

A Brief History of the Development of South T-Bar Ranch and Adjacent Properties

by Ann Eulert

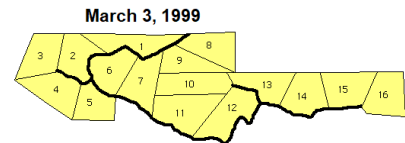
South T-Bar Ranch and its adjacent properties are a community where properties next door to each other can be subject to different rules. Knowing which rules apply to which properties and how these differences came to be can help avoid conflicts and misunderstandings among neighbors.

Land Properties, Inc. (LPI) was a property development company that was formed in 1983¹. When LPI began to develop property in the South T-Bar Ranch area, it formed a couple of Limited Liability Corporations to develop this ranch land.

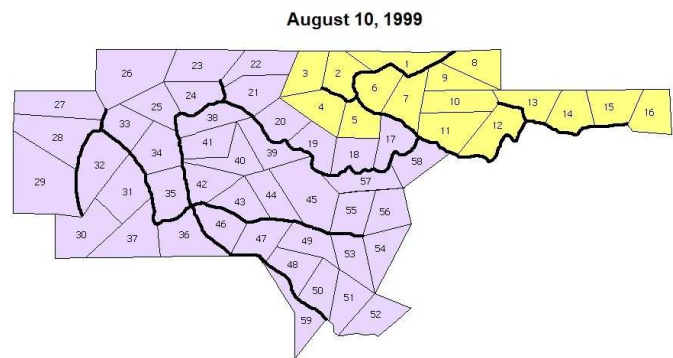
- South T-Bar Ranch, LLC (STB LLC) was formed on September 17, 1998², and
- The Fremont 600, LLC (F600) was formed on October 10, 2000³.

STB LLC divided up the ranch land into parcels that were 35 acres or more and built roads that could be used to access these parcels. (If the parcels had been less than 35 acres each, the developer would have had to comply with additional state laws⁴.)

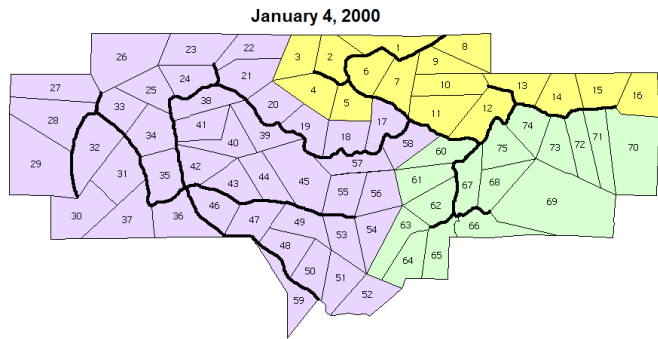
The South T-Bar Ranch Property Owners Association, Inc. (STB POA or “the POA”) was created on January 21, 1999⁵. Then, on March 3, 1999, STB LLC filed a plat map⁶ that created the South T-Bar Ranch and a Declaration of Protective Covenants⁷ (Covenants) that incorporated the properties in the newly-created ranch into the POA. At that time, the South T-Bar Ranch only had 16 parcels⁶.



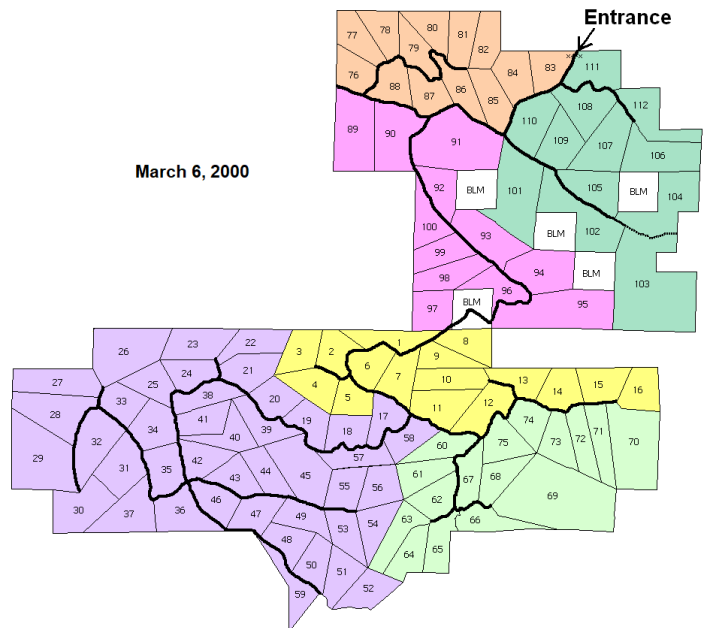
Five months later, on August 10, 1999, STB LLC annexed Filing 2 into the Ranch⁸ (shown in lavender). This brought the number of parcels in South T-Bar Ranch up to 59⁸.



Five months after that, on January 4, 2000, Filing 3 was added⁹ (shown in mint green). The Ranch now had 75 parcels⁹.

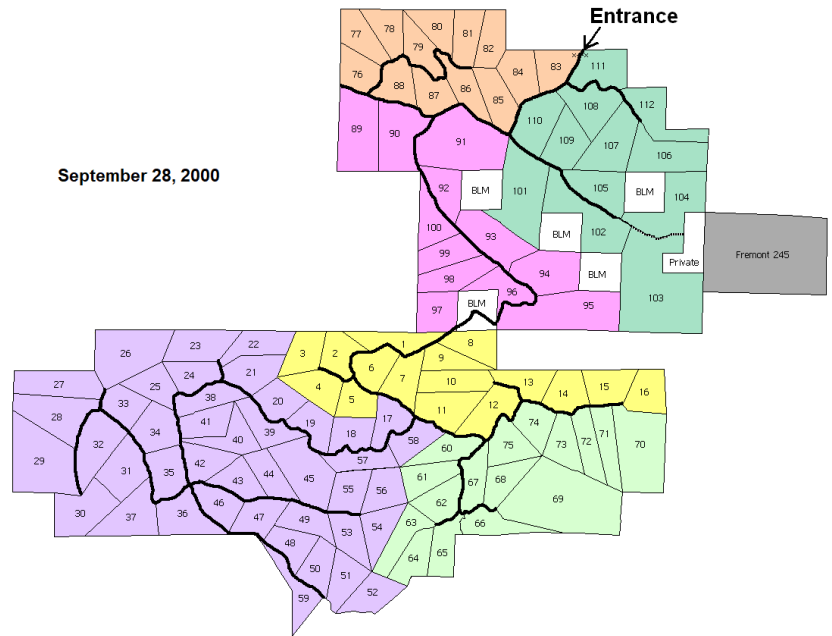


Three months later, on March 6, 2000¹⁰, STB LLC annexed Filings 4 (orange), 5 (pink), and 6 (green) into the Ranch¹¹. This brought the number of parcels in the Ranch up to 112¹¹.

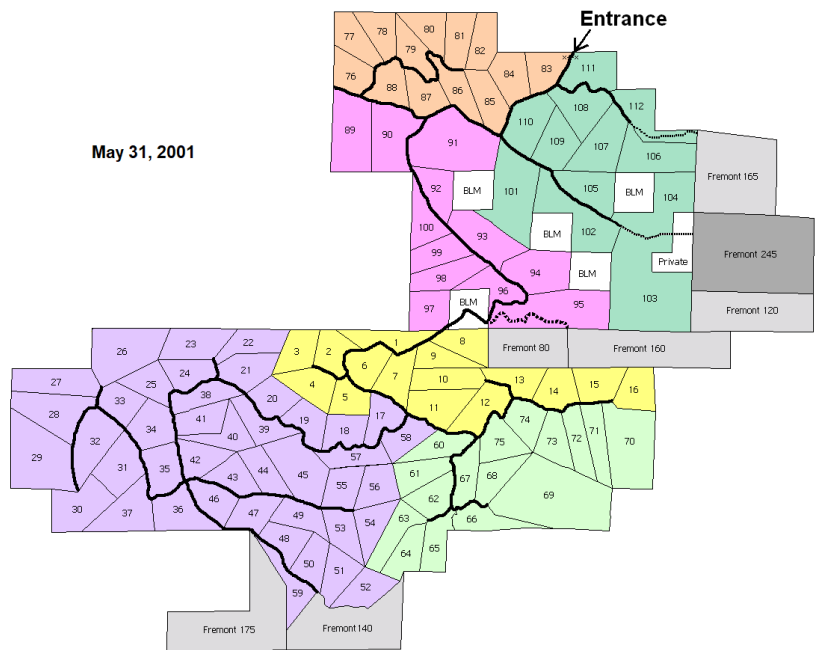


Up to this point, whenever plats were filed, the platted properties were made a part of the POA, either via the Covenants (Filing 1⁷) or via an Annexation Statement (Filings 2-6^{8, 9, 11}).

However, 6 months later, on September 28, 2000, a parcel owned by STB LLC was sold with deed restrictions requiring that it pay a road use fee to the STB POA⁹. The new parcel was called Fremont 245 (shown in dark gray). There was no Annexation Statement filed for this parcel, so it was not incorporated into the POA. Since this parcel is not a part of the POA, it is not subject to the STB Covenants and is not entitled to a vote in the POA.



There were 6 parcels of land outside Filings 1-6 whose owners needed to use ranch roads to access their properties, but were not part of the ranch. Six months after the addition of Fremont 245, on May 31, 2001, STB LLC “partially annexed” these 6 properties into the STB POA¹³. They were called the Fremont Parcels (light gray). This partial annexation gave the owners of these properties access to use the STB roads and use of the dumpsters (aka the “centralized solid waste transfer site and cluster mailbox site”). It also obligated them to pay an annual assessment to the STB POA.



Fremont Parcel Deed Restrictions

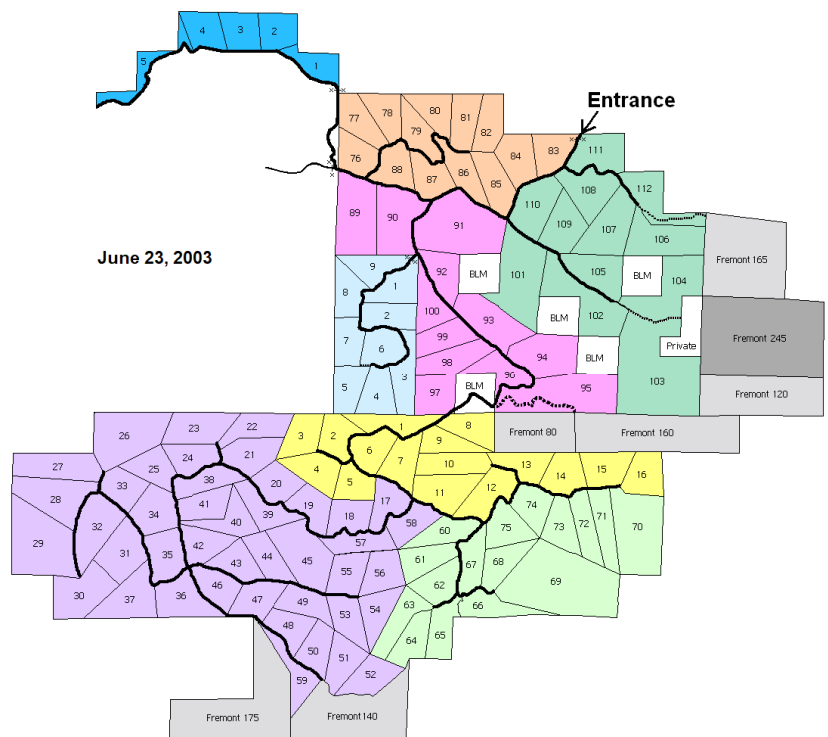
This partial annexation did NOT give the Fremont parcel owners the right to vote in the STB POA and they are NOT subject to the POA's Covenants. However, these properties are subject to a variety of deed restrictions¹⁴.

Parcel	Developer	No Mobil Homes Allowed	Dwelling 1,000 sq ft minimum	Subdividing Allowed?	Commercial Activity must be approved by STB POA Board	Minimng [sic] Prohibited
F80	F600	✓	✓	No	-	-
F120	F600	-	-	-	-	-
F140	STB LLC	-	-	-	-	-
F160	F600	✓	✓	-	✓	-
F165	STB LLC	✓	-	✓ ¹	-	-
F175	STB LLC Montoya	✓	-	✓ ¹	-	-
F245	STB LLC	✓	-	✓ ¹	-	✓

¹ If property is subdivided, resulting parcels must be at least 35 acres and all parcel owners shall automatically become members of the South T-Bar Ranch POA and be subject to its Covenants.

Almost two years later, on February 6, 2003, another developer who owned property adjacent to South T-Bar decided to subdivide part of his property into parcels and created Hall Gulch Ranches¹⁵ (blue). There are 5 parcels in Hall Gulch (although only 3 have been sold). Four months later, on June 23, 2003, the same developer also created Elk View Ranch¹⁶ (light blue), which added another 9 parcels to the STB-adjacent collection of properties.

Hall Gulch and Elk View do not have covenants. Instead, the use of these properties is governed by deed restrictions. The deed restrictions are very similar for all of the Hall Gulch and Elk View properties¹⁷ (cannot subdivide into less than 35 acres, no mobile homes, no modular/or pre-manufactured homes without developers [sic] approval).



The owners of the Hall Gulch and Elk View parcels would need to use STB's roads to reach their properties, so on July 12, 2003, the developer worked out a deal with the STB POA¹⁸...

According to this agreement, Hall Gulch and Elk View owners must pay an annual "road users fee" to the STB POA in exchange for use of the STB roads, access to BLM lands, road maintenance, and use of the dumpsters and the cluster mailbox site. They can also request to be included in the grazing lease administered by the STB POA. The STB POA's Board decided that the "road users fee" paid by the Hall Gulch and Elk View owners should be the same amount as the annual assessment paid by the STB and Fremont owners. Since Hall Gulch and Elk View are separate developments, they cannot vote at POA member meetings, but they can serve on the POA's board and vote at board meetings.

The formation of Elk View and Hall Gulch concluded the addition of adjacent properties to the South T-Bar/Fremont community (for now). So now we have a community where some of the properties are governed by Covenants, some by deed restrictions, and some by other agreements.

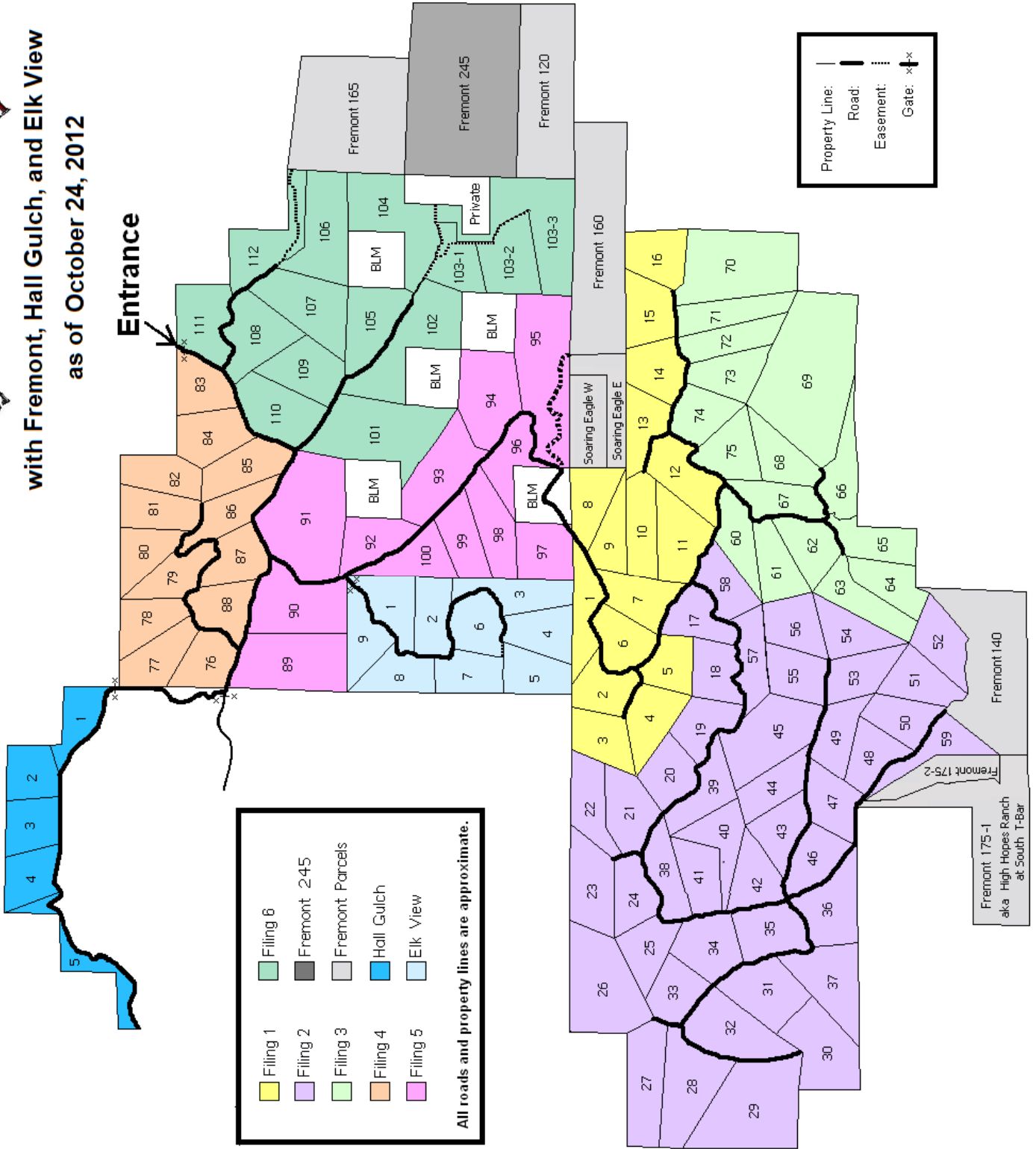
Final Notes:

Over the years, the following properties have been subdivided:

- **Fremont 175** was subdivided on November 9, 2007, to become High Hopes Ranch at South T-Bar, Parcels 1 and 2 (aka Fremont 175-1 and Fremont 175-2)¹⁹.
- **STB Parcel 103** was subdivided on November 7, 2008, to become STB Parcels 103-1, 103-2, and 103-3²⁰.
- **Fremont 80** was subdivided on October 24, 2012, to become Soaring Eagle East and Soaring Eagle West²¹.

SOUTH T-BAR RANCH

with Fremont, Hall Gulch, and Elk View
as of October 24, 2012



References and Footnotes:

NOTE: Reception numbers shown below are the Fremont County Clerk's Reception Number unless otherwise identified.

- ¹ Articles of Incorporation for Land Properties, Inc. (Colorado Secretary of State ID Number 19871506684)*. LPI was dissolved on 12/31/2013 (Articles of Dissolution - Colorado Secretary of State ID Number 20131747793).
- ² Articles of Organization for South T-Bar Ranch, LLC (Colorado Secretary of State ID Number 19981168263), and associated Changes of Registered Office/Registered Agent (RORA) and Resignations of Officer/Director*
- ³ Articles of Organization for The Fremont 600, LLC (Colorado Secretary of State ID Number 20001196577), and associated Changes of Registered Office/Registered Agent (RORA), and Resignations of Officer/Director*.
- * The relationships among the companies are shown by the fact that some of the same people served as Registered Agents and officers/directors for LPI, STB LLC, and The F600 LLC. Specifically:
 - Mary Dumont was the organizer for STB LLC and an officer/director for LPI
 - Adele Swift was a Registered Agent for STB LLC and the organizer for F600 LLC
 - Kevin Meyer was a Registered Agent for STB LLC and a Registered Agent for LPI
 - Ellen York was the initial manager for STB LLC and a director/officer for LPI
- ⁴ C.R.S. 30-28-101 [see (10)(b)]
- ⁵ Articles of Incorporation for the South T-Bar Ranch Property Owners Association, Inc., Colorado Secretary of State ID Number 19991011277
- ⁶ Plat Map for South T-Bar Ranch (filing 1) - Reception # 693734
- ⁷ Declaration of Protective Covenants for South T-Bar Ranch (Reception # 693816)
- ⁸ Annexation Statement and Plat Maps for Filing 2 (Reception #s 702478 and 701644)
- ⁹ Annexation Statement and Plat Map for Filing 3 (Reception #s 708865 and 708864)
- ¹⁰ On July 18, 2000, in a conversation with the author, Ethan McClaugherty, sales agent for LPI, stated that "sales were going well". This may account for the annexation of filings 4, 5, and 6 all on the same day.
- ¹¹ Annexation Statement and Plat Maps for Filings 4, 5, and 6 (Reception #s 711748, 711433, 715674, and 715675)
- ¹² Warranty Deed for Fremont 245 (Reception # 720967)
- ¹³ Annexation Statement for the Fremont Parcels (Reception # 735406)
- ¹⁴ Warranty Deeds for Fremont 80 (Reception # 736806), Fremont 120 (Reception # 725979), Fremont 140 (Reception # 699432), Fremont 160 (Reception # 725981), Fremont 165 (Reception # 718217), Fremont 175 (Reception # 790156), and Fremont 245 (Reception # 720967)
- ¹⁵ Plat Map for Hall Gulch Ranches (Reception # 762406)
- ¹⁶ Plat Map for Elk View Ranch (Reception # 770311)
- ¹⁷ Warranty Deeds for Hall Gulch parcels 3, 4, and 5 (Reception #s 766056, 766822, and 774645) and for Elk View parcels 1-9 (Reception #s 784656, 783739, 812136, 805660, 775801, 776106, 772619, 795976, and 782233)
- ¹⁸ Letter from Tom Gore (POA President) to Ron Walker (Elk View & Hall Gulch developer) dated July 12, 2003
- ¹⁹ Plat Map for High Hopes Ranch at South T-Bar (Reception # 844742)
- ²⁰ First Amendment to the Plat of South T-Bar Ranch Filing Number 6 and Plat Map for Amendment Number 1 ST-Bar Ranch [sic] (Reception #s 864513 and 858030)
- ²¹ Plat Map for Soaring Eagle (Reception # 901240)