

20260 Excelsior Blvd
Shorewood, MN 55331

August 12, 2022

Mr. Michael Fitz
Routt County Planning Dept.
136 6th Street, Suite 200
Steamboat Springs, CO 80477

RE: Utility Vacates for 36781 Tree Haus Drive

Dear Michael,

This letter is to serve as the required narrative regarding the requested Utility Easement Vacations for 36871 Tree Haus Drive in Steamboat Springs.

My husband David and I sold the home last year to Andrew Hau and Morgan Brown. At the time we listed the house for sale, we did not know that part of the home was located in the utility easement running along the western edge of the property - this was discovered through a survey done by Four Points Survey and Engineering. Both Andrew and Morgan were concerned that, although highly unlikely, a utility company might sometime in the future claim rights to the easement, and cause part of their newly acquired home to be torn down.

As you and I have discussed, the original home was supposed to be built away from the utility easement, as was shown in the original survey, done in the early 1970's. Due to significant elevation changes and a heavily wooded lot, a small portion of the home was mistakenly built in an area that was designated both as a utility easement and a setback.

In addition to the utility easement vacations, we applied for a setback variance, and you discussed this with the Routt County Legal Department. They concluded:

"It is the position of the County's Legal Department that the issuance of building permit C-76-097 in 1976 renders the need for a setback Variance unnecessary, and the County presumes that the "blanket variance" was either implied or explicitly used for the construction of this home. Accordingly, this home is deemed to be in compliance with Routt County Zoning Regulations in regards to setbacks."

However, this still leaves the utility easement vacations to be dealt with. All of the utility companies with easement rights, with the exception of the Tree Haus Metro District (we

accidentally did not include them when we requested the vacate approval from the other utility companies, but that process is underway now) have signed off on vacating the easement, because there are no situations in which it would make sense for them to use this easement area for any reason. This land accesses no area that is either developable or does not have easier access from other avenues. To use this easement area, a utility company would have to dig up a long, steep slope, but there is nothing at the top of the slope that a utility company would want or need to service. The utility easement, while a standard with most lots, serves no purpose in this particular case, which is why the utility companies have agreed to vacate their rights to the easement area (with the exception of the Metro District, as previously discussed).

But still, the idea that a utility company would have the right to tear down part of their home is understandably not sitting well with new owners, and thus we are seeking to have these utility easements vacated. We agreed in the purchase agreement with the new owners to be the ones to shepherd this process through Routt County, which is why I am applying for the utility vacations instead of the new owners. They have given their written approval for me to apply on their behalf with the County, which was included with our submittal.

The section of the home that is in the easement area is part of the Master Bedroom and Bathroom of the original home. This is an important part of the home, and it would be very detrimental to both the value and usability of the home if it were torn down.

So, we are asking the County to approve our request to vacate the utility easements that are running along the western side of the lot.

Please let me know if you would like any further clarification on why we are asking for the utility easement vacations, and thank you for your excellent help during this process.

Best regards,

Laurie Susla