



Spring Valley Ranch

PUD Amendment

Narrative Report

MAY 2023

(revised December 2023 for completeness)

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TABLE OF CONTENTS

1. LIST OF APPENDICES	4
2. CONSULTANT TEAM	5
3. OVERVIEW	7
3.1. PURPOSE OF PUD AMENDMENT	7
4. EXISTING CONDITIONS	10
4.1. LOCATION & PARCEL COMPOSITION.....	10
4.1. EXISTING CONDITIONS & USE.....	12
4.2. PROPERTY ACCESS	12
4.3. PROPERTY CHARACTERISTICS	16
4.4. RECENT PROPERTY IMPROVEMENTS	21
4.4.1. <i>Hopkins Reservoir</i>	21
4.4.2. <i>Entrance Road Construction</i>	21
5. CURRENT APPROVALS	22
5.1. SUMMARY OF APPROVED PRELIMINARY AND PUD PLANS	22
6. PROPOSED PUD AMENDMENT	25
6.1. AMENDMENT REQUESTED	25
6.2. GENERAL DESCRIPTION	25
6.3. TECHNICAL DESCRIPTIONS	29
6.4. PUD PLAN MAP	31
6.5. PUD GUIDE.....	31
6.6. AMENDMENT JUSTIFICATION REPORT	32
7. PROPOSED PROJECT DESCRIPTION	33
7.1. OVERALL PLAN CONSIDERATIONS	33
7.2. REAL ESTATE TRANSFER FEE AND COMMUNITY FOUNDATION	35
7.3. LAND USE SUMMARY	37
7.4. ALLOWED LAND USES.....	37
7.5. PLANNING AREAS	37
7.6. PROPOSED ZONING.....	38
7.6.1. <i>Residential Districts</i>	38
7.6.2. <i>Mixed Use District</i>	38
7.6.3. <i>Open Space Districts</i>	39
7.7. OVERLAY AREAS.....	39
7.8. COMMUNITY HOUSING PROGRAM.....	40
7.9. PUBLIC ACCESS & AMENITIES	41
7.10. ACCESS & CIRCULATION.....	43
7.11. WATER SUPPLY- AQUIFER	45
7.12. UTILITIES.....	45
7.12.1. <i>Potable Water System</i>	45
7.12.2. <i>Raw Water System</i>	47
7.12.3. <i>Sewer System</i>	47
7.12.4. <i>Electricity</i>	47
7.12.5. <i>Natural Gas</i>	48
7.12.6. <i>Communications</i>	48
7.13. WILDFIRE MITIGATION & FIRE PROTECTION.....	48

7.13.1.	<i>Wildfire Mitigation</i>	48
7.13.2.	<i>Fire Protection</i>	51
7.14.	ENVIRONMENTAL	54
7.14.1.	<i>Soils & Geology</i>	55
7.14.2.	<i>Wildlife</i>	55
7.14.3.	<i>Wetlands</i>	58
7.15.	FISCAL & ECONOMIC IMPACTS.....	60
8.	OPERATION & MAINTENANCE	63
8.1.	SPRING VALLEY RANCH COMMUNITY FOUNDATION	63
8.2.	LANDIS CREEK METROPOLITAN DISTRICT NOS. 1 & 2	63
8.3.	SPRING VALLEY SANITATION DISTRICT	64
8.4.	SPRING VALLEY RANCH COMMUNITY MASTER ASSOCIATION, INC.....	64
8.5.	MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS.....	65
9.	RELATIONSHIP TO APPLICABLE LAND USE STANDARDS	66
9.1.	LAND USE AND DEVELOPMENT CODE: ARTICLE 4 - STANDARDS	66
9.1.1.	<i>Rezoning Criteria, Section 4-113.C</i>	66
9.2.	LAND USE AND DEVELOPMENT CODE: ARTICLE 6 – PLANNED UNIT DEVELOPMENT	67
9.2.1.	<i>Conformance with County Standards, Section 6-203.C</i>	67
9.2.2.	<i>Development Standards, Section 6-401</i>	68
9.3.	GARFIELD COUNTY LUDC: ARTICLE 7 - STANDARDS	69
9.3.1.	<i>Division 1: General Standards</i>	69
9.3.2.	<i>Division 2: Resource Protection Standards</i>	71
9.3.3.	<i>Division 3: Site Planning</i>	72
10.	RELATIONSHIP TO GARFIELD COUNTY COMPREHENSIVE PLAN	73
10.1.	FUTURE LAND USE.....	73
10.2.	GROWTH IN UNINCORPORATED COMMUNITIES.....	73
10.3.	GROWTH OF NEW MAJOR RESIDENTIAL SUBDIVISIONS.....	74
10.4.	URBAN GROWTH AREAS AND INTERGOVERNMENTAL COORDINATION.....	76
10.5.	HOUSING	76
10.6.	TRANSPORTATION	77
10.7.	ECONOMICS, EMPLOYMENT AND TOURISM.....	77
10.8.	RECREATION, OPEN SPACE AND TRAILS	78
10.9.	AGRICULTURE	78
10.10.	WATER AND SEWER SERVICES	79
10.11.	NATURAL RESOURCES.....	79
10.12.	MINERAL EXTRACTION.....	80
10.13.	RENEWABLE ENERGY	80

1. LIST OF APPENDICES

- A** Application Forms & Consent Letters
- B** Title Commitment
- C** Adjacent Property Owners & Mineral Owners
- D** Vicinity Map
- E** Conceptual Plan
- F** Impact Analysis
- G** Development Agreement
- H** Transportation Impact Study
- I** Existing Drainage & Flood Hazard Report
- J** PUD Plan Map
- K** PUD Guide (*including Community Housing Plan*)
- L** Schematic Engineering Plans
- M** District & Utility Service Letters
- N** Geologic Evaluation
- O** Legal Water Supply Report
- P** Water Supply and Distribution Plan
- Q** Wildfire Mitigation Report
- R** Fiscal & Economic Impact Report
- S** Covenants, Conditions & Restrictions
- T** Aquifer Sustainability Study
- U** Public Outreach Summary

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3. Overview

3.1. Purpose of PUD Amendment

The Applicant is seeking an amendment to the approved Spring Valley Ranch PUD to establish a new PUD Plan Map and PUD Guide to govern all future development of the property. This amendment is necessitated to bring the PUD Plan forward to modern standards using contemporary planning principles while better conforming to Garfield County’s current Comprehensive Plan goals and objectives. Some of the Applicant’s prioritized goals for this amendment are to maintain the same density in a more compact and clustered format, provide double the amount of Open Space, provide significant public amenities and benefits, provide protected wildlife areas, and provide a substantial number of deed-restricted Community Housing units for residents of Garfield County. This amendment also seeks to establish a Community Foundation, funded by a 2% real estate transfer fee, to benefit local Garfield County organizations and wildlife projects. The proposed amendment accomplishes these goals while significantly reducing required infrastructure and the overall footprint on the land. A comparison of the approved PUD Plan vs. the proposed PUD Plan is summarized in the table below.

APPROVED PUD PLAN		PROPOSED PUD PLAN
27% Open Space (1595 acres)	➔	55% Open Space (3249 acres)
0 Acres of Public Access	➔	A minimum of 450 Acres of Public Access
0 Acres of Wildlife Habitat Reserves	➔	1320 Acres of Wildlife Habitat Reserves
		Public Trailhead & Restrooms
No Public Amenities	➔	Public Mountain Biking Trails
		Public General Store
0 Affordable Housing Units for County Residents 75 Developer-Controlled Affordable Housing Units	➔	58 Affordable Housing Units for County Residents 17 Additional Affordable Housing Units
577 Dwelling Units (including 75 Affordable Units)	➔	577 Dwelling Units (including 75 Affordable Units)
0.2% Real Estate Transfer Fee	➔	2.0% Real Estate Transfer Fee & Community Foundation

In accordance with Section 6-203.A of the Land Use and Development Code (LUDC), Garfield County has determined this application to be a Substantial Modification to the PUD as evidenced by the Pre-Application Summary Letter signed on November 18, 2022. This PUD Amendment application demonstrates conformance with all requirements for a Substantial Modification to an approved PUD, including the applicable portions of:

- Section 4-113.C, Rezoning Review Criteria
- Section 6-202, PUD Zoning
- Section 6-203, PUD Zoning Amendment
- Table 6-301, Application Submittal Requirements
- Section 6-302, Description of Submittal Requirements
- Section 6-401, PUD Development Standards
- Section 7, Division 1, 2, & 3, Standards
- Article 8, Inclusionary Zoning for Housing
- Garfield County Comprehensive Plan

This report demonstrates conformance and compliance with all applicable submittal requirements, County Codes, Goals and Policies.

Table 1: Application Submittal Materials

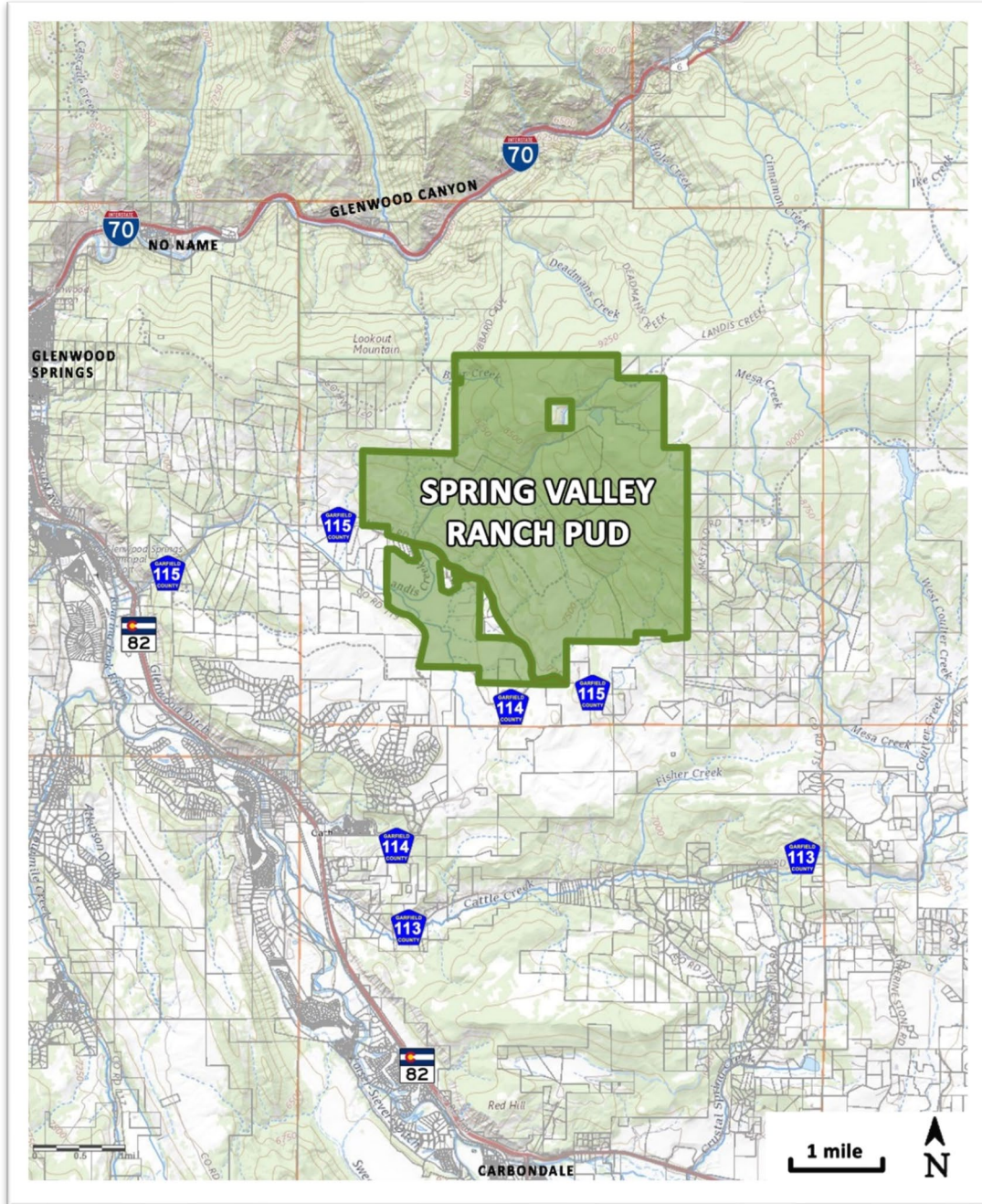
LUDC	PUD Amendment Application	Location in Application
General Application Materials, Article 4-203	Project Description	This Narrative
	Application Forms & Consent Letters	Appendix A
	Title Commitment	Appendix B
	Adjacent Property Owners & Mineral Owners	Appendix C
	Vicinity Maps	Appendix D
	Conceptual Plan	Appendix E
	Impact Analysis	Appendix F
	Development Agreement	Appendix G
	Transportation Impact Study	Appendix H
	Existing Drainage & Flood Hazard Report	Appendix I
LUDC	PUD Submittal Requirements	Location in Application
Description of Submittal Requirements, Article 6-302	PUD General Descriptions	Section 6.2
	PUD Technical Descriptions	Section 6.3
	PUD Plan Map	Appendix J
	PUD Plan Guide (including Community Housing Program)	Appendix K
	Amendment Justification Report	Section 6.6
Pre-App	Required per Pre-App Summary	Location in Application
Supplemental Materials per Pre-App. Letter issued 11/18/2022	Schematic Engineering Plans	Appendix L
	District & Utility Service Letters	Appendix M
	Geologic Evaluation	Appendix N
	Legal Water Supply Report	Appendix O
	Water Supply and Distribution Plan	Appendix P
	Wildfire Mitigation Report	Appendix Q
	Fiscal & Economic Impact Report	Appendix R
Other	Additional Material	Location in Application
	Covenants, Conditions, and Restrictions	Appendix S
	Aquifer Sustainability Study	Appendix T
	Public Outreach Summary	Appendix U

4. Existing Conditions

4.1. Location & Parcel Composition

The Spring Valley Ranch PUD is in the Roaring Fork Valley north of the Town of Carbondale and east of the City of Glenwood Springs in unincorporated Garfield County. The PUD encompasses 5,908.43 acres with the closest portion being about three miles east of Glenwood Springs. The PUD extends from the Spring Valley area in the south, towards the south rim of Glenwood Canyon on the north.

Figure 1: Vicinity Map (large format version in Appendix D)

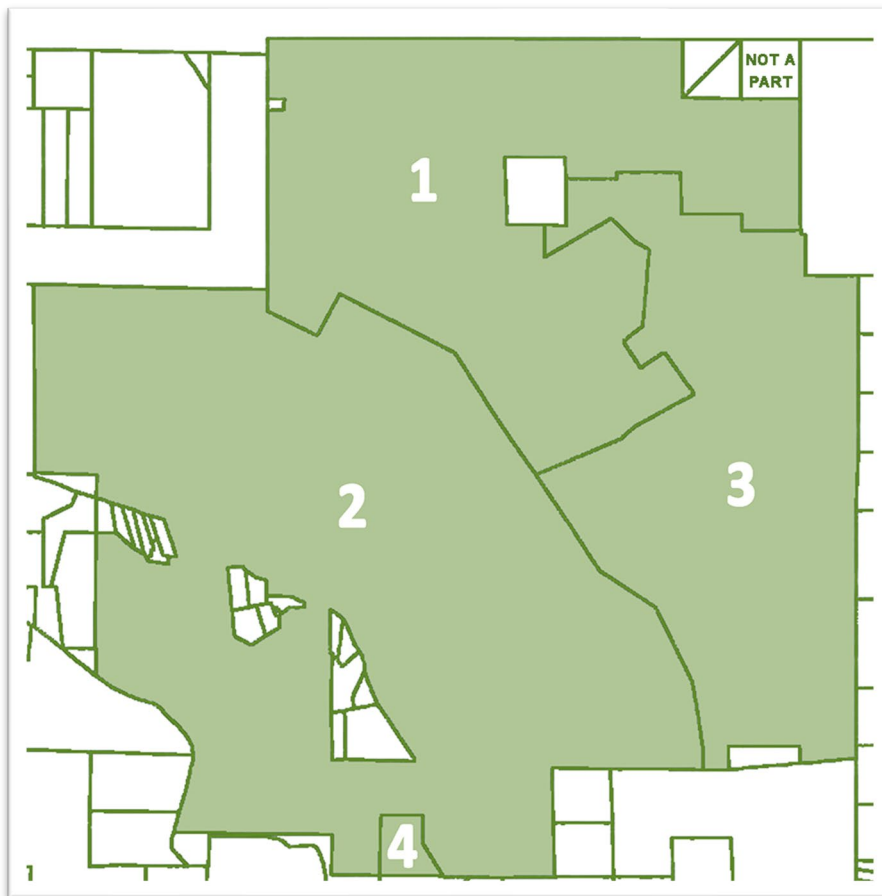


The PUD is currently comprised of four County tax ID parcels all of which are owned by Spring Valley Holdings, LLC. The following table provides a summary of each existing parcel.

Table 2: PUD Parcels

Map Key	Parcel No.	Acres	Current Use
1	218716100169	1583+/-	Agricultural, Wisconsin Cabin.
2	218720100168	2893+/-	Ranch house, ranch outbuildings & corrals, Hopkins Homestead (cabin), agricultural.
3	218726200168	1397+/-	Agricultural, Hopkins Reservoir.
4	218733100152	35+/-	Agricultural (Landis Creek Metro District Director's Parcel).
Total PUD:		5908.43	

Figure 2: PUD Parcel Map (data from Garfield County GIS)



4.1. Existing Conditions & Use

Spring Valley has been in agricultural production and ranching operations since the area was settled in the 19th century. The property consists of agricultural pastureland, high meadows, and mixed forests at the upper elevations. Large portions of the property are currently leased for cattle grazing operations. Improvements to the property include the ranch house and outbuildings located at 4000 CR 115, corrals, a spring house, the old Hopkins Homestead, the Wisconsin Cabin on the upper mountain, and the Hopkins Reservoir. Many miles of ranch roads and two-track roads traverse the property at all elevations.

Both natural and diverted water courses exist on the property. Landis Creek originates near the northeast corner of the property and traverses westward across CR 115 and ultimately down Red Canyon. The Hopkins Reservoir is on the northeast portion of the property and has the capacity to hold 113 acre-feet of storage and is filled with water from feeder ditches, melting snow, and drainage flow. The Spring Valley Ranch holds rights to 36 ground water wells, 14 of which have been constructed, and senior rights to Landis Creek.

4.2. Property Access

The property is primarily accessed from Highway 82 via County Road 114 (Spring Valley Road), with secondary access via County Road 115 (Red Canyon Road). The southernmost property boundary is near the intersection of these two county roads, approximately 1.5 miles northeast of the Colorado Mountain College (CMC) campus in Spring Valley.

Figure 3: Contextual Overview of the Spring Valley Ranch PUD property

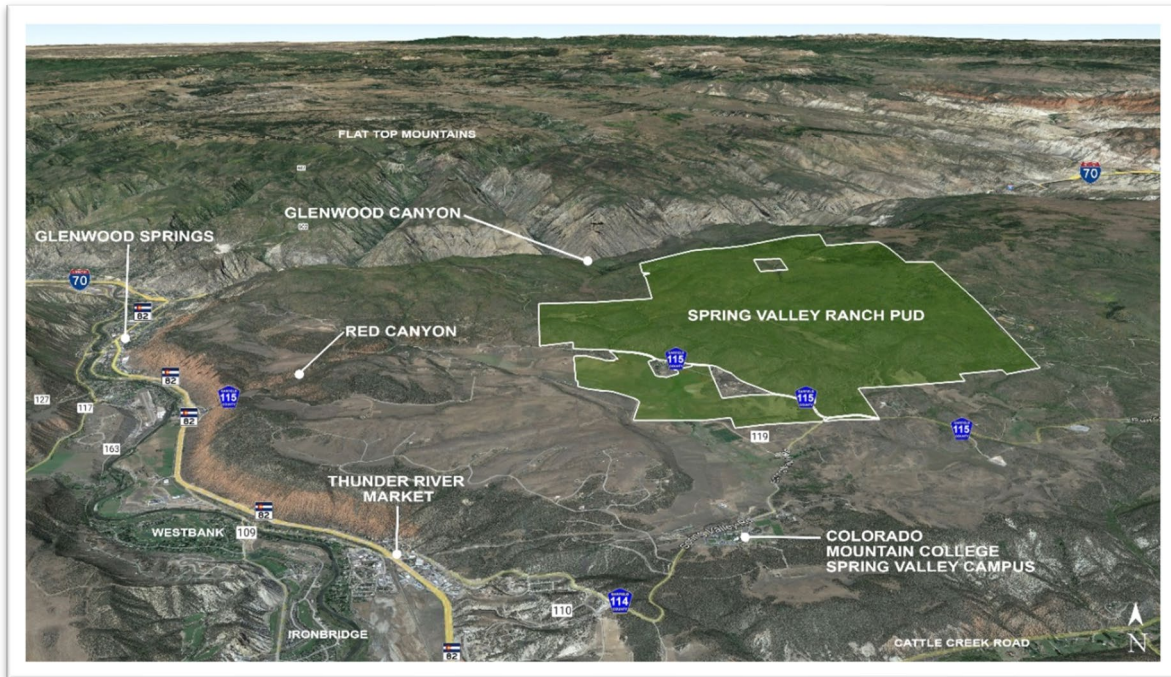


Figure 4: Adjacent Properties and Subdivisions (large format version in Appendix D)

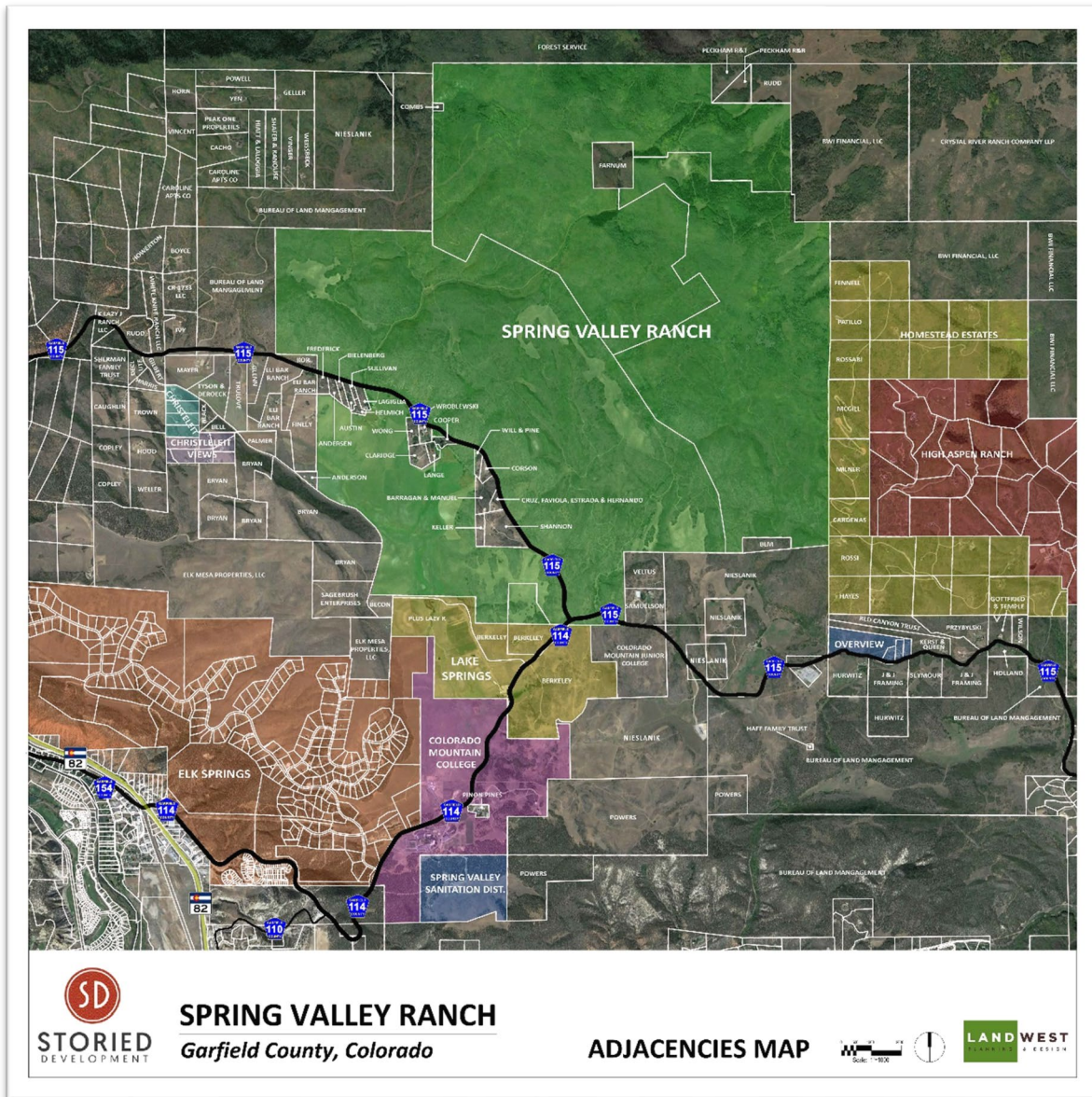


Figure 5: Looking north from intersection of County Roads 114 and 115



Figure 6: View of southwestern portion of property from CR115



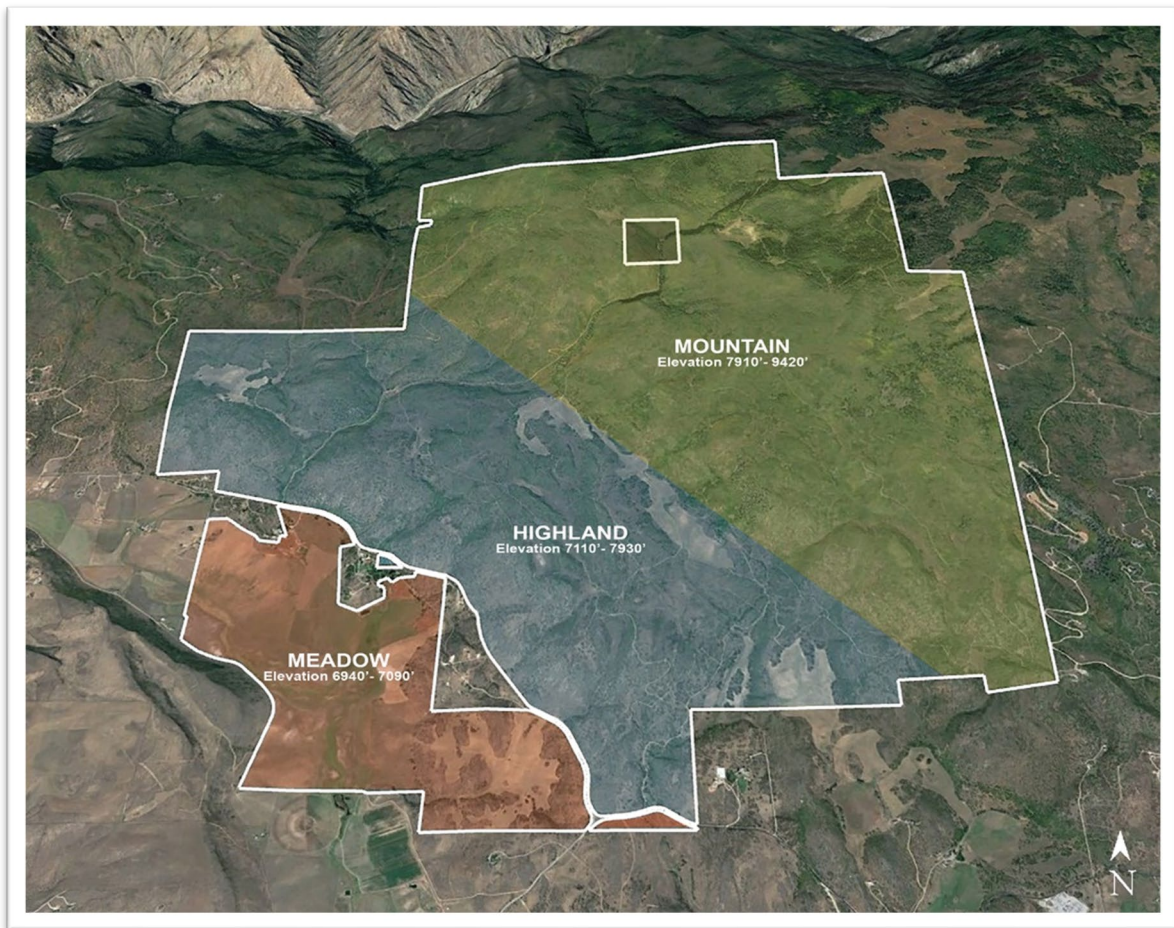
Figure 7: View of the primary property entrance from CR 115 looking north



4.3. Property Characteristics

The topography of the Spring Valley Ranch property generally slopes upward from southwest to northeast with an elevation change of over 2400 feet, from about 6900' in the southwest to 9300' elevation in the northeast. The vegetation profile is quite varied given the elevation range, and the dominant cover types on the property include irrigated grasslands, native grassland, mountain shrubland, aspen woodland, and mixed conifer. The property can generally be described as three rather distinct areas that are separated by moderately steep slopes vegetated with oak and sage brush at lower elevations and aspens and mixed conifer forests in the higher elevations.

Figure 8: Geographic Areas of the Property



The first area, or “Meadow” is generally in the southwestern portion of the property and consists of approximately 600 acres. This area largely consists of mountain shrubs, meadows and agricultural pastureland and has been in agricultural production and ranching operations since the area was settled in the 19th century. It is also where the existing ranch house is located at 4000 CR 115.

Figure 9: Existing Ranch House at 4000 CR 115



Figure 10: Looking west toward the Meadow area pasturelands



The second area, or “Highland,” is an undulating plateau of approximately 2,200 acres, perched roughly 400-700 vertical-feet above the valley floor. This portion of the property is largely invisible from County Roads 114 and 115 below, and contains a mix of gambel oak shrublands, sagebrush meadows, and agricultural pastures.

Figure 11: Looking south in Highland area toward Mount Sopris



Figure 12: Looking south in Highland area at existing pasturelands



Figure 13: Looking west in Highland area toward Sunlight Mountain



The third area is the alpine plateau, or “Mountain,” located in the north/northeast portion of the property and is the highest elevation of the three areas comprising approximately 3100 acres. It is forested with aspen and mixed conifers (spruce and fir) and interspersed with alpine meadows and contains the headwaters of Landis Creek and the Hopkins Reservoir. White River National Forest and Bureau of Land Management lands are adjacent to the northern and western boundaries of the property, respectively.

Figure 14: Hopkins Reservoir on the northeast portion of the Mountain area



Figure 15: Looking West from the northeastern corner of the property



Figure 16: Aspen groves in the Mountain area



4.4. Recent Property Improvements

4.4.1. Hopkins Reservoir

The Hopkins Reservoir dam was reconstructed in 2020. This project involved construction of a new Significant Hazard dam at the site of a previously breached structure. The newly constructed structure has a dam height of 25 feet and crest length of 700 feet. The reservoir created by the dam covers approximately 12 acres and has full storage capacity of 113 acre-feet at the emergency spillway crest elevation. The project was accepted for full storage by the Colorado Division of Water Resources on January 18, 2022.

4.4.2. Entrance Road Construction

Construction of a new 640' long entrance road into the property from CR 115 was completed in the spring and summer of 2022 in accordance with Garfield County Grading Permit No. GRAD-03-22-7397. The work associated with this permit constituted the start of construction for Phase 2 of the approved PUD in accordance with the Amended and Restated Development Agreement (Reception No. 894969). These improvements included accommodation for construction access, appropriate grading, drainage, erosion control, tracking control, revegetation, and an asphalt apron adjacent to County Road 115. The new road alignment is precisely aligned with Highgrange Pass (road) as approved with the Preliminary Plan in 2008 (Reception No. 747016) and is within what will ultimately become the right-of-way for Highgrange Pass.

5. Current Approvals

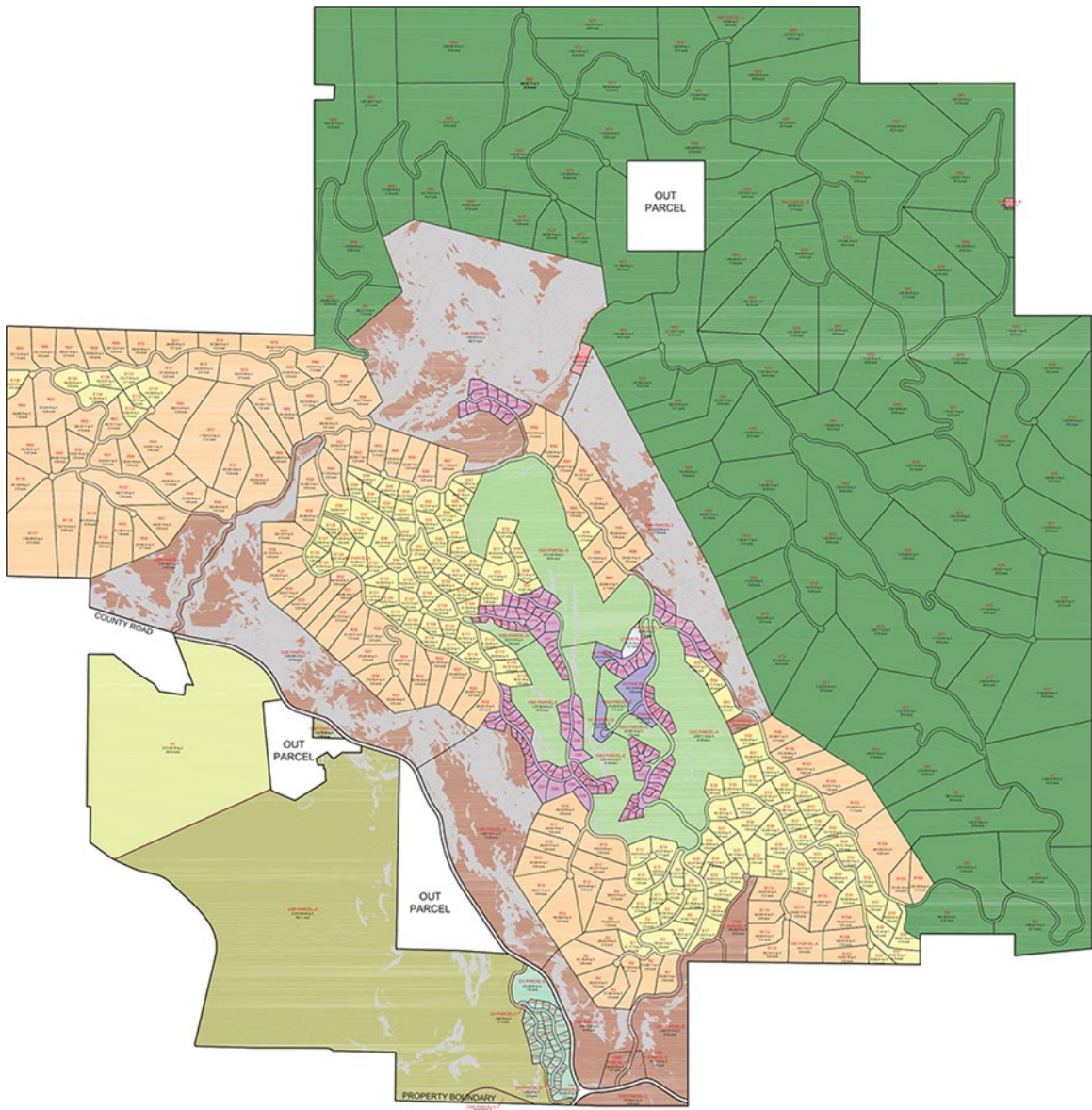
5.1. Summary of Approved Preliminary and PUD Plans

While the entitlements history for the property dates to the mid-1980's, Spring Valley Ranch was approved in its current form in 2008. The current approvals include 577 residential units, an 18-hole golf course and short golf course, and numerous non-residential supporting uses and structures. A chronological summary of relevant approvals is provided below.

Table 3: History of Relevant Approvals

Reception No.	Year	Document Type	Summary Description
747016	2008	Garfield County Resolution (2008-56)	Approved the Preliminary Plan for Subdivision with Conditions of Approval.
786990	2010	PUD Zone District Map	Established Zone Districts and allowed uses for the project.
786992	2010	Garfield County Resolution (2010-38)	Corrected a clerical error in Resolution No. 2008-55 (Reception No. 747015). Includes PUD Zone District Map, PUD Zone Districts Text and Design Standards, and Conditions of Approval.
793243	2010	Phase I Final Plat	Platted a Residential Pasture Lot, four open space lots and a section of Highgrange Pass Right-of-Way.
828064	2012	First Amended Plat of Phase 1	Vacated Highgrange Pass Right-of-Way from the Phase 1 Final Plat and moved it to Phase 2, conveying that land back to Applicant.
828065	2012	Phasing Map	Approved amended project Phasing Map.
828066	2012	Garfield County Resolution (2012-95)	Authorized execution of the Amended Final Plat, First Amendment to the Development Agreement, and approved an Amended Phasing Schedule and Amended Phasing Map. Vacated the Highgrange Pass Right-of-Way and conveyed that land back to Applicant.
894968	2017	Garfield County Resolution (2017-31)	Authorized execution of an Amendment to the Development Agreement and Authorized the Amended PUD Estimated Development Phasing Schedule.
894969	2017	Amended and Restated Development Agreement	Clean version of the Amended Development Agreement (Exhibit 2 of Resolution 2017-31).

Figure 17: Approved PUD Zone District Map. (Reception No. 786990)



The following table summarizes the currently allowed number of lots and parcels by Zone District, including a total of 577 allowed dwelling units (“DU”).

Table 4: Land Use Summary (from PUD Zone District Map, Reception No. 786990)

LAND USE SUMMARY									
ZONE DISTRICT	LOTS	PARCELS	TOTAL DWELLING UNITS (DU)	NON-RESIDENTIAL FLOOR SPACE	DU PER STRUCTURE/ MAX	OFF-STREET PARKING SPACES	ACRES IN ZONE	GROSS ZONE DENSITY	PERCENT OF PUD
R/P	1	0	1	Not to exceed maximum allowable in the PUD Zone District Standards	1	Minimum number of parking spaces as required by the PUD Zone District Standards	200.46	1 DU/ 200.46 AC	3.37%
R/M	90	2	90		1		2641.67	1 DU/ 29.35 AC	44.41%
R/R	121	1	121		1		901.38	1 DU/ 7.44 AC	15.15%
R/E	138	1	138		1		421.51	1 DU/ 3.05 AC	7.09%
R/C	132	0	132		2		103.71	1 DU/ 0.78 AC	1.74%
CH	35	4	75		6		30.42	1 DU/ 0.41 AC	0.51%
V/C	20	4	20		20		13.58	1 DU/ 0.71 AC	0.23%
LI	0	1	-				2.61	-	0.04%
OS/R	0	13	-				812.65	-	13.66%
OS/A/E	0	1	-				39.77	-	0.67%
OS/P	0	3	-				505.8	-	8.50%
OS/G	0	8	-				271.75	-	4.57%
U	0	2	-				2.91	-	0.05%
PUD TOTALS	536	40	577				5948.22		100%

It is important to note that in the above table the total PUD is shown as encompassing 5948.22 acres. At the time of this approval in 2010 the PUD included Parcel No. 218714200114, which is a 39.77-acre parcel at the far northeast corner of the PUD (see highlighted row in table above). This parcel is owned by W. Rudd and is zoned “Rural” on the Official Zone District Map of Garfield County (*Revision 53: 3/6/2017*). As a result, this property is no longer part of the Spring Valley Ranch PUD, and the PUD now stands at 5908.43 acres.

6. Proposed PUD Amendment

6.1. Amendment Requested

The Applicant is seeking an amendment to the approved Spring Valley Ranch PUD to establish a new PUD Plan Map and PUD Guide to govern all future development of the property. This amendment is necessitated to bring the plan forward to modern standards using contemporary planning principles while better conforming to Garfield County's current Comprehensive Plan goals and objectives.

6.2. General Description

Section 6-302.A.1 of the LUDC requires a written description of the proposal that addresses the following PUD general descriptions:

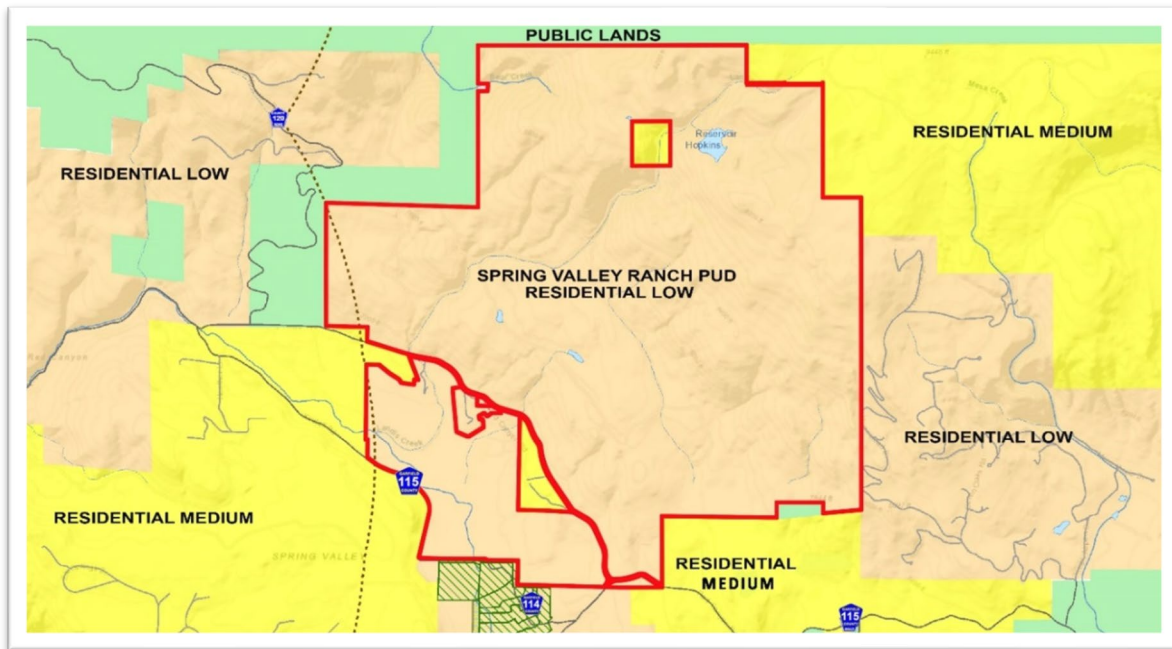
General project concept and purpose of the request.

The proposed amendment incorporates substantial modifications to arrive at a much more desirable land plan. The proposed plan maintains the approved density of 577 dwelling units in a more clustered format while more than doubling the amount of Open Space (from 1595 acres to 3249 acres), providing a minimum of 450 acres of publicly accessible Open Space, providing a new public trailhead and a minimum of 10 miles of new public mountain bike trails, providing 1320 acres of Wildlife Habitat Reserves, and conforming to the Residential Low (RL) density Comprehensive Plan designation of one (1) DU per 10 acres. The proposed plan also provides 58 units of deed-restricted Community Housing units for residents of Garfield County, and 17 deed-restricted Community Housing Units for employees within the PUD.

Explanation of how the PUD is in general conformance with the Comprehensive Plan.

The Comprehensive Plan designation for the property is Residential Low (RL), which prescribes a density of up to one (1) DU per 10 acres. The subject property is 5908.43 acres, and thus could support up to 590 dwelling units while maintaining conformance with the Future Land Use Map. The property is currently approved for up to 577 dwelling units and this application does not seek to change the density, therefore, the approved gross density is one (1) DU per 10.2 acres which conforms to the Future Land Use Map. The approved low density of this property combined with the increased open space (55%) contributes to compatibility with the other surrounding Residential Low and Residential Medium designated properties. Section 10 of this Narrative provides additional demonstration of how the proposed PUD Amendment is in general conformance with the Comprehensive Plan.

Figure 18: Comprehensive Plan 2030 Future Land Use Map



Description of how the proposed development departs from the otherwise applicable standards of this Code but meets the intent and purpose of this Article.

The proposed PUD Amendment meets the intent and purpose of a PUD Plan pursuant to Article 6 of the LUDC, including the provision of these PUD General Descriptions, PUD Technical Descriptions (Section 6.3), PUD Plan Map (**Appendix J**), and PUD Guide (**Appendix K**).

Relationship of the proposed PUD development to the existing land uses and adjacent property land uses.

The proposed PUD Amendment represents land uses that are nearly identical to the approved uses, although in a much more compact format with significantly increased Open Space. This increase in Open Space represents a substantial reduction in potential impacts to adjacent lands, particularly along the eastern (Homestead Estates), northern (USFS), and northwestern (BLM) boundaries of the PUD where Open Space buffers and Wildlife Habitat Reserves have been planned adjacent to all USFS lands and most BLM lands in the northern portion of the PUD. The PUD is otherwise surrounded primarily by Residential Medium (RM) density properties, and a smaller area of Residential Low (RL) density properties on the southeastern flank. Therefore, the approved gross density of the PUD is similar to or less than the prescribed density of adjacent private parcels.

Phasing and timing for the proposed development including the start and completion date of construction of each phase.

The proposed Development Agreement in **Appendix G** provides detail on the anticipated phases of development for the Spring Valley Ranch PUD and specifies the timeframe of vested rights. The project will be phased according to numbers of dwelling units and off-site infrastructure requirements per the following tables. Section 8 of the PUD Guide in **Appendix K** provides a detailed phasing plan for the deed-restricted Community Housing Units.

Table 5: Dwelling Unit Phasing

DWELLING UNIT PHASING			
Phases	Range of Number of Free Market Dwelling Units:	Range of Number of Community Housing Dwelling Units*:	Range of Total Dwelling Units by Phase:
Phase 0	1 to 1	0 to 0	1 to 1
Phase 1	73 to 89	11 to 13	84 to 102
Phase 2	68 to 84	10 to 12	78 to 96
Phase 3	89 to 109	13 to 15	102 to 124
Phase 4	67 to 81	10 to 12	77 to 93
Phase 5	80 to 98	12 to 14	92 to 112
Phase 6	50 to 61	7 to 9	57 to 70
Phase 7	24 to 30	5 to 7	29 to 37
Maximum Allowed Total DUs**	502	75	577
* The number of Community Housing Units shall comply with the minimum required proportionality to Free Market Units in accordance with the PUD Guide. The construction of Community Housing Units may be accelerated at any point in the Phasing Plan at the discretion of the Developer, without restricting the allowance to simultaneously plat or develop the maximum number of Free Market Dwelling Units as indicated for each Phase.			
** DUs means Dwelling Units. The total number of Dwelling Units for all Phases shall not exceed 577.			

Table 6: Off-Site Improvement Phasing

OFF-SITE IMPROVEMENT PHASING		
Phases	Improvement Description	Timing of Improvement
Phase A	Improvements to the intersection of State Highway 82 and County Road 114, including any transit, park and ride, and/or Rio Grande Trail improvements. *	Improvements shall be included as a component of the First Final Plat application and associated Subdivision Improvements Agreement, and shall be completed prior to the recording of the Third Final Plat provided that any required approvals or permits are not unreasonably withheld by CDOT or RFTA.
	Improvements to the intersection of State Highway 82 and County Road 115. *	
Phase B	County Road 114 Improvements: From the intersection of State Highway 82 to the intersection with County Road 110 (approx. 1.5 miles). **	Improvements shall be included as a component of the Second Final Plat application and associated Subdivision Improvements Agreement, and shall be completed prior to the recording of the Fourth Final Plat provided that any required approvals or permits are not unreasonably withheld by Garfield County.
Phase C	County Road 114 Improvements: From the intersection of County Road 110 to the eastern access of Colorado Mountain College (approx. 1.4 miles). **	Improvements shall be included as a component of the Third Final Plat application and associated Subdivision Improvements Agreement, and shall be completed prior to the recording of the Fifth Final Plat provided that any required approvals or permits are not unreasonably withheld by Garfield County.
Phase D	County Road 114 Improvements: From the eastern access of Colorado Mountain College to the main Spring Valley Ranch access at the intersection of County Road 115 and Highgrange Pass (approx. 1.6 miles). **	Improvements shall be included as a component of the Fourth Final Plat application and associated Subdivision Improvements Agreement, and shall be completed prior to the recording of the Sixth Final Plat provided that any required approvals or permits are not unreasonably withheld by Garfield County.
Phase E	County Road 115 Improvements: From the intersection of County Roads 114 and 115 to the Landis Creek access road for Spring Valley Ranch (approx. 2.1 miles). **	Improvements shall be included as a component of the Fifth Final Plat application and associated Subdivision Improvements Agreement, and shall be completed prior to the recording of the Seventh Final Plat provided that any required approvals or permits are not unreasonably withheld by Garfield County or CDOT.
* Improvements shall be based upon requirements of CDOT Access Permit. Transit, park and ride, and/or Rio Grande Trail improvements at the intersection of SH 82 and CR 114 shall be determined in collaboration between RFTA and the Developer and agreed upon in writing prior to approval of Preliminary Plan.		
** Improvements shall be based upon the Design Standards for an Off-Site County Road per Section 7.2 (Roadway Classification & Design Standards) of the Spring Valley Ranch PUD Guide.		

6.3. Technical Descriptions

Section 6-302.A.2 of the Land Use and Development Code requires a written description of the proposal that addresses the following items:

Method and calculation used to determine overall project and specific use type densities.

The Comprehensive Plan designation for the property is Residential Low (RL), which prescribes a density of up to one (1) DU per 10 acres. The subject property is 5908.43 acres, and thus could support up to 590 dwelling units while maintaining conformance with the Future Land Use Map. The property is currently approved for up to 577 dwelling units including 75 affordable housing units and this application does not seek to change the density, therefore, the approved gross density is one (1) DU per 10.2 acres which conforms to the Future Land Use Map. In addition to the currently approved residential density, the PUD is also approved for a variety of non-residential uses including (but not limited to) golf course, restaurant, athletic club, gas station, business offices, health and beauty services, equestrian facilities, pro shop, and overnight accommodations. The proposed amendment seeks to maintain many of the approved non-residential uses, which are listed in Section 6.2 (Land Use Schedule) of the PUD Guide in **Appendix K**.

The PUD shall demonstrate how common wastewater facilities will be controlled or governed by the future owners within the PUD.

The wastewater facilities will not be controlled or governed by the future owners within the PUD, rather, wastewater treatment will be provided by the Spring Valley Sanitation District (the "Sanitation District"). The Sanitation District operates the Spring Valley wastewater treatment facility located off CR 114 approximately 1.7 miles to the south of the Spring Valley Ranch PUD. The Sanitation District and the former owner of Spring Valley Ranch entered into a Pre-Inclusion and Wastewater Treatment Plant Development Agreement dated December 15, 1999, and recorded with the Garfield County Clerk and Recorder as Reception No. 587475 (the "PDA"). The PDA sets forth the terms and conditions of the Sanitation District's provision of wastewater treatment service and commits 646 EQRs of service to the Spring Valley Ranch PUD. In addition, the Sanitation District has approximately 150 EQR of "unallocated" service that may be utilized on the Property on a first come, first serve basis. The Sanitation District has substantial additional capacity in their wastewater treatment plant, as the plant was designed and constructed to serve the entire buildout of the Spring Valley Ranch PUD. The Sanitation District can and will serve the Spring Valley Ranch PUD as evidenced by a commitment to serve letter from the Sanitation District in **Appendix M**.

Method of adequately providing other necessary public utilities.

The PUD will be adequately served by utility providers, including Holy Cross Energy (electric), Black Hills (gas), and Centurylink/Lumen (communications). All necessary utilities will be located in platted Access and Utility Easements or Right of Ways. All necessary utilities are shown on the Schematic Engineering Plans in **Appendix L**, and commitment to serve letters are located in **Appendix M**.

Type or method of fire protection.

The Applicant will initiate a contract between the Landis Creek Metropolitan District and either the Glenwood Springs Fire Department or Carbondale & Rural Fire Protection District for the provision of fire protection and EMS services within Spring Valley Ranch, including the planned fire station to be centrally located in the Mixed Use Zone District within Planning Area D. This is discussed in detail in Section 7.11.2 of this Narrative Report. Section 7.8 of the PUD Guide in **Appendix K** addresses all fire protection requirements, including building construction materials, fire hydrant spacing, sprinkler requirements, water storage, and emergency access. The PUD Guide also addresses requirements for the provision of Emergency Vehicle Accesses (EVAs) in Sections 7.2 and 7.3. Additionally, the updated Wildfire Mitigation Report in **Appendix Q** provides a comprehensive framework for how the property will be appropriately managed for wildfire protection.

Description of whom or what entity shall be responsible for the provision of and payment for any facilities available to the community, including but not limited to open space, common areas, and structures.

All common facilities will be managed within the common interest community by the Landis Creek Metropolitan District or by the Spring Valley Ranch Community Master Association, Inc. (the "Association"). The Landis Creek Metropolitan District will generate property tax revenues for the operation and maintenance of the project's infrastructure including the water system, roads, parks, Open Space, trailheads, and other common facilities, in accordance with their approved Service Plan. The Association will assess membership dues to property owners within the PUD for the operation and maintenance of any Association owned property or facilities. Additionally, a voluntary 2% real estate transfer fee will be implemented providing funding for local wildlife projects and community partnerships such as affordable housing programs, schools and childhood education, and public trails planning and construction. Transfer fees related to lot sales are estimated to total \$20,000,000 in years one through 11. Transfer fees related to the resale of housing units are estimated to total \$47,840,000 and occur from year four through year 14. At full buildout, recurring transfer fees are estimated to average \$8,000,000 annually. See the Fiscal & Economic Impact Report in **Appendix R** for the complete estimate of transfer fee revenues. Section 7.2 of this Narrative Report provides a full summary of the proposed Real Estate Transfer Fee and Community Foundation.

Discussion of impacts on County services, schools, town services and any other unique operation that may be pertinent to a review of the proposed zone change and methods for mitigation.

The proposed dwellings units and non-residential uses on the property will provide an increase in assessed value and associated property tax revenues sufficient to fund any incremental increase in demand for County services. Annual property tax revenues are estimated to generate an average of \$8.8 million annually during the initial fifteen (15) year buildout. This amount includes an annual average of \$1.8 million for Garfield County, \$4.4 million for the Roaring Fork RE-1 School District, and \$1.3 million to the Fire District. See **Appendix R** for the complete Fiscal & Economic Impact Report. Section 7.15 of this Narrative Report also provides a detailed summary of Fiscal & Economic Impacts.

Based on the Roaring Fork RE-1 School District’s 2021 student generation rates, it is estimated that the project could generate up to 279 students (542 single family homes X 0.49 plus 35 multifamily homes X 0.38). However, the likelihood of reaching this number of students is quite low, as it is expected that a small percentage of homes within the project will be occupied by full-time residents. The school land dedication requirement would be 11.37 acres based on the calculations of 542 single family units and 35 multifamily units. In accordance with Section 7-404 the LUDC, the project will be subject to a school land dedication requirement or fee-in-lieu payment for the benefit of the Roaring Fork RE-1 School District at the time of each Final Plat.

Documentation showing legal access or documentation demonstrating the likelihood of achieving legal access.

The project’s access points will not change from that already approved. The property will have two primary access points to County roads – one near the intersection of CR 114 and CR 115 (the East Access), and another at the intersection of CR 115 and Landis Creek (the West Access).

The property is currently associated with one County access permit (No. GRB22-D-3) which allows access from CR 115 near the intersection with CR 114. This access included the construction of a new 640’ long entrance road into the property from CR 115 and was completed in the spring and summer of 2022 in accordance with Garfield County Grading Permit No. GRAD-03-22-7397. The work associated with this permit constituted the start of construction for Phase 2 of the approved PUD in accordance with the Amended and Restated Development Agreement (Reception No. 894969). These improvements included accommodation for construction access, appropriate grading, drainage, erosion control, tracking control, revegetation, and an asphalt apron adjacent to County Road 115.

6.4. PUD Plan Map

The proposed PUD Plan Map in **Appendix J** provides a geographic framework for future development of the property, which is delineated by Planning Areas, Wildlife Habitat Reserves, road alignments, Emergency Vehicle Accesses (EVAs), and the Hopkins Reservoir dam break inundation area. The project consists of eight (8) Planning Areas as described in the PUD Guide in **Appendix K**. The PUD Plan Map is intended to replace the currently approved “P.U.D. Zone District Map”, recorded at Reception No. 786990.

6.5. PUD Guide

The proposed PUD Guide in **Appendix K** provides an organized and comprehensive set of regulations to guide all future development within the PUD. The PUD Guide’s framework provides specific requirements and allowances for Planning Areas, Zone Districts, Overlay Areas, Allowed Land Uses, Development Standards, and the Community Housing Program. The PUD Guide is intended to replace the currently approved “Zone Districts Text and Design Standards”, recorded at Reception No. 786992.

6.6. Amendment Justification Report

General description of the amendment and any supporting information such as the proposed amendments to the PUD General Description, PUD Technical Descriptions, PUD Plan Map, and/or PUD Plan Guide.

Proposed amendments and supporting information are provided in Sections 6.2-6.5 above pursuant to Article 6.302.A (PUD Plan) of the LUDC, including the provision of the PUD General Descriptions (Section 6.2), PUD Technical Descriptions (Section 6.3), PUD Plan Map (**Appendix J**), and PUD Guide (**Appendix K**).

Evaluation of how the PUD either complies with the criteria in section 6-203.C. for a Minor Modification or how it does not comply with the criteria.

The proposed PUD amendment does not comply with the criteria for a Minor Modification, and the Director has determined that this request is a Substantial Modification to the approved PUD. This is evidenced by the Garfield County the Pre-Application Summary Letter signed on November 18, 2022.

7. Proposed Project Description

The Applicant is seeking an amendment to the approved Spring Valley Ranch PUD to establish a new PUD Plan Map and PUD Guide to govern all future development of the property. This amendment is necessitated to bring the PUD Plan forward to modern standards using contemporary planning principles while better conforming to Garfield County's current Comprehensive Plan goals and objectives. Some of the Applicant's prioritized goals for this amendment are to maintain the same density in a more compact and clustered format, provide more than double the amount of Open Space, provide significant public amenities and benefits, provide protected wildlife areas, and provide a substantial number of deed-restricted Community Housing Units for residents of Garfield County. This proposed amendment accomplishes these goals while significantly reducing required infrastructure and the overall footprint on the land.

7.1. Overall Plan Considerations

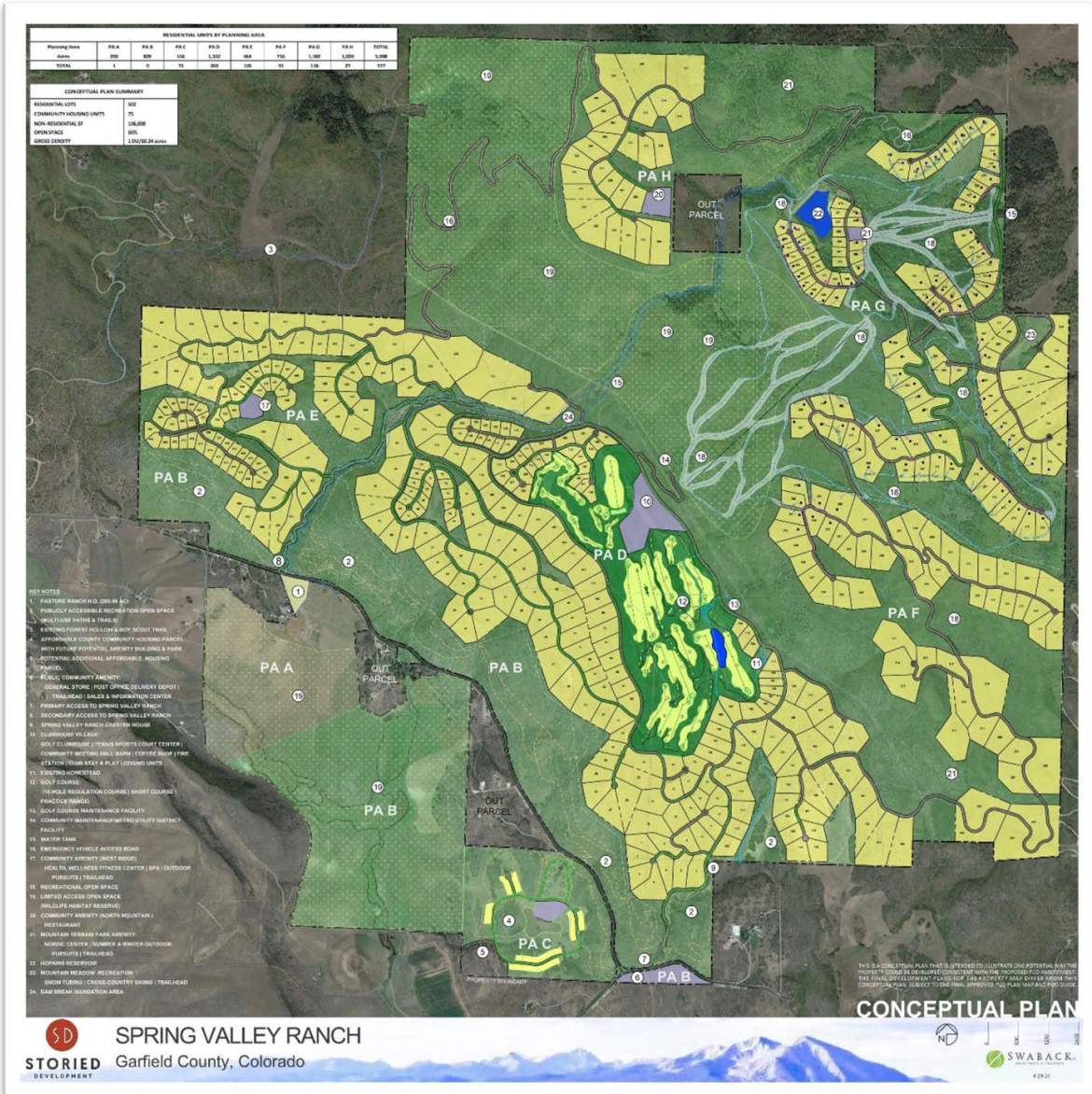
The primary intention of the proposed amendment is to provide a new land use framework which is far superior to the currently approved PUD. The currently approved PUD was conceptualized more than twenty years ago, and incorporated fewer considerations for land preservation, wildfire protection, wildlife habitat, affordable housing, public benefits, and infrastructure requirements than what would be considered under today's common planning conventions. By amending the PUD Plan, the resulting project will far outshine the currently approved plan and will be benefitted from current planning input from Garfield County, referral agencies, and the public to arrive at a PUD Plan that is consistent with current-day planning principles and land use considerations.

The proposed PUD Plan is generally focused on the provision of the currently approved land uses within a much smaller footprint. The Plan includes up to 577 dwelling units, along with similar non-residential land uses to those approved. The proposed PUD Plan also remains in conformance with the County's Future Land Use Map with a gross density of one (1) DU per 10.2 acres. The Plan will continue to allow for the provisions of a small central village area with golf facilities, including a club house, fitness center, fire station, maintenance facility, and supporting uses. The northwestern portion of the PUD will continue to allow low density residential uses although in a much more compact format, along with winter recreation facilities including allowances for a small private ski area, tubing hill, and Nordic skiing and snowshoeing trails. The western and southern portions of the PUD are intended to include vast areas of Open Space, a public trailhead and trails system, low-density residential uses, a Community Housing village, and a public general store.

Given the proposed development framework of the PUD Plan Map (**Appendix J**) and PUD Guide (**Appendix K**), the Applicant has prepared a Conceptual Plan which provides an example of how the limitations and allowances of the PUD Plan may be employed to arrive at a particular site plan. This example Conceptual Plan is provided on the following page and a large format version is contained in **Appendix E**.

Figure 19: Conceptual Plan (large format version located in Appendix E)

This is a conceptual plan that is intended to illustrate one potential way the property could be developed consistent with the proposed PUD amendment. The final development plans for the property may differ from this conceptual plan, subject to the final approved PUD Plan Map and PUD Guide.



7.2. Real Estate Transfer Fee and Community Foundation

A two percent (2%) transfer fee will be established on real estate sales within Spring Valley Ranch and will be collected and distributed to local organizations within Garfield County. Sales of finished single-family lots during the buildout and absorption period are projected to generate total transfer fee revenues of \$20 million, or approximately \$1.8 million annually during buildout. The resales of finished homes during the initial buildout and absorption period are projected to generate additional transfer fee revenues of \$47.8 million, or about \$3.2 million annually during buildout. Collectively, the SVR development is projected to generate about \$76 million in transfer fee contributions over the initial 15 years of the project. Once the development is fully completed, transfer fee contributions are expected to average \$8.0 million annually.

Transfer Fee Objectives

- Create a revolving source of funds to address community needs and assist organizations operating in Garfield County.
- Transfer Fees will benefit the following:
 - Wildlife Projects: A portion of the Transfer Fees (0.4% of each real estate net purchase price) will be allocated to wildlife projects. Wildlife projects will be determined by Colorado Parks and Wildlife, and may include:
 - Assist with the permanent conservation of wildlife habitat with comparable values to those previously found on Spring Valley Ranch, as close to the impacted wildlife as possible.
 - Fund habitat uplift projects.
 - Fund wildlife research or wildlife management efforts that the committee sees value in.
 - Fund enforcement of any wildlife measures adopted on the property, either by Garfield County as a Condition of Approval or through relevant board or oversight committee processes.
 - Funds should be deployed within Data Analysis Unit (DAU E-16) including Game Management Unit (GMU 444), and not limited to the property itself.
 - Include funding for code enforcement as a viable use of funds.
 - Garfield County-based community organizations defined as non-profits, local City, County, and Statewide government associations as well as educational institutions.

Transfer Fee Amount

- The Transfer Fee will be 2% of the net purchase price of all real estate sales (including developer inventory, homes, and resales – but excluding affordable housing units) within the Spring Valley Ranch PUD.
- Transfer Fees will be paid by the seller, and the obligation to pay the Transfer Fee will be documented in the Master Declaration of Covenants, Conditions and Restrictions for the Spring Valley Ranch PUD.
- The Fiscal & Economic Impact Report (**Appendix R**) estimates that the Transfer Fee will generate about \$76 million during the initial 15 years of the project.

Fund Management

The Western Colorado Community Foundation (the “WCCF”) serves seven counties in western Colorado, including Garfield County. WCCF will be the administrative and financial partner of the Transfer Fee program.

- WCCF will manage receipts of Transfer Fees and distribute funds through two grantmaking accounts to benefit:
 - Wildlife projects as directed by Colorado Parks and Wildlife (CPW) within Data Analysis Unit (DAU E-16) including Game Management Unit (GMU 444), and to develop wildlife education materials and/or facilities in Garfield County (the “Wildlife Fund”).
 - Garfield County-based or 501c3 non-profits or government equivalents working in Garfield County (the “Spring Valley Ranch Fund”).

Wildlife Fund:

- WCCF will work with CPW to distribute funds annually after eligible projects have been identified.

Spring Valley Ranch Fund for Garfield County:

- WCCF has a long-standing relationship with the Two River Community Foundation (2RCF) and manages the Two Rivers Unrestricted Endowment Fund (TRUE) for the benefit of Garfield County nonprofit organizations.
- WCCF will work with Spring Valley Ranch to establish a five-member grantmaking committee comprised of three (3) representatives appointed by the Declarant (then by the Association after turnover) and two (2) Garfield County residents.
- WCCF will provide all back office administrative support for applications review, due diligence, and distribution of funds to local nonprofit organizations.

Additional Considerations

- For each real estate closing, Transfer Fees will be paid by the seller (and shown on the settlement statement), collected by the title company, and remitted to WCCF.
- As noted above, a portion of the Transfer Fees will be allocated to wildlife projects within Data Analysis Unit (DAU E-16) including Game Management Unit (GMU 444); the remaining funds will be distributed to Garfield County-focused grant recipients, as determined by the Review Committee.
- Costs to operate and maintain the fund will be paid through Transfer Fees.
- It is the goal of this program to distribute funding in a timely manner to benefit the people, places, and wildlife in Garfield County. In partnership with CPW and the Review Committee, WCCF will work to distribute at least eighty percent (80%) of the Transfer Fees received in a calendar year by the end of the subsequent calendar year.

See **Appendix R** for the full Fiscal & Economic Impact Report.

7.3. Land Use Summary

The proposed PUD Guide in **Appendix K** provides an organized and comprehensive set of regulations to guide all future development within the PUD. The PUD Guide’s framework provides specific requirements and allowances for Planning Areas, Zone Districts, Overlay Areas, Allowed Land Uses, Development Standards, and the Community Housing Program. The PUD Guide is intended to replace the currently approved “Zone Districts Text and Design Standards”, recorded at Reception No. 786992. The following PUD Summary Table details the overall allowances and limitations of the proposed PUD Plan.

Table 7: PUD Summary Table

ITEM	QUANTITY
Total Acres	5908.43 +/-
Minimum Open Space Percent	55%
Minimum Open Space Acres	3249 +/-
Minimum Open Space open to Public Access	450 Acres +/-
Wildlife Habitat Reserves	1320 Acres +/-
Maximum Number of Dwelling Units (including Community Housing Units)	577
Minimum Number of Deed-Restricted Community Housing Units (at full build out)	75
Gross Density	1 DU per 10.2 Acres

7.4. Allowed Land Uses

The proposed land uses for the Spring Valley Ranch PUD are generally consistent with those approved under the current “Zone Districts Text and Design Standards”. Like the current zoning, the proposed PUD Plan allows for residential, retail, recreation, service, visitor accommodation, utilities, and accessory uses. Where the current proposal differs is that the proposed uses include additional provisions for public recreational facilities and amenities, Winter Recreation (including skiing) and Passenger Tramways (i.e. ski lifts). The complete schedule of proposed permitted uses by right is included in Section 6.2 of the PUD Guide in **Appendix K**.

7.5. Planning Areas

To create a viable and manageable long-term framework for the development of the property, this amendment is proposing the inclusion of eight Planning Areas as depicted on the PUD Plan Map (**Appendix J**) and as described in the PUD Guide (**Appendix K**). Each Planning Area is intended to provide for the compatible, functional, and enjoyable use of the lands contained within. Planning

Areas may be comprised of one or more Zone Districts and are intended to be organized such that the Zone Districts and associated land uses within each Planning Area are generally compatible.

7.6. Proposed Zoning

As proposed, the Spring Valley Ranch PUD will be comprised of nine Zone Districts that are intended to provide for the comprehensive compatibility of allowed land uses and development standards. The proposed PUD Guide requires that a Zoning Plan be provided at the time of each subdivision Preliminary Plan application to Garfield County, indicating the intended zoning for each lot or parcel. Section 4 of the PUD Guide (**Appendix K**) contains a full description of the proposed Zone Districts. The following section provides a summary of the proposed Zone Districts.

7.6.1. Residential Districts

The residential Zone Districts are primarily intended to allow for single-family residential and accessory uses, with the exception of the Community Housing District which would also allow two-unit and multi-unit dwelling types. Residential lot sizes generally range from 0.15 acres to more than 5 acres. Any allowed accessory uses and buildings are intended to relate to the primary residence, including garages, workshops, and other similar accessory uses. Accessory dwelling units (ADUs) are not allowed. Dimensional Limitations for each residential Zone District are provided in tabular format in Section 7.1 of the PUD Guide in **Appendix K**.

There are five proposed residential Zone Districts categorized according to approximate lot sizes and their corresponding dimensional limitations:

Pasture District (P): Intended to consist of one (1), 200 acre lot (existing ranch house)

Mountain District (M): Intended to consist of 5 acre lots and greater

Ranch District (R): Intended to consist of 2-5 acre lots

Estate District (E): Intended to consist of 0.25-2 acre lots

Community Housing District (CH): Intended to consist of lots from 0.15-0.25 or greater

7.6.2. Mixed Use District

The Mixed Use District (MU) is intended to allow a complementary range of commercial, residential, Community Facility, and amenity-based land uses. This Zone District is meant to be geographically located in certain areas of the PUD where central facilities and services are deemed most appropriate and accessible to a broad number of users. The primary purpose of this Zone District is to provide the main community amenities and services such as clubhouse/lodge; dining facilities; health and wellness facilities; event spaces; convenience services; retail stores; parking; fire station; community offices; and metropolitan district facilities. Dimensional Limitations for the Mixed Use District are provided in tabular format in Section 7.1 of the PUD Guide in **Appendix K**.

7.6.3. Open Space Districts

The proposed amendment will have a much lighter footprint on the land, incorporating a minimum of 55% (3249 acres) of Open Space, while the currently approved plan only provides 27% (1590 acres). Based on consultations with Colorado Parks and Wildlife, considerations have been made for the incorporation of 1320 acres (22% of the PUD) of Wildlife Habitat Reserves for the benefit of elk and mule deer winter ranges and elk production areas. The proposed PUD Plan incorporates a minimum of 450 acres of publicly accessible Open Space with the provision for a public system of mountain biking and hiking trails including a public trailhead. The Open Space Districts are to be designed in a continuous layout to allow for greater preservation of wildlife habitat and corridors and linked recreational opportunities. While the minimum Open Space requirement is proposed as 55% (3249 acres), it is anticipated that the total actual undisturbed open area may be over 75% (4431 acres) of the PUD. The Open Space areas will be comprised of three distinct Zone Districts as specified in the PUD Guide (**Appendix K**):

Open Space Golf (OSG):

The Open Space Golf District is intended to allow for one eighteen (18) hole golf course, one short golf course, and one golf driving range and other practice facilities such as a putting green and practice chipping area. This Zone District is also intended to allow for various supporting uses and structures such as cart storage; comfort stations; concessions; parking; pathways and trails; ponds; and other customary accessory uses and facilities.

Open Space Recreation (OSR):

The Open Space Recreation District is intended to allow for facilities and services related to supporting active and passive recreation uses, such as trails; trailheads; sport courts; sport fields; fishing and boating; Winter Recreation uses and facilities; parks; event facilities; community buildings; equestrian facilities; interpretative facilities; and other accessory uses or facilities. Public mountain biking and hiking trails will be in the Open Space Recreation District.

Open Space Limited (OSL):

The Open Space Limited District is intended to prioritize land preservation with minimal improvements or uses. Lands within this Zone District may be adjacent to public lands outside of the PUD, providing buffering to those public lands. Recreational uses within this Zone District are intended to be non-mechanized but may include trails for non-mechanized recreation. Intermittent mechanized maintenance, forestry and wildfire management activities will be allowed.

7.7. Overlay Areas

The PUD Guide in **Appendix K** includes provisions for two types of Overlay Areas. These Overlay Areas are neither Planning Areas nor Zone Districts but may overlay either. The purpose of the

Overlay Areas is to provide for special management of certain lands within the PUD, including the Wildlife Habitat Reserves (minimum 1320 acres) and the Public Access Areas (minimum 450 acres).

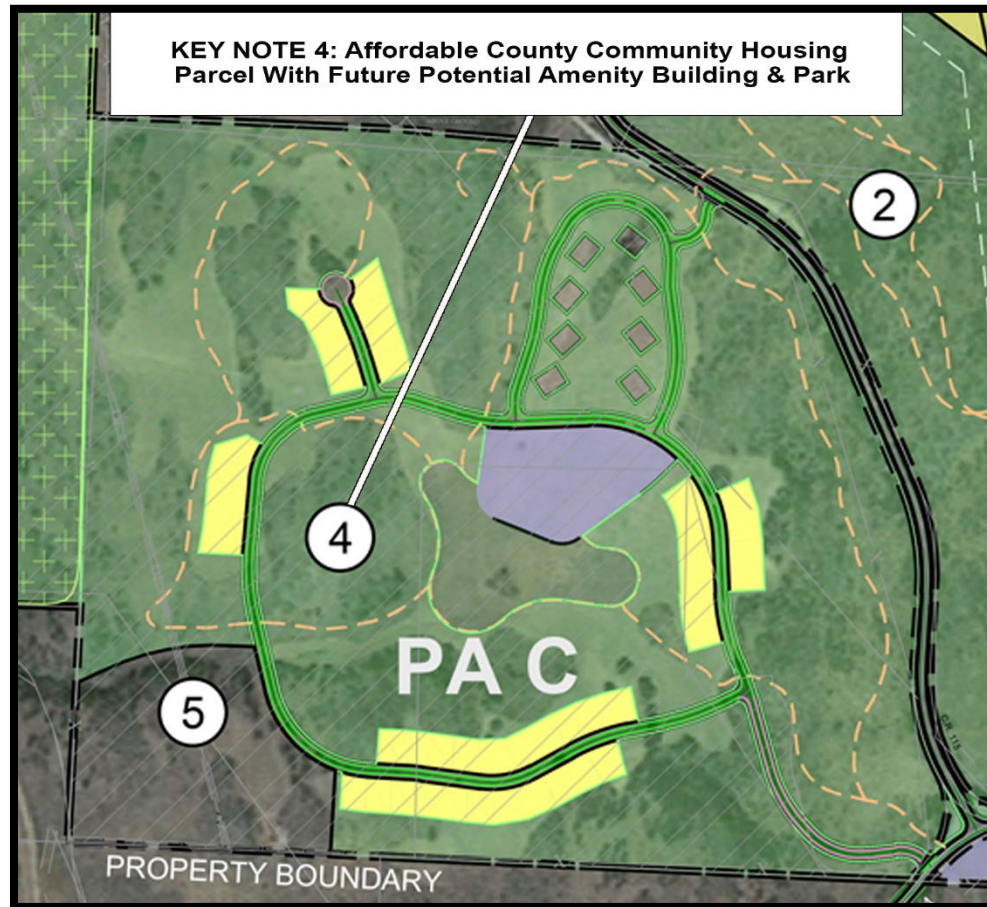
7.8. Community Housing Program

The current PUD was approved with the voluntary inclusion of seventy-five (75) deed-restricted, for-sale Community Housing Units. These units were to include a variety of typologies and price points targeting a range from 80% to over 120% AMI per the approved 2005 Community Housing Program. Importantly, the 2005 Community Housing Program stated that “Management of the Spring Valley Ranch PUD Community Housing will be administered by the Landis Creek Metropolitan District and/or the Spring Valley Ranch PUD Homeowners Association.” In other words, it appears that the applicant at that time desired to retain control of the Housing Units, rather than allowing the County to control the units and ultimately decide who was qualified to purchase such units.

The proposed PUD amendment is subject to the 2013 LUDC (as amended), specifically Article 8 as it relates to the provision of affordable housing. Today, the LUDC requires that any project proposing 15 or more lots or units located within Area 1 of the County (the southeastern portion of the County encompassing the unincorporated areas near Carbondale and Glenwood Springs) must provide affordable housing in an amount equal to 10% of the proposed lots or units. The project includes a total of 577 dwelling units; therefore, this proposal includes the provision of fifty-eight (58) deed-restricted Community Housing Units as required. These units will be subject to pricing and resident qualification requirements in accordance with County regulations. In addition to the fifty-eight (58) units being provided for County residents and workers, the Applicant is also proposing to include seventeen (17) Community Housing Units (assuming full build-out) that will be made available to eligible households designated by the Developer and verified as eligible by the Garfield County Housing Authority.

The total amount of Community Housing provided will equal 13% or seventy-five (75) dwelling units. These units will be located in Planning Area C and will include single family and multi-family homes. The complete Community Housing Program is provided as Section 8 of the PUD Guide in **Appendix K**.

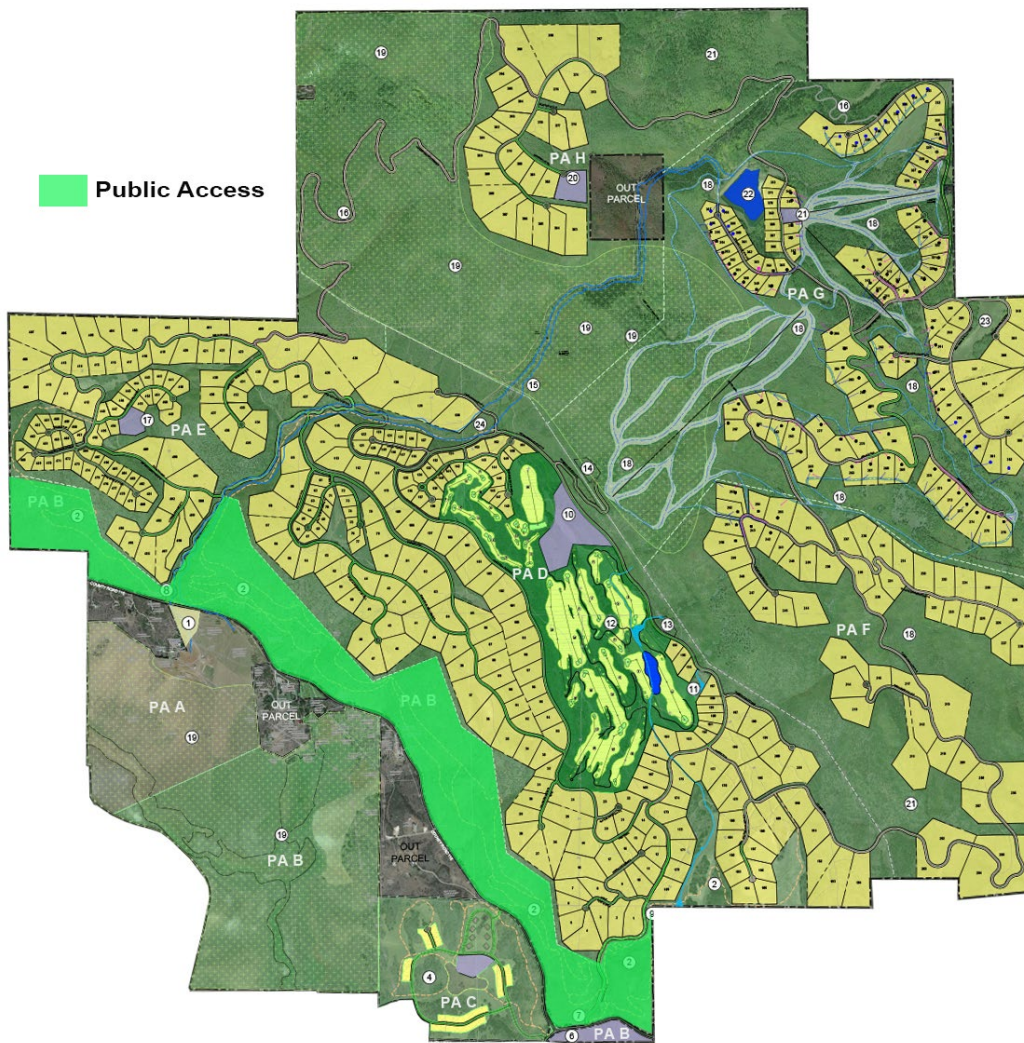
Figure 20: Community Housing Area



7.9. Public Access & Amenities

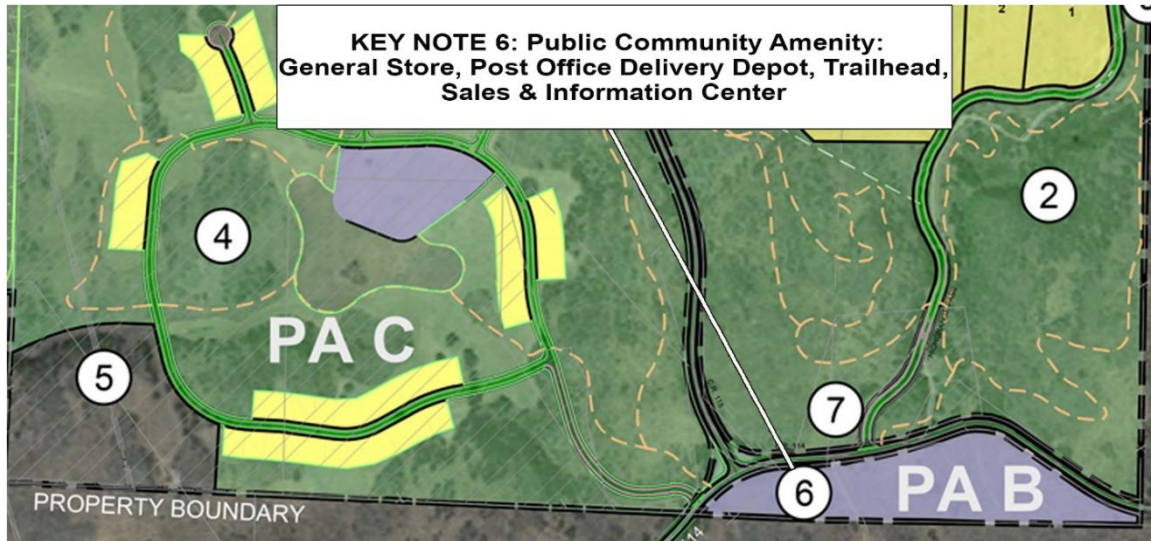
Considerable efforts were made during the planning process for the provision of on-site benefits for the public. As a result of those efforts, the PUD Plan includes the provision of a minimum of 450 acres of Open Space that will be available for public use and will include a minimum of 10 miles of public mountain bike and hiking trails as well as a public trailhead with restrooms. The proposed trails as shown of the Conceptual Plan (**Appendix E**) would ultimately connect to the popular Forest Hollow Trail (with BLM permission), which is adjacent to the northwest portion of the property. This connection would allow the public to ride from the new trailhead located near the intersection of CR 114 and CR 115, through the property to the Forest Hollow Trail and down the Boy Scout Trail to Glenwood Springs. The project team has consulted with the Roaring Fork Mountain Bike Association (RFMBA) regarding the overall trail concept, and we would seek their continued involvement in the ultimate planning and design of the new trail system. The following [Figure 20](#) indicates the public access areas in dark green.

Figure 21: Public Access Area Map



Additional publicly accessible amenities will include a general store and associated parking located in Planning Area B near the intersection of CR 114 and CR 115. The general store is intended to include basic grocery provisions, a deli, and coffee shop and will be designed to serve not only residents of the Spring Valley Ranch property but also the larger community including Colorado Mountain College, Elk Springs, High Aspen Ranch, and Homestead Estates. The provision of the general store would provide a convenient resource for the local neighborhood while helping to reduce traffic trips to State Highway 82 for local residents to procure basic daily needs.

Figure 22: General Store & Public Trailhead Location



7.10. Access & Circulation

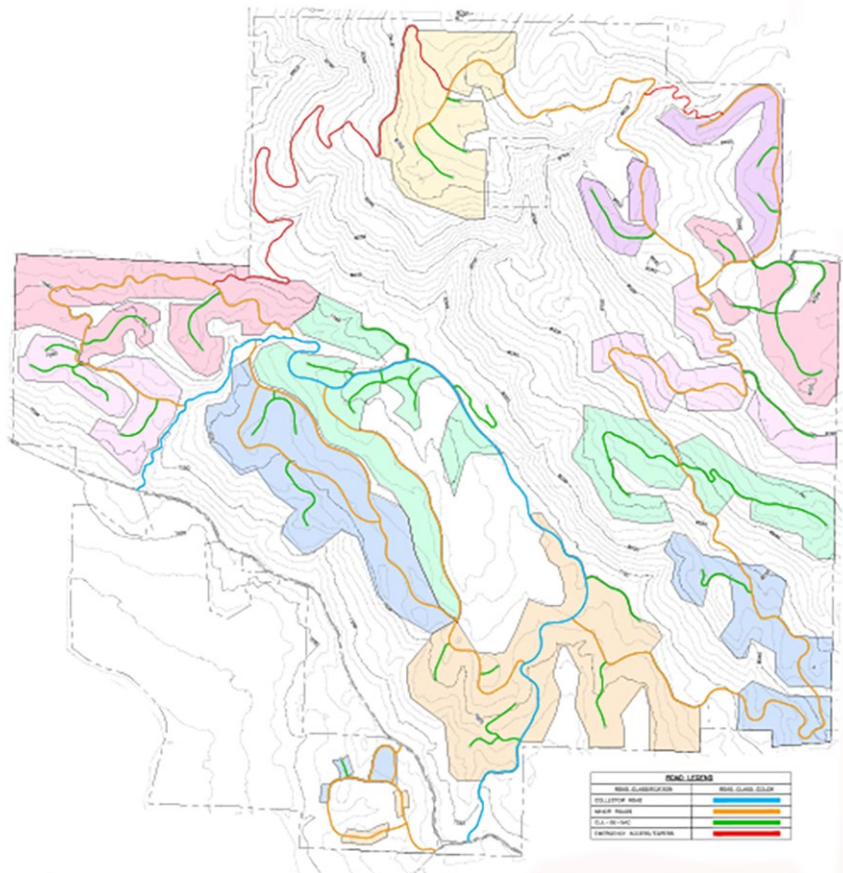
The property is primarily accessed from Highway 82 via County Road 114 (Spring Valley Road), with secondary access via County Road 115 (Red Canyon Road). The southernmost property boundary is near the intersection of these two county roads, approximately 1.5 miles northeast of the Colorado Mountain College (CMC) campus in Spring Valley.

The project's access points from the County roads will not change from that already approved. The property will have two primary access points to County roads – one near the intersection of CR 114 and CR 115 (the East Access), and another at the intersection of CR 115 and Landis Creek (the West Access). The property is currently associated with one County access permit (No. GRB22-D-3) which allows access from CR 115 near the intersection with CR 114. This access included the construction of a new 640' long entrance road into the property from CR 115 and was completed in the spring and summer of 2022 in accordance with Garfield County Grading Permit No. GRAD-03-22-7397. The work associated with this permit constituted the start of construction for Phase 2 of the approved PUD in accordance with the Amended and Restated Development Agreement (Reception No. 894969). These improvements included accommodation for construction access, appropriate grading, drainage, erosion control, tracking control, revegetation, and an asphalt apron adjacent to County Road 115. The Applicant was not required to study County Road 110, although the Applicant has proposed options to County staff for the placement of appropriate signage on CR 110 to support local resident traffic only.

Internal roads have been designed using an appropriate hierarchy of road standards that were informed by both current LUDC road standards and AASHTO's guidelines for Geometric Design of Low Volume Roads. Proposed road geometry has been designed per projected average volumes and for safe operations using indicated design speeds, but also with consideration for minimizing impacts (cut & fills) in a mountain environment setting. The resulting proposed internal road standards are provided in Section 7.2 of the PUD Guide (**Appendix K**) and include three road types, two driveway

types, and Emergency Vehicle Accesses (EVAs). All roads will be located within platted rights-of-way or easements at the time of each final plat.

Figure 23: Road Classifications Plan (large format version located in Appendix L)



A Transportation Impact Study (**Appendix H**) was prepared for the project with scoping input from both CDOT and Garfield County Staff. While the project is anticipated to generate a total of 5,703 trips over the course of an average weekday, it is important to understand that this represents a very conservative (high) estimate. Due to the standardized nature of traffic studies, they do not account for certain unique factors such as part-time residency. The Transportation Impact Study assumes that every residence will be occupied full time, which is not likely. It is planned and expected that not all homes within the project will be occupied by full-time residents, except for the seventy-five Community Housing Units. A second factor affecting the reported trip generation is that the Study assumes that most residential vehicle trips will be leaving the property. This is certainly not the case, as many vehicle trips will remain internal to the project. Residents may drive from their on-site home to the on-site golf course, multiple restaurants, general store, postal services, winter recreation, spa services and/or fitness center, thereby not generating any vehicle trips on the external road network. It is for these reasons that we believe the projected traffic volumes on external roads are

unrealistically high, and that the actual external traffic volumes may be as much as 50% lower than forecast.

Based on the Transportation Impact Study, new State Highway Access Permits will be required for the intersection of SH 82 and CR 114 (Spring Valley Road), and for the intersection of SH 82 and CR 115 (Red Canyon Road). The schematic lane configuration for the intersection of SH 82 and CR 114 (Spring Valley Road) can be found on Sheet 8 of the Schematic Engineering Plans in **Appendix L**.

The project is located 4.5 miles away from the nearest RFTA bus station, therefore is not directly served by RFTA transit or park and rides. Any physical impacts to RFTA facilities resulting from improvements to intersection of SH 82 and CR 114 will be addressed at the time of the first Final Plat, as specified in the Phasing Plan which is Exhibit 2 of the Development Agreement in **Appendix G**. The specified language in the Phasing Plan states as follows:

“Transit, park and ride, and/or Rio Grande Trail improvements at the intersection of SH 82 and CR 114 shall be determined in collaboration between RFTA and the Developer and agreed upon in writing prior to approval of Preliminary Plan.”

7.11. Water Supply- Aquifer

On average the estimated annual recharge of the Spring Valley Aquifer (SVA) is 3,942 acre-feet based on climate data collected from 1991-2020. The estimated depletion is 1,263 acre-feet for the entirety of the SVA users (not just the project), the recharge of the SVA is three times the estimated depletion. The recharge area of the SVA is approximately 15.4 square miles with a total of 68,000 to 105,000 acre-feet of storage capacity. The total water demand for the amended PUD is 1,221 acre-feet annually, with an estimated depletion rate of 688 acre-feet annually. These estimates are conservative as Landis Creek surface water rights will be used for raw water usage on the property, reducing the demand on the SVA. The water demand for the proposed amended PUD is less than the approved PUD, providing greater efficiency to water usage. The full Spring Valley Aquifer Sustainability Study can be found in **Appendix T**.

7.12. Utilities

Adequate utilities are available to serve the Spring Valley Ranch PUD as proposed. Schematic Engineering Plans have been prepared for each necessary utility and are provided in **Appendix L**. Commitment to serve letters are located in **Appendix M**. All new utility lines will be buried in accordance with LUDC standards.

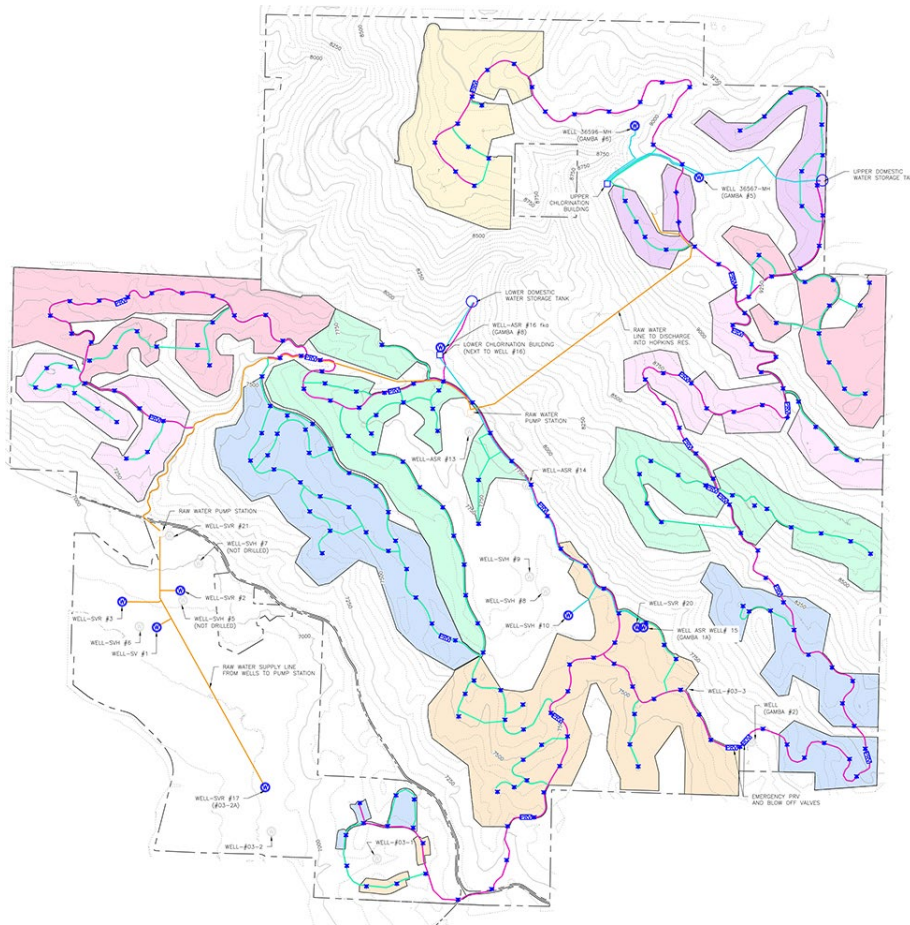
7.12.1. Potable Water System

The Landis Creek Metropolitan District will obtain necessary CDPHE permitting and will operate the potable water system within the project in accordance with CDPHE regulations for a community water system. The potable water system can utilize up to 36 permitted ground

water wells to serve all domestic uses and limited irrigation demands. The property is allowed up to 473 acre-feet of use per the augmentation plans. The proposed projected demands are 408 acre-feet, or only 86 % of the allowed augmented use. The permitted consumptive use of potable water is 177 acre-feet, while the projected consumptive use is 92 acre-feet, or only 52% of the allowed amount. The Legal Water Supply Report in **Appendix O** demonstrates the legal availability of water, and the Water Supply and Distribution Plan in **Appendix P** demonstrates the physical supply, including pump test and water quality results.

The community water system has been schematically designed in such a way that it can be easily phased to accommodate buildout of the PUD over multiple years. The water system consists of two separate systems, an upper system, and a lower system due to the large elevation changes between wells, tanks, and the layout of the project. The two-tiered system design will reduce required infrastructure and ultimately simplify operations. A schematic design of the potable water system is included in the Schematic Engineering Plans in **Appendix L**.

Figure 24: Schematic Water System Plan (large format version located in Appendix L)



7.12.2. Raw Water System

The property is associated with senior water rights for Landis Creek including the Kendall and Stricklett Ditch, and Landis Ditch Nos 1 and 2, O.K. Ditch, Forker and Gibson Ditch, and Frank Chapman Ditch with a total of 12.0 c.f.s., which has historically been used to irrigate up to 300 acres. The property also includes rights to the Hopkins Ditch, a diversion from Landis Creek with rights decreed for 3.0 c.f.s., which has been used to irrigate up to 150 acres. The property also has rights to three springs totaling 0.1648 c.f.s. The Legal Water Supply Report in **Appendix O** demonstrates the legal availability of raw water.

The raw water system will include irrigation for golf course areas, some Open Space areas, driving range, clubhouse areas, and snowmaking. The augmentation plan allows for up to 984 acre-feet of raw water use and the amended PUD's projected demand is 813 acre-feet, representing only 82% of the allotted usage. The allowed consumptive use of raw water is 797 acre-feet, while the projected consumptive use is 596 acre-feet, representing only 75% of the allowed total. A schematic design of the raw water system is included in the Schematic Engineering Plans in **Appendix L**.

7.12.3. Sewer System

Wastewater treatment will be provided by the Spring Valley Sanitation District. The Sanitation District operates the Spring Valley wastewater treatment facility located off CR 114 approximately 1.7 miles to the south of the Spring Valley Ranch PUD. The Sanitation District and the former owner of Spring Valley Ranch entered into a Pre-Inclusion and Wastewater Treatment Plant Development Agreement dated December 15, 1999 and recorded with the Garfield County Clerk and Recorder as Reception No. 587475 (the "PDA"). The PDA sets forth the terms and conditions of the Sanitation District's provision of wastewater treatment service and commits 646 EQRs of service to the Spring Valley Ranch PUD. In addition, the Sanitation District has approximately 150 EQRs of "unallocated" service that may be utilized on the Property on a first come, first serve basis. The Sanitation District has substantial additional capacity in their wastewater treatment plant, as the plant was designed and constructed to serve the entire buildout of the Spring Valley Ranch PUD. The sewer system has been schematically designed in accordance with the Rules and Regulations of the District, and the system will tie into an existing 15" gravity main located at the southeast portion of the Spring Valley Ranch property. This gravity main was designed and installed to accommodate the full build-out of Spring Valley Ranch and was installed from the property to the wastewater treatment plant. The Sanitation District can and will serve the Spring Valley Ranch PUD as evidenced by a commitment to serve letter from the Sanitation District in **Appendix M**.

7.12.4. Electricity

Holy Cross Energy will provide electric service the entire PUD, and they have provided a commitment to serve letter located in **Appendix M**. Holy Cross has provided their engineering design to the Applicant's project engineers, including all underground routing, switch gears and

transformers. A schematic design of the electric system is included in the Schematic Engineering Plans in **Appendix L**.

7.12.5. Natural Gas

Black Hills Energy will provide natural gas service to the entire PUD. A new 6" high pressure gas main will be installed under CR 114 starting near CMC and terminating within the southern portion of the property. From this point, a regulator will be installed transitioning to a 4" low pressure main distribution system to serve all areas of the project. A schematic design of the gas system is included in the Schematic Engineering Plans in **Appendix L**.

7.12.6. Communications

Lumen/CenturyLink will provide communications service and has provided a commitment to serve letter located in **Appendix M**. The Applicant will be installing all necessary communications conduits to the entire PUD, within which Lumen/CenturyLink will install their lines and associated equipment. A schematic design of the communications system is included in the Schematic Engineering Plans in **Appendix L**.

7.13. Wildfire Mitigation & Fire Protection

The Spring Valley Ranch PUD has been the subject of exhaustive analyses of both wildfire mitigation and fire protection. These prior studies have resulted in robust requirements for the development of the property and have informed the proposed wildfire and fire protection standards of this amended PUD Plan. The Applicant is not proposing any reductions in fire standards based on what is currently approved, and in some cases (e.g., defensible space) this PUD Plan proposes a higher, more rigorous, level of standards.

7.13.1. Wildfire Mitigation

This application includes an updated Wildlife Mitigation Report (Appendix Q), which specifically analyzes the Conceptual Plan as related to fire behavior modeling and provides recommended mitigation practices in the creation of a "Fire Adapted Community". These updated mitigation practices include defensible space for homes and common buildings, extended defensible space easements, evacuation route enhancements, roadside thinning, riparian enhancement, and annual mowing. It is intended that the recommended mitigation strategies will become a component of an updated Master Declaration at the time of the first final plat. This will be consistent with the currently recorded Master Declaration (Appendix S), which incorporates the former Wildfire Mitigation Report in Article X.

The recommendations of the Wildfire Mitigation Report include geographic fuel breaks adjacent to planned neighborhoods in combination with requirements for residential defensible space. The Report indicates that the use of these fuel breaks is the most effective preventive solution to wildfire events. The clearing of vegetation for ski runs and snowmaking will also provide fuel breaks that are a crucial component of the wildfire mitigation efforts. It is intended that any

snowmaking infrastructure can be re-purposed and pre-positioned during wildfire season to be available and ready for operation to wet the adjacent fuels in the event of a wildfire. The planned golf course is an essential component of the fuels reduction plan as well as providing a designated emergency assembly area. In meetings with Garfield County Emergency Management Staff, they have indicated that the planned golf course and clubhouse will serve as an appropriate evacuation site. Depending on weather and other factors at the time of a wildfire event, it could be deemed more appropriate by Emergency Managers to evacuate further, in which case CR 114 would be the main evacuation route. The planned improvements to CR 114 to bring it up to County code, and the intersection improvements at SH 82 will greatly increase the capacity and safety of the local roadway system. Spring Valley Ranch plans to be an active member in the Garfield County Emergency Management group in the coordination and planning for emergency events.

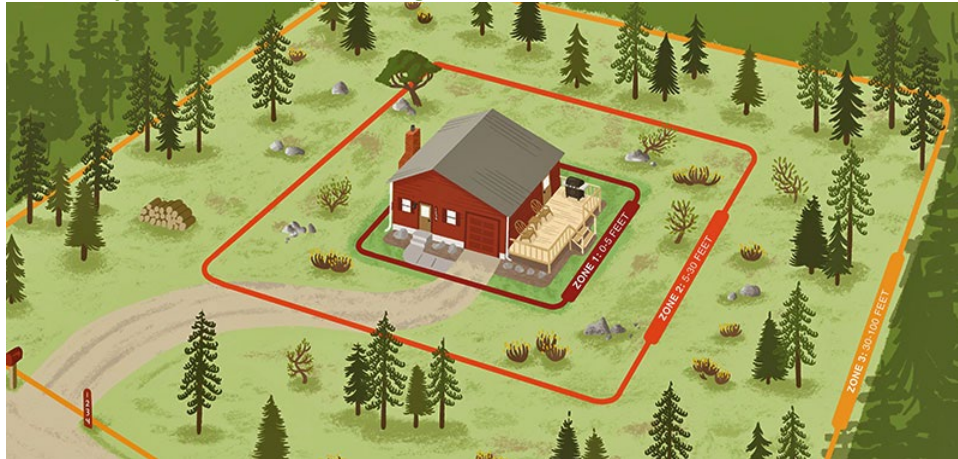
The Report indicates that the water supply configuration is sufficient for structure protection and wildfire suppression, and ample fill sites (pressurized hydrants) will be available. The existing Hopkins Reservoir and proposed reservoir on the golf course can also serve as helicopter dip sites. Project-wide vegetation restoration treatments include the maintenance of meadows, strategic fuel breaks to reduce vegetation density primarily through selective cutting to remove undesirable species and retention of mature healthy plants, and implementation of prescribed burning where feasible. Access standards will adhere to the 2021 Wildland Urban Interface Code, which specifies reasonable and practical access standards for areas within the urban-wildland interface.

The following mitigation measures are proposed by the Wildlife Mitigation Report:

Defensible Space

All homes and common buildings will be required to develop and maintain defensible space. Defensible space includes the use of vegetative management that removes flammable fuels from around a structure to reduce exposure to radiant heat. The flammable fuels may be replaced with green lawn, gardens, certain individually spaced green, ornamental shrubs, individually spaced and pruned trees, decorative stone or other non-flammable or flame-resistant materials.

Figure 25: Example Defensible Space Diagram



Defensible Space Easements

All lots with a downhill exposure, significant fire hazard and adjacent to common open space will have a Defensible Space Easements, platted, and accepted in covenants. This area will allow homeowners to extend and maintain their defensible space beyond their property line if an extended distance is required. This area will be covenant restricted to any dumping or disposal of combustible materials or yard waste.

Fuel Treatments

Fuel Breaks. Five types of fuels reduction treatments will be provided for the development. The intent is to reduce the intensity and rate-of-spread of the fire. The fuel breaks are located in areas where the fire behavior is most affected by topography, prevailing and or continuous fuels. These areas should be delineated as Fuels Reduction Easements on the final plat map and in the development's covenants.

Annual Mowing. Mitigation in fuel model GS1, mixed sage and grass, can often be accomplished by a Hydro-Axe or industrial mower. Annual maintenance of the Sage may only be needed for the first few years. After the Sage has been successfully retarded, the grass can be mowed by more conventional means. This fuels reduction project creates a "line of defense" to help prevent a grass fire from moving into a more hazardous fuel profile.

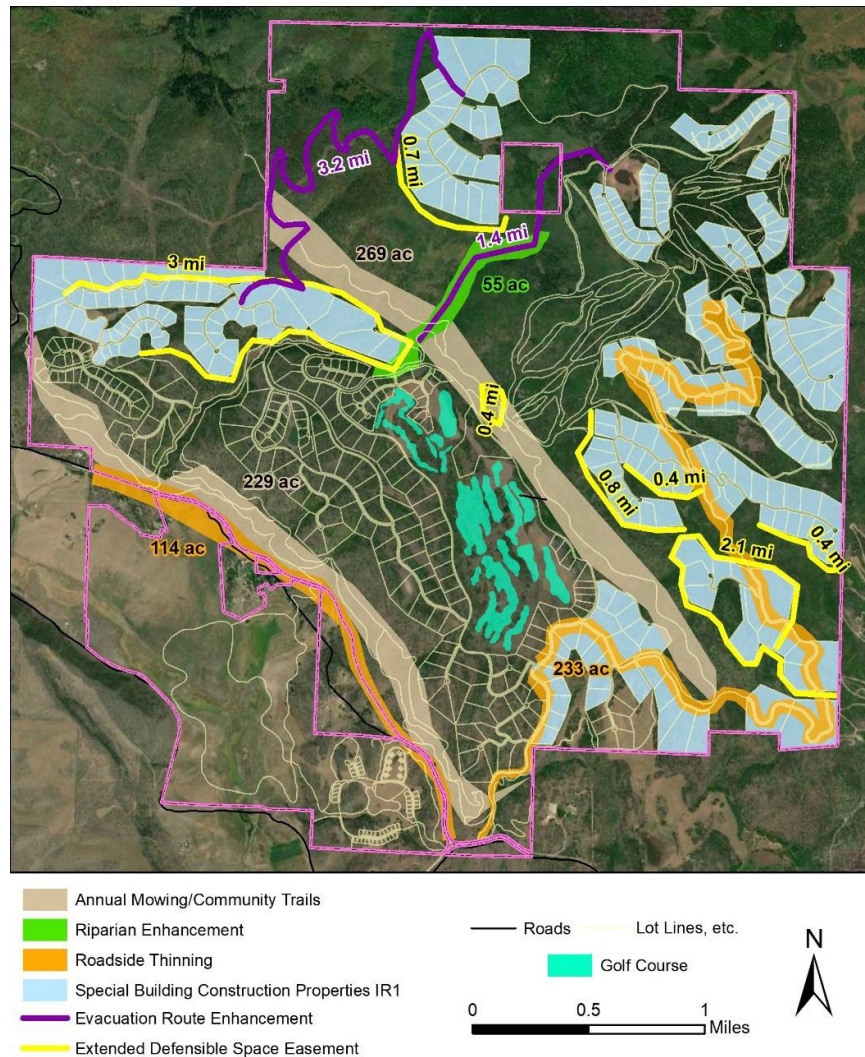
Ignition Resistant Building Requirements

Universal Construction Standards. All construction within the development will be required to utilize Class 2 Ignition Resistant Construction as per Section 505 of the 2021 International Wildland -Urban Interface Code (IWUIC 2021). The exception is that a Class "A" roof covering will be required on all structures which is more restrictive than the Class B requirement. Cedar siding and other use for cedar materials on the exterior of the structure will not be permitted.

Special Building Construction Properties. Certain properties may require additional wildfire mitigation in the form of ignition resistant building construction Class 1 as per section 503 of the

IWUIC 2021. The Special Building Construction Properties category is based on the significant presence of hazardous fuel. This fuel model was determined to be the common denominator in the more hazardous fire behavior outputs of flame length, rate of spread and crown fire potential. Over-lot thinning on these lots to convert the fuel model from one with significant woody components to a grass/shrub fuel would reduce the overall hazard of the property and require the construction to adhere only to the Universal Construction Standards.

Figure 26: Wildfire Mitigation Map (see Appendix Q)



7.13.2. Fire Protection

The Spring Valley Ranch PUD previously adopted numerous fire protection requirements for the development of the property including the construction and operation of a fire station within the project. The Spring Valley Ranch PUD is not within either the Glenwood or Carbondale Fire Districts, and as such, fire protection services are currently provided by the Landis Creek

Metropolitan District (LCMD) pursuant to its approved Service Plan. Since its organization, the LCMD has been a party to several mutual aid agreements for fire protection services with various fire protection districts, including the Glenwood Springs Fire Department and the Carbondale & Rural Fire Protection District. In 2011, the LCMD terminated those agreements for fire protection, and commenced providing fire protection services within its boundaries. The LCMD determined at that time that providing its own fire department was more cost effective and more beneficial to the District. Consequently, the District obtained and operates proper fire equipment, insurance and volunteer firefighters to adequately provide fire protection services within the District's boundaries.

The Applicant intends to re-engage and contract with one of the local fire Districts (the "District") for the provision of fire, EMS, rescue, haz-mat and wildland fire protection services to the Spring Valley Ranch PUD. Such a contract would be between the LCMD and one of the local fire Districts. In November of 2023, the Applicant met with representatives from both the Glenwood Springs Fire Department and the Carbondale & Rural Fire Protection District to discuss the potential for re-engaging one or both Districts on a contractual basis. Both Districts indicated that such an agreement would be possible, subject to the approval of their respective Boards. The premise of such an agreement may follow these general terms:

Provision of Service

The District will provide fire protection and EMS services to the Spring Valley Ranch PUD. A description of the scope of these services will be developed between the Applicant and the District. The District will be designated as the "Authority Having Jurisdiction" with regard to fire and EMS related matters associated with the Spring Valley Ranch PUD. In consideration for the District providing fire protection and EMS services to Spring Valley Ranch PUD, the LCMD will pay an annual fee to the District. The amount of the annual payment may vary with the phasing of the development of the project based upon the level of service to be provided. The annual payment will be an amount necessary to cover the District's operating costs to provide fire protection and EMS services to the project and would be in addition to the cost of constructing, equipping and furnishing the fire station as discussed below.

Facilities & Equipment

The Applicant or LCMD will construct a fire station at an appropriate location within Planning Area D of the PUD. The fire station will include apparatus bays capable of housing at least two fire trucks, one ambulance, and associated living space. The living space attached to the apparatus bays will include individual bedrooms, A.D.A compliant bathrooms with showers, locker room space, kitchen and dining room, living room, laundry room, office space, a meeting room and storage spaces. The fire station design criteria will conform to any exterior design guidelines set forth by the Spring Valley Ranch PUD, and all design criteria proposed for the fire station would be approved by the Chief of the fire District. The LCMD will purchase and own a brush truck, engine, and

ambulance to be operated by the District. The LCMD will own the fire station and the land underneath it, as well as the associated equipment and furnishings. LCMD will also obtain and maintain appropriate insurance policies covering the fire station and all equipment.

Phasing of Improvements and Service

Prior to the construction phase of the project's infrastructure, the fire District will begin a hiring process to provide staffing for a brush truck. This brush truck and a Firefighter/EMT would be on site during infrastructure construction activity periods to protect against wildland fires from construction equipment and to provide emergency medical service to the workers in the area. A small construction trailer or the existing ranch house will serve as an office/shelter/lunchroom during this period subject to the approval of the Chief of the District. The cost of providing such service will be completely offset by funds provided for in the service contract. After the infrastructure is in place and before the first residential building is ready to be occupied, the fire station will be completed and the fire apparatus, equipment and ambulance will have been ordered and delivered. During the construction phase of the fire station, a hiring process will commence to provide the necessary personnel to staff the station 24 hours a day/7 days a week.

District Inclusion

Currently, Spring Valley Ranch is located outside of the service plan boundaries of each fire District. As the project develops, the Spring Valley Ranch PUD would be considered for inclusion into one of the fire Districts. In the event the project is included within the boundaries of the District, any property taxes collected for the District from lands located within the property boundaries would be credited against the annual payment for contractual services, until such time as the collected taxes exceed the operational costs of services by the District and the annual payment is no longer necessary.

At the time of the first final plat, the Applicant will propose to secure the construction of the fire station as a component of the Subdivision Improvements Agreement as follows:

*No certificates of occupancy shall be issued for any habitable building or structure, including residences, within the Subdivision until all Subdivision Improvements, **including construction of a new fire station** but excluding revegetation, have been completed and are operational as required by this SIA.*

The proposed PUD Guide (**Appendix K**) includes a detailed section of requirements for fire protection measures as described below:

Fire Protection Standards

- 1) Roof coverings and exterior building materials shall be non-combustible or fire resistant.
- 2) Fire hydrant spacing shall conform to the International Fire Code (IFC) as adopted by the Authority Having Jurisdiction at the time of construction.
- 3) All fire hydrants shall be capable of providing the minimum fire flows and duration in conformance with the International Fire Code as adopted by the Authority Having Jurisdiction at the time of construction.
- 4) All water storage tanks shall be sized to provide a minimum of one day's normal domestic water usage and the maximum amount of fire storage calculated from the fire flows and durations required by the International Fire Code as adopted by the Authority Having Jurisdiction at the time of construction.
- 5) The water distribution system shall be looped wherever feasible and practical.
- 6) The water distribution system shall be designed so that the maximum static pressure at a fire hydrant shall be 135 psi, wherever practical and feasible.
- 7) All habitable Buildings having Floor Areas greater than 500 square feet shall be provided with automatic sprinkler systems in accordance with National Fire Protection Association (NFPA 13), NFPA 13R and NFPA 13D as applicable. The designs of all automatic sprinkler systems are to be approved by the Authority Having Jurisdiction.
- 8) Any Building greater than thirty (30) feet in height as measured per International Fire Code standards shall comply with aerial fire access requirements and equipment provisions.
- 9) The fire station shall be constructed in the Mixed Use (MU) Zone District within Planning Area D at an appropriate location, capacity, and design to be determined by the Authority Having Jurisdiction.
- 10) Year-round fire truck access and dry hydrants shall be provided at water storage reservoirs within the PUD as the land containing each reservoir is platted.
- 11) All structures detached from a primary residence shall be separated from other structures in accordance with the International Fire Code as adopted by the Authority Having Jurisdiction at the time of construction.
- 12) Vegetation management and manipulation related to the Wildfire Mitigation Report is to be performed on the site in accordance with the standards imposed by the Authority Having Jurisdiction.

Similar to the wildfire mitigation requirements, the fire protection plan for Spring Valley Ranch is comprehensive in its approach to fire and life safety considerations. The plan considers various building materials, hydrant flows and spacing, minimum access requirements, minimum water storage, access to alternative water sources, and the provision of a new fire station and associated equipment to serve the project.

7.14. Environmental

As required by Article 4-203.G of the LUDC, this application includes an Impact Analysis located in **Appendix F**. That report provides a baseline property inventory and identifies the potential impacts

and considerations of adjacent land uses, site features, soils, geology, groundwater, environmental impacts of flora and fauna, nuisance, and hours of operation. Where impacts have been identified, the report makes appropriate recommendations for mitigation of those impacts. This Narrative Report summarizes the potential impacts and recommended mitigation measures of selected elements of the Impact Analysis. For the full Impact Analysis report please see **Appendix F**.

7.14.1. Soils & Geology

Numerous geologic and geotechnical studies of the Spring Valley Ranch property have been performed by CTL Thompson since 1998. This work has included geologic evaluations, slope stability analyses, and preliminary geotechnical engineering investigations. The scope of these investigations included review of published geologic mapping, site reconnaissance, exploratory drilling and excavation, laboratory testing, and engineering analysis. Based upon their considerable institutional knowledge of the property, CTL Thompson has recently completed a Geologic Evaluation of the proposed PUD Plan which is provided in **Appendix N**. The Geologic Evaluation identified several geologic conditions that need to be considered, including areas of potentially unstable slopes, debris flow/mudflow, and rockfall. Other concerns related to geologic conditions include the more common regional issues of subsidence and radiation. The report concluded that the geologic conditions identified will not prevent development of the property for the intended uses, but appropriate mitigation may be required at some locations.

7.14.2. Wildlife

The Impact Analysis in **Appendix F** offers a detailed review of wildlife habitat on the property and provides a comprehensive Wildlife Mitigation Plan which creates a viable and reasonable framework for offsetting or mitigating the impacts of the project on wildlife resources. The primary purpose of the Wildlife Mitigation Plan is to avoid, minimize, and/or mitigate the impact of the development on all wildlife species using the property. Specific objectives include:

- 1) Avoid wildlife impacts that have been part of previous development plans for Spring Valley Ranch.
- 2) Provide for continued utilization of seasonal wildlife habitats on the property.
- 3) Preserve the Landis Creek riparian corridor, elk production range, elk and mule deer winter range, and habitat for other wildlife species.
- 4) Minimize recreational disturbance to elk wintering and calving on the property.
- 5) Minimize recreational disturbance to mule deer wintering on the property.
- 6) Minimize human/wildlife conflicts by implementing homeowner occupancy and use restrictions.
- 7) Maintain habitat connectivity within and adjacent to Spring Valley Ranch.
- 8) Minimize the wildlife habitat impacts of homeowners' amenities such as the trails, golf course, and ski area.

Wildlife Mitigation Plan

Avoidance, minimization, and mitigation measures will be memorialized in an amended Declaration of Covenants, Conditions, and Restrictions for the Spring Valley Ranch Community Master Association, Inc. to be recorded at the time of the first final plat. The Wildlife Mitigation Plan is summarized as follows:

Avoidance

- Designate 3249 Acres of Open Space
- Avoid impacts to 68% of the elk production range on Spring Valley Ranch
- Avoid impacts to 54% of elk winter range on Spring Valley Ranch
- Designate a Landis Creek Wildlife Corridor
- Avoid impacts to active raptor nests

Minimization

- Designation of Maximum Lot Coverage Ratios in PUD Guide
- Designation of Maximum Lawn and Irrigated Landscaping Size
- Trail Seasonal Use Restrictions
- Garbage, Trash, Compost, Container Restrictions
- Pet Control Restrictions
- CPW Indemnification from Wildlife Damage Claims
- Golf Course and Open Space Management
- Tree and Native Shrub Preservation
- Weed Control
- Residential Landscape Regulations
- Security Enforcement

Mitigation

- Designation of over 1320 acres of Wildlife Habitat Reserves on the PUD Plan Map
- Establishment of a Wildlife Trust via 0.4% real estate transfer fee

Wildlife Habitat Reserves

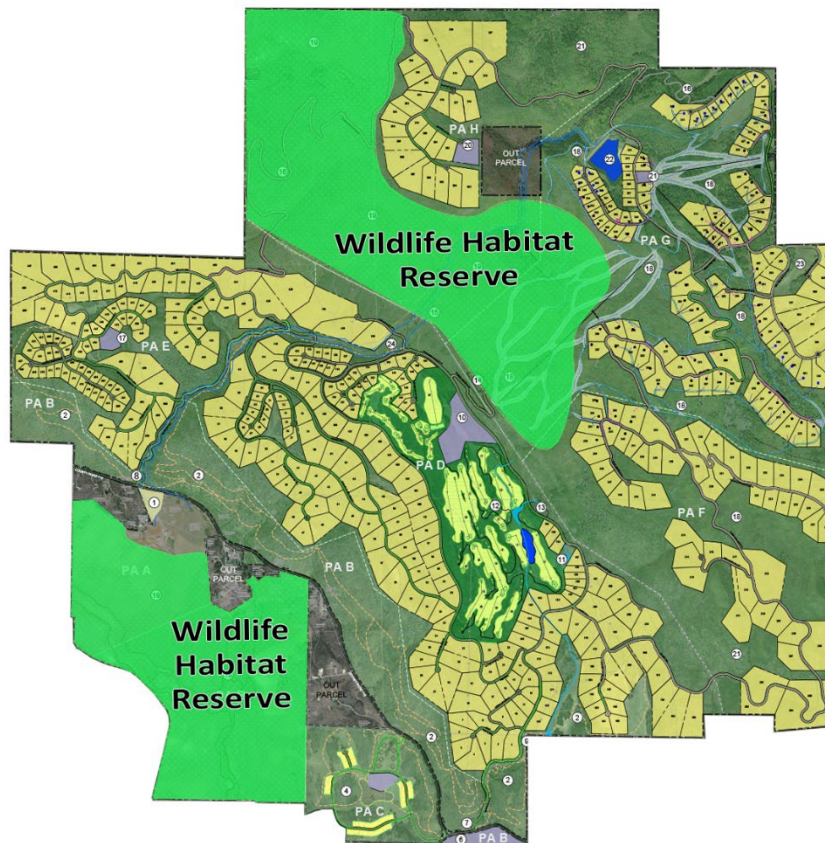
The proposed PUD Plan reflects recommendations from Colorado Parks and Wildlife (CPW) for two (2) designated Wildlife Habitat Reserves consisting of 1320 total acres. The PUD Plan Map (**Appendix J**) designates 806 acres of the preserved Open Space in the northwest portion of the property and 514 acres of preserved Open Space in the southwest portion of the property as Wildlife Habitat Reserves. The two reserves are located in Planning Areas A, B, G and H.

The northwestern Reserve will be seasonally closed to public access from December 1 through April 30 (excepting the ski area portion) to provide security for elk during the winter and will also be closed to public access from May 15 through June 30 to provide secure habitat during

elk calving season. Because the emergency vehicle access road needs to remain clear during the winter, this road will be plowed.

The southwestern Reserve will be seasonally closed to public access from December 1 through April 30 to provide security for elk during the winter. Additionally, the developer will work with CPW to begin a restoration project in the pasture to improve cover and forage for elk during the winter. It is anticipated that once vegetation matures, those areas will provide additional winter habitat for elk as mitigation for habitat taken up by residential development elsewhere on the property.

Figure 27: Wildlife Habitat Reserves (refer to PUD Plan Map in Appendix J)



Wildlife Trust

Consistent with the current Master Declaration of Covenants, Conditions and Restrictions (recorded at Reception No. 793245), the developer will establish a Wildlife Trust which will be funded by a 0.4% real estate transfer fee (which is further discussed in [Section 7.2](#) of this Narrative Report). The funds will be used for projects within Data Analysis Unit (DAU E-16) including Game Management Unit (GMU 444) as directed by CPW staff. The purpose of the

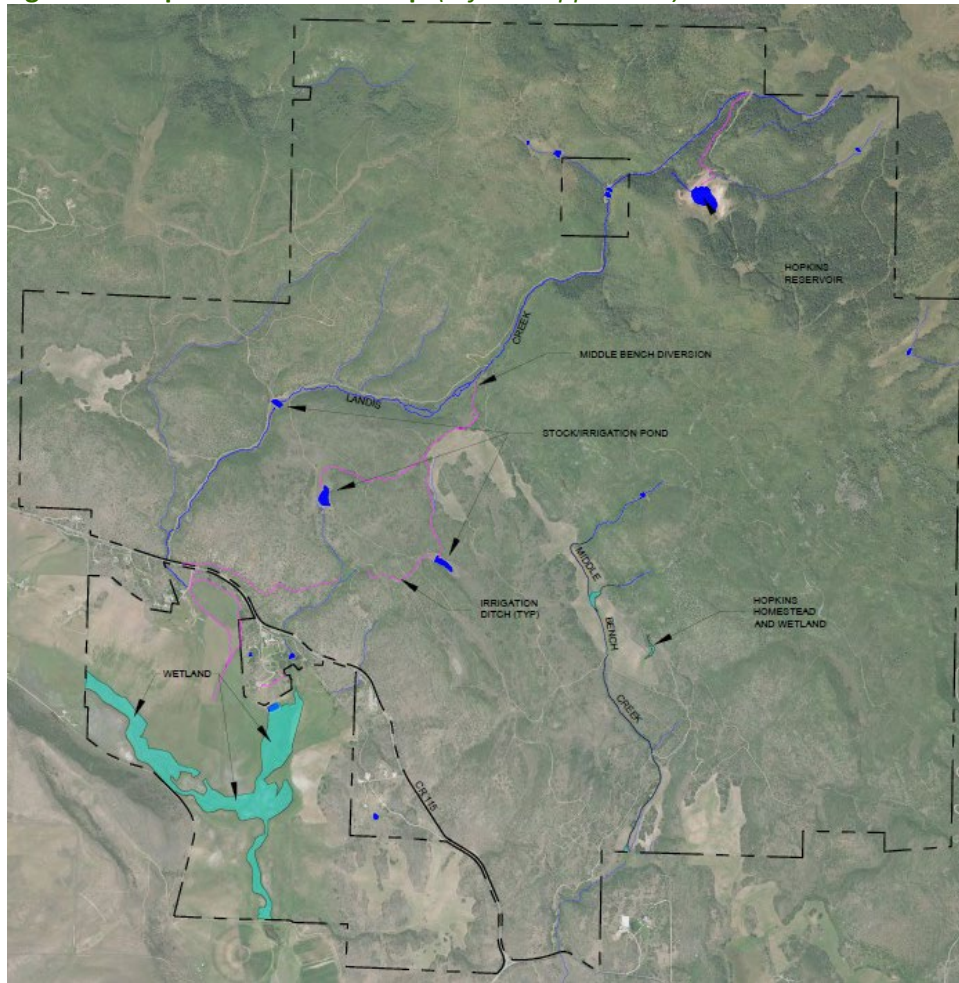
Trust is: 1) Assist with the permanent conservation of wildlife habitat with comparable values to those previously found on Spring Valley Ranch, as close to the impacted wildlife as possible; 2) To fund habitat uplift projects; 3) To fund wildlife research or wildlife management efforts that the Trust sees value in; 4) To fund enforcement of any wildlife measures adopted on the property, either by Garfield County as a Condition of Approval or through relevant board or oversight committee processes; 5) Funds should be able to be deployed within Data Analysis Unit (DAU E-16) including Game Management Unit (GMU 444) (not limited to the property itself); 6) Include code enforcement as a viable use of funds.

7.14.3. Wetlands

Wetlands were originally delineated at Spring Valley Ranch in 1998, 2003 and again in 2006. These prior delineations were referenced and updated by a wetland examination performed in October 2022 Western Bionomics, who visited the property and verified the previous delineation. At a location in the Middle Bench area (“Highlands”), the three largest wetland areas were re-delineated in 2022 as their boundaries appeared to have changed. The updated wetland report is contained within the Impact Analysis in **Appendix F**. There are four general areas of wetlands located on the property:

- Wetlands in the agricultural lands south and west of County Road 115
- A 30-foot-wide unmapped wetland corridor along Landis Creek
- Fringe wetlands along a channelized stream in the Middle Bench
- A wetland associated with the Hopkins Homestead

Figure 28: Aquatic Resources Map (refer to Appendix F)



The largest wetland area is in the agricultural fields south and west of CR 115. Dominant vegetation here is hydrophytic grasses, sedges, and rushes. The hydrology source for this wetland is springs, surface water, and a shallow groundwater table. The unnamed perennial creek and wetland that flows through the Middle Bench originates from two springs located on the steep oakbrush hillside above the bench. These springs feed the creek year-round; the creek has been channelized into a ditch adjacent to a ranch road for the length of the old wheat fields, then flows along its apparent original course until it leaves the Spring Valley Ranch property and enters the adjacent *Veltus* parcel. There is also a wetland adjacent to the Hopkins Homestead that does not connect to the perennial stream. This wetland is fed by a spring just above the Homestead and appears to have been the location of an old embankment pond associated with the Homestead. The 1999 wetland delineation report further documented that Landis Creek is entirely diverted at the Middle Bench diversion but nevertheless established a 30-foot buffer along Landis Creek above and below the diversion.

Since there are no plans to impact wetlands in the agricultural meadow south and west of County Road 115, there was no new delineation conducted at that location. Rather, the site was observed from multiple locations, and wetlands appear similar to that which was mapped in 2006. Similarly, Landis Creek was evaluated along its entire length for presence or absence of wetland character, however wetlands were not formally delineated along the Creek since the proposed PUD Plan would only impact limited reaches of the Creek for road crossings. Hopkins Reservoir was also examined in 2022, and there are no wetlands associated with the Reservoir, most likely due to the constantly fluctuating shoreline as the reservoir fills and empties.

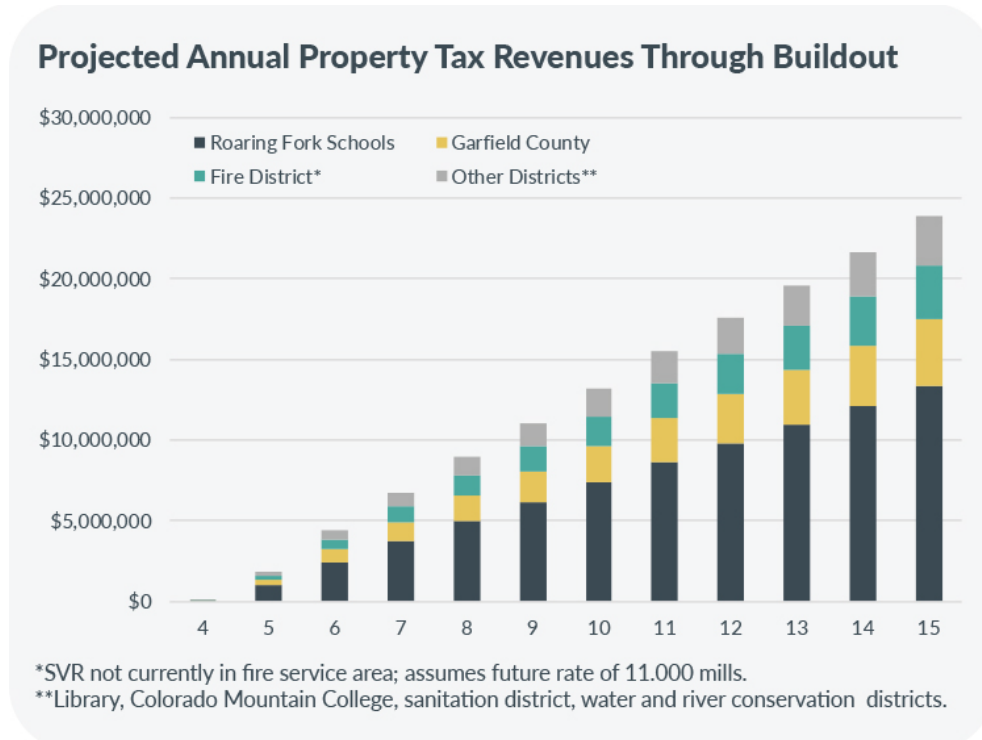
Prior to any wetland disturbance, wetlands will be delineated at the specific impact site and overlaid on the construction drawings to determine wetland impacts, if any. These plans will be used to prepare a Pre-Construction Notification for submittal to the Army Corps of Engineers. The proposed road crossings are expected to comply with the terms and conditions of Corps of Engineers Nationwide Permit 14 (NWP14) for Linear Transportation Projects. NWP14 permits activities required for crossings of waters of the United States associated with the construction, expansion, modification, or improvement of linear transportation projects (e.g., roads, highways, railways, trails, driveways, airport runways, and taxiways) in waters of the United States. The discharge of dredged or fill material cannot cause the loss of greater than 1/2-acre of waters of the United States.

7.15. Fiscal & Economic Impacts

A comprehensive Fiscal & Economic Impact Report is provided in **Appendix R** of this application. Construction and subsequent operations of the proposed Spring Valley Ranch (SVR) development will generate significant benefits for the local economy and public service providers. The net fiscal benefit to Garfield County is estimated at \$3,840,000 annually (upon full buildout). Other benefits include:

- **Diversification of property tax base.** Development of SVR is projected to result in a 36% increase to countywide Residential assessed value
- **Limited increase to service population.** A less than one percent (<1%) increase to the countywide service population is estimated for the SVR development program
- **Local employment and income opportunities.** Nearly 15,800 local job-years are estimated to result from the initial development and construction phase. Once fully built and occupied, recurring operations are estimated to support 417 permanent jobs in Garfield County
- **New source of demand (sales) for local businesses.** The annual volume of local economic activity supported by SVR operations (household spending, community amenities, etc.) is estimated at nearly \$49 million
- **Financial resources to address community/housing needs.** Real estate transfer fee contributions over an initial 15 years are estimated to total nearly \$76 million
- **Expansion to affordable housing supply.** At least 75 new affordable housing units will be developed at the SVR property

Figure 29: Projected Annual Property Tax Revenues (years 4-15)



ECONOMIC IMPACTS ON GARFIELD COUNTY ECONOMY

One-time Economic Benefits

One-time construction expenditures to develop the land/lots, housing units, and community amenities will support average annual impacts of:

- 1,213 jobs in Garfield County;
- \$74 million of annual labor income; and
- \$239 million of annual output (i.e., volume of economic activity).

The seven phases of development and construction are anticipated to occur over about 13 years, directly and indirectly generating nearly 15,800 “job years” in Garfield County. About 40% of employment during the construction period will be in non-construction industries such as retail trade, healthcare, finance and real estate, and professional services.

On-Going Economic Benefits

Once SVR is fully built and occupied, the recurring or “on-going” operations of the community amenities, household spending, and real estate transfer fee expenditures will support average annual impacts of:

- 417 permanent jobs in Garfield County;
- \$15 million of annual labor income; and
- \$49 million of annual output.

About 47% of the on-going economic benefits within the County are forecast to occur off-site.

POSITIVE FISCAL BENEFITS TO PUBLIC DISTRICTS

Total Revenue

Upon full buildout, the SVR development is estimated to generate revenues including:

- \$4.3 million annually for Garfield County;
- \$11.0 million annually for the Roaring Fork School District; and
- \$3.3 million annually for a future Fire/EMS service provider.

Property tax benefits to other taxing districts will also be significant, estimated at \$3.0 million annually upon full buildout.

Table 8: Projected Annual Tax Revenues

	Annual Revenue During 15-Yr Buildout	Annual Revenue Upon Full Buildout
Garfield County (Property Tax, Sales Tax, Specific Ownership Tax, etc.)	\$1,867,000	\$4,321,000
Roaring Fork Schools (Property Tax)	\$4,436,000	\$10,997,000
Fire District (Property Tax)	\$1,348,000	\$3,340,000
Other Districts (Property Tax)	\$1,227,000	\$3,041,000
Total	\$8,878,000	\$21,699,000

Net Fiscal Benefits

The proposed SVR development is forecast to have a significant net-positive effect on public districts including Garfield County, the Roaring Fork School District, and a future Fire service provider. The annual net fiscal impacts (i.e., revenues less additional service costs) are estimated to result in large operating surpluses at full buildout.

Net Annual Fiscal Surplus at Buildout

- County: \$3,840,000 annually
- Schools: \$10,277,000 annually
- Fire: \$2,298,000 annually

In some cases, the surplus revenues could allow districts to pass savings on to other taxpayers, improve levels of service, or some combination of both.

8. Operation & Maintenance

The Spring Valley Ranch PUD has been well-organized to be financed, constructed, operated, and maintained by several Special Districts, one Association, and a Community Foundation in concert with the approved and recorded Covenants, Conditions and Restrictions, and special district Service Plans.

8.1. Spring Valley Ranch Community Foundation

A two percent (2%) transfer fee will be established on real estate sales within Spring Valley Ranch and will be collected and distributed to local organizations within Garfield County. Sales of finished single-family lots during the buildout and absorption period are projected to generate total transfer fee revenues of \$20 million, or approximately \$1.8 million annually during buildout. The resales of finished homes during the initial buildout and absorption period are projected to generate additional transfer fee revenues of \$47.8 million, or about \$3.2 million annually during buildout. Collectively, the SVR development is projected to generate about \$76 million in transfer fee contributions over the initial 15 years of the project. Once the development is fully completed, transfer fee contributions are expected to average \$8.0 million annually. The Fiscal & Economic Impact Report can be found in **Appendix R**, which provides further detail on the projected transfer fee revenues.

8.2. Landis Creek Metropolitan District Nos. 1 & 2

The Landis Creek Metropolitan District Nos. 1 and 2 are validly existing Title 32 metropolitan districts, organized by order of the Garfield County District Court on November 19, 2002. Both Districts are in good standing and operate under a combined Service Plan.

The Landis Creek Metropolitan District No. 1

The Landis Creek Metropolitan District No. 1 is the “Financing District”. The Financing District is responsible for providing the funding and tax base needed to support the Financial Plans for capital improvements needed for the Project. It is anticipated that the Finance District will finance the construction of the public infrastructure required for the Project.

The Landis Creek Metropolitan District No. 2

The Landis Creek Metropolitan District No. 2 is the “Service District”. The Service District is responsible for, or contracting for, managing the construction and operation of public facilities and improvements needed for the Project. It is anticipated that the Service District will own and will (or will contract to) construct, operate, and maintain the public infrastructure required for the Project.

The Landis Creek Metropolitan District will generate property tax revenues for the operation and maintenance of the project’s public infrastructure including the water system, roads, and other utilities in accordance with the approved Service Plan. The Applicant intends to amend the Service Plan for the Landis Creek Metropolitan District Nos. 1 and 2, as the regulatory environment for metropolitan districts has changed since the District’s service plan was approved in 2002. Other parameters of the Service Plan will be amended to reflect current regulations and project plans. The Amended Service Plan will be processed concurrently with this application for the PUD Amendment.

8.3. Spring Valley Sanitation District

The Spring Valley Sanitation District (the “Sanitation District”) operates the Spring Valley wastewater treatment facility located off CR 114 approximately 1.7 miles to the south of the Spring Valley Ranch PUD. The Sanitation District and the former owner of Spring Valley Ranch entered into a Pre-Inclusion and Wastewater Treatment Plant Development Agreement dated December 15, 1999, and recorded with the Garfield County Clerk and Recorder as Reception No. 587475 (the “PDA”). The PDA sets forth the terms and conditions of the Sanitation District’s provision of wastewater treatment service and commits 646 EQR of service to the Spring Valley Ranch PUD. In addition, the Sanitation District has approximately 150 EQR of “unallocated” service that may be utilized on the Property on a first come, first serve basis. The Sanitation District has substantial additional capacity in their wastewater treatment plant, as the plant was designed and constructed to serve the entire buildout of the Spring Valley Ranch PUD. The Sanitation District can and will serve the Spring Valley Ranch PUD as evidenced by a commitment to serve letter from the District in **Appendix M**.

8.4. Spring Valley Ranch Community Master Association, Inc.

The Spring Valley Ranch Community Master Association (the “Association”) was incorporated in 2009 and is in good standing. The Association was formed as a Colorado nonprofit corporation under the Colorado Revised Nonprofit Corporation Act to manage the affairs of the Common Interest Community. The Association serves as the governing body for all the Owners and Occupants for the protection, improvement, alteration, maintenance, repair, replacement, administration and operation of Association Property, the levying and collection of Assessments for common expenses and other expenses of the Association, and such other matters as may be provided in the Master Declaration, any Supplemental Declaration, the Articles, Bylaws, and Master Rules and Regulations.

The business objectives, and purposes of the Association are:

- To manage and operate the property within the Spring Valley Ranch PUD in accordance with the Master Declaration. The Project is a planned community form of "Common Interest Community" defined by the Colorado Common Interest Ownership Act, comprised of multiple Lots, amenities, and infrastructure improvements.
- To promote the Project, protect the value of the Project and promote the common benefit of the Lot Owners, occupants, and residents of the Project.
- To be and constitute the Association referred to in the Master Declaration recorded at Reception No. 793245 (**Appendix S**), and to perform all obligations and duties of the Association and to exercise all rights and powers of the Association.

8.5. Master Declaration of Covenants, Conditions and Restrictions

The Master Declaration of Covenants, Conditions and Restrictions (the “Master Declaration”) for Spring Valley Ranch PUD was recorded in 2010 at Reception No. 793245 (**Appendix S**). As required by the current Preliminary Plan and Amended PUD approvals, the Master Declaration is inclusive of certain requirements and restrictions related to wildlife, wildfire mitigation, access, geotechnical investigations, restrictions on open-hearth fireplaces, and restrictions on accessory dwelling units, among others. The Master Declaration will be amended to reflect certain plan changes that have occurred since their first recording, and this amendment will serve to best reflect the currently proposed PUD Plan for the property and any resulting conditions thereof. The applicant intends to prepare and submit to the County an amendment to the Master Declaration at the time of the first final plat for Spring Valley Ranch.

9. Relationship to Applicable Land Use Standards

The following section provides responses to the applicable sections of the Land Use and Development Code as related to the proposed PUD Amendment.

9.1. Land Use and Development Code: Article 4 - Standards

9.1.1. Rezoning Criteria, Section 4-113.C

The proposed rezoning would result in a logical and orderly development pattern and would not constitute spot zoning.

The Applicant is requesting a PUD amendment to the currently approved PUD for the property, therefore does not constitute spot zoning since PUD zoning already exists for the property.

The area to which the proposed rezoning would apply has changed or is changing to such a degree that it is in the public interest to encourage a new use or density in the area.

The currently approved PUD Plan is outdated and has minimal Open Space with residential lots covering most of the property. The proposed site plan uses more contemporary planning principles to arrive at a PUD Plan which offers significantly more Open Space (55%) with added public recreational amenities. Residential lots are designed in “rural cluster” style neighborhoods to better fit the rural characteristics of the Spring Valley area and adjacent properties.

The proposed rezoning addresses a demonstrated community need with respect to facilities, services, or housing.

There is a significant demonstrated need for local workforce housing, as evidenced by the 2019 Greater Roaring Fork Regional Housing Study. The proposed PUD Plan will provide 75 Community Housing Units, helping to meet this documented demand. The currently approved Plan does not include any public amenities, while the proposed PUD Plan includes a minimum of 450 acres of public access area and a minimum of 10 miles of mountain bike and hiking trails with a public trailhead. The proposed PUD Plan also includes a public general store, providing daily needs and goods to the surrounding Spring Valley community and thereby helping to eliminate some vehicular trips to the valley floor and State Highway 82.

The proposed rezoning is in general conformance with the Comprehensive Plan.

Section 10 of this Narrative Report provides a full summary of the proposed PUD Plan’s conformance with the Comprehensive Plan. The Comprehensive Plan designation for the property is Residential Low Density, which prescribes a density of up to one (1) DU per 10 acres. The approved and proposed density of the Spring Valley Ranch PUD is one (1) DU per 10.2 acres. The low density of this property and the increased open space of 55% of the entire PUD is in conformance with the Comprehensive Plan and more compatible with the Spring Valley area.

9.2. Land Use and Development Code: Article 6 – Planned Unit Development

The proposed land uses for the Spring Valley Ranch PUD are generally consistent with those approved under the current “Zone Districts Text and Design Standards”. Like the current zoning, the proposed PUD Plan allows for residential, retail, recreation, service, visitor accommodation, utilities, and accessory uses. Where the current proposal differs is that the proposed uses include additional provisions for public recreational facilities and amenities, Winter Recreation (including skiing) and Passenger Tramways (i.e., ski lifts). The complete schedule of proposed permitted uses by right is included in Section 6.2 of the PUD Guide in **Appendix K**.

9.2.1. Conformance with County Standards, Section 6-203.C.

Conform to the Comprehensive Plan.

Section 10 of this Narrative Report provides a full summary of the proposed PUD Plan’s conformance with the Comprehensive Plan. The Comprehensive Plan designation for the property is Residential Low Density, which prescribes a density of up to one (1) DU per 10 acres. The approved and proposed density of the Spring Valley Ranch PUD is one (1) DU per 10.2 acres. The low density of this property and the increased open space of 55% of the entire PUD is in conformance with the Comprehensive Plan and more compatible with the Spring Valley area.

Is consistent with efficient development and the preservation of the character of the development.

The amended PUD Plan offers more than double the amount of Open Space while also incorporating significant public amenities. The resulting plan will have a much lighter footprint on the land and less potential impact to adjacent properties.

Do not increase the density.

The proposed amendment does not increase in density, maintaining the 577 units that are approved in the current PUD at a gross density of 1 DU per 10.2 acres.

Do not decrease the amount of dedicated Open Space.

The proposed amendment increases the amount of dedicated Open Space from 27% to at least 55% and incorporates the inclusion of public mountain bike and hiking trails.

Do not affect, in a substantially adverse manner, either the enjoyment of the land abutting upon or across the road from the PUD or the public interest.

The proposed PUD Amendment represents land uses that are nearly identical to the approved uses, although in a much more compact format with significantly increased Open Space. This increase in Open Space represents a substantial reduction in potential impacts to adjacent lands, particularly along the eastern (Homestead Estates), northern (USFS), and northwestern (BLM) boundaries of the PUD where Open Space buffers and Wildlife Habitat Reserves have been planned adjacent to all USFS lands and most BLM lands in the northern portion of the PUD. The PUD is otherwise surrounded primarily by Residential Medium (RM) density properties, and a smaller area of Residential Low (RL) density properties on the southeastern flank.

Do not change the use category of the PUD between residential, commercial, or industrial uses. The proposed amended PUD does not change the use categories between residential, commercial, or industrial uses. The complete schedule of proposed permitted uses by right is included in Section 6.2 of the PUD Guide in **Appendix K**.

Will not be granted solely to confer a special benefit upon any person.

The proposed PUD amendment will not be granted solely to confer a special benefit upon any person, rather the proposed amendment will benefit all future residents, employees, the public, and the residents of the greater Spring Valley area.

Shall not affect the rights of the residents, occupants, and owners of the PUD to maintain and enforce those provisions at law or in equity.

The proposed amendment will not affect the rights of the residents, occupants, and owners of the PUD to maintain and enforce those provisions at law or in equity. The Spring Valley Ranch PUD has been well-organized to be financed, constructed, operated, and maintained by several Special Districts and one Association, in concert with the approved and recorded Covenants, Conditions and Restrictions, and special district Service Plans.

9.2.2. Development Standards, Section 6-401

Permitted Uses

The proposed permitted uses within the PUD are all uses that are either permitted in the underlying zone district or are in general conformance with the Comprehensive Plan. The complete schedule of proposed permitted uses by right is included in Section 6.2 of the PUD Guide in **Appendix K**.

Off-Street Parking

The PUD will provide parking areas adequate in terms of location, area, circulation, safety, convenience, separation, and screening. The proposed parking standards are included in Section 7.4 of the PUD Guide in **Appendix K**.

Density

The density of nonresidential development in the PUD is comparable to the currently approved PUD Plan and does not exceed the level that can be adequately served by public facilities. The residential density is calculated as follows: 5908.43 acres/ 577 dwelling units = one (1) DU per 10.24 acres.

Housing Types

The proposed PUD Plan provides a diversity of housing types and lot sizes, as evidenced by the PUD Guide in **Appendix K**. The proposed PUD Plan also complies with Article 8 of the LUDC in the provision of 13% deed-restricted housing units. Section 7.7 of this Narrative provides a detailed summary of the proposed Community Housing Program.

Transportation and Circulation System

A comprehensive, safe and convenient circulation system has been provided for in the PUD Plan for emergency vehicles, personal vehicles, pedestrian trails and walkways, and bicycle access.

Recreational Amenities

The proposed PUD Plan offers a wide range of recreational amenities including golf, sport courts, mountain bike trails, winter recreation facilities, and pedestrian trails and paths. A minimum of 450 acres will be accessible to the public, including a trailhead and trails system.

Building Height

Building height will not exceed 40 feet within the PUD. Section 7.1 of the PUD Guide (**Appendix K**) describes requirements for building height dimensions within each Zone District of the PUD. The proposed heights will not result in any unreasonable adverse effect on adjacent sites or other areas in the immediate vicinity in regard to shadows, loss of air circulation, or loss of view.

Lots

Minimum Lot Size, minimum setbacks, and the maximum Lot Coverage limitations are included in Zone District Dimensional Standards in Section 7.1 of the PUD Guide (**Appendix K**). Each residential lot will have an acceptable building site established at the time of final plat.

Phasing

Section 6.2 of this Narrative Report provides a summary of the Phasing Plan including quantities of dwelling units and required off-site improvements. Each phase within the PUD will be planned to relate to the existing surrounding and available facilities and services so that failure to proceed to a subsequent phase will not have a substantially adverse impact on the prior and future phases of the PUD or its surroundings.

9.3. Garfield County LUDC: Article 7 - Standards

9.3.1. Division 1: General Standards

Zone District Use Regulations

The property is currently zoned PUD, and this application seeks to amend the approved PUD Plan.

Comprehensive Plan and Intergovernmental Agreements

The proposed Land Use Change demonstrates general conformance with the Garfield County Comprehensive Plan as discussed in Section 10 of this Narrative Report and is not subject to any Intergovernmental Agreements.

Compatibility

The proposed PUD Amendment is compatible with all surrounding land uses and is designated as Low Density Residential. The nature, scale, and intensity of the proposed use are compatible with adjacent land uses. No change in density is being proposed.

Source of Water

The project has a legal and adequate water supply as evidenced by the Legal Water Supply Report in **Appendix O**, the Water Supply and Distribution Plan in **Appendix P**, and Schematic Engineering Plans in **Appendix L**. The main water supply for the PUD is surface water diversions from senior water rights from Landis Creek and existing and permitted wells and springs.

Central Water Distribution and Wastewater Systems

The PUD will include a central water distribution system that will be permitted by the Colorado Department of Public Health & Environment and will be owned and operated by the Landis Creek Metropolitan District. Wastewater treatment will be provided by the Spring Valley Sanitation District.

Public Utilities

The PUD will be served by adequate public utilities as evidenced by will-serve letters located in **Appendix M**. All public utilities will be located within rights-of-way or easements as required.

Access and Roadways

All access roads meet or exceed minimum County standards for adequate and safe access and will support projected Average Daily Traffic (ADT) at full build out, as evidenced by the Schematic Engineering Plans in **Appendix L**, and the Traffic Impact Study in **Appendix H**.

Use of Land Subject To Natural Hazards

The Geologic Evaluation in Appendix N identified several geologic conditions that need to be considered, including areas of potentially unstable slopes, debris flow/mudflow, and rockfall. Other concerns related to geologic conditions include the more common regional issues of subsidence and radiation. The report concluded that the geologic conditions identified will not prevent development of the property for the intended uses, but appropriate mitigation may be required at some locations.

Fire Protection

The proposed PUD will be provided with adequate fire protection facilities and services to be administered and operated by the Landis Creek Metropolitan District. The detailed fire protection requirements are included in Section 7.8 of the PUD Guide in **Appendix K**.

9.3.2. Division 2: Resource Protection Standards

Agricultural Lands

No land use changes are proposed that would adversely affect any adjacent agricultural lands.

Wildlife Habitat Areas

The proposed PUD Amendment allows for significant protection of wildlife habitat including the establishment of 1320 acres of Wildlife Habitat Reserves and wildlife corridors. Setbacks from Forest Service and BLM lands will also be implemented to create buffers for wildlife. Wildlife impact mitigation strategies are detailed in Section 7.12.2 of this Narrative Report and in the Impact Analysis in **Appendix F**.

Protection of Water Bodies

The proposed PUD Amendment provides for significant protection of bodies of water, including existing wetlands, and setbacks from Landis Creek. These protections are discussed in detail in the Impact Analysis in **Appendix F**.

Drainage and Erosion

Drainage and erosion studies have been calculated based on a 100-year storm event. Drainage and erosion control of the site is discussed in detail in the Existing Drainage and Flood Hazard Report in **Appendix I**.

Environmental Quality

Environmental quality will be monitored and controlled by mitigation measures discussed in the Impact Analysis in **Appendix F**.

Wildfire Hazards

This application includes an updated Wildlife Mitigation Report (Appendix Q), which specifically analyzes the Conceptual Plan as related to fire behavior modeling and provides recommended mitigation practices in the creation of a “Fire Adapted Community”. These updated mitigation practices include defensible space for homes and common buildings, extended defensible space easements, evacuation route enhancements, roadside thinning, riparian enhancement, and annual mowing. It is intended that the recommended mitigation strategies will become a component of an updated Master Declaration at the time of the first final plat.

Natural and Geologic Hazards

The Geologic Evaluation in Appendix N identified several geologic conditions that need to be considered, including areas of potentially unstable slopes, debris flow/mudflow, and rockfall. Other concerns related to geologic conditions include the more common regional issues of subsidence and radiation. The report concluded that the geologic conditions identified will not prevent development of the property for the intended uses, but appropriate mitigation may be required at some locations.

Reclamation

Any disturbed areas of the site will be appropriately reclaimed, and necessary reclamation plans will be included with Final Public Improvement Plans at the time of each final plat.

9.3.3. Division 3: Site Planning

Compatible Design

The proposed land use change will result in a design that is compatible with the existing character of adjacent uses, including site organization, operational characteristics, buffering, and material usage.

Off-Street Parking and Loading Standards

The proposed PUD amendment provides adequate parking and loading, including allowances for off-street parking lots and front yard setbacks that will allow adequate driveway parking. These standards are detailed in the Section 7.4 of the PUD Guide in **Appendix K**.

Landscaping Standards

The PUD Plan includes proposed Landscaping Standards in the Section 7.9 of the PUD Guide in **Appendix K**.

Lighting Standards

Any lighting will comply with the Exterior Lighting Standards per Section 7.11 of the PUD Guide in **Appendix K**.

Snow Storage Standards

Adequate snow storage will be provided in compliance with Article 7 standards of the LUDC.

Trail and Walkway Standards

Appropriate standards for trails and sidewalks have been provided in Section 7.5 of the PUD Guide in **Appendix K**.

10. Relationship to Garfield County Comprehensive Plan

The Garfield County Comprehensive Plan includes general goals and policies that apply to all areas of the County. Certain goals and policies that relate specifically to the proposed PUD Plan amendment are addressed in this section. Selections from the Comprehensive Plan are displayed in green text; and Applicant discussions and responses are displayed in black text.

10.1. Future Land Use

Future Land Use Map (Revision 13: 02-26-20)

The Future Land Use Map (FLUM) for the subject property has a designation of Residential Low (RL) with a density range of 10+ Ac/Du. This designation prescribes up to 1 DU for every 10 acres. This PUD Amendment is proposing a maximum of 577 dwelling units with a gross density of 1 DU per 10.2 acres and is therefore in conformance with the Residential Low density designation.

The description for the Residential Low (RL) future land use designation includes the following:

“Agricultural and related uses, ranching, low density residential and related uses as well as home occupation uses that can be adequately buffered from adjacent incompatible uses. Other uses may be considered where residential character is maintained and/or special conditions warrant, such as underlying zoning, proximity to transportation routes and 3-Mile Areas of Influence.”

The Comprehensive Plan prescribes Planned Unit Development (PUD) as one of the compatible Zone Districts for the Residential Low designation. The property is currently zoned PUD, and this proposal does not propose a change in Zone District. The proposed density of the Spring Valley PUD is 1 DU per 10.2 acres. The low density of this property and the increased Open Space of a minimum of 55% will allow for maintaining rural character of the Spring Valley area.

10.2. Growth in Unincorporated Communities

Where growth or the development of an expanded community is proposed in unincorporated areas it should meet the following concepts and be developed in accordance with the following strategies.

The proposed development is not located within the UGA of existing municipalities.

The PUD is not located within the urban growth area of existing municipalities.

The development is served with urban services by a special district.

The PUD will be serviced by the Spring Valley Sanitation District for wastewater treatment, and other common infrastructure will be owned, operated, and maintained Landis Creek Metropolitan District.

A contract for police from county sheriff may need to be established.

Any necessary security services may be provided by the Landis Creek Metropolitan District.

Connecting county roads are upgraded at developer's expense (or the county is compensated through an impact fee or fee-in-lieu).

Various off-site public improvements are proposed for both County Road 114 and County Road 115. These improvements are documented in the Development Agreement in **Appendix G**, in concert with the road design standards in Section 7.2 of the PUD Guide in **Appendix K**.

Fiscal costs to the public will be considered in the review of new unincorporated communities.

A Fiscal & Economic Impact Report is provided in **Appendix R** of this application. The proposed dwelling units and non-residential uses on the property will provide an increase in assessed value and associated property tax revenues sufficient to fund any incremental increase in demand for County services. Annual property tax revenues are estimated to generate an average of \$8.8 million annually during the initial fifteen (15) year buildout. This amount includes an annual average of \$1.8 million for Garfield County, \$4.4 million for the Roaring Fork RE-1 School District, and \$1.3 million to the Fire District.

Any internal commercial is primarily for the convenience of area residents (minimize competition with existing communities).

All the proposed non-residential uses are intended for the use and convenience of residents of the PUD, with the exception of a general store which will be open to the public to serve the surrounding area with daily basic needs and goods.

Transit opportunities are provided.

There are no existing transit facilities or services near or adjacent to the property, therefore it is not possible to apply or compare the County's transit goals and policies to this project.

Recreation and other public amenities are provided.

The proposed PUD Plan includes the provision of a minimum of 450 acres of Open Space that will be available for public use and will include a minimum of 10 miles of mountain bike and hiking trails as well as a public trailhead with restrooms.

School sites may be required (these locations preferred over schools in rural areas).

The Spring Valley Ranch PUD is within the RE-1 School District. The school land dedication requirement would be 11.37 acres based on the calculations of 542 single family units and 35 multifamily units. In accordance with Section 7-404 the LUDC, the project will be subject to a school land dedication requirement or fee-in-lieu payment for the benefit of the Roaring Fork RE-1 School District at the time of each Final Plat.

10.3. Growth Of New Major Residential Subdivisions

Where growth or the development of a new major subdivision is proposed in an unincorporated area it should be consistent with the following concepts and be developed in accordance with the following strategies:

Recognize that major subdivisions may occur, but encourage them to be more self-sufficient with:
Safe, reliable access and transit opportunities.

The PUD will be served by safe and reliable transportation access routes. Various off-site public improvements are proposed for both County Road 114 and County Road 115. These improvements are documented in the Development Agreement in **Appendix G**, in concert with the road design standards in Section 7.2 of the PUD Guide in **Appendix K**. There are no existing transit facilities or services near or adjacent to the property, therefore it is not possible to apply or compare the County's transit goals and policies to this project.

Construction or upgrade existing off-site connection county roads and intersections by the developer.

The Applicant has committed to various off-site public improvements for both County Road 114 and County Road 115. These improvements are documented in the Development Agreement in **Appendix G**, in concert with the road design standards in Section 7.2 of the PUD Guide in **Appendix K**.

Review of the fiscal costs vs. fiscal benefits to the public.

A Fiscal & Economic Impact Report is provided in **Appendix R** of this application. The proposed dwelling units and non-residential uses on the property will provide an increase in assessed value and associated property tax revenues sufficient to fund any incremental increase in demand for County services. Annual property tax revenues are estimated to generate an average of \$8.8 million annually during the initial fifteen (15) year buildout. This amount includes an annual average of \$1.8 million for Garfield County, \$4.4 million for the Roaring Fork RE-1 School District, and \$1.3 million to the Fire District. All common facilities will be managed within the common interest community by the Landis Creek Metropolitan District or by the Spring Valley Ranch Community Master Association, Inc. (the "Association"). The Landis Creek Metropolitan District will generate property tax revenues for the operation and maintenance of the project's infrastructure including the water system, roads, parks, Open Space, trailheads, and other common facilities, in accordance with their approved Service Plan. The Association will assess membership dues to property owners within the PUD for the operation and maintenance of any Association owned property or facilities. Additionally, a voluntary 2% transfer fee will be implemented providing funding for the operation, maintenance and improvement of Open Space and trails, implementing the Wildfire Mitigation Report, implementing the Wildlife Mitigation Plan, and may include funding for various community partnerships including for community/affordable housing programs, schools and childhood education, and public trails planning and construction. This voluntary transfer fee is estimated to generate about \$76 million during the initial 15 years of the project. See the Fiscal & Economic Impact Report in **Appendix R** for the complete estimate of transfer fee revenues.

Internal roads to be maintained by a special district or HOA.

All internal roads will be operated and maintained by the Landis Creek Metropolitan District.

Central water and sewer are provided through a special district (quasi-public, not private).

The PUD will include a central water distribution system that will be permitted by the Colorado Department of Public Health & Environment and will be owned and operated by the Landis Creek Metropolitan District. Central sewer services will be provided by the Spring Valley Sanitation District.

Public amenities, such as trails, open areas, parks, etc., that meet the needs of residents are included.

The proposed PUD Plan includes the provision of a minimum of 450 acres of Open Space that will be available for public use and will include a minimum of 10 miles of mountain bike and hiking trails as well as a public trailhead with restrooms.

If outside of an UGA, should be served by transit and maintain the community character of surrounding areas.

The proposed PUD Amendment will maintain the community character of the surrounding area substantially more than the currently approved plan. The Future Land Use Map (FLUM) for the subject property has a designation of Residential Low (RL) with a density range of 10+ Ac/Du. This PUD Amendment proposes a maximum of 577 dwelling units with a gross density of 1 DU per 10.2 acres and is therefore in conformance with the Residential Low designation. There are no existing transit facilities or services near or adjacent to the property, therefore it is not possible to apply or compare the County's transit goals and policies to this project.

10.4. Urban Growth Areas and Intergovernmental Coordination

Through the use of Urban Growth Areas (UGA), the Comprehensive Plan encourages development within UGAs to be consistent with municipal land use plans and policies, and where public services and infrastructure can be provided in an efficient and cost-effective manner.

“Within defined UGAs, the County Comprehensive Plan, land use code revisions, and individual projects, should be generally consistent with local municipal land use plans and policies.”

“The county will continue to look for creative ways to address regional issues and support projects within or adjacent to municipalities that transcend political boundaries, and those projects that provide services for all county residents including those in unincorporated areas”.

The PUD is not located within a defined urban growth area; therefore, it is not possible to apply or compare the County's UGA goals and policies to this project.

10.5. Housing

The housing goals and policies of the Comprehensive Plan generally apply to new residential development.

“Ensure that current land use planning objectives promote affordable housing.”

“Encourage local governments to accommodate the majority of their workforce housing needs and to contribute to improving regional jobs-to-workforce attainable housing imbalances.”

The proposed PUD amendment is subject to the 2013 LUDC (as amended), specifically Article 8 as it relates to the provision of affordable housing. The LUDC requires that any project proposing 15 or more lots or units located within Area 1 of the County (the southeastern portion of the County encompassing the unincorporated areas near Carbondale and Glenwood Springs) must provide affordable housing in an amount equal to 10% of the proposed lots or units. The project includes a total of 577 dwelling units; therefore, this proposal includes the provision of fifty-eight (58) deed-restricted Community Housing Units as required. These units will be subject to pricing and resident qualification requirements in accordance with County regulations. In addition to the 58 units being provided for County residents or workers, the Applicant is also proposing to include seventeen (17) deed-restricted units that would be managed and controlled by the Developer for use as workforce housing for employees within the Spring Valley Ranch PUD.

10.6. Transportation

Of great importance in the Comprehensive Plan is the ability of the County to maintain its road system.

“Ensure that county roads are constructed and maintained on a safe, and fiscally sustainable basis.”

The Applicant has committed to substantial off-site public improvements for both County Road 114 and County Road 115. These improvements are documented in the Development Agreement in **Appendix G**, in concert with the road design standards in Section 7.2 of the PUD Guide in **Appendix K**. The Applicant was not required to study County Road 110, though the Applicant is willing to work with Garfield County to provide appropriate signage for County Road 110.

10.7. Economics, Employment and Tourism

The construction industry is an important economic sector for Garfield County, comprising 17% of the employment base, while the tourism sector makes up another 10% of the employment base. The Comprehensive Plan recognizes the importance of maintaining a diverse economic base.

“The county recognizes that the tourism industry is an important part of the regional economy and the county recognizes that the tourism industry is enhanced by: (1) open space and scenic vistas; (2) public trails and other recreational opportunities; (3) public access to public lands; (4) a healthy environment and habitats for hunting and fishing; (5) green belts and open area between communities; (6) clean air and water; and, (7) local foods and local produce.”

As discussed in [Section 7.13](#) of this Narrative Report and demonstrated in the Fiscal & Economic Impact Report in **Appendix R**, the PUD will be well-financed and will contribute significantly to Garfield County’s economy through property tax revenues, impact fees, and a voluntary transfer fee. The project will also have indirect beneficial financial impacts to local towns and businesses, and will create long-term local opportunities for construction, design, legal, property management, real estate, and other professions.

10.8. Recreation, Open Space and Trails

The Comprehensive Plan recognizes the value of open lands, recreational opportunities, parks, and trails. Access to these amenities contributes to quality of life and is important to County residents and the tourism sector of the local economy.

“Where appropriate, new residential development should provide recreation opportunities for residents that are appropriate to the density and type of development or that contributes land and/or funding to county-wide trail and recreation system. Large developments should provide recreational/transportation facilities internal to the development and connections to external recreational/transportation facilities as appropriate.”

The proposed PUD Amendment includes the provision for increased recreational opportunities including parks, Open Space, and trails. A minimum of 55% of the PUD will be maintained as Open Space with walking and mountain bike trails. The proposed PUD Plan includes the provision of a minimum of 450 acres of Open Space that will be available for public use and will include a minimum of 10 miles of mountain bike and hiking trails and a public trailhead with restrooms.

10.9. Agriculture

Through the Comprehensive Plan, the County values the preservation of agricultural lands, rural character, and agricultural heritage.

“Ensure that current land use planning objectives protect, support and strengthen both new and existing agricultural uses”.

Spring Valley Ranch values the importance of preserving the natural state and character of the land by preserving the most publicly visible portions of the PUD as Open Space. The PUD will be preserving the Hopkins homestead and maintaining most of Spring Valley Ranch’s current agricultural lands as Open Space. The proposed PUD Plan provides a minimum of 55% open space for the entirety of the PUD, thereby preserving rural heritage.

10.10. Water and Sewer Services

Through the Comprehensive Plan, the County values the preservation and enhancement of high-quality water resources and proper waste water treatment.

“Development located adjacent to municipalities or water and sanitation districts with available capacity in their central water/sewer systems will be prioritized and required to tie into these systems where feasible.”

The PUD will include a central water distribution system that will be permitted by the Colorado Department of Public Health & Environment and will be owned and operated by the Landis Creek Metropolitan District. Central sewer services will be provided by the Spring Valley Sanitation District.

10.11. Natural Resources

The Comprehensive Plan promotes the preservation and enhancement of wildlife habitat, native vegetation, riparian corridors, scenic resources, the night sky, and air and water quality. These natural resources contribute significant value to the tourism sector of the local economy.

“Encourage the protection and preservation of critical wildlife habitat.”

“Work cooperatively with involved agencies to ensure natural resources are protected and preserved.”

The proposed PUD Plan reflects recommendations from Colorado Parks and Wildlife (CPW) for two (2) designated Wildlife Habitat Reserves consisting of 1320 total acres. The PUD Plan Map (**Appendix J**) designates 806 acres of the preserved Open Space in the northwest portion of the property and 514 acres of preserved Open Space in the southwest portion of the property as Wildlife Habitat Reserves. The two Reserves are located in Planning Areas A, B, G and H. The proposed PUD Plan has also greatly expanded the Open Space to include a minimum of 55% (3249 acres). The Applicant will establish a Wildlife Trust which will be funded by a 0.4% real estate transfer fee (which is further discussed in [Section 7.2](#) of this Narrative Report).

Drainage plans will be designed to allow for proper infiltration and groundwater recharge. Inlet structures, piping, swales, infiltration depressions and overflow structures will convey runoff through the site. Proposed roads will drain into grass-lined swales and will convey runoff to localized depressions via storm inlets and piping when necessary. Localized depressions will be the main form of retention to provide water quality and promote infiltration, while larger depressions will be used for retention. Drainage and erosion control of the site during construction activities will be managed under the authority of a Colorado Department of Public Health & Environment (CDPHE) discharge permit and associated Stormwater Management Plan.

10.12. Mineral Extraction

Garfield County contains significant mineral resources. Through the Comprehensive Plan, the County recognizes the value of the resource extraction industry in contributing to a diverse and stable economy. The Plan also promotes fair mitigation of any negative impacts extraction activities may cause.

“Support the legal rights and privileges of surface and mineral owners to extract and develop their interests as well as the legal rights and privileges of private property owners and the general public to have the mineral estate developed in a reasonable manner and to have adverse impacts mitigated.”

“Mineral resource extraction activities will protect critical wildlife habitat as identified by state and federal agencies and preserve or mitigate natural drainage patterns from the impacts of extraction activities.”

This PUD Amendment does not propose any mineral extraction activities, and therefore it is not possible to apply or compare the County’s Mineral Extraction goals and policies to this project.

10.13. Renewable Energy

The Comprehensive Plan promotes the development of renewable energy sources in appropriate locations throughout the County, and the County has ensured that regulations for such land uses are not overly burdensome. The Comprehensive Plan also acknowledges the potential of alternative energy production for further economic diversification.

“Promote and encourage the development of renewable energy resources within the county.”

This PUD Amendment creates specific allowances for renewable energy production at an appropriate scale. The PUD Guide (**Appendix K**) allows for the use of Accessory, Small, and Large Solar Energy Systems as well as Small Wind Energy Systems. Accessory Solar Energy Systems are those rated less than 15 kilowatts, Small Solar Energy Systems are those rated 15 to 500 kilowatts and Large Solar Energy Systems rated at greater than 500 kilowatts.

END



Garfield County

Community Development Department
 108 8th Street, Suite 401
 Glenwood Springs, CO 81601
 (970) 945-8212
www.garfield-county.com

LAND USE CHANGE PERMIT APPLICATION FORM

TYPE OF APPLICATION	
<input type="checkbox"/> Administrative Review	<input type="checkbox"/> Development in 100-Year Floodplain
<input type="checkbox"/> Limited Impact Review	<input type="checkbox"/> Development in 100-Year Floodplain Variance
<input type="checkbox"/> Major Impact Review	<input type="checkbox"/> Code Text Amendment
<input type="checkbox"/> Amendments to an Approved LUCP <input type="checkbox"/> LIR <input type="checkbox"/> MIR <input type="checkbox"/> SUP	<input checked="" type="checkbox"/> Rezoning <input type="checkbox"/> Zone District <input type="checkbox"/> PUD <input checked="" type="checkbox"/> PUD Amendment
<input type="checkbox"/> Minor Temporary Housing Facility	<input type="checkbox"/> Administrative Interpretation
<input type="checkbox"/> Vacation of a County Road/Public ROW	<input type="checkbox"/> Appeal of Administrative Interpretation
<input type="checkbox"/> Location and Extent Review	<input type="checkbox"/> Areas and Activities of State Interest
<input type="checkbox"/> Comprehensive Plan Amendment	<input type="checkbox"/> Accommodation Pursuant to Fair Housing Act
<input type="checkbox"/> Pipeline Development	<input type="checkbox"/> Variance
<input type="checkbox"/> Time Extension (also check type of original application)	

INVOLVED PARTIES

Owner/Applicant
 Name: Storied Development, LLC Phone: (530) 448-3157
 Mailing Address: 1103 Ryan Pass
 City: Athens State: GA Zip Code: 30606
 E-mail: rwagner@storiedliving.com

Representative (Authorization Required)
 Name: Jon Fredericks, LANDWEST Phone: (970) 379-4155
 Mailing Address: 345 Colorado Ave. #106
 City: Carbondale State: CO Zip Code: 81623
 E-mail: jon@landwestcolorado.com

PROJECT NAME AND LOCATION

Project Name:
Spring Valley Ranch PUD

Assessor's Parcel Number: 218716100169, 218720100168, 218726200168, 218733100152

Physical/Street Address: 4000 CR 115, Glenwood Springs, CO 81601 (ranch house)

Legal Description: See Title Commitment.

Zone District: PUD **Property Size (acres):** 5908 +/- Acres

PROJECT DESCRIPTION

Existing Use:

PUD Zoning, currently residential and agricultural use.

Proposed Use (From Use Table 3-403): Please reference Land Use Schedule in proposed PUD Guide.

Description of Project: Request for Substantial PUD Amendment, with a new PUD Guide and PUD Plan Map.

For Appeal of Administrative Interpretation please include:

1. The Decision you are appealing.
2. The date the Decision was sent as specified in the notice (date mailed).
3. The nature of the decision and the specified ground for appeal. Please cite specific code sections and/or relevant documentation to support your request.
4. The appropriate appeal fee of \$250.00.
5. Please note a completed Appeal Application and fees must be received within 30 calendar days of the date of the final written Administrative Interpretation.

REQUEST FOR WAIVERS

Submission Requirements

- The Applicant requesting a Waiver of Submission Requirements per Section 4-202. List:

Section: _____ Section: _____

Section: _____ Section: _____

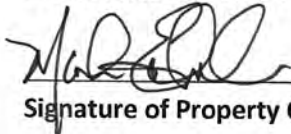
Waiver of Standards

- The Applicant is requesting a Waiver of Standards per Section 4-118. List:

Section: _____ Section: _____

Section: _____ Section: _____

I have read the statements above and have provided the required attached information which is correct and accurate to the best of my knowledge.



Signature of Property Owner or Authorized Representative, Title

12/13/22
Date

OFFICIAL USE ONLY

File Number: _____ - _____

Fee Paid: \$ _____



PAYMENT AGREEMENT FORM

GARFIELD COUNTY ("COUNTY") and Property Owner ("APPLICANT") _____
Storied Development, LLC _____ agree as follows:

1. The Applicant has submitted to the County an application for the following Project: _____
Spring Valley Ranch PUD Amendment _____
2. The Applicant understands and agrees that Garfield County Resolution No. 2014-60, as amended, establishes a fee schedule for each type application, and the guidelines for the administration of the fee structure.
3. The Applicant and the County agree that because of the size, nature or scope of the proposed project, it is not possible at this time to ascertain the full extent of the costs involved in processing the application. The Applicant agrees to make payment of the Base Fee, established for the Project, and to thereafter permit additional costs to be billed to the Applicant. The Applicant agrees to make additional payments upon notification by the County, when they are necessary, as costs are incurred.
4. The Base Fee shall be in addition to and exclusive of any cost for publication or cost of consulting service determined necessary by the Board of County Commissioners for the consideration of an application or additional County staff time or expense not covered by the Base Fee. If actual recorded costs exceed the initial Base Fee, the Applicant shall pay additional billings to the County to reimburse the County for the processing of the Project. The Applicant acknowledges that all billing shall be paid prior to the final consideration by the County of any Land Use Change or Division of Land.

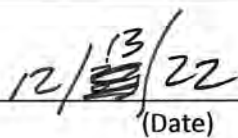
I hereby agree to pay all fees related to this application:

Billing Contact Person: Lisa T. Reynolds Phone: (423) 488-9293
Billing Contact Address: 1103 Ryan Pass
City: Athens State: GA Zip Code: 30606
Billing Contact Email: ltreynolds@StoriedLiving.com

Printed Name of Person Authorized to Sign: Mark Enderle



(Signature)



(Date)

SPRING VALLEY HOLDINGS, LLC
c/o 101 South Mill Street, Ste. 200, Aspen, CO 81611
(970) 925-8700

November 7, 2023

Glenn Hartmann
Garfield County Community Development Department
108 Eighth Street
Glenwood Springs, CO 81601

**Re: Spring Valley Ranch PUD (“SVR PUD”) Amendment to PUD Plan and
Development Agreement; Parcel IDs: 2187-161-00-169, 2187-201-00168, 2187-262-
00-168, 2187-331-00-152**

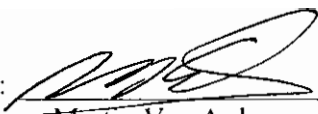
Dear Glenn:

Spring Valley Holdings LLC, a Delaware limited liability company, care of the above address, is the owner of the property described as Spring Valley Ranch and identified in the Garfield County Assessor’s Office by the above Parcel ID Numbers and legally described in Deed recorded at Reception No. 686804 of the Garfield County records (the “Property”).

We do hereby authorize Storied Development, LLC, a Delaware limited liability company, which is represented by Mark Enderle (a principal of Storied Development, LLC), Jon Fredericks of LandWest, 345 Colorado Ave., Ste. 106, Carbondale, CO 81623 (970) 379-4155 and J. Bart Johnson, of Waas Campbell Rivera Johnson & Velasquez, 420 East Main Street, Ste. 210, Aspen, CO 81611, (970) 544-4602 to act as our designated representatives with respect to filing and processing land use applications related to amending the PUD Plan and Development Agreement for the Property. Further, they are authorized to represent us in any meetings or hearings with staff and the County’s decision-making bodies.

Should you have any need to contact us during the course of your review of this application, please do so through Jon Fredericks.

Very truly yours,
SPRING VALLEY HOLDINGS, LLC,
a Delaware limited liability company

By: 

Martin Van Ardenne, Manager
and Authorized Signator

Storied Development, LLC

**1103 Ryan Pass
Athens, GA 30606
(423) 488-9293**

December 7, 2022

Glenn Hartmann, Senior Planner
Community Development Department
Garfield County
108 8th Street, Suite 401
Glenwood Springs, Colorado 81631

RE: Letter of Authorization, Spring Valley Ranch PUD (the "Property")

Dear Mr. Hartmann,

The application for Spring Valley Ranch PUD Amendment concerns the following Applicant and Property Owner:

Applicant:

Storied Development, LLC
1103 Ryan Pass
Athens, GA 30606

Property Owner:

Spring Valley Holdings, LLC
One Towne Square, Suite 1913
Southfield, MI 48076

This letter of Authorization grants LANDWEST Colorado, LLC via Mr. Jon Fredericks, and Waas Campbell Rivera Johnson & Velasquez via Mr. Bart Johnson (the "Agents") authority on behalf of Storied Development, LLC (the "Applicant") and Spring Valley Holdings, LLC (the "Property Owner") to file and process PUD Amendment applications concerning the Development Agreement and PUD Plan for the Property.

LANDWEST Colorado, LLC
345 Colorado Ave. #106
Carbondale, CO 81623
(970) 379-4155
jon@landwestcolorado.com

AND

WAAS CAMPBELL RIVERA
JOHNSON & VELASQUEZ, LLP
420 E Main St Aspen, CO 81611
(970) 544-7006
johnson@wcrlegal.com

Yours truly,

Storied Development, LLC

By: 

Mark Enderle

Spring Valley Holdings, LLC

By: 

Martin Van Ardenne

Cc: Jon Fredericks, LANDWEST Colorado, LLC
Bart Johnson, WAAS CAMPBELL RIVERA JOHNSON & VELASQUEZ, LLP



First American

Commitment

ALTA Commitment for Title Insurance

ISSUED BY

First American Title Insurance Company

File No: NCS-1133415-SLC1

COMMITMENT FOR TITLE INSURANCE

Issued By

FIRST AMERICAN 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 EXTRACTIONAL 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, **First American Title Insurance Company**, a Nebraska 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 Policy Amount and the name of the Proposed Insured.

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

First American Title Insurance Company

Kenneth D. DeGiorgio, President

Greg L. Smith, Secretary

If this jacket was created electronically, it constitutes an original document.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American 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; Schedule B, Part II-Exceptions.

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COMMITMENT CONDITIONS

1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "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.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in 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; and
- (f) Schedule B, Part II—Exceptions.

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 shall not be 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 shall not be 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 will only have liability 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 shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be 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) In any event, the Company's liability is limited by the terms and provisions of the Policy.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American 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; Schedule B, Part II-Exceptions.

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6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

- (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 and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, 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 HAS BEEN 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. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is \$2,000,000 or less shall be arbitrated at the option 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>.

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First American

Schedule A

ALTA Commitment for Title Insurance

ISSUED BY

First American Title Insurance Company

File No: NCS-1133415-SLC1

Transaction Identification Data for reference only:

Issuing Agent: First American Title Insurance Company National Commercial Services

Commitment No.: NCS-1133415-SLC1

Property Address: 5000 Country Road 115, Glenwood Springs, CO 81601

Revision No.:

Issuing Office: 215 South State Street, Ste. 380, Salt Lake City, UT 84111

Issuing Office File No.: NCS-1133415-SLC1

Escrow Officer: Alisha White

Escrow Officer Number: (801)578-8838

Escrow Officer Email: AWhite@firstam.com

Escrow Assistant: Debi Harris

Escrow Assistant Number: (801)578-8873

Escrow Assistant Email: DeHarris@firstam.com

Underwriter: Kirk Ehlers

Underwriter Number: (435)669-5497

Underwriter Email: kehlere@firstam.com

SCHEDULE A

1. Commitment Date: June 17, 2022 at 5:00 PM
2. Policy or Policies to be issued:
 - (a) ALTA® Owner's Policy (6-17-06)
Proposed Insured: **Storied Development LLC, a Delaware limited liability company**
Proposed Policy Amount: \$70,000,000.00
 - (b) ALTA® Loan Policy (6-17-06)
Proposed Insured:
Proposed Policy Amount: \$
3. The estate or interest in the Land described or referred to in this Commitment is Fee Simple, as to Parcels 1 through 3, Easement, as to Parcel 4.
4. The Title is, [at the Commitment Date, vested in:](#)
Spring Valley Holdings, LLC, a Delaware limited liability company
5. The Land is described as follows:

See Exhibit "A" attached hereto and made a part hereof

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American 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; Schedule B, Part II-Exceptions.

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First American

ALTA Commitment for Title Insurance

ISSUED BY

First American Title Insurance Company

File No: NCS-1133415-SLC1

Exhibit A

Commitment No.: NCS-1133415-SLC1

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

PARCEL 1:

A PARCEL OF LAND LOCATED IN SECTION 14, 15, 16, 20, 21, 22, 27, 28, 29, 32, 33, AND 34, TOWNSHIP 6 SOUTH, RANGE 88 WEST, SIXTH PRINCIPAL MERIDIAN BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 20 BEING A STONE MONUMENT FOUND IN PLACE AND RE-MONUMENTED WITH A 2-INCH ALUMINUM CAP (P.E.L.S. 5933);
 THENCE S 88°16'08" E 2627.19 FEET ALONG THE NORTH LINE OF SAID SECTION 20 TO THE NORTH QUARTER CORNER OF SAID SECTION 20 BEING A 1-1/2 INCH ALUMINUM CAP (L.S. 16835) FOUND IN PLACE AND RE-MONUMENTED WITH A 2-INCH ALUMINUM CAP (P.E.L.S. 5933),
 THENCE S 68°15'46" E 2625.91 FEET ALONG THE NORTH LINE OF SAID SECTION 20 TO THE NORTHEAST CORNER OF SAID SECTION 20 BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE SAID CORNER ALSO BEING ON THE WEST LINE OF SAID SECTION 16;
 THENCE N 00°00'14" W 2631.77 FEET ALONG THE WEST LINE OF SAID SECTION 16 TO THE EAST QUARTER CORNER OF SECTION 17, T. 6 S., R. 66 W., 6TH P.M. BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE;
 THENCE N 00°08'04" W 340.70 FEET CONTINUING ALONG THE WEST LINE OF SAID SECTION 16 TO THE WEST QUARTER CORNER OF SAID SECTION 16 BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE;
 THENCE N 00°01'47" E. 1047.99 FEET CONTINUING ALONG THE WEST LINE OF SAID SECTION 16 TO THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN [BOOK 448 AT PAGE 284](#) IN THE OFFICE OF THE GARFIELD COUNTY CLERK AND RECORDER;
 THENCE THE FOLLOWING THREE COURSES ALONG DESCRIBED PARCEL DESCRIBED IN [BOOK 448 AT PAGE 284](#):
 1. THENCE N 89°16'47" E 334.10 FEET;
 2. THENCE N 03°35'47" E 252.06 FEET;
 3. THENCE N 00°27'52" W 349.87 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 16;
 THENCE N 00°01'47" E 977.15 FEET ALONG THE WEST LINE OF SAID SECTION 16 TO THE NORTHEAST CORNER OF SAID SECTION 17 BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE;
 THENCE N 00°01'20" W 344.80 FEET CONTINUING ALONG THE WEST LINE OF SAID SECTION 16 TO THE NORTHWEST CORNER OF SAID SECTION 16 BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE,
 THENCE N 89°57'15" E 2703.26 FEET ALONG THE NORTH LINE OF SAID SECTION 16 TO THE NORTH QUARTER CORNER OF SAID SECTION 16 BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE,
 THENCE N 89°57'09" E 2637.87 FEET CONTINUING ALONG THE NORTH LINE OF SAID SECTION 16 TO THE NORTHEAST CORNER OF SAID SECTION 16 BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE;
 THENCE N 89°58'17" E 2638.56 FEET ALONG THE NORTH LINE OF SAID SECTION 15 TO THE NORTH QUARTER CORNER OF SAID SECTION 15 BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE;
 THENCE S 89°59'36" E 1316.31 FEET CONTINUING ALONG THE NORTH LINE OF SAID SECTION 15 TO THE WEST LINE OF THE NE1/4NE1/4 OF SAID SECTION 15 BEING A 3-INCH ALUMINUM CAP (L.S. 15710) FOUND IN PLACE WHENCE THE NORTHEAST CORNER OF SAID SECTION 15 BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE BEARS S 89°59'36" E 1318.31 FEET;
 THENCE S 00°00'09" E 1312.36 FEET ALONG THE WEST LINE OF THE NE1/4NE1/4 OF SAID SECTION 15, TO THE SOUTHWEST CORNER OF THE NE1/4NE1/4 OF SAID SECTION 15 BEING A 3-INCH ALUMINUM CAP (L.S. 15720) FOUND IN PLACE;
 THENCE N 89°55'46" EAST 1317.67 FEET ALONG THE SOUTH LINE OF THE NE1/4NE1/4 OF SAID SECTION 15 TO THE SOUTHEAST CORNER OF THE NE1/4NE1/4 OF SAID SECTION 15 BEING A 3-INCH ALUMINUM CAP (L.S. 15710) FOUND

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IN PLACE;

THENCE S. 89°58'46" EAST 1320.64 FEET ALONG THE NORTH LINE OF THE SW1/4NW1/4 OF SAID SECTION 14 TO THE NORTHEAST CORNER OF THE SW1/4NW1/4 OF SAID SECTION 14 BEING A 3-INCH ALUMINUM CAP (L.S. 15710) FOUND IN PLACE;

THENCE S 00°01'34" W 1312.94 FEET ALONG THE EAST LINE OF THE SW1/4NW1/4 OF SAID SECTION 14 TO THE SOUTHEAST CORNER OF THE SW1/4NW1/4 OF SAID SECTION 14;

THENCE S 00°01'19" EAST 1667.58 FEET ALONG THE EAST LINE OF THE W1/2SW1/4 OF SAID SECTION 14;

THENCE S 89°58'41" W A DISTANCE OF 1319.21 FEET TO A POINT ON THE EAST LINE OF SECTION 15;

THENCE N 00°04'13" W A DISTANCE OF 370.03 FEET ALONG THE EAST LING OF SECTION 15;

THENCE N 90°00'00" W A DISTANCE OF 1360.33 FEET;

THENCE N 00°00'00" W A DISTANCE OF 940.00 FEET;

THENCE N 90°00'00" W A DISTANCE OF 1440.00 FEET;

THENCE S 00°00'00" W A DISTANCE OF 150.00 FEET;

THENCE S 89°58'11" W A DISTANCE OF 1158.63 FEET TO A POINT ON THE EAST LINE OF THE NW1/4SW1/4 OF SAID SECTION 15;

THENCE N 00°01'49" W A DISTANCE OF 501.28 FEET ALONG SAID EAST LINE OF THE NW1/4SW1/4 OF SAID SECTION 15 TO THE NORTHEAST CORNER OF SAID NW1/4SW1/4 OF SECTION 15 BEING A 2 INCH ALUMINUM CAP (P.E.L.S. 5933);

THENCE S 89°51'07" W A DISTANCE OF 1323.59 FEET ALONG THE NORTH LINE OF SAID NW1/4SW1/4 OF SECTION 15 TO THE W1/4 CORNER OF SAID SECTION 15 BEING A 2-1/2 INCH GLO BRASS CAP;

THENCE S 00°05'16" W A DISTANCE OF 1535.19 FEET ALONG THE WEST LING OF SAID SECTION 15 TO THE SOUTHWEST CORNER OF SAID NW1/4SW1/4 OF SECTION 15 BEING A 2 INCH ALUMINUM CAP (P.E.L.S. 5933);

THENCE S 89°51'32" E 856.76 FEET ALONG THE SOUTH LINE SAID NW1/4SW1/4 OF SECTION 15;

THENCE S 00°00'00" W A DISTANCE OF 700.00 FEET;

THENCE N 60°11'19" E A DISTANCE OF 1740.00 FEET;

THENCE S 44°04'32" E A DISTANCE OF 720.00 FEET;

THENCE S 59°25'06" E A DISTANCE OF 380.00 FEET;

THENCE S 04'18'14" W A DISTANCE OF 1705.77 FEET;

THENCE S 52°00'40" W A DISTANCE OF 570.00 FEET;

THENCE S 32°36'07" E A DISTANCE OF 720.00 FEET;

THENCE N 55°19'58" E A DISTANCE OF 662.28 FEET;

THENCE S 34°57'59" E A DISTANCE OF 1160.00 FEET;

THENCE S 61°02'11" W A DISTANCE OF 1510.00 FEET;

THENCE S 49°17'33" W A DISTANCE OF 440.21 FEET;

THENCE S 67°46'01" W A DISTANCE OF 2056.57 FEET;

THENCE S 33°43'34" E A DISTANCE OF 2585.68 FEET;

THENCE S 57°12'11" E A DISTANCE OF 1507.60 FEET;

THENCE S 25°57'07" E A DISTANCE OF 1863.71 FEET;

THENCE S 08°45'36" E A DISTANCE OF 1546.11 FEET;

THENCE S 00°45'01" W A DISTANCE OF 425.99 FEET;

THENCE N 89°14'59" W A DISTANCE OF 2048.85 FEET ALONG THE SOUTH LINE OF SAID SECTION 27 BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE;

THENCE N 89°17'11" W 1319.72 FEET ALONG THE NORTH LINE OF SAID SECTION 34 TO THE NE CORNER W1/2NW1/4 OF SAID SECTION 34 WHENCE THE NORTHWEST CORNER OF SAID SECTION 34 BEARS N 89°17'11" W 1319.72 FEET;

THENCE S 00°05'58" E 2466.04 FEET ALONG THE EAST LINE OF THE W1/2NW1/4 OF SAID SECTION 34 TO THE SOUTHEAST CORNER OF THE W1/2NW1/4 OF SAID SECTION 34;

THENCE S 89°51'39" W 1389.27 FEET ALONG THE SOUTH LINE OF THE W1/2NW1/4 OF SAID SECTION 34 TO THE WEST QUARTER CORNER OF SAID SECTION 34 BEING A STONE MONUMENT FOUND IN PLACE AND RE-MONUMENTED WITH A 2-INCH ALUMINUM CAP (P.E.L.S. 5933);

THENCE N 88°27'45" W 2511.99 FEET ALONG THE SOUTH LINE OF THE NE1/4 OF SAID SECTION 33 TO THE CENTER QUARTER OF SAID SECTION 33 BEING A 3 INCH ALUMINUM CAP (COUNTY SURVEYOR) FOUND IN PLACE;

THENCE N 88°27'28" W 1092.52 FEET ALONG THE SOUTH LINE OF LOT 6 OF SAID SECTION 33 TO THE SOUTHWEST CORNER OF SAID LOT 6;

THENCE N 00°19'52" E 821.58 FEET ALONG THE WEST LINE OF SAID LOT 6 TO THE SOUTHEAST CORNER OF LOT 5 OF SAID SECTION 33;

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THENCE N 88°29'25" W 1065.30 FEET ALONG THE SOUTH LINE OF SAID LOT 5 TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF GARFIELD COUNTY ROAD 119;
 THENCE THE FOLLOWING SEVENTEEN (17) COURSES ALONG THE NORTHERLY RIGHT-OF-WAY OF SAID COUNTY ROAD 119:

1. THENCE ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 190.00 FEET, AND A CENTRAL ANGLE OF 40°11'43" FOR A DISTANCE ALONG THE CURVE OF 133.29 FEET; THE CHORD OF SAID CURVE BEARS N 69°42'36" W A DISTANCE OF 130.58 FEET;
2. THENCE N 89°48'27" W 335.07 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 33 WHENCE THE NORTHWEST CORNER OF SAID SECTION 33 BEING A 3-INCH COUNTY SURVEYOR'S ALUMINUM CAP FOUND IN PLACE BEARS N 01°14'21" E 1729.72 FEET;
3. THENCE N 89°48'27" W 746.63 FEET
4. THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 9975.00 FEET, AND A CENTRAL ANGLE OF 01°23'23" FOR A DISTANCE ALONG THE CURVE OF 241.95 FEET; THE CHORD OF SAID CURVE BEARS N 89°06'46" W A DISTANCE OF 241.94 FEET;
5. THENCE N 88°25'04" W 886.82 FEET;
6. THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET, AND A CENTRAL ANGLE OF 101°43'17" FOR A DISTANCE ALONG THE CURVE OF 53.26 FEET; THE CHORD OF SAID CURVE BEARS N 37°33'26" W A DISTANCE OF 46.54 FEET;
7. THENCE N 13°18'13" E 1531.48 FEET;
8. THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 715.00 FEET, AND A CENTRAL ANGLE OF 15°55'12" FOR A DISTANCE ALONG THE CURVE OF 198.67 FEET; THE CHORD OF SAID CURVE BEARS N 05°20'37" E A DISTANCE OF 198.03 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 29 WHENCE THE SOUTHEAST CORNER OF SAID SECTION 29 BEARS S 89°03'23" E 1570.16 FEET;
9. THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 715.00 FEET, AND A CENTRAL ANGLE OF 29°05'27" FOR A DISTANCE ALONG THE CURVE OF 363.03 FEET; THE CHORD OF SAID CURVE BEARS N 17°09'43" W A DISTANCE OF 359.14 FEET;
10. THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1853.11 FEET, AND A CENTRAL ANGLE OF 14°56'46" FOR A DISTANCE ALONG THE CURVE OF 483.40 FEET; THE CHORD OF SAID CURVE BEARS N 39°10'49" W A DISTANCE OF 482.03 FEET;
11. THENCE N 46°39'12" W 512.11 FEET;
12. THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 544.29 FEET, AND A CENTRAL ANGLE OF 29°19'12" FOR A DISTANCE ALONG THE CURVE OF 278.53 FEET; THE CHORD OF SAID CURVE BEARS N 61°18'49" W A DISTANCE OF 275.50 FEET;
13. THENCE N 75°55'25" W 274.72 FEET;
14. THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 777.56 FEET, AND A CENTRAL ANGLE OF 10°01'45" FOR A DISTANCE ALONG THE CURVE OF 136.11 FEET; THE CHORD OF SAID CURVE BEARS N 70°57'32" W A DISTANCE OF 135.93 FEET;
15. THENCE N 65°56'40" W 288.79 FEET;
16. THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 934.49 FEET, AND A CENTRAL ANGLE OF 12°43'09" FOR A DISTANCE ALONG THE CURVE OF 207.45 FEET; THE CHORD OF SAID CURVE BEARS N 59°35'05" W A DISTANCE OF 207.03 FEET;
17. THENCE N 53°13'30" W 363.38 FEET TO A POINT ON THE WEST LINE OF LOT 26 OF SAID SECTION 29;
 THENCE N 00°30'27" E 619.90 FEET ALONG THE WEST LING OF SAID LOT 26 TO THE NORTHWEST CORNER OF SAID LOT 26,
 THENCE N 90°00'00" W 65.41 FEET TO A FENCE POST WITH A PK-NAIL IN THE TOP AND ACCEPTED AS THE SOUTHWEST CORNER OF LOT 20 OF SAID SECTION 29;
 THENCE N 00°34'26" E 2165.03 FEET ALONG THE ACCEPTED WEST LINE OF LOTS 20, 16, AND 8 OF SAID SECTION 29 TO A RED PLASTIC CAP (P.L.S. 27929);
 THENCE N 00°33'35" E 431.30 FEET TO THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN [BOOK 527 AT PAGE 951](#) IN THE OFFICE OF TEE GARFIELD COUNTY CLERK AND RECORDER;
 THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN [BOOK 527 AT PAGE 951](#) S 89°32'20" E 431.36 FEET;
 THENCE THE FOLLOWING TWO COURSES ALONG THE SOUTHERLY BOUNDARY OF A PARCEL OF LAND DESCRIBED IN [BOOK 872 AT PAGE 768](#) IN THE OFFICE OF THE GARFIELD COUNTY CLERK AND RECORDER:

1. THENCE S 50°51'48" E 497.50 FEET;

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2. THENCE S 57°58'21" E 57.39 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF A PARCEL OF LAND DESCRIBED IN [BOOK 915 AT PAGE 112](#) IN THE OFFICE OF THE GARFIELD COUNTY CLERK AND RECORDER;
THENCE S 57°58'21" E 305.00 FEET ALONG THE SOUTHERLY BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN [BOOK 915 AT PAGE 112](#);
THENCE S 33°33'03" E 149.53 FEET ALONG THE SOUTHWESTERLY BOUNDARY OF A PARCEL OF LAND DESCRIBED IN [BOOK 621 AT PAGE 219](#) IN THE OFFICE OF THE GARFIELD COUNTY CLERK AND RECORDER;
THENCE S 81°36'23" E 133.95 FEET ALONG THE SOUTHERLY BOUNDARIES OF PARCELS OF LAND DESCRIBED IN [BOOK 621 AT PAGE 219](#) AND [BOOK 965 AT PAGE 509](#) IN THE OFFICE OF THE GARFIELD COUNTY CLERK AND RECORDER TO A POINT ON THE BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN [BOOK 965 AT PAGE 509](#);
THENCE THE FOLLOWING THREE COURSES ALONG THE SOUTHEASTERLY BOUNDARY OF SAID PARCEL DESCRIBED IN [BOOK 965 AT PAGE 509](#):

1. THENCE S 81°42'23" E 302.25 FEET;
2. THENCE N 05°12'20" E 149.94 FEET;
3. THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 55.23 FEET, AND A CENTRAL ANGLE OF 40°33'24" FOR A DISTANCE ALONG THE CURVE OF 39.09 FEET; THE CHORD OF SAID CURVE BEARS N 25°28'41" E A DISTANCE OF 38.28 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF A PARCEL OF LAND DESCRIBED IN [BOOK 808 AT PAGE 803](#) IN THE OFFICE OF THE GARFIELD COUNTY CLERK AND RECORDER;

THENCE THE FOLLOWING THREE COURSES ALONG THE EASTERLY BOUNDARY OF SAID PARCEL DESCRIBED IN [BOOK 808 AT PAGE 803](#):

1. THENCE S 81°42'37" E 123.19 FEET;
2. THENCE N 21°00'23" W 820.84 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 20 WHENCE THE SOUTH QUARTER CORNER OF SAID SECTION 20 BEING A STONE MONUMENT FOUND IN PLACE AND RE-MONUMENTED WITH A 2-INCH ALUMINUM CAP (P.E.L.S. 5933) BEARS N 88°32'13" W 248.98 FEET;
3. THENCE N 21°00'23" W 137.24 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF GARFIELD COUNTY ROAD 115;

THENCE THE FOLLOWING TWO COURSES ALONG THE NORTHERLY RIGHT-OF-WAY OF SAID COUNTY ROAD 115:

1. THENCE ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 5288.82 FEET, AND A CENTRAL ANGLE OF 02°43'04" FOR A DISTANCE ALONG THE CURVE OF 250.07 FEET; THE CHORD OF SAID CURVE BEARS N 73°59'48" W A DISTANCE OF 250.84 FEET;
2. THENCE N 72°38'16" W 1244.87 FEET TO A POINT ON THE ACCEPTED EAST LINE OF LOT 4 OF SAID SECTION 20 WHENCE THE SOUTHEAST CORNER OF A PARCEL OF LAND RECORDED UNDER RECEPTION NUMBER [467225](#) IN THE OFFICE OF THE GARFIELD COUNTY CLERK AND RECORDER BEING A RED PLASTIC CAP (P.L.S. 27613) FOUND IN PLACE AND ACCEPTED AS A POINT ON THE EAST LINE OF SAID LOT 4 BEARS S 01°51'02" W 9.41 FEET;
THENCE N 01°51'02" E 490.79 FEET ALONG THE ACCEPTED EAST LINE OF SAID LOT 4 TO THE NORTHEAST CORNER OF SAID LOT 4 BEING A STONE MONUMENT FOUND IN PLACE AND RE-MONUMENTED WITH A 2-INCH ALUMINUM CAP (P.E.L.S. 5933);
THENCE N 88°18'52" W 1429.59 FEET ALONG THE NORTH LINE OF SAID LOT 4 AND LOT 3 OF SAID SECTION 20 TO THE NORTHWEST CORNER OF SAID LOT 3 WHENCE THE SOUTHWEST CORNER OF SAID LOT 20 BEING A 2-1/2 INCH ALUMINUM CAP (P.L.S. 27929) FOUND IN PLACE BEARS S 00°06'31" E 1008.11 FEET;
THENCE N 00°06'31" W 1630.93 FEET ALONG THE WEST LINE OF SAID SECTION 20 TO THE WEST QUARTER CORNER OF SAID SECTION 20 BEING A STONE MONUMENT FOUND IN PLACE AND RE-MONUMENTED WITH A 2-INCH ALUMINUM CAP (P.E.L.S. 5933);
THENCE N 00°04'12" E 2632.88 FEET ALONG THE WEST LINE OF SAID SECTION 20 TO THE NORTHWEST CORNER OF SAID SECTION 20 BEING THE POINT OF BEGINNING.

EXCEPTING THEREFROM 1 THE FOLLOWING FOUR PARCELS:

1)MIDDLE EXCEPTION PARCEL LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE WEST HALF OF SECTION 29 AND NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 6 SOUTH, RANGE 88 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, SAID PARCEL BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY LINE OF SAID SECTION 29 WHENCE THE NORTHEAST CORNER OF SECTION 29 BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE BEARS N 01°09'28" E 1250.72 FEET;
THENCE S 01°09'28" W 346.32 FEET ALONG THE EAST LINE OF SAID SECTION 29 TO A POINT ON THE NORTHERLY

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LINE OF A PARCEL OF LAND DESCRIBED IN [BOOK 495 AT PAGE 596](#) IN THE OFFICE OF THE GARFIELD COUNTY CLERK AND RECORDER, WHENCE THE WEST QUARTER CORNER OF SAID SECTION 28 BEING A 3 INCH ALUMINUM CAP (COUNTY SURVEYOR) BEARS S 01°09'28" E 987.24 FEET;
 THENCE S 68°09'03" E 557.11 FEET ALONG THE NORTHERLY LINE OF SAID PARCEL OF LAND DESCRIBED IN [BOOK 495 AT PAGE 596](#) TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF GARFIELD COUNTY ROAD 115;
 THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 826.12 FEET, AND A CENTRAL ANGLE OF 17°50'11" FOR A DISTANCE ALONG THE CURVE OF 257.17 FEET; THE CHORD OF SAID CURVE BEARS S 64°07'06" E A DISTANCE OF 256.14 FEET ALONG THE SOUTHERLY RIGHT-OF-WAY OF SAID COUNTY ROAD 115;
 THENCE S 73°02'14" E 43.18 FEET CONTINUING ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 115 TO A POINT IN THE EASTERLY LINE OF SAID PARCEL OF LAND DESCRIBED IN [BOOK 495 AT PAGE 596](#);
 THENCE S 00°01'52" W 114.31 FEET ALONG THE EASTERLY BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN [BOOK 495 AT PAGE 596](#) TO THE SOUTHEAST CORNER OF SAID PARCEL OF LAND DESCRIBED IN [BOOK 495 AT PAGE 596](#);
 THENCE THE FOLLOWING FOUR COURSES ALONG THE SOUTHERLY BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN [BOOK 495 AT PAGE 596](#);

1. THENCE N 89°56'06" W 327.05 FEET;
2. THENCE S 54°10'41" W 185.54 FEET;
3. THENCE N 42°16'19" W 154.20 FEET;
4. THENCE S 59°30'35" W 216.33 FEET TO A POINT ON THE BOUNDARY OF A PARCEL OF LAND DESCRIBED IN [BOOK 988 AT PAGE 802](#) IN THE OFFICE OF THE GARFIELD COUNTY CLERK AND RECORDER;

THENCE THE FOLLOWING SIX COURSES AROUND THE EASTERLY, NORTHERLY, AND SOUTHERLY BOUNDARIES OF SAID PARCEL OF LAND DESCRIBED IN [BOOK 988 AT PAGE 802](#):

1. THENCE S 13°45'40" E 111.74 FEET;
2. THENCE S 89°58'06" E 101.60 FEET;
3. THENCE S 00°01'52" W 69.06 FEET;
4. THENCE S 88°48'28" E 25.57 FEET;
5. THENCE S 00°37'24" E 148.37 FEET;
6. THENCE S 14°45'31" E 57.78 FEET;

THENCE S 58°03'40" W 625.36 FEET ALONG THE SOUTHERLY BOUNDARIES OF PARCELS OF LAND DESCRIBED IN [BOOK 988 AT PAGE 802](#) AND [BOOK 736 AT PAGE 345](#) IN THE OFFICE OF THE GARFIELD COUNTY CLERK AND RECORDER TO A POINT ON THE SOUTHERLY BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN [BOOK 736 AT PAGE 345](#);
 THENCE ALONG THE SOUTHERLY AND WESTERLY BOUNDARIES OF SAID PARCEL OF LAND DESCRIBED IN [BOOK 736 AT PAGE 345](#) THE FIVE (5) COURSES:

1. THENCE N 75°53'28" W 35.87 FEET;
2. THENCE N 66°59'35" W 380.19 FEET;
3. THENCE N 50°53'55" W 27.02 FEET;
4. THENCE N 25°54'08" W 19.09 FEET;
5. THENCE N 05°06'09" W 580.16 FEET; TO A POINT ON THE WESTERLY BOUNDARY OF A PARCEL OF LAND DESCRIBED IN [BOOK 886 AT PAGE 329](#) IN THE OFFICE OF THE GARFIELD COUNTY CLERK AND RECORDER;

THENCE ALONG THE WESTERLY AND NORTHERLY BOUNDARIES OF SAID PARCEL OF AND DESCRIBED IN [BOOK 886 AT PAGE 329](#) THE FOLLOWING (3) COURSES:

1. THENCE N 05°36'42" W 538.91 FEET;
2. THENCE N 04°18'35" W 374.95 FEET;
3. THENCE N 82°52'22" E 323.76 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID GARFIELD COUNTY ROAD 115;

THENCE ALONG THE SAID RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES:

1. THENCE ALONG THE ARC OF A NON TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 993.47 FEET, AND A CENTRAL ANGLE OF 03°01'08" FOR A DISTANCE ALONG THE CURVE OF 52.35 FEET; THE CHORD OF WHICH BEARS S 34°41'10" E A DISTANCE OF 52.34 FEET;
2. THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 480.00 FEET, AND A CENTRAL ANGLE OF 36°06'40" FOR A DISTANCE ALONG THE CURVE OF 302.52 FEET) THE CHORD OF SAID CURVE BEARS S 54°15'04 E A DISTANCE OF 297.54 FEET;
3. THENCE S 72°18'24" E 273.90 FEET TO THE POINT OF BEGINNING.

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2) EAST EXCEPTION PARCEL LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTION 28, TOWNSHIP 6 SOUTH, RANGE 88 WEST, OF THE SIXTH PRINCIPAL MERIDIAN BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTH QUARTER CORNER OF SECTION 28 BEING A STONE MONUMENT FOUND IN PLACE AND RE-MONUMENTED WITH A 2-INCH ALUMINUM CAP (P.E.L.S. 5933); THENCE N 88°33'15" W 1084.24 FEET ALONG THE SOUTH LINE OF SECTION 28 TO A POINT ON THE WESTERLY BOUNDARY OF A PARCEL OF LAND DESCRIBED IN [BOOK 938, PAGE 691](#) IN THE OFFICE OF THE GARFIELD COUNTY CLERK AND RECORDER;

WHENCE THE SOUTHWEST CORNER OF SECTION 28 BEING A 3-INCH COUNTY SURVEYOR ALUMINUM CAP FOUND IN PLACE BEARS S 88°33'15" E 1495.74 FEET;

THENCE N 01°00'28" E 2568.63 FEET ALONG THE WESTERLY BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN [BOOK 938 AT PAGE 691](#) TO A POINT ON THE WESTERLY BOUNDARY OF A PARCEL OF LAND DESCRIBED IN [BOOK 638 AT PAGE 941](#) IN THE OFFICE OF THE GARFIELD COUNTY CLERK AND RECORDER;

THENCE N 01°01'12" E 691.65 FEET ALONG THE WESTERLY BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN [BOOK 638 AT 941](#) TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID GARFIELD COUNTY ROAD 115; THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 115 THE FOLLOWING SEVEN (7) COURSES:

1. ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 594.56 FEET, AND A CENTRAL ANGLE OF 41°58'28" FOR A DISTANCE ALONG THE CURVE OF 435.57 FEET; THE CHORD OF SAID CURVE BEARS S 43°10'12" E A DISTANCE OF 425.90 FEET;
2. THENCE S 22°10'58" E 307.62 FEET;
3. THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1421.75 FEET, AND A CENTRAL ANGLE OF 15°49'57" FOR A DISTANCE ALONG THE CURVE OF 392.87 FEET; THE CHORD OF SAID CURVE BEARS S 30°05'57" E A DISTANCE OF 391.63 FEET;
4. THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 370.00 FEET, AND A CENTRAL ANGLE OF 32°43'14" FOR A DISTANCE ALONG THE CURVE OF 211.30 FEET; THE CHORD OF SAID CURVE BEARS S 21°39'19" E A DISTANCE OF 208.44 FEET;
5. THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 2437.42 FEET, AND A CENTRAL ANGLE OF 28°42'24" FOR A DISTANCE ALONG THE CURVE OF 1221.22 FEET; THE CHORD OF SAID CURVE BEARS S 19°38'54" E A DISTANCE OF 1208.48. FEET;
6. THENCE S 34°00'06" E 1152.91 FEET;
7. THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 430.00 FEET, AND A CENTRAL ANGLE OF 23°03'17" FOR A DISTANCE ALONG THE CURVE OF 173.02 FEET; THE CHORD OF SAID CURVE BEARS S 45°31'45" E A DISTANCE OF 171.86 FEET TO A POINT ON THE SOUTH LINE OF SECTION 28; WHENCE THE SOUTHEAST CORNER OF SECTION 28 BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE BEARS S 86°11'17" E 1745.44 FEET; THENCE N 86°11'17" W 829.99 FEET ALONG THE SOUTH LINE OF SECTION 28 TO THE POINT OF BEGINNING.

3) GARFIELD COUNTY ROAD 115 EXCEPTION PARCEL LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTIONS 20, 29, 28, 33, AND 34, TOWNSHIP 6 SOUTH, RANGE 88 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, SAID PARCEL BEING A 60 FOOT WIDE RIGHT-OF-WAY EXTENDING THIRTY FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE FOR GARFIELD COUNTY ROAD 115, SAID CENTERLINE BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT FROM WHENCE THE SOUTHWEST CORNER OF SAID SECTION 20 BEARS S 89°59'26" W A DISTANCE OF 2853.70 FEET, SAID SECTION CORNER BEING A 2-1/2 INCH ALUMINUM CAP FOUND IN PLACE; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 5318.82 FEET, AND A CENTRAL ANGLE OF 04°16'52" FOR A DISTANCE ALONG THE CURVE OF 397.42 FEET; THE CHORD OF SAID CURVE BEARS S 77°43'40" E A DISTANCE OF 397.32 FEET, THENCE S 79°52'05" E 121.04 FEET TO A POINT ALONG THE SECTION LINE COMMON TO SAID SECTIONS 20 AND 29 FROM WHENCE THE QUARTER CORNER COMMON TO SAID SECTIONS 20 AND 29 BEING A STONE MONUMENT FOUND IN PLACE AND RE-MONUMENTED WITH A 2-INCH ALUMINUM CAP BEARS N 88°32'13" W 720.55 FEET; THENCE S 79°52'05" E 331.86 FEET;

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THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 900.00 FEET, AND A CENTRAL ANGLE OF 20°29'08" FOR A DISTANCE ALONG THE CURVE OF 321.79 FEET THE CHORD OF SAID CURVE BEARS S 69°37'31" E A DISTANCE OF 320.08 FEET; THENCE S 59°22'57" E 217.30 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1081.34 FEET, AND A CENTRAL ANGLE OF 35°38'00" FOR A DISTANCE ALONG THE CURVE OF 672.50 FEET, THE CHORD OF SAID CURVE BEARS S 41°33'57" E A DISTANCE OF 661.72 FEET; THENCE S 23°44'57" E 73.66 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 963.47 FEET, AND A CENTRAL ANGLE OF 12°26'47" FOR A DISTANCE ALONG THE CURVE OF 209.29 FEET; THE CHORD OF SAID CURVE BEARS S 29°56'21" E A DISTANCE OF 208.88 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING RADIUS OF 450.00 FEET, AND A CENTRAL ANGLE OF 36°04'40" FOR A DISTANCE ALONG THE CURVE OF 283.62 FEET; THE CHORD OF SAID CURVE BEARS S 54°15'04" E A DISTANCE OF 278.95 FEET; THENCE S 72°18'24" E 264.99 FEET TO A POINT ALONG THE SECTION LINE COMMON TO SAID SECTIONS 28 AND 29 FROM WHENCE THE NORTHEAST CORNER OF SAID SECTION 29 BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE BEARS N 01°09'28" E 1219.42 FEET;

THENCE S 72°18'24" E 167.61 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 377.41 FEET, AND A CENTRAL ANGLE OF 25°33'14" FOR A DISTANCE ALONG THE CURVE OF 168.32 FEET; THE CHORD OF SAID CURVE BEARS S 59°31'47" E A DISTANCE OF 166.93 FEET, THENCE S 46°45'10" E 235.64 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 796.12 FEET, AND A CENTRAL ANGLE OF 26°17'03" FOR A DISTANCE ALONG THE CURVE OF 365.22 FEET, THE CHORD OF SAID CURVE BEARS S 59°53'42" E A DISTANCE OF 362.02 FEET, THENCE S 73°02'14" E 636.67 FEET, THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 624.56 FEET, AND A CENTRAL ANGLE 50°51'15" FOR A DISTANCE ALONG THE CURVE OF 554.35 FEET, THE CHORD OF SAID CURVE BEARS S 47°36'36" E A DISTANCE OF 536.33 FEET, THENCE S 22°10'58" E 307.62 FEET,

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1391.75 FEET, AND A CENTRAL ANGLE OF 15°49'57" FOR A DISTANCE ALONG THE CURVE OF 384.58 FEET, THE CHORD OF SAID CURVE BEARS S 30°05'57" E A DISTANCE OF 383.36 FEET, THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 400.00 FEET, AND A CENTRAL ANGLE OF 32°43'14" FOR A DISTANCE ALONG THE CURVE OF 225.34 FEET, THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 2407.42 FEET, AND A CENTRAL ANGLE OF 28°42'24" FOR A DISTANCE ALONG THE CURVE OF 1206.18 FEET; THE CHORD OF SAID CURVE BEARS S 19°38'54" E A DISTANCE OF 1193.61 FEET; THENCE S 34°00'06" E 1152.91 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 400.00 FEET, AND A CENTRAL ANGLE OF 25°53'11" FOR A DISTANCE ALONG THE CURVE OF 180.72 FEET; THE CHORD OF SAID CURVE BEARS S 46°56'42" E A DISTANCE OF 179.19 FEET; THENCE S 59°53'17" E 38.40 FEET TO A POINT ALONG THE SECTION LINE COMMON TO SAID SECTIONS 28 AND 33 FROM WHENCE THE QUARTER CORNER COMMON TO SAID SECTIONS 28 AND 33 BEING A STONE MONUMENT FOUND IN PLACE AND RE-MONUMENTED WITH A 2-INCH ALUMINUM CAP BEARS N 86°11'17" W 896.52 FEET,

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 779.79 FEET, AND A CENTRAL ANGLE OF 35°42'49" FOR A DISTANCE ALONG THE CURVE OF 486.06 FEET; THE CHORD OF SAID CURVE BEARS S 42°01'52" E A DISTANCE OF 478.23 FEET; THENCE S 24°10'27" E 644.62 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 882.82 FEET, AND A CENTRAL ANGLE OF 26°58'38" FOR A DISTANCE ALONG THE CURVE OF 415.67 FEET, THE CHORD OF SAID CURVE BEARS S 10°42'09" E A DISTANCE OF 411.84 FEET;

THENCE S 02°48'10" W 238.01 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 729.53 FEET, AND A CENTRAL ANGLE OF 37°41'54" FOR A DISTANCE ALONG THE CURVE OF 480.00 FEET, THE CHORD OF SAID CURVE BEARS S 16°02'47" E A DISTANCE OF 471.39 FEET, THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 200.00 FEET, AND A CENTRAL ANGLE OF 53°37'43" FOR A DISTANCE ALONG THE CURVE OF 187.20 FEET, THE CHORD OF SAID CURVE BEARS S 61°42'35" E A DISTANCE OF 180.44 FEET, THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 2171.07 FEET, AND A CENTRAL ANGLE OF 08°19'31" FOR A DISTANCE ALONG THE CURVE OF 315.47 FEET, THE CHORD OF SAID CURVE BEARS N 87°18'48" E A DISTANCE OF 315.19 FEET TO A POINT ALONG THE SECTION LINE COMMON TO SAID SECTIONS 33 AND 34 FROM WHENCE THE NORTHEAST CORNER OF SAID SECTION 33 BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE BEARS N 01°30'32" E 2209.86 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 2171.07 FEET, AND A CENTRAL ANGLE OF 15°20'11" FOR A DISTANCE ALONG THE CURVE OF 581.13 FEET; THE CHORD OF SAID CURVE BEARS N 75°28'57" E A DISTANCE OF 579.40 FEET, THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 280.00 FEET,

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AND A CENTRAL ANGLE OF 55°26'50" FOR A DISTANCE ALONG THE CURVE OF 270.97 FEET; THE CHORD OF SAID CURVE BEARS S 84°27'44" E A DISTANCE OF 260.52 FEET; THENCE S 56°44'19" E 393.81 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 669.07 FEET, AND A CENTRAL ANGLE OF 21°39'21" FOR A DISTANCE ALONG THE CURVE OF 252.89 FEET, THE CHORD OF SAID CURVE BEARS S 67°34'00" E A DISTANCE OF 251.38 FEET FROM WHENCE THE SAID NORTHEAST CORNER OF SECTION 33 BEARS N 28°52'13" W 2741.66 FEET; SUCH PARCEL BEING A 60 FOOT RIGHT-OF-WAY (30 FEET ON EACH SIDE OF THE ABOVE DESCRIBED CENTERLINE). THE RIGHT-OF-WAY LINES OF SAID RIGHT-OF-WAY SHALL BE PROLONGED OR SHORTENED TO BEGIN AND END ON AND CONFORM TO THE PROPERTY BOUNDARY LINES.

4) GARFIELD COUNTY ROAD 114 EXCEPTION PARCEL LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 5 SOUTH, RANGE 88 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, SAID PARCEL BEING THE RIGHT-OF-WAY FOR GARFIELD COUNTY ROAD 114 AND THE INTERSECTION OF GARFIELD COUNTY ROAD 114 WITH GARFIELD COUNTY ROAD 115, SAID PARCEL BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERN LINE OF THE NORTHEAST QUARTER OF SAID SECTION 33 WHENCE THE EAST QUARTER CORNER OF SAID SECTION 33 BRING A STONE MONUMENT FOUND IN PLACE AND RE-MONUMENTED WITH A 2-INCH ALUMINUM CAP BEARS S 88°27'45" E 551.40 FEET SAID POINT ALSO BEING A POINT ON THE EASTERLY RIGHT-OF-WAY OF GARFIELD COUNTY ROAD 114;

THENCE N 88°27'45" W 77.11 FEET ALONG SAID SOUTHERN LINE OF TEE NORTHEAST QUARTER TO A POINT ON THE WESTERLY BOUNDARY OF SAID COUNTY ROAD 114, WHENCE THE CENTER QUARTER FOR SAID SECTION 33 BEING A 2-1/2 INCH ALUMINUM CAP FOUND IN PLACE BEARS N 88°27'45" W 1883.48;

THENCE THE FOLLOWING TWO COURSES ALONG THE WESTERLY RIGHT-OF-WAY OF SAID COUNTY ROAD 114:

1. N 40°27'03" E 99.05 FEET;

2. THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 270.00 FEET, AND A CENTRAL ANGLE OF 69°20'35" FOR A DISTANCE ALONG THE CURVE OF 326.77 FEET; THE CHORD OF SAID CURVE BEARS N 05°46'46" E A DISTANCE OF 307.19 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF GARFIELD COUNTY ROAD 115;

THENCE THE FOLLOWING THREE COURSES ALONG THE SOUTHERN RIGHT-OF-WAY OF COUNTY ROAD 115:

1. ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 759.53 FEET, AND A CENTRAL ANGLE OF 06°00'12" FOR A DISTANCE ALONG THE CURVE OF 79.58 FEET, THE CHORD OF SAID CURVE BEARS S 31°53'38" E A DISTANCE OF 79.55 FEET;

2. THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 230.00 FEET, AND A CENTRAL ANGLE OF 53°37'43" FOR A DISTANCE ALONG THE CURVE OF 215.28 FEET; THE CHORD OF SAID CURVE BEARS S 61°42'35" E A DISTANCE OF 207.51 FEET;

3. THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 2201.07 FEET, AND A CENTRAL ANGLE OF 03°41'58" FOR A DISTANCE ALONG THE CURVE OF 142.12 FEET, THE CHORD OF SAID CURVE BEARS N 89°37'34" E A DISTANCE OF 142.09 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF GARFIELD COUNTY ROAD 114; THENCE THE FOLLOWING TWO COURSES ALONG THE EASTERLY RIGHT-OF-WAY OF COUNTY ROAD 114:

1. ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 470.00 FEET, AND A CENTRAL ANGLE OF 47°19'32" FOR A DISTANCE ALONG THE CURVE OF 388.21 FEET, THE CHORD OF SAID CURVE BEARS S 64°06'49" W A DISTANCE OF 377.27 FEET;

2. THENCE S 40°27'03" N 70.18 FEET TO THE POINT OP BEGINNING.

THE RIGHT-OF-WAY LINES OF SAID RIGHT-OF-WAY SHALL BE PROLONGED OR SHORTENED TO BEGIN AND END ON AND CONFORM TO THE PROPERTY BOUNDARY LINES.

PARCEL 2:

A PARCEL OF LAND LOCATED IN SECTIONS 14, 15, 22, 23, 26 AND 27, TOWNSHIP 6 SOUTH, RANGE 88 WEST, SIXTH PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 26 BEING A 2-1/2 INCH UNITED STATES GENERAL LAND

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OFFICE (GLO) BRASS CAP FOUND IN PLACE WHENCE THE NORTHWEST CORNER OF SECTION 20, TOWNSHIP 6 SOUTH, RANGE 88 WEST, SIXTH PRINCIPAL MERIDIAN BEARS N 55°02'21" W A DISTANCE OF 19,017.18 FEET;
 THENCE N 89°14'59" W 598.59 FEET ALONG THE SOUTH LINE OF SAID SECTION 27;
 THENCE N 00°48'01" E A DISTANCE OF 425.99 FEET;
 THENCE N 08°45'36" W A DISTANCE OF 1546.11 FEET;
 THENCE N 25°57'07" W A DISTANCE OF 1863.71 FEET;
 THENCE N 57°12'11" W A DISTANCE OF 1507.60 FEET;
 THENCE N 33°43'34" W A DISTANCE OF 2585.68 FEET;
 THENCE N 67°46'01" E A DISTANCE OF 2056.57 FEET;
 THENCE N 49°17'33" E A DISTANCE OF 440.21 FEET;
 THENCE N 61°02'11" E A DISTANCE OF 1510.00 FEET;
 THENCE N 34°57'59" W A DISTANCE OF 1160.00 FEET;
 THENCE S 55°19'58" W A DISTANCE OF 662.28 FEET;
 THENCE N 32°36'07" W A DISTANCE OF 720.00 FEET;
 THENCE N 52°00'40" E A DISTANCE OF 570.00 FEET;
 THENCE N 04°18'14" E A DISTANCE OF 1705.77 FEET;
 THENCE N 55°25'06" N A DISTANCE OF 380.00 FEET;
 THENCE N 44°04'32" W A DISTANCE OF 720.00 FEET;
 THENCE S 60°11'19" W A DISTANCE OF 1740.00 FEET;
 THENCE N 00°00'00" E A DISTANCE OF 700.00 FEET TO A POINT ON THE SOUTH LINE OF THE NW1/4SW1/4 OF SAID SECTION 15;
 THENCE N 89°58'25" E A DISTANCE OF 470.00 FEET; ALONG THE SOUTH LINE OF THE NW1/4SW1/4 OF SAID SECTION 15 TO THE SOUTHEAST CORNER OF THE NW1/4SW1/4;
 THENCE N 00°01'49" W A DISTANCE OF 1039.21 FEET; ALONG THE EAST LINE OF THE NW1/4SW1/4 OF SAID SECTION 15;
 THENCE N 89°58'11" E A DISTANCE OF 1158.63 FEET;
 THENCE N 00°00'00" E A DISTANCE OF 150.00 FEET;
 THENCE S 90°00'00" E A DISTANCE OF 1440.00 FEET;
 THENCE S 00°00'00" W A DISTANCE OF 940.00 FEET;
 THENCE S 90°00'00" E A DISTANCE OF 1360.33 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 15;
 THENCE S 00°04'13" E A DISTANCE OF 370.03 FEET ALONG THE EAST LINE OF SAID SECTION 15;
 THENCE N 89°58'41" E A DISTANCE OF 1319.22 FEET TO A POINT ON THE EAST LINE OF THE W1/2SW1/4 OF SAID SECTION 14;
 THENCE S 00°01'19" E 980.00 FEET ALONG THE EAST LINE OF THE W1/2SW1/4 OF SAID SECTION 14 TO THE SOUTHEAST CORNER OF THE W1/2SW1/4 OF SAID SECTION 14;
 THENCE S 89°59'40" E 1318.39 FEET ALONG THE NORTH LINE OF SAID SECTION 23 TO THE NORTH QUARTER CORNER OF SAID SECTION 23 BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE;
 THENCE S 00°05'23" E 5277.46 FEET ALONG THE EAST LINE OF W1/2 OF SAID SECTION 23 TO THE SOUTH QUARTER CORNER OF SAID SECTION 23 BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE;
 THENCE S 00°00'49" W 5529.94 FEET ALONG THE EAST LINE OF THE W1/2 OF SAID SECTION 26 TO THE SOUTH QUARTER CORNER OF SAID SECTION 26 BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE;
 THENCE S 84°59'30" W 31.37 FEET ALONG THE SOUTH LINE OF SAID SECTION 26 TO THE NORTH QUARTER CORNER OF SECTION 35, T. 6 S., R. 86 W., 6TH P.M., BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE;
 THENCE S 84°41'15" W 1292.34 FEET ALONG THE SOUTH LINE OF SAID SECTION 26 TO THE SOUTHEAST CORNER OF GLO LOT 14 OF SAID SECTION 26;
 THENCE N 00°21'37" E 372.49 FEET ALONG THE EAST LINE OF SAID LOT 14, TO THE NORTHEAST CORNER OF SAID LOT 14;
 THENCE N 89°53'31" W 1611.72 FEET ALONG THE NORTH LINE OF SAID LOT 14 TO THE NORTHWEST CORNER OF SAID LOT 14;
 THENCE S 00°00'14" W 525.17 FEET ALONG THE WEST LINE OF SAID LOT 14 TO THE SOUTHWEST CORNER OF SAID SECTION 16, BEING THE POINT OF BEGINNING.

PARCEL 3:

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A PARCEL OF LAND WITHIN SECTION 33, TOWNSHIP 6 SOUTH, RANGE 88 WEST OF THE 6TH PRINCIPAL MERIDIAN AND BEING FURTHER DESCRIBED AS:

COMMENCING AT THE TRUE POINT OF BEGINNING, WHENCE THE CENTER OF SECTION 33, BEING A 2-1/2-INCH ALUMINUM CAP, BEARS N 88°27'45" W A DISTANCE OF 123.09 FEET;
THENCE N 00°00'00" E A DISTANCE OF 1398.31 FEET;
THENCE S 90°00'00" E A DISTANCE OF 942.50 FEET;
THENCE S 00°04'09" E A DISTANCE OF 680.56 FEET;
THENCE S 34°36'11" E A DISTANCE OF 919.80 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 33;
THENCE N 88°27'45" W A DISTANCE OF 333.30 FEET ALONG THE SAID SOUTH LINE TO THE CENTER EAST SIXTEENTH CORNER OF SAID SECTION 33 BEING A 2-1/2-INCH ALUMINUM CAP;
THENCE N 88°27'45" W A DISTANCE OF 1132.90 FEET ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST OF SAID SECTION 33 TO THE POINT OF BEGINNING.

SAID PARCELS 1, 2 AND 3 BEING ALSO DESCRIBED AS:

A PARCEL OF LAND LOCATED IN SECTIONS 14, 15, 16, 20, 21, 22, 23, 26, 27, 28, 29, 32, 33, AND 34, TOWNSHIP 6 SOUTH, RANGE 88 WEST, SIXTH PRINCIPAL MERIDIAN BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 20 BEING A 2-INCH ALUMINUM CAP (P.E.L.S. 5933);
THENCE S 88°16'08" E 2627.19 FEET ALONG THE NORTH LINE OF SAID SECTION 20 TO THE NORTH QUARTER CORNER OF SAID SECTION 20 BEING A 2-INCH ALUMINUM CAP (P.E.L.S. 5933); THENCE S 88°15'48" E 2625.91 FEET ALONG THE NORTH LINE OF SAID SECTION 20 TO THE NORTHEAST CORNER OF SAID SECTION 20 BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE SAID CORNER ALSO BEING ON THE WEST LINE OF SAID SECTION 16; THENCE N 00°00'14" W 2631.77 FEET ALONG THE WEST LINE OF SAID SECTION 16 TO THE EAST QUARTER CORNER OF SECTION 17, T. 6 S., R. 88 W., 6TH P.M. BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE; THENCE N 00°08'04" W 340.70 FEET CONTINUING ALONG THE WEST LINE OF SAID SECTION 16 TO THE WEST QUARTER CORNER OF SAID SECTION 16 BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE; THENCE N 00°01'47" E 1047.99 FEET CONTINUING ALONG THE WEST LINE OF SAID SECTION 16 TO THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN [BOOK 795, PAGE 980](#) IN THE OFFICE OF THE GARFIELD COUNTY CLERK AND RECORDER; THENCE THE FOLLOWING THREE COURSES ALONG THE BOUNDARY OF SAID PARCEL DESCRIBED IN [BOOK 795, PAGE 980](#):

1. THENCE N 89°16'47" E 334.10 FEET; 2. THENCE N 03°35'47" E 252.06 FEET; 3. THENCE N 86°27'52" W 349.87 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 16;

THENCE N 00°01'47" E 977.15 FEET ALONG THE WEST LINE OF SAID SECTION 16 TO THE NORTHEAST CORNER OF SAID SECTION 17 BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE; THENCE N 00°01'20" W 344.80 FEET CONTINUING ALONG THE WEST LINE OF SAID SECTION 16 TO THE NORTHWEST CORNER OF SAID SECTION 16 BEING A 2-1/2 INCH GLO BRASS FOUND IN PLACE; THENCE N 89°57'15" E 2703.26 FEET ALONG THE NORTH LINE OF SAID SECTION 16 TO THE NORTH QUARTER OF SAID SECTION 16 BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE; THENCE N 89°57'09" E 2637.87 FEET CONTINUING ALONG THE NORTH LINE OF SAID SECTION 16, TO THE NORTHEAST CORNER OF SAID SECTION 16 BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE; THENCE N 89°58'17" E 2638.56 FEET ALONG THE NORTH LINE OF SAID SECTION 15 TO THE NORTH QUARTER CORNER OF SAID SECTION 15 BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE; THENCE S 89°59'36" E 1318.31 FEET CONTINUING ALONG THE NORTH LINE OF SAID SECTION 15 TO THE WEST LINE OF THE NE1/4NE1/4 OF SAID SECTION 15 BEING A 3-INCH ALUMINUM CAP (L.S. 15710) FOUND IN PLACE WHENCE THE NORTHEAST CORNER OF SAID SECTION 15 BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE BEARS S 89°59'36" E 1318.31 FEET; THENCE S 00°00'09" E 1312.36 FEET ALONG THE WEST LINE OF THE NE1/4NE1/4 OF SAID SECTION 15 TO THE SOUTHWEST CORNER OF THE NE1/4NE1/4 OF SAID SECTION 15 BEING A 3-INCH ALUMINUM CAP (L.S. 15710) FOUND IN PLACE; THENCE N 89°55'46" E 1317.67 FEET ALONG THE SOUTH LINE OF THE NE1/4NE1/4 OF SAID SECTION 15 TO THE SOUTHEAST CORNER OF THE NE1/4NE1/4 OF SAID SECTION 15 BEING A 3-INCH ALUMINUM CAP (L.S. 15710) FOUND IN PLACE; THENCE S 89°58'46" E 1320.64 FEET ALONG THE NORTH LINE OF THE SW1/4NW1/4 OF SAID SECTION 14 TO THE NORTHEAST

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CORNER OF THE SW1/4NW1/4 OF SAID SECTION 14 BEING A 3-INCH ALUMINUM CAP (L.S. 15710) FOUND IN PLACE; THENCE S 00°01'34" W 1312.94 FEET ALONG THE EAST LINE OF THE SW1/4NW1/4 OF SAID SECTION 14 TO THE SOUTHEAST CORNER OF THE SW1/4NW1/4 OF SAID SECTION 14 BEING A 2-INCH ALUMINUM CAP (P.E.L.S. 5933); THENCE S 00°01'19" E 2647.58 FEET ALONG THE EAST LINE OF THE W1/2SW1/4 OF SAID SECTION 14 TO THE SOUTHEAST CORNER OF THE W1/2SW1/4 OF SAID SECTION 14 BEING A 2-INCH ALUMINUM CAP (P.E.L.S. 5933); THENCE S 89°59'40" E 1318.39 FEET ALONG THE NORTH LINE OF SAID SECTION 23 TO THE NORTH QUARTER CORNER OF SAID SECTION 23 BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE; THENCE S 00°05'23" E 5377.46 FEET ALONG THE EAST LINE OF THE W1/2 OF SAID SECTION 23 TO THE SOUTH QUARTER CORNER OF SAID SECTION 23 BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE; THENCE S 00°00'49" W 5529.94 FEET ALONG THE EAST LINE OF THE W1/2 OF SAID SECTION 26 TO THE SOUTH QUARTER CORNER OF SAID SECTION 26 BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE; THENCE S 84°59'30" W 31.37 FEET ALONG THE SOUTH LINE OF SAID SECTION 26 TO THE NORTH QUARTER CORNER OF SECTION 35, T. 6 S., R. 88 W., 6TH P.M., BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE; THENCE S 84°41'15" W 1292.34 FEET ALONG THE SOUTH LINE OF SAID SECTION 26 TO THE SOUTHEAST CORNER OF LOT 14 OF SAID SECTION 26 BEING A 2-INCH ALUMINUM CAP (P.E.L.S. 5933); THENCE N 00°21'37" E 372.49 FEET ALONG THE EAST LINE OF SAID LOT 14, SECTION 26 TO THE NORTHEAST CORNER OF SAID LOT 14 BEING A 2-INCH ALUMINUM CAP (P.E.L.S. 5933); THENCE N 89°53'31" W 1611.72 FEET ALONG THE NORTH LINE OF SAID LOT 14 TO THE NORTHWEST CORNER OF SAID LOT 14 BEING A 2-INCH ALUMINUM CAP (P.E.L.S. 5933); THENCE S 00°00'14" W 525.17 FEET ALONG THE WEST LINE OF SAID LOT 14 TO THE SOUTHWEST CORNER OF SAID SECTION 26 BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE; THENCE N 89°14'59" W 2647.44 FEET ALONG THE SOUTH LINE OF SAID SECTION 27 TO THE SOUTH QUARTER CORNER OF SAID SECTION 27 BEING A 2-1/2 GLO BRASS CAP FOUND IN PLACE; THENCE N 89°17'11" W 1319.72 FEET ALONG THE NORTH LINE OF SAID SECTION 34 TO THE NORTHEAST CORNER OF THE W1/2NW1/4 OF SAID SECTION 34 BEING A 2-INCH ALUMINUM CAP (P.E.L.S. 5933) WHENCE THE NORTHWEST CORNER OF SAID SECTION 34 BEING A 2-1/2-INCH GLO BRASS CAP FOUND IN PLACE BEARS N 89°17'11" W 1319.72 FEET, THENCE S 00°05'58" E 2466.04 FEET ALONG THE EAST LINE OF THE W1/2NW1/4 OF SAID SECTION 34 TO THE SOUTHEAST CORNER OF THE W1/2NW1/4 OF SAID SECTION 34 BEING A 2-INCH ALUMINUM CAP (P.E.L.S. 5933); THENCE S 89°51'39" W 1389.27 FEET ALONG THE SOUTH LINE OF THE W1/2NW1/4 OF SAID SECTION 34 TO THE WEST QUARTER CORNER OF SAID SECTION 34 BEING A 2-INCH ALUMINUM CAP (P.E.L.S. 5933); THENCE N 88°27'45" W 2511.99 FEET ALONG THE SOUTH LINE OF THE NE1/4 OF SAID SECTION 33 TO THE CENTER QUARTER CORNER OF SAID SECTION 33 BEING A 3 INCH ALUMINUM CAP (COUNTY SURVEYOR) FOUND IN PLACE; THENCE N 88°27'28" W 1112.41 FEET ALONG THE SOUTH LINE OF LOT 6, OF SAID SECTION 33 TO THE SOUTHWEST CORNER OF SAID LOT 6 BEING A 3 INCH ALUMINUM CAP (COUNTY SURVEYOR) FOUND IN PLACE; THENCE N 01°26'25" E 838.15 FEET ALONG THE WEST LINE OF SAID LOT 6 TO THE SOUTHEAST CORNER OF LOT 5 OF SAID SECTION 33 BEING A 3 INCH ALUMINUM CAP (COUNTY SURVEYOR) FOUND IN PLACE; THENCE N 89°14'27" W 1072.10 FEET ALONG THE SOUTH LINE OF SAID LOT 5 TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF GARFIELD COUNTY ROAD 119; THENCE THE FOLLOWING SEVENTEEN COURSES ALONG THE NORTHERLY RIGHT-OF-WAY OF SAID COUNTY ROAD 119:

1. THENCE ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 190.00 FEET, AND A CENTRAL ANGLE OF 38°53'15" FOR A DISTANCE ALONG THE CURVE OF 128.96 FEET; THE CHORD OF SAID CURVE BEARS N 70°21'49" W A DISTANCE OF 126.50 FEET;
2. THENCE N 89°48'27" W 335.07 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 33 WHENCE THE NORTHWEST CORNER OF SAID SECTION 33 BEING A 3-INCH COUNTY SURVEYOR'S ALUMINUM CAP FOUND IN PLACE BEARS N 01°14'21" E 1729.72 FEET;
3. THENCE N 89°48'27" W 746.63 FEET;
4. THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 9975.00 FEET, AND A CENTRAL ANGLE OF 01°23'23" FOR A DISTANCE OF ALONG THE CURVE OF 241.95 FEET; THE CHORD OF SAID CURVE BEARS N 89°06'46" W A DISTANCE OF 241.94 FEET;
5. THENCE N 88°25'04" W 886.82 FEET;
6. THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET, AND A CENTRAL ANGLE OF 101°43'17" FOR A DISTANCE ALONG THE CURVE OF 53.26 FEET, THE CHORD OF SAID CURVE BEARS N 37°33'26" W A DISTANCE OF 46.54 FEET;
7. THENCE N 13°18'13" E 1531.48 FEET;
8. THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 715.00 FEET, AND A CENTRAL ANGLE OF 15°55'12" FOR A DISTANCE ALONG THE CURVE OF 198.67 FEET; THE CHORD OF SAID CURVE BEARS N 05°20'37" E A DISTANCE OF 198.03 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 29 WHENCE THE SOUTHEAST CORNER OF SAID SECTION 29 BEARS S 89°03'23" E 1570.16 FEET;

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9. THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 715.00 FEET, AND A CENTRAL ANGLE OF 29°05'27" FOR A DISTANCE ALONG THE CURVE OF 363.03 FEET; THE CHORD OF SAID CURVE BEARS N 17°09'43" W A DISTANCE OF 359.14 FEET;

10. THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1853.11 FEET, AND A CENTRAL ANGLE OF 14°56'46" FOR A DISTANCE ALONG THE CURVE OF 483.40 FEET; THE CHORD OF SAID CURVE BEARS N 39°10'49" W A DISTANCE OF 482.03 FEET;

11. THENCE N 46°39'12" W 512.11 FEET;

12. THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 544.29 FEET, AND A CENTRAL ANGLE OF 29°19'12" FOR A DISTANCE ALONG THE CURVE OF 278.53 FEET; THE CHORD OF SAID CURVE BEARS N 61°18'49" W A DISTANCE OF 275.50 FEET;

13. THENCE N 75°58'25" W 274.72 FEET;

14. THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 777.56 FEET, AND A CENTRAL ANGLE OF 10°01'45" FOR A DISTANCE ALONG THE CURVE OF 136.11 FEET; THE CHORD OF SAID SAID CURVE BEARS N 70°57'32" W A DISTANCE OF 135.93 FEET;

15. THENCE N 65°56'40" W 288.79 FEET;

16. THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 934.49 FEET, AND A CENTRAL ANGLE OF 12°43'09" FOR A DISTANCE ALONG THE CURVE OF 207.45 FEET; THE CHORD OF SAID CURVE BEARS N 59°35'05" W A DISTANCE OF 207.03 FEET;

17. THENCE N 53°13'30" W 363.38 FEET TO A POINT ON THE WEST LINE OF LOT 26 OF SAID SECTION 29; THENCE N 00°30'27" E 619.90 FEET ALONG THE WEST LINE OF SAID LOT 26 TO THE NORTHWEST CORNER OF SAID LOT 26; THENCE N 90°00'00" W 65.41 FEET TO A FENCE POST WITH A PK-NAIL IN THE TOP AND ACCEPTED AS THE SOUTHWEST CORNER OF LOT 20 OF SAID SECTION 29; THENCE N 00°34'26" E 2165.03 FEET ALONG THE ACCEPTED WEST LINE OF LOTS 20, 16, AND 8 OF SAID SECTION 29 TO A RED PLASTIC CAP (P.L.S. 27929); THENCE N 00°32'35" E 431.30 FEET TO THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN [BOOK 527, PAGE 951](#) IN THE OFFICE OF THE GARFIELD COUNTY CLERK AND RECORDER; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN [BOOK 527, PAGE 951](#) S 89°32'20" E 431.36 FEET; THENCE THE FOLLOWING TWO COURSES ALONG THE SOUTHERLY BOUNDARY OF A PARCEL OF LAND DESCRIBED IN [BOOK 872, PAGE 768](#) IN THE OFFICE OF THE GARFIELD COUNTY CLERK AND RECORDER:

1. THENCE S 50°51'48" E 497.50 FEET;

2. THENCE S 57°58'21" E 57.39 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF A PARCEL OF LAND DESCRIBED IN [BOOK 915, PAGE 112](#) IN THE OFFICE OF THE GARFIELD COUNTY AND RECORDER; THENCE S 57°58'21" E 305.00 FEET ALONG THE SOUTHERLY BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN [BOOK 915, PAGE 112](#);

THENCE S 33°33'03" E 149.53 FEET ALONG THE SOUTHWESTERLY BOUNDARY OF A PARCEL OF LAND DESCRIBED IN [BOOK 621, PAGE 219](#) IN THE OFFICE OF THE GARFIELD COUNTY CLERK AND RECORDER;

THENCE S 81°36'23" E 135.95 FEET ALONG THE SOUTHERLY BOUNDARIES OF PARCELS OF LAND DESCRIBED IN [BOOK 621, PAGE 219](#) AND [BOOK 965, PAGE 509](#) IN THE OFFICE THE GARFIELD COUNTY CLERK AND RECORDER TO A POINT ON THE BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN [BOOK 965, PAGE 509](#); THENCE THE FOLLOWING THREE COURSES ALONG THE SOUTHEASTERLY BOUNDARY OF SAID PARCEL DESCRIBED IN [BOOK 965, PAGE 509](#):

1. THENCE S 81°42'23" E 302.25 FEET;

2. THENCE N 05°12'20" E 149.94 FEET;

3. THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 55.23 FEET, AND A CENTRAL ANGLE OF 40°33'24" FOR A DISTANCE ALONG THE CURVE OF 39.09 FEET; THE CHORD OF SAID CURVE BEARS N 25°28'41" E A DISTANCE OF 38.28 FEET TO A POINT ON THE SOUTHERLY OF A PARCEL OF LAND DESCRIBED IN [BOOK 808, PAGE 803](#) IN THE OFFICE OF THE GARFIELD COUNTY CLERK AND RECORDER; THENCE THE FOLLOWING THREE COURSES ALONG THE EASTERLY BOUNDARY OF SAID PARCEL DESCRIBED IN [BOOK 808, PAGE 803](#):

1. THENCE S 81°42'37" E 123.19 FEET;

2. THENCE N 21°00'23" W 820.84 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 20 WHENCE THE SOUTH QUARTER CORNER OF SAID SECTION 20 BEING A 2-INCH ALUMINUM CAP (P.E.L.S. 5933) BEARS N 88°32'13" W 248.98 FEET;

3. THENCE N 21°00'23" W 137.24 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF GARFIELD COUNTY ROAD 115; THENCE THE FOLLOWING TWO COURSES ALONG THE NORTHERLY RIGHT-OF-WAY OF SAID COUNTY ROAD 115:

1. THENCE ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 5288.82 FEET, AND A CENTRAL ANGLE OF 02°43'04" FOR A DISTANCE ALONG THE CURVE OF 250.87 FEET; THE CHORD OF SAID CURVE BEARS N 73°59'48" W A DISTANCE OF 250.84 FEET;

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2. THENCE N 72°38'16" W 1244.87 FEET TO A POINT ON THE ACCEPTED EAST LINE OF LOT 4 OF SAID SECTION 20 WHENCE THE SOUTHEAST CORNER OF A PARCEL OF LAND RECORDED UNDER RECEPTION NUMBER [467225](#) IN THE OFFICE OF THE GARFIELD COUNTY CLERK AND RECORDER AND BEING A 2-INCH ALUMINUM CAP (P.E.L.S. 5933) AND ACCEPTED AS A POINT ON THE EAST LINE OF SAID LOT 4 BEARS S 01°51'02" W 9.41 FEET; THENCE N 01°51'02" E 490.79 FEET ALONG THE ACCEPTED EAST LINE OF SAID LOT 4 TO THE NORTHEAST CORNER OF SAID LOT 4 BEING A 2-INCH ALUMINUM CAP (P.E.L.S. 5933); THENCE N 88°18'52" W 1429.59 FEET ALONG THE NORTH LINE OF SAID LOT 4 AND LOT 3 OF SAID SECTION 20 TO THE NORTHWEST CORNER OF SAID LOT 3 BEING A 2-INCH ALUMINUM CAP (P.E.L.S. 5933) WHENCE THE SOUTHWEST CORNER OF SAID LOT 20 BEING A 2-1/2 INCH ALUMINUM CAP (P.L.S. 27929) FOUND IN THE PLACE BEARS S 00°06'31" E 1008.11 FEET; THENCE N 00°06'31" W 1630.93 FEET ALONG THE WEST LINE OF SAID SECTION 20 TO THE WEST CORNER OF SAID SECTION 20 BEING A 2-INCH ALUMINUM CAP (P.E.L.S. 5933); THENCE N 00°04'12" E 2632.88 FEET ALONG THE WEST LINE OF SAID SECTION 20 TO THE NORTHWEST CORNER OF SAID SECTION 20 TO THE NORTHWEST CORNER OF SAID SECTION 20 BEING THE POINT OF BEGINNING

EXCEPTING THEREFROM THE FOLLOWING FIVE PARCELS:

1) MIDDLE EXCEPTION PARCEL LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE EAST HALF OF SECTION 29 AND THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 6 SOUTH, RANGE 88 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, SAID PARCEL BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY LINE OF SAID SECTION 29 WHENCE THE NORTHEAST CORNER OF SECTION 29 BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE BEARS N 01°09'28" E 1250.72 FEET THENCE S 01°09'28" W 346.34 FEET ALONG THE EAST LINE OF SAID SECTION 29 TO A POINT ON THE NORTHERLY LINE OF A PARCEL OF LAND DESCRIBED IN [BOOK 495, PAGE 596](#) IN THE OFFICE OF THE GARFIELD COUNTY CLERK AND RECORDER, WHENCE THE WEST QUARTER CORNER OF SAID SECTION 28 BEING A 3 INCH ALUMINUM CAP (COUNTY SURVEYOR) BEARS S 01°09'28" E 987.24 FEET; THENCE S 88°09'03" E 557.11 FEET ALONG THE NORTHERLY LINE OF SAID PARCEL OF LAND DESCRIBED IN [BOOK 495, PAGE 596](#) TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF GARFIELD COUNTY ROAD 115; THENCE ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 826.12 FEET, AND A CENTRAL ANGLE OF 17°50'11" FOR A DISTANCE ALONG THE CURVE OF 257.17 FEET; THE CHORD OF SAID CURVE BEARS S 64°07'08" E A DISTANCE OF 256.14 FEET ALONG THE SOUTHERLY RIGHT-OF-WAY OF SAID COUNTY ROAD 115; THENCE S 73°02'14" E 43.18 FEET CONTINUING ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 115 TO A POINT IN THE EASTERLY LINE OF SAID PARCEL OF LAND DESCRIBED IN [BOOK 495, PAGE 596](#); THENCE S 00°01'52" W 114.31 FEET ALONG THE EASTERLY BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN [BOOK 495, PAGE 596](#) TO THE SOUTHEAST CORNER OF SAID PARCEL OF LAND DESCRIBED IN [BOOK 495, PAGE 596](#); THENCE THE FOLLOWING FOUR COURSES ALONG THE SOUTHERLY BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN [BOOK 495, PAGE 596](#):

1. THENCE N 89°58'08" W 327.05 FEET;
2. THENCE S 54°10'41" W 185.54 FEET;
3. THENCE N 42°16'19" W 154.20 FEET;
4. THENCE S 59°30'35" W 216.33 FEET TO A POINT ON THE BOUNDARY OF A PARCEL OF LAND DESCRIBED IN [BOOK 988, PAGE 802](#) IN THE OFFICE OF THE GARFIELD COUNTY CLERK AND RECORDER;

THENCE THE FOLLOWING SIX COURSES AROUND THE EASTERLY, NORTHERLY, AND SOUTHERLY BOUNDARIES OF SAID PARCEL OF LAND DESCRIBED IN [BOOK 988, PAGE 802](#):

1. THENCE S 13°45'40" E 111.74 FEET;
2. THENCE S 89°58'08" E 101.60 FEET;
3. THENCE S 00°01'52" W 69.06 FEET;
4. THENCE S 88°48'28" E 25.57 FEET;
5. THENCE S 00°37'24" E 148.37 FEET;
6. THENCE S 14°45'31" E 57.78 FEET;

THENCE S 58°03'40" W 625.36 FEET ALONG THE SOUTHERLY BOUNDARIES OF PARCELS OF LAND DESCRIBED IN [BOOK](#)

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988, PAGE 802 AND BOOK 736, PAGE 345 IN THE OFFICE OF THE GARFIELD COUNTY CLERK AND RECORDER TO A POINT ON THE SOUTHERLY BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN [BOOK 736, PAGE 345](#); THENCE ALONG THE SOUTHERLY AND WESTERLY BOUNDARIES OF SAID PARCEL OF LAND DESCRIBED IN [BOOK 736, PAGE 345](#) THE FOLLOWING FIVE COURSES:

1. THENCE N 74°53'28" W 35.87 FEET;
2. THENCE N 66°59'35" W 380.19 FEET;
3. THENCE N 50°53'55" W 27.02 FEET;
4. THENCE N 25°54'08" W 19.09 FEET;
5. THENCE N 05°08'09" W 580.16 FEET TO A POINT ON THE WESTERLY BOUNDARY OF A PARCEL OF LAND DESCRIBED IN [BOOK 886, PAGE 329](#) IN THE OFFICE OF THE GARFIELD COUNTY CLERK AND RECORDER; THENCE ALONG THE WESTERLY AND NORTHERLY BOUNDARIES OF SAID PARCEL OF LAND DESCRIBED IN [BOOK 886, PAGE 329](#) THE FOLLOWING THREE COURSES:

1. THENCE N 05°36'42" W 538.91 FEET;
2. THENCE N 04°18'35" W 374.95 FEET;
3. THENCE N 82°52'22" E 323.76 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID GARFIELD COUNTY ROAD 115; THENCE ALONG THE SAID RIGHT-OF-WAY LINE THE FOLLOWING THREE COURSES:
 1. THENCE ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 993.47 FEET, AND A CENTRAL ANGLE OF 03°01'08" FOR A DISTANCE ALONG THE CURVE OF 52.35 FEET; THE CHORD OF SAID CURVE BEARS S 34°41'10" E A DISTANCE OF 52.34 FEET;
 2. THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 480.00 FEET, AND A CENTRAL ANGLE OF 36°06'40" FOR A DISTANCE OF ALONG THE CURVE OF 302.52 FEET; THE CHORD OF SAID CURVE BEARS S 54°15'04" E A DISTANCE OF 297.54 FEET;
 3. THENCE S 72°18'24" E 273.90 FEET TO THE POINT OF BEGINNING.

2) EAST EXCEPTION PARCEL LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTION 28, TOWNSHIP 6 SOUTH, RANGE 88 WEST, OF THE SIXTH PRINCIPAL MERIDIAN BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SECTION 28 BEING A 2-INCH ALUMINUM CAP (P.E.L.S. 5933); THENCE N 88°33'15" W 1084.24 FEET ALONG THE SOUTH LINE OF SECTION 28 TO A POINT ON THE WESTERLY BOUNDARY OF A PARCEL OF LAND DESCRIBED IN [BOOK 938, PAGE 691](#) IN THE OFFICE OF THE GARFIELD COUNTY CLERK AND RECORDER; WHENCE THE SOUTHWEST CORNER OF SECTION 28 BEING A 3 INCH COUNTY SURVEYOR ALUMINUM CAP FOUND IN PLACE BEARS S 88°33'15" E 1495.74 FEET; THENCE N 01°00'28" E 2568.63 FEET ALONG THE WESTERLY BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN [BOOK 938, PAGE 691](#) TO A POINT ON THE WESTERLY BOUNDARY OF A PARCEL OF LAND DESCRIBED IN [BOOK 638, PAGE 941](#) IN THE OFFICE OF THE GARFIELD COUNTY CLERK AND RECORDER; THENCE N 01°01'12" E 691.65 FEET ALONG THE WESTERLY BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN [BOOK 638, PAGE 941](#) TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF GARFIELD COUNTY ROAD 115; THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 115 THE FOLLOWING SEVEN COURSES:

1. ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 594.56 FEET, AND A CENTRAL ANGLE OF 41°58'28" FOR A DISTANCE ALONG THE CURVE OF 435.57 FEET; THE CHORD OF SAID CURVE BEARS S 43°10'12" E A DISTANCE OF 425.90 FEET;
2. THENCE S 22°10'58" E 307.62 FEET;
3. THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1421.75 FEET, AND A CENTRAL ANGLE OF 15°49'57" FOR A DISTANCE ALONG THE CURVE OF 392.87 FEET; THE CHORD OF SAID CURVE BEARS S 30°05'57" E A DISTANCE OF 391.63 FEET;
4. THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 370.00 FEET, AND A CENTRAL ANGLE OF 32°43'14" FOR A DISTANCE ALONG THE CURVE OF 211.30 FEET; THE CHORD OF SAID CURVE BEARS S 21°39'19" E A DISTANCE OF 208.44 FEET;
5. THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 2437.42 FEET, AND A CENTRAL ANGLE OF 28°42'24" FOR A DISTANCE ALONG THE CURVE OF 1221.22 FEET; THE CHORD OF SAID CURVE BEARS S 19°38'54" E A DISTANCE OF 1208.48 FEET;

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6. THENCE S 34°00'16" E 1152.91 FEET;
7. THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 430.00 FEET, AND A CENTRAL ANGLE OF 23°03'17" FOR A DISTANCE ALONG THE CURVE OF 173.02 FEET; THE CHORD OF SAID CURVE BEARS S 45°31'45" E A DISTANCE OF 171.86 FEET TO A POINT ON THE SOUTH LINE OF SECTION 28; WHENCE THE SOUTHEAST CORNER OF SECTION 28 BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE BEARS S 86°11'17" E 1745.44 FEET;
THENCE N 86°11'17" W 829.99 FEET ALONG THE SOUTH LINE OF SECTION 28 TO THE POINT OF BEGINNING.

3) SECTION 15 EXCEPTION PARCEL LEGAL DESCRIPTION

A PARCEL OF LAND BEING THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 6 SOUTH RANGE 88 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, SAID PARCEL BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 15 BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE, THENCE N 89°51'07" E 1323.59 FEET ALONG THE NORTH LINE OF THE NW1/4SW1/4 OF SAID SECTION 15 TO THE NORTHEAST CORNER OF THE NW1/4SW1/4 OF SAID SECTION 15; THENCE S 00°01'49" E 1540.50 FEET ALONG THE EAST LINE OF THE NW1/4SW1/4 OF SAID SECTION 15 TO THE SOUTHEAST CORNER OF THE NW1/4SW1/4; THENCE S 89°58'25" W 1323.59 FEET ALONG THE SOUTH LINE OF THE NW1/4SW1/4 OF SAID SECTION 15 TO THE SOUTHWEST CORNER OF THE NW1/4SW1/4 OF SAID SECTION 15; WHENCE THE SOUTHWEST CORNER OF SAID SECTION 15 BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE BEARS S 00°01'49" E 1537.70 FEET; THENCE N 00°01'49" W 1537.70 FEET ALONG THE WEST LINE OF THE NW1/4SW1/4 OF SAID SECTION 15 TO THE NORTHWEST CORNER OF THE NW1/4SW1/4 OF SAID SECTION 15 BEING THE POINT OF BEGINNING.

4) GARFIELD COUNTY ROAD 115 EXCEPTION PARCEL LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTIONS 20, 29, 28, 33, AND 34, TOWNSHIP 6 SOUTH, RANGE 88 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, SAID PARCEL BEING A 60 FOOT WIDE RIGHT-OF-WAY EXTENDING THIRTY FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE FOR GARFIELD COUNTY ROAD 115, SAID CENTERLINE BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT FROM WHENCE THE SOUTHWEST CORNER OF SAID SECTION 20 BEARS S 89°59'26" W A DISTANCE OF 2853.70 FEET, SAID SECTION CORNER BEING A 2-1/2 INCH ALUMINUM CAP FOUND IN PLACE;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 5318.82 FEET, AND A CENTRAL ANGLE OF 04°16'52" FOR A DISTANCE ALONG THE CURVE OF 397.42 FEET; THE CHORD OF SAID CURVE BEARS S 77°43'40" E A DISTANCE OF 397.32 FEET;

THENCE S 73°52'05" E 121.04 FEET TO A POINT ALONG THE SECTION LINE COMMON TO SAID SECTIONS 20 AND 29 FROM WHENCE THE QUARTER CORNER COMMON TO SAID SECTIONS 20 AND 29 BEING A 2-INCH ALUMINUM CAP BEARS N 88°32'13" W 720.55 FEET;

THENCE S 79°52'05" E 331.86 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 900.00 FEET, AND A CENTRAL ANGLE OF 20°29'08" FOR A DISTANCE ALONG THE CURVE OF 321.79 FEET; THE CHORD OF SAID CURVE BEARS S 69°37'31" E A DISTANCE OF 320.08 FEET;

THENCE S 59°22'57" E 217.30 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1081.34 FEET, AND A CENTRAL ANGLE OF 35°38'00" FOR A DISTANCE ALONG THE CURVE OF 672.50 FEET; THE CHORD OF SAID CURVE BEARS S 41°33'57" E A

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DISTANCE OF 661.72 FEET;

THENCE S 23°44'57" E 73.66 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 963.47 FEET, AND A CENTRAL ANGLE OF 12°26'47" FOR A DISTANCE ALONG THE CURVE OF 209.29 FEET; THE CHORD OF SAID CURVE BEARS S 29°58'21" E FOR A DISTANCE OF 208.88 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 450.00 FEET, AND A CENTRAL ANGLE OF 36°06'40" FOR A DISTANCE ALONG THE CURVE OF 283.62 FEET; THE CHORD OF SAID CURVE BEARS S 54°15'04" E A DISTANCE OF 278.95 FEET;

THENCE S 72°18'24" E 264.99 FEET TO A POINT ALONG THE SECTION LINE COMMON TO SAID SECTIONS 28 AND 29 FROM WHENCE THE NORTHEAST CORNER OF SAID SECTION 29 BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE BEARS N 01°09'28" E 1219.42 FEET;

THENCE S 72°18'24" E 167.61 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 377.41 FEET, AND A CENTRAL ANGLE OF 25°33'14" FOR A DISTANCE ALONG THE CURVE OF 168.32 FEET; THE CHORD OF SAID SAID CURVE BEARS S 59°31'47" E A DISTANCE OF 166.93 FEET;

THENCE S 46°45'10" E 235.64 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 796.12 FEET, AND A CENTRAL ANGLE OF 26°17'03" FOR A DISTANCE ALONG THE CURVE OF 365.22 FEET; THE CHORD OF SAID CURVE BEARS S 59°53'42" E A DISTANCE OF 362.02 FEET;

THENCE S 73°02'14" E 636.67 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 624.56 FEET, AND A CENTRAL ANGLE OF 50°51'15" FOR A DISTANCE ALONG THE CURVE OF 554.35 FEET; THE CHORD OF SAID CURVE BEARS S 47°36'36" E A DISTANCE OF 536.33 FEET;

THENCE S 22°10'58" E 307.62 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1391.75 FEET, AND A CENTRAL ANGLE OF 15°49'57" FOR A DISTANCE ALONG THE CURVE OF 384.58 FEET; THE CHORD OF SAID CURVE BEARS S 30°05'57" E A DISTANCE OF 383.36 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 400.00 FEET, AND A CENTRAL ANGLE OF 32°43'14" FOR A DISTANCE ALONG THE CURVE OF 228.43 FEET; THE CHORD OF SAID CURVE BEARS S 21°39'19" E A DISTANCE OF 225.34 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 2407.42 FEET, AND A CENTRAL ANGLE OF 28°42'24" FOR A DISTANCE ALONG THE CURVE OF 1206.18 FEET; THE CHORD OF SAID CURVE BEARS S 19°38'54" E A DISTANCE OF 1193.61 FEET;

THENCE S 34°00'06" E 1152.91 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 400.00 FEET, AND A CENTRAL ANGLE OF 25°53'11" FOR A DISTANCE ALONG THE CURVE OF 180.72 FEET; THE CHORD OF SAID CURVE BEARS S 46°56'42" E A DISTANCE OF 179.19 FEET;

THENCE S 59°53'17" E 38.40 FEET TO A POINT ALONG THE SECTION LINE COMMON TO SAID SECTIONS 28 AND 33

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FROM WHENCE THE QUARTER CORNER COMMON TO SAID SECTIONS 28 AND 33 BEING A 2-INCH ALUMINUM CAP BEARS N 86°11'17" W 896.52 FEET;

THENCE S 59°53'17" E 421.00 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 779.79 FEET, AND A CENTRAL ANGLE OF 35°42'49" FOR A DISTANCE ALONG THE CURVE OF 486.06 FEET; THE CHORD OF SAID CURVE BEARS S 42°01'52" E A DISTANCE OF 478.23 FEET;

THENCE S 24°10'27" E 644.62 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 882.82 FEET, AND A CENTRAL ANGLE OF 26°58'38" FOR A DISTANCE ALONG THE CURVE OF 415.67 FEET; THE CHORD OF SAID CURVE BEARS S 10°41'09" E A DISTANCE OF 411.84 FEET;

THENCE S 02°48'10" W 238.01 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 729.53 FEET, AND A CENTRAL ANGLE OF 37°41'54" FOR A DISTANCE ALONG THE CURVE OF 480.00 FEET; THE CHORD OF SAID CURVE BEARS S 16°02'47" E A DISTANCE OF 471.39 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 200.00 FEET, AND A CENTRAL ANGLE OF 53°37'43" FOR A DISTANCE ALONG THE CURVE OF 187.20 FEET; THE CHORD OF SAID CURVE BEARS S 61°42'35" E A DISTANCE OF 180.44 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 2171.07 FEET, AND A CENTRAL ANGLE OF 08°19'31" FOR A DISTANCE ALONG THE CURVE OF 315.47 FEET; THE CHORD OF SAID CURVE BEARS N 87°18'48" E A DISTANCE OF 315.19 FEET TO A POINT ALONG THE SECTION LINE COMMON TO SAID SECTIONS 33 AND 34 FROM WHENCE THE NORTHEAST CORNER OF SAID SECTION 33 BEING A 2-1/2 INCH GLO BRASS CAP FOUND IN PLACE BEARS N 01°30'32" E 2209.86 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 2171.07 FEET, AND A CENTRAL ANGLE OF 15°20'11" FOR A DISTANCE ALONG THE CURVE OF 581.13 FEET; THE CHORD OF SAID CURVE BEARS N 75°28'57" E A DISTANCE OF 579.40 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 280.00 FEET, AND A CENTRAL ANGLE OF 55°26'50" FOR A DISTANCE ALONG THE CURVE OF 270.97 FEET; THE CHORD OF SAID CURVE BEARS S 84°27'44" E A DISTANCE OF 260.52 FEET;

THENCE S 56°44'19" E 393.81 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 659.07 FEET, AND A CENTRAL ANGLE OF 21°39'21" FOR A DISTANCE ALONG THE CURVE OF 252.89 FEET; THE CHORD OF SAID CURVE BEARS S 67°34'00" E A DISTANCE OF 251.38 FEET FROM WHENCE THE SAID NORTHEAST CORNER OF SECTION 33 BEARS N 28°52'13" W 2741.66 FEET;

SUCH PARCEL BEING A 60 FOOT RIGHT-OF-WAY (30 FEET ON EACH SIDE OF THE ABOVE DESCRIBED CENTERLINE)

THE RIGHT-OF-WAY LINES OF SAID RIGHT-OF-WAY SHALL BE PROLONGED OR SHORTENED TO BEGIN AND END ON AND CONFORM TO THE PROPERTY BOUNDARY LINES.

5) GARFIELD COUNTY ROAD 114 EXCEPTION PARCEL LEGAL DESCRIPTION

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A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 6 SOUTH, RANGE 88 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, SAID PARCEL BEING THE RIGHT-OF-WAY FOR GARFIELD COUNTY ROAD 114 AND THE INTERSECTION OF GARFIELD COUNTY ROAD 114 WITH GARFIELD COUNTY ROAD 115, SAID PARCEL BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERN LINE OF THE NORTHEAST QUARTER OF SAID SECTION 33 WHENCE THE EAST QUARTER CORNER FOR SAID SECTION 33 BEING A 2-INCH ALUMINUM CAP BEARS S 88°27'45" E 551.40 FEET SAID POINT ALSO BEING A POINT ON THE EASTERLY RIGHT-OF-WAY OF GARFIELD COUNTY ROAD 114;

THENCE N 88°27'45" W 77.11 FEET ALONG SAID SOUTHERN LINE OF THE NORTHEAST QUARTER TO A POINT ON THE WESTERLY BOUNDARY OF SAID COUNTY ROAD 114, WHENCE THE CENTER QUARTER FOR SAID SECTION 33 BEING A 2-1/2-INCH ALUMINUM CAP FOUND IN PLACE BEARS N 88°27'45" N 1883.48;

THENCE THE FOLLOWING TWO COURSES ALONG THE WESTERLY RIGHT-OF-WAY OF SAID COUNTY ROAD 114;

1. N 40°27'03" E 99.05 FEET;
2. THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 270.00 FEET, AND A CENTRAL ANGLE OF 69°20'35" FOR A DISTANCE ALONG THE CURVE OF 326.77 FEET; THE CHORD OF SAID CURVE BEARS N 05°46'46" E A DISTANCE OF 307.19 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF GARFIELD COUNTY ROAD 115;

THENCE THE FOLLOWING THREE COURSES ALONG THE SOUTHERN RIGHT-OF-WAY OF COUNTY ROAD 115:

1. ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 759.53 FEET, AND A CENTRAL ANGLE OF 06°00'12" FOR A DISTANCE ALONG THE CURVE OF 79.58 FEET; THE CHORD OF SAID CURVE BEARS S 31°53'38" E A DISTANCE OF 79.55 FEET;
2. THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 230.00 FEET, AND A CENTRAL ANGLE OF 53°37'43" FOR A DISTANCE ALONG THE CURVE OF 215.28 FEET; THE CHORD OF SAID CURVE BEARS S 61°42'35" E A DISTANCE OF 207.51 FEET;
3. THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 2201.07 FEET, AND A CENTRAL ANGLE OF 03°41'58" FOR A DISTANCE ALONG THE CURVE OF 142.12 FEET; THE CHORD OF SAID CURVE BEARS N 89°37'34" E A DISTANCE OF 142.09 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF GARFIELD COUNTY ROAD 114;

THENCE THE FOLLOWING TWO COURSES ALONG THE EASTERLY RIGHT-OF-WAY OF COUNTY ROAD 114;

1. ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 470.00 FEET, AND A CENTRAL ANGLE OF 47°19'32" FOR A DISTANCE ALONG THE CURVE OF 388.21 FEET; THE CHORD OF SAID CURVE BEARS S 64°06'49" W A DISTANCE OF 377.27 FEET;
2. THENCE S 40°27'03" W 70.18 FEET TO THE POINT OF BEGINNING.

THE RIGHT-OF-WAY LINES OF SAID RIGHT-OF-WAY SHALL BE PROLONGED OR SHORTENED TO BEGIN AND END ON AND CONFORM TO THE PROPERTY BOUNDARY LINES.

EXCEPTING FROM SAID PARCELS 1, 2 AND 3 THOSE PORTIONS CONVEYED BY QUIT CLAIM DEED RECORDED OCTOBER 21, 2010 AT RECEPTION NO. [793247](#).

PARCEL 4:

THIRTY FOOT ROADWAY EASEMENT FROM HOPKINS RANCH LTD. TO SPRING VALLEY HOLDING USA RECORDED SEPTEMBER 10, 1993 IN [BOOK 875 AT PAGE 126](#) AS RECEPTION NO. 452323 AND RE-RECORDED JANUARY 13, 1994 IN [BOOK 889 AT PAGE 681](#) AS RECEPTION NO. 457969,

COUNTY OF GARFIELD,
STATE OF COLORADO.

For informational purposes only: APN: 218716100169
APN: 218720100168

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APN: 218726200168

APN: 218733100152

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First American

Schedule BI & BII

ALTA Commitment for Title Insurance

ISSUED BY

First American Title Insurance Company

File No: NCS-1133415-SLC1

Commitment No.: NCS-1133415-SLC1

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. Pay the premiums, fees, and charges for the Policy to the Company.
4. 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.
5. Payment of all taxes and assessments now due and payable as shown on a certificate of taxes due from the County Treasurer or the County Treasurer's Authorized Agent.

NOTE: Tax certificate(s) must be ordered by or provided to the Company at least one week prior to closing.

6. Local ordinances may impose inchoate liens on the Land for unpaid water, sewer, stormwater drainage, or other utilities charges. If this transaction includes a sale of the Land, a Utilities Agreement and/or escrow is required.
7. Evidence that all assessments for common expenses, if any, have been paid.
8. Receipt by the Company of an ALTA/NSPS Land Title Survey, certified to First American Title Insurance Company, and in form and content satisfactory to the Company. The Company reserves the right to make further requirements and/or exceptions upon review of this survey.
9. Recordation of a Release of the Deed of Trust from Spring Valley Holdings, LLC, a Delaware limited liability company to the Public Trustee of Garfield County for the use of Compass Bank, an Alabama banking corporation to secure an indebtedness in the principal sum of \$25,000,000.00, and any other amounts and/or obligations secured thereby, dated June 30, 2015 and recorded June 30, 2015 at Reception No. [864702](#), and amended by First Amended and Restated Deed of Trust recorded April 29, 2020 at Reception No. [934688](#).
10. Receipt by the Company of the following documentation for Spring Valley Holdings, LLC, a Delaware limited liability company:

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Operating Agreement, and all amendments thereto, if any.

Certificate of Good Standing issued by the Delaware Secretary of State.

NOTE: The Company reserves the right to make further requirements and/or exceptions upon review of the above item(s).

11. Receipt by the Company of the following documentation for Storied Development LLC, a Delaware limited liability company:

Operating Agreement, and all amendments thereto, if any.

Certificate of Good Standing issued by the Delaware Secretary of State.

NOTE: The Company reserves the right to make further requirements and/or exceptions upon review of the above item(s).

12. Receipt by the Company of a satisfactory Final Affidavit and Indemnity, executed by Spring Valley Holdings, LLC, a Delaware limited liability company.

13. Receipt by the Company of a satisfactory Final Affidavit and Indemnity, executed by Storied Development LLC, a Delaware limited liability company.

14. Prior to closing, the Company must confirm whether the county recording office in which the Land is located has changed its access policies due to the COVID-19 outbreak. If recording has been restricted, specific underwriting approval is required; and, additional requirements or exceptions may be made.

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First American

Schedule BI & BII (Cont.)

ALTA Commitment for Title Insurance

ISSUED BY

First American Title Insurance Company

File No: NCS-1133415-SLC1

Commitment No.: NCS-1133415-SLC1

SCHEDULE B, PART II

Exceptions

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

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

1. Any facts, rights, interests or claims which are not shown by the Public Records, but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
2. Easements, or claims of easements, not shown by the Public Records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct land survey and inspection of the Land would disclose, and which are not shown by the Public Records.
4. Any lien or right to a lien for services, labor, material or equipment, unless such lien is shown by the Public Records at Date of Policy and not otherwise excepted from coverage herein.
5. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I-Requirements are met.

Note: Exception number 5 will be removed from the policy provided the Company conducts the closing and settlement service for the transaction identified in the commitment.

6. Any and all unpaid taxes, assessments and unredeemed tax sales.
7. Any water rights, claims of title to water, in, on or under the Land.
8. Any existing leases or tenancies.
9. The right of a proprietor of a vein or lode 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 August 8, 1896 at Reception No. [19517](#), and recorded April 11, 1923 at Reception No. [82446](#), and recorded March 26, 1965 at Reception No. [229186](#), and recorded September 8, 1896 at Reception No. [19569](#), and recorded June 2, 1916 at Reception No. [54279](#).

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10. Right of way for ditches and canals as constructed by the authority of the United States, as reserved in United States Patent recorded August 8, 1896 at Reception No. [19517](#), and recorded September 8, 1896 at Reception No. [19569](#), and recorded September 1, 1906 at Reception No. [32339](#), and recorded December 7, 1912 at Reception No. [45724](#), and recorded June 2, 1916 at Reception No. [54279](#), and recorded April 7, 1923 at Reception No. [82381](#), and recorded April 11, 1923 at Reception No. [82446](#), and recorded February 28, 1926 at Reception No. [94056](#), and recorded October 31, 1939 at Reception No. [137373](#), and recorded May 20, 1940 at Reception No. [139733](#), and recorded February 26, 1952 at Reception No. [178627](#), and recorded February 26, 1952 at Reception No. [178628](#), and recorded February 26, 1952 at Reception No. [178629](#), and recorded February 26, 1952 at Reception No. [178630](#), and recorded February 26, 1952 at Reception No. [178631](#), and recorded February 26, 1952 at Reception No. [178632](#), and recorded February 26, 1952 at Reception No. [178633](#), and recorded February 26, 1952 at Reception No. [178634](#), and recorded February 26, 1952 at Reception No. [178635](#), and recorded February 26, 1952 at Reception No. [178636](#), and recorded February 26, 1952 at Reception No. [178637](#), and recorded March 3, 1952 at Reception No. [178688](#), and recorded March 3, 1952 at Reception No. [178689](#), and recorded March 3, 1952 at Reception No. [178690](#), and recorded March 26, 1965 at Reception No. [229186](#).
11. All rights under an application by the Glenwood High Line Railway Company, as reserved in United States Patent recorded December 7, 1912 in [Book 71 at Page 582](#), at Reception No. [45724](#).
12. Conveyance from the U.S. to Scott C. Hopkins, excepting and excluding that tract of land described and included in Power Site Reserve. No. 542 created by Executive Order of August 25, 1916, under the Act of Congress approved June 25, 1910 (36 Stat. 847d), as reserved in United States Patent recorded April 11, 1923 in [Book 112 at Page 388](#), at Reception No. [82446](#).
13. All the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine and remove the same pursuant to the Act of December 29, 1916 (39 Stat. 862), as reserved in United States Patent recorded October 31, 1939 in [Book 194 at Page 590](#), at Reception No. [137373](#).
14. All the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine, and remove the same pursuant to the Act of December 29, 1916 (39 Stat. 862), as reserved in United States Patent recorded February 26, 1962 in [Book 263 at Page 232](#), at Reception No. [178628](#).
15. Reservation unto the U.S., its permittee or licensee, the right to enter upon, occupy and use, any part or all of that portion of the NE1/4NE1/4 of Section 28, lying with An 50 ft. of the centerline of the transmission line right of way of the Central Colorado Power Company for the purposes provided in the Act of June 10, 1920 (41 Stat. 1063), as reserved in United States Patent recorded February 26, 1952 in [Book 263 at Page 235](#), at Reception No. [178631](#).
16. All the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine and remove the same pursuant to the Act of December 29, 1916 (39 Stat. 862), as reserved in United States Patent recorded February 26, 1952 in [Book 263 at Page 236](#), at Reception No. [178632](#).
17. Reservation unto the U.S., its permittee or licensee, the right to enter upon, occupy and use, any part or all of that portion of the E1/2NW1/4 and the NE1/4SW1/4 of Section 21 for the purposes provided in the Act of June 10, 1920 (41 Stat. 1063), as reserved in United States Patent recorded February 26, 1952 in [Book 263 at Page 237](#), at Reception No. [178633](#).
18. All the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine and remove the same pursuant to the Act of December 29, 1916 (39 Stat. 862),

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as reserved in United States Patent recorded February 26, 1952 in [Book 263 at Page 238](#), at Reception No. [178634](#).

19. The right to enter upon, occupy and use, any part or all of that portion of the SE1/4NE1/4 of Sec. 28 lying within 50 ft. of the centerline of the transmission line right of way of the Central Colorado Power Co. for the purposes provided in the Act of June 10, 1920 (41 Stat 1063), as reserved in United States Patent recorded February 26, 1952 in [Book 263 at Page 240](#), at Reception No. [178636](#).
20. The right to enter upon occupy and use, any part or all of that portion of the Lots 3 and 4 of Sec. 16, lying within 50 ft. of the centerline of the transmission line right of way of the Central Colorado Power Company for the purposes provided in the Act of June 10, 1920 (41 Stat. 1063), as reserved in United States Patent recorded March 3, 1952 in [Book 263 at Page 276](#), at Reception No. [178689](#).
21. All the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine and remove the same pursuant to the Act of December 29, 1916 (39 Stat. 862), as reserved in United States Patent recorded March 3, 1952 in [Book 263 at Page 272](#), at Reception No. [178690](#).
22. An easement for Thirty foot Right of Way for private use and incidental purposes as reserved in Quit Claim Deed recorded July 5, 1951, in [Book 259 at Page 190](#), at Reception No. 176573.
23. An easement for Electric transmission lines and telephone and telegraph lines and incidental purposes as reserved in Affidavit recorded March 9, 1959 in [Book 315 at Page 525](#), at Reception No. 204592.
24. An easement for Ingress and egress, together with any and all grazing rights and privileges and incidental purposes as reserved in Deed recorded June 24, 1965 in [Book 367 at Page 185](#), at Reception No. 230466, and in Deed recorded June 24, 1965 in [Book 367 at Page 188](#), at Reception No. 230467.
25. All the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine, and remove the same pursuant to the Act of December 29, 1916 (39 Stat. 862), as reserved in United States Patent recorded May 20, 1940 in [Book 194 at Page 617](#), at Reception No. [139733](#).
26. All the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine, and remove the same pursuant to the Act of December 29, 1916 (39 Stat. 862), as reserved in United States Patent recorded February 26, 1952 in [Book 263 at Page 231](#), at Reception No. [178627](#).
27. All the coal and other minerals in the lands so entered and patented, together with the rights to prospect for, mine, and remove the same pursuant to the Act of December 29, 1916 (39 Stat. 862), as reserved in United States Patent recorded February 26, 1952 in [Book 263 at Page 239](#) as Reception No. [178635](#).
28. An easement for non-exclusive easement and right-of-way for roadway access and incidental purposes as reserved in Warranty Deed recorded April 19, 1977 in [Book 495 at Page 593](#), at Reception No. 277986.
29. An easement for roadway access purposes and incidental purposes as reserved in Special Warranty Deed recorded April 19, 1977 in [Book 495 at Page 596](#), at Reception No. 277987.

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30. An easement for roadway access, pipelines, and utilities and incidental purposes as reserved in Deed recorded October 4, 1977 at Reception No. [281051](#), and recorded October 4, 1977 at Reception No. [281052](#), and recorded November 2, 1977 at Reception No. [281588](#), and recorded November 3, 1977 at Reception No. [281622](#), and recorded January 6, 1978 at Reception No. [282773](#).
31. Terms, conditions, provisions, obligations and agreements as set forth in the Resolutions by the Board of County Commissioners of Garfield County recorded October 24, 1980 at Reception No. [308660](#), and recorded July 12, 1984 at Reception No. [353974](#), and recorded July 12, 1984 at Reception No. [353975](#), and recorded October 13, 1987 at Reception No. [386620](#), and recorded December 6, 1994 at Reception No. [471850](#), and recorded December 13, 1994 at Reception No. [472056](#), and recorded December 1, 2000 at Reception No. [572999](#), and recorded January 15, 2002 at Reception No. [595731](#), and recorded December 2, 2003 at Reception No. [642016](#), and recorded December 2, 2003 at Reception No. [642017](#), and recorded November 8, 2005 at Reception No. [686066](#), and recorded November 8, 2005 at Reception No. [686067](#), and recorded April 22, 2008 at Reception No. [747015](#), and recorded April 22, 2008 at Reception No. [747016](#).
32. Terms, conditions, provisions, obligations, easements and agreements as set forth in the Right of Way Easement recorded November 19, 1984 in [Book 660 at Page 166](#), at Reception No. 357370.
33. Terms, conditions, provisions, obligations, easements and agreements as set forth in the Easement Agreement recorded September 10, 1993 in [Book 875 at Page 129](#), at Reception No. 452324, and re-recorded February 2, 1994 in [Book 891 at Page 668](#), at Reception No. 458816.
34. An easement for utility lines and incidental purposes granted to Public Service Company of Colorado, as set forth in an instrument recorded July 15, 1994 in [Book 908 at Page 836](#), at Reception No. 465897.
35. Terms, conditions, provisions, obligations and agreements as set forth in the Memorandum of Agreement on Boundary Line recorded April 26, 1995 in [Book 938 at Page 691](#), at Reception No. 477245.
36. Terms, conditions, provisions, obligations and agreements as set forth in the Twenty foot easement for road and utility purposes recorded October 9, 1967 in [Book 388 at Page 331](#), at Reception No. 239151.
37. Terms, conditions, provisions, obligations, easements and agreements as set forth in the Utility Relocation Agreement recorded September 08, 1998 in [Book 1087 at Page 614](#), at Reception No. 531850.
38. An easement for utility lines and incidental purposes granted to Public Service Company of Colorado, as set forth in an instrument recorded September 29, 1998 in [Book 1090 at Page 657](#), at Reception No. 532924.
39. Terms, conditions, provisions, obligations and agreements as set forth in the Director's Parcel Agreement recorded June 4, 2002 in [Book 1360 at Page 460](#), at Reception No. 604722, and Corrected Director's Parcel Agreement recorded June 6, 2002 in [Book 1361 at Page 102](#), at Reception No. 604872.
40. Terms, conditions, provisions, obligations and agreements as set forth in the Pre-Inclusion and Wastewater Treatment Plant Development Agreement recorded August 30, 2001 in [Book 1282 at Page 8](#), at Reception No. 587475.

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41. Terms, conditions, provisions, obligations, easements and agreements as set forth in the Easement Agreement recorded January 18, 2002 in [Book 1322 at Page 335](#), at Reception No. 596026.
42. Terms, conditions, provisions, obligations and agreements as set forth in the Memorandum of Water Allotment Contract recorded February 16, 2006 at Reception No. [692412](#).
43. Any tax, lien, fee or assessment for 2015 and subsequent years, not yet due and payable, by reason of inclusion of subject property in the Landis Creek Metropolitan District No. 1, as evidenced by instrument recorded April 25, 2008 at Reception No. [747386](#), and recorded April 25, 2008 at Reception No. [747387](#), and recorded April 25, 2008 at Reception No. [747388](#).
44. Terms, conditions, provisions, obligations, easements and agreements as set forth in the Easement Grant recorded July 22, 2010 at Reception No. [788884](#).
45. An easement for to allow access to the spring and incidental purposes granted to Louis Lagiglia, as set forth in an instrument recorded October 21, 2010 at Reception No. [793242](#).
46. Easements, notes, covenants, restrictions and rights-of-way as shown on the Spring Valley Ranch P.U.D. Phase 1, Final Plat, recorded October 21, 2010 at Reception No. [793243](#), and First Amended Plat thereof recorded December 5, 2012 at Reception No. [828064](#).

Resolution No. 2017-31 in connection therewith recorded July 19, 2017 at Reception No. [894968](#).
47. Covenants, conditions, restrictions and provisions as set forth in Master Declaration of Covenants, Conditions and Restrictions for Spring Valley Ranch P.U.D. recorded October 21, 2010 at Reception No. [793245](#), but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status, or national origin, and any and all amendments, assignments, or annexations thereto.
48. Terms, conditions, provisions, obligations, easements and agreements as set forth in the Easement Grant recorded October 21, 2010 at Reception No. [793246](#).
49. Terms, conditions, provisions, obligations and agreements as set forth in the Development Agreement recorded October 21, 2010 at Reception No. [793248](#), and First Amendment thereto recorded December 5, 2012 at Reception No. [828067](#).
50. Terms, conditions, provisions, obligations and agreements as set forth in the Wells Sharing Agreement recorded December 5, 2011 at Reception No. [811551](#).
51. Terms, conditions, provisions, obligations and agreements as set forth in the Quit Claim Deed recorded December 5, 2012 at Reception No. [828063](#).
52. Easements, notes, covenants, restrictions and rights-of-way as shown on the Spring Valley Ranch P.U.D. Phasing Map, recorded December 5, 2012 at Reception No. [828065](#).
53. Terms, conditions, provisions, obligations and agreements as set forth in the Resolution No. 2012-95 recorded December 5, 2012 at Reception No. [828066](#).
54. Any tax, lien, fee or assessment for 2015 and subsequent years, not yet due and payable, by reason of inclusion of subject property in the Basalt Water Conservancy District, as evidenced by instrument recorded February 19, 2013 at Reception No. [831499](#).

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55. An easement for ingress, egress, and utilities and incidental purposes as reserved in Quit Claim Deed recorded July 19, 2017 at Reception No. [894962](#).
56. Terms, conditions, provisions, obligations and agreements as set forth in the Amended and Restated Development Agreement recorded July 19, 2017 at Reception No. [894969](#).
57. Rights of KISS Capital Group LLC, as tenant only, under that certain Lease dated June 30, 2015, between Spring Valley Holdings, LLC, as landlord, and KISS Capital Group LLC, as tenant.

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DISCLOSURE STATEMENT

Pursuant to C.R.S. 30-10-406(3)(a) 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 will refuse to record or file any document that does not conform to the requirements of this section.

NOTE: If this 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).

NOTE: Colorado Division of Insurance Regulations 8-1-2 requires that "Every 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 matters which appear of record prior to the time of recording whenever the title insurance company, or its agent, conducts the closing and settlement service that is in conjunction with its issuance of an owner's policy of title insurance and is responsible for the recording and filing of legal documents resulting from the transaction which was closed.

Pursuant to C.R.S. 10-11-122, the company will not issue its owner's policy or owner's policies of title insurance contemplated by this commitment until it has been provided a Certificate of Taxes due or other equivalent documentation 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.

The subject property may be located in a special taxing district. A Certificate of Taxes due listing each taxing jurisdiction shall be obtained from the County Treasurer or the County Treasurer's authorized agent. 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.

C.R.S. 10-11-122 (4), 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.

NOTE: Pursuant to CRS 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.**

NOTE: Pursuant to Colorado Division of Insurance Regulations 8-1-1, 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.**

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- 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 the 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 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.

NOTE: 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.

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.

Nothing herein contained will be deemed to obligate the company to provide any of the coverages referred to herein unless the above conditions are fully satisfied.

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SPRING VALLEY RANCH PUD: ADJACENT PROPERTY OWNERS

Properties within 200' of Parcel No. 218733100152				
Parcel	Physical Address	Owner	Account Num	Mailing Address
218720100168	Not available GLENWOOD SPRINGS	SPRING VALLEY HOLDINGS LLC	R084218	2600 S OAKHURST COURT #14 GLENWOOD SPRINGS, CO 81601
218733100152	Not available GLENWOOD SPRINGS	SPRING VALLEY HOLDINGS LLC	R008906	2600 S OAKHURST COURT #14 GLENWOOD SPRINGS, CO 81601
218733300153	3961 114 COUNTY RD GLENWOOD SPRINGS	BERKELEY FAMILY LIMITED PARTNERSHIP	R084565	1302 WAUGH DRIVE #684 HOUSTON, TX 77019
218733400107	4001 114 COUNTY RD GLENWOOD SPRINGS	BERKELEY FAMILY, LLLP	R111780	1302 WAUGH DRIVE #684 HOUSTON, TX 77019

Properties within 200' of Parcel No. 218720100168				
Parcel	Physical Address	Owner	Account Num	Mailing Address
218716100169	Not available GLENWOOD SPRINGS	SPRING VALLEY HOLDINGS LLC	R084219	2600 S OAKHURST COURT #14 GLENWOOD SPRINGS, CO 81601
218717400955	Not available GLENWOOD SPRINGS	BUREAU OF LAND MANAGEMENT	R030099	2300 RIVER FRONTAGE ROAD SILT, CO 81652
218719100951	Not available GLENWOOD SPRINGS	BUREAU OF LAND MANAGEMENT	R050261	2300 RIVER FRONTAGE ROAD SILT, CO 81652
218720100168	Not available GLENWOOD SPRINGS	SPRING VALLEY HOLDINGS LLC	R084218	2600 S OAKHURST COURT #14 GLENWOOD SPRINGS, CO 81601
218720300118	3537 115 COUNTY RD GLENWOOD SPRINGS	KOR, JOY TRUST & MEYERS, PAUL TRUST	R050245	3537 COUNTY ROAD 115 GLENWOOD SPRINGS, CO 81601
218726200168	Not available GLENWOOD SPRINGS	SPRING VALLEY HOLDINGS LLC	R083296	2600 S OAKHURST COURT #14 GLENWOOD SPRINGS, CO 81601
218728200036	4350 115 COUNTY RD GLENWOOD SPRINGS	PROHL COOPER, PRISCILLA D & COOPER, SCOTT R	R050015	4350 COUNTY ROAD 115 GLENWOOD SPRINGS, CO 81601
218728200037	4348 115 COUNTY RD GLENWOOD SPRINGS	LANGE, REBECCA L & TROY A	R050022	4348 COUNTY ROAD 115 GLENWOOD SPRINGS, CO 81601-9020
218728200121	4890 115 COUNTY RD GLENWOOD SPRINGS	CORSON, RACHEL A	R050253	4890 COUNTY ROAD 115 GLENWOOD SPRINGS, CO 81601
218728200122	4744 115 COUNTY RD GLENWOOD SPRINGS	WILL, GREGORY THOMAS & PINE, SUMMER B	R050254	4744 COUNTY ROAD 115 GLENWOOD SPRINGS, CO 81601
218728300123	6000 115 COUNTY RD GLENWOOD SPRINGS	SHANNON, KRISTIN KNIGHT	R050280	6000 COUNTY ROAD 115 GLENWOOD SPRINGS, CO 81601-9026
218728300124	5000 115 COUNTY RD GLENWOOD SPRINGS	KELLER, DEBRA ANN & JOHN P	R050281	5000 COUNTY ROAD 115 GLENWOOD SPRINGS, CO 81601-9024
218728300125	5050 115 COUNTY RD GLENWOOD SPRINGS	CRUZ GAMBOA, FAVIOLA DEL CARMEN & ESTRADA TORRES, HERNANDO & STEVEN	R050282	5050 COUNTY ROAD 115 GLENWOOD SPRINGS, CO 81601
218728300126	Not available GLENWOOD SPRINGS	LANDA BARRAGAN, JOSE MANUEL	R050283	5033 COUNTY ROAD 335 #124 NEW CASTLE, CO 81647
218729100040	4351 115 COUNTY RD GLENWOOD SPRINGS	WROBLEWSKI, STANISLAW	R050039	4351 COUNTY ROAD 115 GLENWOOD SPRINGS, CO 81601
218729100041	4354 115 COUNTY RD GLENWOOD SPRINGS	CLARIDGE, MARVIN L & ESTHER R	R050020	4354 COUNTY ROAD 115 GLENWOOD SPRINGS, CO 81601-9020
218729100042	4346 115 COUNTY RD GLENWOOD SPRINGS	WONG, AMANDA LEE & DASH DUONG	R050051	4346 COUNTY ROAD 115 GLENWOOD SPRINGS, CO 81601
218729100043	4002 115 COUNTY RD GLENWOOD SPRINGS	LAGIGLIA, DONNALYNE	R050084	4002 COUNTY ROAD 115 GLENWOOD SPRINGS, CO 81601
218729200044	3780 115 COUNTY RD GLENWOOD SPRINGS	SULLIVAN, MICHAEL J & CHRISTINE K	R050058	3780 COUNTY ROAD 115 GLENWOOD SPRINGS, CO 81601-9018
218729200077	3724 115 COUNTY RD GLENWOOD SPRINGS	BIELENBERG, JULIE & BEN	R050091	3724 COUNTY ROAD 115 GLENWOOD SPRINGS, CO 81601
218729200078	3722 115 COUNTY RD GLENWOOD SPRINGS	ANDERSEN, SETH J & HELEN B	R050052	3722 COUNTY ROAD 115 GLENWOOD SPRINGS, CO 81601
218729200079	3720 115 COUNTY RD GLENWOOD SPRINGS	FREDERICK, STEPHEN C & SCOTT R & LYDIA G	R050040	3720 COUNTY ROAD 115 GLENWOOD SPRINGS, CO 81601
218729200109	4006 115 COUNTY RD GLENWOOD SPRINGS	HELMICH, LINDA L & DONALD B	R050233	4006 COUNTY ROAD 115 GLENWOOD SPRINGS, CO 81601
218729200110	3726 115 COUNTY RD GLENWOOD SPRINGS	AUSTIN, JAMES H	R050234	3726 COUNTY ROAD 115 GLENWOOD SPRINGS, CO 81601-9018
218729200149	3540 115 COUNTY RD GLENWOOD SPRINGS	FINLEY, STEVE MICHAEL & HEATHER RENEE	R006925	22875 SOMEDAY WAY BEND, OR 97701
218729200151	Not available GLENWOOD SPRINGS	ELI BAR RANCH LLC	R006927	3154 COUNTY ROAD 115 GLENWOOD SPRINGS, CO 81601
218729300088	1332 119 COUNTY RD GLENWOOD SPRINGS	ANDERSON, JOHN H JR & SANDRA K	R050105	1332 COUNTY ROAD 119 GLENWOOD SPRINGS, CO 81601-9313
218729300133	Not available GLENWOOD SPRINGS	BRYAN, SAMUEL W & BEVERLY	R050285	PO BOX 327 GLENWOOD SPRINGS, CO 81602-0327
218730100150	3154 115 COUNTY RD GLENWOOD SPRINGS	ELI BAR RANCH LLC	R006926	3154 COUNTY ROAD 115 GLENWOOD SPRINGS, CO 81601
218732100099	Not available GLENWOOD SPRINGS	BACON, ROBERT & MICHELE T	R050147	1890 SPRUCE CREEK CIRCLE N PORT ORANGE, FL 32128
218732200094	Not available CARBONDALE	SAGEBRUSH ENTERPRISES LLC	R050111	51400 COUNTY ROAD 29 BRISTOL, IN 46507
218732200096	Not available GLENWOOD SPRINGS	BRYAN, SAMUEL W & BEVERLY L	R050112	PO BOX 327 GLENWOOD SPRINGS, CO 81602-0327
218733100152	Not available GLENWOOD SPRINGS	SPRING VALLEY HOLDINGS LLC	R008906	2600 S OAKHURST COURT #14 GLENWOOD SPRINGS, CO 81601
218733300153	3961 114 COUNTY RD GLENWOOD SPRINGS	BERKELEY FAMILY LIMITED PARTNERSHIP	R084565	1302 WAUGH DRIVE #684 HOUSTON, TX 77019
218733300154	3961 114 COUNTY RD GLENWOOD SPRINGS	PLUS LAZY K LLC	R084659	3961 COUNTY ROAD 114 GLENWOOD SPRINGS, CO 81601
218733400107	4001 114 COUNTY RD GLENWOOD SPRINGS	BERKELEY FAMILY, LLLP	R111780	1302 WAUGH DRIVE #684 HOUSTON, TX 77019
218734200049	6651 115 COUNTY RD GLENWOOD SPRINGS	VELTUS, LOIS A	R050094	6651 COUNTY ROAD 115 GLENWOOD SPRINGS, CO 81601
218734200095	6491 115 COUNTY RD GLENWOOD SPRINGS	SAMUELSON, RAUN E & GAYLE L	R050180	PO BOX 297 GLENWOOD SPRINGS, CO 81602-0297
218734300083	Not available GLENWOOD SPRINGS	COLORADO MOUNTAIN JUNIOR COLLEGE DISTRICT	R111423	802 GRAND AVE GLENWOOD SPRINGS, CO 81601
218735200050	7203 115 COUNTY RD GLENWOOD SPRINGS	J & S NIESLANIK LLLP	R050167	3118 S GRAND AVENUE GLENWOOD SPRINGS, CO 81601

SPRING VALLEY RANCH PUD: ADJACENT PROPERTY OWNERS

Properties within 200' of Parcel No. 218716100169				
Parcel	Physical Address	Owner	Account Num	Mailing Address
218710300956	Not available GLENWOOD SPRINGS	US FOREST SERVICE	R030100	PO BOX 948 GLENWOOD SPRINGS, CO 81602-0948
218714100066	Not available GLENWOOD SPRINGS	BWI FINANCIAL LLC	R030056	5401 EAST INDEPENDENCE BLVD CHARLOTTE, NC 28212
218714200114	LANDIS CREEK CARBONDALE	RUDD, WAYNE	R030089	0132 PARK AVENUE BASALT, CO 81621
218715100119	Not available CARBONDALE	PECKHAM, ROBERT RAYMOND & RICHARD ALAN	R030090	6409 JORDAN DRIVE LOVELAND, CO 80537
218715100120	Not available CARBONDALE	PECKHAM, ROBERT G & TERESA L	R030091	3001 SOPRIS AVENUE GLENWOOD SPRINGS, CO 81601-4438
218715300063	115 COUNTY RD GLENWOOD SPRINGS	FARNUM, GRANVILLE W REVOCABLE TRUST & FARNUM, GLENDA L. REVOCABLE TRUST	R030002	PO BOX 954 GLENWOOD SPRINGS, CO 81602-0954
218716100169	Not available GLENWOOD SPRINGS	SPRING VALLEY HOLDINGS LLC	R084219	2600 S OAKHURST COURT #14 GLENWOOD SPRINGS, CO 81601
218716200061	Not available GLENWOOD SPRINGS	COMBS, KEVIN &	R030004	907 TOPLER RIDGE COURT GRAND JUNCTION, CO 81505
218717400955	Not available GLENWOOD SPRINGS	BUREAU OF LAND MANAGEMENT	R030099	2300 RIVER FRONTAGE ROAD SILT, CO 81652
218720100168	Not available GLENWOOD SPRINGS	SPRING VALLEY HOLDINGS LLC	R084218	2600 S OAKHURST COURT #14 GLENWOOD SPRINGS, CO 81601
218726200168	Not available GLENWOOD SPRINGS	SPRING VALLEY HOLDINGS LLC	R083296	2600 S OAKHURST COURT #14 GLENWOOD SPRINGS, CO 81601

Properties within 200' of Parcel No. 218726200168				
Parcel	Physical Address	Owner	Account Num	Mailing Address
218714100066	Not available GLENWOOD SPRINGS	BWI FINANCIAL LLC	R030056	5401 EAST INDEPENDENCE BLVD CHARLOTTE, NC 28212
218715300063	115 COUNTY RD GLENWOOD SPRINGS	FARNUM, GRANVILLE W REVOCABLE TRUST & FARNUM, GLENDA L. REVOCABLE TRUST	R030002	PO BOX 954 GLENWOOD SPRINGS, CO 81602-0954
218716100169	Not available GLENWOOD SPRINGS	SPRING VALLEY HOLDINGS LLC	R084219	2600 S OAKHURST COURT #14 GLENWOOD SPRINGS, CO 81601
218720100168	Not available GLENWOOD SPRINGS	SPRING VALLEY HOLDINGS LLC	R084218	2600 S OAKHURST COURT #14 GLENWOOD SPRINGS, CO 81601
218723100019	630 FOSTER RIDGE RD GLENWOOD SPRINGS	FENNELL, LAWRENCE W & MIRIAM M	R050066	4652 OAK ALLEY KERRVILLE, TX 78028
218723400017	Not available GLENWOOD SPRINGS	ROSSABI, SAMUEL M & ERIN G	R050050	365 MULBERY CIRCLE BROOMFIELD, CO 80020
218723400018	584 FOSTER RIDGE RD GLENWOOD SPRINGS	PATILLO, JOHN & ALLISON N	R050004	584 FOSTER RIDGE ROAD GLENWOOD SPRINGS, CO 81601
218724200103	Not available GLENWOOD SPRINGS	BWI FINANCIAL LLC	R050217	5401 EAST INDEPENDENCE BLVD CHARLOTTE, NC 28212
218726100030	4338 HOMESTEAD RD GLENWOOD SPRINGS	MCGILL, OLIVIA G	R083804	25830 HUNTER LANE KATY, TX 77494
218726200168	Not available GLENWOOD SPRINGS	SPRING VALLEY HOLDINGS LLC	R083296	2600 S OAKHURST COURT #14 GLENWOOD SPRINGS, CO 81601
218726300953	Not available GLENWOOD SPRINGS	BUREAU OF LAND MANAGEMENT	R050263	2300 RIVER FRONTAGE ROAD SILT, CO 81652
218726400013	2345 HOMESTEAD RD GLENWOOD SPRINGS	CARDENAS, CARLOS DAVID	R050049	5910 W WASHINGTON BLVD MILWAUKEE, WI 53208
218726400029	2878 HOMESTEAD RD GLENWOOD SPRINGS	MILNER, KEVIN L	R083803	PO BOX 302 GLENWOOD SPRINGS, CO 81602-0302
218735100012	Not available GLENWOOD SPRINGS	ROSSI, PAULETTE IRREVOCABLE TRUST	R050047	17 REDSTONE DRIVE NEW CASTLE, CO 81647
218735200050	7203 115 COUNTY RD GLENWOOD SPRINGS	J & S NIESLANIK LLLP	R050167	3118 S GRAND AVENUE GLENWOOD SPRINGS, CO 81601



February 21, 2023

Glenn Hartmann
Senior Planner
Garfield County Community Development Department
108 Eighth Street, Suite 401
Glenwood Springs, Colorado 81601

Re: Application for Substantial Modification to Spring Valley Ranch P.U.D. (Parcel Nos. 2187-201-00-168; 2187-262-00-168; 2187-161-00-169; and 2187-331-00-152)

Dear Mr. Hartmann:

I represent Storied Development LLC (the “Applicant”). With the consent of Spring Valley Holdings, LLC as the owner of the Spring Valley Ranch P.U.D. property (the “Property”), the Applicant is submitting an application to Garfield County for a substantial modification to the Spring Valley Ranch P.U.D.

I am writing this letter to address the requirements of Section 4-203.B. of the Garfield County Land Use and Development Code and C.R.S. § 24-65.5-103 on which it is based. These county code and state law provisions relate to providing notice of applications for land development to the owners of mineral interests underlying the subject property.

This letter is intended to provide to you a list of the owners of any subsurface mineral interests. In preparing this letter, I reviewed the Commitment for Title Insurance provided by First American Title Insurance Company, File No. NCS-1133415-SLC1.

There is only one mineral reservation affecting the Property and it appears in eight separate federal Patents related to the Property. The reservation states: “Excepting and reserving, however, to the U.S. all the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine, and remove the same pursuant to the Act of December 29, 1916.” This reservation appears in the following Patents related to the Property:

<u>DATE RECORDED</u>	<u>RECEPTION NO.</u>
October 31, 1939	Reception No. 137373
May 20, 1940	Reception No. 139733
February 26, 1952	Reception No. 178627

February 26, 1952	Reception No. 178628
February 26, 1952	Reception No. 178632
February 26, 1952	Reception No. 178634
February 26, 1952	Reception No. 178635
March 3, 1952	Reception No. 178690

None of the above-described Patents lists an address for notice. The Patents each reference the General Land Office of the United States of America. The General Land Office is a Department of the Bureau of Land Management (the “BLM”), which is itself a part of the U.S. Department of the Interior. The subject property is located within the Colorado River Valley area managed by the BLM. The BLM’s Colorado River Valley Field Office manages the BLM’s mineral estate interests in this area. According to the BLM website (<https://www.blm.gov/office/colorado-river-valley-field-office>), the mailing address for the Colorado River Valley Field Office is:

Bureau of Land Management
Colorado River Valley Field Office
2300 River Frontage Road
Silt, CO 81652

It is worth noting that C.R.S. § 24-65.5-103 was amended in 2007 to change the notice requirements for mineral estate owners in regard to proposed development applications. Under the amended version of the statute, written notice is required to be given to only those mineral estate owners who are either: (a) identified as a mineral estate owner in the County Tax Assessor’s records; or (b) who have filed with the County’s Clerk & Recorder a request for notification in the form specified in C.R.S. § 24-65.5-103(3). Based on my research, it does not appear the BLM satisfies either of these requirements with regard to the Spring Valley Ranch P.U.D. property.

Sincerely,

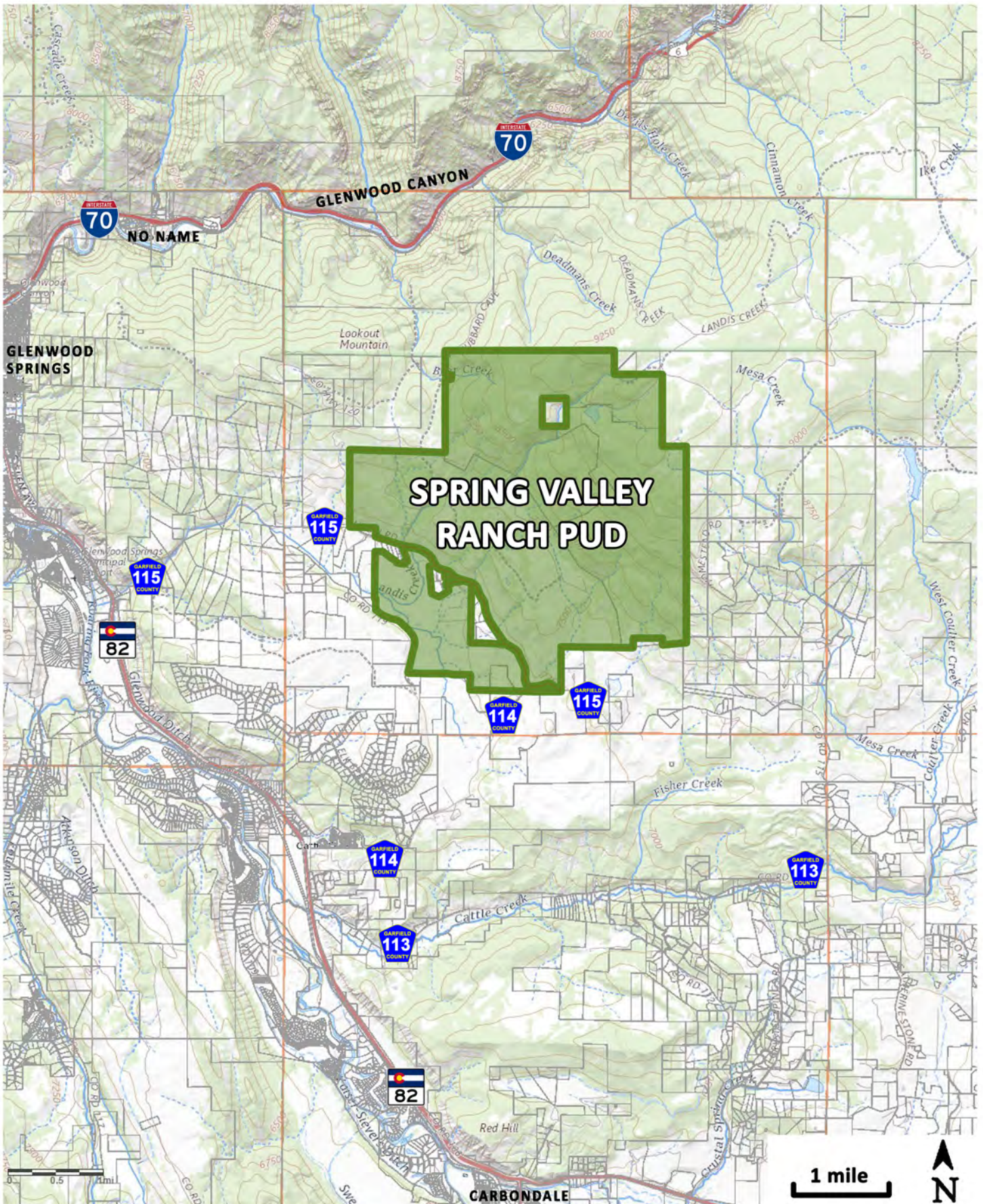


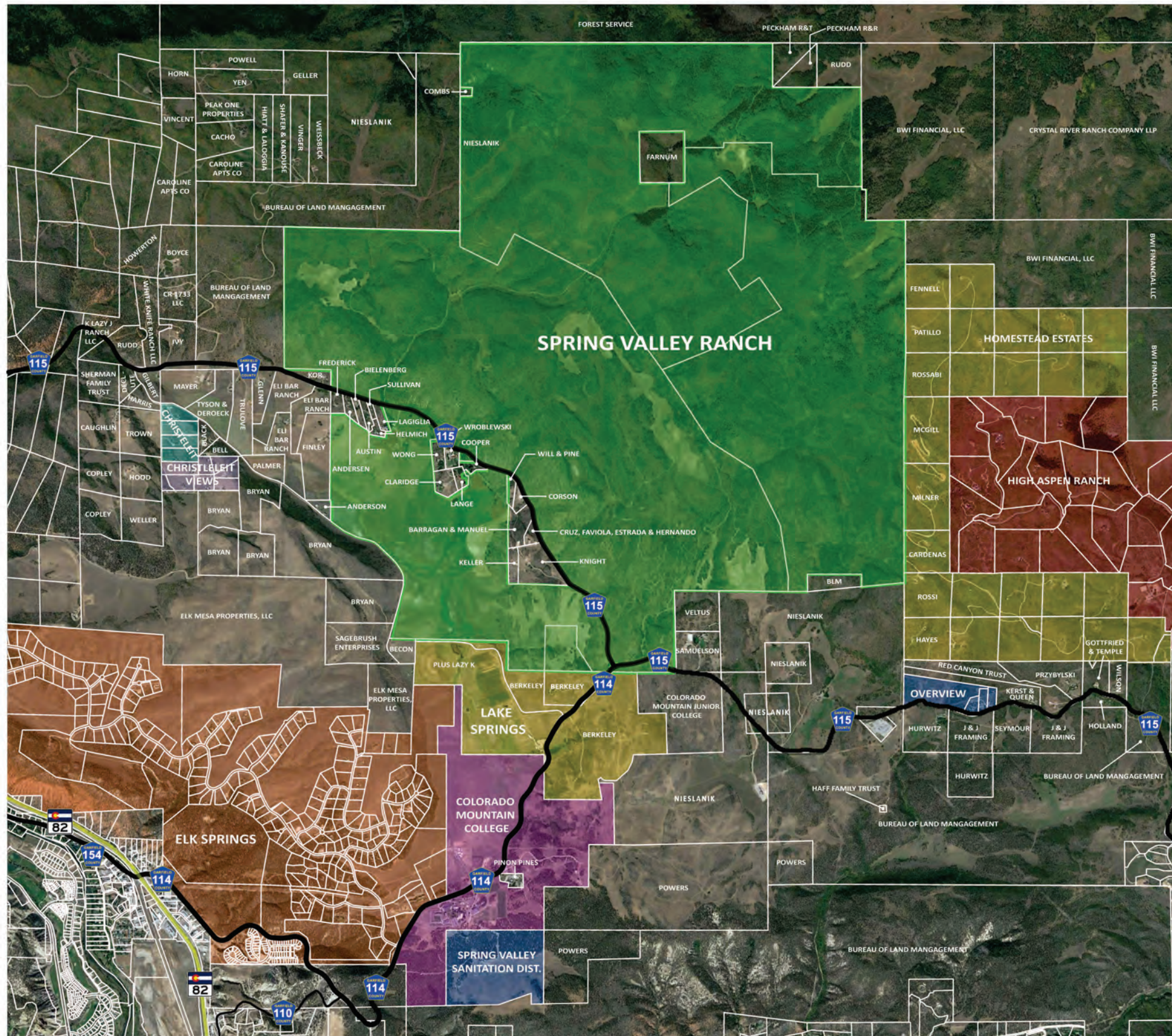
Bart Johnson
for
WAAS CAMPBELL RIVERA
JOHNSON & VELASQUEZ LLP

SPRING VALLEY RANCH PUD

Vicinity Map

Parcel Nos. 218716100169, 218720100168, 218726200168, 218733100152





STORIED
DEVELOPMENT

SPRING VALLEY RANCH

Garfield County, Colorado

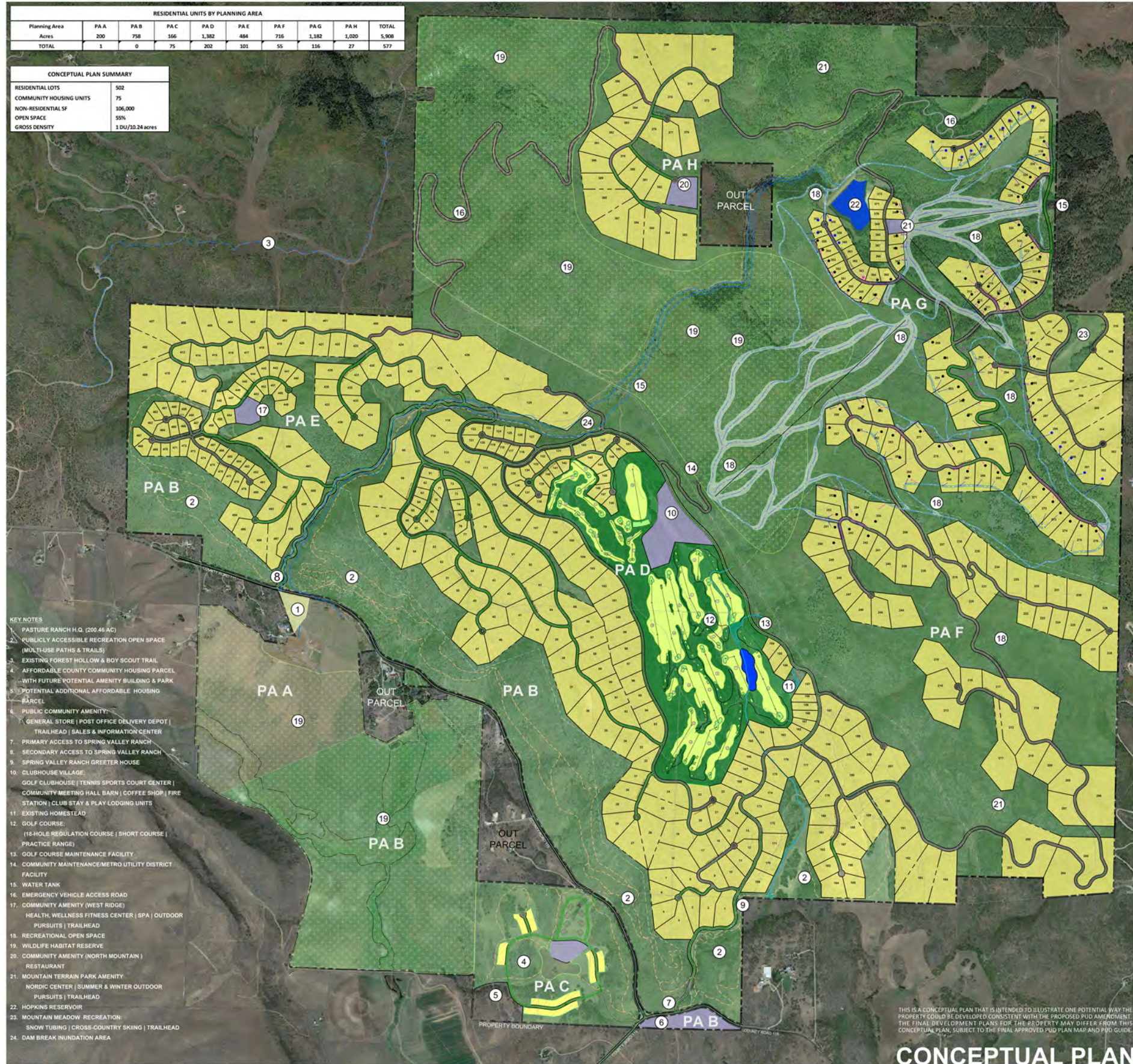
ADJACENCIES MAP



RESIDENTIAL UNITS BY PLANNING AREA									
Planning Area	PA A	PA B	PA C	PA D	PA E	PA F	PA G	PA H	TOTAL
Acres	200	758	166	1,382	484	716	1,182	1,020	5,908
TOTAL	1	0	75	202	101	55	116	27	577

CONCEPTUAL PLAN SUMMARY	
RESIDENTIAL LOTS	502
COMMUNITY HOUSING UNITS	75
NON-RESIDENTIAL SF	106,000
OPEN SPACE	55%
GROSS DENSITY	1 DU/10.24 acres

- KEY NOTES**
- PASTURE RANCH H.Q. (200.46 AC)
 - PUBLICLY ACCESSIBLE RECREATION OPEN SPACE (MULTI-USE PATHS & TRAILS)
 - EXISTING FOREST HOLLOW & BOY SCOUT TRAIL
 - AFFORDABLE COUNTY COMMUNITY HOUSING PARCEL WITH FUTURE POTENTIAL AMENITY BUILDING & PARK
 - POTENTIAL ADDITIONAL AFFORDABLE HOUSING PARCEL
 - PUBLIC COMMUNITY AMENITY: GENERAL STORE | POST OFFICE DELIVERY DEPOT | TRAILHEAD | SALES & INFORMATION CENTER
 - PRIMARY ACCESS TO SPRING VALLEY RANCH
 - SECONDARY ACCESS TO SPRING VALLEY RANCH
 - SPRING VALLEY RANCH GREETER HOUSE
 - CLUBHOUSE VILLAGE: GOLF CLUBHOUSE | TENNIS SPORTS COURT CENTER | COMMUNITY MEETING HALL | BARN | COFFEE SHOP | FIRE STATION | CLUB STAY & PLAY LODGING UNITS
 - EXISTING HOMESTEAD
 - GOLF COURSE: (18-HOLE REGULATION COURSE | SHORT COURSE | PRACTICE RANGE)
 - GOLF COURSE MAINTENANCE FACILITY
 - COMMUNITY MAINTENANCE/METRO UTILITY DISTRICT FACILITY
 - WATER TANK
 - EMERGENCY VEHICLE ACCESS ROAD
 - COMMUNITY AMENITY (WEST RIDGE): HEALTH, WELLNESS FITNESS CENTER | SPA | OUTDOOR PURSUITS | TRAILHEAD
 - RECREATIONAL OPEN SPACE
 - WILDLIFE HABITAT RESERVE
 - COMMUNITY AMENITY (NORTH MOUNTAIN): RESTAURANT
 - MOUNTAIN TERRAIN PARK AMENITY: Nordic Center | SUMMER & WINTER OUTDOOR PURSUITS | TRAILHEAD
 - HOPKINS RESERVOIR
 - MOUNTAIN MEADOW RECREATION: SNOW TUBING | CROSS-COUNTRY SKIING | TRAILHEAD
 - DAM BREAK INUNDATION AREA



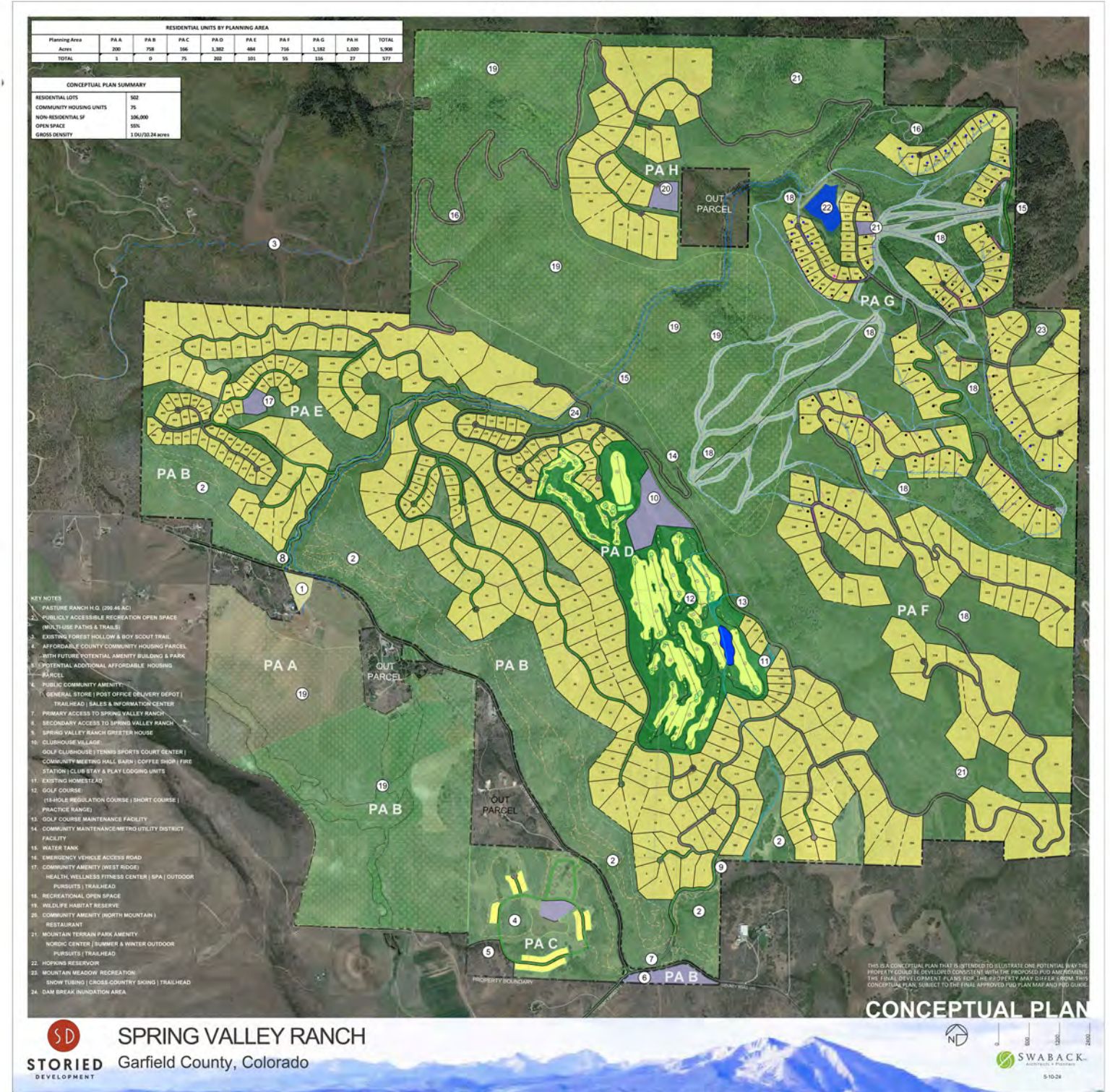
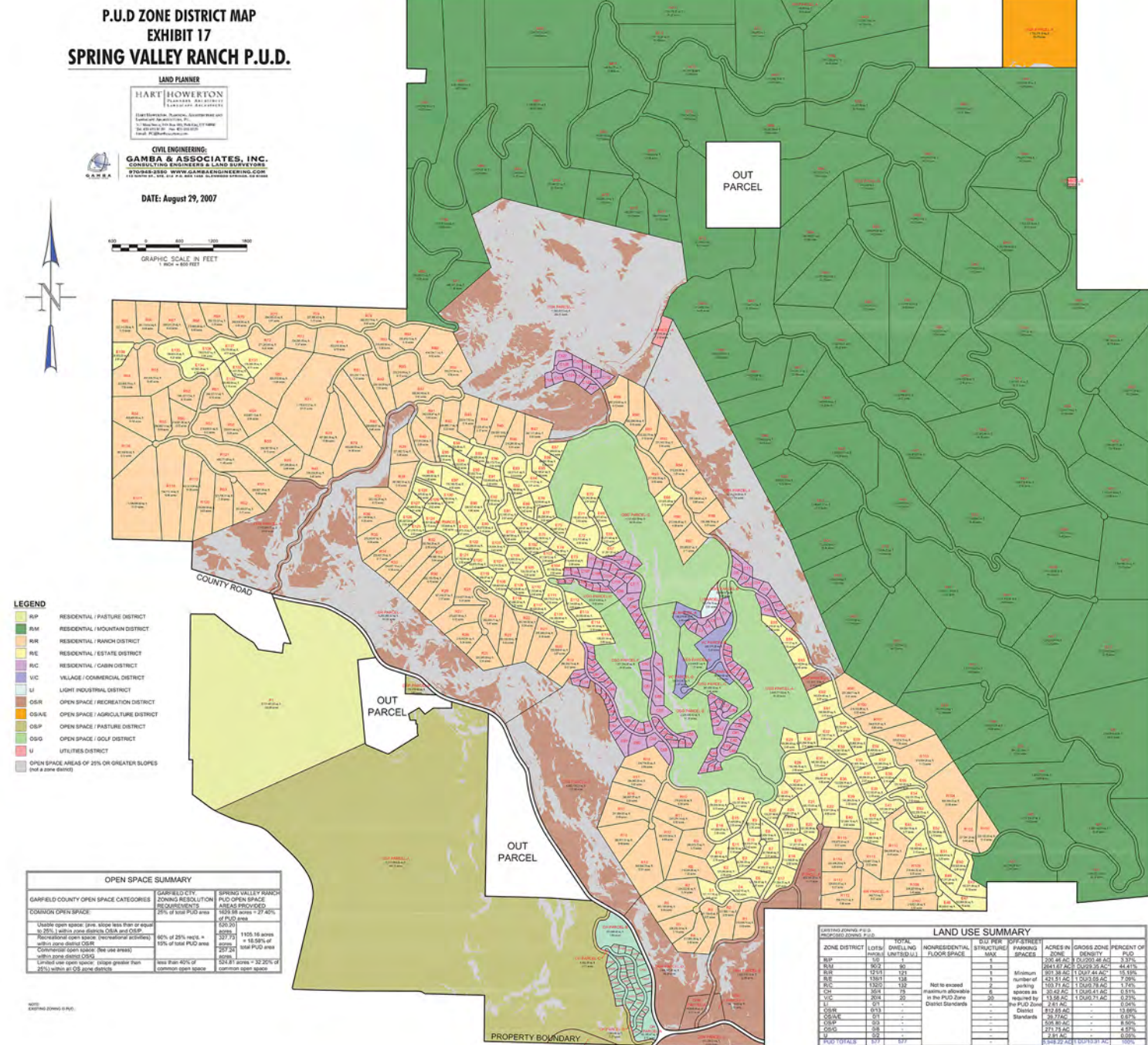
THIS IS A CONCEPTUAL PLAN THAT IS INTENDED TO ILLUSTRATE ONE POTENTIAL WAY THE PROPERTY COULD BE DEVELOPED CONSISTENT WITH THE PROPOSED PUD AMENDMENT. THE FINAL DEVELOPMENT PLANS FOR THE PROPERTY MAY DIFFER FROM THIS CONCEPTUAL PLAN, SUBJECT TO THE FINAL APPROVED PUD PLAN MAP AND PUD GUIDE.

CONCEPTUAL PLAN

PLAN COMPARISON

Approved Plan (2007, Rec. No. 786990)

Conceptual Plan (2024)



SPRING VALLEY RANCH

IMPACT ANALYSIS

May 28, 2024

Prepared For



Community Development Department
108 8th Street, Suite 401
Glenwood Springs, CO 81601

and



9875 N. Tuhaye Park Drive
Kamas, UT 84036

Prepared By

WESTERN BIONOMICS INC.

Natural Resource Management Services

31040 Willow Lane • Steamboat Springs, CO 80487
Ph: 970-846-8223 • kscolfer@westernbionomics.com

Contents

1. INTRODUCTION	1
2. CONCEPTUAL PLAN	1
3. ADJACENT LAND USE	2
4. SITE FEATURES	2
4.1 HIGHER ELEVATION PLATEAU	2
4.2 MIDDLE ELEVATION SLOPES AND BENCHES	4
4.3 LANDIS CREEK AND MINOR EPHEMERAL GULCHES	4
5. EXISTING CONDITIONS	5
5.1 SOIL CHARACTERISTICS	5
5.2 GEOLOGY AND HAZARD	7
5.2.1 <i>Bedrock Units</i>	8
5.2.1 <i>Surficial Deposits</i>	8
5.3 GROUNDWATER AND AQUIFER RECHARGE AREAS	11
5.3.1 <i>Physical Characteristics</i>	11
5.3.2 <i>Aquifer Recharge</i>	14
5.3.3 <i>Anticipated Diversions and Depletions</i>	14
5.3.4 <i>Total Spring Valley Aquifer Demands</i>	15
5.3.5 <i>Legal Water Supply</i>	15
5.4 ENVIRONMENTAL	16
5.4.1 <i>Wildlife</i>	16
5.4.2 <i>Wetlands</i>	21
5.4.3 <i>Wildfire</i>	23
6. IMPACT ANALYSIS	24
6.1 SOILS	24
6.2 GEOLOGY AND HAZARD	24
6.3 GROUNDWATER AND AQUIFER RECHARGE AREAS	27
6.3.1 <i>Impact Conclusion</i>	27
6.3.2 <i>Legal Water Supply</i>	27
6.4 ENVIRONMENTAL	27
6.4.1 <i>Wildlife</i>	27
6.4.2 <i>Wetlands</i>	31
6.4.3 <i>Wildfire</i>	31
APPENDIX A – AQUATIC RESOURCE DELINEATION REPORT	
APPENDIX B – WILDLIFE BASELINE CONDITIONS AND MITIGATION PLAN	

Figures

FIGURE 1.	SPRING VALLEY RANCH CONCEPTUAL PLAN	3
FIGURE 2.	SPRING VALLEY RANCH SOIL MAP UNITS.....	6
FIGURE 3.	GEOLOGIC MAP – SOUTH	9
FIGURE 4.	GEOLOGIC MAP – NORTH.....	10
FIGURE 5.	MAP OF SPRING VALLEY HYDROLOGIC SYSTEM.....	12
FIGURE 6.	ELK HABITAT.....	18
FIGURE 7.	MULE DEER HABITAT	20
FIGURE 8.	WETLAND MAP.....	22
FIGURE 9.	GEOLOGIC HAZARD MAP – SOUTH	25
FIGURE 10.	GEOLOGIC HAZARD MAP - NORTH	26

Technical Reports and Supporting Documents Reviewed

- Wildlife Impact Assessment Report for Spring Valley Ranch Property.** Prepared by Timothy G. Baumann, Western Consulting Group. 1998.
- Spring Valley Ranch Cultural Resource Status Review.** November 3, 1999. Prepared by Western Cultural Resource Management, Inc.
- Engineering Consultation, Preliminary Slope Stability Analyses, Wilderness Cabin Area, Spring Valley Ranch.** Bowden, W.L., CTL/Thompson, Glenwood Springs, CO. February 24, 2000.
- Preliminary Geotechnical Investigation, Spring Valley Ranch PUD.** Bowden, W.L., CTL/Thompson, Glenwood Springs, CO. March 10, 2000
- Geologic Evaluation Spring Valley Ranch PUD.** Bowden, W.L., Prepared by CTL/Thompson, Glenwood Springs, CO. March 13, 2000.
- Geologic and Geotechnical Consultation, Two Water Tank Sites, Spring Valley Ranch PUD.** Prepared by Bowden, W.L., CTL/Thompson, Glenwood Springs, CO. March 14, 2000.
- Engineering Consultation, Slope Stability Analyses, Proposed Roads, Spring Valley Ranch.** Kellogg, J.D., CTL/Thompson, Glenwood Springs, CO. November 9, 2000.
- Spring Valley Ranch PUD Water Requirements, Water Resources, and Spring Valley Area Water Balance.** Prepared by Wright Water Engineers, Glenwood Springs, CO. March 2, 2000
- The Spring Valley Hydrologic System.** Prepared by Jerome Gamba & Associates, Inc., Glenwood Springs, CO. March 10, 2000.
- Wildlife Use, Impacts, and Mitigation, Spring Valley Ranch PUD.** Prepared by Allen Crockett, Shepherd Miller, Inc. March 10, 2000.
- Raptor Nesting Survey Requirements, Spring Valley Ranch Project.** Prepared by Allen Crockett, Walsh Environmental, Boulder, CO. October 27, 2000.
- Revisions to CDOW Wildlife Resource Information System Mapping, Spring Valley Ranch.** Prepared by Allen Crockett, Walsh Environmental, Boulder, CO. November 30, 2000.
- Wetland Delineation for Spring Valley Ranch, US Army Corps File Number 199875502.** Prepared by Blair Leisure, Worley Parsons Komex, Golden, CO. July 11, 2006.
- Wildlife Assessment Report for the Spring Valley Ranch.** March 2007. Prepared by Eric Pettersen, Rocky Mountain Ecological Services, Inc. Redstone, CO.
- Weed Management Plan, Spring Valley Ranch PUD, Garfield County, Colorado.** January 18, 2022. Prepared by Eric Pettersen, SGM, Glenwood Springs, CO
- Wetland Memo.** February 15, 2022. Prepared by Eric Pettersen, SGM, Glenwood Springs, CO
- Wildfire Mitigation Report, Spring Valley Ranch LLC, 2023 Update.** February 2023. Prepared by White River Fire Consulting, Berthoud, CO.
- Spring Valley Ranch Wildlife Baseline Report & Mitigation Plan.** Prepared by Kelly Colfer, Western Bionomics, Inc., Steamboat Springs, CO. May 20, 2024.
- Spring Valley Ranch Aquatic Resource Delineation Report.** Prepared by Kelly Colfer, Western Bionomics, Inc., Steamboat Springs, CO. January 11, 2023.
- Geologic Evaluation Spring Valley Ranch.** Prepared by Kellogg, J.D., CTL/Thompson, Glenwood Springs, CO. February 23, 2023
- Response to CO Geological Survey Comments.** Prepared by Kellogg, J.D., CTL/Thompson, Glenwood Springs, CO. May 17, 2024.
- Spring Valley Aquifer Sustainability Study.** Prepared by Erion, Michael J. and Wendy Ryan. Colorado River Engineering, Rifle, CO. April 11, 2024.

1. INTRODUCTION

This report presents the impact analysis for proposed development at Spring Valley Ranch, as required by the Garfield County Land Use and Development Code Article 4-203[G] (Garfield County 2013). This document describes the existing conditions and the potential changes created by the project for specific resources, including:

- 1) Adjacent Land Use
- 2) Site Features
- 3) Soil Characteristics
- 4) Geology and Hazard
- 5) Groundwater and Aquifer Recharge Areas
- 6) Environmental Impacts, and
- 7) Nuisance Impacts

The Impact Analysis includes a complete description of how the Applicant will ensure that impacts will be mitigated and standards will be satisfied.

Spring Valley Ranch (SVR) is located southeast of Glenwood Springs in unincorporated Garfield County. The Ranch occupies 5908.43± acres in T6N, R88W, portions of Sections 14-16, 20-23, 26-29, & 32-34, at 39.516383°, -107.215993°. The property is comprised of 4 Garfield County parcels, identified as PINs 218720100168, 218716100169, 218733100152, & 218726200168. Elevation ranges from 6893' MSL in the lower elevation pasturelands, up to 9460' MSL at the northern property boundary atop the southern flank of Glenwood Canyon.

The parcel drains to the south predominately by Landis Creek but also by an unnamed perennial stream that disappears into the ground prior to leaving the southern property boundary. Vegetation cover types dominating the property include irrigated pasture grasses, herbaceous emergent wetland, sagebrush shrubland, mountain shrubland, Gambel oak woodland, mountain grassland, aspen forest, mixed conifer forest, and riparian shrubland along portions of Landis Creek.

The property has been subject to at least two prior development proposals, neither of which ever reached fruition. Consequently, natural resource values have been well-documented over the years. The reports referenced and summarized in this impact analysis are displayed on the previous page (page iii). These reports all addressed the baseline conditions of the property, potential impacts to their respective resources, and recommended mitigation measures to accompany the development plans. These reports all provide extensive details, are incorporated by reference, and summarized in the following sections.

2. CONCEPTUAL PLAN

Storied Development is seeking an amendment to the approved Spring Valley Ranch PUD to establish a new PUD Plan Map and PUD Guide to govern all future development of the property. This amendment is necessitated to bring the plan forward to modern standards using contemporary planning practices while

better conforming to Garfield County’s current Comprehensive Plan goals and objectives. Some of the Applicant’s prioritized goals for this amendment are to maintain the same density in a more compact and clustered format, provide double the amount of open space, provide significant publicly accessible amenities, provide protected wildlife areas, and to provide a substantial number of deed-restricted Community Housing units for residents of Garfield County. This proposed amendment accomplishes these goals while significantly reducing required infrastructure and the overall footprint on the land.

The proposed amendment incorporates substantial modifications to arrive at much more desirable land plan. The Conceptual Plan (Figure 1) maintains the approved density of 577 units in a more clustered format while increasing the amount of Open Space by 100% (now 3,249 acres), providing a minimum of 450 acres of publicly accessible Open Space, providing a new public trailhead and 10 miles of new public mountain bike trails, providing 1,320 acres of Wildlife Habitat Reserves, and conforming to the Residential Low (RL) density Comprehensive Plan designation of 1 dwelling unit per 10 acres. The Conceptual Plan also provides 58 units of deed-restricted Community Housing units for residents of Garfield County, and 17 Community Housing Units for employees within the PUD.

3. ADJACENT LAND USE

The Spring Valley Ranch is bounded on the north by National Forest System lands managed by the White River National Forest. The northwesternmost portion of the SVR is federal land managed by the Bureau of Land Management’s Upper Colorado River District. The remainder of the adjacent lands surrounding the property are a mixture of 35-acre ranchette parcels, rural subdivisions including the Christeleit Subdivision, High Aspen Ranch, Homestead Estates, and some ranchland parcels. Notably, there are several private inholdings within the boundaries of the property that are not a part of the proposed development.

4. SITE FEATURES

SVR occupies a wide elevational range, from less than 6,900 feet in the southwestern corner to more than 9,400 feet in the northeastern corner. Because of this wide range, as well as differences in soil, slope, and historic land use, the SVR supports a variety of habitat types.

4.1 HIGHER ELEVATION PLATEAU

The highest part of the property is an undulating plateau dominated by a mosaic of mixed conifers (Engelmann spruce, subalpine fir, and Douglas fir), aspen, and native meadows with a fringe of mountain big sagebrush. North facing aspects within the mosaic support dense stands of Engelmann spruce and subalpine fir, with varying amounts of Douglas fir. At the time Crockett (2000) prepared his report, he documented aspen stands as relatively dense, with a lush understory of native grasses and forbs. At the time of my site visit in 2022, many of the aspen stands in this area have converted to 2-storied stands. A large portion, perhaps up to 90% of the mature aspens have died off, fostering abundant resprouting in the understory, creating a cohort of sapling-sized aspen approximately 12’ tall beneath the towering older cohort of mature trees.



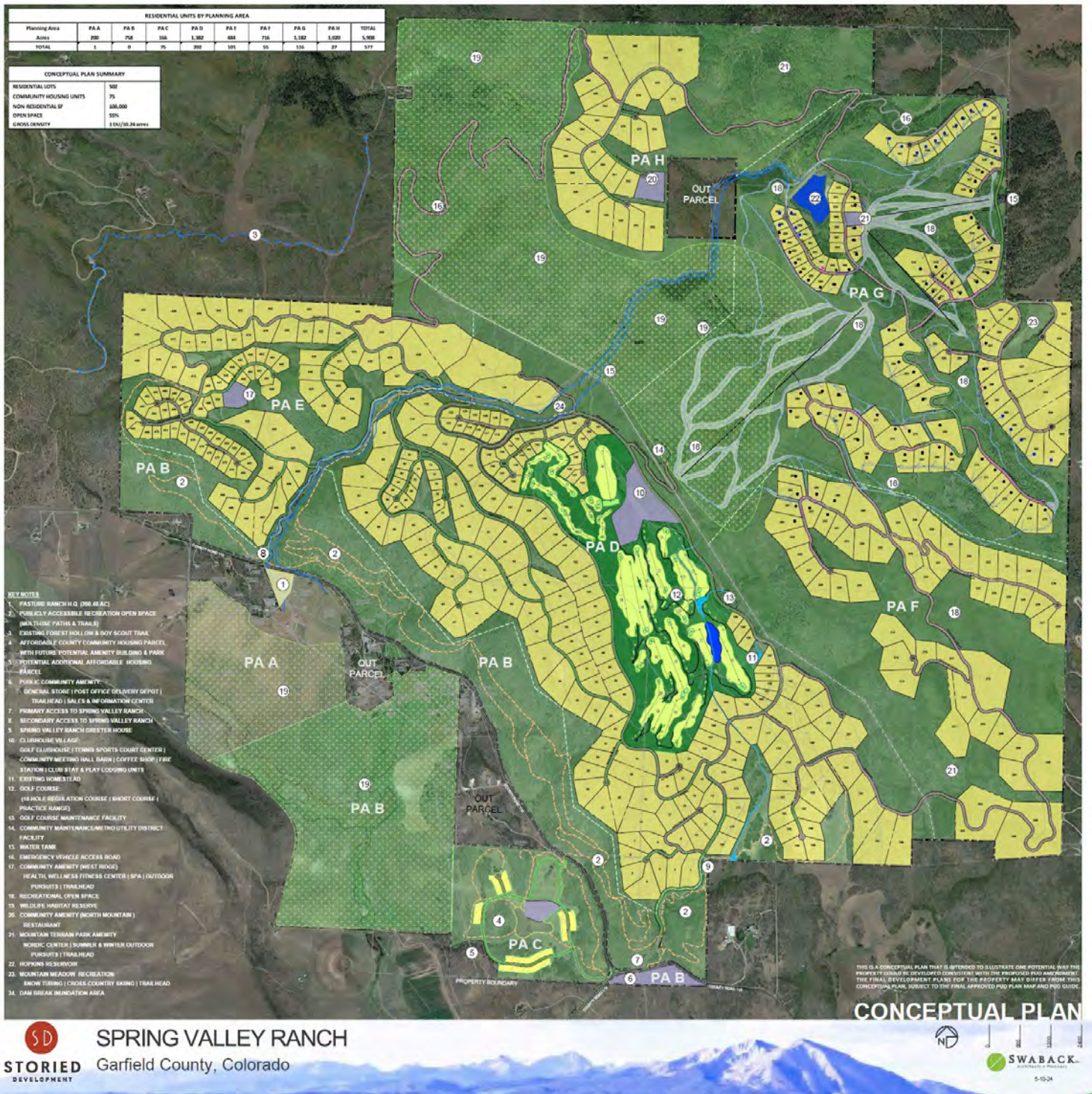


Figure 1. SPRING VALLEY RANCH CONCEPTUAL PLAN

This is a conceptual plan that is intended to illustrate one potential way the property could be developed consistent with the proposed PUD amendment. The final development plans for the property may differ from this conceptual plan, subject to the final approved PUD Plan Map and PUD Guide.

Portions of the open meadows are kept moist by snow accumulations and the runoff from adjacent hills and ridges. A few small stock ponds have been created at low points in the meadows; some of the ponds have a small wetland fringe. Hopkins Reservoir was quite small at the time of my August 2022 site visit but has the capability to contain approximately 120 acre-feet at full pool. Because of a lack of a consistent water surface elevation Hopkins Reservoir does not support wetland vegetation.



4.2 MIDDLE ELEVATION SLOPES AND BENCHES

The steep, southwest-facing slope below the upper plateau is cloaked by a dense, homogenous community of serviceberry and Gambel oak. This dense shrubland is broken by a few clumps of quaking aspen along minor drainageways or seeps and larger clumps of Douglas fir in rocky areas. In some places along the top of the slope, a zone of small, dense aspen forms a narrow transition between the mountain shrubs and the conifer-aspen-meadow mosaic.



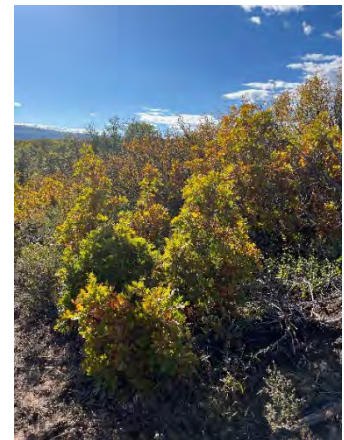
At the base of the steep shrubby slope, nearly level benches have been converted to agricultural use. Fringes of basin big sagebrush and rabbitbrush around the non-native pastures and small grain fields suggest that the benches were dominated by these shrubs prior to agricultural use.

Between the agricultural benches and County Road 115 is another, less extensive southwest-facing slope supporting more drought-tolerant shrubs such as mountain mahogany, snowberry, antelope bitterbrush, wax currant, and rabbitbrush in addition to serviceberry and oakbrush. These slopes are punctuated by scattered individual Rocky Mountain junipers and Douglas firs.

The slopes above the middle bench support a couple of springs, one which gives rise to the unnamed stream that flows within a linear channel across the former wheat fields. The historic Hopkins homestead is built adjacent to another spring which undoubtedly served as domestic water for the household.

4.3 LANDIS CREEK AND MINOR EPHEMERAL GULCHES

Landis Creek is the primary ecological connector between the higher and lower elevation habitats described above and is one of the most important ecological features of the site. The section of the creek that drops from the top of the plateau and across the upper portion of the expansive southwest-facing slope carries water for most of the year as a result of a narrow, bedrock-confined gulch and input from seeps. In this reach, Landis Creek supports a riparian community of aspen, blue spruce, thinleaf alder, willow, chokecherry, hawthorn, elderberry, twinberry, and a variety of lush grasses and forbs. The combination of accessible water, lush foliage, and riparian trees and shrubs provides a preferential movement corridor for wildlife and supports species that might not otherwise occur onsite.



However, the ecological value of Landis Creek is not consistent along its length. Stretches downstream from point where surface flows are diverted for agricultural use are dry except during major runoff events. The historic diversion is located at the slope break between the middle bench and the steeper upper portion of the ranch. Because of the lack of surface flows, and less topographic shading as the gulch becomes wider, reaches of Landis Creek below the historic diversion point do not support riparian vegetation.

Minor ephemeral drainageways also dissect the southwest-facing slope but, like the lower reaches of Landis Creek, do not have sufficient water to support riparian vegetation. Some of these gulches are marked by small ribbons of aspen or clumps of Douglas fir.

5. EXISTING CONDITIONS

5.1 SOIL CHARACTERISTICS

Soil map units and descriptions for the Spring Valley Ranch were obtained from the NRCS Web Soil Survey (<https://websoilsurvey.nrcs.usda.gov/app>). A total of 17 Soil Map Units are found on the Ranch (Table 1). The location of each map unit is shown in Figure 2.

Table 1. SPRING VALLEY RANCH SOIL MAP UNITS

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
7	Almy loam, 12 to 25 percent slopes	1.8	0.0%
10	Anvik-Skylick-Sligting association, 10 to 25 percent slopes	256.3	4.2%
11	Anvik-Skylick-Sligting association, 25 to 50 percent slopes	1,018.7	16.7%
12	Arle-Ansari-Rock outcrop complex, 12 to 50 percent slopes	557.3	9.1%
18	Cochetopa-Antrobus association, 12 to 25 percent slopes	664.2	10.9%
19	Cochetopa-Antrobus association, 25 to 50 percent slopes	652.6	10.7%
34	Empedrado loam, 2 to 6 percent slopes	196.6	3.2%
35	Empedrado loam, 6 to 12 percent slopes	308.0	5.0%
48	Fughes stony loam, 3 to 12 percent slopes	109.6	1.8%
49	Goslin fine sandy loam, 3 to 6 percent slopes	24.6	0.4%
64	Jerry loam, 25 to 65 percent slopes	1,237.7	20.2%
69	Kilgore silt loam	89.7	1.5%
72	Kobar silty clay loam, 12 to 25 percent slopes	13.3	0.2%
87	Morval-Tridell complex, 12 to 50 percent slopes	86.5	1.4%
94	Showalter-Morval complex, 5 to 15 percent slopes	11.0	0.2%
95	Showalter-Morval complex, 15 to 25 percent slopes	874.9	14.3%
120	Water	12.1	0.2%
Totals for Area of Interest		6,115.8	100.0%

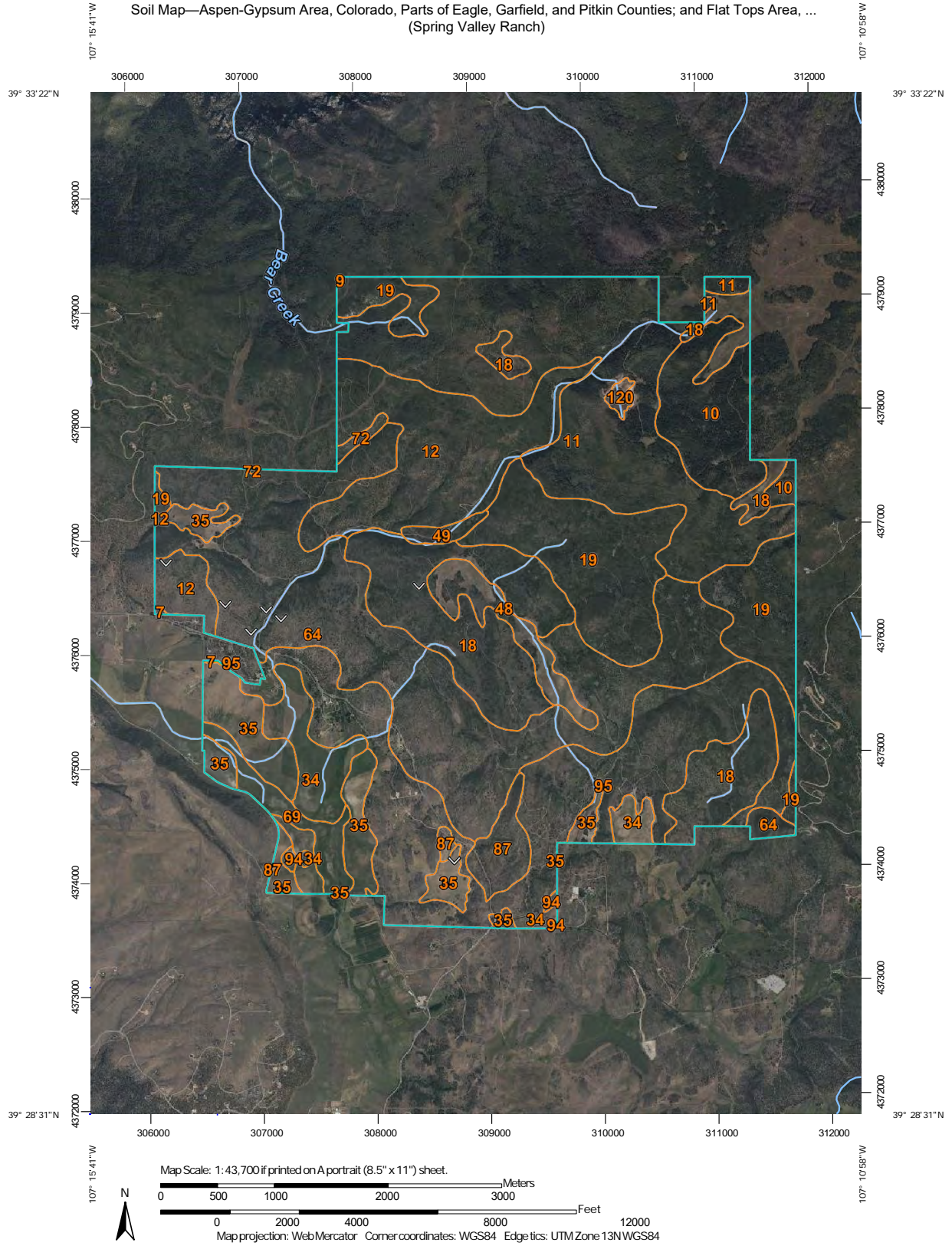


Figure 2. SPRING VALLEY RANCH SOIL MAP UNITS

Soils across the Spring Valley Ranch are *Well-Drained*, with the exception of the Kilgore silt loam (Map Unit 69), which is *Poorly Drained*. This map unit is associated with wetlands in the lower Spring Valley pasture.

Soil Map Unit Runoff Classes across the Spring Valley Ranch range from *Medium* to *High*. K_{SAT}^1 ranges from *Moderately Low* to *High*.

CTL/Thompson (CTL/T) investigated subsoil conditions and reported results in their Preliminary Geotechnical Investigation (Bowden 2000a). Their report includes a description of the subsoil conditions found in exploratory borings and pits and a discussion of site development as influenced by geotechnical considerations. Based on conditions disclosed by the exploratory borings and pits, site observations, results of laboratory tests, engineering analysis of field and laboratory data and on experience recommendations were made for planning purposes.

- 1) Borings and pits penetrated six generalized subsurface conditions, including the following:
 - a. Stiff to very stiff, slightly moist to moist, sandy to gravelly clay with occasional cobble;
 - b. Stiff to very stiff clay above dense to very dense, clayey to silty sands with gravels and sandy gravels with occasional cobble;
 - c. Clays underlain by sands and gravels above comparatively shallow bedrock;
 - d. Organic clays above medium stiff to very stiff, sandy to gravelly clays or clayey sands above medium dense to very dense, clayey to sandy gravels with cobbles and boulders;
 - e. Organic clays above medium dense to very dense, clayey to sandy gravels with cobbles and boulders above medium stiff to very stiff, sandy to gravelly clays; and
 - f. Medium dense to dense cobbles and boulders underlain by clayey to sandy gravels.

Ground water was found in one boring two days after drilling. No free ground water was found in exploratory pits during excavation.

- 2) The natural clays volume change potential was judged to range from a low compression to high swelling potential. The natural sands and gravels were judged to possess a low to moderate compression potential.

5.2 GEOLOGY AND HAZARD

CTL/Thompson prepared Geologic Evaluations for the proposed development of SVR in 2000, 2023, & 2024 (Bowden 2000b, Kellogg 2023, 2024). CTL/Thompson also prepared a Slope Stability Analysis for proposed roads at SVR (Kellogg 2000). The results of these studies are summarized in this section. Bedrock and surficial deposits referenced in this section are shown in Figures 3 and 4.

SVR is located in an area of complex regional geology at the conjunction of several structural geologic elements. The White River Uplift is to the north; the Sawatch Uplift is to the east; the Elk Mountains to the South, and the Grand Hogback is to the West. These are large scale features related to the continental tectonic setting.

The degree of geologic activity at SVR is primarily influenced by a smaller scale localized feature, the Carbondale Collapse Center (CCC). The CCC is a collapse feature with an aerial extent of approximately 200 square miles. Glenwood Springs, Carbondale, and the lower part of the Roaring Fork and Crystal River Valleys are within the boundaries of the collapse feature.

¹ Capacity of the most limiting layer to transmit water.

It is generally accepted that the collapse feature formed as the result of evaporite minerals in the Pennsylvanian aged Eagle Valley Evaporite being dissolved and removed by circulating ground water. Where this dissolution process undermines overlying bedrock units and surficial deposits, collapse of the overlying materials has resulted in ground subsidence. Total subsidence in the CCC has been estimated on the order of 3,000-4,000 feet, which has occurred over a time span of at least 3.7 million years. Assuming 4,000 vertical feet of uniform subsidence over a time span of 4 million years, theoretical subsidence rates are on the order of 1 foot per 1000 years.

Bedrock units at SVR that influence geologic conditions include the Pennsylvanian-aged Eagle Valley Evaporite and Eagle Valley Formation, the Pennsylvanian to Permian-aged Maroon Formation, and Quaternary to Tertiary-aged Basalt Flows. These bedrock units have been fractured and faulted by regional collapse originating in the Eagle Valley Evaporite. The Maroon Formation and Basalt Flows are nearest to the ground surface and are the only bedrock units that outcrop over most of the site.

5.2.1 Bedrock Units

The Eagle Valley Evaporite is a heterogeneous rock unit with random pockets of highly soluble evaporite minerals intermixed with pockets of low solubility sandstone, siltstone, and limestones. Where the soluble minerals are overlain by unconsolidated material (stream gravels, soils, etc.), sinkholes can occur. The amount of circulating groundwater which "drives" the subsidence mechanism is lower at Spring Valley Ranch than in Roaring Fork River Valley.

The Eagle Valley Formation (map unit Pev) is a transitional unit that contains increasing amounts of siltstone, sandstone, and limestone interbedded with decreasing amounts of evaporite beds.

The Maroon Formation (map unit P-Pm) consists of interbedded conglomerates, sandstones, siltstones, and claystones. Maroon Formation outcrops are found at the northwest part of the Lower Area and at numerous locations in the north part of the Ranch Lots area. Many of the surficial deposits to the north of Landis Creek on the Lower Area and north part of the Ranch Lots Area appear to have been derived from the Maroon Formation.

The most widespread rock outcrops at the site are the Basalt Flows (map unit QTb). Basalt Flows appear to have occurred sporadically since late Tertiary time, throughout formation of the Carbondale Collapse Center. Basalt Flows appear to occur over down faulted blocks of Maroon Formation and may be interlayered with surficial deposits.

5.2.1 Surficial Deposits

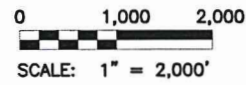
Geologic conditions at Spring Valley Ranch have produced a varied and complex assortment of Quaternary aged surficial deposits. The development of the surficial deposits has been primarily controlled by the collapse process and simultaneous weathering, erosion, and mass wasting.

Faulting has reduced some of the bedrock to rubble and generated an underlying "stair step" structure with down faulted basins. Throughout the down faulting process, weathering and erosion have acted on the Maroon Formation, Basalt Flows and their rubblized derivatives to produce deposits of slopewash, colluvium (map unit Qc) and alluvium. Colluvium grades into slope failure complexes (map unit Qsfc) where the colluvium has been draped over down faulted bedrock blocks.

Some areas have been identified as landslides (map unit Qls) and rockslides (map unit Qrs). Within down-faulted basins and along major drainages, alluvium and colluvium are interfingering producing undifferentiated deposits (map unit Qac). Lacustrine deposits (mapped unit Qlc) have accumulated in some of the down faulted basins. Debris flow fans are found at the mouths of several drainages. Some of the debris fans are recent and may be active (map unit Qdf), other debris fans are ancient and appear dormant (map unit Qdfo).

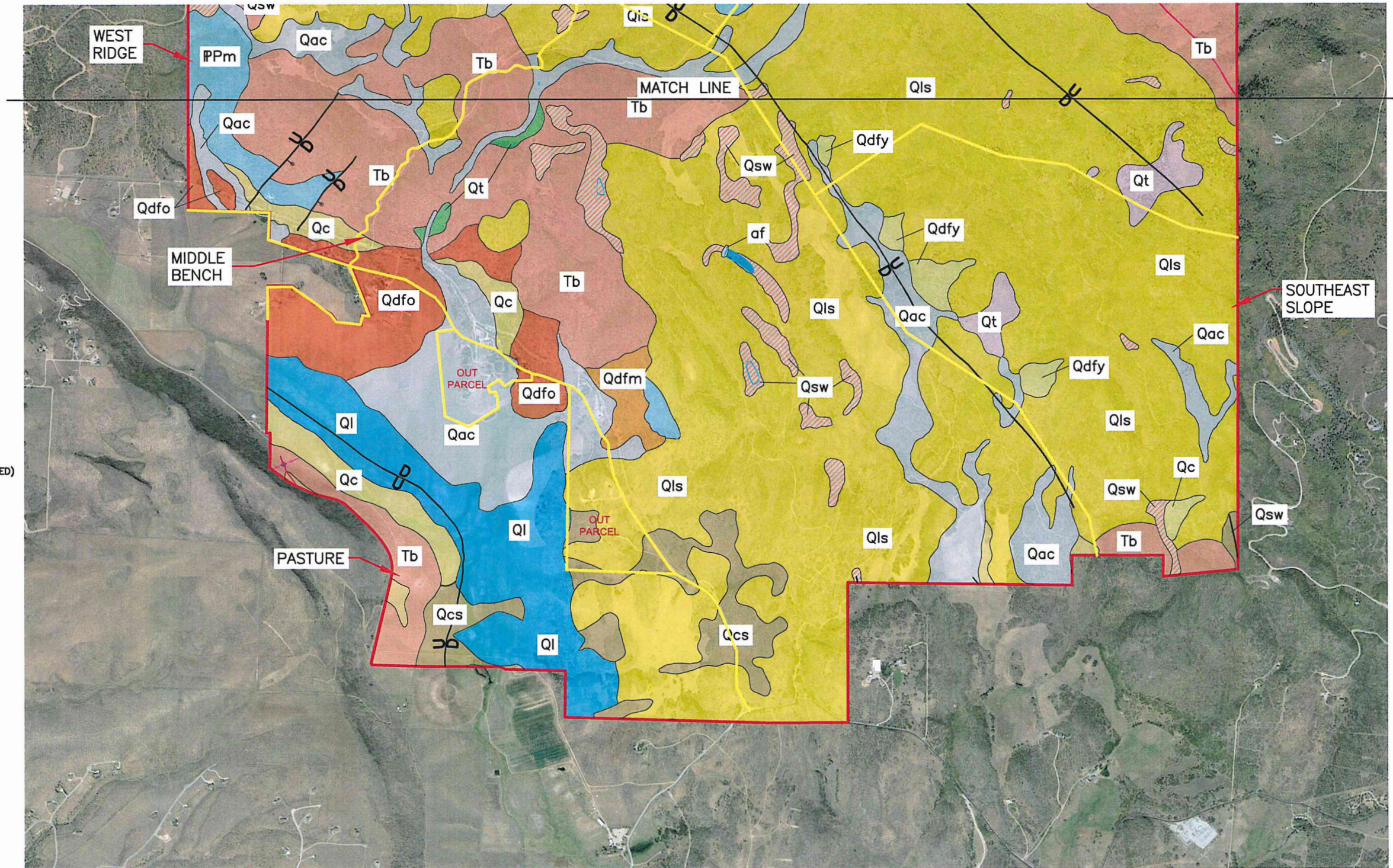


- NOTES: 1) SATELLITE IMAGE FROM GOOGLE EARTH (COPYRIGHT 2023)
- 2) GEOLOGIC MAPPING FROM THE FOLLOWING COLORADO GEOLOGIC SURVEY (CGS) MAPS:
 "GEOLOGIC MAP OF THE SHOSHONE QUADRANGLE, GARFIELD COUNTY, COLORADO" BY KIRKHAM, STREUFERT, AND CAPP (DATED 2008)
 "GEOLOGIC MAP OF THE CARBONDALE QUADRANGLE, GARFIELD COUNTY, COLORADO" BY KIRKHAM AND WIDMANN (DATED 2008)
 "GEOLOGIC MAP OF THE GLENWOOD SPRINGS QUADRANGLE, GARFIELD COUNTY, COLORADO" BY KIRKHAM, STREUFERT, CAPP, SHAW, ALLEN, AND JONES (DATED 2008)



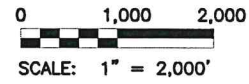
LEGEND:

- APPROXIMATE PROPERTY BOUNDARY
- APPROXIMATE SUB-PARCEL BOUNDARY
- ARTIFICIAL FILL
- QUATERNARY AGED SHEETWASH DEPOSITS
- QUATERNARY AGED COLLUVIUM DEPOSITS
- QUATERNARY AGED TALUS DEPOSITS
- QUATERNARY AGED LANDSLIDE DEPOSITS
- QUATERNARY AGED DEBRIS FLOW DEPOSITS (YOUNGER)
- QUATERNARY AGED ALLUVIUM AND COLLUVIUM (UNDIFFERENTIATED)
- QUATERNARY AGED DEBRIS FLOW DEPOSITS (INTERMEDIATE)
- QUATERNARY AGED DEBRIS FLOW DEPOSITS (OLDER)
- QUATERNARY TO AGED LACUSTRINE DEPOSITS
- TERTIARY AGED BASALT FLOWS
- PENNSYLVANIAN AGED MAROON FORMATION
- PENNSYLVANIAN AGED EAGLE VALLEY FORMATION AND EAGLE VALLEY EVAPORITE
- APPROXIMATE FAULT LOCATION
 "D" INDICATES DOWN THROWN BLOCK
 "U" INDICATES UP THROWN BLOCK



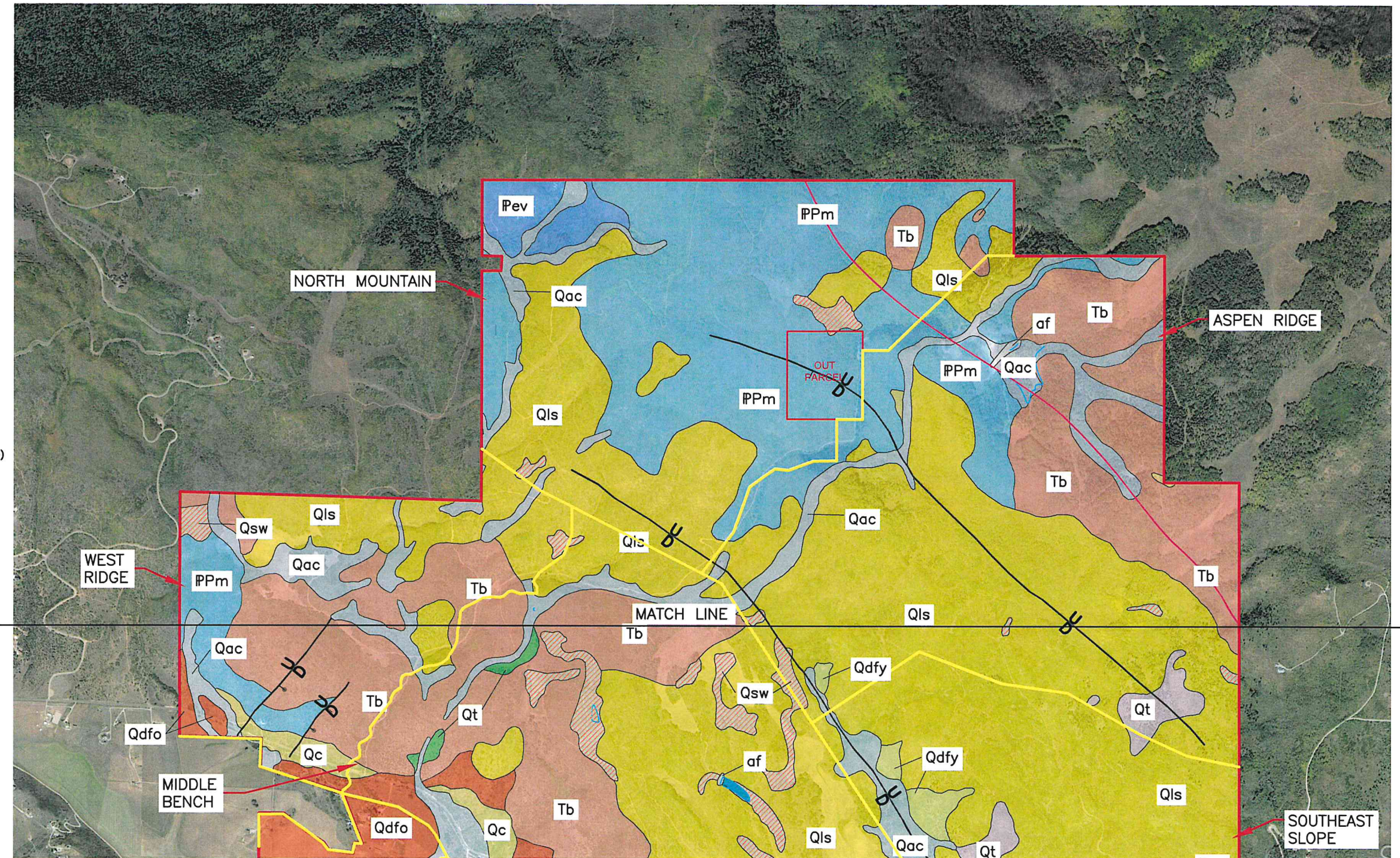


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LEGEND:

- APPROXIMATE PROPERTY BOUNDARY
- APPROXIMATE SUB-PARCEL BOUNDARY
- af ARTIFICIAL FILL
- Qsw QUATERNARY AGED SHEETWASH DEPOSITS
- Qc QUATERNARY AGED COLLUVIUM DEPOSITS
- Qt QUATERNARY AGED TALUS DEPOSITS
- Qls QUATERNARY AGED LANDSLIDE DEPOSITS
- Qdfy QUATERNARY AGED DEBRIS FLOW DEPOSITS (YOUNGER)
- Qac QUATERNARY AGED ALLUVIUM AND COLLUVIUM (UNDIFFERENTIATED)
- Qdfm QUATERNARY AGED DEBRIS FLOW DEPOSITS (INTERMEDIATE)
- Qdfo QUATERNARY AGED DEBRIS FLOW DEPOSITS (OLDER)
- Ql QUATERNARY TO AGED LACUSTRINE DEPOSITS
- Tb TERTIARY AGED BASALT FLOWS
- PPm PENNSYLVANIAN AGED MAROON FORMATION
- PEu PENNSYLVANIAN AGED EAGLE VALLEY FORMATION AND EAGLE VALLEY EVAPORITE
- D/U APPROXIMATE FAULT LOCATION
 "D" INDICATES DOWN THROWN BLOCK
 "U" INDICATES UP THROWN BLOCK



5.3 GROUNDWATER AND AQUIFER RECHARGE AREAS

5.3.1 Physical Characteristics

5.3.1.1 Geologic Conditions

The recharge area of the Spring Valley Hydrologic System is comprised of approximately 15.4 square miles. This area (Figure 5) varies in elevation from 6,870 to 9,400 feet. The surficial geology of this recharge area may be divided, for purposes of hydrologic consideration, into three petrographic types:

- Siltstones, sandstones, clay stones and conglomerates of the Pennsylvanian/Permian Maroon Formation,
- Basalt flows, basalt talus, colluvium comprised predominantly of basaltic material, all of Tertiary and early Quaternary age, and
- Quaternary lacustrine materials comprised predominantly of fine-grained products of the chemical and mechanical weathering of the older rock materials that were deposited in a lake. Samples from recent well drilling have been examined which indicate deposits of volcanic ash in the lower portions of the lake basin.

5.3.1.2 Hydrologic Conditions

The conditions and events noted above created the geologic setting for the Spring Valley Hydrologic System. The other component of the system is the precipitation provided by the meteorological environment.

The 1991-2020 climate data is available at a station scale but also as a gridded dataset produced by the PRISM Climate Group on an 800-meter resolution grid (Erion and Ryan 2024). This gridded data was overlain on the geologic unit map within the SVA tributary area as shown in Figure 6. The 1991-2020 average annual precipitation was calculated for each geologic unit which include: PPM – Pennsylvanian/Permian Maroon Formation, Tb – Tertiary Volcanic Materials, and Q1 – Quaternary Lake Sediments (aka SVA). The average annual precipitation over the SVA tributary area was calculated to be 18,384 acre-feet.

5.3.1.3 Precipitation Infiltration

The effective introduction of this precipitation into the underground hydrologic system is largely dependent upon the character of the surface geology. Fractured basalt flows, basalt talus and colluvium comprised predominantly of granular soil and rock are highly permeable, wherein it is estimated that, at least 60% of the precipitation will enter the aquifer after evaporation, transpiration, and surface run-off.

Surface runoff is demonstrably low, as evidenced by drainages along CR 115, where many of the natural drainage swales crossed by the road do not have culverts and do not have the appearance of areas that transport or pond water. It is reported, by longtime residents of the area, that only on occasions of extremely high snow melt or cloud burst, does flooding of the road occur.

The topographic characteristics of the highly basaltic surfaces are further evidence of its high infiltration rate. This is an area that sustains an average precipitation of 20 to 30 inches per year on slopes of 10 to 50 percent. If the rate of infiltration of precipitation was not exceptionally high, the large volume of high velocity run-off would have eroded major drainage swales and gulches down the slopes, nearly perpendicular to the contours. The precipitation does occur, but the run-off does not. Instead, this precipitation enters the fractured and otherwise highly porous basaltic materials and is detained there in a series of cascading aquifers that are interconnected by shear fracture zones. These fracture zones function as control orifices and slowly release the gravity flow of water to springs and the aquifers below.

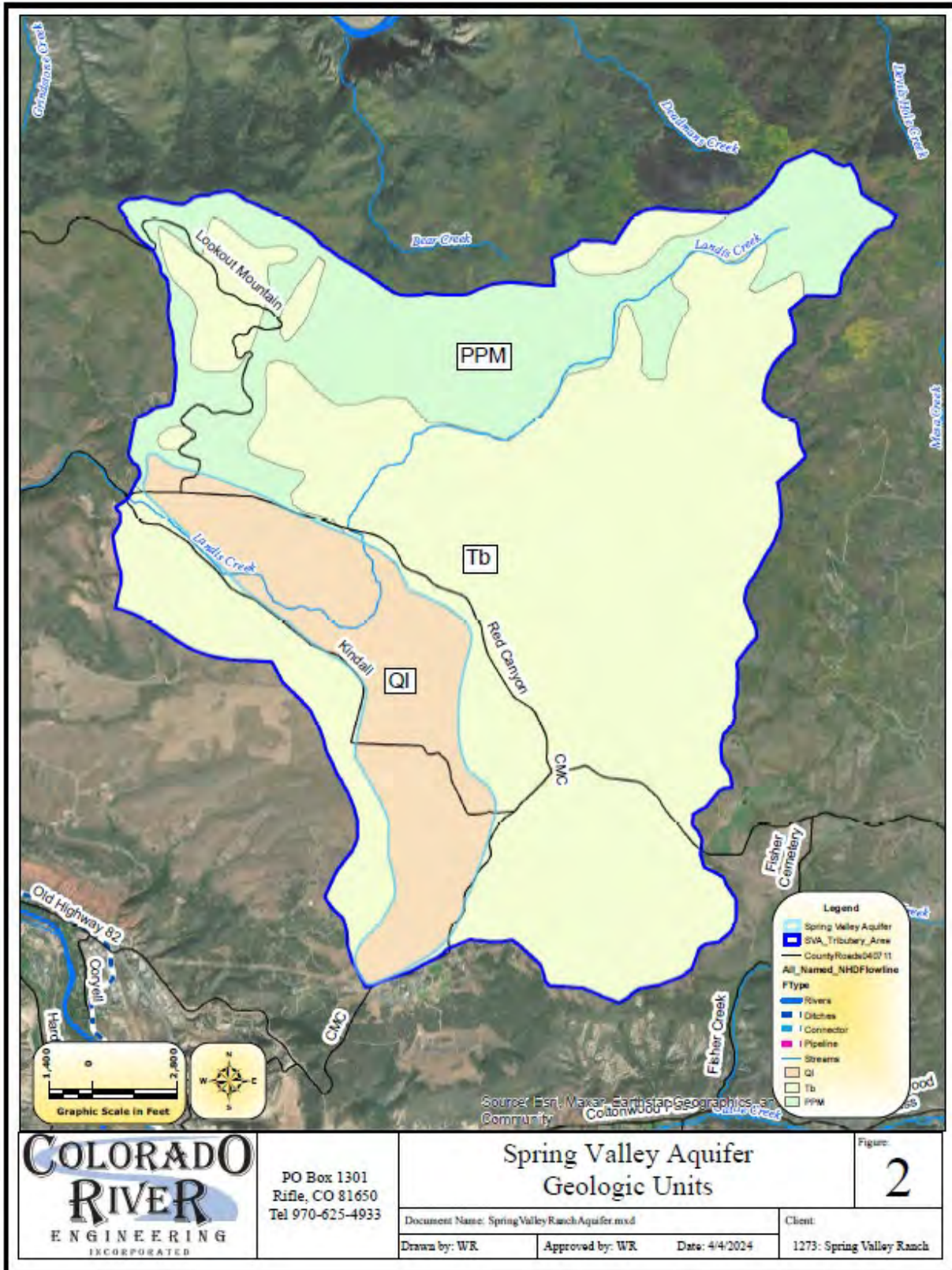


Figure 5. MAP OF SPRING VALLEY AQUIFER AND TRIBUTARY AREA

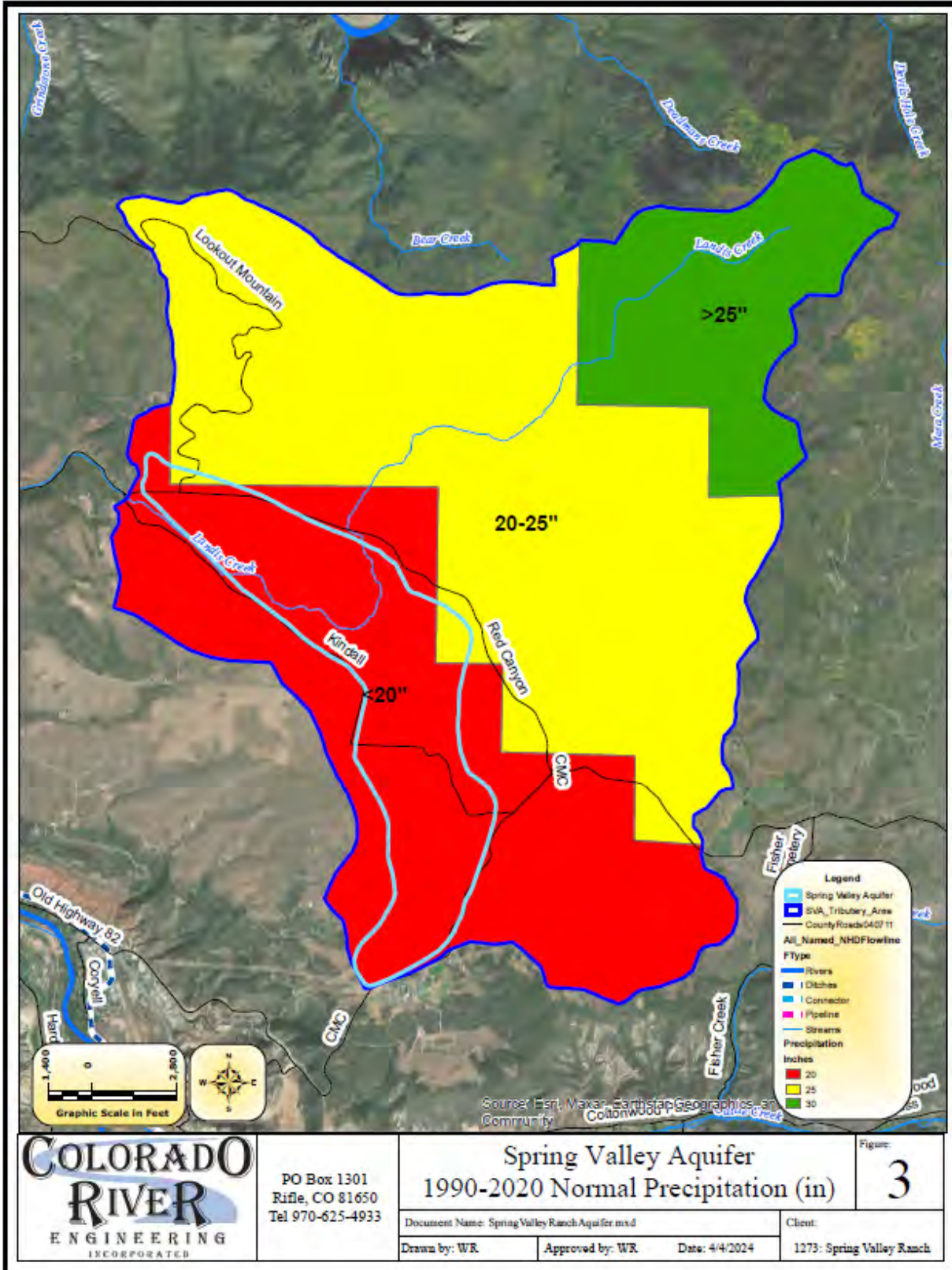


Figure 6. SPRING VALLEY AQUIFER 1990-2020 NORMAL PRECIPITATION

Conversely, fractured Maroon Formation overlain with silty, loam soils supporting moderate to heavy vegetation will result in the infiltration of approximately 20% of the precipitation with the balance being lost to evapotranspiration and surface runoff. Where this surface runoff must cross the basaltic areas noted above, much of it will enter the groundwater system.

The conditions described above were applied to the map of the recharge area, prepared on the basis of published geologic mapping and personal observations. Based on this information, the average precipitation amount in the recharge area and the potential infiltration amount entering the underground hydrologic system was estimated (Table 2).

Geologic Unit	Area (ac)	Infiltration Rate	Mean Precip (in)	Average Annual Precipitation Volume (AF)	Estimated Infiltration
PPM	2,132	20%	24	4,281	856
Tb	6,290	60%	22	11,763	7,058
Ql	1,453	60%	19	2,341	1,404
Total	9,875			18,384	9,318

Based on the assumed infiltration rates of the geologic units, the estimated infiltration has been quantified to be 9,318 acre-feet (Erion and Ryan 2024).

5.3.2 Aquifer Recharge

The total amount of infiltration is not realized as recharge to the aquifer due to losses from evapotranspiration (ET) and surface runoff. The probable recharge was determined using the following formula:

$$\text{Recharge} = \text{Precipitation} - \text{Evapotranspiration} - \text{Landis Creek surface flows} \quad \text{Eq 1.1}$$

Evapotranspiration was quantified by overlaying the National Land Cover Dataset (NLCD), a satellite derived depiction of land cover, on the SVA Tributary area boundary and quantifying the area of various vegetation types. The total annual potential ET was quantified to be 13,842 acre-feet/year and represents a conservative value which assumes water is always available to meet the demands of the various vegetation types. Utilizing the Equation 1.1 results in the following estimated recharge:

$$\text{Recharge} = 18,384 - 13,842 - 600 = 3,942 \text{ acre-feet}$$

These values represent average recharge conditions using conservative depletion assumptions. This is water available for groundwater withdrawals without creating an aquifer deficit, i.e., “mining”, since it will be replenished on an average annual basis.

5.3.3 Anticipated Diversions and Depletions

The development water demands for Storied Development’s amended SVR PUD plan (currently being reviewed by Garfield County) will be less than the previously approved SVR PUD demands; and less than the demands already decreed and covered by existing court approved augmentation plans in Case Nos. 87CW155 and 98CW254, the latter being the operative plan for augmentation. Basalt Water Conservancy District (BWCD) augments the structures, including wells, surface and storage structures, which will supply water for the development. In sum, the 98CW254 augmentation plan allows for an annual water demand of

1457 acre-feet of diversions, a total annual consumptive use of 974 acre-feet in a dry year, and an overall augmentation requirement of 420 acre-feet. The 98CW254 decree allows for modifications and reconfigurations of the number of EQRs and amounts of irrigated acreage so long as the overall SVR PUD consumptive use does not exceed 974 acre-feet annually.

Potable diversions, which are attributed solely to groundwater sources, total 473.1 acre-feet with associated depletions of 177.5 acre-feet and include domestic in-house and irrigation uses associated with 695 EQR's and 90 acres of domestic irrigation. The non-potable diversion, of which a portion will be satisfied by senior surface water rights, total 983.9 acre-feet with associated depletions of 796.96 acre-feet which includes uses of non-domestic irrigation for 420 acres and 24 acres of open surface water evaporation. Overall, the total project diversion demands are 1,457 acre-feet with associated depletions of 974 acre-feet. Again, Case No. 98CW254, paragraph 10.c. allows for modification to the number of EQRs and irrigated acreage if the depletions do not exceed 974 acre-feet.

In contrast, Stori Development's amended SVR PUD proposal seeks to modify certain components of the previously approved PUD including the type and number of development units, irrigation requirements, and to add snowmaking as a use of its non-potable water system. CRE has calculated the water requirements for the revised PUD plan and in sum, the total water demand for the revised PUD plan is 1,221 acre-feet/year, with total consumptive use of 688 acrefeet/ year. This is less than the contemplated and approved water demand associated with the currently approved PUD; however, for purposes of this report and aquifer sustainability analysis, CRE utilizes the larger acre foot demands and depletions described above and approved in the 98CW254 case.

5.3.4 Total Spring Valley Aquifer Demands

In addition to the demands associated with Spring Valley Ranch, several other subdivisions and individual properties rely upon the Spring Valley Aquifer (SVA) for all or a portion of their overall water supplies. The developments and associated plans for augmentation were reviewed by Erion and Ryan (2024). The demands include Spring Valley Ranch, Los Amigos (Elk Springs/Pinyon Mesa), Colorado Mountain College, Berkeley/Lake Springs Ranch, Lookout Mountain Ranch, and individual lot owners.

The total diversion from all developments relying on the SVA totals approximately 1,920 acre-feet while the total depletions are approximately 1,263 acre-feet. The total diversions represent 49% of the anticipated recharge while the total depletions represent only one third of the anticipated annual recharge to the SVA. The analysis illustrates that the anticipated uses, based on conservative assumptions, do not result in long-term mining of the groundwater aquifer as the average annual demands of the developments are met by the average annual recharge to the aquifer. In addition, these demands do not consider the fact that a portion of the SVR irrigation demands will be met with senior, surface water rights, which results in irrigation return flows that deep percolate and recharge the SVA. The sustainability analysis is conservative and supports the conclusion that there is adequate groundwater supplies for all users of the SVA. This analysis, in conjunction with a groundwater monitoring plan, allows all SVA water users to manage the water resource in a sustainable manner.

5.3.5 Legal Water Supply

Miller (2023) summarized the current legal water supply available for the Spring Valley Ranch PUD and demonstrated that this water supply is adequate to serve the revised PUD plan. The overall water supply for the development will be supplied from surface water diversions under senior decreed irrigation water rights out of Landis Creek; existing and proposed wells and springs; and storage structures, including Hopkins Reservoir, located on the Property.

Miller cited 20 years of various detailed engineering investigations that confirm that surface and groundwater resources are physically available for the development, and that well diversions will be sustainable, and not have a long-term negative impact on the SVA.

In sum, the legal water supply for the development is based on Water Court decrees approving water rights, changes of water rights, and two plans for augmentation. These existing decrees provide a legally reliable water supply for the residential development, commercial uses, golf course, and related potable and agricultural open space irrigation, as shown in the amended PUD plan. Augmentation water necessary to offset any out-of-priority development depletions will be provided pursuant to contracts with the Basalt Water Conservancy District. Irrigation of the golf course and agricultural open space will occur under senior water rights; and will be supplemented by groundwater as necessary.

5.4 ENVIRONMENTAL

5.4.1 Wildlife

5.4.1.1 Federal and State-Listed Species

A list of threatened and endangered species was retrieved from the US Fish & Wildlife Service's IPaC site (USFWS 2022). IPaC provides a list of species and critical habitat that may occur on a site, based on location information provided by an applicant. The IPaC list included the following species: Canada lynx (*Lynx canadensis*), Gray Wolf (*Canis lupus*), Yellow-Billed Cuckoo (*Coccyzus americanus*), Mexican spotted owl (*Strix occidentalis lucida*), Colorado pikeminnow (*Ptychocheilus lucius*), Razorback Sucker (*Xyrauchen texanus*), Humpback Chub (*Gila cypha*), Bonytail Chub (*Gila elegans*), Ute Ladies-tresses (*Spiranthes diluvialis*).

The SVR does not provide suitable habitat for Canada lynx foraging. While a dispersing lynx may travel through the ranch, sufficient forage habitat is not present in sufficient acreage to entice a lynx to stick around and hunt. Gray wolves are currently known from Moffat and Jackson Counties only. The project does not include a predator management program. Therefore, wolves are not considered. Yellow-billed cuckoo and Mexican spotted owl were dropped from detailed analysis because their current distribution does not include the SVR. The big river fish were eliminated from further analysis since the project will not lead to new water depletions (S. Miller, Project Water Attorney, personal communication with Kelly Colfer, 10.25.2022), water quality degradation, or regulated flows that effect these fish. As a result of the foregoing, development at SVR will have no effect on federally listed wildlife species.

CPW lists a number of Species of Concern, State Threatened and State Endangered Species. For the complete list, see: <https://cpw.state.co.us/learn/Pages/SOC-ThreatenedEndangeredList.aspx>. The only species that has suitable habitat within the Spring Valley Ranch is the Greater Sage Grouse (*Centrocercus urophasianus*), listed as a Species of Concern). Sage grouse used to be quite common in the greater Missouri Heights area (Pettersen 2007). As the area was converted from sagebrush flats to agricultural meadows, and lately, residential subdivisions, sage grouse have not been documented in the area for some time. As a result, development of SVR will have no effect on state listed wildlife species.

5.4.1.2 Elk

Elk activities mapped on the property include summer range², winter range³, winter concentration area⁴, and production area(s)⁵ (Figure 3). The vast majority of the SVR property is mapped by CPW as elk winter range. Severe winter range⁶ is mapped on a small (<100 acres) portion of the southeastern corner of the property. Elk using the property are managed as part of the Frying Pan River Herd (DAU E-16). The 2023 post-hunt population estimate for this herd is 9,820 animals, with a bull/cow ratio of 24⁷.

Both parameters are above the objectives spelled out in the 2013 DAU E-16 Plan, which states a population objective of 5,500-8,500 animals, and a bull ratio objective of 20 (CPW 2013)⁸. However, the E-16 calf ratio has been declining since 1996 (CPW 2013), a sign that herd productivity is declining and a concerning metric for wildlife managers. Elk were observed on the property in early October during my site visit. Gambel oak and mountain shrub communities found on the property provide important winter forage opportunities for elk. These communities and aspen stands provide forage during the remainder of the year as well.

The dense mountain shrub community above the middle bench, in combination with several springs along the slope provide security and water sought out by females during parturition. A total of 1,551 acres of production range are mapped on these slopes by CPW as production range. Additionally, CPW recently completed a revision of the Elk SAM mapping; the revision adds 521 additional production range acres within the parcel boundary in the bottom of Spring Valley as shown in Figure 3.

Where elk calve varies from year to year depending on habitat and weather conditions. In those years when there is snow remaining at mid to higher elevations, elk may calve at lower elevations than is reflected in SAM mapping. In those years when there is an earlier spring green-up at higher elevations, cow elk are likely to move into higher areas to calve. One constant is that elk cows require water within one-half mile while calving. Security cover is notably absent in the Spring Valley lower production range polygon.

5.4.1.3 Mule Deer

Mule deer activity mapped on the property includes summer range, winter range, and a winter concentration area⁹ (Figure 4). Deer on the property are managed as part of the Basalt herd, DAU D-53. The population objective for DAU D-53 is 4,000-6,000 individuals, with a buck:doe ratio of 32-40. The 2021 post-hunt population is estimated at 3,860 with a buck:doe ratio of 28.

² Elk Summer Range - That part of the range of a species where 90% of the individuals are located between spring green-up and the first heavy snowfall.

³ Elk Winter Range - That part of the overall range of a species where 90 percent of the individuals are located during the average five winters out of ten from the first heavy snowfall to spring green-up.

⁴ Elk Winter Concentration Area - That part of the winter range of elk where densities are at least 200% greater than the surrounding winter range density during the average five winters out of ten from the first heavy snowfall to spring green-up, or during a site-specific period of winter as defined for each Data Analysis Unit. Listed by CPW as a HPH.

⁵ Elk Production Area - That part of the overall range of elk occupied by the females from May 15 to June 15 for calving. Listed by CPW as a HPH.

⁶ Elk Severe Winter Range - That part of the range of a species where 90 percent of the individuals are located when the annual snowpack is at its maximum and/or temperatures are at a minimum in the two worst winters out of ten. Listed by CPW as a HPH.

⁷ <http://cpw.state.co.us/Documents/Hunting/BigGame/Statistics/Elk/2023ElkPopulationEstimates.pdf>

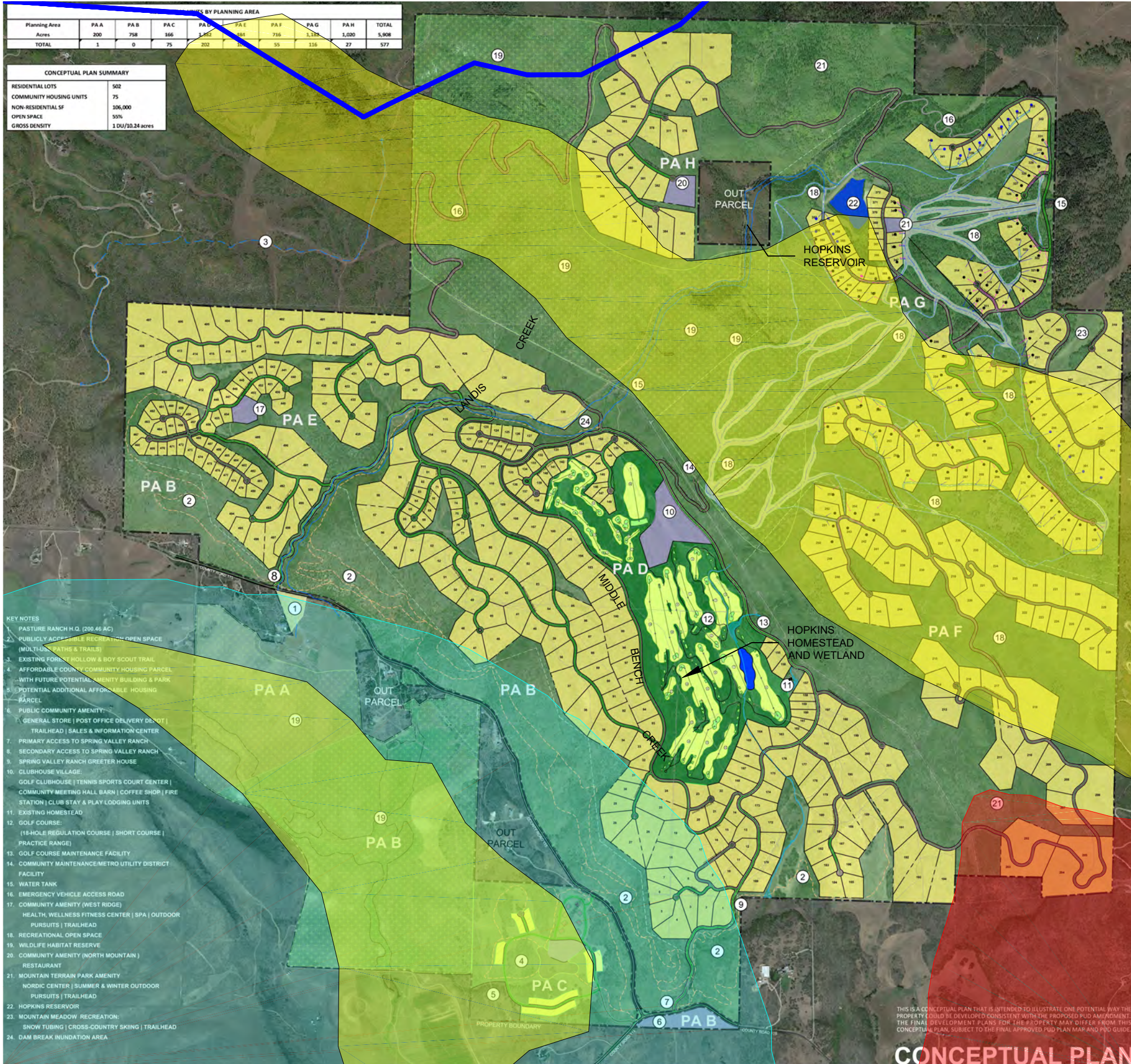
⁸ CPW. 2013. Frying Pan River Elk Herd E-16 Data Analysis Unit Plan. CPW, Glenwood Springs, CO

⁹ Mule Deer Winter Concentration Area - Defined the same as elk winter concentration area.

ACRES BY PLANNING AREA									
Planning Area	PAA	PAB	PAC	PA D	PA E	PA F	PAG	PA H	TOTAL
Acres	200	758	366	1,982	1,057	736	1,124	1,020	5,908
TOTAL	1	0	75	202	15	55	116	27	577

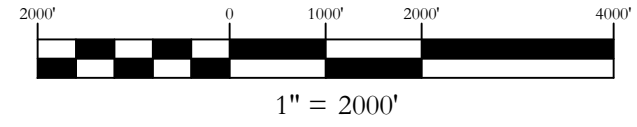
CONCEPTUAL PLAN SUMMARY	
RESIDENTIAL LOTS	502
COMMUNITY HOUSING UNITS	75
NON-RESIDENTIAL SF	106,000
OPEN SPACE	55%
GROSS DENSITY	1 DU/10.24 acres

- KEY NOTES**
- PASTURE RANCH H.Q. (200.46 AC)
 - PUBLICLY ACCESSIBLE RECREATION OPEN SPACE (MULTI-USE PATHS & TRAILS)
 - EXISTING FOREST HOLLOW & BOY SCOUT TRAIL
 - AFFORDABLE COUNTY COMMUNITY HOUSING PARCEL WITH FUTURE POTENTIAL AMENITY BUILDING & PARK
 - POTENTIAL ADDITIONAL AFFORDABLE HOUSING PARCEL
 - PUBLIC COMMUNITY AMENITY
 - GENERAL STORE | POST OFFICE DELIVERY DESK | TRAILHEAD | SALES & INFORMATION CENTER
 - PRIMARY ACCESS TO SPRING VALLEY RANCH
 - SECONDARY ACCESS TO SPRING VALLEY RANCH
 - SPRING VALLEY RANCH GREETER HOUSE
 - CLUBHOUSE VILLAGE: GOLF CLUBHOUSE | TENNIS SPORTS COURT CENTER | COMMUNITY MEETING HALL BARN | COFFEE SHOP | FIRE STATION | CLUB STAY & PLAY LODGING UNITS
 - EXISTING HOMESTEAD
 - GOLF COURSE: (18-HOLE REGULATION COURSE | SHORT COURSE | PRACTICE RANGE)
 - GOLF COURSE MAINTENANCE FACILITY
 - COMMUNITY MAINTENANCE/METRO UTILITY DISTRICT FACILITY
 - WATER TANK
 - EMERGENCY VEHICLE ACCESS ROAD
 - COMMUNITY AMENITY (WEST RIDGE) HEALTH, WELLNESS FITNESS CENTER | SPA | OUTDOOR PURSUITS | TRAILHEAD
 - RECREATIONAL OPEN SPACE
 - WILDLIFE HABITAT RESERVE
 - COMMUNITY AMENITY (NORTH MOUNTAIN) RESTAURANT
 - MOUNTAIN TERRAIN PARK AMENITY NORDIC CENTER | SUMMER & WINTER OUTDOOR PURSUITS | TRAILHEAD
 - HOPKINS RESERVOIR
 - MOUNTAIN MEADOW RECREATION: SNOW TUBING | CROSS-COUNTRY SKIING | TRAILHEAD
 - DAM BREAK INUNDATION AREA



- ELK PRODUCTION RANGE
- ELK SEVERE WINTER RANGE
- ELK WINTER CONCENTRATION AREA
- ELK WINTER RANGE SOUTH OF BLUE LINE

Horizontal Scale



NOTES:

- Drawing based on 05-10-24 Conceptual Plan
- Elk range mapping per CPW SAM 12-22-2023
- This is a conceptual plan that is intended to illustrate one potential way the property could be developed consistent with the proposed PUD amendment. The final development plans for the property may differ from this conceptual plan, subject to the final approved PUD Plan Map and PUD Guide.

SPRING VALLEY RANCH

FIGURE 3. ELK RANGE

Western Biometrics Inc.
Natural Resource Management Services
31040 WILLOW LAKE, STEAMBOAT SPRINGS, CO 80487 970-848-8223

Date: 01-30-2023	Drawn: KSC	Delineated:
SHEET NO.		
REVISIONS		
No.	Item	Date
1	ADD NEW CPW ELK PRODUCTION RANGE	4-2-2024



CONCEPTUAL PLAN

The most recent 3-year (2013-2015) average fawn:doe ratio is 45 fawns per 100 does (CPW 2020)¹⁰. CPW believes that this ratio should yield a stable population.

5.4.1.4 Black Bear

The Spring Valley Ranch falls within Black bear DAU B-11, located in the Roaring Fork and Eagle River valleys. Annual bear mortality in B-11 has been increasing over the past 2 decades. The 10-year average of annual bear mortality is 118 bears/year, and the 3-year average is 135 bears/year. Conflicts between bears and humans are frequent, especially when natural foods are scarce and when garbage and other human-related attractants are readily available. These conflicts are the combined result of increases in both bear and human populations over the past several decades, increased availability of human-related food sources, and more frequent poor natural food years. In B-11, bear conflict years are now the “new normal.”

The property is mapped as a black bear fall concentration area.¹¹ One bear was observed during 2022 field studies, and abundant evidence of their presence (scat, tree scarring, etc.) was observed on the property.

5.4.1.5 Raptors

Raptors with suitable habitat on or near the Spring Valley Ranch property include golden eagle, red-tailed hawk, Swainson's hawk, northern goshawk, Cooper's hawk, sharp-shinned hawk, northern harrier, American kestrel, great homed owl, long-eared owl, northern pygmy-owl, and northern saw-whet owl.

According to Crockett (2000), a golden eagle nest has been mapped by CPW on north-facing slopes of Glenwood Canyon, slightly less than 1 mile from the northwestern corner of the Spring Valley Ranch. Golden eagles cover large home ranges in search of prey, and it is therefore likely that onsite areas such as meadows at higher elevations and pastures at lower elevations are visited throughout the year. Golden eagles have anecdotally been observed hunting over the lower slopes and agricultural lands on both sides of the county road.

Northern harriers have also been anecdotally observed hunting across the agricultural meadows southwest of the county road during both summer and winter.

5.4.1.6 Other Wildlife Species

Additional wildlife species likely to use habitat present on Spring Valley Ranch include dusky (blue) grouse, wild turkey,¹² a broad variety of songbirds, woodpeckers, corvids, bats, and other small mammals such as shrews, mice, voles, gophers, squirrels, and chipmunks, medium-sized mammals such as cottontail rabbit, white-tailed jackrabbit, porcupine, marten, raccoon, red fox, coyote, bobcat, and now wolves as CPW recently began to implement voter-mandated re-introduction. Mountain lions are likely present during the winter as they are attracted to locations where mule deer congregate. Since the entire parcel is within mule deer summer range, winter range, and winter concentration area, mountain lion presence is likely.

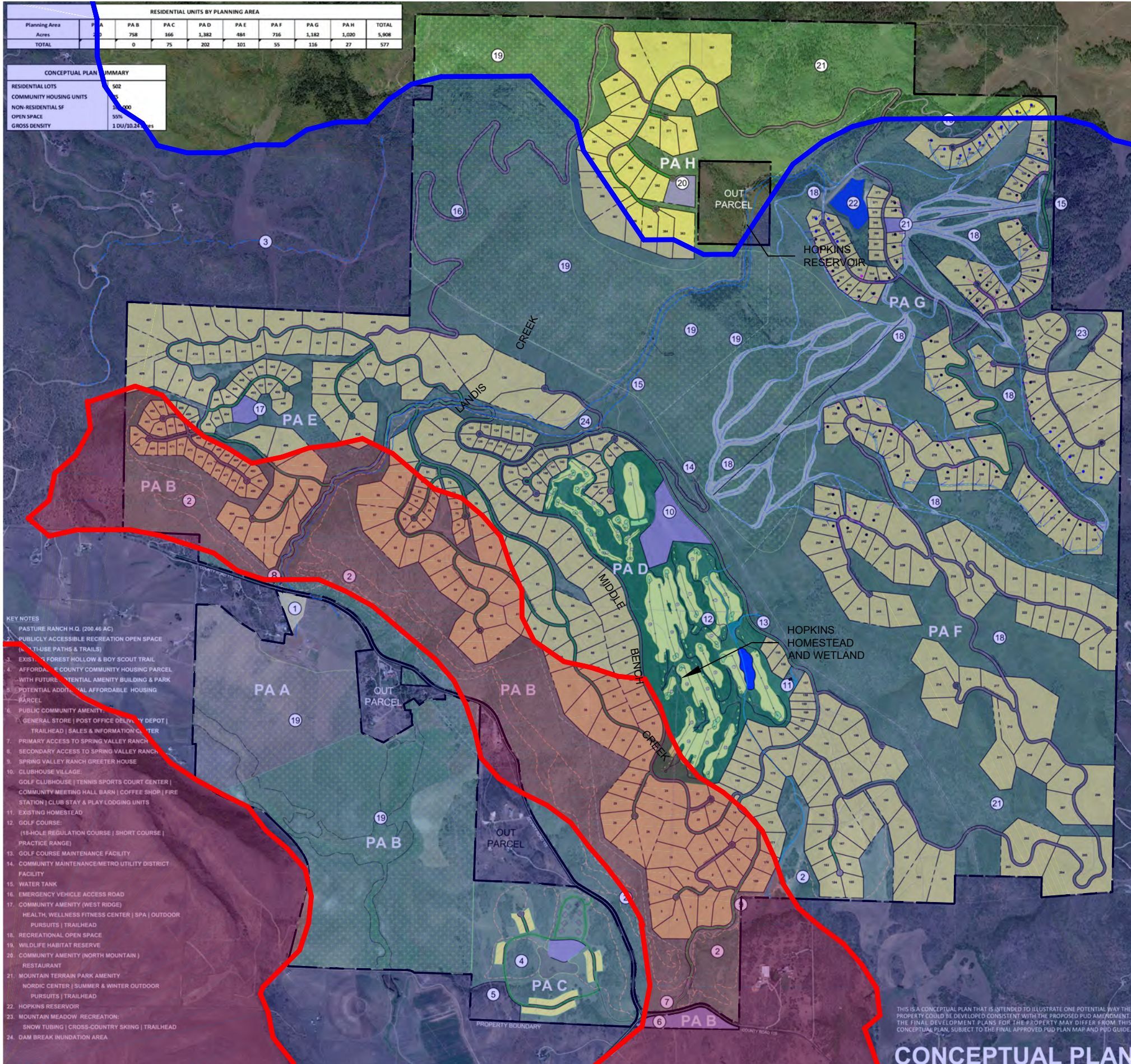
¹⁰ CPW. 2020. Basalt Deer Herd Management Plan DAU D-53. CPW, Glenwood Springs, CO.

¹¹ Black bear fall concentration area - That portion of the overall range occupied from August 15 until September 30 for the purpose of ingesting large quantities of mast and berries to establish fat reserves for the winter hibernation period

¹² Wild Turkey – Entire parcel located in SAM overall range. Northwesternmost corner identified to contain a wild turkey roost site.

RESIDENTIAL UNITS BY PLANNING AREA									
Planning Area	PA A	PA B	PA C	PA D	PA E	PA F	PA G	PA H	TOTAL
Acres	200	758	366	1,382	885	736	1,182	1,020	5,908
TOTAL	0	75	202	301	55	116	27		577

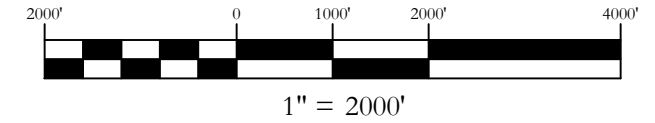
CONCEPTUAL PLAN SUMMARY	
RESIDENTIAL LOTS	502
COMMUNITY HOUSING UNITS	15
NON-RESIDENTIAL SF	10,000
OPEN SPACE	53%
GROSS DENSITY	1 DU/10.24 ACRES



- KEY NOTES
- PASTURE RANCH H.Q. (200.46 AC)
 - PUBLICLY ACCESSIBLE RECREATION OPEN SPACE
 - TRAILHEADS & TRAILS
 - EXISTING FOREST HOLLOW & BOY SCOUT TRAIL
 - AFFORDABLE COUNTY COMMUNITY HOUSING PARCEL WITH FUTURE POTENTIAL AMENITY BUILDING & PARK
 - POTENTIAL ADDITIONAL AFFORDABLE HOUSING PARCEL
 - PUBLIC COMMUNITY AMENITY
 - GENERAL STORE | POST OFFICE DELIVERY DEPOT | TRAILHEAD | SALES & INFORMATION CENTER
 - PRIMARY ACCESS TO SPRING VALLEY RANCH
 - SECONDARY ACCESS TO SPRING VALLEY RANCH
 - SPRING VALLEY RANCH GREETER HOUSE
 - CLUBHOUSE VILLAGE: GOLF CLUBHOUSE | TENNIS SPORTS COURT CENTER | COMMUNITY MEETING HALL | BARN | COFFEE SHOP | FIRE STATION | CLUB STAY & PLAY LODGING UNITS
 - EXISTING HOMESTEAD
 - GOLF COURSE: (18-HOLE REGULATION COURSE | SHORT COURSE | PRACTICE RANGE)
 - GOLF COURSE MAINTENANCE FACILITY
 - COMMUNITY MAINTENANCE/METRO UTILITY DISTRICT FACILITY
 - WATER TANK
 - EMERGENCY VEHICLE ACCESS ROAD
 - COMMUNITY AMENITY (WEST RIDGE) HEALTH, WELLNESS FITNESS CENTER | SPA | OUTDOOR PURSUITS | TRAILHEAD
 - RECREATIONAL OPEN SPACE
 - WILDLIFE HABITAT RESERVE
 - COMMUNITY AMENITY (NORTH MOUNTAIN) RESTAURANT
 - MOUNTAIN TERRAIN PARK AMENITY NORDIC CENTER | SUMMER & WINTER OUTDOOR PURSUITS | TRAILHEAD
 - HOPKINS RESERVOIR
 - MOUNTAIN MEADOW RECREATION: SNOW TUBING | CROSS-COUNTRY SKIING | TRAILHEAD
 - DAM BREAK FLOODATION AREA

- MULE DEER WINTER CONCENTRATION AREA
- MULE DEER WINTER RANGE

Horizontal Scale



NOTES:

- Drawing based on 04-29-24 Conceptual Plan
- Mule Deer Range mapping per CPW SAM 12-22-2023
- This is a conceptual plan that is intended to illustrate one potential way the property could be developed consistent with the proposed PUD amendment. The final development plans for the property may differ from this conceptual plan, subject to the final approved PUD Plan Map and PUD Guide.



SPRING VALLEY RANCH

FIGURE 4. MULE DEER RANGE

Western Biometrics Inc.
Natural Resource Management Services
31040 WILLOW LAKE, STEAMBOAT SPRINGS, CO 80487 970-848-8223

Date: 1-30-2023	Drawn: KSC	Delineated:
SHEET NO.		
REVISIONS		
No.	Item	Date
1	REVISE WINTER CONC AREA PER CPW	4-2-2024

CONCEPTUAL PLAN

5.4.2 Wetlands

Wetlands were originally delineated at Spring Valley Ranch in 1998 by Blair Leisure of Wright Water Engineers (WWE) for the proposed “Chenoa” development project. A delineation report with mapping was prepared by WWE in 1999 for US Army Corps of Engineers (Corps) review and approval. The delineation report documented 3 general areas of wetland:

- Wetlands in the agricultural lands south of County Road 115
- A 30-foot-wide unmapped wetland corridor along Landis Creek
- Fringe wetlands along a channelized stream in the Middle Bench (Including the Homestead Wetland).

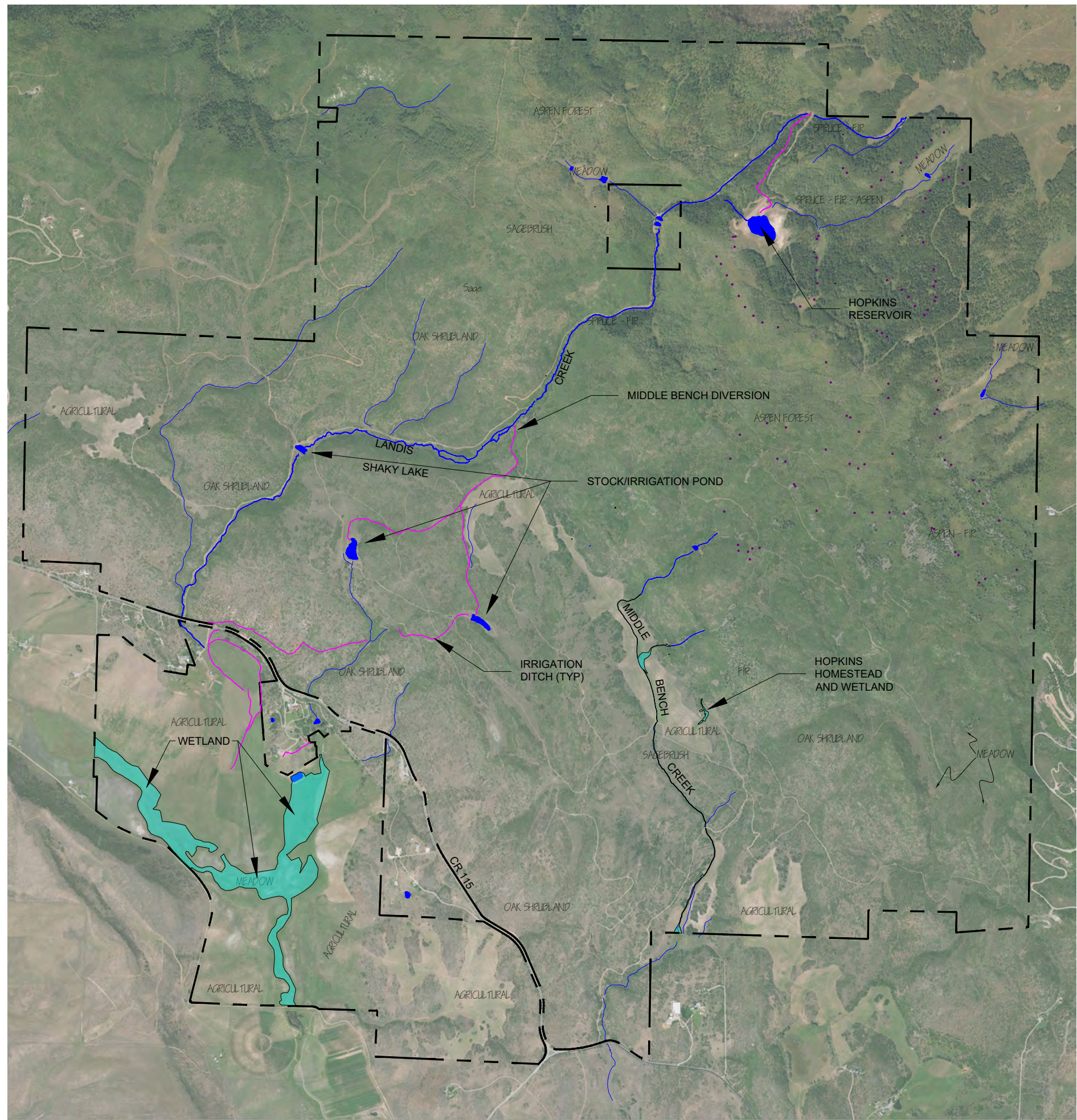
The largest wetland area is located in the agricultural fields south of CR 115. Dominant vegetation is hydrophytic grasses, sedges, and rushes. Leisure suggested the hydrology source for this wetland is springs, surface water, and a shallow groundwater table.

The unnamed perennial creek that flows through the middle bench originates from 2 springs located on the steep oakbrush hillside above the bench. These springs feed the creek year-round; the creek has been channelized into a ditch adjacent to the ranch road for the length of the old wheat fields, then along its apparent original course until it crosses off of SVR property onto the Veltus parcel, then back onto the SVR south of Veltus. Fringe wetlands line the creek for this entire length to Veltus parcel. At the point where the stream channel exits the Veltus parcel back onto the SVR, fringe wetlands no longer line the channel. In fact, on the date of my 2022 site visit, there was no water at all present in the channel below the Veltus parcel. There is also a wetland adjacent to the Hopkins Homestead that does not connect to the perennial stream.

The 1999 wetland delineation report further documented that Landis Creek is entirely diverted at the middle bench diversion but nevertheless established a 30-foot buffer along Landis Creek above and below the diversion. The Corps suggested that if development is planned near Landis Creek, associated wetlands could be delineated to more precisely define their presence or absence, location, and size. The Corps approved the wetland delineation in a letter dated September 1, 1999 (Corps file number 199875502). In a later memo to the Corps’ file, Ms. Leisure documented that there was no channel or wetlands apparent below Shaky Lake due to the middle bench diversion; thus, the Corps did not assert jurisdiction below Shaky Lake.

In 2003 the project went through a series of minor revisions and Ms. Leisure completed an updated wetland delineation on the middle bench wetlands. There was no change to Corps jurisdictional wetlands on the middle bench. In 2006 Ms. Leisure was again requested to delineate wetlands on the middle bench. She concluded that wetlands on the middle bench were largely the same as in the 2003 delineation. The 2006 project was not built.

In 2022, Wetlands were again delineated by Western Bionomics (Colfer 2023a). A delineation report was prepared and is located in Appendix A of this document. The wetland delineation, with minor revisions to wetland boundaries, was largely verified as unchanged from previously mapped wetlands (Figure 8).



LEGEND

- WETLAND
- STREAM
- IRRIGATION DITCH
- POND

SPRING VALLEY RANCH

AQUATIC RESOURCES



Western Bionomics Inc.
 Natural Resource Management Services
 31040 WILLOW LANE, STEAMBOAT SPRINGS, CO 80487 970-846-8223

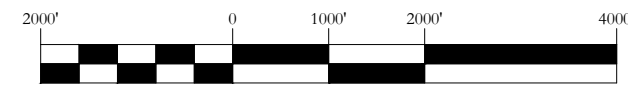
Date: DATE Drawn: DRAWNBY Delineated:

SHEET NO. SHEET

REVISIONS		
No.	Item	Date



Horizontal Scale



5.4.3 Wildfire

White River Fire Consulting (2023) prepared a Wildfire Mitigation Report. The report was created to meet initial and long-range development planning goals for the built environment and open space, to ensure ecosystem and community sustainability and to integrate directives with social goals. Specific project goals are to:

- Reduce the risk of catastrophic wildfire,
- Provide development options for the mitigation of wildfire,
- Develop an integrated management approach that encompasses all natural communities represented at Spring Valley Ranch,
- Provide a tool to help residents of Spring Valley Ranch understand the complexity of the ecosystem and more effectively protect their property from potential wildfires.

Vegetation management is needed throughout the upper montane zone of the western slope of the Colorado Rocky Mountains to return forests and rangelands to an ecologically sustainable condition and to reduce the potential for catastrophic wildfire and insect epidemics. Vegetative conditions at the Spring Valley Ranch property are significantly divergent from their historic norm. A comprehensive evaluation of wildfire hazard within Spring Valley Ranch was conducted; findings should be integrated into the overall restoration prescriptions being developed for the property.

6. IMPACT ANALYSIS

6.1 SOILS

CTL/Thompson's (CTL/T) Preliminary Geotechnical Study (Bowden 2000a) discovered no geological or geotechnical constraints at Spring Valley Ranch that would preclude development for the intended residential use. Their report concluded that, "The subsoil conditions are, in general, favorable for the proposed development."

CTL/T anticipates footings, possibly with a minimum dead load, will be the recommended foundation on lots where low to moderate swelling potential clays occur at foundation elevations. Drilled piers will likely be recommended on sites where highly expansive clays are exposed. Spread footings without a minimum dead load requirement should be appropriate at sites where sand, gravels or low compression to low expansion potential clays are at foundation elevations. CTL/T recommends that when building plans for individual buildings are known, detailed soils and foundation investigations should be performed on a lot by lot basis to determine the appropriate foundation type and to develop design criteria.

Their preliminary data indicates that concrete slabs-on-grade floors placed on the low compression to low swell potential clays and natural gravels and sands will perform satisfactory if the soils below slabs are not wetted. Where moderate to highly expansive clays occur at floor subgrade elevations it may be recommended to construct living area floors as structural floors supported by the foundation with a crawl space below the floor or replace the upper 1 to 2 feet of expansive clays with non-expansive structural fill.

Minimum pavement thicknesses will likely be appropriate in areas of sand and gravel subgrade. The clays will not provide as good of subgrade support for pavements and will likely require thicker pavement sections.

Control of surface drainage will be important to the performance of foundations and interior and exterior slabs-on-grade. Surface drainage should be designed to provide rapid removal of surface runoff away from buildings and roads.

6.2 GEOLOGY AND HAZARD

CTL/T's Geologic Evaluation Studies (Bowden 2000b, Kellogg 2023, 2024) identified several geologic conditions that need to be considered during the planning and development phases of the project. The geologic conditions identified will not prevent the development of the property for the intended uses, but mitigation may be required at some locations.

Geologic hazards at the site (Figures 9 and 10) include potentially unstable slopes, debris/mud flows, and rockfall. Other concerns related to geologic conditions include regional issues of subsidence and radiation. Geologic hazards will be updated per the most recent geology map of the SVR (Kellogg 2024).



0 1,000 2,000
SCALE: 1" = 2,000'

LEGEND:

NOTE: SATELLITE IMAGE FROM LANDSAT
(COPYRIGHT 2023)

— APPROXIMATE PROPERTY BOUNDARY

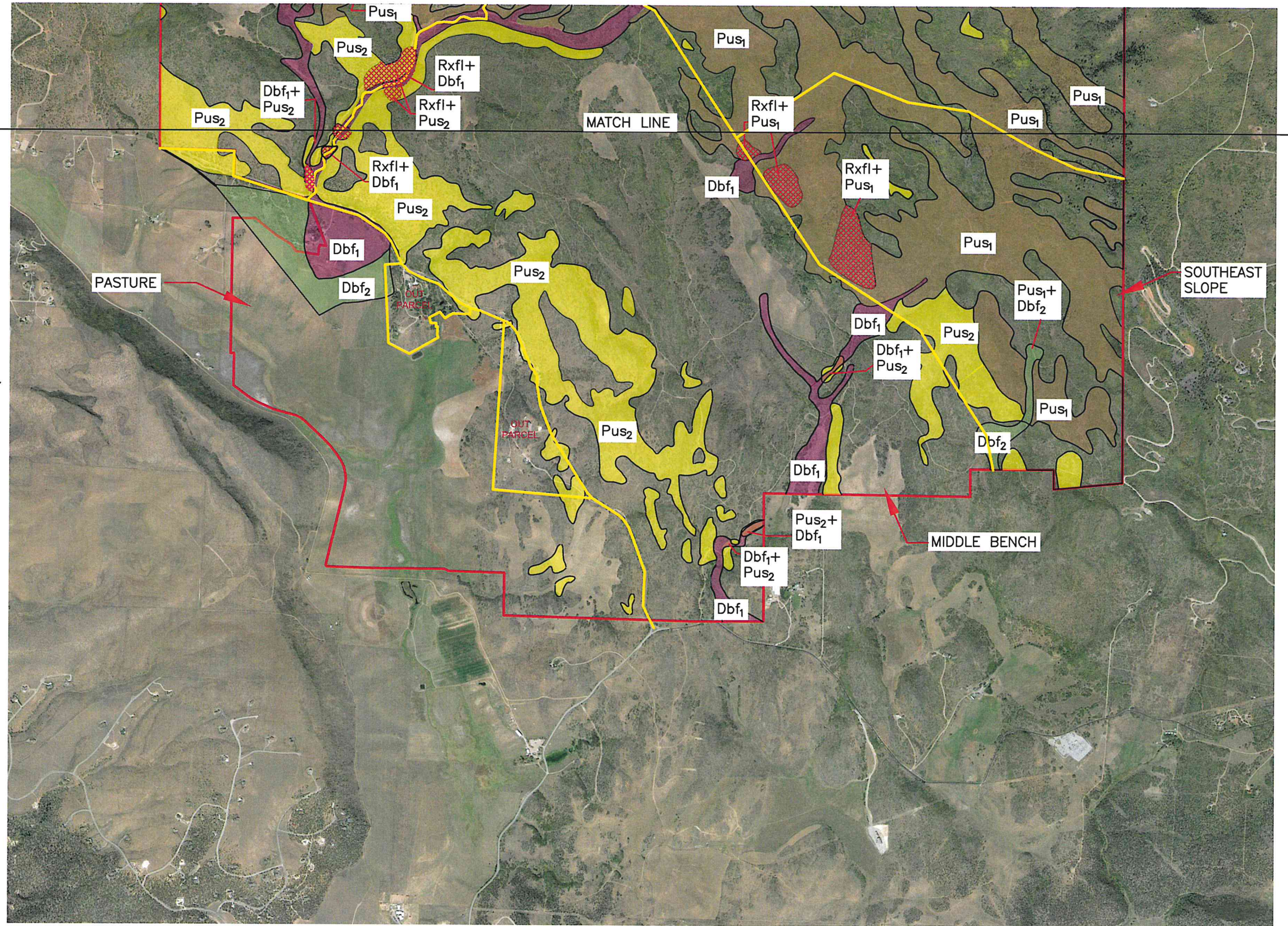
— APPROXIMATE SUB-PARCEL BOUNDARY

Pus₁ } POTENTIALLY UNSTABLE SLOPES.
NUMERAL INDICATES RELATIVE DEGREE
OF HAZARD (1 IS HIGHER RISK THAN 2)

Dbf₁ } DEBRIS/MUDFLOW HAZARD.
NUMERAL INDICATES RELATIVE DEGREE
OF HAZARD (1 IS HIGHER RISK THAN 2)

Rxf } ROCKFALL HAZARD

— APPROXIMATE GEOLOGIC UNIT BOUNDARY





0 1,000 2,000
SCALE: 1" = 2,000'

LEGEND:

NOTE: SATELLITE IMAGE FROM LANDSAT
(COPYRIGHT 2023)

— APPROXIMATE PROPERTY BOUNDARY

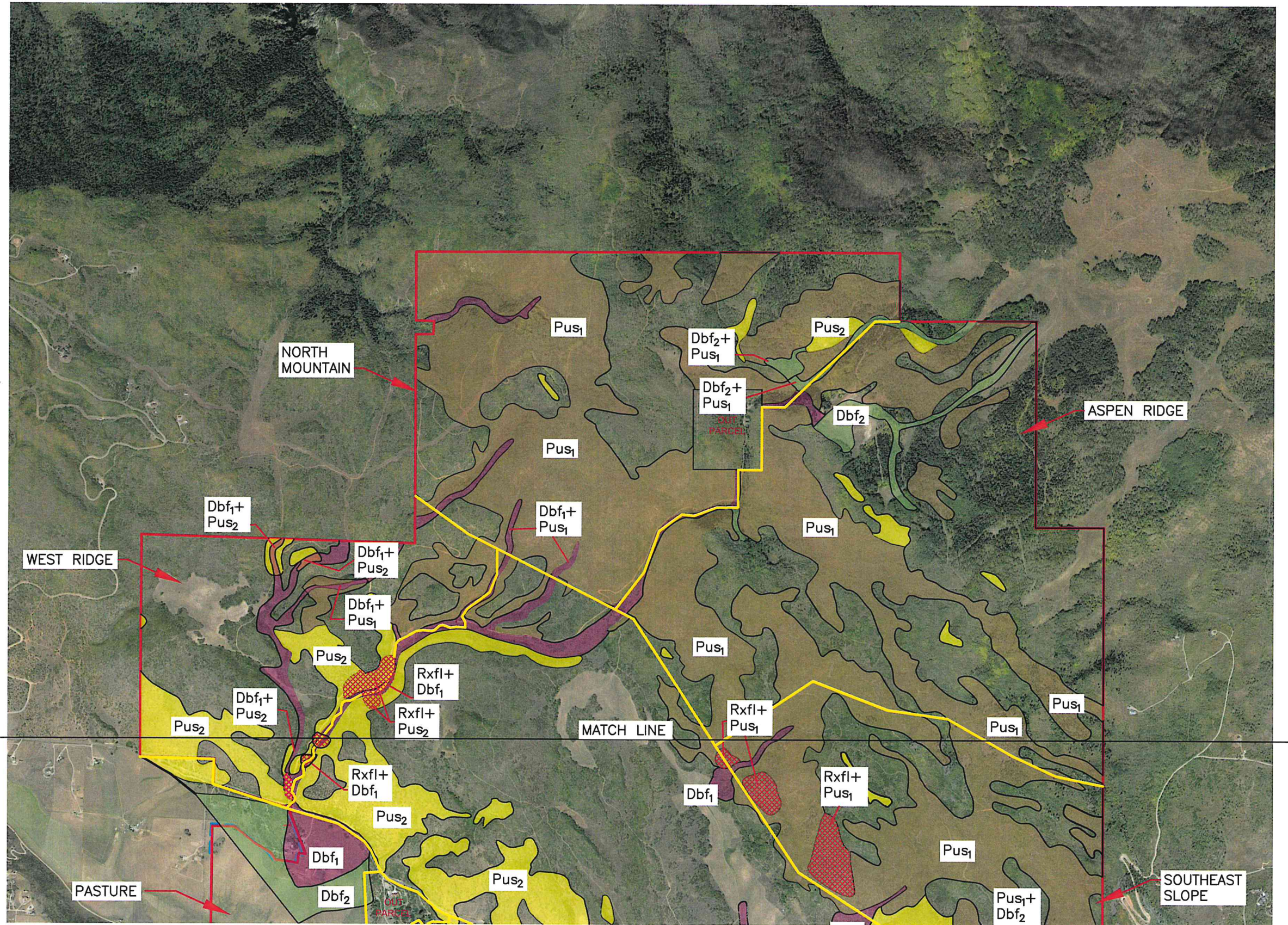
— APPROXIMATE SUB-PARCEL BOUNDARY

Pus₁ } POTENTIALLY UNSTABLE SLOPES.
NUMERAL INDICATES RELATIVE DEGREE
OF HAZARD (1 IS HIGHER RISK THAN 2)

Dbf₁ } DEBRIS/MUDFLOW HAZARD.
NUMERAL INDICATES RELATIVE DEGREE
OF HAZARD (1 IS HIGHER RISK THAN 2)

Rxfl } ROCKFALL HAZARD

— APPROXIMATE GEOLOGIC UNIT BOUNDARY



6.3 GROUNDWATER AND AQUIFER RECHARGE AREAS

6.3.1 Impact Conclusion

The estimated average annual recharge of 3,942 acre-feet is more than three times the estimated depletion of 1,263 acre-feet for all users of the SVA. Under the proposed amended PUD plan, groundwater withdrawals for irrigation will be less than calculated due to utilization of Landis Creek surface water rights, which have historically been used to irrigate the property, and only using groundwater for supplemental irrigation supplies. In addition to the annual recharge, it has been estimated by Gamba (2000) that there is 68,000 to 105,000 acre-feet of water in storage in the SVA and upland areas which essentially serve as an underground reservoir to balance extreme dry year and extended drought-year recharge with water demands. As was found in previous studies, there is sufficient water in storage in the SVA and available from annual recharge to serve all the proposed uses without injuring the groundwater resource.

6.3.2 Legal Water Supply

Miller (2023) summarized the current legal water supply available for the Spring Valley Ranch and demonstrated that the water supply is adequate to serve the revised PUD Plan. Miller's summary stated that the Developer's water rights, court-decreed augmentation plans and change cases, well permits, and water allotment contracts provide an adequate legal water supply for Storied Development's amended PUD. Storied Development's contemplated water demands and consumptive uses will not exceed the Developer's already acquired water rights and water resources available for the Spring Valley Ranch PUD. To the extent snowmaking use is not covered under existing decreed augmentation plans, Storied Development will obtain additional BWCD contract, storage and well permit approvals.

6.4 ENVIRONMENTAL

6.4.1 Wildlife

A comprehensive Wildlife Mitigation Plan (WMP) was prepared by Colfer (2024) in close coordination with Colorado Parks and Wildlife (CPW). Adverse impacts associated with residential, golf, and winter recreation developments in areas of native habitat include habitat loss through removal of vegetation, habitat loss through avoidance of the zone of disturbance associated with human activity, habitat fragmentation, barriers to movement, and disturbance or mortality from the actions of pets. During preparation of this WMP, several issues were identified as being the most significant regarding the development of Spring Valley Ranch and are described in detail in the following sections. The plan presented below seeks first to avoid impacting wildlife and their habitat. If impacts cannot be avoided, this plan provides measures to minimize wildlife habitat impacts. Finally, if impacts cannot be avoided and have been minimized, the plan presents opportunities to mitigate those unavoidable impacts. These primary issues related to development at Spring Valley Ranch include:

- 1) Direct impact to elk and deer by development and indirect impact by human recreation in winter range.
- 2) Direct impact to elk by development and indirect impact by human recreation in production range.
- 3) Direct impact to mule deer by development and indirect impact by human recreation in winter range and in a winter concentration area.
- 4) Potential game damage conflicts.
- 5) Black Bear/Human conflicts.

6) Mountain Lion/Human conflicts.

These issues have in large part driven the avoidance, minimization, and mitigation measures presented in the Mitigation Plan (Section 7).

6.4.1.1 Development in Elk Winter Range

CPW has identified the vast majority of the Spring Valley Ranch property as elk winter range. Spring Valley Ranch homesites and access roads located within elk winter range will directly reduce the production of winter forage and will indirectly reduce security of winter range for elk. Domestic pets may harass the herd when elk are in close proximity to building envelopes. Game damage is probable on ornamental trees and shrubs unless unpalatable species are planted.

6.4.1.2 Development in Elk Production Range

Elk that calve above the middle bench in the areas proposed for Mountain and Ranch neighborhoods, and within the proposed ski area, will likely be displaced by the presence of houses and roads. As suggested by Wait and McNally (2004)¹³ these animals will be expected to utilize sites farther from residential development for calving do to the indirect impact of noise and commotion associated with occupation of residential structures. As reported by Skovlin et al (2002)¹⁴ elk prefer habitat within ½-mile of water during the spring, summer, and fall, and perhaps even less during lactation. Such habitats are found along the Landis Creek corrido and in association with the spring-fed tributaries to the unnamed Middle Bench stream. Elk that utilize the lower Spring Valley production area during calving season may be displaced in the vicinity of the Community Housing development; however over 500-acres within the SAM-mapped production range would be preserved for use during elk calving season.

6.4.1.3 Development in Mule Deer Winter Range and Winter Concentration Area

Like that of elk, the majority of Spring Valley Ranch is mapped by CPW as mule deer winter range. Development in mule deer winter range will decrease the availability of forage within building envelopes and potentially lead to game damage for ornamentals during the winter. The lower slopes of the ranch immediately above CR 115 are mapped by CPW as a mule deer winter concentration area. Development and recreation within winter range and concentration areas will have increased impacts on mule deer since, by definition, the density of wintering deer is twice that of the surrounding winter range.

6.4.1.4 Recreation Conflicts in Elk and Mule Deer Winter Range

Winter recreation (backcountry skiing, cross country skiing, snowmobiling) in elk and mule deer winter range (and deer winter concentration) represents potentially serious impacts to these animals since the impacts occur when they are in a weakened condition, food supplies are low, and the ability to conserve energy is critical to the animal's survival. Recreationists cause a startle response in deer and elk, causing animals to flee, requiring energy expenditures that may not be sustainable throughout the winter. The result is decreased fitness in individuals and probable increased mortality. Studies have shown that the indirect

¹³ Wait, S. and H. McNally. 2004. Selection of habitats by wintering elk in a rapidly subdividing area of La Plata County, Colorado. *In* Proceedings 4th International Urban Wildlife Symposium (Shaw et al., eds).

¹⁴ Skovlin, J.M., P. Zager, and B. Johnson. 2002. Elk Habitat Selectin and Evaluation. *In* North American Elk Ecology and Management (D. Toweill and J.W. Thomas, eds). Smithsonian Institution Press, Washington and London.

impact of recreation can extend for as far as 1640 yards from the loudest forms of recreation such as ATVs and MTBs¹⁵.

In addition to winter range, spring recreation has the potential to impact elk during parturition, and year-round recreation disturbs wildlife (Danielle Neumann, CPW, personal communication).

6.4.1.5 Game Damage Conflicts

Elk and deer cause damage by browsing on trees, shrubs, and other ornamental plantings; by feeding on alfalfa and grass in fields, pastures, and haystacks; and by running through fences. Because Colorado statutes require compensation to landowners for agricultural property damage by big game animals, CPW personnel spend considerable time and effort preventing, investigating, and evaluating a variety of damage problems each year.

Numerous preventative measures are available to minimize this conflict, including steps that can be taken before the damage occurs. These include crop alternatives, lure crops, and changes in planting and harvesting techniques. Other options include steps that can be taken after the damage has started, including frightening devices, repellents, trapping, and hunting season modifications. In addition, habitat enhancement efforts can entice elk and deer away from ornamental plantings and agricultural crops.

6.4.1.6 Black Bear

Most conflicts between bears and people are linked to careless handling of food and/or garbage. Black bears are opportunistic omnivores, and they will eat almost anything, including human food, garbage, bird food, and pet and livestock food when available. Once a bear has found the easily accessible, consistent food source that human settlements can offer, it may overcome its natural wariness of people and visit regularly, increasing the chance of a human/bear encounter.

6.4.1.7 Wildlife Impact Mitigation

(a) Goals

The goal of this WMP is to avoid, minimize, and/or mitigate the impact of the development on all wildlife species using the property. Specific objectives include:

- 1) Avoid or minimize wildlife impacts that would have occurred with prior development plans for Spring Valley Ranch.
- 2) Provide for continued utilization of seasonal wildlife habitats on the property.
- 3) Preserve the Landis Creek riparian corridor.
- 4) Minimize physical impacts to elk production range, elk and mule deer winter range, and habitat for other wildlife species.
- 5) Minimize recreational disturbance to elk using the property.
- 6) Minimize recreational disturbance to mule deer using the property.
- 7) Minimize human/wildlife conflicts by implementing homeowner occupancy and use restrictions.

¹⁵ Wisdom, Michael J.; Ager, Alan A.; Preisler, Haiganoush K.; Cimon, Norman J.; Johnson, Bruce K. 2004. Effects of off-road recreation on mule deer and elk. In: Transactions of the 69th North American Wildlife and Natural Resources Conference: 531-550.

- 8) Maintain habitat connectivity within and adjacent to Spring Valley Ranch.
- 9) Minimize the wildlife habitat impacts of homeowners' amenities that include a comprehensive trail system, golf course, and ski area.
- 10) Mitigate the impact of development by establishing Wildlife Habitat Reserves, which will be managed to maintain or enhance habitat effectiveness.
- 11) Mitigate the impact of development by establishment of a Real Estate Transfer Fee to provide funds to be administered by CPW for habitat projects within CPW's Elk Data Analysis Unit E-16.

(b) Mitigation Action Items

Avoidance, minimization, and mitigation measures will be memorialized in the declaration of covenants, conditions, and restrictions for the Spring Valley Ranch Homeowner's Association. The Wildlife Mitigation Plan is included in its entirety in Appendix B and summarized below:

Avoidance

- Designate a minimum of 3,249 acres of Open Space
- Avoid impacts to 68% of the elk production range on Spring Valley Ranch
- Avoid impacts to 54% of elk winter range on Spring Valley Ranch
- Designate a Landis Creek Wildlife Corridor
- Avoid impacts to active raptor nests.

Minimization

- Designation of Maximum Lot Coverage Ratios
- Designation of Maximum Lawn and Irrigated Landscaping Size
- Landscaping and Lighting Requirements
- Fencing Requirements
- Seasonal Access and Use Restrictions
- Garbage, Trash, Compost, Containers, & BBQ Grill Restrictions
- Pet Control Restrictions
- CPW Indemnification from Wildlife Damage Claims
- Golf Course and Open Space Management
- Tree and Native Shrub Preservation
- Weed Control
- Residential Landscape Regulations
- Security Enforcement

Mitigation

- Designation of over 1,320 acres of Wildlife Habitat Reserves
- Establishment of a Real Estate Transfer Fee for Wildlife Benefit

It is understood that the Wildlife Mitigation Plan will be recorded. Furthermore, the Wildlife Mitigation Plan shall not be amended without the written consent of the local CPW District Wildlife Manager and Garfield County Board of County Commissioners. No amendment shall require the approval of any owner except Spring Valley Ranch. No Owner shall be deemed to be a third-party beneficiary of the Wildlife Mitigation Plan, nor shall this Plan be enforceable by any Owner, except Spring Valley Ranch. If any conflict occurs between the Association Documents and the Wildlife Mitigation Plan, the more restrictive provision shall take precedent. This entire Wildlife Mitigation Plan, specifically those sections addressing dogs, fencing, garbage management, and noxious weed control can be enforced by Spring Valley Ranch Property Owners' Association or by Garfield County.

6.4.2 Wetlands

The Spring Valley Ranch Conceptual Plan exhibits 4 road crossings on Landis Creek, one road crossing of the unnamed Middle Bench stream, and 2 crossings at each of the spring-fed tributaries to the Middle Bench stream. Prior to any wetland disturbance, wetlands will be delineated at the specific impact site and overlaid on the construction drawings to determine wetland impacts, if any. These plans will be used to prepare a Pre-Construction Notification for submittal to the Army Corps of Engineers. The proposed road crossings are expected to comply with the terms and conditions of Corps of Engineers Nationwide Permit 14 (NWP14) for Linear Transportation Projects.

NWP14 permits activities required for crossings of waters of the United States associated with the construction, expansion, modification, or improvement of linear transportation projects (e.g., roads, highways, railways, trails, driveways, airport runways, and taxiways) in waters of the United States. The discharge of dredged or fill material cannot cause the loss of greater than 1/2-acre of waters of the United States.

6.4.3 Wildfire

The White River Fire Consulting Wildfire Mitigation Report prescribed project-wide vegetation restoration treatments including:

- Maintain meadows,
- Create strategic fuel breaks to reduce vegetation density, primarily through selective cutting, to remove undesirable species and retain mature healthy plants, and
- Implement prescribed burning where feasible.

Other recommended actions include the utilization of ignition resistant construction for all homes built in the development, including Class 1 ignition resistant construction for selected properties. This is in combination with individual defensible space and other fuel reduction mitigation. Other infrastructure recommendations are proposed in the White River Fire Consulting Report to meet adopted code compliance.

The overall intent of the Wildfire Plan is to look, holistically, at the built and natural environments to create a sustainable development that is in concert with sound ecological principles while remaining fire resistant.

APPENDIX A – AQUATIC RESOURCE DELINEATION REPORT

SPRING VALLEY RANCH

AQUATIC RESOURCE DELINEATION

March 1, 2023

Prepared For
Storied Development
9875 N. Tuhaye Park Drive
Kamas, UT 84036

and



Western Colorado Regulatory Office
400 Rood Avenue Room 142
Grand Junction, CO 81501-2563

Prepared By
WESTERN BIONOMICS INC.
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EXECUTIVE SUMMARY

The 5908.43± acre Spring Valley Ranch is located southeast of Glenwood Springs in unincorporated Garfield County. Storied Development is proposing to develop a residential subdivision on the Ranch. To facilitate the project's compliance with the Clean Water Act, Western Bionomics has conducted an Aquatic Resource Delineation at the project location.

Wetlands were originally delineated at Spring Valley Ranch in 1998 and again in 2003 for previous development projects that did not get implemented. These prior delineations were referenced and updated by a wetland examination performed in 2022. Four general areas of wetland are found at the Ranch:

- Wetlands in the agricultural lands south of County Road 115
- A 30-foot-wide unmapped wetland corridor along Landis Creek
- Fringe wetlands along a channelized stream in the Middle Bench (Including the Homestead Wetland).
- A wetland associated with the Hopkins Homestead.

In addition, a reservoir, Hopkins Reservoir, is located at the upper end of the property. The constantly shifting shoreline as the reservoir is filled and withdrawn prevents any wetland from becoming established.

A total of 3.05 acres of palustrine emergent herbaceous wetlands were delineated along the Middle Bench stream. Additionally, the 2006 delineation documented 69.5 acres of palustrine emergent herbaceous wetlands in the hay meadow below County Road 115. Finally, wetlands are present along Landis Creek that were not delineated. Based on the documented correspondence with the Corps that has occurred with prior projects, a 3-mile reach of Landis Creek is jurisdictional from its headwater to Shaky Lake. Below Shaky Lake, there are no jurisdictional waters.

Surface runoff is demonstrably low, as evidenced by drainages along CR 115, where many of the natural drainage swales crossed by the road do not have culverts and do not have the appearance of areas that transport or pond water. It is reported, by longtime residents of the area, that only on occasions of extremely high snow melt or cloud burst, does flooding of the road occur. Even the unnamed Middle Bench stream flow disappears prior to exiting the property.

The 100-year floodplain at the location of the project area has not been mapped by FEMA. Therefore, the project area is not located within the limits of the 100-year floodplain.

TABLE OF CONTENTS

1. INTRODUCTION.....1

2. LOCATION.....1

3. SITE HISTORY1

4. METHODS2

5. RESULTS3

 5.1 AQUATIC RESOURCES.....3

 5.1.1 Overview.....3

 5.1.2 Physical Characteristics.....4

 5.1.2.1 Soils4

 5.1.2.2 Vegetation5

 5.1.2.3 Hydrology5

 5.1.3 Interstate or Foreign Commerce6

6. AQUATIC RESOURCE DELINEATION SUMMARY6

7. PROPOSED PROJECT6

8. REFERENCES.....7

APPENDIX A – AQUATIC RESOURCE DELINEATION MAP

APPENDIX B – PHOTOGRAPHS

APPENDIX C – PLANT LIST

APPENDIX D – NRCS SOIL REPORT

ACRONYMS AND ABBREVIATIONS

BMP	Best Management Practice
OHWM	Ordinary High Water Mark
PEM	Palustrine Emergent Wetland Vegetation
PFO	Palustrine Forested Wetland Vegetation
PSS	Palustrine Scrub-Shrub Wetland Vegetation
COE	US Army Corps of Engineers
FWS	US Fish and Wildlife Service
UTM	Universal Transverse Mercator coordinate system
AA	Water Resource Assessment Area

1. INTRODUCTION

Storied Development is proposing to develop a residential subdivision on the Spring Valley Ranch. To facilitate the project's compliance with the Clean Water Act, Western Bionomics has conducted an Aquatic Resource Delineation at the project location. The project proponent and primary contacts are listed below.

Proponent: Storied Development
ATTN: Rich Wagner
10105 N. Tuhaye Park Drive |
Kamas, UT 84036
rwagner@storiedliving.com
530.448.3157

Primary Contact: Kelly Colfer

This document establishes the limits of federal jurisdiction with respect to Section 404 of the Clean Water Act. The following narrative presents the methods used to delineate aquatic resources, the results of our investigation, and a brief description of the proposed project. Representative drawings, field data sheets, and site photographs are included in the Appendices.

2. LOCATION

Spring Valley Ranch is located southeast of Glenwood Springs in unincorporated Garfield County. The Ranch occupies 5908.43± acres in T6N, R88W, portions of Sections 14-16, 20-23, 26-29, & 32-34, at 39.516383°, -107.215993° (WGS 84). The property is comprised of 4 Garfield County parcels, identified as PINs 218720100168, 218716100169, 218733100152, & 218726200168. Elevation ranges from 6893' MSL in the lower elevation pasturelands, up to 9460' MSL at the northern property boundary atop the southern flank of Glenwood Canyon. The dominant cover types present on the property include irrigated grasslands, native grassland, mountain shrubland, aspen woodland, and mixed conifer

The project assessment area has been defined to encompass all areas that could potentially be affected by the proposed project.

The project area can be reached from the Garfield County Courthouse at 109 8th Street in Glenwood Springs, take State Highway 82 / Grand Avenue 10.9 miles to Spring Valley Road. Turn left and follow Spring Valley Road for 2.1 miles. Turn left on County Road 115 / Red Canyon Road. Follow CR 115 for 3.1 miles to the Ranch Headquarters.

3. SITE HISTORY

Wetlands were originally delineated at Spring Valley Ranch in 1998 by Blair Leisure of Wright Water Engineers (WWE) for the proposed "Chenoa" development project (COE File #199875502). A delineation report with mapping was prepared by WWE in 1999 for US Army Corps of Engineers (Corps) review and approval. The delineation report documented 3 general areas of wetland:

- Wetlands in the agricultural lands south of County Road 115
- A 30-foot-wide unmapped wetland corridor along Landis Creek
- Fringe wetlands along a channelized stream in the Middle Bench (Including the Homestead Wetland).
- A wetland associated with the Hopkins Homestead.

The most significant wetland area is located in the agricultural fields south of CR 115. Dominant vegetation is hydrophytic grasses, sedges, and rushes. Leisure (2006) suggested the hydrology source for this wetland is springs, surface water, and a shallow groundwater table.

The unnamed perennial creek that flows through the Middle Bench originates from 2 springs located on the steep oakbrush hillside above the bench. These springs feed the creek year-round; the creek has been channelized into a ditch adjacent to the ranch road for the length of the old wheat fields, then flows along its apparent original course until it crosses off of SVR property onto the *Veltus* parcel, then back onto the SVR south of *Veltus*. Fringe wetlands line the creek for this entire length to *Veltus* parcel. At the point where the stream channel exits the *Veltus* parcel back onto the SVR, fringe wetlands no longer line the channel. In fact, on the date of my 2022 site visit, there was no water at all present in the channel below the *Veltus* parcel. There is also a wetland adjacent to the Hopkins Homestead that does not connect to the perennial stream. This wetland is fed by a spring just above the Homestead and appears to have been the location of an old embankment pond associated with the Homestead.

The 1999 wetland delineation report further documented that Landis Creek is entirely diverted at the Middle Bench diversion but nevertheless established a 30-foot buffer along Landis Creek above and below the diversion. The Corps suggested that if development is planned near Landis Creek, associated wetlands could be delineated to more precisely define their presence or absence, location, and size. The Corps approved the wetland delineation in a letter dated September 1, 1999 (Corps file number 199875502). In a later memo to the Corps' file, Ms. Leisure documented that there was no channel or wetlands apparent below Shaky Lake due to the middle bench diversion; the Corps agreed and did not assert jurisdiction below Shaky Lake.

In 2003 the project went through a series of minor revisions and Ms. Leisure completed an updated wetland delineation on the Middle Bench wetlands. There was no change to Corps jurisdictional wetlands on the Middle Bench. In 2006 Ms. Leisure was again requested to delineate wetlands on the Middle Bench. She concluded that wetlands on the Middle Bench were largely the same as depicted in the 2003 delineation. The 2006 project was not built.

In October 2022 Western Bionomics visited the Spring Valley Ranch and verified the previous delineation. At the location of the Middle Bench stream, the 3 largest wetland areas were re-delineated as their boundaries appeared to have changed. The methods and results of this delineation are included in the following sections.

4. METHODS

Prior to preparation of this aquatic resource delineation report, pertinent background information was reviewed, individuals familiar with the project were interviewed, and maps, aerial photos, and soil map unit descriptions of the project area were obtained by Western Bionomics. Wetlands were delineated on the parcel by Western Bionomics on October 3-6, 2022.

Since there are no plans to impact wetlands in the hay meadow south of County Road 115, there was no new delineation conducted at that location. Rather, the site was observed from multiple locations; wetlands appear similar to that which was mapped in 2006 and that is the mapping reproduced in this report.

Similarly, Landis Creek was evaluated along its entire length for presence or absence of wetland character; wetlands were not formally delineated since the Conceptual Plan would only impact limited reaches of the creek for road crossings.

Hopkins Reservoir was also examined in 2022; there are no wetlands associated with the Reservoir, most likely due to the constantly fluctuating shoreline as the reservoir fills and empties.

My delineation focused on the unnamed perennial stream and springs on the Middle Bench. Sample plots were established near the edge of each change in plant community type in order to ascertain whether the site was a wetland or upland. Each sample plot was numbered and designated with flagging. Ecosystem parameters (vegetation, soils, and hydrology) were characterized and recorded on field data forms at each observation point, as per Army Corps guidelines (US Army Corps of Engineers Wetland Delineation Manual, 1987; Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region, U.S. Army Corps of Engineers, 2010).

Based on observations of all three wetland parameters at each sample plot, wetland boundaries were designated with fluorescent pink flagging. Boundary markers were individually numbered by Western Bionomics and recorded by the surveyor to provide reference.

A point-to-point survey of the delineated boundaries of each wetland was conducted by Western Bionomics using a sub-meter Garmin GeoXT datalogger, relative to the Colorado State Plane datum. The surveyed aquatic resource boundaries were overlaid on a 2019 geo-referenced aerial photograph registered on the Colorado State Plane datum. The map is located in Appendix A. The characteristics of vegetation, soils, and hydrology within wetlands and uplands on the parcel are presented in Section 4 of this report.

5. RESULTS

Wetland sample plots at wetlands associated with the unnamed Middle Bench stream revealed the boundary between sites which exhibited all 3 wetland parameters and sites which were lacking one or more wetland parameters. Based on the presence or absence of parameters, wetland boundaries were designated. **A total of 3.05 acres of palustrine emergent herbaceous wetlands were delineated along the Middle Bench stream. Additionally, the 2006 delineation documented 69.5 acres of palustrine emergent herbaceous wetlands in the hay meadow below County Road 115. Finally, wetlands are present along Landis Creek that were not delineated. Based on the documented correspondence with the Corps that has occurred with prior projects, a 3-mile reach of Landis Creek is jurisdictional from its headwater to Shaky Lake. Below Shaky Lake, there are no jurisdictional waters.**

5.1 AQUATIC RESOURCES

5.1.1 Overview

Aquatic resources mapped within the assessment area exhibit the characteristics set forth in Environmental Laboratory (1987) and U.S. Army Corps of Engineers (2010). Wetlands along Landis Creek are predominately PSS wetlands dominated by speckled alder, willow, twinberry honeysuckle, and hawthorn with an understory of hydrophytic grasses and forbs. The adjacent uplands are dominated by chokecherry, aspen, and Engelmann spruce with an understory of grasses and forbs.

The Middle Bench stream is a densely vegetated PEM wetland dominated by beaked sedge (*Carex utriculata*, Nebraska sedge (*Carex nebrascensis*), spreading bentgrass (*Agrostis stolonifera*), and a few pockets of cattail (*Typha latifolia*). Sites mapped as wetland exhibit the presence of all 3 wetland parameters (hydrophytic vegetation, hydric soil, and wetland hydrology). Wetland boundaries were delineated where one or more wetland parameters were not observed in wetland sample plots. Representative photographs are included in Appendix B.

Table 1. AQUATIC RESOURCES WITHIN THE SURVEY AREA

Aquatic Resource Name	Aquatic Resources Classification		Aquatic Resource Size (acre)	Aquatic Resource Size (linear feet)
	Cowardin	Location (lat/long)		
Hopkins Reservoir	Open Water	39.532173°, -107.207787°	Variable	NA
Landis Creek	PSS	39.524490°, -107.220875°	Unknown	3 miles
Hopkins Homestead Wetland	PEM	39.507676°, -107.210691°	1.25 ac	NA
Middle Bench Stream	PEM	39.510130°, -107.214735°	2.69	1.3 miles

The following sections provide details relative to physical characteristics present within the assessment area.

5.1.2 Physical Characteristics

5.1.2.1 Soils

Soil survey information compiled by the Natural Resources Conservation Service (NRCS) identifies 17 mapping unit(s) within the limits of the project area (Table 2). Soils highlighted in blue are included on the NRCS list of hydric soils. NRCS Custom Soil Report including the Soil Map is included in Appendix D.

Table 2. SPRING VALLEY RANCH SOIL MAP UNITS^A

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
7	Almy loam, 12 to 25 percent slopes	1.8	0.0%
10	Anvik-Skylick-Sligting association, 10 to 25 percent slopes	256.3	4.2%
11	Anvik-Skylick-Sligting association, 25 to 50 percent slopes	1,018.7	16.7%
12	Arle-Ansari-Rock outcrop complex, 12 to 50 percent slopes	557.3	9.1%
18	Cochetopa-Antrobus association, 12 to 25 percent slopes	664.2	10.9%
19	Cochetopa-Antrobus association, 25 to 50 percent slopes	652.6	10.7%
34	Empedrado loam, 2 to 6 percent slopes	196.6	3.2%
35	Empedrado loam, 6 to 12 percent slopes	308.0	5.0%
48	Fughes stony loam, 3 to 12 percent slopes	109.6	1.8%
49	Goslin fine sandy loam, 3 to 6 percent slopes	24.6	0.4%
64	Jerry loam, 25 to 65 percent slopes	1,237.7	20.2%

Table 2. SPRING VALLEY RANCH SOIL MAP UNITS^A

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
69	Kilgore silt loam	89.7	1.5%
72	Kobar silty clay loam, 12 to 25 percent slopes	13.3	0.2%
87	Morval-Tridell complex, 12 to 50 percent slopes	86.5	1.4%
94	Showalter-Morval complex, 5 to 15 percent slopes	11.0	0.2%
95	Showalter-Morval complex, 15 to 25 percent slopes	874.9	14.3%
120	Water	12.1	0.2%
Totals for Area of Interest		6,115.8	100.0%

^A Rows Highlighted in Blue are included on the NRCS List of Hydric Soils for Garfield County.

5.1.2.2 Vegetation

Within the boundaries of the assessment area, hydrophytic vegetation was dominant within delineated wetlands. Hydrophytic vegetation was not observed to be dominant outside the wetland boundary. The dominant plant associations can be broadly characterized as follows:

- Uplands dominated by mountain shrublands, aspen woodlands, mixed conifer forest, and irrigated pasture.
- PSS wetlands dominated by speckled alder, willow, twinberry honeysuckle, and hawthorn with an understory of hydrophytic grasses and forbs.
- PEM wetlands dominated by beaked sedge (*Carex utriculata*), Nebraska sedge (*Carex nebrascensis*), spreading bentgrass (*Agrostis stolonifera*), and a few pockets of cattail (*Typha latifolia*).

A list of vegetation found in the assessment area and its wetland indicator status can be found in Appendix C. Vegetation on the assessment area is characteristic of that which is found on similar landscapes in Pitkin and Garfield Counties.

5.1.2.3 Hydrology

The majority of the precipitation that falls on Spring Valley Ranch ends up seeping into the aquifer via highly permeable fractured basalt flows, basalt talus, and colluvium comprised of granular soil and rock. Most of the water on SVR never makes it to the Roaring Fork River. Landis Creek flows are entirely diverted for agriculture well above Shaky Lake. Surface runoff is demonstrably low, as evidenced by drainages along CR 115, where many of the natural drainage swales crossed by the road do not have culverts and do not have the appearance of areas that transport or pond water. It is reported, by longtime residents of the area, that only on occasions of extremely high snow melt or cloud burst, does flooding of the road occur. Even the unnamed Middle Bench stream flow disappears prior to exiting the property.

The 100-year floodplain at the location of the project area has not been mapped by FEMA. Therefore, the project area is not located within the limits of the 100-year floodplain.

Saturation within the root zone, inundation of the sample site, presence of one primary or 2 or more secondary hydrological indicators was confirmed in all sample plots located in areas mapped as wetland.

5.1.3 Interstate or Foreign Commerce

No interstate or foreign commerce was observed to be associated with aquatic resources found on the site, specifically recreation or other use by interstate or foreign travelers, sale of fish or shellfish in interstate or foreign commerce or use by industries operating in interstate or foreign commerce, was observed or documented.

6. AQUATIC RESOURCE DELINEATION SUMMARY

A total of 3.05 acres of palustrine emergent herbaceous wetlands were delineated along the Middle Bench stream. Additionally, the 2006 delineation documented 69.5 acres of palustrine emergent herbaceous wetlands in the hay meadow below County Road 115. Finally, wetlands are present along Landis Creek that were not delineated. Based on the documented correspondence with the Corps that has occurred with prior projects, a 3-mile reach of Landis Creek is jurisdictional from its headwater to Shaky Lake. Below Shaky Lake, there are no jurisdictional waters. Surface runoff is demonstrably low, as evidenced by drainages along CR 115, where many of the natural drainage swales crossed by the road do not have culverts and do not have the appearance of areas that transport or pond water. It is reported, by longtime residents of the area, that only on occasions of extremely high snow melt or cloud burst, does flooding of the road occur. Even the unnamed Middle Bench stream flow disappears prior to exiting the property. The 100-year floodplain at the location of the project area has not been mapped by FEMA.

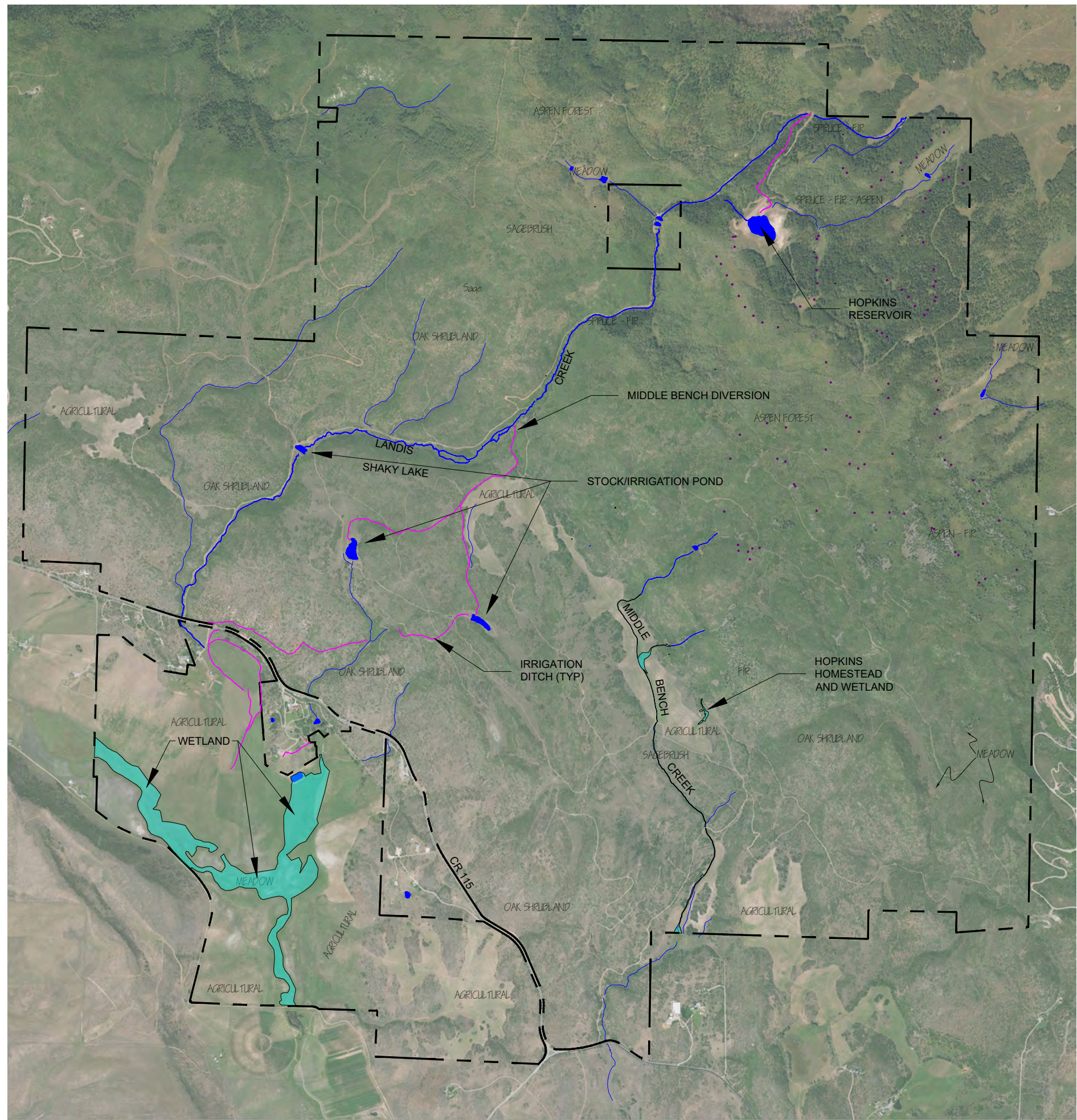
7. PROPOSED PROJECT

The Applicant is seeking an amendment to the approved Spring Valley Ranch PUD to establish a new PUD Plan Map and PUD Guide to govern all future development of the property. This amendment is necessitated to bring the plan forward to modern standards using contemporary planning practices while better conforming to Garfield County's current Comprehensive Plan goals and objectives.

8. REFERENCES

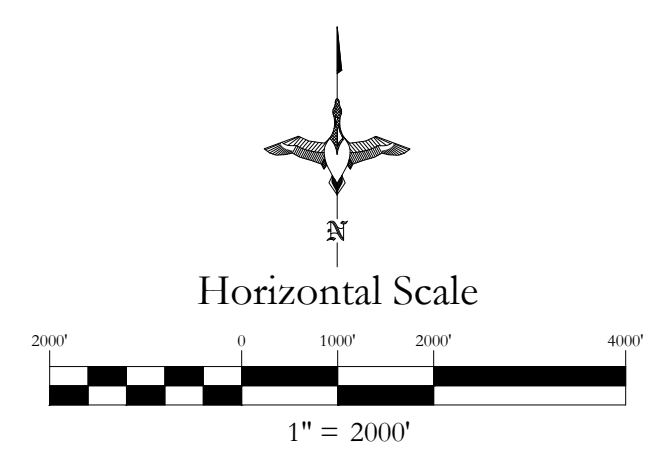
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**APPENDIX A – AQUATIC RESOURCE
DELINEATION MAP**



LEGEND

- WETLAND
- STREAM
- IRRIGATION DITCH
- POND



SPRING VALLEY RANCH

AQUATIC RESOURCES

Western Bionomics Inc.
 Natural Resource Management Services
 31040 WILLOW LANE, STEAMBOAT SPRINGS, CO. 80487 970-846-8223

Date: DATE	Drawn: DRAWNBY	Delineated:	
SHEET NO. SHEET			
REVISIONS			
No.	Item	Date	

APPENDIX B – PHOTOGRAPHS



Landis Creek Below Shaky Lake. No wetland.



Landis Creek Diversion.



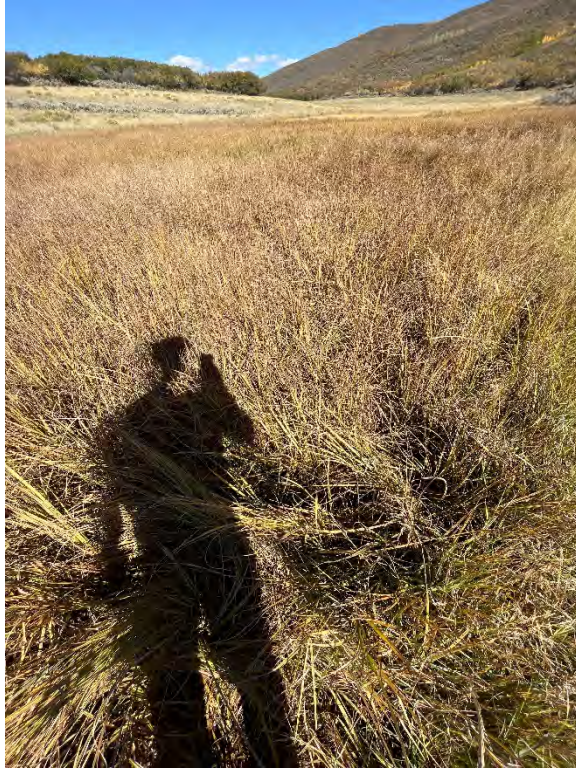
Livestock pond that collects the majority of the Landis Creek Diversion



Middle Creek Bench Stream and Wetland



One of the headwater drainages for the Middle Bench Stream



Another Middle Bench Wetland



Hopkins Reservoir

APPENDIX C – PLANT LIST

Table 2. List of Plants on the Property, including Western Mountains, Valleys, and Coast wetland indicator status ^A

Accepted Symbol	Scientific Name	Common Name	Wetland Indicator Status	
			WMVC Region	AW Region
ABLA	<i>Abies lasiocarpa</i>	Subalpine Fir	FACU	FACU
ACGL	<i>Acer glabrum</i>	Rocky Mountain Maple	FACU	FAC
ACMI2	<i>Achillea millefolium</i>	Common Yarrow	FACU	FACU
AGCR	<i>Agropyron cristatum</i>	Crested Wheatgrass	-----	-----
AGST2	<i>Agrostis stolonifera</i>	Spreading Bent	FAC	FACW
ALIN2	<i>Alnus incana</i>	Speckled Alder	FACW	FACW
AMAL2	<i>Amelanchier alnifolia</i>	Saskatoon Service-Berry	FACU	FACU
ANCO	<i>Anthemis cotula</i>	Stinking Chamomile	FACU	
ARCO9	<i>Arnica cordifolia</i>	Heart-leaf Arnica	-----	
BRCI2	<i>Bromus ciliatus</i>	Fringed Brome	FAC	FAC
BRIN2	<i>Bromus inermis</i>	Smooth Brome	FAC	FACU
BRMA4	<i>Bromus marginatus</i>	Mountain Brome	-----	
CAAQ	<i>Carex aquatilis</i>	Water Sedge	OBL	OBL
CANE2	<i>Carex nebrascensis</i>	Nebraska Sedge	OBL	OBL
CARO6	<i>Carex rostrata</i>	Swollen Beaked Sedge	OBL	OBL
CAUT	<i>Carex utriculata</i>	Northwest Territory Sedge	OBL	OBL
CIAR4	<i>Cirsium arvense</i>	Canadian Thistle	FAC	FACU
CRER	<i>Crataegus erythropoda</i>	Cerro Hawthorn	FACU	FAC
ELGL	<i>Elymus glaucus</i>	Blue Wild Rye	FACU	FACU
FRVI	<i>Fragaria virginiana</i>	Virginia Strawberry	FACU	FACU
GERI	<i>Geranium richardsonii</i>	White Crane's-Bill	FAC	FACU
JUAR2	<i>Juncus arcticus</i>	Arctic Rush	FACW	FACW
JUCO2	<i>Juncus confusus</i>	Colorado Rush	FAC	FAC
LOIN5	<i>Lonicera involucrata</i>	Four-Line Honeysuckle	FAC	FAC
MAAQ2	<i>Mahonia aquifolium</i>	Holly-Leaf Oregon-Grape	FACU	UPL
PASM	<i>Pascopyrum smithii</i>	Western-Wheat Grass	FACU	FAC
PHPR3	<i>Phleum pratense</i>	Common Timothy	FAC	FACU
PIEN	<i>Picea engelmannii</i>	Engelmann's Spruce	FAC	FACU
PICO	<i>Pinus contorta</i>	Lodgepole Pine	FAC	FAC
POCO	<i>Poa compressa</i>	Flat-Stem Blue Grass	FACU	FACU
POPR	<i>Poa pratensis</i>	Kentucky Blue Grass	FAC	FAC
POAN3	<i>Populus angustifolia</i>	Narrow-Leaf Cottonwood	FACW	FACW
POTR5	<i>Populus tremuloides</i>	Quaking Aspen	FACU	FACU
PODI2	<i>Potentilla diversifolia</i>	Mountain-Meadow Cinquefoil	FACU	FACU

Table 2. List of Plants on the Property, including Western Mountains, Valleys, and Coast wetland indicator status ^A

Accepted Symbol	Scientific Name	Common Name	Wetland Indicator Status	
			WMVC Region	AW Region
PRVI	<i>Prunus virginiana</i>	Choke Cherry	FACU	FAC
PSME	<i>Pseudotsuga menziesii</i>	Douglas-Fir	FACU	FACU
ROWO	<i>Rosa woodsii</i>	Woods' Rose	FACU	FACU
SAME2	<i>Salix melanopsis</i>	Dusky Willow	OBL	OBL
SASC	<i>Salix scouleriana</i>	Scouler's Willow	FAC	FAC
SOCA	<i>Solidago canadensis</i>	Canada Goldenrod	FACU*	FACU*
SYAL	<i>Symphoricarpos albus</i>	Common Snowberry	FACU	UPL
TAOF	<i>Taraxacum officinale</i>	Common Dandelion	FACU	FACW
THFE	<i>Thalictrum fendleri</i>	Fendler's Meadow-Rue	FAC	FAC
TRPR2	<i>Trifolium pratense</i>	Red Clover	FACU	OBL
TYLA	<i>Typha latifolia</i>	Broad-Leaf Cat-Tail	OBL	FACU

^A U.S. Army Corps of Engineers 2020. National Wetland Plant List, version 3.5. <http://wetland-plants.usace.army.mil/>

APPENDIX D – NRCS SOIL REPORT



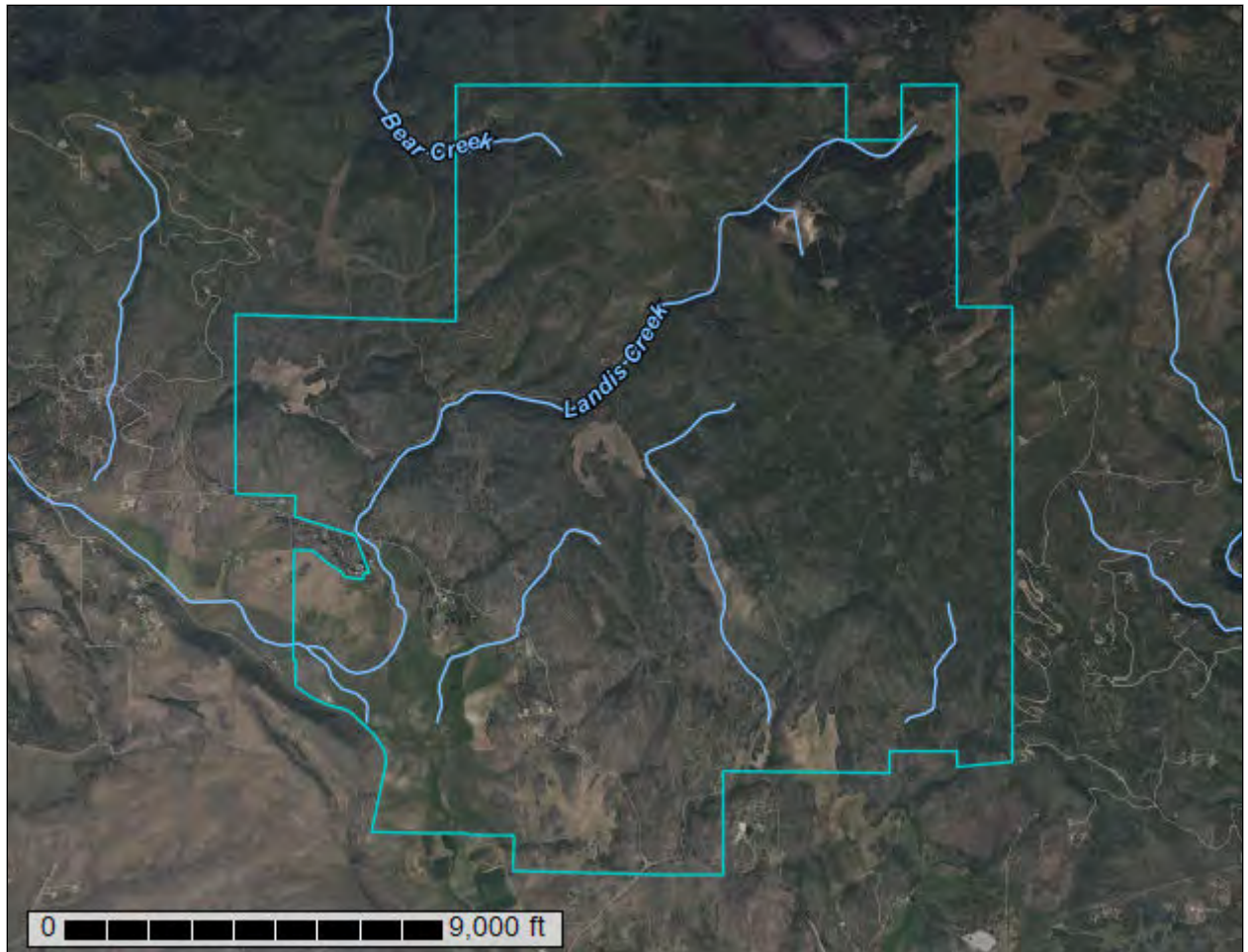
United States
Department of
Agriculture

NRCS

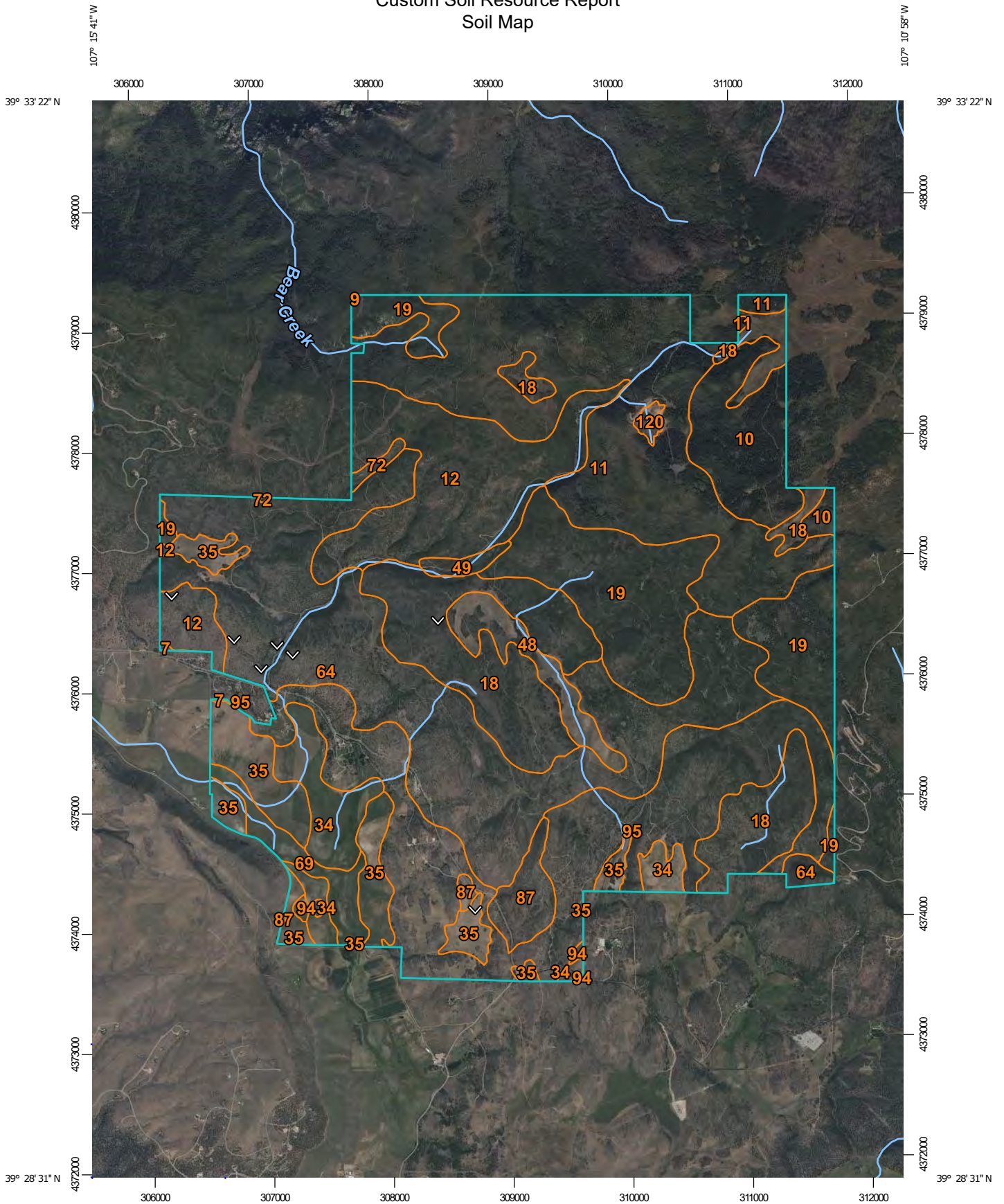
Natural
Resources
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A product of the National
Cooperative Soil Survey,
a joint effort of the United
States Department of
Agriculture and other
Federal agencies, State
agencies including the
Agricultural Experiment
Stations, and local
participants

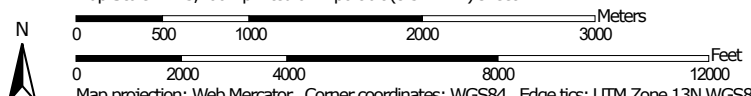
Custom Soil Resource Report for Aspen-Gypsum Area, Colorado, Parts of Eagle, Garfield, and Pitkin Counties; and Flat Tops Area, Colorado, Parts of Eagle, Garfield, Moffat, Rio Blanco, and Routt Counties Spring Valley Ranch



Custom Soil Resource Report Soil Map



Map Scale: 1:43,700 if printed on A portrait (8.5" x 11") sheet.



Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
7	Almy loam, 12 to 25 percent slopes	1.8	0.0%
10	Anvik-Skylick-Sligting association, 10 to 25 percent slopes	256.3	4.2%
11	Anvik-Skylick-Sligting association, 25 to 50 percent slopes	1,018.7	16.7%
12	Arle-Ansari-Rock outcrop complex, 12 to 50 percent slopes	557.3	9.1%
18	Cochetopa-Antrobus association, 12 to 25 percent slopes	664.2	10.9%
19	Cochetopa-Antrobus association, 25 to 50 percent slopes	652.6	10.7%
34	Empedrado loam, 2 to 6 percent slopes	196.6	3.2%
35	Empedrado loam, 6 to 12 percent slopes	308.0	5.0%
48	Fughes stony loam, 3 to 12 percent slopes	109.6	1.8%
49	Goslin fine sandy loam, 3 to 6 percent slopes	24.6	0.4%
64	Jerry loam, 25 to 65 percent slopes	1,237.7	20.2%
69	Kilgore silt loam	89.7	1.5%
72	Kobar silty clay loam, 12 to 25 percent slopes	13.3	0.2%
87	Morval-Tridell complex, 12 to 50 percent slopes	86.5	1.4%
94	Showalter-Morval complex, 5 to 15 percent slopes	11.0	0.2%
95	Showalter-Morval complex, 15 to 25 percent slopes	874.9	14.3%
120	Water	12.1	0.2%
Subtotals for Soil Survey Area		6,114.8	100.0%
Totals for Area of Interest		6,115.8	100.0%

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
9	Anvik, warm-Cochetopa-Passar complex, 3 to 25 percent slopes	1.0	0.0%

Custom Soil Resource Report

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Subtotals for Soil Survey Area		1.0	0.0%
Totals for Area of Interest		6,115.8	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

APPENDIX B – WILDLIFE BASELINE CONDITIONS AND MITIGATION PLAN

SPRING VALLEY RANCH WILDLIFE

BASELINE CONDITIONS & MITIGATION PLAN

Garfield County
May 24, 2024

Prepared For



Community Development Department
108 8th Street, Suite 401
Glenwood Springs, CO 81601

and



9875 N. Tuhaye Park Drive
Kamas, UT 84036

WESTERN BIONOMICS INC

Natural Resource Management Services

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- 1. INTRODUCTION 1**
- 2. CONCEPTUAL PLAN..... 2**
 - 2.1 ZONE DISTRICTS..... 2
 - 2.2 OPEN SPACE ZONE DISTRICTS..... 3
 - 2.2.1 *Open Space Golf District (OSG)*..... 3
 - 2.2.2 *Open Space Recreation District (OSR)*..... 3
 - 2.2.3 *Open Space Limited District (OSL)*..... 3
 - 2.3 OVERLAY AREAS 3
 - 2.3.1 *Wildlife Habitat Reserves*..... 3
 - 2.3.2 *Public Access Areas*..... 5
- 3. VEGETATION COVER TYPES..... 5**
 - 3.1 HIGHER ELEVATION PLATEAU 5
 - 3.2 MIDDLE ELEVATION SLOPES AND BENCHES 5
 - 3.3 LANDIS CREEK AND MINOR EPHEMERAL GULCHES..... 7
- 4. WILDLIFE HABITAT..... 7**
 - 4.1 FEDERAL AND STATE-LISTED SPECIES..... 7
 - 4.2 COLORADO PARKS AND WILDLIFE SPECIES ACTIVITY MAPPING AND HIGH PRIORITY HABITAT..... 8
 - 4.2.1 *Elk* 9
 - 4.2.2 *Mule Deer* 11
 - 4.2.3 *Black Bear* 11
 - 4.2.4 *Raptors*..... 11
 - 4.2.5 *Other Wildlife Species*..... 13
- 5. DEVELOPMENT ISSUES..... 13**
 - 5.1 DEVELOPMENT IN ELK WINTER RANGE..... 13
 - 5.2 DEVELOPMENT IN ELK PRODUCTION RANGE..... 14
 - 5.3 DEVELOPMENT IN MULE DEER WINTER RANGE AND WINTER CONCENTRATION AREA..... 14
 - 5.4 RECREATION CONFLICTS IN ELK AND MULE DEER WINTER RANGE 14
 - 5.5 GAME DAMAGE CONFLICTS 15
 - 5.6 BLACK BEAR..... 15
- 6. WILDLIFE MITIGATION OBJECTIVES: 15**
- 7. WILDLIFE IMPACT AVOIDANCE, MINIMIZATION, & MITIGATION PLAN..... 16**
 - 7.1 WILDLIFE IMPACT AVOIDANCE MEASURES 16
 - 7.1.1 *Designated Open Space*..... 16
 - 7.1.2 *Production Range*..... 16
 - 7.1.3 *Winter Range* 17
 - 7.1.4 *Designation of Landis Creek Wildlife Corridor* 17
 - 7.1.5 *Avoidance of Impacts to Active Raptor Nests*..... 17
 - 7.2 WILDLIFE IMPACT MINIMIZATION 17
 - 7.2.1 *Designation of Maximum Lot Coverage Ratios*..... 17
 - 7.2.2 *Designation of Maximum Lawn and Irrigated Landscaping Size* 17
 - 7.2.3 *Landscaping and Lighting* 18
 - 7.2.4 *Fencing*..... 18
 - 7.2.5 *Trails* 18
 - 7.2.6 *Seasonal Access and Use Restrictions*..... 18
 - 7.2.7 *Garbage, Trash, Compost, Containers, BBQ Grills* 18
 - 7.2.8 *Pet Control Restrictions*..... 19
 - 7.2.9 *Wildlife Damage* 19
 - 7.2.10 *Wildlife Feeding* 19
 - 7.2.11 *Golf Course and Open Space Management*..... 19

7.2.12 *Tree and Native Shrub Preservation* 20

7.2.13 *Weed Control* 20

7.2.14 *Residential Landscaped Areas*..... 20

7.2.15 *Security Enforcement*..... 21

7.3 MITIGATION..... 21

7.3.1 *Designation of Wildlife Habitat Reserves*..... 21

7.3.1.1 Northern Habitat Reserve 21

7.3.1.2 Spring Valley Wildlife Habitat Reserve 21

7.3.2 *Establishment of the Spring Valley Wildlife Trust* 21

7.3.2.1 Establishment..... 21

7.3.2.2 Purpose and Use of Transfer Assessments 21

8. AMENDMENT AND ENFORCEMENT 22

9. ENDORSEMENT..... 22

10. ASSIGNMENT 22

11. SIGNATURE PAGE..... 23

APPENDIX A 24

1. INTRODUCTION

This report presents the baseline conditions of wildlife habitat on Spring Valley Ranch, describes the impacts of proposed development on those habitats and the wildlife species that use them, and presents a plan to avoid, minimize, and mitigate impacts to the degree practicable given the purpose and logistics of the proposed development.

Spring Valley Ranch is located southeast of Glenwood Springs in unincorporated Garfield County. The Ranch occupies 5908.43± acres in T6S, R88W, portions of Sections 14-16, 20-23, 26-29, & 32-34, at 39.516383°, -107.215993°. The property is comprised of 4 Garfield County parcels, identified as PINs 218720100168, 218716100169, 218733100152, & 218726200168. Elevation ranges from 6893' MSL in the lower elevation pasturelands, up to 9460' MSL at the northern property boundary atop the southern flank of Glenwood Canyon.

The parcel drains to the south predominately by Landis Creek but also by an unnamed perennial stream that disappears into the ground prior to leaving the southern property boundary. Vegetation cover types dominating the property include irrigated pasture grasses, herbaceous emergent wetland, sagebrush shrubland, mountain shrubland, Gambel oak woodland, mountain grassland, aspen forest, mixed conifer forest, and riparian shrubland along portions of Landis Creek.

The property has been subject to at least two prior development proposals, neither of which ever reached fruition. Colorado Parks and Wildlife (CPW) has also studied and managed wildlife resources on the parcel in alignment with CPW's mission (Danielle Neumann, CPW, personal correspondence). As a consequence, wildlife resources have been well-documented over the years. Prior studies include Pettersen (2007)¹, Crockett (2000)², and Baumann (1998)³. These reports all addressed the baseline conditions of the property, potential impacts to wildlife and wildlife habitats, and recommended mitigation measures to accompany the development plans. These reports all provide extensive details regarding the dominant plant communities on the site, are incorporated by reference, and summarized in the following sections.

This WMP is organized according to specific habitat and wildlife issues. Where mitigation measures apply to more than one issue, they are discussed only once under the most appropriate issue.

¹ Pettersen, Eric. 2007. Wildlife Assessment Report for the Spring Valley Ranch. March 2007. Rocky Mountain Ecological Services, Inc. Redstone, CO. On file at Western Bionomics, Steamboat Springs, CO.

² Crockett, Allen. March 10, 2000. Wildlife Use, Impacts, and Mitigation, Spring Valley Ranch PUD. Shepherd Miller, Inc., Fort Collins, CO. On file at Western Bionomics, Steamboat Springs, CO.

³ Baumann, Timothy G. 1998. Wildlife Impact Assessment Report for Spring Valley Ranch Property. Western Consulting Group. On file at Western Bionomics, Steamboat Springs, CO.

2. CONCEPTUAL PLAN

Storied Development is seeking an amendment to the approved Spring Valley Ranch PUD to establish a new PUD Plan Map and PUD Guide to govern all future development of the property. This amendment is necessitated to bring the plan forward to modern standards using contemporary planning practices while better conforming to Garfield County's current Comprehensive Plan goals and objectives. Some of the Applicant's prioritized goals for this amendment are to maintain the same density in a more compact and clustered format, provide double the amount of open space, provide significant publicly accessible amenities, provide protected wildlife areas, and to provide a substantial number of deed-restricted Community Housing units for residents of Garfield County. This proposed amendment accomplishes these goals while significantly reducing required infrastructure and the overall footprint on the land.

The proposed amendment incorporates substantial modifications to arrive at a much more desirable land plan. The Conceptual Plan (Figure 1) maintains the approved density of 577 units in a more clustered format while increasing the amount of Open Space by 100% (now a minimum of 3,249 acres), providing a minimum of 450 acres of publicly accessible Open Space, providing a new public trailhead and 10 miles of new public trails, providing 1320 acres of Wildlife Habitat Reserves that overlie certain open space districts, and conforming to the Residential Low (RL) density Comprehensive Plan designation of 1 dwelling unit per 10.2 acres. Open space will be operated and maintained by the Spring Valley Ranch Master Association (SVRMA). The golf course and ski area will be operated by a membership club as a separate entity; however, during elk production season, May 15-June 30, the ski area will be managed according to the Wildlife Habitat Reserve requirements and Wildlife Mitigation Plan. The northwestern Wildlife Habitat Reserve will be seasonally closed to access each December 1 through April 30 (excepting the ski area portion) to provide security for elk during the winter.

The Spring Valley Ranch PUD shall be comprised of nine Zone Districts that are intended to provide for the comprehensive compatibility of allowed land uses and development standards.

2.1 ZONE DISTRICTS

A Zoning Plan shall be provided at the time of each subdivision Preliminary Plan application to Garfield County. The Zoning Plan shall indicate the intended Zone District of each Lot or parcel of land subject to the subdivision Preliminary Plan. Subsequently, at the time of each subdivision Final Plat filing, each Lot or parcel of land subject to the Plat shall be assigned one of the following Zone Districts by the Developer consistent with the Zoning Plan approved with the applicable subdivision Preliminary Plan. Zone Districts shall be clearly labeled or indicated for each Lot or parcel shown on the Plat.

An excerpt from the PUD Guide is included in Appendix A, describing all of the Zone Districts and intended uses. Approximate Zone District acreage is disclosed in Table 2 in Appendix A. It is important to note that Zone District acreages and locations cited in this Conceptual Plan are estimated. Per Section 4 of the Spring Valley Ranch PUD Guide, Zone Districts shall be assigned at the time of Preliminary Plan and Final Plat applications to Garfield County. In other words, the specific boundaries and locations of Open Space Zone Districts are subject to change as the project progresses through to Final Plat. However, SVR has committed to establishing a minimum of 3,249 acres of Open Space, and that total acreage will not change. Since the Open Space Districts are particularly applicable to the discussion of wildlife habitat and mitigation actions, a summary of these districts is included below.

For reference, the Notes displayed in the lower left of the Conceptual Plan (Figure 1) call out the Open Space Districts (Notes 12 and 18). The areas corresponding to these notes are called out in the Conceptual Plan.

2.2 OPEN SPACE ZONE DISTRICTS

2.2.1 Open Space Golf District (OSG)

The Open Space Golf District is intended to allow for one eighteen (18) hole golf course, one short golf course, and one golf driving range and other practice facilities such as a putting green and practice chipping area. This Zone District is also intended to allow for various supporting uses and structures such as cart storage; comfort stations; concessions; parking; pathways and trails; ponds; and other customary accessory uses and facilities.

2.2.2 Open Space Recreation District (OSR)

The Open Space Recreation District is intended to allow for facilities and services related to supporting active and passive recreation uses, such as trails; trailheads; sport courts; sport fields; fishing and boating; winter recreation uses and facilities; parks; event facilities; community buildings; interpretative facilities; and other accessory uses or facilities.

2.2.3 Open Space Limited District (OSL)

The Open Space Limited District is intended to prioritize land preservation with minimal improvements or uses. Lands within this Zone District may be adjacent to public lands outside of the PUD, providing buffering to those public lands. Recreational uses within this Zone District are intended to be non-mechanized and may include trails for non-mechanized recreation. Intermittent mechanized maintenance, forestry and wildfire management activities will be allowed.

2.3 OVERLAY AREAS

There are two types of Overlay Areas within the PUD, neither of which shall be considered Zone Districts or Planning Areas. The purpose of the Overlay Areas is to provide for special management of certain lands within the PUD as described below, and as shown on the PUD Plan Map.

2.3.1 Wildlife Habitat Reserves

The PUD shall include two (2) designated Wildlife Habitat Reserves consisting of a minimum of 1,320 total acres. These Wildlife Habitat Reserves are designated on the PUD Plan Map in Planning Areas A, B, G and H.

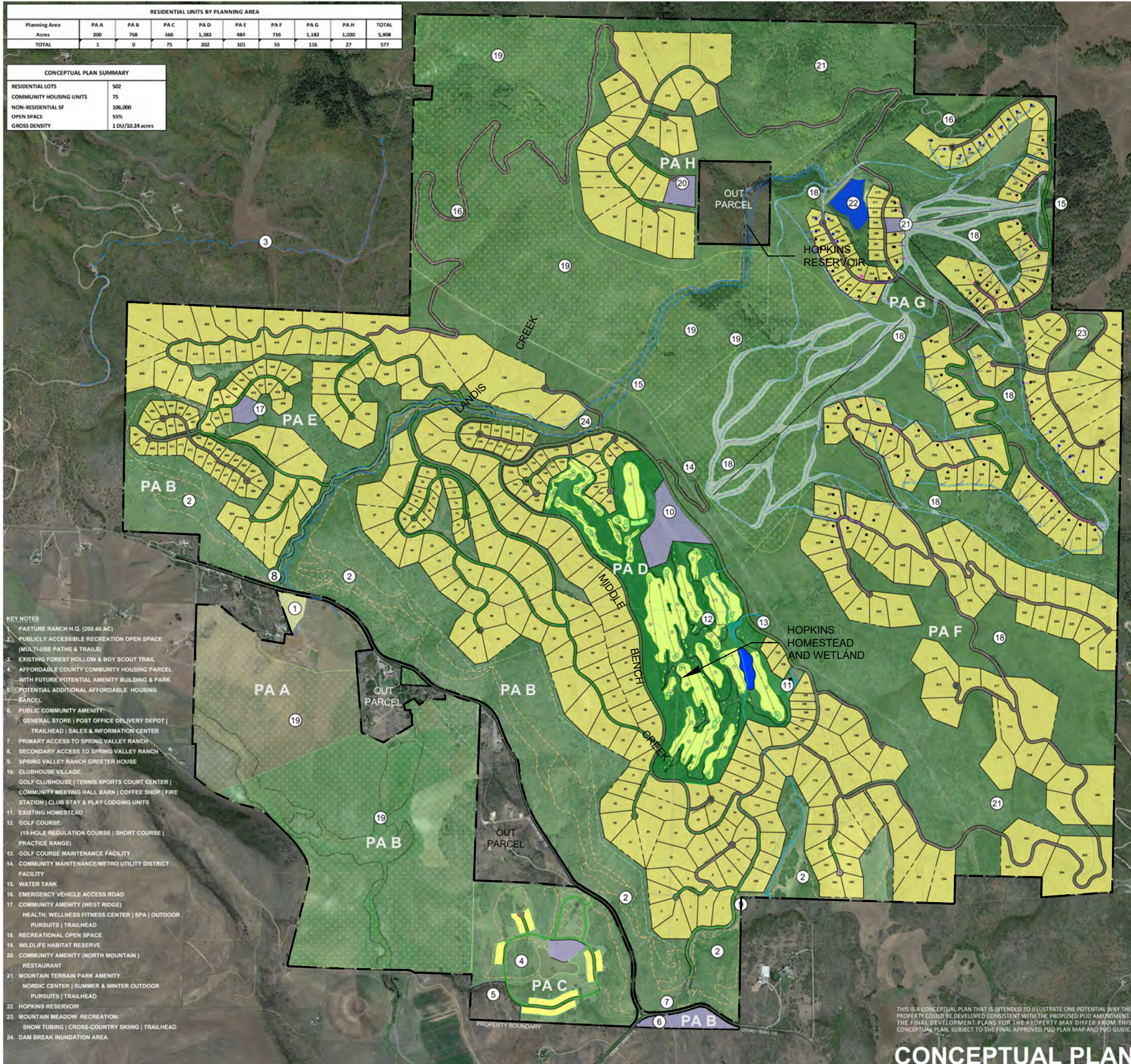
Both Wildlife Habitat Reserves will be seasonally closed to access each December 1 through April 30 (excepting the ski area portion) to provide security for elk during the winter and will also be closed to access each May 15 through June 30 to provide secure habitat during elk calving season. Because the Emergency Vehicle Access in the Northwestern Wildlife Habitat Reserve needs to remain accessible during the winter, snow removal on this road will be allowed.

Additionally, the Developer shall work with Colorado Parks & Wildlife to commence a restoration project within the Southwestern Wildlife Habitat Reserve to improve cover and forage for elk during the winter and calving seasons.

RESIDENTIAL UNITS BY PLANNING AREA									
Planning Area	PAA	PAB	PAC	PAD	PAE	PAF	PAG	PAH	TOTAL
Acres	200	758	166	1,382	885	716	1,182	1,020	5,908
TOTAL	1	0	75	202	301	55	116	27	577

CONCEPTUAL PLAN SUMMARY	
RESIDENTIAL LOTS	502
COMMUNITY HOUSING UNITS	75
NON-RESIDENTIAL SF	106,000
OPEN SPACE	55%
GROSS DENSITY	1 DU/10.24 acres

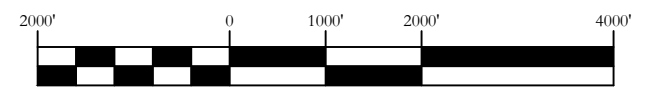
- KEY NOTES**
- PASTURE RANCH H.Q. (200.46 AC)
 - PUBLICLY ACCESSIBLE RECREATION OPEN SPACE (MULTI-USE PATHS & TRAILS)
 - EXISTING FOREST HOLLOW & BOY SCOUT TRAIL
 - AFFORDABLE COUNTY COMMUNITY HOUSING PARCEL WITH FUTURE POTENTIAL AMENITY BUILDING & PARK
 - POTENTIAL ADDITIONAL AFFORDABLE HOUSING PARCEL
 - PUBLIC COMMUNITY AMENITY
 - GENERAL STORE | POST OFFICE DELIVERY DEPOT | TRAILHEAD | SALES & INFORMATION CENTER
 - PRIMARY ACCESS TO SPRING VALLEY RANCH
 - SECONDARY ACCESS TO SPRING VALLEY RANCH
 - SPRING VALLEY RANCH GREETER HOUSE
 - CLUBHOUSE VILLAGE: GOLF CLUBHOUSE | TENNIS SPORTS COURT CENTER | COMMUNITY MEETING HALL BARN | COFFEE SHOP | FIRE STATION | CLUB STAY & PLAY LODGING UNITS
 - EXISTING HOMESTEAD
 - GOLF COURSE: (18-HOLE REGULATION COURSE | SHORT COURSE | PRACTICE RANGE)
 - GOLF COURSE MAINTENANCE FACILITY
 - COMMUNITY MAINTENANCE/METRO UTILITY DISTRICT FACILITY
 - WATER TANK
 - EMERGENCY VEHICLE ACCESS ROAD
 - COMMUNITY AMENITY (WEST RIDGE) HEALTH, WELLNESS FITNESS CENTER | SPA | OUTDOOR PURSUITS | TRAILHEAD
 - RECREATIONAL OPEN SPACE
 - WILDLIFE HABITAT RESERVE
 - COMMUNITY AMENITY (NORTH MOUNTAIN) RESTAURANT
 - MOUNTAIN TERRAIN PARK AMENITY NORDIC CENTER | SUMMER & WINTER OUTDOOR PURSUITS | TRAILHEAD
 - HOPKINS RESERVOIR
 - MOUNTAIN MEADOW RECREATION: SNOW TUBING | CROSS-COUNTRY SKIING | TRAILHEAD
 - DAM BREAK FLOODATION AREA



THIS IS A CONCEPTUAL PLAN THAT IS INTENDED TO ILLUSTRATE ONE POTENTIAL WAY THE PROPERTY COULD BE DEVELOPED CONSISTENT WITH THE PROPOSED PUD AMENDMENT. THE FINAL DEVELOPMENT PLANS FOR THE PROPERTY MAY DIFFER FROM THIS CONCEPTUAL PLAN, SUBJECT TO THE FINAL APPROVED PUD PLAN MAP AND PUD GUIDE.

CONCEPTUAL PLAN

Horizontal Scale



1" = 2000'

NOTES:

- 1) Drawing based on 05-10-24 Conceptual Plan
- 2) This is a conceptual plan that is intended to illustrate one potential way the property could be developed consistent with the proposed PUD amendment. The final development plans for the property may differ from this conceptual plan, subject to the final approved PUD Plan Map and PUD Guide.



SPRING VALLEY RANCH		
FIGURE 1. CONCEPTUAL PLAN		
<i>Western Biometrics Inc.</i> Natural Resource Management Services 31040 WILLOW LAKE, STEAMBOAT SPRINGS, CO 80487 970-848-8223		
Date: 1-30-2023	Drawn: KSC	Delineated:
SHEET NO.		
REVISIONS		
No.	Item	Date

2.3.2 Public Access Areas

The PUD shall include a minimum of 450 acres of publicly accessible Open Space, including 10 miles of single-track mechanized trails intended for hiking and mountain biking, and a public trailhead containing a minimum of 20 parking spaces. Portions of the public access areas will be subject to seasonal closures for the benefit of wildlife. Public access areas shall be designated on the final plat at the time the land containing each public access area is platted.

An internal pathway system will be established around the golf course neighborhood with paved pathways for year-round use. This will take pressure off seasonal trails located elsewhere on the property.

3. VEGETATION COVER TYPES

Crockett (2000) provided a baseline description of the dominant vegetation on the Spring Valley Ranch. His descriptions are summarized in this section, with modifications where necessary to account for changed conditions in 2022. The Vegetation Map is displayed in Figure 2. Elevation at Spring Valley Ranch varies from less than 6,900 feet in the southwestern corner to more than 9,400 feet in the northeastern corner. Because of this wide elevation range, as well as differences in soil, slope, aspect, and historic land use, the Spring Valley Ranch supports a broad variety of habitat types.

3.1 HIGHER ELEVATION PLATEAU

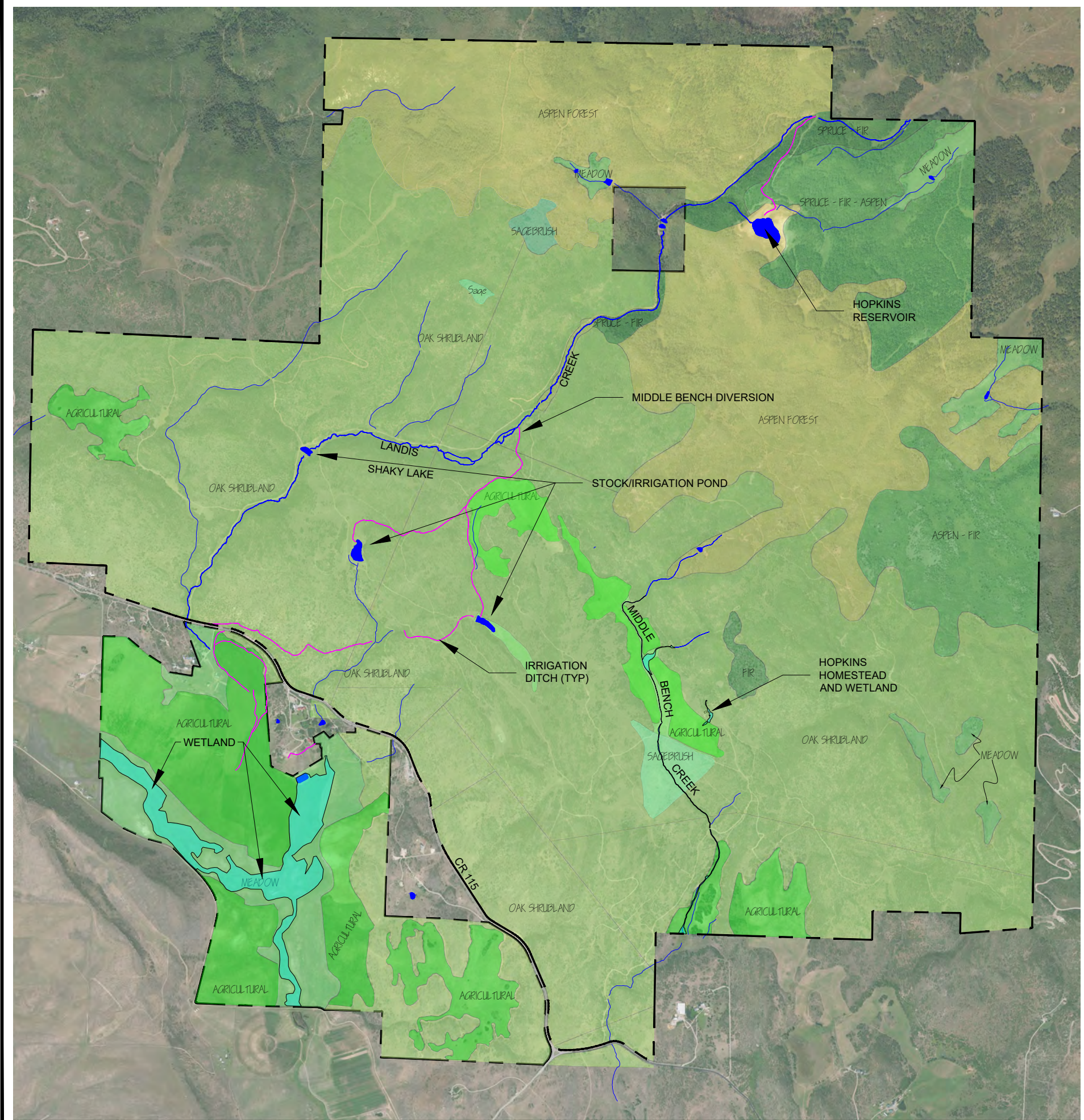
The highest part of the property is an undulating plateau dominated by a mosaic of mixed conifers (Engelmann spruce, subalpine fir, and Douglas fir), aspen, and native meadows with a fringe of mountain big sagebrush. North facing aspects within the mosaic support dense stands of Engelmann spruce and subalpine fir, with varying amounts of Douglas fir. At the time Crockett prepared his report, he documented aspen stands as relatively dense, with a lush understory of native grasses and forbs. At the time of my site visit in 2022, many of the aspen stands in this area have converted to 2-storied stands.

A large portion, perhaps up to 90% of the mature aspens have died off, fostering abundant resprouting in the understory, creating a cohort of sapling-sized aspen approximately 12' tall beneath the towering older cohort of mature trees.

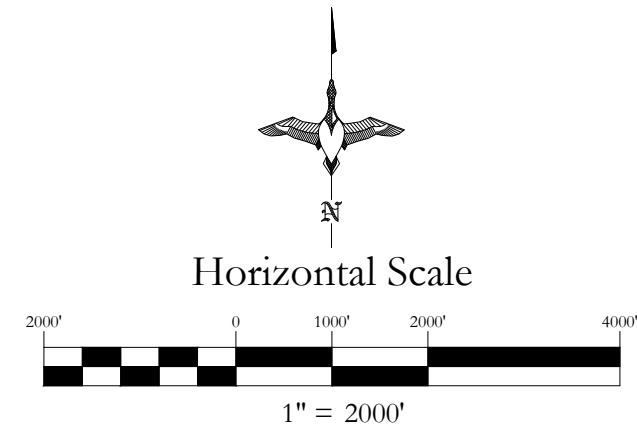
Portions of the open meadows are kept moist by snow accumulations and the runoff from adjacent hills and ridges. A few small stock ponds have been created at low points in the meadows; some of the ponds have a small wetland fringe. A larger pond, Hopkins Reservoir, was quite small at the time of my August 2022 site visit but has the capability to contain approximately 120 acre-feet at full pool. Because of a lack of a consistent water surface elevation Hopkins Reservoir does not support wetland vegetation.

3.2 MIDDLE ELEVATION SLOPES AND BENCHES

The steep, southwest-facing slope below the upper plateau is cloaked by a dense, homogenous mountain shrub community dominated by Gambel oak and serviceberry. This dense shrubland is broken by a few clumps of quaking aspen along minor drainageways or seeps and larger clumps of Douglas fir in rocky areas. In some places along the top of the slope, a zone of small, dense aspen forms a narrow transition between the mountain shrubs and the upper plateau conifer-aspen-meadow mosaic.



- LEGEND**
- AGRICULTURE
 - ASPEN
 - COTTONWOOD
 - FIR
 - FIR-ASPEN
 - MEADOW
 - OAK SHRUBLAND
 - SAGEBRUSH
 - WETLAND
 - STREAM
 - IRRIGATION DITCH
 - POND



SPRING VALLEY RANCH

FIGURE 2. VEGETATION

Western Biomatics Inc.
Natural Resource Management Services
31040 WILLOW LANE STEAMBOAT SPRINGS, CO 80487 970-846-8223

Date: DATE Drawn: DRAWNBY Delineated:

SHEET NO. SHEET		
REVISIONS		
No.	Item	Date

At the base of the steep shrubby slope, nearly level benches were historically converted to agricultural use. These former croplands have been re-seeded with native herbaceous species and are slowly converting back to native grasslands. Left untouched, the abundant young sagebrush and rabbitbrush suggest these meadows would eventually convert to sagebrush shrubland. Fringes of basin big sagebrush and rabbitbrush around the non-native pastures and small grain fields suggest that the benches were dominated by these shrubs prior to agricultural use.

Between the agricultural benches and County Road 115 is another, less extensive southwest facing mountain shrub community dominated by Gambel oak, serviceberry, mountain mahogany, snowberry, antelope bitterbrush, and wax currant. These slopes are punctuated by scattered individual Rocky Mountain junipers and Douglas firs.

The slopes above the middle bench support a couple of springs, one which gives rise to the unnamed stream that flows within a linear channel across the former wheat fields. The historic Hopkins homestead is built adjacent to another spring which undoubtedly served as domestic water for the household.

3.4 LANDIS CREEK AND MINOR EPHEMERAL GULCHES

Landis Creek is the primary ecological connector between the higher and lower elevation habitats described above and is one of the most important ecological features of the site. The section of the creek that drops from the top of the plateau and across the upper portion of the expansive southwest-facing slope carries water for most of the year as a result of a narrow, bedrock-confined gulch and input from seeps. In this reach, Landis Creek supports a riparian community of aspen, Engelmann spruce, speckled alder, willow, chokecherry, hawthorn, elderberry, twinberry, and a variety of lush grasses and forbs. The combination of accessible water, lush foliage, and riparian trees and shrubs provides a preferential movement corridor for wildlife and supports species that might not otherwise occur onsite.

The ecological value of Landis Creek is not consistent along its length. Stretches downstream from the point where surface flows are diverted for agricultural use are dry except during major runoff events. Because of the lack of surface flows, and less topographic shading as the gulch becomes wider, reaches of Landis Creek below the historic diversion point do not support a distinct riparian habitat.

Minor ephemeral drainageways also dissect the lower southwest-facing slopes but, like the lower reaches of Landis Creek, do not have sufficient water to support riparian habitat. Some of these gulches are marked by small ribbons of aspen or clumps of Douglas-fir.

4. WILDLIFE HABITAT

4.1 FEDERAL AND STATE-LISTED SPECIES

A list of threatened and endangered species was retrieved from the US Fish & Wildlife Service's IPaC site⁴. IPaC provides a list of species and critical habitat that may occur on a site, based on location information provided by an applicant. The IPaC list included the following species: Canada lynx (*Lynx canadensis*),

⁴ US Fish & Wildlife Service. November 8, 2022. List of species and other resources such as critical habitat under USFWS jurisdiction that are known or expected to be on or near the project area. On file at Western Bionomics, Steamboat Springs, CO.

Gray Wolf (*Canis lupus*), Yellow-Billed Cuckoo (*Coccyzus americanus*), Mexican spotted owl (*Strix occidentalis lucida*), Colorado pikeminnow (*Ptychocheilus lucius*), Razorback Sucker (*Xyrauchen texanus*), Humpback Chub (*Gila cypha*), Bonytail Chub (*Gila elegans*), Ute Ladies-tresses (*Spiranthes diluvialis*).

Based on ocular estimations of horizontal cover present in conifer stands on SVR, Spring Valley Ranch does not provide suitable habitat for Canada lynx foraging. Average horizontal cover observed during my site visit was <35%. Dense horizontal cover is an important determinant of snowshoe hare presence and abundance within lynx habitat.⁵ This cover may occur in both young structure and multi-storied stands, with the latter more important to lynx during the winter period. Assessment of horizontal cover is important in determining whether these areas are likely to provide important foraging habitat for lynx. While a dispersing lynx may travel through the ranch, sufficient forage habitat is not present in sufficient acreage to entice a lynx to stick around and hunt. The project does not include a predator management program that would affect gray wolves. Yellow-billed cuckoo and Mexican spotted owl were dropped from detailed analysis because their current distribution does not include the Spring Valley Ranch. The big river fish were eliminated from further analysis since the project will not lead to new water depletions, water quality degradation, or regulated flows that affect these fish. As a result of the foregoing, development at Spring Valley Ranch will have no effect on federally listed wildlife species.

CPW lists a number of Species of Concern, State Threatened, and State Endangered Species⁶. The only species that has suitable habitat within the Spring Valley Ranch is the Greater Sage Grouse (listed as a Species of Concern). Sage grouse used to be quite common in the greater Missouri Heights area (Pettersen 2007). As the area was converted from sagebrush flats to agricultural meadows, and lately, residential subdivisions, sage grouse have not been recently documented in the area. As a result, development of Spring Valley Ranch will have no effect on state listed wildlife species.

4.2 COLORADO PARKS AND WILDLIFE SPECIES ACTIVITY MAPPING AND HIGH PRIORITY HABITAT

Colorado Parks and Wildlife produces Species Activity Mapping (SAM) for a variety of species, providing information on seasonal wildlife distributions. CPW includes the following caveats with their mapping: “The information portrayed on these maps should not replace field studies necessary for more localized planning efforts. The data are typically gathered at a scale of 1:24000 or 1:50000; discrepancies may become apparent at larger scales; SAM data is a graphic representation of phenomena that are difficult to reduce to two dimensions; animal distributions are fluid; animal populations and their habitats are dynamic.”⁷ CPW SAM mapping provides an indication of general wildlife observations by District Wildlife Managers and other CPW Biologists. The following sub-sections provide summaries of CPW SAMs and High Priority Habitat⁸ (HPH) present on the SVR parcel.

⁵ Bertram, T. and J. Claar. 2008. Interim Guidance for Assessing Multi-storied Stands Within Lynx Habitat. USDA Forest Service Region 1, Missoula Montana.

⁶ <https://cpw.state.co.us/learn/Pages/SOC-ThreatenedEndangeredList.aspx>

⁷ CPW GIS SAM Definitions Publicly Available Data. cpw.state.co.us/learn/Maps/CPW-Public-GIS-Species-Activities-Definitions.pdf

⁸ High Priority Habitat - Habitat areas identified by CPW where measures to avoid, minimize, and mitigate adverse impacts to wildlife have been identified to protect breeding, nesting, foraging, migrating, or other uses by wildlife. www.sos.state.co.us/noticeofrulemaking

4.2.1 Elk

Elk activities mapped on the property include summer range⁹, winter range¹⁰, winter concentration area¹¹, and production area(s)¹² (Figure 3). The vast majority of the SVR property is mapped by CPW as elk winter range. Severe winter range¹³ is mapped on a small (<100 acres) portion of the southeastern corner of the property. Elk using the property are managed as part of the Frying Pan River Herd (DAU E-16). The 2023 post-hunt population estimate for this herd is 9,820 animals, with a bull/cow ratio of 24¹⁴. Both of these parameters are above the objectives spelled out in the 2013 DAU E-16 Plan, which states a population objective of 5,500-8,500 animals, and a bull ratio objective of 20 (CPW 2013)¹⁵. However, the E-16 calf ratio has been declining since 1996 (CPW 2013), a sign that herd productivity is declining and a concerning metric for wildlife managers. Elk were observed on the property in early October during my site visit. Gambel oak and mountain shrub communities found on the property provide important winter forage opportunities for elk. These communities and aspen stands provide forage during the remainder of the year as well.

The dense mountain shrub community above the middle bench, in combination with several springs along the slope provide security and water sought out by females during parturition. A total of 1,551 acres of production range are mapped on these slopes by CPW as production range. Additionally, CPW recently completed a revision of the Elk SAM mapping; the revision adds 521 additional production range acres within the parcel boundary in the bottom of Spring Valley as shown in Figure 3.

Where elk calve varies from year to year depending on habitat and weather conditions. In those years when there is snow remaining at mid to higher elevations, elk may calve at lower elevations than is reflected in SAM mapping. In those years when there is an earlier spring green-up at higher elevations, cow elk are likely to move into higher areas to calve. One constant is that elk cows require water within one-half mile while calving. Security cover is notably absent in the Spring Valley lower production range polygon.

⁹ Elk Summer Range - That part of the range of a species where 90% of the individuals are located between spring green-up and the first heavy snowfall.

¹⁰ Elk Winter Range - That part of the overall range of a species where 90 percent of the individuals are located during the average five winters out of ten from the first heavy snowfall to spring green-up.

¹¹ Elk Winter Concentration Area - That part of the winter range of elk where densities are at least 200% greater than the surrounding winter range density during the average five winters out of ten from the first heavy snowfall to spring green-up, or during a site-specific period of winter as defined for each Data Analysis Unit. Listed by CPW as a HPH.

¹² Elk Production Area - That part of the overall range of elk occupied by the females from May 15 to June 15 for calving. Listed by CPW as a HPH.

¹³ Elk Severe Winter Range - That part of the range of a species where 90 percent of the individuals are located when the annual snowpack is at its maximum and/or temperatures are at a minimum in the two worst winters out of ten. Listed by CPW as a HPH.

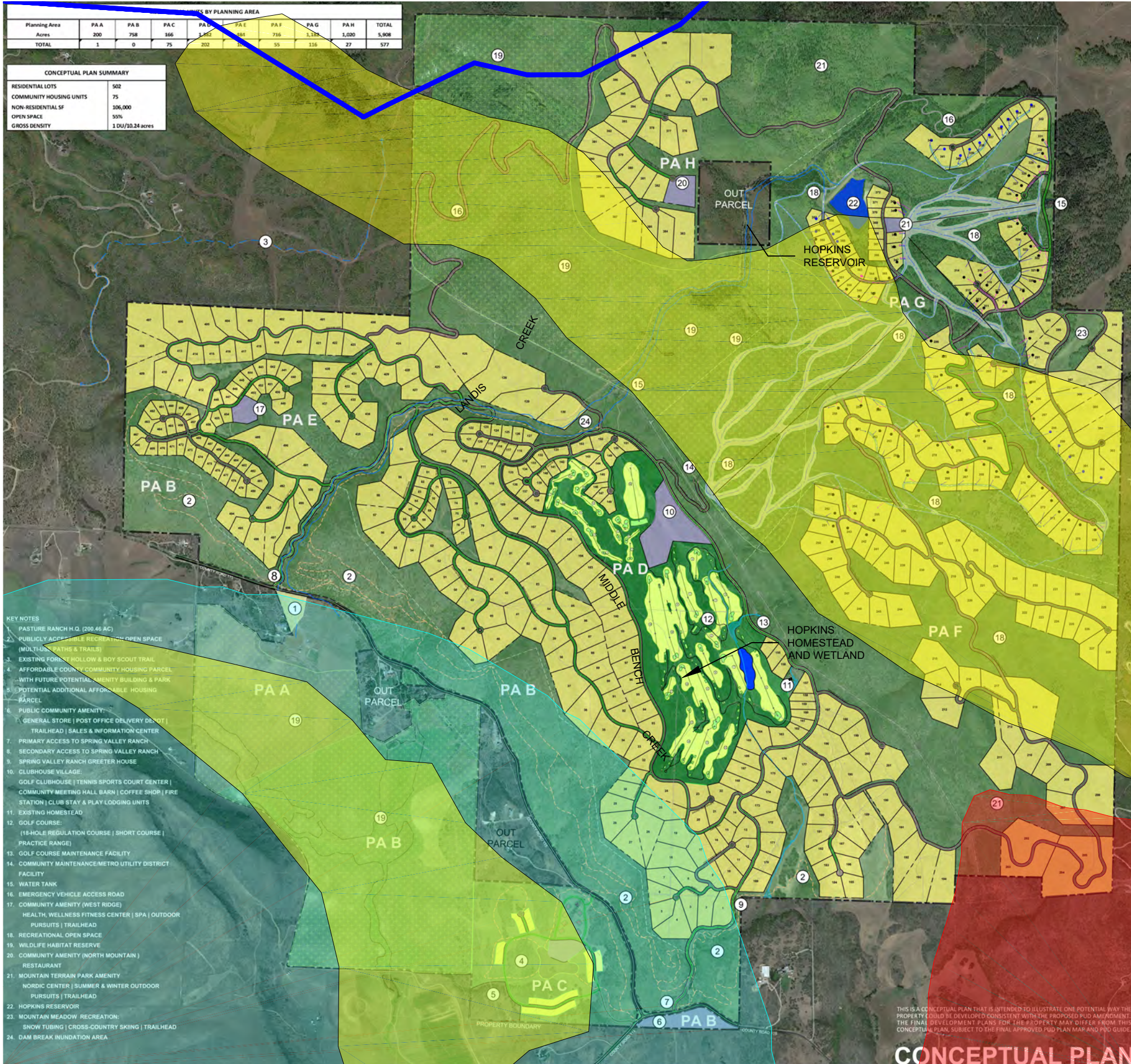
¹⁴ cpw.state.co.us/Documents/Hunting/BigGame/Statistics/Elk/2023ElkPopulationEstimates.pdf

¹⁵ CPW. 2013. Frying Pan River Elk Herd E-16 Data Analysis Unit Plan. CPW, Glenwood Springs, CO

ACRES BY PLANNING AREA									
Planning Area	PAA	PAB	PAC	PA D	PA E	PA F	PAG	PA H	TOTAL
Acres	200	758	366	1,982	1,057	736	1,124	1,020	5,908
TOTAL	1	0	75	202	15	55	116	27	577

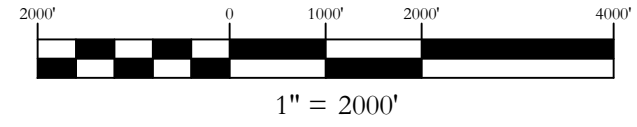
CONCEPTUAL PLAN SUMMARY	
RESIDENTIAL LOTS	502
COMMUNITY HOUSING UNITS	75
NON-RESIDENTIAL SF	106,000
OPEN SPACE	55%
GROSS DENSITY	1 DU/10.24 acres

- KEY NOTES**
- PASTURE RANCH H.Q. (200.46 AC)
 - PUBLICLY ACCESSIBLE RECREATION OPEN SPACE (MULTI-USE PATHS & TRAILS)
 - EXISTING FOREST HOLLOW & BOY SCOUT TRAIL
 - AFFORDABLE COUNTY COMMUNITY HOUSING PARCEL WITH FUTURE POTENTIAL AMENITY BUILDING & PARK
 - POTENTIAL ADDITIONAL AFFORDABLE HOUSING PARCEL
 - PUBLIC COMMUNITY AMENITY
 - GENERAL STORE | POST OFFICE DELIVERY DEPOT | TRAILHEAD | SALES & INFORMATION CENTER
 - PRIMARY ACCESS TO SPRING VALLEY RANCH
 - SECONDARY ACCESS TO SPRING VALLEY RANCH
 - SPRING VALLEY RANCH GREETER HOUSE
 - CLUBHOUSE VILLAGE: GOLF CLUBHOUSE | TENNIS SPORTS COURT CENTER | COMMUNITY MEETING HALL BARN | COFFEE SHOP | FIRE STATION | CLUB STAY & PLAY LODGING UNITS
 - EXISTING HOMESTEAD
 - GOLF COURSE: (18-HOLE REGULATION COURSE | SHORT COURSE | PRACTICE RANGE)
 - GOLF COURSE MAINTENANCE FACILITY
 - COMMUNITY MAINTENANCE/METRO UTILITY DISTRICT FACILITY
 - WATER TANK
 - EMERGENCY VEHICLE ACCESS ROAD
 - COMMUNITY AMENITY (WEST RIDGE) HEALTH, WELLNESS FITNESS CENTER | SPA | OUTDOOR PURSUITS | TRAILHEAD
 - RECREATIONAL OPEN SPACE
 - WILDLIFE HABITAT RESERVE
 - COMMUNITY AMENITY (NORTH MOUNTAIN) RESTAURANT
 - MOUNTAIN TERRAIN PARK AMENITY NORDIC CENTER | SUMMER & WINTER OUTDOOR PURSUITS | TRAILHEAD
 - HOPKINS RESERVOIR
 - MOUNTAIN MEADOW RECREATION: SNOW TUBING | CROSS-COUNTRY SKIING | TRAILHEAD
 - DAM BREAK INUNDATION AREA



- ELK PRODUCTION RANGE
- ELK SEVERE WINTER RANGE
- ELK WINTER CONCENTRATION AREA
- ELK WINTER RANGE SOUTH OF BLUE LINE

Horizontal Scale



NOTES:

- Drawing based on 05-10-24 Conceptual Plan
- Elk range mapping per CPW SAM 12-22-2023
- This is a conceptual plan that is intended to illustrate one potential way the property could be developed consistent with the proposed PUD amendment. The final development plans for the property may differ from this conceptual plan, subject to the final approved PUD Plan Map and PUD Guide.

SPRING VALLEY RANCH

FIGURE 3. ELK RANGE

Western Biometrics Inc.
Natural Resource Management Services
 31040 WILLOW LAKE, STEAMBOAT SPRINGS, CO 80487 970-848-8223

Date: 01-30-2023	Drawn: KSC	Delineated:
SHEET NO.		
REVISIONS		
No.	Item	Date
1	ADD NEW CPW ELK PRODUCTION RANGE	4-2-2024



CONCEPTUAL PLAN

4.2.2 Mule Deer

Mule deer activity mapped on the property includes summer range, winter range, and a winter concentration area¹⁶ (Figure 4). Deer on the property are managed as part of the Basalt herd, DAU D-53. The population objective for DAU D-53 is 4,000-6,000 individuals, with a buck:doe ratio of 32-40. The 2021 post-hunt population is estimated at 3,860 with a buck:doe ratio of 28. The most recent 3-year (2013-2015) average fawn:doe ratio is 45 fawns per 100 does (CPW 2020)¹⁷. CPW believes that this ratio should yield a stable population.

4.2.3 Black Bear

The Spring Valley Ranch falls within Black bear DAU B-11, located in the Roaring Fork and Eagle River valleys. Annual bear mortality in B-11 has been increasing over the past 2 decades. The 10-year average of annual bear mortality is 118 bears/year, and the 3-year average is 135 bears/year. Conflicts between bears and humans are frequent, especially when natural foods are scarce and when garbage and other human-related attractants are readily available. These conflicts are the combined result of increases in both bear and human populations over the past several decades, increased availability of human-related food sources, and more frequent poor natural food years. In B-11, bear conflict years are now the “new normal.”

The property is mapped as a black bear fall concentration area.¹⁸ One bear was observed during 2022 field studies, and abundant evidence of their presence (scat, tree scarring, etc.) was observed on the property.

4.2.4 Raptors

Raptors with suitable habitat on or near the Spring Valley Ranch property include golden eagle, red-tailed hawk, Swainson's hawk, northern goshawk, Cooper's hawk, sharp-shinned hawk, northern harrier, American kestrel, great homed owl, long-eared owl, northern pygmy-owl, and northern saw-whet owl.

According to Crockett (2000), a golden eagle nest has been mapped by CPW on north-facing slopes of Glenwood Canyon, slightly less than 1 mile from the northwestern corner of the Spring Valley Ranch. Golden eagles cover large home ranges in search of prey, and it is therefore likely that onsite areas such as meadows at higher elevations and pastures at lower elevations are visited throughout the year. Golden eagles have anecdotally been observed hunting over the lower slopes and agricultural lands on both sides of the county road.

Northern harriers have also been anecdotally observed hunting across the agricultural meadows southwest of the county road during both summer and winter.

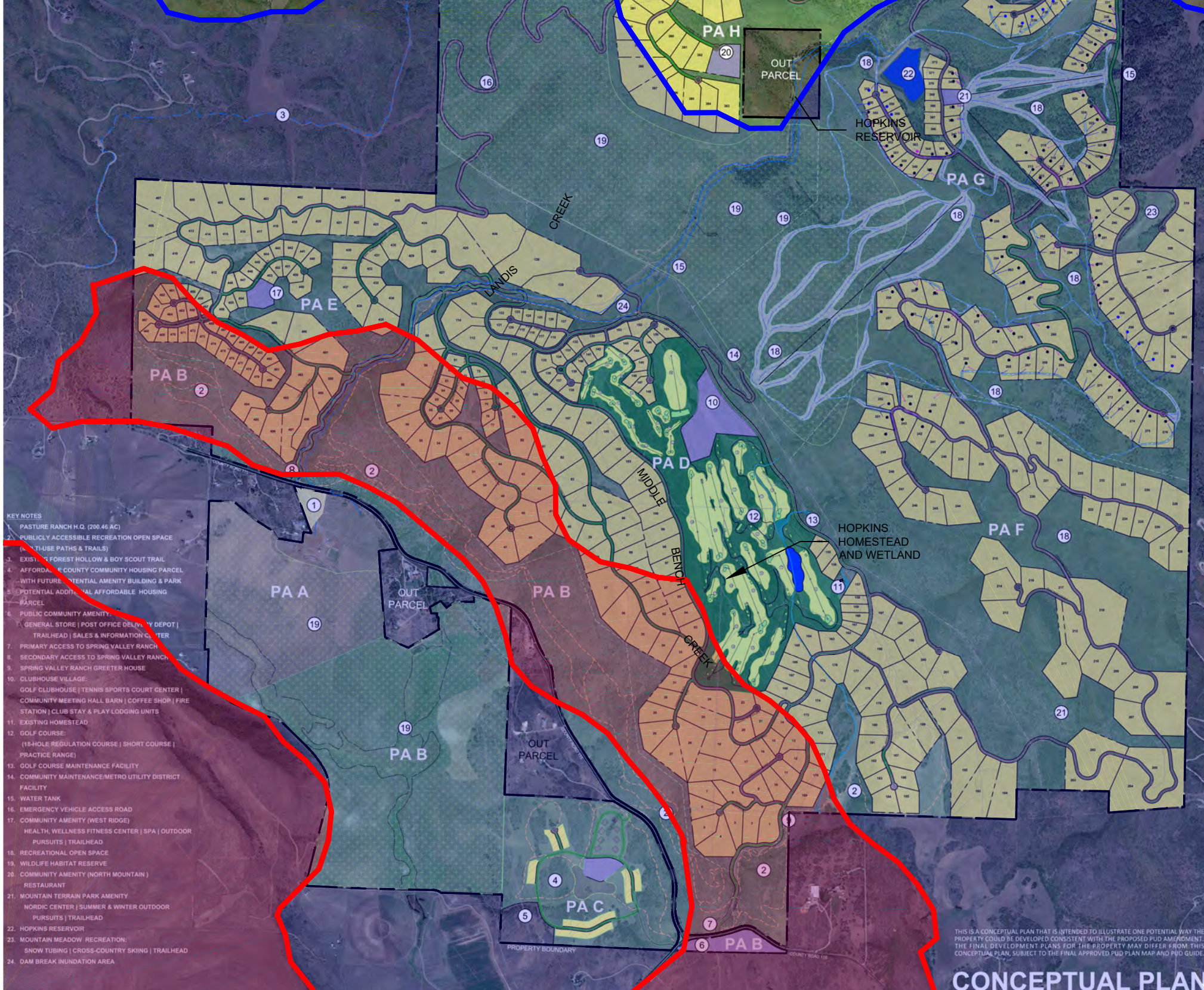
¹⁶ Mule Deer Winter Concentration Area - Defined the same as elk winter range.

¹⁷ CPW. 2020. Basalt Deer Herd Management Plan DAU D-53. CPW, Glenwood Springs, CO.

¹⁸ Black bear fall concentration area - That portion of the overall range occupied from August 15 until September 30 for the purpose of ingesting large quantities of mast and berries to establish fat reserves for the winter hibernation period

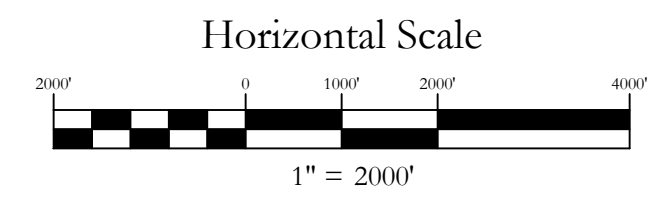
RESIDENTIAL UNITS BY PLANNING AREA									
Planning Area	PA A	PA B	PA C	PA D	PA E	PA F	PA G	PA H	TOTAL
Acres	200	758	366	1,382	885	736	1,182	1,020	5,908
TOTAL	0	75	202	301	55	116	27		577

CONCEPTUAL PLAN SUMMARY	
RESIDENTIAL LOTS	502
COMMUNITY HOUSING UNITS	15
NON-RESIDENTIAL SF	10,000
OPEN SPACE	53%
GROSS DENSITY	1 DU/10.24 ACRES



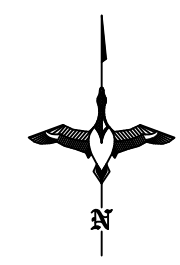
- KEY NOTES**
- PASTURE RANCH H.Q. (200.46 AC)
 - PUBLICLY ACCESSIBLE RECREATION OPEN SPACE
 - TRAILHEADS & TRAILS
 - EXISTING FOREST HOLLOW & BOY SCOUT TRAIL
 - AFFORDABLE COUNTY COMMUNITY HOUSING PARCEL WITH FUTURE POTENTIAL AMENITY BUILDING & PARK
 - POTENTIAL ADDITIONAL AFFORDABLE HOUSING PARCEL
 - PUBLIC COMMUNITY AMENITY
 - GENERAL STORE | POST OFFICE DELIVERY DEPOT | TRAILHEAD | SALES & INFORMATION CENTER
 - PRIMARY ACCESS TO SPRING VALLEY RANCH
 - SECONDARY ACCESS TO SPRING VALLEY RANCH
 - SPRING VALLEY RANCH GREETER HOUSE
 - CLUBHOUSE VILLAGE: GOLF CLUBHOUSE | TENNIS SPORTS COURT CENTER | COMMUNITY MEETING HALL | BARN | COFFEE SHOP | FIRE STATION | CLUB STAY & PLAY LODGING UNITS
 - EXISTING HOMESTEAD
 - GOLF COURSE: (18-HOLE REGULATION COURSE | SHORT COURSE | PRACTICE RANGE)
 - GOLF COURSE MAINTENANCE FACILITY
 - COMMUNITY MAINTENANCE/METRO UTILITY DISTRICT FACILITY
 - WATER TANK
 - EMERGENCY VEHICLE ACCESS ROAD
 - COMMUNITY AMENITY (WEST RIDGE)
 - HEALTH, WELLNESS FITNESS CENTER | SPA | OUTDOOR PURSUITS | TRAILHEAD
 - RECREATIONAL OPEN SPACE
 - WILDLIFE HABITAT RESERVE
 - COMMUNITY AMENITY (NORTH MOUNTAIN) RESTAURANT
 - MOUNTAIN TERRAIN PARK AMENITY NORDIC CENTER | SUMMER & WINTER OUTDOOR PURSUITS | TRAILHEAD
 - HOPKINS RESERVOIR
 - MOUNTAIN MEADOW RECREATION: SNOW TUBING | CROSS-COUNTRY SKIING | TRAILHEAD
 - DAM BREAK FLOODATION AREA

MULE DEER WINTER CONCENTRATION AREA
 MULE DEER WINTER RANGE



NOTES:

- 1) Drawing based on 04-29-24 Conceptual Plan
- 2) Mule Deer Range mapping per CPW SAM 12-22-2023
- 3) This is a conceptual plan that is intended to illustrate one potential way the property could be developed consistent with the proposed PUD amendment. The final development plans for the property may differ from this conceptual plan, subject to the final approved PUD Plan Map and PUD Guide.



SPRING VALLEY RANCH		
FIGURE 4. MULE DEER RANGE		
<i>Western Biometrics Inc.</i> <i>Natural Resource Management Services</i> 31040 WILLOW LAKE, STEWART SPRINGS, CO 80467 970-848-8223		
Date: 1-30-2023	Drawn: KSC	Delineated:
SHEET NO.		
REVISIONS		
No.	Item	Date
1	REVISE WINTER CONC AREA PER CPW	4-2-2024

THIS IS A CONCEPTUAL PLAN THAT IS INTENDED TO ILLUSTRATE ONE POTENTIAL WAY THE PROPERTY COULD BE DEVELOPED CONSISTENT WITH THE PROPOSED PUD AMENDMENT. THE FINAL DEVELOPMENT PLANS FOR THE PROPERTY MAY DIFFER FROM THIS CONCEPTUAL PLAN, SUBJECT TO THE FINAL APPROVED PUD PLAN MAP AND PUD GUIDE.

CONCEPTUAL PLAN

4.2.5 Other Wildlife Species

Additional wildlife species likely to use habitat present on Spring Valley Ranch include dusky (blue) grouse, wild turkey,¹⁹ a broad variety of songbirds, woodpeckers, corvids, bats, and other small mammals such as shrews, mice, voles, gophers, squirrels, and chipmunks, medium-sized mammals such as cottontail rabbit, white-tailed jackrabbit, porcupine, marten, raccoon, red fox, coyote, bobcat, and now wolves as CPW recently began to implement voter-mandated re-introduction. Mountain lions are likely present during the winter as they are attracted to locations where mule deer congregate. Since the entire parcel is within mule deer summer range, winter range, and winter concentration area, mountain lion presence is likely.

5. DEVELOPMENT ISSUES

Adverse impacts associated with residential, golf, and winter recreation developments in areas of native habitat include habitat loss through removal of vegetation, habitat loss through avoidance of the zone of disturbance associated with human activity, habitat fragmentation, barriers to movement, and disturbance or mortality from the actions of pets. During preparation of this WMP, several issues were identified as being the most significant with regard to the development of Spring Valley Ranch and are described in detail in the following sections. The plan presented below seeks first to avoid impacting wildlife and their habitat. If impacts cannot be avoided, this plan provides measures to minimize wildlife habitat impacts. Finally, if impacts cannot be avoided and have been minimized, the plan presents opportunities to mitigate those unavoidable impacts. These primary issues related to development at Spring Valley Ranch include:

- 1) Direct impact to elk and deer by development and indirect impact by human recreation in winter range.
- 2) Direct impact to elk by development and indirect impact by human recreation in production range.
- 3) Direct impact to mule deer by development and indirect impact by human recreation in winter range and in a winter concentration area.
- 4) Potential game damage conflicts.
- 5) Black Bear/Human conflicts.
- 6) Mountain Lion/Human conflicts.

These issues have in large part driven the avoidance, minimization, and mitigation measures presented in the Mitigation Plan (Section 7).

5.1 DEVELOPMENT IN ELK WINTER RANGE

CPW has identified the vast majority of the Spring Valley Ranch property as elk winter range. Spring Valley Ranch homesites and access roads located within elk winter range will directly reduce the production of winter forage and will indirectly reduce security of winter range for elk. Domestic pets may harass the

¹⁹ Wild Turkey – Entire parcel located in SAM overall range. Northwesternmost corner identified to contain a wild turkey roost site.

herd when elk are in close proximity to building envelopes. Game damage is probable on ornamental trees and shrubs unless unpalatable species are planted.

5.2 DEVELOPMENT IN ELK PRODUCTION RANGE

Elk that calve above the middle bench in the areas proposed for Mountain and Ranch neighborhoods, and within the proposed ski area, will likely be displaced by the presence of houses and roads. As suggested by Wait and McNally (2004)²⁰ these animals will be expected to utilize sites farther from residential development for calving do to the indirect impact of noise and commotion associated with occupation of residential structures. As reported by Skovlin et al (2002)²¹ elk prefer habitat within ½-mile of water during the spring, summer, and fall, and perhaps even less during lactation. Such habitats are found along the Landis Creek corrido and in association with the spring-fed tributaries to the unnamed Middle Bench stream. Elk that utilize the lower Spring Valley production area during calving season may be displaced in the vicinity of the Community Housing development; howe over 500-acres within the SAM-mapped production range would be preserved for use during elk calving season.

5.3 DEVELOPMENT IN MULE DEER WINTER RANGE AND WINTER CONCENTRATION AREA

Similar to that of elk, the majority of Spring Valley Ranch is mapped by CPW as mule deer winter range. Development in mule deer winter range will decrease the availability of forage within building envelopes and potentially lead to game damage for ornamentals during the winter. The lower slopes of the ranch immediately above CR 115 are mapped by CPW as a mule deer winter concentration area. Development and recreation within winter range and concentration areas will have increased impacts on mule deer since, by definition, the density of wintering deer is twice that of the surrounding winter range.

5.4 RECREATION CONFLICTS IN ELK AND MULE DEER WINTER RANGE

Winter recreation (backcountry skiing, cross country skiing, snowmobiling) in elk and mule deer winter range (and deer winter concentration) represents potentially serious impacts to these animals since the impacts occur when they are in a weakened condition, food supplies are low, and the ability to conserve energy is critical to the animal's survival. Recreationists cause a startle response in deer and elk, causing animals to flee, requiring energy expenditures that may not be sustainable throughout the winter. The result is decreased fitness in individuals and probable increased mortality. Studies have shown that the indirect impact of recreation can extend for as far as 1640 yards from the loudest forms of recreation such as ATVs and MTBs²².

In addition to winter range, spring recreation has the potential to impact elk during parturition, and year-round recreation disturbs wildlife (Danielle Neumann, CPW, personal communication).

²⁰ Wait, S. and H. McNally. 2004. Selection of habitats by wintering elk in a rapidly subdividing area of La Plata County, Colorado. *In* Proceedings 4th International Urban Wildlife Symposium (Shaw et al., eds).

²¹ Skovlin, J.M., P. Zager, and B. Johnson. 2002. Elk Habitat Selectin and Evaluation. *In* North American Elk Ecology and Management (D. Toweill and J.W. Thomas, eds). Smithsonian Institution Press, Washington and London.

²² Wisdom, Michael J.; Ager, Alan A.; Preisler, Haiganoush K.; Cimon, Norman J.; Johnson, Bruce K. 2004. Effects of off-road recreation on mule deer and elk. *In*: Transactions of the 69th North American Wildlife and Natural Resources Conference: 531-550.

5.5 GAME DAMAGE CONFLICTS

Elk and deer cause damage by browsing on trees, shrubs, and other ornamental plantings; by feeding on alfalfa and grass in fields, pastures, and haystacks; and by running through fences. Because Colorado statutes require compensation to landowners for agricultural property damage by big game animals, CPW personnel spend considerable time and effort preventing, investigating, and evaluating a variety of damage problems each year.

Numerous preventative measures are available to minimize this conflict, including steps that can be taken before the damage occurs. These include crop alternatives, lure crops, and changes in planting and harvesting techniques. Other options include steps that can be taken after the damage has started, including frightening devices, repellents, trapping, and hunting season modifications. In addition, habitat enhancement efforts can entice elk and deer away from ornamental plantings and agricultural crops.

5.6 BLACK BEAR

Most conflicts between bears and people are linked to careless handling of food and/or garbage. Black bears are opportunistic omnivores, and they will eat almost anything, including human food, garbage, bird food, and pet and livestock food when available. Once a bear has found the easily accessible, consistent food source that human settlements can offer, it may overcome its natural wariness of people and visit regularly, increasing the chance of a human/bear encounter.

6. WILDLIFE MITIGATION OBJECTIVES:

The goal of this WMP is to avoid, minimize, and/or mitigate the impact of the development on all wildlife species using the property. Specific objectives include:

- 1) Avoid or minimize wildlife impacts that would have occurred with prior development plans for Spring Valley Ranch.
- 2) Provide for continued utilization of seasonal wildlife habitats on the property.
- 3) Preserve the Landis Creek riparian corridor.
- 4) Minimize physical impacts to elk production range, elk and mule deer winter range, and habitat for other wildlife species.
- 5) Minimize recreational disturbance to elk using the property.
- 6) Minimize recreational disturbance to mule deer using the property.
- 7) Minimize human/wildlife conflicts by implementing homeowner occupancy and use restrictions.
- 8) Maintain habitat connectivity within and adjacent to Spring Valley Ranch.
- 9) Minimize the wildlife habitat impacts of homeowners' amenities that include a comprehensive trail system, golf course, and ski area.

- 10) Mitigate the impact of development by establishing Wildlife Habitat Reserves, which will be managed to maintain or enhance habitat effectiveness.
- 11) Mitigate the impact of development by establishment of a Real Estate Transfer Fee to provide funds to be administered by CPW for wildlife habitat projects within CPW's Elk Data Analysis Unit E-16.

Avoidance, minimization, and mitigation measures will be memorialized in the Master Declaration of Covenants, Conditions and Restrictions for Spring Valley Ranch P.U.D., as amended. These measures are presented in the following section.

7. WILDLIFE IMPACT AVOIDANCE, MINIMIZATION, & MITIGATION PLAN

Recognizing that one of the attributes of the Spring Valley Ranch is the wildlife that occupies the area, the development of the property has been designed to avoid impacts to wildlife habitat and to minimize disturbances to wildlife to the extent practicable. In recognition that it is not practicable to avoid all impacts to wildlife and its habitat, this plan includes mitigation measures designed to help offset the impact of the development on wildlife. The terms and provisions of this Wildlife Mitigation Plan are presented in the following sections.

7.1 WILDLIFE IMPACT AVOIDANCE MEASURES

7.1.1 Designated Open Space

The Conceptual Plan avoids direct impacts to 55% of the property by setting aside a minimum of 3,249 acres as open space (Appendix A, Table 2). Conversely, the 2017 approved Spring Valley Ranch PUD included provisions for 1,590 acres (26.9%) of the property to remain in open space. Open space will be operated and maintained by the Spring Valley Ranch Master Association (SVRMA).

Open Space will be organized as 3 distinct districts²³ – Open Space Golf (OSG – 260± acres estimated), Open Space Recreational (OSR – 2511± acres estimated), and Open Space Limited (OSL - 743± acres estimated); the total acreage of Open Space, including all 3 Open Space Districts, is therefore 3,249 acres. All estimated Zone District acreages are displayed in Table 2 (Appendix A). Allowed uses within each of these Open Space Districts are described in the PUD Guide and summarized in Appendix A. SVR acknowledges that the OSG and OSR Districts will impart direct and indirect impacts to open space wildlife habitat; however, these open space districts avoid the direct impact of residential density and will provide habitat for wildlife, albeit of less effectiveness than that which currently exists.

7.1.2 Production Range

Recognizing that the availability of production range for elk is a key limiting factor for the Fryingpan herd, the Development Plan avoids impact to 68% (1,047 acres) of the mapped production range on Spring Valley Ranch. These impacts have been avoided by placing the preserved areas in designated open space and

²³ All acreages are approximate and subject to change.

including seasonal access and use restrictions to provide solitude for elk during calving seasons. Details regarding seasonal access and use restrictions are included in Section 7.2.6.

Impacts to elk production range have been further avoided through removal of all originally proposed trails from within CPW-mapped elk production range in the Spring Valley area south and west of CR 115.

7.1.3 Winter Range

Recognizing that the availability of winter range for elk is a key limiting factor for the Fryingpan herd, the Development Plan has avoided impacts to 54% (3,148 acres) of the elk winter range by placing it in designated open space, much of which has seasonal access and use restrictions. Details regarding seasonal access and use restrictions are included in Section 7.2.6.

7.1.4 Designation of Landis Creek Wildlife Corridor

Aside from the main access road, the Conceptual Plan avoids development within the Landis Creek corridor. The vast majority of Landis Creek is wide open, providing elevational movements across the property and between the two Wildlife Habitat Reserves. Access roads are unavoidable at locations where they cross or parallel Landis Creek. For the majority of the Landis Creek corridor, wildlife movements will be facilitated by avoiding development within the Landis Creek riparian corridor.

7.1.5 Avoidance of Impacts to Active Raptor Nests

Prior to initiation of construction of infrastructure or facilities by the Declarant, Owner or Occupant, any district, utility provider, the Golf Course, or the SVRMA, a qualified biologist will be retained by the developer or the SVRMA to conduct a raptor nesting survey. If an active raptor nest exists on Spring Valley Ranch, heavy outdoor construction (e.g. earth-moving and exterior house construction) shall be prohibited within a radius of either 300 feet (if the nest is located in a conifer) or 400 feet (if the nest is located in an aspen or cottonwood) until the young have fledged or the nest naturally fails. A typical fledgling date for the area is July 1.

7.2 WILDLIFE IMPACT MINIMIZATION

7.2.1 Designation of Maximum Lot Coverage Ratios

Maximum lot coverage ratios are designated within each zone district (Appendix A, Table 1). These ratios define how much of the land within each lot, by zone district, can be impacted by a residential structure. Using these maximum lot coverage ratios, development of residential structures on the Spring Valley Ranch will impact approximately 360 acres (Appendix A, Table 2). This number does not include land impacted by roads, driveways, amenities, or mixed-use facilities, so the actual impacted acreage will be higher. However, by limiting the size of dwelling units within each lot, physical impacts to wildlife habitat on each lot will be minimized.

7.2.2 Designation of Maximum Lawn and Irrigated Landscaping Size

Impacts associated with lawns and associated irrigated landscaping will also be minimized outside the Building Envelopes, and shall be subject to the following limitations:

- 1) Mountain zone district – no more than 4,000 square feet per Lot.
- 2) Ranch zone district – no more than 2,500 square feet per Lot.
- 3) Estate zone district – no more than 2,500 square feet per Lot.

7.2.3 Landscaping and Lighting

Allowable landscaping shall not include fruit-bearing trees.

Lighting should be capped from above to help reduce night-sky light pollution, which inhibits nocturnal wildlife behavior.

7.2.4 Fencing

Fencing shall be restricted so as not to limit terrestrial wildlife movements. Fencing approval will be under the purview of the HOA. Residential fencing shall be limited to the building envelope. Fencing for agricultural/livestock purposes shall be allowed. Any new fence constructed for agricultural or residential purposes shall be built according to specifications provided in CPW's [Fencing With Wildlife in Mind](#).

7.2.5 Trails

Hiking and Biking trails shall be established with reference to best management practices in CPW's "*Planning Trails with Wildlife in Mind*." BMPs include the following:

- To minimize impacts to wintering elk and deer, trails that are located within High Priority Habitats will be subject to seasonal use restrictions as described in Section 7.2.6. HPH located in trail alignments include elk and mule deer winter concentration areas.
- Trail density, with reference to the 5908-acre SVR will be 1.23 linear miles of hiking/MTB trail per square mile within elk and mule deer winter concentration areas. This is greater than CPW's recommendation of less than 1 mi/sqmi; however, the seasonal closure provided in Section 7.2.6 will minimize the impact of these trails during winter and calving seasons, fostering consistency with CPW's trail recommendations.
- For the entire SVR, including within elk production range, dogs will be required to be leashed at all times when outside of fenced enclosures.
- Unauthorized user trails that become established over time and are not intended as part of the official SVR trail system shall be closed and rehabilitated.

7.2.6 Seasonal Access and Use Restrictions

Recognizing that the use of trails during certain times of the year can have adverse effects on wildlife, the SVRMA shall develop and may revise, in consultation with CPW, a seasonal trail usage plan. The plan shall restrict pedestrian, skier, biker, equestrian, and vehicle trail usage as appropriate to minimize disturbance to wildlife during critical periods such as elk calving season (May 15 - June 30) and elk and the mule deer winter concentration areas (December 1 - April 30). The plan shall apply to all areas of Spring Valley Ranch except the Residential, Mixed Use, and Open Space Golf zone districts.

Both Wildlife Habitat Reserves will be seasonally closed to access each December 1 through April 30 (excepting the ski area portion) to provide security for elk during the winter and will also be closed to access each May 15 through June 30 to provide secure habitat during elk calving season. Because the Emergency Vehicle Access in the Northwestern Wildlife Habitat Reserve needs to remain accessible during the winter, snow removal on this road will be allowed.

7.2.7 Garbage, Trash, Compost, Containers, BBQ Grills

All outdoor garbage shall be secured in Interagency Grizzly Bear Committee (IGBC) certified bear-resistant canisters, if possible, or stored in a structure that prevents black bear access. No trash should be placed outside in an unsecured manner, such as in bags or standard canisters. Any approved container containing

such materials may be placed next to the street no earlier than 6:00 a.m. on the designated morning of garbage collection and must be returned to its enclosed structure that same day. Compost piles are not allowed. Compost structures and containers shall not be placed on a Lot. Barbeque grills shall be maintained in a clean state to prevent attracting bears.

7.2.8 Pet Control Restrictions

Uncontrolled pets are a significant source of wildlife disturbance and mortality in human-occupied wildlife habitats. Dogs have the ability to harass and kill wildlife, including big game, and domestic cats are a significant source of mortality for songbirds. The potential negative impacts from this type of disturbance (particularly from dogs) increases in severity in winter range and calving areas. It is during winter and calving season that elk are most vulnerable to harassment. Thus, dogs and cats at Spring Valley Ranch will be controlled by their owners and will not be allowed to roam free.

- a) In order for a dog to be permitted on a Lot, the dog must either be kept indoors at all times or in a fenced kennel, dog run, or invisible fence constructed within the Building Envelope on the Lot pursuant to the prior written approval of the Design Review Committee. Dogs may never be kept outdoors during the night unless such fenced enclosure is safe from predators. A permitted dog, cat, or other household pet must be fenced or restrained at all times upon the Owner's or Occupant's Lot, and shall not be permitted outside such Lot, except when on a leash not exceeding 12 feet in length. The SVRMA shall have the right to designate specific areas within Spring Valley Ranch where pets may be walked on leashes.
- b) The Owner(s) of a Lot where a household pet is kept, as well as the legal owner of the pet (if not such Owner) shall be jointly and severally liable for any and all damage and destruction caused by the pet, and for any clean-up of the Owner's Lot, other Lots or property and streets and sidewalks necessitated by such pet.
- c) Pet food shall not be kept outdoors overnight.
- d) Backyard poultry, waterfowl, beehives, and bird feeders are prohibited.
- e) Horses may be kept on Lots where allowed under the PUD Guide, subject in each instance to such rules, regulations and conditions as may be adopted from time to time by the SVRMA. All hay storage must at a minimum be enclosed by an 8-foot mesh fence at the expense of the Lot Owner which fencing must first be approved as to location and materials by the Design Review Committee.

7.2.9 Wildlife Damage

The Declarant, for itself and its successors and assigns, including but not limited to all Owners and Occupants and the SVRMA, hereby waives and releases all claims against the State of Colorado, Parks & Wildlife with regard to wildlife damage in Spring Valley Ranch.

7.2.10 Wildlife Feeding

The HOA shall prohibit wildlife feeding via salt blocks or other methods. Except for bird feeders, any type of feeding, baiting, salting, or other means of attracting wildlife is illegal. CPW may cite both homeowners and tenants for violations.

7.2.11 Golf Course and Open Space Management

An Open Space Management Plan shall be developed with wildlife habitat preservation and wildfire management in mind as a primary management goal. Pursuant to that plan:

- a) All persons within the PUD are prohibited from chasing, scaring, frightening, disturbing or otherwise harassing wildlife as a part of efforts to force wildlife off golf courses and open space areas during the winter feeding and spring/summer production seasons. Harassment of Wildlife is illegal pursuant to Colorado Revised Statute §33-6-128
- b) The owner/operator of the golf course has the right to locally restrict wildlife from golf course tees, greens, landscaping clumps and other sensitive areas by using temporary fencing and other passive means. Any fencing erected will not restrict free movement of wildlife but will be used only in small, isolated areas to help direct wildlife and/or people.
- c) The Best Management Practices Plan for the golf course will be implemented to apply the proper procedures for the application of fertilizers, herbicides, insecticides, and any other chemicals.
- d) Disturbed ground caused by road construction will be reclaimed using native vegetation that is less palatable to deer and elk.

7.2.12 Tree and Native Shrub Preservation

All Improvements within Spring Valley Ranch shall be located, designed, and constructed to preserve and protect landmark trees to an extent reasonable and feasible under the circumstances. This restriction shall not apply to the removal or trimming of dead or diseased vegetation, or to reasonable and necessary clearing by an Owner in connection with the construction of improvements on a site previously approved by the Design Review Committee. The Design Review Committee may approve the thinning of trees within view corridors from the main house but shall not grant such approval in locations where a forest cover is essential for screening from neighboring home sites or from key points along roads. Any violation of this Section shall subject the offending Owner to such penalties, fines and/or other conditions as the Design Review Committee considers appropriate, including without limitation the withdrawal or modification of previously granted development approvals, or the requirement that replacement trees or shrubs of equivalent or different size and type be planted and maintained by the Owner. The existing native vegetation shall be preserved in all areas lying outside the platted Building Envelopes, except for such minimum disturbance as may be required in connection with underground utilities, irrigation and drainage systems, and access driveways and approved driveway features.

The restrictions set forth in this Section shall not apply to activities undertaken pursuant to the Wildfire Mitigation Plan or to activities of the Wildlife Trust that may be performed from time to time by such Trust, Owners or Occupants, the SVRMA, the District, or their respective successors or assigns.

7.2.13 Weed Control

The Owner or Occupant of each Lot within a residential zone district shall be responsible for maintaining healthy vegetation free of infestations of noxious weeds. The SVRMA may inspect Lots periodically and will notify the Owner and/or Occupant of any Lot with a noxious weed infestation that corrective actions must be taken. If the Owner or Occupant does not correct the weed infestation within 10 days, the SVRMA may contract for the corrective work to be performed by a third party. Any such third party shall have access to the Lot to perform such work, and the Owner and Occupant shall hold such third party harmless from any liability associated with such access and corrective work. All such work shall be at the expense of the Owner of the Lot on which such work is performed, and the SVRMA shall have a lien on such Lot for such expenses.

7.2.14 Residential Landscaped Areas

The use of native vegetation that is less palatable to deer and elk is encouraged within all residential landscaped areas.

7.2.15 Security Enforcement

The SVRMA shall employ a private security company within SVR; the security company shall be granted the necessary authority to enforce the provisions and restrictions of the Covenants, including the minimization measures included within this Wildlife Mitigation Plan.

7.3 MITIGATION

7.3.1 Designation of Wildlife Habitat Reserves

The Development Plan designates 806 acres of the preserved open space in the northwest portion of the property and 514 acres of preserved open space in the southwest portion of the property as Wildlife Habitat Reserves. The two reserves are located in Planning Areas A, B, G, & H.

7.3.1.1 Northern Habitat Reserve

The Northern Wildlife Habitat Reserve will be seasonally closed to access each December 1 through April 30 (excepting the ski area portion) to provide security for elk during the winter and will also be closed to access each May 15 through June 30 to provide secure habitat during elk calving season. Because the Emergency Vehicle Access in the Northwestern Wildlife Habitat Reserve needs to remain accessible during the winter, snow removal on this road will be allowed.

7.3.1.2 Lower Valley Wildlife Habitat Reserve

The Lower Valley Wildlife Habitat Reserve (located in Planning Areas A and B) will be seasonally closed to public access from December 1 through April 30 to provide security for elk during the winter and from May 15 through June 30 to provide secure habitat during elk calving season. Additionally, the developer will work with CPW to improve mountain shrub habitat that provides cover and forage for elk during the winter and during calving.

7.3.2 Establishment of the Spring Valley Wildlife Real Estate Transfer Fee

7.3.2.1 Establishment

A Real Estate Transfer Fee of 2% shall be assessed on the net purchase price of all real estate sales (including developer inventory, homes, and resales – but excluding affordable housing units) within the Spring Valley Ranch PUD. Real Estate Transfer Fees will be paid by the seller; the obligation to pay the Transfer Fee will be documented in the Master Declaration of Covenants, Conditions and Restrictions for Spring Valley PUD. Two Rivers Community Foundation, a Garfield County-based non-profit (the “Two Rivers”) will help coordinate and administer all funds collected from Transfer Fees. Western Colorado Community Foundation (“WCCF”), an organization that manages charitable funds, endowments, provides grants and scholarships and other resources for the benefit of the residents and communities of western Colorado, will oversee Two Rivers. A portion of the Transfer Fee, 0.4%, shall be allocated to wildlife projects in CPW's DAU E-16. Colorado Parks and Wildlife shall have sole control over how these funds are to be allocated within the DAU.

7.3.2.2 Purpose and Use of Transfer Assessments

The funds received by the Spring Valley Wildlife Trust from the Transfer Fee shall be used for the following categories of projects, or similar projects as CPW sees fit:

- Assist with the permanent conservation of wildlife habitat with comparable values to those found on Spring Valley Ranch, as close to the Ranch as possible.

- Fund habitat “uplift” projects.
- Fund wildlife research or wildlife management efforts that CPW sees value in.
- Funds shall be deployed at both the DAU & GMU levels.

8. AMENDMENT AND ENFORCEMENT

It is understood that this WMP will be recorded as part of the Master Declaration of Covenants, Conditions, and Restrictions for the Spring Valley Ranch P.U.D., as amended. Furthermore, this WMP shall not be amended without the written consent of Garfield County Board of County Commissioners. No amendment shall require the approval of any owner except the Declarant. No Owner shall be deemed to be a third-party beneficiary of this WMP, nor shall this WMP be enforceable by any Owner, except the Declarant. If any conflict occurs between the SVRMA Documents and this WMP, the more restrictive provision shall take precedent. This entire WMP, specifically those sections addressing Trail Seasonal Use Restrictions, Garbage and Compost Containers, Pet Control Restrictions, and Weed Control I can be enforced by Spring Valley Ranch and/or Garfield County. Homeowners and tenants shall be individually responsible for abiding by all wildlife conflict mitigation measures adopted by Garfield County and the HOA.

9. ENDORSEMENT

By its execution of this document, CPW hereby agrees that the wildlife impacts associated with the development of the Spring Valley Ranch PUD would be addressed were this plan to be implemented.

10. ASSIGNMENT

The Applicant/Declarant may, from time to time, assign its rights and obligations under this WMP by an express assignment set forth in a recordable instrument to be recorded in the Garfield County records to any person or entity acquiring an interest in the Spring Valley Ranch property. Such an assignment will be deemed to have automatically occurred with any assignment of the Declarant's status under the Master Declaration of Covenants, Conditions and Restrictions for the Spring Valley Ranch P.U.D. CPW and Garfield County will be copied on any such assignments. From and after the date of such assignment, the assignee(s) shall succeed to all obligations arising prior to and after the date of this WMP. Any assignee(s) under this WMP may thereafter assign their rights and obligations under this WMP to other such

assignee(s), subject to the terms and provisions herein by an express assignment set forth in an instrument in recordable form and recorded in the Garfield County records.

11. SIGNATURE PAGE

For Storied Development LLC:

Jeff Butterworth

Accepted and agreed to this _____ day of _____, 2024.

For Colorado Division of Wildlife:

Matt Yamashita, Area Wildlife Manager

Accepted and agreed to this _____ day of _____, 2024.

APPENDIX A

1. PUD Zone Districts

The Spring Valley Ranch PUD shall be comprised of nine Zone Districts that are intended to provide for the comprehensive compatibility of allowed land uses and development standards. A Zoning Plan shall be provided at the time of each subdivision Preliminary Plan application to Garfield County. The Zoning Plan shall indicate the intended Zone District of each Lot or parcel of land subject to the subdivision Preliminary Plan. Subsequently, at the time of each subdivision Final Plat filing, each Lot or parcel of land subject to the Plat shall be assigned one of the following Zone Districts by the Developer consistent with the Zoning Plan approved with the applicable subdivision Preliminary Plan. Zone Districts shall be clearly labeled or indicated for each Lot or parcel shown on the Plat.

Dimensional building allowances and restrictions are defined for each Zone District in the Spring Valley Ranch PUD Guide. Development of any lot, parcel or tract shall comply with the standards as identified in the Zone District Dimensional Standards table (Table 1).

TABLE 1. Zone District Dimensional Standards							
Zone District	Approx Lot Size Range	Setbacks (feet)			Max. Lot Coverage Ratio	Max. Floor Area Ratio	Max. Building Height (feet)
		Front	Rear	Side			
Pasture (P)	≥200 ac	50	50	10	2%	2%	35
Mountain (M)	≥5 ac	50	50	50	10%	15%	35
Ranch (R)	2-5 ac	30	30	30	20%	30%	35
Estate (E)	0.25-2 ac	25	25	25	35%	50%	35
Community Housing (CH)							
Single Family DUs:	0.15-0.25 ac	20	10	10	50%	75%	25
2-Unit & Attached DUs:	0.15-0.25 ac	20	10	10	50%	75%	25
Multi-Unit DUs:	≥0.25 ac	20	20	20	50%	75%	35
Permitted Non-DU uses:	varies	20	20	20	20%	30%	35
Mixed Use (MU)	1-25 ac	10	10	10	35%	50%	40
Open Space Golf (OSG)	varies	20	20	20	N/A	N/A	25
Open Space Recreation (OSR)	varies	20	20	20	N/A	N/A	25
Open Space Limited (OSL)	varies	75	75	75	N/A	N/A	N/A

Applying the Maximum Lot Coverage Ratio to the Number of Dwelling Units per Zone and the Zone Density (in acres), we can calculate the total land area (360.3 acres) impacted by residential dwelling units (Table 2).

The nine Zone Districts for the Spring Valley Ranch PUD are as follows:

1.1. Pasture District (P)

The Pasture District is intended to allow for very low density rural residential uses, agricultural and equestrian uses, natural resource areas, and associated accessory uses. The allowed uses of this Zone District are intended to preserve the existing agrarian and natural resource characteristics of the area while allowing for compatible residential, agricultural, equestrian, or accessory uses or structures.

1.2. Mountain District (M)

The Mountain District is intended to allow for low density single-family residential and accessory uses on Lots that are approximately five (5) acres or larger. Accessory uses and Buildings are intended to relate to the primary single-family residence, including but not limited to garages; storage Buildings for personal property; workshops; art studios; and other similar accessory uses.

1.3. Ranch District (R)

The Ranch District is intended to allow for low density single-family residential and accessory uses on Lots that are approximately two (2) to five (5) acres. Accessory uses and Buildings are intended to relate to the primary single-family residence, including but not limited to garages; storage Buildings for personal property; workshops; art studios; and other similar accessory uses.

1.4. Estate District (E)

The Estate District is intended to allow for low density single-family residential and accessory uses on Lots that are approximately one-quarter (0.25) acre to two (2) acres. Accessory uses and Buildings are intended to relate to the primary single-family residence, including but not limited to garages; storage Buildings for personal property; workshops; art studios; and other similar accessory uses.

1.5. Community Housing District (CH)

The Community Housing District is intended to allow for medium density single-family, duplex and multi-family residential units on Lots or parcels of varying sizes. This Zone District is planned to include Community Housing Units in accordance with the Community Housing Program described in this PUD Guide. This Zone District may also include additional non-deed restricted workforce housing units beyond that required by the Community Housing Program (but subject to the overall maximum number of Dwelling Units provided for in this PUD Guide).

1.6. Mixed Use District (MU)

The Mixed Use District is intended to allow a complementary range of commercial, residential, Community Facility, and amenity-based land uses. This Zone District is meant to be geographically located in certain areas of the PUD where central facilities and services are deemed most appropriate and accessible to a broad number of users. The primary purpose of this Zone District is to provide the main community amenities and services such as clubhouse/lodge; dining facilities; health and wellness facilities; event spaces; convenience services; retail stores; parking; fire station; community offices; and metropolitan district facilities.

1.7. Open Space Golf District (OSG)

The Open Space Golf District is intended to allow for one eighteen (18) hole golf course, one short golf course, and one golf driving range and other practice facilities such as a putting green and practice chipping area. This Zone District is also intended to allow for various supporting uses and structures such as cart storage; comfort stations; concessions; parking; pathways and trails; ponds; and other customary accessory uses and facilities.

1.8. Open Space Recreation District (OSR)

The Open Space Recreation District is intended to allow for facilities and services related to supporting active and passive recreation uses, such as trails; trailheads; sport courts; sport fields; fishing and boating; Winter Recreation uses and facilities; parks; event facilities; community Buildings; interpretative facilities; and other accessory uses or facilities.

1.9. Open Space Limited District (OSL)

The Open Space Limited District is intended to prioritize land preservation with minimal improvements or uses. Lands within this Zone District may be adjacent to public lands outside of the PUD, providing buffering to those public lands. Recreational uses within this Zone District are intended to be non-mechanized and may include trails for non-mechanized recreation. Intermittent mechanized maintenance, forestry and wildfire management activities will be allowed.

2. Overlay Areas

There are two types of Overlay Areas within the PUD, neither of which shall be considered Zone Districts or Planning Areas. The purpose of the Overlay Areas is to provide for special management of certain lands within the PUD as described below, and as shown on the PUD Plan Map.

2.1. Wildlife Habitat Reserves

The PUD shall include two (2) designated Wildlife Habitat Reserves consisting of a minimum of 1320 total acres. These Wildlife Habitat Reserves are designated on the PUD Plan Map in Planning Areas A, B, G and H.

Both Wildlife Habitat Reserves will be seasonally closed to access each December 1 through April 30 (excepting the ski area portion) to provide security for elk during the winter and will also be closed to access each May 15 through June 30 to provide secure habitat during elk calving season. Because the Emergency Vehicle Access in the Northwestern Wildlife Habitat Reserve needs to remain accessible during the winter, snow removal on this road will be allowed. The developer will work with CPW to improve mountain shrub habitat in the lower Wildlife Habitat Reserve that provides cover and forage for elk during the winter and during calving.

2.2. Public Access Areas

The PUD shall include a minimum of four hundred and fifty hundred (450) acres of publicly accessible Open Space, including a minimum of ten (10) miles of trails available for mountain biking and/or hiking, and a public trailhead containing a minimum of twenty (20) parking spaces. Portions of the public access areas will be subject to seasonal closures for the benefit of wildlife pursuant to Section 5.1 of this PUD Guide. Public access areas shall be designated on the final plat at the time the land containing each public access area is platted.

TABLE 2. Total Lot Coverage by Zone District ^A										
Zone District	Acres in Zone	# of Dwelling Units	Zone Density (ac)	Percent of PUD	Max Lot Coverage Ratio	Total Coverage per Lot (ac)	Estimated Total Lot Coverage by Zone (ac)	Estimated Percent of Zone District to Remain Undisturbed	Estimated Zone District Acreage to Remain Undisturbed	Estimated Total % of Open Space to Remain
Pasture District	200	1	200.00	3.39%	2%	4.00	4.0	90%	180	
Mountain District	800	106	8.50	13.54%	10%	0.85	90.1	75%	600	
Ranch District	895	249	3.60	15.15%	20%	0.72	179.3	50%	448	
Estate District	199	146	1.40	3.37%	35%	0.49	71.5	50%	100	
Community Housing District	14	75	0.41	0.24%	50%	0.21	15.4	75%	11	
Mixed Use District	49	0		0.83%				25%	12	
<i>Sub-Total Residential and MU</i>	<i>2157</i>	<i>577</i>		<i>36.51%</i>			<i>360.3</i>			
Open Space Golf District (OSG)	260			4.40%				33%	86	
Open Space Recreation District (OSR)	2511			42.50%				95%	2385	
Open Space Limited District (OSL)	743			12.58%				95%	706	
<i>Sub-Total Open Space</i>	<i>3514</i>			<i>59.48%</i>						
ROW	237			4.01%				5%	12	
<i>PUD Totals</i>	<i>5908</i>			<i>100.00%</i>					<i>4539</i>	<i>77%</i>

^A Note: The Acres in the Zone Districts displayed in the above table are estimated. Per Section 4 of the Spring Valley Ranch PUD Guide, Zone Districts shall be assigned at the time of Preliminary Plan and Final Plat applications to Garfield County.

**SECOND AMENDED AND RESTATED DEVELOPMENT AGREEMENT
FOR
SPRING VALLEY RANCH PLANNED UNIT DEVELOPMENT**

THIS SECOND AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR SPRING VALLEY RANCH PLANNED UNIT DEVELOPMENT (“Agreement”), is made and entered into between the BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GARFIELD, a body politic and corporate (the “County”), SPRING VALLEY HOLDINGS, LLC, a Delaware Limited Liability Company (“Developer”), and SPRING VALLEY RANCH COMMUNITY MASTER ASSOCIATION, INC., a Colorado nonprofit corporation (the “HOA”) to be effective as of the ____ day of _____, 202__ (“Effective Date”). The County, Developer, and the HOA may hereinafter be referred to collectively as the “Parties” or individually as a “Party.”

Recitals

A. Developer is the owner of certain real property located in Garfield County, Colorado, more particularly described in **Exhibit 1** (the “Property”). The HOA was previously the owner of certain portions of the Property. The HOA conveyed these portions of the Property back to Developer in connection with the application submitted for the major modification to the Spring Valley Ranch PUD described below. The Developer may re-convey such portions of the Property to the HOA or the Landis Creek Metropolitan District as provided in the Amended and Restated Master Declaration of Covenants, Conditions and Restrictions for the Spring Valley Ranch PUD that will be recorded against the Property.

B. By Resolution No. 2008-55, which was approved in a public hearing before the Garfield County Board of County Commissioners (the “Board”) on December 7, 2007 and recorded in the real property records of Garfield County (the “Records”) as Reception No. 747015, and as restated and corrected by Resolution No. 2010-38 recorded in the Records as Reception No. 786992, the Board approved the Spring Valley Ranch Planned Unit Development (the “SVR PUD”). The SVR PUD contemplates residential and commercial uses of the Property with significant active and passive open space areas (the “Project”).

C. By Resolution No. 2008-56, which was approved in a public hearing before the Board on December 7, 2007 and recorded in the Records as Reception No. 747016, the Board approved the Preliminary Plan for the SVR PUD (the “SVR Preliminary Plan”). The approvals of the SVR PUD and the SVR Preliminary Plan pursuant to the above-described Resolution Nos. 2008-55, 2010-38, and 2008-56 consolidated, amended and restated prior approvals for the Project granted by the Board pursuant to Resolution Nos. 2000-95, 2002-07, 2003-19, 2003-98, 2003-99, 2005-83 and 2005-84.

D. By Resolution No. 2012-95, which was approved in a public hearing before the Board on November 13, 2012 and recorded in the Records as Reception No. 828066, the original Development Agreement for the Project was amended to include 21 phases, estimated dates of completion, and the HOA Property description.

E. By Resolution No. 2017-31 recorded in the Records on July 19, 2017 as Reception No. 894968, the Board approved and authorized the Chairman of the Board to execute an Amended and Restated Development Agreement for the SVR PUD. Such Resolution also approved, as Exhibits C and D thereof, an amended PUD Phasing Plan for the Project. Such amended PUD Phasing Plan contemplated twenty-one (21) separate phases of development for the Project, wherein each phase required final plat approval.

F. The original Development Agreement for the SVR PUD was recorded in the Records on October 21, 2010 as Reception No. 793248. The First Amendment thereto was recorded in the Records on December 5, 2012 at Reception No. 828067. The Amended and Restated Development Agreement was recorded in the Records on July 19, 2017 as Reception No. 894969.

G. By Resolution No. ___-20___, the Board has approved a substantial modification to the SVR PUD, including without limitation a new PUD Guide, a new PUD Plan Map, and a new phasing plan attached to this Agreement as **Exhibit 2** (the “New Phasing Plan”). Based on the approval of this substantial modification to the SVR PUD, the Parties desire to enter into this Agreement for the purpose of amending, restating, superseding and replacing all of the prior Development Agreements and amendments thereto as referenced in Recital F above. The Parties also agree to provide for extended vested property rights for the SVR PUD.

H. The Vested Property Rights Statute C.R.S. §§ 24-68-101 *et seq.* (the “VPR Statute”) and the Garfield County Land Use and Development Code, effective date July 15, 2013 as last amended October 27, 2021 (the “LUDC”) provide for the establishment of vested property rights in order to advance the purposes stated therein, and authorize the County to enter into development agreements with landowners providing for vesting of property development for periods greater than three (3) years.

I. Development of the Property in accordance with the new PUD Guide, new PUD Plan Map, the New Phasing Plan, together with the existing final plat for a portion of the Property recorded in the Records on October 21, 2010 at Reception No. 793243 as amended by the amendment thereto recorded in the Records on December 5, 2012 at Reception No. 828064 and such future preliminary plans and final plats that are approved for the various phases of the Project (collectively, the “Project Plans”), will provide for orderly, well planned growth in accordance with the policies and goals stated in the Garfield County Comprehensive Plan, generate significant *ad valorem* real estate tax revenues for the County, provide significant trails and open space, promote diversity of housing stock, ensure reasonable certainty and stability in the land use planning process, stimulate economic growth within the County, and otherwise achieve the goals and purposes of the Statute and the LUDC.

J. Development of the Project will also require substantial investments in infrastructure improvements and public facilities, both on the Property and outside the Property, which will serve the needs of the Project and the County. Such investments can be supported only with assurances that development of the Project can proceed to ultimate completion as provided in the Project Plans and this Agreement.

K. In exchange for the foregoing benefits and other benefits to the County contemplated by this Agreement, together with the public benefits served by orderly and well-planned development of the Property, Developer desires to receive vested property rights in the Project Plans in accordance with this Agreement.

L. The mutual promises, covenants, and obligations contained in this Agreement are authorized by the statutes of the State of Colorado and the ordinances, resolutions and regulations of the County.

Agreement

NOW, THEREFORE, in consideration of the promises cited above and the mutual covenants and promises contained herein, the sufficiency of which is acknowledged, the Parties agree as follows:

1. ***Incorporation of Recitals and Exhibits/Legal Effect.*** The Parties agree that the above Recitals are true and correct, and the terms of such Recitals and all and all Exhibits attached to this Agreement are hereby incorporated as part of this Agreement. This Agreement shall supersede and replace in full the original Development Agreement, the First Amendment to Development Agreement and the Amended and Restated Development Agreement, all described in Recital F above and all of which shall be of no further force or effect.

2. ***General Provisions.***

(a) ***Scope.*** The terms and conditions of this Agreement shall apply to the Property and Project Plans.

(b) ***Phasing.*** The previously approved SVR PUD was anticipated to be developed in up to twenty-one (21) phases pursuant to the Phasing Plan approved by Resolution 2017-31 recorded in the Records as Reception No. 894968 (the “Prior Phasing Plan”). Phase 1 of the Prior Phasing Plan was previously completed. Phase 2 of the Prior Phasing Plan was commenced in 2022 in accordance with the Prior Phasing Plan by the construction of a new 640-foot long entrance road into the Property from CR 115 pursuant to Garfield County Grading Permit No. GRAD-03-22-7397. The Prior Phasing Plan is hereby superseded, replaced and restated with the New Phasing Plan attached to this Agreement as **Exhibit 2. Exhibit 2 comprises the “New Phasing Plan” and is divided into two subparts: Exhibit 2A addresses the phasing of development of the approved dwelling units (the “Dwelling Unit Phasing Plan”), and Exhibit 2B addresses the phasing of the required off-site improvements (the “Off-Site Improvement Phasing Plan”), each being described in more detail below:**

(i) **Dwelling Unit Phasing Plan.** The Dwelling Unit Phasing consists of eight (8) phases designated as Phases 0 through 7. Phase 0 ~~one~~ of the **New Dwelling Unit Phasing Plan** has been inserted to show that one (1) dwelling unit already exists within the Pasture Zone District described in the new PUD Guide. As shown in the **New Dwelling Unit Phasing Plan**, the remaining 576 dwelling units permitted pursuant to the new PUD Guide are anticipated to be developed in up to seven (7) additional Phases numbered as Phase 1 through Phase 7. However, the numbering of the Phases on the **New Dwelling Unit Phasing Plan** is for reference only and to indicate the number of dwelling units anticipated to be developed in each

such Phase. There shall be no requirement to develop the approved dwelling units listed in the Phases shown on the **New Dwelling Unit** Phasing Plan in any particular order and there shall be no deadlines to either commence or complete construction of any of the dwelling unit Phases. In addition, any dwelling unit Phase shown on the Dwelling Unit Phasing Plan may be subdivided and/or developed as one final plat or in sub-Phases pursuant to multiple final plats.

(ii) **Off-Site Improvement Phasing Plan.** The Off-Site Improvement Phasing Plan consists of five (5) phases designated as Phases A through E. Each such Phases corresponds to specific required off-site improvements that are described on Exhibit 2B. Exhibit 2B ties each phase of these off-site improvements to a particular sequence in relation to the submittal and recording of particular Final Plat applications. The required off-site improvements shall be developed in the order listed on Exhibit 2B and each Phase shall be completed prior to the recording of the particular Final Plat identified for such Phase on Exhibit 2B.

3. ***Vesting of Certain Property Rights.*** The County and Developer hereby agree that Developer shall have vested property rights pursuant to the Statute to the extent provided in this Agreement to undertake and complete development of the Project and to use the Property in accordance with the Project Plans.

(a) ***Intent of Vesting System.*** The vesting system set forth in this Section 3 balances the County's obligation to protect the public health, safety and welfare of the community and its desire to facilitate the highest quality development with Developer's private property rights and Developer's need to rely on County approvals to achieve an economically viable project.

(b) ***Overview and Nature of Vesting System.*** During the term of the vested property rights set forth in Section 3(d) below, Developer will have the right to develop the Project on the Property with the uses and at such densities described in the Project Plans and in the general locations on the Property described in the Project Plans. Upon County approval of any future final plats that are approved for the various Phases or sub-Phases of the Project (including any amended plats approved for previously subdivided portions of the Property), such plats shall automatically be entitled to the same vested rights as have been granted herein for the same period of vesting which remains under this Agreement.

(c) ***Rights That Are Vested.*** The rights identified herein or as may hereafter be acquired by operation of any state or local vested property rights law shall constitute vested property rights under this Agreement and shall not be taken by the County without just compensation. These rights include the following:

(i) ***Uses, Densities and Locations; No Downzoning.*** The right to develop the Property in accordance with the maximum number of dwelling units, uses, densities, and general locations set forth in the Project Plans is hereby vested.

(ii) ***Site Development Standards.*** The right to develop the Property in accordance with the design standards, development standards, and terms and conditions set forth in the Project Plans and the resolutions of the Board approving the same is hereby vested.

(iii) **Timing of Development.** The right to commence and complete development of the Property at such time in such order and at such rate as Developer determines is most appropriate from time to time based on current and projected economic conditions, market demand, costs of construction and any other factor determined by Developer to be relevant. This provision of this Agreement supersedes any County rules or regulations that require development to be commenced or completed in any specific time frame.

(iv) **Subsequent Approvals.** The right to receive all County approvals necessary for development of the Project, provided that subsequent preliminary plan and final plat submittals or applications for other approvals shall comply with this Agreement, the Project Plans (as the same may be amended by approval of the County from time to time), and all applicable standards and regulations.

(v) **Applicable LUDC.** Pursuant to the new PUD Guide approved for the SVR PUD in conjunction with the approval of this Agreement, (a) to the extent of any conflict between the new PUD Guide and the provisions of the LUDC, the provisions of the new PUD Guide shall govern and control; and (b) where the new PUD Guide is silent, the specific provisions of the LUDC shall prevail. For so long as the vested property rights established pursuant to this Agreement remain in effect, the County and Developer hereby agree that the version of the LUDC that shall apply in all such considerations and in the consideration of any future subdivision or other land use approvals for any portion of the SVR PUD shall be the LUDC effective date July 15, 2013 as last amended October 27, 2021 (the “Applicable LUDC”).

(vi) **Site Specific Development Plan.** All matters vested under this Agreement and the Project Plans, including any future preliminary plans and final plats that are approved by the County for the various phases of the Project, shall be considered a “site-specific development plan” for the purposes of the Statute and Sections 2-201 and 2-202 of the Applicable LUDC. The following statement is provided to satisfy the requirements of the Statute and Section 2-202.D.2 of the Applicable LUDC:

Approval of this plan shall create a vested property right pursuant to Article 68 of Title 24, C.R.S., as amended.

(d) **Term of Vested Rights.** In recognition of the size of the Project contemplated by this Agreement and the Project Plans, the time anticipated to be required to complete the Project, the need to proceed in phases, and varying economic cycles and market conditions likely to occur during the course of development of the Project, the County agrees that the rights identified as vested rights in this Section 3(d) shall be vested for a period of twenty-five (25) years from the effective date of Resolution No. __-20__ approving this Agreement. The Parties acknowledge that the last day of such 25-year vested property rights period will be _____, 204__.

The County shall not, without approval of the Board, grant any further extension to the term of the vested property rights granted for the Project pursuant to this Agreement.

(e) **Adoption, Notice and Effective Date.** The County has approved this Agreement as a legislative act subject to referendum, as required by C.R.S. § 24-68-104(2)

of the Statute. As set forth in and required by C.R.S. § 24-68-103(c), within 14 days from the date of the approval of this Agreement, the County shall cause to be published in a newspaper of general circulation within the County, a notice advising the general public of the creation of vested property rights pursuant to this Agreement and C.R.S. §§ 24-68-101 *et seq.*

4. ***No Obligation to Develop.*** Notwithstanding anything to the contrary contained in this Agreement or the Project Plans, Developer shall have no obligation to develop all or any portion of the Property, except to the extent set forth in each Subdivision Improvements Agreement approved for each final plat of any portion of the Property.

5. ***Severability.*** If any provisions or parts of this Agreement are judged unenforceable or invalid, to the extent practicable, such judgment shall not affect, impair, or invalidate the remaining parts of this Agreement, the intention being that the various parts and provisions hereof are severable.

6. ***Recording of Agreement.*** This Agreement shall be recorded in the Records at Developer's expense and shall run with title to the Property, shall inure to the benefit of Developer and its successors and assigns, and shall be a covenant running with and against all the Property, property rights, and improvements contained within the Property described in **Exhibit 1** in order to put prospective owners, purchasers, successors, assigns, and others acquiring any interest in the Property on notice as to the terms and obligations herein.

7. ***Binding Effect.*** Unless otherwise provided herein, this Agreement shall be binding upon Developer's heirs, successors, assigns, transferees, and any other person or entity acquiring or purchasing any interest in any of the Property. Any party who is the successor to the "Developer" status pursuant to the new PUD Guide for the SVR PUD approved in conjunction with this Agreement shall automatically be considered the successor to Developer under this Agreement.

8. ***Notice.*** Any notice to Developer or the County, which may be given under the terms of this Agreement, shall be in writing and shall be deemed sufficiently given when sent certified U.S. Mail and first-class mail, postage prepaid, addressed as follows:

TO DEVELOPER:

Spring Valley Holdings, LLC
Attn: Martin Van Ardenne
Seligman Western Enterprises, Ltd.
One Towne Square,
Suite 1913
Southfield, MI 48076
Phone: 248-351-4876

TO THE HOA:

Spring Valley Ranch Community Master Association, Inc.

Attn _____

TO THE COUNTY:

Garfield County Board of County Commissioners

~~Attn Community Development Director~~

108 Eighth Street, Suite 401

Glenwood Springs, CO 81601

Phone: 970.945.8212

Fax: 970.384.3470

The Parties shall provide notice of any change in the above-referenced information.

9. **Applicable Law.** This Agreement shall be construed and enforced in accordance with the laws of the State of Colorado

10. **Counterparts.** This Agreement may be executed in counterparts, each of which will constitute one and the same instrument.

IN WITNESS WHEREOF, and agreeing to be fully bound by the terms of this Agreement, the Parties have set their hands below on this ____ day of _____ 202__.

[remainder of page intentionally blank]

DEVELOPER:

SPRING VALLEY HOLDINGS, LLC, a
Delaware Limited Liability Company

By: _____
Name: _____
Its: _____

HOA:

SPRING VALLEY RANCH COMMUNITY
MASTER ASSOCIATION

By: _____
Name: _____
Its: President

COUNTY:

BOARD OF COUNTY COMMISSIONERS
OF GARFIELD COUNTY, STATE OF
COLORADO

By: _____
Name: _____
Its: Chairperson

ATTEST:

By: _____
Clerk of the Board

**EXHIBIT 1
THE PROPERTY**

[to be inserted]

**EXHIBIT 2
NEW PHASING PLAN**

Note: This Exhibit 2 includes two sub-parts attached on the following two pages. The first part is labeled as Exhibit 2A and concerns the Dwelling Unit Phase. The second part is labeled as Exhibit 2B and concerns the required Off-Site Improvements.

[see attached pages for Exhibit 2A and Exhibit 2B]

**EXHIBIT 2A
NEW PHASING PLAN**

Page 1 of 2

DWELLING UNIT PHASING			
Phases	Range of Number of Free Market Dwelling Units:	Range of Number of Community Housing Dwelling Units*:	Range of Total Dwelling Units by Phase:
Phase 0	1 to 1	0 to 0	1 to 1
Phase 1	73 to 89	11 to 13	84 to 102
Phase 2	68 to 84	10 to 12	78 to 96
Phase 3	89 to 109	13 to 15	102 to 124
Phase 4	67 to 81	10 to 12	77 to 93
Phase 5	80 to 98	12 to 14	92 to 112
Phase 6	50 to 61	7 to 9	57 to 70
Phase 7	24 to 30	5 to 7	29 to 37
Maximum Allowed Total DUs**	502	75	577
<p>* The number of Community Housing Units shall comply with the minimum required proportionality to Free Market Units in accordance with the PUD Guide. The construction of Community Housing Units may be accelerated at any point in the Phasing Plan at the discretion of the Developer, without restricting the allowance to simultaneously plat or develop the maximum number of Free Market Dwelling Units as indicated for each Phase.</p>			
<p>** DUs means Dwelling Units. The total number of Dwelling Units for all Phases shall not exceed 577.</p>			

EXHIBIT 2B
NEW PHASING PLAN

Page 2 of 2

OFF-SITE IMPROVEMENT PHASING		
Phases	Improvement Description	Timing of Improvement
Phase A	Improvements to the intersection of State Highway 82 and County Road 114, including any transit, park and ride, and/or Rio Grande Trail improvements. *	Improvements shall be included as a component of the First Final Plat application and associated Subdivision Improvements Agreement, and shall be completed prior to the recording of the Third Final Plat provided that any required approvals or permits are not unreasonably withheld by CDOT or RFTA.
	Improvements to the intersection of State Highway 82 and County Road 115. *	
Phase B	County Road 114 Improvements: From the intersection of State Highway 82 to the intersection with County Road 110 (approx. 1.5 miles). **	Improvements shall be included as a component of the Second Final Plat application and associated Subdivision Improvements Agreement, and shall be completed prior to the recording of the Fourth Final Plat provided that any required approvals or permits are not unreasonably withheld by Garfield County.
Phase C	County Road 114 Improvements: From the intersection of County Road 110 to the eastern access of Colorado Mountain College (approx. 1.4 miles). **	Improvements shall be included as a component of the Third Final Plat application and associated Subdivision Improvements Agreement, and shall be completed prior to the recording of the Fifth Final Plat provided that any required approvals or permits are not unreasonably withheld by Garfield County.
Phase D	County Road 114 Improvements: From the eastern access of Colorado Mountain College to the main Spring Valley Ranch access at the intersection of County Road 115 and Highgrange Pass (approx. 1.6 miles). **	Improvements shall be included as a component of the Fourth Final Plat application and associated Subdivision Improvements Agreement, and shall be completed prior to the recording of the Sixth Final Plat provided that any required approvals or permits are not unreasonably withheld by Garfield County.
Phase E	County Road 115 Improvements: From the intersection of County Roads 114 and 115 to the Landis Creek access road for Spring Valley Ranch (approx. 2.1 miles). **	Improvements shall be included as a component of the Fifth Final Plat application and associated Subdivision Improvements Agreement, and shall be completed prior to the recording of the Seventh Final Plat provided that any required approvals or permits are not unreasonably withheld by Garfield County or CDOT.
* Improvements shall be based upon requirements of CDOT Access Permit. Transit, park and ride, and/or Rio Grande Trail improvements at the intersection of SH 82 and CR 114 shall be determined in collaboration between RFTA and the Developer and agreed upon in writing prior to approval of Preliminary Plan.		
** Improvements shall be based upon the Design Standards for an Off-Site County Road per Section 7.2 (Roadway Classification & Design Standards) of the Spring Valley Ranch PUD Guide.		

May 23, 2024

Garfield County Planning

ATTN: Glenn Hartmann
108 8th Street, Suite 401
Glenwood Springs, Colorado 81601

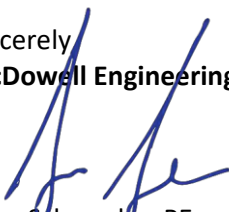
**RE: Spring Valley Ranch PUD Amendment (PUAA-05-23-8967)
Response to February 23, 2024 Letter from Michael Kenealy**

We are in receipt of a letter dated February 23, 2024 addressed to Garfield County in response to the Spring Valley Ranch PUD from Michael Kenealy. Our comments are specifically related to the discussion regarding CR110.

1. As a part of our initial scoping process, we produced a "scoping and methodology document" that was submitted to CDOT and Garfield County. This document is included in the Appendix of our TIS. In that document, we focused upon the distribution of traffic to/from the project site onto the surrounding roadway. We identified CR114 (Spring Valley Road) and CR115 (Red Canyon Road) as the main contributors to traffic volumes. We received written confirmation from CDOT on this accepted methodology and did not receive any response from Garfield County.
2. Based upon travel distance, CR110 appears to be a shorter route to/from SH82 south of the project site. Our traffic study estimated approximately 30% of the traffic volume to/from the site will originate from/to the south towards Carbondale. It is likely that a certain percentage of this traffic may utilize CR110.
3. The traffic volumes that would utilize CR110 will not have any operational changes on the CR114 intersection, and all of the recommendations will remain the same for CR114.
4. Many of the popular mobile phone apps (Google Maps, Apple, etc.) may show traffic routing over CR110. These mapping applications do not take into consideration factors such as roadway width, grade, road hazards, etc.
5. If the County agrees that they would like to discourage through traffic along this route, the County should consider installing "local traffic only" signage, as well as reaching out to the owners of the above-mentioned mobile phone mapping apps and requesting that this route be removed from their databases.

Please contact me directly with any questions about this information.

Sincerely,
McDowell Engineering


Greg Schroeder, PE
Traffic/Transportation Engineer

Cc: Jon Fredericks, LANDWEST Colorado

December 20, 2023

Garfield County Community Development Department

ATTN: Glenn Hartmann, Community Development Director
108 8th Street, Suite 401
Glenwood Springs, Colorado 81601

RE: Spring Valley Ranch – Response to Traffic Completeness Comments

Glenn:

Please find enclosed the following responses to the traffic related completeness comments. Our responses are shown in the **blue bold type**.

From 10/25/23 County Letter:

- Traffic Study needs to clarify and summarize specific impacts and improvements required, including intersection improvements – per Chris Hales comments. Clarification on queuing lengths and coordination/timing of improvement with other projects needs to be addressed.

McDowell Engineering Response: Improvements that are necessary are summarized in Section 5.0, Transportation Impact Analysis. Much of the emphasis is on the SH 82 and Spring Valley Road intersection. Per CDOT's Access Code, turn lane infrastructure is identified and is shown schematically in Figure 10, Page 34 of the TIS. Additionally, signal timing recommendations are also detailed in this section. CDOT will use these recommendations for their access permit requirements.

- Traffic Study needs to provide assessment of traffic impacts if County Road 115 is closed – per Dan Cokely comments.

McDowell Engineering Response: See response below.

- Dan Cokely, consulting engineer technical comments on Traffic Study including adjustments to trip reduction assumptions needs to be addressed.

McDowell Engineering Response: McDowell Engineering reached out with a conference call with Dan Cokley. During that meeting, several comments were discussed, as explained below.

Chris Hale Comment:

- The traffic analysis is thorough however the recommendations for improvements to each of the intersections was not apparent.

McDowell Engineering Response: Much of the recommendations for turn lanes are included in Tables 7 and 8. It should be noted that Garfield County does not have turn lane warrants within its code. Therefore, they are provided for reference only, and as a general guidance. In addition, HCM analysis has been performed on all of these intersections, and reviewing agencies can use these metrics to identify any existing deficiencies regarding operational characteristics.

Dan Cokely Comments:

- **Internal Trip Reduction** – I do not necessarily agree with the methodology used and the reductions applied but need to get into more detail to technically express that.
 - The SHAC reduction for residential mixed use is acceptable at 2% and 8% (Section 4.3 & Table 4)
 - The GarCo vs On-site employee housing reduction should apply only to “work trips”, 4 per day. Which equates to 14% rather than 23% (Table 4)
 - I do not agree with the Non-Residential trip reduction in Table 5 and would need to spend more time, or have a discussion with McDowell. The standard is to use NCHRP #684 Internal Trip Reduction spreadsheet. Which would result in lower trip reductions. It may not affect the final conclusions.

McDowell Engineering Response: McDowell Engineering reached out with a conference call with Dan Cokley. During that meeting, our methodology and trip reductions were discussed and explained to Dan. We also discussed that we had sent this methodology to CDOT (per the TIS Appendix) that identified the trip reduction and that CDOT was acceptable to the method. Therefore, Dan felt comfortable with the methods utilized in the TIS.

The employee housing reduction was rechecked and is correct at the 23% as stated. This is based upon the 58 of the 75 available housing units will be for non-SVR employees (Section 4.1 of the TIS)

- **Directional Distribution** – Assuming a 95% (CR 114) and 5% (CR 115) is reasonable if CR 115 is to remain open to public use. If it will be closed, except to emergency vehicles, if a project of this size is approved, the assumption should be used that all traffic uses CR 114. Would like input from the County here. This also probably does not change the conclusions.

McDowell Engineering Response: If CR115 were to be closed and no traffic was routed through this intersection, the 5% of distribution that previously utilized CR115 would be applied to intersections #4 & #5 as shown below:

Intersection	Movement	Project Generated Volumes w/ CR115 Open (am/pm/sat in vph)	Project Generated Volumes w/ CR115 Closed (am/pm/sat in vph)	Impacts
#4 (SH82 & Spring Valley Road)	Westbound Right	218/166/174	235/179/187	No net changes in infrastructure recommendations
#4 (SH82 & Spring Valley Road)	Southbound Left	111/240/161	119/258/173	No net changes in infrastructure recommendations
#5 (Spring Valley Road & Frontage Road)	Westbound Through	319/242/254	336/255/267	No net changes in infrastructure recommendations

These changes would be reflected on Figure 7 in the TIS, as shown:

Figure 1: Project Generated Traffic Assignment with CR115 CLOSED (Revised Figure 7 in TIS)

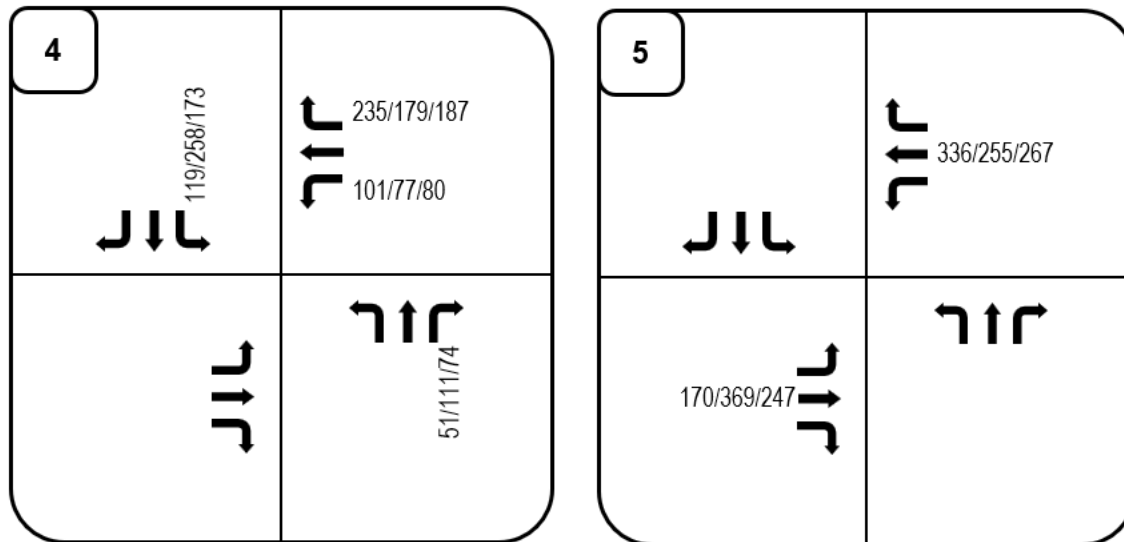
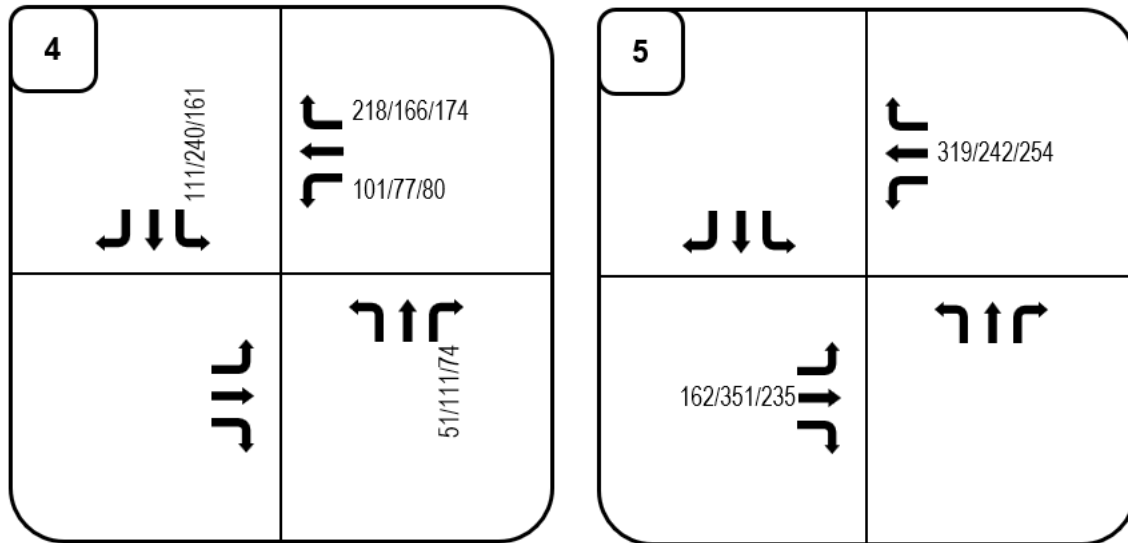


Figure 2: Project Generated Traffic Assignment with CR115 Open (Original Figure 7 in TIS)



- **CR 114 and CR 115 improvements** – Are generally triggered by existing volumes. Would the County like any input on share percentage or anything else from SGM here?

McDowell Engineering Response: This is a correct statement in that the existing traffic volumes are currently triggering the needed improvements at both intersections, per CDOT’s Access Code.

CDOT Comment

- This development still needs to formally submit a traffic study to CDOT and access permit applications for the GCR 115 and 114. Garfield County is the permittee since they own those facilities, or they can delegate permitting authority to the developer and the developer can be the permittee on behalf of the County.

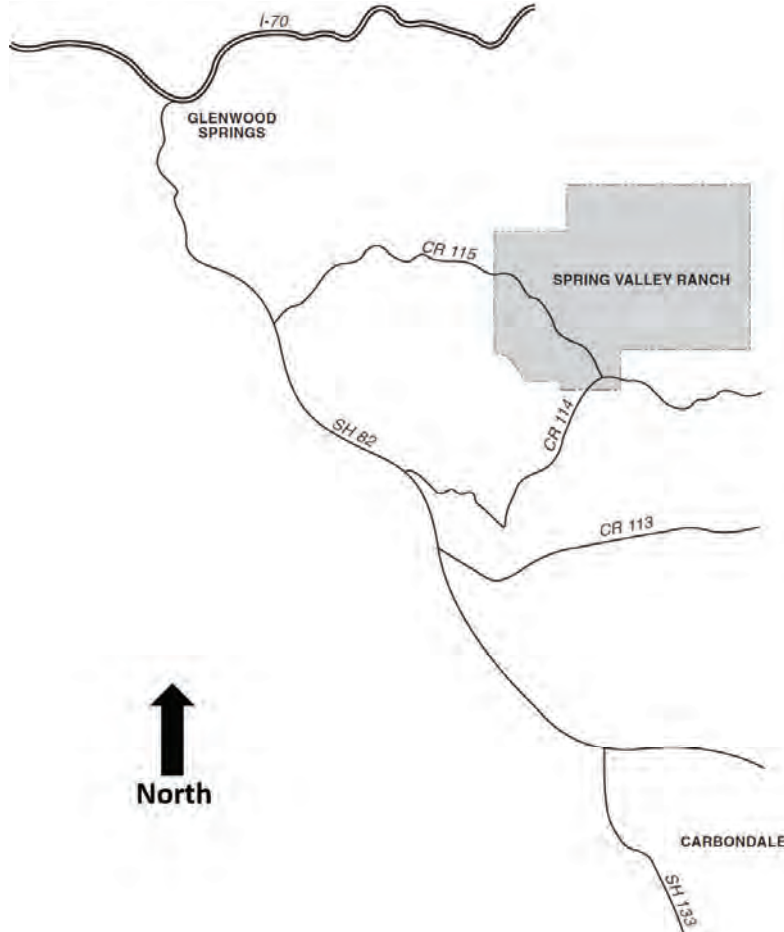
McDowell Engineering Response: The TIS has been prepared per CDOT’s Access Code and is suitable for submission to CDOT for their review.

Please contact me directly with any questions about this information.

Sincerely,
McDowell Engineering

Greg Schroeder, PE
 Traffic/Transportation Engineer

**Transportation Impact Study
For
Spring Valley Ranch
Garfield County, CO**



January 31, 2023

PREPARED FOR:
Storied Development, LLC
9875 N. Tuhaye Park
Kamas, UT 84036
Contact: Rich Wagner

PREPARED BY:
McDowell Engineering, LLC
PO Box 4259
Eagle, CO 81631
970.623.078
Contact: Kari J. McDowell Schroeder, PE, PTOE
Project Number: M1591

Statement of Engineering Qualifications

Kari J. McDowell Schroeder, PE, PTOE is a Transportation and Traffic Engineer for McDowell Engineering, LLC. Ms. McDowell Schroeder has over twenty-five years of extensive traffic and transportation engineering experience. She has completed numerous transportation studies and roadway design projects throughout the State of Colorado. Ms. McDowell Schroeder is a licensed Professional Engineer in the State of Colorado and has her certification as a Professional Traffic Operations Engineer from the Institute of Transportation Engineers.

Table of Contents

1.0	PROJECT DESCRIPTION	5
1.1	PROJECT PHASING.....	9
1.2	PROJECT ACCESS LOCATIONS.....	9
1.3	INTERSECTION ANALYSIS LOCATIONS.....	9
2.0	EXISTING CONDITIONS	10
2.1	DESCRIPTION OF EXISTING TRANSPORTATION SYSTEM.....	10
2.2	EXISTING TRAFFIC DATA.....	10
3.0	FUTURE TRAFFIC PROJECTIONS	12
3.1	EXISTING & COMMITTED CAPITAL IMPROVEMENT PROJECTS.....	12
3.2	PLANNED OR EXISTING LAND DEVELOPMENT PROJECTS.....	12
3.3	BACKGROUND TRAFFIC GROWTH.....	12
3.4	BACKGROUND TRAFFIC LEVEL OF SERVICE.....	15
4.0	PROJECT TRAFFIC.....	20
4.1	TRIP GENERATION.....	20
4.2	MULTIMODAL REDUCTION	24
4.3	INTERNAL TRIP REDUCTION.....	24
4.4	SITE-GENERATED TRAFFIC	24
4.5	SITE-GENERATED DIRECTIONAL DISTRIBUTION.....	25
4.6	TRIP ASSIGNMENT	25
4.7	TOTAL TRAFFIC.....	25
5.0	TRANSPORTATION IMPACT ANALYSIS	31
5.1	AUXILIARY TURN LANES	31
5.2	TOTAL TRAFFIC LEVELS OF SERVICE.....	35
5.3	SIMTRAFFIC ANALYSIS	39
5.4	SITE ACCESSES SIGHT DISTANCE.....	42
5.5	STATE HIGHWAY ACCESS PERMIT.....	44
6.0	RECOMMENDATIONS AND CONCLUSIONS	45
7.0	APPENDIX.....	48

Figures and Tables

FIGURE 1: VICINITY MAP.....	6
FIGURE 2: SITE PLAN	8
FIGURE 3: YEAR 2022 EXISTING TRAFFIC.....	11
FIGURE 4: YEAR 2023 BACKGROUND TRAFFIC VOLUMES.....	13
FIGURE 5: YEAR 2045 BACKGROUND TRAFFIC VOLUMES.....	14
FIGURE 6: PROJECT GENERATED TRAFFIC DISTRIBUTION	27
FIGURE 7: SITE-GENERATED TRAFFIC ASSIGNMENT.....	28
FIGURE 8: YEAR 2023 TOTAL TRAFFIC	29
FIGURE 9: YEAR 2045 TOTAL TRAFFIC	30
FIGURE 10: LANE CONFIGURATIONS FOR INTERSECTIONS #4 AND #5	34
FIGURE 11: INTERSECTIONS #4 AND #5.....	40
FIGURE 12: 170 SECOND DEFAULT SIGNAL TIMING.....	40
FIGURE 13: 180 SECOND PROPOSED SIGNAL TIMING	40
FIGURE 14: AASHTO GREENBOOK TABLE 3-1. STOPPING SIGHT DISTANCE ON LEVEL ROADWAYS.....	42
FIGURE 15: AASHTO GREENBOOK TABLE 3-2. STOPPING SIGHT DISTANCE ON GRADES	43
FIGURE 16: AASHTO GREENBOOK TABLE 3-3. DECISION SIGHT DISTANCE	43
TABLE 1: YEAR HCM LEVEL OF SERVICE CRITERIA.....	15
TABLE 2: YEAR 2023 BACKGROUND TRAFFIC LEVEL OF SERVICE.....	16
TABLE 3: YEAR 2045 BACKGROUND TRAFFIC LEVEL OF SERVICE.....	17
TABLE 4: SPRING VALLEY RANCH RESIDENTIAL TRIP GENERATION.....	21
TABLE 5: SPRING VALLEY RANCH NON-RESIDENTIAL TRIP GENERATION 1	22
TABLE 6: SPRING VALLEY RANCH NON-RESIDENTIAL TRIP GENERATION 2	23
TABLE 7: AUXILIARY TURN LANE RECOMMENDATIONS PART 1	32
TABLE 8: AUXILIARY TURN LANE RECOMMENDATIONS PART 2	33
TABLE 9: YEAR 2023 TOTAL TRAFFIC LEVEL OF SERVICE	36
TABLE 10: YEAR 2045 TOTAL TRAFFIC LEVEL OF SERVICE	37
TABLE 11: SIMTRAFFIC QUEUE LENGTH SUMMARY	41
TABLE 12: SIMTRAFFIC TOTAL DELAY SUMMARY	41

1.0 Project Description

McDowell Engineering has prepared this Transportation Impact Study (TIS) for the proposed Spring Valley Ranch (SVR) development in Garfield County, Colorado. The purpose of this TIS is to forecast and analyze the impacts of the additional traffic volumes associated with the addition of the proposed development on the surrounding roadway network.

The development is located approximately three miles northeast of the State Highway 82 (SH 82) and County Road 114/Spring Valley Road intersection. The development is directly north of the County Road 114 (CR 114) and County Road 115 (CR 115)/ Red Canyon Road intersection. The property currently has one existing ranch house with accessory structures. Additionally, there are a few residential homes located to the east and west of the parcel. SVR is a proposed residential community which focuses on recreational activities. The development will include housing and residential homes on larger lots. Additionally, the development will include a golf course, a clubhouse, a trailhead recreation center, and a village commercial district. The mixed-use district would include several on-site amenities such as restaurants, athletic club, grocery, post office, and other amenities for SVR residents.

The location of proposed development is shown in the vicinity map in **Figure 1**.