

## Living Journeys and Gunnison Valley Health celebrate Colorectal Cancer Awareness Month

In honor of Colorectal Cancer Awareness Month, Gunnison Valley Health and Living Journeys are coming together to educate and raise awareness. The goal of the collaborative campaign is to help people understand the recommendations and resources available in the Gunnison Valley.

According to the American Cancer Society, an estimated 151,030 people will be diagnosed with colorectal cancer and 52,580 deaths will occur in 2022. Living Journeys executive director, Julie Reid, said highlighting the importance of screening and prevention can save lives.

“Colorectal cancer is the third most commonly diagnosed cancer in the United States and incidence rates among those under the age of 50 are on the rise,” Reid said. “I want to ensure that people understand their screening options and everything that is available to them right here in the valley.

No one has to face cancer alone; Living Journeys is here to help support you in the process – from prevention to screening to treatment.”

It is recommended that all adults aged 45 begin screening for colorectal cancer. Screening can prevent cancer through the detection and removal of precancerous growths and detect the disease at an early stage, when treatment is usually more successful. The most common screening for colorectal cancer is a colonoscopy which is performed at Gunnison Valley Health by the general surgeons.

Unfortunately, it is estimated that one third of eligible adults are not up to date on recommend screenings. Gunnison Valley Health CEO Jason Amrich said that the health system wants to continue to expand screening capability and work with non-profits like Living Journeys to support the community.

“I am thankful that we have strong non-profits like Living Journeys working alongside us as we continue to connect people with health care,” Amrich said. “We are currently looking at how we can increase our capacity for colonoscopy and decrease wait times. My goal is to continue expanding and improving preventative medicine options in the Gunnison Valley including colorectal cancer screenings.”

The two groups will be sharing resources and information throughout the month, culminating with an education event at the Crested Butte Center for the Arts on March 28.

“We want to ensure that people understand the recommendations and their options and feel comfortable discussing colorectal cancer,” Amrich said.

To learn more visit [www.gunnisonvalleyhealth.org](http://www.gunnisonvalleyhealth.org) or [www.livingjourneys.org](http://www.livingjourneys.org).



**TUCKERED OUT:** A father carries his worn out son through the base area of CBMR after a day of riding. PHOTO BY ROBBY LLOYD

## GAC closed for Spring Break

The Gunnison Arts Center Building will be closed Monday-Friday, March 14-18, for Spring Break. Classes will resume Monday, March 21. Doors will reopen Tuesday, March 22, 10 a.m. Staff will still be present throughout the week, so feel free to leave a message or send an email if you have any questions. Enjoy your time of renewal with family and friends and we will see you on March 22!

## Historic Yurt Ski with Nordic Center

The museum is excited to collaborate with the Crested Butte Nordic Center to host a historic ski and snowshoe out to the Magic Meadows yurt on March 17. You’ll learn about the history of the area, including the Big Mine, Peanut Lake Mine, Pittsburg and Augusta mines during the trip out to the yurt, and upon arriving will be treated to a light lunch and an alcoholic or non-alcoholic refreshment of your choice.

A shuttle will be provided for participants that

would prefer a shorter ski or snowshoe. This tour meets at the Crested Butte Nordic Center at 11 a.m. on March 17 and will last until 2 p.m. Cost is \$50 for members of the museum and /or Nordic Center, \$65 for non-members.

Cost to rent skis or snowshoes for this event is \$15 per rental. Register at <https://crestedbuttemuseum.com/event/historic-ski-snowshoe-to-the-magic-meadows-yurt-2022-03-17/>

## Interpretive in-house museum tours on Friday mornings

Visit the Crested Butte Mountain Heritage Museum for guided in-house interpretive tours of the museum and exhibits Friday mornings from 10-11 a.m. Learn the history of the Museum building, Tony Mihelich’s Hardware Store, how Crested Butte got on the map and a brief history of the railroad, mining, ranching, skiing and mountain biking in the valley.

Cost is \$10 for museum members and \$15 for non-members. Pay with the cashier upon arrival at the museum.

# Legals

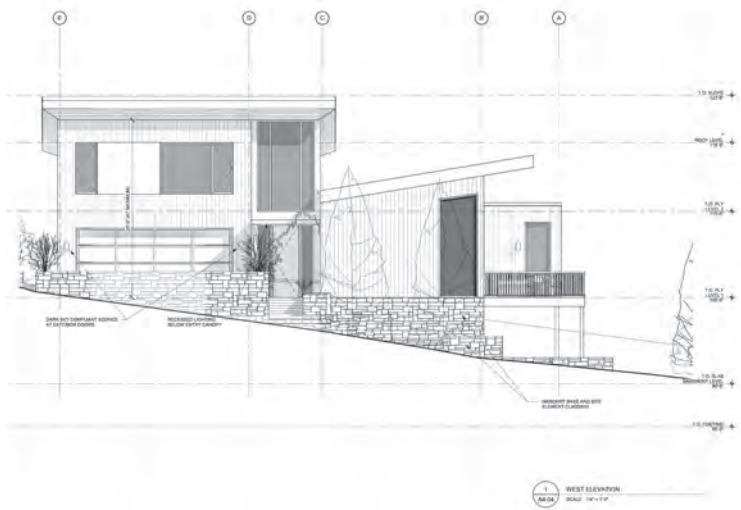
legals@crestedbuttenews.com • phone: 970.349.0500 ext. 105 • fax: 970.349.9876 • www.crestedbuttenews.com

—NOTICE OF PUBLIC HEARING—  
CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION, INC.  
SPECIAL AREA ARCHITECTURAL DESIGN REVIEW  
CB SOUTH POA OFFICE, 61 TEOCALLI ROAD

Join virtually: Email [staff@cbsouth.net](mailto:staff@cbsouth.net) for a Zoom invitation  
PLEASE TAKE NOTICE THAT a CB South Design Review Committee hearing will be held on Thursday March 24th, 2022, at 8:00pm for the purpose of considering the following: A Certificate of Appropriateness for the application for **Huckstep, Garage Addition**, Lots 39/41, Block 21, Filing #3, 156 Zeligman St. A complete set of plans can be viewed at the Crested Butte South P.O.A. Office, 61 Teocalli Road by appoint-

ment.  
This **Notice of Public Hearing** serves as 14-day public comment period in which comments may be submitted in writing to the Design Review Committee.  
CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION DESIGN REVIEW COMMITTEE. Submitted by Bart Laemmel, CB South Design Review Manager

Published in the *Crested Butte News*. Issue of March 11, 2022. #031107



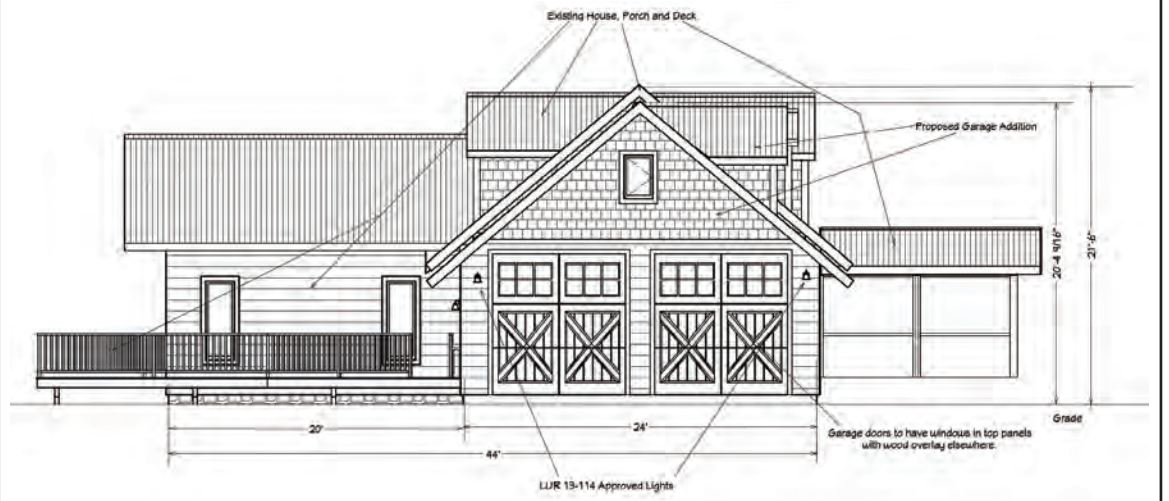
—NOTICE OF PUBLIC HEARING—  
CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION, INC.  
SPECIAL AREA ARCHITECTURAL DESIGN REVIEW  
CB SOUTH POA OFFICE, 61 TEOCALLI ROAD

Join virtually: Email [staff@cbsouth.net](mailto:staff@cbsouth.net) for a Zoom invitation  
PLEASE TAKE NOTICE THAT a CB South Design Review Committee hearing will be held on Thursday March 24th, 2022, at 8:00pm for the purpose of considering the following: A Certificate of Appropriateness for the application for **Huckstep, Garage**

**Addition**, Lots 39/41, Block 21, Filing #3, 156 Zeligman St. A complete set of plans can be viewed at the Crested Butte South P.O.A. Office, 61 Teocalli Road by appointment.  
This **Notice of Public Hearing** serves as 14-day public comment period in which comments may be submitted in writing to the Design Review Com-

mittee.  
CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION DESIGN REVIEW COMMITTEE. Submitted by Bart Laemmel, CB South Design Review Manager

Published in the *Crested Butte News*. Issue of March 11, 2022. #031106



**deadline tuesday at noon**



**—TAX LIEN SALE NUMBER 20180120—  
NOTICE OF PURCHASE OF PROPERTY AT TAX LIEN SALE  
AND OF APPLICATION FOR ISSUANCE OF TREASURER'S DEED**

To Every Person in Actual Possession or Occupancy of the hereinafter Described Land, Lot or Premises, and to the Person in Whose Name the same was Taxed or Specially Assessed, and to all Persons having Interest of Title of Record in or to the said Premises and To Whom It May Concern, and more especially to: **Jeffrey C Oulton and Kari A Oulton and Razor Creek Ranch LLC**  
You and each of you are hereby notified that on the 1st day of November 2018, the then County Treasurer of Gunnison County, in the State of Colorado, sold at public tax lien sale to Razor Creek Ranch LLC the following described property situate in the County of Gunnison, State of Colorado, to-wit:  
**Schedule Number: 368934002036**  
**Legal Description: .252A IN BLK 3 WHITE PINE B762 P214**  
and said County Treasurer issued a certificate of purchase therefore to Razor Creek Ranch LLC.  
That said tax lien sale was made to satisfy the delinquent property (and special assessment) taxes assessed against said property for the year 2017;

That said property was taxed or specially assessed in the name(s) of Jeffrey C Oulton and Kari A Oulton for said year 2017;  
That said Razor Creek Ranch LLC on the 30th day of September 2021, the present holder of said certificate (who) has made request upon the Treasurer of said County for a deed to said property;  
That a Treasurer's Deed will be issued for said property to Razor Creek Ranch LLC at 2:00 o'clock p.m., on the 15th day of June 2022 unless the same has been redeemed;  
Said property may be redeemed from said sale at any time prior to the actual execution of said Treasurer's Deed.  
This Notice of Purchase will be published in Crested Butte News on February 25, 2022, March 4, 2022 and March 11, 2022.  
Witness my hand this 25th day of February 2022  
Debbie Dunbar  
Gunnison County Treasurer

Published in the *Crested Butte News*. Issues of February 25, March 4 and 11, 2022. #022502

**—TOWN OF MT. CRESTED BUTTE—  
ORDINANCE NO. 1  
SERIES 2022**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MT. CRESTED BUTTE, COLORADO, AMENDING CHAPTER 21, ZONING, ARTICLE I. IN GENERAL, SECTION 21-1 DEFINITIONS AND ARTICLE III. DISTRICT REGULATIONS INTRODUCED, READ, APPROVED, AND ORDERED PUBLISHED on first reading at a regular meeting of the Town Council of the Town of Mt. Crested Butte, Colorado, this 1st day of February 2022.

PASSED, ADOPTED, AND APPROVED ON SECOND READING at a regular meeting of the Town Council of the Town of Mt. Crested Butte, Colorado, held the 1st day of March, 2022.  
Full copies of this ordinance are available by contacting Tiffany O'Connell, Town Clerk, toconnell@mtcb.colorado.gov or 970-349-6632.

Published in the *Crested Butte News*. Issue of March 11, 2022. #031101

**—MEETING NOTICE—  
UPPER GUNNISON RIVER WATER CONSERVANCY DISTRICT  
BOARD OF DIRECTORS MEETING  
MONDAY, MARCH 28, 2022 ~ 5:30 PM**

The Board of Directors of the Upper Gunnison River Water Conservancy District (UGRWCD) will conduct a regular board meeting on Monday, March 28, 2022 at 5:30 PM at the UGRWCD Offices, 210 W. Spencer Ave., St. B, Gunnison, CO 81230 and via Zoom video/teleconferencing.  
If you plan to attend the meeting via Zoom video/teleconferencing, please register in advance using the follow-

ing link:  
<https://us02web.zoom.us/join/register/tZ0ud--hQTMshdNnhDZ-ZGTPwc6cEXDr3luk>  
After registering, you will receive a confirmation email containing information about joining the meeting. A meeting agenda will be posted at the District Office prior to the meeting.

Published in the *Crested Butte News*. Issue of March 11, 2022. #031104

**—IN THE DISTRICT COURT IN AND FOR WATER DIVISION NO. 4—  
STATE OF COLORADO**

**TO: ALL PERSONS INTERESTED IN WATER APPLICATIONS IN SAID WATER DIVISION NO. 4**

Pursuant to C.R.S. 37-92-302, as amended, you are notified that the following is a resume of all applications filed in the Water Court during the month of February 2022.  
The names, address of applicant, source of water, description of water right or conditional water right involved, and description of the ruling sought are as follows:  
**The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division, and owners of affected rights must appear to object and protest within the time provided by statute, or be forever barred.**  
**AMENDED CASE NO. 2021CW3071 CITY OF GUNNISON** (c/o Jennifer M. DiLalla, Joshua B. Boissevain, Moses, Wittemyer, Harrison and Woodruff, P.C., 2595 Canyon Blvd., Suite 300, Boulder, CO 80302, (303) 443-8782) **AMENDED APPLICATION FOR CHANGE OF CONDITIONAL WATER RIGHTS IN GUNNISON COUNTY**  
1. **Name, address, and telephone number of applicant:** City of Gunnison, a Colorado Municipal Corporation, c/o David Gardner, Director of Public Works, 1100 W. Virginia Ave., Gunnison, CO 81230, (970) 641-8020 2. **Purpose of amendment:** 2.1 Gunnison filed the original Application for Change of Water Right on Dec. 23, 2021 ("Original Application"), claiming a change in the decreed point of diversion for the conditional water right decreed to City of Gunnison Well No. 13 ("Well No. 13"). As part of its master planning process, the City since has determined that it needs an alternate point of diversion for City of Gunnison Well No. 12 ("Well No. 12"). 2.2 Gunnison files this Amended Application for Change of Conditional Water Rights ("Amended Application") under C.R.C.P. 15(a) to add a claim to change the conditional water right decreed to Well No. 12, as described in par. 3 below, to add the alternate point of diversion described in par. 3.9.2 below. Gunnison has made no other substantive changes to the Original Application. Gunnison will publish notice of the Amended Application as required by Rule 4(b) of the Uniform Local Rules for All State Water Court Divisions. 3. **Change of water right – Well No. 12 (WDID 5905945):** 3.1 **Date of original decree and all relevant subsequent decrees:** Case No. 81CW307, entered Nov. 30,

1988 ("81CW307 Decree"); Case No. 94CW92, entered July 17, 1995 ("94CW92 Decree"); Case No. 01CW124, entered Feb. 26, 2002 ("01CW124 Decree"); Case No. 08CW14, entered Aug. 14, 2008 ("08CW14 Decree"); Case No. 14CW3063, entered Dec. 30, 2014 ("14CW3063 Decree"); and Case No. 20CW3095, entered May 3, 2021 ("20CW3095 Decree"); all in the District Court for Water Division No. 4. 3.2 **Legal description:** 2,650 feet North of the South Section line and 2,350 feet East of the West Section line of Sec. 35, T50N, R1W of the N.M.P.M., Gunnison County, CO. (UTM: TBD East, TBD North.) The decreed location is shown on the map attached as **Ex. A.** 3.3 **Decreed source of water:** Groundwater tributary to the Gunnison River. 3.4 **Appropriation date:** Dec. 22, 1981. 3.5 **Amount:** 1.11 cfs, conditional. 3.6 **Decreed use:** Municipal purposes, including without limitation domestic, commercial, industrial, irrigation, and fire prevention purposes. Municipal irrigation use will be within the City's boundaries, as they may be altered in the future. The City's approximate current boundaries are shown on the map attached as **Ex. A.** 3.7 **Historical use:** Not applicable because the water right is conditional. 3.8 **Amount of water to be changed:** 1.11 cfs, conditional. 3.9 **Detailed description of Well No. 12 change:** 3.9.1 **Reason for change:** Gunnison has determined that Gunnison County land-use decisions may result in water quality impacts to the groundwater at the decreed point of diversion. Gunnison therefore seeks an alternate point of diversion for the well on City-owned property on which water quality is not a concern. 3.9.2 **Location of alternate point of diversion:** The alternate point of diversion ("Well No. 12 Alternate Point") will be located on the City's Van Tuyl Ranch, the boundaries of which are shown on the map attached as **Ex. A** and the full legal description of which is given in attached **Ex. B.** Van Tuyl Ranch is generally located in the NE1/4, the SE1/4, the E1/2 of the SW1/4, and the E1/2 of the SE1/4 of Sec. 26, T50N, R1W of the N.M.P.M., in Gunnison County, CO. 3.9.3 **Remarks:** Once Well No. 12 is constructed at either the originally decreed point of diversion or the Well No. 12 Alternate Point, Gunnison will formally abandon the unused point of diversion. 3.9.4 **No other change:** By this application, the City seeks

only an alternate point of diversion for Well No. 12, and seeks no other change to the conditional water right. Well No. 12 as changed herein will continue to serve as an alternate point of diversion for other Gunnison water rights under the decree entered by this Court in Case No. 81CW308. 3.9.5 **No increase in contemplated draft:** The claimed alternate point of diversion for Well No. 12 will not increase the conditional water right's contemplated draft on the Gunnison River. 4. **Change of water right – Well No. 13 (WDID 5905935):** 4.1 **Date of original decree and all relevant subsequent decrees:** The 81CW307 Decree; the 94CW92 Decree; the 01CW124 Decree; the 08CW14 Decree; the 14CW3063 Decree; and the 20CW3095 Decree. 4.2 **Legal description of structure as described in most recent decree that adjudicated location:** 1,850 feet East of the West Section line and 2,000 feet South of the North Section line of Sec. 36, T50N, R1W of the N.M.P.M., Gunnison County, CO. (UTM: 332709.1 East, 4268976.9 North, Zone 13, NAD 83). The decreed location is shown on the map attached as **Ex. A.** 4.3 **Decreed source of water:** Groundwater tributary to the Gunnison River. 4.4 **Appropriation date:** Dec. 22, 1981. 4.5 **Amount:** 1.11 cfs, conditional. 4.6 **Decreed use:** Municipal purposes, including without limitation domestic, commercial, industrial, irrigation, and fire prevention purposes. Municipal irrigation use will be within the City's boundaries, as they may be altered in the future. The City's approximate current boundaries are shown on the map attached as **Ex. A.** 4.7 **Historical use:** Not applicable because the water right is conditional. 4.8 **Amount of water to be changed:** 1.11 cfs, conditional. 4.9. **Detailed description of Well No. 13 change:** 4.9.1 **Reason for change:** In preparing the application in Case No. 20CW3095, in which the Court most recently continued the Well No. 13 water right as conditional, the City determined that the well's decreed point of diversion is in an alley behind a retail facility. Because the decreed location is not viable for a municipal well, the City seeks to relocate Well No. 13's decreed point of diversion as described in par. 4.9.2 below. 4.9.2 **Location of new point of diversion:** NE1/4 SE1/4 Sec. 26, T50N, R1W, N.M.P.M., on the City's Van Tuyl Ranch. (UTM: 331567.9 East, 4270393.8 North, Zone 13, NAD 83.) The approximate

location of the claimed new point of diversion is shown on the map attached as **Ex. A.** 4.9.3 **No other change:** By this application, the City seeks only a change in Well No. 13's decreed point of diversion, and seeks no other change to the conditional water right. Well No. 13 as relocated in this case will continue to serve as an alternate point of diversion for other Gunnison water rights under the decree entered by this Court in Case No. 81CW308. 4.9.4 **No increase in contemplated draft:** The claimed change in point of diversion for Well No. 13 will not increase the conditional water right's contemplated draft on the Gunnison River. 5. **Names and addresses of owner(s) of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed, or upon which water is or will be stored:** The City owns the Van Tuyl Ranch, which is the land on which the Well No. 12 Alternate Point and the new point of diversion for Well No. 13 are located. The address is 379 County Road 14, Gunnison, CO 81230. WHEREFORE, Gunnison requests that the Court enter a decree granting this Application and (i) changing the Well No. 12 conditional water right to include the Well No. 12 Alternate Point; and (ii) changing the decreed point of diversion for the Well No. 13 conditional water right. **GUNNISON COUNTY.** YOU ARE FURTHER NOTIFIED THAT you have until the last day of April, 2022 to file with the Water Clerk a Verified Statement of Opposition setting forth facts as to why a certain application should not be granted or why it should be granted only in part or on certain conditions. A copy of such a Statement of Opposition must also be served upon the applicant or the applicant's attorney and an affidavit of certificate of such service shall be filed with the Water Clerk, as prescribed by C.R.C.P. Rule 5. (Filing fee: \$192.00; Forms may be obtained from the Water Clerk's Office or on our website at [www.courts.state.co.us](http://www.courts.state.co.us)). (This publication can be viewed in its entirety on the state court website at: [www.courts.state.co.us](http://www.courts.state.co.us)). FRED CASTLE, Water Clerk, Water Division 4, 1200 N. Grand Ave., Bin A, Montrose, CO 81401  
Published in the *Crested Butte News*. Issue of March 11, 2022. #031112

**—TOWN COUNCIL MEETING—  
MARCH 15, 2022 ~ 6:00 P.M.  
MT. CRESTED BUTTE, COLORADO**

The Town Council of the Town of Mt. Crested Butte will be having their regular meeting on March 15, 2022 at 6:00 P.M. The meeting will start with a joint work session with the Planning Commission and Town Council at 4:30 P.M. regarding the master plan. The agenda and packet will be posted to the Town's website no later than 24 hours prior to the meeting.  
This meeting will be held virtually via zoom. Please go to <https://mtcrested-buttecolorado.civicweb.net/portal/> or contact Mt. Crested Butte Town Hall at (970) 349-6632 for the agenda and zoom information. Subscribe to the Town website to receive notifications when agendas are posted here: <https://mtcrestedbuttecolorado.civicweb.net/Portal/Subscribe.aspx>  
Please verify with town staff prior to meeting to confirm if the meeting is virtual or in-person.  
Published in the *Crested Butte News*. Issue of March 11, 2022. #031103

**deadline tuesday at noon**  
**legals@crestedbuttenews.com**

**—MOUNTAIN EXPRESS BOARD OF DIRECTORS MEETING AGENDA—  
THURSDAY, MARCH 17, 2022 ~ 9:00 A.M.  
REMOTE ACCESS & CRESTED BUTTE TOWN COUNCIL ROOM**


**I. Roll Call**  
**II. Reading and Approval of the Minutes of the February 15, 2022 Meeting**  
**III. Managing Director Report**  
A. Operations  
B. Financials  
**IV. Unfinished Business**  
**V. New Business**  
A. Mt CB Summer Condo Route Improvement Proposal  
B. Approval of CEBT Health Insurance Quote  
C. Update on Bus Procurement  
D. Staffing Announcements  
E. Mask Mandate Update  
**VI. Unscheduled Business**

**VII. Schedule Next Board Meeting**  
**VIII. Adjournment**  
**ZOOM Remote Access**  
**March 17, 2022 MX Board Meeting, 9:00AM**  
Join Zoom Meeting Online  
<https://zoom.us/j/2848180993?pwd=dkNteHlPSWpNjdjHRk5XUG9RYkxTQT09>  
or by phone  
+1 (720) 707-2699  
Meeting ID: 284 818 0993  
Passcode: bZVq2y

Published in the *Crested Butte News*. Issue of March 11, 2022. #031105

**—NOTICE OF PUBLIC HEARING—  
CRESTED BUTTE SOUTH  
PROPERTY OWNERS ASSOCIATION, INC.  
SPECIAL AREA ARCHITECTURAL DESIGN REVIEW  
CB SOUTH POA OFFICE, 61 TEOCALLI ROAD**

Join virtually: Email [staff@cbsouth.net](mailto:staff@cbsouth.net) for a Zoom invitation  
PLEASE TAKE NOTICE THAT a CB South Design Review Committee hearing will be held on Thursday March 24th, 2022, at 6:50 pm for the purpose of considering the following:  
*A Certificate of Appropriateness* for the application for O'Hagan, Garage and accessory dwelling, Lot 17, Block 11, Filing #2, 54 Kubler St. A complete set of plans can be viewed at the Crested Butte South P.O.A. Office, 61 Teocalli Road by appointment.  
This Notice of Public Hearing serves as 14-day public comment period in which comments may be submitted in writing to the Design Review Committee.  
CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION DESIGN REVIEW COMMITTEE. Submitted by Bart Laemmel, CB South Design Review Manager



Published in the *Crested Butte News*. Issue of March 11, 2022. #031109



**—NOTICE OF CANCELLATION—  
AND  
CERTIFIED STATEMENT OF RESULTS  
§1-13.5-513(6), 32-1-104, 1-11-103(3) C.R.S.**

**NOTICE IS HEREBY GIVEN** by the Reserve Metropolitan District No. 2, District, Gunnison County, Colorado, that at the close of business on the sixty-third day before the election, there were not more candidates for director than offices to be filled, including candidates filing affidavits of intent to be write-in candidates; therefore, the election to be held on May 3, 2022 is hereby canceled pursuant to section 1-13.5-513(6) C.R.S.

The following candidates are hereby declared elected:

<u>Julie Ann Behrens</u>	<u>3 year</u>	until May, 2025
(Name)	(3 year term)	
<u>John W. Flanigan</u>	<u>3 year</u>	until May, 2025
(Name)	(3 year term)	
<u>Regina Grisafi</u>	<u>3 year</u>	until May, 2025
(Name)	(3 year term)	

Douglas D. Pierse

(Signature of the Designated Election Official)

Douglas D. Pierse

(DEO's Printed Name)

Contact Person for the District: John W. Flanigan

Telephone Number of the District: 970-349-2773

Address of the District: P.O. Box 3384, Crested Butte, CO 81224

District Facsimile Number:

District Email: jwflanigan1@me.com

Published in the *Crested Butte News*. Issue of March 11, 2022. #031102

**—DESIGN REVIEW COMMITTEE (DRC)—  
CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION  
NOTICE OF PUBLIC MEETING  
AGENDA  
THURSDAY, MARCH 24, 2022 ~ 6:00 P.M.  
CB SOUTH POA, 61 TEOCALLI ROAD**

Join virtually: Email [staff@cbsouth.net](mailto:staff@cbsouth.net) for a Zoom invitation

Questions about this Agenda/Meeting can be directed to 349-1162 or [info@cbsouth.net](mailto:info@cbsouth.net) or viewed at: [www.cbsouth.net](http://www.cbsouth.net)

**6:00 PM** Call to Order

**6:05 PM** Approve Minutes from February 17th, 2021

**Business:**

**6:10 PM** Brennise, Garage and Bedroom addition, Lot 6, Block 18, Filing #3, 110 Floyd Ave.

**6:50 PM** O'Hagan, Garage and accessory dwelling, Lot 17, Block 11, Filing #2, 54 Kubler St.

**7:30 PM** Morrello, Apartment Over Garage, Lot 11, Block 18, Filing #3, 503 Haverly St.

**8:00 PM** Huckstep, Garage Addition, Lots 39/41, Block 21, Filing #3, 156 Zeligman St.

**8:30 PM** Kerns, New Single Family Home, Lot 12, Block 25, 924 Zeligman St.

**9:00 PM** Adjourn

**ADA Accommodations:** Anyone needing special accommodations as determined by the *American Disabilities Act* may contact the Association Manager prior to the day of the hearing.

**Agenda Items:** All times are estimates. Please allow for earlier discussion. Please show up at least 20 minutes prior to the listed times. A complete set of plans can be viewed at the Crested Butte South POA office, 61 Teocalli Road.

Published in the *Crested Butte News*. Issue of March 11, 2022. #031110

**—IN THE DISTRICT COURT IN AND FOR WATER DIVISION NO. 4—  
STATE OF COLORADO**

**TO: ALL PERSONS INTERESTED IN WATER APPLICATIONS IN SAID WATER DIVISION NO. 4**

Pursuant to C.R.S. 37-92-302, as amended, you are notified that the following is a resume of all applications filed in the Water Court during the month of February 2022.

The names, address of applicant, source of water, description of water right or conditional water right involved, and description of the ruling sought are as follows:

**The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division, and owners of affected rights must appear to object and protest within the time provided by statute, or be forever barred.**

**CASE NO. 2022CW5 (REF NO. 05CW205, 12CW100).** Applicant: James Auster and Merrilee Bliss, P. O. Box 716, Carbondale, CO 81623. Application For Finding of Reasonable Diligence:

Lower Meadow Lake – NW1/4S/W1/4 of Section 9, T11S, R89W, 6th PM. 1,682 feet from the south section line and 2,350 feet from the west section line. Source: Lee Creek, East Muddy Creek, North Fork of the Gunnison River. Appropriation Date:

06/15/2005. Amount Claimed: 300 acre-feet conditional for irrigation of 100 acres, fish culture, fire protection and recreation.

Sacred Spring Pond – SE1/4S/W1/4NE1/4 of Section 9, T11S, R89W, 6th PM. 2,442 feet from the north section line and 1,896 feet from the east section line. Source: Sacred Spring, North Fork of the Gunnison River. Appropriation Date: 06/15/2005. Amount Claimed: 10 acre-feet conditional for irrigation of 40 acres, fish culture, fire protection and recreation. Sacred Spring – NW1/4SE1/4NE1/4 of Section 9, T11S, R89W, 6th PM. 1,345 feet from the north section line and 750 feet from the east section line. Source: Sacred Spring, North Fork of the Gunnison River. Appropriation Date: 06/15/2005. Amount Claimed: .5 c.f.s. conditional for fish culture, fire protection, recreation, commercial and fill Sacred Spring Pond. Goodrich Spring Pond – NW1/4SE1/4NE1/4 of Section 9, T11S, R89W, 6th PM. 1,884 feet from the north section line and 910 feet from the east section line. Source: Goodrich Spring, North Fork of the Gunnison River. Appropriation Date: 06/15/2005. Amount Claimed: 5

acre-feet conditional for irrigation of 20 acres, fish culture, fire protection and recreation. The application on file with the Water Court contains an outline of the work performed during the diligence period. **GUNNISON COUNTY.** YOU ARE FURTHER NOTIFIED THAT you have until the last day of April, 2022 to file with the Water Clerk a Verified Statement of Opposition setting forth facts as to why a certain application should not be granted or why it should be granted only in part or on certain conditions. A copy of such a Statement of Opposition must also be served upon the applicant or the applicant's attorney and an affidavit of certificate of such service shall be filed with the Water Clerk, as prescribed by C.R.C.P. Rule 5. (Filing fee: \$192.00; Forms may be obtained from the Water Clerk's Office or on our website at [www.courts.state.co.us](http://www.courts.state.co.us)). (This publication can be viewed in its entirety on the state court website at: [www.courts.state.co.us](http://www.courts.state.co.us)). FRED CASTLE, Water Clerk, Water Division 4, 1200 N. Grand Ave., Bin A, Montrose, CO 81401

Published in the *Crested Butte News*. Issue of March 11, 2022. #031111

**—NOTICE OF PUBLIC HEARING—  
CRESTED BUTTE SOUTH**

**PROPERTY OWNERS ASSOCIATION, INC.  
SPECIAL AREA ARCHITECTURAL DESIGN REVIEW  
CB SOUTH POA OFFICE, 61 TEOCALLI ROAD**

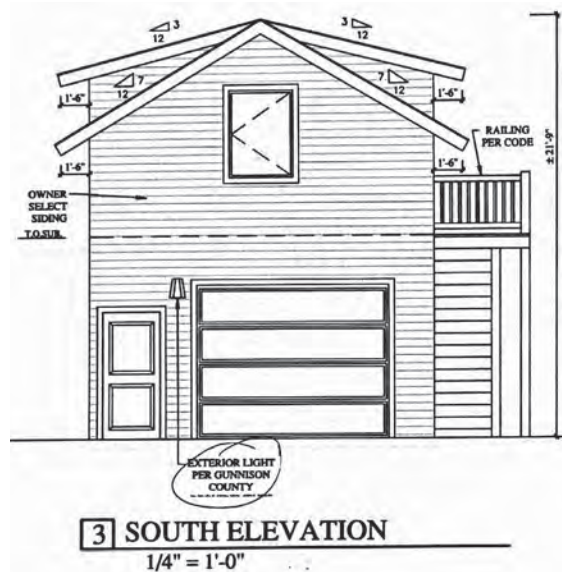
Join virtually: Email [staff@cbsouth.net](mailto:staff@cbsouth.net) for a Zoom invitation

PLEASE TAKE NOTICE THAT a CB South Design Review Committee hearing will be held on Thursday March 24th, 2022, at 7:30 pm for the purpose of considering the following: A *Certificate of Appropriateness* for the application for **Morrello, Apartment Over Garage**, Lot 11, Block 18, Filing #3, 503 Haverly St. A complete set of plans can be viewed at the Crested Butte South P.O.A. Office, 61 Teocalli Road by appointment.

This **Notice of Public Hearing** serves as 14-day public comment period in which comments may be submitted in writing to the Design Review Committee.

CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION DESIGN REVIEW COMMITTEE. Submitted by Bart Laemmel, CB South Design Review Manager

Published in the *Crested Butte News*. Issue of March 11, 2022. #031108



**—IN THE DISTRICT COURT IN AND FOR WATER DIVISION NO. 4—  
STATE OF COLORADO**

**TO: ALL PERSONS INTERESTED IN WATER APPLICATIONS IN SAID WATER DIVISION NO. 4**

Pursuant to C.R.S. 37-92-302, as amended, you are notified that the following is a resume of all applications filed in the Water Court during the month of February 2022.

The names, address of applicant, source of water, description of water right or conditional water right involved, and description of the ruling sought are as follows:

**The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division, and owners of affected rights must appear to object and protest within the time provided by statute, or be forever barred.**

**CASE NO. 2022CW3014, Gunnison County, Gunnison River, Water District No. 4, Applicant:** Hidden Mine Ranch Owners Association, Inc., a Colorado nonprofit corporation, c/o Law Office of Michael C. Dawson, LLC., 120 North Taylor - P.O. Box 179, Gunnison, Colorado 81230, (970) 641-3326. **Type of Application:** Application to Make Absolute in Part and For a Finding of Reasonable Diligence. **Name of Structure:** HMR Reservoir. **Location:** The

Center of the dam is in Section 11, Township 14 South, Range 86 West, 6th P.M., approximately 1,705 feet north of the south section line and 708 feet west of the east section line of said section, UTM coordinates (NAD83): Northing: 4301858.62 Easting: 329455.73 Zone 13S.

**Point of Diversion:** The point of diversion is located in a flume box located in Baxter Gulch in the NW1/4SE1/4 of Section 11, Township 14 South, Range 86 West, 6th P.M., from whence the East Quarter Corner of said Section 11 bears N70°E a distance of 2233 feet more or less. UTM Coordinates (NAD83): Northing 4301921.48, Easting 329029.02 Zone 13S. **Drainage Basin:** The subject reservoir is in the drainage of Baxter Gulch, a tributary of the Slate River, a tributary of the East River, a tributary of the Gunnison River. **Quantity:** 7.75 acre feet (conditional). **Appropriation Date:** May 28, 2015. **Use:** Recreational, piscatorial, stock-watering, firefighting and irrigation of up to 72 acres within Hidden Mine Ranch subdivision. **Type of Structure:** Reservoir. **Name of Structure:** HMR Reservoir Ditch & Pipeline. **Point of Diversion:** At a point on the right bank

of Baxter Gulch located in the NW1/4SE1/4 of Section 11, Township 14 South, Range 86 West, 6th P.M., from whence the East Quarter Corner of said Section 11 bears N70°E a distance of 2233 feet more or less. UTM Coordinates (NAD83): Northing 4301921.48, Easting 329029.02 Zone 13S. **Drainage Basin:** The subject ditch and pipeline is in the drainage of Baxter Gulch, a tributary of the Slate River, a tributary of the East River, a tributary of the Gunnison River. **Quantity:** 0.5 c.f.s. (conditional). **Appropriation Date:** May 28, 2015. **Use:** Recreational, piscatorial, stockwatering, firefighting and irrigation of up to 72 acres within Hidden Mine Ranch subdivision. **Type of Structure:** Ditch and Pipeline. **Other:** Applicant requests the reservoir and ditch & pipeline be made absolute for recreational, piscatorial, stockwatering, firefighting and continued on a conditional status for irrigation of up to 72 acres within Hidden Mine Ranch subdivision, and sets forth the actions taken toward the completion of appropriation and application of water to beneficial use as decreed. In the alternative, the Applicant requests the reservoir and ditch and pipeline

be continued on a conditional status based on the actions and funds expended in the appropriation and application of the water to the beneficial uses decreed. **GUNNISON COUNTY.** YOU ARE FURTHER NOTIFIED THAT you have until the last day of April, 2022 to file with the Water Clerk a Verified Statement of Opposition setting forth facts as to why a certain application should not be granted or why it should be granted only in part or on certain conditions. A copy of such a Statement of Opposition must also be served upon the applicant or the applicant's attorney and an affidavit of certificate of such service shall be filed with the Water Clerk, as prescribed by C.R.C.P. Rule 5. (Filing fee: \$192.00; Forms may be obtained from the Water Clerk's Office or on our website at [www.courts.state.co.us](http://www.courts.state.co.us)). (This publication can be viewed in its entirety on the state court website at: [www.courts.state.co.us](http://www.courts.state.co.us)). FRED CASTLE, Water Clerk, Water Division 4, 1200 N. Grand Ave., Bin A, Montrose, CO 81401

Published in the *Crested Butte News*. Issue of March 11, 2022. #031113

**—IN THE DISTRICT COURT IN AND FOR WATER DIVISION NO. 4—  
STATE OF COLORADO**

**TO: ALL PERSONS INTERESTED IN WATER APPLICATIONS IN SAID WATER DIVISION NO. 4**

Pursuant to C.R.S. 37-92-302, as amended, you are notified that the following is a resume of all applications filed in the Water Court during the month of February 2022.

The names, address of applicant, source of water, description of water right or conditional water right involved, and description of the ruling sought are as follows:

**The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division, and owners of affected rights must appear to object and protest within the time provided by statute, or be forever barred.**

**CASE NO. 2022CW3015, Gunnison County, Gunnison River, Water District No. 4, Applicant:** Hidden Mine Ranch Owners Association, Inc., a Colorado nonprofit corporation, c/o Law Office of Michael C. Dawson, LLC., 120 North Taylor - P.O. Box

179, Gunnison, Colorado 81230, (970) 641-3326. **Type of Application:** Application for Finding of Reasonable Diligence. **Name of Structure:** Upper Janet Spring. **Location:** In the SW1/4SW1/4NW1/4 of Section 14, Township 14 South Range 86 West, 6th P.M., Gunnison County, Colorado, 2640 feet south of the north section line and 316.8 feet east of the west section line. **Drainage Basin:** The subject spring is in the drainage of Baxter Gulch, a tributary of the Slate River, a tributary of the East River, a tributary of the Gunnison River. **Quantity:** 1.0 c.f.s. **Appropriation Date:** July 1, 2000. **Use:** Fire protection, wildlife watering, domestic use and irrigation of approximately 72 acres. **Type of Structure:** Spring. **Name of Structure:** Kevin Spring. **Location:** In the SW1/4NW1/4 of Section 14, Township 14 South Range 86 West, 6th P.M., Gunnison County, Colorado, 1,689.6 feet south of the north section

line and 2,534.4 feet east of the west section line. **Drainage Basin:** The subject spring is in the drainage of Baxter Gulch, a tributary of the Slate River, a tributary of the East River, a tributary of the Gunnison River. **Quantity:** 0.1 c.f.s. **Appropriation Date:** July 1, 2000. **Use:** Fire protection, wildlife watering, domestic use and irrigation of approximately 72 acres. **Type of Structure:** Spring. **Name of Structure:** Ross Spring. **Location:** In the SW1/4NW1/4 of Section 14, Township 14 South Range 86 West, 6th P.M., Gunnison County, Colorado, 1,083.23 feet south of the north section line and 580.8 feet east of the west section line. **Drainage Basin:** The subject spring is in the drainage of Baxter Gulch, a tributary of the Slate River, a tributary of the East River, a tributary of the Gunnison River. **Quantity:** 0.1 c.f.s. **Appropriation Date:** July 1, 2000. **Use:** Fire protection, wildlife watering, domestic

use and irrigation of approximately 72 acres. **Type of Structure:** Spring. **Name of Structure:** Lower Janet Spring. **Location:** In the SW1/4NW1/4 of Section 14, Township 14 South Range 86 West, 6th P.M., Gunnison County, Colorado, 1,531.2 feet south of the north section line and 1,584 feet west of the east section line. **Quantity:** 0.1 c.f.s. **Appropriation Date:** July 1, 2000. **Use:** Fire protection, wildlife watering, domestic use and irrigation of approximately 72 acres. **Type of Structure:** Spring. **Other:** Applicant requests a finding of reasonable diligence for the springs for fire protection, wildlife watering, and, and sets forth the actions taken toward the completion of appropriation and application of water to beneficial use as decreed, and abandons the conditional use of for irrigation of approximately 72 acres from the springs. **GUNNISON COUNTY.** YOU ARE FURTHER NOTIFIED

THAT you have until the last day of April, 2022 to file with the Water Clerk a Verified Statement of Opposition setting forth facts as to why a certain application should not be granted or why it should be granted only in part or on certain conditions. A copy of such a Statement of Opposition must also be served upon the applicant or the applicant's attorney and an affidavit of certificate of such service shall be filed with the Water Clerk, as prescribed by C.R.C.P. Rule 5. (Filing fee: \$192.00; Forms may be obtained from the Water Clerk's Office or on our website at [www.courts.state.co.us](http://www.courts.state.co.us)). (This publication can be viewed in its entirety on the state court website at: [www.courts.state.co.us](http://www.courts.state.co.us)). FRED CASTLE, Water Clerk, Water Division 4, 1200 N. Grand Ave., Bin A, Montrose, CO 81401

Published in the *Crested Butte News*. Issue of March 11, 2022. #031114



—NOTICE—  
MARCH 1, 2022

**PLEASE TAKE NOTICE:** In accordance with Colorado Revised Statutes Section 38-33.3-217(1)(b)(I), as the mortgagee of a Townhome unit in The Links at Skyland, a Common Interest Community, County of Gunnison, State of Colorado, you are hereby notified that The Links at Skyland Association proposes to adopt the attached Amendment to Declaration of The Links at Skyland, a Common Interest Community ("Amendment"). If you do not deliver to The Links at Skyland Association a negative response within 60 days after the date of this Notice, you shall be deemed to have approved the attached Amendment, as provided in Colorado Revised Statutes Section 38-33.3-217(1)(b)(II).

The Links at Skyland Association, a Colorado nonprofit corporation

By: **David Leinsdorf**

David Leinsdorf, Attorney  
P. O. Box 187  
Crested Butte, CO 81224  
(970) 349-6111

The Amendment to Declaration of The Links at Skyland, a Common Interest Community, is published following this Notice and may also be obtained from The Links at Skyland Association, 350 Country Club Drive, #110A, Crested Butte, CO 81224.

Phone (970) 349-6281

**AMENDMENT  
TO  
DECLARATION OF  
THE LINKS AT SKYLAND,  
A COMMON INTEREST COMMUNITY**

The Links at Skyland Association, a Colorado nonprofit corporation, hereby certifies, in accordance with Section 17.2 of the Declaration of the Links at Skyland, a Common Interest Community, bearing Reception No. 467904 in the office of the Gunnison County Clerk and Recorder ("Declaration"), that the following Amendment has been approved by Owners of Townhomes holding not less than sixty-seven percent (67%) of the votes possible to be cast under the Declaration at a meeting of the Owners called for that purpose:

Article 8 and Article 9 of the Declaration are hereby revised to read as follows:

**ARTICLE 8  
MAINTENANCE**

**Section 8.1 Maintenance by Owners.** Each Owner shall maintain and keep in repair the interior of his Townhome, including the fixtures thereof to the extent current repair shall be necessary in order to avoid damaging other Owners, and the surfaces (excluding the roofing elements) of Limited Common Elements allocated to the Townhome. All fixtures and equipment installed within the Townhome commencing at a point where the utilities enter the Townhome shall be maintained and kept in repair by the Owner of such Townhome. An Owner shall do no act or work that will impair the structural soundness or integrity of the Common Elements or impair any easement. Each Owner shall be responsible for the maintenance of all interior walls of his Townhome, and the surface materials thereon such as plaster, drywall, paneling, wallpaper, paint; surface materials for all walls, ceilings, and floors; doors and windows (including all component parts of the window system within the Townhome), and garage door operating system. Excluded are exterior side of front door and garage door which shall be the responsibility of the Association.

**Section 8.2 Owner's Failure to Maintain or Repair.** In the event that a Townhome (including the allocated Limited Common Element) is not properly maintained and repaired, and if the maintenance responsibility for the unmaintained portion of the Townhome lies with the Owner of the Townhome, or in the event that the Townhome is damaged or destroyed by an event of casualty of an Owner who does not take reasonable measures to diligently pursue the repair and reconstruction of those portions of the damages or destroyed Townhome for which the Owner is responsible to substantially restore to the same condition in which they existed prior to the damage or destruction, then the Association, after notice to the Owner and with the approval of the Executive Board shall have the right to enter upon the Townhome to perform

such work as is reasonably required to restore the Townhome to a condition of good order and repair. All costs incurred by the Association in connection with the restoration shall be reimbursed to the Association by the Owner of the Townhome, upon demand. All unreimbursed costs shall be a lien upon the Townhome until reimbursement is made. The lien may be enforced in the same manner as a lien for an unpaid Assessment levied in accordance with Article 10 of this Declaration.

**Section 8.3 Maintenance by Association.** The Association shall be responsible for the maintenance and repair of the Common Elements, whether located inside, or outside of Townhomes which (unless necessitated by damage caused by the negligence, misuse or tortious act of an Owner or Owner's Agent as set forth in Section 8.4 below), shall be the Common Expense of all Owners. This maintenance shall include, but shall not be limited to, upkeep, repair and replacement, of common area landscaping (except replacement of gardens in front of each unit), exterior walls, roofs, gates, signage, irrigation systems, sidewalks, driveways, streets, and improvements, if any (which shall include without limitation snow removal services unless performed by another private or public organization formed for such purposes), located in the Common Elements. In the event the Association does not maintain or repair the Common Elements, Declarant shall have the right, but not the obligation, to do so at the expense of the Association.

**Section 8.4 Association Maintenance as Common Expense.** The cost of maintenance and repair by the Association shall be a Common Expense of all of the Owners, to be shared by each Owner according to the Allocated Interests therefor set forth on Exhibit B. Damage to the interior or any part of a Townhome resulting from the maintenance, repair, emergency repair or replacement of any of the Common Elements or as a result of emergency repairs within another Townhome at the instance of the Association shall also be Common Expense of all of the Owners. However, if such damage is caused by negligent or tortious acts of an Owner, members of the Owner's family, or the Owner's agent, employee, invitee, licensee or tenants (Collectively "Owner's Agents"), then such Owner shall be responsible and liable for all of such damage and the cost thereof, which must be timely paid.

**Section 8.5 Easement for Maintenance.** Each Owner and the Association shall have the irrevocable right, to be exercised by the Manager, the Executive Board or officers or employees of the Association, to have access to each townhome from time to time during reasonable hours as may be necessary for the maintenance, repair or replacement of any of the Common Elements or another Townhome. In the event insurance proceeds under Article 9 are payable to an Owner but the maintenance responsibility of the area to which such proceeds relate is the Association's, the Association shall complete any such repair or replacement at the Owner's expense.

**Section 8.6 Association's right to Grant Owner's Maintenance Area.** The Association reserves the right to grant the maintenance responsibility of certain areas on each Townhome to the Owner, the Owner is obligated to accept said maintenance responsibility, provided said assignment is done in a uniform and nondiscriminatory manner.

**Section 8.7 Limited Common Element Damage.** In the event of damage or destruction of a Limited Common Element from the negligence or tortious acts of an Owner or an Owner's guests or invitees, the then Owners of the Townhomes to which the Limited Common Element is attributable shall bear the expense to repair or rebuild the Limited Common Element to its previous condition.

**Section 8.8 Association Power.** The Association shall have the right and power to prohibit storage or other activities deemed unsafe, unsightly, unreasonably noisy or otherwise offensive to the senses and perceptible from another Townhome or the Common Elements. No Owner shall make any

addition or other alternation to any portion of the Common Elements without the express consent of the Executive Board.

**ARTICLE 9  
INSURANCE**

**Section 9.1 General Insurance Provisions.** The Association shall acquire and pay for, out of the Assessments levied under Article 10 below, the following insurance policies carried with reputable insurance companies authorized to do business in Colorado:

**9.1.1 Hazard Insurance Coverage:**

**Association.** The Association shall obtain insurance for fire, with extended coverage, vandalism, malicious mischief, all-risk, blanket valuation, replacement cost, agreed amount, special condominium, building ordinance and inflation guard endorsements attached, in amounts determined by the Executive Board to represent not less than the full then current insurable replacement cost of the buildings located on the Property including all of the Townhomes and Common Elements, from the unfinished bare surfaces outward, including all unfinished interior perimeter walls and ceiling, roof, studs, all structural members, exterior wall finish, sub-flooring, windows, exterior doors (front, deck, garage), exterior lighting, Common Elements (roofs, interior and exterior vertical and horizontal beams and columns, exterior facade of building, parking areas), Limited Common Elements (decks, porches, landscaping including timber terraces and timber enclosures around supporting columns, driveways), building excavations and foundations. Maximum deductible amounts for such policy shall be the lesser of ten thousand dollars (\$10,000) or one percent (1%) of the replacement value of buildings. Such hazard insurance policy must be written by an insurance carrier that has an "A" or better rating category.

**9.1.2. Comprehensive Liability:**

**Association.** Comprehensive general public bodily injury liability and property damage liability insurance for the Project in such amounts as the Executive Board deems desirable, provided: that such coverage shall be for at least one million dollars (\$1,000,000) for bodily injury, including deaths and property damage arising out of a single occurrence with an aggregate limit of two million dollars (\$2,000,000), insuring the Association, the Executive Board, the Manager or managing agent, or both, if any, and their respective agents and employees, and the Owners from liability in connection with the operation, maintenance and use of Common Elements and must include a "severability of interest" clause or specific endorsement. Such coverage shall also include legal liability arising out of lawsuits related to employment contracts of the Association and such other risks as are customarily covered with respect to housing projects similar to the Project in the area including automobile liability insurance if appropriate.

The insurance policies may be carried in blanket policy form naming the Association as the insured, for the use and benefit of and as attorney-in-fact for the Owners. Each Owner shall be an insured person under the policy with respect to liability arising out of such Owner's interest in the Common Elements or membership in the Association. Each Mortgagee and its successors or assigns shall be a beneficiary of the policy in the percentages of Common Expenses for the Townhome which the Mortgage encumbers. The insurance company shall waive its rights of subrogation under the insurance policy against any Owner or member of the Owner's household. No act or omission by any Owner, unless acting within the scope of such Owner's authority on behalf of the Association, shall void the insurance policy or be a condition to recovery under the insurance policy. If, at the time of a loss under an insurance policy described above there is other insurance in the name of the Owner covering the same risk covered by the policy, the Association's policy shall provide primary insurance.

**9.1.3. Hazard and Comprehensive Liability Coverage: Owner.** Owner is responsible for all Hazard Insurance coverage for the improvements to the building from the unfinished bare

surfaces inward, including interior walls and floors, partitions, decorated and finished surfaces of all interior walls, floors, and ceilings, interior doors, garage door operating system, and other elements or materials comprising a part of the Townhomes and including any fixtures, equipment (including Boiler Heating System), or other personal property within the Townhomes. Owner is responsible for all Comprehensive Liability coverage for the interior of the townhome, and the exterior of the townhome concerning the Limited Common Elements associated therewith; and workman's compensation insurance covering work within each Townhome or on the Limited Common Elements associated therewith. The minimum requirement for Comprehensive Liability Insurance coverage is one million dollars (\$1,000,000) per occurrence. Proof of coverage required to be sent to the Association the beginning of each fiscal year (July 1 - June 30).

**Section 9.2 Certificates of Insurance; Cancellation.**

Certificates of Insurance shall be issued to each Owner and Mortgagee upon request. All Certificates policies of required insurance to be earned under this Article 9 shall provide a standard non-contributory mortgagee clause in favor of each First Mortgagee of a Townhome and shall provide that such policy cannot be canceled by the insurance company without at least thirty (30) days prior written notice to each Owner and each First Mortgagee whose address is shown in the records maintained pursuant to the Association's documents. If the insurance described in this Article 9 is not reasonably available, or if any policy of such insurance is canceled or not renewed without a replacement policy therefore having been obtained, the Association promptly shall cause notice of that fact to be hand delivered or sent prepaid by United States mail to all Owners and to all First Mortgagees.

**Section 9.3 Insurance Proceeds.**

Any loss covered by the property insurance policy described in Section 9.1 must be adjusted with the Association, but the insurance proceeds for that loss shall be payable to any insurance trustee designated for that purpose, or otherwise to the Association, and not to any holder of a security interest. The insurance trustee or the Association shall hold any insurance proceeds in trust for the Owners and Mortgagees as their interests may appear. Subject to the provisions of Section 9.5 below, the proceeds must be disbursed first for the repair or restoration of the damaged property, and the Association, Owners and Mortgagees are not entitled to receive payment of any portion of the proceeds unless there is a surplus of proceeds after the damaged property has been completely repaired or restored or the regime created by this Declaration is terminated.

**Section 9.4 Insurer Obligation.** An insurer that has issued an insurance policy for the insurance described in Sections 9.1 and 9.7 shall issue certificates or memoranda of insurance to the Association and, upon request, to any Owner or Mortgagee. Unless otherwise provided by statute, the insurer issuing the policy may not cancel or refuse to renew it until thirty (30) days after notice of the proposed cancellation or non-renewal has been mailed to the Association and to each Owner and Mortgagee to whom a certificate or memorandum of insurance has been issued at their respective last-known addresses.

**Section 9.5 Repair and Replacement.** Any portion of the Common Elements for which insurance is required under this Article which is damaged or destroyed must be repaired or replaced promptly by the Association unless:

**9.5.1** The common interest community created by this Declaration is terminated in which case the approval must first be obtained of fifty-one percent (51%) of First Mortgagees of Townhomes subject to. First Mortgages (which percentage is measured by votes allocated to such Townhomes);

**9.5.2** Repair or replacement would be illegal under any state or local statute or ordinance governing health or safety;

**9.5.3** There is a vote not to rebuild by (a) eighty percent (80%) of the

Owners entitled to vote and fifty-one percent (51%) of First Mortgagees of Townhomes subject to First Mortgages (which percentage is measured by votes allocated to such Townhomes) and (b) every Owner and First Mortgagee of a Townhome or assigned Limited Common Element that will not be rebuilt; or

**9.5.4** Prior to the conveyance of any Townhome to a person other than Declarant, the Mortgagee holding a Mortgage on the damaged portion of the Common Elements rightfully demands all or a substantial part of the insurance proceeds.

The cost of repair or replacement of Common Elements in excess of insurance proceeds and reserves is a Common Expense. If all the Common Elements are not repaired or replaced, the insurance proceeds attributable to the damaged Common Elements must be used to restore the damaged area to a condition compatible with the remainder of the Project, and except to the extent that other persons will be distributees, the insurance proceeds must be distributed to all the Owners or Mortgagees, as their interests may appear in proportion to each Townhome's Common Expenses Allocated Interests.

**Section 9.6 Common Expenses.** Premiums for insurance that the Association acquires and other expenses connected with acquiring such insurance are Common Expenses provided, however, that if the Association's fire and extended coverage insurance covers fixtures, equipment or other property within some but not all of the Townhomes (as required by any Agency including FNMA or FHLMC), the Association reserves the right to charge the Owner of such Townhomes for which the Association provides additional insurance coverage, as amount equal to the premium attributable to such additional insurance coverage.

**Section 9.7 Fidelity Insurance.** The Association shall maintain fidelity insurance to protect against dishonest acts on the part of its officers, directors, trustees and employees and on the part of all others including any manager hired by the Association, who handle or are responsible for handling the funds belonging to or administered by the Association, in such amounts as are deemed appropriate by the Executive Board.

**Section 9.8 Workers' Compensation Insurance.** The Executive Board shall obtain workers' compensation or similar insurance with respect to its employees, if applicable, in the amounts and forms as may now or hereafter be required by law.

**Section 9.9 Other Insurance.** The Association shall maintain flood insurance if any part of the Project is located within a Special Flood Hazard Area on a Flood Insurance Rate Map, equal to the lesser of one hundred percent (100%) of the insurance value of the Project or the maximum coverage available under the appropriate National Flood Insurance Program. The Association shall also maintain insurance to the extent reasonably available and in such amounts as the Executive Board may deem appropriate on behalf of Directors against any liability asserted against a Director or incurred by him in his capacity of a arising out of his status as a Director. The Executive Board may obtain insurance against such other risks of a similar or dissimilar nature as it shall deem appropriate with respect to the Association's responsibilities and duties or as requested by any Agency. Dated the 1st day of March, 2022.

**The Links at Skyland Association, a Colorado nonprofit corporation**

By: **Anne Gray**

Anne Gray, President  
**Secretary's Certification**

The undersigned, Beth D. Brady, Secretary of The Links at Skyland Association, a Colorado nonprofit corporation, hereby certifies that the foregoing Amendment was approved by a sufficient number of Owners at a meeting held for that purpose on the 1st day of March, 2022.

By: **Beth D. Brady**

Beth D. Brady, Secretary

Published in the *Crested Butte News*.  
Issues of March 4 and 11, 2022.  
#030401