

Final Plat Staff Report

Date: July 1, 2026
To: Douglas County Board of County Commissioners
Through: Douglas J. DeBord, County Manager *SK for KCC*
From: Kati Carter, AICP, Director of Community Development
CC: Matt Jakubowski, AICP, Chief Planner
Brett Thomas, AICP, Planning Manager
Steven E. Koster, AICP, Deputy Director of Community Development
Subject: **Sundown Final Plat**
Project File: **SB2025-019**

Board of County Commissioners Meeting:

July 14, 2026 @ 2:30 p.m.

I. EXECUTIVE SUMMARY

The applicant is requesting approval of a final plat for 17 single-family residential lots and 3 tracts on a 72.4-acre site approximately ½ mile north of the intersection of Tanglewood Road and E. State Highway 86 (SH 86) in Franktown. The property is zoned Rural Residential (RR). Lots are 2 acres in size. The 3 tracts total approximately 36 acres, or 50% of the site, and are for purposes of open space. The final plat request includes a 3-lot bonus in exchange for the preservation of 50% of the gross site acreage as open space.

II. APPLICATION INFORMATION

A. Owner

Sundown Subdivision, LLC
2195 Primo Road, Unit D
Highlands Ranch, Colorado 80129

B. Applicant Representative

Alan Westfall
Strategic Storage Partners, LLC
18435 West Colfax Avenue
Golden, Colorado 80401

C. Request

Approval of a final plat for 17 lots and 3 tracts.

D. Process

A final plat is processed pursuant to Article 5 of the Douglas County Subdivision Resolution (DCSR). Article 5 states the intent of the process is “To provide for the review of the final engineering plans, the subdivision improvement agreement, public dedications, and other legal agreements.”

Per Section 504.06 of the DCSR, “The Board shall evaluate the final plat, staff report, referral agency comments, applicant responses, and public comment and testimony, and shall approve, approve with conditions, continue, table for further study, or deny the final plat. The Board's action shall be based on the evidence presented; compliance with adopted County standards, regulations, and policies; and other guidelines.”

The applicant submitted the Sundown preliminary plan in June 2019, prior to the Board's September 2019 removal of RR density bonus standards from the Douglas County Zoning Resolution (DCZR). As these standards were in effect at preliminary plan submittal, the applicant may proceed with a request for a density bonus at final plat. A density bonus may be approved by the Board upon a finding that specific design and approval standards have been met.

E. Location

The project area is in Franktown north of the intersection of Tanglewood Road and SH 86. The Vicinity Map, Zoning Map, and Aerial Map highlight site location and existing conditions and are attached to the staff report.

F. Project Description

The applicant is requesting approval of a final plat for 17 single-family residential lots and 3 tracts within a 72-acre property located approximately ½ mile north of the intersection of Tanglewood Road and SH 86 in the RR zone district. Residential lots are all 2 acres in size with 50% of the property set aside as permanent open space as required for the density bonus. Water and sewer service is proposed by individual well and septic systems.

Proposed Tracts A, B, and C are for open space and provide a buffer along the entire Tanglewood Road frontage, as well as the north, south, and east property boundaries. The tracts total approximately 36 acres in size, or 50% of the overall property acreage. The tracts will be owned and maintained by the Sundown Oaks Metropolitan District. As the applicant has proposed a 50% open space set aside, it is requesting 3 additional lots (a 20% bonus), which would allow 17 lots versus the 14 lots allowed without the bonus.

A note on the plat restricts further subdivision of open space tracts into additional residential lots. A Declaration of Protective Covenants (private covenants) for the subdivision will be recorded concurrent with the plat to restrict further subdivision of the open space, and to ensure that the density bonus site design standards are met.

Site access for Lots 1 through 7 and 10 through 17 is proposed from Tanglewood Road via a gated access onto Sky Meadow Point. Sky Meadow Point and Marie Elena Way are located within a 60-foot-wide roadway access easement to be owned and maintained by the Sundown Oaks Metropolitan District. Lots 8 and 9 take access directly from Tanglewood Road via separate 30-foot-wide access easements for those lot owners.

The applicant will be required to provide two right-of-way (ROW) dedications to Douglas County for the subdivision. The first includes 40-feet of ROW for Tanglewood Road, which is currently a recorded access easement, and the second is for a portion of the existing Bibles Hill Drive cul-de-sac bulb at the far eastern end of the project site. The remaining 40 feet of ROW for Tanglewood Road will be provided by the adjacent Oak Bluff plat, which is concurrently being processed by the County.

The applicant also proposes to record an access easement by separate document beginning at Tanglewood Road over Sky Meadow Point, Lot 16, Lot 17, and Tract A for the benefit of the adjoining property owner outside the subdivision (Andrew and Peggy Linn at State Parcel #2509-061-00-002) who do not have direct frontage on Tanglewood Road.

Non-exclusive utility easements are proposed along the Sky Meadow Point, Marie Elena Way, and Tanglewood Road frontages (15 feet wide) as well as along property boundaries (10 feet wide). Drainage easements are proposed throughout the subdivision related to the required drainage ponds. Douglas County will accept a secondary drainage easement over all platted areas for backup drainage maintenance purposes, as well as utility easements.

Additionally, the applicant has proposed no-build areas within the boundaries of Lots 5, 8, 9, 10, 11, 16, and 17 to preserve slopes and existing vegetation.

	Project Details
Zoning	RR
Gross Site Acreage	72.4 acres
Residential Lots	17 single-family residential lots
Tracts	3 tracts
Private Roadways	2 (within a 60-foot wide access easement)
Gross Density	1 dwelling unit per 4.3 acres

III. CONTEXT

A. Background

The parcel was zoned Residential with the inception of zoning in Douglas County in 1955. In 1982, the zoning classification was changed to Rural Residential. The Sundown Preliminary Plan for 17 lots received a recommendation of approval from

the Planning Commission by a vote of 5 to 0, and was approved by the Board by a vote of 3-0 in late 2024. The site currently includes no structures.

B. Adjacent Land Uses and Zoning

The site is generally surrounded by 5 to 7-acre lots in the Bannockburn and Woodhaven subdivisions and 10-plus-acre unsubdivided lots. Bannockburn is located to the north and east of Sundown, Woodhaven is to the south, and larger unsubdivided lots are also to the south. The proposed Oak Bluff subdivision is located to the west across Tanglewood Road.

Zoning and Land Use

Direction	Zoning	Land Use
North	RR	Single-family residential dwellings
South	RR and Agricultural One	Single-family residential dwellings
East	RR	Single-family residential dwellings
West	RR	Proposed Oak Bluff Subdivision

IV. PHYSICAL SITE CHARACTERISTICS

A. Site Characteristics and Constraints

The site is undeveloped and contains a combination of grassland, pine trees, and clusters of Gambel oak. Treed areas are located along Tanglewood Road and the eastern side of the property toward Bibles Hill Drive. The middle of the site is open grassland. Significant slopes and a high point are present in the northeast corner of the site and are preserved within Tract A. No floodplain is present on the property.

B. Access

Subdivision access is proposed directly from Tanglewood Road for Lots 8 and 9, and via gated access at Tanglewood Road over private access easements Sky Meadow Point and Marie Elena Way for the remaining lots. The applicant proposes dedication of 40 feet of ROW to Douglas County for Tanglewood Road.

The applicant has submitted a traffic impact study as part of the proposal. Douglas County Engineering has accepted the study. The applicant will implement recommendations from the traffic study per CDOT and County Engineering requirements, the CDOT issued access permit, and the Subdivision Improvements Agreement (SIA). Offsite improvements for the intersection of SH 86 and Tanglewood Road, including a left turn lane at the intersection, are tied to the SIA.

C. Soils and Geology

The Class 3 Geologic Hazards map within the Douglas County 2040 Comprehensive Master Plan (CMP) identifies no known Class 3 geologic hazards on the property. The proposal was reviewed by the Colorado Geological Survey (CGS) at preliminary plan and CGS comments were addressed.

D. Drainage and Erosion

A Phase III Drainage Report, Grading Erosion Sediment Control (GESD) Plan and construction plans were reviewed and accepted by Douglas County Engineering Services. Douglas County will receive back-up maintenance easements for the drainage improvements.

E. Floodplain

No FEMA 100-year floodplain is present onsite.

F. Wildlife

The CMP Wildlife Resources map identifies the site as moderate habitat value. The site is not located within an overland connection, wildlife migration corridor, or wildlife crossing area. Colorado Parks and Wildlife (CPW) did not respond to the referral request at final plat, but provided comments at preliminary plan. At preliminary plan, CPW indicated that the main impacts of the proposal are fragmentation and loss of habitat, and that caution should be provided during construction to avoid raptor nesting sites and burrowing owl habitat. To ensure protection of habitat, the applicant will complete a burrowing owl study if any construction is to take place between March 15 and October 31.

CPW also identified the potential for noxious weeds, for which the applicant completed a weed management plan. Proposed fencing will be wildlife-friendly throughout the development. The clustering of lots and 36 acres of open space will allow for wildlife movement throughout the development.

G. Historic Preservation

A Class III cultural resource survey was submitted by the applicant and accepted by Douglas County Historic Preservation at preliminary plan. The applicant will monitor for subsurface artifacts during construction.

H. Wildland Fire Mitigation

A wildfire plan was approved at preliminary plan. Subdivision wide mitigation will be required prior to the issuance of the first residential building permit following recordation of the plat. A copy of the plan is included within the staff report attachments.

V. PROVISION OF SERVICES

A. Schools

The Douglas County School District (DCSD) reviewed the proposal. DCSD identified a total requirement of 0.402 acres of cash-in-lieu of land dedication. Based on the appraisal submitted by the applicant, a cash-in-lieu of land dedication fee of \$33,772 is required at final plat recordation.

B. Fire Protection

Fire protection is provided by Franktown Fire Protection District (FFPD), which has no objection to the proposal. At preliminary plan, FFPD indicated that the 30,000-gallon water cistern in the adjacent Oak Bluff subdivision is adequate to serve Sundown.

C. Sheriff Services

The Douglas County Sheriff's Office (DCSO) provides police protection services to the subdivision. No response was received from DCSO and DCSO E911. The DCSO Office of Emergency Management recommended an emergency access easement from Sky Meadow Point to Bibles Hill Drive. However, this was not recommended by FFPD, and is not a requirement of County Engineering. No emergency access in this area is required, and the applicant is not proposing an emergency access to Bibles Hill Drive.

D. Water

Water service is proposed by individual well. The applicant's water plan includes 1 acre-foot/year/lot of demand for 17 lots, 1 acre-foot/year of demand for 0.4 acres of irrigated subdivision entry, and 0.05 acre-feet/year of demand for the fire-fighting cistern. Demand for the cistern is to be shared between the Sundown and Oak Bluff subdivisions. Both Oak Bluff and Sundown are within the boundaries of the Sundown Oaks Metro District. The estimated water demand for Sundown is 18.05 acre-feet per year.

The Colorado Division of Water Resources (CDWR) indicated that its comments from preliminary plan apply to the final plat. CDWR indicated that adequate water supply is available to serve the proposed subdivision without causing injury to decreed water rights.

The applicant recorded a Declaration of Restrictive Covenants at Reception No. 2024044934 that reserves all water rights on the site for the benefit of future landowners.

E. Sanitation

Sanitation for each lot is proposed through On-Site Wastewater Treatment Systems (OWTS). The Douglas County Health Department (DCHD) provided no objection to the proposed method of sewage disposal proposed. Individual lots will require an OWTS permit in conformance with DCHD regulations.

F. Utilities

Utility service providers are CenturyLink (telephone), Comcast (cable), CORE (electric) and Black Hills Energy (gas). Comcast provided no response to the referral request. Black Hills Energy provided a no comment response and CenturyLink provided no objection to the proposal provided the applicant provides utility locates prior to work and proper separation from CenturyLink facilities is maintained. CORE requested an additional plat note, which the applicant has provided on the plat.

G. Dedications

The applicant has proposed general utility easements throughout the subdivision at property lines, along Tanglewood Road, Sky Meadow Point, Marie Elena Way, and Bibles Hill Drive. Access easements Sky Meadow Point and Marie Elena Way are dedicated to the Sundown Oaks Metropolitan District. Drainage easements are also granted to the District in several locations throughout the subdivision related to stormwater management ponds. Dedication of 40 feet of ROW for Tanglewood Road and a portion of the Bibles Hill Drive cul-de-sac is proposed to Douglas County. Open space Tracts A, B, and C are dedicated to the District. Douglas County will accept backup drainage and access easements. The applicant is proposing dedication of tracts and easements as indicated in the table below.

	Dedications
Private Access, Drainage, Utilities, and Emergency Access	Sky Meadow Point and Marie Elena Way are dedicated for access and shall be owned and maintained by the Sundown Oaks Metro District
Access	30-foot access easements for Lots 8 and 9 from Tanglewood Road shall be owned and maintained by the owners of Lot 8 and Lot 9
Permanent Open Space, Drainage, Utilities & Trails	Tract A, Tract B, and Tract C shall be owned and maintained by the Sundown Oaks Metro District for permanent open space, drainage, utilities and trails
Utility Easements	15-foot and 10-foot non-exclusive utility easements along property boundaries and along Tanglewood Road, Sky Meadow Point, Marie Elena Way, and Bibles Hill Drive
Drainage Easements	20-foot drainage easements and varying width drainage easements shall be owned and maintained by the Sundown Oaks Metro District
Drainage and Blanket Drainage Easement	Blanket drainage and access (secondary drainage) easements shall be dedicated to Douglas County over the subdivision
Public Right-of-Way	40 feet for Tanglewood Road and 0.10 acres for the Bibles Hill Drive cul-de-sac is dedicated to Douglas County

H. Parks, Trails and Open Space

Douglas County Parks, Trails, and Building Grounds reviewed the proposal. The applicant is responsible for 0.765 acres of land dedication. Based on the appraisal submitted by the applicant, \$64,269 in cash-in-lieu of land dedication fees are required at final plat recordation.

I. Subdivision Improvements

The intent of the County's final plat process is "to provide for the review of the final engineering plans, the subdivision improvements agreement, public dedications, and other legal agreements." Per the DCSR, specific engineering reports, studies, and construction plans are required to be submitted and finally accepted or approved by Public Works Engineering with a final plat application. Cost estimates for the public and private improvements are generated from the approved construction plans and incorporated into the SIA for the plat. Per Article 504.05, the SIA must be approved by the County prior to the Board meeting on the final plat.

All required engineering reports, studies, and construction plans for the final plat have been reviewed by Public Works Engineering with only minor technical corrections remaining. It is anticipated that the construction plans will be finally approved prior to the Board meeting on the final plat.

VI. PUBLIC NOTICE AND INPUT

Courtesy notices were mailed to abutting property owners. Referral response requests were sent to nearby HOAs, consisting of the Bannockburn HOA, Burning Tree Ranch HOA, Deerfield HOA, Flintwood Hills HOA, Franktown Citizens Coalition (FCC), Hills At Bayou Gulch HOA, Kelty Farms HOA, Legacy Pines HOA, Sterling Tree Farm HOA, Village Pines Circle HOA, and Whispering Pines HOA. No comments were received from HOAs or members of the public during the referral period. Staff provided information to members of the public regarding the proposed open space tracts, the timeline for construction of the subdivision, and for clarification of the role of the Sundown Oaks Metropolitan District during the process.

All referral agency comments are outlined in the Referral Agency Response Report attached to the staff report. The applicant has provided responses to referral comments within the staff report appendix.

VII. STAFF ANALYSIS

Per Article 503 of the DCSR, a final plat may be approved upon the finding by the Board of County Commissioners that the following standards have been met:

503.01: Conforms with the goals, objectives, and policies of the Master Plan.

Staff Comment: The CMP states that while approval criteria for land use applications requires a finding of compliance with the CMP, "...the competing values of the Plan must be balanced through the public review process to achieve the larger vision of the community." The CMP acknowledges its competing values and that implementation can only be achieved through the balancing of community values during the development review process.

The property is located within the Franktown Rural Community as identified in Section 4 of the CMP. The site is further identified as within Franktown Area B, which anticipates a density of 1 dwelling unit per 5 acres. The Sundown applicant proposes a density of 1 dwelling unit per 4.3 acres, which is allowed per the density bonus provisions applicable to the application. CMP Goal 4.1 (maintain Franktown's historically rural character) and Policy 4-1Q.1 (preserve significant existing vegetation) is supported by the 50% open space set aside, which works to preserve existing vegetation and natural features on the site as well mature trees along the Tanglewood Road frontage. The large amount of open space provided within the project serves to buffer the appearance of the clustered lotting pattern from adjacent residential properties.

503.02: Addresses the design elements established in Article 4, section 404 of this Resolution.

Staff Comment: Proposed lot sizes are adequate to allow for RR zone district setbacks and the provision of off-street parking. The site has no floodplain or Class 3 geologic hazards. Site-specific geotechnical investigations will occur at building permit to ensure proper construction methods are utilized per the recommendations of the applicant's geotechnical investigation. The applicant has committed to protecting archaeological and historical resources if uncovered during construction. Subdivision wide drainage and grading plans are accepted by Douglas County Engineering with technical corrections remaining. Proposed roads will allow proper circulation for both vehicles and pedestrians within the development.

Lot orientation and the transition between existing and proposed development are considered in review of subdivision design. As stated in Section 404.03 of the Subdivision Resolution, "Conflicts between proposed and surrounding land uses are minimized through lot and tract orientation, setbacks, landscaping, or other buffering techniques." The 36 acres of open space provides a buffer on all sides of the 17 clustered lots. No-build areas within Lots 5, 8, 9, 10, 11, 16, and 17 complement the open space, and provide further buffering and protection of vegetation.

503.03: Conforms with Section 18A, Water Supply Overlay District, of the Zoning Resolution.

Staff Comment: DCZR Section 1803A establishes approval standards to be used in the evaluation of land use applications reviewed under Section 18A. The water supply was evaluated and approved by the Board at the time of preliminary plan. CDWR has determined that the supply is adequate and will not cause injury to decreed water rights.

503.04: Provides for a public wastewater collection and treatment system and, if other methods of wastewater collection and treatment are proposed, such systems shall comply with State and local laws and regulations.

Staff Comment: Sanitation will be provided through use of OWTS. DCHD provided a favorable recommendation regarding the proposed method of sewage disposal at preliminary plan and final plat.

503.05: Identifies all areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions and that the proposed uses of these areas are compatible with such conditions.

Staff Comment: CGS accepted the geotechnical study for the site at preliminary plan. Standard geotechnical explorations of individual building sites will be required as part of the building permit process.

503.06: Provides adequate drainage improvements.

Staff Comment: A Phase III Drainage Report and GESC Plan have been accepted by Douglas County Engineering Services with only technical corrections remaining. The County will accept a blanket access and backup maintenance easement for drainage facilities within the development. The SIA and construction plans have been reviewed by Engineering Services with minor technical corrections remaining.

503.07: Provides adequate transportation improvements.

Staff Comment: The applicant's traffic analysis has been accepted by Douglas County Engineering. Sky Meadow Point will serve the subdivision with connection to Tanglewood Road. The applicant will dedicate 40 feet of ROW to Douglas County for Tanglewood Road, and for a portion of the Bibles Hill Drive cul-de-sac. The applicant will construct improvements at the intersection of SH 86 and Tanglewood Road through the SIA.

503.08: Protects significant cultural, archaeological, natural and historical resources and unique landforms.

Staff Comment: The applicant's Class III cultural resource survey was accepted by Douglas County Historic Preservation during preliminary plan. The applicant, its successors and assigns shall take all reasonable care to watch for historic resources, paleontological resources, and other cultural history resources and shall immediately notify Douglas County in the event of such discovery during construction activity.

503.09: Has available all necessary services, including fire and police protection, recreation facilities, utility services, streets, and open space to serve the proposed subdivision.

Staff Comment: The proposed subdivision will be served by FFPD, the Douglas County Sheriff's Office, the Douglas County School District, Black Hills Energy, CORE, Comcast, and CenturyLink. Cash-in-lieu fees to meet park land dedication standards will be provided at plat recordation.

As the application was submitted prior to the Board's removal of the RR density bonus standards, the applicant is eligible to request up to a 20% (3-lot) density bonus since a 50% open space set aside is proposed. The following approval standards for the requested density bonus apply to the proposal:

509.01: The required open space area is protected by a conservation easement, pursuant to sections 38-30.5-101 through 110, C.R.S. or other acceptable means to prevent further subdivision or development of these lands;

Staff Comment: Tracts A through C are set aside as open space. Further, a deed restriction limiting further subdivision of these tracts will be recorded concurrent with the final plat. Tracts A through C will be owned and maintained by the Sundown Oaks Metropolitan District.

509.02: The development has been integrated into the existing topography and surrounding landscape, and is designed to protect adjacent properties and community amenities;

Staff Comment: The applicant proposes a 50% open space set aside, which preserves vegetation, natural site features, and sloped areas, particularly within the eastern portion of the site. Open space tracts preserve some of the natural treed frontage along Tanglewood Road and contribute to site buffering from adjacent development.

509.03: The development design and site layout, to the extent feasible, have:

509.03.1: Minimized the development of steep/exposed slopes, floodplains, hilltops, open meadows, and attempted to incorporate these features into open space.

509.03.2: Protected and preserved wetlands/riparian areas, wildlife corridors and habitat areas.

509.03.3: Minimized obstruction of scenic views from publicly accessible locations.

509.03.4: Preserved unique natural, archaeological, or historical features.

509.03.5: Minimized tree, vegetation and soil disturbance, removal, or grading.

509.03.6: Provided visual separation between dwellings by the use of landscaping or other means.

509.03.7: Reduced irrigated landscaping area or the removal of native vegetation.

Staff Comment: Open space tracts preserve existing native vegetation, steep slopes, and other natural site features. In total, open space tracts and proposed no build areas combine for over 50% of the site, which aside from preservation of vegetation and natural

topography, also maintains some of the views into and through the site and contributes to wildlife movement. Lots are proposed at 2 acres in size which allow for adequate separation of dwellings and the use of individual well and septic systems. The applicant will take care to identify any unique archaeological or historical features during construction.

509.04: The dwellings and structures are compatible with, and do not dominate the natural environment; and

Staff Comment: 50% of the site, or 36 acres, are included within open space tracts which buffer the development on all sides and preserve the Tanglewood Road frontage. If also considering the proposed no-build areas within 7 of the proposed lots, greater than 50% of the site is to remain as open area. The clustered design and open space buffers serve to minimize the visual impact of the smaller lots.

The Sundown Oaks Metro District is accepting the dedications of access easements and open space tracts. Private covenants will be recorded with the plat to address architectural design, fencing, and other design components to maximize compatibility of homes with the natural environment.

509.05: The final plat is consistent with the goals and policies of the Comprehensive Master Plan.

Staff Comment: The proposal is consistent with the CMP goals, objectives, and policies of the Franktown Rural Community, particularly as it relates to the proposed 50% open space set aside.

VIII. STAFF ASSESSMENT

Staff has evaluated the final plat request in accordance with Article 5 of the DCSR. Should the Board find that the approval standards for the final plat are met; the following proposed conditions should be considered for inclusion in the motion:

1. Prior to recordation of the final plat, the applicant shall provide payment of \$33,772 cash-in-lieu of school land dedication fees in accordance with Article 10 of the Subdivision Resolution.
2. Prior to recordation of the final plat, the applicant shall provide payment of \$64,269 cash-in-lieu of park land dedication fees in accordance with Article 10 of the Subdivision Resolution to Douglas County.
3. Concurrent with recordation of the final plat, the applicant shall record a 40-foot non-exclusive shared driveway and access easement by separate document for the benefit of the property at State Parcel Number 2509-061-00-002.

4. Concurrent with recordation of the final plat, the Sundown Oaks Metropolitan District covenants, controls, and restrictions shall be recorded by separate document to address architectural design review, fencing, and landscape requirements.
5. Concurrent with recordation of the final plat, a deed restriction which limits further subdivision of Tracts A, B, and C shall be recorded by separate document and noted on the plat exhibit.
6. Prior to the issuance of the first building permit, the applicant shall complete the applicable recommendations provided in the Wildfire Mitigation Plan to the specifications of the Douglas County Building Division.
7. During construction activity within the development, the applicant, its successors and assigns shall take all reasonable care to watch for historic resources, paleontological resources, and other cultural history resources and shall immediately notify Douglas County and complete appropriate Colorado Office of Archaeology and Historic Preservation data management forms in the event of such discovery.
8. During construction activity within the development, the applicant, its successors and assigns shall conduct a burrowing owl study if any earth moving will take place between March 15 and October 31.
9. Technical corrections to the final plat exhibit shall be made to the satisfaction of Douglas County.
10. All commitments and promises made by the applicant or the applicant's representative during the public meeting and/or agreed to in writing and included in the public record have been relied upon by the Board of County Commissioners in approving the application; therefore, such approval is conditioned upon the applicant's full satisfaction of all such commitments and promises.

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LAND USE APPLICATION

Please complete, sign, and date this application. Return it with the required items listed on the Submittal Checklist to planningsubmittals@douglas.co.us. Submittals may also be mailed or submitted in person to Planning Services. NOTE: The Planning Commission or the Board of County Commissioners should not be contacted regarding an open application.

OFFICE USE ONLY	
PROJECT TITLE:	
PROJECT NUMBER:	

PROJECT TYPE: FINAL PLATMARKETING NAME: SUNDOWN

PRESUBMITTAL REVIEW PROJECT NUMBER: _____

PROJECT SITE:

Address: Tanglewood & Burning Tree Drive
State Parcel Number(s): 250906100001 & 250906200002
Subdivision/Block#/Lot# (if platted): _____

PROPERTY OWNER(S):

Name(s): Sundown Subdivision, LLC
Address: 609 W Littleton Blvd.
Phone: 303-877-1649
Email: _____

AUTHORIZED REPRESENTATIVE: (Notarized Letter of Authorization is required from the property owner, unless the owner is acting as the representative)

Name: Alan Westfall
Address: _____
Phone: 303-725-1466
Email: awestfall@strategicstoragepartners.com

To the best of my knowledge, the information contained on this application is true and correct. I have received the County's information sheet regarding the Preble's Meadow Jumping Mouse.

Alan Westfall

Applicant Signature

6-2-25

Date

SUNDOWN SUBDIVISION

17 HOMESITES ON 72.43 ACRES

PROJECT NARRATIVE

DEVELOPED BY: SUNDOWN SUBDIVISION, LLC

NARRATIVE BY: CANYON CREEK ENGINEERING LLC

PO BOX 3072

PARKER, COLORADO 80134

1-13-26

Sundown Preliminary plan was approved by County Board of Commissioners on October 8, 2024. This final plat reflects the improvements shown on the Preliminary Plan except for the change to a roundabout and single entry gate at Tanglewood. A metro district is proposed for the property and will own the open space, water which is allotted per the water plan for the HOA, storm sewer facilities, roads, and other infrastructure. The metro district will maintain the facilities.

LOCATION AND DENSITY

Sundown is located at the southeast corner of the intersection of Burning Tree Drive and East Tanglewood Road. Highway 86 is about $\frac{3}{4}$ mile south of the site along East Tanglewood Road. The 71 acre property will be developed as it is currently zoned, Rural Residential, with a 20% density bonus for 50% open space dedicated to the home owners association. All lots will have an area of 2 acres.

SITE FEATURES

The property is roughly $\frac{1}{4}$ mile wide in the north/south dimension and about $\frac{1}{2}$ mile long. The north eastern portion of the property is treed and has rugged terrain. The north western portion is also treed with the remaining areas of the site has open grassland with oak brush. The elevation of the proposed home sites will provide long range views of the front range mountains and interior views of rolling hills, trees and meadows. A prominent hill and valley on the east side of the site will be preserved from development, except for open space uses.

Storm water runoff has many exits from the site and flows mostly to the north property line and a little to the south property line. Small detention basins with water quality features will be incorporated on basins which are impacted by development.

There are existing oak brush and ponderosa pine stands which will be used to screen lots adjacent to the property. The vegetation density increases on the north eastern $\frac{1}{4}$, and the north western $\frac{1}{4}$ of the site. The majority of the site consists of sandy clay soils which will be adequate for soil treatment areas for the proposed Onsite Waste Treatment System.

ADJACENT PROPERTIES

The site is directly south and west of Bannockburn Subdivision. To the south of the site are larger residential lots and Oak Bluff subdivision is proposed to the west across Tanglewood Road.

SITE DEVELOPMENT

General

The property is served by Douglas County Sheriff and Franktown Fire Department. Cash in lieu will be provided for school and park land dedications.

Water and Septic

The homes will be served by private wells and individual septic systems. The soils will support individual sewage disposal systems which will be designed according to Douglas County Health Department standards. Lots have been laid out with possible areas for future soil treatment areas. There is sufficient ground water for each lot to have an individual well for home and outdoor use, 1 acre foot of water is provided per lot in the Upper Dawson aquifer. Lot owners will also own the water under the remaining aquifers as per the water plan, a portion going to the HOA to reserve augmentation water if needed, and irrigation for site improvements.

Access and Roads

The main access road for Sundown will connect to East Tanglewood Road about $\frac{3}{4}$ mile north of Highway 86, then run east to a cul-de-sac. The existing private roadway easement on the property will be incorporated into the road and driveway access to the lots. The road section will be a Urban Local Type II with attached sidewalks. The private road for this project will be gated and decorative fencing along the frontage will be installed. The private road easement is 60' wide for the Urban Local Type II road section and utilities. Roads have been laid out to minimize cut and fill areas. The interior private roadway will be maintained by the Sundown Home Owners Association. Gates will have Knox boxes installed for emergency services, entry design may vary slightly from proposed. Drainage ways are located so runoff is safely routed through the property.

Landscaping

Landscaping will be provided at the entry gate. Native trees, shrubs, and grasses will be preferred so supplemental water will not be required or such water use will be minimized after the plants are established. Any disturbed areas will be seeded with dryland grasses and mulched.

Fire suppression water tank

A tract of land across Tanglewood Road will be dedicated to the proposed Oak Bluff Homeowners Association(or metro district) for use by Franktown Fire District. The developer provided a 30,000gallon water storage tank with piping to feed a fire hydrant at a pull off along East Tanglewood Road. The storage tank will be used for providing fire suppression water on local fires and will be a resource for Franktown Fire Department. Sundown Subdivision and surrounding properties will have access to the tank through Franktown Fire Department. The tracts, roads, and ground water not appropriated to the lots, will remain the property of the Metro District for use and maintenance.

DESIGN ELEMENTS DCZR Article 5-Final Plat

503.01 This final plat conforms to the goals, objectives, and policies of the 2040 Comprehensive Msater Plan, specifically for the Franktown Rural Community. Sundown contributes to the community by adding a needed left turn lane onto Tanglewood Road and by providing a

30,000gallon water storage tank for Franktown Fire Department. A large portion of the site remains undeveloped for wildlife and recreational open space uses.

503.02 Design elements established in Article 4, Section 404 of DCSR.

404.01 The lots are a minimum of 2.0 acres with appropriate setbacks and sufficient off street parking for the existing Rural Residential Zone.

404.02 Geologic hazards have been mitigated by providing large lots allowing buildable areas accessible with driveways not exceeding 10% slope. Defensible space for wildfires will be addressed in the protective covenants for Sundown and a wildfire mitigation meeting will be conducted on site to address concerns about roadway construction and clearing of brush and low branches.

404.03 Surrounding land uses are similar density and use, except half of the property will not be developed other than trails and other amenities allowed by the home owners association. Extensive areas of existing vegetation and steep slopes are preserved.

404.04 The streets and stormwater facilities are designed to meet Douglas County Roadway Design and Construction Standards, Storm Drainage Design and Technical Criteria Manual, and other applicable County regulations. (See additional reports provided with this submittal).

404.05 The site's existing drainage ways will be preserved with open drainage easements where appropriate. Runoff will be controlled to pre-development levels along with clean water quality features.

404.06 There are no known architectural or historical resources on this property. (See the Cultural Resources Survey provided with this submittal).

404.07 Access for the site will be from East Tanglewood Road, existing road access will be re-aligned to the north for safe sight distance.

404.08 There are no major concerns from the soils test, and individual septic systems will perform satisfactorily in the site soils.

503.03 Sundown is located in the Central Denver Basin as per the Douglas County Water Supply Zone Map. A water plan has been approved for this project.

503.04 Homes will be served with OWTS which are designed according to Douglas County Health Department standards.

503.05 Soils will allow construction of OWTS which comply with Douglas County Health Department regulations.

503.06 Drainage facilities will direct runoff from developed areas to detention/water quality ponds. Runoff from the developed site will not exceed historic runoff rates.

503.07 Sundown and Oak Bluff subdivisions will add traffic to existing Tanglewood Road. In addition to dedicating right of way to Douglas County, the developer is providing a left turn lane onto Tanglewood Road for eastbound Highway 86 traffic as per the provided traffic study. This improvement benefits many drivers in the area.

503.08 Sundown dedicates over half of the site to open space. Trails will provide access around the development and the eastern portion of the site contains Bible's Hill and a valley frequently used by wildlife.

503.09 Sundown development includes open space and trails for recreation, paved streets and utilities to serve 17 homes. Fire suppression water storage is provided to Franktown fire department for department use.

DESIGN ELEMENTS DCZR Section 5- Rural Residential District

508.01 Open Space

Open space tracts will be owned by the Home Owners Association or metro district if approved.

508.02, .03, .04 Wildlife Corridors, Floodplains and Wetlands, and Building Envelopes

Open space buffers protect wildlife corridors and habitat and to allow for safe passage of storm water through the site.

508.05 Road Design

Roads were laid out to minimize disturbance.

508.06 Building Design and Height

The architectural design requirements for the buildings, including architectural style, building massing, height, foundation design, materials, retaining walls, and colors, etc. shall be specified in the Covenants for the subdivision. Such requirements will be developed in accordance with the design guidelines of the County Master Plan.

508.07 Fencing

Fencing standards that meet this criteria will be developed as part of the Covenants. Fencing shall be open design and natural color.

508.08 Landscaping

Landscaping for the common areas in the development will incorporate native plants to minimize watering. Future residents will also be encouraged through the Covenants to use low water demand plants in their landscaping.

509.01 The Metro District district will own open space tracts.

509.02 Home sites have been clustered on the property to minimize roadway and disturbance to the site.

509.03 Sundown development has integrated drainage ways, wildlife corridors, and open meadows into the open space tracts. The drainage ways will have water quality detention ponds in developed basins, storm water release rates are lower than pre-development. A prominent hill and valley on the eastern portion of the property will be left in a native condition, except for a trail. The site provided no cultural features as per the cultural study. Roads and building sites were laid out to keep land disturbance to a minimum. Visual separation between buildings is provided by existing stands of oak brush, ponderosa pines, and topography. Where natural vegetation does not exist, lots will provide adequate separation between buildings.

509.04 The dwellings will not dominate the landscape. Existing vegetation and new landscaping installed at time of home building will help the development maintain its natural character.

509.05 The final plat is consistent with the goals and policies of the 2040 Comprehensive Master Plan, specifically the increase in level of service for drivers using Tanglewood Road and Highway 86. Providing fire suppression water tank and hydrant for Franktown fire, which improves fire service for the area. Cash in lieu will be provided for parks and schools. A water plan has been provided to allow residence future options for aquifers within the Denver Basin. Wildfire mitigation of treed areas will be performed prior to home construction, which is also a benefit to the overall county fire control. Due to the advantages of the density bonus, a large section of the development was preserved in perpetuity for open space and wildlife habitat.

CONCLUSION

Sundown subdivision will provide secluded home sites with quick access to the county road network. Homeowners will enjoy vistas of the Front Range as well as local stands of ponderosa and oak brush. A nearby fire water storage tank is provided for the Franktown Fire Department by the developer. The Sundown Home Owners Association will be responsible for maintaining the roadway, open space, trails, and drainage facilities within the development.

Comprehensive Master Plan Land Use Reference Map

Comprehensive Master Plan Areas

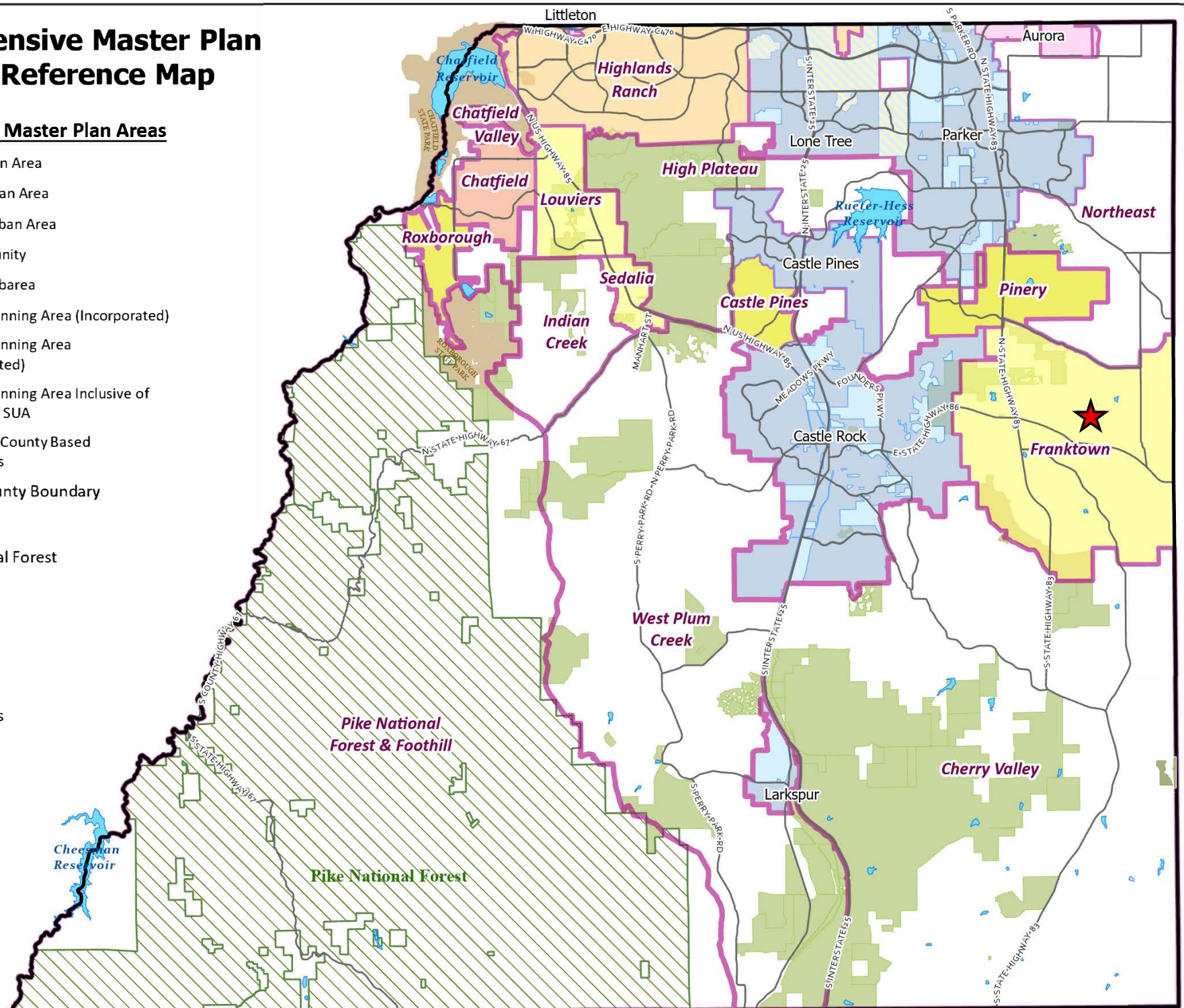
- Primary Urban Area
- Chatfield Urban Area
- Separated Urban Area
- Rural Community
- Nonurban Subarea
- Municipal Planning Area (Incorporated)
- Municipal Planning Area (Unincorporated)
- Municipal Planning Area Inclusive of County PUA / SUA
- Non-Douglas County Based Municipalities
- Douglas County Boundary

Parks

- Pike National Forest
- State Parks
- Open Space
- Lakes

Roadways

- Major Roads



Sundown Final Plat

Project File: SB2025-019, Final Plat

Board of County Commissioners Staff Report - Page 21 of 137

SUNDOWN FINAL PLAT

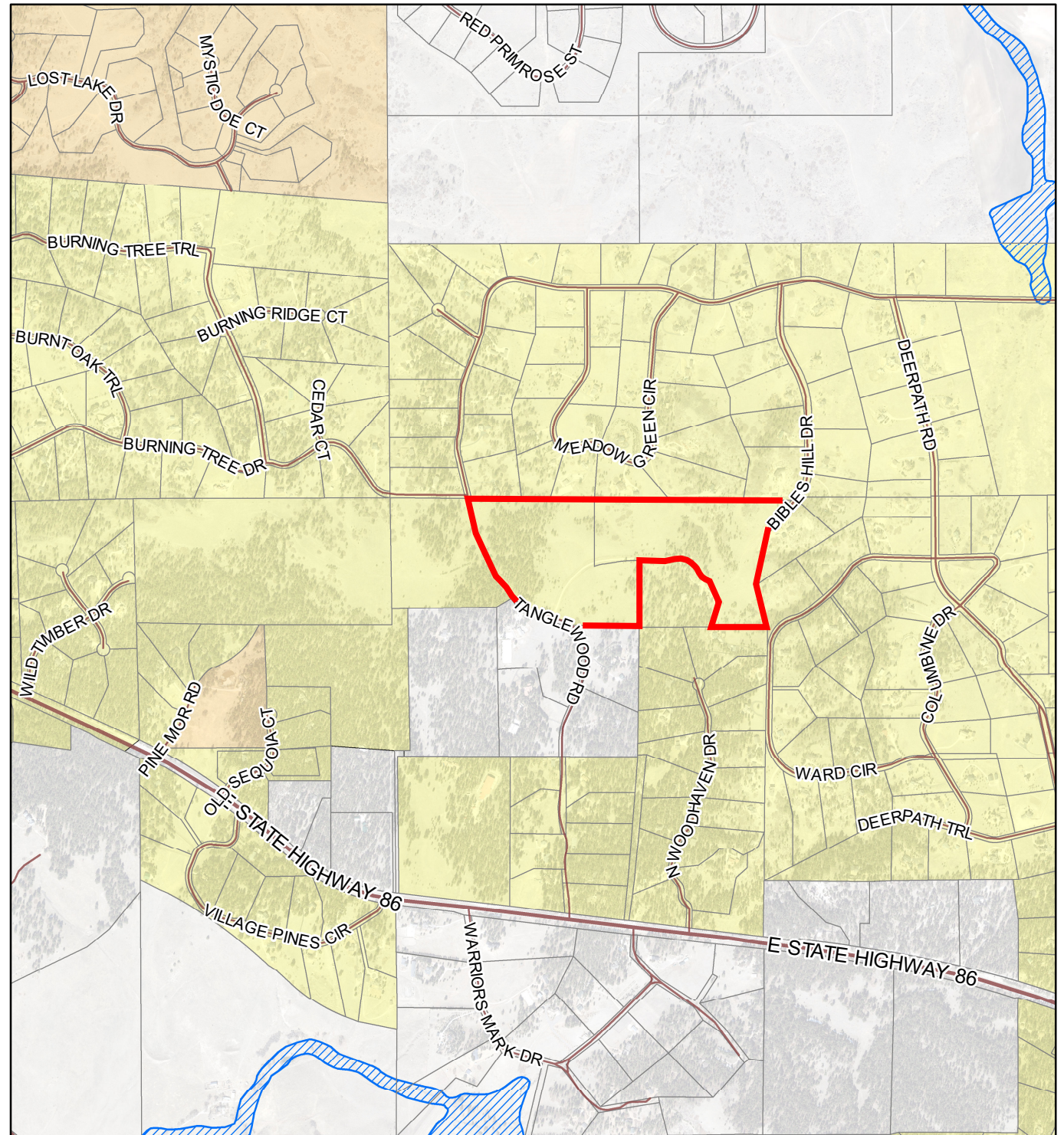
SB2025-019
ZONING MAP

LEGEND

-  MAJOR ROADS
-  OTHER ROADS
-  PROJECT SITE
-  100 YEAR FLOOD PLAIN

ZONE DISTRICT

-  A1 - AGRICULTURAL ONE
-  LRR - LARGE RURAL RESIDENTIAL
-  RR - RURAL RESIDENTIAL
-  ER - ESTATE RESIDENTIAL
-  SR - SUBURBAN RESIDENTIAL
-  MF - MULTIFAMILY
-  LSB - LIMITED SERVICE BUSINESS
-  B - BUSINESS
-  C - COMMERCIAL
-  LI - LIGHT INDUSTRIAL
-  GI - GENERAL INDUSTRIAL
-  CMTY - SEDALIA COMMUNITY
-  D - SEDALIA DOWNTOWN
-  HC - SEDALIA HIGHWAY COMMERCIAL
-  MI - SEDALIA MIXED INDUSTRIAL
-  PD - PLANNED DEVELOPMENT
-  OS - OPEN SPACE CONSERVATION
-  NF - NATIONAL FOREST
-  INCORPORATED AREAS

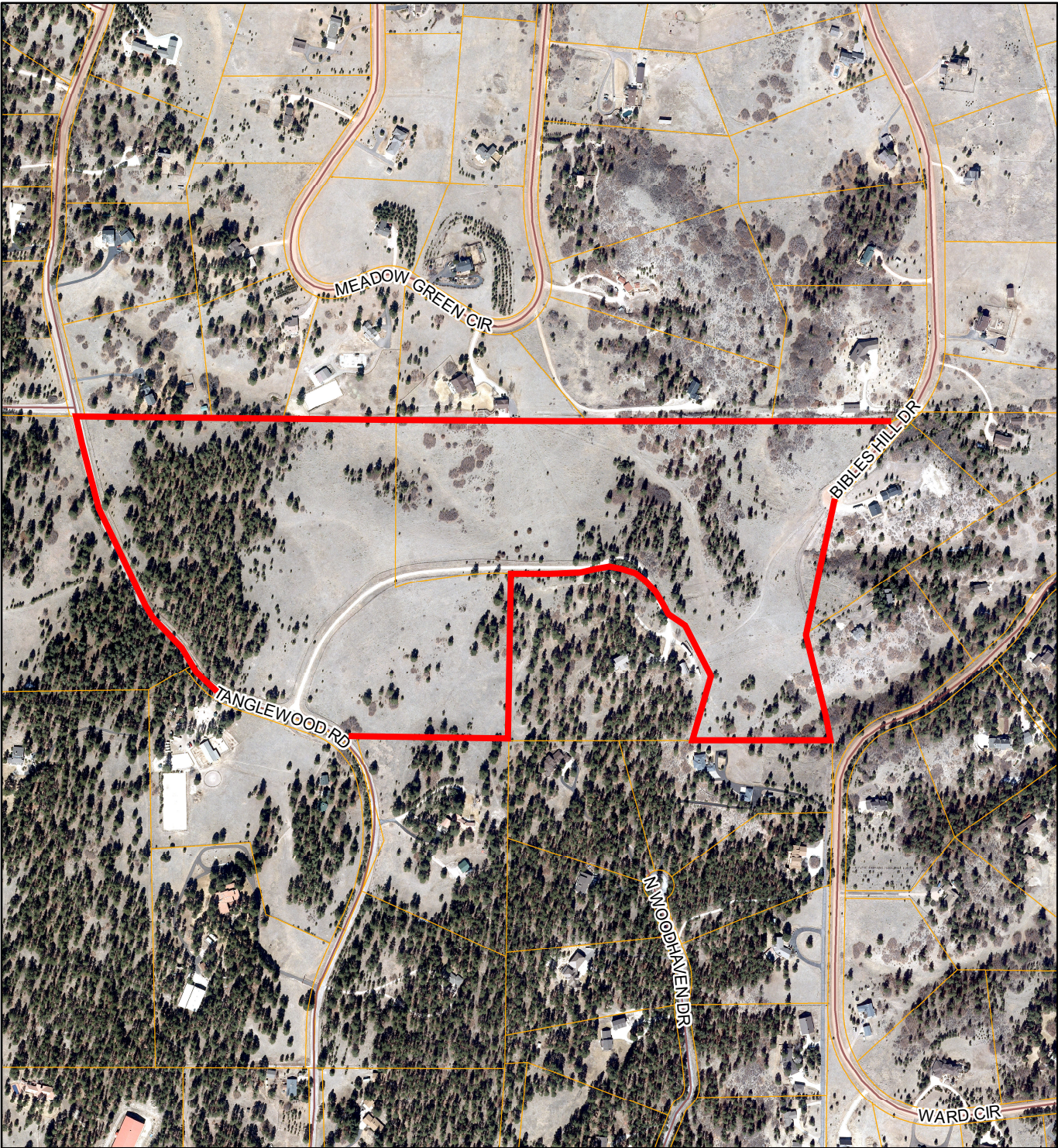


SUNDOWN FINAL PLAT

SB2025-019
AERIAL MAP

LEGEND

- MAJOR ROADS
- OTHER ROADS
- PROJECT SITE
- 100 YEAR FLOOD PLAIN



Referral Agency Response Report**Page 1 of 5****Project Name:** Sundown**Project File #:** SB2025-019**Date Sent:** 10/23/2025**Date Due:** 11/20/2025

Agency	Date Received	Agency Response	Response Resolution
Addressing Analyst	10/28/2025	No Comment.	No action necessary.
Assessor	11/12/2025	Received (verbatim response): please be aware of the following comments: none	No action necessary.
AT&T Long Distance - ROW	11/26/2025	Received: Following is an excerpt of referral comments received from AT&T. See the full letter for detail. No conflicts.	No action necessary.
Bannockburn HOA		No Response Received.	
Black Hills Energy	11/04/2025	No Comment.	No action necessary.
Building Services	11/14/2025	No Comment.	No action necessary.
Burning Tree Ranch HOA		No Response Received.	
CenturyLink	02/02/2026	Following is a summary of the referral response received from CenturyLink. See full letter for detail. No objection, provided locates are completed prior to work; at least 3 feet of cover is maintained after work; if CenturyLink facilities are damaged, the applicant will repair, replace, or move facilities; no buildings shall be constructed over facilities.	Applicant will request locates at construction to avoid CenturyLink facilities.
Cherry Creek Basin Water Quality Authority	11/03/2025	Received (verbatim response): The Cherry Creek Basin Water Quality Authority (Authority) acknowledges notification from Douglas County that the proposed development plans for SB2025-019, Sundown Final Plat have been or will be reviewed by Douglas County for compliance with the applicable Regulation 72 construction and post-construction requirements. Based on the Authority's current policy, the Authority will no longer routinely conduct a technical review and instead the Authority will defer to Douglas County's review and ultimate determination that the proposed development plans comply with Regulation 72. If a technical review of the proposed development plan is needed, please contact LandUseReferral@ccbwqa.org. The review may include consultation with the Authority's Technical Manager to address specific questions or to conduct a more detailed Land Use Review, if warranted.	Applicant will comply with all applicable standards and will comply with CR 72 and BMPs for construction and post-construction.

Referral Agency Response Report**Page 2 of 5****Project Name:** Sundown**Project File #:** SB2025-019**Date Sent:** 10/23/2025**Date Due:** 11/20/2025

Agency	Date Received	Agency Response	Response Resolution
Colorado Department of Transportation CDOT-Region # 1	11/17/2025	Received: Following is a summary of comments received from CDOT. See full letter for detail. Permits Comments: - Utility/special use permit required for any work in CDOT right-of-way (ROW). - Signage related to this development must be on-premise and cannot be in CDOT ROW. - Access permit will be required. Residential Engineer Comments: - Submit roadway plans for improvements in State Highway 86 if auxiliary lanes are required. Traffic Comments: - Technical comments provided regarding the intersection of State Highway 86 and Tanglewood Road, the improvements being proposed in light of existing conditions and traffic safety. Other Comments: - ACP amendment needed. CDOT would like confirmation from Douglas County.	Applicant will obtain all required CDOT permits. No signage is proposed in CDOT ROW. CDOT has approved the access permit for the proposal. Construction plans for State Highway 86 and Tanglewood Road improvements require only technical corrections. Improvements are to be implemented with construction of the subdivision. As the access permit is approved, the Access Control Plan (ACP) will be updated per amendments agreed upon by CDOT and County Engineering.
Colorado Division of Water Resources	11/19/2025	Received: Following is a summary of referral comments received from the Colorado Division of Water Resources (CDWR). CDWR indicates that its 2-6-24 comments on the Preliminary Plan remain applicable. See the full letter for detail. State Engineer's Opinion - CDWR's opinion is that the proposed water supply is adequate and can be provided without causing injury to decreed water rights. - Applicant must be aware that the life of a water supply is calculated based on estimated demands, and the actual life of the aquifer may be less than 100 years.	No action necessary.
Colorado Parks and Wildlife (East DC - Dist 549)		No Response Received.	
Comcast		No Response Received.	

Referral Agency Response Report**Page 3 of 5****Project Name:** Sundown**Project File #:** SB2025-019**Date Sent:** 10/23/2025**Date Due:** 11/20/2025

Agency	Date Received	Agency Response	Response Resolution
CORE Electric Cooperative	11/18/2025	Received (verbatim response): CORE will require additional note to be added to the plat. No improvements that conflict with or interfere with construction, maintenance or access to utilities shall be placed within the utility easements. Prohibited improvements include, but are not limited to, permanent structures, buildings, counter-forts, decks, attached porches, attached stairs, window wells, air conditioning units, retaining walls/components and other objects that may interfere with the utility facilities or access, use and maintenance thereof.	Note has been added to the plat.
Deerfield HOA		No Response Received.	
Douglas County Conservation District		No Response Received.	
Douglas County Health Department	12/03/2025	Received (verbatim response): Thank you for the opportunity to review and comment on the referenced Sundown Final Plat project. Douglas County Health Department (DCHD) staff have reviewed the application for compliance with pertinent environmental and public health regulations. After reviewing the application, DCHD approves the proposed method of sewage disposal. Please feel free to contact me at 720-643-2490 or cthompson@douglas.co.us if you have any questions about our comments.	No action necessary.
Douglas County Parks and Trails	12/05/2025	Received (verbatim response): This applicant would be responsible for park dedication requirements outlined in Article 10 of the Douglas County Subdivision Resolution.	Applicant will provide \$64,269 in parks cash-in-lieu payment at final plat recordation.
Douglas County School District RE 1	12/04/2025	Received: Following is a summary of referral comments from the Douglas County School District (DCSD). Please see the full letter for detail. DCSD calculates a total of 9 elementary, 3 middle-school, and 5 high-school students generated from the development for a total of 0.402-acres of cash-in-lieu of land dedication. The final fee shall be determined following an appraisal to determine land value.	Applicant will provide \$33,772 in schools cash-in-lieu payment at final plat recordation.

Referral Agency Response Report**Page 4 of 5****Project Name:** Sundown**Project File #:** SB2025-019**Date Sent:** 10/23/2025**Date Due:** 11/20/2025

Agency	Date Received	Agency Response	Response Resolution
Engineering Services	11/21/2025	Received (verbatim response): Engineering comments are forthcoming. In the meantime, please submit the construction plans for the deceleration lane at Tanglewood and Hwy 86. ----- Engineering Referral Comments - Revised 12-26-25. Summary of comments provided. See full letter for detail. Subdivision Improvements Agreement (SIA-Private) 1. SIA-Private required. Plat 2. and 3. Technical comments on plat notes, certificates, and drainage. Construction Drawings 4. - 29. Technical comments on the construction drawings, notes, and other information. GESC 30. - 44. Technical comments on GESC documentation. A GESC report is needed. Phase III Drainage Report 45. - 55. Technical comments on the drainage report provided.	Construction plans for State Highway 86 and Tanglewood Road were submitted per Engineering and CDOT comments. SIA-private submitted and accepted in preparation of BCC approval. Engineering comments on the plat are addressed. Construction plans, GESC, and Phase III Drainage are accepted by County Engineering with only minor technical comments remaining.
Flintwood Hills HOA		No Response Received.	
Franktown Citizens Coalition II Inc		No Response Received.	
Franktown FD	11/20/2025	No Comment.	No action necessary.
Hills At Bayou Gulch HOA (F001)		No Response Received.	
Kelty Farms HOA		No Response Received.	
Legacy Pines HOA		No Response Received.	
Office of Emergency Management	10/28/2025	Received (verbatim response): OEM recommends the developer establish an Emergency Egress Easement between Black Dog Place and Bible Hills Drive. This could be a gated/locked access road to be used only by LE/FIRE agencies in the event of an emergency. EEE roads facilitate rapid evacuation of residents and provide a secondary alternative egress route for area residents, in the event a wildfire cuts off the primary evacuation route.	A secondary access is not required by Engineering, and the proposal meets all County Engineering requirements.

Referral Agency Response Report**Page 5 of 5****Project Name:** Sundown**Project File #:** SB2025-019**Date Sent:** 10/23/2025**Date Due:** 11/20/2025

Agency	Date Received	Agency Response	Response Resolution
Rural Water Authority of Douglas County		No Response Received.	
Sheriff's Office		No Response Received.	
Sheriff's Office E911		No Response Received.	
Sterling Tree Farm HOA		No Response Received.	
Village Pines Circle HOA		No Response Received.	
Whispering Pines HOA		No Response Received.	
Wildfire Mitigation	11/20/2025	Received (verbatim response): Wildfire Mitigation staff requests that a comprehensive Forest Management Plan be developed and implemented for the approximately 20 acres of forested area on this property. The plan should align with current Colorado State Forest Service (CSFS) standards and best management practices to ensure long-term forest health, reduce hazardous fuel loads, and meaningfully lower wildfire risk prior to development. Coordination with a qualified forester is strongly encouraged to ensure treatment prescriptions, implementation timelines, and maintenance needs meet CSFS guidelines and support sustained mitigation outcomes.	Wildfire Plan completed and approved.
Xcel Energy- Right of Way & Permits	11/17/2025	Received: Following is an excerpt of comments received from Xcel Energy. See full letter for detail. No apparent conflict. Call Xcel for utility locates prior to construction.	No action necessary.

From: James Peabody
Sent: Wednesday, November 26, 2025 11:21 AM
To: Matt Jakubowski; duanew cwc64.com; jt cwc64.com; Lana S.; LENNY V.
Subject: Re: Douglas County eReferral (SB2025-019) Is Ready For Review
Attachments: SUNDOWN.jpg

Caution: This email originated outside the organization. Be cautious with links and attachments.

Matt,

This is in response to your eReferral with a utility map showing any buried AT&T Long Line/Core Fiber Optics near **Sundown Final Plat, Franktown, CO 80116 (Project # SP2025-019)**. The Earth map shows the project area in red. Based on the address and/or map you provided, there should be NO conflicts with the AT&T Long Lines/Core Fiber Optics, as we do not have facilities in that area.

Please feel free to contact us with any questions or concerns.

***** Map disclaimer: The attached google earth maps are intended to show approximate locations of the buried AT&T long line/Core fiber optic cable. The maps are provided for informational purposes only. In no way should the maps be used for anything other than general guidelines as to where the fiber is or is not and any other use of these maps is strictly prohibited. *****

Thank you,

James Peabody
Clearwater Consulting Group, Inc.
120 9th Ave. South, Suite #140
Nampa, ID 83651
C: (951) 201-1279
E: jamesp@cwc64.com

**** This message and any attachments are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error, please notify the sender immediately and delete the message from your system. ****

From: annb cwc64.com <annb@cwc64.com>
Sent: Wednesday, November 26, 2025 10:28 AM
To: James Peabody <jamesp@cwc64.com>
Subject: FW: Douglas County eReferral (SB2025-019) Is Ready For Review

Ann

-----Original Message-----

From: mjakubow@douglas.co.us <mjakubow@douglas.co.us>
Sent: Thursday, October 23, 2025 4:46 PM
To: annb cwc64.com <annb@cwc64.com>
Subject: Douglas County eReferral (SB2025-019) Is Ready For Review

There is an eReferral for your review. Please use the following link to log on to your account:
<https://apps.douglas.co.us/planning/projects/Login.aspx>

Project Name: Sundown Final Plat
Project File #: SB2025-019

Project Summary: Applicant is requesting a Final Plat for subdivision of 17 single-family residential lots within the

Sundown Final Plat
Project File: SB2025-019, Final Plat
Board of County Commissioners Staff Report - Page 29 of 137

Rural Residential (RR) zone district. Request includes a 3-lot density bonus (20% increase in density) for the provision of 50% open space on the property per Section 508 of the Zoning Resolution. The 71-acre site is located on the east side of Tanglewood Road, approximately at the intersection of Tanglewood Road and Burning Tree Drive. The subject proposal was submitted prior to removal of the Section 508 density bonus requirements. Thus, density bonus regulations continue to apply to this project.

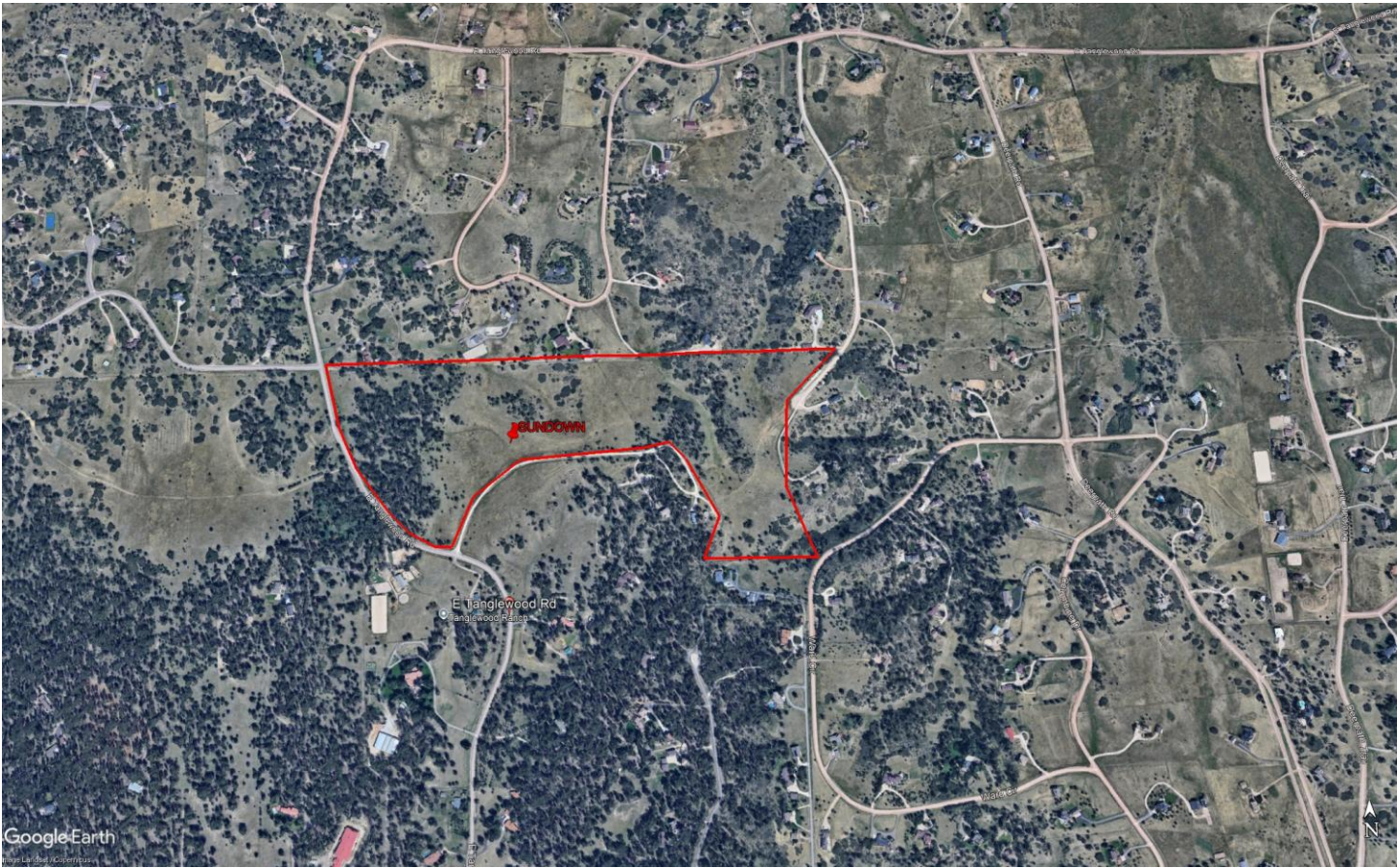
This referral will close on Thursday, November 20, 2025.

If you have any questions, please contact me.

Sincerely,

Matt Jakubowski, AICP | Chief Planner

Douglas County Department of Community Development Planning Services Division Address | 100 Third St., Castle Rock, CO 80104 Phone | 303-660-7460 Email | mjakubow@douglas.co.us



Traffic & Safety

Region 1

2829 W Howard Place, 2nd Floor
Denver, Colorado 80204



COLORADO
Department of Transportation
Region 1

Project Name: Sundown Development

Print Date: 11/17/2025

Highway: 86

Mile Marker: 9.266

A comment response letter is REQUIRED along with the next submittal.

Review POC: loefflerssolomonr

Permits Comments:

11.03.2025

-Working from or within CDOT ROW will require a utility/special use permit. This includes, but is not limited to survey, landscaping, signal or utility work. Application is made online at the following link:
<https://socgov.my.site.com/portal/s/login/?ec=302&startURL=%2Fportal%2Fs%2F>.

-Any signing for this development advertising to the state highway must be on premise and cannot be either partly or wholly in the highway ROW. Signing must comply with state rules governing outdoor advertising per 2 CCR 601-3.--11.03.2025 JV

11-12-25 JT

I could not find a access permit associated with this location. Based on the increase in traffic volumes an access permit will be required.

Residential Engineer Comments:

11/12/2025 JB - If auxiliary lanes are required on SH-86 (at either or both locations), then we would need to see roadway plans with aux. lane lengths, tapers, etc. for review.

Traffic Comments:

GRilling 11/17/2025

1. Tanglewood @ SH86 has been previously reviewed as part of a developer project titled "Oak Bluff". Previous CDOT comments regarding this still apply:

" 05/23/2022 GRilling

A. Roadway crest to the east of Tanglewood Rd on SH 86 is in an unfortunate location for the line of sight at this intersection. There have been 3 crashes in the past 5 years. For comparison, Deerpath Rd to the east only has 1 recorded crash during that time period, and it was under icy conditions. Elevated approach turn crashes should be expected under future conditions with an increase in EB to NB left turning vehicles. Note that this is likely why the county access control plan for the area calls for medianization, rather than the intersection of Tanglewood & SH 86 remaining a full-movement intersection.

B. If it is determined that left-in access is to be allowed despite LoS concerns, a turn lane should be constructed, as suggested in the TIS."

-The developer is on the hook to build aux lanes to mitigate line of sight issues. This is why the Access Control Plan originally called for movement restrictions.

-Coordinate with Oak Bluff on which development is making which improvements.

2. This TIS document seems to be in conformance with the Oak Bluff TIS. It appears reasonable to adjust the Access Control Plan for SH86 as part of the process of that development installing a left turn lane into Tanglewood. CDOT Traffic would not endorse the change to the ACP if the left turn lane is not built.

Other Comments:

11-14-2025 The ACP amendment would need to be completed per the requirements of the ACP with required parties in agreement. How does Douglas County feel about this change?

February 2, 2026

Matt Jakubowski, AICP | Chief Planner
100 Third St.
Castle Rock, CO 80104

No Reservations/No Objection

SUBJECT: APPROVAL TO PROCEED/ ENCROACHMENT
PROJECT NUMBER: P868250
LOCATION: Tanglewood Rd & Burning Tree Dr, Franktown, CO
APN: 2509-062-00-002, 2509-061-00-001

To Whom It May Concern:

Qwest Corporation d/b/a CenturyLink QC ("CenturyLink") is the holder of rights granted by the Quit Claim Deed recorded under Instrument No. 2020061329, Official Public Records of Denver County, Colorado.

CenturyLink has reviewed your request to proceed with improvements as shown on Exhibit "A" ("Improvements"), said Exhibit "A" attached hereto and incorporated by this reference, within the Easement Tract and has no objections providing, however, the following terms and conditions are agreed to, and met, by Landowner:

1. Locates must be performed by a state recognized organization (i.e. Call Before You Dig, Blue Stake, etc.).
2. A minimum of three feet of cover above CenturyLink facilities is maintained at all times and the final grade provides for no less than three feet of cover.
3. If any CenturyLink facilities are damaged or require relocation as a result of said Improvements, or the act of installing, maintaining or removing said Improvements, Landowner agrees to bear the cost of repair and/or relocation of said CenturyLink facilities.
4. No buildings or structures are to be placed within the Easement Tract other than those, if any, that are approved by this APPROVAL TO PROCEED.
5. No Reservations. However, if when they have locates done, if there is anything found to conflict that belongs to us, they would need to let us know. Ben.Hoselton@lumen.com

It is the intent and understanding of CenturyLink that this action shall not reduce our rights to any other existing easement or rights we have on this site or in the area.

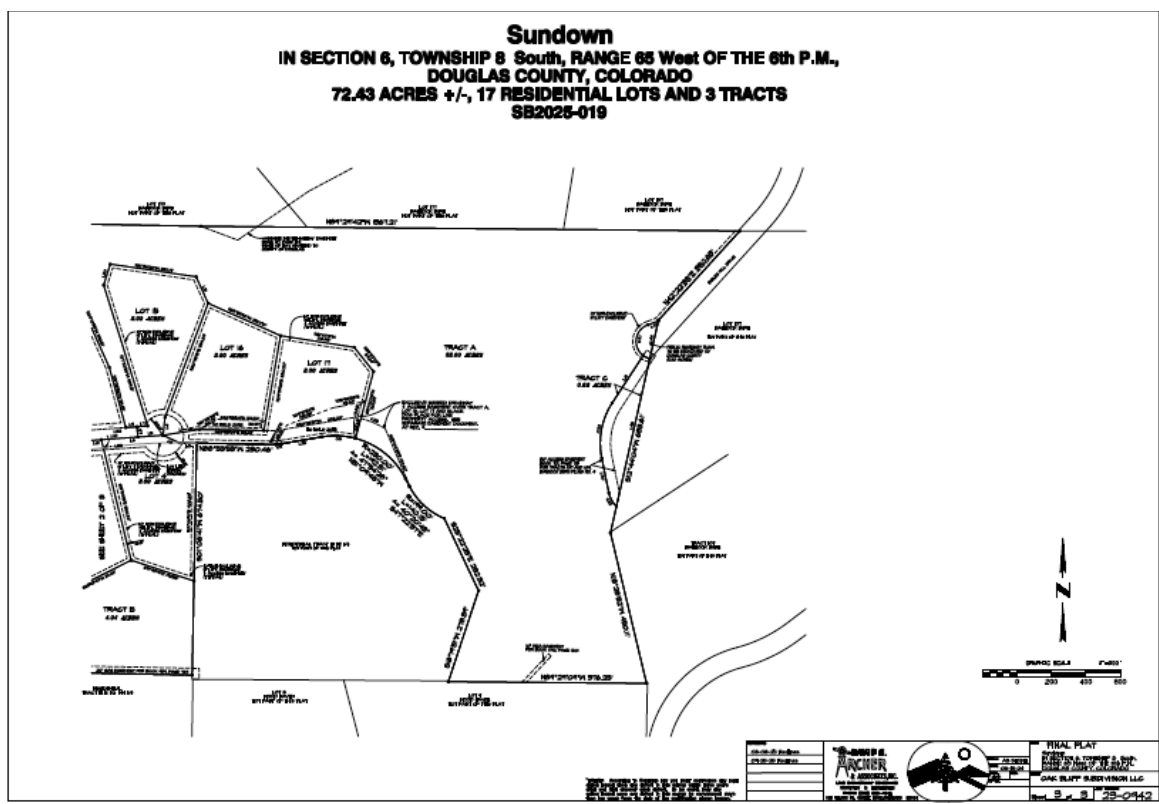
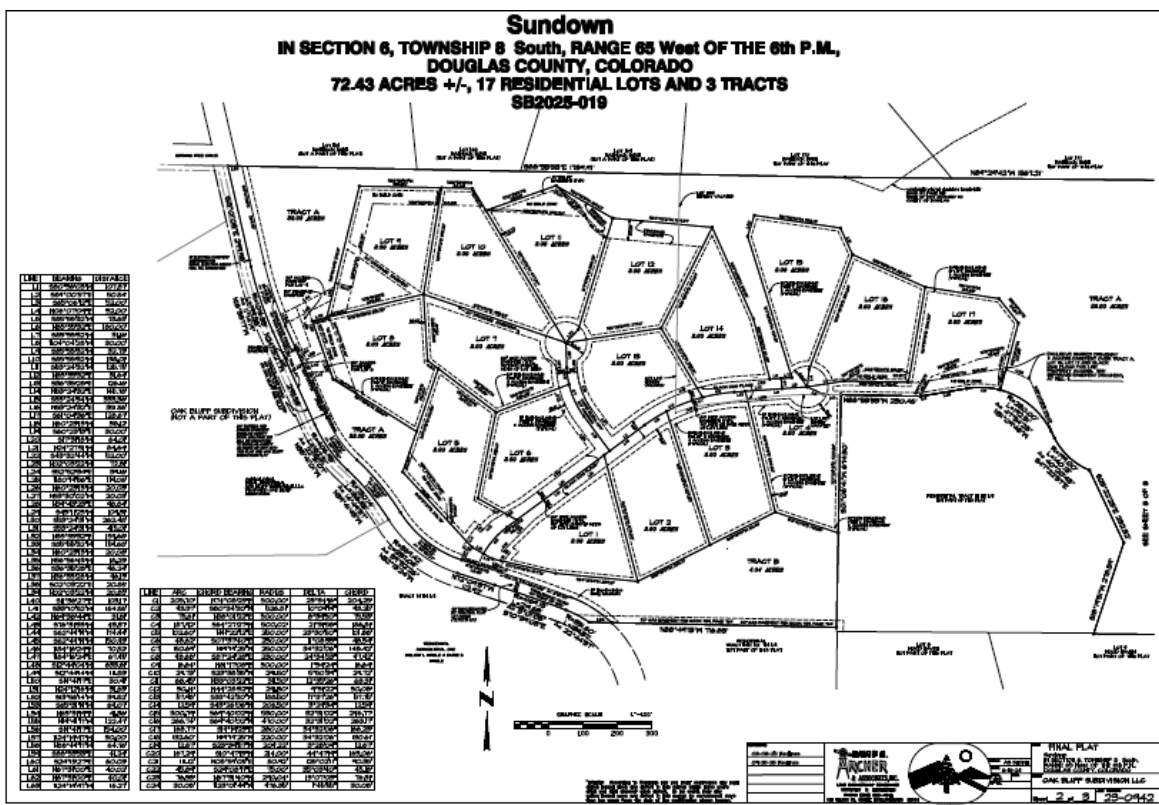
If you have any questions, please contact Pedro Medrano at (210) 571-46377, Pedro.Medrano@Lumen.com, or nre.easement@lumen.com

Sincerely yours,



Pedro Medrano
Network Infrastructure Services
Lumen

Exhibit A



From: Hacker - DNR, Ariel
Sent: Wednesday, November 19, 2025 12:36 PM
To: Matt Jakubowski
Subject: Re: Douglas County eReferral (SB2025-019)
Attachments: SB2019-046 Sundown 02.06.2024.pdf

Caution: This email originated outside the organization. Be cautious with links and attachments.

Hello,

DWR previously reviewed this subdivision and provided the attached response letter, dated February 6, 2024. This letter also applies to this SB2025-019 - Sundown Final Plat.

If you have any questions, please let me know.

Thank you,

Ariel Hacker
Water Resources Engineer, Division 1
Pronouns: she/her/hers ([why pronouns?](#))



COLORADO
Division of Water Resources
Department of Natural Resources

P 303-866-3581
1313 Sherman St., Suite 818, Denver, CO 80203
ariel.hacker@state.co.us | www.colorado.gov/water

Summer Working Hours:
Monday - Thursday 5:30 am - 3:00 pm,
Friday 7 - 11 am

On Tue, Oct 28, 2025 at 12:50 PM Comaniciu - DNR, Ioana <ioana.comaniciu@state.co.us> wrote:

Hi Ariel,

Could you please review this referral. This is the second referral on this project. We have previously provided comments on this on 2/6/2024 (see ID26728).

Ioana Comaniciu, P. E.

Water Resource Engineer

P 303-866-3581 x 8246

1313 Sherman St., Suite 821 Denver CO 80203

----- Forwarded message -----

From: <mjakubow@douglas.co.us>

Date: Thu, Oct 23, 2025 at 4:47 PM

Subject: Douglas County eReferral (SB2025-019) Is Ready For Review

To: <ioana.comaniciu@state.co.us>

There is an eReferral for your review. Please use the following link to log on to your account:

[https://urldefense.com/v3/https://apps.douglas.co.us/planning/projects/Login.aspx_!!PUG2raq7KiCZwBk!fQIJ5t1lGqF6JbViR9CYN220mxWeNXKYIFM7kKb82x1gJa-7RXQG2wGo1gi2v7sbw8z66BDpjTHBEhXFeJc-EdVw\\$](https://urldefense.com/v3/https://apps.douglas.co.us/planning/projects/Login.aspx_!!PUG2raq7KiCZwBk!fQIJ5t1lGqF6JbViR9CYN220mxWeNXKYIFM7kKb82x1gJa-7RXQG2wGo1gi2v7sbw8z66BDpjTHBEhXFeJc-EdVw$)

Project Name: Sundown Final Plat

Project File #: SB2025-019

Project Summary: Applicant is requesting a Final Plat for subdivision of 17 single-family residential lots within the Rural Residential (RR) zone district. Request includes a 3-lot density bonus (20% increase in density) for the provision of 50% open space on the property per Section 508 of the Zoning Resolution. The 71-acre site is located on the east side of Tanglewood Road, approximately at the intersection of Tanglewood Road and Burning Tree Drive. The subject proposal was submitted prior to removal of the Section 508 density bonus requirements. Thus, density bonus regulations continue to apply to this project.

This referral will close on Thursday, November 20, 2025.

If you have any questions, please contact me.

Sincerely,

Matt Jakubowski, AICP | Chief Planner
Douglas County Department of Community Development
Planning Services Division
Address | 100 Third St., Castle Rock, CO 80104
Phone | 303-660-7460
Email | mjakubow@douglas.co.us



February 6, 2024

Mathew Jakubowski
Douglas County Planning Department
Transmission via email: mjakubowk@douglas.co.us

RE: Sundown Preliminary Plan
Project File No. SB2019-046
Part of the N ½ of the N ½, Section 6, T8S, R65W, 6th P.M.
Water Division 1, Water District 8

Dear Mr. Jakubowski:

We have reviewed the additional information received January 22, 2024 regarding the above referenced proposal to subdivide 71 acres into 17 single-family residential lots and 3 tracts. Our office previously commented on the subject referral in a letter dated May 27, 2022; this letter supersedes the previous letter.

Water Supply Demand

According to a letter dated December 21, 2023 from Canyon Creek Engineering (“Canyon Letter”) the annual water demand for each home-site is 1 acre-foot. In addition, 2 acre-feet will be required for the irrigation of 0.8 acres at the entries and 0.1 acre-feet will be required for the filling of a 30,000 gallon fire water storage tank for use by Franktown Fire Department.

According to a letter from Eric K. Trout dated April 18, 2023 (“Petrock Letter”), the annual water demand for each lot will be 1 acre-foot to be use for in-house use and irrigation. The applicant owns the groundwater rights in Division 1 Water Court case nos. 95CW288 and 22CW3071.

Source of Water Supply

The proposed water source for each residential lot is an individual on lot well to be constructed into the Upper Dawson aquifer to withdraw 1.0 acre-feet per year per lot, which will be operating pursuant to the decreed augmentation plans in case nos. 95CW288 and 22CW3071. However, homeowners for Lots 1-12 will be deeded 0.9 acre-feet per year from the Upper Dawson aquifer pursuant to case no. 22CW3071 and 0.4 acre-feet per year from the Upper Dawson aquifer pursuant to case no. 95CW288 and the homeowners for Lots 13-17 will be deeded 1.3 acre-feet per year from case no. 95CW288. The proposed source of water for the firefighting use is a proposed well in the Lower Dawson aquifer, should the 30,000 gallon tank be filled with well water. The proposed source of water for irrigation of the entry is also an Upper Dawson aquifer well.

The plan for augmentation decreed in case no. 95CW288 for 190.73 acres (of which the subject property is a part) allows for an average diversion of 44.2 acre-feet annually for a maximum of 100 years for in house use, irrigation and stockwatering. The plan for augmentation decreed in case no. 22CW3071 allows for an average diversion of 10.8 acre-feet annually for a maximum of 100 years for use in up to 12 wells on 12 individual lots (0.9 acre-feet per year per lot) for in-



house use in one single family residence, irrigation, including lawn, garden, and trees of up to 12,000 square-feet per lot and fire protection. The proposed uses are allowed by the decree.

According to the Canyon Letter, the Sundown HOA will be dedicated 1.3 acre-feet from the Upper Dawson aquifer for irrigation for case no. 95CW288 and 1.5 acre-feet from the Lower Dawson aquifer for the filling of the 30,000 gallon fire water storage tank for use by Franktown Fire Department.

The proposed source of water for this subdivision is a bedrock aquifer in the Denver Basin. The State Engineer's Office does not have evidence regarding the length of time for which this source will be a physically and economically viable source of water. According to 37-90-137(4)(b)(I), C.R.S., "Permits issued pursuant to this subsection (4) shall allow withdrawals on the basis of an aquifer life of one hundred years." Based on this **allocation** approach, the annual amount of water available pursuant to case nos. 95CW288 and 22CW3017 is equal to one percent of the total amount, as determined by rules 8.A and 8.B of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7. Therefore, the water may be withdrawn in those annual amounts for a maximum of 100 years.

Applications for on lot well permits, submitted by entities other than the water court Applicant in case nos. 95CW288 and 22CW3017 must include evidence that the Applicant has acquired the right to the portion of the water being requested on the application.

The applicant should be aware that any storm water detention structure proposed for this specific development, must meet the requirements of a "storm water detention and infiltration facility" as defined in section 37-92-602(8), Colorado Revised Statutes, in order for the structure to be exempt from administration by this office. The applicant should review DWR's Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado, attached, to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The applicant is encouraged to use Colorado Stormwater Detention and Infiltration Facility Notification Portal, located at <https://maperture.digitaldataservices.com/gvh/?viewer=cswdif>, to meet the notification requirements.

State Engineer's Office Opinion

Based upon the above and pursuant to section 30-28-136(1)(h)(I) and section 30-28-136(1)(h)(II)], C.R.S., it is our opinion that the proposed water supply is adequate and can be provided without causing injury to decreed water rights.

Our opinion that the water supply is **adequate** is based on our determination that the amount of water required annually to serve the subdivision is currently physically available, based on current estimated aquifer conditions.

Our opinion that the water supply can be **provided without causing injury** is based on our determination that the amount of water that is legally available on an annual basis, according to the statutory **allocation** approach, for the proposed uses is greater than the annual amount of water required to supply existing water commitments and the demands of the proposed subdivision.

Our opinion is qualified by the following:

The Division 1 Water Court has retained jurisdiction over the final amount of water available pursuant to the above-referenced decrees, pending actual geophysical data from the aquifer.

The amounts of water in the Denver Basin aquifer, and identified in this letter, are calculated based on estimated current aquifer conditions. The source of water is from a non-renewable aquifer, the allocations of which are based on a 100-year aquifer life. The county should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than the 100 years used for allocation due to anticipated water level declines. We recommend that the county determine whether it is appropriate to require development of renewable water resources for this subdivision to provide for a long-term water supply.

If you, or the applicant, have any questions please contact Ailis Thyne at 303-866-3581 x8216.

Sincerely,



Ioana Comaniciu, P.E.
Water Resource Engineer

Ec: Referral No. 26728

PLAT NOTES:

- Sundown shall be subject to the Sundown Homeowner's Association Design Guide and Covenants. A declaration of covenants, conditions and restrictions for Sundown has been recorded by separate document.
- Tract A, B & C are hereby dedicated to the Sundown Homeowner's Association, their successors and assigns, for ownership and maintenance for open space, drainage, utilities, and trails.
- Black Dog Place is depicted hereon as a 60-foot a private access easement, for the benefit of Sundown lot owners and the owner of the property at State Parcel 2509-061-00-002 and shall be owned and maintained by the Sundown Homeowner's Association, their successors and assigns for drainage, utilities, access, and emergency access.
- Marie Elena Way, depicted hereon as a private access easement for the benefit of Sundown lot owners, shall be owned and maintained by the Sundown Homeowner's Association, their successors and assigns for drainage, utilities, access, and emergency access.
- Drainage easements are hereby granted to Sundown Subdivision LLC, their successors and assigns, and Douglas County for secondary access across Tracts A, B, C Black Dog Place and Marie Elena Way private access easements for the purpose of accessing, maintaining, and repairing storm water management improvements, including but not limited to inlets, pipes, culverts, channels, ditches, hydraulic structures, rip rap, detention basins, forebays, micropools, and water quality facilities (collectively, the "facilities") in the event Sundown Homeowner's Association, its successors and assigns, ("system owner") fails to satisfactorily maintain or repair said facilities. A blanket access easement over the subdivision tracts is also granted to Douglas County, but only for the purpose of accessing the facilities in the event that the drainage easements do not provide adequate access. The maintenance of and repair of the facilities located in the subdivision, as shown on the construction plans accepted by Douglas County or on the plat for the subdivision, shall be the responsibility of the system owner. In the event such maintenance and repair are not performed by the system owner to the satisfaction of Douglas County, then Douglas County shall have right but not the obligation, to enter said subdivision, after 10 days prior written notice to the system owner, unless there is an emergency in which case Douglas County shall give notice as soon as practicable, to perform all necessary work, the cost of which shall be paid by the system owner upon billing. In the event the system owner fails to reimburse Douglas County within 30 days after submission of the bill for the costs incurred, Douglas County shall have the right to enforce such obligation by appropriate legal action. It is the system owner's responsibility to construct, maintain, and repair the facilities in manner consistent with all applicable plans approved or accepted by Douglas County.
- Non-exclusive 10 foot utility easements, as depicted hereon, are hereby dedicated to Douglas County on behalf of the utility providers with final plat, and are located along the rear and side lot lines for the installation, maintenance, and operation of utilities and drainage facilities, including, but not limited to street lights, electric lines, gas lines, cable television lines, fiber optic lines, and telephone lines, as well as perpetual right for ingress and egress for installation, maintenance, and replacement of such lines.
- CORE will require the following language to be added to the plat notes.
No improvements that conflict with or interfere with construction, maintenance or access to utilities shall be placed within the utility easements. Prohibited improvements include, but are not limited to, permanent structures, buildings, counter-forts, decks, attached porches, attached stairs, window wells, air conditioning units, retaining walls/components and other objects that may interfere with the utility facilities or access, use and maintenance thereof.
- During construction activity within the development, the applicant, its successors and assigns shall take all reasonable care to watch for historic resources, paleontological resources, and other cultural history resources and shall immediately notify Douglas County in the event of such discovery.
- No build zones are for the purpose of preserving significant stands of vegetation, slopes, and view corridors. No build zones depicted hereon indicate areas in which no above ground structures shall be allowed and grading may be limited.
- The 40-foot shared driveway and access easement depicted within Lot 16 and Lot 17, hereon, shall provide access to the owner of the property at State Parcel Number 2509-061-00-002 and been recorded by separate document at Reception No._____.
- Tracts A, B, and C are reserved as permanent open space through a recorded deed restriction. A density increase of 20% (3 lots) is permitted with the provision of a minimum 50% open space. This final plat proposes 50% open space and 17 lots, representing a 20% density bonus. No further subdivision of Tract A, Tract B, and Tract C, for lots shall be permitted.
- All Denver Basin aquifer water beneath this property is dedicated through a Declaration of Restrictive Covenants recorded in the Douglas County Clerk and Recorder's Office at Reception No. _____.
- Prior to issuance of any building permits within Sundown Subdivision LLC, lot-specific data regarding soil, geology, and construction must be obtained and reviewed by a qualified geotechnical engineer. Such data shall be presented to the Douglas County Building Department for review. As a result of this data, foundation modifications, subsurface drainage systems, and/or other building design/construction modifications may be required.
- Right of Way dedication of Tanglewood Road as shown hereon, shall be dedicated to Douglas County.
- Public ROW for Bibles Hill Drive, as shown hereon to be dedicated to Douglas County.
- Lots 6 and 13 shall receive access from Marie Elena Way. Lots 1 and 5 shall receive access from Black Dog Place. Lots 8 and 9 shall receive access from Tanglewood Road.
- Drainage easements, and non-exclusive Utility and Access easements, as shown hereon, are to be owned and maintained by the Sundown Home Owners Association, their successors and assigns for the purposes of accessing, maintaining, constructing, reconstructing, removing, and repair of drainage facilities and related appurtenances thereto.
- The 30-foot access easements shown hereon to provide access for Lots 8 and 9 from Tanglewood Road shall be owned and maintained by the owners of Lots 8 and 9, their successors, and assigns.

LAND USE SUMMARY TABLE:

LAND	ACREAGE	PURPOSE	OWNERSHIP & MAINTENANCE
Residential Lots (1-17)	34.00		
Tract A	32.00	PERMANENT OPEN SPACE,	Sundown Homeowner's Association
Tract B	4.04	DRAINAGE,	Sundown Homeowner's Association
Tract C	0.62	UTILITIES & TRAILS	Sundown Homeowner's Association
Total	36.66		
Tanglewood Drive	1.67	COUNTY ROW	Douglas County
Black Dog Place	1.87	PRIVATE ACCESS EASEMENT	Sundown Homeowner's Association
Marie Elena Way	0.62		Sundown Homeowner's Association
Bibles Hill Drive	0.10	COUNTY ROW	Douglas County
TOTAL	72.43		

Sundown

IN SECTION 6, TOWNSHIP 8 South, RANGE 65 West OF THE 6th P.M., DOUGLAS COUNTY, COLORADO

72.43 ACRES +/-, 17 RESIDENTIAL LOTS AND 3 TRACTS

SB2025-019

LEGAL DESCRIPTION: TRACT A

A tract of land situated in the Northwest 1/4 of Section 6, Township 8 South, Range 65 West of the 6th Principal Meridian, Douglas County, Colorado, more particularly described as follows:
Commencing at the North 1/4 corner of Section 6 and considering the North line of the Northwest 1/4 Section 6 to bear N 88°55'53"W with all bearings contained herein relative thereto;
Thence N 88°55'53"W along said North line a distance of 479.21 feet to the True Point of Beginning;
Thence N 88°55'53"W along said North line a distance of 1310.70 feet to a point on the centerline of an 80 foot easement recorded at Book 636 at Page 142;
Thence Southeasterly along said centerline the following 9 courses;

- Thence S 13°01'02"E a distance of 300.00 feet to a point of curve;
- Thence Southeasterly along the arc of a curve to the left a distance of 199.35 feet, said curve has a radius of 1016.35 feet, a central angle of 11°14'18" to a point of tangent;
- Thence S 24°15'27"E a distance of 295.52 feet to a point of curve;
- Thence Southeasterly along the arc of a curve to the left a distance of 162.31 feet, said curve has a radius of 406.95 feet, a central angle of 22°51'07" to a point of reverse curve;
- Thence Southeasterly along the arc of a curve to the right a distance of 188.94 feet, said curve has a radius of 730.31 feet, a central angle of 14°49'25" to a point of reverse curve;
- Thence Southeasterly along the arc of a curve to the left a distance of 257.09 feet, said curve has a radius of 369.42 feet, a central angle of 39°52'28" to a point of tangent;
- Thence Southeasterly along the arc of a curve to the right a distance of 219.63 feet, said curve has a radius of 4169.13 feet, a central angle of 3°01'06" to a point of a compound curve;
- Thence Southeasterly along the arc of a curve to the right a distance of 75.70 feet, said curve has a radius of 311.60 feet, a central angle of 13°55'11" to a point of nontangent;
- Thence S 88°49'13"E a distance of 716.83 feet to a point on the East line of the Northwest 1/4 of Section 6;
- Thence N 1°06'41"E along said East line a distance of 674.50 feet to a point on the South right of way line of a 60 foot easement;
- Thence S 88°53'53"W a distance of 34.04 feet to a point of curve;
- Thence Southeasterly along the arc of a curve to the left a distance of 215.18 feet, said curve has a radius of 1470.00 feet, a central angle of 8°23'13" to a point of tangent;
- Thence S 82°42'54"W a distance of 135.66 feet to a point of curve;
- Thence Southeasterly along the arc of a curve to the left a distance of 99.75 feet, said curve has a radius of 420.00 feet, a central angle of 13°36'28" to a point of non-tangent;
- Thence N 1°04'07"E a distance of 691.60 feet to the Point of Beginning. Containing 37.42 acres, more or less.

LEGAL DESCRIPTION: TRACT B

A tract of land situated in the North 1/2 of Section 6, Township 8 South, Range 65 West of the 6th Principal Meridian, Douglas County, Colorado, more particularly described as follows:
Beginning at the North 1/4 corner of Section 6 and considering the North line of the Northwest 1/4 Section 6 to bear N 88.55°53"W with all bearings contained herein relative thereto;
Thence N 88.55°53"W along said North line a distance of 479.21 feet;
Thence S 1.04°07'W a distance of 691.60 to a point on the South right of way line of a 60 foot easement;
Thence Westerly along said South right of way line the following 9 courses;
1. Thence Easterly along the arc of a curve to the right a distance of 99.75 feet, said curve has a radius of 420.00 feet, a central angle of 13°36'28" and a chord that Bears N75.54°40'E a distance of 99.52 to a point of tangent;
2. Thence N 82.42°54'E a distance of 135.66 feet to a point of curve;
3. Thence Easterly along the arc of a curve to the Right a distance of 215.18 feet, said curve has a radius of 1470.00 feet, a central angle of 8°23'13" to a point of tangent;
4. Thence S 88.53°53'E a distance of 264.50 feet to a point of curve;
5. Thence Easterly along the arc of a curve to the left a distance of 16.64 feet, said curve has a radius of 500.00 feet, a central angle of 1.54°26" to a point of tangent;
6. Thence N 80.19°45'E a distance of 119.06 feet to a point of curve;
7. Thence Southeasterly along the arc of a curve to the right a distance of 290.99 feet, said curve has a radius of 230.00 feet, a central angle of 72.29°20" to a point of tangent;
8. Thence S 27.12°34'E a distance of 25.30 feet to a point of curve;
9. Thence Southeasterly along the arc of a curve to the left a distance of 140.13 feet, said curve has a radius of 199.00 feet, a central angle of 40.20°47" to a point of non-tangent;
Thence S 25.22°25'E a distance of 232.32 feet;
Thence S 18.19°51"W a distance of 278.59 feet;
Thence S 89.29°09'E a distance of 576.25 feet;
Thence N 13.28°32'W a distance of 450.11 feet;
Thence N 12.44°04'E a distance of 633.61 feet;
Thence N 42.22°33'E a distance of 350.63 feet to a point on the North line of the Northeast 1/4 of section 6;
Thence N 89.29°42'W along said North line a distance of 1567.21 feet to the Point of Beginning.
Containing 35.01 acres, more or less.

PLANNING COMMISSION

The preliminary plan File# SB2019-046 for this final plat was reviewed by the Planning Commission on September 9, 2024.

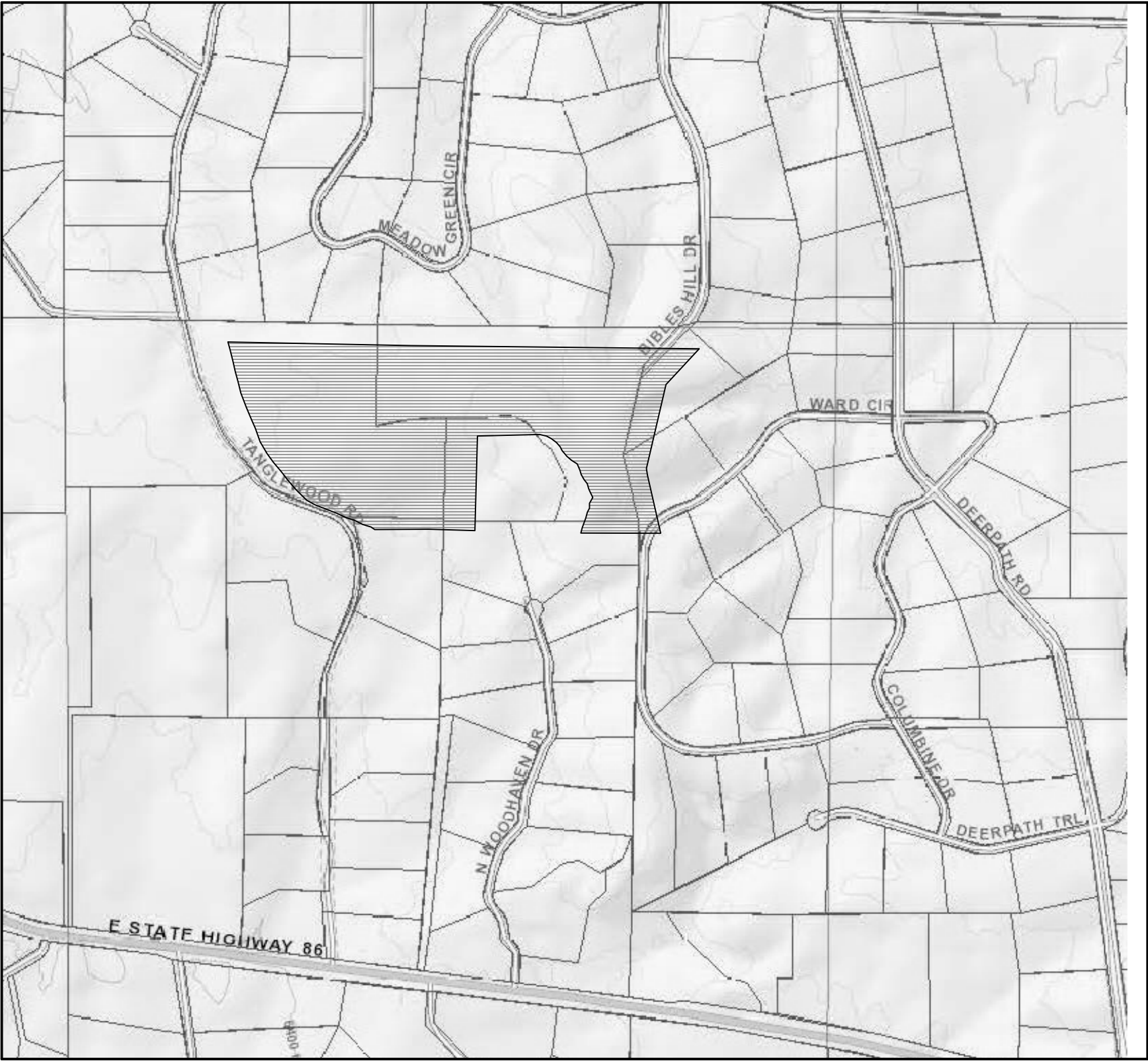
Director of Community Development, _____ Date _____
on behalf of the Planning Commission

APPLICANT:

Sundown Subdivision LLC
609 West Littleton Boulevard #206
Littleton Co 80120

ENGINEER / SURVEYOR:

David E. Archer & Associates
105 Wilcox Street
Castle Rock, CO 80109



VICINITY MAP

SCALE = 1"=1000'

DENSITY STATEMENT FOR DENSITY BONUS:

The density bonus of 3 units has been allocated to the subdivision for a total of 17 lots. Further subdivision for additional lots is not permitted by zoning.

HOA ACCEPTANCE CERTIFICATE:

The dedication of _____ are hereby accepted for ownership and maintenance by the Sundown Homeowner's Association.

By: _____ for The Sundown Home Owners Association.

Title: _____

STATE OF COLORADO }
COUNTY OF _____ } ss.

Acknowledged before me this _____ day of _____, 20____ by _____ as _____.

My commission expires: _____

Witness my hand and official seal

Notary Public

TITLE VERIFICATION:

We, Land Title Guarantee Company, do hereby certify that we have examined the title of all land platted hereon and that title to such land is in the dedicator(s) free and clear of all liens, taxes, and encumbrances:

Except for those matters shown in Land Title Guarantee Company Title Policy No. PIB70845488.28640801, with an effective date of June 20, 2025 at 5:00 p.m.

Land Title Guarantee Company

By: _____

Title: _____

STATE OF COLORADO }
COUNTY OF _____ } ss.

Acknowledged before me this _____ day of _____, 20____ by _____ as _____.

My commission expires: _____

Witness my hand and official seal

Notary Public

DEDICATION STATEMENT:

The undersigned, being all the owners, mortgagees, beneficiaries of deeds of trust and holders of other interests in the land described herein, have laid out, subdivided and platted said lands into lots, tracts, streets and easements as shown hereon under the name and subdivision of Sundown. The utility easements shown hereon are hereby dedicated for public utilities and cable communication systems and other purposes as shown hereon. The entities responsible for providing the services for which the easements are established are hereby granted the perpetual right of ingress and egress from and to adjacent properties for installation, maintenance and replacement of utility lines and related facilities. The dedications of right-of-way, utility easements, and drainage and blanket access easement are accepted as shown hereon under the name and subdivision of Sundown are dedicated and conveyed to Douglas County, CO, in fee simple absolute, with marketable title, for public uses and purposes.

OWNER:

Sundown Subdivision LLC, a Colorado Limited Liability Company

By: _____

Title: _____

STATE OF COLORADO }
COUNTY OF _____ } ss.

Acknowledged before me this _____ day of _____, 20____ by _____ as _____ of Sundown Subdivision LLC, a Colorado limited liability company.

My commission expires: _____

Witness my hand and official seal

Notary Public

SURVEYOR'S CERTIFICATE:

I, Darrell Eugene Roberts, a duly registered Professional Land Surveyor in the State of Colorado, do hereby certify that this plat truly and correctly represents the results of a survey made during June, 2018. I have reviewed all data associated with this survey and it is acceptable as being under my responsible charge that all monuments exist as shown hereon; that mathematical closure errors are less than 1:50,000 (second order); and that said plat has been prepared in full compliance with all applicable laws of the State of Colorado dealing with monuments, subdivisions or surveying of land and all applicable provisions of the Douglas County Subdivision Resolution. This certification is based on my knowledge, information, and belief and is not a guaranty or warranty, either express or implied.

I attest the above on this _____ day of _____, 20____

Darrell Eugene Roberts,
Colorado registered Professional Land Surveyor #36057

BOARD OF COUNTY COMMISSIONERS:

This plat was approved for filing by the Board of County Commissioners of Douglas County, CO, on the _____ day of _____, 20____, subject to any conditions specified hereon. The dedications of right-of-way, utility easements, and drainage and blanket access easement are accepted.

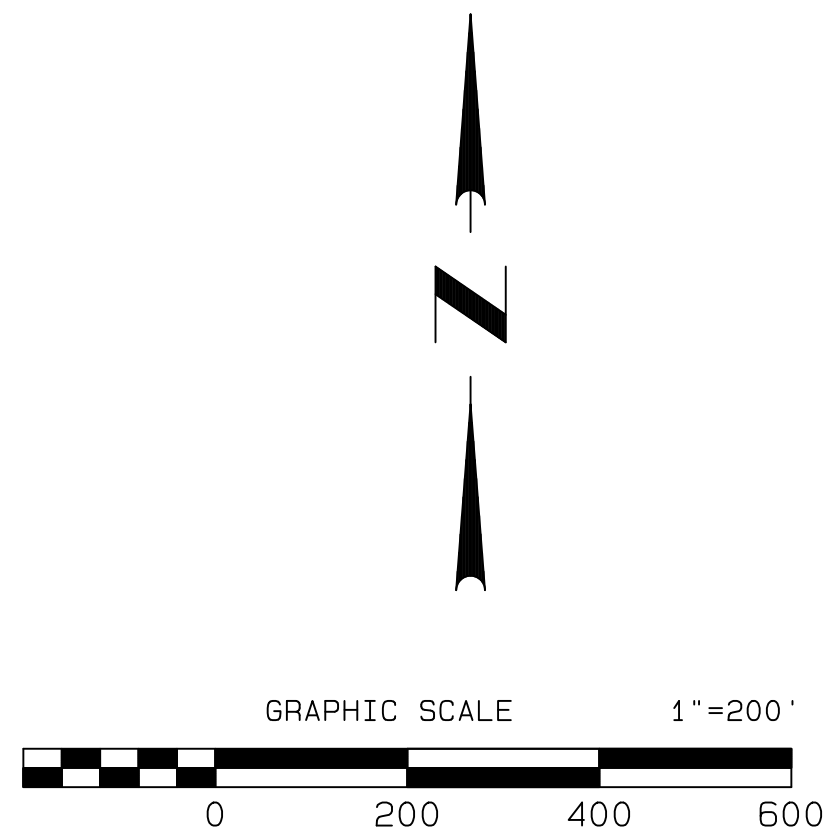
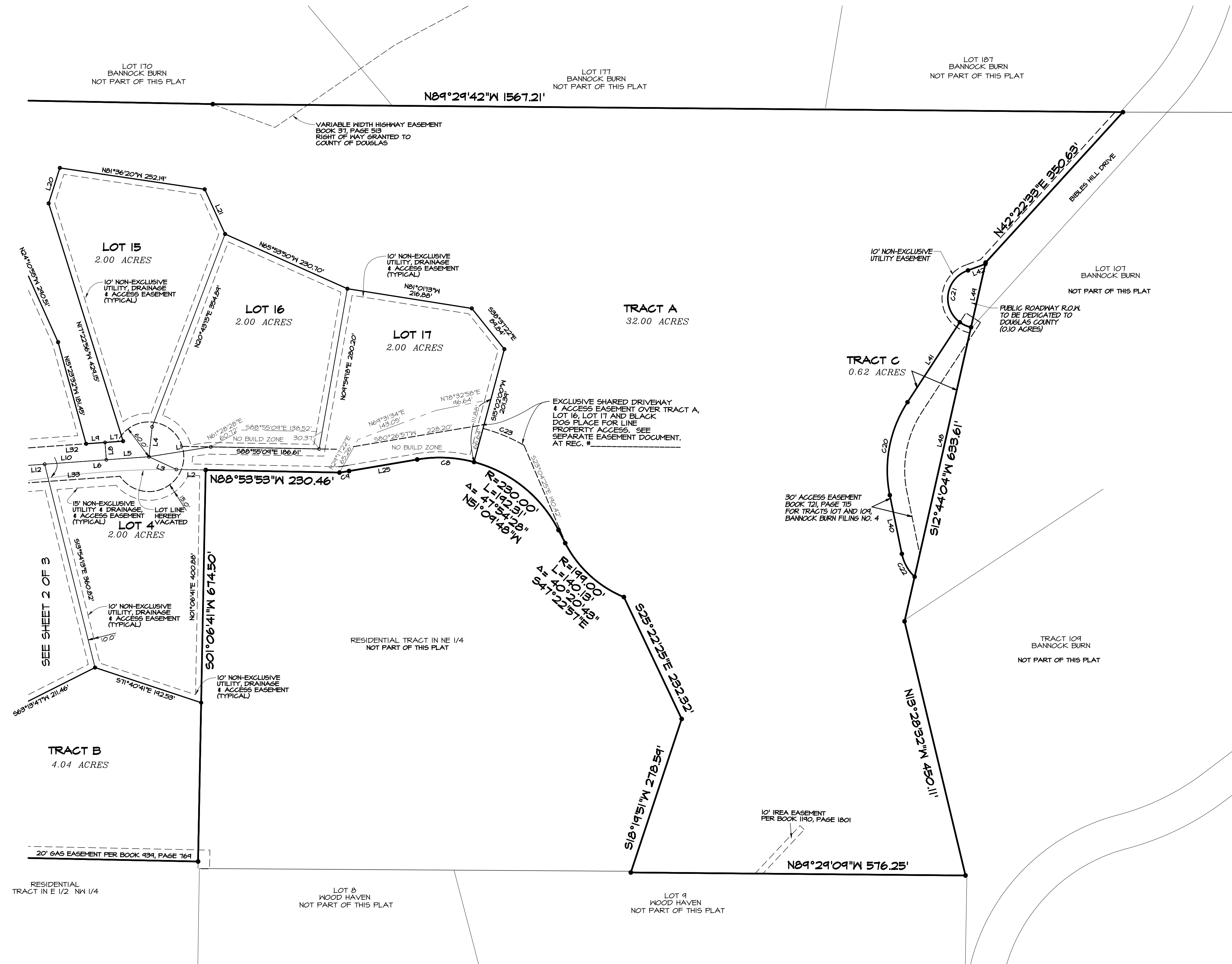
All expenses incurred with respect to improvements for all utility services, paving, grading, landscaping, curbs, gutters, sidewalks, road lighting, road signs, flood protection devices, drainage structures, and all other improvements that may be required shall be the responsibility of the subdivider and not Douglas County.

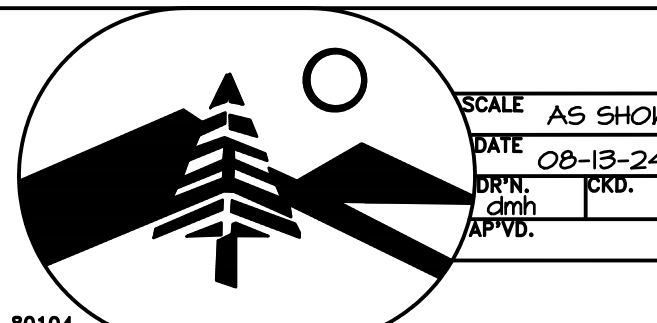
This acceptance does not guarantee that the soil conditions, subsurface geology, groundwater conditions or flooding conditions of any lot shown hereon are such that a building permit, well permit or sewage disposal permit will be issued.

Chair, Board of Douglas County Commissioners

REVISIONS 08-08-25 Redlines 09-25-25 Redlines	 DAVID E. ARCHER & ASSOCIATES, INC. LAND DEVELOPMENT CONSULTING SURVEYING & ENGINEERING PHONE (303) 688-4642 105 WILCOX ST. CASTLE ROCK, COLORADO 80104		TITLE FINAL PLAT Sundown IN SECTION 6, TOWNSHIP 8 South, RANGE 65 West OF THE 6th P.M., DOUGLAS COUNTY, COLORADO SCALE AS SHOWN DATE 08-13-24 DRN: _____ APPROV: _____ CLIENT Sundown Subdivision LLC JOB NUMBER Sheet 1 of 3 23-0942
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Sundown
IN SECTION 6, TOWNSHIP 8 South, RANGE 65 West OF THE 6th P.M.,
DOUGLAS COUNTY, COLORADO
72.43 ACRES +/-, 17 RESIDENTIAL LOTS AND 3 TRACTS
SB2025-019



REVISIONS		 DAVID E. ARCHER & ASSOCIATES, INC. LAND DEVELOPMENT CONSULTING SURVEYING & ENGINEERING PHONE (303) 688-4642 105 WILCOX ST. CASTLE ROCK, COLORADO 80104		TITLE	
08-08-25 Redlines	09-25-25 Redlines			FINAL PLAT	
				Sundown IN SECTION 6, TOWNSHIP 8 South, RANGE 65 West OF THE 6th P.M., DOUGLAS COUNTY, COLORADO	
				CLIENT	
				OAK BLUFF SUBDIVISION LLC	
				JOB NUMBER	
				23-0942	
				Sheet 3 of 3	

"NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first 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."

REFERRAL RESPONSE REQUEST – FINAL PLAT

 Date sent: October 23, 2025

 Comments due by: **November 20, 2025**

Fax: 303.660.9550

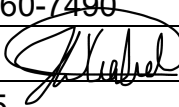
Project Name: Sundown Final Plat

Project File #: SB2025-019

Project Summary:

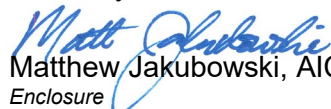
Applicant is requesting a Final Plat for subdivision of 17 single-family residential lots within the Rural Residential (RR) zone district. Request includes a 3-lot density bonus (20% increase in density) for the provision of 50% open space on the property per Section 508 of the Zoning Resolution. The 71-acre site is located on the east side of Tanglewood Road, approximately at the intersection of Tanglewood Road and Burning Tree Drive. The subject proposal was submitted prior to removal of the Section 508 density bonus requirements. Thus, density bonus regulations continue to apply to this project.

Information on the identified development proposal located in Douglas County is enclosed. Please review and comment in the space provided.

☐ No Comment	
☒ Please be advised of the following concerns:	
<u>Engineering comments are forthcoming. In the meantime, please submit the construction plans for the deceleration lane at Tanglewood and Hwy 86.</u>	
☐ See letter attached for detail.	
Agency: PW - Engineering	Phone #: (303) 660-7490
Your Name: Jacob Gabel (please print)	Your Signature: 
	Date: 11/21/2025

Agencies should be advised that failure to submit written comments prior to the due date, or to obtain the applicant's written approval of an extension, will result in written comments being accepted for informational purposes only.

Sincerely,


 Matthew Jakubowski, AICP, Chief Planner
 Enclosure

MEMORANDUM

To: Alan Westfall, Franktown Development Company, LLC

CC: Matt Jakubowski, AICP, Chief Planner
Phil Geising, PE, Canyon Creek Engineering

From: Jacob Gabel, Development Review Engineer

Date: 12/26/2025

RE: Sundown Final Plat: SB2025-019: DV2025-276

Initial Submittal: 11-4-2025
1st Engineering response letter: 12-26-2025

The Douglas County Department of Public Works Engineering has reviewed the Sundown Final Plat Project and has the following comments:

Subdivision Improvements Agreement (SIA-Private)

1. Please submit an SIA-Private with its associated Cost Estimate according to Chapter 14 of the Douglas County Roadway Design and Construction Standards (DCRDCS).
 - a. Please do not include mobilization or earthwork as part of the Cost Estimate.

Plat

2. Sheet 1: For Notes 10 and 12, it would be better dedicate easements and covenants now as part of this plat.
 - a. In Note #17, please replace the period after "Drainage easements" with a comma.
 - b. Please update the HOA Acceptance to state what is being accepted by the HOA.
3. Sheet 2: See Comment 2 above regarding the easement.
 - a. Please be aware that the drainage easement across Lot 9 could change as it needs to fully encompass the swale that drains to the pond in Tract A.

Construction Drawings

4. Please be aware that each sheet will need to be stamped and signed by the PE.
5. Please add a demolition sheet showing the removal of the existing driveway that connects at Tanglewood Rd.
6. Sheet 1: Please call out the travel lane width in the road cross section.
7. Sheets 2, 8-9: These sheets reference other sheets, but the sheet number was not included, please amend.
8. Sheets 2-4: Please call out where the curb and gutter is catch or spill.
9. Sheets 2-3: Please amend the curb return radii to be 25' rather than 23'.
 - a. Please amend the cul-de-sac radii to be 65'.
10. Sheet 2: Please be aware that the minimum K value is 37, please amend for the vertical curve near 1+25.

11. Sheet 3: Please add an intersection detail sheet showing percent slope arrows and spot elevations.
12. Sheets 4 and 18: Please amend the placement of the gate posts so that the width of the gate is a minimum of 2' wider than the width of the road.
13. Sheet 4: Please be aware that the minimum width of the travel lane with a median is 20' from FL-FL, please amend.
14. Sheets 5, 7-8, 10, and 13: Can flows be accounted for on-site of the Oak Bluff Subdivision to avoid a storm sewer crossing Tanglewood Rd?
15. Sheets 5-6: Because the natural drainageway between Lots 7 and 10 and across Lot 9 is conveying developed flows rather than historical flow, please provide a sheet of the grading of the natural drainageway, and a profile and cross sections of the natural drainageway. Please be aware that due to the chance that a house may be built on the back of Lot 9 (north side), please design the culvert that would cross the drainageway now that will convey the 100-yr developed flows.
 - a. Please remove the riprap rundown and replace it with a pipe that bypasses flows to the corner of Lots 7 and 10.
 - i. I would recommend, instead of the above, it may be more worthwhile to pipe the flows from the inlet between Lots 7 and 10 to the eastern inlet/pipe/forebay system requested under the access to Lot 9. With this, then the culvert under the natural drainageway will only need to pass the 10-yr flows and overtop the 100-yr flows.
16. Sheet 5: Please show all proposed drainage easements sans the blanket easement.
17. Sheets 6-8: Please show at least the 100-yr HGLs and call out the flows within the pipes.
 - a. Will riprap or low flow tail basins be needed at the outlets of the culverts?
18. Sheet 6: Please provide a cross section of the proposed swale on the ease side of the cul-de-sac.
19. Sheet 7: If the storm pipe is to remain, this is not the County's preference, please call out the diameter and material of the pipe and show the distance below the swale.
20. Sheets 8-9: Please show percent slope arrows on the proposed slopes.
 - a. Please show the longitudinal slope of the proposed swale in the profile.
 - b. Please be aware the proposed swale will need to be armored.
 - c. Please provide a cross section of the proposed slope.
21. Sheet 8: The profile states to see other sheets for the culverts, though no sheet is referenced, is this necessary and are there other sheets for them?
 - a. See Comment #23 below, the culvert nearest to the ponds may need to be an inlet/pipe/forebay system.
22. Sheets 10-11 and 13-15: Please call out the flows and the flow velocities within the pipes.
 - a. Please show the matchlines and call out the associated sheet numbers.
23. Sheet 10 and 12: Please call out Sheet 13 for the pope that runs to the pond.
24. Sheets 12-13: Please amend the riprap rundowns to be inlet/pipe/forebay systems.
25. Sheet 12: Please provide access to the bottom of the pond per Section 13.7.1 of the Douglas County Storm Drainage Design and Technical Criteria Manual (DCSDDTCM).
 - a. Per Comment # 23 above, please remove the forebay from up against the outlet structure and upstream of each trickle channel.
26. Sheet 13: Is it safe to assume that the left side of the Pond A Storm from Oak Bluff Subdivision is the pipe that crosses under Tanglewood Rd?
 - a. For the Storm 3 – Pond A Outlet, where is the steep slope shown on the upstream portion of the profile?
 - b. Please show and call out the trickle channel on the profile.

27. Sheet 16: Please be aware that we will need individual details for each outlet structure, i.e. individual profiles, plan views, and cross sections of the outlet structure; see Mile High Flood District (MHFD) Volume 3, Chapter 4, T6 Fact sheet for reference. We are not open to the Outlet Structure Chart.
- a. Please provide individual cross sections of the (front view) of the orifice plate for each outlet structure; see Mile High Flood District (MHFD) Volume 3, Chapter 4, T6 Fact sheet for reference. We are not open to the Outlet Structure Chart.
 - b. Please provide individual plan views and profiles for each forebays.
 - i. Please also provide the calculations for the sizing of the forebays.
 - c. Please provide a cross section for the proposed trickle channel.
 - d. Please provide an emergency spillway profile and cross section; see Section 13 of the DCSDDTCM for reference.
 - e. Please call out the neoprene gasket for the orifice plate on any associated details.
 - f. Please amend the design of the pipe at the back of the outlet structure so that it is at the invert of the structure.
28. Sheet 19: Please show the median in association with the gate configuration.
29. Sheet 20: Please add the following notes with a Header that states:
- a. Signage Notes:
 - i. All signage and striping for public and/or private roadways, walkways or bicycle trails open to public travel shall conform to the most recent version of the federal MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD), the COLORADO SUPPLEMENTAL MUTCD, and the DOUGLAS COUNTY SIGNAGE AND STRIPING SUPPLEMENT.
 - ii. All street names shown are for information only. For accepted street names, refer to the recorded final plat for this subdivision.
 - b. Please omit the trail crossing signage near Lot 15 as there is not a crossing.
 - c. Please amend street name signs so that they are composed of a combination of lower-case letters with initial upper-case letters. (typ)
 - d. Please add a street name sign for Tanglewood Rd to include the Douglas County logo at the Black Dog Pl/Tanglewood Intersection
 - e. Please change the W1-7 Arrow sign to be 48”X24” rather than the shown 60”X30”.
 - f. Please omit the stop bar at the exit from Black Dog Pl onto Tanglewood Rd.
 - g. Please amend the Douglas County Acceptance Block to state, “These construction drawings have been reviewed by Douglas County for Signage only.

GESC:

30. Please call out initial/interim/final on each sheet accordingly.
31. Please show all existing and proposed easements.
32. Please stamp and sign each sheet except the notes and details sheets.
33. Please update in accordance with the above comments.
34. Sheet 1: Please call out the benchmark that was used.
- a. Please amend the 2nd GESC Engineer Certification Note to state, “as amended” at the end to the sentence.
 - b. Please remove the Engineering Certification that starts with, “The construction plans included...”
35. Sheets 2-7: It appears that the limits of construction (LOC) are inverted from the areas of disturbance.
- a. Please call out the property lines in the legend and have them be shown on the plans as a line type with “PL” and dashes.

- b. Please call out easements in the legend and show them on the plans.
 - c. Please call out the dimensions on all proposed BMPs per the GESC Manual and Opinion of Probable Cost (OPC).
- 36. Sheets 2 and 4: It appears that the sediment basins (SB) are missing in either the initial or interim phases. Please see Section 3 of the GESC Manual and add the SBs with the needed design information.
- 37. Sheets 2-3: Please reconsider the design of the silt fence (SF) as it should be shown on contour, downstream of disturbed areas.
 - a. Are there any stockpile areas proposed? If so please show them, state a max height, and show the appropriate BMPs for them.
- 38. Sheet 2: Please remove any interim/final phase items (i.e. trickle channel, riprap, etc.).
 - a. It appears that the Stabilized Staging Area (SSA) is missing its hatch, please amend.
 - b. Please call out the area of the SSA in square yards.
- 39. Sheet 3: It appears that lot lines were included on this sheet but not the previous, please either remove the lots on this sheet or add them to the previous.
- 40. Sheets 4 and 6: Please show the existing driveway to be removed.
 - a. Please show the proposed berms on Lots 16-17 per the Phase III Drainage Report (P3DR).
- 41. Sheets 4-5: Please label the proposed contours.
- 42. Sheet 4: Please show the proposed culverts.
 - a. Please be aware that the SCL in the proposed swale on the west side of the subdivision should be reinforced rock berm (RRB) if the drainage basin is less than 20 acres or check dams (CD) if the drainage basin is 20 or more acres.

GESC Report:

- 43. Please submit a GESC Report.

GESC OPC

- 44. Please submit an OPC.

Phase III Drainage Report

- 45. It appears that cross sections and calculations were not provided for the proposed swales (the west side of subdivision, natural channels (see below for more), and the east side of Marie Elena Way). Please provide these and design according to MHFD Volume 1, Chapter 8; please be sure to call out the flows in cfs to be able to compare to the MHFD charts. The provided chart on Page 51 is not applicable as the proposed side slopes for the existing and proposed channels appear to be 3 and the bottom widths of the channels vary per channel.
- 46. Page 7: The paragraph about Basin A-5 discusses open cuts, where are these?
- 47. Pages 9, 26-27, and 52: Please see Chapter 13 of the DCSDDTCM for the 1-hr rainfall depth for Zone I and amend accordingly.
- 48. Page 27 and 29: Please show all the imperviousness calculations for each basin.
- 49. Page 27: In double checking the calculations, I generally got higher flows as a whole, what lengths were used for the sheet flows and travel flows?
- 50. Pages 32, 34, and 38: Per the proposed road criteria and per the DCRDCS, please amend the input info as follows:
 - a. H_{curb} and $d_{\text{max, minor}} = 5''$, T_{crown} and $T_{\text{max, minor}} = 12'$, $T_{\text{max, major}} = 24'$, $d_{\text{max, minor}} = 12''$.
- 51. Page: 36: It appears that the slope is .003 ft/ft per the CDs, please verify and amend per the requested cross section in Comment #18 above.
- 52. Pages 40-48: Are these the 100-yr or 5-yr flows? I would assume 100-yr?

- 53. Pages 52-66: The pond calculations will be reevaluated once the above comments have been reevaluated.
- 54. Pages 68-69: Please add the basin call outs and design points to the legend.
- 55. Page 69: Please show contour labels and flow arrows on the proposed contours, especially at the ponds.
 - a. It appears that an area west of Basins A-1 and A-7 (southwest and west portion of Pond A) was not included in either basin, please amend.
 - b. The callout for the proposed area inlet is pointing to the wrong spot, please amend.

With the next submittal, please enclose a written response to these comments. Please let me know if you have any questions.

December 3rd, 2025

Matt Jakubowski
100 Third St.
Castle Rock, CO 80104

RE: SB2025-019

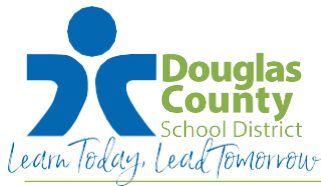
Dear Mr. Jakubowski,

Thank you for the opportunity to review and comment on the referenced Sundown Final Plat project. Douglas County Health Department (DCHD) staff have reviewed the application for compliance with pertinent environmental and public health regulations. After reviewing the application, DCHD approves the proposed method of sewage disposal.

Please feel free to contact me at 720-643-2490 or cthompson@douglas.co.us if you have any questions about our comments.

Sincerely,

Caden Thompson
Environmental Health Specialist I
Douglas County Health Department



620 Wilcox Street
Castle Rock, Colorado 80104

December 4, 2025

Matt Jakubowski, AICP | Chief Planner

Douglas County Department of Community Development
Planning Services Division
Address | 100 Third St., Castle Rock, CO 80104
Phone | 303-660-7460
Email | mjakubow@douglas.co.us

RE: Subdivision - Sundown Final Plat (SB2025-019)

Dear Mr. Jakubowski,

Thank you for the opportunity to respond to the above referenced application. It is our understanding that the applicant is requesting to subdivide 72.43 acres into 17 residential lots, ~36 acres of open space, trails, drainage, and utilities, and ~4 acres of public right-of-way and private access easements. The property is generally located north of Highway 86 off Tanglewood Drive.

On behalf of Douglas County School District, we have a couple comments regarding this application. DCSD has calculated the amount of school site land dedication required for students generated by the proposal. A total of 17 students are expected from the development requiring a total land dedication requirement of 0.402-acres. Since this amount of land dedication is smaller than DCSD's minimum site requirements DCSD requests cash-in-lieu of land dedication.

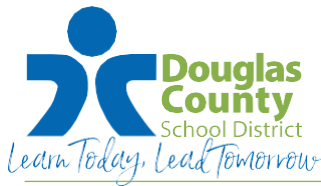
**CASH-IN-LIEU CALCULATION
STUDENT GENERATION**

PROJECT NAME: SUNDOWN PRELIMINARY PLAN, FINAL PLAT				
DU/ 17	ACRES 34		DENSITY 0.50	
			Generation	Number
<u>STUDENT GENERATION RATES</u>	<u>No. of DU's</u>		<u>Rate</u>	<u>of Students</u>
ELEMENTARY	17	X	0.54	9
MIDDLE SCHOOL	17	X	0.15	3
HIGH SCHOOL	17	X	0.31	5
			TOTAL	17
				Required
			School	Land
	Number		Acreage	Dedication
<u>SCHOOL LAND DEDICATION</u>	<u>of Students</u>		<u>Per Student</u>	<u>Acreage</u>
ELEMENTARY	9	X	0.018	0.162
MIDDLE SCHOOL	3	X	0.030	0.090
HIGH SCHOOL	5	X	0.030	0.150
			TOTAL	0.402

Pursuant to Section 1004.05.3 of the Douglas County Subdivision Resolution, "The cash-in-lieu fee shall be equivalent to the full market value of the acreage required for school land dedication. Value shall be based on anticipated market value after completion of platting. The applicant shall submit a proposal for the cash-in-lieu fee and supply the information necessary for the Board to evaluate the adequacy of the proposal. This information shall include at least one appraisal of the property by a qualified appraiser."

DCSD requests a courtesy copy of the submitted appraisal. Assuming the applicant agrees with the payment of these fee requirements, DCSD has no objection to approval of this application. Thank you for your support of our mutual constituents

Shavon Caldwell, Planning Manager
DCSD Planning & Construction
scaldwell2@dcsdk12.org
office: 303.387.0417
mobile: 720.428.1170



620 Wilcox Street
Castle Rock, Colorado 80104

January 14, 2026

Matt Jakubowski, AICP | Chief Planner

Douglas County Department of Community Development
Planning Services Division
Address | 100 Third St., Castle Rock, CO 80104
Phone | 303-660-7460
Email | mjakubow@douglas.co.us

RE: Subdivision - Sundown Final Plat (SB2025-019)

Dear Mr. Jakubowski,

Thank you for the opportunity to respond to the above referenced application. It is our understanding that the applicant is requesting to subdivide 72.43 acres into 17 residential lots, ~36 acres of open space, trails, drainage, and utilities, and ~4 acres of public right-of-way and private access easements. The property is generally located north of Highway 86 off Tanglewood Drive.

On behalf of Douglas County School District, we have a couple comments regarding this application. DCSD has calculated the amount of school site land dedication required for students generated by the proposal. A total of 17 students are expected from the development requiring a total land dedication requirement of 0.402-acres. Since this amount of land dedication is smaller than DCSD's minimum site requirements DCSD requests cash-in-lieu of land dedication.

**CASH-IN-LIEU CALCULATION
STUDENT GENERATION**

PROJECT NAME: SUNDOWN PRELIMINARY PLAN, FINAL PLAT				
DU/ 17	ACRES 34		DENSITY 0.50	
			Generation	Number
<u>STUDENT GENERATION RATES</u>	<u>No. of DU's</u>		<u>Rate</u>	<u>of Students</u>
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ELEMENTARY	9	X	0.018	0.162
MIDDLE SCHOOL	3	X	0.030	0.090
HIGH SCHOOL	5	X	0.030	0.150
			TOTAL	0.402

Pursuant to Section 1004.05.3 of the Douglas County Subdivision Resolution, the applicant has submitted a proposal for the cash-in-lieu fee based on an appraisal of the property. The submitted appraisal was conducted by THK Associates and values the property in its current state at \$1,550,000 and at \$6,085,000 with all required public improvements in place. This equates to a value of \$84,012 per acre. This brings the total required cash-in-lieu of land dedication fee to \$33,772.

DCSD would ask that the cash-in-lieu fee be paid directly to DCSD, in one lump sum, upon final plat approval. Assuming the applicant agrees with the payment of these fee requirements, DCSD has no objection to approval of this application.

Shavon Caldwell, Planning Manager
DCSD Planning & Construction
scaldwell2@dcsdk12.org
office: 303.387.0417
mobile: 720.428.1170



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: 303.285.6612
violeta.ciocanu@xcelenergy.com

November 17, 2025

Douglas County Planning Services
100 Third Street
Castle Rock, CO 80104

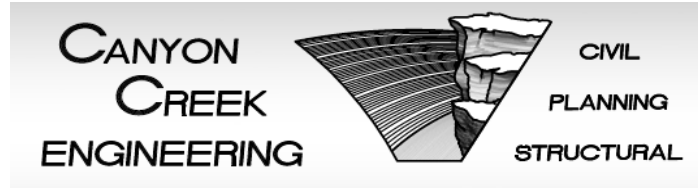
Attn: Matt Jakubowski

Re: Sundown Final Plat, Case # SB2025-019

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the **Sundown Final Plat** and currently has **no apparent conflict**.

As a safety precaution, PSCo would like to remind the developer to call the Utility Notification Center by dialing 811 for utility locates prior to construction.

Violeta Ciocanu (Chokanu)
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-285-6612 – Email: violeta.ciocanu@xcelenergy.com



January 13, 2026

Matt Jakubowski, AICP, Chief Planner

Planning Services Division, Douglas County Community Development and Planning

Re: Referral Agency Response Report, project SB2019-046 Sundown Final Plat.

Dear Mr. Jackubowski,

This letter is in response to the comments from your letter dated 12-12-25. Below are responses to agencies which still have outstanding comments.

Cherry Creek Basin Water Quality Authority:

Detention ponds with water quality basins and will be constructed according to Douglas County Engineering requirements.

Colorado Department of Transportation:

A submittal for the left turn lane for eastbound Highway 86 traffic has been turned into Douglas County for application to CDOT. An amendment to the ACP is also needed, which the county supports.

Colorado Division of Water Resources:

A stormwater management plan will be submitted to the county during the permitting process for the site work.

CORE Electric Cooperative:

Note added to plat as requested.

Douglas County Health Department:

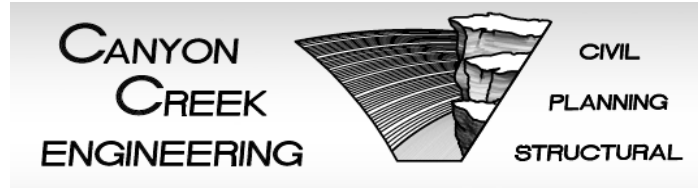
OWTS will comply with Health Department regulations.

Douglas County Parks and Trails:

Cash in lieu will be provided for this project's dedication requirements.

Douglas County School District:

Cash in lieu will be provided.



Engineering Services:

Revisions on plans per comments are forthcoming. The request was made to eliminate the drainage easement across Tanglewood Road. The owner does not want to build a pond on the west side of Tanglewood Road and prefers to incorporate the eastern side of Oak Bluff into the pond at Sundown. The easement is necessary to convey storm water.

Office of Emergency Management:

The hilltop with native vegetation is a feature of the open space. Cul-de-sac lengths comply with Douglas County requirements.

We are pursuing a CDOT permit for the left turn lane and will work with Douglas County Engineering to refine the construction documents for Sundown.

Thanks for your review,

Phil Giesing

December 21, 2023

WATER PLAN for 95CW288 and 2022CW3071 decrees

Oak Bluff and Sundown Subdivisions Water Plan, approximately 179 acres

Oak Bluff subdivision consists of 21 Rural Residential home sites roughly 4.5 to 5 acres on 106 acres. Sundown subdivision consists of 17 homesites, approximately 2 acres each, on 73 acres. Combined these subdivisions are approximately 179 acres. These sites are located east of Franktown near the southwest corner of Burning Tree Drive and Tanglewood Road. The site lies in the NE quarter of Section 1, Township 8S, Range 66W and in the NW quarter of Section 6, Township 8S, Range 65W of the 6th P.M. The Rural Residential single family home sites will be served by individual well and septic systems. There are no wells currently on the property.

Source of Water

A water supply letter by Hayes Poznanovic Korver, LLC. dated 4-18-23 defines the amounts of water available under two decreed cases see attachment A. The water decreed in Case No. 95CW288 for Parcel A(190.73 acres) and in Case No. 2022CW3071 used to serve the lot owners and the Home Owner's Association (HOA). Upper Dawson water will have groundwater reserved by the HOA's for augmentation.

Aquifer	Decreed volumes in Case No. 1995CW288	<u>Prorated amount for 179 acres</u>
Upper Dawson	44.2 acre feet (NNT)	41.5 af (NNT)
Lower Dawson	24.0 acre feet (NT)	22.5 af (NT)
Denver	64.8 acre feet (NT)	60.8 af (NT)
Arapahoe	89.2 acre feet (NT)	83.7 af (NT)
Laramie-Fox Hills	55.8 acre feet (NT)	52.4 af (NT)

Aquifer	Decreed volumes in Case No. 2022CW3071
Upper Dawson	11.15 acre feet (NNT)*decreed augmentation plan, 10.8 af (NNT)

Water Demand

As per the water demand standards in Douglas County Zoning Resolution Section 18A, the home sites will require 1 acre foot of water per year, and irrigated areas will require 2.5 acre feet per acre. In addition, a 30,000 gallon water tank will be constructed and filled on Tract A, 0.1 acre foot of water demand is dedicated for use to fill the 30,000 gallon fire water storage tank as necessary (proposed for Lower Dawson well). Augmentation water for the Upper Dawson aquifer withdrawals will also be reserved in the Laramie-Fox Hills aquifer and dedicated to the Oak Bluff and Sundown Home Owner's Associations.

38 Rural Residential home sites (1 acre foot, Douglas County requirement)	38.0 acre feet
.8 acre irrigated area at 2 entries	2.0 acre feet
Fire water storage and use	<u>0.1 acre feet</u>
Total demand from development	40.1 acre feet

Water Allocation Plan

OAK BLUFF and SUNDOWN

Upper Dawson Aquifer Total Available: $41.5 + 10.8 = 52.3$ acre feet per year (100 year supply)

Although the expected use is 1 acre foot per year (100 year supply), all 38 lots will be allocated 1.3 acre feet as follows: Lots 1 through 12 in Sundown will be allocated 0.9af from Case No. 2022CW3071 for a total of 10.8af. Lots 1 through 12 Sundown will also be allocated 0.4af from Case No. 95CW288 for a total of 4.8af.

The remaining allocations are from Case No. 95CW288; Lots 13 through 17, Sundown and Lots 1 through 21, Oak Bluff will be allocated 1.3 acre feet per year. The Oak Bluff HOA will be allocated 1.6 acre feet for irrigation. The Sundown Home Owner's Association will be allocated 1.3 acre feet for irrigation or other uses allowed in the decree. The total 52.3 acre feet will be augmented with water from the Laramie-Fox Hills aquifer, if necessary, augmentation water will be reserved by the respective HOA's.

Lower Dawson Aquifer Total: 22.5 acre feet

All 38 lots will be allocated 0.5 acre feet each (19 acre feet) in the Lower Dawson Aquifer for future use, the Oak Bluff Home Owners Association will be allocated 2 acre feet and Sundown HOA allocated 1.5 acre feet for a total of 22.5 acre feet. The Oak Bluff Home Owners Association may access the Lower Dawson Aquifer for filling of the 30,000gal. fire suppression water tank, if other methods of filling the tank are not chosen.

Denver Aquifer Total: 60.8 acre feet

All 38 residential lots will be allocated 1.6 acre feet per lot for a total of 60.8 acre feet.

Arapahoe Aquifer Total: 83.7 acre feet

All 38 residential lots will be allocated 2.1 acre feet per lot (79.8 acre feet).

The Oak Bluff Home Owners Association will be allocated 2.2 acre feet and Sundown HOA will be allocated 1.7 acre feet. Total allocation of Arapahoe aquifer 83.7 acre feet per year (100yr supply).

Laramie-Fox Hills Aquifer Total: 52.4 acre feet

The Oak Bluff Home Owners Association will be allocated $27.5af + 1.6af = 29.1$ acre feet.

The Sundown Home Owner's Association will be allocated $22.3af + 1af = 23.3$ acre feet.

To be reserved by the HOA's for future augmentation.

These amounts in each aquifer will be conveyed at time of lot purchase and will remain attached to the lot and/or the respective Oak Bluff or Sundown Home Owners Associations. The property will have restrictive covenants to enforce this water plan and dedicate the water to the land owners and Home Owners Associations with the restriction the water cannot be conveyed or sold.

Attachment A Water Supply Letter

Attachment B Water decrees

Attachment C Vicinity Map

Prepared by: Phil Giesing P.E. 27384

HAYES POZNANOVIC KORVER LLC

ATTORNEYS AT LAW

700 17TH STREET, SUITE 1800
DENVER, COLORADO 80202

TELEPHONE (303) 825-1980

FACSIMILE (303) 825-1983

April 18, 2023

Douglas County Community & Development Services
100 Third St, #220
Castle Rock, CO 80104

Re: Oakbluff Minor Development
Sundown Minor Development

To Whom it May Concern:

The following provides an overview of the proposed water supplies that will serve up to thirty-eight (38) residential lots, on a total of 177.323 acres, generally located in the N1/2 of the NE1/4 of Section 1, Township 8 South, Range 66 West of the 6th P. M., and the N1/2 of the NW1/4, and the NW1/4 of the NW1/4 of Section 6, Township 8 South, Range 65 West of the 6th P.M., in Douglas County ("Subject Property"). This letter is based on amounts of groundwater decreed and the augmentation plan approved in Case Nos. 1995CW288 and 2022CW3071, District Court, Water Division 1. The groundwater appears to be owned by the Applicant. This letter provides no opinion on the actual physical supply of groundwater available and is not a title opinion. Each lot will each be served by an individual well.

Each subdivision will have the following number of single-family units:

- Oak Bluff – 21 lots
- Sundown – 17 Lots

Each subdivision will use individual wells into the Upper Dawson Aquifer.

Decreed Annual Volumes

The following volumes are available and approved for use, reuse, and successively use and, after use, leased, sold, or otherwise disposed of for the municipal, domestic, industrial, commercial, irrigation, stock watering, recreational, fish and wildlife, and any other beneficial purpose, to be used on or off the land. Said water will be produced for immediate application to said uses, for storage and subsequent application to said uses, for exchange purposes, for replacement of depletions resulting from the use of water from other sources, and for augmentation purposes both on and off the Subject Property. The groundwater in the Lower Dawson, Denver, Arapahoe, and Laramie-Fox Hills aquifers is nontributary ("NT") as defined in C.R.S. §§ 37-82-101(2) and 37-92-102(l)(b), and the groundwater in the Upper Dawson is nontributary ("NNT") as described in C.R.S. §§ 37-90-103(10.7) and 37-90-137(9)(c.5).

Decreed Volumes in Case No. 1995CW288:

Aquifer	Annual Amount (100 Years)
Upper Dawson (NNT)*	44.2 acre-feet
Lower Dawson (NT)	24.0 acre-feet
Denver (NT)	64.8 acre-feet
Arapahoe (NT)	89.2 acre-feet
Laramie-Fox Hills (NT)	55.8 acre-feet

* 12 acre-feet was reserved for future exempt wells, a portion of which was decreed in Case No. 22CW3071.

Decreed Volumes in Case No. 2022CW3071:

Aquifer	Annual Amount (100 Years)
Upper Dawson (NNT)	11.15 acre-feet

Augmentation Plans

Case No. 1995CW288:

The 1995CW288 Decree approved an augmentation plan for the use of up to 44.2 acre-feet per year of NNT Upper Dawson Aquifer groundwater for 100 years for in-house, stock watering, and irrigation uses.

Case No. 2022CW3071:

The 2022CW3071 Decree approved an augmentation plan for the use of up to 10.8 acre-feet per year NNT Upper Dawson Aquifer groundwater for 100 years for in-house, irrigation, and fire protection uses.

Water Supply Sufficiency

The amount of groundwater in the NNT Upper Dawson Aquifer underlying the Subject Property allowed to be withdrawn under the augmentation plans is sufficient to provide in-house and irrigation use on the Subject Property for up to 38 residential wells, each withdrawing up to 1.3 acre-feet per year for 100 years.

If you have any questions or comments, please feel free to call.

Sincerely,

HAYES POZNANOVIC KORVER LLC



Eric K. Trout

DISTRICT COURT, WATER DIVISION 1, COLORADO Weld County Courthouse P.O. Box 2038 Greeley, CO 80632	DATE FILED: October 27, 2022 3:36 PM CASE NUMBER: 2022CW3071 ▲ COURT USE ONLY ▲
APPLICATION FOR UNDERGROUND WATER RIGHTS AND PLAN FOR AUGMENTATION OF OAK BLUFF SUBDIVISION, LLC. and SUNDOWN SUBDIVISION, LLC., Applicants, IN DOUGLAS COUNTY	Case Number: 2022CW3071
FINDINGS OF FACT, CONCLUSIONS OF LAW, RULING OF THE REFEREE, AND JUDGMENT AND DECREE	

A claim for a plan for augmentation was filed in this case on May 26, 2022. All matters contained in the application having been reviewed, such testimony having been taken and evidence presented as was necessary, and being otherwise fully advised in the premises, it is hereby the Findings of Fact, Conclusions of Law, Ruling of the Referee, and Judgment and Decree, as follows:

FINDINGS OF FACT

1. Name and address of Applicants:

Oak Bluff Subdivision, LLC., a Colorado limited liability company
Sundown Subdivision, LLC., a Colorado limited liability company
609 W Littleton Blvd, Suite 206
Littleton, CO 80120
2. Statements of Opposition: No statements of opposition were filed and the time for filing of such statements has expired.
3. Subject Matter Jurisdiction: Timely and adequate notice of the application was published as required by statute, and the Court has jurisdiction over the subject matter of this proceeding and over the parties affected hereby, whether they have appeared or not.
4. Consultation: The Water Referee consulted with the Division Engineer, as required by C.R.S. § 37-92-302(4), on the application, on August 8, 2022, and the Division Engineer filed its summary of consultation on August 31, 2022. The amounts herein are consistent with and conform to the values and amounts referenced in the State Engineer's Determinations of Facts dated August 9, 2022.

GROUNDWATER RIGHTS

5. Subject Property: Approximately 177.323 acres on 4 contiguous parcels generally located in the N1/2 of the NE1/4 of Section 1, Township 8 South, Range 66 West of the 6th P.M., and the N1/2 of the NW1/4, and the NW1/4 of the NE1/4,
6. of Section 6, Township 8 South, Range 65 West of the 6th, P.M., Douglas County, State of Colorado, as shown on Exhibit A (“Subject Property”).
7. Prior Decree Information: The groundwater underlying the Subject Property was decreed in Case No. 1995CW288, District Court, Water Division 1 on July 25, 1996, (the “95CW288 Decree”). The groundwater was conveyed to the Applicants via the quitclaim deeds recorded at Reception Nos. 2020061315, 2020061316, 2020061328, 2020061329 on July 13, 2020, at the Douglas County Clerk and Recorder’s Office.
8. Annual Amount: Upper Dawson Aquifer groundwater was reserved for exempt uses under Parcel A in the 95CW288 Decree. The Subject Property is a part of Parcel A. This decree adjudicates a portion of the reserved Upper Dawson Aquifer groundwater. The volume below is based on a 100-year aquifer life:

Aquifer	Annual Amount (acre-feet)	Total Amount (acre-feet)
Upper Dawson (NNT)	11.15	1,115

7. 95CW288 Decreed Uses: The water withdrawn from the subject aquifers will be used, reused, and successively used and, after use, leased, sold or otherwise disposed of for the municipal, domestic, industrial, commercial, irrigation, stock watering, recreational, fish and wildlife, and any other beneficial purpose, to be used on or off the land. Said water will be produced for immediate application to said uses, for storage and subsequent application to said uses, for exchange purposes, for replacement of depletions resulting from the use of water from other sources, and for augmentation purposes.
8. Decreed Uses: Domestic, including in-house use, commercial, irrigation, stockwatering, fire protection, and augmentation purposes, including storage, both on and off the Subject Property.

PLAN FOR AUGMENTATION

9. Plan for Augmentation:
 - 9.1 Groundwater to be Augmented: 10.8 acre-feet per year for 100 years of not-nontributary Upper Dawson Aquifer groundwater.
 - 9.2 Water to be Used for Augmentation: Return flows associated with use of the not-nontributary Upper Dawson Aquifer and return flows or direct discharge of nontributary groundwater.

- 9.3 The Upper Dawson Aquifer groundwater will be used on up to twelve (12) lots, in up to twelve (12) individual wells (0.9 acre-feet per well), for in-house use in one single-family residence (0.3 acre-feet per year per well, 3.6 acre-feet per year total), irrigation, including lawn, garden, and trees of up to 12,000 square-feet per lot (0.6 acre-feet per well, 7.2 acre-feet per year), and fire protection, through one or more wells on the Subject Property. Conservatively, water use in single-family dwellings will equal at least 0.2 acre-feet of water annually for in-house uses, and the use of non-evaporative septic systems typically results in consumption of approximately 10% of such use, resulting in return flows of at least 0.18 acre-feet per year from each single-family residence, and 2.16 acre-feet per year at full build-out. Various components of this plan for augmentation are predicated on these estimations, and Applicants shall be required to use a non-evaporative septic system to treat and dispose of water used for in-house use.
- 9.4 Replacement During Pumping: During pumping of the Upper Dawson Aquifer groundwater, Applicants will replace actual depletions to the affected stream system pursuant to C.R.S. § 37-90-137(9)(c.5). In the 100th year, the total depletion is 12.49% of the amount withdrawn or 1.35 acre-feet total. Return flow from in-house use of the Upper Dawson Aquifer water for the residences is at least 0.18 acre-feet per year, and 2.16 acre-feet per year at full build-out, as described above, and such return flow is sufficient to replace actual depletions for pumping of the entire 10.8 acre-feet per year for 100 years. Return flows accrue to the South Platte River system via Cherry Creek. Because return flows from all uses are estimated rather than measured, Applicants agree that such return flows shall be used only to replace depletions under this plan for augmentation and will not be sold, leased, traded, or assigned in whole or in part for any other purpose. If for any reason, sufficient return flows are not available to replace the actual depletions shown on **Exhibit B**, the Applicants, or successors in interest, are required to pump water directly into the stream in the amount that has not been replaced by return flows. If such water is withdrawn from the Upper Dawson Aquifer well(s) operated under the augmentation plan the amount of water being pumped from the well(s) for other purposes must be reduced so that the allowed annual withdrawal from the well(s) is not exceeded. Such replacement must be made prior to the irrigation season for the following year.
- 9.5 Post-pumping Depletion Augmentation: Assuming maximum pumping of 10.8 acre-feet per year for 100 years from the Upper Dawson Aquifer, the maximum total depletion to the affected stream systems is approximately 13.92% of the annual amount withdrawn or 1.50 acre-feet in the 130th year. Applicants will reserve 10.8 acre-feet per year, 1,080 acre-feet total, of the nontributary Laramie-Fox Hills Aquifer groundwater decreed in the 95CW288 Decree, owned by Applicants, for use in this plan, but reserves the right to substitute the use of other nontributary groundwater, including return flows, either underlying the Subject Property, or from another location which is legally available for such purpose, for replacement of post-pumping depletions at such time that post-pumping

depletions may begin. The Court retains continuing jurisdiction in this matter to determine if the supply is adequate.

- 9.6 Applicants will begin making post pumping replacements when (1) the Applicants or successors in interest have acknowledged in writing that all withdrawals for beneficial use of the Upper Dawson Aquifer groundwater has permanently ceased, or (2) for a period of 10 consecutive years that no Upper Dawson Aquifer groundwater has been withdrawn. Until such time as the post pumping depletions begin the Applicant must continue to replace during pumping depletions to the stream using return flows, by pumping water directly to the stream to replace such depletions or using another replacement source approved by the Division Engineer. At the time that post pumping depletions begin as described in this paragraph, Applicant or successors in interest will be required to construct a well and pump groundwater to replace post-pumping depletions, subject to the terms and conditions of Paragraph 8.5. This condition constitutes a covenant running with the land.
- 9.7 Applicants will replace post-pumping depletions for the shortest of the following periods: (1) The period provided by C.R.S. § 37-90-137(9)(c.5), or (2) the expressed period specified by the Colorado Legislature, should it specify one and providing the Applicant obtain Water Court approval for such modification, or (3) the period determined by the State Engineer, should they choose to set such a period and have jurisdiction to do so, or (4) the period established through rulings of the Colorado Supreme Court on relevant cases, or (5) until Applicant petition the Water Court and the State Engineer's Office and prove that they have complied with any statutory requirement.
10. Failure of Applicants and/or successors in interest to comply with the terms of the decree may result in an order of the Division Engineer's office to curtail or eliminate pumping of the well. This decree shall be recorded in the real property records of Elbert County so that a title examination of the property, or any part thereof, shall reveal to all future purchasers the existence of this decree.
11. Administration of Plan for Augmentation:
- 11.1 Applicants shall report to the Division Engineer for Water Division 1 upon request, a summary of the amount of water pumped by each Denver Basin well, the annual depletion, the amount of replacement water provided by each replacement source, the net impact on the stream and any other information required by the Division Engineer to properly administer the decree on an accounting form acceptable to the Division Engineer.
- 11.2 All withdrawals which are the subject of this decree will be metered.

- 11.3 Pursuant to C.R.S. § 37-92-305(8), the State Engineer shall curtail all out-of-priority diversions, the depletions from which are not so replaced as to prevent injury to vested water rights.
- 11.4 The Applicants, or successors in interest, at the direction of the Division Engineer shall make post-pumping replacements to the South Platte River stream system via Cherry Creek, or its tributaries, pursuant to the amounts referenced on the depletion curve attached on **Exhibit B**.
12. Retained Jurisdiction for Plan for Augmentation:
- 12.1 Pursuant to C.R.S. § 37-92-304(6), the Court retains continuing jurisdiction over the plan for augmentation decreed herein for reconsideration of the question whether the provisions of this decree are necessary and/or sufficient to prevent injury to vested water rights of others. The Court also has jurisdiction for the purposes of determining compliance with the terms of the augmentation plan.
- 12.2 Any party seeking to invoke the retained jurisdiction of the Court shall file a verified petition with the Court. The petition to invoke retained jurisdiction or to modify this decree shall set forth with particularity the factual basis and the requested decretal language to effect the petition. The party lodging the petition shall have the burden of going forward to establish prima facie facts alleged in the petition. If the Court finds those facts to be established, Applicants shall thereupon have the burden of proof to show: (1) that any modification sought by Applicants will avoid injury to other appropriators, or (2) that any modification sought by Objector is not required to avoid injury to other appropriators, or (3) that any term or condition proposed by Applicants in response to the objector's petition does avoid injury to other appropriators.
- 12.3 The Court retains jurisdiction for the purpose of determining whether the continued reservation of the nontributary water for use on the Subject Property is required. After notice to the State Engineer's Office, if Applicants can demonstrate to the Court that post-pumping depletions need no longer be replaced, the Court may remove the requirement that the nontributary water must be reserved.

CONCLUSIONS OF LAW

13. Full and adequate notice of the application was given, and the Court has jurisdiction over the subject matter and over the parties whether they have appeared or not.
14. Applicants have complied with all requirements and met all standards and burdens of proof, including but not limited to C.R.S. §§ 37-90-137(9)(c.5), 37-92-103(9), 37-92-302, 37-92-304(6), 37-92-305(3), (4), (6), (8), to adjudicate the plan for augmentation and are

entitled to a decree confirming and approving the plan for augmentation as described in the Findings of Fact.

15. The Water Court has jurisdiction over this proceeding pursuant to C.R.S. § 37-90-137(6). This Court concludes as a matter of law that the application herein is one contemplated by law pursuant to C.R.S. § 37-90-137(4). The application for a decree confirming Applicants' right to withdraw and use groundwater decreed herein from the Upper Dawson Aquifer should be granted pursuant to C.R.S. §§ 37-90-137(4) and (9)(c.5), subject to the provisions of this decree. The withdrawal of up to 10.8 acre-feet per year and 1,080 acre-feet total of the Upper Dawson Aquifer groundwater, and in accordance with the terms of this decree and the 95CW288 Decree, will not injuriously affect the owner of or persons entitled to use water under a vested water right or a decreed conditional water right. The remaining amount of Upper Dawson Aquifer groundwater decreed in Case No. 95CW288 and herein will not be withdrawn and used until it is included in a separate plan for augmentation.

JUDGMENT AND DECREE

16. The Findings of Fact and Conclusions of Law set forth above are hereby incorporated into the terms of this Ruling and Decree as if the same were fully set forth herein.
17. Applicants and/or successors may withdraw the subject groundwater herein through wells to be permitted by the State Engineer's Office located anywhere on the Subject Property in the average annual amounts and at the estimated average rates of flow specified herein, subject to the limitations herein and the retained jurisdiction by this Court.
18. Applicants may withdraw an average annual amount of 10.8 acre-feet per year and not more than 1,080 acre-feet total of the Upper Dawson Aquifer groundwater under the plan for augmentation decreed herein pursuant to § 37-90-137(9)(c.5), C.R.S.
19. The groundwater rights described in the Findings of Fact are hereby approved, confirmed and adjudicated, including and subject to the terms and conditions specified herein and in the 95CW288 Decree. No owners of or persons entitled to use water under a vested water right or decreed conditional water right will be injured or injuriously affected by the pumping of Applicants' groundwater resources as decreed herein.
20. Pursuant to C.R.S. § 37-92-305(5), the replacement water herein shall be of a quality so as to meet the requirements for which the water of the senior appropriator has normally used.
21. The plan for augmentation as described in the Findings of Fact is hereby approved, confirmed, and adjudicated, including and subject to the terms and conditions specified herein.

22. No owners of or person entitled to use water under a vested water right or decreed conditional water right will be injured or injuriously affected by the operation of the plan for augmentation as decreed herein.
23. Retained Jurisdiction:
- 23.1 The Court retains jurisdiction as necessary to adjust the average annual amounts of groundwater available under the Subject Property to conform to actual local aquifer characteristics as determined from adequate information obtained from wells, pursuant to C.R.S. § 37-92-305(11). Within 60 days after completion of any well decreed herein or any test hole(s), Applicants or any successor in interest to these water rights shall serve copies of such log(s) upon the State Engineer.
- 23.2 At such time as adequate data is available, any person, including the State Engineer, may invoke the Court's retained jurisdiction to make a Final Determination of Water Right. Within four months of notice that the retained jurisdiction for such purpose has been invoked, the State Engineer shall use the information available to him to make a final determination of water rights findings. The State Engineer shall submit such finding to the Water Court and the Applicants.
- 23.3 If no protest to such finding is made within 60 days, the Final Determination of Water Rights shall be incorporated into the decree by the Water Court. In the event of a protest, or in the event the State Engineer makes no determination within four months, such final determination shall be made by the Water Court after notice and hearing.
- 23.4 Except as otherwise provided in Paragraphs 23.1-23.3, above, pursuant to C.R.S. § 37-92-304(6), the plan for augmentation decreed herein shall be subject to the reconsideration of this Court on the question of material injury to vested water rights of other, for a period of five (5) years. Any person, within such period, may petition the Court to invoke its retained jurisdiction. Any person seeking to invoke the Court's retained jurisdiction shall file a verified petition with the Court setting forth with particularity the factual basis for requesting that the Court reconsider injury to petitioner's vested water rights associated with the operation of this decree, together with proposed decretal language to effect the petition. The party filing the petition shall have the burden of proof of going forward to establish a prima facie case based on the facts alleged in the petition. If the Court finds those facts are established, Applicants shall thereupon have the burden of proof to show: (i) that the petitioner is not injured, or (ii) that any modification sought by the petitioner is not required to avoid injury to the petitioner, or (iii) that any term or condition proposed by Applicants in response to the petition does avoid injury to the petitioner. The Division of Water Resources as a petitioner shall be entitled to assert injury to the vested water rights of others. If no such petition is filed within such period and the retained jurisdiction period is not extended by the

Court in accordance with the provisions of the statute, this matter shall become final under its own terms.

Continuing Jurisdiction: Pursuant to C.R.S. § 37-92-304(6), the Court retains continuing jurisdiction over the plan for augmentation decreed herein for reconsideration by the water judge on the question of injury to the vested rights of others for such period after the entry of such decision as is necessary or desirable to preclude or remedy any such injury.

24. The groundwater rights decreed herein are vested property rights appurtenant to the Subject Property and shall remain appurtenant unless expressly severed by conveyance to someone other than the property owner. If any deed for the Subject Property is silent to the conveyance of the water rights decreed herein, it is assumed that the water rights have been conveyed as an appurtenance to the Subject Property, unless all or part of the water rights have been previously severed.

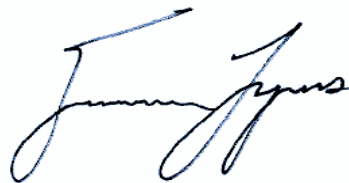
Date: October 5, 2022



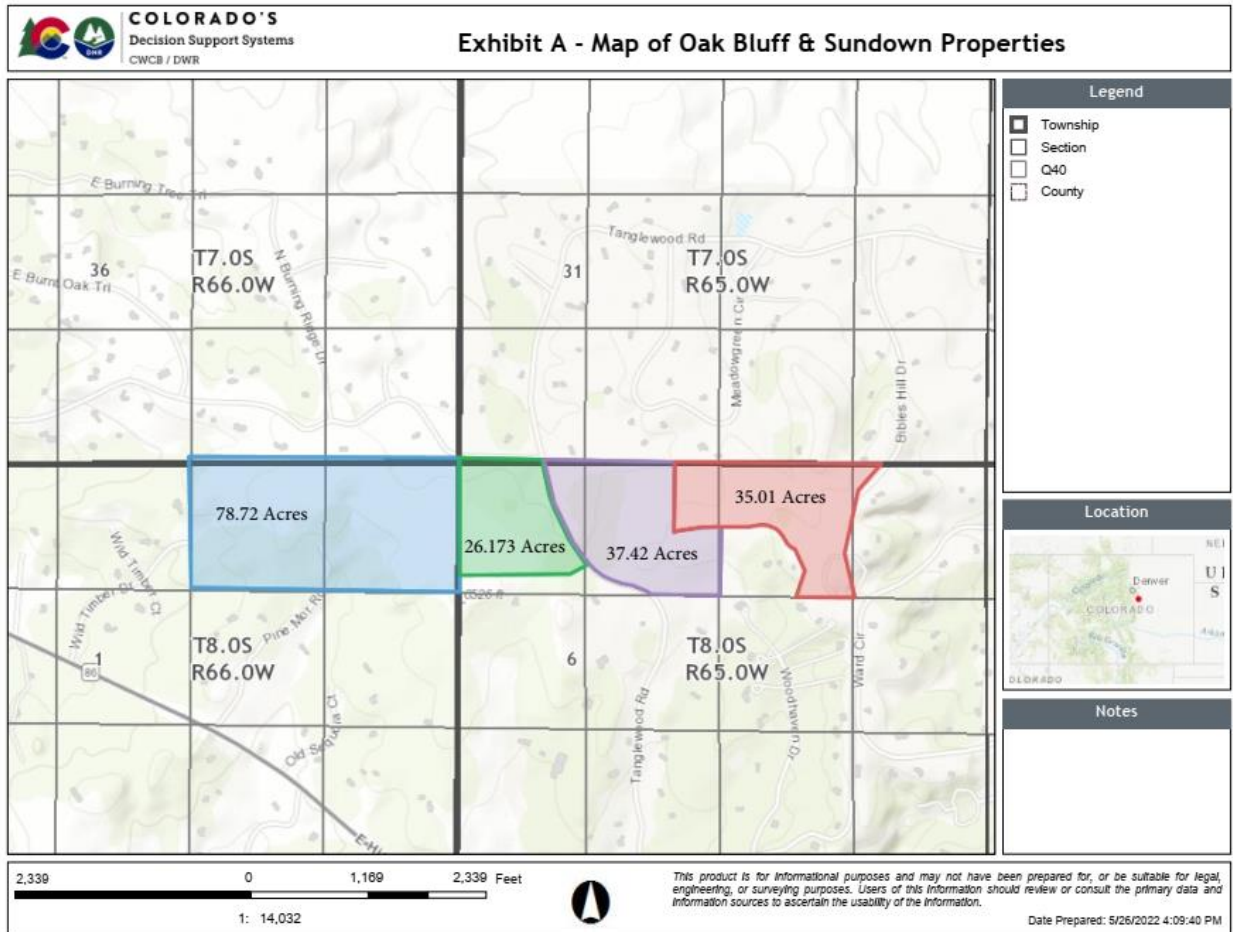
John S. Cowan
Water Referee
Water Division One

The Court finds that no protest was filed in this matter. The foregoing is confirmed and is made the judgment and decree of this Court.

Date: October 27, 2022



Shannon Lyons
Alternate Water Judge
Water Division One



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EXHIBIT A

Oak Bluff & Sundown Properties – Legal Descriptions

78.72 Acres – Oak Bluff Subdivision – Legal Description

N1/2 NE1/4, Section 1, Township 8 South, Range 66 West of the 6th P.M.

26.173 Acres – Oak Bluff Subdivision – Legal Description

A part of the W1/2 of Section 6, Township 8 South, Range 65 West of the 6th P.M., being more particularly described as follows: Commencing at the NW corner of said Section 6, said point being the point of beginning; thence South 88 degrees 47 minutes 54 seconds West and along the North line of the NW¼ of said Section 6, a distance of 814.21 feet to a point on the centerline of an 80.00 foot wide ingress and egress easement; thence Southerly distance of 299.99 feet to a point of curve; 2. Along a curve to the left have a delta of 11 degrees 14 minutes 18 seconds, a radius of 1,016.35 feet, a distance of 199.35 feet measured along the arc to a point of tangent; 3. South 24 degrees 07 minutes 28 seconds East, a distance of 295.52 feet to a point of curve; 4. Along a curve to the left having a delta of 22 degrees 51 minutes 10 seconds, a radius of 406.95 feet, a distance of 162.31 feet measured along the arc to a point of reverse curve; 5. Along a curve to the right having a delta of 14 degrees 49 minutes 25 seconds, a radius of 730.30 feet, a distance of 188.94 feet measured along the arc to a point of reverse curve; thence South 61 degrees 02 minutes 29 seconds West, a distance of 209.52 feet; thence South 89 degrees 40 minutes 30 seconds West, a distance of 1,088.84 feet to a point on the West line of the NW1/4 of said Section 6; thence North 00 degrees 19 minutes 25 seconds West, a distance of 1,152.05 feet to the point of beginning. Basis of bearing is the West center line of the NW1/4 of said Section 6, being considered to bear North 00 degrees 19 minutes 25 second West.

37.42 Acres – Sundown Subdivision – Legal Description

A tract of land situated in the Northwest ¼ of Section 6, Township 8 South, Range 65 West of the 6th Principal Meridian, Douglas County, Colorado, more particularly described as follows:

Commencing at the North 1/4 corner of Section 6 and considering the North line of the Northwest ¼ Section 6 to bear N

88°55'53"W with all bearings contained herein relative thereto;

Thence N 88°55'53"W along said North line a distance of 479.21 feet to the True Point of Beginning; Thence N 88°55'53"W along said North line a distance of 1310.70 feet to a point on the centerline of an 80 foot easement recorded at Book 636 at Page 142; Thence Southeasterly along said centerline the following 9 courses;

1. Thence S 13°01'07"E a distance of 300.00 feet to a point of curve;
2. Thence Southeasterly along the arc of a curve to the left a distance of 199.35 feet, said curve has a radius of 1016.35 feet, a central angle of 11 °14'18" to a point of tangent;
3. Thence S 24°15'27"E a distance of 295.52 feet to a point of curve;
4. Thence Southeasterly along the arc of a curve to the left a distance of 162.31 feet, said curve has a radius of 406.95 feet, a central angle of 22°51 '07" to a point of reverse curve;
5. Thence Southeasterly along the arc of a curve to the right a distance of 188.94 feet, said curve has a radius of 730.31 feet, a central angle of 14°49'25" to a point of reverse curve;
6. Thence Southeasterly along the arc of a curve to the left ° a distance of 257.09 feet, said curve has a radius of 369.42 feet, a central angle of 39 52'28" to a point of tangent;
7. Thence S 72°09'37"E a distance of 112.92 feet to a point of curve;
8. Thence Southeasterly along the arc of a curve to the right a distance of 219.63 feet, said curve has a radius of 4169.13 feet, a central angle of 3°01 '06" to a point of a compound curve;
9. Thence Southeasterly along the arc of a curve to the right a distance of 75.70 feet, said curve has a radius of 311.60 feet, a central angle of 13°55'11" to a point of nontangent;

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EXHIBIT A

Thence S 88°49'13"E a distance of 716.83 feet to a point on the East line of the Northwest¼ of Section 6;
Thence N 1°06'41"E along said East line a distance of 674.50 feet to a point on the South right of way line of a 60 foot easement;
Thence Westerly along said South right of way line the following 4 courses;

1. Thence N 88°53'53"W a distance of 34.04 feet to a point of curve;
2. Thence Westerly along the arc of a curve to the left a distance of 215.18 feet, said curve has a radius of 1470.00 feet, a central angle of 8°23'13" to a point of tangent;
3. Thence S 82°42'54"W a distance of 135.66 feet to a point of curve;
4. Thence Westerly along the arc of a curve to the left a distance of 99.75 feet, said curve has a radius of 420.00 feet, a central angle of 13°36'28" to a point of nontangent;

Thence N 1°04'07"E a distance of 691.60 feet to the Point of Beginning.

35.01 Acres – Sundown Subdivision – Legal Description

A tract of land situated in the North 1/2 of Section, Township 8 South, Range 65 West of the 6th Principal Meridian, Douglas County, Colorado, more particularly described as follows:

Beginning at the North 1/4 corner of Section 6 and considering the North line of the Northwest ¼ Section 6 to bear N 88°55'53"W with all bearings contained herein relative thereto;

Thence N 88°55'53"W along said North line a distance of 479.21 feet;

Thence S 1°04'07"W a distance of 691.60 to a point on the South right of way line of a 60 foot easement;

Thence Westerly along said South right of way line the following 9 courses;

1. Thence Easterly along the arc of a curve to the right a distance of 99.75 feet, said curve has a radius of 420.00 feet, a central angle of 13°36'28" and a cord that Bears N 75°54'40"E a distance of 99.52 to a point of tangent;
2. Thence N 82°42'54"E a distance of 135.66 feet to a point of curve;
3. Thence Easterly along the arc of a curve to the Right a distance of 215.18 feet, said curve has a radius of 1470.00 feet, a central angle of 8°23'13" to a point of tangent;
4. Thence S 88°53'53"E a distance of 264.50 feet to a point of curve;
5. Thence Easterly along the arc of a curve to the left a distance of 16.64 feet, said curve has a radius of 500.00 feet, a central angle of 1°54'26" to a point of tangent;
6. Thence N 80°19'56"E a distance of 119.06 feet to a point of curve;
7. Thence Southeasterly along the arc of a curve to the right a distance of 290.99 feet, said curve has a radius of 230.00 feet, a central angle of 72°29'20" to a point of tangent;
8. Thence S 27°12'34"E a distance of 25.30 feet to a point of curve;
9. Thence Southeasterly along the arc of a curve to the left a distance of 140.13 feet, said curve has a radius of 199.00 feet, a central angle of 40° 20'47" to a point of nontangent;

Thence S 25°22'25"E a distance of 232.32 feet;

Thence S 18°19'51"W a distance of 278.59 feet;

Thence S 89°29'09"E a distance of 576.25 feet;

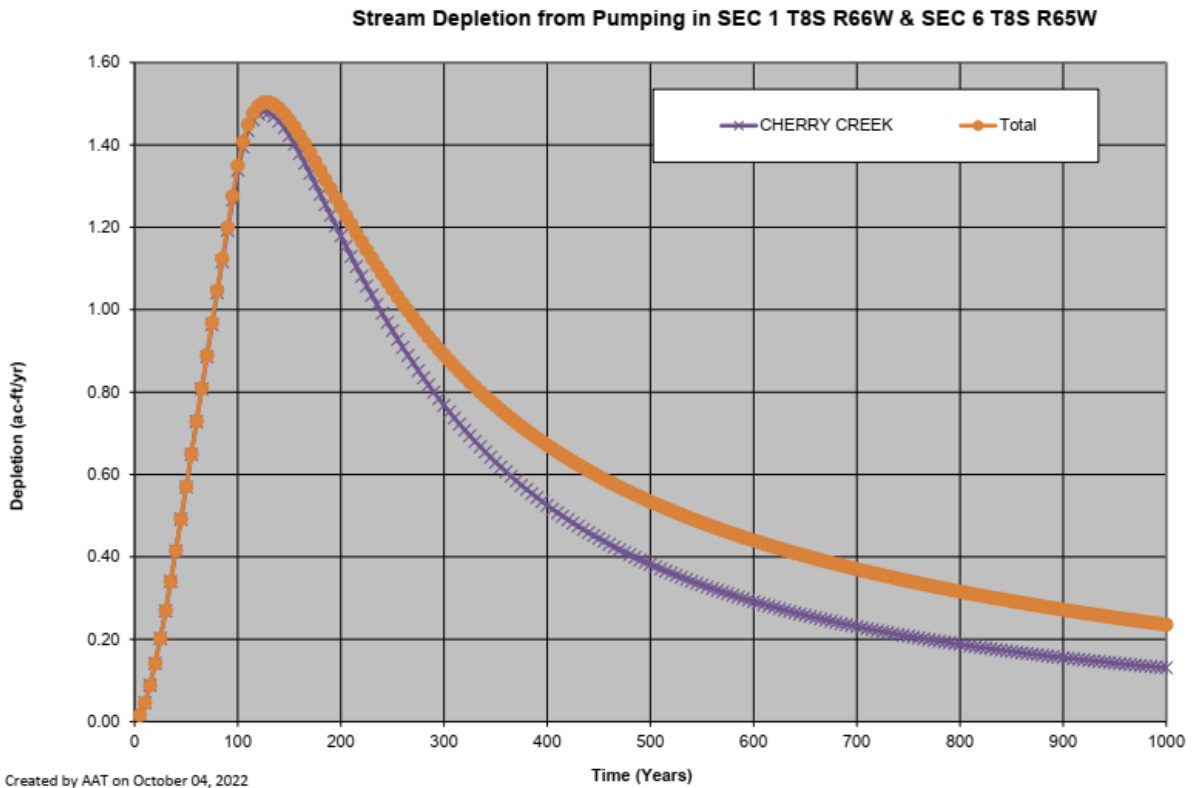
Thence N 13°28'32"W a distance of 450.11 feet;

Thence N 12°44'04"E a distance of 633.61 feet;

Thence N 42°22'33"E a distance of 350.63 feet to a point on the North line of the Northeast¼ of section 6; Thence N 89°29'42"W along said North line a distance of 1567.21 feet to the Point of Beginning.

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EXHIBIT A



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EXHIBIT B

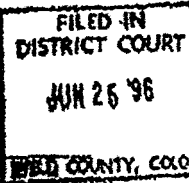
CENTRAL FILES

DISTRICT COURT, WATER DIVISION 1, COLORADO

RECEIVED

Case No. 95CW288

AUG 01 1996



WATER RESOURCES
STATE ENGINEER
COLORADO

FINDINGS OF FACT, CONCLUSIONS OF LAW, RULING OF THE REFEREE,
JUDGMENT AND DECREE

CONCERNING THE APPLICATIONS FOR WATER RIGHTS OF CARROLL LAND
COMPANY, INC. AND THE ESTATE OF WALLACE E. CARROLL,

IN DOUGLAS COUNTY.

This claim for for nontributary and not nontributary groundwater and approval of plan for augmentation, having been filed on December 29, 1995, and all matters contained in the application having been reviewed, and testimony having been taken where such testimony is necessary, and such corrections made as are indicated by the evidence presented herein, the following is hereby the Ruling of the Referee as follows:

FINDINGS OF FACT

1. Name, address and telephone number of Applicants:

Carroll Land Company, Inc. and the Estate of Wallace E. Carroll
c/o 6300, South Syracuse Way, Suite 300
Englewood, Colorado 80111
(303) 773-2800

2. No statements of opposition were filed and the time for filing of such statements has expired.

3. Subject matter jurisdiction: Timely and adequate notice of the application was published as required by statute, and the Court has jurisdiction over the subject matter of this proceeding and over the parties affected hereby, whether they have appeared or not.

APPROVAL OF GROUNDWATER RIGHTS

4. Aquifers and location of ground water: Applicants seek a decree for rights to all ground water recoverable from the not nontributary Upper Dawson and nontributary Lower Dawson, Denver, Arapahoe and Laramie-Fox Hills aquifers underlying two noncontiguous parcels of land. Parcel A is comprised of approximately 190.73 acres of land, located in parts of Section 1, T88, R66W and Section 6, T88, R65W, both of the 6th P.M., as more particularly described on Attachment A hereto. Parcel B is comprised of approximately 82.28 acres of land, located in parts of Section 2, T88, R66W of the 6th P.M., as more particularly described and shown on Attachment B hereto. Both Parcels A and B are shown on Attachment C hereto and are hereafter referred to as the "Subject Property". The Subject Property is not located within the boundaries of a designated ground water basin.

5. Well locations, pumping rates and annual amounts: The ground water may be withdrawn at rates of flow necessary to efficiently withdraw the amounts decreed herein so long as the permitted rates are not exceeded. The ground water underlying Parcel A will be withdrawn through any number of wells necessary, to be located at any location on Parcel A, and the ground water underlying Parcel B will be withdrawn through any number of wells necessary, to be located at any location on Parcel B, so long as the wells are located within 200 feet of their respective permitted locations. Applicants hereby waive any 600 foot spacing rule. Applicants may withdraw Upper Dawson groundwater decreed herein as associated with Parcel A through existing well Permit No. 103741, which well is completed into the Upper Dawson aquifer as described in the Determination of Facts for the Upper Dawson dated February 9, 1996. Applicants will apply for a new well permit for the existing well to change the well from an exempt to a fee well to withdraw the Upper Dawson groundwater decreed herein. The estimated annual amounts available for withdrawal underlying Parcels A and B are as follows:

PARCEL A

Aquifer	Saturated Thickness	Amount
Upper Dawson	150 feet	44.2 acre-feet (NNT)*
Lower Dawson	63 feet	24.0 acre-feet (NT)

Ruling and Decree 95CW288

Denver	200 feet	61.8 acre-feet(NT)
Arapahoe	275 feet	89.2 acre-feet(NT)
Laramie-Fox Hills	195 feet	55.8 acre-feet(NT)

*Amount reduced for Permit No. 103741 pursuant to the Determination of Facts for this aquifer, and reduced by 12 acre-feet per year for uses which are legally available pursuant to Section 37-92-602, C.R.S., on four 47.68 acre tracts of land. The amount of excluded groundwater for use through these exempt wells is approximately 1200 acre-feet from the total amount of groundwater available in the Upper Dawson aquifer underlying Parcel A, or 6.29 acre-feet per surface acre.

PARCEL B

Aquifer	Saturated Thickness	Amount
Upper Dawson	98 feet	10.1 acre-feet(NNT) *
Lower Dawson	46 feet	7.6 acre-feet(NT)
Denver	250 feet	35.0 acre-feet(NT)
Arapahoe	270 feet	37.8 acre-feet(NT)
Laramie-Fox Hills	190 feet	23.4 acre-feet(NT)

*Amount reduced by 6 acre-feet per year for uses which are legally available pursuant to Section 37-92-602, C.R.S., on two 41.14 acre tracts of land. The amount of excluded groundwater for use through these exempt wells is approximately 600 acre-feet from the total amount of groundwater available in the Upper Dawson aquifer underlying Parcel B, or 7.29 acre-feet per surface acre.

The amounts conform with the values and amounts referenced in the State Engineer's Determination of Facts dated February 9, 1996.

6. Proposed Use: The water withdrawn from the subject aquifers will be used, reused, successively used, and after use leased, sold, or otherwise disposed of for the following beneficial purposes: municipal, domestic, industrial, commercial, irrigation, stock watering, recreational, fish and wildlife, and any other beneficial purpose, both on and off the Subject Property. Said water will be produced for immediate application to said uses, for storage and subsequent application to said uses, for exchange purposes, for replacement of depletions resulting from the use of water from other sources, and for augmentation purposes.

7. Final average annual amounts of withdrawal:

A. Final determination of the applicable average saturated sand thicknesses and resulting average annual amounts available to Applicants will be made pursuant to the retained jurisdiction of this Court, as described in paragraph 25 below. The court shall use the acre-foot

amounts in paragraph 5 herein in the interim period, until a final determination of water rights is made.

B. The allowed annual amount of ground water which may be withdrawn through the wells specified above and any additional wells, pursuant to 37-90-137(10), C.R.S., may exceed the average annual amount of withdrawal decreed herein for that aquifer, as long as the total volume of water withdrawn through such wells and any additional wells therefor subsequent to the date of this decree does not exceed the product of the number of years since the date of the issuance of any well permits or the date of this decree, whichever is earliest in time, multiplied by the average annual amount of withdrawal decreed herein for that aquifer, as specified above or as determined pursuant to the retained jurisdiction of the Court. However, amounts set forth in well permits will not be exceeded.

8. Source of ground water and limitations on consumption:

A. The ground water to be withdrawn from the Lower Dawson, Denver, Arapahoe and Laramie-Fox Hills aquifers in "nontributary groundwater" as defined in 37-90-103(10.5), C.R.S., and in the Denver Basin Rules, the withdrawal of which will not, within 100 years, deplete the flow of a natural stream, including a natural stream as defined in 37-82-101(2) and 37-92-102(1)(b), C.R.S., at an annual rate greater than 1/10 of 1% of the annual rate of withdrawal. The ground water to be withdrawn from the Upper Dawson aquifer is "not nontributary" as defined in 37-90-137(9)(c), C.R.S. and such water may be withdrawn pursuant to the plan for augmentation approved herein.

B. Applicants may not consume more than 98% of the annual quantity of water withdrawn from the nontributary Lower Dawson, Denver, Arapahoe and Laramie-Fox Hills aquifers. The relinquishment of 2% of the annual amount of water withdrawn to the stream system, as required by the Denver Basin Rules effective January 1, 1986, may be satisfied by any method selected by the Applicants and accepted as satisfactory to the State Engineer, so long as Applicants can demonstrate that an amount equal to 2% of such withdrawals (by volume) have been relinquished to the stream system.

C. There is unappropriated groundwater available for withdrawal from the subject aquifers beneath the Subject Property, and the vested water rights of others will not be materially injured by such withdrawals as described herein. Withdrawals hereunder are allowed on the basis of an aquifer life of 100 years, assuming no substantial artificial recharge within 100 years. No material injury to vested water rights of others will result from the issuance of permits for wells which will withdraw nontributary groundwater or the exercise of the rights and limitations specified in this decree.

9. Additional wells and well fields:

A. Applicants may construct additional and replacement wells in order to maintain levels of production, to meet water supply demands or to recover the entire amount of groundwater in the subject aquifers underlying the Subject Property. As additional wells are planned, applications shall be filed in accordance with 37-90-137(10), C.R.S. However, water underlying Parcels A and B will only be withdrawn through wells located on each specific parcel.

B. Two or more wells constructed into a given aquifer on a specific parcel shall be considered a well field. In effecting production of water from such well field, Applicants may produce the entire amount which may be produced from any given aquifer through any combination of wells within the well field.

C. In considering applications for permits for wells or additional wells to withdraw the groundwater which is the subject of this decree, the State Engineer shall be bound by this decree and shall issue said permits in accordance with provisions of 37-90-137(10), C.R.S., subject to paragraph 5 herein.

D. In the event that the allowed average annual amounts decreed herein are adjusted pursuant to the retained jurisdiction of the Court, Applicants shall obtain permits to reflect such adjusted average annual amounts prior to withdrawing the adjusted amounts. Subsequent permits for any wells herein shall likewise reflect any such adjustment of the average annual amounts decreed herein.

E. The water in the Upper Dawson aquifer is not nontributary and up to 54.3 acre-feet per year and no more than 54.3 acre-feet total may be withdrawn pursuant to the augmentation plan decreed herein.

APPROVAL OF PLAN FOR AUGMENTATION

10. Approval of plan for augmentation:

A. Water to be augmented: Up to 44.2 acre-feet per year and 10.1 acre-feet per year of not nontributary Upper Dawson aquifer, underlying Parcels A and B, respectively.

B. Water to be used for augmentation: Return flows associated with use of the not nontributary Upper Dawson ground water and return flows or direct discharge of not nontributary or nontributary ground water decreed herein.

C. Development and Consumptive Use: The Upper Dawson aquifer groundwater may be used on the Subject Property for inhouse, stockwatering, and irrigation uses. Approximately 90% of the amount used for inhouse use and approximately 20% of water used for irrigation will return to the stream systems. All water used for stockwatering is considered to be consumed. Sewage treatment of inhouse use will be provided by non-evaporative septic systems.

D. Replacement during pumping: During pumping of the Upper Dawson ground water, Applicants will replace depletions to Cherry Creek in an amount of water equal to the actual depletions pursuant to §37-90-137(9)(c). In the 100th year, the total depletion to the stream system from withdrawals from the Upper Dawson aquifer on the Subject Property is approximately 14.472% of the amount withdrawn on an annual basis (7.86 acre-feet). Return flows from inhouse use and irrigation use accrues to Cherry Creek and those return flows are sufficient to replace actual depletions caused by pumping of up to 54.3 acre-feet per year from the Upper Dawson aquifer while the wells are being pumped. However, if there is not enough inhouse use or land being irrigated to supply the necessary return flows, Applicants may be required to directly discharge the not nontributary groundwater underlying the Subject Property to Cherry Creek. Because return flows from all uses are estimated rather than measured, Applicants agree that such return flows shall be used only to replace depletions under this plan for augmentation, and will not be sold, traded or assigned in whole or in part for any other purpose.

Ruling and Decree 95CW288

E. Postpumping Depletion Augmentation: Assuming maximum pumping of 54.3 acre-feet per year from the Upper Dawson aquifer for one hundred years, the maximum depletion based on a total withdrawal of 5430 acre-feet under this plan for augmentation is 15.8694 (8.616 acre-feet) which occurs to Cherry Creek in the 119th year. It is Applicants' position that depletions which occur after pumping ceases are not injurious. The Office of the State Engineer does not agree with this position. Nevertheless, in order to reach settlement with the Office of the State Engineer, Applicants will reserve 4420 acre-feet and 1010 acre-feet of nontributary Laramie-Fox Hills water underlying Parcels A and B, respectively, decreed herein for use in this plan. The Court retains continuing jurisdiction in this matter to determine if the supply is adequate.

F. Applicants shall replace post-pumping depletions for the shortest of the following periods: the period provided by C.R.S. 37-90-137(9)(c); the expressed period specified by the Colorado Legislature, should it specify one and providing the Applicants obtain water court approval for such modification; the period determined by the State Engineer, should he choose to set such a period and have jurisdiction to do so; the period established through rulings of the Colorado Supreme Court on relevant cases, or until Applicants petition the water court and after notice to the State Engineer and any parties in the case and proves that he has complied with any statutory requirement.

11. Applicants shall pay the cost imposed by operation of this augmentation plan. Failure of either the Applicants or successors in interest to the Subject Property to comply with the terms of the decree may result in an order of the Division Engineer's office to curtail or eliminate pumping of the Upper Dawson groundwater. This decree shall be recorded in the real property records of Douglas County so that a title examination of the property, or any part thereof, shall reveal to all future purchasers the existence of this decree.

12. Administration of plan for augmentation:

A. Applicants shall report annually to the Division Engineer for Water Division 1 and the appropriate Water Commissioner the monthly metered withdrawals of each well, on an accounting form acceptable to the Division Engineer.

B. All withdrawals which are the subject of this decree will be metered.

C. Pursuant to 37-92-305(8), C.R.S., the State Engineer shall curtail all out-of-priority diversions, the depletions from which are not so replaced as to prevent injury to vested water rights.

D. The Applicants at the direction of the Division Engineer, shall make post pumping replacements to the Cherry Creek stream system pursuant to the amounts referenced on the depletion curve attached hereto on Attachment D.

13. Retained jurisdiction for plan for augmentation:

A. Pursuant to 37-92-304(6), C.R.S. the Court retains continuing jurisdiction over the plan for augmentation decreed herein for reconsideration of the question whether the provisions of this decree are necessary and/or sufficient to prevent injury to vested water rights of others. The Court also has jurisdiction for the purposes of determining compliance with the terms of the augmentation plan.

B. Any person seeking to invoke the retained jurisdiction of the Court shall file a verified petition with the Court. The petition to invoke retained jurisdiction or to modify the Decree shall set forth with particularity the factual basis upon which the requested decretal language to effect the petition. The party lodging the petition shall have the burden of going forward to establish prima facie facts alleged in the petition. If the court finds those facts to be established, Applicants shall thereupon have the burden of proof to show: (1) that any modification sought by Applicants will avoid injury to other appropriators, or (2) that any modification sought by Objector is not required to avoid injury to other appropriators or (3) that any term or condition proposed by Applicants in response to the Objectors' petition does avoid injury to other appropriators.

C. The Court retains jurisdiction for the purpose of determining whether the continued reservation of the nontributary water for use on the property is required. IF

Applicants can demonstrate to the Court or by agreement with Objector that post-pumping depletions need no longer be replaced, the court may remove the requirement that the Laramie-Fox Hills nontributary water described above must be reserved.

CONCLUSIONS OF LAW

14. The Water Court has jurisdiction over this proceeding pursuant to 37-90-137(6), C.R.S. This Court concludes as a matter of law that the application herein is one contemplated by law, Section 37-90-137(4), C.R.S. The application for a decree confirming Applicant's right to withdraw and use all unappropriated ground water from the nontributary aquifers beneath the property as described herein pursuant to 37-90-137(4), C.R.S., should be granted, subject to the provisions of this decree. The application for a decree confirming Applicant's right to withdraw and use all ground water from the Upper Dawson aquifer should be granted pursuant to 37-90-137(4) and (9)(c), C.R.S., subject to the provisions of this decree. The withdrawal of up to 54.3 acre-feet annually of the Upper Dawson aquifer water in accordance with the terms of this decree will not result in material injury to vested water rights of others. Applicants shall apply for a new well permit for the existing well Permit No. 103741 to allow that well to withdraw Upper Dawson aquifer groundwater decreed herein.

15. This plan for augmentation satisfies the requirements of 37-90-137(9)(c), C.R.S. for replacement of actual depletions to the affected stream systems for withdrawals of up to 54.3 acre-feet per year and no more than 5430 acre-feet total from the Upper Dawson aquifer.

16. The rights to ground water determined herein shall not be administered in accordance with priority of appropriation. Such rights are not "conditional water rights" as defined by 37-92-103(6), C.R.S., requiring findings of reasonable diligence are not applicable to the ground water rights determined herein. The determination of ground water rights herein need not include a date of initiation of the withdrawal project. See 37-92-305(11), C.R.S.

JUDGMENT AND DECREE

The Findings of Fact and Conclusions of Law set forth above are hereby incorporated into the terms of this Ruling and Decree as if the same were fully set forth herein.

17. Full and adequate notice of the application was given and the Court has jurisdiction over the subject matter, and over the parties whether they have appeared or not.

18. For purposes of jurisdiction in this case, § 37-92-302(2), C.R.S., does not require that the application be supplemented with a well permit or evidence of its denial.

19. The Applicants may withdraw the subject ground water herein through wells to be located anywhere on the property, in the average annual amounts and at the estimated average rates of flow specified herein, subject to paragraph 5 above, and the retained jurisdiction by this Court.

20. Applicants may withdraw up to 54.3 acre-feet per year and no more than 5430 acre-feet total of net nontributary ground water from the Upper Dawson aquifer under the plan for augmentation decreed herein pursuant to § 37-90-137(9)(c), C.R.S.

21. Applicants has complied with all requirements and met all standards and burdens of proof, including but not limited to §§37-90-137(9)(a), 37-92-103(9), 37-92-302, 37-92-304(6), 37-92-305(1), (2), (3), (4), (6), (8) and (9), C.R.S., to adjudicate their plan for augmentation, and is therefore entitled to a decree confirming and approving their plan for augmentation as described in the findings of fact.

22. Pursuant to section 37-92-305(5), C.R.S., the replacement water herein shall be of a quality so as to meet the requirements for which the water of the senior appropriator has normally used.

23. The proposed plan for augmentation as described in the findings of fact, is hereby approved, confirmed and adjudicated, including and subject to the terms and conditions specified herein.

24. No owners of, or person entitled to use water under a vested water right or decreed conditional water right will be injured or injuriously affected by the operation of the plan for augmentation as decreed herein.

25. Retained Jurisdiction:

A. The Court retains jurisdiction as necessary to adjust the average annual amounts of groundwater available under the property to conform to actual local aquifer characteristics as determined from adequate information obtained from wells, pursuant to § 37-92-305(11), C.R.S. Within 60 days after completion of any well decreed herein, or any test hole(s), Applicants or any successor in interest to these water rights shall serve copies of any geophysical or other log(s) obtained from such well or test hole(s) upon the State Engineer.

B. At such time as adequate data is available, any person including the State Engineer may invoke the Court's retained jurisdiction to make a finding and determination of water rights availability. Within four months of notice that the retained jurisdiction for such purpose has been invoked, the State Engineer shall use the information available to him to make a final finding and determination of water rights availability. The State Engineer shall submit such finding to the Water Court and to the Applicants.

C. If no protest to such finding is made within 60 days, the Final Determination of Water Rights shall be incorporated into the decree by the Water Court. In the event of a protest, or in the event the State Engineer makes no determination within four months, such final determination shall be made by the Water Court after notice and hearing.

26. Continuing Jurisdiction.

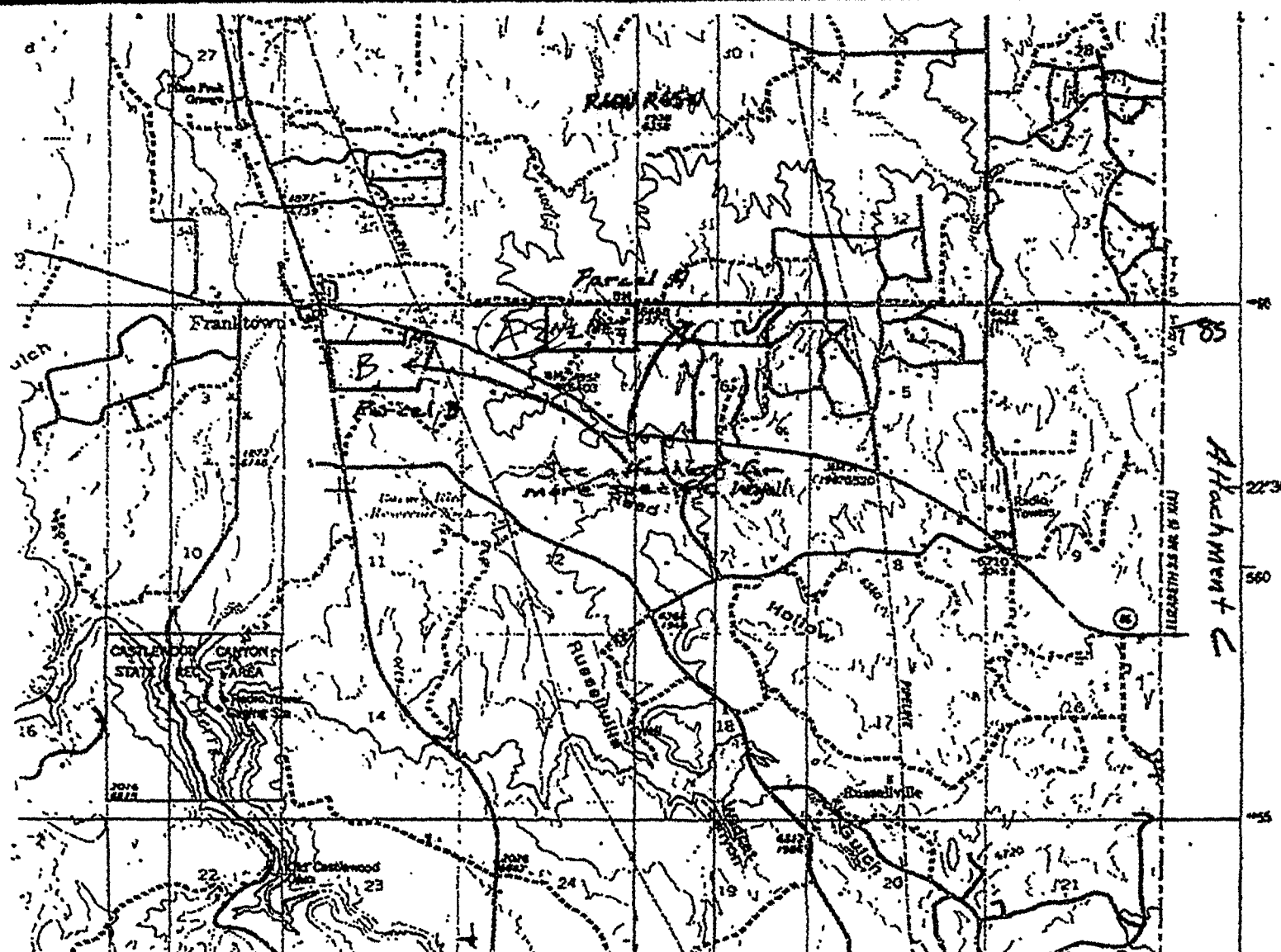
A. Pursuant to § 37-92-304(6), C.R.S. the court retains continuing jurisdiction over the plan for augmentation decreed herein for reconsideration of the question whether the provisions of this decree are necessary and/or sufficient to prevent injury to vested water rights of others. The court also retains continuing jurisdiction for the purposes of determining compliance with the terms of the augmentation plan, or for the purpose of amending this decree to provide for a different type of wastewater treatment.

Dated this 25 day of June, 1996.


Raymond S. Liesman
Water Referee
Water Division 1

THE COURT DOETH FIND THAT NO PROTEST WAS FILED IN THIS
MATTER, THEREFOR THE FOREGOING RULING IS CONFIRMED AND
APPROVED, AND IS HEREBY MADE THE JUDGMENT AND DECREE OF THIS
COURT.

Dated: July 25, 1996 
Jonathan W. Hays
Water Judge
Water Division 1



Attachment C

EXHIBIT B

DISTRICT COURT, WATER DIVISION 1, COLORADO Court Address: P.O. Box 2038 Greeley, Colorado 80632	DATE FILED: December 2, 2015 11:01 AM CASE NUMBER: 2015CW3059
CONCERNING THE APPLICATION FOR WATER RIGHTS OF: CARROLL LAND COMPANY AND FRANKTOWN DEVELOPMENT COMPANY, Applicants, IN DOUGLAS COUNTY.	Δ COURT USE ONLY Δ Case Number: 2015CW3059
FINDINGS OF FACT, CONCLUSIONS OF LAW, RULING OF THE REFEREE, AND JUDGMENT AND DECREE OF THE WATER COURT	

A claim for approval of change of water right was filed in this case on May 29, 2015. All matters contained in the application having been reviewed, testimony having been taken where such testimony is necessary, and such corrections made as are indicated by the evidence presented herein, the following is hereby the Ruling of the Referee:

FINDINGS OF FACT

1. Name and address of Applicant:

 Carroll Land Company and Franktown Development Company
 7505 Village Square Drive, #200
 Castle Pines, CO 80108
2. Opposers: No statements of opposition have been filed, and the time for filing of such statements has expired.
3. Subject matter jurisdiction: Timely and adequate notice of the application was published as required by statute, and the Court has jurisdiction over the subject matter of this proceeding and over the parties affected hereby, whether they have appeared or not.
4. Decree information: Case No. 95CW288, Water Division 1, decreed on July 25, 1996. The property which is the subject of the decree is approximately 273 acres located in parts of Sections 1 and 2, T8S, R66W, and Section 6, T8S, R65W of the 6th P.M., as shown on Attachment A (Subject Property).
5. Decreed change: In Case No. 95CW288, an augmentation plan was approved for the use of 54.3 acre-feet per year of not nontributary Upper Dawson aquifer groundwater for in-house, stock watering and irrigation uses. The decree also requires that an equal amount of nontributary

Laramie-Fox Hills aquifer groundwater be reserved for future use in the plan. By this change the augmentation plan is revised to reduce the annual amount of Upper Dawson aquifer groundwater which may be withdrawn pursuant to the plan for augmentation decreed in Case No. 95CW288 to 18.7 acre-feet per year. Also pursuant to this change, the amount of nontributary aquifer groundwater reserved for use in the augmentation plan is reduced to 18.7 acre-feet per year and 1870 acre-feet total.

6. No other parts of the decree in Case No. 95CW288 are changed herein.

CONCLUSIONS OF LAW

7. This Court has jurisdiction over the subject matter of these proceedings and over all who may be affected thereby, whether they have chosen to appear or not pursuant to Section 37-92-302, 37-92-304, and 37-92-305, C.R.S.

8. Timely and adequate notice of the pendency of this action was given in the manner provided by law.

9. The change of water rights decreed herein is, as a matter of law, permissible and comes within the definitions authorized by statute.

10. The terms and conditions as set forth in this decree are adequate to prevent injury to the owners of, or persons entitled to use, water under a vested water right or a decreed conditional water right pursuant to Section 37-92-305, C.R.S.

11. Pursuant to Section 37-92-304(6), C.R.S., the Court retains continuing jurisdiction over the plan for augmentation as decreed in Case No. 95CW288 for reconsideration of the question of whether the provisions of this decree are necessary and/or sufficient to prevent injury to vested water rights of others. The Court also retains continuing jurisdiction for the purpose of determining compliance with the terms of the augmentation plan associated with the water herein.

JUDGMENT AND DECREE

12. The foregoing Findings of Fact and Conclusions of Law are fully incorporated herein.

Carroll Land Company, et al.
15CW3039
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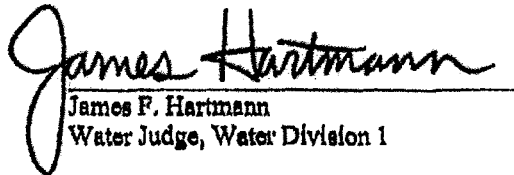
Date: November 9, 2015



John S. Cowan
Water Referee
Water Division 1

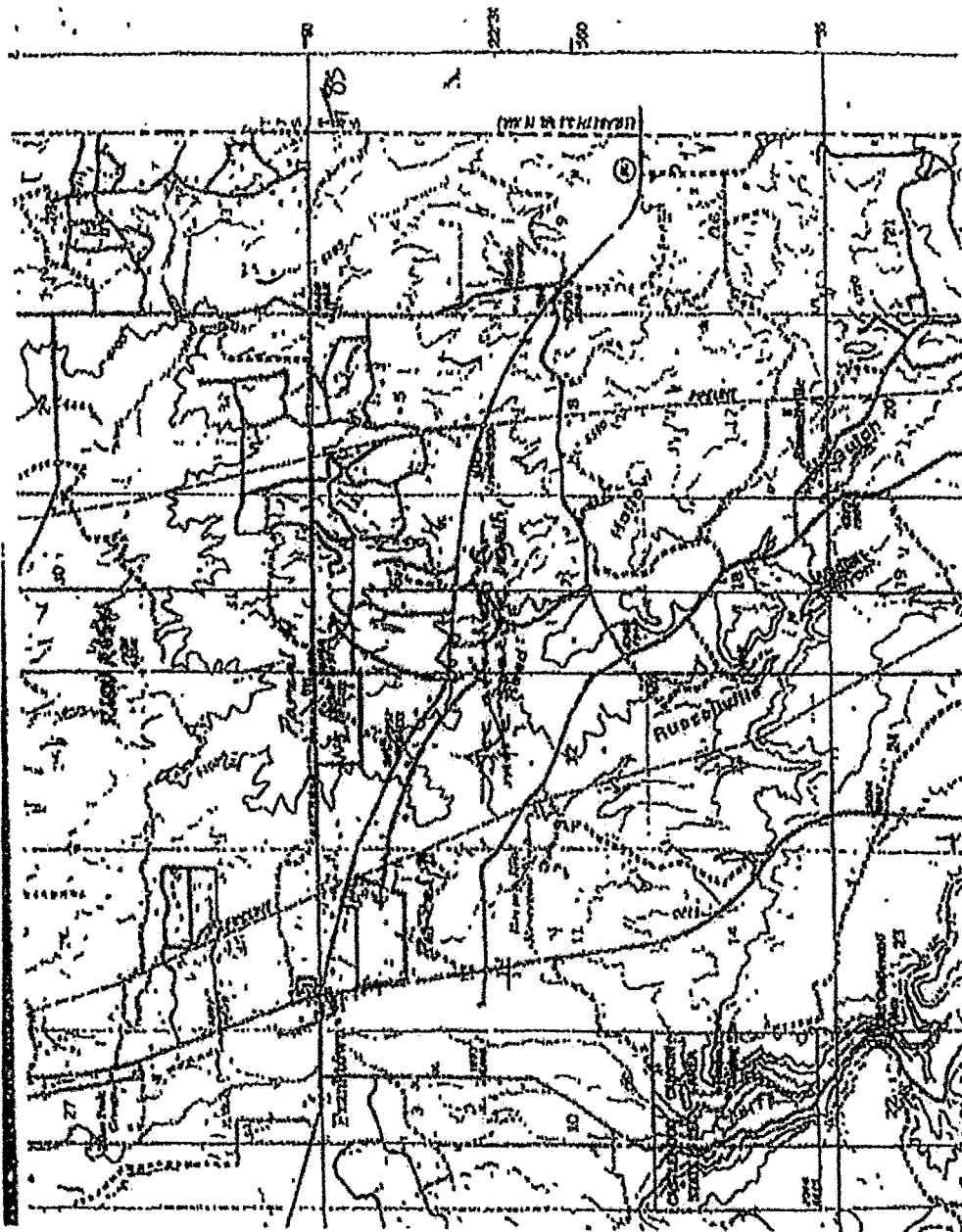
The court finds that no protest was filed in this matter. The foregoing ruling is confirmed and approved, and is made the judgment and decree of this Court.

Date: December 2, 2015.



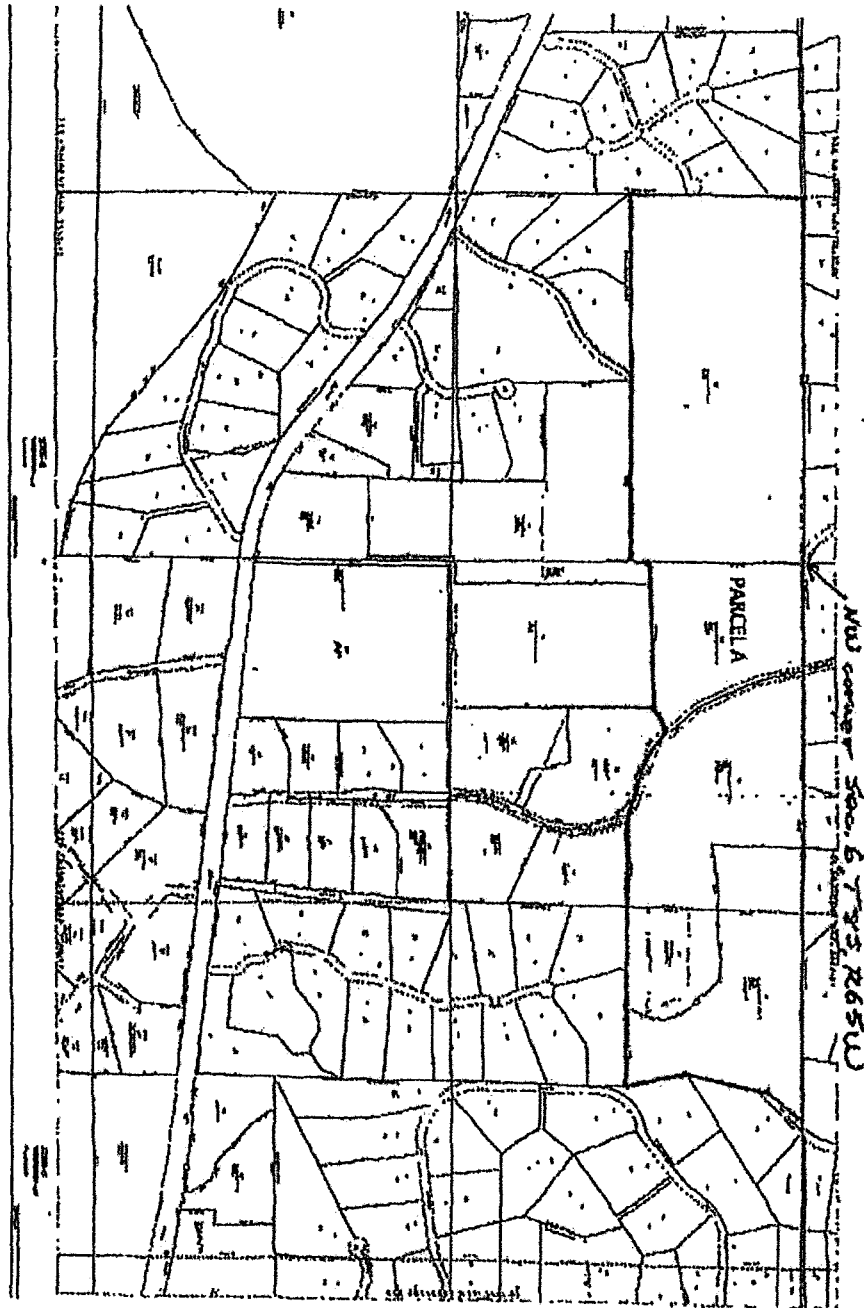
James F. Hartmann
Water Judge, Water Division 1

Carroll Land Company, et al.
15CW3059
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Carroll Land Company, et al.
15CW3059

ATTACHMENT A-1



Carroll Land Company, et al.
15CW3059

ATTACHMENT A-2



VICINITY MAP
 SCALE: 1" = 1000'-0"
 SECTIONS-1&6 TOWNSHIP-8 S
 RANGES-65&66 W

From: [Jill Welle](#)
To: [Matt Jakubowski](#)
Cc: phil@canyoncreekengineering.com
Subject: Approved Wildfire Mitigation Plan for Oak Bluffs and Sundown
Date: Friday, May 10, 2024 9:38:39 AM
Attachments: [Concurrence Letter WW 5-10-2024.pdf](#)
[FMPOBS22224-1-1REV.docx](#)

Matt and Phil,
Here is a copy of the approved wildfire mitigation plan and concurrence letter from the consulting forester.

JILL

Jill Welle, CWMS
Wildfire Mitigation and Resilience Coordinator
Douglas County Building Division
100 Third Street
Castle Rock, CO 80104
720-733-6924



William R Williams, CF
969 Carr Street
Lakewood, Colorado 80214-5018
303-205-1915
303-478-1054

May 7, 2024

To whom it may concern:

I have reviewed the fire mitigation plan prepared by Colten Hardy (High Prairie Tree and Turf) for the proposed Sundown and Oak Bluff subdivisions in Douglas County.

The plan describes the vegetation on the site, describes the fire risk, and proposes vegetation management treatments. The treatment prescriptions are valid for the vegetation conditions present.

Contact me if you have any questions.

William R Williams
Digitally signed by William R Williams
DN: cn=William R Williams, o=none, ou, email=mbw9245@comcast.net,
c=US
Date: 2024.05.09 12:36:33 -06'00'

William R. Williams
Society of American Foresters Certified Forester #977
303-205-1915
303-478-1054 (c)
Mbw9245@comcast.net



Fire Mitigation Plan

Prepared Exclusively for:

Sundown and Oak Bluff Subdivision's

Alan Westfall

303-725-1466

609 W LITTLETON BLVD STE 206

LITTLETON, CO 801202352

February 22, 2024

Prepared by:

Colten Hardy

High Prairie Tree and Turf

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Proposed Plat Location -

Sundown and Oak Bluff proposed plats are geographically located at

N39.39034726480338, W104.7158051022866

Oak Bluff Subdivision Proposed Plat- located in the Northeast one-quarter of Section 1, Township 8 South, Range 66 West of the 6th P.M. and in the Northwest one-quarter of Section 6, Township 8 South, Range 65 West of the 6th P.M., County of Douglas, State of Colorado. Oak Bluff Subdivision totals 105.06 acres with two tracts and 21 residential lots.

Sundown Subdivision Proposed Plat- located in the North one-half of Section 6, Township 8 South, Range 65 West of the 6th P.M., County of Douglas, State of Colorado. Sundown Subdivision is a proposed 71.27 acres with 21 residential lots and 3 tracts on the East side of E. Tanglewood Rd.

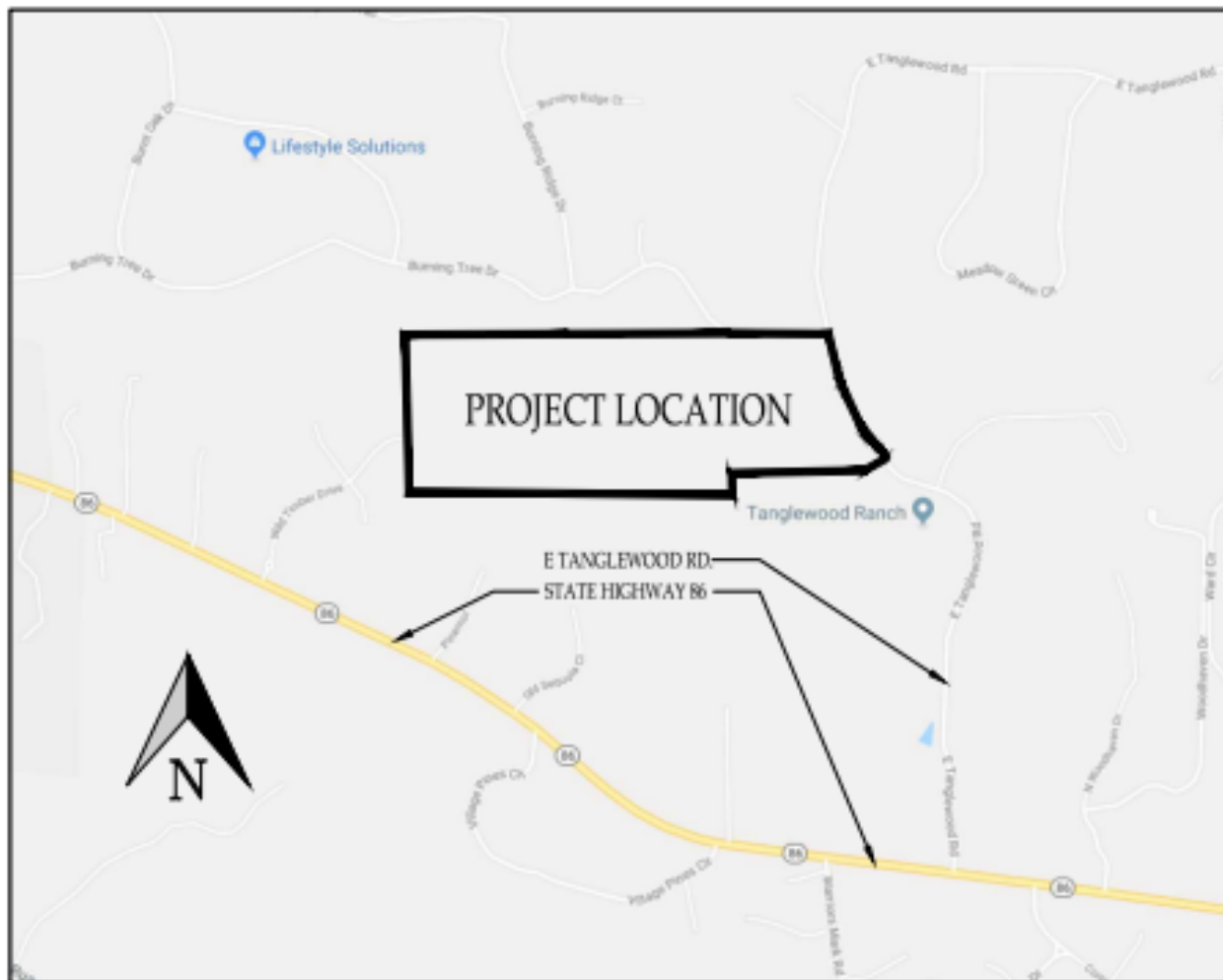


Figure 1 Oak Bluff vicinity map.

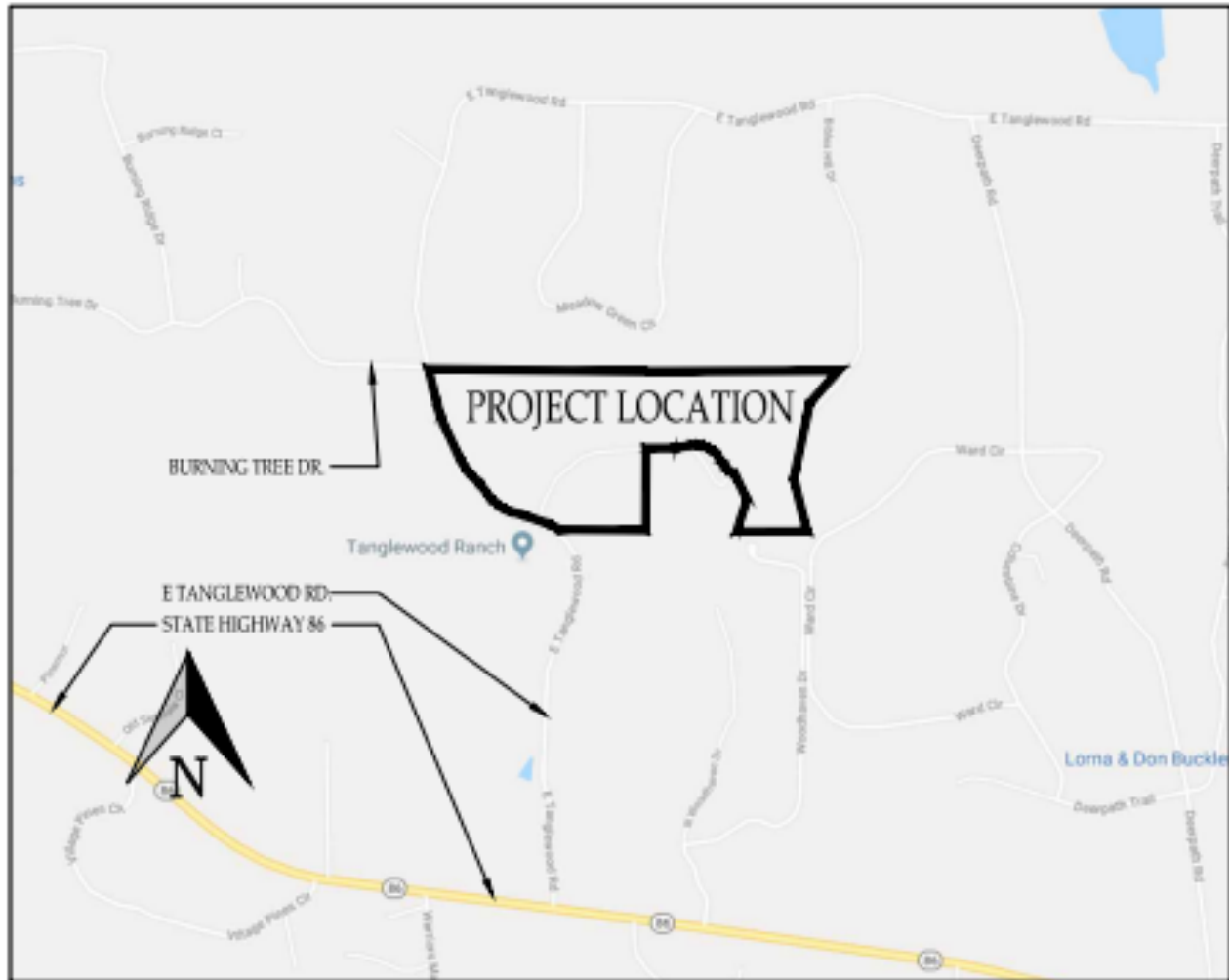


Figure 2 Sundown vicinity map.

E. Tanglewood Rd is a modified Douglas County rural local type III two lane road running North from Highway 86, 1.5 miles East of Franktown Colorado. E. Tanglewood bisects the proposed Oak Bluff and Sundown Subdivisions offering access to both via improved entrances. The entrances to both subdivisions will be offset North and South to allow better traffic sequencing for current residents and future residents. Entrances will be improved with culverts and routing for stormwater runoff. Ingress and egress easements to Tracts on Sundown Subdivision will also be accessed, when necessary, via E. Tanglewood Rd. Individual Lots 8 and 9 on Sundown Subdivision will be accessed direct via E. Tanglewood Rd.

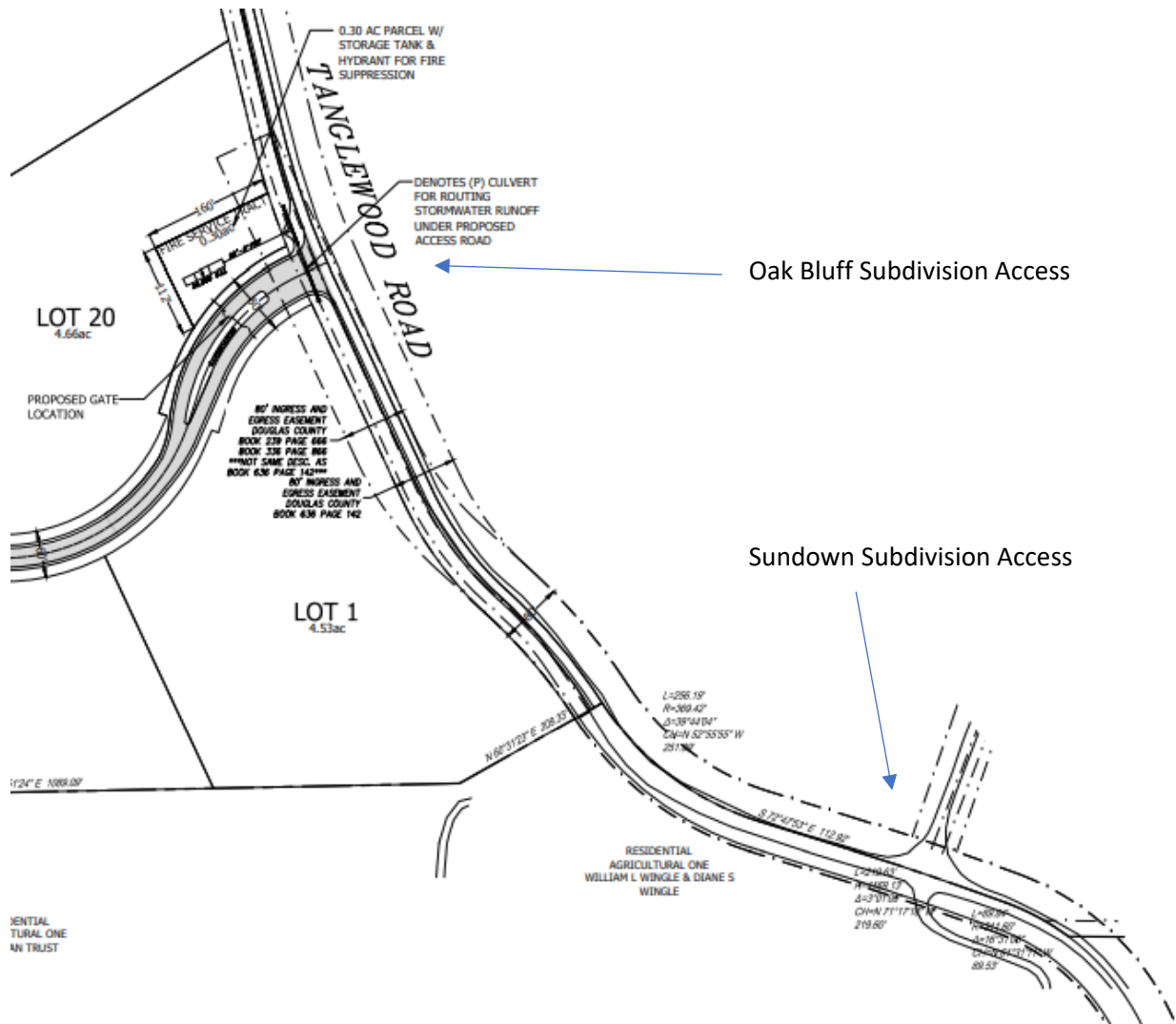


Figure 3 Improved access and traffic offset visual.

From E. Tanglewood Rd, Sundown Subdivision begins to rise softly in elevation as the property runs East. Mid growth and varying younger age class ponderosa pines border E. Tanglewood Rd. mingling with the grasslands of the upper flats further East within Sundown Subdivision. Young clumps of Gambel oak intersperse with the younger suppressed pines making a healthy but thick privacy and sound barrier along the road front. As the rise crests approximately 1,000ft to the East, Northeast of Tanglewood, the pines density thins drastically, and juvenile pine groves begin to reach skyward. The property continues East, where grass flats intermix with small clumps of widely spread, mature pines and small tufts of oak and mountain mahogany. There are three distinct groves of pines and shrubbery interspersed throughout the grasslands to the East. A small rock vein shows signs of erosion over the years, flowing North to an old, natural cattle pond. A small privately maintained dirt easement traverses to the East,

accessing a single-family property tucked in to the pines. This easement will be improved with the proposed plat.

Oak Bluff Subdivision runs West of E. Tanglewood Rd. Contrasting Sundown, Oak Bluff pines along the roadway are mature and stout, fusing with oak trees reaching over 25ft in height and over 10" in diameter. Much of this growth can be attributed to the protection of the mature pines and the water collection along the roadside. This dense pocket of mature old growth begins to give way to the younger age classes as the property rolls and elevates a quarter mile to the West. Juvenile pines provide shade along an old two-track access road that curves towards the middle grasslands of the property. Here, similar to Sundown, grass pastures interface with clumps of healthy oak brush and stands of pines. Approximately $\frac{3}{4}$ of Oak Bluff Subdivision is densely treed with mostly healthy pines and oak. The midpoint of the property is the highest, sloping softly to the East and West providing untouched views of the Rocky Mountains to the West.



Figure 4 Satellite view of proposed plats showing grasslands and forest interface with 10ft topography lines.

Proposed Layout of Plats

Sundown Subdivision will be accessed from the Southwest by a single, improved access point. The access will terminate in a single cul-de-sac with an offshoot cul-de-sac road at the halfway point, going North. Lots 8 and 9 enter direct from E. Tanglewood Rd. with the remaining lots accessed via cul-de-sac or proposed roadway. Secondary egress points in emergency situations could be accessed on the Northeast of the property. Exiting the subdivision, a South turn will take residents to State Highway 86 and a North turn will allow residents to exit to Franktown proper via Burning Tree or around to the Northwest and out to Flintwood Rd. All 17 lots will be 2 acres. Three improved ponds will be arrayed around the property in catch points to enhance runoff and erosion suppression.

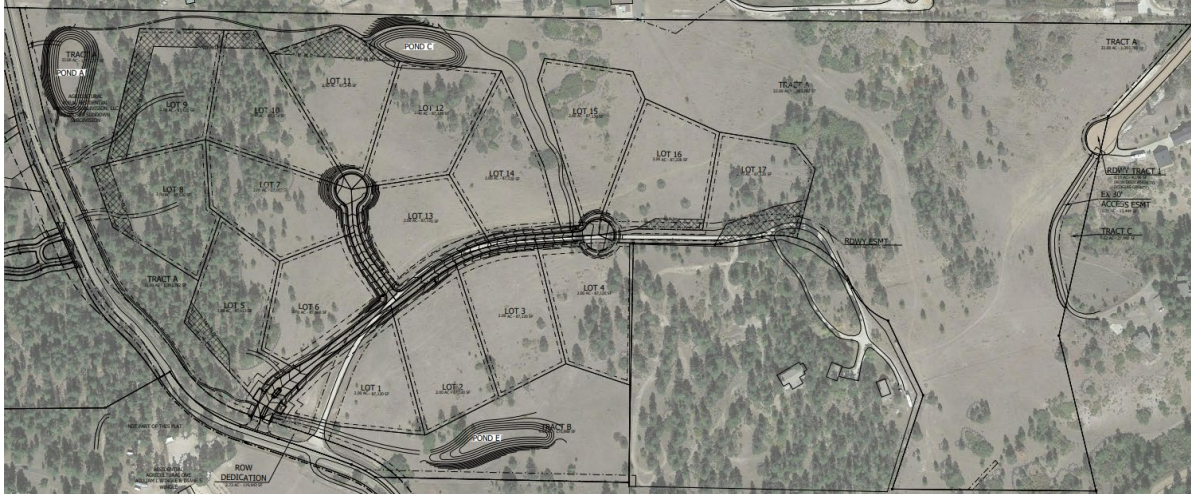


Figure 5 Sundown Subdivision proposed layout.

Oak Bluff Subdivision is proposed to have 21 lots across its 105 acres, with lots ranging from 4.53-5.83 acres. The proposed subdivision will be accessed from the central portion of the far East edge of the property with a single, long access road terminating in a cul-de-sac. There will be a secondary, gated ingress/egress at the North of the property as depicted in Figure 6. All of the lots except Lot 21 can be serviced through this gated access. To accompany the large lot sizes, some of the lots will be accessed via flag driveways. There will be 5 ponds across Oak Bluff, situated primarily along the property lines to prevent excessive runoff to neighboring properties. These ponds will help reduce overall density, crown separation and continuity between properties.

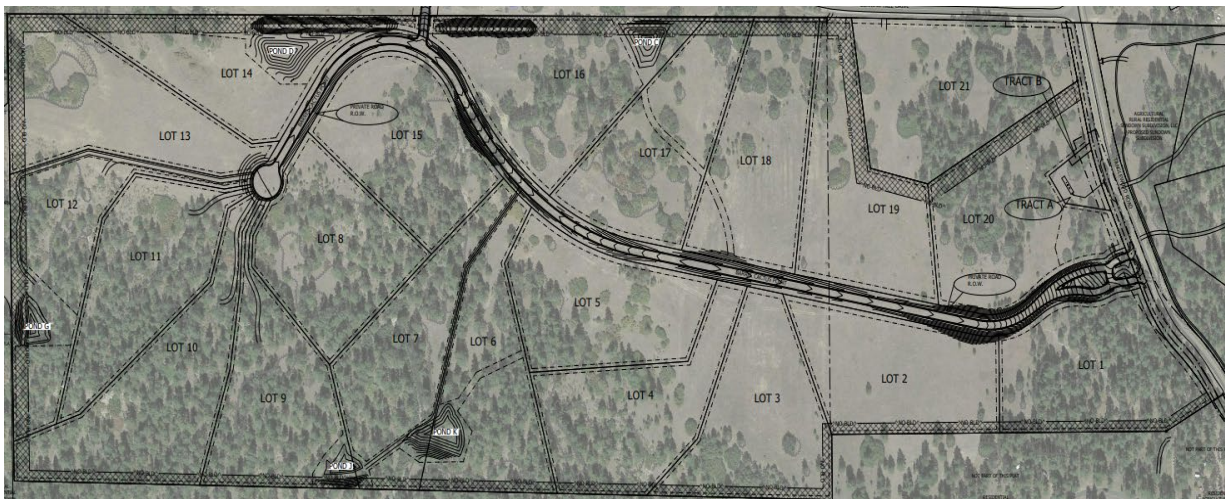


Figure 6 Oak Bluff Subdivision proposed layout.

Flora and Fauna Across the Proposed Plats

The properties, though slightly different in age classes and topography, share many similarities with the surrounding area. Both properties are populated with healthy Gambel oak, ponderosa pine, mountain mahogany, snow berry and common native grasses and forbs. This area experiences anywhere from 7-18.5" of total precipitation in a standard year, though that can change drastically with reduced or heavy snowfall. The Franktown region has experienced a prolonged drought over the last 15-years with slight reprieves in 2014, 2015 and 2023. Though rainfall has increased in some years, this area can experience torrential downpours so heavy that flash floods occur, running all water downstream and leaving the area relatively dry minus water catch areas. Because of the low precipitation averages, we find species capable of withstanding long dry summers, harsh, cold winters, and overall light moisture. These areas are where high desert plants such as ponderosa pine and Gambel oak persist, counting for the majority of flora in the proposed plats. Deer, elk, coyotes, the occasional turkey, and a multitude of rabbits call the area home, common for this region. Mule deer are the primary large mammal of the area with the occasional elk moving through. The mule deer bucks prefer to stick to the mahogany where they can keep an eye over their domain while the does prefer to relax in the shade of the oak and pine forests. A large herd of elk exists to the South of the proposed plats but typically do not inhabit the property, though several elk have been seen moving through at various times. The occasional black bear and mountain lion have been reported in the Burning Tree area.



Figure 7 Mule deer doe in forested portion, Oak Bluff.

The two plats share a total of 176.33 acres. Approximately 67 acres of the combined plats are native grasslands previously used for pasturing cattle with native grasses such as bluestem, wheatgrass, vetch, and brome especially in the forested areas and near areas of water holding.

These native grasses mix with small stands of juvenile pine and largely separated clumps of oak and mahogany.



Figure 8 Grasslands at fore with oak shrublands and forest in background.

Of the remaining acreage, 20 acres can be classified as oak shrubland. Here, especially in the Northwest of Oak Bluff and to the far East at Sundown, clumps of healthy oak mingle with dispersed pines and soft, rolling ridges adorned with fair quantities of mountain mahogany. The deer and elk in the area especially enjoy these areas, with Mule deer does and bucks often found rested amidst the mahogany on high points watching for predators and chewing cud. The oak in these areas is younger and more robust compared to that found in the pine forests. Here, the oak is dense, with supporting stems tightly wound amongst each other and little to no anthracnose or



Figure 9 Oak shrublands and juvenile pines on Sundown property.

other disease working through. Most of this oak is clumped with separation apart from its neighbors, making fuel density relatively low, outside of the clumps. These areas can be easily enhanced via mechanical mastication and light handwork to greatly reduce the overall fire threat while maintaining the integrity of the area and soils and safeguarding the privacy buffer the oak provides.

Dense middle aged pine forest with thick undergrowth of oak and mahogany makes up the remaining 87 acres of the combined properties. This pine forest has a diverse age group as you find mature, 180 year and older specimens sprinkled through the overstory, with younger up and coming age classes spread all throughout. In areas where sunlight penetrates the overstory you find juvenile pines stretching for the sky. Because of this dense overstory, many of the younger pines spread throughout are healthy overall, but suppressed and malformed, too thickly growing and pulling resources from other, more structurally sound, and properly spaced mature pines. Much of the oak and juvenile pine in this forest will need to be removed to allow greater crown separation, reduction of ladder fuels and proper spacing for future growth. On the Eastern edge of Oak Bluff, along E. Tanglewood, large diameter oak trees can be found, protected by the stalwart pines. This oak in areas is reaching 25 feet and taller, a spectacle for the domain. Great care should be given in the areas where this oak thrives, elevating it to match its pine brethren and removing surrounding ladder fuels for future protection and growth. Of mention, in Sundown subdivision, a lone Douglas fir stands watch amidst the surrounding pines.



Figure 10 Douglas fir at far left with pines, oak, and mahogany at Sundown.



Figure 11 Forested area with oak understory in pines, Sundown.

Fire Risk Assessment

Wildfire risk has grown exponentially throughout Colorado with growth, drought and associated tree mortality, climate change and human factors. The Colorado State Forest Service has made available an atlas that shows the possibility and severity of fires throughout the state. Via the CSFS fire atlas, the proposed plats are visible as fire danger hot spots. Being aware of this risk aids developers, homeowners, and planners in creating plans to reduce overall risk within the wildland-residential interface.

Utilizing the Colorado Wildfire Risk Viewer, a risk assessment was compiled and summarized based on the two proposed plats. The Annual Burn Probability of the proposed plats sits between Moderate and High when calculated via the stochastic wildfire simulation approach. Though the burn probability is currently high, the overall risk is rated low to moderate due to current density of housing, area assets and environmental asset impact if a fire occurred. As development progresses, risk will greatly increase as building density and urban assets increase as seen in the areas just North of the proposed plats with the highest risk wildland urban interface rating. Fire intensity in the area would be High, with flames reaching lengths of 30ft or more. Short range spotting would be expected with medium range spotting possible. Especially if driven by prevailing winds from the Southwest, a fire could quickly bloom and leap due to the associated ground fuels, fuel load and topography leading to preheating and dehumidifying of the fuels. Without mitigation and reduction of fuel load and risk factor, it would be recommended to

not utilize direct attack methods such as manpower and ground mobile apparatus but rather to utilize aerial assets at identified firebreaks as seen in Figures 22 and 23.

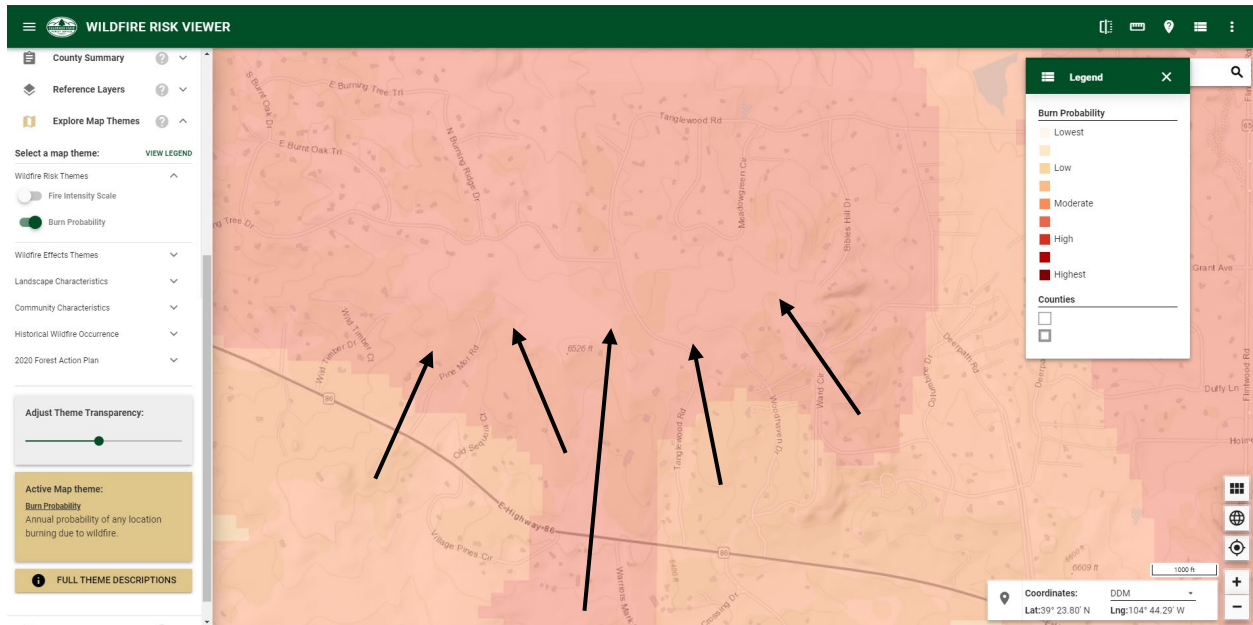


Figure 12 Burn probability map.

The Burn Probability map displays an annual burn percentage chance based on the modelling of over 3.2 million simulated burn points via Technosylva's wildfire analyst. (www.WildfireAnalyst.com) Black arrows were added to show the continuous fuel loads and potential fire running from South to North, rising with the terrain towards the proposed plats.

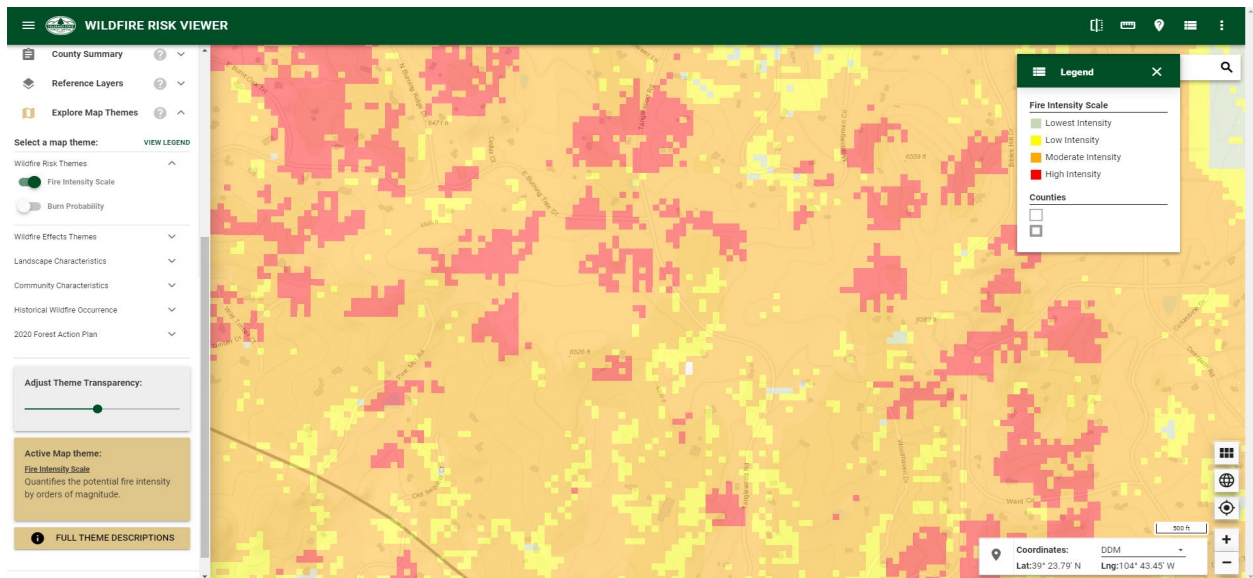


Figure 13 Class 3 and 4 fire intensity around proposed plats.

Figure 13 indicates the likely intensity and severity of a fire in the proposed plats based on fire activity and fuels. The fire behavior output is a combination of three inputs: fuel load,

weather and topography, and the spread factor; whether the fire influence is back, flank or head. The intensity is then averaged over the simulations ran for various weather conditions and compiled with weather conditions creating the largest variables within the averages. Though each simulation runs differently, the average on the proposed plats still consists of medium to high fire intensity with flames up to 30ft in length, short and medium range spotting and significant potential for danger to lives and assets.

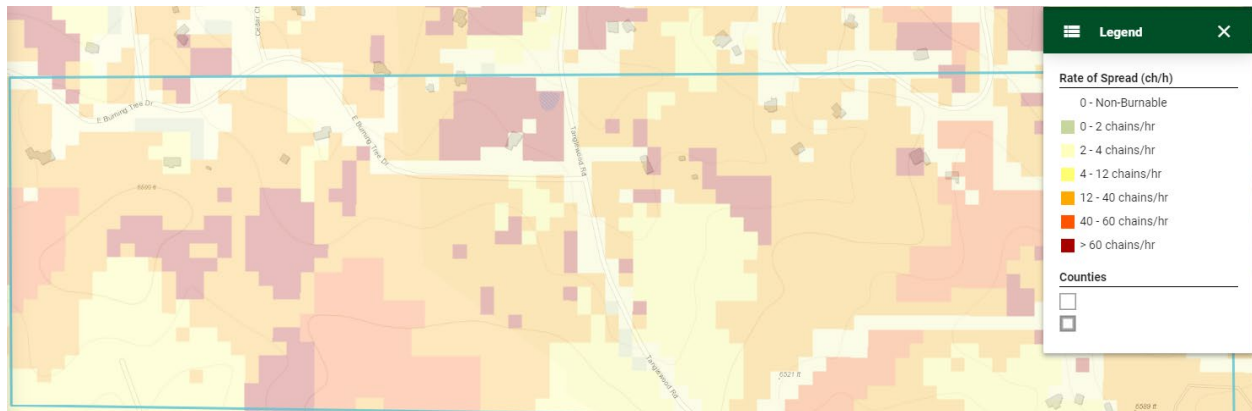


Figure 14 Rate of Spread in chains per hour. One "chain" equals 66ft. Map opaque to view roads and location.

Rate of spread, like intensity, is driven by fuels, topography, and weather. Dry, hot days with low humidity lead to the highest spikes in rate of spread calculated by the simulation. Adding cooler temperatures, higher humidity, or a combination of both can drastically reduce the RoS in the proposed plats. The rate of spread map indicates how fast fire would spread in the different fuel types of the proposed plats. In fuel loads composed of timber litter (TLML1) where fires burn in the surface and ground fuels with higher intensity due to over maturity and understory density, we see short range spotting, crowning, and torching of individual trees with a higher rate of spread. However, if a fire were to break into the different fuel loads of the grasslands and oak GS2/SH7 fuels, we see a relatively fast rate of spread but a much higher chance and distance of spotting with possibilities of spotting embers driven upwards of 3,000ft.

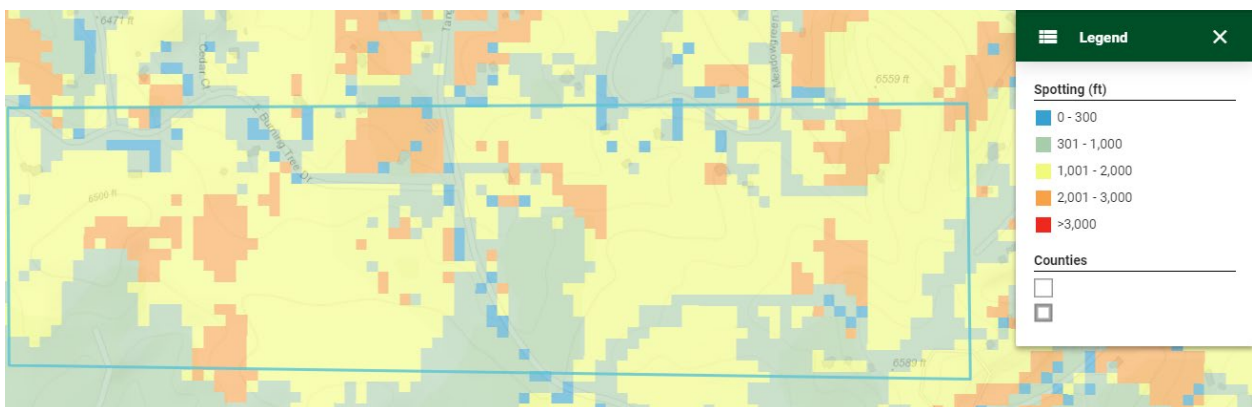


Figure 15 Spotting distance.

Fuel Loads

Fuel loads are the total amount of combustible material in a defined space and quantified by heat units or weight in combustible materials. With the advent of new technologies, scientists and foresters can utilize satellite imagery and lidar in combination with boots on the ground to identify fuel types in given areas. The proposed plats, Oak Bluff and Sundown, are primarily composed of four different fuel types:

1) TLML1, timber litter ML

Fuel loads modelled within the proposed plats include a new and updated TLML1 timber litter fuel model derived from averages created using the Wildfire Analysis tool and released in 2023. The TLML1 timber litter model was updated using newly available satellite and lidar resources that more accurately reflected the canopy density and understory fuel loads of given areas and compared to recent fires. TLML1 is characterized by mature forests, in this case pine, with dense understory vertical development and horizontal continuity. Part of the characteristic making TLML1 stand out from other timber litter loads is the inclusion of dead-down 3” or larger limb wood over dense pine duff. TLML1 fuels spread fast with shorter spotting distances. Fuels burn through the ground layer and understory, with crowning and torching of individual trees. These fuels are most dangerous in exceptionally dry, hot and windy years when understory fuels and dense ground litter are dry.



Figure 16 TLML 1 on Oak Bluff site.

2) GR2, low load dry climate grass

Annual and perennial dry grasses interspersed with light mahogany and yucca consistent with the Franktown climate make up the bulk of the GR2 fuel load present on the proposed plats. GR fuel loads, especially in the Franktown climate, are dynamic due to the shifting of fuel loads from live to dead, and the associated changing moisture content. This moisture content's effect on rate of spread and fire intensity is drastic. In GR2 the population of shrubs is low and does not impact the fire probability or behavior. The primary carrier of fire in this fuel load is a grass fuel bed averaging 1-3ft in depth, with fine dead fuel possible but not continuous, as the grass bed may be. This area is prone to fast spreading fires and medium range spotting of 1,000-2,000ft with shorter flame lengths of 6-8ft. Maintaining these areas with mowing in the future through homeowner or HOA input will help reduce fire probability and risk.



Figure 17 GR2 fuels with small pines on Sundown.

3) SH7, very high load dry climate shrub

Very heavy shrub loads driven by thick, dense oak, mahogany and accompanying litter make up the majority of SH7. Fires in SH7 spread through the shrubs and shrub litter themselves at a depth of 4-6ft, carrying throughout continuous fuels and feeding on dropped twigs, leaf beds, dried grasses, and forbs. The spread rate is very high, over 60 chains per hour, with spotting distances of 2,000-3,000ft. Fire type is passive with flame lengths very high. These heavy, dense, dry fuels and litter require significant reduction to reduce threat. Clumping oak and mahogany in these areas in mosaic groups with proper spacing is critical to reducing fire spread and extreme fire behavior.

4) GS2, moderate load dry climate grass-shrub

GS2 fuel models follow the lines of GR2 when referring to grass types but with a heavier, denser mix of shrubs. Shrub fuels are typically in the 1-3ft vertical development range surrounded by moderate, continuous grass fuel beds. The grass and shrubs carry fires in these

fuel models together, with a moderate flame length and high rate of spread. Extinction moisture in these fuel loads is low.



Figure 18 Dense portions of GS2 looking into SH7.

Future Goals

The priority goal for the future health of the proposed plats is to integrate scientifically backed mitigation techniques to drastically reduce fire danger in the area. Furthermore, due to the unique nature of the side-by-side proposed plats, to further enhance the safety of both subdivisions and the locale by integrating strategically placed fuel breaks and scientifically driven fuel reduction across both properties in accordance with DCZR Section 17. Fuels management and disruption of continuity will work together with forest management and associated practices to further develop the health of the forest with an eye towards integrating houses, safely, into the existing forest. These goals are achievable through practices used commonly nationwide in mitigation techniques including hand pruning, mechanical mastication, tree removals and fuels clumping and reduction. Because these proposed plats will be interfacing with existing unmitigated areas of neighboring homeowners, extra care should be taken to increase the robustness of fuel breaks along property borders and integrate existing topographical fuel breaks and planned infrastructure such as the proposed ponds into the planned reduction of fuels. Nearby homesites surrounding the proposed plats often have dense fuels well within established Home Ignition Zone's, creating worries when considering the effects of a wildfire. (See Living With Fire: <https://www.livingwithfire.com/get-prepared/how-to-improve-my-defensible-space/>) The purpose of this Fire Mitigation Plan is to create guidelines, a future plan and a prescription to follow within the proposed plats in order to reduce the associated risks and severity of fire to help with protection of assets and in order to make the fire mitigation maintenance of the proposed plats less demanding for future home owners. Reducing overall clump continuity and basal density, lessening ground fuels and density of fuel beds,

incorporating strategic fuel and fire breaks and building with awareness of the HIZ will all work towards reducing risk and severity of fires.

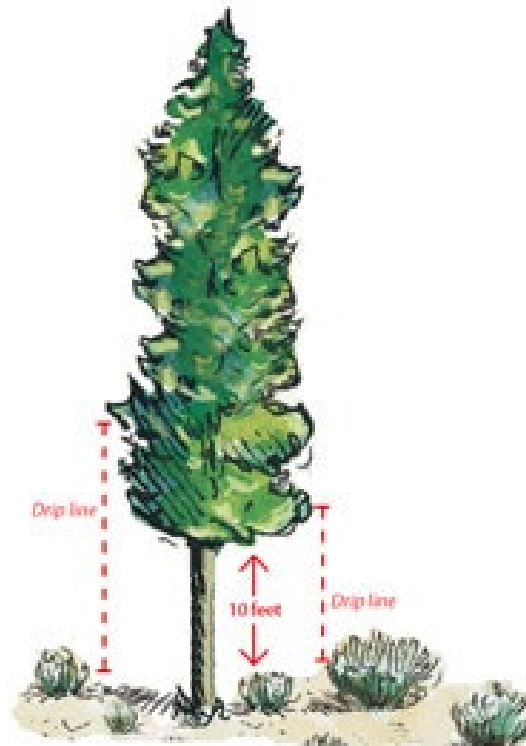


Figure 19 Showing drip line ground fuel reduction and elevation of limbs for a shaded fuel break.

Secondary to reducing overall fuels and continuity, maintaining an aesthetically pleasing visual with sight lines of the beautiful Rocky's and preserving existing privacy for the neighbors and new lot owners will be of concern. By utilizing shaded fuel breaks tied in to existing grasslands and topographical barriers, the proposed plats can integrate healthy forest and oak in to sight line buffers that both protect the integrity of the privacy of the lots and afford extra protection from fire risk. Creating a property that exemplifies the heart of semi-rural living while incorporating science backed fuels reduction will allow Oak Bluff and Sundown to seamlessly integrate into the existing home-forest interface.

Tertiary goals for Sundown and Oak Bluff include introducing home builders and lot owners to the FMP and DCZR Section 17 to better understand their role in merging the home building process and forest, post initial mitigation. Home builders and owners will need to refer to the CSFS Home Ignition Zone checklist and the FMP to ensure defensible space while maintaining the natural setting they are buying these homesites for. Home builders and lot owners can situate their building plans within the existing mitigated forest, maintaining required separation from structure and utilizing fuel breaks to reduce impact while conserving overall property values. Additional resources are made available to the developer and individual lot builders through Douglas County Wildfire Mitigation and the State Forest Service to use reduced risk building materials, landscaping practices and landscaping materials.

Fire Mitigation Prescription

Prior to development and on both proposed plats, to increase proposed plat safety and reduction of fuels and continuity within the area, the Developer will complete the following-

Primary Goal- Reducing continuity and density of fuels throughout proposed plats. Especially reducing continuity of dense, heavy timber litter and heavy shrub fuels from all property lines. Enhancing and bolstering access points for fire apparatus ingress and homeowner egress. Removing or severely reducing ladder fuels to prevent vertical fire growth. Educating home builders and lot owners through the buildout phase via FMP and reference material to promote a safe community moving forth.

1. Removal of ladder fuels over 6" in height such as smaller suppressed trees, scrub oak, mountain mahogany, tall grasses, ground litter, etc. from beneath the drip line of all mature ponderosa pines via mechanical mastication and removal and chipping, on both properties. Oak in excess of 6" in diameter may be incorporated into mosaic clumps if healthy and able to be elevated as referenced in Point 5, below, to reduce crown fire risk at Contractor discretion and with DougCo fire mitigation approval at site visit.
2. Throughout the proposed plats and especially along property borders and road corridors, clumps of Ponderosa pines and oak forest will be thinned to remove suppressed, poorly formed, and insect and diseased trees along with all ladder fuels. Sapling sized trees (0-4" DBH) outside the drip line of the overstory trees that are healthy and are at a minimum of 20 ft. from the mature trees will be retained to promote all age and size classes. Existing basal area floats from 60-120sqft, desired average BA sitewide nearer to 55-60sqft BA in accordance with precipitation and elevation values.
3. Creation of bolstered shaded fuel breaks along all neighboring properties to reduce risk of fire running and spotting through unmitigated fuel loads on neighboring properties on to proposed plats.
4. Ensure tree crown spacing (distance between tops of clumps) is at a minimum of 10ft apart throughout all forested areas. Clumps should have no more than 2-5 mature trees with proper separation from nearby clumps.
5. Ponderosa pines will be pruned from the ground level up to 10ft in height to reduce the risk of fires moving to the crowns of the trees. No more than 1/3rd of branches will be removed.
6. Throughout the property, clumps of oak brush to be mechanically thinned or masticated to reduce fuel loads while preserving privacy on interior plat property lines. Large, contiguous clumps to be broken up into smaller, separated clumps all through the property. Spacing between clumps to be at least 2.5X the height of clump. Maximum clump diameter accepted as 2x the height of clump prior to buildout. Preference on oak treatment to be made especially near proposed plat borders to reduce continuity of fuels from nearby properties and within center of lots and proposed driveway easements.

Clumps to remain with average oak stem diameters $>4''$ to be hand pruned to remove dead and dessicant oak and elevate low or dead limbs.

7. Post site wide mitigation process, additional fire mitigation may be triggered due to improper spacing of trees within HIZ not removed for buildout by builders. In this case, builders should refer to this plan, DCZR Section 17 and the CSFS HIZ Guide to ensure crown spacing of 20ft or greater between clumps, and 10ft or greater crown separation within clumps. Home builders and lot owners will be required per DCZR Section 17 to follow CSFS HIZ restrictions and be encouraged to utilize reduced risk building and landscaping materials.
8. Mastication slash and chip piles to not exceed 4'' in depth.
9. Additional treatment of oak following guidelines of CSU 6.311 may be necessary to prevent resprouting of oak, utilizing additional mowing, chemical or mechanical treatment.

The following Figure 20 depicts a visual representation of the mitigation prescription process. This photo, seen above as well, is from the Oak Bluff proposed plat.



Figure 20 Depiction of fire mitigation prescription.

In the preceding Figure 20, per prescription, all ladder fuels and underbrush to be removed via mechanical mastication. Malformed and bent trees due to snow load and wind to be removed via masticator or cut and chipped on site and spread, denoted by angled slashes. Juvenile pine clumps included with underbrush removal, marked with large X's. Mid-sized, single sided pine on left marked with X to be removed and chipped or masticated on site or log hauled off and slash masticated. Remaining trees in foreground to be elevated to 10ft or no more than 2/3 of total height.

*Background trees prescription not depicted for ease of viewing. Entire property will need to be mitigated pre-construction.

Grasslands Treatment

Grasslands make up a large portion of the current ecology at the proposed plats and are the most abundant surface fuel in Colorado. Given the propensity for long, dry, windy fire seasons in Colorado and especially in Franktown, it is highly recommended to maintain grass fuels through fire season. Currently, fuel loads are low and compressed due to winter snow. As spring progresses and grasses begin to grow, it is recommended to monitor and mow fuels, especially near access points, high traffic areas and HIZ. Colorado fire season typically lasts May through September but can occur anytime there has been extended periods of drought and wind. Especially through July, when grasses begin to die back during summer heat and winds, grass reduction through mowing may be necessary. It is recommended to inform lot owners of the risks of unkept grasslands moving forward and establish an HOA/Metro District/Homeowner sponsored mowing of grasslands to reduce fire threats for the community. Homeowners at buildout should maintain grasses around the HIZ to 4" throughout the year. Care should be made to mow when humidity is high, temperatures are down, and wind is low.



Figure 21 Grassland to shrubs to forest, Oak Bluff.

Fire and Fuel Breaks

Pre-buildout, the entirety of the proposed plats will be mitigated per prescription. Fire breaks are man-made, altered or improved defensible space that provides a gap in fuels in order to prevent, redirect, slow, or otherwise delay and mitigate the spread and risk of fire. Fire breaks commonly look like roads, rock trails, rivers, tilled fields, etc.

A fuel break is an area altered to have reduced fuel loads, scattered fuels, and reduced continuity. Fuel breaks still have fuel loads, but they are maintained and reduced compared to natural settings. Shaded fuel breaks, as mentioned in this FMP refer to areas that have over and understory settings, with separation between the two. These areas typically look similar to park like settings, golf courses, managed meadow-like grasslands, two-track roads with grass ditches, etc. Fuel breaks need to be maintained and managed through either further mitigation or mowing as years pass. See attached “Fuelbreak Guidelines for Forested Subdivisions & Communities” by Frank Dennis and CSFS for additional information and graphics.

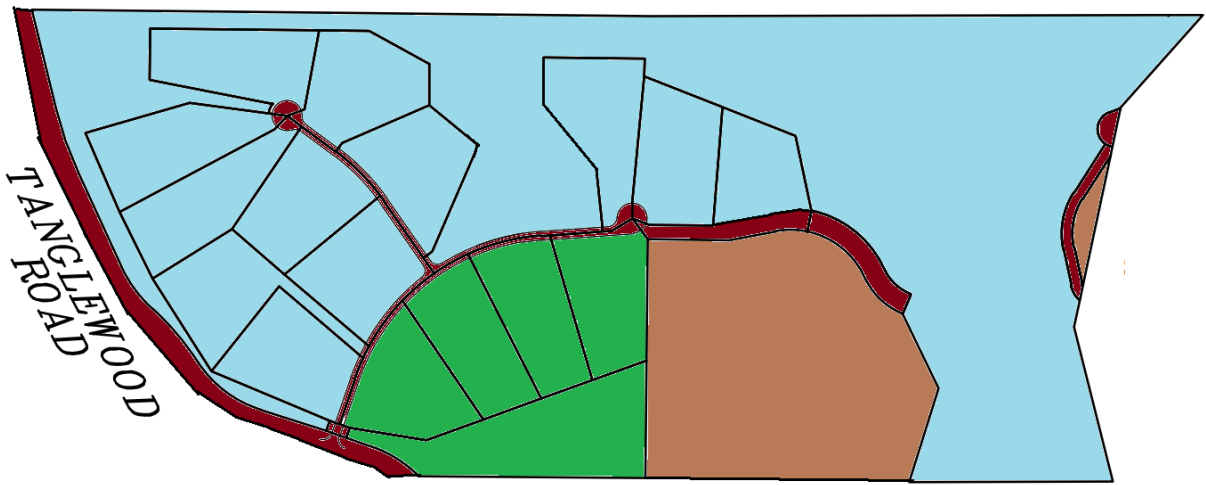


Figure 22 Sundown site fire and fuel breaks. Blue indicates sitewide mitigation and bolstered shaded fuel break and mixed grass and shrub management. Green indicates primarily grasslands. Brown is untreated neighboring property. Red is proposed and existing fire break.

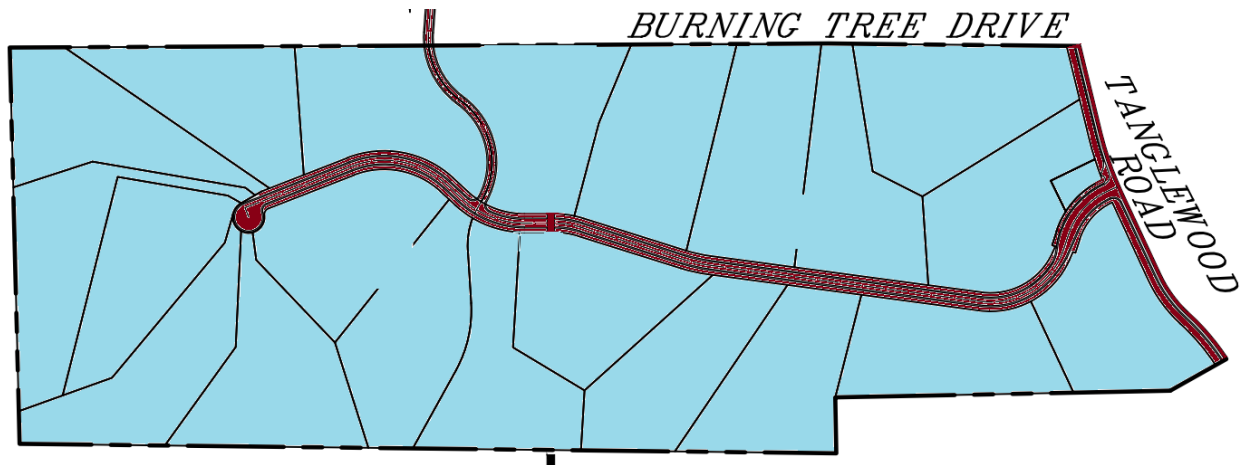


Figure 23 Oak Bluff site fire and fuel breaks. Red indicates proposed and existing fire breaks. Blue denotes sitewide mitigation and bolstered shaded fuel break.

Property History

Historically, the proposed plats were used as ranchland for cattle grazers of years past. Old wooden fence posts and barbed wire from prior use can still be found in areas of the dense timber pockets and along neighboring fence lines. Though there is evidence in the growth of hardier grasses of overgrazing in past years, the property has sat relatively unused for several years prior to proposal. This lack of use has allowed more desirable grasses to make a comeback in the area and provided refuge to wildlife of the area while allowing much of the shrubbery to overgrow.

The high plains of Colorado were created and aided in growth by infrequent and distributed fires typically caused by lightning or other natural causes. These fires led to larger separation of pines and oak and allowed rejuvenation of the forested areas. This area has not experienced a large, devastating fire since at least 1924, when the State of Colorado started monitoring devastating fires. However, evidence in nearby properties points to a fire occurring sometime in the past 120-150 years. The Burning Tree area surrounding the proposed plats did experience a fire in the Spring of 2011. This fire ran North and West of the proposed plats, missing the plats entirely. The Burning Tree Fire was characterized by excessive winds and dense fuels in a dry spring leading to rapid growth of the fire to the North. The fire ran quickly to almost 1,600 acres before a fortuitous wind change forced the fire back upon itself and quickly ran out of fuels. Local fire districts were on scene saving structures and utilized air assets from Golden to great success.



Figure 24 Burning Tree Fire, Franktown Colorado. Photo from CBS Article on Burning Tree Fire, 2011 CBS

Soils Survey at Proposed Plats

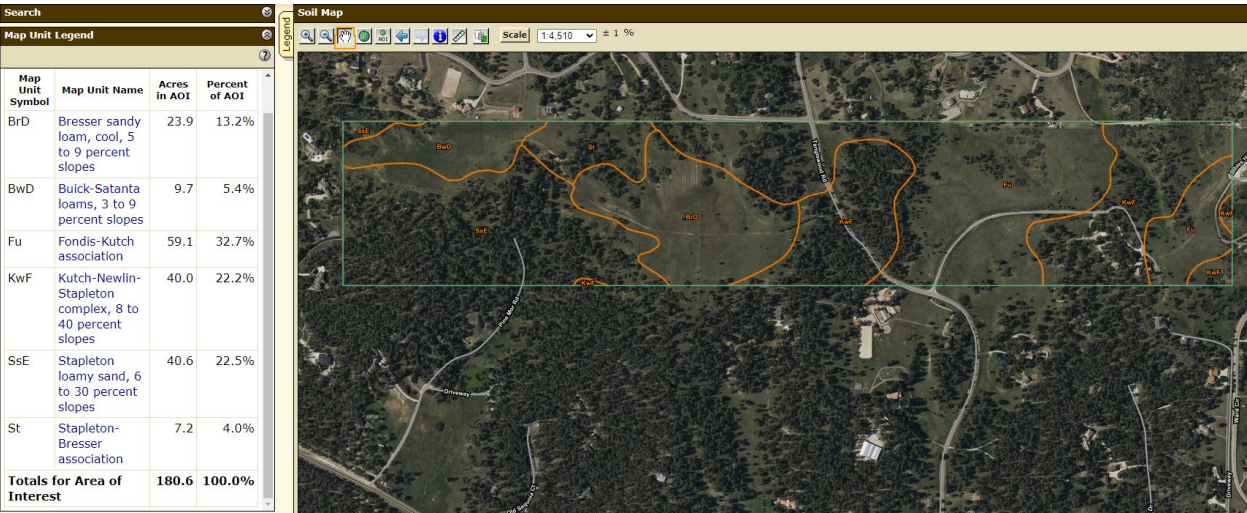


Figure 25 USDA Soils Survey of proposed plats.

Soils in the proposed plats include various forms of quick draining loams made of sands, silts or a combination of both. The listed loams are similar in nature, occurring on slight to medium slopes 0-40%, in draws, valleys, hillsides and ridges. These loams are well drained and ill-suited to runoff, with little water holding factor. The loams found on the proposed plats, though comprised of silt in some cases, provide little nutritional value and are very poor for any sort of resource production. These soils being poor for growing, are often found in areas of pine forests due to the pine's low moisture requirements and preference for well drained soils. Due to the proposed plats low slope percentages, erosion and drainage issues are very minor and isolated. The historic catch ponds on the property have all held through the heavy rains and run off from 2023.

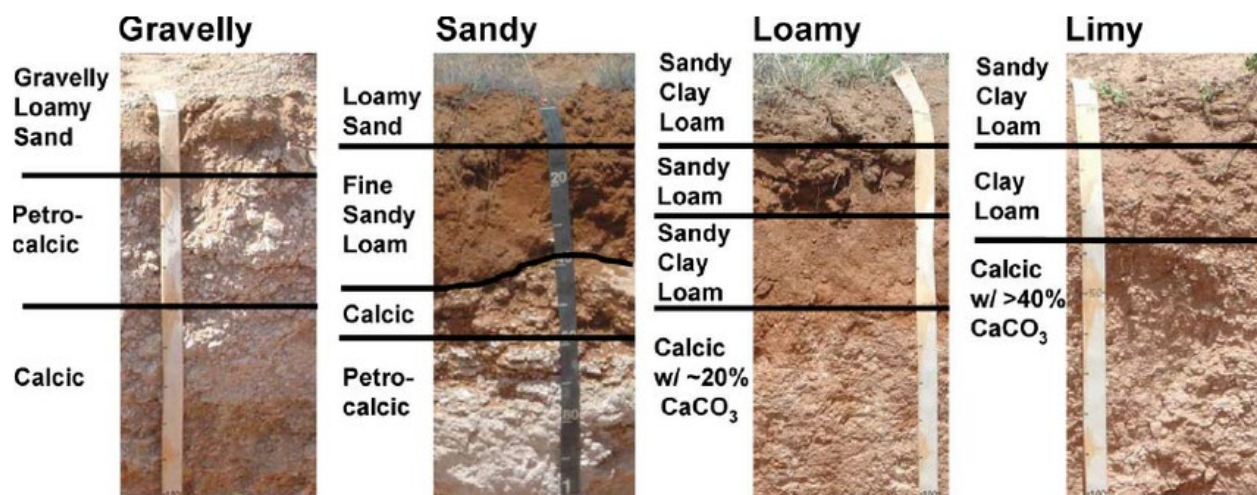


Figure 26 Soil types from "Soil Processes and Properties," Duniway

Health of Current Inventory

Currently the overall health of the pine inventory at both proposed plats is very good. Timber mortality due to insect and disease is relatively low compared to the area, with small groupings of insect damage scattered through the property and especially along roadsides where mortality from magnesium chloride and salt damage is occurring at rapid rates. Pines through these plats have grown relatively unhindered through the age classes with most trees being of normal height to diameter ratios for their given diameters and age class. Many of the young growth and juvenile pines have not been thinned in years and though healthy, are growing too tightly leading to malformed trunks and improper single-sided growth patterns.



Figure 27 Pines grown too closely creating single side loading of limbs and suppressed neighboring trees. Juvenile groves in foreground and young oak.

Previous years wind events such as microbursts have downed trees within the forested portions, but the understory remains relatively clear of oversized ground litter when compared to other forested areas in the region, partly due to the young age of much of the understory trees. Ips and Mountain Pine beetle populations are present at endemic levels throughout most of the property, apart from the roadway. As with all developments and building in pine forests, builders and lot owners will be encouraged to enroll in pest management programs moving forward to stem the issues arising from build out and development and the ongoing insect issues created by tree stresses along the roads.

Gambel oak in the proposed Sundown and Oak Bluff plats is exceptionally diverse in its composition and age classes but in great health, site wide. Much of this health is attributed to the younger age classes spread throughout the property and especially in the less dense pines. In areas where the oak interfaces with the grasslands, the clumps have grown sturdy and well supported by themselves. Clumps in these areas are full, with healthy stems around 1-4" in diameter and 4-6ft in height, making for exceptionally robust stands able to defend against heavy snows and harsh winds. The young clumps spread throughout the properties and especially in the pine forest suffer from little to no anthracnose or oak wilt as is common in other properties in the region. Heavier, old stands of oak are common in the Southeast of Oak Bluff along E. Tanglewood Dr. and in the center of the property. Here, individual stems have died back due to wilt as is common for older oak. Oak clumps interfacing with the grassland's areas have proper spacing in many cases per DCZR Section 17 Wildfire Mitigation Standards, however many of these clumps can be enhanced mechanically and by hand to further reduce the risk of fire and

supplement fuel breaks. Large stem diameter oak can be worked by hand to reduce ladder fuels while maintaining the integrity of the oak clumps.



Figure 18 Oak wilt and anthracnose visible via satellite photography



Figure 20 Location of oak wilt and anthracnose

Insect and Disease Report

Ponderosa Pine-

Ponderosa pine health within the proposed plats as discussed above are largely robust in overall hardiness. Supported by diverse age groups, drainages providing ample water in normal years, stable soil conditions without erosion and lack of pest infestations, most of the properties forest population is hale. Issues that are prevalent are situated in specific areas with little leaching and should be managed quickly with integrated management.

Ips Beetle-

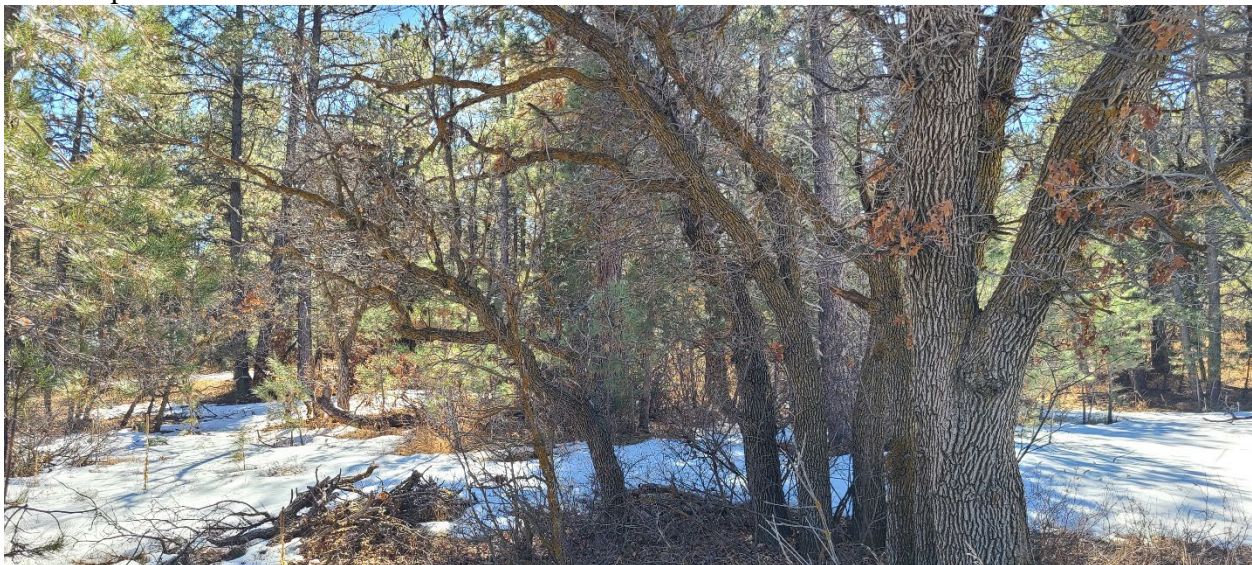


Figure 19 Large Diameter Oak in Southwest of Oak Bluff Property

- Ips beetle are typical in large pine populations in areas experiencing environmental stresses such as prolonged drought, fresh wood cutting consistent

with firewood production, construction or logging, road wash such as salt and magnesium chloride and other stresses related to compaction and wind events.

- Ips beetle burrow under the bark in pines and spruce and can kill or damage trees. They are typically pronounced by reddish sawdust in crevices of the bark, or at the base of the tree, tiny bore holes ~1mm in diameter or less, and areas of dead limbs/branches on mature trees.
- Ips beetle are controllable with the use of pesticides, and proper timber management. Standing dead pines infested with Ips beetle will be removed. Stressed trees in decline should be removed to reduce breeding potential and attraction for Ips beetle. Logs from cutting should be removed from site as soon as possible to areas without susceptible hosts or destroyed.



Figure 22 Ips beetle bore holes in pine.



Figure 23 Frass from Ips beetle boring activities.

- Ips beetle appears on both properties. Especially along E. Tanglewood Rd., Ips beetle is prevalent. Ips beetle locations marked on I&D map and will warrant care moving forward. Dead and stressed trees to be removed during mitigation phase.

Mountain Pine Beetle-

- MPB and Ips beetle are closely related with similar symptoms. MPB are typically easier to identify due to their larger popcorn shaped pitch tubes which are typically pink or dark red in color. As with Ips beetle, sawdust may be evident from boring. Ips and mountain pine beetle controls are very similar. Trees infested with MPB will be removed and sprayed, and then taken off site. MPB and Ips beetle are very common to see together in areas of infestation. MPB appears in the same areas as Ips beetle on Sundown and Oak Bluff properties.

Figure 24 Mountain pine beetle bore holes, pitch tubes and frass. CSFS/Rudolph



Red Turpentine Beetle-

- Red turpentine beetle symptoms and appearance are very similar to MPB, though much larger. Red turpentine beetle bore holes will be almost exclusively in the lower 6ft of the trunk and the bore holes, if open, are noticeably larger than mountain pine beetle bore holes.
- Red turpentine beetle bore holes are a much deeper color red than the pinkish popcorn appearing pitch tubes of mountain pine beetle.
- Red turpentine beetles are a mostly assured sign of tree mortality and should be removed immediately unless treated vigorously.
- Red turpentine beetle are known to have large populations in isolated areas in the Franktown area.

“Boring” insects such as the Ips, mountain pine and red turpentine beetle are common in many pine forests in the area. Large infestations and outbreaks can and should be neutralized rapidly. Pest control measures such as bark spraying, systemic chemical application and removal of host and stress pheromone producing trees are all part of an integrated pest management that helps to reduce population effects. Healthy trees supported with water and nutrients are the best deterrent to beetle infestations. With the increase in beetle activity especially along Highway 86 due to magnesium chloride and salt damage, homeowners will need to pay increased attention to beetle outbreaks. It is impossible to completely stop a beetle infestation, but proper IPM mixed with overall improvement of tree health can greatly slow the effect of beetle influx.

Pine Needle Scale-

- Pine Needle Scale is a white colored soft body scale that feeds on pine needles. The female scale attaches itself to most species of pine needles and lays her eggs during spring/summer. The eggs will then lay dormant through winter, emerging as soon as late April and become crawlers. At this point, they are most vulnerable to chemical control.
- Many natural predators feed on pine needle scale, including lady bugs. Pine scale can also be controlled through the uses of various chemicals such as Permethrin and horticultural oils. Horticultural oils may be applied during the dormant season. Permethrin should be applied during the crawler stage in late Spring which is monitored from April to May until hatch.



Figure 24 Pine needle scale damage. Missouri Botanical Garden

Aphids-

- Aphids are rather easy to identify due to their large numbers when present, and the ever-present “Honeydew” during infestation. Honeydew is an excretion created by Aphids feeding. It can be noticed on the needles, bark and on the ground during severe infestations. Aphid damage typically comes in the form of necrotic yellow spots that can cause needle yellowing and loss.

Douglas fir-

Douglas Fir Beetle-

- DFB damage is characterized by the rapid browning and holding of dead needles on Douglas fir trees. Large amounts of frass and resin or sap in the bark crevices are also an easy to identify trait.
- Douglas fir beetle look extremely similar to mountain pine beetle.

- Given there is a singular Douglas fir tree on the properties, all care should be given to preserve and keep the individual specimen alive.



Figure 2528 Douglas fir tree, Sundown.

Gambel oak-

Anthracnose (Leaf Blight)-

- Leaf blight is a direct cause of fungi spores being dispersed on the twigs and leaves of oak during spring. Typically leaf blight will only harm young, more tender branches. Leaf blight can infect branches that have been previously injured.
- Leaf blight is typically self-controlled as we move from wetter spring months to drier summer months. If severe enough, a fungicide can be applied.

- Localized symptoms of anthracnose are present in various areas identified along the property but does not currently warrant control.

Oak Wilt-



Figure 26 Leaf blight via USFS

- Oak wilt blocks the water and nutrient transport system of scrub oak and leads to wilt in the upper layers especially in more mature oak.
- Oak wilt can be transferred through the roots of the scrub oak or by beetles feeding on the xylem of the oak.
- Areas affected by oak wilt marked on I&D map and will be controlled via mechanical mastication during mitigation phase.

Salt and Magnesium Chloride Damage-

- Magnesium Chloride and salt, typically used along roadways for ice melt/reduction and dust suppression, are detrimental to the health of pines and oak, especially in years of heavy drought or heavy runoff.
- Magnesium and chloride separately are both critical nutrients for plant growth helping with osmosis and photosynthesis but can cause irreparable damage in high doses. Magnesium chloride concentrations in soil will prevent a trees uptake of water and toxic quantities within the tree will move through the xylem (up flow) to the tips of needles and leaves, causing severe tip burn and eventually killing the leaf or needle.
- Sodium acts very similar to magnesium chloride, preventing the uptake of water and increasing drought stresses. Especially in years of high run off, sodium does not get the chance to break down and will be transported in to water runoff catches, damaging the trees and vegetation in these areas.
- Though salt and magnesium chloride damage can kill a tree themselves when coupled with low precipitation and drought, these particularly stressed areas sharply increase the beetle population of the area, acting as a beacon to nearby beetle.

Insect and Disease Mapping



Figure 27 Oak Bluff I&D map

In the Oak Bluff Subdivision map, Figure 27 above, light green opaque polygons denote oak wilt and anthracnose issues, specifically in the North center of the map and in the Southeast. Orange polygons denote areas of known Ips and mountain pine beetle damage and deceased pine trees. These areas typically have less than 3 dead or infested trees. Orange areas along E. Tanglewood Rd. also denote salt and $MgCl_2$ damage. $MgCl_2$ and beetle damage are included in the same polygons along E. Tanglewood Rd. due to their close relationship.



Figure 28 Dead pine with Ips and MPB present on Oak Bluff



Figure 29 Sundown I&D map.

In the Sundown Subdivision map, Figure 29 above, light green opaque polygons denote oak wilt and anthracnose issues, specifically in the North center of the map and to the East. These locations suffer minimal oak wilt but are still worth noting. Mechanical mastication will slow much of the damage with fire mitigation. Orange polygons denote areas of known Ips and mountain pine beetle damage and deceased pine trees. These areas typically have less than 3 dead or infested trees. Orange areas along E. Tanglewood Rd. also denote salt and MgCl₂ damage. MgCl₂ and beetle damage are included in the same polygons along E. Tanglewood Rd. due to their close relationship.

Neighboring Properties

Properties around the proposed plats, and especially to the South, are heavily timbered with little to no prior mitigation. Houses in this area were built pre-fire mitigation resolutions within Douglas County and as such, many are overgrown, large acreage properties with excessive ground litter and dense ladder fuels. Lack of beetle mitigation in these areas has also led to a higher-than-normal level of mortality, especially when coupled with the massive tree mortality experienced along highway 86 pushed by magnesium chloride and salt damage and supported by an Ips and mountain pine beetle influx. South of the proposed plats, pine and oak forests run contiguously from Highway 86, creating the need for a more robust buffer on the Southern border of the property.

To the north, the proposed plats intermix with existing subdivisions with much lower density of fuels. These houses are typically situated in pines but surrounded by less dense shrub and grasslands. However, like the Burning Tree Fire of 2011, it is easy to see why a fire in this area could run so quickly. Because of the topography and elevation from Highway 86 rising up to Oak Bluff and Sundown and continuing to elevate before breaking in to the grasslands North

of the property, pre-heating of fuels and Northerly winds as is common for the area could create another fast-running fire. Because of these hazards, incorporating a shaded fuel break site wide will reduce the risk to new lot owners and the area overall while maintaining the classic High Plains Rocky Mountain views and lifestyle.

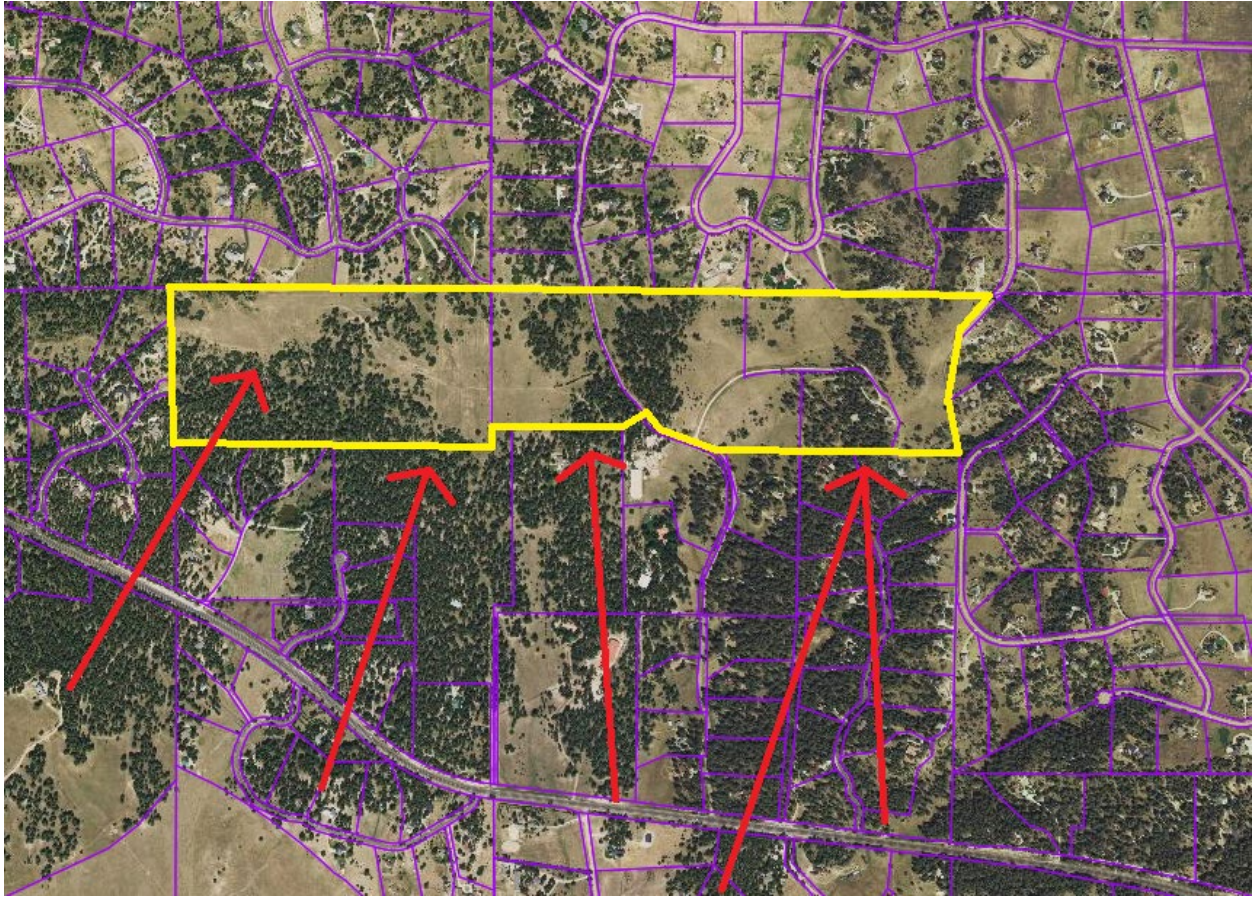


Figure 30 Surrounding areas. Yellow indicates proposed plats border. Red arrows indicate continuity of fuels from South, elevating to North and to property border. Note less dense shrub and grasslands to North of proposed plats.

Bibliography

- Burnett, Kristy. "Landowners Urged to Inspect Trees for Mountain Pine Beetle." *Colorado State Forest Service*, 9 Oct. 2023, csfs.colostate.edu/2022/10/12/landowners-urged-to-inspect-trees-for-mountain-pine-beetle/.
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- "Pine Needle Scale." *Visit Missouri Botanical Gardens*, www.missouribotanicalgarden.org/gardens-gardening/your-garden/help-for-the-home-gardener/advice-tips-resources/pests-and-problems/insects/scale/pine-needle-scale. Accessed 23 Feb. 2024.
- "Salt Tolerant of Common Landscape Trees of the Colorado Front Range." *Extension*, 12 Dec. 2023, extension.colostate.edu/salt-tolerant-of-common-landscape-trees-of-the-colorado-front-range/.
- Section 17 Wildfire Hazard Overlay District - Douglas County*, www.douglas.co.us/documents/section-17-3.pdf. Accessed 24 Feb. 2024.
- "Colorado Fire Season: In-Depth Guide." *WFCA*, 22 Feb. 2024, wfca.com/wildfire-articles/colorado-fire-season/.

Useful Links-

Douglas County Fire Mitigation Exhibit B-

<https://www.douglas.co.us/documents/wildfire-mitigation-standards-exhibit-b.pdf/>

Living with Fire-

Comprehensive educational and interactive website with information on how fire runs, how to protect your investment and yourself.

<https://www.livingwithfire.com/get-prepared/how-to-improve-my-defensible-space/>

Home Ignition Zones-

Publication by CSFS referencing defensible areas around your home.

<https://csfs.colostate.edu/wildfire-mitigation/home-ignition-zone-checklists/>

PLAT NOTES:

- Sundown shall be subject to the Sundown Oaks Metropolitan District Design Guide and Covenants. A declaration of covenants, conditions and restrictions for Sundown has been recorded by separate document.
- Tract A, B & C are hereby dedicated to the Sundown Oaks Metropolitan District, their successors and assigns, for ownership and maintenance of open space, drainage, utilities, and trails.
- Sky Meadow Point is depicted hereon as a 60-foot private access easement, for the benefit of Sundown lot owners and the owner of the property at State Parcel 2509-061-00-002 and shall be owned and maintained by the Sundown Oaks Metropolitan District, their successors and assigns for drainage, utilities, access, and emergency access.
- Marie Elena Way, depicted hereon as a 60 foot private access easement for the benefit of Sundown lot owners, shall be owned and maintained by the Sundown Oaks Metropolitan District, their successors and assigns for drainage, utilities, access, and emergency access.
- Drainage easements are hereby granted to Sundown Oaks Metropolitan District, their successors and assigns, and Douglas County for secondary access across Tracts A, B, C Sky Meadow Point and Marie Elena Way private access easements for the purpose of accessing, maintaining, and repairing storm water management improvements, including but not limited to inlets, pipes, culverts, channels, ditches, hydraulic structures, rip rap, detention basins, forebays, micropools, and water quality facilities (collectively, the "facilities") in the event Sundown Oaks Metropolitan District, its successors and assigns, ("system owner") fails to satisfactorily maintain or repair said facilities. A blanket access easement over the subdivision tracts is also granted to Douglas County, but only for the purpose of accessing the facilities in the event that the drainage easements do not provide adequate access. The maintenance of and repair of the facilities located in the subdivision, as shown on the construction plans accepted by Douglas County or on the plat for the subdivision, shall be the responsibility of the system owner. In the event such maintenance and repair are not performed by the system owner to the satisfaction of Douglas County, then Douglas County shall have right but not the obligation, to enter said subdivision, after 30 days prior written notice to the system owner, unless there is an emergency in which case Douglas County shall give notice as soon as practicable, to perform all necessary work, the cost of which shall be paid by the system owner upon billing. In the event the system owner fails to reimburse Douglas County within 30 days after submission of the bill for the costs incurred, Douglas County shall have the right to enforce such obligation by appropriate legal action. It is the system owner's responsibility to construct, maintain, and repair the facilities in manner consistent with all applicable plans approved or accepted by Douglas County.
- During construction activity within the development, the applicant, its successors and assigns shall take all reasonable care to watch for historic resources, paleontological resources, and other cultural history resources and shall immediately notify Douglas County in the event of such discovery.
- No build zones are for the purpose of preserving significant stands of vegetation, slopes, and view corridors. No build zones depicted hereon indicate areas in which no above ground structures shall be allowed and grading may be limited.
- The 40-foot non-exclusive shared driveway and access easement depicted within Tract A, Lot 16 and Lot 17, and Sky Meadow Point, hereon, shall provide access to the owner of the property at State Parcel Number 2509-061-00-002 and is recorded by separate document at Reception No. _____
- Tracts A, B, and C are reserved as permanent open space through a recorded deed restriction. A density increase of 20% (3 lots) is permitted with the provision of a minimum 50% open space. This final plat proposes 50% open space and 17 lots, representing a 20% density bonus. No further subdivision of Tract A, Tract B, and Tract C, for lots shall be permitted.
- All Denver Basin aquifer water beneath this property is dedicated through a Declaration of Restrictive Covenants recorded in the Douglas County Clerk and Recorder's Office at Reception No. 2024044934.
- Right of Way dedication of Tanglewood Road, as shown hereon, shall be dedicated to Douglas County.
- Public ROW for Bibles Hill Drive, as shown hereon, shall be dedicated to Douglas County.
- Lots 6 and 13 shall receive access from Marie Elena Way. Lots 1 and 5 shall receive access from Sky Meadow Point. Lots 8 and 9 shall receive access from Tanglewood Road.
- Drainage easements, as shown hereon, shall be owned and maintained by the Sundown Oaks Metropolitan District, their successors and assigns for the puposes of accessing, maintaining, constructing, reconstructing, removing, and repair of drainage facilities and related appurtenances thereto.
- The 30-foot access easements shown hereon to provide access for Lots 8 and 9 from Tanglewood Road shall be owned and maintained by the owners of Lots 8 and 9, their successors, and assigns.
- No improvements that conflict with or interfere with construction, maintenance or access to utilities shall be placed within the utility easements. Prohibited improvements include, but are not limited to, permanent structures, buildings, counter-forts, decks, attached porches, attached stairs, window wells, air conditioning units, retaining walls/components and other objects that may interfere with the utility facilities or access, use and maintenance thereof. Prohibited improvements may be removed by the entities responsible for providing the utility services. The owners of the property subject to or adjacent to the utility easements shown herein are responsible for the maintenance and operation of such areas, which does not include utility lines and related facilities. When the owner(s) or adjacent owners fail to adequately maintain such utility easements, including the removal of prohibited improvements, the maintenance, operation, reconstruction and removal shall be at the cost of the owner(s). The utility easements as shown hereon are hereby dedicated for public utilities, cable communication systems, fiber and other purposes as shown hereon. The entities responsible for providing the utility services for which the easements are established are hereby granted the perpetual right of ingress and egress from and to adjacent properties for installation, maintenance and replacement of utility lines and related facilities.

Sundown

IN SECTION 6, TOWNSHIP 8 South, RANGE 65 West OF THE 6th P.M., DOUGLAS COUNTY, COLORADO

72.43 ACRES +/-, 17 RESIDENTIAL LOTS AND 3 TRACTS

SB2025-019

LEGAL DESCRIPTION: PARCEL 1

A tract of land situated in the Northwest 1/4 of Section 6, Township 8 South, Range 65 West of the 6th Principal Meridian, Douglas County, Colorado, more particularly described as follows:
Commencing at the North 1/4 corner of Section 6 and considering the North line of the Northwest 1/4, Section 6 to bear N 88°55'53"W with all bearings contained herein relatint thereto;
Thence N 88°55'53"W along said North line a distance of 479.21 feet to the True Point of Beginning;
Thence N 88°55'53"W along said North line a distance of 1310.70 feet to a point on the centerline of an 80 foot easement recorded at Book 636 at Page 142;
Thence Southeasterly along said centerline the following 9 courses;

- Thence S 13°01'02"E a distance of 300.00 feet to a point of curve;
- Thence Southeasterly along the arc of a curve to the left a distance of 199.35 feet, said curve has a radius of 1016.35 feet, a central angle of 11°14'18" to a point of tangent;
- Thence S 24°15'27"E a distance of 295.52 feet to a point of curve;
- Thence Southeasterly along the arc of a curve to the left a distance of 162.31 feet, said curve has a radius of 406.95 feet, a central angle of 22°51'07" to a point of reverse curve;
- Thence Southeasterly along the arc of a curve to the right a distance of 188.94 feet, said curve has a radius of 730.31 feet, a central angle of 14°49'25" to a point of reverse curve;
- Thence Southeasterly along the arc of a curve to the left a distance of 257.09 feet, said curve has a radius of 369.42 feet, a central angle of 39°52'28" to a point of tangent;
- Thence Southeasterly along the arc of a curve to the right a distance of 219.63 feet, said curve has a radius of 4169.13 feet, a central angle of 3°01'06" to a point of a compound curve;
- Thence Southeasterly along the arc of a curve to the right a distance of 75.70 feet, said curve has a radius of 311.60 feet, a central angle of 13°55'11" to a point of nontangent;
- Thence S 88°49'13"E a distance of 716.83 feet to a point on the East line of the Northwest. of Section 6;
- Thence N 1°06'41"E along said East line a distance of 674.50 feet to a point on the South Right of way line of a 60 foot easement;
- Thence Westerly along said South right of way line the following 4 courses;

- Thence N 88°53'53"W a distance of 34.04 feet to a point of curve;
- Thence Westerly along the arc of a curve to the left a distance of 215.18 feet, said curve has a radius of 1470.00 feet, a central angle of 8°23'13" to a point of tangent;
- Thence S 82°42'54"W a distance of 135.66 feet to a point of curve;
- Thence Westerly along the arc of a curve to the left a distance of 99.75 feet, said curve has a radius of 420.00 feet, a central angle of 13°36'28" to a point of non-tangent;
- Thence N 1°04'07"E a distance of 691.60 feet to the Point of Beginning. Containing 37.42 acres, more or less.

LEGAL DESCRIPTION: PARCEL 2

A tract of land situated in the North 1/2 of Section 6, Township 8 South, Range 65 West of the 6th Principal Meridian, Douglas County, Colorado, more particularly described as follows:
Beginning at the North 1/4 corner of Section 6 and considering the North line of the Northwest 1/4 Section 6 to bear N 88.55°53'W with all bearings contained herein relative thereto;
Thence N 88.55°53'W along said North line a distance of 479.21 feet;
Thence S 1.04°07'W a distance of 691.60 to a point on the South right of way line of a 60 foot easement;
Thence Westerly along said South right of way line the following 9 courses;
1. Thence Easterly along the arc of a curve to the right a distance of 99.75 feet, said curve has a radius of 420.00 feet, a central angle of 13.36°28' and that Bears N75.54°40'E a distance of 99.52 to a point of tangent;
2. Thence N 82.42°54'E a distance of 135.66 feet to a point of curve;
3. Thence Easterly along the arc of a curve to the Right a distance of 215.18 feet, said curve has a radius of 1470.00 feet, a central angle of 8.23°13" to a point of tangent;
4. Thence S 88.53°53'E a distance of 264.50 feet to a point of curve;
5. Thence Easterly along the arc of a curve to the left a distance of 16.64 feet, said curve has a radius of 500.00 feet, a central angle of 1.54°26" to a point of tangent;
6. Thence N 80.19°52'E a distance of 119.06 feet to a point of curve;
7. Thence Southeasterly along the arc of a curve to the right a distance of 290.99 feet, said curve has a radius of 230.00 feet, a central angle of 72.29°20" to a point of tangent;
8. Thence S 27.12°34'E a distance of 25.30 feet to a point of curve;
9. Thence Southeasterly along the arc of a curve to the left a distance of 140.13 feet, said curve has a radius of 199.00 feet, a central angle of 40.20°47" to a point of non-tangent;
Thence S 25.22°25'E a distance of 232.32 feet;
Thence S 18.19°51"W a distance of 278.59 feet;
Thence S 89.29°09'E a distance of 578.25 feet;
Thence N 13.28°32"W a distance of 450.11 feet;
Thence N 12.44°04'E a distance of 633.61 feet;
Thence N 42.22°33'E a distance of 350.63 feet to a point on the North line of the Northeast 1/4 of section 6;
Thence N 89.29°42'W along said North line a distance of 1567.21 feet to the Point of Beginning.
Containing 35.01 acres, more or less.

PLANNING COMMISSION

The preliminary plan File# SB2019-046 for this final plat was reviewed by the Planning Commission on September 9, 2024.

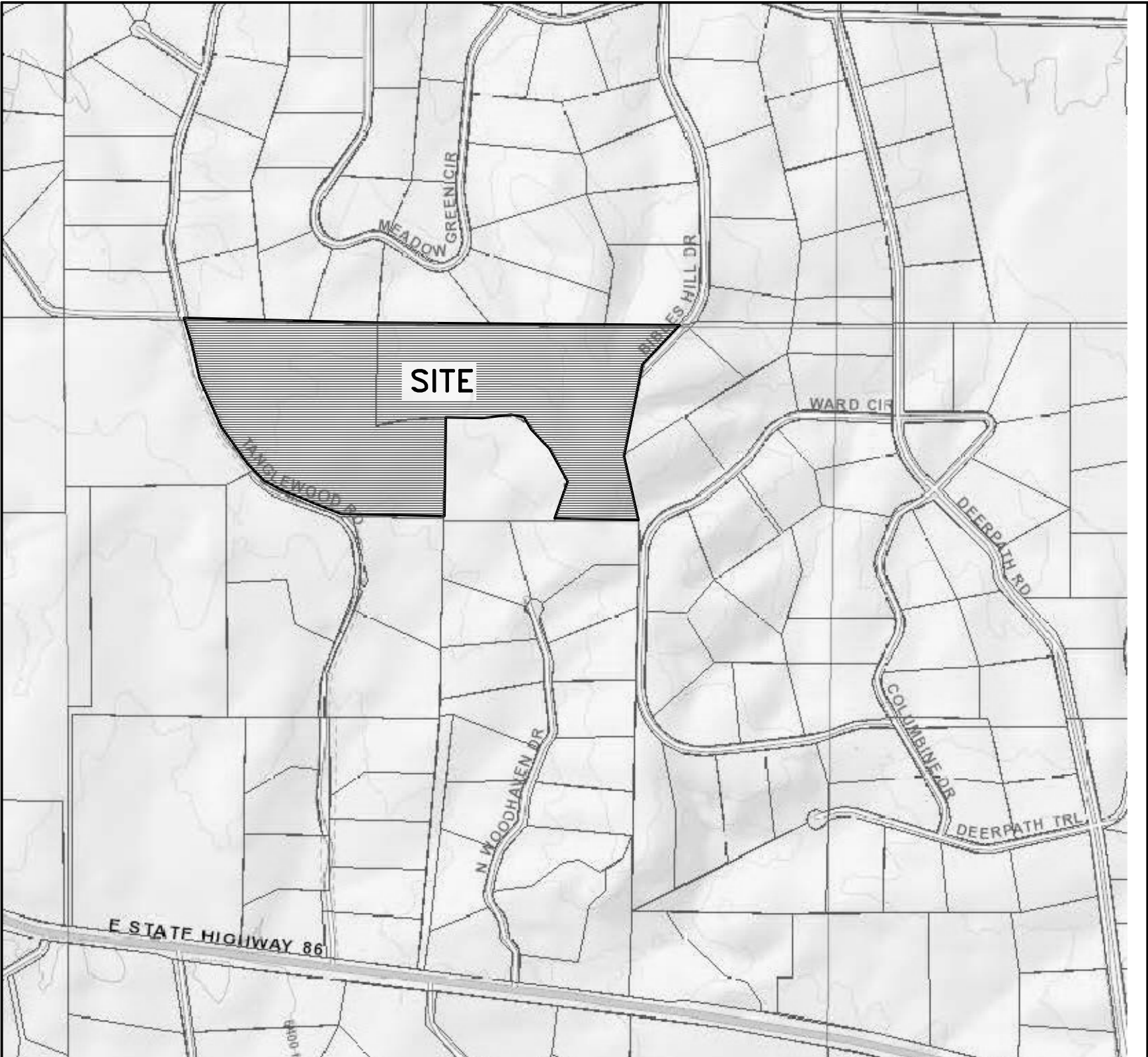
Director of Community Development, _____ Date _____
on behalf of the Planning Commission

APPLICANT:

Sundown Subdivision LLC
609 West Littleton Boulevard #206
Littleton Co 80120

ENGINEER / SURVEYOR:

David E. Archer & Associates
105 Wilcox Street
Castle Rock, CO 80109



VICINITY MAP

SCALE = 1"=1000'

DENSITY STATEMENT FOR DENSITY BONUS:

The density bonus of 3 units has been allocated to the subdivision for a total of 17 lots. Further subdivision for additional lots is not permitted by zoning.

ACCEPTANCE CERTIFICATE:

The dedication of Tract A, Tract B, Tract C, Sky Meadow Point, Marie Elena Way, and drainage easements are hereby accepted for ownership and maintenance by the Sundown Oaks Metropolitan District.

By: _____ for The Sundown Oaks Metropolitan District.

Title: _____

STATE OF COLORADO }
COUNTY OF _____ } ss.

Acknowledged before me this _____ day of _____, 20____ by _____ as _____.

My commission expires: _____

Witness my hand and official seal

Notary Public

TITLE VERIFICATION:

We, Land Title Guarantee Company, do hereby certify that we have examined the title of all land platted hereon and that title to such land is in the dedicatior(s) free and clear of all liens, taxes, and encumbrances:

Land Title Guarantee Company

By: _____

Title: _____

STATE OF COLORADO }
COUNTY OF _____ } ss.

Acknowledged before me this _____ day of _____, 20____ by _____ as _____.

My commission expires: _____

Witness my hand and official seal

Notary Public

DEDICATION STATEMENT:

The undersigned, being all the owners, mortgagees, beneficiaries of deeds of trust and holders of other interests in the land described herein, have laid out, subdivided and platted said lands into lots, tracts, streets and easements as shown hereon under the name and subdivision of Sundown. The utility easements shown hereon are hereby dedicated for public utilities and cable communication systems and other purposes as shown hereon. The entities responsible for providing the services for which the easements are established are hereby granted the perpetual right of ingress and egress from and to adjacent properties for installation, maintenance and replacement of utility lines and related facilities. The dedications of Tanglewood Road and Bibles Hill Drive, utility easements, and drainage and blanket access easements shown hereon are dedicated and conveyed to Douglas County, CO, in fee simple absolute, with marketable title, for public uses and purposes.

OWNER:

Sundown Subdivision LLC.

By: _____

Title: _____

STATE OF COLORADO }
COUNTY OF _____ } ss.

Acknowledged before me this _____ day of _____, 20____ by _____ as _____ of Sundown Subdivision LLC.

My commission expires: _____

Witness my hand and official seal

Notary Public

SURVEYOR'S CERTIFICATE:

I, Darrell Eugene Roberts, a duly registered Professional Land Surveyor in the State of Colorado, do hereby certify that this plat truly and correctly represents the results of a survey made during June, 2018. I have reviewed all data associated with this survey and it is acceptable as being under my responsible charge that all monuments exist as shown hereon; that mathematical closure errors are less than 1:50,000 (second order); and that said plat has been prepared in full compliance with all applicable laws of the State of Colorado dealing with monuments, subdivisions or surveying of land and all applicable provisions of the Douglas County Subdivision Resolution. This certification is based on my knowledge, information, and belief and is not a guaranty or warranty, either express or implied.

I attest the above on this _____ day of _____, 20____

Darrell Eugene Roberts,
Colorado registered Professional Land Surveyor #36057

BOARD OF COUNTY COMMISSIONERS:

This plat was approved for filing by the Board of County Commissioners of Douglas County, CO, on the _____ day of _____, 20____, subject to any conditions specified hereon. The dedications of Tanglewood Road and Bibles Hill Drive, utility easements, and drainage and blanket access easements are accepted.

All expenses incurred with respect to improvements for all utility services, paving, grading, landscaping, curbs, gutters, sidewalks, road lighting, road signs, flood protection devices, drainage structures, and all other improvements that may be required shall be the responsibility of the subdivider and not Douglas County.

This acceptance does not guarantee that the soil conditions, subsurface geology, groundwater conditions or flooding conditions of any lot shown hereon are such that a building permit, well permit or sewage disposal permit will be issued.

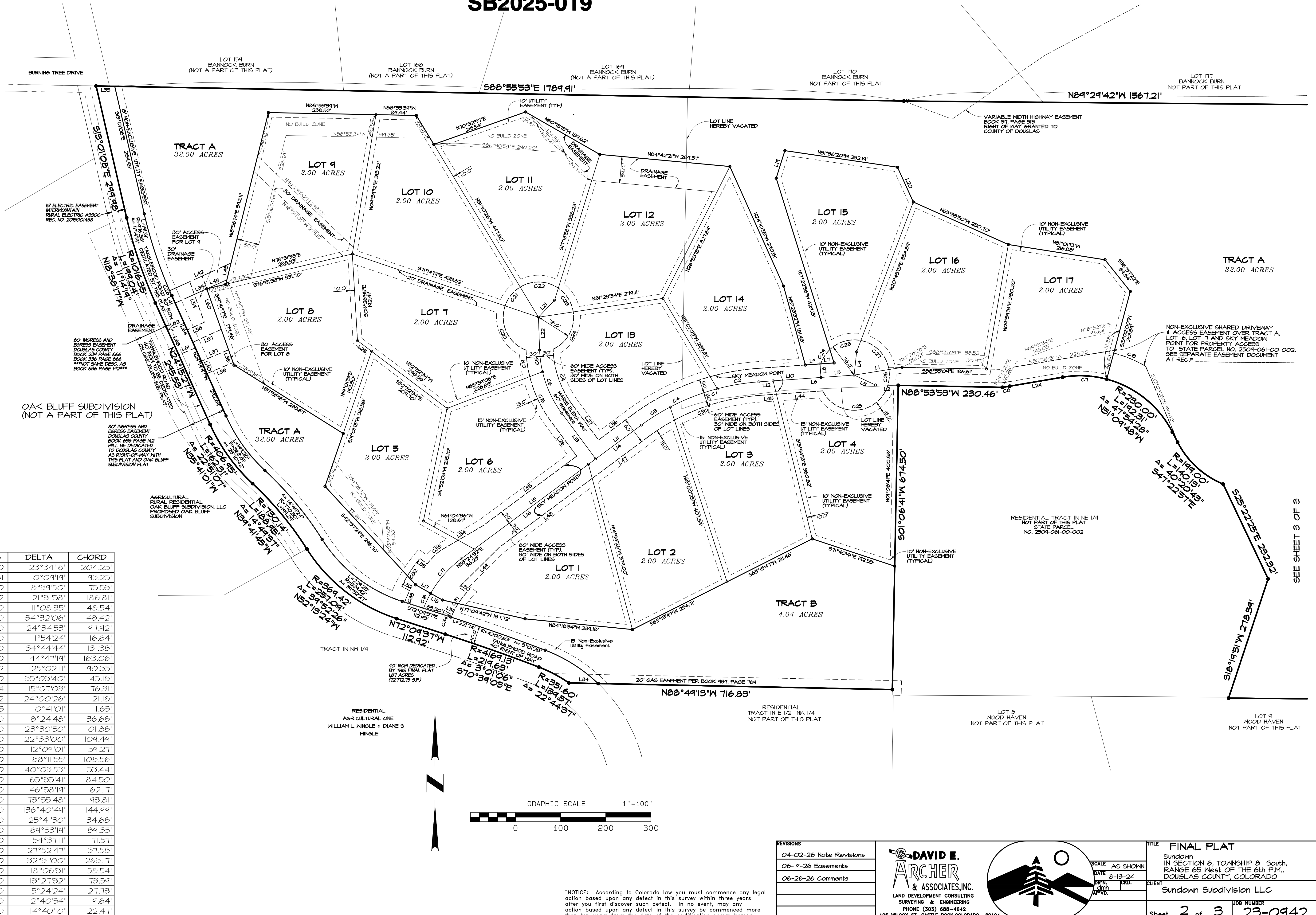
Chair, Board of Douglas County Commissioners

REVISIONS 04-01-26 Note Revisions 06-11-26 Note Revision 06-14-26 Easements 06-26-26 Comments	DAVID E. ARCHER & ASSOCIATES, INC. LAND DEVELOPMENT CONSULTING SURVEYING & ENGINEERING PHONE (303) 688-4642 105 WILCOX ST. CASTLE ROCK, COLORADO 80104	TITLE FINAL PLAT Sundown IN SECTION 6, TOWNSHIP 8 South, RANGE 65 West OF THE 6th P.M., DOUGLAS COUNTY, COLORADO Sundown Subdivision LLC. Sheet 1 of 3 23-0942
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Sundown
IN SECTION 6, TOWNSHIP 8 South, RANGE 65 West OF THE 6th P.M.,
DOUGLAS COUNTY, COLORADO
72.43 ACRES +/-, 17 RESIDENTIAL LOTS AND 3 TRACTS
SB2025-019

LINE	BEARING	DISTANCE
L1	S80°56'03"W	107.87'
L2	S84°00'57"E	50.54'
L3	S65°06'12"E	52.00'
L4	N06°07'09"E	52.00'
L5	S85°55'32"W	73.63'
L6	N85°55'32"E	180.00'
L7	S85°55'32"W	31.16'
L8	N04°04'28"W	30.00'
L9	S85°55'32"W	32.73'
L10	S85°55'32"W	138.01'
L11	S53°24'32"W	125.75'
L12	N85°55'32"E	31.64'
L13	S36°35'28"E	126.16'
L14	N53°24'32"E	145.78'
L15	S53°24'32"W	335.36'
L16	N53°24'32"E	351.56'
L17	N60°23'13"W	38.12'
L18	S60°23'13"E	30.00'
L19	S17°31'18"W	64.01'
L20	N24°27'51"W	84.64'
L21	S43°32'44"W	52.00'
L22	N02°03'22"W	72.81'
L23	S52°52'34"E	34.16'
L24	N80°19'56"E	119.06'
L25	N64°34'16"E	365.68'
L26	S36°35'28"E	96.16'
L27	N36°35'28"W	96.16'
L28	S11°36'27"E	103.17'
L29	S33°10'52"W	164.56'
L30	N69°38'44"E	31.81'
L31	S76°31'33"W	43.37'
L32	S12°44'04"W	633.61'
L33	S12°44'14"W	111.83'
L34	N88°49'17"W	64.76'
L35	S88°55'53"E	41.24'
L36	N67°16'42"E	62.88'
L37	S67°16'42"W	65.27'
L38	S19°41'17"E	30.04'
L39	S65°44'33"W	125.64'
L40	N24°14'47"W	30.01'
L41	S24°14'47"E	18.35'
L42	S65°44'33"W	149.18'
L43	S13°56'14"W	38.17'
L44	N85°55'32"E	102.81'
L45	N85°55'32"E	36.82'
L46	N72°09'37"W	30.05'
L47	N53°24'32"E	155.26'
L48	N53°24'32"E	256.43'
L49	N45°10'49"E	112.62'
L50	N53°41'42"W	20.09'
L51	N60°23'13"W	20.09'
L52	N60°23'13"W	20.04'
L53	S53°30'02"E	20.04'
L54	S59°43'21"W	102.60'
L55	S53°24'32"E	258.65'
L56	S53°24'32"W	93.30'
L57	N65°31'19"E	64.07'
L58	N65°31'19"E	41.36'
L59	S19°41'17"E	95.51'
L60	S19°41'17"E	125.50'
L61	S67°31'00"W	40.02'
L62	S67°31'00"W	40.01'
L63	N24°15'27"W	60.03'
L64	S24°14'47"E	16.27'

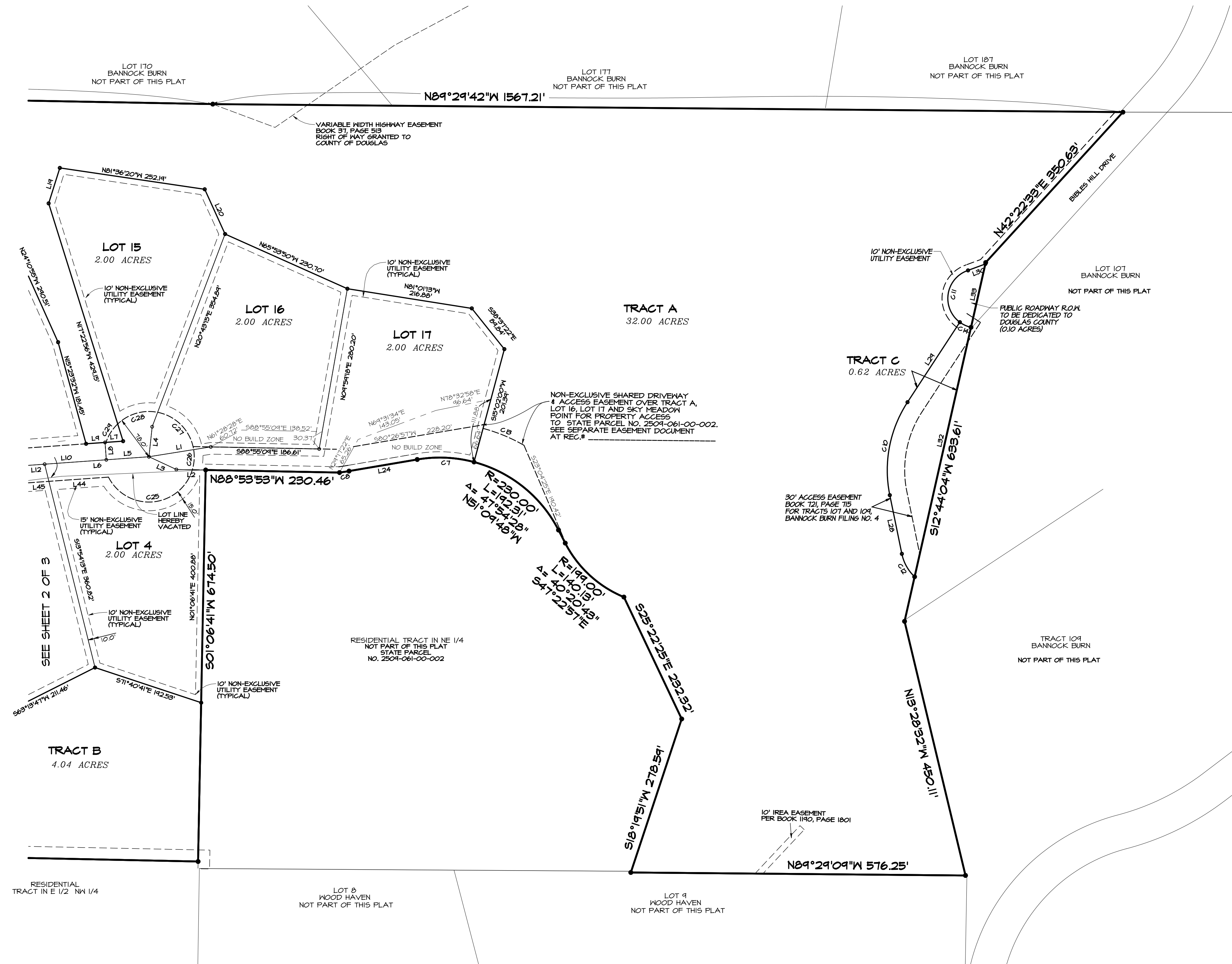
LINE	ARC	CHORD BEARING	RADIUS	DELTA	CHORD
C1	205.70'	N74°08'25"E	500.00'	23°34'16"	204.25'
C2	93.37'	S80°34'30"W	526.81'	10°09'19"	93.25'
C3	75.61'	S58°01'22"W	500.00'	8°39'50"	75.53'
C4	187.42'	S64°27'27"W	500.02'	21°31'58"	186.81'
C5	48.62'	S07°37'40"E	250.00'	11°08'35"	48.54'
C6	150.69'	N19°14'25"W	250.00'	34°32'06"	148.42'
C7	98.68'	S87°24'28"E	230.00'	24°34'53"	97.92'
C8	16.64'	N81°17'08"E	500.00'	1°54'24"	16.64'
C9	133.41'	N19°13'06"W	220.00'	34°44'44"	131.38'
C10	167.29'	S10°47'13"W	214.00'	44°47'19"	163.06'
C11	111.12'	N08°54'05"E	50.92'	125°02'11"	90.35'
C12	45.89'	S29°08'17"E	75.00'	35°03'40"	45.18'
C13	76.53'	N67°31'40"W	290.04'	15°07'03"	76.31'
C14	21.34'	S65°32'14"E	50.92'	24°00'26"	21.18'
C15	11.65'	S23°54'57"E	97.635'	0°41'01"	11.65'
C16	36.71'	S25°24'23"W	250.00'	8°24'48"	36.68'
C17	102.60'	S41°22'12"W	250.00'	23°30'50"	101.88'
C18	110.20'	N25°18'58"W	280.00'	22°33'00"	109.44'
C19	59.38'	S07°57'57"E	280.00'	12°09'01"	59.27'
C20	120.07'	S25°20'16"E	78.00'	88°11'55"	108.56'
C21	54.54'	N38°47'38"E	78.00'	40°03'53"	53.44'
C22	89.30'	S88°22'35"E	78.00'	65°35'41"	84.50'
C23	63.95'	S32°05'35"E	78.00'	46°58'19"	62.17'
C24	100.65'	N28°21'28"E	78.00'	73°55'48"	93.81'
C25	186.07'	S84°57'58"W	78.00'	136°40'49"	144.99'
C26	34.98'	S03°46'48"W	78.00'	25°41'30"	34.68'
C27	95.14'	S44°00'37"E	78.00'	69°53'19"	89.35'
C28	74.36'	N73°44'09"E	78.00'	54°37'11"	71.57'
C29	37.95'	S32°29'10"W	78.00'	27°52'47"	37.58'
C30	266.74'	N69°40'02"E	470.00'	32°31'00"	263.17'
C31	58.79'	S33°06'50"W	186.00'	18°06'31"	58.54'
C32	73.76'	N33°03'22"E	314.00'	13°27'32"	73.59'
C33	27.74'	N23°23'59"E	294.00'	5°24'24"	27.73'
C34	9.64'	N23°15'34"E	206.00'	2°40'54"	9.64'
C35	22.53'	S52°23'17"W	88.00'	14°40'10"	22.47'



REVISIONS	DAVID E. ARCHER & ASSOCIATES, INC.	TITLE
04-02-26 Note Revisions	LAND DEVELOPMENT CONSULTING SURVEYING & ENGINEERING	FINAL PLAT
06-19-26 Easements	PHONE (303) 688-4642	Sundown
06-26-26 Comments	105 WILCOX ST. CASTLE ROCK, COLORADO 80104	IN SECTION 6, TOWNSHIP 8 South, RANGE 65 West OF THE 6th P.M., DOUGLAS COUNTY, COLORADO
		CLIENT Sundown Subdivision LLC
		SHEET 2 of 3
		JOB NUMBER 23-0942

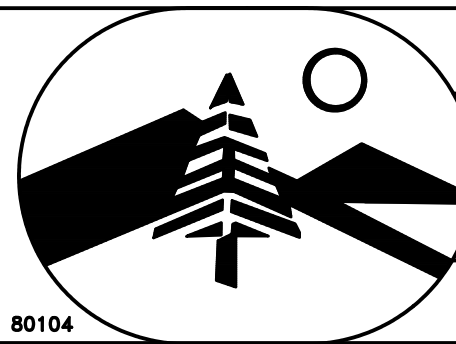
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Sundown
IN SECTION 6, TOWNSHIP 8 South, RANGE 65 West OF THE 6th P.M.,
DOUGLAS COUNTY, COLORADO
72.43 ACRES +/-, 17 RESIDENTIAL LOTS AND 3 TRACTS
SB2025-019



REVISIONS	
04-02-26	Note Revisions
06-19-26	Easements
06-26-26	Comments

DAVID E. ARCHER
& ASSOCIATES, INC.
LAND DEVELOPMENT CONSULTING
SURVEYING & ENGINEERING
PHONE (303) 688-4642
105 WILCOX ST. CASTLE ROCK, COLORADO 80104



TITLE	
FINAL PLAT	
Sundown IN SECTION 6, TOWNSHIP 8 South, RANGE 65 West OF THE 6th P.M., DOUGLAS COUNTY, COLORADO	
SCALE AS SHOWN	DATE 08-19-24
BY: [Signature]	CHKD: [Signature]
APP'D: [Signature]	CLIENT Sundown Subdivision LLC
Sheet 3 of 3	JOB NUMBER 23-0942

"NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first 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."

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Tue Jun 30 11:25:52 2026