

Routt County Planning
136 6th Street, 2nd Floor
Steamboat Springs, CO 80487
Attention: Sally Ross/ Alan Goldich

November 29, 2022

Re: Multi-Family Tracts 15,30 & 31, South Shore at Stagecoach [PL 20220092]

Dear Ms. Ross and Mr. Goldich:

At their meeting on November 15, 2022, the Stagecoach Property Owners Association directors authorized the submission of the following comments with respect to the application of Tri-State for "division of land for a public purpose."

1. SPOA objects to the application to the extent it would require a re-routing of the "Elk Run Trail." You have informed me that your Department has requested that the adjoining property owner, Upper Yampa Water Conservation District, take necessary steps to obtain a public easement for the portion of the Elk Run Trail that crosses Tracts 15 and 30. If UYWCD fails to do so, or is unable to obtain such an easement, SPOA proposes to work with UYWCD and Department of Parks and Wildlife to use a rear trail easement owned by SPOA to situate the portion of the trail crossing Tracts 15 and 30. However, this depends upon the confirmation of a rear trail easement in the name of SPOA, as discussed below.

2. SPOA objects to the application to the extent it seeks to eliminate the twenty-foot-wide rear lot easement established in favor of SPOA in the original plat.

a. The original plat, in the "Notes" section of the first page of the plat, has two entries relating to trail easements: " 5. All side lot line [sic] subject to 10' trail easement;" and, "9. All rear lot lines subject to a 20' trail easement." Thus, the land owners, at the time of the original plat, granted trail easements to SPOA.

b. The "Improvement Survey Plat" proposed by Tri-State has a similar "Notes" section which contains the same two entries. However, the survey map itself, while showing the location of the existing ten-foot-wide side trail easements, does not show new proposed rear lot easements. Since this is a replat, with the rear boundary in a new location, presumably the land owner would have to agree to a new easement. SPOA is unclear as to whether Tri-State is agreeing to new twenty-foot trail easements along the new proposed rear boundaries. We suspect they are not. We request, therefor, that any approval from the County be conditioned upon the grant by Tri-State of twenty-foot-wide rear trail easements, in favor of SPOA, running along the new rear boundaries of Tracts 15, 30 and 31. And just so there is no confusion in the future, SPOA requests that Tri-State submit a new map showing the new rear boundary trail easements.

c. SPOA has a real and current reason for making this request: In 2020 we engaged Patten Associates, Inc. to prepare a master trails plan for all of the 31

subdivisions subject to the Stagecoach Covenants. In 2021 we began executing that master plan with the construction of the first Stagecoach Trail segment in South Shore. In 2023 we expect to construct the next segment which will extend the existing trail by approximately $\frac{3}{4}$ of a mile. The path of this next segment will be constructed parallel to Uncompahgre road, within Common Area 10, across Uncompahgre Road from Tracts 15, 30 & 31.

SPOA has attempted, for well over a year, to negotiate with Tri State to acquire certain parcels at South Shore originally platted as "common areas" but now owned by Tri-State, for the specific purpose of connecting the new trails at South Shore with the existing Elk Run Trail. Our first effort was to acquire Common Area 6; we then attempted to acquire Common Area 13; and our plans call for the potential acquisition of portions of Common Area 9. In June of this year, Tri-State abruptly cancelled further negotiations on the grounds that a corporate decision had been made to market all of Tri-State's holdings at South Shore. They hired a real estate agent and have, in fact, placed certain parcels on the market.

If SPOA is not successful in acquiring other points of access to the Elk Run Trail, the Association will have no choice but to exercise its right to construct a trail through easements owned by the Association. In this regard, the side and rear trail easements for Tracts 15, 30 & 31 would be ideal. It would be a simple matter, next summer, to run a spur from the trail planned for Common Area 10, across Uncompahgre Road and down the combined twenty-foot-wide side trail easements for either Tracts 15 and 30, or Tracts 30 and 31, to connect to the Elk Run Trail. And, although it appears from the submitted map that the side easements intersect the Elk Run Trail, the topography may be such that a connection at the point of intersection is not feasible. So, SPOA needs the flexibility provided by rear trail easements to insure a smooth connection.

Submitted by,



Thomas Watts, SPOA Director

