the plants; and

WHEREAS, it was determined that in order to best serve the interests of the County the Property should be subdivided and that the County should retain ownership of a small portion of the Property; and

WHEREAS, in order to facilitate the transfer of ownership of the larger portion of the Property, the County in concert with CoBiz bank has taken steps to ensure clean title to the Property through the release by CoBiz of any lease obligations, and the revision of Uniform Commercial Code filings that would encumber the Property.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ARCHULETA COUNTY, COLORADO;

1. The Board of County Commissioners hereby declare that Resolutions No. 2010-71, No. 2012-11, and No. 2012-41 are terminated in full as to that portion of the Property, known as Tract A, Pagosa Skyrocket Minor Subdivision, according to the plat thereof filed August 27, 2015 as Reception No. 21506049, a total of 88.265 acres, and such portion of the Property is hereby free of any and all encumbrances related to said Resolutions and can be conveyed with clear title to the State of Colorado.

APPROVED AND ADOPTED this 5th day January, 2016 in Pagosa Springs, Archuleta County, Colorado.

BOARD OF COUNTY COMMISSIONERS
ARCHULETA COUNTY, COLORADO

Michael Whiting, Chairman

ATTEST

June Madrid, Clerk and Recorder

Memorandum

TO: Chairman Michael Whiting and the Archuleta County Board of Commissioners
DATE: December 30, 2015
FROM: Bentley Henderson
RE: Final Closeout of Skyrocket Park Sale

Included in this Board of County Commissioners packet are four items associated with the sale and final closeout of Skyrocket Park. The first two are amendments to agreements that the County has with CoBiz Bank regarding changes to collateralization of loans that we have with them. The other two items are resolutions of the BoCC.

Cobiz Agreements

The CoBiz agreements relate to a Ground Lease Agreement specific to the 95 acre parcel and the Courthouse, and a Lease Purchase agreement that encumbers the two properties as well as some Road and Bridge equipment. The proposed amendments to the agreements formally release 88(+) acres of the Highway 84 property and one of the pieces of equipment that we have recently replaced.

Resolutions

The two resolutions are necessary to memorialize the final outcome of the transaction, and establish closing protocols.

The Board of County Commissioners have demonstrated their commitment to the sale of the property through, a letter of intent for the sale, a Purchase and Sale Agreement with the Division of Parks and Wildlife, as well as support before both the Parks and Wildlife Commission, and the Legislative Capital Development Committee.

The first resolution is a companion document to the two CoBiz agreements. The intent of the resolution is to establish and ultimately reconcile a succession of actions that started with the original loan that is now concluding with the sale of the property. The resolution recognizes and addresses Resolutions 2010-71, 2012-11, and 2012-41, authorizing the release of any and all encumbrances against the 95 acres. The language in the 2016 Resolution goes on to acknowledge that the releases are exclusive to the real property and are not intended to modify any of the original terms of the loan.

The second resolution is to provide for a process by which the actual closing can take place. This resolution provides for signature authority for the Chairman for the execution of closing documents.

Based on preliminary conversations, the closing is tentatively set for January 21st.

RESOLUTION 2016-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ARCHULETA COUNTY, COLORADO, AUTHORIZING THE SALE OF SUBJECT PROPERTY AND THE EXECUTION OF NECESSARY DOCUMENTS PURSUANT TO THE TERMS OF THE SALE AND PURCHASE AGREEMENT DATED MARCH 19, 2015 BETWEEN STATE OF COLORADO, DEPARTMENT OF NATURAL RESOURCES, DIVISION OF PARKS AND WILDLIFE AND THE BOARD OF COUNTY COMMISSIONERS OF ARCHULETA COUNTY, COLORADO.

WHEREAS, Archuleta County, Colorado (the “County”) a quasi-municipal corporation and political subdivision of the State of Colorado and a duly organized and existing County pursuant to Title 30 of the Colorado Revised Statutes; and

WHEREAS, pursuant to applicable law, the County is authorized to acquire, dispose of and encumber real and personal property, including without limitation rights and interest in property and leases necessary to the functions and operation of the County; and

WHEREAS, in 2010 Archuleta County purchased 95 acres along Highway 84 in anticipation of the development of recreational facilities for the benefit of the residents of the County; and

WHEREAS, upon environmental investigation it was determined that the parcel was the habitat of the highest concentration of Pagosa Skyrocket plants in the world; and

WHEREAS, it was subsequently determined that the highest and best use of the parcel would be to have Colorado Parks and Wildlife own and manage the parcel to ensure protection of the plants; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners that it is necessary and for the best interests of this county that the real property legally described as follows:

See Exhibit A

which real property lies wholly within the boundaries of this county, be sold for the purposes of ensuring the protection of the Pagosa Skyrocket plant.

BE IT FURTHER RESOLVED that the Chairman of the Board of County Commissioners is authorized and directed to execute any and all documents necessary to give effect to this Resolution and for the Board of County Commissioners of Archuleta County, Colorado to release title to the property described in Exhibit A.

APPROVED AND ADOPTED this 5th day of January, 2016

**BOARD OF COUNTY COMMISSIONERS
ARCHULETA COUNTY, COLORADO**

Michael Whiting, Chair

ATTEST:

June Madrid
Archuleta County Clerk and Recorder

EXHIBIT A

TRACT A LEGAL DESCRIPTION

A TRACT OF LAND LOCATED WITHIN THE NORTH 1/2 OF SECTION 19 T35N R1W NMPM, ARCHULETA COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THIS TRACT, A 1/2" REBAR SET WITH A CAP STAMPED "LS 28274" ON THE EASTERLY RIGHT OF WAY OF US HIGHWAY 84 FROM WHENCE THE NORTH 1/4 CORNER OF SAID SECTION 19, A 3" BRASS CAP MONUMENT FOUND STAMPED "LS 9009" BEARS N88°22'22"W, 151.47 FT. DISTANT, THENCE ALONG THE NORTHERLY BOUNDARY OF SAID SECTION 19 AND AROUND THE TRACT HEREIN DESCRIBED;

S88°22'22"E, 1150.33 FT. TO A 5/8" REBAR FOUND WITH A CAP STAMPED "LS 26228" AT THE EAST 1/4 CORNER COMMON TO SECTIONS 18 AND 19, THENCE LEAVING SAID NORTHERLY SECTION BOUNDARY;

S01°04'30"E, 1326.47 FT. TO A 1/2" REBAR FOUND WITH A CAP STAMPED "LS 26228", THENCE;

S01°05'14"E, 1182.39 FT. TO A 1/2" REBAR SET, THENCE;

S77°33'22"E, 253.34 FT. TO A 1/2" REBAR FOUND WITH A CAP STAMPED "LS 26223", THENCE;

S78°01'54"W, 1165.16 FT. TO A 5/8" REBAR FOUND WITH A CAP STAMPED "LS 26223", THENCE;

S89°36'04"W, 671.39 FT. TO A 1/2" REBAR FOUND WITH A CAP STAMPED "LS 26223" ON THE EASTERLY RIGHT OF WAY OF US HWY 84, THENCE ALONG SAID RIGHT OF WAY;

ALONG A CURVE TO THE RIGHT AN ARC DISTANCE OF 442.88 FT. THROUGH A CENTRAL ANGLE OF 16°05'26", SAID CURVE HAVING A RADIUS OF 1577.00 THE CHORD OF WHICH BEARS N16°05'26"E, 441.43 FT. TO A 1/2" REBAR FOUND WITH A CAP STAMPED "LS 26223", THENCE;

N20°39'04"E, 430.39 FT. TO A 1/2" REBAR SET, THENCE LEAVING SAID RIGHT OF WAY;

N87°24'57"E, 375.00 FT. TO A 1/2" REBAR SET, THENCE;

N14°26'34"E, 1256.39 FT. TO A 1/2" REBAR SET, THENCE;

N66°42'17"W, 149.75 FT. TO A 1/2" REBAR FOUND WITH A CAP STAMPED "LS 26223" ON THE EASTERLY RIGHT OF WAY OF US HIGHWAY 84, THENCE ALONG SAID RIGHT OF WAY;

ALONG A CURVE TO THE LEFT AN ARC DISTANCE OF 415.48 FT. THROUGH A CENTRAL ANGLE OF 12°05'02", SAID CURVE HAVING A RADIUS OF 1970.00 FT., THE CHORD OF WHICH BEARS N13°00'48"E, 414.72 FT. TO A 1/2" REBAR FOUND WITH A CAP STAMPED "LS 26228", THENCE;

N04°02'02"E, 195.31 FT. TO THE POINT OF BEGINNING.

THIS TRACT CONTAINS 88.285 ACRES, MORE OR LESS, ALL AS SHOWN ON SPOTTED EAGLE SURVEYING PLAT# 1412 DATED 04/01/15 PREPARED BY THOMAS F. JOHNSTON PLS# 28274.

RESOLUTION 2016 - _____

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF ARCHULETA COUNTY, COLORADO,
ADOPTING FEES FOR COUNTY SERVICES AND INFORMATION**

WHEREAS, pursuant to C.R.S. §30-11-107, the Board of County Commissioners of Archuleta County, Colorado (“Board”) is authorized to establish a reasonable schedule of fees for providing certain services and information to the public; and

WHEREAS, the Board is of the opinion that such fees should have a direct relationship to actual costs associated with providing such services and information to the public; and

WHEREAS, the Board hereby finds and declares that the fees attached hereto are necessary and reasonable to cover the expected costs of providing the described services or information to the public;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ARCHULETA COUNTY, COLORADO, AS FOLLOWS:

1. That the attached fee schedules (Exhibit A) for services, copies, information, etc. are hereby adopted and the respective offices and elected officials are authorized to collect such fees. Such fees may be amended by proper Board action taken at a regular or special meeting of the Board.
2. All fees collected according to the fee schedules shall be delivered to the Archuleta County Treasurer for deposit to the Archuleta County General Fund.
3. The new fees shall be effective immediately upon adoption of the Resolution.

APPROVED AND ADOPTED THIS 5th day of January, 2016.

**Board of County Commissioners
Archuleta County, Colorado**

Michael Whiting, Chair

ATTEST:

June Madrid
Archuleta County Clerk and Recorder

**EXHIBIT A
2016 ARCHULETA COUNTY FEE SCHEDULE**

Airport

Gate Access Card	10.00 /ea
Fuel flow fees	0.070 /gal
Parking fees	
Annual	190.00 /yr
Monthly	22.00 /m
Daily	1.25 /day
Aircraft parking fees - Nightly	
Single engine	7.00 /day
Twin engine	9.00 /day
Turbo prop	21.00 /day
Jet aircraft under 16,000 lbs	32.00 /day
Jet aircraft over 16,000 lbs	45.00 /day
Helicopters	17.00 /day
Aircraft parking fees - Monthly	
Single engine	55.00 /mo
Twin engine	75.00 /mo
Turbo prop	130.00 /mo
Jet aircraft under 16,000 lbs	250.00 /mo
Jet aircraft over 16,000 lbs	425.00 /mo
Helicopters	130.00 /mo
Landing Fees - aircraft gross weight $\geq 12,500 \leq 20,000$ lbs*	2.00 /1,000 lbs.
Landing Fees - aircraft gross weight $> 20,000$	3.00 / 1,000 lbs.
Aircraft Ramp Handling Fee w/0 fuel purchase - Aircraft $> 12,500$ lbs	110.00 #135&91
After hours FBO call out for service	85.00 / hr

Administration

Liquor (fees are County only, State fees are additional and not listed)	
<u>License Type and Fees</u>	
Application Fee for New license	1,000.00
Application fee Transfer of Ownership	750.00
Art License	41.25
Beer & Wine License County	63.75
Brew-Pub License	75.00
Club License	41.25
Hotel & Restaurant	75.00
Liquor licensed Drugstore	37.50
Optional Premises License	75.00
Resort Complex License	75.00
Retail Gaming Tavern License	75.00
Retail Liquor Store License	37.50
Tavern License	75.00
Vintner's Restaurant	75.00
<u>Related Fees and Permits</u>	
Annual Renewal application Fee	100.00
Addition of related facility Permits to <i>existing Resort Complex License (each)</i>	100.00
Art Gallery Application	100.00
Art Gallery Permit	3.75
Art Gallery Renewal Application fee	100.00
Bed & Breakfast Permits	25.00
Change of Location	750.00

Corp/LLC Change (per person)	100.00
Hotel/Tavern Manager's Registration	75.00
Late Renewal Application Fee	500.00
Mini Bar Permit (No OAP contribution) <i>with Hotel/Restaurant license</i>	325.00
Special Events Permit (Liquor) per event	100.00
Special Events Permit (3.2%) per event	100.00
Temporary Permit	100.00
3.2% Beer Licensee Fees	
Retail 3.2% Beer On Premises	7.50
Retail 3.2% Beer Off Premises	7.50
Retail 3.2% Beer On/Off Premises	7.50

Marijuana Center Fees: for each individual type of license

Operating Fee - Required for all new applications	3,000.00
Medical Store License Fee	3,000.00
Medical Store and Cultivation License Fee	5,000.00
Medical Infused Product License Fee	3,000.00
Retail Store License Fee	3,000.00
Retail Cultivation License Fee	3,000.00
Retail Store and Cultivation License Fee	5,000.00
Retail Infused Product License Fee	3,000.00
Renewal Without Changes	2,000.00
Renewal With Changes	3,000.00
Transfer	3,000.00
Location Change	2,000.00
Business Name Change	500.00
Corporate Structure Change	500.00
Modification of Premises	500.00

Assessor

Copies	
Assessor's Records	
Black/White	0.25 /page
Color	0.35 /page
Maps	
8.5 X 11	
Black/White	0.25 /ea
Color	0.50 /ea
Color (Aerial Image)	1.00 /ea
11 x 17	
Black/White	0.50 /ea
Color	1.00 /ea
Color (Aerial Image)	2.00 /ea
Historic Assessor Maps	
E-File	5.00 /ea
Hard Copy	5.00 /ea
Radius Map/ Labels Ownership List	50.00 /job
Ownership List/Sales Search	35.00 /ea

County Clerk

Copies	
Budget	35.00 /ea
Audit	35.00 /ea
Copies - one page or more per page:	0.25 /ea
Copies made from older, big books	1.25 /ea
Returned check fee (anything Not Motor Vehicle)	20.00 /ea
Handling fee	10.00
Setup fee for election or reception data on CD-ROM or e-mail	25.00 /ea
Reception data by the month	150.00 /mo
Internet database search (subscription)	300.00 /mo
Internet database printing	0.25 /page
Internet upload for recording images	300.00 /mo
Plat Images on CD	3.00 /plat
Copy of Minutes on CD	25.00 /ea
E-mail Fee (in addition to copy fees)	2.00 /ea

Building Department

IBC/IRC 2006 Permit fee structure w/ 1.00 multiplier (initial permit)	Minimum Permit Fee of 75.00
-After Citation for "Building Without a Permit"	200% of Original Permit Fee
Violation - Construction Without a Valid Building Permit (all types)	100 /day or 500-1,000 if Court Imposed
Temporary Certificate of Occupancy	200.00
-Expired Temporary Certificate of Occupancy	1,500.00
-After Citation for "Occupancy Without a Certificate"	200% of Original Permit Fee
Commercial Occupancy Permit Tenant Finish (Change of Use or occupancy)	150.00
-After Citation "Occupancy Without a Certificate"	1,000.00
Violation "Occupancy Without a Certificate"	100 /day or 500-1,000 if Court Imposed
Violation - Failure to Correct for Citation of ICC Codes	100 /day or 500-1,000 if Court Imposed
Commercial Plan Review Fee	250.00
Extension of Current Permit after one year for each successive year	200.00 /each
Inspections Outside Normal Business Hours (2 Hour Minimum)	100.00 /hr
Re-Inspection	50.00 /hr
Inspection Which No Fee Specifically Indicated (1/2 hr Minimum)	50.00 /hr
Additional Plan Review Required by Changes, Addtions or Revisions to Plans	50.00 /hr
Use of Outside Consultants for Plan Review, Inspection or Both	Actual Costs
Agricultural Building Permit and Final Use Inspection	125.00
Expedited Permit (Uncovered Deck)	250.00
Expedited Permit (Covered Deck)	250.00
Expedited Permit (Accessory Structure 750 sq. ft. Max.) 3 working day review	250.00
Foundation Permit Fines (exceeding work allowed by permit)	Up to but not to exceed 3,000.00 and all remedies available by law
Fence (Over 6' High)	\$1 X 30% of Linear Feet
Deck (Uncovered)	\$1 X 30% of Total Square Footage
Manufactured Mobile Home Permit	250.00
Manufactured Mobile Home (Double Wide) and Modular Home Permit	350.00
Sign Permit (Per Sign)	75.00
Appeal to the Board of Appeals	100.00
Copy of the Amended Building and Safety Code	25.00
Copies (per page)	0.25 /each
Copies (Text or Transcripts)	0.25 /page

Building Dept. Cont.

Copies (Maps, Charts, Plans or Transcripts)		
8.5 X 11		2.00
11 X 17		4.00
County Nuisance Ordinance / ICC Property Maintenance Code Violation		
Initial Inspection (If Citation Given)	Mileage Based on Round Trip Fror	50.00 /hr Plus 0.55 per mile
Re-Inspection	Mileage Based on Round Trip Fror	50.00 /hr Plus 0.55 per mile
Fine - If Paid Prior to Court		500.00 /Violation
Fine - If Court Appearance is Required	Up to a Maximim of 1,000.00 /Violation and applicalble Court Costs	

Information Technology

Digital files:

Aerial photos 2005		
per photo tile		10.00
per mosaic		750.00
Aerial photos 1999		
per photo tile		5.00
of Archuleta County		500.00

Pre-Made Maps:

General County Base Map - (36" x 72")		35.00 /ea
General County Base Map - (20" x 33")		13.00 /ea
General County Base Map - (22" x 44")		20.00 /ea

Map/Other Prints

8.5 x 11		2.00 /ea
11 x 17		4.00 /ea
14.5 x 24		7.00 /ea
17 x 22		8.00 /ea
20 x 33		13.00 /ea
20 x 24		10.00 /ea
22 x 34		16.00 /ea
22 x 44		20.00 /ea
28 x 40		23.00 /ea
34 x 44		31.00 /ea
36 x 72		54.00 /ea

Custom Mapping, data conversion, servicing		60.00 /hr
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Miscellaneous:

CD		2.00 /ea
DVD		3.00 /ea
Mailing and Packaging		cost

Planning

Subdivision, Exemptions, Amendments		
Sketch Plan - Minor (up to 3 lots):		500.00
Sketch Plan - Major (4 or more lots):		1,000.00
Preliminary Plan:	1700.00 plus 30.00/lot	
Final Plat (minor, major, exemption)		850.00
Plat Amendments	400.00 up to 3 lots; \$75 each add'l lot	
Use Permits		
Use by Right - Agricultural, Residential		50.00
Use by Right - Commercial or Industrial		500.00
Home Occupation		25.00
Land use compliance review - Change of Use tenant or ownership		50.00
Conditional Use Permit - new site development or expansion		1,100.00
Conditional Use Permit - in existing development, building, site, etc.		700.00
Temporary Use Permit - Residential		50.00
Temporary Use Permit - Commercial		150.00
Temporary Use Permit - Extension/modification	Half of original permit fee	
Flood Plain Development Permit Review		100.00
Major Oil / Gas Facility		3,500.00
Minor Oil / Gas Facility or Pipeline		1,500.00
Major Sand/Gravel		3,500.00
Minor Sand/Gravel		1,500.00
Geothermal Activity Notice		1,500.00
Commercial Use of Geothermal Resources		3,500.00
<u>Sign Permits:</u>		
Seasonal Sales, grand openings, special events		25.00
All other signs	55.00 for the first sign	
Additional signs for business or project		25.00
<u>Miscellaneous Application Fees:</u>		
Lot Consolidations:	300.00 1-3 lots plus \$75 each add'l lot	
Lot De-consolidation - up to 3 resulting lots		1,000.00
Vacating - Subdivision, Right of Way, Road		315.00
Rezoning		1,500.00
Appeals		100.00
Pre-application Conference - up to 1 hr. (minors and plats):		50.00
Pre-application Conference - up to 1 hr. (all others):		75.00
Development Agreement Review, development conf.	Planning 75.00/hr; Attorney 150.00/hr	
Variance (planning or engineering)	250.00/each	
Administrative Variance		125.00
Extensions of Approved Applications, Permits, Developments	Half of original permit fee	
Continuances - applicant requested		250.00
Copies (Text or transcript)		0.25
Copies (Maps, charts, plans or transcripts):		
8.5 x 11		2.00
11 x 17		4.00
Public Notice Signs:		25.00
Sale of Land Use Regulations:		75.00
<u>New Subdivision Impact Fees - Road (paid at either subdivision or building permit time)</u>		
Residential		
Single-Family - per unit		818.00
Multi-Family - per unit		574.00
Non-Residential per 1,000 square feet		
Lodging		1,604.00

Planning Cont.

Retail		3,669.00
Office/Industrial/Flex Space		1,421.00
<u>Violations</u>		
Failure to obtain, maintain or comply with a permit	100/day or 500-1,000 if court imposed	
Failure to obtain zoning approval/zoning violations	100/day or 500-1,000 if court imposed	
Failure to submit required application per AC LUC	100/day or 500-1,000 if court imposed	

Road & Bridge

Permit to work in the right-of-way	0.75% of required Bond or 115.00 minimum
Re-inspect Fee:	25.00 /ea
Sale of County Road Specifications copy	7.50 /ea
Mag-Chloride per gallon (not delivered nor applied)	0.70 /gal
Administrative fees	25.00 /hr
Labor	35.00 /hr

Scale Use Fees

Commercial vehicle/trailers	10.00 /ea
All others	5.00 /ea

Equipment Cost per Hour (Excluding Operator)

Pickup Truck	35.00 /hr
11 yd Dump Truck	105.00 /hr
Water Truck	105.00 /hr
Semi Tractor Bottom & Belly Dump	110.00 /hr
Motor Grader	165.00 /hr
Backhoe	95.00 /hr
Loader	130.00 /hr
Skid Steer	60.00 /hr
Dozer D-6	165.00 /hr
Semi-Tractor Lowboy	130.00 /hr
Broce Sweeper	70.00 /hr
Roller	115.00 /hr
Farm Tractor with Mower	75.00 /hr
Fire Truck	105.00 /hr
Labor	35.00 /hr
Administrative fees	25.00 /hr

Sheriff

Bond Fee - 1st	10.00 ea
Additional Bonds over 1	2.50 ea
Booking fee (per CRS 30-1-204)	30.00 ea
Concealed Weapons Permits	100.00 ea
Concealed Weapons Permits - Renewal	50.00 ea
Copies	0.25 page
Dispatch Tape	10.25 ea
<u>Fingerprints</u>	
Civilian	5.00 ea
Court Ordered	10.00 ea
Liquor License	25.00 ea
Marijuana License	25.00 ea
Intoxilizer fee	5.00 ea
Reports up to and including 5 pages	0.25 page
Reports after 1st 5 pages	0.25 page
Sex Offender First Time Registration	25.00 ea
Sheriff's Sales	350.00 ea
Court Ordered BAC	5.00 ea
Vehicle identification number inspection fee	10.00 ea

Solid Waste

Landfill	
compacted waste	15.50 /cy
non-compacted waste	14.00 /cy
up to seven bags 33 gallon maximum	2.00 /ea
Pagosa Springs Transfer Station	16.25 /cy
up to seven bags 33 gallon maximum	3.00 /ea
Arboles Transfer Station	16.25 /cy
up to seven bags 33 gallon maximum	3.00 /ea
recycle fee for residential customers	2.00 /ea
recycle fee for comercial customers	6.00 /yd
Appliances with certification of freon removal	15.00 /ea
Other Appliances	15.00 /ea
Construction, yd waste, commercial, demolition, dirt, PAWS	
compacted waste	15.50 /cy
non-compacted waste	14.00 /cy

Surveyor

Plat Reviews	
Any project containing up to three divisions	75.00 /ea
Any project containing more than three divisions	75 for first 3 divisions plus 15.00 per each additional division

Transportation

Private non-Triple A (subject to certain rules)		
Locally per trip	Mountain Express	1.00 trip

Weed and Pest

Trip Charge	20.00 /trip
Hourly Labor Charge	50.00 /hour
Chemical Charge	cost

Open Records

ALL FEES MUST BE PAID PRIOR TO RECORDS BEING RELEASED	
Research and Retrieval Fees	\$30 per hour (first hour free)
Copies	0.25 /page
Copies of Photographs	cost to replicate
Audio and/or Video copies	25.00 each copy
Postage Fees	shipping costs

** Custodian of Record shall not impose a charge for the first hour of time expended in connection with the research and retrieval of public records. After the first hour of time has been expended the Custodian of Record will charge a fee for the research and retrival of public records in the amount stated above.

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- D&N and PRNP Cases:**
- *GAL's are exempt from charges associated with record copies
 - * Attorneys of record or parents representing themselves, 1 free copy per party
 - * Intervenors in D&N or PRNP cases are exempt from charges
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Archuleta County Commissioners Boards and Committees

2015

Commissioner	Board/Committee
Clifford Lucero	Archuleta County Housing Authority
Clifford Lucero	Archuleta Seniors, Inc.
Michael Whiting	Area Agency on Aging
JR Ford & Mary Jo Coulehan	Club 20
Steve Wadley	Colorado Workforce
Michael Whiting	Council of Governments
Todd Starr, County Attorney	Region 9 Economic Development
Michael Whiting	San Juan Basin Health Department
Bentley Henderson County Administrator	San Juan/Dolores/San Miguel River Basins Roundtable
Clifford Lucero	Southwest Transportation Planning Region
Steve Wadley	Town Tourism Committee

CCI Steering Committees:

All 3 Commissioners	Tourism, Resorts and Economic Development
All 3 Commissioners	General Government
All 3 Commissioners	Taxation & Finance
All 3 Commissioners	Transportation and Telecommunications
All 3 Commissioners	Public Lands
All 3 Commissioners	Agriculture, Wildlife and Rural Affairs
All 3 Commissioners	Land Use and Natural Resources
All 3 Commissioners	Health and Human Services
All 3 Commissioners	CCI Legislative
All 3 Commissioners	Underfunded Courthouse

Archuleta County Commissioners Boards and Committees
2016

Commissioner	Alternate	Board/Committee
		Archuleta County Housing Authority
		Archuleta Seniors, Inc.
		Area Agency on Aging
		Club 20
		Colorado Workforce
		Council of Governments
		Region 9 Economic Development
		San Juan Basin Health Department
		San Juan/Dolores/San Miguel River Basins Roundtable
		Southwest Transportation Planning Region
		Town Tourism Committee

CCI Steering Committees:

All 3 Commissioners	Tourism, Resorts and Economic Development
All 3 Commissioners	General Government
All 3 Commissioners	Taxation & Finance
All 3 Commissioners	Transportation and Telecommunications
All 3 Commissioners	Public Lands
All 3 Commissioners	Agriculture, Wildlife and Rural Affairs
All 3 Commissioners	Land Use and Natural Resources
All 3 Commissioners	Health and Human Services
All 3 Commissioners	CCI Legislative
All 3 Commissioners	Underfunded Courthouse

RESOLUTION NO. 2016-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ARCHULETA COUNTY, COLORADO ESTABLISHING A LOCATION FOR THE POSTING OF OFFICIAL COUNTY NOTICES, SETTING MEETING DATES FOR THE CALENDAR YEAR 2016 AND ESTABLISHING DAYS AND OFFICE HOURS FOR COUNTY OFFICES TO TRANSACT COUNTY BUSINESS FOR FISCAL CALENDAR YEAR 2016

WHEREAS, the Board of County Commissioners of Archuleta County pursuant to C.R.S. §24-6-402 are required to, at their first meeting of the calendar year, designate a posting place for official notices of the County; and

WHEREAS, pursuant to C.R.S. §30-10-109, the Board of County Commissioners are required to establish the days and office hours of the County or Archuleta, State of Colorado, for 2016, whereupon all County offices shall be kept open for the transaction of County business; and

WHEREAS, pursuant to C.R.S. §30-10-303 The Board of County Commissioners shall publish and schedule, as determined by resolution of the Board, the time and location for public meetings of the Board of County Commissioners.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ARCHULETA COUNTY, COLORADO;

1. The official posting place for public notice purposes pursuant to and to the extent required by Colorado Revised Statutes §24-6-402(2)(C), shall be 398 Lewis Street, Pagosa Springs, Colorado.

2. The Board may hold such special or emergency meeting as adopted by Resolution No. 2012-52, therefore as the public interest may, in the opinion of the Board, require.

3. The Archuleta County Board of County Commissioners hereby designate the meetings of the Board of County Commissioners shall be held on the first (1st), and third (3rd) Tuesday of each month, at 1:30 pm. Unless otherwise noticed, those meetings will be held at 398 Lewis Street, Pagosa Springs, Colorado.

4. In those months with five (5) Tuesdays, the Board shall endeavor to hold community meetings in Arboles, Chromo, and the Town of Pagosa Springs.

5. Except for legal holidays, all County offices located in Archuleta County, except for the County Administration offices, shall be kept open for the transaction of County business during the hours of 8:00 a.m. through 4:00 p.m. on Monday through Friday of each respective week in 2016. The Archuleta County Administration offices shall be kept open for business during the hours of 8:00 a.m. through 5:00 p.m. on Monday through Friday of each respective week in 2016.

6. The Chair of the Board or the County Administrator is hereby delegated the authority to close all or part of the offices of the County due to storm or other emergency. The Chair or County Administrator shall use his best efforts to notify the media of such closure.

7. Notwithstanding the foregoing, the Sheriff shall be subject, at all times, to the command of the people, and each thereof shall at all hours, night and day, be prepared to attend such duties as may reasonably be required of them.

APPROVED AND ADOPTED, this 5th day of January, 2016.

BOARD OF COUNTY COMMISSIONERS
ARCHULETA COUNTY, COLORADO

Michael Whiting, Chair

ATTEST

June Madrid, County Clerk and Recorder