

I. CALL TO ORDER

II. ROLL CALL

III. REVIEW AGENDA

IV. CONSENT OF JUNE 10, 2014 MINUTES

V. OLD BUSINESSES

- a. West 3<sup>rd</sup> Access Blocks 37& 38
- b. Flume Ideas
- c. Biernat/Grant Replat Update

VI. NEW BUSINESS

- a. New School Water Supply Update

VII. ADJOURN

POSTED 8/8/14

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OPEN TO THE PUBLIC

**PLANNING & ZONING COMMISSION**  
**CITY OF CREEDE, COLORADO - A TOWN**  
**June 10, 2014**

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 5:28 p.m. There being present at the call of the roll the following persons:

COMMISSIONERS PRESENT: Rex Shepperd, Eric Grossman, Kay Wyley, Lauri Jordan, Frank Freer

Commissioner Jordan, presiding, declared a quorum present:  
Those members of staff also present were as follows: Clyde Dooley, Town Manager

AGENDA

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

CONSENT OF MAY 14, 2014 MINUTES

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Commissioner Grossman moved and Commissioner Shepperd seconded to approve the May 14, 2014 minutes. The vote was unanimous. Commission Chair Jordan declared the motion carried.

OLD BUSINESS

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SIMON REPLAT PROCESS

Clyde had been working with the property owners in North Creede and will have a Boundary Line Agreement ready for the Trustees soon. He explained the property exchange with the attached maps.

NEW SCHOOL WATER SUPPLY UPDATE

Dooley has received confirmation that providing water for the new school would not affect the City's augmentation. The next step is to get approval from the sanitation district and written application from the school. There is a possibility of annexation and negotiations will take place over the next several months.

BIRDSEY REPLAT UPDATE

Dooley explained that the original replat had been incorrectly executed and the property owners did not receive a clean title. The Board of Trustees has agreed to waive city fees if the owners were willing to do a survey of the property.

RIO GRANDE AVENUE

Dooley invited the Planning Commission to the upcoming Board of Trustees Work Session to discuss Rio Grande Avenue as well as the flume with the City Engineer and the City Attorney.

ADJOURN

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There being no further business to come before the Planning and Zoning Commission at this time, Commissioner Shepperd moved and Commissioner Wyley seconded that the meeting be adjourned at 6:08 p.m. The vote was unanimous. Commission Chair Jordan declared the motion carried.

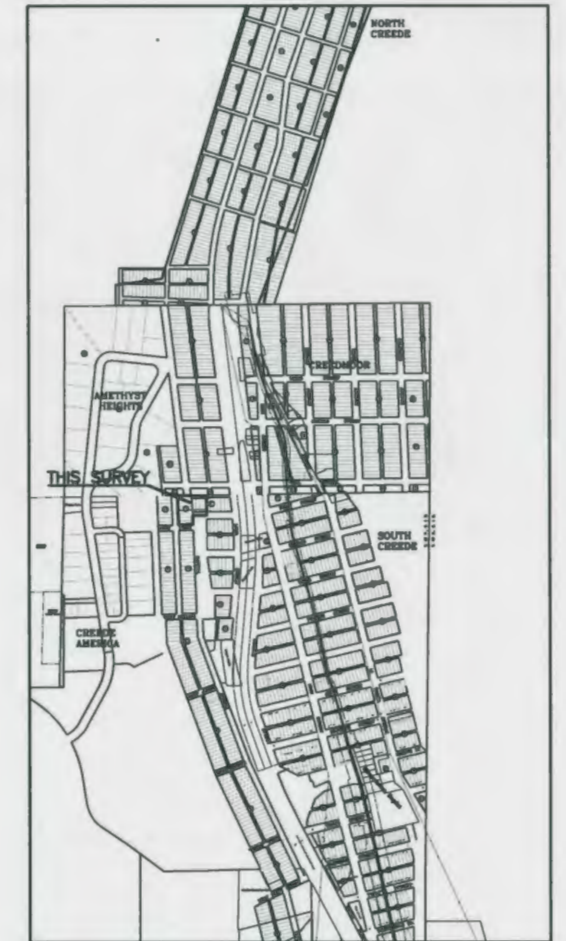
Respectfully submitted:

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Randi Snead  
City Clerk/Treasurer

REPLAT OF  
LOTS 8-11, BLOCK 2 AND  
LOTS 1-8, BLOCK 43

LOCATED IN WITHIN THE LIMITS OF THE TOWNSITE OF CREEDE (a.k.a. SOUTH CREEDE) IN THE NORTHEAST 1/4 SECTION 36, TOWNSHIP 42 NORTH, RANGE 1 WEST, (SUSPENDED) N.M.P.M. MINERAL COUNTY, COLORADO



VICINITY MAP  
SCALE: 1" = 600'

**SURVEYOR'S NOTES:**

- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT OR TITLE OPINION AND IN NO WAY SHALL IT BE CONSTRUED AS A TITLE OPINION BY THIS SURVEYOR OR DAVIS ENGINEERING, INC. CLIENT DID NOT WISH TO HAVE DAVIS ENGINEERING SERVICE, INC. RESEARCH AND SHOW RECORD OR APPARENT EASEMENTS THAT MAY AFFECT THIS PROPERTY. THIS SURVEY REVIEWED THOSE RECORD DOCUMENTS REFERENCED HEREON FOR THE DETERMINATION OF ALL BOUNDARIES DEPICTED.
- CERTIFICATION DEFINED: THE USE OF THE WORDS "CERTIFY" OR "CERTIFICATION" BY A LICENSED PROFESSIONAL LAND SURVEYOR CONSTITUTES AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS AND FINDINGS WHICH ARE THE SUBJECT OF THE CERTIFICATION, AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER EXPRESSED OR IMPLIED. (PER COLORADO STATE BOARD RULE NO. 8.2.2).

**SURVEYOR'S CERTIFICATE**

I, KEITH E. LUTHELL, 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.

**DEDICATION**

KNOW ALL MEN BY THESE PRESENTS THAT MICHAEL S. GRANT and JAMES A. GRANT are the owners of that real Property described in deed recorded in Book 112-F at Page 22 and located within the limits of South Creede, Mineral County, Colorado,

AND

KNOW ALL MEN BY THESE PRESENTS THAT FAUTE DE MIEUX CORPORATION is the owner of that real Property described in deed recorded at Reception No. 67994 and located within the limits of South Creede, Mineral County, Colorado,

AND

KNOW ALL MEN BY THESE PRESENTS THAT MICHAEL S. GRANT and JAMES A. GRANT and ALFRED BIERNAT, JR. are the owners of that real Property described at Reception No. 68161 and located within the limits of South Creede, Mineral County, Colorado,

THAT they have caused said Properties to be replatted and designated as "Tract 1R, Block 43, South Creede" and "Tract 5R, Block 43, South Creede",

Subject to any and all easements of whatsoever nature.

IN WITNESS WHEREOF, this instrument is executed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ A.D. by

\_\_\_\_\_  
MICHAEL S. GRANT AND JAMES A. GRANT

IN WITNESS WHEREOF, this instrument is executed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ A.D. by

\_\_\_\_\_  
ALFRED BIERNAT, JR.

IN WITNESS WHEREOF, this instrument is executed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ A.D. by

\_\_\_\_\_  
FAUTE DE MIEUX CORPORATION  
BY ALFRED BIERNAT, JR. - PRESIDENT

**ACKNOWLEDGEMENT**

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ }SS

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2014, by MICHAEL S. GRANT.

\_\_\_\_\_  
Notary Public My commission expires \_\_\_\_\_

**ACKNOWLEDGEMENT**

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ }SS

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ A.D., by JAMES A. GRANT.

\_\_\_\_\_  
Notary Public My commission expires \_\_\_\_\_

**ACKNOWLEDGEMENT**

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ }SS

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ A.D., by ALFRED BIERNAT, JR.

\_\_\_\_\_  
Notary Public My commission expires \_\_\_\_\_

**BOARD OF TRUSTEES CERTIFICATE**

Approved this \_\_\_\_ day of \_\_\_\_\_, 2014, Board of Trustees for the City of Creede, Mineral County, Colorado.

\_\_\_\_\_  
Mayor - City of Creede Attest: City Clerk

**CLERK AND RECORDERS CERTIFICATE**

STATE OF COLORADO }  
COUNTY OF MINERAL }SS

I hereby certify that this instrument was filed in my office at \_\_\_\_ o'clock \_\_\_\_m., this \_\_\_\_ day of \_\_\_\_\_, 2014, under Reception Number \_\_\_\_\_ in Map Book \_\_\_\_\_ at Map Page \_\_\_\_\_

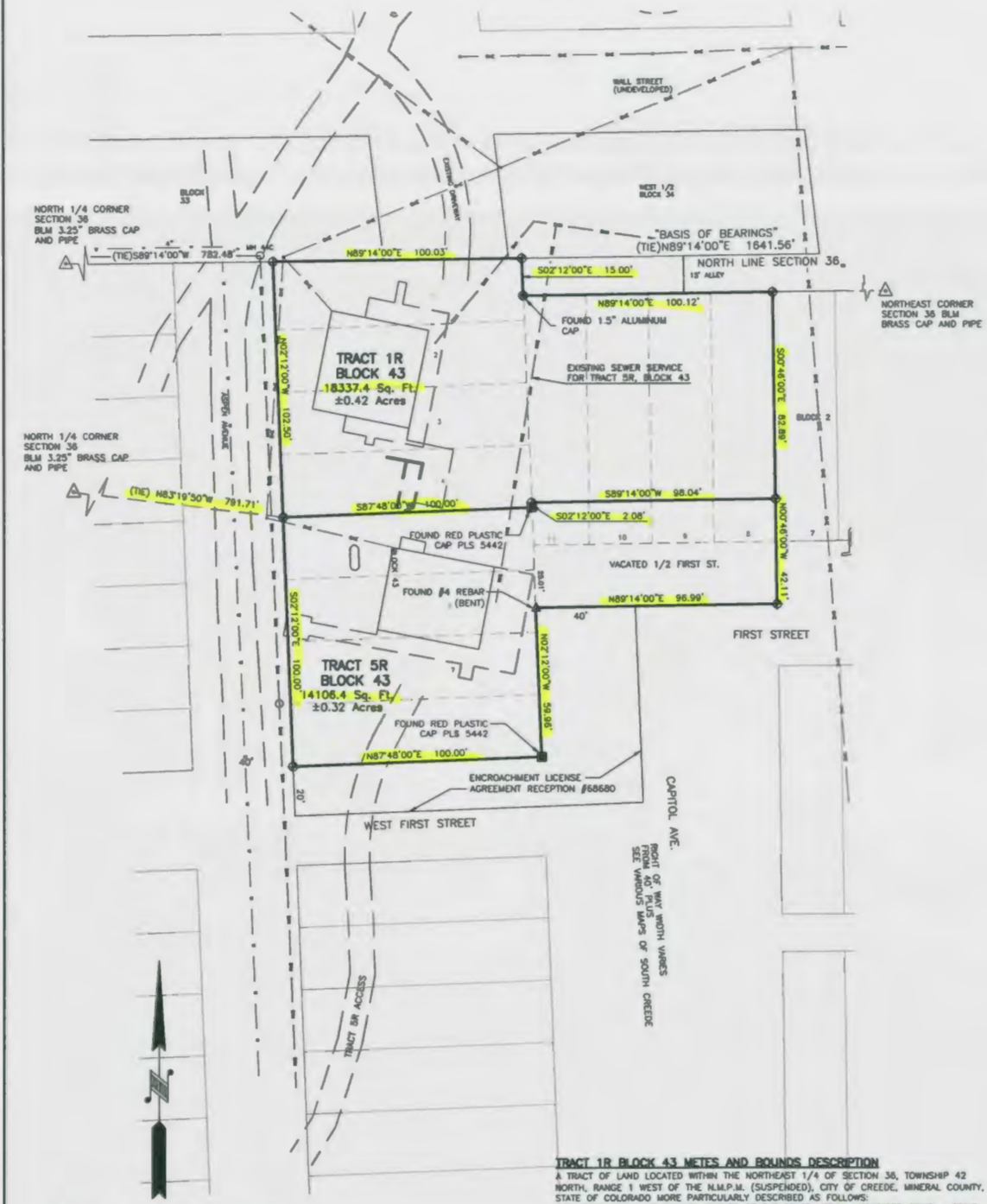
\_\_\_\_\_  
Clerk and Recorder

**TRACT 1R BLOCK 43 METES AND BOUNDS DESCRIPTION**

A TRACT OF LAND LOCATED WITHIN THE NORTHEAST 1/4 OF SECTION 36, TOWNSHIP 42 NORTH, RANGE 1 WEST OF THE N.M.P.M. (SUSPENDED), CITY OF CREEDE, MINERAL COUNTY, STATE OF COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHWEST CORNER OF THE TRACT HEREIN DESCRIBED BEING A POINT FROM WHENCE THE NORTH 1/4 OF SAID SECTION 36 BEARS N83°19'50"W, 791.71 FEET;  
THENCE N02°12'00"W A DISTANCE OF 102.50 FEET TO THE NORTHWEST CORNER OF THE TRACT HEREIN DESCRIBED;  
THENCE N89°14'00"E A DISTANCE OF 100.03 FEET;  
THENCE S02°12'00"E A DISTANCE OF 15.00 FEET;  
THENCE N89°14'00"E A DISTANCE OF 100.12 FEET TO THE NORTHEAST CORNER OF THE TRACT HEREIN DESCRIBED;  
THENCE S07°48'00"W A DISTANCE OF 100.00 FEET TO THE SOUTHWEST CORNER OF THE TRACT HEREIN DESCRIBED;  
THENCE S89°14'00"W A DISTANCE OF 98.04 FEET;  
THENCE S02°12'00"E A DISTANCE OF 2.08 FEET;  
THENCE S87°48'00"W A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING.  
THE ABOVE DESCRIBED TRACT IS SUBJECT TO ANY AND ALL EASEMENTS OF WHATSOEVER NATURE CONTAINING ±0.42 ACRES.

**TRACT 5R BLOCK 43 METES AND BOUNDS DESCRIPTION**

A TRACT OF LAND LOCATED WITHIN THE NORTHEAST 1/4 OF SECTION 36, TOWNSHIP 42 NORTH, RANGE 1 WEST OF THE N.M.P.M. (SUSPENDED), CITY OF CREEDE, MINERAL COUNTY, STATE OF COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE NORTHWEST CORNER OF THE TRACT HEREIN DESCRIBED BEING A POINT FROM WHENCE THE NORTH 1/4 OF SAID SECTION 36 BEARS N83°19'50"W, 791.71 FEET;  
THENCE S02°12'00"E A DISTANCE OF 100.00 FEET TO THE SOUTHWEST CORNER OF THE TRACT HEREIN DESCRIBED;  
THENCE N87°48'00"E A DISTANCE OF 100.00 FEET;  
THENCE N02°12'00"W A DISTANCE OF 59.89 FEET;  
THENCE N89°14'00"E A DISTANCE OF 96.99 FEET TO A SOUTHWEST CORNER OF THE TRACT HEREIN DESCRIBED;  
THENCE N02°46'00"W A DISTANCE OF 42.11 FEET TO THE NORTHEAST CORNER OF THE TRACT HEREIN DESCRIBED;  
THENCE S89°14'00"W A DISTANCE OF 98.04 FEET;  
THENCE S02°12'00"E A DISTANCE OF 2.08 FEET;  
THENCE S87°48'00"W A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING.  
THE ABOVE DESCRIBED TRACT IS SUBJECT TO ANY AND ALL EASEMENTS OF WHATSOEVER NATURE CONTAINING ±0.32 ACRES.



SCALE: 1"=30'  
US SURVEY FEET

**BASIS OF BEARINGS**  
BEARINGS ARE BASED UPON THE NORTH LINE OF SECTION 36 FROM THE NORTHEAST CORNER OF SECTION 36 TO THE NORTH 1/4 CORNER OF SECTION 36 HAVING A BEARING OF S89°14'00"W, MONUMENTED ON BOTH ENDS WITH 3.25 INCH BLM BRASS CAPS

**LEGEND:**

- ◆ Section Monument as described
- ▲ Found No.4 Rebar w/ plastic cap (PLS 5442)
- ▲ Found No.4 Rebar
- ▲ Found No.5 rebar with 1.5" Aluminum Cap (PLS 36063)
- Set No.5 rebar with 1.5" Aluminum Cap (PLS 36063)
- Property Boundary Line
- - - Section Line
- - - Lotlines
- Overhead Electric w/ pole
- Sanitary Sewer w/ manhole and/or cleanout
- Water Line

43-560

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.

REVISIONS		REPLAT OF LOTS 8-11, BLOCK 2, LOTS 1-8 BLOCK 43	
LOCATED IN WITHIN THE LIMITS OF THE TOWNSITE OF CREEDE (a.k.a. SOUTH CREEDE) IN THE NORTHEAST 1/4 SECTION 36, TOWNSHIP 42 NORTH, RANGE 1 WEST, (SUSPENDED) N.M.P.M. MINERAL COUNTY, COLORADO			
SCALE	1"=30'	DAVIS ENGINEERING SERVICE, INC.	SURVEYED BY KL/TC
DATE	7/22/2014	P.O. BOX 1840 ALAMOSA, COLORADO 81101	DRAWN BY TC
CLIENT	BIERNAT/GRANT	PHONE: (719) 588-2004 FAX: (719) 588-3712	FILED AP0776