

### DEVELOPMENT APPLICATION FORM

PROJECT NAME: Security Gate to Protect Seven Landowners & Homes

#### APPLICANT

Name(s): Gerald R & Deborah A Toczek Phone #: 303-644-3801  
Address: 49200 E 64th Ave  
City, State, Zip: Bennett CO 80102  
2nd Phone #: 720-635-4450 Email: willowtreeinn@tds.net

#### OWNER

Name(s): Gerald R & Deborah A Toczek Phone #: 303-644-3801  
Revocable Trust  
Address: 49200 E 64th Ave  
City, State, Zip: Bennett Co 80102  
2nd Phone #: 720-635-4450 Email: willowtreeinn@tds.net

#### TECHNICAL REPRESENTATIVE (Consultant, Engineer, Surveyor, Architect, etc.)

Name: Curtis @ American West Land Phone #: 303-659-1532  
Survey Company  
Address: PO Box 129  
City, State, Zip: Brighton CO 80601  
2nd Phone #: 720-308-7562 Email: curtisamw@aol.com

**DESCRIPTION OF SITE**

Address:

City, State, Zip:

Area (acres or square feet):

Tax Assessor Parcel Number:

Existing Zoning:

Existing Land Use:

Proposed Land Use:

Have you attended a Conceptual Review? YES  NO

If Yes, please list PRE#:

I hereby certify that I am making this application as owner of the above-described property or acting under the authority of the owner (attached authorization, if not owner). I am familiar with all pertinent requirements, procedures, and fees of the County. I understand that the Application Review Fee is non-refundable. All statements made on this form and additional application materials are true to the best of my knowledge and belief.

Name:   
Deborah A. Toczek  
Owner's Printed Name

Date:

Name:   
Owner's Signature  
*Deborah A. Toczek*

Zimbra

jsdubois@esrta.com

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**Written Explanation for Right-of-Way Vacation Application**

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**From :** willowtreeinn@tds.net

Fri, Jun 14, 2024 07:49 PM

**Subject :** Written Explanation for Right-of-Way Vacation Application**To :** jsdubois@esrta.com

To Whom it May Concern,

We, Gerald R. and Deborah A. Toczek and six other property owners who own property accessed by East 64th Avenue north of Bennett, Co are applying for a "Right-of Way Vacation".

All seven property owners and households have become very concerned about the large amount of unwanted traffic coming down 64th Avenue; which for the most part is owned by Adams County. There is a sign posted at Highway 79 and E. 64th Ave. stating, "DEAD END" which no one pays any attention to. Most of us are senior citizens and two are single women. Many times there have been people trespassing onto everyone's property, even going into our barns and garages. These unwanted individuals park in our driveways; drink beer and have picnics, throwing trash and beer cans out their windows. We have even had to call the fire department, when teenagers have camped out on our property at Kiowa Creek and started a fire which could have taken our crops and homes. Tractor trailers and other large trucks come down this dead end road and when they get stuck they run into our fences and fence posts taking them down. Traffic comes down all hours of the day and even during the middle of the night. We have found packages of drugs in the ditch along the road.

Every property owner residing on E. 64th Ave. supports the proposal to have E. 64th Ave become a private road. Every property owner has written a statement regarding their concern about having E. 64th Ave a public road.

There really isn't any reason to give the public access to E. 64th Ave., because it is a dead end. We built the road 49 years ago and have shared the maintenance with all neighbors as they have moved in. Each property owner has shared in the maintenance of E. 64th Ave. for as long as they have owned their property, and have written a statement that they will continue to do their part. We are all willing to give private access easements to all occupants along E. 64th Ave.

Sincerely,

Gerald R. and Deborah A. Toczek



Electronically Recorded RECEPTION#: 2022000010663,  
2/3/2022 at 4:24 PM, 1 OF 1,  
REC: \$13.00  
TD Pgs: 0 Josh Zygielbaum, Adams County, CO.

Original Note and Deed of Trust Returned to: Dave LaRose/NTC, 2100 Alt. 19 North, Palm Harbor, FL 34683 (800)346-9152  
WHEN RECORDED RETURN TO: Planet Home Lending LLC C/O Nationwide Title Clearing, LLC 2100 Alt. 19 North Palm Harbor, FL 34683  
Prepared/Received by: Planet Home Lending LLC C/O Nationwide Title Clearing, LLC 2100 Alt. 19 North Palm Harbor, FL 34683

REQUEST FOR FULL  / PARTIAL

RELEASE OF DEED OF TRUST AND RELEASE BY HOLDER OF THE EVIDENCE OF DEBT WITHOUT PRODUCTION OF EVIDENCE OF DEBT PURSUANT TO §38-39-102 (1) (a) AND (3), COLORADO REVISED STATUTES

Dated this 28th day of January in the year 2022 Date  
GERALD R TOCZEK AND DEBORAH A TOCZEK Original Grantor (Borrower)  
PO BOX 160 BENNETT, CO 80102-0160 Current Address of Original Grantor, Assuming Party, or Current Owner  
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS BENEFCIARY, AS NOMINEE FOR AMERICAN FINANCING CORPORATION, ITS SUCCESSORS AND ASSIGNS Original Beneficiary (Lender)  
08/01/2019 Date of Deed of Trust  
08/12/2019 Date of Recording  
ADAMS County Reception # 201900064487 Recording Information

County Rept. No. and/or Filin No. and/or Book/Page No. and/or Torrens Reg. No.

TO THE PUBLIC TRUSTEE OF ADAMS COUNTY (The County of the Public Trustee who is the appropriate grantee to whom the above Deed of Trust should grant an interest in the property described in the Deed of Trust.)  
PLEASE EXECUTE AND RECORD A RELEASE OF THE DEED OF TRUST DESCRIBED ABOVE. The indebtedness secured by the Deed of Trust has been fully or partially paid and/or the purpose of the Deed of Trust has been fully or partially satisfied in regard to the property encumbered by the Deed of Trust as described herein as to a full release or, in the event of a partial release, only that portion of the real property described as:  
(IF NO LEGAL DESCRIPTION IS LISTED THIS WILL BE DEEMED A FULL RELEASE.)

Pursuant to § 38-39-102 (3), Colorado Revised Statutes, in support of this Request for Release of Deed of Trust, the undersigned, as the holder of the evidence of debt secured by the Deed of Trust described above, or a Title Insurance Company authorized to request the release of a Deed of Trust pursuant to § 38-39-102 (3) (c), Colorado Revised Statutes, in lieu of the production or exhibition of the original evidence of debt with this Request for Release, certifies as follows:

- 1. The purpose of the Deed of Trust has been fully or partially satisfied.
- 2 The original evidence of debt is not being exhibited or produced herewith.
- 3. It is one of the following entities (check applicable box):
  - a.  The holder of the original evidence of debt that is a qualified holder, as specified in § 38-39-102 (3) (a), Colorado Revised Statutes, that agrees that it is obligated to indemnify the Public Trustee for any and all damages, costs, liabilities, and reasonable attorney fees incurred as a result of the action of the Public Trustee taken in accordance with this Request for Release.
  - b.  The holder of the evidence of debt requesting the release of a Deed of Trust without producing or exhibiting the original evidence of debt that delivers to the Public Trustee a Corporate Surety Bond as specified in § 38-39-102 (3) (b), Colorado Revised Statutes; or
  - c.  A Title Insurance Company licensed and qualified in Colorado, as specified in § 38-39-102 (3) (c), Colorado Revised Statutes, that agrees that it is obligated to indemnify the Public Trustee pursuant to statute as a result of the action of the Public Trustee taken in accordance with this Request for Release and that caused the indebtedness secured by the Deed of Trust to be satisfied in full, or in the case of a Partial Release, to the extent required by the holder of the indebtedness.

PLANET HOME LENDING, LLC 321 RIBSARCII PARKWAY, SUITE 303, MERIDEN, CT 06450

Name and Address of the Current Holder of the Evidence of Debt Secured by Deed of Trust (Lender)  
or name and address of the Title Insurance Company Authorized to Request the Release of a Deed of Trust

Susan Hicks VICE PRESIDENT 2100 Alt 19 North, Palm Harbor, FL 34683

Name, Title and Address of Officer, Agent, or Attorney of Current Holder

*S Hicks*

SUSAN HICKS  
VICE PRESIDENT

STATE OF FLORIDA COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me by means of [X] physical presence or [ ] online notarization on this 28th day of January in the year 2022, by Susan Hicks as VICE PRESIDENT of PLANET HOME LENDING, LLC, who, as such VICE PRESIDENT being authorized to do so, executed the foregoing instrument for the purposes therein contained. He/she/they is (are) personally known to me.

*Julie Martens*

JULIE MARTENS  
COMM EXPIRES: 5/22/2022



JULIE MARTENS  
Notary Public - State of Florida  
Commission # 06221059  
My Comm. Expires May 22, 2022  
Bonded through National Notary Assn.

RELEASE OF DEED OF TRUST

WHEREAS, the Grantor(s) named above, by Deed of Trust, granted certain real property described in the Deed of Trust to the Public Trustee of the County referenced above, in the State of Colorado, to be held in trust to secure the payment of the indebtedness referred to therein; and  
WHEREAS, the indebtedness secured by the Deed of Trust has been fully or partially satisfied according to the written request of the holder of the evidence of debt or Title Insurance Company authorized to request the release of the Deed of Trust;

NOW THEREFORE, in consideration of the premises and the payment of the statutory sum Trustee in the County named above, do hereby fully and absolutely release, cancel and fore property described above in the Deed of Trust, together with all privileges and appurtenances th

I the Public  
of the real

*J*



Jennifer Yantz February 03 2022

Public Trustee

Deputy Public Trustee

Loan Number 9102058066 PHILRC 430589108 C5 DOCR T282201-12:17:45 [C-1] ERCNCOS



\*D0090172895\*



# Summary

Account Id R0082303  
Parcel Number 0181500000243  
Owners THE GERALD R AND DEBORAH A TOCZEK REVOCABLE TRUST  
Address 49200 E 64TH AVE  
BENNETT, CO 80102-9008  
Situs Address 49200 E 64TH AVE  
Legal SECT,TWN,RNG:11-3-63 DESC: N2 NW4 NW4 AND NW4 NE4 NW4 EXC N 30 FT EXC W 70 FT (PER REC NO 2006000992686) 28/70A

# Inquiry

As Of 06/14/2024

Payment Type  First  
 Full

Total Due \$0.00

# Value

Area Id	Actual	Mill Levy	Assessed
429 - 429		74.4830000	
AG DRY FARMING LAND - 4127	3,494		920
FARM/RANCH RESID - 4277	241,150		12,470
FARM/RANCH BLDG - 4279	10,596		2,800
<b>Total Value</b>	<b>255,240</b>		<b>16,190</b>

Page 1 of 2

# Tax Exemption

Taxes Billed	
Senior	\$1,206.28
Taxes	(\$464.42)
	\$741.86
Original Taxes	
Adjustments	\$1,670.70
Total Billed	(\$928.84)
	\$741.86





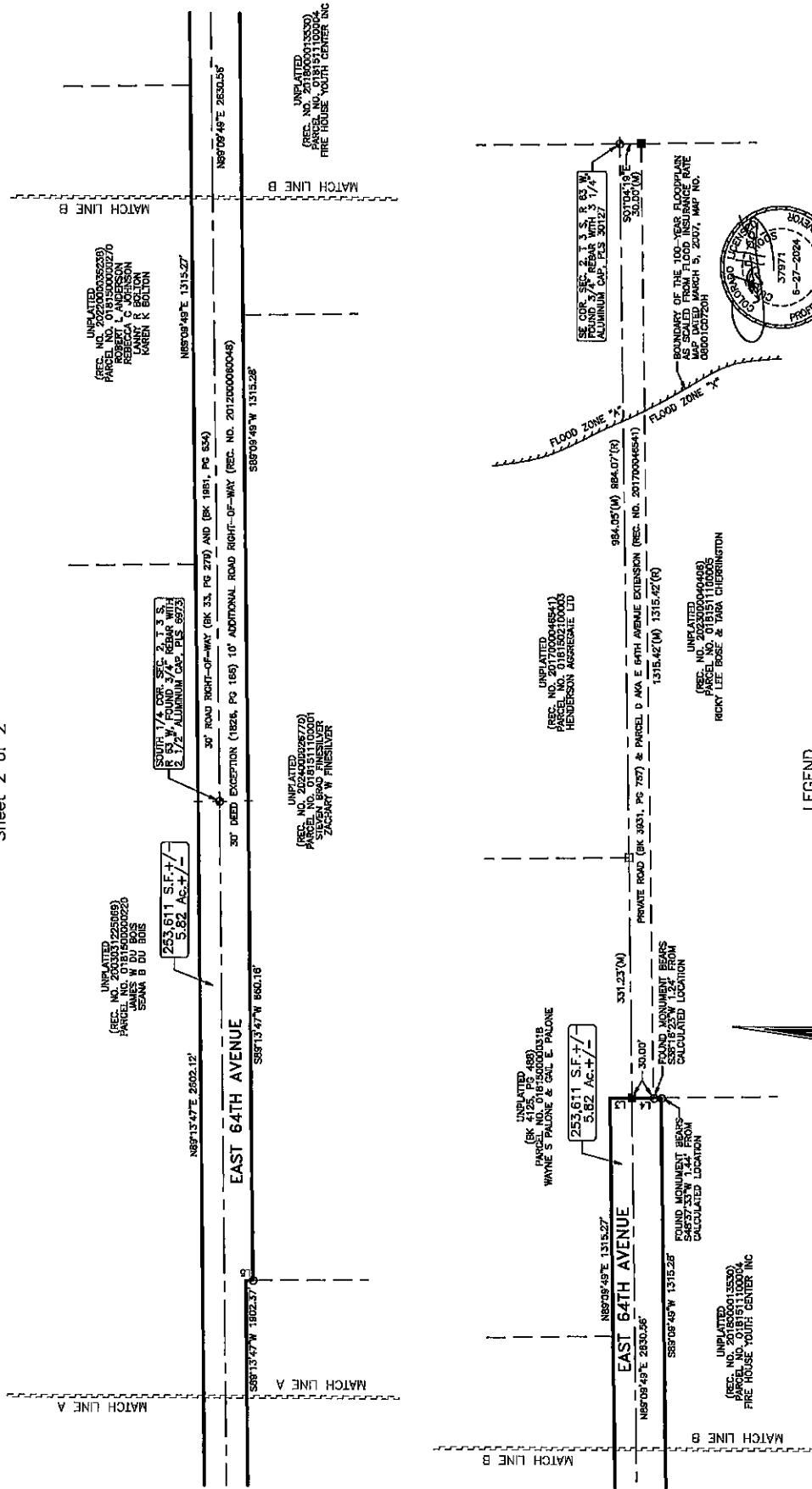




# EAST 64TH AVENUE VACATION PLAT

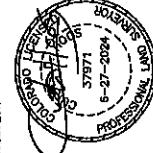
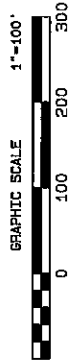
Part of the South 1/2 of Section 2 and the North 1/2 of Section 11,  
Township 3 South, Range 63 West of the 6th P.M.,  
County of Adams, State of Colorado

Sheet 2 of 2



### LEGEND

- ◆ = ADJUST MONUMENT, AS NOTED
- = FOUND 1/2" REBAR WITH 1 1/4" GREEN PLASTIC CAP, PLS 37801
- = FOUND 1/2" REBAR WITH 1" YELLOW PLASTIC CAP, PLS 8973
- = FOUND 1/2" REBAR WITH 1" ORANGE PLASTIC CAP, PLS 30828
- (M) = AS MEASURED BY THIS SURVEY
- (R) = MEASUREMENT OF RECORD



**American West**  
**Land Surveying Co.**  
A Colorado Corporation  
PO Box 129, Brighton, CO 80601 • P-303-659-1532 F-303-655-0575 • [www.amw.com](http://www.amw.com)

DATE	JUNE 27, 2024
DRAWN BY	CMH
CHECKED BY	MAH
CURVED BY	PAH
DATE	JUN 27, 2024
FILE	EA-UR-RES-14-5-14-5-RES-WA-54741-01E-VACATION-64TH-AVE-VACATION-PLAT-2P-24-06-2024.DWG





DEVELOPMENT APPLICATION FORM

PROJECT NAME:

APPLICANT

Name(s):  Phone #:   
Address:   
City, State, Zip:   
2nd Phone #:  Email:

OWNER

Name(s):  Phone #:   
Address:   
City, State, Zip:   
2nd Phone #:  Email:


TECHNICAL REPRESENTATIVE (Consultant, Engineer, Surveyor, Architect, etc.)

Name: Curtis  Phone #:   
          @   
Address:   
City, State, Zip:   
2nd Phone #:  Email:

**DESCRIPTION OF SITE**

Address:

City, State, Zip:

Area (acres or square feet):  

Tax Assessor Parcel Number:

Existing Zoning:

Existing Land Use:

Proposed Land Use:

Have you attended a Conceptual Review? YES  NO

If Yes, please list PRE#:

I hereby certify that I am making this application as owner of the above-described property or acting under the authority of the owner (attached authorization, if not owner). I am familiar with all pertinent requirements, procedures, and fees of the County. I understand that the Application Review Fee is non-refundable. All statements made on this form and additional application materials are true to the best of my knowledge and belief.

Name:

Date:

Owner's Printed Name

Name:

Owner's Signature



# Summary

Account Id R0193699

Parcel Number 0181511100001

Owners ~~COPELAND GARY R AND~~ *Finesilver Steve*

Address 49990 E 64TH AVE  
BENNETT, CO 80102-9008

Situs Address 49990 E 64TH AVE

Legal *See* SECT,TWN,RNG:11-3-63 DESC: PARCEL A THAT PT OF THE N2 NW4 NE4 AND THE 660 FT M/L OF THE N2 N2 NW4 AND THE E2 NE4 OF SEC 11 DESC AS FOLS BEG AT THE N 1/4 COR OF SD SEC 11 TH S 0D 34M 05S E 40 FT TO THE POB TH N 89D 09M 46S E 670/84 FT ALG A LN BEING // WITH THE N LN OF THE NE4 OF SD SEC 11 TH S 0D 50M 14S E 310/25 FT TH N 89D 10M 26S E 861/89 FT TH S 0D 47M 35S E 2292/94 FT TO A PT ON THE S LN OF THE NE4 OF SD SEC 11 TH S 89D 15M 05S W 217/50 FT TO THE SE COR OF THE E2 NE4 OF SD SEC 11 TH N 0D 47M 35S W 1982/27 FT TH S 89D 11M 06S W 1317/90 FT TH S 89D 13M 53S W 660 FT TH N 0D 34M 05S W 620/22 FT TH N 89D 13M 43S E 660 FT ALG A LN BEING 40 FT S AND // WITH THE N LN OF THE NW4 OF SD SEC 11 TO THE POB 35/010A

*(NEW)*

*4/10/24*

*Parcel A1*

## Inquiry

As Of 06/14/2024

Payment Type  First  
 Full

Total Due \$0.00

## Value

Area Id	Mill Levy	
429 - 429		74.4830000
	Actual	Assessed
AG DRY FARMING LAND - 4127	4,556	1,200
FARM/RANCH RESID - 4277	231,868	11,850
<b>Total Value</b>	<b>236,424</b>	<b>13,050</b>
<b>Taxes</b>		<b>\$972.00</b>





# LOT LINE ADJUSTMENT PLAT

OF PART OF THE N1/2 OF THE N1/2 OF THE NW1/4, THE N1/2 OF THE NW1/4 OF THE NE1/4 AND THE E 1/2 OF THE NE 1/4 OF SECTION 11, T3S, R63W OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO SHEET 1 OF 2

### GENERAL NOTES

1. 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 SUCH ACTION BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
2. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR OBFUSCATES ANY PUBLIC LAND SURVEY MONUMENT OR ACCESSORY COMMAITS A CLASS TWO (2) MISDEMEANOR PUNISHMENT TO STATE STATUTE 18-4-508, C.R.S.
3. THIS SURVEY WAS PREPARED WITHOUT A TITLE COMMITMENT, A TITLE SEARCH WAS NOT PERFORMED TO DETERMINE OWNERSHIP, EASEMENTS OR OTHER MATTERS OF PUBLIC RECORD.
4. BASIS OF BEARINGS: BEARINGS ARE BASED ON THE NORTH LINE OF THE WEST 1/2 OF SECTION 36, T3S, R62W, ADJACENT TO THE EAST OF THE EASTING DIRT DRIVE ON THE EAST EDGE OF PARCEL B AS SHOWN HEREOF.
5. PROPERTY ADDRESS: 4885 N. SHERIDAN E. 84TH AVE. BERNETT, COLORADO 80702.
6. THE PURPOSE OF THIS LOT LINE ADJUSTMENT IS TO ELIMINATE THE PREVIOUSLY SHARED ACCESS THROUGH THE COMMON DRIVE BETWEEN PARCEL A AND PARCEL B. ACCESS TO PARCEL B WILL BE THROUGH THE EXISTING DIRT DRIVE ON THE EAST EDGE OF PARCEL B AS SHOWN HEREOF.

### SURVEYOR'S CERTIFICATE

I, DAVID L. SWANSON, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED UNDER MY RESPONSIBLE CHARGE AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



Digitally signed by  
David L. Swanson  
Date: 2024.05.16  
10:28:14 -06'00'

DAVID L. SWANSON, P.L.S., No. 57303  
COLORADO PROFESSIONAL LAND SURVEYOR

### LEGAL DESCRIPTION (RECORD)

PARCEL 1B: THAT PART OF THE N1/2, NW1/4, NE1/4, AND THE 660 FEET MORE OR LESS OF THE N1/2, N1/2, NW1/4 AND THE E1/2 OF THE NE1/4 OF SECTION 11, T3S, R63W OF THE 6TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE NORTH 1/4 CORNER OF SAID SECTION 11; THENCE S00°40'20"E 40.00 FEET TO THE POINT OF BEGINNING;  
THENCE N89°09'46"E 508.67 FEET ALONG A LINE BEING PARALLEL WITH THE NORTH LINE OF THE N1/2, NW1/4, NE1/4, AND THE 660 FEET MORE OR LESS OF THE N1/2, N1/2, NW1/4 AND THE E1/2 OF THE NE1/4 OF SECTION 11, T3S, R63W OF THE 6TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
THENCE S77°48'48"E 118.16 FEET THENCE S77°17'18"E 158.70 FEET; THENCE N81°02'27"E 804.94 FEET; THENCE S0°47'35"E 2292.84 FEET TO A POINT ON THE SOUTH LINE OF THE NE 1/4 OF SAID SECTION 11; THENCE S89°15'02"W 107.96 FEET TO THE SW CORNER OF SAID SECTION 11; THENCE S89°15'02"W 22.71 FEET TO THE SE CORNER OF SAID SECTION 11; THENCE N0°47'35"W 1882.27 FEET ALONG THE WEST LINE OF THE N1/2 OF THE NW 1/4 OF SAID SECTION 11 TO THE SE CORNER OF THE N 1/2 OF THE NW 1/4 OF SAID SECTION 11; THENCE S89°15'02"W 137.90 FEET TO THE SW CORNER OF THE N 1/2 OF THE NW 1/4 OF SAID SECTION 11; THENCE N0°47'35"W 660.00 FEET; THENCE N0°47'35"W 620.22 FEET; THENCE S89°15'02"W 310.25 FEET TO THE POINT OF BEGINNING, SAID PARCEL CONTAINING 35.010 ACRES.  
COUNTY OF ADAMS, STATE OF COLORADO.

### LEGAL DESCRIPTION (NEW)

PARCEL 1B: THAT PART OF THE N1/2, NW1/4, NE1/4, AND THE 660 FEET MORE OR LESS OF THE N1/2, N1/2, NW1/4 AND THE E1/2 OF THE NE1/4 OF SECTION 11, T3S, R63W OF THE 6TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
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COUNTY OF ADAMS, STATE OF COLORADO.

PARCEL 1A: THAT PART OF THE N1/2, NW1/4, NE1/4, AND THE 660 FEET MORE OR LESS OF THE N1/2, N1/2, NW1/4 AND THE E1/2 OF THE NE1/4 OF SECTION 11, T3S, R63W OF THE 6TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE NORTH 1/4 CORNER OF SAID SECTION 11; THENCE S00°40'20"E 40.00 FEET TO THE POINT OF BEGINNING;  
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COUNTY OF ADAMS, STATE OF COLORADO.

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THENCE N89°09'46"E 508.67 FEET ALONG A LINE BEING PARALLEL WITH THE NORTH LINE OF THE N1/2, NW1/4, NE1/4, AND THE 660 FEET MORE OR LESS OF THE N1/2, N1/2, NW1/4 AND THE E1/2 OF THE NE1/4 OF SECTION 11, T3S, R63W OF THE 6TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
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COUNTY OF ADAMS, STATE OF COLORADO.

PREPARED FOR:	CARY COPELAND
ADDRESS:	4885 E 84TH AVE
	BERNETT, CO 80502
DATE:	5/16/24
DRAWN BY:	DAVID L. SWANSON
SCALE:	AS SHOWN
SHEET NO.:	1 OF 2
TOTAL SHEETS:	2
RECORD NO.:	
COUNTY:	ADAMS
SECTION:	11
TOWNSHIP:	T3S
RANGE:	R63W

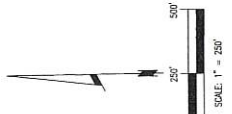


DAVID L. SWANSON, P.L.S., No. 57303  
COLORADO PROFESSIONAL LAND SURVEYOR

# LOT LINE ADJUSTMENT PLAT

OF PART OF THE N1/2 OF THE N1/2 OF THE NW1/4, THE N1/2 OF THE NW1/4 OF THE NE1/4 AND THE E 1/2 OF THE NE 1/4 OF SECTION 11, T3S, R63W OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO

SHEET 2 OF 2

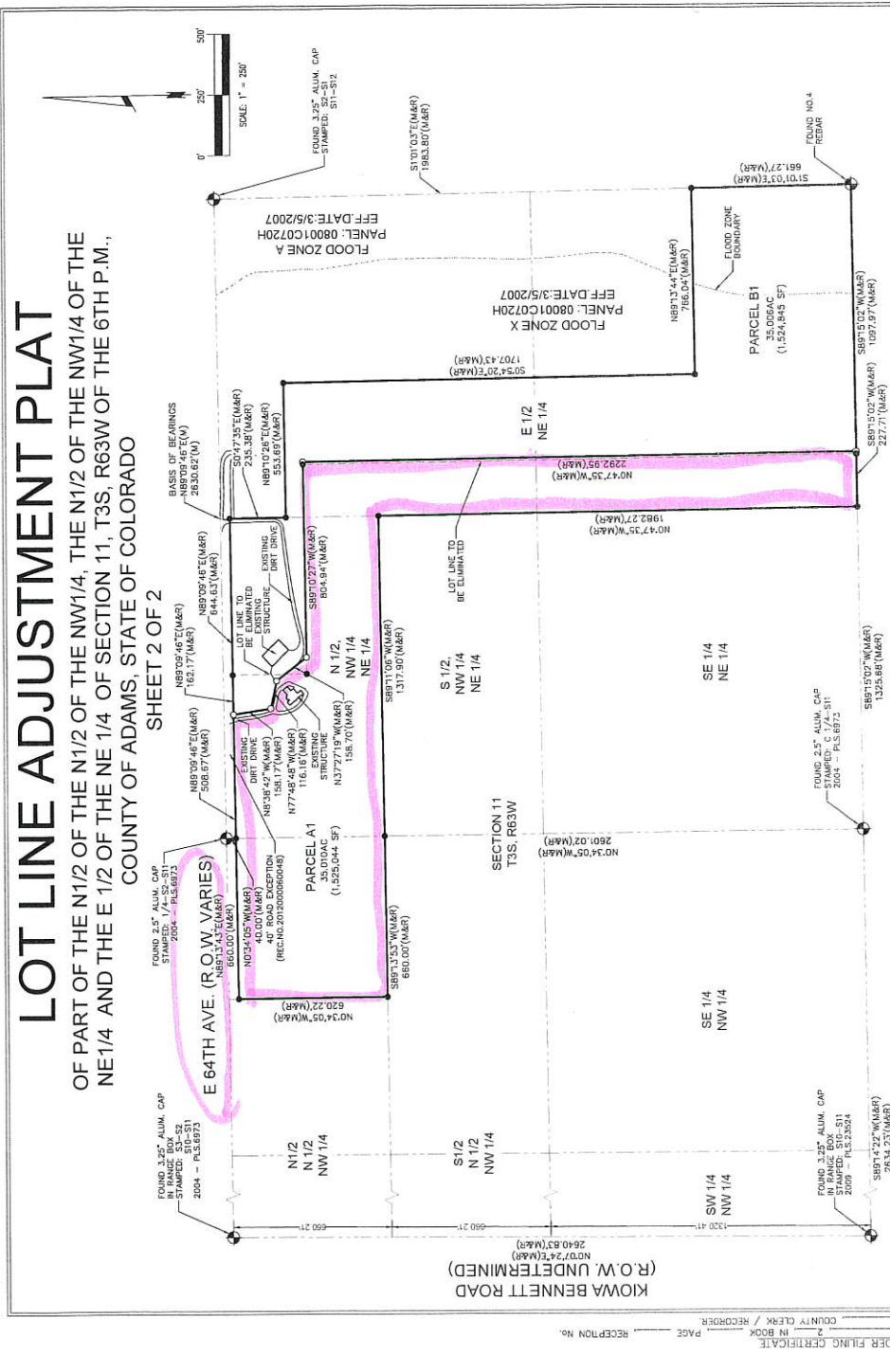


FOUND 2.5" ALUM. CAP STAMPED: 1/A-S2-311 2004 - PL3.6873

FOUND 3.25" ALUM. CAP STAMPED: 31-52 2004 - PL3.6873

FOUND 3.25" ALUM. CAP STAMPED: 31-52 2004 - PL3.6873

FOUND 2.5" ALUM. CAP STAMPED: 1/A-S2-311 2004 - PL3.6873



- LEGEND**
- SECTION EASEMENT WITH PLASTIC CAP L&P 76070
  - FOUND REBAR WITH ORANGE FLAG CAP L&P 80083
  - FOUND MONUMENT AS NOTED
  - RECORD INFORMATION
  - MEASURED
  - PROPERTY LINE
  - LOT LINE

PREPARED FOR:

GARY CLEVELAND	DATE NUMBER
BENNETT, CO 80102	23082702
DATE	DRAWN BY:
7/15/2004	F. CHAVEZ
NO. DATE	REVISION

11470 S. PINE DRIVE, PARKSIST, CO 80134

FOUND 3.25" ALUM. CAP IN RANGE BOX - 51 2009 - PL3.2524

FOUND 2.5" ALUM. CAP STAMPED: C174-S11 2004 - PL3.1875

FOUND 2.5" ALUM. CAP STAMPED: C174-S11 2004 - PL3.1875

FOUND 2.5" ALUM. CAP STAMPED: C174-S11 2004 - PL3.1875

FOUND 3.25" ALUM. CAP STAMPED: 31-52 2004 - PL3.6873

FOUND 3.25" ALUM. CAP STAMPED: 31-52 2004 - PL3.6873

FOUND 2.5" ALUM. CAP STAMPED: 1/A-S2-311 2004 - PL3.6873

FOUND 2.5" ALUM. CAP STAMPED: 1/A-S2-311 2004 - PL3.6873

FOUND 2.5" ALUM. CAP STAMPED: 1/A-S2-311 2004 - PL3.6873

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FOUND 2.5" ALUM. CAP STAMPED: 1/A-S2-311 2004 - PL3.6873

FOUND 2.5" ALUM. CAP STAMPED: 1/A-S2-311 2004 - PL3.6873

COUNTY CLERK / RECORDER FILING CERTIFICATE  
 DEPOSITED THIS DAY OF 2 IN BOOK PAGE \_\_\_\_\_ RECEPTION NO. \_\_\_\_\_

---

**Re: Security Gate and Fence E. 64th Ave. Bennett, CO**

---

**From :** Steve Finesilver <sbfino@msn.com>

Mon, Jun 10, 2024 07:56 PM

**Subject :** Re: Security Gate and Fence E. 64th Ave. Bennett, CO

**To :** willowtreeinn@tds.net

Please forward to the Adams county officials.

I am in support of the need for a security gate. It is necessary to secure the property and limit access. I also support the continued maintenance of the drainage ditch to cut down the weeds. I believe the easement/access has also been addressed prior to my ownership. There has been a rent survey filed related to this.

Thanks,

Steve Finesilver 303-550-4445

49990 East 64<sup>th</sup> Avenue

---





AAA Insurance  
underwritten by CSAA General Insurance Company  
PO Box 24511 Oakland, CA 94623-9865 800.207.3618

*New owners as of  
May 17, 2024*



000004 7196960 000 05 002

STEVEN FINESILVER  
ZACHARY FINESILVER  
49990 E 64TH AVE  
BENNETT, CO 80102-9008



*Deed has not  
yet been recorded.*

Welcome

Thank you for trusting us with your protection needs. This packet contains important information about your policy. Please read it carefully and keep it for your records. It covers details of your AAA Insurance policy.

Manage your policy online with MyPolicy. If you haven't already, you can set up and manage Automatic Payment, sign up for paperless preferences and access insurance documents. Go to [csaa-insurance.aaa.com/MyPolicy](http://csaa-insurance.aaa.com/MyPolicy).

Inside you'll find the following:

1

Your **policy declarations** lists the coverages included in your policy, the costs for each and more. **Please review this and call us if you have any questions or want to make changes.**

2

Your policy booklet, called **Colorado Homeowners Policy**. It's part of your policy and it includes definitions and limitations of your coverages.

**Discounts and savings**

These discounts and savings are applied to your policy

AAA Auto / AAA Membership, AAA Loyalty / Home Modernization / Mortgage Bill / New Purchased, Mature Homeowner / Zero-Prior Claims

# Your homeowners insurance policy

May 08, 2024

STEVEN FINESILVER  
ZACHARY FINESILVER

## YOUR POLICY INFORMATION

Your policy number    0083232351497  
What's covered        49990 E 64th Ave  
                                  Bennett, CO 80102  
Policy period         May 17, 2024 to  
                                  May 17, 2025

Bill is not enclosed

Manage your policy online with MyPolicy.  
Go to [csaa-insurance.aaa.com/MyPolicy](http://csaa-insurance.aaa.com/MyPolicy).

**Questions about your policy?** Call 800.207.3618, 24/7  
**Moving?** Call to give us your new address

*Steve Finesilver cell phone:  
303-550-4445*







### DEVELOPMENT APPLICATION FORM

PROJECT NAME:

#### APPLICANT

Name(s):  Phone #:   
Address:   
City, State, Zip:   
2nd Phone #:  Email:

#### OWNER

Name(s):  Phone #:   
Address:   
City, State, Zip:   
2nd Phone #:  Email:

#### TECHNICAL REPRESENTATIVE (Consultant, Engineer, Surveyor, Architect, etc.)

Name:  Phone #:   
Address:   
City, State, Zip:   
2nd Phone #:  Email:

**DESCRIPTION OF SITE**

Address:

City, State, Zip:

Area (acres or square feet):

Tax Assessor Parcel Number:

Existing Zoning:

Existing Land Use:

Proposed Land Use:

Have you attended a Conceptual Review? YES  NO

If Yes, please list PRE#:

I hereby certify that I am making this application as owner of the above-described property or acting under the authority of the owner (attached authorization, if not owner). I am familiar with all pertinent requirements, procedures, and fees of the County. I understand that the Application Review Fee is non-refundable. All statements made on this form and additional application materials are true to the best of my knowledge and belief.

Name:  Date:   
*Fire House Youth Center, Inc*  
*Deborah A. Toczek*  
Owner's Printed Name

Name:   
Owner's Signature  
*Deborah A. Toczek*



# Summary

Account Id R0194017  
Parcel Number 0181511100004  
Owners FIRE HOUSE YOUTH CENTER INC  
Address ~~49990 E 64TH AVE~~ 50010 E 64th Ave  
BENNETT, CO 80102-9008

Situs Address ~~49990 E 64TH AVE~~ 50010 E 64th Ave

Legal SECT,TWN,RNG:11-3-63 DESC: PARCEL B THAT PT OF THE N2 NW4 NE4 AND THE 660 FT M/L OF THE N2 N2 NW4 AND THE E2 NE4 OF SEC 11 DESC AS FOLS BEG AT TEH N 1/4 COR OF SD SEC 11 TH S 0D 34M 05S E 40 FT TH N 89D 09M 46S E 670/84 FT ALG A LN BEING // WITH THE N LN OF THE NE4 OF SD SEC 11 TO THE POB TH CONT ALG SD LN N 89D 09M 46S E 644/63 FT TO A PT ON THE W LN OF THE E2 NE4 OF SD SEC 11 TH ALG SD LN S 0D 47M 35S E 235/38 FT TH N 89D 10M 26S E 553/69 FT TH S 0D 54M 20S E 1707/43 FT TH N 89D 13M 44S E 766/04 FT TO A PT ON THE E LN OF SD SEC 11 TH S 1D 01M 03S E 661/27 FT ALG SD W LN TO THE E 1/4 COR OF SD SEC 11 TH S 89D 15M 02S W 1108/18 FT ALG THE S LN OF THE NE4 OF SD SEC 11 TH N 0D 47M 35S W 2292/94 FT TH S 89D 10M 26S W 861/89 FT TH N 0D 50M 14S W 310/25 FT TO THE POB 35/033A

See  
(NEW)  
1/10/24  
Parcel B1

# Inquiry

As Of 06/14/2024

Payment Type  First  
 Full

Total Due \$0.00

# Value

Area Id	Actual	Mill Levy	Assessed
429 - 429		74.4830000	
AG DRY FARMING LAND - 4127	2,574		680
AG OTHER LAND - 4167	131		30
FARM/RANCH BLDG - 4279	78,681		20,770
<b>Total Value</b>	<b>81,386</b>		<b>21,480</b>
<b>Taxes</b>			<b>\$1,599.90</b>



# LOT LINE ADJUSTMENT PLAT

OF PART OF THE N1/2 OF THE N1/2 OF THE NW1/4, THE N1/2 OF THE NW1/4 OF THE NE1/4 AND THE E 1/2 OF THE NE 1/4 OF SECTION 11, T35S, R63W OF THE 6TH P.M.,  
COUNTY OF ADAMS, STATE OF COLORADO  
SHEET 1 OF 2

### GENERAL NOTES

1. 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 DEFECT BE DISCOVERED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
2. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACTS ANY PUBLIC LAND SURVEY MONUMENT OR ACCESSORY COMMAITS A CLASS TWO MISDEMEANOR PUNISHABLE TO STATE STATUTE 18-6-508, C.R.S.
3. THIS SURVEY WAS NOT PERFORMED WITHOUT A TITLE COMMITMENT, A TITLE SEARCH WAS NOT PERFORMED TO DETERMINE OWNERSHIP, EASEMENTS OR OTHER MATTERS OF RECORD RECORDS.
4. BASIS OF BEARING: BEARINGS ARE BASED ON THE NORTH LINE OF THE ADJACENT PARCEL TO THE NORTH AND/OR WEST. ALL BEARINGS CONTAINED HEREON RELATIVE THERETO.
5. PROPERTY ADDRESS: 4890-6000 E. 64TH AVE  
BENNETT, COLORADO 80102
6. THE PURPOSE OF THIS LOT LINE ADJUSTMENT IS TO DIVIDE THE PREVIOUSLY SHARED ACCESS THROUGH THE COMMON DRIVE BETWEEN PARCEL A AND PARCEL B. ACCESS TO PARCEL B WILL BE THROUGH THE COMMON DRIVE ON THE EAST SIDE OF PARCEL B AS SHOWN HEREON.

### SURVEYOR'S CERTIFICATE

I, DAVID L. SWANSON, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED UNDER MY PERSONAL SUPERVISION AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



Digitally signed by  
David L. Swanson  
Date: 2024.05.16  
10:28:14 -0600'

DAVID L. SWANSON, P.L.S. 8070  
COLORADO PROFESSIONAL LAND SURVEYOR

### LEGAL DESCRIPTION (RECORD)

PARCEL A:  
THAT PART OF THE N1/2, NW1/4, NE1/4 AND THE 800 FEET MORE OR LESS OF THE N1/2, N1/2, NW1/4 AND THE E1/2 OF THE NE1/4 OF SECTION 11, T35S, R63W OF THE 6TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE NORTH 1/4 CORNER OF SAID SECTION 11; THENCE S73°49'E 40.00 FEET TO THE POINT OF BEGINNING; 1. LINE BEING PARALLEL WITH THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 11; THENCE S30°45'E THENCE N67°25'W 80.00 FEET; THENCE S37°25'E 228.24 FEET TO A POINT ON THE SOUTH LINE OF THE NE 1/4 OF SAID SECTION 11; THENCE S37°25'W THENCE N67°25'W 188.27 FEET ALONG THE WEST LINE OF THE E 1/2 OF THE NE 1/4 OF SAID SECTION 11 TO THE SE CORNER OF THE N1/2 OF THE NW1/4 OF SAID SECTION 11; THENCE N1°14'E 17.50 FEET TO THE SW CORNER OF THE N1/2 OF THE NW1/4 OF SAID SECTION 11; THENCE S87°15'W 800.00 FEET ALONG A LINE BEING 40 FEET SOUTH AND PARALLEL WITH THE NORTH LINE OF THE NW 1/4 OF SAID SECTION 11 TO THE POINT OF BEGINNING; SAID PARCEL CONTAINING SAID ACCESS.

COUNTY OF ADAMS, STATE OF COLORADO.

### LEGAL DESCRIPTION (NEW)

PARCEL A:  
THAT PART OF THE N1/2, NW1/4, NE1/4 AND THE 800 FEET MORE OR LESS OF THE N1/2, N1/2, NW1/4 AND THE E1/2 OF THE NE1/4 OF SECTION 11, T35S, R63W OF THE 6TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE NORTH 1/4 CORNER OF SAID SECTION 11; THENCE S33°45'E 40.00 FEET TO THE POINT OF BEGINNING; 1. LINE BEING PARALLEL WITH THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 11; THENCE S30°45'E THENCE N67°25'W 80.00 FEET; THENCE S37°25'E 228.24 FEET TO A POINT ON THE SOUTH LINE OF THE NE 1/4 OF SAID SECTION 11; THENCE S37°25'W THENCE N67°25'W 188.27 FEET ALONG THE WEST LINE OF THE E 1/2 OF THE NE 1/4 OF SAID SECTION 11 TO THE SE CORNER OF THE N1/2 OF THE NW1/4 OF SAID SECTION 11; THENCE N1°14'E 17.50 FEET TO THE SW CORNER OF THE N1/2 OF THE NW1/4 OF SAID SECTION 11; THENCE S87°15'W 800.00 FEET ALONG A LINE BEING 40 FEET SOUTH AND PARALLEL WITH THE NORTH LINE OF THE NW 1/4 OF SAID SECTION 11 TO THE POINT OF BEGINNING; SAID PARCEL CONTAINING SAID ACCESS.

COUNTY OF ADAMS, STATE OF COLORADO.

PARCEL B:  
THAT PART OF THE N1/2, NW1/4, NE1/4 AND THE 800 FEET MORE OR LESS OF THE N1/2, N1/2, NW1/4 AND THE E1/2 OF THE NE1/4 OF SECTION 11, T35S, R63W OF THE 6TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE NORTH 1/4 CORNER OF SAID SECTION 11; THENCE S30°45'E 40.00 FEET TO THE POINT OF BEGINNING; 1. LINE BEING PARALLEL WITH THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 11 TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID LINE N67°25'W 80.00 FEET TO A POINT ON THE SOUTH LINE OF THE NE 1/4 OF SAID SECTION 11 TO THE POINT OF BEGINNING; SAID PARCEL CONTAINING SAID ACCESS.

COUNTY OF ADAMS, STATE OF COLORADO.

PARCEL B:  
THAT PART OF THE N1/2, NW1/4, NE1/4 AND THE 800 FEET MORE OR LESS OF THE N1/2, N1/2, NW1/4 AND THE E1/2 OF THE NE1/4 OF SECTION 11, T35S, R63W OF THE 6TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE NORTH 1/4 CORNER OF SAID SECTION 11; THENCE S30°45'E 40.00 FEET TO THE POINT OF BEGINNING; 1. LINE BEING PARALLEL WITH THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 11 TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID LINE N67°25'W 80.00 FEET TO A POINT ON THE SOUTH LINE OF THE NE 1/4 OF SAID SECTION 11 TO THE POINT OF BEGINNING; SAID PARCEL CONTAINING SAID ACCESS.

COUNTY OF ADAMS, STATE OF COLORADO.

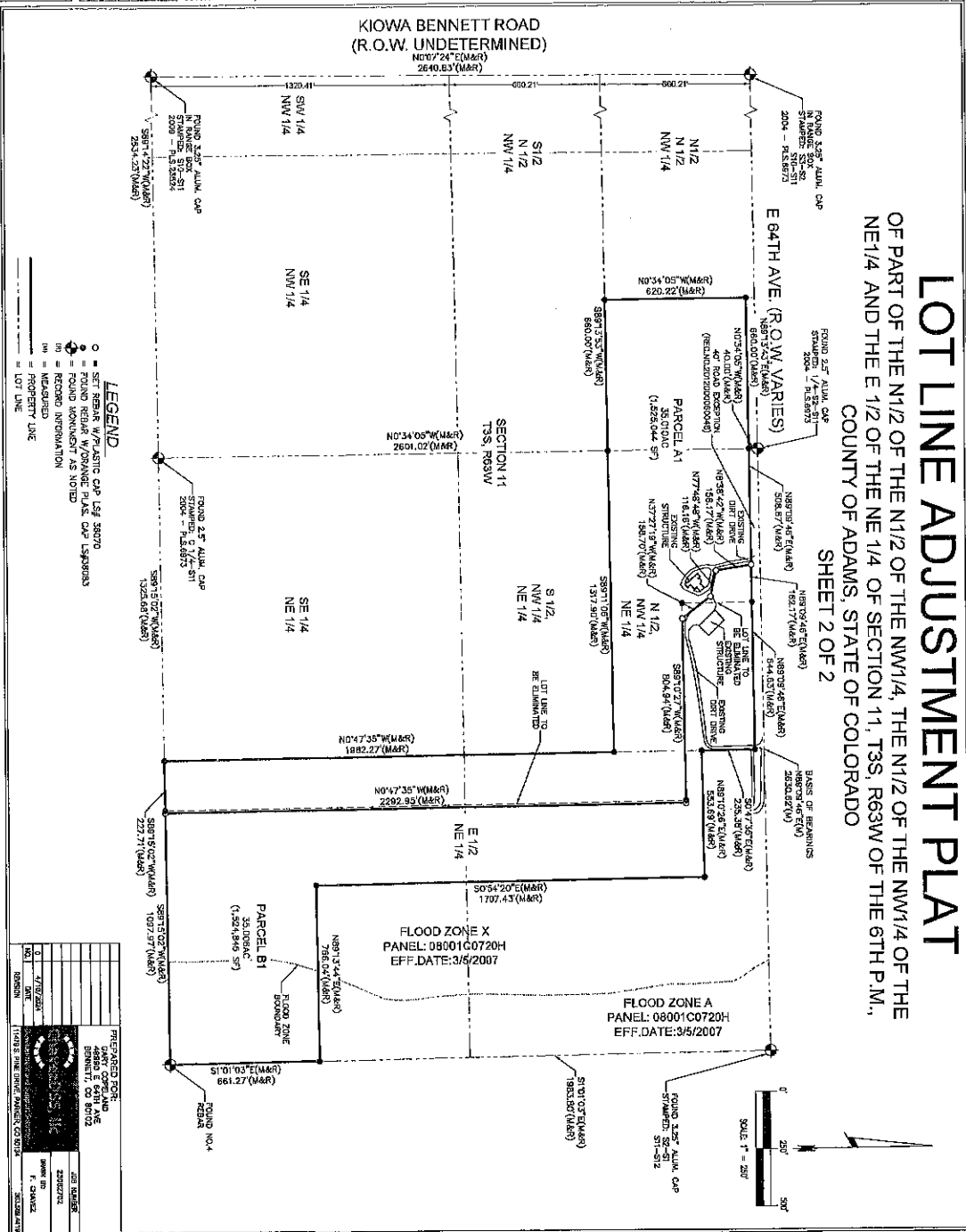
NO.	DATE	PREPARED FOR:
1	4/10/2024	DAVID L. SWANSON, P.L.S. 8070
2		4890 E 64TH AVE
3		BENNETT, CO
4		ADAMS COUNTY
5		STATE OF CO
6		F. DAVIS

RECORDED BY: [Signature] DATE: 5/16/24

FILED BY: [Signature] DATE: 5/16/24

# LOT LINE ADJUSTMENT PLAT

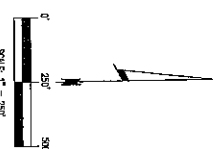
OF PART OF THE N1/2 OF THE N1/2 OF THE NW1/4, THE N1/2 OF THE NW1/4 OF THE NE1/4 AND THE E 1/2 OF THE NE 1/4 OF SECTION 11, T3S, R63W OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO  
 SHEET 2 OF 2



**LEGEND**

- SET MARK W/ PLASTIC CAP 1.5\"/>
- FOUND REBAR W/ STAINLESS PLATE CAP 1.5\"/>
- ⊙ FOUND MONUMENT AS NOTED
- ⊞ RECORDED INFORMATION
- ⊞ MEASURED
- ⊞ PROPERTY LINE
- ⊞ LOT LINE

NO.	DATE	REVISION
1	4/10/2007	PREPARED FOR: DARRYL COOPER, ADAMS COUNTY ENGINEER, BENTLEY CO 81012
2	4/10/2007	DRAWN BY: 23822712
3	4/10/2007	CHECKED BY: F. CHAVEL
4	4/10/2007	APPROVED BY: [Signature]



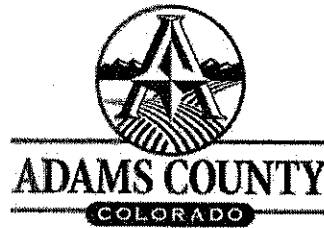
**FLOOD ZONE X**  
 PANEL: 08001C0720H  
 EFF. DATE: 3/5/2007

**FLOOD ZONE A**  
 PANEL: 08001C0720H  
 EFF. DATE: 3/5/2007

**PARCEL B1**  
 35,000 SQ. FT.  
 (1,504,949 SF)

**SECTION 11**  
 T3S, R63W

**KIOWA BENNETT ROAD**  
 (R.O.W. UNDETERMINED)



### DEVELOPMENT APPLICATION FORM

PROJECT NAME:

#### APPLICANT

Name(s):  Phone #:   
Address:   
City, State, Zip:   
2nd Phone #:  Email:

#### OWNER

Name(s):  Phone #:   
Address:   
City, State, Zip:   
2nd Phone #:  Email:

#### TECHNICAL REPRESENTATIVE (Consultant, Engineer, Surveyor, Architect, etc.)

Name:  Phone #:   
Address:   
City, State, Zip:   
2nd Phone #:  Email:

**DESCRIPTION OF SITE**

Address:

City, State, Zip:

Area (acres or square feet):

Tax Assessor Parcel Number:

Existing Zoning:

Existing Land Use:

Proposed Land Use:

Have you attended a Conceptual Review? YES  NO

If Yes, please list PRE#:

I hereby certify that I am making this application as owner of the above-described property or acting under the authority of the owner (attached authorization, if not owner). I am familiar with all pertinent requirements, procedures, and fees of the County. I understand that the Application Review Fee is non-refundable. All statements made on this form and additional application materials are true to the best of my knowledge and belief.

Name:

Date:

Owner's Printed Name

Name:

Owner's Signature

# Summary

Account Id R0194018  
Parcel Number 0181511100005  
Owners BOSE RICKY LEE AND  
Address 50180 E 64TH AVE  
BENNETT, CO 80102-8955  
Situs Address 50180 E 64TH AVE

Legal SECT,TWN,RNG:11-3-63 DESC: PARCEL C THAT PT OF THE E2 NE4 OF SEC 11 DESC AS FOLS BEG AT THE NE COR OF SD SEC 11 TH S 1D 01M 03S E 30 FT ALG THE E LN OF THE NE4 OF SD SEC 11 TO THE POB TH CONT ALG SD E LN S 1D 01M 03S E 1953/80 FT TH S 89D 13M 44S W 766/04 FT TH N 0D 54M 20S W 1707/43 FT TH S 89D 10M 26S W 553/69 FT TO A PT ON THE W LN OF SD E2 NE4 TH ALG SD W LN N 0D 47M 35S W 245/38 FT TO A PT ON A LN BEING 30 FT S AND // WITH THE N LN OF THE NE4 OF SD SEC 11 TH N 89D 09M 46S E 1315/43 FT TO THE POB 37/3569A

# Inquiry

As Of 06/14/2024

Payment Type  First  
 Full

Total Due \$0.00

# Value

Area Id	Mill Levy	
	Actual	Assessed
381 - 381		69.0690000
SINGLE FAMILY RES - 1212	18,145	910
MANUFAC HOUSING - 1235	197,750	9,870
AG DRY FARMING LAND - 4127	2,089	550
AG OTHER LAND - 4167	176	50
<b>Total Value</b>	<b>218,160</b>	<b>11,380</b>
<b>Taxes</b>		<b>\$786.02</b>





Electronically Recorded RECEPTION#: 2023000040406,  
7/17/2023 at 3:03 PM, 1 OF 2,  
REC: \$18.00 DocStamp: \$79.00  
TD Pgs: 3 Josh Zygalebaum, Adams County, CO.



Order No.: 153-F08198-23

Doc Fee: \$79.00

**SPECIAL WARRANTY DEED**

THIS DEED, Made this 14th day of July, 2023, between  
**Joshua Higgins and Tamara Higgins**  
grantor(s), and  
**Ricky Lee Bose and Tara Cherrington, as Joint Tenants**  
whose legal address is **50180 East 64th Avenue, Bennett, CO 80102-8955**  
grantee(s);

**WITNESS**, That the grantor(s), for and in consideration of the sum of **Seven Hundred Ninety Thousand And No/100 Dollars (\$790,000.00)**, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee(s), their heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of Adams, State of COLORADO, described as follows:

Parcel 1:

That part of the E2 NE4 of Section 11, described as follows:

Beginning at the NE corner of said Section 11, thence S 1 ° 01' 03" E, 30 feet along the East line of the NE 4 of said Section 11, to the Point of Beginning;  
thence continuing along said East line S 1 ° 01' 03" E, 1953.80 feet;  
thence S 89 ° 13'44 W, 766.04 feet;  
thence N 0 ° 54'20" W, 1707.43 feet;  
thence S 89 ° 10'28" W, 553.69 feet to a point on the West line of said E2 NE4;  
thence along said West line N 0 ° 47'35" W, 245.38 feet to a point on a line being 30 feet South and parallel with the N line of the NE4 of said Section 11;  
thence N 89 ° 09'46" E, 1315.43 feet to the Point of Beginning.

County of Adams, State of Colorado.

Parcel 2:

Together with a non-exclusive 20 foot driveway Easement for ingress and egress as described in Easement Deed recorded November 15, 2016 at Reception No. 2016000098502, County of Adams, State of Colorado.

also known by street and number as **50180 East 64th Avenue, Bennett, CO 80102-8955**

**TOGETHER** with all and singular the hereditaments and appurtenances therunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances except for taxes for the current year, a lien but not yet due and payable, subject to statutory exceptions as defined in CRS 38-30-113, revised.

**TO HAVE AND TO HOLD** the said premises above bargained and described, with the appurtenances, unto the grantee(s), their heirs, and assigns forever. The grantor(s), for themselves, their heirs and personal representatives or successors, does covenant and agree that they shall and will **WARRANT AND FOREVER DEFEND** the above bargained premises in the quiet and peaceable possession of the grantee(s), their heirs and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the grantor(s).

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.



To whom it may concern,

Rick and I live at 50180 E. 64<sup>th</sup> Ave in Bennett Colorado. Since mid-July 2023, we have had several vehicles come all the way down our posted dead-end road, enter ours and our neighbors' driveways, and pull onto the property. This has resulted in driveway markers being knocked over, ruts in the yard and rock being displaced from the drive. A few examples, recently, our neighbor was on vacation and a vehicle was parked in their driveway while the driver was drinking beer. When the individual saw Rick walking toward the vehicle, he immediately vacated the driveway. No tags on the truck. After work on one occasion, there was a couple in the middle of the road, between our driveway and the neighbors, letting their dog use the restroom. There have been several vehicles in the evening and middle of the night, driving with spotlights, presumably trying to hunt on the property. Just this week a semi gravel truck came down our road and entered our property. Probably thinking it was the gravel pit next to us. The driver then used our driveway, yard, and neighbor's driveway to turn around. There has been a dead-end sign on the street sign at the entrance since we moved in, and recently one placed past the mailboxes. It is obviously not deterring traffic that has no reason to be on the property. These are just a few of many examples we feel it is important to regulate the traffic and ensure that the residence on the property can feel safe in their homes at any hour day or night.

Since we have lived here, we have tried to keep up with the maintenance of our own property drive and compensate Jerry as much as possible for his constant attention to maintaining the common area road down to highway 79. Please note, the little compensation we have given him probably barely covers his fuel cost, let alone the cost of maintaining his equipment and implements. We would like to continue with this agreement because he has done a great job. In the future we would be willing to take on any maintenance of the road as needed.

Sincerely,

Rick and Tara



TDS Webmail

willowtreeinn@tds.net

50180 East 64th Avenue, Bennett, CO

**From :** Tara Cherrington <tara.cherrington@yahoo.com>  
**Subject :** 50180 East 64th Avenue, Bennett, CO  
**To :** willowtreeinn@tds.net

Tue, Jun 18, 2024 03:51 PM

External images are not displayed. [Display images below](#)

Begin forwarded message: sorry so late.

**From:** Rick Bose <rbose71@live.com>  
**Date:** June 18, 2024 at 3:17:49 PM MDT  
**To:** Tara Cherrington <tara.cherrington@yahoo.com>  
**Subject:** Fwd: 153-F08198-23-50180 East 64th Avenue, Bennett, CO

Sent from my Verizon, Samsung Galaxy smartphone  
Get [Outlook for Android](#)

**From:** Fidelity Title Company <orders@valuecheck.com>  
**Sent:** Tuesday, July 11, 2023 3:53:42 PM  
**To:** rbose71@live.com <rbose71@live.com>  
**Subject:** 153-F08198-23-50180 East 64th Avenue, Bennett, CO

Fidelity National Title

Pursuant to your real estate contract, the title commitment attached is for your records and review only, you will receive your title policy after the closing of the property. Thank You.

## Your SmartView Commitment

Our File No. 153-F08198-23

Effective Date: July 05, 2023

**PROPERTY ADDRESS: 50180 EAST 64TH AVENUE**

*This commitment was delivered to the following parties, disclosed to the Company to be involved in this transaction:*



Ricky Bose  
Tara Cherrington  
Joshua Higgins  
Tamara Higgins  
Laura Smith  
Brienne Bear  
Julie Walsh  
Kerry Maar

*The delivery/email address of each party is intentionally not displayed, in order to protect the Personal Private Information (PPI) of all.*

E&O Certificate - Click [HERE](#)

[Click here for your complete Title Commitment](#)

[Click here for your Closing Protection Letter](#)

**PLEASE TAKE NOTE OF THE FOLLOWING REVISED TERMS CONTAINED HEREIN:**

Amendment 4: Schedule B-1 - deleted 9 and B-2 - added 14

**LEGAL DESCRIPTION**

Parcel 1:

That part of the E2 NE4 of Section 11, described as follows:

Beginning at the NE corner of said Section 11, thence S 1 ° 01' 03" E, 30 feet along the East line of the NE 4 of said Section 11, to the Point of Beginning; thence continuing along said East line S 1 ° 01' 03" E, 1953.80 feet; thence S 89 ° 13'44 W, 766.04 feet; thence N 0 ° 54'20" W, 1707.43 feet; thence S 89 ° 10'26" W, 553.69 feet to a point on the West line of said E2 NE4; thence along said West line N 0 ° 47'35" W, 245.38 feet to a point on a line being 30 feet South and parallel with the N line of the NE4 of said Section 11; thence N 89 ° 09'46" E, 1315.43 feet to the Point of Beginning,

County of Adams, State of Colorado.

Parcel 2:

Together with a non-exclusive 20 foot driveway Easement for ingress and egress as described in Easement Deed recorded November 15, 2016 at Reception No. [2016000098502](#), County of Adams, State of Colorado.

**SELLERS**

[Joshua Higgins and Tamara A. Higgins](#)

**BUYERS**

Ricky Lee Bose and Tara Cherrington

**LENDER**

The Loan Store Inc.

**PROPOSED COVERAGES**

**ALTA Owner's Policy 2021**

Proposed Insured: Ricky Lee Bose and Tara Cherrington

Proposed Policy \$790,000.00

Amount:

**ALTA Loan Policy 2021**

Proposed Insured: The Loan Store Inc. ISAOA  
 Proposed Policy \$490,000.00  
 Amount:

**ESTIMATED TITLE CHARGES**

Owner's Policy Premium	\$2573.00
CO 110.1-06	\$95.00
Loan Policy 1 Premium	\$575.00
ALTA 7-06	\$150.00
Closing Protection Letter	\$25.00
Tax Certificate	\$13.50

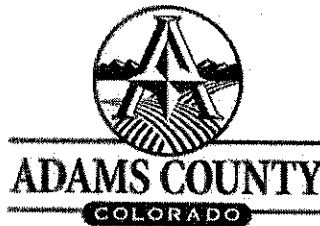
**REQUIREMENTS**

1. Pay the agreed amounts for the interest in the land and/or for the mortgage to be insured.
2. Pay us the premiums, fees and charges for the policy.
3. Obtain a certificate of taxes due from the county treasurer or the county treasurer's authorized agent.
4. Evidence that any and all assessments for common expenses, if any, have been paid.
5. The Company will require that an Affidavit and Indemnity Agreement be completed by the party(s) named below before the issuance of any policy of title insurance.  
 Party(s): Joshua Higgins and Tamara A. Higgins  
 The Company reserves the right to add additional items or make further requirements after review of the requested Affidavit.
6. Deed sufficient to convey the fee simple estate or interest in the Land described or referred to herein, to the Proposed Insured Purchaser.
7. Deed of Trust sufficient to encumber the estate or interest in the Land described or referred to herein for the benefit of the Proposed Insured Lender.
8. The search did not disclose any open mortgages or deeds of trust of record, therefore the Company reserves the right to require further evidence to confirm that the property is unencumbered, and further reserves the right to make additional requirements or add additional items or exceptions upon receipt of the requested evidence.
9. Intentionally deleted.
10. This item intentionally deleted
11. NOTE: Exception(s) number(ed) 1-4 will not appear on the Lender's Policy, subject to satisfaction of requirements and as applicable.

NOTE: Exception number 5 will be removed from the Owner's and/or Lender's Policy provided the Company conducts the closing.

NOTE: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.





### DEVELOPMENT APPLICATION FORM

PROJECT NAME: Security Gate to Protect Seven Landowners & Homes

#### APPLICANT

Name(s): Gerald R & Deborah A Toezeck Phone #: 303-644-3801  
Address: 49200 E. 64th Ave  
City, State, Zip: Bennett Co 80102  
2nd Phone #: 720-635-4450 Email: willowtreeinn@tds.net

#### OWNER

Name(s): James W & Seana Dubois Phone #: 720-290-8716  
Address: 6420 Highway 79  
City, State, Zip: Bennett Co 80102  
2nd Phone #: 720-290-8718 Email: jsdubois@esrta.com

#### TECHNICAL REPRESENTATIVE (Consultant, Engineer, Surveyor, Architect, etc.)

Name: Curtis @ American West Land Survey Company Phone #: 303-659-1532  
Address: PO Box 129  
City, State, Zip: Brighton Co 80601  
2nd Phone #: 720-308-7562 Email: curtisamw@aol.com

**DESCRIPTION OF SITE**

Address:

City, State, Zip:

Area (acres or square feet):

Tax Assessor Parcel Number:

Existing Zoning:

Existing Land Use:

Proposed Land Use:

Have you attended a Conceptual Review? YES  NO

If Yes, please list PRE#:

I hereby certify that I am making this application as owner of the above-described property or acting under the authority of the owner (attached authorization, if not owner). I am familiar with all pertinent requirements; procedures, and fees of the County. I understand that the Application Review Fee is non-refundable. All statements made on this form and additional application materials are true to the best of my knowledge and belief.

Name:

Date:

Owner's Printed Name

Name:

Owner's Signature

Electronically Recorded RECEPTION#: 202200028340,  
 3/30/2022 at 3:28 PM, 1 OF 1,  
 REC: \$13.00  
 TD Egs: 0 Josh Zygielbaum, Adams County, CO.

Original Note and Deed of Trust Returned to: Dave LaRose/NTC, 2100 Alt. 19 North, Palm Harbor, FL 34683 (800)346-9152  
 WITHIN RECORDED RETURN TO: PennyMac Loan Services, LLC C/O Nationwide Title Clearing, LLC 2100 Alt. 19 North Palm Harbor, FL 34683  
 Prepared/Received by: PennyMac Loan Services, LLC C/O Nationwide Title Clearing, LLC 2100 Alt. 19 North Palm Harbor, FL 34683

REQUEST FOR FULL  /PARTIAL

RELEASE OF DEED OF TRUST AND RELEASE BY HOLDER OF THE EVIDENCE OF DEBT WITHOUT PRODUCTION OF EVIDENCE OF DEBT PURSUANT TO §38-39-102 (1) (a) AND (3), COLORADO REVISED STATUTES

Dated this 29th day of March in the year 2022 Date

JAMES W. DUBOIS AND SHANA B. DUBOIS Original Grantor (Borrower)

6420 HIGHWAY 79 BENNETT, CO 80102 Current Address of Original Grantor, Assuming Party, or Current Owner

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS BENEFICIARY, AS NOMINEE FOR AMERICAN FINANCING CORPORATION, ITS SUCCESSORS AND ASSIGNS Original Beneficiary (Lender)

11/17/2017 Date of Deed of Trust

11/28/2017 Date of Recording

ADAMS County Reception # 2017000104668 Recording Information

County Rept. No. and/or Film No. and/or Book/Page No. and/or Torrens Reg. No.

TO THE PUBLIC TRUSTEE OF ADAMS COUNTY (The County of the Public Trustee who is the appropriate grantee to whom the above Deed of Trust should grant an interest in the property described in the Deed of Trust.) PLEASE EXECUTE AND RECORD A RELEASE OF THE DEED OF TRUST DESCRIBED ABOVE. The indebtedness secured by the Deed of Trust has been fully or partially paid and/or the purpose of the Deed of Trust has been fully or partially satisfied in regard to the property encumbered by the Deed of Trust as described herein as to a full release or, in the event of a partial release, only that portion of the real property described as: (IF NO LEGAL DESCRIPTION IS LISTED THIS WILL BE DEEMED A FULL RELEASE.)

Pursuant to § 38-39-102 (3), Colorado Revised Statutes, in support of this Request for Release of Deed of Trust, the undersigned, as the holder of the evidence of debt secured by the Deed of Trust described above, or a Title Insurance Company authorized to request the release of a Deed of Trust pursuant to § 38-39-102 (3) (c), Colorado Revised Statutes, in lieu of the production or exhibition of the original evidence of debt with this Request for Release, certifies as follows:

1. The purpose of the Deed of Trust has been fully or partially satisfied.
2. The original evidence of debt is not being exhibited or produced herewith.
3. It is one of the following entities (check applicable box):
  - a.  The holder of the original evidence of debt that is a qualified holder, as specified in § 38-39-102 (3) (a), Colorado Revised Statutes, that agrees that it is obligated to indemnify the Public Trustee for any and all damages, costs, liabilities, and reasonable attorney fees incurred as a result of the action of the Public Trustee taken in accordance with this Request for Release.
  - b.  The holder of the evidence of debt requesting the release of a Deed of Trust without producing or exhibiting the original evidence of debt that delivers to the Public Trustee a Corporate Surety Bond as specified in § 38-39-102 (3) (b), Colorado Revised Statutes; or
  - c.  A Title Insurance Company licensed and qualified in Colorado, as specified in § 38-39-102 (3) (c), Colorado Revised Statutes, that agrees that it is obligated to indemnify the Public Trustee pursuant to statute as a result of the action of the Public Trustee taken in accordance with this Request for Release and that caused the indebtedness secured by the Deed of Trust to be satisfied in full, or in the case of a Partial Release, to the extent required by the holder of the indebtedness.

PENNYMAC LOAN SERVICES, LLC C/O PNMAC CAPITAL MANAGEMENT, I.L.C., 6101 CONDOR DRIVE, MOORPARK, CA 93021  
 Name and Address of the Current Holder of the Evidence of Debt Secured by Deed of Trust (Lender) or name and address of the Title Insurance Company Authorized to Request the Release of a Deed of Trust

Tracy Rogers VICE PRESIDENT 2100 Alt 19 North, Palm Harbor, FL 34683  
 Name, Title and Address of Officer, Agent, or Attorney of Current Holder

*Tracy Rogers*  
 TRACY ROGERS  
 VICE PRESIDENT

STATE OF FLORIDA COUNTY OF PINELLAS  
 The foregoing instrument was acknowledged before me by means of [X] physical presence or [ ] online notarization on this 29th day of March in the year 2022, by Tracy Rogers as VICE PRESIDENT of PENNYMAC LOAN SERVICES, I.L.C., who, as such VICE PRESIDENT being authorized to do so, executed the foregoing instrument for the purposes therein contained. He/she/they is (are) personally known to me.

*Tracy Rogers*  
 VICKY MCCOY  
 COMM EXPIRES: 12/18/2022

VICKY MCCOY  
 NOTARY PUBLIC  
 STATE OF FLORIDA  
 COMM# GG288301  
 EXPIRES: 12/18/2022

RELEASE OF DEED OF TRUST  
 WHEREAS, the Grantor(s) named above, by Deed of Trust, granted certain real property described in the Deed of Trust to the Public Trustee of the County referenced above, in the State of Colorado, to be held in trust to secure the payment of the indebtedness referred to therein; and  
 WHEREAS, the indebtedness secured by the Deed of Trust has been fully or partially paid and/or the purpose of the Deed of Trust has been fully or partially satisfied according to the written request of the holder of the evidence of debt or Title Insurance Company authorized to request the release of the Deed of Trust;

NOW THEREFORE, in consideration of the premises and the payment of the statutory sum, in Trustee in the County named above, do hereby fully and absolutely release, cancel and forego property described above in the Deed of Trust, together with all privileges and appurtenances there

*Jennifer Yantz*  
 as the Public Trustee of the real property described above in the Deed of Trust.  
 Jennifer Yantz March 30 2022  
 Deputy Public Trustee



Loan Number: 8016442044 PNMRC431579963 MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. (MERS) C5 MIN 100339700001711063  
 MERS PHONE 1-888-679-6377 MERS Mailing Address: P.O. Box 2026, Flint, MI 48501-2026 DOC# T292203-1214:07 (C-1) ERMCO5




\*D0092460449\*



## Summary

Account Id R0082289  
Parcel Number 0181500000220  
Owners DU BOIS JAMES W AND  
Address 6420 HIWAY 79  
BENNETT, CO 80102-9005  
Situs Address 6420 HIGHWAY 79  
Legal DESC: BEG AT A PT 30 FT N OF SW COR SEC 2 TH CONT N 522/12 FT TH E 2960 FT TH S 523/62 FT TO A PT 30 FT N  
OF S LN S2 SD SEC TH W 2959/99 FT TO TRUE POB EXC W 40 FT FOR RD 2/3/63 35/58A

## Inquiry

As Of 06/14/2024 

Payment Type  First  
 Second

Total Due \$0.00

## Value

Area Id	Mill Levy	
	Actual	Assessed
429 - 429		74.4830000
AG DRY FARMING LAND - 4127	4,346	1,150
FARM/RANCH RESID - 4277	180,837	8,430
FARM/RANCH BLDG - 4279	25,726	6,790
<b>Total Value</b>	<b>210,909</b>	<b>16,370</b>
<b>Taxes</b>		<b>\$1,219.30</b>



James and Seana DuBois  
6420 Highway 79  
Bennett CO 80102

June 5, 2024

Dear Adams County,

This letter is in reference to the application for a Roadway/Right-of-Way Vacation for the security gate project at Highway 79 and 64th Avenue.

The residents on 64th Avenue between Highway 79 and Kiowa Creek want to put up a fence and gate to keep unwanted guests from our homes. We were informed by Adams County that they own the road, although in all dealings with them, we were always told it was a private drive. We have lived at this location for 20 years and in the first 17 years or so, we never even locked our doors because the area was safe and we had few strangers. Due to the recent growth in Bennett proper, we have seen a large amount of unknown persons coming up our road. For ourselves, in the last few years, we have had our vehicles broken into, people roaming on our property looking things over and saying they were "lost" when confronted, gasoline siphoned from one of our vehicles, and found a strange woman sleeping in a mulch pile in front of our garage. According to the sheriff's office she was a known prostitute who was apparently just dropped off on Highway 79. In addition to this, there is a known chop shop two properties to the North of us as several of the neighbors have allowed Adams county sheriff to come onto our properties for surveillance. The Sheriff's office does come to our homes if called, however the response time is not immediate, given the large geographic area and the limited deputies in the area. Given the Town of Bennett's recent split from Adams County Sheriff's Department, we are not sure who would come if we had an intruder. We are outside of the town limits but still have a Bennett address. In addition to the issues with our own property, our neighbors have all had similar stories of people and trucks in their driveways, rummaging around in their things. Many of the residents on the street are elderly. The Town of Bennett has allowed unlimited building in the town proper which has led to an increase in crime and traffic. All the residents want the gate and fence as a safety measure. During a recent meeting with some Adams County employees, the only objection given to us regarding the gate was "we own it." To our knowledge, the road has never been maintained by the county since its creation and the only action taken in the last twenty years, was a dead-end sign erected after code enforcement notified the neighbors that there was an issue with having a security gate. CDOT added a dead-end sign to the street sign years ago, but that does not detour traffic. The residents on 64th have graded the road, removed snow, and maintained the vegetation and we will continue to do so, if granted the vacation of the right-a-way. The road is a dead end into the last property on our street. It's unlikely the county would have a need in the future to enforce eminent domain to make the road a through street, as that would involve multiple property owners and there is already access to Yule Road from Highway 79 via 56th Avenue which is just over a mile to the south of us. There are no undeveloped lots on our stretch of 64th Avenue and as said earlier, all of the property





owners are in favor of the fence and security gate. The paperwork and fees for the fire department were already paid and approved as well.

30+ years ago the residents asked the county to maintain the road. They were given a list of specifications to get the road to code. The residents paid someone to grade the road and fences were moved to meet the County's requirement. Once the road was brought up to spec, the county came back and said they were not going to maintain the road due to the low number of residents. In our recent meeting at Adams County, this was mentioned and we were told there was no paperwork regarding the matter. Later the same person said the bottom line was the county owned the road, even though it was a non-maintained county asset. Then it was mentioned that the county never maintained the road because it was never brought up to specs but there was no evidence of that either. If this makes a difference in our request to have the vacation of the right-a-way, there are likely receipts for the payment of the grade work and that person still lives in the town and could provide a statement.

Not all of the resident's surveys show the road as owned by the County. We were told the road was deeded to the county in 1975. Due to the confusion, the residents were not even sure we did not own the road or at least a portion of it. At this stage, we are requesting the roadway/right-of-way vacation so we can continue with our desire to safeguard our properties.

Thank you for your consideration.

James and Seana DuBois





### DEVELOPMENT APPLICATION FORM

PROJECT NAME: Security Gate to Protect seven Landowners & Homes

#### APPLICANT

Name(s): Gerald R & Deborah A Toczek Phone #: 303-644-3801  
Address: 49200 E 64th Ave  
City, State, Zip: Bennett Co 80102  
2nd Phone #: 720-635-4450 Email: willowtreeinnrtds.net

#### OWNER

Name(s): Robert L. Anderson & Rebecca C. Johnson Phone #: 303-956-3478  
Address: 49821 E. 64th Ave  
City, State, Zip: Bennett Co 80102  
2nd Phone #: 303-910-4797 Email: Smokley816@yahoo.com  
*Rob*

#### TECHNICAL REPRESENTATIVE (Consultant, Engineer, Surveyor, Architect, etc.)

Name: curtis@American West Land Survey Company Phone #: 303-659-1532  
Address: PO Box 129  
City, State, Zip: Brighton Co 80601  
2nd Phone #: 303-910-4797 Email: curtisamw@aol.com

**DESCRIPTION OF SITE**

Address:

City, State, Zip:

Area (acres or square feet):

Tax Assessor Parcel Number:

Existing Zoning:

Existing Land Use:

Proposed Land Use:

Have you attended a Conceptual Review? YES  NO

If Yes, please list PRE#:

I hereby certify that I am making this application as owner of the above-described property or acting under the authority of the owner (attached authorization, if not owner). I am familiar with all pertinent requirements, procedures, and fees of the County. I understand that the Application Review Fee is non-refundable. All statements made on this form and additional application materials are true to the best of my knowledge and belief.

Name:

Date:

Owner's Printed Name


Name:

Owner's Signature

# Summary

Account Id R0082321  
Parcel Number 0181500000270  
Owners ROBERT L ANDERSON AND REBECCA C JOHNSON AND  
Address 49821 E 64TH AVE  
BENNETT, CO 80102-9008  
Situation Address 49821 E 64TH AVE  
Legal SECT,TWN,RNG:2-3-63 DESC: BEG 327/75 FT E OF S4 COR SEC 2 TH N 2642/10 FT TO A PT ON E/W C/L SD SEC TH E  
659/43 FT TH S 2642/44 FT TH W 659/43 FT TO TRUE POB 40/70A

# Inquiry

As Of 06/14/2024 

Payment Type  First  
 Full

Total Due \$0.00

# Value

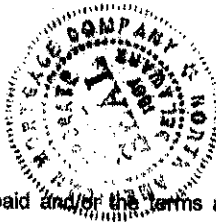
Area Id	Mill Levy	
	Actual	Assessed
381 - 381		69.0690000
AG DRY GRAZING LAND - 4147	2,270	600
FARM/RANCH RESID - 4277	149,028	6,300
FARM/RANCH BLDG - 4279	19,740	5,210
<b>Total Value</b>	<b>171,038</b>	<b>12,110</b>
<b>Taxes</b>		<b>\$836.44</b>



C08801317  
5/16/2001 11:20:07  
PG: 0001-001  
5.00 DOC FEE: 0.00  
CAROL SNYDER  
ADAMS COUNTY

Loan #: 7990428sd Mortgagor: Anderson PIF date: 2/28/01  
MERS MIN # na MERS Telephone No. (888) 679-6377  
Release of Deed of Trust

Date March 12, 2001  
Grantor Robert A Anderson and Karla Anderson  
Original Beneficiary Colorado Bankers Mortgage Inc.  
Date of Deed of Trust October 23, 1998  
Recording Date November 12, 1998  
County Adams  
Reception no C0467174 and/or 5535 ~ 112-119



To the Public Trustee of the Adams County of Colorado  
Please execute this release as the indebtedness has been fully paid and for the terms and conditions of the trust have been fully satisfied.

Current Beneficiary North American Mortgage Company

By North American Mortgage Company

David J. Adams,  
Vice President

State of New York  
County of Orleans



The foregoing request for release was acknowledged before me this March 12, 2001 by David J. Adams as Vice President of North American Mortgage Company

Witness my hand and official seal

*Sandra L. Daniels*  
Notary Public

SANDRA L. DANIELS  
Notary Public, State of New York  
No. 01DA6008389  
Qualified in Orleans County  
Commission Expires 11/17/01

Know all men that the above referenced grantor(s) conveyed certain real property described in the above referenced Deed of Trust to the above referenced Public Trustee in the State of Colorado to be held in trust to secure the payment of the indebtedness referred to therein.

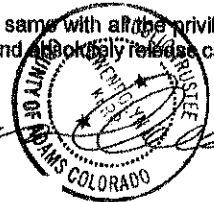
Not therefore, at the written request of the legal holder of the said indebtedness and in consideration of the premises and the payment of the statutory sum receipt of which is hereby acknowledged I as the Public Trustee in the County first referenced above do hereby remise, release and do quitclaim unto the present owner or owners of said real property and unto the heirs successors and assigns of such owner or owners forever all the right title and interest which I have under and by virtue of the aforesaid Deed of Trust in the real estate described therein and more particularly described as follows:

To have and to hold the same with all the privileges and appurtenances thereunto belonging forever and further I do hereby and do hereby release, cancel and forever discharge said Deed of Trust.

~~GWENDOLYN L. NEER~~

Public Trustee

State of Colorado



*Gwendolyn L. Neer*

STATE OF COLORADO  
COUNTY OF ADAMS

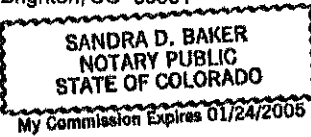
The foregoing instrument was acknowledged before me on May 16, 2001 by Susan Creochlo the Deputy Public Trustee for Adams County, Colorado

of Trust was acknowledged before me this day of 19 by  
tee of the County of Colorado.

Witness my hand and official seal.

*Sandra D. Baker*  
Notary Public

Record & Return to: Robert Anderson, 12194 Monico Drive, Brighton, CO 80601







June 11, 2024

To Whom It May Concern,

My name is Rebecca Johnson,  
I have and still live at  
49821 E. 64th Ave, Bennett, CO 80102,  
for 45 years.

I am a Senior Citizen, live by  
myself, and I am totally 100%  
in favor of a secured entry  
gate on our road, that Gerald and  
Deborah Taczek want to install,  
for all of our security, and safety  
on our road. In the 45 years of  
living on our road, I have never  
had any problems, with intruders  
on our road, or my property, until  
a couple of years ago, and it is and  
has become, an ongoing problem  
for all of us on our road. The  
road is a Dead End and I have  
come home on many occasions  
to find people on my property  
in my barn. Also have had  
Numerous people just sitting at  
the end of our road, surveying



all our property, or drinking and throwing out beer cans, bottles, trash, etc. I have even had them in my yard taking pictures of my posted address, and my horses. I have also had intruders on my property late at night, and they have also been sitting at the end of our road late at night. We are all older people that live on this road, and we all fear for our safety anymore.

I have no problem allowing access to the gate, for our neighbors to the east of us.

My family, and I have and still do help maintain our road, with keeping the weeds mowed & helping with snow removal. We have no problem with continuing to help.

My family and I, have been to numerous times face to face by Adams County that our road is NOT a County road, and were told this also by the Bennett School District, that it was NOT



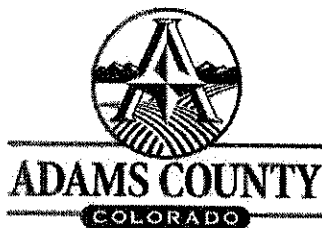
A County road, Not a County  
Maintained Road When we  
moved out here to have the school  
bus come up and pick up my  
brother and sister when they were  
in school, and then when my  
son was in Bennett schools.

Therefore I believe we  
should be able to have a security  
gate on our road, to keep us  
all safe, our homes, and animals  
safe.

Rebecca Johnson  
49821 E 64th Ave  
Bennett, CO 80102  
303 956 3478

Robert Anderson  
49821 E 64th Ave  
Bennett, CO 80102  
303 910 4797





### DEVELOPMENT APPLICATION FORM

PROJECT NAME: Security Gate to Protect Seven Landowners & Homes

#### APPLICANT

Name(s): Gerald R + Deborah A Toczek Phone #: 303-644-3801  
Address: 49200 E. 64th Ave  
City, State, Zip: Bennett Co 80102  
2nd Phone #: 720-635-4450 Email: willowtreeinn@tds.net

#### OWNER

Name(s): Wayne + Gail Palone Phone #: 303-898-4059  
Address: 50050 E 64th Ave  
City, State, Zip: Bennett Co 80102  
2nd Phone #: 303 475-6522 Email: gopalone@gmail.com

#### TECHNICAL REPRESENTATIVE (Consultant, Engineer, Surveyor, Architect, etc.)

Name: Curtis @ American West Land Phone #:   
Survey Company  
Address: PO Box 129  
City, State, Zip: Brighton Co 80601  
2nd Phone #: 720-308-7562 Email: cuntisamw@aol.com

**DESCRIPTION OF SITE**

Address:

City, State, Zip:

Area (acres or square feet):

Tax Assessor Parcel Number:

Existing Zoning:

Existing Land Use:

Proposed Land Use:

Have you attended a Conceptual Review? YES  NO

If Yes, please list PRE#:

I hereby certify that I am making this application as owner of the above-described property or acting under the authority of the owner (attached authorization, if not owner). I am familiar with all pertinent requirements, procedures, and fees of the County. I understand that the Application Review Fee is non-refundable. All statements made on this form and additional application materials are true to the best of my knowledge and belief.

Name:

Date:

Owner's Printed Name

Name:

 Owner's Signature



Electronically Recorded RECEPTION#: 202000082096,  
8/21/2020 at 12:42 PM, 1 OF 1,  
REC: \$13.00  
TD Pgs: 0 Josh Zygielbaum, Adams County, CO.

Original Note and Deed of Trust Returned to:  
WHEN RECORDED RETURN TO: Independent Bank, 1600 Redbud Blvd, Ste 304, McKinney, TX 75069  
Prepared/Received by: 2929015001

REQUEST FOR FULL  / PARTIAL

RELEASE OF DEED OF TRUST AND RELEASE BY HOLDER OF THE EVIDENCE OF DEBT WITHOUT PRODUCTION OF EVIDENCE OF DEBT PURSUANT TO §38-39-102 (1) (a) AND (3), COLORADO REVISED STATUTES

8/17/2020 Date  
WAYNE S PALONE AND GAIL E PALONE Original Grantor (Borrower)  
50050 E 64<sup>TH</sup> AVE, BENNETT, CO 80102 Current Address of Original Grantor,  
Assuming Party, or Current Owner

Check here if current address is unknown

Guaranty Bank and Trust Company Original Beneficiary (Lender)  
3/7/2014 Date of Deed of Trust

3/18/2014 Date of Recording and/or Re-Recording of Deed of Trust

2014000916133 Recording Information

County Rept. No. and/or Film No. and/or Book/Page No. and/or Torrens Reg. No.

TO THE PUBLIC TRUSTEE OF ADAMS COUNTY (The County of the Public Trustee who is the appropriate grantee to whom the above Deed of Trust should grant an interest in the property described in the Deed of Trust.)

PLEASE EXECUTE AND RECORD A RELEASE OF THE DEED OF TRUST DESCRIBED ABOVE. The indebtedness secured by the Deed of Trust has been fully or partially paid and/or the purpose of the Deed of Trust has been fully or partially satisfied in regard to the property encumbered by the Deed of Trust as described therein as to a full release or, in the event of a partial release, only that portion of the real property described as: (IF NO LEGAL DESCRIPTION IS LISTED THIS WILL BE DEEMED A FULL RELEASE.)

Pursuant to § 38-39-102 (3), Colorado Revised Statutes, in support of this Request for Release of Deed of Trust, the undersigned, as the holder of the evidence of debt secured by the Deed of Trust described above, or a Title Insurance Company authorized to request the release of a Deed of Trust pursuant to § 38-39-102 (3) (c), Colorado Revised Statutes, in lieu of the production or exhibition of the original evidence of debt with this Request for Release, certifies as follows:

- 1. The purpose of the Deed of Trust has been fully or partially satisfied.
- 2. The original evidence of debt is not being exhibited or produced herewith.
- 3. It is one of the following entities (check applicable box):
  - a.  The holder of the original evidence of debt that is a qualified holder, as specified in § 38-39-102 (3) (a), Colorado Revised Statutes, that agrees that it is obligated to indemnify the Public Trustee for any and all damages, costs, liabilities, and reasonable attorney fees incurred as a result of the action of the Public Trustee taken in accordance with this Request for Release;
  - b.  The holder of the evidence of debt requesting the release of a Deed of Trust without producing or exhibiting the original evidence of debt that delivers to the Public Trustee a Corporate Surety Bond as specified in § 38-39-102 (3) (b), Colorado Revised Statutes; or
  - c.  A Title Insurance Company licensed and qualified in Colorado, as specified in § 38-39-102 (3) (c), Colorado Revised Statutes, that agrees that it is obligated to indemnify the Public Trustee pursuant to statute as a result of the action of the Public Trustee taken in accordance with this Request for Release and that has caused the indebtedness secured by the Deed of Trust to be satisfied in full, or in the case of a Partial Release, to the extent required by the holder of the indebtedness.

INDEPENDENT BANK, 1600 REDBUD BLVD, MCKINNEY, TX 75069

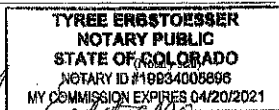
Name and Address of the Current Holder of the Evidence of Debt Secured by Deed of Trust (Lender)  
or name and address of the Title Insurance Company Authorized to Request the Release of a Deed of Trust

ELIZABETH CUFFEL, ASSISTANT VICE PRESIDENT

Name, Title and Address of Officer, Agent, or Attorney of the Holder of the Evidence of Debt Secured by Deed of Trust (Lender)

Signature

Signature



State of COLORADO, County of BOULDER

The foregoing Request for Release was acknowledged before me on 8/19/2020 (date) by\*

ELIZABETH CUFFEL, ASSISTANT VICE PRESIDENT

Date Commission Expires

\*If applicable, insert title of officer and name of current holder

Notary Public

Witness my hand and official seal

RELEASE OF DEED OF TRUST

WHEREAS, the Grantor(s) named above, by Deed of Trust, granted certain real property described in the Deed of Trust to the Public Trustee of the County referenced above, in the State of Colorado, to be held in trust to secure the payment of the indebtedness referred to therein; and

WHEREAS, the indebtedness secured by the Deed of Trust has been fully or partially paid and/or the purpose of the Deed of Trust has been fully or partially satisfied according to the written request of the holder of the evidence of debt or Title Insurance Company authorized to request the release of the Deed of Trust;

NOW THEREFORE, in consideration of the premises and the payment of the statutory sum, receipt of which is hereby acknowledged, I, as the Public Trustee in the County named above, do hereby fully and absolutely release, cancel and forever discharge the Deed of Trust or that portion of the real property described above in the Deed of Trust, together with all privileges and appurtenances therein belonging.



Public Trustee  
Debbie Walfemath August 21, 2020 Date

Deputy Public Trustee Date  
(If applicable, Primary Staff)

(If applicable, Name and Address of Person Creating New Legal Description as required by § 38-35-106.5, Colorado Revised Statutes.)



# Summary

Account Id R0082346  
Parcel Number 0181500000318  
Owners PALONE WAYNE S AND  
Address 50050 E 64TH AVE  
BENNETT, CO 80102-9008  
Situs Address 50050 E 64TH AVE  
Legal SEC,TWN,RNG: 2-3-63 DESC: BEG AT THE S4 COR SEC 2 TH N 89D 33M 35S E A DIST OF 987/13 FT TO A PT 3619/43 FT E OF THE SW COR OF SD SEC PT BEING THE TRUE POB TH N 00D 02M 00S W // WITH THE W LN OF SD SEC A DIST OF 2642/44 FT TO A PT ON THE E/W CL OF SD SEC TH N 89D 31M 50S E ALG SD E/W CL A DIST OF 659/35 FT TH S 00D 02M 00S E // WITH THE W LN OF SD SEC A DIST OF 2642/78 FT TO A PT ON THE S LN OF SD SEC TH S 89D 33M 35S W ALG SD S LN A DIST OF 659/35 FT TO THE POB EXC THE S 30 FT FOR RD (BK 1981 PG 635)

# Inquiry

As Of 06/14/2024

Payment Type  First  
 Full

Total Due \$0.00

# Value


Area Id	Mill Levy	
	Actual	Assessed
381 - 381		69.0690000
AG DRY GRAZING LAND - 4147	2,268	600
FARM/RANCH RESID - 4277	473,546	28,040
<b>Total Value</b>	<b>475,814</b>	<b>28,640</b>
<b>Taxes</b>		<b>\$1,978.14</b>



## Summary

Account Id M0018466  
Parcel Number 0181500000318  
Owners ASH KATHLEEN A  
Address 50050 E 64TH AVE  
BENNETT, CO 80102  
Situs Address 50050 E 64TH AVE  
Legal MBL HOME, TITLE: 12R913428 SERIAL: FLE230ID1431476A YEAR: 2015 MAKE: FLEETWOOD SIZE: 16/76 PARK:  
PRIVATE PROPERTY SPACE: 0000 PARCEL: 0181500000318

## Inquiry

As Of 06/14/2024 

Payment Type  First  
 Full

Total Due \$0.00

## Value

Area Id	Actual	Mill Levy	Assessed
381 - 381		69.0690000	
MANUFAC HOUSING - 1235	63,125		1,000
Taxes			\$69.08



June 11, 2024

Adams County  
4430 S. Adams County Parkway  
Brighton, CO 80601

**SUBJECT: GATE ON 64<sup>TH</sup> AVENUE, BENNETT, CO**

TO WHOM IT MAY CONCERN:

We are Wayne and Gail Palone and we live at 50050 E. 64<sup>th</sup> Avenue in Bennett, CO for the last 30 years. During the 30 years we have lived there Adams County has NEVER maintained the road. We have helped maintain the road, along with all the neighbors that live on 64<sup>th</sup> Avenue, and are happy to continue to do so. We have never seen an Adams County road maintenance truck the entire we have lived here.

Our main concern is the safety of the families living on E. 64<sup>th</sup> Avenue, and the proposed gate is instrumental in the safety for all these residents. Seniors make up the majority of the residents on this road. In all these years this road has never been patrolled by law enforcement. During the past few years we have noticed a huge increase in non-resident traffic during all hours of the day and night. In 1996 our son was murdered by a classmate when they were both students at Bennett High School. This convicted felon is now free and may have been spotted on our road more than once which makes us very uncomfortable due to us trying to keep him in prison. We have had non-resident car and truck traffic blocking driveways, we have had an abandoned vehicle on the side of our road. I feel the gate at beginning of the road would eliminate a lot of crime and people with malicious intent, non-resident traffic, partying at the end our road, and make us all safer.

We are willing to do whatever necessary, along with all the neighbors that have worked together all these years to maintain it and keep it safe.

Thank you for your time and consideration.

