

**GARFIELD & HECHT, P.C.**  
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**DATE:** May 5, 2025

**TO:** Town of Keystone Planning Department  
Attn.: Lindsay Hirsh; Andrew Collins

**CC:** Scott Russell

**FROM:** Garfield & Hecht, P.C. on behalf of ORRA Keystone Investments, LLC

**RE:** Updates to TOK24-016 Class 6 General Subdivision Exemption Plat

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In 2024, ORRA Keystone Investments, LLC (“ORRA”) submitted its Class 6 General Subdivision Exemption Plat Application, Application No. TOK24-016 (the “Application”). On December 16, 2024, ORRA received comments from the Town of Keystone and its referral agencies regarding the Application. In response to those comments, and as a result of additional field and title investigations, ORRA has made several revisions to the draft exemption plat dated September 6, 2024, that was previously reviewed by Town staff and referral agencies. The purpose of this memorandum is to identify and summarize those revisions to aid staff in its review of the updated exemption plat dated April 21, 2025 (the “Updated Plat”) submitted with this memo.

**TEXT CHANGES**

1. Title of plat changed to “Amended-Exemption Plat, Lot Line Adjustment and Easement Vacations, Amendments and Replacement for Lots 4A-1 and 4A-2
2. All dedication language has been revised to replace Summit County with Town of Keystone and to conform with Ordinance 2024-O-05. The BOCC certificate has been replaced with the Town of Keystone certificate.
3. Plat notes revised and added to provide additional clarity regarding easements and requirements from prior plat notes.
4. Plat Note 9 on the Updated Plat was added to address staff’s concerns regarding the resulting setback from the as-adjusted Lot 4A-2 boundary line. ORRA previously notified

staff that the apparent encroachment into the setback involves a fence, not the building itself. The fence vs. building line is now shown on Sheets 3, 7, and 9 of the Updated Plat. To the extent the fence/building distinction does not resolve the setback concern, Plat Note 9 acknowledges the interior private property line setback shown on the Updated Plat can be maintained pursuant to Section 3505.13.G.2 of the Town code.

5. Re-labeled easements for consistency and clarity and to address review comments.

### **EASEMENT CHANGES**

1. The undefined location of the easement described in Reception No. 1190835 is amended by the Updated Plat to be co-extensive with the “Woods Access Easement” (see Plat Notes 6 and 15).
2. The 2021 plat required that a perpetual, non-exclusive pedestrian easement be dedicated on the amended plat to be recorded upon completion of construction. Plat Note 8 on the Updated Plat addresses this easement and refers to it as the “Community Path.” See Sheet 8. The Community Path satisfies the community path requirement in the Keystone PUD Guide and connects the existing path located on the adjacent lot to the east to Ina Bridge to the west. It also replaces the 8-foot pedestrian pathway and “clear zone” referenced in Plat Note 7 that staff highlighted on the 9/6/24 version of the plat.
3. The Updated Plat connects previously unconnected portions of the north/south “Recreation Path” over Lot 4A-1 and adds a connection on the north end of the Recreation Path to the foot bridge on the northwestern boundary of Lot 4A-1.
4. The access easement called for in Plat Note 10 on the 2019 and 2021 plat of the subject lots is vacated as shown in Detail 3, Sheet 4.
5. An existing utility easement was expanded on the north side of Lot 4A-1 and onto Lot 4A-2 to encompass existing utility infrastructure. See Detail 9, Sheet 6.
6. The existing “Woods Access Easement” is being realigned to move the easement from the middle of Lot 4A-1 to run along the southern and eastern boundaries and connect to Hunki Dori Court. A new detail showing the remaining, vacated, and new easement areas is included as Detail 6, Sheet 4. An amendment to the existing easement agreement will be recorded along with the plat.
7. New drainage easements have been added over Lot 4A-2 (see Sheet 9), and easement agreements regarding the same will be recorded along with the plat.