

**8668 CR 328 - Westcliffe, CO 81252 - Custer County- SE**

MLS: 2515978 - SFB - Active - \$415,000

**MLS #:** 2515978 **File #:**  
**Status:** Active **Status Changed:** 03/16/2023  
**List Price:** **\$415,000** **Org. List Price:** \$439,900  
**Listing Type:** For Sale **Property Type:** Single Family Building  
**Style:** 1 story above ground **Zoning:** Rural residential  
**Subtype:** CC&R's-Yes, Manufactured/Modular, HOA-Yes  
**HOA/Month:** \$2.50/month -- Includes: Administrative

**General Listing Information:**

**Beds:** 3 **Sq Ft Total:** 2,052 **Acres:** 5.01  
**Full Baths:** 2 **Sq Ft Main:** 2,052 **Lot Sq Ft:** 218,236  
**1/2 Baths:** 0 **Sq Ft Upstairs:** 0 **Lot Dim:**  
**3/4 Baths:** 0 **Sq Ft Downstairs:** 0 **Frontage:**  
**# Garage:** 1 Detached **Depth:**  
**Garage Sq. Ft.:** 120 **Sq Ft Other:** 0 **Yr Built:** 2019  
**# Carport:** 0 **Sq Ft Unfinished:** 0 **Yr Remodeled:**  
**# Levels:** 1 (1 above ground) **Sq Ft Source:** Assessor **Total Rooms:** 10  
**Finance Terms:** Cash, Conv., FHA-203(b) Std., VA **Bsmt Type:** None **Main Bdrm Lvl:** Main

**Floorplan & Room Dimensions:**

Level	Name	Dims	Ceil.	Remarks	Level	Name	Dims	Ceil.	Remarks
Main	Bath Full	13x18		Master Bath	Main	Kitchen	18x12.5		
Main	Bath Full	8x9		Guest Bath	Main	Laundry	12.5x11		
Main	Bedroom	8.5x9.5			Main	Living	13x18		
Main	Bedroom	11x12.5			Main	Main Bedroom	17x12.5		
Main	Dining	20x12.5			Main	Office	12.5x11.5		

**Location Information:**

**Address:** 8668 CR 328 - Westcliffe, CO 81252 - #: 44 **Elem. School:** Custer County  
**Area:** Custer County- SE **Section:**  
**County:** Custer **Range:** **Middle School:**  
**Subdivision:** Blumenau **Township:** **Jr High School:**  
**Gate #:** **Tax APN #:** 0010112135 **High School:**  
**Legal Desc.:** LOT 44 BLUMENAU SUB #1 **Taxes Annual:** \$1,234.04 **GPS:** N38° 6.532' W105° 18.982'  
**Directions:** From Westcliffe, east on Hwy 96 approx 7.5 miles, right on CR 341 (Querida Road), right on Buttercup Drive, right on CR 328 (Rosita Road), property on the left, sign. 38.10887260 -105.31636580

**Construction Information:**

**Exterior Constr:** Manufactured, T-111 **Roof Type:** Asphalt, Shingle **Foundation:** Crawl Space  
**Heating:** Propane- FA **Air Cond.:** Central Air

**Comments/Remarks: Versatile Style with Outdoor Appeal on 5 Acres**

**Public Remarks:** This home presents with one level of 2052 square feet, comprising 3 bedrooms, 2 full bathrooms, and an open concept living, kitchen, and dining room complete with wood burning fireplace. Creatively decorative with faux wood beams and freshly painted, you and your family will enjoy the open space, and north-south layout of the primary bedroom to the guest rooms. In the kitchen, a large center island allows plenty of counter space, extra dining spaces, and the ability to entertain comfortably. The primary bedroom presents with an en suite bath, two sinks, a separate tub, and a shower, with plenty of storage cabinets. Off the living room is an ample-sized study, possible den, or extra sleeping area with double doors. A separate entrance to the home via the laundry/mud room allows for coats, hats, and boots to be easily removed and stored. The washer, dryer, deep sink, and freezer come in handy as does the bench seat. Outside you'll find a fenced dog run, deck, detached garage, 8x8 storage barn, augmented well for horses, central air unit, circular drive, and the refreshing mountain air! As an added bonus, a double vapor barrier is installed in the crawl space.

**Utilities Services:**

**Utilities:** Internet: Satellite/Wireless, Legal Access: Yes, Phone: Cell Service, Phone: Land Line, Power: Line On Meter, Propane: Hooked-up, Septic: Has Tank, Water: Private Well (Drilled)

**Features:**

**Features Prop.:** Access- All Year, Deck(s), Dog Run, Fenced- Partial, Gutters & Downspouts, Landscape- Partial, Out Buildings, Storage Shed, Trees  
**Features Int.:** Ceiling Fans, Fireplace, Flooring: Carpet, Flooring: Laminate/Vinyl, Garden Tub, Walk-in Closets  
**Appliances:** Dishwasher, Freezer, Microwave, Oven/Range, Refrigerator, Washer & Dryer, Water Heater

Listed By: Kimberly Powers - Summit &amp; Main Realty Group

For more information contact: Summit &amp; Main Realty Group - Office: (719) 792-9108



**MLS #: 2515978 continued...**

If you have any questions or would like more information about this listing or any other listings in the MLS, please contact:



**Summit & Main Realty Group**  
95 Main Street Suite A, PO Box 867  
Westcliffe, CO 81252

Office: (719) 792-9108  
[www.summitandmain.com](http://www.summitandmain.com)



**CUSTER COUNTY, COLORADO  
PLANNING AND ZONING OFFICE  
WESTCLIFFE, CO 81252**

**Zoning Permit Application for an Accessory Structure, Enclosed or Open;  
or for a Deck, Porch, Patio or Balcony**

This permit is for a structure that will **NOT** be used for human habitation. No structure, including foundation, shall be constructed, moved or have an addition thereto, until a zoning permit has been issued.

Submit this application with:

- ✓ permit fee
- ✓ copy of scaled floor plans with all exterior dimensions, plat plan and elevation drawing
- ✓ proof of a County Access Permit, if access to the property is from a County maintained road
- ✓ OWTS variance application, fee and receipt for Portable Chemical Toilet for Construction
- ✓ Gate (can be submitted on a separate sheet which will not be placed in file)

The pre-construction cost per square foot of total floor area for each floor for an enclosed structure is \$0.60 and \$0.25 for an open structure. If any work is started, including excavation, at the building site before the permit is obtained, the post-construction cost per square foot is \$1.80 enclosed, \$0.75 open. The cost for a deck, porch, patio or balcony constructed after original permit is closed is \$50.00. A permit will not be required for any accessory structure with a total floor area of 100 square feet or less. The exterior of the structure must be completed within two years, or a new permit will be required before further construction takes place. The new permit will be charged at the fee current at the time of application. Work on the interior may take as long as necessary, however use tax will continue to be due annually until the project is completed.

The Custer County Zoning Resolution requires a **compliance inspection** at the end of a building project. Inspection of the site will confirm that the structure, water, plumbing, electric, septic system and other zoning commitments, if required, are in compliance with this Resolution.

**Custer County does not enforce covenants or deed restrictions.**

Landowner of Record: SUSANNA SMALL-ROWLAND, BRIAN O'HOP  
All landowners must be listed on this application. TYPE OR PRINT LEGIBLY IN BLACK OR BLUE INK

Mailing Address: 8668 COUNTY ROAD 328

City: WESTCLIFFE State: CO Zip: 81252

Telephone Home: ( ) Business: ( )

Cell: (888) 339-5760 e-mail: smallsusanna@gmail.com

Builder: COLORADO SHED COMPANY

Mailing Address: 155 SHOOP DR.

City: PENROSE State: CO Zip: 81240

Telephone (719) 372-7433 Cell: ( )

e-mail: \_\_\_\_\_

A Portable Chemical Toilet shall be used at this site during construction and septic installation, the contents of the toilet will be disposed of in an approved dump station and the unit will be removed when construction is completed.

\$20.00 fee paid \_\_\_\_\_ Copy of site specific receipt for rental of unit received \_\_\_\_\_

Schedule Number for the Property: 101-12-135  
(Assigned by the County Assessor's Office - Shown on the Tax Bill)

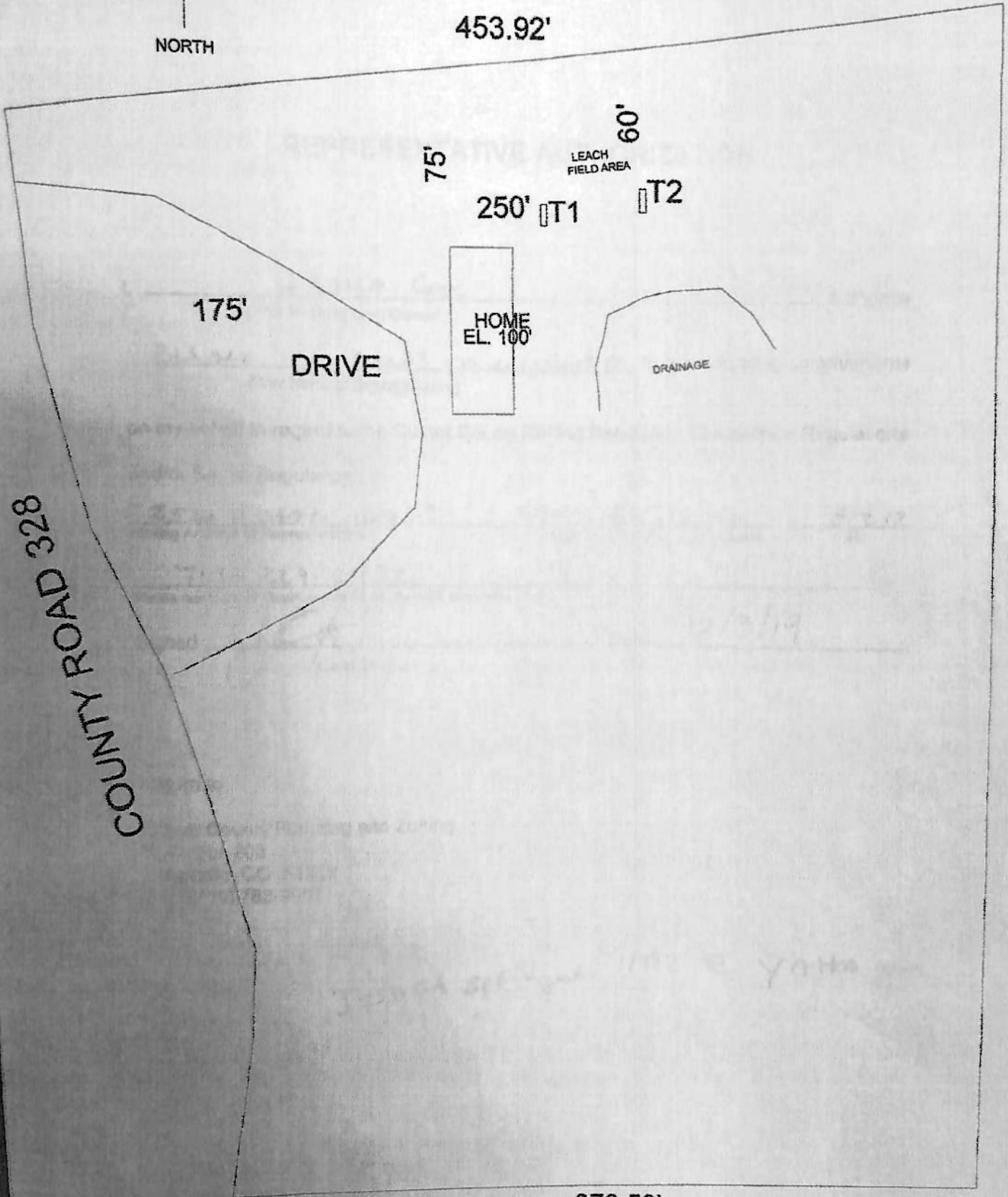
Legal Description of the Property: lot 44 blumeau Sub #1

Property Address: 8668 County Rd 328

# SITE PLAN



453.92'



373.53'

560'



Equal Housing Opportunity: All listings are offered in compliance with the Federal Fair Housing Act. The accuracy of this information is not guaranteed. It is not to be relied upon and should be verified by the buyer.

**SITE DESCRIPTION:**  
LOT 44, BLUMENAU SUB #1  
CUSTER COUNTY, COLORADO

**SITE DIMENSIONS:**  
SEE ATTACHED SITE PLAN

**RESIDENCE INFORMATION:**  
4 BEDROOM

**FIELD TEST DATA**

A SOIL CLASSIFICATION WAS DONE AND ATTACHED TO THIS REPORT

LTAR .50

soil type 2A

GROUND WATER TABLE:	NONE ENCOUNTERED
BEDROCK:	NONE ENCOUNTERED
SLOPE OF GROUND AT SITE:	TO SE
SUITABILITY OF SOIL:	GOOD
TYPE OF USE:	*RESIDENTIAL
SOURCE OF WATER:	WELL

I CERTIFY THAT THE INFORMATION ON THIS FORM IS CORRECT AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND THAT I PERFORMED ALL TESTS IN ACCORDANCE WITH THE PROVISIONS OF THE FREMONT COUNTY ON-SITE WASTEWATER TREATMENT SYSTEM REGULATIONS. I FURTHER CERTIFY THAT I AM RECOGNIZED BY CPOW AS A CERTIFIED COMPETENT TECHNICIAN.

  
\_\_\_\_\_  
RICHARD W. OWENS



**CUSTER COUNTY, COLORADO  
PLANNING AND ZONING OFFICE  
WESTCLIFFE, CO 81252**

**Zoning Permit Application for an Accessory Structure, Enclosed or Open;  
or for a Deck, Porch, Patio or Balcony**

This permit is for a structure that will *NOT* be used for human habitation. No structure, including foundation, shall be constructed, moved or have an addition thereto, until a zoning permit has been issued.

Submit this application with:

- ✓ permit fee
- ✓ copy of scaled floor plans with all exterior dimensions, plat plan and elevation drawing
- ✓ proof of a County Access Permit, if access to the property is from a County maintained road
- ✓ OWTS variance application, fee and receipt for Portable Chemical Toilet for Construction
- ✓ Gate (can be submitted on a separate sheet which will not be placed in file)

The pre-construction cost per square foot of total floor area for each floor for an enclosed structure is \$0.60 and \$0.25 for an open structure. If any work is started, including excavation, at the building site before the permit is obtained, the post-construction cost per square foot is \$1.80 enclosed, \$0.75 open. The cost for a deck, porch, patio or balcony constructed after original permit is closed is \$50.00. A permit will not be required for any accessory structure with a total floor area of 100 square feet or less. The exterior of the structure must be completed within two years, or a new permit will be required before further construction takes place. The new permit will be charged at the fee current at the time of application. Work on the interior may take as long as necessary, however use tax will continue to be due annually until the project is completed.

The Custer County Zoning Resolution requires a **compliance inspection** at the end of a building project. Inspection of the site will confirm that the structure, water, plumbing, electric, septic system and other zoning commitments, if required, are in compliance with this Resolution.

**Custer County does not enforce covenants or deed restrictions.**

Landowner of Record: Jessica Hope Cox / Ryan Andrew Cox  
All landowners must be listed on this application. TYPE OR PRINT LEGIBLY IN BLACK OR BLUE INK

Mailing Address: 8668 CR 328

City: Westcliffe State: CO Zip: 81252

Telephone Home: (719) 285-3622 Business: ( )

Cell: ( ) e-mail: \_\_\_\_\_

Builder: Self

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone ( ) \_\_\_\_\_ Cell: ( ) \_\_\_\_\_

e-mail: \_\_\_\_\_

A Portable Chemical Toilet shall be used at this site during construction and septic installation, the contents of the toilet will be disposed of in an approved dump station and the unit will be removed when construction is completed.

\$20.00 fee paid NA Copy of site specific receipt for rental of unit received \_\_\_\_\_

Schedule Number for the Property: 101-12-135

(Assigned by the County Assessor's Office - Shown on the Tax Bill)

Legal Description of the Property: Lot 44 Blumeneau SUB #1

Property Address: 8668 CO RD 328



Equal Housing Opportunity: All listings are offered in compliance with the Federal Fair Housing Act.

The accuracy of this information is not guaranteed. It is not to be relied upon and should be verified by the buyer.

# Property Owner's Septic Information

Issue Date: 12/3/2019

Permit number: S19120321

Schedule number: 101-12-135

Issued to: Jessica Hope Cox  
Pony Gulch Way

Property Address: 8668 County Road 328

Legal: Blumenau Sub #1, Lot 44

## System Description:

Septic tank size (gallons): 1250

Drainfield type:  Trenches  Bed  Mound  LLP  
 At-Grade  Leaching Chambers  Other: \_\_\_\_\_

Drainfield Dimensions: \_\_\_\_\_

Accessories:  Outlet Filter  Aerobic Treatment Unit  
 Sand Filter  Pump  Siphon  
 D-Box  Diversion Valve  
 Other: \_\_\_\_\_

Installing Contractor: Richard Owens

Septic Tank Pumper: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Provided by:

**Custer County Planning and Zoning**

P.O. Box 203

Westcliffe, CO 81252

(719) 783-2669 (719) 783-9907 FAX

www.CusterCountyGov.com





# CUSTER COUNTY PERMIT FOR INSTALLATION OF ON-SITE WASTEWATER TREATMENT SYSTEM

101-12-135

S19120321

Issue Date: 12/3/2019

Jessica Hope Cox  
Pony Guich Way  
P.O. Box 1187  
Westcliffe, CO 81252  
(720) 557-0368

Septic Contractor: Richard Owens Soil done by: Richard Owens Soil Date: 11/20/2019  
Applicant: Owner

Permit Type: Installation System Type: Standard

Property Address: 8668 County Road 328

Legal: Blumenau Sub #1, Lot 44

Lot size: 5.010 acres Number of people: 8 Number of bedrooms: 4 Tank Size: 1250

This septic will serve a Dwelling Water: Private Well


Conditions: Depth to bedrock: >96" Depth to water: >96" Slope:

Soil Type: 2A Treatment Level: 1 Effluent Application Method: Gravity

	Rock or Tire Chips Sq. Ft.	Mfd Media other than Chambers Sq. Ft.	Chambers Sq. Ft.	Number of Chambers
Trench	1200	1080	840	70
Bed	1440	1296	1008	84

Comments:

I hereby certify that I have installed this system as designed:

  
\_\_\_\_\_  
Licensed Contractor / Homeowner

4-28-2020  
Date

Inspected on: 4-28-2020

Amount use tax paid: None

\_\_\_\_\_  
Zoning Office / Inspector

By: \_\_\_\_\_

Date: \_\_\_\_\_

Final approval date: \_\_\_\_\_





# Septic Inspection

Date: 4-28-2020

Property Owner(s): Jessica Hope Cox  
Pony Gulch Way

Inspected By: JSH

Property Address: 8668 County Road 328

Legal: Blumenau Sub #1, Lot 44

Septic Contractor: Richard Owens

Schedule #: 101-12-135

Permit Number: S19120321

Distance of Pipe from House to Tank: 35'  
Distance DBL Cleanouts: 1 @ 1'  
Number of cleanouts needed (50 feet): na  
Check slope (1/2 inch per 2 feet for last 10 feet before tank): ok  
Type of pipe (schedule number): Sch 40  
Building Sewer extended to foundation: yes

Tank size: 1250 Is tank level?: ok  
Check: Inlet ok Outlet ok  
Check for cracks in tank: ok Date on tank: 3-9-2020

Distance of pipe from tank to leach field: 73' Check for slope: ok  
Check for level distribution field: ok Type of pipe (schedule number) Sch 40

Type of leach field: Quack 4 Number, if chambers: 11+17+17+20 = 70  
Check for screws on chamber connections: ok  
Configuration: Trench or Bed (Max 12' wide, 4' deep) Check for level: ok  
Depth: 2 1/2 - 3 Check distance between trenches (4 feet minimum): ok

Distance from well to tank: 100 (50 feet minimum) Distance from well to leach field: 100' (100 feet minimum)  
Distance from leach field to any irrigation ditch or creek: \_\_\_\_\_  
(Minimums: Cistern - 25'; property line - 10'; water course - 50'; dry gulch - 25')

Additional comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





**CUSTER COUNTY, COLORADO  
PLANNING AND ZONING OFFICE  
WESTCLIFFE, CO 81252**

**Septic Permit Application**

An application for **New Installation** will require the results of a soil analysis test, a permit fee of **\$250.00** and a review of floor plans, if available. **THIS PERMIT IS VALID FOR ONE YEAR FROM THE DATE OF ISSUE.** If the system has not been installed within that time frame, a new permit must be obtained, approved and issued before further installation takes place.

**This permit is not valid for excavation of building sites.** Excavation of building sites requires a Zoning Permit. Any excavation performed without the appropriate Zoning Permit will subject the land owner to Post-Construction fees.

Landowner of Record: Jessica Cox  
As landowners must be listed on this application. TYPE OR PRINT LEGIBLY IN BLACK OR BLUE INK

Mailing Address: 660 Diana Cox Pony Gulch Way P.O. Box 1187

City: Westcliffe State: CO Zip: 81252

Telephone Home: (720) 557-0368 Business: ( ) N/A

Cell: ( ) SAME e-mail: \_\_\_\_\_

Gate code (can be submitted on a separate sheet which will not be placed in file)

Custer County Licensed Septic Contractor Overs Cont Co

Telephone (Office) (719) 269-2472 Cell: ( ) SAME

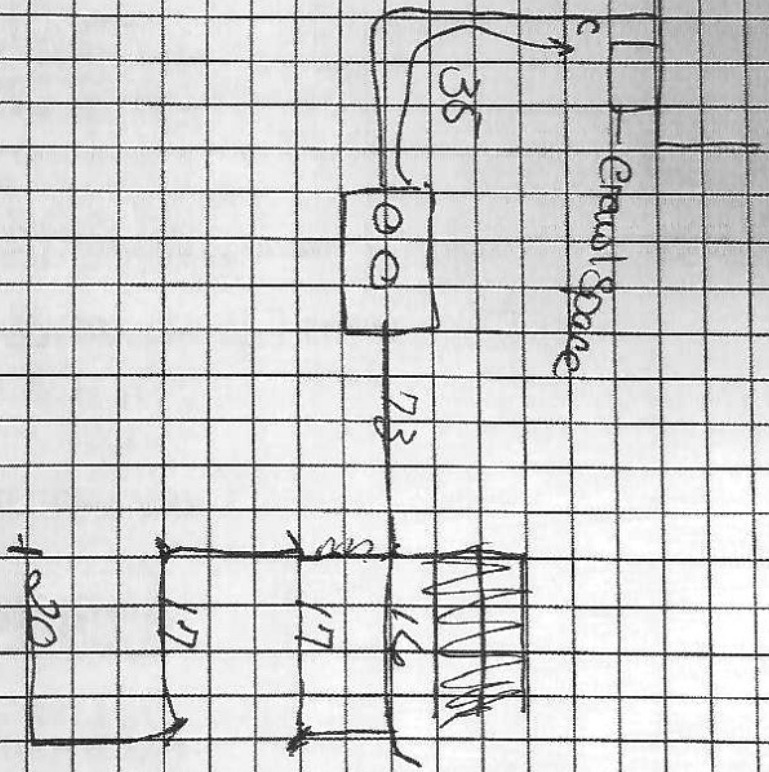
Schedule Number for the Property: 0010112135  
(Assigned by the County Assessor's Office - Shown on the Tax Bill)

Legal Description of the Property: Lot 44 Blu menac sub #1

Property Address: 8668 CR 328

Size of property 5.01 in Acres (or) \_\_\_\_\_ X \_\_\_\_\_ Dimensions of property

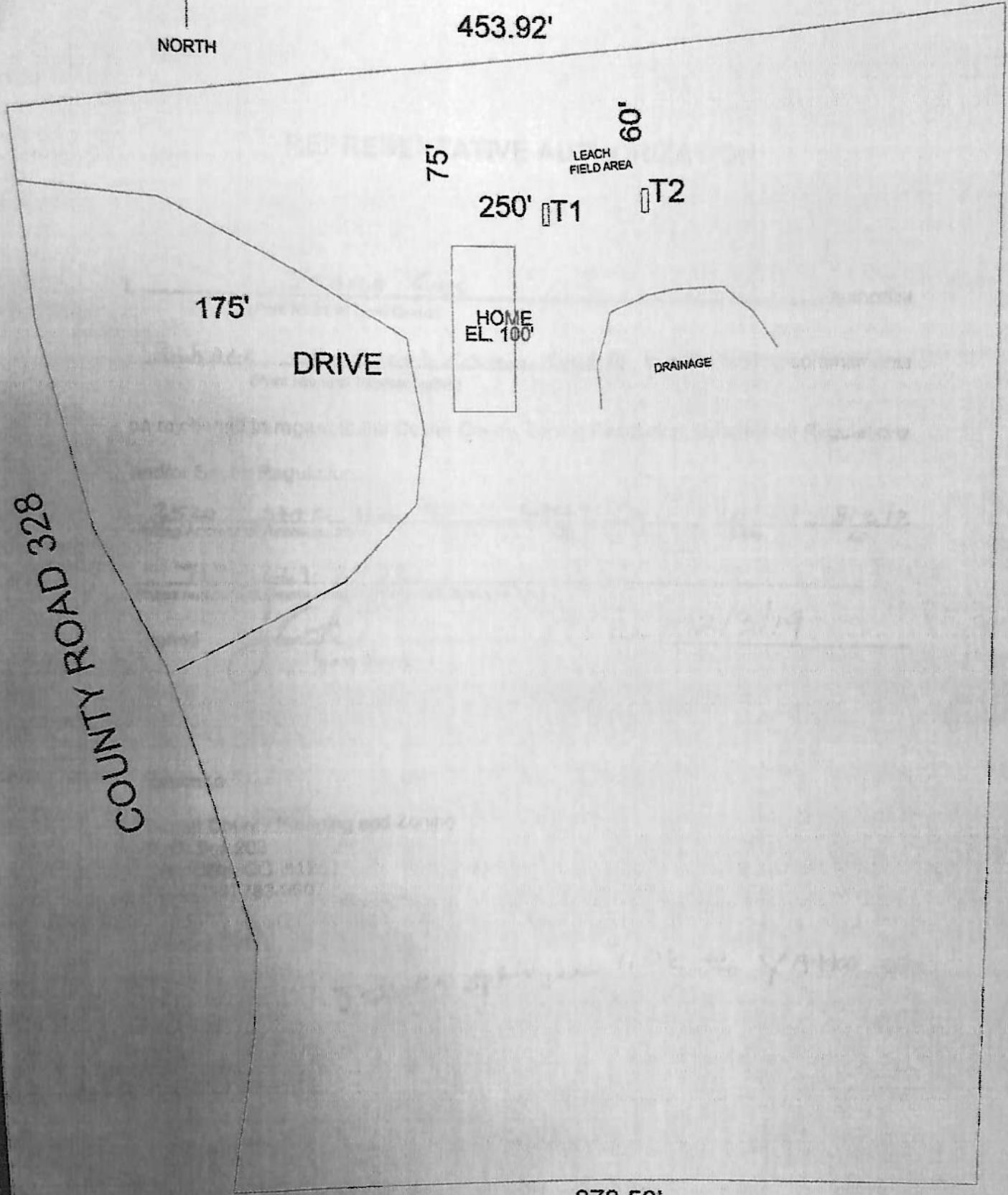
Note: Any waste control mechanism or septic system that is **not** a non-evaporative septic system (i.e., a vault) may violate your well permit.



# SITE PLAN



453.92'



373.53'

560'



Equal Housing Opportunity: All listings are offered in compliance with the Federal Fair Housing Act. The accuracy of this information is not guaranteed. It is not to be relied upon and should be verified by the buyer.

**Maps/diagrams for  
directional purposes only.  
Summit & Main Realty Group**

Columbine  
Crest

CR 328 -  
Rosita Road

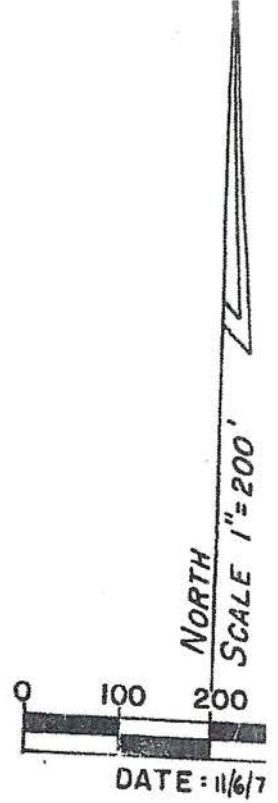
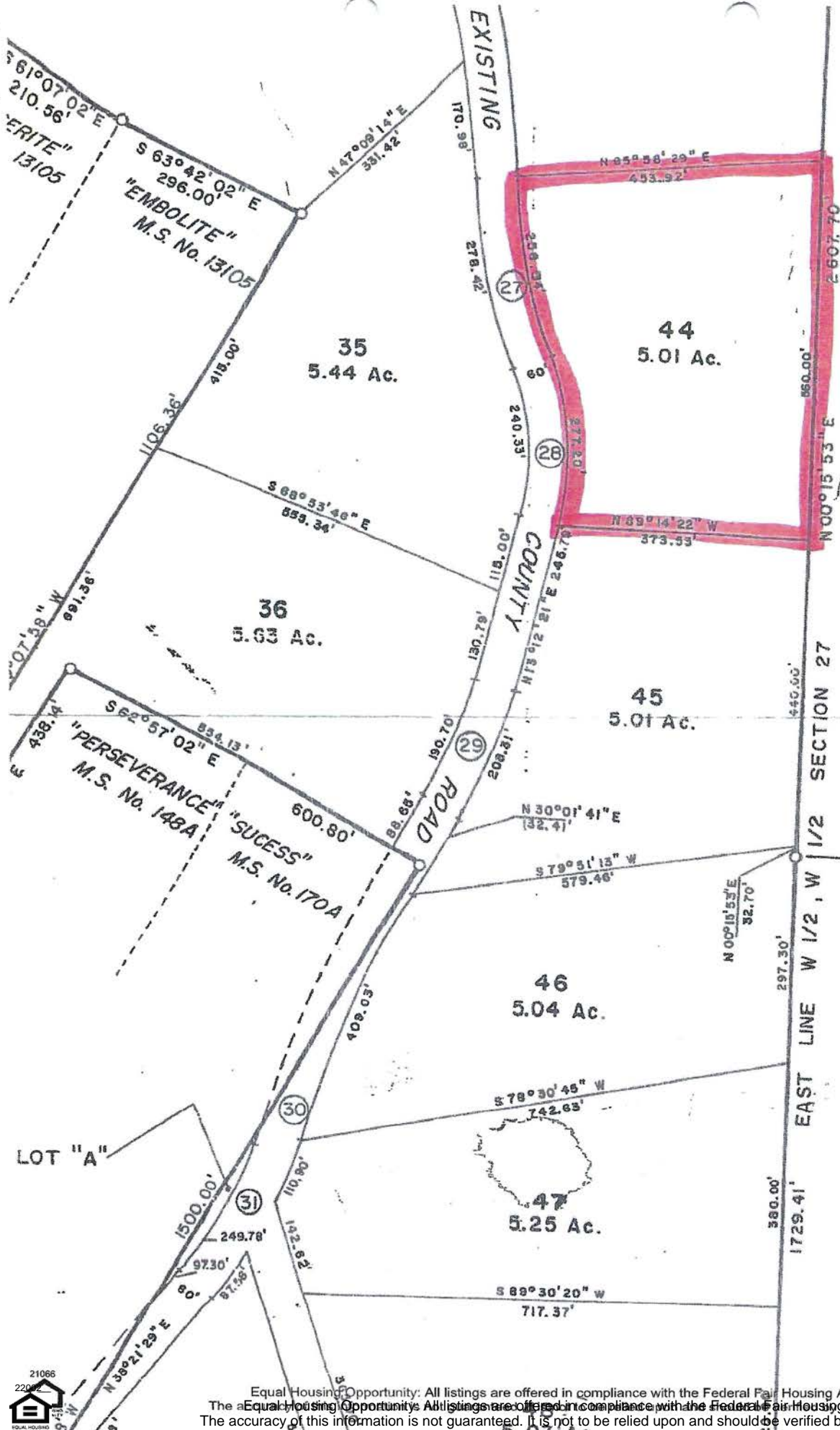
CR 327 -  
Edelweiss  
Drive

Jurkins  
Loop

Pipeweed  
Path



Equal Housing Opportunity: All listings are offered in compliance with the Federal Fair Housing Act. The accuracy of this information is not guaranteed. It is not to be relied upon and should be verified by the buyer.



N.E. Cor.,  
W 1/2, S.W. 1/4,  
Sec. 27



Equal Housing Opportunity: All listings are offered in compliance with the Federal Fair Housing Act.  
The accuracy of this information is not guaranteed. It is not to be relied upon and should be verified by the buyer.



2nd Correction 1-17-21

Form No. GWS-32 10/2016	<b>PUMP INSTALLATION AND PRODUCTION EQUIPMENT TEST REPORT</b> State of Colorado, Office of the State Engineer 1313 Sherman St., Room 821, Denver, CO 80203 303.866.3581 <a href="http://dwr.colorado.gov">dwr.colorado.gov</a> and <a href="mailto:dwrpermitsonline@state.co.us">dwrpermitsonline@state.co.us</a>		For Office Use Only
1. Well Permit Number: 83795-F		Receipt Number: 3694296	
2. Owner's Well Designation:			
3. Well Owner Name: Jessica Cox			
4. Well Location Street Address: 8668 County Road 328 Westcliffe, CO 81252			
5. GPS Well Location: <input type="checkbox"/> Zone 12 <input checked="" type="checkbox"/> Zone 13 Easting: 471104 Northing: 4216072 County: CUSTER			
6. Legal Well Location: NW 1/4, SE 1/4, Sec. 33 Twp. 22 <input type="checkbox"/> N or S <input checked="" type="checkbox"/> Range 71 <input type="checkbox"/> E or W <input checked="" type="checkbox"/> Distances from Section Lines: _____ ft. from <input checked="" type="checkbox"/> N or S <input type="checkbox"/> sec. line, and _____ ft. from <input type="checkbox"/> E or W <input checked="" type="checkbox"/> sec. line Subdivision: Blumenau _____, Lot 44 _____, Block _____, Filing (Unit) 1,2 _____			
7. Check Installation Type: <input checked="" type="checkbox"/> Initial Pump Installation <input type="checkbox"/> Replacement Pump <input type="checkbox"/> Change in Depth Only <input type="checkbox"/> Repair			
8. Pump Data: Type: SUBMERSIBLE Date Installed(mm/dd/yyyy): 04/16/2020 Pump Manufacturer: Franklin Pump Model No. 10FA0754-3W230 Design GPM: 10 at RPM 3150 HP 3/4 Volts 230 Full Load Amps 8.4 Pump Intake Depth: 180 Feet, Drop/Column Pipe Size Inches, 1 Kind of Drop Pipe SCH 80 Additional Information for Pumps Greater Than 50 GPM: Turbine Driver Type: <input type="checkbox"/> Electric <input type="checkbox"/> Engine <input type="checkbox"/> Other _____ Design Head: _____ feet Number of Stages: _____ Shaft size: _____ inches			
9. Other Equipment: Airline Installed: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No, Orifice Depth ft. _____ Monitor Tube Installed: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No, Depth ft. _____ Flow Meter Mfg. _____ Meter Serial No. _____ Meter Readout: <input checked="" type="checkbox"/> Gallons, <input type="checkbox"/> Thousand Gallons, <input type="checkbox"/> Acre feet Beginning Reading: _____			
10. Cistern Information: Material: _____ Capacity: _____ gallons Date Installed: _____			
11. Production Equipment Test Data: <input type="checkbox"/> check box if data is submitted on Form Number GWS-39 Well Yield Test Report. Date: 4/16/20 Total Well Depth: 200' ft. Time: 03:00 Static Level: 120' ft. Rate (gpm): 10 Date Measured: 04/16/2020 Pumping Level (ft): 180'			
12. Disinfection: Type: CHLORINE Amt. Used: 1 CUPS			
13. Notification: Was Advanced Notification Required Prior to Installation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No, Date Notification Given: _____			
14. Water Quality analysis available: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please submit with this report.			
15. Remarks:			
16. I have read the statements made herein and know the contents thereof, and they are true to my knowledge. This document is signed (or name entered if filing online) and certified in accordance with Rule 17.4 of the Water Well Construction Rules, 2 CCR 402-2. The filing of a document that contains false statements is a violation of section 37-91-108(1)(e), C.R.S., and is punishable by fines up to \$1,000 and/or revocation of the contracting license. If filing online, the State Engineer considers the entry of the licensed contractor's name to be compliance with Rule 17.4.			
Company Name: RICKS PUMP SERVICE INC	Email: rickspumpservice@yahoo.com	Phone w/area code: (719) 275-7483	License Number: 1331
Mailing Address: 1316 Elm Ave, Canon City, CO 81212			
Sign (or enter name if filing online)	Print Name and Title Rick Greenstreet - OWNER	Date: 04/22/2020	



Equal Housing Opportunity: All listings are offered in compliance with the Federal Fair Housing Act. The accuracy of this information is not guaranteed. It is not to be relied upon and should be verified by the buyer.

Form No. GWS-11 08/2016	<b>COLORADO DIVISION OF WATER RESOURCES</b> <b>DEPARTMENT OF NATURAL RESOURCES</b> 1313 Sherman St., Ste 821, Denver, CO 80203 (303) 866-3581 dwrpermitsonline@state.co.us	For Office Use Only  Received October 18, 2021
-------------------------------	--	---

**CHANGE IN OWNER NAME/ADDRESS**

**PRIOR TO COMPLETING THIS FORM, SEE INSTRUCTIONS ON REVERSE SIDE  
INCOMPLETE, POOR QUALITY, OR ILLEGIBLE FORMS CANNOT BE PROCESSED AND  
WILL BE RETURNED**

Name, address and phone number of person claiming ownership of the well permit:

Name(s): Susanna Maria Snall-Rowland and Brian Keith O'Hop

Mailing Address: 21645 Drennan Road

City, St. Zip: Colorado Springs, CO 80928

Phone 859.339.5760 Email Address: snllsusanna1@gmail.com

Well Permit Number: 83795-F Receipt Number: 3694296 Case Number (optional): \_\_\_\_\_

**WELL LOCATION:** County: Custer Well Name or # (optional): \_\_\_\_\_

8668 CR 328 Westcliffe CO 81252  
Street Address (City) (State) (Zip)

\_\_\_\_ 1/4 of the \_\_\_\_ 1/4, Sec. 33, Twp. 22  N. or  S., Range 71  E. or  W., Sixth P.M.

Distance from Section Lines: \_\_\_\_\_ Ft. From  N. or  S., \_\_\_\_\_ Ft. From  E. or  W. Line.

Subdivision Name Blumenau Lot 44 Block \_\_\_\_\_ Filing/Unit 1

NOTE: If changing/correcting the permitted location of a well, use Form No. GWS-42.

I (we) claim and say that I am (we are) the owner(s) of the well permit described above, know the contents of the statements made herein, and state that they are true to my (our) knowledge. This filing is made pursuant to C.R.S. 37-90-143.

Signature(s) of the New Owner <small>DocuSigned by:</small> <u>Susanna Maria Snall-Rowland</u> <small>58A2E18AE311434</small>	Signature(s) of the New Owner <small>DocuSigned by:</small> <u>Brian K O'Hop</u> <small>CF6A32E581F4490</small>	Date (mm/dd/yyyy) <u>10/13/2021   8:49 AM</u> PD
--	--	---

It is the responsibility of the new owner of this well permit to complete and sign this form. If an agent is signing or entering information, please see instructions. Please allow 4 to 6 weeks for processing of this form. Thereafter, you can view or print the accepted document at: <http://www.dwr.state.co.us/WellPermitSearch>

Signature of DWR staff indicates acceptance as a Change in Owner Name and/or Mailing Address.

For Staff Use Only

Alex Teitz 10/19/21  
Staff Signature Date





## Blumenau Homeowners' Association Declaration of Protective Covenants

DECLARATION OF PROTECTIVE COVENANTS (DPC) FOR BLUMENAU SUBDIVISION, FILINGS 1 & 2 ORIGINALLY FILED IN CUSTER COUNTY ON NOVEMBER 6, 1973, IN BOOK 168 ON PAGE 160; AND ARE HEREBY **AMENDED AS OF JULY 25, 2015** AS FOLLOWS:

THIS DECLARATION is made the 25th day of July 2015, by the Blumenau Homeowners' Association (BHA), a Colorado Non-Profit Corporation, having its principal address at P.O. Box 368, in the Town of Westcliffe, County of Custer, State of Colorado.

WITNESSETH: Whereas, the BHA represents the real property owners within Blumenau Subdivision, Filings 1 and 2, as depicted on plat maps numbers 108524 and 109522 on file in the County Assessor's Office, Custer County, State of Colorado.

WHEREAS, the State of Colorado Water Court Decree W-4062 (aka the Water Augmentation Plan) dated July 2, 1979, directed the organization of the BHA and its compliance with the requirements and findings of the Decree including these covenants and all restrictions thereto.

1. **HOMEOWNERS' ASSOCIATION:** The Blumenau Homeowners' Association (Association), a Colorado non-profit corporation, or its successor in interest, shall regulate, administer and enforce this Declaration of Protective Covenants. Its duties shall include, without limitation, maintenance of signs and property, administration and enforcement of the Water Augmentation Plan, and the general administration and control of the Subdivision. Each and every lot owner, in accepting a deed or contract for any lot in the Subdivision, agrees to and shall be a member of the Association and be subject to the duties and obligations created by the duly enacted Bylaws and Articles of Incorporation of the Association. By purchasing a lot in the Subdivision, the owner agrees to be subject to such assessments as may from time to time be levied on such owner by the Association. Nonpayment of such assessments may result in a recorded lien to be placed against such owner's lot(s). The Association shall operate as a non-profit corporation. All books, records, Articles of Incorporation, Bylaws and Resolutions of the Association shall be available for inspection by any prospective purchaser of a lot or any owner of a lot at any reasonable time.
  
2. **MEMBERSHIP AND VOTING RIGHTS IN THE ASSOCIATION:**
  - A. **MEMBERSHIP:** Every person or organization who is a record owner of title to any lot which is subject by this Declaration to assessment by the BHA, shall be a Member of the BHA.
  
  - B. **VOTING RIGHTS:** Members, in "good standing" (see Bylaws), of the BHA shall be entitled to vote in person or by proxy: one (1) vote for each lot for which title is held or portion thereof.



3. **ASSESSMENTS:** The Association shall have the power and authority to impose assessments against its members from time to time. Such assessments and payment thereof shall be made in accordance with the Articles of Incorporation and Bylaws of the Association. The Association may impose assessments for the maintenance of signs, for the administration of the Water Augmentation Plan, for legal fees, for the construction and maintenance of any property, real or personal, owned, controlled or managed by the Association and for any other purpose authorized by the Association. Payment of such assessments may be secured by a lien upon all property in the Subdivision owned by the member liable for such assessment. The Association may bring an action under Colorado law to foreclose the lien on such property.
  
4. **ARCHITECTURAL CONTROL :** No structure, including walls and fences, shall be erected, converted, placed, added to, or altered, on any lot until the plans and specifications of the nature, kind, shape, height, materials and locations, have been submitted to and approved in writing by the Board of Directors of the BHA. If action to approve or disapprove plans as submitted is not taken with thirty (30) days, approval is automatic. **For Your Information:** The BHA approval letter will be required by Custer County Zoning before a building permit will be issued.
  
5. **BUILDING SIZE, TYPE AND USE:** All lots designated on the Plats for Blumenau Subdivision, Filings 1 and 2 are designated for and restricted to residential use, either for vacation or year round dwellings. Such structures shall be one single family dwelling of not less than six hundred (600) square feet on the ground level, (exclusive of garages, carports, open porches, patios, decks or court areas). All structures must be securely attached to a slab on grade or other type of permanent foundation. Not more than one main dwelling shall be erected or placed on any one lot. Accessory buildings or structures, usual to a residence, may be erected or placed thereon, included is a private stable, shed or animal shelter. These structures require no minimum dimensions, however, use of any structure for commercial purposes is prohibited. Installation of mobile homes, trailers, or other non-permanent homes for the main dwelling is prohibited. Prefabricated or modular homes (aka factory built homes), if approved by the Architectural Committee, must have the wheels removed and be installed on a permanent foundation. The height limit for all structures is twenty-five (25) feet.
  
6. **BUILDING LOCATION:** No building shall be erected nearer than fifty (50) feet to a street boundary, or closer than fifty (50) feet to any other lot boundary. In cases of a single ownership of one or more adjacent lots, this restriction applies to tracts as a whole. For the purpose of the covenant, eaves and open porches or decks shall be considered part of the building's extreme dimensions.
  
7. **TIME FOR CONSTRUCTION:** Once construction is started, the exterior of the building must be enclosed within eighteen (18) months.

8. **TEMPORARY RESIDENCES:** No basement, shed, tent, trailer or trailer house, or structure of a temporary nature may be used as permanent living quarters. Temporary residency shall be permitted on site during the allowable construction period of eighteen (18) months as identified in paragraph 7. Portable chemical toilets approved by the county zoning ordinances may be used on site during the eighteen (18) months construction period also. This covenant does not preclude vacation camping in tents, trailers, or campers for a period not to exceed thirty (30) continuous days.
9. **FENCING:** Fencing which is constructed on lot lines contiguous to road right of ways as shown on the recorded plat of Blumenau Subdivision, Filings 1 and 2 must be placed no further outward from the center of any lot than the interior easement line which is indicated by notes on said plats. Fences may be constructed on interior lot lines in contradiction of paragraph 10 of these covenants except that in such cases the lot owner shall be liable for expenses of damage, repair, and replacement of such fencing as may be incurred by the installation of any utility systems. Any utility entity, either public or private, shall have the right to breach any fencing or other obstructions located on a utility easement for purpose of construction and servicing without incurring any liability for damage thereto.
10. **EASEMENTS:** Easements for installation and maintenance of utilities, roadways, bridle paths, hiking trails and such other purposes incident to development of the property as reserved and shown by notes on the recorded plats of Blumenau Subdivision, Filings 1 and 2, will be kept open and readily accessible for use, service and maintenance.
11. **OBSTRUCTIONS TO VISION AT INTERSECTIONS:** No fence, wall, hedge, tree, or shrub planting which obstructs sight lines at elevations between two (2) and six (6) feet above the roadways shall be placed or permitted to remain on any corner tract within the triangular area formed by the street property lines and a line connecting them at points twenty-five (25) feet from the intersection of the street lines, or in the case of a rounded property corner from the intersection of the street property line extended. The same sight line limitation shall apply on any tract within ten (10) feet from the intersection of a street property line with the edge of a driveway or access road on any tract.
12. **NUISANCES:** Nothing shall be done or permitted on any tract which may be or become an annoyance or nuisance to the neighborhood. No noxious or offensive activities shall be carried on upon any tract. These types of events are those which would be in violation of local and state laws and ordinances and which would be enforced by local authorities.

- 13. GARBAGE AND REFUSE DISPOSAL:** No part of the property, above or below ground, shall be used or maintained as a dumping ground for rubbish, trash, garbage, debris or other waste. The property shall always be maintained in a sanitary condition. Reasonable preventions shall be taken against fire hazards. Only the following types of outdoor open burning shall be allowed: (1) campfires, (2) burn barrels/incinerators with ash control, and (3) burning of brush/fire control refuse is permitted only when there is at least three (3) inches or more of solid snow cover on the ground. **For Your Information:** Prior to doing a burn of any kind you **must** call and report your burn to the Custer County Sheriff's office at **783-2270**. If you do not call, the smoke may alarm your neighbors and may also cause the unnecessary call out of the volunteer fire department.
- 14. SIGNS:** All signs displayed upon any of the premises or tracts must be first approved by the BHA. This covenant does not preclude the display of builders or realty type signs, or small professional signs not to exceed one (1) square foot in area. The BHA reserves the right, however, to require modifications or removal of such signs if they are deemed not to be in keeping with the area and subdivision standards.
- 15. WATER DECREE REQUIREMENTS:**
- A. WATER USE:** All well water is for domestic, in-house use and purposes only except for horses and other authorized domestic pets. All wells in use will require a meter to measure the volume of water used annually. Irrigation is prohibited.
- B. SEWAGE:** All water wells and sewage disposal systems placed upon any tract shall comply with the zoning requirements of Custer County and the State of Colorado Health Department. No sewage tank or field system shall be nearer than fifty (50) feet to any tract line except with the consent of the appropriate health official or the State, and no sewage, waste water, trash, garbage or debris shall be emptied, discharged, or permitted to drain into any body of water in or adjacent to the subdivision. No permanent outside toilets or privies shall be permitted on any tract. All toilet facilities must be a part of the residence or garage and shall be of a modern flush type and connected to a proper sewage tank disposal system. Sewage disposal systems of the Evapo-Transpiration type is prohibited.
- 16. ANIMALS:** No animals, livestock or poultry of any kind shall be housed, raised or kept on any tract or property either temporarily or permanently, except that commonly accepted domestic pets may be kept provided they are not kept or maintained for any commercial purposes and except that one or two horses for each two acres of land owned may be kept for recreational purposes. No stables, corrals, or any structure for the housing or feeding of horses shall be located or placed closer than twenty-five (25) feet to any adjoining lot line nor closer than one hundred (100) feet to a public street. All stables, corrals or any structure for the housing or feeding of horses shall be approved as to location and design by the BHA Board of Directors and shall be maintained in compliance with all lawful sanitary regulations. In case of single ownership of more than one adjacent lot, then the setback restrictions of this covenant concerning horses shall apply to the tract as a whole. Horses, pets or any other animals as authorized under this covenant, shall not have free rein of the subdivision known as Blumenau Subdivision, Filings 1 and 2, and shall be kept on the property of their owner.

17. **CHIMNEYS AND FIREPLACES:** All chimneys and fireplaces shall have a protective wire screen inside the chimney near the top to prevent any burning particles from escaping from said chimney or fireplace.
18. **MINING OPERATIONS:** No oil, gas, coal, sand, gravel, or other mineral development, drilling, refining, quarrying, mining crushing manufacturing, or processing operations of any kind shall be permitted upon or in any portion of the property; nor shall oil or gas wells, tanks, tunnels, mineral excavations or shafts be permitted. The foregoing shall not be construed to prevent the drilling of water wells to serve the premises for domestic in-house use purposes.
19. **PRESERVATION OF NATURAL TIMBER:** Live trees shall not be removed or damaged, except as required for on-site construction, conservation, disease control, soil erosion, and fire safety zone purposes. Zone 1 is fifteen (15) feet from any structure. See complete guidelines in the County Zoning Office.
20. **HUNTING AND USE OF FIREARMS:** No hunting of any kind shall be permitted in any of the areas covered by these covenants. Further, no use of or discharge of firearms, except to protect one's life or property, shall be permitted within any of the land area herein covered.
21. **FIREWORKS:** The use of or discharge of fireworks of any kind in the area covered by these covenants shall be expressly forbidden.
22. **DRIVEWAYS:** Culverts as prescribed by the Custer County Department of Roads (at least fifteen (15) inches in diameter and twenty (20) feet long, must be installed at road entrance driveways in all instances in which proper drainage would otherwise be obstructed. County permits are required.
23. **DRAINAGE:** Nothing shall be done on any lot which shall obstruct or prevent the natural and/or proper flow of drainage. No building shall be constructed in such a way as to intrude into any drainage area as specified on the Blumenau Drainage Plan. No ponds may be created.

**24. OPEN STORAGE:**

**A.** No open storage of personal property or vehicles on vacant lots is permitted. Vacant lots are defined as those lots with no permanent structures on them. The intent is that vacant lots not be turned into a place to openly store junk, broken down vehicles, equipment and other property items that could be considered an eyesore by other owners. Full-time and part-time residents may store property, vehicles and other equipment in operating condition, like boats, RVs, trailers, motorcycles, tractors, heavy equipment vehicles, four-wheelers, ATVs, snow plows, etc. openly or in structures like barns, garages and sheds. Full-time residents are those that live in Blumenau in BHA approved permanent living structures year around. Part-time residents are those that have BHA approved permanent living structures on their lots and occupy those structures less than full-time such as those that leave here in the winter or those that spend only weekends or vacation time here. Vacant lots with a barn or other structures like garages and sheds may be used to store any legal property items and vehicles inside those structures. The intent of this covenant restriction is to preclude the open and permanent storage of personal property, vehicles, equipment or temporary living structures like, trailers, camper shells, RVs and tents on vacant lots. These restrictions would not apply to vacationing or periods of temporary full-time occupancy of less than 120 days.

**B.** Building materials intended for use in the erection or remodeling of a building or auxiliary structure on the premises may be kept in the open during the construction period, but not to exceed eighteen (18) months in any event.

**C.** No lot owner may openly store a motor vehicle or equipment of any type on the property in a non-operating condition for more than thirty (30) days in any calendar year. Any such vehicle which does not display current and valid license plates and safety inspection sticker, where required by law, shall be deemed to be in a "non-operating condition".

- 25. RIGHTS OF THE BLUMENAU HOMEOWNERS' ASSOCIATION:** The BHA expressly reserves the right:
- A.** From time to time to amend or revoke any restrictive covenants then in existence, but no such amendment or revocation shall apply to covenants without the written consent of a majority of the membership. No Amendment to these protective covenants shall be made inconsistent with the terms of the Water Decree absent further order of the court.
  - B.** To undertake necessary maintenance and repair by BHA occasioned by member's neglect. No lot owner will permit the lot, dwelling, auxiliary buildings or any improvements thereon to be otherwise maintained than in good repair and in a safe, neat, and attractive condition, so as to prevent damage to neighboring properties or to eliminate any existing dangerous conditions that may affect the surrounding property or persons. If, in the judgment of the BHA's Board of Directors, a member neglects proper maintenance, the owner of the lot will be notified to rectify the condition within thirty (30) days, otherwise the cost to the BHA to correct the condition will be assessed to the lot owner.
  - C.** To enforce these covenants by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages. The BHA further reserves the right, whenever there shall have been an obvious violation of one or more of the provisions of these covenants, to enter upon the property, with the proper authorities, where such violation exists and summarily abate or remove the same at the expense of the owner and such entry and abatement or removal shall not be deemed a trespass. The failure to enforce any right, reservation, restriction, or condition contained herein, however long continued, shall not be deemed a waiver of the right to do so thereafter as to the same breach or as to breach occurring prior to or subsequent thereto and shall not bar or affect its enforcement. The invalidation by any court of any restriction here in contained shall not in any way affect any of the other restrictions but they shall remain in full force and effect.
- 26. TERM OF THESE COVENANTS:** These covenants and restrictions are to run with the land and shall remain in full force and effect for twenty (20) years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of ten (10) years unless an instrument, approved by a majority of the BHA membership has been received, changing said covenants in whole or part.

27. **PRIOR DECLARATIONS:** This Declaration hereby replaces and supersedes any and all prior protective covenants filed for record or established with respect to the real estate included in the Subdivision. All such prior protective covenants are considered void and of no effect.

The Association, having on file a majority of approving votes/proxies of the members in good standing, submit these amended Protective Covenants to be duly adopted and recorded:

EXECUTED this 3 day of September, A.D., 2015.

Blumenau Homeowners' Association (BHA 1 & 2)

By: [Signature]  
Don Pinnella  
President, BHA 1 & 2

Attest: By: [Signature]  
Bonnie Mowry  
Secretary/Treasurer

State of Colorado ) ss.  
County of Custer )

The foregoing Declaration of Protective Covenants for Blumenau Subdivision, Filings 1 & 2 was acknowledged and signed before me this 3<sup>rd</sup> day of September, 2015, by Don Pinnella ~~J. Michael Hess~~, President and Bonnie Mowry, Secretary/Treasurer, authorized officers of the above Association.

WITNESS my hand and official seal:

**LORI LOUISE BISTODEAU**  
**NOTARY PUBLIC**  
**STATE OF COLORADO**  
NOTARY ID 20144020415  
**MY COMMISSION EXPIRES MAY 20, 2018**

[Signature]  
Notary Public  
My commission expires: May 20 2018  
Address: 205 South 6th St. Westcliffe, Co 81052

Filed in the Custer County Courthouse on 9-3-2015.

Page 8, DPC dated July 25, 2015

