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Debra A Green  
Park County Clerk

**PARK COUNTY, COLORADO  
BOARD OF COUNTY COMMISSIONERS  
Resolution No. 2022- 25**

**A RESOLUTION GRANTING A SUBDIVISION EXEMPTION PURSUANT TO SECTION 6-101(A) OF THE PARK COUNTY LAND USE REGULATIONS AND C.R.S. SECTION 30-28-101(10)(d) TO ALLOW FOR A DIVISION OF LAND WITHIN WESTERN UNION RANCH FILING 9 UNIT 2 LOT 1154, COUNTY OF PARK, STATE OF COLORADO**

WHEREAS, pursuant to Section 6-100(A) of the Park County Land Use Regulations ("LUR"), unless otherwise exempted by Section 6-101 of Article VI of the LUR, every division of property within unincorporated areas of Park County requires prior County approval of a subdivision plat; and

WHEREAS, pursuant to Section 6-101(B)(1), LUR, divisions of interests in land to which the term "subdivision" does not apply pursuant to Section 30-28-101(10)(d), C.R.S. are statutory exemptions; and

WHEREAS, pursuant to Section 30-28-101(10)(d), C.R.S., a board of county commissioners may, pursuant to 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 part 1 of article 28, title 30, C.R.S.; and

WHEREAS, Ken and Patricia Bellinger have requested an exemption from Park County's subdivision regulations pursuant to Section 6-101(A), LUR and Section 30-28-101(10)(d), C.R.S. as shown on the attached Exhibit A; and

WHEREAS, the purpose of the exemption is to transfer a 0.129-acre parcel containing a cluster mailbox unit owned by the Ranch of the Rockies Association ("Association") to the Association; and

WHEREAS, at a regularly scheduled meeting of the Park County Board of County Commissioners ("BOCC"), the BOCC reviewed the request and all supporting documentation, and the testimony of the applicant and staff, and determined that such transfer of land is not intended to circumvent Park County's subdivision regulations and is not contrary to Park County's Strategic Master Plan.

NOW THEREFORE, BE IT RESOLVED THAT THE PARK COUNTY BOARD OF COUNTY COMMISSIONERS HEREBY GRANTS THE REQUEST FROM KEN AND PATRICIA BELLINGER FOR A SUBDIVISION EXEMPTION FOR THE ABOVEMENTIONED PROPERTY. THE BOARD OF COUNTY COMMISSIONERS FURTHER FINDS THAT AFTER DONATION AND CONVEYANCE OF THE OF THE 0.129 ACRE PARCEL TO THE ASSOCIATION, NEITHER THAT PARCEL OR THE RETAINED BELLINGER PARCEL ARE, OR SHALL BE CONSIDERED TO BE SUBDIVIDED LAND.

Moved, seconded, and passed this 5<sup>th</sup> day of July, 2022.

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Park County Clerk



**PARK COUNTY BOARD OF COUNTY COMMISSIONERS**

Richard Elsner, Chairperson

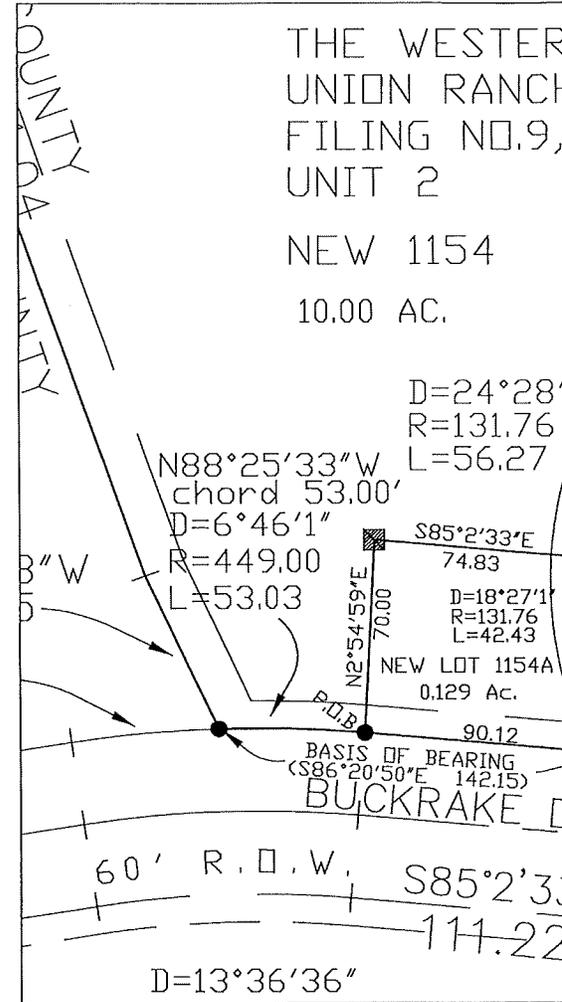
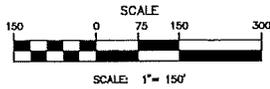
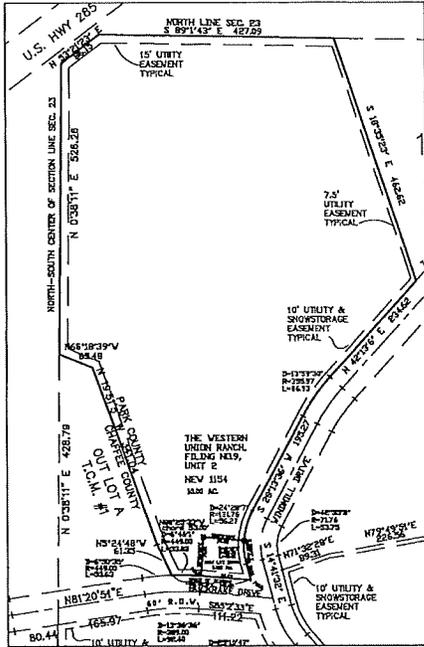
  
County Clerk

# EXEMPTION FROM SUBI

## LEGEND

- INDICATES FOUND NO. 5 REBAR AND 1 1/2" ALUM CAP, LS 25955
- INDICATES SET NO. 5 REBAR WITH 1 1/2" ALUM. CAP, LS 11944
- ( ) INDICATES FIELD MEASUREMENTS UNLESS OTHERWISE NOTED.
- ALL TIES ARE PERPENDICULAR TO PROPERTY LINES

A PART OF LOT 1154, THE WESTERN UNION RANCH  
LOCATED IN SECTION 23, T.13., R.77W., 6th P.M.,  
COUNTY OF PARK, STATE OF COLORADO



### Property Description NEW LOT 1154

A tract of land being a part of Lot 1154, The Western Union Ranch, Filing No. 9, Unit 2, located in Section 23, Township 13 South, Range 77 West of the 6th P.M., County of Park, State of Colorado, being more particularly described as follows:

Beginning at the SW corner of the New Lot 1154A from whence the SE Corner of said Lot 1154 bears S85°02'33"E a distance of 90.12', thence along the North Right of Way of Buckrake Drive and the line between Park County and Chaffee County lines, and to the left along the arc of curve whose delta is 06°46'01" and whose radius is 449.00' for a distance of 53.03' and whose chord bears N88°25'33"W 53.00', thence leaving said Buckrake Drive R.O.W. but continuing along said Park Chaffee county line for the following courses, N25°24'48"W 81.35', N19°51'05"W 341.04', N68°10'39"W 63.48' to a point on the North South center of section line of said 23, thence N03°38'11"E along said center of section line for a distance of 528.28' to a point on the South Easly Right of Way of U. S. Highway No. 285, thence N53°21'25"E along said R.O.W. for 86.15' to a point on the North line of said Section 23, thence S89°01'43"E along said North Section line for a distance of 427.09' to the common corner between Lots 1154 and 1155, thence S18°55'23"E along the common line between Lots 1154 and 1155 for a distance of 482.82', to the intersection of the common line between Lots 1154 and 1155 and the Northwesterly Right of Way of Windmill Drive, thence southwestwaly along said R.O.W. for the following courses, S42°13'08"W 234.82', thence to the left along the arc of a curve whose delta is 13°59'30" and whose radius is 355.97' for a distance of 86.93', thence S28°13'36"W for a distance of 185.27', thence to the left along the arc of a curve whose delta is 24°28'07" and whose radius is 131.76' for a distance of 56.27' to the North East corner of the New Lot 1154A, thence N65°02'33"W along the north line of the New Lot 1154A for a distance of 74.83' to the NW Cor of the New Lot 1154A, thence S02°54'59"W along the west line of the New Lot 1154A for a distance of 70.00' to a point on the North R.O.W. line of Buckrake Drive the point of beginning. Containing 10.00 Acres, more or less.

### LIMITATIONS OF ACTIONS AGAINST LAND SURVEYORS

ALL ACTIONS AGAINST ANY LAND SURVEYOR BROUGHT TO RECOVER DAMAGES RESULTING FROM ANY ALLEGED NEGLIGENCE OR DEFECTIVE LAND SURVEY SHALL BE BROUGHT WITHIN THREE YEARS AFTER THE PERSON BRINGING THE ACTION EITHER DISCOVERED, OR IN THE EXERCISE OF REASONABLE DILIGENCE AND CONCERN, SHOULD HAVE DISCOVERED THE NEGLIGENCE OR DEFECT WHICH GAVE RISE TO SUCH ACTION, AND NOT THEREAFTER, BUT IN NO CASE SHALL SUCH AN ACTION BE BROUGHT MORE THAN TEN YEARS AFTER THE COMPLETION OF THE SURVEY UPON WHICH SUCH ACTION IS BASED.

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

### TITLE COMMITMENT NOTES

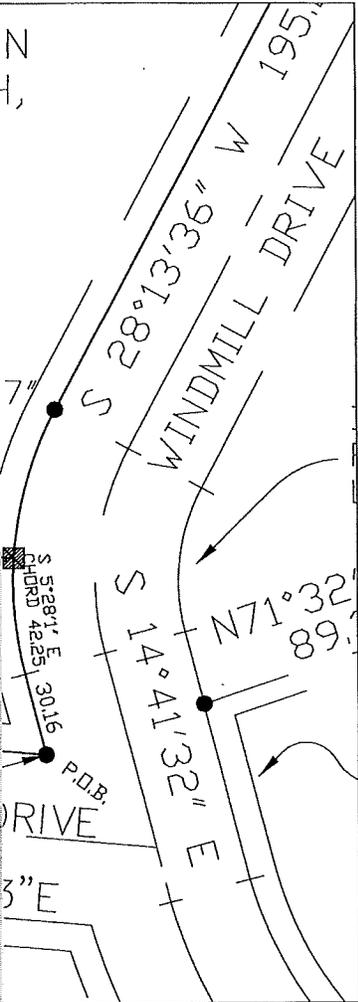
THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. THE RECORD INFORMATION, WHICH IS REFERENCED HEREON, IS THE RESULT OF RESEARCH PERFORMED BY BURNETT LAND SURVEYING, AND IS NOT NECESSARILY COMPLETE OR CONCLUSIVE.

### NOTES

- 1) THE BASIS OF BEARING IS THE BASIS OF BEARING IS THE CORNER OF LOT 1154 AND THE SE CORNER BEING FOUND.
- 2) CLIENT DID NOT WANT RIGHT SHOWN.
- 3) THE PURPOSE OF THIS SURVEY IS FOR THE MAIL BOX LOCATION.
- 4) MEASUREMENTS SHOWN IN PARENTS UNLESS OTHERWISE NOTED.
- 5) CERTIFICATION NOT VALID WITHOUT SURVEY AND ALL RELATED INFORMATION AT THE DATE OF CERTIFICATION.
- 6) ANY PERSON WHO KNOWINGLY LAND SURVEY MONUMENT OR CLASS TWO.
- 7) ALL DIMENSIONS ARE IN U.S. FEET.
- 8) LEGAL DESCRIPTION FROM D 760214.

# DIVISION REGULATIONS

UNION RANCH, FILING NO. 9, UNIT 2  
P.M., RECORDED AT RECEPTION # 374302,  
STATE OF COLORADO



### LEGAL DESCRIPTION AND CERTIFICATE OF OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS THAT KEN BELLINGER AND PATRICIA M. BELLINGER BEING THE OWNER(S) OF THAT PART OF LOT 1154, THE WESTERN UNION RANCH, FILING NO. 9, UNIT 2 LOCATED IN SECTION 23, TOWNSHIP 13 SOUTH, RANGE 77 WEST OF THE 6th P.M., COUNTY OF PARK, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

#### Property Description - New LOT 1154A

A tract of land being located in a part of Lot 1154, The Western Union Ranch, Filing No. 9, Unit 2, Section 23, Township 13 South, Range 77 West of the 6th P.M., County of Park, State of Colorado, being more particularly described as follows:

Beginning at the SE Corner of said Lot 1154, thence N85°02'33\"W along the south line of said Lot 1154 and the north Right of Way of Buckroke Drive for a distance of 80.12', thence N02°54'59\"E leaving said south line and right of way of Buckroke Drive for a distance of 70.00', thence S85°02'33\"E for a distance of 74.83' to a point on the westerly Right of Way of Windmill Drive, thence southerly along said R.O.W. for the following courses, to the left along the arc of a curve whose delta is 18°27'01\" and whose radius is 131.76' for a distance of 42.43' and whose chord bears S05°28'01\"E for a distance of 42.25', thence S14°41'32\"E for a distance of 30.18' to a point on intersection with the North R.O.W. line of said Buckroke Dr., the point of beginning. Containing 0.129 Acres, more or less.

In Witness Whereof, we do hereunto set our hands and seals this \_\_\_ day of \_\_\_\_\_

BY KEN BELLINGER PATRICIA M. BELLINGER  
(If by corporation, president signs, secretary attests and corporate seal is affixed)

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_  
Acknowledged before me this \_\_\_ day of \_\_\_\_\_ by \_\_\_\_\_  
Witness my hand and official seal.  
My commission expires: \_\_\_\_\_  
Notary Public

### RECORDER'S CERTIFICATE

This Plat was filed for record in the office of the County Clerk and Recorder of Park County, at \_\_\_\_\_ M., on the day of \_\_\_\_\_, A.D. 20\_\_\_\_, and duly filed at Reception No. \_\_\_\_\_

County Clerk and Recorder

### TITLE COMPANY CERTIFICATE OF OWNERSHIP

TITLE CERTIFICATE:  
\_\_\_\_\_ Title Insurance Company hereby certifies that title to the above described property is vested in the Owner(s).  
Date: \_\_\_\_\_  
[Signature of Authorized Agent]

### SURVEYOR'S CERTIFICATE

I hereby certify that the survey and the plot of the real property shown and described hereon were made by or under my direct responsibility, supervision, and checking, in strict compliance with Colorado statutes, and both survey and plot are true, accurate and complete.

Thomas L. Burnett  
(print as registered)

Colorado License No. 11944

Date \_\_\_\_\_

### APPROVAL BY PARK COUNTY BOARD OF COUNTY COMMISSIONERS

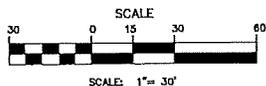
Approved by the Park County Board of County Commissioners, this \_\_\_ day of \_\_\_\_\_ 20\_\_.

ATTEST:

Chairperson \_\_\_\_\_

Clerk and Recorder or Deputy Clerk \_\_\_\_\_

ASSIGNED BEARING OF THE LINE BETWEEN THE SW COR. OF LOT 1154 AS BEING S86°20'5\"E, WITH MONUMENTS AS SHOWN.  
-OF-WAYS AND EASEMENTS RESEARCHED AND  
KEY IS TO SPLIT OFF A SMALL TRACT TO BE USED  
PARENTS ARE FIELD MEASUREMENTS, UNLESS  
WITHOUT ORIGINAL SEAL AND SIGNATURE, THIS DOCUMENT IS FOR THE SOLE USE OF THE CLIENT AND DOES NOT EXTEND TO ANY UNNAMED AN EXPRESSED RESTATEMENT BY THE SURVEYOR ITTY.  
Y REMOVES, ALTERS, OR DEFACES ANY PUBLIC BOUNDARY MONUMENT OR ACCESSORY, COMITS A  
STATE STATUTE 18-4-508, C.R.S.  
SURVEY FEET  
ED FOR THIS PROPERTY IS RECORDED AT REC. NO.



EXEMPTION FROM SUBDIVISION REGULATIONS		
A TRACT OF LAND BEING A PART OF LOT 1154, THE WESTERN UNION RANCH, FILING NO. 9, UNIT 2, SECTION 23, TOWNSHIP 13 SOUTH, RANGE 77 WEST OF THE 6th P.M., PARK COUNTY, COLORADO		
ADDRESS:		DATE: MAY 11, 2022
BURNETT LAND SURVEYING, INC. P.O. BOX 1963, 351 HWY 285, STE 104 FAIRPLAY, COLORADO 80440 (719) 656-1425		SCALE: 1" = 30'
		DRAWN BY: TLB
		PREPARED FOR: BELLINGER
		JOB NO. 2022-128