

**TOWN OF SILT  
 PLANNING AND ZONING COMMISSION AGENDA  
 TUESDAY, MAY 5, 2020 6:30 P.M.  
 MUNICIPAL COUNCIL CHAMBERS  
 REMOTE MEETING**

<b>ESTIMATED TIME</b>	<b>ELECTRONIC AGENDA ITEM</b>	<b>PUBLIC HEARING/ ACTION</b>	<b>ELECTRONIC LOCATION AND PRESENTOR</b>
	<b>Agenda</b>		<b>Tab 1</b>
<b>6:30 P.M.</b>	<b>Call to Order</b>		<b>Chair Classen</b>
	<b>Roll Call</b>		<b>Chair Classen</b>
	<b>Pledge of Allegiance</b>		<b>Chair Classen</b>
<b>6:32 P.M.</b>	<b>Consent agenda</b> Minutes of the April 8, 2020 P & Z Meeting	<b>Action Item</b>	<b>Tab 2 Chair Classen</b>
<b>6:35 P.M.</b>	<b>Public Comments</b> - A "Sign In Sheet" is available in the Council Chambers. <b>Each speaker will limit comments to no more than three (3) minutes, with a total time of 30 minutes allotted to public comments, pursuant to Section 2.28.020 of the Silt Municipal Code</b>		<b>Chair Classen</b>
<b>6:38 P.M.</b>	<b>Conflicts of Interest</b>		<b>Chair Classen</b>
<b>6:39 P.M.</b>	<b>Agenda Changes</b>		<b>Chair Classen</b>
<b>6:40 P.M.</b>	<b>Ordinance 5, Series of 2020, AN ORDINANCE OF THE TOWN OF SILT ("TOWN") ANNEXING THAT CERTAIN PROPERTY KNOWN AS THE HIGHLANDS AT PAINTED PASTURES ANNEXATION, A 41.743-ACRE PARCEL NORTH OF THE EXISTING PAINTED PASTURES SUBDIVISION AND EAST OF BOTH THE CAMARIO PLANNED UNIT DEVELOPMENT AND THE HEAVENLY VIEW SUBDIVISION WITHIN GARFIELD COUNTY, STATE OF COLORADO</b>	<b>Action Item (Public Hearing)</b>	<b>Director Aluise</b>
<b>7:00 P.M.</b>	<b>Ordinance 6, Series of 2020, AN ORDINANCE OF THE TOWN OF SILT ("TOWN"), COLORADO, ZONING AS R-2, GENERAL RESIDENTIAL DISTRICT, CERTAIN ANNEXED LAND KNOWN AS THE HIGHLANDS AT PAINTED PASTURES ANNEXATION, A 41.473-ACRE PARCEL NORTH OF THE EXISTING PAINTED PASTURES SUBDIVISION AND EAST OF BOTH THE CAMARIO PLANNED UNIT DEVELOPMENT AND THE HEAVENLY VIEW SUBDIVISION, WITHIN THE TOWN OF SILT, GARFIELD COUNTY, STATE OF COLORADO</b>	<b>Action Item (Public Hearing)</b>	<b>Director Aluise</b>
<b>6:40 P.M.</b>	<b>Old Business</b>		
<b>6:50 P.M.</b>	<b>New Business</b>		
<b>7:00 P.M.</b>	<b>Future Business</b>		
<b>7:10 P.M.</b>	<b>Commissioner Comments</b>		
<b>7:10 P.M.</b>	<b>Adjourn</b>		

The next regularly scheduled meeting of the Silt Planning & Zoning Commission is tentatively set for Tuesday, June 2, 2020, at 6:30 p.m. Items on the agenda are approximate and intended as a guide for the Planning and Zoning Commission. "Estimated Time" is subject to change, as is the order of the agenda. For deadlines and information required to schedule an item on the agenda, please contact the Town of Silt at 876-2353. Please be aware that this agenda is given to the public and to the Commission in electronic form. If you require a hard-copy, please request one before or after the scheduled meeting. Normal Town copying charges may apply. Thank you.

**TOWN OF SILT  
MINUTES FOR  
PLANNING & ZONING COMMISSION MEETING  
WEDNESDAY, APRIL 8, 2020, 6:30 P.M.  
REMOTE MEETING**

**Call to Order**

Chair Classen called the meeting to order at 6:33 p.m.

**Roll Call**

Present: Chair Chris Classen  
Vice Chair Lindsey Williams  
Commissioner Eddie Aragon  
Commissioner Marcia Eastlund  
Commissioner Joelle Dorsey  
Alternate Commissioner Brittany Cocina

Absent: Alternate Commissioner #2

Also present at the meeting was Community Development Director Janet Aluise, Treasurer Amie Tucker, Yancy Nichol, Colby Christoff, Russ Hatle, Doug Pratte, and Julie Pratt.

**Pledge of Allegiance**

At 6:33 p.m., the Commission cited the Pledge of Allegiance.

**Public Comments**

There were no public comments.

**Conflicts of Interest**

There were no stated conflicts of interest.

**Tab 2 - Consent Agenda**

At 6:36 p.m., Commissioner Aragon made a motion to approve the March 3, 2020 Planning & Zoning Commission meeting minutes, as written. Commissioner Eastlund seconded the motion and the motion carried unanimously.

**Agenda Changes**

There were no agenda changes.

**Tab 3 – Ordinance 5, Series of 2020, AN ORDINANCE ANNEXING THAT CERTAIN PROPERTY KNOWN AS THE HIGHLANDS AT PAINTED PASTURES ANNEXATION, A 41.743-ACRE PARCEL NORTH OF THE EXISTING PAINTED PASTURES SUBDIVISION AND EAST OF THE EXISTING PAINTED PASTURES SUBDIVISION AND EAST OF THE BOTH THE CAMARIO PLANNED UNIT DEVELOPMENT AND THE HEAVENLY VIEW SUBDIVISION, WITHIN THE TOWN OF SILT, GARFIELD COUNTY, STATE OF COLORADO**

At 6:38 p.m., Director Aluise requested that the Planning & Zoning Commission continue Ordinance 5, Series of 2020 and the public hearing, until May 5, 2020.

At 6:38 p.m., Commissioner Dorsey made a motion to continue Ordinance 5, Series of 2020, as well as the public hearing. Commissioner Eastlund seconded the motion, and the motion carried unanimously.

**Tab 4 – Ordinance 6, Series of 2020, AN ORDINANCE OF THE TOWN OF SILT, COLORADO, ZONING AS R-2, GENERAL RESIDENTIAL DISTRICT, CERTAIN ANNEXED LAND KNOWN AS THE HIGHLANDS AT PAINTED PASTURES ANNEXATION, A 41.473-ACRE PARCEL NORTH OF THE EXISTING PAINTED PASTURES SUBDIVISION AND EAST OF BOTH THE CAMARIO PLANNED UNIT DEVELOPMENT AND THE HEAVENLY VIEW SUBDIVISION, WITHIN THE TOWN OF SILT, GARFIELD COUNTY, STATE OF COLORADO**

At 6:39 p.m., Vice Chair Williams made a motion to continue Ordinance 6, Series of 2020, as well as the public hearing. Commissioner Aragon seconded the motion, and the motion carried unanimously.

**Tab 5 – Resolution 16, Series of 2020, A RESOLUTION OF THE TOWN OF SILT, COLORADO (“TOWN”) APPROVING A SKETCH PLAN FOR THE VILLAGE AT PAINTED PASTURES MINOR SUBDIVISION, A 9.223-ACRE PARCEL AND A 2.001-ACRE PARCEL, BOTH SOUTH OF THE EXISTING PAINTED PASTURES SUBDIVISION AND EAST OF THE LYON COMMERCIAL PLANNED UNIT DEVELOPMENT, WITHIN GARFIELD COUNTY, STATE OF COLORADO**

At 6:40 p.m., Director Aluise reviewed the staff report for the Commission, stating that the applicant proposes three lots on 11.224 acres, with Lot 1 on the western boundary (2.295 acres), Lot 2 (5.909 acres), and Lot 3 (3.021 acres). As the Planning & Zoning Commission recommended approval of the annexation and PUD zoning to the Board of Trustees, the applications are proceeding through the Town process. She stated that the Town code requires the applicant to submit a Final Plan for review and approval by the Board of Trustees. Staff recommends approval of the Village at Painted Pastures Sketch Plan (Resolution 16, Series of 2020), with the following conditions:

- 1) That all statements made by the applicant in the application and in meetings before the Planning & Zoning Commission be considered conditions of approval, unless modified in the following recommendations:
- 2) That the applicant, prior to Final Plan submittal, contacts the U.S. Postal Service regarding placement of postal banks within this development, and obtains their written opinion of postage delivery;

- 3) That the applicant addresses the Town Engineer's comments from his memo dated March 27, 2020 in the Final Plan submittal; &
- 4) That the applicant addresses the Town Attorney's comments from his memo dated April 2, 2020 in the Final Plan submittal.

At 6:48 p.m., Doug Pratte of the Land Studio addressed the Commission with a Power Point presentation describing the project. Mr. Pratte indicated that the planners and engineers for the project have begun to modify the project to

At 7:06 p.m., Chair Classen opened the public hearing. With no one submitting testimony, Chair Classen closed the public hearing.

At 7:10 p.m., Vice Chair Williams made a motion to approve Resolution 16, Series of 2020, as written. Commissioner Eastlund seconded the motion, and the motion carried unanimously.

#### **Tab 5 – Rocky Mountain Land Use Institute Training**

Chair Classen reviewed his memorandum for the Commission, stating that the theme of the meeting was water in the arid West.

#### **Old Business**

Commissioner Eastlund requested when the pavement on the Interstate-70 interchange would be replaced. Director Aluisse stated that the Town's interchange is likely not a high priority for the Colorado Department of Transportation, but that they would likely fill potholes.

Chair Classen requested the Town's intentions regarding the 2020 Special Event season. Director Aluisse stated that the Town will take direction from the state of Colorado on when social distancing is relaxed, and the Board will determine whether finances are such that events are possible.

#### **New Business**

There was no new business.

#### **Other Business**

There was no other business.

#### **Future Business**

There was no future business.

#### **Commissioner and Staff Comments**

There were no Commissioner or staff comments.

**Adjournment**

At 7:32 p.m., Commissioner Eastlund made a motion to adjourn. Commissioner Aragon seconded the motion, and the motion carried unanimously.

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Chairman Chris Classen

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Community Development Director Janet Aluise

DRAFT

**TOWN OF SILT  
ORDINANCE NO. 5  
SERIES OF 2020**

**AN ORDINANCE OF THE TOWN OF SILT (“TOWN”) ANNEXING THAT CERTAIN PROPERTY KNOWN AS THE HIGHLANDS AT PAINTED PASTURES ANNEXATION, A 41.743-ACRE PARCEL NORTH OF THE EXISTING PAINTED PASTURES SUBDIVISION AND EAST OF BOTH THE CAMARIO PLANNED UNIT DEVELOPMENT AND THE HEAVENLY VIEW SUBDIVISION WITHIN GARFIELD COUNTY, STATE OF COLORADO**

**WHEREAS**, the Local Government Land Use Control Enabling Act of 1974, §§29-20-101, et seq., C.R.S.; Article 23 of Title 31, C.R.S.; and other applicable laws grant broad authority to the Town of Silt, Colorado (“Town”) to plan for and regulate the development and use of land on the basis of the impact thereof on the community and surrounding areas; and

**WHEREAS**, Raley Ranch Project LLC (hereinafter “Owner”), 8191 E. Kaiser Boulevard, Anaheim, California 92808 is the owner of real property comprised of a 41.743-acre parcel north of the existing Painted Pastures Subdivision and east of both the Camario Planned Unit Development and the Heavenly View Subdivision, as further described in “**Exhibit A**” hereto, within Garfield County, state of Colorado; and

**WHEREAS**, on or about January 10, 2020, Raley Ranch Project LLC (hereinafter referred to as “Owner”) submitted an Annexation Application, a Petition for Annexation, and an Affidavit of Circulator for that real property specifically described on Exhibit “A” attached hereto and known as the Highlands at Painted Pastures Annexation, or more generally known as the “Property”; and

**WHEREAS**, on or about February 18, 2020, the Planning & Zoning Commission considered the Annexation Petition and Application materials for the Property and recommended to the Board of Trustees approval of the Annexation application; and

**WHEREAS**, on or about February 24, 2020, the Board of Trustees (“Board”) approved Resolution 10, Series of 2020, determining that the Petition and appurtenant documents were in substantial compliance with the requirements of sections 31-12-104, 31-12-105, and 31-12-107, C.R.S.; and

**WHEREAS**, on or about April 13, 2020, the Board of Trustees approved Resolution 11, Series of 2020, determining with regard to the Petition for Annexation: (1) the requirements of the “Municipal Annexation Act of 1965”, as amended including the applicable parts of Sections 31-12-104 and 31-12-105,

C.R.S. have been met and (2) an election is not required under section 31-12-107(2), C.R.S.; and

**WHEREAS**, Petitioner owns 100% of the Property proposed for annexation; and

**WHEREAS**, on or about April 13, 2020 and April 27, 2020, the Board hereby finds that the Highlands at Painted Pastures Annexation is in the best interests of the Town, for the health, safety and welfare of its citizens.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SILT, COLORADO, THAT:**

Section I. That the annexation to the Town of the Annexation Property be, and is hereby approved and said real property as described on the annexation map accompanying the Petition for Annexation is hereby annexed to the Town, and shall be known as the “Highlands at Painted Pastures Annexation”.

Section II. As required by statute, the Town of Silt shall:

- (a) File one (1) copy of the annexation map with the original of this Annexation Ordinance in the office of the Town Clerk of the Town of Silt, Colorado; and
- (b) File three (3) certified copies of the annexation ordinance and three (3) copies of the annexation plat with the Garfield County Clerk and Recorder: 1) for recordation; 2) transmission to the Department of Local Affairs and 3) transmission to the Department of Revenue.
- (c) File one (1) certified copy of the annexation ordinance and one (1) copy of the annexation plat in the office of the County Assessor of Garfield County, Colorado.

**INTRODUCED, READ AND CONTINUED ON FIRST READING UPON A PUBLIC HEARING** the 13<sup>th</sup> day of April, 2020.

**PASSED, APPROVED FOLLOWING A CONTINUED PUBLIC HEARING, ADOPTED AND ORDERED PUBLISHED**, this 27<sup>th</sup> day of April, 2020.

TOWN OF SILT

\_\_\_\_\_  
Mayor Keith B. Richel

ATTEST:

\_\_\_\_\_  
Town Clerk Sheila M. McIntyre, CMC

## EXHIBIT A LEGAL DESCRIPTION

THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE1/4SW1/4) OF SECTION 2, TOWNSHIP 6 SOUTH, RANGE 92 WEST OF THE 6TH P.M.

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL SITUATE IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4SW1/4) OF SAID SECTION 2: BEGINNING AT THE SOUTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN RECEPTION NO. 270366 OF THE RECORDS OF THE CLERK AND RECORDER OF GARFIELD COUNTY, COLORADO WHENCE THE SOUTHWEST CORNER OF SAID SECTION 2 BEARS SOUTH 89°14'53" WEST 1325.13 FEET; WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE TO A BEARING OF EAST ON THE CENTERLINE OF GRAND AVENUE IN THE TOWN OF SILT, COLORADO; THENCE NORTH 00°48'40" WEST 191.16 FEET ALONG A FENCE LINE AND ALONG THE EAST LINE OF SAID PARCEL DESCRIBED IN RECEPTION NO. 270366; THENCE ALONG A FENCE LINE THE FOLLOWING COURSES: NORTH 00°48'40" WEST 70.84 FEET; THENCE NORTH 00°41'47" WEST 121.57 FEET; THENCE NORTH 00°28'37" WEST 521.55 FEET; THENCE NORTH 00°30'02" WEST 410.00 FEET ALONG SAID FENCE LINE AND ALONG A NORTHERLY EXTENSION OF SAID FENCE LINE TO THE NORTH LINE OF SAID SW1/4 OF THE SW1/4 OF SECTION 2; THENCE NORTH 89°48'14" EAST 14.05 FEET TO THE NORTHEAST CORNER OF SAID SW1/4 OF THE SW1/4 OF SECTION 2; THENCE SOUTHERLY ALONG THE EAST LINE OF SW1/4SW1/4 OF SECTION 2 TO THE NORTHERLY RIGHT-OF-WAY LINE OF A COUNTY ROAD AS BUILT AND IN PLACE; THENCE SOUTH 89°31'20" WEST 22.81 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

AND CONTAINING 41.743 ACRES, MORE OR LESS; HAVE BY THESE PRESENTS ANNEXED THE PROPERTY SHOWN HEREON AND DESIGNATED AS ANNEXATION OF THE HIGHLANDS AT PAINTED PASTURES, IN THE TOWN OF SILT, COUNTY OF COLORADO.

**STAFF REPORT**

For the Planning & Zoning Commission Meeting of May 5, 2020

<b>Application:</b>	Highlands at Painted Pastures Annexation Highlands at Painted Pastures R-2 General Residential District Zoning
<b>Applicant/ Property Owner:</b>	Raley Ranch Project, LLC 8191 E. Kaiser Boulevard Anaheim, CA 92808
<b>Representatives:</b>	Doug and Julie Pratte The Land Studio, Inc. 365 River Bend Way Glenwood Springs, CO 81601
<b>Site Location:</b>	East of Lyon Commercial PUD and south of existing Painted Pastures (Phases I & II)
<b>Acreage:</b>	41.743-acre parcel known as Parcel # 2179-023-00-006
<b>Present Zoning:</b>	Rural (County) – comprised of the County’s rural residential areas, agricultural resource lands, agricultural production areas, and natural resource areas.
<b>Present Land Use:</b>	Vacant (non-agricultural)
<b>Proposed Zoning:</b>	R-2 General Residential District – This general residential district is established as a district in which the principal use of land is for residential purposes. A greater coverage of lot area and a medium density of between four and eight dwelling units per acre are encouraged in this district. It is the intention of (these) regulations to discourage any use which would be detrimental to the residential nature of the areas included within the district.
<b>Fees:</b>	Fee of \$1,200 + \$400 deposit (Annexation); & Fee of \$ 500 + \$500 deposit (Zoning).

## Vicinity Maps:



### I. Description of Proposal

The applicant, Raley Ranch Project, LLC, submitted an annexation petition, annexation application, affidavit of circulator, and R-2 zoning application for a property known as the Village at Painted Pastures Annexation and R-2 Zoning, comprised of one parcel in Garfield County (a 41.473-acre parcel) located east of the Camario Planned Unit Development, and is thus eligible for annexation.

### II. Comprehensive Plan General Policies and Goals– Designated Urban Growth Areas

#### [Neighborhood Residential](#) (Click + CTRL to view)

The Comprehensive Plan, as amended in 2011, has a Comprehensive Plan Land Use Designation of **Neighborhood Residential** on the Land Use Designation map which states the following: “Those properties within the Comprehensive Plan Land Use Designation of **Neighborhood Residential** are expected to have medium to high densities of 5 units to 16 units per acre, with clearly designated areas for parks, open space, trails, and community gardens. This area is intended for a variety of housing types, such as single-family dwellings, duplex dwellings and multi-family dwellings (three or more dwellings upon a lot or within a building, whether further subdivided or not), and may include additional dwelling units (ADUs) in order to increase the density and functionality of the community, but not overly tax the infrastructure systems. The “Neighborhood Residential” area currently consists of some older platted areas and some newer re-developed or re-platted areas, but

generally has very well platted streets and alleys that aid in dispersing traffic. The Town should work to encourage the building of pedestrian walkways, sidewalks, and/or trails in this area, so that community safety and reduction of vehicles are priorities. The Town is supportive of re-development within this Comprehensive Plan Land Use Designation both on a small and large scale. Since this area is clearly within the Town's core of development, the Town could well benefit from increases in density, because the necessary infrastructure is in place. Since this area is adjacent to the "Downtown" core, the Town benefits from these residents supporting their own local economy. The Town should use good planning techniques to intersperse higher densities with lower to medium densities in order to spread out the impacts in a larger area. Since good park area is already in existence in this area, the Town should simply add to and enhance the existing parks and open space for solid community cohesiveness.

**(Staff note: The 2017 Comprehensive Plan, as amended, states that this property is appropriate for residential development, as the zoning and this proposal indicate.)**

### III. Pertinent Silt Municipal Code

#### [§16.08.010 Intent \(Annexation\).](#) (CTRL + Click to view)

A. The intent of this chapter is to detail the various steps necessary in order to annex a parcel into the Town of Silt, negotiate terms of an annexation and development agreement to enumerate the exactions and public dedications, and subsequently zone the parcel. The process by which the Town approves a parcel for annexation into the Town is ruled by this Code, state statutes and the Town's Home Rule Charter. Because the annexation of property is a matter of state law, the provisions of Colorado law will control in addition to this chapter. In the event of a conflict between a statutory provision and a provision of this Chapter 16.08, the more specific shall control;

B. As described in this chapter, the Commission shall review and consider an applicant's annexation petition and annexation application, together with the applicant's zoning application and sketch plan application for the property, and provide recommendations concerning the subject annexation, zoning, and sketch plan to the board, prior to any action by the board on an applicant's annexation petition and annexation application, zoning application and sketch plan application;

C. The applicant for annexation should consider retaining a planning consultant, attorney or other professional(s) if the proposed annexation is complex. A property owner considering an annexation petition and annexation application may wish to consult an attorney familiar with municipal annexation law. While the Town staff will cooperate with the landowner and/or applicant for annexation, the Town is not bound by any representations made by staff regarding the status of or requirements of applicable laws, rules or regulations;

D. The annexation process may be a lengthy process, in order for the Town and the applicant and/or property owner to negotiate terms acceptable to both parties regarding the annexation. Further, the Town requires that the property owner and/or applicant proceed through the subdivision and zoning process concurrently with the annexation process, in order for the town to fully understand the scope of the request.

**(Staff note: The annexation petition is in order and the property is contiguous to the Town on the southern side (Painted Pastures Phase I). The applicant proposes to develop the Highlands at Painted Pastures according to R-2 Zoning, a medium density zoning.**

**16.08.050 Annexation petition and annexation application – Commission public hearing.**

- A. The commission shall consider the annexation petition and the annexation application, together with the applicant's zoning application and sketch plan application, but in no event fewer than thirty days or more than sixty days from the date that the town determines the application complete, the town shall schedule the application before the commission for a recommendation to the board, unless another time period is agreed to by the applicant;
- B. The commission may recommend to the board approval, approval with conditions, or denial of the application, or may continue the hearing to another date(s) in order to more fully discuss the annexation petition and annexation application;
- C. If the commission continues the public hearing, the application shall be placed on the next regularly scheduled commission agenda, provided that the applicant agrees to such placement;
- D. If the commission approves, approves with conditions, or denies the application, the town shall provide a full description of the commission's action within the minutes of the meeting, which shall then be forwarded to the board; and
- E. If the commission approves, approves with conditions or denies the application, either by recommending to the board approval, or approval with conditions, or denial, within thirty days of the final public hearing, the annexation petition and annexation application are deemed acceptable to the commission. The town and the applicant may agree to a different time period for commission review.

**16.40.030 Zoning and zoning amendments (rezoning) public notification.**

- A. The applicant for zoning or zoning amendment (rezoning) shall publicly notice the time, date and location of the public hearing per the guidelines set forth in this title;
- B. No public hearing may occur if the public notification has not occurred per the provisions of this title;
- C. The commission shall consider the application for zoning or zoning amendment (rezoning) at a regularly scheduled meeting, and shall make a recommendation to the board for approval, approval with conditions, or denial of the application;
- D. The commission meeting minutes shall be promptly forwarded to the board;
- E. If the commission recommends to the board approval or approval with conditions of the (zoning application), the town shall prepare an ordinance for the board's consideration;
- F. The board shall consider the application for zoning or zoning amendment (rezoning), as well as the commission's recommendation, at a regularly scheduled meeting, and shall, in its sole discretion, approve, approve with conditions or deny the application:
  - 1. If the board denies the zoning or zoning amendment (rezoning) application and ordinance, the applicant may submit a new application to the town in compliance with this section;
  - 2. If the board approves the application with conditions, the town may either require one of the following:
    - a. Applicant shall submit a revised application for future consideration by the board, without submittal of an additional

application fee, but the applicant shall be subject to all costs incurred by the town for review of the application;

- b. Applicant shall submit a new application to the town in compliance with this section;

G. If the board approves such zoning or zoning amendment (rezoning) application and ordinance, the town clerk will publish such ordinance pursuant to this title, within the newspaper, and the ordinance becomes effective thirty days following publication of the ordinance.

#### **IV. Staff Comments/Concerns**

##### **Property History**

The subject property proposed for annexation and PUD zoning is comprised of two parcels, a western 9.223-acre parcel (Parcel # 217911100445) and an eastern 2.001-acre parcel (Parcel # 217911100721). The parcels have historically been used for residential and agricultural purposes, but prior property owners removed the residence almost twenty years ago.

##### **Annexation**

The subject parcels (9.223-acre parcel and 2.001-acre parcel) are adjacent to the Town on the northern boundary, providing over 1,445 lineal feet of contiguity to the existing annexed and zoned Painted Pastures subdivision to the north. On April 13, the Board of Trustees approved Resolution 11, Series of 2020, a resolution making findings of fact and conclusions related to the property's ability to annex to the Town per state statutes. The annexation plat conforms to state statutes and municipal code regulations, as well.

Annexation of these two parcels is appropriate to regulate the growth and development in this region, as well as spur economic development and provide affordable housing. While the applicant has not submitted a final plat (3 lots) or a commercial/multifamily site plan yet, the applicant indicates that there will be a mixed use of commercial and residential, which is desirable to the Town.

##### **Current County Zoning**

The property is zoned 'Rural', a Garfield County designation, which is defined as "comprised of the County's rural residential areas, agricultural resource lands, agricultural production areas, and natural resource areas. Uses, densities, and standards established for this zone district are intended to protect the existing character of the area from uncontrolled and unmitigated residential, commercial, and industrial use. The zone district provides for the use of natural resources, recreational development, rural residential, and other uses." Rural zoning requires a minimum lot size of two acres, and therefore, the two parcels could support up to five single family lots, with a maximum lot coverage of 15%, setbacks of fifty feet from State Highway 6, twenty-five foot rear yard setback and ten-foot side yard setback. Building heights in this zone district are twenty-five feet for residential uses and forty feet for non-residential uses.

**V. Staff Recommendation (Annexation)**

Staff recommends that the Planning & Zoning Commission recommend to the Board of Trustees approval of Ordinance 5, Series of 2020, an ordinance annexing that certain property known as the Highlands at Painted Pastures Annexation, a 41.743-acre parcel north of the existing Painted Pastures Subdivision and east of both the Camario Planned Unit Development and the Heavenly View Subdivision within Garfield County, state of Colorado, with the following conditions:

- 1) That all statements made by the Applicant in its application and in meetings before the Planning & Zoning Commission and the Board of Trustees be considered conditions of approval, unless modified in the following condition:
- 2) That the Applicant pay all fees associated with the Town's review and approval of the annexation petition and application, including but not limited to attorney, engineering, planning, administrative and public notification costs.

**VI. Staff Recommendation Recommendation (Zoning)**

Staff recommends that the Planning & Zoning Commission recommend to the Board of Trustees approval of Ordinance 6, Series of 2020, an ordinance zoning as R-2, General Residential District, certain annexed land known as the Highlands at Painted Pastures Annexation, a 41.473-acre parcel north of the existing Painted Pastures Subdivision and east of both the Camario Planned Unit Development and the Heavenly View Subdivision, within the Town of Silt, Garfield County, state of Colorado, with the following conditions:

- 1) That all statements made by the Applicant in its application and in meetings before the Planning & Zoning Commission and the Board of Trustees be considered conditions of approval, unless modified in the following condition:
- 2) That the Applicant pay all fees associated with the Town's review and approval of the PUD zoning application, including but not limited to attorney, engineering, planning, administrative and public notification costs.

# Painted Pastures Applications

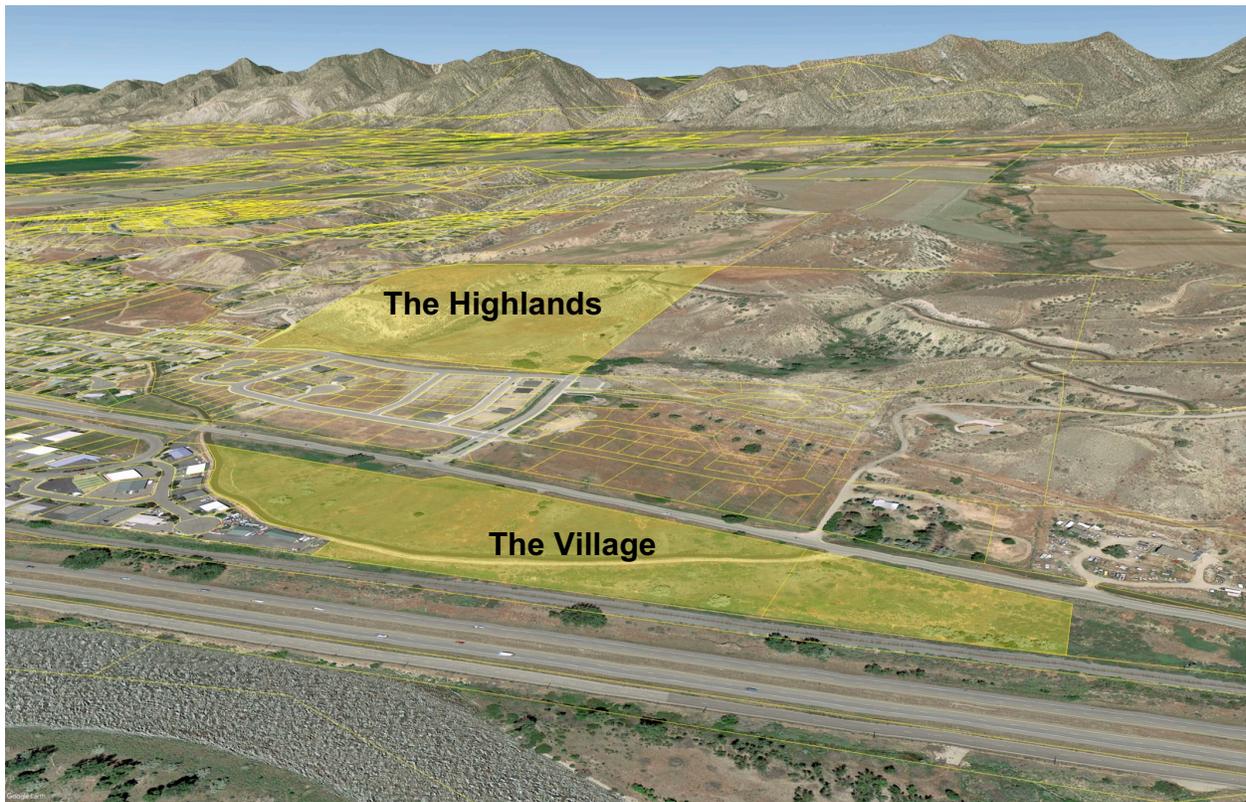
*Town of Silt, Colorado*

## The Village at Painted Pastures

*Annexation & Planned Unit Development*

## The Highlands at Painted Pastures

*Annexation and R2 Zoning*



Submitted January 8, 2020 by:  
The Land Studio, Inc.  
365 River Bend Way  
Glenwood Springs, Colorado 81601

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365 River Bend Way • Glenwood Springs, CO 81601 • Tel 970 927 3690 • landstudio2@comcast.net

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January 7, 2020

Ms. Janet Aluise  
Town of Silt Community Development Director  
231 N. 7th Street  
Silt, Colorado 81652

Re: The Village at Painted Pastures and The Highlands at Painted Pastures Annexation and Zoning Applications

Dear Janet:

Raley Ranch Project, LLC owns three parcels of land in Garfield County, Colorado contiguous to the Town of Silt's municipal boundaries. The Land Studio, Inc. has been working with representatives of Raley Ranch Project, LLC and its consultant team to prepare The Village at Painted Pastures and The Highlands at Painted Pastures Annexation and Zoning Applications per the discussed requirements at our October 9, 2019 Pre-Application meeting with you at the Town of Silt's Community Development Office. The intent of this Application is to Annex the Village at Painted Pastures parcels with Garfield County Parcel No. 217911100445 (9.223 acres±) and Parcel No. 217911100721 (2.001 acres±) into the Town of Silt with PUD Zoning per the attached PUD Guide, and to Annex The Highlands at Painted Pastures parcel with Garfield County Parcel No. 217902300006 (41.743 acres±) into the Town of Silt with R2 Zoning. The following is a list of the documents provided in this Application:

### **The Village at Painted Pastures Exhibits**

- A. Completed and signed Town of Silt Community Development Land Use Application Form for Annexation and Planned Unit Development Zoning
- B. Completed Town of Silt Community Development Land Use Activity Impact Statement for Annexation and Planned Unit Development Zoning.
- C. Public notice property owner addresses for properties within 200 feet of property from Garfield County qPublic.net
- D. Petition for Annexation
- E. Affidavit of Circulator
- F. Town of Silt Annexation Application
- G. Office of the Secretary of State of the State of Colorado Raley Ranch Project, LLC Certificate of Fact of Good Standing
- H. Commitment for Title Insurance
- I. Annexation Map of The Village at Painted Pastures
- J. Town of Silt Zoning Map with Proposed Zoning

- K. The Village at Painted Pastures Planned Unit Development Guide
- L. Raley Ranch Project, LLC - Water Dedication Proposal for Town of Silt
- M. Water Requirements for The Village and The Highlands at Painted Pastures
- N. Affidavits of Historical Use

**The Highlands at Painted Pastures Exhibits**

- A Completed and signed Town of Silt Community Development Land Use Application Form for Annexation and R-2 Zoning
- B Completed Town of Silt Community Development Land Use Activity Impact Statement for Annexation and R-2 Zoning.
- C Public notice property owner addresses for properties within 200 feet of property from Garfield County qPublic.net
- D Petition for Annexation
- E Affidavit of Circulator
- F Town of Silt Annexation Application
- G Office of the Secretary of State of the State of Colorado Raley Ranch Project, LLC Certificate of Fact of Good Standing
- H Commitment for Title Insurance
- I Annexation Map of The Highlands at Painted Pastures
- J Town of Silt Zoning Map with Proposed Zoning
- K Raley Ranch Project, LLC - Water Dedication Proposal for Town of Silt
- L Water Requirements for The Village and The Highlands at Painted Pastures
- M Affidavits of Historical Use

We look forward to working with you on this project and please email or call with discussion related to this Application as needed.

Sincerely,

THE LAND STUDIO, INC

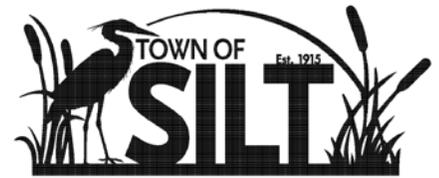
By:



Douglas J. Pratte

**The Highlands at Painted Pastures  
Exhibit A**

Completed and signed Town of Silt Community Development Land Use  
Application Form for Annexation and R-2 Zoning



# Land Use Application Form

<input type="checkbox"/> Amended Plat	<input type="checkbox"/> Boundary Adjustment	<input type="checkbox"/> Subdivision Exemption
<input checked="" type="checkbox"/> Annexation	<input type="checkbox"/> Sketch Plan	<input type="checkbox"/> Floodplain Development
<input type="checkbox"/> Final Plan	<input type="checkbox"/> Planned Unit Development	<input type="checkbox"/> Vacation of Right-of-Way
<input type="checkbox"/> Text Amendment	<input type="checkbox"/> Site Plan Review	<input type="checkbox"/> Re-Subdivision Final Plan
<input type="checkbox"/> Easement Agreement	<input checked="" type="checkbox"/> Zoning or Rezoning	<input type="checkbox"/> Subdivision Improvement Agreement
<input type="checkbox"/> Preliminary Plan	<input type="checkbox"/> Special Use Permit	<input type="checkbox"/> Annexation & Development Agreement
<input type="checkbox"/> Zoning Variance	<input type="checkbox"/> Other: _____	

**Project Name:** The Highlands at Painted Pastures

**Project Description / Property Information:**

Address: 34488 6 & 24 Hwy, Silt Parcel ID Number: 217902300006

Legal Description (*attach additional sheets if necessary*): Attached

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Access to Property: Hwy. 6 & 24

Acreage or Square Footage: 41.743 Existing Land Use Designation: Agricultural/Rural Residential Reserve

Proposed Land Use Designation: Highlands - Neighborhood Residential

Existing Zoning: Rural Proposed Zoning: Highlands - R-2

Proposed Use / Intensity of Use: Highlands - Residential

- Submittal Requirements:**
- Initially, a completed application with original signatures and four copies shall be submitted to the department for review. The application shall include four sets of 24" x 36" plans, plats and other appropriate drawings. Application must also be submitted in electronic format (MS Word).
  - In addition to this application, all information on the supplemental checklist must be submitted.
  - Incomplete applications will not be accepted and will delay processing.
  - When the documents are deemed adequate, additional copies as required by the department shall be submitted ten (10) days before the public hearing.
  - All documents submitted for public hearing shall be hole-punched, collated and paper-clipped (no staples). All plans, plats or drawings shall be folded to 8 1/2" x 11" and inserted into the collated application. Each individual application shall be banded together and ready for public distribution.

**STAFF USE ONLY**

Pre-app conference: _____ (date)	Application received: _____ (date)
Application complete: _____ (date)	File Number: _____
Fees: _____	Referrals Sent: _____ (date)
Deposits: _____	PZC approval: _____ (date)
Paid: _____ (date)	BOT approval: _____ (date)

**Project Team Information** (fill in all that apply) *(add additional sheets if needed)*:

**Property Owner(s):** Name: Raley Ranch Project, LLC, John Tallichet, Manager Phone: 714-279-6101

Company: \_\_\_\_\_ Fax: \_\_\_\_\_

Address: 8191 E. Kaiser Blvd., Anaheim, CA 92808

**Authorized Rep.:** Name: Douglas Pratte, The Land Studio, Inc. Phone: 970-927-3690

Company: The Land Studio, Inc. Fax: \_\_\_\_\_

Address: 365 River Bend Way, Glenwood Springs, CO 81601

**Engineer/Designer:** Name: Yancy Nichol Phone: 970-704-0311

Company: Sopris Engineering LLC Fax: \_\_\_\_\_

Address: 502 Main St, #A-3, Carbondale CO 81623

**Billable Party:** Owner  Representative \_\_\_\_\_ Engineer \_\_\_\_\_

The Billable Party, by signing below, hereby agrees to reimburse the Town the actual costs to the Town plus 15% administrative fees for all engineering, surveying and legal services rendered in connection with the review of the Application. The Billable Party shall also reimburse the Town for the cost of making any corrections or additions to the master copy of the official Town map and for any fees for recording any plats and accompanying documents with the County Clerk and Recorder of Garfield County. The Billable Party agrees that interest shall be imposed at a rate of 1.5% per month on all balances not paid within thirty (30) days of the date of the statement. In addition to any and all remedies available to the Town and in the event the Town is forced to pursue collection of any amounts due and unpaid, the Town shall be entitled to collect attorney's fees and costs incurred in said collection efforts in addition to the amount due and unpaid.

Raley Ranch Project, LLC John Tallichet, Manager § \_\_\_\_\_  
Name (printed)

8191 E. Kaiser Blvd. Anaheim, CA 92808  
Address

714279-6101 \_\_\_\_\_  
Phone Fax

  
Signature

\_\_\_\_\_  
Type of Identification

**Disclosure of Property Ownership**

- \_\_\_\_\_ If owner is an individual, indicate name exactly as it appears on the deed.
- If owner is a corporation, partnership, limited partnership or other business entity, name principals on a separate page. Please include articles of organization, partnership agreement, etc., as applicable.
- \_\_\_\_\_ If owner is a land trust, name beneficiaries on a separate page.
- \_\_\_\_\_ If applicant is a lessee, indicate the owner(s) on a separate page.
- \_\_\_\_\_ If applicant is a contract purchaser, attach a copy of the contract and indicate the owner(s) on a separate page.

*Please provide the name(s), mailing address(es), street address(es) and phone number(s) for all owners.*

Property Owner Affidavit

I/We, John Tallichet, Manager, Raley Ranch Project, LLC, being first duly sworn, depose and state under penalties of perjury that I am (we are) the owner(s) of the property described herein and which is the subject of the application and proposed hearings; that all answers provided to the questions in this application, and all sketches, data and all other supplementary matter attached hereto and made part of this application are honest and true to the best of my (our) knowledge and belief. I (we) understand that this application must be complete and accurate prior to a hearing being scheduled. I (we) authorize Town staff to visit the site as necessary for proper review of this application.

(If there are special conditions such as guard dogs, locked gates, restricted hours, etc., please give the name and phone number of the person(s) who can provide access to the site)

John Tallichet

Name (printed)

Name (printed)

8191 E. Kaiser Blvd., Anaheim, CA 92808  
Address

Address

714-279-6101  
Phone

Phone

Fax

Fax

Signature [Handwritten Signature]

Signature

Type of Identification California Driver's License

County of Orange

State of California

ss.

Sworn to and subscribed before me this 17<sup>th</sup> day of December, 2019  
(fill in day) (fill in month) (fill in year)

By John Tallichet  
(name printed)

Witness my hand and official seal.  
[Handwritten Signature]  
Notary Public



My Commission expires: 10/29/2020

Authorized Representative

I/We further permit Doug Pratte, The Land Studio, Inc to act as my/our representative in any manner regarding this application, to answer any questions and to represent me/us at any meeting(s) and public hearing(s) which may be held on this application.

NOTE: All correspondence will be sent to the authorized representative. It will be the representative's responsibility to keep the owner(s) adequately informed as to the status of the application.

John Tallichet

Name (printed)

8191 E. Kaiser Blvd., Anaheim, CA 92808

Address

714-279-6101

Phone

Fax

Signature *[Handwritten Signature]*

*California Drivers License*

Type of Identification

County of Orange )

State of California )

ss.

Sworn to and subscribed before me this 17<sup>th</sup> day of December, 2019.  
(fill in day) (fill in month) (fill in year)

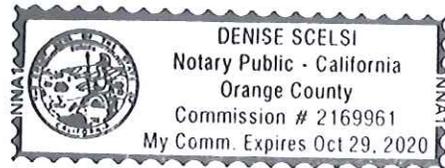
By John Tallichet  
(name printed)

Witness my hand and official seal.

*[Handwritten Signature]*

Notary Public

My Commission expires: 10/29/2020



## LAND USE APPLICATION FEES

Application	Fee	Deposit	SMC Section
Annexation	\$1,200	\$400	16.13.040
Annexation & Development Agreement amendment	\$400	\$400	16.13.130
Boundary Adjustment/Lot Line	\$100	\$0	16.04.907
Condominiumization	See Major	Subdivision	16.05.110
Easement Agreement and Amendments	\$500	\$500	2.44.110
Intergovernmental Agreement and Amendments	\$500	\$500	2.44.100
Major Subdivision-Sketch Plan	\$500	\$500	16.04.120
Major Subdivision-Preliminary Plan	\$800	\$800	16.04.180
Major Subdivision-Final Plan	\$500	\$500	16.04.270
Sign Exception	\$70	\$0	
Fence Exception	\$70	\$0	
Replat or Re-subdivision	\$500	\$0	16.04.945
Site Plan Review- Commercial/Multi-Family	\$500	\$0	17.42.030
Special Use Permit	\$250	\$0	17.78.040
Minor Subdivision-Sketch/Final	\$500	\$500	16.04.906
Subdivision Improvement Agreement Amendment	\$400	\$400	16.04.315
Vacation of Right of Way	\$400	\$400	2.44.120
Zoning Variance	\$250	\$0	17.84.080
Zoning or Rezoning	\$500	\$100	16.12.410

***\*Deposits must be included with application submittal. The deposit is used as security for department staff and consultant time to review the project application. Applicant shall also pay for fees and charges incurred by the town, such as legal fees, planning fees, engineering fees, and filing or recording fees, plus an administrative fee of 15% of the total consultant charges.***

### ATTACHMENTS/EXHIBITS MUST BE COMPLETE FOR SUBMITTAL.

Incomplete applications **will not** be reviewed until deemed complete.

### **Checklist below for Office use only.**

- 1] \_\_\_ A legal description of the property.
- 2] \_\_\_ Evidence of legal ownership. May be a deed, title commitment, title insurance policy, or attorney's opinion of ownership.
- 3] \_\_\_ Letter of consent. Required if the Applicant is not the property owner.
- 4] \_\_\_ List of property owners within 200 feet. Call Garfield County Assessor's Office at 970/ 945-9134 for information.
- 5] \_\_\_ Impact statement (description of how the proposed land use complies with the Town of Silt Municipal Code and Comprehensive Plan).
- 6] \_\_\_ A copy of the completed application in electronic format (Microsoft Word).
- 7] \_\_\_ A diskette, compatible with the Town of Silt GIS system, must be submitted before final recording of land use action. Mylars will not be signed prior to submittal of GIS disk. (For GIS information, call the Community Development Department, (970)876-2353.) Please do not print Final Plat Mylars until you receive approval by Town staff.

**The Highlands at Painted Pastures**  
**Exhibit B**

Completed Town of Silt Community Development Land Use Activity Impact  
Statement for Annexation and R-2 Zoning.

# Town of Silt Community Development

231 N. 7<sup>th</sup> Street, Silt Colorado 81652; (970)876-2353 ext. 108



## LAND USE ACTIVITY IMPACT STATEMENT

Name of Applicant: Raley Ranch Project, LLC Date: December 2, 2019

Location of Property: 34488 6 & 24 Hwy.

Land Use Request: Annexation

Please answer the following questions to the best of your ability. Attach additional pages as needed.

1. Is your request compatible with the Silt Municipal Code?  Yes  No  
**Yes, attached is an application that outlines compliance with the Silt Municipal Code.**
2. Is your request compatible with the Silt Comprehensive Plan?  Yes  No  
**Yes, The Highlands is designated as Agricultural/Rural Residential.**

If not, how is your request useful to the Town of Silt?

3. Explain how your request is compatible with the immediate area surrounding the site.  
**Surrounding Land Use to the West and South of the Highlands parcel is residential and those parcels have been incorporated into the Town of Silt. Annexation would create an expansion of that existing residential. Surrounding Land Use to the Village parcel is Commercial/Service to the West, highway to the North, railroad to the South, and Hwy 6 & 24 ROW to the East. Annexation of these parcels would create an expanded use of the surrounding residential and commercial.**
4. How is your request desirable for the Town of Silt?

**Annexation of these parcels will add valuable additional residential development and commercial development to areas that are immediately adjacent to current Town of Silt boundaries. The goal is to provide a diversity of housing types and to include opportunities for both rental housing and home ownership.**

**Annexation Impact Statement**  
**The Highlands at Painted Pastures**  
**SE Job #19111**

5. Detail any real or possible environmental, Town service or other impacts your request may have.

Impacts to acquire utilities, allow access, accommodate site and existing drainage, etc are all very minimal as the Site is currently adjacent to the Town boundary and has utilities and infrastructure within close proximity. Having the infrastructure close to the Site will help reduce any potential environmental impact this project may create. Currently there are stubs for the utilities at the dead end of North Overo Blvd.

6. Please give a brief statement about the impacts listed below and how you have addressed them.

a) Traffic

We have studied the original designs for the Phase 1 and Phase 2 Painted Pastures and the Highlands as well as the as built and surveyed information. The original design and construction has left a partial road, and utility stubs ready for future construction of the Highlands. We anticipate the Highlands increasing traffic upon HWY 6 which CDOT owns and maintains. We are currently proposing a roundabout at the intersection of HWY 6 and North Overo Blvd to ensure minimal traffic impacts. The roundabout will provide access to the Highlands by way of N. Overo and will have the capacity for HWY 6 as well as all the proposed future development within the area. We anticipate an increase in the intersection of Grand Ave and N Overo Blvd which will be the same number of trip outlined below. We do not anticipate an issue at this intersection as the major leg of the intersection will be N. Overo and the minor leg will be Grand Ave. We do not anticipate any additional improvements needed at this intersection. Below we have provided a brief traffic study based on the assumed uses at this time using the ITE manual. In the Highlands we are expecting 2 different uses based upon the ITE coding, 210 Single Family Detached housing and 220 Multifamily housing. Below is a quick table showing the assumed trips generated from the proposed Village development:

THE HIGHLANDS	# of Units	ITE CODE	DAILY RATE	TOTAL TRIPS
Single Family Lots	40	210	9.44	377.60
Multi Family Apartment	60	220	7.32	439.20
Multi Family Town Home	31	220	7.32	226.92
				<b>1,044</b>

b) Town Services (water sewer etc)

The Town will supply domestic water, sewer and irrigation to the Highlands, raw water will be supplied through a separate system. The Highlands at Painted Pastures currently has the water and sewer infrastructure stubbed to the property from the South eastern property corner. We also understand Silt to have adequate pipe sizing and capacity at both the sewer treatment plant and the water plant to be able to serve this project and therefore this project does not create a burden upon that infrastructure. We understand the Silt Water Conservancy District's pump canal runs through the property and has historically provided the raw water for irrigation, therefore requiring very minimal new infrastructure and minimal impacts to existing infrastructure. Please see Wright Water Engineers, Inc. letter addressed to Balcomb & Green January 6, 2020 for an EQR estimate which is submitted with this annexation application.

c) Signage

The highway will have all appropriate signage per CDOT specifications. We anticipate additional design as the project moves forward for a "branding" sign for all of Painted Pastures down at the North Overo / HWY 6 intersection which would be near the roundabout access to the site. We anticipate another sign designating the Highlands portion of the subdivision as you head up N Overo Blvd and onto the site. The sign would follow and adhere to the Town codes and standards.

d) Open Space

It is our intent to provide various areas of open space throughout the development. At this time we believe these would be both public and private amenities to guests and tenants.

e) Emergency services

At this time we do not anticipate any negative impacts to emergency services. As we move forward on this project we will work with emergency services.

f) Utilities

All utilities in addition to the previously discussed sewer, water and irrigation are currently in the area. Minimal efforts should be needed in order to bring utilities onto the site to serve the project. We are coordinating with the following utility companies for the associated service:

Utility Provider	Utility	Contact	Phone #	EMAIL
Town of Silt Water and Sanitation	Sewer and Water	Trey Fonner	970-876-2353	trey@townofsilt.org
Xcel Energy	Electricity and Gas	Samantha Wakefield	970-244-2622	Samantha.l.wakefield@xcelenergy.com
Cable, Internet, Telephone	Comcast	Michael Johnson	970-205-5432	Michael_Johnson@comcast.com
Telephone, Internet	CenturyLink	Jason Sharpe	970-328-8290	Jason.Sharpe@CenturyLink.com

We are also currently working on Will Serve letters from all providers.

g) Other

At this time we do not foresee any negative impacts to the Town, Town resources, or surrounding neighborhoods, infrastructure or otherwise. We believe this development will provide housing, revenue and will be an overall asset to the community.

7. Are there or have there ever been any landfills on any part of the property included in your request? Yes/ No

No

8. Please mark all the concerns or impacts listed below which apply to your request and give a brief statement about how you have addressed them.

The above Impact Statements address the following topics

- a.  traffic
- b.  town services (water, sewer, etc.)
- c.  signage
- d.  open space
- e.  schools (see below)
- f.  emergency services (police, fire, medical)
- g.  other utilities (electrical, etc.)
- h.  other (pollution, etc.)

Please list any other items or information which you feel would be of help in assessing your application.

### **School Impacts**

The Applicant agrees to pay up to \$500.00 per residential unit to be paid at the time of building permit to offset impacts to the RE-2 School District.

**The Highlands at Painted Pastures**  
**Exhibit C**

Public notice property owner addresses for properties within 200 feet of  
property from Garfield County qPublic.net

## Garfield County Land Explorer

Parcel	Physical Address	Owner	Account Num	Mailing Address
217902100337	3062 214 COUNTY RD SILT	BELLIO, MARGARET J FAMILY TRUST	R200423	PO BOX 150 SILT, CO 81652
217902300006	Not available SILT	RALEY RANCH PROJECT LLC	R200628	8191 EAST KAISER BOULEVARD ANAHEIM, CA 92808
217902300007	Not available SILT	JOHNSON, HELEN KAY	R045436	106 PARK DRIVE GLENWOOD SPRINGS, CO 81601
217902301004	925 218 COUNTY RD SILT	RAUCH, JULIAN D	R200271	PO BOX 2155 BASALT, CO 81621
217902301005	927 218 COUNTY RD SILT	SNEAD, KAITLYN MARIE & ELIAS STEWART	R200270	927 COUNTY ROAD 218 SILT, CO 81652
217902301006	923 218 COUNTY RD SILT	SOET, MICHELE M	R200269	3953 COUNTY ROAD 342 SILT, CO 81652
217902331093	Not available SILT	GRAND VALLEY VENTURES I, LLC	R351146	1101 W ARMITAGE AVENUE #209 CHICAGO, IL 60614
217902332007	Not available SILT	SILVA BELTRAN, NICOLAS & CARRANZA SILVA, BERONICA	R044088	236 SUMMIT DRIVE CARBONDALE, CO 81623
217902332008	Not available SILT	SILVA BELTRAN, NICOLAS & CARRANZA SILVA, BERONICA	R044089	236 SUMMIT DRIVE CARBONDALE, CO 81623
217902332009	2019 E BALLARD AVE SILT	SANCHEZ TAPIA, BRENDA	R044090	PO BOX 3286 BASALT, CO 81621
217902332010	2021 E BALLARD AVE SILT	ANDRADE SERAFIN, ABEL & ANDRADE, VICKIE JANE	R044091	PO BOX 362 SILT, CO 81652
217902332011	Not available SILT	MENDOZA, IGNACIO	R044092	856 CLUBHOUSE DRIVE NEW CASTLE, CO 81647
217902332012	Not available SILT	MENDOZA, OSCAR	R044093	2014 E BALLARD AVENUE SILT, CO 81652
217902332013	2014 E BALLARD AVE SILT	MENDOZA, OSCAR	R044094	2014 E BALLARD AVENUE SILT, CO 81652
217902332014	2016 E BALLARD AVE SILT	CRUZ RUIZ, VALENTIN & LEMUS ZAMBRANO, AURORA	R044095	2016 E BALLARD AVENUE SILT, CO 81652
217902332015	2018 E BALLARD AVE SILT	PUGA LEMUS, JOSE ALONSO & PUGA, ALMA DELIA	R044096	2018 E BALLARD AVENUE SILT, CO 81652
217902332022	Not available SILT	CAMARIO HOMEOWNERS ASSOCIATION	R044103	1650 S COLORADO, SUITE 320 DENVER, CO 80222
217902332026	Not available SILT	CAMARIO HOMEOWNERS ASSOCIATION	R044107	1650 S COLORADO, SUITE 320 DENVER, CO 80222
217902332027	Not available SILT	CAMARIO HOMEOWNERS ASSOCIATION	R044108	1650 S COLORADO, SUITE 320 DENVER, CO 80222
217902400729	Not available SILT	JOHNSON, ZACHARY W	R045437	1531 STOUT STREET #412 DENVER, CO 80202-3240
217911104105	2508 PERLINO LOOP SILT	RALEY RANCH PROJECT LLC	R045683	8191 EAST KAISER BOULEVARD ANAHEIM, CA 92808
217911104115	Not available SILT	SILT, TOWN OF	R045689	PO BOX 70 SILT, CO 81652
217911104116	Not available SILT	SILT, TOWN OF	R045690	PO BOX 70 SILT, CO 81652
217911201043	2032 CHICKADEE CT SILT	HAYES, DAWN M & PETER J	R350760	2032 CHICKADEE COURT SILT, CO 81652
217911201044	2028 CHICKADEE	NAVARRO, JOSE LUIS &	R350761	2028 CHICKADEE COURT

Parcel	Physical Address	Owner	Account Num	Mailing Address
	CT SILT	MENDIZABAL, FABIOLA		SILT, CO 81652
217911201045	2024 CHICKADEE CT SILT	SALVIDREZ, CARLOS & YOLANDA MONTANEZ	R350762	2024 CHICKADEE COURT SILT, CO 81652
217911201046	2020 CHICKADEE CT SILT	MORENO, KRISTIE & MORENO MEDINA, JESUS	R350763	2020 CHICKADEE COURT SILT, CO 81652
217911204014	373 ROAN CT SILT	RALEY RANCH PROJECT LLC	R045587	8191 EAST KAISER BOULEVARD ANAHEIM, CA 92808
217911204015	393 ROAN CT SILT	RALEY RANCH PROJECT LLC	R045588	8191 EAST KAISER BOULEVARD ANAHEIM, CA 92808
217911204016	392 ROAN CT SILT	RALEY RANCH PROJECT LLC	R045589	8191 EAST KAISER BOULEVARD ANAHEIM, CA 92808
217911204017	372 ROAN CT SILT	RALEY RANCH PROJECT LLC	R045590	8191 EAST KAISER BOULEVARD ANAHEIM, CA 92808
217911204018	352 ROAN CT SILT	RALEY RANCH PROJECT LLC	R045591	8191 EAST KAISER BOULEVARD ANAHEIM, CA 92808
217911204019	332 ROAN CT SILT	RALEY RANCH PROJECT LLC	R045592	8191 EAST KAISER BOULEVARD ANAHEIM, CA 92808
217911204024	2117 SORREL LN SILT	ANCHONDO, DOLORES D	R045597	2117 SORREL LANE SILT, CO 81652
217911204025	2119 SORREL LN SILT	RALEY RANCH PROJECT LLC	R045598	8191 EAST KAISER BOULEVARD ANAHEIM, CA 92808
217911204026	2131 SORREL LN SILT	RALEY RANCH PROJECT LLC	R045599	8191 EAST KAISER BOULEVARD ANAHEIM, CA 92808
217911204027	2261 GRAND AVE SILT	HERRERA, ADAM	R045600	2261 GRAND AVENUE SILT, CO 81652
217911204028	2231 GRAND AVE SILT	RALEY RANCH PROJECT LLC	R045601	8191 EAST KAISER BOULEVARD ANAHEIM, CA 92808
217911204029	2201 GRAND AVE SILT	RALEY RANCH PROJECT LLC	R045602	8191 EAST KAISER BOULEVARD ANAHEIM, CA 92808
217911204030	2128 SORREL LN SILT	RALEY RANCH PROJECT LLC	R045603	8191 EAST KAISER BOULEVARD ANAHEIM, CA 92808
217911204031	2126 SORREL LN SILT	SALAIS, MARCO A	R045604	2126 SORREL LANE SILT, CO 81652
217911204037	275 SORREL CT SILT	RALEY RANCH PROJECT LLC	R045610	8191 EAST KAISER BOULEVARD ANAHEIM, CA 92808
217911204038	295 SORREL CT SILT	WILLIAMS, NADYA Y	R045611	295 SORREL COURT SILT, CO 81652
217911204049	387 TOBIANO LN SILT	PIDCOCK, JASON M & DAWN M	R045622	387 TOBIANO LANE SILT, CO 81652
217911204050	396 TOBIANO LN SILT	RALEY RANCH PROJECT LLC	R045628	8191 EAST KAISER BOULEVARD ANAHEIM, CA 92808
217911204051	346 TOBIANO LN	RALEY RANCH PROJECT LLC	R045629	8191 EAST KAISER

Parcel	Physical Address	Owner	Account Num	Mailing Address
	SILT			BOULEVARD ANAHEIM, CA 92808
217911204060	359 GRULLO LN SILT	RALEY RANCH PROJECT LLC	R045638	8191 EAST KAISER BOULEVARD ANAHEIM, CA 92808
217911204061	399 GRULLO LN SILT	COLLINS, JANET KRISTINE & FRANK WILSON	R045639	399 GRULLO LANE SILT, CO 81652
217911204062	398 GRULLO LN SILT	KETELSLEGER, LISA MAE	R045640	398 GRULLO LANE SILT, CO 81652
217911204063	358 GRULLO LN SILT	FAZZI, MICHAEL ROY & JESSICA LYNN	R045641	358 GRULLO LANE SILT, CO 81652
217911204114	Not available SILT	RALEY RANCH PROJECT LLC	R045626	8191 EAST KAISER BOULEVARD ANAHEIM, CA 92808
217911204120	353 ROAN CT SILT	RALEY RANCH PROJECT LLC	R083856	8191 EAST KAISER BOULEVARD ANAHEIM, CA 92808
ROW	Not available null			
ROW	Not available null			

**The Highlands at Painted Pastures  
Exhibit D**

Petition for Annexation

## PETITION FOR ANNEXATION

TO: The Town Clerk and the Board of Trustees of the Town of Silt, Colorado

Pursuant to the Municipal Annexation Act of 1965, Part 1, Article 12, Title 31, Colorado Revised Statutes, as amended, the undersigned, being the owner of 100% of the property described on Exhibit A attached hereto and incorporated herein by this reference (hereinafter the "Property"), does hereby petition and request the Board of Trustees of the Town of Silt, Colorado (hereinafter the "Town") to approve and complete the annexation of the Property to the Town. In support of this Petition, petitioner states as follows:

1. The undersigned Petitioner, Raley Ranch Project, LLC, a Colorado limited liability company, is the owner of one hundred percent (100%) of the fee interest in the Property described on Exhibit A.

2. It is desirable and necessary that the Property be annexed to the Town.

3. The requirements of C.R.S. §§31-12-104 and 31-12-105, as amended, exist and have been met as follows:

4. Not less than one sixth of the perimeter of the Property is contiguous with the Town.

5. A community of interest exists between the Property and the Town.

6. The Property is urban or will be urbanized in the near future.

7. The Property is integrated or capable of being integrated with the Town.

8. All other requirements of C.R.S. 31-12-104 and 31-12-105 exist or have been satisfied as these sections apply to the annexation of the Property.

9. The annexation of the Property complies with Section 30(1)(b) of Article II of the Colorado Constitution; that is, the petitioner comprises the ownership of more than fifty percent (50%) of the Property, exclusive of streets and alleys.

10. No land in the Property sought to be annexed which is held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, has been or shall be divided into separate parcels without the written consent of the landowner(s).

11. No land in the Property sought to be annexed which is held in identical ownership and comprising twenty (20) or more acres and having an assessed valuation for ad valorem tax purposes in excess of \$200,000.00 has been included in the area without the written consent of the landowner(s).

12. The proposed annexation will not result in detachment of the Property from any school district or attachment to another district.

13. The Property to be annexed is not presently a part of any incorporated city, city and county, or town; nor have any proceedings been commenced for annexation of part or all of the Property to any other municipality; nor has any election for annexation of such Property or substantially the same Property to the Town been held within the twelve (12) months immediately preceding the filing of this Petition.

14. The annexation of the Property proposed to be annexed will not have the effect of extending the boundary of the Town more than three (3) miles in any direction from any point of the Town municipal boundary in any one (1) year.

15. Attached hereto and incorporated herein by reference are four (4) copies of an annexation map in the form required by C.R.S. §31-12-107(1)(d) and containing:

- a. a written legal description of the boundaries of the area proposed to be annexed;
- b. a map showing the boundary of the area proposed to be annexed;
- c. within the annexation boundary map, a showing of the location of each ownership tract in unplatted land and, if part or all of the area is platted, the boundaries and the plat numbers of plots or lots and blocks; and
- d. next to the boundary of the area proposed to be annexed, a drawing of the contiguous boundary of the annexing municipality and the contiguous boundary of any other municipality abutting the area proposed to be annexed.

16. The undersigned petitioner requests that the Town approve the annexation of the Property.

SIGNATURE OF LAND OWNER AND MAILING ADDRESS

RALEY RANCH PROJECT, LLC,  
a Colorado limited liability company

Date: December 17, 2019

By: \_\_\_\_\_

  
John Tallichet, Manager

Mailing Address: 8191 East Kaiser Blvd.  
Anaheim, CA 92808

## **EXHIBIT A**

### **Legal Description**

The Southeast Quarter of the Southwest Quarter (SE1/4SW1/4) of Section 2, Township 6 South, Range 92 West of the 6th P.M.

TOGETHER WITH the following described parcel situate in the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of said Section 2:

Beginning at the Southeast corner of a parcel of land described in Reception No. 270566 of the Records of the Clerk and Recorder of Garfield County, Colorado whence the Southwest corner of said Section 2 bears South 89°14'53" West 1325.13 feet; with all bearings contained herein being relative to a bearing of East on the centerline of Grand Avenue in the Town of Silt, Colorado; thence North 00°48'40" West 191.16 feet along a fence line and along the East line of said parcel described in Reception No. 270566; thence along a fence line the following courses: North 00°48'40" West 70.84 feet; thence North 00°41'47" West 121.57 feet; thence North 00°28'37" West 521.55 feet; thence North 00°30'02" West 410.00 feet along said fence line and along a Northerly extension of said fence line to the North line of said SW1/4 of the SW1/4 of Section 2; thence North 89°48'14" East 14.05 feet to the Northeast corner of said SW1/4 of the SW1/4 of Section 2; thence Southerly along the East line of SW1/4SW1/4 of Section 2 to the Northerly right-of-way line of a county road as built and in place; thence South 89°31'20" West 22.81 feet along said Northerly right-of-way line to the POINT OF BEGINNING.



Reception#: 722562  
05/03/2007 02:36:32 PM B:1922 P:0541 Jean Alberico  
1 of 2 Rec Fee:\$11.00 Doc Fee:0.00 GARFIELD COUNTY CO

**SPECIAL WARRANTY DEED**

THIS DEED, made this 30<sup>th</sup> day of APRIL, 2007

Between **SPECIALTY RESTAURANTS CORPORATION,**  
a corporation duly organized and existing under and by the virtue of the laws of the State of CA,  
grantor, and

**RALEY RANCH PROJECT, LLC**

whose legal address is : 8191 E Kaiser Blvd, Anaheim, CA, 92808

of the County of Orange and State of CA, grantee(s):

*exempt*

WITNESSETH, That the grantor for and in consideration of the sum of ten dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey and confirm unto the grantee, its successors and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of Garfield and State of Colorado described as follows:

See Attached Exhibit "A"

as known by street and number as:

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor 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 grantee and its assigns forever. And the Grantor, for itself, its successors and assigns does covenant and agree that it shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of the grantee, its successors and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the grantor.

IN WITNESS WHEREOF the grantor has caused its corporate name to be hereunto subscribed by its President, and its corporate seal to be hereunto affixed, the day and year first above written.

Specialty Restaurants Corporation

By: David C. Tallichet  
David C. Tallichet

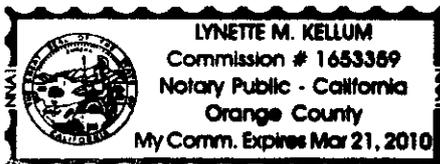
STATE OF CALIFORNIA )  
) ss.  
COUNTY OF ORANGE )

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of APRIL, 2007 by David C. Tallichet, Managing Director of SRC Capital Division of Specialty Restaurants Corporation

WITNESS my hand and official seal

Lynette M. Kellum  
Notary Public

My commission expires: 3-21-10



Return to:  
Raley Ranch Project, LLC  
8191 E Kaiser Blvd  
Anaheim CA 92808

Reception#: 722562  
05/03/2007 02:36:32 PM B:1922 P:0542 Jean Alberico  
2 of 2 Rec Fee:\$11.00 Doc Fee:0.00 GARFIELD COUNTY CO

**EXHIBIT "A"**

The Southeast Quarter of the Southwest Quarter (SE1/4SW1/4) of Section 2, Township 6 South, Range 92 West of the 6th P.M.

TOGETHER WITH the following described parcel situate in the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of said Section 2:

Beginning at the Southeast corner of a parcel of land described in Reception No. 270566 of the Records of the Clerk and Recorder of Garfield County, Colorado whence the Southwest corner of said Section 2 bears South 89°14'53" West 1325.13 feet; with all bearings contained herein being relative to a bearing of East on the centerline of Grand Avenue in the Town of Silt, Colorado; thence North 00°48'40" West 191.16 feet along a fence line and along the East line of said parcel described in Reception No. 270566; thence along a fence line the following courses: North 00°48'40" West 70.84 feet; thence North 00°41'47" West 121.57 feet; thence North 00°28'37" West 521.55 feet; thence North 00°30'02" West 410.00 feet along said fence line and along a Northerly extension of said fence line to the North line of said SW1/4 of the SW1/4 of Section 2; thence North 89°48'14" East 14.05 feet to the Northeast corner of said SW1/4 of the SW1/4 of Section 2; thence Southerly along the East line of SW1/4SW1/4 of Section 2 to the Northerly right-of-way line of a county road as built and in place; thence South 89°31'20" West 22.81 feet along said Northerly right-of-way line to the POINT OF BEGINNING.

TOGETHER with the following water and water rights, ditches and ditch rights of way, title to which is not included in the warranties contained herein: 20 acre feet of Silt Project Water.

**The Highlands at Painted Pastures  
Exhibit E**

Affidavit of Circulator



**The Highlands at Painted Pastures  
Exhibit F**

Town of Silt Annexation Application

**TOWN OF SILT ANNEXATION APPLICATION**

Name of Applicant: Raley Ranch Project LLC

Applicant's (Billing) Address: 8191 E. Kaiser Blvd., Anaheim, CA 92808

Property Owner: Raley Ranch Project, LLC

Address: 8191 E. Kaiser Blvd., Anaheim, CA 92808

Attach Legal Description of Property to be annexed:  Yes/No

Attach Annexation Map:  Yes/No

Attach Vicinity Map (in 8.5 inch x 11 inch):  Yes/No  
text

Number of Acres or Square Feet included in Annexation Request: 41.743 acres

Present Zoning: Rural in Garfield County

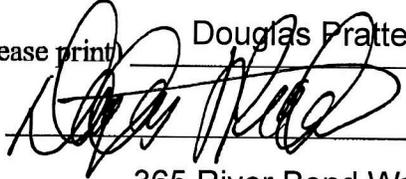
Proposed Zoning: R-2

**REQUIRED INFORMATION – 1-7 ON ATTACHED IMPACT CHECKLIST**

Fee: \$1200 + Consultant fees + 15% Administrative fee (based on Consultant charges)

I certify that the information and exhibits herewithin submitted are true and correct to the best of my knowledge, and that in filing this application, I am acting with knowledge and consent of the person (s) listed above without whose consent the requested action cannot lawfully be accomplished.

Name (please print) Douglas Pratte, The Land Studio, Inc

Signature  Date Dec. 2, 2019

Address 365 River Bend Way, Glenwood Springs, CO 81601

Capacity: (Owner, agent, surveyor, engineer, etc.) Planner

Date submitted: \_\_\_\_\_

Application complete? Yes/No

First Meeting Board of Trustee (date): \_\_\_\_\_

Second Meeting (Public Hearing) Board of Trustee (date): \_\_\_\_\_

**The Highlands at Painted Pastures  
Exhibit G**

Office of the Secretary of State of the State of Colorado Raley Ranch Project,  
LLC Certificate of Fact of Good Standing

OFFICE OF THE SECRETARY OF STATE  
OF THE STATE OF COLORADO

**CERTIFICATE OF FACT OF GOOD STANDING**

I, Jena Griswold, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

Raley Ranch Project, LLC

is a

Limited Liability Company

formed or registered on 07/20/2005 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 20051278741 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 11/18/2019 that have been posted, and by documents delivered to this office electronically through 11/19/2019 @ 15:58:27 .

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 11/19/2019 @ 15:58:27 in accordance with applicable law. This certificate is assigned Confirmation Number 11921156 .



*Jena Griswold*

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."*

**The Highlands at Painted Pastures  
Exhibit H**

Commitment for Title Insurance

# Commonwealth Title Company of Garfield County, Inc.

127 E. 5th Street

Rifle, CO 81650

Phone (970) 625-3300 / Fax (970) 625-3305

1322 Grand Avenue

Glenwood Springs, CO 81601

Phone (970) 945-4444 / Fax (970) 945-4449

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**Date: October 16, 2019**

**File No. 1901036-1**

**Property Address. , Silt  
[Tax Information](#)**

Imprimis Advisors, LLC  
PO Box 1307  
GYPSUM, CO 81637  
Attn: Russ Hatle  
Email: [russh@imprimisadvisors.com](mailto:russh@imprimisadvisors.com)

## **Closing Contacts**

Glenwood Springs office - 970-945-4444

Rifle office - 970-625-3300

Linda Gabossi - [linda@cwtrifle.com](mailto:linda@cwtrifle.com)

Denna Conwell - [denna@cwtrifle.com](mailto:denna@cwtrifle.com)

Connie Rose Robertson - [connie@cwtrifle.com](mailto:connie@cwtrifle.com)

Patti Reich - [patti@cwtrifle.com](mailto:patti@cwtrifle.com)

**COMMITMENT FOR TITLE INSURANCE  
SCHEDULE A**

**File No. 1901036-1**

1. Effective Date: **October 15, 2019 at 7:59 AM**

2. Policy or Policies to be issued:

(a) ALTA OWNER POLICY (ALTA 6-17-06)

\$N/A

Proposed Insured:

(b) ALTA LOAN POLICY (ALTA 6-17-06)

Proposed Insured:

3. The Estate or interest in the land described or referred to in the Commitment and covered herein is Fee Simple and is at the effective date hereof vested in:

**Raley Ranch Project, LLC**

4. The land referred to in this Commitment is situated in the County of Garfield, State of Colorado and described as follows:

**See Attached Exhibit "A"**

**TITLE CHARGES**

<b>Informational Commitment</b>	<b>\$167.00</b>
<b>Update</b>	<b>\$75.00</b>

COUNTERSIGNED: \_\_\_\_\_ Patrick P. Burwell \_\_\_\_\_  
Authorized Officer or Agent

Valid Only if Schedule B and Cover Are Attached

**EXHIBIT "A"**

The Southeast Quarter of the Southwest Quarter (SE1/4SW1/4) of Section 2, Township 6 South, Range 92 West of the 6th P.M.

TOGETHER WITH the following described parcel situate in the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of said Section 2:

Beginning at the Southeast corner of a parcel of land described in Reception No. 270566 of the Records of the Clerk and Recorder of Garfield County, Colorado whence the Southwest corner of said Section 2 bears South 89°14'53" West 1325.13 feet; with all bearings contained herein being relative to a bearing of East on the centerline of Grand Avenue in the Town of Silt, Colorado; thence North 00°48'40" West 191.16 feet along a fence line and along the East line of said parcel described in Reception No. 270566; thence along a fence line the following courses: North 00°48'40" West 70.84 feet; thence North 00°41'47" West 121.57 feet; thence North 00°28'37" West 521.55 feet; thence North 00°30'02" West 410.00 feet along said fence line and along a Northerly extension of said fence line to the North line of said SW1/4 of the SW1/4 of Section 2; thence North 89°48'14" East 14.05 feet to the Northeast corner of said SW1/4 of the SW1/4 of Section 2; thence Southerly along the East line of SW1/4SW1/4 of Section 2 to the Northerly right-of-way line of a county road as built and in place; thence South 89°31'20" West 22.81 feet along said Northerly right-of-way line to the POINT OF BEGINNING.

## SCHEDULE B - SECTION 1

The Following are the requirements to be complied with prior to the issuance of said policy or policies. Any other instrument recorded subsequent to the date hereof may appear as an exception under Schedule B of the policy to be issued. Unless otherwise noted, all documents must be recorded to the office of the Clerk and Recorder of the County in which said property is located.

1. Partial release of record by the Public Trustee of the Deed of Trust from 5-Mile Ranch, LLC, a Colorado limited liability company, Specialty Taverns, Inc., a Nevada Corporation, Raley Ranch Project, LLC, a Colorado limited liability company, and Rew Ranch Project, LLC, a Colorado limited liability company for the use of Bank of the West, showing an original amount of \$6,000,000.00, \$2,595,099.92, \$6,591,155.00, and \$1,000,000.00, dated August 31, 2010 and recorded September 29, 2010 as [Reception No. 792172](#).
2. Note: Per Statement of Authority recorded November 10, 2015 as [Reception No. 870326](#) the person(s) authorized to execute instruments conveying, encumbering or otherwise affecting title to real property are John D. Tallichet, manager and William R. Tallichet, manager on behalf of Raley Ranch Project, LLC
3. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
4. Pay the agreed amount for the estate or interest to be insured.
5. Pay the premiums, fees, and charges for the Policy to the Company.
6. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.

This is an informational only commitment and no policy will be issued hereunder.

7. Receipt of satisfactory Improvement Survey Plat certified to the Company (i) prepared from an on-the-ground inspection by a registered land surveyor licensed in the State of Colorado; (ii) currently dated, showing the location of the Property and all improvements, fences, easements, roads, rights-of-way and encroachments or other matters identified in Schedule B - Section 2 of this Commitment, to the extent such matters are capable of being shown, (iii) containing a legal description of the boundaries of the Property by metes and bounds or other appropriate legal description; and (iv) meeting the criteria of Colorado Revised Statute 38-51-102(9), as amended, for an Improvement Survey Plat.

## DISCLOSURES

Colorado Division of Insurance Regulation 8-1-2, Section 5, Paragraph F provides: "Whenever a title entity provides the closing and settlement service that is in conjunction with the issuance of an owner's policy of title insurance, it shall update the title commitment from the date of issuance to be as reasonably close to the time of closing as permitted by the real estate records. Such update shall include all impairments of record at the time of closing or as close thereto as permitted by the real estate records. The title insurance company shall be responsible to the proposed insured(s) subject to the terms and conditions of the title commitment, other than the effective date of the title commitment, for all undisclosed matters that appear of record prior to the time of closing." Provided Commonwealth Title Insurance Company of Garfield County, Inc. conducts the closing of the insured transaction and is responsible for recording the legal documents from the transaction, exception number 5 will not appear on the Owner's Title Policy and the Lenders Policy when issued. This Notice is required by Colorado Division of Insurance Regulation 8-1-2, Section 5, Paragraph G.

Pursuant to Colorado Division of Insurance Regulation 8-1-2, notice is hereby given that affirmative mechanic's lien protection for the prospective insured owner may be available upon compliance with the following conditions:

A. The land described in Schedule A of this Commitment must be a single family residence, which includes a condominium or townhouse unit. B. No labor or materials may have been furnished by mechanics or materialmen for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months. C. The Company must receive appropriate affidavits indemnifying the Company against all unfiled mechanic's and materialmen's liens. D. Any deviation from conditions A through C above is subject to such additional requirements or information as the Company may deem necessary; or, at its option, the Company may refuse to delete the exception. No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay. Colorado Division of Insurance Regulation 8-1-2, Section 5, Paragraph M.

Pursuant to Colorado Division of Insurance Regulation 8-1-3, notice is hereby given of the availability of a Closing Protection Letter which may, upon request, be provided to certain parties to the transaction.

Pursuant to C.R.S. §10-11-122, notice is hereby given that:

A) The subject real property may be located in a special taxing district; B) A Certificate of Taxes Due listing each taxing jurisdiction may be obtained from the County Treasurer's authorized agent; C) The information regarding special districts and the boundaries of such districts may be obtained from the Board of County Commissioners, the County Clerk and Recorder, or the County Assessor; and D) The company will not issue its policy of policies of title insurance contemplated by the commitment until it has been provided a Certificate of Taxes due from the County Treasurer or the County Treasurer's authorized agent; or until the Proposed Insured has notified or instructed the company in writing to the contrary

C.R.S. §30-10-406 requires that all documents received for recording or filing in the clerk and recorder's office shall contain a top margin of at least one inch and a left, right, and bottom margin of at least one half of an inch. The clerk and recorder may refuse to record or file any document that does not conform.

Pursuant to C.R.S. §10-11-123, notice is hereby given:

This notice applies to owner's policy commitments containing a mineral severance instrument exception, or exceptions, in Schedule B, Section 2.

A) That there is recorded evidence that a mineral estate has been severed, leased, or otherwise conveyed from the surface estate and that there is a substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property; and B) That such mineral estate may include the right to enter and use the property without the surface owner's permission.

If the transaction includes a sale of the property and the price exceeds \$100,000.00, the seller must comply with the disclosure/withholding provisions of C.R.S. §39-22-604.5 (Nonresident withholding).

Pursuant to C.R.S. §38-35-125(2), no person or entity that provides closing and settlement services for a real estate transaction shall disburse funds as a part of such services until those funds have been received and are available for immediate withdrawal as a matter of right. Colorado Division of Insurance Regulation 8-1-2, Section 5, Paragraph J. **"Good Funds Law"**

C.R.S. §39-14-102 requires that a real property transfer declaration accompany any conveyance document presented for recordation in the State of Colorado. Said declaration shall be completed and signed by either the grantor or grantee and Section 38-35-109 (2) of the Colorado Revised Statutes, 1973, requires that a notation of the purchasers legal address, (not necessarily the same as the property address) be included on the face of the deed to be recorded.

**SCHEDULE B - SECTION 2**

Schedule B of the Policy or Policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the company:

1. Rights or claims of parties in possession not shown by the Public records.
2. Easements, or claims of easements, not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts, which a correct survey and inspection of the premises would disclose, and which are not shown by the public records.
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this commitment.
6. Any and all unpaid taxes, assessments and unredeemed tax sales.
7. Any lien or charge on account of the inclusion of subject property in an improvement district.
8. Any and all water rights, claims, or title to water, whether or not the matters excepted are shown by the public record.
9. Right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted and a right of way for ditches or canals as constructed by the authority of the United States, as reserved in United States Patent recorded November 18, 1899 in [Book 12 at Page 530](#).
10. Right of way for ditches or canals constructed by the authority of the United States, as reserved in United States Patent recorded May 14, 1917 in [Book 92 at Page 303](#).
11. Easement and right of way, the exact location of which is not defined, granted to Mountain States Telephone and Telegraph Company in instrument recorded June 7, 1938 in [Book 191 at Page 312](#).
12. Right of way easement granted to Western Slope Gas Company as described in instrument recorded May 29, 1964 in [Book 358 at Page 233](#).
13. Right of way and easement to construct, reconstruct, operate and maintain the Silt Pump Canal granted to the U.S.A. as described in instrument recorded October 26, 1967 in [Book 388 at Page 585](#).
14. Roadway and utility easement granted to Jim Mazuchi and Judy A. Mazuchi as described in Deed recorded January 6, 1977 in [Book 492 at Page 119](#).
15. Reservation of one-half of all oil, gas and other minerals by William Ruggero and Josephine Ruggero in Deed recorded June 22, 1981 in [Book 575 at Page 129](#) and any and all interests therein or assignments thereof.
16. Easements and rights of way granted to William Ruggero and Josephine Ruggero as described in Deed recorded July 3, 1986 in [Book 690 at Page 883](#).
17. Terms and conditions of Oil and Gas Lease by and between Landco V, Inc., as Lessor and Apollo Energy, Inc., as Lessee, recorded June 10, 2005 in [Book 1696 at Page 31](#) and any and all interests therein or assignments thereof.
18. Right of way (whether in fee or by easement) for County Road 218.
19. Apparent easement for overhead electric lines, fence encroachments and all matters shown on Boundary Survey Plat prepared by Jeffrey Allen Tuttle dated January 17, 2007.

(Continued)

**SCHEDULE B - SECTION 2  
(Continued)**

20. Reservation of all mineral rights of record as reserved in Warranty Deed recorded February 22, 2007 in [Book 1896 at Page 648](#), and any and all interests therein or assignments thereof.
21. Terms and conditions of Declaration of Protective Covenants, Conditions and Restrictions for Painted Pastures Subdivision recorded May 15, 2008 as [Reception No. 748624](#) and amendment recorded May 20, 2009 as [Reception No. 768313](#).
22. Perpetual non-exclusive easement granted to the Town of Silt in instrument recorded May 15, 2008 as [Reception No. 748628](#).
23. Terms and conditions of Amended and Restated Agreement by and between Grand River Ditch Company and Raley Ranch Project, LLC recorded March 12, 2009 as [Reception No. 764590](#).
24. Terms and conditions of Agreement by and between Ware & Hinds Ditch Association and Raley Ranch Project, LLC and the Town of Silt recorded July 14, 2009 as [Reception No. 771321](#).
25. Easement for access and right of way granted to Zachary W. Johnson in instrument recorded August 25, 2009 as [Reception No. 773961](#).
26. Permanent easement granted to the Town of Silt in instrument recorded May 15, 2008 as [Reception No. 748628](#).
27. Town of Silt, Colorado Resolution No. 24 Series of 2010 recorded September 27, 2010 as [Reception No. 791968](#).
28. Town of Silt Resolution No. 3 Series of 2016 recorded March 30, 2016 as [Reception No. 875325](#).
29. Right of Way for Ditches and Canals in place and in use.
30. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof and the date on which all of the Schedule B, Part 1-Requirements are met.

**NOTE: EXCEPTION(S) N/A WILL NOT APPEAR IN THE N/A TO BE ISSUED HEREUNDER.**

The Owner's Policy of Title Insurance committed for in this Commitment, if any, shall contain, in addition to the Items set forth in Schedule B - Section 2, the following items:

- (1) The Deed of Trust, if any, required under Schedule B - Section 1.
- (2) Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof.
- (3) any and all unpaid taxes, assessments and unredeemed tax sales.

NOTE: The policy (s) of insurance may contain a clause permitting arbitration of claims at the request of either the Insured or the Company. Upon request, the Company will provide a copy of this clause and the accompanying arbitration rules prior to the closing of the transaction.

**The Highlands at Painted Pastures  
Exhibit I**

Annexation Map of The Highlands at Painted Pastures



**The Highlands at Painted Pastures  
Exhibit J**

Town of Silt Zoning Map with Proposed Zoning

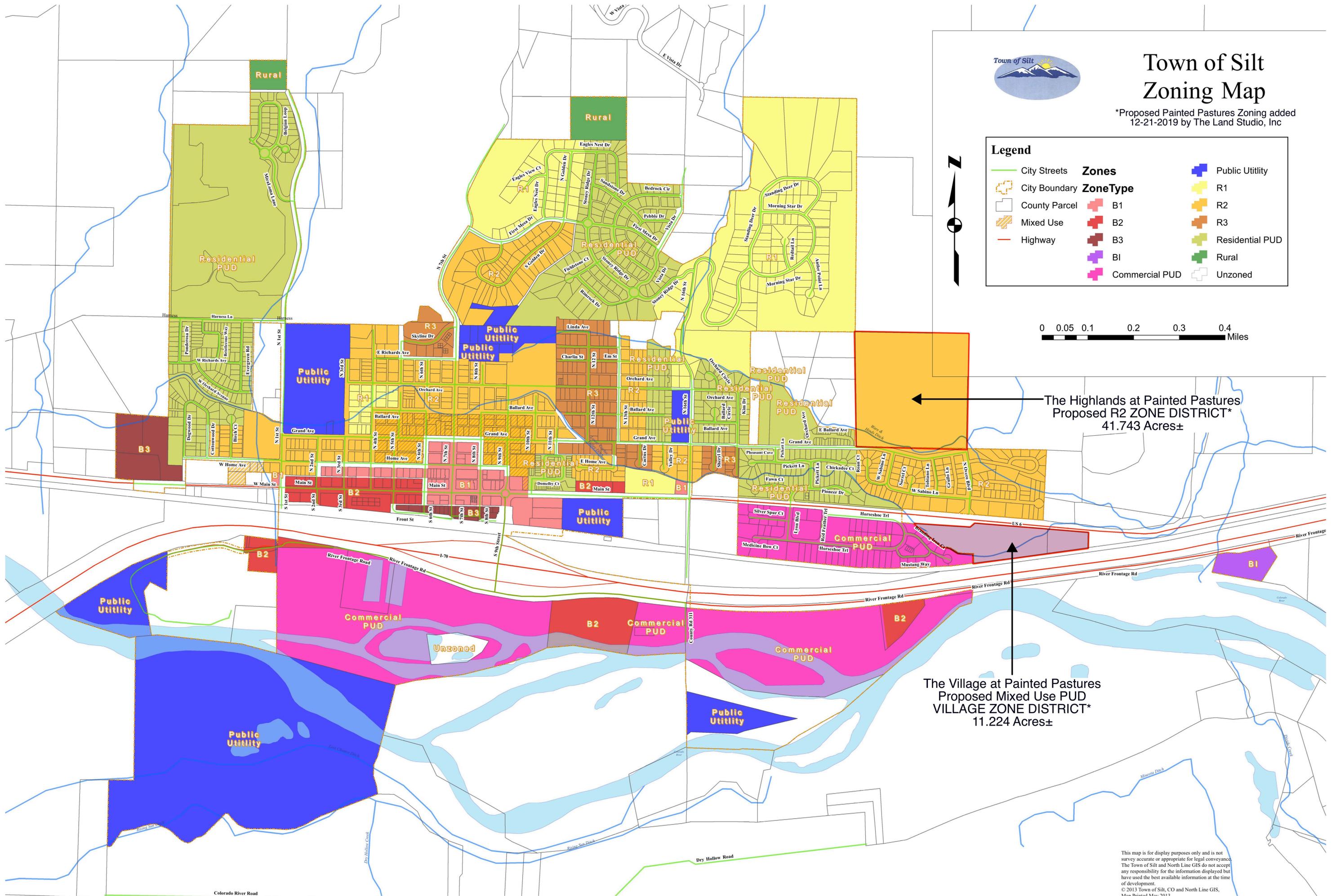


# Town of Silt Zoning Map

\*Proposed Painted Pastures Zoning added 12-21-2019 by The Land Studio, Inc

**Legend**

	City Streets	<b>Zones</b>		Public Utility
	City Boundary	<b>ZoneType</b>		R1
	County Parcel			R2
	Mixed Use			R3
	Highway			Residential PUD
				Rural
				Commercial PUD
				Unzoned



The Highlands at Painted Pastures Proposed R2 ZONE DISTRICT\* 41.743 Acres±

The Village at Painted Pastures Proposed Mixed Use PUD VILLAGE ZONE DISTRICT\* 11.224 Acres±

This map is for display purposes only and is not survey accurate or appropriate for legal conveyance. The Town of Silt and North Line GIS do not accept any responsibility for the information displayed but have used the best available information at the time of development. © 2013 Town of Silt, CO and North Line GIS, Map Document Map 2012

**The Highlands at Painted Pastures**  
**Exhibit K**

Raley Ranch Project, LLC - Water Dedication Proposal for Town of Silt



# BALCOMB & GREEN

WATER LAW | REAL ESTATE | LITIGATION | BUSINESS ESTD 1953

Sara M. Dunn  
Direct Dial (970) 928-3467  
Receptionist (970) 945-6546  
sarad@balcombgreen.com

January 6, 2020

Via Email:

Douglas Pratte

The Land Studio, Inc.

365 River Bend Way

Glenwood Springs, CO 81601

*landstudio2@comcast.net*

RE: Raley Ranch Project, LLC - Water Dedication Proposal for Town of Silt

Dear Doug:

This letter summarizes the water right dedication proposal to be submitted with the Raley Ranch Project, LLC petitions for annexation to the Town of Silt. It is our understanding that there are two properties proposed for annexation to the Town. The Highlands at Painted Pastures is comprised of a 41.743 acre parcel and the Village at Painted Pastures is comprised of two parcels with a total area of 11.224 acres.

The Highlands at Painted Pastures parcel is associated with 20 acre feet of Silt Project Water. This water has historically been used to irrigate 12.25 acres within the property. The Village at Painted Pastures parcels are associated with 0.55 shares in The Grand River Ditch Company evidenced by stock certificate No. 1073. Affidavits from John Tallichet, Manager of Raley Ranch Project, LLC, are attached hereto.

Both properties are currently undeveloped land used for agricultural purposes. The future anticipated uses of the properties, subject to land use approvals by the Town of Silt, are summarized in the report prepared by Jonathan Kelly, P.E., of Wright Water Engineers, attached hereto.

Applicant proposes to dedicate the 20 acre feet of Silt Project Water and the 0.55 shares in The Grand River Ditch Company to the Town. If the water rights proposed for dedication are determined to be less than the demands of the proposed future uses, then the Applicant proposes to pay any additional fees in lieu required for the domestic demand shortfall upon issuance of building permits for those units.

It is our understanding that the Silt Project Water may require a slightly different approach than the transfer of The Grand River Ditch Company shares. We are willing to work with the

ASPEN | BASALT | BUENA VISTA | GLENWOOD SPRINGS | LAMAR

Post Office Box 790 | Glenwood Springs, Colorado 81602 | 800.836.5928 | 970.945.6546 | BalcombGreen.com

Town of Silt and the Silt Water Conservancy District to satisfy the Town's requirements within the restrictions imposed by the Bureau of Reclamation on these water rights.

We have not attached copies of the decrees for the Silt Project water rights or The Grand River Ditch Company water rights, as we understand that the Town is familiar with these water rights. Copies of those decrees will be made available upon request.

Please do not hesitate to contact us if you have any questions.

Sincerely,

BALCOMB & GREEN, P.C.

By:   
Sara M. Dunn

**The Highlands at Painted Pastures**  
**Exhibit L**

Water Requirements for The Village and The Highlands at Painted Pastures



**Wright Water Engineers, Inc.**

818 Colorado Avenue, Suite 307, P.O. Box 219  
Glenwood Springs, Colorado 81602  
(970) 945-7755 TEL  
(970) 945-9210 FAX

www.wrightwater.com  
e-mail: jkelly@wrightwater.com

January 6, 2020

**Via Email:** [sarad@balcombgreen.com](mailto:sarad@balcombgreen.com)

Sara M. Dunn, Esq.  
Balcomb & Green, P.C.  
818 Colorado Ave  
Glenwood Springs, CO 81601

Re: Water Requirements for The Village and The Highlands at Painted Pastures

Dear Sara:

Wright Water Engineers, Inc. (WWE) has prepared this engineering report in support of the Raley Ranch Project, LLC petitions for annexation into the Town of Silt (Town). The proposed annexation consists of two parcels: The Highlands at Painted Pastures consisting of 41.7 acres and The Village at Painted Pastures consisting of 11.2 acres. The Highlands will consist of residential units; whereas, The Village will be a mix of commercial and residential units.

**DOMESTIC WATER**

WWE worked with the project team to develop the proposed development scenarios for the Village and Highlands parcels. We then applied the Town's equivalent residential unit (EQR) table from its Municipal Code 13.04.260. Table 1 summarizes the assumed mix of units currently contemplated for the developments and the EQR ratings for each component. As shown in the table, the total domestic water demand is estimated to be 247.8 EQRs. As discussed below, there is no proposed potable water irrigation on either parcel.

**IRRIGATION WATER**

All irrigation associated with the proposed developments will occur with raw water supplies currently associated with the parcels.

**The Highlands**

Portions of The Highlands parcel were historically irrigated using 20 acre-feet of water from the Silt Water Project. WWE evaluated historical aerial photographs to estimate the acreage that the water was used upon. As shown in Figure 1, there are two distinct fields within parcel that were historically irrigated. The west field contained approximately 5.0 acres, and the east field had approximately 7.25 acres of irrigation. Therefore, the water rights associated with The Highlands parcel were used to irrigate approximately 12.25 acres.

## The Village

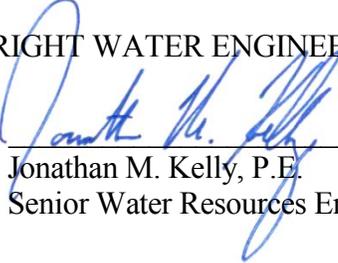
The Village has 0.55 share of Grand Valley Ditch Company water appurtenant to the parcel. Based on the Ditch Company Bylaws, Article 19, Section 2, one share is equivalent to  $1/270^{\text{th}}$  of the 50 cfs decreed to the ditch. Therefore, the 0.55 share equates to a rate of 0.102 cfs ( $50/270 * 0.55$ ). Using a typical duty of water of 50 acres per cfs, the 0.102 cfs could irrigate up to 5 acres on The Village parcel.

If the proposed irrigation within the developments is less than these irrigation limits, then the water rights should be sufficient to meet the water requirements.

Very truly yours,

WRIGHT WATER ENGINEERS, INC.

By

  
Jonathan M. Kelly, P.E.

Senior Water Resources Engineer

Attachments: Table 1, Figure 1

**TABLE 1**  
**EQR Rating for Proposed Development**

**Town of Silt EQR**

	<b>Classification</b>	<b>EQR</b>
A	Single-family residence, duplex unit, manufactured home, modular home or mobile home, or any other single-family dwelling unit that consists of one kitchen and one laundry room, when metered and/or billed separately.	1.00
1	Each additional laundry room (where allowed by zoning)	0.20
2	Each additional kitchen (where allowed by zoning and does not create a secondary residential unit)	0.25
3	Potable irrigation (where allowed by Board of Trustees) Per 3,500 square feet of irrigable surface. See Sections 13.02.060 (A) through (E) for water use restrictions.	0.60
4	Recreational Vehicle in a Recreation Vehicle Park having no laundry equipment, one kitchen sink, one bathroom, and no outside water uses; up to 50 gallons per day	0.20
B	Additional unit on one lot when metered and billed collectively, including garage apartments, additional dwelling units, basement apartments, multi-family residential units (three or more units in one building or upon one lot), apartment units, or condominium units, each including up to one kitchen and one laundry room.	
1	Unit with one bathroom	0.60
2	Unit with one and one-half bathrooms	0.80
3	Unit with two or more bathrooms	1.00
4	Resident laundry room (three or fewer washing machines, up to twelve pound capacity each)	1.00
5	Each additional washing machine, up to twelve pound capacity	0.20
6	Each washing machine with capacity in excess of twelve pounds	0.50
7	Each hot tub, when proposed for more than a single unit use	0.15
8	Potable irrigation (where allowed by Board of Trustees) per 3,500 square feet of irrigable surface or fraction thereof. See Sections 13.02.060 (A) through (E) for water use restrictions.	0.60
D	Bars and restaurants	
1	For business with up to fifty patron seating capacity	1.00
2	Each additional twenty-five patron seating capacity	0.25
3	Convenience store food service area with up to ten patron seating capacity and one extra bathroom	0.50
4	Each additional twenty-five patron seating capacity	0.25
5	Potable irrigation (where allowed by Board of Trustees) per 3,500 square feet of irrigable space or fraction thereof. See Sections 13.02.060 (A) through (E) for water use restrictions.	0.60
F	Commercial buildings such as retail stores, offices, public buildings, or industrial warehouses having no process loads (i.e., which are served by sanitary sewer use only for non-solid waste disposal):	
1	Up to and including two public bathrooms (3 or less fixtures)	1.00
2	Each additional public bathroom (3 or less fixtures)	0.50
3	Each additional lavatory	0.20
4	Each additional toilet or urinal	0.20
5	Each additional shower/bathtub	0.20
6	Each additional water fixture not listed	0.20
7	Each private bathroom not open to public but located in a building where public bathrooms are provided	0.25
8	Potable irrigation (where allowed by Board of Trustees) per 3,500 square feet of irrigable space or fraction thereof. See Sections 13.02.060 (A) through (E) for water use restrictions.	0.60

**Painted Pastures Proposed EQR**

<b>Proposed Units</b>	<b>EQR</b>	<b>Comments</b>
71	71	40 single-family homes and 31 townhomes at the Highlands (per 12/17/19 email from John Reed)
0		All irrigation will be via raw water supplies
		220 Apartments; 16 Residential units above commercial
188	112.8	14 ST/1BA; 50 1BD/1BA; 72 2BD/1BA apartments at The Village; 52 1BA apts at The Highlands (per 12/18/19 and 12/20/19 emails from John Reed)
48	48	24 3BD/2BA apartments at The Village plus 16 comm/residential; 8 at The Highlands (per 12/18/19 and 12/20/19 emails from John Reed)
0		All irrigation will be via raw water supplies
1	1	1 restaurant/bar (per 12/20/19 email from John Reed)
0		All irrigation will be via raw water supplies
15	15	10 w/ 2 offices & 1 restroom; 4 w/ 2 restrooms; 1 w/ 2 restrooms (per 12/20/19 email from John Reed)
0		All irrigation will be via raw water supplies
<b>Total EQR</b>	<b>247.8</b>	

# FIGURE 1

The Highlands Irrigated Acreage  
(Aerial 10/2005)



**The Highlands at Painted Pastures  
Exhibit M**

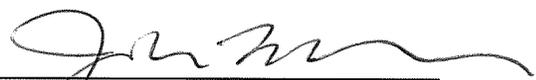
Affidavits of Historical Use

# AFFIDAVIT

I, John Tallichet, Manager, of the Raley Ranch Project LLC, a Colorado limited liability company, swear and affirm under the penalty of perjury that the following is true and accurate to the best of my knowledge:

1. My name is John Tallichet, and I am over 18 years of age.
2. I am the Manager of the Raley Ranch Project, LLC, a Colorado limited liability company.
3. I am familiar with the Property described in Exhibit A and the water rights described in Exhibit B.
4. Raley Ranch Project, LLC, a Colorado limited liability company, is the owner of one hundred percent (100%) of the fee interest in the Property described on Exhibit A.
5. The total number of acres to be annexed and provided with municipal water service is 41.743 acres. The land is currently used for agricultural purposes.
6. To the best of my knowledge, Raley Ranch Project, LLC is the owner of one hundred percent (100%) of the fee interest in the water rights described on Exhibit B.
7. A copy of the Special Warranty Deed dated April 30, 2007 from Specialty Restaurants Corporation to Raley Ranch Project, LLC describing the Property and water rights is attached hereto as Exhibit C.
8. To the best of my knowledge, the water rights described on Exhibit B have been historically used for irrigation of the Property described on Exhibit A.
9. A total of 12.25 acres have been historically irrigated within the Property described in Exhibit A with the water rights described in Exhibit B.

FURTHER AFFIANT SAYETH NAUGHT

  
\_\_\_\_\_  
John Tallichet, Manager  
Raley Ranch Project, LLC

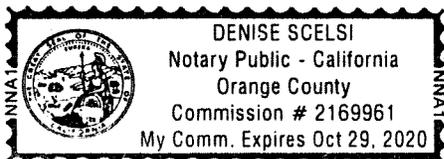
STATE OF CALIFORNIA )

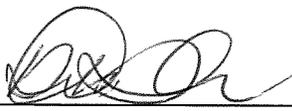
COUNTY OF Orange ) ss.

The foregoing Affidavit was subscribed and sworn to before me this 6<sup>th</sup> day of January, 2020 by John Tallichet.

Witness my hand and official seal.

My commission expires:



  
\_\_\_\_\_  
Notary Public

## **EXHIBIT A**

### **Legal Description**

The Southeast Quarter of the Southwest Quarter (SE1/4SW1/4) of Section 2, Township 6 South, Range 92 West of the 6th P.M.

TOGETHER WITH the following described parcel situate in the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of said Section 2:

Beginning at the Southeast corner of a parcel of land described in Reception No. 270566 of the Records of the Clerk and Recorder of Garfield County, Colorado whence the Southwest corner of said Section 2 bears South 89°14'53" West 1325.13 feet; with all bearings contained herein being relative to a bearing of East on the centerline of Grand Avenue in the Town of Silt, Colorado; thence North 00°48'40" West 191.16 feet along a fence line and along the East line of said parcel described in Reception No. 270566; thence along a fence line the following courses: North 00°48'40" West 70.84 feet; thence North 00°41'47" West 121.57 feet; thence North 00°28'37" West 521.55 feet; thence North 00°30'02" West 410.00 feet along said fence line and along a Northerly extension of said fence line to the North line of said SW1/4 of the SW1/4 of Section 2; thence North 89°48'14" East 14.05 feet to the Northeast corner of said SW1/4 of the SW1/4 of Section 2; thence Southerly along the East line of SW1/4SW1/4 of Section 2 to the Northerly right-of-way line of a county road as built and in place; thence South 89°31'20" West 22.81 feet along said Northerly right-of-way line to the POINT OF BEGINNING.

## EXHIBIT B

### Water Rights Description

20 acre feet of Silt Project Water.

Silt Project Water Rights are as follows:

1. Rifle Gap Reservoir

Case No.	Adj. Date	App. Date	Amt (af)	Uses	Comments
CA 4914/W-46	1966	1951	14,000	Irr, Dom, Rec	399 af later abandoned, so current total amt. is 13,601 af.

2. Davie Ditch

Case No.	Adj. Date	App. Date	Amt (cfs)	Uses	Comments
CA 1516	1911	1909	8.6	Irr	Absolute
CA 1516	1911	1909	5.88	Irr	Conditional
CA 4914/W-46	1966	1949	9.34	Irr	1 <sup>st</sup> Enlgmt

3. Silt Pump Canal

Case No.	Adj. Date	App. Date	Amt (cfs)	Uses	Comments
CA 4914/W-46	1966	1956	36	Irr	Absolute
92CW14	1992	1992	10	Irr, Ind, Muni, Dom	Conditional

4. Green Mountain Reservoir

Five thousand acre feet of water stored in Green Mountain Reservoir is retained in a separate administrative pool for the exclusive use of the District. *See* Federal Register Notice dated 12/15/1964, FR Doc. 64-12867, attached.



Reception#: 722562  
05/03/2007 02:36:32 PM B:1922 P:0541 Jean Alberico  
1 of 2 Rec Fee:\$11.00 Doc Fee:0.00 GARFIELD COUNTY CO

**SPECIAL WARRANTY DEED**

THIS DEED, made this 30<sup>th</sup> day of APRIL, 2007

Between **SPECIALTY RESTAURANTS CORPORATION,**  
a corporation duly organized and existing under and by the virtue of the laws of the State of CA,  
grantor, and

**RALEY RANCH PROJECT, LLC**

whose legal address is : 8191 E Kaiser Blvd, Anaheim, CA, 92808

of the County of Orange and State of CA, grantee(s):

*exempt*

WITNESSETH, That the grantor for and in consideration of the sum of ten dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey and confirm unto the grantee, its successors and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of Garfield and State of Colorado described as follows:

See Attached Exhibit "A"

as known by street and number as:

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor 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 grantee and its assigns forever. And the Grantor, for itself, its successors and assigns does covenant and agree that it shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of the grantee, its successors and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the grantor.

IN WITNESS WHEREOF the grantor has caused its corporate name to be hereunto subscribed by its President, and its corporate seal to be hereunto affixed, the day and year first above written.

Specialty Restaurants Corporation

By: David C. Tallichet  
David C. Tallichet

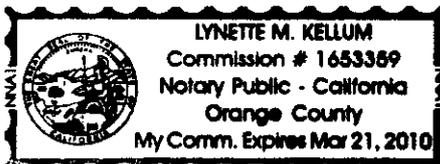
STATE OF CALIFORNIA )  
) ss.  
COUNTY OF ORANGE )

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of APRIL, 2007 by David C. Tallichet, Managing Director of SRC Capital Division of Specialty Restaurants Corporation

WITNESS my hand and official seal

Lynette M. Kellum  
Notary Public

My commission expires: 3-21-10



Return to:  
Raley Ranch Project, LLC  
8191 E Kaiser Blvd  
Anaheim CA 92808

Reception#: 722562  
05/03/2007 02:36:32 PM B:1922 P:0542 Jean Alberico  
2 of 2 Rec Fee:\$11.00 Doc Fee:0.00 GARFIELD COUNTY CO

**EXHIBIT "A"**

The Southeast Quarter of the Southwest Quarter (SE1/4SW1/4) of Section 2, Township 6 South, Range 92 West of the 6th P.M.

TOGETHER WITH the following described parcel situate in the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of said Section 2:

Beginning at the Southeast corner of a parcel of land described in Reception No. 270566 of the Records of the Clerk and Recorder of Garfield County, Colorado whence the Southwest corner of said Section 2 bears South 89°14'53" West 1325.13 feet; with all bearings contained herein being relative to a bearing of East on the centerline of Grand Avenue in the Town of Silt, Colorado; thence North 00°48'40" West 191.16 feet along a fence line and along the East line of said parcel described in Reception No. 270566; thence along a fence line the following courses: North 00°48'40" West 70.84 feet; thence North 00°41'47" West 121.57 feet; thence North 00°28'37" West 521.55 feet; thence North 00°30'02" West 410.00 feet along said fence line and along a Northerly extension of said fence line to the North line of said SW1/4 of the SW1/4 of Section 2; thence North 89°48'14" East 14.05 feet to the Northeast corner of said SW1/4 of the SW1/4 of Section 2; thence Southerly along the East line of SW1/4SW1/4 of Section 2 to the Northerly right-of-way line of a county road as built and in place; thence South 89°31'20" West 22.81 feet along said Northerly right-of-way line to the POINT OF BEGINNING.

TOGETHER with the following water and water rights, ditches and ditch rights of way, title to which is not included in the warranties contained herein: 20 acre feet of Silt Project Water.

**TOWN OF SILT  
ORDINANCE NO. 6  
SERIES OF 2020**

**AN ORDINANCE OF THE TOWN OF SILT, COLORADO, ZONING AS R-2, GENERAL RESIDENTIAL DISTRICT, CERTAIN ANNEXED LAND KNOWN AS THE HIGHLANDS AT PAINTED PASTURES ANNEXATION, A 41.473-ACRE PARCEL NORTH OF THE EXISTING PAINTED PASTURES SUBDIVISION AND EAST OF BOTH THE CAMARIO PLANNED UNIT DEVELOPMENT AND THE HEAVENLY VIEW SUBDIVISION, WITHIN THE TOWN OF SILT, GARFIELD COUNTY, STATE OF COLORADO**

**WHEREAS**, the Local Government Land Use Control Enabling Act of 1974, §§29-20-101, et seq., C.R.S.; Article 23 of Title 31, C.R.S.; and other applicable laws grant broad authority to the Town of Silt, Colorado ("Town") to plan for and regulate the development and use of land on the basis of the impact thereof on the community and surrounding areas; and

**WHEREAS**, Raley Ranch Project L.L.C. (hereinafter "Owner"), 8191 E. Kaiser Boulevard, Anaheim, California 92808, is the owner of certain 41.473-acre real property ("Subject Property") south of the existing Painted Pastures Subdivision and east of the Lyon Commercial Planned Unit Development, within the Town of Silt, Garfield County, state of Colorado; and

**WHEREAS**, on or about January 10, 2020, the Owner submitted an Annexation Application, a Petition for Annexation, and an Affidavit of Circulator for the Village at Painted Pastures Annexation of Subject Property; and

**WHEREAS**, on or about January 10, 2020, the Owner submitted to the Town the Highlands at Painted Pastures R-2 Zoning Application for the Subject Property, proposing a medium density zoning; and

**WHEREAS**, on or about February 18, 2020, the Planning & Zoning Commission ("Commission") considered the Highlands at Painted Pastures Annexation Application, Petition for Annexation, and Affidavit of Circulator, together with the proposed R-2 Zoning; and

**WHEREAS**, on or about February 18, 2020, in a duly noticed public hearing, the Commission recommended to the Board of Trustees ("Board") approval of the Highlands at Painted Pastures Annexation and associated R-2 zoning; and

**WHEREAS**, on or about February 24, 2020, the Board approved Resolution 10, Series of 2020, a resolution finding substantial compliance regarding the Owner's Annexation Petition for the Subject Property; and

**WHEREAS**, on or about April 13, 2020, the Board approved Resolution 12, Series of 2020, a resolution setting forth findings of fact and conclusions regarding the Owner's Annexation Petition for the Subject Property, following a duly noticed public hearing in accordance with the Silt Municipal Code ("Code") and state statutes; and

**WHEREAS**, on or about April 13, 2020, the Board approved 1<sup>st</sup> Reading of Ordinance 5, Series of 2020, an ordinance approving the Highlands at Painted Pastures Annexation, following a duly noticed public hearing in accordance with the Code and state statutes; and

**WHEREAS**, on or about April 13, 2020, the Board approved 1<sup>st</sup> Reading of Ordinance 6, Series of 2020, an ordinance approving the Highlands at Painted Pastures R-2 Zoning, following a duly noticed public hearing in accordance with the Code and state statutes; and

**WHEREAS**, on or about April 27, 2020, in a continued public hearing, the Board approved 2<sup>nd</sup> Reading of Ordinance 5, Series of 2020, and Town recorded the ordinance on \_\_\_\_\_, 2020 as Reception # \_\_\_\_\_; and

**WHEREAS**, on or about April 27, 2020, the Board, in a continued public hearing, determined that the proposed R-2 zoning for the Subject Property is consistent and in conformity with the existing pattern of zoning within the Town, with the Town's annexation plan, with the Town's Comprehensive Plan, as amended, and that the proposed Village at Painted Pastures Planned Unit Development zoning will allow the Subject Property to be developed in an efficient and economical manner; and

**WHEREAS**, the Town has held the required duly-noticed public hearings before the Board, pursuant to the Code and pertinent Colorado Revised Statutes, as necessary for the Town to act on Applicant's Highlands at Painted Pastures R-2 Zoning request for the Subject Property; and

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SILT, COLORADO, THAT:**

Section 1. Findings of Fact. The Board incorporates the foregoing recitals as findings and determinations, and conclusively makes all of the Findings of Fact, Determinations, and Conclusions contained herein.

Section 2. Zoning. The Subject Property shall be considered and is hereby zoned R-2 General Residential District and shall be governed in conformity with the regulations contained in the Silt Municipal Code, and further shall be known as the Highlands at Painted Pastures.

Section 3. Zoning Location and Boundaries. The location and boundaries of the zone district established by this Ordinance for the Subject Property are as shown on the Zoning map, which shall be kept on file at the Town Hall.

Section 4. Zone District Maps. By adoption of this Ordinance, the Town has brought the Property under the Town' zoning ordinance and, by the adoption of this Ordinance, has authorized the amendment of the Town's zone district maps to include the Subject Property. The Town's zone district maps are currently on file at the Town Hall, in accordance with the Colorado Revised Statutes.

Section 5 Severability. If any section, subsection, clause, phrase or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent, be held by a courts of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and shall in no way be affected, impaired or invalidated.

**INTRODUCED, READ AND APPROVED ON FIRST READING** the 13<sup>th</sup> day of April, 2020, and a public hearing ordered upon second reading on the 27<sup>th</sup> day of April, 2020, at 7 p.m. in the Municipal Building of the Town of Silt, Colorado.

**PASSED, APPROVED ON SECOND READING, ADOPTED AND ORDERED PUBLISHED FOLLOWING A PUBLIC HEARING**, this 27<sup>th</sup> day of April, 2020.

TOWN OF SILT

\_\_\_\_\_  
Mayor Keith B. Richel

ATTEST:

\_\_\_\_\_  
Town Clerk Sheila M. McIntyre, CMC

## Exhibit A Legal Description

THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE1/4SW1/4) OF SECTION 2, TOWNSHIP 6 SOUTH, RANGE 92 WEST OF THE 6TH P.M.

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL SITUATE IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4SW1/4) OF SAID SECTION 2: BEGINNING AT THE SOUTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN RECEPTION NO. 270366 OF THE RECORDS OF THE CLERK AND RECORDER OF GARFIELD COUNTY, COLORADO WHENCE THE SOUTHWEST CORNER OF SAID SECTION 2 BEARS SOUTH 89°14'53" WEST 1325.13 FEET; WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE TO A BEARING OF EAST ON THE CENTERLINE OF GRAND AVENUE IN THE TOWN OF SILT, COLORADO; THENCE NORTH 00°48'40" WEST 191.16 FEET ALONG A FENCE LINE AND ALONG THE EAST LINE OF SAID PARCEL DESCRIBED IN RECEPTION NO. 270366; THENCE ALONG A FENCE LINE THE FOLLOWING COURSES: NORTH 00°48'40" WEST 70.84 FEET; THENCE NORTH 00°41'47" WEST 121.57 FEET; THENCE NORTH 00°28'37" WEST 521.55 FEET; THENCE NORTH 00°30'02" WEST 410.00 FEET ALONG SAID FENCE LINE AND ALONG A NORTHERLY EXTENSION OF SAID FENCE LINE TO THE NORTH LINE OF SAID SW1/4 OF THE SW1/4 OF SECTION 2; THENCE NORTH 89°48'14" EAST 14.05 FEET TO THE NORTHEAST CORNER OF SAID SW1/4 OF THE SW1/4 OF SECTION 2; THENCE SOUTHERLY ALONG THE EAST LINE OF SW1/4SW1/4 OF SECTION 2 TO THE NORTHERLY RIGHT-OF-WAY LINE OF A COUNTY ROAD AS BUILT AND IN PLACE; THENCE SOUTH 89°31'20" WEST 22.81 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

AND CONTAINING 41.743 ACRES, MORE OR LESS; HAVE BY THESE PRESENTS ANNEXED THE PROPERTY SHOWN HEREBY AND DESIGNATED AS ANNEXATION OF THE HIGHLANDS AT PAINTED PASTURES, IN THE TOWN OF SILT, COUNTY OF COLORADO.