



**SUMMIT COUNTY BOARD OF COUNTY COMMISSIONERS
1ST AMENDED REGULAR MEETING AGENDA
Tuesday, June 23, 2020, 1:30 p.m.**

Please use the link below to join the webinar:

[https://us02web.zoom.us/j/81594866833?
pwd=YVJ6Q3FJT1ZZbElzWExFemhRT0p1dz09](https://us02web.zoom.us/j/81594866833?pwd=YVJ6Q3FJT1ZZbElzWExFemhRT0p1dz09)
Password: Ob?t=5cjPg

Or Telephone:

**346 248 7799 or 669 900 9128 or 253 215 8782 or 312 626 6799 or 646 558 8656
or 301 715 8592**

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I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF AGENDA

IV. CITIZEN COMMENT

V. CONSENT AGENDA

A. Approval Of 6-9-20 Regular Meeting Minutes

Documents:

[CONSENT A - 060920 REG MIN.PDF](#)

B. Approval Of 6-3-20 Special Meeting Minutes

Documents:

[CONSENT B - 060320 SPL MIN.PDF](#)

C. Warrant List Of 6-1-20 To 6-15-20 (Finance)

Documents:

CONSENT C - WARRANT LIST 060120 TO 061520.PDF

- D. Petition For Abatement Or Refund Of Taxes; Abatement No. 20AR-143; Schedule No. 700089; Legal Property Description: Lot 2 Block 2 Copper Mountain Sub #2; Owner: POWDR – Copper Mountain LLC (Assessor)

Documents:

CONSENT D1 - 20AR-143 STAFF REPORT.PDF
CONSENT D2 - 20AR-143 BAA ORDER ON STIPULATION.PDF
CONSENT D3 -20AR-143 STIPULATION.PDF
CONSENT D4 - 20AR-143 DPT PETITION.PDF
CONSENT D5 - 20AR-143 BAA PETITION.PDF

- E. Petition For Abatement Or Refund Of Taxes; Abatement No. 20AR-145; Schedule No. 6508534; Legal Property Description: Tract B Tenderfoot Sub #5; Owner: Vail Summit Resorts Inc. (Assessor)

Documents:

CONSENT E1 - 20AR-145 STAFF REPORT.PDF
CONSENT E2 - 20AR-145 BAA ORDER ON STIPULATION.PDF
CONSENT E3 - 20AR-145 STIPULATION.PDF
CONSENT E4 - 20AR-145 DPT PETITION.PDF
CONSENT E5 - 20AR-145 BAA PETITION.PDF

- F. A Request To Vacate The Lot Line Between Lot 62 And 63,Tract C, Old Keystone Golf Course Subdivision; A 0.505 Acre Site; Zoned Keystone Resort PUD. (PLN20-025/Jeffrey Kohn) Snake River Basin

Documents:

CONSENT F1 - PLN20-025_LOT LINE VACATION_STAFF REPORT.PDF
CONSENT F2 - ATTACHMENT 1_PLAT MAP.PDF
CONSENT F3 - ATTACHMENT 2_COVENANT.PDF
CONSENT F4 - ATTACHMENT 3_EXHIBIT A.JPEG
CONSENT F5 - PLN20-025 PROPOSED BOCC RESO 2020-XX.PDF

- G. Approval Of County Retirement Income Security Program (CRISP) Board Appointment (Finance)

Documents:

CONSENT G - CRISP BOARD APPOINTMENT_062320.PDF

VI. ADJOURNMENT

*This agenda is subject to change at any time. Please contact the Manager's Office or visit our website to obtain updates at: <http://www.summitcountyco.gov>



SUMMIT COUNTY BOARD OF COUNTY COMMISSIONERS
Tuesday, June 9, 2020 at 1:30 p.m.
SUMMARY MINUTES

*For assistance or questions regarding special accommodations, accessibility,
or available audio/visual equipment, please contact 970-453-3403 as soon as possible.*

I. CALL TO ORDER

The Meeting of the Board of County Commissioners on Tuesday, June 9, 2020 was called to order by Chair, Karn Stiegelmeier, at 1:30 p.m. in the County Commissioners' Meeting Room, Summit County Courthouse, 208 Lincoln Avenue, Breckenridge, Colorado.

II. ROLL CALL

Board Members present and answered to the roll call were:

Karn Stiegelmeier, Chair
Thomas C. Davidson, Commissioner
Elisabeth Lawrence, Commissioner

Staff Present were as follows: Scott Vargo, County Manager; Jeff Huntley, County Attorney; Bentley Henderson, Assistant County Manager; Julie Sutor, Director of Communications and Lori Dwyer, Deputy Clerk.

Additional Attendees via conference phone: Libby Stanford and others that did not sign in.

III. APPROVAL OF AGENDA

The agenda was approved, as presented.

IV. CITIZEN COMMENT

V. CONSENT AGENDA

- A. Approval of 5-26-20 Regular Meeting Minutes. **Approved as presented; and**
- B. Approval of 5-28-20 Special Meeting Minutes. **Approved as presented; and**
- C. Warrant List of 5-16-20 to 5-31-20 (Finance). **Approved as presented by the Finance Department; and**
- D. Adoption of Multi-Jurisdictional Hazard Mitigation Plan (Emergency Management). **Approved Resolution 2020-36; and**
- E. Liquor License Renewal for American Liquors LLC dba AMERICAN LIQUORS; Liquor Store; Craig Rubis; 76 Huron Road; Breckenridge, CO 80424 (Clerk). **The Sheriff's**

- report indicated no record of negative information on the establishment and stated no reason to disapprove the issuance of the license at this time; and**
- F.** Liquor License Renewal for Guest Services 112 LLC dba LODGE AT BRECKENRIDGE; Hotel & Restaurant; Joon Lee; located at 112 Overlook Drive, Breckenridge, CO (Clerk). **The Sheriff's report indicated no record of negative information on the establishment and stated no reason to disapprove the issuance of the license at this time; and**
- G.** Approval of a Memorandum of Understanding with Habitat for Humanity (Housing). **Approved as presented; and**

MOTION: A motion was made by Commissioner Davidson and seconded by Commissioner Lawrence to approve the Consent Agenda, items A-G, including Resolution 2020-36 as reference above.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

VI. ADJOURNMENT

The meeting was adjourned at 1:31 p.m.

Respectfully submitted,

Approved by:

Lori Dwyer, Deputy Clerk

Karn Stiegelmeier, Chair

NOTE: These minutes are a summary of the proceedings and motions of the June 9, 2020 Board of County Commissioners' Regular Meeting. The complete digital recording is available in the Office of the Clerk & Recorder, Summit County Courthouse, 2nd Floor, 208 Lincoln Avenue, Breckenridge, Colorado 80424.



SUMMIT COUNTY BOARD OF COUNTY COMMISSIONERS
Thursday, June 3, 2020 at 3:30 p.m.
SUMMARY MINUTES

*For assistance or questions regarding special accommodations, accessibility,
or available audio/visual equipment, please contact 970-453-3403 as soon as possible.*

I. CALL TO ORDER

The Meeting of the Board of County Commissioners on Wednesday, June 3, 2020 was called to order by Chair, Karn Stiegelmeier, at 3:46 p.m. in the County Commissioners' Meeting Room, Summit County Courthouse, 208 Lincoln Avenue, Breckenridge, Colorado.

II. ROLL CALL

Board Members present via conference phone and answered to the roll call were:

Karn Stiegelmeier, Chair
Thomas C. Davidson, Commissioner
Elisabeth Lawrence, Commissioner

Staff (via conference phone): Scott Vargo, County Manager; Jeff Huntley, County Attorney; Cameron Turpin, Assistant County Attorney; Bentley Henderson, Assistant County Manager; Marty Ferris, Finance Director; Amy Wineland, Public Health; Brian Bovaird, Director of Emergency Management; Julie Sutor, Director of Communications; Stacey Nell, Chief Deputy Clerk; April Paige, Executive Administrative Assistant and Lori Dwyer, Administrative Assistant.

Guests (via phone): Peter Siegel, Libby Stanford, Chad Huffman and others that did not sign in.

III. APPROVAL OF AGENDA

The agenda was approved, as presented.

IV. CITIZEN COMMENT

V. CONSENT AGENDA

- A.** Liquor License Modification for Haywood Inc. dba HAYWOOD CAFÉ; Hotel & Restaurant; Kristopher Huffman; located at 23110 U.S. Highway 6, Keystone, CO (Clerk). **Continued from the May 28, 2020 Special Meeting.**

Stacey Nell gave a background of the proposed liquor license modification, which is for a COVID-19 related premise modification to allow the applicant to temporarily expand into their parking lot. She noted that the application had already been approved at the state level. She

also noted the addition of memorandums of compliance from the Planning Department and Sheriff's Office.

Cameron Turpin noted that the temporary modification automatically expires in 120 days.

MOTION: A motion was made by Commissioner Lawrence and seconded by Commissioner Davidson to approve a Liquor License Modification for Haywood Inc. dba HAYWOOD CAFÉ; Hotel & Restaurant; Kristopher Huffman; located at 23110 U.S. Highway 6, Keystone, CO (Clerk).

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

VI. ADJOURNMENT

The meeting was adjourned at 3:55 p.m.

Respectfully submitted,

Approved by:

Lori Dwyer, Deputy Clerk

Karn Stiegelmeier, Chair

NOTE: These minutes are a summary of the proceedings and motions of the June 3, 2020 Board of County Commissioners' Special Meeting. The complete digital recording is available in the Office of the Clerk & Recorder, Summit County Courthouse, 2nd Floor, 208 Lincoln Avenue, Breckenridge, Colorado 80424.

Vendor Checks by Date

Check Cut Range from: 6/1/2020 through 6/15/2020

Summit County Finance

Nbr / Name	Check Number	Check Date	Check Amt	Type	Total Chk Amt
10011	A M LOCKSMITHS				\$218.60
10013	A1 ORGANICS				\$1,370.25
10014	A2CL INC.				\$6,350.00
10023	ACE EQUIPMENT & SUPPLY CO				\$1,045.00
10024	ACORN PETROLEUM				\$9,049.06
10027	ADAMSON POLICE PRODUCTS				\$189.95
10047	ALLIED SECURITY				\$526.80
1127	ALPENSEE WATER DISTRICT BOND				\$10,587.50
1128	ALPENSEE WATER DISTRICT GENL				\$3,727.50
10057	ALSCO				\$132.22
10061	ALWAYS MOUNTAIN TIME LLC				\$180.00
90621	ANIMAL CONTROL ONE TIME				\$607.06
10083	ANN LINCOLN				\$540.00
12470	APEX ROCKFALL MITIGATION, LLC				\$150,272.00
12720	APRIL KRONER				\$370.65
10111	ARTWORKS UNLIMITED INC				\$1,030.00
10128	AXIS FORENSIC TOXICOLOGY, INC.				\$701.00
10168	BOB BARKER CO.				\$1,072.48
12078	BOULDER COUNTY				\$900.00
11876	BRECKENRIDGE MONTESSORI, INC				\$4,362.40
1129	BRECKENRIDGE MTN METRO DIST				\$47,046.95
11874	BRIAN BOVAIRD				\$100.00
1130	BUFFALO MOUNTAIN METRO DIST				\$105,338.46
10196	BUFFALO MTN ANIMAL HOSPITAL				\$1,169.83
10205	C.H. ROBINSON				\$2,550.00
10222	CARRIAGE HOUSE PRESCHOOL				\$11,622.00
10236	CCBIT, INC				\$28,668.00
10242	CDWG				\$925.28
11296	CENTRAL SQUARE TECHNOLOGIES, LLC				\$840.00
10247	CENTURYLINK				\$875.43
10251	CERTIFIED LABORATORIES				\$364.25
10258	CHARLES D JONES CO				\$1,185.06
12643	CHRISTINE CURTIS				\$3,380.00
12724	CHRISTINE ZENEL				\$32.49
10267	CINTAS CORPORATION				\$62.24
12464	CLARE CORP				\$8,536.62
12581	CLEAR CREEK COUNTY GOVERNMENT				\$120.10
10298	COLORADO ANALYTICAL LAB				\$38.00
12056	COLORADO ASSOCIATION PROPERTY POOL				\$24,304.93
10310	COLORADO BAR ASSN				\$345.00
10311	COLORADO BUREAU OF INVESTIGATION				\$197.50
1199	COLORADO DEPT OF HUMAN SERVICES				\$280.00
10329	COLORADO DEPT OF PUB HEALTH & ENV				\$1,117.26
1198	COLORADO DEPT OF PUBLIC HEALTH				\$42.00

Vendor Checks by Date

Check Cut Range from: 6/1/2020 through 6/15/2020

Summit County Finance

10330	COLORADO DEPT OF PUBLIC HEALTH & ENVIRONMENT	\$14.36
1197	COLORADO DEPT OF REVENUE	\$269,658.76
10341	COLORADO INTERACTIVE	\$540.00
1131	COLORADO MOUNTAIN COLLEGE	\$890,540.02
10350	COLORADO MOUNTAIN NEWS MEDIA	\$4,279.12
1132	COLORADO RIVER WATER CONS	\$50,331.01
12055	COLORADO WORKERS COMPENSATION POOL	\$2,630.60
1133	COPPER MOUNTAIN CONS DIST	\$205,432.56
1134	CORINTHIAN HILL METRO DIST	\$7,489.12
12635	COSCO FIRE PROTECTION, INC	\$111,824.37
11655	COSTAR REALTY INFORMATION INC	\$982.84
12459	COVETRUS NORTH AMERICA	\$994.53
10403	CPS DISTRIBUTORS INC	\$504.05
11644	CROWN TROPHY	\$136.61
12729	DANIEL ALMIRON	\$100.00
1228	DANIEL CHARLES ROEMER	\$2,745.55
12603	DAVID ALEXANDER	\$171.00
12646	DAVID GROOMS	\$10,633.00
12711	DDS SERVICES OF AMERICA, INC	\$143.38
10444	DH PACE	\$5,251.66
1184	DIANE L NOONAN	\$618.21
11992	DR ALISON MCNEILLY	\$1,254.00
12382	DRONE NERDS, INC	\$4,237.99
10471	DUCTWORKS, INC.	\$2,985.00
12723	DYLAN GRAVES	\$100.00
1136	EAST DILLON WATER DISTRICT	\$19,977.23
10478	EBMS	\$301,893.18
10482	ECOLAB	\$65.55
10483	ECOLOGICAL RESOURCE	\$10,125.00
10486	ELECTRONIC RECYCLERS	\$3,691.57
91220	ENVIRONMENTAL HEALTH ONE TIME	\$51.00
11517	ENVIROTECH	\$3,160.50
10524	FARMERS KORNER VET	\$17.50
10531	FEDEX KINKO'S	\$546.44
10533	FERNO-WASHINGTON INC.	\$39,481.10
10534	FERRELLGAS	\$2,861.66
10538	FIRST CALL OF COLORADO, INC	\$542.00
10539	FIRST VEHICLE SERVICES	\$202,993.98
10541	FIS/LINK2GOV	\$218.43
1265	FOURTH STREET CROSSING IMPROVEMENT DISTRICT	\$763.84
12522	FRONTIER FIRE PROTECTION LLC	\$824.38
10566	GALLS, LLC	\$1,556.48
11908	GARCIA CLINICAL LABORATORY, INC.	\$348.00
10580	GEORGE T SANDERS	\$390.94
10601	GRAINGER	\$2,754.76

Vendor Checks by Date

Check Cut Range from: 6/1/2020 through 6/15/2020

Summit County Finance

12728	GRANICUS INC	\$140,749.00
1137	HAMILTON CREEK METRO DIST	\$39,604.95
1138	HEENEY WATER DISTRICT	\$1,752.87
10620	HELENA CHEMICAL	\$1,577.71
10626	HIGH COUNTRY CONSERVATION	\$16,568.53
90940	HOUSING ONE TIME	\$1,375.00
10665	INTEGRAL DESIGN GROUP	\$5,061.00
10668	INTERMOUNTAIN LOCK & SECURITY	\$419.00
1045	J2 RE LLC	\$1,964.87
12361	JAMES SLIVKA	\$138.06
12547	JAMES T. KUSTER	\$510.00
1052	JASON ENGEL	\$293.27
12553	JASON LEDERER	\$23.23
10709	JILL VESNER	\$49.45
11636	JM SILVERTHORNE LLC	\$168.55
12731	JOHN MAY	\$438.00
1220	JOHN MICHAEL ARANDA	\$640.35
12604	JONATHAN MOSHER	\$171.00
12301	JUDITH L. DOMBROWSKI	\$1,121.48
10741	JUSTIN MILIZIO, DVM	\$359.00
12303	KATHLEEN GROSSNICKLAUS	\$506.61
12185	KEYSTONE NEIGHBOURHOOD COMPANY	\$180.00
10772	KINSCO LLC	\$972.31
1139	KREMMLING MEM HOSPITAL DIST	\$26,889.06
1140	LAKE DILLON FIRE PROT DIST	\$939,250.70
10796	LAKE DILLON PRESCHOOL	\$10,810.21
10798	LAND TITLE GUARANTEE CO	\$1,906.00
10804	LASER GRAPHICS	\$514.10
12730	LAURA VERONICA CHAVEZ	\$2,302.95
10808	LAUREN GEARHART	\$163.67
12719	LEADSONLINE LLC	\$1,362.00
12302	LINDA FARRELL	\$381.04
10823	LITTLE RED SCHOOLHOUSE	\$13,272.84
1141	LOWER BLUE FIRE PROT DIST	\$3,748.68
12670	LYNN MEYER	\$360.00
10837	LYNNE EASTERLY	\$217.24
10842	MANSFIELD OIL COMPANY	\$8,523.53
11888	MARCEL ARSENAULT	\$150.00
10851	MARMOT LIBRARY NETWORK INC	\$10,803.66
11605	MARTIN-RAY LAUNDRY SYSTEMS, INC.	\$92.14
12457	MARYLYN J GREEN	\$1,463.54
12420	MEREDITH FRANK	\$1,025.00
10873	MESA OIL	\$1,206.00
1142	MIDDLE PARK WATER CONS DIST	\$10,298.93
10891	MIDWEST TAPE	\$50.43

Vendor Checks by Date

Check Cut Range from: 6/1/2020 through 6/15/2020

Summit County Finance

10898	MIND SPRINGS HEALTH, INC.	\$340.00
12618	MONTGOMERY SKIP MASINGALE	\$100.00
10912	MOUNTAIN PARKS ELECTRIC	\$76.75
12722	NATIONAL MEDICAL SERVICES, INC	\$1,840.00
10959	NEWCLOUD NETWORKS	\$2,836.05
10967	NORTHERN SAFETY CO	\$125.31
10973	NVA FRISCO ANIMAL HOSPITAL	\$69.47
99999	ONE TIME VENDOR	\$200.00
11949	OPEN ARMS CHILDCARE AND PRESCHOOL	\$8,598.19
90950	OPEN SPACE & TRAILS ONE TIME	\$300.00
10994	OVERDRIVE, INC.	\$990.61
11614	PEAK MATERIALS	\$193.83
11009	PEAK PERFORMANCE	\$232.86
11026	PIONEER MATERIALS	\$393.07
12451	POSTMORTEM PATHOLOGY SERVICES, INC.	\$1,025.00
11033	POWDR - COPPER MOUNTAIN LLC	\$837.85
11034	POWER EQUIPMENT COMPANY	\$4,069.50
11043	PROFESSIONAL COMPLIANCE & TESTING	\$100.00
12652	QUADIENT LEASING USA, INC	\$418.74
11786	QUEST DIAGNOSTICS	\$2,622.00
11067	QUILL.COM	\$1,662.64
12165	RDP BARRICADE CO, LLC	\$380.86
11906	RED DIAMOND UNIFORM & POLICE SUPPLY INC	\$93.94
1143	RED, WHITE & BLUE FIRE PROT DIST	\$853,585.06
11080	REEVES COMPANY INC	\$44.41
11115	ROCKY MOUNTAIN EMERGENCY VEHICLES	\$240,458.00
11119	ROCKY MOUNTAIN MONTESSORI	\$12,667.44
11170	SCS ENGINEERS	\$7,898.20
10956	SECURITY SERVICES, LLC.	\$1,581.83
11913	SGS NORTH AMERICA INC	\$289.50
12633	SHERI PAUL	\$1,000.00
90611	SHERIFF ONE TIME	\$943.92
11189	SHERWIN WILLIAMS	\$41.51
11193	SHRED-IT USA LLC	\$44.08
11195	SIGN SHOPPE	\$117.00
11196	SILVERTHORNE AUTO BODY	\$1,007.00
91460	SNAKE RIVER SEWER ONE TIME	\$350.26
1144	SOUTH MARYLAND CRK RANCH METRO DIST	\$19,068.44
11658	STADIUM MEDICAL	\$29,797.50
1200	STATE OF COLORADO TREASURY	\$3,714.00
11262	STREET MEDIA GROUP, LLC	\$1,100.00
11271	SUMMIT COMMUNITY CARE CLINIC	\$30,960.74
11277	SUMMIT COUNTY PRESCHOOL	\$6,746.95
11883	SUMMIT FIRE AND EMS AUTHORITY	\$218,747.46
11281	SUMMIT JANITORIAL SYSTEMS INC.	\$600.00

Vendor Checks by Date

Check Cut Range from: 6/1/2020 through 6/15/2020

Summit County Finance

11287	SUMMIT ROLL-OFFS	\$11,200.00
11288	SUMMIT SCHOOL DISTRICT RE-1	\$445,427.12
12726	SUMMITCOVE INC	\$3,281.00
11302	SURVIVAL ARMOR	\$1,782.24
1148	SWAN'S NEST METRO DIST	\$17,568.11
12455	TAB ASSOCIATES, INC	\$13,199.75
11317	TEAM CLEAN	\$20,164.73
11319	TEAM TEMP	\$2,659.83
11324	TERESA HAYNES COUNSELING	\$400.00
11989	TETRA TECH, INC.	\$37,392.72
11335	THE MASTER'S TOUCH, LLC	\$5,121.36
11350	THYSSENKRUPP ELEVATOR	\$3,702.00
1149	TIMBER CREEK WATER DISTRICT	\$5,512.30
11355	TIMBERLINE DISPOSAL LLC	\$905.00
11356	TIMBERLINE LEARNING CENTER	\$16,478.84
1150	TOWN OF BLUE RIVER	\$53,643.63
1151	TOWN OF BRECKENRIDGE	\$333,106.85
11367	TOWN OF BRECKENRIDGE	\$292.20
1152	TOWN OF DILLON	\$64,424.21
11368	TOWN OF DILLON	\$6,500.00
1153	TOWN OF FRISCO	\$24,159.21
1154	TOWN OF MONTEZUMA	\$892.28
1155	TOWN OF SILVERTHORNE	\$65,227.97
11371	TOWN OF SILVERTHORNE	\$770.51
11674	TRANSUNION RISK AND ALTERNATIVE	\$50.00
90810	TREASURER ONE TIME	\$14,788.40
11377	TRI COUNTY FIRE PROTECTION	\$958.00
11406	UPS	\$5.80
11417	USIC LOCATING SERVICES, LLC	\$4,462.94
11419	UTILITY NOTIFICATION CENTER	\$554.28
11421	VALUEWEST, INC.	\$2,950.00
12476	VISIONARY COMMUNICATIONS	\$2,770.83
11436	VWR FUNDING, INC	\$106.38
11440	WAGNER EQUIPMENT	\$1,080.34
11452	WEAR PARTS & EQUIP CO., INC.	\$3,221.40
12671	WEST GRAND SCHOOL DISTRICT	\$126.87
11462	WESTERN PAPER DIST	\$276.89
11464	WESTERN SLOPE SUPPLIES	\$560.80
1158	WILLOW BROOK METRO DIST	\$65,876.85
12400	WINTERGREEN WEST LLC	\$100,000.00
11475	WM RECYCLE AMERICA	\$4,310.04
11478	XCEL	\$24,406.37
11538	XEROX FINANCIAL SERVICES	\$2,110.59
11485	ZEP	\$204.13
11822	ZOAR CORPORATION LLC	\$2,079.00



OFFICE OF THE COUNTY ASSESSOR

970.453.3480 ph | 970.453.3481 f
www.SummitCountyCO.gov

208 East Lincoln Ave. | PO Box 276
Breckenridge, CO 80424

STAFF REPORT

TO: Board of County Commissioners

FROM: Frank Celico, County Assessor
Mike Peterson, Chief Appraiser

FOR: June 23, 2020 BOCC Regular Meeting

SUBJECT: Petition for Abatement or Refund of Taxes; Abatement No. 20AR-143; Schedule No. 700089; Legal Property Description: Lot 2 Block 2 Copper Mountain Sub #2; Owner: POWDR - Copper Mountain LLC (Assessor)

Our office is recommending an abatement for Schedule No. 700089. The adjustment is recommended after the Petitioner and the Assessor's Office agreed to a Stipulation prior to a hearing before the Board of Assessment Appeals (BAA).

The subject property is a 0.67 acre parcel of development land located at 55 Uneva Place in Copper Mountain. The parcel is slated for future development as part of the Sky Chutes Condominiums project and includes a small 0.382 acre portion of the Copper Creek Golf Course. The Assessor had originally valued the subject property as a 4 unit development parcel at \$193,041 per unit.

After a review it was determined the subject is part of a larger 52 unit development project and the value per unit was adjusted to \$ 38,803 per unit, based on sales of other development land parcels in the Keystone and Copper Mountain areas. The Assessor and Petitioner reviewed and stipulated to a lower value per unit for this development tract. The total value adjustment and tax refund are indicated on the following pages.

ATTACHMENTS: Board of Assessment Appeals (BAA) Order on Stipulation
Stipulation Agreement
DPT Petition
BAA Petition Attachment and Documents

20AR-143

BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203	Docket Number: 75949
Petitioner: POWDR - COPPER PARTICIPATION LLC v. Respondent: SUMMIT COUNTY BOARD OF EQUALIZATION	
ORDER ON STIPULATION	

THE PARTIES TO THIS ACTION entered into a Stipulation, which has been accepted by the Board of Assessment Appeals. A copy of the Stipulation is attached and incorporated as a part of this decision.

FINDINGS OF FACT AND CONCLUSIONS:

1. Subject property is described as follows:
County Schedule No.: 700089
Category: Valuation/Protest Appeal Property Type: Commercial
2. Petitioner is protesting the 2019 actual value of the subject property.
3. The parties agreed that the 2019 actual value of the subject property should be reduced to:

Total Value: \$156,340
(Reference Attached Stipulation)

4. The Board concurs with the Stipulation.

ORDER:

Respondent is ordered to reduce the 2019 actual value of the subject property, as set forth above.

The Summit County Assessor is directed to change his/her records accordingly.

2020-04-08

DATED this 8th day of April 2020.

BOARD OF ASSESSMENT APPEALS

Diane M. DeVries

Diane M. DeVries

Debra A. Baumbach

Debra A. Baumbach

I hereby certify that this is a true and correct copy of the decision of the Board of Assessment Appeals.

Gordana Katardzic

Gordana Katardzic



2020 MAR 11 AM 8:38

**BOARD OF ASSESSMENT APPEALS
STATE OF COLORADO**

Docket Number: 75949
Summit County Schedule Number(s): 700089

STIPULATION (As to Tax Year 2019 Actual Value)

POWDR – Copper Participation LLC
Petitioner(s),

vs.
SUMMIT COUNTY BOARD OF EQUALIZATION,
Respondent

Petitioner(s) and Respondent hereby enter into this Stipulation regarding the tax year 2019 valuation of the subject property, and jointly move the Board of Assessment Appeals to enter its order based on this stipulation.

Petitioner(s) and Respondent agree and stipulate as follows:

1. The property subject to this stipulation is described as:

Lot 2 Block 2 Copper Mountain Sub #2

2. The subject property is classified as **Commercial Land**

3. The County Assessor originally assigned the following actual value to schedule 700089 for tax year 2019:

Commercial Land \$ 773,292

4. After a timely appeal to the Board of Equalization, the Board of Equalization valued schedule 700089 for tax year 2019 as follows:

Commercial Land \$ 773,292

5. After further review and negotiation, Petitioners and County Board of Equalization agree to the following tax year 2019 tax value for schedule 700089:

Commercial Land \$ 156,340

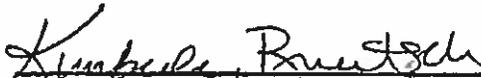
6. The valuation, as established above, shall be binding only with respect to tax year 2019.

7. Brief narrative as to why the reduction was made:

After a review of the unique characteristics and restrictions of the subject property, the petitioner and respondent have agreed to a revised valuation of the subject property based on the market comparison approach to value.

8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on April 10, 2020 be vacated.

DATED this 6th day of March, 2020



Kimberly A. Bruetsch #32838
Robinson Waters & O'Dorisio, P.C.
1099 18th Street, Suite 2600
Denver, CO 80202
T: 303-297-2600
F: 303-297-2650
E: kbruetsch@rwolaw.com
*Attorneys for Petitioner's Agent,
Marvin F. Poer and Company*



Cameron Turpin
Assistant County Attorney for Respondent
Summit County Board of Equalization
P O Box 68
Breckenridge, CO 80424
Telephone: (970) 453-2581



Frank Celico
Summit County Assessor
P O Box 276
Breckenridge, CO 80424
Telephone: 970-453-3480

Docket Number: 75949

FOR ASSESSORS AND COUNTY COMMISSIONERS USE ONLY
(Section III or Section IV must be completed)

Section III:

Written Mutual Agreement of Assessor and Petitioner

The commissioners of Summit County authorize the assessor by Resolution #2015-04 to review petitions for abatement or refund and to settle by written mutual agreement any such petition for abatement or refund in an amount of ten thousand dollars or less per tract, parcel, or lot of land or per schedule of personal property. 39-1-113 (1.5) C.R.S.

The assessor and petitioner mutually agree the values and tax abatement/refund of:

See separate document attached to this petition for petitioner's agreement to Assessor Recommendation.

PLEASE NOTE: The total tax amount does not include accrued interest, penalties, and fees associated with late and/or delinquent tax payments, if applicable. Please contact the County Treasurer for full payment information.

Section IV:

Decision of the County Commissioners
(Must be completed if Section III does not apply)

WHEREAS, The County Commissioners of Summit County, State of Colorado, at a duly and lawfully called regular meeting held on ____/____/____ at which meeting there were present the following members: Karn Stiegelmeier, Chair; Thomas C. Davidson, Commissioner; Elisabeth Lawrence, Commissioner with notice of such meeting and an opportunity to be present having been given to the taxpayer and the Assessor of said County and said Assessor Frank Celico or his representative (**being present/not present**) and taxpayer POWDR - Copper Mountain LLC (being present/not present); and WHEREAS, The said County Commissioners have carefully considered the within application, and are fully advised in relation thereto, NOW BE IT RESOLVED, That the Board (**agrees/does not agree**) with the recommendation of the assessor and the petition be (**approved/approved in part/denied**) with an abatement/refund as follows:

	<u>Tax Year 2019</u>			<u>Tax Year</u>		
	Actual	Assessed	Tax	Actual	Assessed	Tax
Original	\$773,292	\$224,255	\$17,506.70			
Correction	\$156,340	\$45,339	\$3,539.40			
Abate/Refund	\$616,952	\$178,916	\$13,967.30			

Chairperson of Board of County Commissioners

I, Eva Henson, Deputy Clerk and Ex-officio Clerk of the Board of County Commissioners in and for the aforementioned county, do hereby certify that the above and foregoing order is truly copied from the record of the proceedings of the Board of County Commissioners.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County
this ____ day of _____, _____.

By: _____
County Clerk's or Deputy County Clerk's Signature

Note: Abatements greater than \$10,000 per schedule, per year, must be submitted in duplicate to the Property Tax Administrator for review.

Section V:

Action of the Property Tax Administrator
(For all abatements greater than \$10,000)

The action of the Board of County Commissioners, relative to the within petition, is hereby:

Approved Approved in part \$ Denied for the following reason(s) _____

Secretary's Signature

Property Tax Administrator's Signature

Date

PETITION TO STATE BOARD OF ASSESSMENT APPEALS

1313 Sherman Street, Room 315
Denver, Colorado 80203

Phone: 303-864-7710
Fax: 303-864-7719

For Office Use Only		
Docket No.		
Fee: <u>Y</u>		
Check/Credit Card #		
Payment Trans #:		
P	F	H

Date: 08/30/2019

Property Owner: POWDR - COPPER PARTICIPATION LLC

Subject Property: 209 Ten Mile Circle Frisco

Schedule Number(s): 700089

Appeals the decision of the Summit County Board of Equalization

Dated: 08/05/2019

This appeal is: Valuation/Protest Appeal

Tax Year(s): 2019

The subject property is currently classified as: Commercial

Actual Value assigned to the subject property: \$773,292

Petitioner's estimate of value: \$552,823

Estimated time for Petitioner to present the appeal: 1 hour.

Not less than 30 minutes. Board will allow equal time to County or Property Tax Administrator.

Appearance:

Petitioner will be represented by an agent

Agent would like to appear in person

If the property owner is an entity, it must appear under the representation of an attorney licensed in Colorado except as follows. A closely held entity may be represented by an officer of the entity as long as the amount in controversy does not exceed \$15,000, exclusive of costs, interest or statutory penalties. A closely held entity can have no more than three owners. See Section 13-1-127, C.R.S. A closely held entity that will be represented by an officer of the entity must provide a letter to the Board with this petition stating that it has no more than three owners and that the tax amount at issue does not exceed \$15,000. A trust filing a petition may be represented by a trustee, an attorney or an agent.

Filing Fee:

\$101.25

Petitioner will be represented by an agent or by an attorney.

In the space below, please explain why you disagree with the value assigned to the subject property

Delayed development due to market conditions

Documents attached to this petition:

County Board of Equalization Appeals

The Decision of the County Board of Equalization

Additional Documentation

Notarized Letter of Authorization



AGENT: ALEX MARTINEZ
 MARVIN F. POER AND COMPANY
 410 17TH STREET
 SUITE 1175
 DENVER, CO 80202

Re: Decision Notice for Schedule #700089
 LOT 2 BLOCK 2 COPPER MOUNTAIN SUB # 2

The Summit County Board of Equalization (CBOE) rendered its decision on the above mentioned property, based on the recommendations of the referees who considered the testimony and exhibits presented by both parties. As such, the Board has determined that your property should be valued and/or classified as follows:

Petitioner Estimate of Value: \$552,823
Assessor's Recommended Value: None Provided

<u>Property Classification</u>	<u>Assessor NOD Value</u>	<u>CBOE Decision Value</u>
VACANT LAND	\$772,164	\$772,164
COMMERCIAL	\$1,128	\$1,128
	<u>\$773,292</u>	<u>\$773,292</u>

The assessment percentage for residential property is 7.15%, and all other property, including vacant land and personal property, was assessed at 29.0%, according to Section 39-1-104(1) and 39-1-104.2, Colorado Revised Statutes. Changes or adjustments to the projected residential assessment percentages are NOT grounds for a protest or abatement of taxes per Section 39-5-121(1), Colorado Revised Statutes.

The Assessor has received a copy of this document and will make the appropriate change if your valuation or classification of property has been adjusted. If you disagree with the Board's decision, you may appeal further to one of the three authorities outlined on the back of this notice.

In 2011 Senate Bill 11-119 requires any income-producing commercial real property that appeals to the Board of Assessment Appeals to submit income and expense data within 90 days after the appeal has been filed. Failure to comply may cause the BAA to issue an order dismissing the action or the entry of judgment by default against the petitioner. Please review 39-8-107 C.R.S.

Decision Date: August 5, 2019

SUMMIT COUNTY BOARD OF EQUALIZATION:

CERTIFICATE OF MAILING: I certify that a true and correct copy of the foregoing decision was hand delivered to the Summit County Assessor and mailed to the petitioner at the address above, postage prepaid, on this 10th day of August, 2019.

Thomas C. Davidson, Chair

Eva Henson, Deputy Clerk

LETTER OF AUTHORIZATION

To all parties:

The owner of record hereby designates Marvin F. Poer and Company, its agents and employees, to act on behalf of the owner in all matters pertaining to the review and appeal of real and/or personal property valuation and classification to the Assessor, County Board of Equalization, Arbitration, State Board of Assessment Appeals, District Court or any other hearing process. This authorization is limited to the properties listed below and on the attached continuation form(s).

TAX YEAR: 2019/2020

SIGNATURE: _____

Justin Sibley

PRINTED: _____

Justin Sibley

TITLE: _____

Co-President

OWNERSHIP NAME: POWDR-COPPER MOUNTAIN LLC

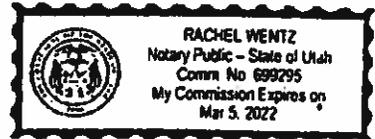
TELEPHONE: _____

BEFORE ME, the undersigned, a Notary Public within and for the County of Summit and State of Utah, personally appeared Justin Sibley who acknowledged to me that this certificate of authority was executed for the purposes herein expressed.

WITNESS MY HAND and notarial seal this 30 day of May, 2019

Rachel Wentz
NOTARY PUBLIC

08/05/2022
MY COMMISSION EXPIRES



Schedule/Parcel Number

PROPERTY LIST

Property Address

SEE ATTACHED

209 Ten Mile Circle, Copper Mountain

27160/467886 Property Name: Copper Mountain County: SUMMIT

**Marvin F. Poer and Company, 410 17th St. Suite 1175, Denver, CO 80202
Phone: 303-573-0975, Fax: 303-573-0976**

27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1170286	RE	6510858	\$252,223.00	\$252,223.00	\$252,223.00	\$107,102.00	20.33%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1170282	RE	6511924	\$1,664,644.00	\$1,664,644.00	\$1,664,644.00	\$433,613.00	19.46%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1170285	RE	6507411	\$107,136.00	\$107,136.00	\$107,136.00	\$20,025.00	18.25%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1170282	RE	6509412	\$107,136.00	\$107,136.00	\$107,136.00	\$20,025.00	18.25%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1170280	RE	6508549	\$488,420.00	\$488,420.00	\$488,420.00	\$97,740.00	17.80%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1170281	RE	7000061	\$1,097,560.00	\$1,097,560.00	\$1,097,560.00	\$192,445.00	16.79%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1170279	RE	7000059	\$4,568,798.00	\$4,568,798.00	\$4,568,798.00	\$1,029,018.00	15.82%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1170284	RE	6514253	\$466,824.00	\$466,824.00	\$466,824.00	\$71,257.00	15.61%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1210840	RE	6518104	\$0.00	\$0.00	\$0.00	\$365,701.00	14.38%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1210242	RE	6518105	\$0.00	\$0.00	\$0.00	\$130,651.00	14.38%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1170283	RE	7000064	\$176,150.00	\$176,150.00	\$176,150.00	\$22,900.00	11.60%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1170283	RE	7000911	\$502,260.00	\$502,260.00	\$502,260.00	\$65,290.00	11.00%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1170227	RE	7000025	\$48,980.00	\$48,980.00	\$48,980.00	\$4,480.00	12.59%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1170250	RE	6500408	\$33,650.00	\$33,650.00	\$33,650.00	\$4,377.00	12.63%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1168842	RE	6508015	\$1,052,321.00	\$1,052,321.00	\$1,052,321.00	\$145,983.00	11.11%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1118042	RE	6517743	\$0.00	\$0.00	\$0.00	\$60,682.00	30.57%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1180845	RE	6510040	\$80,672.00	\$80,672.00	\$80,672.00	\$10,677.00	10.11%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1168839	RE	7001106	\$5,000,438.00	\$5,000,438.00	\$5,000,438.00	\$499,550.00	9.82%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1218313	RE	6008913	\$0.00	\$0.00	\$0.00	\$475.00	9.47%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1170287	RE	6008908	\$4,079.00	\$4,079.00	\$4,079.00	\$865.00	9.65%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	279174	RE	6001788	\$173,946.00	\$173,946.00	\$173,946.00	\$18,246.00	9.34%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1170283	RE	6511261	\$3,568,300.00	\$3,568,300.00	\$3,568,300.00	\$303,200.00	8.47%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1218063	RE	6517742	\$0.00	\$0.00	\$0.00	\$483,985.00	6.68%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1100845	RE	6508017	\$2,164,300.00	\$2,164,300.00	\$2,164,300.00	\$134,070.00	5.70%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1170286	RE	6514062	\$772,440.00	\$772,440.00	\$772,440.00	\$48,638.00	5.66%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1218322	RE	6517822	\$0.00	\$0.00	\$0.00	\$180.00	4.83%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1074602	RE	6514130	\$5,732,641.00	\$5,732,641.00	\$5,732,641.00	\$768,070.00	4.69%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1170220	RE	6506485	\$17,600.00	\$17,600.00	\$17,600.00	\$380.00	3.08%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1170296	RE	6514090	\$21,290.00	\$21,290.00	\$21,290.00	\$420.00	2.02%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1170281	RE	6508004	\$9,480.00	\$9,480.00	\$9,480.00	\$180.00	2.01%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1170284	RE	6507414	\$35,850.00	\$35,850.00	\$35,850.00	\$700.00	2.01%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1170279	RE	6517820	\$13,780.00	\$13,780.00	\$13,780.00	\$260.00	2.08%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1170279	RE	6517820	\$42,420.00	\$42,420.00	\$42,420.00	\$820.00	2.08%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1170285	RE	6508014	\$70,330.00	\$70,330.00	\$70,330.00	\$710.00	2.05%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1168842	RE	6517821	\$14,380.00	\$14,380.00	\$14,380.00	\$180.00	2.09%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1170285	RE	6514090	\$14,050.00	\$14,050.00	\$14,050.00	\$180.00	2.09%
27160	POWER CORP	467886	Copper Mountain	209 Ten Mile Circle	1170285	RE	6514090	\$70,330.00	\$70,330.00	\$70,330.00	\$710.00	2.05%

37540	POWER CORP	487888	Copper Mountain	289 Ten Mile Check	3176033	RE	4811802	318,480.00	316,080.00	318,480.00	318,480.00	318,480.00	1.58%
37540	POWER CORP	487888	Copper Mountain	289 Ten Mile Check	3176033	RE		504,090.00	504,090.00	504,090.00	504,090.00	504,090.00	1.58%
37540	POWER CORP	487888	Copper Mountain	289 Ten Mile Check	278175	RE		58,888.00	58,888.00	58,888.00	58,888.00	58,888.00	0.18%
37540	POWER CORP	487888	Copper Mountain	289 Ten Mile Check	1162841	RE		58,888.00	58,888.00	58,888.00	58,888.00	58,888.00	0.18%
37540	POWER CORP	487888	Copper Mountain	289 Ten Mile Check	1162841	RE		24,210.00	24,210.00	24,210.00	24,210.00	24,210.00	0.08%
37540	POWER CORP	487888	Copper Mountain	289 Ten Mile Check	1162841	RE		5,214.00	5,214.00	5,214.00	5,214.00	5,214.00	0.02%
37540	POWER CORP	487888	Copper Mountain	289 Ten Mile Check	1162841	RE		30,424.00	30,424.00	30,424.00	30,424.00	30,424.00	0.10%
37540	POWER CORP	487888	Copper Mountain	289 Ten Mile Check	1162841	RE		31,124.00	31,124.00	31,124.00	31,124.00	31,124.00	0.10%
37540	POWER CORP	487888	Copper Mountain	289 Ten Mile Check	1162841	RE		4,210.00	4,210.00	4,210.00	4,210.00	4,210.00	0.01%
37540	POWER CORP	487888	Copper Mountain	289 Ten Mile Check	1162841	RE		5,728.00	5,728.00	5,728.00	5,728.00	5,728.00	0.02%
37540	POWER CORP	487888	Copper Mountain	289 Ten Mile Check	1162841	RE		27,428.00	27,428.00	27,428.00	27,428.00	27,428.00	0.09%
37540	POWER CORP	487888	Copper Mountain	289 Ten Mile Check	1162841	RE		51,124.00	51,124.00	51,124.00	51,124.00	51,124.00	0.16%
37540	POWER CORP	487888	Copper Mountain	289 Ten Mile Check	1162841	RE		23,210.00	23,210.00	23,210.00	23,210.00	23,210.00	0.07%
37540	POWER CORP	487888	Copper Mountain	289 Ten Mile Check	1162841	RE		52,572.00	52,572.00	52,572.00	52,572.00	52,572.00	0.17%
37540	POWER CORP	487888	Copper Mountain	289 Ten Mile Check	1162841	RE		24,772.00	24,772.00	24,772.00	24,772.00	24,772.00	0.08%
37540	POWER CORP	487888	Copper Mountain	289 Ten Mile Check	1162841	RE		50,888.00	50,888.00	50,888.00	50,888.00	50,888.00	0.16%
37540	POWER CORP	487888	Copper Mountain	289 Ten Mile Check	1162841	RE		30,770.00	30,770.00	30,770.00	30,770.00	30,770.00	0.10%
37540	POWER CORP	487888	Copper Mountain	289 Ten Mile Check	1162841	RE		24,888.00	24,888.00	24,888.00	24,888.00	24,888.00	0.08%
37540	POWER CORP	487888	Copper Mountain	289 Ten Mile Check	1162841	RE	4853217	197,210.00	197,210.00	197,210.00	197,210.00	197,210.00	0.63%
37540	POWER CORP	487888	Copper Mountain	289 Ten Mile Check	1162841	RE	6218311	30,488.00	30,488.00	30,488.00	30,488.00	30,488.00	0.10%
37540	POWER CORP	487888	Copper Mountain	289 Ten Mile Check	1162841	RE	6218360	11,417.00	11,417.00	11,417.00	11,417.00	11,417.00	0.04%
37540	POWER CORP	487888	Copper Mountain	289 Ten Mile Check	1162841	RE	6218367	50.00	50.00	50.00	50.00	50.00	0.00%
37540	POWER CORP	487888	Copper Mountain	289 Ten Mile Check	1162841	RE		560,888.00	560,888.00	560,888.00	560,888.00	560,888.00	1.82%
37540	POWER CORP	487888	Copper Mountain	289 Ten Mile Check	1162841	RE		533,373.00	533,373.00	533,373.00	533,373.00	533,373.00	1.70%
37540	POWER CORP	487888	Copper Mountain	289 Ten Mile Check	1162841	RE	6218338	348,574.00	348,574.00	348,574.00	348,574.00	348,574.00	1.11%
37540	POWER CORP	487888	Copper Mountain	289 Ten Mile Check	1162841	RE	6233059	594,167.00	594,167.00	594,167.00	594,167.00	594,167.00	1.92%

Certificate of Service

I certify that a true and correct copy of the foregoing Petition to the State Board of Assessment Appeals and attachments were mailed, faxed or hand delivered to the County Board of Equalization, the Board of County Commissioners or the State Property Tax Administrator who made the decision relating to this appeal and to all co-owners or parties directly interested in the subject property on the date I submitted the Petition to the State Board of Assessment Appeals.

ATTESTATION

I understand that in accordance with Sections 18-8-503 and 18-8-501(2)(a)(I), C.R.S., false statements made herein are punishable by law. I state under penalty of perjury in the second degree, as defined in Section 18-8-503, C.R.S. that:

I am the owner of the property that is the subject of this appeal, or I am the authorized agent or attorney for the owner of the property that is the subject of this appeal; and

The information in this Petition to the State Board of Assessment Appeals (including all attachments) is true and correct to the best of my knowledge and belief.

I understand that, upon acceptance by the Board of Assessment Appeals, I will need to pay the required filing fee associated with this Petition, if any.

I understand that no further changes can be made to the Petition or attachments, unless corrections are required by the Board of Assessment Appeals.

I understand my obligation to mail, fax or hand deliver a true and correct copy of the Petition (including all attachments) to the County Board of Equalization, the Board of County Commissioners or the State Property Tax Administration who made the decision relating to this appeal and to all co-owners or parties directly interested in the subject property. I will mail, fax or hand deliver the Petition (including all attachments) on the date I submit the Petition to the Board of Assessment Appeals.

Petitioner's mailing address is required even if Petitioner is represented by an agent or attorney.

Signature of Agent

Signature of Petitioner

Marvin F. Poer And Comapny
Company Name

POWDR - COPPER PARTICIPATION LLC
Property Owner

Marvin F. Poer And Comapny - Alex Martinez
Printed Name

Chris Geissler
Printed Name

410 17th St
Mailing Address

1794 Olympic Parkway Suite 250
Mailing Address

Denver, CO 80202
City, State, Zip Code

Park City, UT 84098
City, State, Zip Code

Telephone: 303-590-9151

Telephone: 435-658-5619
Daytime number

Email: AlexMartinez@mfpoer.com

Email: cgeissler@powdr.com

It is the Petitioner's responsibility to notify the BAA of any change of address.

Petitioners are strongly encouraged to read the Instructions and Rules of the Board of Assessment Appeals prior to completing this Petition Form. The Instructions and Rules are available on the Web at www.dola.Colorado.gov/baa or may be requested by phone at 303-864-7710.



OFFICE OF THE COUNTY ASSESSOR

970.453.3480 ph | 970.453.3481 f
www.SummitCountyCO.gov

208 East Lincoln Ave. | PO Box 276
Breckenridge, CO 80424

STAFF REPORT

TO: Board of County Commissioners

FROM: Frank Celico, County Assessor
Mike Peterson, Chief Appraiser

FOR: June 23, 2020 BOCC Regular Meeting

SUBJECT: Petition for Abatement or Refund of Taxes; Abatement No. 20AR-145; Schedule No. 6508534; Legal Property Description: Tract B Tenderfoot Sub #5; Owner: Vail Summit Resorts Inc. (Assessor)

Our office is recommending an abatement for Schedule No. 6508534. The adjustment is recommended after the petitioner and the Assessor's Office agreed to a Stipulation prior to a hearing before the Board of Assessment Appeals (BAA).

The subject property is the Keystone Conference Center, located at 633 Conference Center Drive in Keystone. The 20.701 acre parcel includes the Keystone Conference Center, and the development rights to a future 300 unit lodge hotel with 15,000 square feet of commercial space. The Assessor had originally valued the Conference Center based on nationally reported revenues and expenses for conference centers located at resort locations around the country.

A review of the actual income and expenses attributed to the Conference Center and comparison to the national data revealed discrepancies due to the subject property not being directly adjacent to and configured with a resort hotel but separated from the rest of the resort by the state highway, indicating lower revenues for the subject property. The Assessor adjusted the value to reflect the actual income and expenses generated by the subject property and the Assessor and Petitioner have stipulated to a lower value. The total value adjustment and tax refund are indicated on the following pages.

ATTACHMENTS: Board of Assessment Appeals (BAA) Order on Stipulation
Stipulation Agreement
DPT Petition
BAA Petition Attachment and Documents

20AP-145

BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203	Docket Number: 75670
Petitioner: VAIL SUMMIT RESORTS INC v. Respondent: SUMMIT COUNTY BOARD OF EQUALIZATION	
ORDER ON STIPULATION	

THE PARTIES TO THIS ACTION entered into a Stipulation, which has been accepted by the Board of Assessment Appeals. A copy of the Stipulation is attached and incorporated as a part of this decision.

FINDINGS OF FACT AND CONCLUSIONS:

1. Subject property is described as follows:
County Schedule No.: 6508534
Category: Valuation/Protest Appeal Property Type: Commercial
2. Petitioner is protesting the 2019 actual value of the subject property.
3. The parties agreed that the 2019 actual value of the subject property should be reduced to:

Total Value: \$13,643,781
(Reference Attached Stipulation)

4. The Board concurs with the Stipulation.

ORDER:

Respondent is ordered to reduce the 2019 actual value of the subject property, as set forth above.

The Summit County Assessor is directed to change his/her records accordingly.

DATED this 21st day of April 2020.

BOARD OF ASSESSMENT APPEALS

Diane M. DeVries

Diane M. DeVries

I hereby certify that this is a true and correct copy of the decision of the Board of Assessment Appeals.

Debra A. Baumbach

Debra A. Baumbach

Gesenia Araujo
Gesenia Araujo



2020 MAR 13 AM 11:00
STATE OF COLORADO
COUNTY OF SUMMIT

**BOARD OF ASSESSMENT APPEALS
STATE OF COLORADO**

Docket Number: 75670
Summit County Schedule Number(s): 6508534

STIPULATION (As to Tax Year 2019 Actual Value)

Vall Summit Resorts Inc
Petitioner(s),

vs.
SUMMIT COUNTY BOARD OF EQUALIZATION,
Respondent

Petitioner(s) and Respondent hereby enter into this Stipulation regarding the tax year 2019 valuation of the subject property, and jointly move the Board of Assessment Appeals to enter its order based on this stipulation.

Petitioner(s) and Respondent agree and stipulate as follows:

1. The property subject to this stipulation is described as:

Tract B Tenderfoot Sub #5

2. The subject property is classified as **Commercial Land and Improvements**

3. The County Assessor originally assigned the following actual value to schedule 6508534 for tax year 2019:

Land	\$ 4,148,785
Improvement	<u>\$ 11,405,922</u>
Total	\$ 15,554,707

4. After a timely appeal to the Board of Equalization, the Board of Equalization valued schedule 6508534 for tax year 2019 as follows:

Land	\$ 4,148,785
Improvement	<u>\$ 11,405,922</u>
Total	\$ 15,554,707

5. After further review and negotiation, Petitioners and County Board of Equalization agree to the following tax year 2019 tax value for schedule 6508534:

Land	\$ 4,148,785
Improvement	<u>\$ 9,494,996</u>
Total	\$ 13,643,781

6. The valuation, as established above, shall be binding only with respect to tax year 2019.

7. Brief narrative as to why the reduction was made:

The Assessor and petitioner reviewed the information submitted by the petitioner as well as industry standards for this type of property and arrived at an adjusted value using the income approach to value.

8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on April 14, 2020 be vacated.

DATED this 12th day of March, 2020



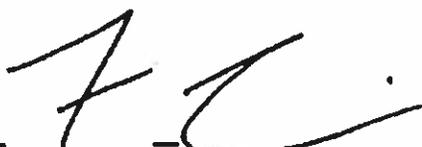
Petitioner Agent
Brad Baugh
Duff & Phelps, LLC
1200 17th Street
Denver, CO 80202

Telephone: (303) 749-9019



Cameron Turpin
Assistant County Attorney for Respondent
Summit County Board of Equalization
PO Box 68
Breckenridge, CO 80424

Telephone: (970) 453-2561



Frank Celico
Summit County Assessor
P O Box 276
Breckenridge, CO 80424
Telephone: (970) 453-3480

Docket Number: 75670

FOR ASSESSORS AND COUNTY COMMISSIONERS USE ONLY
(Section III or Section IV must be completed)

Section III:

Written Mutual Agreement of Assessor and Petitioner

The commissioners of Summit County authorize the assessor by Resolution #2015-04 to review petitions for abatement or refund and to settle by written mutual agreement any such petition for abatement or refund in an amount of ten thousand dollars or less per tract, parcel, or lot of land or per schedule of personal property. 39-1-113 (1.5) C.R.S.

The assessor and petitioner mutually agree the values and tax abatement/refund of:

See separate document attached to this petition for petitioner's agreement to Assessor Recommendation.

PLEASE NOTE: The total tax amount does not include accrued interest, penalties, and fees associated with late and/or delinquent tax payments, if applicable. Please contact the County Treasurer for full payment information.

Section IV:

Decision of the County Commissioners
(Must be completed if Section III does not apply)

WHEREAS, The County Commissioners of Summit County, State of Colorado, at a duly and lawfully called regular meeting held on ____/____/____ at which meeting there were present the following members: Karn Stiegelmeier, Chair; Thomas C. Davidson, Commissioner; Elisabeth Lawrence, Commissioner with notice of such meeting and an opportunity to be present having been given to the taxpayer and the Assessor of said County and said Assessor Frank Celico or his representative (**being present/not present**) and taxpayer Vail Summit Resorts Inc (being present/not present); and WHEREAS, The said County Commissioners have carefully considered the within application, and are fully advised in relation thereto, NOW BE IT RESOLVED, That the Board (**agrees/does not agree**) with the recommendation of the assessor and the petition be (**approved/approved in part/denied**) with an abatement/refund as follows:

	Actual	<u>Tax Year 2019</u> Assessed	Tax	Actual	<u>Tax Year</u> Assessed	Tax
Original	\$15,554,707	\$4,510,865	\$233,315.46			
Correction	\$13,634,781	\$3,954,086	\$204,517.22			
Abate/Refund	\$1,919,926	\$556,779	\$28,798.24			

Chairperson of Board of County Commissioners

I, Eva Henson, Deputy Clerk and Ex-officio Clerk of the Board of County Commissioners in and for the aforementioned county, do hereby certify that the above and foregoing order is truly copied from the record of the proceedings of the Board of County Commissioners.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County
this _____ day of _____, _____.

By: _____
County Clerk's or Deputy County Clerk's Signature

Note: Abatements greater than \$10,000 per schedule, per year, must be submitted in duplicate to the Property Tax Administrator for review.

Section V:

Action of the Property Tax Administrator
(For all abatements greater than \$10,000)

The action of the Board of County Commissioners, relative to the within petition, is hereby:

Approved Approved in part \$ Denied for the following reason(s) _____

Secretary's Signature

Property Tax Administrator's Signature

_____ Date

**BOARD OF ASSESSMENT APPEALS
STATE OF COLORADO**

NOTICE OF HEARING

SCHEDULE NO. 6508534

DOCKET NO. 75670

Petitioner(s):

Tax Year(s): 2019

VAIL SUMMIT RESORTS INC

V.

Respondent:

SUMMIT COUNTY BOARD OF EQUALIZATION

The Board of Assessment Appeals will hear the above-captioned matter:

Date:	February 28, 2020
Time:	8:30 AM Mountain Time on a trailing docket
Location:	1313 Sherman Street Room 315, 3rd Floor Denver, CO 80203
Time Allocated:	2 hour(s) per side

PLEASE TAKE NOTICE:

The Board of Assessment Appeals uses a one-day modified trailing docket. Several cases are scheduled for hearing at 8:30 am each day. Cases are heard in the order determined by the Board, with the first case commencing at 8:30 am. At the completion of the first case on the docket, the Board hears the second case on the docket. The Board proceeds through the docket in this manner until all cases have been heard or until insufficient time remains to fully hear the remaining cases on the docket. Cases not heard will be continued to another day.

You are required to appear for your hearing at 8:30 am on the date noted above and remain until your case is heard or continued, **unless** the Board removes your case from the trailing docket and schedules your case for a specific time later in the day. A list of cases removed from the trailing docket will be available at least one week prior to the hearing date. If your case is removed from the trailing docket, you are required to appear at the specific time scheduled by the Board. **Please check the Hearing Schedule on the Board's web page (dola.colorado.gov/baa) or call (303) 864-7711 within one week prior to your hearing date to determine if your hearing has been scheduled for a specific time on the hearing date.**

If the Petitioner is a closely held entity as defined in CRS 13-1-127, the Petitioner must be represented by either an attorney licensed in Colorado or an officer of the entity. If the Petitioner is a domestic or foreign entity that is not closely held, as defined in CRS 7-90-102, an attorney licensed in Colorado must represent the entity in all legal proceedings before the Board.

Pursuant to Board Rule 11, documentary evidence and witness lists must be received by the Board and the opposing party no later than January 31, 2020. If this date falls on a State Holiday, the documentary evidence and witness lists are due the following working day.

Petitioner's Representative of Record:

Mailed: October 16, 2019

DUFF & PHELPS

BRAD BAUGH

1200 17TH ST., STE 990

DENVER, CO 80202

PETITION TO STATE BOARD OF ASSESSMENT APPEALS

1313 Sherman Street, Room 315
Denver, Colorado 80203

Phone: 303-864-7710
Fax: 303-864-7719

For Office Use Only

75670ND

Docket No.

Fee: Y

Check/Credit Card #/

Payment Trans #: 11807920

P F H

Date: 08/28/2019

Property Owner: VAIL SUMMIT RESORTS INC

Subject Property: 0633 CONFERENCE CENTER DR (CR 214)

Schedule Number(s): 6508534

Appeals the decision of the Summit County Board of Equalization

Dated: 08/05/2019

This appeal is: Valuation/Protest Appeal

Tax Year(s): 2019

The subject property is currently classified as: Commercial

Actual Value assigned to the subject property: \$15,554,707

Petitioner's estimate of value: \$10,888,295

Estimated time for Petitioner to present the appeal: 2 hours.

Not less than 30 minutes. Board will allow equal time to County or Property Tax Administrator.

Appearance:

Petitioner will be represented by an agent

Agent would like to appear in person

If the property owner is an entity, it must appear under the representation of an attorney licensed in Colorado except as follows. A closely held entity may be represented by an officer of the entity as long as the amount in controversy does not exceed \$15,000, exclusive of costs, interest or statutory penalties. A closely held entity can have no more than three owners. See Section 13-1-127, C.R.S. **A closely held entity that will be represented by an officer of the entity must provide a letter to the Board with this petition stating that it has no more than three owners and that the tax amount at issue does not exceed \$15,000.** A trust filing a petition may be represented by a trustee, an attorney or an agent.

Filing Fee:

\$101.25

Petitioner will be represented by an agent or by an attorney.

In the space below, please explain why you disagree with the value assigned to the subject property

Alternate approaches support a value adjustment.

Documents attached to this petition:

County Board of Equalization Appeals

The Decision of the County Board of Equalization

Additional Documentation

Notarized Letter of Authorization

Certificate of Service

I certify that a true and correct copy of the foregoing Petition to the State Board of Assessment Appeals and attachments were mailed, faxed or hand delivered to the County Board of Equalization, the Board of County Commissioners or the State Property Tax Administrator who made the decision relating to this appeal and to all co-owners or parties directly interested in the subject property on the date I submitted the Petition to the State Board of Assessment Appeals.

ATTESTATION

I understand that in accordance with Sections 18-8-503 and 18-8-501(2)(a)(I), C.R.S., false statements made herein are punishable by law. I state under penalty of perjury in the second degree, as defined in Section 18-8-503, C.R.S. that:

I am the owner of the property that is the subject of this appeal, or I am the authorized agent or attorney for the owner of the property that is the subject of this appeal; and

The information in this Petition to the State Board of Assessment Appeals (including all attachments) is true and correct to the best of my knowledge and belief.

I understand that, upon acceptance by the Board of Assessment Appeals, I will need to pay the required filing fee associated with this Petition, if any.

I understand that no further changes can be made to the Petition or attachments, unless corrections are required by the Board of Assessment Appeals.

I understand my obligation to mail, fax or hand deliver a true and correct copy of the Petition (including all attachments) to the County Board of Equalization, the Board of County Commissioners or the State Property Tax Administration who made the decision relating to this appeal and to all co-owners or parties directly interested in the subject property. I will mail, fax or hand deliver the Petition (including all attachments) on the date I submit the Petition to the Board of Assessment Appeals.

Petitioner's mailing address is required even if Petitioner is represented by an agent or attorney.

Signature of Agent

Signature of Petitioner

Duff & Phelps
Company Name

VAIL SUMMIT RESORTS INC
Property Owner

Duff & Phelps - Brad Baugh
Printed Name

Gregory Porter
Printed Name

1200 17th St., Ste 990
Mailing Address

390 INTERLOCKEN CRES STE 1000
Mailing Address

Denver, CO 80202
City, State, Zip Code

Broomfield, CO 80021
City, State, Zip Code

Telephone: 303-749-9007

Telephone: 303-749-9007

Daytime number

Email: brad.baugh@duffandphelps.com

Email:

It is the Petitioner's responsibility to notify the BAA of any change of address.

Petitioners are strongly encouraged to read the Instructions and Rules of the Board of Assessment Appeals prior to completing this Petition Form. The Instructions and Rules are available on the Web at www.dola.Colorado.gov/baa or may be requested by phone at 303-864-7710.

BOARD OF COUNTY COMMISSIONERS
JUNE 23, 2020
PLANNING CASE #PLN20-025: SUBDIVISION EXEMPTION, CLASS 6 LOT LINE
VACATION; LOTS 62 AND 63, TRACT C, OLD KEYSTONE GOLF COURSE SUBDIVISION
CONSENT AGENDA

PROJECT INFORMATION:

Location: Lots 62 and 63, Tract C, Old Keystone Golf Course Subdivision; 150 and 160 Elk Cir. (CR 154)

Project/Request: Lot Line Vacation Subdivision Exemption

ISSUES:

None

PLANNING COMMISSION RECOMMENDATION:

The Snake River Planning Commission does not make a recommendation on Lot Line Vacations

RESOLUTION STATUS

Draft Resolution Attached

STAFF RECOMMENDATION:

Approval with six findings and one condition

ATTACHMENTS:

- A. Old Keystone Golf Course Subdivision Plat, a Resubdivision of Tract C and D (Reception No. 553525)
- B. Restrictive Covenant
- C. Exhibit A to the Covenant
- D. Draft Resolution



STAFF REPORT

TO: Board of County Commissioners

FROM: Jessica Potter, Senior Planner

FOR: Regular Meeting of June 23, 2020

SUBJECT: PLN20-025 – Lot Line Vacation

APPLICANT/OWNER: Jeffrey Kohn

REQUEST: A request to vacate the lot line between Lot 62 and 63, Tract C, Old Keystone Golf Course Subdivision; a total of 0.505 acres; zoned Keystone Resort PUD.

APPLICATION MATERIALS:

Up until a decision is made by the final Review Authority, the Applicant’s Submittal Materials can be found at <http://www.summitcountyco.gov/254/Projects-Under-Review> and are hereby incorporated into the official record in their entirety. Once a final decision has been made, the Submittal Materials can be obtained and/or reviewed at the Planning Department.

PROJECT DESCRIPTION

Location: 150 and 160 Elk Circle (CR 154)

Legal Description: Lots 62 and 63, Tract C, Old Keystone Golf Course Subdivision, a Resubdivision of Tract C and D

Existing Zoning: Keystone Resort PUD

Existing/Proposed Use: Single-Family Residential

Other Uses: No new uses

Total site area: 0.505

Adjacent land uses:

- East:** Single-Family Residential; Lot 64, Old Keystone Golf Course Subdivision
- West:** Single-Family Residential; Lot 61, Old Keystone Golf Course Subdivision
- North:** Elk Circle and Golf Course
- South:** Golf Course

DEVELOPMENT REQUIREMENTS:

	<u>Required</u>	<u>Proposed</u>
Density limit:	1 unit / platted lot	No changes

BACKGROUND:

On December 5, 1997 the plat creating the subject parcels, Old Keystone Golf Course Subdivision, a Resubdivision of Tracts C and D, was recorded at Reception Number 553525. According to the County Assessor records, a 4,655 square foot single family home was constructed in 2001 on Lot 62. Lot 63 is vacant. Both lots are solely owned by the applicant, Jeffrey Kohn. The applicant is requesting to vacate the lot line between the two lots resulting in one larger lot.

CRITERIA FOR DECISION

According to Section 8402.01.F of the Summit County Land Use and Development Code “Code”, a request for an adjustment or vacation shall meet the following criteria, to be approved by the Summit County Board of County Commissioners “BOCC”:

1. The adjustment or vacation procedure has not been used to circumvent the intent of the Subdivision Regulations.
2. The lots resulting from the adjustment or vacation are in compliance with the County's Zoning Regulations (Chapters 3-4).
3. Easements necessary for the provision of utilities are not affected or have been relocated to the satisfaction of the utility companies.
4. If the request is for a lot line adjustment, the plat illustrating the lot line adjustment is drawn in accordance with standards in these regulations and is suitable for recordation.
5. If the request is for a lot line vacation, the applicant has provided a restrictive covenant against the property that prohibits the vacated lot(s) from being resubdivided or recreated by a subdivision approval, subdivision exemption approval or any other administrative or judicial process.
6. The applicant has provided certification from the County Treasurer that all ad valorem taxes applicable to the proposed subdivision, for years prior to the year in which approval is under consideration, have been paid.
7. For lot line vacations, the resolution of approval states the new lot name as one of the previous lot designations.

The application under consideration is for a lot line vacation. As such, criterion 4 is not considered.

Criterion 1: Compliance with County Subdivision Regulations

The proposed lot line vacation does not create any additional building sites and therefore does not violate the intent of the County's Subdivision Regulations. Approval of this proposal will result in one larger single-family residential lot.

Criterion 2: Compliance with County Zoning Regulations

The purpose and intent of the County's zoning regulations is to ensure compatibility of land uses, efficient and economical use of land, and adequate light and air in development projects. They are also intended to prevent development of areas subject to environmental hazards, and encourage development projects that are functional, exhibit good design and aesthetics, and protect the County's natural resources and scenic beauty.

The property is zoned Keystone Resort PUD, Parcel C, Old Keystone Neighborhood, which allows one single-family residence per platted lot. Vacating the lot line between Lots 62 and 63 will create one larger lot, 0.505 acres in size that will comply with all zoning requirements, including but not limited to setbacks and minimum lot size. Any future development on the subject site will comply with the applicable zoning standards in the Land Use and Development Code and PUD, and the request will not negatively impact the surrounding residential properties. The proposed lot line vacation is consistent with the Zoning Regulations as no new uses are being proposed and density is being reduced by one unit.

Criterion 3: Compliance with Provision of Utilities

The provision of required utilities will not be affected. No utility easements exist between Lots 62 and 63 that are proposed for vacation. Xcel Energy responded that they have no objections to the proposal.

Criterion 5: Restrictive Covenant

The applicant has signed and submitted a restrictive covenant, which prohibits the vacated lot from being re-subdivided or recreated by a subdivision approval, subdivision exemption approval, or any other administrative or judicial process. The restrictive covenant will be recorded concurrently with the resolution of approval.

Criterion 6: Ad Valorem Taxes

The County Treasurer has confirmed that all ad valorem taxes have been paid for 2019.

Criterion 7: New Lot Name

The resolution of approval shall state the new lot name as one of the previous lot designations. The new lot shall be known as Lot 62-R.

STAFF RECOMMENDATION:

Staff recommends that the Board of County Commissioners approve PLN20-025, a request to vacate the lot line located between Lots 62 and 63, Tract C, Old Keystone Golf Course Subdivision, with six findings and one condition:

Findings:

1. The vacation procedure has not been used to circumvent the intent of the Subdivision Regulations as no new lots are being created through this application.
2. The lot resulting from the vacation is in compliance with the County's Zoning Regulations and because, without limitation, the newly created lot meets the minimum lot size requirement and density is being reduced by one unit.
3. Easements necessary for the provision of utilities are not affected by the lot line vacation.
4. Upon compliance with the condition set forth below, the applicant has provided a restrictive covenant against the property that prohibits the vacated lot from being

resubdivided or recreated by a subdivision approval, subdivision exemption approval or any other administrative or judicial process.

5. All relevant taxes for the subject properties have been paid.
6. The resolution of approval shall state the new lot name as Lot 62-R, Old Keystone Golf Course Subdivision.

Condition:

1. The executed lot line vacation restrictive covenant shall be recorded concurrently with the resolution of approval.

project manager
 designed by
 drawn by

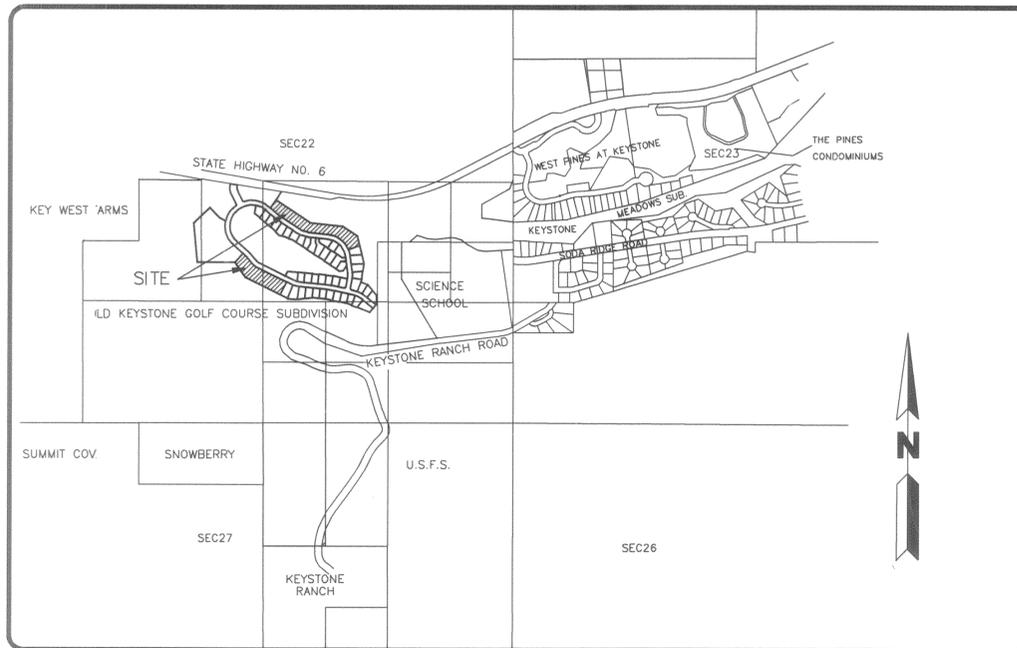
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 1/2

PLAT NO: _____
 MAP NO: _____
 REC. NO: _____

FINAL PLAT

A REPLAT OF TRACT C AND TRACT D OF OLD KEYSTONE GOLF COURSE SUBDIVISION

BEING A PART OF OLD KEYSTONE GOLF COURSE SUBDIVISION LOCATED IN
 SECTION 22, TOWNSHIP 5 SOUTH, RANGE 77 WEST OF THE SIXTH PRINCIPAL MERIDIAN
 COUNTY OF SUMMIT, STATE OF COLORADO
 SHEET 1 OF 2



VICINITY MAP
 NOT TO SCALE

DEDICATION

KNOW ALL MEN BY THESE PRESENTS: THAT KEYSTONE/INTRAWEST L.L.C., A DELAWARE LIMITED LIABILITY COMPANY BEING THE OWNER OF THE FOLLOWING REAL PROPERTY:

TRACT C AND TRACT D OF OLD KEYSTONE GOLF COURSE SUBDIVISION
 RECORDED AT RECEPTION NUMBER _____
 COUNTY OF SUMMIT, STATE OF COLORADO

HAVE LAID OUT, PLATTED AND SUBDIVIDED AS SHOWN HEREON, UNDER THE NAME AND STYLE OF " A REPLAT OF TRACT C AND TRACT D OF OLD KEYSTONE GOLF COURSE SUBDIVISION "

OWNER OF TRACT C AND TRACT D
 KEYSTONE/INTRAWEST, L.L.C., A
 DELAWARE LIMITED LIABILITY
 COMPANY

BY: INTRAWEST RESORTS, INC.,
 A DELAWARE CORPORATION,
 MANAGER

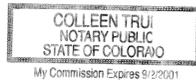
Peter Benson
 PETER BENSON, VICE PRESIDENT

"STATE OF COLORADO" }
 "COUNTY OF SUMMIT" } ss.

THE FOREGOING OWNER'S CERTIFICATE WAS ACKNOWLEDGED BEFORE ME THIS
 30 DAY OF October, 1997 BY PETER BENSON AS VICE PRESIDENT
 OF INTRAWEST RESORTS, INC., A DELAWARE CORPORATION, MANAGER OF
 KEYSTONE/INTRAWEST, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY.

MY COMMISSION EXPIRES 9/21/2001 WITNESS MY HAND AND
 OFFICIAL SEAL.

NOTARY PUBLIC: *Colleen Trujillo*



TITLE COMPANY CERTIFICATE

LAND TITLE GUARANTEE COMPANY DOES HEREBY CERTIFY THAT WE HAVE EXAMINED THE TITLE TO ALL LANDS SHOWN HEREON AND ALL LANDS HEREIN DEDICATED BY VIRTUE OF THIS PLAT AND TITLE TO ALL SUCH LANDS IS IN THE OWNERS FREE AND CLEAR OF ALL LIENS, TAXES AND ENCUMBRANCES, EXCEPT AS SHOWN BY THE COMMITMENT FOR TITLE INSURANCE, ORDER NO. M961460-2, ISSUED BY LAND TITLE GUARANTEE COMPANY. 492158

DATED THIS 29th DAY OF October, 1997.

Randy Johnson
 AGENT

BOARD OF COUNTY COMMISSIONERS APPROVAL

THE BOARD OF COUNTY COMMISSIONERS OF SUMMIT COUNTY, COLORADO, DOES HEREBY APPROVE THIS PLAT AT A MEETING HELD ON THIS 5th DAY OF December, 1997, AND HEREBY ACCEPTS DEDICATION OF PUBLIC RIGHTS-OF-WAY, UTILITY EASEMENTS, AND OTHER PUBLIC AREAS AS SHOWN HEREON. ACCEPTANCE OF PUBLIC RIGHTS-OF-WAY FOR STREETS OR ROADS DOES NOT CONSTITUTE ACCEPTANCE FOR MAINTENANCE OF ROADS CONSTRUCTED THEREIN. THE PROCEDURE FOR ACCEPTANCE OF ROADS FOR MAINTENANCE PURPOSES SHALL BE AS STATED IN THE SUMMIT COUNTY ROAD AND BRIDGE DESIGN AND CONSTRUCTION STANDARDS OR SUCH REGULATIONS AS SHALL BE ADOPTED IN LIEU OF SAID STANDARDS.

John St. John
 CHAIRMAN

LENDER'S CONSENT

THE CONSENT AND SUBORDINATION OF WELLS FARGO BANK NATIONAL ASSOCIATION, A NATIONAL BANKING ASSOCIATION, AS BENEFICIARY OF A DEED OF TRUST ENCUMBERING THE REAL PROPERTY DESCRIBED HEREBY, HAS BEEN SEPARATELY RECORDED UNDER RECEPTION NO. _____ AND BY THIS REFERENCE IS INCORPORATED HEREIN.

SETBACKS

BUILDING SETBACKS ARE: 25' FROM ALL FRONT LOT LINES
 5' FROM ALL SIDE LOT LINES
 10' FROM ALL REAR LOT LINES

BASIS OF BEARING

BEARINGS ARE BASED ON THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 6 BETWEEN FOUND 3-1/4" ALUMINUM CAPS STAMPED AP NO.7 AND AP NO.6, SAID LINE BEARING S 81°10'22" E, WITH ALL BEARINGS CONTAINED HEREON RELATIVE THERETO.

SURVEYOR'S CERTIFICATE

I, RICHARD A. NOBBE, BEING A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT AND SURVEY WAS PREPARED BY ME AND UNDER MY SUPERVISION AND THAT BOTH ARE ACCURATE TO THE BEST OF MY KNOWLEDGE.

RICHARD A. NOBBE
 PLS # 23899



SUMMIT COUNTY CLERK AND RECORDER'S ACCEPTANCE

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS ACCEPTED FOR FILING IN MY OFFICE ON THIS 5 DAY OF December, 1997, AND FILED UNDER RECEPTION NO. 553525

Cheri Brunzand
 CHERI BRUNZAND
 SUMMIT COUNTY CLERK AND RECORDER



REV. OCTOBER 15, 1997
 REV. OCTOBER 01, 1997
 REV. AUGUST 27, 1997
 JUNE 4, 1997

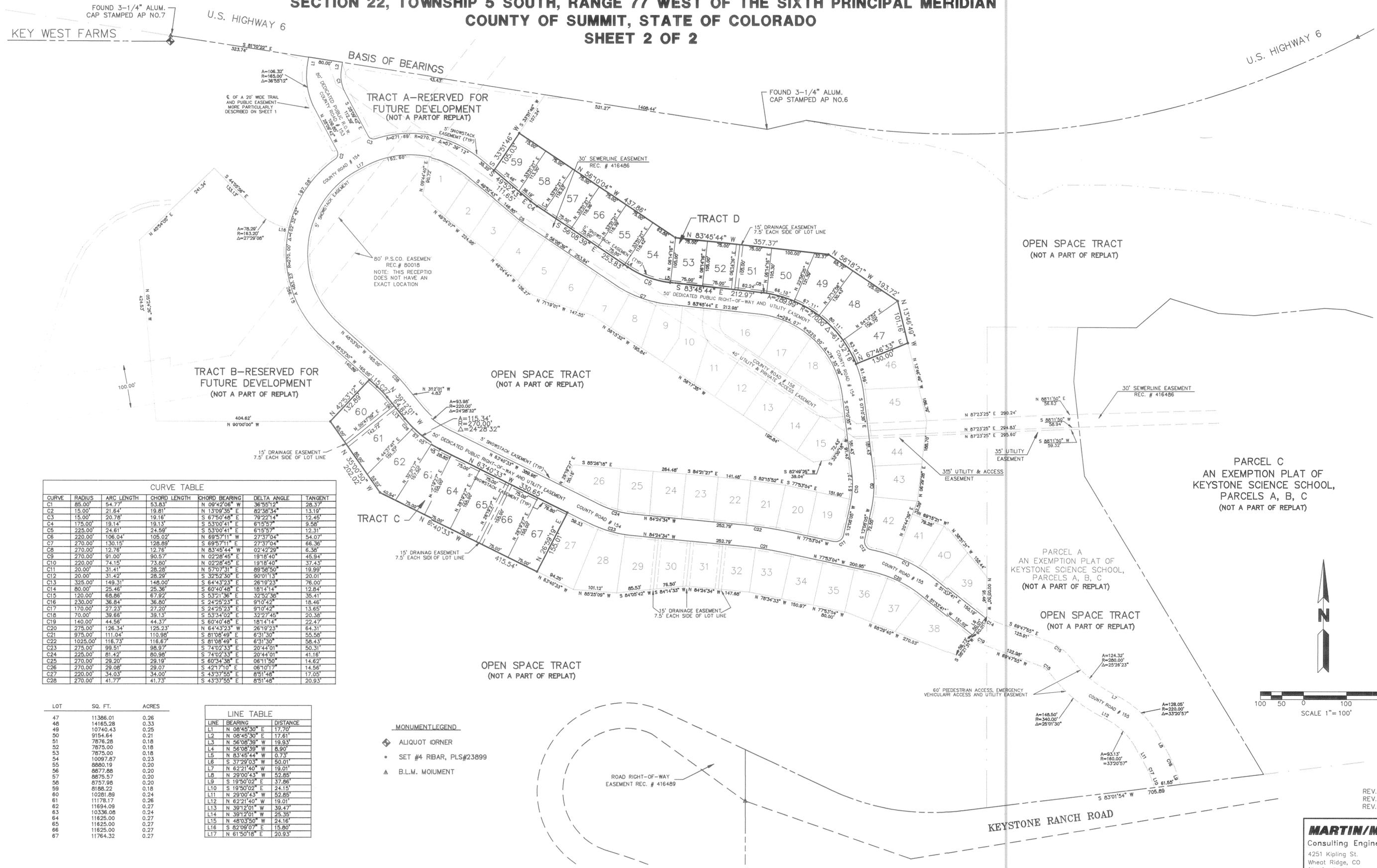
MARTIN/MARTIN
 Consulting Engineers
 4251 Kipling St.
 Wheat Ridge, CO
 (303) 431-6100

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you discover such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

FINAL PLAT

A REPLAT OF TRACT C AND TRACT D OF OLD KEYSTONE GOLF COURSE SUBDIVISION

BEING A PART OF OLD KEYSTONE GOLF COURSE SUBDIVISION LOCATED IN
 SECTION 22, TOWNSHIP 5 SOUTH, RANGE 77 WEST OF THE SIXTH PRINCIPAL MERIDIAN
 COUNTY OF SUMMIT, STATE OF COLORADO
 SHEET 2 OF 2



project manager NOBBE
 designed by F. CHAVEZ
 drawn by Felix
 job no. 13385.01
 sheet no. RPT
 10/15/97
 PLOT
 paper space
 PLAN
 model space
 REPLAT.DWG
 xreference
 E--BASE

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT
C1	85.00'	54.77'	53.83'	N 09°42'06" W	36°55'12"	28.37'
C2	15.00'	21.84'	19.81'	N 13°09'36" E	82°38'34"	13.19'
C3	15.00'	20.78'	19.18'	S 67°50'48" E	78°22'14"	12.45'
C4	175.00'	19.14'	19.13'	S 53°00'41" E	67°15'57"	9.58'
C5	225.00'	24.61'	24.59'	S 53°00'41" E	67°15'57"	12.31'
C6	220.00'	106.04'	105.02'	N 69°57'11" W	27°37'04"	54.07'
C7	270.00'	130.15'	128.89'	S 69°57'11" E	27°37'04"	66.36'
C8	270.00'	12.78'	12.78'	N 83°45'44" W	02°42'29"	6.38'
C9	270.00'	91.00'	90.57'	N 02°28'45" E	19°18'40"	45.94'
C10	220.00'	74.15'	73.80'	N 02°28'45" E	19°18'40"	37.43'
C11	20.00'	31.41'	28.28'	N 57°07'31" E	89°58'50"	19.99'
C12	20.00'	31.42'	28.29'	S 32°52'30" E	90°01'13"	20.01'
C13	325.00'	149.31'	148.00'	S 64°43'23" E	26°19'23"	76.00'
C14	80.00'	25.46'	25.38'	S 60°40'48" E	18°14'14"	12.84'
C15	120.00'	68.88'	67.92'	S 53°21'36" E	32°52'36"	35.41'
C16	230.00'	36.84'	36.80'	S 24°25'23" E	91°04'2"	18.46'
C17	170.00'	27.23'	27.20'	S 24°25'23" E	91°04'2"	13.65'
C18	70.00'	39.88'	39.13'	S 53°34'02" E	32°27'45"	20.38'
C19	140.00'	44.56'	44.37'	S 60°40'48" E	18°14'14"	22.47'
C20	275.00'	126.34'	125.23'	N 64°43'23" W	26°19'23"	64.31'
C21	975.00'	111.04'	110.98'	S 81°08'49" E	6°31'30"	55.58'
C22	1025.00'	116.73'	116.67'	S 81°08'49" E	6°31'30"	58.43'
C23	275.00'	99.51'	98.97'	S 74°02'33" E	20°44'01"	50.31'
C24	225.00'	81.42'	80.98'	S 74°02'33" E	20°44'01"	41.18'
C25	270.00'	29.30'	29.19'	S 60°34'38" E	08°11'50"	14.82'
C26	270.00'	29.08'	29.07'	S 42°17'10" E	08°10'17"	14.56'
C27	220.00'	34.03'	34.00'	S 43°37'55" E	8°51'48"	17.05'
C28	270.00'	41.77'	41.73'	S 43°37'55" E	8°51'48"	20.93'

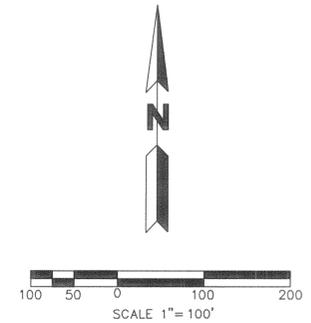
LOT

LOT	SQ. FT.	ACRES
47	11386.01	0.26
48	14165.28	0.33
49	10740.43	0.25
50	9154.64	0.21
51	7876.28	0.18
52	7875.00	0.18
53	7875.00	0.18
54	10097.87	0.23
55	8890.19	0.20
56	8877.88	0.20
57	8875.57	0.20
58	8757.98	0.20
59	8188.22	0.18
60	10281.89	0.24
61	11178.17	0.26
62	11694.09	0.27
63	10336.08	0.24
64	11825.00	0.27
65	11825.00	0.27
66	11825.00	0.27
67	11764.32	0.27

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 08°45'30" E	17.70'
L2	N 08°45'30" E	17.61'
L3	N 56°08'39" W	19.93'
L4	N 56°08'39" W	8.90'
L5	N 83°45'44" W	0.73'
L6	S 37°29'03" W	50.01'
L7	N 82°21'40" W	19.01'
L8	N 29°00'43" W	52.85'
L9	S 19°50'02" E	37.86'
L10	S 19°50'02" E	24.15'
L11	N 29°00'43" W	52.85'
L12	N 82°21'40" W	19.01'
L13	N 39°12'01" W	39.47'
L14	N 39°12'01" W	25.35'
L15	N 48°03'50" W	24.16'
L16	S 82°09'07" E	15.80'
L17	N 61°50'18" E	20.93'

- MONUMENT LEGEND**
- ◆ ALIQUOT CORNER
 - SET #4 RIBAR, PLS#23899
 - ▲ B.L.M. MONUMENT



REV. OCT. 15, 1997
 REV. OCT. 10, 1997
 REV. SEPT. 4, 1997
 JUNE 04, 1997

MARTIN/MARTIN
 Consulting Engineers
 4251 Kipling St.
 Wheat Ridge, CO
 (303) 431-6100

RESTRICTIVE COVENANT FOR THE VACATION OF LOT LINES

THIS RESTRICTIVE COVENANT ("Covenant") is entered this 14th day of May, 2020, by and between Jeffrey Kohn whose address is 150 Elk Circle, Keystone, Colorado 80435 ("Grantor") and Summit County, Colorado by and through its Board of County Commissioners, whose address is Post Office Box 68, Breckenridge, Colorado, 80424 ("Grantee"), for the purpose of forever restricting the use of and on the subject property.

RECITALS

- A. Grantor warrants that it is the sole and lawful owner of property located in Summit County, Colorado, and identified as Lot 62 and Lot 63, Tract C, Old Keystone Golf Course Subdivision recorded at Reception Number 553525, (collectively referred to as the "Properties"), as shown in Exhibit A, and is authorized to enter into this agreement.
- B. The Properties are currently within the Keystone Resort PUD Zoning District, as defined in the Summit County Land Use and Development Code ("Code"). The PUD zoning designation on the Properties allows for 1 unit of density on Lot 62 and 1 unit of density on Lot 63 as well as certain accessory and conditional uses on each lot as enumerated in the Code.
- C. Grantor wishes to vacate the lot lines between Lots 62 and 63, which separate said lots, for the purpose of creating one cohesive parcel of greater total surface area.
- D. Grantor desires to enter into this restrictive covenant for the purpose of vacating the lot lines between the Properties with full knowledge and understanding of the density restrictions which will be imposed upon the combined parcels as a result of the subject lot line vacation and this Covenant. The combined Lots 62 and 63 shall be referred to as the "Property."

AGREEMENT

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor hereby covenants and agrees to restrict any future subdivision of the Property, upon and subject to the following terms and conditions:

1. The parties hereto acknowledge by mutual agreement that the lot lines between Lot 62 and Lot 63 are vacated upon the execution of this Covenant and agreement, thereby limiting the potential density of the Property to one single family dwelling unit and associated accessory and conditional uses related to said single family dwelling as may be permitted under the Keystone Resort PUD Zoning District.
2. The parties hereto acknowledge that the lot line vacation creates one contiguous lot on the Property, greater in overall surface area.
3. Grantor covenants and warrants that the Property shall not be subdivided by Grantor in the future, at any time and for any purpose, by any lawful manner; including, but not limited to, an official act under the Summit County Land Use and Development Code, by operation of law, or by

order of any court in this state as detailed in §30-28-101(10), C.R.S. Grantor further covenants that the Property shall at all times in the future consist of only one lot.

4. This Covenant shall constitute a restrictive covenant which shall run with the land in perpetuity for the benefit of Grantee. The terms and obligations of this Covenant shall be binding upon all parties hereto, and their respective heirs, successors and assigns. Other than as specified herein, this Covenant is not intended to impose any legal or other responsibility on Grantee.

5. This Covenant expressly inures to the benefit of and is enforceable by Grantee. Grantee shall have the right to prevent and correct or require correction of violations of the terms and purposes of this Covenant. Grantee shall have the right to seek an injunction with respect to such activity, and to cause the restoration at Grantor's expense of that portion the Property affected by such activity to the condition that existed prior to the undertaking of such prohibited activity. Nothing contained herein shall be construed to preclude Grantor from exhausting its legal remedies in determining whether the proposed activity to which the Grantee has objected is inconsistent with this Covenant. In the event of any litigation, the prevailing party shall recover its costs and reasonable attorney's fees. Enforcement of the terms and provisions of this Covenant shall be at the discretion of the Grantee and any failure of Grantee to discover a violation or any forbearance to exercise its rights hereunder shall not be deemed or construed to be a waiver of such terms or of any subsequent breach of the same or any other term of this Covenant or of any of the Grantee's rights hereunder or an abandonment of any duties or responsibilities hereunder.

6. Grantor waives any defenses of laches, estoppel, prescription, and any and all requirements in §38-41-119, C.R.S., that require Grantee to bring action to enforce the terms of this Covenant or to compel the removal of any building or improvement on the Property within one year from the date of the violation is or should have been discovered.

7. Grantee shall record this instrument in a timely fashion in the official records of Summit County, at the Office of the Summit County clerk and Recorder, and Grantee may re-record it at any time as may be required to preserve its rights in this Covenant.

8. The interpretation and performance of this Covenant shall be governed by the laws of the State of Colorado. Venue shall only be proper in Summit County, Colorado.

9. In the case one or more of the provisions contained in this Covenant, or any application hereof, shall be invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions contained in this Covenant and the application thereof shall not in any way be affected or impaired thereby.

IN WITNESS WHEREOF, the parties have executed this Covenant as of the date first above written.

GRANTOR: *[Signature]*
JEFFREY KOHN

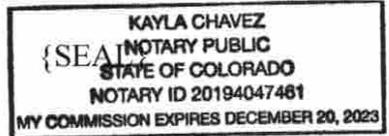
Print Name:

STATE OF Colorado)
COUNTY OF Summit) ss.

The foregoing instrument was acknowledged before me on May 19th, 2020 by Jeffrey Kohn as Grantor.

Witness my hand and official seal.
My commission expires December 20th, 2023.

[Signature]
Notary Public



GRANTOR: *[Signature]*
JEFFREY KOHN

Print Name:

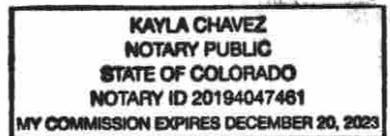
STATE OF Colorado)
COUNTY OF Summit) ss.

The foregoing instrument was acknowledged before me on May 19th, 2020 by Jeffrey Kohn as Grantor.

Witness my hand and official seal.
My commission expires December 20th, 2023.

[Signature]
Notary Public

{SEAL}



[Signatures continue on following page]

GRANTEE:
COUNTY MANAGER
OF SUMMIT COUNTY, COLORADO

Scott Vargo, County Manager

STATE OF COLORADO)
) ss.
COUNTY OF SUMMIT)

The foregoing instrument was acknowledged before me on _____,
20__, by Scott Vargo as County Manager of Summit County, Colorado.

Witness my hand and official seal.

{SEAL}

Notary Public

My commission expires _____.



Lot Line to be vacated

RESOLUTION NO. 2020 -

**BOARD OF COUNTY COMMISSIONERS
OF THE
COUNTY OF SUMMIT
STATE OF COLORADO**

A RESOLUTION APPROVING PLN20-025, A REQUEST FOR A LOT LINE VACATION LOCATED BETWEEN LOTS 62 AND 63, TRACT C, OLD KEYSTONE GOLF COURSE SUBDIVISION; A TOTAL OF 0.505 ACRES; ZONED KEYSTONE RESORT PUD. (Property Owner: Jeffrey Kohn)

WHEREAS, Jeffrey Kohn has applied to the Board of County Commissioners for approval of a lot line vacation located between Lots 62 and 63, Tract C, Old Keystone Golf Course Subdivision; and

WHEREAS, The Planning Department has reviewed the application and recommended approval to the Board of County Commissioners; and

WHEREAS, The Board of County Commissioners has reviewed the request at a public meeting held on June 23, 2020 and considered the evidence and testimony presented at that meeting; and

WHEREAS, the Board of County Commissioners finds as follows:

1. The vacation procedure has not been used to circumvent the intent of the Subdivision Regulations as no new lots are being created through this application.
2. The lot resulting from the vacation is in compliance with the County's Zoning Regulations and because, without limitation, the newly created lot meets the minimum lot size requirement and density is being reduced by one unit.
3. Easements necessary for the provision of utilities are not affected by the lot line vacation.
4. Upon compliance with the condition set forth below, the applicant has provided a restrictive covenant against the property that prohibits the vacated lot from being resubdivided or recreated by a subdivision approval, subdivision exemption approval or any other administrative or judicial process.
5. All relevant taxes for the subject properties have been paid.
6. The resolution of approval shall state the new lot name as Lot 62-R, Old Keystone Golf Course Subdivision.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SUMMIT COUNTY, COLORADO, that Planning Case PLN20-025, a lot line vacation located between Lots 62 and 63, Tract C, Old Keystone Golf Course Subdivision, shown as Exhibit A, is hereby approved with the following condition:

1. The executed lot line vacation restrictive covenant shall be recorded concurrently with this resolution.

ADOPTED THIS 23RD DAY OF JUNE 2020

**COUNTY OF SUMMIT
STATE OF COLORADO
BY AND THROUGH ITS
BOARD OF COUNTY COMMISSIONERS**

Karn Stiegelmeier, Chair

ATTEST:

Kathleen Neel, Clerk & Recorder



FINANCE DEPARTMENT

970.453.3430 ph | 970.453.3453 f
www.SummitCountyCO.gov

208 East Lincoln Ave. | PO Box 68
Breckenridge, CO 80424

TO: Board of County Commissioners
FROM: Marty Ferris, CRISP Board Chair
RE: CRISP Board Appointment
DATE: June 11, 2020

We recently had two vacancies on our five member CRISP Board. We held an election with our employees and Suzanne Kenney from the Information Systems was elected.

The other vacancy is a position that the Board of County Commissioners appoints.

I recommend we appoint the second highest vote getter to this vacancy. That person is Deb Price from Human Services.