



Agenda

MEETING OF THE MINTURN PLANNING COMMISSION

Minturn Town Center, 302 Pine Street
Minturn, CO 81645 • (970) 827-5645

Wednesday, February 10, 2016

Regular Session – 6:30 pm

PLANNING COMMISSION:

Lynn Teach – Chair
Burke Harrington
Bobby Head
Brad Bickerton
Justin Carter

Planning Director – Janet Hawkinson

When addressing the Planning Commission, please state your name and your address for the record prior to providing your comments. Please address the Planning Commission as a whole. All supporting documents are available for public review in the Town Offices – located at 302 Pine Street, Minturn CO 81645 – during regular business hours between 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays.

Regular Session – 6:30pm

1. Call to Order

- Roll Call
- Pledge of Allegiance
- Introduction & Pledge of New Planning Commissioner – Justin Carter

2. Approval of Agenda

- Items to be Pulled or Added

3. Approval of Minutes

- January 13, 2016

4. Public Comments

(on items which are not on the agenda - 5 minute time per person)

DESIGN REVIEW

5. Design Review: Final Subdivision Plat: Highway 24, Game Creek Character Intermountain Landscape & UPRR

Zoning Change from Game Creek PUD to Grouse Creek Commercial zoning at Highway 24, Intermountain Landscape & UPRR

SPECIAL PRESENTATIONS

6. Crave Communities – Eagle Street, Minturn CO – special presentation on a possible land trade of a parcel of land within Minturn Town Boundaries and the US National Forest

7. Public Comment & Questions on Presentation

PROJECTS

8. Town Entrance Phase 2

9. 2016 Master Planning per code



Official Minutes

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Work Session – 6:30pm

1. Call to Order

The meeting was called to order by Lynn Teach at 6:33 pm.

- Roll Call

Those present included: Chairperson Lynn Teach, and Commission Members Burke Harrington, Bobby Head, and Brad Bickerton.

Staff present included Planning Director Janet Hawkinson and Clerk Cindy Krieg.

- Pledge of Allegiance

2. Approval of Agenda

- Items to be Pulled or Added

Motion by Burke H. to approve, second by Bobby H., to approve the Agenda as presented. Motion passed (4-0).

3. Approval of Minutes

- December 9, 2015

Motion by Burke H., second by Bobby H., to approve the minutes of December 9, 2015. Motion passed (4-0).

4. Public comments on items which are not on the agenda (5 minute time limit per person)

No comments

5. Design Review: Preliminary Subdivision Approval: InterMountain Landscape & Maintenance, Inc., (hereby referred to as IL&M) Lot on Highway 24, Minturn. **Location:** Township 5 South – Range 81 West, Highway 24, Minturn, CO (Neighboring Meadow Mountain Business Park)

Janet H. introduced the Pre subdivision application, and introduced Rick Pylman from IL&M who presented the project details. This project involves 2 parts – a Subdivision of the Lot for purposes of landscape business, and a Zone Change from Game Creek Character Area (classified as a PUD holding zone) to Grouse Creek Character Area (Commercial Zoning). This lot is being sold by Union Pacific Railroad Company to InterMountain Landscape & Maintenance, Inc.

Rick P. introduced the team of InterMountain Landscape and Maintenance, Inc. He then described the Site Analysis, noted as follows:

- Lot area is 2 acres (87,120 sf), however only about ½ acre is usable space.
- No permanent buildings. Site will be used store landscape supplies and equipment
- Setbacks: Lot meets required setbacks of 20' front, 10' side yards, 10' rear, and 30' river set backs
- Snow storage – Upon approval of this subdivision, applicant agrees not to plow snow or remove snow from lot into the river
- Environmental Phase 1 Report – The applicant performed both a wetlands report and a vegetation assessment report performed by Western Ecological Resource, Inc. No clean-up is needed.

The actual subdivision plat consists of 2 lots – Lot 2 will be conveyed to Meadow Mountain Business Park given the location. Lot 1 would contain: Greenhouse, equipment storage, dump piles, employee parking, staging of company vehicles, staging for employees to pick up assignments and tools for the day before heading out to job sites. Seasonal business, 25 – 35 employees. A turnout lane will also be added to access the lot (working with CDOT to determine appropriate requirements). It was discussed that the project would also include some landscaping for aesthetics. The river side is presently screened with Colorado Spruce.

Ziggy Gosiewski of Vail, CO (owner, InterMountain Landscape and Maintenance, Inc.) fielded questions.

Bobby H. inquired about fuel storage and about more landscaping around the entrance to screen equipment and storage yard.

Ziggy G. stated that there will not be fuel storage on site. Landscaping on property is limited due to CDOT right of way and snow removal needs. Shrubs can be planted at the entrance, but trees may be difficult. Down lower some trees can be planted.

Bobby H. also asked about fencing. Ziggy G. stated that some fencing would be used around the greenhouse, but no chain link fence due to Minturn code (would be wooden fencing).

Burke H. asked about the width of the point of entry.

Ziggy G. stated that it is a 2 lane point of entry – 12 feet per lane, and that they would work within CDOT guidelines.

Brad B. asked about noise pollution and pollution in general.

Pickup trucks, 1 ton dump trucks (smaller class of vehicles) will be used. Excavation is all subbed out (not done on site).

It was expressed by Ziggy C. that there should not be any pollution concerns re. toxic chemicals, noise, traffic, etc.

Brad B. also mentioned that the aesthetics of the entrance are of concern given the current Entryway Project that Minturn is going through.

It was recommended by the members of the Commission, as well as the Planning Director Janet H., that IL&M prepare a landscape buffer design plan (with native trees and grasses between the lot and Highway 24) and present it to CDOT for approval.

Janet H. also inquired about snow removal. Ziggy G. mentioned that the lot would be used very little in the winter, so they could store snow in the lot if needed. The trucks / equipment are primarily stored in Wolcott when not being used (ie, winter season).

Janet H. also mentioned the CDOT Clear Zone (15 ft).

And that ERFPD also recommends a fire hydrant. It is not mandatory, but it is recommended.

Lynn T. inquired as to the hours of operation.

Ziggy G. stated that vehicles would begin arriving around 7am, and would return from the field between 7:30 & 8:30pm.

Lynn T. expressed some concern over traffic during peak times.

Lynn T. also asked about the number of vehicles that would be parked and will there be adequate parking space.

Rick P. said it was measured to fit up to 33 standard parking spaces, but on average they would have 17 – 20 cars parked at any given time, as employees would be dropping off their personal vehicles and taking company vehicles to the job sites.

Lynn T. also asked about dump piles.

Ziggy G: When team members return from the field, there is often excess dirt, soil, gravel, etc, that needs to be stored. It would only be temporarily stored and then moved to Wolcott (on a weekly basis on average).

Planning Commission recessed for 10 minutes.

2 part Motion:

Motion by Brad B., second by Lynn T. to approve the Subdivision Application. All approved. Passed 4-0.

Motion by Brad B., second by Lynn T., to approve the Zoning Change from Game Creek Character Area (PUD Holding Zone) to Grouse Creek Character Area (Commercial).

All approved. Passed 4-0.

The approval of the Zoning Change is contingent upon IL&M submitting a landscape design plan for Design Review and approval to both CDOT and the Planning Commission.

PROJECTS:

6. Town Entrance, Phase 2 – Design Concept for Architectural Feature

Janet H. presented the latest engineering updates involving:
CDOT Drainage, ADA guidelines for bulb-out, sidewalks and lighting.

No questions or comments from the group.

7. PLANNER REPORT

1. Applications being accepted for new Planning Commissioner. Janet H. stated that it was being considered to propose an ordinance to revise the requirements to serve on Planning Commission. The ordinance being considered would state that 2 seats of the 5 may be held by Minturn Business Owners. It was suggested by Lynn T. that only 1 seat be open to business owners. Bobby H. also questioned whether certain items could be a conflict of interest with business owners who do not reside in

Minturn. It was discussed that the definition of a business owner should be defined more clearly if this is moved forward (ie, own and operate a business in Minturn – not a “home” business; Also, should it be limited to a business owner who owns their business “property” in Minturn)? More discussion needed, tabled for next meeting?...

8. Next Meeting – January 27, 2016.

9. Motion to adjourn by Bobby H., Second by Brad B. All approved.

10. Adjournment – Meeting was adjourned at 8:10 pm.

Chair - Lynn Teach

Attest

Planning Director – Janet Hawkinson



Planner Report

Town of Minturn
302 Pine Street
Minturn, Colorado
81654
970-827-5645

2/10/2016

J Hawkinson, Planning Director

APPLICANT: Intermountain Landscaping & Maintenance, Inc.

PREPARED BY: Pylman & Associates - 137 Main St, C107W, Edwards, CO
Rick Pylman - 970-926-6065

REQUEST: Final Subdivision Plat and Zoning Change

LOCATION: Township 5 South - Range 81 West, Highway 24 - Minturn, CO

DATE SUBMITTED: December 11, 2015

ZONING: Present Zoning: PUD - Game Creek Character Area
Change Zoning To: Commercial Grouse Creek Character Area

PUBLIC NOTICE: Agenda posted at Town Hall and on website - certified letters sent to residents 250 feet from site - sign posted on site - 14 days in advance of hearings - mailing and postings for Final Subdivision Plat & Zoning Change on January 26, 2016

SITE ANALYSIS:

BUILDING HEIGHT: No Buildings - a site to store landscape supplies & equipment
A Site Plan approval is needed for any containers, fences and sheds.
A building permit is needed if fence height is six feet or taller of shed is larger than 120 sq ft or other building structures per code, including greenhouses.

VARIANCE: none

LOT AREA: 2 acres = 87,120 sq ft
-zoning code: minimum subdivided lot size is 5,000sq ft

MAXIMUM BUILDING LOT COVERAGE: 70%

MAXIMUM IMPERVIOUS SURFACE: no code - site plan is 80% gravel parking lot and 20% gravel area landscaped for pervious surface - this does not include the river setback land

SETBACKS: Meets required setbacks: -20' front -10' side yards -10' rear -30' river

SNOW STORAGE: Required: 4356 sq ft Actual: 4356 sq ft
*Upon approval of this subdivision - applicant agrees not to plow snow or remove snow from lot into the river

LANDSCAPING REQUIREMENTS:

Install native trees to screen equipment and storage yard from Highway 24 - the river side is presently screened with Colorado Spruce

ENVIRONMENTAL PHASE 1 REPORT:

The applicant performed both a wetlands report and a vegetation assessment report performed by Western Ecological Resource, Inc. No clean-up is needed.

PRELIMINARY SUBDIVISION PLAT APPROVAL:

Approval was given by the Planning Commission on January 13, 2016

Approval was given by Town Council on January 20, 2016

*An approved landscape plan is needed for Final Subdivision Plat approval

PLANNING DIRECTOR RECOMMENDATION:

To approve the Final Subdivision Plat and Zoning Change with the following agreements:

1. approved landscape plan
2. an approved site plan by the Planning Department before installation
3. obtain building permits needed for greenhouses, sheds and fencing
4. agreement that snow will not be pushed into the river

STAFF REVIEWING APPLICATION:

Town Attorney, Public Works Supervisor, Town Engineers, Planner

WATER TAP: water is being brought to the site - a water tap will need to be purchased



February 5, 2016

Ms. Janet Hawkinson
Town Planner
Town of Minturn
PO Box 309.
Minturn, CO 81645

Re: Intermountain Landscaping & Maintenance

Dear Janet:

Under cover of this letter is a landscape plan for the Intermountain Landscape & Maintenance zoning and subdivision applications. At the Planning Commission and Town Council meetings of January 13 and January 20 we talked about potential landscape screening ideas and concepts. The attached landscape plan has been designed with that input in mind.

We have added several long shrub beds and aspen trees along the property line and also added interspersed sections of a 6-foot high wooden screen fence. As we discussed, these areas will not provide a full "hedge" type of screen but will add intervals of landscape color and texture along with the sections of screen fence. The plant materials selected will provide some height, color and texture and are relatively hardy enough to withstand the snow and salt impacts of winter highway maintenance. We have also replaced some of the interior parking spaces with landscape beds that will include Aspen and shrub plantings and added some Aspen tree plantings at the corners of the storage areas.

This plan should provide a higher level of visual interest for the highway traveler and present a positive and professional image of the site for the owner.

Let us know if you have any thoughts or input to the plan. Thanks again for your time and attention to this application.

Sincerely,

Rick Pylman

CERTIFICATE OF DEDICATION AND OWNERSHIP

I, Union Pacific Railroad Company, a Delaware Corporation, the owner in fee simple of all that real property described as follows:

A parcel of land lying in the NW Quarter of Section 26, Township 5 South, Range 81 West of the Sixth Principal Meridian, Eagle County, Colorado, being more particularly described as follows: Beginning at a Point on the easterly right-of-way line of U.S. Highway No. 24 whence the NW corner of said Section 26 bears N 08°57'37" W a distance of 1,379.01 feet; thence departing said right-of-way line and along the southerly property line of Meadow Mountain Business Park Condominiums S 90°00'00" E a distance of 250.00 feet; thence N 00°00'00" E a distance of 240.00 feet; thence N 90°00'00" E a distance of 20.00 feet to the centerline of the Eagle River; thence along said centerline of the Eagle River S 14°11'16" E a distance of 109.44 feet; thence S 00°26'26" E a distance of 92.61 feet; thence S 26°07'40" W a distance of 45.63 feet; thence S 23°54'09" W a distance of 134.07 feet; thence S 12°14'00" E a distance of 634.58 feet; thence departing said centerline S 80°00'00" W a distance of 49.29 feet to the easterly right-of-way line of U.S. Highway No. 24; thence along said easterly right-of-way line N 08°30'27" W a distance of 137.85 feet; thence S 87°23'48" W a distance of 13.07 feet to the point of curvature of a non-tangent curve, concave to the west, having a radius of 704.00 feet a central angle of 20°23'28", and a chord of 249.23 feet bearing N 17°41'16" W; thence North along said curve, a distance of 250.55 feet; thence N 27°53'00" W a distance of 423.40 feet to the point of curvature of a tangent curve, concave to the northeast, having a radius of 686.20 feet and a central angle of 00°20'01"; thence Northwest along said curve, a distance of 4.00 feet, curving to the left to the Point of Beginning, County of Eagle, State of Colorado. Said parcel containing a total of 1.982 acres more or less

have by these presents laid out, platted and subdivided the same into lots as shown on this plat and designate the same as the Grouse Creek Subdivision, a subdivision in the Town of Minturn.

EXECUTED this _____ day of _____, 20__.

Owner: Union Pacific Railroad Company, a Delaware Corporation
1400 Douglas St - STOP 1690
Omaha, NE 68179-1690

By: _____ as _____

Name: _____ Title: _____

STATE OF COLORADO)
) §
COUNTY OF EAGLE)

The foregoing Certificate of Dedication and Ownership was acknowledged before me this _____ day of _____, 20__, by _____ as _____ of Union Pacific Railroad Company, a Delaware Corporation.

Witness my hand and official seal. _____ (SEAL)
Notary Public

My commission expires: _____

FINAL PLAT

GROUSE CREEK SUBDIVISION

TOWN OF MINTURN - COUNTY OF EAGLE - STATE OF COLORADO

TITLE CERTIFICATE

_____ does hereby certify that it has examined the title to all lands shown upon this Plat and that title to such lands is vested in Union Pacific Railroad Company, a Delaware Corporation, free and clear of all liens, and encumbrances, except as follows:

DATED this _____ day of _____, 20__.

Agent: _____

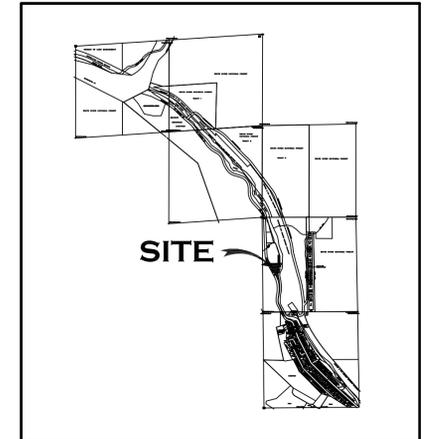
CERTIFICATE OF TAXES PAID

I, the undersigned, do hereby certify that the entire amount of taxes and assessments due and payable as of _____ upon all parcels of real estate described on this Plat are paid in full.

Dated this _____ day of _____, A.D., 20__.

NOTES:

- 1) The purpose of this Final Plat is create Lot 1 and Lot 2 within the the Town of Minturn.
- 2) BASIS OF BEARING: N90°00'00" E for the northerly line between found monuments, as shown hereon.
- 3) Survey Date: September, 2015.
- 4) Legal description, location of improvements, lot lines, record easements and rights of way are based upon the Stewart Title (File Number: 01330-60908) Commitment dated May 18, 2015 and survey monuments found at the time of this survey as shown hereon.
- 5) According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification hereon.



VICINITY MAP - 1" = 3000'
TOWNSHIP 5 SOUTH - RANGE 81 WEST

MINTURN TOWN CERTIFICATE

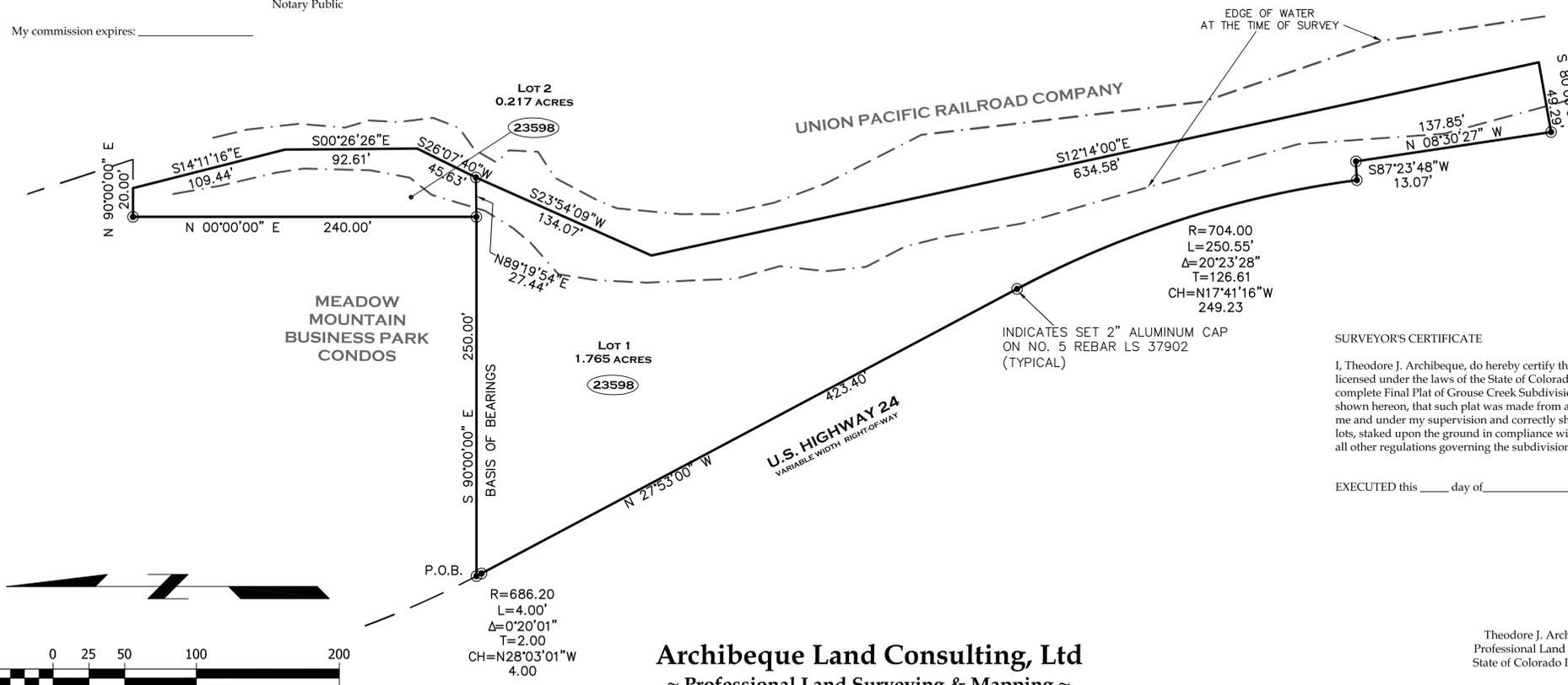
This Plat approved by the Town Council of the Town of Minturn, Colorado, this _____ day of _____, 20__ for filing with the Clerk and Recorder of Eagle County, Colorado, and for conveyance or dedication to the Town of the public dedications shown herein; subject to the provisions that approval in no way obligates the Town of Minturn for financing or constructing of improvements on said lands, streets or easements dedicated to the public, except as specifically agreed to by the Town Council of the Town of Minturn.

TOWN OF MINTURN, COLORADO

By: _____
Mayor

Witness my hand and seal of the Town of Eagle, Colorado.

ATTEST: _____
Town Clerk



SURVEYOR'S CERTIFICATE

I, Theodore J. Archibeque, do hereby certify that I am a professional land surveyor licensed under the laws of the State of Colorado, that this plat is a true, correct, and complete Final Plat of Grouse Creek Subdivision, as laid out, platted, dedicated and shown hereon, that such plat was made from an accurate survey of said property by me and under my supervision and correctly shows the location and dimensions of the lots, staked upon the ground in compliance with 38-51-105 C.R.S., as amended, and all other regulations governing the subdivision of land.

EXECUTED this _____ day of _____, A.D. 20__.

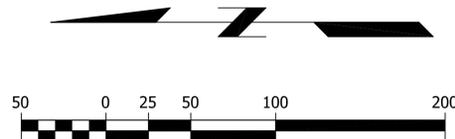
Theodore J. Archibeque
Professional Land Surveyor
State of Colorado PLS 37902

EAGLE COUNTY CLERK AND RECORDER CERTIFICATE

This Plat was filed for record in the office of the Eagle County Clerk and Recorder at _____ o'clock ____M. on the _____ day of _____, 20__, and is duly recorded in Reception No. _____

EAGLE COUNTY CLERK & RECORDER

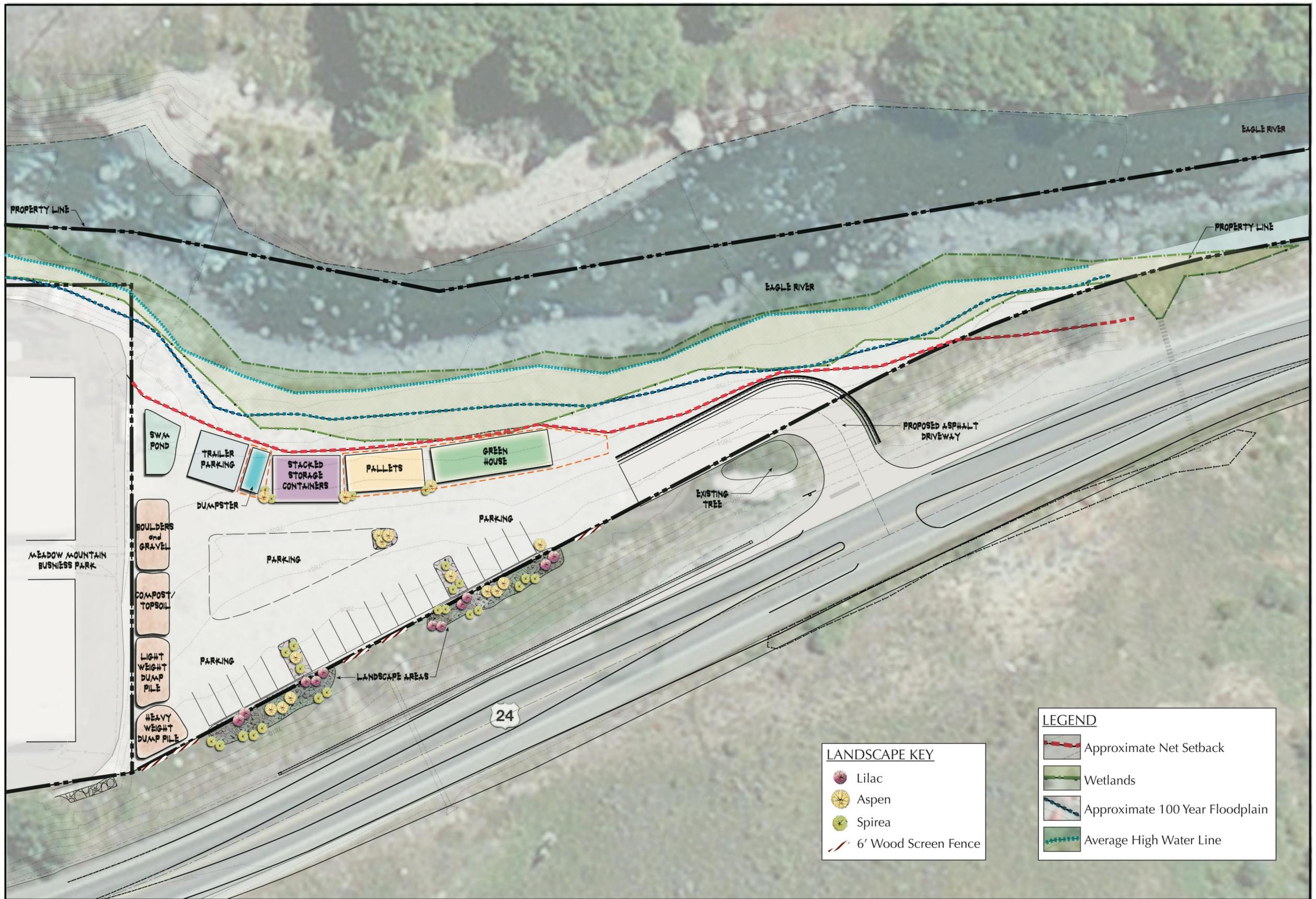
By: _____
Deputy



Archibeque Land Consulting, Ltd
~ Professional Land Surveying & Mapping ~
115 Broadway, Suite 5 - P.O. Box 3893 - Eagle, Colorado 81631
970.328.6020 Office 970.328.6021 Fax
INFO@PROLANDSURVEY.COM

REVISED 12-16-2015 CAP UPDATED BOUNDARY
REVISED 11-24-2015 TJA CERTS
REVISED 10-8-2015 TJA ADDED LOT 2

FINAL PLAT GROUSE CREEK SUBDIVISION TOWN OF MINTURN - COUNTY OF EAGLE STATE OF COLORADO		
DRAWN BY: TJA	JOB NUMBER: 15215	DRAWING NAME: 15215-FP2.dwg
SHEET 1 OF 1	DATE: 09-25-2015	CHECKED BY: MSS
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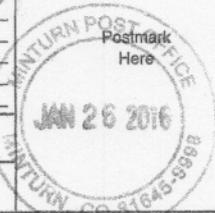
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Total Postage and Fees
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City, State, ZIP+4®
VAIL CO 81657

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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City, State, ZIP+4®
VAIL CO 81658

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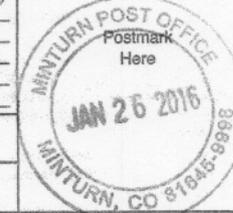
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LAKESIDE CO 80225

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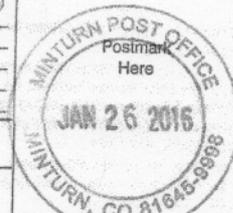
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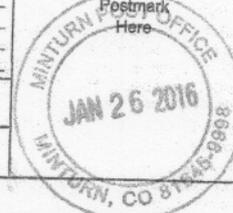
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<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$



Postage
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Total Postage and Fees
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City, State, ZIP+4®
VAIL CO 81620

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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Domestic Mail Only

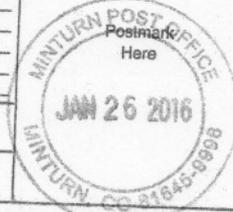
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Extra Services & Fees (check box, add fee as appropriate)

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OFFICIAL USE

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Certified Fee	3.45
Return Receipt Fee (Endorsement Required)	2.80
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.74



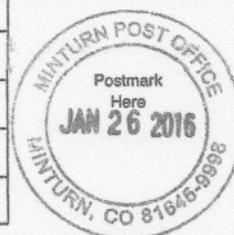
Sent To **CLINIC INC**
 Street & Apt. No., or PO Box No. **PO Box 18422**
 City, State, ZIP+4 **AVON CO 81620**
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 Street & Apt. No., or PO Box No. **PO Box 4115**
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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.74



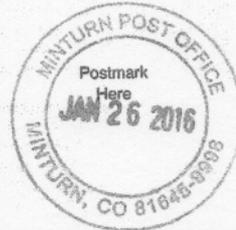
Sent To **GG LLC**
 Street & Apt. No., or PO Box No. **PO Box 463**
 City, State, ZIP+4 **EDWARDS CO 81632**
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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.74



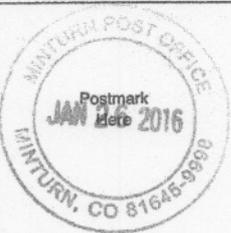
Sent To **BB Development LLC**
 Street & Apt. No., or PO Box No. **PO Box 349**
 City, State, ZIP+4 **MINTURN CO 81645-0549**
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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.74



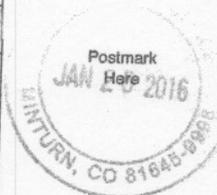
Sent To **UPRR**
 Street & Apt. No., or PO Box No. **1400 DOUGLAS ST. STOP 1640**
 City, State, ZIP+4 **GMAHA NE 68179-1640**
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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.74



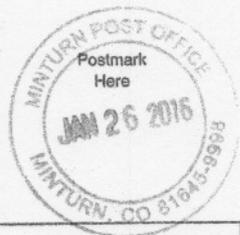
Sent To **CUSTOM AUDIO VIDEO**
 Street & Apt. No., or PO Box No. **PO Box 519**
 City, State, ZIP+4 **MINTURN CO 81645-0519**
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Sent To **KW REALTY LLC**
 Street & Apt. No., or PO Box No. **PO BOX 3684**
 City, State, ZIP+4 **AVON CO 81620-3684**

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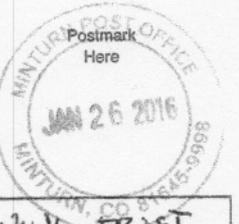
7014 2120 0003 2916 6862

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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.74



Sent To **CHERYL EMMELUTH LIVING TRUST**
 Street & Apt. No., or PO Box No. **6755 CAPITAL POINTE LAKE**
 City, State, ZIP+4 **CASTLE ROCK CO 80108**

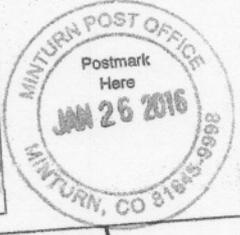
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Sent To **BLR REAL ESTATE DEV.**
 Street & Apt. No., or PO Box No. **PO BOX 3841**
 City, State, ZIP+4 **VAIL CO 81658-3841**

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Sent To **CBA REALTY LLC**
 Street & Apt. No., or PO Box No. **PO BOX 3125**
 City, State, ZIP+4 **VAIL CO 81658-3125**

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Sent To **HI YO SILVER LLC**
 Street & Apt. No., or PO Box No. **PO BOX 488**
 City, State, ZIP+4 **VAIL CO 81658-0488**

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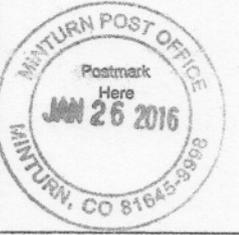
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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.74



Sent To **Jerome Meador**
 Street & Apt. No., or PO Box No. **PO BOX 544**
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7014 2120 0003 2916 6857