

- I. CALL TO ORDER
- II. ROLL CALL
- III. REVIEW AGENDA
- IV. CONSENT OF MARCH 14, 2017 MINUTES [No April Mins Avail.]
- V. OLD BUSINESS
 - a. Rio Grande Subdivision Update
 - b. Courthouse Update
 - c. Survey Quote for Hwy 149
- VI. NEW BUSINESS
 - a. Tiny Homes
- VII. ADJOURN

POSTED 5/5/17

OPEN TO THE PUBLIC

**PLANNING & ZONING COMMISSION
CITY OF CREEDE, COLORADO - A TOWN
March 14, 2017**

REGULAR MEETING

The Planning and Zoning Commission of the City of Creede – a Town, County of Mineral, State of Colorado, met in the Creede Town Hall at the hour of 5:30 p.m. There being present at the call of the roll the following persons:

COMMISSIONERS PRESENT: Lauri Jordan, Ed Vita, Frank Freer, Amy Krueger, Jeffrey Larson

Commission Chair Jordan, presiding, declared a quorum present:

Those members of staff also present were as follows:

	Clyde Dooley, Town Manager
	Randi Snead, Town Clerk

AGENDA

Commissioner Vita moved and Commissioner Freer seconded to approve the agenda as presented. The vote was unanimous. Commission Chair Jordan declared the motion carried.

CONSENT OF FEBRUARY 14, 2017 MINUTES

Commissioner Freer moved and Commissioner Krueger seconded to approve the February 14, 2017 minutes as presented. The vote was unanimous. Commission Chair Jordan declared the motion carried.

NEW BUSINESS

ASPEN EGRESS ISSUES

Issues with egress and vehicle traffic on Aspen Avenue were discussed at length. A field trip was planned for Tuesday, March 21, 2017 at 5 p.m.

TINY HOMES

Tiny homes regulation was discussed at length. No specific recommendations were made, but direction was established for continuing the conversation at the April 11, 2017 meeting.

ORDINANCE 400 OPTIONAL 2015 IBC

Manager Dooley presented information on an ordinance being considered by the Board of Trustees to allow the use of the 2015 IBC in addition to the use of the 2003 IBC for property owners.

ADJOURN

There being no further business to come before the Planning and Zoning Commission at this time, Commissioner Freer moved and Commissioner Larson seconded that the meeting be adjourned at 6:53 p.m. The vote was unanimous. Commission Chair Jordan declared the motion carried.

Respectfully submitted:

/Randi Snead/
Randi Snead, City Clerk/Treasurer

DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT Mineral County and the City of Creede are the owners of that real property located in Sections 25, Township 42 North, Range 1 West, New Mexico Principal Meridian, City of Creede, Mineral County, Colorado, being more particularly described by as follows:

The South 16.8 feet of Lot 7, All of Lots 8, 9, 10, 11 and 12, Block 14, Creedmoor (Also known as Amethyst Townsite), City of Creede, Mineral County, Colorado,

TOGETHER WITH:

A tract of land located in the South Half of Section 25, Township 42 North, Range 1 West, New Mexico Principal Meridian, being part of the platted street right of way for Second Street and the Railroad right of way in Creedmoor, more particularly described as follows:

Beginning at the northwest corner of the South 16.8 feet of Lot 7, Block 14, Creedmoor, from which the South Quarter Corner of said Section 25 bears S 61°51'37" W a distance of 1439.34 feet, thence S 06°52'25" E along the west line of Block 14 a distance of 142.61 feet to the southwest corner of said Block, thence S 89°14'40" W a distance of 33.63 feet, thence N 02°29'17" W a distance of 141.86 feet, thence N 89°14'40" E a distance of 22.71 feet to the True Point of Beginning, containing 0.09 acres, more or less.

AND

A tract of land located in the South Half of Section 25, Township 42 North, Range 1 West, New Mexico Principal Meridian, being part of the platted street right of way for Second Street and the Railroad right of way in Creedmoor, more particularly described as follows:

Beginning at the southeast corner of Lot 12, Block 14, Creedmoor, from which the South Quarter Corner of said Section 25 bears S 61°51'37" W a distance of 1439.34 feet, thence S 02°26'31" E along the east line of Block 14 a distance of 21.79 feet to the southeast corner of said Block, thence S 87°31'20" W a distance of 91.88 feet to the southwest corner of said Block, thence N 02°29'17" W along the west line of said Block, a distance of 24.56 feet, thence N 89°14'40" E a distance of 91.84 feet to the True Point of Beginning, containing 0.05 acres, more or less.

FURTHER THAT they have caused said real property to be replatted and designated as the MINERAL COUNTY COURTHOUSE REPLAT, and do hereby dedicate any and all easements as shown hereon for the purposes stated.

Signed: _____ Attest: _____
Chairman, County Commissioners Clerk of the Board

STATE OF COLORADO } SS
COUNTY OF MINERAL }

The foregoing was acknowledged before me this _____ day of _____, 2017,

by _____ as Chairman of the Board of County Commissioners, and

by _____ as Clerk of the Board. Witness My Hand and Seal.

My commission expires _____ Signed: _____ Notary Public

BOARD OF TRUSTEES CERTIFICATE

APPROVED this _____ day of _____, 2017 A.D., Board of Trustees

for the City of Creede, Mineral County, Colorado.

Signed: _____ Attest: _____
Jeffrey Larson, Mayor Randi Snead, Town Clerk

SURVEYOR'S STATEMENT

I, Daniel M. Russell, a duly registered land surveyor in the State of Colorado, do hereby state that this plat was prepared from the notes of an actual field survey performed by me or under my direct supervision and is true and correct to the best of my knowledge and belief.

Date

For and on behalf of
Russell Surveyors &
Associates, Inc.

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO } SS
COUNTY OF MINERAL }

I hereby certify that this instrument was filed in my office at _____ O'Clock, _____ M, the _____ day of

_____, 2017, and is duly recorded under Reception No. _____, and is Filed In

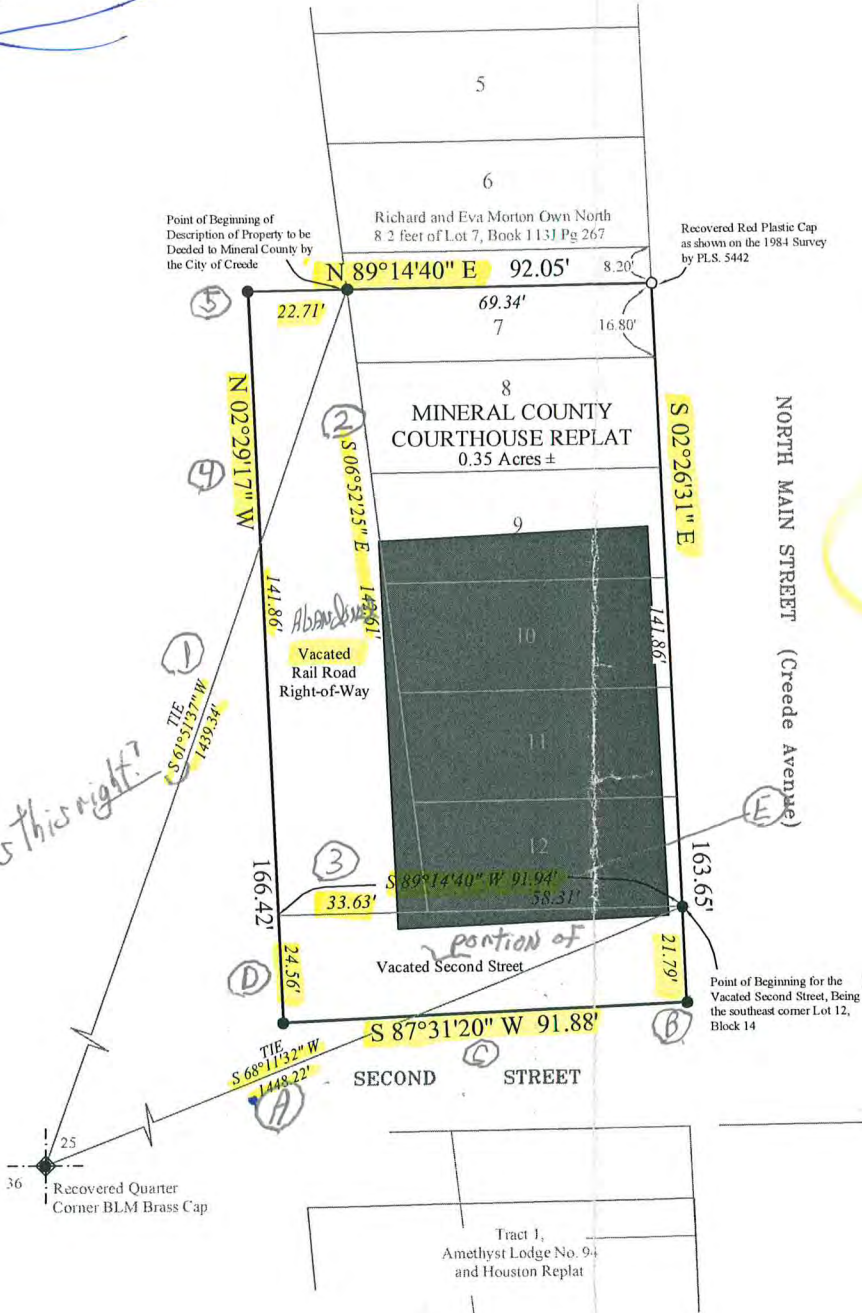
Book No. _____, Page No. _____.

SIGNED: _____
Recorder

PLACE CLERK AND RECORDER'S BAR CODE STICKER HERE

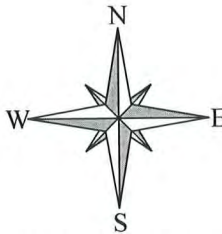
MINERAL COUNTY COURTHOUSE REPLAT

LOCATED IN BLOCK 14, CREEDMOOR, AND PORTIONS OF THE PLATTED 2ND STREET AND
ABANDONED RAILROAD RIGHT OF WAY, IN SECTIONS 25 & 36, TOWNSHIP 42 NORTH, RANGE 1
WEST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF CREEDE, MINERAL COUNTY, COLORADO



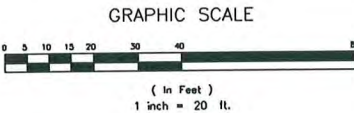
Location Map

Not to Scale



BEARING BASIS

Bearings shown hereon are based on the assumption that the South line of Parcel shown hereon, bears S 87°31'20" W, monumented as shown hereon.



LEGEND

- Section or Quarter Section Corner, As Described
- Set 24" No. 4 Rebar With 2" Aluminum Cap, PLS No. 22583
- Recovered 1/2" iron Pin with Red Plastic Cap, PLS No. 5442
- Property Boundary
- Adjacent Lot Lines
- Existing Courthouse Building

SURVEYOR NOTES

1. There are record conflicts or discrepancies in the multiple Plats portraying Lots, Blocks, and Rights of Way for the City of Creede and multiple subdivision names for the same property (Creedmoor, Amethyst and Jintown). Plats reviewed during this survey are as follows:

- A. Old Map Book 1, Map 3 commonly referred to as the Remsen Plat of 1895.
- B. Old Map Book 1, Map 19 that appears to be the Butler Plat of 1903.
- C. The City Map of Creede County Assessor Map as prepared by Davis Engineering Service dated 1980
- D. The Sanborn Map of 1893 (the Sanborn Maps were Fire Insurance Maps created at in the years listed)
- E. The Sanborn Map of 1898
- F. The Sanborn Map of 1904
- G. The Sanborn Map of 1910
- H. The 1949 map of Creede prepared by Paul Davis, PE-LS, based on the Remsen survey recorded under Reception No.

I. The 1983 survey of the Courthouse and Wetherill Properties by John Schofield, PLS, which shows agreement with our survey of Block 14 as shown on this plat

2. This survey does not constitute a title search by Russell Surveyors & Associates, Inc. to determine ownership or easements of record. For all information regarding easements, rights-of-way and ownership Russell Surveyors & Associates, Inc. relied upon, unless otherwise noted, information provided by the client. All record easements disclosed in the above referenced information affecting the subject property and, and apparent easements identified during the course of this survey that may affect this property are shown hereon.

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

4. This drawing is the property of the surveyor and is not to be reproduced, modified or used for any other project or extension of this project except by express written consent of the surveyor. The surveyor shall not be liable or held responsible for any claims, liability or costs arising out of any reuse or modification of this drawing by others.



RUSSELL SURVEYORS & ASSOCIATES, INC.
6820 S. Hwy. 17, ALAMOS, COLORADO 81101
website: www.russellsurveyors.com
email: surveyors@bresnan.net
Phone: (719) 587-3630

MINERAL COUNTY COURTHOUSE REPLAT
LOCATED IN BLOCK 14, CREEDMOOR, AND PORTIONS OF THE PLATTED
2ND STREET AND ABANDONED RAILROAD RIGHT OF WAY, IN SECTIONS
25 & 36, TOWNSHIP 42 NORTH, RANGE 1 WEST, NEW MEXICO
PRINCIPAL MERIDIAN, CITY OF CREEDE, MINERAL COUNTY, COLORADO

SHEET
NUMBER
1 of 1

DRAWN: DMR
CHECKED: AJM
DATE: 3-17-17
DRAWING NAME:
R01713 MINERAL
COUNTY

CLIENT:
Mineral County

REVISIONS:

JOB NUMBER
R01713

REPLAT OF
THE SOUTH 23 FEET OF LOT 7,
BLOCK 25, CREEDMOOR
Located in SE1/4 Section 25, Township 42 North, Range 1 West,
N.M.P.M., City of Creede, Mineral County, Colorado

DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS that Nick and Victoria Kulyk are the owners of that real property described in Book 112 @ Page 85 AND that the City of Creede is the owner, in fee title, of those lands contained within the right-of-way limits for the abandoned Denver & Rio Grande Western Railroad as shown hereon, located in Section 25, Township 42 North Range 1 West of the N.M.P.M. and being entirely located within the City of Creede, Mineral County, Colorado

That they have caused these properties to be surveyed, replatted and designated as "Lot 7R of the Replat of the South 23 feet of Lot 7, Block 25, Creedmoor", which Lot is more particularly described as follows:

A Parcel of land located in a portion of Lot 7, Block 25, Creedmoor and a portion of the abandoned Denver & Rio Grande Western Railroad right-of-way, City of Creede, Mineral County, Colorado and being more particularly described by metes and bounds, to-wit:

Beginning at the Southeast corner of the property herein described, said corner being identical to the Northeast corner of Lot 8R as shown on Reception No.63573, from whence the Southeast corner of said Section 25 bears S76°34'35"W a distance of 1203.78 feet; Thence S89°07'45"W along the North line of said Lot 8R to the Southwest corner, being identical to the Northwest corner of said Lot 8R; Thence N14°50'24"W a distance of 24.02 feet to the Northwest corner, being identical to the Southwest corner of Lot 6R as shown on Reception No.68768. Thence N89°14'34"E along the South line of said Lot 6R a distance of 77.84 feet to the Northeast corner, being identical to the Southeast corner of said Lot 6R. Thence S02°18'38"E a distance of 23.16 feet to the place of beginning.

SUBJECT TO any and all easements of whatsoever nature including the following:

1. A Roof Cap Agreement and Easement recorded at Reception No.63578 in the records of the Mineral County Clerk & Recorder.
2. An Encroachment Easement for the benefit of the owners of Lot 7R, being located on Lot 8R, recorded at Reception No.63577 in the records of the Mineral County Clerk & Recorder.

The property herein above described contains 1747 square feet, more or less.

Nick Kulyk

Victoria Kulyk

Mayor - City of Creede

ATTEST: City Clerk

LEGEND:

- ◆ Section Corner as described
- Found No.5 Rebar with 2.0" Aluminum Cap (LS 23891)
- ▲ Found No.4 Rebar w/Red Plastic Cap (LS 23891)
- Set Corner as described
- Replat Boundary
- Original Lot Lines of Block 25
- Railroad Right of Way - Abandoned
- (R1) Record Bearings & Distances from Lot 8R Replat filed under Reception No.63573 in the records of the Mineral County Clerk & Recorder.
- (R2) Record Bearings & Distances from Lot 6R Replat filed under Reception No.68768 in the records of the Mineral County Clerk & Recorder.
- (R3) Record Bearings & Distances from Lot 6R Replat filed under Reception No.68255 in the records of the Mineral County Clerk & Recorder.

ACKNOWLEDGEMENT

STATE OF COLORADO } ss
COUNTY OF MINERAL

The foregoing instrument was acknowledged before me this ____ day of _____, 2017, by Nick and Victoria Kulyk.

Witness my hand and seal.

Signed

My Commission Expires

BOARD OF TRUSTEE'S CERTIFICATE

APPROVED by the Board of Trustees of the City of Creede, Colorado on this ____ day of _____, 2017.

Mayor, City of Creede

ATTEST: _____
City Clerk

CLERK AND RECORDERS CERTIFICATE

State of Colorado } ss
County of Mineral

I hereby certify that this instrument was filed in my office at _____ o'clock, ____ m., ____ day of _____

_____ under Reception No. _____ (Book No. _____ Page No. _____)

Fees Paid _____

Signed

Title

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

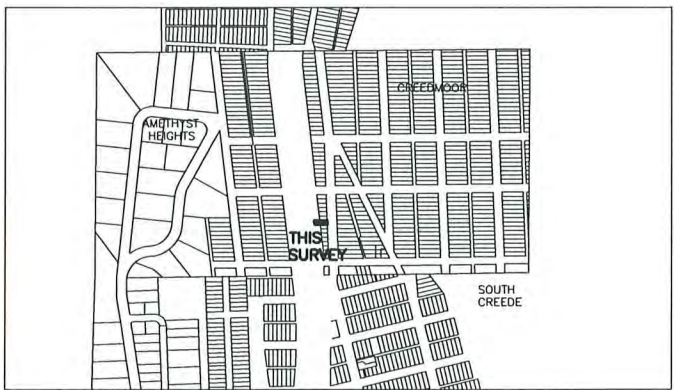
SURVEYORS CERTIFICATE

I, DEAN P. SCHULTZ, A DULY LICENSED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT OR MAP WAS PREPARED FROM NOTES OF AN ACTUAL FIELD SURVEY PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION AND IS BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF, AND IT IS IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE.

FOR AND ON BEHALF OF
DAVIS ENGINEERING SERVICE, INC.

PRELIMINARY

NOT VALID WITHOUT ORIGINAL SIGNATURE AND SEAL			
REVISIONS		REPLAT OF	
		THE SOUTH 23 FEET OF LOT 7, BLOCK 25, CREEDMOOR	
		Located in SE1/4 Section 25, Township 42 North, Range 1 West, N.M.P.M., City of Creede, Mineral County, Colorado	
SCALE	1"=10'	DAVIS ENGINEERING SERVICE, INC.	SURVEYED BY DS/TC
DATE	4/7/17	P.O. BOX 1840	DRAFTED BY TC
CLIENT	KULYK	ALAMOSA, COLORADO 81101	FILED APO884
		PHONE: (719) 589-3004	
		FAX: (719) 589-3712	



VICINITY MAP
1"=500'

DESCRIPTION

City of Creede to Kulyk

A Parcel of land located within the right-of-way limits for the abandoned Denver & Rio Grande Western Railroad, located in Section 25, Township 42 North Range 1 West of the N.M.P.M. and being located within the City of Creede, Mineral County, Colorado, being more particularly described by metes and bounds, to-wit:

Beginning at the Southeast corner of the property herein described, said corner being identical to the Northwest corner of Lot 8R as shown on Reception No.63573, from whence the Southeast corner of said Section 25 bears S77°02'33"E a distance of 1243.54 feet; Thence S89°07'45"W a distance of 31.64 feet; Thence S08°50'07"E a distance of 23.36 feet; Thence N89°14'34"E a distance of 35.01 feet to the Southwest corner of Lot 6R as shown on Reception No.68768; Thence N14°50'24"W a distance of 24.02 feet to the place of beginning.

The property herein above described contains 775 square feet, more or less.

PRELIMINARY PLAT

DESCRIPTION

Lot 13, Lot 14, and The north half of Lot 15, Block 46, Town of Creede, located in the Northeast Quarter (NE¼) of Section 36, Township 42 North, Range 1 West, New Mexico Principal Meridian, Mineral County, Colorado.

DESCRIPTION ADDITIONAL PROPERTY AS FENCED

A tract of land located in the Northeast Quarter (NE¼) of Section 36, Township 42 North, Range 1 West, New Mexico Principal Meridian, Mineral County, Colorado, being more particularly described by metes and bounds as follows:

Beginning at the northeast corner of Lot 13 Block 46, Town of Creede as platted; thence along an existing fence line for the following (4) four courses;
1.) thence N 88°55'55" E a distance of 23.38 feet;
2.) thence S 05°10'59" E a distance of 62.76 feet;
3.) thence N 83°07'31" W a distance of 1.14 feet;
4.) thence S 88°50'11" W a distance of 25.55 feet;
thence N 02°10'30" W along the east line of said Block 46 a distance of 62.50 feet to the northeast corner of Lot 13 to the Point of Beginning, containing 0.036 acres, more or less.

MONUMENTED SURVEY PLAT

Deposited this ____ day of _____, A.D. 2016, at ____ O' clock ____ M.
in Book ____ of the Land Survey Plats at Page ____ Reception No. ____
of the records of Mineral County, Colorado.

Signed: _____ Title: _____

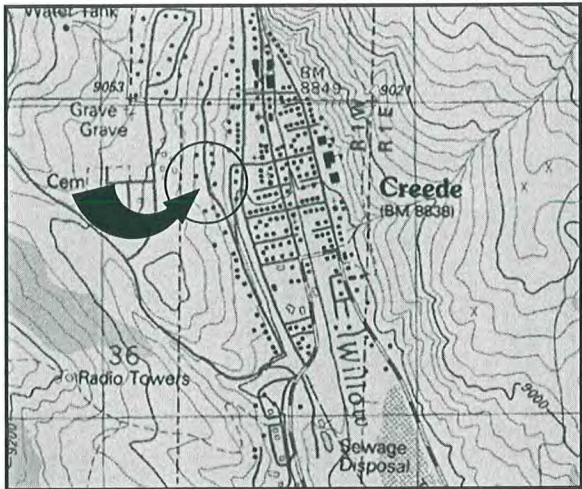
SURVEYOR'S STATEMENT

I, Anthony J. Martin, a duly registered land surveyor in the State of Colorado, do hereby state that this plat was prepared from notes of an actual field survey performed by me or under my direct supervision and is true and correct to the best of my belief

For and on behalf of
Russell Surveyors &
Associates, Inc.

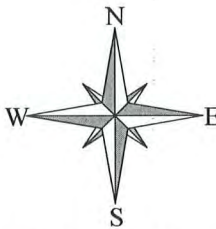
PRELIMINARY PLAT

BOUNDARY SURVEY OF
LOT 13, LOT 14, AND THE NORTH HALF OF LOT 15, BLOCK 46, TOWN OF CREEDE,
LOCATED IN THE NORTHEAST QUARTER OF SECTION 36,
TOWNSHIP 42 NORTH, RANGE 1 WEST, NEW MEXICO PRINCIPAL MERIDIAN,
MINERAL COUNTY, COLORADO



Location Map

Not to Scale



BEARING BASIS

Bearings shown hereon are based on the assumption that the North line of Lot 13 bears N 87°49'30" E monumented as shown hereon.

LEGEND

- Set 24" No. 4 Rebar With 2" Aluminum Cap, PLS No. 38317
- Found No. 4 Rebar With 1" Red Plastic Cap, PLS No. 5442
- ⊙ Found No. 4 Rebar With 2" Aluminum Cap, PLS No. 38317
- 46 Block Number
- LOT 13 Lot Number as Platted
- Property Boundary
- As Fenced Boundary
- Adjacent Lot Line
- - - Existing Fence Line
- - - Tie Line

SURVEYOR'S NOTES

- This survey does not constitute a title search by Russell Surveyors & Associates, Inc. to determine ownership or easements of record. For all information regarding easements, rights-of-way and ownership, Russell Surveyors & Associates, Inc. relied upon information provided by the client. All record easements indicated in the information provided, and apparent easements that may affect this property are shown hereon.
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RUSSELL SURVEYORS & ASSOCIATES, INC.
6820 S. Hwy. 17, ALAMOSA, COLORADO 81101
(P) 719/587-3630 (F) 719/587-3632

BOUNDARY SURVEY OF
LOT 13 - NORTH HALF OF LOT 15, BLOCK 46, TOWN OF CREEDE,
LOCATED IN THE NORTHEAST QUARTER OF SECTION 36,
TOWNSHIP 42 NORTH, RANGE 1 WEST, NEW MEXICO PRINCIPAL MERIDIAN,
MINERAL COUNTY, COLORADO

SHEET
NUMBER
1 of 1

DRAWN: JJC
CHECKED: AJM
DATE: 11-21-16
DRAWING NAME:
R01750 EGOLF

CLIENT:
CARL JACKSON
C/O
BRIAN EGOLF

REVISIONS:

JOB NUMBER
R01750

PRELIMINARY PLAT

DESCRIPTION

The south half of Lot 15, Lot 16, Lot 17, Lot 18, Lot 19, Lot 20, Lot 21 and Lot 22, Block 46, Town of Creede, located in the Northeast Quarter (NE¼) of Section 36, Township 42 North, Range 1 West, New Mexico Principal Meridian, Mineral County, Colorado.

DESCRIPTION ADDITIONAL PROPERTY AS FENCED

A tract of land located in the Northeast Quarter (NE¼) of Section 36, Township 42 North, Range 1 West, New Mexico Principal Meridian, Mineral County, Colorado, being more particularly described by metes and bounds as follows:

Beginning at the southeast corner of Lot 22, Block 46, Town of Creede as platted; thence N 02°10'30" W along the east line of said block a distance of 187.50 feet to the northeast corner of the south half of Lot 15; thence along an existing fence line for the following (4) four courses:
1.) thence N 88°50'11" E a distance of 25.55 feet;
2.) thence S 04°44'41" E a distance of 109.02 feet;
3.) thence S 15°54'02" W a distance of 42.61 feet;
4.) thence S 22°24'36" W a distance of 41.39 feet to the True Point of Beginning, containing 0.095 acres, more or less.

MONUMENTED SURVEY PLAT

Deposited this ____ day of _____, A.D. 2016, at ____ O' clock ____ M.
in Book ____ of the Land Survey Plats at Page ____ Reception No. ____
of the records of Mineral County, Colorado.

Signed: _____ Title: _____

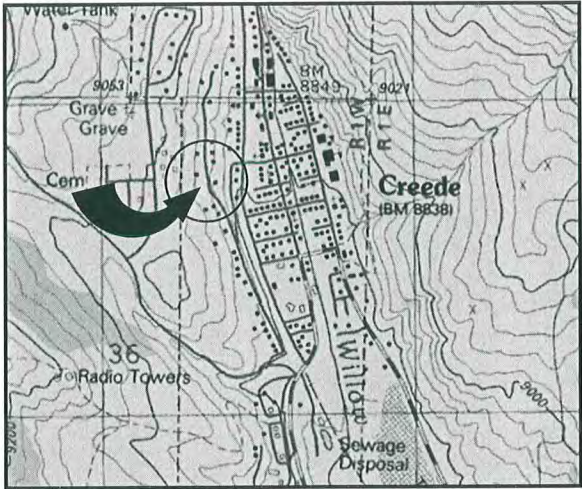
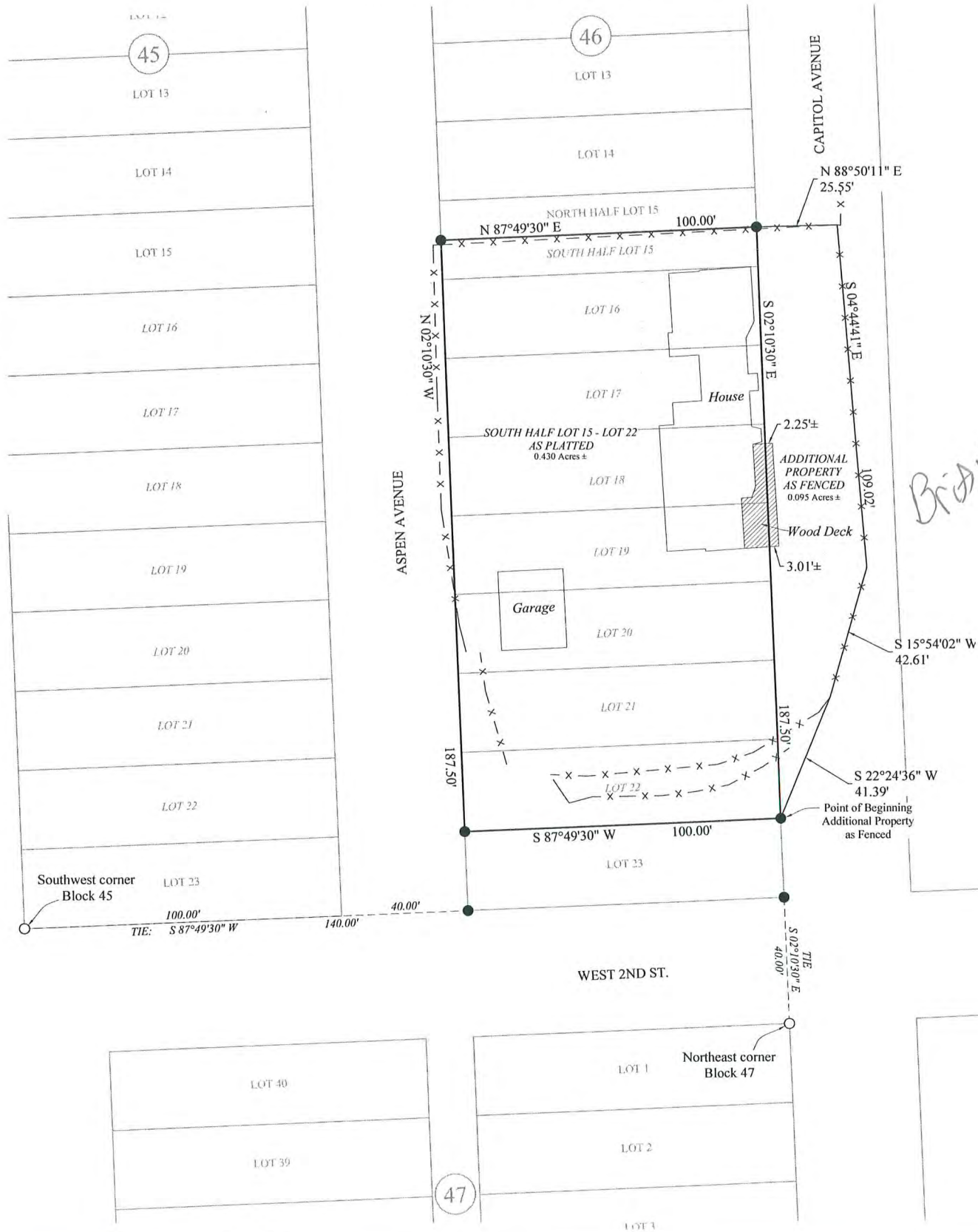
SURVEYOR'S STATEMENT

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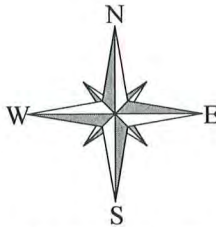
For and on behalf of
Russell Surveyors &
Associates, Inc.

PRELIMINARY PLAT

BOUNDARY SURVEY OF
SOUTH HALF OF LOT 15 THRU LOT 22, BLOCK 46, TOWN OF CREEDE,
LOCATED IN THE NORTHEAST QUARTER OF SECTION 36,
TOWNSHIP 42 NORTH, RANGE 1 WEST, NEW MEXICO PRINCIPAL MERIDIAN,
MINERAL COUNTY, COLORADO



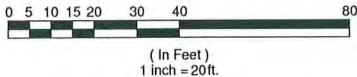
Location Map
Not to Scale



BEARING BASIS

Bearings shown hereon are based on the assumption that the South line of Lot 22 bears S 87°49'30" W monumented as shown hereon.

GRAPHIC SCALE



LEGEND

- Set 24" No. 4 Rebar With 2" Aluminum Cap, PLS No. 38317
- Found No. 4 Rebar With 1" Red Plastic Cap, PLS No. 5442
- 46 Block Number
- LOT 11 Lot Number as Platted
- Property Boundary
- As Fenced Boundary
- Adjacent Lot Line
- Existing Fence Line
- Tie Line
- Wooden deck

SURVEYOR'S NOTES

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(P) 719/587-3630 (F) 719/587-3632

BOUNDARY SURVEY OF
SOUTH HALF OF LOT 15 THRU LOT 22, BLOCK 46, TOWN OF CREEDE,
LOCATED IN THE NORTHEAST QUARTER OF SECTION 36,
TOWNSHIP 42 NORTH, RANGE 1 WEST, NEW MEXICO PRINCIPAL MERIDIAN,
MINERAL COUNTY, COLORADO

SHEET
NUMBER
1 of 1

DRAWN: JJC
CHECKED: AJM
DATE: 12-02-16
DRAWING NAME:
R01750 EGOLF

CLIENT:
BRIAN EGOLF

REVISIONS:

JOB NUMBER
R01750