

**TOWN OF NEW CASTLE, COLORADO
RESOLUTION NO. TC-2016-08**

A RESOLUTION OF THE TOWN OF NEW CASTLE TOWN COUNCIL
APPROVING A CONDITIONAL USE PERMIT FOR CHURCH USE ON
PROPERTY LOCATED IN THE RESIDENTIAL-1 ZONE DISTRICT.

WHEREAS, on March 16, 2016, the First Baptist Church of New Castle (“Applicant”) submitted a Conditional Use Permit Application (“Application”) for the property located at 190 N. 7th Street in New Castle, Colorado (“Property”) located in the Residential 1 (R-1) zone district; and

WHEREAS, Applicant owns the Property; and

WHEREAS, Applicant seeks a permit to allow the Property to be used as a church; and

WHEREAS, pursuant to § 17.20.050 of the New Castle Municipal Code (“Code”), the use proposed by Applicant is a conditional use in the R-1 zone district, requiring the issuance of a conditional use permit pursuant to § 17.84 of the Code; and

WHEREAS, on May 11, 2016, the New Castle Planning and Zoning Commission held a duly-noticed public hearing to consider the Application and passed Resolution No. PZ 2016-3 recommending that the Town Council approve the Application; and

WHEREAS, at a duly-notice public meeting held June 7, 2016, the Town Council reviewed and the Application; and

WHEREAS, upon consideration of the Application, the Town Council hereby finds that the Application:

1. is eligible for conditional review under Section 17.84.040;
2. is generally compatible with adjacent land uses;
3. meets all requirements of Section 17.84.020, is in compliance with Title 17 of the Code, and minimizes potential adverse impact of the conditional use on adjacent properties and traffic flow;
4. is consistent with the comprehensive plan; and
5. the Town has the capacity to serve the proposed use with water, sewer, fire and police protection.

NOW, THEREFORE, BE IT RESOLVED BY THE NEW CASTLE TOWN COUNCIL AS FOLLOWS:

1. Recitals Incorporated by Reference. The foregoing recitals are incorporated by reference herein as findings and determinations of the New Castle Town Council.

2. Listing of Approved Uses. The following constitute the uses for the Property approved under the Application:

A. Church

3. Approval. The Town Council hereby approves the Application subject to the following conditions:

A. All representations of the Applicant in written and verbal presentations submitted to the Town or made at public hearings before the Planning Commission or Town Council shall be considered part of the application and binding on the applicant;

B. Applicant shall comply with all applicable building, residential, electrical and municipal code requirements including all sign code regulations;

C. In the event the Town receives any complaints about the use of the site or observes or becomes aware of any violations of the conditional use approval, Applicant and/or owner may be summoned before the Town Council in a public meeting to show cause why the permit should not be revoked, suspended, or additional conditions imposed, with such show-cause hearing open to the public and the Applicant or owner being able to present testimony or offer other evidence on their behalf;

D. Applicant shall reimburse the Town for any and all expenses incurred by the Town regarding this approval, including without limitation all costs incurred by the Town's outside consultants such as legal and engineering costs;

E. Prior to construction, the applicant will apply for a lot line vacation that will be processed administratively by the New Castle Building and Planning department; and

F. The use approved in the Application shall not be conducted until the Town Planner has issued a conditional use certificate, which certificate must be issued within one year of the date of this Resolution. Otherwise, the Application is deemed withdrawn by the Applicant and is of no further force and effect.

THIS RESOLUTION TC-2016-08 was adopted by the New Castle Town Council by a vote of __ to __ on the 7th day of June, 2016.

NEW CASTLE TOWN COUNCIL

By: _____
Art Riddile, Mayor

ATTEST:

Melody Harrison, Town Clerk

By signing below, Applicant hereby agrees to complete and comply with all conditions imposed by the Town Council in this Resolution TC-2016-08. Applicant further agrees that the use and improvements approved herein will be in accordance with the approved Application site plan and development schedule.

DATED this __ day of _____, 2016 FIRST BAPTIST CHURCH OF NEW
CASTLE

By: Jeff Gerber, Pastor



Town of New Castle Planning & Code Administration Department
450 W. Main Street
PO Box 90
New Castle, CO 81647
Phone: (970) 984-2311
Fax: (970) 984-2716

(1)

Staff Report
First Baptist Church of New Castle – Conditional Use Permit
New Castle Town Council – Meeting – June 7, 2016

Report Date: 5/20/16

Project Information

Name of Applicant: First Baptist Church of New Castle (Church/applicant)

Applicant’s Mailing Address 190 N. 7th St, New Castle, CO. 81647
Phone/Email: Telephone – 970.984.2306 E-mail: newcastlefirstbaptist@gmail.com

Property Address: 190 N. 7th St., New Castle, CO 81647

Property Owner: First Baptist Church of New Castle

Owner Mailing Address 190 N. 7th St., CO 81602. Telephone – 970-366-2278
/Phone:

Proposed Use: Church

Municipal Code Reference: Chapter 17.84 – Conditional Uses & Chapter 17.76 – Off-Street Parking

Size of Site: .812 acres

Street Frontage: N. 7th St.

Existing Zoning: R-1

Surrounding Zoning: R-1 and Open Space (OS)

Parking Requirements: One-half off-street parking space per three seats

Hours of Operation:
Sunday: - 9 A.M. to 11:30 A.M. and 4:30 P.M. to 6:00 P.M.
Tuesday – 10:00 A.M. to 11:30 A.M.
Wednesday – 6:00 A.M. to 7:00 A.M. & 6:30 P.M. to 8:00 P.M.
1st Friday of each month – 10:00 A.M. – 12:00 P.M.
Vacation Bible School one month during summer – 6:00 P.M. to 8:00 P.M.

1 Description of Application:

This application is a request for a conditional use permit (CUP) for the following use as listed in the application cover letter:

1. Church

The applicant proposes a phased development schedule for the construction of a new church. The timing of development will be determined by available discretionary funds. The first phase will involve the demolition of the existing garage on 190 N. 7th St. and construction of a new Sanctuary and Greeting Hall. According to the applicant, "The eventual buildout, completed through successive phases, would remove the existing house (parsonage) and the church building while expanding the new one being built in Phase 1 as funds are made available."

According to the applicant a formal development schedule has not been determined. Construction of the project will take about 6 to 9 months to complete. A building permit allows for 18 months before it expires. However, the applicant can apply for an extension of another 18 months if approved by the building official.

Planning & Zoning Commission (P&Z) unanimously recommended approval of the CUP with conditions. The church will also process a lot line vacation which is an administrative action that does not require a public hearing or council approval. This will allow the expansion of the church to legally build on one lot, not two. The parking area northwest of the parsonage will continue to provide overflow parking during church services which could be any day of the week.

II CUP Development Application Contents:

1. Applicant cover letter/Development Application
2. Proof of legal ownership (various deeds have been provided)
3. List of property owners within 250 feet
4. Site plan
5. Description of variance (to be considered by Board of Zoning Adjustment)
6. Copy of Public Service of Colorado easement
7. Agreement to abide by performance standards
8. Elevations
9. Site plan with Structural, Project General and Project Code notes
10. Footing/Foundation, Floor, Furniture/Exit plans with foundation details.
11. Performance standards agreement
12. Revised site plan

III CUP Application-Issues/Concerns:

Site Plan requirements:

- (1) Adjacent land uses and location of adjacent structures
Staff Comment – The submitted site plan shows the present structures on the properties involved and adjacent land uses but not adjacent structures. The property surrounding most of the church is zoned R-1. The land northeast of the subject property is zoned open space.
- (2) Boundary and size of lot
Staff Comment – The submitted site plan describes the boundary and size of all properties involved.
- (3) Boundary location, height and setbacks
Staff Comment – The submitted site plan shows the buildings location and elevations show the new church to be 28' high which is below the maximum allowable building height in the R-1 zone district. Setbacks have been identified on the revised site plan.
- (4) *Off-street parking and loading areas

Staff Comment – Off-street parking spaces are depicted on the site plan. There will be 61 total

(3)

parking spaces of which 4 will be designated for handicap persons, 16 spaces for compact cars and 41 regular size spaces.

* 17.76.060 Town Council May Change Number of Spaces

(A) The Town Council may increase or decrease the number of off-street parking spaces in consideration of the following factors:

- (1) Probable number of cars owned by occupants of dwellings in the planned unit development;
- (2) Parking needs of any non dwelling uses;
- (3) Varying time periods of use; and
- (4) Whatever joint use of common parking areas is proposed.

(B) Regardless of a reduction in off-street parking spaces by the Town Council, adequate space and site design shall be provided to accommodate the standard

(5) Points of ingress and egress

Staff comment – There are two access points for ingress and egress as located on the revised site plan. One is located in the southwest portion of the lot and the other access point is located further north of the first access point.

(6) Service and refuse areas

Staff Comment – Not shown on the submitted site plan, although there is enough space on the lot for delivery trucks and one or two refuse containers. A two or three yard refuse container can easily be located on the lot without disrupting pedestrian or traffic circulation. There are no known hazardous materials that will need disposal services.

(7) Signs and exterior lighting

Staff Comment – Text on the revised site plan indicates all exterior lighting to be downcast and dark sky compliant which will meet the minimum standard of Municipal Code compliance. The elevations depict a sign for the church. The applicant will be required to complete a sign permit and comply with municipal code sign regulations.

(8) Fencing, landscaping and screening

Staff Comment – Existing landscaping and screening are shown on the site plan. Existing fencing is identified on the site plan and it will be removed during expansion of the church. New fencing is shown on the site plan.

(9) Compliance with performance standards

Staff Comment – The applicant has submitted a signed document stating he will comply with all performance standards.

(10) Location and size of easements, power poles, fire hydrants, gas lines, water and sewer lines; anticipated utility requirements

Staff Comment – All existing utility services except for gas lines are shown on the site plan. The actual lines have not been identified by the site plan. There does not appear to be a fire hydrant located on the subject properties. A fire hydrant is located across 7th St near the southwest section of the property. The applicant submitted an easement declaration from Public Service of Colorado.

(11) Snow storage

Staff comment – Snow storage is located through-out the entire subject property.

17.84.070 Alterations

No approved conditional use may be altered, structurally enlarged, expanded in parking area or expanded in ground area unless the site plan is amended and approved in accordance with (4) the procedures applicable to approval of a conditional use as set out in chapter 17.84 – Conditional Uses

IV CUP Criteria set forth for approval in Section 17.100.090 of the Town Municipal Code

1. Whether the application is generally compatible with adjacent users
Staff Comment: The Deed for 172 N. 7th St. states the property was transferred to First Baptist Church of New Castle in 1951. This author is unsure of the year the church was built, Regardless, the church has been located in the residential neighborhood for a very long time. It is compatible with the surrounding environs and adjacent users
2. Whether the application is consistent with the Town's Comprehensive Plan
Staff Comment: The church has been growing very quickly so there is a need to expand. The Comprehensive Plan does not comment on religious affiliations or their impact on the surrounding zone district. It is generally an accepted use in residential neighborhoods.
3. Whether the Town has the capacity to serve the proposed uses with water, sewer, fire and police protection
Staff Comment: Adequate access and supply for water and sewer is available. Fire and police protection is rated very high due to the location of the police station and firehouse.
4. Whether the uses proposed within the PUD are uses permitted outright within the zone district contained within the PUD
Staff Comment: The subject property is zoned R-1 and it is not a PUD. All churches in the R-1 zone district require a conditional use permit
5. Whether the number of dwelling units permitted by the underlying zone district is not exceeded by the PUD plan
Staff Comment: This does not apply

V Staff Recommendation for CUP

The staff recommends approval of the First Baptist Church of New Castle Conditional Use Permit with the following conditions:

1. All representations of the applicant in written and verbal presentations submitted to the Town or made at public hearings before the planning commission or Town Council shall be considered part of the application and binding on the applicant.
2. The applicant shall comply with all applicable building, residential, electrical and municipal code requirements including all sign code regulations.
3. In the event the Town receives any complaints about the use of the site or observes or becomes aware of any violations of the conditional use approval, the Applicant and/or owner may be summoned before the Town Council in a public meeting to show cause why the permit should not be revoked, suspended, or additional conditions imposed. Such show-cause hearing shall be open to the public and the Applicant or owner may present testimony or offer other evidence on its behalf.
4. The applicant shall reimburse the Town for any and all expenses incurred by the Town regarding this approval, including without limitation all costs incurred by the Town's outside consultants such as legal and engineering costs.

5. Prior to construction, the applicant will apply for a lot line vacation that will be processed administratively by the New Castle Building and Planning department

RECEIVED

MAR 16 2016

TOWN OF
NEW CASTLE, CO
BUILDING DEPARTMENT



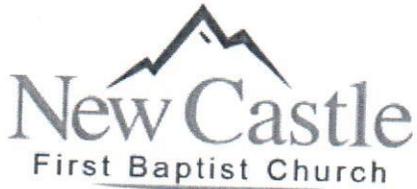
**DEVELOPMENT
APPLICATION
PACKET**



DEVELOPMENT APPLICATION PACKET

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DEVELOPMENT APPLICATION PACKET

General

Background

The First Baptist Church of New Castle has, in recent years, grown to a point of requiring a larger facility. After evaluating several sites around New Castle, the Church leadership decided to acquire additional property (130 N. 7th Street) to add to its current property (172 and 190 N. 7th Street). These three properties all sit adjacent to each other along 7th Street.

After acquiring this property, the Church would like to move forward with Phase 1 of its construction program. Phase 1 of the construction program will involve the demolition of the existing garage structure on 190 N. 7th Street and construction of a new Sanctuary and Greeting Hall on the existing property line between 172 N. 7th and 172 N. 7th between the existing church building and house on those respective properties.

The eventual buildout, completed through successive phases, would remove the existing house and church building while expanding the new one being built in Phase 1 as funds are made available.

Please note that 130 N. 7th Street is currently and will continue to be utilized as an overflow parking facility in support of the Church but is not included for any purposes of this application beyond provided adequate parking for the overall facility. Additionally, a previous lot line vacation was performed for the 172 N. 7th Street property on June 13th, 2000 for property acquired by the Church from Eric Williams at that time. Documentation has been provided demonstrating ownership of this property as well.

To allow for Phase 1 of construction, the First Baptist Church of New Castle is requesting several items as required by the Town:

- A Lot Line Vacation between 172 N. 7th Street and 190 N. 7th Street to allow for the construction of a building.
- A Variance for two lot line setbacks from the north property edge of the combined properties and one building setback from the new to existing structures.
- A Conditional Use Permit for to permit the use of a Church on the new combined lot.

The following has been supplied as required by the New Castle Town Municipal Code.



DEVELOPMENT APPLICATION PACKET

Development Application

Fifteen copies of the have been provided to the Town both as part of and separate from this packet (Attachment 1).

Proof of Legal Ownership

First Baptist Church of New Castle is the owner of all properties in the application. Copies of the deeds for the following properties have been provided as a part of this packet:

- 130 N. 7th Street – Parking Property (Attachment 2)
- 190 N. 7th Street – House Property (Attachment 3)
- 172 N. 7th Street – Original Property (Attachment 4)
- 172 N. 7th Street – Williams Addition (Attachment 5)

Please note that 130 N. 7th Street is not directly a part of this application, however, it is being utilized to provide parking for the properties in questions in order to fulfil any requirements the Town may have.

Property Owner Addresses

Property	Owner	Mineral Owner	Lienholders
130 N. 7 th Street*	First Baptist Church of New Castle	None	None
190 N. 7 th Street	First Baptist Church of New Castle	None	None
172 N. 7 th Street	First Baptist Church of New Castle	Colorado Coal and Iron Corp. (Defunct)	None

*Property is directly a part of this Application.

Site Plan

A site plan has been provided to the Town as a part of this packet (Attachment 6)



DEVELOPMENT APPLICATION PACKET

Time Schedule for Development

A formal schedule has not been developed, however once a building permit is obtained, construction is estimated to last approximately 6 to 9 months. First Baptist Church of New Castle will not obtain a building permit until a funding source for the described project has been secured. First Baptist Church of New Castle will agree to substantially complete the project within 9 months from the date a building permit is approved by the Town. Substantial completion being a completed exterior and secure project at that time.

List of Owners within 250 Feet of Property

Pieffer, Vernon K
PO Box 431
Glenwood Springs, CO 81601

Murphy, Shannon S
702 W. Main Street
New Castle, CO 81647

Moonlite Investments LLC
PO Box 1873
Carbondale, CO 81623

Gilmore, Marion B & Teresa A
PO Box 56
New Castle, CO 81647

Moonlite Investments LLC
261 Comanchero Trail
New Castle, CO 81647

Shrull, James O & Samatha J
PO Box 294
New Castle, CO 81647

Payne, Nancy F
131 N. 7th Street
New Castle, CO 81647

Ruiz, Ignacio
PO Box 741
New Castle, CO 81647

Harrison, Melody
111 N. 7th Street
New Castle, CO 81647

Foy, William
138 N 7th Street
New Castle, CO 81647

Overall, Macel C
PO Box 222
New Castle, CO 81647

Maldonado, Jackie & Daniel
PO Box 825
New Castle, CO 81647

Garissa, Mary R
PO Box 222
New Castle, CO 81647

Ross, L Angeline & Booth, Thomas G
PO Box 817
New Castle, CO 81647



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Pieffer, Vernon Kraig
PO Box 1
New Castle, CO 81647

Boardman, Jeffrey A & Loretta J
135 Swiss Lane
Rifle, CO 81650

Detweiler, Merle M
PO Box 591
New Castle, CO 81647

Smythe, Ryan C & Brandi
129 N. 6th Street
New Castle, CO 81647

Doherty, Lisa Moretti
PO Box 353
New Castle, CO 81647

620 W Main LLC
PO Box 519
Glenwood Springs, CO 81602

Pickard, Samatha L & Wilson, Mark
Dana
PO Box 772
New Castle, CO 81647

North 6th Street, LLC
7621 Pitcher Point Apt. 208
Fountain, CO 80817

McWilliams, Toni Rae
4825 Dvis Lane Apt. 1532
Austin, TX 78749

Martin, Laren R & Kimberly S
737 S. Wildhorse Drive
New Castle, CO 81647

McCarthy, Donald E & Casey, Jeame M
PO Box 34
New Castle, CO 81647

Sixth Street LLC
PO Box 2255
Glenwood Springs, CO 81602

Blotshe, Wayne R
702 Burning Mountain Avenue
New Castle, CO 81647

White, Stephen L & Sylvia A
PO Box 643
Glenwood Springs, CO 81602

Wood, David D
PO Box 408
New Castle, CO 81647

Simms, Earl L & Roclyn L
5450 Cantey Road 245
New Castle, CO 81647

Gibson, William F & Pamela A
3022 Crystal Springs Road
Carbondale, CO 81623

Storey Enterprises Inc
719 Washington Court
Grand Junction, CO 81507

Sweeney, Perry A
PO Box 531
New Castle, CO 81647



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Nelson, Wanda K
721 Waterglen Drive Unit 5136
Fort Collins, CO 80524

Outliff, Laurie Lynn
PO Box 516
New Castle, CO 81647

Van Leeuwen, Mark K & Van Leeuwen, Samatha S. Regla
6756 Dorado Court
Tucson, AZ 85715



DEVELOPMENT APPLICATION PACKET

Lot Line Adjustment

Description of Lot Line Vacation

The requested lot line vacation includes the boundary adjoining 172 N. 7th Street and 190 N. 7th Street. The result would be a combination of the properties. To First Baptist Church of New Castle's knowledge, there are no known municipal or subdivision rules preventing this.

Legal Description of All Property Involved

Deeds with legal descriptions have been provided as part of this packet for the following properties:

- 130 N. 7th Street – Parking Property (Attachment 2)
- 190 N. 7th Street – House Property (Attachment 3)
- 172 N. 7th Street – Original Property (Attachment 4)
- 172 N. 7th Street – Williams Addition (Attachment 5)

Utility Companies with Easements Located on All Property

The Public Service Company of Colorado has a 10-foot easement for overhead power lines and a five-foot easement for gye supports. Documentation is provided as a part of this packet (Attachment 7). Their address is provided below:

Public Service Company of Colorado
1225 17th Street
Denver, CO 890202-5533

Original Final Plat Drawings

A site plan (Attachment 6) with the existing lot boundaries has been submitted as a part of this packet. Documentation pertaining to easement on 172 N. 7th has also been submitted as part of this packet (Attachment 7)



DEVELOPMENT APPLICATION PACKET

Title Commitments

The Church is only in possession of a title commitment for the property at 190 N. 7th Street. The commitment has been submitted as part of this packet (Attachment 8).

Drainage Certification

An existing drainage easement exists on the eastern side of the 172 N. 7th Street lot. The Church believes this lot line vacation will have no impact on the easement per the certified letter submitted as part of this packet (Attachment 9).

Proposed Deeds

First Baptist Church of New Castle has submitted a proposed deed (Attachment 10) detailing both the parking property (130 N. 7th Street) and the newly combined property (190 N. 7th Street, 172 N. 7th Street Original Property, and 172 N. 7th Street Williams Addition) as a part of this packet.

Project Surveyor and Engineer

Project Surveyor:

Sam Phelps, LS (#27613)
826 Grand Avenue
Glenwood Springs, CO 81601
(970)945-5945

Project Engineer:

Graham Riddile, PE (#50673)
267 Castle Ridge Drive
New Castle, CO 81647
(970)948-1997



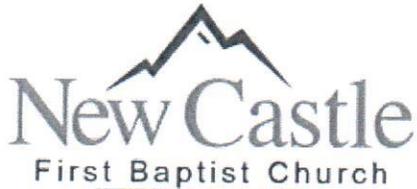
DEVELOPMENT APPLICATION PACKET

Conditional Use Permit

The requested conditional use permit is to permit the use of the new combined lot as a "Religious" use. The current existing uses for the 190 and 172 N. 7th Street lots are "Charitable" and "Religious" respectively. Currently, the house located on the 190 N. 7th Street property is used for the Church parsonage while the church building itself sits on the 172 N. 7th Street property. These properties, in addition to the Church owned 130 N. 7th Street adjacent to the northwest of 190 N. 7th Street, function dependently upon one another for many church functions.

The Church plans to utilize the combined property similarly to this current operation. As described in the "Background" section, the long-term intention of the Church is to remove the current church building and house to allow for future expansion of a proposed new building to be constructed between the two existing buildings in the near term (as shown in the Site Plan – Attachment 6).

If acceptable, the Church requests the Town include any potential terms for the planned expansion as part of the conditional use permit.



DEVELOPMENT APPLICATION PACKET

Variance

Description of Variances

The First Baptist Church of New Castle is requesting two variances. One lot line set back reduction and one building setback reduction.

Regarding the lot line setback:

The Church is assuming that the intent of the required 10-foot lot line setback is to maintain an adequate amount space between neighboring buildings on separate properties. Per the Site Plan (Attachment 6), along the northern boundaries of the proposed property, it is noted that the proposed building will come within 5.23 feet of the property line. The neighboring property is held by the Town of New Castle and currently being used as open space. First Baptist Church of New Castle believes, between the adjacent land use and its associated topography, no future development will occur on this property. Therefore, the intent of the setback requirement will not be an issue if the 10-foot setback is not maintained.

Regarding the building setback:

The Church is assuming that the intent of the required 10-foot building setback is to maintain an adequate amount space between neighboring buildings. Per the Site Plan (Attachment 6), the distance between the existing church building and proposed structure is noted at 6.00 feet. The First Baptist Church of New Castle believes that this distance is adequate since the two buildings will function as one unit for the Church. Additionally, the current long-term plan for the Church is to remove the existing church structure as the new one is expanded in the future, eventually removing this as an issue.



DEVELOPMENT APPLICATION PACKET

Attachments

Attachment 1 – Development Application

Attachment 2 – Copy of 130 N. 7th Street Warranty Deed

Attachment 3 – Copy of 190 N. 7th Street Warranty Deed

Attachment 4 – Copy of 172 N. 7th Street Original Property Warranty Deed

Attachment 5 – Copy of 172 N. 7th Street Williams Addition Warranty Deed

Attachment 6 – Site Map

Attachment 7 – Copy of Public Service Company of Colorado Easement

Attachment 8 – Drainage Certification

Attachment 9 – Copy 190 N. 7th Street Title Commitment

Attachment 10 – Copy of Improvement Survey and Proposed Deed

Administration Department
 (970) 984-2311
 Fax: (970) 984-2716
www.newcastlecolorado.org



Town of New Castle
 PO Box 90
 450 W. Main Street
 New Castle, Co 81647

ATTACHMENT 1
PAGE 1 OF 2

DEVELOPMENT APPLICATION

Applicant: <i>NEW CASTLE FIRST BAPTIST CHURCH</i>			
Address: <i>172 N 7TH STREET NEW CASTLE, CO 81647</i>	Phone: <i>(970) 984-2306</i> FAX: E-mail: <i>newcastlefirstbaptist@gmail.com</i>		
Property Owner: <i>(SAME)</i>			
Address:	Phone: FAX: E-mail:		
Contact Person: <i>JEFF GERBER</i>			
Address: <i>190 N 7TH STREET NEW CASTLE, CO 81647</i>	Phone: <i>(970) 366-2278</i> FAX: E-mail: <i>jeffreygerber88@gmail.com</i>		
Property Location/Address: <i>172 + 190 N 7TH STREET</i>			
Legal Description: <i>SE 1/4 NW 1/4 S31 R90W GPM IN TOWN OF NEW CASTLE, CO (REFER TO ATTACHMENT 3, 4, 15 FOR ADDITIONAL DETAIL)</i>	Acres: <i>0.817</i>		
Existing Zone (Not sure? Click here for help): <i>TOWN SINGLE FAMILY</i>			
Existing Land Use: <i>CHARITABLE (190 N 7TH) + RESIDUALS (172 N 7TH)</i>			
TYPE(S) OF LAND USE(S) REQUESTED			
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Pre-Annexation Agreement <input type="checkbox"/> Annexation <input type="checkbox"/> Subdivision (including Minor and Major Subdivisions, Lot Splits, Sketch Plans, Subdivision Preliminary Plans, Subdivision Final Plans, & Condominiumizations) <input type="checkbox"/> Amended Plat <input type="checkbox"/> Planned Unit Development (including PUD Sketch Plans, Preliminary PUD Development Plans, PUD Master Plans and Final PUD Development Plans) <input type="checkbox"/> Floodplain Development Permit </td> <td style="width: 50%; vertical-align: top;"> <input checked="" type="checkbox"/> Lot Line Adjustment or Dissolution <input type="checkbox"/> Site Specific Development Plan/Vested Rights <input checked="" type="checkbox"/> Variance <input type="checkbox"/> Zoning <input type="checkbox"/> Zoning Amendment <input type="checkbox"/> Re-zoning <input type="checkbox"/> R-1-HC Identification <input checked="" type="checkbox"/> Conditional Use Permit or Special Review Use Permit <input type="checkbox"/> Other </td> </tr> </table>		<input type="checkbox"/> Pre-Annexation Agreement <input type="checkbox"/> Annexation <input type="checkbox"/> Subdivision (including Minor and Major Subdivisions, Lot Splits, Sketch Plans, Subdivision Preliminary Plans, Subdivision Final Plans, & Condominiumizations) <input type="checkbox"/> Amended Plat <input type="checkbox"/> Planned Unit Development (including PUD Sketch Plans, Preliminary PUD Development Plans, PUD Master Plans and Final PUD Development Plans) <input type="checkbox"/> Floodplain Development Permit	<input checked="" type="checkbox"/> Lot Line Adjustment or Dissolution <input type="checkbox"/> Site Specific Development Plan/Vested Rights <input checked="" type="checkbox"/> Variance <input type="checkbox"/> Zoning <input type="checkbox"/> Zoning Amendment <input type="checkbox"/> Re-zoning <input type="checkbox"/> R-1-HC Identification <input checked="" type="checkbox"/> Conditional Use Permit or Special Review Use Permit <input type="checkbox"/> Other
<input type="checkbox"/> Pre-Annexation Agreement <input type="checkbox"/> Annexation <input type="checkbox"/> Subdivision (including Minor and Major Subdivisions, Lot Splits, Sketch Plans, Subdivision Preliminary Plans, Subdivision Final Plans, & Condominiumizations) <input type="checkbox"/> Amended Plat <input type="checkbox"/> Planned Unit Development (including PUD Sketch Plans, Preliminary PUD Development Plans, PUD Master Plans and Final PUD Development Plans) <input type="checkbox"/> Floodplain Development Permit	<input checked="" type="checkbox"/> Lot Line Adjustment or Dissolution <input type="checkbox"/> Site Specific Development Plan/Vested Rights <input checked="" type="checkbox"/> Variance <input type="checkbox"/> Zoning <input type="checkbox"/> Zoning Amendment <input type="checkbox"/> Re-zoning <input type="checkbox"/> R-1-HC Identification <input checked="" type="checkbox"/> Conditional Use Permit or Special Review Use Permit <input type="checkbox"/> Other		
This development would create <u> 0 </u> residences and <u> 0 </u> square feet of commercial space.			
Applicant must also complete and submit the appropriate checklist for the type of land use requested. Both the applicant and the property owner must sign this application.			
Applicants are encouraged to schedule a pre-application meeting with the Town Administrator and/or Town Consultants prior to submitting this application.			

AGREEMENT TO PAY CONSULTING FEES AND EXPENSES

It is the policy of the Town of New Castle that all land use applications must be filed in the Office of the Town Clerk to receive formal consideration. Please refer to the Town Clerk's Office for all applicable procedures.

However, the Town encourages land use applicants to consult informally with members of the Town Staff, including outside consultants, prior to filing applications if the applicant has questions regarding areas within Staff members' particular expertise; PROVIDED THAT THE POTENTIAL APPLICANT AGREES TO REIMBURSE THE TOWN FOR ALL FEES AND EXPENSES RELATING TO SUCH INFORMAL MEETINGS.

The Town employs outside consultants for engineering, surveying, planning, and legal advice. These consultants bill the Town on an hourly basis as well as for expenses including but not limited to copies, facsimile transmissions, and long distance telephone calls.

It is the Town's policy that all persons wishing to hold informal meetings with members of the Town Staff acknowledge responsibility for all fees and expenses charged by outside consultants by signing this Agreement below.

I acknowledge and agree to pay the Town of New Castle all actual costs incurred by the Town in relation to legal, engineering, surveying, planning, or other services performed by consultants to the Town as a result of such consultants' review and comment upon, or other services related to, land use proposals and/or applications proposed by me or on my behalf, regardless of whether or not such application is formally filed with the Town. Interest shall be paid at the rate of 1.5% per month on all balances not paid within thirty (30) days of the date of the statement. In the event the Town is forced to pursue collection of any amounts due and unpaid, the Town shall be entitled to collect all costs of collection in addition to the amount due and unpaid, including but not limited to reasonable attorney's fees and costs.

SO AGREED this 23 day of FEBRUARY, 2016.

JEFF GREISER / First Baptist
Applicant (Print Name) CHURCH OF
NEW CASTLE

[Signature]
Signature

(770) 366-2278
Telephone

PO Box 83 New Castle, CO 81647
Mailing Address

FIRST BAPTIST CHURCH OF NEW CASTLE
Property Owner

(SAME)
Mailing Address If Different From Above

PASTOR
Relationship to Applicant or Potential Applicant

Type of application: CUP / LOT LINE VARIATION / VARIANCE

Property description: _____

EXHIBIT A

A PARCEL OF LAND SITUATED IN THE SE1/4NW1/4, SECTION 31 TOWNSHIP 5 SOUTH, RANGE 90 WEST OF THE 6TH P.M. IN THE TOWN OF NEW CASTLE, COLORADO; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF BLOCK 16, TOWN OF NEW CASTLE;

THENCE N. 06°09'00" W. 389.06 FEET;

THENCE N. 38°03' W. 100.00 FEET;

THENCE N. 43°09' W. 50.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE N. 50°20' W. 76.6 FEET;

THENCE N. 25°28' E. 87.28 FEET;

THENCE S. 77°26' E. 52.5 FEET;

THENCE S. 85°20' E. 24.75 FEET;

THENCE S. 25°28' W. 126.37 FEET TO THE TRUE POINT OF BEGINNING.

COUNTY OF GARFIELD
STATE OF COLORADO

564588 05/08/2008 11:43A B1191 P707 M ALSDORF
2 of 2 R 10.00 D 24.38 GARFIELD COUNTY CO

EXHIBIT A

PARCEL 1

A TRACT OF LAND SITUATED IN THE SE1/4 NE1/4 OF SECTION 31, TOWNSHIP 5 SOUTH, RANGE 90 WEST OF THE 6TH PRINCIPAL MERIDIAN AND MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHENCE THE SOUTHEAST CORNER OF BLOCK 16 OF THE TOWN OF NEW CASTLE BEARS S 6 DEGREES E 389.06 FEET AND SOUTH 38 DEGREES 3' EAST 35.74 FEET;
THENCE N 38 DEGREES 3' WEST A DISTANCE OF 64.26 FEET;
THENCE NORTH 43 DEGREES 9' WEST A DISTANCE OF 50 FEET;
THENCE NORTH 50 DEGREES 30' WEST A DISTANCE OF 76.6 FEET;
THENCE NORTH 25 DEGREES 28' EAST A DISTANCE OF 87.28 FEET;
THENCE SOUTH 77 DEGREES 26' EAST A DISTANCE OF 52.5 FEET;
THENCE SOUTH 85 DEGREES 20' EAST A DISTANCE OF 63.87 FEET;
THENCE SOUTH 63 DEGREES 8' EAST A DISTANCE OF 56.58 FEET;
THENCE SOUTH 35 DEGREES 14' EAST A DISTANCE OF 47 FEET;
THENCE SOUTH 15 DEGREES 16' EAST A DISTANCE OF 56.36 FEET;
THENCE SOUTH 62 DEGREES 29' WEST A DISTANCE OF 122.1 FEET; AND
THENCE SOUTH 8 DEGREES 57' WEST A DISTANCE OF 20 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THOSE PARCELS OF LAND CONVEYED IN DEEDS RECORDED IN BOOK 679 AT PAGE 754, IN BOOK 712 AT PAGE 794

TOGETHER WITH THOSE PARCELS OF LAND CONVEYED IN DEED RECORDED IN BOOK 722 AT PAGE 519.

THIS DEED, Made this 19th day of November in the year of our Lord one thousand nine hundred and fifty-one between

Æ FRED E. BLOMGREN and MAUDIE BLOMGREN of the County of Garfield and State of Colorado, of the first part, and

THE FIRST BAPTIST CHURCH OF NEW CASTLE, COLORADO of the County of Garfield and State of Colorado, of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations ~~XXXXXXXXXX~~ to the said parties of the first part in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, have remised, released, sold, conveyed and QUIT-CLAIMED, and by these presents do remise, release, sell, convey and QUIT-CLAIM unto the said party of the second part, its heirs and assigns forever, all the right, title, interest, claim and demand which the said parties of the first part have in and to the following described land situate, lying and being in the County of Garfield and State of Colorado, to-wit:

A tract of land situated in the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$), Section Thirty One (31), Township Five (5) South, Range Ninety (90) West of the Sixth (6th) Principal Meridian, and more fully described as follows: Beginning at a point whence the Southeast (SE) Corner of Block Sixteen (16) of the Town of New Castle bears South 6°09' East, 389.06 feet; thence North 38°03' West, 35.74 feet; thence North 8°57' East, 20.0 feet; thence North 62°29' East, 122.1 feet; thence South 15°16' East 25.1 feet; thence South 1°33' East, 79.3 feet; thence South 89°32' West, 98.7 feet, to the point of beginning. Containing 0.2 acres more or less.



TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever, of the said parties of the first part, either in law or equity, to the only proper use, benefit and behoof of the said party of the second part, its heirs and assigns forever.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Alfred E. Blomgren [SEAL]

Maudie Blomgren [SEAL]

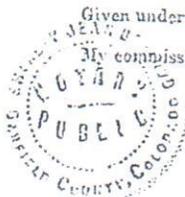
..... [SEAL]

..... [SEAL]

STATE OF COLORADO,
County of Garfield } ss. I, Shirley Jean Berthod , a Notary
Public in and for said Garfield County, in the State aforesaid, do hereby certify that

ALFRED E. BLONGREN and MAUDJE BLONGREN
who are personally known to me to be the persons whose names are subscribed to the
foregoing Deed, appeared before me this day in person and acknowledged that they signed,
sealed and delivered the said instrument of writing as their free and voluntary act and deed for the
uses and purposes therein set forth.

Given under my hand and official seal this 27th day of November, A. D. 1951
My commission expires May 3rd, 1954.



Shirley Jean Berthod
Notary Public

BE THE UNDER SIGNED TRUSTEES, MUST ACCOMPANY THIS DEED

177822

QUIT CLAIM DEED

TO

STATE OF COLORADO,
County of *Garfield* } ss.

I hereby certify that this instrument was
filed for record in my office at *11:08*
o'clock *A.M.*, *DEC 8* 1951,
and is duly recorded in book.....
page.....

By *Chas S. Reagan*
Recorder

Deputy
Fees, \$ *2.50 pd*

Mr PH Berthod
T.C.

563076 05/05/2000 02:09P 81185 P897 M ALSDORF
1 of 2 R 10.00 D 0.00 GARFIELD COUNTY CO

007

ATTACHMENT 5
PAGE 1 OF 2

NO REAL PROPERTY
TRANSFER DECLARATION
ACCOMPANIED THIS DOCUMENT

WARRANTY DEED

THIS DEED, dated April 5, 2000
between Eric C. Williams

of the County of Garfield and State of
Colorado grantor(s) and First Baptist Church
of New Castle, Colorado

whose legal address is 172 North 7th Street, New Castle,
Colorado 81647 (P.O. Box 83)

of the County of Garfield and State of Colorado grantee(s):
WITNESS, that the grantor(s) for and in consideration of the sum of one dollar (\$1.00) and
other good and valuable considerations do grant, bargain, sell, convey and confirm, unto the grantee(s),
the receipt and sufficiency of which is hereby acknowledged, ha S granted, bargained, sold and conveyed, and by these presents
do S grant, bargain, sell, convey and confirm, unto the grantee(s), it S heirs and assigns forever, all the real property,
together with improvements, if any, situate, lying and being in the County of Garfield
State of Colorado, described as follows:

see Exhibit A attached hereto and made a part hereof

~~THE GRANTOR(S) HEREBY REPRESENTS AND WARRANTS~~

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, the reversion
and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand
whatsoever of the grantor(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;
TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee(s), its
heirs and assigns forever. The grantor(s), for him self, his heirs and personal representatives, do
covenant, grant, bargain and agree to and with the grantee(s), its heirs and assigns, that at the time of the enrolling and delivery
of these presents, it IS well seized of the premises above conveyed, ha S good, sure, perfect, absolute and indefeas-
ible estate of inheritance, in law, in fee simple, and ha good right, full power and authority to grant, bargain, sell and convey the same
in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes,
assessments, encumbrances and restrictions of whatever kind or nature soever.

The grantor(s) shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable posses-
sion of the grantee(s), its heirs and assigns, against all and every person or persons lawfully claiming the whole or any part
thereof

IN WITNESS WHEREOF the grantor(s) ha S executed this deed on the date set forth above.

Eric C. Williams
Eric C. Williams

STATE OF COLORADO

County of

The foregoing instrument was acknowledged before me this 5 day of April, 2000,
by Eric C. Williams

Witness my hand and official seal

My commission expires: 9/14/2000

Suzanna R...
Notary Public Seal: STATE OF COLORADO, SUZANNA R...

*If in Denver, insert "City and":

First Baptist Church
172 N 7th
PO Box 83

Name and Address of Person Creating Search Created Legal Document

437
171

Exhibit A

Legal Description
Williams to First Baptist Church

A tract of land situated in the SE ¼ NW ¼ of Section 3, Township 5 South, Range 90 West of the 6th P.M., Town of New Castle, County of Garfield, State of Colorado. Said Tract of land lies west of the westerly line of Block 15 of said Town and easterly of that Tract of land described in the document recorded in Book 262 at Page 178 of the Garfield County records. Said Tract of land being that parcel identified as "Williams to First Baptist Church" on the plat recorded on Page _____ of Book _____ of the Garfield County records, and being more particularly described as follows:

Beginning at an iron pin located on the west line of said Block 15, said iron pin being N 00° 06' 00" E, 4.00 feet from an iron pin marking the northwest corner of Lot 36 of said Block 15. Thence N 00° 06' 00" E along said westerly block line a distance of 121.00 feet to a point which is the northwest corner of said Block 15. Thence departing said Block line S 37° 14' 27" W a distance of 23.95 feet to the northeast corner of said tract of land as described in the document recorded in Book 262 at page 178 of the Garfield County records. Thence along the easterly line of said Tract S 15° 16' 00" east 29.97 feet to an iron pin. Thence continuing along said easterly line S 01° 33' 00" E 73.05 feet to an iron pin on the north line of that Tract of land described in the document recorded in Book 383 at Page 339 of the Garfield County records. Thence S 90° 00' 00" E along said North line a distance of 4.41 feet to the point of beginning.

Said tract of land containing 840 square feet, or 0.02 acres, more or less.

COPY

ATTACHMENT 7
PAGE 1 OF 2

Division: Western
Easement Location: New Castle First Baptist Church (Rifle / Elc. Distr.)

ROW Agent: Dennis Hansen
Description Author: Joy Surveying Co
Author Address: Meeker, CO

Doc. No.: 166887 E
Plat/Grid No.:
W.O./J.O./CREG No.:

PUBLIC SERVICE COMPANY OF COLORADO EASEMENT

The undersigned Grantor hereby acknowledges receipt of good and valuable consideration from PUBLIC SERVICE COMPANY OF COLORADO (Company), 1225-17th Street, Denver, Colorado, 80202-5533, in consideration of which Grantor(s) hereby grants unto said Company, its successors and assigns, a non-exclusive easement to construct, operate, maintain, repair, and replace utility lines and all fixtures and devices, used or useful in the operation of said lines, through, over, under, across, and along a course as said lines may be hereafter constructed in the NW¹/₄ of Section 31, Township 5 South, Range 90 West of the 6th P. M., in the Town of New Castle, County of Garfield, State of Colorado, the easement being described as follows:

SEE EASEMENT DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.

The easement is Ten (10) feet in width for overhead power lines together with Five (5) foot easements for overhead gye supports. The side boundary lines of the easement shall be lengthened and shortened as necessary to encompass a continuous strip of not less than the above width at all points on Grantor's property crossed by the above described easement and extending to the boundaries of adjacent properties.

Together with the right to enter upon said premises, to survey, construct, maintain, operate, repair, replace, control, and use said utility lines and related fixtures and devices, and to remove objects interfering therewith, including the trimming of trees and bushes, and together with the right to use so much of the adjoining premises of Grantor during surveying, construction, maintenance, repair, removal, or replacement of said utility lines and related fixtures and devices as may be required to permit the operation of standard utility construction or repair machinery. The Grantor reserves the right to use and occupy the easement for any purpose consistent with the rights and privileges above granted and which will not interfere with or endanger any of the said Company's facilities therein or use thereof. Such reservations by the Grantor shall in no event include the right to erect or cause to be erected any buildings or structures upon the easement granted or to locate any mobile home or trailer units thereon. In case of the permanent abandonment of the easement, all right, privilege, and interest granted shall terminate.

The work of installing and maintaining said lines and fixtures shall be done with care; the surface along the easement shall be restored substantially to its original level and condition.

Signed this 8 day of March, 2000.

ATTEST:
By: Susan Grant
Susan Grant, Clerk

GRANTOR:
First Baptist Church of New Castle
By: Robert Gordon
Robert Gordon, Trustee

STATE OF COLORADO,)
COUNTY OF GARFIELD)ss.

The foregoing instrument was acknowledged before me this 9 day of March, 2000 by:
Robert Gordon, Trustee of the First Baptist Church of New Castle

Witness my hand and official seal.

My commission expires: January 14, 2003

Marlene M Lane
Notary Public



My Commission Expires 1/14/2003

February 23, 2016

To: Tim Cain, Town of New Castle Town Planner

From: Graham Riddile, PE

RE: Certification of No Historic Drainage Impact for First Baptist Church of New Castle

Mr. Cain:

This correspondence shall serve as certification that the proposed lot line vacation by the First Baptist Church of New Castle (FBCNC) will have no impact on historic drainage patterns.

Referring to the attached plat map (Exhibit 1), you will note that the drainage easement that the Town of New Castle currently has on FBCNC property is located on the eastern portion of the 172 N. 7th Street property. The proposed development at buildout will only affect property to the west of this location and does not significantly change existing drainage patterns of the area.

FBCNC has indicated, on their site map (Exhibit 2), that they intend to continue with gravel and turf surface parking lots. This will not alter any historic drainage patterns, as the current parking lots are both gravel and turf. If a hard surface lot is considered in the future, drainage patterns may need to be reevaluated, however, a hard surface lot has not been proposed as a part of this development at this time.

Additionally, the proposed new structure will sit on an area that has historically provided little drainage for the local area. To compensate for this change, FBCNC has committed, as shown on the site map, to install a 3' diameter drywell behind the new structure to compensate for any altered drainage patterns.

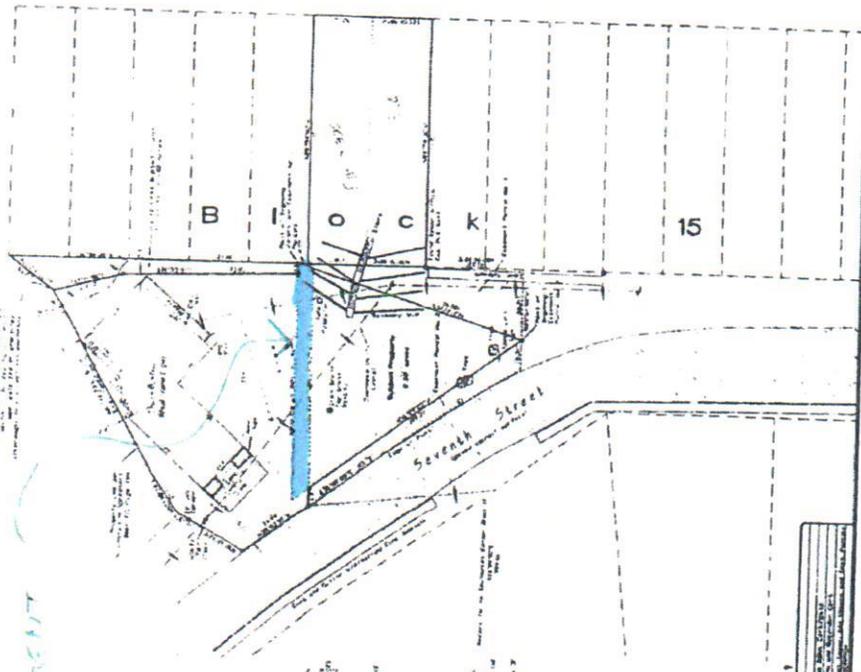
Sincerely,

Graham Riddile, P.E. 50673

**FIRST BAPTIST CHURCH OF NEW CASTLE
MONUMENTED LAND AND IMPROVEMENT LOCATION SURVEY**

Parcels of Land being situated in the
SE 1/4 NW 1/4 of Section 31
Township 5 South, Range 90 West of the 6th P.M.
Town of New Castle, County of Garfield, State of Colorado

EXISTING
DRAINAGE
CORRECTION



SECTION 31, TOWNSHIP 5 SOUTH, RANGE 90 WEST OF THE 6TH P.M., TOWN OF NEW CASTLE, COUNTY OF GARFIELD, STATE OF COLORADO

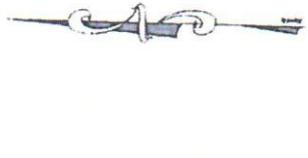
SECTION 31, TOWNSHIP 5 SOUTH, RANGE 90 WEST OF THE 6TH P.M., TOWN OF NEW CASTLE, COUNTY OF GARFIELD, STATE OF COLORADO

SECTION 31, TOWNSHIP 5 SOUTH, RANGE 90 WEST OF THE 6TH P.M., TOWN OF NEW CASTLE, COUNTY OF GARFIELD, STATE OF COLORADO

SECTION 31, TOWNSHIP 5 SOUTH, RANGE 90 WEST OF THE 6TH P.M., TOWN OF NEW CASTLE, COUNTY OF GARFIELD, STATE OF COLORADO

SurvCo, Inc.
Professional Land Surveying Services
1001 Spruce Street, Suite 100
Boulder, Colorado 80502
Phone: (303) 440-1234 Fax: (303) 440-8910

DATE: 10/15/10
DRAWN BY: J. H. HARRIS
CHECKED BY: J. H. HARRIS
APPROVED BY: J. H. HARRIS



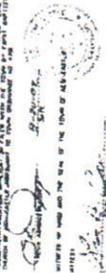
GRAPHIC SCALE



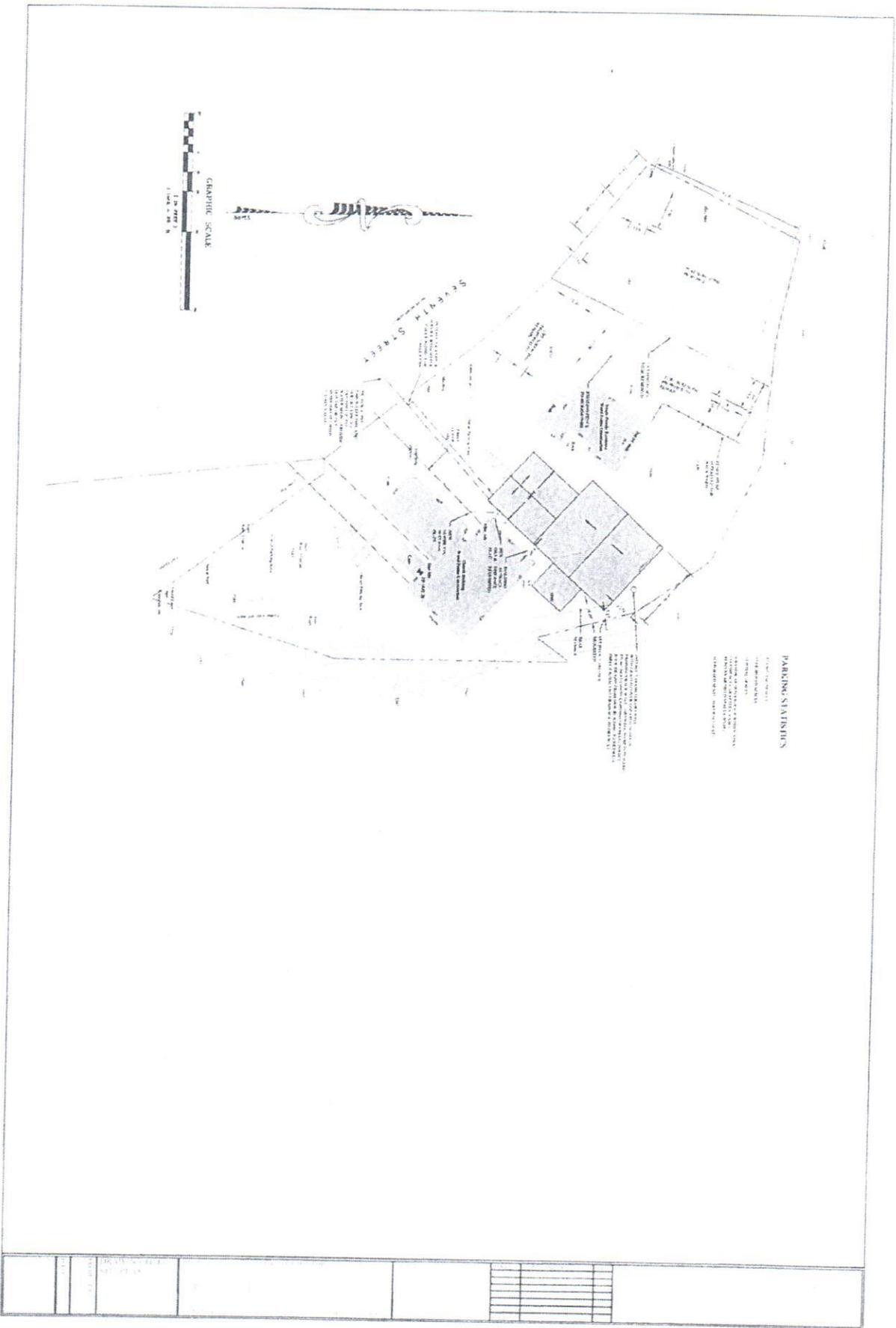
SECTION 31, TOWNSHIP 5 SOUTH, RANGE 90 WEST OF THE 6TH P.M., TOWN OF NEW CASTLE, COUNTY OF GARFIELD, STATE OF COLORADO

SECTION 31, TOWNSHIP 5 SOUTH, RANGE 90 WEST OF THE 6TH P.M., TOWN OF NEW CASTLE, COUNTY OF GARFIELD, STATE OF COLORADO

SECTION 31, TOWNSHIP 5 SOUTH, RANGE 90 WEST OF THE 6TH P.M., TOWN OF NEW CASTLE, COUNTY OF GARFIELD, STATE OF COLORADO



610382X



Old Republic National Title Insurance Company

ALTA COMMITMENT

Our Order No. GW233855

Schedule A

Cust. Ref.:

Property Address:

190 N. 7TH STREET NEW CASTLE, CO 81647

ATTACHMENT 9
PAGE 1 OF 5

1. Effective Date: May 05, 2000 at 5:00 P.M.

2. Policy to be Issued, and Proposed Insured:

"ALTA" Owner's Policy 10-17-92

\$243,750.00

Proposed Insured:

FIRST BAPTIST CHURCH OF NEW CASTLE, A COLORADO CORPORATION

"ALTA" Loan Policy 10-17-92

\$185,000.00

Proposed Insured:

TBD

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

A Fee Simple

4. Title to the estate or interest covered herein is at the effective date hereof vested in:

JOY B. ALLMON

5. The land referred to in this Commitment is described as follows:

SEE ATTACHED PAGE(S) FOR LEGAL DESCRIPTION

LEGAL DESCRIPTION

A TRACT OF LAND SITUATED INT HE SE1/4 NE1/4 OF SECTION 31, TOWNSHIP 5 SOUTH, RANGE 90 WEST OF THE 6TH PRINCIPAL MERIDIAN AND MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHENCE THE SOUTHEAST CORNER OF BLOCK 16 OF THE TOWN OF NEW CASTLE BEARS S 6 DEGREES E 389.06 FEET AND SOUTH 38 DEGREES 3' EAST 35.74 FEET;
THENCE N 38 DEGREES 3' WEST A DISTANCE OF 64.26 FEET;
THENCE NORTH 43 DEGREES 9' WEST A DISTANCE OF 50 FEET;
THENCE NORTH 50 DEGREES 30' WEST A DISTANCE OF 76.6 FEET;
THENCE NORTH 25 DEGREES 28' EAST A DISTANCE OF 87.28 FEET;
THENCE SOUTH 77 DEGREES 26' EAST A DISTANCE OF 52.5 FEET;
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THENCE SOUTH 63 DEGREES 8' EAST A DISTANCE OF 56.58 FEET;
THENCE SOUTH 35 DEGREES 14' EAST A DISTANCE OF 47 FEET;
THENCE SOUTH 15 DEGREES 16' EAST A DISTANCE OF 56.36 FEET;
THENCE SOUTH 62 DEGREES 29' WEST A DISTANCE OF 122.1 FEET; AND
THENCE SOUTH 8 DEGREES 57' WEST A DISTANCE OF 20 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THOSE PARCELS OF LAND CONVEYED IN DEEDS RECORDED IN BOOK 679 AT PAGE 754, IN BOOK 712 AT PAGE 794

TOGETHER WITH THOSE PARCELS OF LAND CONVEYED IN DEED RECORDED IN BOOK 722 AT PAGE 519.

COUNTY OF GARFIELD
STATE OF COLORADO

NOTE: THE FINAL POLICY DOES NOT IN ANY WAY GUARANTEE OR INSURE THE DIMENSIONS OF THE ABOVE DESCRIBED LAND, THE LEGAL DESCRIPTION IS DERIVED FROM THE CHAIN OF TITLE AND ONLY AN ACCURATE SURVEY CAN DETERMINE THE DIMENSIONS.

ALTA COMMITMENT

Schedule B-1

(Requirements)

Our Order No. GW233855

ATTACHMENT 9
PAGE 3 OF 5

The following are the requirements to be complied with:

Payment to or for the account of the grantors or mortgagors of the full consideration for the estate or interest to be insured.

Proper instrument(s) creating the estate or interest to be insured must be executed and duly filed for record, to-wit:

1. WARRANTY DEED FROM JOY B. ALLMON TO FIRST BAPTIST CHURCH OF NEW CASTLE, A COLORADO CORPORATION CONVEYING SUBJECT PROPERTY.
2. DEED OF TRUST FROM FIRST BAPTIST CHURCH OF NEW CASTLE, A COLORADO CORPORATION TO THE PUBLIC TRUSTEE OF GARFIELD COUNTY FOR THE USE OF TBD TO SECURE THE SUM OF \$185,000.00.

NOTE: ITEMS 1-4 OF STANDARD EXCEPTIONS WILL BE DELETED FROM MORTGAGEE'S POLICY UPON RECEIPT OF SATISFACTORY FINAL LIEN AFFIDAVIT. FORM 100 WILL BE ATTACHED TO MORTGAGEE'S POLICY WHEN ISSUED.

NOTE: ITEMS 1-3 OF THE STANDARD EXCEPTIONS WILL BE DELETED UPON RECEIPT OF AN APPROVED SURVEY. MATTERS DISCLOSED BY SAID SURVEY MAY BE ADDED TO SCHEDULE B-2 HEREOF.

UPON THE APPROVAL OF THE COMPANY AND THE RECEIPT OF A NOTARIZED FINAL LIEN AFFIDAVIT, ITEM NO. 4 OF THE STANDARD EXCEPTIONS WILL BE AMENDED AS FOLLOWS:

ITEM NO. 4 OF THE STANDARD EXCEPTIONS IS DELETED AS TO ANY LIENS OR FUTURE LIENS RESULTING FROM WORK OR MATERIAL FURNISHED AT THE REQUEST OF JOY B. ALLMON.

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY SHALL HAVE NO LIABILITY FOR ANY LIENS ARISING FROM WORK OR MATERIAL FURNISHED AT THE REQUEST OF FIRST BAPTIST CHURCH OF NEW CASTLE, A COLORADO CORPORATION.

NOTE: ITEM 5 OF THE STANDARD EXCEPTIONS WILL BE DELETED IF LAND TITLE RECORDS THE DOCUMENTS REQUIRED UNDER SCHEDULE B-1.

NOTE: UPON PROOF OF PAYMENT OF 1999 TAXES, ITEM 7 UNDER SCHEDULE B-2 WILL BE DELETED AND ITEM 6 WILL BE AMENDED TO READ:

TAXES AND ASSESSMENTS FOR THE YEAR 2000 AND SUBSEQUENT YEARS.

ITEM 8 UNDER SCHEDULE B-2 WILL BE DELETED UPON PROOF THAT THE WATER AND SEWER CHARGES ARE PAID UP TO DATE.

ALTA COMMITMENT

Schedule B-2

(Exceptions)

Our Order No. GW233855

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company:

1. Rights of claims of parties in possession not shown by the public records.
2. Easements, or claims of easements, not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct survey and inspection of the premises would disclose and which are not shown by the public records.
4. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Defects, liens encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.
6. Taxes and assessments not yet due or payable and special assessments not yet certified to the Treasurer's office.
7. Any unpaid taxes or assessments against said land.
8. Liens for unpaid water and sewer charges, if any.
9. THE EFFECT OF INCLUSIONS IN ANY GENERAL OR SPECIFIC WATER CONSERVANCY, FIRE PROTECTION, SOIL CONSERVATION OR OTHER DISTRICT OR INCLUSION IN ANY WATER SERVICE OR STREET IMPROVEMENT AREA.
10. RIGHT OF PROPRIETOR OF A VEIN OR LODGE TO EXTRACT AND REMOVE HIS ORE THEREFROM SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES AS RESERVED IN UNITED STATES PATENT RECORDED FEBRUARY 12, 1889, IN BOOK 12 AT PAGE 7.
11. ALL COAL UNDERLYING SUBJECT PROPERTY AS CONVEYED TO THE COLORADO FUEL AND IRON COMPANY BY THE GLENWOOD HOT SPRINGS COMPANY, RECORDED FEBRUARY 21, 1896 IN BOOK 35 AT PAGE 544 AS RECEPTION NO. 19093.
12. ALL INTEREST IN ALL OIL, GAS, AND OTHER MINERAL RIGHTS, AS RESERVED BY THE COLORADO FUEL AND IRON CORPORATION IN THE DEED TO S.E. WILSON RECORDED DECEMBER 16, 1941 IN BOOK 205 AT PAGE 365 AS RECEPTION NO. 145401.
13. RESERVATIONS AS CONTAINED IN INSTRUMENT RECORDED NOVEMBER 24, 1956 IN BOOK 296 AT PAGE 315.

ALTA COMMITMENT

Schedule B-2

(Exceptions)

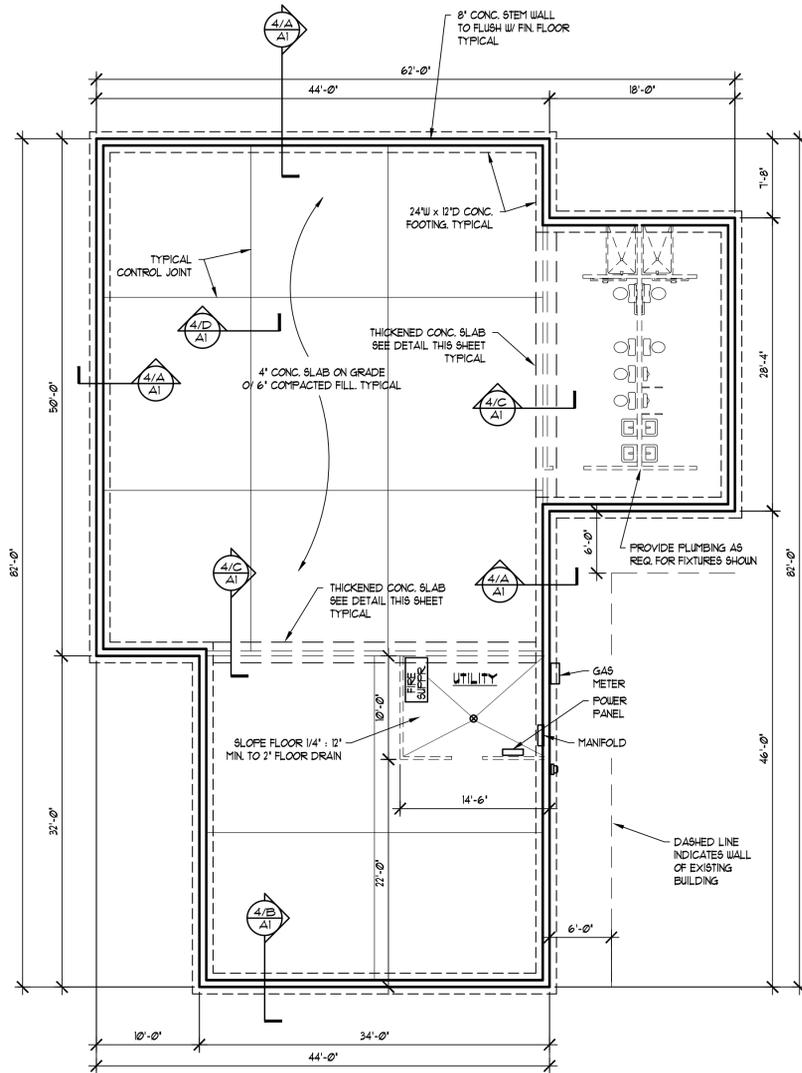
Our Order No. GW233855

ATTACHMENT 9
PAGE 5 OF 5

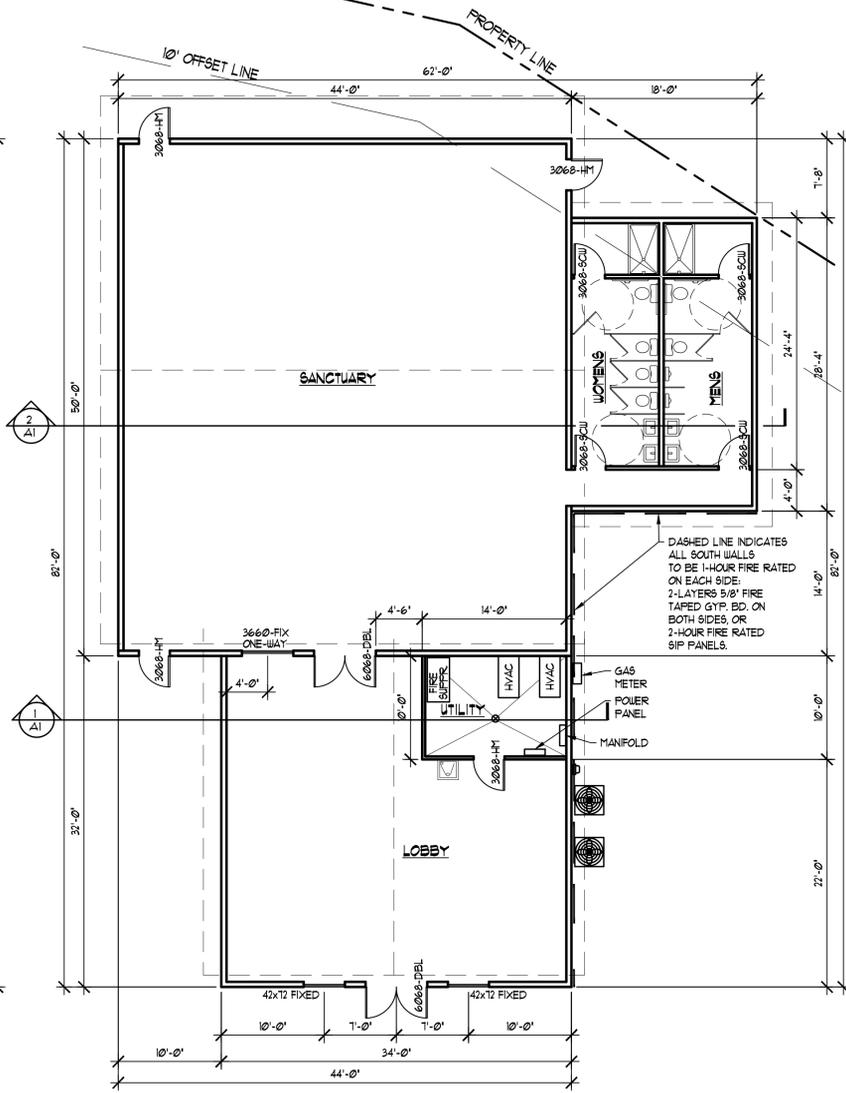
The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company:

14. EASEMENTS AND RIGHTS OF WAY FOR ROADS, STREETS, HIGHWAYS, DITCHES, CANALS, PIPELINES AND UTILITY LINES AS CONSTRUCTED AND IN PLACE.

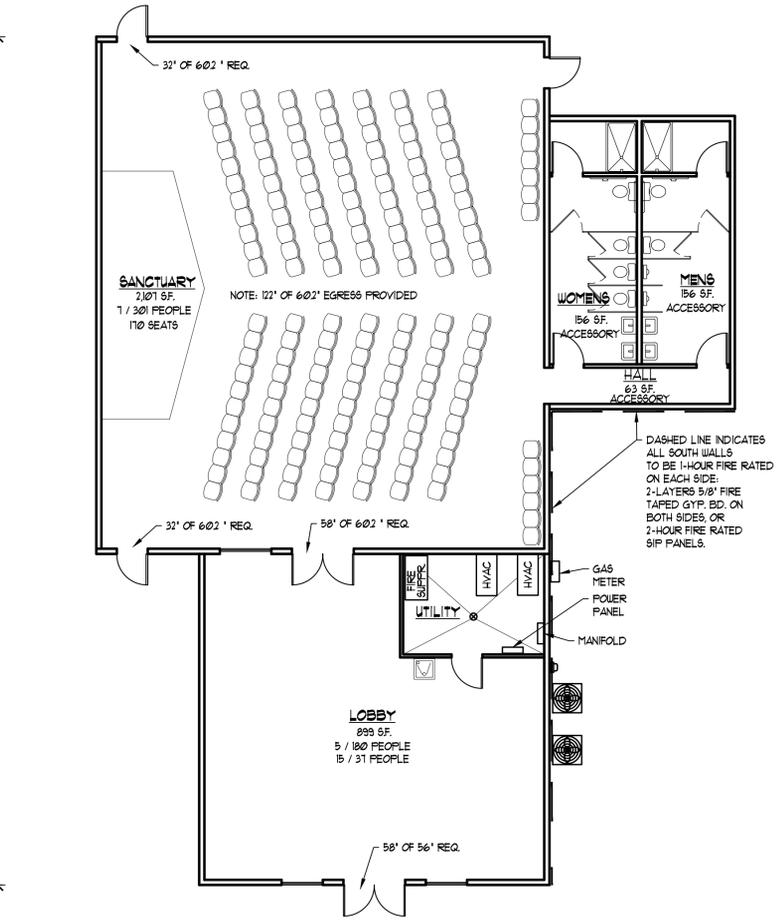
NOTE: UPON RECEIPT OF A SURVEY, MEETING THE ALTA MINIMUM STANDARDS FOR CONTENT AND ACCURACY, THE EXCEPTION SHOWN ABOVE WILL BE DELETED. PROVIDED HOWEVER, THAT LAND TITLE GUARANTEE COMPANY RESERVES THE RIGHT TO ADD ANY EXCEPTIONS IT DEEMS NECESSARY FOR MATTERS DISCLOSED BY SAID SURVEY.



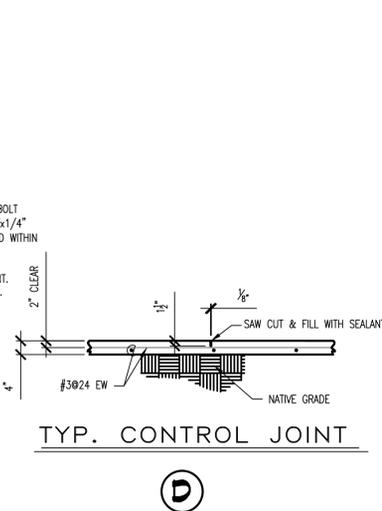
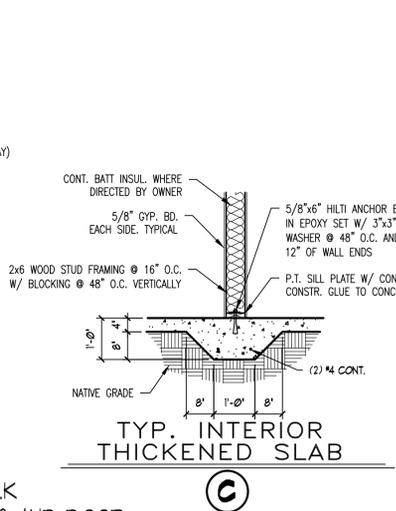
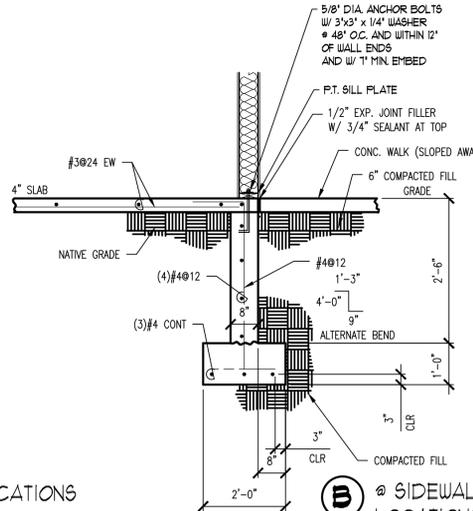
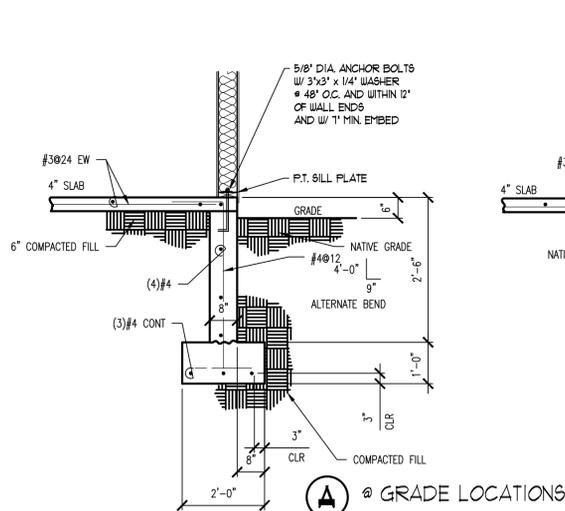
1 FOOTING / FOUNDATION PLAN SCALE: 1/8" = 1'-0"



2 FLOOR PLAN SCALE: 1/8" = 1'-0"



3 FURNITURE / EXIT PLAN SCALE: 1/8" = 1'-0"



4 FOUNDATION DETAILS SCALE: 1/2" = 1'-0"

NO.	REVISIONS	DATE

STAMP:

NEW ADDITION FOR:

FIRST BAPTIST CHURCH

172 N 7th Street
NEW CASTLE, CO

DRAWING TITLE:
FOOTING / FOUNDATION PLAN
FLOOR PLAN
FURNITURE / EXIT / CODE PLAN
FOUNDATION DETAILS

PROJECT No.
15-001

DATE: 12/21/2015

SHEET No:

A1

