

LETTER OF INTENT
MA MINOR LAND SUBDIVISION APPLICATION

April 7, 2022

OWNERS / PARCEL NUMBERS

6100000535
Monument Academy Foundation
1150 Village Ridge Pt.
Monument, CO. 80132-8992

6100000536
Walden Corporation, Matthew W. Dunston, President
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Monument, CO. 80132-8487

CONSULTANTS

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SITE INFORMATION

The proposed MA minor subdivision plat is located within a portion of the E1/2 of the NW1/4 of Section 15, Township 11 South, Range 66 West of the 6th P.M., El Paso County, Colorado. More specifically, the property is located at the southeast corner of the intersection of Walker Road (Hwy 105) and State Hwy 83. The site adjoins the Walden Corporation's waste water treatment facilities and the proposed Walden Preserve 2 Filing 5 single family residential subdivision on the east. The site adjoins Walker Rd on the north, State Hwy 83 on the west and on the south an unplatted 6 acre single family residential tract zoned RR-5. The property, including both parcels, totals 62.60 acres and is currently zoned RR-5. Vehicular access to the site is currently facilitated from Walker Road to the north and a right-in access only from Hwy

83. Recent upgrades to both roadways occurred during the high school construction process (see Existing Improvements discussed below).

DEVELOPMENT REQUEST

The applicants are requesting a Final Plat approval for the MA minor land subdivision. The minor land subdivision plat is proposed to include;

- 19.38 acre Lot 1 is intended to facilitate the existing Monument Academy High School structure, recreational fields and associated parking. A Site Location Permit and Site Development Plans for the High School facilities have previously been approved by El Paso County (PCD Project Number PPR-19-009). Approval of Lot 1’s final plat will complete the necessary County entitlements for the High School site.
- 80 foot wide interior road right-of-way dedications to facilitate the existing Jane Lundeen Drive and the extension of Pinehurst Circle from the easterly property line to the intersection of Jane Lundeen Drive and Pinehurst Circle. Also included is the 60’ ROW, one way, extension of Pinehurst Circle from Hwy 83 to the intersection of Jane Lundeen Drive and Pinehurst Circle. Also included are additional perimeter ROW dedications to both Walker Road and Highway 83 needed to facilitate existing required roadway improvements. All public improvements associated with the proposed ROW dedications were previously reviewed and approved by El Paso County through a Construction Document Review application. Construction of the public improvements was governed by a Development Agreement, Financial Assurance Forms and a Letter of Credit providing surety for construction and warranty (PCD Project Number CDR-20-001).
- 4 individual Tracts. 15.35 acre Tract A and 19.90 ac Tract B to be held for future development. The 1.03 ac Tract C and 0.17 ac Tract D are intended to be transferred to adjoining property owners as part of a property line survey adjustment. No development will be allowed on Tract A and/or B until appropriate zoning, platting and development plans have been approved by El Paso County.

JUSTIFICATION FOR REQUEST

This minor land subdivision final plat approval request is consistent with the previously approved Monument Academy High School development entitlements including; Site Location Permit, Monument Academy Site Development Plan request and Monument Academy Construction Document Review application with supporting documents. Approval of this request will allow for platting of the Monument Academy High School lot and the dedication of previously constructed roadways while legally platting the remaining parcels into Tracts to be held for future development.

EXISTING AND PROPOSED IMPROVEMENTS

Existing improvements within Lot 1 are related to the development of the Monument Academy High School and include; the school structure / building, sports fields, parking spaces, interior driveways. Existing utility services include water, wastewater, natural gas, electric and communications are also existing. No additional improvements to Lot 1 are included within this application.

Interior roadways, including Jane Lundeen Drive and the extension of Pinehurst Circle, are existing. Improvements to surrounding roadways, including Walker Road and State Highway 83, are also existing. No additional improvements within the public road ROW are included

within this application. See County approved Monument Academy Traffic Impact Study PCD File No. U-19-002 / PPR 19-009.

Existing drainage structures and facilities off site, on site (Lot 1) and within the existing road ROW are included within this application. No future proposed drainage structures or facilities are included within this application. See County approved Master Development Drainage Plan & Final Drainage Report for Monument Academy PCD File No. PPR-19-009, CDR-19-001 and CDR-20-20-001.

No additional public or private improvements related to any of the Tracts are included within this application.

No property owner associations and no common ownership land or facilities are included within this application.

CRITERIA FOR APPROVAL & MASTER PLAN CONSISTENCY

In approving a Final Plat application, the El Paso County Land Development Code requires that the BoCC shall find that the proposed subdivision is, amongst other issues, in general conformance with the goals, objectives and policies of the El Paso County Master Plan, Water Master Plan and Parks Master Plan.

COMPLIANCE WITH THE EL PASO COUNTY MASTER PLAN

Lot 1 of the MA Subdivision facilitates the existing Monument Academy High School. The El Paso County Master Plan, adopted May 26, 2021, discusses educational facilities in Chapter 7 – Public Facilities including the character, growth and safety of educational facilities. The Community Facilities Core Principle states: CONTINUE TO COORDINATE WITH LOCAL AND REGIONAL AGENCIES TO PROVIDE WELL-MANAGED, HIGH-QUALITY COMMUNITY FACILITIE AND SERVICES and goes on to present four Community Facilities goals.

Goal CF11 – Coordinate with agencies to provide high-quality community facilities, services and infrastructure to enhance quality of life. The Monument Academy High School is a result of combined work efforts with the Monument Academy Foundation, the Foundation’s engineers and architects, the developer of the Walden community, the Walden community utility providers, the local school district, the local fire protection district, the Colorado Department of Transportation, El Paso County Parks and Recreation, the El Paso County Transportation Department, the and El Paso County Planning and Community Development Department all working toward a common goal of providing the safest and highest quality educational experience for the young citizens of El Paso County.

Goal CF12 – Improve the effectiveness of public safety through coordination, funding and planning. The safety of the general public, as well as school students, faculty and administrators, has been insured through the combined work efforts and code compliance reviews of the school’s building contractors, architects, engineers and planners in close coordination/cooperation with the Pikes Peak Regional Building Department, Monument Tri-Lakes Fire Protection Department, the City of Colorado Springs Fire Department, the El Paso County Sheriffs Department, the Colorado Department of Transportation, the El Paso County Transportation Department and the El Paso County Planning and Community Department.

Goal CF13 – *Ensure adequate provision of utilities to manage growth and development.* Water and wastewater services to the high school are currently being provided by the Walden Corporation pursuant to State permits and as described in the Watts Engineering Water Resource and Wastewater Treatment Reports. Electric service is being provided by the Mountain View Electric Association and natural gas service is being provided by the Black Hills Energy Corp. See Service Commitment Letters submitted by all utility providers evidencing their willingness to serve and their capacity/capability to provide service.

Goal CF14 – *Use best management practices to protect water quality, conserve water, minimize impacts of flooding, and beautify El Paso County.* The high school’s runoff water quality and site drainage/flood impact controls have been designed by a professional engineer in accordance with numerous County, State and Federal regulations intended to protect the physical environment. In addition, the high school’s drainage and erosion control has been constructed and inspected in accordance with numerous County, State and Federal requirements and regulations.

Key Areas - The Monument Academy Highschool (Lot 1) is located within the Tri-lakes Key Area. The Master Plan Tri-lakes Key Area recommends that “Future development in this area should align with the existing character and strengthen the residential, commercial, employment, and entertainment opportunities of Monument, Palmer Lake, and Woodmoor”. The Highschool land use aligns with the existing character and strengthens the residential development component of the Key Area.

Areas of Change – The Master Plan Areas of Change identifies Lot 1 to be in a Minimal Change: Developed area. The Master Plan indicates that because the area is primarily built-out, new development will not have a substantial impact upon the existing community and that the character of the community will be maintained.

Placetypes – The Master Plan indicates that the Monument Academy Highschool (Lot 1) is located within a Suburban Residential Placetype and that this Placetype aligns with and supports an Institutional (school) land use.

Priority Development Areas – The Master Plan indicates that the Monument Academy Highschool (Lot 1) is located within a Priority Development Area supporting Suburban Residential land uses. The Highschool land use aligns with the Suburban Residential land use with the Priority Development overlay.

COMPLIANCE WITH THE EL PASO COUNTY LAND DEVELOPMENT CODE

As discussed in *Master Plan Chapter 14 Implementation – Land Use Applications and Master Plan Consistency* - previous approvals of the Monument Academy High School ‘s Site Location Permit, Development Plan and Public Improvement Plans (road and drainage) established Master Plan consistency related to land use goals and objectives and a good portion of the Master Plans technical subdivision goals and objectives. The Master Plan’s technical subdivision goals and objects and Code compliance requirements are discussed in further detail below and are intended to evidence this application’s further consistency with the Master Plan as well as the technical requirements of the Land Development Code.

- *The subdivision is in substantial conformance with the approved Preliminary Plan;* Preliminary Plans are not required for Minor Land Subdivisions. However, the proposed

plat does accurately reflect the previously approved Site Location Permit, Site Development Plans and Construction Document Review application.

- *The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents and other supporting materials;* Previous County approvals associated with the Site Location Permit application, the Site Development Plan application and the Construction Document Review application evidence consistency with County planning and engineering regulations.
- *A sufficient water supply has been acquired in terms of quantity, quality and dependability complying with all State and County water supply standards;* Water service including; treatment, storage, fire suppression and distribution is currently being provided to Lot 1's high school by a central water system owned and operated by the Walden Corporation. Water quality, quantity and dependability were established during Lot 1's Site Development Plan approval process and are further detailed in the Watts Engineering Water Resource Report.
- *A public sewage disposal system has been established complying with all State and County sewage disposal system standards;* Waste water collection and treatment will be provided via a central wastewater system owned and operated by the Walden Corporation. Compliance with State and County code requirements was established during Lot 1's Site Development Plan approval process and are further detailed in the Watts Engineering Waste Water Service Report.
- *All areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions;* Soils, geologic and topographic hazards were evaluated during the Lot 1's Site Development Plan review process and found to be suitable for the development of a high school facility.
- *Adequate drainage improvements complying with State law and the requirements of this Code and the ECM are provided by the design;* Site drainage was evaluated during both the Site Development Plan process for Lot 1 and the Construction Document Review application process for the associated roadways. Required drainage facilities and improvements were identified and constructed as part of the high school and roadway construction process.
- *Legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easements, acceptable to the County in compliance with this Code and the ECM;* Legal and physical access has been provided to Lot 1 and Tracts A and B via the construction of Jane Lundeen Drive and the extension of Pinehurst Circle both designed and construction to County ECM standards and both intended to be dedicated to El Paso County for ownership and maintenance.
- *Necessary services, including police and fire protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision;* Police protection to the Monument Academy High School (Lot 1) is currently being provided by the El Paso County Sheriff's Office in cooperation with the high school's

internal security staff. Fire protection is being provided by the Tri-lakes Monument Fire Protection District. A transportation network has been constructed to provide safe and adequate vehicular access to and from the school site parking lots. Water and wastewater services are currently being provided by the Walden Corporation. Electric service is being provided by Mountain View Electric Association and natural gas service is being provided by Black Hills Energy. The Monument Academy High School provides the surrounding community with recreational opportunities.

- *The subdivision provides evidence to show that the proposed methods of fire protection comply with Chapter 6 of the Land Development Code;* The Tri-lakes Monument Fire Protection District was extensively involved in the review and approval of the Site Development Plans and the buildings architectural plans evidencing compliance with Chapter 6 of the Land Development Code.
- *Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8;* Off-site impacts generated by the high school development on Lot 1 were generally related to traffic impacts and site drainage impacts. Detailed engineering reports identifying the impacts and required mitigations measures were reviewed and approved during the Site Development Planning process and the Construction Document Review application process. Roadway improvements and drainage improvements were constructed to mitigate impacts.
- *Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or are financially guaranteed through the SIA so the impacts of the subdivision will be adequately mitigated;* A Development Agreement between the school and the County (SIA) was prepared and executed during the Construction Document Review application process. The Development agreement included financial assurance forms and a letter of credit to guarantee construction.
- *The proposed subdivision meets other applicable sections of Chapter 6 and 8 of the Land Development Code;* Chapter 6 of the LDC deals with general development standards while Chapter 8 deals with subdivision design, improvements and dedication standards. Compliance with these standards is evidenced and ensured by the approval of the Site Development Plan application and the Construction Document Review applications.
- *The extraction of any known commercial mining deposit shall not be impeded by this subdivision;* A review of the El Paso County Master Plan for Mineral Extraction and the Monument Academy High Schools Soils and Geology Report indicates no known commercial mining deposits on the site.

COMPLIANCE WITH THE EL PASO COUNTY WATER MASTER PLAN

The Monument Academy Highschool (Lot 1) water service requirements are being facilitated by the Walden Corporation, a private water supplier, located within Planning Region 2 of the El Paso County Water Master Plan. The Highschool will consume 3.1 AF per year of the Corporation's water resources.

Submitted under separate cover is the Water Resource Report for Monument Academy Subdivision and Walden Preserve 2, Filing No. 5 Subdivision prepared by Oliver E. Watts,

Consulting Engineer. This report details the Walden Corporation's ability and willingness to provide the Highschool's water service for the next 300 years as required by El Paso County Code and the Colorado Division of Water Resources and as recommended by the El Paso County Water Master Plan.

Water Master Plan Planning Region 2 is comprised of 16 individual water providers. Ninety percent of the Planning Region is underlaid by the all five formations of the Denver Basin Aquifer. The Denver Basin Aquifer provides for 100% of the Walden Corporations Water Resources.

According to the Water Master Plan, Planning Region 2's current water demand is 7,532 AF per year with a 2060 build-out demand of 13,254 AF per year. Region 2's current supplies are 13,607 AF per year with a 2060 build-out supply of 20,756 AF per year. The current water needs indicate a surplus 6,075 AF per year and a 2060 surplus of 353 AF per year. The 3.1 AF per year water Lot 1 demand is consistent with the Water Master Plan's projected demands, supplies and needs.

Following is a discussion of Water Master Plan goals and policies that relate specifically to the end water users (Highschool).

Goal 1.1 – Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development. – See Walden Corporation Water Resource report, Colorado Division of Water Resource application review, and El Paso County Attorney's Office application review for discussions related to water quantity and dependability. See Walden Corporation's annual water quality reporting to El Paso County Health Dept and State Dept of Public Health.

Goal 4.1 – Develop an understanding of the differences in water supply sources and any water quality issues within the County. – The sole source of water for the Walden Corporation and the Monument Academy Highschool are wells into the various formations of the Denver Basin aquifer. Denver Basin aquifer water quality in Planning Region 2 has consistently been shown to meet and/or exceed County and State water quality standards.

Goal 4.2 – Support the efficient use of water supplies. – The Monument Academy Highschool's (Lot 1) building architecture supports and complies with Regional and State building codes related to water conservation. The structure's landscape design and site planning has been designed and constructed in accordance with El Paso County's landscape ordinances and standards which emphasize water conservation.

Goal 5.1 – Identify the potential water supply gap at the projected full development build-out (2060). – The Water Master Plan indicates a Planning Region 2 surplus of 353 AF per year at full 2060 build-out. The Watts Water Resource Report indicates 37% of the Walden Corporation's available water resources will have been committed following the development of the Walden Preserve 2, Filing 5 subdivision and the Monument Academy Highschool (Lot 1).

Goal 6.0 – Require adequate water availability for proposed development. – Subdivision development within El Paso County requires that a finding of water quality, quantity and dependability be made by the Board of County Commissioners. The BoCC makes its determination based upon a recommendation by the County Attorney's Office. The CAO in turn bases its recommendation on a recommendation by the Colorado Division of Water Resources. The applicant is currently in the process of obtaining the various required recommendations / findings.

Goal 6.1.2 - Promote water conservation. – The Monument Academy Highschool (Lot 1) has promoted water efficiency measures and best management practices for reducing water demand in their building architecture, site development and landscape design consistent with Regional and State building codes and the County landscape design manual.

Goal 6.2.1 – Increase regional water reuse and conservation to better optimize available water supplies and Goal 6.2.2 – Fully reuse all water that can be economically reused. – The Walden Corporation provides a central waste water collection and treatment facility as well as a water provider facility. Waste water generated by the Monument Academy Highschool (Lot 1) will be collected, treated and returned into the Denver Basin aquifer system pursuant to State Health Department and State Division of Water Resources permits and code requirements.

COMPLIANCE WITH THE EL PASO COUNTY PARKS 2013 MASTER PLAN & TRAIL MASTER PLAN

The 19.38 acre Monument Academy Highschool site (Lot 1) is located within the NE Subarea of the 2013 El Paso County Parks Master Plan. No publicly owned regional parks, open space, recreational areas or nature/conservation facilities are shown as existing or proposed within the proximity of Lot 1. The Open Space component of the Master Plan shows the area as “not a candidate for public open space lands”.

As illustrated on the Trails Vision Map, a section of the Cherry Creek Regional Trail within the NE Subarea is planned between Hodgen Road and Walker Road. In fact, a good deal of the easement necessary for the trail segment’s construction has been secured and a good deal of the trail within the Walden Preserve 2 subdivision open space system has been constructed. The trail currently terminates at the southeast corner of Lot 1 where it integrates into the Highschool’s public and private sidewalk systems which in turn accesses the regional trail at Walker Road.

ADMINISTRATIVE DETERMINATION

On April 1, 2022 an administrative determination was requested in regards to the adequacy of the K&A Geotechnical Engineering Study submitted with this application. Attached is a copy of that request and an email response as to the administrative determination by the PCD Director.

April 1, 2022

Mr. Craig Dossey, PCD Director
El Paso County Planning & Community Development
2880 International Circle, Suite 110
Colorado Springs, CO. 80910

RE: Monument Academy Minor Subdivision MS2110

Dear Craig,

On Jan 28, 2022 PCD staff reviewed the K&A Geotechnical Engineering Study for the Monument Academy School in support of the proposed MA Minor Land Subdivision Final Plat application MS2110. The PCD review required that the Geotechnical Engineering Study be updated to include; 1) a map depicting geologic hazards and constraints, 2) a map identifying soils types, 3) discussions of geologic hazards and constraints pursuant to LDC definitions.

I am writing to request that PCD recognize the adequacy of the previously submitted and approved K&A Geotechnical Engineering Study consistent with *LCD Sec. 8.4.9.A.2 Previously Submitted. Where a geology and soils report has been completed and reviewed at an earlier stage of the subdivision review process, a new report may not be required if in the determination of the PCD Director the existing report provides the level of site-specific detail necessary to review the subdivision application, and the recommendations of the report and the Colorado Geological Survey (CGS) have been followed in the preparation of the preliminary plan.*

The following statements are offered in support of this application;

- Lot 1 is the sole developable lot being platted in this subdivision request.
- The Monument Academy Highschool facilities currently exist on Lot 1. Public improvements (streets and drainage) also exist adjoining the Highschool. No other facilities are planned on Lot 1 at this time.
- The K&A Geotechnical Engineering Study was utilized in obtaining Site Development Plan approval PPR199, Public Improvements Construction Document approval and Regional Building Department approval.
- Amy Crandall, Engineering Geologist, Colorado Geological Survey, stated in her 1/21/2022 application review;
 - “CGS has no objection to the approval of the minor land subdivision.”
 - She went on to state that she agreed with K&A’s recommendations regarding over excavation and replacement of expansive clays. The recommendations were implemented during the construction of the Highschool facilities.
 - She recommended that site specific geotechnical studies be performed for the future improvements within the four tracts. The applicant has agreed that future development applications related to the Tracts held for future

development will require full LDC compliant site/use specific geotechnical studies.

Your time in consideration of this request is greatly appreciated. Should you have any questions or require additional documentation, please contact my office.

Respectfully submitted,

David F. Jones
LAND RESOURCE ASSOCIATES
9736 Mountain Rd
Chipita Park, CO 80809
719 660 1184
chipita1@comcast.net

From: Ryan Howser RyanHowser@elpasoco.com
Subject: RE: MA Minor Subdivision MS2110
Date: April 1, 2022 at 2:29 PM
To: David Jones chipita1@comcast.net
Cc: Matthew Dunston mattdunston@hotmail.com, John Schwab john@jpsengr.com

Dave,

Craig is agreeable to your proposal. Please include the information in your letter of intent on the next submittal. You could provide just a copy of the write up you sent over attached to the LOI and that will be fine.

Thanks,

Ryan

From: David Jones <chipita1@comcast.net>
Sent: Friday, April 1, 2022 1:07 PM
To: Ryan Howser <RyanHowser@elpasoco.com>
Cc: Matthew Dunston <mattdunston@hotmail.com>; John Schwab <john@jpsengr.com>
Subject: Re: MA Minor Subdivision MS2110

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Hi Ryan,

Attached is this request for administrative determination.

Please call or email with any questions or comments.

Dave J

From: Ryan Howser <RyanHowser@elpasoco.com>
Date: Friday, April 1, 2022 at 11:28 AM
To: David Jones <chipita1@comcast.net>
Cc: Matthew Dunston <mattdunston@hotmail.com>, John Schwab <john@jpsengr.com>
Subject: RE: MA Minor Subdivision MS2110

Please put it into a written request and send it to me rather than contacting Craig directly.

From: David Jones <chipita1@comcast.net>
Sent: Friday, April 1, 2022 10:37 AM
To: Ryan Howser <RyanHowser@elpasoco.com>
Cc: Matthew Dunston <mattdunston@hotmail.com>; John Schwab <john@jpsengr.com>
Subject: Re: MA Minor Subdivision MS2110

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Ryan,

Thanks for the help and direction. I will contact Craig yet today.

Dave J

From: Ryan Howser <RyanHowser@elpasoco.com>
Date: Friday, April 1, 2022 at 7:14 AM
To: David Jones <chipita1@comcast.net>
Cc: Matthew Dunston <mattdunston@hotmail.com>, John Schwab <john@jpsengr.com>
Subject: RE: MA Minor Subdivision MS2110

Dave,

If you want to use a previous report that was approved with a previous phase in development, the following Code applies:

Sec. 8.4.9.A.2 Previously Submitted. Where a geology and soils report has been completed and reviewed at an earlier stage of the subdivision review process, a new report may not be required if in the determination of the PCD Director the existing report provides the level of site-specific detail necessary to review the subdivision application, and the recommendations of the report and the Colorado Geological Survey (CGS) have been followed in the preparation of the preliminary plan.

So you would need to provide this justification in your letter of intent and it would be Craig's determination on whether it is acceptable.

Let me know if you have any questions.

Thanks,

Ryan

From: David Jones <chipita1@comcast.net>
Sent: Thursday, March 31, 2022 2:57 PM
To: Ryan Howser <RyanHowser@elpasoco.com>
Cc: Matthew Dunston <mattdunston@hotmail.com>; John Schwab <john@jpsengr.com>
Subject: MA Minor Subdivision MS2110

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Hi Ryan,

Attached is a letter requesting that you modify your review requirements relative to the MA Minor Subdivision's Geologic Engineering Report.

I believe that the letter is self-explanatory but please do not hesitate to call or email with any questions.

Thanks,

Dave Jones
LAND RESOURCE ASSOCIATES
719 660 1184
chipita1@comcast.net