

NOTICE OF PUBLIC HEARING

Town Council – April 25, 2024



We are interested in

your comments regarding the following proposal.

Project: Hayden Gulch Terminal Subdivision, Filing No. 6 FINAL PLAT

Area and Location: The property is located at 230 Hawthorne Street, the intersection of US Highway 40 and Hawthorne Street. Also described at Lot 1, Hayden Gulch Terminal Subdivision, Filing No. 5.

Applicant: Sage Creek Land & Reserves, LLC

Summary: The applicant has submitted an application under Hayden's Development Code for Hayden Gulch Terminal Subdivision, Filing No. 6, a Final Plat dividing a 29.89-acre parcel into three (3) lots, that includes the Sage Creek Trailhead/parking lot, and dedicating the Hawthorne Street right of way.

The Town Council will hold a Public Hearing and consider this item.

NOTE: Additional application information is available in the Town Planner's office for review by the public during regular business hours.

Meeting Schedule: **Town Council:** Public Hearing will be held on Thursday, April 25, 2024 at their meeting beginning at 7:30 pm.

The Public Hearing is held at Hayden Town Hall, 178 West Jefferson Avenue, Hayden, Colorado.

Please reply by: April 21, 2024 for comments to be entered into the packet for Town Council consideration. Public comment may be made at the public hearing.

Contact/Reply to:

Tegan Ebbert,
Community Development Director
Box 190, Hayden, CO 81639

Phone: (970) 276-3741

Fax: (970) 276-3644

E-Mail: Tegan.ebbert@haydencolorado.org



Peabody Energy
Attn: Land Department
P.O. Box 1508
Gillette, WY 82717-1508
Office: 307.685.6720

Sage Creek Land & Reserves, LLC

19 March 2024

Town of Hayden
Attn: Teegan Ebbert, Community Development Director
178 W Jefferson Avenue
PO Box 190
Hayden, CO 81639

RE: Final Plat Application, Minor Subdivision

Dear Ms. Ebbert:

Sage Creek Land and Reserves is applying for Final Plat of the Minor Subdivision of Lot 1, Hayden Gulch Terminal Subdivision, Filing No. 5, Town of Hayden, Routt County, Colorado.

This subdivision will facilitate the proposed transfer of the former Hayden Gulch Terminal Railroad property to the Town of Hayden. Lot 1 of, Filing No. 6 is currently the Town's parking area for the recreational trail. Lot 1 will be deeded to the Town as part of the Hayden Gulch Rail to trail deed to the town, granting the town more than 200 acres of land for recreational purposes.

Sage Creek Land & Reserves, in this subdivision, have divided the property into two other lots bisected by Hawthorne Street which is currently an easement to the benefit of the town. As part of this Subdivision process Sage Creek Land and Reserve will dedicate Hawthorne Street to the Town.

Sage Creek Land & Reserves does not have development plans for Lots 2 and 3 of this subdivision. Our intent is to market these lots to potential buyers for their development. Any development by future owners will be subject to further review by the town for allowed uses and suitability for purpose. Currently the lots are zoned light industrial, Sage Creek Land & Reserves, anticipates any development will benefit from this designation and does not anticipate future requests rezoning.

It is anticipated dedicated access for these new lots, when developed, will be via Hawthorn Street and not accessed off Hwy 40. Sage Creek Land & Reserve, does not guarantee future developers will not seek access off Hwy 40, done so at the developers sole discretion and expense.

Within the subdivision plat, please notice Sage Creek Land & Reserve has included a dedication of the easement for the wastewater line at no cost to the town. We are requesting an "Exemption from reimbursement requirement for the oversized wastewater line" per our conversations and emails.

Sage Creek Land & Reserves, LLC is very appreciative of the waiver of application fee and the cooperative working relationship we have with the Town. Any assistance we can provide to move this subdivision process forward, please let us know.

Respectfully,

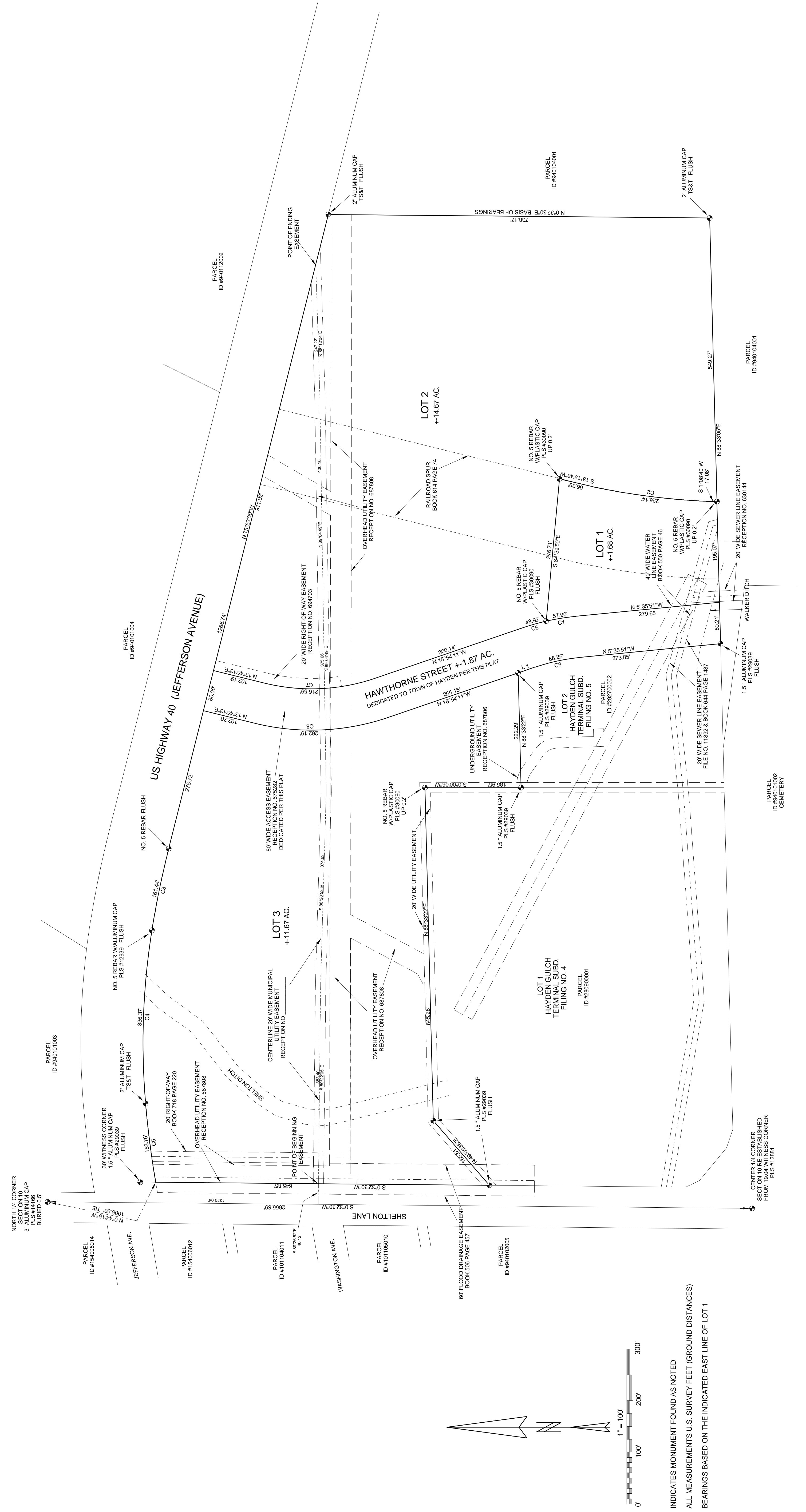
Fred J. Eden, RL
Senior Manager Land

HAYDEN GULCH TERMINAL SUBDIVISION, FILING NO. 6

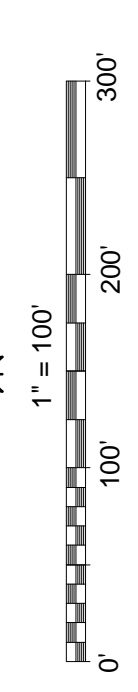
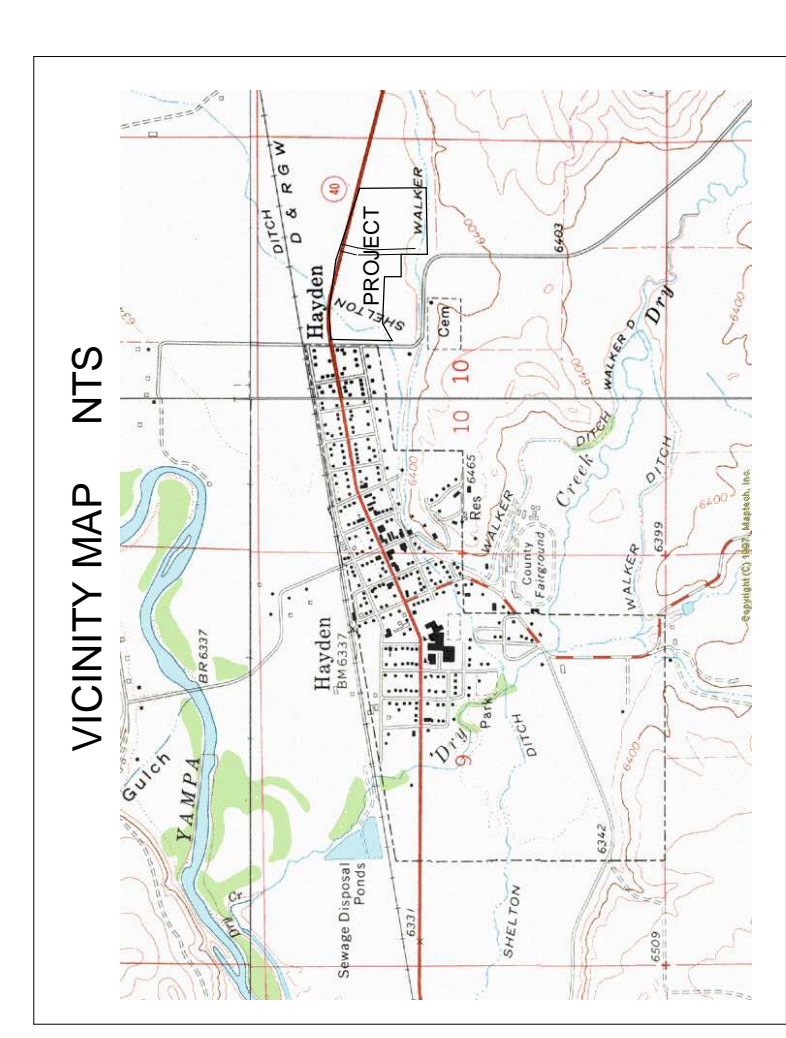
A REPLAT OF LOT 1, HAYDEN GULCH TERMINAL SUBDIVISION, FILING NO. 5

PORTIONS OF THE NE1/4 OF SECTION 10, T6N R88W, 6th P.M.

TOWN OF HAYDEN, COUNTY OF ROUTT, STATE OF COLORADO



Line	Bearing	Distance	Area	Remarks
1	N 18°54'11" W	350.00	718.24	Curve
2	S 71°24'30" W	57.90	1357.69	Curve
3	N 91°21'31" W	172.53	224.98	Curve
4	N 87°54'15" W	335.53	166.03	Curve
5	N 15°51'21" W	15.00	15.00	Curve
6	N 15°51'21" W	43.50	24.49	Curve
7	N 2°34'29" W	11.32	23.67	Curve
8	N 12°15'00" W	88.05	88.05	Curve
9	N 13°16'21" W	360.00	68.25	Curve



INDICATES MONUMENT FOUND AS NOTED
ALL MEASUREMENTS U.S. SURVEY FEET (GROUND DISTANCES)
BEARINGS BASED ON THE INDICATED EAST LINE OF LOT 1

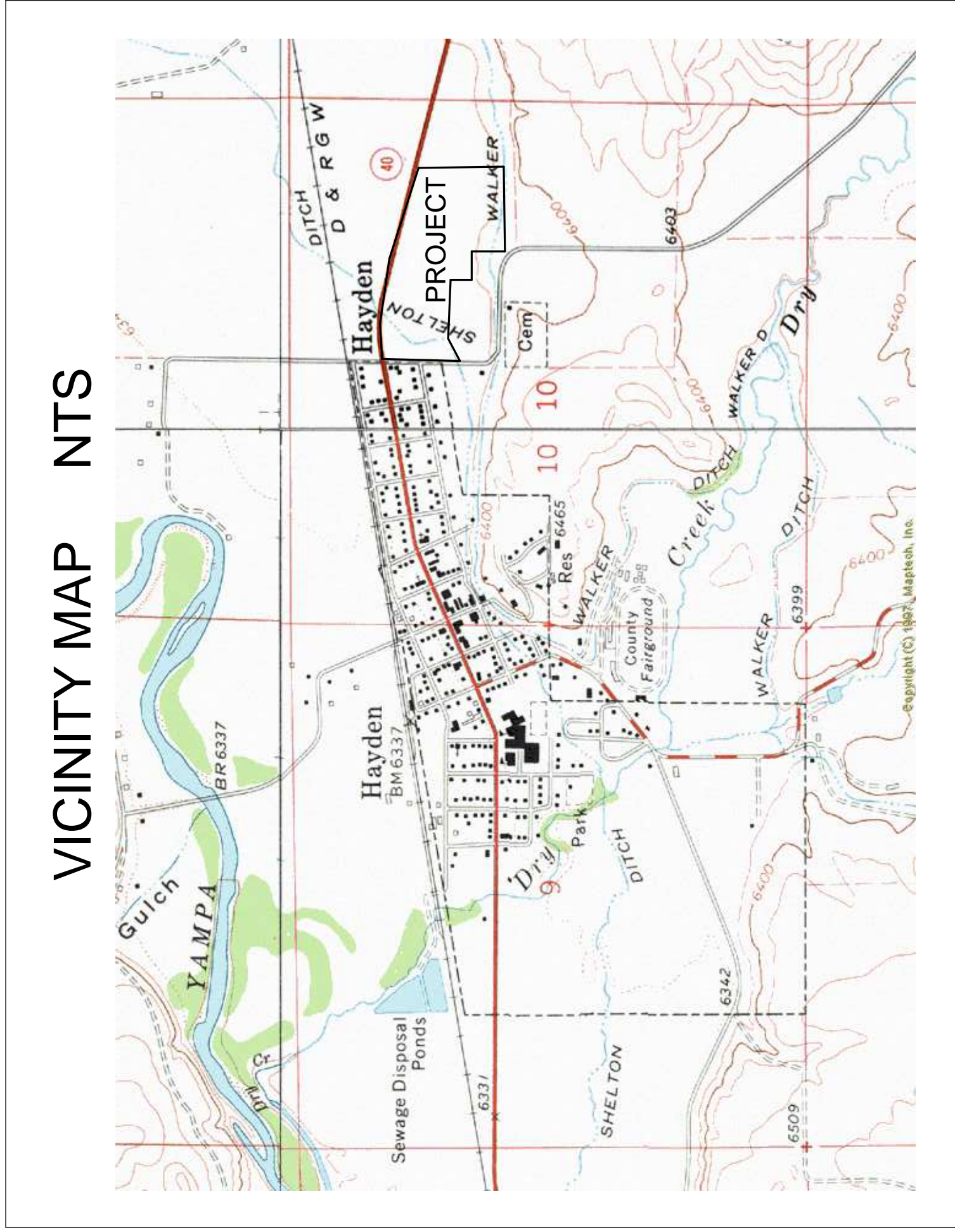
REV. 1. 8/24. UPDATE PER TOWN COMMENTS
REV. 2. 4/124. UPDATE PER TOWN COMMENTS

SAGE CREEK LAND & RESERVES		HAYDEN GULCH TERMINAL SUBDIVISION, FILING NO. 6	
A REPLAT OF LOT 1, HAYDEN GULCH TERMINAL SUBD. NO. 5 NE 1/4 OF SECTION 10, T6N R88W, 6th P.M.		DOWLING LAND SURVEYORS P.O. BOX 954 HAYDEN, CO. 81639 (970) 276-3613 FAX 276-4595	
TOWN OF HAYDEN, COUNTY OF ROUTT, STATE OF COLORADO		SCALE 1" = 100'	
DWG.	DATE	REV.	FILE
GEO.	4/13/23	3/5/24	4/1/24

NOTICE OF RESEARCH
Pursuant to C.R.S. § 38-5-106 (1)(b) (i), research regarding the Rights-of-Way and easements as shown herein was obtained by [redacted] on [redacted] as of March 24, 2023, and not from the personal records of Gordon R. Dowling, a Professional Land Surveyor in the State of Colorado.
NOTICE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED ON ANY DEFECT OR ERROR IN THIS SURVEY WITHIN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

HAYDEN GULCH TERMINAL SUBDIVISION, FILING NO. 6

A REPLAT OF LOT 1, HAYDEN GULCH TERMINAL SUBDIVISION, FILING NO. 5 PORTIONS OF THE NE1/4 OF SECTION 10, T6N R88W, 6th P.M. TOWN OF HAYDEN, COUNTY OF ROUTT, STATE OF COLORADO



SURVEYOR'S CERTIFICATE
I, Gordon R. Dowling, PLS # 30090, a duly registered land surveyor in the State of Colorado, do hereby certify that this Plat of Hayden Gulch Terminal Subdivision, Filing No. 6 was performed by me or under my direct supervision, and that this plat has been prepared in compliance with all applicable laws of the State of Colorado at the time of this survey and within my control and is accurate to the best of my knowledge, information and belief.

Gordon R. Dowling
PLS #30090

ATTORNEY'S OPINION

I, George Eck III, being an attorney-at-law duly licensed to practice in the State of Colorado, do hereby certify that I have reviewed LAND TITLE GUARANTEE COMPANY Title Commitment SAGE CREEK LAND & RESERVES, LLC, A DELAWARE LIMITED LIABILITY COMPANY, and based on the title search conducted by me and the personal search of Gordon R. Dowling, a Professional Land Surveyor in the State of Colorado, for the lien of general real property taxes and except for the deeds of trust subordinated herein and the stated B-2 exceptions as contained within said title commitment.

George Eck III, ATTORNEY-AT-LAW

Effective the ____ day of _____, 20____.

CERTIFICATE OF OWNERSHIP AND DEDICATION
BE IT HEREBY MADE KNOWN: That SAGE CREEK LAND & RESERVES, LLC, A DELAWARE LIMITED LIABILITY COMPANY, being the owner of the land described as follows: LOT 1, HAYDEN GULCH TERMINAL SUBDIVISION, FILING NO. 5, containing 29.89 Acres, more or less, in the Town of Hayden, Routt County, Colorado, under the name and style of, HAYDEN GULCH TERMINAL SUBDIVISION, FILING NO. 6, has laid out, platted and subdivided same as shown on this plat and pursuant to all accompanying documents referenced herein, and does hereby irrevocably dedicate to and for the perpetual use of the public by and through the Town of Hayden, State of Colorado, the public areas as shown hereon, and also does hereby irrevocably dedicate to and for the perpetual use of the public those portions of land labeled as easements for the installation and maintenance of public utilities, drainage, show in red on this plat, and the easements for the installation and maintenance of public utilities, drainage, show in yellow on this plat. In witness whereof, the said SAGE CREEK LAND & RESERVES, LLC, A DELAWARE LIMITED LIABILITY COMPANY, has caused its name to be here unto subscribed this ____ day of _____, 2024.

SAGE CREEK LAND & RESERVES, LLC, A DELAWARE LIMITED LIABILITY COMPANY

By: Patrick K. Sollars, as President

STATE OF COLORADO)
COUNTY OF ROUTT) ss.

The foregoing Certificate of Ownership and Dedication was acknowledged before me this ____ day of _____, 2024, by Patrick K. Sollars, as President of SAGE CREEK LAND & RESERVES, LLC, A DELAWARE LIMITED LIABILITY COMPANY.

WITNESS my hand and official seal.
My commission expires: _____

Notary Public

TOWN COUNCIL CERTIFICATE

This Plat of HAYDEN GULCH TERMINAL SUBDIVISION, FILING NO. 6 is approved for filing this ____ day of _____, 2024, by the Town Council, Town of Hayden, Colorado. This approval is conditioned for all expenses involving necessary improvements for all utility services, paving, grading, landscaping, curbs, gutters, street light, street signs, trails and sidewalks shall be financed by others and not the Town. The dedication of the streets, open space easements, emergency service vehicle access easements, alleys, roads and other public areas shall be subject to the approval of the Town Council. The Town shall not undertake the maintenance of such public areas until such public areas have been satisfactorily completed to the condition that the Town shall not undertake the maintenance of such public areas until such public areas have been satisfactorily completed to the Town's specifications by the Owner and a Resolution of the Town Council of the Town of Hayden accepting the same has been adopted and placed of record. The Hawthorne Street Right of Way and road improvements are accepted for ownership and maintenance under existing conditions.

Ryan Banks, Mayor

Attest: Sharon Johnson, Town Clerk

ROUTT COUNTY CLERK AND RECORDERS' ACCEPTANCE

This Plat was accepted for filing in the Office of the Routt Clerk and Recorder on this ____ day of _____, 2024, A.D.

File No. _____ Reception No. _____ Time _____ m.

JENNY L. THOMAS, ROUTT COUNTY CLERK & RECORDER

SHEET 1 OF 2

SAGE CREEK LAND & RESERVES		HAYDEN GULCH TERMINAL SUBDIVISION, FILING NO. 6	
APPLICANT OF LOT 1, HAYDEN GULCH TERMINAL SUBD. NO. 5 NE1/4 SECTION 10, T6N, R88W, 6th P.M.			
TOWN OF HAYDEN, COUNTY OF ROUTT, STATE OF COLORADO			
SCALE	DWG	DATE	REV
NA	GRD	4/1/24	100208
DOWLING LAND SURVEYORS		P.O. BOX 954 HAYDEN, CO. 81639 (970) 276-3613 FAX 276-4595	

NOTICE OF RESEARCH
Pursuant to C.R.S. § 38-10-106 (1)(b), research regarding the Rights of Way and easements as shown hereon was obtained by Gordon R. Dowling, a Professional Land Surveyor in the State of Colorado, as of _____, 2024, and not from the personal search of Gordon R. Dowling, a Professional Land Surveyor in the State of Colorado.

NOTICE - ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED ON ANY DEFECT OR ERROR IN THIS PLAT WITHIN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON. ANY ACTION BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.