



PLANNING & ZONING COMMISSION REGULAR MEETING AGENDA

March 31, 2026

7:00 PM

202 Railroad Avenue, Rifle, CO 81650

Meeting Type / Acting Body

6:00 PM - Workshop Meeting

Discussion and Review

- a. Form Based Code Discussion
- b. IFRA Expansion Discussion

7:00 PM - Regular Meeting

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Consent Agenda
 - 4.a. Consider Minutes of the 02/24/2026 regular Planning Commission Meeting
5. Action, if any, on Workshop Items
6. Presentation
7. Public Hearing
 - 7.a. Discussion and possible action regarding Sunset Estates Sketch Plan and Rezone
 - 7.b. Sherwin Williams Annexation and Rezone
8. Regular Agenda
9. Administrative Reports
10. Comments from Mayor and Council
11. Adjournment

The order and times of agenda items listed above are approximate and intended as a guideline for the Planning Commissioners

ACCESSIBILITY STATEMENT

The City of Rifle values full inclusion and access for all of our facilities, programs, activities and services. We are pleased to provide meaningful accommodations to comply with the Americans with Disabilities Act (ADA) and reasonably provide translation, interpretation, modifications, accommodations, alternative formats, auxiliary aids, and services. To request special assistance, call Administrative Assistant Genesis Amaya at 970-665-6493 or email our ADA Team at ADAteam@rifleco.org. Please allow 48 hours for your requests to be met.

La Ciudad de Rifle valora la plena inclusión y acceso para todas nuestras instalaciones, programas, actividades y servicios. Nos complace proporcionar alojamientos significativos para cumplir con la Ley de Estados Unidos con Discapacidades (ADA) y proporcionar razonablemente traducciones, interpretaciones, modificaciones, adaptaciones, formatos alternativos, ayudas auxiliares y servicios. Para solicitar asistencia especial, llame a la Asistente Administrativa al 970-665-6493 o envíe un correo electrónico a el equipo ADA a ADAteam@rifleco.org. Por favor, permita 48 horas para que se atiendan sus solicitudes.

COMMUNITY DEVELOPMENT DEPARTMENT

202 Railroad Avenue, Rifle, CO 81650

Phone: 970-665-6490



MEMORANDUM

TO: City of Rifle City Council
FROM: Zach Higgins, Community Development Director
DATE: March 18, 2026
SUBJECT: Form Based Code Workshop Discussion – City Council

What Is a Form-Based Code?

A Form-Based Code regulates the physical form and placement of buildings rather than strictly separating land uses. Unlike conventional zoning, which emphasizes permitted uses and density, FBCs focus on:

- Building height, placement, and frontage
- Streetscape and pedestrian environment
- Public space design
- Predictable development standards

This approach often allows mixed uses by right while ensuring development fits the intended neighborhood character.

Benefits of Form Based Codes

Key Economic Findings

Across four U.S. case studies, areas regulated by form-based codes generally performed as well as or better than conventional zoning areas on most economic indicators.

Increased Investment

- Greater levels of construction activity
- Higher building permit issuance
- More new development projects delivered

Stronger Tax Revenue

- Form-based code districts collectively generated approximately \$65 million more in tax revenue than comparable conventionally zoned areas.

Business and Job Growth

- Areas with FBCs experienced stronger growth in:
 - Number of businesses
 - Employment
 - Mixed-use development activity

Housing Supply and Affordability

The study found that areas with form-based codes:

- Delivered more housing inventory, particularly multifamily housing.
- Experienced slower rent increases compared to conventional areas.

Example outcome:

- Multifamily rents increased 8.7% in FBC areas vs. 16.6% in conventional areas, likely due to increased housing supply.

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This suggests that regulatory flexibility can help moderate housing price growth over time.

Regulatory Efficiency & Property Rights

Developers and stakeholders reported several advantages of form-based codes:

- Predictable development standards
- More by-right approvals
- Reduced need for variances
- Faster development review timelines

These factors can reduce project uncertainty and lower development costs.

Neighborhood Character & Community Design

Form-based codes help maintain neighborhood character through clear design standards, including:

- Building placement and scale
- Street frontage requirements
- Pedestrian-oriented design
- Public space improvements

Interviewed stakeholders reported:

- Higher quality development
- Improved walkability
- Stronger neighborhood identity

Infrastructure & Fiscal Sustainability

Because FBCs often encourage compact, mixed-use development, they can improve infrastructure efficiency by:

- Concentrating development in existing service areas
- Increasing tax revenue per acre
- Reducing long-term infrastructure expansion costs

Considerations for Local Governments

Form-based codes are a regulatory tool, not a comprehensive housing or economic policy.

Outcomes depend on:

- Local development market conditions
- Supporting housing policies
- Infrastructure planning
- Community visioning and engagement

When implemented thoughtfully, form-based codes can support economic vitality, housing diversity, and predictable development outcomes.

Key Takeaway

Communities that adopted form-based codes generally experienced:

- Increased private investment
- Greater tax revenue growth
- Expanded housing supply

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- More predictable development processes
- Improved walkable neighborhood environments

These outcomes suggest that form-based codes can be an effective tool for communities seeking economic growth, regulatory clarity, and high-quality place-based development.

Other considerations:

Supporting Small-Scale Local Development

- Form-Based Codes create a predictable development process.
- When a proposal fits the neighborhood character and scale, approvals can be streamlined.
- This approach tends to support smaller, incremental developers, including local builders and property owners.
- Smaller projects typically:
 - Add housing gradually
 - Have lower neighborhood impacts
 - Are easier to integrate into existing communities.

Managing Large-Scale Development Impacts

- Larger developments that could significantly impact a neighborhood would still be subject to **more detailed review processes**, similar to what exists today.
- These reviews are intentionally **more time-intensive and costly**, which helps discourage overly large developments from dominating a single neighborhood.

Avoiding “Single-Era Neighborhoods”

- Rifle has experienced periods of rapid growth where entire neighborhoods were built within a short timeframe.
- When development happens all at once:
 - Infrastructure (roads, water lines, sewer lines) tends to age out at the same time.
 - Housing materials (siding, roofs, windows, paint) deteriorate simultaneously.
- This can create:
 - Large infrastructure replacement costs for the City at one time
 - Declining neighborhood desirability as buildings age together.

Exploring Phased Development Approaches

- The City may explore limits on how much development can occur in a single phase.
- Phasing development could:
 - Spread infrastructure installation over time
 - Reduce the likelihood that large areas age simultaneously
 - Lower long-term maintenance burdens on the City
 - Allow neighborhoods to evolve more gradually.

Planning for Limited Remaining Land

- The City has limited undeveloped land remaining within the Tier 1 growth area.
- Because of this constraint, the City may consider minimum density standards in certain areas.

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- The goal is to:
 - Meet housing demand
 - Use infrastructure efficiently
 - Avoid costly low-density development patterns.

Evaluating Fiscal Sustainability

- Staff will analyze the optimal amount of housing per length of infrastructure to ensure development remains financially sustainable.
- This analysis will consider the costs associated with:
 - Streets
 - Sidewalks
 - Curbs and gutters
 - Water lines
 - Sewer lines
- The goal is to align development patterns with long-term municipal infrastructure affordability.

Conventional Zoning vs Form-Based Code

Conventional Zoning	Form-Based Code
<p>Exclusionary/Euclidean Zoning</p> 	<p>Form-Based Code</p> 
<p>VS</p> <ul style="list-style-type: none"> ➔ Separates uses (residential, commercial, industrial) ➔ Prioritizes single-family housing ➔ Restrictive density and use regulations ➔ Lengthy discretionary review processes 	<ul style="list-style-type: none"> ➔ Focuses on building form, not just use ➔ Supports walkable, mixed-use development ➔ Flexible approach to uses and density ➔ Predictable “by-right” approvals and clear standards
<ul style="list-style-type: none"> Residential Only Commercial Only Mixed Use Restricted Industrial Only <ul style="list-style-type: none"> ➔ Separates uses (residential, commercial, industrial) ➔ Prioritizes single-family housing ➔ Restrictive density and use regulations ➔ Lengthy discretionary review processes 	<ul style="list-style-type: none"> Mixed Use Supported  <ul style="list-style-type: none"> ➔ Focuses on building form, not just use ➔ Supports walkable, mixed-use development ➔ Flexible approach to uses and density ➔ Predictable “by-right” approvals and clear standards

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Early 2000's Suburban Neighborhood – Multi-Unit on One Standard Lot



Same footprint as adjacent homes

Similar height & setbacks

Driveway & garage in front

- ✓ Preserves neighborhood scale
- ✓ Adds housing choice
- ✓ Fits on one lot
- ✓ Maintains character

Historic 1920's Neighborhood – Multi-Unit on One Lot



Matches porch & rooflines

Same setbacks

Blends with historic streetscape

- ✓ Retains neighborhood character
- ✓ Adds gentle density
- ✓ Walkable access

Traditional Single Lot Multi-Unit (Duplex)



Parking in rear or side

Same size lot

Matches style

Low Density Residential - Makes up a significant portion of the City's land. Only allows for single-family detached homes by right.

Strong Towns principles would suggest that change/incremental growth be distributed across the City and not concentrated in any one place/neighborhood.

Have the potential to zone more for incentives/what we want vs restrict/what we don't

BELOW ARE EXAMPLES FROM DENVER AND GOLDEN TO REPRESENT HOW THEY ARE USING FORM BASED CODE. THESE ARE EXAMPLES FROM LARGER CITIES AND NOT DIRECTLY REPRESENTATIVE OF WHAT IS APPLICABLE IN RIFLE.

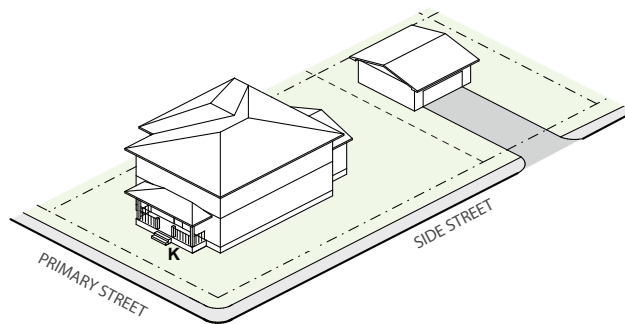
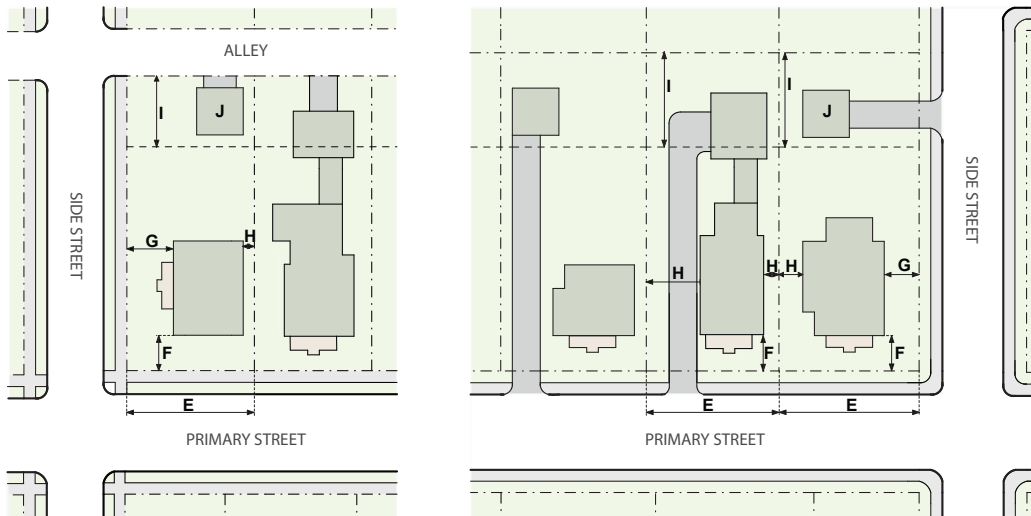
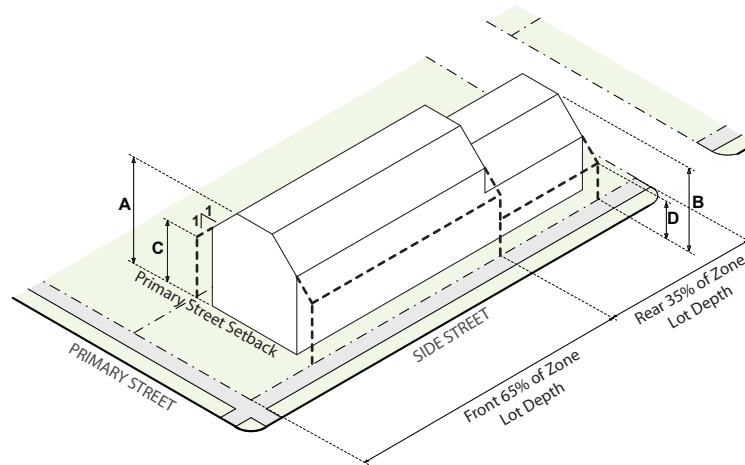
SUBURBAN HOUSE

HEIGHT		E-SU-Dx	E-SU-G	E-RH-2.5 E-MU-2.5
A	Stories, front 65% / Rear 35% of zone lot depth (max)	2.5/2.5	2.5/2.5	2.5/2.5
A	Feet, front 65% / rear 35% of zone lot depth (max)	30'/30'	30'/30'	30'/30'
	Feet, permitted height increase	1' for every 5' increase in Zone Lot width over 50' up to a maximum height of 35'		
B	Bulk Plane Vertical Height at Side Interior and Side Street Zone Lot Line in front 65% / rear 35% of zone lot depth	10'/10'	10'/10'	10'/10'
	Bulk Plane Slope from Side Interior and Side Street Zone Lot Line	45°	45°	45°
SITING		E-SU-Dx	E-SU-G	E-RH-2.5 E-MU-2.5
ZONE LOT				
	Zone Lot Area (min)	6,000 sf	9,000 sf	6,000 sf
C	Zone Lot Width (min)	50'	62.5'	50'
SETBACKS AND BUILDING COVERAGE BY ZONE LOT WIDTH		All E-SU, RH, MU		
		61' or Less	Greater than 61'	
D	Primary Street (min)	For -MU Districts: Calculated per Sec. 13.1.5.9, Determination of Primary Street Setback Offset Distance, or 20', whichever is less For all other Districts: Calculated per Sec. 13.1.5.9		
E	Side Street (min)	5'	5'	
F	Side Interior (min)	5'	7.5'	
G	Rear, where Alley (public or private) abuts a Rear Zone Lot Line (min)	12'	12'	
G	Rear, where Alley (public or private) does not abut a Rear Zone Lot Line (min)	20'	20'	
	Building Coverage per Zone Lot, including all accessory structures (max)	45%	45%	
PARKING BY ZONE LOT WIDTH		61' or Less	62' or Greater	
	Parking and Drive Lot Coverage in Primary Street Setback (max)	33%	33%	
	Vehicle Access	From Alley; or Street access allowed when no Alley present (See Sec. 4.3.7.5, Vehicle Access From Alley Required - Exceptions)		
H	DETACHED ACCESSORY STRUCTURES	See Sec. 4.3.4, Bldg. Form Std.s for Detached Accessory Structures		
DESIGN ELEMENTS		All E-SU, RH, MU		
BUILDING CONFIGURATION				
	Rooftop or Second Story Decks	See Section 4.3.5.2, Rooftop or Second Story Decks (1) Shall not be located closer to the minimum Primary Street setback line than the Primary Street-facing Façade(s) comprising at least 65% of the total width of the primary structure enclosing the primary use. (2) May follow the General Detached Structure Building Form for Side Street, Side Interior and Rear setbacks provided no permitted height increase has been applied to the Attached Garage		
	Attached Garage Allowed			
I	Primary Street-Facing Attached Garage Door Width in front 50% of zone lot depth(max)	35% of the entire width of the Primary Street-facing Façade of the primary structure or 16', whichever is greater		
	Upper Story Stepback, for any portion of building with Low-Slope Roof, above 25': Primary Street (min)	10'		
STREET LEVEL ACTIVATION				
J	Pedestrian Access, Primary Street	Entry Feature		
USES		All E-SU, RH, MU		
		Primary Uses shall be limited to Single Unit Dwelling and permitted Congregate Living, Residential Care and Nonresidential uses. See Division 4.4, Uses.		

See Sections 4.3.5 - 4.3.7 for Supplemental Design Standards, Design Standard Alternatives, and Design Standard Exceptions.

B. Urban House

Not to Scale. Illustrative Only.



18.29.03.01 - ORGANIZATION AND INTERPRETATION OF DIVISION

1. ORGANIZATION OF DIVISION

- a. Division III sets forth the following for each of the nine categories of form types: an introduction of and intent statements applicable to each category of form types; the form standards for each form type within each category of form types; and the design standards and guidelines for each category of form types.
- b. The information presented in this division is organized by category of form type as follows:
 1. House Form Types - See Sections [18.29.03.002](#) to [18.29.03.004](#).
 2. Cottage Form Types - See Sections [18.29.03.005](#) to [18.29.03.007](#).
 3. Compound Form Types - See Sections [18.29.03.008](#) to [18.29.03.010](#).
 4. Cluster Form Types - See Sections [18.29.03.011](#) to [18.29.03.013](#).
 5. Duplex Form Types - See Sections [18.29.03.014](#) to [18.29.03.016](#).
 6. Row House Form Types - See Sections [18.29.03.017](#) to [18.29.03.019](#).
 7. Main Street Form Types - See Sections [18.29.03.020](#) to [18.29.03.022](#).
 8. Mixed-Use Building Form Types - See Sections [18.29.03.023](#) to [18.29.03.025](#).
 9. Shop Form Types - See Sections [18.29.03.026](#) to [18.29.03.028](#).

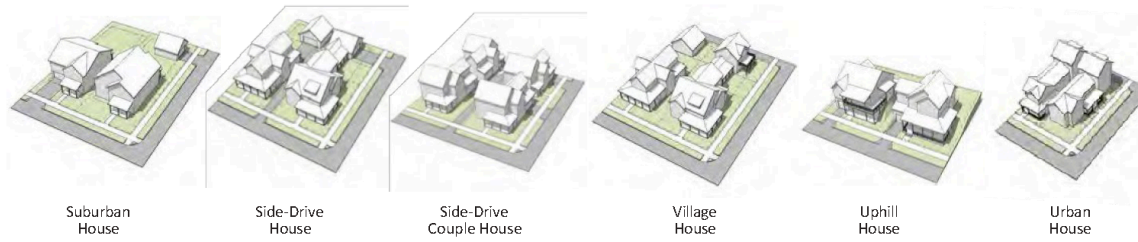
2. INTERPRETATION OF DIVISION

If a standard is set forth in the form standards for one or more form types, but not for others, such standard shall be deemed inapplicable where omitted.

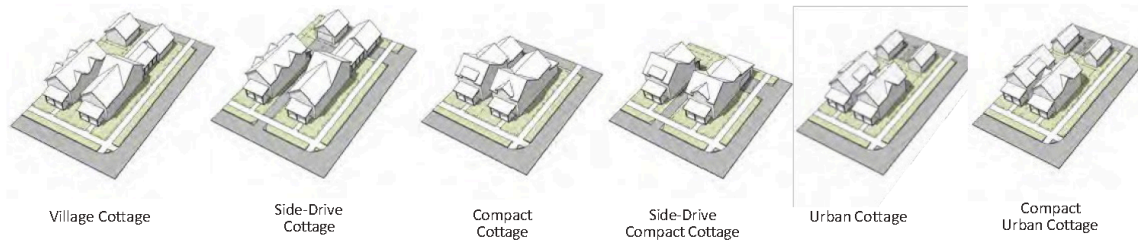
3. ILLUSTRATIVE DEPICTIONS OF FORM TYPES

Illustration 18.29.03.001.A (following pages) provides illustrative depictions of the form types allowed within each category of form types. These depictions are illustrative in nature and not intended to impose design requirements that are not otherwise set out in this chapter.

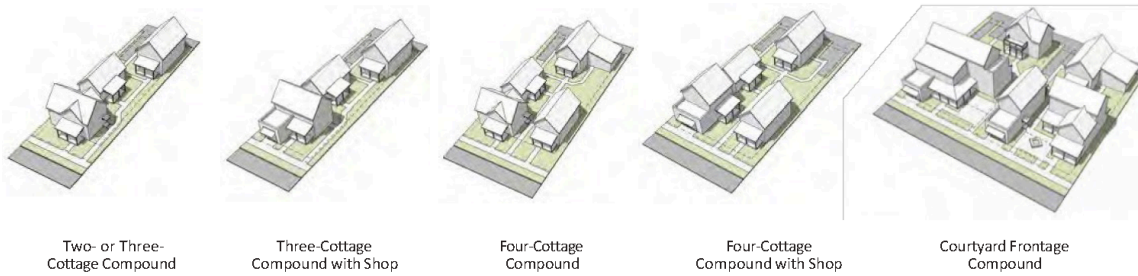
HOUSE FORMS



COTTAGE FORMS



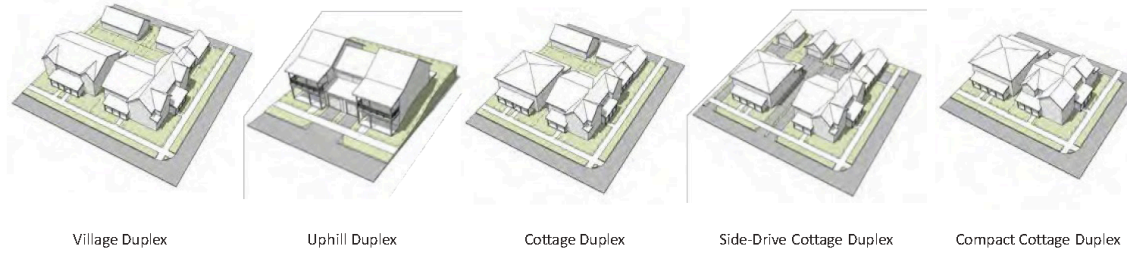
COMPOUND FORMS



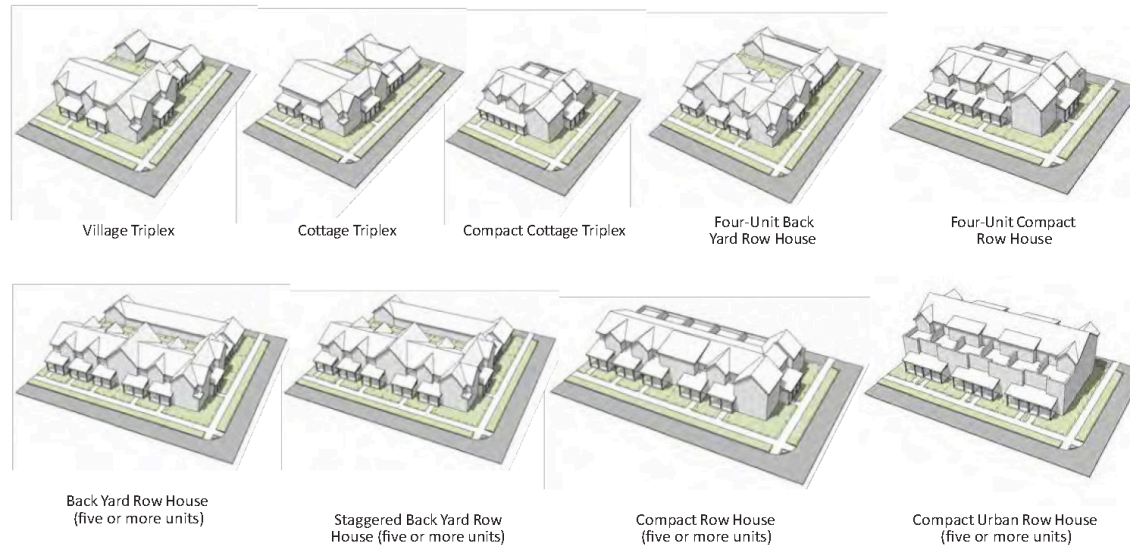
CLUSTER FORMS



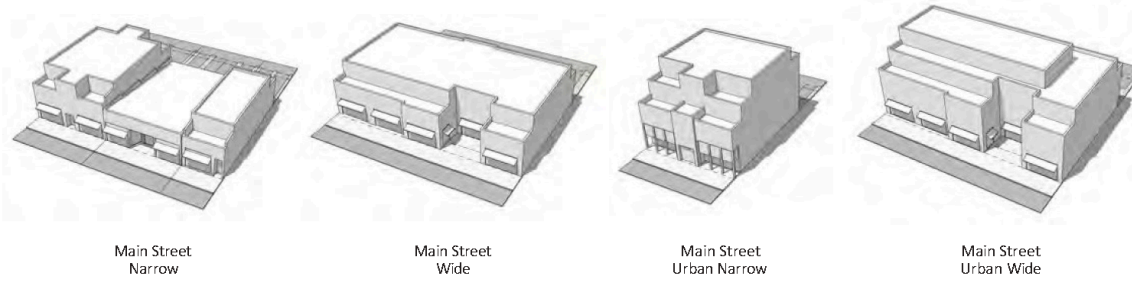
DUPLEX FORMS



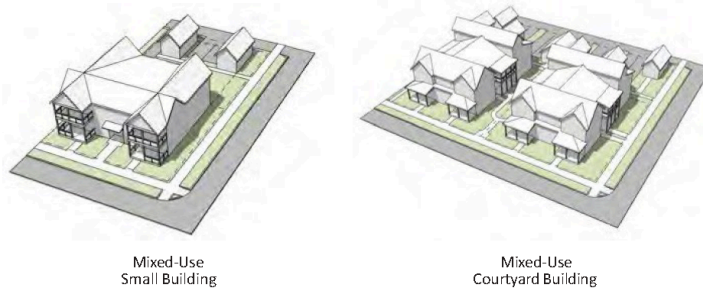
ROW HOUSE FORMS



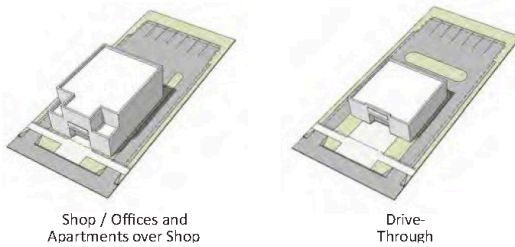
MAIN STREET FORMS



MIXED USE FORMS



SHOP FORMS



(Ord. No. 2209, § 2(Exh. G), 6-6-2023)

18.29.03.020 - MAIN STREET FORM TYPES - APPLICATION OF FORM STANDARDS

1. GENERAL INTENT AND USE OF FORM TYPE

a. The main street form types are provided to:

1.

Allow for attached multi-household buildings to be located close to the front lot line and sidewalk, including two-, three-, four-, and five-story formats.

2. Provide for high-transparency storefronts that are directly adjacent to sidewalks on the first story of new buildings.
3. Enhance pedestrian corridors that are adjacent to commercial development through the use of design treatments and street furniture such as awnings, benches, planters, and other amenities that reinforce pedestrian activity.

b. This section shall not be interpreted to set forth substantive requirements.

2. INTENT AND APPLICATION OF STANDARDS

a. In General. This subsection 2 sets forth the intentions for specific regulatory tools used for main street form types.

b. "Build-to" Requirements. Minimum and maximum setback requirements are established along primary and side street lot lines in order to ensure that buildings are consistently located close to the sidewalk, providing a sense of enclosure along the street, and in combination with street-level transparency requirements, enhancing the pedestrian experience by providing visual interest and security.

c. Secondary Setbacks. Additional, secondary front setbacks are required for main street form types with frontages of 125 ft. or more, in order to:

1. Maintain a sense of scale along the block by breaking up the building mass as experienced by the pedestrian;
2. Create or maintain plazas framed by large buildings, which may serve as pedestrian activity areas; and
3. Create opportunities for additional ground floor retail frontages.

d. Upper Floor Setbacks. Upper-story setbacks (a.k.a. step-backs) are required for main street form types in order to:

1. Maintain a sense of scale along the block by mitigating the impact of building mass as experienced by the pedestrian;
2. Creating opportunities to enhance the outdoor areas that are available for use by inhabitants of upper building floors, by way of decks, terraces, and balconies; and
3. Enhancing the aesthetics of buildings by avoiding monolithic presentations of building mass.

e. Off-Street Parking. Restrictions on the design and location of off-street parking are imposed in order to:

1. Encourage the maintenance and establishment of small businesses; and
- 2.

Ensure that the continuity of pedestrian-friendly commercial and mixed-use frontages is not interrupted by surface parking lots and parking access points that may create psychological barriers to movement or increase the probability of vehicular-pedestrian conflicts.

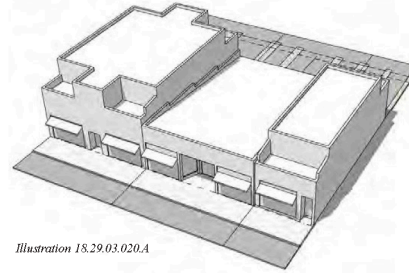


Illustration 18.29.03.020.A

Illustration 18.29.03.020.A: One of the most essential characteristics of the main street form types is that they create a strong building wall along the sidewalk.

(Ord. No. 2209, § 2(Exh. G), 6-6-2023)

18.29.03.021 - MAIN STREET FORM TYPES - FORM STANDARDS

1. MAIN STREET NARROW

a. Intent.

The main street narrow form type is the most traditional and predominate among the form types in the main street form zones. This form type typically has a lot width that is a multiple of 25 ft., with parking at the rear of the lot, in integrated garages or attached parking structures, in basements, or off-site.

b. Lot Standards.

1. Min. lot frontage 20 ft.
2. Max. lot frontage 125 ft.

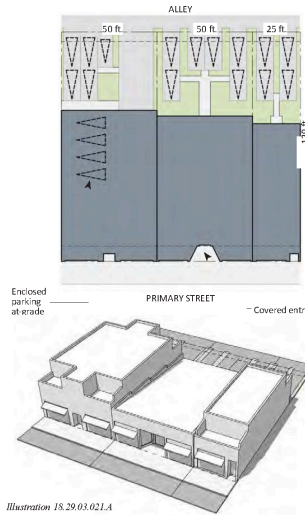


Illustration 18.29.03.021.A
 Illustration 18.29.03.021.A: Lot diagram and bird's-eye view perspective of a main street narrow building form type.

c. Building Size.

1. Max. building height 3 stories/38 ft.

d. Setbacks.

Setback	Distance	
	Min.	Max.
Primary street and side street—		
1st and 2nd stories	0 ft.	8 ft.
3rd story, 1/3 of frontage	0 ft.	N/A
3rd story, 2/3 of frontage	12 ft.	N/A
Interior side lot line—		

Adjacent lot in main street A or main street B form zone	0 ft.	N/A
Adjacent lot in any other form zone	5 ft.	N/A
Rear lot line/alley	5 ft.	N/A

e. Balconies and Terraces.

1. Within the main street A and main street B form zones, each upper floor dwelling unit shall have a balcony (covered or uncovered) that is at least 80 s.f. in area.
2. Any part of the roof of any floor (except the top floor) may be used as an uncovered terrace, which, if so used, is considered a balcony for the purposes of subsection e.1, above.

f. Additional Standards.

1. Within the main street A and main street B form zones, no curb cuts are allowed on the primary street or side street.
2. All garage doors that face a rear alley shall be set back not more than 5 ft., or set back 20 ft. or more, from the rear lot line.
3. No dwelling units are permitted on the 1st story within 18 ft. of a front or side street lot line.
4. No parking is permitted within the 1st story within 18 ft. of a front or side street lot line.

2. MAIN STREET WIDE

a. Intent.

The main street wide form type is intended to accommodate larger businesses along with office and/or residential uses located on upper floors. The upper story setbacks and plaza setback are intended to ensure that the building fits into the Main Street context. This form type has a street frontage of at least 125 ft., with parking at the rear of the building, in integrated garages or attached parking structures, in basements, or off-site.

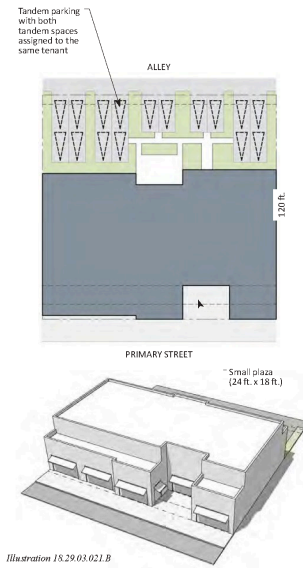


Illustration 18.29.03.021.B: Lot diagram and bird's-eye view perspective of a main street wide building form type.

b. Lot Standards.

1. Min. lot area 9,000 s.f.
2. Min. lot frontage 125 ft.

c. Building Size.

1. Max. building height 3 stories/38 ft.

d. Setbacks.

Setback	Distance	
	Min.	Max.
Primary street and side street—		
All stories, along 20—30 ft. of frontage	18 ft.	N/A

1st and 2nd stories, rest of frontage	0 ft.	8 ft.
3rd story, rest of frontage	12 ft.	N/A
Side Street—		
1st and 2nd stories	0 ft.	8 ft.
3rd story	12 ft.	N/A
Interior side lot line—		
Adjacent lot in main street A or main street B form zone	0 ft.	N/A
Adjacent lot in any other form zone	5 ft.	N/A
Rear lot line/alley	5 ft.	N/A

e. Porch.

1. Within the main street A and main street B form zones, each upper floor dwelling unit shall have a balcony (covered or uncovered) that is at least 80 s.f. in area.
2. Any part of the roof of any floor (except the top floor) may be used as an uncovered terrace, which, if so used, is considered a balcony for the purposes of subsection e.1, above.

f. Additional Standards.

1. Within the main street A and main street B form zones, no curb cuts are allowed on the primary street or side street.
2. All garage doors that face a rear alley shall be set back not more than 5 ft., or set back 20 ft. or more, from the rear lot line.
- 3.

No dwelling units are permitted on the 1st story within 18 ft. of a front or side street lot line.

4. No parking is permitted on the 1st story within 18 ft. of a front or side street lot line.

3. MAIN STREET URBAN NARROW

a. Intent.

The main street urban narrow form type is intended to provide for additional density and intensity in locations where it is appropriate. The main street urban narrow form type provides parking in integrated garages or attached parking structures, in basements, at the rear of the lot, or off-site.

b. Lot Standards.

- 1. Min. lot frontage 50 ft.
- 2. Max. lot frontage 125 ft.

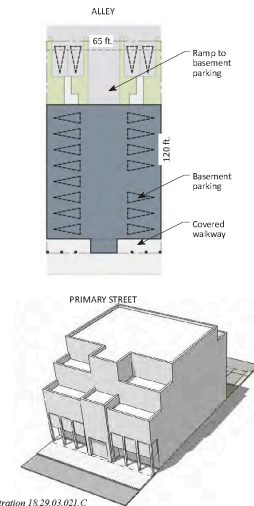


Illustration 18.29.03.021.C

Illustration 18.29.03.021.C: Lot diagram and bird's-eye view perspective of a main street urban narrow building form type.

c. Building Size.

- 1. Max. building height 5 stories/55 ft.

d. Setbacks.

Setback	Distance	
	Min.	Max.
Primary street and side street—		
1st, 2nd, and 3rd stories	0 ft.	8 ft.
4th story	12 ft.	N/A
5th story, 1/3 of frontage	12 ft.	N/A
5th story, 2/3 of frontage	24 ft.	N/A
Interior side lot line—		
Adjacent lot in main street A or main street B form zone	0 ft.	N/A
Adjacent lot in any other form zone		
1st, 2nd, and 3rd stories	5 ft.	N/A
4th and 5th stories	18 ft.	N/A
Rear lot line/alley	5 ft.	N/A

e. Porch.

1. Within the main street B form zone, each upper floor dwelling unit shall have a balcony (covered or uncovered) that is at least 80 s.f. in area.
2. Any part of the roof of any floor (except the top floor) may be used as an uncovered terrace, which, if so used, is considered a balcony for the purposes of subsection e.1, above.

f. Additional Standards.

1. No curb cuts are allowed on the primary street or side street.
2. All garage doors that face a rear alley shall be set back not more than 5 ft., or set back 20 ft. or more, from the rear lot line.
3. No dwelling units are permitted on the first story within 18 ft. of a front or side street lot line.
4. No parking is permitted on the ground floor within 18 ft. of a front or side street lot line.

4. MAIN STREET URBAN WIDE

a. Intent.

The main street wide form type is intended to provide for additional density and intensity where it is appropriate. The upper story setbacks as well as the plaza setback are intended to ensure that the building fits into the Main Street context. This form type has a street frontage of at least 125 ft., with parking at the rear of the building, in integrated garages or attached parking structures, in basements, or off-site.

b. Lot Standards.

1. Min. lot area 9,000 s.f.
2. Min. lot frontage 125 ft.

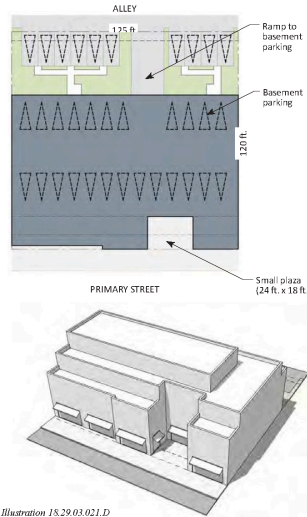


Illustration 18.29.03.021.D
 Illustration 18.29.03.021.D: Lot diagram and bird's-eye view perspective of a main street urban wide building form type.

c. Building Size.

1. Max. building height 5 stories/55 ft.

d. Setbacks.

Setback	Distance	
	Min.	Max.
Primary street and side street—		
1st, 2nd, 3rd, and 4th stories, along 20—30 ft. of frontage	18 ft.	N/A
1st, 2nd, and 3rd stories, rest of frontage	0 ft.	8 ft.
4th story, rest of frontage	12 ft.	N/A

5th story	24 ft.	N/A
Side Street—		
1st, 2nd, and 3rd stories	0 ft.	8 ft.
4th story	12 ft.	N/A
5th story	24 ft.	N/A
Interior side lot line—		
Adjacent lot in main street A or main street B form zone	0 ft.	N/A
Adjacent lot in any other form zone		
1st, 2nd, and 3rd stories	5 ft.	N/A
4th and 5th stories	18 ft.	N/A
Rear lot line/alley	5 ft.	N/A

e. Porch.

1. Each dwelling unit shall have a porch or balcony (covered or uncovered) that is at least 80 s.f. in area.
2. Any part of the roof of any floor (except the top floor) may be used as an uncovered terrace, which, if so used, is considered a balcony for the purposes of subsection e.1, above.

f. Additional Standards.

1. No curb cuts are allowed on the primary street or side street.
2. All garage doors that face a rear alley shall be set back not more than 5 ft., or set back 20 ft. or more, from the rear lot line.
3. No dwelling units are permitted on the first story within 18 ft. of a front or side street lot line.
4. No parking is permitted on the first story within 18 ft. of a front or side street lot line.

(Ord. No. 2209, § 2(Exh. G), 6-6-2023)

18.29.03.022 - MAIN STREET FORM TYPES - DESIGN STANDARDS AND GUIDELINES

1. APPLICABILITY

a. This section applies to the main street form types (listed below for ease of reference):

1. Main Street Narrow.
2. Main Street Wide.
3. Urban Main Street Narrow.
4. Urban Main Street Wide.

b. Chapter 18.40 also applies to main street form types as set out therein.

c. Each subsection below sets out a statement of intent, followed by requirements, followed (in some cases) by guidelines. The statement of intent provides background information and is not regulatory in nature. The requirements must be met unless adjusted pursuant to division VII. The guidelines are used in the administration of certain parts of division VII, and are otherwise suggestions (not requirements).

2. MASSING AND ARTICULATION

a. Intent. The intent of the massing and articulation standards is to utilize simplified articulation standards to promote visual compatibility with the historic street-facing facades, and to reduce the vertical scale of buildings by accentuating the first story elements and diminishing building elements above the 3rd story.

b. Requirements.

1. Wall plane projections or recessions of at least 2 ft. over a horizontal distance of at least 30 percent of the total facade area:
 - A. In one or more intervals that is a multiple of 25 ft., more or less, to visually reinforce the historic facade widths described in Subsection 6.b.4, below; or

- B. In the form of small plazas (as required for main street wide and main street urban wide form types).
- 2. All public facing facades shall articulate a building's vertical massing to accentuate specific stories and diminish the upper-most story treatment, by:
 - A. Distinguishing the 1st story architecture through use of two of the following tools: color, material, textures, or structural elements. The ground floor shall be anchored to the pedestrian realm to draw the eye from the upper floors.
 - B. Diminishing the upper-most story of the building through a change in two of the following categories: color, material, texture, roof pitch, or a recession of the total facade [See photo 18.29.03.022.A].

c. Guidelines.

- 1. Provide different accents (by design, indentation, color, and/or material) to highlight entrances for different uses, such as shops and street-level entrances to upper story offices or residences.
- 2. Shopfront garage doors or folding doors should be used when there is an opportunity to expand the indoor use into the sidewalk.

3. PORCH AND BALCONY CHARACTERISTICS

- a. Intent. The intent of the porch and balcony standards is to provide visual interest through the interplay among solids and voids on the facade, and to soften visual and psychological barriers between the interior and exterior of the building.
- b. Guidelines.
 - 1. Balconies (covered or uncovered), terraces, porches, and colonnades should be used to break up the appearance of building mass (both horizontally and vertically) when feasible. The design of these elements should be differentiated at various locations on the building to further emphasize the breaks in the massing of the building [See photo 18.29.03.022.B, next page].
 - 2. When feasible, uncovered balconies and terraces that are accessible to the uppermost stories should be used to deemphasize the building's height.



Photo 18.29.03.022.A

Photo 18.29.03.022.A: Above is a good example how various versions of covered balconies either create unity where needed, or break the massing horizontally. This is also a good example of how second story cornice, together with change in material, emphasize the two-story scale and deemphasizes the presence of upper stories.



Photo 18.29.03.022.B: A coffee house with outdoor seating on Washington Avenue. Strong outdoor and indoor relationships support outdoor activity and create presence of life on the sidewalk.

3. Porches should be integrated into the design of perimeter landscaping, streetscaping, and hardscaping.

4. TRANSPARENCY AND BLANK WALLS

a. Intent. The intent of the transparency standards is to avoid blank walls, promote pedestrian interest, and improve security by providing a visual connection between the building interior and the adjacent sidewalk.

b. Requirements.

1. Wall planes that exceed 20 ft. in width that face streets, parks, or plazas shall include fenestration such that:

A. Not less than 50 percent of the area of the facade between 2 ft. and 8 ft. above ground level is transparent (tinted or mirrored glass that diminishes visibility into the building by 50 percent or more is not allowed); and

B. Not less than 30 percent of the total area of the facade is transparent.

2. No street-facing area of wall plane that is greater than 10 ft. in width and 10 ft. in height (100 s.f. or more) shall be "blank," in that it does not include:

A. A substantial change in cladding materials (a simple color change is not sufficient to meet this requirement);

B. A window or a door; or

C.

A column, pilaster, balcony, cornice, shade element (e.g., awning), or other articulation greater than 12 in. in projecting dimension.

5. FACADE CONFIGURATION

- a. Intent. The intent of the facade configuration requirements and guidelines is to preserve and enhance the main street character and architectural integrity of Downtown Golden.
- b. Requirements.
 1. Awnings shall not be back-lit or internally illuminated.
 2. A minimum of 8 ft. of clearance is required between the bottom of an awning and the grade below the awning.
- c. Guidelines.
 1. New construction should incorporate architectural elements from adjacent buildings in terms of opening proportions and primary facade features such as cornices, awnings, transoms, and trims.
 2. Exterior renovations should be complimentary to the unique architectural style of the existing building. The proportions and the character of building openings should be preserved to the extent feasible.

6. EXTERIOR MATERIALS

- a. Intent. The intent of the exterior materials standards is to break up building length and height and create unity on an overall facade.
- b. Requirements.
 1. Allowed exterior wall materials are horizontal and vertical siding, real stucco, or masonry (brick, stone, cementous siding, or concrete). Siding patterns shall be one of the following: horizontal bevel, drop siding, vertical tongue and groove, shingles/shakes, or board and batten.



Photo 18.29.03.022.C

Photo 18.29.03.022.C: Above is a good example where the material and color change emphasizes the two story scale along the sidewalk and deemphasizes the height of the building. The upper floors become less visible as one gets closer to the building. Articulations in the architecture are also provided every 25 to 50 ft. on the first two stories.

2. The following materials may be used as accent materials on any facade, provided that they do not cover more than 25 percent of the facade:
 - A. Metal panels.
 - B. Oversized brick, concrete masonry units, or other similar materials.
 3. Material changes shall occur along a vertical line at interior (concave) corners, or along a horizontal line at a floor line or a gable end. Material and color changes may also occur along a horizontal line that is at least 2 ft. above the foundation, so long as that change is along the entire length of the facade.
 4. No more than four cladding materials are allowed.
 5. Material and color changes shall be used to de-emphasize building height. [See photo 18.29.03.022.C.]
 6. Material and color changes shall be used to express the historic 25 ft. and 50 ft. intervals (more or less), of the historic facade widths that are present in Downtown Golden between 11th Street and 14th Street along Washington Avenue. [See photo 18.29.03.022.C.]
- c. Guidelines.
1. In general, smooth brick with narrow joints and wood siding with narrow lap should be used for cladding. Stone should be reserved for detailing at cornices and windows and for use at the building base.
 2. In general, lighter materials should be placed above those of heavier weight.

(Ord. No. 2209, § 2(Exh. G), 6-6-2023)

Simple Form-Based Code Section for a Suburban Form Neighborhood

Goal	Allow neighborhood-compatible reinvestment and gentle housing choice while keeping rules simple enough for an average property owner to use.
Applies To	Existing or new lots in a suburban neighborhood district regulated by this section.

How It Works. This section regulates the form of buildings, not the use inside them. Any residential use and neighborhood commercial use are allowed by right when the project meets the form standards below and does not trigger a public hearing.

1. Intent

- Keep new buildings close to the scale, setbacks, and street pattern of nearby homes.
- Allow modest change over time without inviting out-of-scale projects.
- Use objective form rules so applicants can tell early whether a project fits.
- Focus City review on projects with larger neighborhood impacts.

2. Basic Dimensional Standards

Projects meeting the table below may be reviewed administratively unless a hearing trigger in Section 5 applies.

Standard	House-Scale Building	All Building Forms	Notes
Front setback	15 ft	15 ft	Match the front-yard pattern on the block.
Side setback	5 ft min each side	5 ft min each side	Corner side yard: 10 ft min.
Rear setback	20 ft min	20 ft min	Accessory structures may follow a separate standard.
Maximum height	27 ft / 2 stories	30 ft / 2.5 stories	Should not exceed the apparent height of adjacent homes.
Lot coverage	50% max	55% max	Includes principal building and attached garage.
Primary facade width	70% of lot width	70% of lot width	Avoid visual dominance on the lot.

3. Simple Form Rules

Building Placement

- Main entry must face the street.
- Garage door may not occupy more than 50% of the front facade width.
- Front porch, stoop, or covered entry is encouraged.

- On corner lots, the side facing the street must include windows and residential-quality materials.

Building Character

- Roof form, siding, windows, and trim should be similar in scale and quality to nearby homes.
- Blank walls facing a street are not allowed.
- Long buildings should be broken into smaller visual sections with offsets, porches, or roof changes.
- A multi-unit or neighborhood commercial building should read as a house-sized building from the street when located on a neighborhood block.

4. Allowed Building Forms and Uses by Right

This section does not regulate use by separating residential from neighborhood commercial. The code regulates only building form and hearing triggers.

- Any residential building form is allowed by right if it meets the dimensional and form standards in this section.
- Neighborhood commercial is allowed by right if the building meets the same dimensional and form standards and any required hearing trigger does not apply.
- Examples of allowed forms include detached houses, duplexes, townhomes, small multi-unit buildings, live-work buildings, and house-scale neighborhood commercial buildings.
- Plain-language test: If the building would look out of place next to the buildings on the same block, it should not be approved administratively.

5. Approval Path and Public Hearing Triggers

Review Type	When It Applies
Administrative approval	Project meets all dimensional and form standards and does not trigger a public hearing.
Public hearing required	Required if the subject property is larger than 0.5 acres.
Public hearing required	Required if the proposal would increase the total residential density of the neighborhood block by more than 25% above existing conditions.
Minor adjustment	Up to 10% deviation from a setback standard may be approved administratively only where needed to match an established block pattern or address an unusual lot shape, and only if no public hearing trigger is met.

Neighborhood block calculation. For this section, a neighborhood block means all lots fronting on the same block face or block faces bounded by intersecting streets, as determined by the zoning administrator.

6. Phasing and Neighborhood Impact

- Subdivisions or site developments creating more than 20 dwelling units should be built in more than one phase unless City Council approves otherwise.
- The City may limit the number of lots, units, or feet of new infrastructure installed in a single phase to reduce concentrated neighborhood impacts and future replacement costs.
- Phasing plans should show when streets, sidewalks, water, sewer, curb, and gutter will be installed and when each phase will be accepted by the City.

7. Easy Definitions

Front setback	Distance from the front property line to the front wall of the building.
Side setback	Distance from a side property line to the side wall of the building.

Rear setback	Distance from the rear property line to the back wall of the building.
Height	Measured from average grade to the midpoint of the highest roof plane, or as otherwise defined by City code.
House-scaled	A building with similar width, height, roof form, and entry pattern as nearby buildings on the same block.
Administrative approval	A staff-level review that does not require a hearing when all standards are met and no hearing trigger applies.
Neighborhood commercial	Small-scale commercial activity intended to serve nearby residents and housed in a building form compatible with the block.
Density increase of the block	The percentage increase in total dwelling units on the neighborhood block compared with existing units before the project.

8. Property Owner Quick Check

- Does the building stay within the required setbacks?
- Is it 35 feet tall or less?
- Does the main entry face the street?
- Does it look house-scaled next to adjacent buildings?
- If there is a garage, does it avoid dominating the front facade?
- Is the property 0.5 acres or smaller?
- Would the project increase block density by 25% or less?

If yes to all items above, the project is likely eligible for administrative review under this section.

HOW DOES THE NEW CODE APPLY TO THE CORE NEIGHBORHOOD?

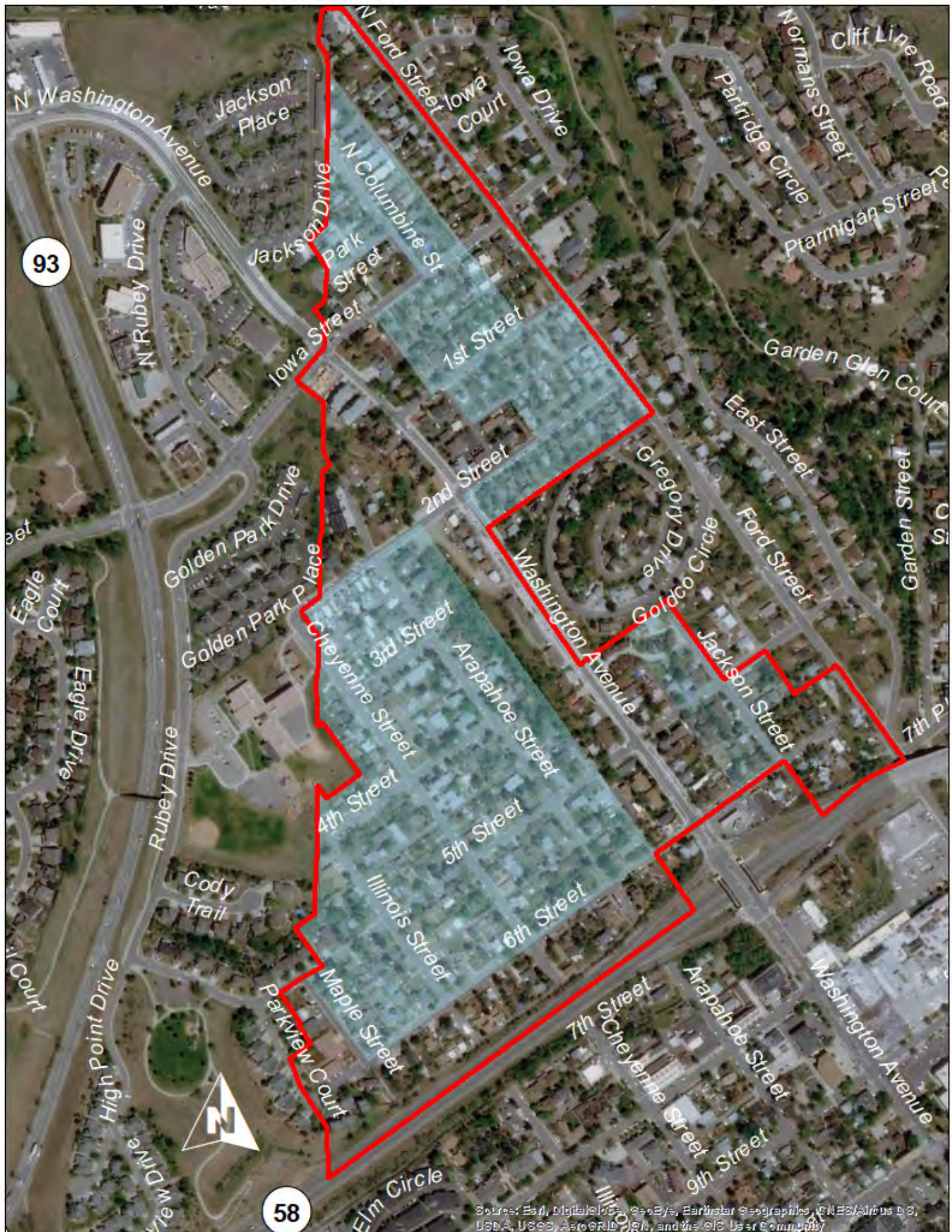
The City of Golden has rewritten the Zoning Code, and the draft is currently going through the adoption process. The purpose of this document is to provide comparisons between potential development scenarios in the Core Neighborhood context area consistent with the existing code and also under the new code. We've provided examples of typical developments that have recently popped up in the neighborhood as well as how a property could be maximized for multi-family development under the current code to provide an accurate and complete comparison between the existing code and the draft code. On the following pages, you will see 7 different scenarios that are compliant with either the existing code's R2 zone district (shown on the map below) or the draft code's Core Neighborhood context. For each scenario, you will see examples of potential developments from multiple views, (aerial, along the block, and perspective from the street).

EXISTING CODE (R2):

- 1 | Single Family Houses
- 2 | Duplex
- 3 | Fourplex

NEW CODE (CORE NEIGHBORHOOD):

- 4 | Cottage Duplex
- 5 | Cluster of 5+ Cottages
- 6 | Cluster of Detached/Attached
- 7 | Three-Cottage Compound



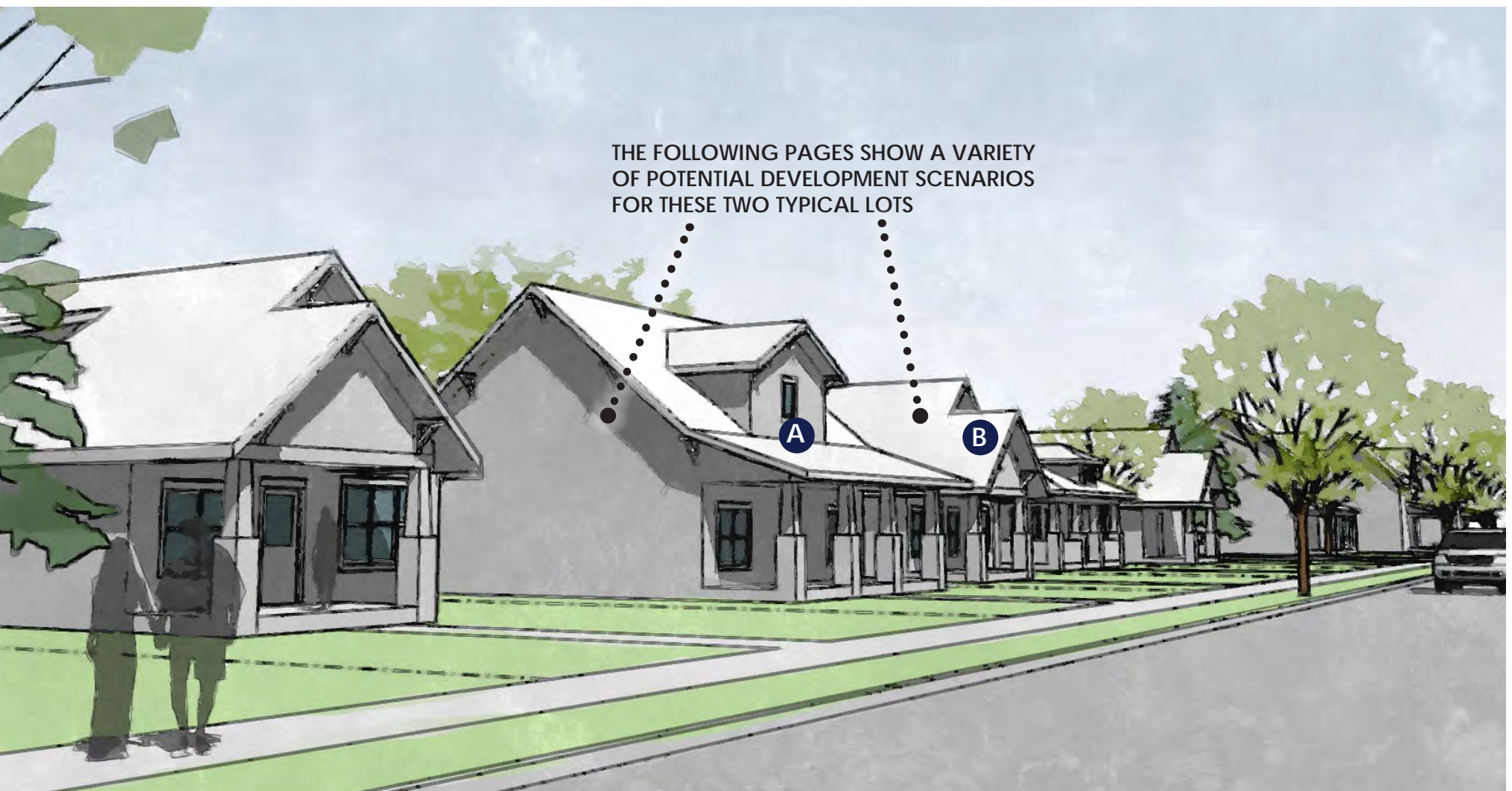
R2 EXISTING ZONE DISTRICT: Single Family Houses

Golden's R2 zone district is a mostly single family residential area. The Diagnostic Report of the Code Rewrite found that the current code allows infill to occur that is incompatible in size and scale with the surrounding established neighborhoods. The two typical single family residential lots (shown with Building A and Building B below) are used as a "test case" to study how lots similar to these can develop under the current code and under scenarios that are being considered with the current draft code.



Modeling assumptions: Buildings A and B represent typical single family houses in Golden's R2 district.

	ZONE STANDARD	AS ILLUSTRATED
Lots	7,000 sf min.	2 - 7,000 sf lots (50' x 140' each)
Number of Buildings	N/S	2 buildings (house and garage) on each lot
Lot Coverage / Footprints	50% max	20% (left) and 18% (right)
Total Building Floor Area	N/A	2,480 sf (left) and 2,200 sf (right)



THE FOLLOWING PAGES SHOW A VARIETY OF POTENTIAL DEVELOPMENT SCENARIOS FOR THESE TWO TYPICAL LOTS

R2 EXISTING ZONE DISTRICT: Duplex

Duplexes are allowed in the current R2 zone district. This district allows three stories of conditioned space, as long as the form is consistent with the bulk plane (see the yellow translucent forms below). R2 also limits overall lot coverage to 50% and this scenario is illustrated below. During the Diagnostic Phase of the Code Rewrite, the project team determined that these standards allow buildings that are out of scale and character to the existing residential neighborhood in the R2 district, and this incompatibility was one of the primary issues the Code Rewrite sought to address.



	ZONE STANDARD	AS ILLUSTRATED
Lots	7,000 sf min.	2 - 7,000 sf lots (50' x 140' each)
Number of Buildings	1 unit per lot per 3,500 sf	2 units / lot (4 units total)
Lot Coverage / Footprints	50% max	50%
Total Building Floor Area	N/A	3,500 per unit / 7,000 sf per lot

Modeling assumptions: Two 7,000 sf lots are developed with duplexes, which can then be subdivided into a separate lot per unit. Buildings A and B are three-story duplexes that are consistent with the bulk plane requirements of R2.



R2 EXISTING ZONE DISTRICT: Fourplex

Fourplexes are allowed in the current R2 zone district. Similar to the allowed duplexes in R2, these buildings can be up to three stories of conditioned space, as long as the form is consistent with the bulk plane (see the yellow translucent forms below). R2 also limits overall lot coverage to 50% and this scenario is illustrated below. During the Diagnostic Phase of the Code Rewrite, the project team determined that these standards allow buildings that are out of scale and character to the existing residential neighborhood in the R2 district, and this incompatibility was one of the primary issues the Code Rewrite sought to address.



	ZONE STANDARD	AS ILLUSTRATED
Lots	9,000 sf min.	14,000 sf lots (100' x 140' each)
Number of Buildings	N/A	1 building / 4 units
Lot Coverage / Footprints	50% max	50%
Total Building Floor Area	N/A	4,500 sf per unit (18,000 sf total)

Modeling assumptions: Two 7,000 sf lots are consolidated and developed as a fourplex, which can then be subdivided into a separate lot per unit. Building A is three-stories, with a smaller third story that is consistent with the bulk plane requirements of R2.



R2 / CORE NEIGHBORHOOD: Village Duplex

The new code makes adjustments to the manner in which duplexes and other multi-family developments can be constructed in the R2 neighborhood. For instance, instead of one bulk plane regulation, the lot is now divided into three distinct areas, called "Building Envelope Areas" (BEA), that each have unique setback, building height, and lot coverage requirement. This approach provides greater assurances that new development will match the character of surrounding buildings. The BEA and additional regulations are provided within a development template called a "Form Type". The Village Duplex is one form type permitted in the R2 context area, but there are others for single-family developments and multi-family developments. Each form type is uniquely tailored to control the bulk and scale of the development. The Village Duplex only permits two stories of development, with a maximum combined floor areas of 4,000 square feet. This form type requires a porch along the street and requires that vehicle access come from an alley so that the pedestrian experience is not disrupted by driveways.



	ZONE STANDARD	AS ILLUSTRATED
Lots	2,500 sf min.	4 - 3,500 sf lots (25' x 140' each)
Number of Buildings	2 buildings total	1 unit / lot (4 units total)
Lot Coverage / Footprints	limited by building envelop area (BEA); no buildings allowed in middle BEA	2,450 sf for both sides of the duplex (includes garage)
Total Building Floor Area	4,000 sf for both sides of the duplex	4,000 sf for both sides

Modeling assumptions: Two 7,000 sf lots are subdivided into a total of 4 lots. Buildings A and B are two-story duplexes. Buildings C and D are garages. Porches and uncondition spaces such as garages are not included as part of the floor area calculation.



R2 / CORE NEIGHBORHOOD: Cluster of 5+ Cottages

The Cluster of Five or more Cottages is how multi-family developments are envisioned for the “core” neighborhoods in both the R2 and R3 zone districts. Instead of permitting single, large-scale, multi-unit buildings (as is allowed in the current code) those multi-unit developments are to be broken down into a collection of smaller structures. Cluster of Five or more Cottages building form type permits the land to be subdivided into smaller lots and owned independently. Buildings shall front either a street or a “common court” (which is shown in dark green below). Each detached building has a maximum floor area of 1400 sf, and each duplex has a maximum floor area of 2200 sf per building. This building form type is only allowed on lots with alley access.



	ZONE STANDARD	AS ILLUSTRATED
Lots	12,000 sf min. before subdivision	14,000 sf lot before subdivision
Number of Buildings	5 buildings	5 buildings (1 per “newly created lot”)
Lot Coverage / Footprints	N/A	3,122 sf
Total Building Floor Area	5,000 sf max.	5,000 sf

Modeling assumptions: Two 7,000 sf lots are consolidated and subdivided into 5 lots and a common court to create a cluster of 5 cottages. Buildings A, B, D, and E are two-story cottages. Building C is a garage with a live above unit. Porches are not included as part of the floor area calculation.



R2 / CORE NEIGHBORHOOD: Cluster of Detached/Attached

Cluster of Detached and Attached Cottages building form type permits the land to be subdivided into smaller lots and owned independently. Only cottages and duplex buildings are permitted within this building form type. Buildings shall front either a street or a "common court" (which is shown in dark green below). Each detached building has a maximum floor area of 1400 sf, and each duplex has a maximum floor area of 2200 sf per building. This building form type is only allowed on lots with alley access.

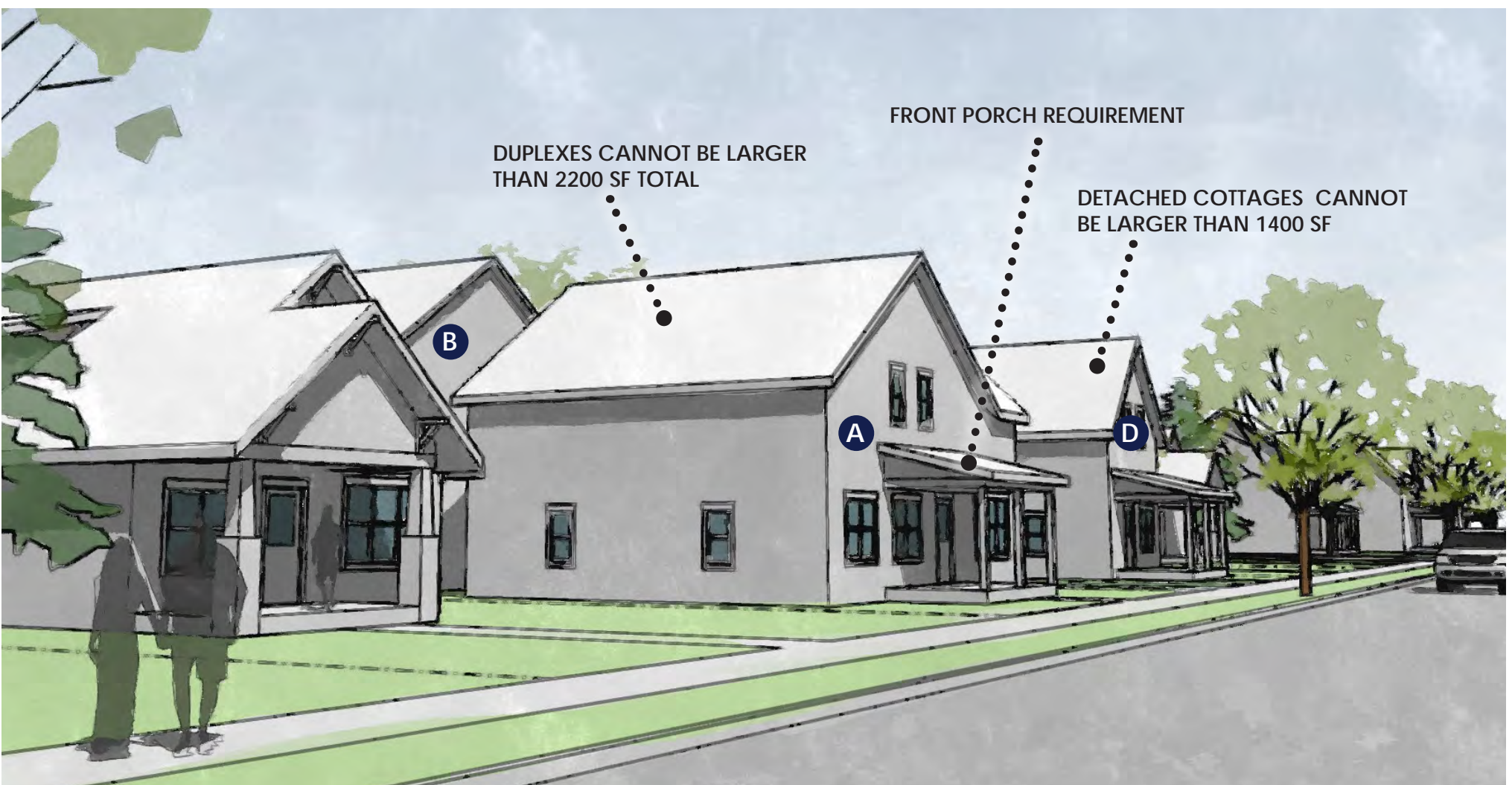


**DRAFT
NEW
CODE**



	ZONE STANDARD	AS ILLUSTRATED
Lots	12,000 sf min. before subdivision	14,000 sf lot before subdivision
Number of Buildings / Units	6 units	4 buildings (6 units)
Lot Coverage / Footprints	N/A	3,344 sf
Total Building Floor Area	6,000 sf max.	6,000 sf

Modeling assumptions: Two 7,000 sf lots are consolidated and subdivided into 6 lots and a common court to create a cluster of detached and attached cottages. Buildings A and B are two-story duplexes, with the second floor slightly smaller than the ground floor. Building C is a garage with a live above unit. Building D is a two-story, detached cottage. Porches are not included as part of the floor area calculation.



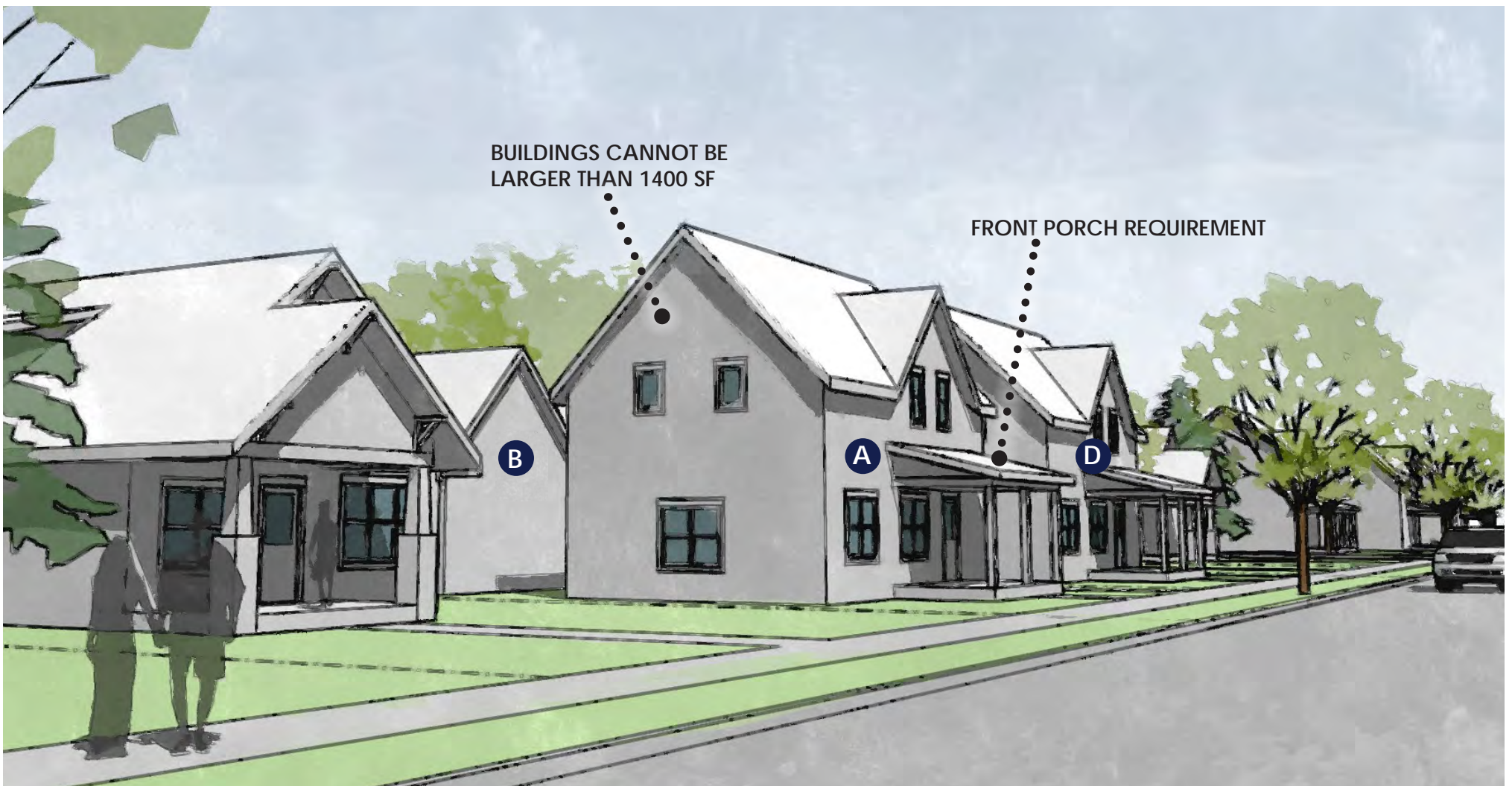
R2 / CORE NEIGHBORHOOD: Three-Cottage Compound

Three-Cottage Compound building form type provides an opportunity for building three small buildings in lieu of a large single building to respond to market demand, and to provide more attainable options. Two of the buildings are permitted to be rented for short or long term as long as the owner occupies the third building. Each building has a maximum floor area of 1,400 sf. Although the minimum lot requirements for this form type are smaller, the overall effect is similar to the cluster with regards to number of buildings on two parcels side-by-side. This building form type is only allowed on lots with alley access.



	ZONE STANDARD	AS ILLUSTRATED
Lots	6,000 sf min.	2 - 7,000 sf lots (50' x 140' each)
Number of Buildings	3	3 per lot (total of 6 illustrated)
Lot Coverage / Footprints	N/A	2,060 sf
Total Building Floor Area	3,000 sf max. per lot	3,000 sf per lot (6,000 total)

Modeling assumptions: Buildings A and D are two-story buildings. Buildings B and E are one-story buildings. Buildings C and F include a two-car garage with a small front room and a live above unit. Porches are not included as part of the floor area calculation.



HOW DOES THE NEW CODE APPLY TO THE NEIGHBORHOOD CORRIDORS?

The City of Golden has rewritten the Zoning Code, and the draft is currently going through the adoption process. The purpose of this document is to provide comparisons between potential development scenarios in the Core Neighborhood context area consistent with the existing code and also under the new code. We've provided examples of typical developments that have recently popped up in the neighborhood as well as how a property could be maximized for multi-family development under the current code to provide an accurate and complete comparison between the existing code and the draft code. On the following pages, you will see 5 different scenarios that are compliant with either the existing code's CMU zone district (shown on the map below) or the draft code's Neighborhood Corridor context. For each scenario, you will see examples of potential developments from multiple views, (aerial, along the block, and perspective from the street).

EXISTING/PREVIOUS CODE (CMU):

- 1 | Multifamily (Pre 2018 Amendment)
- 2 | Multifamily (After 2018 Amendment)

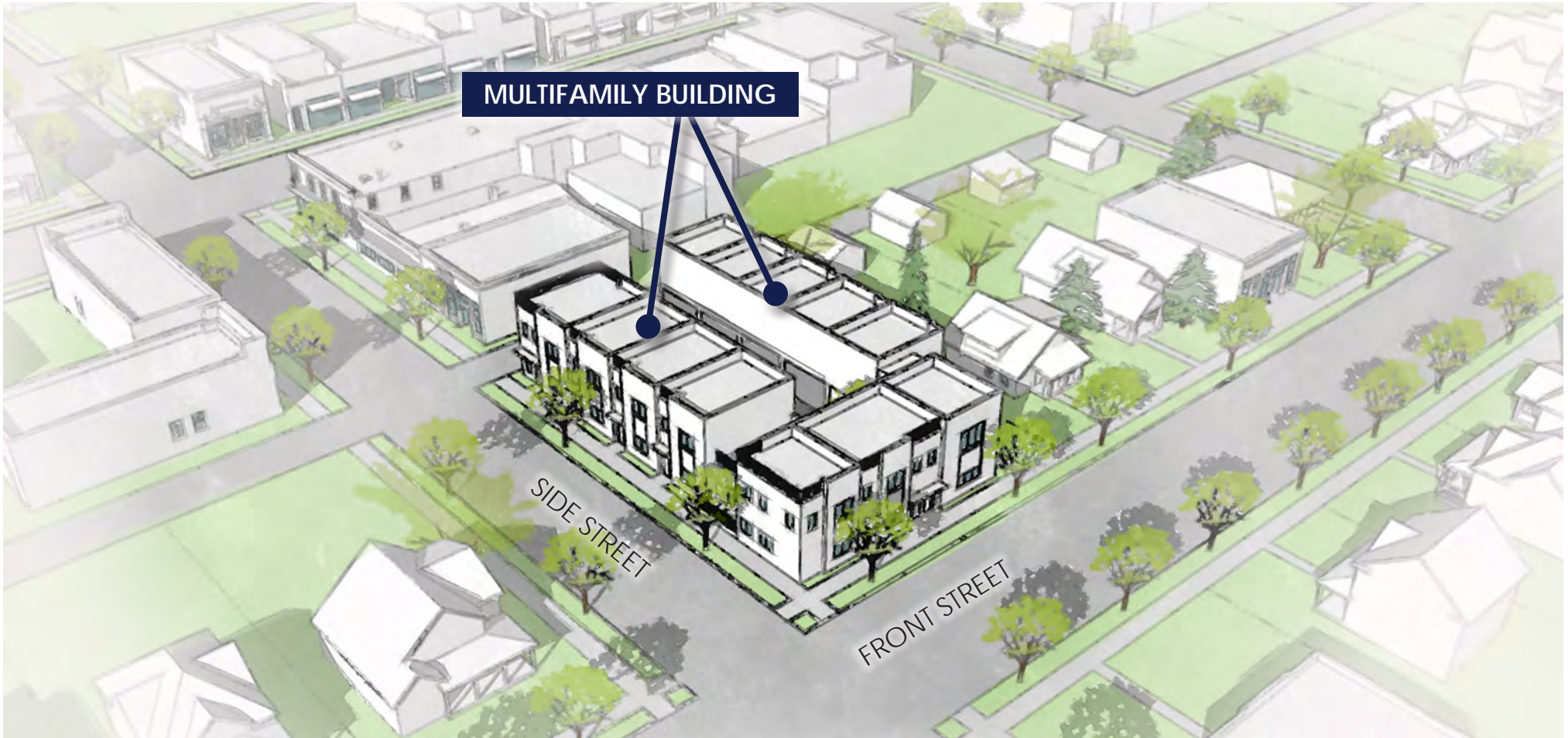
NEW CODE (NEIGHBORHOOD CORRIDOR):

- 3 | Courtyard Apartment and Cottage
- 4 | Cluster of Detached/Attached
- 5 | Four-Unit Back Yard Row House



CMU (PRE 2018 AMENDMENT): Multifamily

Prior to 2018, some developments within the CMU zone district take the form of multi-family units appearing in areas that have a strong single-family disposition. Some developments are viewed as decidedly more urban in character and not fitting of the surrounding context. The example below shows a potential development similar to some developments that have appeared in Golden over the past several years.



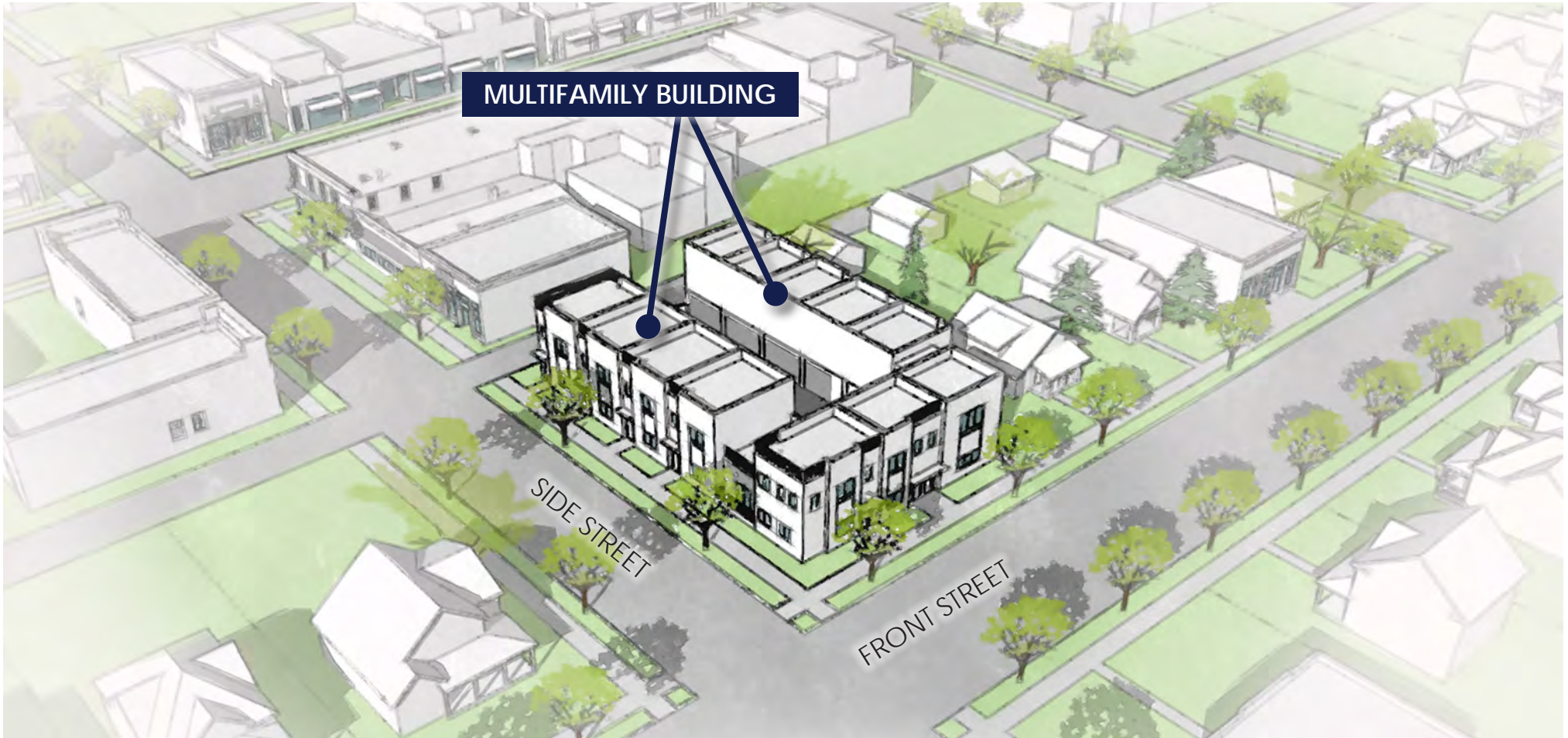
	ZONE STANDARD	AS ILLUSTRATED
Lots	Not specifically regulated	1 - 14,000 sf lot (100' x 140')
Number of Units	Not specifically regulated	12 units
Open Space / Lot Coverage*	40% min Open Space (previously not regulated ground vs roof/structure)	10,700 sf Lot Coverage; Open Space requirements met with roof top patios
Total Building Floor Area	Not specifically regulated	15,000 sf (1,000-1,400 sf/unit)
Setbacks*	17' front and side street setback	17' front and side street setback

*Lot coverage includes building footprint and driveways. Setbacks are measured from the back of curb, and include tree lawns and sidewalks.



CMU (AFTER 2018 CODE AMENDMENT): Multifamily

The CMU zone district was updated in 2018, requiring 100% residential developments to apply greater setbacks to developments that are more consistent with the residential zone districts. The example below illustrates how the previous example would bring the development in line with the current zoning regulation. This increased setback provides more room for tree lawns and sidewalks.



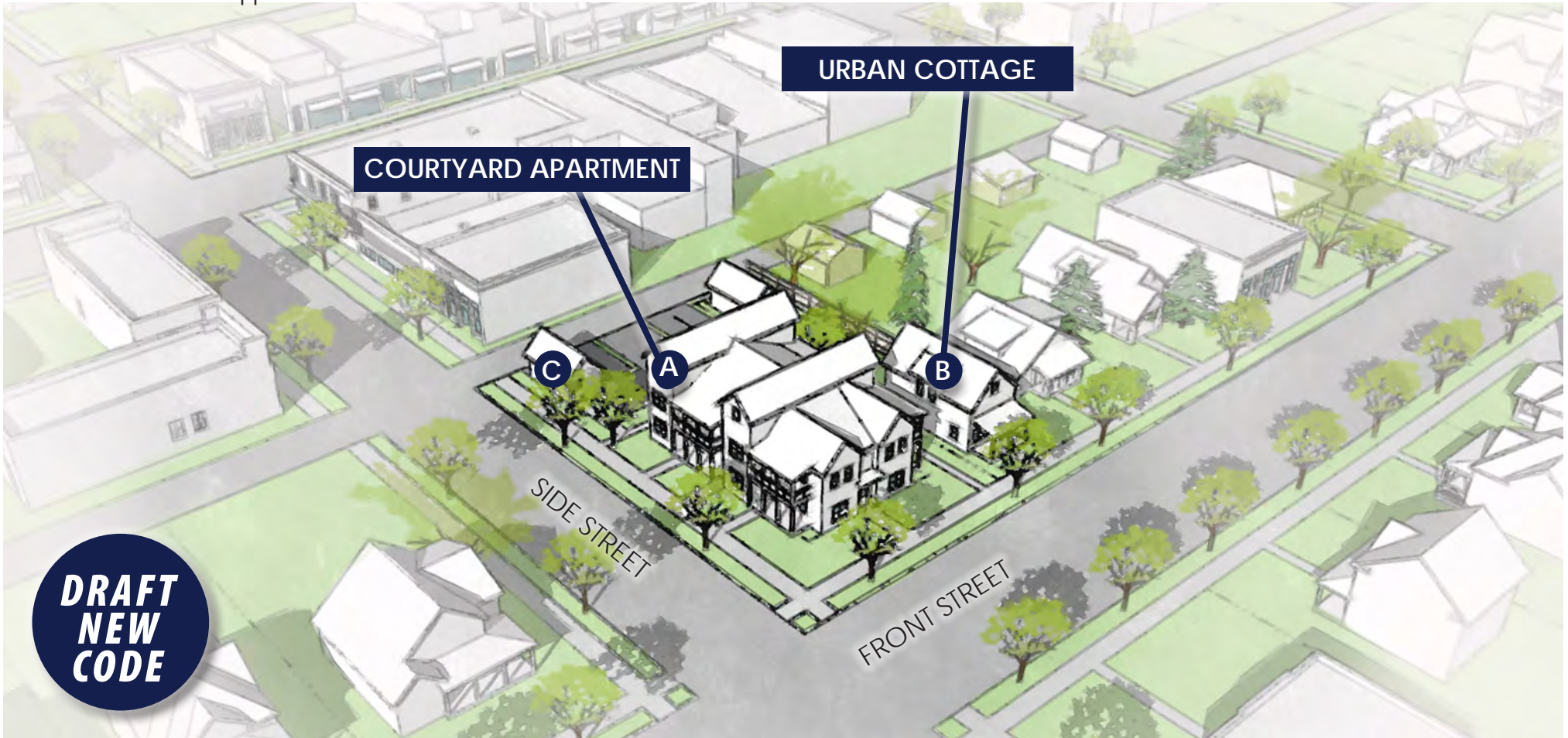
	ZONE STANDARD	AS ILLUSTRATED
Lots	Not specifically regulated	1 - 14,000 sf lot (100' x 140')
Number of Units	Not specifically regulated	12 units
Open Space / Lot Coverage*	40% min open space (50% of which must be ground level)	3,710 sf ground level Open Space, additional Open Space on roof top patios
Total Building Floor Area	Not specifically regulated	13,000 sf (1,000-1,250 sf/unit)
Setbacks*	20' front and side street setback	20' front and side street setback

*Lot coverage includes building footprint and drive-ways. Setbacks are measured from the back of curb, and include tree lawns and sidewalks.



NEIGHBORHOOD CORRIDOR: Courtyard Apartment and Cottage

This scenario illustrates the maximum number of units that can be built through the Draft Code on the same lot as the previous examples (100' x 140'). The form types utilized here are the Courtyard Apartment Building and an Urban Cottage (on a separate lot). The Six-to-Eight Unit Courtyard Apartment building form type is intended to be more compatible with the urban neighborhood context than the previous example, drawing inspiration more from the residential areas opposed to the commercial corridor.



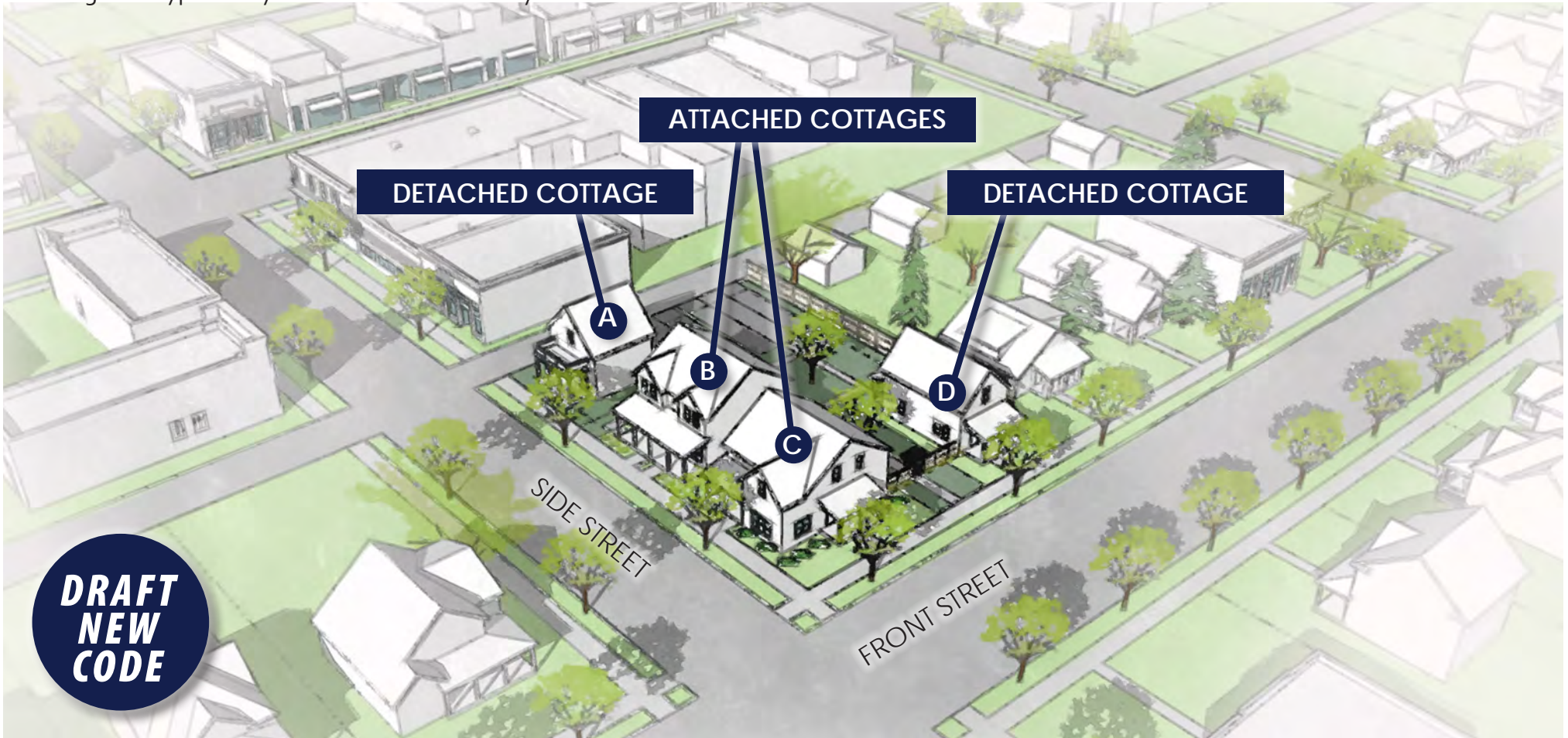
The Six-to-Eight Unit Courtyard Apartment Building form type helps regulate bulk and scale: The form type has two building envelope areas (BEA) that restrict lot coverage, setbacks, building height to compliment the rhythm of previous neighborhood developments. The front BEA is more accommodating for development near the street, the rear BEA is more restrictive near the alley. This form type is limited to 8 units. If more units are desired, the development must utilize a separate form type – space permitting. The example property had enough space on the lot for the inclusion of the urban cottage form type. Its inclusion increased the total number of units to 9 total.

	ZONE STANDARD	AS ILLUSTRATED - APARTMENT	AS ILLUSTRATED - COTTAGE
Lots	1 lot per form type	10,500 sf lot	3,500 sf lot
Number of Units	up to 8 for apartment / 1 unit for cottage (9 total)	8 units	1 unit
Open Space / Lot Coverage	15% open space requirement (for Apartment) and 55% max coverage for front BEA in cottage	5,450 sf Open Space (52% lot coverage)	55% coverage for front BEA
Total Building Floor Area	9000 sf apartment / 1400 sf cottage	9000 sf apartment (1125 sf/unit)	1400 sf cottage



NEIGHBORHOOD CORRIDOR: Cluster of Detached/Attached

Cluster of Detached and Attached Cottages building form type permits the land to be subdivided into smaller lots and owned independently. Only cottages and duplex buildings are permitted within this building form type. Buildings shall front either a street or a "common court" (which is shown in dark green below). Each detached building has a maximum floor area of 14,000 sf, and each duplex has a maximum floor area of 2,200 sf per building. This building form type is only allowed on lots with alley access.



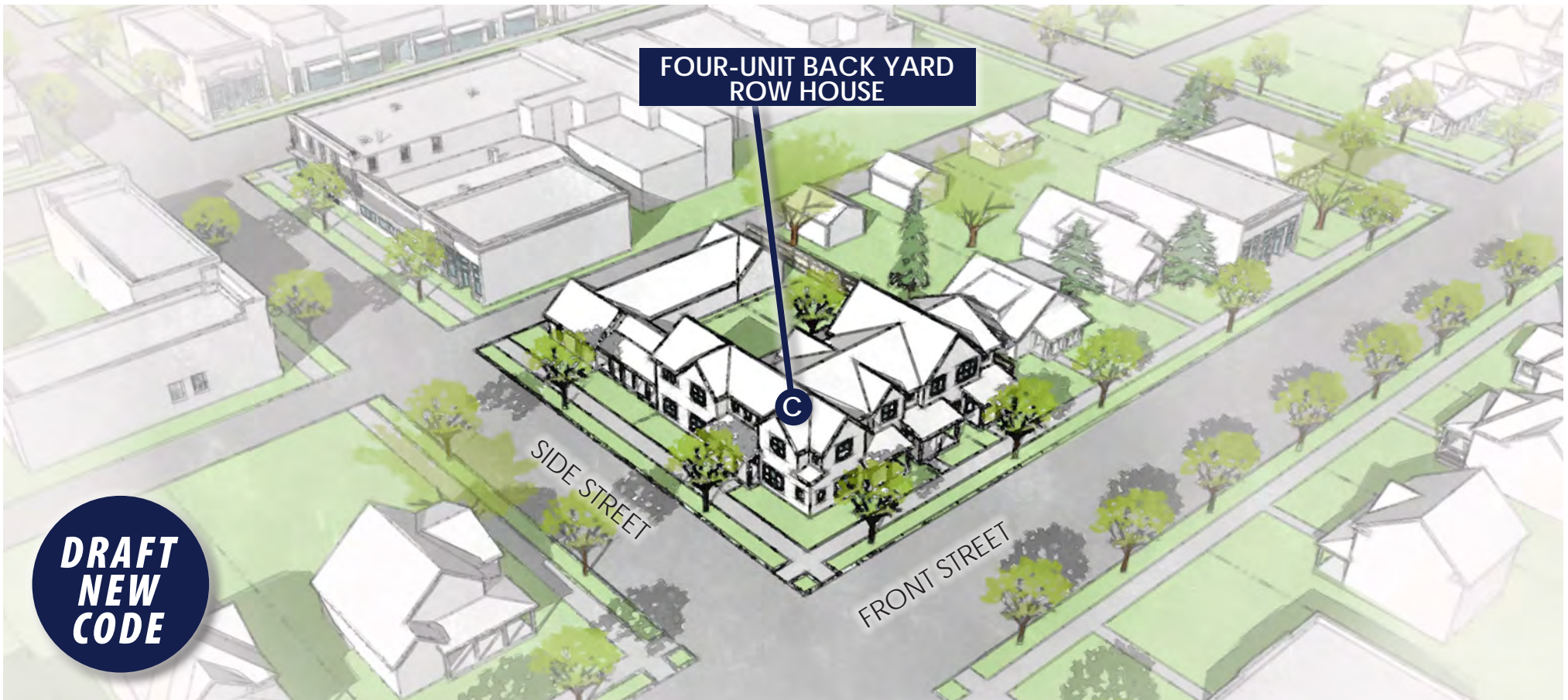
	ZONE STANDARD	AS ILLUSTRATED
Lots	12,000 sf min. before subdivision	14,000 sf lot before subdivision
Number of Buildings / Units	6 units	4 buildings (6 units)
Lot Coverage / Footprints	N/A	3,344 sf
Total Building Floor Area	6,000 sf max.	6,000 sf

Modeling assumptions: Building A is a garage with a live above unit. Buildings B and C are two-story duplexes, with the second floor slightly smaller than the ground floor. Building D is a two-story, detached cottage. Porches are not included as part of the floor area calculation.



NEIGHBORHOOD CORRIDOR: Four-Unit Back Yard Row House

The Four-Unit Back Yard Row House offers another example of how multi-family development can better fit the character of the neighborhood. The form type's front porch requirement will orient units to the street to enhance the pedestrian experience established in the neighborhood. This form type is separated into three building envelope areas (BEA). The front BEA has the most available building space, but the middle and rear BEA are the most restrictive when it comes to development. This ensures that the development pattern in the established neighborhood is maintained when a new project is built. The established neighborhood pattern often locates the principal structures close to the street and sidewalk and opens up the middle and rear of the lot to yard space and garage space.



SIDE YARD PERSPECTIVE



FRONT YARD PERSPECTIVE



	ZONE STANDARD	AS ILLUSTRATED
Lots	1,800 sf min. (per unit)	4 - 3,500 sf lots (25' x 140' each)
Number of Units	4	4
Total Footprints / Lot Coverage	N/A	6,400 sf (including garage); 46% coverage
Total Building Floor Area	8,000 sf max total (all 4 lots)	8,000 sf total (all 4 lots)



HOW DOES THE NEW CODE ADDRESS PRESERVATION?

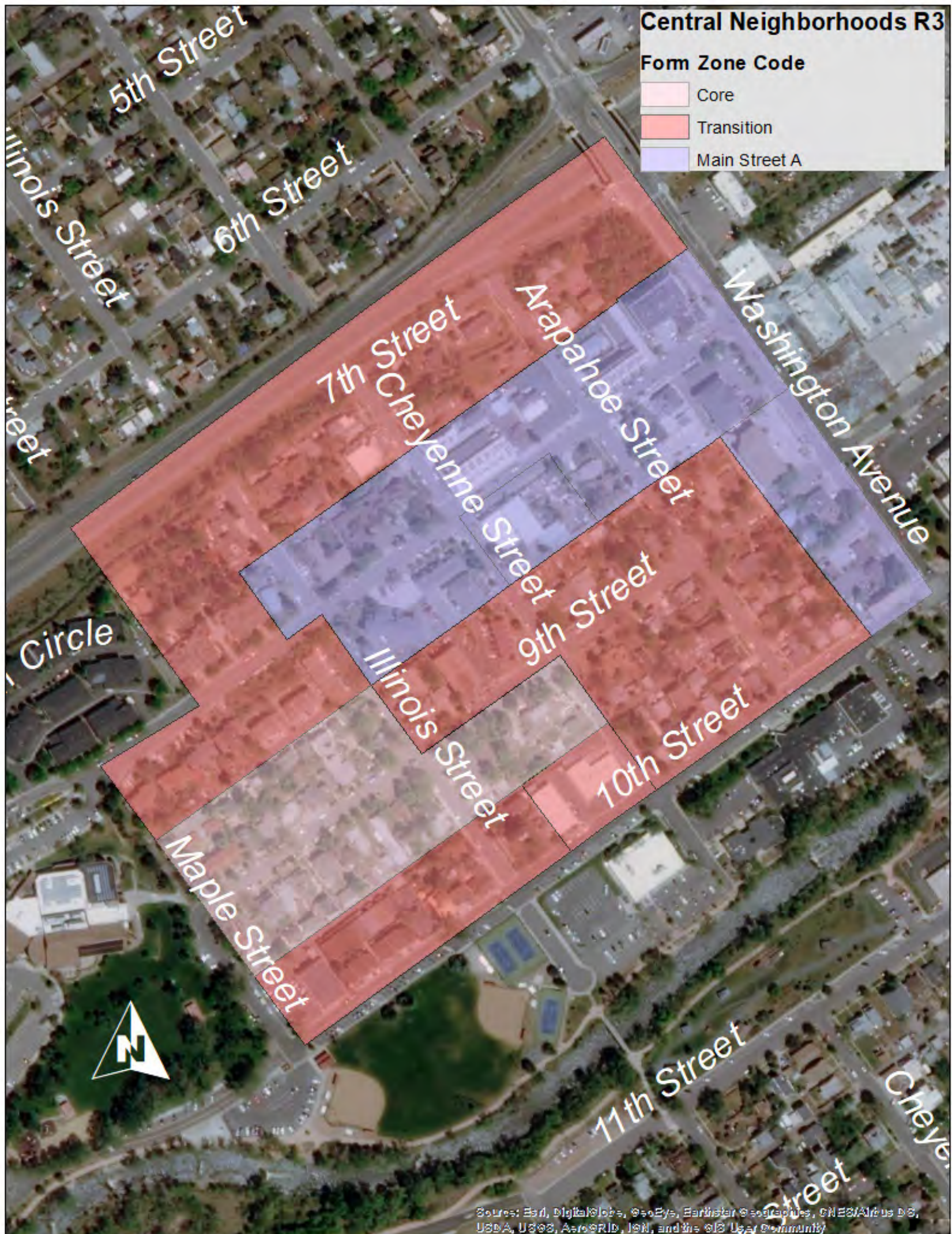
Golden's R3 zone district permits both single-family and multi-family developments. Although the City's R3 neighborhoods are largely built out in a single-family pattern, pockets of multi-family development are common. Because the City's historic districts and many historic structures are within the R3 zone, special care is required to ensure the development patterns and style of these areas are promoted and maintained. The Code Rewrite's Diagnostic Report acknowledges that the current zoning code permits incompatible infill in size and scale with the established R3 neighborhoods. These neighborhoods have become more attractive for redevelopment due to their central location and flexible zoning regulations. The scrapping of properties is common in these neighborhoods and the resulting development is often viewed as out of character. The Zoning Code Rewrite provides tools that encourage the preservation of existing homes. This simulation provides examples of how these tools can be applied in the R3 neighborhoods and others moving forward.

EXISTING CODE (R3):

- 1 | Single Family Houses
- 2 | Triplex, Duplex, and Single Family House Redevelopments

NEW CODE (CORE NEIGHBORHOOD):

- 3 | New Cottages and Additions

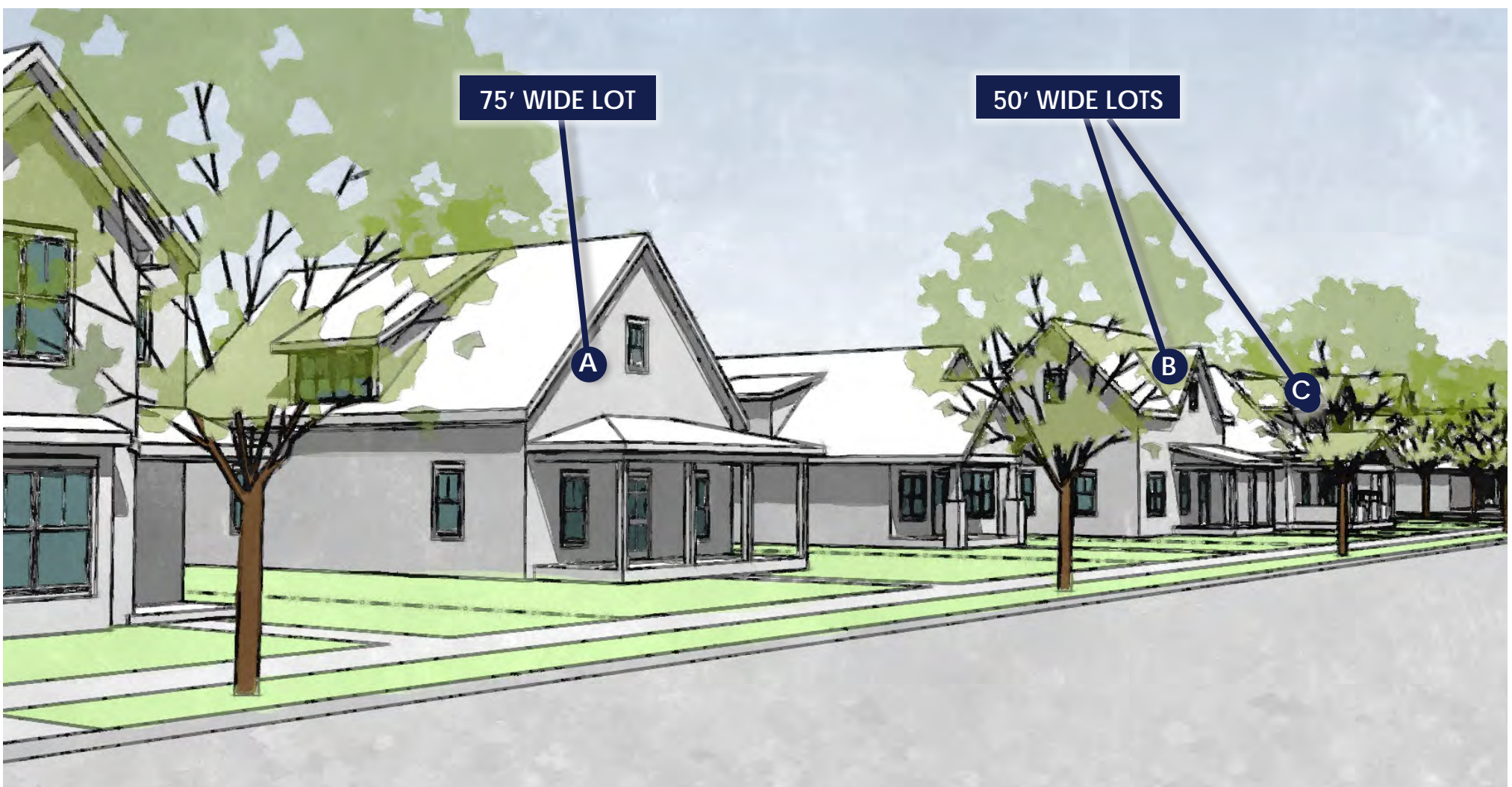


R2/R3/EXISTING HISTORIC DISTRICT: Single Family Houses

The example below simulates a typical block pattern found in the R3 neighborhoods. Single-family developments are common in the multi-family zoned areas of Golden’s central community. In addition, there are several instances of smaller developments occupying larger lots, creating room for additional improvements. The single-family block pattern identified below is a “test case” to study how lots similar to these can develop under the current code and under various scenarios that are being considered with the current draft code.

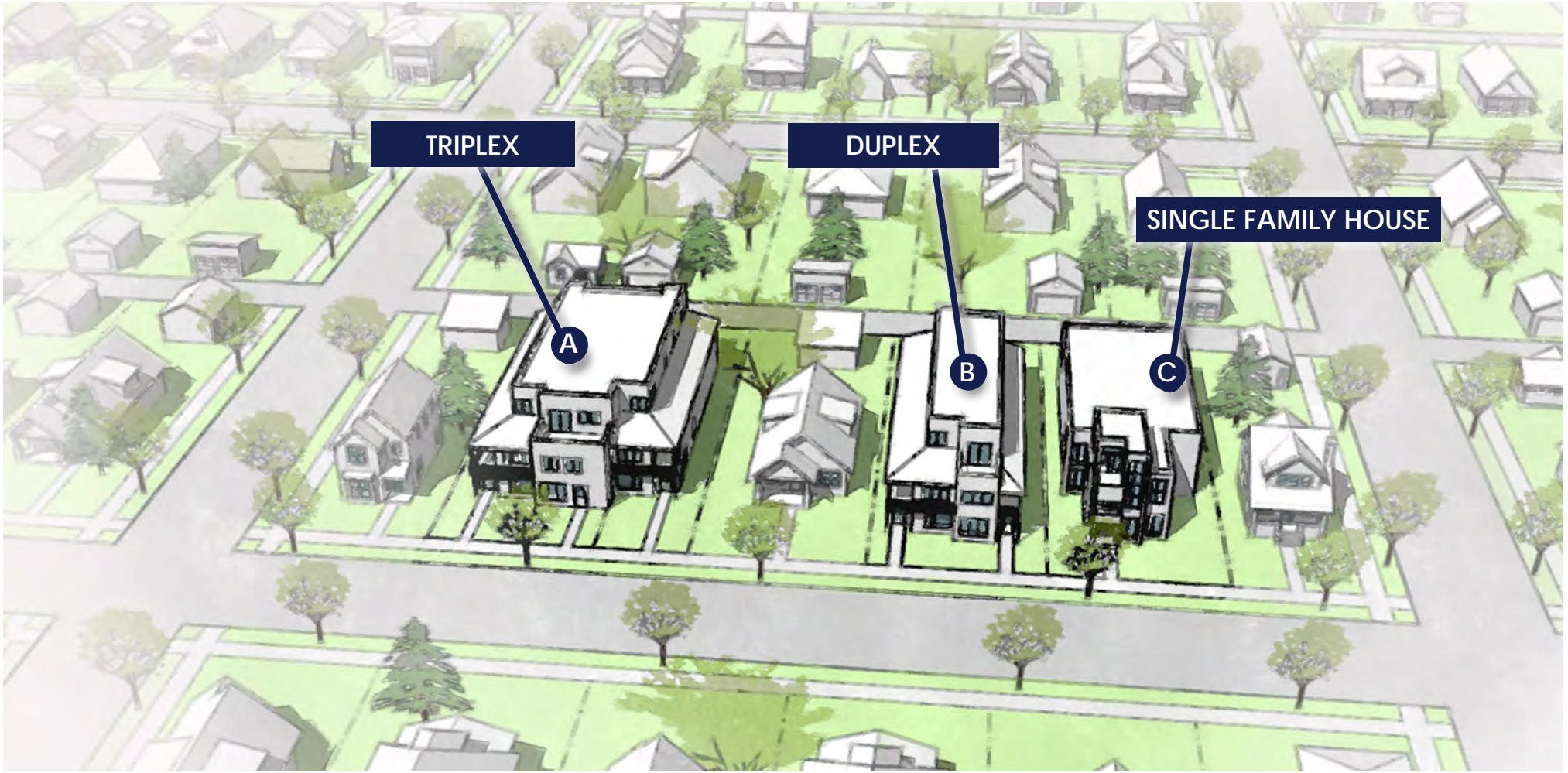


	ZONE STANDARD	AS ILLUSTRATED
Lots	7,000 sf min.	1 - 10,5000 sf lot; 2 - 7,000 sf lots (50' x 140' each)
Number of Buildings	Not specifically regulated	2 per lot (house and garage); total of 6 illustrated
Lot Coverage / Footprints	50% max lot coverage	

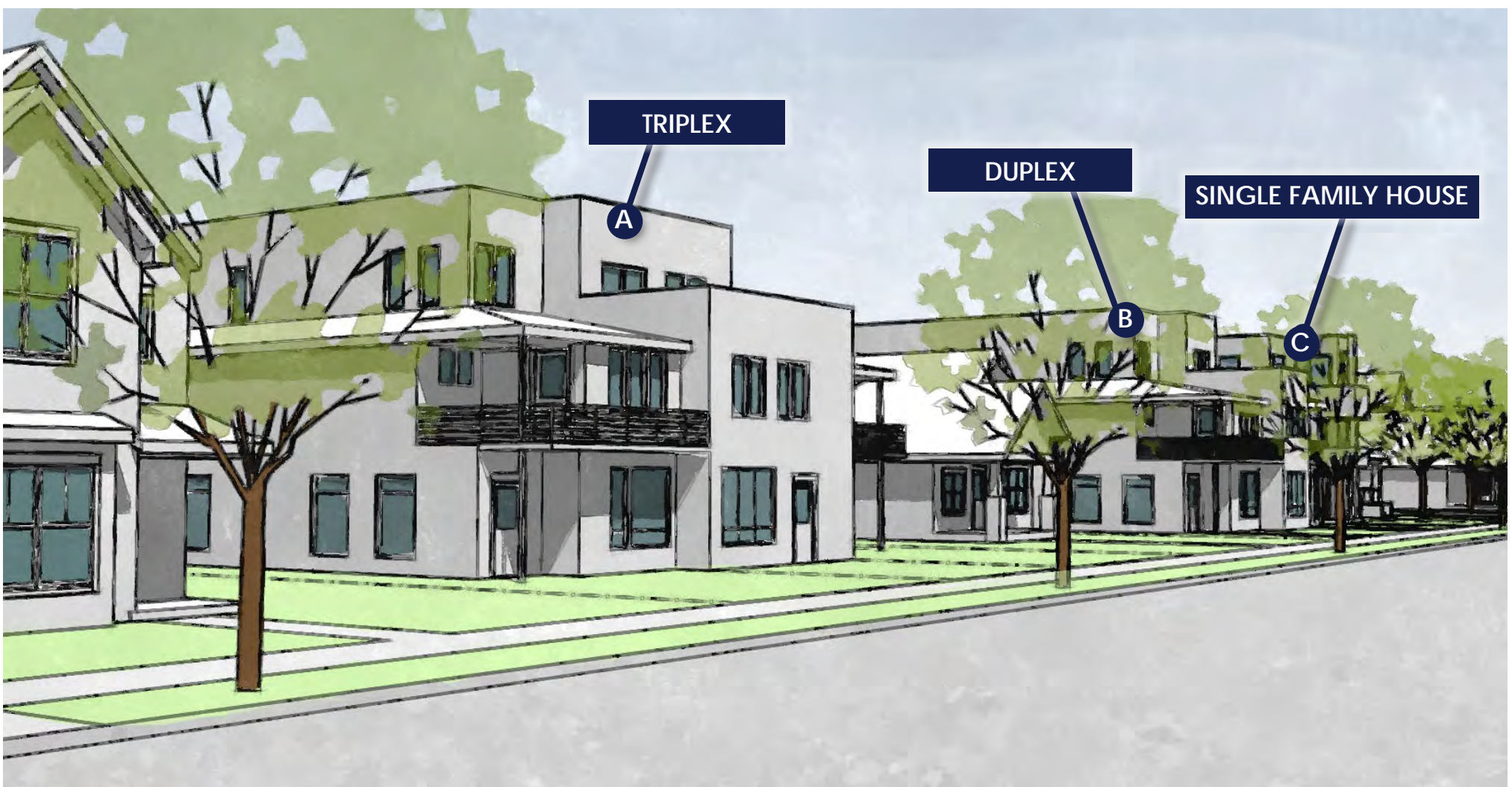


R2/R3 EXISTING DISTRICT: Redeveloped Lots

Larger lots with smaller developments in a multi-family zone district are attractive properties for potential redevelopment in Golden. The large minimum lot sizes regulated by the current zoning code allow redevelopments that are much larger than the historic neighborhood fabric in these neighborhoods. The examples in the simulation below identify a redevelopment trend that could transform the existing character of the R3 neighborhoods. The duplex, triplex, and large single-family redevelopments are all legally permitted under the current code.

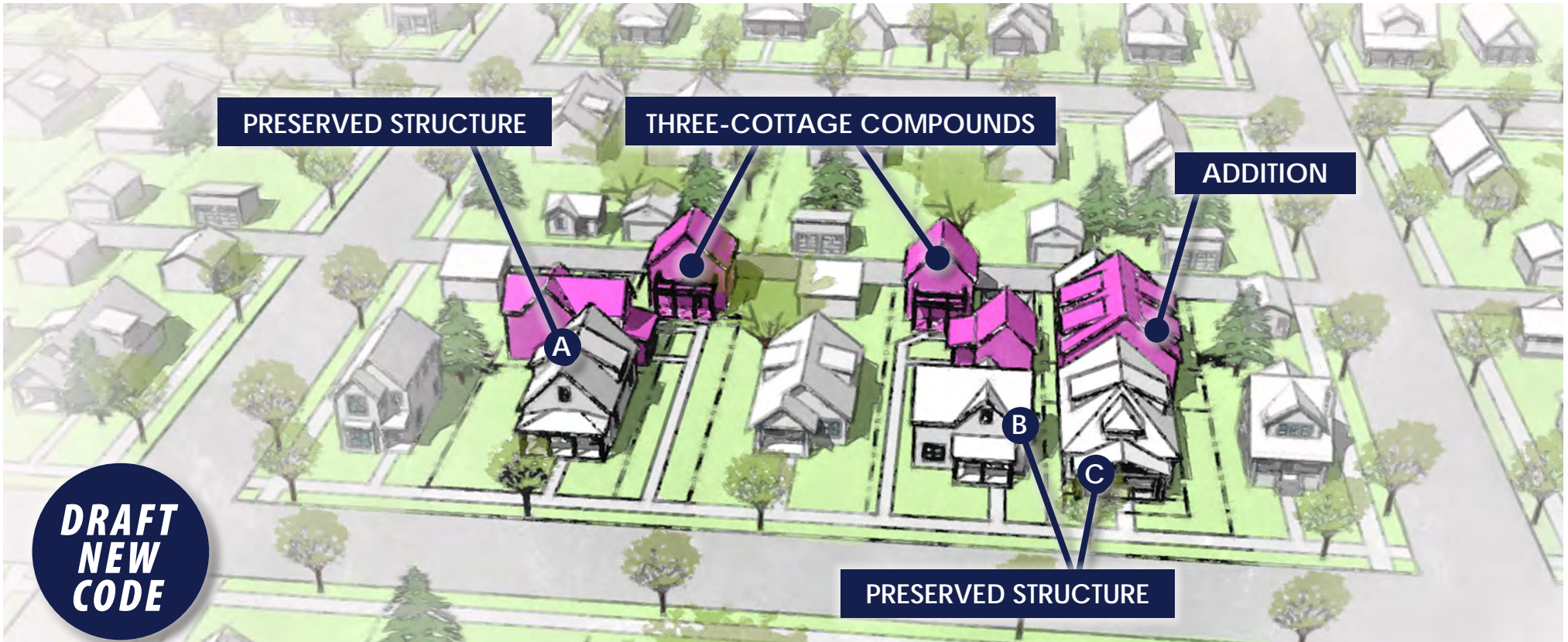


	ZONE STANDARD	AS ILLUSTRATED
Lots	9,000 sf min. (3 unit) and 7,000 sf (1- and 2-unit)	1 - 10,500 sf lot, becomes 3 - 3,500 sf lots; 1 - 7,000 sf lot, becomes 2 - 3,500 sf lot; 1 - 7,000 sf lot (50' x 140' each)
Number of Buildings / Units	1 unit per lot per 3,500 sf	3 per 10,500 sf lot; 2 per 7 (total of 6 illustrated)
Lot Coverage / Footprints	50% max lot coverage	15% lot coverage (A); 17% lot coverage (B); 30% lot coverage (C)

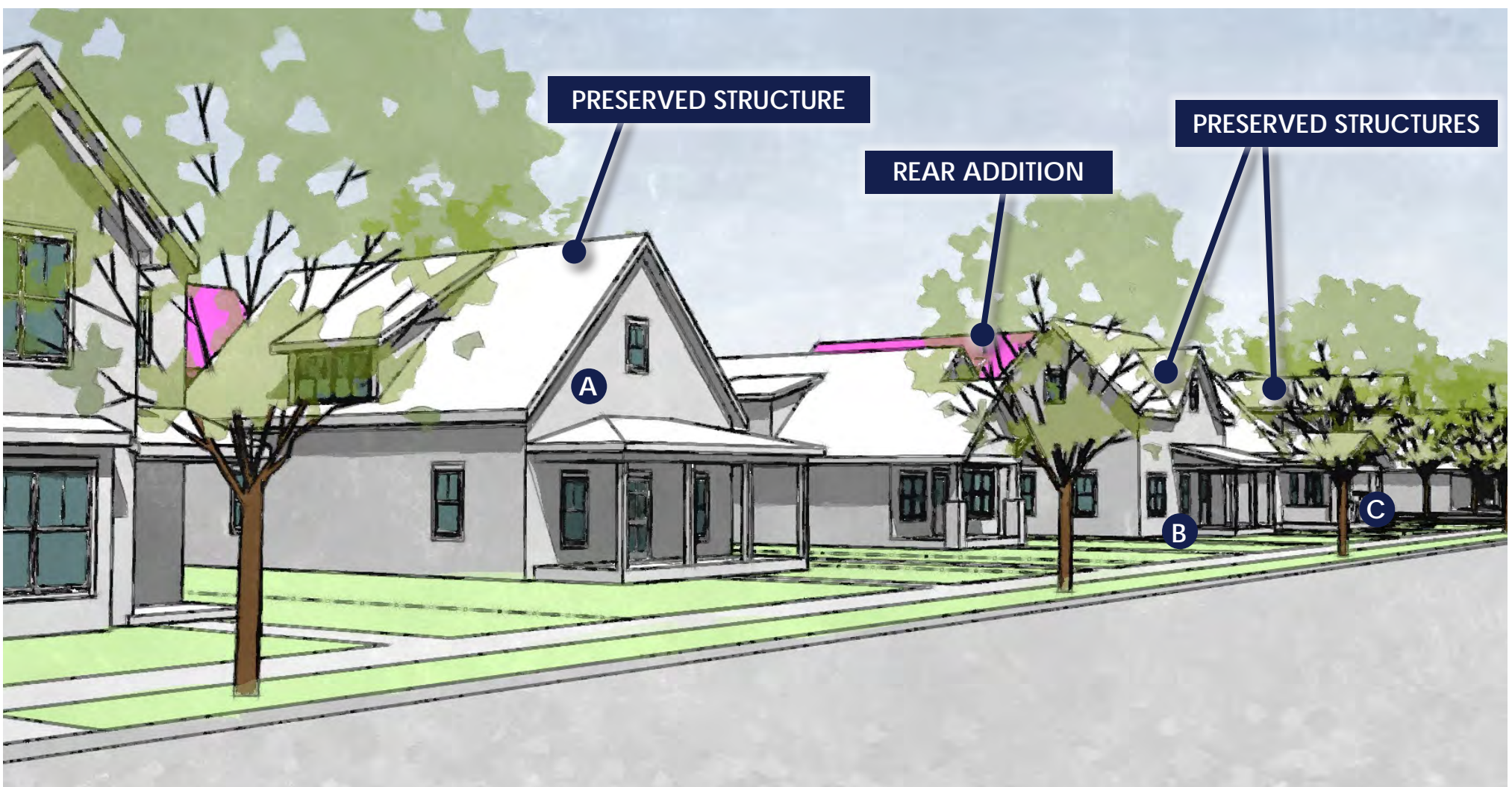


DRAFT CODE PRESERVATION TOOLS: Cottages and Addition

To promote the preservation of existing structures throughout the central neighborhoods, the zoning code rewrite has introduced methods to allow additional structures to be constructed in the middle and rear portions of existing lots. These new form types are purposely small in order to match the size and scale of existing cottages, only requiring small lot sizes to be constructed. The Compact Urban Cottage is shown below as well as the Three-Cottage Compound form types. The utilization of the Compact Urban Cottage allows for the separation of fee simple lots to be sold, but requires the creation of a common court frontage element and a Home Owner's Association. The three cottage compound does not require these elements as it is a rental configuration, but it does require the property owner to live on site. The current zoning code does not offer the flexibility displayed in these examples with regards to lot size. Often, the minimum lot sizes of the current code favor the scrapping and rebuilding of structures within the R3 neighborhoods as exemplified in the previous example. However, the new form types make it possible to preserve an existing residence and add a second or third unit. In addition to these new form types, the new code introduces a "mostly preserved structure" feature that allows for additions to be more easily added to existing structures if at least 75% of the structure and 75% of its roof is preserved.



	ZONE STANDARD	AS ILLUSTRATED
Lots	6,000 sf min.	1 - 10,5000 sf lot; 2 - 7,000 sf lots (50' x 140' each)
Number of Buildings	3	2 new buildings per lot, total of 3 (A and B); no change in number of buildings (C)
Total Building Floor Area	3,000 sf max. per lot	3,000 sf per lot (A and B); 75% preserved structure, addition allowed in rear



COMPARISON: Duplex and Single Family in R3/Core Neighborhood

2 EXISTING SINGLE FAMILY HOUSES ON 2 50' WIDE LOTS



EXISTING SINGLE FAMILY HOUSE ON 50' WIDE LOT

EXISTING SINGLE FAMILY HOUSE ON 50' WIDE LOT

R3: DUPLEX REDEVELOPMENT AND A LARGE, SINGLE FAMILY HOUSE



NEW DUPLEX ON 50' WIDE LOT

NEW SINGLE FAMILY HOUSE ON 50' WIDE LOT

CORE NEIGHBORHOOD: 3 COTTAGE COMPOUND AND A MOSTLY PRESERVED STRUCTURE



PRESERVED HOUSE WITH 2 NEW COTTAGES IN REAR (SHOWN IN PINK)

MOSTLY PRESERVED STRUCTURE, ADDITION IN BACK (SHOWN IN PINK)



ZONE STANDARD - R3	
Lots	6,000 sf min. (for single family)
Number of Buildings	Not specifically regulated
Lot Coverage / Footprints	50% lot coverage

AS ILLUSTRATED
1 - 7,000 sf lot, becomes 2 - 3,500 sf lot; 1 - 7,000 sf lot (50' x 140' each)
2 units (duplex) and 1 unit (new SF house); total of 3 units
50% lot coverage

AS ILLUSTRATED
2 - 7,000 sf lots (50' x 140' each)
2 new cottages; 1 addition
3,000 sf per lot; 75% preserved structure, so addition allowed in rear

COMPARISON: Three Unit Developments in R3/Core Neighborhood

EXISTING SINGLE FAMILY HOUSE ON 75' WIDE LOT



EXISTING SINGLE FAMILY HOUSE ON 75' WIDE LOT



R3: TRIPLEX REDEVELOPMENT



NEW TRIPLEX ON 75' WIDE LOT



CORE NEIGHBORHOOD: 3 COTTAGE COMPOUND, KEEPING THE EXISTING HOUSE AND ADDING 2 COTTAGES IN THE REAR OF THE LOT.



PRESERVED HOUSE WITH 2 NEW COTTAGES IN REAR (SHOWN IN PINK)



ZONE STANDARD - R3

Lots	6,000 sf min. (for single family)
Number of Buildings	Not specifically regulated
Lot Coverage / Footprints	50% lot coverage

AS ILLUSTRATED

1 - 10,500 sf lot, becomes 3 - 3,500 sf lots
3 units, 1 building
50% lot coverage

AS ILLUSTRATED

1 - 10,500 sf lot
2 new buildings per lot, total of 3
3,000 sf per lot



Agenda Item #b.

Agenda Item Name:

IFRA Expansion Discussion

Presenter:

Zach Higgins, Community Development Director

Item Description:

Recommended Action:

Provide general direction and feedback.

Fiscal Impact:

The City could see a reduction in collected impact fees from individual projects, but will hopefully stimulate more volume. Staff has chosen areas to expand the IFRA that already include infrastructure.

Operational Impact:

The proposal to expand the IFRA and create a tiered system would mean very little additional work from the Community Development Staff to administer.

Prior Board Motions:

N/A

Background Information:

To close out the Strong Communities Grant that the City used for the Housing Needs Assessment, the City is required to explore passing a code amendment to make a difference for housing in the community. Because the City already had an IFRA, Staff felt an expansion could drive additional impact without altering an additional provisions.

Executive Summary:

Staff is proposing an expansion to the IFRA and the creation of a tiered system to satisfy a requirement imposed by the Strong Communities grant program the City used for the Housing Needs Assessment.

Notification Requirements:

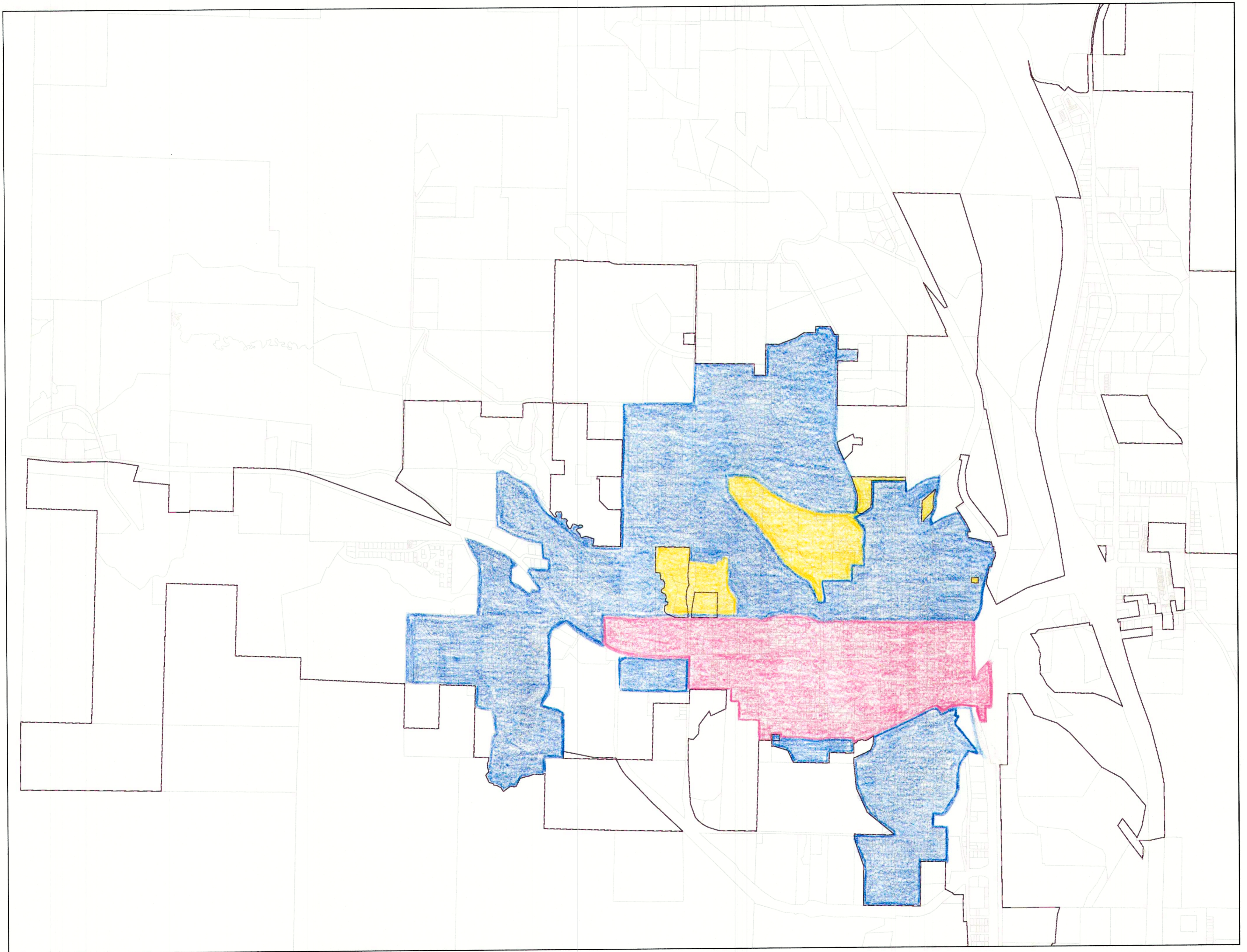
N/A

Prepared By:

Zach Higgins, Community Development Director

Attachments:

1. IFRA Tier 1 & 2 Concept
2. IFRA Initial Draft Map





Agenda Item #4.a.

Agenda Item Name:

Consider Minutes of the 02/24/2026 regular Planning Commission Meeting

Presenter:

Jenna Lucas

Item Description:

Minutes of the February 24th, 2026 regular Planning Commission Meeting.

Recommended Action:

Move to approve the consent agenda as presented.

Fiscal Impact:

N/A

Operational Impact:

N/A

Prior Board Motions:

N/A

Background Information:

N/A

Executive Summary:

N/A

Notification Requirements:

N/A

Prepared By:

Zach Higgins, Community Development Director

Attachments:

1. FEBRUARY 2026 MEETING MINUTES



**REGULAR PLANNING COMMISSION MEETING
& BOARD OF ADJUSTMENT
FEBRUARY 24TH, 2026**

Chair Marantino led the Planning Commission and audience in the Pledge of Allegiance.

The meeting starts at 7:00 p.m.

MEMBERS PRESENT AT ROLL CALL

Present: Marantino, Caldwell, Carter, Rogers, Steffen, Dow, Karzhova, Edwards

Absent: Rodas

OTHERS PRESENT: Community Development Director Zach Higgins, Senior Planner Geir Sverdrup, Main Street Manager Kim Burner, Assistant City Attorney Wilton Anderson

APPROVAL OF MINUTES

FIRST: Carter

SECOND: *Rogers*

February 24th, 2026 Regular P&Z Commission minutes approved through “Aye” vote.

7:05 PM

PUBLIC HEARING:

Discussion 1: Item A

**Lot Line Dissolution Sketch Plan and Rezone for Grand River
Hospital District Property**

Senior Planner Geir Sverdrup presents the Lot Line Dissolution Sketch Plan and Rezone for Grand River Hospital District Property applied for in 2025. Applicants are filing for a lot line

dissolution between the western parcels and the main hospital parcel. Additionally, a rezone is being requested for the newly formed parcel to the existing Hospital PUD.

7:07 PM

Applicants Connie Wilmut from Grand River Health and Justin D’Pietro from Davis Partnership Architects were sworn in.

7:07 ANNOUNCEMENT

Public notice was met.

7:10 PM

Connie explains the reasoning behind dissolving lines, which would be to bring the community more health care services at a more affordable price. Justin explains why it is hard for their layout to be optimized due to the lot lines.

7:17 PM

Marantino opens and closes public hearing.
Marantino opens commissioner discussion.

Commissioner Caldwell inquires about the parking lot and how that was able to be built across lot lines.

Justin explained that since there is no structure, you are allowed to pave your land.

CD Director Higgins explains zoning codes briefly and how the changes will affect once the lot lines are dissolved.

Marantino calls for a motion.

7:20 PM

*Commissioner Dow moved to **APPROVE** Lot Line Dissolution Sketch Plan and Rezone for Grand River Hospital District Property.*

Karzhova seconded the motion. The motion **APPROVED WITH CONDITIONS** with the following vote:

ROLL CALL:

YES: Marantino, Carter, Rogers, Steffen, Caldwell, Karzhova, Dow

NO:

COMMENTS AND ADJOURNMENT - 7:21-7:26

Admin Reports:

Zach Higgins reported there was a job opening for two roles in the Community Development department.

Commissioners bid farewell to Kim.

Commissioner Rogers gave UTE theatre announcements including showtimes and show names.



Agenda Item #7.a.

Agenda Item Name:

Discussion and possible action regarding Sunset Estates Sketch Plan and Rezone

Presenter:

Geir Sverdrup

Item Description:

The applicants request approval of a Sketch Plan to subdivide the parcel into 17 lots, and rezone the property from DR Developing Resources to LDR Low Density Residential. The proposed subdivision is known as Sunset Estates.

Recommended Action:

Move to approve Sunset Estates Sketch Plan and recommend approval to the City of Rifle City Council for Rezone from Developing Resources to Low Density Residential as presented with Staff recommendations.

Fiscal Impact:

N/A

Operational Impact:

N/A

Prior Board Motions:

N/A

Background Information:

See attached.

Executive Summary:

See attached.

Notification Requirements:

Notice requirements have been met.

Prepared By:

Zach Higgins, Community Development Director

Attachments:

1. Sunset Estates - Sketch Plan - PZ - MEMO 3-31-26
2. Application - Sketch Plan Application-Sunset Estates
3. Geo Tech - Sketch Plan Application-Sunset Estates
4. Hydrology - Sketch Plan Application-Sunset Estates

5. Mineral Report - Sketch Plan Application-Sunset Estates
6. Sketch Plan Map - Sketch Plan Application-Sunset Estates BLUBEAM TEST
7. Survey - Sketch Plan Application-Sunset Estates
8. Title Report - Sketch Plan Application-Sunset Estates
9. Vicinity Map - Sketch Plan Application-Sunset Estates

COMMUNITY DEVELOPMENT DEPARTMENT

202 Railroad Avenue, Rifle, CO 81650

Phone: 970-665-6490 Fax: 970-625-6268



MEMORANDUM

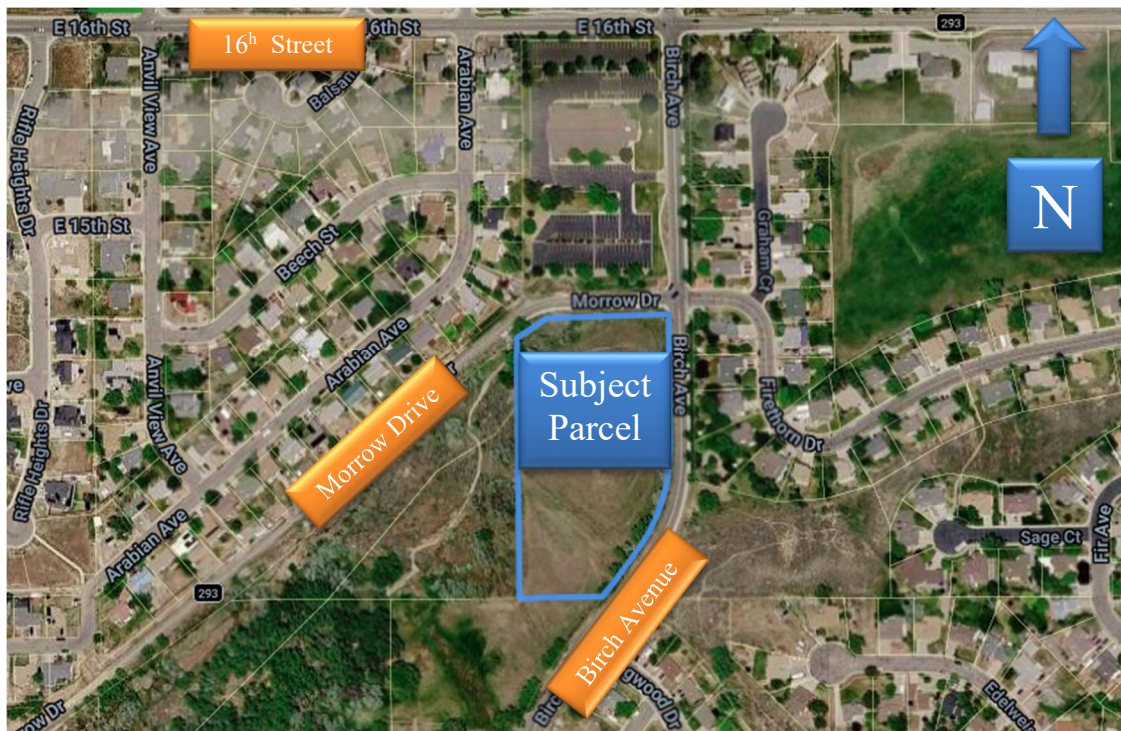
TO: City of Rifle Planning Commission
FROM: Zach Higgins Community Development Director
 Geir H. Sverdrup, Senior Planner
DATE: March 31, 2026
SUBJECT: Sunset Estates – Sketch Plan
ADDRESS: Southeast Corner of Birch Avenue and Morrow Drive
CASE #: Sketch Plan & Rezone 2026-006
APPLICANT: Deric Walter for Uriel Mellin/Caleta Construction

REQUEST AND SUMMARY

The applicants request approval of a Sketch Plan to subdivide the parcel into 17 lots and rezone the property from DR Developing Resources to LDR Low Density Residential. The proposed subdivision is known as Sunset Estates.

VICINITY MAP

The property is located south of Morrow Drive and west of Birch Avenue. The property is generally level and borders Homestead F1 to the east. To the south and east are vacant lands that are a part of the City’s open space and further south, the City’s cemetery. A church is located to the north. To the northwest is the Pastures subdivision, which is built out. A city owned walking trail generally parallels Morrow Drive to the south, terminating at this parcel and originating at Munro Avenue. The proposed subdivision is one of few remaining undeveloped parcels in the vicinity.



COMMUNITY DEVELOPMENT DEPARTMENT

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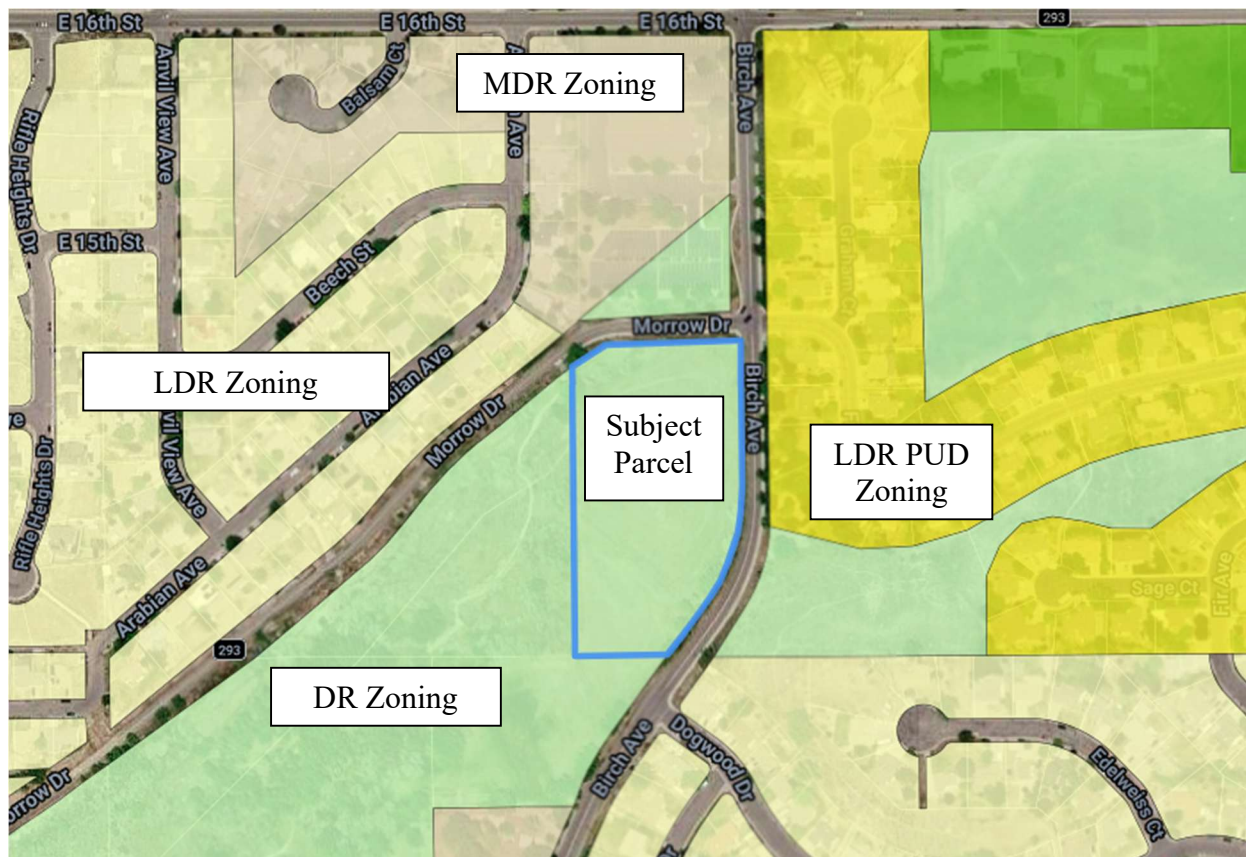


ZONING, LAND USE, AND COMPREHENSIVE PLAN

The property is a vacant parcel zoned Developing Resources. The properties to the north, south, and west are also zoned Developing Resources. Property to the east is zoned LDRPUD Low Density Residential Planned Unit Development. Other surrounding properties are zoned MDR Medium Density Residential and LDR Low Density Residential.

The Comprehensive Plan indicates that this property is planned for Moderate Density Residential (7-15 du/ac) uses. The applicant is proposing 17 single family parcels within the approximately 4.74 acres development for a density of +3.5 du/ac. This is under the range suggested density in the Comprehensive Plan, however, the proposed density is compatible with surrounding residential uses.

The subject parcel is located in the City of Rifle's Comprehensive Plan Tier 1 Development Area, which means they are suited for immediate development based on location of the property, access to utilities, and existing road infrastructure.



COMMUNITY DEVELOPMENT DEPARTMENT

202 Railroad Avenue, Rifle, CO 81650

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Per the Comprehensive Plan Map, the parcel is located in the City’s Graham Mesa Neighborhood area, Chapter 4.4 of the Comprehensive Plan does not specifically speak to this area, but does go on to say:

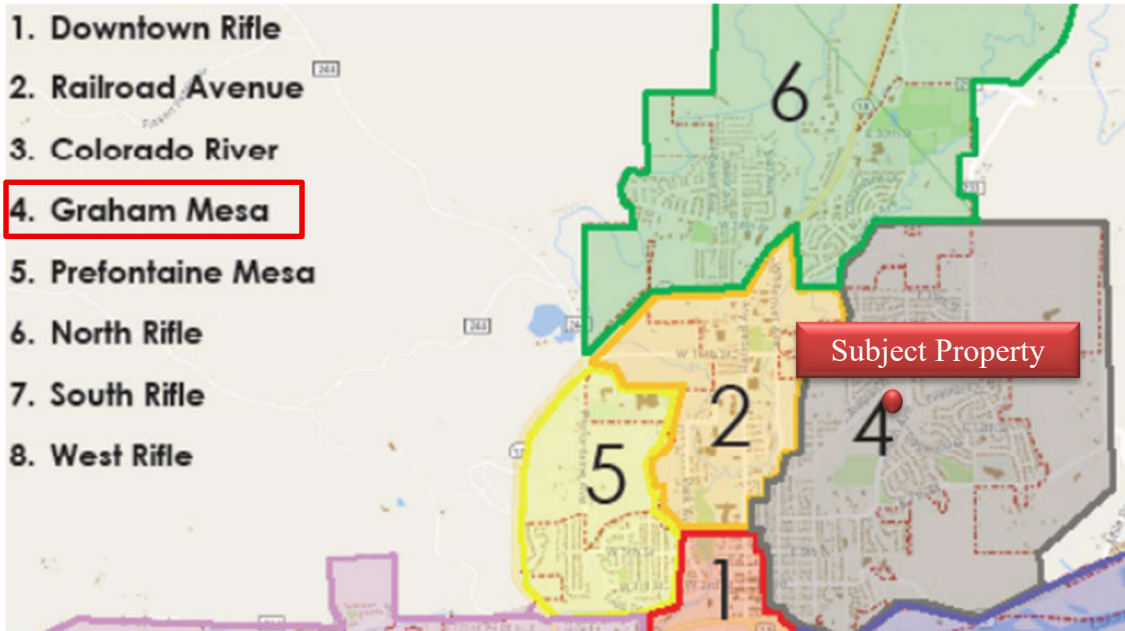
Graham Mesa is expected to see significant new residential development within its Tier 1 areas. Unlike other neighborhoods, Graham Mesa lacks alternate routes to the Gateway and development here may eventually contribute to more congestion on Railroad Avenue. For that reason, more Tier 1 areas are designated “Suburban Residential” rather than “Moderate Residential” on the Future Land Use Map.



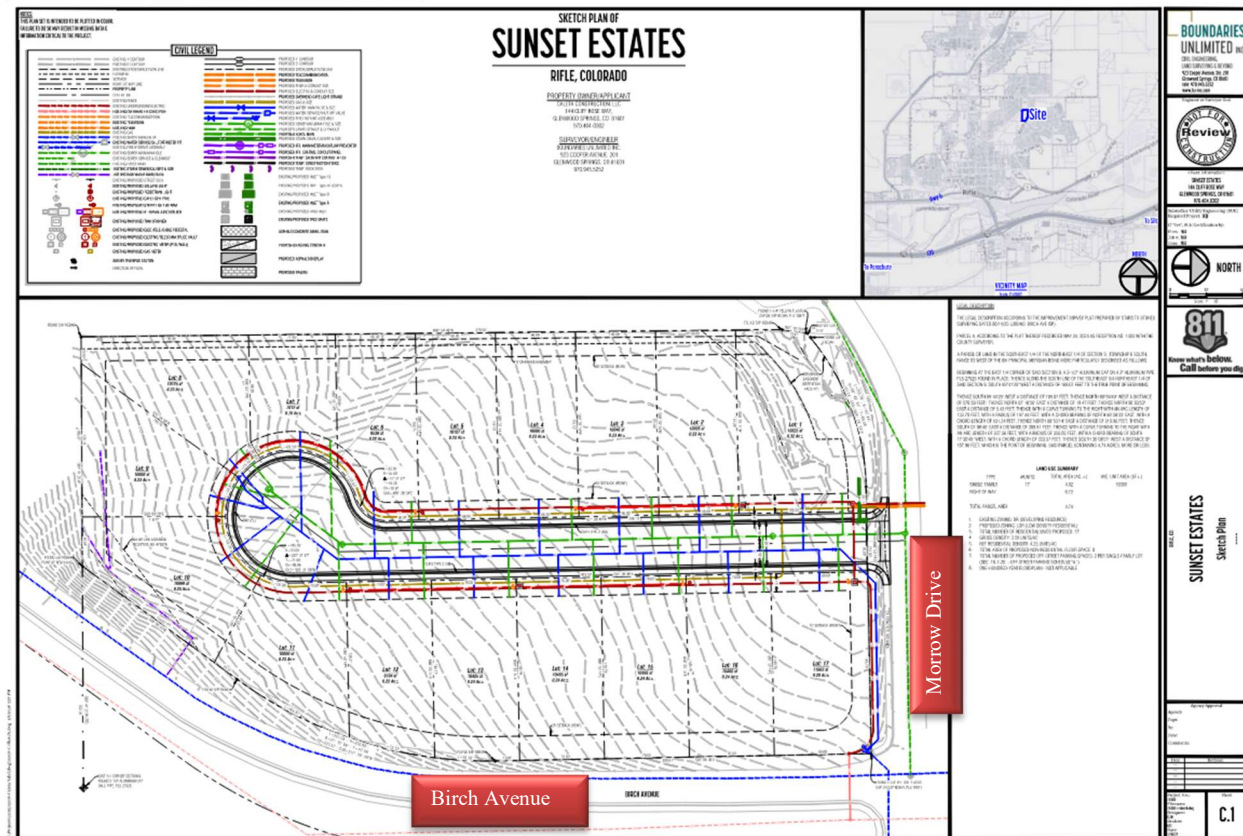
COMMUNITY DEVELOPMENT DEPARTMENT

202 Railroad Avenue, Rifle, CO 81650

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PROPOSED SKETCH PLAN



(Full-scale plans attached)

COMMUNITY DEVELOPMENT DEPARTMENT

202 Railroad Avenue, Rifle, CO 81650

Phone: 970-665-6490 Fax: 970-625-6268



REFERRAL COMMENTS, SKETCH PLAN, AND STAFF COMMENTS

The proposed subdivision comprises 17 lots accessed off Morrow Drive. The sewer and water lines are available in Morrow Drive.

The proposed subdivision meets minimum lot size requirements for the LDR Low Density Residential zone district (12,000 sq ft average lots).

Referral Comments

Staff received comments from the following referral agencies:

City of Rifle GIS

- Standard GIS submission requirements for parcels and utilities apply to this project. GIS will assign addresses at final plat approval. Requested GIS information shall be submitted as part of Final Plat.

City of Rifle Engineering

Streets:

1. No exceptions noted in design
2. An SIA will be necessary
 - a. Sureties within the SIA shall cover the sewer and sidewalk improvements installed in 2025
 - b. The SIA shall also recover the improvements installed by City on Birch Avenue
 - c. Water rights should be addressed in the SIA

Storm Drainage

1. No review of storm drainage at sketch
2. Preliminary plans shall contain a drainage report and include detention per PWM
3. At Preliminary, Irrigation piping shall be addressed such that flows are contained within easements

Sanitary Sewer

- plan and profile will be reviewed at preliminary

Water

- plan and profile will be reviewed at preliminary
- at preliminary, curb stop and meter pit locations shall be shown to ensure conflicts with other utilities are addressed

City of Rifle Public Works

No Exception to the sketch plan as submitted

Colorado River Fire Rescue

1. The drawings show only one fire hydrant in the subdivision. One fire hydrant shown at Morrow Dr and Birch Ave. We will require an additional fire hydrant to be installed at the entrance of the subdivision. This will allow Fire Code approved spacing in the subdivision.

COMMUNITY DEVELOPMENT DEPARTMENT

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2. A road cross section for access road is not shown on the plans. If road parking is allowed in the Cul-De-Sac, then fire truck turnaround is limited. Allowed parking may cause the Cul-de-Sac to be expanded for proper turning radius.
3. Wildfire mitigation should be considered to be done on the west side of property to reduce the threat of wildfire burning up to the back of lots 1-10. The City owns the property; we have extinguished fires in this area in the past. This might be a requirement at the next phase of the permit process.

Mountain Cross Engineering

1. The applicant should be prepared to address the existing irrigation line on the south end of the property at preliminary plan.
2. How and where the proposed detention pond will drain should be discussed at preliminary plan.
3. The application materials suggest that shared driveways will be allowed. The applicant should describe which lots are intended to have shared driveways and the criteria that will be used to determine if a shared driveway is justified at the time of preliminary plan. The applicant should include responsibility for maintenance, repair and/or replacement in the CC&R's.

Staff Comments

The proposed sketch plan will provide much needed lots for new housing. Homestead F1 to the east and Pastures to the Northwest are completely built out with single family homes. To the west and south are City owned properties that are reserved for open space.

The Housing Needs Assessment forecasts that the City will grow between an expected growth rate and/or a projected growth rate of 48.2-58.9% (5,202-6,346 population increase) within the next 20 years. The greatest need is in the "Middle Housing" category. While this project does not fit into the "Middle Housing" category, the proposed project reflects the scale and character of the existing housing in the area. As Rifle grows, there continues to be a need to have balanced growth within most categories of housing.

This parcel represents one of the last properties available to develop with single family homes in this area. Water and Sewer lines are available in Morrow Drive.

FINDINGS

Pursuant to Section 16-5-280, the City shall consider the following criteria before approving a project (***staff comments shown in bold italics***):

1. Conformance of the proposal with the City of Rifle Municipal Code;
The proposal is following the process as described in the code. The Subdivision meets all minimum lot size requirements for the LDR Low Density Zone district.
2. The compatibility of the proposal with the character of the surrounding area, including but not limited to the architectural character of the neighborhood, the average lot and building sizes in the neighborhood, and the relative value of the proposed structure to the value of other structures in the neighborhood;

COMMUNITY DEVELOPMENT DEPARTMENT

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The neighborhood is residential and the proposal for additional single-family housing is compatible with the surrounding area.

3. The desirability for the proposed use in the specific area of the City;

New single-family home lots are likely desirable in this area.

4. The potential for adverse environmental effects that might result from the proposed use;

There are no adverse environmental effects anticipated.

5. Compatibility of the proposed use and the site (or subdivision) plan with the City of Rifle Comprehensive Plan;

The proposed density is below the range recommended in the Comprehensive Plan, which designates moderate density residential in this area. The proposed density is comparable to adjacent zoning and surrounding land uses.

6. The potential impact of the proposed use upon the value of property and buildings within the surrounding area;

Staff would anticipate that the development of a vacant area requiring ongoing maintenance with new homes could be an improvement in surrounding property values.

7. Conformance of the proposal with the approval requirements concerning water and sewer tap availability for high-volume use requests pursuant to Section 13-4-120 of this Code, if applicable.

Not applicable.

STAFF RECOMMENDATION

Staff recommends that Planning Commission APPROVE of the Sketch application and recommend approval to the Rifle City Council the request to rezone 2026-006 for Sunset Estates, with the following conditions:

1. All representations made by the Applicant in the application and during the public hearing shall be conditions of approval unless specifically altered by the Planning Commission.
2. The applicant shall address referral comments from reviewing agencies as part of the Preliminary Plan submittal to the satisfaction of the City of Rifle.

January 8, 2026

City of Rifle Planning & Development Dept.
202 Railroad Avenue
Rifle, CO 81650



RE: Major Subdivision Application – Sunset Estates

To Whom It May Concern

Please see the enclosed application for the proposed Sunset Estates by property owner Caleta Construction, LLC, for Garfield County Parcel #2177-091-00-023. The intent is to subdivide the 4.74-acre property into seventeen (17) residential lots in accordance with Section 16-4-20 Major Subdivision of the Rifle Municipal Code. The current zoning of Developing Resource (DR) will be revised to Low Density Residential (LDR). In alignment with the Pre-Application Summary, the following documents are included:

1. An application form filled out completely and signed.
2. Legal description of the property (Improvement Survey Plat)
3. A Title Commitment.
4. The names and addresses of any owners of mineral rights for the property.
5. Vicinity Map.
6. A map showing the soil types.
7. A preliminary report assessing the potential radiation hazards.
8. A report assessing the impacts resulting from the development of the proposed subdivision to the lakes, streams and topography.
9. Evidence of legal access from a public road.
10. A report identifying the utility companies that will provide service.
11. Objectives to be achieved and relationship to the Comprehensive Plan.
12. A development schedule indicating the estimated timing and phasing of construction.
13. A Subdivision Sketch Plan.

Please feel free to call me if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Deric Walter".

Deric Walter, PE
Boundaries Unlimited Inc.
Enc.

DEPARTMENT OF PLANNING & DEVELOPMENT

202 Railroad Avenue, Rifle, CO 81650

Phone: 970-665-6491



LAND USE APPLICATION FORM

Application Type (check all that apply):

- Amended Plat
- Annexation
- Conditional Use
- Final Plat
- Floodplain Development
- Lot line dissolution
- Lot line Rearrangement
- Minor Subdivision Sketch Plan
- Outside City Water/Sewer
- Preliminary Subdivision Plan
- Sketch Subdivision Plan
- Sketch – Preliminary Subdivision Plan
- Site Plan
- Text Amendment
- Vacation – Easement / Right-of-Way
- Zoning Variance
- Zoning Map Amendment
- GIS System Integration
- Other

Brief Description of Application(s)

The intent is to subdivide the 4.74 acre property into seventeen (17) residential lots in accordance with Section 16-4-20 Major Subdivision of the Rifle Municipal Code. The current zoning of Developing Resource (DR) will be revised to Low Density Residential (LDR). The proposed subdivision name is Sunset Estates.

Property Information

Address: Birch Ave, Rifle, CO 81650

Parcel ID number: 2177-091-00-023

Legal Description (attach additional sheet if necessary): See the attached Sketch Plan

Access to Property: Morrow Drive

Instructions for Submittal

- **Original applications with original signatures must be provided.**
- In addition to this application, all information on the supplemental checklist must be submitted.
- Incomplete applications **will not be accepted** and will delay processing.
- Initially, one copy of each document may be submitted to the Planning Department for review. When the documents are deemed adequate, additional copies as required by the Planning Department shall be submitted.
- All documents, plans, plats, etc. shall be no larger than 8 1/2" x 14" in size or folded to that or a smaller size.
- The property owner **must** fill out the Owner Affidavit in presence of notary.

STAFF USE ONLY

Pre-app conference: _____ (date) Application received: _____ (date)

Application complete: _____ (date) Case Number: _____

Fees: _____ Case Name: _____

Deposits: _____

Paid: _____ (date) Referrals sent _____ (date)

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

Property Owner(s) Name: Caleta Construction, LLC Phone: 970.404.0302

Company: Caleta Construction, LLC Fax: _____

Address 144 Cliff Rose Way, Glenwood Springs, CO 81601 Email: uriel.mellin@hotmail.com

Authorized Rep. Name: Uriel Mellin Phone: _____

Company- Managing Member: _____ Fax: _____

Address _____ Email: _____

Engineer/Designer(s) Name: Deric Walter, PE Phone: 970.945.5252

Company: Boundaries Unlimited INC Fax: _____

Address: 923 Cooper Avenue #201, Glenwood Springs, CO 81601 Email: _____

Billable party: Owner Representative Engineer

Billable Party

The Billable Party, by signing below, hereby agrees to reimburse the City the actual costs to the City for engineering, surveying, and legal services rendered in connection with the review of the Application. The Billable Party shall also reimburse the City for the cost of making any corrections or additions to the master copy of the official City 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 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 City and in the event the City is forced to pursue collection of any amounts due and unpaid, the City shall be entitled to collect attorney's fees and costs incurred in said collection efforts in addition to the amount due and unpaid.

Caleta Construction, LLC

Company (printed)

144 Rose Way, Glenwood Springs, CO 81601

Address

970.404.0302

Phone

[Signature]

Signature

DRIVERS LICENSE

Type of Identification

County of GARFIELD)

State of COLORADO)

Sworn to and subscribed before me this 9 day

of JANUARY, 2026
(fill in month) (fill in year)

By Uriel Mellin
(Contact name printed)

Witness my hand and official seal.

[Signature]
Notary Public

My Commission expires 11-15-2027

Uriel Mellin

Contact Name (printed)

uriel.mellin@hotmail.com

Email

Fax

SS

Office Use Only

AARON A GILLIAM
Notary Public
State of Colorado
Notary ID # 20234043416
My Commission Expires 11-15-2027

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 the 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, Caleta Construction, 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 City staff to visit the site as necessary for proper review of this application. I (we) further acknowledge that until paid, ALL LAND USE APPLICATION FEES, INCLUDING FEES FOR PROFESSIONAL REVIEW SERVICES, SHALL BECOME AND REMAIN A FIRST AND PERPETUAL LIEN ON OR AGAINST THE SUBJECT PREMISES PURSUANT TO RMC §16-1-60(e).

(If there are any 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.)

Uriel Mellin
 Name (printed)
 144 Rose Way
 Glenwood Springs, CO 81601
 Address
 970.404.0302
 Phone
 Fax

Name (printed)
 Address
 Phone
 Fax

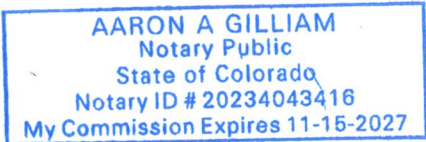
[Signature]
 Signature
DRIVERS LICENSE
 Type of Identification
 County of GRAND)
 State of COLORADO)

Signature
 SS

Sworn to and subscribed before me this 9 day of JANUARY, 2026.
 (fill in month) (fill in year)

By Uriel Mellin
 (name printed)

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



Authorized Representative

I/We permit Boundaries Unlimited Inc. - Deric Walter, PE (Authorized Representative name) to act as my/our representative in any manner regarding this application, to answer questions and to represent me/us at any meeting 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.

Caleta Construction, LLC

Property Owners Name (printed)

144 Rose Way

Glenwood Springs, CO 81601

Address

Phone

970.404.0302

Fax

[Handwritten Signature]
Signature

DRIVERS License
Type of Identification

County of GARFIELD)

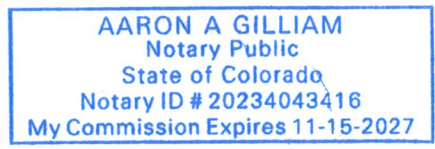
SS

State of COLORADO)

Sworn to and subscribed before me this 9 day of JANUARY, 2026
(fill in month) (fill in year)

By Uziel Mellin
(name printed)

Witness my hand and official seal.
Aaron Gilliam
Notary Public



My Commission expires 11-15-2027

PRELIMINARY GEOTECHNICAL INVESTIGATION REPORT

**Parcel #217709100023
Birch Avenue and Morrow Drive
Rifle, Colorado**

Geo Quest Project No.: 25-158

December 8, 2025

Prepared for:

**Caleta Construction LLC
144 Cliff Rose Way
Glenwood Springs, CO 81601
970-404-0302
uriel.mellin@hotmail.com**



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1 Purpose and Scope of Study

This report presents the results of our preliminary geotechnical investigation for the construction of a new subdivision on Garfield County Parcel 217709100023 at the southwestern corner of Birch Avenue and Morrow Drive in Rifle, Colorado. This work is in response to our proposal with Geo Quest LLC (GQ) project number 25-158 and dated October 29, 2025. The purposes of this investigation were to evaluate the subsurface conditions and geology for the proposed development plans.

Our scope of services included the following:

- Marking proposed boring locations and calling the Utility Notification Center of Colorado to request that the utilities on the parcel be marked.
- Drill up to 4 borings to maximum depths of 25 feet or auger refusal, record penetration resistance values and collect soil samples to identify and assess the subsurface conditions at the proposed building site.
- Perform laboratory testing of select soil samples for classification and to evaluate pertinent engineering properties, potential hazards and mitigation efforts.
- Discuss the soil type based on the USDA Soil Conservation Service description, geologic conditions, bedrock and groundwater depths if encountered.
- Research and assess the potential radiation hazards at the property.
- The deliverables include a report discussing the details above and a summary of lab test results, borings logs, geology map, boring location map.

2 Proposed Construction

The Caleta Sketch Plan shows the parcel being divided into 17 lots for single family homes. The lots range from 0.16 acres to 0.27 acres in size. The proposed access to the lots is a single street with a cul de sac at the south end and connection to Morrow Drive/9th Street (Garfield County Rd 293) at the north. Birch Avenue (Garfield County Rd 295) borders the eastern perimeter of the parcel. The location of the existing undivided parcel is presented in Figure 1, *Project Location Map*. Appendix B – Approximate Boring Location Map presents the Sketch Plan with lot boundaries, contour lines, new street and approximate boring locations.

3 Site Conditions

The parcel is approximately 4.7 acres of previously irrigated pasture and hay field that gently to strongly slopes down to the north and northwest. The property is bordered on the north by Morrow Drive/9th Street, on the east by Birch Avenue, on the south by private pasture and on

the west by City of Rifle property. The property to the west also has the 9th St Trail/Morrow Draw Trail running through it and a small stream that flows year-round.



Figure 1 – Project Location Map

4 Site Geology

The project site is in the Colorado River valley, southwest of the Grand Hogback Monocline and on the south limb of the shallow dipping Rifle Syncline approximately 0.9 miles north of the Colorado River. The following geologic descriptions are based on the Geologic Map of the Rifle quadrangle, Garfield County, Colorado (Shroba and Scott, 1997). The geology map shows the property located on sheetwash deposits mapped as Quaternary-age alluvium and colluvium deposits of silt, sand and pebbly to cobbly gravel, overlying claystone, mudstone, siltstone and sandstone of the Tertiary-age Shire Member of the Wasatch Formation. The Wasatch Formation is nearly horizontal in the region and not visible from the proposed building site. The geology map is presented in Appendix A – Geology Map.

4.1 USDA Soil Classification and Descriptions

The U.S.D.A. Soil Conservation Service (SCS) soil descriptions and possible limitations are summarized below. It should be noted that the SCS maps, soil descriptions and limitations are

for preliminary information and site-specific investigations should always be performed to verify materials and actual soil conditions at any location.

The National Cooperative Soil Survey prepared by the SCS classifies the surface soil on the property as Potts loam except for a small corner in the northwest that is classified as Ildefonso-Lazear complex.

The Potts loam is described as having slopes of 6 to 12 percent and soil that is loam or clay loam material to a depth of 60 inches, well drained and more than 80 inches to groundwater or a restrictive layer such as bedrock.

The Ildefonso-Lazear complex is described as having slopes of 6 to 45 percent. The Ildefonso portion is described as stony loam or very stony loam soil that is well drained with more than 80 inches to groundwater or bedrock. The Lazear portion of the complex is described as gravelly over cobbly loam to a depth of 16 inches above weathered bedrock (restrictive layer) near 20 inches. The depth to ground water is estimated at more than 80 by the SCS.

The SCS gives verbal and numerical ratings to indicate the severity of individual limitations of soils for specific uses. The three verbal ratings are:

- Not limited - indicating that the soil has features that are very favorable for the specified use.
- Somewhat limited - indicating that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design or installation. Fair performance and moderate maintenance can be anticipated.
- Very limited - indicating that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected.

The numerical ratings are decimal fractions ranging from 0.01 to 1.00. They indicate gradations between the point at which a soil feature has the greatest negative impact on the use (1.00) and point at which the soil feature is not a limitation (0.00).

For development of dwellings with or without basements and surficial construction such as roads, Potts loam has a rating of *somewhat limited* (0.03 to 0.05) due to slope angles, shrink-swell potential and/or low soil strength.

Ildefonso-Lazear has a rating of *very limited* (0.06 to 1.00) due to the potential presence of steep slopes, cobbles, boulders and shallow bedrock. Full details of the SCS maps, soil

descriptions, potential limitations and other information are presented in Appendix E – Soil Conservation Survey Descriptions.

5 Field Investigation

On November 13 and November 15, 2025, GQ was at the property and four borings were drilled to maximum depths of 24.5 feet below the ground surface using 4-inch diameter solid stem auger powered by a truck mounted, model #25 Giddings drill rig. The site and approximate boring locations are presented in Appendix B – Project and Approximate Boring Location Map. Figure 2 presents a photo of the drilling operation.

Samples of the subsurface materials were obtained from the borings at select depths by driving either a 1-3/8-inch I.D. standard split-spoon sampler or a 2-inch I.D. modified California sampler with liners. Bulk samples of the soil were also recovered from auger cuttings as the borings were advanced for material identification. The samples were transported to our laboratory where they were examined by the geotechnical engineer and laboratory testing was assigned to select samples.

Penetration resistance measurements were recorded by driving the samplers into the subsurface materials with a 140-pound hammer falling 30 inches. The number of blows required to drive the sampler 12 inches, after an initial penetration of 6 inches for the standard sampler, constitutes the penetration resistance value. The penetration value may be correlated to the relative density of granular soil and the consistency of cohesive soil. The borings were backfilled with the auger cuttings or sand when drilling was complete.



Figure 2 –Drilling Boring B-3, Looking East

6 Subsurface Conditions

The borings generally encountered up to 12 inches of topsoil on the surface over very loose to medium dense silt with fine sand to a depth of 5 to 9.5 feet. Below this was silty, sandy clay that was medium stiff or clayey, silty sand to a depth of 8 to 21 feet. Below this layer, medium dense to very dense gravel extended to a depth of 18 to 21 feet where the Wasatch geologic formation was encountered and extended to the bottom of borings.

Drilling or auger refusal was encountered at a depth of 19 to 24.25 feet in the Wasatch Formation in Borings B-1, B-2 and B-3. Boring B-2 did not encounter the gravel layer over Wasatch and the clay extended to the top of the Wasatch Formation. Complete boring logs are presented in Appendix C – Boring Logs.

Perched groundwater was encountered in all borings at depths of 15 to 23.7 feet within the dense gravel layer or clay above the Wasatch geologic formation. Variations in the groundwater level may occur seasonally. The magnitude of the variation will be largely dependent upon the amount of spring snowmelt, duration and intensity of precipitation, irrigation practices, site grading changes, and the surface and subsurface drainage characteristics of the surrounding area.

6.1 Lab Testing

Collected soil samples were classified by the geotechnical engineer in accordance with the Unified Soil Classification System (USCS) as described in ASTM D-2487. Laboratory testing was performed on select samples to evaluate the pertinent engineering properties of the soil layers encountered. The laboratory testing was conducted in general accordance with the American Society for Testing and Materials (ASTM) test procedures. The following laboratory tests were performed for this evaluation:

- In-Place Dry Density ASTM D2937
- Moisture Content ASTM D2216
- Atterberg Limit Testing ASTM D4318
- Percent Finer than Sand ASTM D1140
- Swell/Collapse Potential ASTM D4546

Two silt samples tested for swell/collapse resulted in a collapse of 0.4 and 0.5 percent. Two clay samples resulted in collapse of 0.1 percent. Laboratory test results are presented in Appendix D - Laboratory Test Results.

7 Earthwork

GQ estimates that excavation at the property will be possible with common earthmoving equipment. A small portion of the north and northwest areas of the property may encounter

shallow groundwater or dense ground with gravel, cobbles or sandstone layers depending on depth of excavation based on the SCS map and descriptions. It is anticipated that excavation across most of the property will be soil that is easily excavatable.

If these soils become overly wetted during construction with repetitive construction traffic, measures may need to be taken to complete earthwork such as using a significant layer of gravel. Mechanical reinforcement such as geogrid may be used in extreme situations with the gravel to create a working platform.

Excavation cuts up to 10 feet below grade are anticipated for homes with basements. Fill placement should be relatively minor. Areas to receive fill should be stripped of vegetation, organic soils and debris. The on-site soils free of organic matter, debris and rocks larger than 3 inches may be used as fill material.

Fill should be placed in loose lifts of 8 inches thick or less, moisture conditioned and compacted to at least 95 percent of the maximum Proctor dry density as shown in Table 1. Hillside benching should be used below fill when placed on slopes steeper than 20% or 5 horizontal to 1 vertical. Placement and compaction should be observed and tested by the geotechnical engineer. We recommend that new cut and fill slopes be designed with an angle of 2 horizontal to 1 vertical unless a site-specific investigation and review is performed.

GQ recommends proof rolling of engineered fill sections be observed by the geotechnical engineer below the concrete slab and road areas to check for soft, weak spots. If weak or saturated soils are encountered at the subgrade elevation, within the building or roadway footprint, the material should be removed, dried and recompacted or imported, granular material such as road base may be used in its place. Imported road base will likely be much faster to place and compact than waiting for wet on-site soil to dry and compact.

Table 1 – Compaction Criteria

Percent Compaction	Moisture Content
95% minimum Standard Proctor (ASTM D698)	± 2 % of optimum

8 Drainage Considerations

Groundwater was discovered in all borings and it is possible that water could rise to the foundation elevation of some homes with basements. It is recommended that homes with basements have foundations drains installed that drain to daylight or a sump pit for removal. Drains should use rigid PVC pipe with perforations placed on the bottom and surrounded on the top and sides with free draining gravel. The pipe should maintain a minimum slope of ½% to 1%.

All roof gutter systems should discharge at least 10 feet from the structure and beyond any backfill zone. The soils at the site are moisture sensitive and proper drainage should be maintained during development.

9 Recommendations Based on Preliminary Investigation

Significant mitigation efforts on the subject property are not expected to be necessary for the described construction of homes, utilities and roads. It is likely that all construction will take place in the surficial soils above bedrock, groundwater and geologic formations. One exception is the northwest corner of the property where wet subsurface conditions may be encountered in deeper excavations. Construction activities during wet times of the year may encounter problems across the site due to wet soil with repetitive construction traffic.

9.1 Dwelling Foundations

In general, we believe there is a low to moderate risk of soil volume change and differential movement due to swell-collapse in the silt and clay soils that dwellings and roads will bear on. Swelling soils were not detected at our investigation points in lab testing. We estimate that site specific investigations for some dwellings may result in recommendations for over excavation of soil below the foundation level to create a firm and stable bearing platform due to weak soil especially if the moisture content is significantly elevated. There may be some loose, weak or potentially collapsible areas that will benefit from over excavation. As an example, boring B-2 had a penetration resistance value of 2 blows for 12 inches with very loose soil at a depth of approximately 3 to 5 feet below the surface.

Foundation bearing values of 1,500 to 2,000 pounds per square foot (psf) are suitable on native soil. Allowable bearing pressures of up to 2,500 psf may be acceptable for foundations placed on an engineered fill section. Shallow foundations should bear at least 36 inches below ground surface for frost protection.

9.2 Concrete Slabs

Concrete slabs on grade should be acceptable for interior floors and may be placed on the native soil. We recommend at least 4 inches of free draining gravel be placed below basement floor slabs providing a path/connection to the foundations drain system. Typical design and construction recommendations are as follows:

- A modulus of subgrade reaction value of 125 psi/in to 150 psi/in may be used for the silt and clay soils.
- Positive separations and/or isolation joints should be provided between slabs and all foundations, columns, or utility lines to allow independent movement.

- Control joints should be provided in slabs to control the location and extent of cracking.
- Interior trench backfill placed beneath slabs should be properly compacted in accordance with Table 1.
- Slabs should not be constructed on frozen subgrade.

9.3 Roads

The Sketch Plan shows a single paved street providing access to the residential development. Anticipated traffic volumes were not provided for our analysis. We expect typical minimum pavement thickness sections to exceed traffic loading considering the planned number of residential properties. It was assumed that the pavement would be subject to automobile and light truck traffic, with occasional moderately loaded delivery vehicle traffic. A pavement design life of 20 years was assumed for the analysis. A revision of the recommended pavement sections may be necessary if the expected traffic loading conditions are different than assumed. An evaluation of the type and volume of traffic that the street will experience should be conducted to determine if the pavement sections presented herein are appropriate.

Table 2: Recommended Pavement Sections

Asphalt Pavement	Aggregate Base Course	Granular Sub-base
3 inches	6 inches	8
4 inches	8 inches	N/A

Aggregate base course (ABC) and granular sub-base should meet the requirement for aggregate base course materials listed in the Colorado Department of Transportation (CDOT) Standard Specifications for Road and Bridge Construction. Additionally, ABC should have a minimum R value of 77.

The "design life" of a pavement is defined as the expected life at the end of which construction of the pavement will need to occur. Normal maintenance, including crack sealing, slurry sealing, and/or chip sealing, should be performed during the life of the pavement.

A rigid pavement section is recommended in loading and unloading areas and at dumpster locations (if any) due to the high static loads imposed by parking trucks in these areas. A minimum six-inch thick Portland cement concrete pavement is recommended.

Bituminous pavement should be constructed of dense-graded, central plant-mix, asphalt concrete. Base course, Portland cement, and asphalt concrete should conform to the CDOT

standard specifications. Material and compaction requirements should conform to recommendations presented in the Earthwork section of this report.

9.4 Pavement Design Considerations

The pavement surface should be crowned to ensure positive drainage. Water should not pond in areas directly adjoining paved sections. The pavement service life may be reduced due to water infiltration into the subgrade soils. This will result in a softening and loss of strength of the subgrade soils. A regular maintenance program to seal pavement cracks will help prolong the life of the pavement.

Pavement design methods are intended to provide an adequate thickness of structural materials over a particular subgrade such that wheel loads are reduced to a level the subgrade can support. It is therefore important to minimize moisture changes in the subgrade in order to reduce shrink/swell movements.

The pavement surface, subbase surface, and adjacent areas should be well drained. Excessive watering of landscaped areas adjacent to pavements should be avoided. Proper maintenance should be performed on cracks in the pavement surface to prevent water from penetrating through to the base or subbase material. Even with these precautions, some movement and related cracking may still occur, requiring periodic maintenance.

10 Potential Radiation Hazard

The City of Rifle has requested a preliminary assessment of potential radiation hazards at the subject property based on uranium mining and mill tailings processing activity in the Rifle area that lasted from the 1940's to the late 1970's.

GQ performed a review of historical and current maps and literature on past uranium mining and processing locations as well as guidance documents for assessing potential hazards. A few of the sources reviewed were:

- Uranium Mill Tailings Management Plan (UMTM Plan), CDPHE
- Uranium Mill Tailings Sites (website), <https://cdphe.colorado.gov/hm/umts>, CDPHE
- Fact Sheet on Rifle, Colorado Disposal and Processing Sites, US Department of Energy
- Map of Colorado Uranium and Vanadium Mining and Milling Activities, Collier, Hornbaker and Chenoweth, 1978

The processing operations created radioactive tailings that were a predominantly sandy material. This sandy material was used for numerous construction purposes including fill dirt, in concrete mixes, stucco and brick production. The tailings were also carried by wind and water to adjacent areas. It should be noted that today, new construction in previously undeveloped areas

is less likely to find uranium mill tailings compared to older neighborhoods and properties that may have used tailings in some portion of fill dirt or other construction materials.

Confirmed Tailing Locations

There are two mapped locations for the processing facilities identified as the Old Rifle site and the New Rifle site along with the Rifle Disposal site. The Old site is located on the north edge of the Colorado river approximately 0.3 miles east of the city and the New site is located 2 miles southwest of the city also on the north edge of the river. Surface remediation of both Sites occurred during the 1990's when the tailings were hauled to the Disposal site located approximately 6 miles north of the city. Cleanup of the contaminated soil below the surface and groundwater also began during this time at the processing facilities and groundwater flushing is on-going at the two processing sites.

The predominant tailing locations can be found on maps and in documenting literature. Other, minor tailings locations remain yet to be discovered due to the undocumented nature and significant use in the construction industry as previously mentioned. Uranium mill tailings contain radium which emit harmful gamma rays and have the potential to cause elevated radon gas levels in structures and confined spaces. The CDPHE recommends a gamma survey using a calibrated monitoring device with a pancake Geiger Muller tube that detects gamma radiation.

Gamma Radiation Site Survey

GQ performed a gamma survey of the property based on the procedure described in Appendix D-Gamma Radiation Survey Procedures from the UMTM Plan document. The instrument used was a Ranger EXP geiger counter manufactured by S.E. International, Inc with a calibration date of November 17, 2025. The survey consisted of walking a grid pattern on the property using roughly 50 foot spacing and the instrument detector held near the ground.

The UMTM Plan discusses levels of radiation primarily in units of $\mu\text{R/hr}$ (micro Roentgen per hour). A Roentgen is a unit of radiation exposure that measures how much ionization or electrical charge is produced in a specific volume of dry air by X-rays or gamma rays. One micro Roentgen is one millionth of a Roentgen.

Conclusion

Background radiation levels measured at the site were generally 18 $\mu\text{R/hr}$ to 28 $\mu\text{R/hr}$ (micro Roentgen per hour). The UMTM Plan recommends that radiation readings greater than 30% above background levels should be investigated further for possible uranium mill tailing content. The highest value measured during the survey was 31 $\mu\text{R/hr}$.

The mapped tailing areas are not near the subject property. GQ did not detect elevated radiation levels of significance during the survey at this location based on the procedures in the

UMTM Plan. The soil and rock at this property does not appear to pose a radiation hazard that is greater than other nearby soil and minerals in their natural and unaltered state.

11 Limitations

The analyses and recommendations presented in this report are based upon our data obtained from the boring locations, field observations, laboratory testing, our understanding of the proposed construction and other information as discussed in this report. It is possible and likely that subsurface conditions may vary between borings and beyond the limits explored. The nature and extent of such variations may not become evident until construction. We should review the report if the scope of the proposed construction, including the proposed loads, finished elevations or structure locations, change from those described in this report, and provide supplemental recommendations as necessary.

It is important to note that the recommendations herein are intended to reduce the risk of structural movement and/or damage associated with volume change of the subsurface materials. However, GQ cannot predict the long-term changes in subsurface moisture conditions and/or the extent of potential damaging effects. Where significant increases in subsurface moisture occur due to grading changes, utility line break, leaks from any source, excess irrigation or other causes, excessive movement is possible.

This report was prepared in substantial accordance with the generally accepted standards of practice for geotechnical engineering as exist in the site area at the time of our investigation. No warranties, express or implied, are intended or made. These recommendations are based on the assumption that GQ will conduct an adequate program of testing and observation to evaluate compliance with our recommendations.

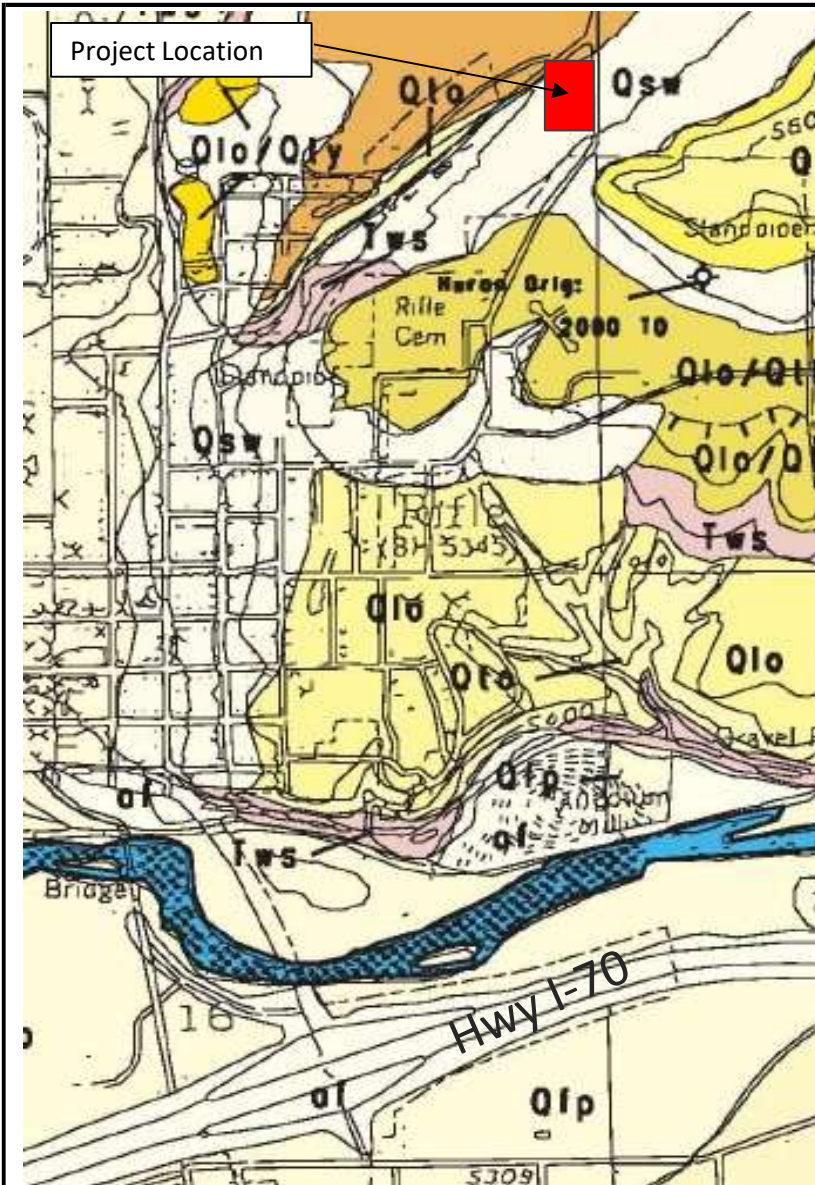
Respectfully submitted,

Geo Quest, LLC



Kevin E. Dye, P.E.

Appendix A
Geology Map



Qlp
Qly
Qsw
Qlo
Tw
Twd
Tws
Twm
Two

- Qlp** Flood plain and stream channel deposits
- Qly** Younger terrace alluvium
- Qsw** Sheetwash deposits
- Qlo** Loess
- Tw** Wasatch Formation
- Twd** Doodlebug Gulch member
- Tws** Shire Member
- Twm** Molino Member
- Two** Atwell Gulch Member

↑
NORTH

Shroba, R. and Scott, R., 1997, Geologic map of the Rifle quadrangle, Garfield County, Colorado: U.S. Geological Survey, Open-File Report 97-852, scale 1:24,000.

Date: 12/5/25
 File Name: Caleta Subdivision, Rifle, Colorado
 Scale: Not to scale

**Geologic Map - Approximate Project Location
 Caleta Subdivision
 Rifle, Colorado**

SHEET NUMBER:

A-1

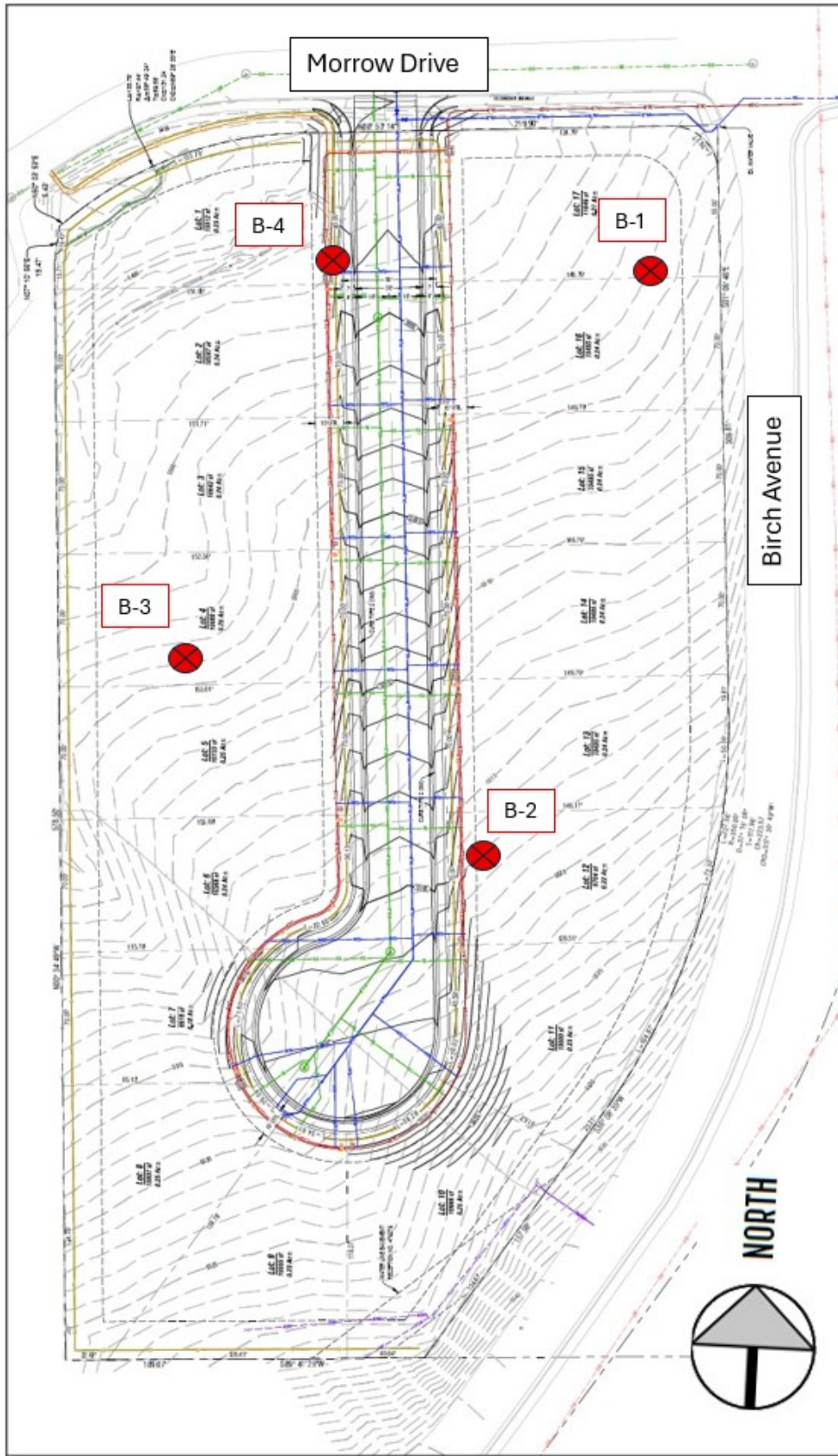


Drawn by: KED

Geo Quest
Project No. 25-158

Appendix B

Project and Approximate Boring Location Map



PROJECT AND APPROXIMATE BORING LOCATION MAP

CALETA SUBDIVISION

Job No.: 25-158

B-1

Geo Quest

Geotechnical Engineering-Testing

Appendix C

Boring Logs

Project: **Caleta Subdivision**
 Project Location: **Rifle, Colorado**
 Project Number: **25-158**

Log of Boring B-1
 Sheet 1 of 1



Date(s) Drilled 11-13-25	Logged By KED	Checked By KED
Drilling Method Auger	Drill Bit Size/Type 4 inch/Solid Stem	Total Depth of Borehole 20.5 feet bgs
Drill Rig Type #25 Giddings-Truck Mounted	Drilling Contractor Geo Quest	Approximate Surface Elevation
Groundwater Level and Date Measured 17 ft on 11/13/25	Sampling Method(s) Modified California	Hammer Data Manual
Borehole Backfill Drill Cutting/Sand	Location NE quadrant of property	

Depth (feet)	Sample Type	Sampling Resistance, blows/ft	Graphic Log	Material Type	MATERIAL DESCRIPTION	Water Content, %	Percent Sand	Percent Fines	LL, %	PI, %	REMARKS AND OTHER TESTS
0					Topsoil						
10				ML	SILT, fine sand, tan, dry to moist, loose						
5				CL	CLAY, gray, moist, oxidized, medium stiff						Grinding on gravel and cobbles at 5-6 feet
8				GM-GC	GRAVEL, cobbles, sand, silt, clay, brown, multicolored gravel, moist, dense						Grinding on gravel and cobbles at 8-9 feet
15											Water measured with auger removed
20				Claystone	WASATCH FORMATION, claystone, mudstone, purple, gray, oxidized, moist but not saturated, very dense						Auger refusal at 19 feet
25											
30											

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Project: **Caleta Subdivision**
 Project Location: **Rifle, Colorado**
 Project Number: **25-158**

Log of Boring B-2
Sheet 1 of 1



Date(s) Drilled 11-13-25	Logged By KED	Checked By KED
Drilling Method Auger	Drill Bit Size/Type 4 inch/Solid Stem	Total Depth of Borehole 24.5 feet bgs
Drill Rig Type #25 Giddings-Truck Mounted	Drilling Contractor Geo Quest	Approximate Surface Elevation
Groundwater Level and Date Measured 23.7 ft on 11/13/2025	Sampling Method(s) Modified California, SPT	Hammer Data Manual
Borehole Backfill Drill Cutting/Sand	Location SE quadrant of property	

Depth (feet)	Sample Type	Sampling Resistance, blows/ft	Graphic Log	Material Type	MATERIAL DESCRIPTION	Water Content, %	Percent Sand	Percent Fines	LL, %	PI, %	REMARKS AND OTHER TESTS
0					Topsoil						
5		2		ML	SILT, fine sand, clay, brown, very moist, soft to stiff	18.6	17	83			
10		16		CL	CLAY, sand, brown, moist, stiff to very stiff	18.3	32	68	44	28	
15		25				15.6	13	87	43	27	Significant mineral crystallization in sample
25		50/3*		Claystone	WASATCH FORMATION, sandy claystone, mudstone, sandstone, gray, purple, very dense						Water level measured with auger removed
24.25											Drilling/sampling refusal at 24.25 feet
30											

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Project: **Caleta Subdivision**
 Project Location: **Rifle, Colorado**
 Project Number: **25-158**

Log of Boring B-3
Sheet 1 of 1



Date(s) Drilled 11-15-25	Logged By KED	Checked By KED
Drilling Method Auger	Drill Bit Size/Type 4 inch/Solid Stem	Total Depth of Borehole 19.5 feet bgs
Drill Rig Type #25 Giddings-Truck Mounted	Drilling Contractor Geo Quest	Approximate Surface Elevation
Groundwater Level and Date Measured 17 ft on 11/15/2025	Sampling Method(s) Modified California, SPT	Hammer Data Manual
Borehole Backfill Drill Cutting/Sand	Location West side of property	

Depth (feet)	Sample Type	Sampling Resistance, blows/ft	Graphic Log	Material Type	MATERIAL DESCRIPTION	Water Content, %	Percent Sand	Percent Fines	LL, %	PI, %	REMARKS AND OTHER TESTS
0					Topsoil						
0 - 30				ML	SILT, fine sand, clay, brown, dry to moist, soft to stiff						
30 - 15		30		SM-SC	SAND, silt, clay, brown, gray, oxidation, moist, stiff to very stiff	6.9	48	52	NV	NP	
15 - 19		29		GM	GRAVEL, cobbles, silt, sand, brown, very moist to wet, medium dense	15.3					Heavy grinding on gravel and cobbles at 17 feet Water encountered when sampling at 19 ft and measured when auger removed
19 - 20		50/3"		Claystone	WASATCH FORMATION, claystone, mudstone, sandstone, purple, gray, very dense						Auger refusal at 19 feet
20 - 30											

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Project: **Caleta Subdivision**
 Project Location: **Rifle, Colorado**
 Project Number: **25-158**

Log of Boring B-4
Sheet 1 of 1



Date(s) Drilled: 11-13-25 and 11-15-25	Logged By: KED	Checked By: KED
Drilling Method: Auger	Drill Bit Size/Type: 4 inch/Solid Stem	Total Depth of Borehole: 15.5 feet bgs
Drill Rig Type: #25 Giddings-Truck Mounted	Drilling Contractor: Geo Quest	Approximate Surface Elevation:
Groundwater Level and Date Measured: 15 ft on 11/15/2025	Sampling Method(s): Modified California, SPT	Hammer Data: Manual
Borehole Backfill: Drill Cutting/Sand	Location: NW quadrant of property	

Depth (feet)	Sample Type	Sampling Resistance, blows/ft	Graphic Log	Material Type	MATERIAL DESCRIPTION	Water Content, %	Percent Sand	Percent Fines	LL, %	PI, %	REMARKS AND OTHER TESTS
0					Topsoil						
5		14		ML	SILT, fine sand, clay, brown, dry to moist, medium stiff to stiff						
10		77		GM	GRAVEL, cobbles, sand, silt, very dense						Heavy grinding on gravel, cobbles below 9 feet
15		62									Water measured at 15 feet when auger removed
20											
25											
30											

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1	2	3	4	5	6	7	8	9	10	11	12
Depth (feet)	Sample Type	Sampling Resistance, blows/ft	Graphic Log	Material Type	MATERIAL DESCRIPTION	Water Content, %	Percent Sand	Percent Fines	LL, %	PI, %	REMARKS AND OTHER TESTS







COLUMN DESCRIPTIONS

- 1** Depth (feet): Depth in feet below the ground surface.
- 2** Sample Type: Type of soil sample collected at the depth interval shown.
- 3** Sampling Resistance, blows/ft: Number of blows to advance driven sampler one foot (or distance shown) beyond seating interval using the hammer identified on the boring log.
- 4** Graphic Log: Graphic depiction of the subsurface material encountered.
- 5** Material Type: Type of material encountered.
- 6** MATERIAL DESCRIPTION: Description of material encountered. May include consistency, moisture, color, and other descriptive text.
- 7** Water Content, %: Water content of the soil sample, expressed as percentage of dry weight of sample.
- 8** Percent Sand: Material passing the 3/4 inch sieve and retained on the #4 sieve.
- 9** Percent Fines: The percent fines (soil passing the No. 200 Sieve) in the sample. WA indicates a Wash Sieve, SA indicates a Sieve Analysis.
- 10** LL, %: Liquid Limit, expressed as a water content.
- 11** PI, %: Plasticity Index, expressed as a water content.
- 12** REMARKS AND OTHER TESTS: Comments and observations regarding drilling or sampling made by driller or field personnel.

FIELD AND LABORATORY TEST ABBREVIATIONS

- Swell: One-dimensional consolidation test
- LL: Liquid Limit, percent
- PI: Plasticity Index, percent
- SA: Sieve analysis (percent passing No. 200 Sieve)
- UC: Unconfined compressive strength test, Qu, in ksf
- WA: Wash sieve (percent passing No. 200 Sieve)






MATERIAL GRAPHIC SYMBOLS

-  Lean CLAY, CLAY w/SAND, SANDY CLAY (CL)
-  Claystone
-  Silty GRAVEL (GM)
-  Silty GRAVEL to Clayey GRAVEL (GM-GC)
-  SILT, SILT w/SAND, SANDY SILT (ML)
-  Silty to Clayey SAND (SM-SC)

TYPICAL SAMPLER GRAPHIC SYMBOLS

-  2.5-inch-OD Modified California w/ brass liners
-  2-inch-OD unlined split spoon (SPT)

OTHER GRAPHIC SYMBOLS

-  Water level (at time of drilling, ATD)
-  Water level (after waiting, AW)
-  Minor change in material properties within a stratum
-  Inferred/gradational contact between strata
-  Queried contact between strata

GENERAL NOTES

- 1: Soil classifications are based on the Unified Soil Classification System. Descriptions and stratum lines are interpretive, and actual lithologic changes may be gradual. Field descriptions may have been modified to reflect results of lab tests.
- 2: Descriptions on these logs apply only at the specific boring locations and at the time the borings were advanced. They are not warranted to be representative of subsurface conditions at other locations or times.

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Appendix D
Laboratory Test Results



Summary of Laboratory Test Results

Project No: 25-158

Project Name: Caleta Subdivision

Sample Location			Moisture Content (%)	Dry Density (pcf)	Grain Size Analysis			Atterberg Limits			+Swell / -Consolidation % Applied Load 1000 psf	USCS	Material Description
Test Hole	Depth (ft)	Sample Type			Gravel > #4 (%)	Sand (%)	Fines < #200 (%)	LL	PL	PI			
B-1	3.0	MC	6.3	95		25	75	NV	NP	NP	-0.4	ML	SILT w/ sand
	9.0	MC	16.1	113		43	57	28	13	15	-0.1	CL	sandy CLAY
	9.0	MC				48	52						sandy CLAY
	19.0	SPT				43	57	38	17	21			WASATCH FORMATION
B-2	4.0	MC	18.6	96		17	83				-0.5		SILT w/ sand
	9.0	MC	18.3	101		32	68	44	16	28	-0.1	CL	sandy CLAY
	14.0	SPT	15.6			13	87	43	16	27		CL	CLAY w/ sand
B-3	8.0	MC	6.9	96		48	52	NV	NP	NP		ML	sandy SILT
	14.0	MC	15.3	116									GRAVEL w/ sand

MC - Modified California Sampler
 SPT - Split Spoon Sampler
 NV - No Value
 NP - Nonplastic

Appendix E

Soil Conservation Service Descriptions

Rifle Area, Colorado, Parts of Garfield and Mesa Counties

56—Potts loam, 6 to 12 percent slopes

Map Unit Setting

National map unit symbol: jnys

Elevation: 5,000 to 7,000 feet

Farmland classification: Farmland of statewide importance

Map Unit Composition

Potts and similar soils: 85 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Potts

Setting

Landform: Mesas, benches, valley sides

Down-slope shape: Convex, linear

Across-slope shape: Convex, linear

Parent material: Alluvium derived from basalt and/or alluvium derived from sandstone and shale

Typical profile

H1 - 0 to 4 inches: loam

H2 - 4 to 28 inches: clay loam

H3 - 28 to 60 inches: loam

Properties and qualities

Slope: 6 to 12 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

Runoff class: High

Capacity of the most limiting layer to transmit water

(Ksat): Moderately high (0.20 to 0.60 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 15 percent

Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)

Available water supply, 0 to 60 inches: High (about 10.3 inches)

Interpretive groups

Land capability classification (irrigated): 4e

Land capability classification (nonirrigated): 4e

Hydrologic Soil Group: C

Ecological site: R048AY306UT - Upland Loam (Wyoming Big Sagebrush)

Hydric soil rating: No

Data Source Information

Soil Survey Area: Rifle Area, Colorado, Parts of Garfield and Mesa Counties
Survey Area Data: Version 18, Aug 29, 2025

Rifle Area, Colorado, Parts of Garfield and Mesa Counties

35—Ildefonso-Lazear complex, 6 to 65 percent slopes

Map Unit Setting

National map unit symbol: jny1

Elevation: 5,000 to 6,500 feet

Farmland classification: Not prime farmland

Map Unit Composition

Ildefonso and similar soils: 50 percent

Lazear and similar soils: 30 percent

Minor components: 5 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Ildefonso

Setting

Landform: Hillsides, breaks

Landform position (two-dimensional): Backslope

Landform position (three-dimensional): Side slope

Down-slope shape: Convex

Across-slope shape: Convex

Parent material: Very calcareous, mixed, stony alluvium derived from basalt

Typical profile

H1 - 0 to 8 inches: stony loam

H2 - 8 to 60 inches: very stony loam

Properties and qualities

Slope: 6 to 45 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

Runoff class: Medium

Capacity of the most limiting layer to transmit water

(Ksat): Moderately high to high (0.60 to 6.00 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 35 percent

Maximum salinity: Nonsaline to slightly saline (0.0 to 4.0 mmhos/cm)

Available water supply, 0 to 60 inches: Low (about 5.1 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 7e

Hydrologic Soil Group: A

Ecological site: R034BY330UT - Upland Stony Loam (Pinyon-Utah Juniper)

Hydric soil rating: No

Description of Lazear

Setting

Landform: Hillsides, breaks

Landform position (two-dimensional): Backslope

Landform position (three-dimensional): Side slope

Down-slope shape: Convex

Across-slope shape: Convex

Parent material: Very calcareous, mixed, stony alluvium derived from basalt

Typical profile

H1 - 0 to 4 inches: gravelly loam

H2 - 4 to 16 inches: cobbly loam

H3 - 16 to 20 inches: weathered bedrock

Properties and qualities

Slope: 6 to 65 percent

Depth to restrictive feature: 10 to 20 inches to lithic bedrock

Drainage class: Well drained

Runoff class: Very high

Capacity of the most limiting layer to transmit water

(Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 10 percent

Available water supply, 0 to 60 inches: Very low (about 1.8 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 7e

Hydrologic Soil Group: D

Ecological site: R034BY322UT - Upland Shallow Loam (Two-Needle Pinyon / Utah Juniper)

Hydric soil rating: No

Minor Components

Rock outcrop

Percent of map unit: 5 percent

Landform: Hillsides, breaks

Landform position (two-dimensional): Backslope

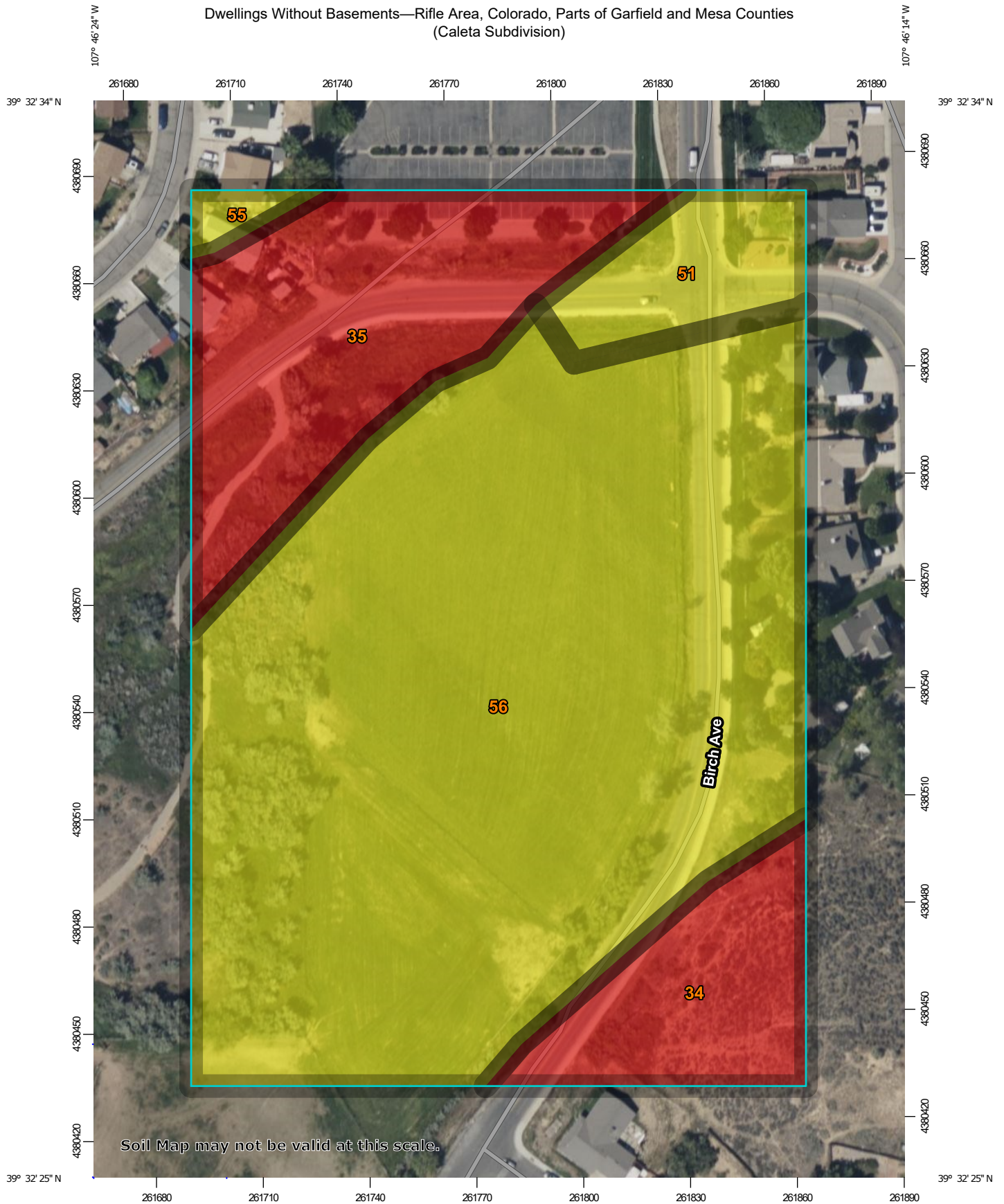
Landform position (three-dimensional): Free face

Hydric soil rating: No

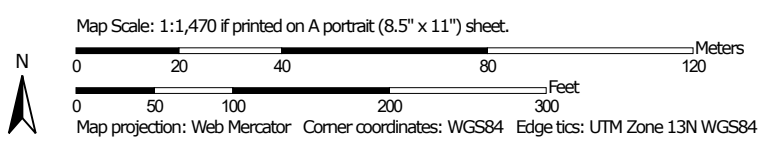
Data Source Information

Soil Survey Area: Rifle Area, Colorado, Parts of Garfield and Mesa Counties
Survey Area Data: Version 18, Aug 29, 2025





















Dwellings Without Basements—Rifle Area, Colorado, Parts of Garfield and Mesa Counties
(Caleta Subdivision)



Soil Map may not be valid at this scale.



MAP LEGEND

Area of Interest (AOI)	Background
 Area of Interest (AOI)	 Aerial Photography
Soils	
Soil Rating Polygons	
 Very limited	
 Somewhat limited	
 Not limited	
 Not rated or not available	
Soil Rating Lines	
 Very limited	
 Somewhat limited	
 Not limited	
 Not rated or not available	
Soil Rating Points	
 Very limited	
 Somewhat limited	
 Not limited	
 Not rated or not available	
Water Features	
 Streams and Canals	
Transportation	
 Rails	
 Interstate Highways	
 US Routes	
 Major Roads	
 Local Roads	

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Rifle Area, Colorado, Parts of Garfield and Mesa Counties
Survey Area Data: Version 18, Aug 29, 2025

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Aug 25, 2021—Sep 5, 2021

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Dwellings Without Basements

Map unit symbol	Map unit name	Rating	Component name (percent)	Rating reasons (numeric values)	Acres in AOI	Percent of AOI
34	Ildefonso stony loam, 25 to 45 percent slopes	Very limited	Ildefonso (90%)	Slope (1.00)	0.9	8.5%
				Large stones (1.00)		
35	Ildefonso-Lazear complex, 6 to 65 percent slopes	Very limited	Ildefonso (50%)	Slope (1.00)	1.9	17.3%
				Large stones (1.00)		
			Lazear (30%)	Depth to hard bedrock (1.00)		
				Slope (1.00)		
51	Olney loam, 6 to 12 percent slopes	Somewhat limited	Olney (85%)	Slope (0.04)	0.6	5.5%
55	Potts loam, 3 to 6 percent slopes	Somewhat limited	Potts (85%)	Shrink-swell (0.03)	0.1	0.9%
56	Potts loam, 6 to 12 percent slopes	Somewhat limited	Potts (85%)	Slope (0.04)	7.3	67.7%
				Shrink-swell (0.03)		
Totals for Area of Interest					10.7	100.0%

Rating	Acres in AOI	Percent of AOI
Somewhat limited	8.0	74.2%
Very limited	2.8	25.8%
Totals for Area of Interest	10.7	100.0%

Description

ENG - Engineering

Dwellings are single-family houses of three stories or less. For dwellings without basements, the foundation is assumed to consist of spread footings of reinforced concrete built on undisturbed soil at a depth of 2 feet or at the depth of maximum frost penetration, whichever is deeper.

The ratings for dwellings are based on the soil properties that affect the capacity of the soil to support a load without movement and on the properties that affect excavation and construction costs. The properties that affect the load-supporting capacity include depth to a water table, ponding, flooding, subsidence, linear extensibility (shrink-swell potential), and compressibility. Compressibility is inferred from the Unified classification of the soil. The properties that affect the ease and amount of excavation include depth to a water table, ponding, flooding, slope, depth to bedrock or a cemented pan, hardness of bedrock or a cemented pan, and the amount and size of rock fragments.

The ratings are both verbal and numerical. Rating class terms indicate the extent to which the soils are limited by all of the soil features that affect the specified use. "Not limited" indicates that the soil has features that are very favorable for the specified use. Good performance and very low maintenance can be expected. "Somewhat limited" indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design, or installation. Fair performance and moderate maintenance can be expected. "Very limited" indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected.

Numerical ratings indicate the severity of individual limitations. The ratings are shown as decimal fractions ranging from 0.01 to 1.00. They indicate gradations between the point at which a soil feature has the greatest negative impact on the use (1.00) and the point at which the soil feature is not a limitation (0.00).

The map unit components listed for each map unit in the accompanying Summary by Map Unit table in Web Soil Survey or the Aggregation Report in Soil Data Viewer are determined by the aggregation method chosen. An aggregated rating class is shown for each map unit. The components listed for each map unit are only those that have the same rating class as listed for the map unit. The percent composition of each component in a particular map unit is presented to help the user better understand the percentage of each map unit that has the rating presented.

Other components with different ratings may be present in each map unit. The ratings for all components, regardless of the map unit aggregated rating, can be viewed by generating the equivalent report from the Soil Reports tab in Web Soil Survey or from the Soil Data Mart site. Onsite investigation may be needed to

validate these interpretations and to confirm the identity of the soil on a given site.

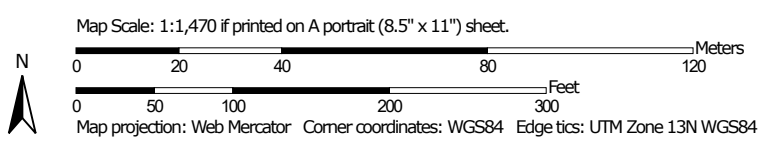
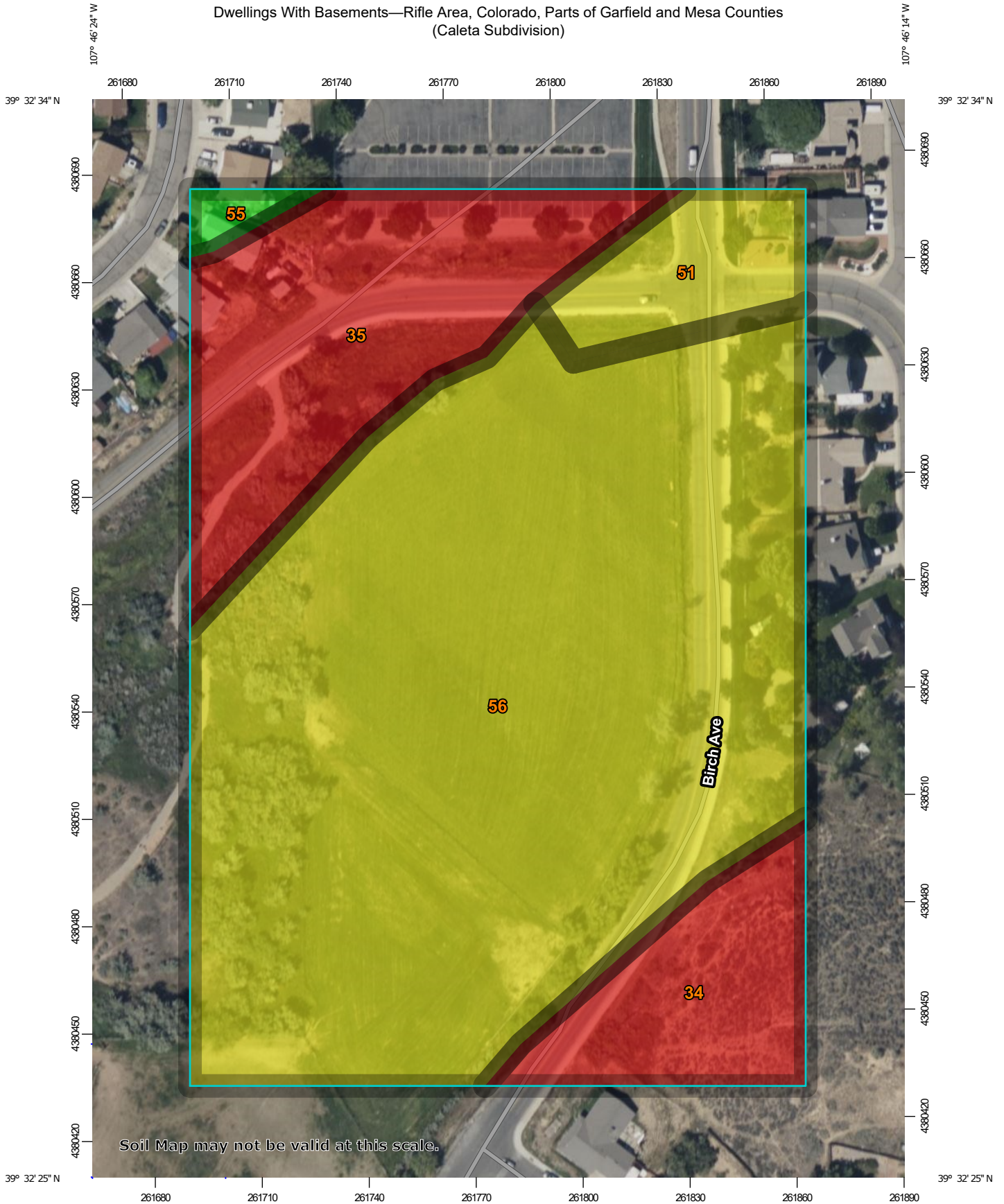
Rating Options

Aggregation Method: Dominant Condition





















Component Percent Cutoff: None Specified

Tie-break Rule: Higher

Dwellings With Basements—Rifle Area, Colorado, Parts of Garfield and Mesa Counties
(Caleta Subdivision)



MAP LEGEND

- Area of Interest (AOI)**
 Area of Interest (AOI)
- Background**
 Aerial Photography
- Soils**
- Soil Rating Polygons**
-  Very limited
 -  Somewhat limited
 -  Not limited
 -  Not rated or not available
- Soil Rating Lines**
-  Very limited
 -  Somewhat limited
 -  Not limited
 -  Not rated or not available
- Soil Rating Points**
-  Very limited
 -  Somewhat limited
 -  Not limited
 -  Not rated or not available
- Water Features**
-  Streams and Canals
- Transportation**
-  Rails
 -  Interstate Highways
 -  US Routes
 -  Major Roads
 -  Local Roads

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

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Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Rifle Area, Colorado, Parts of Garfield and Mesa Counties
 Survey Area Data: Version 18, Aug 29, 2025

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Aug 25, 2021—Sep 5, 2021

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Dwellings With Basements

Map unit symbol	Map unit name	Rating	Component name (percent)	Rating reasons (numeric values)	Acres in AOI	Percent of AOI
34	Ildefonso stony loam, 25 to 45 percent slopes	Very limited	Ildefonso (90%)	Slope (1.00)	0.9	8.5%
				Large stones (1.00)		
35	Ildefonso-Lazear complex, 6 to 65 percent slopes	Very limited	Ildefonso (50%)	Slope (1.00)	1.9	17.3%
				Large stones (1.00)		
			Lazear (30%)	Depth to hard bedrock (1.00)		
				Slope (1.00)		
51	Olney loam, 6 to 12 percent slopes	Somewhat limited	Olney (85%)	Slope (0.04)	0.6	5.5%
55	Potts loam, 3 to 6 percent slopes	Not limited	Potts (85%)		0.1	0.9%
56	Potts loam, 6 to 12 percent slopes	Somewhat limited	Potts (85%)	Slope (0.04)	7.3	67.7%
Totals for Area of Interest					10.7	100.0%

Rating	Acres in AOI	Percent of AOI
Somewhat limited	7.9	73.3%
Very limited	2.8	25.8%
Not limited	0.1	0.9%
Totals for Area of Interest	10.7	100.0%

Description

ENG - Engineering

Dwellings are single-family houses of three stories or less. For dwellings with basements, the foundation is assumed to consist of spread footings of reinforced concrete built on undisturbed soil at a depth of about 7 feet.

The ratings for dwellings are based on the soil properties that affect the capacity of the soil to support a load without movement and on the properties that affect excavation and construction costs. The properties that affect the load-supporting capacity include depth to a water table, ponding, flooding, subsidence, linear extensibility (shrink-swell potential), and compressibility. Compressibility is inferred from the Unified classification of the soil. The properties that affect the ease and amount of excavation include depth to a water table, ponding, flooding, slope, depth to bedrock or a cemented pan, hardness of bedrock or a cemented pan, and the amount and size of rock fragments.

The ratings are both verbal and numerical. Rating class terms indicate the extent to which the soils are limited by all of the soil features that affect the specified use. "Not limited" indicates that the soil has features that are very favorable for the specified use. Good performance and very low maintenance can be expected. "Somewhat limited" indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design, or installation. Fair performance and moderate maintenance can be expected. "Very limited" indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected.

Numerical ratings indicate the severity of individual limitations. The ratings are shown as decimal fractions ranging from 0.01 to 1.00. They indicate gradations between the point at which a soil feature has the greatest negative impact on the use (1.00) and the point at which the soil feature is not a limitation (0.00).

The map unit components listed for each map unit in the accompanying Summary by Map Unit table in Web Soil Survey or the Aggregation Report in Soil Data Viewer are determined by the aggregation method chosen. An aggregated rating class is shown for each map unit. The components listed for each map unit are only those that have the same rating class as listed for the map unit. The percent composition of each component in a particular map unit is presented to help the user better understand the percentage of each map unit that has the rating presented.

Other components with different ratings may be present in each map unit. The ratings for all components, regardless of the map unit aggregated rating, can be viewed by generating the equivalent report from the Soil Reports tab in Web Soil Survey or from the Soil Data Mart site. Onsite investigation may be needed to validate these interpretations and to confirm the identity of the soil on a given site.

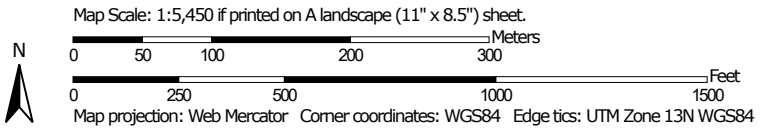
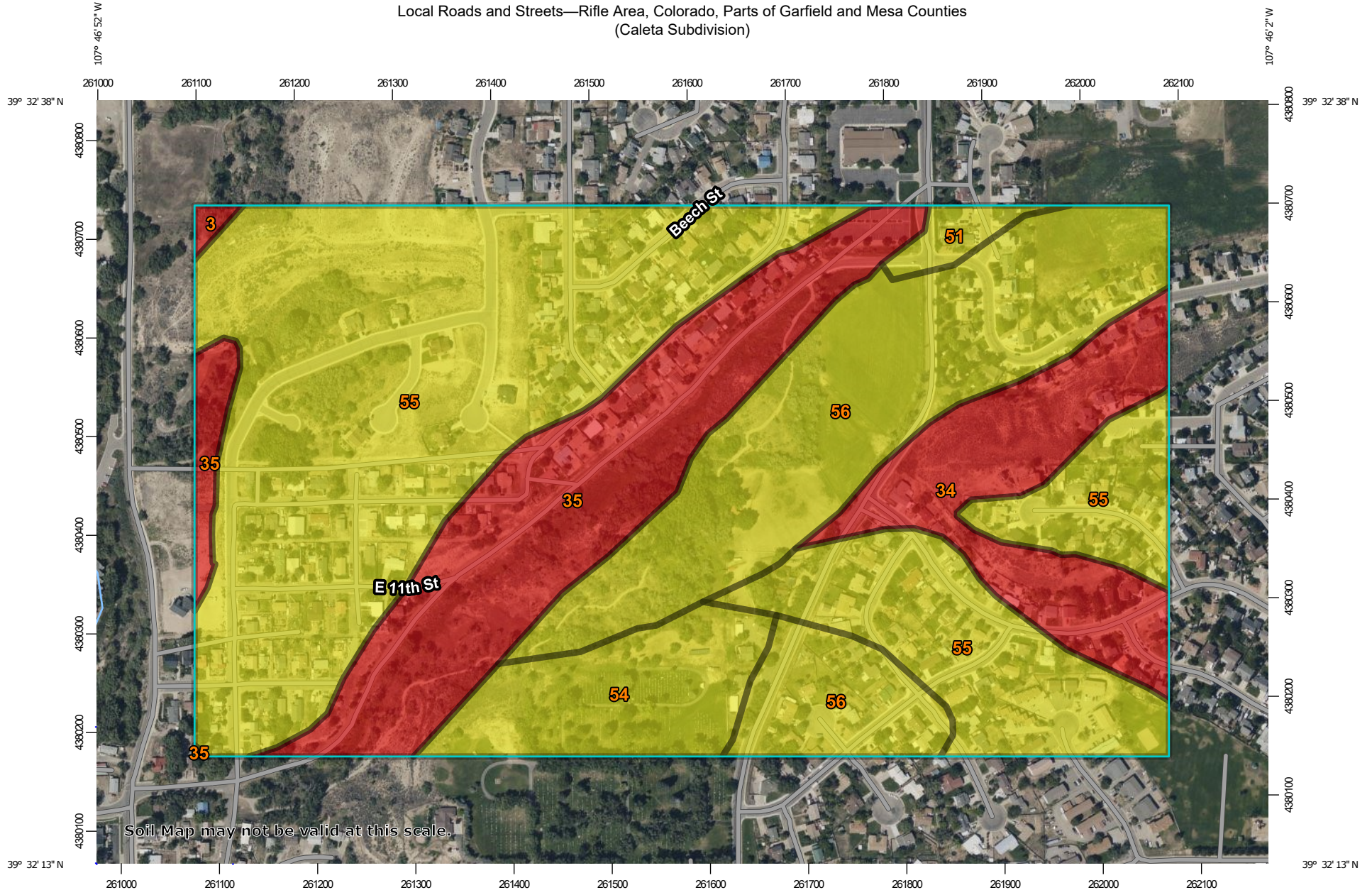
Rating Options

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified


Tie-break Rule: Higher

Local Roads and Streets—Rifle Area, Colorado, Parts of Garfield and Mesa Counties
(Caleta Subdivision)




MAP LEGEND

Area of Interest (AOI)





 Area of Interest (AOI)

Background





 Aerial Photography

Soils





Soil Rating Polygons

-  Very limited
-  Somewhat limited
-  Not limited
-  Not rated or not available


Soil Rating Lines

-  Very limited
-  Somewhat limited
-  Not limited
-  Not rated or not available






Soil Rating Points

-  Very limited
-  Somewhat limited
-  Not limited
-  Not rated or not available

Water Features

 Streams and Canals

Transportation

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Rifle Area, Colorado, Parts of Garfield and Mesa Counties
Survey Area Data: Version 18, Aug 29, 2025

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Aug 25, 2021—Sep 5, 2021

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Local Roads and Streets

Map unit symbol	Map unit name	Rating	Component name (percent)	Rating reasons (numeric values)	Acres in AOI	Percent of AOI
3	Arvada loam, 1 to 6 percent slopes	Very limited	Arvada (80%)	Shrink-swell (1.00)	0.3	0.2%
				Low strength (1.00)		
34	Ildefonso stony loam, 25 to 45 percent slopes	Very limited	Ildefonso (90%)	Slope (1.00)	12.8	9.3%
				Large stones (1.00)		
35	Ildefonso-Lazear complex, 6 to 65 percent slopes	Very limited	Ildefonso (50%)	Large stones (1.00)	23.0	16.7%
				Slope (1.00)		
			Lazear (30%)	Depth to hard bedrock (1.00)		
				Slope (1.00)		
51	Olney loam, 6 to 12 percent slopes	Somewhat limited	Olney (85%)	Slope (0.04)	1.5	1.1%
54	Potts loam, 1 to 3 percent slopes	Somewhat limited	Potts (85%)	Low strength (0.05)	9.0	6.5%
				Shrink-swell (0.03)		
55	Potts loam, 3 to 6 percent slopes	Somewhat limited	Potts (85%)	Low strength (0.05)	61.7	44.9%
				Shrink-swell (0.03)		
56	Potts loam, 6 to 12 percent slopes	Somewhat limited	Potts (85%)	Low strength (0.05)	29.2	21.3%
				Slope (0.04)		
				Shrink-swell (0.03)		
Totals for Area of Interest					137.5	100.0%

Rating	Acres in AOI	Percent of AOI
Somewhat limited	101.4	73.7%
Very limited	36.1	26.3%
Totals for Area of Interest	137.5	100.0%

Description

ENG - Engineering

Local roads and streets have an all-weather surface and carry automobile and light truck traffic all year. They have a subgrade of cut or fill soil material; a base of gravel, crushed rock, or soil material stabilized by lime or cement; and a surface of flexible material (asphalt), rigid material (concrete), or gravel with a binder. The ratings are based on the soil properties that affect the ease of excavation and grading and the traffic-supporting capacity. The properties that affect the ease of excavation and grading are depth to bedrock or a cemented pan, hardness of bedrock or a cemented pan, depth to a water table, ponding, flooding, the amount of large stones, and slope. The properties that affect the traffic-supporting capacity are soil strength (as inferred from the AASHTO group index number), subsidence, linear extensibility (shrink-swell potential), the potential for frost action, depth to a water table, and ponding.

The ratings are both verbal and numerical. Rating class terms indicate the extent to which the soils are limited by all of the soil features that affect the specified use. "Not limited" indicates that the soil has features that are very favorable for the specified use. Good performance and very low maintenance can be expected. "Somewhat limited" indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design, or installation. Fair performance and moderate maintenance can be expected. "Very limited" indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected.

Numerical ratings indicate the severity of individual limitations. The ratings are shown as decimal fractions ranging from 0.01 to 1.00. They indicate gradations between the point at which a soil feature has the greatest negative impact on the use (1.00) and the point at which the soil feature is not a limitation (0.00).

The map unit components listed for each map unit in the accompanying Summary by Map Unit table in Web Soil Survey or the Aggregation Report in Soil Data Viewer are determined by the aggregation method chosen. An aggregated rating class is shown for each map unit. The components listed for each map unit are only those that have the same rating class as listed for the map unit. The percent composition of each component in a particular map unit is presented to help the user better understand the percentage of each map unit that has the rating presented.

Other components with different ratings may be present in each map unit. The ratings for all components, regardless of the map unit aggregated rating, can be viewed by generating the equivalent report from the Soil Reports tab in Web Soil Survey or from the Soil Data Mart site. Onsite investigation may be needed to validate these interpretations and to confirm the identity of the soil on a given site.

Rating Options

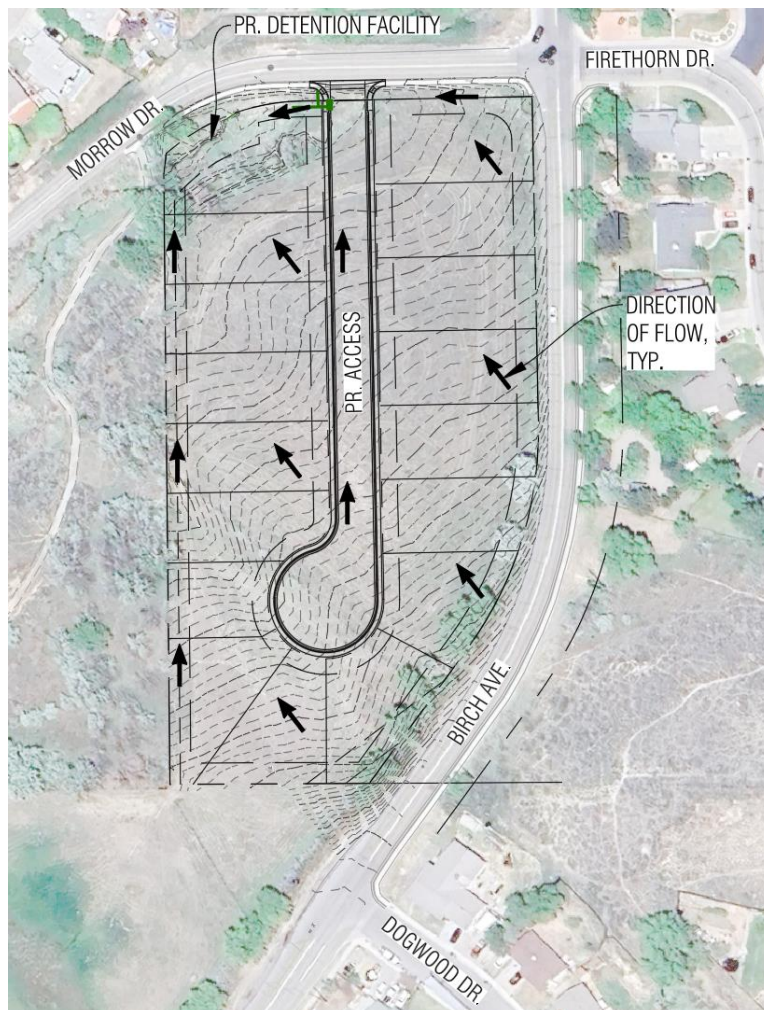
Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

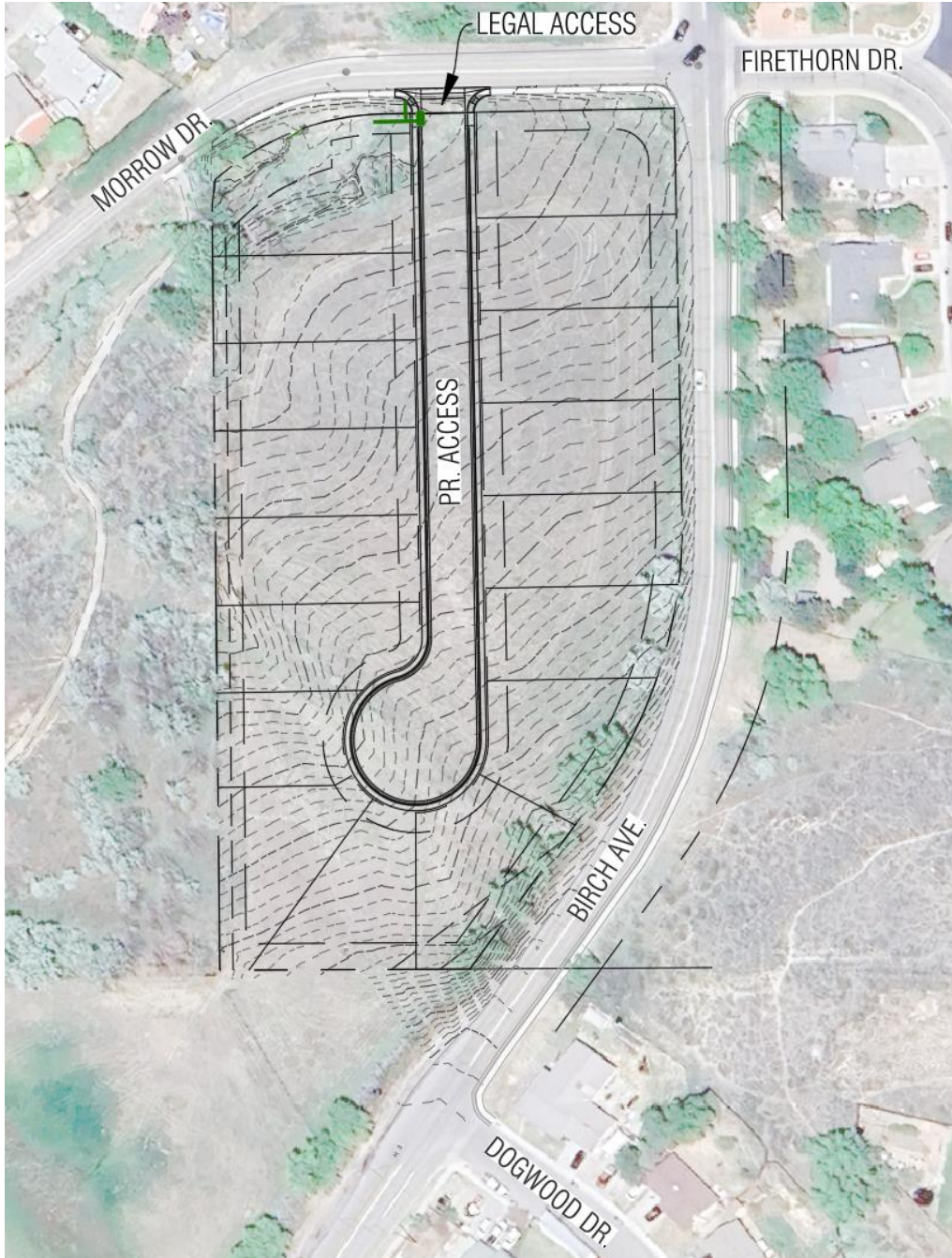
IMPACTS RESULTING FROM THE DEVELOPMENT OF THE PROPOSED SUBDIVISION TO THE LAKES, STREAMS AND TOPOGRAPHY.

This report evaluates the potential impacts of the proposed subdivision on the natural features of the site, specifically lakes, streams, and topography. There are no lakes, ponds or other waterbodies on the property or in the immediate vicinity. Runoff from above the property used to drain onto the property and sheet/shallow flow across to the west, but the City recently constructed curb and gutter along Birch Avenue which now directs upstream runoff into Morrow Drive. Site development will require the Applicant to construct onsite stormwater conveyances and an onsite stormwater detention facility. In general, the proposed site topography will remain similar to the existing conditions with runoff flowing from southeast to northwest. A new cul-de-sac access will extend from Morrow Drive and rise vertically with the existing topography. It is anticipated that runoff from the east half of the subdivision will be captured by the new access's curb and then conveyed off the road into a new detention facility located at the northwest corner of the property and that a new drainage channel will be constructed along the west boundary to likewise capture runoff from the west half of the subdivision and convey it to the same detention facility. The detention facility will likely be designed as an extended detention basin (EDB) with outflow controls for water quality and flood management.



EVIDENCE OF LEGAL ACCESS

The subject property has legal access via Morrow Dr. All proposed lots will be access directly from a new cul-de-sac road constructed to City standards.



REPORT IDENTIFYING THE UTILITY COMPANIES

WATER SUPPLY & FIRE PROTECTION.

The City of Rifle recently completed the construction of a new potable water main adjacent to the property in Birch Avenue. This main will be extended into the proposed subdivision for potable water service and fire protection.

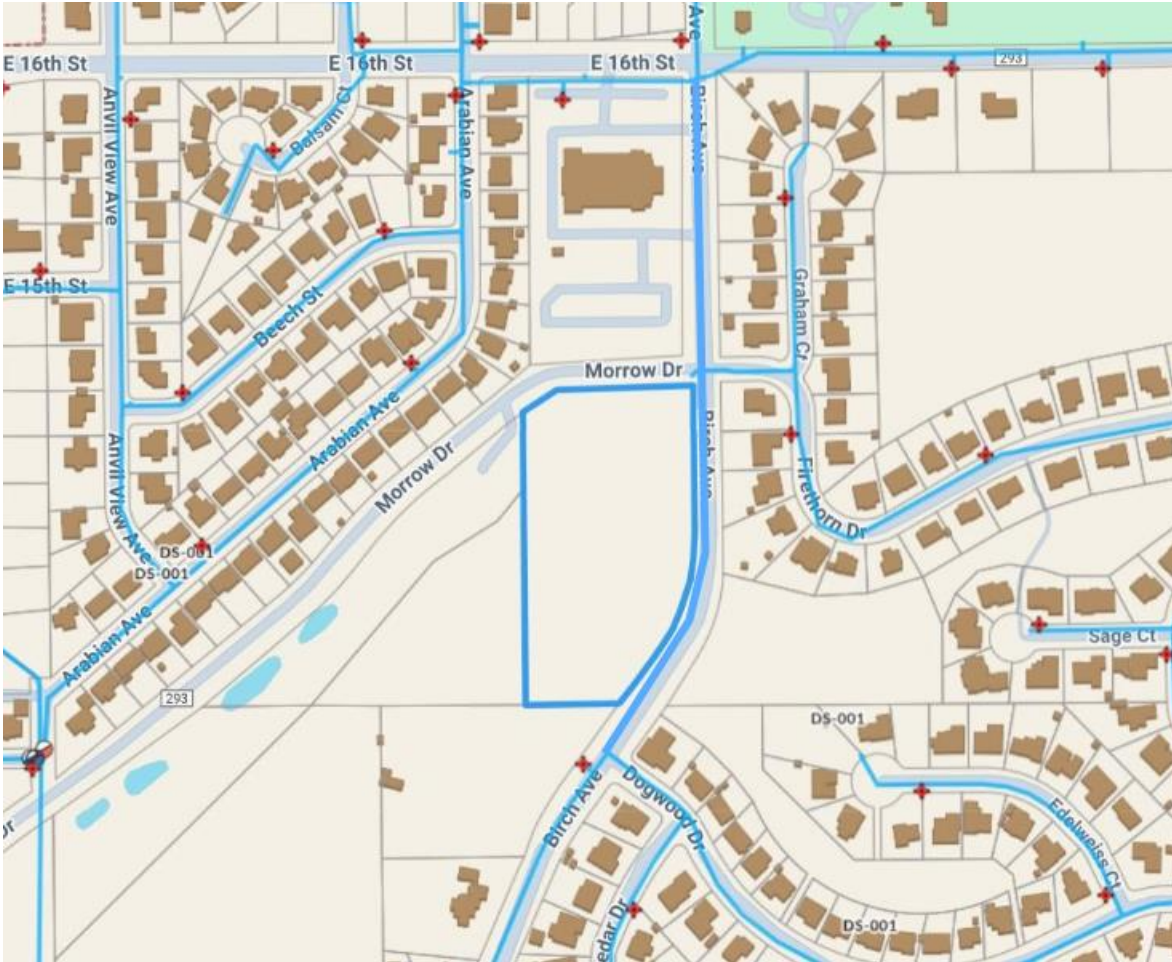


Figure 1: Ex. Potable Water

WASTEWATER TREATMENT

Wastewater collection and treatment will be managed by City of Rifle. The existing sanitary sewer line is located on the north side of the site in Morrow Drive and was recently stubbed into the property in alignment with the future access road.

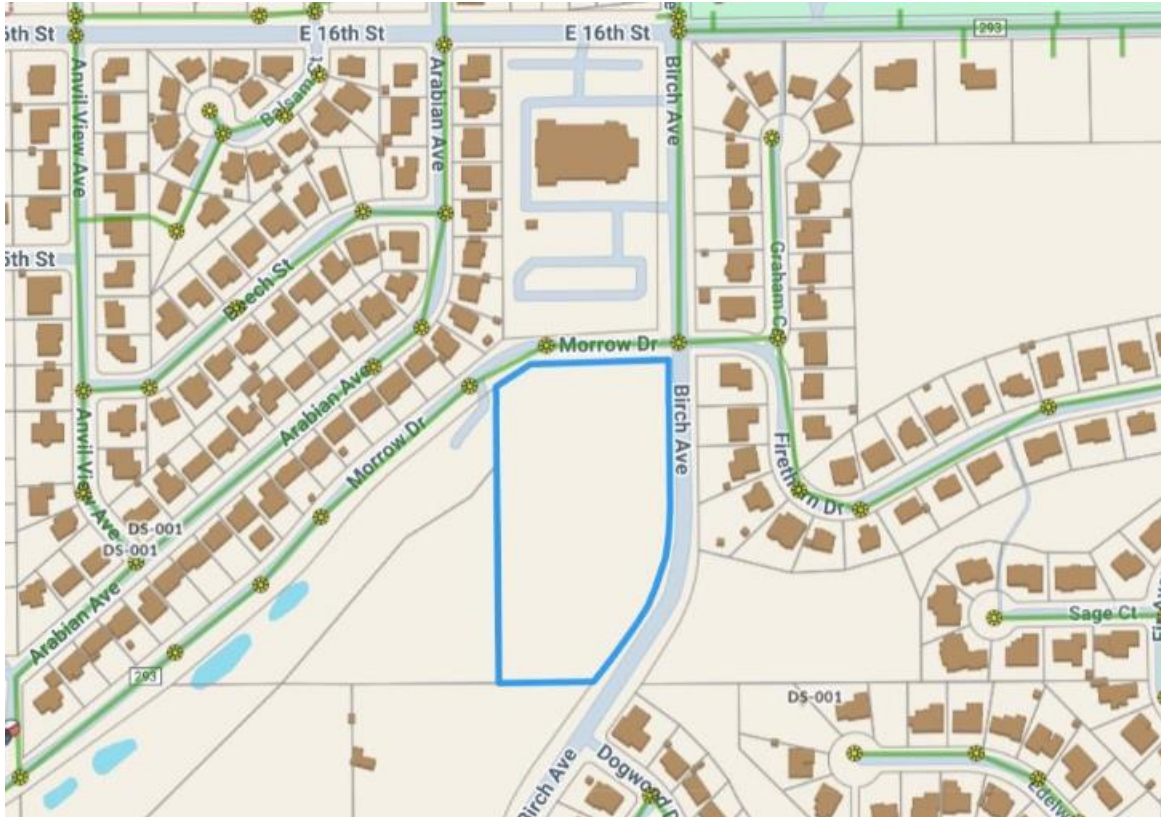


Figure 2: Ex. Sanitary Sewer System

OTHER UTILITIES

Local electric and natural gas services are provided by Xcel Energy and appear to be available near the intersection of Birch Avenue and Morrow Drive. Telecommunications are provided by Comcast/Xfinity and Lumin and appear to be available at various locations along Morrow Drive and Birch Avenue. An existing irrigation line located on the south end of the property which will remain in place unless it is determined not to service any downstream properties.

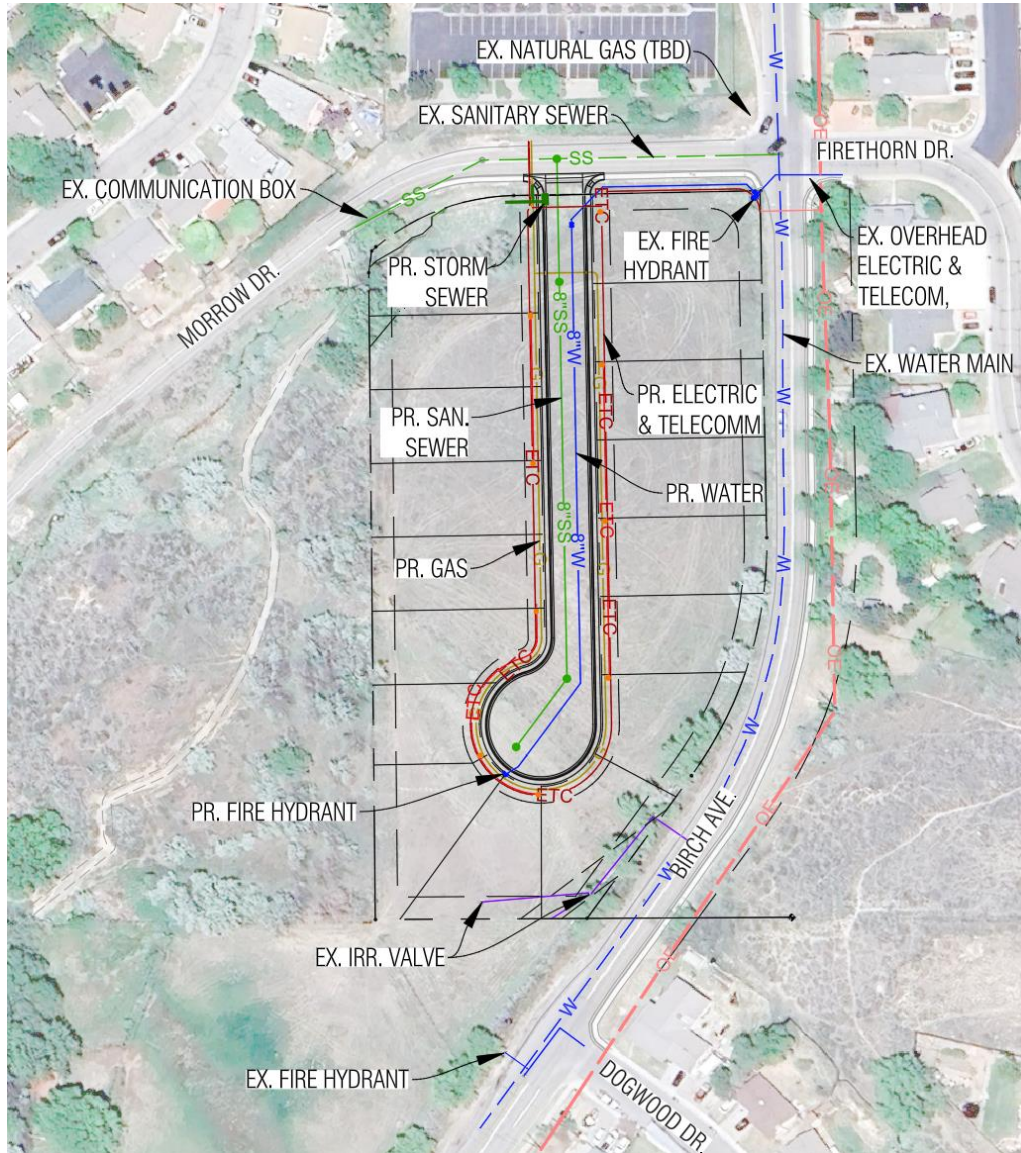


Figure 3: Utility Locations

OBJECTIVES TO BE ACHIEVED BY THE SUBDIVISION

The purpose of this section is to relay the objectives to be achieved by the Subdivision and its relationship to the Comprehensive Plan. The Subdivision will create seventeen (17) new single-family residential lots consistent with the local community. The property is bounded on the north by The Church of Jesus Christ of Latter-day Saints, single family residential to the east and northwest, a vacant field to the south and open space to the west. As indicated below, the proposed subdivision is in conformance with the Comprehensive Plan.

According to the Comprehensive Plan, the property is in the Tier 1 area (a priority growth area), and in the Graham Mesa Neighborhood under a *Moderate Density Residential* land use.

Moderate Density Residential is defined as:

Density: 7-15 du/acre.

Housing Types: Townhomes (in some cases); duplexes; small homes/patio homes on small lots; average single-family lots (approximately 8,000 square feet).

Location Criteria: Areas with at least moderate access to services; areas that need major infrastructure improvements that require enough density to fund the infrastructure; areas where streets and infrastructure can accommodate medium densities.

Zoning: Medium Density Residential Redeveloping (MDR-X); Medium Density Residential (MDR); Low-Density Residential (LDR).

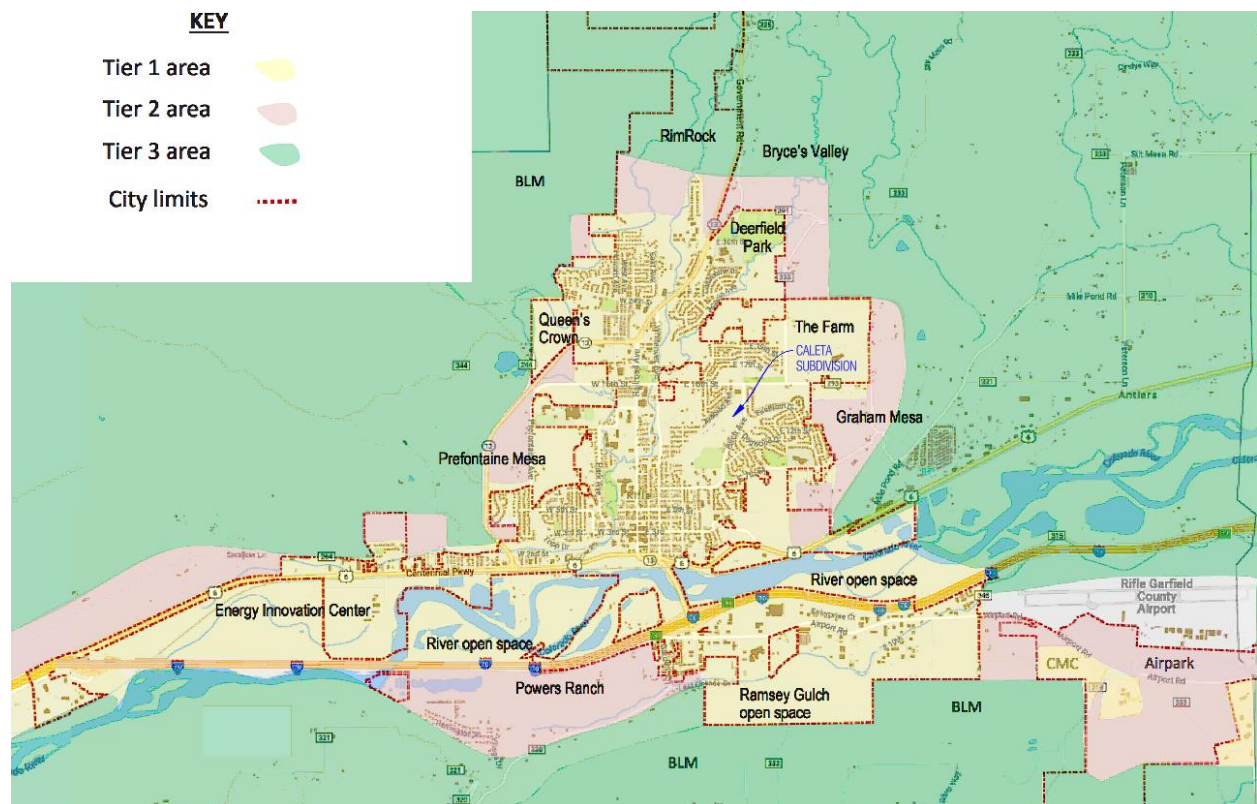


Figure 1: Rifle Tiered Growth System (2019 Comprehensive Plan)

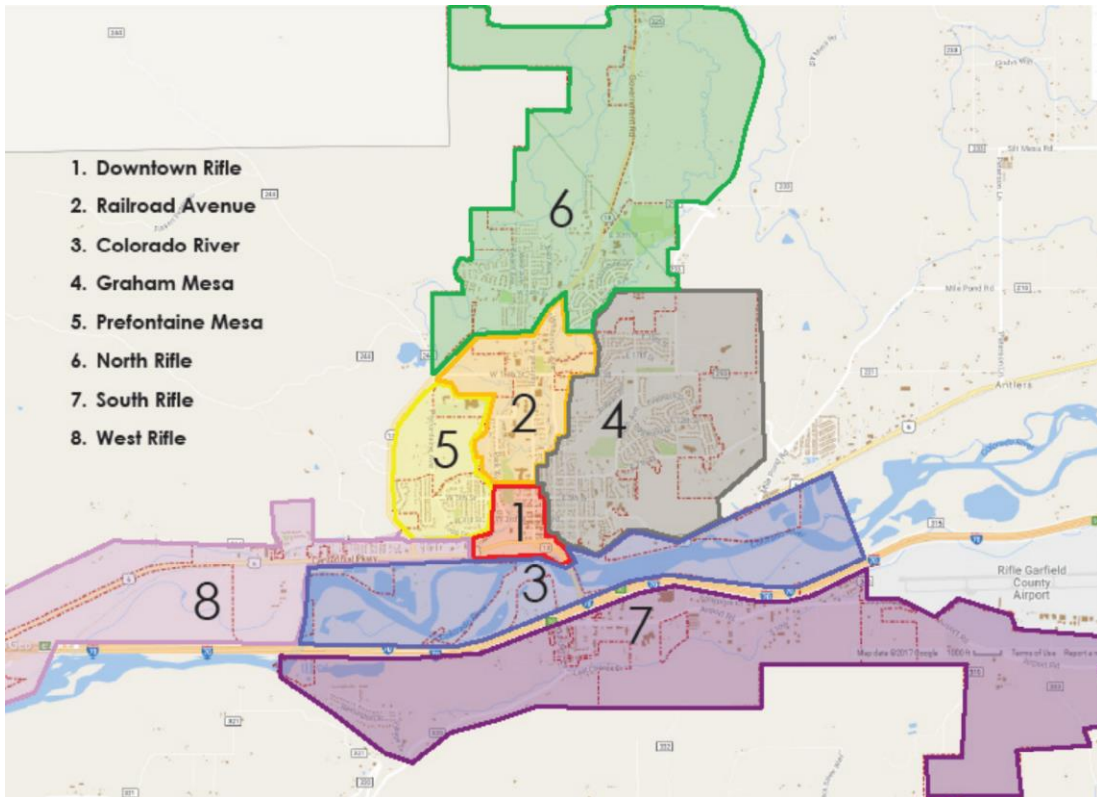


Figure 2: Rifle Neighborhoods (2019 Comprehensive Plan)

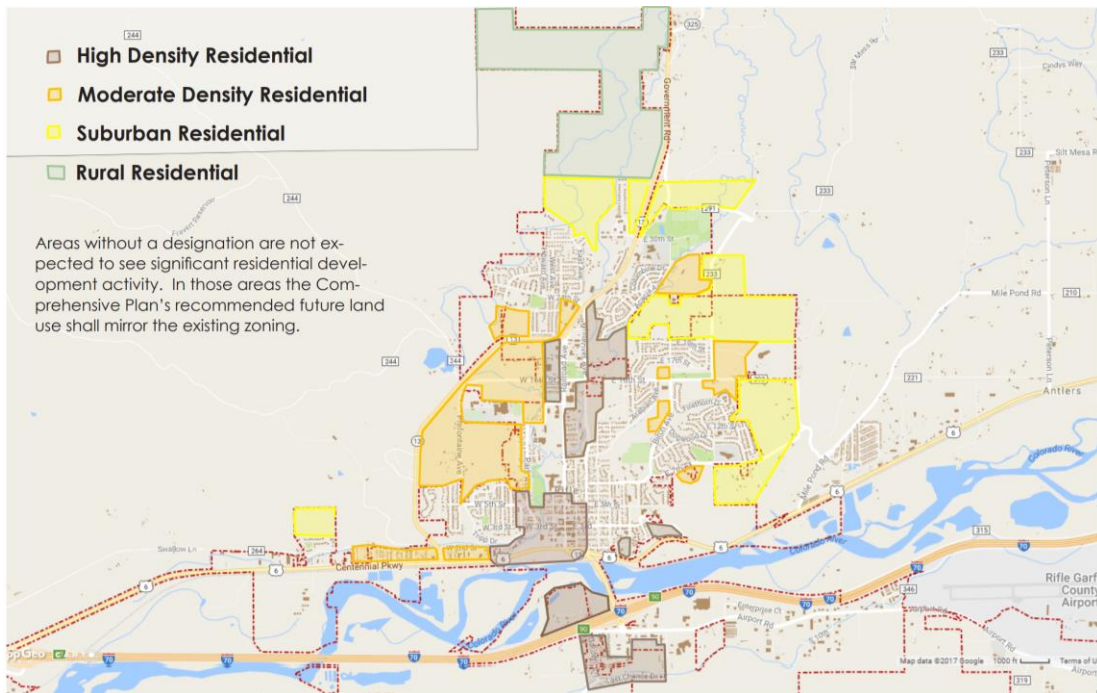


Figure 3: Future Land Use Map-Residential Uses (2019 Comprehensive Plan)

A DEVELOPMENT SCHEDULE INDICATING THE ESTIMATED TIMING AND PHASING OF CONSTRUCTION

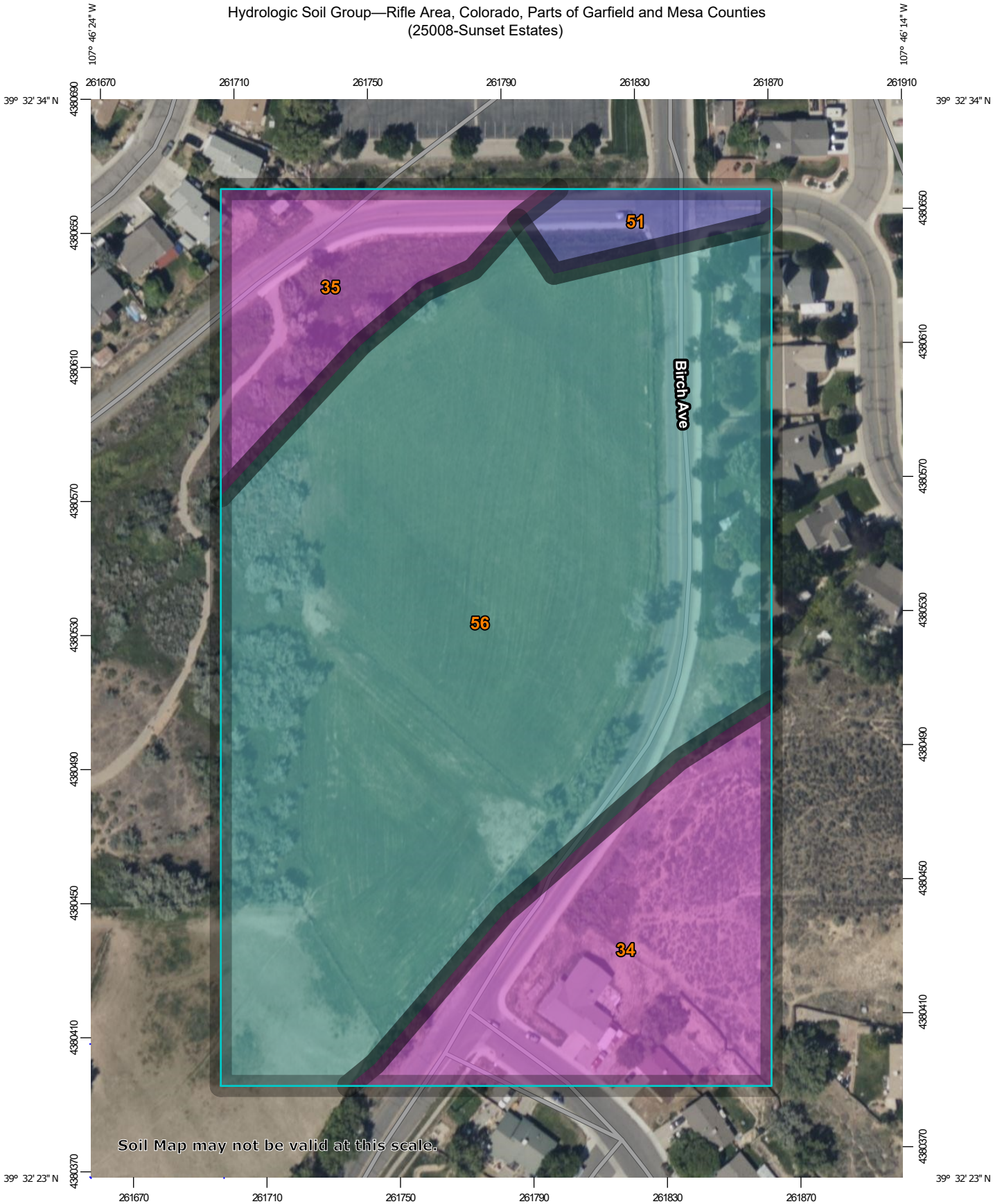
The Applicant intends to begin construction of the subdivision as soon as possible. The subdivision will be constructed in a single phase and is anticipated to only include only one proposed land use, Low Density Residential (LDR)

According to City Municipal Code Section 16-3-330, LDR requirements are:

<i>ZONING REQUIREMENTS</i>	<i>LDR</i>
Single family minimum lot size	6,000 s.f.
Maximum lot coverage	50%
Maximum height of buildings (See Section 16-3-250)	27 feet
Maximum floor area ratio	1:1
Off-street parking spaces	Per Article VII of this Chapter
Minimum setbacks:	
1. Front yard	15 feet
2. Rear yard	20 feet
3. Side yard	5 feet minimum or 1 foot for every 2 feet of building height, whichever is greater
4. Shared driveway	20 feet from edge of the driveway easement

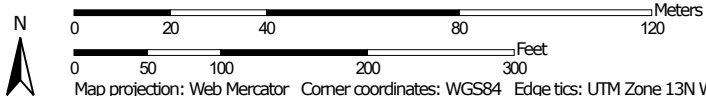
The access road and its right-of-way are anticipated to be dedicated to the public. No other common or open areas are proposed.

Hydrologic Soil Group—Rifle Area, Colorado, Parts of Garfield and Mesa Counties
(25008-Sunset Estates)



Soil Map may not be valid at this scale.

Map Scale: 1:1,570 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 13N WGS84




Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

MAP LEGEND

Area of Interest (AOI)









 Area of Interest (AOI)

Soils

Soil Rating Polygons





 A
 A/D
 B
 B/D
 C
 C/D
 D
 Not rated or not available

Soil Rating Lines

 A
 A/D
 B
 B/D
 C
 C/D
 D
 Not rated or not available

Soil Rating Points





 A
 A/D
 B
 B/D

 C
 C/D
 D
 Not rated or not available


Water Features

 Streams and Canals

Transportation

 Rails
 Interstate Highways
 US Routes
 Major Roads
 Local Roads

Background

 Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Rifle Area, Colorado, Parts of Garfield and Mesa Counties
 Survey Area Data: Version 17, Aug 29, 2024

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Aug 25, 2021—Sep 5, 2021

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
34	Ildefonso stony loam, 25 to 45 percent slopes	A	2.0	18.1%
35	Ildefonso-Lazear complex, 6 to 65 percent slopes	A	1.1	9.7%
51	Olney loam, 6 to 12 percent slopes	B	0.3	2.9%
56	Potts loam, 6 to 12 percent slopes	C	7.6	69.3%
Totals for Area of Interest			11.0	100.0%

Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

Rating Options

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher



MEMORANDUM

To: Scott Grosscup
From: Sally Vagneur
Date: January 8, 2026
Re: Mineral Rights Research on Caleta Construction LLC Property

This Memo provides an overview of the research I made of the ownership of mineral rights associated with the real property purchased by Caleta Construction LLC from the Charlene Collett Family Trust in September 2025, which property is located in the SE1/4NE1/4 of Section 9, Township 6 South, Range 93 West of the 6th P.M and comprises approximately 4.74 acres (the "Property"). Said research included a review of records in the Garfield County Assessor's Office and Garfield County Clerk and Recorder's Office and a review of a title commitment issued by Commonwealth Title prior to the sale of the Property dated September 2, 2025.

I. SUMMARY CONCLUSION

My research indicates that the current owners of mineral rights are:

JRMD, LLC
PO Box 1926
Rifle, CO 81650

And

Caleta Construction LLC
144 Cliffrose Way
Glenwood Springs, CO 81601.

In addition the following entities may have an interest in the mineral rights by virtue of Oil, Gas and Mineral Leases:

TEP Rocky Mountain LLC
621 N Robinson Ave., Ste 300
Oklahoma City, OK 73102

Flywheel Energy Management LLC
621 N Robinson Ave., Ste 300
Oklahoma City, OK 73102.

SERVING COLORADO SINCE 1953

II. TITLE CHAIN

The title commitment issued by Commonwealth Title on September 2, 2025, identified two reservations of mineral rights – one in a deed recorded October 4, 1982 as Reception No. 332996, wherein Savage Holdings and Land Endeavors Inc. reserved certain mineral rights affecting the Property, and one in a deed recorded October 27, 1995 as Reception No. 484759, wherein Union Oil Company of California reserved certain mineral rights affecting the Property (Union Oil’s reserved rights pertain to all oil, gas, minerals and petroleum below a depth of 500 feet). The title commitment also identified mineral leases affecting the Property.

a. Savage Holdings and Land Endeavors Inc. Savage Holdings and Land Endeavors reserved mineral rights in a deed transferring to the City of Rifle approximately 5.60 acres located in the SE1/4NE1/4 of Section 9, T6S, R93W of the 6th PM, which 5.60 acres included the Property (“Savage Mineral Rights”). The conveyancing deed was recorded October 4, 1982, as Reception No. 332996. Savage Holdings and Land Endeavors conveyed the Savage Mineral Rights to Joan L Savage by deed recorded February 20, 1996, as Reception No. 489185. Joan L. Savage conveyed the Savage Mineral Rights to Savage Limited Partnership I by deed recorded February 2, 20, 1996, as Reception No. 489186. Joan L. Savage again conveyed the Mineral Rights to Savage Limited Partnership I by deed recorded February 12, 2008, as Reception No. 742833, which deed was later amended by recorded March 17, 2008. as Reception No. 744680. The deeds recorded in 2008 more completely describe the mineral rights than the earlier deed recorded in 1996 which contained descriptions tied back to Assessor parcel numbers and recording information of documents wherein the reservation of mineral rights was made. Savage Limited Partnership I conveyed all mineral rights in the E1/2NE1/4 of Section 9, T6S, R93W of the 6th PM to JRMD, LLC by deed recorded on July 8, 2010, as Reception 788283. The Savage Mineral Rights are located in the SE1/4NE1/4 of Section 9, T6S, R93W of the 6th PM and are included in the conveyance of the E1/2NE1/4 of Section 9. I could not locate any recorded wherein JRMD, LLC conveyed the Savage Mineral Rights to a third party.

b. Union Oil of California. The City of Rifle transferred the Property to Union Oil Company of California by deed recorded April 5, 1995, as Reception No. 476276. Union Oil Company of California reserved mineral rights in its conveyance of the Property to Bernard M. and Charlene S. Collett as joint tenants in a deed recorded October 27, 1995, as Reception No. 484759 (“Union Oil Minerals”). The Union Oil Minerals pertain to all oil, gas, minerals and petroleum below a depth of 500 feet which I assume are different than the Savage Mineral Rights by virtue of the language “below a depth of 500 feet”. By deed recorded September 4, 2003, as Reception No. 635756, Union Oil conveyed the Union Oil Minerals rights to Bernard M. and Charlene S. Collett as joint tenants. A Supplemental Affidavit was recorded on August 24, 2010, as Reception No. 790542, reflecting that Bernard M. Collett was deceased. Charlene S. Collett transferred the Union Oil Minerals to the Charlene Collett Family Trust by deed recorded April 6, 2022, as Reception No. 973168. I could find no transfers of the Union Oil Mineral from the Charlene Collett Family Trust to any third party between April 6, 2022, and the date of the

transfer of the Property to Caleta Construction LLC, which deed to Caleta Construction LLC was recorded on September 10, 2025, as Reception No. 1010778. The deed to Caleta Construction LLC did not contain any reservation of the Union Oil Minerals by the Charlene Collett Family Trust.

c. Mineral Leases. The title commitment identified a Memorandum of Oil and Gas Lease affecting the Union Oil Minerals recorded on September 20, 2005 as Reception 682648 between Antero Resources II Corporation and Bernard M. Collett and Charlene S. Collett, as joint tenants, and an Amendment of Paid-Up Oil and Gas Lease recorded July 23, 2008 as Reception 752914 between Antero Resources Piceance Corporation (formerly Antero Resources II Corporation) and Bernard M. Collett and Charlene S. Collett as joint tenants. In addition, there appear to have been various Oil and Gas Leases affecting the Savage Minerals. I could not find any document recorded in the Garfield County records determining whether said any of said leases have been extended or terminated. All the subject leases originally involved Antero Resources Piceance Corporation (formerly Antero Resources II Corporation) and/or Barrett Corporation. Ursa Operating Company/Ursa Piceance LLC later acquired Antero's and Barrett's interests in oil and gas leases in Western Colorado. Ursa's interests in oil, gas and minerals in Western Colorado were merged/acquired by various entities over the years, and as of earlier this year, Ursa's interests in oil, gas and minerals were held by TEP Rocky Mountain LLC. Late this summer TEP Rocky Mountain LLC was merged with Flywheel Energy Management.



Property Address: TBD Birch Ave Rifle, CO
Order Number: 2025-04-13

Buyer

Caleta Construction LLC
Delivery via: Secure Electronic Mail

Selling Agent

Property Professionals
Yajaira Ayala
Sarah Pace
yajaira@yajairaayala.com
Delivery via: Secure Electronic Mail

Seller

Charlene Collett Family Trust dated September 22, 2010
Delivery via: Secure Electronic Mail

Listing Agent

Vicki Lee Green Realtors
Michelle James
Denise Stewart
michelle@vlgrealtors.com
Delivery via: Secure Electronic Mail

Closing Contacts Rifle Branch:

Denna Conwell
970.623.7505
denna@cwtrifle.com

Jolene Chavez
970.623.7506
jolene@cwtrifle.com

Closing Contacts Glenwood Branch:

Linda Gabossi
970.947.0900
linda@cwtrifle.com

Jolene Chavez
970-623-7506
jolene@cwtrifle.com



ALTA COMMITMENT FOR TITLE INSURANCE
issued by
COMMONWEALTH LAND TITLE INSURANCE COMPANY

NOTICE

IMPORTANT – READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I – Requirements; Schedule B, Part II – Exceptions; and the Commitment Conditions, Commonwealth Land Title Insurance Company, a(n) Florida corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Amount of Insurance and the name of the Proposed Insured.

If all of the Schedule B, Part I – Requirements have not been met within 180 days after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

COMMITMENT CONDITIONS

1. DEFINITIONS

- a. "Discriminatory Covenant": Any covenant, condition, restriction, or limitation that is unenforceable under applicable law because it illegally discriminates against a class of individuals based on personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or other legally protected class.
- b. "Knowledge" or "Known": Actual knowledge or actual notice, but not constructive notice imparted by the Public Records.
- c. "Land": The land described in Item 5 of Schedule A and improvements located on that land that by State law constitute real property. The term "Land" does not include any property beyond that described in Schedule A, nor any right, title, interest, estate, or easement in any abutting street, road, avenue, alley, lane, right-of-way, body of water, or waterway, but does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- d. "Mortgage": A mortgage, deed of trust, trust deed, security deed, or other real property security instrument, including one evidenced by electronic means authorized by law.
- e. "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- f. "Proposed Amount of Insurance": Each dollar amount specified in Schedule A as the Proposed Amount of Insurance of each Policy to be issued pursuant to this Commitment.
- g. "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- h. "Public Records": The recording or filing system established under State statutes in effect at the Commitment Date under which a document must be recorded or filed to impart constructive notice of matters relating to the Title to a purchaser for value without Knowledge. The term "Public Records" does not include any other recording or filing

This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by Commonwealth Land Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I – Requirements; and Schedule B, Part II – Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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- system, including any pertaining to environmental remediation or protection, planning, permitting, zoning, licensing, building, health, public safety, or national security matters.
- i. "State": The state or commonwealth of the United States within whose exterior boundaries the Land is located. The term "State" also includes the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, and Guam.
 - j. "Title": The estate or interest in the Land identified in Item 3 of Schedule A.
2. If all of the Schedule B, Part I – Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.
 3. The Company's liability and obligation is limited by and this Commitment is not valid without:
 - a. the Notice;
 - b. the Commitment to Issue Policy;
 - c. the Commitment Conditions;
 - d. Schedule A;
 - e. Schedule B, Part I – Requirements;
 - f. Schedule B, Part II – Exceptions; and
 - g. a counter-signature by the Company or its issuing agent that may be in electronic form.
 4. **COMPANY'S RIGHT TO AMEND**
The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company is not liable for any other amendment to this Commitment.
 5. **LIMITATIONS OF LIABILITY**
 - a. The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - i. comply with the Schedule B, Part I – Requirements;
 - ii. eliminate, with the Company's written consent, any Schedule B, Part II – Exceptions; or
 - iii. acquire the Title or create the Mortgage covered by this Commitment.
 - b. The Company is not liable under Commitment Condition 5.a. if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
 - c. The Company is only liable under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
 - d. The Company's liability does not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Condition 5.a. or the Proposed Amount of Insurance.
 - e. The Company is not liable for the content of the Transaction Identification Data, if any.
 - f. The Company is not obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I – Requirements have been met to the satisfaction of the Company.
 - g. The Company's liability is further limited by the terms and provisions of the Policy to be issued to the Proposed Insured.
 6. **LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT; CHOICE OF LAW AND CHOICE OF FORUM**
 - a. Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
 - b. Any claim must be based in contract under the State law of the State where the Land is located and is restricted to the terms and provisions of this Commitment. Any litigation or other proceeding brought by the Proposed Insured against the Company must be filed only in a State or federal court having jurisdiction.
 - c. This Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
 - d. The deletion or modification of any Schedule B, Part II – Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.

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- e. Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- f. When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.
- 7. IF THIS COMMITMENT IS ISSUED BY AN ISSUING AGENT**
The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for closing, settlement, escrow, or any other purpose.
- 8. PRO-FORMA POLICY**
The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.
- 9. CLAIMS PROCEDURES**
This Commitment incorporates by reference all Conditions for making a claim in the Policy to be issued to the Proposed Insured. Commitment Condition 9 does not modify the limitations of liability in Commitment Conditions 5 and 6.
- 10. CLASS ACTION**
ALL CLAIMS AND DISPUTES ARISING OUT OF OR RELATING TO THIS COMMITMENT, INCLUDING ANY SERVICE OR OTHER MATTER IN CONNECTION WITH ISSUING THIS COMMITMENT, ANY BREACH OF A COMMITMENT PROVISION, OR ANY OTHER CLAIM OR DISPUTE ARISING OUT OF OR RELATING TO THE TRANSACTION GIVING RISE TO THIS COMMITMENT, MUST BE BROUGHT IN AN INDIVIDUAL CAPACITY. NO PARTY MAY SERVE AS PLAINTIFF, CLASS MEMBER, OR PARTICIPANT IN ANY CLASS OR REPRESENTATIVE PROCEEDING. ANY POLICY ISSUED PURSUANT TO THIS COMMITMENT WILL CONTAIN A CLASS ACTION CONDITION.
- 11. ARBITRATION**
The Policy contains an arbitration clause. All arbitrable matters when the Proposed Amount of Insurance is \$2,000,000 or less may be arbitrated at the election of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

**COMMONWEALTH LAND TITLE INSURANCE
COMPANY**

P.O. Box 45023, Jacksonville, FL 32232-5023



By: _____

Michael J, Nolan, President



By: _____

Marjorie Nemzura, Secretary

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Transaction Identification Data, for which the Company assumes no liability as set forth in Commitment Condition 5.e.:

Issuing Agent: Commonwealth Title Company
Issuing Office: 1322 Grand Avenue
Glenwood Springs, CO 81601
Issuing Office's ALTA® Registry ID: 1038730
Loan ID Number:
Commitment Number: 2025-04-13
Issuing Office File Number: 2025-04-13
Property Address: TBD Birch Ave, Rifle, CO 81650
Revision Number:

SCHEDULE A

- 1. Commitment Date: April 9, 2025 at 8:00 AM
- 2. Policy to be issued:
 - (a) 2021 ALTA Owner's Policy
 - Proposed Insured: **Caleta Construction LLC**
 - Proposed Amount of Insurance: **\$450,000.00**
 - Policy Premium: **\$1,245.00**
 - The estate or interest to be insured: **fee simple**
 - Endorsements:
 - Blank (General) Endorsement **\$95.00**
- 3. The estate or interest in the Land at the Commitment Date is:
fee simple
- 4. The Title is, at the Commitment Date, vested in:
Charlene Collett Family Trust dated September 22, 2010
- 5. The land is described as follows:
The land is described as set forth in Exhibit A attached hereto and made a part hereof.

COMMONWEALTH TITLE COMPANY
1322 Grand Avenue, Glenwood Springs, CO 81601
Telephone: (970) 945-4444

COMMONWEALTH LAND TITLE INSURANCE COMPANY
P.O. Box 45023, Jacksonville, FL 32232-5023

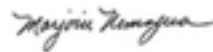
Countersigned by:

Patrick P. Burwell

Patrick P. Burwell, License #153719
Commonwealth Title Company, License #292895



By: _____
Michael J, Nolan, President



By: _____
Marjorie Nemzura, Secretary

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SCHEDULE B, PART I – Requirements

All of the following Requirements must be met:

1. 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.
2. Pay the agreed amount for the estate or interest to be insured.
3. 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.
4. Duly authorized and executed Deed from Charlene Collett Family Trust dated September 22, 2010, to Caleta Construction LLC, to be executed and recorded at closing. Vesting deed recorded on February 10, 2020 as Instrument #931559 in the [official records](#)

Per Statement of Authority recorded on December 15, 2022 as Instrument #982095 in the [official records](#) the person(s) authorized to execute instruments conveying, encumbering or otherwise affecting title to real property is Charlene Collett, Trustee on behalf of Charlene Collett Family Trust dated September 22, 2010.

5. Execution of a Final Affidavit and Agreement indemnifying the Company against unfiled mechanic's and materialmen's liens.
6. Per Statement of Authority recorded on December 21, 2022 as Instrument #982296 in the [official records](#) the person(s) authorized to execute instruments conveying, encumbering or otherwise affecting title to real property is Uriel Mellin, Manager on behalf of Caleta Construction LLC.

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SCHEDULE B, PART II – Exceptions

Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This Commitment and the Policy treat any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document will be excepted from coverage.

The Policy will not insure against loss or damage resulting from the terms and conditions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Rights or claims of parties in possession, not shown by the public records. Note: This exception will be deleted on the final policy upon compliance with the requirements herein.
2. Easements, or claims of easements, not shown by the public records. Note: This exception will be deleted on the final policy upon compliance with the requirements herein.
3. Discrepancies, conflicts in boundary lines, shortage of 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. Note: This exception will be deleted on the final policy upon compliance with the requirements herein.
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. Note: This Exception will be deleted upon receipt of Final Affidavits and Agreements indemnifying the Company against unfiled mechanic's and materialmen's liens.
5. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attached, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I—Requirements are met. Note: This Exception will be deleted on the final policy if Commonwealth Title Company of Garfield County, Inc. closes the proposed transaction and records the applicable instruments of conveyance.
6. Any and all unpaid taxes, assessments and unredeemed tax sales. Note: This exception will be modified in the final policy to reflect only those taxes and assessments that are a lien, but not yet due and payable.
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 on June 9, 1892 as Instrument #14117 in the [official records](#)
10. Easement and right of way as described in document recorded on February 25, 1939 as Instrument #134880 in the [official records](#)
11. Easement and right of way as described in document recorded on March 18, 1992 as Instrument #432703 in the [official records](#)
12. Right of way for the Rifle Creek Canon Ditch insofar as it may affect the subject property.

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13. Reservation of mineral rights more fully described in Deed recorded on October 4, 1982 as Instrument #332996 in the [official records](#) and any and all interests therein or assignments thereof.
14. Easement and right of way as described in document recorded on April 5, 1995 as Instrument #476276 in the [official records](#)
15. Reservation of mineral rights more fully described in Deed recorded on October 27, 1995 as Instrument #484759 in the [official records](#) and any and all interests therein or assignments thereof.
16. Covenants, conditions, restrictions, which do not contain a forfeiture or reverter clause, but omitting restrictions, if any, based on race, color, religion, or national origin, and all matters set forth in Declaration recorded on October 27, 1995 as Instrument #484760 in the [official records](#)
17. Oil, gas and mineral lease recorded on September 20, 2005 as Instrument #682648 in the [official records](#) and any and all interests therein or assignments thereof.
18. Oil, gas and mineral lease recorded on July 23, 2008 as Instrument #752914 in the [official records](#) and any and all interests therein or assignments thereof.
19. Conveyance of mineral rights more fully described in Deed recorded on April 6, 2022 as Instrument #973168 in the [official records](#) and any and all interests therein or assignments thereof.
20. Right of way for ditches and canals in place and in use.
21. Any loss, claim or damage due to the location of fences. (NOTE: This exception will appear on the Owner's Policy only)

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EXHIBIT "A"

The Land referred to herein below is situated in the County of Garfield, State of Colorado and is described as follows:

A parcel of land in the Southeast 1/4 of the Northeast 1/4 of Section 9, Township 6 South, Range 93 West of the 6th Principal Meridian begin more particularly described as follows:

Beginning at the East 1/4 Corner of said Section 9, a stone monument found in place; thence along the South line of the Southeast 1/4 Northeast 1/4 of said Section 9, South 89°41'25" West a distance of 182.76 feet to the TRUE POINT OF BEGINNING; thence continuing along said South line a distance of 189.07 feet; thence North 00°34'49" West a distance of 578.50 feet; thence North 07°10'56" East a distance of 19.47 feet to a point 35.00 feet southeasterly of the centerline of County Road 293 (also known as Ninth Street); thence North 50°03'53" East and parallel to and 35.00 feet southeasterly of the centerline of said County Road 293 (also known as Ninth Street) a distance of 5.43 feet to a point of curvature; thence northeasterly along a curve to the right having a radius of 197.44 feet, and a central angle of 38°49'21" for an arc length of 133.78 feet, and whose chord bears North 69°28'33" East a distance of 131.24 feet; thence North 88°53'14" East a distance of 219.90 feet to a point on the westerly right-of-way line of County Road 295; thence the following three courses along said westerly right-of-way: South 01°06'46" East 309.81 feet; thence 227.56 feet along the arc of a 350.00 foot radius circular curve to the right, which arc subtends a chord bearing of South 17°30'49" West 223.57 feet; thence South 36°08'21" West 157.98 feet to the TRUE POINT OF BEGINNING.

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FIDELITY NATIONAL FINANCIAL PRIVACY NOTICE

Effective April 9, 2020

Fidelity National Financial, Inc. and its majority-owned subsidiary companies (collectively, “FNF,” “our,” or “we”) respect and are committed to protecting your privacy. This Privacy Notice explains how we collect, use, and protect personal information, when and to whom we disclose such information, and the choices you have about the use and disclosure of that information.

A limited number of FNF subsidiaries have their own privacy notices. If a subsidiary has its own privacy notice, the privacy notice will be available on the subsidiary’s website and this Privacy Notice does not apply.

Collection of Personal Information

FNF may collect the following categories of Personal Information:

- contact information (e.g., name, address, phone number, email address);
- demographic information (e.g., date of birth, gender, marital status);
- identity information (e.g. Social Security Number, driver’s license, passport, or other government ID number);
- financial account information (e.g. loan or bank account information); and
- other personal information necessary to provide products or services to you.

We may collect Personal Information about you from:

- information we receive from you or your agent;
- information about your transactions with FNF, our affiliates, or others; and
- information we receive from consumer reporting agencies and/or governmental entities, either directly from these entities or through others.

Collection of Browsing Information

FNF automatically collects the following types of Browsing Information when you access an FNF website, online service, or application (each an “FNF Website”) from your Internet browser, computer, and/or device:

- Internet Protocol (IP) address and operating system;
- browser version, language, and type;
- domain name system requests; and
- browsing history on the FNF Website, such as date and time of your visit to the FNF Website and visits to the pages within the FNF Website.

Like most websites, our servers automatically log each visitor to the FNF Website and may collect the Browsing Information described above. We use Browsing Information for system administration, troubleshooting, fraud investigation, and to improve our websites. Browsing Information generally does not reveal anything personal about you, though if you have created a user account for an FNF Website and are logged into that account, the FNF Website may be able to link certain browsing activity to your user account.

Other Online Specifics

Cookies. When you visit an FNF Website, a “cookie” may be sent to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer’s hard drive. Information gathered using cookies helps us improve your user experience. For example, a cookie can help the website load properly or can customize the display page based on your browser type and user preferences. You can choose whether or not to accept cookies by changing your Internet browser settings. Be aware that doing so may impair or limit some functionality of the FNF Website.

Web Beacons. We use web beacons to determine when and how many times a page has been viewed. This information is used to improve our websites.

Do Not Track. Currently our FNF Websites do not respond to “Do Not Track” features enabled through your browser.

Links to Other Sites. FNF Websites may contain links to unaffiliated third-party websites. FNF is not responsible for the privacy practices or content of those websites. We recommend that you read the privacy policy of every website you visit.

Use of Personal Information

FNF uses Personal Information for three main purposes:

- To provide products and services to you or in connection with a transaction involving you.
- To improve our products and services.
- To communicate with you about our, our affiliates', and others' products and services, jointly or independently.

When Information Is Disclosed

We may disclose your Personal Information and Browsing Information in the following circumstances:

- to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure;
- to nonaffiliated service providers who provide or perform services or functions on our behalf and who agree to use the information only to provide such services or functions;
- to nonaffiliated third party service providers with whom we perform joint marketing, pursuant to an agreement with them to jointly market financial products or services to you;
- to law enforcement or authorities in connection with an investigation, or in response to a subpoena or court order; or
- in the good-faith belief that such disclosure is necessary to comply with legal process or applicable laws, or to protect the rights, property, or safety of FNF, its customers, or the public.

The law does not require your prior authorization and does not allow you to restrict the disclosures described above. Additionally, we may disclose your information to third parties for whom you have given us authorization or consent to make such disclosure. We do not otherwise share your Personal Information or Browsing Information with nonaffiliated third parties, except as required or permitted by law. We may share your Personal Information with affiliates (other companies owned by FNF) to directly market to you. Please see "Choices with Your Information" to learn how to restrict that sharing.

We reserve the right to transfer your Personal Information, Browsing Information, and any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets, or in the event of bankruptcy, reorganization, insolvency, receivership, or an assignment for the benefit of creditors. By submitting Personal Information and/or Browsing Information to FNF, you expressly agree and consent to the use and/or transfer of the foregoing information in connection with any of the above described proceedings.

Security of Your Information

We maintain physical, electronic, and procedural safeguards to protect your Personal Information.

Choices With Your Information

If you do not want FNF to share your information among our affiliates to directly market to you, you may send an "opt out" request by email, phone, or physical mail as directed at the end of this Privacy Notice. We do not share your Personal Information with nonaffiliates for their use to direct market to you without your consent.

Whether you submit Personal Information or Browsing Information to FNF is entirely up to you. If you decide not to submit Personal Information or Browsing Information, FNF may not be able to provide certain services or products to you.

For California Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties, except as permitted by California law. For additional information about your California privacy rights, please visit the "California Privacy" link on our website (<https://fnf.com/pages/californiaprivacy.aspx>) or call (888) 413-1748.

For Nevada Residents: You may be placed on our internal Do Not Call List by calling (888) 934-3354 or by contacting us via the information set forth at the end of this Privacy Notice. Nevada law requires that we also provide you with the following contact information: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Suite 3900, Las Vegas, NV 89101; Phone number: (702) 486-3132; email: BCPINFO@ag.state.nv.us.

For Oregon Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties for marketing purposes, except after you have been informed by us of such sharing and had an opportunity to indicate that you do not want a disclosure made for marketing purposes.

For Vermont Residents: We will not disclose information about your creditworthiness to our affiliates and will not disclose your personal information, financial information, credit report, or health information to nonaffiliated third parties to market to you, other than as permitted by Vermont law, unless you authorize us to make those disclosures.

Information From Children

The FNF Websites are not intended or designed to attract persons under the age of eighteen (18). We do not collect Personal Information from any person that we know to be under the age of thirteen (13) without permission from a parent or guardian.

International Users

FNF's headquarters is located within the United States. If you reside outside the United States and choose to provide Personal Information or Browsing Information to us, please note that we may transfer that information outside of your country of residence. By providing FNF with your Personal Information and/or Browsing Information, you consent to our collection, transfer, and use of such information in accordance with this Privacy Notice.

FNF Website Services for Mortgage Loans

Certain FNF companies provide services to mortgage loan servicers, including hosting websites that collect customer information on behalf of mortgage loan servicers (the "Service Websites"). The Service Websites may contain links to both this Privacy Notice and the mortgage loan servicer or lender's privacy notice. The sections of this Privacy Notice titled When Information is Disclosed, Choices with Your Information, and Accessing and Correcting Information do not apply to the Service Websites. The mortgage loan servicer or lender's privacy notice governs use, disclosure, and access to your Personal Information. FNF does not share Personal Information collected through the Service Websites, except as required or authorized by contract with the mortgage loan servicer or lender, or as required by law or in the good-faith belief that such disclosure is necessary: to comply with a legal process or applicable law, to enforce this Privacy Notice, or to protect the rights, property, or safety of FNF or the public.

Your Consent To This Privacy Notice; Notice Changes; Use of Comments or Feedback

By submitting Personal Information and/or Browsing Information to FNF, you consent to the collection and use of the information in accordance with this Privacy Notice. We may change this Privacy Notice at any time. The Privacy Notice's effective date will show the last date changes were made. If you provide information to us following any change of the Privacy Notice, that signifies your assent to and acceptance of the changes to the Privacy Notice. We may use comments or feedback that you submit to us in any manner without notice or compensation to you.

Accessing and Correcting Information; Contact Us

If you have questions, would like to correct your Personal Information, or want to opt-out of information sharing for affiliate marketing, send your requests to privacy@fnf.com, by phone to (888) 934-3354, or by mail to:

Fidelity National Financial, Inc.
601 Riverside Avenue,
Jacksonville, Florida 32204
Attn: Chief Privacy Officer

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:

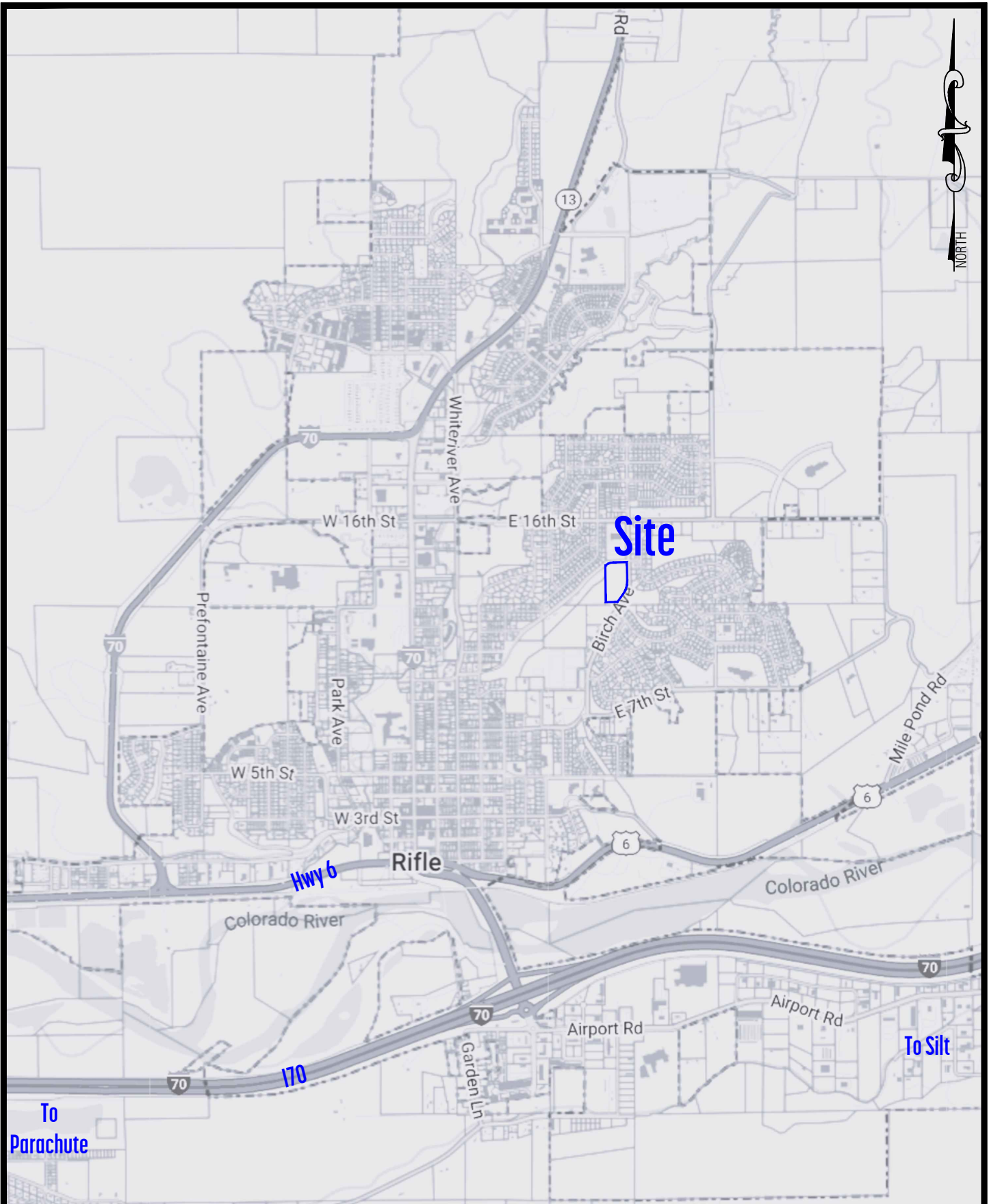
This notice applies to owner's policy commitments containing a mineral severance instrument exception, or exceptions, in Schedule B, Section 2.

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.



BOUNDARIES
UNLIMITED INC.
CIVIL ENGINEERING,
LAND SURVEYING & BEYOND

923 Cooper Avenue, Ste. 201
Glenwood Springs, CO 81601
tele: 970.945.5252
www.bu-inc.com

Scale: 1"=2000'
Date: 12/10/25
Proj #: 25008
File: 25008-c-sketch

Rifle, Colorado
Sunset Estates
Vicinity Map



Agenda Item #7.b.

Agenda Item Name:

Sherwin Williams Annexation and Rezone

Presenter:

Geir Sverdrup

Item Description:

The applicant seeks annexation and zoning of 1.02 acres into the City of Rifle. The applicant requests that property be zoned CS (Community Service Commercial) for development of a Sherwin Williams Paint Store.

Recommended Action:

Move to recommend approval to the City of Rifle City Council the Sherwin Williams Annexation 2026-004 and Rezone to CS Community Service Commercial.

Fiscal Impact:

N/A

Operational Impact:

N/A

Prior Board Motions:

N/A

Background Information:

See attached.

Executive Summary:

See attached.

Notification Requirements:

Notice Requirements have been met.

Prepared By:

Zach Higgins, Community Development Director

Attachments:

1. PZ Staff Report - Sherwin Williams Airport Road and Enterprise Court - 3-31-2026
2. Sherwin Williams - Annexation Plat - review copy
3. Sherwin Williams - Land Use Application.Signed
4. Sherwin Williams - Radiation Survey signed
5. Sherwin Williams - Title Commitment

6. Sherwin Williams-site plan

COMMUNITY DEVELOPMENT DEPARTMENT

202 Railroad Avenue, Rifle, CO 81650

Phone: 970-665-6490



MEMORANDUM

TO: City of Rifle Planning Commission
FROM: Zach Higgins, Community Development Director
Geir Sverdrup, Senior Planner
DATE: March 31, 2026
SUBJECT: Sherwin Williams Annexation
LOCATION: SWC Airport Road and Enterprise Court Alignment
CASE #: Annexation 2026-004
APPLICANT: Jake Butler for Karen L. Synder Meganck & Cameron Hunter Meganck

REQUEST

The applicant seeks annexation and zoning of 1.02 acres into the City of Rifle. The applicant requests that property be zoned CS (Community Service Commercial) for development of a Sherwin Williams Paint Store.

Vicinity Map



COMMUNITY DEVELOPMENT DEPARTMENT

202 Railroad Avenue, Rifle, CO 81650

Phone: 970-665-6490



LOCATION:

The property is located directly south of Airport Road and west of the Enterprise Court alignment. The Last Chance Ditch runs east/west along the southern property line of the parcel this project will be split from.

ANNEXATION PROCESS

Annexation and zoning is the City’s opportunity to ensure that proposed land uses and zoning standards are aligned with the City’s vision for the area as described in the Comprehensive Plan and the neighborhood criteria of the Rifle Municipal Code.

State annexation laws and the Rifle Municipal Code give the Planning Commission and City Council a large amount of discretion to approve, deny, or modify a proposal for annexation based on the proposal’s conformance with the City’s vision of the property in question. Planning Commission may also table the proposal if more information is needed.

Once a property has been annexed and zoned, all future uses of the property follow the standards of the applicable zone district and any special provisions included in the annexation agreement. Due to the nature of this project, there is no annexation agreement proposed.

CURRENT LAND USES

There are currently no buildings on the portion of the property to be annexed. Currently there is no existing access road directly to the proposed parcel. The larger parcel is accessed from Airport Road and does contain a single-family home.

ACCESS AND STREETS

The property will be accessed from the northeast corner of the parcel near the Enterprise Court alignment. No other access is proposed to the site.

WATER AND WASTEWATER

The property is available to be served by water and sewer lines running along the north side of Airport Road. The project will be required to connect under Airport Road for water and sewer services

FLOODPLAIN

The property does not lie within the 100-year floodplain; however, the project is within the Ramsey Gulch stormwater management area.

COMMUNITY DEVELOPMENT DEPARTMENT

202 Railroad Avenue, Rifle, CO 81650

Phone: 970-665-6490



COMPREHENSIVE PLAN

The Comprehensive Plan designates this area as Regional Commercial.

Regional Commercial (RC)

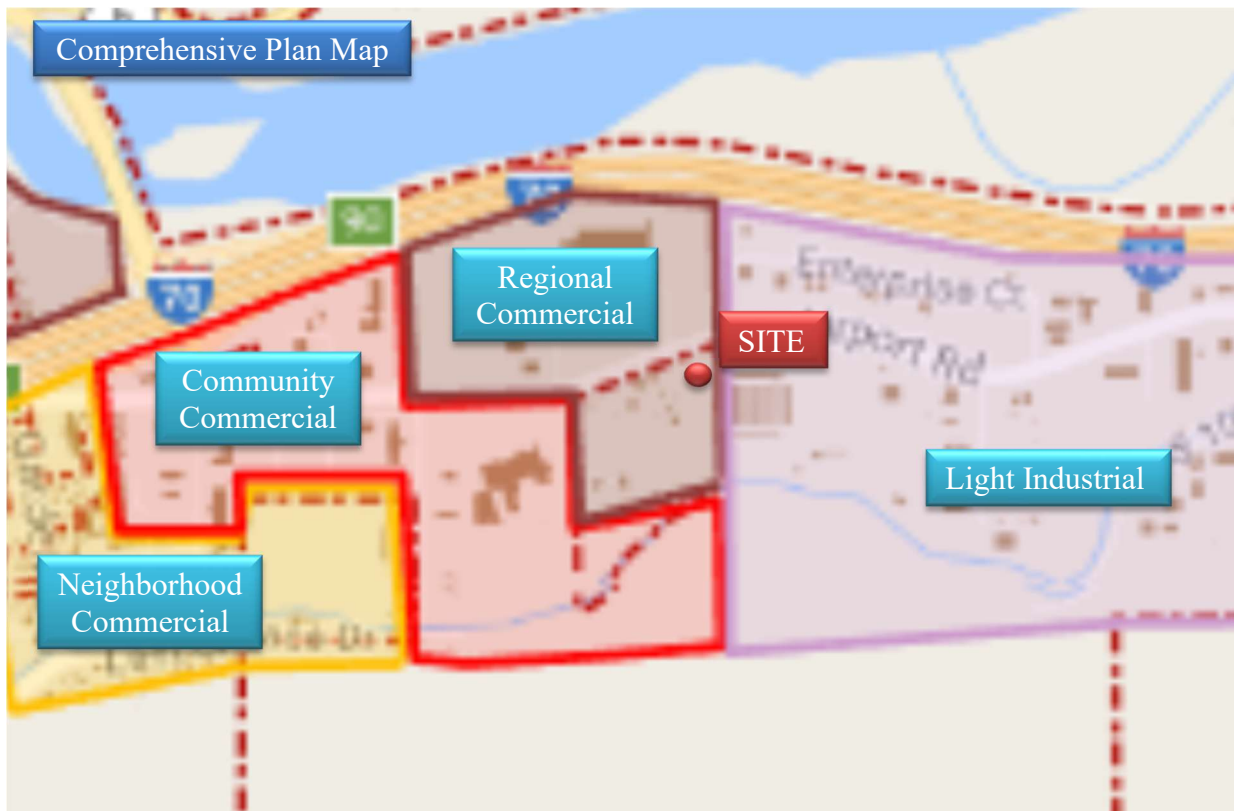
Regional Commercial uses are at a large enough scale to attract customers from the wider region. Big Box stores and shopping centers are appropriate. Sites for Regional Commercial are likely to require visibility from the interstate or arterial streets. Only a few locations in Rifle have the potential for these types of uses.

Locations:

Airport Road; Colorado River Development Area. (IND) land use is intended to provide a location for employment opportunities. The proposed use would be an appropriate use at this location, continuing the retail and employment opportunities in the area.

Zoning:

CS Community Service Commercial



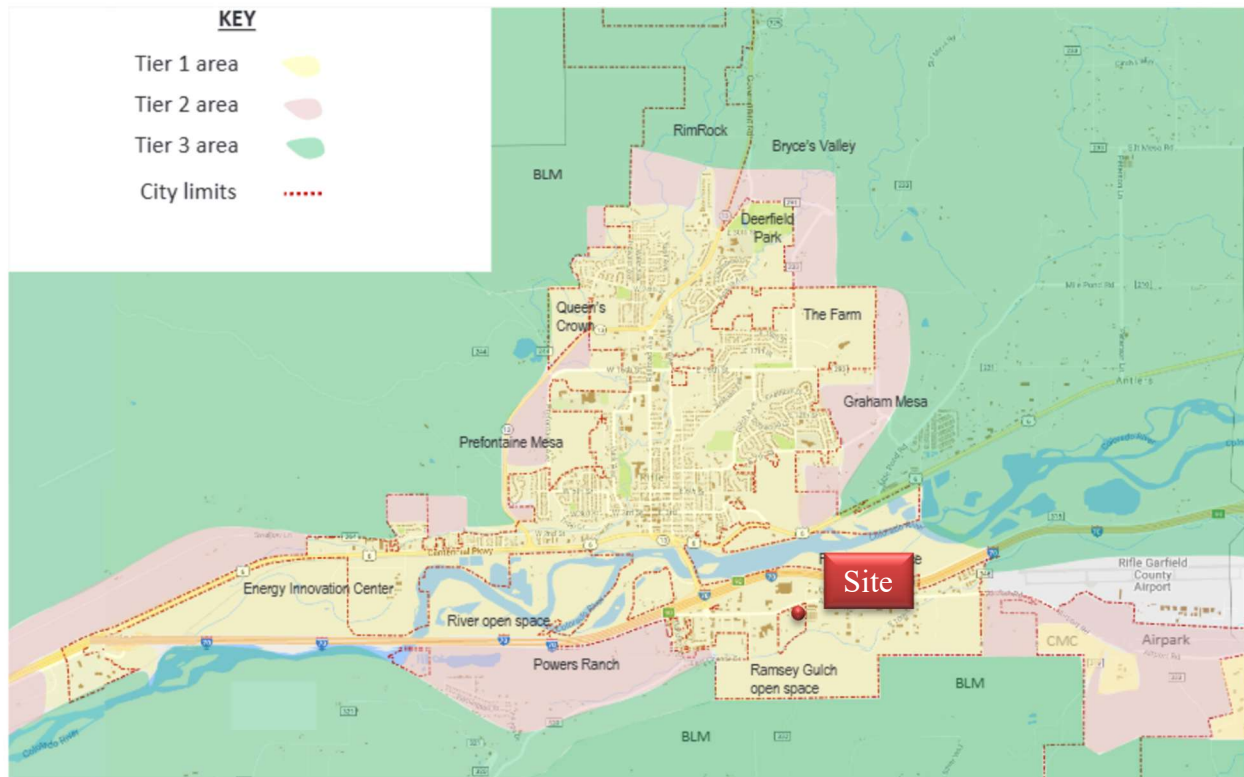
COMMUNITY DEVELOPMENT DEPARTMENT

202 Railroad Avenue, Rifle, CO 81650

Phone: 970-665-6490



The Comprehensive Plan also designates this area as a Tier 1: Priority Growth Area.



The property is located within the McLearn Orchards Lands subdivision, lots 25A & 25 and 26, that was approved under Garfield County jurisdiction. The property is zoned Resource Land in Garfield County and has been developed with a single-family residence on the larger portion of the parcel. The proposed annexation is the northeastern most portion of a large county island surrounded by City of Rifle.

Properties within the surrounding vicinity include industrial uses and retail development. To the east, parcels are developed with industrial buildings and a storage facility with outdoor storage. Parcels immediately north are developed with the WalMart center and Big-O tires. The south remains rural within Garfield County. Further west is the Grand River Hospital District main campus.

The property is located in the **South Rifle Neighborhood 4.7**

Undeveloped areas south of Airport Road. This area west of Grand River Health has several vacant developable parcels on both annexed and unannexed property. The best use for the area is difficult to predict. The area does not directly front on Airport Road, so commercial development may be unlikely due to a lack of visibility. Industrial or light industrial uses should not be permitted due to the proximity to Grand River Health and other commercial/residential areas. By process of elimination, acceptable uses may include residential, office, business, or other commercial uses that are compatible in a mixed-use setting. The Future Land Use Map designates the area as "High Density Residential" and "Neighborhood Commercial". The intent is to allow for apartment buildings and ensure that any commercial use would be compatible with nearby residential use. If significant new residential development were to be proposed, a public park should be designated as one does not exist currently in South Rifle. Another

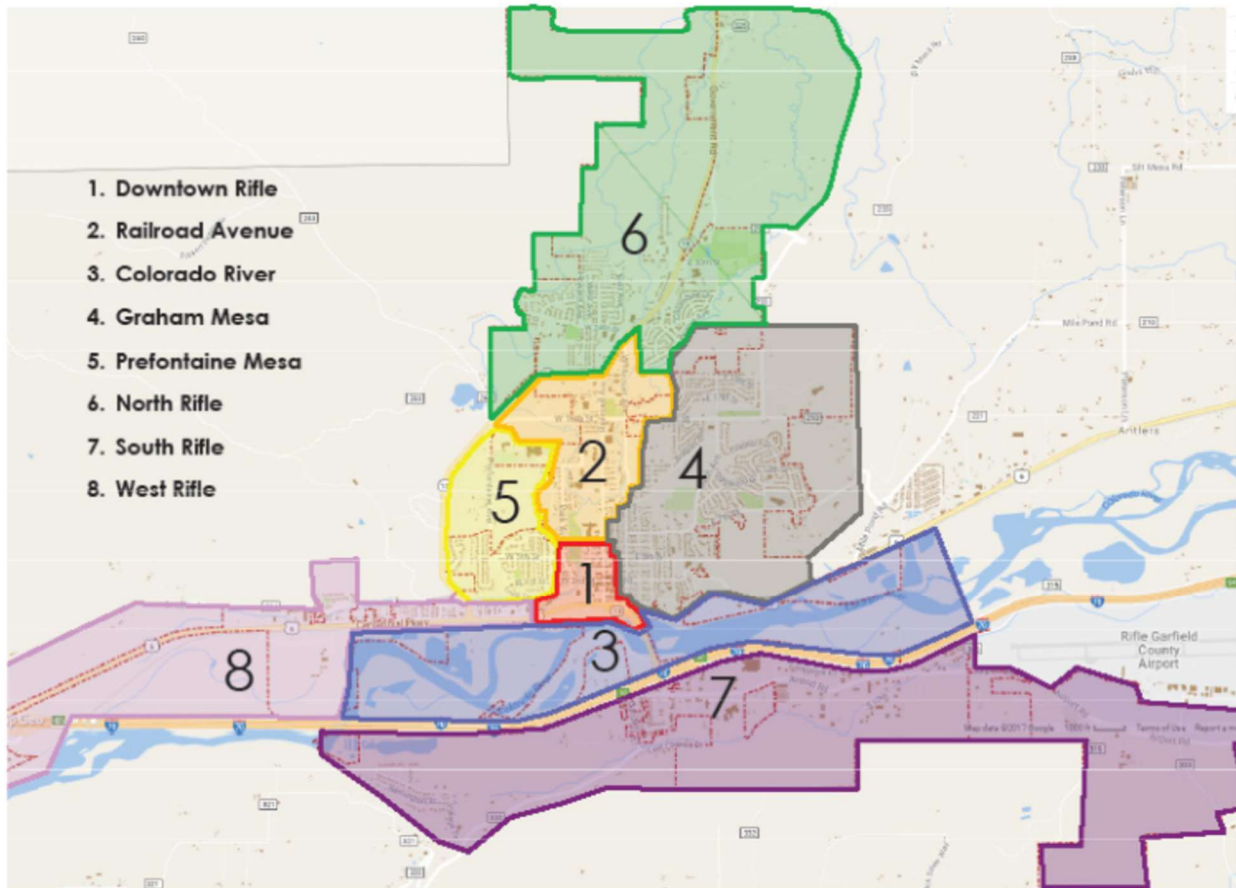
COMMUNITY DEVELOPMENT DEPARTMENT

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potential use for the area may be affordable housing in the form of manufactured housing or mobile homes parks that are constructed and managed to a high standard of quality.



COMMUNITY DEVELOPMENT DEPARTMENT

202 Railroad Avenue, Rifle, CO 81650

Phone: 970-665-6490



City of Rifle Public Works

- Takes no exception to the annexation.

City of Rifle GIS

- Standard requirements for digital files prior to recordation of the Annexation Map.

Colorado River Fire Rescue

1. Due to locations of existing fire hydrants in the area, we will require an additional fire hydrant be installed in the area of the proposed entrance to the parking lot. The closest fire hydrant is across Airport Road. This fire hydrant is unusable due to if used it will completely block Airport road with no ways around area. Due to this situation, we require a new fire hydrant added.
2. I am questioning the entrance to the Sherwin Williams new store. If the rest of lot 1 is ever developed, then the best location for the lot 1 commercial entrance is at the intersection of Enterprise and Airport Road which would make that a four-way intersection. This is just a suggestion on our part for better emergency access.

No response was received from the following agencies - Xcel Energy, City of Rifle Utilities, or Police Department.

STAFF COMMENTS

Concept Site Plan issues

- Staff has not noted any significant concerns with the proposed site plan. Staff does have reservations regarding the annexation of a small portion of a larger parcel. The full parcel would allow for more aligned access on Airport Road and greater potential of future development to serve the community.
- After discussing the access onto Airport Road with Engineering and Public Works, the proposed driveway will not create an issue. The preferred access for the remainder of the property would be best located across from the WalMart driveway located to the east.

FINDINGS

Pursuant to Section 16-5-360, the Commission shall consider the following criteria before recommending an approval of an annexation to City Council (***staff comments shown in bold italics***):

1. Conformance of the proposal with the City of Rifle Municipal Code;
The proposal conforms to the Rifle Municipal Code.

2. The compatibility of the proposal with the character of the surrounding area, including but not limited to the architectural character of the neighborhood, the average lot and building sizes in the neighborhood, and the relative value of the proposed structure to the value of other structures in the neighborhood;
A retail paint store will be in line with the character of the area.

3. The desirability for the proposed use in the specific area of the City;
Additional retail is a desirable use at this location.

4. The potential for adverse environmental effects that might result from the proposed use;
Staff does not foresee negative impacts.

COMMUNITY DEVELOPMENT DEPARTMENT

202 Railroad Avenue, Rifle, CO 81650

Phone: 970-665-6490



5. Compatibility of the proposed use and the site plan with the City of Rifle Comprehensive Plan;

The Comprehensive Plan identifies this area as suitable for regional commercial with a wide range of commercial uses. The site is also located in a Tier 1: Priority Growth Area.

6. The potential impact of the proposed use upon the value of property and buildings within the surrounding area; and

The existing residential properties to the west are rural on large lots. The contemplated uses would not appear to have any negative impact on these properties. The remaining uses are either industrial in nature or retail.

7. Conformance of the proposal with the approval requirements concerning water and sewer tap availability for high volume use requests pursuant to 13-4-120 of the Code, if applicable.

No issues were noted as a part of the annexation submittal.

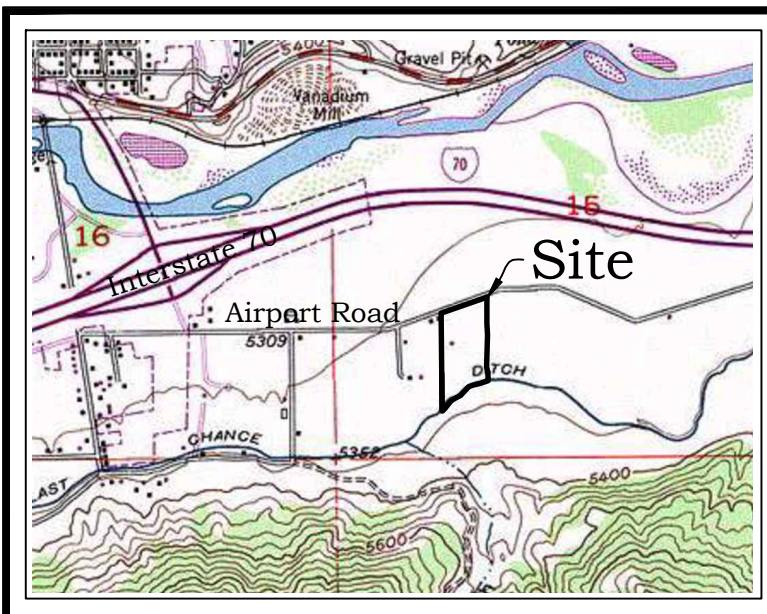
RECOMMENDATION

Staff recommends Planning Commission recommend to City Council APPROVAL of ANNEXATION 2026-004 with the requested Community Service Commercial (CS) zoning and conceptual site plan as discussed in this report with the following conditions:

1. All representations made by the Applicant in the application and during the public hearing shall be conditions of approval, unless specifically altered by the Planning Commission.
2. The facility shall be operated in accordance with all applicable Federal, State, and local regulations governing the operation of this type of facility.
3. Building permit application shall comply with all current R.M.C. code requirements at the time of submittal
4. Sign Permit application shall be submitted as a separate permit and approved by staff in compliance with R.M.C. Chapter 16, Article VII, Sign Code.

SHERWIN MINOR SUBDIVISION

LOT 25A, AMENDED FINAL PLAT OF LOTS 25A & 26A
MCLEARN ORCHARD LANDS SUBDIVISION
COUNTY OF GARFIELD, STATE OF COLORADO
COUNTY ROAD 346, RIFLE, CO 81560



VICINITY MAP
SCALE: 1" = 2000'

County Road No. 346
(Airport Road)

5/8" Rebar & Yellow Plastic Cap
LS No. 10871

80.00' Platted R-O-W

17.16'

24.93'

Sheds

Light Pole

Water Spigot

Barn

Street Lighting

Fence

SNYDER, CHRIS TINA
750 COUNTY ROAD 346
RIFLE CO 81650

Lot 24 (North 1/2)
McLearn Orchard Lands
Subdivision
Reception No. 38825

Lot 24 (South 1/2)
McLearn Orchard Lands
Subdivision
Reception No. 38435

SNYDER, JULIE MARIE &
JAMES STEVEN
13370 HIGHWAY 13
RIFLE CO 81650

Centerline
Last Chance Ditch

Dirt Drive

5/8" Rebar & Aluminum Cap
LS No. 24963

5/8" Rebar & Aluminum Cap
LS No. 24963

5/8" Rebar & Aluminum Cap
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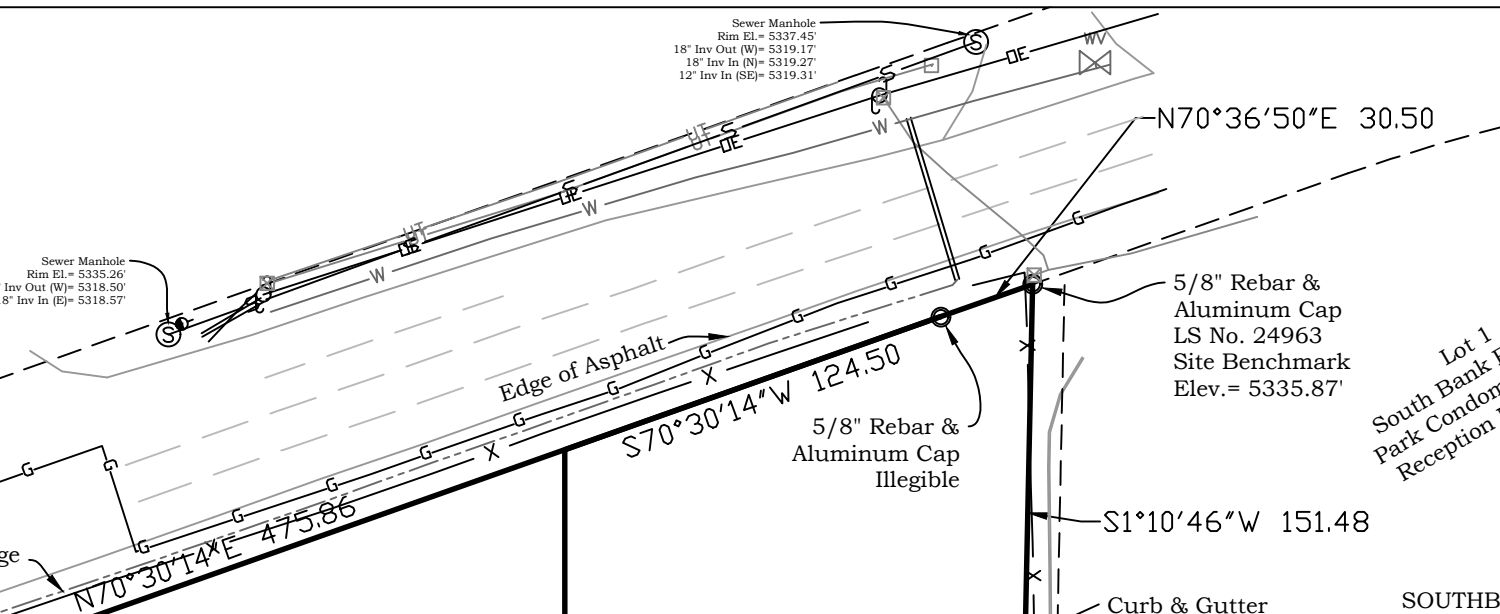
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LS No. 24963

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LS No. 24963

5/8" Rebar & Aluminum Cap
LS No. 24963



Lot 1
1.012 Acres ±
44,090 sq ft ±

5/8" Rebar & Aluminum Cap
LS No. 38089

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LS No. 38089

SOUTHBANK SECURE
STORAGE, LLC (92 PCT) W
2027 COUNTY ROAD 245
NEW CASTLE CO 81647

Lot 1
Business
Park
Reception No. 502546

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Reception No. 502546

NOTES:

- 1.) THE DATE OF THE FIELD SURVEY WAS MARCH 5, 2025.
- 2.) ALL BEARINGS ARE RELATIVE TO A BEARING OF N00°31'34"W BETWEEN THE SOUTHWEST CORNER OF SAID LOT 25A, A 5/8" REBAR 7 ALUMINUM CAP LS NO 24963 IN PLACE AND THE NORTHWEST CORNER OF SAID LOT 25A, A 5/8" REBAR AND YELLOW PLASTIC CAPS LS NO. 10871 AS SHOWN HEREON.
- 3.) THIS PROPERTY IS SUBJECT TO RESERVATIONS, RESTRICTIONS, COVENANTS AND EASEMENTS OF RECORD OR IN PLACE.
- 4.) TOTAL GROSS LAND AREA 9.936 ACRES ±.
- 5.) NO NATURAL HAZARDS OBSERVED ON THE PROPERTY.
- 6.) THIS PROPERTY IS ZONED LOW DENSITY RESIDENTIAL (LDR) PER THE CITY OF RIFLE ZONE DISTRICT MAP AMENDED NOVEMBER 18, 2015.
- 7.) ACCORDING TO THE FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR GARFIELD COUNTY, DATED JANUARY 3, 1986, COMMUNITY PANEL NO. 080205 13548, THE PARCELS SHOWN HEREON DO LIE WITHIN A 100-YEAR FLOOD PLAIN. THE FLOOD DESIGNATION FOR THIS LOT IS "AO", A "SPECIAL FLOOD HAZARD AREA INUNDATED BY TYPES OF 100-YEAR SHALLOW FLOODING WITH DEPTHS BETWEEN 1.0 AND 3.0 FEET," (DEPTH SHOWN ON THE FEMA MAP 1.0 FEET) "OR AREAS OF 100-YEAR ALLUVIAL FAN FLOODING, DEPTHS AND VELOCITIES SHOWN," (DEPTH SHOWN ON THE FEMA MAP 1.0 FEET AND THE VELOCITY IS 2-3 FEET PER SECOND), "BUT NO FLOOD HAZARD FACTORS ARE DETERMINED".
- 8.) THIS SURVEY DOES NOT REPRESENT A TITLE SEARCH BY THIS SURVEYOR TO DETERMINE OWNERSHIP OR TO DISCOVER EASEMENTS OR OTHER ENCUMBRANCES OF RECORD. ALL INFORMATION PERTAINING TO OWNERSHIP, EASEMENTS OR OTHER ENCUMBRANCES OF RECORD HAS BEEN TAKEN FROM A TITLE COMMITMENT BY LAND TITLE GUARANTEE COMPANY, DATED JANUARY 10, 2025 AS ORDER NO. ABS63021678.

CERTIFICATE OF TAXES PAID

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE ENTIRE AMOUNT OF TAXES AND ASSESSMENTS DUE AN PAYABLE AS OF _____ UPON ALL PARCELS OF REAL ESTATE DESCRIBED ON THIS PLAT ARE PAID IN FULL.

DATED THIS ___ DAY OF _____, A.D., 2025.

GARFIELD COUNTY TREASURER

COUNTY COMMISSIONERS CERTIFICATE

BASED UPON THE REVIEW AND RECOMMENDATION OF GARFIELD COUNTY DIRECTOR OF COMMUNITY DEVELOPMENT, THE BOARD OF COUNTY COMMISSIONERS OF GARFIELD COUNTY, COLORADO, HEREBY APPROVES THIS MINOR SUBDIVISION PLAT THIS ___ DAY OF _____, A.D., 2025, FOR FILING WITH THE CLERK AND RECORDER OF GARFIELD COUNTY AND FOR CONVEYANCE TO THE COUNTY OF THE PUBLIC DEDICATIONS SHOWN HEREON, SUBJECT TO THE PROVISIONS THAT APPROVAL IN NO WAY OBLIGATES GARFIELD COUNTY FOR THE FINANCING OR CONSTRUCTION OF IMPROVEMENTS ON LANDS, PUBLIC ROADS, HIGHWAYS OR EASEMENTS DEDICATED TO THE PUBLIC, EXCEPT AS SPECIFICALLY AGREED TO BY THE BOARD OF COUNTY COMMISSIONERS BY SEPARATE RESOLUTION.

CHAIRMAN, BOARD OF COUNTY COMMISSIONERS
GARFIELD COUNTY, COLORADO

WITNESS MY HAND AND SEAL OF THE COUNTY OF GARFIELD.

ATTEST: _____
COUNTY CLERK

TITLE CERTIFICATE

I, _____, AN AGENT AUTHORIZED BY A TITLE INSURANCE COMPANY, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE TO ALL LANDS SHOWN UPON THIS PLAT AND THAT TITLE TO SUCH LANDS IS VESTED IN AS SET FORTH HEREON IN THE CERTIFICATE OF DEDICATION AND OWNERSHIP, FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES (INCLUDING MORTGAGES, DEEDS OF TRUST, JUDGMENTS, EASEMENTS, CONTRACTS AND AGREEMENTS OF RECORD AFFECTING THE REAL PROPERTY IN THIS PLAT), EXCEPT AS FOLLOWS:

ALL EXCEPTIONS SET FORTH ON SCHEDULES B-PART 2 OF COMMITMENT NUMBER ABS63021678 WITH EFFECTIVE DATE OF JANUARY 10, 2025.

DATED THIS ___ DAY OF _____, A.D., 2025.

TITLE COMPANY:
LAND TITLE GUARANTEE COMPANY

PLAT NOTES

- A. NOXIOUS WEEDS.**
CONTROL OF NOXIOUS WEEDS IS THE RESPONSIBILITY OF THE PROPERTY OWNER.
- B. OPEN HEARTH SOLID-FUEL FIREPLACES.**
NO OPEN HEARTH SOLID-FUEL FIREPLACES WILL BE ALLOWED ANYWHERE WITHIN THE SUBDIVISION. ONE NEW SOLID-FUEL BURNING STOVE AS DEFINED BY C.R.S. 25-7-401, ET SEQ., AND THE REGULATIONS PROMULGATED THEREUNDER, WILL BE ALLOWED IN ANY DWELLING UNIT. ALL DWELLING UNITS WILL BE ALLOWED AN UNRESTRICTED NUMBER OF NATURAL GAS BURNING STOVES AND APPLIANCES.
- C. EXTERIOR LIGHTING.**
ALL EXTERIOR LIGHTING SHALL BE THE MINIMUM AMOUNT NECESSARY AND THAT ALL EXTERIOR LIGHTING SHALL BE DIRECTED INWARD AND DOWNWARD, TOWARDS THE INTERIOR OF THE SUBDIVISION, EXCEPT THAT PROVISIONS MAY BE MADE TO ALLOW FOR SAFETY LIGHTING THAT GOES BEYOND THE PROPERTY BOUNDARIES.
- D. RIGHT TO FARM**
COLORADO IS A "RIGHT-TO-FARM" STATE PURSUANT TO C.R.S. 35-3-11, ET. SEQ. LANDOWNERS, RESIDENTS AND VISITORS MUST BE PREPARED TO ACCEPT THE ACTIVITIES, SIGHTS, SOUNDS AND SMELLS OF GARFIELD COUNTY'S AGRICULTURAL OPERATIONS AS A NORMAL AND NECESSARY ASPECT OF LIVING IN A COUNTY WITH A STRONG RURAL CHARACTER AND A HEALTHY RANCHING SECTOR. THOSE WITH AN URBAN SENSITIVITY MAY PERCEIVE SUCH ACTIVITIES, SIGHTS, SOUND, AND SMELLS ONLY AS INCONVENIENCE, EYESORE, NOISE AND ODOR. HOWEVER, STATE LAW AND COUNTY POLICY PROVIDE THAT RANCHING, FARMING AND OTHER AGRICULTURAL ACTIVITIES AND OPERATIONS WITHIN GARFIELD COUNTY SHALL NOT BE CONSIDERED TO BE NUISANCES SO LONG AS OPERATED IN CONFORMANCE WITH THE LAW AND IN A NON-NEGLIGENT MANNER. THEREFORE, ALL MUST BE PREPARED TO ENCOUNTER NOISES, ODOR, LIGHTS, MUD, DUST, SMOKE, CHEMICALS, MACHINERY ON PUBLIC ROADS, LIVESTOCK ON PUBLIC ROADS, STORAGE AND DISPOSAL OF MANURE, AND THE APPLICATION BY SPRAYING OR APPLICATION OF CHEMICAL FERTILIZERS, SOIL AMENDMENT, HERBICIDE, AND PESTICIDES, ANY ONE OR MORE OF WHICH MAY NATURALLY OCCUR AS PART OF LEGAL AND NON-NEGLIGENT AGRICULTURAL OPERATIONS.
- E. MAINTENANCE OF FENCES, RURAL LIVING, ETC.**
ALL OWNERS OF LAND, WHETHER RANCH OR RESIDENCE, HAVE OBLIGATIONS UNDER STATE LAW AND COUNTY REGULATIONS WITH REGARD TO THE MAINTENANCE OF FENCES AND IRRIGATION DITCHES, CONTROLLING WEEDS, KEEPING LIVESTOCK AND PETS UNDER CONTROL, USING PROPERTY IN ACCORDANCE WITH ZONING, AND OTHER ASPECTS OF USING AND MAINTAINING PROPERTY. RESIDENTS AND LANDOWNERS ARE ENCOURAGED TO LEARN ABOUT THESE RIGHTS AND RESPONSIBILITIES AN ACT AS GOOD NEIGHBORS AND CITIZENS OF THE COUNTY. A GOOD INTRODUCTORY SOURCE FOR SUCH INFORMATION IS "A GUIDE TO RURAL LIVING & SMALL SCALE AGRICULTURE" PUT OUT BY THE COLORADO STATE UNIVERSITY EXTENSION OFFICE IN GARFIELD COUNTY.
- F. MINERAL RIGHTS.**
THE MINERAL RIGHTS ASSOCIATED WITH THIS PROPERTY MAY NOT BE TRANSFERRED WITH THE SURFACE ESTATE THEREFORE ALLOWING THE POTENTIAL FOR NATURAL RESOURCE EXTRACTION ON THE PROPERTY BY THE MINERAL ESTATE OWNER(S) OR LESSEE(S).
- G. DOMESTIC DOGS.**
DOGS KEPT ON THE PROPERTY SHALL BE IN A FENCED YARD OR ON A LEASH TO PREVENT HARASSMENT OF WILDLIFE.
- H. WILDLIFE-FRIENDLY FENCING.**
FENCING ON THE PROPERTY SHALL COMPLY WITH THE COLORADO PARKS AND WILDLIFE SPECIFICATIONS FOR WILDLIFE-FRIENDLY FENCING.

A LOT SPECIFIC GEOTECHNICAL INVESTIGATION AND ANALYSIS IS REQUIRED TO BE SUBMITTED AT THE TIME OF BUILDING PERMIT APPLICATION FOR BUILDING LOCATIONS ON EACH LOT. SUCH GEOTECHNICAL INVESTIGATION SHALL INCLUDE RECOMMENDATIONS REGARDING SOIL MITIGATION, EARTHWORK, FOUNDATION/FLOOR SYSTEMS, SOIL CORROSIVITY, SUBSURFACE DRAINAGE, ETC., FOR DESIGN.

SURVEYOR'S CERTIFICATE

I, SCOTT R. BLACKARD, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED UNDER THE LAWS OF THE STATE OF COLORADO, AND THAT THIS PLAT IS A TRUE, CORRECT AND COMPLETE PLAT OF SHERWIN MINOR SUBDIVISION AS LAID OUT, PLATTED, DEDICATED AND SHOWN HEREON, THAT SUCH PLAT WAS MADE FROM AN ACCURATE SURVEY OF SAID PROPERTY BY ME, OR UNDER MY SUPERVISION, AND CORRECTLY SHOWS THE LOCATION AND DIMENSIONS OF THE LOTS, EASEMENTS AND STREETS OF SHERWIN MINOR SUBDIVISION AS THE SAME ARE STAKED UPON THE GROUND IN COMPLIANCE WITH APPLICABLE REGULATIONS GOVERNING THE SUBDIVISION OF LAND.

IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL THIS ___ DAY OF _____, A.D., 2025.

SCOTT R. BLACKARD P.L.S. 38342
PROFESSIONAL LAND SURVEYOR
PO BOX 912, SILT, CO 81652
sblackard11@gmail.com

LEGEND

- No. 5 Rebar & 1-1/4" Yellow Plastic Cap LS No. 38342 Set Per Platted Bearing and Distance
- Found Monument as Labeled
- ⊙ Sewer Manhole
- ⊠ Telephone Pedestal
- ⊡ Cable Pedestal
- △ Underground Water Line Marker
- ⊕ Fire Hydrant
- ⊖ Water Valve
- ⊗ Sign
- X — Fence
- S — Sewer Line
- CTV — Underground Cable TV Line
- G — Underground Gas Line
- UE — Underground Electrical Line
- UT — Underground Telephone Line

U.S. SURVEY FEET USED

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

LIENHOLDER CONSENT AND SUBORDINATION

THE UNDERSIGNED, BEING THE BENEFICIARY UNDER A DEED OF TRUST GRANTED BY THE OWNER(S) UPON THE REAL PROPERTY PLATTED AND DIVIDED AS SHOWN UPON THE WITHIN SHERWIN MINOR SUBDIVISION PLAT, CERTIFIES THAT THE UNDERSIGNED HAS REVIEWED THE SHERWIN MINOR SUBDIVISION PLAT AND BY THIS CERTIFICATION HEREBY CONSENTS TO SAID SHERWIN MINOR SUBDIVISION PLAT AND TO THE RECORDING THEREOF. BENEFICIARY FURTHER CONSENTS TO SAID SHERWIN MINOR SUBDIVISION PLAT AS STATED IN THE CERTIFICATE OF DEDICATION AND OWNERSHIP EXECUTED BY THE OWNER(S) HEREON, AND HEREBY SUBORDINATES ANY INTEREST THAT BENEFICIARY MAY HAVE IN AND TO THE PROPERTY SUBJECT TO SUCH DEDICATION, TO THE ENTITIES(ES) OR THE GENERAL PUBLIC TO WHICH SUCH DEDICATION IS MADE.

EXECUTED THIS ___ DAY OF _____, A.D., 2025.

LIENHOLDER

STATE OF COLORADO)
COUNTY OF GARFIELD) SS

THE FOREGOING LIENHOLDER CONSENT AND SUBORDINATION WAS ACKNOWLEDGED BEFORE ME THIS ___ DAY OF _____, A.D., 2025, BY _____

MY COMMISSION EXPIRES: _____
WITNESS MY HAND AND OFFICIAL SEAL.

(SEAL)

NOTARY PUBLIC

CERTIFICATE OF DEDICATION AND OWNERSHIP

THE UNDERSIGNED _____ BEING SOLE OWNERS IN FEE SIMPLE OF ALL THAT REAL PROPERTY SITUATED IN GARFIELD COUNTY, DESCRIBED AS FOLLOWS:

LOT 25A, AMENDED FINAL PLAT OF LOTS 25A & 26A MCLEARN ORCHARD LANDS SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 20, 1998 AS RECEPTION NO. 533995.

COUNTY OF GARFIELD,
STATE OF COLORADO.

(PARCEL SURVEYED AND DESCRIBED HEREON IS THE SAME PARCEL AS DESCRIBED IN TITLE COMMITMENT BY TITLE COMMITMENT BY LAND TITLE GUARANTEE COMPANY, DATED JANUARY 10, 2025 AS ORDER NO. ABS63021678)

CONTAINING 9.936 ACRES, MORE OR LESS, HAS [HAVE] CAUSED THE DESCRIBED REAL PROPERTY TO BE SURVEYED, LAID OUT, PLATTED AND SUBDIVIDED INTO LOTS AND BLOCKS AS SHOWN ON THIS PLAT UNDER THE NAME AND STYLE OF SHERWIN MINOR SUBDIVISION, A SUBDIVISION IN THE COUNTY OF GARFIELD, THE OWNERS DO NOT HEREBY DEDICATE AND SET APART ALL OF THE STREETS AND ROADS AS SHOWN ON THE ACCOMPANYING PLAT TO THE USE OF THE PUBLIC FOREVER, AND HEREBY DEDICATE(S) TO THE PUBLIC UTILITIES THOSE PORTIONS OF SAID REAL PROPERTY WHICH ARE LABELED AS UTILITY EASEMENTS ON THE ACCOMPANYING PLAT AS PERPETUAL EASEMENTS FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES, IRRIGATION AND DRAINAGE FACILITIES INCLUDING, BUT NOT LIMITED TO, ELECTRIC LINES, GAS LINES AND TELEPHONE LINES, TOGETHER WITH THE RIGHT TO TRIM INTERFERING TREES AND BRUSH, WITH PERPETUAL RIGHT OF INGRESS AND EGRESS FOR INSTALLATION AND MAINTENANCE OF SUCH LINES. SUCH EASEMENT AND RIGHTS SHALL BE UTILIZED IN A REASONABLE AND PRUDENT MANNER. ALL EXPENSE FOR STREET PAVING OR IMPROVEMENTS SHALL BE FURNISHED BY THE SELLER OR PURCHASER, NOT BY THE COUNTY OF GARFIELD.

EXECUTED THIS ___ DAY OF _____, A.D., 2025.

OWNER:

TEXAS NH MANAGEMENT, LLC, A TEXAS LIMITED LIABILITY COMPANY

STATE OF COLORADO)
COUNTY OF GARFIELD) :SS

THE FOREGOING CERTIFICATE OF DEDICATION AND OWNERSHIP WAS ACKNOWLEDGED BEFORE ME THIS ___ DAY OF _____, A.D., 2025, BY TEXAS NH MANAGEMENT, LLC, A TEXAS LIMITED LIABILITY COMPANY.

MY COMMISSION EXPIRES: _____
WITNESS MY HAND AND OFFICIAL SEAL.

(SEAL)

NOTARY PUBLIC

COUNTY SURVEYOR'S CERTIFICATE

APPROVED FOR CONTENT AND FORM ONLY AND NOT THE ACCURACY OF SURVEYS, CALCULATIONS OR DRAFTING, PURSUANT TO C.R.S. § 38-51-101 AND 102, et seq.

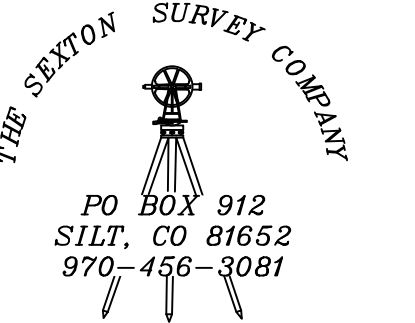
GARFIELD COUNTY SURVEYOR

GARFIELD COUNTY CLERK AND RECORDER'S CERTIFICATE

THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE CLERK AND RECORDER OF GARFIELD COUNTY, COLORADO, AT _____ O'CLOCK _____ ON THIS ___ DAY OF _____, 2025, AND IS DULY RECORDED AS RECEPTION NO. _____.

CLERK AND RECORDER

BY: _____
DEPUTY



SHERWIN MINOR SUBDIVISION

LOT 25A, AMENDED FINAL PLAT OF LOTS 25A & 26A
MCLEARN ORCHARD LANDS SUBDIVISION
COUNTY OF GARFIELD, STATE OF COLORADO
COUNTY ROAD 346, RIFLE, CO 81560

JOB NO: 25008
DATE: 3/13/25
DWG BY: SRB
REV:
REV:
1 of 1

DEPARTMENT OF PLANNING & DEVELOPMENT

202 Railroad Avenue, Rifle, CO 81650

Phone: 970-665-6491



LAND USE APPLICATION FORM

Application Type (check all that apply):

- Amended Plat
- Annexation
- Conditional Use
- Final Plat
- Floodplain Development
- Lot line dissolution
- Other (description): Zoning CS - Community Service Commercial
- Lot line Rearrangement
- Minor Subdivision Sketch Plan
- Outside City Water/Sewer
- Preliminary Subdivision Plan
- Sketch Subdivision Plan
- Sketch - Preliminary Subdivision Plan
- Site Plan
- Text Amendment
- Vacation - Easement / Right-of-Way
- Zoning Variance
- Zoning Map Amendment
- GIS System Integration

Brief Description of Application(s)

Annexation of Lot 25A, Amended Plat of Lots 25A & 26A McLearn Orchard Lands Subdivision, According to the plat thereof recorded October 20, 1998 as Reception No. 533995

Property Information

Owner(s) (Name): Karen L. Snyder Meganck and Cameron Hunter Meganck

Property Address: 756 County Road 346, Rifle, CO 81560

Parcel ID number: 217715300029

Legal Description (attach additional sheet if necessary): See Attached

Access to Property: County Road 346 (Airport Road)

Instructions for Submittal

- **Original applications with original signatures must be provided.**
- In addition to this application, all information on the supplemental checklist must be submitted.
- Incomplete applications **will not be accepted** and will delay processing.
- Initially, one copy of each document may be submitted to the Planning Department for review. When the documents are deemed adequate, additional copies as required by the Planning Department shall be submitted.
- All documents, plans, plats, etc. shall be no larger than 8 1/2" x 14" in size or folded to that or a smaller size.
- The property owner **must** fill out the Owner Affidavit in presence of notary.

STAFF USE ONLY

Pre-app conference: _____ (date) Application received: _____ (date)

Application complete: _____ (date) Case Number: _____

Fees: _____ Case Name: _____

Deposits: _____

Paid: _____ (date) Referrals sent _____ (date)

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

Property Owner(s) Name: Karen and Cameron Meganck Phone: _____
Company: _____ Fax: _____
Address P. O Box 909, Laporte, CO 80535 Email: Karenlm8263@gmail.com

Authorized Rep. Name: Jacob Butler Phone: (870) 799-9203
Company: Texas NH Management LLC Fax: _____
Address 2208 Fowler Ave., Jonesboro, AR 72401 Email: jake.butler@corollacapital.com

Engineer/Designer(s) Name: _____ Phone: _____
Company: _____ Fax: _____
Address: _____ Email: _____

Billable Party: Owner Representative Engineer

The Billable Party, by signing below, hereby agrees to reimburse the City the actual costs to the City for engineering, surveying, and legal services rendered in connection with the review of the Application. The Billable Party shall also reimburse the City for the cost of making any corrections or additions to the master copy of the official City 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 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 City and in the event the City is forced to pursue collection of any amounts due and unpaid, the City shall be entitled to collect attorney's fees and costs incurred in said collection efforts in addition to the amount due and unpaid.

Texas NH Management LLC
Company (printed)

Jacob Butler
Contact Name (printed)

2208 Fowler Avenue, Jonesboro, AR 72401
Address

jake.butler@corollacapital.com
Email

(870) 799-9203
Phone

Fax

Jacob Butler
Signature

Driver's License
Type of Identification

County of Craighead

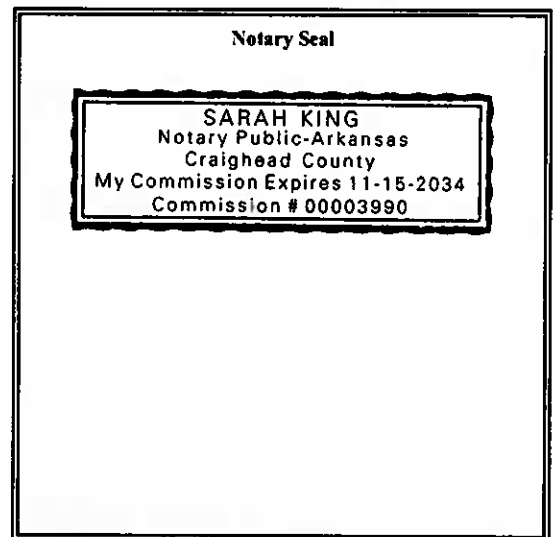
State of Arkansas

Sworn to and subscribed before me this 22 day
of September, 2025
(fill in month) (fill in year)

By Jacob Butler
(Contact name printed)

Witness my hand and official seal.
Sarah King
Notary Public

My Commission expires 11/15/2034



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 the 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, Karen L. Snyder Meganck and Cameron Hunter Meganck, 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 City staff to visit the site as necessary for proper review of this application. I (we) further acknowledge that until paid, ALL LAND USE APPLICATION FEES, INCLUDING FEES FOR PROFESSIONAL REVIEW SERVICES, SHALL BECOME AND REMAIN A FIRST AND PERPETUAL LIEN ON OR AGAINST THE SUBJECT PREMISES PURSUANT TO RMC §16-1-60(e).

(If there are any 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.)

Karen L. Snyder Meganck
 Name (printed)
P. O. Box 909, Laporte, CO 80535
 Address
1970 443-0624
 Phone

Cameron Hunter Meganck
 Name (printed)
P. O. Box 909, Laporte, CO 80535
 Address
 Phone

Fax
[Signature]
 Signature Karen Meganck | Cameron Meganck.
COOL#950881894 | COOL#101540274
 Type of Identification

Fax
[Signature]
 Signature

County of Larimer
 State of Colorado

Sworn to and subscribed before me this 17th day
 of September, 2025
(fill in month) (fill in year)

By Karen L. Meganck and Cameron H. Meganck
(name printed)

Witness my hand and official seal.
[Signature]
 Notary Public
 My Commission expires: March 7, 2028



Authorized Representative

I/We (Owners name) Karen L. Snyder Meganck and Cameron Hunter Meganck authorize (Representative name) Jacob Butler to act as my/our representative in any manner regarding this application, to answer questions and to represent me/us at any meeting 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.

Karen L. Snyder Meganck and Cameron Hunter Meganck
Property Owner (Name printed)

Company (Name printed)

P. O. Box 909, Laporte, CO 80535
Address (printed)

(970-443-0624)
Phone w/Area Code (printed)

karenlm8263@gmail.com
e-Mail Address (printed)

Fax w/Area Code (printed)

[Signature]
Signature

Jacob Butler
Representative (Name printed)

Texas NH Management LLC
Company (Name printed)

2208 Fowler Avenue
Address (printed)

870-799-9203
Phone w/Area Code (printed)

jake.butler@corollacapital.com
e-Mail Address (printed)

Fax w/Area Code (printed)

[Signature]
Signature

Cameron H. Meganck / Karen L. Meganck.
DL # 101540274 / DL # 05-0881844
Type of Identification

County of Larimer

State of Colorado

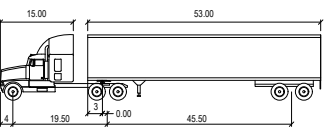
Sworn to and subscribed before me this 17th day
of September 2025
(fill in month) (fill in year)

By Cameron H. Meganck and Karen L. Meganck.
(name printed)

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

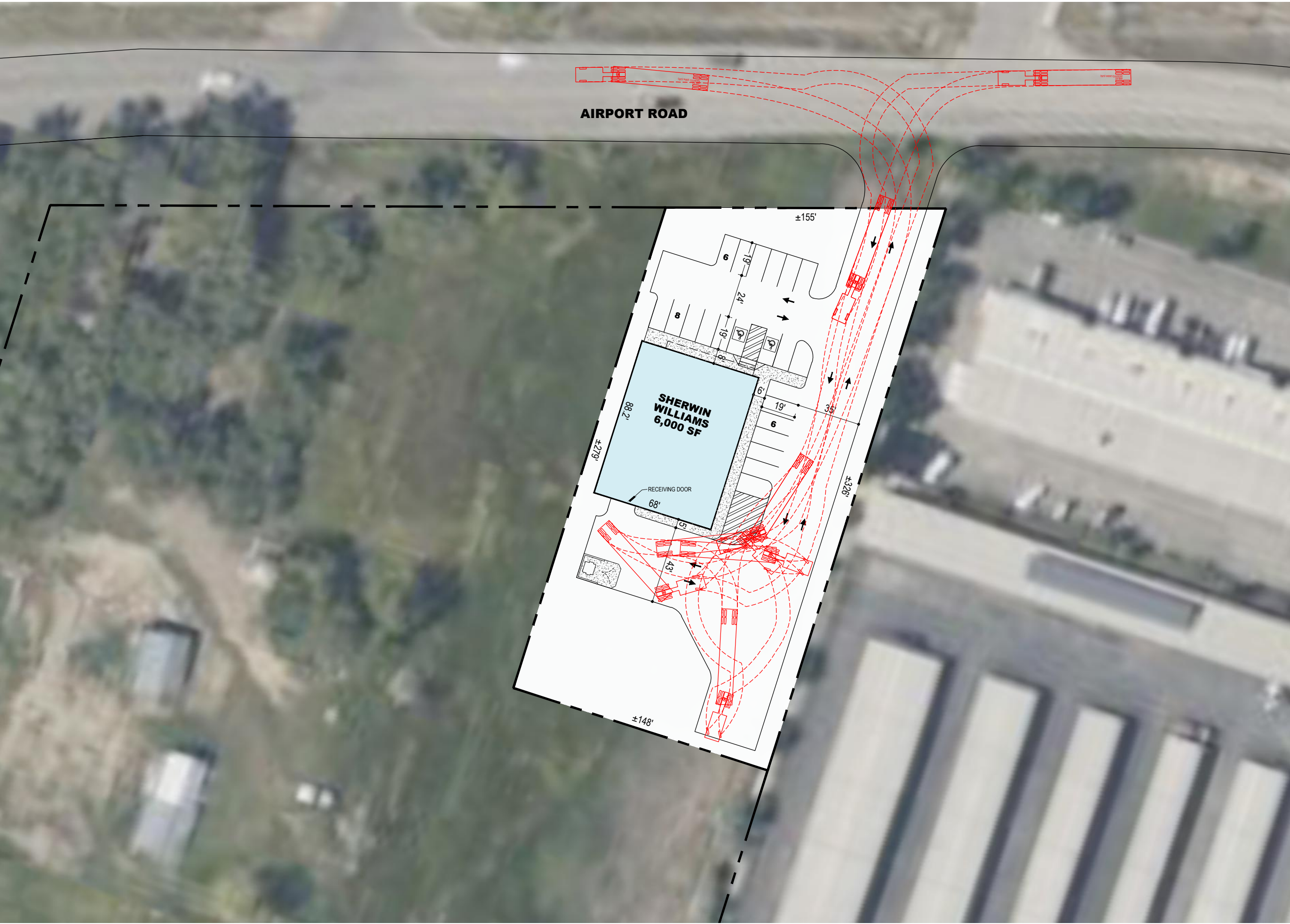
My Commission expires: March 7, 2028





WB-67 feet

Tractor Width	: 8.00	Lock to Lock Time	: 6.0
Trailer Width	: 8.50	Steering Angle	: 28.4
Tractor Track	: 8.00	Articulating Angle	: 75.0
Trailer Track	: 8.50		



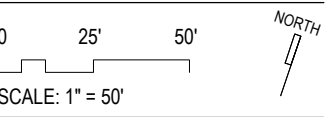
SITE DATA

SITE AREA	±1.02 AC
BUILDING	6,000 SF
PARKING	20 SPACES
RATIO	3.33 / 1,000

NOTES

SITE PLAN PREPARED WITHOUT BENEFIT OF TITLE OPINION, DEED RESTRICTION, OR SURVEY. SITE SUBJECT TO CHANGE PENDING ALL STATE AND CITY ORDINANCES OR DEED RESTRICTIONS. BUILDING AND SITE SIGN LOCATION, SQUARE FOOTAGE, AND TYPE SUBJECT TO CHANGE PENDING ALL STATE AND CITY ORDINANCES OR DEED RESTRICTIONS.

ALL DIMENSIONS SHOWN ARE TO FACE OF CURB AND/OR FACE OF STRUCTURE.



RIFLE, CO
AIRPORT ROAD

PROPOSED SITE PLAN

09.03.2025 **3.1**

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF LOT 25A, AMENDED FINAL PLAT OF LOTS 25A & 26A MCLEARN ORCHARD LANDS SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 20, 1998 AS RECEPTION NO. 533995, SITUATED IN SECTION 15, TOWNSHIP 6 SOUTH, RANGE 93 WEST OF THE 6TH P.M., COUNTY OF GARFIELD, STATE OF COLORADO. SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 25A, AMENDED FINAL PLAT OF LOTS 25A & 26A MCLEARN ORCHARD LANDS SUBDIVISION; THENCE S01°10'46"W 151.48 FEET; THENCE S00°40'05"E 127.78 FEET; THENCE S03°52'24"E 47.09 FEET; THENCE S86°07'36"W 148.00 FEET; THENCE N00°00'17"W 284.52 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF COUNTY ROAD 346; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY N70°30'14"E 124.50 FEET; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY N70°36'50"E 30.50 FEET TO THE POINT OF BEGINNING. SAID PARCEL OF LAND CONTAINING 1.012 ACRES, MORE OR LESS.

An Employee Owned Company

Office Locations: Denver (HQ), Parker, Colorado Springs, Fort Collins, Glenwood Springs, and Summit County, Colorado

December 11, 2025

Texas NH Management, LLC
Attn: Jake Butler
3119 Quentin Road
Brooklyn, New York 11234
Jake.butler@corollacapital.com

Project No. 25-7-712

Subject: Gamma Radiation Survey, Proposed Sherwin Williams Store, 756 County Road
346, Rifle, Colorado

Gentlemen:

As requested by Jake Butler, Kumar & Associates has completed the gamma radiation survey at the subject site. The readings were taken on December 9, 2025. The survey was performed in accordance with our agreement for professional engineering services to Texas NH Management, LLC, dated December 8, 2025.

Gamma radiation measurements were taken on an approximate 35-foot grid pattern on the property using a Ludlum Model 3 survey meter and Ludlum Model 44-9 detector. The readings were taken at about 2½ feet above the ground surface. The radiation readings are shown on Figure 1. The readings taken at the site typically ranged from 0.0175 to 0.04 millirems per hour. A background reading taken in the area nearby indicated a value of 0.02 millirems per hour. The gamma radiation survey readings at the subject site appear typical of the background level in the area.

Based on the gamma radiation survey, radiation mitigation does not appear to be needed. However, there is a potential that radon gas could be present in the area. It is difficult to assess future radon gas concentrations in buildings before the buildings are constructed. Testing for radon gas levels could be done in the completed buildings. New buildings are often designed with provisions for ventilation of lower enclosed areas should post-construction testing show unacceptable radon gas concentration.

If you have any questions or need further assistance, please call our office.

Sincerely,

Kumar & Associates, Inc

Robert L. Duran, P.E.

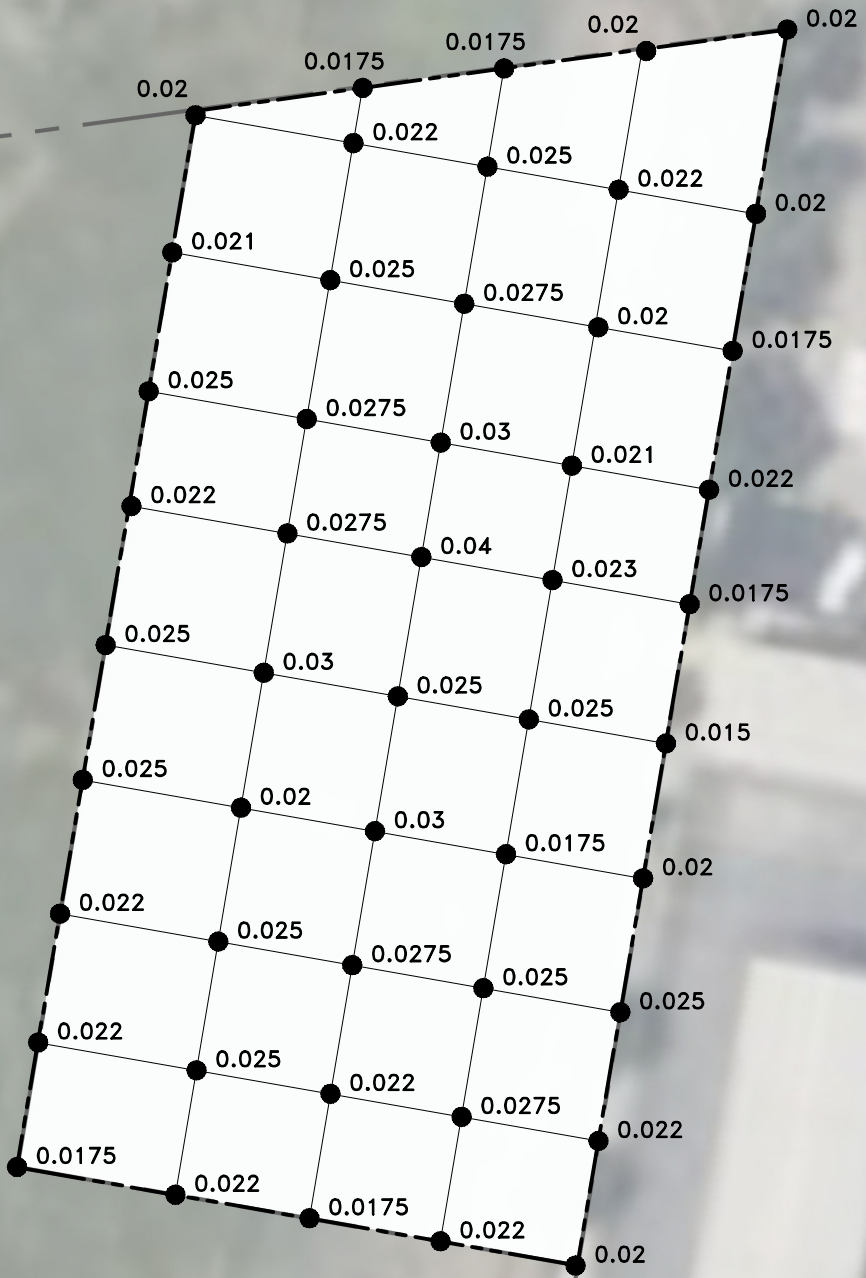
Rev. by: SLP

RLD/kac

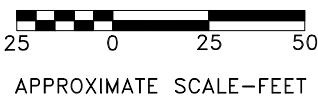
Attachment: Figure 1 – Radiation Survey Locations



AIRPORT RD



READING UNITS: MILLIREMS PER HOUR (mrem/hr)



December 10, 2025 - 09:55am
V:\Projects\2025\25-7-712\Drafting\257712-01.dwg

25-7-712	Kumar & Associates	RADIATION SURVEY LOCATIONS	Fig. 1
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Customer Distribution



Prevent fraud - Please call a member of our closing team for wire transfer instructions or to initiate a wire transfer. Note that our wiring instructions will never change.

Order Number: **ABS63021678-3**

Date: **12/02/2025**

Property Address: **756 COUNTY ROAD 346, RIFLE, CO 81560**

For Closing Assistance

Jennifer Brownell
2454 PATTERSON ROAD, SUITE 100
GRAND JUNCTION, CO 81505
(970) 248-3899 (Work)
(800) 820-8423 (Work Fax)
jbrownell@ltgc.com
Contact License: CO74745
Company License: CO44565

Closers Assistant

Becky Temmer
2454 PATTERSON ROAD, SUITE 100
GRAND JUNCTION, CO 81505
(970) 248-3884 (Work)
(800) 322-4072 (Work Fax)
btemmer@ltgc.com
Contact License: CO472208
Company License: CO44565

For Title Assistance

George Rietsch
5975 GREENWOOD PLAZA BLVD
GREENWOOD VILLAGE, CO 80111
(303) 850-4151 (Work)
grietsch@ltgc.com
Company License: CO44565

Buyer/Borrower

TEXAS NH MANAGEMENT LLC
Attention: MENACHEM SHAPIRO
Delivered via: Delivered by Realtor

Seller/Owner

CAMERON HUNTER MEGANCK
Delivered via: Delivered by Realtor

Buyer/Borrower

JAKE BUTLER
Attention: JAKE BUTLER
(870) 799-9203 (Work)
jake.butler@corollacapital.com
Delivered via: Electronic Mail

Seller/Owner

KAREN MEGANCK
Delivered via: Delivered by Realtor

Buyer/Borrower

ADAM BODEKER
(870) 275-5331 (Cell)
adam.bodeker@bodekerlaw.com
Delivered via: Electronic Mail

Agent for Buyer

CCP REALTY ADVISORS
Attention: JACOB BUTLER
Delivered via: Delivered by Realtor

Buyer/Borrower

RYAN GEORGE

ryangeorge72471@gmail.com

Delivered via: Electronic Mail

Agent for Seller

COLDWELL BANKER COMMERCIAL PRIME

PROPERTIES

Attention: MIKE FOSTER

131 N 6TH STREET #200

GRAND JUNCTION, CO 81501

(970) 433-8374 (Cell)

(970) 244-6602 (Work)

(970) 245-2901 (Work Fax)

mfooster@cbcwest.com

Delivered via: Electronic Mail



Estimate of Title Fees

Order Number: ABS63021678-3

Date: 12/02/2025

Property Address: 756 COUNTY ROAD 346, RIFLE, CO 81560

Seller(s): KAREN L. SNYDER MEGANCK AND CAMERON HUNTER MEGANCK

Buyer(s): TEXAS NH MANAGEMENT LLC, A TEXAS LIMITED LIABILITY COMPANY

Thank you for putting your trust in Land Title. Below is the estimate of title fees for the transaction. The final fees will be collected at closing. Visit ltgc.com to learn more about Land Title.

Estimate of Title Insurance Fees	
"ALTA" Owner's Policy 07-01-21	\$1,757.00
Deletion of Standard Exception(s)	\$100.00
Tax Certificate	\$27.00
TOTAL	\$1,884.00

Note: The documents linked in this commitment should be reviewed carefully. These documents, such as covenants conditions and restrictions, may affect the title, ownership and use of the property. You may wish to engage legal assistance in order to fully understand and be aware of the implications of the documents on your property.

Chain of Title Documents:

[Garfield county recorded 10/20/2023 under reception no. 990624](#)

[Garfield county recorded 12/31/2012 under reception no. 829212](#)

[Garfield county recorded 08/21/2009 under reception no. 773713](#)

[Garfield county recorded 05/21/1999 under reception no. 545943](#)

[Garfield county recorded 11/19/1998 under reception no. 535675](#)

[Garfield county recorded 10/20/1998 under reception no. 533996](#)

[Garfield county recorded 11/15/1994 under reception no. 471013](#)

Plat Map(s):

[Garfield county recorded 10/20/1998 under reception no. 533995](#)

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule A

Order Number: ABS63021678-3

Property Address:

756 COUNTY ROAD 346, RIFLE, CO 81560

1. Commitment Date:

11/07/2025 at 5:00 P.M.

2. Policy to be Issued and Proposed Insured:

"ALTA" Owner's Policy 07-01-21

\$520,000.00

Proposed Insured:

TEXAS NH MANAGEMENT LLC, A TEXAS LIMITED LIABILITY
COMPANY

3. The estate or interest in the land described or referred to in this Commitment and covered herein is:

FEE SIMPLE

4. The Title is, at the Commitment Date, vested in:

KAREN L. SNYDER MEGANCK AND CAMERON HUNTER MEGANCK

5. The Land is described as follows:

NOTE: THE FOLLOWING LEGAL DESCRIPTION IS PRELIMINARY AND IS SUBJECT TO CHANGE UPON COMPLIANCE WITH THE REQUIREMENTS UNDER SCHEDULE B-1, HEREIN.

LOT 25A,

AMENDED FINAL PLAT OF LOTS 25A & 26A MCLEARN ORCHARD LANDS SUBDIVISION,

ACCORDING TO THE PLAT THEREOF,

RECORDED OCTOBER 20, 1998, AS RECEPTION NO. [533995](#),

COUNTY OF GARFIELD, STATE OF COLORADO.

This page is only a part of a 2021 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

**AMERICAN
LAND TITLE
ASSOCIATION**



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ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule B, Part I

(Requirements)

Order Number: ABS63021678-3

All of the following Requirements must be met:

This 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.

Pay the agreed amount for the estate or interest to be insured.

Pay the premiums, fees, and charges for the Policy to the Company.

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.

1. A FULL COPY OF THE FULLY EXECUTED OPERATING AGREEMENT AND ANY AND ALL AMENDMENTS THERETO FOR TEXAS NH MANAGEMENT LLC, A TEXAS LIMITED LIABILITY COMPANY MUST BE FURNISHED TO LAND TITLE GUARANTEE COMPANY. SAID AGREEMENT MUST DISCLOSE WHO MAY CONVEY, ACQUIRE, ENCUMBER, LEASE OR OTHERWISE DEAL WITH INTERESTS IN REAL PROPERTY FOR SAID ENTITY.

NOTE: ADDITIONAL REQUIREMENTS MAY BE NECESSARY UPON REVIEW OF THIS DOCUMENTATION.

2. DULY EXECUTED AND ACKNOWLEDGED STATEMENT OF AUTHORITY SETTING FORTH THE NAME OF TEXAS NH MANAGEMENT LLC, A TEXAS LIMITED LIABILITY COMPANY AS A LIMITED LIABILITY COMPANY. THE STATEMENT OF AUTHORITY MUST STATE UNDER WHICH LAWS THE ENTITY WAS CREATED, THE MAILING ADDRESS OF THE ENTITY, AND THE NAME AND POSITION OF THE PERSON(S) AUTHORIZED TO EXECUTE INSTRUMENTS CONVEYING, ENCUMBERING, OR OTHERWISE AFFECTING TITLE TO REAL PROPERTY ON BEHALF OF THE ENTITY AND OTHERWISE COMPLYING WITH THE PROVISIONS OF SECTION 38-30-172, CRS.

NOTE: THE STATEMENT OF AUTHORITY MUST BE RECORDED WITH THE CLERK AND RECORDER.

3. SPECIAL WARRANTY DEED FROM KAREN L. SNYDER MEGANCK AND CAMERON HUNTER MEGANCK TO TEXAS NH MANAGEMENT LLC, A TEXAS LIMITED LIABILITY COMPANY CONVEYING SUBJECT PROPERTY.
4. LAND TITLE GUARANTEE COMPANY REQUIRES AN ACCURATE LEGAL DESCRIPTION TO BE PROVIDED FOR REVIEW AND APPROVAL. UPON FURTHER REVIEW THE COMPANY HEREBY RESERVES THE RIGHT TO INSERT ADDITIONAL REQUIREMENTS AND/OR EXCEPTIONS AS MAY BE NECESSARY.
5. (THIS ITEM WAS INTENTIONALLY DELETED)
6. RECORD DULY EXECUTED AND ACKNOWLEDGED PLAT OF SHERWIN MINOR SUBDIVISION.

NOTE: A COPY OF SAID PLAT MUST BE SUBMITTED TO LAND TITLE GUARANTEE COMPANY PRIOR TO RECORDATION. UPON RECEIPT AND REVIEW FURTHER REQUIREMENTS AND/OR EXCEPTIONS MAY BE NECESSARY.

ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule B, Part I

(Requirements)

Order Number: ABS63021678-3

All of the following Requirements must be met:

REQUIREMENTS TO DELETE THE PRE-PRINTED EXCEPTIONS IN THE OWNER'S POLICY TO BE ISSUED

A. ITEMS 1-3 OF THE PRE-PRINTED EXCEPTIONS WILL BE DELETED.

B. UPON THE APPROVAL OF THE COMPANY AND THE RECEIPT OF A NOTARIZED FINAL LIEN AFFIDAVIT, ITEM 4 OF THE PRE-PRINTED EXCEPTIONS, WILL BE AMENDED TO READ:

ITEM 4 OF THE PRE-PRINTED EXCEPTIONS IS DELETED AS TO ANY LIENS OR FUTURE LIENS RESULTING FROM WORK OR MATERIAL FURNISHED AT THE SPECIFIC, DIRECT REQUEST, AND WITH THE ACTUAL KNOWLEDGE OF KAREN L. SNYDER MEGANCK AND CAMERON HUNTER MEGANCK.

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY SHALL HAVE NO LIABILITY FOR ANY LIENS ARISING FROM WORK OR MATERIAL FURNISHED AT THE SPECIFIC, DIRECT REQUEST, AND WITH THE ACTUAL KNOWLEDGE OF TEXAS NH MANAGEMENT LLC, A TEXAS LIMITED LIABILITY COMPANY.

C. ITEM 5 OF THE PRE-PRINTED EXCEPTIONS WILL BE DELETED IF LAND TITLE GUARANTEE COMPANY CONDUCTS THE CLOSING OF THE CONTEMPLATED TRANSACTION(S) AND RECORDS THE DOCUMENTS IN CONNECTION THEREWITH.

D. UPON PROOF OF PAYMENT OF 2024 TAXES AND ASSESSMENTS, ITEM 6 OF THE PRE-PRINTED EXCEPTIONS WILL BE AMENDED TO READ:

TAXES AND ASSESSMENTS FOR THE YEAR 2025 AND SUBSEQUENT YEARS.

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule B, Part II
(Exceptions)

Order Number: [ABS63021678-3](#)

Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This Commitment and the Policy treat any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document will be excepted from coverage.

1. Any facts, rights, interests, or claims thereof, not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
2. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and 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 of the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.
6. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
7. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water.
8. EXISTING LEASES AND TENANCIES, IF ANY.
9. RIGHT OF WAY FOR DITCHES OR CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES AS RESERVED IN UNITED STATES PATENT RECORDED DECEMBER 23, 1909, IN BOOK 73 AT PAGE [27](#).
10. RIGHT OF PROPRIETOR OF A VEIN OR LODGE TO EXTRACT AND REMOVE HIS ORE THEREFROM SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES AS RESERVED IN UNITED STATES PATENT RECORDED DECEMBER 23, 1909, IN BOOK 73 AT PAGE [27](#).
11. RIGHTS OF WAY AND EASEMENTS ACCORDING TO THE PLAT OF MCLEARN ORCHARD TRACT ADDITION TO RIFLE RECORDED DECEMBER 24, 1909 AS RECEPTION NO. [38435](#).
12. TERMS, CONDITIONS AND PROVISIONS OF RIGHT OF WAY RECORDED IN BOOK 181 AT PAGE [78](#).
13. TERMS, CONDITIONS AND PROVISIONS OF RIGHT OF WAY RECORDED FEBRUARY 25, 1939 IN BOOK 195 AT PAGE [28](#).
14. TERMS, CONDITIONS AND PROVISIONS OF AGREEMENT RECORDED IN BOOK 344 AT PAGE [517](#).
15. TERMS, CONDITIONS AND PROVISIONS OF EASEMENT RECORDED IN BOOK 348 AT PAGE [552](#).
16. TERMS, CONDITIONS AND PROVISIONS OF EASEMENT RECORDED IN BOOK 352 AT PAGE [503](#).
17. TERMS, CONDITIONS AND PROVISIONS OF RIGHT OF WAY EASEMENT RECORDED OCTOBER 19, 1967 IN BOOK 388 AT PAGE [481](#).

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule B, Part II
(Exceptions)

Order Number: ABS63021678-3

18. RESERVATION OF AN UNDIVIDED 1/2 OF ALL OIL, GAS, MINERAL AND FISSIONABLE MINERALS RECORDED SEPTEMBER 24, 1973 IN BOOK 450 AT PAGES 41 AND 43 ANY AND ALL ASSIGNMENTS THEREOF OR INTERESTS THEREIN.
19. RESERVATION OF ONE-HALF OF ANY AND ALL MINERAL RIGHTS AS DESCRIBED IN DEED RECORDED NOVEMBER 22, 1995 IN BOOK 959 AT PAGE 195 ANY AND ALL ASSIGNMENTS THEREOF OR INTERESTS THEREIN.
20. RESERVATION OF ANY AND ALL OIL, GAS, MINERALS AND MINERAL RIGHTS DESCRIBED IN DEED RECORDED NOVEMBER 15, 1994 IN BOOK 922 AT PAGE 590.
21. TERMS, CONDITIONS AND PROVISIONS OF LICENSE AGREEMENT RECORDED DECEMBER 03, 1998 IN BOOK 1101 AT PAGE 797.
22. ALL OIL, GAS AND OTHER MINERALS DESCRIBED IN QUIT CLAIM DEED RECORDED NOVEMBER 10, 2005 IN BOOK 1744 AT PAGE 712.
23. ALL OIL, GAS AND OTHER MINERALS DESCRIBED IN QUIT CLAIM DEED RECORDED 11 10, 2005 IN BOOK 1744 AT PAGE 714.
24. TERMS, CONDITIONS, STIPULATIONS, OBLIGATIONS AND PROVISIONS OF QUITCLAIM DEED, RECORDED OCTOBER 20, 1998, UNDER RECEPTION NO. 533997.
25. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF AMENDED FINAL PLAT OF LOTS 25A & 26A MCLEARN ORCHARD RECORDED OCTOBER 20, 1998 AT RECEPTION NO. 533995.
26. TERMS, CONDITIONS, STIPULATIONS, OBLIGATIONS AND PROVISIONS OF LICENSE AGREEMENT, RECORDED DECEMBER 03, 1998, UNDER RECEPTION NO. 536519.
27. TERMS, CONDITIONS AND PROVISIONS OF AGREEMENT ACKNOWLEDGING BOUNDARY RECORDED JANUARY 18, 2010 UNDER RECEPTION NO. 780725.
28. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF SHERWIN ANNEXATION AND MINOR SUBDIVISION RECORDED _____ UNDER RECEPTION NO. _____.
29. ANY RIGHTS, INTERESTS, OR CLAIMS WHICH MAY EXIST OR ARISE BY REASON OF THE FOLLOWING FACTS SHOWN ON IMPROVEMENT LOCATION CERTIFICATE CERTIFIED NOVEMBER 13, 2025, PREPARED BY THE SEXTON SURVEY COMPANY, JOB #25008

SAID DOCUMENT STORED AS OUR IMAGE [78714386](#)

A: FENCE IS NOT COINCIDENT WITH THE BOUNDARY LINES.

B: UTILITIES APPEAR TO BE LOCATED OUTSIDE THE PROPERTY.

C: WATER WELL LOCATED IN THE SOUTHEAST CORNER OF THE PROPERTY WITHOUT THE BENEFIT OF A RECORDED AGREEMENT.



ALTA Commitment For Title Insurance issued by Old Republic National Title Insurance Company

NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON. .

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, Old Republic National Title Insurance Company, a Minnesota corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Amount of insurance and the name of the Proposed Insured. If all of the Schedule B, Part I—Requirements have not been met within 6 months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

COMMITMENT CONDITIONS

1. DEFINITIONS

- (a) "Discriminatory Covenant": Any covenant, condition, restriction, or limitation that is unenforceable under applicable law because it illegally discriminates against a class of individuals based on personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or other legally protected class.
- (b) "Knowledge" or "Known": Actual knowledge or actual notice, but not constructive notice imparted by the Public Records.
- (c) "Land": The land described in item 5 of Schedule A and affixed improvements located on that land that by State law constitute real property. The term "Land" does not include any property beyond that described in Schedule A, nor any right, title, interest, estate, or easement in any abutting street, road, avenue, alley, lane, right-of-way, body of water, or waterway, but does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (d) "Mortgage": A mortgage, deed of trust, trust deed, security deed, or other real property security instrument, including one evidenced by electronic means authorized by law.
- (e) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (f) "Proposed Amount of Insurance": Each dollar amount specified in Schedule A as the Proposed Amount of Insurance of each Policy to be issued pursuant to this Commitment.
- (g) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (h) "Public Records": The recording or filing system established under State statutes in effect at the Commitment Date under which a document must be recorded or filed to impart constructive notice of matters relating to the Title to a purchaser for value without Knowledge. The term "Public Records" does not include any other recording or filing system, including any pertaining to environmental remediation or protection, planning, permitting, zoning, licensing, building, health, public safety, or national security matters.
- (i) "State": The state or commonwealth of the United States within whose exterior boundaries the Land is located. The term "State" also includes the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, and Guam.
- (j) "Title": The estate or interest in the Land identified in Item 3 of Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I—Requirements; and
- (f) Schedule B, Part II—Exceptions; and
- (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company is not liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - i. comply with the Schedule B, Part I—Requirements;
 - ii. eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
 - iii. acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company is not liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company is only liable under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability does not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Condition 5(a) or the Proposed Amount of Insurance.
- (e) The Company is not liable for the content of the Transaction Identification Data, if any.
- (f) The Company is not obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.

(g) The Company's liability is further limited by the terms and provisions of the Policy to be issued to the Proposed Insured.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT. CHOICE OF LAW AND CHOICE OF FORUM

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract under the State law of the State where the Land is located and is restricted to the terms and provisions of this Commitment. Any litigation or other proceeding brought by the Proposed Insured against the Company must be filed only in a State or federal court having jurisdiction
- (c) This Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT IS ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. CLAIMS PROCEDURES

This Commitment incorporates by reference all Conditions for making a claim in the Policy to be issued to the Proposed Insured. Commitment Condition 9 does not modify the limitations of liability in Commitment Conditions 5 and 6.

10. CLASS ACTION

ALL CLAIMS AND DISPUTES ARISING OUT OF OR RELATING TO THIS COMMITMENT, INCLUDING ANY SERVICE OR OTHER MATTER IN CONNECTION WITH ISSUING THIS COMMITMENT, ANY BREACH OF A COMMITMENT PROVISION, OR ANY OTHER CLAIM OR DISPUTE ARISING OUT OF OR RELATING TO THE TRANSACTION GIVING RISE TO THIS COMMITMENT, MUST BE BROUGHT IN AN INDIVIDUAL CAPACITY. NO PARTY MAY SERVE AS PLAINTIFF, CLASS MEMBER, OR PARTICIPANT IN ANY CLASS OR REPRESENTATIVE PROCEEDING. ANY POLICY ISSUED PURSUANT TO THIS COMMITMENT WILL CONTAIN A CLASS ACTION CONDITION.

11. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Amount of insurance is \$2,000,000 or less may be arbitrated at the election of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>

IN WITNESS WHEREOF, Old Republic National Title Insurance Company has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A to be valid when countersigned by a validating officer or other authorized signatory.

Issued by:
Land Title Guarantee Company
3033 East First Avenue Suite 600
Denver, Colorado 80206
303-321-1880

Craig B. Rants, Senior Vice President



OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
A Stock Company
1408 North Westshore Blvd., Suite 900, Tampa, Florida 33607
(612) 371-1111 www.oldrepublictitle.com

By President

Attest Secretary

This page is only a part of a 2021 ALTA® Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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Land Title Guarantee Company Disclosure Statements

Note: Pursuant to CRS 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 will be obtained from the county treasurer of the county in which the real property is located or that county treasurer's authorized agent unless the proposed insured provides written instructions to the contrary. (for an Owner's Policy of Title Insurance pertaining to a sale of residential real property).
- (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.

Note: Effective September 1, 1997, CRS 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, except that, the requirement for the top margin shall not apply to documents using forms on which space is provided for recording or filing information at the top margin of the document.

Note: Colorado Division of Insurance Regulations 8-1-2 requires that "Every title entity shall be responsible for all matters which appear of record prior to the time of recording whenever the title entity conducts the closing and is responsible for recording or filing of legal documents resulting from the transaction which was closed". Provided that Land Title Guarantee Company 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.

Note: Affirmative mechanic's lien protection for the Owner may be available (typically by deletion of Exception no. 4 of Schedule B, Section 2 of the Commitment from the Owner's Policy to be issued) 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 have been furnished by mechanics or material-men for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months.
- (C) The Company must receive an appropriate affidavit indemnifying the Company against un-filed mechanic's and material-men's liens.
- (D) The Company must receive payment of the appropriate premium.
- (E) If there has been construction, improvements or major repairs undertaken on the property to be purchased within six months prior to the Date of Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and or the contractor; payment of the appropriate premium fully executed Indemnity Agreements satisfactory to the company, and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.

No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay.

Note: Pursuant to CRS 10-11-123, notice is hereby given:

This notice applies to owner's policy commitments disclosing that a mineral estate has been severed from the surface estate, in Schedule B-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 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.

Note: Pursuant to CRS 10-1-128(6)(a), It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance, and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies.

Note: Pursuant to Colorado Division of Insurance Regulations 8-1-3, notice is hereby given of the availability of a closing protection letter for the lender, purchaser, lessee or seller in connection with this transaction.

Note: Pursuant to CRS 24-21-514.5, Colorado notaries may remotely notarize real estate deeds and other documents using real-time audio-video communication technology. You may choose not to use remote notarization for any document.



Joint Notice of Privacy Policy of Land Title Guarantee Company Land Title Insurance Corporation and Old Republic National Title Insurance Company

This Statement is provided to you as a customer of Land Title Guarantee Company as agent for Land Title Insurance Corporation and Old Republic National Title Insurance Company.

We want you to know that we recognize and respect your privacy expectations and the requirements of federal and state privacy laws. Information security is one of our highest priorities. We recognize that maintaining your trust and confidence is the bedrock of our business. We maintain and regularly review internal and external safeguards against unauthorized access to your non-public personal information ("Personal Information").

In the course of our business, we may collect Personal Information about you from:

- applications or other forms we receive from you, including communications sent through TMX, our web-based transaction management system;
 - your transactions with, or from the services being performed by us, our affiliates, or others;
 - a consumer reporting agency, if such information is provided to us in connection with your transaction;
- and
- The public records maintained by governmental entities that we obtain either directly from those entities, or from our affiliates and non-affiliates.

Our policies regarding the protection of the confidentiality and security of your Personal Information are as follows:

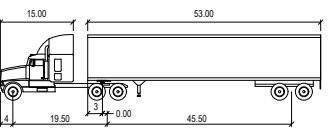
- We restrict access to all Personal Information about you to those employees who need to know that information in order to provide products and services to you.
- We may share your Personal Information with affiliated contractors or service providers who provide services in the course of our business, but only to the extent necessary for these providers to perform their services and to provide these services to you as may be required by your transaction.
- We maintain physical, electronic and procedural safeguards that comply with federal standards to protect your Personal Information from unauthorized access or intrusion.
- Employees who violate our strict policies and procedures regarding privacy are subject to disciplinary action.
- We regularly assess security standards and procedures to protect against unauthorized access to Personal Information.

WE DO NOT DISCLOSE ANY PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT STATED ABOVE OR PERMITTED BY LAW.

Consistent with applicable privacy laws, there are some situations in which Personal Information may be disclosed. We may disclose your Personal Information when you direct or give us permission; when we are required by law to do so, for example, if we are served a subpoena; or when we suspect fraudulent or criminal activities. We also may disclose your Personal Information when otherwise permitted by applicable privacy laws such as, for example, when disclosure is needed to enforce our rights arising out of any agreement, transaction or relationship with you.

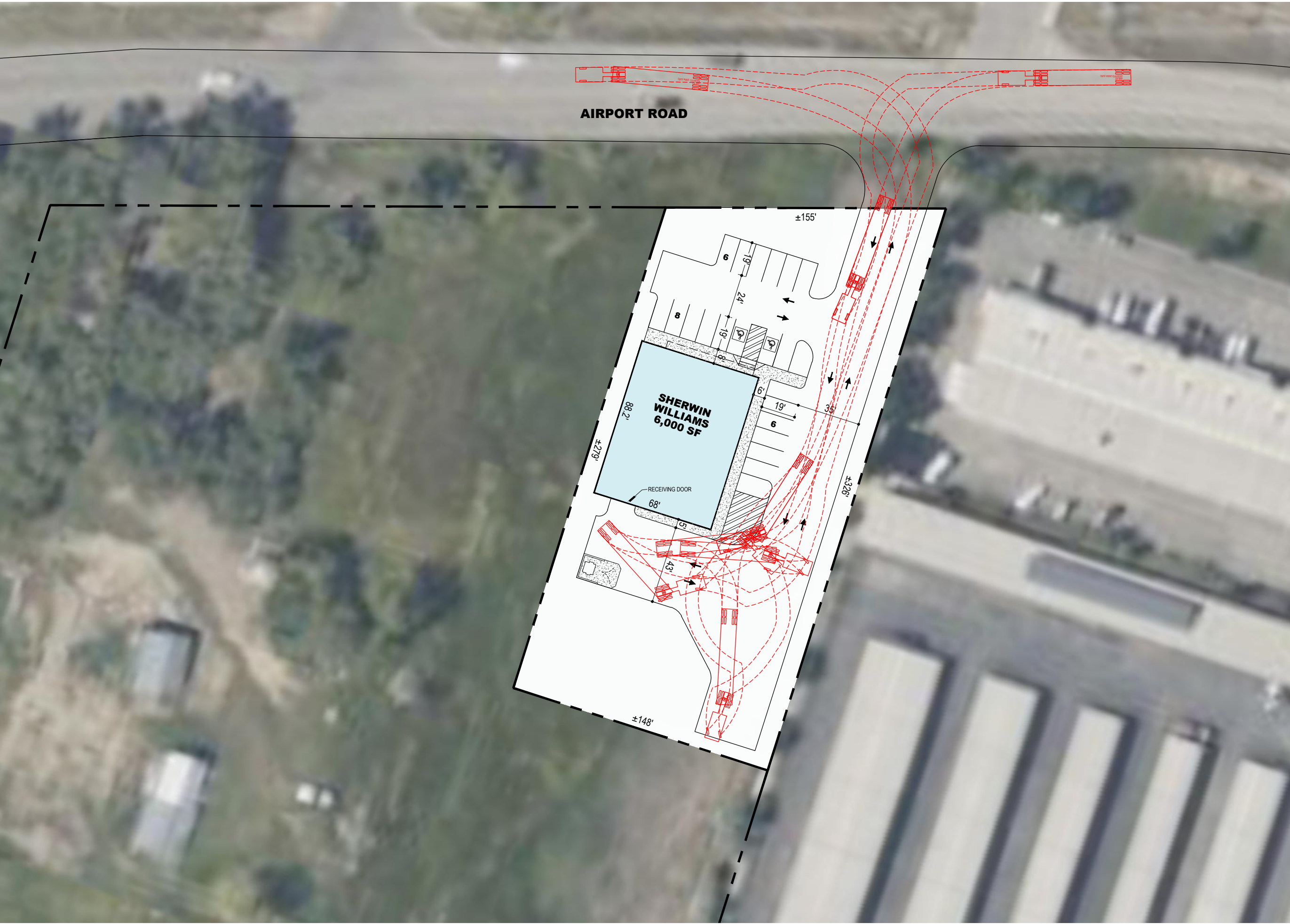
Our policy regarding dispute resolution is as follows: Any controversy or claim arising out of or relating to our privacy policy, or the breach thereof, shall be settled by arbitration in accordance with the rules of the American Arbitration

Association, and judgment upon the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof.



WB-67 feet

Tractor Width	: 8.00	Lock to Lock Time	: 6.0
Trailer Width	: 8.50	Steering Angle	: 28.4
Tractor Track	: 8.00	Articulating Angle	: 75.0
Trailer Track	: 8.50		



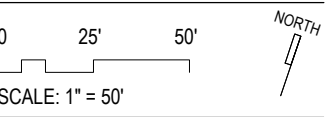
SITE DATA

SITE AREA	±1.02 AC
BUILDING	6,000 SF
PARKING	20 SPACES
RATIO	3.33 / 1,000

NOTES

SITE PLAN PREPARED WITHOUT BENEFIT OF TITLE OPINION, DEED RESTRICTION, OR SURVEY. SITE SUBJECT TO CHANGE PENDING ALL STATE AND CITY ORDINANCES OR DEED RESTRICTIONS. BUILDING AND SITE SIGN LOCATION, SQUARE FOOTAGE, AND TYPE SUBJECT TO CHANGE PENDING ALL STATE AND CITY ORDINANCES OR DEED RESTRICTIONS.

ALL DIMENSIONS SHOWN ARE TO FACE OF CURB AND/OR FACE OF STRUCTURE.



RIFLE, CO
AIRPORT ROAD

PROPOSED SITE PLAN

09.03.2025 **3.1**